

1764-009

SOUTHAMPTON COUNTY
CHANCERY PAPERS

HALLIMAN + al vs. HALLIMAN

3/1764

Hallmans 9
Hallmans 2
Hallmans 20. 10. 10.

To the Worshipful Justices of Southampton County
sitting in Chancery

Humbly Representing sheweth unto
your worship your orators Arthur Halliman Benjamin
Halliman Nathan Halliman and Jesse Halliman
That one Thomas Halliman late of this county deceased was in
his lifetime and at the time of his death possessed of a very
considerable estate consisting of negroes stocks of cattle horses
hogs and sheep large sums of money household furniture
implements and utensils of husbandry together with sundry
other goods and chattels and being so possessed departed this life
having first made his last will and testament in writing
bearing date the twenty ninth day of November 1760 wherein
amongst other things is the following devise I give to my
loving wife Ann Halliman my plantation and tract of land
whereon I now live during life the use thereof I also give to
my wife Ann four negroes viz Honour Sarah Jupiter & Mingo
during widowhood And I give the aforesaid negroes after the
death of my wife or the day of marriage to be equally
divided between Arthur Halliman Benj Halliman Nathan
Halliman and Jesse Halliman my desire is it should be
equally divided between the aforesaid Arthur Benj Nathan Jesse
Hallimans my desire is that my negro woman Peter should
be sold for ready money and out of that money I give to my
brother Josiah John Hallimans eldest daughter Lucy
Halliman £5. each I give to my aforesaid brothers daughter
Mary Clayton £5. I give to John Hallimans son Howell
Halliman £3. I give the remainder of the effects my negro
Peter to be equally divided as the rest of my estate and
of the said will appointed his wife Ann and orator
Nathan executor but the said Ann refusing to take upon
her self the burthen of the execution of orator Nathan
did alone obtain a probat thereof and hath given security
for his performance of the said will and hath retained

To them and their heirs forever good to my wife Ann Halliman all my household goods and chattels to having
her life and after her death

an inventory of the said testor estate amounting to the
sum of . . . as in and by the said
last will and testament ^{Inventory} duly proved and recorded in this
worshipful court may more fully appear and to which
y^e orator prays leave to refer your orators further shew unto
y^e worshipps that the afo^d negroes and other estate have
been delivered to the said Ann by virtue and in consequence
of the bequests of the use thereof in and by the last will
of the afo^d Thomas Halliman dec^d which y^e orator
charge the said Ann is daily spending selling waisting
and imbezeling y^e orators further shew that being indebted
to the said negroes and other estate on the marriage orphans
of the said Ann they have applied themselves in a
friendly manner to the said Ann and endeavoured to persuade
her from such management and behaviour but the same
having proved ineffectual y^e orators therefore have demand
a bond of the said Ann with security that the several
articles contained in the afo^d inventory together with all
other estate the use whereof hath come to the person of
the said Ann under the last of the said testor might be
forth coming on the marriage or at the death of the said
Ann to y^e orators so that the will and intention of the afo^d
testor may be thereby complied with But now so it is
may it please y^e worshipps that the said Ann utterly refuses
to comply with this y^e orators reasonable demands pretending
that the said bequests in the said will to her are absolute
and that she is not accountable to y^e orators for her managements
thereof all which actings and doings of the said Ann are
contrary to equity and justice and tend to the manifest
oppression and injury of y^e orators in tender consideration
whereof and for that y^e orators are wound up in the premises
by the strict rules of the common law and only properly
relivable in this worshipful court to the end therefore
that the said Ann Halliman may upon her corporal

sath full true and perfect answer make to all singular
the allegations of this bill as fully and particularly as if
the same were herein again repeated and interrogated And
more especially that she may set forth and discover whether
the said Thomas Halliman did not die so possessed make
such will and leave such executors as herein before is set
forth whether y^e orator Nathan did not alone prove the
same and take upon himself the execution and performance
thereof whether she is not possessed of all the negro
estate, and sums of money, so given and bequeathed to her
as afo^d how much both the same amount to whether
any and what sums of money hath come to her person
either left by the said testor at his death or otherwise
whether she hath spent sold waisted or imbezelled any
or what part of the said estate or money so bequeathed
to her as afo^d or which hath come to her hands & person
as the estate of the said Thomas Halliman And that your
worshipps will decree and order that the said test Ann may
return into this court a true and perfect inventory or
schedule of all such negroes goods chattels sums of money
or other estate that hath come to her hands and person either
in virtue of the several bequests afo^d or otherwise and that
she may be compelled by the decree of this court to enter
into bond with good securitys that the same may be forth
coming to y^e orators on the marriage or at the death of her
the said Ann liable only to the reasonable use thereof
Or that y^e worshipps will make such further or other
decree in the premises as may be most agreeable to
equity and good conscience May it please y^e.

Fisher & Cornett

Hallsmans }
or }
Hallman }
Shen

Jan^y 1769.
Time to cons^{id} Bill
Apr 1763.

Genl
 Cons for the bill
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 Genl
 Cons
 Dis new caps

Deutsche

John Bull, Jr.

George the third by the grace of god of great
Britain France and Ireland King defender of the
Faith &c To the Sheriff of Southampton county greeting
We command you that you summon Ann Halliman
to appear before our Justices of our said County court
at the Courthouse on the second Thursday in January
next to answer a bill in Chancery exhibited against
her by Arthur Halliman Nathan Halliman and
Jesse Halliman and this she shall in no wise omit
under the penalty of £100. and to have then there.
This writ Witness Richard Wells Att. of our said
Court at the Courthouse the tenth Day of December. in
the third year of our Reign

R Wells