

1835-005

SOUTHAMPTON COUNTY
CHANCERY PAPERS

MILLAR VS. FORT'S CURATOR

3/1835

other surnames: Williams,
Ridley, Reese, Judkins,
Bendall, Miller, Waller,
Massenburg, Nicholson,
Barham

Millar

in Bill of

Millars Curator

1830 June. decess as per record
filed of

1835 Mar: 16. Removed to the Sec.
Sup: Ct. by Coroner -

Pliff Costs	\$9.58
clerk	\$9.58
Shff	
Law	5.00
	\$ 14.58

Ofc. Costs	
clerk	0.52
Shff	2.00
Law	9.00
Law	5.00
	\$ 16.52

To the worshipful the County Court of Southampton sitting in
chancery: Humbly complaining, sheweth unto your worships
your Complt. Nancy Millar, that her son Robert Fort, having
attained full age, and being deranged in Mind, left this
County, sometime in the month of _____ in the year
182____, that he was possessed of a considerable estate real and
personal, which was by an order of this worshipful Court,
confided to the care and management of Samuel
Barham, as Curator, which will appear, by an attested
copy of the said order, herewith exhibited as a part of
this bill. That the said Robert Fort has been absent more
than seven years, and has not been heard of, so that
he is in Law, as he is no doubt in fact, presumed to be
dead, and your Oratrix is entitled as his Mother
and heir at Law, to his whole estate. That the said Saml.
Barham as Curator, has not rendered any account of
his acting, nor has he paid over the monies rec^d in that
character, to your Oratrix. And so it is, he such settlement
and acc^t can be compelled without the aid of this
Court, sitting in Equity. In tender Consideration whereof,
and inasmuch, as your Complt is remediless at Law, and
only relievable in Equity. To the end therefore, that the
said Saml. Barham may be made Defendant unto
and compelled to answer the allegations herof,
She prays the Commonwealth writ of Sp^e directed
that he may be compelled to render an account
of his acting as Curator, and on such acc^t pay
to your Oratrix, the balance which may be due.
And that your worships will grant her such other
and gen^l relief, as may be consistent with equity
L

The answer of Saml. Barkham to the foregoing bill
of complaint, This Respondent, having & for answer
to the said Bill, says, that he admits its allegations
& has no objection to the decree asked for &
& prays to be hence dismissed &.

Millar

&
Barkham Curator.

Atty.

Defat

} In Chy.

This cause was this day docketed by consent of
parties, with the assent of the court, and came on
to be heard, on the Bill and arguments of
Counsel, on consideration whereof the court doth
adjudge, order and decree, that the Defat Saml.
Barkham, as Curator of Robert Fort dec'd do render
an acc't of his acting in that character before Master
Commr. Leach, who will audit, state, & report the
same to the court, in order to a final decree,
with any matters specially stated, which either party
may require, or which he may deem pertinent.

we acknowledge and agree to the amount
as notice

Samuel Barkham
Mary Miller

Sam. Lobb

Oct 10 London

to 3000000000

Miller

Comr's Office Jerusalem Aug: 17th / 1830
I have appointed the 5th day of Oct next to
take up the acct. directed by the within order
at which time the parties interested are required
to attend with their necessary vouchers & evidence

David B. M.

Southampton June Court 1830.

Nancy Millar

against

Samuel Barham Curator of Robert Fort.

Plaintiff

Defendant

This cause was this day docketed by consent of parties with the appointment of the Court and came on to be heard on the bill, answer and arguments of Counsel, on consideration whereof the Court doth adjudge, order and decree that the defendant Samuel Barham as Curator of Robert Fort do render an account of his actings in that character before Master Commissioner Cobb, who will audit State and report the same to the Court, in order to a final decree with any matters specially Stated, deemed pertinent by himself or which either party may require to be so Stated.

Attest June James Rochelle

I acknowledge legal service of
 the within notice as attorney in
 fact for Mrs Ann Miller -
 April 12 1831 G. L. Oliver att^y
 for Mrs Ann Miller

20	200
75	5
75	10
20	50
65	50
50	50
100	100

Mrs Nancy Miller
 Sussex County

M^{rs} Nancy Millar Please take notice that I shall
on Friday the fifteenth Day of the present month
April at the House of Wth Spratley Williams ^{in Southampton} proceed
to take the deposition of s^d Spratley Williams and
Others when and where you may attend if you think
proper

Samuel Barham

April 1st 1831
Southampton

Gentlemen Magistrates,

Southampton County

To The Gentlemen Magistrates who may take the depositions at Mr
Spratt Williams on Friday the 15th Inst having made a power of
attorney to my Nephew Shepwith A Oliver of Lincoln County to
attend to the Settlement of my Sons Estate for me as my attorney in
Fact, I authorize and request that he may ask any Questions and
take any depositions on the above named that he may think proper
provided Mr Samuel Barker Consents to his taking the depositions -
I am totally Ignorant of the transaction of such Business and
In consequence have intrusted it to my Nephew -

April 14th 1831—

I am Yours with Due Respect

Ann Miller

July 1st 1831 Southampton

I acknowledge the within
notice

Sam Barkham

Mr Samuel Barkham

Staffs County

Virginia

I acknowledge legal service of
the within notice this day of
July 1831

Mr Samuel Barham? Sir take notice that I shall by my attorney proceed
on ~~the fifteenth~~ Friday the fifteenth day of July at Keys store house in
Sussex County between the hours of sun rise and sun set on the same day
to take the Depositions of Capt Thomas Mapenbury and others, to be
read in Southampton Court in the Case of your account as Curator
against the Estate of Robert Fort ~~and~~ and if from any Cause
the said Depositions should not be taken on that day, I shall
proceed between the same hours, on the next day to take them
untill completed at which time and place you may
attend if you think proper -

I am Yours -

Nancy Miller

Jun 30th 1831 -

Southampton County.

July 18th 1831 - This day came before me
Wm. B. Goodwyn a Justice of the peace for the County
aforesaid James H. Debrill, who made oath
that he delivered a true copy of the within
notice to Saml. Barham on this day -

Wm. B. Goodwyn J.P.

Miller
to Notice
Barham

Mr Samuel Barham

Take notice that on this day the 18th day
of July between the hours of 2. P.M and 6 P.M.
at the Tavern off Pitts & murder in the Town of Faversham
I shall proceed to take the depositions of John
Shepherd & others ~~before~~ read as evidence in
a case now depending in the County Court
of Southampton in which you as curator of the
Estate of Robt Ford deceased are defendant
and I am complainant

Yours
Nancy Miller

The deposition of Spratty Williams of lawful age taken before us in the County of Southampton at the house of ^{sd} Spratty Williams a genable to notice acknowledged by Shipworth & Oliver as agent & attorney in fact for Ann Miller, to be read as evidence in a suit now pending between Ann Miller ^{plff} & Samuel Barham, in the County Court of said County - -

The report of Spratty Williams after being duly sworn says as follows - -

=
Q^{ues} by the de^{ft}. -
= How much cleared land was there on Robt. Forts plantation in the year 1823 -

=
Ans. I suppose from thirty to forty thousand Corn acres a part of which had been cleared previous to 1823 and produced two or three crops - the first part cleared was an old field before cleared -

=
Q^{ues} by the same
What description of Slaves were there on said plantation in the year 1823 -

=
Ans. One Negro man three women & children two girls and a boy - and the Negro man was addicted to running away and lost a great deal of time -

=
Q^{ues} by the same
Were you one of the appraisers of Robt. Forts estate
Ans. I was -

=
Q^{ues} by the same
What quantity of Corn and Bacon did you see on the plantation at the time of the appraisement -

=
Ans. I saw neither Corn or Bacon -
Q^{ues} by the same
do you suppose with the Land and Slaves on the plantation a support could have been made -
Ans. I do not -

Quest by the same. do you not think that I have had as
much land cleared on Fox's plantation as is usually
cleared by the same number of hands

Ans I think you have.

Quest by the same. do you know that I superintended the
plantation regularly from the year 1823 till April 1830.

Ans I do. for I saw him said Borkum pass my house
very frequently on his way to the plantation

Quest by the party. do you not think the slaves on the
plantation together with a pair of Sanyers belonging to
the same estate would have supported themselves during the
time they were under the management of Sam Borkum

Ans I do not.

Quest by the club to Sam. did you know the plantation well
when I took possession. Ans I do

Quest. by the same do you think it much improved
by clearing —

Ans I do very much

Subscribed and sworn to before us this 15th June
1831 —

Spencer Williams
J. J. Lane J.P.
A. P. Peete J.P.

Witnessed by J. J. Lane & J. P. Peete
15th June 1831.

Witness
Spencer Williams

Witness J. J. Lane

for aff.

for depts.
The deposition of
Thomas Rialty

William M. Borham

Ret. by J. J. Glend. J. P. July
18/1831

The deposition of Thomas Ridley Sr. of Lawful age
taken before us at the house of Sprocket William in the
county of Southampton on the 15 day of April a great
to notice
acknowledged by, Skipwith M. Oliver as a just one
attorney of Ann McEllan to be read or evidence in a
suit now pending in the county court of Southampton
between Saml. Barkam deft and crany McEllan Plaintiffs

Thomas Ridley, after being duly sworn. Says as follows

Ques. by the deft. — did you know the plantation
at the time Ross Fort left it as you think they could have
made a support —

Ans I did and do not believe that the hands on the plantation
could have supported themselves at that time
Ques by the same. were not the slaves on the plantation
of an expensive kind women & children

Ans. they were with the exception of one negro man
Charles and a boy large enough to plow

Ques by the same. do you think Charles a valuable
fellow.

Ans I do not by any means for he was frequently
run away.

Ques by the Plaintiffs do you not believe that the
women & children together with negro man Charles
and the plow boy could have supported themselves with
the assistance of two other negro men good
sawyers —

Ans I suppose if they were valuable sawyers they
could.

Subscribed and sworn to before us this 15 day of
April 1851 —

Thos Ridley

A. P. Tett J. P.
J. S. T. L. and Ch

for Sept
Giles Run
deposition

Meccian H Borkham

Ret^d by Dr J. Cland. Dr. July 18th
1831

The Deposition of Giles Reese of Sawfull age, taken before us in the County of Southampton at the House of Spratley Williams agreeable to Notice acknowledged by Skipwith M^r. Oliver as a gent and attorney for Nancy Millar to be read as evidence in a suit now depending between Nancy Millar plaintiff and Saml. Parkham defendant in the said County Court.

The deponent Giles Reese after being duly sworn sayeth as follows. To W^t. Question by the defendant

How long have you been acquainted with the plantation of Robert Forts.

Answer. From the Year 1827 to 1830.

Question.. From the time you ^{have} known the said plantation; do you believe the slaves belonging on the plantation with the assistance of the pair of Sawyers. could have supported the slaves belonging to Robert Forts Est

Ans^r. I do not think they could - Question. do you think

the plantation much improved since I took it in hand
Answer. I do think it very much improved. by opening lands -

Subscribed & sworn to before us this 15th April 1831 -

Giles Reese

A. P. Reese J. P.
J. J. Lane J. P.

for diff.
J. W. Watkins

Deposition.

McLean vs. Barkham.

Returned by Jos. T. Clark, J.P., July
18/1831

The deposition of Garratt W. Sudkins of Langfull age. taken before us in the County of Southampton at the House of Spratley Williams. agreeable to notice acknowledged by Skipton Oliver as a gent and attorney for Nancy Miller to be read as evidence in suit now depending. between Nancy Miller plaintiff and Saml. Parham. defendant in the said County Court — The deponent of Garratt W. Sudkins after being duly sworn sayeth as follows. (To wit). Question by the defendant. were you acquainted with Robt Forts plantation in the year 1823. Ans. I was not. but become acquainted with it in the Year 1824. Question. How much open land was there on the plantation excepting the clearings I made in the Years 1823 & 1824 Ans. I do not think there could be more than forty or forty five thousand corn hills. Question. How much of the open land do you suppose was cleared by Albreighton Jones & very near exhausted. Answer. about twenty thousand corn hills. Question. from the Year 1824 till my resignation. you have been acquainted with the family of Negroes. on S. & plantation. Answer. I have with the exception of two Years: Question. do you believe they were able support themselves. Answer. I do not.

Question by the Plaintiff. were you acquainted with the plantation belonging to Robt Fort in the Year 1823. Answer. I was not. Question. do you know how many negroes were on the plantation in 1823. Answer. I do not. Question. How many Years did Jones cultivate the land cleared. Answer. from two to three Years. an old field cleared by said Jones. Question. do you not believe that the working hands on the plantation with the assistance of a pair of sawyers. could not have supported the negroes belonging to said Estate for the last 4 Years. Answer. I do not. Question by the defendant. Question. do you think the plantation much improved since I had the management of it. Answer. I do think it very much improved by opening of land — Subscribed & sworn to before us this 15th day of April 1831 —

Garratt W. Sudkins
J. J. Leane
A. P. T. J. P.

^{for diff.}
The deposition of
William Guarkin
McClan vs Borham.

Ret^d by J. T. Claus. 1st July
18th 1831.

The Deposition of William Eudkins of Lawfull age taken before us in the County of Southampton, at the House of Spratley Williams, agreeable to a Notice acknowledged by Skipwith M^r. Oliver as agent and Attorney, for Nancy Millar. to be read as evidence in a Suit now depending between Nancy Millar plaintiff and Saml. Barham def^t in the County Court of Southampton

The deponent William Eudkins after being duly sworn sayeth as follows. (To W^t).

Question by the defendant. Were you acquainted with the plantation of Robert Forts at the time. I took the management of said plantation.

Answer: I was.

Question: How much opened land were there on said plantation at that time? Answer: Not more than 25 acres

if as much as that. Question: Were you acquainted with the hands on the plantation. Answer. I have seen one man. a boy. & two women at work on the farm.

Question. You have often heard that Charles was pre-ty often runaway. Ans^r: I have; Question. as you

suppose that ^{the} negroes on the plantation could have made a support. Answer. I do not think they could

Question by the plaintiff: do You think Charles to be a likely fellow. Answer. I do not. Question: What was the cause of Charles being so frequently runaway.

Answer. Because he was a reputed rogue in the neighbourhood. Question: Do You not believe that the working

hands on the plantation with the assistance of a pair of sawyers. were able to support the negroes belonging to Robert Forts Estate Answer. I do not think they could.

Subscribed & sworn to before us this 15th of Apr. 1831.

Question by the def^t. do you think the plantation be much improved since I had the management of s^d plantation Ans^r: I do think it considerably improved by opening land.

Subscribed & sworn to before us this 15. apr 1831—

William Indkings

A. P. Betts J. P.
J. G. Leland B.

The deposition of Isaac Bendall of Langue a la Tokan
before us in the county of Southampton at the house of ~~Spence~~
by ~~William~~ on the 15th April ~~by consent of parties~~ ~~acknowledged~~
by ~~St. John~~ ~~to~~ ~~Olliver~~ as a ~~sub~~ or attorney of ~~Sam~~
McIllean to be read as evidence in a suit now pending
between ~~Sam~~ McIllean ~~pltf~~ & ~~Sam~~ Bask and in the county
court of said county —

The deponent Isaac Bendall after being duly
sworn deposes & says as follows —

Ques by the ~~ct~~ Plaintiffs were you acquainted with
with the slaves belonging to Robt Fort.

Ans I saw them at the appraisement except two fellows
which I have seen since (appraisement in 1830)

Ques by the same do you not think the negroes
belonging to Robt Forts could have supported
themselves — Ans I think they could for the last
3 or 4 years

Ques by the same Have you not had the manage-
ment of estates when there were expensive negroes

Ans. I have and have put out such as were
lame enough for their victuals and clothes
because I thought it my duty

Ques by Dep. did you ever have the management
of an estate or expensive as Robt Forts Ans I never did

Ques by the same — do you not think there was a large
proportion of chargeable negroes to the proportion of
labourers on Forts plantation Ans I don't think there was

Ques by the pltf do you not think many of the small
negroes might have been put out for their victuals
and clothes Ans I do if they could have been spared
from the family or nurses —

Ques by Dep. if the negroes belonging to Robt Fort
were your own would you not have preferred to
have ~~the~~ kept together as they have been.

Ans I should

Ques. by the same. do you not think the negroes
belonging to Forts etc. worth more than if they had
been separated and put out for their victuals and
clothes as fast as they were landed enough

Ans. I think they are worth more

Ques. by the Plaintiff if you had the management
of an estate would you conceive it to be your
duty to keep a parcel of negroes together that
would be expensive to the estate if they could be
put out for their victuals & clothes

Ans. if it would. I am curtailed the expenses
I should I am put the same negroes out

Subscribed and sworn to before us this 15th Apr. 1831.

Isaac Wendall

A. P. Peete J. P.
J. J. H. and

for plaintiff
Deposition of

Isaac Benner

deposed in N. B. Ark. and

Aug. 15th 1831 handed in the office
by Geo. T. H. and a Justice of the
peace who assisted in taking the
within deposition

L. Moller for pty

Miller

u { Depositor

Forts Comer

Came to hand on der Sea

July 18/1831- L.R.E

Agreeably to Notice on Benj Griffing & Co Provs have proceeded to take the depositions of John Sheppard and others in Southampton County in the Town of Jerusalem to be read as evidence in a case now depending in the County Court of Southampton in which Nancy Childers is plaintiff and Saul Barham defendant.

Livy Waller being sworn separately & saying the

Question by Plff Did you know the negroes Cain & Anthony belonging to the Estate of Robt Fort Sawyers. Answer Yes.

Question 2nd by Plff what do you think ought to have been obtained for them per Annum for the last seven years. Answer between forty and fifty Dollars. Question 3rd What were good sawyers worth generally about that time. Answer I do not know not having the management of sawyers, but have been in the habit of given seventy five cents Pr hundred, and find them -

Question 4th Did you know the negro of name Charles belonging to the same Estate. Answer yes. I have known him to be used for stealing of sheep, cows &c and a notorious Runaway and I would not have him to be bound to keep him on my plantation.

Question 5th How much do you think this negro man Charles would hire for. Answer between thirty and forty Dollars where he is not known or more. Did you know the negro boy Jordan at the time Mr Barham took possession of R Forts Estate. Answer Yes. Answered positively by same what do you think would have been an average hire for him. Answer If he had been set up to the highest bidder at the time Mr Barham took possession of the Est he would have hired for from eight to ten Dollars pr year and was worth more & more a year as he became more able to work.

Question by same Did you know a boy Jacob belonging to Ed Est. Answer I don't know
Question by same Did you know a boy belong to Ed Est by the name
of Lewis. Answer yes. Question by same what would he
have hired for at the time Mr B took possession of the Est. Answer
for nothing and to have taken him from his mother he would
have been a charge for the first year but after that he would
have hired for his victuals and clothes and has increased in
value yearly. Question by same were you acquainted with Billy
a boy belonging to the Est. Answer No. Question by same do you
know a boy by the name of David. Answer I would not be positive but I
believe I do. Question by same you know a woman Isabel & her
child belonging to the Ed Est. Answer I know the woman
but am not positive that I know the child but believe there
is one of that name. Question by same what would I sell
my child Annis have hired for a 2 that time Answer
I can not tell but the old woman is as valuable as any
negro woman of her age. Question what would the woman
Selvy have hired for at the time Mr B took possession of the Est.
Answer I should suppose that she and her child would have
hired for from ten to fifteen dollars. I by same what
would child have hired for at the time Mr B took possession of the Est.
Answer from ten to twelve dollars. I by same what would the girl
Betsey have hired for at the time Mr B took possession of the Est.
Answer for five dollars the first year and more and more.
During the time he had the management of the Est. Question by same
what would Mary have hired for. Answer for her victuals
and clothes the first year and an advance yearly

Levi Walker

Sworn and subscribed to, before us, Perry Griffin & Thos.
Pretlow Justices of the peace for the County aforesaid
This 18th day of July 1831.
Perry Griffin J.P.
Thos Pretlow J.P.

Miller

to { Deposition

For's Annex

Came to hand under seal 18th day
of July 1831 LRE

Nichols, Masterbury
H. after for p. 117.

The Clerk of Court

Depositions

Qust. by Deft. How many breeding women were there among them? — A. Three.

Q. Do you not think that Mrs. Miller kept through choice Wimmey and her children to wait on her. — A. I do.

Q. ~~Qust.~~ Have you not seen other women belonging on the plantation at Mrs. M.'s at the time Wimmey was sick. — A. I have seen Lybell.

Q. Did you ever see the plantation before you went there to appraise ~~the~~ it. or while I had charge of it.

A. I did not, and do not know whether there was any land cleared before you took possession of it. And further this deponent saith not.

John Nicholson

Superior County, Terr.

The above depositions signed and sworn to before us. Given under our hands and seals this 15th day of July 1831.

Fielding Rose Jr.

Seal

Robert J. Jr.

Seal

Agreeable to notice. - The depositions of Thomas Mapenbury & others taken before us, Fielding Rose and Robert Key justices of the peace for the County of Sussex, the 15th day of July 1851. at Key stone house in the County aforesaid, to be read as evidenced in a certain matter of controversy depending in the County Court of Southampton, between Nancy Miller Plaintiff and Samuel Parkham Curator of Robert Fort deced. Defendant. -

Thomas Mapenbury, being sworn, deposes and says, -
Question by the plaintiff. - Were you not appointed by the County Court of Southampton, one of the appraisers of the est of Robert Fort deced.
Answer. - Yes. -

Ques. by plff. - Do or do you not believe that the negroes, belonging to the est. of R. Fort deced., were able to support themselves.

Ans. - At the time of appraisement, I believe they were.

Ques. by plff. - Do or do you not think from the appearance of the plantation, ~~tools~~ ^{at the time you were there}, that it had been ^{previously} badly managed.

Ans. - I do not think there was a sufficiency of tools to keep up the plantation.

Q. by plff. - Do you not think there was a considerable waste in the produce, say fodder &c.

A. I cannot say, not knowing the manner, in which the plantation was managed.

Q. by plff. - At the time you appraised the est. did the ~~est.~~ have a lock. - A. I do not recollect.

Q. by plff. - From the ~~stock~~ on the plantation at the time you assisted in appraising the est. do you think they could have consumed the fodder &c. made on the plantation.

A. - I don't think they could -

Q. by plff. Do or do you not know that I have kept Winney & her children, belonging to the est. of Fort, during the time Mr. Parkham has the management of the est.

A. I know that Winney and her children were generally at your house, and I appraised them, as Fort's est.

Just. by ~~Pltff~~ Do you not think that it was something curious that you (living in ~~super~~) should be appointed by the County Court of Southampton to appraise an est in said County.

A. I was somewhat surprised that I was appointed an appraiser

2. by pltff - (Why) did you think strange that you were appointed an appraiser. -

A. Because the distance from my house is from 12 to 15 miles and I had no doubt that there were men in the neighbourhood equally capable, and I living out of the County. -

2. by dect. - Do you not believe that Mr. Miller kept Minney and her children, through choice, not having any other woman capable of doing business.

A. - I do, as she was not compelled to keep them, and that I understood there had been other women sent there from Fort's plantation to wait on Mr. M. when Minney was sick. -

2. by Pltff - By whom did you understand this.

A. - By common report. and further this deponent saith

Thos. Mapenbury

Levi Waller being sworn, deposed and saith

Just. by Pltff. - ~~You have lived near the plantation of Robert Fort decd.~~ which Mr. Barham was the management of as Curator, for a long time before and since Fort purchased it. - A. I have.

2. by pltff - Do you not believe that there have been timber cut off and sawed on the plantation since Mr. B. had the management of it. - A. There was one tree cut about four years since

2. by pltff - Do you not believe that the negroes belonging to the est. of R. Fort were able to support themselves. - A. I do.

2. by pltff, Did you ever know the negroes belonging to the est. were sickly, during the time, Mr. B. had possession of them.

A. Not more so than other negroes in the neighbourhood.

2. by pltff - How much land was opened at the time B. took possession of the est.

A. - Between twenty & twenty-five acres.

2. by pltff - You have been in the habit of passing the plantation since Mr. B. had the management of it. - A. Yes.

2. by pltff - Don't you think there was a waste of the produce made on the plantation. - A. I don't know.

2. Did you ever see a lock on the crib

A. I don't recollect to have ever seen one.

2. At the time you undertook the management of the plantation were there not a quantity of fopper & huck, rolled. - A. Yes.

2. Do you think that the fopper & h. could have rolled from the time Mr. B. gave up the plantation, till I took the management

A. Yes.

2. Do you not believe that the surplus fopper & h. (which B. had the management) could have been disposed of. - A. I don't know.

2. Was the tools at any time during your acquaintance with the plantation, particularly those you found there, calculated to make a crop, equivalent to the hands.

A. The tools I found there was not, all that I see was 4 grub

2. Mowing & 2 hilling hoes, and more fit for service except

two grub hoes

2. Do you think that the plantation was in a situation to make a crop at the time Mr. B. gave it up (say) 1830.

A. At the time I received it of you it was not, which was two months after B. gave it up.

2. At the time you took the management of the plantation was not the greater part of the crop lost.

A. At the time I took the management (say 1st June 1831) it was.

2. by dect. Did you ever hear of Charles, (a negro name) being in a Dropsical state. - A. I don't know.

2. by dect. Were you acquainted with the negroes belonging to the est. at the time, I took possession of it, and what kind were they.

A. Yes. - Three women, one man & one boy, fit for service. The women were breeding women, but of little service and the

more not valuable

Q. by Deft. How many cattle did you find on the plantation when you took charge of it. — A. Eleven head & one yoke oxen.

Q. by Pltff. were not the negroes you had the management of on the plantation easily managed, and done their work very well, without much trouble

A. Those I had the management of were — say Izabel, Prilly, Betty, Mary, Susan Lewis

Q. by Pltff. Do you know who put the cattle you saw, on the plantation. — A. I do not. — and further this deponent sayeth not.

Lori Walker

John Nicholson being sworn deposeseth and sayeth.

Quest. by Pltff. — Were you acquainted with the negroes belonging to the est of Ro Fort at the time Mr. Barham took possession of the est.

A. I was acquainted with those that were grown.

Q. Do you think the negroes belonging to the est. were able to support themselves. — A. I do.

Q. Do you not think at the time you assisted in appraising the est. of Ro Fort it might have been better managed. — A. I do.

Q. Do you recollect at the time you were at the plantation to have seen a lock to either of the cribs. — A. There was not.

Q. Do you not know that I kept a negro woman by the name of Wimmie and her children, belonging to the est of Ro Fort dead during the time Mr. B. had the management of the est.

A. I do.

Q. How many children has wimmie at this time

A. Five

Q. Are they not expensive children

A. All but one.

11
Sancti Barham Curator
of Robert Fort
Comr. Report -

Ret^d. Decr. 12/1830.

(1500 words)

1827

admitted by Mrs
Nancy & Helen

To amounts brought-forward . . .
 " 10 barrel Corn at 27 . . . \$45.00
 " 500^{lb} Bacon at 10¢ . . . 50.00
 " 2 narrow rails @ 1/16¢ in . . . 3.25
 " 11 Negro shoes @ 9¢ . . . 16.50
 " 1 Sack Salt . . . 5.00
 " my services on the plantation . . . 150.00

Dr	Cr	End
87572	" "	44.58
27975		
" "	140 00	
" "	13 50	
7 67		
" "	1009 64	
1163 14	1163 14	44.58

Dec 31

By Hire of Anthony & Hain . . .
 By 300^{lb} pork @ 27¢ . . .
 To Comms. on \$153.50 . . .
 " " Balance due the Curator

1009 64 " " 44.58

1828

admitted by Mrs Nancy
Helen

To balance brought-down . . .
 To paid Doct Barham Act of Diet . . . 47 50
 " Iron that laying axes &c . . . 5.50
 " trace plow Coattus hors &c . . . 5.75
 " leather thread & mending shoes . . . 2.12
 " 2 barrel Fish . . . 9.00
 " 573^{lb} Bacon at 10¢ . . . 57.30
 " 9^{1/2} barrel Corn @ 24¢ . . . 38.00
 " 12 Negro shoes @ 8¢ 3 . . . 16.50
 " Sack Salt . . . 5.00
 " my services on the plantation . . . 150.00

1009 64	" "	44.58
47 50		
289 17		
" "	140 00	
" "	17 10	
7 85		
" "	1197 06	
1354 16	1354 16	44.58

Dec 31

By Hires Anthony & Hain . . .
 By 381^{lb} pounds pork @ 27¢ . . .
 To Comms. on \$157.10 . . .
 " " Balance due the estate

1197 06 " " 44.58

"

To balance brought-down . . .
 " Ant on \$1009.64 last balance to this day . . .
 " Ant on 706.70 from Dec 31/1826 . . .
 to Dec 31/1827 omitted . . .
 To amounts Car'd forward

1197 06	" "	44.58
" "	" "	60 57
" "	" "	42.40
" "	" "	47.55

		Dr	Cr	Sub
1828				
Decr 31	To amount brought forward	1197 06	" "	147 55
1829	" paid Taxes this year & at Court	13 10		
	" " Doct ^r Barham eat	47 50		
	To Iron Shovel & laying axes	\$6.75		
	" Leather thimble & mending shoes	1.50		
	" 11 barrels Corn @ 21/	38.50		
	" 587 lb Bacon @ 10/7	58.70		
	" 12 ft negro shoes @ 8/3	16.50		
	" 1 sack salt	5.00		
	" my services on the plantation	100.00	276 95	
Decr 31	By Hires Anthony & Cain	" "	140 00	
	To Comm ^r on ditto	7 00		
" "	Balance due the Estate Curator	" "	1401 61	
		1541 61	1541 61	147 55
" "	To balance brought down	1401 61	" "	147 55
	" Int on \$1197.06 last bal. to this day	" "	" "	71.82
1830	To paid W. A. Brown atty & met	10 00		
	" " Ship taxes for last year 1828	12 94		
	To Iron & plow & work	\$1.50	1 50	
admitted by more money	" my services on the plantation to			
May 15	this day to \$150 of ann	56 25		
	By the hire of Cain & Anthony at the rates of \$140 of ann.	" "	52 49	
	To Comm ^r on ditto	2 62		
	Balance due the Curator	" "	1432 43	
		1484 92	1484 92	219.37
" "	To balance brought down	1432 43	" "	219.37
	" Int on \$1401.61 last balance to this day	" "	" "	31.53
	To Interest account - brought down	250 90		
	To balance due the Curator	\$1682 33	with Interest	
	on \$1432.43 part thereof from this date till paid			
	The Comm ^r begs leave to state that having failed to meet the parties at his Office on the day appointed he again appointed a subsequent day, and did meet			

at the house of the house of defendants; the Plaintiff attended; and for the Items, for sundry articles furnished the plantation, such as corn, Bacon, plantation utensils & where there was no vouchers, & for the defendants services in overlooking & superintending; the plaintiff admitted them, as noted in the margin of the account

Respectfully Submitted to the Court
Jas. J. Brown

Comrs. fee, \$9.00 charged to
the Curator
Jesse Drewry for executing
notice \$2.00

The estate of Robert Fort

In account with Samuel Barham Curator

1823			Dr	Cr	
	To paid Nancy & Burton printers of Recd		1 50		
Aug 7	" " R. H. Walker bond	"	53 31		
"	" J. P. Forts Executors	"	19 53		
"	" Eliza Mamy Act	"	4 00		
"	" Self taxes &c	"	18 00		
"	" Barham accoun "	"	10 00		
"	125 ^{lb} Bacon for the family of 15.62				
"	Iron & laying plow hoe	1.00			
"	1 bar ^e fish 30 ^{lb} 2 bush ^{ls} salt 12 ^{lb} 4.00				
"	13 ¹ / ₂ bush ^{ls} Corn at 4.50	60.75			
"	138 pounds bacon @ 9 [¢]	16.25			
"	18 ^{lb} Nails @ 9 [¢]	2.00			
"	10 # Negro Shoes @ 8 [¢] 3	13.75			
"	2 cows and pigs	12.00			
"	Services on the plantation				
Dec 31	from July Court @ \$150 per year	68.25	196 62		
			302 96		
	By sundry bonds which were put in the hands of James Trewant by Robert Fort to bring suit on to see it				
	Sam ^e Barham's due Dec 8/1822		" "	92 77	
	Ben ^a Hines ditto do		" "	285 00	
	Leaves Thorpe ditto do		" "	77 60	
	Int on \$455.43 two years		" "	54 55	
				510 92	
	deduct for cash advanced Robert Fort in part of his sum. admitted by Mrs Nancy Miller			200 00	
	By Cash acc ^t of J. Trewant	29 61		310 08	
"	do Tho ^s Newsum	4.50			
"	do Jacob Banett	7.50			
"	do John Boon	6.75		483 61	
	Amounts Carried forward		302 96	358 44	

These items were admitted by Nancy Miller before the Court

These items were admitted by Mrs Miller
for articles furnished the plantation and
asked of the family for 1824 by the Curator

		Dr	Cr	Int
1823	Decr 31	amounts brought forward	302 96	358 44
		To Commissions on \$358.44 @ 5%	17 92	
		Balance due the estate	37 56	
			358 44	358 44
1824		By balance brought down	" "	37 56
Feb 7		To paid W. E. Daughtrey Esq. Receipt	9 96	
Apr 3		" " Ann McLenore acct	12 00	
May 4		" " E. Gilliam Esq.	3 29	
	26	" " H. H. Nicholson acct	10 37	
June 1		" " J. G. Ellison atty	5 00	
	20	" " W. M. Barnes	8 20	
	24	" " H. Applewhite adm. A. Jones	8 78	
Oct 4		" " L. C. Waller Esq.	5 98	
Nov 15		" " W. T. Talbot acct	25 60	
		" " H. Nicholson in part his fudge	20 00	
		" " L. C. Waller tax & tickets	30 93	
Decr 20		" " J. M. Parkman note	7 20	
		" 40 ^{lb} Bacon @ 10¢	4.00	
		" 2 Grub hoes, 12¢. Iron & laying do 7¢	3.25	
		" 29 ^{lb} Bacon @ 10¢	29.00	
		" 3 bushels peas @ 4¢	2.25	
		" 38 ^{lb} Bacon @ 10¢	3.80	
		" 1 bush salt 4¢. 1 Shear 4¢	1.75	
		" 1 salt fish 27¢. 5 bush peas @ 4¢	8.25	
		" 45 ^{lb} Bacon @ 10¢	4.50	
		" 1/2 Gall Brandy	.50	
		" 9 bands corn at 3¢	27.00	
		" 135 ^{lb} Bacon @ 12 1/2¢	16.87	
		" 1 bush salt 6¢. 1 salt fish 27¢	5.50	
		" 67 ^{lb} Bacon @ 12 1/2¢. 8 do Lard do	9.37	
		" 45 ^{lb} do 12 1/2¢. 1 bush salt 6¢	6.62	
		" 1 bush salt 27¢. 10¢ shoes @ 9¢	19.50	
		" 40 ^{lb} Bacon at 12 1/2¢	5.00	
		" Services on plantation this year	150.00	
		Amounts carried forward	297 16	
			444 47	37 56

These items were admitted by Mr. Miller for articles furnished the plantation and sale of the family for 1824 by the curators

admitted by Mrs. Nancy
Chilless -

1824

		Dr	Cr	ht
1824	Decr 24	Amounts brought forward	\$444 47	37 36
		By the hire of Anthony & Cain this yr.	" "	140 00
		By Cash of Jacob Barnett	" "	17 88
		To Commissions on \$157.88 & offset	7 89	
"	31	Balance due the Curator	" "	257 12
			452 36	452 36
"	"	By balance brought down	257 12	~~257 12~~
1825	March 1	To paid Howell Nicholson in part of debt of acct	20 00	
	Oct 18	" " ditto in full	" 13 68	
	"	" " Rose & Bailey acct	" 9 93	
	"	" " of Scarborough "	" 5 00	
	"	" " H Applewhite admr of fines "	" 1 90	
	"	" " of Scarborough bal. acct "	" 8 38	
	"	" " W Woodruff acct	" 41 75	
		To 1000 ^{lb} blade fodder @ 6¢	\$16.00	
		" 2 plows, gear & 2 do hoes	7.00	
		" 3 Cows & calves & 10 ^{lb} Nails	31.00	
		" Trace plow 7/6. & Hames & 6¢	2.25	
		" Swingtrees, & levis, & traces	2.63	
		" 2 barrels fish @ 27¢	9.00	
		" 4 weeding hoes 57¢ & 12 plows @ 6¢	7.50	
		" board of Negro Charles 8 weeks when sick @ \$1.50	12.00	
		" 3 ^{lb} Lard @ 24¢ 36 ^{lb} Bacon @ 10¢	7.35	
		" 1 lock 3/4 11¢ & 1/2 hoes @ 9¢	17.12 1/2	
		" Sack salt	4.50	
		" my services on the plantation	150.00	266 35
			524 95	
		By Anthony & Cain this yr	" "	140 00
		To Comm ^t on Repts	7 00	
Decr	31	Balance due the Curator	" "	491 11
			631 11	631 11
"	"	To balance Car ^d forward	491 11	

			Dr	Cr	by
1825	Decr 31	To balance brot forward	491 11		
1826		" Int on \$257.12 last balance to this day	" "	" "	15.12
	Jan'y 16	To paid Robt Hey & Co acct of Rect	50		
	"	" " G. M. Barham acct	30 00		
	"	" " Shff taxes	16 52		
	"	" " Geo Goodwyn for black mare	35 00		
	"	" Iron steal, laying and grub hoes	4.50		
	"	" 2 trace plows @ 7/6 bush salt & 1/2	2 25		
	"	" 2 barrels fish @ 27/.	9.00		
	"	" 4 plow hoes @ 7/6	5.00		
	"	" 11 1/2 barrels Corn at \$4.	46.00		
	"	" 400 ^{lb} Bacon @ 10/.	40.00		
	"	" 11 # Negro shoes @ 9/.	16.50		
	"	" 1 back salt	5.50		
	"	" my services this Yr	150.00	278 75	
	Decr 31	By Hire of Anthony & Bain	" "	140 00	
		By 285 ^{lb} pork at 27/.	" "	12 82	
		To Com ^d on \$182.82 at 5/40	7 64		
	"	Balance due the Curator	" "	706 70	
			859 52	859 52	15.12
	"	To balance brought down	706 70		15.12
	"	" Int on \$491.11 last balance to this day	" "	" "	29.46
1827	Jan'y 9	To paid Robt Rochelle acct of Rect	10 00		
	"	" " Sen. Cobb late shff taxes for 1825	17 81		
	"	" " Levi Waller acct	5 50		
	"	" " Expences to Nelson Court House with an assistant trouble Horse & higg. & of Bill, in search of Robert Fort	61 12		
	"	" " Shff taxes this Yr	10 34		
	"	" " Doctr Barham acct	46 50		
		To Oagan plow & secondary gear	8.75		
	"	" 2 Barrels fish	9.00		
		Can & forward	14 75		
			873 72	" "	44.58

admitted by Mrs
Nancy Miller

admitted
by Mrs
Miller

Mallon
in
York curator

exceptions to
the report of the
Census Bureau

filed March 20/1934

Miller

24

Fort, March 20 -

Will except by counsel to the report
of Commissioner Webb generally,
because it does not exhibit a full
& accurate account of the curator's
disbursements upon the estate, inasmuch
as whilst the curator charges \$150 ~~per~~
~~annum~~ per annum for attending
his services on the plantation, he does
not allow any thing for the profits
of the estate -

2nd the excepts to the ^{charge} allowance of \$150
per annum for his services on the
plantation, as ^{unreasonable &} exorbitant -

3rd the excepts to all the items of the
said account not substantiated
by sufficient vouchers, & which
from their character have not
probably been expended on said
estate, as the intended only account
such as were from their nature &
amount probably expended, & which
might not be sustained by strict &
exact proof from the difficulty or
impossibility of Mearns Parker & Boylston
with proof in every case

we acknowledge and
and legal service of the
within notice

Sept 7th 1830

Sam Barkham

Nancy Miller

To settle Sam Barkham
and his executor of
Robert Sturt.

Com^{rs} Office Jerusalem Augt
17th 1830. I have appointed the
6th day of Oct next - to settle the
acct. directed by the within
order of Court as - which time
the parties interested are required
to attend with the necessary doc-
= uments and evidence

Sam^l Gobbins

Southampton County May Court 1830

On the motion of Nancy Millar Ordered that Samuel Bachman late Curator of Robert Fort render an account of his transactions before Master Commissioner Cobb and that the said Commissioner examine, state and settle the same and make report thereof to Court with any matters specially stated deemed pertinent by himself or which he may request to state.

Attest James Rochelle clk