

1842-1/2 SOUTHAMPTON COUNTY
CHANCERY PAPERS

WORREL et al VS. FERGUSON'S ADM'X. et al

4/1842

other surnames: Holt, Wilson
Furgason, Mayet, forgason,
Ferguson, Furguson, Worrell

1812 apl.

Colks	\$ 11.30
Ship	5.80
L fee	16.66
W Tax	75
	<u>\$ 34.71</u>

~~1812~~

Herrick & Co

3 Papers.

Ferguson & Co

1838 Jan. Will & Co
" Feb. Sp. Ex. & Co
" May. Am. ins. Co. & Co
" June. Sp. Ex. Co
" Oct. Set for hearing & Co
" Dec. Dues for account & Co
1839 Feb. 25 Report
" Apr. Cont.
1841 Apr. Dues for sale & Co
" Oct. Continued.
1842 apr. Dues & Co

Piff. Kent

Colks	\$ 9.92
Ship	3.30
Com	—
L fee	16.66
W Tax	75

Puff. Coals burnt

Colts 9.92

Shif 2.30

Com

S feet	16 66
115	75
	30.63

40.57
219
56.82
27.47
90.2571
5471
7
8.5491
8
27.62

Thomas B. Worne Sal.

21. } Billy &c

Ferguson's admn. Sherin

~~~~~  
Hodges

~~~~~

(2530 words)

(So.ampton sup. Co. Chy.)

To the Honorable Richard H. Baker, Judge
of the Circuit Superior Court of Law and
Chancery, for the County of Southampton,
in chancery sitting:

Humbly representing, shew unto your Honor
your orator Thomas B. Wood and Augustine Pope,
admiror of Lefe Holt deceased, and as such bond
and simple contract creditor of John Ferguson
deceased, on behalf of themselves and of all other
the creditors of the said John Ferguson deceased,
who shall come in and seek relief by, and con-
tribute to the expenses of this suit, that the said
John Ferguson, being indebted unto your orator
Thomas B. Wood in the sum of \$42.00^{cts}, to secure
the payment thereof duly executed a bond or obli-
gation in writing, bearing date the 9th day of Au-
gust in the year 1832, whereby, ~~to~~ with a certain
William Ferguson as his security (who has departed
this life insolvent and unable to pay any thing)
he bound himself and his heirs to pay, one day
after the date thereof, to your orator Thomas B.
Wood the said sum of \$42.00^{cts}, as by an attested
copy of the said bond, marked A, and herewith
filed, will more fully appear; which said sum
of \$42.00^{cts}, with the legal interest that has accrued
thereon, your orator charge still ^{remaining} justly due and
owing by virtue of the said bond. And your orator
further shew that the said John Ferguson, being
indebted unto the before mentioned Lefe Holt in
the sum of \$30., to secure the payment thereof
duly executed another bond or obligation in writing,
bearing date the 16th day of January in the year
aforesaid, whereby he bound himself to pay, on demand,

To the said Jefe Holt the said sum of \$30., as by
an attested copy of the said bond, marked B., and
herewith filed, will more fully appear; which
said sum of \$30., with the lawful interest there-
on accrued thereon, your orator charge still re-
mains due and owing. And your orator further
shows that the said John Ferguson departed this
life on or about the day of in the year
 , intestate, being indebted to your orator Thomas
B. Worrel and the said Jefe Holt as aforesaid, and
doubtless to some other persons, and he left a widow
named Mary Ferguson, and the following children
and heirs at law, namely, Bedy Ferguson, Marg-
aret Ferguson, Bennet Ferguson, Elliot Ferguson, Sam-
uel Ferguson, Davis Ferguson, Mary Ferguson, John
H. Ferguson and Henry Ferguson, him surviving,
most of whom are infants of tender age; and soon
after the death of the said John Ferguson adminis-
tration of his estate was granted to a certain Marg-
aret Wilson of the said County of Southampton by the
County Court thereof, as appears by an attested copy
of the certificate of admission herewith filed. And
your orator further shows that the said Jefe Holt
also departed this life somewhere on or about the
 day of in the year , and adminis-
tration of his estate was granted to your orator Augustine
Pope by the County Court of Southampton, as appears
by an attested copy of the certificate of admission herewith
filed. And your orator further shows that
the said John Ferguson was, at the time of his death,
possessed of a considerable personal estate, and seized
of a certain tract or parcel of land
lying and situate in the said County of Southamp-
ton, and containing by estimation acres; and

that the said Margaret Wilson, by virtue of her
qualification as executrix, possessed herself of all
the said personal estate, and the said Mary Fer-
guson and the children of the said John Fergu-
son entered upon the real estate hereinbefore mentioned,
and have ever since been and now are in the pos-
session thereof, and in the receipt of the rents and
profits thereof. And your orator further shows
that your orator Thomas B. Worrel instituted suit
on the first mentioned bond against the said Mar-
garet Wilson, as aforesaid, in the County Court
of Southampton, and issued an execution of
habeas facias, which was returned by the Sheriff of
the said County with the endorsement thereon
of "no effects"; and that your orator Augustine
Pope also instituted suit upon the last mentioned
bond, as the representative of the said Jefe Holt,
against the said Margaret Wilson, and recovered
judgment thereon in the County Court of Southamp-
ton, and in like manner issued execution, which
was returned with the same endorsement; as
all of which will more fully appear by reference
to attested copies of the said judgments and exe-
cutions herewith filed, marked C. D., and prayed
to be considered as parts of this bill. And your ora-
tor is advised that the personal estate of the
said John Ferguson ought to have been first ap-
plied to pay the whole of the debts owing by him
at the time of his death on specialty, in prefer-
ence to those on simple contract, and that if
such personal estate was not sufficient to pay

The whole of his debts, then your orator Thomas B. Worrel and his other specialty creditors are to by law entitled to be paid the remainder thereof out of his real estate; and that your Augustine Pope, administrator as aforesaid, and his other creditors of the same character are in equity ^{matters} to a satisfaction of their respective debts out of his real estate, so far as his personal estate has been or may be exhausted by his specialty creditors to the prejudice of his creditors on simple contract; and such real estate ought to be sold, and the rents and profits thereof received since his death ought to be accounted for, for that purpose, especially as the rents and profits are insufficient to keep down the annual interest of the debts due by the said John Ferguson, much less to pay and discharge them within a reasonable period. In tender consideration whereof, and for as much as your orator have no other remedy in the premises except by the assistance of a Court of equity, where matters of this kind are cognizable; to the end therefore that the said Margaret Wilson, administrator of John Ferguson as aforesaid, Mary Ferguson, widow and relict as aforesaid, ^{and} Beada Ferguson, Margaret Ferguson, Bennet Ferguson, Elliot Ferguson, Samuel Ferguson, David Ferguson, Mary Ferguson, John ^H Ferguson and Henry Ferguson, children and heirs at law as aforesaid, and infants to be defended by some person to be specially appointed for the purpose, may be made parties hereto, and may upon their several corporal oaths, true and perfect and unsworn make to all and singular the al-

legations herein contained, and that as fully and particularly as if the same were here again repeated and ~~they~~ they thereto interrogated; and that ~~the said Margaret Wilson~~ an account may be taken of the moneys due to your orator, respectively, for principal and interest, and of other the debts owing by the said John Ferguson dec? at the time of his death, and also an account of the personal estate ~~received~~ ~~received~~ and effects of the said John Ferguson received by the said Margaret Wilson, and how she has disposed of and administered the same, and of the rents and profits of the intestate's real estate received by the said Mary ~~last~~ Ferguson and the said Beada Ferguson and other children as aforesaid, or by any person for them; and that such personal estate may be applied in the payment of the intestate's debts in due course of administration, so far as the same will extend; and if the same shall be insufficient for that purpose, then that the freehold estate of the said intestate, or a sufficient part thereof, may be sold, and that the proceeds of such sale, and the rents and profits that have been received therefrom, may be applied in aid of the personal estate in the payment of so much of the specialty debts

of the said intestate as such estate shall be found insufficient to pay; and also if it shall appear that any part of the intestate's personal estate has been exhausted by his specialty creditor, then that your Orator Augustine Pope, administrator of said, and such of the intestate's simple contract creditors as shall in due time come in and contribute to the expenses of this suit, may be decreed to stand in the place of such specialty creditor, and receive a satisfaction out of the money to arise from the sale of his said real estate, for so much of the personal estate as has been²⁰ exhausted; and that your orator may have such other and further relief in the premises as to your Honor may seem meet and proper — May it please, &c.

Wm D. Hodges, Esq.
C. — " — C.

W. A. L. & L.
or
Wilson & L. } Answer

1838 Oct 30

(313 11 or 12)

Redley for de

To the Hon^{ble} R. H. Baker Judge of the Circuit
Superior Court of Law & Chancery for the County
of Southampton.

Worrel & Pope

vs

Ferguson & others

{ In Chancery.

The answer of Margaret ^{Wilson} ~~Ferguson~~ the Adminis-
tratrix of John Ferguson to the Complainants bill

This respondent saving to herself all benefits
of just exception to the Complainants bill, for
answer, says that it is true that she took
upon herself the administration of ^{the said John} ~~the said John~~
^{Ferguson died} ~~her husband's~~ estate, & that she has administered the
same according to law as the report of the
Commissioner which is duly recorded will shew.
that ^{no} report shews her to be entitled to receive
of the estate \$158.89. but that ^{no} estate is
insolvent, she begs leave to state that no
debts have been paid by her of inferior dignity
to those of the Complainants, she therefore
as the friend of the infant dependants beg
leave, to insist that no debts be allowed to
charge the land prayed to be sold, except
such as charge the heirs. She is advised
that this answer is all that she is compelled
to make. therefore she prays to be remun-
dismissed with her costs in this behalf expended.

Truly her Defor

Southampton County to wit.

This day Margaret ^{Wilson} ~~Ferguson~~ personally
appeared before me & made oath to the
correctness of the above answer. given under
my hand & seal this 15th Oct. 1838.

Wm. H. Nicholson J. P.

Thomas B. Worrell Cal.
w. 3 ans. of the
Marg. Wilson adms. of Int. Bkts.
John Ferguson del.
Cal.

1838 April 16

310.

Southampton.
C. S. C. L. & C.

To The Honble Richard H. Baker, Judge of the Circuit Superior
Court of Law and Chancery for the County of Southampton in
Chancery sitting -

The joint and several answer of Beeda Ferguson, Margaret
Ferguson, Bennett Ferguson, Elliot Ferguson, Samuel
Ferguson, Mary Ferguson, John H. Ferguson and
Henry Ferguson, infants, under the age of twenty one
years, by Littleton R. Edwards guardian ad litem
appointed to defend them, nine of the defendants, to
the Bill of Complaint of Thomas B. Morrell &
others, Complainants

The said defendants, saving to themselves, and each of them, all
and all manner of advantage of exception to the many un-
truths, errors, uncertainties, and other imperfections, of the said
bill of Complaint, contained, for answer thereto, or unto
so much thereof, as these defendants are advised is mate-
rial for them, or either of them, to make answer to, they
answering by their said guardian, severally say -

That they are strangers to all and singular
the matters and things in the said bill of Complaint contained,
and they call for proof of the several allegations contained
in the said bill of Complaint, so far as their rights are
concerned, and these defendants being infants of tender
years submit themselves to the judgment of this Honorable
Court, and humbly hope that whatever may be their rights,
title and interest in this suit, shall be protected and saved
to them - without that, that is -

(Signed)

L R Edwards per se

Southampton County To wit.

This day Littleton R. Edwards, guardian ad litem
to the aforesaid infant defendants, personally came and ap-
peared before me a Magistrate for the County aforesaid
and made oath to the truth of the foregoing answer
signed by him. Given under my hand & seal this 16th
day of April A.D. 1838.

J. J. Lane, J. R. Peck

Worrel fathers

n. 3 decrees
Forgiveness fathers

to be returned

R. 18. 13.

Worrels debt is the
only debt for which
the land can be found
but ought the land to be
sold or rented out?

Worrel and others

vs.

3 Decree.

Ferguson and others

This cause (in which the subpoena ~~has~~
appears to have been served on the defend-
~~Margaret Wilson~~
ants, Mary Ferguson, and ~~the time has~~ four
months having elapsed since the filing of
the bill and service of the subpoena, and
they still failing to appear, the bill is taken
for confessed as to them) came on this day to
be heard on the bill of the Complainants
answers of the infant dependants, ^{in replication thereto} and ex-
hibits filed, and was argued by counsel;
on consideration whereof the Court doth ad-
judge, order, and decree that the Com-
missioners of this Court do take the follow-
ing accounts: 1. ~~On~~ account of the transactions
of the defendant Margaret Wilson as adminis-
tratrix of the estate of her intestate John
Ferguson deceased ~~at the account of the~~
particulars specifying therein the amount
of debts, ^{binding the heirs} ~~owed by~~ ^{specifically} that have been
~~discharged by her~~: 2. Any account of the
debts, ^{to the p[ar]ty} ~~both specially due by~~ ^{as well}
~~as simple contract, still due remain-~~
~~ing due and unpaid by the said John~~
~~estate of the said John Ferguson; and 3.~~
real estate of which John Ferguson died seized & possessed and
an account of the yearly ~~value of the~~ ^{rents}
which descended to him, showing the absolute & annual
and profits of the ~~land~~ ^{of which the said}
value thereof; and liberty is reserved to all other creditors
John Ferguson ~~shall receive and be satisfied~~
of the said John Ferguson to exhibit & prove their respective
as well as an account of the value of the
demand. before the coming, which accounts the coming.
~~land shall~~: and that he report such mat-
is directed to examine state & settle with any moneys
less especially as may be ~~discharged~~ ^{received}
specifically stated demanded pertinent by himself or which
by himself or as may be required by any of
be required by the parties to be so stated.

the parties.

~~x and the answer of Margaret~~

x together with the answer of Margaret Wilson and
of John Ferguson dec^d filed this day on condition
that no delay of the trial of the case should take
place & replication thereto

Worrell &

is } Copy Diers.

Fergusons adre &

At a Court Superior Court of Law and Chancery held for the County of Southampton on Monday the 29th day of October 1838

Thomas B. Wood and Augustine Pope ^{Att^{ys}} of Jefe Waddell

Pope

against

Margaret Wilson administratrix of John Ferguson dec^d. Mary Ferguson widow and executrix of John Ferguson dec^d. Beata Ferguson, Margaret Ferguson, Benoit Ferguson, Ellet Ferguson, Samuel Ferguson, David Ferguson, Mary Ferguson, John H. Ferguson and Henry Ferguson, infants by Littleton R. Edwards their Guardian ad litem Deft^s

This Cause (in which the Subpoena appears to have been served on the defendant Mary Ferguson and four months having elapsed since the filing of the bill and service of the subpoena and she still failing to appear the bill is taken for confessed as to her) came on this day to be heard on the bill of the complainants, answer of the infant defendants and replication thereto together with the answer of Margaret Wilson administratrix of John Ferguson deceased filed on yesterday on condition that no delay of the trial of the case should take place and replication thereto and the exhibits filed, and was argued by counsel; on consideration whereof the Court doth adjudges order and decree that the Commissioner of this Court do take the following accounts: An account of the transaction of the defendant Margaret Wilson as administratrix of the estate of her intestate John Ferguson deceased particularly specifying therein the amounts of debts binding the heirs; 2. and account of the debts due to the plaintiffs; and 3. and account of the real estate of which John Ferguson died seized and possessed and which descended to his heirs, showing the absolute and annual value thereof, and liberty is reserved to all other creditors of the said John Ferguson to exhibit and prove their respective demands before the Commissioner; which accounts the Commissioner is directed to examine and to report with any matters specially stated deemed pertinent by himself, or which may be required by the parties to be so stated.

Attest

Teste L. R. Edwards Ck

Witness given the parties to attend at my office in New Orleans on the 22^d day of January next
J. F. B. Corro

12th Dec 1838

Courts Office Jerusalem Jan^y 22^d 1839

Thos B Morrell one of the plffs. and Margaret Wilson one of the depts attend before the Court. - the defendant exhibits 2 bonds which she held against Jno Fergusons estate - & which are credited in her acct as admt^d and she exhibits the balance due her on said settlement, as a claim against the land of her intestate in case it should be sold; as there are no other claims except the plaintiffs demands, of equal dignity

Geo B B Com

Morrell & Wilson
vs
Jno Fergusons admt^d (Mortice)

I acknowledge due service of the within notice

J R Edwards G^{en}l^l
Dec. 20/1838.

1839 Jan^y 18

Margaret^{her} Wilson
mark

Mary^{her} Fergusson
mark

Augustine Pope

Thos B Morrell

21

22

Circuit
Ala. Superior Court of Law and Chancery held for the
County of Southampton on Monday 29th day of Oct^r 1829
Thomas B. Torrell and Augustene Pope adm^rs of Jesse Holt. Pl^{ff}s
against

Margaret Wilson adm^r of John Fergusson dec^d Mary
Fergusson, widow and relict of John Fergusson dec^d }
Rebecca Fergusson, Margaret Fergusson, Bennett } In Chanc^y
Fergusson, Elliot Fergusson, Sam^l Fergusson, Davis }
Fergusson, Mary Fergusson, John H. Fergusson, and }
Avery Fergusson, infants by Littleton R. Edwards }
their Guardⁿ ad litem. D^{fts}

This Cause (in which the subpoena's appears to have been served
on the defendant Mary Fergusson, and four months having elapsed
since the filing of the bill, and service of the subpoenas and she
still failing to appear, the bill is taken for confessed as to her)
came on this day to be heard on the bill of the Complainants,
answer of the infant defendants, and replication thereto
together with the answer of Margaret Wilson adm^r of
John Fergusson dec^d filed on (yesterday on condition that
no delay of the trial of the case should take place, and
replication thereto, and the exhibits filed, and was argued by
by Counsel: On Consideration whereof the Court doth ad
judge order and decree, that the Com^r of this Court, do take
an account the following Accounts: An account of the trans-
actions of the defendant Margaret Wilson as adm^r of the
estate of her intestate John Fergusson dec^d, particularly
specifying therein the amounts of debts binding the heirs;
2^d An account of the debts due to the Plaintiffs, and 3^d
an account of the real estate of which John Fergusson
died seized and possessed, and which descend to his heirs,
shewing the absolute & Annual and Annual value thereof
and liberty is reserved to all other creditors of the said John
Fergusson, to exhibit and prove their respective demands
before the Commissioner; which Accounts the Com^r 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

Attest

Teste

L R Edwards 66

Comrs Office Jerusalem Decr 12th 1838

I have appointed Tuesday the 22^d day of January
next, to examine, state, and settle the accounts directed by
the above order of the Court, on which day the parties
interested are required to attend with their vouchers, books
accounts and evidence, at my office by Ten o'clock
A.M. for examination and settlement; and all the
creditors of John Turgason decd. may exhibit their
respective demands, which they will be allowed to
prove, before the Comrs.

Amos B. Comrs

Worrell & Co

& } Ext. with Bill

Forgason's acc. & Co

(10)

Southampton County Court - November 21st 1836

Thomas B Morrell

Plf

In Debt

against

Peggy Wilson administratrix of John Ferguson dec

Def

The defendant still failing to appear on the motion of the plaintiff, by his attorney, it is considered by the Court that the plaintiff recover against the defendant the sum of forty two dollars & a half cent the debt in the declaration mentioned with legal interest thereon from the 10th day of August 1832 till paid and the costs by him in this behalf expended. To be levied of the goods and chattels of the decedent in the hands of the Defendant to be administered and the defendant in mercy &c.

This judgment is to be credited with twenty dollars paid by John Ferguson on the 15th day of November 1834

Plaintiffs Costs \$ 6.12 cents

Teste L R Edwards Clk

The Commonwealth of Virginia: To the Sheriff of Southampton County Greeting - We command you that of the goods and chattels of John Ferguson dec^d in the hands of Peggy Wilson to be administered late in your bailiwick you cause to be made the sum forty two dollars & 1/2 cent with legal interest from the 10th day of August 1832 till paid which Thomas B Morrell lately in our County Court of Southampton hath recovered against the said Peggy Wilson adm^{rx} of the said John Ferguson dec^d for debt: also the sum of six dollars and twelve cents which to the said Morrell in the same Court were adjudged for his costs in that suit expended: whereof the said Adm^{rx} is convicted as appears to us of record; and that you have the said sums of money before the Justices of our said Court, at the Courthouse, on the first day of January Term next to render to the said Thomas B Morrell of the debt and costs aforesaid. And have them there this 10th day of November 1836 in the 6th year of the Commonwealth

L R Edwards Clk

This execution is to be credited for Twenty dollars paid November 15th 1834

L R Edwards Clk

Sheriffs Return - "No effects. Jeps Dnewry Dep of Wm Griffin Shff"

Copy Teste L R Edwards Clk

Horrell & Co

n } Ex with bill

Ferguson's adm. &c

B.

Southampton County Court November 22nd 1837

Augustin Pope admor: of Jesse Holt dec'd.

against

Margaret Wilson admor: of Jesse Ferguson dec'd.

Plff

In Debt

Def

This day came the parties by their Attornies and the Defendant withdrawing her former plea saith she cannot gainsay the plaintiffs action. Therefore it is considered by the Court that the plaintiff recover against the Defendant the sum of thirty dollars the debt in the declaration mentioned with legal interest thereon from the 16th day of January ¹⁸³² till paid and his costs by him about her suit in this behalf expended. To be levied of the goods and chattels of the Defendant in the hands of the defendant to be administered. And the said defendant in Mercy of Plaintiffs costs of 6.53.

Copy Teste

JR Edwards Clk

The Commonwealth of Virginia To the Sheriff of Southampton County Greeting - We command you that of the goods and chattels of John Ferguson dec'd in the hands of Margaret Wilson his administratrix to be administered take in your bailiwick you cause to be made the sum of Thirty dollars with legal interest from the 16th day of January 1832 till paid which Augustin Pope admor: of Jesse Holt dec'd lately in our County Court of Southampton hath recovered against the said Margaret Wilson admor: of as aforesaid for debt: also Six dollars and 53 Cents which to the said Pope admor: as aforesaid in the same Court were adjudged for his costs in that suit expended. Whereof the said Wilson admor: of is content as appears to us of Record and that you have the said sum of money before the Justices of our said Court, at the Courthouse, on the first day of January Term next to render to the said Pope admor: as aforesaid of the debt and costs aforesaid. And have then there this writ. Witness Lilliston R Edwards Clerk of our said Court, at the Courthouse, this 1st day of December 1837 in the 62^d year of the Commonwealth.

JR Edwards Clk

This debt was contracted before the first day of August 1837.

JR Edwards Clk

Sheriffs Return - "No Effects - Jesse Drury Dep: Benj Griffin Shff"

Copy Teste

JR Edwards Clk

~~This cause came on the~~

Worrell

in 1833

Ferguson's

deed

To be entered

Rich. H. Baker

Worrell

vs 3

Ferguson "admt."

This cause came on this day to be further heard on the papers formerly read, and on the report of Commissioner Butts made in pursuance of a decree of this court pronounced at April Term 1840, to which report there is no exception. On consideration whereof the court affirming said ~~decree~~ Report doth adjudge, order and decree, that Edward Butts convey to the Pkg Thomas B. Worrell the tract of land in the proceedings referred to; and it appearing to the court from the said report of sale that the net amount thereof is insufficient to pay the said pldg demand, together with the costs, it is further ordered that the bond referred to in the said report be delivered up to the the pldg and that he pay out of the same his costs in this behalf expended &c.

Howell &c

or $\frac{2}{3}$ note for same

Ferguson &c

To be entered

R. H. B.

Worrell &c

vs. $\frac{2}{3}$

note for decree -

Ferguson &c -

This cause came on to be further heard on the papers formerly read, and the report of Commissioner Cobb, to which no exceptions were filed - and was argued by counsel - on consideration whereof the court confirming said report, doth adjudge order and decree that Edward Butts be appointed a commissioner to sell the tract of land mentioned in the^d proceedings, of which the said John Ferguson died seized and possessed, containing sixty acres on a credit of months, subject however to the widows right of dower therein, except as to so much in ready money, as shall be sufficient to pay the costs & expenses of this suit, & charges of sale, taking from the purchaser bond with approved security for the amount of the purchase money, except so much as has been directed to be paid in Cash and said Court is directed further, to report his proceedings to this Court in order to a final decree; and not to execute to the purchaser any conveyance for said land until the further order of this Court unless the said bond for the purchase money shall be paid, or until the further order of this Court -

Received March 23rd 1841 of the Clerk of the Circuit Superior Court
 Southampton the bond referred to & returned with the annexed
 report.
 Thos. B. Norrell

Report returned Detlev 30
 1841

Thos B Norrell
 Copy Done
 I am member of

Pursuant to the within decree to me directed, did on
 the 9th day of June 1841 after giving twenty four days notice posted
 at the Courthouse door, and at several other places near the
 premises in Southampton sell to the highest bidder on a credit of
 nine months the land in the decree mentioned, and Thomas B. Norrell
 be come the purchaser, and highest bidder, for the sum of twenty
 five dollars.

John Tugason's Land subject to the Widows dower		\$75.00
Commissions off	2.75	
Cryer	1.00	
		4.75
		\$70.25

who executed his bond with good and sufficient security for
 twenty dollars and twenty five cents, being the balance
 due after deducting the commissions and cryers fee.
 which bond is herewith returned. all which is respect-
 fully submitted to the Court.

Edw. D. Butts Clerk

At a Circuit Superior Court of Law and Chancery held for the County of
Southampton on Wednesday the 7th of April 1851

Thomas B. Merrill and Augusta Pope ^{vs} ~~vs~~ ^{the} Jefe Hols dec?

Against

Margaret Wilson ^{vs} John Ferguson dec? Mary Ferguson widow and relict
of John Ferguson dec? Becca Ferguson Margaret Ferguson Bennett Ferguson
Ellis Ferguson Samuel Ferguson Davis Ferguson Mary Ferguson John
H. Ferguson and Henry Ferguson infants by Littleton R. Edwards their
Guardian ad litem ^{for them}

Pp 7

Pp 3

This cause came on to be heard on the papers formerly read and the report of Commissioner
Cobb to which no exceptions were filed and was argued by counsel on consideration whereof the
Court confirming said Report doth adjudge order and decree that Edwards Bates be
appointed a Commissioner to sell the tract of Land mentioned in the said proceedings
of which the said John Ferguson died seized and possessed containing sixty acres and a
credit of nine months subject however to the widows right of dower therein except as to
so much in ready money as shall be sufficient to pay the costs and expenses of this suit
and charges of sale taking from the purchase bond with approved security for the amount
of the purchase money except as much as has been directed to be paid in cash. And
said Commissioner is directed further to report his proceedings to this Court in order
to a final decree. And not to execute to the purchaser any conveyance for said land until
the said bond for the purchase money shall be paid or until the further order of this Court.

Copy

Teste

L R Edwards Clerk

Worrell & others

"  Spa in Chy

Forgason &c

1838 February Rules

Executed
By J. Dromgoole, Deputy,
for B. Griffin, Sheriff,

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon *Deedra Fargason, Margaret Fargason,
Bennett Fargason, Elliot Fargason, Samuel Fargason, Davis Fargason,
Mary Fargason, John H. Fargason and Henry Fargason* —

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 the said Court on the first Monday in *February* next, to answer a Bill in Chancery exhibited against *them* in the said Court by

Thomas R. Worrell & others

And unless *they* shall answer the said Bill within four months thereafter, the Court will take the same for confessed, and decree accordingly. And this *they* shall in no wise omit, under the penalty of £100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-house, the *20* day of *December* 1837, in the *62* year of the Commonwealth.

L. R. Edwards Clk

[One Copy to be delivered each Defendant.]

c

6.5.6

Worrell & Co

" } Sp. in Chy

Forquison & Co

1838 June Rules -

Executed

D. W. Wroughton & Co
L. W. Wroughton & Co

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon *Margaret Wilson administratrix*
of John Ferguson dec^d & Mary Ferguson widow and
rellict of John Ferguson 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 the said Court on the first Monday in *June*
next, to answer a Bill in Chancery exhibited against *them & others* in the said Court by

Thomas B. Norrell & Augustin Popel admors of Sepe Holt dec^d.

And unless *they* shall answer the said Bill within four months thereafter, the Court will take
the same for confessed, and decree accordingly. And this *they* shall in no wise omit, under
the penalty of £100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk
of our said Court, at the Court-house, the *7th* day of *May* 183*7*, in the
62^d year of the Commonwealth.

L R Edwards

[One Copy to be delivered each Defendant.]

In Magist. Cypus.

A

Thomas B. Worrell and others

against

Margaret Wilson adm^{or} & others

} In Chancery

The deposition Maney Maget of lawful age who being duly sworn to give evidence in the aforesaid suit in the Circuit Superior Court of Law and Chancery, and before the Com^{rs} of the Court at the Court House on the 22^d day of January 1839 saith that from the best information he has, that John Furgason at the time of his death was seized of a small tract of land, lying in the County of Southampton, containing about Sixty Acres, or thereabouts; and this deponent saith, that the said land lies near him, and that he is well acquainted with the quality, and he thinks the fee simple value thereof, as as well as the annual profits; he therefore says that he thinks the fee simple value, is worth about two dollars & fifty cents per acre, and the annual value about ^{ten} dollars. He further states that the widow and children of John Furgason the intestate of the defendant Margaret Wilson, is now, and has been living on the said tract of land, and that no division or distribution of the said tract of land has been made since the death of the said intestate - and further this deponent saith not.

Subscribed
Sworn to before me this
22^d day of January, 1839

Sam^l J. Cobb Com^r

~~Sam^l J. Cobb~~

Murphy Maget

Worrell & 3 Comro
vs
Ferguson & Co Report

1839 Feby 25th

Feb 15th 1839

Thomas B. Worrell and Augustine Pope admr of J^{rs} Holt-dec P^{ffs}
 against ^{3^d du Char^y}
 Margaret Wilson admr. of J^{rs} Ferguson dec & heirs de^{ffs}

The Comr. is first directed to take ^{an account} of the defendant Margaret Wilson admr. on the estate of J^{rs} Ferguson dec. particularly specifying therein the amounts of debts binding the Heirs. This Account has been settled by this Comr. and forms a part of the record in this case. There were ~~not~~ debts paid, except the ordinary expenses in funeral services, & in her administration, and her attorney & Clerks fees: except two bonds which the admr. held against the intestate Ferguson. These bonds does not bind the Heirs - There appears to be a balance due the defendant Wilson on that settlement of \$158.89 with Interest from Nov: 15th 1836 till paid, which she now exhibits as a demand against the real estate, if the Court should decree the sale thereof.

The Comr. is next required to state an account of the debts due to the plaintiffs

Thos B. Worrell, bond due Aug 10 th 1832	\$42.00 ¹ / ₂
Interest on ditto to Nov: 15 th 1832	5.43
	<u>47.43</u>
By Credit of Bond	20.00
	<u>\$27.43¹/₂</u>
Costs	6.12
By balance due Thos B. Worrell	<u>\$33.55¹/₂</u>
with Interest thereon from Nov: 15 th 1834 till paid	
(say on \$27.43 ¹ / ₂) This debt binds the Heirs -	

Continued forward

^{Pope}
The Bond due Augustene Admr. & plff. Jan. 16/1832 \$ 30.00 with
Interest thereon till paid also costs 6.50

This debt does not bind the Heirs -

The Court is next required to take an account of the
real estate of which Jno Ferguson died seized & possessed & which
descended to his heirs showing the absolute & Annual
value thereof.

Maney Magets deposition contains all the
information upon this subject in possession of the Court.
It was taken by consent of all the parties who were
present & is filed with this report marked A

The whole tract contains about 60 acres

& worth about \$2.50 per acre

\$150.00

This would estimate the real value of the land
at \$150.00 and the said deponent thinks the
Annual value worth about \$10.00. This deponent
further states the Widow & Children are now on
the land, and has been from the time of Jno.
Ferguson's death, and that no distribution
has been made among the Heirs -

Respectfully Submitted
Geo. L. Carr

Worrells adm.

" } Eat. with Bill

Fergusons ad. of

12

On demand I promise to pay or cost to be paid unto Jesse Holt.
or der the just and full sum of thirty dollars it being for value received —
As witness my hand and seal January 16. 1832.

Test.

Ans. to Turner

John Harguson (Seal)

Copy Teste J.R. Edwards (Seal)

Morrell &

to } Ent. with bill

Fergusons acc &c

(A)

\$42.00²

On demand one day after date we the subscribers, or either of us do promise to pay or cause to be paid unto Thomas B. Worrell guardian for Anderson Ferguson orphan of Zachariah Ferguson dec^d or his assigns, the just and full sum of forty two dollars and half cent for value received for the true payment thereof to be made we and each of us hereby bind ourselves our heirs Exors and adm^s jointly and firmly by these presents As Witnesses our hands and seals this 9th day of August 1832.

Witness.

John Ferguson *Seal*

William Ferguson *Seal*

1834 November 15th Rec^d of John Ferguson the sum of twenty dollars in part of the within note \$20.00

Thos B Worrell

Copy Teste J R Edwards *cl*

Cent. of Amount on John
Fergusons acct.

Horrell &c

to } Expt. with bill

Fergusons acct &c

At a Court held for the County of Southampton the 16th day of November 1835-

On the motion of Margaret Wilson who made oath and together with William G Wilson and Thomas N Story her securities entered into and acknowledged a bond in the penalty of five hundred dollars conditioned as the law directs, certificate is granted her for obtaining letters of administration on the estate of John Ferguson deceased in due form

Teste L R Edwards Ck

Cert. of Admission on
Jesse Holts Est

Worrell H^c

or { Cert. with bill

Fergusons adms H^c

At a Court held for the County of Southampton the 15th day of February 1836

Jane Holt widow of Jesse Holt deceased by her certificate to the Court relinquished her right to the administration on her deceased husband's estate in favour of Augustin Pope and on the motion of the said Augustin Pope who made oath and together with Nathan Pope and Selah Ellsworth his securities entered into and acknowledged a bond in the penalty of six thousand dollars conditioned as the Law directs, Certificate is granted him for obtaining letters of administration on the estate of the said Jesse Holt dec^d in due form.

Teste J R Edwards Clk

Account Current of

John Fergusons Estate

Worrell & Co

to {

Fergusons acc of

Filed with L^{ft} Milsons' acc

The Estate of John Ferguson decd.

In account with Margaret Wilson, adm^r

1835			£	s	£	s
Nov ^r	16	To paid Robert Downman atty	5	10		
		" " Coffin	4	10		
		" " Appraisers	3	00		
1836		" " Letters of Administration		70		
Sept	12	" my bond & Int. retained	149	40		
		Ditto Ditto	227	99		
"	"	By amt Sales due this day	"	"	232	43
		" I Antis Bond	"	"	10	00
		" D Beales due Bill	"	"	1	00
		To Com ^r on £243.43	12	17		
					243	43
					412	32

Nov^r 16 To balance due the adm^r £158.89. with Interest thereon from this date till paid

Com^r fee £1. 00 }
Charged to the adm^r }

Respectfully Submitted
Jere Cobb Com^r

At a Court held for the County of Southampton the 19th day of September 1836
This account current and Comptrollers Report of Margaret Wilsons administration on the Estate of John Fergusons decd. was returned and continued for exceptions. and at a Court held for the County aforesaid the 21st day of November 1836 the same was confirmed and ordered to be recorded

Test L R Edwards Clk.