

1847-005

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BOOTH and Wife vs. WILLIAMS' ADM'R.
Booth vs Williams' adm'r & al

11/1847

other surnames: Neusome,
Newsome, Birdsong

~~22~~ 29 9.

Booth's wife

v. } Papers.

Williams' adm.

1847 Nov Dismissed

To be dismissed

Leak. \$12.54
Shft. 3.00
Comm. 2.50
Law & 17.41
\$ 5.45

Booth & wife

v. } Stat: Rules.

Williams' adm

George Booth and Martha his wife
against

Jacob Williams administrator of Elisha Williams dec'd Barney Williams

1845. February 20th Sup^a &c issued ret^{ble} to March Rules -

" March Rules. Sup^a &c ret^d Executed. Bill filed.

" May " Set for hearing.

" Nov. T. Defts answer filed by some of Court replication thereto. Cause heard & decree for acct

1846 Mar. 24th Report.

" Nov. T. Death of Geo. Booth suggested issue to proceed in name of Martha Booth etc by pet^r and leave to amend bill.

1847 Feby. R. Amended bill & sp^a awarded making ^{Elisha} Barney Williams def^t.

" May T. Order for account &c

" Nov. Dismissed

Booth & wife
as { Bill
Williams admr of Williams

1845 March Rules

To the Honorable Richard H. Baker judge of
the Circuit Superior Court of Law and Chancery
for Southampton County

Humtly complaining your
complainants George Booth and Martha his wife
show unto your honor that in the year —
Elisha Williams former husband of one your
complainants Martha Booth, intermarried with
one Elizabeth Williams who with others was
entitled to considerable property conveyed by Joel
Morse to Mary Maget as trustee to hold
the same in trust for the benefit of the said
Elizabeth Williams ^{and others} all of which will more fully
appear by reference to the said deed of trust
which is herewith filed and prayed to taken as
a part of this bill that the said Elizabeth died
her husband Elisha Williams surviving who
then intermarried with Martha Booth one
your complainants who was at that time
Martha Birdsong that the said Elisha
Williams afterwards ^{intestate} died leaving Martha
Booth who was then Williams his wife and
Moses William his son his sole heirs and
distributors at law Jacob Williams qualified
as his administrator on the 16th of November
1829 in the county Court of Southampton
and as administrator of Elisha Williams one
of Elizabeth Williams his first wife in right
of Elisha Williams her husband instituted a
suit in the circuit superior court of law and
chancery for the county of Southampton against
Mary Maget trustee in the above mentioned
deed of Trust and others to recover the portion
of property to which Elizabeth Williams his
intestate first wife was entitled under the

said deed that in October 1834 a decree was
entered by the said Court in which it was
decided that Jacob Williams administrator of
Elisha Williams and his wife Elizabeth
recover of the said Nancy Maget the sum
of nine hundred and fifty dollars and
costs ^{which was collected by the said Williams under the said} all of which will more fully
appear by a copy of the said decree which
is herewith filed and prayed to be taken as
a part of this bill which sum of money
your complainants are advised and charge
should be distributed according to law one
third to his widow Martha and the
remainder to his son Barney Williams
and the said Jacob Williams although he
has been asked by your complainants to
pay to them their portion to which to they
are entitled by law has refused so to do
For further consideration whereof and
inasmuch as your complainants are
without remedy at law and only entitled
to relief in a court of equity they therefore
humbly pray that your honor would
make the said Jacob Williams administra-
tor of Elisha Williams a party defendant
to this bill and compel him as full
and perfect answer make to the allegations
therein contained as if he had been
thereunto more fully and particularly
interrogated and that your Honor would
decree that the said Jacob Williams
render an account of his transactions and
doing as administrator of ^{the} Estate of
Elisha Williams before a master commissioner
of this Honorable Court

and that whatever may be found due the
estate upon such settlement after the
payment of all debts &c that he pay one
third of such balance to your
complainants and grant such other
and general relief the premises considered
as equity may dictate and the nature
of their case may require and as in
duty bound your complainants will
ever pray &c

Parker & Shaws P.

Martha Booth

" } amended till
Williams vals

1847 Febry Rules

To the Honorable Richard H Baker judge of the circuit
superior court of law and chancery for Southampton
County

Humbly complaining your complainant
Martha Booth Shubette unto your honor by way of
amendment to her original bill filed in this cause
That in the year - Elisha Williams former husband of
your complainant intermarried with one Elizabeth
Williams who with others was entitled to considerable
property conveyed by Joel Newsome to Maney Magel as
trustee to hold the same in trust for the benefit of
the said Elizabeth Williams and others all of which
will now fully appear by reference to the said deed of
trust which is herewith filed and prayed to be taken
as part of this bill that the said Elizabeth Williams
did her husband Elisha Williams surviving who
then intermarried with your complainant who
was at that time Martha Bondson that the said
Elisha Williams afterwards died intestate leaving
your complainant his wife and one Henry
Williams his son his only heirs and distributees
at law (that afterwards your complainant
intermarried with George Booth who became a party
to this suit but has died since the filing of the
original bill in this cause his death suggested
on the record and the suit continued in the
name of your complainant the subject matter
of the suit surviving to her) that Jacob Williams
qualified as the administrator of Elisha Williams on
the 16th of November 1829 in the county court of
Southampton. As administrator of Elisha Williams and
of Elizabeth Williams his first wife in right of Elisha
Williams her husband he instituted a suit in the circuit
superior court of law and chancery for the county
of Southampton against Maney Magel trustee in the
abovesaid deed of trust, and others, to recover the
portion of property to which Elizabeth Williams his
intestate first wife was entitled to under the said
deed that in October 1837 a decree was entered by the
said court in which it was decreed that Jacob
Williams administrator of Elisha Williams and his
wife Elizabeth Williams recover of the said Maney
Magel the sum of nine hundred and fifty dollars
and his costs which was collected by the said Jacob
Williams under the said decree all of which will

More fully appear by a copy of the said decree which is
herewith filed and prayed to be taken as a part of this
bill which sum of money your complainant is advised
and charges should be distributed according to law
by one third to his widow Martha and the
remainder to his son Barney Williams and the said
Jacob Williams although he has been repeatedly asked
by your complainant to pay to her the portion to
which she entitled by law has wholly refused to do so.

In further consideration whereof and inasmuch
as your complainant is without remedy at law
and only entitled to relief in a court of equity she
therefore humbly prays that your honor would
make Jacob Williams administrator of Elisha Williams
and ^{Elisha} Barney Williams who is an infant of tender
years by some fit and proper person his guardian
ad litem parties defendant to this bill and compel
them as full and perfect answers make to the allegations
therein contained as if they had been themselves
more fully and particularly interrogated and that your
honor would decree that Jacob Williams render an
account of his transactions as administrator of Elisha
Williams before a commissioner of this honorable court
and that of whatever may be found due the estate upon
such settlement that he pay one third of such balance
to your complainant and that your honor would grant
such other and general relief the premises considered as
equity may dictate and the nature of her case may require
and as is duly bound your complainant will ever
pray &c

Parker & Shanks pr.

Williams' Adv.

Adv. } Adv.

Book Works.

Butts Atty.

1845 November 7th

To The Hon^{ble} Richard H. Baker Judge of the Circuit
Sup^{re} Court of Law and Chancery for the County of
Southampton.

The answer of Isaac Williams Adm^r
of Elisha Williams Dec^d to a Bill of Complaint
exhibited vs him by George Booth & Martha his
wife.

This Respondent, having &c. reserving &c. for answer
to so much of said Bill as he is advised it is
material or necessary for him to answer, says that
he admits the execution of the Will of Trust by
Loel Newson, that the said Elisha Williams survived
his wife Elizabeth and afterwards intermarried with
the female complainant Martha now Booth, that
the said Elisha Williams died intestate, leaving his
widow the said Martha, & Elisha Barney Williams his
only child, his heirs at Law, that he the said
Defendant as Adm^r of the said Elisha & Elizabeth
both then deceased, instituted a suit as charged
vs said Magit as Trustee & recovered as stated,
he also admits the receipt of the amount re-
covered. But your Respondent denies that he has
been often applied to for the portion to which
the said Martha was entitled as her third, for
after paying the debts due from the estate of Elisha
Williams Dec^d, there being but a small amount
left in his hands as Adm^r, as a p^y, he the said
Respondent paid the greater part thereof to our
James Taylor (who had intermarried with the
said Martha) as Guardian of Elisha Barney Williams
Infant son of the said Elisha Williams Dec^d,
the said Taylor being the Husband of the said Martha
& Guardian of the said Infant, he the said Taylor who
was then entitled, waiving any right which he had in
right of the said Martha. That after the death
of the said Taylor & the intermarriage of the said
Martha with the complainant Booth, the said Booth
assented to the said payment and stated that as the
said Infant Elisha Barney Williams was a sickly,
pining child, he would not, and never would claim the

the third of the Estate which ought to have belonged to his wife Martha, and that he would take the said Infant (who was the child of his wife, by her former husband Williams) to his own house, and would charge him no board. That your Respondent trusting in these promises, and in consideration of them, has gone on regularly to charge himself (with the whole amount of the funds,) as Guardian of the said Eliza Barmy Williams the Infant for whom this Respondent qualified as guardian after the death of the said Taylor the former Guardian, and your Respondent was truly astonished when lately informed that the said Complainants claimed the same.

And this Respondent under all of the circumstances of the case, feels compelled to plead the Act of Limitations, believing as he does that their claim is barred by the lapse of time, as well as by their said promises & undertakings. But should your Honor be of opinion that the said Booth & wife are entitled to recover, notwithstanding their promises & the lapse of time, (which this Defendant now pleads, as ~~it~~ fully as it set forth in a formal plea to that effect), then the amount which will be due to the said Complainants can be easily ascertained without the expense of an account, as he has regularly from time to time reported accounts of his Administration before a Commissioner of Southampton County Court, ^{copies of which are herewith filed marked 1, 2, 3, 4 & proposed to be taken off a part of this answer.} having paid many debts even since, the recovery of the amount from Martha, and having thus fully answered prays hence to be dismissed with his proper costs &c.

August C. Butler. Atty
for the Deft.

Southampton County, to wit:

This day Jacob Williams personally appeared before me Thos. Ridley a Justice of the peace in and for the County aforesaid and made oath that the facts contained in the foregoing answer are true to the best of his knowledge and belief. Given under my hand this 21 Day of July 1845.

Thos. Ridley J.P.

William's ad^{ver} pe

ads { same

Booth is wife

To The Honorable Richard G. Baker judge of the
circuit superior court of law and chancery for
Southampton county in chancery sitting

Separate answer of ~~Edward Mapesbury~~
~~guardian ad litem for~~ ^{Edward Mapesbury} ~~for~~ ^{Barney Williams} to the
afore said bill of Martha Booth exhibited in the
circuit superior court of law and chancery for
Southampton county as him and others

This defendant ^{being} answering to
answering to the said bill in as much thereof as he
is advised it is material for him to answer
answering says that he knows nothing of the facts
stated in the plaintiffs' but denies every one of its
allegations and submits the interest of his ward
to the protection of this honorable court whose
peculiar duty it is to protect the interests of
infants and having fully answered says to be
hence dismissed with his costs &c.

Edward Mapesbury ^{guardian ad litem}
for Barney Williams

Book & Hoip.

is { Deems

Williams' Adm.

1845 November 1st

Booth & wife

vs

Williams' Adm^r.

This day this cause came on to be heard upon the Bill of the Plaintiffs, the answer of the Defendant, and replication thereto, the Exhibits filed and was argued by counsel, on Consideration whereof the Court doth adjudge order & Decree that the Defendant Jacoba Williams render an account of his transactions as Adm^r of Elisha Williams Dec^d. before a com^{ee} of this Court, who is directed to examine, state, and settle the same, and report to the Court ~~to the court~~, with any matters deemed pertinent by himself or required to be so stated by either of the parties, and the said Com^{ee} in making up said account is directed to make any separate accounts returned to the County Court by said Deft^r the basis of his account subject to be surcharged and falsified by either of the parties.

That he also render before said Com^{ee} (an account of his distribution of the estate of the said Elisha Williams Dec^d, to whom paid, and the amounts & dates on which it was paid) who is directed to audit state, & settle the same and report to Court with any matters deemed pertinent by himself or required to be so stated by either of the parties.

Booth & wife

to } Copy Secord

Williams' ad

March 20th 1846

Southampton Circuit Superior Court - November the 8th 1845.
George Booth and Martha his wife

against
Jacob Williams administrator of Elisha Williams dec^d. Deft

Plffs } In Chancery
Deft }

This day this cause came on to be heard upon the bill of the plaintiff answer of the defendant and replication, thereto, the exhibits filed and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that the defendant Jacob Williams. render an account of his transactions as administrator of Elisha Williams dec^d before a Commissioner of this Court, who is directed to examine, state and settle the same and report to the Court with any matters specially stated deemed pertinent by himself or required to be stated by either of the parties. And the said Commissioner in making up said account is directed to make any ex parte account returned to the County Court by said defendant the basis of his account subject to be surcharged and falsified by either of the parties. That he also render before said Commissioner an account of his distributions of the estate of the said Elisha Williams dec^d, to whom paid and the amounts and dates on which it was paid - who is directed to audit state and settle the same and report to Court with any matter specially stated deemed pertinent by himself or required to be so stated by either of the parties -

A Copy.

Teste.

L R Edwards Ck

Martha Booth,

vs } Decrees.

Elisha Williams' Adm'r

May Term 1847.

To be entered

R. H. B.

Martha Booth &

vs 3 Dece.

Jacob Williams Adm^r of Elisha Williams Dec^d, & Elisha
Barney Williams.

It appearing to the Court that the spe^s in this cause
has been executed on Jacob Williams and that two months
have elapsed as well since the service of the spe^s as
the filing of the Plaintiffs amended Bill, and the said
Defendant still failing to appear and answer,
On Motion of the Plaintiff the Court doth take her
amended Bill for confessed as to that Defendant,
and thereupon this day the cause came on to be
further heard upon the papers formerly read
the amended Bill, the answer of the Infant Elisha
Barney Williams to the said amended Bill & Replica-
tion thereto, and was argued by Counsel. On Con-
sideration whereof ^{by consent of parties} the Court doth adjudge, order
& decree, that Jacob Williams ~~Adm^r of Elisha~~
Williams Dec^d render before a Commissioner
of this Court an account of his Transactions
as Adm^r as aforesaid, & The said Court is directed to
regard the ex parte accounts filed in the Cause
as prima facie correct, liable to be surcharged
& falsified by either of the parties; and

The said Court is also required to state an
account between the said ~~reform~~ and each
of ^{the} Distributors, and Report said accounts to Court
with any matters ^{specially stated} deemed pertinent by himself
or which may be required to be so stated by
either of the parties.

Williams

Booth

5 } Over

Williams

July 17th

Southampton Circuit Superior Court May Term 1847

Maria V. V. V.

Reff

Shucky

against
Jacob Williams administrator of Elisha Williams
decd. & Elisha Barney Williams
3 Defts

It appearing to the court that the subpoena in this cause
has been executed on Jacob Williams and that two months
have elapsed as well since the service of the subpoena as
the filing of the plaintiffs amended bill and the said
defendants still failing to appear and answer on
Motion of the plaintiff the court doth take her amended
bill for confessed as to that defendants and thereupon
this day this cause came on to be further heard upon the
papers formerly read the amended bill the answer of the
infant Elisha Barney Williams to the said amended
bill replication thereto and was argued by counsel on
consideration whereof by consent of parties the court
doth adjudged order and decreed that Jacob Williams
administrator of Elisha Williams decd. render before a Commis-
sioner of this Court an account of his transactions as
administrator as aforesaid and the said Commissioner
is directed to regard the reported account filed in
the cause as prima facie correct liable to be surcharged
and falsified by either of the parties and the said
Commissioner is also required to state an account
between the said Administrator and each of the
distributors and Report said accounts to Court with
any matters specially stated deemed pertinent by
himself or which may be required to be so stated by
either of the parties

Attest J. R. Edwards C.

Booth & wife.

is £

Decem

William's adm^r

1847 November Term

Broth & wife

is 3 Decem
William's adms

This day this cause came on
again to be heard upon the papers formerly read
and upon consent of parties by their counsel the
suit is dismissed

Booth & wife

2 } Sp^a in Chy

Williams 201

1845 March Rules

Executed

B W Goodwyn deputy
of Saml B King Sheriff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon *Jacob Williams administrator of*
Elisha Williams 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
March next, to answer a Bill in Chancery exhibited against *him* in
the said Court by *George Booth and Martha his wife*

And unless *he* shall answer the said Bill within ~~four~~ ^{*two*} months thereafter, the Court will
take the same for confessed, and decree accordingly. And this *he* 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 *20th* day of
February 184*6*, in the *69th* year of the Commonwealth.

L. R. Edwards

[One Copy to be delivered each Defendant.]

Booth & wife

v 3/4 Permons et alia

Williams adm.

March 20th 1846

The above mentioned case is of the within Nature is
Jas C. Williams

Commissioners office - Feb: 17 - 1846

George Booth and Martha his wife, and Jacob Williams
adm: of Elisha Williams - You are hereby notified, that
pursuant to an order of the Circ. Sup. Court for the County
of Southampton, made on the 8th of October 1845, I shall, at the
Commissioners office in Jerusalem at 10 o'clock, on the 20th
day of March next, proceed to take the accounts therein required
at which time and place you are required to attend with the
necessary evidence -

M. J. Goodwyn

Com: in Chan:cy

Brook
i } Com: Notice
Williams & Co.

Executed by Jacob
William & Co.
Brook
John Barker & Co.
For Jacob Barnes & Co.

July 19th 1847

Southampton Circuit-Sup: Court. May Term 1847—

Martha Booth

against—

Jacob Williams, adm: of Elisha Williams, decd: and Elisha

Barney Williams

Plff

In Chancery

- Defts

The above named parties are hereby notified, that pursuant to a decree entered in this cause at May Term 1847. The undersigned Commissioner has appointed Saturday, July the 17th at his office in Jerusalem, County aforesaid at 12 o'clock, for the purpose of taking the account required in said decree; at which time and place the above parties are required to attend with the necessary papers &c.—

May 29th 1847—

W. S. Goodenow
Comm: in Ch.

656

Booth

2 } Sp^c Chy

Williams' adv

1847 March Rules

Executed

John Barker Draft

For Jacob Barnes theff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon

Elisha Williams *Barney Williams* *Elisha Williams administrator of*

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 *March* next, to answer ^{*and amended*} a Bill in Chancery exhibited against *them* in the said Court by *Martha Booth*

And unless *they* shall answer the said Bill within ^{*two*} ~~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 *1st* day of *October* 1847, in the *71st* year of the Commonwealth.

L R Edwards

[One Copy to be delivered each Defendant.]

Booth &
i
Williams & Co } Report

The Estate of Elisha Williams decd:
In account Jacob Williams administrator

1837		Cr	Dr	Net
Jan'y 1	By bal: due Estate from account of Elisha and Elizabeth Williams est: exp: report 3 ff	895-24		
	To bal: due the com: from account of Elisha Williams est: as p: report: with bal: fund 19 th April 1837 3		261 64	
Feb'y 2	To paid R. Midley atty		52 50	
	" Com: fee retained for former account		2 50	
	" Clerk's fees Do-		1 50	
	" Com: fee for former and present account		5-00	
	By bal: due the Estate		572 10	
		895 24	895-24	
"	By bal: due Estate but deced with bal: thereon from this day till paid	572 10		
	3 Respectfully submitted			
	3 W. S. Goodwyn Comr: In Ch:			

Account of the distribution of Elisha Williams estate by the com:

1838		
Feb'y 19	Ant paid James Taylor guardians of E. B. Williams ff	500 00
	3 Respectfully submitted	
	3 W. S. Goodwyn Comr: In Ch:	
	Com: fee ff 2.50 3	
	chd in act: 3	

Commissioners office - Jerusalem, July 17th 1841

The Commissioners reports the above accounts pursuant to an order of the Circ: Sup: Court, May Term 1841; and begs leave to state especially that in the year 1837 & 1838 a negro named Will belonging to the estate of Elisha Williams was sold under a decree of the County Court by Burton Taylor Exor: of James Taylor who is intermarried with the widow of Elisha Williams. The negro sold for the sum of ff 180.87- one third of which amt: was retained by the Exor: of the said James Taylor, and the other two thirds paid over to Jacob Williams as guardian of E. B. Williams. all of which is respectfully submitted

W. S. Goodwyn Comr:

Booth & wife

2 } Coms: Reports

Williams

March 24/1846

Report of the comit
is not binding on the
Inf^t def^t - decide
again for the settle-
ment of the admin^r
& distribute acc^t
and answer to be
amended RHB

The Estate of Elisha Williams decd.

On account with Jacob Williams administrator

1839			Cr	Dr	Put
Jan 1	By bal: due from act: of Elisha & Elizabeth Williams		895 24		
	To bal: due the adm: on account of Elisha Williams				
	estate with bal from 19 th of Dec 1837 as pr: act:			214 87	
Feb: 3	To paid R. B. Biddleby atty			52 50	
	" Comm: fee retained for form act:			2 50	
	" Clerk's do			1 50	
	" Comm: fee for accounts retained			2 50	
	By balance due Estate			621 37	
			895 24	895 24	

By balance due Estate but down

with bal down from this day till paid

Respectfully submitted
W. S. Goodwyn Comr.

Account of the distribution of Elisha Williams Estate by the adm:

1838					
Feb: 19	To paid James Taylor, guardian of E. B. Williams		600 00		
1842					
Jan 1	" " Do " " 2/3 sale of negro man				
	Will belonging to the estate - sold at \$180.99		120 66		

Respectfully submitted
W. S. Goodwyn
Comr.

Commissioners office - Jerusalem
March 20th 1846

The Comm: reports the above accounts pursuant to the order of the Circ. Sup. Court herewith filed, and begs leave to state specially that the sale of the negro noticed in the distribution account was made under a decree of the County Court, by Barton Taylor Exr: of James Taylor the former guardian, who entered into a bond with the widow of Elisha Williams, and the other bond of the sale of the negro was retained by Barton Taylor as Exr: - The negro was not sold until after the death of James Taylor, and the 2/3 of the proceeds of sale, as also in the above account as paid to James Taylor, was paid to Jacob Williams, who afterwards became the guardian of Bessy Williams

Respectfully submitted
W. S. Goodwyn Comr.

Account Current of
Elisha & Elizabeth Will-
iam's est.

Copy

(1)

The Estate of Elisha & Elizabeth Williams dec^d.

In Account with Jacob Williams adm^r

		Dr.	Cr.	Int.
1835	To paid Sundry Chancery Tickets &c	31 53		
1836	" " ditto ditto	19 97		
Dec 31	To Balance due the adm ^r	41 52		
	" Int. on the balance of \$1835	1 89		
1837	To paid tickets	5 83		
Dec 31	To balance due the adm ^r	49 24		
	" Interest on the balance of 1836	2 19		
1838	To paid Attorneys Com ^r fees.	72 50		
Feb 1	By amt. of decree against Maget & others		1072 07	
	To Commissions on ditto	53 60	177 83	
Dec 31	By balance due the Est.		895 24	
	To paid James Taylor Guard ⁿ of Barney Williams			
	for Rec ^d . Feb 19/1838 ff		500 00	
	By balance due		395 24	
1839	Feb 2 To paid Robt Ridley att ^r	52 50		
	" Com ^r fee returned	2 50		
	" Clerks ditto	1 50	56 50	
			338 74	
	By Interest on the balance of 1838 1m months		3 95	
" 28	By balance due the estate		342 69	
	With Interest thereon from this date till paid -			

Respectfully Submitted

Jacob Cobb Com^r

Attest

J.R. Edwards Sec^y

To error vs the adm^r

10 00

2 40

12 40

By balance due the estate \$ 330.29

with Interest as above

extract

Jacob Cobb Com^r

- Distributed by sale of m^r & o^r - included in James Taylor's 5^d act of Barney

Williams - filed in office in 1842 or 43 - examined

said in 1842 - for \$180.99 ÷ 3 =

1839. Feb 28th Pay amt due the co.
 but on debt one year

330.29
 19.81
\$350.10

To amt due on former acct
 due the estate

267.77
\$82.33

621.27
 180.22
 802.36
267.45

(2)

1833 April 19th To balance due
 Jacob Williams admr of Elisha
 Williams of Report ———— \$105.18

To my bond not included in
 this settlement & Interest —
 to this day ————

84.73

" By To balance due the admr \$189.91
 with Interest from the 19th day
 of April 1833 till paid

but to the 19th Feb 1840 ——— 77.86
267.77

Bal. due - 194.91

Deed Trust

Booth wife

v. } Exhibit with bill

Williams ? am

⁴⁴
This Indenture made this seventeenth day of May in the year of our Lord one thousand eight hundred and seven between Joel Newsome of the first part and Manney Maggett a trustee specially appointed of the second part and Nancy Newsome, Elizabeth Williams, Julia Beale, Jane Newsome, Lucy Newsome and Sally Newsome children of the said Joel Newsome and Simon Everett Newsome, William Henry Newsome and Mary Ann Newsome children of David Newsome of the third part to the said Simon Everett Newsome, William Henry Newsome and Mary Ann Newsome the said Manney Maggett to pay one hundred and twenty dollars out of the property herein mentioned. This deed witnesseth that the said Joel Newsome for and in consideration of the love, good will and affection which he hath and beareth unto the said Nancy Newsome, Elizabeth Williams, Julia Beale, Jane Newsome, Lucy Newsome and Sally Newsome his children and also for the sum of forty dollars current money to him in hand paid by the said Manney Maggett the receipt whereof the said Joel Newsome doth hereby acknowledge, he the said Joel Newsome hath granted, bargained, sold, aliened, infested, released and confirmed and by these presents and by these presents doth give grant bargain & sell enfeoff, release and confirm unto the said Manney Maggett his heirs executors administrators and assigns all that tract or parcel of land lying and being situate in the County of Southampton containing by estimation one hundred and fifty nine acres & a half being the same land whereon the said Joel Newsome now resides: also ten slaves namely Rose, Amos, Lucy, Selia, Nat. Mary, Jerry, Musar, Fanny and Davis, also two horses, eleven head of cattle, also five sheep, all the stock of hogs, household & kitchen furniture, plantation utensils together with every other part of my property To have and to hold the above named land and Slaves & personal chattels unto the said Manney Maggett his heirs executors administrators and assigns and for the uses trust & purposes, intents & purposes herein after set for the end and to the end for no other use, intent and purposes whatsoever, that is to say in trust to be holden by the said Manney Maggett to be applied in the following manner to wit. that after the said above mentioned children of David Newsome, William Henry Newsome, Simon Everett Newsome and Mary Ann Newsome shall have the above named sum of one hundred and twenty dollars the residue to be equally divided between my aforesaid children Nancy Newsome, Elizabeth Williams, Julia Beale, Jane Newsome, Lucy Newsome, & Sally Newsome and the said Joel Newsome for himself his heirs, executors, administrators and assigns the said land and personal property

unto the said Nancy Maggett his heirs executors administrators & assigns shall and
will warrant and forever defend by these presents according to the true intent and
meaning hereof and to and for no other use intent and purpose whatsoever.

In Witness whereof the parties aforesaid have hereunto set their hands and seals
the day and year first above written.

Sealed & delivered

in presence of }

Holiday ^{his} Revell

^{mark}
James Barrett.

Joseph S. Joyner.

Joel Newsome (Seal)

Nancy Maggett (Seal)

Received May 17th 1817 of Nancy Maggett the sum of
forty dollars in full of the consideration money in the foregoing deed expressed.

^{his}
Holiday Revell

^{mark}
James Barrett.

Joseph S. Joyner.

Joel Newsome

Southampton County. In the Clerk's Office the 19th day of May 1817.

This deed of trust with the receipt thereon indorsed was acknowledged by Joel
Newsome as well the deed by the said Nancy Maggett parties hereto and admitted
to record. And at a Court held for the said County of Southampton the 16th day of
June 1817 this Indenture and receipt as aforesaid was entered upon the pro-
ceedings thereof in pursuance of an act of Assembly in such case made and provided.

Teste James Rutledge Clk

A Copy

Teste L. R. Edwards Clk

Copy. done.

Booth & wife

v. } Exhibit with bill

Williams? adm.

Southampton Circuit Superior Court. November the 2nd. 1837.

Jacob Williams administrator of Elizabeth Williams dec^d and also as administrator of Elisha Williams deceased

against

Mancy Maget, Selah Ellsworth. as well in his own right as administrator of Nancy Newson dec^d. Benjamin Derany Sheriff and administrator of John Beale dec^d. Caswell Worrell and William Doyal

Plffs.

In Chancery

Defts

The bill is dismissed as to all the defendants except Maget the trustee and the cause came on this day to be again heard on the papers formerly read and the report of the Commissioners made pursuant to a decree rendered on the 4th day of April 1837 to which no exceptions are filed and was argued by Counsel. On consideration whereof the court confirming the said report doth adjudge order and decree that the plaintiff recover of the defendant Mancy Maget the sum of nine hundred and fifty dollars it being one sixth part of the value of the negroes conveyed in the deed of trust as estimated by the Commissioner in reference to the present value with interest thereon from the 1st day of August 1837 full paid and the costs.

Plffs costs \$93.51.cnts.

A Copy.

Teste

L. R. Edwards Cln