

1840-008 SOUTHAMPTON COUNTY
CHANCERY PAPERS

DENEGRE et al vs. BUTTS and Wife (2)
2/1840

James Seneca & others
vs 3 Bell

Francis Butts & wife

1840 Feb - decree as filed &c

To the Worshipful, the County Court of Southampton
in Chancery sitting, Humbly Complaining, sheweth unto
your Worships, Your Orator James Senegre, and Mary
B. Senegre & William Onis Senegre infants by Jeremiah
Colts their next friend ~~at~~ under and by that
sometime in the year

John Senegre of this
county died seized & possessed of some 200 acres
of land lying adjoining Vick's Tavern, ^{in this county} and lea-
ving at the time of his death ~~his~~ widow & relict

Mary B. Senegre and the following children
Emma Senegre who intermarried with Francis T.
Butts, James Senegre Mary B. Senegre & Wm Onis
Senegre - The Testator by Will duly proved &
recorded in the Clerks Office of this county, a co-
py of which is herewith filed and prayed to be
taken as a part of this Bill devised his
said real Estate to be sold upon the death
of his widow & the proceeds divided among
his heirs at Law - In one tract held by said
Testator, consisting of about one hundred & sixty acres

Mary B. Senegre his widow & relict was
entitled to one third in fee simple, which
she inherited, and which the Testator held only
the use of during his life -

~~James Senegre~~ by ~~testimony~~ - and consequently ^{could not} ~~cannot~~
be sold under the provisions of his will -
your complainants would further show
that the proportion to which Mrs Senegre was en-
titled is so situated, that unless sold at the
same time, that the lands belonging to the Estate
of John Senegre are sold, it would render them
all of less value, wherefore they ^{as they are relievable only in equity} pray in order to
enable them to carry out the will of their
testator in a manner most beneficial
to the parties interested, that your worships
would decree a sale & division of the land
of which Mary B. ~~Senegre~~ Senegre died seized (she
having died intestate) That Francis P. Butts
& Emma his wife ^{formerly Emma Senegre} be made depts to this
Bill & their answers make to the allegations herein
contained & that your worships would grant
such ^{other} further and general ^{relief} in the premises, as
the nature of the case may require & for this they
ever pray &c

French

The Answer of Francis P. Butts & Emma his wife to a Bill of
complaint Exhibited against them by James Senegre & others
admits the allegations contained, & offers no objection
to the relief prayed for -

James Senegre & others

vs. J. M. Cheney

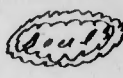
Francis P. Butts & wife

This day this cause came on to be heard
upon the Bill, answer, & Exhibits and was argued by
Counsel, whereupon the Court doth adjudge, order and decree
that Jeremiah Cole be appointed Commissioner, autho-
rized to sell the maiden land of which Mary B. Senegre

late widow & relict of John Senegre died seized, at the
same time and upon the same terms, as the lands
belonging to the Estate of John Senegre dec. advertised to
be sold in accordance with the provisions of his will.
& that the proceeds, ^{after deducting all necessary expenses} be divided into four equal parts &
paid over as follows, $\frac{1}{4}$ to James Senegre, $\frac{1}{4}$ to Francis P. Butts
in right of his wife Emma, and $\frac{1}{4}$ each to the Guardian of
Mary B. & William Orris Senegre, & should there be
no guardian, return their proportions to the Court, ~~for~~
for its further action, & report how they ^{he} ~~have~~ ^{has} executed
the same -

John Deming
Will

Attesty

- I John Denegre of Southampton. do hereby make my last Will and Testament
- 1st I give to my son John M Denegre my negro girl by the name of Jane and her increase to him and his heirs forever
 - 2^d I give to my son James D Denegre now in the Town of New Orleans my negro boy by the name of Oscar to him and his heirs forever
 - 3^d I give to my Daughter Emma Bulls my negro girl by the name of Louisa now in her possession
 - 4th I give to my daughter Mary Virginia Denegre my negro girl by name Mintu and her increase to her and her heirs forever
 - 5th I give to my son William D Denegre my negro boy by the name of Augustus to him and his heirs forever
 - 6th I lend to my wife Mary B Denegre the balance of all my property during her natural life for her maintenance and support and after her decease my will and desire is that all my estate be sold real and personal and the proceeds from said sale or sales to be equally divided among all my children
 - 7th And Lastly I appoint my son John M Denegre Executor of my present will and Testament and hereby respectfully request the Court not to compell my son to give security for the performance of the same. In Witness whereof I have hereunto set my hand and seal this 1st day of October 1836
- John Denegre 

At a Court held for the County of Southampton the 27th day of December 1836

A Writing purporting to be the last Will and Testament of John Denegre dec^d was produced in Court by John M Denegre the executor therein named. And there being no subscribing witnesses thereto Benjamin Griffin and Lewis A Brunch were sworn and severally deposed that they were well acquainted with the Testators hand writing and verily believe the said writing and the name thereto subscribed to be wholly written by the Testators own hand. Whereupon the said writing is ordered to be Recorded. as the true last Will and Testament of the said John Denegre dec^d. And on the Motion of the said John M Denegre who made oath and entered into bond in the penalty of Twenty thousand dollars conditioned as the Law directs Certificate is granted him for obtaining a probat of said will in due form. The said Will directing that no security should be given of said Executor now is required by the Court

John L R Edwards C C

Attest

John L R Edwards C C