

1846-033

SOUTHAMPTON COUNTY
CHANCERY PAPERS

VICK et al vs. WORRELL, ADM'R. of VICK et al
3/1846

other surnames: Pope

Vick

or

Worcester

} B. C. H.
Loom

1845 Div. Duncan (filed)

1846 Feby Report.

Mar.

Conf.

To the worshipped County Court of

Southampton in Chancery Sitting.

Humbly complaining sheweth unto your worships
of our complainants Patience Vick widow of
Matthew Vick. Mary A Vick & Martha J Vick
children of sd M. Vick who are of full age. that
their father M. Vick departed this life some time
since. intestate, leaving some personal estate
which was committed to Thos B Worrell for
administration, the widow one of your Compts
is anxious to have her thors assigned to her and
the children are anxious for a division of the residue
But thy beg leave to state, that sd M. Vick
as Guardian to his five children stood indebted to
them in the sum of \$474-86 for which his
sd M. Vicks estate is bound, but as thy are also the
legatees of sd M. Vick, thy by consent of the acts of
M. Vick, prefer retaining the negroes to a sale
of sd Slaves. Thy therefore, as thy are remedied
at Law & only releasable in Equity pray the
Court to authorize the payment of this debt
by a valuation of part of sd negroes before the
widow thors are assigned to her, after which thy
pray that Commissioners may assign to the widow
her thors and divide the residue amongst the
five children, if practicable otherwise order
a sale for the purposes of a division and
do all other things necessary to be done to
carry out the wishes of before Compts in this
respect and thy will ever pray & --

R & G.

The Joint Answer of Thos B Worrell and
of Mr. Vick & Sally C. Ann E. & Caroline W
Vick infants of Mr. Vick by Thos B Worrell as their
next friend -

These Respondents saving all benefit of
just exception that may hereafter arise, for
answer, say, that they have no objection to
the decree prayed for & having answer prays
to be hence dismissed. - R & G.

Vick & others

vs

Worrell and others

Decree

This day this cause was docketed by
leave of Court and consent of parties and came
on to be heard on the bill and answer and
was argued by Counsel. On consideration whereof
the Court doth order adjudge and decree, that
Jacob Barnes, Selah Elsworth John M Deal
Henry Kindred and Harrison P. Pope be appointed
Commissioners any three of whom may act,
that they proceed in the first place to value the
negroes of Matthew Vick, and then to allot to the
children negroes in valuation, to an amount sufficient
to satisfy the debt due from Matthew Vick Guardian
to his children, to be ascertained by an account of said
guardianship, to be audited by a Commissioner of
this Court. after this allotment, then said Commissioners
are out of the balance of said negroes to allot one
third part (negro being had to value) to the widow
for her natural life, and then divide the residue
of said negroes (if practicable) into five equal
shares (negro being had to value) and allot
one share to each of the five children respectively
If said division cannot be made, then said Commissioners

are authorized & required to sell said residue, upon
a credit of nine months, the bond to carry interest
from date of said bond. and divide the proceeds of
said sale into five equal parts and assign the
same to the five children, as aforesaid - but
before said bond in the event of a sale, or said
negroes if divided are delivered, said children of
Mr. Vick or their guardians for them are to
accede to Thos B Worrell the administrator, bond
conditioned, to refund due shares or proportions
if any debt or demand that may hereafter come
against the estate of said Mr. Vick, and also to
refund to such child or children or their
mother Patricia Vick may hereafter bear
lawfully begotten of her body, their proportion
of the legacy derived from the estate of
their grand father John Vick of Nash County
N Carolina. In the absence of a guardian
to any one of said children, the Commissioners may
pay over their proportion to Thos B Worrell the
administrator. and report to them
proceedings to the Court in order to a final
decree

Vicks

to } Report

Vicks ad.

1826 Febry. Report.

Agreeably to a Decree of the County Court of Southampton, dated December Court 1845. We the undersigned Acting Commissioners expressed in said Decree, in obedience to the requisitions thereof, have proceeded to value the slaves of Matthew Tick, dec'd, - which valuation amounts to One Thousand Nine hundred and fifty dollars. - from that Amount we have deducted Four hundred and sixty dollars, being about the amount due said Matthew Tick's children, from him as their Guardian, as appears by the Guardian account made up to December 31st 1845. by William B. Shands Comm^r. - which leaves One thousand four hundred and ninety dollars; out of which, we have assigned to Mrs. Patience Tick (Widow of said Matthew) as her Dower for life, the following slaves, (to wit) Woman Mary & Child, Mary, valued at Three hundred and fifty dollars, and Boy Jack valued at One hundred and seventy five Dollars. - We found it to be impracticable to divide the ballance of said slaves equal in valuation between the children of said Matthew Tick, we therefore, as in that case directed by the Decree aforesaid, sold them at Jerusalem on Monday the 19th inst. at publick Auction on a Credit of nine months, the bonds carrying interest from the day of sale. - they were purchased as follows.

Boy Tom	To Daniel F. Dringgoole	402. 00
Girl Dicy	" Harrison J. Moore	315. 00
" Violet	" Daniel F. Dringgoole	213. 00
" Henrietta	" Mary Ann Tick	121. 00
" Hannah	" Elisha Pope	85. 50
Amount sales		1136. 50
Deduct Commissions \$35.91 - Attorneys fee \$10.00 - Clerks fee \$2.38 - =		48. 29
Ballance		1088. 21

Out of which ballance we have paid to Mary A. Tick and Elisha Pope, in right of his Wife Martha Jane, the sum of Ninety two dollars and four Cents each, being their proportions of the ballance due on the Guardian account aforesaid, including interest to this day. - and have taken their repunding bonds for the same, made payable to Tho^{ts} B. Worrell Adm^r of said Matthew Tick; we have

also paid to said Mary A. Vick, and Elisha Pope in right of his
Wife as aforesaid, the sum of One hundred and twenty five
dollars and sixty cents each, being their full shares, or pro-
portions of the balance of the sales of the Slaves aforesaid.
and have taken their refunding bonds made payable to
Thomas B. Worrell Adm^r as aforesaid for the same -
the balance, say Six hundred and thirty two Dollars
and ninety two cents, belonging to Sally C. Ann Eliza and
Caroline A. Vick, all of whom are under age, and having
no Guardians, we have paid over to said Th^o. B. Worrell
Adm^r of Matthew Vick, as directed by the Decree aforesaid,
and have taken his receipt for the same. all of
which is respectfully submitted to the Court. —
Given under our hands this 31st day of January 1846.

Henry Hindes Com^r
Harrison B. Pope
Selah Ellsworth