

1844-052 SOUTHAMPTON COUNTY
CHANCERY PAPERS

WORRELL'S LEGATEES VS. WORRELL'S ADM'R.

5/1844

other SURNAMES: Massenburg

James Wornell's Legates

as { Mr Chy-

James Wornell's Adm't^r

Pills. And^r & Deener

Butts Atty^r

1844 Mar. Dierke as filed &c
+ " May. Report.

Mar

See p².

To the Worshipful ~~Justices~~ Court of Southampton
in Chancery now sitting.

Humbly ~~completing~~ sheweth unto your
Worships ^{William Worrell, Mills Worrell &} ~~your~~ ^{James Worrell} an Infant
who dies by his Guardian of next friend James
Worrell (of Life), that in the 1838, ^{of your next friend James Worrell} the father, James
~~Worrell~~ ^{and} died in this County ^{possessor} of a Small
Est. Real & Personal, that before his death he duly
Made & published his last Will & Testament, Which
was duly admitted to record, that the Exor therein
named refused to qualify as such & the widow
having relinquished her right to qualify, ~~that~~ ^{Adm.}
with the will of the said James Worrell, ^{and} was commit-
ted to the hands of James, D. Maresburg ~~off~~ of
Southampton, that the ~~among~~ other provisions
of the said will, is the following, to wit:

"It is understood that the said James Worrell is to
have the use of all the property until my son
James Worrell arrives to the age of twenty one years
~~at that time the said property enough to come~~
to seventy dollars & give the money to William
Worrell & one bed & furniture. Also sell property
~~the same~~ over to Mills Worrell the sum of Forty
dollars." Then after all the legacies are paid
off my will is for my son James Worrell
to have half of the remaining part of my
Estate & my wife James Worrell the other
half. If my wife dies before my son James
Worrell arrives to 21 years, then all, pay off
the two legacies & all the balance I give
to my son James Worrell all of which
will more fully appear by reference to a
Copy of said will & the ~~endorsements~~ ^{thereon}
herewith filed marked (A) & prayed to be taken

as a part of this Bill. That the said Sheriff
has regularly administered said Estate & your Petitioners
are informed that still a small balance in his
hands. That the said widow Jimmy Worrell has departed
this life, the said James Worrell being still an
Infant. That ^{your Petitioners} ~~the said~~ William Worrell & Mills
Worrell now wish to receive their ~~portion~~
legacies, & have applied to the said ~~Adm'r~~
for that purpose, who answers that there are
no funds for that purpose in his hands.
& your Petitioners James Worrell left as adm'r by
James Worrell his next friend as adm'r begs leave
to state to the Court that, there being no funds
on hand for the purpose of Educating & sup-
porting him, & as a portion of the said land will
have to be sold for the purpose of paying
the adm'r legacies, the Prayer ^{of your Petitioners} that the ~~worshipful~~
Court would decree a sale of enough
of said land, not only to pay the said legacies
but to ^{pay the said legacies} ~~pay the said legacies~~ ^{and to provide for the education & support of the said James Worrell, and that your}
Petitioners would grant them such other & general
relief as they are entitled to in Equity, they pray
the Court ~~that~~ ^{that} writ of Ejectment ~~&c.~~ & in
duty bound they will ever pray &c.

Petition for Complaint.

The answer of James D. Maysburg late
Sheriff & Adm'r of the Estate of James Worrell
to a Bill of Complaint exhibited to him
by Wm. Worrell, Mills Worrell & James Worrell
an Infant of tender years by James Worrell
his Guardian & next friend, in this worshipful

~~Suit.~~ This Respondent during the hearing &c.
says that he believes the facts set forth
in the foregoing Bill are true, that he has
settled up said estate according to said will, that
there is now a balance in his hands of
\$ ^{which will appear by reference}
to a copy of his acct. current herewith
filed, marked (B) and prayed to be taken
as a part of this answer, that he has no
objections to paying over that amount to
any persons legally authorized to receive the
same, or as this Court may deem, & having
the fully and truly prays leave to be heard &c.

Petition for Dismissal.

James Worrell's Legacies.

to { Decree

James Worrell's Adm'r &c.

This day this cause was docketed by consent
of parties and with the assent of the Court
came on to be heard upon the Bill answer
& exhibits & was argued by counsel, on con-
sideration whereof the Court doth adjudge
order & decree that James D. Maysburg late
Sheriff & as such adm'r, with the will annexed
of James Worrell Dec'd. pay over to James Wor-
rell (of legal age) Guardian of James Worrell the sum
of \$21.20 with interest ^{on \$19.00 part thereof} from the 3rd day

of Decr. 1850. till paid in full of the balance
due on his admⁿ account on said Est.

& the court doth appoint Thos. Worrell, Henry
Hindred, Augustus Pope, Wm. Pope, & Henry Pope
any three of whom may act to lay off 50
acres of land belonging to the Estate of
James Worrell decd & sell the same to the
highest bidder on a credit of months
except for so much cash as will be ne-
cessary to defray the costs of these proceedings
and take one bond for \$70. and assign the same
to William Worrell, one for \$40. and assign the
same to Miles Worrell, & take a Bond for
the balance of said sale & assign the same
to James Worrell (of 1st) Guardian of James
Worrell, having taken good security to each of
said Bonds & report to the Court in order to a
final decree, & that they make to the purchaser
or purchasers a deed for the said land

Worrells

v. } Copy Deane

Worrells adm:

Southampton March Court 1844

William Worrell, Mills Worrell & James Worrell an infant who dies by his
guardian & next friend James Worrell (of Jesse) Defts: }
against } In Chancery

James D. Massenburg late Sheriff & Adm^r of the Estate of James Worrell dec^d & f^r.

This day this cause was docketed by consent of parties and with the assent of
the Court came on to be heard upon the bill answer and exhibits and was argued
by Counsel. On consideration whereof the Court doth adjudge, order and decree
that James D. Massenburg late Sheriff and as such adm^r with the will
annexed of James Worrell dec^d pay over to James Worrell (of Jesse) guardian
of James Worrell the sum of \$24,900 with interest on \$19,000 part thereof
from the 21st day of December 1840 till paid in full of the balance due on
his administration account on said Estate - And the Court doth appoint
Thomas Worrell, Henry Skidred, Augustus Pope, Hester Pope and Henry
Jones, any three of whom may act, to lay off fifty acres of land belonging to
the Estate of James Worrell dec^d and sell the same to the highest bidder on a
credit of months, except so much as will be necessary to defray the costs
of these proceedings and take one bond for \$70. and assign the same to William
Worrell, one for \$40. and assign the same to Mills Worrell and take a bond
for the balance of said sale and assign the same to James Worrell of Jesse,
Guardian of James Worrell, having taken good security to each of said bonds
and report to the Court in order to a final decree - And that they make to the
purchaser or purchasers a deed for the said land -

Costs costs \$2.38.

Attest

Juste.

L. R. Edwards Clk

Received the bill for \$2.38

L. R. Edwards

Comm^r Report, on the
Sale of 50 Acres Land
belonging to Jas Monell's Est.

1844 May

Agreeably to the annexed Decree of the Worshippful
Court of Southampton County. We the undersigned
Commissioners, in obedience to the requisitions
of said Decree, assisted by Tho.^d B. Morrell as Surveyor,
have laid off Fifty acres of land belonging to
the Estate of James Morrell, dec^d, adjoining the lands
of James Morrell, of Sepe, Thomas Newson and Gordy
Pope; and the remaining land of ^{said} James Morrell, dec^d,
by a line beginning at a small Willow oak, a corner
for said James Morrell (of Sepe) running thence
S. 81° E. 146 ft poles to a lightwood post, a corner in
said Gordy Pope's line, and after having advertised the
time and place of the sale of said fifty acres land,
have sold the same this 4th day of May 1844, at Newbury
Depot, at publick Auction, and James Morrell (of Sepe),
became the purchaser thereof, for Seventy five dollars,
from which sum we have deducted Seventeen Dollars
to pay the Lawyer, Clerk, Surveyor, and Chain carriers fees
which leaves Fifty eight dollars. - and the said fifty acres
land, not having sold for a sum sufficient to pay
William, and Mills Morrell the amounts specified
in said Decree, We have taken said James Morrell's
bond and security, for the said fifty eight dollars
payable to said William Morrell on the 25th day of
December next. We have also executed a Deed to said James
Morrell for the said fifty acres land, as directed by the
Decree aforesaid - all of which is respectfully submitted
to the Court. Given under our hands this 4th day of
May 1844. —

Augustin Pope
Henry J. J. J. J.

Wesley Pope

James Morrell's &

Will

Atty.

In the name of god amen I James Morrell Sr of the County of
Southampton being at this time of sound mind & memory do make
this my last will & testament In the following manner
First my will is for all my just debts to be paid out of my estate
Second after the debts I owe are paid off then I lend to my wife
Jinney Morrell all the balance of my property both personal &
real but she the said Jinney Morrell is not at liberty to sell the
property unless she should need some sold for her support then she
can sell a nuff to support her only & it is understood that the
said Jinney Morrell is to have the use of all the property until
my son James Morrell arrives to the age of twenty one years old
at that time then sell property a nuff to come to Seventy dollars &
I give the money to William Morrell & one bed & furniture
besides also sell property & give over to Mills Morrell the sum
of Fifty dollars. my son Peter Morrell may keep what I have
heretofore given him. my son Richard Morrell may keep what I
have heretofore given him. my daughter Mary D Morrell may
keep what I have heretofore given her & nothing else at this
time. my daughter Lucinda Bryant may keep what I have
heretofore given her & nothing else at this time.

Then after all the legacies are paid off my will is for my son
James Morrell to half of the remaining part of my estate & my
wife Jinney Morrell the other half If my wife dies before
my son James Morrell arrives to 21 years then sell pay off
the two legacies & all the balance I give to my son James
Morrell, or if my wife dies after my son James Morrell come to
21 years old her part is all to be for my son James Morrell
I hereby appoint Richard Darden my Executor to this my
last will revoking all former wills by me made heretofore
In witness my hand and seal this 20 day of January 1838

Teste

John Stephenson
James J Darden
Lewis Morrell

James Morrell Seal

At a Court held for the County of Southampton the 1st day of September
1838 This last will and testament of James Morrell Sr deed was proved
by the oath of James J Darden & Lewis Morrell two of the witnesses
thereto and ordered to be recorded Richard Darden the Executor
therein named appearing in Court and refusing to take upon

himself the executor of the execution of the said will and James
Morrell the widow relinquishing her right to the administration it
was ordered that the estate of the said James Morrell dec'd be
committed to the hands of James D. Maysburg Sheriff of this
County for administration according to law

Teste J R Edwards Cky

Attest

Teste J R Edwards Cky