

1837-020

SOUTHAMPTON COUNTY
CHANCERY PAPERS

EDWARDS et al vs. EDWARDS et al
6/1837

Edward, Ml.

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Edward, Ml.

So.ampton Co. Ca. City.

To the worshipping the Justices of the County Court
of So.ampton, in Chancery sitting.

Humly Complaining shew unto your wor-
ships your orator Warren Edwards, an infant, being
by Sarah R. Edwards his next friend, and your oratrix
the said Sarah R. Edwards, that their father Elias
Edwards of the said County departed this life some-
time in the year 1836, possessed of a considerable
personal estate, and leaving as his children and
heirs at law, William V. Edwards, Eloisa wife
of Allen Edwards, formerly Eloisa Edwards, and
your orator and oratrix, and leaving also a widow
named Mayant Edwards: That the said de-
cent left a last will and testament, by which,
after sundry specific bequests and devises and
the payment of his debts, he bequeathed the remain-
der of his slaves, to be equally divided among
his widow and four children as aforesaid, as will
more fully appear by reference to an attested copy
of the will herewith filed and prayed to be ta-
ken as a part of this bill; and appointed his son
William V. Edwards and son-in-law Allen Ed-
wards, before mentioned, his exors, who, having proved
the said will in Court, qualified as directed by law:
That after the payment and satisfaction of all the debts
and legacies, then remain in the hands of the exors,
liable to division as aforesaid, the following slaves,
viz: Jacob, Peter, Oscar, Selvy, Maria, Miranda, En-
ny, Prada, Cherry, and Brate; and that your
orator and oratrix have frequently requested the
said exors to divide the said slaves pursuant to
the direction of the said will, and urged the said
Mayant Edwards to concur with them in the ap-
plication; but the said exors have as yet refused
to make the desired division, and the said May-
ant Edwards refuses to yield her consent thereto.
Wherefore your orator and oratrix pray that the

said Allen and William V. Edwards, and the said
Margaret Edwards, widowed as aforesaid, may be
made parties hereto, and he agreed to answer
upon their Corporate Oaths the allegations herein
contained, and ~~that~~ that the said Eliam he de-
cided to make such a division of the slaves aforesaid
as may comport with the intention of the
testator as expressed in his said will, and as may
be thought right and proper under the circum-
stances of the case.

May it please V.

Keddy, p.g.

The Joint Separate answer of Allen Edwards,
William V. Edwards, Eliam, and Margaret Edwards,
widow, of Eliam Edwards dec'd, to the bill of Com-
plaint exhibited against them by Sarah R.
Edwards and Warren Edwards, an infant, being
by the said Sarah R. Edwards his next friend -
These defendants having the for answer to the said
bill of Complaint, answering, says - That so far as
they know and believe the facts contained in
the said bill of Complaint are substantially
true and correct; and they are willing that
such a decree may be rendered in the premises
as shall be considered right and proper - and
these defendants having answered the prayer to
be hence dismissed with their costs &c.

1206.

ep²

Edwards &c

"
Edwards &c

}

1836 Decr. Decr. *capitales* &c

1837. June. Rept. *not* *Hom* &c

Sarah Edwards the.

M.

Margaret Edwards the

}
}
}

In chg. ⁴

This cause came on this day to be heard, by consent of parties, on the bill, answer, and exhibits, and was argued by counsel; on consideration whereof, The court doth adjudge, order and decree, That James D. Mapenbury, William Ashack, and John Moore, or any two of them, do divide the slaves in the bill mentioned, being those remaining after the reduction of the slaves specifically bequeathed by the testator Elias Edwards, in his last will and testament, and they having power to sell one or more of the same if necessary, into four equal parts, and distribute the same as follows: One ^{fifth} ~~fourth~~ part to the plaintiff Sarah Edwards, one other ^{fifth} ~~fourth~~ part to the plaintiff Elviza Edwards, one other ^{fifth} ~~fourth~~ part to the plaintiff Warren Edwards, and the ^{one other fifth} ~~remaining~~ ^{fifth} part to the defendant William Edwards, and the ~~one other fifth~~ ^{remaining} ~~part~~ and the remaining ^{fifth} part to the defendant Margaret Edwards - And that they make report &c.

In execution of the within decree the undersigned commissioners dividing
the same therein mentioned in the following lots with the value annexed to each

N^o 1. Peter values at \$450
Maria 610 \$1060.00

Lot N^o 1. Paying N^o 2. 40
N^o 5. 80 . . . 120.00

Leaving \$940 the amt of each share \$940.00

N^o 2. Jacob values at \$750
Pruda 150
to receive from N^o 1. 40
\$940.00

N^o 3. Pinny values at \$550
My ate 400 \$950.00
to pay to N^o 5. 10.00
\$940.00

N^o 4. Oscar values at \$850
Cherry 90
\$940.00

N^o 1. was drawn by Elizabeth Edwards

N^o 2. by Margaret Edwards

N^o 3. by Sarah R Edwards

N^o 4. by Wm Edwards

N^o 5. by William Edwards

N^o 5. Miranda values at \$650

Gylvia 200

to receive from N^o 1. 80

from N^o 3. 10

\$940.00

All of which is respectfully submitted to the County Court
by J. D. MacIntyre } Comm^{rs}

Edwards paid
in { No. Decree
Edwards
of Commissioners

Southampton December Court 1826.

Sarah Edwards & Co

against

Margaret Edwards & Co

Pliffs

vs.

In Chancery

This cause came on this day to be heard by consent of parties, on the bill, answer and exhibits, and was argued by Counsel. On consideration whereof, the Court doth adjudge, order and decree, that James D. Massenburg, William A. Sparke, John Moore or any two of them do divide the Slaves in the bill mentioned, being those remaining after the deduction of the Slaves specifically bequeathed by the Testator Elias Edwards in his last Will and Testament - they having power to sell one or more of the same if necessary - into four equal parts, and distribute the same as follows - one fifth part to the plaintiff Sarah Edwards, one other fifth part to the plaintiff Eliza Edwards, one other fifth part to the plaintiff Warren Edwards - one other fifth part to the Defendant William Edwards, and the remaining fifth part to the Defendant Margaret Edwards - And that they make report of their proceedings to Court in order to a final decree.

Attest Teste L. R. Edwards