

1812-020

SOUTHAMPTON COUNTY
CHANCERY PAPERS

WILLIAMS et al VS LAURENCE'S ADMINISTRATOR et al
WILLIAMS VS LAURENCE'S ADMINISTRATOR et al

7/18/2

See also. Williams' Administrator vs Lawrence's Administrator, 1806-15

N.B. Several pages pasted together and folded.

Handle with care.

Paper is fragile; ink is acidic.

Other SURNAMES; FOREMAN,
ALLEN, ELLIS, BRAND, CARR,
STANLEY, DENSON

Edwin & Jos. Williams

vs

Josiah Laurence &
of Jacob Laurence

Bill In Chancery

Oct 1805 Bill filed

Rule to answer

June 1807

Answer not received

March 1812 Decree

To the worshipful Court of Southampton
County in Chancery sitting humbly com-
-plaining shew to your worships your
orators Edwin Williams & Joseph Williams
by Joseph Denson his Guardian

That a certain Polly Laurence de-
- parted this life in the month of February 1801
leaving no father mother brothers or sisters
& entitled to a very considerable personal
estate consisting of money & other property de-
- scended from her father Jacob Laurence
& her mother Sally Laurence - That your
orators are the maternal uncles ^{of the whole blood} of the said Polly
Laurence, the said Sally her mother having
~~had no father~~ mother sisters, or brothers
except your orators who are the brothers of the
s. Sally Laurence have therefore a right to the personal
estate of the s. Polly, her intestate daughter, or at least one
half thereof under the act of Assembly directing
the distribution of intestate personal estates: they
being the next of kin in the ascending ~~maternal~~
maternal line of the said Polly having left no
descendants. Your orators charge that a certain
Josiah Laurence Executor of the s. Jacob Laurence
whom your orators pray may be made Defendant
herein, hath by virtue of his said Executorship, and
by other ~~wise~~ means of an unfair nature ^{has got} the whole
of the said property in his possession & hath
carried the same to the State of North Carolina -
all which is contrary to Equity in Tender consideration
whereof, & because your orators are remediless in
the premises without the interposition of your worships
they pray that the said Defendant may on his
conformal oath full true & perfect answer make
to all & singular the foregoing allegations as amply
& completely as if the same were here again
repeated & he there minutely & particularly inter-
rogate - That he may say explicitly what kind
how much & to what amount of personal estate he
hath

hath now or has had in his possession as coming
either from his said Testator Jacob Laurence
or from the said Polly Laurence; Polly Laurence or
any other person in her right. That the S. Jt may
further say positively how he hath disposed of
the said property or whether he hath it now in
his possession; & that your worships may grant
to your orators such further & other relief in the
premises as may be just & Equitable & he ever
will &c —

Thoson for Compts

To the Honble the Court of Southampt^{on}
City in Chancery sitting Humbly complaining
shews^{to} your honour your orator Edwin
Williams that a suit in Chancery was insti-
tuted in this Honble Court by your orator &
a certain inf. brother of his Joseph Williams
who sued by Joseph Benson his Guardian
that since the institution of the said suit
the s^r. Joseph Williams has departed this
life intestate leaving your orator his next
of kin & solely entitled under the act of As-
sembly directing the descent of real & the
distribution of personal estate, to his the
s^r. Joseph Williams's interest as claimed un-
der the s^r. suit. That lately Josiah Law-
rence the exor of Jacob Lawrence dec^d. the
def. to the said suit has ~~been~~ departed this
life & that thereby the s^r. suit has abated -
Your Compl^t. prays that the said suit may
stand ^{as} revived against Thomas Stanley ad^{or}.

de bonis non of Jacob Lawrence & Jocy
Foreman ad^{ver} de bonis non of Josiah
Lawrence dec^d. & that this bill be taken
as an amendment to the original bill
filed in the said suit on the day of

Ad 180, by your orator & the s^r.
Joseph Williams & his inf. brother - against
the s^r. Josiah Lawrence as Ex^{or} &c. That
John Foreman & ~~Polly~~ ^{his wife} late
~~Polly~~ Lawrence, Richard Allen &
Prescilla ^{his wife} late Prescilla Lawrence
Jeph Lawrence Lawrence Ellis Isaac
Brand & Temperance ^{his wife} Daniel
Williams David Williams Sidney Williams
Matthias Williams Arthur A. Carr
& the ^{who claims} ~~apousid~~ Thomas Stanley in right of his
late wife Polly Williams be made parties
defendants to this bill & that on their se-
veral & respective corporate oaths they be
compelled full true & perfect answer to

make to all & singular the allegations
in the s^r. original bill contained & as
fully & particularly as if the same were
here again repeated & they thereto particu-
larly interrogated: more especially that
they set out & say what was the amt.
of Jacob Lawrence's personal estate
viz how many negroes he left - What the
amt. of the perishable part of his
estate - What debts due to him - How
the s^r. estate has been disposed of -
That Jocy Foreman the ad^{ver} of Josi-
ah Lawrence make up state & settle
an account of the s^r. Josiah's ad^{ver} on
the estate of the s^r. Jacob Lawrence
dec^d. - & that the s^r. Thomas Stanley shew
what part of the estate of the s^r. Jacob
Lawrence has come into his the s^r. Th^s.
Stanley's hands & how he has disposed
of it. - That the s^r. de^{ft}. state whether
the s^r. Jacob Lawrence during the lifetime

of Sally his wife reduced to possession
all her personal Estate & choses in ac-
tion? - If not whether any of ~~the~~ s^d.
Estate be remaining & to what amount?
Whether Josiah Lawrence in his life time
& in quality of ~~Exor~~ of Jacob Lawrence
dec^d. recovered any of the personal estate
of the s^d. Sally or any choses in action
of the s^d. Sally. — That your Honours
will decree to your orator according to the
prayer of his s^d. ^{and wife} bill the whole or such portion
of the personal estate of the s^d. Polly Law-
rence dec^d. inf. daughter of Jacob Lawrence dec^d.
as your Honours may consider him entitled to.
That you will grant to him such other
further relief in the premises as may be
deemed meet & consistent with the prin-
ciples of Equity that you will grant him
the usual writ of Subp^a & Commanding
it. May it please &c.

Laurence

aid.

{
1852

William H. Benson

Dec 18 55 answer filed
& Rep'd & Comm'd

To the worshipping Court of Southampton County in
shamrock sitting. The answer of Josiah Lawrence admiral
that of Jacob Lawrence deceased, to the bill of com-
plaint exhibited in this worshipping Court against him
by Edwin Williams and Joseph Williams, by Joseph
Denson, his guardian. He said defendant saving
and reserving himself every benefit of exception
to the said bill of complaint, for answer thereto, sixth.
That true it is, Polly Lawrence in the said bill
mentioned, departed this life in the month of February
1801, leaving no father - mother - brother or sister - and
entitled at the time of her death to a considerable
personal estate - but your ~~responder~~ respondent
states to your worshipping, that the said Polly at
the time of her death, was an infant, under the
age of twenty one years - and in fact under that
age, when infants may bequeath personal estate,
being only about three years old. That at the time
of the death of the said Jacob Lawrence he left
only one child, the said Polly - and his widow who
died before her dower was assigned to her - so

that her dower estate, according to the act of assembly
immediately descended on the said Polly, ~~and not~~
the heir at law of the said Jacob her deceased husband.

Now your respondent has leave further to observe
that it is vain for the complainants to denominate
themselves ^{maternal} under the whole blood of ~~the~~ Polly
Laurence - because personal estate can never descend
from a feme covert. The same being vested absolutely
in the husband by marriage - in consequence
of which, the personal estate in question, must
descend to the representatives in the paternal line
and must certainly vest in your respondent, ~~as~~
~~in the father of the said Jacob Laurence~~

~~and in the father of the said Polly~~ and
Epe Laurence ^{an infant} son of Epe Laurence dec? who was
a brother of the said Jacob. John Foreman and Mary
his wife - who was Mary Laurence - ~~and~~ Richard
Allen and Priscilla his wife - who was Priscilla
Laurence - both of whom were sisters of the said
Jacob.

With regard to the estate ~~to the~~ in your

respondent's possession, he is advised that it is unnecessary
to answer to anything respecting it - as he conceives
that all the estate of which Jacob Laurence his
brother Ventertale, died possessed, descends not
to the relations in the maternal line of the said Polly
his wife, under whom the complainants claim - but
to the relations in the paternal line and to none
other - agreeably to the express law of the land
and ~~on~~ on a judgment of the Supreme Court
of this state. Having answered ~~for~~ he begs
the honor dismissed &c.

Wm J. Deffen.

16. December 1805. This day Josiah Laurence
administrator of Jacob Laurence dec? made oath
before me Benjamin Blunt a Justice of the peace
for Southampton County, to the truth of the above
answers. Given under my hand, the day before written.
Ben Blunt

of
Foreman & Co

ads. 7

Williams & Co

November 1809

Answer filed

To the worshipful Court of Southampton County in Chancery
sitting - The Joint and several answers of John For-
man and Polly his wife to the Polly Lawrence, Richard
Allen and Pissilla his wife to the Pissilla Lawrence, &c.
Lawrence by Thomas Stanley his special guardian & friend
Lawrence Ellis, Isaac Brand and ~~Imparance~~ ^{the married Imparance} ~~for wife~~
Daniel Williams, David Williams, Sidney Williams,
Matthew Williams and Arthur S. Lee, to the bill
of revivor and amendment exhibited in this worshipful
Court by Edwin Williams, against them, a certain Thomas
Stanley ^{in right of his late wife Polly Williams and also as} administrator de bonis non of Jacob Lawrence
de^d and a certain Mary Foreman administrator de bonis
non of Josiah Lawrence de^d.

The said defendants jointly and severally answering
to themselves every benefit of exception whatsoever to
the said bill of ~~revivor~~ ^{revivor and amendment} and to the original bill filed up ^{in this said}
that they know nothing of the allegations in the said bill
contained or of the allegations contained in the original
bill filed in this suit - they have understood that
Polly Lawrence infant daughter of Jacob Lawrence
de^d died intestate and are advised that the complain-
ant has no legal title to any portion of her personal
estate as claimed in his bill. Having associated
th^e and denying all fraud, combination
th^e your respondents pray to be hence dismissed
with their reasonable costs in this behalf expended.

John Foreman

Mary Foreman

Rich Allen
Priscilla Allen
Isaac Brand
Laurence Ellis

Daniel Williams

Sidney Williams
David Williams

Arthur A Carr

Lise Laurence by Thomas Stanley

Foreman. P.

^{ads} Williams } App.

Nov '39

unwashed

Handwritten notes on the right margin, including "Examination" and "Section" written vertically.

To the worshipful Court of Southampton Court in Chancery touching
the separate answer of Roy Foreman Administrator de bonis bonis
of Jacob Laurence dec'd to the bill of ~~complaint~~ ^{revivor and amen-}
dment exhibited in this worshipful Court by Edwin Williams against
him, a certain Thos. Stanley ^{as admr.} or de bonis bonis of Jacob Laurence
dec'd ^{and in right of his late wife Mary Williams dec'd}
John Foreman & Polly his wife, Richard Allen & Pirrell his wife
Jane Laurence, Laurence Ellis, Isaac Brand, who intermarried
with Temperance Ellis now deceased, Daniel Williams, David Willi-
ams, Henry Williams, Matthias Williams & Arthur A. Carr.

The said defendant saving and reserving to himself every benefit of ex-
ception whatsoever to the said bill of revivor and amendment and to
the original bill filed in this suit for as much as he saith - that
of his own knowledge he knows nothing of the allegations contained in the
said original bill - he has understood that Polly Laurence infant dau-
ghter of Jacob Laurence dec'd died intestate and is advised that the com-
plainant has no legal title to any portion of her estate as claimed
in his bill - As to the amount of the personal estate of which Jacob
Laurence dec'd died seized & possessed, your respondent believes from the
best information he has been able to procure, that there were
seventeen negroes, namely Brisco, Wingo, Charles, Ephraim, Cherry,
Lot, Alse, Lora, Jerry, Amos, Jonas, Cherry, Lucy, Beck, Ben,
Allen and Rachell, who were appraised to the sum of six hun-
dred and fifty pounds, and have been in due form of law divided
among the heirs & distributees of the said Jacob Laurence dec'd, which
will fully appear by the appraisement, inventory & decree, in the
~~which appears in this~~ which your respondent prays may be considered
as a part of this answer - that the perishable estate of the said
Jacob Laurence dec'd including a brandy still sold for the sum
of seven hundred and thirty seven pounds, thirteen shillings and four
pence half penny, that the debts due to the said Jacob Laurence
dec'd at the time of his death amounted to the sum of four hundred
and ninety seven pounds fifteen shillings & seven pence half penny,
that the debts due by the said Jacob Laurence dec'd at the time of
his death and repaid by the estate since amount to the
sum of four hundred and eighty pounds or thereabouts, leaving

a balance in favour of the estate of the said Jacob Lawrence
of Seven hundred and fifty five pounds nine shillings
or thereabouts, which your respondent believed was paid
away by Josiah Lawrence in his lifetime to the heirs and
distributors of the said Jacob Lawrence dec'd, with the exception
of those of the distributees who were infants under the age of
twenty one years and of whom the said Josiah was guardian -
Your respondent expresses his willingness to make up, state and
settle an account of the said Josiah's administration on the estate
of the said Jacob Lawrence dec'd before the master commissioners of
this Court or ^{large} commissioners whom your worship ^{may think proper to} appoint - Your respondent cannot positively say whether the said
Jacob Lawrence in the lifetime of his wife Sally reduced into possession
all her personal estate & choses in action - but he supposes that he did
having neither found nor heard of any bond or other debt which was
due to her and uncollected at her death or of any other personal
estate to which she was entitled and which was not reduced into possession
by the said Jacob Lawrence dec'd during the coverture - Nor
does your respondent know nor did he ever hear that the said
Josiah Lawrence in his lifetime and in quality of administrator of
the said Jacob Lawrence dec'd ever recovered any of the personal
estate of the said Sally or any choses in action of the said Sally -

Having answered C. and denying all fraud, contribution
- your respondent prays to be hence dismissed with his
costs in this behalf most unprofitably expended -

Nov. 21st 1809 By Foreman personally
appeared before & made oath to the above
answer
Josiah Lawrence dec'd
Henry Blount

To the worshipful Court of Southampton County in Chancery sitting
The separate answer of Thomas Stanley administrator de bonis non
of Jacob Lawrence dec'd, and in right of his late wife Polly Williams,
the bill of revivor & amendment exhibited in this worshipful Court by
Edwin Williams against him, a certain Key Foreman adm^r de
bonis non of Josiah Lawrence dec'd, John Foreman & Polly his wife, John
Allen & Phebe his wife, Rebe Lawrence, Lawrence Ellis
Hosea Brown who intermarried with Temperance Ellis, Daniel
Williams, David Williams, Henry Williams, Matthew Williams
& others &c. Care -

The said defendant as adm^r &c. B. N. aforesaid and in right
of his late wife aforesaid, saving & reserving to him self every
benefit of exception to the said bill and to the original bill filed
in this Court, for answer thereto submit - that he knows nothing
of the allegations of the said original bill, but is advised that
the complainant's claim has no foundation in law or equity
that he believes the personal estate of the said Jacob Lawrence dec'd, even
at the time of his death as follows - Seventeen negroes appraised
at six hundred & fifty pounds - Amount of the sales of his personal
property seven hundred and thirty seven pounds 13^s 4^d - Debt
owing four hundred & ninety seven pounds 15^s 4^d - Debt due
to him & then unpaid after his death - four hundred & eighty
pounds or thereabouts - leaving a balance in favour of the estate
of the said Jacob Lawrence dec'd of Seven hundred & fifty five pounds
9^s or thereabouts - which said slaves and surplus of money
your respondent believes have been divided among the heirs
& distributees of the said Jacob Lawrence dec'd with the exception
of those portions of the money which a certain Josiah Lawrence
held as the guardian of the infant distributees - Your respondent
believes that the said Jacob Lawrence dec'd reduced into possession
all the personal estate & choses in action of Sally his wife during
her life and never heard that Josiah Lawrence in his lifetime
and as adm^r of the said Jacob recovered any part thereof - Your
respondent as adm^r de bonis non of the said Jacob has only received

of the estate of the said Jacob, and to the amount of fifty
or forty dollars or thereabouts, which he is ready to account for
as this Court may direct. Having answered O. and denying
all fraud, combination &c. your respondent prays he
be hence dismissed with his reasonable costs in this behalf most
respectfully requested -

November 21st 1809 Thomas Stanley Thomas Stanley Admr.
personally appeared before me &
made oath to the foregoing answer

D. M. of
Henry Blom J. D. Jacob Laurence dec;
and in right of his late
Wife Polly Williams

Foreraman do
at
Williams & Co
Nov 23rd
improvised

Witness my hand & seal of office at New York this 23rd day of November 1809

Williams &
Vs Spain Chy
Laurens ad.

To March 1805

1005 Robt 19 Beantid
D of Goodwin

The Commonwealth of Virginia to the Sheriff of Solon County
greeting you are hereby Commanided to Summon Josiah
Laurence and Sarah Laurence did to appear before the justices
of our said Court at the Othouse of the said County on the third
Monday in March next to answer a bill in chancery
exhibited ag him by Edwin Williams and Joseph Benson guar-
dian to Joseph Williams, orphan of Isaac Williams
and have then there this writ
Witness Samkelloa clerk of our said Court at the Othouse the
19 day Febry 1805 And in the 29 Year of the Common-
wealth

Samkello

William Guard^m
Lawrence

or } Sp^a
Lawrence } Chan^y

Executed the 16th
Dec^r 1805

Robt Mabry ^{clerk}

The Common wealth of Virginia to the Sheriff
of Southampton County greeting You are hereby Comm-
anded to summon Josiah Laurence administrator
of Jacob Laurence.

to Appear before the Justices of our County
Court of Hampton at the Court house of
the said County on the third marday in
March next to Answer a bill in Chancery
exhibited against him by Polly Laurence
by Edwin Williams her Guardian

and this he shall in no wise omit.
under the penalty under the penalty of
one hundred pounds And have then there
this Wit. Witness Hamkides Ed of four o?
Court this 16th day of December 1800
and in the 30th year of the Continued
wealth -

Hamkides &
[Signature]

Thomas Stanley adm: Dth N of Jacob Laurence,

Joy Foreman adm: Dth N of Josiah Laurence

John Foreman & Polly his wife formerly Polly Laurence

Richard Allen & Precilla ~~his~~ wife formerly

Precilla Laurence, Liza Laurence orphan of
Liza Laurence Dec?

Laurence Ellis ~~son of~~

~~Ellis formerly~~

~~Laurence~~ Isaac Brand who intermarried

with Temperance Ellis ^{nowed new day} ~~daughters of the said~~

Ellis. Daniel Williams, David Williams, Lidian

Williams, Matthias Williams by ~~the said~~

~~the said~~ children of Lally Williams formerly

Lally Laurence, & Arthur Harri who intermarried

with Precilla Williams daughter of the said Lally

Williams & Thomas Stanley who intermarried

with Polly Williams daughter of the said Lally

Williams —

Edwin William

Co.^l Stanley &
Chancery.

U.S. Report

July 1892. report returned & received
in 2 months

1000 04.1.1

1000 04.1.1

1000 04.1.1

The within statement of the case wherein Edwin Williams was Com-
plainant against Thomas Stanley, Adm. Ad. & B. Man of Jacob Lawrence &
and others. Defendants in Chancery, referred to the Master
Commissioner for Adjustment and a Report thereon, is believed
to be correct according to the Decree pronounced thereon; and is
respectfully submitted to the Court.

For M.C.
J. P.

Complete

Chancery

Thomas Stanley Ad. B. Son of Jacob Lawrence and Ivy Lawrence
 adm D. B. & V. of Josiah Lawrence du. John Tournan & Poll, his wife
 formerly Polly Lawrence, Richard Allen & Priscilla his wife formerly Lawrence
 Jesse Lawrence orphan of Jesse Lawrence du. Lawrence Ellis, Isaac
 Brand who intermarried with Temp. Ellis now du. Dan. Williams,
 David Williams, Sidney Williams Matthew Williams Arthur W.
 Carr in his own right - and also as Executors of Lawrence Williams,
 and Thomas Stanley in right of his late wife Priscilla

Dependants

At Southampton March term 1812 the several Defendants pray to
 that the several Defendants pay to the Complainant two hundred & thirty
 pounds three shillings & eight pence; and Interest thereon from the 25th Day of
 February 1802 till payment, and the costs to be estimated according to the
 proportion received by each defendant out of Jacob Lawrence's Estate, that is
 one third of the personal Estate of Jacob Lawrence and what remained
 which was as follows.

John Tournan & Polly his Wife did receive 1/6 part, and their proportion
 of the Debt and Interest thereon up to 25 August 1812 is
 Their proportion of Costs
 Ivy Tournan Ad. D. B. & V. of Josiah Lawrence 1/6
 Their proportion of Costs
 Richard Allen & Priscilla his Wife
 Their proportion of Costs
 Jesse Lawrence son of Jesse
 Their proportion of Costs

1812 the court in this case found
 the Complainant two hundred & thirty
 Interest thereon from the 25th Day of
 costs: to be estimated according to the
 out of Jacob Lawrence's Estate, that is
 to the complainant.

1/6	£63:1:5
1/6	1:10:0 1/2 64:11:5 1/2
1/6	63:1:5
1/6	1:10:0 1/2 64:11:5 1/2
1/6	63:1:5
1/6	1:10:0 1/2 64:11:5 1/2
1/6	63:1:5

February 1802 till payment, and the
 proportion received by each defendant
 one third of the personal Estate
 Sally Lawrence and what remained
 Which was as follows.

John Tournan & Polly his Wife did receive $\frac{1}{6}$ part, and their proportion
 of the Debt and Interest thereon up to 25 August 1812 is — £63:1:5
 Their proportion of Costs —

Joy Tournan Ad. Ex. of Jonah Lawrence
 His proportion of Costs —

Richard Allen & Priscilla his Wife
 Their proportion of Costs —

Jesse Lawrence son of Jesse
 His proportion of Costs —

Lawrence Ellis
 His Costs —

Isaac Brand who married Temp. Ellis
 His proportion of Costs —

Daniel Williams did receive as his proportion
 His proportion of Costs —

David Williams
 His proportion of Costs —

Matthias Williams
 His Costs —

Simon Williams

costs: to be estimated according to the
 out of Jacob Lawrence's Estate, that is
 to the complainant.

$\frac{1}{6}$ part, and their proportion
 of the Debt and Interest thereon up to 25 August 1812 is — £63:1:5

— 1:10:0 $\frac{1}{2}$ 64:11:—
 $\frac{1}{6}$ — 63:1:5

— 1:10:0 $\frac{1}{2}$ 64:11:5 $\frac{1}{2}$
 $\frac{1}{6}$ — 63:1:5

— 1:10:0 $\frac{1}{2}$ 64:11:5 $\frac{1}{2}$
 $\frac{1}{6}$ — 63:1:5

— 1:10:0 $\frac{1}{2}$ 64:11:5 $\frac{1}{2}$
 $\frac{1}{12}$ which is — 31:10:8 $\frac{1}{2}$

— 15:0 $\frac{1}{4}$ 32:5:8 $\frac{3}{4}$
 $\frac{1}{12}$ — 31:10:8 $\frac{1}{2}$

— 15:0 $\frac{1}{4}$ 32:5:8 $\frac{3}{4}$
 $\frac{1}{12}$ part being of the Debt — 9:0:2 $\frac{1}{2}$
 — 4:3 $\frac{1}{2}$ 9:4:6

— 9:0:2 $\frac{1}{2}$
 $\frac{1}{12}$ — 4:3 $\frac{1}{2}$ 9:6

— 9:0:2 $\frac{1}{2}$
 $\frac{1}{12}$ — 4:3 $\frac{1}{2}$ 9:4

— 9:0:2 $\frac{1}{2}$
 $\frac{1}{12}$ —

