

1862-117

SOUTHAMPTON COUNTY
CHANCERY PAPERS

EDWARDS v d vs. EDWARDS v d

5/1862

Edwards

7. } Papers

Edwards

1862. May

Edwards

to } Stat. Rules

Edwards } -

In Southampton Circuit Court

Junius W Edwards & Robert Octavius Edwards
against
Jesse A Edwards & Sarah E. Edwards.

1861 March 23rd Summons issued &c.

April R. Sum. Ret. Executed. Bill filed. J. W. Edwards assigned guardian to infant Deft. Ans. of infant. B. Rep. D. Nisi v. Dft. Sarah E. Edwards.

April R. (last Mond.) Bill taken for confessed as to Dft. Sarah E. Edwards. & cause set for hearing &c.

1862 May Dft. -

Killy p. 7.

Junius W. Edwards &

m Bill

Sept a. Edwards &

1861 April Rules

Circuit Ct. Sample.

To the Hon. R. N. Baker judge of the Circuit Court
of Southampton County— In Chancery sitting.

Complaining, shew unto the Court your
Complainants Junius W. Edwards and Robert Octa-
vius Edwards, infants under twenty one year of
age suing by Allen Edwards their next friend.

Your Complainants respectfully represent
to the Court and say that their father Ro. G.
Edwards departed this life on the day of

Intestate, possessed of some few negroes,
(and two parcels of land— one parcel in the
village of Franklin, in said County, which
has heretofore been sold for partition under
a Decree of this Court— and also of a parcel
of land near the said village of Franklin
in said County, containing five acres, more
or less & on which the said Ro. G. Edwards
resided at his death, & on which there is a

good dwelling & other necessary out house, worth
^{as appraised by J. W. Moffatt, R. Danell, & Capt. Hardy before a Justice of said County}
about \$1500— That the said Ro. G. Edwards

left as his heirs at Law, his widow Sarah E.
Edwards, & three Children, to wit. your Complainants,
Junius W. and Ro. O. Edwards and Lepe A.
Edwards, all under twenty one years of age.

Your Complainants charge that the
premises are now rented out & will con=

stantly decrease in Value & become more out of repair by being rented out — That a sale of the premises would be best for the Interests of all parties, as it is altogether impracticable to divide and make partition of the same — That the said Sarah E. Edwards is entitled to Dower in the said parcel of land, and to have the same set apart to her would greatly impair the value of the remainder, hence your Complainants call upon her to surrender her right to Dower therein, and to accept in lieu thereof a fee simple money equivalent —

In Consideration whereof and as this Court has jurisdiction to grant the relief prayed for. To the End your Complainants pray that Sepe A. Edwards, an infant aforesaid & the said Sarah E. Edwards, may be made Defendants hereto & be required to answer the allegations herein — That some proper person may be appointed to defend the Infant Defendant and that partition of said premises may be made if practicable, ^{or advantageous} If not that a sale thereof may be made, & a sum in money in fee simple be allowed to the said Sarah E. Edwards in lieu of her Dower therein, and

all further (and proper) relief may be granted, And your Complainants will &c

John R. Kilby
p. 9.

Edwards Jr.

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Edwards Jr.

Answer of
Jesse A. Edwards
Infant Deft.

1861 April Rules

The answer of Jose A. Edward, an Infant
under 21 years of age, by L. R. Edward,
his next friend, to a Bill in Chancery
exhibited in the Circuit Court of
Southampton, County - by Junius W. Edward,
et al.

This Respondent says that the facts
set forth in the said Bill are true so
far as he knows - but being an Infant
under twenty one years of age, & incapable
of defending his rights properly, he submits
the same to the Court and prays that
no order or decree may be made
in the premises, inconsistent with his
rights.

signed

L R Edwards Esq

ad litem &c

Edwards

to } Sum's Chy

Edwards

1861 April Rules

Executed March 30th

1861 by delivering
them a copy of the
within summons

G. W. Vick

Shff

The Commonwealth of Virginia:

To the Sheriff of Southampton County. Greeting -
We Command you to Summon Jose A Edwards, an infant and Sarah E Edwards, widow,

to appear at the Clerk's Office of our Circuit Court of Southampton County at the Rules to be holden for the said Court on the first Monday in April next to answer a bill in Chancery exhibited against them in the Circuit Court of our said County by Junius W. Edwards and Robert Octavius Edwards infants under 21 years of age being by Allen Edwards their next friend -

And have then show this writ. Witness Littell R. Edwards Clerk of our said Court at the Court house this 23^d day of March 1841 in the 85th year of the Commonwealth.

L. R. Edwards, Clerk