

JACKSON Co. CIRCUIT COURT
Chancery & Independence - Civil
March 1844 No. 85

Box 11 Folder 9

Vol A, Pg 142

Butts, Salathiel

vs

Hawkins, Rebecca et al

Bill in Chancery

- No specific action given.
- Re: slaves sold to pay a fee bill against Rebecca Hawkins
- Slaves (Sam; Harrison; Ewing; Irene; John; George; Ned; Mary; Maria; Paralee) were property of Hawkins's husband, Williamson Hawkins
- Rebecca Hawkins convicted of poisoning her husband
- Case was moved to Van Buren County by change of venue (Criminal case)

To The Honorable the Judge of the Jackson
Circuit Court in Chancery sitting

Sheweth, Complaining sheweth unto your
Honor, Your Orator Salathiel Butts, That some
Time in the Fall of 1838, William Sankins de-
ceased, this life, a true resident in Jackson County
leaving as his heirs and legal distributees, his wife
or Rebecca Sankins, and eight children, to wit
William H. James J. Puddleton B. Martin J.
Ed. Jesse, Salathiel, and Betty Ann Sankins —

That said Sankins owned at the time of his death
among other property, the following slaves, to wit
Sam, Garrison, Caring, Isaac, John, George, Dick
Mary, Maria and Paralee, the last mentioned
of whom has since died — That said Sankins
left a last will and Testament, duly executed
which was on the 1st November 1838, and submitted to
probate before the Clerk of said Jackson County Court
and accepted by said County Court at then became
his term next following — That letters of Admin-
istration with the Will annexed were granted upon
the estate of said Sankins, to John Smith by
the said County Court at then next term, and that
said Smith after was qualified and entered into
bond as such Administrator, Took the said Ad-
ministration upon himself, and is now acting as such
— That said Rebecca Sankins, died on the 5th day
of November 1838, by herd of all own and lawful heirs

and filed in the Jackson ^{Circuit} Court Clerk's Office
under the said Will

Upon Order granted shows that said Rebecca Smith
was on the 31st day of October 1838. arrested upon
a charge of poisoning her said husband, Williamson
Smith, and was duly committed on said charge
and was by a Grand jury of the County of Jackson
indicted upon said charge, at the August 1839 term of
the Jackson Circuit Court — That said individual
being removed from said County of Jackson to Van
Buren County by change of venue, was tried and
said County of Van Buren, and the said Rebecca
Smith convicted thereon in said Van Buren Circuit
Court at the July term thereof 1841 — That a fine
bill for the costs of prosecution in said case, was
issued from the Clerk's office of said Van Buren Cir-
cuit Court, and placed in the hands of Joseph
H. Reynolds Sheriff of Jackson County for collection
— That said Reynolds as Sheriff as aforesaid, being
said fine bill
upon the said Rebecca Smith's interest in the shares
of Williamson Smith, and after giving proper
notice sold the same to the highest bidder at
this Court House now in the Town of Independence
when your Order became the purchaser thereof
at the price of One Hundred and thirty two dol-
lars and 57 cents, and the said Reynolds as Sheriff
as aforesaid, executed to your Order a Certificate
of said purchase, which is herewith filed, marked
B, and made part of this Bill

Your Orator further represents that the time has expired in which debts can be proven against said estate according to law, that the debts which have been proven against the same, have all been paid, and that all the negroes mentioned in the Bill as belonging to said Williamson Hankins at the time of his last removal in the hands of said Smith as Administrator is approved and proved of. - All which representations, Your Orator has charges and states to be true.

In consideration of the premises, and because Your Orator is immediately at law and only relieved in equity, he prays Your Honor to cause the States suit of entrapment to issue, compelling the said John Smith, Rebecca Hankins, William A. Hankins, James J. Hankins, Pendleton B. Hankins, Martha J. Hankins, Eli Hankins, Jesse Hankins, Lathaniel Hankins and Patsy Ann Hankins, as Defendants to the Bill, to answer the matters and things herein stated and charged, as fully as though put by way of interrogatory, and upon final hearing that Your Honor may decree to Your Orator the interest of said Rebecca in said estate, and order a division of the same, and appoint suitable Commissioners to make said division. And that Your Honor may make such other and further orders, as the nature of the case may admit, and justice and good conscience may require. And Your Orator will ever pray to

Sh. Woodson, Solicitor
for complainant

W. J. L. L.

Shoff's fees \$10.00

This is to certify that Isaiah Butts did this day
purchase all the right, title, interest and claim
of ~~the slaves~~ belonging Rebecca Hawkins of in & to
the slaves belonging to the estate of William Hawkins
deceased, said slaves being sold by me as Sheriff
of Jackson County, to satisfy a fee bill against
said Rebecca Hawkins, from the Law & Equity Circuit
Court, for costs in criminal prosecution in
said Court against said Rebecca Hawkins for
poisoning, said property was by me advertised
and sold according to law, & said Butts purchased
the same for the sum of one hundred and sixty
two dollars & 57 cents, December 11th 1846

Joseph R. Reynolds Sheriff

Salutem Dilectis

no 3 Bill in
Chamney

Rebecca Hunt

St. Paul

EP

The State of Mississippi
To the Sheriff of Jackson

County Greeting You are hereby Commem-

-ded to Summon John Smith, Rebecca

Hawkins, William H. Hawkins

James J. Hawkins Pendleton B. Hawk-

kins Martha J. Hawkins Eli Hawk-

kins Jesse Hawkins Salathiel Hawk-

kins Ann Betsey Ann Hawkins that

they do and appear before the Honorable

Judge of our Jackson Circuit Court at the

Court House in the Town of Natchez

Miss on the ~~18th~~ (Monday) in ~~the~~

next it being the 18th Day of said

Month Then and there to answer unto

the ~~Bill~~ of Complaint of Salathiel Batts

as set forth in the foregoing Bill in Chem-

-ical and that you have then and there

this Writ and that you certify that you

obey the same.

Witness Samuel Jones

Clk of our said Court

Attest his Opposed Said

Chas. appeared at Office

in Natchez on the 27th

Day of February AD 1849

Samuel Jones Clk

Jackson Circuit Court
In Chancery sitting

The Demurrer of James I Hawkins
& William H Hawkins two of the defendants to
the bill of complaint of Salathiel Butts Complainant

These defendants by protestations not
confessing all or any of the matters and things
in the said Complainant's bill contained to be true
in such manner and form as the same are therein
& thereby set forth and alleged, do demur to
the said bill, & for cause of demurrer show that
the said complainant has not by his said bill
made such a case as entitle him in a court
of Equity to any discovery from these defendants
respectively or any of them, or to any relief
against them as to the matters contained in said bill
or any such matters, and that any discovery which
can be made by these defendants or any of them
touching the matters complained of in said bill
or any of them cannot be of any avail to the said
Complainant for any of the purposes for which a
discovery is sought against these defendants by
the said bill, nor entitle the said Complainant
to any relief in this Court, touching ^{any of} the matters
therein complained of. Wherefore and for divers
other good causes of demurrer appearing in the
said bill these defendants do demur thereto
And they pray the judgment of this honorable Court
whether they or either of them shall be compe-
led to make any further or other answer to the
said bill, and they humbly pray to be hence
dismissed with their reasonable costs in
this behalf sustained

J Brown Honey Solicitor
for the above named defendants

Philicra thalassia
and others

also } *Penicillium*

Malactica lutea

Philicra thalassia

Malactica lutea

Philicra thalassia

Malactica lutea

Salathiel Butts

In the Jackson Circuit Court
March Term 1845

as ^{being} ~~Rebecca~~ ^{James} Hawkins and others

Doink and several answer of
James J. Hawkins for himself and also as
Guardian for ~~William Hawkins~~, Penelope B.
Hawkins, Martha J. Hawkins, Eli Hawkins, Jesse
Hawkins, Salathiel Hawkins, and Betsey Anne
Hawkins infants under the age of twenty one
years, to the Bill of Complaint of Salathiel Butts.

These defendants answering all rights of
exception to said Bill for answer thereto said

That it is true as alleged in said Bill
that Salathiel Butts did on or about the
11th day of December 1841 buy at public
sale from Joseph H. Reynolds sheriff of Jackson
County all the infants of Rebecca Hawkins
and to the following slaves to wit Sam-
Harrison, Ewing, Jene, John, George, Ned,
Mary, Maria, the said slaves being sold for
the purpose of satisfying a fee Bill which had
issued from the Van Buren Circuit Office
against Rebecca Hawkins.

That it is true that John Smith the administrator
upon the estate of William Hawkins has made
his final settlement with the County Court of
Jackson County.

And that defendant having answered prayer
to be dismissed with his costs in this
behalf incurred James J. Hawkins

This affiant James J Hawkins makes
oath and says that the facts herein
contained are true to the best of his
knowledge and belief

James J Hawkins

Seen to and subscribed before me
this 19th day of March A.D. 1845

Samuel D. [Signature]

Salathiel Butts

James J Hawkins
and others

No 96

These do certify
March 1845
[Signature]