

1837-011

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BARHAM

VS.

EDWARDS

11/1837

1226
Barkman } Bill
vs } Answer
Edwards } +
Deere

1837 Nov: Deere as filed &c

To the worshipful County Court of Southampton
in Chancery Sitting.

Humbly complaining shew unto your worships
your Orator Joseph Barkham that some time since
he executed a deed of trust conveying a certain trust
or parcel of land lying in this County to Robert T
Murgrave trustee for the benefit of Peter Edwards
to secure a debt due sd Edwards from your Orator
that sd Trustee is since dead so that there is no
hand to execute sd trust, he therefore prays, as
he is remediless at Law and only relievable in
Chancery, where matters of this kind are alone
cognizable, that this Court will appoint a trustee
to sd deed, and clothe him with full power &
authority to act under sd deed, to do all acts
that sd Murgrave could lawfully have done.
to this end he prays the writ of Spm directed to
praying & and will pray

The answer of Peter Edwards to the above Bill
This Respondent saving to himself all
benefit of Just & exception to the above Bill
for answer, says that he is not only
~~anxious~~ willing but also anxious that the
prayer of the Petition be granted him
by the Court, and having answered prays
to be hence dismissed -

Barham

vs

Edwards

In Chancery

This day this cause was docketed by leave of Court and consent of parties and came on to be heard on the bill and answer and was argued by counsel on consideration whereat the Court doth order a Judge and decree that John Drewry be appointed a trustee to the deed of trust referred to in the Complainant's bill, in the place of Robt T. Musgrave the trustee to sd deed who is now dead. That he be clothed with full power to act under sd deed as tho' he had been appointed by the parties themselves, that he execute sd trust and grant such release as he may be required by the parties to do. and report to the Court in order to a final decree