

1843-011

SOUTHAMPTON COURT
CHANCERY PAPERS

EDWARDS + wife + al VS. DARDEN and Wife

11843

other SURNAMES: More,
moore, Vaughan, Crumpler,
BARNES

Howard's letters

10

Darwin's wife

{ Bill
Answer
+
Deer

1839 July. Deer as filed &c

" Aug. " amended

" Sep. Rept. ret. & Confm'

1843 Jan. Or. to deliver long &c

To the worshipful Court of So Ampston in Chancery. Sitting

Humblly complaining, shew unto your worships
your complainants, Tyler Edwards & Tempy his
wife who was Edwards, Gray Edwards, Mary E. R.
Edwards infant of Randolph Edwards by Collin W
Barnes her next friend. Anthony Vaughan & Matilda
his wife who was Edwards. John More & Delilah his
wife who was Edwards. Gilliam Edwards & Edward
Crumpler & Matilda his wife who was the widow
of Nemi Edwards. Represent to the Court that Nemi
Edwards departed this life some time since, having
made & published his last will & testament, which
at his death was duly proven & admitted to record.

that in sd will he bequeathed the whole of his estate
to his widow during her widowhood. at her marriage
he gave her one third of his lands for life. your
Comps who are the heirs of Nemi Edwards, repres-
ent that the widow has since intermarried with one
Edward Crumpler, so that your Comps are anxious
to effect a division & sale of sd Lands. They therefore
pray this Court to appoint two or more Commissioners
with power to allot one third of the lands to Matilda
Crumpler for life regard being had to value. and
to sell the other two thirds, together with the fee
simple interest in the other third. and that they
do all other things which the nature of the case
may require & the rules of the Court allow. and
they will ever pray.

The Answer of Elisha Darden & Priscilla his wife
who was Edwards.

These Respondents saving to themselves all benefit
of exception, say that they have no objection to the
decree prayed for and having answered pray to
be hence dismissed -

Edward & others
vs
Darden } Decree.

This day this cause was debated by leave of Court
and consent of parties and came on to be heard on the
bill and answer & was argued by Counsel. On considera-
tion whereof the Court with order adjudge and
decree, that Stephen Murchaugh, James D.
Massenburg, & Samuel P. Nicholson be appointed
comprisers any two of whom may act. that they
attend a by a competent surveyor allot to other
Crispian late widow of James Coward one third of
the land (regard being had to value) whereof James
Coward died seized for life, and that they sell
to the highest bidder on a credit of six months the
other two thirds together with the fee simple interest
in the other third which is to be allotted as above directed,
and after receiving money enough to pay the cost
of this decree, take of the purchaser seven bonds
of equal amounts, and assign one to Tyler Edward
in right of his wife, one to Ezyr Edward, one to
Collin Barnes & son of child of Randolph Coward
one to Anthony Vaughan in right of his wife
one to John Moore in right of his wife, one to
William Coward and the other to Clerk
Darden in right of his wife and report
their proceedings to the Court in order to a
final decree.

Edwards & Co

W. Z. Dixon

- Darden Hays

1889 Aug. Cont

Edward & others

vs

Darden & wife

{ amended decree

This day this cause came on again to be heard on the papers formerly read & was argued by Counsel on consideration whereof the Court with order adjudge & decree, that Stephen Mendenhall James & Massenburg & L. D. Nicholson be appointed Commissioners any two of whom may act. that they ~~after~~ advertising the time and place of sale, do sell to highest bidder on a credit of six months the lands whereof David Edward died seized, and after receiving money enough to pay the cost of this decree, take of the purchaser, one bond for one sixth part of the amount of sales which they will assign to Mrs. Crumple ^{late} ~~now~~ of David Edward in lieu of her third, and for the residue take seven bonds of equal amounts, and assign one to Tyler Edwards in right of his wife ^{James & French for L. D. Williams in right of} one to Gray Edwards, one to Collier Barnes & one of the child of Randolph Edward one to Anthony Vaughan in right of his wife one to L. H. Moore in right of his wife one to Gilliam Edwards and the other to Clishe Darden in right of his wife and report their proceedings to the Court in order to a final decree

Received this 16th day of February 1843 of the Clerk of Southampton
 a bond returned by the Sheriff in this cause amounting to the sum of \$48.66 1/2 cents
 guarantee of estate of Remond's Executors due for the sum of \$48.66 1/2 cents
 due 24th February 1840 -
 for C. M. J. Jones
 John W. B. B. B.

Edwards Paid
 Unmuted done
 Gordon & Co
 149 received
 13-053 1/2
 444-85
 363
 446-71

Received October 18/1841 of the Clerk of Southampton County Court a bond
 returned by the Sheriff in this cause amounting to the sum of \$48.66 1/2 cents
 due 24th February 1840 -
 for C. M. J. Jones
 John W. B. B. B.

In execution of the within decree the undersigned made sale at public
 auction of the within tract of land on the 22nd day of August last past when
 he came the purchaser at the price of four hun-
 dred and forty eight dollars seventy one cents \$ 448.71
 Expenses paid
 Clerks fee . . . \$ 2.58
 Lauges . . . \$ 10.00
 Surveyors . . . \$ 5.00
 Chain Carriers . . . 2.00
 Commission . . . 17.87 1/2
 37055 1/2
 \$ 411.15 1/2

Leaving to be divided
 for which eight notes have been taken one for sixty eight dollars 53 1/100
 being one sixth and assigned to Mr. Crumpley and seven others for
 forty eight dollars and 66 7/100 one of which has been ^{transferred} to Anthony Vaughan
 one to John Mory one to William Edwards one to Eliza Darden
 one to James S. French and as Tyler Edwards and Collin Barnes
 do not appear to be residents of this Commonwealth and have no
 known agent the two bonds or notes which were directed
 to be assigned to them are herewith returned to Court all
 of which is respectfully submitted.
 Southampton
 Stephen McCaugh

Southampton August Court 1839.

Tyler Edwards & Temper, his wife who was Edwards. Gray Edwards. Mary E R Edwards. infant of Randolph Edwards by Collin W Barnes her next friend. Anthony Vaughan & Matilda his wife who was Edwards. John Moore & Della his wife who was Edwards. William Edwards & Edward Crumpler & Matilda his wife who was the widow of Newit Edwards.

Plffs.

against

Elisha Darden & Priscilla his wife who was Edwards

Dfts.

In Chancery

This day this cause came on again to be heard on the papers formerly read and was argued by Counsel. On consideration whereof the Court doth order, adjudge and decree that Stephen Murdaugh, James D Mathenburg & L P Nicholson be appointed Commissioners, any two of whom may act, that they after advertising the time and place of sale, do sell to the highest bidder on a credit of six months, the lands whereof Newit Edwards died seized, and after receiving money enough to pay the costs of this decree, take of the purchaser, one bond for one sixth part of the amount of sales which they will assign to Mrs Crumpler late widow of Newit Edwards in lieu of her thirds, and for the residue take Seven bonds of equal amounts and assign one to Tyler Edwards in right of his wife, one to James P French for Seth D Williams in right of Gray Edwards, one to Collin W Barnes guardian to the Child of Randolph Edwards, one to Anthony Vaughan in right of his wife, one to John Moore in right of his wife, one to William Edwards and the other to Elisha Darden in right of his wife, and report their proceedings to the Court in order to a final decree.

Additional clerks fees 36 Cts,

A Copy

Teste.

L R Edwards Clk

The clerk of the county court of Southampton Virginia
will deliver to John M Gentry a bond deposited
in his office, made payable to Mary R Edwards
orphan of Randall Edwards, and ordered up
the court to be paid over to Collin W Barnes her
guardian.

January 10th 1843

Collin W Barnes
By David A Barnes

To The Clerk of the County Court of Southampton
County and State of Virginia Sir you will please
deliver to David A Barry the Bearer a Note
which is deposited in your office which is Made
payable or belongs to Mary R Edwards orphan of
Randall Edwards decd. and his Receipt shall be your
Sufficient discharge for the Same

Collm W Barry Guardian

For Mary R Edwards

1843 Janry.

State of North Carolina
Northampton County

I Thomas Hughes Clerk of
the County Court of Northampton do hereby Certify
that Collin M. Barnes has been regularly appointed
by said Court Guardian for Mary R. Edwards
Orphan given under my hand and seal
at office in the Town of Jackson this the 14th
day of January 1843

Thos Hughes *clerk*

I Samuel Calvert Chairman of the
Court of Pleas and quarter Sessions for the County
of Northampton North Carolina do hereby Certify that
Thomas Hughes, whose name appears to the above
Certificate is and was at the time of signing the
same, acting clerk of said Court duly elected
(and qualified) that full faith and credit are
due to all his Official attestations as such
(and that the same is in due form of Law
Given Under my hand and seal the
14th day of January 1843

Samuel Calvert C. C. J. 240