

1857-122 SOUTHAMPTON COUNTY
CHANCERY PAPERS

PRINCE VS. PRINCE et al

7/1857

Plat

other surnames: Grizzard,
Edwards

Prince

no. 3 Bill, answer & answer

Prince &c. —

1853 Nov. Donee as filed.

1857 June Report

" July - Confirmed

To the worshipful the county court of Southampton in
chancery sitting.

Humbly complaining sheweth unto your
worships, your complt: Martha Prince that in the year 1852
Wm Prince of this county departed this life after making his
will which has been duly admitted to record & a copy
of which is herewith filed & proposed to be taken as a part
of this bill. Your complt: alleges that The deceased
left your complt: his widow, and six children all
provided for by said will. Your complt: not being
satisfied with the provision made ^{for} her in said will
has duly renounced the provision therein made ^{for} her and
claims her share in said estate. Your complt: alleges
that having renounced the provision of said will, she is
advised that according to Law she is entitled to $\frac{1}{3}$ of the
negro slaves and the lands whereof the deceased died possessed
& seized of. In further consideration whereof and for
as much as your complt: is remedied at Law and
only relievable in a court of Equity. To the end that
Wm Prince and John H. P. Grizzard in right of his wife
Martha formerly Prince and Mary Ann, Rosa, James and
the infant child by L. R. Edwards their Guardians ad litem
may be made parties defendants to this bill & true
answers make to the allegations & that your worships will
~~make~~ make an order appointing court to allot her
~~portion~~ the negro slaves & land of the deceased and grant
her other general and special relief as equity
dictates & the nature of the case requires and as in
and by heretofore she will not pray &c.

Prince for Complt:

The joint answer of Wm Prince & John H. P. Grizzard
in right of his wife Martha.

Three defendants saying ^{vs} for answer say that they
do not gainsay the allegations contained in said bill
& do not object to the decree prayed for & having
answered pray hence to be dismissed

The answer of May Ann, Rosa Jones, and infant
child by L. R. Edwards their guardian ad litem

Three defendants say that they are of such tender
years, it is impossible for them to know their rights &
pray the protection of this court.

Prince
vs: } Dices
Prince &

The court doth appoint L. R. Edwards guardian
ad litem to the infant defendants.

This day this cause was docketed by consent of parties &
the content of the cause came on to be heard on
on the bill, answer of defendants, exhibit and argu-
ment of counsel. On consideration whereof the court
doth ~~appoint~~ adjudge, order, and decree that Saml
Dreury, James Dreury, Joel Prince, and David Prince or
any three of them allot to Martha Prince widow of Wm Prince
dec'd $\frac{1}{3}$ in value of all the lands whereof the deceased died
possessed, and $\frac{1}{3}$ of the negro slaves to be held by her
during her natural life as dowry. And the court doth
further decree that the same commissioners allot to Wm Prince
 $\frac{1}{6}$ in value of the remaining ~~of~~ of the negro slaves & to
John H. P. Grizzard in right of his wife Martha formerly
Prince $\frac{1}{6}$ of the $\frac{2}{3}$ of the negro slaves & report to court
in order to a final decree.

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Main body of handwritten text, consisting of several lines of cursive script.

Princed
w. } Co: Deced
Princed

Southampton County Court November Term 1853.

Martha Prince

against

Plff.

In Chancery

William Prince & John A. P. Buzzard in right of his wife Martha ~~Plffs~~
~~Gothards~~

The Court doth appoint I R Edwards guardian ad litem to the infant defendants. This day this cause was docketed by consent of parties and with the consent of the Court came on to be heard on the bill, answers of defendants, exhibit and argument of Counsel. On consideration whereof the Court doth adjudge, order and decree that Samuel Drewry, James Drewry, Joel Prince, and David Prince or any three of them allot to Martha Prince widow of William Prince $\frac{1}{3}$ in value of all the lands whereof the deceased died seized, and $\frac{1}{3}$ of the negro slaves to be held by her during her natural life as dower. And the Court doth further decree that the same Commissioners allot to W^m Prince $\frac{1}{6}$ in value of the remaining $\frac{2}{3}$ of the negro slaves and to John A P Buzzard in right of his wife Martha formerly Prince $\frac{1}{6}$ of the $\frac{2}{3}$ of the negro slaves And report to Court in order to a final decree

A Copy

Teste I R Edwards Ckb

Report. Commission
Division of Wm Pine
Stems & Land

Pursuant to an order made at the
 County Court of Georgetown. bearing date Nov. Term 1853. for the
 purpose of dividing the negro slaves & land belonging to the Estate
 of William Prince deceased to his surviving - heirs. with his former
 and proceedings. so far as the division of the slaves which took
 place on the 9th of Decr 1853 —

The valuation is follows - which is Ten thousand two hundred dollars

man Rufus	— \$800.	Widows Portion	— \$3400.00
" Elias	— 600	allotted to widow	—
" Jack	— 1150	negro Frank	— \$800.
" Frank	— 800	Davy	— 700
" Davy	— 700	boy Henry	— 650
" Bunn	— 550	" Peter	— 300
" Peter	— 175	Woman Rachell	500
" Tom	— 75	Girl Louisa	— 375
Boy Elias	— 650	old man Tom	— 75
" Henry	— 650		
" John	— 450		
" Jack	— 450		
" Peter	— 300		
" Stephen	— 225		
Woman, Mary & child Joe	800		
" Susan & child Betty	850		
" Rachell	— 500		
" Patsy	— 100		
Girl Louisa	— 375		
Widows Portion $\frac{1}{3}$	10200		
	3400		

One sixth of the two remaining
 That is Eleven hundred thirty three
 dollars & thirty three $\frac{1}{3}$ cents.

not being enabled to effect an equal
 & share to each legatee in slaves and
 allotted William Prince as follows

Cham & child Doe \$800 - Old man Peter \$175. & boy Stephen \$225
making in valuation Twelve hundred dollars, being sixty six dollars and
sixty 2/3 cents over his equal part which was due directly to him for
to John Grizzards by William Prince.

Amount to be paid to John H. P. Grizzards \$1200.00
allotted John H. P. Grizzards in right of his wife Martha formerly Prince
Man Giles \$600, boy Jack \$450. \$1050

amt. to be recd. from William Prince \$66.66 2/3
from the Admrs. Land. Hellos. this amt. 16.66 2/3 } 83.33 1/3
\$1133.33 1/3

Altogether the Admrs. Land. Hellos. for the benefit of Mary Ann, Peter & William
D. Prince and the infant child not named, the following shows: To wit
man Rufus \$800, woman \$50, boy Giles \$650, woman Peter \$100,
Jack \$1150, boy John \$450, woman Susan & child Betty \$850,
amounting to four thousand five hundred and fifty dollars \$4550

amt. to be paid from this lot to John H. P.
Grizzards being over & equal share } 16.66 2/3
\$4533.33 1/3

All of which, is most Respectfully submitted to your worship, given
from under our hands this 9th day of December 1853 -

Land. Deem
David Prince
James D. Brown

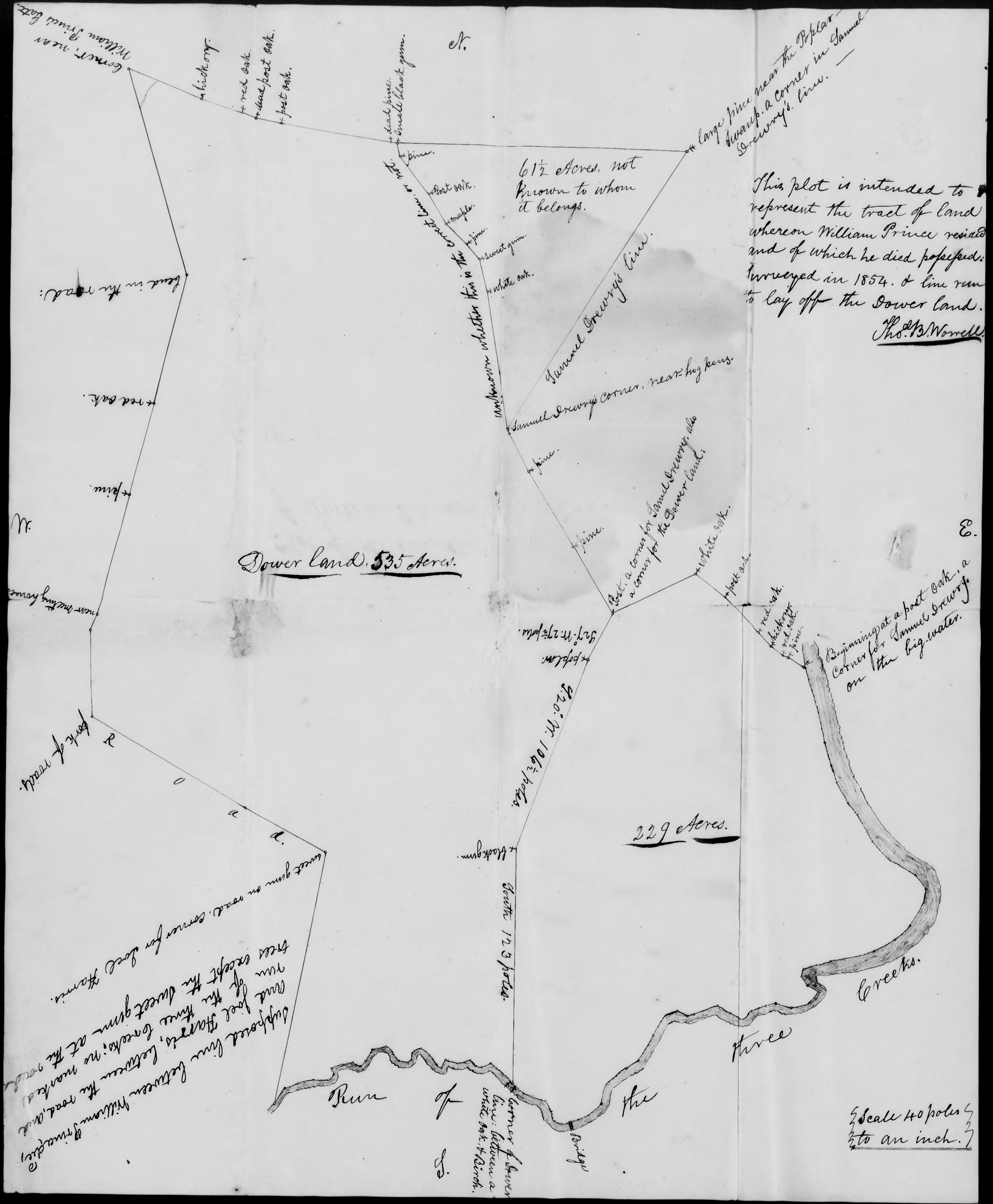
The above report was retained for the purpose of getting the survey of
Plot of the Land to complete the duty required of us in the decree for
division of the land between the Heirs and the widow which contents be

effecting till the water course was low enough to effect the same we attach
the Plot as a part of this report. The only remarks we consider necessary to be
made is there has never been a positive line established between this tract
of Land and Joel Harris. that is from the river to the creek. but from all
information it cannot effect the widow's share. on the Plot it will be seen
there is sixty one and half Acres mentioned which the commissioners do not know
whether it belongs to the old Peter tract or the land which was sold and purchased
by William Prince - all of which we most Respectfully submit, we will add
Joel Prince the other commissioner assisting us in the division of both negroes & land
but dies before this report was made out. Given from under our hands
this 18th day December 1854 -

Land. Deem
David Prince
James D. Brown

Plot of the land
of William Prince, dec,

1857 June 15th



Elements of life

Exhib. with bill

James

(104)

In the name of God Amen. I William Princes of the County of Southampton
and State of Virginia do make and publish this to be my last will and Testament in
manner and form following that is to say.

Item 1st I leave to my loving wife Martha Princes during her natural life or widowhood, the
following property to wit. The tract of land I live on known as Peetes, all my Slaves
subject to provisions hereafter made. Corn, fodder, meat, to be nd judged by competent
men to judge for one years support for the family. Such other articles as household &
kitchen furniture, horses, cattle, hogs, sheep, or any other article of my estate which my
wife considers necessary for keeping up the plantation for the benefit of her and my children,
all such property loaned except my land and negroes it is my will and desire my
wife shall take at the appraisement, and execute her bond to my Executor for the
amount of said property, but not to be paid or carry interest during her natural life
or widowhood. I do not require or request my Executor to exact security of my wife
in the bond taken for the property, but require him to see this loan properly managed
and carried out agreeable to what it will be seen my intentions are. I do also request of
him to see that my son John Princes has nothing to do with this property thus loaned, by
coming on the place to live, or manage in any respect whatever. and for the consideration
of this ~~same~~ ^{same} ~~in~~ ⁱⁿ my wife to raise, school, and clothe all my children, but should
it prove otherwise to her to do thus in a proper manner, under such circumstances
I fully authorize my executor to apply the interest of any money he has in hand due my
estate.

Item 2nd It is my will and desire, after my death as soon as practicable my Executor
make sale of my land except the Peete tract which is loaned to my wife, also all my
other property which my wife does not take at appraisement and Slaves, and the money to be
kept at interest until my youngest child may be considered raised and schooled, then
to be equally divided amongst all my children or their descendants, except my son John,
my object for not distributing this fund, is that my young children, if necessary to have
the amount of the interest to aid in raising and schooling them. It is further my
will and desire that my son William Princes at the general division of my estate shall
account to my Executor for Five hundred dollars without interest for money I have
already advanced to him.

Item 3rd It is my will and desire at the age of twenty one or marriage of any one of
my children (excepting my son John Princes which it is my will and desire that he or
his descendants shall never have any part of my estate under any circumstances) as
before named at the age of twenty one or marriage of any of my children. I wish an
equal division of my Slaves counting in my wife to draw a child's portion, and allot

to such child of age or married, their portion and return the balance to my estate, in all
divisions thus made I wish my wife placed so as to draw a child's portion provided that
she is still living and my widow, so that when the last division is made that she will be
in possession of a child's part to hold the same during her life or widowhood. At the death or
marriage of my wife I wish my tract of land leased her sold and the amount of my
other property leased her included, and the money equally divided between all my children
or their descendants except my son John

Item 2^d. In the event of any of my children dying before arriving to lawful age or marrying
It is my will and desire that the survivors or their descendants shall have the ^{2^d} parts.
except my son John. Such descendants taking the share or shares to which their ^{2^d} parents
would if living be entitled to, to them and their heirs forever.

Item 3^d. And lastly I constitute, nominate and appoint my son William Prince my whole
and sole executor to this my last will and testament revoking all others and declaring this
to be my last. In testimony whereof I have hereunto set my hand and affixed my
seal this 24th day of January in the year of our Lord one thousand eight hundred and
fifty two.

Signed and acknowledged
in the presence of }

James J. Darden

W. H. Drury

Joel Prince

W. J. Jones

Wm Prince (Seal)

At a Court held for the County of Southampton the 20th day of September 1852

This last will and testament of Wm Prince dec^d was proved by the oaths of Wm H. Drury
Joel Prince and Wm J. Jones three of the subscribing witnesses thereto and ordered to be recorded
Teste

J R Edwards Esq

Attest

Teste J R Edwards Esq