

R.166 LAW SUIT INVOLVING ESTATE OF THOMAS HILL SR. 4/, OF
HALIFAX COUNTY, NORTH CAROLINA.

Entered in February 1998 by Robert R. Hill of Brandon, Fl.

Source of Information: Records of Halifax County, North
Carolina Superior Court of Law, 1785-1805, Page 152.

Explanation of this Law Suit: Richard Hill was a son of
Thomas Hill Sr 4/ & Sarah Etheridge of Halifax County, NC.
Richard Hill 5/ married a woman named Frances and they lived
in Johnson County, NC. Sometime after 1792, they moved to
Warren County, Georgia, where Richard Hill 5/ died. Robert
Hill the defendant) was a brother of the deceased Richard
Hill 5/ and was executor of their father's (Thomas Hill 4/)
estate in NC.

By this date, Robert Hill 5/ had died and his son, Henry Hill
6/, was his representative)defendant) because he was the
executor of his father's (Robert Hill 5/) estate. Since
Robert 5/ died while still probating his father's estate
(Thomas Hill Sr. 4) and had not finished, his son Henry Hill
6/ appears to have at least tried to take over the estate of
his grandfather, Thomas Hill Sr. 4/.

There were two plaintiffs, James Judge, administrator of
Richard Hill's 5/ estate, & a Robert Hill 5/, son of the
deceased Richard Hill 5/, all of Georgia. I am not sure
about Joseph Hill but suspect he may have been a son of
Richard Hill 5/ and was present in this NC court to
representate his father's estate.

These men were in Warren County, Georgia while the court of
Halifax County, NC was hearing this case because Richard Hill
5/ was son & heir to the deceased Thomas Hill Sr. 4/.

Thomas Hill Sr 4/ was a very wealthy land & slave owners and
was rather generous to all of his children, except Richard
Hill 5/. For some unknown reason, Thomas Hill Sr 4/ left his
son, Richard Hill 5/ with just a few shillings. Richard
Hill 5/ had apparently sued his father's estate, but died and
in Warren Co., Ga. His brother Robert Hill 5/ started
administering his father's estate but he too died and his
son, Henry Hill 6/ took over & is listed in this as the
defendant, because Robert Hill 5/ had died. Richard Hill 5/
was awarded his equal share of his father's estate, but since
he was dead, it went to the estate.

CASE NUMBER (998)-153 on Page 187 of the above book>

At a Court of Equity, begun and held for the District of Halifax, at the Courthouse in Halifax on the 23rd day of April ANNO DOM in 1804, Present: The Honorable Spruce Macay, Esquire.

CASE: ROBERT HILL and JAMES JUDGE, Admr. of Richard Hill VS Robert Hill's representative and others: On Argument of the Demurrer, the same is overruled and three month (is) allowed the Defendant to Answer as to JOSEPH HILL, and it is ORDERD, ADJUDGED & DECREED that the Defendant HENRY HILL Executor of ROBERT HILL, deceased, in the Bill named, pay unto the Complainant JAMES JUDGE, administrator of RICHARD HILL, deceased, the Sum of Six Hundred and Twenty Five pounds in FULL SATISFACTION of the said Richard's proportionable share of the LAPSED legacy and residuary part of the Estate of THOMAS HILL, deceased, and of all demands of the said JAMES as administrator of the said Richard against the Defendant. The Cause to stand between the pther Complainant and the Defendant as if this Decree had not been entered and without prejudice to either, and that the Defendant pay Costs. It is agreed between the parties that execution shall be stayed six months for the principal of the decree.

Comment by Robert Hill of Brandon, Fl: This was Richard Hill 5/, son of Thomas Hill 4/. The Robert Hill, that was being sued, was his brother, Robert Hill 5/ who married Martha Johnson.

Henry Hill, named as executor of Robert Hill's estate was son of the now deceased Robert Hill 5/ and was his father's representative.

Ricahrd Hill 5/ had many children, including a son, Thomas G. Hill 6/ that married Phebe Brantley of Warren County, Ga.& Thry had a son, Fielding Hill 7/. Thonmas G. Hill 6/ died before his father in Ga.

Number (884)-38 in 1800. Halifax Co., NC: At a Court of Equity begun & held for the District of Halifax at the Court House in Halifax, the 23rd day of April Anno Dom 1800, Present: The Honorable John Haywood, Esquire.

Halifax Co., NC: CASE: Arthur Long & wife (Anna or Nanny Hill) VS. Thomas Hill's executors: The Parties in this Suit having entered into the following agreement (to wit): that the defendants pay to Arthur LONG & wife, THE PLAINTIFFS, the sum of 265 pounds and 17 Shillings & Coasts of suit in full of their demand in the said Bill contained: The Court doth therefore think (it) fit & so ordered & decree that the defendants pay to the plaintiffs the said sum of Two Hundred & Sixty Five Pounds, Seventeen Shilling, together with Costs,

agreeable to said agreement.

Comment by Robert Hill of Brandon, Fl: This Arthur Long married Anna Hill 5/, daughter of Thomas Hill 4/ & wife Sarah Etheridge. Thomas Hill 4/ died in 1787 and his son, Robert Hill 5/ was his executor but he too died after his father. Henry Hill 6/, was the only child & son of Robert Hill 5/ & Martha Johnson. His father was excecutor of Thomas Hill 4/ & when Robert 5/ died, his son, Henry Hill 6/, took over the execution of both estates. Anna Hill 5/ & husband apparently did not like the arrangement & sued.

Number (899)-53 in 1800 on Page 156 of the above book.

BRITAIN HARRIS vs. HENRY HILL: On reading the Bill, Answer & Report of the Commissioners to whom the accounts in this cayse were referred, the Court after hearing the arguments of counsel, on full consideration thereof, ORDERED, ADJUDGED & DECREED that the Defendant pay to the Complainan the Sum of Four Hundred & Twenty Nine Pounds, Fifteen Shillings (as reported by the Commissioners) out of the assets of William Deuron, that it be referred to the Master to take an account of the assets remaining in the hands of his said Executor, yet to be administered, that the 18th day of this month of November, (1800) is hereby appointed for taking the said account, and if the said HENRY HILL, shall not then attend, that then the first Monday in December (1800) is hereby appointed for the final taking thereof, at which time if either of the parties shall fair to attend, the Master shall proceed to take the account exparts and issue execution for so much of the assets as shall be found unadministered upon such account. But if the said executor HENRY HILL shall fail to attend, then he shall be charged for the whole amount and it is further ORDERED that depositions may be taken by either party on giving fours days notice.

Comments by Robert Hill of Brandon, Fl.: This involved the assests of the deceased William Deuron. It may be that Robert Hill 5/ (son of Thomas Hill 4/) was administering the estate. Robert Hill 5/ died and his son, Henry Hill 6/ took over those duties. That is the reason for this Law Suit.

Henry Hill 6/ lost the case and had to pay.

END OF LAW SUIT DATA