

1844-043

Chancery Cause: Charles F. Wrenn & al vs Albert E. Wrenn, admr of Martha

Isle of Wight County

Wrenn + Julia A. Wrenn by & c

other SURNAMES: Jordan,

To the justices of the county court of Hidespight
in chancery sitting

Respectfully complaining thereunto the court your
orators and petitioners Charles F. Mearns, Elihu Mearns
and William B. Jordan and Mary B. his wife
formerly Mary B. Mearns, that a certain Martha
Mearns late of said county died intestate on
or about the 30th of October 1841 possessed of
of real negro slaves to wit Isaac, Moses,
Henry, Daniel, boy Henry, Hannah and
her child four besides the personal
estate. The said slaves are not necessary
to be retained for the payment of debts
and ought therefore to be divided or sold
for a division amongst her heirs
administrators or the estate of the said
Martha Mearns has been granted to a
certain Albert E. Mearns who has the said
~~negro~~ slaves under his control; the
heirs of the said Martha Mearns are
your orators ^{and petitioners} Charles F. Mearns, Elihu
Mearns and Mary B. Jordan, and the
said Albert E. Mearns and a certain Julia
A. Mearns her brothers and sisters
who are equally entitled to said slaves
your orators and petitioners are desirous
to have their portions of said slaves
but the said administrator refuses to deliver
the same except by ~~the~~ a decree of the
court of equity. To the end therefore
that relief may be had your orators
and petitioners pray the court that the
said Albert E. Mearns as administrator and in
his own right and the said Julia A.
Mearns by her guardian to be appointed by the
court be made defendants hereto and
be compelled to deliver the same fully

and distinctly and that by decree
of the court the said slaves may
be divided or sold and the proceeds
divided amongst the parties entitled
thereto by commissioners for that purpose to be
appointed and may it please the court
to grant all this and further relief
in the premises necessary and proper
and as is duly bound
they will &c

William

The answer of Albert & Maria as answer
of Martha Mann and and in his own
right to a bill exhibited against him
in the ex court of Walsingham by Charles
& Maria & others

This respondent for answer
to said bill answers and says that
it is true he is the answer of Martha Mann
and and that the slaves mentioned
in the plain bill are under his con-
tract and moreover they are not
necessary to be held to pay any debts
of his intestate. As answer he has no
objection to a division or sale of said
slaves as the court may direct
but he claims his portion thereof
as brother and heir of his sister
the said Martha Mann in any
decree to be made in the cause
having thus answered he prays hence
to be dismissed with his costs &c in
this behalf expended

signed
Albert & Maria

Charles F. Mann, Eliya Mann and Milli-
an & Jordan and Mary P. his wife
formerly Mary P. Mann Plaintiffs

vs
Albert & Maria answer of Martha Mann
and & in his own right and Julia
& Maria by Nathl P. Young her gone
ad litem

By consent of parties and with
the assent of the court this cause was this day
docketed and came on to be heard on the
bill and answers filed and was argued
by counsel on consideration whereof the court
doth adjudge order and decree that Jos. F.
Mann, Albert & Maria & John Goodrich
who are hereby appointed commissioners do appraise
and divide the slaves Jane, Moses, Mary,
Daniel, boy Mary, Hannah and her child
Jane into five equal parts and assign one
fifth part thereof to each of the plaintiffs
and defendants, or if the same cannot
be conveniently divided in kind, then
the said commissioners sell the said slaves
at public auction after giving at least 15-
days notice of the time and place
on a credit of nine months except
so much as may be necessary to pay
the expenses of this decree & the costs
that they take from the purchasers bonds
with sufficient security in convenient
sums and pay over the net proceeds
of sale as follows to wit one fifth
part thereof to each of the plaintiffs
Charles F. Mann, Eliya Mann and
Milliam & Jordan in right of his
wife, one fifth part thereof to the
deft A. E. Mann and the remain-
ing fifth part to the legal guardian

of the infant defendant Julia A
Murre and report their presence
ing heron to the court in order
to a final decree

E. F. Murre &c

vs. ^{by} Chancery

Murre &c

Dec. 1841. Dec. 1842.

for &c &c.

Sept. 1842. Dec. 1842.

for &c &c.

final decree entered

Aug. 1844

Ex. 1844

The answer of Justice & Maime are infant
under 21 years by Martha P. Young her
and letters to a bill exhibited against her
by Charles F. Maime and others in the
co. co of Mississippi

This respondent by her answer
for answer to said bill answers and says
that she is an infant and begs to place
herself under the protection of the court,
asking that in any decree to be made
for a division or sale of the slaves of
her dead sister Martha Maime her
due portion may be allotted to her
and her rights & interest may be duly
protected & preserved. Praying that she
may be dismissed
with her costs &c.

Signed

H. P. Young & Co. Attorneys

Infants

answer

We the commissioners named in the
decree annexed, have valued the negroes of
the estate of Martha Whinn decd. and divided
them as follows, allotting to each one of the heirs
one fifth part in value, to wit: we allot to
William H. Jordan in right of his wife Mary
Man Henry & old Sam by his paying to Peter
B. Prentiss in right of his wife Eliza seventy
dollars, and to Albert Whinn as guard to Julia Ann
Whinn ten dollars. To Charles F. Whinn we
allot Man Moses by his paying to Albert Whinn
seventy dollars, and to Albert Whinn as guard
to Julia Ann Whinn ten dollars. To Peter
B. Prentiss in right of his wife Eliza we
allot by Henry by W. H. Jordan paying
him seventy dollars. To Albert Whinn we
allot Daniel by Charles F. Whinn paying
him seventy dollars, and to Albert Whinn
as guardian to Julia Ann Whinn we
allot Hannah and child Tom by Charles
F. Whinn paying her ten dollars & by
W. H. Jordan paying her ten dollars, and
this our report is respectfully submitted
to the Honourable court of Isle of Wight.
Signed this 29th Decr. 1841 by

Joseph F. Freeman
Jno W Goodrich
Albert G. Shivers

In Suffolk County Court, December Sixth 1841.
Charles F. Wrenn, Eliza Wrenn, and
William H. Jordan and Mary B. his
wife formerly Mary B. Wrenn
against

Albert E. Wrenn admor. of Martha
Wrenn decd. and in his own right,
and Julia Ann Wrenn by Nathl. P.
Young her guardian ad litem.

Plffs.

In Chancery

Defds.

On motion of the complainants Nathl. P. Young is app.
ss. ad litem to the Dy. Julia Ann Wrenn; and by
consent of parties and with the assent of the Court
this cause was this day docketed and came on to be
heard on the bill and answers filed, and was argued
by counsel; on consideration of the Court of the
aforesaid order and decree that Charles F. Wrenn,
Albert E. Wrenn and John W. Goodrich, who are hereby
appointed Commissioners, do appraise and divide the
slaves Sam, Moses, Henry, Daniel, boy Henry, Hannah
and her child Tom into five equal parts, and assign
one fifth part thereof to each of the plaintiffs and
defendants, or if the same cannot be conveniently
divided in kind, then the said Commissioners shall
sell the said slaves at public auction, after giving
at least fifteen days notice of the time and place,
on a credit of nine months, except so much as
may be necessary to pay the expenses of this decree
and of the sale. That they take from the purchaser
bonds, with sufficient security in convenient sums,
and pay over the net proceeds of sale as follows, to wit:
One fifth part thereof to each of the Plaintiffs Charles
F. Wrenn, Eliza Wrenn, and William H. Jordan, in
right of his wife; One fifth part thereof to the Dy.

A. E. Wrenn, and the remaining fifth part to the
Legal Guardians of the infant Deft. Julia Ann
Wrenn; and report their proceedings hereon to
the Court in order to a final decree.

Costs including a Copy
final decree about

Teste N. P. Young c. c.

\$15. to wit atty \$10. clerk \$5

Wrenn v. ad.

vs.

3 Co. Decree

Wrenn's adm. v. ad.

1842 Sept filed for
exceptions