

1826-005

SOUTHAMPTON COUNTY ELLIS & ux & al
CHANCERY PAPERS

HARRISON'S ADMINISTRATOR
3/1826

other SURNAMES: Mundell,
Sylleman, Scott, Sullivan,
Sullivan, Syleman

Ellis etc

vs J. Burrin Chy.

Thomas Hanson

Southampton County (twice)

Oct^r 16 1820 This day came before me Warrington Ellis, who
made oath that the allegations contained in the fore
going Bill are true as far as he knows or believes

W. B. Sordani D.R.

Nov 20 1820 Recd
filed, I Spc: to Dec.

Sept. Dec. 1821 Decree nisi

M. B. Sordani

To the worshipful the County Court of Southampton in
chancery sitting -

Humbly Complaining shew unto your
honours your Orators & Oratrices. Norrington Ellis & Lydia
Ellis his wife formerly Lydia Mundall. John Mundall jun^r
Isaac Sylliman, & Polly Sylliman his wife formerly Polly
Mundall

That at some distant time ago. as well as
it is at this time recollectd by your Orators about sixty
years. a certain John Scott died intestate possessed of
some personal estate together with real. about which
last your Orators & Oratrices have nothing to complain
& leaving a widow. Since Sally Harrison & no Descendant
or Collaterals except his half brother John Mundall
Sen^r who consequently inherited his real estate & became
Districtor of his personal estate except that part which
by law the widow the said since Sally Harrison was
entitled to for the term of her life & at her death
to that part also.

That some time after dying Sally
Harrison the sd John Mundall died leaving a will
by which ~~which is proved to be made a part of this will~~ after making sundry immediate & contingent
dispositions of different parts of his estate. he makes
the following bequest.

That on the death of the follow^{ing}
- of said Sally Harrison that part of the estate of John
Scott estate in which she had a life estate & in this

Union should be equally divided between his the said
testator's children. ~~etc.~~ Elizabeth Mundell, John Mundell,
Joseph Mundell, Lydia Mundell, Mary Mundell the same
mentioned in this bill by the name of Polly Mundell
& William Mundell or such of them as should be
alive at the death of her the ^{s^d} Sally Harrison -

That the said Sally Harrison died some few years
after the death of John Mundell the testator as is believed
by your orators & doctors about seven years ago. ~~And~~ the
said Sally Harrison leaving one negro man named
Harry the right to whom on that went vested in the
letters of the testator & the same to whom he refers
in his aforesaid bequest to your orators & oratrices.

That she left no personal representative
& that Thomas Harrison who is prayed to be made
a defendant to this bill qualified as her administrator

That at the time of her death there
was living only four out of the six children ^{legates}
of ^{s^d} John Mundell, ~~etc.~~ John Mundell junior,
Joseph Mundell, Polly Mundell, & Lydia Mundell,
who consequently were the distributees ~~persons~~ among
whom the ^{s^d} man Harry was to be divided.

That ^{Polly} Lydia Mundell is married to Isaac
Sylliman & Lydia to Norington Eley the same
that are your complts in this bill.

That since that time one of the legates Joseph
Mundell died intestate without leaving wife or child &
leaving your orators & oratrices his brother & sister his
only heirs whereby they ~~imagined~~ imagine that they have also
a right to his undivided fourth part of the ^{s^d} slave to
equally divided between them & is one equal part to
John Mundell his brother & adm^r one equal part to
Norington Eley & Lydia Eley his wife & one equal part
to Isaac Sylliman & Polly his wife your orators and
oratrices -

That notwithstanding these fair pretensions
of your orators & oratrices to the slave mentioned the ^{s^d} Thomas
as Harrison the administrator of Sally Harrison has denied
to deliver to them the ^{s^d} slave or in any wise to make
distribution or in any way to account for the said slave
but as your orators & oratrices believe has surreptitiously
by false suggestion obtained an order from ~~the~~ worship-
ful court of this ^{s^d} County sometime antecedent to the
present time for making sale of ^{s^d} negro under what pretence
your orators & oratrices are unacquainted as they were not
parties to it or notified of it. Not with truth for p^t of debts for
it could not be made liable for the debts of Sally Harrison
as her property ceased at her death & not with good consci-
ence for a division as none of the proceeds have come
to the hands of your orators & oratrices -

attempts to sell & refusal to distribute is against Equity & good
Conscience.

In tender consideration whereof & in as much as
your Orators & Oratrices are without remedy in the premises
at law. May it please this Court. to decree to your
Orators & Oratrices a fair distribution according to their
rights & the intention of their testator. That Munde be sent
to Grant the Commonwealth's writ of Specie against S^r Thomas
Harrison & such other & General relief. as to your worshipps
May seem proper. & as in duty they will ever pray &c.
Worshipman Ellis

Harrison
new. } Answer
Elin

October 18th 1891 answer
files —

July 10th 1892 Com. at. Spued
Lake (info:
B. W. included)

March 1886 Revised the name of Route
Harrison adm. of Thomas —

52 The answer of Thomas Harrison admr. of Sally Harrison
= son adp. to the bill exhibited against him in Chancery
in the County Court of Southampton by Mervinton Ellis
& Sydenham his Wife John Minchall Esq. and Isaac
Sydenham and Poley his Wife —

This defendant saving and reserving to
himself all and every benefit of exception to any error,
mistake or error in the Compliments here contained, or
to so much as he is advised it is material to answer,
answering with; that he admits the fact as alleged
that John Gatte died ~~intestate~~ intestate, leaving
Sally Harrison his Widow, who is intestate of your response
= ~~fact~~ in the further admits that John Minchall Esq.
died leaving a Wife in which he divides to the
Compliments as is alleged. — But ^{your} respondent, states
that if his intestate Sally Harrison had any of
the said Estate of her Husband John Gatte, in
her possession at the time of her death, he is not
apprised of the fact — and calls upon the Compliment
= ~~ants~~ to designate it by Name and quantity by Estimating
other than that alleged in their bill —
Your Respondent further admits that after

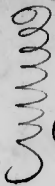
The status of the said Sally Harrison, her reduction
into his possession, as Negro man Harry, as the property
& Estate of his Father Henry Harrison dec'd. & which
said slave was sold under a decree of this Court
as such and not as the Estate of Sally Harrison
dec'd. — Your Respondent further states, that he
does not know in what way or manner his Father
Henry Harrison dec'd. came possessed of the said slave
Harry & leaves it ^{to} the proof of the ~~Complainants~~
to show their Right. — Your Respondent further
states, that this intestate Sally Harrison, died in
the year 1813. and that no claim to the said Negro
Harry or any claimant was ever made (as far as your
Respondent now recollects) of him for the said slave,
until the commencement of this suit, by which it
will appear that they had buried their Right, by
the quiet possession of your Respondent in his Repre-
= sentative Capacity — Your Respondent, having answered,
changing all former contentions &c. Prays leave to be
dismissed &c. & in duty will ever pray &c.
Thos Harrison

Southampton County To wit:

This day Thomas Harrison personally
appeared before me, a Justice of the Peace for the
aforesaid County and made oath, that the facts contained
in the within Certificate are true so far as he knows or
believes - Given under my hand this 15th day of
Oct. 1821 -

H. S. Daughtrey J. P. Clerk


Ellis & Co.
as
Harrison



Deere - one

To October Rules 1891

E. J. Curtis

Lucius Thompson
Deputy of George Hines
Hoff

At Rules held in the clerks office of the county court of Southampton on the 3rd day of September 1871—

Novinton Ellis and Lydia his wife, John Mundale, and Isaac Sullwam
and Polly his wife ----- Complainants

against
Thomas Harrison adm^r of Sally Harrison ----- Def^t.

This day came the plaintiffs by their attorney and it appearing that
the complainants bill has been filed ^{the subpoena issued} more than three months and the defendant
having failed to answer— Therefore on motion of the said complainants. It is
decreed & ordered that the said defendant appear here ^{or before} on the third Monday
in October next and answer the complainants said bill—

Teste James Rochelle Esq.

Eliz W
17
Harrison

Spa in
chy

To July Court 1879 -
Come to hand two late
to be executed State
New York City of Richd
P. Bennett's bill

The Commonwealth of Virginia, to the Sheriff of Southampton County, Greeting:

YOU are hereby commanded, to summon *Thomas Harrison*

to appear before the *Juries* — of our *County* Court of Southampton,
at the Court-house on the *Tuesday* day of *July* — ~~Court~~ next, to testify and
~~the truth to speak on behalf of~~ *answer a bill in chancery exhibited against*
him by Norington Ellis & Lydia his wife, John Ellis, John & John Lillian
& Polly his wife
~~in a certain matter of controversy in our said court, depending and undetermined between~~

And this *he* shall in no wise omit under the penalty of 100L.—And have then
there this Writ.—Witness James Rochelle, Clerk of our said court at his office the *23rd*
day of *June* 181*9*, in the *34th* year of the Commonwealth.

James Rochelle Clk

Ellis & Co

17

Harrison ad.

Spa in

Chy.

To February comt 1891

Executed

Lucius C. Hayward
Deputy of Geo. Hines
Shff

The Commonwealth of Virginia to the sheriff of
Sauthampton county Greeting You are hereby commanded
to Summon Thomas Harrison adm^r of Sally Harrison
wed. to appear before the Justice of our county court
of Sauthampton at the courthouse on the third mon-
-day in February next to answer a bill in chancery
Exhibited against him by Norington Ellis & Lydia his
wife formerly Lydia Summalls, John Summalls j. Isaac
Lykeamam & Polly his wife formerly Polly Summalls -
and this he shall in no wise omit under the
penalty of \$100 - And have then there this writ.
Witness James Rochelle clerk of our said county
court of Sauthampton at his office the 5th day of
January 1821 and 45th Year of the commonwealth
James Rochelle C.

Ellis H.

in

Harrison ad:

Spa of Revision

To April county court 1896.

Executed March 20. 1896

Septim Mundaugh Deputy
of James Clayton Sheriff

The Commonwealth of Virginia to the Sheriff of Southampton county
Greeting: You are hereby commanded to Summon Rowell Harrison
Executor of Thomas Harrison dec^d to appear before the Justices of
our county court of Southampton at the courthouse on the third mon-
-day of the next to show cause if any he can why a certain
suit in chancery and proceedings thereon had originally brought
in the county court of Southampton by Norrington Ellis and
Lydia his wife, John Mundall, and Isaac Fullenwilt and Polly
his wife against Thomas Harrison adm^r of Lacey Harrison dec^d.
Should not now be revived in the name of the said Norrington
Ellis and Lydia his wife, John Mundall & Isaac Fullenwilt and
Polly his wife against said Rowell Harrison adm^r of Thomas
Harrison dec^d. and further to do and receive what of him to our
said court in that part may seem unto - And have them then
this writ - Witness James Rochelle clerk of our said county court
of Southampton at his office the 9th day of March 1876 and
50th Year of the Commonwealth.

James Rochelle C.
11