1827-016 SOUTHAMPTON COUNTY CHANCERY PAPERS

DOLES & al vs. DOLES etal

1/1827

other surnames: Summerell

Dolan
vs
Daley
&
Bill in
Equity
to
Decree.

Janry. 1827. Settf. Decree

To the worshipful the County Court of Southampton in
Chancery sitting. Humbly Complaining Shew unto your
worships your orator & oratrix Arthur Eday & Elizabeth
Eday by their next friend Henry Eday. That sometime
in the year 1825 died James Eday. leaving leaving a
number of Negroes & some land. without wife or Children.
That by his will which is of record in the office of
this County he devised & bequeathed the said land &
negroes to his mother Elizabeth Eday. for & during
her life and at her death. to be divided into
four Shares. & one Share allotted to your orator
& oratrix - one Share to Patrick Eday. one
Share to Mary Drummond and the other to
Rebecca Eday. being the only Sisters of the
said James Eday. or their the children of them.
That the said Elizabeth Eday the mother
survived as the executrix to the said will
& has since died. by which means the said
remainder have become entitled to receive
their proportion - That Patrick Eday has
since the death of Elizabeth Eday qualified as
the admr. de bonis non. of James Eday. that it
is believed that a division of the said Slaves cannot
be made in kind - That James Eday. died
about a month
before he arrived at the age of twenty one. from
which your orator & orator believe that they cannot

take or devise of the land. They however move that point for the future consideration of the Court. and pray for a division of the Slaves that Patrick Doles. Mary Drummond & Rebecca Doles which Court is an infant be made defts & that the Court grant General relief. &c. as in duty &c. They will ever pray &c. Herod Doles

The joint & several answer of Patrick Doles as Exor & admr of James Doles dec'd. Mary Drummond & Rebecca Doles. The Court by Patrick Doles her next friend of the Court appointed to the infr executed as to them by Arthur Doles & Elizabeth Doles. - These respondents saving &c. admit the allegations in the Bill contained & are willing to such decree as the premises as may be deemed just & having fully answered pray to be dismissed &c. -

Patrick Doles
Mary D. Drummond
Rebecah Doles By
Patrick Doles

Doles
Doles } In Eq

This Cause this day came on to be heard upon the bill & answers & exhibits whereupon the Court doth adjudge order & decree that Mary Drummond & Rebecca Doles upon a Credit of nine Months after giving Notice of the time & place of Sale the Slaves formerly belonging to James Doles of which Elizabeth Doles dec'd died possessed the having a life estate in the same & take from the Purchasor or Purchasers four bonds in equal amounts with good security. and assign one to Patrick Doles. one to Mary Drummond one to Rebecca Doles & one to Arthur & Elizabeth Doles jointly. the two latter being payable to infants the Comm'r will retain the same until there be some Common Law Guardian appointed to them & assign the said bond to their guardians upon and take repurchasing bond. to Patrick Doles. the acct & Report of James Doles dec'd to this Court in order to a final decree. -

Doles &c.
vs
Doles &c.

Interl. Decree

May 1827 Repr. nett. & final Decree —

dlo lrs.
2s
Dolrs.

Intr
Decem.

Southampton January County Court 1837

Arthur Doles and Elizabeth Doles by their next friend Herod. Doles — Compl^t

against

Patrick Doles as legater and adm^r of James Doles dec^d Mary A. Summerell and Rebecca Doles the last by Patrick Doles their next friend

In Chy

This Cause this day came on to be heard upon the Bill and Answer and Exhibits whereupon the Court doth adjudge order & decree that Benjamin Griffin sell upon a Credit of nine months after giving notice of the time and place of Sale the Slaves formerly belonging to James Doles of which Elizabeth Doles died possessed She having a life Estate in the same and take from the purchaser or purchasers four bonds in Equal Amounts with good Security and assign one to Patrick Doles one to Mary Summerell one to Rebecca Doles and one to Arthur & Elizabeth Doles jointly the two latter being payable to infants The Commissioner will reserve the same until there be some Common law Guardian appointed to them & assign the said Bonds to their Guardians as such and take refunding bonds to Patrick Doles the adm^r D B N of James Doles & report to this Court in order to a final decree

Test.

James Rochelle C C

Commissioners
Report on the Sale
of James Doles
Negroes —

In Conformity to the Annexed Decree, I the Undersigned did on the 31st day of January 1827 proceed to sell to the highest bidder on a Credit of nine Months (except the sum of $38.50Cts to pay expences) the Negroes that James Doles died seized and possessed of, Namely one Negroe Man Philip to Jas. B. Urquhart for $375.50Cts. one boy John, to Patrick Doles for $325.03Cts and one Woman Nanny & Child Alfred to Mary A. Summerell for $306.00Cts the total amount $1006.53 Cts- deduct from this Amount the sum of $38.50Cts. for Cost & Commission at 2½ p Cent, leave a balance of $968.03Cts. to be divided into four equal parts. making the sum of $242.01¼ Cts each legatees part. I have delivered to Patrick Doles & Mary A. Summerell each their proportions. and paid over to James Clayton as acting Guardian for Rebecca Doles one bond for $242.01¼Cts that being her proportion: and have retained in my possession bonds to the amount of $242.01¼ Cts. until a Guardian is appointed to Elizabeth & Arthur Doles's it being their proportion. all which is respectfully submitted. Given under my hands this 13th day of February 1827—

Benjamin McGinn Commissr