

1855-030

SOUTHAMPTON COUNTY
CHANCERY PAPERS

MCGLAMRE et al VS. MCGLAMRE

6/1855

other surnames: Powell,
Partridge, Miscol, McGlamre
Miscol, Mickell

McGlenne }
 to } Bill & Deane
 McGlenne }

1853 March Deane as filed

" Aug. Report.

" Sept. " Confm."

1855 Mar. Deane as filed

" June Deane as filed.

To the Honorable County Court of Southampton
In Chancery,

Humbly complaining thereunto your worships
your complainants James M. Caroline, Nancy McGlenn
Joseph T. Powell & Mary Ann his wife Nicholas Portridge
& Mary his wife George Miscal & Sarah his wife, Vir-
ginia Louisa, Frederick John and James McGlenn the
last three infants of tender years by Joseph T. Powell
their next friend, That some time in the year John
McGlenn died after having made & published his
last will & testament which was duly admitted to
record at the Term of the County Court of
Southampton on Littleton McGlenn the Executor
therein named qualified according to law.
That by his said last will & testament the said John
McGlenn bequeathed to Mary his widow during her
life a tract of land containing about 285 acres and
six shores, and directed that after the death of his
said widow that the said property land & shores should
be equally divided between your complainants and
Littleton McGlenn, as will appear from a copy of said
will & testament filed marked (A) and proved to be taken
as a part of this bill. That your complainant James
McGlenn by a deed executed on the day of
and now of record in the Clerk's office of Southampton
County conveyed his interest in said property to
Littleton McGlenn, as will appear from a copy of
said deed & testament filed marked (B) and proved
to be taken as a part of this bill. Your complain-
ants would further show that some time since the
death of John McGlenn the said Mary died and that
said land and shores are now in the possession of the
said Executor Littleton McGlenn. That the said land
is worth much less than \$300 to the shores and that it

would be greatly to the advantage of those interested therein - the same should be sold and the proceeds distributed - That the slaves can not be divided in kind and ought to be then for sale and the proceeds divided among those entitled

In tender consideration of all which and in as much as your complainants are without remedy here in a Court of Equity. They pray that the said Littleton McGlenn may be made a defendant to their bill and answer the allegations thereof, and that the said land & slaves may be sold and the proceeds distributed

Chambliss Mapsenburg
attys for
Complts

The answer of Littleton McGlenn to the above bill of complaint

This Deft saying & answering to for answer to the said bill of complaint answering said bill that the allegations of the said bill are true, and having answered to pray same to be dismissed

Chambliss Mapsenburg
attys for Deft

McGlenn
is } Deft
McGlenn Exors

This day this cause came on to be heard by Court ~~and the testimony~~ ^{& exhibits} and was argued by Counsel on considerations whereof the Court does adjudge order and decree, That James & Peter who is hereby appointed a Commissioner for that purpose, after giving reasonable and proper notice of the time & place, expose to public sale to the highest bidder the land and slaves owned by John McGlenn to his widow during her life, that after receiving so much in cash as may be sufficient to

pay the cost of this suit and the expenses of sale, & take for the balance of the proceeds of sale twelve equal bonds bearing interest from date, payable the 1st of December 1853, and assign two to Littleton McGlenn, one to Joseph & Powell & Mary Ann his wife, one to George Miscal & La-rot his wife, one to Nicholas Porridge & Mary his wife one each to Caroline, Nancy, Virginia, & Louisa McGlenn and assign the other three to the guardian at law of Indiana John, & James McGlenn, and report his proceedings to Court in or on for a final decree - But the said Commissioner shall not receive this decree until he enters into bond with sufficient security in the clerk's office of this Court in the penalty of Two Thousand dollars conditioned for the faithful performance thereof

Religion

1855 Marin 6th

To the county court of Lenthompson

The petition of Littleton McGlamm. reports, that he has qualified as Guarantor to James McGlamm - one of the infants, who is entitled to one third of the amount of a certificate of deposits held in this cause - and can not receive the same, without the action of this court, the clerk of the court, to appoint a receiver to collect the said certificate & pay one to him the part to which his ward is entitled.

Littleton McGlamm
Guar. to James McGlamm

McGlamme & P

& J. C. Durr

McGlamme

Southampton March Court 1853.
James St. Caroline & Nancy McGlamore & others

against
Littleton McGlamore

Plff

In Chancery

Def

This day this cause came on to be heard by consent on the bill and answer and exhibit and was argued by counsel. On consideration whereof the Court doth adjudge, order and decree that James C. Peters who is hereby appointed a Commissioner for that purpose, after giving reasonable and proper notice of the time and place, expose to public sale to the highest bidder the land and slaves loaned by John McGlamore to his widow during her life, that after receiving so much as may be sufficient to pay the costs of this suit and the expenses of sale, he take for the balance of the proceeds of sale twelve equal bonds bearing interest from date, payable 1st December 1853 and assign two to Littleton McGlamore one to Joseph T. Powell & Mary Ann his wife, one to George Miscal & Sarah his wife, one to Nicholas Partridge & Mary his wife, one each to Caroline, Nancy, Virginia & Louisa McGlamore, and assign the other three to the guardian at law of Indiana, John & James McGlamore, and report his proceedings to Court in order to a final decree. But the said Commissioner shall not execute this decree until he enter into bond with sufficient security in the Clerk's Office of this Court in the penalty of two thousand Dollars conditioned for the faithful performance thereof.

Let's costs \$3.00

Attorney fees 10.00

Attest

Teste. I.R. Edwards Clk

Col. Chambliss did not file the decree until Sunday morning after the next term.

I.R.C

McClannan.

no.

}

or are.

McClannan.

1855 March 6th

McClann

vs.

Magnum.

} This any this cause ~~was~~ again arrested
and came on to be heard on the papers formerly
read and on the Petition of Lillian McClann
Guardian to James L. Magnum - and was argued
by counsel. On consideration whereof the court with
advised oral and acree, That J. R. Chambers, who
is appointed a receiver for the purpose, receive from
the clerk of this court the certificate of deposit, for
\$557.75⁰⁰ dated June 29th 1853. and deposited in this
cause. That he collect the same, and after deducting
the expenses attending this same, pay over one third
of the amount to Lillian Magnum Guardian to James
L. McClann, and deposit the balance in the Mechanics
Savings Society of Pittsburgh. and file the certificate in the
papers of this cause.

That the receiver execute bond in the penalty of \$700. conditioned
according to Law.

March 19th 1855. Recd of L. R. Edwards Clerk of
Santhampton County court the certificate mentioned in
the within order.

J. R. Chambers: Recd.

Southampton County Court March Term 1855

James N. McGlamm & others

against

Littleton McGlamm

Plffs

Deft.

} In Chancery

This day this cause was again docketed and came on to be heard on the papers formerly read and on the petition of Littleton McGlamm guardian to James L. McGlamm and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree, that J. R. Chambliss who is appointed a receiver for the purpose, receive from the Clerk of this Court the certificate of deposit for \$557.25 dated June 29th 1853 and deposited in this cause that he collect the same, and after deducting the expenses attending this order pay over one third of the amount to Littleton McGlamm guardian to James L. McGlamm, and deposit the balance in the Mechanics Savings Society of Petersburg, and file the certificate in the papers of this cause - That the receiver execute bond in the penalty of \$700 conditioned according to law.

Attest

Teste.

L. R. Edwards Ck

In the account to this account I received from the clerk - the
certificate of deposits, thereon is mentioned, & paid the expenses
and then paid one - one third of the amount to Littleton
Magnum, deposited the balance \$392. in the Mechanics
Savings Society of Petersburg - & herewith return the certificate

Certificate dated June 29th and July 9th 1855 \$557.75

to 19th March 1855.

47.98

\$605.73

Expenses of account \$12.00

Expenses of R. S. to Petersburg 5.73

17.73

\$588.00

Paid Littleton Magnum for Rent \$196.

Certificate filed.

392 - \$ 588.00

John R. Chambers

Received

McGlamm as
as
Maglamm -

Cart Paper.

1853 June Rept.

McGlamm
to } Geo. D. D.
McGlamm

Magnum

rs.

Magnum -

This day this same came on to be again
heard, and the paper, formerly read - and the report of
~~the~~ Dr. Chamberlain, a miner appointed, by an order of this
court, at March Term 1855 - which report the court
with confidence -.

and the court with further adjourned. on all & accords
that the clerk deliver the certificate of deposit, filed with
the report of the miner, to Dr. Chamberlain. Great to
Indians, and John Magnum & take his receipt. Therefore

M. S. of L. D. Edwards clerk of Southampton the
certificate of deposit returned with this report.

JR Chamberlains Esq.
To Mr. & Mrs. A. H. H. H. H. H.

OT-AN

Jan. 1855-

M. S. Edwards

to } done

M. S. Edwards

McGowan
as
McGowan

Report

1853 Aug. 6

McGlenn

is } Report
McGlenn }

Your commission reports that in pursuance of the decree he proceeded to sell the land and slaves in the bill mentioned for cash. The proceeds of the sale of the land and slaves amounted to \$2299.00. The cost to \$67.98, leaving a balance to be distributed of \$2231.02, which amount your commission has distributed among those entitled, as directed by the decree; to wit, to Lilla McGlenn \$371.83 $\frac{2}{3}$, to Joseph & Powell & Mary Ann his wife \$185.91 $\frac{1}{2}$, to George Misco & Sarah his wife \$185.91 $\frac{1}{2}$, to Nicholas Partridge & Mary his wife \$185.91 $\frac{1}{2}$, to Caroline, Nancy, Virginia & Louisa McGlenn \$185.91 $\frac{1}{2}$ each, all of which will appear from the receipts herewith filed as a part of this report. The infants Indianne, John and James McGlenn having no provision for them your commission deposited the sum of \$557.75 the amount due them in the Mechanics Saving Society in the Town of Newbury and returns the certificate of deposit herewith as a part of this report.

All of which is respectfully submitted

August 15th 1853

James E. Peters Commr.

Chambliss
(Receipt)

March 21st 1853. Rec^d of Littleton Magazine. The sum
of Ten dollars - for for same to sell the life estate
of Mary Maguire---

Chas. & Mapenbury

Rec^d the above of Jas E Peters Comr,
Littleton Magazine

Received April 9th 1853 of Jas E Peters Commo:
to sell the land and slaves loaned by John M:
Glasgow to his wife during her life Three
hundred and seventy one dollars, eighty three $\frac{2}{3}$
cents I bring my portion of the amount sales in
my own right and in right of Jas. N. M. Glasgow

Littleton McGlenn

Received April 12TH 1853 of Jas E Peters Comr
to sell the land and slaves loaned by John Mc
Glamm to his wife during her life the sum
of one hundred and eighty five dollars and
ninety one $1\frac{1}{2}$ cents it being my portion of the
amount sale of said land and slaves.

Caroline McGlamm

Received April 12th 1853 of Jas C Peters Comr
to sell the land and slaves loaned by John M. Glanville
to his wife during her life the sum of one hun-
dred eighty five dollars and ninety one $\frac{1}{12}$ cents. it
being my portion of the amount sales of said land
and slaves

John M. Glanville

Received April 28th 1853 of Jas E Peters Comrs.
to see the land and Slaves that John M Glanville
loaned his wife during her life the sum of
One hundred and Eighty five dollars and
ninety one $\frac{10}{12}$ cents it being my portion of the
amount of sales in right of my wife

Nicholas Partridge

Received April 30th 1853 of Jas. E. Peters Commd
to sell The Land and Slaves owned by John
M. Glenn to his wife during her life and
hundred and eighty five dollars 91 ⁹/₁₂ cents it
being my portion of amount sales of said sale
in right of my wife

George Mitchell

Recd June 13th 1853 of Jas E Peters Comrs. One hundred
and Eighty five dollars and 33 1/3 cents it being 1/8 of the
amount Sales of Land and Slaves held by Mary McGlamm
during life and sold by decree of Southampton Court at
its March term

also Recived 5-8 cents

L McGlamm

Littleton McGlamm

Mr. Pius

You will pay to William McGlammie the
amount due me from the Estate of John McGlammie
Dec this 11 of June 1853

Test

Jos. J. Powell

Wm McGlammie

Received Augt 15th 1853 of Jas E Peters Commor.
to sell the land and Slaves loaned by John Mc-
Glamm to his wife during her life One hun-
dred and eighty five dollars ninety and $\frac{1}{12}$ cts
it being my portion of amount of sales of of said
land and Slaves under a decree of Southampton Court
Witness R R Owens

Cy A McGlamm

Received Augt 15th 1853 of Jas E Peters Commor.
to sell the land and Slaves loaned by John
McGlamm to his wife during her life One
hundred and eighty five dollars and ninety
and $\frac{1}{12}$ cents it being my portion of amount
sales of said land and Slaves under a decree of
Southampton Court
Witness R R Owens

L M McGlamm

1853

April 5th 1855. Recd of J R Chambers, receiver. The
sum of One hundred and ninety six dollars, being
third of the amount of a certificate, which said
Chambers, ^{was} apparently an order of the County
Court of Southampton, in the suit of Mayhew
vs Mayhew & others, to collect & pay in.

Littleton Mayhew guardian
for James L Mayhew

KNOW ALL MEN BY THESE PRESENTS, That we

J R Chumbley & J R Edwards

are held and firmly bound unto the Commonwealth of Virginia, in the just and full sum of seven hundred Dollars, for the payment of which, well and truly to be made, we bind ourselves, our and each of our heirs, executors, and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 19 day of March, 1855

The Condition of the above Obligation is such, That whereas the above bound *J R Chumbley*

has by a Decree of *Southampton County Court*

pronounced on the 19 day of March 1855, in a cause therein pending wherein *Jas N. McGlaurie & Co*

Plaintiff and *Samuel McGlaurie* Defendant, been appointed Commissioner to ^{receive of the estate of the s^d. bank certificates of deposit and to} ~~make sale of certain~~ ^{filed.} Estate in the said cause described.—Now if the said *J R Chumbley*

shall faithfully discharge his duties as such Commissioner under said decree, then this obligation to be void, else to remain in full force and virtue.

Signed, Sealed, and delivered }
in presence of }

J R Chumbley



J R Edwards



KNOW ALL MEN BY THESE PRESENTS, That we *James E Peters*
Littleton McHamre.

are held and firmly bound unto the Commonwealth of Virginia, in the just and full sum of
two thousand Dollars, for the
payment of which, well and truly to be made, we bind ourselves, our and each of our
heirs, executors, and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this *21st* day of *March*, 185*3*

The Condition of the above Obligation is such, That whereas the above bound

James E Peters
has by a Decree of *the County Court of Southampton*
pronounced on the *21st* day of *March* 185*3*, in
a cause therein pending wherein

Plaintiff and
been appointed Commissioner to make sale of certain *real & personal* Defendant,
the said cause described.—Now if the said *James E Peters* Estate in
shall faithfully discharge *his* duties as such
Commissioner under said decree, then this obligation to be void, else to remain in full
force and virtue.

Signed, Sealed, and delivered }
in presence of

James E Peters
Littleton McHamre
L.S.
L.S.
L.S.