

1842-028 SOUTHAMPTON COUNTY
CHANCERY PAPERS

NEWSUM

VS. NEWSUM et al
3/1842

Other SURNAMES: PERSON

To the respectable, the County Court of Southampton
Sitting in Chancery.

Humbly complaining, I shew unto
your worship, your Compt. David Stinson, that many
years ago his Father David Stinson of this County and
estate leaving a widow, Martha and five children
Sally, Virginia, David, Randolph and Rebecca - that the
Testators property was divided according to Law and
one third of the same was allotted to the widow for
life - that the widow has lately departed this life
intestate, and your Orator has qualified as her
your Compt. further states that after the division of
his Fathers property, Randolph Stinson, one of the children
departed this life, leaving his mother, and brothers and
sisters as above - that Sally Stinson with her
and one having one child now an infant, named Mrs.

Persons ^{and Mrs. Virginia Stinson, who has qualified}
and ^{as her} without issue - your Compt. is
that his mother, on whose estate, he has qualified, is entitled
in the division of the same held by her for life to
thirds of her deceased husband's personally, to a portion
interest of those of the children, who died, leaving
intestate, and unmarried - your Orator further states that
Rebecca Stinson, and Lewis Persons are infants of tender
years, and consequently no division can be had, with an
application to this Court.

In tender consideration of all which, and as
much as your Orator is without remedy except as a Court
Equity, whose matters of this kind are peculiarly cognizable
to the end thereof, your Orator begs your worship to make
Rebecca Stinson, and ~~Persons~~ ^{Mrs. Persons} ~~Persons~~ ^{infants} ~~Persons~~
hisself. that you will appoint, some fit and proper person
to defend the ^{of the defendant} interest in this suit. that you will appoint
proper persons to divide the same, held by Martha Stinson
widow of David Stinson and for life - according to Law and
the rights of the parties - that you grant such other
and general relief in the premises, as Equity may require
as in any behalf.

Chambers for the
Compt.

Answers of Rebecca Atkinson and ~~Jemima Person~~ to the Court
of John A Person this Guardian ad litem, ^{and by John A Person ad. of Sally Person et al.}
complaint exhibited against them, by David Atkinson in his
own right and as adm. of Martha Atkinson ac?

This aft. saying et. for answer saith that the
facts containing in the Compts bill, are true, and that
no reasonable objection can be afeigning, why such a
bill should not be made, as the Plff. desires and
sought to be done as in bill et.

Rebecca Atkinson }
Jemima Person } DeC.

This day this cause was argued by
the parties, and with the leave of the Court
as to be heard on the Bill, answer of John
A Person, who is appointed Guardian ad litem to the
afts. Rebecca Atkinson and ~~Jemima Person~~
was argued by Counsel, on consideration whereof
the Court with advice of law and record, that David Person
and David Harris who are hereby appointed
for that purpose seized the Slave bid, by Martha
Atkinson, widow of David Atkinson ac. for life, as her third of 5?
Share personally - and allot one tenth part of the whole
to David Atkinson as adm. of Martha Atkinson ac. - that the
remaining nine tenths, be divided into three equal parts
and that one part be afeigning to David Atkinson - one part
to Rebecca Atkinson, and one part to ~~John A Person et al.~~
infant son of John A Person, by his wife Sally ^{his wife lately}
Atkinson. - If a division can not be effected within
the Court will sell on a credit of 12 Months. and acced
the proceeds - and make report to this Court in order
to a final decree - If a division can be made into three equal
parts, without a sale, the Court will disregard the one tenth, as being
to be paid to the adm. of Martha Atkinson ac.

Atkinson
N. Person et al.
Cha

Bill Ans. & Decree
1841 Nov. Deuce as filed
1842 Feb. Report.
Mr. Binaldian X

Newsom

to } Copy Deleted

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Southampton November Court 1841.

David Newson

against.

Rebecca Newson by John A Person her guardian ad litem and the
said John A Person admor. of Sally Person dec^d.

Self } In Chancery

Dfts }

This day this cause was docketed by consent of parties, and with the
assent of the Court, came on to be heard on the bill, answer of John A
Person who is appointed guardian ad litem to the infant defendant Rebecca
Newson and as administrator of Sally Newson and was argued by Coun-
sel. On consideration whereof the Court doth adjudge, order and decree
that Newt Drew, William A Jones, and Howell Harris who are hereby
appointed Commissioners for that purpose, divide the slaves held by
Martha Newson widow of David Newson dec^d for life, as her thirds
of said David's personalty - and all at one tenth part of the whole to David
Newson as administrator of Martha Newson dec^d - that the remaining
nine tenths, be divided into three equal parts and that one part be
assigned to David Newson, one part to Rebecca Newson and one part
to John A Person administrator of Sally his wife lately Newson -
If a division cannot be effected in kind the Commissioners will sell in
a credit of twelve months and divide the proceeds - and make report
to this Court in order to a final decree - If a division can be made into
three equal parts without a sale the Commissioners will disregard the
one tenth directed to be paid to the administrator of Martha Newson.

Attest Testa - L R Edwards Clk

Pursuant to the annexed decree, we the undersigned
Commissioners have divided into three parts,
the slaves held by Martha & Susan, widow of
David & Susan, are for life, as we could not effect
a division without a sale to allot to the part
of Martha & Susan the one tenth spoken of in
the decree, we have disregarded that part of
said decree as we are directed so to do, and
divided said slaves into three parts, which
is as follows. (Wife) Frank and Martha in lot
No 1 valued to \$575 and drawn by Henry
Hurd Guardian for Rebecca & Susan, deduct for
keeping old woman Dinah, her life time, which we
put to said lot, of 100, leaves a balance of \$475,
& then receives from lot No 3, the sum of \$8.75,
which makes \$483.75, which is each his portion of
said slaves. Lot No 2, Cyrus & Nancy, valued
to \$400 drawn by David & Susan, & receives from
lot No 3, the sum of \$33.75 which makes the amt.
of his portion, Lot No 3, for Mary & Child, valued
to \$525, and drawn by John & Susan widow
of Lewis & Sally his wife lately & Susan, which
lot has to pay to No 1, the sum of \$8.75, and to
No 2 the sum of 33.75 dollars which leaves the
sum of 483.75 dollars, the amt. of his portion,
which we humbly submit to this Court.

Given under our hands this 29th day of
December 1841

Heret Dren

W. A. Jones

Harold Harris

Commissioners