

1859 005

SOUTHAMPTON COUNTY
CHANCERY PAPERS

EDWARDS etal VS. EDWARDS' ADM'R. etal

11/1859

other surnames: Jenkins,
Holt

Edwards

23 3/4 Mile from
Edwards

1859 Jan. Dues as filed
+ " Aug. Rule in Court
" Sep. Report.
Nov. " (over?)

To the Worshipful County Court of Southampton County
in Chancery sitting

Humly complaining your orator
~~John~~ Edwards widow of John Edwards dec'd Botling W Edwards
Henry Edwards, Wm H Jenkins and Mapit his wife who
before marriage was Edwards Xenophon Holt and Margaret
M. his wife who before marriage was Edwards, John A
Edwards, Mills R. Edwards and Louisa Edwards an infant
who sued by John A. Edwards for next friend children
of John Edwards dec'd, shew unto your worships that
in the year 1858, John Edwards of Southampton county
died intestate leaving considerable estate both real and
personal and leaving Lucy his widow, and John
A. Botling W, Henry, Mills R, Louisa, Albiston,
Mapit, minors to Wm H Jenkins and Margaret M Edwards
minors to Xenophon Holt his children his distributees
and heirs at law. They state further that at the
December 1858 of this court Albiston Edwards qualified
as administrator of the said John Edwards dec'd having
given bond and receiving as the law direct, all of which
will more fully appear by a certified ^{copy} of the letters
testamentary herewith filed marked A and prays to be
taken as a part of this bill. They further state that
the said administrator has sold the perishable estate
that there is sufficient assets in his hands besides the
slaves some ten or twelve in number to pay all the
debts of the intestate and as the farm is broken up
and the slaves are not hired out, and no debts requiring
the sale of the slaves, it would be to the interest of
all concerned to have a division of the said slaves
In. Under consideration whereof and inasmuch as your
orators are without relief except in this court, they therefore
pray that Albiston Edwards both in his own right and
as administrator of John Edwards dec'd may be made
a party defendant to this bill and compel him as
full and perfect answer make to allegations therein
contained as if he had been himself more fully and

pecially intimated and if the said administrator
should in his answer admit a sufficiency of assets
besides and a willingness to deliver up the slaves for
distribution at this time, then that the court should
decree a division of all the slaves whome the said
John Edwards died seized and possessed according to
the rights of the parties and grant such and general
relief the justice considered as equity may dictate and
the system of this case may require and as in duty
bound your orators will ever pray &c

Shaw's J. J.

The answer of Albiston Edwards both in his own right
and as administrator of John Edwards died to a bill in
chancery by Lucy Edwards was as follows

This defendant for answer to the said
bill or as much thereof as he is advised it is material
for him to answer, answering says that he is now
willing to surrender the slaves of his intestate to the
bills at law for division, and having fully
answered prays hence to be dismissed with his costs &c

Shaw's J. J.

Edwards vs

vs 23

Decree

Edwards' adm vs

By consent of parties this cause
this day came on to be heard on the bill, answer and
general application thereto and was argued by counsel, on
the hearing whome the court doth adjudge, order, and
decree, That Allen Edwards, Wilborne Stephenson and
Thomas Bristow who are hereby appointed special
commissioners for that purpose, shall after having given
reasonable notice to the parties, proceed to divide the
slaves whome John Edwards died seized and
possessed in the following manner to wit, allot one
third in value to Lucy Edwards the widow for life
and the other two thirds divide into eight equal shares
in value (if practicable, not the said commissioners may
direct some of the distributives to pay money to others
to equalize the shares in value) and allot one share
to William H Edwards, one share to Henry Edwards,
one share to Wm B Jenkins and Mary his wife, one share
to Joseph Obolt and Margaret M. his wife, one share to
John A Edwards, one share to Mills R Edwards, one
share to Albiston Edwards and one share to the lawful
guardian of Louisa E Edwards and report to court

Edwards

Rule in Court

Edwards

1859 September Court

By order of the Court

JR Edwards

Executives

G. W. Vick

Deputy Clerk

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON *Allen Edwards, Willborn Stephenson & Thomas*
Brister Commissioners appointed to divide the slaves of John Edwards dec^d.

to appear before the *Justices* of our *County* Court of Southampton County,
at the Court House, on the first day of *September* Term next, to *return their*
report of the said Division or show cause to the contrary

and have then and there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court
House, this *19th* day of *August* 1859, in the *84th* year of the
Commonwealth.

L. R. Edwards Clk

Edwards

2 } Rept.

Edwards

The undersigned appointed Commissioners by a
decree of the County Court of Southampton to
divide the slaves of which John Edwards died,
reported they have to report that they have
performed the duty assigned them, and
have allotted the said slaves in the follow-
ing manner and to the following persons,
to-wit: Sylvia to John A. Edwards, ^{valued at \$900.} gift
to Wm Jenkins valued at \$100., Julia
valued \$800, to Xenophon Holt Victoria to
Sonnia Edwards valued at \$150., Joe
valued at \$700, to Albert Edwards, Grace
valued at \$200. to Bolton Edwards, George
valued at \$450, to Henry Edwards, Grace
valued at \$400, to Riddick Edwards -
The Commissioners further report that in order
to make equality of partition it became necessary
that some of the parties should pay to the
others money, and they directed that the
following sums should be paid, to-wit
that John Edwards pay to Wm Jenkins the
sum of \$352.50 and to Henry Edwards \$400.00
and to Riddick Edwards \$62.50., that Xenophon
Holt pay ^{to Sonnia Edwards} \$312.50 and to Bolton Edwards
\$25. that Albert Edwards pay to Bolton Edwards
\$237.50 and also two Negroes, Son & Isham to the Widow for
dower right all of which is respectfully submitted

Thos. Spivler
Allen Edwards
Wilbur Henderson