

1800-111

SOUTHAMPTON COUNTY
CHANCERY PAPERS

SCOTT

VS.

DENSON'S HEIRS

1/1800

Scott

07

Denison

Bill

Jan 1748

Pier John Oliver

Jan 4. 1800

Rep. of Duru

Leiral

To the justice of Southampton county court
sitting

Meriam Scott sheweth to the court that
Tucke Benson, of this County, lately deceased,
was justly indebted to ~~him~~ her the sum of three
one pounds one shilling & one penny half
penny current money of Virginia, and
being seized and possessed of a certain
tract or parcel of land situate and lying
in the county of ~~Southampton~~, ~~Virginia~~, ~~of the~~
estimation one hundred acres more
and sundry other articles of property to
two horses, six head of cattle, twenty head of
four feather beds, & furniture & plantations
utensils, in order to secure the payment
on or any day after the 11th day of Feb^{ry} 1789 with interest from that day
of the said sum of £31.1.1/2 to your Com-
plainant, her the said Tucke Benson
consideration thereof, and in further con-
sideration of the sum of five shillings
paid by your Complainant, did execute a
certain deed of trust, empowering your Com-
plainant to make sale of the conveyed
for the land & property before mentioned
wherein deed of trust your Complainant
prays may be made part of this bill.

Your Complainant further sheweth, that
since the execution of the said deed of trust
the said Tucke Benson has departed this
life without pay the said debt and interest
leaving Ann Benson his wife, Miles, John, Joseph
Elizabeth, Catharine, & Rebecca Benson his
representatives to whom your Complainant has
rather to pay the said sum & interest or to

land & property should be sold
the 30 sum; but they containing
yether and fraudulently intending to injure
your Complainant will not consent or agree
to any thing that is fair & equitable

In tender consideration whereof and
as estates in trust are properly cognizable in a
court Chancery to the end therefore that the
said Anne Benson widow of the said Duke
and the said Peter, Eliza, John, Joseph, Elizabeth, Catharine and Rebecca ^{Daughters} heirs
of the said ~~of the~~ Duke Benson may be
made defendants to this bill and they may
in their oath, true and full answer make
to the foregoing allegations particulars state
the said Duke Benson was not indebted to
your Complainant as above related and while
for securing the said sum & interest, he did not
convey the said land & property to your Complainant
Hath he, or have they, since his death, paid
of the said debt & interest? and is not the same
still due? your Complainant prays that the defen-
dants be decreed to pay and satisfy your Complainant
the said sum of thirty one pounds 10¹/₂ and five
shillings with interest thereon from the eleventh
day of February 17⁸⁹ till paid and all reasonable
expenses and charges that have accrued or that may
accrue relative to this business together with your
Complainant's Costs; and in default thereof, that
the said defendants be decreed peaceably &
quietly to deliver up the said tract of land &
property before mentioned to your Complainant that
may be made thereof and that the sd Defendants

and all persons claiming under
foreclosed of and from all
tion or claim in or to the
premises and the estate of your Com,
~~may~~ in, or the purchase of, the said
land and personal property before mentioned
may become absolute ~~therein~~, or that your
Complainant may have such further relief
herein or may seem most equitable
and just may it please court do

Aug 6, 1789 for
Compt

Sept 17 89
bill
Dorsons heirs

Scott }
 vs } Decree
 Denson } nisi

Nov. 1798

~~James M. Smith~~
~~James M. Smith~~
~~James M. Smith~~
~~James M. Smith~~

The debt to be served
 with the Rep. of the
 before and after
 a full Court

Executed on the 10th. 1798. by
 Rebecca & Catharine Simon's

J. H. H. H. H.
 for
 Robt. H. H. H.

Southampton County November quarterly court 1798.

Miriam Scott

Complainant

against

Ann Denson, Peter, Miles John, Joseph
Elizabeth Catharine & Rebecca Denson & Defts

In Chan-
cery.

This cause came on to be heard on the bill of
the complainant & the exhibits filed therein & the defts
having been duly served with the subpoena & having failed
to answer according to the act of Assembly & the rules of this court
& the matter of the complainant's bill having been taken for
confessed Therefore on consideration thereof it is Decreed
& ordered that the ~~complainant make sale of the lands and~~
~~personal estate in the bill mentioned~~ defendants pay unto
the complainant the sum of Thirty one pounds 11/2 & five
shillings, with interest thereon at 5% p. C. from the 11th of February
1789 to the time of paymt. or in default thereof that they deliver
to the S^r Complainant the lands & personal estate in the bill
mentioned which were conveyed in trust from Foke Denson the
husband of the S^r Ann & father of the other defts to the complainant
to secure the paymt. of the debt afores^d with the incident charges
& that the S^r Complainant proceed to sell the same at public
auction after due notice given for ready money & therewith discharge
the S^r debt interest charges & costs unless the S^r defendants
shall ~~appear~~ ^{have} file their answer on or before the next court
after being served with a copy of this decree after which the
decree will be made final &c

teste Skello
C

Scott

vs.

Denson's

W. S. P. a
in
Ch. 40

To June 1798

Executed on Ann

Peter Mills John

Joseph King & Catha

- nine & Copy left for

Rebecca D. S. & A. D.

Geo. Mason D. S.

for
Robt. M. A. D. S.

& D.

The Commonwealth of Virginia to the Sher-
riff of Southampton County, Greeting, You
are hereby commanded to summon, Ann,
Peter, Milly, John, Joseph, Elizabeth, Catha-
rine, & Rebecca Densons, to appear before
the Justices of our said County Court, at the Court-
house of the said County, on the third Monday
in June next, to answer Miriam Scott, a
bill in Chancery, exhibited against them, and
this they are not to omit, under the penalty
of one hundred pounds each, and have
then there this writ, witness Samuel Heflo
Clerk of our said Court, at the Courthouse
of the said County the 27th day of March
1798 and in the 22nd year of the Com-
monwealth —

S. Heflo. C.
C

Received of Miriam Scott Mortgagee of Luke Denson dec. full value
and ample satisfaction for all the Overplus money which arose from
the sale of certain lands and feather Beds &c. late the property of our
father the aforesaid Luke Denson and by him conveyed to the said
Miriam Scott for securing the Payment of a certain sum to the said
Miriam Scott then due as in the said conveyance mentioned, And
the said Miriam Scott, In pursuance of a Decree of Southampton
County Court, sold the said lands &c. for the purpose (as by the said decree
directed) of first satisfying the said debt Interest & Costs and paying
the Overplus if any unto us, And we do hereby exonerate acquit and
discharge the said Miriam Scott her heirs and assigns forever from
all claim or demand or Pretension of Claim whatsoever, that we or either
of us or either of our heirs or assigns or any other person claiming or to
claim for or under us or either of us Or the aforesaid Luke Denson, have
Or may have against the said Miriam Scott her heirs or assigns, or
Account about or concerning the said lands & feather Beds &c. Or any
Monies Accruing or proceeding therefrom. In Witness whereof
We have hereunto set our hands this 11th day of August Anno
Domini 1791

In the presence of

Eliza Lewis

David Turner

John Beaton

^{his}
Peter  Denson
mark

^{his}
Mills  Denson
mark

John Denson
Jo Denson Jr.
^{her}
Abigail  Denson
mark

^{her}
Katharon  Denson
mark
^{her}
Elizabeth  Denson
mark

Agreeable to a decree and order of Southampton County
 Court bearing date April 1799 I sold to the highest
 bidder having given due public notice thereof the
 lands & part of the personal estate of ~~to wit~~ three feather
 beds and furniture in the said order referred to & Jordan
 Denson (to whom the beds &c were also conveyed) became
 the purchaser - from the proceeds whereof I have retained
 the debt interest & costs in the said decree mentioned &
 paid the overplus as thereby directed given under my
 hand this Twenty fourth day of August 1799 -

Miriam Scott

3 feather beds & furniture sold for thirteen pounds ten
 Shillings but claimed by Jordan Denson & delivered.

Lands sold for	£64.
Debt & Mortgage	£31. 1 1/2
to 10th of July 99	10. 3 1/2
Lawyer fee & 2. 6/12 4. 1/2	3. 15. 1 1/2
4 1/2	3. 36 8
Land tax 91-3/8 92-2/4 93-2/4	8. 1 -
94-95. 90 1/2 97. 98. 99 9/11	16. 11.
Comm. 2/8 Record Nov 12/8.	15. -
	52. 19. 8 1/2

The within Receipt for Bal. 17. 3 1/2

1800
 Denson & Duns
 of
 Newport

Robert.

All a court continued and held for the county of Southampton
the 13th day of January 1791. This Indenture with the receipt
thereon endorsed were proved by the oaths of Giles Wester and Job
Wright two of the witnesses thereto, who also deposed that they
saw David Wright another witness thereto who is since dead
subscribe his name as a witness in the presence of the parties
and as ordered to be recorded.

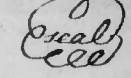
Samuel Kello &

John Denson
to
Wm. Scott } 1791
Jan 7 1791
Recorded
and
examined.

This Indenture made this eleventh day of February in the Year of our Lord Christ. One thousand seven hundred & Eighty nine Between Luke Denson of the County of Southampton & Parish of Netaway of the one part & Miriam Scott of the County & Parish aforesaid of the other part, Witnesseth that the said Luke Denson for & in Consideration of the just & full sum of Thirty one pounds one Shilling and one penny half penny Current money of Virginia by the said Miriam Scott to him in hand paid the receipt whereof the said Luke Denson doth hereby acknowledge & thereof acquit & discharge the said Miriam Scott her heirs & assigns forever & himself therewith fully & entirely satisfied contented & paid. he the said Luke Denson hath Granted, bargained, sold, aliened, enfeoffed, released, set over, delivered & Confirmed by these presents with Grant, bargain, sell, alien, enfeoff, release set over deliver & Confirm unto the s^d. Miriam Scott & to her heirs & assigns forever, All that Plantation, Mesuage, Tract & Parcel of Land, whereon the said Luke Denson now lives situate lying & being in the County of Southampton & Parish of Netaway afores. Containing by Estimation One hundred acres be the same more or less & bounded according to the known Ancient & reputed bounds thereof & all the houses, out houses, Edifices, buildings, woods, ways, pastures low grounds, Orchards, Gardens, waters, & water courses, profits, commodities, hereditaments & appurtenances whatsoever to the same belonging or in anywise appertaining & the reversion & reversions, Remainders & remainders, Rents, issues & profits thereof & all the estate, right, title, interest, claim, or demand of him the said Luke Denson of, in & to the same and every part & parcel thereof and also Two horses Six Cattle & all the furniture & household goods & other things now in the said plantation & implements. To have and to hold, the said Plantation, Mesuage, Tract & Parcel of One hundred acres of Land & premises with all & every the appurtenances as aforesaid Together with all & every the other Granted Premises Goods & Chattels unto her the said Miriam Scott & to her heirs & assigns forever, to the only proper use & behoof of her the said Miriam Scott & her heirs & assigns forever; and the said Luke Denson for himself his heirs, Executors Adm^r & assigns, the said Plantation, Mesuage, Tract, & parcel of One hundred acres of Land & premises with all & every the appurtenances as aforesaid, together with all & every the other Granted Premises, Goods, & Chattels unto the said Miriam Scott & to her heirs & assigns forever against him the said Luke Denson his heirs, Executors Administrators & assigns & against all & all manner of Persons whatsoever Claiming or Demanding the same or any part parcel, or title thereof shall & will warrant & forever defend by these presents, And the said Luke Denson for himself his heirs & Adm^r & assigns, Doth hereby Covenant promise & agree to & with the said Miriam Scott her heirs & Adm^r & assigns, that he the said Luke Denson his heirs, Executors, Adm^r or assigns will well & truly pay or Cause to be paid unto the said Miriam Scott her heirs or assigns the just & full sum of Thirty one pounds one Shilling and one penny half penny like Current money with the lawful Interest thereon growing due & upon this special Condition the s^d. Luke Denson his heirs & assigns is to repossess the said Granted Premises as fully & as amply as tho^t this Deed had not been made. In Witness whereof the s^d. Luke Denson hath hereunto set his hand & affixed his seal the day & Year first above written

Signed Sealed & Delivered
in the presence of us

David  Wright Sen.
John Minter
Job  Wright

Luke  Denson
marks Denson 

Received this Eleventh day of February 1789 of the within named Miriam Stott the sum of Thirty one pounds one shilling & one penny current money of Virginia being the consideration money within mentioned.

J. C. & S. Denson
Luke marks

Witness's.
his
David F. Wright ser.
mark

Jules Porter
his
Job F. Wright
mark

At a court continued and held for the county of Southampton the 13th day of January 1791. The sherriff with the right honor and wife were sworn by the oaths of John Wister and Job Wright two of the witnesses thereto, who also depose that they saw David Wright another witness thereto who is now dead subscribe his name as a witness in the presence of the parties and as ordered to be recorded.

Samuel Wells &
Co

Recorded
and
examined
Jan 1791

W. Scott
to
J. Denson
J. Denson