

1816-004

SOUTHAMPTON COUNTY
CHANCERY PAPERS

EDWARDS et al VS. EDWARDS

12/18/16

other SUR Names: Boon,
Barden, Furgison, Ferguson

543
Petersen Edwards
& co

Wm. Low Edwards.

Friendly Bill & Answer



Decr. 1816 Deereu and ord.
accordingly

To the worshipful Court of Southampton County
sitting in Chancery humbly complaining sheweth
unto your worships your orators & oratrix, Peterson
Edwards, Anderson Edwards, James Bardin and
Salley his wife, late Salley Edwards, Wm Boon
an infant son of Nancy Boon, late Nancy Edwards
by W^m Furgison his guardian - Nathan Edwards
and Polley Edwards, infants by their next friend
William Furgison -

That some time in the
month of May last, Stuart Edwards departed
this life intestate having first sold to Dixon Furgison
a small tract or parcel of land, containing 27-
Acres for which no Deed of conveyance had been
executed in the life time of the said Stuart Edwards
altho a part of the consideration money had
been paid to wit, to the said

Stuart by the said Dixon Furgison. That your
orators and oratrix with a certain William
Edwards who it is prayed may be made up
to this ^{bill}, are the only heirs and distributees
entitled to the Estate of the said Stuart
Edwards &c. - That so it is may it
please the Court, that some of your Compts
are under the age of twenty one years and
consequently unable to join in a Deed of
conveyance, of the said land, to the purchaser
Dixon Furgison; otherwise than by and under
a Decree of a court of Chancery, where such

matters are properly cognizable - It is
therefore prayed that the Court will order and
Decree that such Deed be made to the said
purchaser, as will convey to him a fee
simple Estate in the said parcel of Land,
on his paying up the balance of the purchase
money; and proving payment of the said
said to be paid to Stuart Edwards in his life
time, to the satisfaction of those interested
therein; and that the Court will order & Decree
that the 2^d Compts. - and the 2^d Defendant join
in the 2^d Deed of conveyance, that is those who
are of the age of 21 years & upwards to sign for
themselves, and those under that age by Guardi-
-an or next Friends - But in Default of
such proof or of payment of the balance
yet due that then, the said parcel of
Land be sold by commissioners, and the
money arising from the sale be distributed
amongst the Compts & the Defendant
agreeable to the act of Assembly in such
case made and provided - and for
general relief -

Williamson

The answer of ~~Williamson~~ Edwards to a bill
in Chancery exhibited against him in the County
Court of Southampton by Petitioners Edwards &
others - for answer thereto saith: that he, this
respondent cannot deny the allegations set
forth in the said bill of the complainants,
but admits they are true; - he therefore shall
be satisfied with such Decree as the Court
may think proper to make. - and
having answered prays hence to be
Dismissed -

Wm Edwards

Edwards & al

vs

Edwards.

Inter 7^y.

Decease. ~

Southampton County Dumber Court 1816.

Peterson Edwards, Anderson Edwards
James Barden & Sally his wife late
Sally Edwards; Wm Boon an infant
son of Nancy Boon, late Nancy Edwards
by William Furgison his Guardian.
Arthur Edwards & Polly Edwards infants
by their next friend Wm Furgison - Compts
against
Williamson Edwards

Depts.

In Chancery

This cause was this day docketed by
consent of the parties and assent of the Court;
came on to be heard upon the bill of the compts
answer of the Defendant exhibits & arguments
of counsel; whereupon - and upon due consi-
deration thereof had. The court doth order,
adjudge, and decree, that the compts, or such
of them as are of the age of twenty one years
and upwards; and those that are under that
age by their Guardian or next friend; as also
the Defendant, join in an indenture and
Deed of conveyance of a certain tract or parcel
of land in the Bill mentioned, to Dixon Furgison
or his simple: containing twenty seven Acres -
which he the said Dixon had bought of a certain
Hewitt Edwards now de. before his Death & had
paid to him the sum of _____ of the pur-
chase money, and to which said 27 Acres of land
the said Hewitt Edwards had failed to make a

Deed of conveyance in his life to the said Dixon
Ferguson; provided nevertheless that the said
Dixon Ferguson shall prove satisfactorily to the
Compts and to the S. Deft. the payment made
to the said Trust in his life time of the S.
sum of _____ as is alleged by him
to have been paid, - and then pay over to the S.
Compts or their Guardians, and to the Defts.
the balance of the purchase money to have
been given according to the contract made
by the S. Trust in his life time, and the
Dixon Ferguson. But in default of the
proof required of the S. Dixon Ferguson
that he had made to the said Trust ~~Edward~~
such payment in part for the said 27 acres of
land as is by him alleged; or failing to
pay the balance of the S. purchase money,
as required above; that then and in that case
It is ordered and Decreed that the said tract
of land in the bill mentioned be sold by
commissioners first giving notice of the time of
sale on a credit of _____ months, except
as to the sum of thirteen Dollars and thirty three
cents, which is to be paid on the day of sale
(that being the costs) and assign the same equally
between the S. Compts and the Deft. and that
the said commissioners (to be appointed) or some
of them as may act, convey to the purchaser

by a good and valid Deed the said parcel of 27
acres of land, and its appurtenances; - and
make report of their actings and doings
in this behalf to the Court, in order to a
final Decree.