

1798-013

SOUTHAMPTON COUNTY
CHANCERY PAPERS

JOHNSON, ux + al vs VICK, ADMR.

8/1798

other surnames: Herring

Johnson, dat.
vs Bill
Vick, ad etc

Sep. 1797

Intly Decree

Sep. 1798

Rept. ut. & decree

final —

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Bill

To the Justices of Southampton County Court in Chancery
sitting — Humbly complaining shew unto the
Court — Your orators William Johnson & Beda his
wife formerly Vick — and Patsy Herring daughter of
Mills Herring & Anna his wife formerly ~~Wick~~
by Josiah Vick her next friend —
That a certain Joshua Vick late of Toton County, being
seized & possessed of a valuable estate both real &
personal departed this life some time on or about
the day of 17 having previously
made & executed his last will Testament in writing
which hath been duly ^{proved} recorded in the County
Court aforesaid as reference thereto will fully appear
— That after sundry bequests &c the Testator
in the last residuary clause, devised that
the rest of his Estate should be divided between
his three Children, who were, Anna, Beda, and
Williams, that the former intermarried with the
above named Mills Herring both of whom are
deceased, whereby in right of representation your orator
Patsy is entitled to the 1/3 Anna's share, that the
Eggs to the 1/2 will ~~named~~ having departed this
life, & when with the will annexed hath been
committed to the above mentioned Williams Vick
to whom your orators have applied for a division

and allotment of their respective shares - but
the s^d adm^r hath expressed his doubts as to his
power herein without the sanction of a Court of
Equity, and withal alleging that a specific
division of the slaves cannot be equally made

To the end therefore that the s^d adm^r
may be made deft hereunto & answer the same
fully and that the Court will order & decree
a ^{division or} sale of the slaves &c and appoint Comrs
for carrying the same into effect, and further
more that a division of the proceeds thereof
together with the other personal estate may be
equally made between your Com^{rs} & the deft
after the payment of debts &c may it please
the Court to grant the Com^{rs} this &c &c

names of the Slaves to be divided or sold -

viz - George, Peter, Hannah, Patience, Patt. & Peter,

The answer of William Vick adm^r with
the will annex of Joshua Vick dec^d deft
to the Bill of Com^{rs} of William Johnson & al.
^{Com^{rs}} This deft saving &c admits the truth
of the foregoing Bill, and is willing that
the Court should decree according to the
prayer thereof - He prays to be dismissed
&c

Geo. F. Blow
Geo. Gurley jr } Com^{rs}
Rich^d Blow }
& Drury Beale

1797

Johnson & Co
vs
Vick adm. &c
Intals.
Deceit

Sep. 1797

At a court continued and held for the county of Southampton the 20th
day of September 1797

William Johnson and Beda his wife formerly Vick),
Patsy Herring daughter of Mills Herring and Anna
his wife formerly Vick, by Josiah Vick - Compl^{ts}
against

In
Chancery

Williams Vick adm^r with the will annexed of Joshua Vick dec^d depts

This cause was docketed by the consent of the parties heard ^{on the} Bill and answer
on consideration whereof it is decreed and ordered that John Tho^s Blow George
Gurley jun^r Richard Blow and Drury Beale or any three of them make
partition and division of the slaves George Peter Hannah Patience Patt
and Peter in the bill mentioned and also of the ^{residuum of the} personal estate of Joshua
Vick dec^d equally among ^{the} complainants and defendants as directed by the
last will and testament of the s^d Joshua and that the said division be
~~be~~ made in kind if the same can be done equal or nearly so. but if not
that the commissioners or any three of them sell the slaves and personal
estate aforesaid at publick auction giving due notice &c on a credit of nine
months taking bonds and good security from the purchasers and af-
-sign to each of the parties an equal share of the proceeds and make report
thereof to the next quarterly Court in order to a final decree

Sam^l Kello Es^r
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Johnson &c

vs. J. Reptor

Victo Ann. &c

— C —

We the subscribers agreeable to the annexed
order and decree of the worshipful Court of the
County of Southampton proceeded to make Divi-
sion of the above mentioned Slaves to wit George,
Peter, Hannak, Patience, Kate and Peter. but
finding it impossible to make an equal Divi-
sion thereof, proceeded to make sale of 8
Slaves at Public auction on nine months Cre-
dit and due notice being given, sold the 8
Slaves for the sum of £404. not taking
Bond and approved security of the purchas-
ers for the payment thereof, of which sum of
£404. not we the 3 Commissioners have agreed
to each of the parties an equal share of the
Proceeds. — Given under our hands this
17th day of Decr 1798

Geo Jenkins
Richard New
Henry Seal