

1844-005

Chancery Causes: Francis Ward & al VS Benjamin Ward, admr of John Ward

Isle of Wight County

other SURNAMES: Delk

In Suffolk County Court, January 7th 1839.

Francis Ward and Wm. D. Delk, Robert
H. Delk and Martha Delk, the two
last infants suing by Wm. D. Delk
their next friend 3 pths:
against

Benjamin Ward administrator of the Estate of John Ward Deft.

In Chy.

This cause by consent of parties came on this day
to be heard, on the Bill and answer filed, and
was argued by Counsel, on consideration whereof
the Court doth adjudge, order and decree, that Gray
Canole, James M. Jordan, Josiah H. Wrenn and
Orvan Goodrich or any three of them, do proceed to
divide the slaves belonging to the estate of John Ward
so as to give one third to Francis Ward, one third to
Benjamin Ward, and the other one third divide equally
between Wm. D. Delk, Robert H. Delk and Martha Delk
having regard, in all such division, to quantity &
quality; and make report &c.

But the plaintiffs are not to have the benefit of this order,
until the parties shall have executed to the said Administrator,
bonds with good security, if required, to refund as the
law directs.

A Copy

Teste M. P. Young J. C.

Ward & Delks
vs.
Ward & Delks
decedent's
Report

August 3rd 1839
replied Dec. 22nd 1839

Agreeably to the order annexed, we have promised to
divide the slaves belonging to the estate of John Ward
We first valued them, to wit, John Alfred Peter
Nelly Hannah Jim Caroline Nancy Louisa & Sally
at \$4095. We have allotted and set apart to
Francis Ward the following slaves to wit, John, Hannah
& Nancy & Louisa valued at \$1370 he having to
pay Wm Robert and Martha Belk the sum
of five dollars to make their slaves equal
to his. To Benjamin Ward, Nelly, Sally & Peter
valued at \$6400, he having to pay thirty five
dollars to the said William Robert and Martha
Belk to make their slaves equal to his —
and to the said William Belk, Robert Belk and
Martha Belk, Negroes Alfred Caroline and
Jim valued at \$1325 and this sum together
with the money to be paid by Francis and Benjamin
Ward make their slaves worth the sum of \$1365
that being one ~~fourth~~ third of the whole
valuation — Believing that we could not divide
the lot of Negroes set apart to the Infants, Wm
Robert and Martha Belk into three equal
parts without an injury, we have not executed
that part of the order, but left said lot of
Negroes together in the hands of John Ward
administrator subject to the future order of the
Court and respectfully suggest that they
be sold by an order of this court at the
expiration of the present year for division

Jms
Jordan
Clerk of the Court

To the County Court of Ind of Mich, sitting in ch:
The undersigned Ben a. Ward a donor of the Ward
case on the 21st of Sept. 1881 to the said Court
to the Bill of complaint in the said Court
sitting against him by Ward & for answer,
say that the allegations and facts stated in
the Bill can't be denied, and consent that
the Court may pronounce any order
and decree in the premises, that may
comport with Equity &c.

(Signed,

Benjamin Ward

J. 1. 2

Washed
Washed
arrived in city.

With the Court of the said High Court of
 Equity and Chancery, shew to the Court some
 complainants, Francis Ware, Mr De Belk,
 Wm. F. Belk, Martha Belk the husband
 and son of a late by word Belk
 next shew that one John Ware lately died
 in this County intestate, seized of ten slaves
 to wit, Tom, Alfred, Peter, Sally, Nancy, Caroline,
 Jim, Louisa and Eliza, and for his other
^{namely} no other or wife, and his sister, and
 are the said Francis Ware a brother, one
 Betsy Ware, a brother the said word Belk
 Wm. F. Belk and Martha Belk
 children of a sister who is dead -
 Betsy Ware is a widow: and having the
 slaves, and there is no need for her to
 them to pay debts - they have applied
 in vain to the admors who refuse to
 let them be divided and sold under an
 order of this Court - they therefore pray
 that the said Betsy Ware as ~~admiror~~
 and one of the distributees be made
 a sept. There to, she compelled to
 give up the said and that you
 will make any order in the premises
 that may comport with equity &c.
 Atkinson p. 9

John Ward and to be Beck, Wm. Beck
and Maetha Beck the two last infants
being by the Beck's then next of kin.

Benja Ward son of John Ward to

this cause by consent of parties came
on this day to be heard on the Rice
anderson files and on the
by Counsel; It was then ordered
that the said ag. order and decree
that Gray Cawell, Michael F. Wren, Saml.
W. Judson and Aaron F. Woodrick or
any 3 of them, do proceed to divide
the said ~~estate~~ ^{estate} being to the estate of
John Ward - so as to give $\frac{1}{3}$ to Frank
Ward, one third to Benja. Ward and
the other $\frac{1}{3}$ divide equally between
Wm. Beck, Wm. F. Beck and
Maetha Beck, having regard in
all such divisions to quality and
quantity and make report to.
But the parties are not to have the
benefit of this order, until the parties
shall have executed to the said
contributors with good security
if required to refund on the said
directs -

March 1839

3 1/2 Bells

March 1839

Lang 1839.

Lang 9th 1839. Bells
filled with documents

August 5th 1839.

Report returned & cases
continued.

March term 1844 final
decree entered

It is a sufficient Court