

1841-27 SOUTHAMPTON COUNTY
CHANCERY PAPERS

SMITH and Wife et al VS. COTTON'S ADM'R. of
COTTON 8/1841

other SURNAMES: Daughtey,
Daughtrey

Smith & wife

to { Bill & P

Daughter

1841 apr. Drove as pr. description

July Report.

" Aug. Rep. long. 2

Josiah C. Smith & son

as { Bill & Dene

Wm. B. Daughtery

To the Worshipful the County Court of Southampton
in Chancery sitting humbly complaining sheweth
unto your worships your brother Josiah C. Smith
and ~~Martha G.~~ his wife, late ^{Martha G.} ~~Mary~~ Cotton, and
Josiah C. Smith father and next friend to Mary
C. Cotton and Allen Cotton infants and heirs of
Belverna Cotton decd. That some time in
the year Belverna Cotton of this county
died intestate leaving three children and
heirs at law to wit Martha G. Cotton who aft-
wards intermarried with your brother Josiah C.
Smith and Mary C. Cotton and Allen Cotton
infants, that the said Belverna Cotton left
a small personal estate and that there are
now three negroes, ^{Timos, Dinah, & John} owned by the three heirs
and which cannot be divided ~~in kind~~ in kind.
Wherefore your brother, & brother-in-law, and brother father
as aforesaid humbly prays that your worships would
decree a sale of the three negroes aforesaid, that
the proceeds may be divided among those
respectively entitled to the same. That William
B. Saughey who qualified as admr. of Belverna Cot-
ton may be made defendant, and that
answer make to the allegations herein contained
& that your worships would grant other further
and general relief as the nature of the case
may require and ~~decree~~ as will be conducive
to equity And &c

For &c

The separate answer of William R. Dargy
to a Bill of complaint exhibited against
him by Josiah C. Smith & others. The Sept
admits the allegations in the Bill set
forth and offers no objection to the relief
prayed for -

Josiah C. Smith & others
vs ~~3~~ ~~several~~
Wm R. Dargy

This day this cause came on to be
heard upon the Bill, answers, exhibits, filed
and argument of counsel, whereupon the Court
doth adjudge order and decree that Meredith
Holland, Lemuel R. Gardner, and Wm M. Jones
be appointed commissioners authorized to sell
at public auction on a credit of nine months ~~and~~
requiring money enough to pay the expenses of this
suit ~~James Smith & John~~ the negroes belonging to the estate of
Bellevue Cotton dec, and the proceeds thereof
after deducting the expenses of sale divided
into three equal parts, and pay over $\frac{1}{3}$ part to
Josiah C. Smith in right of his wife Martha G. formerly
Martha G. Cotton. $\frac{1}{3}$ to Josiah C. Smith as guardian
for Mary C. Cotton, and the remaining $\frac{1}{3}$ to Josiah
C. Smith for Allen Cotton and make
return to this Court how they have executed
the same.

Smith & Co

& 3 Copy Dues

Daughter

Southampton April Court 1856.

Jonah C Smith and Martha C his wife, late Martha C Cotton, and Jonah C Smith guardian
and next friend to Mary C Cotton and Allen Cotton infants and heirs of Rebecca Cotton ^{de}
against ^{Peffa} ^{In Chancery}

William B Daughtrey

vs

This day this cause came on to be heard upon the bill, answer exhibits filed and was
argued by counsel. Whereupon the Court doth adjudge, order and decree that Meredith
Holland, Leonard R Gardner and William M Jones be appointed Commissioners authorized
to sell at public auction on a credit of nine months requiring money enough to pay the expen-
ses of this suit Linnos Dinah & John negroes belonging to the estate of Rebecca Cotton
de, and the proceeds thereof after deducting the expenses of sale, divide into three equal
parts, and pay over 1/3 part to Jonah C Smith in right of his wife Martha C formerly
Martha C Cotton, 1/3 to Jonah C Smith as guardian for Mary C Cotton and the remaining
1/3 to Jonah C Smith Guardian of Allen Cotton and make return to this Court here-
they have executed the same.

Clerk's fees \$2.38.

Teste. L R Edwards Clk.

238

126

112

In obedience to an interlocutory decree 'Smith vs Cotton &c
pronounced the 19th day of April 1841. by the County Court
of Southampton, your Commissioners having advertised the
time and place of sale of the slaves in the bill mentioned,
in conformity to said decree, proceeded on Saturday the 12th
day of June 1841, at the residence of Josiah C. Smith, and
sold the said slaves to the highest bidder on a credit of
nine months except so much as was necessary to pay the
expenses of the said &c. when Josiah C. Smith became the
last bidder & purchaser of the negro man Simon for the
sum of \$401..00

Josiah C. Smith became the purchaser of the women
Denah for the sum of 201..00

Josiah C. Smith also became the purchaser of the boy
John for the sum of 325..50

making the sum of \$927..50

Your Commons then deducted \$12.38 the atts: & Clks: fees
and \$9 as a compensation to the Commons. 21..38

leaving a balance of \$906..12

divided into three shares thus \$302..04

Your Commons then took three separate bonds from the pur-
chaser with Jesse B. Johnson his security pay able as by
said decree directed, for the sum of Three hundred and
two dollars & four Cents each - one of which bonds we de-
livered to Josiah C. Smith in right of his wife Martha
we also delivered the two remaining bonds to S. Smith
as guardian for Mary C. Cotton & Allen Cotton for Three
hundred & two dollars & four Cents each, taking his receipt
for the same, which will account for the purchase
money aforesaid.

All which is respectfully submitted.

Given under our hands the 12th day of June 1841.

Wm M. Jones

Meredith Holland