

1858-133 SOUTHAMPTON COUNTY
CHANCERY PAPERS

MOORE vs. MOORE

etal

12/1858

other SURNames: Edwards,
Cobb

Moore & Bille
2
Edward Le

1858 Dec. Decu as filed
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To the worshipful County Court of Southampton
In Chancery

Humbly complaining shew unto
your worshipps your complainant
Margaret Moore that some time since
her son Henning J Moore died un-
married and intestate leaving as
his distributees your complainant
his sister Martha N who has inter-
married with Warner Edwards, Sarah
A who intermarried with Jos Cobb and
who is now a widow, Rebecca Moore
the infant daughter of his deceased brother
Jos E Moore, and his mother Wm J Moore
that said Henning J Moore died seized
& possessed of considerable personal
estate including one slave named
Lizzy and that at the term of
the County Court of Southampton
Warner Edwards qualified as his
administrator and is proceeding
to settle the estate. Your complainant
is advised that said slave will not
be required for the payment of debts
and that the ought to be sold & the pro-
ceeds of sale divided among those
entitled -

In due and 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
are alone cognizable to the end
therefore that justice may be done

she prays that Wm P Moore, Warren Edwards & Martha N his wife, Sarah A Cobb, & Rebecca Moore and Warren Edwards as adm^r of Henning & Moore may be made defendants to this bill and answer the allegations therein, that some fit & proper persons may be appointed guardian ad litem to the infant defendant and that the said store may be directed to be sold and the proceeds directed and as in duty bound she will ever pray &c
May it please the court &c

Chambliss Mapenbury
att^y for Pl^{ff}

The answer of Wm P Moore, Warren Edwards & Martha N his wife & Sarah A Cobb to the above bill of complaint:-

These defendants saying & reserving &c for answer to the said bill say, that the facts therein stated are true to the best of their knowledge & belief and having answered they pray leave to be dismissed &c

Chambliss Mapenbury
The answer of Warren Edwards adm^r of Henning & Moore to the above bill of complaint:-

This defendant saying & reserving &c for answer to the said bill says that the facts therein stated are true & having answered &c prays leave to be dismissed

Chambliss Mapenbury

The answer of Rebecca Moore an infant by L N Edwards her guardian ad litem
This defendant saying & reserving &c for answer to the said bill answering said

that she believes the facts therein stated are true, but being an infant she submits her rights to the protection of the court & prays leave to be dismissed to the court

Chambliss Mapenbury

Moore

to

Edwards &c

Beene

This day came the Plaintiff and filed her bill and on her motion L N Edwards is appointed guardian ad litem to the infant defendant, ^{Rebecca Moore} to defend her interest in this suit, and thereupon the said guardian ad litem filed the answer of the said infant defendant Rebecca Moore to the bill of the Plaintiff and the Defendants Warren Edwards adm^r of Henning & Moore, Wm P Moore, Sarah A Cobb and Warren Edwards & Martha N his wife filed their answers and the cause came on to be tried by consent on the bill and answers and was argued by counsel on consideration whereof the court doth adjudge over and decree that Warren Edwards who is hereby appointed a special commissioner for that purpose after giving due notice by advertising proceed to sell the store Lizzie in the bill mentioned at public auction to the highest bidder for cash, and after receiving so much of the proceeds of sale as may be required to pay the costs of this suit and the expenses of

sale, that he deliver and pay over the balance
of said proceeds as follows one fifth to Mary Ann
Moore, one fifth to Wm P Moore, one fifth to
Sarah A Cobb one fifth to the guardian as law
of Rebecca Moore and that he retain the other
fifth in right of his wife Martha N, and report
his proceedings to court. But this decree
shall be suspended until the said Wm
Edwards shall execute bond in the Clerk's
office of this court with good security in the
penalty of \$1500 conditioned faithfully to per-
form the duties herein assigned him.

Know all Men by these Presents, That We Warren Edwards &
Richard J. Darden

are held firmly bound unto the Commonwealth of Virginia, in the just and full sum of

One thousand

Dollars, current money of Virginia, to the payment

whereof well and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this 27th day of

December

A. D., 1858.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound

Warren Edwards as Commissioner appointed by a decree of the County Court of Southampton entered on the 20th day of December 1858 in the Suit of Moore vs. Edwards &c

shall faithfully discharge the duties of his said office or trust, according to law, then the above obligation to be void or else to remain in full force and virtue.

Signed, Sealed and delivered }
in the presence of ~~the Court~~ }

Warren Edwards

{ SEAL }

Richard J. Darden

{ SEAL }

{ SEAL }

{ SEAL }