1834-001
Isle of Wight County

Chancery Causes. Francis Young, Seniors' admr VS George Benn, admr of Bennett Young

Francis Young, Senior's admr VS George Benn's extor &al

other SURNames: Robinson, Fulgham, Mason, Riddle, Wills, Parker, Drew, Pedin, Meador, Woodley, Lightfoot, Peedin, Flynn

out of the estate of the said Bennett young pay to him as admr of Francis Young senior £300, or so much thereof as may seem justly due, or that your worships will make any other order or decree in the premises for his relief as may seem just & equitable.

May it please &c.

Richd. McRyd
p. q.

Young admr
vs
Bennett admr.
} Bill.

March 1805
Bill filed
Sept. 1805
Answ. filed

charges a commission upon the whole estate, including £106.10. the proceeds of slaves sold by Genl. Emanuel Wills then sheriff of Isle of Wight to satisfy an execution of days exors. This sum never went into the admrs hands, and on it the Sheriff drew his commissions. Had the admr sold the slaves himself and received the amount, he would have been intitled to his commissions, because in that case, he would have saved the Sheriff's commissions. Again, the admr debits the estate with £70.10. the amount of bonds now on hand and in suit, whereas as these bonds bore interest from the 14th of Janry 1795, the interest also ought to be accounted for. Besides, he has charged ~~him~~ commissions of 5 pcent on this sum, when it appears by his own shewing that he omitted to collect the money. Yr. orator also states, that the sd admr not contented with poketing all the interest arising on the bonds taken for the property of his intestate sold by him - with charging full commissions on the bonds which he even omitted to collect, and on the slaves which he suffered to be sold by the sheriff at considerable loss and expence to the estate, he proceeds to charge the estate with £1.13.6½ for his travelling expences, and £3. for copying, listing and putting the clerk's fees of his intestate into the hands of the sheriff. He further alledges that the said admr has charged the estate with £73.10. 10.½ for that sum paid to Josiah Parker for his judgment against the said intestate, when the fact is that this judgment was rendered against his said intestate as common bail for Francis Young junior, and that the said admr (the very person who modestly made this charge) was himself bound as a principal obligor with the said Francis young junior in the very bond on which the said judgment was given!!! all of which will more fully appear by reference to a copy of the said bond and the proceedings had thereon which are hereto annexed as a part of this bill. The admr has credited the estate with £228.14.6. as the sum received of the then Sheriff for clerks fees put into his hands to collect, but he says nothing of the balance of the said fees. He charges and expects to prove that tickets to the amount of £350. were delivered to the sheriff of Isle of Wight, and it is almost impossible that £131.5.2 of that amount could have been fairly lost. Your orator also states that similar conduct was practised by the admr as to the fees put into the hands of other Sheriffs, as will also appear by the annexed account. For instance tickets amounting to £45 were delivered to the Sheriff of Nansemond, and he credits the estate on that account with only £39.2.6. Yr. orator submits to the court whether he ought not to, have account, for the whole of the tickets either by producing the insolvents, or paying up the full amount. Your orator also avers, that six negroes were taken under the exors of Days exors against Francis Young senior, and that of them, four were sold by the sheriff, one by the said Bennett young and the other was retained by him. Of course, your orator conceives that some account should have given of the two last by the said Bennett. But instead of this, he has remained perfectly silent as to them. Your orator is persuaded that the said Bennett young was justly indebted to his intestate in the sum of £300, but, how, that he can not obtain the same or any part thereof without the aid of this court.

In tender consideration whereof, and for as much as your orator is remediless in the premises at law, he solicits the intervention of this court.

To the end therefore he prays that George Bennett the admr of Bennett Young may be made defendant to this bill of complaint, and that he may full, true and perfect answer make to all and singular the allegations aforesaid, and that as fully as if the same were here repeated, and he particularly interrogated. He lastly prays that your worships will decree that the said George Bennett

To the worshipful court of Isle of Wight, sitting in chancery, humbly complaining, Sheweth unto the court your orator Nathaniel Young admr de bonis non of Francis young Senior dec^d

That Francis young the elder died possessed of a a considerable personal estate; That Bennett Young his son administered upon his estate, and never returned to court a proper account, as your orator is advised and believes. He annexes hereto as a part of this bill the only account which the said Bennett ever rendered to the court, and he presumes it will readily be perceived that the same is full of errors. He begs leave to point out a few of the said errors, confidently relying that this court will correct the same. He observes in the first place, that the said admr charged the estate of his said intestate with £8.3.10. paid to Merit M. Robinson for fees &. but he has cautiously avoided crediting the estate with the fees which were recovered and actually received by him as costs. Although he charged the estate with £6.16.9 for fees paid to the clerk of Isle of Wight, he has given no credit for such fees recovered and received by him. In the third place the said admr gave no credit for interest money. He has only credited the estate with the original amount of sales. Your orator states that the admr sold the estate upon credit till the 14th of January 1795, taking as is usual bond and security, and he believes that the admr received some interest on the bonds in every case, and it is known that he did in many. Yr orator charges expressly that he (the admr) received £6. or thereabouts as interest on a debt of Charles Fitzhugh; and on a small debt of Edmonds Mason amounting to only £2.14.8, he gained 2/4 after paying an atto: 5 per cent for collecting. The admr also charged the estate with £137.16.11 for so much paid to M. M. Robinson in part of a judgment obtained by Riddle's exors. Your orator states that that sum was paid at three payments. The first was made in the 7th of Septr 1797. by assigning a bond of James Youngs for articles bought at the sale, to Mr Robinson; then leaving a balance of £56.18.1. including two years and eight months of interest. So that in this case the admr pocketed about £6.15. of interest money. The next error which appears to your orator is that the admr

3333 Bill

...n's Com. &c.

...ug. 1820 Bill rec'd & fil'd
...ant & process awarded

...ch 1822 Sightfoot adm'r &c.
... Genl upt. Missi.
...ay 1820 Order to make C. Pearce
... Com. &c. to Edmd infants —

...Oct. 1820 Answer of Pres.
... Genl upt. Missi.
...Nov. 1820 Testimy Answ. for Infants filed —
...nd. upd. Com.
...ary 1822

...ause is. ...Com.
... 3. On mot. of the Pet. by his Solr.
is set for trial —

...1824 On the mot.
... that Jas. & Emily
... be ass... to

All Available Text Successfully Captured

aforesaid, and which have come to the hands and possession of their said guardian — May it please your Worships to grant unto your Orator the commonwealth's writ of subpoena directed &c commanding the said Bartholomew Leighfoot exor as aforesaid, and the said Benjamin Drew Sheriff and committee as aforesaid, to be and personally appear before this Court, there to answer the premises, and to shew cause if any they can, why the said original bill should not be amended and further added as herein before mentioned, and moreover the said suit and proceedings therein had should not — and be revived against the said Bartholomew Leighfoot exor as aforesaid, and the said Benjamin Drew Sheriff & committee as aforesaid and the said Andrew Wordley exor: of B. Bruador as aforesaid and the said James and Emily Pearce by their guardian to be appointed as aforesaid — and be in the same plight & condition, as they were at the time of the death of the said George Bruce admor of Pennell Young dec'd: who was admor of Francis Young dec'd; and further to stand to abide such order and decree in the premises as to your Worships shall seem meet - and your complainant as in duty bound will ever pray &c

decd. who was adm.r of Bennett Young decd. and the said Benj.a Drew Shurtliff & committee as aforesaid, the said James & Emily being the said Andrew Woodley exor as aforesaid

infants by some person specially assigned to defend them who are prayed to be made defendants hereto, may true and perfect answers make to all & singular the premises as fully as if the same were here again repeated and interrogated - may set forth a particular account of the said Bennett Young's administration of the estate of Francis Young decd. and what sum or sums he did and allowed

or allow out of or in respect of the said Francis Youngs personal estate, or any, and what parts thereof, and the times when and the persons to whom & for what, and on what account he the said Bennett Young paid, or allowed the same: and may also set forth and discover, whether any part of the personal estate inventoried & appraised as aforesaid, has not been wasted & misapplied by the said Bennett Young, how much and what is the true value thereof. the sum or sums of money the said Bennett Young as adm.r aforesaid, at any time or times, and when and of whom received, or raised, and how he paid the same, or applied the same; or any or what parts thereof and when and to whom, and for what, and upon what account, and whether such payments as were made by the said Bennett Young out of or in respect of the said personal estate of the said Francis Young decd. for debts due the said intestate or otherwise, were all and every part thereof really and bona fide made - and that the said defendants may render a particular account of their own transactions on the estate of their testator and intestate - That the said Andrew Woodley exor as aforesaid and the said James & Emily by their said guardian &c set forth and state particularly the amount of property of every description which came to the hands or into possession of the said Bannister Drewett as aforesaid and which originally came from the estate of the said Bennett Young and that the said infants by their said guardian may also full true answers make of all and every description of property to which they are entitled as

against his intestate, as common bail for Francis Young junior, when in truth & in fact (the very person who modestly made this very charge) was himself bound as principal obligor in the identical obligation on which the Judgment was rendered: all which will more fully appear by reference to an office copy of the said bond & the proceedings had thereon in the late district court of Suffolk which are hereto annexed, & prayed to be taken as a part of this bill. There is a credit for £228-14-10½ as the sum rec.d from the then Shff. but nothing is said nor any account given of the balance of the said fees; Your Orator charges, & expects to prove that tickets to the amount of £350 were delivered to the Sheriff of Isle of Wight; & it is almost impossible that £131-5-2½ of that amount could have been fairly lost; Your compl.t states that similar conduct was practised by the admor. as to the fees put into the hands of other sheriffs, as will also appear by the annexed account, for example, tickets to the amount of £45 were delivered to the Sheriff of Nansemond, and he credits the estate on that amount with only £39-2-8, Your compl.t submits to this court whether he ought not to have accounted for the whole of the tickets either by producing the insolvents or paying up the full amount. Your Orator avers that six slaves were taken under the execution of Days executor against Francis Young dec.d that four of them were sold by the Sheriff. the fifth was sold by the said Burwell Young the admr. and the sixth was retained by the admr. and the same has never been accounted for. That no satisfactory settlement has ever been made, and that there remains no question but that the admr. Burwell Young is largely indebted to Francis Young the elder's estate To the end therefore that the said suit & all proceedings therein may revived & be in the same plight & condition, as they were at the time of the death of the said George Burwell admr. as aforesaid, and that Your Complainant may have the benefit thereof that the said compl.t may be allowed to amend his said original bill, as herein before mentioned, & to add as defendants hereto the said Andrew Woodley executor as aforesaid, & the said James & Emily Pelham and that the said Bartholomew Lightfoot executor of George Burwell

proceed to distribute the estate of the said Bennett Young among his
widow & children Viz: Polly the widow, & Nancy B. & Bennett who
were his distributees & them at Law: that Polly afterwards entermarried
with Jeremiah Pedin, by whom she had issue, namely James & Emily
Pedin, that not long after the birth of first, & before the birth of the last
named child, the said Jeremiah Pedin departed this life, soon after whose
death, the said infants Nancy B. & Bennett Young departed this life
whereupon the estate derived as aforesaid, by the said infants, was by a
decree of this court, divided among Polly the mother & the said infants James
& Emily Pedin; soon after which event the said Polly entermarried with a
certain Barrister Meade who became possessed of the property aforesaid
decreed to his wife, and who, soon after departed this life leaving the husband,
that the said Barrister Meade departed this life, on or about the day of
181 having first duly made & published his last will &
Testament & them in appointed Andrew Woodley his executor, who hath
duly qualified thereon, and that for the purpose of effecting a full &
just settlement with your orator that the said Andrew Woodley executor
as aforesaid & the said James & Emily Pedin be made defendants
hereto; your complaintant further shews that the audit which was
made in the year 1799. is erroneous among other particulars in these,
that there are no dates to the payments, or credits, whereby it may appear,
that the claims against the estate were speedily paid off, after the funds
came to the hands of the said Bennett Young admor. of Francis Young
dec'd. so as to extinguish interest against the estate.= That when the sum
of £8. 3. 10. is debited against the estate for fees paid M. M. Robinson
yet there is no credit given for any fees received & actually received
by the administrator as costs, & with which the estate was entitled to
credit as a matter of Justice & right; and that same objection appears
to the charge of £0. 16. 9 paid clerk of Isle of Wight for tickets. That
no credit has been given for interest on the amount of the sales of the
estate, that the period of credit for which the estate was sold expired
on the 14th day of January 1796 that some interest is to be allowed to
have been received by the administrator in almost every instance

on the sales bonds, and it is known that he received on many of them
Your complainant expressly charges that the said Bennett Young
the admor: received £6- or thereabout on a debt due from Charles
Fulgham; as also on a small debt due from Edmund Mason, which
altho it amounted to only £2. 14. 8 he gained 2/4 after paying the
attorney 5 p. Cent for collecting the same. The admr. charges the estate
with £137-16-11 paid ell. ell. Robinson in part of a Judgment in favour
of Ruddles executor; Your complainants states that, that payment was
made in three payments, the first was made the 7th Sept. 1797 by an
assignment of James Young's bond given for Articles purchased
at the sale, leaving a bal. of £56-18-1 excluding two Years Eight
months of interest so that the administrator gained for him of £6-15
of interest money. the next error which appears to your complt. is this,
the admr. charges commissions upon the whole estate excluding £104.10
the proceeds of sales of Slaves sold by Emanuel Wills then Sheriff of the
County of Isle of Wight to satisfy an execon: in favour of Days exors: as
this sum never came to the hands of the admr. whereby either risk or
responcibility attached to him. Has the sheriff drew his commissions, so
it is unjust & illegal that the admr. should be entitled to any comn.
on this sum; again the admr. debits the estate with £70.10 the
amount of bonds now on hand this suit, now as these bonds bore interest
from the 14th Jan. 96 the interest also ought to be accounted for;
In addition to this the admr. has charged full commission on this
sum when by his own showing he has omitted to collect the money. that
notwithstanding these unreasonable charges for commission not only on
the bonds which the admr. failed to recover but commissions on the sales
of the slaves made by the sheriff. at considerable loss & expence to the
estate, he proceeds to debit the estate with £1. 13. 6½ for his travelling
expences & the sum of £3. for copying tickets & placing the Clerks fees of
his intestate into the hands of the sheriff. Your complainant further
charges that the said admr. has debited the estate with the sum of
£73-16-10½ for that sum paid to Josiah Parker for his Judgment against
st his intestate, when the fact is that this Judgment, was reversed

To the Worshipful the Justices of Isle of Wight County, in Chancery sitting; Humbly complaining Sheweth unto your Worships your orator Nathaniel Young) administrator de bonis Non of Francis Young) Senr. deceased. That in the month of in the year one thousand your orator exhibited his bill of complaint in this honorable court against George Bunn administrator of Bennet Young) dec'd who was administrator of his father Francis Young) dec'd. for an account of the personal estate of the said Francis Young) Senr. and to be relieved touching the several matters and things in the said bill complained of. And your complainant further shews unto your Worships, that the said defendant being duly served with process to appear to, and answer the said bill he the said defendant appeared accordingly, & answered thereto, as by the said Bill Answer & other pleadings had in the same cause (now remaining as of record, in this honorable court may fully appear & to which your complainant begs leave to refer; before any final determination of the said cause, however, that is to say about the month of in the year 1813 the said George Bunn departed this life, whereby the said suit became & is abated; & your complainant further shews, that since the period last aforesaid, the personal estate of which the said George Bunn died seized, hath come to the hands & possession of Bartholomew Lightfoot as exor. under the last Will & Testament of the said George Bunn, who hath qualified as such in due form of Law in this honorable Court. That since the death of the said George Bunn the estate of the said Bennett Young) hath been committed to the hands of Benjamin Drew as Shff. of the said county for administration, and your orator as he is advised is intitled to have the same relief against the said Benjamin Drew Sheriff, & committee as aforesaid, as he would have been entitled to against the said Bennett Young) had he been living, and moreover for the purpose of effecting a just an equitable settlement, given to your complainant ample redress for the injury & inconvenience which he has been made subject, he is further advised that the said Bartholomew Lightfoot executor as aforesaid may be made a defendant hereto; and your complainant further states, by way of amendment to the said original Bill, that he is advised, that the said George Bunn in his life time

be considered responsible in any shape whatever & that in fact he ought to be discharged from the expense & trouble of making up his accounts appertaining to the affairs of his testator.

Your respondent denies all fraud & combination charged against him & prays to be hence dismissed with his reasonable costs & in this behalf sustained &c.

Barth. Lightfoot
vs. Amarr.
Young adm.r &c. Young

March 5th 1820 ans.r
filed

Bucks county, to wit:

This day Bartholomew Lightfoot plaintiff in the within mentioned action made oath to the truth of the matters set forth in the within answer by him subscribed before me

Given under my hand this 5th day of March A. D. 1820 —

Chas. Ellis (Seal)

To the worshipful Court of Isle of Wight County in Chancery sitting — The respectful answer of Bartholomew Lightfoot executor of George Bunn deceas'd to the original and amended bill exhibited in this Court against himself & others by Nathaniel Young as admor. de bonis non of Francis Young the elder, deceas'd, Complainants — This respondent saving & reserving to himself any benefit & advantage of exception to the many errors and insufficiencies in the said Contained, for answer thereto saith that it is true he is executor of George Bunn as charged by the Complainants — He is altogether unadvised as respects the course pursued by Bennett Young in the settlement of the said Francis Young's Estate, & therefore, as far as the interest of this respondent upon it, he calls for evidence to support the allegations of the complainant in this behalf set forth

your respondent being himself as above mentioned, personally uninformed as to the facts in this case, doth refer to the answer of his testator in this cause, and to rely thereupon as a part of his defence — And your respondent further states that the account of the said George Bunn's administration of Bennett Young's Estate has been finally and legally adjusted, in which all goods & money due from the said George Bunn as admor. as aforesaid were paid over and discharged — He further upon oath that as executor of the said George Bunn he has no funds in his hands out of which any debt ought to be paid either from the estate of his testator or from the estate of the s.d Bennett Young: that the estate of the said George Bunn, has been properly and absolutely settled and adjusted as appears by the copy (Marked A) herewith filed, and all goods money, property and effects which were found due & owing from your respondent as exor. as aforesd have been honestly paid & delivered to the persons entitled to the same — your respondent is therefore advised that he can in no manner

Meadows

adv

Youngs adm

Answer.

unto this late period, when it must be known to him that there is no person living capable either of detecting his misrepresentations or affording any sort of information upon the subjects with which he seems to be so well acquainted. It cannot be supposed by this Court that it is now in the power of this respondent to add any other information than that already disclosed. This respondent insists that the account already returned of Burnett Youngs administration affords much better testimony of the correct discharge of his duties than he is now able to afford and he relies upon that paper in his defence. This respondent calls upon the complainant to prove by legal testimony all the charges in his bill upon which he expects to rely as he cannot admit any other than such as are already admitted. He calls upon him to do this because from various circumstances he believes it quite improbable that the claim now set up by him is founded in justice. This respondent hath been ready to state to the Court that he hath long since finally settled the estate of the said Meadows and paid over every part of the estate to his widow and children equitably & his last will and testament, and therefore he cannot conceive himself responsible in any manner to the complainant. This respondent having answered the complainants bill prays to be hence dismissed with his costs in this behalf most wrongfully sustained and as in duty bound he ever will pray &c.

Isley Wright County Court

This day Andrew Woodby personally appeared before me a justice of the peace for the said County and made oath that the facts stated in the foregoing answer so far as they depend upon his own knowledge are true and so far as they depend upon the knowledge of others he believes them to be true given under my hand this 11th day of October 1820.

Barnw. Lightfoot J.P.

To the worshipful Court of Isle of Wight in Chancery sitting
The Seperate answer of Andrew Woodyear exr of Bennett
Meadow to the amended bill of Complainant exhibited by Nathaniel
Young adm de bonis on of Francis Young Lewd and against
Him sft and others - This respondent now and at all times
saving and reserving to himself all and every benefit of exception
to all and every uncertainty imperfections and misstatements in
the complainants bill contained: for answer thereto or to so
much thereof as he is advised is material and necessary
for him to make answer unto answers saith. That it cannot be
expected that he should be enabled from his knowledge
of the facts contained in the complainants bill to answer
the interrogatories propounded by the complainant unto
He is an entire stranger to all the facts and chances
relating to the mismanagement of Bennett young as
the adm of Francis young the elder. He will however
refer the Court to a paper writing filed marked A
and one also marked B which he hubaby will shew
some light upon the transaction relative to the
charge of £73:15:10 ½. And he will also refer the
Court to a writing given by the Sheriff of Isle of Wight to
Bennett young dec'd filed and marked D which
he hubaby will explain the grounds of the charge made
by Bennett young of Commissions upon the amount of the
Sales of the negroes mentioned in the bill. Your respondent
cannot positively say that any slaves or any other property
which came to his hands as the executor of Meadows
was ever the property of Bennett young. It is quite
probable that it may be the case; as Meadows
intermarried with Mrs Pauline who was formerly
Mrs young the widow of Bennett young. Your
respondent begs leave to refer your worships to the
Answer of Jane Benn Exdrx of Bennett Young
filed in this Cause and unto when the same
is a part of his defence in this case. Your
respondent cannot suppress his surprize that
the Complainant should have suffered the
transactions which are now the subject of complaint
with him, to have remained unenvestigated

Peelins

adv

Youngs adm

Answer —

5th Dec. 1820 — file

The respondents having answered the complainants bill may to this hand dismissed with their costs in this behalf most unjustly sustained. and as in duty bound they will ever pray

Edmund Pedin Guard &c
James & Elmilly Pedin }

Isle of Wight County to wit

This day Edmund Pedin as the next friend of the infant respondents James and Emily Pedin this day personally appeared before me a justice of the peace for the said County and made oath that the facts contained in the foregoing answer so far as they depend upon his own knowledge and so far as they depend upon the knowledge of others he believes them to be true. Given under my hand this 6th day of Nov — 1820

Boswell Lightfoot JP

6½

To the worshipful Court of Isle of Wight in Chancery
sitting. The joint and separate answers
of James and Emily Peebles infants by their next
friend Edmund Peebles their next friend appointed
by the Court to defend them in this behalf to the
amended v bill of Complaint exhibited against them also
and others by Nathaniel Young the admr
de bonis non of Francis Young the elder and.

These respondents now and at times
hereafter saving and reserving to themselves all
exceptions to all errors, imperfections
uncertainties, untruths, and insufficiencies in the
complainants bill contained; for answer thereto
or to so much thereof as they are advised is material
and necessary for them to make, answering say—
That they know nothing of the facts stated by the
complainant in his bill and therefore it is out of
their power to response to the various interrogatories
propounded. They however trust that their rights
and interests will be protected by this honorable
Court, and that they will be permitted to enjoy
the little patrimony which has fallen to their
lot unimpaired by the pretended claims of the
complainant, which after a lapse of so many
years, and the loss of all testimony on their part,
on at this late period brought forward and
They rely when the answer fully in this cause
by Exd Benn in his defence. They rely upon
the account of Burbetta young's administration
and upon the various circumstances in this
cause so well calculated to excite doubts
as to the justice of the complainants claims.
These respondents say that they have in their
possession no other property which came to them
from their mother than the following Slaves
to wit) Dick, Sam, Betty, Rose, George, & Martha,

Youngs Admor:

vs

Sh. in Chy.

Youngs Admor:

Nov. 1802

Rule for bill

Executor

Com. Allahone dwlt

for

Hon. London Sly

THE Commonwealth of VIRGINIA to the ſheriff of Isle of Wight county, greeting.

We command you, that you ſummon George Bunn Administrator of Bennett Young

to appear before our Juſtices of our county court of Isle of Wight at their courthouſe of ſaid county, on the first Monday in November next, then and there to anſwer a bill in Chancery againſt Bunn exhibited by Nathaniel Young Administrator de bonis non of Francis Young dec'd

And this he ſhall in no wiſe omit, under the penalty of 100l. And have then there alſo this writ. WITNESS Nathaniel Young clerk of our ſaid court, the 10th day of September 1802 and in the 27th year of the commonwealth.

Nath. Young

Youngs donor

" Lifes

Youngs donor Vs.

Decr 1st

Rec'd Dec 3

The Commonwealth of Virginia to the Sheriff of Isle of wight County Greeting whereas in a suit in chancery commenced in our said court between Nathaniel Young administrator of Francis Young Senr. deceased complainant and George Bruce administrator of Bennett Young deceased defendant it was in our said court so far proceeded that the bill and answer were filed therein, but before the same was heard in equity the said George Bruce departed this life having first made his last will & testament and appointed Bartholomew Lightfoot his executor who hath duely taken upon himself the burthen of the execution thereof - and the undministred part of the estate of the said Bennett Young having been in due form committed to the hands of Benjamin Drew Sheriff of this county - and the said Nathaniel Young having supplicated us for a proper remedy in this behalf, and we being willing that right & Justice should be done, command you that you make known to the said Bartholomew Lightfoot executor of George Bruce and the said Benjamin Drew into whose hands the estate of Bennett Young hath been committed that they be before the Justices of our said county court at the Courthouse on the first monday in July next to answer the said bill and shew cause if any they can why a judgment should not be rendered agreeable to the prayer thereof - if to the said Nathaniel Young it seems expedient therefor to do and receive what our said court shall in that part consider - And have then there this writ. Witness Nathaniel Young Clerk of our said court at the Courthouse the 12th day of June 1818 in the 42 year of the commonwealth -

Nath. Young

The Estate of Mennett Young dec. Dr. to
cash paid Young and Allison settling of the written
claims
Josiah Hollinan &
& Court for Clerk

24 16.14
7 5 2287
2085

Josiah Hollinan's 4.62 140
63
$77 -
notice 148- 5-3
$130

15.

687
87

United States Circuit Court January Term 1822

Samuel Young Complainant

Francis Young Defendant

against

Burthe Lightfoot executor of George Reynolds
who was administrator of Bennett Young deceased.

Peter Chevallier of Prince George County Esquire
of Terms and Robert Reid were by consent Executors
Sheriff were thereupon sworn the Executors of Bennett Young Lifts
was committed for administration

The Defendant Benjamin
Drew having failed to file his answer to the bill of
the Complainant it is ordered that unless the said
Defendant Benjamin Drew appear here on February
Court next and file his answer the Complainant will be
entered for the Complainant against him
agreeable to the prayer of the said bill

Peter Hoath Young

Youngs admor.

vs Trespass

Youngs admor

To February Court

Granted Ls Hollowell J.P.

Jan 1850

Isle of Wight County to wit, January Rules 1822.

Nathaniel Young administrator debonis non of
Francis Young Senr. dcd. . . . . Complt.

against

Bartholomew Lightfoot executor of George Benn dcd.
who was administrator of Bennett Young dcd. Edm.
Pedin Guardian of James and Emily Pedin Orphs
of Jeremiah Pedin dcd. Andrew Woodley executor
of Banister Meador dcd. and Benjamin Drew late
Sheriff into whose hands the estate of Bennett Young Defts
was committed for administration

In Chancery

The Defendant Benjamin Drew having failed to file his Answer to the bill of the Complainant — It is ruled that unless the said Defendant Benjamin Drew appear here at February Court next and file his answer, Judgment will be entered for the Complainant against him agreeable to the prayer of the said bill

Teste Nath.l Young Cl

ace which accounts the said Comm. is directed to audit state and settle and to the Court report with any matters specially stated, thought pertinent by himself, or required by the parties.

decree

Young admor &c. vs Bennis Extor. and others.

This cause on which the 3rd order entered at January rules 1822 appears to be regularly executed on the defts Benjamin Drew late sheriff and Committee of the Estate of Bennett Young dec'd, who failing to answer, came on this day to be heard as to that deft. on the Bills and exhibits filed, and was argued by Counsel for the pltff. and defts. On Consideration whereof the Court doth adjudge order and decree, that the defts Bartholomew Leftwich as Executor of George Benn, who was admr. of Bennett Young do render before one of the Commissioners of this Court an Account of the actings and doings of the said Bennett Young on the Estate of Francis Young the elder. That in taking the account now directed, he is to receive the account settled by John Godwin and others in the county Court the 3d Acts. 1799, and which is referred to in this cause as prima facie evidence of a correct administration by Benn Leftwich Young admr. of Francis Young, subject however to be surcharged and falsified, and to be remodelled according to the principles settled in Granberry vs Granberry. And the Comm. is directed to make up state and settle an account of the actings and doings of the said Benn on the Estate of the said Bennett Young, as also an account of the said Drew's administration on the said last mentioned Estate together with an account of the said Leftwich's administration on the Estate of the said Benn. And that the defts Andrew Woodley as Extor. of Barrington Meadow, and the defts Edwin Owens & Wife and James and Emily Pedin produce before the Comm. an account and inventory of all the property which belonged to Bennett Young and which came to the hands of the said Meadow in his life time or into the hands and possession of the said Woodley his Executor since his death or into the hands or possession of the said James Pedin and Owens & Wife and the said Emily Pedin & her husband R. Elgin or to the hands or knowledge of any other person or persons by through or under whom the Estate of the said Meadow or the said infants claim title. And the said defts are ordered to produce on oath, if required so to do, before the said Comm. all the books and papers of their several testator, Intestate, and ward,

J Parker

to

Rec.to

Jas. Young one of
yr Admir.s Wing

Rec.d May 5.th 1795 of James Young one of the administrators of Francis Young full payment for a Judgment obtaind by me as assignee of John Parker against Francis Young Jr. of Francis Young the Elder dec.d the said Judgment being obtaind in the District Court of Suffolk.

J. Parker

Witness —
Robert Dreer
Nathaniel Young

Col. Jon.ª Wells

Dr.

when the within is rec.d for
the Lands in your hands pay the Sum
to the ~~autorys~~ Executor of John Ashfield
dec.d Obliged yr friend &c.

J. Parker

June 11.th 1795.

Col. Jon.ª Wells — The Sum being
Twenty three pound Sixteen s.d Oby —

J. P.

B.

Sir

You will be pleased to pay to Col.o Josiah Parker the full amount of a Judgment and Execution obtained in the District Court of Suffolk by the said Josiah Parker against Francis Young jr. and Francis Young the elder ——

F. Young
Fr Young
B Young

To Col.o Emanuel Wills —
Sheriff of Isleofwight
Smithfield May 6. 1795.

accepted,
Em.l Wills Shff

29th of Octo. 1795 Rec.d of Coll. Emm.l Wills the Sum of Thirty Seven pounds Thirteen Shill.gs & 5d. in part of the within Order also 2/6 for it Teste Wm. Willis Wills

Debt	£36:9:0	
Costs	3:7:6	
	39:16:6	
Shff	1:19:10	
	41:16:4	

Satisfyed
Jos: Godwin D Shff:
for Jn°. Godwin Shff

Rec^d. May 16. "98 of M^r. Jos. Godwin dep: shff. thirty nine pounds 16/6 for the money & costs req^d. to be made by this writ.

Merit M. Robinson
Atto. for the plf.

Witness
Cha^s. Hoffman

Copies
Wm. T. Kilby D.C.

Rec^d. Jan^y. 6. 1798
14 Feby. 1823

Probate Gov: Dft
Young Lot
Cole Lot

for
Joseph Prentiss Esqr.

The Commonwealth of Virginia to the Sheriff of Nansemond County Greeting: You are hereby commanded that of the goods and Chattels of John Coles, James Goodman, Henry Goodman, James Boyce and Joseph Holladay in your bailwick you cause to be made One thousand pounds which Robert Brooke late Governor of this Commonwealth & successor of Henry Lee who was successor of Beverly Randolph at the instance and for the benefit of James Francis, & Bennet Young, admors: of Francis Young the elder deceased late in our district Court held in Suffolk hath recovered against them for debt, also eleven dollars & twenty four cents which to the said Brooke in the same Court were adjudged for his costs by him about his suit in that behalf expended, whereof the said Coles, Goodman, Goodman, Boyce & Holladay are convict as appears to us of record. And that you have the same before the Judges of the district Court at Suffolk aforesaid on the first day of May court next to render to the said Brooke of the debt and cost aforesaid. And have then there this writ. Witness John C. Littlepage Clerk of our said Court at the Court house aforesaid the 20th day of January 1798 in the 22nd year of the Commonwealth

John C. Littlepage

Memo: This execution is to be discharged by the payment of Thirty six pounds nine shillings & the costs within mentioned

John C. Littlepage

2.

Emanl. Willis's Receipt to
Young's Admors. for
£104 11 0 ad

350.
56. 56.
394

June 15th 1795. Recd of Bennett Young one of the Admors: of Francis Young decd: one hundred and four pounds & ten shillings Curr.t money of Virg.a, the s.d money arising from the sale of four negros, (by name) Smith, Rose, Bob, and Matilda, taken and sold by me as Sh.ff in case of two Executions, Issued to satisfy William Davis Surv.r &c: of the Day decd: — ag.st s.d Youngs estate

Wm. Wills Shff

Willis Wills jun.r

Parker
to
Young

Notes

We Bennett Young and Franc: Young Junior of the County of Isle of Wight do promise to pay or cause to be paid unto John Parker of the said County, the just sum of Sixty one pounds Six Shillings current money of Virginia to be paid to the said John Parker his certain Attorney his Heirs, Exors, admors or assigns to which payment well and truly to be made, we bind ourselves and each of us our Heirs, Exors &c. for value received, the said money to be paid on or before the first day of February next ensuing the date hereof. As Witness our hands and seals this 5th day of September 1791.

Witness —
Peyton Young.

B. Young ... (L.S.)
Franc: Young Junr. (L.S.)

"Indorsed" Gentlemen Please to pay the within to Josiah Parker

Jno. Parker

A copy Teste

Wm. M. Poole Dk

Statement

Amount of the prind. of B. Young & J. Youngs note due 1st Feb. 1792 - £61..6.0

Int. on do. at 5 p C. from 1st Feb. 1792 till the 12th Feb. 1795
say three years & 12 days - - - - - - - - - - - - - - - - - - 3 - - 9.7.0

Costs . . . 7/ copy Lics. . . $8.50 . . . . . 2.11.0

73:4:0

Francis Young

Account Current

Abbey

By monies received of Emanuel Wells Shff. & Right at sundrey times for fees &c. paid into his hands and due for 1798	220	14	10
By cash rec.d of the Sheriff of Nansemond for fees &c. due for 98 after deducting Insolvents and his Commissions	39	2	00
By cash rec.d of the Sheriff of Norfolk for fees &c. for sundrey years through the hands of H. Taylor att.y	5	19	0½
By cash rec.d of Southampton Shff. for fees due for 98 after deducting Insolvents and his commission	5	1	10
By cash rec.d of Merit Moore, Recievers attorney, by virtue of an execution Brooke Gov.r &c. vs Coles & als in Nans.d Court	26	5	0½
	527	17	0½
Balance due Bennett Young acting admr. of F. Young dec.d	21	11	2½
	£549	11	2½

Pursuant to an order of Isles of Wight Court bearing date September 1799 to us directed and hereunto annexed, We the subscribers have audited stated and settled an account current of the Estate of Francis Young dec.d and find the sum of twenty one pounds eleven shillings and 2½ due Bennett Young acting admor. as will appear from above statement — Given under our hands this 3.rd day of October 1799 —

John Godwin
Robert R. Reade
Wellis Wells

At a Court held for Isles of Wight County the 7th day of October 1799 The above account current of the Estate of Francis Young dec.d was returned into Court by the auditors, and ordered to be recorded — — — —

A Copy Teste Wm. Young C.I.C.

Dr. The Estate of Francis Young the elder dec'd In account Current with Bennett Young acting administrator

1795					
Feb'y 12th	To paid Thomas McKinney for making coffin	£	3	0	0
	To paid the Rev'd Will. Hubbard for preaching the funeral sermon		2	0	0
	To paid George Purvis for funeral expences		6	6	3
	" paid Josiah Parker his Judgment		73	16	10½
	" paid Emanuel Wills Shff the amount of two Executions Williams Davis surv'g Ex'or. of John Day dec'd. vs s'd Youngs Estate		151	2	0
	" paid Jacob Randolph Exor. of Joseph Scott his Judgment		12	9	3½
	" paid W. W. Robinson, as att'y and Joseph Driver exor. David Williams in discharge of a replevin bond due from Francis Young to David Williams exor. &c. of John Williams dec'd		26	14	6½
	" paid William Davis the balance of his Judgment		7	9	7½
	" paid W. W. Robinson att'y for Riddles Ex'or.s on acc't of their Judgment vs said Estate		137	16	11½
	" paid W. W. Robinson for his fee &c. vs the admor.		0	3	10
	" paid for a ticket due the Clerk District Court			13	3
	" paid James Young & J. Wight for fees &c. due him		6	16	9
	" paid Mallory Todd for the balance of his Judgment		3	13	4½
	" paid Edward Wright his Judgment		2	12	4½
	amount of Bonds &c. arising from sales of the Estate now on hand and in suit		70	10	11
	To cash expended when traveling about settling the estate			1	13	6½
	To copying listing and putting the fees &c. due for '94 in the hands of the Shff		3	"	"
			517	17	9¾
	To commissions on £527. 17. 9¾ at 6 p'cent		31	13	5
		£	549	11	2¾
	Cr.				
1795	By amount of the account of Sales		94	6	3
	Rec'd of Davis Day for fees &c. due the Estate		9	6	2
	By sundry negros sold by E. Wills Shff to satisfy an Execution Williams Davis exor. John Day dec'd.		446	15	0
	By cash receivd of Peter Tinsley for a ticket due estate			19	10½
	By cash receivd of E. Wills Shff arising from F. Young the elders exor. vs Bridgers exor.		13	10	0

Young adv. Bennett &c.

This d. was brot. by St. Louis adv. Francis Young for the rem. of Francis Young against the rep. of Bennett Young to surchase and foreclose the rights of said Bennett Young as adv. of Francis Young against and:

Bill filed March 1805.
answer of Young adv. 1805 Oct.
amend bill filed 1820 Jany. to which is
B. Lightfoot exr. of Benn. & Bennett adv. of Louis, rep
of Bennett Young - Thomas Lee & E. Pendleton.

Lightfoot answer filed 6 March 1820.
Pendleton infant - answer 6 Nov. 1820.

Parker

by } decd

Young &c

62

'acknowledged themselves to be indebted unto a certain John
'Parker in the s^d sum of £61.6, to be paid to him or his
'assigns on or before the first day of February then next en-
'suing the date thereof — And whereas subsequent to the s^d
'first day of February, to wit the day of
'in the District & County aforesaid, the said bill being then
'due and unpaid, the said John, by his note in writing, signed
'with his hand, dated on the day & in the year last mentioned
'Endorsed on the s^d bill, did assign & set over the said bill
'& all his interest therein to the plaintiff for value before
'that time received of him, — of which assignment the
's^d Bennett & Francis afterwards on the day of
'in the year in the District & County afore-
'said had due notice: — By reason whereof, & by virtue of
'the act of the General Assembly for such cases provided,
'an action has accrued to the plaintiff to demand & have
'— the s^d Bennett & Francis the s^d £61.6 — Nevertheless they
'have not paid the s^d £61.6 to the plaintiff altho' by him
'thereto often required, but have hitherto refused & still
'do refuse to pay him the same — to the damage of the
'plaintiff of £30 of like money — & thereupon he brings
'suit &c — — —

Pleas before the Honourable the Judges of the District Court of Suffolk commenced for the Counties of Norfolk, Isle of Wight, Princess Anne, Nansemond and Southampton, held in the Town of Suffolk on Saturday the 18th day of October in the year of our Lord one thousand seven hundred and Ninety four and of our Independence the Nineteenth

Be it remembered that heretofore to wit at a Court commenced and held for the District aforesaid at the Court House in the Town of Suffolk on Monday the 13th day of May 1794 and of our Independence the eighteenth year, came Josiah Parker assignee of John Parker and impleaded Bennet Young and Francis Young the younger, and the said Francis Young the younger being in custody &c and not appearing day was given the parties until the first rule day to be held in the clerks office of the said District at which day to wit at rules held in the clerks office of the said District Court of Suffolk, on the 20th day of June 1794 and the 18th year of the Commonwealth, came Josiah Parker assignee of John Parker by his attorney and brought into the clerks office of said District, his bill against Bennet Young and Francis Young the younger, in an action of debt, which Bill followeth in these words and figures to wit "Suffolk District
"Isle of Wight County, to wit, Josiah Parker complains of
"Bennett Young & Francis Young the younger, both of the
"District & County aforesd being in custody &c of a plea of
"they render to him £616 of lawful money of Virginia,
"which they owe to & unjustly detain from him. For that where
"as the said Bennett & Frances, on the 5th day of September,
"in the year of Christ 1791, in the District & County aforesd
"by their bill obligatory signed with their hands, sealed with
"their seals, dated on the day & in the year aforesd