

1819-013

SOUTHAMPTON COUNTY
CHANCERY PAPERS

TAYLOR vs. FITZHUGH et al

5/18/19

Taylor } Rule
 or } Anp
 Fitzhugh }
 and

Taylor de
 or } Rule
 Fitzhugh } Chancery
 Decr 1804
 My deuce

May 19th 1817 other
 Com. appd. —

Jan.

To the worshipful court of Southampton in chambers
very sitting humbly complaining sheweth unto your wor-
ships, your oratrix Patsy Taylor. That Annah Taylor
your oratrix's daughter, departed this life some time in the
month of July ~~and~~ ^{between} ~~the~~ ^{the} ~~years~~ ^{years} and eight hundred and seven
intestate and under the age of twenty one years, entitled to
three slaves, viz. Jack, Billy & Jenny, and leaving your
oratrix his mother, & William Taylor, & Henry Taylor, her
brothers, & Eliza Taylor & Nancy Taylor, otherwise ^{being} ~~being~~
~~Fitzhugh~~, then and now the wife Thomas Fitzhugh, her
sisters, her next of kin, who are entitled to the said
slaves under ~~the~~ act of the General Assembly, directing
the distribution of intestates' estates— Your oratrix further
sheweth that Thomas Fitzhugh, have obtained letters of
administration on the estate of the said decedent, in this
worshipful court. In tender consideration whereof and
for as much as the said slaves cannot be equally divided
in kind, ~~the~~ ^{they} cannot be sold for a division
amongst the said distributees without the order and
decree of this worshipful court, To the end therefore that
the said Thomas Fitzhugh, William Taylor, Henry Taylor
& Eliza Taylor may upon their corporal Oaths to be
taken on the holy Evangelist, true, full, and distinct
answers make to all and singular the allegations of this
bill, as fully & as distinctly as if they were herein again
repeated and interrogated & that the court will order
and decree that ~~that~~ the said slaves be sold at
publick sale, upon such credit as shall appear
to this court to be just and right, and that the

money arising from such sale to be equally divided amongst the aforesaid distributees, or make such other and further order and decree in the premises, as comports with equity and good conscience. May it please the court the commonwealth writ of subpoena to grant to and your oratrix as in duty bound shall ever pray &c

The answer of Thomas Fitzhugh and William Taylor to the above bill of complaint.

These defendants saving and reserving to themselves, all benefit of exceptions &c. for answer thereto say, that they admit the allegations of the bill to be true, and have no objection ^{to the granting} ~~that~~ the prayer of the bill ~~be~~ & pray hence to be dismissed &c.

William Taylor

The answer of Henry Taylor & Eliza Taylor by Thomas Fitzhugh (their Guardian, appointed by the court for the special purpose) to the above bill of complaint.

These defendants saving and reserving unto themselves, all benefit of exceptions &c. for answer thereto say, that they admit the allegations of the said bill to be true, and that they have no objection to the granting of the prayer of the bill, & pray hence to be dismissed

Taylor
vs
Fitzhugh & others } Compt
in chancery
def?

This cause was docketed by consent of the parties, and heard upon the bill and answers, in consideration whereof, it is ordered and decreed that Thomas Ridley senr. John Applewhite, Benjamin Lewis, & Seth Nicholson or any three of them, sell at public sale the said three slaves mentioned in the 1st bill, upon twelve months credit, taking ~~and~~ bond and good security, & the money arising from such sale, to be equally divided amongst the said distributees, and paid to them respectively. and make report for a final decree.

Taylor
to

Fulghugh's

} Intercutary
Deeres

Three deeres

May 17th 1879 Rep. Del.
I decree final by Consent

Saunderhampton December Court 1817

Patsey Taylor
Age

Complainant

Ch
Chancery

Thos Fitzhugh and William Taylor, Henry Taylor and
Eliza Taylor by Thos Fitzhugh their guardian appointed
by the Court for the special purpose

This Cause this day was again heard by Counsel of the parties and with
the advice of the Court, came on to be heard upon the bill, answer, exhibits
and arguments of Counsel. ~~Charles~~ Decree heretofore pronounced in this
Cause, Whereupon and after due deliberation had, the Court doth adjudge
order and decree that Henry Apprentice, Benjamin Apprentice and
Chasmon Nicholas, with the persons heretofore appointed, Commissioners
(or any three of all of them), sell at Public Sale the three Slaves
mentioned in the Complainant's bill upon Twelve months credit, taking
bond and good security, and the money arising from such Sale to be equally
divided amongst the said Distributees, (and paid to them respectively) and
that the said Commissioners or such of them as may yet make a report
to this Court in order to a final decree

Attest

Teste

A. Middleton D.C.

The foregoing Decree is erroneous
because the negroes were sold before
the Decree was affirmed

Southampton County December Court 1807

Patsy Taylor ----- Complainant
age

Thomas Fitzhugh and William Taylor and
Henry Taylor and Eliza Taylor by Thomas
Fitzhugh their guardian appointed by the Court
for the Special Purpose. Defendants

In Chancery

This Cause was docketed by Consent of the Parties, and
heard upon the bill and answer. In consideration whereof, it is ordered and
decreed that Thomas Ridley P. John Applewhite, Benjamin Lewis and Rich
Nicholson or any three of them sell at public Sale the three Slaves mentioned
in the said bill upon Twelve months credit taking bond and good security
and the money arising from such Sale, to be equally divided amongst the
said distributees and paid to them respectively and make reports for a
final decree

Teste Samuel Kelso Ck

Southampton County May Court 1817

Patsy Taylor ----- Complainant
age

Thomas Fitzhugh and William Taylor, Henry
Taylor and Eliza Taylor, by Thomas Fitzhugh
their guardian appointed by the Court for the
Special Purpose. Defendants

In Chancery

This day this Cause was again docketed by Consent of the parties
and agent of the Court, came on to be heard upon the bill of the Complainant
answer of the defendants exhibits and arguments of Counsel, and the
decree heretofore pronounced in this Cause, and it appearing to the Satisfaction
of the Court that three of the Commissioners heretofore appointed are dead
Whereupon and after due consideration thereof has the Court doth adjudge
order and decree that Peter Blow, Henry Applewhite and Benjamin
Applewhite together with the surviving Commissioners or any two of them
report the Proceedings heretofore had in this Cause, to the Court in order
to a final decree

a Copy

AM Middleton D

Agreeably to the orders directed to us directed, we have proceeded
to examine the amt. of sales of the cargo in the said deers mentioned
do report that Jacquesin Peterson & William Taylor became
the purchasers for the sum of Eight hundred seventy seven
dollars & fifty Cents & gave their bonds to the former
Commissionary to wit Benjamin Applegate Thomas
Reddy payable to the Regatus in said deers mentioned;
and there now appears to be due from the estate of
Benjamin Lewis one of the Common the sum of Two hundred
Eighty nine dollars & 98 Cents & from Jacquesin Peter-
son the sum of ninety dollars & forty six Cents, as per Indent
returned; And we do further report that the sum of sixty
seven dollars & two Cents is due to the Estate of Henry Taylor
& the sum of Eighty five dollars & fifty nine Cents due
Thomas Fitzhugh, & the sum of forty one dollar & 8
Cents due William Taylor, and the sum of one hundred
& sixty six dollars & sixty five Cents due the estate of
of Martha E. Taylor, due. We also report that the
Costs of said suit amounting to twenty six dollars & eleven
Cents has been paid by Thomas Fitzhugh, Given under
our hands & seals this 24th day of April 1819

Stith Nicholson
Harry Applegate

Benjamin Applegate