

1856-021

SOUTHAMPTON COUNTY
CHANCERY PAPERS

EVERETT, GUARDIAN VS. BEEKMON & al

4/1856

other surnames: Beekman,
Sebrell

343.

Buckman
Consett-Guerard &

2 { Bills in Ch

Buckman

1854 Nov: - Decree as filed
#

1856 Apr. Report & decree as filed

worshipful Justices of the County Court
To the ~~Honorable~~ ~~of the County of Southampton~~

of the County of Southampton - In Chancery

Humly complaining sheweth your complainant Wil-
liam Mc Carrett, guardian at law of Delia Mc Buttrick
that sometime since he qualified as guardian at law of the
said Delia Mc Buttrick, a minor under the age of twenty one
years, and has in his possession belonging to his said ward, one
negro man, named William and about eleven hundred dollars
in money or bonds; which together with an undivided interest
of one fourth in two slaves and four hundred dollars in mo-
ney held by the widow of her father, P. L. Buttrick, as above,
~~comprises all the property of every kind~~ and a certain negro
woman now in the possession of some of the children of
her grand father, her claim to which last, your complainant
is advised, is disputed; comprises all the property of every
kind in which his said ward is entitled, or in which she is
interested, wishes the knowledge of your complainant -

That the said negro man William is a valuable mechanic,
would probably sell for two or three thousand dollars and
in the event of his death, his ward would be deprived of
one of the principle sources of her support and mainte-
-nance - Independently of the consideration above set forth, your
complainant states that the said negro William is an intel-
-ligent servant, and in consequence of his numerous ac-
-quaintances and relations formed in and about the town
of Petersburg where he has resided for several years past
there is great danger that he will effect his escape to one of
the northern States, and thus be a total loss to his owner - which
would be a loss of more than one half of all the property of
his ward -

In consideration of the facts and reasons above set forth
and in consideration of the further fact that the fee simple
right to said slave ~~belonging to~~ the ward of your complainant
he prays that your ^{worship} will ^{decrey} the sale of said slave

and interest of the proceeds of sale according to have
the interest upon which amount at six p: ct p. annum, your
complaint being, would be nearly, if not quite equal
to the annual value of the slave.

Your complaint further states that in the event of the
death of his said wife, her heirs would be Elizabeth, Edwin,
and Joseph Buttsman, half brother and sister of his wife
all infants under twenty one years of age, who would be
entitled to the whole of her property. Your complaint
therefore prays that the said Eliza M. Buttsman, Edwin
Buttsman, Elizabeth Buttsman and Joseph Buttsman
all infants under age, by some fit and proper person to be
appointed in this behalf, be made defendants to this
bill. that they answer the same. and that the said Eliza M.
Buttsman, who is over fourteen years of age, answer the
same in proper person. that your Honor ~~may~~ the
sale of the said negro Willard, and grant such order and
further relief in the premises as may be necessary and
proper. And he will as in duty bound ever pray &c.

M. S. S. A. Goodwyn Atty

Sourthampton County to wit-

This day personally appeared before me a Justice of
the peace of the County aforesaid, William M. Everett
plaintiff in the annexed bill, who made oath that the
facts therein contained are true to the best of his knowl-
edge and belief. Given under my hand this 8th
day of November in the year 1854

Robt. D. Jones J.P.

Worshipful Justices of the County Court of the
Is the ~~Hon Judge of the Circuit Court for the County~~
of Southampton Town -

Answer of D. M. Beekman, Edwin Beekman, Elizabeth and
Joseph Beekman by their guardian ad litem William A
Jones - ~~that a bill published in the~~ ^{County} ~~Circuit Court of the County~~
of Southampton Town by W. M. Everett guardian ad litem of D. M.
Beekman - These respondents coming and answering as in
answer to said bill say that they believe the facts stated in the
bill to be true, and that it would be to the interest of the
said D. M. Beekman to have the negro man William sold
and the proceeds of sale invested at the usual interest - they
have no objection thereupon to the decree prayed for in the
bill - and ~~praying~~ ^{praying} ~~that the expenses of the~~ ^{that the expenses of the} ~~proceedings~~ ^{proceedings} to be disburse
the Court with costs -

Wm. A. Jones
Guardian ad litem &c

Caenett, guardian - e

3 Answer of
2 } D. est. Buttsman
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Buttsman or other

worshipful Justices of the County Court of
To the ~~Hon. Judges of the Circuit Court~~ for the
County of Southampton - In chancery -
Answer of Delia M. Beckman who is now fourteen
years of age to a bill in chancery exhibited against
her and others by William M. Everett, her guardians
at Law -

This respondent owing and reserving, &c. for answer to
said bill says; that she believes all the facts stated in said
bill to be true; and thinks it would be much to her in-
terest to have the negro man William sold, and the proceeds
of sale invested as the law directs - that in the event of
the death of said servant or of his loss to her in any other
manner, she would be deprived of one of the principal
means of her support; and that she has just grounds to
fear his loss to her, if he continues her property - and this
respondent having answered prays to be dismissed the Court
with her costs &c.

Delia M. Beckman

Southampton County to wit:

This day personally appeared before me a Justice
of the peace of the County aforesaid, Delia M. Beckman
who made oath that the facts contained in her above
answer are true to the best of her knowledge & belief -
Given under my hand this 8th day of November in
the year 1834

Robt. D. Jones. J.P.

Cassett yd.

2 3 Lucas

Bulfinch

Nov. Term 1854

Errett guardian

Nov. Term 1854-

Buttmore & Co

Deceit

This day this cause was docketed by consent of parties, and came on to be heard on the bills answers of the defendants by their guardian ad litem, replication, demurs and examinations of witnesses - and was argued by counsel - On consideration whereof the Court doth adjudge order and decree that William M. Errett be, and he is hereby authorized and directed, either by private sale or at public auction after having given due and proper notice for four weeks, to sell the negro slave William in the bill mentioned for cash; and out of the proceeds of sale, pay the costs of this cause, and of the said sale and report his proceedings to Court in order to a final decree - But this decree is not to go into effect until the said Errett shall have executed before the Clerk in the Clerk's office, bond with good security in the penalty of \$2500 - Condition as the law directs -

Over M

to } Copy Done

Over M

Southampton County Court - November Term 1854

William M Overett guardian at law of Delia M Beckman Plff.

against

Delia M Beckman, Edwin Beckman, Elizabeth & Joseph Beckman

by their guardian ad litem William A Jones.

Defts

In Chancery

This day this cause was docketed by consent of parties and came on to be heard on the bill, answers of the defendants by their guardian ad litem, replications thereto and examinations of witnesses, and was argued by counsel. On consideration whereof the Court doth adjudge, order and decree that William M. Overett be, and he is hereby authorized and directed either by private sale or public auction after having given due and proper notice for four weeks to sell the negro slave William in the bill mentioned for cash, and out of the proceeds of sale pay the costs of this decree and of the said sale and report his proceedings to Court in order to a final decree. But this decree is not to go into effect until the said Overett shall have executed before the Clerk in the Clerk's Office, bond with good security in the penalty of \$2500 conditioned as the law directs.

Attest

Teste

L R Edwards Clk

Bond & Security has been given

L R Edwards

Enright 4.2.20
i 3 Scam
Buckmanor

1856 Apr. 24.

Errett. guardians &c

July Term 1856-

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Seone

Buttinson &c

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This day this cause came on again to be heard on the papers formerly read and the report of Counsel: Errett made pursuant to the order of 4th or: Term 1854, to which there is no exception, and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that said report be confirmed, and that the said William M. Errett as guardian of the said Julia M. Buttinson, retain in his hands the sum of \$1439.25, to be accounted for in the same manner as other personal property in his hands belonging to said ward -

Deposition of William J. Sebrall taken at the office
of M. S. Gwynne in Jerusalem, in the presence of
William A. Jones, guardians ad litem of D. M. Butts
Edwin, Elizabeth and Joseph Butts now infants under the
age of twenty one years, to be read as evidence in the Court
of the plaintiff in a chancery suit in the ~~Circuit~~^{Circuit} Court
of Loudoun County, in which William M. Everett
guardian &c. is plaintiff and the aforesaid infants are
defendants -

This deponent having been first duly sworn
says - I am acquainted with the property of Delia M.
Butts now in the hands of her guardian M. M. Everett
the negro now William belonging to her is a valuable
mechanic and would probably sell for the sum of \$2000

I think it would be much to the interest of the ward
that said sum should be made and the money invested at
the usual interest - In the event of the death of said ne-
gro or his loss to his owner in any other manner, it would
be a loss of the principle means of support and main-
tenance of the ward - Independently of this the said negro is an
intelligent servant, and from his associations in the town
of Petersburg, is well calculated to make his escape to
some free state, if he should ^{think} proper to do so - said negro is
the only one belonging to the ward, and is all the property be-
longing to the ward except about two or three hundred
dollars in money - And further the deponent suggests not -

Wm. J. Sebrall

Loudoun County to wit -

The above deposition was taken, subscribed and sworn to before
me a justice of the peace of the County aforesaid, in the
presence of M. A. Jones & ad litem &c. as stated in the cap-
-tion - Given under my hand this 8th Apr: 1834

J. H. Bishop J. P.

Ernest Guerin

8 } Comm. Report

Buttmore

1836 Apr. 6th

Errett, guardian of

to

Beckman &c-

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Pursuant to the decree of Nov: Term 1854, the undersigned Commissioner has been to report, that he considered it impolitic to publish notice of the sale of the negro slave William mentioned in the decree, and that he sold him at private sale to John Bayland in the town of Petersburg for the sum of fifteen hundred dollars. Below will be found a statement of the net amount in his hands on account of said sale -

Sale of William as above stated -		\$1500.00
To amt Commissioners on same -	\$39.00	
" " attys: fee -	20.00	
" " Clerk's fee paid -	<u>1.75</u>	
	\$60.75 -	<u>\$60.75</u>
Net amt due -		\$1439.25

all of which is respectfully submitted

William M. Errett

January 1856 -

KNOW ALL MEN BY THESE PRESENTS, That we *William M. Everett*

are held and firmly bound unto the Commonwealth of Virginia, in the just and full sum of *Ninety five hundred* Dollars, for the payment of which, well and truly to be made, we bind ourselves, our and each of our heirs, executors, and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this _____ day of _____, 185

The Condition of the above Obligation is such, That whereas the above bound *William M. Everett*

has by a Decree of *the County Court of Southampton* pronounced on the *20th* day of *November* 1854, in a cause therein pending wherein *Wm. M. Everett* guardian at law of *Delia M. Beckman* is Plaintiff and *Delia M. Beckman & others* Defendants, been appointed Commissioner to make sale of certain *Slave William* Estate in the said cause described.—Now if the said *William M. Everett* shall faithfully discharge his duties as such Commissioner under said decree, then this obligation to be void, else to remain in full force and virtue.

Signed, Sealed, and delivered }
in presence of me }
in my office as Clerk of the
County Court of Southampton.

Wm M Everett L.S.

Benj. A. Co. Everett L.S.

P. S. Jones L.S.