1856-008 SOUTHAMPTON COUNTY CHANCERY PAPERS

EDWARDS, By [illegible] vs. WORRELL etal

4/1956

372.

Edwards by &c
vs
Grace
Donald &c

1855 Nov. Decree as filed
" Dec. Decree amended
1856 Jany Report
" Appeal Decree final

To the worshipful County Court of Southampton
In Chancery

Humbly complaining shewn unto the Court your complainant Elizabeth Edwards an infant of tender years by Wiley Edwards her next friend, that some years since Josiah Worrell of the County of Southampton died intestate having a widow Julia Worrell and the following children to wit, Martha A. Henry L and Juliet Worrell all infants, that the said widow Julia afterwards intermarried with Wiley Edwards, and said having your complainant the only issue of her said marriage - That the said Josiah Worrell left a large number of slaves which have been held in common undivided by the said Martha A. Henry L, and Juliet Worrell since the death of their mother the said Julia Edwards - That Lewis Worrell qualified as [redacted] the said infant children of Josiah Worrell and that now in hand a small amount of money to be kept for them jointly - That about the month of Aug last the said Martha A Worrell died under the age of twenty one intestate and the death of her mother the said Julia having as her distributive share of said mother's estate the said Henry L and Juliet Worrell of the whole blood and your complainant of the half blood, that your complainant is entitled to 1/3 of Martha A Worrell share of the said slaves and money, that is to one 1/15 of the slaves and money said joint by the infant children of Josiah Worrell, and that it would be to the interest of complainant to allot to your complainant her share of the said property -

In tender consideration of all which and in as much as your complainant is without remedy in the premises except in a Court of equity where matters of this kind cognizable in the end thereof

that justice may be done the prays that Henry L Julien and Lewis Bonnell may be made Defendants to the bill, that some fit and proper person may be appointed guardian ad litem to defend the infant, and that Commissioners may be appointed to adjust the complainants claim in the said property and as in duty bound she will ever pray &c

Chambliss & Mayrant
for Compt

Answer of Henry L & Julien Bonnell & L N Edwards guardian ad litem to a bill of complaint filed by Elizabeth Edwards by her next friend

These Defts saving & reserving to themselves answer to the said bill or so much thereof as they are advised it is material they should make answer unto answering say that they believe the facts set forth in the bill are true, and that they submit their rights to the protection of this Court: and having answered they pray hence to be dismissed &c

Chambliss & Mayrant
for Defts

The answer of Lewis Bonnell to the above bill of complaint-

This Deft saving & reserving &c for answer to the said bill or so much thereof as he is advised it is material or necessary he should make answer unto, answering saith that he believes the facts set forth in the bill are true and that it would be to the interest of all parties to allow the complainant the prayer of the said petition and having answered he prays hence to be dismissed

Chambliss & Mayrant
for Defts

Edwards by &c
vs
Bonnell &c

L N Edwards is appointed guardian ad litem to the infant defendant to Henry Laid Julien Bonnell to defend this interest in this suit, and thereupon the said L N Edwards as such guardian filed his answer to the bill of the Plaintiff, to which answer the Plaintiff by counsel replied generally, and this cause came on to be heard on the bill answer of the defendant Lewis Bonnell and of the said guardian ad litem and general replication thereto, and was argued by counsel on consideration whereof this Court doth adjudge order and decree that James Magrath Benja Pope Wm I Hinson and James Gadsden who are appointed special commissioners for that purpose any three or more of whom may act adjust to the infant Elizabeth Edwards 1/15th in value of the slaves of Martha A Henry L and Julien Bonnell and report to Court in order for a final decree, and this Court doth further adjudge order and decree that Lewis Bonnell do before the Commissioners of this Court an account of the money in his hands as guardian of Martha A Bonnell dec'd which account the said Commissioners is required to report with any matters specially stated deemed pertinent by them or which he may be required so to state by any of the parties

Edwards Esq^r

&c &c &c

La Corella

Southampton County Court, November Term, 1853.

Elizabeth Edwards an infant of under years by Lilly Edwards her next friend) Plff

against)

Henry L., Juliet and Lewis McConnell) Defts

L. N. Edwards is assigned guardian ad litem to the infant defendants, Henry L. and Juliet McConnell to defend their interest in this suit, and thereupon the said L. N. Edwards as such guardian filed his answer to the bill of the plaintiff, to which answer the plaintiff by Counsel replied generally and the cause came on to be heard on the bill, answers of the Defendant Lewis McConnell and of the said guardian ad litem and general replications thereto and was argued by Counsel, On consideration whereof the Court doth adjudge, order and decree that James Bagot, Benja. Pope, Jno. J. Kindred and James Darden who are appointed special Commissioners for that purpose any three or more of whom may act, allot to the infant Elizabeth Edwards 1/5 in value of the slaves held in common by Martha A., Henry L. and Juliet McConnell and report to Court in order for a final decree and the Court doth further adjudge, order and decree that Lewis McConnell settle before a Commissioner of this Court an account of the money in his hands as guardian of Martha A. McConnell dec'd which account the said Commissioner is required to report with any matters especially stated deemed pertinent by himself or which he may be required so to state by any of the parties.

A Copy,

Teste,

Henry L. Howard, D.C.

Edwards

vs } Co: Decree

Morrell

Southampton County Court November Term 1855.

Elizabeth Edwards an infant of tender years by Wiley Edwards her next friend Pffs

against

Henry L & Juliet Worrell and Lewis Worrell Defts } In Chancery

L R Edwards is assigned guardian ad litem to the infant defendants Henry L & Juliet Worrell to defend them in this Suit: and thereupon the said L.R. Edwards as such guardian filed his answer to the bill of the plaintiff, to which answer the plaintiff by Counsel replied generally. and the cause came on to be heard on the bill, answer of the defendant Lewis Worrell and of the said guardian ad litem and general replications thereto, and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that James Majet, Benjamin Pope, Jno. J. Kindred and James Darden who are appointed Special Commissioners for that purpose any three or more of whom act, allot to the infant Elizabeth Edwards 1/15 in value of the Slaves held in common by Martha A. Henry L. and Juliet Worrell and report to Court in order for a final decree. and the Court doth further adjudge, order and decree that Lewis Worrell Settle before a Commissioner of this Court an account of the money in his hands as guardian of Martha A Worrell dec'd. which account the said Commissioner is required to report with any matters Specially stated deemed pertinent by himself or which he may be required so to State by any of the parties—

A Copy

Teste. L.R Edwards CC

Edward Z
to Z Bacon
Woodward

1855 Dec 6th

Edwards
vs
Worrell &c } Decree

This day this cause came on again to be heard on the papers formerly read and was argued by counsel. On consideration whereof the court doth adjudge order and decree that the order entered at the last term of the court in this cause be amended by substituting in the place of the special commissioners thereby appointed the following persons to wit, Alexander Ingraham Robert Barnes Barnes Barnett and Wm Ingraham who are hereby appointed special commissioners and directed to execute the order of the last term of this court

Edwards

2 Copy deeds

Worrell

Southampton County Court - December 17th 1855.

Elizabeth Edwards an infant &c. Pff
against
Henry L. & Julia Worrell & Lewis Worrell Defts } In Chancery

This day this cause came on again to be heard on the papers formerly read and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that the order entered at the last term of this Court in this cause be amended by substituting in the place of the Special Commissioners thereby appointed the following persons to wit. Alexander Myrick, Robert Barnes. Davis Barrett and William Myrick who are hereby appointed Special Commissioners and directed to execute the order of the last term of this Court.

A Copy

Teste L.R. Edwards cc

Edwards
vs
Bacon
Wood

1856 April. Court.

Edwards
vs
Worrell } Decree

This day this cause came on again to be heard on the papers formerly read and on the reports of commissioners made pursuant to the order of Nov term 1885 to which reports there are no exceptions, on consideration whereof the court doth adjudge order and decree that the said reports be confirmed and that Lewis Worrell former guardian of Martha Ann Worrell pay to the guardian at law of Elizabeth Edwards the sum of $126.52½ with interest from Dec 31st 1883: but this decree shall be of no effect until the said guardian or some one for him shall enter into bond in the penalty of $1200 conditioned to refund a due proportion of any debts which may accrue or appear against the estate of Martha Ann Worrell or of Lewis Worrell which said bond shall be filed in this cause

Edwards by &c

vs Comm. notice

McCrackle

To January 26th 1836

Commissioner's Office,
Jerusalem, January 12th 1836

To Elizabeth Edwards an infant of tender years by Wiley Edwards her next friend.

You are hereby notified that I have fixed upon the 26th day of January 1836, to take and state at my office the account of the moneys in the hands of Levi McNeill as guardian of Martha A. McNeill dec'd required to be taken by the decree of Southampton County Court rendered at November term 1835, in a suit in Chancery depending in said Court, between Elizabeth Edwards an infant of tender years by Wiley Edwards her next friend plaintiff and Henry L., Juliet and Levi McNeill defendants, at which time and place you are required to attend.

Given under my hand as Commissioner in chancery of the said Court, the day and year first aforesaid.

Henry S. Howard Com.

To the Sheriff of Southampton County to execute

Henry S. Howard, Com.

Commissioner's Office,
Jerusalem, January 26th 1836

The above account required to be taken in the above notice is adjourned to Monday the 11th day of February 1836

Henry S. Howard Com.

I acknowledge service of the within notice for Wesley Edwards, next friend of Elizabeth Edwards.

Chambliss & Mayemburg
atty for Pltff

Edwards by &c

vs

Louis Brokee

& Carrells

To January 26th 1836

Ex. Janf. 22/1836. on S. R Edwards by delivering him a copy.

S. I Ketts Dept.

for S. Kelly Shff

Ex. Janf. 23/1836. on Louis Brokee by delivering him a copy. Matts D. Summons Dept.

for S. Kelly Shff.

Commissioners office
Jerusalem, January 12th 1836.

To Lewis McDowell and L. R. Edwards guardian ad litem of Henry L. and Juliet McDowell.

You are hereby notified that I have fixed upon the 26th day of January 1836 to take and state at my office the account of the moneys in the hands of Lewis McDowell as guardian of Martha A. McDowell dec'd. required to be taken by the decree of Southampton County Court rendered at November Term 1833, in a suit in Chancery depending in said Court, between Elizabeth Edwards an infant of tender years by McKay Edwards her next friend plaintiffs and Henry L., Juliet and Lewis McDowell Defendants; at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery of the said Court, the day and year first aforesaid.

Henry S. Howard, Comm.

To the Sheriff of Southampton County to execute.

Henry S. Howard Comm.

Commissioners office.
Jerusalem January 26th 1836

The above account required to be taken in the above notice is adjourned to Monday the 11th day of Feby 1836

Henry S. Howard, Comm.

Edwards &c

v. } Respt.

Worrell

1856 January

Agreeably to a Decree of the County Court of Southampton County dated November term 1855. and amended at December Court 1855.

We the undersigned Commissioners. have on this 26th day of December 1855. Valued thirty eight of the Slaves held in Common by Martha A. Henry L. and Pauline Juliet Worrell infants. at the sum of fourteen thousand nine hundred and twenty five dollars. from that Sum we have deducted four hundred and fifty dollars for the support of four old Negroes belonging to the said infants. which leaves a ballance of fourteen thousand four hundred and seventy five dollars: One fifteenth part of which. is Nine hundred and Sixty five dollars. which is Elisabeth Edwards' share of the valuation of said Slaves. We have allotted to her one Negro woman named Harriet. and two of her Children named Jacob and Reddick. whom we valued at one thousand and fifty dollars. which Sum. is Eighty five dollars more than her share. we have taken a bond for the eighty five dollars from Wilie Edwards the father of said Elisabeth Edwards. and paid it over to Lewis Worrell Guardian for the said Henry L. and Pauline J. Worrell.

Respectfully submitted to the Court.

Alex Myrick
Robt S. Barnes
Wm E. Myrick

Edwards by &c.

vs } Com's Report

McConnells

1856 March 4th Returned

Elizabeth Edwards an infant of under years by Wilby Edwards
her next friend
Plff.
against
Henry L. Juliet & Lewis McNeill Defts } In Chancery

Marcia A. McNeill orphan of Josiah McNeill dec'd
Dr. In account with Lewis McNeill Guardian Cr.

			Dr		Cr	
1847						
Dec.	20	To paid Edward Crumpler ⅓ account		66		
	28	" " Jno. R. Rochelle ⅓ med acct	3	67		
	30	" " Your board this year	23	00		
	31	" " ⅓ C. & M. P. Rose your account	3	72		
	"	" " John Rose ⅓ account		36		
	"	" " ⅓ amt for support of expensive negroes this year	38	66		
	"	By ⅓ of rent of land this year			31	17
	"	" ⅓ of hire of negroes " "			14	70
	"	" Balance due the guardian			16	20
			70	07	70	07
"	"	To balance due brought down	16	20		
1848						
Jany	1	By ⅓ nett amt sale of land (Penny Grove)			36	77
Octo	16	To paid John McC. Gurley ⅓ med acct	2	33		
"	"	" " ⅓ Sayes & Comm's Ticket	2	82		
Dec	28	" " John R. Rochelle your part med acct	1	00		
	30	" " C. & M. P. Rose your acct	8	33		
	"	" " your board this year	23	00		
	31	" " ⅓ amt for support of expensive negroes this year	38	08		
	"	" Interest on $16.20 to date		77		
	"	By ⅓ nett amt of sale of negro boy Elbridge			93	48
	"	" ⅓ of rent of land this year			33	33
	"	" ⅓ of hire of negroes " "			28	02
	"	" ⅓ of balance due your father's estate this Day			99	50
	"	To balance due ward (carried over)	196	33		
			741	10	741	10

1848									1851						
Dec	31	By Balance due the ward brought over				196	33	Dec	31		Amounts brought forward	61	31	265	63
1849															
March	19	To paid John M Southall ynr account	1	91				"	"	By ⅓ of hire of negroes this year				32	33
Dec	13	" " Sheriff ⅓ of Tax account	1	32				"	"	" Interest on $196.12 one year				11	76
"	23	" " Ynr board this year	23	00				"	"	" " " $24.11 six months					72
"	"	" " B. E. & H. S. Rose ynr account	10	00				"	"	To balance due the ward	249	13			
	31	" " ⅓ amt for support of expensive negroes this year	36	25							310	44	310	44	
"	"	By ⅓ of rent of land this year				31	67	"	"	By balance due ward brought down				249	13
"	"	" ⅓ of hire of negroes this year				30	83	1852							
"	"	" Interest on $196.35 to date				11	78	Jany	31	To paid Miley Edwards ⅓ acct per receipt	19	03			
"	"	To balance due ward	196	12				Nov	18	" " Sheriff ⅓ Tax account	1	35			
			270	63	270	63		Dec	29	" " N. R. Blow ⅓ account per receipt		33			
"	"	By balance due ward brought down				196	12	"	31	" " Robert S. Barnes ynr board	15	00			
1850								"	"	" " James J. Darden ynr account	11	32			
May	20	To paid Joseph Mann ⅓ mad Ct acct		67				"	"	" " Miley Edwards ⅓ account for board ye	31	31			
Dec	23	" " B. E. & Geo. C. Rose ynr acct	13	15				"	"	" " ⅓ amt for support of expensive negroes this year	17	00			
"	30	" " Sheriff ⅓ Tax account	1	38				"	"	By ⅓ rent of land this year				41	67
"	"	" " Ynr board this year	23	00				"	"	" ⅓ hire of negroes " "				37	75
"	31	" " ⅓ for support of expensive negroes this year	23	87				"	"	" ⅓ hire of Dower Negroes rec'd of Miley Edwards				27	75
"	"	By ⅓ of rent of land this year				41	67	"	"	" Interest on $220.23 Twelve months				13	21
"	"	" ⅓ of rent & hires of negroes this year				36	42	"	"	" " " $28.90 Six Months					86
"	"	" Interest on $196.12 to date				11	76	"	"	To balance due the ward	271	83			
"	"	To balance due the ward	220	23							370	37	370	37	
			286	60	286	60		1853		By balance due ward brought down				271	83
"	"	By balance due ward brought down				220	23	Jany	17	To paid Dr Shackelford ⅓ med bill	10	73			
1851								"	"	" " Dr Finley ⅓ " "	4	33			
Feby	17	To paid Dr Finley ⅓ med acct		66				June	3	" " Dr Rockett ⅓ " "	1	47			
Dec	13	" " Sheriff ⅓ Tax account	1	00				Sept	16	" " Lawrence & Vaughan ynr acct	3	69			
"	27	" " Miley Edwards ynr board	30	00				"	"	" " Lawrence & Lassiter " "	1	33			
"	29	" " B. E. & G. C. Rose ynr account	7	32				Dec	8	" " Sheriff ⅓ Taxes & Comm'rs Tickets	2	92			
"	31	" " ⅓ amt for support of expensive negroes	22	33					17	" " James J Darden ynr account	10	85			
"	"	By ⅓ of ⅔ amt of acct rec'd from Caleb Emmette admr.				3	73		27	" " Nath'l R Blow ⅓ account		33			
"	"	" ⅓ of rent of land this year				41	67			Amounts carried forward	114	09	274	83	
		Amounts carried forward	61	31	265	63									

1833							1834						
Dec	27	Amounts brought forward		114 09	7 71	83	Dec 31	Amounts brought forward		118 12	363 29		
"	31	To paid Robt S. Barnes your board		15 00			"	"	To paid Jesse J. Mumford Y3 account		23		
"	"	" " Ditto your Tuition		7 43			"	"	" " Dr. Rochelle Y3 med account		1 67		
"	"	" " Dr Parker your part med. bill		19 30			"	"	" " Y3 amt for support of expensive negroes this year		7 33		
"	"	" " Y3 amt for support of expensive negroes this year		30 90			"	"	By Y3 of rent of land this year			7 33	
"	"	By Y3 of rent of land this year			7 33		"	"	" Y3 of hire of negroes " "			17 3 08	
"	"	" Y3 of hire of negroes " "			115 72		"	"	" Y3 received of McKay Edwards for land he cultivated &c			10 2 3	
"	"	" Y3 of rent of land cultivated by McKay Edwards not in the agreement.			2 62		"	"	" Y3 rec'd of same for non compliance with contracts about fences 1833 & 34			1 3 33	
"	"	" Interest on $2 911.13 one year			181 91								
"	"	" " " $25.70 six months			77		"	"	" Y3 rec'd of same for damages to Smokehouse			2 33	
"	"	To balance due the ward		363 29			"	"	" Interest on $2181.83 one year			16 18	
				517 21	312 21		"	"	" Interest on $88.16 six months			2 63	
"	"	By balance due ward brought down			363 29		"	"	To balance due the ward		327 33		
1834											634 71	634 71	
July	11	To paid Philip J. McLaud Y3 account		20									
March	20	" " Dr Urquhart Y3 med account		6 00			1835						
"	30	" " Dr. Rochelle Y3 " "		3 00					By balance due ward brought down			327 33	
"	"	" " Dr Rochelle your med. acct		20 Y3			July	3	To paid Elbert W. Ferguson Y3 account		1 67		
"	"	" " Elijah Jones your account		2 03			July		" " Rev. B. Creamy for funeral services		3 00		
April	4	" " Charles H. Myrick Y3 account		67			Nov	13	" " Sheriff Y3 of 2 Jay accounts		3 33		
May	1	" " for board for you in Petersburg		2 50				23	" " Nimmo & White Y3 account		1 61		
"	3	" " Chm. B. McClintock Y3 pr receipt		83			Dec	17	" " Barrett & Dardon for coffins &c		13 00		
"	17	" " John Rose Y3 account		67				17	" " Dr Parker Y3 med account		12 92		
Sept	14	" " Dr. Early Y3 Med account		3 08				21	" " Richard J. Dardon your account		20 23		
Dec	12	" " James J. Dardon your account		83					" " " Ditto Y3 acct		67		
"	14	" " Richard J. Dardon " "		16 18					" " " Jesse S. Barham Y3 "		37		
"	21	" " Briggs, Bruner & Briggs " "		67				23	" " Dr Barham Y3 med acct		1 33		
"	23	" " N. R. Blow Y3 Med acct		2 66				28	" " A. Myrick Y3 account		33		
"	27	" " L. McC. Jones Y3 " "		3 17					" " " Rose & Mumford Y3 "		2 18		
"	28	" " Robert S. Barnes your board		15 00					" " " Leduc Y3 ticket		30		
"	31	" " Ditto your tuition		7 60				31	" " Robert S. Barnes your board		33 33		
"	"	" " A. Myrick Y3 account		33					" " " Y3 amount for support of expensive negroes this year		11 67		
		Amounts carried forward		118 12	363 29				Amounts carried forward		111 96	327 33	

1835						
Dec.	31	Amounts brought forward	111	96	527	33
"	"	To paid Dr Jones ⅓ medl bill	11	67		
"	"	" " Dr Rockell ⅓ medl acct	15	00		
"	"	" " Ditto ⅓ " "		66		
"	"	" " Ditto ⅓ for repairs of house	18	34		
"	"	" " Robert Johnson's Comn. per receipt	6	75		
"	"	By ⅓ rent of Land this year			86	67
"	"	" ⅓ hire of negroes " "			209	25
"	"	" Interest on $363.29 one year			21	79
"	"	" " " $1681.06 six months			51	72
"	"	To Commissions on $372.63 at 5 per cent	16	13		
"	"	" paid R. S. Barnes, A. Ingrick & Wm. E. Ingrick, Comrs to divide slaves	3	00		
"	"	" " Chambliss & Mossenburg ⅓ acct	3	34		
"	"	" " Clark ⅓ ticket (retained)	2	00		
"	"	" Dr String ⅓ medl acct & Interest	8	65		
"	"	" Commissioners fee retained	12	00		
"	"	" Balance due ward	640	48		
			849	98	849	98
"	"	By balance due the ward brought down with interest thereon from this day till paid			640	48
		By ⅓ Due Elizabeth Edwards with interest thereon from Dec 31st 1835	⅓		128	09⅗
		By ⅖ Due Henry L. McNeill with interest thereon from Dec 31st 1835	⅖		256	19⅘
		By ⅖ Due Pauline J. McNeill with interest thereon from Dec 31st 1835	⅖		256	19⅘
					$ 640	48

Respectfully submitted
Henry L. Edwards, Comr.

Commissioners fee $12.00
retained in account ⅗

Commissioners Office
Jerusalem February 25th 1836

Pursuant to a decree of the County Court of Southampton County, rendered at November Term 1835, in a suit in Chancery depending in said Court, wherein Elizabeth Edwards an infant of tender years by Wiley Edwards her next friend, plaintiff and Henry L. Juliet & Lewis McNeill, Defendants, the undersigned one of the Commissioners of the said Court to whom was referred for settlement by said decree an account of the money in the hands of Lewis McNeill as guardian of Martha A. McNeill dec'd reports to the Court that on the 12th day of January 1836, he issued notices against the several parties aforesaid, requiring them to attend the Settlement of the said account, before him, at his said office, on the 26th day of January 1836, which were returned to your Commissioner duly executed. That Lewis McNeill appeared before the Commissioner in obedience to the said notices, and the said account not being completed on that day was adjourned to the 11th day of February 1836. At which time the said Lewis McNeill again appeared before the Commissioner and he thereupon examined the vouchers, stated and settled the foregoing account of the said Lewis McNeill's guardianship of the said Martha A McNeill dec'd up to the 31st day of December 1835, and on that day finds a balance the said Ward of $ 640 48 which he has divided amongst the distributees as follows: to Elizabeth Edwards ⅕ = $128.09⅗ with interest thereon from Dec 31st 1835, till paid; to Henry L. McNeill ⅖ = $256.19⅘ with interest thereon from Dec 31st 1835, till paid and to Pauline J. McNeill ⅖ $256.19⅘ with interest thereon from Dec 31st 1835, till paid. The Commissioner further reports to the Court that after the completion of the said account he retained the same in his office ten days for the examination of the parties, which with the decree and notices aforesaid is herewith

rtimed. Given under my hand as Commissioner aforesaid the day (and year) first aforesaid.

Henry S. Howard Comm.

Note. Since the foregoing account was made up the guardian has brought in another voucher against the ward for $7.83⅓. deducting which leaves a balance due the ward Dec 31st 1855, of $632.61⅓ which he has divided amongst the Distributees as follows: To Elizabeth Edwards ⅕ - $126.32 4/5 with interest thereon from Dec 31st 1855 till paid, To Henry L. Monell ⅖ - $253.05⅓ with interest thereon from Dec 31st 1855, till paid, and to Pauline J. Monell ⅖ - $253.05⅓ with interest thereon from Dec 31st 1855 till paid.

Henry S. Howard, Comm.