1841-019 Chancery Causes: Josiah Joyner + Mills Daniel vs Susanna Godwin, admx of Edmund Godwin et al
Isle of Wight County Josiah Joyner et al vs Edwin Morrison, extor of Susanna Godwin et al

Other Surnames: Young
Gray, Sykes, Ballard,

Joyner & Daniel
vs. } Statement
Godwin & Edmonds &c.

August Rule, 1839 Bill
& exhibits filed

February 1840. Sur for:
vs: S. Godwin exor: &c
anw in his name.

June T. 1840. anw. of Defs:
Motion filed & Gd. &c.
Sur for: claims &c. & sent
Slaves arrived &c.

July Rule, 1840. Bill
taken for confessed as
to all the Defts: except
Norman.

Vide: Term 1840. p. 94.
Account directed.

March 31st. 1841. report &c filed
by Commr.

May Term 1841. P. 97.
Trial cleared.

Joynor v Daniel

as: Chancy
Bill &c

Godwins admr. &c:

1841

Pltfs. Costs $27.31.

(Collateral filed within)

To the Judge of the circuit Superior court of law and chancery for the county of Rockingham in chancery sitting

Humbly complaining shew unto the court your orator Josiah Joyce and sheweth unto that a certain Edmund Godwin late of said county died intestate on the day of 1818 possessed of considerable estate in negroes and the latter leaving as his heirs a widow named Susanna Godwin and five children to wit Sally & Godwin now the wife of Benjamin Tyler, and Mary & Godwin now the wife of Josiah Godwin, Jeremiah Godwin, Jane Godwin, and James Godwin: the three last named died after the death of their father under age and intestate and the said Susanna Godwin Sally & Godwin and Mary & Tyler were their heirs at law administrators on the estate of the said Edmund Godwin who granted to the said Susanna Godwin a certificate thereof as herewith filed marked A as part of this bill, and appointment inventory and appraisement of the said estate was in due time returned to the court of said county shewing the value of the said estate to be six hundred and fifty six dollars besides the negroes who were appraised at the additional sum of fourteen hundred dollars as attested copy of said appraisement is herewith filed marked B as part of this bill: the said Susanna Godwin as your orator believes and charges while acting

Rice

as administrators pendente lite the greater part of the estate for much less than its appraised value and credited the estate with only about $523.61 as the whole amount of sales, thereby apparently depriving your orators the amount and injuries to the estate as to the county court of said county and a rule thereupon on the day of 1825 returnable to the adm.'r to the [illegible] term on $248.56 part thereof paid - a copy of said rule order marked C is herewith filed as part of this bill; your orators charge that the said order is incorrect and unproper in many respects and ought to be rectified. the said Executors was allowed the sum of $47.57 for commissions although the did not appear to have been entitled to two years after the qualifications while they were advanced was not proper or lawful; the bar charged in said order for board taxes tickets &c for about twenty five dollars, from 1817 to 1825 inclusive which ought not to have been allowed besides other charges which your orators believe to be unjust & illegal at the time said order was returned the said Executors have rec'd & paid by Volumes for $400 and had in his possession the remaining slaves with their increase, since that time your orators are advised the has sold all the negroes but has never rendered any account of the same to court

your orators believe that a large sum of money is due from the said Executors to the estate of the said testator which he has never yet accounted for. your orators are informed the said Executors qualified as guardians of the said children, but has never rendered any account as such: administrators on the estates of the said Jane, Jeremiah and James Godwin has been committed to Augustus Ballard the sheriff of said county, a certificate thereof marked A is herewith filed as part of this bill. after the intermarriage of the said Benjamin T Eyles with the said Mary A Godwin to wit on the first day of October 1838 the said Benjamin T Eyles executed to a certain Nathl O Jones as trustee for the benefit and indemnity of your orator Josiah Jones a deed conveying amongst other things all the interest the said Benjamin T Eyles may have by marriage in the estate late of Edmund Godwin widow of Edmund Godwin dec'd and he also conveyed in like manner to the said Jones all his right, title, interest, claim, & demand in all the real and personal estate which the said Benjamin T Eyles is entitled to by intermarriage with his wife Mary A Eyles formerly Mary A Godwin the original deed is herewith filed marked B as part of this bill - the said interest of the said Benjamin T Eyles was optional & according to the terms of said deed and was purchased by your orators as will appear by a deed from said Jones to them dated 27th July 1839 and herewith filed marked H as part of this bill.

to that your orators are entitled
to use the right title interest and
demand in the estate of the said
Edmund Godwin dec'd which belonged
to the said Tyler by intermarriage
as aforesaid, and they and the
said Mary and Polly A his wife
and the said Thomas Godwin
are entitled to divide the same
amongst them according to
law as the heirs of the said
Edmund Godwin, and the said
infant Jane, Jemima, & James
Godwin; your orators have applied
to the said Thomas Godwin for a
settlement, but he has hitherto
wholly refused to settle the estate
or to pay to them any portion thereof
J. - To the end therefore that said
may be had your orators pray
the court that the said Thomas
and Godwin may be compelled
and answer, and upon
oath, the said Mary
and Polly A his wife and the said
Benjamin Tyler and Mary A his
wife may be made defendants
hereto and may be compelled
to answer the premises fully and
distinctly, that the said account
rendered & may be retaken and
the commissions and the ille-
gal charges therein be disallowed
and that he be compelled to render
an account of the value of the balance
of the negroes belonging to the estate
of the said Edmund Godwin
dec'd and all the monies which
have come into his hands, and come
to a final settlement of the estate
and pay to your orators their
due proportion thereof, and may
it please the court to grant all
other necessary relief in the premises
and the court's subpoena to

ancon is true so far as he knows
& believes — Given under my
hand and seal this 12 day of
May 1840 —

N. Worth — (SS)

seperate and distinct, and which
ought not to be connected in the
same bill and for this & other reasons
the defendant demurs to the Bill
& the complainants, and he says that
it ought not to be dismissed with costs
And to further answer the defendt
says that his knowledge in his lifetime
& he has been advised and believes to
be true made up an acct in 1825 and
the same was returned to the County Ct
of Isle of Wight and recorded & further
and he has been advised that the
accounts have been returned by the
said Executors which the Court
transactions and having been rec'd
by the Court are bound to be considered
correct - in respect to the settlement of the
estate of his intestate Edmd Godwin returned
in 1825 as charged in the bill to have errors
because Comrs were charged & allowed &c
respondent denies that she was entitled
to Commission - the act of Assembly giving
upon an account & error: the loss of Commissions
for not settling accounts in two years
from the time of qualification &c has
reference to qualification thereof to the
Executor - this act passed 16 July 1825 & the said
Virginia qualified about 1818 as the complt

charge in this bill and therefore it is
evident the law has no reference to
any case except the subject to have
a com appointed to settle the same at
least two years after the passage of the
said act - the act of Court allowing
the executrix of Edmd Godwin was
not therefore in violation of law
the appointment of Commissioners not less than 2 years after the passage
Your respondent relies upon the state-
-ment of these transactions as a part
going to prove either that they were
all settled, or at least they ought to
be taken as correct accounts, and
moves the said estate that was in the
hands of the said Susanna Godwin as
he is advised was expended in part if not
in whole to make the support & mainte-
-nance of the distributees. The defendt to
further answer says that the complain-
-ants cannot maintain their suit
in the mode and manner stated in the
bill, because the representatives of the said
distributees, to wit, Jane, Susanna & &
Lewis Godwin are not before the Court.
And the defendant for further answer
pleads the statute of limitations passed the
8th of March 1826 entitled "an act for
limitation of actions against persons
acting in a fiduciary character &
their executors, and for other
purposes, and insists upon the benefit
thereof for the intestate estate & calls
on the complainant for proof of
the allegations, and prays hence
to be dismissed &c. —

(Signed)

Isle of Wight Court Feb. 7th 1840. This day Edwin
Godwin executor of Susanna Godwin
made oath before the undersigned a Justice of
the peace for said County, that the above

To the Judge of the Circuit Superior Court of
law and chancery for the Eighth District Court
in chancery sitting - The respectful answer
of Rhoda Allerson executrix of Keyama
Goodwin deceased to the bill of complaint
in the said Court exhibited by Josiah
Joyner and Hilly Daniel against
Keyama Goodwin in her lifetime
in the said Circuit Superior Court of Law & Chy
and since her death received as
your respondent - This defendant
saving and reserving to herself
now and at all time hereafter the ad-
-vantage of benefit and advantage
of exception to the manifold errors,
insufficiencies and false allega-
-tions in the complainants bill
contained for answer says that
the complainant ought not to have
and maintain their suit against
him in the manner and form
charged in the bill, because he
says that the said bill is multi-
-farious, improper and illegal
seeking to recover against the
estate of his testatrix in different
characters, and in matters that

Executed by delivering true copyes of the within to the parties, This 31st July 1839 George McAllister Dy
for A Ballard Shff

I acknowledge receipt of the within Writ
A. Ballard C.H.S.F.

Joyner & Daniel
vs
Jno. Gwinn & al
Gwinn & al vs Matthews

31 July 1839.
Hollman & C.

To Thos. McAllister Esq
Pr. A Ballard Sheriff

BLAND & HILL, PRINTERS, PORTSMOUTH.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Isle of Wight — *County,* GREETING:

WE COMMAND YOU to summon Susannah Godwin administratrix of Edmund Godwin dec'd; the said Susannah Godwin as Guardian of Mary D. Sykes, formerly Mary D. Godwin and the said Susannah Godwin in her own right, Benjamin F. Sykes and Mary L. Sykes, and Mintt Gray and ~~his~~ wife formerly Godwin, ~~—~~ Augustus Ballard Supt. & committee of Jane, Jeremiah & Jane Godwin ~~dec'd~~

to appear before the Judge of the Circuit Superior Court of Law and Chancery for the County of Isle of Wight, at the Court House of said County, on the first Monday in August - - - next, being Rule day, to answer a bill in Chancery in the said Court exhibited against them by Josiah Joyner and Mills Daniel

and if they shall fail to answer the Bill within four months thereafter, the Court will take the said Bill for confessed, and proceed to decree the matter thereof accordingly. And have then there this Writ.—Witness NATHANIEL YOUNG, Clerk of our said Court at the Court House, the 20th day of July 183[illegible], in the 64th — year of the Commonwealth.

Nath. Young cc.

Executed April 6th 1840
Jas. G. Stuart & Co
for St. Louis & Cairo R.R. Co

Journal of Debates
vs. } Complaint
Edwin Ellis &c.

Defendants Plea

The Commonwealth of Virginia To the Sheriff of Isle of Wight County, Greeting: Whereas Josiah Joyner and Mills Daniel have exhibited to our Circuit Superior Court of Law and Chancery, directed by law to be holden at the Court-house for the County of Isle of Wight their Bill of Complaint against Susannah Godwin, administratrix of Edwin Godwin dec'd, the said Susannah Godwin as guardian of Mary D. Sykes, formerly Mary D. Godwin, and the said Susannah Godwin in her own right, Benjamin G. Sykes and Mary D. his wife, Mount Gray and his wife Jemima Godwin and Augustus Ballard Executor and Executrix of Jane Susannah & Jane Godwin dec'd: whereupon sundry proceedings have been had as appear from the Records and Files of the said Court, but before a final decree could be pronounced in the cause the said Susannah Godwin departed this life, having first made her last Will and Testament in writing, and thereof appointed Daniel Morrison executor, who hath taken upon himself the burthen of the execution thereof; —

Therefore we command you that you make known according to law to the said Daniel Morrison that he be before the Judge of our said Circuit Superior Court of Law and Chancery, at the Courthouse aforesaid, on the first day of the next Term, to shew, if any thing for himself he have or know to say, why the said suit should not be proceeded on to a final decree against him in his character aforesaid, and be in all things in the same plight and condition as it was at the time of the decease of the said Susannah Godwin, and further 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 Court-house this 24th day of February 1842. in the 66th year of the Commonwealth.

Nath'l Young

Commissioners Office Smithfield March 4th 1841

Pursuant to an order of the Circuit Superior Court of Law & Chancery for the County of Isle of Wight, herewith filed marked A, a notice was issued on the 3rd of February 1841. appointing Thursday the 4th of March 1841 at this office the time & place for commencing the accounts ordered — the notice herewith filed marked B, with service acknowledged by the parties concerned — On the time & place set your Commissioner commenced making up an additional account of Susanna Godwins administration on the estate of Edmund Godwin decd which account closed on the 31st of December 1838, shewing the sum four hundred & thirty four dollars & ninety two cents due from the said Susanna Godwin, to the estate of Edmund Godwin decd — Eighty six dollars & ninety eight cents part thereof is deducted as the said Susanna Godwins Interest in fee in right of her deceased children, Jane, Jeremiah & James Godwin, which leaves the sum of three hundred & forty seven dollars & ninety four cents, from which your Commissioner has deducted one hundred & fifteen dollars & ninety eight cents, as the Widows dower for life — leaving then remaining, the sum of two hundred & thirty one dollars & ninety six cents, one half of which say $115.98 the said Mary D. now the Wife of the Defendant Sykes as entitled — Your Commissioner then stated an account (marked C. hereto attached;) of the said Susanna Godwins transactions as Guardian to said Mary D. Godwin now the wife of said Sykes, which last mentioned accounts closes on the 31st day of December 1837. at which time the said Mary D. intermarried with the said Benjamin Sykes: & at which time the said Susanna Godwin was indebted to the said Mary the sum of one hundred & ten dollars & eighteen cents: the said Benja. Sykes in right of his Wife is also entitled to one half of the $115.98 say $57.99: which was held by the said Susanna as her dower for life which terminated on or about the day of September 1839. — the defendant Sykes conveyed his Interest in the estate of the said Edm. Godwin to Nath. P. Young for the benefit of the plaintiffs on the first day of October 1838 — All of which is submitted to the Court

Benja. Lightfoot Comr.

Dr. The Estate of Edmund Godwin decd. In an additional Account with Susanna Godwin. Administratrix. Cr.

1826							
Jan.	1	To this sum balanced due the admin: ℔ settlement made the 18th of December 1825 ℣ reported to the County Court			248	56	52 84
May	6	" paid Robert Lawrence bond			14	20	
		" paid for Coffin & burying Jane Godwin			12	00	
		" paid for Coffin & burying Jese: Godwin			5	00	
		" paid for Coffin & burying Gril Hannah			5	00	
Dec	31	" this sum for keeping Silvy & 3 children			20	00	
		" Interest on ℔ 248: 56 one year					14 91
		" paid Midwifes fee for Silvy			2	00	
		" paid for Coffin & burying old Pinks			5	00	
		" paid for Coffin & burying James Godwin			5	00	
				℔	316	76	67 75

Dec	31	By this sum for hire of old Pinks				10	00
		By this sum for hire of Nancy & Ruben				15	00
"	"	By this sum balance due the admin: ℔ debit		℔	291	76	67 75
				℔	316	76	67 75

1827							
Jan	1.	To this sum bal. due the admin: last year		℔	291	76	67 75
		" paid James B. Southall Mast. bill			11	76	
Dec	31	" maintaining Silvy & 3. children			20	00	
		" Interest on ℔ 291: 76 one year					17 40
				℔	323	52	85 15

1827							
Dec	31	By this sum for hire of Nancy & Ruben				20	00
		By this sum balance due the admin: ℔ debit				303	52 85 15
						℔ 323	52 85 15

1828							
Jan.	1.	To this sum bal: due the admin: last year		℔	303	52	85 15
		" paid for shingles to repair dwelling houses			19	80	
Dec	31	" maintaining Silvy & 3 children			20	00	
		" Interest on ℔ 303. 52 one year					18 21
				℔	343	32.	103. 36

1828							
Dec	31	By this sum for hire of Ruben & Nancy				30	
		By balance due the admin: ℔ debit				313.	32. 103. 36.
						℔ 343.	32. 103. 36.

				prin		Int			
1829 Jan	1.	To this sum bal: due the Admin: last year		$ 313	32	103	36		
	"	paid Wm J. Foster for repairs on dwelling house		7	98				
	"	paid Jn° R. Cunningham for ditto		23	25				
	"	paid James R. Cunningham for ditto		18	00				
	"	paid for Shingles for ditto		1	06				
	"	paid for Coffin for Negro child burying		5	00				
Dec	31	" maintaining Silvy & 2 children		15	00				
	"	Interest on $ 313.32 one year				18	72		
				$ 383	61	122	08		

1830									
Jan	1.	To this sum balance due the Admin: last year		346	11	122	08		
	"	paid Clark's ticket		1	23				
Nov	15	" maintaining Silvy & 2 children from Jan: 1st 1830 to this day, (when sold) 10½ Mo	333	15	00				
	"	Interest on $ 346.11 — 10½ Mo's		15	16				
	"	amount of Interest brought forward		122	08				
Dec	31	" this sum balance due the Estate & Contra		434	92				
				$ 937	50				

1829									
Dec	31	By this sum for hire of Nancy & Reuben						37	50
		By this sum balance due the Admin: by debit						346	11
								$ 383	61

1830									
Nov	15	By this sum for hire of Nancy & Reuben from Jan: 1st 1830 to this day when sold	333					37	50
	"	By this sum for Sale of Silvy & 4 children						900	00
								$ 937	50

Due the est: Dec: 31st 1830 $ 434.92

deduct ⅓ for the Inst: of the Admin: & Widow in right of her deceased children 86.98

Jane, Exec: of James Godwin 347.94

Deduct ⅓ as the Widows Dower for life 115.98

$ 231.96

C.

Dr. Mary D. Godwin Orphan of Edmund Godwin decd.

1821					
Dec	31	To board & clothing the Orphan this year	₰	16	66
1822					
Dec	31	To board & clothing the Orphan this year	₰	16	66
1823					
Dec	31	To board & clothing the Orphan		16	66
1824					
Dec	31	To board & clothing the Orphan		16	66
1825					
Dec	31	To board & clothing the Orphan		16	66
1826					
Dec	31	To board & clothing the Orphan		16	66
1827					
Dec	31	To board & clothing the Orphan		16	66
1828					
Dec	31	To board & clothing the Orphan		16	66
1829					
Dec	31	To board & clothing the Orphan		16	66

C

In account with Susanna Godwin Guardian Cr.

1821					
Dec	31	By this sum for rent of Land	⅓ ₰	16	66
1822					
Dec	31	By this sum for rent of Land	⅓	16	66
1823					
Dec	31	By this sum for rent of Land	⅓	16	66
1824					
Dec	31	By this sum for rent of Land	⅓	16	66
1825					
Dec	31	By this sum for rent of Land	⅓	16	66
1826					
Dec	31	By this sum for rent of Land	⅓	16	66
1827					
Dec	31	By this sum for rent of Land	⅓	16	66
1828					
Dec	31	By this sum for rent of Land	⅓	16	66
1829					
Dec	31	By this sum for rent of Land	⅓	16	66

1830					1830				
Dec	31	To board & clothing the Orphan		16 66	Dec	31	By this sum for rent of Land	⅓	16 66
		" 5 ₱ cent Comm[s] on ₱ 115.98 receipts		5 80			By this sum, the Orphans pro. of Fathers est. exclusive of the Widows Dower Interest ₱ settlement	7/8	113 98
		" Balance due the Ward ₱ Contra		110 18					₱ 132 64
			₱	132 64					
1831					1831				
Dec	31	To board & clothing the Orphan		23 27	Jan	1	By this sum balance due the Ward last year	₱	110 18
		" Balance due the Ward ₱ Contra		110 18	Dec	31	By this sum for rent of Land	⅓	16 66
							By Interest on ₱ 110.18 one year		6 61
			₱	133 45				₱	133 45
1832					1832				
Dec	31	To board & clothing the Ward		23 27	Jan	1	By this sum balance due the Ward last year	₱	110 18
		" Balance due the Ward ₱ Contra		110 18	Dec	31	By this sum for rent of Land	⅓	16 66
							By Interest on ₱ 110.10. one year		6 61
			₱	133 45				₱	133 45
1833					1833				
Dec	31	To board & clothing the Ward		23 27	Jan	1	By this sum balance due last year		110 18
		" Balance due the Ward ₱ Contra		110 18	Dec	31	By this sum for rent of Land	⅓	16 66
			₱	133 45			By Interest on ₱ 110.18 one year		6 61
								₱	133 45
1834					1834				
Dec	31	To board & clothing the Ward		23 27	Jan	1	By this sum balance due last year		110 18
		" Balance due the Ward ₱ Contra		110 18	Dec	31	By this sum for rent of Land	⅓	16 66
			₱	133 45			By Interest on ₱ 110.18 one year		6 61
								₱	133 45
1835					1833				
Dec	31	To board & clothing the Ward		23 27	Jan	1	By this sum balance due last year		110 18
		" Balance due the Ward ₱ Contra		110 18	Dec	31	By this sum for rent of Land	⅓	16 66
			₱	133 45			By Interest on ₱ 110 18 one year		6 61
								₱	133 45

1836							
Dec	31.	To board & clothing the Ward		£	23	27	
"	"						
"	"	" Balance due the Ward	£ Contra		110	18	
				£	133	45	

1837							
Dec	31.	To board & Clothing the Ward			23	27	
		" Balance due the Ward	£ Contra		110	18	
				£	133	45	

Commissioners fee
time employed 13½ hours £ 13.50 charged to Plaintiffs

Isle of Wight County to wit. Thomas Light Gent. this day made oath before me a Justice of the Peace for the said County that the fee charged by him for this report is just & proper — Given under my hand this 30th day of March 1841.

N. Womble JP

1836							
Jan	1	By this sum balance due last year		£	110	18	
Dec	31	By this sum for rent of Land		£3	16	66	
		By Interest on £ 110.10 one year			6	61	
				£	133	45	

1837							
Jan	1	By this sum balance due last year			110	18	
Dec	31	By this sum for rent of Land		£3	16	66	
		By Interest on £ 110.10 one year			6	61	
				£	133	45	

Due the Deft. Sykes in right of his wife £ 110.18 with Int. from 31st Dec. 1837 —
The said Sykes in right of his wife is also entitled to — 1/3 57.99 with Int. from the death of Susanna Brown — which took place in Sept. 1839 —

110.18
57.99
168.17

Joyner & Daniel

vs. } Report

Morrison } Dad

March 31st 1841 report
filed

dict state and settle an acct
of the said Executors. Godwin
as Gdn of the said Mary & Eyles
formerly M & Godwin, charging
in said acct all moneys and
credits which came into her
hands as guardian aforesaid
and crediting all proper dis-
bursements; that he report
the said acts to the court
with any matter deemed
pertinent by himself or re-
quired by either parties

Daniel D Joyner
vs
Godwins adms

Decree

Mills Lanier & Jonah Joyner Plts
vs
Truman Godwin admr and
Others Defts

This cause came on this day
to be heard on the bill and
answer and other papers filed
in the cause and was ar-
gued by counsel ~~on exceptions~~ ~~to the~~ ~~report~~ ~~of~~
~~master~~ whereby the court ~~doth~~ adjudge order and decree, ~~that~~
that a commissioner of this court
do audit state and settle an
additional account current of the
estate of Edmund Godwin dec'd
as administered by Truman
Godwin admr taking the ac-
count returned to the county
court in Dec 1875 as court
may charge the said Tru-
man Godwin with all sums
of which appears come
into his hands as admr of the
said Edmund Godwin dec'd
showing the amount due
on said account, and es-
pecially the portion due ~~the~~
to Mary E Lyles the wife of
Benjamin E Lyles before the
conveyance by said Lyles to
A O Young trustee for the
benefit of the plaintiffs, that
the said Comr. also ex-

At a Circuit Superior Court of Law and Chancery
Continued and held for the County of Isle of Wight the
8th day of October 1840.

Josiah Joiner and Mills Daniel ..... Plts:

against

Edwin Morrison exor: of Susanna Godwin in her own right and as admx: of Edmund Godwin and also as guardian of Mary D. Sykes formerly Mary D. Godwin. Benjamin Sykes and Mary D. his wife Merit Gray and his wife formerly Godwin. Augustus Ballard Sheriff and Committee of James, Jeremiah, and Jane Godwin — Defts.

This Cause came on this day to be heard on the bill and answers and other papers filed in the cause, and was argued by Counsel; On consideration Whereof the Court doth adjudge order and decree that a Commissioner of this Court do audit State and Settle and additional account — current of the estate of Edmund Godwin dec'd. as administered by Susanna Godwin admx: taking the Accounts returned to the County Court in December 1825, as Correct and charge the said Susanna Godwin with all monies which afterwards came into her hands as admx: of the said Edmund Godwin dec'd. — Shewing the amount due on said account and especially the portion due to Mary D. Sykes the wife of Benjamin J. Sykes before the Conveyance by said Sykes to N.P. Young — trustee for the benefit of the plaintiffs — That the said Commissioner also audit state & Settle an account of the said Susanna Godwin as guardian of the said Mary D. Sykes formerly Mary D. Godwin. charging in said account all monies and credits which came into her hands as guardian aforesaid and crediting all proper disbursements — That he report the said Accounts to the Court with any matters deemed pertinent by himself or required by the parties.

A Copy Teste. N.P. Young D.C.

Sumner &c.
vs } Co. decd.
Morrison &as

Or. book p 94

Joel Holleman Esq.

Came to hand the 13th
of Feb. 1841.

B. Lightfoot con.

Notice for settlement
on the 4th of March
1841. BL

A

At a Circuit Superior Court of Law & Chancery continued and held for the County of Isle of Wight the 8th day of October 1840.

Josiah Johns and Mills Daniel ... Plts.

against.

Edwin Morrison exr. of Susanna Godwin in her own right & as Admix. of Edmund Godwin, and also as Guardian of Mary D. Sykes formerly Mary D. Godwin Benjamin D. Sykes and Mary D. his wife, Merit Gray & his wife, formerly Godwin, Augustus Ballard Sheriff & Commdee of Sams, Jeremiah and Sam Godwin ... Defts.

This cause came on this day to be heard on the bill & answers and other papers filed in the cause, and was argued by Counsel. On consideration whereof the Court doth adjudge, order & decree that a Commissioner of this Court do audit, state & settle an additional account current of the estate of Edmund Godwin decd. as administred by Susanna Godwin admix, taking the account returned to the County Court in December 1833 as correct, and charge the said Susanna Godwin with all monies which afterwards came into her hands as Administratrix of the said Edmund Godwin decd. shewing the amount due on the said account & and especially the portion due to Mary D. Sykes the Wife of Benjamin D. Sykes before the conveyance by said Sykes to N. P. Young trustee for the benefit of the Plaintiffs. — That the said Commissioner also audit, state & settle an account of the said Susanna Godwin as Guardian of the said Mary D. Sykes formerly Mary D. Godwin, charging in said account all monies & goods which came into her hands as Guardian aforesaid and crediting all proper disbursements — that he report the said accounts to the Court with any matters deemed pertinent by him or required by the parties —

A Copy Teste N. P. Young Jr.

A Copy Teste Barth. Lightfoot Com.

Smithfield Commissioners Office February 15th 1841.

I have appointed Monday the 4th of March next, for the settlement of the accounts refered to in the foregoing order. The parties concerned will attend at my office on that day with their papers & evidence to enable me to carry the foregoing order into effect in the settlement of the accounts mentioned in said order —

Barth. Lightfoot Com.

Service of the within notice acknowledged
Feb
Wm Watts Esq as to Mills Daniel

Mills Daniel
& Morrison Exrs
Merit Exrs
Benja I Sykes
& Joiner
Augustus Ballard

Joiner &c
vs
Mills Daniel
& Morrison Exrs &c

B

Lucie

Entered

Joyner & Daniels
vs.
Godwin adm. &c

This cause came on this day again to be heard on the papers formerly read in the cause and on the report of the commissioner to which no exceptions are filed & was argued by counsel on consideration whereof the court doth adjudge order and decree that the defendant Edwin Monroe Godwin ^ executor of Thomas Godwin deed out of the goods and chattels &c to him testator in his hands to be administered do pay to the plaintiffs Joseph Joyner and Mills Daniel the sum of one hundred and sixty eight dollars and seventeen cents with interest on $110.14 part thereof from the 31st Dec 1837 the time and with interest on $57.99 the balance thereof from 30th Sept 1839 till paid with their costs in this behalf expended: and liberty is reserved to the plaintiffs to have all necessary and further writs in case this decree shall prove unavailing

Cutft: of S. Godwin's
qualfn as admx of
Edwd Godwin

Exr (A) filed with
Petn Bill.

I certify that at a court held for Isle of Wight county the fifth day of October 1878 - on the motion of Susannah Godwin who took the oath of Administratrix required by law, and together with Henry Bagnall, Samuel Bagnall and James Rowell her securities, entered into and acknowledged a bond in the penalty of four thousand dollars, conditioned as the law directs, Certificate was granted her for obtaining letters of administration on the estate of Edmund Godwin dec'd. in due form. -

Test N. B. Young D.C.

Edmund Godwin's

Appraisement

(A copy)

Exhibit filed

with Pltf's Bill

One black Mack & fodder $3 – One Polly nigger $1	4	00
One Cart and Wheels $10 1 Tumbler cart and Wheels $10	20	00
3 Hhs. Short corn @ 7/6	3	75
2 bands rotton corn @ 3/	1	00
One bay mare $45 – Apple mill, Wheel & Screws $10	55	00
3 Cypress stands $5 – 3 hogs $11 – 8 dittos $24	40	00
5 bushels corn in ear @ 4/6	8	25
11 bushels black eye P. @ 4/6	8	25
3 Sows and 8 Shoats $33 – 15 Sheep $30	63	00
One Yoke & Oxen $30 – 6 Cows $104	134	00
One rasp Hide $1 – 1½ bushels of Irish potatoes $1	2	00
Old Hand 25/ – 1 Ox Wedges 75/ – 1 p. Sheep Shears 50/	1	50
part of brick Moulds & basket	—	—
One Negro Woman Rick $100 – One Negro woman Silvia $500	600	00
One boy Solomon $350 – 1 girl Nancy $200 –	550	00
One boy Reuben $150 – One boy Robert $100	250	00

Pursuant to an order of the Worshipful Court of Isle of Wight County to us directed, We the undersigned having been sworn before a justice of the peace for said County, have this day appraised all the personal estate of Edmund Godwin dec'd. in current money, as far as it has been exhibited to us, as witness our hands this 24th day of November 1838.

Davis Gray
John Reynolds

At a Court held for Isle of Wight County the 3d. day of February 1823, The foregoing appraisement was returned, and with the report thereon, was ordered to be recorded.—

Teste N Young cc.

A Copy
Teste N. D. Young D.C.

$ 319.75	
336.25	
$656.00	Appraisement
523.61	Sales
$132.39	C of P

An Inventory and appraisement of the estate of Edmund Godwin Senr: dec'd. taken this 24th day of November 1818.—

One bed, bedstead, furniture, Curtains $25. one Sd. stead & furniture $10.	$	35 00
One Desk $10. one Trunk & Contents $15. one looking glass 75 ¢		25 75
3 books and some do books 125 ¢ one case and bottles 1.50		2 75
1 doz: Windsor Chairs $6. 3 flag bottom ditto $1.50		7 50
One Wheel, Can and Noggin $1. one Gun & Contents $15		16 00
1 Cradle 25 ¢ and Irons, Shovel & tongs, 1 flat Iron 1.50 – 2 Tables $10		11 75
1 do: $4 – 1 bed and furniture $10 – 3 Table Cloths 1.75		15 75
One Dimmity Jon & jug 1.25 – Coffee mill & tea Kettle 25 ¢		1 50
One Lantern & Candle molds 50 ¢ – 2 Candle Sticks Scales &c 25 ¢		75
1 pr: Stilyards, 2 funnels, 4 Trowels &c		1 50
One bed and furniture $15. 1 Candle Stand & old table 50 ¢		15 50
1 pr: and Iron & basket 25 ¢ – 1 pr: Sheets & one blanket 1.50 ¢		1 75
3 Chests $1 – 1 Loom & gear &c $5. one steam bath $5.		11 00
2 flax Wheels & 2 hackles $2 – 1 bed stead 50 ¢		2 50
2.30 lbs Seed Cotton a 4½ ¢		14 37½
2 Spinning Wheels & 2 ¢ Cards $2 – box of Knives & forks 37½		2 37½
2 Small basons, 1 dish, ½ doz: plates 125 ¢ one Churn 25 ¢		1 50
5 Stone pots, 3 basons, 4 dishes & 2 pans 250 cts 1 flax hackle 12½		2 62½
3 pewter plates, funnel & measure 25 ¢ – 4 Brandy bbls: 2.00		2 25
4 Mudding hoes, 1 fluke do: 3 axes & 1 grubbing hoe		3 00
Some tools & the balance of the contents in the smoke house		3 00
3 Iron pots, 1 Spider, Oven, & the balance of the pots		4 75
2 pot-racks, flesh fork and Cullender 1.25		1 25
Tubs, trays, Pails, Churn & peck measure		1 25
1 Mortar and frying pan 25 ¢ – 2 Waggon ploughs &c $8		8 25
One Grubbing hoe, Mudding hoe and grind stone		75
Plough gear, Single yoke & rope 1.25 – 1 bridle & saddle $3.00		4 25
3 Ploughstocks, 2 axes, 3 Squares, Cutlasses &c		1 50
1 pr: Wedges &c 1.25		1 25
2 hand saws & Drawing Knife		2 00
1 keg of Gunpowder, 2 pr: Register Irons &c		2 50
1 Cross cut-saw $4 – 1 Ring & staple &c 5/3		4 87½
32½ bbls: Corn a $2.50 ¢ bbl:		81 25
One Chair & harness $15. 2 blades stacks of fodder $6		21 00
54 feet of 2 ft fodder a 9 ¢		6 75

Edmund Gladstone's

Acct: Current

(Aedy)

Exhibit

(C)

filed with Pltf's bill

Cr:

1819 Mar.	By Cash rec'd: from sale of Negro boy Solomon	$ 400	00
	By Cash rec'd: of Jo: Hollaman D.S. Shff: and admor: of Wm. Gibbs dec'd:	15	00
	By Cash rec'd: of Wm. Goodrich	10	00
Augt: 25	By ammount of sales of the intestate estate, due this day	523	61
		$ 950	27
Dec'r. 31.	Balance due the estate $ 75.92.		
1820. Jany: 5	To paid Sam'l P. Jordan part of bond as exec'r: of Wm. Godwin	10	00
Feby: 26	" paid James Moody	6	25
Mar. 8	" paid Wm. Hollaman D.S. on an exon: in favour of Mills Godwin dec'd	44	00
	" paid Jo: B. Whitehead Const. Budgt:	21	95
Apl. 8	" paid Robt. Butler Mdl: acct:	17	52
	" paid J B. Whitehead Const: Budgt:	12	09
May 1	" paid Wm. Hollaman D.Shff: bal of Mills Godwins exon.	21	12
June 26	" paid Mills Barrett acct:	1	00
	" paid Shff: Tax on land for 1819	7	09
Dec'r. 12	" paid D. S. " " for 1820	3	94
	" paid B. Lightfoot Const: for attenation of land		75
	" paid Shff: Clerks & Shff's: tickets for 1818 & 1819	15	54
		$ 161	25
	Balance due the admx $ 85.33		
1820 Jany: 1	By this sum balance due for last year	75	92
Dec'r. 31.	By balance due the admx	85	33
		$ 161	25
1821 Jany: 1	To this sum balance due for last year	85	33
	" paid Charles Roundtree bond	29	04
	" paid Clerks tickets	1	98
		Int:	
Dec'r. 31	" Int: on $ 85.33 last years balance	$ 5.11	
		$ 5.11	$ 116 35
1822 Jany: 1	To this sum due for last year	$ 5.11	116 35
Octo: 15	" paid John Bagnall		8 75
	" paid Thos: Gray Const: Jud:		16 57
	" paid Shff: land tax for 1821 & 1822		3 99
	" paid Wm. Hollaman balance of bond		22 14
Nov: 2	" paid Nath'l Mills Bal: of bond		55 20
Dec'r. 31	" Interest on $ 116.35 last years balance	$ 6.98	
		$ 12.09	$ 222 94

(Carried over.)

		Int:	Prin:	
1824. Jany: 1	To this sum due for 1822	$ 12:09	$ 222	94
May 13	" paid Jos: B. Whitehead Costs of Warrant in favour of Penelope Crutchin		3	41
Aug:	" paid Shff: Land tax for 1823 & 1824		2	32
	" paid D. Clerks tickets		4	99
Dec'r. 31	" Int: on $ 222.94 from Jany 1st 1822 to this day	$ 26.74		
		$ 38.83	$ 233	56
1825. Jany: 1	To this sum due for last year	$ 38.83	$ 233	56
Aug.	" paid Shff: for land tax & Clerks tickets		1	78
Dec'r. 31	" this sum to pay the Clk: for mdg: this ago:		4	37
	" this sum to pay for mdg: this ago:		8	75
	" Int: on $ 233.56 last years balance	$ 14.10		
		$ 52.84	$ 248	56
	Principal due the Administratrix	$ 248.56		
	Interest " " do	52.84		
		$ 301.40		

Commissioners Office, Dec'r: 1st 1825.

Pursuant to an order of the Court of Isle of Wight County, Susanna Godwin laid before me papers and vouchers relative to her administration on the estate of her late husband Edmund Godwin dec'd: which papers and vouchers, I have carefully examined and state, shewing the sum of three hundred and one dollar and forty cents due from the estate of the said Edmund Godwin dec'd: to the said Susanna Godwin the administratrix; Two hundred and forty eight dollar and fifty six cents, part thereof, is principal and to any interest from the date thereof. — Which is respectfully submitted. —

Barth: Lightfoot Const.

At a court held for Isle of Wight County the 5th day of December 1825. the foregoing account was returned by Const. Lightfoot ordered to lie for exceptions; And on the 6th day of February 1826. the same having been returned for more than two months and no exceptions filed thereto was confirmed by the court and ordered to be recorded. —

Teste Nath'l Young cd:

A Copy

Teste N. Young D.S. Clerk

Dr. The Estate of Edmund Godwin dec'd:
In account With Susanna Godwin the Administratrix

1818.	—	25th	To paid Carter Drew for crying the estate	5 00
	Decr:	1	" paid John Blair acct:	18 00
	"	7	" paid Wm H Alman part of bond	18 55
	"	"	" paid Wm H Alman D Shff: for tax for 1818	15 98
1819.	Jany:	1	" paid Henry Bagnal bond	38 00
	Feby:	19	" paid Henry Johnson acct:	7 50
	Mar:	1	" paid Benjamen Drew bond	61 63
	"	26	" paid Nath: Wells part S:	100 00
	"	29	" paid Daniel Heming S:	109 25
	"	30	" paid John H. Barker for G. D. T. Andrews bond	33 54
	Apl:	3	" paid Wm Holman D Shff: for exon: serv: of J. Borland	54 41
	"	"	" paid S: S: " " " of Jo: Holman	28 36
	"	"	" paid S: S: " " " of Samuel P. Jordan exor: of Jos: Goodwin dec'd	54 41
	"	"	" paid Jo: Joyner Court: on exon:	20 50
	"	25	" paid Cartright Price for a coffin for dec'd	12 00
	June	3	" paid Amit Jordan atto:	2 50
	"	25	" paid Jo: B. Whitehead Court on Jud:	27 50
	July	4	" paid Ann Bowden bond	15 57
	"	7	" paid Benj Lawrence a/c:	6 50
	"	"	" paid Tom Travis "	10 00
	"	"	" paid Davis Gray bond	10 75
			" paid J. B. Southall mdb: a/c	34 75
			" paid John Clark Judgt.	7 87
	Aug:		" paid Sam: Whitfield acct:	8 12
	"	30	" paid J. B. Whitehead Judt:	1 80
	Sept:	16	" paid S: S: Court: "	9 54
	Octo:	4	" paid R. H. Baker atto	5 00
	"	20	" paid J. B. Whitehead Court: Judgt	6 62
	Nov:	10	" paid Nath: Cutchin acct:	35 00
	"	26	" paid Henry Gray Bond	52 25
	Decr:	3	" paid Jo: Joyner Court: Judgt	15 65
			" 5 P Cent Coms: on $950. 27 recpts including amt of Sales	47 51
		31	" balance due the estate & contra	75 92
				$950 27

Joyner & Daniel
v.
Godwin's 3 cert: bff
exors.
the estates of Jane,
Jemiah, & James Godwin
committed to the Sh.ff.
Agust 8th 1839 exhibit.
D: filed with
Pltf: Bill.

At a Court held for Ishopeneyche County the 5th day of August 1839
On motion of Josiah Joyner and Willis Daniel Orders the estates
of Jane, Jeremiah, and Godwin infant Children of Lamond Godwin
decd. be committed to the hands of Augustus Ballard Sheriff and
committee to be administered according to law

A Copy Teste Nath. Joyner C.

Sykes
To
Gowing
Power for Signing
Deeds of Trust
Recorded Feb 1839 Book R. and
Returned to Record
Jesse N. Gowing Co.

(8) Deed with Sykes
Recorded

February 20th 1839. Recd. of N. D. Gowing trustee in this deed of trust fifty one dollars and fifty cents it being the nett amount of sales of the intrest of Benja. T Sykes in the estate to which he derived title by marriage with his wife Mary D. Sykes, after deducting the expences of sale &c. The balance of the property mentioned in this deed was not sold, because it was conveyed in a deed previous to this, to Joseph B. Whitehead trustee for Mills Daniel. —

Witness
Nath. Gowing

Js Sykes

Amount of Int. sold $60.00
Comn. for trustee $3.00
Writing deeds — 2.00
50 — 50 — 2.00
Rec. this deed — 1.50
8.50
$51:50 nett amt

3.00
2.00
60.00 2.00
8.50 1.50
51.50 8.50

to the said Benjamin S. Sykes his heirs &c. But if the whole of the said sum of $700. be fully paid off and discharged to the said Monroe Clements, so that the said Josiah Joyner shall sustain no loss by reason of his being bound as aforesaid for the said Sykes, then this obligation indenture and every thing herein contained is to be void else to remain in full force and virtue. In testimony whereof the parties to these presents have hereto set their hands and seals this day and year first herein written.—

Signed, sealed and delivered in presence of

Benjamin S. Sykes [Seal]

N. P. Young [Seal]

Josiah Joiner [Seal]

The word "the said Benjamin S. Sykes" was interlined before signed

is entitled by intermarriage with his Wife Mary D. Sykes formerly Mary D. Godwin —

To have and to hold the said Sykes intrest claim and demand in the aforsaid lands and personal estate, free from the claim of of him the said Sykes, his heirs, exors: &c to him the said Nath.l P. Young his exors: admrs: forever - in trust nevertheless, that the said Nath.l P. Young, his exors: or admrs: shall permit the said Benj.a I. Sykes to remain in quiet and peaceable possession of the said lands and personal estate hereby conveyed, and take the profits thereof to his own use and benefit, until the said Joseph Joynes shall be called on by suit or otherwise to pay the said sum of $600.00 - and then upon this further trust that he or his exors: or admrs: shall and will, so soon after the said Joynes shall be called on to pay the amount of the said bond or any part thereof as he may think proper or the said Joynes shall require, sell the said lands and other property hereby conveyed, or such part of the hereby granted premises as the trustee or his legal representative, hereby authorised to act, may think proper, to the highest bidder for ready money, having previously fixed the time and place of sale at his own discretion, and given at least twenty days notice thereof by advertisements posted at four or more publick places in said County of Jefferson, and out of the moneys arising from such sale, shall first pay all costs and charges attending the premises, for the drawing and recording this deed, if then unpaid, and then pay to the said Joseph Joynes, the said sum of $600. or such part thereof as he may have been compelled to pay as security for the said Sykes aforesaid, with the legal interest which may thereon have accrued, and the balance, if any, shall pay

This indenture, made and entered into this first day of October eighteen hundred and thirty eight, between Benjamin I. Sykes of the first part, Nathaniel P. Young of the second part, and Josiah Joyner of the third part, all of the County of Isle of Wight and State of Virginia - Witnesseth, that Whereas the said Josiah Joyner, together with Mills Daniel and John Bryant stands bound as security for the said Sykes in a bond or obligation due to Monroe Clements for six hundred dollars, and which is dated on or about the 17th day of January one thousand eight hundred and thirty eight, Now this indenture further witnesseth, that the said Benjamin I. Sykes, in order to save harmless and indemnify the said Josiah Joyner as security aforesaid in case of the said Sykes' nonpayment of the said sum of six hundred dollars, and also for and in consideration of the sum of one dollar to him in hand paid by the said Nath. P. Young, the receipt whereof is hereby acknowledged, hath granted, bargained, sold and aliened, and by these presents doth grant, bargain sell, and alien & convey unto the said Nath. P. Young, his executors & administrators, all his the said Benjamin I. Sykes' right title, interest, claim and demand either at Law or in equity of, in and to a certain tract or parcel of land, containing Eighty three acres more or less, and is the same land on which Joseph Sykes now resides, also one bay horse, one ox, four cows, six sheep, twenty five hogs, one clock and four feather beds and furniture, together with all and singular the appurtenances to the said tract or parcel of land belonging or in any wise appertaining, and also the future increase of the females of the said stock hereby conveyed - also all the interest the said Benjamin I. Sykes may have, by marriage, in the estate held as dower by Mrs. Susannah Godwin widow of Edmund Godwin dec'd; that is her dower in said E. Godwin's estate, and the said Benjamin I. Sykes doth also convey in like manner to the said Young all his right title Interest claim and demand in all the real & personal estate which the said Benjamin I. Sykes

Young (Trustee)
to
Deed
Isaac & Daniel

July 19th 1839. Acknowd.
& admitted to record.
Test N. Young C.

Filed with Pltf. Bill

Recorded

Indenture further Witnesseth. that the said Nath.l P. Young trustee, as aforesaid, for and in Consideration of the aforesaid sum of Sixty dollars Lawfull money of Virginia, to him in hand paid by the said Josiah Lorin and Mills Daniel at or before the ensealing and delivy of this indenture, the receipt Whereof is hereby acknowledged) ~~he, the said~~ hath granted, bargained, and sold and by these presents doth grant, bargain, sell and Convey unto the said Josiah Lorin and Mills Daniel their heirs and assigns, the aforementioned estate, to wit: all the interest the said Benjamin I. Sykes may have in the estate held by Mrs: Susannah Godwin as her dower in Edmund Godwin's estate; and also all the said Sykes right, title, interest, Claim and demand to the real and personal estate to which he derived title by intermarriage with his wife Mary D. Sykes, formerly Mary D. Godwin, as conveyed by the deed of trust aforesaid to Nath.l P. Young for the benefit of Josiah Lorin.—

To have and to hold the interest of the said Sykes in the estate aforesaid conveyed, unto the said Josiah Lorin and Mills Daniel, their heirs and assigns, against the Claim or claims of him the said Nath.l P. Young, trustee as aforesaid, and his heirs forever.— But it is expressly understood that the said Nath.l P. Young, trustee as aforesaid, Conveys no other title to the estate before mentioned, than that vested in him by the deed of trust above recited. In Witness Whereof the said Nath.l P. Young, trustee as aforesaid has hereunto set his hand and seal the day and year above written.— N. P. Young (Seal)

This Indenture, made this twenty seventh day of February in the year of Our Lord eighteen hundred and thirty nine. Between Nath.l D. Young of the County of Isle of Wight and state of Virginia, of the one part, and Josiah Joiner and Mills Daniel of the county and state aforesaid of the other part: Witnesseth, that Whereas a certain Benjamin J. Sykes of the county and state aforesaid, did, on the first day of October 1838, by deed of trust of that date, convey in trust to the said Nath.l D. Young, together with other property, the following estate, viz.: "all the interest the said Benjamin J. Sykes may have by marriage, in the estate held by Mrs. Susannah Godwin, widow of Edmond Godwin dec.d as her dower in the said Godwin's estate; and also all his, the said Benj.a J. Sykes' right, title, interest, claim, and demand, in all the real and personal estate which he derived title to by intermarriage with his wife, Mary D. Sykes, formerly, Mary D. Godwin," with full power and authority vested in the said Nath.l D. Young, to sell and dispose of the said estate, in the manner, and for the purposes mentioned in the deed of trust above mentioned: and Whereas by virtue of the said deed of trust, the said Nath.l D. Young, did, after advertising the time and place of sale, as in the deed of trust aforesaid is required, expose to sale the estate aforesaid conveyed, at which sale the said Josiah Joiner and Mills Daniel became the purchasers thereof being the highest bidders at sixty dollars. — Now this

Coym v Daniels

Costs

Subpoenas &c:

2 spas: in Chy: 36
docketg: - - - - - 08
attds. - - - - - 8
Bill - - - - - 15
Exhibits - - - - 18
Sefas. &c - - - - 50
Rule - - - - - 25
amt. of monies - 15
Rule - - - - - 25
nov. Conte. - - - - 25
~~Feby~~: ~~Conte. - - - -~~
Rule - - - - - 25
Decree - - - - - 16
Conte - - - - - 25
Copy - - - - - 08
filg: report - - - 8
Conte - - - - - 25
Decree - - - - - 18
Copy - - - - - 20
Copy - - - - - 25
Conte - - - - - 58
Escon: - - - - - 25
Conte for - - - - 15

Clk.	5.23	1.00
Attd.	16.66	37
Sheff.	1.50	37
Law.	75	1.50
	24.14	
~~Costs~~	~~- -~~	
	3.17	
	27.31	

2.25
18
37
37
3.17