

1814-057

SOUTHAMPTON COUNTY
CHANCERY PAPERS

DANA and Wife

VS.

JONES' EXECUTOR 1814

Other SURNAMES: Danea
Gee, Wilkinson, Johnston,
Philips, [Thomas Dent & Company]
Dent, Thomas, Denny

Miles W Dana
& Wife
against
James Gee Esq.
Tom. Jones -
Bill in Chy.

Nov 1812

Bill filed

December Rule to answer

Jan 1813 Rule to answer

May 1814 Decide Misc to

July

To the worshipping Court of Southampton
sitting in Chancery humbly complaine
sheweth unto your worshipps your
orator & Oretors. M^{rs}. W. Dana and
Rebecca his Wife Late Rebecca Jones

That Thomas Jones father to
your Oretors departed this life
in the year — After duly mark
and publishing his last Will and
Testament which was recorded in
this Court in the month of July
1800. that by the said Will James
Gis was appointed one of the Executors
who alone qualified thereto, & proceeded
to sell the said Tho^s. Jones's Estate

That according to the Act relating
of the said Jones's Estate returned
the 29th Executor to Sept^r Court 1806
there appears to have been sold of Jones's
in the year 1801 — property to am^t of £41:4
in 1805 — two slaves for 906:8:9
in 1806 — two other slaves 120:7:0

That the Rent of the lands & Slaves of
the Estate for 1801 amounted to 173:14:1
for 1802
" 1803
" 1804
" 1805

That the said Tom. Jones by his Will
had given to his Executors a discretionary
power to make sale of his landed Est.
known by the name of the X Keys:
It is in their opinion it would prove
beneficial to his family; The said
James Geo accordingly made sale of
the said tract of land for a large
sum of money, of which he has
rendered no account in the statement.
His transactions as Exec. by reason
of which omission on the account
current he makes it appear
that a considerable balance was due
to him, on which he lent to a large
amount was charged by him against
the Estate for several years - whilst
in justice the balance should have
been in favor of the Estate of the s.
Jones; by which piece of management

it became expedient for him to sell
all or most of the Slaves possessed by
the s. Tom. Jones

Your complainants further state
that they know the conveyance of the
said tract of land mentioned in the
Will of the s. Tom. Jones (X Keys) was
conveyed by James Wilkinson to W.
Johnston at April Court 1801. But
they also know that the equitable
title was in the s. Jones; and that
it was sold by James Geo. as the
property of Tom. Jones's Estate; and
received by him as money belonging
to the s. Estate.

That at Sept. Court 1806 the s. James
Geo. Esq. suffered a Decree to be
entered up against him on a friendly
Bill and answer in favor of William
Philips & Wife late the Widow of
Jones for £250.0. & Interest thereon
from the 25 Dec. 1802 till payment
being in lieu of Mr. Philips's life
right (or dower) in and to the said
Cross Keys. In which s. Decree it

is stated that the X Keys sold
for \$9500.00

That the said James G. Ew. did
pay to Geo. G. Thomas, who married
your oratrix's sister Hannah Jones
in her right one third part of the money
raised by the sale of the X Keys, as
is one third of the personal Estate
of the said T. Jones. And now does
delay and refuse to pay up to your
complainants their proportion of the
said Tom. Jones's Estate, as well the
money raised by the sale of said
X Keys and demand due them as acc.
of the personal Estate, all of which
their just claims on the said Estate
of the said Thomas Jones dec'd. are
by James G. Ew. the Executor unjustly
withheld from them. Mr.
under consideration whereof and in
as much as your complainants
are distressed in a Court of Law
they pray that the said James G.
Ew. of Tom Jones may be made

dependant to this Bill of complaint
and may be compelled to answer
the allegations therein fully truly and
unswervingly on oath, and say
amongst other things how much
and to what amount of Thomas
Jones's Estate was sold in 1860
there having been no acc. of said
or Inventory ever returned to Court.

To whom, when, and what money
he paid for the said Estate specifying
the several sums and dates of
payment &c. &c. Shewing at the same
time specifically all and every
sum by him received belonging
to the Estate of Tom. Jones, and
the several dates when received;
that he say if he did not receive
payment for the X Keys as now
belonging to the said Jones's Estate
and what way he has applied the
consideration therefor, how & when.
If he did not pay Geo. G. Thomas in
right of his wife Hannah any

To the worshipful Court of Southampton County in Chancery sitting -
The answer of James Gee, Executor of the last will and testament
of Thomas Jones dec'd, to the bill of complaint exhibited in this worship-
ful Court, against him, by Miles W. Dana & Rebecca his wife -

This respondent, saving and reserving to himself, all and every
benefit of Exception whatsoever, to the said bill, for answer thereto, or
so much thereof, as he is advised, it is material for him to answer
unto, saith - That the said Thomas Jones did depart this life in the
year of our Lord , having first duly made and published his last
will and testament in writing, and that this respondent, one of the
Executors therein named, at a Court held for the County of Southampton
on the 21st day of July 1858, qualified to the said will and took upon
himself, the burden of executing the same, as stated in the said bill -

This respondent (with the exception of a claim against the estate of a
certain James Wilkinson deceased, which may or may not be recovered)
has sold, and fully administered in a fair and legal course of
administration, all the slaves and other personal estate, which
belonged to his testator, the said Thomas Jones deceased, in his
lifetime, as will fully appear by an attested copy of the account
current of his administration, which hath been duly stated and
admitted to record in the County Court of Southampton, books opened,
and to which, your worships are referred, as a part of this answer -

By which said account current, which, this respondent is advised,
must be taken as evidence in his behalf, unless the complainants
can surcharge and falsify the same by proof, it will in fact
appear, that, upon the sale and administration of the personal property,
the estate of his said testator is considerably in arrears to him.

This respondent admits that the landed estate, in the bill

mentioned, known by the name of the Croft Keys, to which the said Thomas Jones had an equitable title at the time of his death, was sold for the sum of seven hundred and fifty pounds. That this sale was made by James Wilkinson, in whom the legal title abides, by the consent and with the approbation of this respondent, to a certain Benjamin W. Johnston, on the following terms, to wit, \$150 of the purchase money payable at Christmas 1800, \$100 thereof on the 25.th of June 1801, \$166.13.4 thereof, on the 25.th of December 1801, \$166.13.4 thereof on the 25.th of December 1802 and \$166.13.4 on the 25.th of December 1803, this sum to be paid in bonds on demand March 1802 - This respondent also admits that he became chargeable with this sum of \$750.0.0, that is to say, accountable for the same, not however as personal estate, so as to have formed a credit in his account current before mentioned, but as money, directed by the will of his testator, to be laid out in the purchase of other lands, as will fully appear by an attested copy of the said will hereto annexed, and to which, your worships are also referred as a part of this answer - This respondent also admits, that, of the said sum of \$750, he has paid to William Philips and Sarah his wife, formerly widow of the said Thomas Jones dec'd, the sum of two hundred and fifty pounds, with interest thereon from the 25.th of December 1802 to the time of payment, by virtue of a decree of the County Court of Southampton, an attested copy of which is hereto annexed and to which your worships are also referred as a part of this answer - the said sum of \$250 with its interest, having been decreed to the said William Philips wife, in lieu of her dower in the said landed estate called the Croft Keys - she having, before that time, renounced, in due and solemn form

of law, all benefit under the will of the said Thomas Jones, her said deceased husband - This respondent likewise admits, that he has paid to George G. Thomas, who intermarried with Hannah B. Jones, daughter of the said Thomas Jones dec'd, a like sum of \$250 with interest; and he would also have paid a like sum to the complainant Rebecca, but for the circumstances, which, he begs leave, here to detail to your worships - Before the intermarriage of the said Rebecca, she had no guardian, who could have given this respondent a legal discharge for her proportion of the said money - and some time previous thereto, a suit was instituted, which is still depending, in the Chancery District of Williamsburg, by Thomas Bont vs. against this respondent, the said William Philips wife, the said Geo. G. Thomas wife and the complainant Rebecca, for the purpose of subjecting the said money to the payment of a large claim, which they have against the estate of the said Thomas Jones deceased - as will fully appear by an attested copy of the bill, filed in the said suit, hereto annexed, and to which your worships are also referred as a part of this answer - This respondent therefore humbly conceives, that this Court cannot, with propriety, render any decree in the premises, until the said suit, depending in the Chancery District Court of Williamsburg, is determined - and he moreover, respectfully submits it to your worships, to decide, whether, in the event of the complainant recovering the said sum of \$250 with interest or any part thereof, the same should not be decreed to be laid out in land, according to the will of the said Thomas Jones deceased - the complainant Rebecca, still being, as this respondent believes, an infant under the age of twenty one years, and therefore, incapable in law, to accept money

in lieu of land. His Respondent will receive of the complainant a Responding bond, with security, in case of a recovery of them in the premises; and having answered d^{c} and denying all granted d^{c} , he prays to be hence dismissed with his costs in this behalf Expended.

(Signed) James Lee

No 311

See Gray Jones.

act. in confession

James Lee.

July 1814 answer filed

July 13. 1814

Attest James Lee

James Lee personally appeared before me Mr. Clerk of the Court and made oath to the truth of the within answer.

~~408~~ 311

Donny & Wife } Decease
by } Mi Si.
Jone's Exor.

Executed
W. T. Mason Dfn
J. Darden Shff
1814 July and filed

Southampton May court 1814

Miles Dance and wife plt

ag^t
James Lee ex Thos Jones — Def^t

} In ch^y

The plaintiffs bill having been filed three months and the defendants having failed to file his answer thereto, It is decreed and ordered that unless the said defendants appear here on or before July court next and file his answer thereto that the s^d bill will be taken for confessed and a decree entered according to the prayer thereof

Sam Kello

Dana Jr wife

W 3 Spaid
Gee exor Jones

To September 1812

August 17th 1812

Ex recd

James H. Roschelle Coroner

The ^{Croner} ~~Commencement~~ of Virginia to the ~~County~~
of ~~Loxhampton~~ county greeting you are hereby
Commaned to Summon James Gee executor
of Thomas Jones died to appear before the
Justices of our County Court at the Court
house of the said County on the third
Monday in September next to answer
a bill in chancery exhibited ag him
by Miles Dana & Rebecca his wife
late Rebecca Jones ^{affid} that he
shall not omit under the penalty of
£100 And have there this
with Witness Saml Wells Clerk of our said
Court at his office the 24 July 1812 And
37 year of the Commencement

Sam Wells

Of the estate of Thomas Jones dec'd in account current with James Sec Executor

60

1800	Aug 3 ^d	To my demand ag ^t the estate - - - - -	29	17	0
		paid Pasger and Atkins - - - - -	2	8	0
	18	Paid Peter Fagan just ^t - - - - -	23	18	5
		paid ~~John~~ ~~James~~ ~~and~~ ~~Fate~~ ~~as~~ ~~Jones~~ - - - - -	8	1	8
Sep	30	pd Robt Mabry Shffs account - - - - -	7	15	7 1/2
		pd for Port for Carriage Tax - - - - -	2	14	-
Dec	25	pd Richard Blows bond - - - - -	40	0	6
	30	pd Innotghart for Taxes - - - - -	9	11	0
1801	Jan 19	pd Chs Williams bond - - - - -	44	2	0
March	10	paid John Green bond & int - - - - -	2	14	0
		pd John Maphenbury bond & int - - - - -	21	4	10
		pd Robt & Walter Colquhoun bdy int - - - - -	50	12	5 1/2
		pd Cordall Norfleets Exrs bond & int - - - - -	129	7	0
		pd Geo Wilkinsons exrs - - - - - bdy int - - - - -	70	9	11 1/4
		pd Henry Tunnison Exrs - - - - - bdy int - - - - -	19	1	9 3/4
		pd Ambrose House - - - - - bdy int - - - - -	17	14	7 1/4
		pd John Camp - - - - - bdy int - - - - -	136	13	4
		pd G. Owen - - - - - bdy int - - - - -	34	6	5 3/4
		pd John Whitehead's others - - - - - bdy int - - - - -	45	18	10 1/4
17 th		pd Joshua Port direct Tax - - - - -	3	8	0
			700	1	0
1801	Mar 10	By Bal due Executor - - - - -	298	17	10
		Int till 25 December 1801 - - - - -	14	4	0
		pd Sepe Holt note and Interest - - - - -	16	14	7 1/2
Nov	21	pd Robt Rivers - - - - - pd - - - - -	100	15	10
		Int till 25 December - - - - -	13	0	0
		paid Whitehead's adv - - - - -	39	1	2
			470	7	11 1/2

1801	March 10	By and sales of the estate due ^{day} the - - - - -	164	7	4
		Rent of land and hire of negroes - - - - -	173	4	1
		Theo Manisons & Charles Jones bond & int - - - - -	63	1	9
		Balance due the Executor - - - - -	298	17	10
			700	1	-
	Dec 25 th	By hire of negroes - - - - -	34	10	0
		Balance due the Executor - - - - -	435	17	11 1/2
			470	7	11 1/2

1801	To balance due the Ex ^{rs} forw ^d	£435	17	11 1/2
Dec. 25	Int. till 25 th Dec. 1802	26	3	0
1802				
Jan ^y 16	To paid the Clerk of Southampton	"	15	3
"	Interest until 25 th Dec. 1802	"	"	9
Feb ^y 24	" paid Enos James	1	11	3
"	Int. until 25 th Dec. 1802	"	1	6
Apr ^l 14	" Paid Donald M Kinzipp Ind ^r	112	19	1 1/4
"	Int until 25 th Dec 1802	4	14	"
June 1 st	" paid bal. of Ellick Warrens bond & Int	3	16	9
"	Interest. to 25 th Dec. 1802	"	2	42
July 19	" Paid William P Westbrock	3	0	0
"	Int until 25 th Dec. 1802	"	1	6
22	" Paid Peter Pelham. note & Int	5	9	1
"	Int. until 25 th Dec. 1802	"	2	9
Dec 25	" Paid Newell Vick Bond & Int	173	10	5
"	paid. ditto do. note & Int.	2	2	0 1/2
"	paid Jeph Hott	1	10	6
"	paid Morica Jones	4	19	10
"	paid W ^m Maphenburgh bond & Int	82	6	8
		859	4	9
1802				
Dec. 25	To balance due the Ex ^{rs}	£812	4	9
1803				
Jan ^y 1	To paid Frederick Robertson for keeping negroes	3	18	"
"	Int. till 25 th Dec. 1803	"	4	6
"	Int on the above balance of £812.4.9			
"	from Dec. 25 th 1802 till 25 th Dec. 1803	5	48	16 8
May 1 st	" Paid Jeph Hott. bond & Int	30	12	6 1/2
"	Int. till 25 th Dec. 1803	1	4	1
June 13	" paid William Masons. Ex ^{rs}	56	14	5
"	Int till 25 th Dec 1803	1	15	10
		£955	10	9

amount Carried forward

In obedience to an order of the court of Southam-
-pton, we the subscribers have examined, stated
and settled James Lees Executorial account
current of the estate of Thomas Jones decd. and
find proper vouchers for the different items as
stated within

Given under our hands
this 15th day of September 1800

Bery Blunt junr.

Richd Blunt

At a court held for the County of Southampton
on the Day of September 1800 This account
current of the estate of Thomas Jones Decd. was
this returned and ordered to be recorded.

Samuel Kello Esq.

A. C. Copy

Teste

James Rochelle Esq.

1803

Credits Contd.

Dec 25-	By hire of Negroes	£ 59	10	
"	balance due the Exors	945	6	
		£ 1004	16	

1804

Dec 25	By Hire of Negroes	£ 57	8	0
"	balance due the Exors	947	12	4
		1005	0	4

1805

Feb'y 12 th	By hire of negroes from 25 th dec. 1804	£ 4	13	6
"	Int. till 12 th Nov. 1805		4	1
Nov 12	Sale of ten negroes due this day	906	8	9
"	Ditto of Watch	2	8	6
		91	8	0 ²
		£ 1005	2	10 ²

1806

Mar 10 th	By Sale of two negroes being the residue	£ 129	7	
"	balance due J. Lee the exor	65	2	3 ²
		£ 194	9	3 ²

In obedience to an order of the Court
of Southampton we the Subscribers have examined
stated settled James Lees executor ~~and~~ ^{and} ~~and~~
account of the estate of Thomas Jones decd
and find proper vouchers for the different
items as stated within

Given under our hands
this 15 day Sept^r 1806
Beny Blunt jr
Rud B Blunt

1803	Amount of debts bro: iforward	£ 953	10	9
June 22 nd	To paid J ^{es} Brown taxes & clerk tickets	44	7	1
"	Int: till Dec: 25 th 1803	~	2	3
Sep: 20 th	paid Freeland & Gillis - bond & int.	44	1	2
"	int: till Dec: 25 1803	~	13	2
"	paid Wm Edmunds - Comm ^{ts}	~	2	6
		£ 1004	16	11
1803 Dec: 25	To Balance due the Executor	£ 945	0	~
"	int: til 25 th Dec: 1804	56	14	4
1804 May 21 st	paid Littleton W Tazewell Attor: gen	3	~	~
"	at the suit of Dent & Co	1003	0	4
1804 Dec: 25	To Balance due the Exor:	£ 947	12	4
"	int: til 12 Nov: 1803	49	14	3 1/2
1805 March 20 th	paid James Trepant for advice	1	4	~
"	paid Benj: Bass. Mar: 10 1801 omitted,	4	15	9
"	int: til 12 Nov: 1803	1	6	6
"	error in Peter Pelhams note & int:	~	10	~
		1005	2	10 1/2
1805 Nov: 12 th	To Balance due the Exor:	£ 91	8	- 1/2
"	int: til 10 March 1806	1	16	0
"	5 p Cent: Comm ^{ts} on £1095. 13 for	~	~	~
"	settling the Est	101	4	3 1/2
		194	9	3 1/2
1805 Mar: 10	To Balance due J ^{es} the Exor:	£ 53	2	3 1/2

1802
dec. 25th

credits

Cont'd

By hire of negroes -----
" bal: due the Exor. -----

L	s	d
47.	2	1
839.	4.	9
859	4	9

Thomas Jones

Will

Copy

In The Name of God Amen I Thomas
Jones of the County of Southampton, knowing that
all men must die to provide for my ^{surviving} family. do
make this to be my last will and testament
Imprimis: I lend unto my wife Sally. during her life
the land with all its appurtenances whereon I now
live commonly known by the Name of the cross keys
together with the following slaves, to wit Ephoe Hubbard
Mingo, Milley, Jam, Vincey and ^{mate} Nath but upon this
Express Condition that she educate and maintain,
as gently as the profits of the above estate will
admit my two children Hannah Briggs and
Rebecca Williamson Jones Secondly: If my executors
shall think it most advantageous for my wife
and Children to make sale of the cross keys I hereby
give them: or the survivors ^{or survivor} of them, full power to
make such sale, and to convey the same to the
purchaser or purchasers thereof in fee simple.
and it is my desire that the money arising from
the sale of the cross keys may be laid out by
my executors, in the purchase of other lands
which shall be held by wife during her life
and after ^{her} death to be equally divided between
my two daughters, to hold to them respectively
and to their heirs forever Thirdly: I give and
bequeath unto my daughter Hannah Briggs
Jones the following slaves to wit, Anthony Quay
Jack Mary ~~and~~, and Sarah with their increase
to her ^{and} her heirs, ^{and assigns} forever Fourthly: I give
and bequeath unto my daughter Rebecca William
son the following slaves to wit: Crisy. Alfred Davie

Pat and Ned, with their increase, to her & her heirs
and assigns forever Fifthly all the residue
of my estate I lend to my wife during her life;
and after her death it is my desire that the
same, together with the lands and negroes
which I have before lent her be equally divided
between my two daughters aforesaid To hold to
them respectively and to their heirs and assigns forever
Sixthly in case either of my daughters shall die before
they arrive to lawful age or marry, it is my wish
that the survivor enjoy the estate which I have
given to both of them to hold to such survivor
and to her heirs and assigns forever And in
the event of both my daughters dying under the
age of twenty one years and unmarried, I give
the whole of my Estate, real and Personal to my wife
to her and her heirs forever Seventhly. I give to my
Nephew William Henry Lee son of James Lee, my
Silver Watch lastly I desire that my estate be not
appraised, and I do appoint my wife Executrix and
my two friends James Lee and Samuel Edwards
Executors of this my last will and Testament
hereby revoking all others, and declaring this only to
be my will requesting that my said Executrix &
Executors be not Compelled to give security for
their Executors Ship In Testimony whereof I have
hereunto set my hand and affixed my Seal this 2^d
day of May One thousand seven hundred and ninety
nine
Sealed Published & declared
by the Testator in his last will

Thomas Jones (Blue)

and Testament
in Presence of -
Henry Blunt
Nathl Edwards
John Whitehead

At a Court held for the County of Southampton the 25th
day of July 1800 This will was presented in Court by
James Lee One of the executors therein named and
Proved by the Oaths of Henry Blunt and John Whitehead
two of the witnesses thereto and ordered to be recorded
(the will directing that no security should be
given and on the motion of the said Executor
a certificate is granted him for obtaining a
probate thereof in due form Sam Kella

a copy Teste
Sam Kella

Dent Ho.

(ex)

^{us} 2 Copy Bill.
Spec, et ad.

To the Hon^{ble} the Judge of the Chancery (District Court holden in the City of Williamsburg), humbly complaining shew to the Court your Orators Thomas Dent & Company.

That Thomas Jones and Eli Eley being justly indebted unto your orators in the sum of two hundred and thirteen pounds lawful money of Virginia, on the 5th day of August A.D. 1799 executed their bond to them in the penalty of four hundred and twenty six pounds conditioned to pay the aforesaid sum of £213. That the said Thomas Jones and Eli Eley are both dead; that the estate of Eli Eley has been fully administered by William Eley his adm^{or} as appears by the report of certain persons appointed as auditors by Southampton Court to examine his administration. That your Orators instituted an action of debt upon their said bond in the district Court of Suffolk against James Lee as the executor of the said Thomas Jones, who pleaded fully administered, and supported that plea so far to the satisfaction of a Jury as to induce them to find a verdict to that effect. They beg leave to add that since the said trial in the district Court of Suffolk they have discovered the following facts. First. That the said Thomas Jones but a few weeks before his death conveyed three negroes to his daughter Hannah B Jones and three other negroes to his daughter Rebecca W. Jones without any valuable consideration by deeds, notwithstanding the consideration pretended to have been paid by John Wilkinson, that the said Hannah at the time of the conveyance was only twelve years old, and the said Rebecca was then only four years of age. That Thomas Jones was considerably involved when he executed the said deeds of gift, as will more fully appear from the account current of his executor. That the said conveyances must have been made for the express purpose of defrauding his creditors. They add that the said Hannah and Rebecca together with the negroes conveyed to them as afores^d remained with the said Thomas Jones until his death. That Rebecca even now lives on the mansion plantation of her said father under the care of her mother, with the negroes given to her as aforesaid. That the said Hannah (who is now dead) intermarried with a certain George G Thomas who got possession of, and still keeps the negroes given to her as aforesaid. They deny that John Wilkinson paid the consideration money stated in the said deeds or any part thereof. Under these circumstances your Orators are advised that your Honor will decree a sale of so many of the said negroes and their increase as will be sufficient to discharge their said claim. They have secondly discovered that the said Thomas Jones by his last will and testament lent several negroes to his widow Sally for life and gave several others to his beforementioned daughters Hannah and Rebecca. That Rebecca is still in possession of those or some of them which were

bequeathed to her her. That George G. Thomas is still in possession of those or some of them which were left to his late wife Hannah, and that William Philips and Sally his wife late Sally Jones and widow of the said Thomas Jones are still in possession of the whole or a part of those lent to her as aforesaid. That the said Thomas Jones gave the same negroes to Rebecca by his will which he conveyed to her in the aforesaid deed. That one of those devised by name to his daughter Hannah is mentioned in the aforesaid deed to her. In the third place your orators have ascertained that the said James Lee as executor of Thomas Jones with the consent of his said widow exercised the power vested in him by the testator (Thomas Jones) and sold the place lying in the County of Southampton called the Croft Keys but has not vested the money for which it sold in the purchase of other lands, that the said executor sold the said place (the Croft Keys) in or about the year 1800 for the sum of seven hundred and fifty pounds. That William Philips and Sally his wife formerly Sally Jones, instituted a suit on the Chancery side of Southampton Court against the said James Lee executor as aforesaid for the purpose of recovering so much of the said seven hundred and fifty pounds absolutely as would be equal to her life estate in the whole land called the Croft Keys. That the said Court upon the Bill, answer and all the circumstances of the Case decreed and ordered that the said Debt should pay to the said Pls one third of the said £750 being the purchase money aforesaid with interest from the 25th day of Decr. AD. 1802 as their own and absolute property. They annex hereto attested copies of the bill answer and decree in that suit which they pray may be taken as a part of this bill.

Your Orators are advised that the residue of the said money for which the Croft Keys sold is liable for the payment of their debt aforesaid whether it be considered as real or personal property. That the said residue, that is to say £500 of the said money is now in the hands of the said James Lee unless he has paid it over to the said George G. Thomas or Rebecca Jones. Your Orators annex hereto an attested Copy of their bond aforesaid, of the verdict of the jury in their aforesaid suit upon the said bond, of the aforesaid deed to Hannah B. Jones, of the aforesaid deed to Rebecca Jones, of the account current of the said executor and of the last will and Testament of the said Thomas Jones, all of which they pray may be taken and considered as a part of this bill. They lastly state notwithstanding all the facts before alleged that their said debt will be inevitably lost unless your honor will interpose for their relief. In tender consideration

whereof and for as much as your Orators are remedied at law, they solicit the intervention of your honor. To the end therefore that the said James Lee executor of Thomas Jones, William Elvy admor of Edw Elvy Geo G. Thomas, Rebecca W Jones and William Philips and Sally his wife may be made defts to this bill of Complaint, and that they may on their corporal oaths full, true and perfect answer make to all and singular the allegations aforesaid and that as fully as if the same were here repeated and they thereto particularly interrogated. That lastly, they pray that your honor will decree that the said negroes or some of them be sold for the payment of their claim aforesaid, or that the said James Lee pay the same out of the money in his hands for which the Croft Keys sold as aforesaid, or make any other order or decree in the premises for their relief, which may seem just and equitable. stay it please t^e.

Richard St Byrd P.S.

a Copy

C. Clarke D.C.