

1848-015 SOUTHAMPTON COUNTY
CHANCERY PAPERS

WORRELL ^{al, by} VS. WORRELL'S EXECUTOR
et al 10/1848

other surnames: Edwards,
Barnes

Worrell

to } Bill Yates

Worrell

1847 Apt. Decease as filed

" June. Report.

" July. Rept Confm?

1848 Dec. Order to deliver bond

per pen

So 1

Ans 34

John

$$\begin{array}{r} 53 \\ 12 \\ 13 \overline{) 638} \quad (42 \\ \underline{60} \quad 18 \\ 38 \quad 60 \end{array}$$

To the ~~worshipful~~ the County Court
of Southampton in solemn sitting

Thumbly complying show unto
your worship your compliments
Elijah Clarke and Joseph H. Worrell
nephews of very tender years by Little
R. Edwards their next friend, that their
father Leper H. Worrell departed this life
on the 2nd day of March 1846, having
first made and published his last
will and testament, which of record
in the clerk's office of the County Court
of Southampton, and referred to as a
part of this bill - that Jacob Barnes
the Executor appointed by the said
will duly qualified, and has pro-
ceeded to administer the personal
assets, the whole of which has or will
be consumed in the payment of debts
and specific legacies - that in addition
to the personal estate, the testator left
a small piece of land about 75 acres
of little value - that he left four
compliments as his residuary legacies,
which entitles them to the said tract
of land, subject to Melahed Worrell's
the widow of the testator, survivor, which
your compliments pray may be
assigned her - your compliments
are of such tender years, that no one is
willing to take them as apprentices, &
the overseers of the poor, who have been
applied refuse to take them as paupers
because they hold some interest in the land
aforesaid, which if sold subject to the widow's
dower, would probably not bring \$100

of our complainants further state
that their mother, however willing is
utterly unable to support them, and they
have no other resource, than to ask of the
court a decree for the sale of the
said land, and the application of the proceeds
to their support until they are able to earn a
living for themselves - In answer to your
complaints pray that the
said Jacob Barnes the executor of the said
Deputy Morrill and Mildred Morrill the
widow of the said Deputee may be made de-
fendants to this bill, with apt and proper words
to charge them, and that they answer the
permanents that the said Mildred be assigned
~~the reasonable~~ ~~power~~ ~~by~~ ~~several~~ ~~persons~~ ~~appointed~~
by this court, which said commissions may
be used to sell the said tract of land
subject to the widow's dower, and that the proceeds
of said sale may be applied in such portions
as may be as your court may think pro-
per to direct, to the support and maintenance
of your complainants, & they will now pray
Parker P. 2

The separate answer of Jacob Barnes, to a bill
of complaint filed in this court by Elijah Elisha
and Joseph H. Morrill infants under the age
of 21 years by L. M. Edwards their
~~next friend~~ ^{guardian} and others -

This defendant answering &c, answers
and says, that it is true as stated that he
qualified as Executor of Deputy Morrill dec'd
and that the whole personal estate will be
consumed in the payment of debts and specific
legacies; that the tract of land referred to, as

he is informed and believed is of little value
and not more than 25 acres - the complai-
nants, are in a very destitute situation, and he
has no doubt it would be to their manifest
advantage that the said tract of land should
be sold and the proceeds applied to their main-
tenance, until they are able to support them-
selves, and having fully answered pray to be
hence dismissed &c

Parker J. d.

The answer of Mildred Morrill to a bill
of complaint exhibited against her by
Elijah, Elisha and Joseph H. Morrill infants
by L. M. Edwards next ~~friend~~ ^{guardian}

This defendant answering &c, says by way
of answer, that she is the widow of Deputy
Morrill, and the complainants are her
children by the said Deputee - that she wishes
the court to make a decree assigning her
her reasonable dower in the said tract of
land of which her husband died seized and
possessed - she is of opinion that it would
be to the interest of the said infants that the
said tract of land should be sold and the
proceeds applied to the support of the com-
plainants who are of tender years and
unable to take care of themselves - that she
has a sick mother, who is unable for her age
and would cheerfully contribute to their support
if she was in a situation to do so - but she is herself in very destitute cir-
cumstances, and it is totally out of her power to
take proper care of them - that she has been com-
pelled to apply to the owners of the poor for help, but
they have refused to render her any assistance

because as she perceives, of their interest in the
tract of land devised to them by their father—
and having fully considered things to be hence
dismissed &c

Parker. jr. &c

Worrell et al. by
friend

charles

as

Bornes Exor et al

This cause was docketed and come on
to be heard by consent of parties and was argued
by counsel, on consideration whereof the court
doth and judge order and decree, that Kenneth
Pope, Benjamin & Pope & Thomas Worrell
commissioners hereby appointed for that purpose
any two of whom may act, shall proceed to
assign Mildred Worrell widow of Jesse Worrell
decd her reasonable share of one third of the
tract of land referred to in the bill of the complain-
ants, and after giving one month's notice of
the place and day of sale, by sticking up adver-
tisements, ~~and~~ some convenient public place
or places, the said commissioners shall also
proceed to sell at public auction, ~~within~~
of 12 months except so much as may be suffi-
cient to carry this decree into effect, which shall pass to
the tract of land of which Jesse Worrell decd
decd and proposed, and which by last will
and testament he devised to the complainants
by ~~the last will and testament of their father Jesse~~
Worrell decd ~~and~~

and make report of their proceedings in order
to a final decree

Worrills

v. 2 Copy done

Worrills Enr

Southampton April Court 1847.

Elijah, Eliza and Joseph Worrrell infants of tender years by Littleton
R Edwards their next friend

Plffs

against

Jacob Barnes Exor. of Jesse Worrrell

Def

In Chancery

This cause was docketed and came on to be heard by consent of parties
and was argued by Counsel. On consideration whereof the Court doth adjudge
order and decree that Harrison Pope, Wingham Pope & Thomas Worr-
rell, Commissioners hereby appointed for that purpose any two of whom
may act, shall proceed to assign Mildred Worrrell widow of Jesse
Worrrell her reasonable dower of one third of the tract of land
referred to in the bill of the Complainants, and after giving one
months notice of the place and day of sale, by sticking up adver-
tisements at some convenient public place or places, the said
Commissioners shall also proceed to sell at public auction on a
credit of 12 Months except so much as may be sufficient to carry
this decree into effect which shall be for cash, the tract of land
of which Jesse Worrrell died seized and possessed and which by last
will and Testament he devised to the Complainants - And make report of
their proceedings in order to a final decree.

Letts Court of 238.

Attest

Jesse R Edwards Clk

Received Oct 16 1848 of the Clerk of Southampton a bond returned by the
Comrs with this report amounting to \$44.32/100 due June 3. 1848.

Witness

Henry Moore

Niles & Worrell Comrs
orphan of J^{rs} Worrell

Worrell
to } Report
Worrells Com

1847 June

Agreeably to a Decree of the County Court of Southampton, dated April Term 1847. We the undersigned Commissioners, in obedience to the requisitions of said Decree, have laid off for Ellildred Norrell Widow of Jesse Norrell, ^{de:}, about Twenty acres of land, including the dwelling houses, as her Dower in the tract of land of which her late husband died possessed, which tract contains by estimation Eighty eight acres. - The said Dower land is bounded as follows, to wit, Beginning at a pine in Miles Norrell's line thence along a new line of marked trees a Northerly Course to a pine, thence an Easterly Course to a small black gum, in said Miles Norrell's line, thence along his line to the Beginning - - after advertising the time and place of the sale of the said tract of land as directed by the Decree aforesaid, On the 3rd day of June 1847. We sold the same at publick auction to the highest bidder, subject to the Widow's Dower, and Miles Norrell became the purchaser for the sum of Eighty Six Dollars. - from which sum we have deducted Commissions four dollars and thirty cents, for Lawyer's fee Five dollars, and for Clerk's fee Ten dollars and thirty eight cents, making Eleven dollars and sixty eight cents, which taken from Eighty six Dollars, leaves a ballance of Seventy four Dollars and thirty two cents - for which we have taken a bond from said Miles Norrell with James Norrell, his security due June 3rd 1848. and herewith return said Note or bond with this report to the Court.

Respectfully Submitted

Harison P. H. Lane
Ben E. Pope
The J. B. Norrell