

1884-17

Southampton County - Chancery

Edwards, Martha R. ^{et al} vs Cobb, Sarah ^{et al}

"To see property to make
division"

Edwards, Gilliam +
Edwards, Sarah, his wife

(Cobb, Sarah
Williams, Martha
inf- Edwards, Jno. A.

Rich, Collin +
Rich, Lavinia his wife

Murphy, Jas. W. +
Murphy, Bessie, his wife

Edwards, Robert M.

Williams, Junius W. +
Williams, Bessie, his wife

Saughtry, Geo. +
Saughtry, Rebecca, his wife

To the Honorable Geo Blou. Judge of the Circuit
Court of Southampton. In chancery,

Complaining sheweth unto your Honor
your Complainants, Martha R Ed-
wards widow of Warren Edwards dec'd
Gilham Edwards & Sarah his wife, Col-
lin Ricks and Louisa his wife Jas,
Wm Rife & Bettie his wife, Robert M
Edwards, Junius W. Williams & Bettie
his wife, Geo Daughtry & Rebecca his
wife, That sometime during the year
18 Mrs Martha Moore departed
this life intestate, leaving as her
heirs at Law Mrs. Martha R Edwards
wife of Warren Edwards, Sarah Hobbs
Rebecca Daughtry wife of Geo. Daugh-
try, and Wm P Moore. That at the
time of her death she was seized
and possessed of a certain Tract
of Land in Southampton County, near
Old South Quay, containing 120
acres more or less. That since
the death of said Martha Moore
Wm P Moore sold his interest in
said Tract of Land to Warren Ed-
wards who intermarried with
Martha R Moore, the sister of
Wm P Moore. That the said War

new Edwards has since departed
this life intestate, leaving his wife
an Martha R Edwards. Gilham Ed-
wards & Sarah his wife, Collin Rich-
ard and Louisa his wife Jas. W. Murfee
& Bettie his wife, Robert M Edwards
Junius W Williams & Bettie his wife,
Martha William & Inoc Edwards the
last three minors his heirs at law
and distributees, That in the opinion
of your Complainants the said
Tract of Land is not susceptible
of division in kind, but will
have to be sold in order that a
division may be effected, in
consideration of all which and
inasmuch as your Complain-
ants are without remedy save in
a Court of Equity where all
such matters are peculiarly cog-
nizable, to the end therefore that
justice may be done your
Complainants pray that Sarah
Cobb Martha William & Inoc Ed-
wards, ^{the last three minors} may be made parties de-
fendant to this bill and com-
pelled to answer its allegations
That some fit and proper person
may be assigned Guardian ad

litem for the infant defendants,
That your Honor will appoint
Commissioners to inquire and
report whether the said Land is
susceptible of division in kind
or not, and if so, that the same
may be divided, but if not that
the same be sold and proceed
divided according to the rights
of the parties. That your Honor
will grant such other, further, gen-
eral and special relief, as the
nature of this case may require
or to equity may seem meet
and as in duty bound your
Complainants will ever pray &c
May it please the Court &c

J B Prince f.c.

The joint & several answer of
Martha, William & John A. Edwards
infant defendants by L R Edwards
their Guardian ad litem to a bill
of Complaint exhibited against them
in the Circuit Court of Southampton
by Martha R Edwards & others

These Respondents for answer to
said Bill, or so much thereof as

it is material for them to answer,
say that they are infants and
being such know nothing of
facts as stated in said Bill
they therefore submit their rights
to the protection of this Court and
having answered pray hence
to be dismissed ~~and~~.

L. R. Edwards
Son at Litem

131
Edwards & others
vs G. Bill
Cobh & others

1882 April Rules

W. Prince & c.

Edward D. Sothers
as $\frac{3}{4}$ Report of Comus
Cobb Sothers

1882. Oct. 21st

To the Hon Judge of the Circuit-Court of
Southampton County.

1882

We the Commissioners appointed by Circuit-Court
of Southampton County, May Term 1882, to divide
and allot the lands of Mrs M. R. Edwards
widow of Martin Edwards, and others. Be;
have to make the following report:-

We have examined the premises alluded
to in the order and we believe that the
division cannot be made in kind with-
out injury or loss to the parties for the follow-
ing reasons. The road passing through the lands
cuts off (75) seventy five acres, with a front on
the road of only (3) three acres, making it
impossible to divide the said (75) seventy five
acres so as to give access to the road,

And we have conferred with the parties
interested, who agree with us that it is best
that it should not be divided, but some
entire and pecuniary division

one of which is respectfully submitted

B. C. Wells

Oct 20. 1882.

Geo. F. D. Darnall } Commissioners
Allen & Cotton }

~~#7~~ ~~#2131~~ ~~#10~~ 108

Edwards. Jr

r. } Stat Rules

Cobb Jr

In Southampton Circuit Court.

Martha R Edwards widow of Warren Edwards dec^d William
Edwards, & Sarah his wife, Collin Ricks & Louisa his wife, James W
Murphy & Bettie his wife, Robert M Edwards & Junius M. Will-
iams & Bettie his wife, George Daughtery & Rebecca his wife. Plffs

against.

Sarah Cobb, Martha Williams & Jno A Edwards the last three
minors Defendants.

1882. March 27th Summons issued

" April R. Summons returned Executed. Bill filed, S R
Edwards assigned Geo ad litem to infant Defendants.
Answer of infants. Genl Rep. Decree nisi v. adult
Deft.

" May " Bill taken for confessed as to Deft Sarah Cobb &
cause set for hearing &c.

" " J. Decree for partition.

" Nov " " Sale

May Term 1883. Decree &c.

Edwards Jr.

or 3 Report of
Sale

Cobb Jr.

Edwards & Co.

or 3 Report of Court J.B. Prine
Cobb & others

Pursuant to order entered in this
Cause at Nov Term 1882, I advertised
the land in the proceedings mentioned
for sale Jan'y 15. 1883., and at the
Sale Leas Beale became the pur-
chaser by bidding therefor the sum
of \$325.00.. He paid in Cash \$162.50
and executed his bond for \$162.50, due
in Twelve months after date with
interest from date. which is returned
herewith.. The sale was an excellent
one, and Your Court recommends
its confirmation.. Respy Submitted.

To Judge Lewis
Southampton.

May 1. 1883.

J.B. Prine
Special Court

Edwards Jr.
as 3 91

Cobb Jr.

Distribution
&
Vouchers

Dismissed 1884

Recd of J. B. Price Ample sum
for J. B. Williams.
Recd of J. B. Price and sum for me.
J. B. Williams
Edw. M. Edwards.

Executed by deposing Sarah Coote a being
of the Township on the 1st day of April 1882

In the presence of John Coote - Justice

Attest my hand and seal
this 1st day of April 1882

Edwards & Co
No. 1
Orth & Co

1882. April Rates

Enclosed find
balance of the ch
The W. Chis
Sp. Shewing

of the Commissioners
These are the
HARVEY TILLETSON R. EDWARDS Clerk of the County of the County
and was then there duly sworn.

The Commonwealth of Virginia,

To the Sheriff of Southampton County - GREETING

WE COMMAND YOU TO SUMMON

Sarah Cobb, Marston ^{Edwards} ^{Wife}
Edwards & John A. Edwards, the last three minors,

to appear at the Clerks 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 our
said Court by *Marston R. Edwards, Gilliam Edwards, & Sarah*
his wife, Collin Ricks & Lenina his wife, Isaac W. Marfee
& Bettie his wife, Robert Edwards, Junias W. Williams
& Bettie his wife, George Daughton & Rebecca his
wife,

and have then there this writ.

Witness, LITTLETON R. EDWARDS, Clerk of our said Court at the Court
House, this *27th* day of *March* 1881, in the *106th* year
of the Commonwealth.

L. R. Edwards Clk

J B Prince & W W Briggs
Commissioners Please pay to Mr
Edwards all the money
you have in hand for me
& oblige

ans
8th

M R Edwards

1884

I B Prince & W W Briggs
Cormishmen Please pay to Mr
Edwards all the money due
me from the estate of
Wren Edwards due & oblige
aug

8th
1884

Lillie R Edwards

Mrs. Margaret Moore

1878.

To JAMES E. SEBRELL, Treasurer of Southampton County, Dr.

SUBJECTS OF TAXATION.	STATE TAX. 50c. on \$100.		COUNTY LEVY. 30c. on \$100.		SCHOOL TAXES.		TOTAL TAX.	
					COUNTY, 5c. on \$100.	DISTRICT, 7½c. on \$100.		
To 120 acres of Land, value \$ 360	1	80	1	08	18	27	5	55
“ Personal Property, value . . \$								
“ Capitation Taxes, ...								
Total, ...								
Fee Bills, :								
2 per cent. rebate, ...								
5 per cent. additional, ...								
Total, ...								17

Received payment

19th day of May

1879.

J. E. Sebrell

Treasurer.

Mrs. Margaret Moore

1881.

To JAMES E. SEBRELL, Treasurer of Southampton County, Dr.

SUBJECTS OF TAXATION.	State Tax. 50c. on \$100.	County Levy. 40c. on \$100.	SCHOOL TAXES.		Total Tax.
			County. 10c. on \$100.	District. 5c. on \$100.	
To 120 acres of Land, value \$ 360	1 80	1 44	36	18	3 78
" Personal Property, value . . \$					
" Capitation Taxes, ...					
" Income, ...					
Total, ...					
Fee Bills, ...					
5 per cent. additional, ...					19
Total, ...					

Received payment 18th day of June 1881 *A. E. Sebrell* 8 97
Treasurer.

Mr. Margaret Moore

1880.

To JAMES E. SEBRELL, Treasurer of Southampton County, Dr.

SUBJECTS OF TAXATION.	STATE TAX,		COUNTY LEVY,		SCHOOL TAXES.				TOTAL TAX.	
	50c. on \$100.		32c. on \$100.		COUNTY, 10c. on \$100.		DISTRICT, 5c. on \$100.			
To 120 acres of Land, value \$ 360	1	80.	1	18		36		18	3	52
“ Personal Property, value . . \$										
“ Capitation Taxes, ...										
“ Income, ... \$										
Total, ...										
Fee Bills, ...										
5 per cent. additional, ...										
Total, ...										18

Received payment 21 day of

May

1881

A. F. Cobb Jr. 370
Treasurer.

Martina R. Edwards

1882 T. Clerk Southampton Circuit Court

May. Fee in Chancery Suit Edwards vs. Edwards
ad^d 4⁰ to May Term 1882, (inclusive)

\$ 2.11

J. R. Edwards Clk

Martina R. Edwards Widow of Martin Edwards decd.

1882 T. Clerk Southampton Circuit Court

May. Fee in Chancery Suit of Edwards vs.

Cott 4⁰ to May Term 1882, (inclusive)

\$ 3.80

J. R. Edwards Clk

Know all men by these presents. That: We
George W. Daughtry and Rebecca E. Daughtry
Wife of Geo W. Daughtry, of the County of Salus
State of S.C. do authorize ~~constitute~~ and
appoint Irvin C. Miles, To receive the
amount due us from the sale of the
lands known as South Quay and being
the property of the heirs of J. A. Moore
and we do hereby authorize him the said
Irvin C. Miles to receive for the same and
to do whatever may be necessary in the
premises.

In Witness whereof we have hereunto
set our hands and seals this 24th
day of September 1883.

Witness Signatures and

Geo. W. Daughtry (Seal)

Rebecca E. Daughtry (Seal)

Seals

D. W. Johnson

L. N. Whithead

Delaware Co

Aug 8th 1882

J. B. Pince Esq.

Pay to J. B. Mills all
money due me from the estate of
Jas Moore (my father) and Henry J
Moore (my brother) and oblige
Your Truly

Samuel A. Cole

Statement
Costs

Statement of costs in this suit -

Am't of purchase money. \$325.00

To Commis. \$15.50

" deed. 5.00

" clks costs. 6.70

" shff. 50

" Law fr. 16.50

" atty, fee 15.00

" Tax acct. 11.17

70.37

\$70.37

\$254.63

15.27

\$269.90

To Int.

L.B. Price.

Cour.

Edwards v. others

To 3 Decem

Lobb v. others

This day this cause came on to be heard on the Bill of the Complainants which has been taken for confessed as to the adult defendants, the infant defendants by P.A. Edwards, guardian ad litem, and was argued by Counsel. On consideration whereof, the Court doth adjudge, order and decree that partition be made of the land in the Bill mentioned as follows: $\frac{1}{4}$ To Sarah Cobb, $\frac{1}{4}$ to ^{George} ~~Rebecca~~ Daughtrey and Rebecca, his wife, $\frac{1}{4}$ To Mrs Warren Edwards and $\frac{1}{4}$ to the heirs at law of Warren Edwards, dec'd; and for the purpose of effecting such partition, the Court doth order that J. L. Wills, Jos. L. Darden and Allen Cotton who are hereby appointed Commissioners for that purpose, do apportion and allot to the several persons before named the respective shares and proportions aforesaid by metes and bounds, *but if in their opinion such partition of the real estate cannot be made, they are to pay to the other parties such sums of money as their interest therein may entitle them to.

* or the entire subject may be allotted to any party who will

not be made in kind without loss
or injury to the parties, then the said
Commissioners will report that fact
to this Court and the reasons upon
which their opinion is founded together
with the real value of the said land,
and the said Commissioners will
report their proceedings to Court.

Edwards v. others
no decree
Lobb v. others

May Term 1882

To be entered.

Geo. V. Brown.

Edwards sothers

No 3 Decree,

Cott sothers

This day this cause came on to be further ^{heard} on the papers formerly read and the report of J. C. Wills, J. J. Varden and Allen H. Cotton, Commissioners appointed to make partition of the land in the proceedings mentioned, to which no exceptions have been filed and was argued by Counsel. On consideration whereof, the Court doth adjudge order and decree that the said report be and the same is hereby confirmed: and the Court doth further decree that J. B. Price who is hereby appointed a special Commissioner for the purpose, sell the land in the proceedings mentioned upon the following terms: after twenty days public notice of time & place of sale, to wit, one half cash, the balance upon a credit of twelve months, the purchaser to give bond for the deferred payment with approved security, carrying interest from day of sale, and the title to be retained for further order of Court. But the said Price will not proceed to execute this decree until he shall enter into bond in the penalty of \$500. with security to be approved by the Clerk of this Court, conditioned to faithfully execute this and

any further decree in this cause.
And the said Court will report his
proceedings to Court.

Chas Edward Goschen
vs 3 Decree
Goschen

Nov Term 1882

To be entered.

Geo. B. Brown,

Edward &
or 3 dece
Cobb &

May Term
1883

To be entered.

Geo. B. Low.

Recd June 9. 1883 of the
Clerk of the Circuit Court
of Southampton the bond
of John Beale for one hundred
and sixty two $57\frac{1}{2}$ dollars due
July 15. 1883. with interest from
July 15. 1882.

J. B. Pierce
Clerk

Edwards v.

in 3 Decree.

Cobb v.

This day this Cause came on to be further heard on the papers formerly read, and the report of Comr. W. B. Prince filed during the term, reporting sale of the lands to which there is no exception and was argued by Counsel. On consideration whereof, the Court doth adjudge order and decree that the said sale be and the same is hereby confirmed. The Court doth further decree that the said Comr. after paying the costs of this suit, distribute the balance of the cash now in his hands among the parties thereto entitled. and it is also ordered that the said Comr. withdraw from the papers in this Cause the bond of Can Beale for \$162.50, after receipting therefor to the Clerk; collect the same & pay to parties entitled. When the whole of the purchase money shall have been paid, the said Comr. will make a deed with special warranty to the said Can Beale. And the said Comr. will make report to Court.

Edwards,
or. } Dec. 1884.
Cobb }

Nov. Dec. 1884

To be entered -

Geo. V. Blom

Entered
106

Edwards }
or. } Decece.
Cobb }

This cause came on this day to be heard upon the papers formerly read and upon the report of Commissioner I. B. Prince ^{showing disbursement} and ^{of funds} was argued by counsel. On consideration whereof, the Court doth approve and confirm the said report, and nothing further remaining to be done in this cause, it is ordered that the same be removed from the docket.