

1811-008

SOUTHAMPTON COUNTY
CHANCERY PAPERS

SCOTT vs. PLEDGER et al

12/18/11

Other surnames: Washington
Spivy, Bracy, Whitehead,
Bozman, Bozeman, Bracey,
Spivey, Ricks, Crichtow, Bosman

Scott

13

Washington D.C.

January 1811

Deere to lay off sales, foreclose
mortgage & sell residue

Dec. 1811 Rept. ret. & final

Deere -

{ Bills
& Ans.

To the Worshipful the County Court Justices of South
-ampton in Chancery sitting.

Humbly complaining shew's unto your
Worships your Orator James Scott

That a certain William Washington (now
dead) became justly Indebted unto your Orator in the
sum of Eight hundred Dollars to be paid on or before
the first day of January one thousand eight hundred
and five, and in order to secure the payment of the
said eight hundred dollars with the Interest thereon and
costs at the time it so became due he the said Will-
iam Washington in his life time, to wit, on the 20th day
of August 1804 did Execute to your complainant a Deed
commonly called a Mortgage in and by which he conveyed
and made over to your Orator upon the conditions and cove-
nations therein expressed several plantations and tracts of
land, to wit, all those tracts plantations and parcels of land
given by George Washington to said William by his last
will and Testament also all the land purchased by said
William Washington of and from Samuel Pinks also
~~part of~~ the land purchased by said William Washington
of William Cricklow all lying and being in the County
of Southampton in the jurisdiction of this Worshipful
Court and bounded as described and mentioned in said
deed which is filed herewith and prayed to be made
and taken as a part of this bill that the said William
Washington departed this life after ward, to wit,
on the — day of — one thousand eight hundred
and — without having discharged the said debt
Interest or cost except the sum of One hundred and
twenty dollars paid or discounted by said William

in the month of October 1804 which said \$120
was by special agreement to go towards the
discharge of the interest only and not to
touch the principal of said debt -
and the said William Washington at the same
time and by said deed conveyed also to your
Complainant certain other property upon the
same trust, to wit, Three Horses, twenty battle
two featherbeds and furniture and all his
Household and Kitchen furniture and plantation
implements. Your Orator moreover states
to your Honors that when said William departed
this life he left no will as your Orator knows or
believes and that he left the following heirs and
distributees namely Lucy Plager (his sister) late
Lucy Washington wife of John Plager, Anne
Washington (sister of the decedent) Charity Washing-
ton (now wife of Thomas Spivy whom is also alleged
to be made a party to this deed with his said
wife Esther Washington mother of said dec'd -

Sally Pray wife of Joseph Pray formerly Sally
Lohman once Sally Washington with her husband
Joseph Pray, Agatha Whitehead formerly
Agatha Washington wife of James Whitehead
with her said husband James Whitehead
Mike Bosman and Cloe Bosman his wife who
was Cloe Washington and Mike Bosman
as admin of said William Washington.

That they have taken possession of all the land goods
and chattels so conveyed to your Orator and mortgaged
as aforesaid and refuse to pay him the sum of

his said debt interest and costs but hold and
keep the same from him to his great injury
they intending to defraud him out of his said
just demand. Wherefore he prays that
the said John Prager and Lucy his wife
formerly Lucy Washington Michie Washington
Charity Washington for merely just now Charity Spivy
wife of Thomas Spivy with her husband and other
Washingtons Mother of said William Washington and
Joseph Pray and Sally his wife formerly
Lohman once Sally Washington James
Whitehead with Agatha his wife former-
ly Agatha Washington Mike Bosman
and Cloe his wife formerly Cloe Wash-
ington and the said Mike Bosman
as administrators of said William Wash-
ington dec'd be made parties and respondents
to this Bill and on their corporal oath
be compelled to answer all and singularly
the allegations therein and say if they are
not true in manner and form as here-
in expressed and set forth that your Honors
decreed and Order that all equity of redemption
(which the respondents have or shall or may
hereafter have in any capacity whatever) of
in or to said mortgaged land and other pro-
perty be forever foreclosed and that the
said mortgaged property be decreed to be sold
except one third part of the land given by George to said William during the
to the highest bidder for ready money (after
your Honors shall appoint commissioners

Scott
vs } Decree
Washington }
January 1811
Dec. 1811 Replied
final decree

Southampton January Court 1811

James Scott

^{ag}
Ester Washington widow of George
Washington, John Pledger and Lucy his
wife formerly Lucy Washington, Anne
Washington, Thomas Spury and Charity
his wife formerly Charity Washington,
Joseph Pray and Sally his wife formerly
Sally Washington, James Whitehead and
Agatha his wife formerly Agatha
Washington, Micajah Boreman and
Cec his wife formerly Cec Washington
and the said Micajah Boreman as admix-
tutor of William Washington de^d Deft

Mr. Chancery

This cause this day came on to be heard on
the complainants bill, and the answer of the defendants
by counsels of the parties aforesaid and by agent of the
court. Whereupon the court doth decree order and
adjudges that Carr Bowers, Jeremiah Cobb, Zabadiak
Washington and Hardy Cobb or any three of them first
lay off and apportion (lay proper metes and bounds) to
Ester Washington widow of George Washington de^d
her dower in that part of the land which the said
George Washington devised to his son William
Washington by his last will and Testament, having
regard in the assignment of dower as well to the

quality or quantity, and it is further decreed that the defendants
 aforesaid be forever foreclosed from all equity of redemption
 of in and to all the land, and all other property whatsoever
 conveyed to the said James Scott by the said William
 Washington by a Mortgage deed which is duly recorded
 in Sampson County Court and that the Commissioners
 aforesaid make Sale of the said land and other mort-
 gaged property for cash (Subject however to the said
 reasonable claim) first advertising the time and place
 of Sale at least ten days, and pay and satisfy
 the complainant his claim with the legal interest
 thereon accruing - also all legal costs of this suit, and that
 the commissioners aforesaid convey the said land to the purchaser
 by deed, and the Surplus money if any return to those
 entitled and make report of their doings and doings
 herein in order to a final decree

J. M. Keller

Costs \$ 6.73

Sh — 3.42

Law — 10.00

\$20.15

Reg Mortgage 1.75
 \$21.90

Scott

13

Washington Val } Spore
in ch

To March 1810.

Executed ~~small~~
Except Mr Pledger &
wife who is now inhabi-
tants - St Linder Deputy
of San Calver ship

The commonwealth of Virginia. To the Sheriff of
Southampton County greeting: We Command you to
Summon Esther Washington widow & relict of
George Washington dec'd, who was father to William
Washington dec'd, Joseph Bracy and Sally his wife
formerly Sally Washington, John Pledger and Lucy
his wife formerly Lucy Washington, Anna
~~Brown~~ Washington, Chastity Washington,
Mike Borman and Cloe his wife formerly
Cloe Washington, James Whitehead and Agatha
his wife formerly Agatha Washington to
appear before the Justice of our Court of
the said County on the 3rd Monday in
March next, to answer a bill in
Chancery exhibited against them by
James Scott, and this they shall in no
wise omit under the penalty of 100 £ each
And have then there this writ Witness Samuel
Kello clerk of our said Court, at his office
the 18th day of January 1810. in the 34th
year of the Commonwealth.

Samuel Kello


Account, Sales of Land and property, mortgage by William Washington to James Scott; Sold (by virtue of a decree of Southampton January Court 1811) on the eighteenth day of October 1811 by the Commissioners

		lbs	cts	
Esther Washington	To 1 bed & Furniture	6	00	
ditto	ditto 1 ditto ditto	11	00	
Thos Spivy	1 walnut table		83	
Ans. Pledger	1 pine table		50	
Ans. Moore	1 large Chest	2	4 1/2	
Joseph Bracy	1 keg and lumber	31 1/2		\$21.05 1/4
Jeremiah Cobb	1 lot of buckles	25		
Hardy Cobb	1 Cotton machine	7	00	
Serv. Cobb	1 Chaffin dish		34	
Esther Washington	1 Gun	10	00	
Ans. Pledger	2 old guns		38	
Lazarus Cobb	6 chairs	2	67	20.64
James Mountfort	1 Large Iron pot	3	00	
Joseph Bracy	1 small ditto		06 1/2	
Esther Washington	1 kettle	1	08	
William Hart	1 dutch oven	1	17	
Esther Washington	1 half Bushel measure		17	
Ans. Moore	1 Tunnal	17		5.65 1/4
Wiley Hunter	1 Trivet		06 1/2	
Ans. Pledger	1 lot of hunter plates		78	
James Mountfort	1 basin & 2 plates		58	
Ans. Moore	5 dishes	1	25	
William Hart	1 large Stetgarden	3	83	
Esther Washington	1 small ditto	1	08	
Burwell Murfee	1 Saddle	27		7.85 1/4
Am't Carried over				\$55.20 1/4

	Dr	Cr
Amount brot over	55	20 $\frac{1}{4}$
Ans Phogor	2	50
Amwell Murfee	1	18 $\frac{3}{4}$
Joshua Fork	2	34
Esther Washington	1	17
Joseph Bracy	2	10
James Whitehead	25	61. 65
Joseph Bracy	3	00
ditto ditto	1	18 $\frac{3}{4}$
ditto ditto	24	06 $\frac{1}{4}$
Esther Washington	1	50
Thos Spivy	1	77
Ans Phogor	2	06
Simon Murfee	6	67
Jeremiah Cobb	8	41 $\frac{1}{2}$
Joseph Bracy	10	00
Nardy Cobb	6	50
Amwell Murfee	4	17
Ans Phogor	6	25
William Hark	7	51
Nardy Cobb	6	50
Ans Phogor	6	03
ditto ditto	2	50
ditto ditto	3	01
Ans moore	5	00
Josiah Vick	225.00	955.55
Am't Carried up	1089	78 $\frac{1}{2}$

	Dr	Cr
Amount Brot up	1089	78 $\frac{1}{2}$
Paid James Jones Surveyor	11.89	
Paid Comanpion	25	
Paid Cryer	1	
Paid Chain Carriers	3	
Paid James Scott his claim	1045.64	1086 53
Surplus Money in hand	3	25 $\frac{1}{2}$
Said to be Counterfeit and refused by the Claimants		

Scott against Washington to the same

We the Subscribers three of the Commissions appointed by the Court to sell the land and other property appertaining to the same after completion of a decree passed by said Court in January last which is herewith filed; have proceeded to sell the same for ready money as per the annexed account, have settled the demand of the Mortgage, paid all necessary expenses arising thereon and have in hand three dollars twenty five and an half cents which said three dollars were returned to us as Counterfeit. We have also laid off and set apart to Esther Washington widow of George, one third of that part of said land devised by George Washington her deceased husband to Rosanna Washington the Mortgage, having regard to quality and quantity

Nardy Cobb
 Zeph Washington
 Josiah Vick

$$\begin{array}{r}
 78+ \\
 24- \\
 24+ \\
 52+ \\
 1.74+ \\
 1.63 \\
 \hline
 5.19
 \end{array}$$

$$\begin{array}{r}
 78 \\
 78 \\
 24 \\
 \hline
 182 \\
 1.74 \\
 1.63 \\
 \hline
 5.19
 \end{array}$$

$$\begin{array}{r}
 1.73 \\
 5.19 \\
 \hline
 54
 \end{array}$$

Scott
as S. Hall
Washington

We hereby Certify the Court of the County of Southampton that
We are willing the said Court should decree and order James
Scott, or Commissioners to sell and convey all the lands, and
other property secured by Mortgage from William Washington
and to the said James Scott, for the payment of the debt due on
the said Mortgage, with the int & Costs &c In witness whereof
We have hereunto set our hands this twentieth day of February
one thousand eight hundred and nine

 Test

Wm Washington

John Pledger

her
Lucy + Pledger
mark

Anne ~~her~~ Washington
mark

her
Christy + Washington
mark

Esther Washington
certificate to
Sutton Court

I hereby Certify the Court of the County of Southampton that I am
willing the said Court should decree and order Commissioners to sell
and convey all the lands and other property secured by Mortgage
from My son William Washington Esq. to James Scott for the
payment of the debt due on the said Mortgage with the interest
& costs &c (saving to myself my dower of the land which
my husband George Washington died seized & possessed of
In witness whereof I have hereunto set my hand this
eighteenth day of September one thousand eight hundred
and nine

Test.

Henry Johnson
his

Howel + powel
mark

her
Esther + Washington
mark

We hereby Certify the Court of the County of Southampton that we
are willing the said Court should appoint Commissioners ~~to~~ ^{to} sell
all the lands and other property conveyed from William Warh-
-ington to James Scott (by mortgage) to satisfy the sum due to
the said James Scott with the interest Cash £ - Given under
our hands this 20th day of December one thousand eight hun-
-dred and nine

Test, his
Howel + Powell
mark
Henry Janson

James Whitehead
her
legally Whitehead
mark

Mr. James Scott

Southampton

January 4th 1811.

Mr. James Scott

Sir

You have brought a
Suit in Chancery in the County Court
of Southampton, against myself & wife
and others ~~the~~ the heirs or representatives
of William Washington deceased; to
foreclose a certain Mortgage ~~de~~
given to you by the said William
Washington deceased, to secure the pay-
ment to you of a certain sum of
money mentioned in the said Deed of
Mortgage due to you by the said
William Washington deceased.

Now as it is supposed that myself
and wife means to defend the said

suit and thereby proscrastinate the deter-
mination of the said suit. I do hereby
inform you that I have no such intention nor
will not of defending the suit either on my own
account or on my wife's account, nor
as administrator of the said William
Washington deceased.

Herts
J. Vicks

I am Sir,

Respectfully

Your M^t O^b S^t

Michajoh Bosman

W^r James Scott
Southampton