

1817-035

SOUTHAMPTON COUNTY
CHANCERY PAPERS

TEMPLE'S ADMINISTRATOR VS. COTTON'S EXECUTOR

7/1817

To the worshipful Court of Southampton in Chancery sitting -
Humbly complaining sheweth unto your worships your orator Allen
Temple administrator of Joshua Temple decd. That John Cotton
late of this County departed this life sometime in the year
Chewing first made and published his last will and testament
which has been duly proved and admitted to record; an attested
copy of which is hereto annexed and prayed to be taken as a part
of this bill. That among other things in said will, it will be found
by referring to the same, that the testator bequeathed to certain
Joshua Temple the sum of fifty dollars. That the said
Joshua Temple departed this life sometime in the year
intestate and your orator hath ~~become~~ become the administrator
of all and singular the goods and chattles rights and credits of
the said Joshua Temple. That a certain ^{Deputy Cotton} hath duly
qualified and took upon himself the burden of the execution
of the will of the said John Cotton decd. That the legacy
aforesaid of fifty dollars to the said Joshua Temple in
his lifetime or to your orator since the death of the
said Joshua hath not been delivered over and paid
which is manifestly unjust and tends to the injury of your
orator. Intender consideration whereof and in as much as
your orator is without remedy save in a Court of Chancery
He prays that the said Deputy Cotton executor of the said
John Cotton decd may be made a defendant hereto and
be compelled to answer all and singular the allegations
herein contained fully and unequivocally - he further prays
that the said John Deputy may be compelled to pay the
said legacy with the accruing interest thereon, and that
your worships would grant any other or further relief

in the premises which may be consistent with justice
and Equity. And as in duty bound he will ever pray-

Allen Temple -

Temple adm

M

Cotton Exp

Bill -

Filed July

11th 1874

J. Rochelle

Temple admn

105

Cotton

Edm

How in
Ch. 4

To June Camp 1817

executed

Henry Briggs &c

The Commonwealth of Virginia to the Sheriff of
Southampton county greeting you are hereby commanded
~~to Summon~~ to Summon George Cotton Executor
of John Fatten dec^d. to appear before the Justices
of our county court of Southampton at the Court-
house on the third Monday in June next to
answer a bill in chancery exhibited against
him by Allen Temple administrator of Joshua
Temple dec^d. And this he shall in no wise
omit under the penalty of £100. And have there
this writ. Witness James Rochelle clerk
of our said court at his office the 15th day of
May 1817 and 4th Year of the Commonwealth

James Rochelle Clk.

I John Cotton of Southampton County being in good health and of sound mind and memory and knowing the uncertainty of this life do think proper to make and ordain this my last will and Testament in manner and form as follows (to wit, I Give and bequeath to my niece Emma Bond one negro girl named Jane and one feather bed and furniture to her and to her heirs forever, I Give and bequeath unto my nephew Jefe Bond one negro boy named Abraham to him and his heirs forever I Give and bequeath to Polly Atkinson daughter of William Atkinson one negro girl named Mary and one negro boy named Bob to her and her heirs forever, (I Give and bequeath to my Brother Littlebury Cotton Ten dollars to him and his heirs forever, I Give and bequeath to my cousin Joshua Fumble fifty dollars to him and his heirs forever, (I Give and bequeath to my Brother Drury Cotton my Plantation and all my lands thereunto belonging, one negro man James called the Carpenter one negro man James and one negro woman named Rose and one negro boy Jerry and Stock of all kinds my house hold and kitchen furniture and all and every other part and parcel of my Estate after paying the above said sum of fifty dollars and also paying and discharging all my just debts to him and his heirs forever, (I Give and bequeath to my Brother Drury Cotton and Thomas Pretton Jr my whole and sole Executors to this my last will and Testament revoking and annulling all other wills heretofore made Witness my hand and Seal this Second day of March One Thousand Eight hundred and Thirteen

Signed, Sealed pronounced
and declared to be his last
will and Testament In presence of

Jenson -

Jeremiah ^{his} Day all, William Atkinson

mark
J. Jenson

John Cotton 

At a Court held for the County of Southampton the 21st day of February 1844 This will was presented in Court provia by the oath of two of the subscribing witnesses thereto and ordered to be recorded, and at a Court held for the said County, on the 21st of March 1844, on the motion of Jefe Bond for administration with the will annexed of said

John Cotton dec^d, Thomas Drellow ~~one~~ of the Executors therein named
refusing to take upon himself the burthen of the execution thereof, and it
appearing to the Satisfaction of the Court that Drury Cotton the other
Executor named in the will is not an inhabitant of this Commonwealth

Therefore administration with the will annexed of said John Cotton
dec^d is in due form of law granted unto said Lepe Bond on his giving bond
and Security whereupon &c And at a Court held for the County aforesaid
the 20th day of June 1814 Drury Cotton one of the Executors named in
the said will of John Cotton deceased, appearing in Court and applying
for probate thereof, and Lepe Bond to whom Administration with the will
annexed hath been heretofore granted on said Estate, also appeared in Court
and Surrendered this letter of administration, Therefore probate of the said
will is granted to the said Drury on his giving bond and Security
whereupon &c

Sam^l Wells

a Copy

James Rochelle

John Cotton
will

a Copy