

1848-034 SOUTHAMPTON COUNTY
CHANCERY PAPERS

BLYTHE et al vs. KEMP vs al

1/1848

other SURNAMES: Camp

Fanny Blythe Sel
v Billie
Geo. Thompson & Lucy
Thompson.

1831. Nov: decree as filed -
1832 Jan'y decree amended.
1832 March: Report mt^d &
— final decree by consent &c.
1835 July - W. E. Lawrence's adv
paid into Court the pro. of his work.
Inft: pleffs are entitled &c.
— Nov: See order &c.

To the worshipful court of Southampton county in chancery
sitting Humbly complaining shew unto your worship, your
orators, Exorators, Fanny Blythe, Wm Blythe, George Blythe
Zachariah Blythe, Everett Blythe & Martha Blythe infants
suing by James Blythe their father & next friend, that some
time in year 1831 Thomas Kemp, departed this life, intestate
seized & possessed of a small tract of land containing by esti-
mation 100 acres, & besides other personal property, one slave
named Jacob - George Kemp the brother of the said intestate
qualified as admor.^t of the said Thomas Kemp & reduced
to possession the personal estate of the said intestate: the
said Thomas Kemp left the complainants, children of his
sister & the said George Kemp & Lucy Kemp, brother &
sister of the said intestate, his heirs at law & entitled
to the said land & slave: Your orators & exorators, charge
that no part of the real or personal estate, will be
required for the payment of debts, and that the said
land is of less value than one hundred a share -
your orators & exorators, therefore have frequently re-
quested the said George & Lucy Kemp to consent to a
sale & division of the said land & slave, which they
have hitherto refused upon the ground of the minority
of your complainants - In tender consideration whereof.
To the end therefore that the said George Kemp indi-
vidually & as admor.^t of aforesaid & the said Lucy Kemp
who are prayed to be made deft. hereto, may upon
oath answer the premises & that as fully as, if the same
were here again repeated & interrogated - your orators &
exorators pray that your worship, will decree a sale &
division of the said land & slave Jacob, & that your worship
will make such other or further order & decree in the
premises as may seem consistent with equity & may it
please the court &c.

The Joint Separate Answer of George Thompson & Mary Thompson to the bill exhibited in this court by Henry Rhythe & others complainants - These respondents having for answer say that the allegations in the said bill set forth are true & correct & they are willing that the court should make such decree as required by the complainants: & Having answered to pray to be dismissed with their costs &c.

Rhythe Lal

14.  Secun.

Geo. Kemp Lal.

Fanny Blythe, William Blythe, George Blythe, Zachariah Blythe,
Everett Blythe, & Martha Blythe infant children suing by James Blythe
their father next friend

George Kemp, & Lucy Kemp & George Kemp admors. of Thos Kemp.

This cause came on this day to be heard
on the bill & answer by consent of parties & was argued by
counsel: on consideration whereof the court doth advise
order & decree that James D. the Plaintiff, Edward Lawrence &
Eliza Sainer or any two of them, after advertising the time &
place of sale ten days successively, on a credit of nine months,
the tract of land of which Thomas Kemp died seized & possessed
containing by estimation one hundred & thirty acres, & divide
the proceeds of sale into three equal parts, & for each of the
said parts take a bond with good security, one bond payable
to the guardian of the infant complainants, & one bond payable
to each of the defendants - and the court doth further advise
order & decree that the said corners or each of them as may
act, at the same time & place & on the like notice & sell
the slave Jacob in the bill mentioned, & out of the proceeds of
the said sale pay first the whole costs & expenses of the suit &
the said sale, & the balance of the net proceeds thereof as to which
a credit of nine months is also to be given, the said corners or
each of them as may act, are directed to divide into three
equal parts, & for each of the said parts two said corners or each
of them as may act ~~will~~ take a bond with good security, one
of the said bonds payable to the guardian of the infant
complaints & one of the said bonds payable to each of the defd.
make report &c

By virtue of a decree of the County Court of Sampson Co. as directed me
the undersigned proceeded to make sale of the plantation or tract of land of which
Thomas Camp died seized and possessed containing by estimation one hundred and thirty
acres for the price of two hundred and one dollars and $\frac{60}{100}$ and the slave Jacob belong-
ing to the said decedent, and in the said decree mentioned for the price of two
hundred and seventy eight ^{or} dollars making an aggregate of four hundred and
seventy nine dollars and $\frac{25}{100}$ which after paying all the expenses of the
suit and sale of the property amounting to thirty seven dollars $\frac{61}{100}$ left a
net balance of four hundred and forty one dollars $\frac{84}{100}$ for which bonds have
been taken payable in equal parts to Lucy Camp George Camp and to
William C Lawrence and Eliza Joyner for the benefit of the infant com-
plainants in the decree mentioned all of which is respectfully submitted
to the Court —

J. B. MacIntosh
William C. Lawrence
Eliza Joyner

3 / 441.84
147.28
86.13
67.15

33.79

Southampton by March 19. 1832 - Each of us do hereby

Acknowledge the receipt from James D. Masonburg William
C. Lawrence ^{& Eliza J. Myers} a note against Bartley Vaughan Bailey Bryant
and Jonathan Bryant for the sum of Sixty seven dollars ^{15/100}
and one against James D. Masonburg and William B. Goodwyn
for Eighty dollars ^{13/100} as our respective proportions of the property
of Thomas Camp dec'd sold under a decree of the County Court
George D. Camp
per mark
Lewis & Elman
mark

Debt due September 1/1832

\$80.13

Int: All 18th November 1835

15.42

\$ 95.55

Ad. due from Jas Blythes children as reported on Geo. Leamps above on Thomas Leamps acct.

\$67.38

Int: from April 20/1834 till Nov. 18/1835

6.10

\$3.98

\$ 21.57

Balance in hand of the clerk after paying the amount due George Leamps as above. (the recpt. filed)

\$ 3.59 1/2

Paid J Blythe \$3.59 1/2

10.78 1/2

" Shff. Leamps & 7.19

\$ 10.78 1/2

Paid William Blythe

3.60

" Everett Blythe

3.60

Georg Loamps.

Receipt

November 30. 1895.

Received of Lilliston Edwards the sum of
seventy three dollars $98\frac{1}{100}$ being the amount reported to be due from
the children of James Plythe as per my administration account
on Thomas Camp's ^{est} made up by Master Commr. Cobby.

Teste

^{this}
George X Camp
Mark

J. D. Masonburg

1837 Apr. 3^d. Received of the Clerk of Southampton County Court the sum of seven dollars and nineteen cents being two sixths of the balance due the children of James Blythe - of the sales of the property of Thomas Camps dec^d. sold by Com^{rs} after refunding George Camps the proportion due him by the children of James Blythe. as appears by Com^r. Webb's report of George Camps dec^d. on Thomas Camps Est^t.

Edw^d. Bulls Take Secy
of Car Powers take
shff & Com^{rs} of
Chartha & J. Blythe
Dec^d

1837 May 15th Received of L R Edwards Clerk of the County Court of Southampton
the Sum of three dollars 59 1/2 cents being the amount to which I am entitled
in right of my deceased child Zachariah, out of the monie paid into Court to which
my children were entitled of the sale of the land & slave of Thomas Camp dec^d. —

Witness

James ^{his} Blythe
mark

Stephen Murdaugh

Received Decr. 24th 1842 of L. R. Edwards, Clerk of Southampton County Court the
sum of three dollars sixty cents in full of my proportion of the amount in his hands for the
sale of the lands & slave of Thomas Leamp etc.

Witness.

Edmund Nash

William L. Blythe
mark

Received Feby 21. 1842 of S R O deacons Clerk of Southampton County
the sum of three dollars Sixty Cents in full of my proportion of the amount in his
hands for the sale of the lands & Slave of Thomas Camp dec^d.

Witness-

W. M. Briggs

^{sd}
George T. Blythe
mark

Received Jan'y 8. 1848 of L R Edwards Clerk of the County Court
of Southampton the sum of \$3.60, 100 dollars in full of my proportion of
the amount in his hands for the sale of the land & slave of Thomas
Camp dec^d.

Witness
Wm W Briggs

Everett ^{his} Blythe
mark