1859-022 SOUTHAMPTON COUNTY CHANCERY PAPERS

MILES and Wife US. TAYLOR & WILLIAMS, by v c

12/1859

455

Miles & Wife

vs

Taylor & Williams

Decree

1859 Oct. Bill filed &
Nov Report
Dec. Confirm'd

To the worshipful County Court of Southampton County
Chancery —

Humbly complaining sheweth unto your worships your Complainants Andrew J. Miles & his wife Hannah J. Miles that George Williams, father of the said Hannah, lately departed this life, testate in December 1839, having therein duly executed his last will and testament which was admitted to probate at the October term of this Court and hereunto filed (marked A) as part of this bill — That the said Williams by his said will devised his said real estate to be divided among his three children to wit one half to the said Hannah J. Miles, one fourth to Margaret Taylor for life, and after her death reversion to Eldridge Williams, and the remaining fourth to the said Eldridge.

Your Complainants are anxious for a division of the said land — they therefore humbly pray that your worships would grant a decree appointing proper persons for that purpose — that a Guardian ad litem may be appointed to the said Eldridge Williams who is an infant of tender years and grant such other and general relief as equity may decree and the nature of the case may require — and as in duty bound they will ever pray &c.

Jno. K. Kendrick
Sq

The separate and several answer of Margaret Taylor and Eldridge Williams (the latter by his guardian ad litem Wm W. Briggs Sheriff) to a bill filed against them by Andrew J. Miles and wife Hannah in the County Court of Southampton County.

These defendants for answer to the said bill say that they have no objection to the decree prayed for — and having answered pray to be hence dismissed &c.

Jno I Kindred
p d

Miles & wife
vs
Taylor & Williams

This Cause, this day came on to be heard on the bill, the answer, the replication thereto with the Exhibits filed, and was argued by Counsel: On Consideration whereof the court doth adjudge order and decree that Jno E. Briggs, William Worrell, James Worrell Mills Pope and Wm S. Francis (any three of whom may act) taking with them, if deemed necessary, a competent Surveyor, & Commissioners for the purpose — that they allot or assign to Hannah J. Miles, wife of Andrew J. Miles, one half in value of the real estate of which Jesse Williams died seized and which he devised in his last will and testament — One fourth to Margaret Taylor for life, remainder and reversion to Eldridge Williams and the other and remaining fourth to the said Eldridge Williams.

The said Commissioners are directed to report to this Court in order to a final decree.

Miles & Ellis

Southampton County Court October Term 1859.

Andrew J. Miles & his wife Hannah J. Miles Pltffs

against

Margaret Taylor & Eldridge Williams the latter by her guardian } In Chancery
& litem Wm H. Briggs Dfft. Defts

This cause this day, came on to be heard on the bill, the answer, the replication thereto with the exhibits filed, and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that John E. Briggs, William Worrell, James Worrell, Miles Pope and Wm S. Francis (any three of whom may act) taking with them, if deemed necessary, a competent Surveyor, Commissioners for the purpose - that they allot or assign to Hannah J. Miles wife of Andrew J. Miles, one half in value of the real estate of which George Williams died seized and which he so devised in his last Will and Testament - One fourth to Margaret Taylor for life, remainder and reversion to Eldridge Williams and the other and remaining fourth to the said Eldridge Williams - The said Commissioners are directed to report to this Court in order to a final decree.

A Copy -

Teste J. R. Edwards Clk

In the above case your Commissioners beg leave to report that they proceeded to divide the lands named in the above decree By Commencing a line at a corner pine in Ben E Popes line thence to a corner pine in George E Popes line thence west to a poplar in branch down said branch to a small ash thence S.W. to a pine on mill path a line of chopped trees down said path to a branch in Miles & James Worrells line all the lands south of said line we allot to Hannah J Miles wife of A J Miles We then commenced in Branch in new line made gum corner thence N. to a large poplar in another branch. thence N. along a line of chopped trees to a sweet gum in head of branch in Barns field thence down said Branch to Worrells mill pond, All lands west of said line we allot to Margarett Taylor for life all lands East of said line we allot to Elredge Williams all of which is respectfully submitted

Nov 1st. 1859

his
James X D Worrell
mark
William R Worrell
Miles Pope } Commissioners
Jno E Briggs

Miles

= 3 Regt.

Major St

1859 Nov.

Copy

George Williams's

Will

A.

I George Williams of the County of Southampton and State of Virginia do Make and Ordain this my Last Will and Testament in Style and forme as follows. First, I want all of my just debts to be paid from the proceeds of my Chattle Estate, Such as my Crops of Various Kinds, Stock of Horses, Cattle, Sheep & Hogs, Farming implements Household and Kitchen furniture, and Such other property, as I may Leave at the time of my Death. Should there be any money left from the Sale of the above named property after paying my debts, I desire for it to be equally divided between my three Children Margarett Taylor who was formerly Williams, Hannah D. Miles who was formerly Williams and Eldridge Williams Should there not be enough of the above named property to pay my debts I desire that my Negro Man Simon Shall be hired out until Money enough is raised to pay Said debts, Then I give and bequeath to my Son Eldridge Williams and his heirs forever Said Negro Simon. I give and bequeath to my Daughter Hannah D. Miles and to her heirs forever One half of the Tract of Land on which I now live, the other half to be equally divided between my Daughter Margaret Taylor and my Son Eldridge Williams and at the death of my daughter Margarett Taylor, I give to my Son Eldridge Williams the portion of Land allotted to her the Said Margarett Taylor, to him and to his heirs forever. And it is my desire and Sincere wish that my three Children Can and will live together here at this my residence.
Furthermore I do Constitute and appoint my friend Benj C. Pope Executor to this my Last Will and Testament, In witness whereof I have Set my hand and affixed my Seal this Fifth day of February in the year of our Lord One thousand eight hundred and fifty nine.

Signed Sealed and delivered
in the presence of
J. J. Woodard
John F. Beale

George Williams (Seal)

At a Court held for the County of Southampton on the 15th day of August 1859.

This last will and Testament of George Williams dec'd was partly proved by the oath of J. J. Woodard one of the Subscribing witnesses thereto and the same was Continued for further proof. and at a Court held for the said County on the 19th day of October 1859, the said will was again proved by the oath of John F. Beale another Subscribing Witness thereto and the same having been proved on the 15th day of August 1859 by the oath of J. J. Woodard a Subscribing Witness thereto was ordered to be recorded. Benjamin C. Rose the Executor therein named appeared in Court and refused to take upon himself the Exercise of the Execution thereof It is ordered that Wm. W. Briggs Sheriff of this County take into his hands the Estate of the said George Williams dec'd to be administered according to Law.—

Teste

L.R. Edwards C.C.

A Copy

Teste L.R. Edwards C.C.