

1850-009

SOUTHAMPTON COUNTY
CHANCERY PAPERS

MUNFORD ~~ux~~ ~~al~~ vs.

BATIN et al

11/1850

other surnames: Beale,
Bradshaw, Beal, Beaton,
Mountford

27 28 29 30 31

Munford Jr.

v. } Papers-

Natin Jr.

1850 Nov. Decmber

Munford Jr

2 Stat. Rules. Jr

Watson Jr

Thomas Munford and his wife Mary, late Mary Deale. Joseph Bradshaw and his wife Anna, late Deale. William Deale and Margaret Deale children of Jacob Deale.

against
Edward Batin. W^m J Batin, and his wife Louisa and Elizabeth Deale and infant

1844 Nov. 21st Injunction awarded.
 " Dec. 4th Terms of Injⁿ: complied with & Sp^a: & Injⁿ: issued
 1845 Jan. Rules - Sp^a: & Injⁿ: ret^d Executed.
 " March " - New Sp^a: awarded & D^{fto}: W^m J. Batin wife of Elizabeth Deale.
 " Apr. " Sp^a: ret^d Executed.
 " June " Cause set for hearing.
 1846 Nov 7. Continued.
 1847 Nov. 7. Continued
 1848 May - Cont^d
 1849 May - Continued -
 " Nov. Order to speed the cause sent.
 " May. Continued.

To the Judges of the Circuit Superior Court of Law
and chancery for the Counties of Shrop
Wight, Southampton & sitting in chancery
humbly complaining - shew to the Court some
complainant Thomas Munford and his
wife Mary late Mary Beale, Joseph Brad-
shaw and his wife Anna, late Beale,
Wm Beale & Mary Ann Beale, ~~and Elizabeth~~
~~children of Jacob Beale~~ who residing
the Counties of Shrop Wight Southampton
-ampton, ~~that one Jacob Beale~~ late of
the County of Shrop Wight, departed this
life on or about the month of January
1826, having made his last will &
testament which has been admitted to
record in the County Court of Shrop
Wight, a copy of which is hereto annexed
marked A and is prayed to be taken as
part of this Bill - that by the said will,
the testator lent to his wife Louisa
Beale one third part of his estate real
and personal remaining in life - and
directed the balance of his estate except
his lands to be equally divided
among ~~three~~ his children - he appointed
executors, one of whom qualified to
the said will to wit, Solomon Daugh-
try in the County Court of Shrop Wight.
The complainants represent, that
one third of the slaves to wit, Henry
and Pat were set apart and allotted
to the said widow of Jacob Beale, to
wit, Louisa Beale now Louisa Baten,
that the said Louisa afterwards, and
while possessed of said slaves, intermar-
ried with one Wm J Baten of the
County of Shrop Wight and state of
Virginia and in 1828 his wife and soon
after the marriage the said Wm J Baten
sold the said slaves to one Edward
Baten ^{of Southampton County} brother of said Wm J Baten

who, or your orators understood from
\$400 to Mr. J. Batin for his right in
said slaves - that the said Pat
had grown up, and soon after she was
sold to Row? Batin, she was delivered
of a child and the said Row and
Batin about a year ago, sold the
said woman Pat and her child to
some person unknown to your
complainant, and the said slaves
your orator and orators believe
have been sent out of the State of
Virginia - they charge that the said
Row and Batin carried the said
Pat and her child away in the
night time and she has not
been seen in Virginia, or they think
since that time - the man Mingo
is set in the possession of the said
Row? Batin who is reputed to be
solvent and that he has property
in possession, it is supposed that he
is much involved in debt and
his pecuniary responsibility of
no value - They are of opinion that
unless the Court shall interfere by
authority, the said Row? Batin
who is a tenant of Southampton County
will also be away with the said
Mingo to the injury of your compla-
-inants and the other persons entitled
to rest, in Elizabeth Beale who is
another child of said Jacob Beale
and she is an infant - the said
complainants pray your honor to
interpose in their behalf and injoin
the said Row? Batin ^{of Southampton County} from selling
the said slave Mingo, so as to pre-
-serve the rights of their antistress in

3
- remainers and that the said Row?
Batin, Mr. J. Batin and his wife
Louisa and the said Elizabeth
Beale who is an infant, may be
made defendants to this Bill, &
be compelled full and true answer
to make to the allegations of said
they lastly pray your honor to
make an order compelling the
said Batin and all other heirs
the said slaves, to give security for
them for the conj' on the death of
said Louisa, or to surrender them
now to such person as you shall
appoint to receive them - that the
said Row? Batin and Mr. J. Batin
and all others, in law to in the posses-
-ion of said slaves, be held respon-
-sible to your complainants, and
that you will make any order in
the premises, which may to you
seem just and proper, and that
you will grant the Comth. costs of
this cause and pay for A. Atkinson's

Black Wight County Jd. This day came
before the undersigned, Justice of the
peace for said County Thomas Skempford
who made oath that the allegations
in the aforesaid Bill are true so far
as he knows and believes - sworn
under my hand and seal this 14th of
Novr. 1846 -

M. Worth Jd (R)

An Injunction is awarded to injoin the def.^s, their agents, attorneys and all others concerned, from removing, or causing or permitting to be removed, or sent out of the limits of this County, the slave Mingo in the bill mentioned, until the further order of the court: and unless the said def.^s or some one or more of them, shall enter into bond, with sufficient security, in the clerk's office and before the clerk of the circuit sup.^t court of ~~S. ampton~~ ^{S. ampton} county payable to the p^{ts} in the penalty of eight hundred dollars conditioned to have the said slave forthcoming to abide any future order or decree of the court in relation thereto, then the sheriff of the said county of ~~S. ampton~~ ^{S. ampton} is directed to take possession of the said slave named Mingo and hire him out until the next circuit sup.^t court of the said county taking bond and security for the said hire payable to the said sheriff, and return and file the same in this cause: But the effect of this injoin is to be suspended, until the p^{ts} or some one or more of them or some person in their behalf, shall enter into bond with sufficient security, in the said clerk's office in the penalty of \$100 conditioned to pay all such cost and damages as may accrue to or against the

Williamford &
 Wm. Bealton

To the said Clerk
 of S. ampton Co.

Rich. H. Barker
 Atty. for Def.

1844 Dec. 14 Bill
 & Inj. filed. bond &
 p^{ts} given. & p^{ts} given
 issued.

To inform the defendants their agents, attorneys and all others concerned from removing, or causing or permitting to be removed or sent out of the limits of this Commonwealth the slave Mingo in the bill mentioned until the further order of the Court: and unless the said defendants or some one or more of them shall enter into bond, with sufficient security in the Clerks Office and before the Clerk of the Circuit Superior Court of Law and Chancery of Southampton County payable to the plaintiffs in the penalty of Eight hundred dollars conditioned to have the said slave forthcoming to abide any future order or decree of the Court in relation thereto, then the Sheriff of the said County of Southampton is directed to take possession of the said slave named Mingo and hire him out until the next Circuit Superior Court of Law & Chancery of the said County, taking bond & security for the said hire payable to the said Sheriff and return and file the same in this cause - The plaintiff Thomas Mountford having entered into bond with sufficient security in the said Clerks Office in the penalty of One hundred dollars conditioned to pay all such costs and damages as may accrue to or against the defendants in consequence of this injunction.

Teste. J. A. Edwards Clk

Mountford Jd

vs. E. Spots & Son

Mountford Jd

18th January Rules

Entered -

W. H. Garrison, Esq.
S. B. Haines, Esq.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon *Edward Beaton. Wm J Beaton &*
his wife Louisa and Elizabeth Beale, who is an infant,

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 *January*
next, to answer a Bill in Chancery exhibited against *them* in the said Court by

Thomas Mountford and his wife Mary late Mary Beale Joseph
Bradshaw & his wife Anna. late Beale. Wm Beale & Margaret Beale
children of Jacob Beale

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 *4th* day of *December* 18*44*, in the
69th year of the Commonwealth.

L. R. Edwards, cc

[One Copy to be delivered each Defendant.]

To injoin the defendants their agents, attorneys and all others Concerned from removing or causing or permitting to be removed, or sent out of the limits of this Commonwealth the Slave Mingo in the bill mentioned until the further order of the Court; and unless the said defendants or some one or more of them shall enter into bond with sufficient security in the Clerks Office and before the Clerk of the Circuit Superior Court of Law and Chancery of Southampton County payable to the plaintiffs in the penalty of Eight hundred dollars Conditioned to have the said Slave forthcoming to abide any future order or decree of the Court in relation thereto, then the Sheriff of the said County of Southampton is directed to take possession of the said Slave named Mingo and hire him out until the next Circuit Supr. Court of Law & Chancery of said County, taking bond & security for the said hire payable to the said Sheriff and return and file the same in this cause - Thomas Mountford one of the plaintiffs having entered into bond with sufficient security in the Clerks Office in the penalty of One hundred ^{dollars}, conditioned to pay all such costs and damages as may accrue to or against the defendants in consequence of this injunction.

Teste.

L. R. Edwards, Clk

Mountford Jd

vs. J. H. N. S.

Deaton Jd

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of ~~Southampton~~ County, Greeting:

We command you that you summon *Edward Deaton. Wm. I. Deaton & his wife Louisa and Elizabeth Deale, who is an infant;*

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 *January* next, to answer a Bill in Chancery exhibited against *them* in the said Court by *Thomas Mountford his wife Mary late Mary Deale. Joseph Bradshaw and his wife Anna late Deale. William Deale and Margaret Deale children of Jacob Deale*

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 *4th* day of *December* 18*44*, in the *69th* year of the Commonwealth.

L. R. Edwards

To injoin the defendants their agents attorneys and all others concerned from removing or causing or permitting to be removed, or sent out of the limits of this Commonwealth the slave Mingo in the bill mentioned until the further order of the Court: And unless the said defendants or some one or more of them shall enter into bond with sufficient security, in the Clerk's Office and before the Clerk of the Circuit Superior Court of Law and Chancery of Southampton County payable to the pffs. in the penalty of Eight hundred dollars payable to the plaintiff conditioned to have the said slave forthcoming to abide any future order or decree of the Court in relation thereto, then the Sheriff of the said County of Southampton is directed to take possession of the said slave Mingo and hire him out until the next Circuit Superior Court of Law & Chancery of said County taking bond & security for said hire payable to the said Sheriff and return file the same in this cause - Thomas Maunford one of the pffs. having entered into bond with sufficient security in the Clerk's Office in the penalty of One hundred dollars conditioned to pay all such costs & damages as may accrue to or against the defendants in consequence of this injunction.

Teste. J.R.C. Edward Dobb

Bald

W. Maunford

W. Maunford

W. Maunford

to be sent

or first to Maunford

first only -

1845 April 7th. Received
by returning a true copy of the
J.R.C. Maunford & Co
J.R.C. Maunford & Co

THE COMMONWEALTH OF VIRGINIA, *J. L. Wright*
To the Sheriff of *Southampton* County, Greeting:

We command you that you summon *Wm J Beaton* his wife *Louisa* and
Elizabeth Beale who is an infant

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
April - next, to answer a Bill in Chancery exhibited against *them*, in

the said Court by *Thomas Mountford* his wife *Mary* late *Mary*
Beale *Joseph Bradshaw* his wife *Ann* late *Beale* *William*
Beale and *Margaret Beale* children of *Jacob Beale*

And unless *they* shall answer the said Bill within ^{*four*} ~~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 *3rd* day of
March 1843, in the *69th* year of the Commonwealth.

R. Edwards

[One Copy to be delivered each Defendant.]

Munford 80

2. } Ext. with bill.

Reaton 80

2

In the name of God Amen, I Jacob Beal of Ishofright County
and State of Virginia, being weak in body but of sound and perfect
mind and memory for which I thank God, and calling to mind
the uncertainty of human life, do hereby make my last Will
and testament in manner and form following that is to say:

First, I desire that all my just debts and funeral expenses be paid
and discharged at the discretion of my executor —

Item, I lend unto my loving wife Louisa Beal one third part
of my estate both real and personal during her life —

I give and bequeath unto my loving son William Beal all
the lands I now am possessed with by paying the rest of my
children one hundred and fifty dollars to be equally divided
among them when he arrives to the age of twenty one to
him and his heirs forever — I desire that all the balance of

my estate at my death to be equally divided among all my
children that are living, Lastly I do hereby appoint Solomon
Daughter & Jacob H. Duck my executors in case of ones death
the other to serve, and further I do appoint Henry Daughtrey
and Samuel Vaughan to settle my estate and divide my negroes
among my children and in case if they cannot make an
equal division in the slaves, to sell one to make a division,
and now in case if Henry Daughtrey and Samuel Vaughan
should die or either of them for the executor to appoint who
he thinks proper to settle and divide in their room, This my
last will and testament hereby revoking all other former
Wills or testaments by me heretofore made — In Witness

whereof I have hereunto set my hand and affix my seal
this 2nd day of January 1824 —

Signed, sealed & published & declared as and
for the last will and testament of the
above named Jacob Beal in presence of us

Benjamin^{his} Leunciee

Isidore + Beal

James Tallough

Jacob^{his} + Beal (Seal)
mark

At a court held for Isle of Wight County the 5th day of July 1826
The foregoing will was proved by the Oaths of Benj^d Currence
and James W Tallough two of the witnesses thereto and ordered
to be recorded - Solomon Daughtery the executor therein named
who made oath thereto according to law, and together with
Henry Daughtery and William Webb his securities gave bond
in the penalty of one thousand dollars conditions as the
law directs Certificate was granted him for obtaining
probate thereof in due form of law -

Teste

Nath^l Young Clerk

A. Cope

Teste

J. P. Mills D.C.

Munford Jr

3 Bond

Beaton Jr

Know all men by these presents that we Edward Beaton & Nathaniel J
Williams are held and firmly bound unto Thomas
Munford and his wife Mary late Mary Beale Joseph Bradshaw and his wife Anna
late Beale, William Beale and Margaret Beale in the just and full sum of Eight
hundred dollars: to be paid unto the said Thomas Munford and wife Joseph Brad-
shaw and wife, William Beale and Margaret Beale, their certain attorney their
Executors, administrators or assigns, and to the payment whereof well and truly to be
made we bind ourselves our heirs Executors and administrators jointly and severally
firmly by these presents. Sealed with our seals and dated this 16th day of
December 1844

The Condition of the above obligation is such that whereas
the above named Thomas Munford and his wife Mary late Mary Beale Joseph
Bradshaw and his wife Anna late Beale, William Beale & Margaret Beale have
obtained an injunction from the Judge of the Circuit Superior Court of Law & Chancery
for the County of Southampton To enjoin Edward Beaton W. J. Beaton and his
wife Louisa and Elizabeth Beale, their agents, attorneys and all others concerned
from removing or causing or permitting to be removed or sent out of the limits of
this Commonwealth a slave named Mingo until the further order of the said Circuit
Superior Court of Law & Chancery. Now if the said Edward Beaton, W. J. Bea-
ton his wife Louisa & Elizabeth Beale or either of them shall have the aforesaid
Slave Mingo forthcoming to abide any future order or decree of the Court aforesaid
in relation thereto then the above obligation to be void or else to remain in full
force.

Signed, Sealed & acknowledged
before me.

L. R. Edwards Clerk of

Edward Beaton (Seal)
N. J. Williams (Seal)
(Seal)

Mumford &

W. } Bond.

Beaton &

Know all Men by these presents that we Thomas Mumford and Elisha Gay are held and firmly bound unto Edw Beaton William J Beaton & wife Louisa & Elizabeth Beale,

in the just and full sum of one hundred dollars to be paid to the said Edw Beaton William J Beaton & wife Louisa & Elizabeth Beale,

their certain attorney their heirs Executors administrators or assigns for the payment whereof well and truly to be made we bind ourselves our heirs Executors and administrators jointly and severally firmly by these presents sealed with our seals and dated this 4 day of December 1844.

The condition of the above obligation is such that whereas the above bound Thomas Mumford & his wife Mary late Mary Beale Joseph Bradshaw & his wife Anna late Beale Wm Beale & Margary Beale children of Jacob Beale have obtained from the judge of the Circuit Superior Court of Law and Chancery for the County of Southampton ^{an injunction} to enjoin Edw Beaton Wm J Beaton & his wife Louisa & Elizabeth Beale from removing or causing or permitting to be removed or sent out of the ^{limits} ~~limits~~ of this Commonwealth & slave named Mingo until the further order of the Court Now if the said Thomas Mumford shall pay to the said Edw Beaton Wm J Beaton & wife & Elizabeth Beale all such costs & damages as may accrue to or against them in consequence of the said injunction then the above obligation to be void or else to remain in full force.

Thomas Mumford ^{his} ~~marks~~ ^{seal}

Elisha Gay ^{seal}

Clerks Office Circuit Superior Court of Law & Chancery for Southampton County
This day Elisha Gay made ^{affirmation} before me Clerk of this Court aforesaid that his Estate after the payment of his just debts is worth the sum of one hundred dollars the penalty of the within bond given under my hand this 4 day of December 1844