

James Booth Est.

Thomas W Booth
Applicant

Summons

Samantha Hux

John V Booth

James T. Booth

David Durant &

wife Mary Ann

John H Beatty &

wife Lucy

Arthur H Crawford &

wife Clark B.

Depts

Petition

Petition

To Honor, Just Ordinary for Henry District
Thomas W Booth one of the heirs of James Booth died and respectfully state to the Ordinary that the real Estate of his deceased father has never been sold to the said James Booth, he therefore prays that a summons in Partition issue to the heirs of the said Booth and that the said real Estate be divided or sold as the law directs in such case, and your petitioner will ever pray &c
Nov 8. 1841.

Thomas W Booth.

South Carolina
Henry District

Personally appeared Joel B. & H. H. and David Cladwell before me and made oath that the real Estate of James Booth dec'd is not worth one thousand Dollars to the best of their knowledge and belief.

Subscribed before the 2^d day of Nov 1841.
H. D. Jordan J. W.

Joel B. H. H. Sw.
David Cladwell.

On filing the above petition & affidavit a summons was issued Returnable 13th Nov. 1841.

Nov. 13th. 1841.

The parties met before the Ordinary (except Mr Crawford) and taking up the case. Mrs. Samantha Hux objected to the sale of the land but produced no reasonable grounds of objection. She then claimed her dower. The Ordinary postponed further consideration of the case in order to examine as to Mrs Hux' dower. To 14 Dec 1841.

Dec. 14. 1841

The parties again met and after examining the papers of the Estate of Jas Booth in Ordinary, it appeared that Mrs Hux had received one third of the personal property of the Estate of the said James Booth dec'd.

The Ordinary then decreed & ordered that the Land of the Estate of James Booth dec'd and formerly the residence of said dec'd, lying a Maple Swamp in Henry District, be sold (as it could not be divided) on the first Monday in Feb^y next ensuing on the following Terms, so much as will be necessary to pay expenses of Partition to be paid in Cash - the balance payable on the first day of January 1843. the purchaser to give Bond and approved security for the balance bearing interest from the date of sale & Mortgage of property.

Dec. 14 1841

James Booth

James Booth Esq. Contin. 2

The Sheriff sold the land on First Monday in Feb'y 1840
and John I Booth, purchaser for \$633.

Copy Bond.

South Carolina }
Horry District }

Know all men by these presents that we John I Booth
John H Bealy are holden and firmly bound unto James
Beaty Ordinary of the district of Horry in the full and sum of six hundred
thousand dollars to be paid to the said James Beaty or his Successors
Ordinaries, of this district or their certain Attorney, or assign, or
payment well and truly to be made we bind ourselves, our and co
heirs, Executors, and administrators, for the whole and in
whole, jointly and severally, firmly, by these presents, sealed with
seals; and dated this seventh day of February, in the year of our Lord
thousand eight hundred and forty two and on the Sixty sixth year
of the Sovereignty and Independence of the United
States of America.

The Condition of the above obligation
that if the above bound John I Booth shall well and truly
or Cause to be paid the sum of three hundred and five
to the said James Beaty Ordinary or his Successors as aforesaid
on the first day of January, which will be in the year of our Lord
one thousand eight hundred and forty three together with
lawful Interest on the said sum of three hundred and five
from the seventh day of February, A D One thousand eight
hundred and forty two then and in that case, this obligation to be
void otherwise to remain in full force and virtue.

Signed sealed & delivered

In presence of: H D Hemingway,
Timothy Cooper }

John I Booth
John H Bealy

Mortgage.

South Carolina }
Horry District }

Know all men by these presents that I John I Booth
the district and state aforesaid for an consideration of the sum
three hundred and five dollars to me in hand paid Ordinary for Horry Dis
the receipt whereof I do hereby acknowledge have bargained sold and
and by these presents do bargain sell and release unto the said James Beaty
aforesaid all those several tracts of land lying and being in Horry Dis
in Maple Swamp viz One tract containing two hundred acres granted to
Dawsey the fourth day of October 1790. also One tract containing one hun
and ninety acres, being part of a large survey granted to Moses Floyd
and on which is the plantation and buildings formerly the residence
James Booth died, Also one other tract containing One hundred
lying on the north side of Maple Swamp, being part of a tract of
land granted to Moses Floyd and by him conveyed to John Steve
thence to Adam Jordan &c. To Have and to hold the said more
premises unto the said James Beaty Ordinary his Successors or
assigns for ever and of the said John I Booth for myself ma
his Executors, administrators and assigns shall and do warrant
& defend the premises aforesaid provided never the less that
I the said John I. Booth my heirs, Executors administrators and assigns
shall and do well and truly pay or Cause to be paid a sum of

James Booth Esq. Contin. 6

The Sheriff sold the land on First Monday in Feby 1842
and John I Booth, purchaser for \$633.

Copy Bonds.

South Carolina }
Horry District } Know all men by these presents that we John I Booth
Beats Ordinary of the district of Horry in the full and sum of six hundred
thousand dollars to be paid to the said James Beatz or his Successors
ordinaries, of this district or their certain attorney, or assigns
payment well and truly to be made we bind ourselves, our and co
heirs Executors, and administrators, for the whole and in
whole, jointly and severally, firmly, by these presents, sealed with
seals and dated this seventh day of February in the year of our
thousand eight hundred and forty two and on the sixty sixth ye
of the Sovereignty and Independence of the Uni
States of America.

The Condition of the above obligation
that if the above bound John I Booth shall well and truly
or Cause to be paid the sum of three hundred and five
to the said James Beatz Ordinary or his successors as afore
on the first day of January, which will be in the year of
one thousand eight hundred and forty three together with
lawful Interest on the said sum of three hundred and five
from the seventh day of February, A.D. One thousand and a
dred and forty two then and in that case, this obligation to be
void otherwise to remain in full force and virtue.

Signed sealed & delivered

In Presence of A D Henningway }
Timothy Cooper }

John I Booth
John H Beatz

Mortgage.

South Carolina }
Horry District } Know all men by these presents that I John I Booth
the district and state aforesaid for and in consideration of the sum
three hundred and five dollars to me in hand paid Ordinary for Horry Dis
the receipt whereof I do hereby acknowledge have bargained sold and
and by these presents do bargain sell and release unto the said James Beatz
aforesaid all those several tracts of land lying and being in Horry Dis
in Maple Swamp viz One tract containing two hundred acres granted to
Sawney the fourth day of October 1790. also One tract containing one hun
and ninety acres, being part of a large survey granted to Moses Floyd
and on which is the plantation and buildings formerly the residence
James Booth decd., Also one other tract containing One hundred
lana granted to Moses Floyd and by him conveyed to John Steve
thence to Adam Jordan &c. To Have and to hold the Said More
premises unto the said James Beatz Ordinary his Successor or
assigns for ever and, I the said John I Booth for myself my
heirs Executors, administrators and assigns shall and do warrant
& defend the premises aforesaid provided never the less that
I the said John I. Booth my heirs, Executors administrators and assigns
shall and do well and truly pay or Cause to be paid a certain

given by me and bearing even date with these presents, the final sum of which is for three hundred & five Dollars & payable on the first day of January 1843 with the lawful interest that may accrue thereon and in that case this mortgage or Sale to be of now effect and void otherwise, to remain in full force and virtue.

I witness whereof I have hereunto set my hand and Seal this seventh day of Feb. A.D. 1842 and on the 66th. year of American Independence

in presence of
 Wm. D. Hemmingway
 Timothy Cooper

Ind. Y.

John J. Booth SS

Solomon Jordan Estate

William Smith & wife }
 applicants }
 vs. }
 John C. Jordan }
 & others. }
 Summons
 in
 Partition

To James Beatty Ordinary for Horry District
 The petition of William Smith who intermarried with Ruth Jordan widow of Solomon Jordan decd. sheweth that the real estate of Solomon Jordan decd. consisting of four tracts of land lying on Little Pee Dee River about one mile below Gallavants ferry and containing about Eight hundred acres and known as the late residence of the said Solomon Jordan yet remains unsold Your petitioner therefore prays that the said lands may be sold in order that a division may be effected amongst the heirs of the said decd. Jordan
 Aug. 10th 1841
 William Smith Senr.

South Carolina }
 Horry District }
 Benjamin Britton who being duly sworn saith that they are acquainted with the Real Estate of Solomon Jordan decd. and that they do not believe the lands are worth more than one thousand dollars
 10th Aug. 1841
 J. B. Beatty Ordg. H. D. }
 J. Y. Sepians }
 B. Britton }

August the 11th 1841. The parties appearing before the Ordinary, and agreeing that the lands could not be divided without injury to the heirs, it was ordered by the Ordinary that the lands of the Estate of Solomon Jordan decd. be sold by the Sheriff of Horry District on the fifth day of September next. on the following terms, so much as will be necessary to pay the expenses of this partition to be paid in Cash, and the balance as follows two hundred dollars to be paid on the first day of