

LETTER FROM THE EDITORS

We are departing a little bit from our usual newsletter topics to provide you with transcriptions of documents that give us a glimpse of the interesting lives of Elizabeth Armfield Swaim daughter of Nathan Armfield (1762-1839) and her husband Moses Swaim. The transcriptions are as close as possible to the handwritten copies we obtained so they contain nonstandard spelling and grammar. We hope you enjoy reading about this couple in the next two issues. *Connie & Joyce*

North Carolina, Guilford County. Guilford County Original Divorce Records, 1820-1929. C.R. 046 603 (1844). Image copy. Transcribed by Joyce Agerton, 2008.

Elizabeth Swaim by her next friend David Armfield vs Moses Swaim & W. A. Winborne, Petition for Divorce and Alimony, Court of Equity for Guilford County, Greensboro, Summer Session 1844.

State of North Carolina Guilford County § In Equity

To the Honorable the Judge of the Court of Equity for Guilford County.

The Bill of Complaint of Elizabeth Swaim by her friend David Armfield against Moses Swaim and Walter A. Winborne administrators of Nathan Armfield decd.

Hereby complaining respectfully sheweth unto your Honor your Petitioner, Elizabeth Swaim who petitions by her next friend David Armfield that in the year 1820 she intermarried with the deft. Moses Swaim who removed with her in a short time then after to the State of Tennessee, Maury County – that they lived together peacably and happily together for a few years – that for several years past the said Moses Swaim hath spent a very dissipated, drunken, spendthrift life, hath come to the charge of insolvency & hath frequently ordered your petitioner to leave his home – that such was the indignity offered to her person an rendered her condition intolerable and her life burdensome and that such was his malicious cruel, and barbaric treatment to her that she verily believed her life endangered, had to abandon him and return to Guilford, where she now resides supported

by the charity of her friends.

Your petitioner further sheweth unto your Honor that her said husband remaining mostly from home drinking in idle dissipated company indulging in illicit commerce with lewd women, the best evidence of which to her is the disease with which he was affected but would return mostly at night in a drunken condition that without cause both when sober and drunk he hath proceeded to beat, whip & kick your petitioner & hath often threatened her life.

Your petitioner further sheweth that the said Moses Swaim hath been within the last few years indicted in the Court for Maury County Tennessee for common drunkenness, convicted & fined. That he is a common drunkard & spendthrift, and unless prosecuted, or some reformation effected, he will soon be without the means of support for himself, your petitioner, or their children of whom there are nine.

Your petitioner further sheweth unto your Honor that her father Nathan Armfield died in our County of Guilford instate seized and possessed of a considerable real and personal Estate worth some three or four thousand dollars on whose Estate – the defendant Walter A. Winborn both obtained letters of administration, that the estate is not yet distributed or divided, or to her knowledge transferred or assigned – that the said Nathan Armfield left only three children his heirs at law and next of kin, your petitioner, John Armfield and Polly Hanner that your petitioner is entitled to one third of the whole, making to her part about one thousand dollars should no account be taken of the advancements to the other children. Your petitioner further sheweth unto your Honor that she is also one of the next of kin to Jeremy Field & Mary Field who have also died in Guilford county whose estate remains unsettled & in which her part yet to be paid over as she is advised will be near the sum of two hundred and fifty dollars. Your petitioner further sheweth unto your Honor that the said Nathan Armfield in his life time made advancements to his other two children John Armfield and Polly Hanner as she is advised and believes equal to their full share in his estate & that in that event the whole of the whole of the estate of which he died possessed is distributable to her alone.

Your petitioner further sheweth unto your Honor that the said Moses Swaim now owns a plantation in the County of Guilford on the waters of [blank space] on which his mother formerly lived, now in the possession of Salathel Swaim, containing 60 acres more or less worth some seven hundred dollars.

Your petitioner further sheweth unto your Honor that she is advised that she is entitled to a divorce from bed and board from her said husband, and if not by the rules in Equity in this state to have her own Estate settled on her & set apart to the support of herself and family, also to have allowed her such alimony out of both her own & her husbands estate, as will be equal to one third part of the annual profits or income thereof or one third part thereof set apart to her separate use, but from the great ill will of the said Moses Swaim towards your petitioner the anxiety of many to get assignment thereof to them, & Swaims anxiety exposed to sell and transfer the same, also from the fact that if he is not now in the county he is expected within a few days, she verily believes that he will use all the means in his power to defeat her in obtaining any means of support out of either estate, and will either sell or in some way transfer the whole, and leave your petitioner as she now is penniless & without any means of procuring the means of living, unless restrained by the Honorable court. All of which acting and doings of the said Moses Swaim are contrary to Equity and good conscience and fend greatly to the injury & oppression of your petitioner and for as much as your petitioner is without adequate relief of law and can only be fully relieved in this Honorable court. To the said therefore the said Moses Swaim, W.A. Winborne may be compelled on their corporal oaths full truth and perfect answers to make to all and singular the charges and all allegations in this Bill contained as fully and distinctly as if the same were here again repeated, they then to specially interrogated; and that the said Moses Swaim specially set forth and answer whether he hath not treated your petitioner primary as herein stated, whether he hath not threatened to assign your petitioner interest in her fathers estate, and the estates of Mary Field & Jeremy Field together with his lands in Guilford to defeat your petitioner in any support there from that your petitioner may

have allowed her support & maintenance out of his & her own estates herein before described to the full extent which Equity will allow that she may be divorced from bed & board from the said Moses Swaim – that the said Swaim may be restrained from receiving, selling, transferring and conveying either his own, or the estate of your petitioner until this her petition for divorce and alimony shall be heard – that the said Walter A. Winborn administrator aforesaid may be restrained from distributing or paying out any portion of your petitioners estate or share in said Armfield's Estate until this case shall be heard; that the said Moses Swaim may be restrained from dismissing any suit or suits which may be brought in the name of your petitioner and himself to receive her interest in said Nathan Armfield estate or her share in the Estates of Jeremy Field and Mary Field; and that you petitioner may have all such other and further relief which the nature of her case may require and as to your Honor may seem most & proper –

May it please your Honor to grant a writ of injunction to be directed the said Moses Swaim restraining him from conveying selling; or transferring his lands herein described in Guilford county: or your petitioners interest and share in the said Estate of Nathan Armfield, Jeremy Field & Mary Field: or in any way disposing of the same, or dismissing any suit which may be brought properly to become the same subject to the decree and order of this Court; also a writ of Injunction restraining the said Walter A. Winborne from paying out or in any way dismissing of your petitioners interest in his intestate estate until this case is heard.

May it also please you Honor to order an advertisement in some newspaper for the defendant Swaim, and state writ of subpoena to be directed to the said Moses Swaim & W.A. Winborne Commanding them to be and appear before your Honor at the next term of this Honorable Court to be held for the County of Guilford at the Court House in Greensboro on the third Monday after the first Monday in March next; then and there to answer this Bill & to stand to abide by & perform such orders and decree as shall be made in this Case; & to grant unto your petitioner all such others & further process which her case

requires, as to your Honor may seem right as she will ever pray.

John A Gilmore
Sol. For Petitioners

State of North Carolina
Guilford County

The complainant Betsy Swaim swears that the several matters of fact set forth in the foregoing petition as of her own are true & thus not of her own knowledge she believes to be true.

Subscribed & sworn to
Before me this 13th Day
Of January A D 1844
J.A. Mebane C. M. E.

State of North Carolina

On the complainant entering into bond and security to be approved by the clerk and master for Guilford county in the sum of \$1500 for the prosecution of this suit conditional according to law. The said clerk & master will open writ of Injunction and Subpoena as prayed for in the petition.

Done at Greensboro on this the 13th day of January A.D. 1844

John W. Dick JSSE

State of North Carolina
Guilford County

To Walter A. Winborne his counselors, attorneys, Solicitors and Agents and Every of them:

Greeting.

Whereas for reasons represented and shown to us in our Court of Equity for Guilford County on the part of Elizabeth Swaim by her next friend David Armfield complainant by a Petition exhibited against you and Moses Swaim to be relieved touching the matters therein

contained – therefore in consideration of the premises, do strictly enjoin and Command you the Said Walter A. Winborne administrator of Nathan Armfield deceased not to pay out or in any way despose of the assets now or hereafter to come into your hands of the Estate of your intestate recoverable by Moses Swaim & the petitioner his wife until the further order of this Court –

Witness John A. Mebane clerk and Master of the Court of Equity for Guilford County at Office this 13 day of January A.D. 1844

J.A. Mebane C. M. E.

Comments & Contributions

We heard from Henry Millis "Buzz" Armfield, Jr. of Jamestown, NC regarding the picture of Wyatt Jackson (W. J.) Armfield that appeared in our last issue. Buzz wrote that Wyatt was his great grandfather and was the father of his grandfather, William Johnston Armfield. William Johnston, due to having both his and his father's mail mixed up between the post offices in High Point and Asheboro, NC adopted the suffix of Jr., therefore becoming William Johnston Armfield, Jr. His Uncle Bill became William Johnston Armfield III, but correctly he should have been Junior.

Wyatt Jackson was privileged to have watched Jefferson Davis and his wagon train of bodyguards retreat through Jamestown, NC during the last few days of the Civil War. He supposedly worked in a shoe factory in Jamestown. Another account, denied by a family member as not being accurate, was that Wyatt Jackson was in the Confederate Army as a Quartermaster. Buzz tends to doubt the story of Wyatt being in the military as a member of the Sons of Confederate Veterans tried in vain to find a link to allow him to claim lineage to them. They only came up with some second cousins that were part of the Jamestown rifle makers. This same S C V member found a newspaper article about his grandfather viewing the retreat of Jefferson Davis, but no other military records have been found. You can write Buzz at barmfield@triad.rr.com

Queries & Family Lines

Wanda Whitaker is a descendant of Moses Swaim, 1791-1874 and Elizabeth Armfield, born 1799. They were the parents of her great grandfather, James Polk Swaim, born in 1835 and married Martha A. Braden, born in 1842. Their only son, Robert Lee Swaim, 1867-1922, was her grandfather. He settled in Paris, Texas and opened up a blacksmith shop. Her contact with us was well timed due to the focus of these next two issues! If you have more to share with Wanda, you can write wandasw@sbcglobal.net

Nancy Holland sent that her grandfather was Chester Armfield White married to Stella Miller Cable, son of Isaac White and Mary Ann Armfield, the daughter of Richard Beeson Armfield. She has been to the Deep River Friends Cemetery several times and wrote that there is a descendant who is still a member of that church. The name of her family tree is White/Cable/Armfield. She has seen most of the graves and the family bible which is in the possession of a relative. jholland21@charter.net

Manning Garrett is researching the National Bank of High Point of which Mr. Wyatt Jackson Armfield was the president. He would love to talk to a great grandchild or other family descendants to get some information that is not available on the internet. Manning sent an image of a banknote Wyatt signed on the bottom right.
manning.garrett@gmail.com



The picture on the note is of James A Garfield. The theme was standard throughout the country, only the name of the bank and signatures would be different. Manning sent the following link to a website that explains about currency:
http://www.oldcurrencyvalues.com/1882_5_Bill.html

Family Farewells

Diane Austin lost her father Douglas R. Armfield on 9 May 2009 to cancer. She wrote that he passed peacefully at home with family present and with the aid of Hospice and his two daughters Elaine and Diane. "He is with God and I was privileged to pray and read the scriptures of God's promises to him many times. We appreciate any and all your thoughts and prayers while we are going through this difficult time. Thank you all, ahead of time, for your prayers." Diane Austin austinrd@juno.com

Pam Schrock informed us that we recently lost another member of our Armfield family. Kelli Renea Armfield died on 21 Apr 2009. Kelli Renea was the daughter of Jerry Arthur Armfield and was a great, great granddaughter of Isaac Shelby Armfield. Kelli's sister Rebecca has posted her site at <http://www.findagrave.com>

Family Information

Anita Strickland's 46 year old daughter Toni had a massive heart attack on May 12th. Please keep her in your prayers. alacosta@mchsi.com

Summary

In our next issue, we will continue with the divorce of Elizabeth and Moses Swaim highlighting Moses' response to Elizabeth's Petition for Divorce and Alimony. We have postponed our segment on DNA for a later newsletter.

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