

L853-035

SOUTHAMPTON COUNTY
CHANCERY PAPERS

SPIVEY

VS. GRIFFIN'S ADMX

6/1853

other surnames: Spivy

Spiny

is 3

Griffin

Bill answer is deer

1851 Dec. Deer aspted.

1853 May. Rept.

" June Deer found.

To the worshipping county court of Southampton in
Chancery sitting

Humbly complaining your complainant George
W Spiny sheweth unto your worships that on the 17th of April
1848 one Pele Spiny made a deed of Trust to goodwyn &
G. Griffin as Trustee conveying land and some personal
estate to secure the payment of a debt due your
complainant for \$955.30 that the said Griffin in his
lifetime sold the land to pay the said debt but it
did not sell for enough to liquidate the whole demand
the said Trustee Griffin has since departed this life
leaving the Trust unsettled and some debts to be collected
to be applied to the payment of your complainant's
debt and Caroline Griffin his widow has qualified
upon his estate she is unwilling to be Trustee with this
Trust property and it has become necessary that the court
should appoint another Trustee to carry out the provisions
of the deed

In order consideration whereof and inasmuch
as your complainant is without remedy at law and only
entitled to relief in a court of equity where such matters are
peculiarly cognizable he therefore humbly prays that your
worships would make Caroline Griffin adm^r of goodwyn
Griffin a party defendant to this bill and compel her
as full and perfect answer make to its allegations as if she
had been summoned more fully and specially interrogated
and that your worships would appoint another Trustee to
the said deed of Trust in order to carry out the provisions
of the deed and to grant such other and general
relief the premises considered as equity may dictate and
the nature of his case may require and as in duty
bound your complainant will ever pray we

Shanes s. g.

The answer of Caroline Griffin widow of Goodwyn Griffin and
to a bill of complaint exhibited by George W Spring in the
county court of Southampton against her

This defendant for answer to the said bill or as
much thereof as she is advised it is material for her to
answer answering says that she has no objection to the
court's granting the prayer of the complainant's bill and
having fully answered says she is to be discharged with
her costs

I stand for
defendant

Spring
13 Decr
Griffin

By consent of parties this cause this day
came on to be heard on the bill and answer and was
argued by counsel on consideration whereof the court doth
adjudge order and decree that Richard G Brouncker be and is
truly appointed trustee to a deed of trust executed by George
Spring to Goodwyn J Griffin as trustee on the 17th of April
1845 for the benefit of George W Spring and the said Richard
G Brouncker is truly vested to exercise all the powers and
duties prescribed by said deed of trust as fully as the said
Goodwyn J Griffin could in his lifetime

Spiny

is } copy. Demand

Griffins arms

15
8

120

Southampton December Court 1851.

George W Spivy

against

Caroline Griffin admr. of Goodwyn & Griffin

Plff } In Chancery
Dfr }

By consent of parties this cause this day came on to be heard on the bill and answer and was argued by Counsel. On consideration whereof the Court doth adjudge order and decree that Richard A. Branch be and is hereby appointed Trustee to a deed of trust executed by Jesse Spivy to Goodwyn & Griffin as trustees on the 17th of April 1848 for the benefit of George W. Spivy and the said Richard A. Branch is hereby vested to exercise all the powers and duties prescribed by said deed of trust as fully as the said Goodwyn could in his lifetime.

Attest

Teste. J. R. Edwards Ck

1853 May Term

In obedience to order of the worshipping Court of Southampton
made Dec^r 1851 appointing me Trustee to a deed made
by Jesse Spivey to Goodwin G. Griffin dec^d. for the benefit
of George W. Spivey, I beg to report as follows
Amt arising from sale of land Eighty Three dollars
amt of sales of other property Twenty dollars, which amt
was received of P. H. Rollings for property which he had
removed. The above is all having come to my hands which
amt was rec^d as above specified, Com^d thereon five dollars
and fifteen cents, Balance due George W. Spivey Ninety seven
dollars 45 cents May 16th 1853 R. H. Branch Trustee

Rec^d May 16th 1853 of Richard H. Branch Trustee the sum of Ninety
seven dollars and 45 cents it being the full amt. having come
to his hands ~~as trustee~~ for my benefit
George W. Spivey