

1822-27

SOUTHAMPTON COUNTY
CHANCERY PAPERS

APPLEWHITE ^{vs} vs. APPLEWHITE'S EXTOR ^{vs} vs

9/1822

other surnames: Clifton

Appluwhites

107 3

Appluwhites

February 1879 Hill. decree

To the honorable Court of Southampton in Chancery sitting
Humbly complaining shew unto your Honors your
complainants, Mary Applegate and Thomas Clifton and
Nancy his wife late Nancy Applegate. That Hardy
Applegate the father of your former complainants
departed this life sometime in the month of
December 1808 having first made and executed
his last will and testament which has been duly proved
a copy of which is hereto annexed and proved to be authentic
as a part of this bill. That he appointed his wife
Charlotte and his brother Thomas Applegate his
exor and exor. That ~~qualified~~ Thomas Applegate
alone qualified as executor, and reduced the personal
estate of the decedent into his possession. That the testator
among other things directs all the surplus of his personal
estate to be equally divided between his children.
That he left eight children all of whom are now living
viz your former complainants, Martha, Arthur,
and ~~four~~ ^{four} ~~of~~ ^{of} tender years to wit, Henry, William
Thomas, and Elizabeth. That in the surplus of
said decedent's personal estate are six slaves
Edoy, Jim, Guss, Nat, Frank, and Edy; to which
his aforesaid children are equally entitled. Your
complainants state that it is impossible that the
slaves aforesaid can be divided in kind among
the parties entitled, and that to effect a division
a sale must be had by virtue of an act of Assembly
in such cases made and provided which they

an advice cannot be done without the
aid of a Court of equity. In tender consideration
whereof and in as much as your complainants
are without remedy save in this Court, they
pray, that the said Thomas Appleyhill executor
as aforesaid and the said Martha and
Arthur Appleyhill, and the said infants Henry
William, Thomas, and Elizabeth Appleyhill, by
some friend to be appointed by the Court to defend
them in this behalf may be made defendants
unto and be compelled to answer all and singular
the allegations herein contained fully and
unreservedly. They further pray that the slaves
aforesaid may be cleared to be sold and the
proceeds of the sale equally divided among
the parties interested. And they pray for
General relief — &c —

Thomas Clayton

To the honorable Court of Southampton
in Chancery sitting —

The joint and separate answers
of Thomas Appleyhill executor of Henry Appleyhill and
of Martha Appleyhill and Arthur Appleyhill,
and of Henry, William, Thomas, and Elizabeth
Appleyhill infants by their next friend Thomas
Appleyhill appointed by the Court to defend
them in this behalf —

These respondents now and at
all times owing &c. for answer to the foregoing
bill say that they believe the statements therein
contained to be true, and they are willing to
abide by such decree in the premises as may be
right and just and having answered they pray to
be hence dismissed &c —

Thos Appleyhill

Applicant K.

In Chancery.

Applicant K.

This cause was this day docketed by consent of parties and opened of the Court and was heard on the bill answers, exhibit and arguments of Counsel whereupon and after due consideration thereof had the Court doth advise order and decree that Messrs B Goodwyn, Francis Ridley Eden and Keen, and Sprattly Williams and Thomas Ridley or any three of them do after giving reasonable public notice of the time and place of sale, expose the slaves mentioned in the bill, Edy, Sam. Gurse, Nat, Frank and Edy to public auction on a credit of 9 months that they divide the proceeds of the sale into eight equal parts, and take bonds with sufficient security for each separate part. That they deliver one of said bonds to the complainant Mary, one to the complainants Thomas Clifton and Nancy his wife in right of his wife, and one to each of the defendants Martha and Arthur, and one to the guardian or guardians of each of the infants defendants, Henry, William

Thomas and Elizabeth Applewhite & Anne
It is further ordered that the parties give reference to the execution
it is further ordered that they or each of them
as may act do make a report of their
proceedings herein in order to official
record -

Commissioner's report
of sale of land of Appleton
Mass.

Sept 16th 1822. recd
D. C. ———

Agreeably to a decree of the County Court of Southampton bearing date February Court 1819. We the subscribers have made sale of the Slaves of Hardy Applemhite du? as named in said decree, an acct. of which, follows.

The estate of Hardy Applemhite du? in acct. with

William B. Goodwyn, Francis Ridley, Sprattley Williams, Compro Cr.

1819.				1819.							
February	25.	To paid Thomas Clifton for his acct. of this date	4	48	5	6/4	February 24	By Sale of Nat to Charlotte Applemhite due 24th November 1819	3	71	00
1820	"	" paid Mary Applemhite for ditto	4	48	5	6/4	"	" sale of Edy to Mary Applemhite due 24th November 1819	3	45	00
March	24	" paid Martha Applemhite for ditto	4	48	5	6/4	"	" sale of Edy to Thomas Applemhite due 24th November 1819	3	39	00
August	28	" paid Henry Applemhite for ditto	4	48	5	6/4	"	" sale of Frank to Thomas Applemhite due 24th November 1819	3	600	25
1821.							"	" sale of George to Allen Jones due 24th November 1819	3	835	25
Novem.	28	" paid Charlotte Applemhite, Arthur Applemhite part of sale, (which was conveyed to her by deed of trust,) as for Henry Applemhite's acct. as her agent, by power of Attorney	4	48	5	6/4	"	" sale of Jim. to Lewis Dupree due 24th November 1819	3	952	00
1822.											
March	8	" paid William Applemhite for his acct. of this day	4	48	5	6/4					
	18	" paid Thomas Applemhite Guardian to Elizabeth v. Thomas Applemhite for his acct. of this date	3	897	12	1/2					
			dollar		3588 50					dollar 3588 50	

Sprattley Williams
Wm B. Goodwyn

Williams & } Chey
 } Bonds
Williams &

deposited in the Clerk's
Office

Jan'y 18th 1879 Recd
to be filed for
Safe Keeping —

