

1843-031

SOUTHAMPTON COUNTY
CHANCERY PAPERS

STONE et al. vs. STONE'S EXECUTOR
3/1843

other SURNAMES: Mason

Stone & Co

& } Bull Guns

Stones export

1842 Deer. Deere as filed & #

1843 Feby. Report.

" Mar. Lemfm?

To the worshipful the County Court of Southampton
sitting in Chancery: Humbly complaining shew unto
your worships, your complts. Susan B. Stone, Sarah
Anne Frances Stone, Eliza O. Stone, and W^m B. Stone
which three last are infants by the said Susan B. Stone
their mother and next friend, Susan Stone widow
of Joshua O. Stone dec^d. and ^{Stone her infant}
daughters by the ~~said~~ ^{deceased} Edward and her next friend.
That Sarah Stone late of this County having first
duly made and published her last will and testa-
ment, which has been duly admitted to probate by
this worshipful Court, an attested copy of which
is herewith exhibited as a part of this will - That
John G. Mason the Executor therein appointed has
duly qualified. That your worships will perceive
that there are many bequests of specific articles
of property to several of your complts respectively
and a general bequest of her negro slaves not
specifically bequeathed, to be divided amongst
your infant complts, her infant grand children,
That your complts believe that a division of
such of the negroes ~~not~~ specifically bequeathed
which remain after provision is made for the
payment of the testatrix's debts, and the delivery
of the specific legacies, should be made at
this time - But this cannot be effected without
the aid of this Court. In tender consideration
whereof and forasmuch as your complts are
remediless at Law, and only releivable in Equity,
so the end that the said John G. Mason Ex^r. as
aforesaid be made Defendant hereto and required
to answer the allegations thereof. That your worships
will direct that the Ex^r. deliver up the property
bequeathed, ^{to the several legacies} reserving enough to pay the debts

and grant them general and special relief
as the nature of the case requires - and
they will pray &c -

Clarborn p. 3

The answer of John G. Mason Executor of Sarah
Stone dec'd to the foregoing bill of Complaint.

Your Respondent concurs in the opinion that a
present delivery of the legacies to the plaintiffs will
greatly promote their interests. That he thinks from
the best information he can get, the sale of a
negro woman named Menda and her two youngest
children with the sale of the girl Louiza in
the will directed to be sold, will be sufficient
or nearly so, to pay the debts of the decedent
with the aid of funds which he has every right
to expect to realize - Your Respondent has no
objection therefore to the decree asked for reserving
his right to recover from the said legacies to
make up any deficiency which may exist -
&c.

Clarborn p. 2.

Stone &c

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Stone's Est.

This cause was this day docketed by consent of
parties with the assent of the Court, and came
on to be heard on the Pile, answer exhibited
and argument of counsel On consideration
whereof the Court doth adjudge order and
decree, That Thomas Ridley, Robert Ridley, Benj.
Applewhite and Henry Pittway or any three of

them do divide the negro slaves which may remain
of Sarah Stone's Estate, after the sale of Menda &
her two ~~infer~~ youngest children, and the girl Louiza
except those specifically bequeathed, so as to
allot one fourth of them in value to the infant
child of Joshua O. Stone dec'd and three fourths
undivided to the three infant children of
Wm. A. Stone dec'd - & that the defendant Ex.
of Sarah Stone dec'd deliver up the several
legacies - but the said legacies are not to be
delivered up until the Common Law Guardian
of the said infants or some one for them
shall have executed to the Ex. bonds with good
security conditioned to refund according to law.

and that the Commissioners executing this order
report to the Court how they shall have executed
the same, in order to a final decree -

To the Worshipful County Court of Southampton

In obedience to the within order, we have allotted to Virginia Ann infant daughter of Joshua Stone the following negroes, Sylvia, Nicholas & Mary Jane and she to pay to the children of William A Stone dead, the sum of fifty dollars, and we have allotted to Sarah A. F. Eliza and William infant children of William A Stone, the following negroes. Chloe, Scott, Nancy, Henry, James Lydia, & Harriett and to receive fifty dolls from Virginia Ann Stone.

January 7th 1843.

Re Ridley
Benja Applegate
Jno. Ridley

Stone

v. } Dece & Report.

Stones adm

Southampton County Court. December Term 1842.

Susan D Stone, Sarah Ann Frances Stone, Eliza O Stone, and William D Stone which three last are infants by the said Susan D Stone their mother and next friend, Susan Stone widow of Joshua O Stone dec^d. and her infant daughter by Jordan Edwards her next friend. *Plffs* }
against } In Chancery
Def.

John W Mason Exor. of Sarah Stone dec^d.

This cause was this day docketed by consent of parties with the assent of the Court, and came on to be heard on the Bill, answer exhibits and arguments of counsel on consideration whereof the Court doth adjudge order and decree, that Thomas Ridley, Robert Ridley, Benjamin Applewhite and Henry Pettoway, or any three of them do divide the negro slaves which may remain of Sarah Stone's Estate, after the sale of Menda and her two youngest children, and the girl Louiza except those specifically bequeathed, so as to allot one fourth of them in value to the infant child of Joshua O Stone dec^d. and three fourths undivided to the three infant children of William A Stone dec^d. and that the defendant, Executor of Sarah Stone dec^d deliver up the several legacies but the said legacies are not to be delivered up until the Common Law Guardian of the said infants or some one for them shall have executed to the Executors bonds with good security, conditioned to refund according to law, and that the Commissioners executing this order, report to this Court how they shall have executed the same, in order to a final decree.

A. C. py/ Teste

L R Edwards Clk