

1831-005

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BROWN, ADM'R. of ANDREWS
NICHOLSON'S ADM'X.

VS.

7/1831

Brown admr of
~~Andover~~
vs { Pillsbury
Nicholson admr.

1830 March decree as p^d decrees
filed 27th

+ 1831 June - Rept. re-committed 27th

+ " July. final decree by consent
- 27th

Plaintiffs Costs

Relk. \$ 3.66

5.00

Comm.

5.00

Law fee -

\$ 13.66

Deduct Com. fee -

5.00

\$ 8.66.

filed 27th

To the Executive Council of Southampton Society
sitting in Chancery humbly complaining
sheweth to your worship your orator Joseph
Norman Administrator of Samuel Snodgrass
since there your orator has been to
represent to your worship that his
intended Samuel Snodgrass in his life
time had various confidential
pecuniary transactions with David
Nicholson in his life time that
the said Nicholson as the agent of
the said Snodgrass sold considerable
property negroes & other ~~property~~ ^{estate}
of the said Snodgrass & received considerable
money & took a number of bonds
for the said Snodgrass. That before
any settlement took place the
parties both said that your orator
became the representative of the said
Snodgrass & Charlotte & Nicholson
who is mayor & deputy sheriff both
became the administrators of the
said Nicholson that your orator
has frequently applied to her for a
settlement of the accounts of the
parties but has been postponed
from time to time by various pretexts

thus appearing to have the balance due from
her late husband to gain or to the adm
of some business & denying any debt
other than that of your bookkeeper of
the said trustee of her husband with
his intestate estate & for as much as your
motion is unnecessary in the premises or
law & otherwise only in a Court of Equity
where matters in dispute are being decided
and the use that justice may
be done between the parties be placed
your worship to compel the said adm
to answer the facts being stated
that your worship grant the Commission
out of due process exists in the Commission
do & move be pleased to refer the
matters herein set forth to a Commission
with instructions to report an account
of the said transactions between the
said Samuel Nicholson & the said
said children in their life time &
on the coming of the said report be pleased
to make such order as may be
in the premises & approve such order
& general relief as may comport with
equity & the rules of this Court as in
duty he will ever pray &c.

Abraham
Moberly

The annex of Charlotte Nicholson administratrix
of Samuel Nicholson deceased to the bill filed in the
Worcester Court by said adm against her
by Joseph Brown administratrix of said Samuel
deceased This respondent owing to herself all
benefit of exception to the complaint
will for answer thereto say she knows
nothing of the transactions in the bill
mentioned that she requires full
proof of all the statements made by
the complainant that she has no
indication to her what may
be shown to be justly due from
her ~~respondent~~ intestate that
she has no objection to a reference
of the account made in the bill
to a Commission & to all evidence
as shall be shown just between the
parties & having now answered she
moves her to be dismissed & in
duty she will ever pray &c.

Answer as defendant
against
Samuel Nicholson's adm.

This cause came on by consent of parties
& agreed of the Court upon the bill & answer & deposits
of Samuel in matters consideration whereof the
Court doth according to the prayer of the bill
upon the acc't between Samuel Nicholson deceased
& said children do set to Master Commissioner
to be stated & reported to this Court before
to a final decree.

July 18/1831

Joseph Brown adm of Samuel Andrews dece
complaint in chancery against Charlotte
Nicholson administratrix of Howell Nichols
dece This day the cause came on by
consent to be heard on the bill answer
& the report of Master commissioner
Robt Lawrence at July Term 1831
on motion and consideration whereof it is
ordered that the said report to which

no exceptions have been filed be
conferred & it is ^{permanently} decreed & ordered that
that the defendant Charlotte Nicholson
admit that Samuel Andrews had to the
complaint Joseph Brown adm of
Samuel Andrews the sum of Two hundred
& thirty four Dollars & three cents with legal
interest from the 1st of June 1827 & the costs of this
suit.

Andrew's ad

N 3 Dures

Nicholson's ad

Southampton June Court 1831.

Joseph Brown administrator of Samuel Andrews dec^d.

against

Charlotte Nicholson administr^{ess} of Horrell Nicholson dec^d.

Plff
vs
Def^t
In Chancery

By consent of the parties by their Attornies the Report of the Commissioner made in this cause pursuant to an order of the day of March 1831 is recommended to the said Commissioner who ^{made it} repeated the same for him to consider and report thereupon

Andrews acc

to G. Com.

St. Andrews acc

The Commissioners of the County of Suffolk to Jos. T. Place and Wm. F. Goodwyn -

Gentlemen Justices of the Peace for the County
~~Southampton~~ Southampton Greeting Know Ye that we trusting in your fidelity and
provident circumspection in diligently examining whatsoever witnesses as well on behalf of
the ~~Commonwealth~~ plaintiff as the defendant in a suit in Chancery depending in the
County Court of Southampton between Joseph Brown Administrator of Samuel Andrews dec:
plaintiff and Charlotte Nicholas Doone of Herrell Nicholas dec: defendant, command
you or any two or more of you that on such day and place as you shall appoint you
appear yourselves and the witnesses aforesaid before you you call and cause to come and
diligently examine on the holy Evangelist of Almighty God and their examinations into
our said Court distinctly and plainly without delay ^{under your hand & seals} you send an ~~copy~~ ^{copy} enclosed
returning to us also this writ Witness James Rochelle Clerk of our said Court
at his Office the 19th day of April 1830 In the 5th year of the Commonwealth

James Rochelle Clk

Came to hand under seal the
17th May 1830
To the

Clk. of Southampton

County

Howell exchequer no
26th Oct 1826 - \$200.
for r. leg 7th - 100

Southampton County to wit

In pursuance of the annexed commission
to us directed in Joseph & Charles & William Blom-
-wry's Justices of the peace in the county aforesaid
proceeded to take the ~~deposition~~ ^{affidavits} of Joseph
Clanton ~~and John~~ in ~~test~~ of Lawful ope-
ret the store house of Spratly Williams on the
24th day of April in the year 1830-

Joseph Clanton being duly sworn saith,
that on the 26th of October 1826 he was at a sale at
the house of Sam^d Andrews in the County of Sussex, and
was requested shortly after he got there, by Thomas Wrenn
and said Andrews to take notice that Andrews had sold
Wrenn a negro woman and child for three hundred
dollars, And that Wrenn paid Andrews two hundred
dollars in his presence, and Andrews handed the same
to Howell Nicholson, ^{Wrenn} and executed his bond to Andrews, ^{for the other hundred dollars}
payable at the next Sussex Court, and said bond is in
the possession of Thomas Wrenn with two receipts, which he
believes to be in the hand writing of Howell Nicholson, the first
in part, and the other in full of said bond,

Signed sealed & acknow-
-ledged in presence of

us. Jos. T. Lane

Wm. B. Woodwyn, Jr.

Joseph Clanton

Bonds de rec^d
by Chute

A Pute rec^d the following bonds due
the Estate of Sam^l Andrews. to Aunt
John Spain & Bellagun balance

- day - . \$9.00

Charles Magee & Jun^r/ng - 41.82

Geo. Goodwyn - 100.00

with Int from Oct 26/1846 }

Barny Magee stole for \$18.50

now due & herewith returned -

Magee & Spair

To { Bond

Sam^l. Andrews.

\$14.50.

The
due 26. October 1827

ON Demand the 26th day of October Next
We Barnaby Magee and John Shain
do promise to pay to Samuel Andrews the
Just and full Sum of eighteen dollars and
fifty cents Good and lawfull money of
Virginia ^{for value Received} as Witness our hands and Seals
This 27th day of October 1826,

Witness
John Canton

Barnaby Magee
John ^{his} Shain
mark Seal

March 1, 1897 Recd? Ellen's collar
and 94 cents in part of the within
1898. Dec 22

Thos. G. as balance
in full of the within note incl
in a copy of the same. Yours
A. D. Peto

Chas. & Magee

No 5 Bond

Saml. Andrews

Th \$20.56

due 26 October 1897

ON Demand the 26th day of October 1826
We John Shair and Barnaby Magee
do promise to pay to Samuel Andrews the
Just and full Sum of twenty two dollars and
fifty six cents — Good and lawful money of
Virginia. Witness our hands and Seals this
27th day of October — 1826

Witness

J. S. Canton

C. Magee

No { Note

Sam^l Andrews

\$38.20

Dec 26. October 1827

due 38.20.

Int. to 1 June 1827 3.62

\$41.82

ON Demand the 26 day of October Next -
We Charles Magee - and Littleton M. Gleason
do promise to pay to Samuel Conners for
Value Recd. The Just and full Sum of Thirty -
Eight dollars & twenty cents - Good and
lawful money of Virginia As witness our
hands and Seals This this day of March
1829

Witness

Charge of P. P. Rute
with the balance of
the note

G. Gooding
Endorsements

These are to certify that at Samuel Andross Sale I bought
a negro girl for \$175 I paid \$75 dollars of the
purchase money to ^{Richard Ross at the request of} ~~Samuel Andross~~
~~Samuel Andross~~ at the time and
Executed my note for the balance which note I
have since settled with Alexander P. Peete
August 5th 1830 — Geo. Goodwyn

Howell Nicholson Agent-
for Samuel Andrews

Comrs. Report

Returned Feb 21/1831

Samuel Andrews

In account with Howell Nicholson agent

1826				225	65
Oct 26	By	Cash received this day	"	"	200 00
Nov 7	"	ditto do	"	"	100 00
	"	Essex vs James Hight	"	"	15 70
		To my bond retained as deed in trust & int		72 22	
	"	my fee as constable do		4 48	
"	"	paid James C. Micham order & Recd		10 10	
"	"	Ann Key note	"	23 49	
"	"	J. W. Tyus order & Receipt	"	30 40	
"	"	H. M. Magee do	"	8 23	
"	"	Jno Whitehead do	"	1 13	
"	"	H. M. Magee do	"	13 90	
9	"	Sheriff taxes	"	3 71	
Dec 7	"	Rose & Bailey	"	85 51	
1827	"	Doctrs Ramsay & Young	"	32 75	
March 10	"	S. Bailey acct	"	75	
April 6	"	John Moore bal. bond	"	3 86	
June 5	"	S. Bailey acct	"	15 42	
		By amount sales due this day	"	"	155 83
		By Geo. Goodwyns bond	"	"	100 00
		To commissions on \$571.58		28 57	
"	"	Balance due S. Andrews		234 03	
				571 58	571 58
"	"	By balance due the estate brought down	"	"	234 03
		with Interest thereon from this date till paid			

Notes A. & B. see the deposition of Jos Clanton filed with this report—

It appears from the certificate of George Goodwyn that Alexander P. Peete recd the amount of the claim against them of \$500 with interest, and it also appears that he also received a bond due from John Spain for \$500.

and a bond due from Charles Magee for \$41.82. These bonds were a part of the sales which are charged to the agent and therefore, the amounts thus received by the said Peto are due to the estate of Howell Nicholson the agent.

There is also a bond filed with the vouchers against Barney Magee for \$18.50. which is also a part of the agent's sales and is therefore the property of agent.

Respectfully Submitted to the Court

See 10th memo

Comrs fee \$5. Charged the admr. }
of Howell Nicholson dec