

1843-014

SOUTHAMPTON COUNTY
CHANCERY PAPERS

GILLIAM et al vs. NEWSOM'S EXECUTOR

6/1843

See also: Fitzhugh's Adm'r. v. Johnson + wife etc. 1844-
Kevan & Fletcher + wife et al 1844
Mason v. Fletcher + wife et al 1844.

Other SURNAMES: Everett, Beekman,
Johnson, Flowers, Fletcher,
Slaughter

" Sarah Gilliam settler
M Beckman & Co - { Dec
+ }

1841 Nov: Deuce as filed & P

1842 Mar. Report & P

" Apr. Rep: Confm?

1843 May Deuce as filed

June Deuce amended

To the Worshipful County Court of Southampton
in Chancery sitting.

Humbly complaining shew unto your worships
your Complainants. Sarah Gilliam; William M. Everett
Benjamin B. Everett & Peter D. Beckman in right of his late wife
Virginia who was Everett, the grand children of Benjamin W
Johnson. The children of William Johnson, whose names & number
are unknown by L. R. Edward their next friend. The children
of James Johnson, whose names and number are unknown by
L. R. Edward their next friend. The children of Collin
Johnson, names & number unknown. by L. R. Edward next-
friend. Flowers children, names & number unknown
by Flowers their next friend & Peter D. Beckman.

That Lucy Newson of the County of Southampton departed
this life some time about the year 1838, having in her
lifetime duly made and published her last will & testament
in writing, which at her death was duly proven and admitted
to record by the County Court of Southampton. By said
will the testatrix after bequeathing sundry specific
legacies, in the 8th clause of the will, directed the residue
of her estate after the payment of debts, to be divided into
seven parts, one of which shares were to go to Sarah
Gilliam, one to the grand children of Benj^r W. Johnson
one to the children of W^m Johnson, one to the children of
James Johnson. One to the children of Collin Johnson
one to the children of Mrs Flowers, sister of the deceased,
and the other to Peter D. Beckman. Your Comps^{ts}
represent that the estate consists of negro property of
such a number and character that it is utterly impossible
to effect a division in kind, they therefore pray your worships
sitting in Chancery, when matters of this nature are alone
cognizable and where they are advised they can only obtain relief
to grant them a decree, appointing a Special Commissioner
to sell said negroes for a division amongst your Comps^{ts}.
after advertising the time and place of sale for twenty
days by notice posted at the front door of the Court house
on some Court day, and by notices at three or more public
places in the County, they pray that the Executor to the
will may be made a party defell to this bill and be
required to answer the same. Pray the writ of Habeas

directed & Commanding & they will ever pray &

The Answer of Peter D. Beckman Executor of
Lucy Newson decd - to the above Bill -

This Respondent saving to himself all benefit.
of just exception to the Comptrols Bill, For answer says, that
the allegations of the bill are true, and that he has no
objection to the decree prayed for; and having answered prays
to be there dismissed & -

Sarah Gilliam & Others

Not by. per septe

Decree -

Peter D. Beckman Exr of Lucy Newson decd

This day this cause was docketed by consent
of parties and the assent of the Court. and came on to be
heard on the Bill, answer & exhibit and was argued by
Council. On consideration whereof the Court doth
order, adjudge and decree, that Peter D. Beckman
be appointed special commissioner, for the purpose of
selling the slaves of Lucy Newson decd. for the purpose
of affecting a division amongst the legatees. that after
advertising the time and place of sale, at the front
door of the Court house on some Court Day and at three
or more public places in the County for twenty days.
he proceed to sell at public auction to the highest bidder
on a credit of nine months, the negro slaves the property
of Lucy Newson decd. that he take sum bona of equal
amounts, and assign one to Sarah Gilliam in her own
right. One to the grand children of Benjamin W Johnson
in their own right. One to the children of William Johnson in
their own right. One to the children of James Johnson in
their own right. One to the children of Collin Johnson
in their own right. One to the children of Thomas
in their own right. and the other the Commissioner is
authorised to retain in his own right. and it is further
more ordered and decreed, that if any of the above named
legatees shall fail to appear and prove their identity
within twelve months, that then the Commissioner

shall deposit with the clerk in the clerks office the bond or
bond to which such absentee shall be entitled subject
to the further order of this Court, and it
is further ordered & decreed that the Commissioner
shall make a general report of his actings
to the Court in order to a final decree

Gilliam & ad.

n. } Lecky Doerel

Newsoms Exor.

1842 March: Report

Southampton November Court 1844.

Sarah Gilliam, William M Everett, Benjamin C Everett, and Peter D Beckman in
right of his late wife Virginia who was Everett, the grand children of Benjamin
M Johnson. The children of William Johnson whose names and numbers are
unknown by A. R Edwards their next friend. The children of James Johnson
whose names and numbers are unknown by A. R Edwards their next friend.
The children of Collin Johnson, names and numbers unknown by A. R Edwards
their next friend. Flowers children, names & numbers unknown by
Flowers their next friend and Peter D Beckman. Piffs. } In Chancery.

against.
Peter D Beckman Executor of Lucy Newsom dec^d

This day this cause was docketed by consent of parties and the assent of the Court
and came on to be heard on the bill, answer and exhibit and was argued by counsel.
On consideration whereof the Court doth order, adjudge and decree that Peter
D Beckman be appointed Special Commissioner for the purpose of selling the
slaves of Lucy Newsom dec^d for effecting a division among the legatees that
after advertising the time and place of sale, at the front door of the Courthouse on
some Court day and at three or more public places in the County for twenty days,
he proceed to sell at public auction to the highest bidder on a credit of nine months,
the negro slaves the property of Lucy Newsom dec^d. that he take seven bonds
of equal amounts, and assign one to Sarah Gilliam in her own right one to the
grand children of Benjamin M Johnson in their own right one to the children
of William Johnson in their own right one to the children of James Johnson
in their own right, one to the children of Collin Johnson in their own right -
one to the children of Flowers in their own right and the other the
Commissioner is authorized to retain in his own right - And it is further more
ordered and decreed, that if any one of the above named legatees shall fail
to appear and prove their identity within twelve months, that the Commissioner
shall deposit with the Clerk in the Clerks Office the bond or bonds
to which such absentee shall be entitled subject to the further order of
the Court - And it is further ordered and decreed that the Commissioner shall
make a general report of his actings to the Court in order to a final decree

Teste - A. R Edwards Cde

Gilliam & al

vs

Newson's Est

Amended decree

This day this cause came on again to be heard on the papers formerly read and was argued by Council. On consideration whereof, ~~it~~ appearing to the Court that it is likely that other debts may yet come against the estate of Lucy Newson and it is ordered, adjudged and decreed, that the legacies of sd estate, shall upon the receipt of their legacies execute to the Executor regarding bonds in usual form of Law — and it is further ordered that sd Ex^r (as Commissioner) be authorized to collect and disburse sd monies as they become due

and then the court hand over to Robt. Ritchie and
David Lyon Trustees of John B. Claghton and
wife, bonds to the amt. of one half of one seventh
of the amt. of said sugar is deemed of worth
of said sugar.

1842 March

William & al

2 } amo. Decra

Newson, Exor.

1843. May Term.

Sarah Gilliam, William M. Everett, Benjamin
C. Everett & others

plffs
} In ch

Peter D. Burkman, Exor of Lucy Johnson dec'd, Deft-

This day this cause came on again to be heard
on the papers formerly read, and was argued
by counsel, on consideration whereof, the Court
being of opinion that Francis Agnes Wilkins
Hatcher, the wife of Richard G. Hatcher, and
Ursula H. Haughton, the wife of William B.
Haughton, are the only children of William
Johnson dec'd, whose names and numbers were
returned, where the decree of November
Court 1841, was granted, doth therefore order
adjudge & decree that Peter D. Burkman
the special commissioner appointed in
said decree, he and he is hereby directed to
pay over and apportion any property or funds which
he may have in his hands belonging to the
said children of William Johnson, to Richard
G. Hatcher in right of his wife Francis Ag-
nes Wilkins Hatcher, who was formerly Joh-
son and William B. Haughton in right of
his wife Ursula H. Haughton, who was for-
merly Johnson, in equal proportions

Gillivoe

2 } amended
 } Deer

Excursions Exon

1843 June Cont.

Sauthampton June Court. 1843

Sarah Gilliam, William M Everett, Benjamin C
Everett and others

Plffs.

against

P. D. Butsman Exor. of L. Newsome, Deft.

} In Chancery
}

This day this cause came on again to be
heard on the papers formerly read, and was or-
gued by counsel, on consideration whereof, and it
appearing to the Court, that John H Johnson
Priscilla Johnson, who intermarried with Joel
Johnson, Polly Johnson, Marice Johnson
and Gilliam Johnson, whose names and
number were mentioned when the decree
of November Court 1841 - was pronounced, are
the only children of Collin Johnson dead,
who are entitled to one seventh part of the es-
tate Lucy Newsome dead; the Court doth
therefore order, adjudge & decree, that Peter
D Butsman the special commissioner
named in said decree, he and he is hereby
authorized and directed to pay over to Joel
Johnson, ~~who~~ intermarried with Priscilla
Johnson, one of the children of Collin John-
son dead, one fifth of one seventh part of the
said Lucy Newsomes estate, to which the chil-
dren of Collin Johnson are entitled under
the said above named decree - &c

1718 words

In obedience to the annexed decree, I after
advertising the time and place of sale as di-
-ted by the decree, proceeded on the 27th Decr.
1841 at Grewys Store to sell the negro slaves
belonging to the est. of Lucy Newson decd. upon
a credit of nine months, taking bonds with
approved securities of the purchasers - Your
commissioner begs leave to state that the bonds
were all made payable to himself as commissio-
-er, for the whole amount of the purchase money -
He found it impracticable, there being many
legatees & the exact number not yet known, so
to apportion the amounts as to give to each
of the legatees their proportions without cutting or
parcelling each purchasers bond into several
parts, which was objected to by sd. purchasers -
He now holds sd. bonds in his hands subject to
the further order of the court, which he is
willing to collect & disburse if so ordered -
The annexed act. of sales will show the amot. of
sales together with the names of the purchasers, all
of which is respectfully submitted

Account of sales of the negroes
 belonging to the est. of Lucy Newson
 acc. made 27th Decr 1841 — viz.

	\$	cts.	
Wyatt	488	"	Newitt Drew
Peter	501	"	Ym Parker
Anthony	625	"	Nathaniel Francis
Levi	1505	50	Cyrus Dilliard
Aaron	705	"	Peter L. Beckman
Bennet	702	50	Henry Hindred
London	385	"	Benj. Seaborn
Mary	660	"	F. J. Ridley
Mille	233	"	Jno. Macklin
Patrick	169	"	Peter L. Beckman
	\$ 5974	"	

March 21st 1842 Peter L. Beckman Commissioner