

1831-001

Chancery Causes'. William Bayton v. Mary Beale + al, by v. c.

Isle of Wight County

other surnames: Daughtrey,
Lightfoot, Beal, Beaton,
Young

Bayton Lewis
n 3

Beaver appears

h.

Apr. 6. t. or on to
of to be taken
ac corp to this
acres —

Dayton Swift

7 3 ~~Seven~~

Beach infants

~~of the infants~~

Final

at the
Payton wife
3 3/4 Rice
Beals infant

rough account filed

August 2nd 1830 Bill & answer
filed and order for court to make
up the account;

September 5th 1830 Interd. decree

November 2^d 1830 decree annul-
led

January 3^d 1831 report returned
filed

the slaves over to your nation as men
they are now in possession of your
orator and oratrix and have been
hired out from year to year as will
appear by the guardian account
returned to the County Court of Isle of
Wight examined and allowed by the
said Court. The slaves held by the said
guardian are Edwin, Sylvia, Peter, Bess, child
name unknown --

And the complainants beg leave further
- to state that by the several guardian
- accounts reported and as
aforesaid the following sums are due
from the following children to your
orator, that is to say

an exhibit X & Y. --
From Elizabeth \$94.31 - from Ann Beale \$68.50,
from Peggy Beale \$86.80 - from Mary Beale
\$60.32 - and from Mr. Beale \$78.45 each
sum to carry intent from the first day
of September 1850 all which will appear
by account made up & reported to
the Ct. by Cor. Leigh Post - which are
of record in the County Ct. of Wight & should
be taken as proof of this fact.
And they charge that the said orphans
have estates, the profits of which are
insufficient for his or her support yet
each is of such tender years that he or
she is unable properly to be housed & appren-
-ticed at this time, and therefore they ask
that the Court will direct so much of
the personal estate of the infants as may
be necessary to be sold to pay to your

complainant the aforesaid balances
due on the guardian accounts for
board and clothing and necessities
advanced for said infants - And your
complainants aver that the slaves
remaining after the allotment of some
to your oratrix the widows are now
Edwin, Sylvia, Peter, Bess & child name
unknown --
and they are divided and as each
is indigent and from the indigent state
of the region and the children having
no money to pay from one to the
other the difference in the value
of the said slaves your complain-
-ants think it will certainly be the
intent of the infants to cause
slaves to be sold for a division
- of the consideration whereof
as much as your complainants
are remedied in the premises as in
in this Worshipful Court which
such matters are properly cognizable
and where alone they are relievable,
they ask the aid of this Court. They pray
that the said infants, Mary, Anna,
Peggy, William and Peter Beale by
some guardian as often may be
appointed and be consigned to
any person this Court and that your
Worship will make any order in
the premises which may com-
-port with equity, law and duty herein
they will ever pray &c. --

Attest on p. 9

The County Court of Shelby County sitting
in chancery. Humbly complaining; then,
unto your honor, your orator and oratrix
William Bayton and Louisa his wife who
was the widow of Jacob Beale; that the
said Jacob Beale died on or about the
day of 1826, having made his
will which has been admitted to record
according to law in the County Court
of Shelby County an attested office copy
of which is hereto annexed and
is prayed to be considered as
a part of this bill. By the said will the
testator gives to your oratrix one third
part of his estate real and personal
during her life, and she does or
one third part in, the law has been
settled to her, and he then devises
his land to Mr. one of his sons, and
go with the payment of \$150 to the
rest of his children when ~~they~~ he shall
arrive to the age of twenty one years;
he then devises that the balance of
his estate shall be equally divided
between and among all his children.
The testator's ~~left~~ children are Mary, Anna,
Peggy and William Beale and Betty
Beale who was born in nine months
after the death of the testator who appoints
-ed Solomon Daughtery his executor who
qualifies as such and proposes
himself of the personal estate but your
orator and oratrix charge that the said
Louisa ~~is~~ qualified before this
Honble Court as guardian of the said
infant, and the said executor has a

Rayton di

7

Beaver di

==

Rayton

&

wife

7

Beaver infants.

answer of the
inf. defendants

To the County Court of H. of
Might sitting in Chancery.
The joint and separate answers
of Mary, Ann & Peggy, Elizabeth
and William Borden infants
by next of kin their parents
and letter to the plea of
complaint against them in
the said Court exhibited by
William Bayton Esq. -

The defendants having to
answer say they are infants
of very tender years and
unable to protect their
interest involved in the
plaintiffs bill and by
to submit their case to
their property to the case
of the Court. and having
answered they pray leave
to be dismissed - &c.

Report of the Sale
of the slaves of Jacob ^{Smith}
Estate

Isle of Wight County November 19th. 1830

In obedience to the annexed Decree of the ^{court of the} county aforesaid bearing date September court 1830 your commissioners proceeded to sell the Slaves named in said decree on the forth day of November last after giving at least four weeks notice at the most conspicuous places of the time and place of sale and your said commissioners not being desirous to be the responsibility on themselves with respect to selling said slaves for cash which left it discretionally with your said commissioners in the amended part of said decree agreed to consult with John H Chapman & Wm G Bate ^{the} guardian of the infant Defendants named in said Decree & by and with their consent we your said commissioners thought it expedient to the heirs to sell the following Slaves for cash (to wit) Seely and child Snaky to Abram Reelick for the sum of \$122.50 cents Girl Selvy to Dempsey Howell for \$276.50 boy Peter to Abram Reelick for \$152.25 boy Bille to Abram Reelick D^r for the sum of \$81.25 which the several sales amounted to \$632.50 and after deducting the expenses of sale and \$144.9 cents court charges left a balance of five hundred and eighty six dollars twenty eight $\frac{1}{2}$ cents to be equally divided between the five infant defendants which left one hundred & seventeen dollars twenty five $\frac{1}{2}$ cents to each of the infant defendants and your said commissioners paid to William Bateman & wife Louise out of the share of Mary Beal seventy dollars one $\frac{1}{4}$ cents including Interest up to the 4th of November 1830 which left a neat balance of forty seven dollars. 24 $\frac{1}{2}$ cents due said Mary out of the share of Elizabeth Beal to Bateman & wife ninety seven dollars twenty seven $\frac{1}{4}$ cents including Interest up to the 4th Nov^r D^r which left a balance due the said Elizabeth of nineteen dollars ninety eight $\frac{1}{2}$ cents out of the share of Ann Beal to Bateman & wife sixty nine dollars twenty four cents including Interest up to D^r which left a balance due to the said Ann Beal of forty eight dollars one $\frac{1}{2}$ cents out of the share of Peggy Beal to Bateman and wife the sum of eighty seven dollars sixty six $\frac{3}{4}$ cents including Interest D^r which left a balance due the said Peggy Beal of twenty nine dollars fifty nine cents and out of the share of William Beal to Bateman and wife the sum of seventy nine dollars twenty three ^{cents} including Int^y up to the 4th November 1830 which left a balance due the said William Beal of thirty eight dollars two $\frac{1}{4}$ cents which your said commissioners paid over the several sums due the Infant defendants to their Guardians as the annexed receipts will appear and more fully explain and further your said commissioners report not. Given under our hands this day and date above written.

Jacob H. Dieck

J. S. Holland

X and Y are copies, as prima facie com-
plicit to be searched and falsified, and the
Cov. is directed to state each orphan account
separately giving him or her credit with the guar-
-dian for his or her proportion of the slave
Bob sold by the guardian by order of a pl. Court
1829, or well as for his or her proportion of ac-
rent and hire ~~of~~ which shall have accor-
d, as well as those to be due on the first of Jan^y.
~~and~~ ^{and charging the expenses of the orphan to Sept. 1830,}
1831 - so as to show what amt. will be due from
each orphan (if any thing) to the guardian
on the first of September 1830, charging the guardian
with the rent and hire up to Jan^y. 1831 - &
to make report to this Court with any
remarks deemed pertinent by himself or
which may be required by the parties to be
stated, &c.

William Bayton & Louisa his wife, p^{ers}.
vs. J. D. Cady.

Mary, Anna, Peggy, William & Elizabeth
Beck infants by Walter Young their personal lib^{erty}.
This cause in which the Court had happened
- to the said young guardian and citizen to
the infants ~~and~~ ^{and} came on again to be
heard ^{by the court} on the papers formerly read, and the
report of Court Lightfoot made pursuant
to the order of August Court 1830 to
which report no exceptions have been
filed, and was argued by Counsel;
on consideration of the Court with
the consent of parties, both confirm the
said report, and being of opinion that
the profits of the estate of each defendant is
insufficient for his or her support and
that under the laws it is proper to pay by
a sale of a part of the personal estate of each
ward, so much as will pay to the com^{ing}
guardians of them, the amount found
by a report of Court Lightfoot made under
the order of August Court 1830, to be due
from each of the said infants, & that
from the ages and conditions of the
slaves in the bill named, by the defendant
a division of the slaves, to which the
said children are entitled, can at the
made without a sale, the Court doth
^{therefore} ~~therefore~~ ^{further} ~~order~~ ^{adjudge} ~~and~~ ^{order} that
after giving notice for four weeks of the
time and place of sale at the most
conspicuous and publick place, in
the County of Guilford vizt, Court House
and Joseph H. H. and do sell to the highest
bidders the slaves, Belia, Sylvia, Peter, Bice &
a child whose name is unknown &
which are slaves of the estate of Jacob Beck
& to his infants the Consignation of the
intent in them allotted to the said and upon

the following terms to wit; so much for cash
as will offset the expenses of the sale, of the
debt and as will make up the sum of
three hundred and ninety seven dollars
and forty four cents with intent thereon
from the first day of September 1830 to the
day of sale, being the amt. due from the
defendant to the plaintiff ~~the~~ ^{Rayton} ~~the~~
and the balance upon a credit of 6
months, for the latter taking bonds with
good security in such way as to pay
to the plaintiff of each infant the
amt. due to said infant after paying the
sum of said due to the plaintiff -
that the Com. first from the whole amt. of
sale deduct the costs of this decree of the
sale, then divide the balance into five
equal shares, out of the balance due to
Elizabeth Beale pay to Rayton the p^{ro}ps of
said plaintiff \$94.31, ~~out~~ out of the
share of Ann pay to same \$68.56; out of
share of Peggy pay to same \$88.80; out of
share of Mary pay to same \$69.32 & the
share of William Beale to same \$78.45 -
with intent on each sum from the first
day of September 1830 to the time of payment
and after the payment of said the Bonds
for each child balance to be paid over
to the plaintiff to be accounted for
by him acc^ong to said, and the Com.
are directed to make report to this Court
with any remarks deemed pertinent
by them or necessary by the parties to be
stated in order to a final decree -

exhibit of

X² ~~XX~~

Bayton St.

Black infants

Memo. of balances due Mr P Bialon on the settlement of his
Guardian Accounts of Jacob Beal's Orphan - Sept. 1st 1830

From Elizabeth	Beal	\$94. 31.
" Ann	Beal	60. 56
" Peggy	Beal	05. 00
" Mary	Beal	09. 32
" William	Beal	70. 45

397. 44

In Sole and Right County Court
William Bayton and Lucina his wife
against

September Court 1830.

Complainants

In Chancery

Mary, Anna, Peggy, William and Elizabeth
Beale infants by Nathaniel Young their Guardian
ad litem

Defendants

This cause in which the Court hath appointed Nathaniel Young Guardian ad litem to the infants defendants came on again to be heard on the papers formerly read, and the report of commissioners Lightfoot made pursuant to the order of August Court 1830 to which report no exceptions have been filed, and was argued by counsel: On consideration whereof the court with consent of parties doth confirm the said report, and being of opinion that the profits of the estate of each defendant is insufficient for his or her support, and that under the law it is proper to pay by a sale of a part of the personal estate of each ward so much as will pay to the complainants Guardian of them the amounts found by a report of commissioners Lightfoot made under the order of August Court 1830 to be due from each of the said infants, and that from the age and conditions of the slaves in the bill named and of the defendants, a division of the slaves to which the said children are entitled can't be made without a sale, the court doth therefore further more adjudge order and decree that after giving notice for four weeks of the time and place of sale at the most convenient and public place in the county of Sole and Right, Sheriff A. B. and his clerks do sell to the highest bidder the slaves Lelia, Selvia, Peter, Bill and a child whose name is unknown, and which are slaves of the estate of Jacob Beale and to his infants belonging exclusion of the interest in them allotted to the widow, upon the following ~~terms to wit~~ as much for each as will defray the expenses of the sale of the same and as will make up the sum of three hundred and ninety seven dollars and forty four cents with interest thereon from the first day of September 1830 to the day of sale, being the amount due from the defendants to the Guardian Bayton Wife and the balance upon a credit of 6 months, for the latter taking bonds with good security in such way as to pay to the Guardian of each infant the amount due to said infant after paying the sums aforesaid due to the Guardian, that the commissioners first from the whole amount of sales deduct the costs of this decree and of the sale, then divide the balance into five equal shares, out of the balance due to Elizabeth Beale, pay to Bayton the plaintiff and wife Guardians \$44.31 out of the share of Ann pay to same \$58.56, out of the share of Peggy pay to same \$86.80 out of the share of Mary pay to same \$69.32 and of the share of William Beale to same \$78.45 with interest on each sum from the first day of September 1830 to the time of payment, and after the payments aforesaid, the bond for each child's balance to be paid over to the Guardian, to be received for by him according to law, and the commissioners are directed to make report to this court with

remarks deemed pertinent by them, or requested by the parties to be stated in order to a final decree.

Clerks fee. \$4.59
att^o " 10.00
\$14.59

A copy Teste Nathl Young Esq.
ccp

Nov. County Court Isl of N.Y. 1830.

By consent of parties and for reasons appearing to the satisfaction of the Court ^{much of} the decree entered in this cause at September Court 1830 as to the sale of part of the slave, on a writ is retained, and the Court by like consent with adj. ord. decrees that the Court sell the whole of the slave for cash if he shall find it advantageous to the interest of the infants, and pay the proceeds in the manner directed in the former order, in lieu of paying over bonds.

a copy note

Nathl Young Esq. M.C.
ccp

Baylors Wife

" 2/3 Dimes

Bials infants

(A copy)

25.44
19.76
4.68

November 4th. 1830 Rec^d. of Jacob B. Duck and Joseph S. Holland
commissioners appointed in a certain decree of the county court
of Salisbury Bate and wife against the heirs of Jacob Beal Dec^d.
which the said Bate man is guarantied the sum of ninety seven dollars
twenty seven $\frac{3}{4}$ cents including Int. up to 4th November 1830

which is directed in said decree to be paid unto said Bate man & wife
from Elizabeth Beal's proportion. Also sixty nine dollars $24\frac{1}{2}$ cents with
Int. &c. from the portion of Ann Beal eighty seven dollars sixty six $\frac{3}{4}$
cents with Int up to 4th Nov^r. D^o from the portion of Peggy Beal.

Also twenty dollars one $\frac{3}{4}$ cents with Int. D^o from the portion of
Mary Beal. And from the portion of William Beal seventy
nine dollars twenty three $\frac{1}{4}$ cents. Also the sum of forty eight
dollars and one $\frac{1}{4}$ cents due the said Bate man's word Ann Beal
also twenty nine dollars fifty nine cents due his word Peggy Beal
also the sum of thirty eight dollars $2\frac{1}{2}$ cents due his word William
Beal and also the sum of nine ten dollars nine $\frac{1}{2}$ cents
due his word Elizabeth Beal all parties to which is named
in said decree and hereunto annexed given in our my
hand &c.

Test

Barth. Lightfoot

Wm. J. Beaton Atty for

Ann Beal Margaret Beal
William Beal & Elizabeth
Beal

November 18th 1830 Rec^d. of Jacob H. Duck and Joseph S. Holland
commissioners appointed in a certain Decree of the county court
of Suffolk at the hearing at the September court 1830 and hereunto
annexed ~~the bill~~ the negroes belonging to the estate of Jacob
Beal Dec^d. the sum of forty seven dollars 24 $\frac{1}{2}$ cents due my ward
Mary Beal &c. Given under my hand &c.

Test

B. Asst. S. at the Court

John H. Chapman Guard.
of Mary Beal

Mr. Jacob H. Duck a cow in the ch^y. con
of ~~the~~ Bayton and wife in Beal
has paid me ten dollars the amt. of
my fee in the said suit. A. Atkins
Nov. 15. 1830

Jacob Beato

Will

Alcock for

A. Alkivia Esq:

Exhibit A

In the name of God Amen I Jacob Beal of Solis Night County and State of Virginia being weak in body but of sound and perfect mind and memory for which I thank God, and calling to mind the uncertainty of human life, do hereby make my last will and testament in manner and form following that is to say:

First I desire that all my just debts and funeral expenses be paid and discharged at the discretion of my executor.

Item I lend unto my loving wife Louisa Beal one third part of my estate both real and personal during her life.

Item I give and bequeath unto my loving son William Beal all the lands I now am possessed with by paying the rest of my children one hundred and fifty dollars to be equally divided among them when he arrives to the age of twenty one year and his heirs forever.

I desire that all the balance of my estate at my death to be equally divided among all my children that are living.

Lastly I do hereby appoint Solomon Daughtrey and Jacob H. Duck my executors, in case of ones death the other to serve, and further, I do appoint Henry Daughtrey and Samuel Vaughan to settle my estate and divide my negroes among my children, and in case if they cannot make equal division in the slaves, to sell one to make a denoum, and now in case if Henry Daughtrey and Samuel Vaughan should die or either of them, for the executor to appoint who he thinks proper to settle and divide in their power this my last Will and Testament hereby revoking all other former wills or testaments by me heretofore made. In Witness whereof I have hereunto set my hand and affixed my seal this 2^d day of January 1874.

Jacob ^{his} Beal ^{mark} (Seal)

Signed sealed published and declared as and for the last will and testament of the above named Jacob Beal

In presence of us

Benjamin ^{his} Cornwell ^{mark}

Jordan ^{his} Beal ^{mark}

James W. Tallough

At a Court held for Solis Night County the 5th: 1876 The above will was presented in court and proved by the oath of Benjamin Cornwell and James W. Tallough two of the witnesses thereto and admitted to record

Attest
Nathl. Young &
Clerk

Beaton & wife: all of which several sums are to carry interest from the 1st day of January 1829 which is respectfully submitted to the court —

Barth: Lightfoot Secy:

At a Court held for Vol of Wright County the 6th day of April 1829 the within Guardian account was returned by Commissioner Lightfoot together with his report thereon endorsed and ordered to lie for exceptions — and at another Court held for the said county the 6th day of July 1829 the said account and report having been filed for more than two months & no exceptions being filed thereto: was ordered to be recorded

A Copy Teste Nath: Young J. C.

Beaton & wife

or 2 Genl acct.

Beats Orphans

A Copy for
A Atkinson Esq
exhibit
7

Dr^y Mary Beal Orphan of Jacob Beal deceased In account with William Beaton and Louisa his wife Guardian

1827			
Dec.	31	To board and clothing the orphan this year	20 00
1828			
		To 5 Pps bates @ 2/3 1 pair shoes 7/6	3 12
Dec.	31	" boarding and clothing the orphan this year	20 00
			\$ 43 12

Dr^y Ann Beal Orphan of Jacob Beal deceased In account with William Beaton and Louisa his wife Guardian

1827			
Dec.	31	To board and clothing the orphan this year	20 00
1828			
		To 4 Yards bates @ 2/3 1 pair shoes 4/6	2 25
Dec.	31	" boarding and clothing the orphan this year	20 00
			\$ 42 25

Dr^y Margaret Beal Orphan of Jacob Beal deceased In account with William Beaton and Louisa his wife Guardian

1827			
Dec.	31	To boarding and clothing the orphan this year	20 00
1828			
Dec.	31	To boarding and clothing the orphan this year	20 00
			\$ 40 00

Dr^y William Beal Orphan of Jacob Beal deceased In account with William Beaton and Louisa his wife Guardian

1827			
Dec.	31	To boarding and clothing the orphan this year	20 00
1828			
Dec.	31	To boarding and clothing the orphan this year	20 00
			\$ 40 00

Dr^y Elizabeth Beal Orphan of Jacob Beal deceased In account with William Beaton and Louisa his wife Guardian

1827			
Dec.	31	To boarding and clothing the orphan this year	20 00
1828			
Dec.	31	To boarding and clothing the orphan this year	20 00
			\$ 40 00

Smithfield Commissioners Office January 15th. 1829

Pursuant to the annexed order of the court of Solus Wright, William Beaton and Louisa his wife laid before me papers vouchers relative to the said Louisa's Guardianship on the estates of Mary, Ann, Margaret, William and Elizabeth Beal Orphans of Jacob Beal deceased, which papers I have examined and stated, showing the sum of forty three dollars and twelve cents due from the said Mary Beal; the sum of forty two dollars and twenty five cents due from the said Ann Beal; the sum of forty two dollars due from the said Margaret Beal; the sum of forty ~~two~~ dollars due from the said William Beal; & the sum of forty dollars due from the said Elizabeth Beal to the said William