

1857-003 Chancery Causes: Ann E. Wrenn, by & c. vs John W. Wrenn + Thomas Wrenn, by & c

Vol f

Thomas Wrenn, by & c vs John W. Wrenn + William Spratley, admr of

Ann E. Spratley
William Spratley + ut vs John W. Wrenn + other surnames: Wilson,
Thomas Wrenn HANKINS

Munn { Bill
or { Ans
Munn { &
{ Anna

Dec 7th 1846 Bill
of filed & Int. done

Munn: 6th 1848

Dec. amended,

Dec. out?

To the County Court of Delawaright in Chancery,
Sitting

Respectfully sheweth unto the Court your
Compt Ann & Thoma by John Wilson her next friend that many
years since Thoma Wilson the father of your Compt departed
this life leaving three children to wit your Compt Ann &
John W & Thos. Wilson all of whom are infants under the age
of 21 years your Compt states that the debt of the Estate
have long since been paid and that the slaves belonging to
said decedent have long since been paid into the hands
in grasp of John Wilson their guardian, and that it is now
expedient and desirable to divide the said slaves among
each of said parties which your Compt is advised can
be done by application to a Court of Equity where
matters of this sort are properly cognizable To that end
she prays that the said John W and Thos Wilson may be
made parties depts to this bill and apt and proper
words to charge them ^{and that they be compelled to answer the same} That thereupon a decree may
be entered appointing Com. to divide the said slaves
among the parties entitled, and that the Court will grant
to your Compt such other further relief as Equity
permits and her Case requires

Francis R. Patton Jr.

The answer of John W Wilson and Thoma Wilson
infants under the age of 21 years by J P Young
guardian ad litem appointed by the Court to
defend the infants depts

These respondents for answer
to said Bill as so much as they are advised
is material for them to answer answer sayeth
that the statements and allegations of the bill
are true so far as they know and believe they
are infants of tender age & commit their interest
to the honor of the Court and having answered
may be dismissed To N. P. Young Edward Wilson

Wrenn by her next friend

27

Wrenn's guardian

This cause came on this day to be heard to be heard upon the Bill, and answer of the infant deft by W. P. Young their guardian as his next friend... appointed by the Court and was argued by Counselors on Consideration whereof the Court did not agree or order decree that Geo. W. Canell, W. R. Standen, Joseph Wrenn and William Stott ~~and~~ be and they are hereby appointed ^{Commissioners} to divide the Slaves belonging to the Children of Thomas Wrenn dead into three parts, one share to each of said Children to wit Anna E. John W. L. and Thos. Wrenn or their legally qualified guardian make report in order to a final decree.

To the Worshipful County Court of Isle of
Wight County, in chancery sitting, humbly
complaining, sheweth unto the court, your com-
plainant Thomas Wrenn infant a son of Thomas
Wrenn deceased, being by Mrs Wilson as his next
friend that William Spratley (the defendant-
herein after named) & Ann E. Spratley his wife
late Wrenn on or about the 7th day of December
1846, filed a bill of complaint in this worship-
ful court of chancery, against your complain-
ant aforesaid & John W Wrenn the defendant-
hereinafter named, setting forth the death &
intestacy of Thomas Wrenn the father of the
said Ann E, Mrs W, & Thomas - that certain
slaves derived from the estate of their said
father were then in the hands of Mrs Wilson
the guardian of said children all of whom
were then infants, praying that one third of
said slaves might be allotted to the said
Ann E - that the said Thomas & Mrs W Wrenn
by their guardian ad litem filed their answer
to said bill - that at the Nov term 1848, of
said court, a decree was made in said suit
appointing George W Canoll, Wm R Hawkins
Joseph Wrenn William Stott ~~as~~ ^{as} commissioners
as more fully appears from the ~~pleadings~~ ^{pleadings} of said
suit to divide said slaves as aforesaid, that
said commissioners with the exception of Geo
W Canoll who did not act, proceeded to
value said slaves & allotted to said William
Spratley in right of his wife Ann E, as her
equal third part of said slaves, Claiborn
Tom, Peter, Susan, Fanny, Siller, & Dinney
(the latter being valueless) valued at \$1755.00,
which said negroes were received by said William
Spratley from said John Wilson late guardian of

the said Wrenn aphause that the said negroes
so received by the aforesaid William Spratley
was one full equal third part of the negroes
to which said Ann E was entitled from the
estate of her father Tho^s Wrenn, but also in-
cluded her third part of the negroes claimed
from the estate of her mother Mary Ann
Wrenn deceased - that the said commis-
sioners made no report of said division
though the parties received the benefit there-
of - that the said Wm R Hankins, & Jos^s
Wrenn, ^{have since} departed this life, without making
such report - that said suit is still de-
pending in said court - that the remaining
two thirds of said slaves, belonging equally
to your complainant & the said John W
Wrenn, consisting of the following negroes
Austin Senai, Isaac, Scott, Joe, Peter, Austin
Mary, Eady, Rejiah, Martha, Cherry, & Sam
12 in number, are now in the hands of said
John Wilson present guardian of your com-
plainant & late guardian of the said John
W Wrenn who has now attained the age of
twenty one years - that since the division
of said negroes & the receipt of the share of
the said William Spratley in right of his
wife the said Ann E, the latter has depart-
ed this life leaving her said husband surviving
that the said husband William Spratley
has since qualified as Administrator of his
said ~~wife~~ Ann E in the county court of
Sunny County, where the said Ann E resided
at the time of her death - that your complain-
ants are informed & so charge that notwithstanding
the omission of said commissioners to make

report of the allotment to the said Ann E of her
one third of the said slaves, yet as the said
allotment was fair & equitable & was received by
her & by her husband in her right, the same
should be held binding between the parties -
that the slaves aforesaid now in the hands
of John Wilson belong equally to your com-
plainant & the said John W Wrenn as dis-
tributors at law of their father Thomas Wrenn
& of their mother Mary Ann Wrenn &
that your complainant & the said John W
Wrenn are entitled to have partition made
of the said slaves between them - in tender
consideration whereof & for as much as your
complainants are without remedy at law &
can only be relieved by the aid of this worship-
ful court of Chancery where matters of this
sort are cognizable, to this end your complain-
ants pray that that the said John W Wrenn
& the said William Spratley in his own
right & as Administrator of his late wife
Ann E may be made parties to this bill & be
required to answer the same & that by a de-
cree of this worshipful court commissioners
may be appointed to make partition of said
slaves between the said Jos W Wrenn your
complainant, & that such other & further re-
lief may be granted as to the court may seem
proper & may consist with the nature of the
case your complainant will ever pray

Hayden p^r -

Wrenn
as } In Chancery
Spratley
et als }

Complainant's Bill -

Dec. 1. 1856. Copy filed &
filed & decreed.

March 2^d. 1857 app. of
division filed & final decr

App. set - 1857

To the Worshipful County Court of Isle of
Wight County, in chancery sitting -

The Answer of John W Wrenn, to the
Bill of Complaint in said court exhibited
by Thomas Wrenn against him & others.

This defendant desiring all right of
exception to the said bill of complaint for
answer thereto saith, that he cannot deny
the general allegations of said bill - More
particulars he admits to be true the allega-
tion of said bill that William Spratly in
right of Ann & his wife has received one
third part of the slaves belonging to the
estate of his father Thomas Wrenn deceased
& to the estate of his mother Mary Ann Wrenn
& that negroes received from said estate now
in the hands of John Wilson the defendant
late ^{Thomas} ~~John~~ Wrenn's present guardian, in
said bill mentioned belong to your said de-
fendant, & Thomas Wrenn the complainant,
your defendant has no objection to the
decree prayed for by said bill for the
division of said negroes in equal moities
between the said Thomas Wrenn your
defendant, & having answered he prays
hence to be dismissed with his costs in this
behalf most unreasonably expended.

Signed - John W Wrenn

Surrey County, to wit;

Personally appeared before me William
S. Port a justice of the peace for the County aforesaid
John W Wrenn & made oath to the truth of the statements
contained in his foregoing answer - Given under my
hand this 24th day of November 1835

Wm. S. Port J. P.

Memor
as
Spratley
et al.

Answer of Geo H. Kiem

To the Worshipful County Court of Isle of
Wight in Chancery sitting. The Answer
of William Spratley, in his own right & as
administrator of his deceased wife Ann E
who was before her marriage with him Ann E
Wrenn, to the bill of complaint in said court
exhibited by Thomas Wrenn against him
& others.

This defendant desiring all right of excep-
tion to the complainant's said bill, for answer
thereto says that he admits the general allega-
tions of said bill to be true. More particularly
he admits to be true the allegations of said
bill that the commissioners under the decree
therein named, did divide the negroes
belonging to the estate of Thomas Wrenn dead,
the father of your complainant's late wife
Ann E ^{& to the estate of Mary Ann Wrenn the mother of}
^{said Ann E} & assigned to him one third thereof, &
the remaining two thirds to Jos W & Tho Wrenn
the brothers of said Ann E, & that your com-
plainant after his marriage with the said
Ann E & by virtue of his marital rights did
receive the following slaves, Clayton, Tom,
Peter, Susan, Fanny, Siller, & Ginney (the latter,
being valueless), as the full equal one third
of ~~said~~ slaves to which he was entitled in
right of his said wife - that he claims no
interest in the remainder of said slaves now
in the hands of John Wilson as guardian of
Thomas Wrenn late guardian of Jos W Wrenn
in said bill mentioned & he hereby releases all
interest in the same. That he has no objection
to decree asked for by said bill for the division
of the remaining slaves ~~between~~ the said
Thomas Wrenn & John W Wrenn, & having

answered prays hence to be dismissed with his
costs in this behalf most unreasonably expended.
Jew-

Signed. William Spratley

Surrey County, to wit;

Personally appeared before
me William S. Burtt a justice of the peace
for the county aforesaid William Spratley &
made oath to the truth of the facts contained
in his foregoing answer - Given under my
hand this 14th day of November 1836

Wm. S. Burtt, J.P.

The son of Wm. Spratley

Memo
as
Spratley
of Real } the Chancery

Agreeable to a decree of The County Court of
Isle of Wight, pronounced on the 1st day of December 1856
(a copy of which is now before us) we have proceeded to
divide the negroes Austin Sr., Israel, Scott, Joe,
Peter, Austin Jr., Mary, Eady, Keziah, Martha,
Cherry & Sam into two equal moieties, having
regard to quantity and quality and have assigned
one of said moieties to wit: Austin Sr. Valued at \$880, Austin Jr. \$150,
Peter 1150, Sam 500, Martha 530, Cherry 300, Making \$3500 Value to
John W. Wrenn as his portion - And we have
assigned the other moiety to wit Scott Valued at \$950 - Israel
at 400, Joe 1050 - Mary 900 - Keziah 50, Eady 100, Making \$3450.00 Value to
The legal guardian of Thomas Wrenn being
said Thomas Wrenn's portion, and we have agreed
that to make the said moieties equal in Value that John W. Wrenn
shall pay to the legal guardian of Thomas Wrenn Twenty five
dollars, which amount of twenty five dollars has been
this day paid in our presence, and receipts as directed
by the Court's decree for each moiety is herewith handed,
all which is respectfully Submitted this 31st December
1856,

Joseph C. S. Barham
John F. Watkins
Thos C. Harrison
Wm A Warren

Composed

Decr 31st 1836 As the legal guardian of Thomas Warren
 I receive his portion of the negroes named in the report of
 the Commissioners this day - to wit. Scott, Isaac, Joe,
 Mary, Keziah & Eady, Valued at \$3450.00 — and \$25-
 of Mrs W Warren as within mentioned John Wilson guardian of Thomas Warren

Decr 31st 1836, Received this day my portion of the
 negroes named in the Commissioners report this day
 to wit Austin Jr, Austin Sr, Peter, Sam, Martha &
 Cherry. Valued at \$3500.00

John W Warren

Warren
 204
 Spradley
 & 204
 Spradley
 204
 Warren

Commissioners Report

Ann E. Wren by John Wren her next friend Compt.
against & by N. by.

John W. Wren and Thomas Wren

Left

The Complainant Ann E. Wren having intermarried
with one William Spratley, this fact is now suggested
and it is ordered that this suit proceed in the names
of the said William Spratley and Ann E. his wife against
the said Defendants, and this cause came, on this ^{the}
day by consent of parties and with the assent of the Court
upon the papers formerly read and was argued by Coun-
sel: On consideration whereof the Court doth order, adjudge
and decree that the decree pronounced in this cause on
the 7th day of December 1846, be amended, and that George
W. Canoll Wm. R. Hankins, Joseph Wren and William Stott
the Commissioners heretofore appointed to divide the slaves
with the Bice mentioned, belonging to the children of Thomas
Wren dec'd., do divide the same as heretofore directed, except
that after assigning the Complainant one third part thereof
the residue of said slaves they will not divide, but that
the defendants hold the same jointly in fee simple - and
the said Commissioners or such of them as may act, will
make report of their proceedings in order to a final
decree &c

Warm

as:

} Decree

Warm

To be entered

Entered

Wrenn
as
Wrenn
vs
Wrenn

as
Spratley & als.

By order of the court, these two causes came on to be heard together; the former in which ~~on the suggestion~~^{of} the death of the complainant Ann E Spratley wife of William Spratley & of his qualification as administrator of his said wife, & of the attainment of twenty one years of age of the defendant John W Wrenn, it was ordered that this suit proceed in the name of said William Spratley in his own right & as administrator of Ann E his late wife against the said John W Wrenn in his own name, on the papers formerly read, & the Plaintiff in the latter having filed his bill & the defendants John W Wrenn & William Spratley in his own right & as administrator of his late wife Ann E having filed their answers, ~~the said cause~~ ~~came on~~ to be heard on the bill & said answers & were argued by counsel, on consideration whereof the court doth adjudge order & decree that the allotment of the negroes in the proceedings of the latter suit mentioned made by the commissioners under the decree in the former suit to William Spratley in right of his wife Ann E be confirmed & be held binding between the parties & the court doth further adjudge order & decree that J. A. S. Barnham, John W. Watkins, Thomas C Harrison, & William A. Warren, who are hereby appointed commissioners for that purpose, any three of whom may act, do proceed to divide the negroes

Austin senior, Israel, Scott, Joe, Peter, Aus-
 tin jr, Mary, Eady, Rezin, Martha, Cherry
 & Sam, in the proceedings in the latter
 suit mentioned, ^{now in the hands of John H. Wilson} into two equal moieties,
 Having regard to quantity & quality, & assign
 one of said moieties to John H. Wilson
 & the other to the legal guardian of
 Thomas Wilson - taking their respective
 receipts therefore return said receipts
 with their report to court of their pro-
 ceedings under this decree.

Wilson
 as
 Wilson
 as
 Specialty
 of all
 }
 The Chancery

Prompt Obeyance -

In witness whereof
 I, John H. Wilson

Austin

At a Court held for Isle of Wight County on the 1st day
of December 1836

Thomas Wenn

Plff.

against

3 In Chancery

William Spratley adm^r. ^{or} & Mrs. W. Wenn

Defts.

and

Spratley Ann E. formerly Wenn

Plff.

against

3 In Chancery

John W. & Thomas Wenn.

Defts.

By order of the Court these two causes came on to be heard together; the former in which, on the suggestion of the death of the complainant Ann E. Spratley - wife of William Spratley, and of her qualification as adm^r. in the estate of his said wife, and of the attainment of twenty one years of age, of the defendant John W. Wenn, it was ordered that this suit proceed in the name of Said William Spratley in his own right - & as administrator of Ann E. his late wife - against the said John W. Wenn in his own name, On the papers formerly read; and the plaintiff in the latter having filed his bill, and the defendant John W. Wenn and William Spratley in his own right - & as administrator of his late wife Ann E. having filed their answers, the said cause came on to be heard on the bill and said answers, and was argued by Counsel on consideration whereof the Court doth adjudge order and decree, that the allotment of the negroes in the proceedings of the latter suit mentioned - made by the Commissioners under the decree in the former suit to William Spratley in right of his wife, Ann E. be Confirmed, and be held binding between the parties, and the Court doth further adjudge - order and decree - that J. A. S. Barkam, John W. Watkins, Thomas C. Harrison and William A. Warren, who are hereby appointed Commissioners for that purpose, any three of whom may act, do proceed to divide the negroes - Austin Senior, Israel, Scott, Joe, Peter, Austin Jr, Mary, Gady, Kiziah, Martha, Lechery, & Sam.

in the proceedings mentioned in the latter suit, Now in the hands of John Wilson, into two equal moieties, having regard to quantity - and quality, and assign one of said moieties to John W. Maenn - and the other to the legal guardian of Thomas Maenn. Taking their respective receipts therefor. and return said receipts - with their report - to Court - of their proceedings under this decree.

A Copy
Teste. J. C. Latimer D.C.

Maenn
vs.
Zloofy Decree
Spradley
&
Spradley & S.
vs.
Maenn

A Copy

March 2^d 1837 filed

Thomas Wrenn . 24
Jm Spratly admr &c
and
Spratly Chas E. formerly Wrenn
24

Johull & Thomas Wrenn

By order of the Court these two causes again
came on to be heard together, the former on
the papers formerly read & on the report of
Commissioner Joseph C. Sturges John
W. Watkins Thomas C. Harrison & Wm
Warren made pursuant to a decree in
said suit of December term 1856 &
the latter of said suits on the papers
formerly read were argued by counsel
on consideration whereof the Court confirming
said report & which were captions were filled
doth adjudge order & decree that the petition
of slaves has shown by said report to be
from & binding between the said Johull
& Thomas Wrenn & that they respectively
hold the said negroes according to said
report & the Court doth further adjudge
order & decree that the parties to each
of the suits aforesaid contribute mutually
to the costs of the same

Wren

04
Sparrow

Sparrow

04
Wren

2
in Chaucery

Rough Decree

March Term

1857

To be entered

J. W. Carroll