

1818-012

Chancery Causes: William James Footit v Elizabeth Jane Footit, by v c vs Jacob Waterfield's exor

Isle of Wight County

other surnames: Mitchell
Scutchens, Roundtree,
Norsworthy, Footett,
Murphrey, Footet

Footlett R. p. 1/2 gon

Bill Hans.

Waterfields ad

March 1810 bill paid as

fully decreed.

Apr 11. 1810 report act. decreed.

accordingly

To the worshipful Court of Exchequer in Chancery sitting
humbly complaining sheweth to your worship your
nephews William James Frolich and your nephew Eliza Jane Frolich
infant children of Aaron Frolich decd, being by James Mitchell
all their guardian and next friend, that sometime in
the year of your compts, said father departed
this life intestate, leaving property of negroes and
certain ^{other} articles of personal property - leaving his widow
Isabel Margarette Frolich, who duly qualified
as the adm^r of his said husband - and afterwards
intempered with a certain Jacob Waterpelt ~~and~~ who
duly became guardians to both y^r compts -

That in virtue of the double character of adm^r and
guardian the said Waterpelt your compts are
admitted duly made - as he conceived a
full settlement of the estate - ^{as adm^r} and afterwards ~~returned~~
~~returned~~ returned an act of his guardianship
transactions, by which it would appear referred
being had to audited acts of his such transactions
herewith filed, marked A & B - I pray to be taken
& considered a part of this bill - that your compts
compts ~~are~~ ^{were} respectively indebted to him in
the sum of seventy five shillings & ninety three cents
each, on the 1st day of July 1810 - your compts
& their represent - that after the said Waterpelt
has fully as he believed closed his adm^r & acts,
surrendered up the negroes, which belonged to them
as derived from the estate of their father - the
said Margarette y^r compts Mother departed this
life - and soon after the said Waterpelt without
having been paid the bal due him on the said
audited acts - That a certain Nathaniel Leitchman
has qualified as adm^r & b. now upon the estate of
said Aaron Frolich - the said James Mitchell
as guardians to both y^r compts - & that a certain
Charles Bondree has duly qualified as executor of the

said Waterfield's estate - You comply further represent
 that they are advised that - believe the fact to be
 true - that after the said Waterfield had fully
 closed his Administrative & Guardian transactions
 as aforesaid - Surrendered up the ^{Negroes} ~~property~~ under
 the prospect belief, that there were no other debts due
 from the estate - that a bonded demand was
 made & a Judgment obtained in favour of certain
 T. W. Marwath & heirs against the estate by
~~James Audcher, the administrator~~ which the said
~~James Audcher, the administrator~~ said Waterfield
~~James Audcher, the administrator~~ has been compelled to pay
 out of the ~~estate~~ ^{of his} ~~estate~~ to the end of
 July four dollars & 18 cents, it being two thirds
 of the said Judgment & consequently after deducting
 his wife's portion thereof - the amt. due from ~~the~~
 the ~~estate~~ - You comply further represent that in
 there was no property left ^{from the 10 certain Groceries estate} other than ^{Harry - Grace - Sam - Isaac - Joe - & one} ~~the~~
 Negroes now in their possession, that can be made
 subject to refound to the former Guardian, the said
 sum of \$44.18 which by the recd. mark. Co.
 herewith filed May 2 a part of this bill - it
 appears he has paid from his own pocket.
 You comply being willing and anxious not only
 to pay to the legal representatives of the said Waterfield
 the amt. thus ~~repaid~~ ^{by their legal representatives} advanced ~~from~~ ^{from his own property}
 but also the amt. due from them as by the said
 audited accts, of \$75.93 ^{1/4} - They advised that
 it will be more to the their advantage at this time
 to do so, by the sale of one of the 2 Negroes that
 longer to permit the said accts to remain unpaid
 May, y^r worship in consideration thereof, they
 otherwise unable but in Chancery to sell ~~such~~
 such negro & appropriate the proceeds in a
 satisfactory way - May y^r worship, to compel
 the said Defendants to answer the premises - The
 conceded a default in this suit - I also decree a
 sale of one of the said Negroes, delinquent about to them, ~~by~~
 undivided - in the purpose of fully paying the said debt & that
 your worship's decree be further according to the equity of the case.

James on the hill for the children

The answer of Charles Brewster ~~and~~ to the bill of
 complaints against him exhibited in the
 Grand Court of Admiralty on the part of
 William James Trotter, Elizabeth Trotter - infants
 of Aaron Trotter ~~and~~ being by James Mitchell
 their next friend & guardian - This effect^{ly}
 admits the said statements, allegations as set
 forth by the complaint in their s^d. bill to be
 true & obligeth not to a decree agreeably
 to the prayer.

Signed Charles Brewster Esq^r

William James Trotter Elizabeth Trotter
 by James Mitchell their Guardian & next friend

{
 leaves

Charles Brewster Esq^r of Saint Watford

That by this cause coming on to be heard on the bill annexed hereto,
 I counsel hear - by consent of the parties & assent of the Court it
 is decreed, ordered that Bartholomew ^{Lightfoot} is appointed a Commission^{er}
 sell to the highest bidder any one of the negro slaves belonging
 to the said infants in the bill mentioned for cash after giving
 ten days previous public notice into the times & place of such
 sale - I from the proceeds of such sale first pay off all
 the expences that may accrue under such proceedings - then
 pay to the defend^{ant} or Esq^r of Saint Watford or the sum of
 twenty ~~two~~ one hundred and fifty one dollars & eight cents, with

Int from the 1st day of July 1816 - and also the additional
 sum of \$44.18. with Int from the 1st Augst 1816 - & the residue
 of any pay over to the Guardian of the P. Int^{er} in their Mutual
 benefit - ~~This also dec~~

Leaving Gray. But says - How Green

The Affidavit of Jane Murphy wife of William Murphy
of the County of Isle of Wight, Taken before me Nathl Wills
a Justice of the Peace for the said County this 30th day June 1818
being sworn upon the holy Evangelist of almighty god
deponent & saith, that when my sister Margaret Footet
^{was} widow of Aaron Footet decd. I lived with her I frequent-
ly heard her say that she did not Charge her Children
any bond, and further stated if she married Jacob
Waterford that he should not Charge them any bond
and she stated to me in her last illness that M^{rs} Water-
ford said to her he would not Charge my Children ^{hand}
if I would acknowledge my right in my land to Joseph
Goodwin & would give them some schooling

and further this deponent
saith not

Jane Murphy

sworn to before me

Nathl Wills

$$\begin{array}{r}
 151.08 \\
 120.00 \\
 \hline
 31.08 \\
 6 \\
 \hline
 191.16 \\
 2 \\
 \hline
 382 \\
 16 \\
 \hline
 398 \\
 31.86 \\
 \hline
 35.84
 \end{array}$$

$$\begin{array}{r}
 44.18 \\
 6 \\
 \hline
 255-8 \\
 72 \\
 \hline
 510 \\
 16 \\
 \hline
 526
 \end{array}$$

$$\begin{array}{r}
 214.18 \\
 5.26 \\
 \hline
 35.84 \\
 85.28
 \end{array}$$

Isle of Wight County, to wit, Pursuant to a decree of the Court of Isle
of Wight County ~~then~~ directed and which is hereto annexed, I have
after legal advertisement in writing made public sale of a negro boy
named Sam belonging to the Orphans of Aaron M. Frost ~~decd.~~ to Thomas
Carroll for the sum of four hundred and fifty one dollars, and out
of the proceeds of which I have paid unto Charles Rountree exor. of
Jacob Waterfield, ~~decd.~~ the sum of eighty five dollars & 28 cents, the amount
due him as directed in the said decree after deducting one hundred
& twenty dollars as an error in the Guardian account of the said
Waterfield against said Orphans as ~~an~~ Affidavit filed in the said
cause and allowed by the said Rountree by consent. The balance
of the proceeds thereof after paying all costs and charges attendant on
the sale, I have paid unto James Mitchell, Guardian of said
Orphans, as Receipts filed in the cause. Given under my hand
this 22^d Day of August 1818

Barth. Lightfoot,

Hotels Bephani
or 3rd Sept
Waterfield exor

Blodwight County March court 1818

William James Fostell and Eliza Jane

Fostell infant children of Aaron M.

Fostell ~~and~~ by Jas Mitchell their next of kin

against

Charles Rountree exor. of Jacob Water

field decd.

Comps.

In Chf

Deft

This day this cause coming on to be heard on the bill
answer and exhibits & Council heard by consent of the
parties and a part of the court, it is decreed and ordered
that Bartholomew Lightfoot, is appointed a commissioner
to sell to the highest bidder any one of the negro Slaves belo
nging to the said infants in the bill mentioned for Cash
after giving ten days previous & public notice as to the time
and place of such sale - and from the proceeds of such
sale first pay off all the expences that may accrue
under such proceeding & then pay to the defendant as
executor of Jacob Waterfield decd. the sum of one hundred
and fifty one dollar & eighty cents with interest from the
1st day of July 1818 and also the additional sum of forty
four dollar & ~~eighty~~ eighty eight cents with interest from

the 5th day of August 1818 and the residue of any
pay over to the guardian of the said infants for their
mutual benefit — and make report thereof to the
court in order to a final decree —

Attest Jost Math Young Jr
Jost Math Young Jr

Elyz Jane Rootell Orphan of Aaron M. Rootell decd.

vs account with Jacob Waterfield her Guardian

1812 Jan ^y	To board and clothing this year	\$2.00
1813 Jan ^y	To board and clothing this year	22.00
1814 Jan ^y	To board and clothing this year	22.00
		<u>\$46.00</u>

By the sum due Elyz Jane Rootell her proportion
of her fathers estate due the Guardian \$46.00

At a court held for the County the 1th day of June
1814. The foregoing account was examined and allowed by the court
sworn to by the Guardian, and ordered to be recorded

Attest John Bartholomew Lightfoot Clerk

Elyz Jane Rootell Orphan of Aaron M. Rootell decd.
vs Jacob Waterfield her Guardian

1814	To a balance due the Guardian for 1813	\$2.00
	To board and clothing for the year 1814	22.00
	To 1/3 of the expenses of 3 negro children	18.00
		<u>\$42.00</u>
	By 1/3 hire of Harry and Grace	13.00
	due the Guardian	<u>\$55.00</u>

1815	To the above balance brought down	\$55.00
	To board and clothing this year	22.00
	To the expenses of 3 negro children	18.00
		<u>\$95.00</u>
	By 1/3 hire of Harry and Grace	13.00
	due the Guardian	<u>\$108.00</u>

1816	To the above balance brought down	\$108.00
	To 6 months board this year	15.00
	To year part of Grace and 3 children their expenses at court bidder	25.00
		<u>\$148.00</u>
	By half the hire of Henry	75.00
	due the Guardian	<u>\$73.00</u>

At a Court held for the People County the 1st day of May
1841. The foregoing account was examined and allowed by the
Court sworn to by the Quorum, and ordered to be recorded.

Happy Teste Benjamin H. Hildreth

Waterfall A
7
7 Gen. Accounts
7
C. J. Ketchum

75-92
151-80

William Fostett Orphan of Aaron M. Fostett decd

In account with Jacob Waterfield his Guardian

Dr

1812 Jan ^y	To board and clothing this year	\$ 12. 00
1813 Jan ^y	To board and clothing this year	21. 00
1814 Jan ^y	To board and clothing this year	23. 00
		\$ 56. 00

1814 Jan^y By this sum due William Fostett his proportion
of his Father's estate

5th 46

Balance due the Guardian \$ 2. 50

At a Court held for Sale of Wight County the 1st day of June
1814. The foregoing account was examined and allowed by the
Court sworn to by the Guardian and ordered to be recorded

Attest This Court Right Hon^{ble} J. B. B.

William Fostett Orphan of Aaron M. Fostett decd:

To Jacob Waterfield his Guardian

Dr

1814 -	To a balance due the Guardian for 1813	\$ 2. 00
	To board and clothing for the year 1814	20. 00
	To 1/3 of the expenses of 3 negro children	10. 00
		\$ 32. 00

By 1/3 hire of Barn and Grace

due the Guardian \$ 13. 00

1815 -	To the above balance brought down	\$ 45. 00
	To board and clothing this year	20. 00
	To the expenses of three negro children	10. 00
		\$ 75. 00

By 1/3 hire of Barn and Grace

13. 00

due the Guardian \$ 88. 00

1816. Is the above balance brought down \$ 30. 00
 Is 6 Months board this year 5. 00
 Is your part of Grace and 3 children their
 expenses at lowest bidder. 25. 00

\$ 70. 00

Is half the hire of Horse due the Guardian. \$ 75. 93

At a court held for Isle of Wight County the 1st day of July
 1816. The foregoing account was examined and allowed by
 the court, sworn to by the Guardian and ordered to be recorded.

Attest Test Barth. Lightfoot. Secy

Waterfield, B
 as Secy. Accounts
 Wm. Norton

August 22^d 1818. Received of Bartholomew Lightfoot Commissioner appointed
by a decree of the Court of this county to make sale of a negro boy belonging to the
Orphans of Aaron M. Foster decd. the sum of three hundred and forty six
dollars and seventy five cents the balance in full for the sale of said negro boy
after paying to Charles Rountree exor. of Jacob Waterfall decd. the sum
of eighty five dollars & twenty eight cents the amount of a debt due from
the said Orphans -) and after paying all costs and charges attendant on
such sale -

Charles Rountree

James Mitchell Jr.

350.75
95

85.25
5.
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