

1832-040

SOUTHAMPTON COUNTY  
CHANCERY PAPERS

NICHOLSON et ux et al vs. BUTTS' EXECUTOR  
et al

12/1832

See also: Butts etc v Butts' Adm'r. etc. 1832-6

other surnames: Jones,  
Clanton, Wren, Blow, Wrenn

Nicholson sue et ad

27. } Bull & ans.

Bulls' adv &c.

1831 Decr. decree as filed &c.  
#

1832 Feby Rept. not. & final  
decree &c.

1<sup>st</sup> Decr. Order to deliver to  
St. Ellis &c.

To the worships Court of Lancaster  
County sitting in Chancery hereby complain  
- my oath to your worships your mother  
maternal Robert & Nicholas & Mary his wife formerly  
Butts one of the heirs of ~~Geo Butts~~ deceased & your mother  
Elizabeth Reddick & your mother Robt Butts infant <sup>infant</sup> ~~infant~~  
of James Butts also coheir of ~~Geo Butts~~ by Sarah  
Barlowe his next ~~personal~~ <sup>personal</sup> & William Jones son  
of Mary Jones formerly Butts one of the heirs of the same  
~~Geo Butts~~ Depe daughter & Elizabeth his wife late  
Butts the latter sister & also one of the heirs of  
the same ~~Geo Butts~~ deceased Sarah J. Butts ~~Ellen~~  
Butts & Martha Butts three your mother's <sup>also heirs of the same</sup> ~~daughters~~ <sup>daughters</sup> ~~heirs~~  
have to represent to your worships that ~~Geo Butts~~  
the ancestor of your complements since some  
years past ~~propose~~ <sup>entitled</sup> & possessed of  
a small tract of land to which your  
compliments & their deceased Mother  
Mary & his sister Mary <sup>& Butts</sup> were both living  
at the time of the said <sup>deceased</sup> death but there  
both since the first intestate & she is now  
represented by Geo Blaw & the latter having  
executed her last will and testament  
a copy of which is hereto annexed that  
by a return to the said will a copy whereof  
is hereto annexed it will be seen that the  
said Mary <sup>deceased</sup> all her estate <sup>after</sup>  
description in possession or received to her  
mother Mary Butts & her sister Ellen  
Sarah & further that Geo Blaw is also in  
execution & hereto annexed to be made a  
defendant your compliments by leave  
further to represent to your compliments

that at the time they are as before represented  
entitled to the same of which the said  
Garvin Butts died. saying that they  
cannot obtain a division or sale the latter  
of which it is believed would conform  
to the interests of all the parties involved  
by the view of your worship sitting  
in Chancery to which jurisdiction  
the subject particulars ~~of the same~~  
they therefore may the view of your  
worships to compel the said Geo. Blaw  
~~representative~~ of the said Mary  
& Mary, C. Butts to remove the  
facts herein set forth & thereupon  
be pleased to decree a sale of the  
lands upon the usual terms &  
conditions by suitable commissioners  
appointed by your worship that  
your worship be pleased to grant  
the commonwealth writ of debt  
direction to command Geo. Blaw  
other further & general relief as may  
be stated as in duty they will do  
do  
Albion  
two counts

The names of Geo. Blaw Esq. & Mary, C. Butts  
& a son of Mary, Butts to the bill of complaint  
made filice in Southampton County Court against  
by Robt. Nicholson & Nicholson & Mary, his  
wife late Butts & others.

This respondent saying all except  
of exception to the complainants bill  
for answer thereto says he believes the  
facts are correct, states by the complainants  
that he has no objection to a decree  
decreasing to the rights of the parties  
& have now answered he may hence  
to be dismissed & as in duty he will  
do  
Albion

Robert Nicholson & Mary, his wife late  
Butts Martha, Rebecca & Robert Butts  
infants of James Butts by Saul Barham  
their next friends & William Jones son  
of Mary Jones late Butts by the said  
Mary, his next friend Pele Blanton & Eliza  
& Jacob Butts complainants in Chancery  
against Geo. Blaw Esq. & Mary, C. Butts  
& representation of Mary, Butts deceased  
This day this cause came on by consent  
of parties & with the assent of the parties  
to be heard in the said answer exhibits  
& arguments of Counsel on consideration  
whereof the Court doth as aforesaid  
that Solomon D. Parker Saul Barham  
senior Geo. A. C. Barham Will L. Rochelle  
or any three do after having given due

Notice hereby given to sell at public sale  
the lands of which Eamon Butts are  
on a request of <sup>months except about fifteen</sup>  
that they divide the proceeds thereof into  
eight equal parts & take bonds & good  
security of the purchasers so as to  
effect a division of the proceeds between  
the parties that is to say one eighth to  
Robert & Nicholas Seblan, his wife in  
right of the said Mary one eighth to  
Martha Rebecca & Robt Butts in right  
of James Butts to William Jones  
one eighth one Eleanor Butts one eighth  
one eighth to Benjamin Lane who has  
acquiesced title of record for the one  
eighth to which Jephtha & Elizabeth  
his wife were entitled one eighth to  
Sarah J. Butts one eighth to Jephtha C.  
Butts one eighth to be allotted  
to the Eleanor & Sarah J. & Jephtha Butts  
& Geo Blos together with their mother of  
deceased Mary C. Butts & one eighth to  
Geo Blos in right of his interest to Mary  
Butts & what their proceedings with  
the bonds to this Court to a purpose done

Nicholson et ue et ab.

to { Leo: decur

Bulls: for 90

For Commissioners

1832 Feb. Rep: not? & final  
decur 8

Southampton December Court 1831.

Robert Nicholson & Mary his wife formerly Butts, one of the heirs of Edwin Butts dec<sup>d</sup> & Martha, Rebecca & Robert Butts infant orphans of James Butts & also infants & co. heirs of Edwin Butts dec<sup>d</sup> by Samuel Barham their next friend, & William Jones son of Nancy Jones formerly Butts, (by Barham Wren) one of the heirs of the said Edwin Butts dec<sup>d</sup>, Jesse Clanton & Elizabeth his wife late Butts, the latter sister and also one of the heirs of the said Edwin Butts dec<sup>d</sup>. Sarah J Butts, Elena Butts & Judith Butts, also co. heirs of the said Edwin Butts dec<sup>d</sup>. Plaintiffs  
against

George Blow Exor of Mary E Butts & admor of Mary Butts dec<sup>d</sup>. Def<sup>t</sup>.

This day this cause came on by consent of parties and with the assent of the Court to be heard on the bill, answer, exhibits and arguments of Counsel, on consideration whereof the Court doth adjudge, order and decree that Solomon D Parker, Samuel Barham, Senr. George A. B. Barham, Will. L Rochelle or any three of them do after giving due notice thereof proceed to sell at public auction the lands of Edwin Butts dec<sup>d</sup> dec<sup>d</sup> on a credit of ~~Nine~~ months, except about fifteen dollars the costs of this suit, that they divide the proceeds thereof into eight equal parts and take bonds and good security of the purchasers so as to effect a division of the proceeds between the parties, that is to say, one eighth to Robert Nicholson & Mary his wife in right of the said Mary, one eighth to Martha Rebecca and Robert Butts in right of James Butts, to William Jones infant son of Nancy Jones one eighth late Butts dec<sup>d</sup>, one eighth, one Eleanor Butts one eighth, one eighth to Barham Wren, who has acquired title of record for the one eighth to which Jesse Clanton and Elizabeth his wife were entitled, one eighth to Sarah J Butts, one eighth to Judith L Butts, one eighth to be allotted to the Eleanor, Sarah J. & Judith Butts and George Blow. Exor of Mary E Butts dec<sup>d</sup> devisees together with their mother Mary E Butts and one eighth to George Blow in right of his intestate Mary Butts and report their proceedings with the bonds to this Court in order to a final decree

Attest Teste James Rochelle Clk

Received December 18/1832 of the Clerk Southampton  
County a Bond executed by Bankam Wiggins & Thomas D.  
Parker for \$46.00 due October 10<sup>th</sup> 1832 being the bond  
returned by the bonds as the proportion of William Sears of  
the sales within mentioned - Stephen Ellis

Notary

L.R. Edwards

Thomas & Richard of  
Sale & Edwin Hedges  
Bond.

By virtue of a decretal Order of the County Court of Southampton dated December Court 1831. Sheweth annexed, we have made sale of the Lands therein named, & allotted the proceeds of such sale, to the several Legates, & in the manner therein directed — And make the following Report —

Amount of sale of Land to Barham Wrenn — \$405.00.  
 Deduct, (as directed by decree) for costs \$15.00.  
 Do. for Commission & P. Cost — 20.00 — 35.00  
 \$370.00

|                                                     |           |
|-----------------------------------------------------|-----------|
| Robt. Nicholson in right of his wife                | \$46 25   |
| Saml. Barham Guard. to the heirs of James Butts.    | 46 25     |
| William Jones infant of Nancy Jones formerly Butts. | 46 25     |
| Ellen Butts.                                        | 87 8 1/4  |
| Barham Wrenn in right of Lefebvre                   | 46 25     |
| Sarah J. Butts.                                     | 87 8 1/4  |
| Judith C. Butts.                                    | 87 8 1/4  |
| George Blow in right of Mary Butts dec'd.           | 115 5 1/4 |
|                                                     | \$370.00  |

370.00

Respectfully submitted to the Court

Sam. Barham Gent.

Solomon D. Parker

Geo. A. Barham

1832. February 18th Recd. from Saml. Barham, Solomon D. Parker & Geo. A. Barham

Commissioners who were affixed to our names in the above Report

Sam. Barham Gent.  
 Barham Wrenn

Elly Butts

Sarah J. Butts

Judith C. Butts

Geo. Blow.

Robt. Nicholson