

1811-020

SOUTHAMPTON COUNTY
CHANCERY PAPERS

SCOTT

VS. JOHNSON'S admx val₃/1811

other SURNAMES: BRACY

To the worshippful the Justices of South Hampshire
County in Chancery setting Assembly complain
-ing others unto your kindness your orator James
Leath. That a certain Matthew Johnson late of this
County was justly indebted to your orator in the
sum of two hundred dollars ~~value~~ and in
order to secure the payment thereof did give
and make to him your orator a certain deed
commonly called a mortgage by which he conveyed
to him one hundred and forty five acres ^{of land} and the
appurtenances, and which said deed bears date
the first day of October 1802, he also conveyed
for the purpose aforesaid to your orator one or
-red horse five Cattle, sixteen Hogs and two far
ther beds and furniture; which said deed is rec^d
-ed in this Court and prayed to be taken and
considered as a part of this bill. that the said
Matthew Johnson departed this life about
five years ago without having discharged
the debt for which the said property was
conveyed to secure, to your orator, that said
Johnson widow and next of said Matthew
Johnson qualified as administrators of his goods
and chattels rights & credits who have since inter
married with a certain Joseph Pray
that the said Joseph Pray in trust of his
said wife hath qualified as guardian to all
the children of said deceased (except me)
namely ~~the~~ Geo. W. Johnson, Elizabeth Benjamin

That William Washington qualified as guardian
to the other child whose name is ^{Henry Johnson} ~~Washington~~
and that your orator has received of
the representative of said decd. forty eight
dollars ~~the interest on said debt for the first four years~~
~~said debt~~ ~~and~~ ~~and~~ ~~no more~~

~~the day of~~ ~~in the year~~
~~of said decd.~~

and that they the said Joseph Bray
and Sally his wife the said William
Washington and the said Henry, Geo. W. Dyerlet,
& Benjamin Johnson
children of said decd. ~~by said Joseph Washington~~ have entirely refused
and yet refuse to pay unto your orator the said
sum of ~~the balance of the~~
said debt and interest ~~as provided~~ or to deliver to
your orator the said amount to the form
and intent of said decd. In tender consideration
whereof and for as much as these are matters
undisputable only in a court of equity your orator prays
that the said Joseph Bray and Sarah his wife
doors of said Matthew Johnsons decd. William
Washington Guardian to said Henry, Johnson
and the said Washington Johnson, Elizabeth & Benjamin by
said Joseph Bray Sarah his wife ~~their~~

orphan of said decd. defendants and respondents to this bill
and on oath answer all and avow the allegations
therein contained and say if not true that your orator
shall order and decree the sale of said lands and other
tenements ^{by commissioners appointed by said court} ~~with the other property in said decd. conveyance~~
on ~~and~~ to the highest bidder for ready money
after having given twenty days notice of the time
and place of sale and apply the net proceeds
towards the payment of the sum due as aforesaid
with the interest thereon not already paid and the
costs, and the surplus (if any) to pay over to said
Joseph Bray & wife as aforesaid to be
distributed among the heirs as the law directs
and that your worship foreclose all equity of
redemption of the heirs of said Math Johnson and
all others of in or to the said lands and of their
tenements grants heretofore which be do
James Scott

The Answer of Joseph Bray & his wife
The Answer of Joseph Bray & his wife
advers of Matthew Johnsons decd. and guardian
to Geo. W. Johnson Elizabeth Johnson & Benjamin
Johnson. William Washington Guardian to Henry
Johnson and the said Henry, ^{Geo. W. Elizabeth} ~~Johnson~~
and Benjamin Johnson children of said decd. to a
Bill of complaint exhibited against them by James

Scott Mortgage of Matthew Johnson died.

Then respondents now and at all other times here
after living and moving to themselves all and all
manner of exceptions in say that all the allegations
in said Bill and ~~that~~ ^{their} belief are true that
they believe a sale of said lands and other things
subject to the widows, doer would be most
to advantage of all concerned they may know
to be so and so.

Cott / R

Cott vs Brady &

Bill Johnson

Decr 1808 Deeds to

Forlone Mortgage

March 1811

Rept. ret. & Deeds

Re E. Williams
L. Cobb
E. Lewis
Richd. Pickers

Dec 1808
C. 11 1/2
7 1/2

Brays Certifc
to
Soton Court

We hereby Certify the Court of the County of Southampton that
we are willing the said Court should decree and order Commissioners
to sell and Convey all the lands, and other property secured
by mortgage from William Warhington to James Scott for
the payment of the Debt due on the said mortgage with
the interest & Cost &c. In witness whereof we have
hereunto set our hands this eighteenth day of February
one thousand eight hundred and nine

Test.

Eaton Joyner

Joseph ^{his} + Pracy
mark

Sally ^{her} + Pracy
mark