

L813-004

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BRITT'S HEIRS

^{11/1813}
VS. BRITT'S EXECUTOR

other SURNAMES: Coggin,
English

Britt's heirs

for
do. Britt Exr.

Mat. Britt

Bill on Chy.

To the worshipful Court of Southampton County
sitting in Chancery humbly complaining
sheweth unto your worships your Petitioners &
oratrixes Matthew Britt, Benjamin Britt, Jonathan
Coggin and Aphentah his wife, late Aphentah
Britt; Harrison Britt and Nancy his wife
late Nancy Britt; Merit Britt an infant
by his next friend Matthew Britt; and Patsy
English an infant Daughter of Patsy
English Decd. who was formerly Patsy
Britt, by her next friend Matthew Britt
Petitioners and distributees of
Matthew Britt decd.

That some time in the year 1808.
Matthew Britt departed this life, after
having duly made and published his last
will and testament, which was proven
and recorded in this Court in the month
of January 1809. - That amongst other
things provided for in the said Will the sd.
Matthew the testator gave to your orators
Benjamin Matthew and Merit equally
along with Joseph Britt his four sons, the
plantation and tract of Land wherein he
then lived to be equally divided after the
death of his widow which took place
the year following the death of the sd. Matthew.
That under the said Will the Slaves
in number, all his stock, and other personal
Estate was to be sold, and equally divided

among all his children after the death or marriage of his said widow; that he also left two tracts of Land one lying in Brunswick County and the County of Chatham to be sold, the former to pay his debts; the proceeds of the latter to be divided amongst his children.

That Joseph Bratt and Britain Bratt were appointed Executors to the Will of the said Matthew and both of them qualified thereto; since which the latter has also departed this life, leaving Joseph Bratt the only acting Executor, who under and by authority of the said Will of his father Matthew Bratt, has taken possession of the whole Estate, and converted the same to his own use; and now refuses to distribute the same agreeable to the direction of the Will of this testator.

That no Inventory & appraisement; or Account Current of the said Estate, has ever been returned to this Court - or any act whatever performed by him in the character of Executor, other than proving the said Matthew Will - selling a part of his Estate which was chiefly bought by himself, and wholly as well the Land as personal Estate withheld from your complainants who were equally the objects of the testator's bounty with himself the said Joseph the Executor.

Your complainants farther state that the debts due from their Dec^d. father Matthew, were very inconsiderable: and have all been paid. That no good reason does exist for withholding their proportions of the E^{state} from them and is therefore in its effect unjust and oppressive.

In tender consideration whereof, and in as much as that your complainants are aggrieved in ~~the~~ ^{the} Court will take their grievances into consideration and compel the said Joseph Bratt Ex^r. as aforesaid - who it is prayed may be made defendant to this Bill to adjust settle and return a full true and perfect list of all his transactions on the Estate of the said Matthew his testator; and distribute to your complainants their just proportion of the personal Estate of their Dec^d. father.

And that the Court will further order and Decree that a Division of the land devised to the testator four sons be laid off and allotted to them, according to the will of the said Matthew Bratt.

To the end therefore they pray that commissioners be appointed to carry the same into effect agreeable to the provisions of the Will of the said Matthew Bratt - and as in duty bound &c.

For Com^{plaintants}

Mather & Co. v. J. B. B. & Co.
in this case the Land in
Greenville, as also that in
Isle of Wight was sold in
the life time of the Testator.

Estate of Slaves & Stock
Furniture &c. under plan
tation