

1829-45 SOUTHAMPTON COUNTY
CHANCERY PAPERS

THOMAS VS. WOMACK & al TH

3/1829

other surnames; Smith,
Womack

Thomas } Bill
7
Uomae etc Ans 2

Secret

1828 Septem: deurus filed

1829 ~~Septem~~ final deurus filed

To the worshipful the County Court of Southampton in
Chancery sitting - Humbly complaining sheweth unto
your worship your orator John A Thomas by Thomas
P Smith his Common Law Guardian & next friend
by the Court appointed to prosecute for him in this behalf
That your orator in the year 1824. was an infant
of insufficient age to chose a guardian - That
the worshipful Court appointed as such a certain
John Urmack who received a considerable estate to
which your orator was entitled and as guardian
received the rents & profits thereof from that time
and is receiving them at the present time and that
other sums of money belonging to your orator came
into his hands as guardian as aforesaid for which
he has never in any way accounted - That at
the August term of this worshipful Court in the present
year your orator by the permission of the said Court
chose a certain Thomas P Smith as his guardian
who duly qualified as such & who is thereby entitled
of right to receive for your orator as guardian your
orator's estate from the said John Urmack his
former guardian - But the said John Urmack
has neglected & refused to pay over the same to the
said Thomas P Smith the present guardian
to your orator or to make any settlement
with him of his acts & transactions relating
to your said orator's estate & his guardianship
& management of the same, which directed
as to do by this worshipful Court he tender

Consideration of the premises and in as much as
your orator is without remedy in the premises
in a court of Law. It is prayed that your worship
cause the said Thomas & Smith to answer the
premises upon oath. that your worship direct
a Commissioner of your Court to take an account
of the transactions of the said Thomas (while
he was guardian to your orator) or such
and decree him to pay over the amount which
he shall be found indebted to your orator, to
the said Thomas P Smith his present guardian
that your worship grant such other & further relief
in the premises as may seem equitable & just and
your orator as in duty will ever pray &c.

John A Thomas by
Th^s P Smith his next friend

The answer of John Thomas to the bill of
Complaint against him in this honorable
Court by John A Thomas exhibited for answer
thereto admits that this respondent was as
is therein alleged appointed guardian to the
said John A Thomas and duly qualified as
such at the time & in the manner alleged

that he has received & still has on his
Deposition Money & other estate belonging to the
Complainant which he is at any time ready
to account for and that he has no objection

to such decree as may affect the objects of
the Complaint & having fully answered he prays to be
thence dismissed with his costs &c. —
John Thomas.

The answer of Thomas P Smith to the bill of
Complaint of John A Thomas &c. This respondent
saying &c. admits the allegations therein and
proposes his willingness so far as he is concerned to
carry into effect such decree as the said worship-
ful Court may seem equitable & just thinking
answered he prays to be dismissed &c. —

Th^s P Smith

Decree filed in the office. — for act.

The court doth agree & order
that John W. Mac pay to Thomas
Parrish as guardian to John A
Thomas the sum of sixty two dollars
and eight nine cents with Interest
from Dec^r 24/1828.

Thomas
as J. W. Mac
Parrish
1828 Dec^r 24/1828 as paid

~~Thurs~~ 4. Smith & Womac. } Decree

This cause this day came on to be heard upon
the evidence & exhibits whereupon the Court after
re-reading order & decree that the woman settle
upon Mr. Cobb. on account of his guardianship
of John Thomas, while he was guardian & that
the Court's report to this Court in order to a
final decree —

Smith & Womac } Final decree

The Report of the Commissioner having
been returned more than two months and no exceptions
being taken thereto the same is made final and

Ino Womack Guards
of Ino et Thomas

Comrs. Report

Filed Janry 19th 1829

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Southampton County October Court 1828

Ordered that Master Court. both examine state and settle Jns. Alomack's Guardian accounts with John A Thomas orphan of David Thomas dec^d and report to the Court
Teste

James Rochelle Clk

Courtth Office Nov^r 29th 1828

John Alomack this day exhibited his accounts and vouchers as directed by the above order which were examined in presence of Thomas P. Smith the present Guardian, and from which the following account is stated

John A Thomas orphan of David Thomas dec^d
In account with John Alomack Guardian

1824

Dec 31	By the Rents of Land this Year		22 00
	" Hire of Negroes		25 00
	To Court th on Receipts	235	
	" 3 months boat this Year	12 50	
	" Knife and spelling book	30	
	" Leather for shoes	30	
	" paid Taxes on Land	94	
	" " Jns of. mason atts	5 00	
	" " Wm T. Smith late Guardian of acct	159 48	
	" " A. Harris for tuition	1 95	
Dec 31	Balance due the Guardian	" "	136 23
		183 23	183 23
	To Balance brought down	136 23	
1825	By Rents Land this Yr	" "	22 00
	By Hire Negroes do	" "	33 00
			55 00
	To Court th on Receipts	275	
	" paid Taxes on Land	94	139 92
Dec 31	To Balance due the Guardian	\$ 84 92	
	" put on this balance one year	5 09	
1826	By Rent Land this Year		22 00
	By Hire Negroes do		40 00
	Amounts Carried forward	\$ 90 01	62 00

1826	Amounts brought forward	90 01	62 00
	To Comd ^r on Receipts	3 10	
	" paid Taxes on Land	<u>94</u>	<u>94 05</u>
Decr 31	To Balance due the Guardian	\$ 32 05	34 00
	To Interest on this balance one year	1 92	
1827	By Rents Land this year	" "	22 00
	By Hires & Negroes do	" "	41 00
	To Comd ^r on Receipts	3 15	63 00
	" b yd ^r Cloth at 1/5	1 50	
	" makg 2 pair pantaloons	75	
	" do 2 shirts & Vest	1 50	
	" paid M ^r H. B. new for makg Coat	4 55	
	" b yd ^r Cotton Cloth 2 1/5	1 50	
	" paid Taxes & Levy this yr	1 52	
	" " Richard P. Smith acct	<u>9 00</u>	<u>57 44</u>
Decr 31	By balance due the aland	\$ " 4.	5 56
1828	By Rents Land this yr		22 00
	By Hires Negroes do		<u>45 50</u>
			73 06
	To Comd ^r on Receipts	3 37	
	" pair shoes 12. quire paper 1/5	2 25	
	" paid Jno T. Plow of Receipt	<u>4 55</u>	<u>10 17</u>
Decr 31	By balance due the alance		\$ 62 89
	with interest from this date till paid		

Respectfully submitted to the Court

Emr^s fee 5 Hrs \$2.50 }
 charged to J. Smith Guardian }

I am willing for my name to be used in order
to obtain a decree for a settlement of my
Guarantieship account as successor to John A
Thomas with J P Smith & Co. he has lately
chosen as such & for all matters connected
therewith.

John Wornack

~~John Woodward died ^{at Hall} 1813. - by Peter
Juel as adm^r - widow Sally Mearns to
Wesley Pipe - Sal Mearns Juel as
guardian to Rebecca.~~

~~Saml B. Jesse. & Esqr Woodcock.
Rebecca. has come of age & married
Permit Joper [&] her father.~~

~~Saml Woodcock has come of age
& qualified as guardian to the~~

~~thurs. - Anthony Polly &
Fancy former children. having
nothing of the above -~~

~~See John Woodcock will.
Cooks return & Peter do. &
Mearns' bond. -~~