

1854-008

SOUTHAMPTON COUNTY
CHANCERY PAPERS

LIVESY

VS. LIVESY: et al

s/1854

other surnames: Williams,
Livesey, Sebrell, Cobb,
Nicholson

Livesey

& } Papers

Livesey &c

Sirsey

7. } State Rules

Sirsey & Co.

Sarah Ann Livesey the wife of Nathaniel T Livesey who sues by Wm H Nicholson her
next friend

against

Nathaniel T Livesey, Edwin Williams in his own right and as admor. of Martha Williams dec.
James Williams ^{William Williams} and Bideon Williams

1853, ^{July 19th} Sum. issued returnable to August Rules.

" August Rules. Bill filed. Ansr. of Nathaniel T Livesey & Edwin Williams in his
own right & as admor. of Martha Williams dec. Gen. Rep. Decree nisi to Deft. Jas.
& William Williams. Or. sub. to Deft. Bideon Williams.

" Sep. Bill taken for confessed as to Deft. James & William Williams.

" Oct. Cause set for hearing as to Deft. Livesey, E. Williams in his own right & as admor.
& James & William Williams.

" Nov. T. Decree for Accounts.

1854, May T. Decree

1853 Nov.

Plaintiffs Costs to me folks.

\$ 5.34

Shff.

4.00

N.W. G. M. Com.

2.00

Spec. Har.

15.75

Printers fee

4.37

\$ 31.46

Defts E. Williams & A. J. Loring Costs.

Costs.

80

Law f.

15.00

15.80

\$ 47.26

1854 May

Costs 1.61

Com. 15.00

Or. Pub 2.50

Shff 2.50

\$ 21.61

Livesy by
per 3 Bills.
Livesy to the

1853 August Rules

To the Hon. Richard H. Baker judge of the Circuit Court of Southampton County. In Chancery.

Humbly complaining sheweth unto your honor your complainant Sarah Ann Sivey, the wife of Nathaniel Y. Sivey, (a defendant hereinafter named) who was by Wm. H. Nicholson her next friend, that sometime in the year 1852 she intermarried with the said Nathaniel Y. Sivey, and that at the time of her said intermarriage she was possessed of several slaves belonging to her absolutely, to the value of two thousand dollars, and a tract of land lying in the County of Southampton containing about one hundred acres, to the value of five hundred dollars.

Since her intermarriage her said husband has taken possession of the said slaves, and being largely indebted, of which she was wholly ignorant at the time of her marriage, has given several deeds of trust on the said slaves to his creditors, as will appear from copies of said deeds herewith filed and prayed to be taken as facts of this bill, and your complainant believes that it will take the whole of them to pay all his debts. Her husband at the time of their intermarriage had no property whatsoever, and has made no provision or settlements upon her, either before or since their intermarriage.

Your Complainant further states that since their intermarriage her sister Martha Williams has departed this life intestate possessed of several slaves to the value of two thousand dollars, and a tract of land to the value of five hundred dollars, and that the administration of her estate was granted at the March Term of the County Court of Southampton 1853, to Edwin Williams who qualified according to law. The said

Slaves are now in the possession of her said administrator, and the heirs and distributees at law of the said Martha Williams are four brothers, to wit: James Williams, Edwin Williams, William Williams and Gideon Williams, and your complainant her sister. Gideon Williams is at present a resident of the State of Tennessee.

Your complainant is desirous that her share in the estate of the said Martha Williams, as well as the land which belonged to her previous to her marriage, and which has not been in the possession of her husband, should be settled upon her by a decree of this Honorable Court, to her separate use and benefit, free from the debts and control of her husband, believing that if her husband is permitted to acquire possession of it, he will either squander the whole of it, or it will be taken to pay his debts, and she will consequently be left without the means of a comfortable support.

Your complainant further states that it will be impossible to divide the abovementioned slaves amongst the parties entitled in kind, and it will therefore be necessary that they should be sold, and as partition of the said land cannot be conveniently made, it would be to the interest of the parties that it should also be sold. In tender consideration of the premises and forasmuch as your complainant is without remedy save in this Honorable court, to the end therefore that justice may be done, it is prayed that the said Nathaniel J. Lively, Edwin Williams in his own right and as admr. of Martha Williams decd. James Williams, William Williams and Gideon Williams be made parties defendants to this bill; that an order of publication may issue against

The absent defendant Gideon Williams, and that all of said defendants shall answer upon their oaths all the allegations of this bill, as fully and particularly as if the same were here repeated and they and every one of them, distinctly interrogated thereto. That your honor will decree that the share which your complainant is entitled to in the estate of the said Martha Williams decd. as well as the land which belonged to your complainant previous to her said marriage, be settled upon her to her separate use and benefit, free from the debts and control of her husband - And that your honor will decree a sale of the slaves and land belonging to the said Martha Williams decd. and a division amongst the parties entitled - And that your honor will decree such other and general relief in the premises as equity may dictate, and as in duty bound she will ever pray &

W. W. Cobb / q.

Livery light

Ans. } Answer of C. T. Loring

Livery &

1855 August Rules

To the Hon. Richard H. Baker, judge of the Circuit Court of Southampton County. In chancery.

The answer of Nathaniel J. Livery to a bill of Complaint exhibited in this honorable court by Sarah Ann Livery who sues by Wm. H. Echols her next friend, against him and others.

This defendant saving and reserving to himself all benefit of just exception to the said bill, for answer to the said bill, or to so much thereof as he is advised it is material for him to answer, says that it is true that he intermarried with the said complainant sometime in the year 1852, and that she was possessed at the time of their intermarriage of the amount of property as stated in her bill. And that since their intermarriage he has taken possession of her said slaves to the value as stated in her bill, and being much indebted has given several deeds of trust on them to secure his creditors. That it is true that he had no property at the time of their marriage, and that he was much indebted, and that no settlement or provision was made for his wife either before or since their intermarriage. He has no objection to the decree prayed for in the bill. And having thus answered prayer to be hence dismissed with his costs.

Nathaniel J. Livery

Southampton County to-wit:

Nathaniel J. Livery
Commissioner for the Circuit

made oath before me in ~~that~~ ~~the~~ ~~matter~~ ~~stated~~ ~~in~~ ~~the~~ ~~foregoing~~ ~~answer~~ ~~were~~ ~~true~~ ~~to~~ ~~the~~ ~~best~~ ~~of~~ ~~his~~ ~~knowledge~~ ~~and~~ ~~belief~~. Given under my hand this the 1st day of August 1853 -

Wm. W. Cobb Commissioner

Sivisy by &
as { answer of E. Williams
Sivisy &

Filed by consent.
Wm. W. Cobb atty.
for Plaintiff

1853 August Rules

To the Hon. Richard H. Baker, judge of the Circuit
Court of Southampton County. In Chancery -

The answer of Edwin Williams in his own right
and as a dmr. of Martha Williams decd, to a bill
exhibited in this Court by Sarah Anne Livery, who
dies by Wm. H. Nicholson her next friend, against
Nathaniel J. Livery and others.

This defendant saving and reserving to himself
all benefit of just exception to the said bill, for
answer to the said bill, so to so much thereof as he is
advised it is material for him to answer, says
that it is true that he is the admr. of Martha
Williams decd, and that he is one of her distribu-
tees, and that her property is now in his possession
as her admr. - That her real and personal estate
is worth the amount stated in Complainant's bill.
That it will be impossible to divide the slaves in
kind amongst the parties entitled to her estate,
and that it would be to their interest that
the land should be sold. This defendant further
states that he is ready to deliver up the said
slaves to be sold for a division amongst the parties
as the Court may direct. And that he has no
objection to the decree prayed for in said bill,
and having answered prays to be hence dismissed
with costs &c

W. Webb atts

Southampton County to-wit:

Edwin Williams made
oath before me a justice of the peace in and for
the said County, that the matters stated in the
foregoing answer are true to the best of his
knowledge and belief. Given under my hand this the
1st day of August 1853 - William Bowers J.P.

Servy by
us } Decree
Servy &

To be entered

R. H. Baker
Nov. Term 1853

Servy by
res 3
Servy et al.

The bill of the complainant having been taken for confessed as to the defendants James Williams and William Williams and they still failing to answer, and it appearing to the court that the plaintiff had proceeded in the mode prescribed by law as to the absent defendant Gideon Williams and he still failing to appear and answer the bill is taken for confessed as to him, this cause this day came on to be heard on the bill, answer of the defendant, Nathaniel T. Servy and Edwin Williams in his own right and as admr. of Martha Williams - am dec., replication, thereto, exhibits, and examination of witnesses, and was argued by counsel, on consideration whereof the court doth adjudge, order and decree that William H. Cobb who is appointed a Commissioner for that purpose, after giving ^{at least twenty days} ~~XXXXXX~~ notice of the time and place of sale, sell to the highest bidder at public auction, the land and slaves of which Martha Williams died seized and possessed, on a credit of six months, except for so much as may be necessary to pay the costs of this decree and said sale, taking bonds from the purchaser with approved security, and return them to this court with his report in order to a final decree - And the court doth further adjudge, order and decree that a Commissioner of this Court take the following accounts, 1st an account of the value of the property acquired by Nathaniel T. Servy by his marriage with the plaintiff Sarah Ann Servy. 2nd an account of the value of the

share of the said Sarah Ann Loring in the estate of
Martha Williams dec'd. 3^d. an account of the transactions
of Edwin Williams as admr. of the said Martha Williams,
which accounts the said Commissioner is directed
to take and report to this Court with any matters
specially stated, deemed pertinent by himself
or which he may be required to do by either of the
parties —

But the execution of this decree is to be suspended until
the next term, or some other person ^{with sufficient security} shall execute
a refunding bond to the said Edwin Williams, admr.
as aforesaid if required by him, in the penalty of
Three thousand dollars conditioned according to
law.

Livsey

~ } Co. Deere

Livsey & Co

Southampton Circuit Court November the 8th 1853.

Sarah Ann Liversy, the wife of Nathaniel T Liversy, who sues by W. H. Nicholson
her next friend

Plff.

against
Nathaniel T Liversy, Edwin Williams in his own right and as
administrator of Martha Williams dec^d James Williams, William
Williams and Gideon Williams

Defts

The bill of the complainant having been taken for confessed as to the
defendants James Williams and William Williams and they still failing to answer, and it
appearing to the Court that the plaintiff had proceeded in the mode prescribed by law
as to the absent defendant Gideon Williams and he still failing to appear and answer, the
bill is taken for confessed as to him. This cause came on this day to be heard on
the bill, answers of the defendants Nathaniel Liversy and Edwin Williams in his
own right and as adm^r of Martha Williams dec^d objections thereto, exhibits and
examination of witnesses and was argued by Counsel. On consideration whereof the
Court doth adjudge, order and decree that William W Cobb who is appointed a
Commissioner for that purpose, after giving at least twenty days notice of the time
and place of sale, sell to the highest bidder at public auction, the land and slaves
of which Martha Williams died, seized and possessed on a credit of six months, except
for so much as may be necessary to pay the costs of this decree and said sale, taking
bonds from the purchasers with approved security, and return them to this Court with his
report in order to a final decree. And the Court doth further, adjudge, order and
decree that a Commissioner of this Court take the following accounts 1st An account of
the value of the property acquired by Nathaniel T Liversy by his marriage with the
plaintiff Sarah Ann Liversy. 2nd An account of the value of the share of the
said Sarah Ann Liversy in the Estate of Martha Williams dec^d 3rd An Account
of the transactions of Edwin Williams as adm^r of the said Martha Williams: which
accounts the said Commissioner is directed to take and report to this Court with any
matter specially stated claimed pertinent by himself or which he may be required to
do so by either of the parties. But the execution of this decree is to be suspended until
the next friend or some other person with sufficient security shall execute refunding
bonds to the said Edwin Williams adm^r as aforesaid, if required by him, in the penalty
of three thousand dollars conditioned according to law.

A Copy. Teste. L R Edwards Ck

Pliffs costs.

Colts costs.	\$5.34
Shffs ..	4.00
W.W. Cobb Com.	2.00
S. fee Hax	15.75
Printers fee.	<u>4.37</u>
	\$ 31.46

Dft. E. Williams }
N.T. Swamp costs }

Colts. .80

Saw fee 15.00

\$ 15.80

Received Dec. 31st 1853 of W.W. Cobb Com. \$6.14 cents
the Colts costs.

Rec^d? Jan^y 14th 1853 of W.W. Cobb \$4.00
the Shffs costs—

J.R. Edwards to

S. Kello Shff

Living by &
not 3 Decem.
Living & others

To be entered
R. H. Baker
May Co. '54

1854 May. Term

Levery by L

by

Levery voters.

This day This cause came on to be again heard on the papers formerly read, and on the reports of Commissioner Cobb made in pursuance of a decree rendered in this cause at court term 1853, to which reports no exceptions have been filed, and the Court confirming the same, doth adjudge, order & decree that the clerk of this Court deliver to William M. Cobb the bonds returned by him to this Court and take his receipt therefor, and that the said William M. Cobb collect the said bonds, and that Edwin Williams admr. of Martha Williams decd. pay to him the sum of \$33.05 with interest from Decr 31st 1853, and that the said William M. Cobb after paying the expenses of this decree, pay one fifth of the said amount to William Williams, one fifth to James Williams, one fifth to Edwin Williams, one fifth to Gideon Williams, and that the said William M. Cobb who is hereby appointed a trustee for that purpose, retain one fifth for the separate use and benefit of Sarah Ann Levery, free from the debts and control of her husband Nathaniel T. Levery. And the said William M. Cobb appointed trustee as aforesaid, is hereby empowered to invest, with the consent and approbation of the said Sarah Ann Levery, the said amount in bank stock, or other good securities, or in slaves or other property, which property shall be held by him for the separate use and benefit of the said Sarah Ann Levery, free from the control of her husband Nathaniel T. Levery, and from any debts that at present exist against him.

or that may hereafter exist against him.

But the said William M. Cobb shall not receive any portion of this decree until he shall have given bond with sufficient security in the Clerk's Office of this Court - made payable to the Commonwealth of Mass. ^{in the sum of \$3000.} and conditioned as the law directs.

Livesey by &c

to } Sp^a. Chy.

Livesey &c

1853 August Rules

Cobb

Executed on William
Williams by Joshua
Bartton Deputy for
J. Kells Chff.

Executed on Livesey, J. Wil-
liams & Edwin Williams by
delivering each a copy. Edwin
Williams is not a resident of
my county.

G. T. Kells Deft
for Kells Chff.

The Commonwealth of Virginia: to the Sheriff of Southampton County, GREETING:

We command you to summon

*Nathaniel T Linsay, Edwin Williams in his own
right and as administrator of Martha Williams dec^d William Williams James
Williams and Gideon Williams*

**to appear ^{at} before the Clerk's Office of our ~~County~~ Court of Southampton
County at the Court house on the first day of ~~term~~**

*Rules to be holden for the said Court on the first Monday in August next to
answer a bill in chancery exhibited against them in our said Court by Sarah Ann
Linsay wife of Nathaniel T Linsay who sues by Wm. H. Nicholson her next friend*

**And have then there this writ. Witness, Littleton R. Edwards Clerk of our said Court
at the Court house the 19th day of July, 1853, in the 7th year of the
Commonwealth.**

L R Edwards Clk

To Catharine J. Lively, Edwin Williams in his own
right and as admr. of Martha Williams, James
Williams and William Williams -

Take notice that I shall proceed on Monday
the 19th day of September 1853, at the office of
Wm W. Cople in the town of Jerusalem, to take the
depositions of William J. Seibel and others, to be
read as evidence for me in a certain suit
pending in the Circuit Court of Southampton
County and State of Virginia, in which I am
plaintiff and you are defendants: And if from
any cause the taking of the said depositions
shall not be commenced, or being commenced
should not be completed on that day, the taking
of the same will be adjourned from day to day
until the same are completed. Given under
my hand this the 8th day of August 1853.

Sarah Ann Lively.

Personally appeared before me Charles T. Kello and made
 oath, that, he delivered a copy to James William the 5th
 of September, and delivered a copy ^{the 8th of September} to estate of J. Swings wife
 he being from home, and stuck a copy on the 8th of
 September 1853, up on the front door of Edwin Williams
 house, he being from home, and no white person there.
 Given under my hand this 19th day of September 1853
 Edmund J. Brown J.P.

Swing &
 J. W. & Estate
 J. W. & Estate

Personally appeared before me Edward B. Brown and
 made oath that he delivered a copy of the will-
 in matter to William Williams the 26th of
 August 1853. Given under my hand this 19th day
 of September 1853.
 Edward B. Brown J.P.

✓
Diversity by
Act of Comm. Notice
Diversity of Persons

Feb'y 21st 1854

Exec. by delivering to Wm. Wil-
liams a copy Feb'y 20/1854

C. D. Jones Deput

for S. Keller Deput

Executed by delivering
to Edwin Williams, Sarah
Diversity, Atal. Diversity &
James Williams, a copy
of the within Notice on the
16th. day of Feb'y 1854

C. T. Keller Deput

for S. Keller Deput

Commissioner's office, Jan'y 2nd 1854.

To Sarah Ann Lively, Nathaniel T. Lively, Edwin
Williams in his own right and as admr. of Martha
Williams dec'd. James Williams and William Williams.

You are hereby notified that I have fixed upon the
21st day of February next, to take and settle, at my
office, in the town of Jerusalem. The accounts required
to be taken by the decree of Southampton Circuit Court
rendered on the 8th day of Nov^r. 1853, in a suit in
chancery depending in said Court, between Sarah
Ann Lively who sues by & for Nathaniel T. Lively and
others: At which time and place you are required
to attend.

Wm. W. Cobb Commissioner

Swiss

to } Affidavit

Swiss

1833 July 20.

Southampton County to-wit:

Personally before me
L. N. Edwards a clerk in the Circuit Court of
Southampton County, William W. Cobb who
made oath on behalf of the plaintiff in
a suit depending in the Circuit Court of South-
ampton County wherein Sally Ann Livery who
sues by W^m. H. Nicholson her next friend, is plaintiff
and Edwin Williams & others are defendants, that
Gideon Williams one of the defendants therein
named, is not a resident of this State.
Given under my hand This the 20th day
of July 1859.

J R E Edwards Clk

Leary by L
vs 3 Depositions
Leary witness

Recorded in by W^m W. Cobb Com.
Sept. 24. 1853. LRC

The deposition of Wm. J. Sebull and Daniel W. Cobb taken agreeably to notice at the office of Wm. W. Cobb in the town of Jerusalem, & County of Southampton, to be used as evidence for the plaintiff in a certain suit in chancery depending in the Circuit Court of Southampton wherein Sarah A. Livery who was by Wm. H. Erickson her next friend is plaintiff, and Edwin Williams & others are defendants. Wm. J. Sebull being first duly sworn deposes and says as follows -

Question by Plaintiffs Counsel? State what was the value of the property which St. J. Livery acquired by his marriage with his wife Sarah Ann, and also the value of her interest in the estate of her deceased sister's estate, Martha Williams. Answer - I think the slaves which he acquired by his marriage with his wife were worth four hundred and fifty dollars, and that her real estate was worth two hundred and twenty five dollars - I suppose her interest in the estate of her deceased sister is worth four hundred dollars -

Wm. J. Sebull

Daniel W. Cobb being first duly sworn deposes and says as follows.

Question by Plaintiffs Counsel. State what was the value of the property which St. J. Livery acquired by his marriage with his wife Sarah Ann, and also the value of her interest in the estate of her deceased sister's estate Martha Williams.

Answer. I think the slaves which he

acquired by his marriage with his wife were
worth eleven hundred and fifty dollars and
that her real estate was worth two hundred
and twenty five dollars. I suppose her interest
in the estate of her deceased sister ~~is~~
is worth four hundred dollars.

Daniel W. Cobb

Sworn to and subscribed to before me
a Commissioner in the Circuit Court
of Southampton County The day and year
above mentioned

Wm. W. Cobb Comr.

Comms for \$2.00
charged to the Deft.

At Rules held in the Clerk's Office of the Circuit Court of Southampton County
on the 1st day of August 1853.

Sarah Ann Lively the wife of Nathaniel T. Lively who sues by W^m St. Nicholas her
next friend

against

Self:

} In Chancery

Nathaniel T. Lively, Edwin Williams in his own right and as administrator of Martha
Williams dec^d. James Williams, William Williams and Gideon Williams Defts.

The object of this suit is for a division of the estate of Martha Williams dec^d and
to have the share to which the plaintiff is entitled as well as the land which belonged
to her plaintiff previous to her marriage with the defendant Nathaniel T. Lively
settled upon her for her separate use and benefit free from the debts and control of
her husband. And it appearing by affidavit that the defendant Gideon Williams is
not a resident of this State it is ordered that he appear within one month after due
publication of this order and do what is necessary to protect his interest and that a
copy of this order be published once a week for four successive weeks in some newspaper
published in the City of Petersburg and posted at the front door of the courthouse of
this County on the first day of the next County Court of said County.

CITY OF PETERSBURG, To Wit:

1 TO GIDEON WILLIAMS, A RESIDENT OF THE
State of Tennessee.—
Take notice that I shall proceed, on MONDAY, the
19th day of September, 1853, at the office of Wm. W.
Cobb, in the town of Jerusalem, Southampton county,
Virginia, to take the depositions of William I. Sebrell
and others, to be used as evinence for me in a suit depend-
ing in the Circuit Court of Southampton county, Virginia,
wherein I am plaintiff, and Nathaniel T. Livesey and
others are defendants: And if from any cause the taking
of the said depositions shall not be commenced, or being
commenced, should not be completed, the taking of the
same will be adjourned from time to time until the same
shall be completed. Given under my hand this, the 8th
day of August, 1853. SARAH A. LIVESEY.
au 11—w4w

Personally appeared before me, an Alderman of
said city, *John S. Harwood* Clerk of
the Intelligencer Office, and made oath that the
annexed Order of Publication has been published
weekly for *four* weeks successively. Given under
my hand, this *13th* day of *Oct^r* 1853.

Printed for \$1.87

W E Hinton Alms

IN CHANCERY.—At rules held in the Clerk's Office
the Circuit Court of Southampton county, on the 1st
day of August, 1853.

Sarah Ann Livesey, the wife of Nathaniel T. Livesey
who sues by Wm. H. Nicholson, her next friend.

Plaintiffs.

Against

Nathaniel T. Livesey, Edwin Williams, in his own
right and as administrator of Martha Williams, deceased
James Williams, William Williams and Gideon Williams.
Defendants.

The object of this suit is for a division of the estate of
Martha Williams, deceased, and to have the share to
which the plaintiff is entitled, as well as the land which
belonged to the plaintiff previous to her marriage with
the defendant, Nathaniel T. Livesey, settled upon her
for her separate use and benefit free from the debts and
control of her husband: And it appearing by affidavit
that the Defendant Gideon Williams is not a resident of
this State, it is ordered that he appear within one month
after due publication of this order and do what is neces-
sary to protect his interest, and that a copy of this order
be published once a week for four successive weeks in
some newspaper published in the city of Petersburg, and
posted at the front door of the Court House of this coun-
ty on the first day of the next County Court of said
county.

A Copy Teste.

an 9--w4w

L. R. EDWARDS

Chancery fees \$2.50

CITY OF PETERSBURG, To WIT:

Personally appeared before me, an Alderman of
said city, *John D. Harwood* Clerk of
the Intelligencer Office, and made oath that the
annexed Order of Publication has been published
weekly for *four* weeks successively. Given under
my hand, this *22nd* day of *Oct^r* 1853,

W E Hunter

Wm McCabbe

Common Notice

in the year of our Lord one thousand eight hundred and
Given under my hand and seal this 4th day of
successively.

has been regularly inserted in said newspaper once a week for
that the copies of said newspaper of which the annexed is a copy,
a newspaper published in the City aforesaid, who might call
the City of Petersburg.

This Day personally appeared before me, an Alderman for
City of Petersburg, to wit:

[SEAL]

COMMISSIONER'S OFFICE,
Jerusalem, Va., Jan. 24, 1854. }

To Gideon Williams:

You are hereby notified that I have fixed upon
TUESDAY the 21st day of February next, to take and set-
tle, at my office, the accounts required to be taken by the
decree of Southampton Circuit Court, rendered on the
8th day of November, 1853, in a suit in Chancery, de-
pending in said Court, between Sarah Ann Livesy vs. Na-
thaniel T. Livesy and others; at which time and place
you are required to attend.

ja 5—w4w

WM W. COBB, Com'r.

City of Petersburg, TO WIT:

THIS DAY personally appeared before me, an Alderman for
the City of Petersburg, *A. H. Harris* *Esq.* *Democrat*
Clark in the Office of THE ~~REPUBLICAN~~,
a newspaper published in the City aforesaid, who made oath
that the ~~Order of Publication~~ ^{deal notice} of which the annexed is a copy,
has been regularly inserted in said newspaper once a week for
four weeks successively.

Given under my hand and seal, this *31st* day of *Jan'y*:
in the year of our Lord one thousand eight hundred and
fifty four

W. C. Smith [SEAL.]

Sivory by de
at 5
Sivory Ad.

Report of Commissioner
of Sale & Bonds

1854 Jan'y 16th

Livery by se.

vs

Livery et al.

In obedience to a decree of the Circuit Court of Southampton County rendered, in the abovesaid suit in chancery depending in said Court, on the 8th day of November 1853, the undersigned appointed a Commissioner for that purpose, after giving more than twenty days public notice of the time and place of sale, exposed to public sale in the town of Jerusalem to the highest bidder on the 19th day of Decr 1853, the land and slaves of which Martha Williams died seized and possessed, on a credit of six months, except so much as was necessary to pay the expenses of said decree and sale. The following is an account of the sales of said property.

Boy Richmond to H. D. Moore for \$805.00

" Henry to James Williams " 525.00

" Andrew to N. J. Livery " 151.00

" Augustus to Ditto " 181.00

Tract of Land to John Rowe " 407.00

Total amount of sale - \$2079.00

Deduct costs of decree & expenses of sale - 138.06

Total amount after deducting expenses - \$1940.94

That the undersigned took bonds from the aforesaid purchasers for the sum of \$1940.94, payable on the 19th day of June 1854, with approved security, which bonds are herewith returned with this report.

In making a statement of the cash payments the undersigned made a mistake, and received \$10.00 too much, which he will apply to the payment of the costs which may hereafter accrue in the said suit -

Respectfully Submitted
J. W. Collins

The Commr. reports further that no refunding bond
was required by the Commr. of Matthew Williams dec.
Wm. W. Cotton

Received May 15 1854 of the Clerk of the Superior Court of Southampton County the bonds returned
by me with the within report.
Wm. W. Cotton

Living by Lc.
Res.

Living & others.

Commissioners Report

1854 - Mar- 27

The Estate of Martha Williams decd.

In account with Edwin Williams admr.

1853			Dr.	Cr.
Mar		By cash found in the house,		18 64
		To Commissions thereon	93	
		" paid Scott & Woodard, acct	15 00	
		" " Wm. W. Cobb "	5 00	
		" " Paul W. Cobb "	4 50	
May		" " William J. Sebrall "	2 50	
		" " G. M. Williams "	1 00	
		" " Henry Whitehead "	1 00	
		" " Tax account	5 10	
		" " Clerk's tickets	1 75	
Decr	31	By account of sales due this day		127 00
		" amount of J. R. Rochelle's bond,		24 00
		To Commissions on \$157.00	7 55	
		" acct due the administrator,	26 38	
		" paid for digging grave	1 00	
		" " " Negro clothes	1 00	
		" " Clerk Tax,	75	
		" " K. J. Barker, acct	2 00	
		" " J. S. Barham, "	3 55	
		" " William J. Cobb "	12 00	
		" " G. A. W. Musson "	6 81	
		" " G. M. Williams "	1 00	
		" " William J. Cobb "	2 00	
		" " John W. Gurley "	15 75	
		" " Susan Woodfrom, bond,	15 00	
		" Commissions fee retained	5 00	
"	"	By Balance due the Estate	33 07	
			169 64	169 64
"	"	By Balance brought down \$		33 07
		with interest thereon from this date.		

Wm. W. Cobb Comr

Livery by LC

Livery father.

Commissioner's office
March 15th 1854.

In obedience to a decree of the Circuit Court of Southampton County rendered in the above suit in chancery on the 8th day of November 1853. The undersigned one of the Commissioners of said Court gave notice to the parties to the said suit that he would proceed at his office on the 21st day of February last, to take the several accounts required by said decree. That he proceeded to take the account of Edwin Williams as admr. of Martha Williams dec^d, which is herewith returned, and that he found a balance due her estate of \$33.07 with interest from Decr 31st 1853, and that there will be consequently be due each of the distributees of her estate the sum of \$6.61¹⁰⁰ with interest from Decr 31st 1853.

In obedience to the said decree the Commissioner further reports that the personal property acquired by Nathaniel J. Livery by his marriage with Sarah Ann Livery was worth twelve hundred dollars, and that the real estate of the said Sarah Ann Livery was worth four hundred dollars. That the share of the said Sarah Ann Livery in the estate of Martha Williams is worth four hundred dollars. The said decree and notices are herewith returned.

Comms fee \$15.00
or: charged to p. 100.
2.50

Respectfully submitted
Wm W. Cobb Commissioner

Living
to } Cox's with bill

Living &c

This deed made sixth day of July 1853 between Nathl. J. Livesey, of the one part and William A. Bell of the second part. Witnesseth, that Nathl. J. Livesey doth grant unto the said William A. Bell the residue of negroes express in a deed to secure the payment of debts which John W. Gurley holds against me (after the above deed is satisfied which is on record in the Clarks Office in Southampton County) In trust to secure the payment of a bond of One hundred & twenty three dollars & eighty six cents with interest from the twentieth day of December one thousand eight hundred and fifty-two which Joseph S. Jenkins was in possession. At Witness my hand & seal the day and date above written.

N. J. Livesey (Seal)

Southampton County. In the Clarks Office the 19th day of September 1853. This deed of trust from Nathaniel J. Livesey to William A. Bell was acknowledged by the said Livesey and admitted to Record.

Teste. J. R. Edwards Clk

A Copy

Teste. J. R. Edwards Clk

This deed made the 20th day of June one thousand eight hundred and fifty three between Nath^l. J. Linsay of the one part and Dan^l. W. Cobb of the second part. Witnesseth that the said Nath^l. J. Linsay doth grant unto the said Dan^l. W. Cobb the following property. Viz. One negro man Harrison. One negro Woman Casser and negro boy Orlander. In trust to secure the payment of a bond of seventy dollars with interest from the first day of Decr 1852 which J^{rs}. W. Gurley holds against the said Nath^l. J. Linsay. also a bond of eighty four dollars and fifty eight cents with interest from the seventh day of Decr 1852. And a bond of ten dollars and twenty five cents with interest from the fifth day of March 1853 all made payable to J^{rs}. W. Gurley. and also one open account supposed to be about thirty dollars which the said J^{rs}. W. Gurley also holds against the said Nath^l. J. Linsay. As Witness my hand and seal the day & date above written.

Nathaniel J. Linsay (Seal)

Southampton County In the Clarks Office the 20th day of June 1853.
This deed of trust from Nathaniel J. Linsay to Daniel W. Cobb was acknowledged by the said Linsay and admitted to record.

Teste. J. R. Edwards Ck

Recd by

Teste. J. R. Edwards Ck

Livesey
v } Comrs. bond

Livesey

Know all men by these presents that we William W Cobb & William H Nicholson
are held and firmly bound unto the Commonwealth of
Virginia in the sum of Three thousand dollars, to the payment whereof we bind ourselves, our heirs,
executors and administrators jointly and severally firmly by these presents. Sealed with our
Seals and dated this 15th day of May 1854.

The Condition of the above obligation is such that whereas the above bound William
W Cobb was by a decree of the Circuit Court of Southampton County made on the 3rd day of
May 1854 in a suit in Chancery therein depending in which Sarah Ann Lively the wife of
Nathl. T. Lively who dies by Wm H. Nicholson her next friend was plaintiff and Nathaniel T.
Lively, Edwin Williams administrator of Martha Williams & others Defendants - appointed to
receive and collect certain bonds and to receive of Edwin Williams admr. of Martha Williams a
sum of money mentioned in the said decree and to pay out the amounts as directed by the said
decree and to retain one fifth of the amounts as trustee for the separate use and benefit of Sarah
Ann Lively free from the debts and controls of her husband Nathaniel Lively. Now if the
said William W Cobb shall faithfully discharge the duties of his office or trust then the above
obligation to be void. otherwise to remain in full force and virtue.

Wm W Cobb (Seal)
Wm H Nicholson (Seal)

Signed Sealed & delivered before me in my Office as Clerk of the Circuit Court of Southampton County
on the 15th May 1854.

J R Edwards Clk