1844-012 SOUTHAMPTON COUNTY CHANCERY PAPERS

T. HARRISON'S COMMITTEE VS. R. HARRISON'S EXECUTOR et al

3 | 1844

other SURNames: Bass, Westbrook, Morris, Morriss, Devany, Davis

Devenny late Sh'ff
of Scampton
& committee of
Thos Harrison
dec'd

1838 Aug. Ct. Bill & Spec. an. 2 Qr.
1842 May. Decree.
1842 March Decree as filed.

(1008 words)

Fan charged (488 words)

106
367

To the worshipful Court of Sumpter County
sitting in Chancery Complaining sheweth
to your worships your orator Bryce
Debany late Sheriff of Sumpter County
& in that character committee of
the estate of Thomas Harrison dece

Your orator hys been to represent
that during his late official character
of Sheriff of the County of Sumpter
at the Dec. term of this Court 1836 the
estate of Thomas Harrison dece was
committed to hands that he through
his deputy went on with the ad
ministration of the said estate
until the month of in the year
1838 when on his motion his accounts
were referred to Martin Commissioner
who has reported the same to this
Court & a copy whereof is here to annexed
& prayed to be taken as a part of
this bill that on the said account so
reported there appears a balance
due said estate of $214.87 with Int
on $180.88/100 part thereof from the 16th day
of July 1838. subject however to a
small claim of $3.50 Dec per a burial Shirt
which was paid subsequently to the
return of the said acct that the
bal of $211.37 is still in his hands
& as there are various claims of many
persons & citizens of this State against said estate
the nature & amount of which require
a strict regard to the priority of proper
ty your Complainant being unwilling
desirous to administer the estate
according to the rights of the respective
creditors beg they the said claimants
who as fast as they are made known
to your orator are Thos Davis Surviving
Executor of Rebecca Harrison dece

Henry B. Bass, Augustus Westbrook
& Wilie H Morris with such others as
may be hereafter discovered be made
parties hereto & compelled to answer
& execute their respective Claims
hope your worships to the end
that Justice may be done them
under the direction of your Worships
appointment the Apts according
to their rights & the Rules & Course of
Chancery in such cases to the
end your Complainant may be
thus enabled to know what they
owe the balance of the estate
according to that the premises con-
sidered your Worships be pleased
to make such order & decree in
the premises & grant the Common
writs of Subpoenas directed
to Commissioners & specially appoint
such other & further remedy in the
premises as may consist with the
rights of the Parties & as in duty
he ever pray

Jay Blackman
for Bass & Dennis
Exrs &c of Jos Westbrook &c.
Such Committee of the
estate of Thos Hairston dec

Gwinnett County to wit.

This day Thomas Davis personally appeared before me, and made oath to the truth of the within answer to the best of his knowledge and belief.

Given under my hand this 15th day of February 1840. James W Cook J.P.

S. Ct. Ct.

Davis

Als. 3 Ans.

Deraney

Exhibits

1840 Feby. 17th.

Chambers

In the county Ct. of Lancaster.
Sitting in Chancery.

Between Thomas Lewis Jr. Complt
& Exhibitant agt. him, and others, Exrs. Devisees
Staff. and Committee of the estate of
Thomas Harrison. Decd ...

This defendant Saving &c. for answer
saith that himself and Thomas Harrison, now joint
Exors. of Revd. Harrison Decd. and sworn to
administer the estate that your Respondent paid
large sums of money as Executor aforesaid. and for
which Thomas Harrison was justly charged. as will
appear by Exhibits herewith filed Marked. 1. 2. 3. 4. 5.
and he is advised that his own claims of the first
import, in as much as they arose and by Harrison
as Exor of Revd. Harrison, & was paid by Y.
Respt. and he ought thereupon to be substituted
in the place of the creditors whose claims he has
paid, and satisfied.

Your Respondent further answering says that Thomas
Harrison is indebted to him on an individual
account. to the amt. of £ which he will
be able to establish to the satisfaction of your Worship

Y. Respt. prays your Worship to direct an account
to be taken by a Comr. of this Court. and direct
the Comr. to state the claims, paid by Y. Respt.
and for which Harrison was justly Responsible.
- ible. and that the Complt. Executors aforesaid
may be decreed to pay this claim, not-
withstanding, he has paid a portion to other
creditors, most of whom were simple
Contract Creditors. and having Answered
to be hence dismissed &c.

Lemay Shipp.
vs
Davis et. al.
Decree

May Ct. 1842.

Dewey Clopper &c. } This day this cause came on to be heard
vs } on the Bill, answer of the defendant Thomas Davis
Davis et. al. } exhibits, and was argued by Counsel, on Consideration
whereof, the Court doth adjudge order and decree, that
a Com. of this Court, ascertain, the amount of debts, due
and outstanding, against the Estate of Thomas Harrison
dec'd, distinguishing, in his report, the dignity of Securities.
That the Com. report his account to Court, in
order to a further decree of this Court.

Davis
vs
Harrison & Comtè

Decree.

1824 March

Davis & others
vs.
Devany Shpd &c.

This day this cause came on to be heard on the papers, proceedings and on Statement. Whereupon, On consideration whereof, the Court doth adjudge order and decree, that Benj. Devany, late Shff and Committee of the estate of Thomas Harrison do pay to Thos A. Person the sum of thirty one dollars and sixty five cents, with interest from 20th March 1844 till paid. in full of his claim vs. Thomas Harrison - This Ct Devany pay to Thomas Davis the sum of Two hundred and fifty one dollars and thirty one cents. with like interest in part satisfaction of his claim vs. Thos Harrison - which sums constitute the balance, due on said Devany's account as adm. of Thos Harrison - it is further decreed that Thos Davis & Thos A. Person pay the costs of this suit in proportion to the sums respectively accrued to them -

6.6

Harrisons a/c

v. } Spa. on Obligs

Harrisons Exrs &c

1838 October Rules

Ex edld on Augustus Weatbrook.

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Thos Davis
Henry B Bess } no inhabt
W. H. Morris

D. & Dromgoole Depty

J. D. Independence Depty

**THE COMMONWEALTH OF VIRGINIA,**

*To the Sheriff of Southampton County, Greeting:*

We command you that you summon Thomas Davis Surviving Exor of Richard Harrison decd Henry B Bass Augustus Westbrook and Willie H Morris

to appear at the Clerk's Office of our ~~Circuit Superior~~ Court ~~of Law and Chancery~~ for the County of Southampton, at the Rules to be holden for the said Court on the first Monday in October next, to answer a Bill in Chancery exhibited against them in the said Court by Benjamin Deveny late Sheriff of the County of Southampton & in that character Committee of the Estate of Thomas Harrison decd

And unless they shall answer the said Bill within four months thereafter, the Court will take the same for confessed, and decree accordingly. And this they shall in no wise omit, under the penalty of £100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-house, the 25 day of August 1838, in the 63d year of the Commonwealth.

L R Edwards Clk

[*One Copy to be delivered each Defendant.*]

Thos. Harrison &
Jno. A. Rives
Pole.
Henry W Avery
$ 20
due 1st Oct 1834

On Demand the first day of October next we Promise to pay Henry W. Ivey or order the just Sum of twenty dollars for Value rec^d. as Witness our hands & Seals this — fourth day of July 1834 — — — —

Witness

Thomas Harrison (Seal)

John A. Person (Seal)

April 29th 1837 Recd of Mr Thomas Davis surviving Exor of Richard Harrison Dec'd the sum of Thirty Eight Dollars Sixty Seven Seven & one half Cents in full of the Within. It being the Expences paid in the Suit Wm T. Monroe Vs. said Exors. while pending in Northampton Sup. Ct of Law & Equity

A W Ivey

Richard Harrison Sen. Exor. To Henry W. Ivey Dr.

1836

To Cash Paid for Copy Wm. J. Meadows Bill — — 2 " 40

Paid Postage for 33 fol. Copys &c. in Suit directed to Atty. Daniel at Raleigh to file Ans. — 4 " 12½

Paid Atty. Daniel for Drawing Ans. — 20 " 00

Paid Shirley Fiddle to take Depositions — 5 " 00

Paid John M. Dudley for attending at Martins & at Dr. Hamptons C.H. 5 " 00

Paid Postage Letter directed to Lewis Brazeale 0 " 25

Paid Depy. Ch. Clerk for Examination & for Supenas to take Depositions 1 " 90

$ 38 " 67½

July 11th 1838 Recd of Mr. Thomas Davis Surviving Exor. of Richard Harrison Dec'd. dec'd the Sum of four hundred & seventy One Dollars in full of a Judgment. which William T. Moore. obtained vs. Od Davis in Northampton Superior Court of Law & Equity

J. B. Ivey C. M. C.

Aug 11th 1838 Recd of Thomas Davis Surviving Ex. of Rich'd
Pollard dec'd the Sum of Six Dollars and Seventy five Cents in full
of attorneys fee & Clerks tax in Suit Jas Pollard vs Rich'd &
Jas Davis & Henry W Ivey

W. W. Ivey, Cor
Wm Bollom

July 11th 1838 Recd of Mr. Thomas Davis Surviving Excor.
of Richard Harrison dec'd the Sum of Twenty Dollars in full
for dep. fee Paid Mr. Badgor. in the Suit Wm J. Moore Vs.
Said Excor.

J. M. Ivey

220
4

J. R. & Rumsey

Rich

5

Rec.d 1 May 1837 of Henry W Ivey twenty
five dollars bal. of my fee in suit
Wm J Moore vs Thomas Davis bal

R J Daniel

Debt due Oct. 1/1834 . . 20.00
Int to March 20/1844 11.65
$31.65

Thos. Harrison

To Thomas Davis Dr.

| | | |
|---|---|---|
| To Cash p.? N.W. Dry Bro 1. April 29 1837 | $38.67 | |
| Int To 18 March 1844. | 18.43 | 57.10 |
| To p.? Atlee Bro 2. July 11 1838. | 471.00 | |
| Int To 18 March 1844. | 160.00 | 631.00 |
| To p.? Wm Bottom Bro 3. Atlee | 6.75 | |
| Int To 18 March 1844. | 2.29 | 9.04 |
| To p.? N.W. Dry Bro 4 Atlee | 20.00 | |
| Int To 18 March 1844. | 6.80 | 26.80 |
| To p.? J.N.J. Davis Bro 5. May 15 1837. | 25.00. | |
| Int To 18 March 1844. | 10.12 | 35.12 |
| | | $759.06 |

Amt. am July 16. 1838 $211.57

Interest $180.88 Int. Chas. To 16 March 1844 31.42

282.87

31.63

351 21

July 13th 1832

Dr Sir

I hold the execution for the Cost of the Suit Ruth Harrison Exts (vs) Wm Thorp. it has passed against the Executors of Ruth Harrison and Hartwell Harding and Edward D Nolly the amount is $311.08. I do not wish to make the money out of your Executes. I have therefore written you to inform you to come over and Settle it I hope you will attend to it in a Short time yours &c

Jas. Worrell

The Estate of Thomas Harrison dec'd

In Account with Benjamine Devany Sheriff & Com.

| | | | Dr | | Cr | | Int |
|---|---|---|---|---|---|---|---|
| 1835 | | | | | | | |
| Decr | 24 | By Cash of William L Everitte Trustee | | | 510 | 20 | |
| " | | To Commissions thereon | 25 | 51 | | | |
| | | " paid tax accounts for 1824 & 5 | 27 | 84 | | | |
| | | " " Thomas Davis for supporting Milly an expensive negro for Life | 72 | 00 | | | |
| | | " " for hand to measure Corn | | 25 | | | |
| | | " " William L Everitte acct. | | 20 | | | |
| | 31 | " Balance due the estate | 384 | 40 | | | |
| | | | ℔ 510 | 21 | 510 | 20 | |
| 1836 | | | | | | | |
| Jany | 1 | By Balance brought down | | | 384 | 40 | |
| " | 18 | To paid Benjamine Applewhite | 2 | 00 | | | |
| " | " | " " Robert J Musgrave | 101 | 17 | | | |
| Sep | 15 | " " John L Sturgeon | 6 | 49 | | | |
| " | 23 | " " John H Barnes Constable | 12 | 33 | | | |
| " | | " " John A Person | 4 | 86 | | | |
| | | " " Ditto | 37 | 59 | | | |
| | | " " Ditto | 20 | 25 | | | |
| | | By am't Sales due this day | | | 312 | 91 | |
| | | To Commissions thereon | 15 | 64 | | | |
| Mar | 21 | " paid Mark James | 1 | 25 | | | |
| | | " " William D Taylor & Co note | 25 | 97 | | | |
| | | " " James Jackson | 8 | 92 | | | |
| | | " " John R Chambliss | 10 | 00 | | | |
| | | " " Mark James | 2 | 72 | | | |
| | | " " James Jackson not. | 1 | 78 | | | |
| | | " " John Drewry | 8 | 00 | | | |
| | | " " Clerks tickets | | 50 | | | |
| Decr | 31 | " Balance due the Estate | 447 | 84 | | | |
| | | | 707 | 31 | 707 | 31 | |
| 1837 | | | | | | | |
| Jany | 1 | By Balance brought down | | | 447 | 84 | |
| | | Int. thereon from Jany 1st 1836 to Jany 1st 1837 | | | | | 26.87 |
| June | 25 | To paid William A Jones note & Int. | 15 | 32 | | | |
| | | " " Note due Benj Turners est | 3 | 99 | | | |
| July | 10 | " " Eldridge & Cross bill | 3 | 00 | | | |
| | | " " John Ivey Judgment | 27 | 33 | | | |
| | | Carried over | ℔ 49 | 64 | 447 | 84 | 26.87 |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| 1838 | | Amounts Brot over | 49 | 64 | 447 | 84 | 24.87 | |
| July | 21 | To paid Shff. Southampton Exon: in favor Thos Davis | 175 | 47 | | | | |
| | | " Retained to pay Comr. for settling this acct | 1 | 00 | | | | |
| | | " " " for recording same &c | 1 | 36 | | | | |
| | | " " " " Inventory &c | 1 | 11 | | | | |
| Decr | 31 | " Balance due the Estate | 219 | 37 | | | | |
| | | | ℔ | 447 | 84 | 447 | 84 | 24.87 |
| " | " | " By Balance brought down | | | | 219 | 37 | |
| | | " Intrest brought down | | | | | 24.87 | |
| | | " Balance due the estate - - - - - - - - - - | | | | | ℔ 246.24 | |

with Intrest on ℔ 219.37/100 part thereof from December 31st 1837
Till July 16/1838 7.12

1838 253.36

July 16 To paid Jere Stephenson Contt. in part J Ivey. Exon: 38.49

Balance due the Estate - - - - ℔ 214.87

with Int: on ℔ 180.87/100 part thereof from the 16th July 1838 till paid

Respectfully Submitted
LR Edwards. Comr

A Copy. Teste LR Edwards Clk

Account Current of
Thomas Harrison Est:

A Copy

(367 words)

Wasson Davis
& Others
To
Benj
Sheff of Northampton
N°Ca

Sec Jesse Benj-

amt. sum and cost sum:
Y. H. ex Sam. $214.87.
Writ issued 20 $180.88 Sworn
16 Jany 1838.

Know all Men by these presents that We Thomas Davis Thomas Harrison Wm A Patterson & Henry W Drey are held and firmly bound unto James H Wood of the County of Northampton in the Just Sum of twenty five hundred Dollars to the payment of which Sum We bind ourselves & our Heirs firmly by these presents: as Witness our hands and Seals this 3rd November 1827

The Condition of the above obligation is Such that Whereas there is a Suit pending in Northampton County Court between the said Thomas Davis and Thomas Harrison against William Thorp for Negroes Cherry Wills Lewis Stephen and Harriett and which said Negroes are Now in possession of said James H Wood Sheriff of Northampton by Virtue of Sundry Writs of fieri facias — issuing against said Thorp & Whereas Since said Negroes have been Levied on by said Wood and taken into his possession an Injunction has been issued by the Judge of the Court of Equity for Northampton County Commanding said Sheriff to keep said Negroes to abide said Suit & the further order of the Court and Whereas said Negroes Cherry Wills Lewis Stephen & Harriett are Now in Jail for safe keeping & Whereas said Negroes will become Chargeable & their Health greatly Endangered — Now for the purpose of having said Negroes kept Safely Without So much Cost & Expence the said James H Wood has at the Request of the said Thomas Davis and Thomas Harrison and also by the order of the Judge of the Superior Court of Law for the said County of Northampton delivered the said Negroes Cherry Wills Lewis Stephen & Harriett to the said Davis & Harrison to be by them Safely Kept and Delivered when the said Sheriff Shall demand them — Now If the said Davis and Harrison Shall well and truly Keep & Deliver the said Negroes Cherry Wills Lewis Stephen & Harriett to the said James H Wood Sheriff when he Shall demand them then This boyd to be Void Otherwise to remain in full force & Virtue

Witness

Mat Custis

Thomas Davis Seal
Thomas Harrison Seal
Wm A Patterson Seal
Henry W Drey Seal