1820-011 SOUTHAMPTON COUNTY CHANCERY PAPERS STEPHENSON: + al VS. STEPHENSON 6/1820

Stebbins

vs

Stebbins

Bill & Answer.

Nov. 1879 Sutherland

To the worshipful Court of Southampton in Chancery sitting

Humbly complaining shew unto your worships your complainants Wilborne Stephenson, and Jeremiah Stephenson Peggy Stephenson and James Stephenson infants by their next friend the said Wilborne Stephenson. That they with a certain William G Stephenson also an infant are equally entitled to a tract of land lying in this county containing acres and one negro man slave of which their father William Stephenson died seized and possessed as the heirs at law of the said William Stephenson died he having died without will. They humbly represent that it would contribute to the benefit of the parties concerned to have a distribution of the aforesaid tract of land & land and slave according to an act of assembly in such cases made and provided. They further state that they cannot obtain into possession their respective several respective shares of the said slave, neither can they have the land partitioned among them without the aid of a Court of Equity where matters of this kind are alone retainable. In tender consideration whereof and in as much as your complainants are unskilled in the premises save in this Court. They pray that the said William G Stephenson by some friend to be appointed by the Court to defend him in this behalf may be made a defendant hereto and be compelled to answer all and singular the allegations herein contained fully and answer as oath. They

further they that the said tract of land may be equally divided among your complainants and the defendants and that the said share may be decreed unto to this court as may seem meet to this court and the premises of the said equally divided among your complainants and the defendants. And your complainants finally pray that this court would make any other or further order or decree in the premises which may be right and just and as in duty bound they will ever pray &c.

To the worshipful Court of Southampton in Chancery sitting

The answer of William G. Stephenson an infant by his guardian and next friend Benjamin Porter to the bill of complaint exhibited against him by William Stephenson, and Jeremiah Stephenson, Peggy Stephenson and James Stephenson infants by their next friend the said William Stephenson.

This respondent reserving and reserves to himself every benefit of exception to any errors or imperfections in the complainants bill contained for answer to so much thereof as he is advised is necessary for him to answer, says. That he cannot deny the complainants allegations and his willing would be decreed as this worshipful Court may think it right to pronounced in the premises. and having answered he pray to be hence dismissed &c.

Stephenson — Dft

v. In Chancery

Stephenson — Dft

This cause was this day docketed by consent of parties and upon the bill answer and exhibits and argument of counsel submitted and upon due consideration thereof had the Court doth adjudge order and decree that James Clayton, Merit M Clay, Silas Summerall and Hezekiah Summerall or any three of them do divide the tract of land lying in this County whereof William Stephenson died seized & possessed into five equal parts having regard to value by proper mites and bounds, and allot an equal part to each of the complainants and the remaining part to the defendant. It is further ordered and decreed that the before named persons or any three do after giving three weeks public notice of the time and place of sale sell at public auction a respectable number of William Stephenson died possessed on a credit of 12 months. That they divide the proceeds of the sale into five equal parts securing the payment of the same by their bonds with good security. and that they deliver over to each of the complainants & the guardian of William Stephenson one bond, and to each of the infant complainants and defendant one other bond. And it is further ordered that they or any of them as may act do make a report to this Court of their proceedings herein in order

bo spiritual alcohol -

Stephenson Vs. 2 Int. 4
Stephenson Vs. 3 Decree

Southampton September Court 1819.

W. Stephenson, Jeremiah Stephenson, Peggy Stephenson and James Stephenson infants by their next friend the said Wilborn Stephenson Complainants

In Chancery

against

William G. Stephenson an infant by his next friend & Guardian Benjamin Barnes Defts

This cause was this day ocasion by consent of parties and assent of the court, and was heard on the bill answer and arguments of counsel, whereupon and after due consideration thereof that the court doth adjudge order and decree that James Clayton, Merit McClay, Silas Simmons & Hosea Simmons or any three of them do divide the Tract of land lying in this county whereof Wm. Stephenson died seized and possessed into five equal parts, having regard to value by proper metes and bounds, and allot one equal part to each of the complainants, and the remaining part to the defendant. It is further ordered and decreed that the before mentioned persons or any three of them, do after giving three weeks public notice of the time and place of sale, sell at public auction a negro man slave whereof William Stephenson died possessed on a credit of twelve months, that they divide the proceeds of the sales into five equal parts, Securing the payment of the same, by five Separate bonds with good Security and that they deliver over to the complainant Wilborne Stephenson one bond, and to the Guardian of each of the infant complainants and defendants one other bond, and it is further ordered that they or Such of them as may act do make a report to this court of their proceedings herein in order to a final decree

Vera Rochelle C.S.C.

Agreeable to a decree of the County Court of Southampton bearing date November Court 1819. and thereunto annexed We have divided into five equal lots, a tract of land whereof Williams Stephenson late of Southampton County died Seized and possessed of, having regard to quality as well as quantity, and have allotted it to the Heirs, In the following manner to wit Lot No 1. in the Centre, including the improvements Contain Thirteen acres, to William G. Stephenson who is to receive Four dollars & thirteen Cents; Lot No 2. to the N. East Containing forty and a quarter acres, to Peggy Stephenson [illegible] Cents, Lot No 3 - N. West corner Containing [illegible] quarter acres, to Jeremiah Stephenson, who is to pay two dollars - Lot No 4 South west corner Containing forty one & a half acres, to James Stephenson who is to pay six dollars Twenty Cents, Lot No 5. South East corner Containing thirty nine acres, to Wilborn Stephenson who is to receive four dollars and eleven Cents and after advertising the time and place for three weeks Previous, we have further proceeded to sell, to the highest bidder, on a Credit of twelve months, One Negro man slave Belonging to the Estate of Williams Stephenson dec'd Wilborn Stephenson became the purchaser, for the sum of Three hundred and thirty eight dollars, we have deducted thereupon the sum of Fifteen dollars for our Commissions for selling the same

and dividing the Land, leaving a balance of Three hundred and Twenty three dollars, for which we have taken five seperate bonds - for Sixty four dollars and Sixty Cents each, and paied one of said bonds to Wilborn Stephenson, one other bond, to Jeremiah Stephenson, one other bond to Peggy Stephenson, one other bond to Benjamin Bristo Guardian to James Stephenson, and one other bond to said Bristo as Guardian to William G. Stephenson

Given under our hand this 28th day February 1820

Silas Summerell

James Clay [redacted]

Herod Summerell