1809-007 SOUTHAMPTON COUNTY CHANCERY PAPERS REVELL VS. WORRELL'S ADMR. + al

2/1809

Holladay Revill

vs

Aug.n Pope ad.
of N. Worrell &
others Bill
in Chancery

February 1808 Bill
Files rule to answer

Feby 1809 Rep.t Ver.d &
Decree Final —

To the worshipful Court of Southampton, sitting in Chancery; humbly complaineing, sheweth unto your worships your orator Holladay Worrell. That

That your orator some years ago, did enter into bond with Nathan Worrell, as his security to this court: for the faithful discharge of his undertaking in the guardianship for two of the orphans of Elijah Worrell dec.— That some time afterwards your orator finding the said Nathan Worrell negligent in the management of his dominic concerns; and in other respects exhibiting marks of ill conduct, in his affairs: in so much, that your orator grew uneasy under a supposed well grounded apprehension, that his undertaking for the said Nathan Worrell as security, might prove very injurious; and that it was a duty he owed to himself, and family: to get released from his obligation.— That on an application to the said Nathan, it was agreed certain property held by him, should be mortgaged to your orator, in order to render him safe, in remaining bound with the said Worrell; in consequence of which agreement, the Indenture hereto annexed was duly executed on the 13th day of January 1804, and recorded in this court; wherein the following property;—to wit: One tract of Land containing 105 Acres situated in the fork of the Cypress Swamp, and the Hawthorne branch, formerly held by Elijah Worrell: one sorrell mare, one young sorrel horse, eight head of Cattle, and three feather beds was conveyed to your orator, subject to sale at any time after the 30th Day of January 1805, should either of the parties require it: in order and for the purpose of satisfying your orator; of this Court, the full amount of those claims due the said orphans, Jane Worrell, and Elijah Worrell— which sums as appears by the last returns made to the court, were to the former £ 2 2; and to the latter £ 3. 6. 1. which is

which is still due to the and out of the said property the said claims are to be raised — and the surplus if any, after payment of them to be returned to the said Nathan — his order or his legal representative.

Your orator further states that the said Nathan Worrell has departed this life, leaving but an inconsiderable personal estate inadequate he supposes to the discharge of those claims, due the sd. orphans; — he therefore prays this court will decree a sale of the property so made over, and conveyed to him for the special purpose of securing to Jane Worrell, and Elijah Worrell, their several demands. — And that Augustin Pope adm.r of Nathan Worrell. — Thomas Worrell, Eliza Worrell, Gilpin Worrell, Peggy Worrell, Charlotte Worrell, and Nancy Worrell, heirs of the sd. Nathan, may be made Defendants to this bill: & may answer the allegations therein contained — and your Orator shall ever pray &c. — — — Hartford

Holladay Revill
vs
Aug.n Pope adm.r of N. Worrell & others Bill in Chancery

February 1808 Bill files rule to answer

Feby 1809 Rep.t Set.d & Decree final —

Augustus Pope's
Answer to
Rueben Bill

The answer of Augustin Pope adm. of Nathan Morrill, to a bill in chancery exhibited in the County Court of Sampson against him for answer thereto, saith.

That so far as he knows or believes the allegations in the said bill are true

That as to the orphans of the said Nathan Morrill who are made Defendants to the said bill, they are without any guardian; and having no estate he presumes there will be none appointed, they being now supported by the overseers of the poor. — And further he has nothing to add in answer to the said Bill exhibited against him

Augustine Pope adm

Rule to
Ag
Pope adm
apl 1808 Sat
Feby 1809 Rep
Ret fa decree forad

Sat fa decree

Thos Newton
Pilgrim Dick
[redacted] M. Knox
John Barnes

Southampton. April Court 1805

Holladay Rolls security for Nathan Worrells
Guardianship to sons of Elijah Worrell decd
Elijah Worrell decd Compt
against
Augustine Pope admr Nathan Worrell decd Dfts

In Chancery

This cause this day Heard on the bill of the complainants and answer of the defendants, on consideration whereof it is decreed and ordered that Pilgrim Vick, Thomas Newsum, Isaac Ellis Knox & Jno Barnes or any three of them proceed to sell a tract of land conveyed in trust to Holladay Rolls security as aforesaid to secure a debt due to the said orphans from Nathan Worrell on 9 months credit giving ten days notice of the time and place of sale and also that the commissioners proceed to sell one dorrell mare, one young dorrell horse eight head of cattle & 3 feather beds conveyed in trust by said Nathan to said Rolls security as aforesaid giving first 10 days notice, and on the credit aforesaid and take bond & security of the purchaser or purchasers, and make report of their proceedings as also return the bonds taken by them with the said report to this court

Test Benjamin Cobb c.c.

In Obedience to the within decree we the Subscribers have Sold that part of the Estate of Nathan Barnes dec^d Which we could find & have Taken Bonds for the Amounts Which we present to your worships in the following Sales

Elizabeth Pope &c	£ 3 . 0 . 1
Jane Peck	1 . 1 . 0
Lewis Barnes	4 . 14 . 6
Martha Barnes	8 . 14 . 1
Pope Barnes	3 . 12 . 6
John Revill	3 . 12 . 6
Lewis Barnes for Land	190 . 6 . 6
	£ 215 . 0 . 2

making in the whole of the property Sold amounting to the Sum of two hundred & fifteen pounds & two pence. Given under our hands this 18th day of July 1808.

Thos Newton

Pilgrim Vick

John Barnes

Revill &
Pope admr
Sept 1808 Bill & decree
July 1809 Rept
& Pf decree fund

N. Worrell -
to
H. Revell
Mortgage -

This Indenture made this 13th day of Jany.
in the Year of our Lord one thousand eight hundred
& four. Between Nathan Worrell of the one part &
Holladay Revelle of the other part both of the County
of Southampton & State of Virginia ~~of the other part~~
witnesseth that whereas the said Holladay Revelle hath
become bound as Security with the s.d Nathan Worrell
to the Justices of Southampton County for the faithful
discharge of his duty as Guardian to the Orphans of Elijah
Worrell dec.d in all things appertaining thereunto as expressed in his
Bond. And whereas the s.d Nathan Worrell is willing & desirous
to save the s.d Holladay Revelle from all damages & Harm
that may arise from his Security-Ship aforesaid. Now this
Indenture therefore witnesseth that the s.d Nathan Wor-
rell as well for & in Consideration of the Causes aforesaid
as for & in Consideration of Sum of one Dollar in hand
paid by the said Holladay Revelle, the s.d Nathan Wor-
rell hath granted bargained & sold alend enfeoffed &
& confirmed & by these presents doth grant bargain & sell
alien enfeoff & confirm unto the s.d Holladay Revelle & to his
Heirs & Assigns forever one Tract or Parcel of Land containing
one hundred & five acres more or less lying in the fork of the
Cypress Swamp & the Naes branch being part of the Tract
formerly held by Elijah Worrell
dec.d. Also one sorrel Mare, one young cooked Horse, eight
Head of Cattle & three feather Beds. To have & to hold
the said land & Premises unto the said Holladay Revelle
his Heirs & Assigns forever to the only proper use & behoof
of him the said Holladay Revelle his Heirs & Assigns for-
ever. And the s.d Nathan Worrell doth hereby grant for
himself & his Heirs that he the said Nathan Worrell & his
Heirs & every of them shall & will warrant & forever de-
fend the s.d one hundred & five acres of Land with the
appurtenances & every part thereof & also the foremen-
tioned

mentioned Cattle. Horses & featherbeds with the appurtenances & every part thereof unto the said Holladay Revelle his Heirs & assigns forever against him the said Nathan Worrell & his Heirs & every of them & against every other Person whatever. Upon Trust nevertheless that the said Holladay Revelle his Heirs Exors Admors & Assigns shall within or on the 30th day of Janry. next ensuing or as soon as the said Holladay Revelle or the said Nathan Worrell shall request, which ever of them Circumstance may first happen shall sell for the best price that can be had for the same after giving ten days public Notice the said Lands premises & Negroes & of the Money arising from the sale discharge pay & retain to the said Holladay Revelle or the Court of Southampton all such Sums of Money as he may be bound for as Security for the Guardianship aforesaid with all Costs damages or Interest that may arise thereon & also all other Expences for recording this Indenture & the sales aforesaid & the sales aforesaid & that the said Holladay Revelle his Heirs Exors & Admors or Assigns shall pay or cause to be paid the overplus of any Sum from such sale to the said Nathan Worrell his Heirs Exors & Admors tors or to his order. In Witness whereof the said Nathan Worrell hath hereunto set his Hand & Seal the day & year above written

Signed seald & dld. in presence of
Jno Hart
Colin Ritchen
Thos Hart

Nathan Worrell (Seal)

Worrell
to
Revel
Feby 1804
Bry Deed