

1856-047

SOUTHAMPTON COUNTY
CHANCERY PAPERS

ADAMS +al VS. ADAMS +al

5/1856

other SURNames: Atkinson,
Thomas

Adams

v { Papers

Adams

1853 November

1856 May T

Adams

u } Stat. Rules

Adams & p

James Adams, Lucy Adams. Washington Adams infants suing by James Thomas their next friend.

against
Cynthia Adams & John C Adams

1853 Mar: 1st Summons issued

" Apr. R. (1st Monday) Sum: ret^d. Executed. Bill - ans. John C Adams.

Dece nisi r. Dft Cynthia Adams.

" . . (last Monday) Bill taken for confessed as to Dft. Cynthia Adams and cause
set for hearing &c

" May T. Dece for sale & account &c

" Nov. . Dece &c

1856 May . Dece &c

1853 May Term.

Johns bonds

85.98

1.00

Shiff ..

15.75

Law & - -

2272

Adams

to Y B 10

Adams

1853 April Rules

To the Honorable Richard H Baker Judge of the circuit Court of Southampton, in Chancery sitting, humbly complaining sheweth to the court your complainants James Adams, Lucy Adams & Washington Adams, infants suing by James Thomas as their next friend, that your said complainants are the infant children of Robert Adams late of the County of Southampton & Cintha his wife - that the said Robert Adams departed this life in the County of Southampton in the year 1842, having made & published his last will & testament, which after his death was admitted to probate by the County Court of Southampton at its September term 1842 - that by the said will the said testator devised to his wife Cintha who survived them all his real estate during her single life upon the special condition that she should support & receive the three children, your complainants aforesaid, but on the failure of the said Cintha to support the children she was to receive down for her natural life out of the said land, subject to the said intent of the said Cintha the said land was devised in fee to your said complainants on the death of the said Cintha, as will appear from a copy of the said will with the certificate of probate annexed marked (A) & herewith filed as a part of this bill - your said complainants are respectively of

of age & are not supported by their said mother who long since ceased to support them, owing to her inability to do so, she having wanted all the property given & bequeathed her by said will - that the said Cintha is now living in great destitution & utterly unable to aid your said complainants who are dependent upon the kindness of their other relations for their support - that the said Cintha to secure certain debts due by her to Joseph H Burk conveyed the said real estate by a deed of trust

to Ann W. Stuck for the benefit of the said Joseph W. Stuck;
that the said Ann W. Stuck by virtue of the said deed
& in accordance with the terms thereof exposed the said
land for sale at public auction when Mrs E. Adams of
the County of Isle of Wight being the highest bidder
purchased the interest of the said Cintha in the
said lands for the sum of \$80.00 - & has received
a conveyance for the same from the said Ann W.
Stuck - which deeds have been duly recorded in the
Clerks Office of the County Court of Southampton; office
copies of the same respectively marked (B & C) are here
with filed & prayed to be taken as a part of this bill -
that by the failure of the said Cintha to support & raise
your said complainants, she became entitled to
the use of one third of said land for life, & which
interest the said Mrs E. Adams purchased as aforesaid
that the said Mrs E. Adams now holds possession of
the whole of said land - that your complainants
are without any other property besides the land
aforesaid - that they are entirely destitute & de-
pendant for their support on the charity of their
friends - that a partition of the said lands
between your complainants & the said Mrs E.
Adams the purchaser of the interest therein
of the said Cintha if practicable & for the interest of
all parties is necessary to enable your complainants
to enjoy their interest in the said land, but
that such division if practicable which your
complainants are informed is not the case
such division would at least be highly in-
convenient & very prejudicial to the interests of
all parties - that the interest of all parties would
be most promoted by a sale of the land & a division
of the proceeds among the parties according to their
respective rights, giving to the said Mrs E. Adams
such a portion of the proceeds of sale as the

court may deem an equivalent for the life interest
interest therein of the said Cintha, who is of the ad-
vanced age of - that the said John
& Adams is in possession of the whole tract & your com-
plainants cannot enjoy their interest in the same
without the intervention of this honorable court of
Chancery where matters of this sort are cognizable,
to this end your complainants pray that the said
Cintha Adams, & John E. Adams may be made parties
defendant to this bill & required to answer the
same & that by a decree of this honorable court
the said land may be sold & the proceeds di-
vided among your complainants & the said
John E. Adams according to their respective
rights & that such other further relief may be
granted as courts with equity & the notions
of the case & your complainants will ever pray
&c

May den P. E. -

Adams

~ } Anon.

Adams

1953 app^r Rules

To the Honorable Richard H Baker Judge of the
Circuit Court of Southampton in Chancery sitting.
The Answer of John E Adams to the Bill of Complaint
in said court exhibited by James, Lucy, & Washington
Adams infants, suing by sa Thomas as their next friend
against him & others.

This Defendant now & at all times hereafter saving
reserving unto himself all benefit & advantage of
exception which can or may be had or taken to the
many errors, uncertainties & other imperfections
in the said complainant's said bill of complaint
contained for answer thereunto, & unto so much &
such parts thereof as this defendant is advised is or
are material or necessary for them to make answer
unto, this defendant answering saith that he
cannot deny the allegations in the complainant's
bill & that he has no objection to the decree proposed
for in said bill for the sale of the land devised
by Robert Adams to the complainants, subject to the
interest therein of the said Cynthia Adams, of which
your respondent became the purchaser as in said
bill alleged & a satisfaction to your respondent
out of the proceeds of sale of his interest therein -
& humbly prays to be hence dismissed with his reasonable
costs & charges in this behalf most respectfully
sustained &c

Signed -

John E Adams

Sole of Wight County, to wit:

John E Adams personally
appeared before me Mrs Scott — a justice
of the peace for the county aforesaid & made oath
to the truth of the statements contained in his fore-
going answer - Given under my hand this 23-
day of March 1833-

Mrs Scott J P

Adams
" }
Adams }

Rough Skew
May Term 1833

Enter This
R. H. B.
May Co. '53

Adams
" }
Adams - -

The bill of the complainants having been taken for confessed at rules go to the defendant Cintha Adams, ^{and she still failing to answer} ~~and she~~ this cause ^{to be heard on the bill of the complainants, exhibits filed, & examination of witnesses, & the answer of the defendant Mrs C Adams, & application thereto} ~~to be heard on the bill of the complainants, exhibits filed, & examination of witnesses, & the answer of the defendant Mrs C Adams, & application thereto~~ I was argued by Complainants counsel, on consideration whereof ~~the court~~ doth adjudge order & decree that the Sheriff of this court proceed to sell at the C H of this county on some court day at public auction to the highest bidder the real estate in the proceedings mentioned whereof Robert Adams died seized in the County of Southampton, after having given thirty days notice of the time & place of sale by advertisement at the C H & other public places, on a credit of twelve months, except so much for cash as will pay the costs of this suit & of said sale, taking bond with good security payable to himself or commissary him for the amt sold on credit & return said bond with his report of his proceeds, ~~then to the~~ court - & the court doth further adjudge order & decree that a commissioner of this court take an account of the expectancy of life of the said Cintha Adams & of the value of her life interest in the lands aforesaid ~~whereof the said Robert Adams died seized~~ & put thereof to court.

Adams

to } Co. Devere

Adams

In Southampton Circuit Court, May Term, 1853
James Adams, Lucy Adams, & Washington
Adams infants suing by James Thomas their
next friend. Plaintiffs
against

Cynthia Adams & John E. Adams Defts

The bill of the complainants having been
taken for confessed as to the defendants
Cynthia Adams (and she still failing to answer, this
cause this day came on to be heard on the bill of the
complainants, exhibits filed (and examination of witnesses
(and the answer of the defendant John E. Adams (and
replication thereto (and was argued by Complainants
counsel. On consideration whereof the Court doth
adjudge, order, and decree that the Sheriff of this
County proceed to sell at the Courthouse of this
County on some Court day at public auction to the
highest bidder the real estate in the proceedings men-
tioned whereof Robert Adams died seized in the
County of Southampton after having given thirty days
notice of the time and place of sale by advertisement
at the Courthouse door (and other public places
on a credit of twelve months, except so much
for cash as will pay the costs of this
(and of said sale, taking bond with good security
payable to himself as Commissioner for the amount
sold on a credit (and return said bond with his report
of his proceedings herein to Court. And the Court
doth further adjudge order and decree that a
Commissioner of this Court take an account of
the expectancy of life of the said Cynthia Adams
(and of the value of her life interest in the lands aforesaid
(and make report thereof to Court

A Copy, Teste, Wm. T. Howard, Clk.

Cents

Colles

\$ 5.97

Shiff

1.00

Lau &

15.75

\$ 22.72

Adams
is
Adams-

Rough beam Am Jan 1833

To be entered
R. H. Baker
Nov. Co. 1833

Adams

25

Adams et al -

This cause this day came on to be again heard
on the papers read & the report of Commissioner
Cobb & Samuel Kello Commissioner of Sale made
pursuant to a decree herein of May term 1833
to which no exceptions have been filed & the court
confirming the same doth adjudge order & decree
that Samuel Kello the clerk of this court deliver
to Samuel Kello ^{Shiriff of this county} on his giving his receipt there for
the bond of John P. Adams & James Thomas
for ~~\$266.78~~ ^{\$266.78} filed with the report of said Kello
& that the said Kello collect the said bond
& out of the proceeds thereof pay to John P. Adams
\$78.00 - with interest thereon from the 11th day of
October 1854 & pay the balance of said proceeds
after deducting the unpaid costs of this suit
to the legal guardian of James Adams, Lucy
Adams, & Washington Adams & that the
said Samuel Kello on the payment of said
bond execute & deliver to John P. Adams
a good & sufficient deed with special
warranty for the land purchased by him
in the proceedings mentioned whereof Robert
Adams died seized in the County of Southampton
containing by estimation three hundred & seventy
five acres more or less bounded on the north
by the lands of William Quokins, on the east by the
lands of Peggy Bowden, on the south by Seacock
Swamp & on the west by Right Branch -

Adams

v. } Co. Durie

Adams & P

Southampton Circuit Court November the 10th 1853.

James Adams, Lucy Adams Washington Adams infants being by James Thomas their
next friend.

Piffs

against

Defts

Cynthia Adams & John E Adams

This cause this day came on to be again heard on the papers read and the reports
of Commissioner Cobb Saml Kello commissioner of Sale made pursuant to a decree
heren of May Term 1853, to which no exceptions have been filed by the Court confirming the
same both a judge, order and decree that the clerk of this Court deliver to Samuel
Kello Sheriff of this County on his giving his receipt therefor the bond of John E Adams
& James Thomas for \$261.78 filed with the report of said Kello & that the said
Kello collect the said bond and out of the proceeds thereof pay to John E Adams
\$78.00 with interest thereon from the 17th day of October 1854 & pay the balance of
said proceeds after deducting the unpaid costs of this suit to the legal guardian of
James Adams, Lucy Adams & Washington Adams & that the said Saml Kello on
the payment of said bond, execute & deliver to John E Adams a good & sufficient
deed with special warranty for the land purchased by him in the proceedings
mentioned whereof Robert Adams died seized in the County of Southampton contain-
ing by estimation three hundred & seventy five acres more or less and bounded on
the North by the lands of William Jenkins on the East by the lands of Peggy
Borden on the South by Seacock Swamp & on the west by Right Branch

Attest

Teste.

L R Edwards Ck

Clerks Costs \$ 1.20 } p: L.R.C

W. W. Cobb. com. 2.50 } of 3.76 Wm W. Cobb Paise.

Am't of Bond — 261.78

Interest on from Oct 17/54

to June 18th/55 —

10.47

Due Jno E Adams — 78.00

272.25

Set on from Oct-17/54

81.12

191.13

to June 18th/55

3.12

deducted 3.72

81.12

187.41

Legal Guardian

Adams }
Adams^{as} }

Rough beaver
May Term 1836

To be entered

R. N. B.

Adams & Co
" }
Adams -

This cause this day came on to be again
heard on the papers former read & the report of
Commissioner Kellogg made pursuant to a decree
herein of New Term 1853. ^{this day returned} I was argued by coun-
sel, on consideration whereof the court confirming
said report to which no exceptions were filed
doth (a o d) that the parties to this cause contrib-
ute mutually to the costs of the same -

SUMMONS.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of *Southampton* County, GREETING:

YOU are hereby commanded to summon

John E Adams & Minthia Adams

~~if~~ ~~be found within your Bailiwick~~, to appear at the Clerk's office of our ~~Circuit~~
court for Southampton County, at the Rules to be holden for the said Court, on the first
Monday in *April* next, to answer

*a bill in Chancery exhibited against them in our said Court by James, Lucy &
Washington Adams infants suing by James Thomas their next friend*

And have then there this writ. Witness L. R. Edwards, Clerk of our said Court, at
the office aforesaid, this *1st* day of *March* 1853, in the *77* th year of our
foundation.

L R Edwards

Y
Adams

2 } Sum. bky

Adams

1853 April Rules 1853

Hay.

SUMMONS.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of *Southampton* County, GREETING:

YOU are hereby commanded to summon *John E Adams & Cynthia Adams*

~~if they be found within your Bailiwick~~, to appear at the Clerk's office of our *inferior*-
court for Southampton County, at the Rules to be holden for the said Court, on the first
Monday in *April* next, to answer

*a bill in Chancery exhibited against them in our said Court by James, Secy. &
Washington Adams infants suing by Thomas Thomas as their next friend*

And have then there this writ. Witness L. R. Edwards, Clerk of our said Court, at
the office aforesaid, this *4th* day of *March* 1853, in the *77* th year of our
foundation.

L R Edwards

Exe cutis, on Cynthia Adams Mar. 8th by deliver-
ing to her a copy. John E. Adams is a resident
of Isle of Wight County.

Charles T Kello Sept
for Saml Kello Sept

Adams

2 } Sum. 66y

Adams

1853 April Rules 1853

May

SUMMONS.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of *Southampton* County, GREETING:

YOU are hereby commanded to summon *John E Adams* —

if ~~be found within your Bailiwick~~, to appear at the Clerk's office of our *Circuit*
court for Southampton County, at the Rules to be holden for the said Court, on the first
Monday in *April* next, to answer

*a Bill in chancery exhibited him and another in our said Court by James, Lucy
& Washington Adams infants suing by James Thomas as their next friend*

And have then there this writ. Witness L. R. Edwards, Clerk of our said Court, at
the office aforesaid, this *1st* day of *March* 1853, in the *yy* th year of our
foundation.

L. R. Edwards

Adams

to W. B. P. City.

Adams

March 21st 1853--

Service acknowledged

Wm. S. Adams

To Cintha Adams & Geo E Adams.

Take notice that on the 18th day of April next between the hours of 9 AM & 5 PM of that day, at the clerks office of the County Court of Southampton we shall proceed to take the depositions of Jordan Spivey -

Others to be used as evidence for us in a chancery suit now pending in the Circuit Court of Southampton wherein we Plaintiffs you are Defendants. And if from any cause the taking of the said depositions shall not be commenced or being commenced should not be completed on that day the taking of the same will be adjourned from time to time until the said depositions shall be completed

Given under our hands this 21st of March
1853-

James Adams

Lucy Adams &

Washington Adams

Being by James Thoms their next friend

J. C. B. Hayden his Attorney -

Entered on Cynthia Adams by delivering
her a copy. apt. 8th Mrs. Adams is not a
resident of my County. Charles & Kello Sept
for Sand Kello Shiff

1855 Apr. 18

For Cynthia Adams

Mr Geo E Adams
~~Chalmers & Co~~

March 23^d 1853 - service acknowledged
John E. Adams

To Cynthia Adams & Mrs C Adams

Take notice that on the 18th day of April next
between the hours of 9 AM & 5 PM of that day, at
the clerk's office of the County Court of Southampton,
we shall proceed to take the depositions of Jordan
Spivey - & others to be used as evidence for
us in a chancery suit now pending in the Circuit
Court of Southampton wherein we are Plaintiffs you
are Defendants. And if from any cause the taking
of the said depositions shall not be commenced or being
commenced should not be completed on that day,
the taking of the same will be adjourned from time
to time until the said depositions shall be completed.

Given under our hands this 20th day of April 1833

James Adams,

Lucy Adams &

Washington Adams senior

by James Thomas their next friend

per C. B. Hayden his Attorney

Adams

to 2 Dep.

Adams

handed in by Wm H. Summerville SP
Apr. 18. 1853

The Deposition of J^m Atkinson taken pursuant to
the annexed notice in the clerk's office of the County
Court of Southampton, on the 18th day of April, 1833
between the hours of 9 AM & 6 PM, to be read as evidence
on behalf of the Plaintiff in a chancery suit now pend-
ing ~~at~~ in the Circuit Court of Southampton between
James Adams, Lucy Adams & Washington Adams
infants of Robert Adams dec'd by James Thomas as
their next friend Plaintiffs & Cynthia Adams & Mrs C
Adams defendants.

The deponent being ^{first} duly sworn in the Holy Evangelist
deposes & says as follows -

Question by Plaintiff's Attorney -

1. Are you acquainted with the land whereof
Robert Adams died seized with the county of ~~South~~
~~ampton~~ ~~wherein~~ he lived at the time of his death
in which by his will he devised to his widow Cynthia
Adams on certain conditions &c &c state whether in
your opinion the same could be conveniently divided
between Mrs C Adams who has purchased the interest
of Cynthia Adams therein, ~~with the children of said~~
Robert Adams by the said Cynthia, or whether the
interest of all parties would be best promoted by
a sale of the same -

Answer - I am very well acquainted with the
~~land of Robert Adams~~ said land, and I do not
think that ^{the} same could be conveniently
divided ~~between~~ the parties aforesaid -
and I do think it would be to the inter-
est of all parties to sell the same
Question 2^d by same - Are you acquainted with the
present ~~affairs~~ of Cynthia Adams to support her
children if so state whether she has done so for some
time past, whether she is now able to do so -
Answer - I am acquainted with ^{her} and know

That she is in the poor^{house}, and has been for a con-
siderable time, and has no means to support
herself or children

William Atkinson

The foregoing deposition was taken, sworn to
and subscribed at the time and place
mentioned in the caption before me a jus-
-tice of the peace for the county of Southampton.
Given under my hand this 18th day of April
1863

W. L. Hammeull J.P.

Adams
re E. Conner Report
Adams

1853 Oct. 17th

Adams

Commissioner's Office, October 17th 1853

vs

Adams

In obedience to a decree of the Circuit Court of Southampton County rendered at May Term 1853, directing the undersigned Commissioner of said Court to take an account of the expectation of life of Cynthia Adams and the value of her life interest in the land of which Robert Adams ~~was~~ seized and possessed, begs leave to submit the following report. He reports that the said Cynthia Adams was forty years of age at the time of the sale of the said land, and that her expectation of life was twenty six years. That the said land sold for three hundred dollars and that the value of her life estate in said land is seventy eight dollars.

Respectfully Submitted

Wm. W. Cobb

Commissioner fee \$2.50

charged to Geo. E. Adams

In obedience to a decree of the Circuit Court of Southampton pronounced at May Term 1853, in the case Adams v Adams, your Commissioner did on the 17th day of October 1853, after duly advertising the same, set up and sell at the Court House, on a credit of twelve months, except so much for cash as will pay the cost of sale and decree the real estate as mentioned in said proceedings, whereof Robert Adams did seized; and John C Adams became the purchaser in the sum of Three Hundred dollars, and your Commissioner after deducting the cost of the sale and decree, paying the same, as the a/c's herewith filed will show, did take a bond as directed for the balance, & have herewith returned the said bond.

Amount of Sale of Land		300. 00
Clerk's cost.	5. 97	
Sheriffs .	1. 00	
Law. &c.	15. 75	
Ordn. E. Davis	50	
Commissions	15. 00	38. 22
		261. 78

Saml. Wells. Comr.

Rec^d. Nov. 7/1853 of Sam^l. Kille com^r. the sum of Fifty Dollars
+ 75/100. C. B. Hayden p^r

Rec^d. Nov. 7/1853. of Sam^l. Kille com^r. the sum of Five Dollars + 25/100
SR Edwards

Rec^d. Nov. 7/1853 of Sam^l. Kille com^r. the sum of fifty cents
Col^l of Davis

Adams.
to J. Lewis Report
Adams.

1853 Nov 10

Received the 12th day of December 1853 of the State of Massachusetts Circuit Court
the bond of John & William & for offences returned with the within report for \$261.75/100
dated 17 October 1853 payable twelve months after date which bond I receive under
the term of the bond in the case made November Term 1853.
J. Lewis atty.
of Boston

Adams

8
Adams

{ Shff. Report.

1855 July 2^d

In obedience to a Decree of the Circuit Court of
Southampton pronounced at Nov. Term 1853. In the case
James Adams & others Defts: vs Elyuthia Adams & J. C. Adams
Plffs: I have as therein directed paid over to John
C. Adams, 78 \$ with Int. Thereon from the 14th day of
Oct. 1854 till June 18/1855. and have paid the bal. as
per Statement ~~on~~ down, of One Hundred and Eighty seven
Dollars and thirty seven cts, to John C. Adams 4th of
James Adams, Lucy Adams, & Markington Adams. as the
recks: herewith filed will shew. And have executed
& delivered to John C. Adams, a good and sufficient
deed for the Land purchased by him in the pro-
ceedings mentioned. Respectfully submitted

Samuel Kells shff.

Mr. C. Adams. by &c

To } Recd:

S. Kells. Chff.

Adams. & Adams.

June 18th 1835- Received of Samuel Kello Sheriff of
Southampton Eighty One dollars & Twelve cents, amount
due John E Adams in his own right under a decree
of Circuit Court of Southampton of November Term 1833,
in the case of Adams vs Adams & al-

C. B. Hayden

June 18th 1835- Received of Samuel Kello, Sheriff of
Southampton One thousand & Eighty Seven dollars
& Thirty Seven cents amount due under decree of the
Circuit Court of Southampton of November Term 1833, in
the case of Adams vs Adams & al, 10 Barnes, Lucy &
Washington Adams -

John E Adams Guardian of Barnes,
Lucy & Washington Adams

By C. B. Hayden Esq. Attorney -

Robert Adams
Will
Southampton

Jerusalem }
Dec 18

5

John E. Adams, esq.
Smithfield.

169

169

In the name of God, amen: I, Robert Adams of the County of Southampton and State of Virginia, being weak in body, but of sound mind and memory thanks to almighty God for the same, do make this paper writing as and for my last will and Testament in manner and form following To wit:

Item, I give unto my beloved wife Cintha Adams, the use of all my lands and plantation for and during her single life; upon this special condition that she support and raise the three children I have had by her, but should she refuse to do so; or should she marry, I wish her to receive her dower in the same, I also give her in consideration of the same, during her natural life, two feather Beds and furniture, one cow and calf, and one sow and Pigs, and one chest, which chest she brought to my house after we were married -

Item. My will and desire is that my Executor hereinafter named do sell at public auction, all the rest of my stock and chattel estate of every kind except three feather Beds & furniture and one cow & calf, which I shall dispose of otherwise, and out of the money arising from said sale pay all my just debts and expenses attending the settling the same and the proceeds thereof except fifty dollars after paying my debts as aforesaid; I wish to be equally divided between my wife and the three children I have had by her, namely: James Lem and Washington Adams; I also give to my three children as above named, after the death of my wife, all the property I have given and loaned to her, to them and their heirs forever equally divided.

Item, my will and desire is, that my Executor do sell all of my negroes namely, Belah, Caroline, Arthur, Abram and Amy to the highest bidder, and the amount of sales, after depaying the expenses attending the selling, the same be equally divided between my five children that is now living that I had by my first wife, namely: John C. Adams, Julia Griffin,

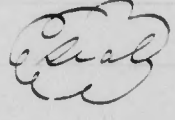
late Adams, Robert Adams, Mary Adams and Louisa Adams to them and their heirs forever.

Item. I give and bequeath to my Daughter Julia Griffin one bed and half which she now has in possession and one feather bed and furniture now in my possession in addition to her legacy in the proceeds of my negroes to her and her heirs forever.

Item. I give and bequeath to my Daughter Mary Adams, one bed & furniture in addition to her legacy in the proceeds of my negroes to her and her heirs forever.

Item. I give and bequeath to my Daughter Louisa Adams, one feather bed & furniture, fifty dollars I left to be raised out of my chattel estate in addition to the legacy in the proceeds of my negroes to her and her heirs forever.

Lastly, I do hereby nominate, constitute and appoint my friend Benjamin Griffin as my whole and sole Executor to this my last will and testament, Revoking all other wills by me heretofore by me made. In Testimony whereof, I have hereunto set my hand and affixed my seal this 29th day of April 1840.

Signed, sealed & acknowledged } Robert ^{his} Adams 
In the presence of } Mark

Robert G. Griffin

Irwin Griffin

Lizzy ^{Thelma} Turner
Mark

At a Court held for the County of Southampton on the 19th day of September 1842, This last Will and Testament of Robert Adams, was proved by the oath of Robert G. Griffin and Irwin Griffin, two of the subscribing witnesses thereto, and ordered to be recorded.

Teste, L. R. Edwards, C. C.
Attest, Teste, L. R. Edwards, C. C.

This Indenture made this 19th day of Feby. in the year of our Lord 1849
between Cindy Adams of the first part Irvin W Duck of the second part and Jos.
W Duck of the third part. Whereas the said Cindy Adams is justly indebted to the said
Jos. W Duck in the sum of three hundred and fifty dollars to be paid on the 25th day
of Decr 1849 as by a bond bearing date on the day of in the year 1849
more fully appears which debt with the legal interest thereon accruing the said Cindy
Adams is willing and desirous to secure - Now this Indenture Witnesseth that
for an in consideration of the premises and also for the further consideration of one dollar
of lawful money of Virginia to the said Cindy Adams in hand paid by the said
Irvin W Duck at and before the making and delivery of these presents the receipt
whereof is hereby acknowledged she the said Cindy Adams hath given, granted, bargained,
sold, aliened, released and confirmed and by these presents doth give grant, bargain,
sell, alien, enfeoff and confirm to the said Irvin W Duck his heirs and assigns
forever, all that tract or parcel of land lying and being in the County of Southamp-
ton in the State of Virginia containing by estimation three hundred and seventy five
acres, be the same more or less and bounded as follows. to wit. On the north by William
Jenkins lands on the East by Peggy Bowdens land & on the South by Peacock Swamp
and on the West by Right branch. Also the following Slave and other personal prop-
erty, to wit. One negro man Persian, five head of cattle. 7 do of Sheep. 2 Sows pigs
six shotes. One bay horse. 3 beds of furniture. Sofa, desk and all of my household &
kitchen furniture together with my crops of corn, fodder, peas and brandy with all and
singular the appurtenances to the said tract or parcel of land belonging or in any wise ap-
pertaining, and all the estate, right, title and interest of the said Cindy Adams in
and to the said granted or intended to be hereby granted tract or parcel of land and
premises with the future increase of the said stock - To have and to hold the
said ~~property~~ granted or intended to be hereby granted tract or parcel of land and premises
with its appurtenances and all the other personal property hereby conveyed unto the said
Irvin W Duck his heirs Exors. admors and assigns forever. And the said Cindy Adams
for herself her heirs. Exors. admors doth hereby covenant, promise and agree to and with
the said Irvin W Duck his heirs Exors. admors & assigns forever in manner and form
following that is to say, that she the said Cindy Adams her heirs. Exors. & admors the
aforesaid tract or parcel of land and premises with their appurtenances and all the
other personal property hereby conveyed unto the said Irvin W Duck his heirs Exors.
admors and assigns against all persons whatsoever shall and will warrant and forever
defend by these presents Upon trust Nevertheless that the said Irvin W Duck

his heirs. Executors and admors shall permit the said Bindy Adams to remain in quiet and peaceable possession of the said tract or parcel of land and premises with its appurtenances together with the aforesaid slave and other personal property hereby conveyed and take the profits thereof to his own use until default of payment be made in the sum of three hundred and fifty dollars either in the whole or in part.

and then upon this further trust that he or the survivor of him or his heirs Exors. admors or assigns of such survivor shall and will so soon after the happening of such default of payment as he or the survivor of him or his heirs Exors. admors or assigns of such survivor may think proper or the said Jo^s. H. Duck his Executors admors. or assigns shall request. sell the said tract of land and premises with the appurtenances together with the aforesaid slave and all the other personal property hereby conveyed or such part of the hereby granted premises as the trustee or his representative hereby authorized to act shall think sufficient for the purpose and shall think proper to sell to the highest bidder for ready money at public auction after having fixed the time and place at his own discretion and given ten days notice thereof in two or three of the most conspicuous places in the vicinity of said Estate and out of the monies arising from such sale shall after satisfying the charges thereof and all other expenses attending the premises pay to the said Jo^s. H. Duck his Exors. admors. or assigns the said sum of three hundred and fifty dollars with the interest which may thereon lawfully have accrued and the balance, if any, shall pay to the said Bindy Adams her heirs Exors. admors. or assigns. But if the whole of the said sum of three hundred and fifty dollars shall be fully paid of and discharged to the said Jo^s. H. Duck his Exors. admors. or assigns on or before the 25th day of Decr. in the year 1849 when the same is payable. so that no default of payment of the said sum of three hundred and fifty dollars be made then this Indenture to be void or else to remain in full force and virtue. In Witness whereof the said parties to these presents have hereunto set their hands and affixed their seals the day and year as first above written.

Signed Sealed & delivered
in presence of
Alfred R. Butler
George W. Connell
Arthur A. Drury.

Bindavilla Adams (Seal)
Jesse W. Duck (Seal)
Jo^s. Duck (Seal)

Southampton County In the Clerks Office the 19th day of February 1849
This deed of trust between Bindavilla Adams of the first part. Jesse W. Duck of the second part and Jo^s. Duck of the third part was acknowledged by said Adams and J. W. Duck and admitted to record.

Teste.

J. R. Edwards (Seal)

Attest.

Teste.

J. R. Edwards (Seal)

Adams

5 }

Exhibit B.

Adams

This Indenture made this 31st day of Nov. in the year 1850
between Irwin W Duck Trustee, of the one part, of the County of Isle of Wight and
Jm. E. Adams of the other part of the County of Isle of Wight of the other part.
Witnesseth that the said Irwin W Duck, Trustee, in consideration of eighty dollars
dollars of lawful money of this Commonwealth to him in hand paid by the said Jm. E.
Adams at or before the making and delivery of these presents (the receipt whereof is
hereby acknowledged) have bargained and sold, and by these presents doth bargain
and sell unto the said Jm. E. Adams his heirs and assigns the life right of
Lucindy R Adams in a certain tract or parcel of land marked and bounded as
follows. on the north by the land belonging to W. J. Derring, on the east by the
main road & lands of Jordan Sperry, on the south by the lands of Wm. Jenkins
& Seacock Swamp on West by lands of John Hart. together with all and singular
the houses buildings, orchards & tenements, woods meays, water courses & privileges
profits, advantages, hereditaments and appurtenances whatsoever to the said land
belonging or appertaining, or with the same used and enjoyed, taken and known
as part, parcel or member thereof, or as belonging to the same or any part thereof
and the reversion and reversions, remainder & remainders yearly and other rents,
issues and profits thereof, and of every part and parcel thereof. To have and
to hold the said tract or parcel of land with the tenements, hereditaments,
and all and singular other the premises herein before mentioned or intended to
be bargained and sold and every part and parcel thereof, with every of their
rights, members and appurtenances, unto the said Jm. E. Adams his heirs
and assigns during the life of Lucindy R Adams. To and for the only proper use
and behoof of him the said Jm. E. Adams his heirs and assigns during the lifetime
of the said Lucindy R Adams. And the said Irwin W Duck for himself as Trustee,
the said tract or parcel of land, with all and singular the premises, and appurtenan-
ces before mentioned unto the said Jm. E. Adams his heirs and assigns free, free
from the claim or claims of him the said Irwin W Duck, as Trustee, his heirs
and of all and every person or persons whatsoever, shall, will and do warrant
and forever defend as Trustee by these presents. In Witness whereof the said
Jm. Duck have hereunto set his hand and seal as Trustee the day and year
as first above written

Signed sealed & delivered
In the presence of }

J. W. Duck (Seal)

Southampton County In the Clerks Office the 17th day of February. 1857

This deed of bargain and sale from James W Duck to John Q Adams was
acknowledged by the said Duck & admitted to record.

Teste.

S. R. Edwards

Attesty

Teste

S. R. Edwards