

1838-005 SOUTHAMPTON COUNTY
CHANCERY PAPERS

NICHOLSON et al vs. HAY'S ADMINISTRATOR
S/1838

other surnames: Lee, Paine,
Orme, Payne

Will: 1798 Joseph Hay Nansemond County

Nicholson Letter

" 3/2 Bill, am. Duran

Butler adm. of May.

Marion

1834 Sep. Decree as filed &c

+ 1835 Nov. Report recommended

1838 May - Duran as filed &c

To the honorable the County Court of Southampton sitting in Chancery
Humbly complaining, shew unto your worships, your Compts, George Nicholson
and Elizabeths dec, a widow, Charles J. Paine, Orris S. Paine, and Richard
M. Orme and Jane M. his wife late Jane M. Paine, and Eliza
K. Hay widow of George Hay dec. That Joseph Hay departed this
life in the year having made a nuncupation will,
which was admitted to record by the County Court of Hanover
a copy of which is herewith exhibited. That he was entitled
as a surgeon in the Virginia State Service in the War of the
Revolution, to half pay for life, and died intestate as to that
claim. That the Congress of the United States assumed the pay-
ment thereof, and payment has been made to Edward
Butts Esq. admr. with the will annexed of the said Joseph
Hay dec. That the said Joseph died without wife or child
and his next of kin were his brother George Hay, & his three
sisters Elizabeth Hay, Margaret Paine and Sarah Nicholson
that the said Elizabeth died intestate, unmarried & without issue
and her estate descended to her said surviving brother and sisters
That George Hay departed this life, in the year 1830, & by will
devised the residue of his estate, after specific bequests and
debts not including his $\frac{1}{3}$ of said claim to his widow the
pettress Eliza K. Hay, that Sarah Nicholson, entitled to $\frac{1}{3}$
died leaving her two children the pettress George Nicholson
and Elizabeths dec, her sole heirs & distributees, That Marg-
aret Paine has also died, intestate, & her children Charles S.
Paine, Orris S. Paine, and Jane M. Orme are her heirs &
distributees. That they with the said Edward Butts ^{admr. as aforesaid} to account
for the assets which have so come to his hands - But such
account cannot be compelled without the aid of a Court
of Equity. In tender consideration whereof and forasmuch
as your Compts are reminded at law, and only releivable
in Equity. To the end, that the said Edward Butts ^{admr.} may be
made Defat hereto and compelled to answer the allega-
tions hereof. they pray the Com^{ts} unit of Sp^a &c. that your
worships will compel him to under an act. of the assets which have come to

his hands, and pay to your Compts their respective portions thereof if any
be due them over and above the payments already made ^{to them} and ~~thought~~
Wm Lambert, their agent, and grant them such other and general
relief as Equity dictates, & they will pray &c. Marion for the pliffs

The answer of Edward Butts adm. & of D. Joseph Hay dec^d to the
foregoing bill of Complaint. This Respondent saving &c. for answer
to the said Bill, says, that he admits its several allegations, ~~and~~
is ready to render an acct of his actings and doings, as adm. &
aforesaid in obedience to the order of this worshipful Court, that
he has paid to the pliff & to their agent, all the m^{ts} which
have come to his hands, or which are known to him to belong
to his said Decedent estate & having answered, he prays to be
hence dismissed &c. Marion for Defat

Richmond & other heirs of D. Joseph Hay dec^d
against.

Pliff }

in Chy }

Edward Butts adm. & of the said Hay.

Defat }

This cause was then duly docketed by consent of parties with the
agent of the Court, and came on to be heard on the Bill, and
was exhibited and was argued by Counsel. On consideration
whereof the Court doth adjudge order and decree, that the
Defat Butts as adm. & of D. Joseph Hay dec^d do render before
master Court.

an acct of his actings & doings as
adm. & as aforesaid, who will audit, state, & to the Court
report ~~the same to the Court~~, with a special statement
of the payments made by him to the heirs & distributees
of said decedent, ^{& to their agent} with any matters which he may deem
pertinent or which the parties may require to be so stated.

Nicholson &

Esq. Decree

Hay's com

Souhampton September Court 1834-

George Nicholson and Elizabeth Lee a widow, Charles J. Parrie,
Otis J. Parrie and Richard M. Orme and Jane M his wife late
Jane M Parrie, and Elizabeth Hay widow of George Hay dec^d Plffs.

against

Edwards Balls administrator &c of Dr. Joseph Hay dec^d.

In Chancery
Sgt.

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, answer and exhibit and was argued by coun-
sel. On consideration whereof the Court doth adjudge, order and decree, that the Defend-
ant Balls administrator &c of Dr. Joseph Hay dec^d do render before Master Com-
an account of his actings and doings as adm^r &c as aforesaid, who will
audit, state and to the Court report the same with a special statement of the payments
made by him to the heirs and distributees of said decedent and to their agent with any
matters which he may deem pertinent or which the parties may require to be so
stated.

Attest

James Rochelle Clk

Nicholson v. Hays. &c. This Cause came on again this day to be heard by Court out of the parties, on the papers formerly read, and upon the re-committed report under the Order of November Court 1835 to which no exceptions were filed and was argued by Counsel, and it appearing to the satisfaction of the Court, by the said report, together with receipts and refunding bonds of the Complainants, here to the Court produced that they have received from the defendant the several portions to which they are respectively entitled, and the defendant admitting that he hath received from Genl. William Lambert Agent for the Comptts, the sum of two hundred and sixty one dollars & 41^{cts} the same reported mentioned in the report with which the said Lambert was chargeable, the Court doth adjudge order and decree that the said report be confirmed, and that the same be made firm and stable between the parties - and that the costs of this suit be borne and paid equally between the Complainants -

M. Comins report on the
administration act of Joseph
Hay and Edward, Betty
darn.

1855 July 20th

The Estate of Dr. Joseph Hay dead in account with Edwards
Butts administrator

Edward
Lor Co Int

1834									
February	5	By cash received at United States Treasury for Doct. Hay's p. pay						5308	27
		To Commissions on the same				256	41		
April	1	To paid Mrs. Geo. Hay prepaying bond & meet.				1179	60		
"	"	To " Mrs. Elizabeth Lee p. do. do				589	81		
"	"	To " Geo. Nicholson p. do. do				589	81		
"	12	To " Charles J. Paine p. do. do				393	21		
"	"	To " Richard M. Orme p. do. do				393	21		
"	14	To " Orris S. Paine p. do. do				393	21		
		To " Clerk Southampton				1	50		
		To " M. Comr. for this acct				2	00		
"	"	To " Genl. W. Lambert attorney for the heirs who was to have a Commission of 1/3 if he succeeded in getting the claim allowed, out of which all expenses including the admr. Commissions was to be deducted.				1509	51		
						5308	27	5308	27

Agreeably to the annexed decree & from the documents produce
this account was made up. which is Respectfully submitted
to the Court

William Briggs sec. Master Commissions

M. Combs report on
the administration act
of Joseph Hay and
Edward Butts adm.

1836

1836 Oct 17th

The Estate of Doct^r Joseph Hay died in account with
 Edwards Butts administrator. Dr Cr. Ints

1834									
Feb. y	5	By Cash rec'd at United States Treasury for Doct ^r Hay's half pay						5308 27	
April	1	To paid Mrs Geo. Hay as for refunding bond & recd.	1179	60					
"	"	" " Mrs Elizabeth Lee & do . . . do . .	589	81					
"	"	" " George Nicholson & do . . . do . .	589	81					
"	12	" " Charles I Paine & do . . . do . .	393	21					
"	"	" " Richard M. Orme & do . . . do . .	393	21					
"	"	" " Orris J. Paine & do . . . do . .	393	21					
"	"	" " Gen ^l W. Lambert attorney for the heirs who was to have a Commission of one third of the succeeded in getting the Claim allowed & out of which he was to pay all the Expenses including the adm ⁿ Commissions . . .	1769	42					
			5308	27			5308	27	

Commissions on \$5308.27 . . . \$256.41
 Clerk's & Com^rs tickets for this &
 former acct. 5.00
 This amt to be paid by Gen^l Lambert \$261.41
 as per Contract.

Respectfully submitted to the Court
 William Briggs sec^y M. Com^r

Swish the Comr. to state the exact amt paid W. Lambert
which was $\frac{1}{3}^{\circ}$ of \$5308.27 = 1769.42. instead of
\$1509.57 as charged, and ^{out} of this sum the admr. was
paid his commr.

as the Acc. now stands, it would appear, that Capt. Beeth
has rec^d. his commr. out of the Estate, while Lambert was to pay
it out of his fee ch.

J. G. Mason
att^r. for petff.

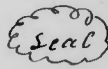
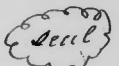
Copy of
~~Joseph~~
Doc^t ~~John~~ May's Will

for Capt. E. B. Smith

Copy of May's

See 1865 for J. P. W.

We whose names are underwritten do declare and testify that in the month of June last being present with Doctor Joseph Hay, who then was ill of a Lounsey of which he died; but perfect in his senses and recollection, said Hay did order and ordain that a written paper, being an agreement between Tunstall Quares and himself about lands, should be given to Watson Stott & Company as a security or payment of a debt due by said Hay to said Watson Stott & Company. Witness our hands & seals this seventh day of September one thousand seven hundred and ninety eight.

Lemuel Riddick 
R. H. Bradford 

At a Court held for Nansemond County September the 10th 1798.

This paper writing subscribed by Lemuel Riddick and Richard H. Bradford purporting the nuncupative will of Joseph Hay de^d was this day sworn to by the said Lemuel Riddick and Richard H. Bradford and is thereupon admitted and established as the will of the said Joseph Hay and ordered to be recorded. And on the motion of Josiah Hattersley who made oath according to law and together with William Fisher his security entered into and acknowledged their bond in the penalty of fifteen hundred dollars conditioned as the law directs certificate is granted him for obtaining letters of administration on the said decedent's estate with his said nuncupative will annexed in due form

Teste

William M. Poole D.C.

A Copy
Teste

John T. Kilby clk

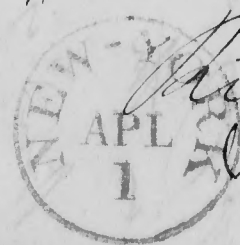


Edmund Butts adm.
Dr. Joseph May
vouches for
Refunding Bonds.

25

Wm. Lambert

Richmond
Virginia



No. 1.

No. 1.

Know all men by these presents that we Eliza H. Hay
by her attorney James Monroe

(and)
James Monroe and Samuel L. Gouverneur

are held and firmly bound unto Edward Butts administrator of the
estate of Doctor Joseph Hay who was a Surgeon of the Revolution in
the penal sum of two thousand three hundred and fifty nine dollars
and twenty to be paid to the said Edward Butts administrator as aforesaid, or
to his heirs, Executors, administrators or assigns to whose payment we and
truly to be made we bind our selves, our heirs Executors & administrators joint-
ly and severally firmly by these presents - sealed with our seals and
dated this first day of April 1834.

The condition of the above obligation is such that whereas the said
Edward Butts admr. of Doct: Joseph Hay decd. hath paid to the
above bound Eliza H. Hay one of the distributives for said decd. unto
Eliza H. Hay and seventy nine dollars and fifty cents that being
her proportion of the money received against the General Government for
the Revolutionary services of the said Doct: Hay decd. after deducting the
expenses of prosecuting said claims -

Now if the said Eliza H. Hay distributes as aforesaid
shall refund to the said Edward Butts administrator as aforesaid what-
ever proportion of the money now paid, that any debt and demands shall
may hereafter appear against the estate of said Hay, and the Laws
of the Land, may require to be refunded - then this obligation to be void else
to remain in full force & virtue -

Signed sealed & delivered in
presence of

James M. McKim

Londoner Brown

Ja: Monroe Real
Atty for E. H. Hay Real
Saml L. Gouverneur Real
" " " Real
" " " Real

J. L. L.

Wm. H. L. 1834

I have signed the Bond Mr.
Perrin is the party you
may consider me also if at
all necessary - I have been
or you for the sum mentioned
If the Bond is not right in
its execution, let it be
returned & it shall be made

25.

Yr. haste
with very
Respect
J. L. L.

\$589.80½

Worcester February 1834
Rec^d of Wm^m Lambert Esq. agent for Edward Butts
admr^r of Dr. Joseph Hay dec^d five hundred & eighty nine dollars
eighty & a half cents, that being my share, as distributed of
said Dr. Hay, of the money recovered for the Revolutionary
services of said Hay, after deducting the expenses of prosecu-
ting the claims, which money is in the hands of said
Lambert as agent & attorney for said Butts adm^r. as aforesaid

Witness

Elizth Lee

Know all Men by these Presents that we Elizabeth Lee, Thomas Allen Tidball, Thomas Roberts, and Daniel Zaggart are held and firmly bound unto Edward Butts administrator of Doct. Joseph Hay decd. in the just and full sum of eleven hundred & seventy nine dollars and sixty one cents to be paid to the said Edward Butts administrator as aforesaid, or to his heirs, executors, or assigns to which payment well and truly to be made we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly, by these presents. Sealed with our seals and dated this 21st day of February 1834.

The condition of the above obligation is such that whereas the said Edward Butts adm^r of Doct. Joseph Hay decd. hath paid to the above bound Elizabeth Lee one of the distributees of said deceased five hundred and eighty nine dollars, eighty and one half cents that being her proportion of the money recovered against the General Government for the Revolutionary services of the said Doct. Hay, decd. after deducting the expenses of prosecuting said claim.

Now if the said Elizabeth Lee distributee as aforesaid shall refund to the said Edward Butts adm^r as aforesaid whatever proportion of the money now paid, that any debts & demands which may hereafter appear against the estate of said Joseph Hay, and the Laws of the Land, may require to be refunded - then this obligation to be void else to remain in full force & virtue.

signed, sealed and
delivered in presence of

Jos. M. Seever
R. M. Holliday

Elizabeth Lee
Thomas Allen Tidball
Thomas Roberts
Daniel Zaggart

Note - The within bond and receipt was handed me this 26th March 1834 by Judge Carr to whom I handed Thomas Groves check on the Farmers Bank of Virginia for five hundred and eighty nine dollars and eighty ^{one} cents, for Mrs. Lee -
Wm. Lambert

Gen. Wm Lambert

Richmond
Virginia

No. 3.

No. 3.

Know all men by these presents that we Gen^l Nicholson
Sen^r L. Stevens, Benjamin Crawford and Nicholas C
Kunney
are held and firmly bound unto Edward Butts administrator
of the estate of Joseph Hay who was a Citizen of the Revolution
in the penal sum of One thousand and ~~one~~ hundred and twenty nine dol-
-lars, sixty two Cents, for the payment whereof well and truly to be
made, we bind ourselves jointly and severally ~~and~~ our heirs and Exec-
-utors by these presents, in witness whereof we have hereunto set
our hands ~~and~~ seals this 2nd day of April 1834.

Now the Condition of the above obligation is such that
the above bound Gen^l Nicholson one

as the heirs at Law of Joseph Hay have by ^{his} Agent ~~these~~ and
Attorney in fact received from the said Edward Butts administrator
as aforesaid the sum of Five hundred and Eighty nine dollars
Eighty one cents their portion of the estate of Joseph Hay aforesaid
which has come to the hands of the said Administrator it being part
of the Half-pay received from the Treasury Department of the Uni-
-ted States on account of the Revolutionary Services of the said Doctor
Joseph Hay - ~~in~~ ^{for} the said Gen^l Nicholson.

Shall refund all or any of the money which the said Butts as ad-
-ministrator aforesaid shall be legally Compelled to pay any other
heirs of said Hay or his Creditors, not excusing the aforesaid sum
of five hundred & Eighty nine dollars, Eighty one Cents with law-
-ful interest Shall keep the said Butts administrator as aforesaid
harmless free from any legal pains penalties which may ac-
-cure in consequence of the paying over of the last mentioned
sums with lawful interest - then this obligation to be void of no

shall otherwise remain in full force and virtue in law and equity -

In presence of
D. H. Patterson
J. L. Crawford

Geo. Nicholson

L. L. Stevenson

Benjamin Crawford

Nicholas Kinney

I certify that the aforesaid L. L. Stevenson
Benjamin Crawford and N. K. Kinney who signed
the foregoing bond as the security of George
Nicholson are perfectly good in my opin-
ion for more than twenty times the amt. of
this bond given under my hand this 2nd.
day of April 1834 D. H. Patterson

at: 4.

at: 4.

Know all men by these presents, that we Charles J. Payne and
R. J. Nichols are held and firmly bound unto Edward Butts
Administrator of Doct Joseph Hay dec^d on the just and full sum of seven
Hundred and Eighty Six Dollars and Forty one Cents to be paid to the said
Edward Butts Administrator as aforesaid, or to his Heirs, Executors, Administrators
or Assigns to which payment well and truly to be made we bind ourselves,
our Heirs, Executors and Administrators, jointly and severally, firmly by these
presents, Sealed with our seal and dated this the 12th day of April
1834

The condition of the above obligation is such that whereas the
said Edward Butts administrator of Doct. Joseph Hay dec^d hath paid
to the above bound Charles J. Payne one of the distributees of said decedent
Three hundred and ninety three Dollars and twenty one Cents that being
his proportion of the Money recovered against the General Government
for the Revolutionary services of the said Doct. Joseph Hay dec^d
after deducting the expenses of prosecuting said claim.

Now if the said Charles J. Payne distributee as aforesaid shall refund
to the said Edward Butts administrator as aforesaid whatever proportion of
the Money now paid, that any debts and demands which may hereafter
appear against the Estate of said Joseph Hay, and the Executors and
May require to be refunded then this obligation to be void else to remain
in full force and virtue

Signed sealed and
delivered in the presence of

E. H. Pison

R. J. Nichols

Charles J. Payne Dec^d

R. J. Nichols Dec^d

No 5.

No 5.

Know all men by these presents, that we Richard M. Orme
Jane M. Orme & L. L. C. Lamar are held and firmly bound unto
Edward Butts Administrator of Doctor Joseph Hay dead in the just and full
sum of Seven hundred and eighty six Dollars and forty one cents to be paid
to the said Edward Butts administrator as aforesaid or to his heirs, executors
administrators, or assigns to which payment well and truly to be made we
bind ourselves, our heirs, executors administrators jointly and severally, firmly,
by these presents sealed with our seals and dated this the 12th day of
April 1834

The condition of the above obligation is such that
whereas the said Edward Butts administrator of Doctor Joseph Hay dead
hath paid to the above bound Jane M. Orme one of
the distributives — of said decedent three hundred and ninety
three Dollars and twenty one cents that being her proportion of the
money recovered against the General Government for the revolutionary
services of the said Doctor Hay dead after deducting the expenses of
prosecuting said claim

Now if the said Jane M. Orme distributive —
as aforesaid shall refund to the said Edward Butts administrator
as aforesaid whatever proportion of the money now paid, that any debts and
demands which may hereafter appear against the Estate of said Joseph Hay the
Laws of the Land may require to be refunded then this obligation to be void
or else to remain in full force and virtue

Signed sealed and delivered
in the presence of

E. J. Price

B. J. Tucker J. J.

Richard M. Orme (Seal)

Jane M. Orme (Seal)

Lucius L. Lamar (Seal)

O. Pains Bnd

No. 6.

No. 6

KNOW all men by these presents that we Orris L. Paine
& Alexander Hunter

are held and firmly bound unto Edward Butts administrator of the estate
of Joseph Hay who was a Surgeon in the Revolution in the penal sum
of Seven hundred & eighty six dollars & forty two Cents for the payment
whereof well and truly to be made we bind ourselves and our heirs Executors
se jointly & severally by these presents, In witness whereof We have
hereunto set our hands and seals this fourteenth day of April 1834.

Now the Condition of the above obligation is such that the abovesaid
bound Orris L. Paine

as ^{he is} the heirs at Law of Joseph Hay have by their Agent and Attorney
in fact received from the said Edward Butts administrator as aforesaid
the sum Three Hundred and ninety three dollars, Twenty one Cents his
proportion of the estate of Joseph Hay aforesaid which has come to the
hands of the said Administrator it being part of the Half pay
received from the Treasury Department of the United States on account
of the Revolutionary Services of the said Doctor Joseph Hay - Now
if the said Orris L. Paine

shall refund all or any of the money which the said Butts adminis-
trator as aforesaid shall be legally Compelled to pay any other heirs of
said Hay or his Creditors, not exceeding the aforesaid sum of Three
Hundred & ninety three dollars, Twenty one Cents whole keep the said
Butts administrator as aforesaid harmless free from any loss which
may accrue in consequence of the paying over of the last mentioned
sum then this obligation to be void and of no effect,
otherwise to remain in full force and virtue in Law

and equity.

In presence of

Thomas Moaden
as to O S P & A. H.

O. S. Paine
Alexander Hunter
" "
" "
" "

Received of William Lambert attorney for Edward
Bath administrator of Joseph Hag deceased Three
hundred and ninety three dollars and twenty one cents
this sixteenth day of April 1834.

Witness -
Wm Stephen Smith.

Orris S. Paine

Washington D.C. 16 April 1834.
"

No. 7

Dr: The Estate of Doctr. Joseph Hay In account

with Edward Butts Administrator

Cr:

1834	April 1.	To Cash paid Mrs. Geo. Hay pt. refunding Bond trust. No. 1	1179 60.
February 21.	"	" Mrs Elizabeth Lee pt. do. do. — 3	589 81
April 2	"	" George Nicholson pt. do. do. — 3	589 81
" 12.	"	" Charles J. Paine Jr. do. do. — 4	393 21.
" " "	"	" Richard M. Orme pt. do. do. — 5	393 21
" 14.	"	" Orris S. Paine pt. do. do. — 6	393 21.
"	"	" Genl. Wm Lambert atts. for the time, who was to have a commission of 1/3 if he succeeded in getting the claims allowed - out of which all expenses including the administrators commission was to be deducted. . . .	7 1749 42
			\$5308 27

1834	February 5	By Cash received at United States Treasury for Doct. Hay Jr pay	5308 27
			\$5308 27

N. P.

Know all men by these Presents That I Eliza K. Day
heretofore of the State of Virginia but at present of the City
of New York Widow, Stare made Constituted and appointed
and by these Presents do make Constituted and appoint
James Monroe of the City and State of New York Esquire
my true and lawful Attorney for me and in my name
place and stead, during my absence from the United States
To take possession of, lease and sell, and execute and deliver
conveyances for all Houses Lands and other real estate where-
ever situated to which I may ~~be~~ in any manner enti-
tled - to hire sell transfer, and give possession of all stocks
shares securities - slaves and other personal Property, what-
soever to me belonging - to demand receive, recover -
and disburse all Dividends Interest, annuities, income
or other sums of money, now owing or hereafter to
become due to me, - to give all necessary Receipts -
acquittances and discharges - and to manage transact
arrange, and dispose of all my Property business
and affairs at a large as fully in every respect as I
myself might or could do if I were personally pres-
ent O hereby - revoking and making void all other
letters of attorney by me given - and giving and granting
unto the said James Monroe full power and authority
to do and perform every act, and thing whatsoever
requisite, and necessary to be done in and about the
premises, and ratifying and confirming all that
he shall lawfully do or cause to be done by
virtue hereof

In Witness whereof I have hereunto
set my hand and seal at the City of New York
this Seventh day of June in the year of our Lord
one thousand eight hundred and thirty three

Sealed and delivered
in presence of
Gideon Lee.

Jacob Taylor

Elizabeth K. Day (ES)

State of New York. ³ I Gideon Lee Mayor of the
City of New York do hereby certify - that Mrs Eliza
H. May, known to me to be the person described
in the above Letter of Attorney did on this ^{Seventh}
day of June one thousand eight hundred and thirty three
personally appear before me and acknowledged
the same to be her act and deed - The name
'Gideon Lee' first intwining on first line of Certificate

Gideon Lee
Mayor

United States of America

State City and County of New York

I Francis R. Tilton a Notary Public in and for
the State of New York duly Commissioned and sworn, do
certify that the foregoing documents are true
copies of a Letter of Attorney and Certificate this
day exhibited to me as originals as they purported.

In testimony whereof I hereto set my hand
and Official Seal this, twenty first day of
February 1834.

Francis R. Tilton
Not. Pub.

The heirs of Dr. Joseph Hay were to allow me
one third for recovering the claim and nothing if
unsuccessful. I was to pay all expenses including
your commission. You will see by reference to the
books that the payments were made in conformity
with that understanding. I enclose a certificate
of heirship showing how much each was entitled
to.

Yours respectfully

Wm Lambert.

Richmond July 10th 1834.

Edward Butts Esq.
admr of Dr. J. M. Hay. }
Jerusalem }

No 10.

For Mr. Conrad Butler from Gent. Lambert.

Virginia:

At a Circuit Superior Court of Law and Chancery
held for Henrico County at the Capitol in the
City of Richmond December 1st 1831 ~

It appearing to the satisfaction of the Court, it is ordered to
be certified, that Doctor Joseph Hay, who is said to have served in
the revolution, died without issue about the year 1798, leaving
a nuncupative will which was recorded in Hansemond County
Court; that he left one brother the late Judge George Hay, and
three sisters, Elizabeth Hay, Margaret Paine and Sarah Nicholson
who were his sole heirs at law; that Elizabeth Hay subsequently
died intestate and unmarried leaving her brother and sisters her
heirs at law; that Sarah Nicholson has also died intestate,
leaving her two children George Nicholson and Elizabeth See
her sole heirs at law, who are entitled to one third of the said
Joseph Hays estate; that Margaret Paine has also died intestate
and that her children Charles S. Paine, Orris S. Paine and Jane
M. Orme are her sole heirs at law, and are entitled to another
third of the said Joseph Hays estate; and that Judge Hay
who was entitled to the remaining third thereof, died testate
in the year 1830, and by his will, recorded in Loudon
county Court gave the residue of his estate, after specific
bequests and devises, to his widow Eliza W. Hay.

Attest

J. Robinson
Cl. Cr.