1790-011 SOUTHAMPTON COUNTY CHANCERY PAPERS JONES et al vs. JONES' EXECUTORS 8/1790

other SURNames: Freeman, Clifton, Simmons

Bill

Jones

Aug 1790

Dismissed

To the worshipful justices [illegible] Chancellor court sitting
in chancery

Humbly complaining shew unto your oratrix your oratrix David Jones
Arthur Shreeman & Mary his wife, That one James Jones late of this county deed
was at the time of his death possessed of very considerable estate. & being so
possessed departed this life having first made his last will & testament
in writing bearing date the 15 day of December 1771. & of the said will
appointed Robert Jones James Jones & John Simmons Executors, who
have duly proved the same & proceeded to the execution thereof, in
which said will is the following clause, "It is my will & desire that
all my estate of what nature or kind soever, or wheresoever found & not
hereinbefore devised be sold & after all my just debts is paid then the
remainder to be divided, amongst all my children that be living
at that time each of them their respective parts & their heirs for
ever." That the said testator left the following Children to wit Robert
Susanna Elizabeth Lucretia James your oratrix Mary Abraham Ruth
& your oratrix David. Your oratrix further shew that notwithstanding
after debts funeral legacies & other expences are paid there was very
considerable ~~assets~~ estate came to the hands of the said executors
no inventory appraisement or account of sales of which hath been
yet by the said executors returned or any account thereof rendered
to this court nor have your oratrix been
[illegible] for that purpose made
to the said executors to procure a part of the legacies & settlement of
the said estate or to receive their respective proportions thereof.
which your oratrix charge is contrary to equity & justice. To the end therefore
that the said executors or the survivors of them may upon their
corporal oaths full true & perfect answer make to all & singular the
allegations of this bill & more especially that they may set forth &
discover whether their father the testator James Jones died did not
leave such will appointing such exors, & make such disposition of
his estate as above set forth. What were the articles & the true
amount of the said estate, how were the same disposed of, to whom
& for what purposes. What was the real value of the residue of
the said estate at the death of the testor after payment of debts
legacies & charges. And that this Court will Decree & Order that
the said executors return a true perfect inventory of the estate of
their testator, that they render an account of their administration
of the said estate, that they be compelled to make up a fair & true
account of the sales of the residue of the said estate after payment
of the legacies, debts & expences - & the true value of the same at
the time of the death of the testor, & that they be decreed to pay
to your oratrix their respective proportions of the balance

Mr. David Jones.

in

Southampton

The joint Answer of James Jones & John Simmons Surviving Exors. of James Jones decd. to the bill of complaint of David Jones & Arthur Freeman and Mary his wife Complainants ——— These defendants now and at all times hereafter saving and reserving to themselves all advantages of Exception, the Imperfections in the said Complainants bill of complaint, contained for Answer thereto, or to so much thereof as these defendants are advised is material for them to make Answer unto they answer and say That with respect to the departure of the said James Jones, his will, and the devise therein contained respecting the Complainants, the Bill, is true; and also True, as to the Children left by the said Testator. But the defendant John Simmons declares that, he made out an Inventory of the Estate & gave the same to his Executor Robert Jones, who he always thought has returned it to this Worshipfull Court, They farther say that, on the decease of the said James, his Widow: Martha Jones, was greatly dissatisfied at the provision made for her by her deceased Husband, and positively informed these defendants together with Robert Jones the other Executor That she would not accept of the same in lieu of her dower, unless these Defendants and the said Robert Jones Deceased, as Executor and Guardians to the Children, would make her some further allowance Whereupon They Maturely Considered thereof and advised with Counsel learned in the Law, respecting, The proposal made by Dowress Martha In consequence whereof, They Do agree to give her the absolute Property in all the Several articles, Contained in the Schedule Hereto annexed, which They conceive to be of the Value of One Hundred & Fifty pounds or thereabouts in lieu and in full Satisfaction of her Claim against the said Estate

Estate, as appears by a bond Taken by her and which is hereto annexed, These Defendants further say, that this Agreement must Appear very advantegeous, to the different Claimants as Otherwise she would have been Intitled to her Dower in the Lands & Slaves, Whereof the said James died Possessed and a Child's part, If the personal Estate as these defendants have been advised [illegible] Account of all their Transactions, with respect to themselves and as they believe Respecting the transaction of their Co Executor Robert Jones Deceased Without that &c

This Accot sworn to before me
& Micajah Hallimon a
majistrate of the County of
Southampton this 12th Day of
August 1784

James Jones
John Simmons

Sir With this you will receive Mr Jones & Mr Simmons Answer. I would advise you to examine some Witnesses with respect to the amount of the Sales of your fathers estate & what was the real value of it - & if you can, let the Witnesses possess out the time of Sale & the time of Credit given - An Inventory of the estate has been very lately returned but no Account of the Sales appears on the record - so that without some proof I shall be at loss to know how to tip your Claim or find out your proportion. I will get a copy of the Inventory by the next Court but cannot procure it now to send it, you perhaps by that some light will be thrown on this Matter

I am Sir
R Kello

Get some persons on Oath to plac
a value on the List of Articles delivered
to Mrs Jones. which is entered - It does
not differ from the one returned to the Office

Jones &c
as
Jones &c } Ans.r & Act. &c

The joint answer of James Jones and John Simmons surviving executors of James Jones deced to the bill of complaint of David Jones Arthur Facemire and Mary his wife complainants

These defendants now and at all times hereafter saving and reserving to themselves all advantages of exception to the imperfections in the said complainants bill of complaint contained for answer thereto or to so much thereof as these defendants are advised is material for them to make answer unto they answer and say That with respect to the departure of the said James Jones, his wife, and the matters therein contained respecting the complainants, the bill is true; and also true as to the children left by the said Testator. But the defendant John Simmons declares that, he made out an inventory of the estate and gave the same to his Executor Robert Jones who he always thought had returned it to this worshipful court. They further say that, on the decease of the said James, his widow Martha Jones was greatly dissatisfied at the provision made for her by her deceased Husband, and positively informed these defendants together with Rob.t Jones the other executor that she would not accept of the same in lieu of her dower, unless these defend.ts of the said Rob.t Jones died as executors and guardians to the children would make her some further allowance. Whereupon they maturely considered thereof, and advised with gentlemen learned in the law respecting the proposal made by the said Martha, in consequence whereof they did agree to give her the absolute property of the negr

nal article ~~heretofore~~ contained in the schedule hereto annexed which we conceive to be of the value of one hundred and fifty pounds or there abouts ——— in lieu & in full satisfaction of her claim against the said estate as appears by a bond taken from her and which is hereto annexed. That defendants further say that this agreement must appear very advantageous to the different claimants as otherwise she would have been entitled to one dower in the lands and slaves whereof the said James died possessed and a child's part of the personal estate as the defendants have been advised. That the account hereto annexed contains a just account of all their transactions with respect to themselves and as they believe respecting the transaction of their Coexecutor Rob. Jones deceased without that that

they

Sworn & sworn to before me Micajah Hollowman a majistrate of the county of Southampton this 12th of Sept 1798

James Jones
John Simmons

A schedule of the personal articles delivered to Mrs. Martha Jones in consideration of her releasing her right to the dower in the estate of James Jones decd viz!

1 Negro Name Jack, 1 Black walnut Table
½ doz Leather Bottom Chairs, 1 Gray Mair & Filley called Flayen, 1 Bed Tick, 40 Barrells Corn, 1 Chest
1 Trunk, 4 Rush Bottom Chairs, 1 doz Pewter plates
½ doz Dishes, 1 Bason, 1 doz Spoons, 2 Iron pots
1 Iron Skellet, 1 Tea Kettle, 1 Coffee pott, 2 Table Cloths
1 Spining Wheal, 1 pr. Cards, 2 Tubs, 2 pails ½ doz
Tea Cups & Saucers, ½ doz knives & forkes, 2 Punch
Bolls, 1 doz Stone plates, 1 Pitcher, 1 Search, 2 Butter
potts, 2 Jugs, 1 pitcher ½ doz Tea Spoons, 1 Tea pott
1 Sugar dish, 3 Muggs, 1 Dish Cover, 1 Meal Tub, 1 Soap
Tub, 1 pr. Winding Blades, 1 Meal Barrell, 1 Cannester
1 Chamber pott, 1 pepper Box, 1 Candle Stick
1 Box Iron, 1 flat Iron, 3 Sheep, 2 Axes, 3 hoes
1 Chest Lock, 1 frying Pan, 25 Shillings Cash &
50 lbs Seed Cotton

Jas. Jones
John Simmons

Jones Pet
vs
Jones Def. } Caus

Feby 1783
Afs Time to consider
May Bill files Time
June further time &c
Ans files &c

Dismissed

June 1785
Reptd & Com

The commonwealth of Virginia to the Sheriff of Southampton County greeting We Command You to Summon James Jones and John Simmons Surviving executors of James Jones decd to appear before the justices of our county court of Southampton at the Court House of the S County in Courtney on the Second Thursday in March next to answer a bill in Chancery exhibited against them by David Jones & Arthur Trueman & Mary his wife. & have then there this Writ Witness Sam Kello clerk of our said Court at the Court-house this 13th day of February in the 7 Year of the Commonwealth

Sam Kello C

[redacted]

Jones &c.
v.
Jones et al

Dedimus

For [illegible]

The Commonwealth of Virginia to David Meriwether & John Meriwether of [redacted] Nathan — Petersburg

Gentlemen greeting Know ye that We trusting to your fidelity and provident circumspection in diligently examining Samuel Cleyton witness as well on behalf of David Jones & Arthur Truman & Mary his wife pltfs as on behalf of James Jones & John Simmons surviving Exors of Sam. Jones dec'd defends Command you or any two or more of you that at such place & time as you shall appoint You call the s. witness before you & diligently examine him on the holy evangelists of Almighty God & the examination in to our Court of our County of Southampton without delay you shall send & certify inclosed returning to us this writ witness P. Wills clerk of our s. Court at the Court House the 11th day of June 1787 in the 12th year of the Commonth.

Wm Wills
n

The Deponent to a Deposition to be Divided from the Worship-
-ful Court of Eastern Shore County, Samuel Clifton being
of Full Age & being first sworn on the Holy Evangelists
of Almighty God, to Testify the Truth to say and Certain-
-ly Matter of Controversy now Depending in this Court
between Wm Jones, Executor of David Jones, & Ann Freeman &
Mary his Wife Extrx of James Jones, & Peter Simmons &
Isabrina his Executors of James Jones (the Elder dec'd) Deps.
The said Samuel Clifton, Deponeth & Saith that he was a
Tenant of the said James Jones (the Elder dec'd) that he was
well acquainted with Many of the Slaves of the said
Decedt & Particularly with a certain Negro Man
Named Jack, which said Slave this Deponent is informed
is now in Dispute & that he only Knows of Two
Negroes which Came to the Possession of the
Deceased Viz. Jack, Speaks at the time the other
Slaves of the said Estate was sold, Makes Deponeth
and Saith that he knows a Negro Man belong-
-ing to said Estate also in Dispute, & that he was
Sold for Sixty pr Pounds pr the said Negro
The said Deponent Saith that the fall after the Death
of the said James Jones, Corn sold at Ten Shillings
pr Barrel And this Deponent further Saith that he
Hath often Heard say that the said Negro Man Jack
the Property in Question was Given by the Last Will of the said James
Jones Dec'd to Mrs Martha Jones, Widow of the said
Decd. but that he was not Lawfully Acquainted with
More than as afore, And further this Deponent Saith
not.

Sam'l Clifton

Sworn to & Subscribed before me this 9th day of March 1787

David Morrow

The above Deposition being taken before
me the Subscribers one of the Justices of Worcester County
was by Letter his Commission of Dedimus directed to
Wm Waggoner

Jn. Waggoner

for Mrs. Jones

1 Walnut Table, Gray Mare, 3 Slaves
40 Barrells Corn, 1 Chest, 1 Small Trunk
6 Chairs, 1 doz. Pewter Plates, 2 doz. Dishes
3 Pewter, 1 doz. Spoons, 2 Pott, 1 Iron, 1 Skillet
3 Bottles, 1 do. Glasses, 1 Coffee Pott, Two Table Cloths, 1 Spinning
Wheel, Cotton Card, 2 Tubs, 2 Pails, 2 doz. Cups &
Saucers, Knives & Forkes, 2 punch Bowls, 1 doz.
Stones, 1 Sifter, 1 Search, 2 Butter Potts, 2 Jugs
1 Pitcher, 1 doz. Tea Spoons, 1 Tea Pott, 1 Sugar
Dishes, 1 Dish Cover, 1 English Meal Tub
Tub, 1 Barrel, Hold Meal, 1 Cannester, 1 Chamber
Pott, 1 Pepper Box, 1 Candlestick, 1 Box Iron, 1 Flat
Iron, 3 Sheets, 3 Floor, 1 Chest Lock, 25 Cask &
50 lbs Cotton

he owed

Mrs. Martha Jones Relict of James Jones
deceased agreed to be delivered by us under the penalty
of one Thousand Pounds Currency as Witness
our hands this tenth Day of April 1772

Test

Peter Thomas Rob. Jones
Jesse Cooper John Simmons
James Jones

James Jones Sr.

Will

Copy

In the name of God Amen I James Jones of Southampton county being in sound and perfect health & memory do make this my last will and testament in manner following. First & principally I recommend my soul to the mercy of almighty God that gave it & what worldly goods it hath pleased God to bestow on me I dispose of in manner following.

Imp^{s} I leave to my loving wife Martha my right to the plantation I live on whereon Cap^{t} Timothy Harpe lived on in lieu of dower her right in all my lands – Also give her my right to the following slaves To wit Dick Moll Phil Tom & Bacon Also give my said wife riding chair and harness two feather beds & furniture eight head of cattle to be of equal value in proportion with the rest of my stock according to the number also seven sheep and pigs eight hundred weight of pork which said chair beds stock of cattle & hogs I give to my said wife her heirs for ever

Item I give and bequeath to my son Robert Jones one negro boy named Harry which he has now in his possession to him & his heirs for ever

Item I give and bequeath to my daughter Susanna Simmons one negro girl named Annicas which she has now in her possession to her & her heirs forever

Item I give and bequeath to my daughter Elizabeth Barnes one negro girl named Moll Bibby which she has in her possession to her & her heirs for ever

Item I give and bequeath to my daughter Eurecka Jones one negro named Orange and feather bed & furniture which said negro & bed I give to my said daughter to her and her heirs for ever

Item I give and bequeath to my son James Jones one negro boy named Ned also one bed and furniture to him and his heirs for ever

Item I give and bequeath to my daughter Mary Jones one negro boy named Ben also one feather bed and furniture to her & her heirs for ever

Item I give and bequeath to son Abram Parham Jones one negro boy named Cato one feather bed and furniture to him & his heirs for ever

Item I give and bequeath to my son Richard Jones one negro boy named Daniel also the Fifteen pounds current money of Virginea also one feather bed and furniture to him and his heirs for ever

Item I give and bequeath to my son David Jones one negro boy named Mingo also one feather bed and furniture to him & his heirs for ever

Item My will and desire is that if either of my children should die before they arrive to the age of eighteen or is not married in case of such default their his or her estate is to be equally divided

devided among all the rest of my children that are alive at that time let it
consist in what it will be

Item I give and bequeath to my son James Jones the plantation
whereon I now live from the high hill line that I bought of Thomas
Ridley so low down as to a white Oak at the lower end of John
Coopers old field to the Lanes line, joind Seward & from thence
a straight line to the mouth of a branch that empteth itself into
the Angelica swamp at the Beaver pond, about three hundred
Yards above the Angelica bridge which said land I give to my
said son & to his heirs forever

Item I give and bequeath to my son Abram Barham Jones the lands
that I purchased of Faithy Lane with all the lower part of my
land which I now live on that was not heretofore devised
to my son James Jones which said land I give to my
son Abraham Barham Jones & to his heirs forever

Item I give & bequeath to my son Richard Jones all the lands I purchased
of Thomas Ridley known by the name of the high hills
which said land I give to my said son & to his heirs forever

Item I give and bequeath to my son David Jones all the lands
that I own on the north side of the Three Creeks together
with all the land between the south end of the s.d Creek
that lies between the deep branch which said land I give to my
Son David Jones & to his heirs for ever

Item My will and desire that all my estate of what nature or kind
soever or wheresoever found not heretofore devised be sold &
after all my just debts are paid then the remainder to be
equally devided among all my children that shall be living
at that time each of them their respective parts & to their
heirs for ever also my will and desire is that all the
grandsons of my children if any if not my executors to
have power to purchase out of my estate such slaves or
other things that shall be thought of an advantage to the
said children

Item It is my will and desire that my estate shall not be appraised
Lastly I do ordain constitute and appoint my sons Robert Jones
James Jones and my son in Law John Simmons my exors
hereby revoking all other wills by me heretofore made and
declaring this to be my only last will and testament in
testimony whereof I have hereunto set my hand & seal this 15th
day of December 1771

James Jones (LS)

Signed Published & declared by the testator as his
last will & testament in his presence signed sealed & acknowledged
Tho.s Pursell — Jordan Walker — John Cooper
Winston Cooper

Hon April Court 1772

This will was presented in Court by Robert Jones
& James Jones two of the Exors therein named proved by the
oaths of Thomas Pursell John Cooper & Winifred Cooper three of the
witnesses thereto & ordered to be recorded — And on the motion of
the said Exors who made oath according to Law (only being required
for the other Exor John Simmons to join in the probat hereof) & obtained
was granted the said Exors for obtaining a probat thereof giving
Security — Whereupon &c

R Kello B

Hon May Court 1772

On the motion of John Simmons one of the
Executors named in the above will who made oath & Certificate
= cate was granted him to join in the probat of the same

R Kello B

A true copy

Teste

Jam Kello B C

9 / 150
16:13:4 8 or 10 Years

Capt. Dd. Jones

1772 — The Estate of Capt. James Jones dec'd — Dr.

Dec. 22.	To paid Henry Applewhite	£ 1.1.3
	To p.d Art.r Foster for Copying the Estate	0.15.0
	To p.d John Sturgen	1.0.0
	To p.d Moses Murrell's Acc.t	0.0.02
	To p.d Rob.t Hunter Acc.t	30.0.0
	To p.d Geo. Ivy	0.12.0
	To p.d Mark Murrell	0.4.2
	To p.d Doct.r Tho.s Peete	2.3.0
	To p.d Enos James's Acc.o	2.10.0
	To p.d Doct.r Ja.s Ridley Acc.o	3.7.0
	To Tho.s Blakes Acc.t	2.7.6
	To Briggs & Blow	3.9.9
	To p.d Wm Hines Sh.f Acc.o	6.13.0
	To the C. Brunswick 40 Tob.o 2d	0.0.0
	To the C. Southampton for 866 Tob.o 2d	7.4.4
	To Tho.s Ridley's Acc.t	1.10.0
	To John Hay & Co. his own private Acc.t	203.17.2
	To Tho.s Ridley's Bond	106.15.4
	To John Hay & Co. for Morning Things for the Use of the Family before the Sail	43.5.0
	To Joseph Scott	4.19.0
	To Joseph & William Scott	10.0.1
	To the C. Southampton Court 2 Tickets for 541 Tob.o 2d	4.10.2
	To p.d Coll.o D. Fisher for his Advice	2.3.0
	To p.d Wm Hay for Advice	1.0.0
	To p.d Day Ridley for Herring 3 M a 5/	0.15.0
	To p.d Jeremiah Drew for 6 Barr.ls Corn for the Use of the Family	3.0.0
	To p.d p.d John Rotchel for Making Coffin	0.7.6
		451.16.72

To Coffin acct. of Thomas Johnson's debt

Debt acct.s to depreciation

To paid for a bed for Richd Jones £30 =

To paid for a bed for David Jones £113.0.0

To James Wilson — 2.0.0

1770 Jan.y — To p.d Lucretia Jones & Richd Jones for a Bed for — £ 50.0.0

To the Executors &c. — Cr.

By the Amount of the Sail of the Estate £697.0.0

By sundry articles as per Schedule annexed given to Mrs. Martha Jones in consideration of her Dower to the Estate

Lynage.

Addresses the Court as Arbitrators. — not as Judg

Whether her Dower was greater or less. not the Dower of Thorpes est.

Dowress as his

Negro, absolute property of hers her husband

Bargain advantageous to Executors — def

Freeman. no lands.

Executors Slaves. only to Guardians

part with — to Slaves.

to Child

premature. Why being it on.

Speaks of the Leng th of Mrs Jones life

Gov power. — bound by Certain Rules. — Doubts.

Thom power

Right to purchase. no Duty to Purchase with

Memorandom of Things for Mrs. Jones.

½ doz: best kind of Walnut Chairs	£2.14.—
1 Walnut Table	1.10.—
1 Gray Mare	25.0.—
1 Slaven Do	20.0.—
1 Bed Ticken	1.13.—
40 Barrels Indian Corn	20.0.—
1 Chest	.15.—
1 small Trunk	.8.—
4 rush bottom Chairs	.6.—
1 doz: pewter Plates	.18.—
½ doz: Dishes	1.16.—
1 Bason	.4.—
1 Porenger	.2.—
1 doz: Spoons	.3.—
2 iron Potts	1.4
1 Skillet (Bell-metal) at 18/ Ster.g	1.16.—
1 Tea kettle	.12.—
1 Coffee Pott	.6.—
2 Table Cloths	1.10.—
1 Spinning Wheel	.7.6
1 Pair of Cotton Cards	.4.6
2 Tubs	.5.0
2 Pails	.4.—
½ doz: China Cups & Saucers	.18.—
½ doz Knives & Forks	.6.—
2 Punch Bowls	.4.—
1 doz: Stone plates	.6.—
1 Lipter	.1.6
	£ 83.13.6

Daniel Howard

Amount brought forward £83.13.6

1 Sarch	£.3.—
2 Butter Potts	.6.—
2 Jugs	.6.—
1 Pitcher	.3.—
½ doz: Tea Spoons	1.6
1 Tea pott	.2.—
1 Sugar Dish	.3.9
3 Mugs	.3.—
1 Fish Cover	.4.—
1 English Meal Tub	.4.—
1 Louse Tub	.3.—
Yellow Jack	100.—
1 P. winding Blades	.1.—
1 Powdering Tub	.6.—
1 Band to hold Meal	.3.—
1 Spinning	1.6
1 Chamber Pott	2.6
1 Pepper Box	.6
1 Candle Stick (Brass)	3.—
1 Box Iron	.7.6
1 Flat Iron	.2.6
3 Spicys	.18.—
2 Axes	.15.—
3 Hoes	.12.—
1 Chest Lock &	2.—
Cash 2/7 — 50 of Leed Cotton	£ 2.1.8
	£ 107.15.5
Am.t bro.t forw.d	83.13.6
	£ 191.8.11

Jones &c
v
Jones exors

Accompt

Dear Miss

This Comes to let you know the unhappy life I live on your
You ever Slept and Take your rest
Whilst my sore heart lies bleeding in your breast
Sometimes in your Sleep you Do awake
Then Think on me who suffer for your sake
But If you Think your Recompence too small
Take Heart Take hand Take Body life and all
As Jacob served laban fourteen Years
So will I you with melting tears If there by Jean Gain yo
Acceptent of these few lines to you I make

Thomas Turner his hand and Pen
William Bard Dr. to
Thomas Timmons