

1808-009

SOUTHAMPTON COUNTY
CHANCERY PAPERS

PERSON

VS

NEWSUM

3/1808

Other SURNAMES: Harrison,
Jones, McKemore, Smith,
Harwell, Turner, Westbrook,
Wesbrook, Peters

Person^{al} } Bill
as } in
Newson's } chancery

Green Turners

To the justices of the county court of Southampton in chancery sitting,
Humbly complaining sheweth unto the court, your complainant Rebekah
Person, daughter, & devisee of Turner Person deceased, an infant under the age
of twenty one years, by her guardian and first friend David Westbrook,
That your complainant's father, being seised in fee-simple of a valuable tract
of land, situate in the county of Southampton aforesaid, containing three
hundred acres more or less & bounded as follows by James B. Wommass
line, by quarter branch on the west side thereof, and by the
flat swamps on the East side thereof -

did on the day of make and publish, in due and solemn form
of law, his last will and testament, which after his death, was duly proved &
recorded in the county court of Southampton aforesaid, & is made a part of this
bill. wherein he devised the said land to your complainant his only child.
~~That the said testator left no other land, and but a small personal~~
~~estate -~~ Your complainant further sheweth, that David Newsom endeavoured,
at sundry times, both by promises and threats to prevail on her father, to con-
vey the said land to him, the said David Newsom. At length, her father
being taken sick, the said David Newsom took him to his house (pretendedly
through friendship) where, taking advantage of his situation, obtained from
him, a writing purporting to be a ^{deed of} relinquishment to him the said David
Newsom of all his, her father's right & title to the said land. Your com-
plainant also makes this deed, a part of this bill. Your complainant
further sheweth, that the said deed was obtained through fraud, & undue
influence, & made without any consideration, at a time, when, her father
was so sick, delirious, & deranged in mind, as to be incapable of making
any solemn or legal contract. In fact, he was, as has been repeatedly said
by two of the subscribing witnesses, so senseless, as not to know he signed
such deed. Your complainant further sheweth, that her father in a
few days afterwards departed this life, & that the said David ^{Newsom} now claims
the said land by virtue of the deed aforesaid, & has instituted, & is now
prosecuting, an action of Ejectment on the law side of this court to reco-
ver the same. All which actings & doings of the said David Newsom
are contrary, to equity & good conscience, & tend to the manifest wrong
and injury of your complainant, In tender consideration
whereof

whereof; & for as much as your complainant is remediless in the premises without the aid and interposition of this worshipful court, To the end therefore, that the said David Newsom may be made a defendant to this bill, & upon his corporal oath, to be taken, by him, upon the holy Evangelists, may true, full, perfect & direct answer make to all, and singularly the allegations of the said bill, as fully & as effectually, as if the same were herein again repeated, & he thereunto particularly interrogated. And that the court will order & decree that the said deed be set aside, made void, & of non-effect, & that the said David Newsom be enjoined from proceeding at law against your complainant, until this cause can be finally heard & determined in equity; or, that the court will make such other, or further order, and decree in the premises, as to them shall appear agreeable to equity and justice. May it please the court, to grant the commonwealth's writ of subpoena &c.

We within named David Werthook
appeared before ^{me} ~~me~~ ^{and made oath} that the allegations
contained in the foregoing bill are
true to the best of his knowledge and
belief.

Sam^l Calvert
for
The Guardian.

Green Turner *Att^y*
for

Persons
in Z. Lawrence
Newsmen

Rebecca Parsons an infant by David Westbrook
her next friend vs David Newman. - Injunction.

The deft. by protestation not confessing
or denying any of the allegations in the
defts answer to be true as stated by him, says
that the said answer does not contain sufficient
matter of fact to intitle him to succeed,
because it is not stated that the agreement
to indemnify the now mentioned was
ever executed. Therefore the complt.
demurs to the said answer and prays
the judgment of the court if to

Rich^d. W. Myrd
for complt

Newspapers
ads^d
Persons } American

Person
VI } Bill
Newsum }
1808
Rep Bill filed &
Dec 1805 Answer
Filed &

Mar. 1808. Imp. awarded
& perpetuated

The answer of David Newman to the bill of complaint
exhibited against him in the worshipfull court of South
ampton county, by David Westbrook as the next friend
of ^{Greggiam} Rebecca Persons an infant complainant in the said
Bile. This defendant saving and reserving to himself all
manner of benefit of exception to the manifold errors and
imperfections in the said Bile contained, for answer thereto
or to so much thereof as he is advised it is material for him
to make answer unto - he answering saith. That he admits
the defunct deed testate ~~placem~~ giving the said Land to his
daughter Rebecca Persons, that the deceased long before his
death made the said will, this respondent most positively denies
that he ever either by promises or threats endeavored to pre-
vail on the said Turner Persons to make to him the deed of
voluntary conveyance in the complainants bill mentioned, as is
most illiberally stated and charged in the said Bile, he
most solemnly declares that the said Turner Persons of
his own free will and accord offered agreed and actually
did transfer to this respondent the said Land for a good and
valuable consideration as will appear from the said deed.
This respondent denies that any fraud or undue influence
was used in order to obtain the said deed, he also denies that
the said Persons was delirious deranged in mind or incapable of
making a deed and he challenges the complainant to prove
the same, This respondent having now repelled all the infamous
charges alleged against him, will proceed to state to this
worshipfull court the transaction as it actually occurred
Turner Persons on the day of ~~the~~ in consideration of this
respondents conveying to him the said tract of Land agreed on his
part to save himself and indemnify this respondent against all
actions and demands of John Peters and Temperance his wife,
and afterwards in consideration of this respondents releasing them
the said Persons from his responsibility aforesaid, he agreed
and did actually of his own free will and accord convey to

This respondent the said Trust of Land, This respondent prays that
as the complainants have come in to this court asking equity
They may be compelled to do equity, and that your worship will
decree them to deliver possession of the said land to him this re-
spondent as in equity and justice they ought to do, This defendant
denying all combination fraud & says to be hence dis-
missed with his reasonable costs in this behalf most wrong-
fully sustained without that & — David Newsum

Southampton Pct.

David Newsum this day appeared before me
a magistrate of said county and made oath that the facts
contained in the foregoing answer so far as they relate
to his own knowledge are true and so far as they relate
to the knowledge of others he believes them to be true

Given under my hand this 17th day of
Decr - 1805

Sam. Calvert

Perons

vs { Bill and
answer
Newsum filed Rule
Resp & command
No deposition filed
& demurrer R

New and
ads } Comm^d
Westbrooke
guardian &
Jan 1806

Sampton County Court

The Court of the of Virginia to Benjamin
and Henry Blunt Gentlemen Greeting
ye that we trusting to your provident Circumspection
in diligently examining whatsoever witnesses as
well on behalf of David Newsum Deft as
on behalf of David Wuthoocke guardian to
Rebecca Person Compt and we do give to you
power to call and cause to come before you the
witnesses when and where you shall appoint &
diligently examine them on the holy Evangelist
of Almighty God and their examination so taken
that you send to us Certified under your hands
enclosed as also this writ Witness Sam Kella
Clerk of our said at the Court the 21 day
of January 1806 and in the 30 year of the Common
wealth

Sam Kella
(4)

Commence to take
Departures —

Scampten County Court

The Commonwealth of Virginia to Henry Blunt
and Benjamin Blunt

Gentlemen Justices of the peace for the County of Scampten
greeting; Know ye that notwithstanding to your fidelity

provident Circumspection in Diligently examining
Henry Smith, Thomas Harrison, Henry Harrison, ~~Edw.~~
Burwell Westbrooke Richard Harrison &

Witnesses as well on behalf of David Westbrook
Plaintiff as on behalf of

David Newson Defendant do command you

to Call and Cause to come before you the Witness
aforesaid. when and where you shall appoint
and Diligently examine on the holy evangelist

of Almighty god and their examination so
taken into our Court of Scampten that you

Send without Delay in closed, returning

to us also the said Witness Saml. C. Clerk
of our said Court at his office the 21st

day of January 1800 and in the 30th
Year of the Commonwealth

Saml. C.

Aug 20th. 1806. Acknowledge the Within Notice—
Lucia Westbrook

M^r David Westbrook

Take notice that I shall procede on ~~the~~ Saturday the first day of February between the hours of 10 O'Clock in the morning and 4 O'Clock in the afternoon of the same day at my house to take the dispositions of sundry witnesses to be read as Evidence in a suit in Chancery depending in Southampton Court wherein you are plaintiff and I am made defendant, at which time and place you may attend if you think proper.

David Newsum

January 22nd 1806

I acknowledge the within notice.

David M. M. M.

Wentworth }
Neerum } notes
Sarah Harrison depon
enclosed

M^r. David Newsum

Sir,

Please to take notice that I shall on behalf
myself as next friend to Rebekah Persons Orphant
of Turners Persons dec^d on Friday the 1st August
between the hours of ten o'clock in the forenoon
and five o'clock in the after noon of the same day
at the store house of M^r. Henry Smith, in the
County of Glou. I shall proceed to take the
dispositions ofundry Writings^o. who is Writings^o
for me in a cause now depending at the
Chancery side of S^t. Hampton Court. where and
where you may attend if you think proper

M^r. David Newsum

David Westbrook

July 20th 1806

I Acknowledge the within Notice

David Westbrook

Received
of Notice
Westbrooke

Mr. David Westbrook, Louthampton,
Sir, Please to take notice that I shall proceed
to take the Dispositions of ~~at~~^{vs} Rebecca
Harvell, on Friday the first of August
next at Mr. Henry Smiths store between
the hours of 10 O'clock in the fore noon &
4 O'clock in the afternoon of the same
Day, in a certain matter of controversy
Chancery in Louthampton Court.
in "Depending" in which case you are
plaintiff & I am made Defendant
at which time and place you may
attend if you think proper;

Mr. David Westbrook,

David Newsum

July 20th 1806

The foregoing Depositions were taken the 7th day of March
one, ^{thousand} Eight hundred and Six, at the Store house of
Henry Smith given under our hands and Seals the
day and year above written

No 1-

Henry Blunt Seal
Benj. Blunt Seal

Henry Smith
Deposition

By virtue of a commission to us directed bearing date
the 2^d of January 1806 we have proceeded to take
the depositions of the following witnesses in a suit now
depending in the County Court of Southampton
between David Westbrook plaintiff and David Newson
defendant at the ~~House~~ ^{the 7th of March 1806} of Henry Smith, (the notices
being acknowledged) as follows

Henry Smith of lawful age being first sworn on
the holy Evangelist of Almighty God deposeth
and saith that, During the time of Turner Parsons
Allies at David Newsons that this Deponent rec^d a line from
S^r Parsons Desiring this Deponent to come and see him which
he could not conveniently do at that time. in a few days after he rec^d
another Message from John M. Elmore Informing him the S^r Parsons
was very Desirous of seeing him and in that Afternoon he went over
to see the said Parsons at David Newsons and after being there a
while at the request of S^r Parsons the Company withdrew when the
S^r Parsons told this Deponent he was very Desirous of seeing him
as the S^r Parsons wished him to settle his Business which this Deponent
refused to do and hoped he would Excuse him. after this Deponent refusing
to settle his Business the S^r Parsons Expressed a wish to make a will in
this Deponent then asked if he had not made a will he Reply^d he had
Appointed no Executors in consequence of this Deponent's refusing to
Act for him he the S^r Parsons Concluded to send for Benj^m Blunt
the next Morning to Act as his Executor then he the said Parsons told
this Deponent that John M. Elmore told him the S^r Parsons he
had Conveyed his land to David Newson. which he would not
have done had he been in his Senses Also that David Newson
had been frequently Desiring him to make him the S^r Newson
a right to his land which he had Always refused to do as long as
he retained his Senses. and that if it were so he was only surprised
at one thing and that was that he the S^r Newson had not
Included his Negroes with the land for he would have

Given him the Negroes and Land as soon as the Land and
the S^r Persons then said he was convinced he should live but
but a very little while and if he knew any thing of Conveying
his Land to the S^r Newcome he wished he might never see his
God in peace and he further said he would rather have
Given five Hundred pounds than to come to David Newcome
at that time for he did not suppose if he had not have been there
at the S^r Newcome he could not have taken that Advantage of
him for it was unreasonable to suppose a man ~~was~~ in
his situation would give himself out of House and home
and Deprive an Only Child of the benefit of it and this
Depon^t believed him the S^r Persons ^{at that time} to be in his senses
and also the S^r Persons requested this Depon^t to mention this
Conversation and this Depon^t sayth that he understood the
S^r Persons died the next morning and further sayth
not.

Henry Smith

The foregoing Depositions were taken the 7th day of March
one, ^{thousand} eight hundred and Six, at the Store house of
Henry Smith given under our hands and Seals the
day and year above written

W/-

Henry Black Seal

Benjⁿ Black Seal

Deposition
Henry Smith

By Virtue of a Commission Thos. Serrett
bearing date the 21st day of January 1806
We have proceeded to take the Deposition of the
following Witness Notie being Acknowledg^d. in
a Suit now depending in the County Court of
Southampton. between David Westbrook Guar-
-dian to Rebecca Westbrook Com^t and
David Newson. Defendant. at the House of
David Newson. as follows. J^r n^t Jones
of Lawfull Age being sworn on the Holy
Evangelist of Almighty God Deposeth and Sayeth
that on Monday before Mr. Person died that
she was at the House of David Newson where
Mr. Person were this Depoⁿant. Asked him how
he did he Ans^d. perfectly Easy. he then Observed to
John Peters he w^{ish}d him and the said Newson
to come upon terms as he had made this land
over to the said Newson. and it was in conse-
quence of his Estate not being Damag^d. and
this Depoⁿant. believes that Mr. Person were
During the time of this Depoⁿant's being

known he was fully in his senses
and further this Dependant
sayeth not. — J. M. Jones.

The foregoing Deposition were taken
and signed before us this first day of
February — '1806. —

Henry Blunt *Seal*

Ben Blunt *Seal*

James Jones
Deputy

By Virtue of a Commission to us directed bearing date
the 21st. day of January 1806. We have proceeded to take
the Depositions of the following Witness, the Notice being
Acknowledged in a Suit now depending in the County Court
of Southampton. Between David Westbrook Guardian to
Rebecca Person Complainant and David Newson Defendant.
at the House of David Newson, as follows. Randall
Newson of lawful Age being first sworn on the Holy
Evangelists of Almighty God. He solemnly and sayeth
that in the year 1803, ^{reference to the instrument being had} and in the month of December his
son David Newson wrote to him, to come down to his house
that Turner Person was there, sick with a pleurisy, and that
agreeable to his request that he went to David Newson's
and after being awhile with Turner Person, that David Newson
came into the room, and told Mr. Person, that as he the Depo-
nant was there, if he thought proper, he would proceed
to do that business. Mr. Person asked if Mr. Peters was
come, David Newson replied that Mr. Peters was not at
home, the Depo-
nant saith that he then told Mr. Person's
that he would be security for David Newson, that no
damages should come against his estate, for the time he
had held the land prior to that time, after this Mr. Person
appeared to be perfectly willing, that the land should be
conveyed to David Newson, and that he the Depo-
nant wrote a conveyance of the land to David Newson, and that
Mr. Person signed it - and further sayeth that during the time
that he was with Mr. Person which was from Saturday
in the afternoon until some time in the day Sunday, that he
had no reasons to believe from any thing that had passed in
that time, that he was by any means insane.

Question by the plaintiff

Was the conveyance after being wrote read
to Mr. Person

Answer. I believe it was

Questⁿ

Did you never hear of Mr. Person's being so dis-
posed as to cut down throat —

Ans.^r I heard of his cutting his throat, when he was
intoxicated and further the deponent saith not —

Rand Newsom

John Mc Lemore of Campbell age being first duly
sworn, on the holy Evangelists of almighty God, de-
poseth, and saith, that he was in ^{the} company of Mr.
Person, about nine days before his death, and that the
said Person observed he wished to give up the land to David
Newsom, and John Peters, provided that they would clear
his estate from all damages for holding the land until
that time, that on the next day after that, he was called on to
write up an instrument of writing between James Person, and David
Newsom, which instrument of writing, he saw the said Person
sign, acknowledge, and deliver to David Newsom, and that the
next morning he saw the indenturing bond, which he the said
Person had asked the Deponent thought, and observed that if
he had not have conveyed his land to Newsom he never would.
This deponent then told him that he had better ask Newsom
to let him off the bargain, he replied that he would not, as he expec-
ted to get well, and he would then try to fix it. and in few days
after that the said Person observed that if he could get Mr. Smith
he would alter all the instrument of writing that he had made.
and that he the said Deponent thought that the said Person was
at the time of signing the instrument in his perfect senses, and the deponent
further saith that the said Person, said if he could get Mr. Smith to alter all
his instruments of writing, he should die satisfied.

Questⁿ by the plaintiff, Did you hear Person ask Randall Newsom to write
the deed. Answer — No. Questⁿ Did you never hear of James Person's being
of a weak mind, and cutting his throat. Answer, Only when intoxicated
and further saith not —

John ^{his} Mc Lemore
mark

The foregoing depositions were taken & signed
upon us the first day of February 1808, given under our
hands & seals.

Benjamin Clark

Henry Clark

By virtue of a commission to us directed, bearing date the 21st day of January, 1806, we have proceeded to take the deposition of the following witness at Henry Smith Store the notice being acknowledged in a suit in chancery, now depending in the county court of Southampton, between David Westbrook, Guardian to Rebekah Persons, complainant, and David Newsom defendant —

Sarah Harrison of lawful age being first duly sworn on the holy evangelist of almighty God, deposed, and saith that in the year 1803, Turner Persons put in her possession a bundle of papers among which he said there was a conveyance of a tract of land from David Newsom to himself, that some time after that Turner Persons, was at her house with his throat cut, and that David ^{Newsom} came there and applied to her for the conveyance of the land, and said it ought to be destroyed, for he thought it would be very hard for him to lose the land, in case Turner Persons and his child should die, as he gave it to him, she replied was not certain that she had it, he then said she must go and get it, and after David Newsom left her house, Turner Persons, called her, and told her not to

~~At~~ let any person have that conveyance, and that during the time that Turner Persons, was at her house he said he would not take a thousand dollars for the conveyance, and also said that she heard Turner Person say, he could not have any rest at home for David Newson, and John McSimon were always teasing him ~~for him~~ for his land -

Question by the defendant -

Do you know whether Turner Persons had been a drinking ^{of}, of ardent ^{spirits}, when he said he had been teased for the land -

Answer -

He had been a drinking, but she did not suppose him at that time to be drunk

Sarah Harrigon

The foregoing deposition was taken and signed before us - this first day of August 1806

no. 3

Benjamin Harrison

Henry Blunt

Sylvia McClelland
Deposition

By virtue of a commission to us directed, bearing date the 21st of January 1806. we have proceeded to take the Deposition of ~~the~~ following witness, in a suit now depending in the County Court of Southampton between David Westbrook Guardian to Rebekah Person complainant and David Newsom defendant at Henry Smiths store, as follows -

Silvia McLemore of lawful age being first sworn on the holy Evangelists of Almighty God deposeth and sayeth that she was a witness to a conveyance of land made by Turner Person to David Newsom, and that she continued ^{with} the said Person about an hour, and that during that time she did not discover that he was any ways changed and this deponent further sayeth not -

Silvia McLemore

The foregoing deposition was taken & signed before us the 3rd day of February 1806 - Given under our hands and seals -

Ben. Blunt

Henry Blunt

Thomas and Kinney.

Harrison's

Deposition

5. d. 6-

By Virtue of a Commission to us Deputies bearing
date the 21st of Jan^y 1806 we have proceeded
to take the following Depositions in a suit now
pending in the County Court of Southampton
Between David Westbrook Plaintiff and David
Newsom Defendant at the Store of Henry Smith
the Notary being Acknowledged as follows—

Thos. Harrison of Lawful Age being first—
sworn on the Holy Evangelists of Almighty God
Deposeth and Sayeth that John McSimore
told him that the day after Turner Persons
had conveyed his land to David Newsom
that the ^{said} McSimore went to Persons and asked
him if he knew he made his land over to the said
Newsom, and that Persons said no, that he then
told him he had, for he was a witness to the con-
veyance, and that upon Persons hearing that, he
appeared to be very much surprised & said that
Newsom had as well have taken every thing
he had, as his land, and that he the deponent
observed to McSimore ^{that Persons} could not be in his senses
when he signed the conveyance, and that Mc-
simore ^{said} he would not swear that he was in his senses
for the land, or something very considerable
and further sayeth

Thos. Harrison

Henry Harrison of lawful age being sworn
on the holy Evangelist of almighty God

deposeth and sayeth that on the morning
after ^{he had heard} Turner Persons had conveyed his ~~land~~
land to David Newsom, that he the depo-
-nant was informed by a negro, (which he belie-
-ved to be ^{the property of} ~~the property of~~ David Newsom,) that Turner
Persons wished to see him, and also that the said
Persons was at David Newsom's, and that he went
over to see Persons, and that he did not believe
the said Persons to be in ^{his} senses at that time, and
John McSimore told him that he did not think
the said Persons was in his senses, at the time
of his signing the conveyance of the land—
Question by the defendant

What symptoms of insanity
did you discover in the said Persons—

Answer, That during the time that he was
with Persons that he never said a word to him
and further sayeth not

Henry Harrison

The foregoing deposition was taken the 17th day of
March 1806 at the Store house of Henry Smith
Given and sworn to and Subscribed the day and
date above written

Henry Blunt
Ben Blunt

Richard Harrison's
Deposition

No. 4.

By virtue of a commission to us directed bearing
date the 25th of January 1808 we have proceeded
to take the depositions of the following witnesses in
suit now depending in the county court of
Southampton between David Westbrooks ~~Plaintiff~~^{Plaintiff}
and David Newson defendant at the shire of Henry
Smith the notice being acknowledged as follows

Rich^d Harrison Jun^r of lawful age being first sworn
on the holy Evangelist of almighty god deposed
and saith that, After the S^r Persons had cut his
Throat he was brought to the House of Mr. Sally
Harrison and Doct^r Newson attended him and he was
-ered and went home. and the S^r Persons then Observed he
could have no rest at home for the said Doct^r Newson
and John M. McIlmore. and the S^r Newson Insisted on the
S^r Persons to go with him to Sawyer Hills and he Expected
it were to join him Against John Peters in his suit. and
after they got to Sawyer Hills the S^r Newson then Asked
the S^r Persons to give a Deed to that Land Again the S^r
Persons replied if that were his Business he would return
as he went. This Deput^y further saith that he heard J^r
McIlmore say After the Conveyance were Assigned Randall
Newson Asked the S^r McIlmore if he thought the S^r Persons
were in his sinns. he replied he would not Swear he was in
his sinns for all they were worth. and told the S^r Newson
he did not know the man as well as he did and further
saith not.

Richard Harrison J^r

The within Deposition was taken the ¹⁷th day of March
1816 at the store house of Henry Smith "Given under
our hands and seals the day and date above written

Henry Blunt Seal

Benjamin Seal

Richard Harrison;

Deposition

No. 4.

Burwell Walbrook
Deposition

No. 2

By ~~virtue~~^{virtue} of a commission to us directed bearing date
the 21st of January 1806 we have proceeded to take
the depositions of the following witnesses in a suit now
depending in the county court of Southampton between
David Westbrook plaintiff and David Newson defendant
at the store of Henry Smith (the notice being
acknowledged) as follows

Burwell Westbrook of lawful age being first
sworn on the holy Evangelist of Almighty God
deposeth and sayeth that; he heard John McElmore
one of the subscribing Witnesses say he wanted to rent the
land of David Westbrook belonging to the Estate of Turner
Person Dec^d. this Depont. then asked the S^r. McElmore if he
thought S^r. Persons were in his senses at the time he ~~assigned~~
Assigned the Conveyance to David Newson. he replied he did not
think nor believe he were in his senses. and should he were called
in Question ^{about} it he should ~~swear~~ ^{say} he never thought him in his
senses or believed it. and had he at the time the Conveyance were
prod^d have been Questioned he should have said he thought he
were not in his senses. and further sayeth not.

Burwell Westbrook

The above Deposition was taken the 4th of March one thousand
Eight hundred and Six. at the Store house of Henry
Smith = Given under our hands and Seals the day and
date above written

Henry Smith *H. S.*
For John Newson *J. N.*

Rebecca Harwell
Deposition

By virtue of a commission to us directed, bearing date the 27th of January 1856, we have proceeded to take the deposition of the following ~~witnesses~~ at Henry Smith's store, the notice being acknowledged, in a suit ~~in chancery~~, now depending in the county court of Southampton between David Westbrook Guardian to Rebekah Parsons, complainant, and David Newsom defendant -

Ruben Harwell of lawful age being first duly
 sworn on the holy evangelist of Almighty God
 deposes, and saith that in the course of one hour
 after Henry Smith left Yarn Persons at David
 Rawsons, he the said Persons lost his senses, and conti-
 nued in such until he departed this life which was early
 the next day -

Question by the plaintiff

Question by the plaintiff
Was not Randolph, ^{Kewson} said to be ^{the} father of David
Kewson, John McMon the owner of the
said Kewson, and Sylvia McMon the wife
of the said McMon.

Answer

Answer They were -

— *Lu*
Rebekah + Harwick
mark

mark
The aforesaid deposition was this day Taken & signed
upon us, this first day of August 1808
Ben. Platt
Henry Platt Seal

Henry Hunt Esq.

Joseph Turner
Vice President
Deposition

By virtue of a commission to us directed bearing date
the 21st day of January 1806, we have proceeded to
take the deposition of the following witness, at Henry
Smiths store, in a suit in chancery now depending
in the county court of Southampton between David
Westbrook complainant Guardian to Rebekah
Persons, and David Newson defendant, the
notice being acknowledged —

Joseph Turner being first sworn on the holy evan-
- gelist of Almighty God, and being of lawful age
deposeth and saith, that he believed the land that
is in dispute between David Westbrook guardian to
Rebekah Persons ^{plaintiff} and David ~~Westbrook~~ Newson to be
worth six dollars an acre — Joseph Turner

Isaac McMon being of lawful age, and first
~~deposeth~~ sworn on the holy evangelist of Almighty God
deposeth, and saith that he believed the land that
is now in dispute between David Westbrook Gu-
dian to Rebekah Persons ^{plaintiff} and David ~~Westbrook~~ Newson
defendant to be worth six dollars an acre —

Isaac McMon

The foregoing depositions were taken and signed
before us this first day of August 1806 —

Amos Hunt Seal
Henry Blount Seal

Newsom & wife
to E. Deed.
Turner Person

Newsom & wife
to E. Deed.
Persons
Aug. 1803 By 2
with OR

Recorded page
142-

Examined

This Indenture made on the Nineteenth day of
March one thousand eight hundred and three
between David Newsum and Patsy his wife of the
one part and Turner Person of the other part (all of the
County of Solon) witnesseth; that the said David and
Patsy in consideration of the sum of one thousand
dollars in hand paid by the said Turner Person, the
receipt whereof is hereby acknowledged, and moreover
in consideration that the said Turner Person hath
released unto the said David Newsum and Patsy
his wife all claim and demand which he might
have had by descent from the death of Philip, Presely,
or Timothy Person, or any of them except to the premises
herein mentioned, have given, granted, bargained, and
sold, and by these presents do give, grant, bargain,
and sell unto the said Turner Person and his heirs,
all that tract, or parcel of Land in the County of
Solon whereon the said Turner now lives, being the
same land that was given to Dorcas Person mother
of the said Turner by her husband John Person
(in lieu of dower in all his other lands) containing
three hundred acres, be the same more, or less, and
bounded by James B Wommack's line; by quarter
branch on the west side thereof, and by the flat
swamp, on the East side thereof — To have and
to hold the aforesaid tract, or parcel of Land with

its appurtenances to him the said Turner Person
and his heirs — and the said David Newsom
and Patsy his wife for themselves, and each of
their heirs, executors and administrators, the said
tract or parcel of land together with its appurtenances
unto him the said Turner Person his heirs and
assigns, shall and will forever warrant and
defend — In witness whereof the said David
and Patsy have herunto set their hands and
seals on the day and year above written.

signed, sealed, and
delivered in presence of

John T. Richards

John M. Glemore

Brigg^{his} + Norvell v
mark

John^{his} + McLenore v
mark

David Newsom

seal

Patsy Newsom

seal

At a Court held for the County of St. Louis on the 15th day of August 1803 This Indem-
-nity was proved by the oaths of ~~John Briggs~~ ^{John Briggs} Norvell and John McLenore two
of the witnesses there to and named to be recorded

Samuel Keller Esq

Know all men by these presents that in the Spring
or first part of the present year David Newsom did
execute a deed to the Turner Persons both of the County
of Hampton a Deed Conveying to the said Persons the right
and title in fee simple to a tract or parcel of Land in the fork
of Flat Swamp and the Quarter Branch which is more
fully Specified by a Deed above mentioned which said
Deed is now Lodged in the County Court of Hampton.
For due proof and for and in Consideration of the said Newsom
paying all Damages and Costs which may hereafter be
the said persons or his heirs by John Peter for holding
or detaining the said tract or parcel of Land known by
Church land I the said persons for my self my heirs
successors Administrators do hereby relinquish all right
title or claim whatsoever to the said Land Conveyed
to me by the said Deed and all other claim right or
title hereafter made by me Intending whereof I have
hereunto set my hand and seal this 3rd of Sept.

1803

To
Randolph Newsom
John A. McLenore
Gilbert M. McLenore
mark

Turner Persons

At about two for the County of Hampton the 19th day of
 Dec. 1803 the Relinquishment was proved by the oath
 of Roderick Newman one of the Justices of the Peace for
 the County of York and at a Court held for the said
 County the 20th day of February 1804 the Relinquishment
 was further proved by the oath of John Newman
 another Justice thereof and ordered to be recorded

Attest Copy to
 J. M. P. S.

J. M. P. S.

Person
 to
 Name } Date
 of
 Relinquish^{mt}

Copy 70 cents

Relinquishment

Persons }
Newsam }

Person to Relin-
Newsam Quishment

December 1803

proved by 1 wit
& Cant. As to Spue
for the other wit

July 1804 by the
McClamore

By Silvia McClamore
may 1804

ROC

Record page

(256)

St. Pauls

Examined
3rd Aug

Done
St. Pauls
12th Decr

John Simon Rindhead
Nicholas Williams
William Lewis Throff
John James

John McClamore known
in fact of him

Know all Men by these Presents that in the Spring or
fore Part of the Present year. David Newsum did execute
a deed to me, Turner Persons Both of the County Southampton
a deed Conveying to me the D Persons the Right and title in fee
^{simple} a tract or Parcel of Land lying in the Fork of Flat Swamp and
the Quarter Branch. which is more fully Specified by the deed
above mentioned which D. Deed is Now Lodged in the County Court
of Southampton for due Proof. and for. and in Consideration of me
the D. Newsums Paying all damage and Cost which may
arise as the D. Persons ~~shall~~ theirs by John Peters for
holding or detaining the D. Tract or Parcel of Land. Known by
Church Land. I the D. Persons for my self my heirs &c. do
hereby Relinquish all Right title or Claim whatsoever
to the D. Land conveyed to me by the D. deed and all other Claim
Right or title here to fore held by me. in witness whereof
I have here unto set my hand and seal this third day of Decem-
ber one thousand Eight hundred and three.

Test

Turner Persons
Seal

David Newsum.

John D. Macklemore
mark
Silver & Macklemore
mark

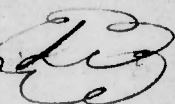
At a Court held for the County of S. C. on
the 19th day of Decr 1803 This Relin-
quishment was proved by the oath of
David Newsum one of the wits. Cont.
for Spa. to I saw for the other wits.

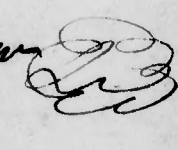
At a Court held for the S. C. County the 20th day of
February 1804 This Relinquishment was further proved by the
oath of John Macklemore another wits there to and ordered
to be recorded

Jan Wells

know all men by these presents that we David Newsom and Henry
Blau are held and firmly bound unto David Westbrook guardian
to Rebecca Person orphan of Sumner Person decd in the just and
full sum of one hundred & fifty dollars to which payment will
and truly to be made we bind ourselves and each of us our and each of
our heirs executors and assigns jointly and severally firmly by these
presents sealed with our seals and dated this 24 day of March
1808

The condition of the above obligation is such that whereas
the above ~~David~~ David Westbrook guardian as aforesaid had obtained
an injunction to stay the proceedings at law on a writ of
Exigentia depending in this court until the 8th of June
could be heard & the same having been made perpe-
-tual ~~now of the said~~ from which judgment & decree of this
court he hath prayed an appeal to the next Chancery
district Court to be holden in Williamsburg on the
1st day of April next, now if the said David Newsom
shall well & truly prosecute the said appeal with
effect in the S^d Chancery district Court of Williamsburg
& shall satisfy & pay all costs & damages which
may arise in case the ~~affirmation~~ ^{except} of this shall be
affirmed by the S^d Chancery district Court of Williams-
-burg, then the above obligation to be void or else
to remain in full force & virtue

David Newsom 

Henry Blau 

Seal & ack.
In presence of
