

1824-022 SOUTHAMPTON COUNTY
CHANCERY PAPERS

FRANCIS et al VS. TURNER'S ADMINISTRATORS et al

11/1824

N.B. of the persons mentioned herein, Samuel Turner
was the original owner (after his father's death) of
Nat Turner, and when Samuel Turner died,
Sally Francis' husband, Thomas Moore, bought
Nat from the estate, for \$400. See Oates, Lines
of Jubilee.

JS14 6/17/92

1824

1824

1824

Francis & Co.

Co.

Bills

Goods & Services

Nov. 17th 1823 ord. for

an acct

of publication

of enclosed

Nov. 1824 ord. for acct

To the worshipful Court of Southampton in Chancery
sitting. Humbly complaining shew unto your worships
your complainants Belathiel Francis & Nathaniel
and Martha J Francis infants by their next
friend Sally Francis and Thomas Moore and
Sally his wife late Sally Francis, ^{admirors} ^{with the will and assent of the said}
Francis late of this County died sometime in the
year 1819 having first made and published
his last will and Testament which has been
duly admitted to record an attested copy of which
is hereto annexed and prayed to be taken as a part
of this bill: That a certain Samuel Turner was
appointed executor in said will and qualified
as such and proceeded in the administration
of said estate but before he had completed the
same he departed this life leaving his last
will and Testament which has been admitted
to record wherein a certain John Spencer and
Lawrence Cook were appointed executors who
were to qualify as such but took out letters
of administration with the will annexed ^{apart}
of said Samuel Turner's estate. your complainants
state ^{that} the said Samuel Turner in his lifetime
paid and delivered the specific legacies but
did not finally settle the said estate. That
besides the legacies of the said William Francis
who are complainants in this bill of complainants
a certain Samuel Francis who is not an
inhabitant of this Commonwealth was also
delegated. your complainants beg leave
to represent that the said John Spencer
and Lawrence Cook admit as aforesaid
have not as yet accounted with them

and still hold the same in their hands
In tender consideration whereof and for as
much as your compliments are remedied
elsewhere they pray that the said John Spencer
and Laurend Cook admit with the will
annexed of Samuel Turner and may be
made defendants hereto and that the said
Samuel Francis may be made a defendant
hereto and that they be compelled to answer
are and singular the allegations herein contained
fully and unerringly. They further pray that
the said John Spencer and Laurend Cook
admit as aforesaid may be compelled to render
a true and perfect account of the transactions
of the said Samuel Turner in his lifetime upon
the estate of said ~~Samuel~~ William Francis
and that they be compelled to pay over any
balance which may remain in their hands
and finally they pray for general relief

Nathaniel Francis
Sally Francis

To the worshipful Court of Southampton in
Chancery sitting. The joint petitioners of
John Spencer and Laurend Cook admit
with the will annexed of Samuel Turner and
who is an executor of William Francis and
to the bill of Complaint exhibited against them
and Samuel Francis by Nathaniel Francis and
Sally Francis & Mary J Francis infants by
Nathaniel Francis & Mary J Francis their
next friend Sally Francis and their
more and Sally his wife ^{and their more} ^{of William Francis} ^{and their more} ^{of William Francis}
their respondents having and receiving
to them and all benefit of exceptions to any error
in said bill contained for answer to so much
thereof as they are advised is necessary for them
to answer. say that they are prepared to show
in what manner the said Samuel Turner
executor of said William Francis hath disposed
of his estate and are willing to submit to this
Court an account of his said estate
said estate. They aver that the specifically
have all been delivered by the said Samuel Turner
in his lifetime and that Samuel Francis hath
every thing to which he is entitled from the said
estate. Their respondents having answered
may to be heard dismissed.

John Spencer
Lawrence Cook

At a Court of Quarter Session Continued and held for the
County of Southampton on the 18th day of November 1823

Salathiel Francis and Nathaniel Thomas &
Francis infants by their next friends Sally
Francis, Thomas Moore and Sally his wife late Sally
Francis, and the said Thomas Moore administrators
Debonis now with the will annexed of William
Francis deceased. ----- Complainants

against
John Spencer and Laurence Cook administrators with
the will annexed Samuel Turner deceased and who
was executor of William Francis deceased, and
Samuel Francis ----- Defendants

This day came as well the Complainants, as the Defendants,
book and Spencer adm^{rs}. as aforesaid by their Counsel, who filed their briefs
The defendant Sam^l Francis, not having entered his appearance and given
Security according to the act of Assembly and the rules of this Court
And it appearing, &c. And the

in Ch.

Town of Petersburg, TO WIT:

THIS DAY personally appeared before me, an Alderman of said town, FRANCIS G. YANCEY, Editor of the *Intelligencer Newspaper*, who made oath, that the annexed order of Court hath been regularly inserted in said paper for two months successively. Given under my hand, this 13th day of May 18 24.

John Williams ald

VIRGINIA—

At Rules, holden in the Clerk's Office of the County Court of Southampton, on the first Monday in January 1824.

Salathiel Francis and Nathaniel and Martha J. Francis, by their next friend Sally Francis, Thomas Moore and Sally his wife, late Sally Francis, and the said Thomas Moore, adm'rs de bonis non with the Will annexed of William Francis, dec.

AGAINST

Complainants.

John Spencer and Lawrence Cook, adm'rs. with the will annexed of Samuel G. Turner, dec. who was executor of William Francis, dec. and Samuel Francis,

Defendants.

IN CHANCERY.

THE Defendant, Samuel Francis, not having entered his appearance and given security according to the Act of Assembly and the rules of this court, and it appearing to the satisfaction of the court that he is not an inhabitant of this Commonwealth--It is therefore decreed and ordered, That the said Samuel Francis do appear here on or before the third Monday in March next, and answer the bill of the said complainants; otherwise the same will be taken as confessed, and the matter thereof decreed accordingly. And that a copy of this order be forthwith inserted in some public newspaper, edited in the town of Petersburg for eight weeks successively, and posted at the front door of the courthouse of this county on 2 several court days.

A Copy--Teste,

A. MIDDLETON, D.C.

January 13

2m

Frances H.
①
Frances H. 3 Chy.

William Francis
New Jersey

In the name of God Amen I William Francis of Southampton County and Parish of Saint Luke being in sound mind and memory do make this my last will and testament in manner and form following First And principally I bequeath my soules almighty God who gave it me and for my worldly goods I propose I dispose of them as follows to wit

Item 1st I give and bequeath unto my loving Sister Martha J. Francis the whole of my Land to be sold at Publick Sale and the Money arising therefrom to her and her heirs forever.

Item 2nd I give and bequeath unto my loving Sister Sally Francis my two negroes Archy & Moses to her and her heirs forever.

Item 3rd I give and bequeath the remainder of my property to be sold to pay my just debts and the balance arising from such sales to be equally divided between Samuel Francis Nathaniel Francis and Salathiel Francis to them and their heirs forever.

Lastly I do constitute and appoint my friend Samuel Turner my whole sole Executor to this my last will and testament making void all other wills heretofore made by me In witness my hand and Seal this 24th day of January 1819

Signed Sealed in presence of
Jared Turner
Ezra Bryant
Cordale Mantley

William Francis 

At a Court held for the County of Southampton on the 15 Feb'y 1819 This will was presented in Court by Samuel Turner the Executor therein named proved by the Oaths of Jared Turner Ezra Bryant and Cordale Mantley the witnesses thereto and came to be recorded And on the motion of the said Exec. who made oath according to Law Certificate is granted him for obtaining a probate thereof and due form ^{an} giving bond Hearing whereupon the said Samuel Turner Edward Reese and Jared Turner his Secures entered into a recogn on to keep their bond in the penalty of four thousand dollars Conditioned as the Law directs

Test James Rochelle

a Copy Teste

A. Middleton D.C

Samuel Francis ^{gone away} Melathine Frances ^{is gone away}
Rathel Francis a minor Sally Francis his mother
Martha J Francis minor her guardian Sally Francis
Sally, wife of Thos. Moore.

John Spencer and Laurence
Cook admit with the will annexed
of Samuel Turner who was executor of William
Francis's ^{will}. William Francis's estate
not represented. Sam Turner in his lifetime
paid Sam Francis his part of the estate
and delivered the specific legacies
Martha J Francis and her proportion
of the estate. Prepare a bill and
answer for a settlement of the estate
Have the unadministered estate of Wm
Francis committed to some person at
next Court.

$$\begin{array}{r} 4/5953 \\ 148 \end{array}$$

$$\begin{array}{r} 5953 \\ 429 \end{array}$$

8291

$$\begin{array}{r} 4/5524 \\ 1381 \end{array}$$

$$\begin{array}{r} 1450 \cdot 100 \\ 100 \end{array}$$

$$\begin{array}{r} 2356 \\ 429 \end{array}$$

$$5524 \cdot 1450 \cdot 100 \cdot 145000$$

$$\begin{array}{r} 52785 \\ 1199 \end{array}$$

$$\begin{array}{r} 2156 \\ 6230 \end{array}$$

$$\begin{array}{r} 1400 \\ 6 \\ 84.00 \end{array}$$

$$\begin{array}{r} 145000 \\ 11048 \end{array}$$

26

$$\begin{array}{r} 34520 \\ 33144 \end{array}$$

$$1378$$

Oct 10 1890