

1829-031 SOUTHAMPTON COUNTY HARRIS et al VS. HARRIS' admr & al

CHANCERY PAPERS

3/1829

other surnames: Edwards,
Summrell

Harris & Co

in Ball & Co. & Co

Edward & Co

+
1828 Decr. decr. as filed
1829 March Report returned &
final decr. by court.

To the worshipful the County Court of Southampton
sitting in equity: Humbly complaining shew to
your worship, your Compts. Asuet Harris, and
Nathan, Nancy, Edwin, Frances & Elizabeth Harris,
orphans of Richard Harris dec^d by Elias Summerville
esq, their next friend, that Nathan Harris, a lunatic
late departed this life, in this County, possessed of a
valuable estate real & personal, intestate, unmar-
ried and without issue. That his next of kin,
and heirs, were your Compt. Asuet Harris his
brother, and your infant Compts. children of
Richard Harris dec^d who was a brother to the said
Nathan, and Nancy wife of Peter Edwards, who
was a sister to the s^d Nathan. That admⁿ has been
granted on his estate, by this worshipful Court to
the said Peter Edwards, and your Compts.
believe, that the debts of the estate will cost
under it necessary that he should retain the
negro slaves of the deced^d int. They are therefore
anxious, that a division of the land and slaves
should be had at the same time. But so it is
may it please the Court no such division
can be compelled without the aid of this Court
sitting in equity. In consideration whereof
and forasmuch as your Compts. are remedied
at Law, and only releivable in equity where
such matters are cognizable. To the said
That the said Peter Edwards as admⁿ. as afores^d
and he & his said wife in their right as heirs.

as afore^d may be made Defendants hereto, and com-
pelled to answer the allegations hereof, they pray the
commonwealths writ of Sp^{ca} &c. that your worship
will compel a division of the said land & slaves
amongst the several parties agreeably to their re-
spective rights, and as in duty bound, they will ever
pray &c.

The answer of Peter Edwards & Nancy his wife,
and of the said Peter as adm^r of Nathan Harris
dec^d to the foregoing Bill of Complaint. These Respon-
dents saving &c. for answer say, that they have no ob-
jection to the proper measures being taken for ascer-
taining the proper & peculiar portions of the said
decedents land & slaves, belonging to their heirs
at law, who he admits are correctly set forth
in the said Bill. But he begs leave to state
that, at the time of his death, the said Richard
Harris father of the infant Complt^s, was indebted
to the said Nathan in his lifetime, and also to
Gr. Respondent Peter, in considerable sums of
money. That your s^d Respondent has filed his
bill in this most honorable Court, praying that their
interests in the said Nathan's estate may be subject
to pay those debts of their ancestor. That subject
to the proceeding of that suit, your Respondents
have no objection to the decree prayed for, and
having answered they pray to be hence dismissed
&c.

Harris & Thiers.
" "
Edwards wife &c.

Plff. }
} In Chy.
Defats. }

This cause was this day docketed by consent of
parties, with the assent of the Court, and came on
to be heard on the Bill answers & was argued
by counsel. On consideration whereof the Court
doth adjudge, order, and decree, that Wmth Lee,
Stath^t. Rochelle, and ^{James J. Brown} William Jackson or any two
of them do divide the negro slaves belonging to
the estate of Nathan Harris dec^d into three parcels
of equal value, and allot one to the plff^s New-
st Harris, one to be held by the Defat Peter
Edwards as adm^r of the s^d decedent, & him need
out, until the further order of this Court, and
for the portion of the orphan children of Richard
Harris dec^d and the remaining part allot
to the Defats Edwards wife - That they & those
executing this decree, do, attended by the
County surveyor, divide the land, whereof
the said Nathan died seized into three parcels
of equal value, and allot one to Newst Harris
one to the Defats Edwards wife, and the
other to the s^d orphan children of Richard Harris
dec^d, to remain, nevertheless, subject to the proce-
ding, in the suit in this Court, to which reference
is made by the Defats in their said answer,
and that the s^d Comm^{rs} report their proce-
ding to Court, in order to a final decree.

Harris & Co
" Elapay deane
Edwards & Co

Southampton County December Court 1828

Newell Harris, of Nathan, Nancy, Edwin & Frances Elizabeth Harris
orphans of Richard Harris dec^d. by Silas Summerville their next friend Plffs:
against

John Chanery

Peter Edwards & Nancy his wife, and the said Peter
Edwards administrator of Nathan Harris dec^d. } Defs

This cause was this day docketed by consent of parties with the assent
of the Court, and came on to be heard on the Bill and answer and
was argued by counsel. On consideration whereof the Court, doth advise
order and decree that William H Lee, Nathaniel Richelle and James Jackson or
any two of them do divide the negro slaves belonging to the estate of Nathan Harris dec^d
into three parcels of equal value, and allot one to the plaintiff, Newell Harris, one to
be held by the defendant Peter Edwards as agent of the decedent, & by him hired out
until the further order of the Court, as and for the portion of the orphan children
of Richard Harris dec^d and the remaining part allot to the defendants Edward
Harris, that they or those executing this decree, do attend by the County
Surveyor, divide the lands whereof the said Nathan was seized into three
parcels of equal value, and allot one to Newell Harris, one to the defendants
Edwards & wife and the other to the said orphan children of Richard Harris
dec^d to remain nevertheless, subject to the proceeding in the suit in this
Court to which reference is made by the defendants in their said
answer and that the said Commissioners report their proceedings to
Court in order to a final decree

Attest James Richelle cc

Report of Division
of Negroes
Edt. of N. Harriett.

In pursuance of a decree of the County Court
of Southampton Co^a for December 1828. We the com-
missioners appointed by said Court have this day pro-
ceeded to divide the negroes belonging to the Estate
of Nathan Harris dec^d and report that we have
~~divided~~ and allotted the said negroes as follows

To Newit Harris, Ben, Patty, Nigg, Liddy
and Milly, and to

Peter Edwards and wife, Bill, Pilot, John,
Bob, Zency and Joan, and to

The orphan children of Richard Harris dec^d
Henry, Sam, Nancy and Peggy.

We furthermore report that on viewing and consider-
ing the land we have not deemed it worth three
hundred dollars to each share, and therefore have
not proceeded to divide it.

The parcel of negroes allotted to Peter Edwards
being the most valuable we report that Peter Edwards
should pay to Newit Harris three dollars and
33 $\frac{1}{3}$ Cents and to the orphan children of Rich^d
Harris dec^d eight dollars and 33 $\frac{1}{3}$ Cents, in order
to make their lots of equal value. Given
under our hands this thirtieth day of December
1828-

Wm. H. Lee
Nathl. Rochelle
James Jackson