

1856-016

SOUTHAMPTON COUNTY
CHANCERY PAPERSSIMON et al vs. BRANCH et al

ADMRS

11/1856

other surnames: Womble, Brown,
Gray, Batts, Whitney, Lain, Pond,
Bailey, Gwaltney, Judy~, Monroe
Simon~, Edwards

other surnames: Willis~, Lewis~,
Dick~, Addison~, Joe~, Anthony~, Peter~,
Cargill~, Martha~, Judith~, Charlotte~,
Maria~, Harriett~, Sophia Ann~,
Nancy~, Eliza~, Desdemona~,
Caroline~, Alabama~, Dinah~,
Margaret~, Obedard~, Jim~,
Ellick~, Mary~, White,
Summerell, Williamson, Summerrell,
Summerrill, Louisiana~,
Thaddeus~, Sarah~, Charles~,
Murdock~, Euphemia~, John~,
William Henry~, Lucy~, Priscilla~,
Matilda~, Maria~, Harriet~,
Goodman~, Susan~, Balaam~,
Rosanna~, Edwin~, Burwell~,
Baker~, Diannah~, Obidad~,
Elliot~, Destamony~, Sophia~,
Sobear~, Rebecca~, Uphia~,
Julia~, Prince Elly~, Margary~,
Didamy~, Betty~, Elizabeth~,
Betsy~, Rozena~, Edinborough~

43

Simon & Co

& Co Paper

Williamson's Co.

1856 November Term

Simon & Co

to } Stat. Rules

Williamson & Co

Simon & others

against
Polly Branch

Edwards Butts against &c. John Williamson dec'd & Joseph J. W. Summerville against of Elias Williamson dec'd.

1851 Feby 21st Subpo. issued to ^{Branch &} Dfts Butts adv. John Williamson.

" March. Rules - Bill filed & decree nisi to ^{Branch &} Butts adv. Williamson

" Apr. (1st Monday) Bill taken for confessed to Branch & Butts adv. - Sp^a issued to Dft. Summerville adv. Williamson.

" Apr. R. (Last Monday). Sp^a to Dft. Summerville ret^d Ex^t. Cause set for hearing as to Dft. Branch & Butts adv. &c. Decree nisi to Dft. Summerville adv. Williamson.

" May J. ~~Answer to answer~~ adv. of Butts adv. filed.

" June R. Bill taken for confessed as to Dft. Summerville adv.

" July " Cause set for hearing as to Dft. Summerville adv.

" Oct " Answer of Dft. Summerville adv. filed by consent. Gen. Rep. thereto

" Nov. " Cause set for hearing as to Dft. Summerville adv. &c.

" " J. Answer of Dft. Polly Branch Gen. Rep.

1852 Nov. J. Continued

1853 May " Decree &c.

" Sept. 27 Report

" Nov J. Decree final.

1854 May " Decree

" Nov " Decree.

Puffs coats

Wetted coats

Supp.

Sum t^o

113.67

4.50

15.75

\$ 33.92

Simon & Co
i } Bill
Bates & Co

1857 March 2nd

To The Hon. Richard H Baker Judge of the
Circuit Court for the County of Southampton

In Chancery

Humbly complaining shew unto your Honor
your complainants Simon, Willis, Lewis, Dick,
Addison, Joe, Anthony, Peter, Cargill, Martha,
Judith, Charlotte & child, Maria & four children,
Harriet & three children, Sophia Ann, Nancy,
Eliza, Desdemona & two children Caroline Ab-
abama, Dinah, Margaret, Abigail, Jim, Elliot,
and Mary, (former slaves, who pray to be per-
mitted to sue in forma pauperis, the infants
whose names are unknown to L B Edwards their
next friend, that sometime in the year 1844
John William son of ~~the County~~ of the County of South-
ampton died, seized & possessed of, & entitled to your
complainants as his slaves, having first pub-
lished his last will & testament which was ad-
mitted to probate at the May Term 1844 of this
Honorable Court, and the Executors therein nam-
ed having refused the execution thereof, Administra-
tion with the will annexed was granted to Edwards
Butts who qualified according to law. In the
first & second Clauses of his said will, the testa-
tor bequeathed a part of his slaves to his sisters Win-
fred White & Polly Branch for life and then to John
C Summell for life, and by the third clause he
bequeathed the remainder of his slaves to John C
Summell for life, with the further direction

That at the death of the said Sumner all the said
slaves shall be liberated if the laws of the state
permit it. Soon after the death of the testator
his sister Winifred White died, and at the November
Term of the County Court of Southampton a decree
was entered at the suit of the said John C. Sum-
ner & Polly Branch against Edwards
Butts administrator as after said directing a
division of said slaves according to the will
of the testator, and the Commissioners appointed
for that purpose reported at the November Term
1848 of said County Court that they had allotted
to Polly Branch your complainants Lina, Ellick,
& Mary, and to John C. Sumner your other
complainants; all of which will appear by copies
of the said will, decree, & report herewith filed
marked (A) and prayed to be taken as a part
of this bill. That in January 1850 the said John
C. Sumner died, from which time accord-
ing to the plain import of the will, your
complainants have been entitled to their free-
dom; but notwithstanding the manifest in-
tentions of the testator all of your complainants
except Lina, Ellick, & Mary, are still held in
slavery by the said Edwards Butts administrator
with the will annexed of John Williamson
under the pretense that after the death of the
said Sumner, they reverted to the estate
of the said John Williamson and are subject

to distribution: and your complainants Lina, El-
lick, & Mary are still held in slavery by the said
Polly Branch who claims the right to continue
to hold them under the said will during her life.
Your complainants would further show, that

Sumner's administration of
Elias Williamson also lays claim to them
as his slaves under the pretense that they were
the property of his intestate and not the property
of John Williamson son; whereas your complain-
ants charge the contrary, they of to be true

Your complainants Lina Ellick & Mary as
well as your other complainants are advised
that they have been entitled to their freedom
since the time of the death of the said John C.
Sumner -

In tender consideration of all which, and in
as much as your complainants are without
remedy in the premises except in a Court of
Equity where matters of this kind are peculiarly
cognizable: To the end therefore that justice may
be done, they pray your Honor make Polly Branch
Edwards Butts administrator with the will an-
nexed of John Williamson son and Joseph H. Sumner
Sumner's administrator of Elias William-
son Defendants to this bill, and that they an-
swer all & singular the matters herein before
stated & charged, as fully & particularly as if they were
herein after repeated and they thereto distinctly

instigated; and that the ordinary writ of subpoena
may issue. That your Honor will declare your
complainants entitled to their freedom and order
that they be liberated, and grant such other and
general relief in the premises as equity may
dictate, and as in duty bound they will ever
pray &c. May it please your Honor &c.

Chambliss & Ingraham p. v.

Dr. Simon & Co.

p. petition of
Ellis Miller

Williamson ad 803

To the Hon: Richard H Baker Judge of the Circuit Court
of Southampton County. Humbly represents your petitioner
J. J. W. Summerville attorney of Elias Williamson ad, that
there is pending in this Court, a suit in "Forma Pauperis" by him
& als. against Williamsons adms & als. seeking to recover their freedom.
For the history and present condition of which suit, he begs leave to refer
to the proceeding thereof, and for this end prays that the same may be
considered as incorporated with, and as forming a part of this Petition.
That to decide the question of ownership of ~~ex~~ part of said negro,
w^m, Martha the Elder & her descendants, in line of an issue out of chancery
for the same purpose, an action of detainer was instituted by this
petitioner against Williamson (Jno) Administrator, and a trial
thereof being had at the May November term of this Court (1854)
the jury returned a verdict in favour of the Defendants. Your petitioner
conceives that such Verdict does not conclude his remedy on the
facts of the case as made out by the testimony in the case of
Winn v. W. Williamson adms & als., for he alleges that even by
the testimony of the Plaintiffs themselves, especially that of Bailey
the transaction between Jno. Williamson & his brother Elias William-
son, therein referred to, was nothing more than a pledge, or mortgage
of the girl Martha, and that therefore he, as the admⁿ of Elias
Williamson has the right to redeem the same, by paying
with interest the amount stated to have been advanced by
John, on the said pledge of the girl Martha, and that he now
offers to do, or in such manner as the said Court shall direct, &
he prays for an order to that end.

Jos. J. W. Summerville admⁿ
of Elias Williamson

Simonds
i ~~Simonds~~ of
Butts & Butts

1851 May Term

The Answer of Edwards Butler Administrator
with the will annexed of John Williamson son to a
bill of complaint exhibited against him & others
by Linnors & others

This Defendant now and at all
times hereafter saying and answering &c, for answer
to the said Complaints to wit, in so much thereof
as he is advised it is material or necessary for
him to make answer unto, answering saith,
That it is true he is the Administrator with the
will annexed of John Williamson son dead as is
stated in the bill, and he believes the other facts
therein alleged to be also true. That he contin-
ues to hold the said slaves as Administrator as
aforesaid until it can be judicially determined
whether they are entitled to be liberated under
the will of the said John Williamson or whether
they are to be divided among his distributees
at law. That the said slaves are not at all ne-
cessary for the payment of the debts of the said
Williamson. This Defendant knows nothing
of any title claimed by the Administrator of Elias
Williamson to the said slaves, the testator the
said John Williamson had been in quiet and
peaceable possession of them for many years
before his death after which they came to the
possession of this Defendant as his Administrator,
all of which matters and things this Defendant
is ready and willing to aver maintain and

from as this Honorable Court shall direct: And
having answered he prays leave to be dis-
missed with his reasonable costs and charges
E. Butts

Chambliss & Messers being
for Southampton County to wit:

This day Edwards Butts personally appeared before
me a justice of the peace in and for the said County
and made oath that the facts stated in the above are
true and true to the best of his knowledge and
belief: Given under my hand this 2^d day of May
1851 Robt G. Griffin J.D.

To the Honble Justices of the Court of Chancery in the County of So. Hampton: in Chancery sitting. ~~Before~~ the answer of Polly Branch to a Bill filed by Lewis & others, slaves, suing for freedom &c. under the will of Jno. Williamson, Ad. Rev. & others:

This respondent saving & reserving &c. &c. for answer to so much of said Bill as she is advised it is material for her to answer; says that it is true she is the sister of Jno. Williamson ^{decd.}; and that under an order of the County Court of Southampton, pretending to divide the slaves of the said Williamson, she had possession of the slaves therein mentioned; but denies that the said slaves, Tim, Ellick & Mary, and the increase of Mary, allotted to her, as in the said Bill is alleged, or that One Martha and her increase: to wit: Mary, Dick, Allison, Joe, Anthony, Judy, Margaret, (~~Edema~~ ^{Edema} ~~two~~ ^{old}) - Martha jr. and Elizabeth or Nell - or ~~Scally~~ ^{Scally}, Uphenia, Berrene, William & Lewis - are entitled to their freedom as is alleged - Even according to a legal, just & proper construction of the last will and testament of the said Jno. Williamson. This respondent alleges that while she knows, that Martha and her said increase rightfully belonged to the estate of Elias Williamson ^{decd.} for reasons set forth in the answer of his admor - yet being satisfied with what of his uncle's goods she has, or thought she had, and not expecting to live long, and unwilling to be disturbed in her old age

she claims no interest in the estate or negroes of Elias Williamson ^{decd.} as such, ^{relinquished} but has, as she now does relinquish all interest as one of his distributees.

Though she admits the truth of the statement made in the answer of his admor and was never pleased with the treatment she received at the hands of Jno in regard to the estate of Elias. Upon the death of Jno. Williamson her brother, she united in the suit referred to in the Bill for the division of his pretended slaves, because she was advised to do so; being ignorant she looked to others for advice & implicitly followed it. The negroes, Tim, Ellick, & Mary, by the Commissioners in said suit appointed, allotted to her, she took possession of, ^{and she claiming} as she supposed as her own in fee simple, and she claiming them ~~in that manner~~ - such was the

intention of her brother John this respondent is convinced; ~~therefore~~ she would never have ~~settled~~ ^{allowed} him to enjoy quietly the property & slaves of her brother Elias Williamson, and to his own use & profit or otherwise. With these negroes, this respondent was enabled she knew to pass her life in ease & comfort, and cared for no more. She preferred to receive and enjoy during the remnant of her days, a certain portion of property small amount of property, than to wear out her existence in trouble & vexatious law suits, in prospect of gaining possibly a larger amount. Thus she remained contented with the provision apparently made for her by her brother's will, though in truth in part out of her own rights, believing as she did that the said negroes were given in fee, and such she contends is the true construction of the paper or clause bequeathing the same to her.

This respondent insists further, that the following negroes, Judy, Joe, Sally, Reppenia, Ellick, Arrene, William and Lucy, ^{a part of the ~~Marshall~~ ~~estate~~} who were born in the interval between the death of John Williamson the testator, and the death of John C Sumner Merrill, their mother being slaves till the death of said John C Sumner Merrill, ^{provided that the said Martha should be deemed & decreed to be & to have been the mother of them} are slaves under any construction of the will of the said John Williamson, and belong to the residuary estate of Jas. Williamson, and liable to pass under the statute of distribution. Your respondent submits however these questions to this Honorable Court, and having denying as she does the rights of the plaintiff, as far as the same conflict with those asserted herein, prays for a decree in conformity with the principles herein contended for, so far, at least as she is concerned. and having assumed prays here to be disposed of -

Mary Branch
Mark

So. Hampton County: to wit: Polly Branch personally appeared before me a justice of the peace for the County aforesaid, and made oath that the facts above stated in her Answer, are true as far as she knew or believed. Given under my hand this 1st day of August 1851.

Wm. St. Simmell J.P.

Simon J. J.

2 } Ans of Dft. Sumnerwell

Williamson Nov 20

Notes } amended.

H. K. Schiff

Chamberlain

1851 Oct der Regel

To the Honble. Rich^d. H. Baker, Judge of the Circuit Court of Law & Ch^{cy}
for the County of Southampton: The answer of Joseph T. W. Summerrill
administrator of Elias Williamson ^{de} to a Bill filed by Timon, Miller, Lewis & others, ~~proclaim~~ formerly slaves, and pretend-
ing to be emancipated by the will of John Williamson ^{de} and living in form a Pau-
peris - in the said Circuit Court of Co. Hampton, against him the said Summerrill admin^r of
said Elias Williamson ^{de} and others: This respondent saving and reserving all benefit
of exception to the error in said Bill ^{de} for answer to so much of said Bill as he is advised
it is material for him to answer, says that it is true that he has recently, in the County Court
of Southampton, at the February term thereof, qualified as the administrator
of the said Elias Williamson ^{de}. And for a more perfect understanding of this case,
it may be necessary to state some facts pertaining especially to life of his intestate.
That a long time ago, the said Elias Williamson, a brother of the said
John Williamson ^{de}, left the County of Southampton and State of Virginia, for
the avowed object of emigrating, as he actually did, to some one of the Southern,
or South Western States - probably. This respondent cannot
say, though it was the general impression among the members of his family, that
the said Elias Williamson, either at the time of going from the State of Va^a, or after-
wards, intended to return to Southampton; and so informed his brother, John
Williamson who communicated the same to his (or their) sisters, Polly Branch
& Minnie White, and other members of their family, and connections of the said
Elias and John Williamson. Indeed it is a fact well known to, the family that
John Williamson - how many years ago, and many before his (bro's) death, and not
long ^{after} the departure of Elias, - received a letter from his brother Elias, stating
that he (Elias) expected to return within a short time (from the date of said letter).
but if he should not return within five years his brother & sisters might conclude
that he (Elias) was dead; and it was further more stated in said letter that he
expected that his brother Jas, on his return, would be ready to account for his
property, and the hire, and profits thereof, which he had left with him, ^{bro}.

Though many years elapsed since the said letter was said to have been written, and the death of John Williamson, yet no other tidings was ever had, or received, concerning the said Elias, at least by any other of his connexions unless by Ino, who however always stated that he had never received any. In fact Ino Williamson was never free in his communication with his sister, or, concerning even the letter above stated, for reasons probably best known to himself, but suspected by others. At all events for many years preceding the death of John Williamson, it was taken for granted, or believed that Elias Williamson was dead, and having not been heard from for more than seven, indeed since seven, years, the County Court of Southampton, under the law for such cases providing, granted letters of administration on the estate of said Elias Williamson, as will appear an office copy, of the Order to that effect, herewith filed and prayed to be considered as a part of this answer.

This respondent further states and charges as true, that when and at the time, the said Elias Williamson left the County of Southampton with the object of going South as above stated, that he turned as his property in fee, and had in possession, a negro girl named Martha (one of them now suing for their freedom and a party to the Bill); and he left in the possession of his brother John Williamson, the said Martha, to be taken care of, or hired out by him, for the benefit ^{of} Elias, until his (Elias) return. That upon ^{supposed} the death of said Elias he pretended to claim her; or by representing ^{to} probably ^{the} ~~claim~~ of Elias, and in one way or another, put off, and disregarded the claims of the sisters of the said Elias Williamson. Who, being quite ignorant, and totally unconcerned of their rights, were imposed upon by the said Ino Williamson. Your Respondent states that Martha in the Bill mentioned, as well as the following negroes to wit: Mary, Sick, Allison, Jim, Joseph or Joe, Anthony, Judy, Margaret, Martha the young Elder & younger, ~~Eliabeth~~ or Bett, and Ellick. are not, and never did belong to the said Ino Williamson, but that they as others, whose names it is impossible for this respondent at this ^{time} to obtain, were the slaves, and property of Elias Williamson and belonged to his estate: and the same each one above named, and who are parties plaintiff to the said Bill, do rightfully belong to the

estate of the said Elias Williamson dec. and this respondent as administrator of Elias Williamson, does hereby, claim the said negroes just before mentioned & named as the property of his intestate and liable to distribution as such; he denies that they were the property of said Ino Williamson - that he had any right to emancipate the same; or that the said negroes are entitled to their freedom as in their said Bill they allege. This respondent avers and charges most solemnly, that Martha the Elder was never the property of Ino Williamson dec. and that Mary, or Downing, Sick, Allison, Jim, Joseph or Joe, Anthony, Judy, Margaret, Martha the younger, Eliabeth or Bett, and Ellick, in the Bill mentioned & being as aforesaid, and just above ~~mentioned~~ & mentioned and referred to, besides others now unknown - are the descendants of Martha the Elder - the same girl as aforesaid left with Ino. by Elias Williamson his brother as herein before set forth. That this respondent as administrator of Elias Williamson claims the same - ~~Not the same~~ ^{that} and he prays that the Court will decree ^{that} the same be delivered to him: that the Court will grant its aid in ascertaining the names of such other descendants of said Martha unknown to this respondent, and not named in said Bill, and all other ~~facilities~~ ^{relief} ~~within its power~~ adapted to the circumstances of this case. And having answered pray hence to:

Jos. J. W. Sumner

Southampton County to wit.

Joseph J. W. Sumner personally appeared before me a justice of the peace for the County aforesaid, and made oath that the facts as above set forth in his answer above, are true as far as he is informed, or believes and to the best of his knowledge and belief: Given under my hand this 18th Sept. 1837

Wm. H. Sumnerell Jb

Simon

vs.

Simon

May 1855-

Weyman - Env -

To be entered

R. H. B.

May Co. 1855.

Simon & others

vs

Wm. J. R. Co.

This day this cause came on to be heard on the Petition, answers of the Defendants, applications exhibits filed, examination of witnesses - and also upon a transcript of the record, of a ^{now filed as} suit, on the ^{exhibit} ~~transcript~~ ^{must be} ~~the~~ Law case of this Court, in which the Defendant F. J. W. Sumner, admt of Elias Williamson, one of the Defendants in this cause was Plaintiff and Carrants Butts another Defendant in this cause was defendant, which said suit was brought on the suggestion of the Judge, made in this cause to try the title of the Plaintiff in said suit, to the share mentioned in the said ^{Record} ~~Record~~ being a part of the ~~Complainants~~ ^{Complainants} ~~Plaintiffs~~ now suing in this cause, and also on the Petition of the said F. J. W. Sumner admt of Elias Williamson now filed - and was argued by Carrants. On consideration whereof the Court is of opinion and doth declare that the complainants, Simon Mills, Lewis, Leitch, Addison, Joe, Anthony, Peter Gault, Martha, Judith, Charlotte (+ child) Marian (and 4 children), Harriet (+ 3 children) Sophia, Anne, Nancy - Eliza, Dismona (+ 2 children), Caroline, Alabama, Edwin, Margaret Oliveda, Lina, Elliot, & Mary - are entitled to this

persons, namely the will of John Williamson deceased
shall be an exhibit in this cause - and that the
issue of the demands above mentioned, come under the
will of the said - in this suit, are also here under
the will of the said Williamson. it is therefore
advised, ordered and decreed, that the aforesaid
slaves and their issue come, their freedom, and
that the aforesaid Edwards Butts Executors of John
Williamson, come to be admitted to the ^{great} persons
designated by name and
having declared to be true a copy of the register of
that name, to be procured from the County Court
of Southampton, the expenses thereof, to be paid
out of the moneys of the said parties, - an account
of which moneys, that have accrued since the death
of John C. Summerville -

one
of the Court of this Court is hereby required to audit
and state, also an account of the transactions of
Edwards Butts, Exrs. of John Williamson and -
~~which accounts, the~~ and report said accounts,
to Court with any matters specially stated.
accrued pertinent by himself or which may be required
to be so stated by either of the parties - And it appearing
to the Court that Charlotte, Harriet and Desdemona
heron declared to be free have children who in the opinion
of the Court are also entitled to their freedom and would
now be declared ^{free} if their names were ascertained
it is further ordered that a person of the Court ascertain
and report to this Court the names of said children
and also the names of the issue of the females born since
the date of the subpoena in this suit -

Simon & others

is } Copy decr.

Williamson's (adm)

Southampton Circuit Court, May term, 1853.

Simon & others

against

Plffs }

Polly Branch, Edwards Butts, Admr. of John Williamson, & Jos. T. W.
Sumnerell Admr. Elias Williamson dec'd

Defts }

This day this cause came onto be heard on the bill, answers of defendants, replications, exhibits filed, examination of witnesses, and also upon a transcript of the record of a suit now filed as an exhibit marked W. on the law side of this Court in which the defendant J. T. W. Sumnerell, Admr. of Elias Williamson one of the defendants in this cause was plaintiff (and Edwards Butts another defendant in this cause was defendant which said suit was brought on the suggestion of the Judge made in this cause to try the title of the plaintiff in said suit to the slaves mentioned in the said record, being a part of the complainants now suing in this cause, (and also on the petition of the said J. T. W. Sumnerell Admr. of Elias Williamson, now filed, (and was argued by Counsel. On consideration whereof, the Court is of opinion (and doth declare that the complainants Simon, Willis, Lewis Dick, Addison, Joe, Anthony, Peter, Baggill Martha, Judith, Charlotte & Child, Mariah (and 4 children, Harriet (and three children, Sophia, Ann, Nancy, Eliza, Desdemona & two children, Caroline, Alabama, Dinah, Margaret, Obidad, Jim, Elliott, & Mary are entitled to their freedom under the will of John Williamson deceased. filed as an exhibit in this cause (and that issue of the females above mentioned born since the date of the subpoena in this suit are also free under the will of the said Williamson. it is therefore adjudged, ordered (and decreed that the aforesaid slaves (and their issue recover their freedom (and that the defendant Edwards Butts Exr. of John Williamson, cause to be delivered to the several persons designated by name (and herein declared to be free a copy of the register of their freedom to be procured from the County

Court of Southampton, the expenses thereof, to be paid out of the
hires of the said parties. An account of which hires that
have accrued since the death of John C. Sumner, one of
the Commissioners of this Court is hereby required to audit
and State, and also an account of the transactions of
Edward Ratts Exor. of John Williamson dec'd. 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.
And it appearing to the Court that Charlotte, Mariah,
Harriet and Dredmena herein declared to be free
have children who in the opinion of this Court are also
entitled to their freedom, and would now be declared
free if their names were ascertained, it is further
ordered that a Commissioner of this Court ascertain
and report to this Court the names of the said children,
and also the names of the issue of the females
born since the date of the subpoena in this suit.

Test,

Nancy S. Howard, D.C.

Simon & c-

v. } argen
Williamson's. And

Nov. 20-1855-

To be entered

R. H. Barker

Simon &c -

vs.

Compt. Court

This day this cause came on to be again heard on the papers formerly read - and on the report of Court. Leath. made pursuant to a decree of this Court, rendered at May Term 1855 ^{& statement (4)} and was argued by Counsel - On consideration thereof, the Court with confirming said report to which no exceptions have been taken and adopting ^{statement (4)} with adjournment order and decree, That the Louisiana - child of Charlotte. Thadus, Sarah Charles and Maudsl. children of Mariah; Ephraim and John Children of Harriet, - William, Lucy, Priscilla & Matilda, children of Susanna; Goodman & Susan, children of Sophia, Balam child of Caroline and Ransom, Edwin Burck, and Baker, children of Dianah - are entitled to their freedom under the will of John Williamson - and that Edward Butts Esq. of John Williamson cause to be granted to the several persons herein named and ordered to be free a copy of the register of their freedom to be procured from the County Court of South -ampton -

And the Court with further adjournment order and decree, That Edward Butts Esq. of John Williamson pay to Simon, Willis, Lewis, Dick, Addison, Joe, Anthony, Peter, Margill, Martha, Leath Charlotte, Mariah, Harriet, Sophia, Ann, Nancy, Eliza, Susanna, Caroline, Alabama, Sarah, Margaret. Olivia, Jim, Elliot, Mary, Louisiana, Thadus, Sarah, Charles,

Murdock - Euphemia, John, Wm Henry - Lucy -
Priscilla, Matilda, Goodman, Susan,
Balam, Rosanna, Edmnd Russell, and Baker,
impress ached to be free under the will
of John Williamson - each the sum of
Forty five dollars and 12 cents, with interest
thereon, from Nov 1st 1855 till paid -

and the said Butts, will pay to the mothers
of the infants respectively the amounts
herein decreed to be paid to their infant
children -

and the court with further adjudge
order and decree, that Edwards Butts,
out of the moneys of the present year, pay
^{the costs of this suit} all the expenses of obtaining Register of Freedom
for the emancipated Slaves, above mentioned
and other expenses, incurred - about them
and the balance pay over equally to the
persons herein before named - and Report
to the court.

Statement

(4)

amt am pr cont. Report.

\$ 1946.24

Int on \$1684.69 from

}

July 1st to Nov 1st 1955

38.92

\$ 1985.16

To be divided equally among

the 44. slave manumissions,

gives to each the sum of \$ 45.12 -

44) 1985.16 (45.12

176

225

220

57

44 76

Simon Lother

No 1

& near

Williamson's road

To be entered

R. H. B.

May 3. 1856

Simon & Thos
or
Wmson's admr }

It appearing to the Court that since the last hearing of this cause two of the plaintiffs, having ^{and leaving} infant children, to-wit, Caroline leaving one child name Balaam and Biannah leaving two children names Rozena and Edinborough, and the Court being of opinion that the said children are entitled to their deceased mother's portion of John Williamsons' estate doth adjudge order and decree that the funds to which the said infant Balaam is entitled be paid to his grandmother Charlotte, and the funds to which the said infants Rozena and Edinborough are entitled be paid to their grandmother Mariah, to be held by them for the benefit of the said infants.

Simon & others.
vs 3 Decr
Williamson's admors

Nov. Term 1856

To be entered

R. 14. 13.

Simon & others

vs

Williamson's admr &

This day this cause came on to
be again heard on the papers formerly read
and on the report of B. Beeth admr. of
John Williamson dec^d, made in pursuance
of the decrees rendered in this cause at Nov.
term 1855 and May term 1856 to which report
no exceptions have been filed, ^{on consideration whereof} and the court
with cogitation, order and decree that the
said report be confirmed.

✓
Simon Yethers

v } Sp^a. Chy

Williamsons adm^y &
1831 March Rules

Executed
James A. Gillett
Cly of Alex. Myrad.
Liff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon *Edwards Butts administrator with the*
will annexed of John Williamson dec^d and Polly Branch

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 *them* in the said Court by

*Simon, Wilkes, Lewis, Dock, Addison, Dr. Anthony, Peter, Cargill,
Martha, Judith, Charlotte, & infant, Maria & four infants, Harriet &
three infants, Sophia Ann, Nancy, Eliza, Desdemonia, & three infants
Caroline, Mahamat, Dinah, Margaret, Obadiah, Sam. Ellick
& Mary, the infants by S R Edwards their guardian ad litem
& next friend*

And unless ~~shall answer the said Bill within 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 *21st* day of *February* 1851, in the
75th year of the Commonwealth.

S R Edwards

[One Copy to be delivered each Defendant.]

✓
Simon Yot

to { Sp^u Chs

Williamson's Ex Y

1851 Last Monday in April

Executed

James H. Miller, Deputy
of Sta. Myra. —

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon

*Joseph T. W. Sumner & Co. agent of
Edwin Williamson & Co.*

to appear at the Clerk's Office of our Circuit ~~Superior Court of Law and Chancery~~ ^{last} for the County
of Southampton, at the Rules to be holden for the said Court on the ~~first~~ ^{last} Monday in *April Inst.*
next, to answer a Bill in Chancery exhibited against *him & others* in the said Court by

Simon Gathers

~~And unless~~ shall answer the said Bill within four 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 *7th* day of *April* 1851, in the
75th year of the Commonwealth.

L. R. Edwards Clk.

[One Copy to be delivered each Defendant.]

Simon & others
is } Notice
Williams & Co. Adm^r de

Executed
James A. Gold. Esq.
for Super. Parker Esq.

To Polly Branch, Edwards Bulls Adm^r of John Williams-
son dec^d and Joseph W. Sumner Adm^r of Elias Wil-
liamson dec^d

Take notice that on the 20th day of April 1852
between the hours of nine A.M. and six P.M. of that
day at the house of William Stephenson at Berlin
in the county of San. Hampton, we shall proceed
to take the depositions of certain witnesses to
be read as evidence for us in a suit now pending
in the Circuit Court of South Hampton wherein
we are Plaintiffs and you are Defendants
Given under our hands this 8th day of April
1852

Simon & others
Chambliss & Messenbergs
attys

White

✓

Simon & others

vs of Notice

Williamus mi amos &

!

Commissioner's office,
June 19th 1855.

To Polly Branch, Edwards Butts admr of John Williamson
dec? and Jos. J. H. Summerville admr of Elias Williamson dec?

You are hereby notified that I have appointed
Tuesday the 17th day of July next, at my office, in
the town of Jerusalem, to take and settle the several
accounts required to be taken by a decree of the
Circuit Court of Southampton County rendered
at May term 1855, in a suit therein depending
in which Simon Lotter are plaintiffs and you
are defendants: at which time and place
you are required to attend.

Wm. W. Cobb Comr

June 20th 1855. I acknowledge service
of the within for E. Butts —

^{Wm. J. Cobb}
Executed on Joseph N. W. Sumner &
~~Mary~~ ~~Butts~~ by delivery to them
a copy.

A. J. Kellogg Depts for
S. Kellogg Sheriff

Simon & others
or J. Butts
to be taken in care of

Ammon & others
vs.
Williamsons admr.

} Deps.

h.
Dolly
branch

Come to hand sealed Oct 20 1957

Notice is waived, but the
Reading of this Deposition
is objected to on the ground
of Interest in Deposition

Chambliss & Impending
Hearings

The deposition of Dilly Branch taken near his plantation, near
Hampton county. On the 1st October 1851, between the hours of 10
A.M. & 5 P.M. that a jury, to be read as evidence on a suit now
pending in the Court of Southampton, in which Simon & others
negroes suing for freedom under the bill of Geo. Williamson &c.
against Dilly Branch of Geo. Williamson &c.

The deposition being duly sworn deponee as follows:

Question. Have you relinquished all of your interest in the estate
of Elias Williamson and: Ans. I have.

Quest. What time did Elias Williamson leave Virginia? What do
you know about the ownership of, or title to Martha the Elder
claimed by Geo. Williamson, and were a party thereto? What
children has the said ^{Martha} and when are they?

Ans. From the best of my recollection my brother
Elias Williamson has been gone about
thirty years. He was also the brother of
John Williamson.

My brother Elias brought ^{old} Martha then
a girl to my brother John's as his property
and left her and children with his brother
John as his property when he left
Virginia, and when about to leave showed
me the bill of sale for Martha saying
he should carry it with him and take
them when he returned. The children here
mentioned were born between the time that
my brother Elias bought Martha and left
her with my brother John and the time
he left Virginia. He Elias Williamson bought
Martha of Thomas Gray. Martha had the
following children who are plaintiffs to this
suit. Mary, Dick, Alison, Joe, Anthony,
Judy, Margaret, Didman, Martha Jane, Bett
Euphemia, Irene, William, and probably others
whose names I do not now recollect.

Question: When did you last hear from your
brother Elias? I have not heard from him within

the last fifteen or eighteen years. The last letter received from him stated that he was in bad health and should soon return home.

I now take it for granted he is dead.

The foregoing deposition was taken at ^{Manx} ~~Manx~~ Branch
Perancis on Oct 1st and sworn to before me
a justice of the peace for the county of
Southampton

Wm. L. Munnell J.P.

Sally M. M. M.
first deposition
Sally Brown
& others
Depositions

Williamson Esq

Came to hand sealed Nov. 17/1851

Notice waived

Chambers Esq

The depositions of Mrs Sally Brown, Mrs Sally Womble and Hester
Brown, ^{and six other negroes} taken near Burginhardt Store, at the T. Br. Sammonsells,
Walthampton County Va, on the 14. October 1851, to be read as
evidence in a suit pending in the circuit court of said county
- white living & others negroes suing for their freedom under
the will of Geo. Williamson & are plaintiffs & Martha Ann of
Geo Williamson & Elias Williamson, adms. & others as defendants.
The deponent, Mrs Sally Womble being duly sworn on the holy Bible depose
as follows.

Question. Did you know Elias Williamson? Do you know any
thing about the ownership of Martha the older, now a plaintiff in
this suit? To whom did she belong? and state any other matter you
may know in regard to Martha.

Ans: I know Elias Williamson well, and lived
in about a mile of Geo Williamson, and heard
him say several times after Elias Williamson left
that the negro woman Martha and her children
belonged to his brother, the said Elias, and were
placed in his care & he expected to deliver them to
Elias upon his return, and he considered them
as the property of said Elias, and I know that
Elias bought Martha; living in the same neighbor-
hood, I had frequent opportunities of hearing Geo
Williamson speak of this matter, and in speak-
ing of his absent brother, to myself as a neigh-
bor, he stated these facts; Elias at this time
was absent from the state. I am sixty seven
years of age. I knew some of the black chil-
dren of Martha, as follows, Mary, Wick, William,
Joe Ann, Anthony, Lucy, the younger one, I
do not know the names of, they having grown
up. Though I know that there were others
and they deponent further with not.

Sally Womble

Willis Brown being duly sworn depose as follows:

Ques. Do you know Martha the slave and the names of the children? if so state them.

Ans. I know Martha very well and ^{some of} her deacons' Aunts; Their names are: Mary, Wick, Saison, Joe, Anthony, Margaret, Lucy. There are a number of others, their names I do not know.

And the respondent further with not-
Willis ^{his} + Brown
Mark

Sally Brown being duly sworn depose as follows

Question. Will you know Elias Williamson? State what you know about Martha.

Ans. I knew Elias Williamson well, and lived in the same neighborhood; he was in the habit of coming to my Mother; I was quite young at the time, but to the best of my recollection believe that he stated when there, that he expected to leave his negroes in the possession of his Brother Mr. Williamson, until his return. They were generally regarded by the neighbors as the property of Elias Williamson, and by those who resided in his family. Fifteen or eighteen years ago, not long before the death of Patsy Summrell, ~~she lived with Mr. Williamson as his~~ ^{companion} ~~people~~. I heard her say that they had received a letter from Elias Williamson some five or six years ago, who stated that he should return in five years; and that they were then expecting him as the appointed time had elapsed and when he returned, she supposed he would take possession of the plantation and his negroes, Martha and her children. I think he left her

about - thirty years ago, but cannot be positive as to the time

And the respondent further with her
Sally + Brown
mask

The definition of Mr. Gray who having been ~~asked~~ ^{seen} defines
as follows:

2nd. - Do you know Elias Williamson? Did you or you know
any thing about the ownership of Charles the Elder, claiming to
be emancipated by the letter of Rev. Williamson and? State what
you know about her? to whom she belonged? and how she came in
the possession of Williamson Geo. or Elias -?

Ans. I knew Elias Williamson - Martha when a girl
was bequeathed by Joseph Kiffin to my sister Cath-
arine Gray - My father ~~with~~ the consent of Leathimus
Gray sold her to Elias Williamson, she was given
to my sister as a maid but not selling her she
agreed to sell her; she was bought by the said Elias
Williamson who came and carried her away.
At that time Martha was not quite grown up.
And further this Depoent saith not -

Ann Gray

The foregoing depositions of Miller Brown, Sally Brown, Sally Wrenn & John Gray, were duly sworn to and taken before me a justice of the peace for the county of Southampton D., on the 1st October 1851, between the hours of 10 A.M. and 5 P.M. at T. W. Sumner's, near "Baginbun Stone". Given under my hand this 1st October 1851.

S. B. Kello Jr.

William Womble
& Lane's
Simon &

Depositions

Williamson's Exr. &

Came to hand sealed April 6th
1852. J.R.G.

Notre waird
@ H.M. H.

At Berlin in Hampshire County Va, on the 2^d day of April, ¹⁸⁵² the defendants in the case of Simon & others were advised, by the plaintiffs, that depositions ^{of} ~~Williamson~~ ^{Williamson} ^{admon} would be taken by them to be read in their behalf in the Court brought by them suing for freedom, ^{informa pauperis} under the will of one John Williamson: now pending in the Circuit of said County for the County of Va. Hampshire: whereupon, at the place aforesaid and between the hours of 10 A. M. & 7 P. M. of the said (Friday) the 2^d of April 1852, under the said advice, the deposition of Wm.

Wormley and Shugart Laine was taken by the said defendants, to be read as evidence in the said cause pending in the Court aforesaid. The said William Wormley having been first duly sworn deponee as follows:-

Question 1st Do you know the late John Williamson, and Elias Williamson. 2^d Do you know any thing of any negroes belonging to Elias Williamson. Their names and color are they now.

State what you know in reference to the ownership of a woman Martha called Martha the Elder & her children?

Ans. I knew ~~John~~ Williamson well, lived very near him, and was frequently at his house, and heard him say repeatedly, that he had negroes in his possession belonging to Elias Williamson & that he held them as the property of the said Elias Williamson, the negroes were Martha and her children - I know that Mary, Dick Addison & Judy, were children of Martha and were playmates of the son of John Williamson, and myself & her other children I never knew as I left the neighborhood when they were very young.

And this respondent further said, not -

William ^{his} W. Wormble
Mark

Shugart Laine having been duly sworn on the 14th day last at Court or other... Do you know a woman Martha claimed to be manumitted by John Williamson & Co. and her children. Ans. I do. I know that Mary

Wick Addison Joe Anthony Mary Margaret
and Berdema are children of Martha
And further this deponent saith not -

Shugan Laid

The foregoing deposition of Williamson and
Shugan Laid were taken before me a Justice of the Peace for County Southampton
on the 2^d day of April between the hours
of 10 A.M. and 5 P.M. to be read as evidence
in a suit pending in the Circuit Court of
Law and Chancery ^{for the} County of Southampton
in which Simon Willis Louis Dickson and
others claiming to be emancipated by Mrs.
Williamson are ^{as} suing in forma pauperis
are plaintiffs and Edwin Potts admr. of Mrs.
Williamson ac^t. and others are defendants
Given under my hand this 2^d day of April
1852 S. B. Wells J.P. -

Summ' 82

Deposition of
Bailey
Summerville and Barney

Exam to hand sealed May 3^d 1852
G.R.G.

To the Clerk of South Carolina
County of Frederick

~~Notice waived~~

~~Attest~~

Notice waived

~~Attest~~

The depositions of P M Bailey and ~~Richard H~~
~~Richard H~~ taken at the House of Wm Stephenson
at Berlin on the 20th of April between the House
of nine A M and six P M to be read as evidence
for the Plaintiffs in a suit now pending in the
Circuit Court of Lexington between Simon
& others Plaintiffs and E Butler administrator of
Geo Williamson & others Defendants

P M Bailey being first duly sworn deposed that
he said that when he was about seventeen
or eighteen years old that Elias William-
son came to his father and asked him
if he could let him have some money
that he had a negro girl or woman
the witness does not recollect which that
he would put in pawn for it. Mr. Bailey
asked him what he wanted with the
money and was told by Williamson
that he was going away and said
that if he never returned to claim the neg-
ro that he the sd Bailey was to have her
for the money advanced. Bailey's reply was
that he had better apply to sd Williamson's
brother John and said to him that if he
would not let him have the money then he
the sd Bailey would. He then stated to Bailey
that he had already applied to his brother
and could not get ^{it}. sd Bailey told him to go
again to his brother and tell him from him
the sd Bailey to let him have the money.

He the s^r. Williamson returned to his brother's and informed him of what Bailey had said. His brother from this message let him have the money which was between four and five hundred dollars with the understanding that if he the s^r. Elias Williamson never returned he the s^r. John Williamson was to keep the negro, but if he did and paid ~~for~~ him the amount advanced with interest that he the s^r. Elias Williamson was to take the negro back. Witup states that knows this fact from a conversation which occurred between Elias Williamson and his father on the next day after he got the money in the presence of witup. Witup states that Elias Williamson has not returned and has been heard from only once which was about ten or fifteen years ago. He also states that he is now about fifty years old.

McBailey

The above deposition was taken and sworn to at the time and place above mentioned before me a justice of the peace for the County of Southampton.

Wm. H. Summell J.P.

I do certify that the Witup Phineas M. Bailey attended at the time and place above mentioned.

Wm. H. Summell J.P.

The deposition of Richard H. Gualting was taken at Berlin on the 20th April 1852 to be read in evidence in behalf of the defendants in a suit now pending in the circuit court of Southampton between Simon & others plaintiffs and E. Butts Administrator of John Williamson decd. and others defendants. Richard H. Gualting being first duly sworn deposeth and saith that he heard John Williamson say that his brother Elias Williamson ~~had~~ had a negro when he left here.

Richard H. Gualting

The above deposition was taken and to at the time and place above mentioned before me a justice of the peace for the County of Southampton.

Wm. H. Summell J.P.

I do hereby certify that the ^{Richard H. Gualting} Witup attended at the time and place above mentioned.

Wm. H. Summell J.P.

Sally Womble
2^d deposition

Simon & Co

Depositions of
Sally Womble

Calvin Stephens
Williamsons atty Jno. D. & Son
By him

Came to hand sealed October 25th
1852

Sally Womble

#

It is agreed between the
parties in the case, that
all objections existing against
the taking & reading the
depositions of Sally Womble
in consequence of its having
been taken a second time
with an order of Court previously
obtained for such reading
is hereby waived and

R. H. Whitfield
Jno. R. Chambers

Simon, Lewis, Miles & others suing for their freedom under
the will of John Williamson

St. Reels admr. of Williamson & Williamson: Some & as,

According to notice and which is also here further & considered to
have been duly served, the following deposition was taken before me
on Saturday the 2nd of October 1857, between the heirs of Elias Williamson, & six P. M. of that of Simon &
a justice of the peace for the County of W. Hampton, Va., to be read
as evidence in a suit pending in the Circuit Court of said
County, in which Simon & al. (as above) are plaintiffs, and John
& Elias Williamsons administrators & others are defendants.

The deposition of Sally Biddle who having been duly sworn in the
Sally Evangelists deponent as follows.

Question by Defendants Counsel - How you intimate with, and
a very near neighbor to John Williamson & c.

Ans. I was very intimate with him; and a near neighbor of his.

Quest. Repeat any conversations you may have had with John
Williamson in reference to the negroes suing for their freedom &
which at one time were proposed, or the execution of them by Elias William
son? - & what was said about the purchase of the same by him? -
about three years after Elias had left the state.

Ans. In a conversation (which was frequent between John Williamson
& myself - in reference to Martha & her increase, the negroes now
suing for their freedom, I asked him, John Williamson, if
he had bought these negroes of Elias Williamson; or if he had
advanced money in any way upon, or about them; he replied no,
that he had never bought them; but he held them as Elias
Williamson's negroes; and that he, John had no right or claim
to them, and in reference to these negroes had advanced no money on
them.

Quest. by the Plaintiff. Why were you conversing about the these negroes
if you have given a former deposition in this case. Ans. we were very near neigh
bors, and when talking of matters generally, the discourse turned on this
subject, and he then said as stated above, and that these negroes were
only placed in his, John's, care. I have given a former deposition in this
case; and it appears it was given 1st October 1857.

Quest. How long has been since Elias Williamson left this State?
Ans. I don't exactly recollect, but suppose it was there, if no more, he
left some 4 or 5 years, after I was married which was in 1810. Though I am
not positive as to the time he left; can't recollect now positively.

Sally Biddle

The deposition of Calvin J. Stephenson taken on behalf of
the complainants, who having been duly sworn deposes as follows:
Ques. What do you know of any claim which John Williamson
had to these negroes now being: and state all circumstances
connected therewith?

Ans. My father Jeph Stephenson loaned Elias Williamson, a hundred
dollars, he was to replace it in a very short time: the night before he left
he met my father & myself in the road, he told father that he would
be there in a day or two, and pay the money, he went to Goose Branch
that night, and left next morning, father & old John Williamson
married sisters, father got uneasy about the hundred dollars & went
to Jack, or Lino Williamson; father told him John, that he should
Elias as an absconding debtor, under Jack, for John Williamson
told him, it was useless to be throwing away money; father told
him that he had John, had a negro girl, Martha, the mother of
those now being, belonging to Elias, and that John Williamson
said, that he had let his brother Elias have more money, than the
negro, Martha was worth; I did not understand John to say that
he had bought the negro, Martha, that debt has never been paid.
I can't say, how long time Elias Williamson left the state, it may
be upwards of thirty years, I know I was a small plough boy - I am
now 46 years now - The time when my father had the above
conversation with John Williamson, was a very short time after Elias
left.

Ques. ^{the} Counsel of Elias Williamson ~~advised~~ accepts to the conversation
above detailed by witness, Stephenson, as occurring between his father
& John Williamson as illegal?

Deputy by Elias Williamson advised, counsel. state as precisely
as you can a conversation that took place between you & Phineas M.
Bailey who has given deposition in this case formerly.

Ans. Yes sir, I can do that, - going to Wyatt Hancock's sale, he over
took me, at Thomas Atkinson, he, Bailey, remarked to me, that Capt John
Summersell, was about to get a great legacy, - meaning these negroes,
you observed that he ought not to get them; but if he did, you would
get ^{my} money; he stated further about the substance of his deposition.

Jack Boykin & Tom Boykin were in company, ^{in the conversation referred to above,} with me & Bailey & one was riding in a buggy with me.

Jos. P. Boykin having been duly sworn deposes as follows.

Deputy by Elias Williamson advised, counsel:

Were you present with Calvin J. Stephenson & Phineas M. Bailey; if so, did
any conversation take place between Stephenson & Bailey, ^{on their way to Wyatt Hancock's sale,} as to Elias William
son, negroes; and about a bond or debt, Stephenson had against Elias William
son, estate - state what was the conversation?

Ans. I travelled with Stephenson from Tom Atkinson to Wyatt Hancock on the
way to the latter sale; and no conversation whatever took place between
Stephenson & Bailey, indeed I am conscious, that Bailey was not present
or in our company, during our trip, travelling with Stephenson on to the
sale of Hancock - I was riding on horseback, and my brother Tom was
in the buggy with Stephenson. I will not say positively, that Bailey was
not one of our company, - I have tried frequently to recollect whether he
was or not, but my recollection is that he was not present with us; - but
I think he was at the hog pen together estimating the value of the hogs,
but no such conversation as intimated took place, not as I recollect,
and I have tried very many times to recollect.

John P. Boykin

The deposition of Thomas J. Boykin, who having been
duly sworn deposes as follows:

In answer to ^{similar} questions propounded to Jos. P. Boykin, I ~~do~~ say,
that my recollection coincides with, and I agree to what has been
first said by Jos. P. Boykin - I recollect no such conversation
between Bailey & Stephenson, as Stephenson states -

Thos. J. Boykin

Southampton County, State of N.C.

The foregoing depositions of Sally Munkle, Calvin J. Stephenson, Mrs. P. Boykin and
Thomas Boykin

were taken & sworn to before me a Justice of the Peace for the County aforesaid, at Berlin
in said County, on this Saturday the 23rd October 1852, between the hours of eleven A.M. &
5 P.M., according to notice, which notice it is admitted by counsel for both parties has been
only denied, and all objections in reference to notice are hereby by them waived - the said depositions
were taken to be read as evidence in the case of Simon & als vs. Williamson & sons & als
given under my hand & seal this 23rd October 1852.

The foregoing further completion of the taking of the depositions Patrick Dohy Esq.
in this case is adjourned till 2nd Nov. 1852, to come along to commence
at 10 o'clock of that day - Magistrate's fee \$3.00 Time 4 hours

The Deposition of Richd. H. Swatney taken

on the 17. January 1853, at Jerusalem, between the
hours of 9. A.M. & 5-11. P.M. of that day, to be read
as Evidence in the case of Simon & als. H. Batts Administrators
of Elias Williamson & als: pending in the Circuit Court of Sur-
rrey County in the County of Southampton.

The said Richd. H. Swatney, having been duly sworn before
a Justice of the Peace - that when he & Madison Bailey were going, riding
together in the same Ruffs, to Herlin to give in our depositions
in the same case, taken at the instance of the ^{the plaintiffs} ~~defendants~~ -
P. Madison Bailey told me that he, ^{Bailey} knew nothing of the matter
as to the bargain between Elias Williamson & John, as to the
borrowing of money, or buying Martha, and so told Calvin
J. Stephenson, who continuing to urge him, Bailey, about the
matter - he, Bailey, then said or told Stephenson what he
gave in, in his evidence or deposition; and then Stephenson said
that Capt Batts should know it. My deposition was taken
at the same time, the said P. M. Bailey's was taken, but
the ^{plaintiffs} ~~defendants~~, as I am informed, did not report, or refused
to use it - & further the defendant says the not.

Richard H. Swatney

Southampton County, Va.

The foregoing deposition was taken & sworn to before me
a Justice of the Peace in the County aforesaid, on this
the day above mentioned & between the hours aforesaid
Given under my hand this 17. Jan. 1853 -

S. B. Wells J.P.

366
 2166

Minerva
 Euphonia,
 John
 Wm. Henry
 Lucy
 Psittacula
 Matilda
 Grooman
 Susan
 Balan
 Rosanna
 Lavinia Smith
 Baker

Simon &
 & { Deposition of
 Williams & Co.

Came to hand March 31st
 1853 probd. LRC

The Deposition of Hawkins Pond taken this 28th day of March
1853 to be read as Evidence in a suit now pending in the
Circuit Court of Southampton under the style of Senior vs
Williamson, admsn vs

Hawkins Pond being first duly sworn ~~Sagitt~~

Question by defendant counsel. Did you know John or Sarah
Williamson, & Elias Williamson? If so state what you know
in regard to certain negroes said to be long to Elias Williamson
& left with ^{with} John Williamson?

Ans. I know John Elias Williamson very well and lived
in about three miles of John Williamson for 16 or 18 years
after Elias Williamson left here I asked John what had
become of Elias Williamson, ^{upon} he John replied they are here, I
think John Williamson made this statement to me several
times, I inferred from John Williamson saying they are
~~here~~, and from repeated conversations about the negroes
with John Williamson, that he John recognized the
negroes left there by Elias, as Elias Williamson's negroes -
this was an inference of my mind from the frequent
chattering we had about the matter. I am fifty nine years old -
and Elias went far away, from 37 to 40 years ago -

Question by ~~Plaintiff~~ Counsel have you any other reason to
believe or infer that the Slaves were still Elias' property
except the answer to your question they are here
answer, No: but in frequent conversation with him I
never heard John saying any thing that relieved my mind
of that impression

Question by ~~Defendant~~ Counsel. In the frequent conversation
you had with him, John, did he not always leave you
on your mind the same impression that they were the negroes
of Elias Williamson:

Hawkins Pond

Ans. He did.

The foregoing deposition was taken & sworn to before me a justice
of the peace for the county of Surry, on the day & year in the caption say
above set forth - given under my hand & seal this 28th March 1853

Wm P Shays J.P.

Service of Notice adn
returned to the deponent
and all objections on the
same heard. do
March 21. 1853 -

Chambliss Mapenbury atty
for Plff
Robt Whitfield atty
for Def

Sum of
Deposition of
Whitney

Williamson Esq. of

Filed March 21. 1853 handed
in by P. Bates J.P.

The deposition of William Whitney, taken at Simonsville
So. Hampton County, on Monday the 21st day of March
1853, between the hours of 9. A. M., and 5. P. M. to be read
as evidence, in the suit of Simon vs. W. Williamsons
Representatives vs; and on behalf of defendants.

Question by defendant.

Do you know Calvin J. Stephenson who has given
testimony in this cause? State what you may hear
Stephenson say about the matter of this suit, or in any
way pertaining to it?

Ans. Some time in the fall of last year, I can't be
particular as to the exact time, at Faisons store, I heard
a little dispute, or quarrel between Stephenson (Calvin
J.) - and a Capt Geo. Seemmerille. I asked Stephenson
what was the matter - he Stephenson said he did not
know why Seemmerille should abuse or get mad with
him. Stephenson, for that he Stephenson knew nothing
he cared nothing about the matter - referring to the suit
of the negroes of Williamsons - for their freedom - against
William Whitney

~~Southampton County: The foregoing deposition of
William Whitney, written & sworn to before me
on the day & place above specified, a justice of the peace
So. Hampton Co. Va.~~

The above deposition of William Whitney was taken & sworn to
before me a justice of the peace for the county of So. Hampton -
on the 21st day of March 1853 - given under my hand
the day & place above written.

J. Dols D.M.
3

Defendant V

Edward B. B. .

Southampton County and State of Virginia

The deposition of Edward Butts Taken before
Proctor, a Justice of the Peace for the county afore-
said, Taken at the house of said E. Butts, after
being duly sworn, saith and deposes as follows.

The following question was asked by the J.P.

Ques. State all that you know in reference to
matters pending in a suit between John C
Summell & Mary Branch, ^{deceased} against Edward
Butts admr. will annexed of John Williamson ^{J.P.}
Ans. I qualified as administrator ^{on the Williamson estate} the 8th of Nov
1844, and held the estate in my hands, until sometime
1847, and about that time I gave up the negroes for
a division. I Paid Mrs C. Williamson and Mary Branch
and William J Tebull deputy of Jethro Sander
sheriff & committee of Winneford Hill their respective
proportions, of the balance due the estate, as will appear
from citing of the ^{original & papers} ^{herewith filed as a part of this deposition}
John C. Williamson died about the first of
January 1850, soon after his death, I took
the second administration on John Williamsons
Estate, and never heard of any claim for
Martha and her increase, from any of the
parties, until I took the second administration,
instigated by the Pepps.

What are the names of the children of Martha

Ans. I do not know.

Ques. What are the names of the children born
between the deaths of Mrs Williamson and
Mrs. Summell,

Ans. I do not know.

And further the deponent saith not.

Sworn to and subscribed to before me this

25th of April 1853.

Proctor (J.P.)

E. Butts

The written deposition of E. Bates is to be read by consent on behalf of the Plaintiff
in the suit now pending in the Circuit Court of Southampton, Lincoln Co
against Williamson & Son

R. H. Whitfield atty
for Defs.

Mr. Cobb
Southampton
County

Southampton May 2nd/56.

Dear Sir

Charlotte. is not able to
come to The Court house. She has authorised
Harriet, to receive her money in the
presents. of me. &c.

Yr. C Wrenny

[Illegible handwritten text]

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[Illegible handwritten notes]

[Illegible handwritten text]

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Balance due the Williamson estate \$338.81
 Int. on \$295.78 fr. dec. 31/1848
 till Sept. 17/1849. 10.01
\$348.82

For Wagon hire
 to J. R. Chandler 12.50
336.82

Sally Branch 1/10 33.68
 W. W. White est. 1/10 33.68
\$269.46

Recd. Sept. 17/1849 of Edw. B. Burt
 of John Williamson decd. two hundred
 and sixty nine dollars and fifty
 cents in full of the balance
 from the estate of the said John
 Williamson decd. and further agree to
 pay any sum and which may come
 against the estate upon order and
 receipt of the said Edw. B. Burt

Yours W. B. Burt

Tolly Branch
to Receipt
Williamson & Co.

\$37.98

Received Feb^y 17, 1857 of E. B. Burt a dnt.
of John Williamson due the sum of thirty
seven dollars and twenty cents
in full of my one tenth part of the balance
due the estate

R. A. Miquelant for
Polly Branch

Shiff & Co. melling
Hundred Wals
To Receipt
J. Williamson & Co.

£37.98

Received Feb'y 17 1858 of E. Bull acct. of John
Williamson due the sum of thirty seven dollars and
and ninety cts. ^{dollars} in full of Mimsford Whiles on
tenths part of the balance due the estate.

per John of J
Marion late of J
adms. of Wm. a.?

Simon & Otis.
vs
Williamson's Adm'r &c.

Commissioner's Report.

1855 Sept. 27th Ret^d

*The Estate of John Williamson deceased,
In account with Edwardy Butts executor.*

			Dr.		Cr.		Actual
1850							
Decr	31	By hire of negroes this year,			502	76	
"	"	To paid Samuel Kello, acct,	23	00			
"	"	" " Eli W. Davis, "	1	00			
"	"	" " Wm. H. Summrell, med acct,	14	00			
"	"	" " Tax account,	22	13			
"	"	" " Clerk's tickets	1	98			
"	"	" " for keeping expensive negroes,	67	50			
"	"	" Commissions on \$502.76	50	27			
"	"	By Balance due the Estate	322	88			
			502	76	502	76	
1851		By Balance due brought down			322	88	
Decr	31	" Interest thereon nine months,					14.52
"	"	" Hire of negroes this year,			638	20	
"	"	To Commissions thereon	63	82			
"	"	" paid for keeping expensive negroes	37	00			
"	"	" " Samuel Kello, acct,	3	00			
"	"	" " Eli W. Davis "	1	00			
"	"	" " Margaret Morris "	2	00			
"	"	" " John Corumpler "	4	00			
"	"	" " Matilda Evans "	2	00			
"	"	" " P. Digges "	1	25			
"	"	" " Sheriff's tickets	1	50			
"	"	" " J. R. Chambliss, acct,	10	00			
"	"	" " Wm. H. Summrell, "	22	50			
"	"	By Balance due the estate	813	01			
			961	08	961	08	14.52
1852		By Balance due brought down			813	01	14.52
		Carried forward,					

1852		By Balance brought forward,			813	01	1452
Deer	31	" Interest on \$322.88 one year,					19.37
"	"	" " on \$490.13 nine months,					22.05
"	"	" Rice of negroes this year,			597	81	
"	"	To Commissions thereon	59	78			
"	"	" paid midwife wife	2	00			
"	"	" " for expensive negroes	53	50			
"	"	" " J. B. Kello, Med: acct.	6	75			
"	"	" " J. B. Pothall, " "	33	75			
"	"	" " R. H. Whitfield, " "	3	15			
"	"	By Balance due the estate	1251	89			
			1410	82	1410	82	56.94
1853		By Balance due brought down			1251	89	56.94
Deer	31	" Interest on \$813.01 one year,					48.78
"	"	" " on \$438.88 nine months					19.74
"	"	" Rice of negroes this year			549	87	
"	"	To Commissions thereon	54	98			
"	"	" paid for expensive negroes	23	00			
"	"	" " Joseph A. Atkinson, acct.	22	00			
"	"	" " P. L. Beckman, " "	10	00			
"	"	" " J. R. Purdie " "	40	50			
"	"	" " Solomon Fletcher " "	21	57			
"	"	" " John Crumpler " "	1	00			
"	"	" " Sheriff's tickets	3	00			
"	"	" " Matilda Evans, acct.	2	00			
"	"	" " Eli W. Davis, " "	1	00			
"	"	" " Julian J. Beach " "	1	50			
"	"	" " John Cobb " "	1	00			
"	"	" " James J. Butts " "	7	50			
"	"	" " Wm H. Summell " "	69	50			
		Amounts carried forward	258	49	1801	76	125.46

1853		Amounts brought forward,	258	49	1801	76	125.46
Deer	31	To amount due the executor for keeping Mariah and four children, seven months.	35	00			
"	"	By Balance due the estate	1508	27			
			1801	76	1801	76	125.46
1854		By Balance due brought down			1508	27	125.46
Deer	31	" Interest on \$1251.89 one year,					75.11
"	"	" " on \$256.38 nine months					11.53
"	"	" Rice of negroes this year			582	00	
"	"	To Commissions thereon	58	20			
"	"	" paid for expensive negroes,	73	00			
"	"	" " G. A. W. Newman, acct.	11	75			
"	"	" " Chamberl & Graves, " "	100	00			
"	"	" " Calvin J. Stephenson " "	3	80			
"	"	" " S. B. Kello, med: acct.	14	50			
"	"	" " A. S. H. Burger " "	6	10			
"	"	" " Wm H. Summell " "	20	50			
"	"	" " H. P. Pope, acct.	2	75			
"	"	" " Samuel Kello, " "	9	00			
"	"	By Balance due the Estate,	1790	67			
			2090	27	2090	27	212.10
1855		By Balance due brought down			1790	67	212.10
Jan	15	To paid Chamberl & Mapelburg,	50	00			
July	1	" " Same, acct.	50	00			
"	"	By interest on \$1508.27 six months					45.24
"	"	" " on \$282.40 three months					4.23
"	"	To paid Andrew J. Kello, acct.	6	00			
"	"	By Balance due the estate	1684	67			
			1790	67	1790	67	261.57
"	"	By Balance carried forward			1684	67	261.57

1855 By Balance are brought forward 1684 67 261.57
 July 1 " Interest account brought down 261 57
 " " " Balance of principal and interest due \$1946.24
 with interest on \$1684.67 from this date till paid.

Respectfully Submitted
 Wm. W. Cobb born

Simon & others,

Commissioner's Office,
 September 15th 1855.

Williamson's admr &c.

In obedience to a decree of the Circuit Court of Southampton County, rendered in the above suit in chancery, depending in said Court, at May term 1855, the undersigned Commissioner of said Court, reports to the Court that he gave notice to the parties to the said suit, that he would proceed to take the accounts directed by said decree, at his office, on Tuesday the 17th day of July last; on which day the notices were returned duly executed. At which time the taking of the said accounts was adjourned to the 21st day of August last, when he proceeded to make up the foregoing account of the hires of the negroes of John Williamson decd, received by the administrator, since the death of John C. Sumner. The Commissioner reports that no other monies have been received by the said administrator, since the period abovementioned, and therefore no other account of his transactions as admr. aforesaid, is deemed necessary. The Commissioner reports that the following are the names of the children of Charlotte, Mariah, Harriet and Berdemona; viz: Louisa, child of Charlotte; Thaddeus, Sarah, Charles, and

Murdoch, children of ~~Mariah~~; Euphemia and John, children of Harriet; William Henry, Lucy, Penetta and Matilda, children of Berdemona. The Commissioner reports that the following are the names of the issue of the females born since the 21st day of February 1851, the date of the subpoena in this suit; viz: Murdoch, child of Mariah; Penetta and Matilda, children of Berdemona; Goodman and Susan, children of Sophia; Balam, child of Caroline; Rosanna, Edwin Burwell, and one that has not yet been named, children of Wiannah.

He further reports that he has allowed the executor 10 per cent commissions on the receipts in the foregoing account, on account of the extraordinary and unusual trouble that has fallen on his hands in consequence of the institution of a suit for the freedom of the negroes belonging to John Williamson decd.

He believes this allowance to be just and proper.

The decree and notices are herewith returned.
 Wm. W. Cobb born

Commiss fee & copy \$20.00

Charged to E. Butts admr

Sheriffs fee —

Comm.

Unit am
Int on 1084.67
44 Stairs -

\$1946-24

Simon & others
vs 3
Williamson's admr

Report of Admr

1856 Nov. 8th

Simon & others

vs

Williamson's admr. &c.

In obedience to a decree of the Circuit ~~Court~~ of Southampton County rendered at Nov^r Term 1855 in the above suit, and also of one rendered at May Term 1856 in the same suit, the undersigned administrator of John Williamson dec^d begs leave to submit the following report - The statement herewith filed marked A, will exhibit an account of the hires of the negroes of the said Williamson which have accrued since the report of Commissioner Cobb returned in this suit.

The amount in the hands of the undersigned administrator as ascertained on the 31st day of Dec^r 1855 was \$1965.40, which he has paid out to the negroes of the said Williamson according to the decrees beforementioned - That three of the negroes mentioned in the decree rendered at Nov^r Term 1855, viz, Jim, Elliot & Mary were not entitled to any of the hires in his hands, as they had never been in his possession, and had never been hired out by him, and are not entitled to their freedom until the death of Polly Branch.

He reports that the proportion of each of the said negroes in the amount ascertained was \$50.40. That he has paid all of them except Bengee who is now confined in the Penitentiary of this State - That he will pay him his proportion as above stated, as soon as he is released. He has paid the following amounts to the following named negroes, and taken receipts from them which are herewith filed - viz - To Lewis, Simon, Martha, Dick, Addison, Anthony, Margaret, Judy, etaney, Eliza, Nellis and Alabama, each, the

sum of \$50.40. To Harriet & four infant children
\$252.00, to Berdemona & four infant children
\$252.00, to Mariah & five children, and two grand
children, \$458.60, to Charlotte & one child, and one
grandchild \$201.60, to Sophia & two children ~~\$252.00~~
amounting in the aggregate to \$1915.20. The
receipts from the said negroes are herewith filed.
It will appear that the names of some of the
negroes mentioned in the receipts are not identical
with those in the decree, but this is owing to the
fact that some of them were called by several
names, and one or two have died since the
decree of Novr 1855 was rendered - where those who
died left no children the amount decreed to be
paid to them has been divided equally amongst
the ~~children~~. Every one of the said negroes that were in
the possession of the undersigned administrator as
aforesaid have been paid off, except Carjill
who is in the Penitentiary, and have left the
state, or will soon do so.

Respectfully Submitted,
E. Butts adm.

Receipt of
Willis —

1856 Nov 8. Paid with Reps

Augt 18th 1856, Recd. of E. Butts adv.
of John Williamson acc^d. The sum of
\$50.40 in full of the amount directed
to be paid to me by a decree of the
Circuit Court of Southampton County
rendered at cov. term 1855 in the suit
of Simon Toth vs Williamsons adv.
Given under my hand this the 18th
day of August 1856.
Witness

Willis X

Geo. Cobb
Jas. B. Wick

Receipts from
the negroes.

1856 Nov 8. filed with Reps

nei
+
man

Received of E. Butts admr. of John Williamson
dec^d. the sum of \$226.40. (\$45.28 each) in
part payment of the amount directed to be
paid to me and my children William Henry
Lucy, Pincetta, & Matilda, by a decree of
the Circuit Court of Southampton County
rendered at November term 1855 in the
suit of Simon de W. Williamson's admr.
Given under my hand this the 2nd day of
May 1856.

Witness

Joel Cook
Wm Cobb

her
Mark
Mark

Received of E. Butts admr. of John William-
son dec^d. the sum of \$271.68, (\$45.28 each)
in part payment of the amount directed
to be paid to me and my five children Sarah,
Rebecca, Thaddeus, Charles & Maudslaw, by a
decree of the Circuit Court of Southampton
County rendered at Nov. term 1855 in the
suit of Simon & W. Williamson's admr. and
also the sum of \$90.56 in part payment
of amount directed to be paid to me by a
decree of said court rendered at May term 1856
for Rozena and Edwinstorough children
of Wiannah, in the same suit aforesaid.
Given under my hand this the 2nd day
of May 1856.

Witness

Joel Cook
Wm Cobb

her
Mark
Mark

Received of E. Butts admr. of John
Williamson dec^d. the sum of \$90.56,

(45.28 each) in part payment of the amount
directed to be paid to me and my child
Louisa, by a decree of the Circuit Court
of Southampton County rendered at Nov.
term 1855, in the suit of Simon & W.
Williamson's admr. and the sum of
\$45.28 directed to be paid to me for Balaam
child of Caroline by a decree of said
court made at May term 1856 in said suit.
Given under my hand this the 2nd
day of May 1856.

Witness

Wm Cobb

her
Mark
Mark
for Charlotte & children

Joel Cook

Received of E. Butts admr. of John
Williamson dec^d. the sum of \$135.84
(\$45.28 each) in part payment of the
amount directed to be paid to me ^{and my two children} by
a decree of the Circuit Court of South-
ampton County rendered at November
term 1855 in the suit of Simon & W. William-
son's admr. - Given under my hand
this the 2nd day of May 1856.

Witness

Wm Cobb

her
Mark
Mark

Joel Cook

Receipt of
negroes through
J. C. Cook
per order.

1856 Nov 8 Returned with
R. P.

W. C. Cook

E. Butts admr of John Williamson died will pay to Joel
Cook the balance that may be coming to me and my
child & grand child by virtue of a decree rendered at novem-
ber term 1855 in the suit of Simon & others vs Williamsons admr
& depending in the Circuit Court of Southampton County
Lex

William Lightfoot Sept 27th 1856. ^{Charlotte} ^{her} ^{mark}
of above order (\$65.76) payment in full

E. Butts admr of John Williamson died will pay to Joel
Cook the balance that may be coming to me & my
children by virtue of a decree rendered at November term
1855 in the suit of Simon & others vs Williamsons admr
& depending in the Circuit Court of Southampton County
Lex

William Lightfoot Sept 27th 1856. ^{Lophia} ^{her} ^{mark}
of above order (\$15.36) payment in full

E. Butts, admr of John Williamson died will pay to
Joel Cook the balance that may be coming to me and
my & children by virtue of a decree rendered at November
term 1855 in the suit of Simon & others vs Williamsons
admr & depending in the Circuit Court of Southampton
County

Lex ^{Harriet} ^{her} ^{mark}

William Lightfoot

Sept 27th 1856. Recd. payment in full
of above order, (25.60).

Joel Cook

E. Butts adm^r of John Williamson dec^d will pay to
Jue Cook the balance that may be coming to me
& my 4 children by virtue of a decree rendered at the Nov^{em}
term 1855 in the suit of Simon and others vs Williamsons
adms & depending in the circuit court of Southampton
county. — ^{besdemona + mark}

^{Jan} Sept 27th 1856, Rec^d. payment in
William Lightfoot full of above order, (\$25.00)

E. Butts adm^r of John Williamson dec^d will pay to
Jue Cook the balance that may be coming to me of
my 5 children & 2 grand children by virtue of a decree rendered
at the Nov^{em} term 1855 in the suit of Simon & others vs
Williamsons adms & depending in the circuit court of
Southampton County

^{Jan} ^{Muriak + mark}
William Lightfoot

Sept 27th 1856, Rec^d. payment in full of
above order, (\$91.36) Jue. Cook

Account of hires
of negroes for 1855 & 56,

Statement A.

1856 Nov. 8

The Estate of John Williamson decd.

In account with E. Butler administrator

1855			Dr.	Cr.
Nov.	7	To paid Joseph A. Davis, attorney	50 00	
"	19	" " John R. Chamberliff "	100 00	
Decr	31	By hire of negroes this year To commissions thereon	49 30	493 00
"	"	" paid for expensive negroes	69 00	
1856		" " Elias Hooton, acct.	1 50	
Jan'y		" " Saml. Wells "	3 00	
"		" " E. L. Crumpler "	5 83	
"		" " Wm ^d H. Bond "	3 25	
March		" " St. A. Breunig "	1 00	
"	14	" " Daniel Vick "	5 00	
"		" " R. A. Hughes "	7 00	
"		" " H. P. Pope "	25	
April.		" " Wm ^d H. Summerville "	6 75	
"		" " Wm ^d H. Bond "	9 50	
"		" acct due admr. retained	8 75	
"		" paid W. W. Cobb attorney	7 50	
"		" " W. W. Cobb Comr.	25 00	
"		" " Sheriff's tickets	3 00	
"		" " Clerk's fees	5 00	
"		" Amount retained to pay ³ additional expenses —	100 00	
May	1	By hire of negroes up to April 1 st To commissions thereon	10 37	103 75
"	"	" paid for expensive negroes	24 75	
"	"	" " Clerk for free papers	67 60	
"	"	" Amount retained to pay ³ additional costs of suit.	33 40	
			596 75	596 75

Receipt
of Joel Cook
for negroes
per order.

1856 Nov. 8. Return
with report

E. Butts admr. of John Williamson
 decd. will pay to each of the
 balance that may be to each of
 us by virtue of a decree rendered
 at November term 1855, in the suit
 of Simon & others vs Williamson admr.
 pending in the Circuit Court of
 Southampton County — —

Less
 William Lightfoot

Simon +
 Anthony +
 Addison +
 Keick +
 Eliza +
 Nancy +
 Alabama +
 Margaret +
 Martha +
 Judy +

Sept 27th 1856, Recd. of E. Butts admr. of
 John Williamson decd. the sum of \$57.20
 in full of balance due from him to the
 above negroes, (\$5.10 each) &
 J. G. Cook

Receipt of
Lewis & C.
Butts admr.
of John Williamson
acc^d. \$30.40

March 24th 1857. Received of E. Butts admr.
of John Williamson dec^d. the sum of fifty
dollars and forty cents in full of the amount
directed to be paid to me by a decree of the
Circuit Court of Southampton County in the
suit of Simon & others vs Williamson's admr. &c.
Witness.

Thos^d H. Vignum act.

Levin X Monroe

John Williamsons. Will

Shinow & Co.

W. } Ex. with Bill

Williamsons & Co.

5. 189

I John Williamson of the County of Southampton do make and ordain this piece of writing to be my last Will and Testament in manner and form following -

Item. I lend to my sister Winifred White one tenth part of my negroes and the plantation whereon I now live and the tract of land over Seacock, and at her death I then lend all of the property above named that can be found to John C. Summerville his life.

Item. I lend to my sister Polly Branch one tenth part of my negroes and the road plantation formerly call'd Profsons and at her death I then lend all of the property above named that can be found to John C. Summerville his life.

Item. I lend to John C. Summerville the balance of my negroes and a tract of land formerly call'd Hollmans Tract. also a tract of land formerly call'd Harbs and one horse his choice and at his death if the laws of our land will suffer it. I then wish for the negroes to be deliberated.

Item. I give to my friend John S. Gwaltney the sum of twenty dollars to him and his heirs forever.

And now I wish all of my stock and utensils to be sold and to pay my just debts and if there should not be enough take that can be spared best and if there should be any over it is to be equally divided between those already named.

I do constitute and appoint my friends Josiah Profson and John S. Gwaltney, John C. Summerville my whole and sole Executors to this my last will and Testament. Given under my hand and seal this sixteenth day of November in the year of our Lord one thousand eight hundred and forty two.

Signed, Seal and acknowledge
in the presence of.

John ^{his} Williamson
mark

(Seal)

Josiah D. M. Delk
William H. Summerville.

At a Circuit Superior Court of Law and Chancery held for the County of Southampton on the 8th day of November 1844.

A Writing purporting the last Will and Testament of John Williamson bearing date the sixteenth day of November 1842 was this day produced in Court by John C. Summerville in order to be proved, and Mary Brittle appeared by her attorney and opposed the proof of the said will Whereupon divers witnesses were sworn and examined and the parties by their Counsel fully heard On consideration whereof it is the opinion of the Court that the said John Williamson deceased at the time of executing the writing aforesaid bearing date the sixteenth day of November 1842 was of

Sound and disposing mind and memory and that he was under no undue influence. And William H. Sumner all the surviving witnesses to the said writing having testified in Court that the said John Williamson acknowledged the same in his presence as his will and that he subscribed his name as a witness thereto in the presence of the testator, and that the said testator was ^{mind} sound and memory as far as he knew or believed. And Josiah D. M. Delk the other subscribing witness ~~to the said writing~~ being dead Richard H. Gwaltney and John E. Gwaltney being sworn, depose and say that they are well acquainted with the hand writing of the said Josiah D. M. Delk and that the signature as witness to the said writing is in the proper hand writing of the said Josiah D. M. Delk. Whereupon it is ordered that the said writing be recorded as the last will and testament of the said John Williamson dec'd. and that executors named in the said will refusing to take upon themselves the burden of the execution thereof on the motion of Edwards Butts who made oath and together with George A. W. Newson and Benjamin Devany his securities (who justified according to law) entered into and acknowledged a bond in the penalty of twelve thousand dollars conditioned as the law directs certificate is granted him for obtaining letters of administration on the said decedent's estate with his will aforesaid annexed in due form.

Teste

L. R. Edwards Cky

Attest

Teste

L. R. Edwards Cky

Simon &

2 } Ex. with bill

Williamson &

In Southampton County Court, November 15th 1847.

John C. Summrell and Mary Branch
against

Plff } In Chy.

Edwards Butts admr. with the will annexed of John Williamson dec^d & c^t

This day this cause was docketed by consent of parties and came on to be heard on the bill answer and exhibit and was argued by counsel; on consideration whereof, the Court doth adjudge, order and decree that Benjamin L. Drew, Robert Dettlow and Ansalem B. Unguhart who are hereby appointed commissioners for the purpose allot to Mary Branch one Tenth in value of the slaves of which John Williamson died possessed, and the balance of said slaves to John C. Summrell (alias Williamson) to be held by them according to the will of John Williamson deceased, and make report to Court in order to a final decree.

Attest.
Copy.

Henry S. Howard, C. C.

In Southampton County Court, November 2nd 1848.

John C. Summrell and Mary Branch
against

Plff } In Chancery

Edwards Butts admr. with the will annexed of John Williamson dec^d & c^t

The Commissioners in this cause this day made their report which is in these words: To wit: In obedience to a decree of the Honorable County Court of Southampton, bearing date November Court 1847, and hereto annexed, we the undersigned Commissioners have proceeded to divide the negro slaves of which John Williamson died possessed and have found them agreeably to the valuation placed on them to be worth \$9000, one tenth of which is \$900. We have therefore allotted to Mrs. Mary Branch agreeably to the decree as her one tenth part of the said slaves one man Tim valued at \$550. one boy Ellick valued at \$75. and one woman Mary valued at \$275. making \$900. We have also in further obedience to the directions of the said decree allotted to John Summrell (alias Williamson) the balance of the said slaves vizt: Addison, Diadama, Jobiers, Joseph, Elizabeth,

Harriet, Anthony, Mariah, Tharsus, Sarah, Peter, Desdemona, Euphemia, Dick,
Dianna, Maryana, Lewis, Caroline, Martha, Cindy, Cargill, Elija, Ala-
bama, Luebeck, Willis, Nancy, Margarett, Lucy, Julia, Simon, Sophia,
Martha, Charlotte and Louisiana. valued at \$8100. The above is re-
spectfully submitted to the Honorable County Court of Southampton.
Given under our hands this 29th day of December 1847. Benjamin
L. Drew, Robt. Pether. A. B. Meguhart, Commissioners.

Attest
Teste, Henry S. Howard & Co.

Williamsons adv

~ } Copy Record

Bulls

Simon & P

~ } Exhibit W,

Williamsons. adv

filed May 3^d 1855

Pleas at the Courthouse of the County of Southampton before the Judge of the Circuit Court of the said County on Friday November the tenth one thousand eight hundred and fifty-four.

Be it remembered, that heretofore to wit. At Rules held in the Clerk's Office of the said Court on the first Monday in August in the year 1853 came Joseph T. W. Summerville administrator of Elias Williamson dec^d. by his attorney and filed his declaration against Edwards Butts of a plea of detinue, which declaration is in these words to wit.

" Circuit Court of Southampton County Va. Joseph T. W. Summerville administrator of Elias Williamson dec^d. complains of Edwards Butts (the defendant) who has been summoned to answer said plaintiff of a plea, that he render to him the said plaintiff, the following negro slaves, named, Martha sr., Martha jr., Dick, Addison, Anthony, Judith, Mary, Margaret, Didamy or Desdemona, Betty or Elizabeth, Martha and Margary or Margaret, each of the value of \$1,000 the property of him the said plaintiff as ad^{or} as aforesaid, and of great value to wit, of the value of \$11,000.00 which from the said plaintiff he unjustly detains.

And thereupon the said plaintiff says, that heretofore to wit, on the first day of July 1852, at the County aforesaid, he the said plaintiff was lawfully possessed of certain slaves named as follows Martha of great value, viz. of the value of \$1,000, Martha of great value viz. of \$1,000, Dick of the value of \$1,000, Addison of the value of \$1,000, Anthony of the value of \$1,000, Judith of the value of \$1,000, Mary of the value of \$1,000, Margaret value \$1,000, Didamy or Desdemona of the value of \$1,000, Betty or Elizabeth or Betsey of the value of \$1,000 & Margary or Margaret of the value of \$1,000. as of his own property and being so possessed thereof, he the said plaintiff afterwards to wit, on the day and year aforesaid, at the County aforesaid, casually lost the said slaves out of his possession, and the same afterwards to wit, on the day and year aforesaid at the County aforesaid, came to the possession of the said defendant by finding. Nevertheless the said defendant well knowing the said slaves to be the property of him the said plaintiff and of right to belong and appertain to him, has not as yet delivered the said slaves above named, to the plaintiff, although he was afterwards to wit, on the day and year aforesaid, at the County aforesaid, requested by the plaintiff so to do, but hath hitherto wholly refused so to do, and hath detained, and still doth detain, the same from the said plaintiff, to wit, at the County aforesaid, to the damage of the said plaintiff of \$11,000.00 and therefore he brings suit &c."

Whereupon the defendant having been duly summoned and not appearing, on the motion of the plaintiff it was ordered that judgment be entered for the plaintiff against the defendant for the slaves in the declaration mentioned, if they may be had, or the prices of them or such of them as may not be had, together with damages for detaining them unless the defendant should appear at the

next Rules and answer the plaintiffs action -

At which day to wit, At Rules held in the office of the said Court on the first Monday in September 1853. the defendant Still failing to appear on the motion of the plaintiff by his attorney it was ordered that the conditional judgment entered in this cause at the last rules stand confirmed and that the price and damages be ascertained by a jury at the next term.

And at another day to wit. At a Circuit Court held for the County aforesaid on the seventh day of November 1853 this cause was continued till the next term -

And at another day, to wit. At a Circuit Court held for the County aforesaid on the second day of May 1854. On the motion of the defendant by his attorney it was ordered that this suit be continued till the next term. But this continuance was at the costs of the said defendant -

And now at this day to wit, At a Circuit Court held for the County aforesaid on the day and year first herein mentioned to wit, on Friday, November the tenth 1854. came the parties by their attorneys and the defendant said he doth not detain the slaves in the declaration mentioned in manner and form as the plaintiff against him doth complain and of this he puts himself upon the country and the plaintiff likewise and thereupon came a jury to wit Henry Edwards, Thomas Vaughan, Parker D. Story, James Brister, David H. Joyner, Patrick Rowe, Joshua Story, Elijah J. Williams, William H. Pritton, James Council, Anthony V. Williams and Arthur M. Chammell who being selected by lot and sworn the truth to speak upon the issue joined, upon their oath returned a verdict in the following words to wit. "We the jury find in favour of the defendant." Therefore it is considered by the Court that the plaintiff take nothing by his bill but for his false clamour be in mercy of and that the defendant go thereof without day and recover against the plaintiff his costs by him about his defence in this behalf expended. To be levied of the goods and chattels of the defendant in the hands of the plaintiff to be administered -

Plaintiffs Costs \$20.41.

Copy of the record

Jesse.

L. R. Edwards. Clk.

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Colo. John R. Chambliss

John Williamsons Negroes

No.	Eyes	
Simon	65	one
Willis	65	
Martina	60	
Jewie	54	
Charlotte	43	
Maria	40	
Hanell	39	
Antamony	36	
Heck	28	
Addison	26	
Nancy	28	
Sophia	25	
Anthony	25	
Linah	22	
Caroline	22	
Elyja	22	
Margaret	22	
Alubana	21	
Carzill	18	
Sepcard	16	
Indith	25	
Unimama	7	
Rebecca	13	
Thaddeus	11	
Sarah	9	
Charles	5	
Mundack	3	
Uphra	10	
Sulea	8	
John	5	
William Henry	6	
Lucy	4	
Pamela Elly	2	
Goodman	3	

name not known 2

date 3.

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37. bot. over age

1 name not known 3. —

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Order of
Qualification of
J. J. W. Sumner
adv. of Elias Williamson

At a Circuit Court held for the County of Southampton at the Court house thereof on the 7th day of November 1855.

On the motion of Joseph T. W. Sumnerall who made oath according to law, together with Irvin Griffin Patrick Dales. Robert Raiford, Richard Branch and Thomas Brubaker his securities (who justified on oath as to their sufficiency) entered into and acknowledged a bond in the penalty of six thousand dollars conditioned as the law directs. Certificate is granted him, the said Joseph T. W. Sumnerall for obtaining letters of administration on estate of Elias Williamson dec'd in due form

A Copy

Teste. S. R. Edwards Clk

John C. Williamson
of the
1847

William C. Williamson
of the
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William C. Williamson
of the
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Williamson &

William C. Williamson
of the
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William C. Williamson
of the
1847

Southampton November Court 1847-
John C. Summerville & Mary Branch

Plffs

In Chancery

against
Edwards Butts admor. will annexed John Williamson Dft.

This day this cause was docketed by consent of parties and came on to be heard on the bill, answer and exhibit and was argued by counsel: On consideration whereof the Court doth adjudge, order and decree that Benjamin & Drew, Robert Proctor & Anselm Urquhart who are hereby appointed Commissioners for the purpose, allot to Mary Branch one tenth in value of the slaves of which John Williamson died possessed, and the balance of said slaves to John C. Summerville (alias Williamson) to be held by them according to the will of John Williamson dec'd: that the Commissioners make report to the Court in order to a final decree.

In obedience to a decree of the Honourable County Court of Southampton, bearing date November Court 1847. and hereto annexed, We the undersigned Commissioners have proceeded to divide the negro slaves of which John Williamson died possessed, and have found them agreeably to the valuation we placed on them to be worth £9,000 - One tenth of which is £900 - We have therefore allotted to Mrs Mary Branch agreeably to the decree as her one tenth part of the said slaves, One man Jim. valued at £550. One boy Ellick valued at £75. and one woman Mary valued at £275. making £900 - We have also in further obedience to the direction of the said Decree allotted to John Summerville (alias Williamson) the balance of the said slaves Vft. Addison. Didama. Zobiaira. Joseph. Elizabeth. Bianriet. Anthony. Mariack. Thaddeus. Sarah. Peter. Desdamma. Euphemia. Dick. Dianna. Margana. Linnis. Caroline. Martha. Judy. Cargill. Eliza. Alabama. Quibick. Millie. Nancy. Margaret. Lucy. Julia. Simon. Sophia. Martha. Charlotte. and Louisiana. all valued at £8100.

The above is respectfully submitted to the Honourable County Court of Southampton. Given under our hands this 29th day of December 1847-

Benjamin & Drew

Robt. Proctor

A. B. Urquhart

Commissioners

Copy Teste. S. R. Edwards