

1805-003

Chancery Causes: Ann Edmonds + Sally Edmonds, byoc vs John Edmonds, executor of

Isle of Wight County

Solomon Edmonds - al

other SURNAMES: Butler,
Vaughan, Vaughn

To the worshipfull Courts of Isle of Wight in Chancery sitting
Humbly Complaining shew Unto the Courts, your Oratrix Anna
Edmonds and Sally Edmonds infant Children of Solomon
Edmonds ~~Decd~~, by Solomon Butler their next friends. That
your Oratrix father some time before his death, to wit, on the
day of ~~the~~ made his last will and testament
in writing, in which he devised to Charity his wife,
three Slaves, to wit. Mingo, Bep and Phibes, that the said
Charity, the testator's wife, died before him, that he did
not alter or renew his said Will, and of course died intestate
as to the above mentioned three Slaves, and then increases if any,
and that at the time of his death he left, six Children, who
are now all alive, equally entitled to distribution of the said
Slaves, namely, John, William, and Betsey ~~Edmonds~~ Edmonds,
Pherebeth, who has intermarried with James Vaughan, and your
Oratrix. — In consideration of the premises your Oratrix
have repeatedly applied to John Edmond aforesaid, who is
the acting Executor to the last will aforesaid, and to the other
distributees, (since from the inferior number of the Slaves,
a division of them was impracticable) to sell them and
make an equall distribution of the proceeds, by assigning
one sixth part thereof to each of the said Solomon's said Children.
Or, if the value would be thereby increased, to sell them on
a Credit of nine or six months taking bond with approved
Security, in six equall parts, One payable to each of the
said Children, ~~and the other to the said James Vaughan~~. As the said testator
died clear of debt, your Oratrix had no doubt, but the
said other Children would readily consent to so reasonable
a demand. But so it is, may it please the Court, that
the said John, William & Betsey Edmonds, and the said James
Vaughan and Pherebeth his wife, object to your Oratrix
demand, stating as an excuse, that a sale or division
cannot be legally had, during to your Oratrix now age, without
a decree of a Court of Chancery having jurisdiction, which
this Court has; Wherefore and as your Complainants
are remediless in the premises without the aid of this Court

They pray that the said John, Wm. Wetrey, Edmonds and the
said James Vaughan and Phinebeth his wife, be made defendants
to this bill, and may, full true and perfect answer make
to all and singular its allegations. That your worships will
decree a sale and distribution of the money, or on credit
and a distribution of the bonds, equally, to the defendants
and your Oratrixes individually, in such way and manner
as may best accord with justice and equity, and that
fit persons be appointed by the Court to carry the decree into
effect. — May it Please V.

Barber for Complainants
by virtue of a letter
of authority, from
them. —

The answer of John, William Wetrey, Edmonds, and of James Vaughan
Phinebeth his wife, to the foregoing bill of Ann and Sally ~~Edmonds~~
infant Children of Solomon Edmonds, by Solomon Butler their
next friend. These respondents acknowledge the truth of
the allegations therein contained, and will cheerfully submit
to such decree as the Court in their wisdom shall think
proper, within the prayer of the Complainants bill. I pray
Justice to be done V. —

Barber for depts, by
virtue of a letter of
authority. —

Ann Sally Edmonds

vs

his Edmonds Exr &c

Bill of sale
authentic

June 1803.

Inter. & Boene

Amount y^l 1305 m^{ts}.

at 1/2 d^{ts} according to

Isle of Wight County Court

June Court 1823

~~John Edmonds~~ Elizabeth Edmonds Phoebe Daughtry
William Edmonds Anne Edmonds Sally Edmond

Complts

against

In Chancery

John Edmond Executor of Solomon Edmond decd.

Defts

By consent of parties, the bill of Union was filed and heard, whereupon it is decreed and ordered that Godwin Council Willis Clerk for John Darden, and Matthew Daughtry or any three of them make Sale of the Slaves in the bill mentioned on a credit of twelve months taking bonds with two securities payable to each of the Complainants and Defendants and deliver the bonds the bonds to such of them as are of age, and such as are not of age, to their Guardian, and make report thereof to the Court —

A Copy Test Math. Young Clk.

We the Commissioners Have in obedience to an Order of Court above mentioned have made Sale of the Slaves of Solomon Edmond Decd Agreeable to order afore mentioned and have Rendered an Account of the Sale of the said Slaves as follows —

Two Negroes Woman Bess & Phibby to John Edmonds	£ 60..0..0
one Negro Fellow Mingo --- To John Edmonds	49..2..0

Also we have made a Division of the Amount and have Taken Bonds agreeable to order Directed and have Delivered them to Each of the heirs that of age & to the Guardian of them that Was under age

Godwin Council
Willis Sanford
his
John Darden
mark

Received 2^d December 1803. of the Commissioners my
Proportionable Part of the within account Also Anne
H. Salley Edmonds Part of s^d account ^{being} Guardian for the
Said Orphans By me

Witness

Solomon Butler

John Edmonds

We the Subscribers have Received 2^d December 1803.
of the Commissioners our Proportionable Part of the
within Account - - - - -

Test

Solomon Butler,

^{her}
Elisabeth + Edmonds

mark

^{his}
William x Edmonds

mark

James Vaughan

Let us be disincumbered of having three slaves sold and distributed
among ourselves and the other heirs of our father, Solomon
Edmonds. namely, the three which are willed to our
mother, (she having died before the testator). and
have to request you to have the necessary steps taken
agreeable to law, to accomplish this purpose. You
will see every other particular in the will and
the memorandum which you made thereon. —

We are &c

John Edmonds

Petsey her Edmonds

James ^{man} Vaughan

St. ^{his} ~~Man~~ Edmonds
man

May 2nd 1803

John Barber
attt at law Esq of right