

1811-017 Chancery Causes: George W. Womble & Aquila Womble vs Samuel Womble, executor of John

Sale of Wight County

Womble, Edwin Womble, assignee, & Michael Edwards vs

other SURNAMES: Stallings,
Holliman

of the Complainants bill - and will with Cheever, submit to such decree as this honorable Court shall make and enter in and concerning the premises, and prays to be hence dismissed &c.

Las. Halling
Jordan Holman

Worshles

vs

Bill

Worshles

vs } ans

March 1811

Intestly agreed

The said Slaves and divide the proceeds, altho. they acknowledge that a fair apportionment of dower and a division among testator's children, on principles of equity, is impracticable. Your Complainants have proposed that Lemuel the executor, should sell them & after apportioning a reasonable portion of the proceeds to the said Edwards and wife, for use in lieu of her dower for life, in the said Slaves, and paying charges &c., divide the residue equally; but this proposition so just in itself has been refused under a variety of pretences, so that Justice is totally denied to your Complainants in and concerning the premises. In tender consideration Whereof and forasmuch as your Complainants are without remedy in the premises only in this Court of equity - to the end therefore they pray that the said Lemuel the executor of said testator - The said Edwin Wouble in his own right - and (if he shall exhibit sufficient authority from the said Cordy & Halsey), or he or he or his wife, be made defendants to this bill and, full true and perfect answer make to its allegation. Your Complainants further pray that, if the said ~~with~~ James Stallings & Jordan Holliman, who profess to be attorneys in fact of the said Michael Edwards, shall exhibit sufficient authority, from the said Michael Edwards, as his attorneys in fact, and the said Michael shall not appear and answer otherwise, that the said attorneys in fact ~~shall~~ may be permitted to answer in his place. - Your Complainants further pray your worship that the said Lemuel be decreed to make a fair sale to the best advantage, of the Slaves aforesaid at public auctions, and, out of the proceeds thereof pay to the said Michael Edwards, in right of his said wife Lucy, such proportion thereof as shall be judged by this Court Just and proper in lieu of and as a full Compensation for her dower.

in the said Slaves - and pay over to the said ~~Agnes~~ Edwin - Pottery, Cordy - and your Complainants - their due and several shares of the proceeds of said aforesaid. - and, lastly, that your Complainants will make, add & enter such other and further Order or decree as shall be considered necessary Just and equitable for your Complainants relief. - may it please your worship.

Edwin P. D.

The answer of Edwin Wouble, in his individual right, as also as the officer in the ^{as for the annexed paper} and Cordy Halsey to the foregoing bill of George and Agnes Wouble, is as follows - ent - is perfectly willing, in his several capacities, to submit to such decree as this honorable Court shall make and enter, in and concerning the premises and pray to be hence discharged &c. -

The answer of Michael Edwards, in right of his wife Lucy, formerly the widow of John Wouble dec'd, made by James Stallings & Jordan Holliman, his attorneys in fact, by virtue of the powers in them vested, in and by the annexed power of attorney from the said Michael. which is prayed to be taken and considered as a part of this answer. This answer has no objection to the prayer

To the worshipful Court of Sale of Wight in Chancery Sitting.
Humbly Complaining Show unto your worship your Obedient
Petitioners—Georg W. Womble and Aquila Womble
Children of John Womble dec. late of the said County,
after having made and published his last will and testament
in writing, an attested copy whereof is herewith annexed and
mayed to be taken and considered as a part of this bill,
departed this life on or about the 15th day of April A.D. 1804.
Leaving a widow Lucy, and six Children, namely, Samuel,
who has since qualified as executor of the said last will &
testament, Edwin, Cordy, Patsy, and your Complainants.
That the said Widow; being dissatisfied with the provision
made for her by the said will, refused to abide by it,
and, of course became thereby then entitled to her dower
in testator's Slaves ~~the~~ according to law, that she has
~~since intermarried with~~ is now the wife of one Michael
Edwards—That, by will the testator, left certain Slaves equally
to all his Children before named; but the widow, in consequence
of her flying from the provisions of the will is entitled to her dower
in these Slaves. That, owing to the inequality of the values of
the Slaves subject to the said widows dower and division
as aforesaid it appears to be difficult, if at all practicable
to divide them, with a due regard to the interests & convenience
of the parties interested. That the Slaves, now held by Samuel the
executor, which are subject (as your Complainants are informed) to
division as aforesaid—are, Hall, Cloc, Ruffen, Lore, Lewis,
Ludy & Charlotte

That the said Edwin, who has purchased the rights of the said
Cordy & Patsy Womble ~~and~~ in respect to these Slaves, and the
said Michael Edwards ^(acting in right of his wife, by James Stallings & Jordan Hollingsworth his attorneys in fact) ~~disagreeing~~ among themselves, as to
the division of the said Slaves, and being regardless of the
rights and wants of your Complainants, ~~and~~ refuse to sell

Edward

ca

Power of Attorney

To J. Callings

Esq

prepare friendly bill for
Sale of the slaves, by L. Wombell
& appt. to Callings &c. a
proportion of the money
found in lieu of Dower

Know all men by these presents that I Mica Edwards
of the County of Shropshire & State of Virginia do make
and Ordain my friend James Stallings ^{& Jordan Holliman} of St. County &
State my true and lawfull attorney to ask demand &
Receive &c in my name and for me in ~~law~~ recovering
to me, my wife Lucy Edwards proportionable part
of her late husband John Womble Dec^d. Estate
now in the hands of Lemuel Womble Executor
of St. John Womble Dec^d and I the said Mica Edwards
doth by these presents agree to be satisfied in all
his lawfull proceedings wth recovering & power
right in St. Estate and also agree to pay the St.
James Stallings my Attorney for his trouble
in W^{ch} w^{ch} thereof I have hereunto set my
hand & seal this 24th day of Dec^r 1810 —

Wm. S.

Mica Edwards Seal
mark

Bey L. Edwards
Bey Brack

Received December 29th 1810 of Edwin Womble the just sum
of Twenty four pounds current Money of Virginia, it being for my
proportion of a certain number of Negroes devised by the last Will
and Testament of John Womble doct^r to be equally divided among
his Children, Viz. Samuel, Edwin, Cordy, Patey, Aquila, and
George W Womble, which will more fully appear by having recourse
to the v. John Womble's Will, now on the Records of Isle of Wight
County, and it is further understood that I Patey Womble of Surry
County, have rec^d of the said Edwin Womble the sum as above for the
one sixth part of the said Negroes which have Multiplied to the
Number of Seven, Viz. Henry, Cloe, Eliza, Ruffin, Lewis, Judy & Charlotte,
and I do hereby ratify and confirm all my Rights, title, claim, Interest
and Demand whatsoever, to the Negroes above mentioned and their
increase, and every part thereof to him the v. Edwin Womble and
to his Heirs and assigns for ever, and I do further covenant and agree
with the said Edwin Womble, to Warrant and for ever defend all my
Rights, Title, claim, Interest and demand, against my self my
Heirs, and against all and every person, or persons claiming the property
above mentioned, in Witness whereof I have hereunto set my hand
and seal the day and date first above Written -

Test

James Howell
Edwin Gray

Patey Womble



Received Dec: the Thirty first 1810 of Edwin Womble the
just Sum of Twenty four pounds current Money of
Virginia it being for my proportion of a certain number
of negroes devised by the Last Will and Testament
of John Womble dec. to be equally divided among
his Children, Viz. Lemuel, Edwin, Cordy, Patey, Aquila
and George W. Womble; which will more fully appear
by having recourse to the said John Womble's Will,
now on the Records of Isle of Wight County, and it
is further understood that I Cordy Womble of Isle of Wight
County, have received of the said Edwin Womble, the
Sum as above for the ind sixth part of the s. d. Negroes
Which have Multiplied to the number of Seven. Viz.
Henry, Chloe, Eliza, Ruffin, Lewis, Judy & Charlotte,
and I do hereby ratify and confirm all my Right, title,
Claim, Interest, and Demand whatsoever, to the said
Negroes above mentioned and their increase, and
every part thereof to him the said Edwin Womble
And to his Heirs & assigns for ever, and I do further covenant
and agree with the the s. d. Edwin Womble to warrant, and
forever defend all my Right, title, claim, Interest and
demand, against my self my Heirs & against all and every
person or persons claiming the property above mentioned, in
Witness whereof the s. d. Cordy Womble hath hereunto set his
hand and seal the day & date first above Written.

Test

Randolph Hutchins
Nicholas J. Davies

Cordy Womble

