

1831-030 SOUTHAMPTON COUNTY
CHANCERY PAPERS

BOYKIN VS. WILLIAMS et ux & al
6/1831

other surnames: Bowers,
Washington, Clayton

Southampton County To wit:

This day S. Boykin, the Sheriff is the
within Bill, personally appeared
before me a Justice of the peace for
the County aforesaid and made oath to
the truth of the facts set forth therein
Given under my hand at the County
aforesaid this 18th March 1828.

James Clayton J.

Boykin

or Bill

John A.

1828 March 18th sworn as before
for J.

Memo

sent for an old paper 1811.

to the worshipful the County Court of South
ampton sitting in Chancery,

Humbly complaining, sheweth unto your wor-
ships, your Compt. Shadrach Boykin, that on the
5.th day of Nov. in the year 1819, he purchased of
Joseph Washington, Andrew Washington, ^{Peggy Washington} James Clayton
and Amelia his wife, and of Ethelbert C. Williams
by his Attorney in fact, Carr Bowen, the tract of
land whereof Wm Washington late of this County
did seised, and which had descended to
the said Joseph, Andrew, Amelia, & Lucy wife
of the said Williams, as children & heirs of the
said Wm Washington dec'd, & of ^{to} Peggy Washing-
ton his widow - that he paid the entire
Purchase Money for the same - and rec'd.
a deed with general warranty, bearing
date as aforesd and which has been admitted
to record in this Worshipful Court, the
original is herewith exhibited as a part
of this bill - That it was distinctly agreed and
understood between the said Carr Bowen, as
Attorney in fact for the said Ethelbert C. Williams
that the proper relinquishment of his wife Lucy
Williams's interest in the said land, should
be made to your Orator in a reasonable
time, and a legal manner - that confiding
in this assurance, your Compt. paid the full
am't of the purchase money, not only to the other
parties, but to the said Bowen as Attorney

as aforesaid - that, notwithstanding your Orator is
well assured, that the said Bowen has made
the proper representations to the s^d. Williams
on the said matter, your worship will perceive
that more than 8 years have already elapsed
and the said Williams has never completed
your Orator's title, by causing his inferre-
-quishment to be made, without which your
Orator may at any time, after the death of
the said Ethelbert C. Williams, be entitled of the
one fourth part of the said tract of land.
Your Orator further states, that the said
Williams & wife still live beyond the limits
of this Commonwealth, and the said Carr
Bowen is still acting under the said Power
of Attorney - That, Peggy Washington, the
widow of the said Wm. Washington has recently
deceased this life, and the negro slaves held
by her ~~for her~~ ^{husband} in her s^d. dec^d. husband's
estate, have fallen into the hands of James
Clayton esq, Adm^r. of the s^d. Wm. Washington
dec^d. and are, in like manner subject to
distribution amongst the s^d. four children
and heirs of the said decedent - That, your
Orator's only remedy, now, for the faithful
execution of the s^d. contract, is by the aid
of this Court, to restrain the said property
from the hands of the said Adm^r. to be held

until his title shall be made good to the premises
afores^d. In tender consideration whereof, and
inasmuch as your Compt is remediless at
Law, and only relievable in this Court. To the
end that the said Ethelbert C. Williams &
Lucy his wife, Carr Bowen his attorney in
fact, and James Clayton esq, Adm^r. of the
said Wm. Washington dec^d. may be made
Defats hereto and compelled to answer the
allegations of this bill, your Compt prays
the Commonwealth the writ of Sp^e. directed
sh. that your worship will require the s^d.
Williams & wife to make a perfect title
to the premises to your Orator, and to that
end, and until that may be done, that
the Defats Clayton as Adm^r. as afores^d. and
Bowen as attorney as afores^d. may be restrai-
-ned from paying away or otherwise dispo-
-sing of the said Wm's portion of the s^d. negro
slaves, or any other property which they may
have in their hands to which he may have
any title, until the further order of this
Court - And grant him such other & general
relief as may be consistent with equity &
the nature of his case touching the premises,
& as in duty bound he will ever pray
sh.

J. H. Roydon

filed March 18 1828

The answer of James Clayton admr. of Wm. Washing-
ton to the foregoing bill of complaint - this
Respondent saving &c. admits the allegations
of the said Bill, he admits the sale as set
forth, and admits that eight slaves have come
to his hands as admr. as set forth, to one
fourth of which the s.^d Ethelbert C. Williams
& wife are entitled. that he has no objection
to any decree, which may be made in
the premises - and having fully answered
he prays to be hence dismissed &c -

James Clayton


To attach the monies, debts and effects of the defendant
Williams Wife in the hands of the other defendants, so that
they be restrained from paying conveying away or secreting
the said Williams portion of the negro of the Estate of
Peggy Washington, or any other effects in their hands of,
or debts by them owing to, the said Elizabeth & Williams
until the further order of the Court—
Attest Corie James Rockwell

Copy to

W. S. Sp. Court. order

Williams J^r

in June Court 1828

Quoted,

Stephen Churchman copy of

W. S. Sp. Court. order

The Commenceth of Aborigine to the Sheriff of Southampton County
Greeting: We command you to summon Ethelbert & Williams Lucy
his wife, Leora Bowers attorney in fact for said Etheldreda, & James Clayton
Administrator of Williams Washington dec: to appear before the Justice
of our County Court of Southampton at the Courthouse on the first day
of June Term next to answer a bill in Chancery exhibited against them
in our said Court by Shadrach Boykin: And this they shall in no
wise omit under the penalty of \$100. each. And have them there this
Albert Wetrop James Rochelle Clerk of our said Court at the Courthouse
the 20th day of March 1835 In the 52^d year of the Commenceth
James Rochelle &c

Southampton County

In the Clerk's Office the day of
1820 This indenture was acknowledged by Joseph
Washington Andrew Washington James Clayton
and Carr Jones attorney in fact for Ethelbert
to William ^{after} ~~prentiss~~ herts and together with the
certificates thereon endorsed certifying the acknow-
ledgement and privity examination of Peggy
Washington and Amelia Clayton the other parties
herts, and in the Clerk's Office the 17th of July
1820. This indenture was proved by the oath of
John C. Gray one of the justices herts. and on
the 2^d day of September 1820 was proved by the
oath of Peter Sumner and William
Sorner the other justices herts and admitted
to Record. And at a court held for the
aforesaid county on the 18th day of September 1820
this indenture ^{as aforesaid} was entered upon the proceedings of
the day Dtd by James P. Cheever

Washingtons & others.

D. J. Jones

to
Shamack. Brykine

~~Amplified & sworn to by the parties on the day~~

Sept. 18th 1820 in d. upon
the pro. return

Recorded

page

182

182

This Indenture made this Twenty Fifth day of November in
the year of our Lord Eighteen hundred & nineteen, between
Joseph Washington, Andrew Washington & Peggy Washington his
wife, James Clayton & Amelia his wife, & Carr Bowers
attorney in fact for Ethelbert C. Williams, heirs and distributees
of William Washington late of the County of Southampton
deceased; of the one part, and Shadrach Boykin of the same
County of the other part; Witnesseth that the said Joseph
Washington, Andrew Washington & Peggy his wife, James Clayton
& Amelia his wife & Carr Bowers attorney in fact for Ethelbert
C. Williams, in consideration of the sum of Twelve hundred
and nine dollars to them in hand paid by the said, ~~Shadrach~~
~~Boykin~~ at or before the enrolling & delivery of these presents
(the receipt whereof is hereby acknowledged) Have bargained
& sold & by these presents do, and each of them doth bargain
& sell unto the said Shadrach Boykin, his heirs & assigns, a certain
tract or parcel of land, lying & being in the County of Southampton
aforesaid, containing by estimation four hundred & nine acres
be the same more or less - being the same tract of land, whereof
the late William Washington did died seized & possessed, the metes
& bounds whereof may be ascertained by reference to the said
William Washington's title papers; - together with all singular
the appurtenances to the said land, belonging or in anywise
appertaining (except only the life right of William Washington's
Widow in the part assigned to her for dower); and all the
estate, right, title interest claim and demand whatsoever of them
the said Joseph Washington, Andrew Washington & Peggy his wife James
Clayton & Amelia his wife and Ethelbert C. Williams, in and to the
said land, & premises, To have & to hold the said tract or parcel
of land, except as before excepted, the life right of the widow in
the part assigned to her for dower, with the tenements

Teste James Dochee & Co.