1847-014 SOUTHAMPTON COUNTY CHANCERY PAPERS

HARRIS vs. HARRIS et al

3/1847

other surnames: Westbrook

P/arris
v
Harrisdale

Bill
Answer
&
Decree

1845. Dec. Decree as filed.

1847 Feby Report

" March Confirm?

To the worshipful County Court of
Southampton in Chancery. Setting

Humbly complaining sheweth unto
your worships, your Complainant. William
Harris, that his grand father, David Westbrook, dec'd
some time since, having duly made and published his
last will & testament in his lifetime, which at his
death was duly proved & admitted to record in the County
Court of Southampton, that by sd will a portion of his
estate was bequeathed to the children of his daughter
Mary Harris to be delivd as sd children attained to
lawful age. your Compl't. here shews to the Court
that he is one of sd children and that he has now
attained lawful age. and as such is intitled and
is anxious to receive his proportion of sd legacy.
but he is advised that this can only be effected
through the intervention of a Court of Chancery.
therefore as he is remediless at Law and only
relievable in Equity, he prays this Court. to
grant a decree, appointing fit & suitable
Commissioners, to divide sd estate and allot to him
the share to which he is entitled, and he
further prays that his father Joel Harris and
his brother & sister. may be made parties
defendant hereto, and be required to answer this
bill, and he further prays such other general and
special relief in the premises as the nature of the
case demands and the rules of the Court allows &
he will ever pray &c

R & G. for Compl't

The Joint Answer of Joel Harris in his own right and as next friend to his infant children

These Respondents for answer to the Complts Bill or so much thereof, as they are advised, it is at all material for them to answer answering, say. That the allegations of the Bill are true so far as they are advised, Therefore they Can have no Objection to the decree prayed for and having answered they pray. to be hence dismissed —

R A G. for Defts

Harris
vs
Harris + Ors } Decree.

This day this cause was docketed by leave of Court and consent of parties, and came on to be heard on the bill and answer and was argued by Counsel, On consideration whereof, the Court doth order, adjudge and decree. that John Drury, John Williams and Joel Prince be appointed Commissioners (any two of whom may act) that they divide the negro slaves. bequeathed by David westbrook to his grand Children, The Children of his deceased daughter Mary. Harris in three equal parts, regard being had to value: and that they select by casting lots one of sd shares and allot the same to William Harris. and that they permit the other two shares to remain, as if undivided, in the hands of Joel Harris, according to the directions of David westbrooks will, till one of the other Children arrives at age or marries: then the sd Commissioners, are to divide sd negroes into two

equal parts, and allot one share to each of the two children — and report to the Court in order to a final decree —

Harris

Report

Harris

1847 Febry

Harris
Powers
Harris

Copy

Southampton County December Court 1845

William Harris Plff

against

Joel Harris in his own right and as next friend to his infant children Defts

In Eq

This day this cause was docketed by leave of Court and consent of parties and came on to be heard on the bill and answer and was argued by counsel on consideration whereof the Court doth order adjudge and decree that John Driewry John Williams and Joel Bruce be appointed Commissioners (any two of whom may act) that they divide the Negro slaves bequeathed by David Westbrooks to his Grand children the children of his deceased daughter Mary Harris in three equal parts regard being had to (value) and that they select by casting lots one of said shares and allot the same to William Harris and that they permit the other two shares to remain as if undivided in the hands of Joel Harris according to the directions of David Westbrooks will till one of the other children arrives at age or marries then the said Commissioners are to divide said Negroes into two equal parts and allot one share to each of the two children and Report to the Court in order to a final decree

A Copy Test T. R. Edwards C

Pursuant to the annexed decree bearing date the 15 day of Decr. 1845 we the undersigned Commrs. appointed by your worships to divide the slaves bequeath by David Westbrook to his grand Children the children of his Decd daughter Mary Harris proceded as directed therein and the following statement will shew the valuation of the said Slaves and the manner which the division was effected (as follows—)

Allen	530	00
Isham	525	00
Fanny	330	00
Silvey	75	00
Chaney	200	00
Rody	125	00
3	1825	00
	608	33⅓

Lot No 1

Allen	530	
Silvey	75	
	625	

Lot No 2

Isham	525	
Rody	125	
	650	

Lot No 3 drawn By Wm. Harris

Fanny	330	
Chaney	200	
	530	
	583⅓	

Lot No 1 and 2 pay to Lot No 3 — £ 0 8 3 3⅓

Lots nos 1 and 2 Remains undivided untill Caroline Harris becomes of age or marries as directed by the decree

Respectfully submitted

John Drewry

John Williams

Pursuant to The annexed decree bearing date The 15th day of December 1845 we the undersign Commissioners appointed by your worships to divide the undivided Slaves bequeath by David Westbrooke to his grand Children Caroline Harris and David Harris William Harris having received his proportionable part in a former division proceede as directed therein and the following Statement will show the Valuation of the said Slaves and the Manner in which the division was effected as follows

Allen	$ 600
Isham	600
Silvy	25
Roda	175
	½ $1400
	$700

Lot No 1. Drawn by Caroline Harris { Each proportion $700

Isham	$ 600	Lot No. 2	
Silvy	25	Allen	$ 600
Lot No 2 pay	625	Roda	175
to Lot No 1	75	Lot No 2 pay	775
	$700	to Lot No 1	75
			$700

Lot No 2 Remains in the hands of Jod Harris until David Harris arrives of age as directed by the decree

Respectfully Submitted

John Drewry

John Williams