

1801-019

SOUTHAMPTON COUNTY
CHANCERY PAPERS

DAWSON'S EXECUTOR VS. EDMUNDS' ADMINISTRATOR 11/1801

other surnames: Smith,
Morris, Hines

Danron's egg } Ch. 7.
To }
Edmunds's adnion

June 1799
Bill filed L

Nov. 1801
Whales depl. dead

Hill

To the Justices of Southampton County Court in Chancery sitting

Henry Smith surviving exor of John Dawson late of the County of decessd humbly sheweth ~~to the Court~~, That the s^c John in his last will Testament appointed a certain Howell Edmunds, Henry Smith & Wm Edmunds his exors &c — That in pursuance of this appointment the said Howell soon after qualified, and took upon himself the burthen of the said will Testament as acting exor thereof — the s^c William refusing to act therein; sometime after, y^r Complot also qualified as exor of the s^c Will &c all which proceedings are of record in the County Court afo^e as reference therunto being had will fully appear — That the s^c Howell as acting exor afo^e took bonds, granted discharges &c concerning the estate — that among others there were two, the one given by Chislon Morris & David Hines to the exors of the s^c John Dawson decessd for the quantity of eighteen hundred w^t of Inspected Tob^o. due the 1st of Jan^y 1784. the other given by David Hines & Chislon Morris as above for the quantity of one thousand three hundred and five pounds of Tob^o — due as above — That the s^c Howell, departing this life intestate admon on his Estate was by the Court of this County committed to his brother Wm Edmunds — That the s^c Wm, finding the bonds abovesaid among his papers they were, upon a settlement with y^r Complot as surviving exor paid to him in discharge of the balance appearing in favor of the Estate of John Dawson decessd

That sometime on or about the day of
your Complot instituted suits on the bonds afo^e in the County Court of Greenville, and on the trial thereof verdicts were rendered against
upon the ground of payments having been made to the s^c.

Howell Edmunds, which proceedings are of records and hereto
annexed as part of this bill - N^o 1. 2. &c — That under these
circumstances y^r Compt is advised, the proper estate of thes^e Howell
Edmunds is liable not only for the value of thes^e bonds but for the costs
& charges incurred in prosecuting the suits a^gs^t — That with this
impression he hath made repeated friendly applications to the S.
Wm Edmunds adm^r &c of Howell Edmunds — but he hath always
evaded payment under divers pretences — In consideration whereof
and for as much as y^r Compt is without redress herein ~~without~~ ^{except this} ~~your~~
equitable interposition, and to the end that thes^e Wm Edmunds adm^r
&c may be Teft, to this bill of compt and ^{on oath} answer the allegations fully
as tho' they were ^{again set forth and} ~~particularized~~ ~~repeated~~ ^{repeated} by way of interro-
gatory — Particularly were not the a^gs^t bonds found by the Teft among
the papers of ^{his} intestate, and delivered to the Compt? That this Court
will ~~order and decree~~ ^{decree & order} that the Teft as adm^r &c of Howel Edmunds pay
the Compt as surviving ex^r &c of John Dawson — the amount of the bonds
a^gs^t and interest thereon together with the costs & charges incident to the suits
a^gs^t and the proceedings in consequence thereof; or grant such further, or
other relief as shall appear most consonant to the principles of Justice
and equity — may it please the Court to grant the Com^r this Sp^a &c.

J^r Hill for Compt

1801. July 26. Left a Copy with Wm E. Edmunds

Howel Beacy
for
Jesse Browne Stiff

June 1801

Smith ex. Davis on
at
Edmunds ad. Missis

Left to be served with a copy of the account
from

Southampton June court 1801

Henry Smith Surg executor of John Dawson
dec^d Cop ----- Compt

Vs

William Edmunds ad^r Howell Edmunds dec^d Deft

In Chancery

The defendants having been served with a
Subpoena in this cause and failing to appear. The cause
came on this day to be heard ^{what has been taken as confessed} on the Complainants bill, on
consideration whereof it is decreed and ordered that the deft
as adm^r Howell Edmunds dec^d pay to the Complainants
eighteen hundred weight of inspected Tobacco with Int^r from
1st January 1784 to the time of payment also the quantity of
one thousand three hundred and five pounds and Int^r from
1st Jan^y 1784 till paid with ~~all~~ costs expended by the S^r Compt
in prosecution of suits on the S^r Bonds in the County of Greenville
unless ~~he~~ appears and answers the bill of the Compt on or
before Sep^r court next

Sam Wells Jun^r DC

Danson's Eac^r 1798

Ma

or

Edmunds adm.

in
Chy.

to

to May 1796

Quinted

Underwood

Sept. 1797 disband
for want of the bill

THE Commonwealth of Virginia to the sheriff of *Southampton*
County greeting: We command you to summon *William Edmunds admors*
or of Howell Edmunds decd.

to appear before our Justices of our County Court of *Southampton*
at the courthouse; on the *2^d Thursday in May next* to testify and ~~the truth~~
~~to say in behalf of~~ *answer a bill in chancery exhibited him by Henry Smith*
Exor. de of John Dawson decd.

~~in a certain matter of controversy, in our said Court, before our said Justices~~
~~depending, and undetermined between~~

And this ~~he~~ shall in no wise omit, under the penalty of 100l. — And have
then there this writ. Witness, *Samuel Wells* — Clerk of our said
court, at the courthouse, the *21st* — day of *April* — 1796
in the *20th* — year of the Commonwealth.

Geo: D. Hausmanor D. C. L.

Carosons decr.

vs.

Spa.
issr

Edmunds's decr. n. Chy.

to Sept 1798

Wice

Executed 28th July

1798

Robt Mabry

The Commonwealth of Virginia, to the Sheriff
of Southampton County Greeting, you are
hereby commanded to summon ^{Wm}
Edmunds Adm^r of Howell Edmunds dec^d?
to appear before the justices of our said Court
at the Courthouse of the said County on
the third Monday in September next, to
Answer a bill in Chancery exhibited
against him by Henry Smith survi-
ving executor of John Dawson dec^d?
and this he shall in no wise omit under
the Penalty of one hundred pounds and
have then & there this writ with the said
Return Clerk of our said Court at the Court-
house the 18th day of July 1778 and
in the 23rd year of the Commonwealth

Am. R. H. B.
C