

1834-008

SOUTHAMPTON COUNTY
CHANCERY PAPERS

JONES VS. APPLEWHITE et al

10/1834

other surnames: Ridley,
Peete, Lewis, Newsum,
Williams, Drewy, Judkins,
McLemore, Newsome

1833.

Jones

as { Papers

Applicants &c

1832 March: Bill filed

" June. New sp. to Dept. Newsman

" O.P. to Dept. Applicants

" " Nov. Set for hearing

1833. April. Decree for account-

1834 March 6. Report.

" April 21. Excep. to report.

" July. Report. recommended &c

Oct. Decree.

Pliffs costs

Salts \$7.27

Shiff 1.32

Comm &c 34.00

Printer 11.00

Law fee 16.66

Writ fee 7.5

\$ 71.00

\$ 5.50

Signified

James A. Jones

vs Bill P.

Harry Applewhite & al.

Rakor

Filed March the 5th 1932.

S. Sampson Chy. Sup. Ct.

To the Honorable the Judge of the circuit superior
court of law and chancery for the county of Southampton
in chancery sitting, Humbly complaining sheweth unto
your ~~Honors~~ ~~your~~ ~~Honors~~ James A. Jones, that on the
16.th day of June in the year 1823, Harry Applewhate
qualified as the guardian of your orator and his brother
and sister Eliza Jones & Horrell Jones, and gave bond
as required by law with Thomas Ridley and Alexander P.
Pete securities: an attested copy of the said bond is
here referred to and prayed to be considered as a part
of this bill: your orator was entitled to a valuable negro
slave named Moses, and to one third part of a tract
of land situate in the county of Southampton of con-
siderable annual value, the rents and heirs of which
property the said Harry Applewhate received or ought to
have received: your orator also charges that shortly after
the qualification of the said guardian, your orator's said
sister Eliza departed this life, in consequence of which
your orator became entitled to one third part of her real
& personal estate, the rents and heirs of which from that
period, ~~has~~ amounted to a large sum of money, all of
which the said guardian in like manner has received or
ought to have received - and your orator further states
that afterwards to wit, on the 21.st day of July in the year
1828, the said guardian was removed, whereupon the county
court of Southampton appointed the said Alexander P. Pete
as guardian of your orator and his said brother Horrell
Jones, with Harry Newman and Benjamin Harris his securities
an attested copy of the guardian's bond executed by the
said Alexander P. Pete & his said securities is here referred
to and prayed to be considered as a part of this bill -
and your orator further states that the said Harry Newman
has since departed this life intestate, and ^{an}admons on his
estate has been duly granted to George A. W. Newman, in
evidence of which fact your orator refers to a certificate
marked A. and prays that it may be considered as a

part of this bill - the said Harvey Sturges, at the time of his death, left personal property, which afterwards came to the hands of his said admor.^r, more than sufficient for the payment of all his just debts - your orator some time since attained lawful age, and has made frequent applications since for settlements of the transactions of the said Applewhite and Pate as your orator's late guardians: and your orator further represents that in consequence of the several qualifications of Applewhite & Pate, each giving different securities as above mentioned, your orator is unable to ascertain to whom he ought to look for the balance due him on the said accounts, and hence your orator is advised that he should make the several persons aforesaid defendants so that they may settle & adjust among themselves the matter in question, and pay to your orator, in such manner as may be right, what upon the balance of the said accounts may be due to him - In Tender consideration whereof, & for as much as your orator is without remedy in the premises except by the assistance of a court of equity, where matters of this nature are cognizable and relivable: to the end therefore that the said Harvey Applewhite, Thomas Ridley, Alexander P. Pate, Benjamin Lewis and George A. W. Sturges admor.^r of Harvey Sturges dec^d, who are prayed to be made defendants hereto, may upon their several corporal oaths full and perfect answer make to the said premises & that as perfectly as if the same were here again repeated & interrogated: that the said defendants may set forth, whether they, or either and what of them have received any, and what part of your orator's real & personal estate, or the rents, heirs, issues and profits thereof: and that the said George A. W. Sturges, if needfull may settle his transactions on the estate of his said intestate.

Your orator prays that the said debts may be decreed to come to a just & fair account with your orator for his said real & personal estate, & for the rents, heirs, issues and profits thereof, which have come to the hands, or ought to have come to the hands, custody or power

of them the said defendants or any one or more of them - and that the said defendants, or some one or more of them may pay to your orator what upon such accounts shall appear to be due to him, and that your orator may have such further & other relief in the premises as to your Honor shall seem meet. May it please

Baker p. 90

Lones

r 3

Appelushait Lal.

note for a diara
by the pliff. counsel
Baker

~~the~~ the
Rm 2

Lones
v 3 chg.
Applushaite Sal.

The order of publication awarded at
rules on the 4.th day of June in the year 1832 against the
def.^t Harry Applushaite who has been proceeded against
as an absent def.^t in the manner required by law
having been duly executed, and the subp.^a & decem-
nisi ^{as to the other subps} having been duly executed & returned, the bill
of the plff is taken for confessed, and the
cause came this day to be heard on the bill
with the exhibits filed with the same, and was
argued by counsel, on consideration whereof the
Court doth adjudge order & decree that the
commissions of this court take the following
accounts, that is to say: 1. an account of
the transactions of the def.^t Harry Applushaite
as the late guardian of the plff: 2. an acc:
of the transactions of the def.^t Alex: P. Pute
also as the late guardian of the plff: 3. An
account of the transactions of the def.^t Geo. A.
H. Newsum as advmt.^t of Harry Newsum decd,
which accounts the said Court is directed
to examine, state & settle & to the court report,
with any matters specially stated deemed per-
tinent by himself, or which may be req.
by the parties to be so stated - and the parties
if required the one by the other, are to submit
to be examined in solemn form -

Daughter County &c
Annoyance appears before me on due time of the
piece Cant. de Lemmon who made oath that
he delivered to Hays & Co. & Geo. at. co. of Hays
three copies of his notice on the 25th Decr 1833 &
that Hays on the 26th Decr 1833. Given under my
hand this 15th Aug 1833

Lucy C. H.

Some

3 Copy Dece

Apprentice &c

For Commissioner C. H.

Notice to 27 July 1833
to be published in the
Petersburg Intelligencer
which has been done
according to Law.

A. P. Peete acknowledges
herewith filed

Court Office Jerusalem 12 May 1833

I have appointed the 27th day of July next to take up the accounts directed in the above decree on which day the parties are required to attend with their vouchers and evidence

Inf J^{ts} Comm

July 27th 1833 present Inf Waddell
^{in fact} attorney for the p^{et} for with W C Parker
att^y and Robt Reddy att^y for Tho Reddy
and Geo H W New seen ad^{mo} Mr. Hewey
Newsum attended, and the witnesses
failing to attend the same cont^d from
day to day until the 10th Aug^r next

Inf J^{ts} Comm

Aug^t 10th 1833. The witnesses again failing to attend
the same was continued to this day, and no witnesses
appearing it again continued from day to day &
Subpoenas issued for the attendance of witnesses on
the 21st Jan^y 1834 they again failing, Subpoenas were
again issued to the 18th February 1834, when William
Ludkins, Spradly Williams, and Inf Orway three of the
witnesses attended, whose depositions were taken & are
herewith filed in this case, also the deposition of Henry
Parker taken the 2^d July 1833

Inf J^{ts} Comm

Virginia, At a Circuit Superior Court of Law and Chancery held at the
County of Southampton on the 4th day of April 1833.

James A Jones
against

Plaintiff. } In Chancery

Harry Applewhite, Thomas Ridley, Alexander P Pate, George
A W Newsum adms. of Hervey Newsum dec'd & Benjamin Lewis. &c

The order of publication awarded at Rules on the 4th day of June in
the year 1832 against the defendant Harry Applewhite who has proceeded
against as an absent defendant in the manner required by Law having been
duly executed and the Subpoena and Deceit Nisi as to the other Defendants
having been duly executed and returned the bill of the plaintiff is taken
for confessed, and the cause came on this day to be heard on the Bill with
the exhibits filed with the same and was argued by Counsel: On considera-
tion whereof the Court doth adjudge, order and decree that the Commissioners
of this Court take the following accounts that is to say, 1. An account of
the transactions of the defendant Harry Applewhite as the late Guardian
of the plaintiff. 2. An account of the transactions of the defendant Alexan-
der P Pate also as the late Guardian of the plaintiff. 3. An account of
the transactions of the defendant George A W Newsum as administrator
of Hervey Newsum deceased. which accounts the Commissioners is directed
to examine, state and settle and to the Court report with any matters
specially stated deemed pertinent by himself or which may be required
by the parties to be so stated. And the parties if required the one by the
other are to submit to be examined in solemn form.

Alecy Teste

L. R. Edwards &c

11
The Editor of the ~~Petersburg Intelligencer~~
Alexander P. Peck Esq.

Hon. Ranger. 3/3

Petersburg Va.

Dr. Sir

you will please acknowledge this notice and
inclose it by mail, or send by some safe hand...
your acknowledgement on the back will be sufficient

A. P. Perkins
Petersburg

Genl. Cobb.

Petersburg 3 July 1833

I acknowledge and receive
of the within notice.

A. P. Perkins

Virginia

At a Circuit Superior Court of Law and Chancery
held for the county of Southampton on the 4th day of ~~June~~
April 1833

James A. Jones

against

Harry Applewhite, Thomas Ridley, Alexander P. Pette } In Chancery
George A. W. Newsam administrator of Hervey Newsam and
Benjamin Lewis } defendants

The order of publication awarded at rules on the 4th day of June
in the year 1832, against the defendant Harry Applewhite who has
been proceeded against as an absent defendant in the manner re-
quired by law, having been duly executed, and the subpoena and
Decree nisi, as to the other defendants having been duly executed
and returned, the bill of the plaintiff is taken for confessed, and the
Cause came on this day to be heard on the bill with the exhibits
filed with the same, and was argued by Counsel. On considera-
tion whereof the Court doth adjudge order and decree that the
Commissioner of this Court take the following accounts, that
is to say 1. An account of the transactions of the defendant
Harry Applewhite as the late Guardian of the plaintiff. 2^d
an account of the defendant transactions of the defendant
Alexander P. Pette, also as the late Guardian of the plaintiff
3^d an account of the defendant transactions of the defen-
dant George A. W. Newsam as administrator of Hervey
Newsam dec'd. which accounts the Commissioner is directed
to examine, state and settle, and to the Court report with
any matters specially stated deemed pertinent by himself
or which may be required by the parties to be so stated
and the parties if required the one by the other are to submit
to be examined in solemn form

at Copy
Teste

L. R. Edwards D.C.

Comm^r Office Jerusalem 24th June 1833

I have appointed the 27th day of July next to take up
the accounts directed in the above ^{order} decree, on which day
the parties interested are required to attend with their
vouchers and evidence

Geo^l B. Comm^r

Comm Office Jerusalem Sept 29th 1834
Present Thomas Risk one of the agents
which is sent from day to day to A. H. 20th 1834
See letter.

Jones

or } copy order

Appl. white. 8^p

Comm. Lett

Came to hand the 13th
day of augt 1834
See Comm

Special Session of the
At a Circuit Superior Court of Law and Chancery held for the County of South-
ampton on the 11th day of July 1834.

James A Jones

against

Staff } In Chancery

Harry Applewhite, Thomas Ridley, Alexander B Peeto, George A W.
Newsum com. of Hervey Newsum ac^t and Benjamin Lewis. Dfs }

This cause came on this day to be heard on the papers formerly read together
with the report of the Commissioner made pursuant to the order of the 4th day of
April 1833, and the exceptions filed thereon by the defendant Ridley, and was
argued by counsel. On consideration whereof the Court doth adjudge, order and decree
that the said report be recommitted to the Commissioner who made it, who is directed
to make a further settlement of the transactions of the defendant Applewhite as late
Guardian of the plaintiff and report the same to the Court with any matters specially
stated deemed pertinent by himself or which he may be required by the parties or
either of them to state -

Attest Teste L R Edwards D C

Comrs Office Jerusalem - 14th Aug 1834

The parties interested in the settlement of the accounts directed
as above are required to attend at this Office on Monday
the 28th day of September next, with their vouchers
and evidence for examination & settlement -

A.P.

The above sent this day to the Petersburg
Intelligencer for insertion

Senfott Comr

We acknowledge and receive of the within
notice Aug 29th 1834

Wm. A. Brown

Wm. A. Brown

Done
vs
Apples keto de
order & notice

Come to hand Aug
19th 1834

Executed on George
A. W. Purson and
Benja Lewis on the
27th Inst. Henry
Apples keto, Thos
Ridley & Alexander
P. Pate not to be
found. J. F. Myrick

Aug 29/1834

Southampton County L. mit
This day personally appeared before
me a Justice of the Peace for the
aforesaid County, Joshua Helmyer
and made oath that he had complied
the within notices according to the
foregoing Reduce given under
my hand this 30th day of August
1834

Geo. B. Ashman J.P.

At a Special Session of the Circuit Superior Court of
Law and Chancery held for the County of Southampton
on the 11th day of July 1834

James A. Jones

Plaintiff

against

} In Chancery

Henry Applewhite, Thomas Ridley, Alexander J. Dexto
George A. W. Newcom admr of Henry Stearns
dec'd and Benjamin Lewis Defendants -

This cause came on this day to be heard on the
papers formerly read together with the report of the Court
made pursuant to the order of the 4th day of April 1833
and the exceptions filed thereto by the defendant Ridley
and was argued by Counsel. On consideration whereof
the Court doth adjudge order and decree, that the said
report be re-committed to the Court, who made it, who is
directed to make a further settlement of the trans-
actions of the defendant Applewhite as Guardian of
the plaintiff, and report the same to the Court with
any matters specially stated deemed pertinent by him-
self, or which may be required by by the parties or
either of them to state

A copy

Teste

L. R. Edwards J.C.

Honors Office Jerusalem 13th Aug 1834

The parties interested in the settlement of the
accounts as above directed, are required to attend
this office on Monday the 29th day of September
next, with their vouchers & evidence, for examination
and settlement.

Geo Coll. Commr

Enter this -

Jones

vs

Applewhite & others -

"This cause came on this day to be ^{finally} heard on the papers formerly read, and upon the reports & amended report of Commissioners both in which exceptions were filed and was argued by counsel, whereupon the Court confirming the said reports doth ^{the defendants} adjudge order and decree, that Henry Applewhite, Alexander P Pate and Thomas Ridley pay to the plaintiff the sum of \$ 315.88 with interest ^{thereon} from the 31st of December 1831 till paid, and that the defendants Alexander P Pate George A W. Museum widow of Harvey Museum deceased, out of the assets of his estate all in his hands to be administered of say he have, and Benjamin Lewis, pay to the plaintiff the sum of \$ 705.57, with interest ^{from the 31st December 1832} on \$ 507.37 from thence ^{plus} until paid, together with costs, and that the defendants Applewhite, A P Pate and Thomas Ridley, pay to the plaintiff one half of the costs of this suit, and that the defendants Pate & Museum as executors are refused, and Benjamin Lewis pay the residue thereof -

George A. W. Newsum admt. no inhabitant

J. H. White D. of C.
to Rochelle 14th

656

Jones

2 3/4 Sp. in lch

Applushite 8 ab

To February Rules 1832
Ba

Executed by Deliver
ing a true copy to
Ala. P. P. & Benja
Lewis Jan 2nd and
Thos. Andler Jan 6/1832
J. H. White D. of C.
to Rochelle 14th

of Campbell County D. C. This day Elmer A. DeWalt appeared
before me a Justice of the Peace for the County aforesaid and
with what the within named Henry Applushite is not an inhabitant
of the State of Virginia. Given under my hand & the seal of the
County of February 1832

James W. DeWalt

The Commonwealth of Virginia To the Sheriff of Southampton County Greeting
We command you to summon Harry Applewhite, Thomas Ridley, & Alexander
P. Peete, George A. M. Newsum a debtor of Hervey Newsum dec'd Benjamin
Lewis to appear before the Clerk's Office of our Circuit Superior Court of Law and
Chancery for the said County at the Rules to be holden for said County on the
first Monday in February next. to answer a bill in chancery exhibited against
them in our said Court by James A. Jones. And unless the said defendants
shall answer the said bill within four Months thereafter, the Court will
take the same for confessed and decree the matter thereof accordingly.
And this they shall in no wise omit under the penalty of \$100. And
have them there this writ. Witness James Rochelle Clerk of our
said Court at the Courthouse of said County the 28th day of December
1831 in the 56th year of the Commonwealth. James Rochelle Clk

Jones

n { Spec in Lib.

Museum etc &

To July Rules 1832.

Exeuted by delivering
a true copy June 18/1832
Sept 21 1832 as per
Bar Bowers siff

THE COMMONWEALTH OF VIRGINIA:

To the Sheriff of Southampton County--Greeting:

We command you that you summon *George A W Newsum* ^{son of} *Hervey Newsum*
dec'd

to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery, for the
County of Southampton, at the Rules to be holden for said Court, on the first Monday in
July next to answer a bill in Chancery, exhibited against *him and*
others in the said Court, by *James A Jones*

And unless the said Defendant shall answer the said bill within four months thereafter, the
Court will take the same for confessed, and decree the matter thereof accordingly; 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
the Courthouse, this *4th* day of *June* 1832, and in the
56th year of the Commonwealth.

James Rochelle clk

Lones 2 Spec
in 3
Applewhite de
Exeuted
John Downey aff
Caro Bowens aff

1821

To the Sheriff of Southampton County
You are hereby commanded to
Summon, William. Dickinson Spratty
Williams, John O'reary, & Mrs. Etalhan
Jones, to appear at my Office, in the
Town of Jerusalem on the 28th of ~~February~~
next to give evidence on behalf of
James & Jones plaintiff and Henry
Applewite & H. P. Pate defendants
in a matter of controversy in relation
to a Guardian account referred by
the Superior Court of Law & Chancery
to me as Comr. for settlement
This you shall no wise omit
under the penalty of one hundred
dollars. Witness my self Comr. of
said Court this 8th day of January
1834

Seal of Comr.

Johnsville Tenn
march 3

25

Maj. Geo. Ridley

Bethlehem Cross Roads

Southampton Cty
Virginia

1834 July 19

Applicable &

from
3

Chow County January 15. 1832.

Dr Sir yours of the 14 of August. has this day
come to hand and I am very sorry that it did not
reach me as soon as you expected, and am extremely
sorry to hear that you have been troubled on my
account. It is true I made no return of my guardians
a/c as I ought to have done one reason was the pressure
of business about that time and another was as Mr Peete
was one of my securities & it was stated by him that
it could not be of much importance that a settle-
ment with him would be all sufficient, I neglected
to do so. thinking under the existing circumstances
the business would be fairly & finally settled, as to the
information you ask for I can only give you in part.
as to the sales of the 2 negroes the hire of moses or the rent
of Land I have no correct knowledge as the a/c contain-
ing them was left with Mr Peete all of which he can
furnish if he has not destroyed or lost it. I recollect that
one or two years rent was kept back for the purpose of paying
Mr Parker forardin improvement that he done to the
house such as under pinning building chimneys &c.
this unsettled business was all made known to Mr Peete all
of which he promised to attend to. I inclose Mr Peete
receipt with a number of Vouchers which I am in hopes will
answer your purpose. I am sorry you had not wrote me
at the commencement of the suit by which means you
could have got all the information that I am able to
give. as to the notice ordered by the court to lay before
the commissioner my proceedings I knew nothing about
until I recd your letter. As to the unsettled business with
Mr Parker spoken of above I can refer you to Mr Parker
Mr John G. Mason with whom the agreement was
made that Parker should be paid out of his rent
for such work as was necessary to be done for the
benefit of the house. Mr Mason at that time was
employed by Wm Arnis & others who had bought ^{the} sit for
the Land and it was thought that probably he might

recover therefore I thought proper to consult him
in the agreement between Parker & my self
as to the sale of the 2 negroes spoken of there was
only $\frac{2}{3}$ of the proceeds that came into my hands as
you can see by reference to the decree of the court order-
ing the sale. I know of no other information at this
time that could be of any importance and am very
fearful this will not reach you time enough to
answer your purpose. You will please write on the
receipt of this or as soon as you can ascertain whether
it will be of any importance or no.

I am Dear Sir

Yours &c.

H. Applewhite

N.B. Since the above was wrote we have had
no mail in consequence of high water which
is very common in the winter season in ^{this} country
and in consequence of which we labour under
considerable disadvantages. For Instance this letter
might have gone more than a month ago

H. A.

Sones
vs
Appelwhite & others } In chancery

The deposition of Henry Parker of lawful age taken before ~~Samuel~~ Comm. &c. and to be read as evidence in a suit in chancery in the Circuit Superior Court of Law & Chancery for the county of Southampton, South that he rented the House and plantation belonging to Howell Sones orphans in the years 1826 and 1827 and he thinks he gave \$100. for the first and \$120. the second year, and that he put a Chimney to the house which was allowed him by Henry Appelwhite, out of the first years rent, & he thinks the Chimney nearly or quite balanced the first years rent, and that he paid the balance of the rents for the aforesaid years to A. P. Pate who succeeded, the said Appelwhite as Guardian to the said orphans. This deponent further states that the said Land & plantation was set up and rented publicly at Sones alone for the 1828 and that this deponent bid \$119.00 for it and that some person he understood ^{who} was a bye bidder bid one dollar more, and it was knocked out to him, and that afterward Henry Appelwhite came to him, offered to let him

take the plantation as his bid say \$119.00
but that he refused, and Thomas Jenkins then
took the place but for what amount this
deponent does not know, but from what
this deponent understood for less than one
half that amount, and further this deponent
saith not.

Sworn to and subscribed } Henry Barker
in my office this 27th }
day of July 1898 }

Samuel Connor

H. Barker
deponent

Comm: Office Jerusalem Sept 29/1834. The defunct
Thomas Ridly consents that all the depositions
heretofore taken in this Case should be read
as evidence in the recommendation of this
this Case

Lucas Comm

done
no
3 depositions
Cyprianite de

Jones

vs
Appelwhite & Pute } In chancery -

The deposition of Spratly Williams taken at the Court's office in the Town of Jerusalem agree-
ably to notice, to ^{be read as} ~~give~~ evidence in a suit now
depending, and undetermined in the ^{Circuit} Superior Court
of Law and Chancery for the County of Southamp-
ton wherein James A. Jones is plaintiff and
Henry Appelwhite and others are plaintiffs, who
being duly sworn saith, that he hired a
Negro man Moses belonging to the plaintiff
as he supposed for the year 1831 and gave for
him as well as he recollects, the sum of forty
six dollars & some Cents, which amount this
deponent paid to Alexander P. Pute who was then
as this deponent believes acting as the Guardian
of the said Plaintiff.

Spratly Williams,

Sworn to and subscribed
before me this 18th day
of February 1834

Ben J. Mc

The deposition of John Drewry taken at the same time
and place, and to be read in the same suit, ~~with~~
who being sworn saith, that he hired a negro man
Moses in 1830 of Alexander P. Pute Guardian James
A. Jones, and which said negro belonged to said Jones
for which this deponent gave forty five dollars
and that he paid that sum to the said A. P. Pute
this deponent further states that, A. P. Pute informed
him that Edwin Pettway gave the same amount
the previous year. This deponent further states that
the said Guardian Pute Rented the plantation belonging
to plaintiff in the year 1830, and made a crop there

in conjunction with John Willford, and this deponent thinks they gave about seventy or eighty dollars.

Jarratt Luddkin rented the same plantation the two or three previous years ~~before~~. but this deponent does not recollect the amount precisely, ^{page} but thinks it was about seventy or seventy five dollars.

This deponent further states that ^{to} Pette paid him a bond he thinks amounting about fifty dollars which this deponent thinks was for the hire of the said Negro Moses, & executed by Mr. Phob (who he thinks hired Moses several years) Jones, and paid over to this deponent in 1829 but the date of the bond is not recollect^{ed}, and was paid by the said Pette, to satisfy a debt ^{due} and ^{inde}edually ~~that~~ this deponent from the said Pette, and further this deponent saith not.

John Brown

Given to and Subscribed

before his 18th day of

February 1834

Love all me

The deposition of William Ludkins who was sworn to give evidence to be read in the same Case at the same time and place, saith that Janett W. Ludkins sister of Henry Applewhite the plantation belonging to James, et Jones for the years 1827 & 1828 and introduces the bonds which were executed for said rents, the one for 1827 was for eighty dollars which appears from an endorsement on its back to have ^{been assigned} to John Bromager by ^{to whom it was executed} the said Applewhite, the other bond was given for seventy four dollars fifty Cents, ^{also the said Applewhite} and was assigned by J. P. Dietz to John Drury on the 25 Decr 1828, which bonds are herewith filed, - this deponent further states that Janett W. Ludkins rented the said plantation the year 1829 - 1830 and 1832 he thinks fifty

dollars was paid for the last year, but he
does not recollect what was paid the two pre-
vious years - This deponent further states
that he thinks Henry Parker rented the said
plantation in 1826 the price he does not recollect
and that Thomas Jenkins rented the said plan-
tation ^{year 1824 or} in the "1825" the price not recollect
and further this deponent saith not

Wm Jenkins

Sworn to and Subscribed
this 18th day of February 1834

Lucy M C

Erno

v 3 Affidavit

Spencer White &

1834 July 11.

Lives as Appleswhite it also
after this day, Roth Ridly made out
~~The Defect Appleswhite~~ that after the
report of the Commissioner was made out & filed with
the papers in this case, he received vouchers to a
large amount ~~for~~ for board, clothing & of the
PTT, from the Defect Appleswhite, which he desires
may be allowed in the final settlement of the Acc.
He also ^{swears} that, the Defect Appleswhite resides in
the state of Tennessee, that as soon as the subpoena
was served on ~~him~~, the Defect Ridly, he wrote to the
Defect Appleswhite to forward him all the vouchers
in his possession, that the letter having been directed
by mistake to an improper P Office, that Appleswhite
did not get it in some time after it was
written, in consequence of which, & the high water
(as the Defect Appleswhite states in his letter) the
Defect Ridly did not receive the vouchers in time
to lay them before the Commissioner; therefore
he humbly prays that, ~~the~~ the report may be committed
to the hands of the Commissioner, so that he may have
an opportunity of referring the sd vouchers for board
clothing & and also a receipt given by Pette, (who
afterwards qualified as the guardian of the PTT)
to the Defect Appleswhite, to the Commissioner —
in order to a final settlement of the account —

This day Roth Ridly appeared before me a Justice
of the Peace & made oath to the correctness of the
above statement or prayer —

July 9th 1834 —

Jos. J. Lawrence J. C.

Anna M. Lemore
deposition

The deposition of Anna M. Leeson of Leeds full age
and taken by consent of parties to used as evidence
before the Court of the Superior Circuit Court of
Law and Chancery, wherein, James A. Jones is
Plff and Harry Applewhite and others are depts.
Said that Elizabeth Jones the mother of James
A. Jones carried the plaintiff to Harry Applewhite
about the year ^{1825 or} 1826 and put them to board for
the purpose of going to school, at the rate of seventy
dollars for board and tuition, the said Harry
Applewhite then being the guardian of the said
Plff.

Questn by Geo Waddell atty in fact for the plff-
do you know who the plff went to school to
that year - - - -

Answer, I think it was John J. Grigg

Questn by depts Counsel. where you live that yr
and I lived at Mrs Applewhite's very near to
Harry Applewhite. And further this de-
ponent said not

Anna M. Leeson

Sworn to and Subscribed before me
in the Court House of Southampton
this 20th day of October 1834

Samuel Combs

Charge H. Applewhite \$255.81 on demand
the 16th Nov. 1876—

Agreeably to the annexed clerical order we have sold the negro slaves therein mentioned after advertising the time and place of sale as directed as follows, to wit.

Cambridge to James Myrick. for	\$388.00
Mason to Lewis C. Trezvant for	275.00
	<u>663</u>

have taken their separate bonds for the same and have paid them over to Harry Applewhite as Guardian to James & Howell Jones, and to John Y. Mason as attorney of Mrs. Elizabeth Jones. reserving 2 1/2 per cent. Comms. which is respectfully submitted.

Benjⁿ. Applewhite }
 H. J. F. Whitbrook } Coms.

662.
<u>1326</u>
331
<u>1657</u>
3/646.43
<u>215.48</u>

Attesty Teste James Rockwell Clerk of
 Southampton County.

Sundkins
to
Applewhite
\$80.00

1827

Mr Aug 24. 1828 Please pay the within
to Sam Brown
of Applewhite

On demand the 20th day of Decr 1824 We
James Jenkins & W. Jenkins do promise to
pay or cause to be paid into H. J. Applin
the Just and full sum of Eighty dollars
current money of Virginia it being for value
recd as witness our hands and seals the
day and date above written

Witness

Benj^a Sandy

Pay the within to John Drury ~~for~~
Sept 25/1828

April 19/1830 I assign the within to Lewis Haring
for value Recd John Drury

Jannett W.
Freckins.
To
Bond

\$74.50 due
Oct. 25/1828

Paid
1830

\$82.76 due Nov. 1

On and the 25th day of December 1828 We Janette
Dr. Gedkins and William Gedkins do promise to pay
unto Henry Applewhite Guardian for the orphans
of Howell Jones Decd the just and full sum of
seventy four dollars and Fifty cents it being for the
Rent of house and Plantation on the three crabs, whereon
the said Janette Gedkins now resides, the ground which are
cultivated is to be Put under a good fence, as witnesses
whereof we have hereunto set our hands and seals this
25th day of Decr 1828
witness

E. P. Mearns

Jones

to E. Notus

Applewhite & Co

January 9/1833.

Town of Petersburg, To wit:

This day, Thos L Wilson, of the office of the Intelligencer, appeared before me, an Alderman of said Town, and made oath that the annexed order of the Circuit Superior Court of Law and Chancery for Southampton County, in the case of Jones vs. Applewhite, was inserted in said newspaper for two months successively. Given under my hand this 15th day of December, 1832

Wm. J. Yancey, Jd

At Rules holden in the Clerk's Office of the Circuit Superior Court of Law and Chancery, for Southampton County, on the 4th day of June, 1832.
James A. Jones, Plf.
AGAINST,
Harry Applewhite, Thomas Ridley, Alex'r. P. Pecte, George A. W. Newsum, Adm'r. of Hervey Newsum, dec. and Benjamin Lewis, Defs.
IN CHANCERY
The defendant, Harry Applewhite, not having entered his appearance and given security according to the Act of Assembly and the Rules of this Court, and it appearing by satisfactory evidence, that he is not an inhabitant of this country, it is ordered, that the said defendant do appear before the Judge of our said Court on the first day of October Term next, and answer the bill of the plaintiff; and that a copy of this order be forthwith inserted in some newspaper published in the town of Petersburg for two months successively, and posted at the front door of the courthouse of this county.
June 26 A Copy—Teste,
L. R. EDWARDS, D. C.

Gas A Jones

To Yancey & Wilson

To adv. the above order of Court — — \$5.50

James A Jones } Commo
vs }
Appellate de } Report

6th March 1834.

25th Feb 1834

James A Jones

Plaintiff

against

Henry Applewhite, Thomas Dudley, Alexander P. Peete } In
George A. W. Newsum admr. of Henry Newsum decd. } Chy.
and Benjⁿ Lewis } Defendants

The Comr. gave the parties due notice to attend at his office in the Town of Jerusalem on the 27 July 1833 to ^{take} up this case. but the witnesses failing to attend, the same has been continued from day to day untill the 18th Feby 1834, when all the witnesses with the exception of Mr Nathan Jones attended, and it was the object of the plaintiff to prove by her something about the heir of a negro man Moses, and as this was proved as the Comr. thinks sufficiently by the other witnesses, the Comr. has therefore concluded to report the account upon the evidence filed

James A Jones a minor

In account with Henry Applewhite Guardian

1824						
Decr 31	By Rent Land this year to Tho Jenkins	90	00	20	00	
	" Hire Moses to Mrs Nathan Jones	"	"	50	00	
	" By balance due the ward			80	00	
1825	By Rent Land to H. Parker \$100.	"	"	33	34	
Decr 31	Hire of Moses, to Mrs A. Jones	"	"	50	00	
				163	34	
	To paid H. Parker yr. prop ^{ty} of Chimney			33	34	
"	" By balance due the ward			130	00	
	" Interest on last balance to this day			4	80	
1826	A. By Rent Land to H. Parker \$120.	"	"	60	00	
	" Hire Moses to Mrs A. Jones	"	"	50	00	
	" Cash recd of Comr. who sold the Negroes belonging to the estate of Elyzer Jones decd see decr & report (A)	"	"	215	81	
Decr 31	By balance due the ward			4	80	455 81
	" Int on last balance to this day			7	80	
1827	By Hire of Mos to H. Applewhite	"	"	50	00	
	" Rent Land to J. W. Jenkins \$80.00	"	"	40	00	
Decr 31	By balance due the estate			12	60	545 81
	" Interest on last balance to this day			27	34	
1828	By Rent Land to J. W. Jenkins \$74.57			37	26	
	" Hire of Moses to H. Applewhite	"	"	50	00	
Decr 31	By balance due the ward			5	33	07
	" Interest on last balance to this day			32	74	72 68
Decr 31	By balance due the ward			7	05	75
	Continued forward					

By balance due the ward \$705.75 with Interest on \$633.07
part thereof from this date till paid

A. It appears that Elizabeth Jones died about this time who
was a sister and equally entitled to his rent say one third
and that by her ^{death} the plaintiff was entitled to one half, there-
fore the rents previous to this time was one third ^{part} extended
in this account, and one half since. (see A.)

It also appears from two bonds given by J. M. L. Suckins,
to Henry Applewhite Guardian ^{de} for rent of the
Land that Applewhite was the Guardian until 1828 as the
last of the bonds was made payable to him as Guardian
& due on the 25th Decr 1828. see bond filed in the depo-
sitions. - The Court next proceeds to make up Alexander
P. Pute's transactions as Guardian with the plaintiff

James A. Jones a minor

In account with Alexander P. Pute Guardian

1829	By Rent of Land to J. M. L. Suckins	\$74.50	"	"	37 25
	" By Hire of Moses to E. Pettway		"	"	50 00
Decr 31	By balance due the ward				\$87 25
1830	By Rent Land to J. M. L. Suckins	70.00	"	"	35 00
	" Hire of Moses to Jno Drewry		"	"	45 00
Decr 31	By balance due the ward				\$167 25
	" Interest on last balance to this day			523	
1831	By Rent Land to A. P. Pute	\$70.00	"	"	35 00
	" Hire of Moses (Pratt) Williams		"	"	46 00
Decr 31	By balance due the ward				\$248 25
	" Interest on last balance to this day			10 03	
1832	By Rent Land to J. M. L. Suckins	\$50.	"	"	25 00
	" Hire of Moses		"	"	45 00
Decr 31					318 25
	Interest on last balance to this day			14 89	30 15
"	By balance due the Plaintiff				\$348 40
	with Interest thereon \$318.25 part thereof from this date till paid				

It appears that A. P. Pute assigned a bond given by
J. M. L. Suckins of \$74.50 to H. Applewhite for rent of this ^{Land} for 1829
to Jno Drewry, and also a bond of about \$50 executed by
Mrs Nathan Jones to H. Applewhite for one year hire of
Moses, but the Court has no evidence before him, as to
whether Pute rec'd these bonds from Applewhite as a
part of the balance due from him as Guardian of

of the plaintiff or not; he therefore has not charged them
to Pute - see Geo. Drewry's deposition & his bond filed

The Court is next directed to take an account of Geo. A.
Lee - Newsom admr of Hervey Newsom decd.

The estate of Hervey Newsom decd

In account with George A. Lee Newsom admr

1830	Sept 1	By amount Sales due this day	"	"	74 60
		By amt of Indgt vs Jno Key	"	"	120 00
		To Comr. on \$194.50	9 73		194 60
		" paid taxes & for last year	8 75		
		" " R. Biretut atty	22 00		
		" " J. S. French do	25 00		
		" " E. Pettway for Coffin	10 00		
		" " B. Edwards Indgt	13 41		
		" " Sundry Clerks tickets	30 56	119 45	
1831	Sept 1	By balance due the estate			\$75 15
		To paid A Myrick a writrup	2 93		
		" " J. M. Parker do	3 06		
		" " J. Newsom do	2 02		
1832	Sept 1	" " M. B. Brodnax do	67 27	75 28	
		To balance due the admr?	" 13	" "	

Respectfully submitted
J. M. L. Suckins Comr.

July 27. 1833

Taking depositions 3. Hours

July 18th 1834 do . . 4 do

" 24 " 5

" 25 " 3
\$15.00

D. M. Simmons for
intg notices paid by
Jno Aladdill atty. 5.00
20.00

cost of notice in the
Petersburg Intelligencer
not recd.

J. M. L. Suckins personally appeared before me as justice of
the peace & made oath to the justness of the above
due bill. Given under my hand this 1st day, Mar. 1834
William Briggs

Bill of Exemptions
to be filed

1834 April 21st

The following exceptions are filed to the Comm^r's report in the case of James et Jones against H. Applewhite & Co. to wit-

Since the report made by the Comm^r the defendant Thos. Bidley has recd from the defendant Applewhite the former guaranty of the plff. sundry vouchers for board clothing, &c and also a receipt for a considerable sum paid by him A. J. Puto who succeeded him the said Applewhite in the said guaranty, which several amounts will show very little if any thing due the plff from the said defendant Applewhite.

Bidley for defot.

James et Jones
vs
H Applewhite & Co

Reformed Report

Oct 28 1834

21 Oct 1834

James A Jones

Plaintiff

against

Henry Applewhite, Thomas Ridley, Alexander P. Peto, }
 George A. W. Newcom, adm^r of Henry Newcom dec^d }
 and and Ben^r Lewis }
 Defendants

Notice was executed on the parties, and an order of publication of the time & place of taking the account was given in the Petersburg Constellation to attend the Court's Office in Jerusalem the 29th day of September 1834 - J. C. H. A. Thomas Ridley with Robert Ridley his Counsel attended, only, who exhibited sundry vouchers for sundries furnished the plaintiff by Henry Applewhite while he acted as his Guardian and also for money and bonds paid to Alexander, P. Peto who succeeded him the said Applewhite as the Guardian; which are now credited to H. Applewhite, and the amount thus paid to A. P. Peto charged to him, and by consent of the parties present the account was continued to the 20th day of October 1834 for the purpose of taking depositions, which on that day, was done, by consent of John Waddell attorney in fact for the plaintiff, and Thomas Ridley at whose instance & for whose benefit they were taken, -

James A Jones a minor

In account with Henry Applewhite Guardian

1824	Dec 31	By Rent Land this yr to Tho Jenkins	90 00	31 00
		" Hire of Moses a Negro Man	" "	50 00
		To paid J. Blakeney for tuition	6 50	80 00
		" " J. Jones yr prop ^r as county surveyor	2 10	
		" " Sally Banks for 7 mo. board last yr	25 00	
		" " Morgan & Cooper acct	5 50	39 10
		By balance due the ward		40 90
1825		By Rent Land this year \$100.00	" "	33 34
		" Hire of Moses	" "	50 00
				12 424
		To paid yr. proportion bill & answer	3 33	
		" your board & tuition this year		
		see annex A Lewis's deposition }	70 00	73 33
Dec 31		By balance due the ward		50 91
		Interest on acct one year		3 05
1826		By Rent of Land to N. Parker \$120.	" "	60 00
		" amount Car ^d forward		\$113 96

		Dr	Cr
1826	By amount brought forward	\$	113 96
	" Hire of moses this year	"	55 00
	" Cash of Com ^r who sold the negroes belonging to Eliza Jones. see doc ^{ts} & report	"	215 81
Dec 31	By balance due the ward	\$	384 77
	" Put on last balance to this day \$3.05		
1827	By Rent Land this year \$80.		40 00
	" Hire of moses	"	50 00
			474 77
	To paid Morgan Hooper acct	"	15 32
Dec 31	By balance due the ward	\$	459 45
	" Put on last balance to this day 23.08		
1828	By Rent Land to J. W. Ludkins \$74.51	"	37 26
	By Hire of moses	"	50 00
			546 71
	By Interest on last bal. to this day 27.56		
	" Interest acct brought down		53 69
			600 40
	To paid A. P. Peete Guardian Aug 5. 1828 \$125 75		
	" Put to Dec. 31/1828		3 13
	" To paid ditto Nov 12/1828		154 37
	" Interest to Dec. 31/1828		1 27
Dec 31	By balance due the ward	\$	284 52
	with Interest thereon from this 31 st day of December 1828 till paid		315 88

James & Jones a minor
In acct with Alexander P. Peete Guardian

		Dr	Cr
1828	Aug 5 By this sum rec ^d of H. Applewhite former Guardian of acct	"	125 75
	Nov 11 By ditto ditto	"	154 37
Dec 31	By balance due the ward	"	280 12
1829	By Rent Land to J. W. Ludkins 74.50	"	37 25
	" Hire of moses to E. Pettway	"	50 00
Dec 31	By balance due the ward	\$	367 37
	" Interest on last bal. to this day \$16.80		
1830	By Rent Land to J. W. Ludkins \$70.	"	35 00
	" Hire of moses to Jno Drury	"	50 00
Dec 31	By balance due the ward	\$	452 37
	" Interest on last bal. to this day 22.04		
1831	By Rent Land to A. P. Peete 70.00	"	35 00
	" Hire of moses to J. Williams	"	50 00
Dec 31	By balance due the ward	\$	537 37
	" Interest on last bal. to this day 27.14		
1832	By Rent Land to J. W. Ludkins 50.	"	25 00
	" Hire of moses	"	45 00
Dec 31	By balance due the ward	\$	607 37
	" Interest last bal. to this day 32.24		
	" By Put ^t acct brought down		98 22
	By Balance due the ward	\$	705 59
	with Interest on \$607.37 paid thereof from this 31 st day of Dec. 1834 till paid		

There are no other alterations in the accounts & notes reported under the order of the 4th day of April 1833. all which with the exceptions of the above reformed accounts are considered as a part of this report.

Respectfully Submitted

Com^r for 29th Sept 1834. 2 Hrs. from
do 20th Oct. " 2. 2.00
do 21. do 4. 4.00

	\$8.00
J. J. Myrick 3 notices	3.00
paid by Jno Waddell for	11.00
notices to O. W. Lemmons	3.00
order of publication	5.50
ditto till due	5.50
Sundry Clarks tickets	8.95
	\$33.95

Sampton County Se.

Sen Cobb made oath before me to the propriety of this fee bill. Given under my hand this 29th day of Oct. 1834

Car. Brown

Jones

is Exhibit.

Applewhite & Co

Filed with bill March 5/1822.

Certificate of removal
Henry & Leonard Esq.

A.

Southampton December Court 1831.

On the motion of George A W Newsum who made oath and together with Richard S Nickerson and Alexander Pute his securities entered into and acknowledged a bond in the penalty of eight thousand dollars conditioned as the Law directs Certificate is granted him for obtaining letters of administration on the estate of Hervey Newsum dec^d in due form -

Teste James Rochelle Clk

Land
to { Exhibit
Applicable Year
delivered 1870 all March 1870

Jones & Son
to { Hon. Land
Justice

(Heck)

Know all men by these presents that we Henry Applewhite, Tho. Ridley,
and Alexander Pette are held and firmly bound unto Jacob Darder, Benja-
min Cobb, James Clayton, Simon Boykin Gentlemen Justices of the Court of South-
ampton County now sitting in the sum of two thousands and dollars to the pay-
ment whereof well and truly to be made to the above named Justices and their
successors we bind ourselves our heirs Exors. and adms. jointly and severally
firmly by these presents sealed with our seals and dated this 16th day of
June 1823.

The Condition of the above obligation is such that if the
above named Henry Applewhite Guardian of James A. Jones, Eliza Jones
and Horrell Jones orphan of Horrell Jones deceased do and shall well and
truly pay and deliver or cause to be paid and delivered unto the said
ward all such Estate or Estates as now is or hereafter shall appear to
be due to them whenever they shall attain to Lawful age or when thereto
required by the Justices of the said Court and also save harmless the above
named Justices their heirs, Exors and adms. from all trouble or damage
that shall or may arise about the s^d. estate or estates then then The
above obligation to be void else to remain in full force & virtue.

Signed Sealed & deliv^d.
in presence of }
A. Middleton.

Henry Applewhite Seal
Tho. Ridley Seal
Alexander Pette Seal

Attest James Rochelle Clk

Knows all men by these presents, That we

are held and firmly bound unto

the sum of

I, John Jones, do hereby certify that

the sum of

day of

1832

John Jones

and

and

and

and

and

and

and

Jones's Son

To { John Bond

Justice

Hooper

Know all men by these presents, That we *Alexander P Pette, Hervey Mausum, Benjamin Lewis*

are held and firmly bound unto
Benjamin Griffin, Joseph A. Eland, Alexander Myrick and Jacob Barnes

Gentlemen Justices of the Peace for *Southampton County* — now sitting, in
the sum of *three thousand*

Dollars: to the payment whereof well and truly to be made unto
the said Justices and their successors, we bind ourselves, and each of us, our, and each of
our heirs, executors and administrators jointly and severally, firmly by these presents.

Sealed with our seals, and dated this *21st* day of *July* 182*5*.

THE CONDITION OF THE ABOVE OBLIGATION IS, That if the above bound
Alexander P Pette his Executors and Administrators shall
well and truly pay and deliver unto *James A. Jones & Honell M. Jones*

Orphans of *Honell Jones*
deceased, all such estate or estates as now is, or are, or hereafter shall appear to be due to
the said Orphan when and as soon as they shall attain to lawful age, or when thereto re-
quired by the Justices of the said Court; and also keep harmless the above named Justi-
ces and their, and every of their heirs, executors and administrators from all trouble and
damages which shall or may arise about the said estate; then the above obligation to be
void, or else to remain in full force and virtue.

Signed, Sealed and delivered in }
the presence of the Court. }

A. P. Pette (SEAL.)

H. Mausum (SEAL.)

Benjamin Lewis (SEAL.)

Attest: Teste James Rachelle Cl

James

in Glasgow

James &



Southampton County December Court 1825.

Eliza Jones widow & relict of Horrell Jones dec'd and Horrell Jones an infant
son of Horrell Jones dec'd by the said Eliza Jones his guardian and next
friend.

Compts: } In the Court
Henry Applewhite adm of Horrell Jones dec'd & James A Jones }
by his guardian Hy. Applewhite. } Defts

This cause was this day docketed by consent of parties and report
of the Court and was argued by Counsel whereupon the Court after
mature consideration with advice, order and decree that Benjamin
Applewhite, Henry P. Westbrooke, and Seth Michelson or any two of
them having first advertised the time and place of sale according to
Law, do sell to the highest bidder upon a credit of nine months the
slaves Cambridge and Mason being the slaves bequeathed by Ann
Harris to her grand daughter Elizabeth Jones, and take from the
purchaser or purchasers three bond with good security of equal amount
and that they allot to Elizabeth the mother of the deceased infant
Elizabeth Jones, one of the said bond, to Henry Applewhite guardian
to James A Jones orphan of the said Horrell Jones by his guardian
and one other of said bonds and to Horrell Jones by his guardian the
remaining bond and that the said Commissioners or such of them as
may act report thereof to this Court in order to a final decree.

Teste A Middleton DC

The following is a copy of the receipt endorsed on the above decree.

"1827 May 21st. Rec'd of Hy. Applewhite one of the Commissioners
herewith named, one bond executed to the Court by James Myrick & Walter
Myrick for one hundred twenty six dollars ^{10/100} due the 16th Nov. 1826, also
a bond executed by David Trezvant and Edm: Turner for eighty nine doll:
^{7/100} due at the same time in full of the within named Elizabeths proportion
of the sales of the said negro slaves.

J. Y. Mason atts
for
Elizabeth Jones

126. 10
89. 71
215. 81

Copy Teste James Rochelle DC

Jones

no

{ Copy Record -

Appendix. &c.

(7544 words)

Plas before the Honorable the Judge of the Circuit Superior Court of Law
and Chancery for the County of Southampton at the Court House on the 5th day
of November in the year of our Lord One thousand eight hundred and thirty four and
of the Commonwealth the fifty ninth

Be it remembered that heretofore to wit: the 21st day of December in the year 1834 James
A Jones by his Counsel sued out of the Clerk's Office of the Court a subpoena
in Chancery against Mary Applewhite, Thomas Reddy, Alexander P Tate, George A W
Austome adm^r of Henry Austome dec^d and Benjamin Lewis returnable to the first Monday
in February then next ensuing, which subpoena together with the Sheriff's return and the
affidavit thereon enclosed is in the words and figures following to wit: The Common-
wealth of Virginia: To the Sheriff of Southampton County Greeting: We Command
you to Summon Mary Applewhite Thomas Reddy Alexander P Tate George A W Austome
adm^r of Henry Austome dec^d & Benjamin Lewis to appear at the Clerk's Office of our
Circuit Superior Court of Law and Chancery for the said County at the Rules to be
holden for said County on the first Monday in February next to answer a Bill in Chan-
cery exhibited against them in our said Court by James A Jones. And unless the said
defendants shall answer the said Bill within four Months thereafter the Court
will take the same for confessed and decree the matter thereof accordingly. And that
they shall in no wise omit under the penalty of \$100. And have then there the Court.
Witness James Rochelle Clerk of our said Court at the Court House of said County the
21st day of December 1834 in the 56th year of the Commonwealth

James Rochelle. cl^k
Sheriff's return "executed by delivering a true copy to Alexander P Tate & Ben^g Lewis
Jan^y 2nd and Thos Reddy Jan^y 6th 1835." Jas. H. Sebell Deputy of
C^t Rochelle Sh^{ff}

"George A W Austome adm^r & no inhabitant" J. H. Sebell Deputy
C^t Rochelle Sh^{ff}

Somerset County &c. This day James H Sebell appeared before me a Justice of
the Peace for the County aforesaid & made oath that the within named Mary Applewhite
is not an inhabitant of the State of Virginia: Given under my hand this 7th day
of February 1832.

James H. Parker
Afterwards to wit: At Rules held in the Clerk's Office aforesaid on the first Monday
in March in the year 1832 Came the plaintiff by his Counsel and filed his
bill against the defendants in the following words to wit: To the Honorable the
Judge of the Circuit Superior Court of Law and Chancery for the County of South-
ampton in Chancery Sitting: Humbly Complaining Sheweth unto your Honor your Orator
James A Jones that on the 16th day of June in the year 1823 Mary Applewhite qual-
ified as the Guardian of your Orator and his Brother and sister Eliza Jones & Harriet Jones
and gave bond as required by Law with Thomas Reddy and Alexander P Tate Secured:
an attested Copy of the said bond is here referred to and prayed to be considered as a part
of this Bill: Your Orator was entitled to a valuable negro Slave Moses and to One third
part of a tract of land situate in the County of Southampton of considerable annual value
The rents and Hoes of which property the said Mary Applewhite reared or ought to have
received: Your Orator also Charges that shortly after the qualification of the said Guardian
your Orator's said sister Eliza departed this life, in consequence of which your Orator became

entitled to one third part of her real and personal estate the rents and Heres of which
from that period amounted to a large sum of money all of which the said guardian
in like manner has received or ought to have received - And your Orator further states
that afterwards to wit on the 21st day of July in the year 1823 the said guardian
was removed whereupon the County Court of Southampton appointed the said Alexander
P. Putt as guardian of your Orator and his said brother Horrell Jones with Henry Audsone
and Benjamin Lewis his securities: An attested copy of the Guardianship executed by the
said Alexander P. Putt and his said securities is here referred to and prayed to be considered
as a part of this bill - And your Orator further states that the said Henry Audsone
has since departed this life intestate and admin on his estate has been duly granted to
George A. H. Audsone in witness of which fact your Orator refers to a Certificate marked
(A) and prays that it may be considered as a part of this bill - The said Henry Audsone
some at the time of his death, left personal property which afterwards came to the hands of
his adm^r. more than sufficient for the payment of all his just debts. your Orator some time
since attained lawful age, and has made frequent applications for settlements of the transactions
of the said Appleshute and Putt as your Orator late guardian: And your Orator further represents
that in consequence of the several qualifications of Appleshute and Putt, each giving deformed securities
as above mentioned, your Orator is unable to ascertain to whom he ought to look for the balance due
him on the said accounts, and here your Orator is advised that he should make the several parties
aforesaid defendants so that they may settle and adjust among themselves the matter in
question, and pay to your Orator in such manner as may be right what upon the balance of the
said accounts may be due to him - In further consideration whereof and for as much as your
Orator is without remedy in the premises except by the assistance of a Court of equity where
matters of this nature are cognizable and redressable: To the end therefore that the said Henry
Appleshute, Thomas Redley, Alexander P. Putt, Benjamin Lewis, and George A. H. Audsone,
adm^r. of Henry Audsone, dec^d. who are prayed to be made defendants here, may upon
their several Corporal Oaths, full and perfect answer make to the said premises & that as
perfectly as if the same were here again repeated and interrogated: That the said defendants
may set forth whether they or either and which of them have received any and what part of your
Orator's real and personal estate, or the rents here, issues, and profits thereof: and that the said
George A. H. Audsone if needfull may settle his transactions on the estate of his intestate -

Your Orator states that the said debts may be deemed to come to a just & fair account with your
Orator for his said real and personal estate and for the rents here issues and profits thereof
which have come to the hands or right to have come to the hands either or power of them
the said defendants or any one or more of them - And that the said defendants or some one
or more of them may pay to your Orator what upon such accounts shall appear to be due
to him, and that your Orator may have such further and other relief in the premises as
to your Honor shall seem meet: May it please &c.

Baker p. q.

Copy of Bond Appleshute &c. to Justices.

Know all men by these presents that we Henry Appleshute Tho. Redley and Alexander
P. Putt are held and firmly bound unto Jacob Darden Ben^g Col^l, James Clayton, Simon
Baykin, Gentlemen Justices of the County of Southampton County now sitting in the sum
of two thousand dollars, to the payment whereof well and truly to be made to the above
named Justices and their successors we bind ourselves our heirs Executors and adm^rs jointly &
severally jointly by these presents. Sealed with our seals and dated this 16th day of June 1823.

The Condition of the above obligation is such that if the above named Henry Appleshute
Guardian of James A. Jones Eliza Jones and Horrell Jones orphan of Horrell Jones dec^d

do and shall well and truly pay and deliver or cause to be paid and delivered unto
the said ward all such Estate or Estates as now is or hereafter shall appear to be due to
them whenever they shall attain to lawful age or when thereto required by the Justices of the
said Court and also lawfully keep the above named Justices their heirs Executors and adm^rs
from all trouble or damage that shall or may arise about the said Estate or Estates then
then the above obligation to be void or else to remain in full force and virtue

Signed sealed & del^d.
In presence of
at Middleton -

Henry Appleshute Seal

Tho. Redley Seal

Alexander P. Putt Seal

Attesty Teste James Rochelle Cler.

(Copy of Bond Putt &c. to Justices)

Know all men by these presents that we Alexander P. Putt, Henry Audsone,
Benjamin Lewis are held and firmly bound unto Benjamin Griffin, Joseph T. Claude,
Alexander Myrick and Jacob James Gentlemen Justices of the Peace for Southamp-
ton County now sitting in the sum of three thousand dollars: to the payment whereof
well and truly to be made unto the said Justices and their successors, we bind ourselves
and each of us our and each of our heirs Executors and administrators jointly and severally
jointly by these presents. Sealed with our seals and dated this 21st day of July 1823.

The Condition of the above obligation is such that if the above named Alexander
P. Putt, his Executors and administrators shall well and truly pay and deliver unto
James A. Jones & Horrell M. Jones Orphans of Horrell Jones deceased all such Estate
or Estates as now is, or are, or hereafter shall appear to be due to the said Orphan when
and as soon as they shall attain to lawful age, or when thereto required by the Justices
of the said Court: and also lawfully keep the above named Justices, and their and every
of their heirs Executors and administrators from all trouble and damages which shall or
may arise about the said Estate: then the above obligation to be void, or else to remain in full
force and virtue

Signed sealed & del^d.
In the presence of the Court

A. P. Putt Seal

H. Audsone Seal

Ben^g Lewis Seal

Attesty Teste James Rochelle Cler.

(Exhibit A)

Southampton December Court 1831 -

On the motion of George A. H. Audsone who made oath and together with
Richard Nicholson and Alexander P. Putt his securities entered into and acknowledged
a bond in the penalty of eight thousand dollars conditioned as the Law directs but failed
it granted him for obtaining letters of administration on the estate of Henry Audsone dec^d. in due
form -

Teste James Rochelle Cler.

Afterwards to wit: at Rules held in the Clerk's Office aforesaid on Monday the 4th day
of June in the year aforesaid came the plaintiff by his Counsel and the defendant Henry
Appleshute not having entered his appearance and given security according to the Rules
of Assembly and the Rules of the Court and it appearing by satisfactory evidence that the
defendant an inhabitant of this County, it is ordered that the said defendant do appear before
the Judge of our said Court on the first day of October imminent and answer the bill of the
plaintiff: and that a copy of this Order be forthwith entered in some street paper published
in the town of Portsmouth for two months successively and posted at the great door of the
Court house of this County.

Attesty Teste L. R. Edwards D.C.

And a new subpoena was awarded against the Deft. George A. H. Newsum admr. of Henry Newsum dec. returnable to the first Monday in July then next ensuing
 whereupon subpoena with the Sheriff's return thereon made is in the following words and figures to wit:
 The Commonwealth of Virginia: To the Sheriff of Southampton County: Greeting.
 We Command you that you summon George A. H. Newsum admr. of Henry Newsum dec. to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery for the County of Southampton at the Rules to be holden for said Court on the first Monday in July next to answer a bill in Chancery exhibited against him and others in the said Court by James A. Jones - And unless the said defendant shall answer the said Bill within four months thereafter the Court will take the same for confessed and decree the matter thereon accordingly; and that he shall in no wise omit under the penalty \$100. And have them thereunto. Witness James Rochelle Clerk of our said Court at the Court house this 4. day of June 1832 in the 36 year of the Commonwealth.

Shuff's return "Executed by delivering a true copy" J. Drury depy of Can Bonas Hill.

Afterwards to wit: at Rules held in the Clerk's Office aforesaid on the first Monday in October in the year aforesaid On the motion of the plaintiff by his Counsel this Cause was set down for hearing upon the bill and exhibits filed -

Afterwards to wit: At a Circuit Superior Court of Law and Chancery held for the County of Southampton on the 4. day of April in the year 1833. The Order of Publication awarded at Rules on the 4. day of June in the year 1832 against the defendant Harry Applewhite who has been proceeded against as an absent defendant in the manner required by Law having been duly executed and the Subpoena and Decree as to the other Defendants having been duly executed and returned the Bill of the Plaintiff is taken for confessed and the Cause came on this day to be heard on the Bill with exhibits filed with the same and was argued by Counsel: On Consideration whereof the Court doth adjudge Order and decree that the Commissioner of this Court take the following accounts that is to say: 1. An account of the transactions of the defendant Harry Applewhite as the late guardian of the plaintiff 2. An account of the transactions of the defendant Alexander P. Pate also as the late guardian of the Plaintiff. 3. An account of the transactions of the defendant George A. H. Newsum as administrator of Henry Newsum dec. which accounts the Commissioner is directed to examine State and settle and to the Court report with any matters specially stated deemed pertinent by himself or which may be required by the parties to be so stated - And the parties if required the one by the other are to submit to be examined in solemn form

James A. Jones against Henry Applewhite Thomas Kelley Alexander P. Pate George A. H. Newsum admr. of Henry Newsum dec. and 1 By "dewd" The Court gave the parties due notice to attend at his Office in the Town of Jerusalem on the 27. of July 1833 to take up the account but the Witnesses failing to attend the same has been continued from day to day until the 18. February 1834 when all the Witnesses with the exception of Mr. Nathan Jones attended and as it was the object of the Plaintiff to prove by his testimony about the Hue of a negro man Moses. And as this was proved as the Court thinks sufficiently by the other Witnesses the Court has therefore concluded to report the account upon the evidence filed.

James A. Jones a minor.

In Account with Henry Applewhite - Guardian

1824	Deer	31	By Rent of land this year Tho. Sudkins	90 00	30 00
			" Hire of Mares to Mr. Nathan Jones	" "	50 00
			By Balance due the Ward	" "	40 00
1825	Deer	31	By Rent of land to St. Pauls \$100	" "	33 34
			" Hire of Mares to Mr. A. Jones	" "	50 00
					163 34
			To paid St. Pauls yr proportion of Chimney	" "	33 34
			By Balance due the Ward	" "	130 00
			Interest on last balance to this day	4 80	
1826	Deer	31	By Rent of land to St. Pauls \$125	" "	60 00
			" Hire of Mares to Mr. A. Jones	" "	50 00
			" Cash re. of Court who sold the negroes Henry & the estate of Eliza Jones dec. See decree and report (A)	" "	215 81
	Deer	31	By Balance due the Ward	1 80	455 81
			Interest on last balance to this day	7 80	
1827	Deer	31	By Hire of Mares to H. Applewhite	" "	50 00
			By Rent of land to J. H. Sudkins \$80.00	" "	40 00
					1260 545 81
			By Balance due the Ward	27 34	
			Interest on last balance to this day	" "	37 26
			By Rent of land to J. H. Sudkins \$74.57	" "	50 00
			" Hire of Mares to H. Applewhite	" "	50 00
Deer	31	By Balance due the Ward		52 74	633 07
			Interest on last balance to this day		72 68
Deer	31	By Balance due the Ward			705 75
			By Balance due the Ward \$705.75 with interest on \$633.07 from this date till paid		

A It appears that Elizabeth Jones died about this time who was a sister and equally entitled to this rent, say on third and that by her death the plaintiff was entitled to one half, therefore the rent previous to her time was one third part extended in this account, and one half since - (See A)

It also appears from the bonds given by James W. Sudkins to Henry Applewhite Guardian re. for rent of the land that Applewhite was the guard. until 1828 as the last of the bonds was made payable to him as Guardian & due on the 25. of Deer 1828 see bonds filed in the depositions - The Court must proceed to make up Alexander P. Pate's transactions as Guardian with the plaintiff

James A. Jones a minor

In Account with Alexander P. Pate Guardian

1829	Deer	31	By Rent of land to J. W. Sudkins \$74.80	" "	37 25
			" By Hire of Mares to E. P. Pate	" "	50 00
1830	Deer	31	By Balance due the Ward	5 23	97 25
			By Rent Land to J. H. Sudkins \$70.00	" "	35 00
			" Hire of Mares to Geo. Drury	" "	45 00
					167 25
1831	Deer	31	By Balance due the Ward	" "	35 00
			Interest on last balance to this day	" "	10 08
			By Rent of land to A. P. Pate \$70.00	" "	26 83
			" Hire of Mares to Spradley Williams	" "	25 00
1832	Deer	31	By Balance due the Ward	10 03	48 22
			Interest on last balance to this day	" "	31 83
			By Rent Land to J. H. Sudkins \$30.00	" "	30 15
			" Hire of Mares -	" "	34 94
Deer	31		Int on last bal to this day	14 99	30 15
			Car. forward		734 94

By Balance due the Plaintiff \$ 348.40. with Interest on \$ 348.25 from this date till paid
 It appears that A P Peto assigned a bond given by J W Judkins of \$ 74.50 to H Applewhite for rent of this land for 1828 to John Drury and also a bond of a bond \$ 30 executed by Mr. Nathan Jones to H Applewhite for one year bond of Mass. but the Court has no evidence before him as to whether Peto rec'd these bonds from Applewhite as a part of the balance due from him as Guardian of the plaintiff or not he therefore has not charged them to Peto - See John Drury's deposition and this bond filed

The Court is most desirous to take an account of Geo. A W Audum admt of Henry Audum decd.

The Estate of Henry Audum decd.
 In Account with George A W Audum admt

1830	Sept	1	By Amount sales due this day		74	60
			By amount Judgt v John Pety		120	00
			To Court m ^{ts} \$ 4.60	9	73	194 60
			" paid fees & last year	4	73	
			" " H. Shreve's atty	22	00	
			" " J S French do	26	00	
			" " E Pittway for offer	40	00	
			" " B Edwards Judgt	13	41	
1831	Sept	1	" " Sundry balance tickets	30	36	119 45
			By Balance due the Estate		75	15
			To paid A Myrick & W. C. Packer as	2	93	
			" " J W Packer do	3	06	
			" " J Audum do	2	02	
1832	Sept	1	" " M B Brodnax do	67	27	75 29
			To balance due the admt		13	

Respectfully Submitted:
 Geo. A W Audum

July 27. 1833
 Taken deposition of 3 Hms
 July 18. 1834 do. 4 do
 " 26 " do 5 do
 " 35 " do 3 do
 \$ 15.00

D W Summons for m^{ts}
 m^{ts} esp'd by Geo. Waddell atty \$ 5.00
 \$ 20.00

Cost of station in the Petersburg Intelligencer not recd -
 I am both personally appeared before me a Justice of the peace and made oath to the first of the above full - Given under my hand this 1st day of May 1834.
 William Briggs

Then read the deposition & other papers referred to by the Court in his report.
 To the foregoing report of the Court the following words to wit: The following exceptions are filed to the Court's Report in the case of James A Jones against H Applewhite to wit:

Since the Report made by the Court the Deft Geo Rodley has rec'd from the Deft Applewhite the former Guardian of the Plaintiff sundry vouchers for board clothing &c and also a receipt for a considerable sum paid by him to A P Peto who succeeded him the said Applewhite in the said Guardianship. which several accounts will show very little of any thing due the plaintiff from the deft Applewhite.

Redley for Deft.
 Afterwards to wit: A Special Session of the Circuit Superior Court of Law and Chancery held for the County of Henrico on the 14th day of July in the year 1834. This Court this day came on to be heard on the papers formerly read together with the Report of the Court.

made pursuant to the Order of the 2nd day of April 1833 and the exceptions filed thereto by the Deft Rodley and was argued by Counsel. On consideration whereof the Court doth adjudge order and decree that the said report be recommended to the Commissioner who made it, who is directed to make a further settlement of the transactions of the Deft Applewhite as late Guardian of the plaintiff and report the same to the Court with any matters spent by stated deemed pertinent by himself or which he may be required by the parties or either of them to state - Common's Report. *Alfred J. R. Edwards*

James A Jones
 against
 Henry Applewhite Thomas Rodley Alexander J Peto George A W Audum admt of Henry Audum decd & Ben Edwards

Notice was executed on the parties and an Order of publication of the same and place of taking the account was given in the Petersburg Intelligencer to attend the Court Office in Jerusalem the 29th day of September 1834. Thomas Rodley with Robert Rodley his Counsel & W. C. Packer Counsel for plaintiff attended only who exhibited sundry vouchers for sundry furnished the plaintiff by Henry Applewhite which he acted as his Guardian and also for money and bonds paid to Alexander J Peto who succeeded him the said Applewhite as the Guardian which are now ordered to H Applewhite and the amount thus paid to A Peto charged to him and by consent of the parties present the account was continued to the 20th day of October 1834 for the purpose of taking depositions which on that day was done by consent of John Raddell attorney in fact for the plaintiff and Thomas Rodley at whose instance and for whose benefit they were taken -

James A Jones a minor
 In Account with Henry Applewhite Guardian

1824	Decr	31	By Rent of land this yr to Geo Judkins		90	00	30	00
			To Rent of land to a Negro man		6	50	30	00
			To paid H. Shreve for balance		2	10		
			" " J. Jones & W. C. Packer a County Surveyor		25	00		
			" " Sally Bonds for 1 st bond last year		5	30	39	10
			" " Morgan & Cofer do					
1825			By Balance due the Ward				40	90
			By Rent of land this year				33	34
			" " Rent of land				50	00
			To paid year proportion left & answer		333		124	24
			By our bond and return this up see Anna McLean's deposition		70	00		
Decr	31		By Balance due the ward				73	33
			Interest on debt one year				50	91
1826			By Rent of land to H. Packer				365	
			" " Rent of land this year				60	00
			" " Bath of Court who the debtors belong to Henry Jones - See dect & Report				55	00
Decr	31		By Balance due the Ward				215	81
			Interest on last balance to this day				394	77
1827			By Rent of land this year				40	00
			" " Rent of land				50	00
			To paid Morgan & Cofer do				74	66
Decr	31		By Balance due the ward				169	45
			Interest on last balance to this day				37	26
1828			By Rent of land to J W Judkins				50	00
			" " Rent of land				564	71
			By Interest on last balance to this day				53	69
			Interest account brought down				600	40
			To paid A P Peto Guardian Augt 5/1822 per Rec				125	75
			" " do to Decr 31/1822				3	13
			" " To paid debt Nov 28/1822				154	37
			Interest to Decr 31/1822				1	27
Decr	31		By Balance due the Ward				284	52
			With Interest thence from this 31 st day of Decr 1828 till paid				315	89

James A Jones a minor In Account with Alexander J Pate Guardian

1829	Aug 5	By Ind sum Rec ^d of H Applewhite former Guardian's acct		"	"	123	73
Nov	11	By ditto ditto		"	"	182	37
Dec	31	By balance due the ward		"	"	\$280	12
1829		By Rent of land I W Judkins	\$4.50	"	"	37	25
		By Hire of Moss to E Bellway		"	"	50	00
Dec	31	By balance due the ward		"	"	\$367	37
		Interest on last balance to this day	\$16.90				
1830		By Rent of land to I W Judkins	70.00	"	"	35	00
		By Hire of Moss to Geo Drury		"	"	50	00
Dec	31	By balance due the ward		"	"	\$452	37
		Interest on last balance to this day	\$22.05				
1831		By Rent of land to A J Pate	70.00	"	"	35	00
		Hire of Moss to S Williams		"	"	50	00
Dec	31	By balance due the ward		"	"	\$537	37
		Interest on last balance to this day	\$27.14				
1832		By Rent of land to I W Judkins	50.00	"	"	23	00
		Hire of Moss		"	"	45	00
Dec	31	By balance due the ward		"	"	\$607	37
		Interest on last balance to this day	\$32.24				
		By Interest acct brot down				98	22
"	"	By balance due the ward				\$705	59
		with interest on \$607.37 paid thereof from the 21 st day of December 1834 till paid					

There are no other alterations in the accounts and notes reported under the Order of the day of April 1833 all which with the exceptions of the above referred accounts are considered as a part of this report.

Respectfully Submitted
Geo Robt Carr

Carr for 29th Sept 1834-2 H. \$2.00

do do 29th Oct " 2.00

do do 21st do " 4.80

I J Myrick 3 times 8.00

Paid by Geo Haddock for order to Dr. Linnard 3.00

Order of publication 3.50

ditto 5.50

Printing Clerk's fee 4.95

Samuel County Co.
Sub. Robt made oath before me to the justice of this subd. Term and a my hand this 25th day of October 1834.

Car. Borers

Here copy the deposition referred to by the before in my report -
And now at this day to wit: At a Circuit Superior Court of Law and Chancery held for the County aforesaid on the day and year first herein aforesaid to wit the first day of November in the year 1834. This Cause came on this day to be finally heard on the papers formally read and upon the report and amended report of Commissioner Robt to which no exceptions were filed and was argued by Counsel: Whereupon the Court confirming the said reports doth adjudge order and decree that the defendants Henry Applewhite, Alexander J Pate and Thomas Reddy pay to the plaintiff the sum of \$315.88 with interest thereon from the 21st of December 1834 till paid and that the defendants Alexander J Pate, George A H Mousum adm^r of Henry Mousum dec^d pay to the plaintiff the sum of \$705.59 with interest on \$607.37 paid thereof from the 21st of December until paid and the defendants Applewhite, A J Pate & Thomas Reddy pay to the plaintiff one half of the costs of this suit, and that the defendants Pate, G A H Mousum as adm^r as aforesaid, and Benjamin Lewis pay the residue thereof.

The following are copies of the mention and Sheriff's return made thereon which stand upon the foregoing judgment to wit. (here copy them) -