

1828-47 SOUTHAMPTON COUNTY
CHANCERY PAPERS

WHITFIELD and Wife VS. FOGGERSON'S ADM'R.

[FERGUSON'S]

Other surnames: Edwards,
Forgeson, Forgason,
Barden, Boon, Barrett

Whitfield Lairs

3 3 Bils d.

Hoggers, adm

1828 Same record as folio

+

— lends \$6.92

To the worshipful the County Court of Southampton
sitting in Chancery:

Humbly complaining sheweth
unto your worships, your bondsmen, George Whitfield
& Polley his wife, that Joel Edwards departed this life
intestate, that letters of admⁿ were granted, ^{of his Estate,} to one
Benjamin Foggerson, who acted in that character,
and returned an audited ac^t of his transactions,
which was admitted to record in this worshipful
Court. attested copies of which letters of admⁿ
and ac^t current are herewith exhibited as
parts of this bill - that your bondsmen Polley as
one of seven children is entitled to $\frac{1}{7}^{\text{th}}$ part
of the balance due on the said ac^t current,
which your worships will perceive was \$747.17.
with interest on \$579.72. from the 19th Sept^r.
1824 - that the said Foggerson has departed
this life without paying your bondsmen their well
deserted portion - that John Barnett ~~and~~
Wm Foggerson qualified as admⁿ of the estate
of Beniam Foggerson dec^d with his wife assumed,
& the said Wm has since departed this life -

That the said John Barnett as admⁿ on application
objects to the payment of their ^{portions} ~~parts~~, otherwise than
in some bond which were given to ~~him~~ ^{Foggerson} as admⁿ of the
said Joel Edwards dec^d by persons who were good
at the time, but who became involunt in the
course of many years, without an effort to save
them, - indeed the s^d Foggerson himself became the
purchaser of the said Benjamin Edwards, the prin-
- cipal's ~~land~~, and still held these bonds, which
his admⁿ are now desirous to compel your bondsmen

They are advised that
to take - that they are not compelled to take them - and
thus virtually lose their demands altogether -

In tender consideration whereof, and forasmuch
as your Compts are remedial at Law and only
releivable in Equity - To the use that the said John
Barrett as surviving adm^r of the s^d Dixon Foggerson
may be made Defat hereto & compelled to answer
the allegations hereof, Your Compts pray the
Commonwealths Just of Sup^r directed
that your worshipps will decree a payment of your
Compts this distributable portion, and grant them
such other and gen^l relief as may be consistent
with Equity & good conscience, and as a duty
bound they will ever pray &c -

The answer of John Barrett as surviving adm^r
of Dixon Foggerson du^y to the foregoing bill of
Compt. This Respectful answer sh^g for answer
to the said bill says, that he believes the allegations
of the Pltffs to be strictly true, & exhibits
to your worshipps the bonds mentioned, and
submits to your worshipps the question,
whether he can compel the Pltffs to take the
said bonds in payment or not, and will be
satisfied with any decree which your wor-
shipps may think proper to pronounce in
the premises - & having answered sh^g he
prays &c.

John Barrett

George Whitfield and wife - Pltffs.

against
Dixon Foggerson's adm^r Defat. } In Ch^y

This cause was this day docketed by consent of parties with
the assent of the Court, and came on to be ^{heard} considered on
the Bill answer, exhibits, and was argued by counsel,
on consideration whereof, the Court with advice, order,
and decree, that the said Pltffs, not being bound to
take the bonds exhibited, or any part thereof, they having
become insolvent by reason of the neglect of the s^d Foggerson
as adm^r of the said Soil Edwards du^y, do recover against
the said Defat as adm^r of the s^d Dixon Foggerson
du^y the full ^{eight} ~~eight~~ part of the balance due
upon the acc^t current exhibited on Soil Edwards
State: - And the Cor^y in this suit - upon their
executing to the said Dixon's adm^r a bond conditioned
to refund to him, according to Law

W. E. Y. Mason
S^r Amphora

W. George Smith

Winn & Rogers admrs of Joel Edm^d,
Whitfield wife entitled to $\frac{1}{7}$ th part
of the bal. due on acct. in trust
to C^t. \$47. 17 - Int. on \$519. 72.
from 19 Sept^r 1824 til paid -

John Barrett admr. sh.

Names of the Heirs of Joel
Edwards Sr. —————

Williamson Edwards —————

Peterine Edwards —————

Anderson Edwards —————

Nathan Edwards —————

Polley Barden Daughter of
Joel Edwards —————

Wm. Broom Son of Nancy
Broom Daughter of The above

Polley Whitfield Daughter of Peter
wife of George Whitfield.

P. Edwards
note

\$93.65

No 11

Nine Months after date we the Subscribers
or either of us do promise to pay or cause to be
paid unto Dixon For asson Adm^r of Soil Cuvaret
Du^r the Just and full sum of Ninety three dollars
65 Cents - for Value Rec^d As witness our hands

and seals this 22th day of Dec^r 1814 —

Just
N. Edwards

Benjamin Edwards *Just*
James Borden *Just*

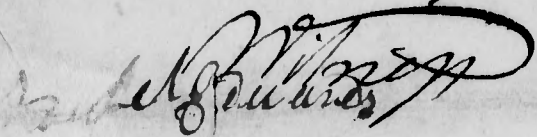
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A Edwards
Note

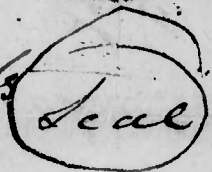
\$113-61

1813 - the 1th day of December Rec^d of
Anclerson Edward Thirty Two & 60^y cents in
part of the within note Dixon Forgason

Nine months after date we the Sub
scribers or either of us do promise to
pay or cause to be paid unto Dixon
Ferguson Administrator of Lock
Edward Dec. The End I full Sum
of one hundred & thirteen Dollars & 61 Cents for
Value Recd. At Witness my hand & seal
this 22nd Day of Dec. 1824


John W. Rogers

Frederick Edwards



John B. Hopkins

