1842-037 SOUTHAMPTON COUNTY CHANCERY PAPERS

JOHNSTON et al VS. JOHNSON, WIDOW 7/1842

other SURNAMES: Edwards, Beale

Johnsons
vs
Bleecker & Acon
Johnson

1835 Jany - Decree as filed &
" March. decree amended
1836. March. Repts Rel. and
Confirm.
Donnman
Apl. Order to deliver bonds.
1839. Jans. Or. to deliver bonds -
1842. July - Or: to deliver bonds.

To the county court of Southampton in chancery sitting

Humbly complaining sheweth unto your worships your complainants Nelly - James - Lilly - Tabitha - Dempsy - Soloman - Jordan - Keaton - Elizabeth - Ellen and Joannah Ichabod Johnston infant children of Ichabod Johnston late deceased by their next friend Jas. L. Mapsenburg that sometime about the year 1823 the said Ichabod Father of your complainants died in the county of Southampton seised and possessed of a considerable estate of real and personal property - that the said Ichabod left a widow and relict Elizabeth Johnston and Eleven children your Compts - so that the proportions of his property to which each one is entitled is reduced to a very small share - your Complainants state the personal property is not sufficient to support and maintain his wife and children your compts state further that to rent out the land would not endure as much to their interest as to sell the same and to secure the interest accruing on said sale - your complainants state that after allotting to the widow her dower in the land the relative shares of each child in the balance of the land will much less than three hundred appraisment pricd over which the county has jurisdiction and power to authorize a sale - your complainants state that the above named all the heirs at Law to said Ichabod and are entitled to distribution in his estate in the following proportions Elizabeth the widow and relict of said Ichabod to one third part of the land and Each your compts to one eleventh part of the remainder your compts state that Jas L Mapsenburg has very recently qualified as the administrator of Ichabod Johnston deceased and has not yet

settled any portion of the estate and they are anxious that ask a division of his personal property at this time would be premature - but that this court may now and of right ought to grant the decree sought in the premises sums to them just - yet notwithstanding the premises the widow said Johnson is unwilling that the said Land should be sold without a decree from this court first had and obtained to the end therefore that your compts have justice done them in this behalf they pray that the said Elizabeth Widow and relict as aforesaid be made deft to this Bill and that she be made state her objections if any she hath why the decree asked for in the bill should be granted and for as much as your compts are remediless at Law and can ably find relief in a court of equity your compts beg that to this end they will comply with the premises and that they enter the sought in the bill together with such other and further relief as may be consonant with equity and the rules of this Court your Compts will ever pray &c

Bowman p.q.

Elizabeth Johnston
advs
Willis Johnston et al

The answer Elizabeth Johnson to the bill of Willis. James. Lilly. Tabitha. Dempsy. Solomon. Jordan. Keaton. Elizabeth. Ellen. and Seannah Ichabod Johnston complained against in this honorable court by their next friend Jas D. Mapenburg These deft saving and reserving unto themselves all manner of benefit and advantage of exception to the many errors uncertainties and insufficiencies in the said bill contained for answer thereunto or unto so much thereof as they are advised is necessary for them to answer unto they answer and say that they have been informed and believe that the said Ichabod Johnston died seized and possessed of a tract of land containing about one hundred and fifty acres more or less lying and being in the county aforesaid and that he died intestate and without issue and that the said land descended to the said defts as his brothers and sisters and heirs at law and that the said Ichabod Johnston died possessed of a personal estate of small value and that the said defts have been informed and believe that the said Ichabod Johnston died indebted to several persons in small sums of money and that the said personal estate is insufficient to pay the debts of the said Ichabod Johnston

and Joannah Ichabod Children. of Ichabod Johnston deceased as they arrive at lawful age or to their guardians at the discretion of the Court to receive the interest thereon. and having acted they are hereby directed to make return to this Court in order to a final decree ——

Johnson

v. & Deere

Johnson

1835. March 6th.

Johnston &c

ads

Johnston

Ammended decree of the county court of Southampton in chancery - this was this brought up for a rehearing by consent of parties whereupon the court on the bill answer exhibits &c doth order adjudge & decree that Lud D. Massenburg, Stephen Murdaugh & Jarlton W. Scott, or any two as commissioner heretofore appointed and reappointed by the court proceed immediately with the assistance of the county surveyor if necessary allot to Elizabeth Johnston wife Ichabod Johnston late deceased one third part of the lands of which said Ichabod died seized and possessed taking into consideration the value as well as quantity and that they do and perform such other matters things in respect to said lands as they were heretofore by a decretal order of this court commanded to do - and in addition thereto that they proceed to allot to said widow one third part of the slaves taking into consideration the value as well as number - and that report to this court in order to a final decree &c

W. Johnsons order

The County Court of Southampton is respectfully requested to deliver to J. D. Mapsenbury the note executed to J. D. Mapsenbury, Stephen Murdaugh and Tarlton W. Scott Commissioners appointed to sell the lands of Ichabod Johnson decd by Randolph Edwards for my proportion of the amount of sales

Teste

Given under my hand this 21 March 1836 Willis Johnson

Edward Mapsenbury

In association of the within decree the undersigned commissioners assigned to Elizabeth Johnson the following slaves. Viz. Pompey valued at $800. Sarah $150. Ben and Marinda at $200 Each. Making in the aggregate and Marinda at $150 making in the sum of $1300 dollars being

Johnson
vs
Johnson

1836 Aug. 1st
In Eq. to set.

Johnson
vs
Johnson

Com.rs

Southampton March Court 1835.

Willis, James, Lilly, Jabitha, Dempsey, Solomon, Jordan, Keaton, Elizabeth, Ellen, and Joannah Johnson infant children of Ichabod Johnson dec^d by their next friend James D. Mapsburg Pltffs

In Chancery

against

Elizabeth Johnson Deft.

This was this day brought up for a new hearing by consent of parties. whereupon the Court on the bill. answer and exhibits &c doth order adjudge and decree that James D. Mapsburg, Stephen Mirdaugh. & Tarlton W Scott. or any two as Commissioners heretofore appointed and reappointed by the Court proceed immediately with the assistance of this County Surveyor if necessary, allot to Elizabeth Johnson wife of Ichabod Johnson late deceased one third part of the lands of which said Ichabod died seized and possessed taking into consideration the value as well as quantity. and that they do and perform such other matters & things in respect to said lands as they were heretofore by a decretal order of this Court commanded to do — and in addition thereto that they proceed to allot to said Widow one third part of the said Slaves taking into consideration the value as well as number — And that they report to this Court in order to a final decree.

Additional costs 36 cents —

Teste James Rochelle clk

In execution of the annexed decree the undersigned commissioners have alloted to Elizabeth Johnson as one third in value of the lands therein mentioned the tract of land purchased by Ichabod Johnson of William Williams containing two hundred acres. The residue of the lands consisting of a tract of four hundred and four acres they proceeded to sell at public auction and it was purchased by Randolph Edwards at the

Price of ..... $ 2383. 60

deduct commissions ..... $ 119. 18

Expence of the decree ..... 12.32 ... 131. 50

Net amount to be devided $ 2252. 10

giving to eleven shares $204. 75 cents and 7/10 each for which eleven notes have been taken and are herewith returned to court.

The undersigned have also assigned to Elizabeth Johnson as one third of the slaves Pompey valued at $800 Ben and Marinda at $200 each and Sarah at $150. all of which is respectfully submitted to the court.—

J. D. Mashburn

Stephen Murdaugh

Jarrott & Scott

1836 Apl. 18 Recd of L R Edwards Clerk of the County Court of Southampton a bond executed by Randolph Edwards & William Laurence for the sum of Two hundred and four dollars 73 7/11/100 due January 1/1836. as my proportion of the sale of the land of Ichabod Johnson, ~~land~~ dec'd in right of my wife Dilly late Dilly Johnson.

his
William X Edwards
mark

Witness
Henry Moore

1836 June 21st Received of L R Edwards Clerk of the County Court of Southampton a bond executed by Randolph Edwards & Wm Laurence for the sum of Two hundred and four dollars 73 7/11 cents due January 1/1836. as my proportion of the sale of the land of Ichabod Johnson dec'd —

James Johnson

Witness

1836 Aug: 15 Received in right of my wife Tabitha late Johnson. of the Clerk of Southampton County one of the bonds returned by the Comrs in this case amounting to $204. 73 7/11 cents due 1st January 1836. being my proportion of the sale of Ichabod Johnsons land.

his
Harrison X Beale
mark

Witness
Benja Williamson

1839 Janry 22 Received of the Clerk of Southampton County Court a bond executed by Randolph Edwards & William Laurence to James D Mapsonbury & others Comrs for $204. 73 7/11 cts due Janry 1st 1836 being the proportion of Jocuna Ichabod Johnson of the sale of Ichabod Johnsons land.

Ro Ridley for
Thos Laurence Gen.

1839 Mar. 18. Rec'd of the Clerk of Southampton a bond for the amount and of the dates ~~above~~ mentioned in the above rect.—

Thomas Laurence
Gen of Solomon Johnson

1812 July. 5 Bonds withdrawn by J D Mapenburg Curator Johnson orphans Stiled on Suits brought thereon in fav: of J D Mapenburg &c. v. Lawrences adv. in the Circuit Superr. Court Southampton County.

Recd the above mentioned five Bonds for the purpose of bringing the Suits as Stated

J D Mapenburg curator for the orphans

Chancery Causes

Decided at

October Term 1842

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54 to.....

Book 12 to.....

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f Administrators, Executors
Administrator, Executor or

LY ARRANGED TO THE EX-
N NAME ONLY.

Date of Record		
Month	Day	Year

Chancery Causes
Decided
at October term
1842

Chancery Causes

Decided at

April Term 1842

Chancery Causes
Decided at
April Term
1842