

1797-004

SOUTHAMPTON COUNTY  
CHANCERY PAPERS

SUTER

vs.

SUTER'S EXECUTOR

9/1797

other surnames: Smith

Suter } Bill de  
75 } Chaney  
Suter's upon ~~the~~

Sept. 1797  
Jmly Deane

Wife

To the Justices of Southampton County Court in  
Chancery sitting Humbly complaining  
sheweth to the Court your Oratrix Angelina  
Suter by Winnifred Suter her <sup>Guardian</sup> ~~next friend~~  
~~next friend~~ that having preferred her bill  
against the heirs of Arthur Suter deceased who  
was devisee of William Suter, who was devisee  
of John Suter senior the father of your Oratrix,  
in order to set aside and annul his last  
will and Testament so far as relates to your  
Oratrix, and the Court having decreed  
according to the prayer of the said bill, and  
ordered a division & allotment of her share  
of the real estate whereof the s.<sup>d</sup> John died  
seized & possessed as will fully appear by  
referring to the proceedings & records of the County  
Court aforesaid - it remains now for this Court  
to make a similar decree respecting the slaves  
and personal estate whereof he died possessed  
after payment of debts and allowing reasonable  
disbursements to the ~~executor~~ That with  
these Ideas your Oratrix hath applied to Henry  
Smith the ~~executor~~, [~~as also to Mark Rogers & Rebekah~~  
~~his wife formerly Suter and devisee of the s.<sup>d</sup> John,~~  
~~and to the several & respective heirs of Arthur Suter~~

~~to~~ to consent to and cause to be made a  
division of the negroes & other personal estates as  
aforesaid but the s<sup>d</sup> Exor ~~[together with the~~  
~~other persons concerned]~~ hath expressed His doubts  
as to the propriety thereof, ~~and some of them~~  
~~alledge their infancy and want of power to act~~  
~~for themselves herein~~ So the end therefore  
that the said Henry Smith the Exor - ~~[Mark~~  
~~Agnes and Rebekah his wife, Edmund Suter,~~  
~~Eliza Chammell & Elizabeth his wife (formerly Suter)~~  
~~Henry Suter if, may answer the allegations of this~~  
~~Bill, and that the Court will order & decree a~~  
sale of the aforesaid property, to wit negroes Calia  
& Child, 'Cresia, Phil, & Miller, <sup>on a credit till Christmas next</sup>  
<sup>upon such terms as</sup>  
their discretion shall dictate, and allot to her the one  
tenth part of the proceeds thereof, <sup>& the other personal estate.</sup> by Comrs chosen for  
that purpose, & make report &c. may it please  
the Court so to.

The answer of Henry Smith Exor. of the goods &  
Chattels, right & credits of John Suter s<sup>r</sup> & c<sup>d</sup>.  
to the bill of Complaint exhibited on the Decree  
of this worshipful Court, by Angelina  
Suter by Winifred Suter.

The Defendant saving himself to himself every  
benefit of exemption <sup>to</sup> the said Bill of Complaint -  
Answereth & saith that the allegations therein contained  
are true - and that the Court may make such  
the decree therein as may be just & equitable  
This respondent prays hence to be discharged  
with his reasonable costs.

Henry Smith Exor

Henry Smith }  
James Gre } Comrs or any three of  
Wm Bleunt }  
& Harry Bleunt }

Secta  
21  
Secta 2

Ints.  
Decree

Sep. 1797  
Report returned  
of 11 subdecrees

Southampton Sep. Session 1797

Angelina Suter by Wernicus Suter, Compt.  
her guardian & next friend  
against

Henry Smith executor of John Suter s.<sup>r</sup> deid

This Cause was this day docketed by the consent of the parties  
and heard on the bill and answer & the arguments of the  
Counsel. On consideration whereof it is decreed & Ordered  
that Henry Smith James Gee William Blunt &  
Henry Blunt or any three of them make sale of  
the slaves Celia & child Presia, Phil & Willis in the bill  
mentioned on a credit until the 25.<sup>th</sup> day of December  
next giving due notice of the time & place of the sale &  
take bonds & sufficient security therefor & allot to the  
Complainant Angelina Suter One tenth part of the  
amount of the sale & make report thereof to the next Court  
in order to a final decree

W<sup>th</sup>  
Samuel Wells &  
C<sup>o</sup>

Estate John Suter Rec<sup>d</sup> ----- A<sup>o</sup> Contra ----- B<sup>o</sup>

			£	s	d	
	Oct 6 <sup>th</sup> 1797	Celia & Childs ---	To Mark Rogers ---	60	0	—
		Willis ---	D <sup>o</sup> --- D <sup>o</sup> ---	38	0	—
		Creacie ---	--- D <sup>o</sup> ---	80	1	—
		Phillip ---	--- D <sup>o</sup> ---	80	0	—
				<u>258</u>	<u>1</u>	<u>—</u>
		Ballance	Due the Estate			

Dec<sup>r</sup> 18<sup>th</sup> 1797  
 To the Ex<sup>o</sup> Commissions for selling  
 and settling the above  
 Estate

In obedience to and order Directed to us from the Worshipfull Court of S<sup>am</sup>pten  
 we the Subscribers have given due Notice; and Made Sale of the Slaves in the order  
 mentioned, giving Credit as Directed us; untill the 25<sup>th</sup> of December 1797. as witness  
 our hands this 18<sup>th</sup> day of December 1797

Henry Smith  
 Henry Plunk  
 William Plunk