

1874 - 32

Southampton County Chancery

Lawrence, William J. vs - Williams, Seth D.
Adm.

" Sale of property for
benefit of Anna H. Lawrence
widow of Wm. J. Lawrence "

Wm. J. Lawrence +
Anna, his wife

Jonathan Gordon
Joshua Dittler
Thomas J. Dittler
Edward Gault
Adm. Est
Seth Williams

21

Lawrence Gulise

v } Papers

William's adm H^o

1874 October

~~110~~ 110

SO. Civ Co.

Lawrence Snipe

vs. { Bill & Exhibits.

Williams adm & others

1869 March Rules

Chas. D. L.

to the Hon. Judge of the Circuit Court of
Southampton.

Respectfully Complaining should unto your
Honor your complainant, W. L. Lawrence and
Laura his wife, formerly Laura Harrison.

That on 17th May 1858. Seth D. Williams, entered
into bond and security, in the County Court of South-
ampton as the Gen^l of your female complainant
in the penalty of \$4000. with Thomas J. Patton;
Isiah Patton and Jonathan Deane his securities.
a copy of the bond is herewith filed (marked (N)).

That Williams the Gen^l received a
copy out of property and money belonging to
his said ward. and departed this life.
That Edward Rauls, qualified as a cov^r of
Williams, and after the death of his intestate
appeared before a court of the County Court of
Southampton, on account of his intestate
transactions as Gen^l of Laura your female
complainant. of which it appears that the
said Williams was indebted to his ward in
the sum of \$15.73.⁴³ with int. of \$139.77 from
31st Dec 1860. and on \$176.²⁶ from 31st Jan 1861. till
paid. A copy of the Gen^l account is herewith
filed (marked H. & prayed to be taken and considered
as part of this bill.

That your female complainant has intercourse
with W. L. Lawrence. and they have jointly called
on Rauls the cov^r of Williams to pay to them the
balance as containing due care of the Exhibit. D.C.
herewith filed, or to account with them
and pay the balance which should appear
by such settlement who are to your Compt^s,
but he has wholly failed to comply.

with their just and reasonable demands,

In regard consideration of all which, and
in as much as your Complainants cannot
get adequate relief, except in a Court of Equity.

To the End therefore, that justice may be fully
administered, your Complainants pray your Honor
to make Edward Rauls, one of Seth D. Riddle,
Thomas J. Dutton, Joshua Dutton and Jonathan
dear and depts. to this bill and compel them to
answer to the allegations.

That a decree may be rendered in favor
of your Complainants for the sum of money
appearing due to them, by Exhibit D, and
grant such other, general and better relief
as Equity may dictate and to the Court may
seem proper.

As in and by bill &c.

May it please the Court &c.

Chas. W. Riddle

The answer of Edward Kears, admior: of
Seth H. Williams, deceased, to a Bill in Chancery
exhibited in the Circuit Court of Southampt-
on County by Wm J. Lawrence and Laura,
his wife, against this Respondent and others.

This Respondent says, That he is the personal
Representative of said Seth H. Williams, and
that the said Seth H. Williams was the guar-
dian of said Laura Lawrence, who was Laura
Harrison, and who returned the account as
guardian aforesaid, as referred to in said
Complainant's bill. But Your Respondent

says, That the Balance referred to in said Bill
of \$1573.43 was made up principally of negro
hires, and that as was usual before the late
war, all negro ^{hires} were charged against the
guardian, who generally held Bonds against
solvent parties therefor - That according to
this practice, the negro hires of said ward were
charged to said guardian, who held good and
solvent Bonds (Principal and Interest) against
A. W. Sinden to the amount of \$1513.21 on the
17th January 1869 as will be seen by the state-
ment and Bonds filed herewith, and prayed
to be taken as part of this Bill, ^{and marked A.} Your Respon-
dent says, That neither the said Seth H.
Williams as guardian as aforesaid, nor his
securities, are bound for the loss of these Bonds,

because when taken they were perfectly solvent, the said A. W. Haideu being worth in negroes and other estate at least forty thousand dollars - Nor was it obligatory on said Seth M. Williams, as the guardian aforesaid, to require security of said A. W. Haideu for said negro hires - He had to hire them out as best he could, and in the exercise of a sound discretion hired the same to said Haideu, a good master, and perfectly responsible at the time, and who has become insolvent by the loss of his negroes - the result of the late war. Your Respondent is advised that the said Seth M. Williams, as such guardian, was only bound for ordinary care in the management of his trust, and that he did act with such care, and that he should not be held liable for the losses occasioned by the recent war - To require more of him than he did, would take from him all discretion as guardian, in selecting homes for the said negroes, and all discretion as to the solvency of the hirer - for in this case, as in many others, the individual bond of a man known to be perfectly good, is much safer than another which might have security, and yet unknown as to its solvency. - That the said Seth M. Williams, as such

A. W. Menden's Bonds
to John A. Williams, guardian
of Laura Harrison.

1 Bond for \$650.59
Int. from 29 Dec 1857 to 29 Dec 1858 - 1yr 39.03
\$689.62
Int. to 17 Jan 1859 - 18 days 2.06
Then paid \$691.68
\$650.86
also paid 1 Jan 1859 \$640.72
45.60
\$595.12

Int. from 17 Jan 1859 to 17 Jan 1860 35.70
\$630.82
Int. from 17 Jan 1860 to 17 Jan 1861 37.84
\$668.66
Int. from 17 Jan 1861 to 17 Jan 1862 40.11
\$708.77
Int. from 17 Jan 1862 to 17 Jan 1863 42.82
\$751.59
Int. from 17 Jan 1863 to 17 Jan 1864 270.42
\$1021.71

* To one other Bond \$110.00
Int. from 1 Aug 1860 to 1 Aug 1861 6.60
\$116.60
" " 1 Aug 1861 to 1 Aug 1862 6.99
\$123.59
" " 1 Aug 1862 to 1 Aug 1863 7.78
\$131.37
Int. from 17 Jan 1863 to
17 Jan 1864 3 47.22 \$ 178.59

* To One Bond for \$100.00
Int. from 25 Dec. 1861 to 25 Dec. 1862 6.00
\$106.00
Int. to 17 Jan 1863 - 22 days 36
\$106.36
Int. from 17 Jan 1863 to
17 Jan 1864 3 38.22 \$ 144.58
Carried over \$1344.88

Amount brought over \$1344.88
 To Another Bond for \$110.00
 Int. from 1 Aug. 1861 to 1 Aug. 1862 1.60
 \$116.60
 Int. to 17 Aug. 1863 - 1 year 17 days 17.21
 \$123.81
 Int. from 17 Aug. 1863 to
 17 Aug. 1869 3 44.52 \$168.33
 \$1513.21

Bond of Abram Kiddick and
 John B. Jenkins, 1 Bond
 of \$410 \$410.00
 Int. from 15 Aug. 1855
 to 17 Aug. 1869 - 14 yrs. 2 days 344.52 \$754.52
 \$2267.73

Abram Kiddick's Bond \$255.00
 Int. from 15 Aug. 1855
 to 12 Oct. 1858 - 3 yrs. 8 mos. 27 days 118.70
 \$373.70
 A - Then paid 250.00
 \$123.70
 Int. from 12 Oct. 1858
 to 17 Aug. 1869. 10 yrs. 8 mos. 7 days 76.20 \$199.90
 Total \$2467.63

M^{rs} J. Lawrence & Wife

1870

To Clerk Southampton Div. &

D.

Nov. Decree 75 copies 1.00 taxing Costs & Copy 50 Continuance 36

taking bond 1st from Comm 75 n Williams ad 1st } 3 36

Search for Copy papers for Comm

2 55

May Continuance

36

O. White & Co

6 27

W. J. Lawrence & wife
1871

To Clerk Southampton Cir. Ct. D.

Nov. Continuance to Williams ad H^{is} 36

May Filing report of 30. decree & copy 36 receipts 36. decree &

copy 36 Filing Costs of copy 40 Continuance 36 3 2 54

Retained for future fees. 3.00

O. Whiteby

5.90

Laura Harrison "A Minor"
In account with Seth D. Williams her Guardian

			Dr	Cr
1860	Dec 31	By Balance due ward on Acc. ant.		\$ 1573 43
1861		" Paid 10 th Beale for recd	1 50	
		" Dr J. Cox "	6 50	
		" Taxes	3 30	
		" Sheriff Execution in favor of Mary E. Harrison for Bonds	150 09	
Dec 31		" H. S. Shiran Com. fu	6 00	
		" W. B. Shand "	4 00	
1862		" 2 Clks fu 1 st each	2 00	
Jan 27		" Laura free accd	300 00	
		By Int: on \$1573.43 from 31 Dec 1860 to date 1 Year + 27 ds		94 40
		To Commission on \$94.40 @ 5%	4 72	
		Balance due ward	1189 72	
			\$1667 83	1667 83
1870		By Balance due ward but down		1189 72
May 2		" Int: on said balance from 27 Jan 1862 to 2 May 1870 8 yrs 3 mo 5 ds		589 29
		Balance due ward on 2 ^d May 1870		\$1779 01
		with int: on \$1043.31 from 2 nd May 1870 till paid.		
		To be paid to said Laura in money, Should the Guardian not be allowed the costs claimed in the defence for Bonds good, when Taken & non Insol- vent.		

Respectfully Submitted
James R. Tyler
Com

Laura Harrison
In acct with Seth D Williams her Guardian

1870

May 2 By Balance due fr acct No 1 \$1779 01

To A. W. Dardens Bond held by guar- dian, good when taken, was Int. locat	1021 71
" Bond of same	178 59
" Bond of same	144 58
" Bond of same	168 33
" Bond of Abram Riddick	199 90
" Int fr 17 Jan 1869 to 2 May 1870	128 07
	1841 18

Surplus

62 17

Without reference to the Bond of \$734.53
due by Abram Riddick

By this acct there is nothing due the plaintiff

Respectfully Submitted

James R. Tyler

Cum gratia

The Estate of Seth D. Williams
In account with Edward Rawls his Administrator

1865

May 1 By Balance due Est on last acct of \$ 176 02
" " of Int 12 31

Oct 16 To paid Grover Parker adm of Jas D Parker Bond & acct	98 10
" paid Clerks fees	3 65
" " Shiff do	50
" " Grover Parker fr acct	10 00
" " W B Shands Comfco	5 00
1862 July 27 " " Mary Harrison fr acct	85 40
" " Laura Harrison "	300 00
" " 2 Clerks fees	2 00
" " W B Shands Comfco	4 00
" " H. S. Howard	6 00
" " Shiff Exr. fr acct	146 33

May 1 By 1 year Int: on \$176.02 10 56
" Bal due adm 466 99

\$666 88 \$666 88

May 2 To Balance due adm bot down	466 99
1868 Dec 4 To paid R B Vaughan fr acct	6 25
1870 May 2 " Int on \$466.99 8 cts	224 88
" " Bal due adm	\$698 12

Respectfully Submitted

James R. Tyler

Cum gratia

No 4

An Account of the Ten Simple & Annual Value of the
Real Est of S D Williams Decd

	Ten Simple Value	Annual Value
Tract of Land in Southampton County Containing 280 $\frac{1}{2}$ Acres, "dwelling Barns" now worth in Ten Simple	1000 00	50 00
Lot in Franklin "3 acres"	204 00	
Lot in Portsmouth on suburbs of the Town. Small dwelling on it. Ten Simple	600 00	
Annual Rent		50 00

Respectfully Submitted
James R. Tyler
Comr.

No 5

An Account of the outstanding debts of S D Williams Decd
as follows

Deceit in favor of L. R. Edwards & Kelly Trustee	\$ 1000 00	
Int. from 9 th Nov 1867 to 2 nd May 1870	148 83	
		1148 83
Mary Ellis	\$ 75 00	
Int. from 1 Jan 1866 to 2 nd May 1870	42 00	
		117 00
Dr W H. Daughtry		

Respectfully Submitted
James R. Tyler
Comr.

Commissioners Office
Jerusalem Apr 1870

In the Circuit Court of Southampton County

The undersigned reports to the Court that he has proceeded to take the serial accounts required & ordered by Decrees of May Court 1869 & November Court 1869. made in the cause of Wm. Lawrence wife against Edward Rawls adm of Seth B Williams and others.

That he gave the notice to the parties as required that he would on the 24th day of April 1870. take the said accounts and on that day commenced the same, the parties being present by Counsel, & having continued the same from day to day till now has completed the same.

Y^r Commission reports that he has not undertaken to decide the important questions involved in the case. but has made out two acc^{ts} Nos 1 & 2. which will show both aspects of the case.

Acct No 1. Shows what will be due the Plaintiff Laura, if no credit is to be allowed her guardian for debts held by him, perfectly good when taken & which have become insolvent from the results of the late war.

Acct No 2. Shows that nothing is due her if the guardian is to be allowed credit for said debts then held by him.

The depositions taken in the case show that the debts of A. W. Barber & Abram Kiddick were perfectly good when taken by the guardian, & have become insolvent or nearly so by the results of the late war which debts are herewith filed.

Acct No 3. Shows the transactions of Edward Rawls as adm of Seth B Williams dec^d by which it appears that \$698.12 is due the adm^r

over

Acct No 4 Shows the Value, for Simple and
annual of the Real estate of which Seth D.
Williams. had seized.

Acct No 5 Shows debts outstanding against
Seth D Williams estate. except Dr 10 A Daughtys
which amount is not reported

Comp for \$257

James R. Tyler
Commisr

Oct 16th 1861 R^r
Edward R. is an admi-
nistrator of Seth D. Miller
has the sum of Twenty
Eight Dollars in full
of another bond

\$98.00 Godwin Parker
Admr

\$98.00
Dr. note
Dedelle & Strickland

On demand, I promise to pay or cause to
be paid to James H. Parker his heirs
&c The just and full sum of Eighty
dollars for money loan as witness my
hand seal this 19th of Jan'y 1838,

Test

Seth H. Williams 

Matthew Moore

Edward Rawls adm Seth S. Williams

1861

To Clerk Southampton County Co Dr.

July. Filing declaration papers 35. Rules 50 & Bill 85

Aug. Continuance 1st 18. Nov; Continuance 18 36

Dec. Recording your account 1st 150

2 Mar. Continued 18, June, Continuance 18 & Bill 36

L. R. Edwards Clk \$ 3.07

E. Rawls admor: Seth S Williams

1867

To Clerk Southampton County Ct Dr.

Aug Putting suit on docket re Bill 18 Continued 20 38

Mar Continued

20

L R Edwards bby

-58

Received of Edward Knowles as admr of Credits & Debts
the sum of Ten dollars
October 15th 1861
Sedgewick Parkes

1 Mr. Geo. Edwin Parker

Bricks Furnish for Burial of Scott & Williams decd

1859^{1st} 1260 Bricks at 80 cents per hundred \$ 10.08 Cents

1861 Edward Rowl acc^{ts} of S D Williams
To Glover's Shift of Southampton
Exp. 1 ann 30

Edward Rawls

To Mrs B Shanda Commission Dr

1861 To settling your administration acct of Seth D Williams at \$1500

Received Jan 27th 1862 from Edward Rasch Administrator of Seth D. Williams
de^d; thro' the hands of Wm M Jones, the sum of Eighty five dollars and
forty cents it being the balance due me from said Williams, as my late guardian
as appears by a settlement made up by Henry S. Howard Chancery Commissioner.

~~Witness~~
witness John F. Knight

Mary Harrison,

Rec^d also, this day seven negroes namely woman Edy and six children.

Witness

W. M Jones.

Recd. also Jan. 27th 1862 two bonds for
the hire of Frank & Harry for the year
1861. not included in the Census report

W. M. Long

W. M. Long

Recd of Edward Raeby a doc of S. B. Williams
New. The sum of Six dollars ^{50 cts} for the
Paying Ellen, which amount is placed on
a credit on her bond to said
Williams, Estate
Dec 24th 1868

R. B. Vaughan

Rec^d Sept 16th 1861 of Edw^d Rawls. adm^r
of S^{rs} William de who was Guardian of Mary
& Garrison one Hundred & forty \$4 + 33/100
dollars in full of an Execution against
Mary & Garrison in favor of Garrison
Parker.

Edwin Parker adm^r

Jamie H Parker

Laurel

v

William
not in

I have only a few more
of this note

McChamby
atford Mass.

To Mr J. Lawrence & Laura his wife

Take notice that we shall
on the 23^d day of February next at the
office of Jeph J. Yeater, in the town
of Murfreesboro, Hertford County and
State of North Carolina, between the
hours of 8 a.m. & 6 p.m. of that day
proceed to take the depositions of

A. W. Warden & others; to be used as
evidence on our behalf, in a certain suit
in Chancery now pending in the Circuit
Court of Southampton County wherein you
are plaintiffs and we are defendants -
and if from any cause the said dep-
ositions should not be commenced, or being
commenced not finished on that day the
same may be continued & adjourned
from day to day or time to time at the
same place till finished.

Very Res^{ly}

Edward Rauls admt of

Seth D. Williams decd

Nathaniel Warden

Julina Putnam

Mrs. J. Putnam

Martha Williams

Mary E. Williams

By John R. Kelly Atto.

Jan. 17 1870

Lawrence 1841

& } Com.

Williams ad

Lawrence Joseph

& } Com.

Williams ad

The Commonwealth of Virginia
To R. R. Parker a Justice of the Peace for the
State of North Carolina

Know ye that we trusting to your fidelity and provident circumspection in diligently
examining A W Darden & others

witnesses on behalf of Edward Rawls admor: Seth D Williams, Thomas J Prellow, Joshua
Prellow and Jonathan Darden in a suit in Chancery now depending in our Circuit Court
of Southampton County between W J Lawrence & Laura his wife formerly Laura Harrison
Plaintiffs and Edward Rawls, admor: Seth D Williams Thomas J Prellow, Joshua
Prellow & Jonathan Darden Defendants - command you that at such certain day
and place as you shall appoint the witnesses aforesaid before you cause to come and diligently
examine on the holy evangelist of almighty God, and their examinations into our said Court,
without delay you send and certify enclosed -

Witness Osmin White Clerk of our said Court at the Courthouse this 21st day of
February 1870, in the 94th year of the Commonwealth

O White Ck

Lawrence & Wife

v } Deposition

Williams ad v

Came to hand Sealed March 21st 1870

L.R.E. etc

The Deposition of Alfred W. Darden
Taken at the Office of Lipe J. Yeates
in the Town of Murfreesboro, Hertford
County, and State of North Carolina
on the 23rd day of February 1870
between the hours of 8 A. M. & 6 P. M.
of that day, to be read as evidence for
the defendants in the suit in
Chancery now pending in the
Circuit Court of Southampton
County, State of Virginia, wherein
W. J. Lawrence and Laura his wife
are plaintiffs and Edward Rauls
adm^r. of Seth D. Williams decd. &
Jonathan Darden, Julia Pettow &
J. J. Pettow & others, defendants
Taken pursuant to annexed
Notice of Compulsion - Continued
from 23rd Feb. 1870 to 25th Feb. 1870 a. at the p.

The said A. W. Darden being
only sworn answers and says
as is set forth in the answers
to the questions following
1st Question by John R. Kelly Atto.
for Defendants.

Q. How old are you (and where do
you reside

Answer. My age is 68 Dec 20/69
I live near Murfreesboro etc.

2nd Question by Same

State whether the bonds for \$650.⁵⁰ \$110. =
\$100. - \$110. = referred to in the defendants
answer were executed by you to Seth D. Wil-
liams guardian of Lane Harrison and what
for?

Answer. They were executed by me and for
the hire of a negro boy Lun and belonged
to the heirs of William Harrison decd.

3rd Question by Same

Who was Louise ~~Har~~ Lawrence the wife
of William J. Lawrence the plaintiff in
this case?

Answer. She was the daughter of William
Harrison decd.

4th Question by Same

State ~~whether~~ at the time these several
bonds were executed, ^{what} your ability to pay
them, was?

Answer. I was amply able and more than
able to pay - owned thirty negroes Eight hun-
dred acres of land, money due me and never
owed over five thousand dollars, and my
whole estate at that time was worth at least
Forty thousand Dollars.

5th Question by Same

Are you acquainted with Abram Reddish
of Hertford Co N. C. and if so how
long

long have you known him?

Answer. I do know him and have known him for fifty years.

1st Question by same

What was the pecuniary responsibility of the said Abram Riddick the 15th Aug 1855 and up to the beginning of the recent war?

Answer. He ~~had~~ was during that period a man of large estate - owning more than a hundred negroes and a large and the best landed estate ~~and~~ of any man of my acquaintance and other estate also, and was reputed to be the wealthiest man in the county - had an extended credit for any contract he ~~would~~ make - and further this deponent ~~says~~ says not.

J. W. Warden

State of North Carolina,
Hertford County Term:

J. R. R. Parker a Justice of the Peace in and for said County and State of North Carolina do certify that the foregoing deposition was taken at the place and between the ~~hours~~ set forth in the annexed notice, and on the 25th day of February 1870, having been adjourned from the 23rd Inst:

Given under my hand the 25th day of February 1870. J. R. R. Parker J.P.

Southampton Circuit Court Clerk's Office February 21 1870 -

John R Kelly Atty. for Defendants in a suit in Chancery depending in the Circuit Court of Southampton County in which W. J. Lawrence & Laura his wife formerly Laura Harrison are plaintiffs and Edward Rawls admr. of the O'Williams dec'd & others are Defts. made on the 14th of A. W. Darden a witness for the Defts. is not a resident of the State of Virginia as he is informed & verily believe

J. E. Edwards Dy C

Lawrence J. M. S.

to } Aff.

Williams or J.

Laurie & wife -

as. } note for
 ^{admission}

William? adm. & al

May 21. 1869.

to the end of

E. P. Pitts

Laurance & wife.

vs.

Williams, adm & al.

This day this came on the hand
on the bill, witnesses of E. Rauls, adm of S. D. Williams
of Thomas J. Rellows. ^{& Joseph Harrison} ~~and on the bill~~ ^{Replication} ~~for~~ ^{therein}
~~compared at Rauls as to the other after the exhibits~~
filed and was argued by counsel on consid-
eration whereof the court with acquiescence, or an
and decree that a Com of this court take an
account of the transactions of S. D. Williams, as
executor of the estate of the late Laura Laurance
from Harrison. Also an account of the transactions
of Edward Rauls adm of Seth M. Williams. Taking
the Court account from as an exhibit with
the Defts. bill, and any separate accounts,
returned by said Rauls as adm of S. D. Williams, to the
court of the County in which he qualifies, as
prima facie correct, liable due and charged and
falseified by either party. Which accounts
the Court will report to court with any matters
specially stated, annexed put in by himself or
opposed ~~by~~ ^{by} either party who so please.
and leave is granted the Defts to answer them
and make new parties.

Lawrence & Wife
to } Comrs Bond

Williams & J^r

£ 1000

Know all men by these presents that we John R Kilby

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of One thousand dollars. to which payment well and truly to be made to the said Commonwealth we bind ourselves our heirs, executors & administrators jointly and severally firmly by these presents. Sealed with our Seals and dated this day of A.D. 187

The Condition of the above obligation is such that whereas in a suit in Chancery depending in the Circuit Court of Southampton County between Wm J Lawrence & Laura his wife formerly Laura Harrison Plaintiffs & Edward Rawls adm Edw D Williams dec & others Defendants by a decree entered therein on the 11th day of November 1870, the above bound John R. Kilby was appointed Commissioner to make sale of certain real estate mentioned and described in the said decree - Now of the said John R. Kilby shall faithfully discharge the duties of his said office or trust under the said decree and under any other decree which may be made in the said suit then the above obligation to be void else to remain in full force and virtue.

John R. Kilby (Seal)
Joseph B. Prince (Seal)

Lamene n
v
Mellian.

Filed by consent of parties this 17
day of January 1874
O. White c'd

Laurence Surbe

4

Seth D. Williams, admr. & others

The above cause, being a
Chancery cause pending in the
Circuit Court of Southampton County
and which was decided at November
Term 1870 of said Court - Came on
to be heard (as we now agree & consent
that this paper shall be considered
a part of the record) on exceptions
filed to Account No. 1 of Court.

Lyons Report by Defendants, by John
R. Kilby their Attorney, and which
exceptions were overruled - and also
came on to be heard on exceptions
filed to account No 2 of said

Court's Lyons said Report, by the
Plaintiffs by Geo. R. Chambers
their Attorney, which exceptions were
sustained

Geo R Chambers

att for Plffs.

John R. Kilby
lefts. att.

Lawrence White

to } Copy Decno

Williams' arm

Collected
Armenian

on Oct. 23 1875

12 Ref. made

Set Bowdoin

Southampton Circuit Court May term 1873.

W^m J. Lawrence & Laura his wife formerly Laura Harrison

against

In Chancery

Edward Rauls adm^r Seth D. Williams dec^d. Jonathan Rauls, Joshua Pettow
J. J. Pettow Martha Williams & Mary E. Williams

W^{ts}

This cause came on this day to be again heard on the papers formerly read, and on the report John R. Wilby, Commissioner made pursuant to the decree of the May term 1872. of this Court, to which report there is no exception and was argued by Counsel. On consideration whereof the Court doth confirm the said report and doth adjudge order and decree that the said Report be confirmed; and that the said John R. Wilby, Commissioner as aforesaid proceed to collect of C. G. Corpus, the two bonds of \$230. each, owing by him, when due, with all interest thereon, and pay the same to the plaintiffs, and execute to said Corpus a deed with special warranty in the usual form, and make report to Court.

Attest

Teste

L. R. Edwards

Wm J. Lawrence &

21

Williams adms &

2^d. Rep. of payments

made Decr of May

Jan 1873

(Final)

file recd

To The Circuit Court of Southampton County Va.

The Undersigned reports to the Court that pursuant to the decree of said Court, made at the May Term 1873 thereof, in the cause of Wm J. Lawrence &c. against Seth D. Williams adm'r &c. he has collected the Last Bond of E. G. Corprew of \$230. and the Intervenor has paid the same to said Wm J. Lawrence as directed by said decree & made to said E. G. Corprew a deed with special warranty for the Real estate purchased by him under proceedings had in this cause - (The collection of the other Bond referred to in said decree & its payment to said Lawrence, having been already reported).

By E. G. Corprew's last Bond \$230.00

" Int. from 23^d Oct. 1871 to

23. Oct. 1874

} 41.40
\$271.40

Deduct additional costs since last

report &c.

} 5.40

Balance paid Wm J. Lawrence p. int. \$266.00

Respectfully submitted

John R. Kilby Comr

24 Oct. 1874

Deed recorded in the Clerk's office
of Norfolk County Court, dated
8 Dec, 1855, & recorded 8 Dec 1855,
"all that piece or parcel of land with
its appurtenances situate lying and
being in the County of Norfolk
near City of Portsmouth, beginning at
the East end of Walker, residence
on the main road leading to Deep
Creek, running East 20 ft to Hodge's
line, thence North 180 ft, more or less
to Hall's line, thence West 20 ft,
and thence South 180 ft to the beginning

= Extract. J.P. Hodge, clk
by A.W. Harvey &c

Deed from Vincent Walker and
Matilda his wife to Jos H Ashburn
dated 13 July 1854 & recorded 15
July 1854, conveying tract of
land & appurtenances, beginning
at the East end of said Walker's
residence on the main road leading
to Deep Creek, thence running
East 20 ft, to Hodge's line, thence
North 180 ft, more or less, to Hall's
line thence West 20 ft, and thence
South 180 ft to the beginning.

Extract - copy of.
J.P. Hodge, clk
by A.W. Harvey &c

Laura Harrison a minor
In Account with Seth Williams her guardian

1858		Dr	Cr
Decr 31	By balance due the Ward by last report with interest on \$1034.11 from this day & on \$178.66 from 31 st Day of Aug. 1859.		1272 77
1859	To Cash advanced you	5 00	
Decr 31	By hire of London this year		110 00
" "	" " " " " " " "		17 50
" "	" Interest on \$1034.11 one year		62 04
" "	" " " " \$178.66 Eleven months		9 82
" "	To Commissions on \$199.36	9 96	
" "	" balance due Ward	1397 17	
		14 12 13	14 12 13
1860	By balance due brought down		1397 17
Sept 19	To paid William Beale account	2 50	
Decr 31	By hire of London this year		110 00
" "	" " " " " " " "		00 00
" "	" Interest on \$1217.77 one year		72 76
" "	" " " " \$184.40 Eleven months		10 14
" "	To Commissions on \$192 90	9 64	
" "	" Commissions fee for making up this account & for copy of the same retained	3 00	
" "	" Clerk's fee for recording this account retained	1 50	
" "	" balance due Ward	1573 43	
		1590 07	1590 07
" "	By balance due Ward brought down with interest on \$1397 17 from this day and on \$170.26 from 31 st Jan'y 1861.		1573 43

Respectfully Submitted

Henry Howard Comr

Commissioners Office
Jerusalem Jan^y 1st 1861

To the County Court of Southampton County.

Your Commissioner reports to Court that Edward Rawls and Seth D Williams Guardian of Laura Harrison has exhibited before him a Statement of all moneys received by the said Guardian or with which he had become chargeable or had disbursed, during the periods embraced in the foregoing account. Together with the vouchers in support of the disbursements - That he finds a balance of \$1573. 43 to be due by the said Guardian to the said Ward on the 31st day of December 1860, with interest on \$1307. 17 from that day and on \$176.26 from 31st January 1861 - That the said account is supported by satisfactory vouchers, and that the said Guardian has given such bond as the law requires, the penalty whereof and the securities thereto are sufficient in the opinion of the Commissioner. That the said Guardian was embraced in the list of fiduciaries posted up at the front door of the Courthouse of Southampton County, on the first day of November Court last, and now on this day (ten days having elapsed since the same was thus posted up) the foregoing account is made up and completed.

Given under my hand as Commissioner aforesaid the day and year first aforesaid
Henry S Howard Commissioner

Southampton County In the Clerks Office the 2^d day of February 1861.
This account of Seth D Williams guardianship of Laura Harrison was returned and filed for exceptions - and at a Court held for the said County on the 18th day of March 1861, the said account having lain one month and upwards in the Clerks Office and there being no exception thereto, was examined, confirmed and ordered to be recorded.

Teste

L. R. Edwards lb

A Copy

Teste

L. R. Edwards lb

Immane Debt

DE-1

Guadalupe Bond

W

B

Know all men by these presents that we Seth D Williams, Thomas J Pretlow, Joshua Pretlow & Jonathan Darden are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of Four thousand dollars current money of Virginia to the payment whereof will and truly to be made we bind ourselves, our heirs, Executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals and dated this 17th day of May A D 1858.

The Condition of the above obligation is such that if the above bound Seth D Williams as Guardian of Mary E Harrison & Laura Harrison orphans of William Harrison dec^d shall faithfully discharge the duties of his said Office or trust according to law, then the above obligation to be void or else to remain in full force and virtue.

Signed Sealed and delivered
in the presence of the Court }

S. D. Williams

(Seal)

Jonathan Darden

(Seal)

Joshua Pretlow

(Seal)

T. J. Pretlow

(Seal)

At a Court held for the County of Southampton on the 17th day of May 1858

On the motion of Allen Edwards adm^r of Ro. E Edwards dec^d who is bound in this Court as the Security of Seth D Williams as Guardian of Mary E and Laura Harrison This day came as well the said plaintiff by his attorney as the said Seth D Williams in his proper person, and they being fully heard it is ordered that the said Seth D Williams execute a new bond in the penalty of \$4000.00 as Guardian aforesaid conditioned according to law or have his powers as Guardian revoked and that he pay the costs of this motion.

Whereupon the said Seth D Williams appeared and together with Thomas J Pretlow Joshua Pretlow & Jonathan Darden his securities (who justified on oath as to their sufficiency) entered into and acknowledged a bond in the penalty of \$4000. as guardian aforesaid conditioned according to law

Attest

Teste, L. R. Edwards

Entered by delivering a true copy of the
letter to Edward Beards on the 28th
Jan'y 1869

Mills & Powell &
for E. L. Cley Shiff

Ernest J. J. J.

to E. J. J.

William's son

1869 February, Andes

THE COMMONWEALTH OF VIRGINIA,

Isle of Wight
To the Sheriff of the County of Southampton—GREETING:

We command you to summon

Edward Rawls administrator of Seth D Williams dec^d

Arrest
if *they* be found within your bailiwick, to appear at the Clerk's office of our court of Southampton County,
at the Rules to be holden for the said court, on the first Monday in *February next* To answer a bill in Chancery
exhibited against him & others in our said Court by Wm J Lawrence & Laura his wife

And have then there this writ.

Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the courthouse, this *19* day of

January

A. D., 186*9*, in the *9³* year of the Commonwealth.

L R Edwards

Laurence & wife.

is. } Annanded Bill

Wm. Dow. &c.

1869 Sept. 22^d.

2

To the Hon. Judge of the Circuit Court
of Southampton.

Humbly complaining that unto
your Honor by ^{your Compl. Wm J. Lawrence & Sons} ~~by~~ ^{of} amendment to
their original bill, filed in this case
That Seth Williams died seized &
proprietor of real estate consisting of
a house & lot in the city of Portsmouth
and a tract of land lying in South-
ampton containing acres, which in
the event of the failure of the personal
estate is liable to the payment of their
debts being ^{Martha Williams his widow &}
^{May E. Williams his only child his heirs at law}
the consideration of all which, your
Compl. pray the court to make
E. P. Rankin, administrator of Seth S. Williams, Jonathan
H. Rankin, Joshua Thetford & J. P. Rankin, Martha
Williams and May E. Williams, apply to this
bill and request them to answer their
original & this their amended bill.
That your bill be as your Compl.
demands the value out of the personal estate
of Seth S. Williams if sufficient, if not -

out of the said estate & grant such
other & general relief as Equity may
require.

(May it please the Court.)

Chancery p. 9.

Southampton County to wit.

I, Jno. I. Kindred, a Commissioner
in chancery ~~a justice of the peace~~ in and for said
County do certify that Thomas J.
Pettow and Jonathan Warden this
day personally appeared before me in
said County & made oath that the
foregoing answer contains the truth
to the best of their judgment. so far as they
know ^{and believe}
Given under my hand this 4th
day of May — 1869.

Jno. I. Kindred *[Signature]*
Commissioner in Chancery

Laurence twice

.

William's answer

& others.

answer of Thomas

J. Pettow (and

Jon & Warden.

1869 May 2^d

Cir. Ct. Southampton

The joint and separate answer of Thomas J. Pritlow and Jonathan Sarden, to a Bill in chancery, exhibited in the Circuit Court of Southampton County, by Wm J. Lawrence and Laura his wife, against Seth O. Williams' admr. & These Respondents.

These Respondents say that it is true that the said Seth O. Williams, qualified as the guardian of said Laura Lawrence who was Laura Harrison, and that the said guardian returned the account of his acts as such guardian as stated in said Bill & that your Respondents were the sureties for said Seth O. Williams, as such guardian. But your Respondents deny that they are liable for the amount of \$1573.43 as claimed by said Complainants - Your Respondents

say that the said Balance is principally made up of negro hires, annually charged to said guardian, as the custom, before the recent war, was, when the Bonds taken for such hires were paid - and when thus charged the said Bonds were held as assets for the ward.

That the said guardian had hired to a W. Sarden Exr. the ward's negroes & taken Bonds regularly therefor, which were charged in the guardian's accounts as a credit to said ward and which now (on the 17th January 1869) amount

to the sum of \$1513.21^c as will be seen
by the statement and Bonds filed with the
answer of Edward Ravel, admr. of the
said Seth D. Williams decd., in this cause.

Your Respondents say, that the said A. W.
Warden was a man of large means
with in property (slaves, lands &c.) at least
fifty thousand dollars as they have reason to
believe - That the said guardian, acting
in good faith, hired out said negroes to said
Warden, a good home & perfectly responsible man,
and that if the said Warden has now become
insolvent, it is because of the result of the
recent war, in freeing his negroes & other losses
occasioned thereby - a result over which neither
the said Seth D. Williams, nor the said A. W.
Warden could exercise any control - That
the guardian is not liable because, simply,
he took no security to said negro hire bonds,
as your Respondents are ~~advised~~ say, that
he was not bound to require security for
the hire of negroes, provided the Bonds were
good when taken, as these were.

Your Respondents further say that the
said Seth D. Williams, as such guardian
retained two Bonds due by Abram Riddick
one of \$754.52 & one of \$199.90 (amounts
now due), as investments to meet his in-

indifference to said bond - which Bond was
when taken perfectly good - the said Abram
Riddick being a man of large estate -

That Edwin Harrison had been the adm.
of said Laura's father & her guardian
and the said Seth D. William, on qualifying
as guardian of said Laura, laid aside
these Bonds as part of the amount due her
by said Edwin Harrison, and with which
amount thus due by said Edwin Harrison, he
the said Seth D. William, charged himself
~~with~~ as her guardian & took these Bonds as a
part of such amount. That a guardian

is required to lend out such Balance, as may
be in his hands not needed for his ward's
expenses, and in this case these Bonds
were received as money & held for such
purposes and were perfectly good, and
have become impaired by the results of the late
war.

Your Respondents say That the said Seth
D. William, acted in good faith & honestly
as such guardian, and that these Bonds
now on hand should be credited to him
in any settlement to be had with the said
plaintiffs - Your Respondents are
advised, that the Law does not require, that
"the rules by which fiduciaries should be

was then Bonds would be beyond doubt as
solvent, I would be sought out as equal if
not better than money — That to compel
this left to force on said guardian, I more
especially your Respondents (his sureties)
would virtually make him & them become
insurers against the casualties & results of
the late war — a principle wholly at variance
with Equity — These Bonds were held by said
guardian for his said ward & were perfectly
good, and if lost, should be the loss of the
plaintiffs —

Your Respondents further say, that
the said Seth D. Williams, died possessed of
a farm in Southampton County & a House &
lot in the City of Portsmouth, and should any
Balance be due by him to his said ward
his estate should be first thus applied, &
then his heirs at law should be parties
to this suit —

And now your Respondents
having answered pray to be hence
dismissed &c.

John R. Kilby p. d.

J. J. Dutton
Jonathan Darden

Southampton County to wit.

I, Geo. J. Kindred, a Commissioner
in chancery, ~~a justice of the peace~~ in and for said
County do certify that Thomas J.
Puttlow and Jonathan Warden this
day personally appeared before me in
said County and made oath that the
foregoing answer contains the truth
to the best of their judgment, so far as they
know ^{and believe}.
Given under my hand this 14th
day of May — 1869.

Geo. J. Kindred *JS*
Commissioner in Chancery

Laurence twice

"

Williams' answer
& others.

answer of Thomas
J. Puttlow (and
Jon. Warden)

1869 May 2

Cir. cl. Southern

Executed by delivering a true copy of the
within Exposed Privately Martha Williams
& Mary E Williams on the 24th day of
Sept 7 1869
Wills E Powell do
For Frank Smith Shiff

Examine & pay
to Sum. City
Williams at
1869 October Rules

J. O. Wright

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of the County of Southampton---Greeting:

We command you to summon *Edward Rawls admor. Seth D Williams dec^d Martha Williams & Mary E Williams*

breant
if *they* be found within your bailiwick, to appear at the Clerk's Office of our Court of Southampton County, at the Rules to be holden for the said Court, on the first Monday in *October next to answer the original & amended bills of Complaint exhibited against them and others in our said Court by Wm J. Lawrence & wife*

And have then there this writ. *Oswin White*

Witness, ~~LITTLETON R. EDWARDS~~, Clerk of our said Court, at the Court-House, this *22nd* day of *September* A. D., 186*9*, in the *94th* year of the Commonwealth.

O. White

Lawrence G. Wolfe

to { Sum. Chs.

Williams at Y^e
1869 October Rules

Executed on 4th
Pretlow & Jonathan
Darden by delivering
each a Copy of this
Summons on the 4th
day of September 1869.
I went to the house of
Joshua Pretlow on the
same day, and he being
absent from home I
delivered a Copy

of this Summons to Mrs. Pretlow, his wife, and gave
information to her of its purport, she being a
white member of his family and above the
age of sixteen years.

W. L. Briggs Ry
for D. G. Doolen Shff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of the County of Southampton---Greeting:

We command you to summon

Jonathan Darden, Joshua Pritlow & Thomas J. Pritlow

if *they* be found within your bailiwick, to appear at the Clerk's Office of our Court of Southampton County, at the Rules to be holden for the said Court, on the first Monday in *October next* to answer the original *Consent* & amended bills in chancery exhibited against them in our said Court by Mr. J. Lawrence *Quirk*

And have then there this writ.

Edwin White

Witness, ~~LITTLETON R. EDWARDS~~, Clerk of our said Court, at the Court-House, this 22nd day of

September

A. D., 1869, in the 94th year of the Commonwealth.

E. White *cc*

77

Sawyer & Wife

to } Record

William's adm & Co

Pleas before the Circuit ^{Court} of Southampton County at the Court-
house thereof on the day of November in the year 1870.

Be it remembered that on the 19th day of January 1869 came W^m J.
Lawrence & Laura his wife by Counsel and sued out of the Clerks Office of said
Court... Subpoenas in Chancery against Edward Rawls administrator of Seth D
Williams dec^d. Joshua Pretlow, Jonathan Darden and Thomas J Pretlow, one
directed to the Sheriff of the County of Southampton and the other to the Sheriff
of the County of Isle of Wight, which with the returns thereon are as follows, to wit.
"The Commonwealth of Virginia: To the Sheriff of Southampton County-
Greeting. We command you to summon Jonathan Darden, Joshua Pretlow and
Thomas J Pretlow if they be found within your bailiwick to appear at the Clerks
office of our Circuit Court of Southampton County, at the Rules to be holden for
the said Court, on the first Monday in February next to answer a bill in chancery
exhibited against them and another in our said Court by W^m J Lawrence & Laura
his wife. and have then there this writ. Witness Littleton R. Edwards clerk
of our said Court at the Courthouse this 19th day of January A.D. 1869. in
the 93^d year of the Commonwealth. L R Edwards Clk

Return- Executed on J. J. Pretlow Jan. 20th 1869. on Joshua Pretlow on Jan.
22nd 1869 & on Jonathan Darden Jan. 25th 1869 by delivering a copy to each one
of them. E. L. Story Dep^t. for S Kello Shff-

"The Commonwealth of Virginia: To the Sheriff of the County of
Isle of Wight. Greeting. We command you to summon Edward Rawls adminis-
trator of Seth D Williams dec^d if he be found within your bailiwick, to appear at
the Clerks Office of our Circuit Court of Southampton County, at the Rules to be
holden for the said Court, on the first Monday in February next to answer a bill in
chancery exhibited against him and others in our said Court by W^m J. Lawrence &
Laura his wife. and have then there this writ. Witness Littleton R Edwards
clerk of our said Court at the Courthouse, this 19th day of January A.D. 1869,

in the 9th year of the Commonwealth.

L. R. Edwards Esq.

Return - Executed by delivering a true copy of the within to Edward Rawls on the 28th Jan. 1869. Mills & Powell Esq. for E. L. Eley Shff.

And at Rules held in the Clerk's Office aforesaid on the first day of March (being the first Monday in the month) 1869 came the Complainants by Counsel and filed their bill in Chancery against the Defendants which is in these words, to wit,

"To the Hon. Judge of the Cir. Court of Southampton.

Bill - { Humbly complaining shew unto your Honor your Complainants W. J. Lawrence and Laura his wife, formerly Laura Harrison That on the 17th May 1858 Seth D. Williams entered into bond in the County Court of Southampton as the guardian of your female complainant in the penalty of \$4,000 with Thomas J. Pretlow, Joshua Pretlow and Jonathan Darden his securities - a copy of the bond is herewith filed marked (H.) That Williams the guardian received a large amt. of property and money belonging to his said ward and departed this life - That Edward Rawls qualified as admr. of Williams, and after the death of his intestate rendered before a Commr. of the County Court of Southampton an account of his intestate's transactions as Guardian of Laura, your female complainant, by which it appears that the said Williams was indebted to his ward in the sum of \$1575.⁴³ with int. on \$1397.¹⁷ from 31st Decr. 1860. and on \$176.²⁶ from 31st Jan. 1861 till paid. A copy of the Guardr. account is herewith filed marked, X, & prayed to be taken and considered as a part of this bill -

That your female complainant has intermarried with W. J. Lawrence and they have frequently called on Rawls the admr. of Williams to pay to them the balance ascertained to be due by the exhibit X herewith filed or to account with them and pay the balance which should appear by such settlement to be due to your Complt^s. but he has wholly failed to comply with their just and reasonable demand. On tender consideration of all which and in as much as your Complainants are without adequate relief, except in a Court of equity - To the end therefore that justice may be fully administered. your complainants pray your Honor to make Edward Rawls admr. of Seth D. Williams, Thomas J. Pretlow, Joshua Pretlow and

Jonathan Darden Defts. To this bill and compel them to answer its allegations - that a decree may be rendered in favor of your Complainants for the sum of the sum of money appearing to be due to them, by exhibit, X, and grant such other, general and further relief as equity may dictate and to the Court may seem proper - as in duty bound &c. May it please the Court &c. Chambliss p. q."

Exhibit "H."

"Know all men by these presents that we Seth D. Williams, Thomas J. Pretlow, Joshua Pretlow & Jonathan Darden are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of Four thousand dollars current money of Virginia, to the payment whereof well and truly to be made we bind ourselves, our heirs, executors, and administrators jointly and severally firmly by these presents. Sealed with our seals and dated this 17th day of May A.D. 1858.

The condition of the above obligation is such that if the above bound Seth D. Williams as Guardian of Mary E & Laura Harrison orphans of William Harrison dec^d. shall faithfully discharge the duties of his said Office or trust according to law then the above obligation to be void or else to remain in full force and virtue.

Signed sealed and delivered in the presence of the Court {

S. D. Williams (Seal)

Jonathan Darden (Seal)

Joshua Pretlow (Seal)

T. J. Pretlow (Seal)

At a Court held for the County of Southampton on the 17th day of May 1858. On the motion of Allen Edwards admr. of Ro: E. Edwards dec^d who is bound in this Court as the security of Seth D. Williams as guardian of Mary E & Laura Harrison - This day came as well the said plaintiff by his attorney as the said Seth D. Williams in his proper person and they being fully heard it is ordered that the said Seth D. Williams execute a new bond in the penalty of \$4,000. or as Guardian aforesaid conditioned according to law or have his power as Guardian revoked: and that he pay the costs of this motion Whereupon the said Seth D. Williams appeared and together with Thomas J. Pretlow

Joshua Pritlow and Jonathan Dardur his securities (who justified on oath as to their sufficiency) entered into and acknowledged a bond in the penalty of \$4,000 as guardian aforesaid conditioned according to law. A Copy.

Teste, E. R. Edwards C. C.

Exhibit. X.

Laura Harrison a minor.

In Account with Seth D Williams her Guardian

1858		Dr	Cr.
Decr 31	By balance due the ward by last report with interest on \$1034.11 from this day and on \$178.66 from 31 st day of Janr 1859		1272 77
1859	To cash advanced you	5 00	
Decr 31	By hire of London this year		110 00
" "	" " " Amy " "		17 50
" "	" Interest on \$1034.11 One year		62 04
" "	" " " \$178.66 Eleven months		9 82
" "	To Commissions on \$199.36	9 96	
" "	" Balance due Ward	1397 17	
		1412 13	1412 13
1860	Balance due Ward brought down		1397 17
Sept 19	To paid William Beale account	2 50	
Decr 31	By hire of London this year		110 00
" "	" " " Amy " "		00 00
" "	" Interest on \$1212.77 One year		72 76
" "	" " " \$184.40 Eleven months		10 14
" "	To Commissions on \$192.90	9 64	
" "	" Commissions fee for making up this account for a copy of same retained	3 00	

Clerks fee for recording this account retained
balance due Ward

150		
1573 43		
1590 07	1590 70	
1573 43		

By balance due Ward brought down
with interest on \$1397.17 from this day and on \$176.26
from 31st Janr 1861 - Respectfully Submitted

Henry S Howard Comr

Commissioners Office, Jerusalem Janr 1st 1861

To the County Court of Southampton County

Your Commissioner reports to Court that Edward Rawls admr. Seth D Williams Guardian of Laura Harrison has exhibited before him a statement of all moneys received by the said Guardian or with which he had become chargeable or had disbursed during the period embraced in the foregoing account together with the vouchers in support of the disbursements. That he finds a balance of \$1573.43 to be due by the said Guardian to the said Ward on the 31st day of December 1860, with interest on \$1397.17 from that day and on \$176.26 from 31st January 1861. That the said account is supported by satisfactory vouchers and that the said Guardian has given such bond as the law requires the penalty whereof and the securities thereto are sufficient in the opinion of the Commissioner. That the said Guardian was embraced in the list of fiduciaries posted up at the front door of the Court house of Southampton County on the first day of November Court last, and now on this day (Ten days having elapsed since the same was thus posted up) the foregoing account is made up and completed. Given under my hand as Commissioner aforesaid the day and year first aforesaid.

Henry S Howard Commissioner

Southampton County In the Clerks Office the 2 day of February 1861.
This account of Seth D Williams guardianship of Laura Harrison was

returned and filed for exceptions. And at a Court held for the said County on the 18th day of March 1861, the said account having lain one month and upwards in the Clerk's Office and there being no exception thereto, was examined, confirmed and ordered to be recorded.

Teste L.R. Edwards Ck

A Copy. Teste L.R. Edwards Ck

And the Subpoena issued in this cause being returned executed and the defendants not appearing it is ordered that the plaintiffs' bill be taken for confessed unless the said defendants should appear and plead, answer or demur to said bill at the then next Rules.

And at Rules held in the Clerk's Office aforesaid on the fifth day of April (being the first Monday in the month) 1869, the defendants failing to appear and plead answer or demur the plaintiffs' bill is taken for confessed and the cause set for hearing.

And at a Circuit Court held for the County aforesaid on the 3rd day of May 1869 - This day this cause came on to be heard on the bill, answers of Edward Rawls admor. of S. D. Williams, of Tho. J. Preblov and Jonathan Darden, replications thereto, exhibits filed and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that a Commissioner of this Court take an account of the transactions of S. D. Williams as guardian of the female plaintiff Laura Lawrence formerly Harrison, also an account of the transactions of Edward Rawls admor. of Seth D Williams, taking the guardian account filed as an exhibit with the plaintiffs' bill and any ex parte accounts returned by said Rawls as admor. of Seth D Williams to the Court of the County in which he qualified, as prima facie correct, liable to be surcharged and falsified by either party. Which accounts the Commissioner will report to Court with any matters specially stated deemed pertinent by himself, or required by either party to be so stated, and leave is granted the plaintiffs to amend their bill and make new parties -

The following are copies of the answers of Edward Rawls administrator of Seth D Williams & Thomas J. Preblov & Jonathan Darden, and exhibits therewith filed

The answer of Edward Rawls admor. of Seth D Williams, deceased, to a bill in chancery exhibited in the Circuit Court of Southampton County by Wm. J. Lawrence and Laura his wife against this defendant and others -

This respondent says, that he is the personal representative of said Seth D. Williams and that the said Seth D. Williams was the guardian of said Laura Lawrence who was Laura Harrison, and who returned the account as guardian aforesaid, as referred to in said Complainant's bill. But your respondent says that the balance referred to in said bill of \$1573. 10 was made up principally of negro hires, and that as was usual before the late war all negro hires were charged against the guardian, who generally held bonds against solvent parties therefor - that according to this practice, the negro hires of said Ward were charged to said guardian who held good and solvent bonds (principal and interest) against A. W. Darden to the amount of \$1513. 21 on the 17th January 1869, as will be seen by the statement and bonds filed herewith and prayed to be taken as part of this bill and marked "A".

Your respondent says, that neither the said Seth D. Williams as guardian as aforesaid nor his securities, are bound for the loss of these bonds, because when taken they were good perfectly solvent, the said A. W. Darden being worth in negroes and other estate at least forty thousand dollars. Nor was it obligatory on Seth D. Williams, as the guardian aforesaid, to require security of said A. W. Darden for said negro hires. He had to hire them out as best he could, and in the exercise of a sound discretion hired the same to said Darden, a good master, and perfectly responsible at the time, and who has become insolvent by the loss of his negroes - the result of the late war.

Your respondent is advised that the said Seth D. Williams, as such guardian, was only bound for ordinary care in the management of his trust, and that he did act with such care, and that he should not be held liable for the losses occasioned by the recent war. To require more of him than he did, would take from him all discretion as guardian, in selecting homes for the said negroes, and all discretion as to the solvency of the hires - for in this case, as in many others the

individual bond of a man known to be perfectly good, is much safer than another which might have security and yet unknown as to its solvency - That the said Seth D Williams as such guardian also held as investments for his said ward, two bonds due by Abram Riddick, then perfectly good, he being of a man of large estate which now amount to \$734.52 and \$199.90 respectively - That these sums should be allowed said guardian as by law he is authorized to lend out such sums as he might have in his hands as guardian.

This respondent says that the late War has rendered these bonds insolvent, and not because of any act of said guardian and to hold him responsible for such, would be to make him responsible for the loss for the loss by the war, and if such a strict rule is to prevail, it would strike terror into the minds of men so that no one would undertake offices of guardian, but would shun a position which would make him insurer against the calamities and losses of War - Your respondent prays that the said bonds referred to may be allowed to his intestate, and his estate released to that extent from the plaintiffs demand. And he will ever pray &c.

Edward Rawls admr. of S. D. Williams

John R Kilby Notary

Notary Public for said County

I John R Kilby a Notary Public in and for said County. do certify that Edward Rawls admr. of Seth D Williams dec. has personally appeared before me in said County & made oath that the foregoing answer contains the truth to the best of his knowledge and belief Given under my hand this 27 day of April 1869.

John R Kilby N.P.

The following is a copy of Exhibit marked 'A' filed with the answer.
"A W Gardens bonds

To Seth D Williams, guardian of Laura Harrison

1 Bond for	\$650.59
Int from 29 Dec. 1857 to 29 Dec 1858 - 1 yr	39.03
Int to 17 Jan 1859 - 18 days	\$689.62
	206
Then paid	\$691.68
	50.86
	\$640.82

Also paid 1 Jan. 1859

Int from 17 Jan 1859 to 17 Jan 1860	45.60
	\$595.12
Int. from 17 Jan 1860 to 17 Jan 1861	38.70
	\$630.82
Int. from 17 Jan 1861 to 17 Jan 1862	37.84
	\$668.66
Int. from 17 Jan 1862 to 17 Jan 1863	40.11
	\$708.77
Int. from 17 Jan 1863 to 17 Jan 1864	42.52
	\$751.29
	270.42
	\$1021.71

To one other bond

Int. from 1 Jan 1860 to 1 Jan 1861	\$110.00
	6.66
Int. from 1 Jan 1861 to 1 Jan 1862	\$116.66
	6.99
Int. from 1 Jan 1862 to 1 Jan 1863	\$123.65
	7.78
Int. from 17 Jan 1863 to 17 Jan 1864	\$131.43
	47.22
	\$178.59

To One bond for

Int. from 25 Dec. 1861 to 25 Dec. 1862	\$100.00
	6.00
Int. to 17 Jan 1863 - 22 days	\$106.00
	.36
Int. from 17 Jan 1863 to 17 Jan 1864	\$106.36
	38.22
	\$144.58
Carried over	\$1344.88
Amount brought over	\$1344.88

To one other bond for

Int. from 1 Jan 1861 to 1 Jan 1862	\$110.00
	6.60
Int. to 17 Jan 1863 - 1 year 17 days	\$116.60
	7.21
Int. from 17 Jan 1863 to 17 Jan 1864	\$123.81
	44.52
	\$168.33
	\$1513.21

Bond of Abram Riddick & John B Jenkins - 1 Bond of \$410.00

Int. from 15 Jan 1855 to 17 Jan. 1869 - 14 yr. 2 days	344.52
	754.52
	\$2267.73

Abram Riddicks bond \$255.00

Int. from 15 Jan 1855 to 12 October 1858.

3 Yrs. 8 Mos. 27 days

Or. then paid

118.70
373.70
250.00
128.70

Int. from 12 Oct. 1858. to 17 Jan 1860

10 Yrs. 3 Mos. 7 days

76.20 199.90
Total \$ 2467.63

With Int. from date we or either of us do promise to pay unto Seth D Williams Guar. of Laura Harrison the just sum of six hundred and fifty dollars and fifty nine cents value received for the true payment of which We bind ourselves our heirs and assigns this 29 day of Dec. A.D. 1857.

A. W. Darden (Seal)

Jan 17 1859 Paid on the within fifty dollars and eighty six cents.

Jan 1. 59 Paid on the within forty five Dls. Sixty Cts.

Twelve months after date we promise to pay to Edward Rawls admor. of Seth D. Williams dec former Guar. of Mary E & Laura Harrison the sum of One hundred and ten dollars for the hire of negro man Sam who is to be furnished with suitable clothing, hat & blanket. Witness our hands and seals this 1st Jan 1860.

Teste

A. W. Darden (Seal)

On demand 25 December 1861 we or either of us do promise to pay Edward Rawls administrator of S. D. Williams dec for the benefit of the heirs of William Harrison dec the sum of One hundred dollars for the hire of boy for ensuing year, said boy is to be kept and returned in good customary clothing & is to have a hat and blanket. Given under our hands & seals this 1st day of January 1861.

Teste

A. W. Darden (Seal)

On or before the 1st day of January One thousand eight hundred and sixty I promise to pay or cause to be paid to Seth D Williams guardian to Mary E and Laura Harrison the sum of One hundred and ten dollars for the hire of negro man Sam, who is to be furnished with clothing suited to the different seasons of the year also with a hat and blanket. In testimony whereof I have hereto set my hand and affixed my Seal this 27th Dec. 1858.

A. W. Darden (Seal)

With Int. from date we promise to pay unto Seth D Williams admor. of Edwin Harrison dec on or before the 15 April next, the just & full sum of four hundred and ten dollars and cents it being for the purchase of negro boy John for the true payment of which we bind ourselves our heirs and assigns this 15th day of Jan A.D. 1855.

Abram Riddick (Seal)

John B Jenkins (Seal)

With Int. from date I promise to pay to Seth D Williams admor. of E. Harrison dec the just & full sum of two hundred fifty dollars for value received for the true payment of which I bind myself my heirs & assigns this 15th day of Jan A.D. 1855.

Abram Riddick (Seal)

Rec^d October 12 1858 Two hundred and fifty dollars on this note.

George W Parker for Seth D. Williams

The joint and separate answer of Thomas J. Pretlow and Jonathan Darden, to a bill in chancery, exhibited in the Circuit Court of Southampton County, by Wm. J. Lawrence and Laura his wife, against Seth D. Williams admor. of these respondents.

These Respondents say that it is true that the said Seth D. Williams qualified as the guardian of said Laura Lawrence who was Laura Harrison and that the said guardian returned the account of his acts as such guardian as stated in said bill & that your Respondents deny that they are liable for the amount of \$1573.43 as claimed by said Complainants. Your Respondents say that the said balance is principally made up of negro hires annually charged to said Guardian as the custom before the recent War, was when the bonds taken for such hires were good - and when this charged the said bonds were held as assets

for the ward - That the said guardian had hired to A.W. Darden Esq. the wards negroes & taken bonds regularly therefor, & which were charged in the guardian's accounts as a credit to said ward and which now (on the 17th January 1869) amount to the sum of \$1513.21^{cts} as will be seen by the Statement and bonds filed with the answer of Edward Rawls adm of the said Seth D Williams de^d in this cause. Your respondents say that the said A.W. Darden was a man of large means worth in property (Slaves, lands &c) at least forty thousand dollars as they have reason to believe - That the said guardian, acting in good faith, hired out said negroes to said Darden, a good home & perfectly responsible man, and that if the said Darden has now become insolvent it is because of the result of the recent War, in freeing his negroes & other losses occasioned thereby - a result over which neither the said Seth D Williams, nor the said A.W. Darden could exercise any control. That the guardian is not liable because simply, he took no security to said negro hire bonds as your Respondents are advised & say, that he was not bound to require security for the hire of negroes provided the bonds were good when taken as they were -

Your respondents further say that the said Seth D Williams as such guardian retained two bonds due by Abram Riddick one of \$754.52 & one of \$199.90 (amounts now due) as investments to meet his indebtedness to said ward, which bonds were when taken good the said Abram Riddick being a man of large estate - That Edwin Harrison had been the adm of said Laura's father & her quasi guardian and the said Seth D Williams on qualifying as guardian of said Laura laid aside these bonds as part of the amount due her by said Edwin Harrison and with which amount these due by said Edwin Harrison he the said Seth D Williams charged himself as her guardian & took these bonds as a part of such amount. That a guardian is required to lend out such balances as may be in his hands not needed for his ward's expenses and in this case these bonds were received as money & held for such purposes and were perfectly good, and have become impaired by the results of the late War.

Your Respondents say that the said Seth D Williams acted in good faith and prudently as such guardian and that these bonds now in hand should be credited to him in any settlement to be had with the said plaintiffs. Your Respondents are advised,

that the law does not require, that the rules by which fiduciaries should be governed, in the management of Trust funds, the laying out of money in securities, or allowing Trust funds to remain in the hands of those from whom it is owing, should not be laid down with such strictness as to strike terror into mankind acting for the benefit of others, and not their own" (9 Bro. Elliott & Carter 557)

That a trust is an office of honor, confidence and friendship, and if more than what has been indicated were required of such fiduciary, it would cease to be of that character, and would become one of hazard, speculation and profit. That where such fiduciaries have intended to discharge their duties fairly, they should be treated with kindness (and as your Respondent further say that they being securities, should be thus treated) and due caution taken not to hold them liable upon slight or uncertain grounds, lest, by a different policy, men of integrity and who would be actuated by proper views, may be deterred from taking upon themselves such positions, so necessary in the concerns of life from fear of the anxiety, trouble & risk it involves. - That the said Seth D Williams, as your respondents believe say acted in good faith in the discharge of his trust, and but for the losses occasioned by the late war these bonds would be beyond doubt as solvent, & would be sought out as equal if not better than money - That to compel this loss to fall on said guardian & more especially, your respondents (his sureties) would virtually make him and them become insurers against the casualties & results of the late War - a principle wholly at variance with equity - These bonds were held by said guardian for his said Ward & were perfectly good, and if lost, should be the loss of the plaintiffs -

Your respondents further say that the said Seth D Williams died possessed of a farm in Southampton County and a house and lot in the City of Portsmouth, and should any balance be due by him to his said ward his estate should be first thus applied, & have his heirs at law should be parties to this suit -

And now your respondents having prayed to be hence dismissed &c

John R Kilby p.p.

J. J. Pritchlow
Jonathan Darden

for the
by the
word
by the
Willie
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Southampton County Court

I Jno. I Kindred a Commissioner in Chancery in and for said County do certify that Thomas J. Proctor and Jonathan Darden this day personally appeared before me in said County & made oath that the foregoing answer contains the truth to the best of their judgment so far as they know & believe.

Given under my hand this 4 day of May 1869 - Jno. I Kindred
Commissioner in Chancery

The following is a copy of the report of the Commissioner made under the decree of the day of May 1869 in this cause -

- No 1 -

Laura Harrison a minor.

An account with Seth S. Williams her guardian

Decur	1860			Dr	Cr
Dec	31	By balance due Ward on acct. retu ⁿ		\$ 157 3	4
Two to	1861	To paid Mr Beale for acct		1 50	
inve		" " Dr J Cox		6 50	
Abv		" " Taxes		3 30	
adm		" " Paid Sheriff execution in favor of Mary E Harrison for board &c		150 09	
fini	Dec	31	" " H. S. Howard Com. fee	6 10	
Edw		" " Wm B. Shands		4 00	
Said	1862	" " 2 clocks for 11 per each		2 00	
Such	Aug	27	Laura for acct.	300 00	
han		By Int on \$1573.43 from 31 st Dec. 1860 to date			
mon		1 year & 27 days			94 40
by		To Commissions on \$94.40 @ 5 per		4 72	
for		" Balance due Ward		1189 72	
ma				1667 83	1667 83
		By balance due Ward brought down			1189 72

And at Rules held in the Clerks Office aforesaid on the 7 day of June (being the first Monday in the month) 1869 - No Rules being held in the said Office in the months of April or May in consequence of a vacancy in the Office of Clerk the Deft Joshua Proctor failing to appear it was ordered that the Plffs bill be taken for confessed as to that Defendant and the cause be set for hearing as to him.

And in the Clerks Office aforesaid on the 22 day of September 1869 the plaintiffs by their Counsel filed their amended bill making new parties in the following word to wit

Here insert amended bill

And thereupon process were sued of the Clerks Office of the said Court against the Defendants therein named to answer the original & amended bills of the plaintiffs which process with returns thereon made of the Sheriff thereon are in these words (Here insert them)

And at Rules held in the Clerks Office aforesaid on the 14 day of October (being the first Monday in the month) 1869 the Subpoenas issued against the Defendants being returned executed, and the Defendants not appearing it was ordered that the plffs bills be taken for confessed unless the said Defendants should appear and plead, answer or demur to said bills at the then next Rules

And at Rules held in the Clerks Office aforesaid on the first day of November being the first Monday in the month 1869 the Defendants still failing to appear the bills of the plffs are taken for confessed and the cause set for hearing as to all the Defendants

And at a Circuit Court held for the County aforesaid on the 10 day of Nov. 1869

This cause came on this day &c (here copy decree)

And on the 1 day of April 1870 the Com. made his report under the decree of May 3 & Nov 10. 1869 in the following words of figures to wit.

(Here copy Report)

And now on this day to wit. At a Circuit Court held for the County aforesaid on
the day and year first aforesaid, to wit. on the 11 day of November 1870 -
This day this cause came on & here entered docket -)

The following is a copy of the deposition filed in this cause -
here made deposition -

Plffs Costs \$65.68

Check for copy of this transcript of Record \$7.98

1870
May 2

" Int. on said balance from 27th Jan'y 1862 to 2 May 1870 3 589 29
8 Apr. 3 M. 5 Apr.
Balance due Ward on 2nd May 1870 \$ 1779 01
with int on \$1043.31 from 2 May 1870 till paid
To be paid to said Laura in money should the guardian not
be allowed the credits claimed in the defence for bonds goods when taken &
now insolvent - Respectfully Submitted

James R Tyler Comr

No. 2.

Laura Harrison

In account with Seth D Williams her Guardian

1870

May 2

By balance due for acc. No 1779 01

To A.W. Dardens bond held by Guardian, good when
taken, now insolvent } 1021 71

" Bond of same 178 59

" Bond of same 144 55

" Bond of same 168 32

" Bond of Abram Riddick 199 90

" Int. from 17 Jan'y 1869 to 2 May 1870 128 07

1841 18

Surplus

62 17

Without reference to the bonds of 754 52

due by Abram Riddick

By this account there is nothing due the Plaintiff. Respectfully Submitted

James R Tyler Commissioner

No. 3

The Estate of Seth D Williams

In account with Edward Rawls his administrator.

1861			Dr	Cr
May	1	By balance due Estate on last account. of Pr		176 02
		" " " of Int		12 31
Oct	16	To paid Godwin Parker adm. of Jas H Parker Bond fact.	98 00	
		" paid Clerks fees	3 65	
		" Sheriff do	50	
		" Godwin Parker for rect.	10 00	
		" W. B. Shands Com. fee	5 00	
1862				
Jan	27	" Mary Harrison for Rect.	85 40	
		" Laura Harrison "	300 00	
		" 2 Clerks fees	2 00	
		" W. B. Shands Com. fee	4 00	
		" A. S. Howard	6 00	
		" Shff. Exon for Rect.	146 33	
May	1	By 1 year Int: on \$ 176 02		10 56
		Bal due adm.		466 99
			\$ 666 98	666 88
May	2	To Bal due adm brot down	466 99	
1866				
Dec	1	To paid R. B. Vaughan for Rect.	6 25	
1870				
May	2	" Int: on \$ 466. 99 8 Yrs	224 88	
		Bal due adm.	698 12	

Respectfully Submitted

James R Tyler Comr

No. 4

An account of the Fee simple and annual value of the real estate of S. D. Williams decd.

	Fee simple Value	Annual Value
Tract of land in Southampton County containing 280 acres		
Dwelling burnt now worth in fee simple	1000 00	50 00
Lot in Franklin 3 acres	204 00	
Lot in Portsmouth on suburbs of the Town small dwelling on it - fee simple	3 600 00	
Annual Rent.		50 00

Respectfully Submitted

James R Tyler Comr

No. 5

An Account of the outstanding debts to S. D Williams decd. as follows.

Deceit in favor of E. R. Edwards & Kilby Trustees	\$ 1000 00	
Int from 9 Novem. 1867 to 2 May 1870	148 88	
		1148 88
Mary Ellis	\$ 75 00	
Int. from Jan 1 1861 to May 2 1870	42 00	117 00
D. W. H. Daugherty	\$	

Respectfully Submitted

James R Tyler Comr

Commissioners Office
Jerusalem Apr. 1st 1870

To the Circuit Court of Southampton County

The undersigned reports to the Court that he has proceeded to take the several accounts required & ordered by decree of May Court 1869 & November Court 1869 made in the cause of Wm D Lawrence & Wife against Edward Rawls admr: of Seth D Williams dec & others. That he gave the notice to the parties as required that he would on the 26th day of March 1870 take the said accounts - and on that day commenced taking the same, the parties being present by Counsel & having continued the same from day to day till now has completed the same. Your Commissioner reports that he has not undertaken to decide the important question involved in the case but has made out two accounts No. 1 & 2 which will show both aspects of the case - Acct. No. 1 Shows what will be due the plaintiff Laura, if no credit is to be allowed her guardian for debts held by him perfectly good when taken & which have become insolvent from the results of the late war - Acct. No. 2 Shows that nothing is due her if the guardian is to be allowed credit for said bonds thus held by him.

The depositions taken in the case show that the said bonds of A. W. Darden & Abram Riddick were perfectly good when taken by the guardian & have become insolvent or nearly so by the result of the late war which bonds are herewith filed.

Acct. No. 3 Shows the transactions of Edward Rawls as admr: of Seth D. Williams dec by which it appears that \$698. 12 is due the admr:.

Acct. No. 4 Shows the value, fee simple and annual of the real estate of which Seth D Williams died seized.

Acct. No. 5 Shows debts outstanding against Seth D Williams estate except Dr. W H Daughtry, which amount is not reported.

James R Tyler Commissioner

Commissioners fee 15-

Wm J. Lawrence & wife
1869

To Clerk Southampton Cir: Ct Dr.

May Replications to answers to Williams at \$³⁰ decree 36 Copy 20
Copy papers for Commr 288 Continuance 36 } 4 10

Sep Filing amended bill 15 2 Summons \$⁸⁶ Copies 100 Postage 12
return 35 Rules 100 } 3 48

Nov. Entering decree 36 Copy 20 Continuance 36 Copy papers for Com 2 30 3 22

17th May Continuance

O White Ck } 11 16

Brid

v

A W Martin

at Riddish

Lawrence M. L. S.

v { Ret. with Com. Tylers
Report.

William's ad 8°

Wm J. Lawrence Surber

n

Seth D. Williams admr sal.

Deer of Circuit Court of Southampton

County, Wm. Term 1870 for pcts: for \$1779. 01

Int. on \$1040. 31 part thereof from

2^d May 1870 to 16 Oct. 1871.

1 yr. 3 m. 14 d

\$ 91. 27
\$1870. 28

Paid by Ed. Rank admr of Seth

D. Williams,

\$ 277. 20
\$1593. 08

By nett sales of Land \$590. 02

\$ 715. 00

Less cash 25. 00 \$ 1330. 04

Balance due. \$ 263. 94

Int from 16 Oct 1871

Portsmouth N.H.

Oct. 28th 1871

Mrs R Kelly Esq.

Suffolk

Dear Sir.

We have sold the House
and lot to E. J. Cornew. for \$750. he has
paid us Cash sixty (\$60) dollars &
we have filled up the bonds for two
hundred & thirty ^{dollars} (\$230) each - 1. 2 & 3
years. Cornew is a negro. in good
standing & owner real Estate we
have thought that a deed of
trust on unincumbered real
estate better than personal
security but would prefer
referring the matter to you before
the executing of the deed of trust.
Let us know if we have done
right; & return the enclosed deed
so that we may have the same

signed & acknowledged. We
have told Corfuss to bring his
wife to the Clerk's Office on Tuesday
as by that time we will hear
from you.

Very Respectfully
Ashten Cummings

We have examined the
title to the property secured
under the deed, & find it
all right - & unincumbered.
AEC

Conditions annexed to said Deed
and also to a deed of trust
executed by said Deed Ashburn
to Wm H. H. Hodges Trustee
13 July 1854 Only recorded
Signed JFA

I find upon examination, Deed
from Vincent Walker & wife to J. F.
Ashburn 13 July 1854 (Book 1883.
to 1854 page 572 = \$250 =

And it is understood between the
said Walker & wife & Ashburn
and made a part of their deed
that the said Ashburn is to keep
open a lane or alleyway adjoining
said Walkers residence forever
5 feet wide for the joint accommodation
of said Walker & Ashburn and
their heirs forever. I can find
no deed of release from Wm H.
Hodges to Ashburn or Wm H. or any
one else. presume the deed of
Trust has not been satisfied but we hope
from you again Respectfully J. F. Ashburn

Artison & Emmerson
1871

Acct. Sale of House and lot on South Street extended west
 and which belonged to the Est of S. D. Williams decd. Sold
 for L. R. Kilby Com^r to sell the lands of the said Williams. Paid Oct 23/77

To House and lot. Sold to E. G. Capew	\$ 75000
By Expenses, Ashton & Emmerson	20 00
" Our Check on Bain & Bro	40 00
" Three Notes from Capew Each for \$23000	69000
	<u>75000</u>

Ashton & Emmerson
 Accts.

Dr Sir

Fired herewith. Capew's three notes, a bill
 of our charges, and our check on Bain & Bro
 for fully paid. in settlement of acct sale as
 rendered above.

Very Respectfully

Ashton & Emmerson

Cash Rec ^d from Capew first payment	6000
Our Rec ^d	20 00
Our Check	40 00
	<u>6000</u>

A. E.

Mr John R. Kelby, born to see the land of S. D. Williams
To Ashton Emmerson
Auct.

¹⁸⁹¹
Oct 23 For Services rendered as auct. \$ 2000

Recd of
Ashton Emmerson

BOOK, JOB, AND ORNAMENTAL PRINTING EXECUTED WITH DISPATCH.

SUFFOLK, VA.

Oct-28th 1871

Mr John R. Kilby Comr

W. B. Wellons.
D. B. Dunbar.
N. F. McCann.



THE CHRISTIAN SUN,



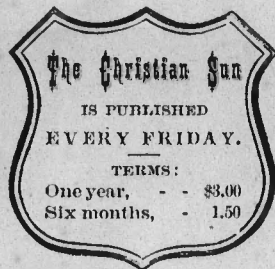
TERMS CASH.

KILBY STREET.

Sept-	15	To Advg: I. D. Williams Land in Southampton Co & near Portsmouth for Sale 389 86 50	\$ 11.40				
Augt-	28	To 40 1/4 sheet- Bills for same	2 25				
		Nov 7 th 1871 Recd Payment	\$ 13.65				
		W B Wellons & Co					
		Per Geo Wm					

1871 Oct. 16 Rec^d of John R.
Kelly Com. Five acres, for
selling Seth S. William, land
under decree of Court
Etc etc Davis

EVERY DESCRIPTION OF BOOK AND JOB PRINTING NEATLY EXECUTED.



TERMS---CASH ON DELIVERY.

Suffolk, Va., Jan 29th 1869

Mr. A. Kells Comr.

To W. B. WELLONS, Jr.

BOOK AND JOB PRINTING OFFICE,

Adv. Seth Williams, Anna Wood
27 L. 37

7 40
Respectfully of Anna Kells
W. B. Wellons

Southampton County Clerks' Office
November 30 1870

Assessed value of the lands of Seth L Williams dec directed to be sold
One tract containing 280 1/2 acres, assessed at \$1402.50
3 acres " " \$204.00

Jesse, Oswin White & Co

Land \$1606.50
Lot 600.00
7/34 : \$2006.50
668.83

Land value \$1606.50
Owner in Land & Lot 668.83
Taken in Land
3/4 of \$937.67 \$703.25
\$1937.67

to W. Hansen

bn# 750

Lawrence & wife

} Copy done

Williams' adm &c

done
nothing

Cons Bond given

see same after

60 days out

~~see same after~~

see if C

see if value

Southampton Circuit Court, November Term 1870—

William J. Lawrence and Laura his wife
formerly Laura Harrison Plaintiffs:
against
Edward Davis and Seth I. Williams decd.
Swathen Tardun, Joshua Tiddus, J. J. Tiddus vs:
Martha Williams and Mary E. Williams Defendants.

In Chancery

This day this Cause came on to be further heard on the papers
formerly read and on the Report of Commissioner Tyler, filed on
the 1st April 1870, and was argued by Counsel, on Consideration
whereof the Court confirming said Report to which no Exceptions
have been filed, doth adjudge, Order and decree, (it appearing
to the Court that there are no assets in the hands of Edward
Davis and of Seth I. Williams,) that unless Martha Williams
and Mary E. Williams pay to the plaintiffs William J. Lawrence
and Laura his wife the Sum of Seven hundred and Seventy nine
dollars and one Cent with interest on Eleven hundred and eighty
nine dollars and Seventy two Cents, past thereof from May 2nd 1870.
and the Costs of this Suit, within Sixty days from the rendition of
this Term, then John A. Kelly, who is appointed a Commissioner
for that purpose, shall after giving thirty days previous public
Notice of the time, place and terms of Sale, sell to the
highest bidder, at public auction, on a Credit of one, two,
and three years, equal annual installments, except Cash Sufficient
to pay the Costs of this Suit and of the Sale, in the City of
Petersburgh, the House and lot of which Seth I. Williams died
Seized in the said City, also sold of personalty, the Land in
Southampton of which said Williams died Seized, taking of
the purchaser Bonds with Security bearing interest from the
day of Sale for the deferred payments and retain the title
until the purchase money is paid, and report to Court.

And the Court doth further order that the Defendant, Edward
 Rauls be authorized to withdraw from the papers in this Cause, all
 the Bonds filed by him as Exhibits with his answer. The Commis-
 -ioner is directed to sell the real Estate hereby ordered to be
 sold Subject to the widow's right of dower. And if the said Widow shall
 file with the Commissioner her Oath in writing to sell the whole
 Estate in fee, and take out of the proceeds of said such Commis-
 -sion in gross as this Court shall decide she may be entitled
 to in lieu of her dower. But this Order shall be suspended
 until the said Commissioner enter into Bond and Security in the
 Clerk's Office of this Court in the penalty of One Thousand
 Dollars, Conditioned faithfully to execute this Order. -
 Liberty is reserved to the Plaintiffs to ask for further
 relief against other parties, if this Court should prove
 Unavailing. -

At Copy Test.

James R. Tyler, D.C.

Deft's Cost. to wit.	clerk	\$ 21.18
	Shff.	1.00
Comm. Tyler.		25.00
Law &		15.50
		\$ 65.68

Deft. Rauls' ad.	clerk	\$ 1.62
	Law	15.00
		\$ 16.62

Deft. Probler & Darden	clerk	\$ 0.61
	Law	15.00
		\$ 15.61

To The Circuit Court of Southampton
County.

The Undersigned respectfully
represents to the Court and says that
pursuant to the Decree of November Term
1870 of said Court, made in the cause
of Mr. J. Lawrence trustee against Edward
Rauley admr of Seth D. Williams dec'd &c.
he proceeded to advertise the real estate
of which Seth D. Williams died possessed
said on Monday the 16th day of October
1871 sell at auction before the Court house
door of Southampton, the said tract
Tract of Land in said County (subject to
the Dower therein as now laid off, of Mrs.
Martha Williams) containing 280 acres
more or less, when the same was purchased
by said Mr. J. Lawrence for \$750.00
of which there was received in
Cash & paid as follows.

for	To 5 per cent Com. on \$300 =	\$15.00
for	" 2 " " on \$450 =	9.00
for	" Clerk's fees	23.41
for	" Sheriff "	4.00
for	" Com. Exler	25.00
for	" Mr. R. Charlles, pth. atty.	15.50
for	" Mr. R. Kelly atty for Rauley &c	15.00
for	" same " for William Williams	15.00
	Cash on	\$121.91
		\$750.00

Ans. h. in	\$121.91	\$750.00
to paid Wellen, advs	21.05	
to " E. W. Davis Cuis	5.00	
to " 2 Reed's stamps	12.00	
	<u>\$159.96</u>	<u>\$750.00</u>
		159.96
Balance		\$590.04

(The land sold for $\frac{3}{4}$ of appraised value after deducting value of dunes therein)

In which Balance of \$590.00 the said W. J. Lawrence executed 3 Bonds each for the sum of \$196.66 $\frac{2}{3}$ making \$590.00

and the Undersigned also reports that on the 23^d Oct. 1871 he sold the lot near or adjoining Portsmouth on same terms, when the same was purchased by E. G. Corpuw for \$750.00 to paid Ashton & Emmerson

Antioneers per res	\$20.00	
" 2 per cent Coms	15.00	35.00
		<u>\$715.00</u>

By 3. Bonds of E. G. Corpuw at one, two & three years with Int. from 23^d Oct. 1869, for

\$230 = security Deeds of Trust on other real estate	690.00
Cash in Mr. R. Kelly's hands	\$25.00

The title & said Laws retained

Respectfully submitted

John R. Kilby, Comr.

1871 Oct. 28 Recd. one fee in the above
Case
J. R. Chamberlay for his
fee - J. R. Clerk of Circo. 80
\$15.50 \$23.41.

1873 Jan 20. Rec^d of John R. Kelly
Comm. my Three Bonds, each for \$196.68
all making \$590.04 & the Interest
on same making \$44.64, delivered
to ~~me~~ by him under Decree of
Southampton Circuit Court of May Term
1872. also rec^d of him Two hundred
and forty six dollars, and eighty six
cents in money collected by said Kelly
of E. G. Corbrey under said Decree
also twenty five dollars.

\$590.04
44.64
246.86
25.10

\$906.54

W. J. Lawrence

Lawrence

to } Copy Secret

Williams ad

Southampton Circuit Court May Term 1872

Lawrence H. W. Jr.
against
Williams' adm &c.

Plffs } In Chancery
Defts }

This day this cause came on to be further heard on the papers read and on the report of J. R. Kilby Commissioner for the sale of the real estate mentioned, and on argument of Counsel. On consideration of which the Court doth confirm said report to which no exception has been filed. And the Court doth further order and decree that J. R. Kilby Commissioner, withdraw from the papers of this cause the bonds taken by him for the purchase of the real estate of Seth D. Williams and pay to Wm. J. Lawrence his own bond in part satisfaction of the decree in favor of the plaintiffs for seventeen hundred & seventy nine dollars and one cent, with interest on seven hundred and eighty nine dollars and seventy two cents part thereof from May 2^d 1870 rendered at the November Term 1870, take his receipt therefor and file with the papers of this cause. The Commissioner will collect Copprews bonds as they fall due and pay the proceeds to Wm. J. Lawrence in part satisfaction of this decree against Seth D. Williams' estate. And the Court doth order and decree that said Commissioner make to Wm. J. Lawrence a deed with special warranty for the land purchased by him and report to Court.

Blk's book \$5.92.

Attest - J. R. Tyler Clk

Laurence Swife

W.

Seth D. Williams
adw. &c.

1st Report of payments.
under item of day term 1872

Let Decem. Term
collection of next.
Banc. & Haynes
2015

to the Circuit Court of Southampton County.

The undersigned reports to the Court, that pursuant to the decree of the said Court made at the May Term 1872, in the said of W. J. Lawrence and wife against Seth S. Williams' adm & others, he has received of the clerk of said Court the three Bonds of said W. J. Lawrence of \$196.68 each, and paid the same to him, in part of his debt as named in said decree, as the following statement will show.

answ. due W. J. Lawrence as per decree \$ 1779.01
Int. on \$1043.31 from 2^d May 1870 to
16th Octo. 1871, 1 y. 5 m. 14 d. } 91.27
\$ 1870.28

Then paid by Ed. Rauls adm of
Seth S. Williams dec. to the plt.
as per ret. filed in the cause } 277.20
\$ 1593.08

to ans. admitted by between said
W. J. Lawrence & Mrs. J. Pretlow
security as will be seen by
reference to the papers } 263.04
\$ 1330.04

Int. on \$1330.04 from 16th Oct.
1871 to 20 Jan. 1873 -
1 y. 3 m. 4 d. } 93.98
Car. on \$ 1424.02

Amos. brot. on \$ 1424.02
 To paid W. J. Lawrence his
 3 Bonds, each \$196.68 = \$590.04
 " Int. from 16th Oct. 1871 to
 20th Jan'y 1873 } 44.64 \$ 634.68
 Residue \$ 789.34
 By cash in Comr's hands last report \$25.00
 " Bond of E. R. Capron 230.00
 " Int. from 23rd Oct. 1871 to
 13 Jan'y 1873 } 16.86.
 To paid W. J. Lawrence \$271.86
 per rec. 271.86 \$271.86
 Not ~~recorded~~ \$517.48

a deed as directed has been made to Wm
 J. Lawrence for the land purchased by him,
 Respectfully submitted

John R. Kilby Comr

Laurence Duke

17

Seth D. Williams
adms 12

Statement.

File this in
adms case
JRK

W. J. Lawrence Sube

27

Seth D. Williams admt sal.

Decree Nov 1870

\$1779.01

Int. on 1043.31 from 2^d

May 1870 to 16 Oct. 1871

1 y. 5 m. 14 d

91.27

\$1870.28

or By ans of Ed. Paul,

admt of Seth D. Williams,

277.20

\$1593.08

or By sale of land

under proceedings herein

\$1330.04

\$263.94

Int. from 16 Oct. 1871

to 19 Nov 1872

17.28

\$281.22

1872 Nov 19. By consent of parties
the plt. accepts one half of said
\$281.22 to wit \$140.61 in full
payment of abm Balance which
has been paid me this day by Mr.
J. Patton for himself & as exor. of Mrs
Larkin decd.

Wm Chanley

attn for Lawrence

21

Lawrence wife

2

William, Jr.

~~2nd~~ Report under
Decree of May Term 1873

1873 Dec. 16

In the Circuit Court of Southampton County,

The undersigned Reports to the Court,
that pursuant to the Decree of May 2nd 1873,
he received of the Clerk of said the two Bonds of
E. S. Corprew of \$230. each and has collected the
one due, and paid the proceeds to the plaintiff
as per receipt annexed, and as the statement
below will show.

By E. S. Corprew's Bond, due 23 ^d Oct. 1872	\$230.00
" Int. from 23 Oct. 1871 to 10 Nov. 1873	28.25
	<u>\$258.25</u>

Is paid plt. per recd.

258.25

The other Bond is not due till Oct. 23^d 1874
(and when collected will be accounted for as required
by above named decree

Respectfully

John R. Kelly Comr

11 Nov. 1873

1873 Nov: 11 Recd. of John R. Kilby, Comr. Two hundred
and fifty eight dollars and twenty five cents the
amnt. of E. G. Conners' Bond due 23^d Oct. 1873
and Interest - paid to me under Decree of May
Term 1873 of Southampton Circuit Court, Virginia
in the suit of Lawrence wife v. William add to

258:25

W. Lawrence

Lawrence J. W. J.

Stat Rules

Williams adm J.

In Southampton Circuit Court.

Wm. J. Lawrence & Laura his wife formerly Laura Harrison Jeff

against
 Edward Rawls admr. Seth D Williams dec Jonathan Darden, Joshua Pretlow Martha
 Williams & Mary E Williams. T. J. Pretlow
Defts.

1869 Jan. 19 Summons issued to Edw Rawls admr. Jon. Darden Joshua & T. J. Pretlow.

" Feb. Rules. Sum. ret. Executed.

" March " Bill filed. D. Nisi v. Dfts. Rawls, Darden & Joshua & T. J. Pretlow.

" May T. Decree Amos of Rawls admr. Tho. J. Pretlow & Jonathan Darden.
 Decree for account.

" Sep. 22^d Amended bill filed & process issued.

" Oct. R. Sum. ret. Executed. D. Nisi v. Dfts.

" Nov. Amended bill taken for confessed & cause set for hearing of.

" T. Decree for additional report

1870 Nov. Decree for sale of

1873 May. Decree to Collect of

1874 Oct. Removed from the Docket

Ref's Costs

1870 Nov.	blks costs.	33 2	17.63 21.18
	shff "		4.00
	Com Tyler		25.00
			50.18
	Law for 20		15.50
			65.68

Deft. E. W. Rauls vs. Williams

blks	11 8 62
Law	15.00 11.16 62

Deft. Preston vs. Darden

blks	0.61
Law	15.00 11.15.61



Mr. John. P. Kilby
Suffolk

J. P.

If not called for within 10 days,
Return to JOHN R. KILBY & SON,
ATTORNEYS AT LAW,
SUFFOLK, VA.



L. R. Edwards Esq

clerk

Lanham.

JOHN R. KILBY.

WILBUR J. KILBY.



JOHN R. KILBY & SON,

Attorneys at Law,

COURTS:
Nansemond, Isle of Wight, South-
ampton and Norfolk Counties,
And United States District Court
at Norfolk, Va.

Suffolk, Va., 29 Oct 1874

My dear Edward

File this ret. with my
report in *Lanham v. Williams*.
Final decree this Court - put it to it

Yrs truly
John R. Kilby

1874 Oct. 23^d. Rec^d of John R. Kilby Comr
Two hundred and sixty dollars, Balance
due me under Decree of Circuit Court of
Southampton Co. Va. of May Term 1873.

#266.

J. P. Lawrence

~~29th Nov 1874~~

Lawrence Snipe

as.

Williamson now &c.

This day this Court came
on to be further heard on the papers formerly
read and on the report of the Hon. Judge on
1st April 1870. and was agreed by Counsel
on consideration thereof the Court confirming
said report to which no exception has been filed
with agreement or assent (it appearing
to the Court that there are no facts, in the
hands of Edward Rauls now of Seth D. Williams)
that except Martha Williams and Mary E. Williams
pay to the Defts. Wm. S. Lawrence & Anna his
wife the sum of \$1779.01. with int- on \$1189.72.
paid therefrom May 2nd 1870. and the costs
of this suit, within sixty days from the rendition
of this decree, - Then and R. Kelly who is
appointed a Commissioner for the purpose. shall after
giving 20 days previous public notice of the times
places & terms of sale, sell to the highest bidder
at public auction, on a credit of one. two.
and three years equal annual instalments.
except cash sufficient to pay the costs of
this suit and of the sale in the City of Portsmouth
the House & lot of which Seth D. Williams and
reigned in the said City: also sell at Lanes also
the land in Southampton of which said
Williams and seized. Taking of the purchase
money ^{with receipt} from the day of sale
for the unpaid payments. & receive the
title until the purchase money is paid.
and report to Court.

And the Court with further order that the
Deft. Edward Rauls be authorized to withdraw

from the papers in this cause all the bonds
taken by him as exhibits with his answer.

The court is directed to see the real estate
being ordered to be sold subject to the
median right of owner, unless the said
median shall file with the court his
consent in writing, to see the whole estate
in fee, & take out of the proceeds of sale
such compensation in gross as this
shall decide she may be entitled to, in
sum of his down.

But this decree shall be suspended until
the said cond. man into bond & security in
the clerk's office of this court, in the sum of
\$1000. conditioned faithfully to execute
this order.

Liberty is reserved to the Plff. to ask
for further relief against other parties
if this decree should prove unsatisfactory.

Lawrence Drake
vs } Decree
Williamson, and

Nov. 27. 1870

to be entered

Wm. J. Drake

Laurence G. wife

v { Same Chy.

William's adm^r of

1869 February Rules

Executed on J. J. Putlow
Jan. 20th. 1869 on Joshua
Putlow on Jan. 22nd. 1869
& on Jonathan Darden
Jan. 25th. 1869 by deliver-
ing a copy to each one
of them.

E. L. Story Deft
for S. Kello Shiff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of the County of Southampton—GREETING:

We command you to summon

Jonathan Darden, Joshua Preble & Thomas J. Preble

if *they* be found within your bailiwick, to appear at the Clerk's office of our court of Southampton County, ^{*direct*} at the Rules to be holden for the said court, on the first Monday in *February* next to answer a bill in Chancery exhibited against them and ^{*another*} ~~others~~ in our said Court by *Wm. J. Lawrence & Laura* *his wife*

And have then there this writ.

Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the courthouse, this *19* day of *January* A. D., 186*9*, in the *9th* year of the Commonwealth.

L. R. Edwards

Lawrence wife
~ } Copy Deed

William's adm. of

Southampton Circuit Court, May Term 1869.

W. J. Lawrence & Lanes his wife formerly Lanes Harrison
Against

Edward Rauls adm. of Seth S. Williams, Thos. J. Pickens &
Joshua Pickens & Jonathan Sargent.

Plffs.

Defts.

In Chancery

This day this cause came on to be heard in the Bill, answers of Edward Rauls
adm. of S. S. Williams, of Thos. J. Pickens & Jonathan Sargent, replications thereto
Exhibits filed, & was argued by counsel, on consideration whereof, the
Court doth adjudge, order & decree, that a Commissioner of this Court,
take an account of the transactions of S. S. Williams as Guardian
of the female Plaintiff Lanes Lawrence, formerly Harrison, also an
account of the transactions of Edward Rauls adm. of Seth S.
Williams, taking the Guardian account filed as an Exhibit with
the Plaintiff's Bill & any Experts accounts returned by said
Rauls as adm. of Seth S. Williams to the Court of the County in which
he qualified, as primo-facie correct, liable to be surcharged &
falsified by either party. Which accounts the Commissioner
will report to Court, With any Matters Specially Stated
demanded pertinent by himself, or required by either party to
be so stated, & leave is granted the Plaintiffs to amend
their bill & Make new parties.

A Copy-

Teste.

L. R. Edwards D.C.

Samuel Jr

M

William, adu

1869

Nov or Decr

To be Entered

E. J. Pitts

Lamene &

or

William adv

This cause came on to
be heard ~~and~~ the paper formerly read to the
amended Bill filed in this cause ~~was~~
~~taken~~ for confided, as to the Defendants
therein named, process having been
duly served and they failing to answer
and was argued by counsel. On
consideration whereof the Court with
advice, order & decree that in
addition to the duties required under
the Decree of May Term 1869, that
a Com of this Court ascertain the
true simple & annual value of the
real estate of which Seth D. Williams
did seize & possess; and also
ascertain what debts are due & unpaid
by said Seth D. Williams, or his Estate
and then report, and make
report to Court, with any matters specially
stated, deemed pertinent by himself
or that may be required by any one to
be so stated.

Lawrence Yule

& } Copy done

William's adm of

~~for ed.~~

~~March~~ 24

Kelly for defn
Chambers for plh.

Southampton Circuit Court November Term 1869

William J. Lawrence & Laura his wife
formerly Laura Harrison Plffs
against

Edward Rawls Admr Seth Williams died } In Chancery
Jonathan Darden, Joshua Pettit, T. J. Pettit }
Martha Williams & Mary C. Williams Deft

This cause came on to be heard on the papers formerly
read, & on the amended Bill filed in this cause &
taken for confessed as to the Defendants therein named,
process having been duly served and them failing to
answer, and was argued by counsel; On consideration
whereof, the Court with advice over & decreed that
in addition to the duties required under the Act of May Term 1869 that
a Commissioner of this Court ascertain the fee simple
and Annual value of the Real Estate of which Seth
& Williams died, seized & possessed; and also ascer-
tain what debts are due and unpaid by said Seth &
Williams, or his Estate, and their Dignity, and make
report to Court, with any matter specially stated,
deemed pertinent by himself, or that may be required
by any one to be so stated.

Attest

J. W. Edwards DC.

112

Laurence L. L. L.

As } L. L. L.

William L. L. L.

May 27. 1872.

To be entered

as a student.

and the Court with view to an order that
the Court make to Wm J. L. L., a deed
with special warranty for the land
purchased by him & report to Court.

Lane
v
McCian

1873
May Co. v
Deane
to be entered.
Geo. Blod.

A

Laurence &

vs

William, 'admt

This cause came on this day to be again heard on the papers formerly read in the Report of John R. Kilby, Comr. made pursuant to the decree of the May Term 1872, of this Court, to which report there is no exception and was argued by counsel. On consideration whereof the Court doth confirm the said Report and doth adjudge, order & decree that the said Report be confirmed; & that the said John R. Kilby, Comr. as aforesaid proceed to collect of E. G. Corbrey, the two Bonds of \$230 each, ^{owing} ~~due~~ by him, when due with all interest thereon, and pay the same to the plaintiff, and execute to said Corbrey a deed with special warranty in the usual form, and make report to Court.

Laurence wife

n

Williams' adw to

1874

Oct. ct.

Final decree

to be entered

Geo. B. Stow.

(file recd when
recd)