

1833-024 SOUTHAMPTON COUNTY
CHANCERY PAPERS

HILL $\rightarrow$ ux $\rightarrow$ d VS. FORGASON / FERGUSON

6/1833

other SURNAMES: Beal,
Barden, Tomlin, ferguson,
Furgason

Allen Hill dal

on $\frac{2}{3}$ Bill &c

Edith Ferguson.

1831 Nov. decree as filed &c
+

1833 June. Rep. ret. Special
decree &c

plus \$293 paid by W. B. Smith

To the worshipping court of Hampshire county in chancery sitting
Humbly complaining shew unto your worships your orators and
oratrixes Allen Hill, & Martha his wife, Benjamin Beal & Elizabeth
his wife, William Borden & Mary his wife, William Forgason, Peter
Forgason, Robert Forgason & Joshua Forgason, which said for said
named persons are infants suing by Benjamin Beal their next
friend, that some time in the year - William Forgason departed this
life intestate, seized & possessed of a small tract of land containing one
hundred & eighty three acres and the following slaves to wit Isaac,
Davy, Dory, Hannah, John, Eliza, Wicky & Bicy: one John Barrett
qualified as admr. of the said William Forgason, and having paid
all the debts & settled the said estate, delivered over the said slaves
for division & distribution: one of the children of the said intestate
to wit, Nancy intermarried with Matthias Loralin who sold his
right & title in & to the said land & slaves to ^{Edith} Elizabeth Forgason
widow of the said William Forgason, and hence your orators and
oratrixes charge that the said land & slaves are liable to division
among the said intestate's widow & children, giving to the said
widow down in the ~~same~~ share originally belonging to
the said Loralin & wife, to which she the said widow is entitled by
virtue of her said purchase: your orators & oratrixes, Martha Hill,
Elizabeth Beal, Mary Borden, William Forgason, Peter Forgason,
Robert Forgason, & Joshua Forgason are the children of the said
intestate: and your orators & oratrixes further state that the
said land in value is considerably below three hundred dollars a
share and that the said slaves are not susceptible of division
otherwise than by first making sale thereof - In Tender consider-
ation ~~thereof~~ &c. To the end therefore that Edith Forgason, who
is prayed to be made defendant hereto, may upon her corporal
oath full & perfect answer answer make to all & vindicate the
said allegations & that as fully as if the same were here again
repeated & interrogated: your orators & oratrixes pray that your
worships will decree an assignment of down in the said land
& a sale & division of the balance thereof, as also a sale & division
of the said slaves, and that your worships will make such
other or further decree in the premises, as may seem consistent
with equity &c. may it please the court &c.

The answer of Edith Ferguson to the bill of complaint exhibited against her in this court by Allen Hill & Martha his wife & others, complainants - This respondent saving & reserving to herself every advantage of exception to the many errors in the said bill contained, for answer thereto saith, that the statements in the said bill set forth are true & correct and she is willing that down should be assigned to her in the land in the bill mentioned, & she consents to the sale & division of the balance of the said land as also to a sale & division of the slaves of which William Ferguson died seised & possessed - Having answered to the denial all former charges against her & prays to be hence dismissed with her costs in this behalf sustained.

Hill deposes & saith -

Edith Ferguson This cause came on this day to be heard on the bill & answer by consent of parties & was argued by counsel: on consideration whereof the court doth adjudge order & decree that John Barrett, Alexander Myrick, & Lewis Worrell or any two of them assisted by a competent surveyor or if needful do allot & set apart to the defendant one third part of the tract of land of which William Ferguson died seised & possessed as above her down for life: that the said corner or such of them as may act after advertising the time & place of sale fifteen days previously do sell at public auction the balance of the said land on a credit of nine months, and after dividing the proceeds of the said sale into eight parts, take for each of the said parts a bond with good security, one of the said bonds payable to each of the co-defendants, Allen Hill, Benjamin Beal, & William Borden, one of the said bonds payable to ^{the guardian of} each of the infant co-defendants & the remaining bond payable to the defendant: and the court doth further adjudge order & decree that the said corner or such of them as may act ~~at the same time & place & after the notice~~ ^{at public auction} ~~in the bill mentioned of which William Ferguson died seised & possessed~~ ^{and out of the proceeds of sale pay first the costs of this}

~~and the expenses of the sales aforesaid~~ do assign to the child down for life in the slaves in the bill mentioned whereof William Ferguson died seised & possessed, and at the same time & place and upon the like notice the said corner or such of them as may act, are directed to sell at public auction the remaining two thirds of the said slaves, and out of the proceeds of the said sale pay first the costs of this suit & the expenses of the said sale & for the residue of the said proceeds of sale, which as to the said sale & for the residue of nine months, the said corner or such of them as may act are directed to divide into eight parts, then each of the said parts take a bond with good security, one of the said bonds payable to each of the co-defendants, Allen Hill, Benjamin Beal, and William Borden, one of the said bonds payable to ~~the guardian~~ of each of the infant co-defendants & the remaining bond payable to the child down for life.

Forasconi Estate.

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Estate of William Hoganson to be sold &
divided among his widow & children to wit; 183
acres, of which dower is to be set apart ~~for~~ for the
dower & the balance to be sold - slaves, to wit; Isaac,
Davy, & Jerry, Hannah, John, Eliza & Wm. & Lucy
Widow Edith Hoganson, & children Martha wife
of Allen Hicks, Nancy wife of Matthias Tomlin who
has sold his interest in the land & slaves, Elizabeth the wife
of Benjamin Beal, Mary wife of William Baden,
William infant ward of S. B. Beal; Peter infant
ward of S. B. Beal, Robert & Joshua infant wards
of Elizabeth Hoganson - comes to wit; John Barnett
Step: Mayrick & Lewis Morrill or any 2. Barnett
was accord. of W. Hoganson but has declined
to the facts -

Commissioners report on
The division and sale of the
Land and Slaves of William
Ferguson dec'd, —

Dec. 26th 1831.

1833 June.

440
2200

Agreeably to an Order of the worshipful Court of Southampton County, to us directed dated November Court 1831 and hereto annexed we the undersigned Commissioners as expressed in said Order in obedience to the requisitions of said Order have allotted and set apart to Edith Forgason Widow of William Forgason Decd. Sixty One Acres of land for her Dower. it being one third in quantity and value of the whole tract of land of said decedent which contains by a recent Survey One hundred and eighty three acres Vizt 139 Acres lying in the aforesaid County of Southampton and 44 Acres lying in Hertford County N.C. The Boundaries of the said Dower land is as follows to wit, Beginning at an apple tree standing in the state line thence to a stake or post ~~a~~ corner, Thence to a corner in Davis Bryants line. Thence along his line to Clements Rochells line in said state line. Thence along his line to James Morrells line. Thence along his line to Parker Barretts line. Thence along his line to the aforesaid state line. Thence along said state line to the first Station — The remaining One hundred and twenty two Acres we have sold at Public Auction ^{on a credit of nine months} to said Edith Forgason (who was the highest bidder for the same) at Three dollars and four Cents ^{per} acre. which amounts to Three hundred and Seventy dollars. eighty eight Cents — We have assigned to said Edith Forgason the following named slaves for her Dower in the slaves of said decedent David \$400.00 Eliza. \$250.00 total \$650.00 who are equal in value to one third of the whole of the slaves of said decedent — The remaining two thirds of said slaves we have sold at public Auction on a credit of nine months. as follows Negro man Jerry to Simmons Barnes for Three hundred and sixty five Dollars twenty five Cents. — Isaac to William Barden for two hundred and one dollars. boy John to Benjamin Beal for two hundred and eighty dollars and fifty Cents. — Woman Hannah to Edith Forgason for one hundred and twenty dollars and twenty five Cents. Girl Vicy to Benjamin Beal for one hundred and fifty one dollars and five Cents. ^{and} Girl Dicy to William Barden for Eighty two dollars and twenty five Cents. amounting to One Thousand two hundred dollars and thirty Cents. which added to the sale of the land as above; amounts to the sum of

One Thousand five hundred and Seventy One dollars, eighteen
Cents, from which sum we have deducted fifty dollars to
defray the expences attending the sale of said land and slaves
which leaves One Thousand five hundred and twenty One dollars
Eighteen cents. That Amount we have taken bonds and approved
security for, and divided the same into nine equal parts
(instead of eight parts as directed by the aforesaid order)
which is One hundred and Sixty nine dollars and two cents
each share, Eight of which shares we have paid over to the
following Legatees, Allen Hill in right of his Wife Martha, One
share, to Benjamin Beal in right of his Wife ^{Elizabeth} One share, and
to same two shares, as Guardian for William & Peter Forgason
to William Barden in right of his Wife Mary One share
to Edith Forgason One share, and to same, two shares as Guardian
for Robert & Joshua Forgason — The remaining share of
One hundred and sixty nine Dollars and two cents, we have
divided into nine equal parts, which is eighteen dollars
and seventy eight cents each share. Eight of which parts
or shares we have paid over to the above mentioned
legatees. The remaining share of eighteen dollars and
seventy eight cents we retain in our hands for the
benefit of Matt Tomlin in right of his Wife Nancy.

The fifty dollars that was deducted to pay expences divided
as follows each Commissioner \$12:02 1/3 ~~36.07~~
paid Benjamin Beal for plot of land . . . 1.00
to pay Lawyers fee \$10.00. Clerks ticket \$2.93 = 12.93
\$50.00

all of which we respectfully submit to the Court
Given under our hands this 26th day of January 1831

John Barrett Com

Lewis Uronell

Alex. Myrick

Southampton nc

This is to Certify Court of this county, That I am will-
-ing for the Slaves ~~belonging~~ ^{to the} ~~estate~~ ^{of Mrs}
Ferguson dec^d to be divided or sold for division
as the Court may think Proper

Witness

John Barrett

her^y
Cadith + Ferguson for
mark
my self & Guardian for
Two of the orphans