

Probate, NC, Granville, EATON H. KITTRELL, 1848

Inventory of bonds, accounts & money belonging the estate of EATON H. KITTRELL deceased which have come into the hands of ROSA P. KITTRELL and JAMES H. KITTRELL administrators on said estate.

Bonds and accounts which are good.

ISHAM BALL  
JOHN BARNES  
WILLIAM BARNES  
B. BURROUGHS  
ISHAM CHEATHAM  
JOHN CLARK  
JOSEPH CLARK  
WILLIAM CLARK  
JAMES CREWS  
GUILFORD ELLINGTON

JOHN ELLIS  
CHARLES FLEMING  
JOHN FLEMING  
SAMUEL FULLER  
JAMES H. KITTRELL  
ROB HARRISON  
ABNER HICKS  
GEORGE M. HICKS  
JAMES M. HOIGIE  
ALFRED KNIGHT

WILLIAM MANGUM  
THOMAS L. MARROW  
JAMES MATTHEWS  
LEWIS R. PARHAM  
D. A. PASCHALL  
MARY PASCHALL  
DANIEL STONE  
JAMES THOMASON  
JOHN WRIGHT

PETER BERG, selling

The following bonds, judgments & accounts which are bad.

GUILFORD BALL  
RICHARD BALL  
BURGESS GRESHAM  
BONNET CARTER  
ALEXANDER CLARK  
SIMEON CLARK  
JAMES DICKERSON  
M. DUKE  
MANFIELD DUKE  
ARCHIBALD ELLINGTON  
JOHN M. ELLINGTON  
COLONEL ESTES  
JOSEPH FAULKNER

LITTLETON FAULKNER  
E. FINCH  
WILLIAM FINCH  
WILLIAM FLOYD  
A. GRESHAM  
SALLY GRESHAM  
NELSON HICKS  
JOHN HOUSE  
BALDY KERSEY  
JORDAN LEVAN  
ZADOK LLOYD  
LAWTON LOTION WIGGINS  
WILLIAM LYNAM

JAMES M. MANGUM  
PLEASANT MANGUM  
WILEY MANGUM  
RICHARD MABRY  
GEORGE PARISH  
WILLIAM PASCHALL  
JAMES PERDUE  
WASHINGTON SEARS  
BONNET STOKES  
THOMAS V. DUKE  
JOHN G. WIGGINS  
ZACH WIGGINS

**Probate, NC, Granville, EATON H. KITTRELL, 1848**

Account sales of the property belonging to the estate of **EATON H. KITTRELL** deceased sold by public sale by the administration **ROSA P. KITTRELL** and **JAMES H. KITTRELL** on the 28th of February 1848 on 9 months credit with Bond and approved security.

**JOHN BARNS**  
**AMBROSE BARKER**  
**JAMES M. BULLOCK**  
**JAMES CHEATHAM**  
**JAMES C. COGDELL**  
**ARCHIBALD ELLINGTON**  
**JOHN ELLINGTON SR.**

**DAVID R. GLOVER**  
**JAMES M. HOIGIE**  
**GEORGE N. HICKS**  
**JOHN KELLY**  
**ISHAM KITTRELL**  
**D. A. PASCHALL**  
**SARAH PASCHALL**

**WILLIAM H. PASCHALL**  
**JOHN POWELL**  
**WILLIS ROGERS**  
**HORACE ROWLAND**  
**SOLOMON WILSON**

Amount to 28th November 1848 and entered into inventory.

Probate, NC, Granville, EATON H. KITTRELL, 1848

Account of Negroes hired out for the balance of the year by ROSA P. KITTRELL & JAMES H. KITTRELL, administrators of EATON H. KITTRELL deceased on the 28th day of February 4th 1848

Boys:

GILES	JAMES M. HOIGIE
CHARLES	JAMES M. HOIGIE
JAMES	JAMES M. HOIGIE
JOE	JAMES M. HOIGIE
PATRICK	JAMES M. HOIGIE
ROBIN	JAMES M. HOIGIE
PETER	JAMES M. HOIGIE
POINTER	JAMES M. HOIGIE
WATT	JAMES M. HOIGIE
SPENCER	DAVID R. GLOVER
FAYETTE	JAMES M. HOIGIE
NORVAL	JAMES M. HOIGIE
WILLIAM	JAMES M. HOIGIE
ESSEX	JAMES M. HOIGIE
STEPHEN	DANIEL A. PASCHALL
BLACKSMITH ESSEX	JAMES M. HOIGIE

Women:

ANN & 2 children	J. T. KELLY
MARY	J. T. KELLY
HANNAH	JAMES M. HOIGIE
ABBY & child	JAMES M. HOIGIE
PEGGY	JAMES M. HOIGIE
HARRIET	JAMES M. HOIGIE
HESTER	JAMES M. WOODS
HANNAH & boy JOHN	JAMES M. HOIGIE
RACHEL	JAMES M. HOIGIE
UNITY	JAMES M. HOIGIE
BLACKSMITH POINTER	JAMES M. HOIGIE
SHORT STEPHEN	JAMES M. HOIGIE

The following were put to the lowest bidder

FANNY & child	JAMES M. HOIGIE
LUCY & 4 children	JAMES M. HOIGIE
BECKY & 3 children	JAMES M. HOIGIE

Balance of higher due December 25th 1848 and entered into inventory

**Probate, NC, Granville, EATON H. KITTRELL, 1848**

Account of sales and inventory of the estate of **EATON H. KITTRELL** deceased taken by **ROSA KITTRELL** and **JAMES H. KITTRELL** the 28th day of February 1848

**ROSA P. KITTRELL**  
**JAMES H. KITTRELL**, administrators

North Carolina  
Granville County

May Court A. D. 1849

The foregoing inventory and accounts sales were duly returned on oath in open court by **ROSA P.** and **JAMES H. KITTRELL** administrator and administratrix and ordered to be recorded

Witness

**JAMES M. WIGGINS**, Clerk

----- <> -----

Inventory and Account sales of the property

of **EATON H. KITTRELL** deceased

1848

May Court

1848

Recorded

**Probate, NC, Granville, EATON H. KITTRELL, 1848**

North Carolina  
Granville County

In Equity, March term 1848

To The Honorable the judge of the court of equity for this County aforesaid the [missing] **JAMES H. KITTRELL, DAVID K. GLOVER** and wife [**JULIA**] **ELIZA [KITTRELL]**, **EDWIN PASCHALL** and wife **ELIZABETH [KITTRELL]** [missing], plaintiffs.

**MARTHA KITTRELL, ISHAM KITTRELL, SALLY H. KITTRELL, EATON KITTRELL, EGBERT KITTRELL** and **HENRY C. KITTRELL** [missing] defendants.

To pose XXX aforesaid that December 1847 **EATON H. KITTRELL** late of said County of green Granville did departed this life intestate leaving your petitioners **JAMES H., ELIZA, MARTHA, ISHAM, SALLY H., HENRY**, children and **KITTRELL** his, him surviving your petitioners letters fenestration upon same Santa **ROSA** to quart to her Administration upon same

[look at later]

NOTE:

**JULIA ELIZA KITTRELL**  
**JULIA ELIZA GLOVER**

Probate, NC, Granville, EATON H. KITTRELL, 1848

State of North Carolina  
Granville County

In Equity March term 1849

The joint and several answers of **MARTHA KITTRELL, ISHAM KITTRELL, SALLY H. KITTRELL, EATON KITTRELL, EGBERT KITTRELL** and **HENRY KITTRELL** infants under the age of twenty one years by **DANIEL A. PASCHALL**, their guardian, defendants to the petition of **JAMES H. KITTRELL, DAVID K. GLOVER** and wife **ELIZA** and **EDWIN PASCHALL** his wife **ELIZABETH**, plaintiffs.

These defendants for answer to the said petition say they admit that **EATON H. KITTRELL**, departed this life sometime in the month of December 1847, intestate, and leaving **ROSA KITTRELL** his widow and the plaintiff **JAMES H. KITTRELL, ELIZA GLOVER,** and **ELIZABETH PASCHALL** and these defendants his only children him surviving and heirs at law. That he left a considerable personal estate and letters of administration upon the same were granted to the said **ROSA** and to the said plaintiff **JAMES H. KITTRELL**, by the Court of Granville, County aforesaid at the February term 1848 thereof.

That these defendants believed that the said administrators have in hand a sufficient amount of assets belonging to the said estate to satisfy all the outstanding debts against the same.

And these defendants further answering say they admit that he died intestate, died seized and possessed of a tract of land in the said petition mentioned, and they believe that the situation of the same and the number of acres there and contained are truly stated and as set forth in the said petition.

And they further admit that by the death intestacy of the said **EATON H. KITTRELL** said land descended upon and came to the said plaintiffs **JAMES H. KITTRELL, ELIZA GLOVER, ELIZABETH PASCHALL**, and these defendants, as his sole heirs at law as aforesaid, that dower in the said land has been duly assigned to the said widow, that the plaintiff **ELIZA** intermarried with the plaintiff **DAVID K. GLOVER**, and the plaintiff **ELIZABETH** intermarried with the plaintiff **EDWIN PASCHALL** as in the said petition is stated.

That these defendants are infants under the age of twenty one year of age and **DANIEL A. PASCHALL** is their guardian as in the said petition is alleged.

And that the said plaintiffs **JAMES H. KITTRELL** in his own right, **DAVID K. GLOVER** and **ELIZA** his wife and right of the said **ELIZA**, and **EDWIN PASCHALL** and **ELIZABETH** his wife in the right of **ELIZABETH** and these defendants in their rights respectively are now entitled to the said, and subject only to the said dower therein, and nine equal undivided parts or shares.

And these defendants further answering say they deny that an actual partition of the said land is impracticable as in the said petition is alleged. On the contrary, these defendants answer that an actual partition thereof is not only practicable but can be made without injury to the said plaintiffs, or these defendants, and that the interests of these defendants, so far from being promoted, would be prejudiced by such a sale of the same.

**Probate, NC, Granville, EATON H. KITTRELL, 1848**

And these defendants, therefore, submit and insist that the said plaintiffs have no right to demand a sale of the said land and that a sale thereof ought not to be ordered or decreed by this honorable court.

All which matters and things these defendants are ready and willing to aver, maintain and prove as this honorable court shall direct.

And these defendants, having fully answered the said petition or so much thereof as they are advised is necessary or material for them to answer, humbly pray to be dismissed with their reasonable costs and charges and this behalf sustained.

**ROB B. GILLIAM**

**M. V. LANIER**

solicitors for defendants

**DANIEL A. PASCHALL**, guardian of said defendants, maketh oath and sayeth that the several matters and things in the foregoing answer [missing] forth are true to the best of his knowledge, information, and belief.

----- <> -----

**MARTHA KITTRELL** and others

Against } in equity

**JAMES H. KITTRELL** and others

Answers of defendants

To March term 1849

**Probate, NC, Granville, EATON H. KITTRELL, 1848**

Notice

The undersigned having qualified during the present term of the county of Granville as administrators of the estate of **EATON H. KITTRELL**, deceased, hereby give notice to all persons indebted to his estate to make immediate payment and to them having claims against it to present them within the time prescribed by law otherwise this notice will be pleaded bar of their recovery.

February 11th 1848

**ROSA KITTRELL**

**JAMES H. KITTRELL** Administrators of **E. H. KITTRELL**, deceased

List of posting locations:

**D. A. PASCHALL**

**LEWIS PARHAM**

**JAMES FULLER**

Then was a copy of this notice pu up at Lin Bank within the time permitted by law.

Signed, subscribed and sworn to before me **WILLIS HARRIS**, one of the justices of the peace for the county of Granville, **N. C.**

**WILLIS HARRIS, JP**



**Probate, NC, Granville, EATON H. KITTRELL, 1848**

In obedience to a commission to us directed from the County Court of Granville, we met at the late residence of **EATON H. KITTRELL**, deceased, and proceeded to value said Negroes & allot them as follows, to wit:

**SALLY KITTRELL:** GYLES, LUCY & 2 children, LUKEY  
**ROSA KITTRELL:** CHARLES, BECKY & 2 children, HENDERSON  
**EGBERT KITTRELL:** POINTER Jr., ABBY & child MATILDA, JAMES  
**ISHAM KITTRELL:** WATT, HANNAH COOK, JOHN, HARRIET  
**MRS. E. PASCHALL:** JOE, LUCY's 2 children, REUBEN  
**HENRY C. KITTRELL:** LAFAYETTE, HANNAH, HESTER, ESSEX Jr., SHORT STEPHEN  
**JAMES H. KITTRELL:** ESSEX, PEGGY, NORVALL, HANNALY ???  
**EATON KITTRELL:** ROBIN, JANE, SPENCER, RACHAEL, OLD POINTER  
**DAVID K. GLOVER:** PATRICK, MARY, FANNY & AMERIC, STEPHEN, GEORGE  
**MARTHA KITTRELL:** PETER, ANN, WILLIAM, CHANCY, UNITY

The following have to pay:

**D. K. GLOVER, ISHAM KITTRELL, EATON KITTRELL**

The following have to receive:

**SALLY KITTRELL, HENRY C. KITTRELL, MARTHA KITTRELL, JAMES H. KITTRELL**

10<sup>th</sup> May 1850

Commissioners:

**THOMAS MORRIS  
R. N. HERNDON  
JOHN BLACKNELL**

Probate, NC, Granville, EATON H. KITTRELL, 1848

EATON H. KITTRELL, deceased

Division of Negroes

May Court, 1850

recorded

Probate, NC, Granville, EATON H. KITTRELL, 1848

JAMES H. KITTRELL administrator of EATON H. KITTRELL, deceased, in account current with the estate of the deceased.

[LIST OF ITEMS]

JOHN BARNES  
??? BLACKSMITH  
B. BURROUGHS  
B. BURWELL  
H. H. BURWELL  
D. D. CARGILL  
ISAAC CHEATHAM  
A. DAVIS  
D. M. DUKE  
JOHN L. EATON  
ALBERT ELLINGTON  
JOHN M. ELLINGTON  
J. G. FINCH  
JAMES FULLER  
SAMUEL FULLER  
R. B. GILLIAM  
GEORGE W. HARRIS  
R. N. HERNDON  
D. C. HERNDON  
DR. H. HERNDON  
  
JAMES H. KITTRELL

JESSE T. KELLY  
L. H. KITTLE  
JAMES H. KITTRELL  
JAMES C. KITTRELL  
L. LATHAM  
DRURY L. MARROW [MORROW]  
??? MCADAM  
D. A. PASCHALL  
D. W. PASCHALL  
J. M. PASCHALL  
W. H. PASCHALL  
L. ROGERS  
??? SMITH  
D. STONE  
ARCHIBALD P. TAYLOR  
JAMES J. THOMAS  
JAMES M. WIGGINS  
LOTON WIGGINS  
P. W. WYCHE  
D. E. YOUNG

**Probate, NC, Granville, EATON H. KITTRELL, 1848**

Oxford August 9th 1851

The undersigned commissioners appointed by Court to audit the accounts of **JAMES H. KITTRELL** administrator of **EATON H. KITTRELL** deceased have examined the set accounts and compare the same with the statements and receipts found that after allowing the administrator 5% Commission on the amount of the receipts and disbursements the balance now in the hands of the administrator is \$25.55 as per his account current hereunto annexed.

Given under our hands

**JAMES M. WIGGINS**  
**L. A. PASCHALL**

----- <> -----

Account current

**JAMES H. KITTRELL**, administrator  
of  
**EATON H. KITTRELL**

Recorded by

**A. LANDIS**, Clerk

Probate, NC, Granville, EATON H. KITTRELL, 1848

State of North Carolina  
Granville County

KNOW ALL MEN BY THESE PRESENTS, that we **ROSA KITTRELL, JAMES KITTRELL, DEMETRIUS E. YOUNG, DANIEL R. PASCHALL, JAMES H. KITTLE, and DAVID K. GLOVER** are held and firmly bound unto the state of North Carolina, in the sum of \$24,000 current money, to be paid to the said state, to which payment 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 7th Day of February A. D. 1848

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden **ROSA KITTRELL** and **JAMES KITTRELL**, administrators of all and singular the goods and chattels, rights and credits of **EATON H. KITTRELL**, deceased, do make, or cause to be made, a true and perfect inventory of all and singular the goods and chattels, rights and credits of the deceased, which have or shall come to the hands, knowledge, or possession of the said **ROSA KITTRELL** and **JAMES KITTRELL** or into the hands or possession of any person, or persons, for them and the same so made, do exhibit, or cause to be exhibited, to the court of the county aforesaid, within 90 days from the date of these presents; and the same goods, chattels, and credits, and all other goods, chattels and credits of the deceased, at the time of his death, which at any time hereafter shall come into the hands or possession of **ROSA KITTRELL** and **JAMES KITTRELL** or into the hands or possession of any person or persons for them do well and truly administer according to law; and further do make or cause to be made, a just and true account of their said administration, within the time prescribed by law, after these presents; and all the rest and residue of the said goods, chattels and credits, which shall be found remaining upon the administrator's account, the same being first examined and allowed by the court of the said County, shall deliver and pay on to each such person or per respectively, to which the same shall be do, pursuant to the true intent and meaning of the said Act, in that case made and provided; and if it shall appear that any will or testament, was made by the said deceased, and the executor or executors therein named, do exhibit the same into court, making requests to have the same allowed and approved of accordingly; if the said **ROSA KITTRELL** and **JAMES KITTRELL** above bounden, being thereunto required, do render the said letters of administration, approbation of such Testament being first had and made in the said Court, then this obligation to be void and of no effect; otherwise to remain in full force and virtue.

**JAMES H. KITTRELL**  
**ROSA P KITTRELL**  
**D. E. YOUNG**  
**D. A. PASCHALL**  
**LEWIS KITTLE**  
**D. K. GLOVER**

Signed and sealed in the presence of

**JAMES M. WIGGINS**

**Probate, NC, Granville, EATON H. KITTRELL, 1848**

Inventory and account sales of property belonging to the estate of **EATON H. KITTRELL**, deceased, sold by **ROSA P. KITTRELL** and **JAMES H. KITTRELL** administrators on the 14th day of April 1849 on a credit of six months with bond and approved security.

**D. D. CARGILL**  
**ARCHIBALD ELLINGTON**  
**JAMES B. ELLINGTON**  
**JOHN ELLINGTON**

**WILLIS FAULKNER**  
**JOHN FLEMING**  
**DAVID GLOVER**  
**JAMES HUNT**

**LEWIS PARHAM**  
**EDWIN PASCHALL**  
**WILLIAM H. PASCHALL**

----- <> -----

Account sales and inventory of property belonging to the estate of **EATON H. KITTRELL**, deceased, sales by **ROSA P. KITTRELL** and **JAMES H. KITTRELL** administrators on the second day of January 1849 on a credit of six months.

**JAMES B. ELLINGTON**

**ROSA P. [KITTRELL]** and **JAMES H. KITTRELL**, administrators of **EATON H. KITTRELL**

North Carolina  
Granville County

May Court A. D. 1849

The foregoing inventory and account sales were duly returned on oath in open court by the administrator and administratrix and ordered to be recorded.

Witness, **JAMES M. WIGGINS**, Clerk

----- <> -----

Account sales and inventory  
**ROSA P. & JAMES H. KITTRELL**  
Administrators of  
**EATON H. KITTRELL**, deceased

Amount due in 14th October 1849

Returned to court  
May term 1849  
Recorded

Probate, NC, Granville, EATON H. KITTRELL, 1848

State of North Carolina  
Granville County  
Court of equity  
Spring term 1848

The Honorable, the judge of said court of Granville County, **ROSA KITTRELL** and **LEWIS KITTRELL**, infants under the age of 21 years by their next friend and guardian, **EATON KITTRELL**, respectfully shew and your honors that **EATON H. KITTRELL**, late of said County and intestate, died sometime in the year 1847 leaving surviving him the foregoing children and grandchildren which [faded] only him at law, upon whom his real estate ascended between them equally divided as tenants in common, viz: **ELIZA**, who married **DAVID K. GLOVER**, **ELIZABETH** who married **EDWIN P. PASCHALL**, **MARTHA KITTRELL**, **ISHAM W. KITTRELL**, **SARAH H. KITTRELL**, **EATON KITTRELL**, **EGBERT P. KITTRELL**, **HENRY C. KITTRELL** and your petitioners **ROSA [KITTRELL]** and **LLEWELLYN [KITTRELL]** who on the are the children of **JAMES KITTRELL**, deceased, the said **JAMES KITTRELL** account being a child of the said intestate.

Your petitioners further shew and by a decree of this court, made at the \_\_\_\_ term A. D. \_\_\_\_ that ??? the said intestate was partitioned among said intestate's heirs at law, all of which will fully appear by reference to said decree, & the report of the commissioners who were appointed by this court to make the partition of intestate's real estate said among his heirs at law as ??? a copy of which said decree and the proceeding is herewith filed and prayer to be taken as part of this petition.

Your petitioners further show that in the partition of said intestate's real estate among his heirs at law, as aforesaid, lot number 6 or as is called in the report of said commissioners then assigned to your petitioners [not legible] are sized in same determinants and equal moieties and lot Number 6 in situate in and said county and is [not legible] viz:

Beginning at a Red Oak S. Fuller's corner; running thence to west to a White Oak in **FLOYD's** line; thence with his line ??? to a Post Oak, said **FULLER's** corner; thence with **FULLER's** line and 88 degrees east 146 poles to a stump, his corner; thence to the first station.

Containing 110% acres and valued at \$480.

Your petitioners for their show that their said land is exceedingly sterile and well nigh worthless for the purposes of cultivation, but valuable on account of its timber and proximity to two other tracts of land lying in its vicinity and on this account would surely sell at public auction for \$8 - \$10 per acre and that the interest upon said purchase money of this land would be considerably more than any sum which they would be able to secure from rent or otherwise.

Your petitioners therefore pray your honors to order a sale of said land on such terms as your honors shall deem just and reasonable and that the proceeds of said sale shall be paid over to your petitioners guardians or otherwise account for them according to law and the course of this honorable Court.

And your petitioners as in duty bound will ever pray

**D. C. EDWIN's**  
Solicitor for petitioner

**Probate, NC, Granville, EATON H. KITTRELL, 1848**

North Carolina  
Granville County

In Equity

**LANGFORD A. PASCHALL** and **JAMES FULLER** make oath that they are well well acquainted with the tract of land described in the foregoing petition and for the sums stated in said petition they believe the interest petitioners would be "materially promoted" by a sale of said land.

**JAMES FULLER**

Sworn and subscribed

Before me this 10th day of March 1860

**JOHN W. CAMP HARP ???**



Probate, NC, Granville, EATON H. KITTRELL, 1848

MARTHA KITTRELL and others  
vs  
JAMES H. KITTRELL

Equity

Term A. D. 1857

For this case coming on to be heard on the petitioners exhibits and it appearing to the satisfaction of the court that the interest of the parties, petitioners and defendants, would be promoted by a division of lands and real estate of **EATON H. KITTRELL**, deceased.

It is therefore ordered, adjudged, and decreed by this court is that the clerk and master of the court to have **SAMUEL FULLER**, **ROBERT HAMMOND** and **BAZZA [BAZIL] BURROUGHS** summoned as commissioners and they are hereby appointed as such as commissioners to have the land and real estate of the said **EATON H. KITTRELL**, deceased, divided and allotted in severalty to the parties, petitioners and defendants. The Heirs of **EATON H. KITTRELL**, deceased as follows:

To the heirs of **JAMES H. KITTRELL** 1 share or 1/9 part of said land

To **DAVID K. GLOVER** and wife [**JULIA**] **ELIZA [KITTRELL]** 1 share or 1/9 part of said land

To **EDWIN PASCHALL** and wife **ELIZABETH** 1 share or 1/9 part of said land

To **MARTHA KITTRELL** 1 share or 1/9 part of said land

To **ISHAM KITTRELL** 1 share or 1/9 part of said land

To **SALLY H. KITTRELL** 1 share or 1/9 part of said land

To **EATON KITTRELL** 1 share or 1/9 part of said land

To **EGBERT KITTRELL** 1 share or 1/9 part of said land

To **HENRY KITTRELL** the remaining 1 share or 1/9 part of said land

And if the shares of said land may not be equal in value than said Commissioners are to assess the deficit of the shares that may fall under the average to those which exceed that value, to be paid by the one to the other so as to equalize the respective shares and the amount so taxed to be a charged upon said share and report to the next term of this court.

----- <> -----

Order for division of land

[Page not legible]

... guardian of **VIRGINIA PASCHALL** ...

June 25<sup>th</sup> 1855

**MARY A. PASCHALL**

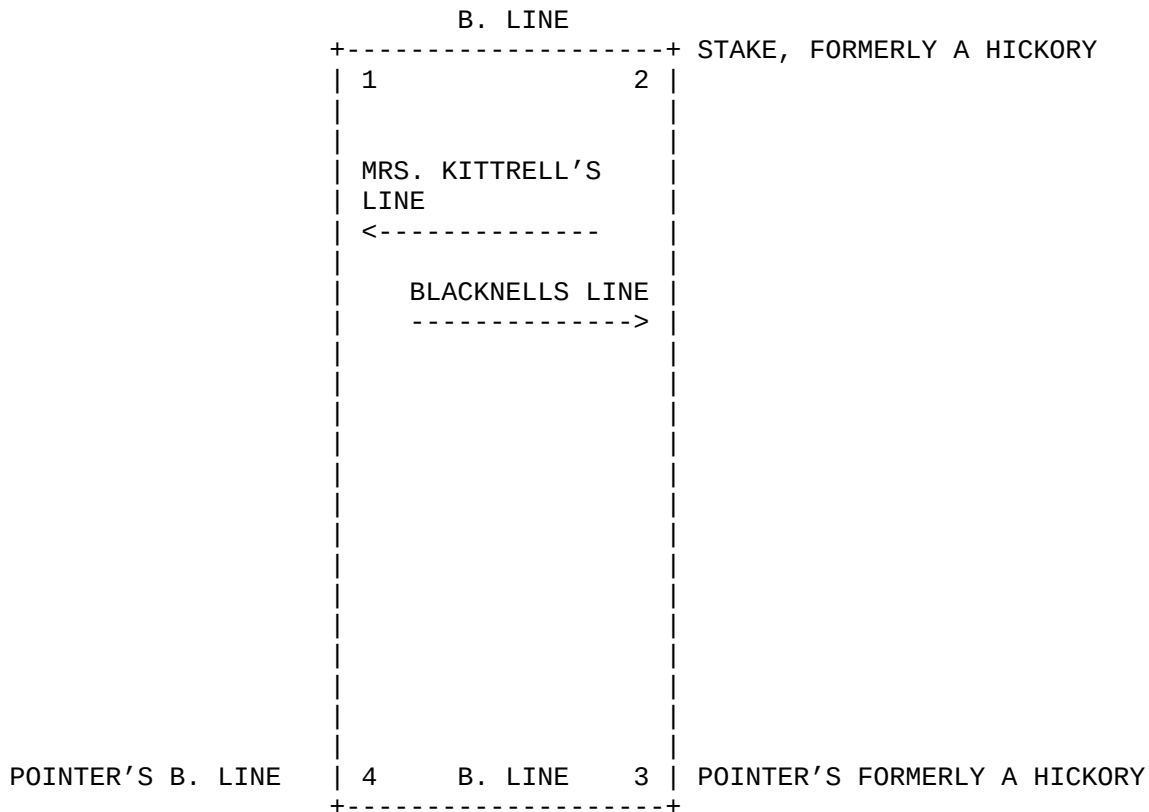
----- <> -----

Mrs. **MARY PASCHALL**

Guardian

Receipt

Probate, NC, Granville, EATON H. KITTRELL, 1848



Platted by a scale of 40 poles to the inch

This plan represents a tract of land in Granville County survey the 10th day of April 1839 for **MRS. KITTRELL** on the waters of Tabs Creek.

Beginning at a road on **BLACKNALL's** line; then his line south 20 poles to a stake, formerly a Hickory, **BLACKNALL's** corner; then his line west 113 poles to **POINTERS BLACKNALL's** corner, formerly a hickory; then his Line north 20 poles to **POINTER's** in his line then East 113 polls to the beginning.

Containing 14 acres in 20 purchase

**A. V. WALKER**

Probate, NC, Granville, EATON H. KITTRELL, 1848

State of North Carolina  
Granville County

Court of pleas and quarter sessions

August term, A. D. 1848

Worshipful Justice of the court of pleas and quarter sessions for the county of Granville.

The petition of **ROSA KITTRELL** of the said County, plaintiff.  
against

**JAMES H. KITTRELL, DAVID GLOVER** and **JULIA E.** his wife, **EDWIN PASCHALL** and **MARY E.** his wife, **MARTHA KITTRELL, WILLIAM J. KITTRELL, EATON C. KITTRELL SALLY H. KITTRELL, EGBERT KITTRELL,** and **HENRY C. KITTRELL** of the same county, defendants.

Thereby sheweth that **EATON H. KITTRELL**, late of the county of Granville aforesaid, departed this life sometime in the month of December last, intestate, and leaving your petitioner, his widow and relict, and the defendants, **JAMES H. KITTRELL, JULIA E. GLOVER, MARY E. PASCHALL, MARTHA A. O. KITTRELL, WILLIAM J. KITTRELL, EATON C. KITTRELL, SALLY H. KITTRELL, EGBERT KITTRELL,** and **HENRY C. KITTRELL**, his only children, him surviving, and heirs at law.

And that the said defendants **JULIA E. GLOVER** is the wife of the defendant **DAVID GLOVER**.

And the said defendant **MARY E. PASCHALL** is the wife of the defendant **EDWIN PASCHALL**.

And the said defendant **MARTHA A. O. KITTRELL, WILLIAM J. KITTRELL, EATON C. KITTRELL,** are infants under the age of 21 years and without any guardian.

And your petitioners further sheweth that the said **EATON H. KITTRELL** died seized and possessed of a certain tract or parcel of land situated and lying in the said County of Granville containing about 1,842 acres and adjoining the lands of **BAZIL BORROUGHS, DAVID A. GLOVER, WILLIAM BARNES, DANIEL STONE, ISHAM CHEATHAM, JOHN S. EATON, William FLOYD, SAMUEL FULLER, Charles FLOYD, JAMES FULLER, ROBERT HARRISON,** and **THOMAS W. NORMAN** on which said tract or parcel of land he had his dwelling or mansion house wherein he was accustomed to dwell before his death.

And your petitioner is advised that, by law, she is entitled to have her dower laid off and allotted to her in the said tract or parcel of land, to wit: 1/3 in value thereof, by metes and bounds, as including the said dwelling or mansion house together with the offices, outhouses, buildings, and other improvements thereto belonging, appertaining to be and in-use to her during the term of her natural life.

And your petitioners for the sheweth that she is desirous of obtaining and assignment to her of her dower as aforesaid.

Your petitioner therefore hereby prays your worships to this end a writ of dower may issue to the sheriff of the said County of Granville commanding him to summon 12 freeholders connected with the parties within neither by consanguinity nor affinity and entirely disinterested who shall, upon oath, allot, set off, and

**Probate, NC, Granville, EATON H. KITTRELL, 1848**

assign to your petitioner her dower in the said tract or parcel of land as aforesaid and put her in possession of the same.

And that proper process may issue to the said defendants for making them parties hereto and that some suitable and discreet person may be appointed guardian Ad Litem of the said infant defendants to appear and defend for them in this behalf.

And that such further or other orders, directions, and decrees may, from time to time, be made in the premises as to your worships shall seem meet.

And your petitioner shall ever pray.

**M. P. LANIER**

Attorney for petitioners

**Probate, NC, Granville, EATON H. KITTRELL, 1848**

North Carolina  
Granville County

August Court A. D. 1848

This case coming on to be heard at the present term.

Upon the petition and the answer of the defendant's the Court doth declare that the petitioners is entitled to her dower in the land, in the petition mentioned, and it is ordered that a writ of dower issue as is therein prayed for to the sheriff of the county of Granville, annexed according hereto, to summon twelve freeholders Connected with the parties within neither by consanguinity nor affinity and wholly disinterested, who upon oath first duly administered, by the said Sheriff according, to law, shall allot, set off, and assign, by metes and bounds, to the petitioner one third part of the value of the land aforesaid and put her in possession of the same including the dwelling house, commonly called the mansion home, together with the offices, outhouses, buildings, and other improvements thereunto belonging or appertaining, if any part thereof as that the said dower shall not exceed 1/3 and value of the whole premises and of the said allotment and assignment so to be made before him, as aforesaid, under the hands and seals of the said freeholders to make report along with his proceedings in the premises, to the next term of this court.

Witness

**JAMES M. WIGGINS**, Clerk

**Probate, NC, Granville, EATON H. KITTRELL, 1848**

State of North Carolina  
Granville County

We the undersigned subscribers being lawfully summoned and impaneled according to law as jurors to lay off the dower of **ROSA KITTRELL**, widow of **EATON H. KITTRELL**, deceased, we have this day met on the premises and have viewed the same and laid off give the boundary as follows, to wit.

Beginning at a stump and Pine and running with **ELLINGTON's** line north 2 degrees west to a stake; thence east to a Dogwood; thence south to a pine; thence to a post oak; thence south to the road; thence with the road to **EATON's** corner; thence with his line south to a White Oak, his corner; thence south 85 degrees east to a Pine stump, his corner; thence along a line of marked trees to a Red Oak; thence north 82 degrees east to a hickory; thence due west to a Sourwood in **HARRISON's** line; thence north 2 degrees to **D. STONE's** corner; thence with his line an easterly course to his corner near a barn; thence with his line across to the road; thence with the meander's of the road with **D. STONES** line, to the first state.

Containing by estimation on 620 acres.

Given under our hands and seal this 2nd of November a. D. 1848

**KENNON "RICHARDS"**  
**BENJAMIN F. HARRIS**  
**RICHARD R. TAYLOR**  
**JOSEPH B. ELLINGTON**  
**ABNER HICKS**  
**ALFRED KNIGHT**  
**JAMES CHEATHAM**  
**ASA PARHAM**  
**LEWIS R. PARHAM**  
**ROBERT FULLER**  
**JOHN ELLINGTON**  
**DANIEL STONE**

Probate, NC, Granville, EATON H. KITTRELL, 1848

State of North Carolina  
Granville County

Court of pleas and quarter sessions  
August term 1848

The worshipful justices of the court of Pleas in Quarter sessions for the county of Granville, aforesaid.

The petition of **ROSA KITTRELL** of the said County, plaintiff

Against

**JAMES H. KITTRELL; DAVID GLOVER** and **JULIA E.** his wife; **EDWIN PASCHALL** and **MARY E.** his wife; **MARTHA A. O. KITTRELL; WILLIAM J. KITTRELL; EATON C. KITTRELL; SALLY H. KITTRELL; EGBERT KITTRELL;** and **HENRY C. KITTRELL** all of the same county, defendants.

Humbly sheweth that **EATON H. KITTRELL** late of the county of Granville aforesaid, departed this life sometime in the month of \_\_\_\_\_ last intestate and leaving your petitioner, his widow and relict, and the defendants **JAMES H. KITTRELL, JULIA E. GLOVER, MARY E. PASCHAL, MARTHA A. O. KITTRELL, WILLIAM J. KITTRELL, EATON C. KITTRELL, SALLY K. KITTRELL, EGBERT KITTRELL** and **HENRY C. KITTRELL** his only children, him surviving, and heirs at law.

And that the said defendant, **JULIA E. GLOVER** is the wife of the defendant **DAVID GLOVER.**

And the said defendant **MARY E. PASCHALL** is the wife of the defendant **EDWIN PASCHALL.**

And the said defendants **MARTHA A. O. KITTRELL, WILLIAM J. KITTRELL, EATON C. KITTRELL, SALLY H. KITTRELL, EGBERT KITTRELL,** and **HENRY C. KITTRELL** are infants under the age of 21 years and without any guardian.

And your petitioner further sheweth that the said **EATON H. KITTRELL** died seized and possessed of a certain tract a parcel of land situated and lying in the said County of Granville containing about 1,842 Acres and adjoining the lands of **BAZIL BURROUGHS, DANIEL A. PASCHALL, WILLIAM BARNES, DANIEL STONE, ISHAM CHEATHAM, JOHN L. EATON, WILLIAM FLOYD, SAMUEL FULLER, CHARLES FLOYD, JAMES FULLER, ROBERT HARRISON,** and **THOMAS W. NORMAN** on which said tract or parcel of land he had his dwelling or mansion house where in he was accustomed to dwell before his death.

And your petitioner is advised that, by law, she is entitled to to have her dower laid off and allotted to her in the said tract or parcel of land to wit, one third in value thereof by metes and bounds including the said dwelling or mansion house together with the offices, out houses, buildings, and other improvements thereunto belonging and appertaining to be and in-use to her during the term of her natural life.

And your petitioners further sheweth that she is desirous of obtaining an assignment to her of her dower as aforesaid.



**Probate, NC, Granville, EATON H. KITTRELL, 1848**

Your petitioner therefore humbly prays your worships that to this end a writ of dower may issue to the sheriff of the said County of commanding him to summon 12 freeholders connected with the parties neither by consanguinity nor affinity and entirely disinterested who shall upon oath allot, set off, and assign to your petitioner her dower in the said tract or parcel of land as aforesaid and put her in possession of the same. That proper process may issue to the said defendants for making them parties hereto and that some suitable and decent person may be appointed Guardian Ad Litem of the said infant defendants to appear and defend for them in this behalf. And that such further or other orders, directions, and decrees may from time to time be made in the premises as to your worships shall seem meet

And your petitioner shall ever pray & c.

**M. V. LANIER**

Attorney for petitioner

Probate, NC, Granville, EATON H. KITTRELL, 1848

67

**ROSA KITTRELL**  
VS  
**JAMES H. KITTRELL & others**

Petition for dower

to August term 1848

The report in this case not file by Sheriff.

**Probate, NC, Granville, EATON H. KITTRELL, 1848**

State of North Carolina  
Granville County

Court of Pleas & Quarter Sessions, August Term 1848

The joint and several answers of **MARTHA A. O. KITTRELL, WILLIAM J. KITTRELL, EATON C. KITTRELL, SALLY H. KITTRELL, EGBERT KITTRELL** and **HENRY C. KITTRELL** - infants under the age of twenty one years of age by **JAMES M. WIGGINS**, their guardian six of the defendants to the petition of **ROSA KITTRELL** against them and others.

These defendants for answer to the said petition say they admit the facts therein set forth and in manner and form as the same are therein stated and alleged.

And these defendants submit to such decree in the premises as to your worships shall seem meet and right.

And they humbly pray to be herein dismissed with their costs and charges in this behalf sustained.

----- <> -----

**JAMES H. KITTRELL & others**

against

**ROSA KITTRELL**

Answer of the infant defendants **MARTHA A. O. KITTRELL, WILLIAM J. KITTRELL, EATON C. KITTRELL, SALLY H. KITTRELL, EGBERT KITTRELL**, and **HENRY C. KITTRELL**

**Probate, NC, Granville, EATON H. KITTRELL, 1848**

State of North Carolina  
Granville County

Court of Pleas & Quarter Sessions, August Term 1848

These defendants for answer to the said petition say that they admit the several matters of fact stated in the same and in manner and for as they are therein set forth; and these defendants assent to the prayer of the said petition and submit to any order of decree in the premises that to your worships shall seem just and equitable, and they humbly pray to be herein dismissed with their reasonable costs and charges in this behalf sustained.

**ROBERT B. GILLIAM**

Attorney for defendants

----- <> -----

**JAMES H. KITTRELL & Others**

Against

**ROSA KITTRELL**

Answer of **JAMES H. KITTRELL, DAVID GLOVER, & JULIA E.** His wife, and **EDWIN PASCHALL & MARY E.** His wife.

Probate, NC, Granville, EATON H. KITTRELL, 1848

State of North Carolina  
Granville County

Court of pleas and quarter sessions August term 1848

**ROSA** Cantrell

Versus

**JAMES H. KITTRELL** and others

Petition for dower

Order

On motion it is ordered that **JAMES M. WIGGINS** be and he is hereby appointed Guardian Ad Litem for the infant defendants **MARTHA A. O. KITTRELL, WILLIAM J. KITTRELL, EATON C. KITTRELL, SALLY H. KITTRELL, EGBERT KITTRELL** and **HENRY C. KITTRELL**.

And this cause coming on now to be heard at the present term upon the petition and answers of the defendants the Court doth declare that the petitioner is entitled to her dower in the land and the petition mentioned and it is ordered that a writ of dower issue as therein prayed for to the sheriff of the county of Granville commanding him to summon 12 freeholders connected with the parties neither by consanguinity nor affinity and wholly disinterested who upon oath first duly administered by the said Sheriff according to law shall allot, set off, and assign by metes and bounds to the petitioner 1/3 part in value of the land for said and put her in possession of the same, including the dwelling house commonly called the mansion house, together with the offices, out houses, buildings, and other improvements thereunto belonging or appertaining, if any part thereof as that the said dower shall not exceed 1/3 and value of the whole premises; and of the said allotment and assignment so to be made before him as aforesaid under the hands and seals of the said freeholders to make report along with his proceedings in the premises to the next term of the court.

And until the coming of the said report the pause is retained for further leaving.

**Probate, NC, Granville, EATON H. KITTRELL, 1848**

State of North Carolina  
Granville County

Port of a please and quarter sessions  
February term 1848

To the worshipful justices of the court of pleas and quarter sessions for the county of Granville aforesaid. The petition of **ROSA KITTRELL** humbly sheweth that **EATON H. KITTRELL**, late of the said County of Granville, departed this life sometime in the month of January last, intestate and leaving your petitioner, his widow and relict, with six infant children who live with her and constitute a part of her family; and that he died possessed of a personal estate of some value upon which letters of administration have been duly granted by the court to your petitioner and **JAMES H. KITTRELL** during the present term.

And your petitioner is advised that, by law, she is entitled to have allotted to her a sufficient maintenance for herself and her family for the span of one year out of the said personal estate, and also the following articles belonging thereto to be her absolute property, to wit: one bed and its necessary furniture and one wheel and pair of cards.

And your petitioner further sheweth that she is desirous of obtaining and allotment to her of the maintenance and the articles aforesaid.

Your petitioner therefore humbly prays that your worships, that a Justice of the peace and three freeholders unconnected with your petitioner may be appointed commissioners to view the said personal estate of her deceased husband and to allot, appoint, and assess to your petitioner the maintenance as by law directed; such part thereof as they may conceive necessary and adequate for the comfortable support and maintenance of herself and her family for one year, and also in addition thereto, to allot and appoint to your petitioner the several article aforesaid to be her absolute property and to put her in possession of the same; and that your worships will make such further or other orders, directions, and decrees in the premises as to your worships shall seem meet.

And you petitioner shall ever pray & c.

**ROBERT B. GILLIAM**  
Attorney for defendants

Probate, NC, Granville, EATON H. KITTRELL, 1848

State of North Carolina  
Granville County

Court of pleas and quarter sessions February term 1848

**ROSA KITTRELL**, widow of **EATON H. KITTRELL**, deceased, ex parte

Petition for years support

Order

This cause coming and to be heard at the present term on motion of the petitioners. It is ordered that **JOHN L. EATON** Esquire, justice of the peace, and **BENJAMIN F. HARRIS, ROBERT HARRISON**, and **BAZZAL BURROUGHS**, freeholders, be, and they are humbly, appointed Commissioners to view the personal estate of **EATON H. KITTRELL**, deceased, late husband how to check petitioner and upon oath first duly administered according to law, to lay off and a lot to the said petitioners out of the crop, stock, and Provisions on hand of the side of State as much as may be sufficient for the comfortable support and maintenance of herself and her family for the space of one year; and also to a lot and a point to the said petitioner, in addition, their 2-1 bed and it's necessary furniture if must XXX XXX the goods of her said deceased husband, and one wheel and one pair of cards and to put her in possession of the same as her absolute property. And the SEC Commissioners on further or further directed in this case these be not sufficient of the crop, stock, and Provisions on hand of the said estate for the maintenance of horse head 2 estimate the value of the deficiency thereof in money and to make report of the said estimate as well as the other of their proceedings in the premises under their hands and seals to the next term of the court. And until the coming in of the said report the the XXX is retained for further hearing.

**Probate, NC, Granville, EATON H. KITTRELL, 1848**

North Carolina  
Granville County  
Court of pleas and quarter sessions  
August term a. D. 1848

**ROSA KITTRELL** Widow of **EATON H. KITTRELL** deceased ex parte

Petition filed at February term 1848

This cause coming on to be heard at February term on motion of the petitioner it is ordered that **JOHN L. EATON** Esquire, justice of the peace, and **BAZIL BURROUGHS**, **DANIEL STONE**, and **LEWIS R. PARHAM** freeholders be, and they are hereby appointed, commissioners to view the estate of **EATON H. KITTRELL**, deceased, late husband of the said petitioner and upon oath first duly administered, according to the law, to lay off and allot to the said petitioner out of the crop, stock, and provisions on hand of the said estate as much as may be sufficient for the comfortable support and maintenance of herself, and her family, for the space of one year.

And also to allot and appoint to the said petitioner in addition thereto 1 bed and necessary furniture and one wheel and pair of cards, if such articles be among the goods of her said deceased husband, and to put her in possession of the same as her absolute property.

And the said commissioners are further directed, in case there not be sufficient of the crop, stock, provisions on hand of the said estate for the maintenance aforesaid to estimate the value of the deficiency thereof in money and to make report of the said estimate as well as of their proceedings in the premises under the hands and seals to the next term of this court.

Witness

**JAMES M. WIGGINS**, Clerk



**Probate, NC, Granville, EATON H. KITTRELL, 1848**

State of North Carolina  
Granville County

To the worshipful justices of the court of Pleas and Quarter sessions for the county of Granville aforesaid.

We the undersigned commissioners respectfully report that in pursuance of the annexed order we proceeded, on the second day of September, 1848, to view the personal estate of **EATON H. KITTRELL**, deceased, having been first duly sworn according to law.

And finding that **ROSA KITTRELL**, the widow of the said deceased, has used and consumed a small part of the stock crop and provisions on hand of the said estate towards the support of herself and her family up to the said second day of September 1848. We laid off and allotted to the said widow, for her comfortable support and maintenance of herself and her family, for the share of one year beginning the first Monday of February 1848 and ending the first Monday of February 1849 all the crop, stock, & provisions still on hand of the said estate, consisting of the Articles hereinafter mentioned, as follows, to wit.

All the corn on hand being about 30 barrels, all the bacon on hand being about 500 pounds, all the wheat on hand being about 160 bushels, 6 muttons, 73 head of pigs and hogs, being all on hand, and three ???, all which are allotted to the said widow absolutely; and also the use 6 milch cows and their calves, one yoke of oxen and four horses until the said first Monday of February 1849 and then to be returned to the said estate.

And conceiving the aforesaid articles, together with or in addition to, what has already been used and consumed by the said widow as aforesaid to be insufficient for the support and maintenance aforesaid, we estimated and assess the value of the deficiency thereof in money at the sum of \$576. And we further allotted and appointed to the you said we do one bed and its necessary furniture and one wheel and one pair of cards which were among the goods of the said deceased and put her in possession of the same as her absolute property.

All which is respectfully submitted under our hands and seals the second day of September 1848, aforesaid.

**JOHN L. EATON, JP**  
**BAZZAL BURROUGHS**  
**DANIEL STONE**  
**LEWIS R. PARHAM**

**Probate, NC, Granville, EATON H. KITTRELL, 1848**

Allotment of the Negroes belonging to the estate of **EATON H. KITTRELL**, deceased, made on 23 December, 1848

**SALLY KITTRELL**: GILES, LUCY & 2 children & LUCKEY

**ROSA KITTRELL**: CHARLES, BECKEY? & 2 children, ABNER & JULIA, HENDERSON

**EGBERT KITTRELL**: POINTER Jr., ABBY & child, MALINDA, JAMES

**ISHAM KITTRELL**: WATT, HANNAH, JOHN, HARRIET

**EDWIN PASCHALL & wife ELIZABETH**: JOE, LUCY & 2 children, RUEBEN [REUBEN]

**HENRY C. KITTRELL**: LAFAYETTE HANNAH, HESTER, ESSEX Jr., SHORT STEPHEN

**JAMES H. KITTRELL**: ESSEX BLACKSMITH, PEGGY, NORVAL, HANNAH (old)

**EATON KITTRELL**: ROBIN, JANE, SPENCE, RACHAEL, POINTER (old)

**DAVID K. GLOVER & wife ELIZA**: PATRICK, MARY, FANNY & AMERICA, STEPHEN, GEORGE

**MARTHA KITTRELL**: PETER, ANN, WILLIAM, "CHANCY or CHINA", UNITY

----- <> -----

Allotment of the Negroes belonging to the estate of **EATON H. KITTRELL** deceased made 23 December 1848

by

**R. N. HERNDON  
JOHN BLACKNELL  
THOMAS MORRIS**

Probate, NC, Granville, EATON H. KITTRELL, 1848

State of North Carolina  
Granville County

Court of pleas and quarter sessions, November term 1848

**EDWIN PASCHALL** and wife and others

vs.

**ROSA KITTRELL** administratrix and **JAMES H. KITTRELL** administrator of **EATON H. KITTRELL Sr.** deceased

Petition for an account and distribution

Decritical Order

This cause coming on to be heard at the present term upon the petition and the answer of the defendants, the court does declare that the petitioner, **EDWIN PASCHALL** and **DAVID K. GLOVER** in right of there respective wives and the petition petitioner **MARTHA A. KITTRELL**, **WILLIAM J. KITTRELL**, **SALLY H. KITTRELL**, **EATON H. KITTRELL Jr.**, **EGBERT KITTRELL**, and **HENRY C. KITTRELL** and the defendants **ROSA KITTRELL** and **JAMES H. KITTRELL**, in their own right respectively, are entitled each to one tenth of the residue that may remain of the personal estate and effects of the intestate **EATON H. KITTRELL Sr.**, deceased, after payment of the said intestate debts, funeral expenses, and administration charges. The share of each of the said intestate's children, being subject to a deduction on account of any advancements that such child may have received from the said intestate in his lifetime, in proportion to the value of said advancements.

And it appearing, upon the pleadings, that the personal estate and effects of the set intestate in the hands of the defendants is sufficient, exclusive of the negro slaves in the petition mentioned, to pay the said intestate's debts, funeral expenses, and administration charges but not to make those of the children of the said intestate, who have not been advanced equal to those of them who have received advancement from the said intestate in his lifetime.

And that it is necessary that the said advancements should be accounted for in the division and distribution of the said negro slaves and the said defendants by their answer submitting to account it is ordered that the clerk of this court taken account of the personal estate and effects of the intestate, other than the said negro slaves, that have been received and possessed or without willful default might have been received and possessed by the said defendants, and also an account of the first said debts, intestate's just debts and funeral expenses and administrative charges and report to the next term of this court.

And it is further ordered that **THOMAS W. NORMAN**, **RHODES N. HERNDON**, and **THOMAS MORRIS** be, and they are hereby appointed, commissioners to divide and distribute the said negro slaves between and amongst the petitioners and the defendants according to the proportion of this respective their respective interests as here before stated and the said commissioners are directed in making the subdivision to take from such of the children of the said interstate as have received advancements from him in his lifetime on account on oath of the particular of such advancements and to charge them respectively with the value of the same.

**Probate, NC, Granville, EATON H. KITTRELL, 1848**

And the said Commissioners are also empowered and directed, should it become requisite in making the subdivision to charge the dividend or dividends of greater value with such sum or sums as of money as they shall judge necessary to be paid to the dividend or dividends of inferior value in order to make an equitable division.

And the said Commissioners are further directed to make report of their proceedings in the premises under their hands and seals to the next term of this court.

And the further consideration of the cause is reserved & c.

**Probate, NC, Granville, EATON H. KITTRELL, 1848**

State of North Carolina  
Granville County

Court of pleas and quarter sessions

November term 1848

The joint and several answers of **ROSA KITTRELL** administratrix and **JAMES H. KITTRELL** administrator of **EATON H. KITTRELL Sr.**, deceased, defendants to the petition of **EDWIN PASCHALL** and **ELIZABETH** his wife and others plaintiff's.

These defendants for answer to the said petition say they admit the several matters of fact in the said petition stated and set forth to be true in a manner in form as the same are there in and thereby alleged. And they cheerfully submit to account and to any search order or decree in the premises that to the court may seem just and proper and shall be sufficient for their Indemnity and protection.

And these defendants having fully answered the said petition or so much thereof as they are advised it is necessary or material for them to answer humbly pray to be hence dismissed with this reasonable with their reasonable cost and charges in this behalf sustained.

**ROBERT B. GILLIAM**  
Solicitor for defendants

Probate, NC, Granville, EATON H. KITTRELL, 1848

State of North Carolina  
Granville County

Court of pleas and quarter sessions

November term 1848

To the worshipful justices of the court of pleas and quarter sessions for the county of Granville aforesaid.

The humble petition of **EDWIN PASCHALL** and **ELIZABETH**, his wife; **DAVID K. GLOVER** and **ELIZA** his wife; and of **MARTHA A. KITTRELL**, **WILLIAM J. KITTRELL**, **SALLY H. KITTRELL**, **EATON H. KITTRELL Jr.**, **EGBERT KITTRELL**, and **HENRY C. KITTRELL**, infants under the age of 21 years by **DANIEL A. PASCHALL** their guardian and next friend all of the said county plaintiffs.

Against

**ROSA KITTRELL** administratrix and **JAMES H. KITTRELL** administrator of **EATON H. KITTRELL, Sr.**, deceased of the same county defendants.

Sheweth that **EATON H. KITTRELL Sr.**, late of the said County of Granville, departed this life on or about the \_\_\_\_\_ day of \_\_\_\_\_ 1848 intestate and leaving **ROSA KITTRELL**, one of the defendants hereto, his widow and your petitioner, the said **ELIZABETH PASCHALL** who is the wife of your petitioner the said **EDWIN PASCHALL**, your petitioner the said **ELIZA GLOVER** who is the wife of your petitioner the said **DAVID K. GLOVER**, your petitioner the said **MARTHA A. KITTRELL**, **WILLIAM J. KITTRELL**, **SALLY H. KITTRELL**, **EATON H. KITTRELL Jr.**, **EGBERT KITTRELL**, and **HENRY C. KITTRELL** who are infants under the age of 21 years and do in this behalf by are in this behalf by **DANIEL A. PASCHALL** their guardian and next friend and **JAMES H. KITTRELL** the other defendant here to his only children and next of kin, him surviving.

Add your petitioners further show that the said intestate was at the time of his death possessed and entitled to a considerable personal estate consisting of cash on hand, deaths due to him, house, holes, and kitchen Furniture and various other particulars and especially the following negro slaves, to wit:

ABBEY	GILES	MARY
ALICE	HARRIET	MATILDA
AMERICA	HENDERSON	NORVAL
ANN	HENRY	PATRICK
BECKY	HESTER	PEGGY
BIG LUCY	ISAAC	PETER
BLACKSMITH ESSEX	JAMES	POINTER
BLACKSMITH POINTER	JANE	RACHEL
BLAKE	JOE	ROBIN
CHANCY	JOHN	REUBEN
CHARLES	JULIA	SHORT STEPHEN
COOK HANNAH	LAFAYETTE	SPENCER
ELIBE HANNAH	LITTLE ESSEX	UNITY
ESSEX	LITTLE LUCY	WATT
FANNY	LONG STEPHEN	WILLIAM
GEORGE	LUCKEY	

**Probate, NC, Granville, EATON H. KITTRELL, 1848**

And your petitioners further show that since the death of the said intestate the said defendants have procured to be granted to them by and out of this worshipful Court letters of administration upon his personal estate aforesaid and have by virtue of the same possessed themselves of the said personal estate to an amount and value amply sufficient, exclusive of said negro slaves, to pay and satisfy the said intestate's just debts, funeral expenses, and administration charges but not to make those of the said intestate's children who have not been advanced equal to those of them who have received advancements from the said intestate in his lifetime so that the said advancements will have to be accounted for in the division and distribution of the said negro slaves.

And your petitioners further shew that there is now no longer any reason why the said defendants should retain possession of the said negro slaves, and your petitioner, the said **EDWIN PASCHALL** and **DAVID K. GLOVER** and right of their respective wives and your petitioners the said **MARTHA A. KITTRELL, WILLIAM J. KITTRELL, SALLY H. KITTRELL, EATON H. KITTRELL Jr., EGBERT KITTRELL, and HENRY C. KITTRELL** in their own right respectively being entitled each to one tenth of the clear residue that may remain of the said personal estate after payment of the said intestate's just debts, funeral expenses, and administration charges aforesaid they are desirous of obtaining an account of the said personal estate and payment to and distribution among them of their several and respective shared residue.

Your petitioners therefore humbly pray your worships that the said defendants may be required, upon their several and prospective oaths, to answer all in singular the matters aforesaid that an account may be taken of the personal estate and effects of the said intestate **EATON H. KITTRELL Sr.** which have been received or possessed by the said defendants or either of them or by any other person or persons by there or either of their order or two there or either of their use and also an account of the said intestate's just debts, funeral expenses, and administration charges. That the said intestate's personal estate and effects may be applied in a due course of administration that the clear residue thereof may be ascertained and that several shares of the said residue, including the said negro slaves, to which your petitioners are respectively entitled as aforesaid may be paid over and distributed to and amongst them respectively.

That such a the said intestate's children as have been advanced by him in his lifetime may account upon oath for the advancements made them respectively and maybe charged with the value of the same in the division and distribution of the said negro slaves and that your petitioners may have such further or other relief in the premises as the nature of the case may appear to require and to your shall seem meet and further that to the and aforesaid process may issue, for the purpose of making the said **ROSA KITTRELL** and **JAMES H. KITTRELL** parties, defendant hereto.

And that your worships will from time to time make such further orders, direction, and decree in the premises as to your worships shall seem meet.

And your petitioners shall ever pray & c.

**JAMES T. ???**  
**M. V. LANIER**

Probate, NC, Granville, EATON H. KITTRELL, 1848

```
##### # # ##### ##### # # ##### ##### # #  
# # ## ## # # # ## # # # # # ## ##  
# # # # # # # # # # # # # # # # # # #  
##### # # # # ##### ##### # # # # # # # #  
# # # # # # # # # # # # # # # # # # #  
# # # # # # # # # # # ## ### # # # # # # #  
##### # # ##### ##### # # ### ##### ##### # #
```

Transcribed from original documents by Brent R. Brian & Martha M. Brian.

This document and others can be found on our website:

[BMGEN](#)

We claim **COPYLEFT** on the documents that we publish that are our original work.

COPYLEFT "rules" can be reviewed on the web site:

[GNU Free Documentation License](#)

In short, use what you like. But if you use our stuff, mention us as the source.

Brent R. Brian  
Martha M. Brian  
[BrianMitchellGenealogy@gmail.com](mailto:BrianMitchellGenealogy@gmail.com)