

1847-036

SOUTHAMPTON COUNTY
CHANCERY PAPERS

POWELL and Wife VS. GILLIAM'S EX'R.
12/1847

other surnames: Mason

Phada I. Thomas
Powell & wife

v. } Bill & ansr.
} [unclear]

Williams Exor

1847 Dec. Decree as filed
#

To the worshipping The County Court of Southampton
in Chancery sitting

Stumbley complaining

Shew unto your worships your Comptts Thomas B
Lowell and Caroline his wife, formerly William
that her husband Richard A. William departed
this life in the year 1843 in this County after
^{having} first duly made and published his last will
and testament which was duly admitted
to probat in The County Court of Southampton
and that John G Mason qualified as Exor of
the same and gave bond and security according
to Law. That by the provisions of said testators
will, ~~that~~ ^{one} third part of his negroes
was given to his wife Caroline & William
for life. That his said widow has since
intermarried with ~~Thos~~ B. Lowell, and that
they are both, anxious to have the said slaves
divided and her thirds allotted to them, and
they are advised that the situation of the estate
is such as not to require the Exor to obtain the
property for the purposes of administration.
But this cannot be effected without the aid of
~~this~~ a Court of Equity. And under consideration
of all which and forasmuch as your Comptts
are arrived at Law and only relievable in
a Court of Equity. To the end therefore, That the
said John G Mason Exor of Richard A. William
decd may be made a party hereto and com-
pelled to answer the allegations of this bill they
pray The Comtts writ of Spa. commanding &c
that your worships will decree a division of said
slaves according the will of said William, and
grant them such other relief in the premises
as Equity dictates and they will ever pray &c

The answer of John & Mary Estlin of
Richard H Williams to the foregoing bill
of complaint

This Respondent saving & for
answer says he admits the allegations of
the bill and has no objection to the decree
prayed for and having answered hereby
tends to be dismissed by

Dowel & S
vs
Williams Estlin } In Chancery

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 and answer and was argued by
counsel on consideration whereof the court
doth adjudge order and decree that Samuel
Hewey, Thos S Turner, and Edwin B Cland
who are hereby appointed commissioners
for that purpose do ^{value} ~~divide~~ the shares of which
Richard H Williams died possessed, and
alot to Thos B Dowel one third part thereof
in right of his wife Caroline, and how they
shall have acted in the premises make
report to this court in order to a final decree