

1847-113

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BRANCH

VS. WILLIAMS et ux et
al s/1847

N.B. Sheets pasted Together + folded.

Other surnames: Beale

Branch }
" } Bic
William L. } ant.
and
area.

Chas. S. Map:

1847 Jan. Deceased files
+

1847 Apr. Report.

" May - Confm."

To the worshipful, the county court of
Southampton, sitting in Chancery,

Humbly complaining ~~some~~

Sheweth unto your worship, your complainant Emma
Branch. That her husband Edwin or Branch
died in the year 1824. after making & publishing
his last will and testament in writing, which
was admitted to record by this court. a copy of
which is herewith exhibited, and forged to be
taken and considered as part of this will.

That the persons hereinafter to your complaint
and her three children mother, Sally, and
Francis, have never been married but have
been kept by your complaint until now. That
the person as given to the said children, &
has given his act as known copies of which
are herewith exhibited & signed. who considered
as part of this will. That mother has inter-
married with Edwin or Williams. Sally with
William Brade. and Francis is still in
marriage. That your complaint has frequently
applied to the parties to pay the balances
due on the act: herewith exhibited, but they
have refused.

That your complaint now wishes to dis-
cuss such case and obtain the same without
the intervention of a court of Equity.

For consideration of all which
and in as much as your complaint is without
remedy in the premises except in a court of
Equity, is the fact therefore they justice may
be done. she prays your worship to make
Edwin or Williams & brother his wife, William
Brade and Sally his wife, and Francis or
Branch your infants, & some fit persons
to defend him, apply to this will, That your

will assess a sale of the negroes, mentioned
in the bill for auction, and the pay ment
of the debts mentioned out of the proceeds
to which the children are entitled, and
joint assets & general relief in
the premises, as equity may dictate. as
in and by law &c.

Trust & personal assent of Edmund H. Williams and
Mother his wife, William Beale and Sally his wife
& Francis M. Brown & Emma H. Williams his
next friends.

These assents, bearing &c. for answer say
they admit the facts stated in the bill, and
have no objection to the assent proposed for showing
assent for the same his wife &c.

Edmund H. Williams
Sally his wife
William Beale
Sally his wife
Francis M. Brown
Emma H. Williams

Brank.

m.

~~Brank~~

William

May 1847

Branch

m.

William &c.

This day the cause was docketed by consent
of parties, and with like consent came, on the
1st of March in the said cause and estate, and
was argued by counsel. On consideration, whereof
the Court doth adjudge, order and decree, that
Rich^d Branch, Anne Stephens ~~was~~ Stephens
be and they are truly appointed execs. for the
purpose, all in the highest bidder
the Mass, David & Lucy and the residue
of the premises bequeathed by Edrd to Branch to his
wife Emma, their three children, Martha, Sally and
Francis &c. after giving 20 days notice of the time
and place of sale. That after paying the costs of
this suit & expenses of sale, they pay over to Emma
Branch one fourth of the proceeds, that ~~amount~~
of the balance. They pay to Emma Branch that
to Martha A. Williams, formerly Branch the sum of
\$403.24 with int. from Dec. 31st 1845. To the same
Grace to Sally Beale formerly Branch the sum of
\$425.20 with like interest. To the same Grace to Francis
M. Branch the sum of \$500.33 with like interest. That
the said execs. pay over the balance, if any to the
persons entitled. That they make report to Court in
order to a final decree.

1847 Apr. Encl

James H. James

London

Agreeable to the annexed order the commissioners mentioned therein proceeded on the 27th day of February 1847, after having advertised the same twenty days, to sell the Slaves mentioned in the decree to the highest bidder, on a credit of nine months, when the Guardian Emma Branch became the purchaser, for the sum of Fourteen hundred and twenty seven Dollars and seventy five Cents (\$1427.75) and after deducting the Costs and expenses of the same, amounting, to Fifty five Dollars and sixty nine Cents, (\$55.69) allotted to the widow, Emma Branch, one fourth part, or (\$343.01½) and to her also, as Guardian to Martha A. Williams ¼th part, leaving Martha A. Williams indebted to her, when the account of sales shall be on demand, say 27th of November 1847. \$106.45. — to her as Guardian of Sally Beale ¼th part, leaving the ward at the same time indebted to her, as Guardian \$131.35½ — And to, as Guardian to Francis M. Branch the ¼th part (\$343.01½) which will leave her indebted to the ward, at that time (27th November 1847.) \$8.35. Which is respectfully Submitted.

Richard H. Branch
Allen Stephenson

Wm. R. Stephenson

March 18th 1847

Received April 15th 1847 of Richard H. Branch Allen Stephenson and William R. Stephenson Commissioners appointed by the Court to sell certain Negroes, mentioned in the decree, the sum of Three hundred and Forty Three Dollars, one and a half Cents (\$343.01½) it being one ¼th part of the amount of sales after deducting the expenses of the decree &c. for the reception of which I do forever acquit the aforesaid Commissioners

Witness
Richard M. Stephenson

Emma Branch Guardian
for Francis M. Branch

Received April 15th 1847 of Richard H. Branch Allen Stephenson and William R. Stephenson Commissioners appointed by the Court to sell certain Negroes, mentioned in the decree, the sum of Three hundred and Forty Three Dollars one and a half Cents (\$343.01½) it being Martha A. Williams portion of the amount of sales after deducting the expenses of the decree &c. for the reception of which I do forever acquit the aforesaid Commissioners

Witness
Richard M. Stephenson

Emma Branch Guardian
for Martha A. Branch

Received April 15th 1847 of Richard H. Branch Allen Stephenson and William R. Stephenson Commissioners appointed by the Court to sell certain Negroes, mentioned in the decree, the sum of Three hundred and Forty Three Dollars one and a half Cents (\$343.01½) it being Sally Beales portion of the amount of sales after deducting the expenses of the decree &c. for the reception of which I do forever acquit the aforesaid Commissioners

Witness
Richard M. Stephenson

Emma Branch Guardian
for Sally Branch

Received April 15th 1847 of Richard H. Branch Allen Stephenson and William R. Stephenson, Commissioners appointed by the Court to sell certain Negroes, mentioned in the decree, the sum of Three hundred and Forty Three Dollars one and a half Cents (\$343.01½) it being Francis M. Branch's portion of the amount of sales after deducting the expenses of the decree &c. for the reception of which I do forever acquit the aforesaid Commissioners

Witness
Richard M. Stephenson

Emma Branch Guardian
for Francis M. Branch

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Branch
3 Dend
William

Southampton County January Court 1847

Emma Branch

Plff

against

Edwin N Williams and Martha his wife

William Brax and Sally his wife & Francis

M Branch by Edwin N Williams his next friend } Dist

This day this cause was doctored by counsel of parties
and with like consent came out to be heard on the bill
answer and exhibits and was argued by counsel on consideration
how interest of the court doth adjudge order and decreed that
Rich Branch, Albert Stephenson & Wm R Stephenson be and
they are hereby appointed Commissioners for the purpose
To the highest bidder the slaves David and
Lucy and the reversion of the farms bequeathed by Edwin
N Branch to his wife Emma and his three children Martha
Sally and Francis M after giving twenty days notice of
the time and place of sale that after paying the costs
of this suit & expenses of sale they pay over to Emma
Branch one fourth of the proceeds that out of the balance
they pay to Emma Branch Guardian To Martha A
Williams formerly Branch the sum of four hundred and
thirty dollars & thirty four cents with interest from the 31st
day of December 1845 To the said Guardian To Sally
Brax formerly Branch the sum of four hundred
and twenty five dollars and seventy cents with like
interest To the said Guardian To Francis M Branch
the sum of three hundred dollars & thirty three cents
with like interest That the said Commissioners pay
out the balance if any to the persons entitled that
they make Report to Court in order to a final decree
Inte J R Edwards Clk