

It is shown in the proceedings that said John Powell, son of William, died on or about Oct. 1, 1820. Testimony of Nathaniel Powell was to the effect he had signed the above deed to his son after he (the son) had died, and that he asked the witnesses to sign as witnesses to the deed and explained to them what he was doing, and that on the same day Mrs. Elizabeth Powell, his son's widow, signed the above renunciation and transfer. He said the deed was written before William's death but was not signed until after his death; through ignorance he had not signed the deed, considering the land was William's from the date of the deed. John Powell, the elder, testified William's widow told him the reason she made over the above transfer to the children was in compliance with her husband's request before he died. Samuel Youngblood, a witness to the deed, testified that he signed it as Nathaniel's request, but did not know what he was signing; said Powell told him it would not hurt him, and to go ahead and sign his name and etc. and said he understood Nathaniel Powell to be tricky. William Lard, a witness, has been knowing Nathaniel some years, knows nothing against his character except that some think he is somewhat tricky, taking advantage in trades, etc. Testimony shows William Powell had lived on the same five or six years before he died.

John Riley testified he has been knowing Nathaniel Powell 25 - 30 years and his character for truth very much disputed in the neighborhood, and that he believes "it is middling bad"; would not believe him on his oath. The witness is father of Charles Riley.

Defendants in the proceeding claimed the above transfer by the widow of William Powell was obtained by Nathaniel Powell through fraud, and coercion.

Charles Riley testifies he would believe Nathaniel Powell on his oath and never heard his character impugned. He said his wife, the said Elizabeth, was a smart woman and made everybody about her work; admitted that she had one or two illegitimate children after Powell died. Owen Odum was a witness also and testified to estate property, he is uncle of Charles Powell. Rev. Darling Peeples testifies to the good character and religious life of Nathaniel Powell, and has known him 20 - 30 years. Col. B.H. Brown also testifies to the veracity and good name of Nathaniel Powell. Other character witnesses for Nathaniel Powell were William Braxton, Gen. John Walker, Lovett Stansell, Johnathan Pender, Lewis S. Bell, Dr. James W. Tarrant, Robert Brown; the last named says Owen McDaniel's character is "not very good" and he would not believe him on his oath. Witnesses against Powell character were Bartlett Youngblood. Welcome Usery testifies Owen McDaniel's reputation for truth is bad. John Powell testifies it will be 16 years in May, 1830, since his brother William died, and that William's son John died shortly before Riley married the widow Elizabeth. Nathaniel Powell testified that the child John died in fall of 1820 about 12 months before his mother married Riley; and that Elizabeth, daughter of William, was not born until after her father's death, and when William died John was about 2 years old and Isabella was about 4 years old. John McDaniel, father of Owen and Hiram, was also witness, along with a large number of others.

Property partitioned as prayed, and ordered sold for division.

\*\*\*\*\*

ANGUS PATTERSON, Executor, vs. JAMES McPHERSON et. al.  
Equitable Relief, etc. Filed May 10, 1828.

Gideon Haygood late of Hancock County, Georgia, died testate there on (blank date) 1827, leaving a will, and owning a plantation with negroes located on Savannah River in Barnwell District, S.C. The will named Thomas Gillison, George W. Collins, William Smith and Angus Patterson as executors in South Carolina and guardians for his minor children. On March 16, 1796, testator in contemplation of his marriage to Harriet Peckham, made a deed of marriage settlement conveying her estate to

Savannah Young and George Reed as trustees for her and for the issue of the intended marriage after the deaths of said Gideon and Harriet. The marriage soon after took place. On Feb. 2, 1809, Hagood made another deed referring to the said marriage settlement, and conveying property to the said trustees that he had bought with his wife's funds, being the plantation and slaves on the Savannah River aforesaid. Mrs. Harriet Hagood is dead also, and the issue of the said marriage are: Elvira Ann, wife of James McPherson, Francis Y. Hagood, Harriet Amanda wife of John W. Rabun; Susan Julia Hagood, Thomas Gideon Hagood, Emma McPherson Hagood (the last three being minors); and Thomas Gillison died before Gideon Hagood did. The other nominated executors Collins and Smith declining to act, Patterson alone qualified and is serving. He qualified Dec. 29, 1827. Testator owed debts at his death, some of which are pressing; his estate apart from the trust estate, very small. Petitioner is uncertain of the status of the priority of creditors.

An order in the file dated Feb. 3, 1832, states that James McPherson has died since the filing of the bill in this matter, and survived by his wife who has since married Elliott Estis; and also stating that Susan Julia Hagood has married Nathaniel H. Rhodes; Rhodes and Estis are made parties.

EXHIBIT A: Marriage Settlement deed dated March 16, 1796, as above stated. Cert copy from office of Secretary of State, Charleston. Harriet Peckham Yonge is referred to as one of the daughters and legatees of Francis Yonge, Sr., of St. Paul's Parish in S.C., and Susannah Yonge, his wife. George Reid was a resident of Charleston. The instrument was executed at Charleston. Specific legacies of said Harriet referred to in the instrument or deed, were: Her portion of the estate of her said father Francis Yonge, Sr. under his will dated October 23, 1780, being 300 sterling to become hers when she became 18 or the day of her marriage; also 50L being her share along with her said mother and her sister Elizabeth Wilkinson now Porcher, and her brothers Francis, William and Mackworth Yonge, the said Mackworth being the child of their parents born after the death of his father Francis Yonge, Sr., said 50L legacy coming to her from Sarah Hope Yonge on the latter's death in 1783, Sarah Hope Yonge being a sister of said Harriet and dying single and w/o issue and a minor; also 70L her share of her said brother Mackworth Yonge's estate on his death in 1784, he dying a minor and single and w/o issue; and 200L given her by the will of her deceased brother William Yonge.

A letter in the file from Col. William Rowe to Angus Patterson, dated Roweland, August 28, 1830, and postmarked at Orangeburg, September 1, 1830, refers to Patterson's questions in a letter to him dated July 27, inquiring about his having witnessed the Marriage Settlement deed of 1796, and as to what he knew about Hagood's financial condition at and after marriage, etc. Col. Rowe prefaces his letter by saying his delay in answering has been due to the illness and death of his wife, leaving him with six little children on hand. Says he witnessed the deed at the request of "Col. Hagood". He had always understood and believed Hagood to be a very poor young man at marriage, and never had any property except what came through his wife. This letter was used as testimony, by agreement of the parties. Also, interrogatories of Mrs. Ann O. Hagood were placed in evidence, relative to the financial situation of Col. Hagood at and after marriage, etc., and she answered substantially like Rowe did. Said that she became acquainted with him about November 1793; that at time of his first marriage, he "was not worth one cent", and moved to Barnwell District on the Savannah about a year after marriage in Charleston.

Decree holding the Hagood estate property all belonged to the trust estate of his first wife and she being dead, that it now belonged to the children by her, and that they may apply for partition of the property, etc.

\*\*\*\*\*