1815-009 SOUTHAMPTON COUNTY CHANCERY PAPERS EDWARDS VS. EDWARDS' ADMINISTRATOR et al
3/1815

plat

other SURNames: Barden, Boon, Forgason

Edwards

v. } Bill Sup. Decree.

Edwards adm. etal.

December 1814

Interl. Decree

Rul. of Record

To the worshipful Court of Southampton County in Chancery Setting — Humbly complaining Sheweth unto your worships your orator Anderson Edwards son of Joel Edwards deceased. That on the day of 1814, the said Joel Edwards departed this life, in the County of Southampton, intestate, and that Letters of administration on his estate have been in due form of law granted by the Court of the said County to a certain Dixon Forgason — that the said Joel Edwards died seised of a tract of land, lying in the said County containing by estimation acres, and possessed of the following slaves, to wit, Martin, Silas, Sarah, Hannah, Bob, Kinch and Edlar — that the said Joel Edwards, at the time of his death left a widow, Mary Edwards and six children, to wit, your orator Anderson Edwards, Williamson Edwards, Sally Barden wife of James Barden, Peterson Edwards, Nancy Boon wife of Byrd Boon, Nathan Edwards, Revirt Edwards & Polly Edwards that since the death of the said Joel Edwards, the said Byrd Boon and Nancy his wife, have both departed this life, without having made any disposition whatever of the said Nancy's proportion of the said Joel's estate, leaving only one child, to wit, William Boon, who is an infant of tender years — Now your orator begs leave to state to your worships, that the debts due and owing by the said Joel Edwards dec^d, are very inconsiderable and that none of the slaves will be required for the purpose of paying and satisfying the same — and in fact that no circumstance exists to prevent the immediate allotment of Dower in the aforesaid land and slaves to the widow, and the division & distribution of the remaining two third parts thereof among the children of the said Joel Edwards dec^d and the said William Boon, who will take in their behalf per stirpes, that is to say, the share of his deceased mother. To the End therefore that the said Dixon Forgason adm^r of the said Joel Edwards dec^d

and the said Williamson Edwards, James Barden & Sally his wife, Peterson Edwards, and the said William Boon, Nathan Edwards, Jewit Edwards and Polly Edwards

the four last named by their special guardian, may be made defendants to this bill & be compelled to answer all & singular the allegations therein and that as fully, as if the same were herein again repeated and they thereunto particularly interrogated - that one third part of the aforesaid land and slaves may be allotted to the said Mary Edwards, widow of the said Joel Edwards dec^{d}, for the term of her natural life, as her dower therein - that the remaining two thirds of the said land may be equally divided between your orator, the other children of the said Joel Edwards dec^{d} and the said William Boon, in right of his deceased mother Nancy Boon - that the remaining two thirds parts of the said slaves, not being susceptible of a division in kind, may be sold and the proceeds of the said sale divided in like manner as last above stated - that any other & general relief may be granted in the premises consistent with Equity & good Conscience - May it please &c, and as in duty bound your orator will ever pray &c, - Stith for complainant.

The separate answer of Dixon Forgason dft. of Joel Edwards deceased to the foregoing bill - The said defendant saving and reserving &c, for answer thereto saith - that the allegations in the said bill contained are true - that none of the slaves, of which the said Joel Edwards died possessed, will be required for the purpose of discharging his debts - and that he will submit to such decree as the wisdom of this worshipful court may approve and dictate & he prays to be hence dismissed &c Dixon Forgason

The joint & separate answer of Mary Edwards widow & relict of Joel Edwards dec^{d}, Williamson Edwards, James Barden & Sally his wife, Peterson Edwards and of William Boon, Nathan Edwards, Jewit Edwards & Polly Edwards & Dixon Forgason their guardian specially appointed to defend them in this behalf to the foregoing bill - The said defendants saving & reserving &c, for answer thereto say, that they admit the allegations therein contained to be true & that they have no objection to the decree therein prayed for & the complainants & they pray to be hence dismissed &c

Dixon Forgason

Anderson Edwards son of Joel Edwards dec'd — Compl't

vs.

Dixon Forgason adm'r of Joel Edwards dec'd, Mary Edwards widow and relict of the said Joel Edwards dec'd, James Barden & Sally his wife, late Sally Edwards, Williamson Edwards, Peterson Edwards and William Boon infant sons of Byrd Boon and Nancy Boon dec'd and heir at law of the said Nancy Boon dec'd, formerly Nancy Edwards, and Nathan Edwards, Nevitt Edwards & Polly Edwards infant children of the said Joel Edwards dec'd & the said Dixon Forgason their guardian specially appointed to defend them in this behalf Defts

This cause was this day docketed & coming on to be heard by consent of the parties and the agent of the court and was heard on the bill, the answers of the defendants and the arguments of Counsel, whereupon the court doth adjudge order & decree that Lewis Morrell Edwin Boykin, William Forgason and Jordan Barrett or any 3 of them attended by the Surveyor of Southampton county, do allot and set apart to the defendant Mary Edwards widow & relict of Joel Edwards dec'd, for the term of her natural life, one third part of the land of which the said Joel Edwards died seized in the said county, as her Dower therein, having regard in the said allotment as well to the quality of the said land as to the quantity thereof, and that they divide with the like regard to quality as well as quantity, the remaining two third parts of the said land equally between the complainant Anderson Edwards and the defendants Williamson Edwards, James Barden in right of his wife Sally, Peterson Edwards, William Boon in right of his dec'd mother Nancy Boon, Nathan Edward, Nevitt Edwards and Polly Edwards

that the said Commissioners or any of them do also allot and set apart to the said Mary Edwards, widow & relict of the said Joel Edwards dec'd, for the said term of her natural life, one third part of the following slaves, to wit, Martin, Giles, Sarah, Hannah, Bob, Rinck and Edlar, of which the said Joel Edwards died possessed, as her Dower therein, and

that they sell the remaining two third parts of the said slaves, at public auction, on a credit of twelve months, giving ~~them~~ reasonable notice of the time and place of sale and requiring bond or bonds with ~~approved~~ approved security from the purchaser or purchasers - that they divide the proceeds of the sale of the said slaves equally between the complainant Anderson Edwards and the said defendants William Edwards, James Barden in right of his wife Sally, Pettison Edwards, William Boon in right of his deceased mother Nancy Boon, Nathan Edwards, Peirit Edwards and Polly Edwards, taking care to pay the proportions of the said infant defendants William Boon, Nathan Edwards, Peirit Edwards and Polly Edwards to their respective guardians, if any, if not, to hold the said proportions, subject to the further order of this Court - It is further ordered that the said Commissioners make a report of their doings & doings in this behalf to the Court in order to a final decree ——

Southampton December Court 1814

Anderson Edwards Son of Joel Edwards dec'd Complt.

against

Dyson Forgason Administrator of Joel Edwards dec'd.
Mary Edwards widow and relict of said Joel
Edwards dec'd James Barden and Salley his wife
late Salley Edwards, William Son Edwards, Peterson
Edwards and William Boon infant Son of
Byrd Boon and Nancy Boon dec'd (and heir
at law of said Nancy Boon dec'd formerly
Nancy Edwards (and Nathan Edwards, Newit
Edwards (and Polly Edwards infant Children
of the said Joel Edwards dec'd by the said
Dyson Forgason their guardian Specially ap-
= pointed to defend them in this behalf Defts.

In Chancery

This cause was this day do Setled by the Consent of the part[illegible]
the part of the Court and was heard on the bill the answer of the
defendants and the arguments of Counsel whereupon the Court doth
adjudge order (and decree that Lewis Worrell, Edwin Boykin, William
Forgason (and Jordan Barrett or any three of them attended by the
Surveyor of Southampton County do allot and Set apart to the
defendant Mary Edwards, widow and relict of Joel Edwards dec'd for
the term of her natural life, one third part of the Lands of
which the said Joel Edwards died Seized in the said County as he
dower therein, having regard in the said allotment as well to
quality of the said lands as to the quantity thereof, and that they
divide with the like regard to quality as well as quantity, the remain
= ing two third parts of the said lands equally between the
Complainant Anderson Edwards and the defendants William Son Edwards
James Barden in right of his wife Salley, Peterson Edwards, William
Boon, in right of his dec'd mother Nancy Boon, Nathan Edwards

Newit Edwards and Polly Edwards, that the said Commissioners or any three of them do also allot and set apart to the said Mary Edwards widow and relict of the said Joel Edwards dec.d for the said term of her natural life, one third part of the following Slaves to wit, Martin, Giles, Sarah, Hannah, Bob, Vinch and Edar of which the said Joel Edwards was possessed as her dower therein, and that they Sell the remaining two third parts of the said Slaves, at public auction, on a credit of twelve months giving reasonable notice of the time and place of Sale and requiring bond or bonds with approved Security from the purchaser or purchasers - that they divide the proceeds of the Sale of the said Slaves equally between the complainant Anderson Edwards and the defendants William Edwards son, James Barden in right of his wife Sally, Peterson Edwards, William Boon, in right of his deceased mothers Nancy Boon, Nathan Edwards, Newit Edwards and Polly Edwards taking care to pay the proportion of the said [illegible] William Boon, Nathan Edwards, Newit Edwards and Polly Edwards to their respective guardians, if any, if not, to hold the said proportions, Subject to the further order of this court - It is further ordered that the said Commissioners make report of their actings and doings in this behalf to the court in order to a final decree —

Test Rochelle C.

Edwards
vs
Edwards &c

Chy. Decree

March 1815 Rpld. not to
be a Decree Finally —

Ed. B. Ward

Plat and division
of the lands of Jos
Edwards deceas'd
253 1/2 Acres

This done by the Magnetic Meridian
Variation N. 1/2 to the East

James Jones

Little Swamp

New Corner

Lott No. 8
19 1/2 Acres
drawn by
Peterson
Edwards

Lott No. 4
14 1/2 Acres
drawn by
Williamson
Edwards

Lott No. 5 — 17 1/2
Acres drawn by
James Barden

Lott No. 6 — 17 1/2
Acres, drawn by
Nathan Edwards

Pines

Pines Branch

Lott No. 4
27 Acres
drawn by
Neuil Edwards

Lott No. 3
34 Acres
drawn by
Anderson
Edwards

Meadows drawn
6 1/2 Acres

Pine Stump bears of Dixon Ferguson
in his corn field

lower corner of the Path

little Branch runs through the field dividing Lotts No. 3 & 4

Lott No. 2 drawn
by Polley Edwards
30 Acres

Lott corner of Benjamin Millfield

New Corner

Lott No. 1
drawn by Wm
Bowen 30 Acres

Opposite the Negro Houses

Pocosin

White Oak A corner of Benj. Millfield
in the Pocosin

Chain Carriers

6

Report of the
Division of the
Lands of Joel Edwards
dec'd

Rec'd & Record

Agreeable to an Order of the County Court of Hampton to us directed bearing date December Court 1814 We have gone on the lands of Joel Edwards dec'd attended with the County Surveyor as by the Order we were Required, and have run out and Ascertained the Number of Acres belonging to the Estate of the S. dec'd and find them to be 253 p Acres in the whole, We have also Proceed to divide the S. land in manner and form following (to Wit) Beginning at the Swamp Call'd the little Swamp running thence S. 40. E. 74 Pole to a new corner made in the dower line & in Polley Edwards lott No 2. thence N. 60. E. 64 Pole to a Pine Stob a corner of Benj. Whitfield and now a corner of lotts No 2 & 3 — thence N. 12. W. 114 Pole to the Branch call'd the Piney branch, thence along that branch to where it Intersects the little Swamp, and thence along the little Swamp to the first Station, Containing 61 1/2 Acres being the dower right of Edwards Widow and relict of Joel Edwards dec'd Which We have Assign'd to her for life as by the decree We were Required — Thence Beginning at a new corner made in William Boons & Polley Edwards lotts No 1 & 2 running thence S. 36. East 10 Pole, thence due South 18 pole thence S. 24. E — 92 Pole to the road, thence N. 84. East 60 Pole to a White Oak a corner of Benj Whitfield in the Deacon, thence N. 30 — W — 40 pole, thence N. 28. West 85 pole to a new corner made in lotts No 1 & 2 — thence S. 58. W. 45 pole along the dividing line of lotts No 1 & 2 to the 1st Station — Containing 30 Acres Valued at 3.30 Pr Acre Amounting to 105.00 Dc, Hc, being lott No 1 — Which lott now drawn by William Boon — in right of his dec'd Mother Nancy Boon formerly Nancy Edwards being his Proportionable Part of the S. Lands after receiving from lott No 3 the Sum of 1.31. Which Sum added to 105. makes

$ cents
106.31 William Boom Proportionable Part of the S.d Lands in right of his dec.d Mother, after taking an Equal division in the dower right of Mary Edwards Widow of Joel Edwards dec.d at the death of the S.d Widow or at a future day ——

Thence Beginning at —— a new corner made in William Boom & Polley Edwards lotts No 1 & 2 Running thence N. 28. W. 88 Pole to a Lightwood Stob a corner of Benj.a Whitfield, thence S. 60. West 64 Pole to another new corner made in lotts No 1 & 2 in the old dividing boundary, thence S. 35.° E. 93 Pole to a new Corner made in lotts No 1 & 2. thence N. 58.° E — 45 pole along the dividing line of lotts No 1 & 2 to the 1.st Station — containing 30 acres Valued at $ 3.50 ₰ Acre making $ 105.00 being lott No 2 Which lott was drawn by Polley Edwards daughter of Joel Edwards dec.d being her Proportion of the S.d Lands after receiving from lott No 3 Which is Anderson Edwards lott the Sum of $ 1.31 — Which Sum added to 105 makes $ 106.31 her full Proportion of the Lands of her dec.d father after taking and Equal division in a future day of the dower right of Mary Edwards Widow and relict of Joel Edwards dec.d ——

Thence Beginning at a Pine Stob a corner of Benj.a Whitfield and a new corner of lotts No 2 & 3 of the dower Running thence N. 62.° East 72 Pole to the Branch that divides lotts No 3 & 4 thence along that Branch to the Piney branch: thence along the Piney Branch to the dower line and thence along the dower line to the first Station — containing 34 acres Valued at $ 3-50 ₰. Making 119 dollars being lott No 3 Which lott was drawn by Anderson Edwards Son of Joel Edwards dec.d Which is his Proportionable part of the Lands of his dec.d Father after Paying to lotts No 1 & 2 Which is William Booms & Polley Edwards lotts the Sum of $ 1.31 Each and also to lott No 4 Which is Newit Edwards

lott the Sum of $ 10.69 Which respective Sums taken from 119 dollars leaves $ 106.31 — his full Portion of the S.d Lands after receiving his Equal Share in the dower right of his mother at her death & at a future day ——

Thence Beginning at the Branch that divides lotts No 3 & 4 running thence N. 62 E — 20 Pole, thence N. 4. E — 50 Pole to a Pine Stump. Cor.r of Aaron Foggerson, thence N. 46 West 92 Pole to the Piney branch, thence along that Branch to the Branch that divides lotts No 3 & 4 & Then along that dividing branch of lotts No 3 & 4 to the first Station; containing 27 Acres Valued at $ 3.50 ₰ makes $ 94.50 being lott No 4 Which lott was drawn by Newit Edwards Son of Joel Edwards dec.d Which is his Proportion Part of the Lands of his dec.d father after receiving from Anderson Edwards lott No 3 the Sum of $ 10.69 & from lott No 5 Which is James Bowdens lott in right of his Wife the Sum of $ 1.74 — Which Sums added to 94.50 makes $ 106.31. his full Proportion of the S.d Lands after receiving in future day an Equal division in the dower of his mother.

Thence Beginning at the branch call.d the Piney branch thence along that branch to a new corner made in lotts No 4-5 & 6 and also in the dower, Running thence along a dividing line of lotts No 5 & 6 to a new Stob Post in Bowmfield a corner of lotts No 5-6-7 & 8 — thence along a new dividing line of lotts No 5 & 7 to a Stob a new corner made on Lewis Norrells line below his Gate thence along Lewis Norrells out line to the 1.st Station containing 17 ½ acres Valued at $ 6.50 ₰ Acre making 113.75 being lott No 5 lying over the Piney Branch next to Lewis Norrells ——

Which lott was drawn by James Barden being his Proportionable (part) of the Lands of Joel Edwards dec^d In right of his Wife Salley Barden formerly Salley Edwards after Paying to Nathan Edwards lott No 6 the Sum of 5-70 (and to Nezal Edwards lott No 4 the Sum of 1.74 cents) Which Sums deducted from 113.75 leaves the Sum of 106-31 his full Proportion of the Lands in right of his Wife after receiving at a future Period an Equal Share in the division of the Widows dower Which was assign^d to her for life— Thence Beginning at a new corner in the Piney branch being a corner of lott No 3—5 & 6 Running thence along the Piney branch to the little Swamp thence along the Swamp to a new corner made in Nathan Edwards lott No 6 & Peterson Edwards lott No 8. thence along the dividing line of lotts No 6 & 8 to a new corner in the field C^o of lotts No 5-6-7 & 8— and thence along the dividing of lotts No 5 & 6 to the first Station. containing 19½ Acres Valued at 5 dollars p^r Acre making 87-50 being lott No 6 Which lott was drawn by Nathan Edwards Son of Joel Edwards dec^d being his Proportionable Part of the Lands of his dec^d Father after receiving for James Bardens lott No 5 the Sum of 5.70 and Williamson Edwards lott No 7 the Sum of 2.44 & from Peterson Edwards lott No 8 the Sum of 10.69 Which respective Sums added to the 87.50 Which was the Valuation of his lott makes 106-31 his full Proportion of the Lands of his dec^d Father, after receiving at a future day an Equal division of the dower right of his mother— Thence Beginning at a stob a new corner of lotts No 5-6-7 & 8— Running thence along the dividing line of lotts No 5 & 7— to a new corner in Lewis Worrells East bounds Thence along his East Bounds to a new corner made in lotts No 7 & 8 being a corner of Peterson Edwards and Williamson Edwards and thence along the dividing lines of Peterson Edwards & Williamson Edwards lotts No 7 & 8— to the first Station— containing 14 p^r acres Valued at 7.50 p^r Acre making 108.75 being lott No 7 Which lott was drawn by Williamson Edwards Son of Joel Edwards dec^d being his Proportionable Part of the Lands of his dec^d Father after Paying to Nathan Edwards lott No 6 the Sum of 2.44 Which Sum deducted from 108-75 leaves 106-31— his Proportion of the Lands of his dec^d Father after receiving at a future day an Equal division in the dower right of his mother;

Thence Beginning at a Stob a new corner made in the Cornfield being a corner of lotts No 5-6-7 & 8 thence along the dividing line of lotts No 7 & 8 to a new corner made in lotts No 7 & 8— on the east bounds of Mr Browne and then along the east bounds to the Swamp call^d the little Swamp— thence along the Swamp the various courses thereof to a new corner made in lotts No 6 & 8 and then along the dividing line of lotts No 6 & 8 to the 1st Station. containing 19½ Acres Valued at 6 dollars p^r Acre Amounting to 117 dollars being lott No 8 Which lott was drawn by Peterson Edwards Son and heir of Joel Edwards dec^d being his Proportionable Part of the Lands of his dec^d Father after Paying to Nathan Edwards lott No 6 the Sum of 10.69 Which Sum deducted from 117 dollars leaves 106.31 his full Portion of the Lands of his dec^d Father after Receiving at a future Period an Equal division in the dower right Which was assigned to Edwards Widow and relict of Joel Edwards dec^d— for life— Given under our Hands this 20th day of March 1815—

Edwin Boykin

Lewis Worrell

William Forgason