

1868-029

SOUTHAMPTON COUNTY
CHANCERY PAPERS

MILLER and Wife VS. WEBB et al, by+c

3/1868

Miller & wife

as 3

Webb & als

1866 Sept. Decree as filed
" Nov. amended bill & decree as
filed.

1868 Feb. Report
" Mar. Rep. Confm.

Bill Anderson to

decree



To the worshipful County Court of
Southampton in Chancery, Sitting

Humbly complaining your orators
George W Miller and Margaret his wife
also unto your worship, that in the
year 1861 Wm Webb in Southampton
died intestate leaving estate both real
and personal and Nancy Webb his
widow, your orator Margaret married
to George W Miller Delaware, James, Henry
and William his heirs at law, they claim
that he dies possessed of a tract of land
containing some 8 or 200 acres of land
that the widow Nancy Webb has been
endowed and they now ask that the
court would allot to them their share
to wit one fifth and they to receive
the widow on the widows death

In tender consideration whereof and
inasmuch as your orators are without
remedy except in a court of equity
where such matters are peculiarly cognate
and they therefore pray that Delaware
James, Henry, and William Webb
your infants by some fit and proper
person may be made parties defendant
to this bill and compel them as free
and perfect answer make to the allegations
therein contained as if they had been
themselves more fully and specially
interrogated and that the court would
allot one fifth in value of the land.

whom Mr Webb also signed and proposed
and grant such other and general
relief the justice considered as equity
may dictate and the nature of his case
may require and as in and by bond
given orators will more fully appear
Shewd p. 7.

The answer of Delawar, James, Henry
and Mr Webb infants to the above
bill by L. R. Edler and their guardians
ad litem to the above bill

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 submits the
care of his ward to this court and
having fully answered pray, leave
to be dismissed &c
Shewd for deft

Miller vs Wife
as 3 Decem
Webb and als

By consent of parties this
day this cause came on this day to be
heard on the bill, answer and general
replication and was argued by counsel
on the hearing whereof the court doth
adjudge order and decree that Gillman
Edward, Joshua Pultow and Simeon
Webb who are hereby appointed special
commissioners for that purpose shall
after reasonable notice to the parties
interested allot to George W Miller and
Margaret Miller his wife one fifth in
value of all the lands whereof Mr
Webb also signed and proposed leaving
regard to quality and quantity exclusive
of the widow Nancy Webb dower
and report to court in order to a
further decree and the court doth
further adjudge order and decree
that the costs of this suit be borne
equally by the plaintiffs and the other
four children to wit Delawar, James,
Henry and Mr Webb

Miller is wife

or 3 Decm

Webb

1866 Nov. Decm asfeto 1st

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To the worshipful county court of
Southampton in chancery sitting

Humbly complaining your orator George W
Miller and Margaret his wife shew by
way of amendment to their original bill
filed at the September term of this court
that they then filed their original bill
asking a partition of the land of Wm Webb
de'd in which they were joint owners
and the court then entered a decree
appointing commissioners to divide the
same according to the rights of the
parties therein named, your orator states
that the same was to be divided into five
shares, but soon after the rendering of the
decree and before the commissioners had
proceeded to act Henry Webb one of the
infant defendants died and your orator
and the other three children became his
heirs at law as he inherited the same
from his father Wm Webb and a new
partition is necessary in order consideration
whereof and inasmuch as your orator
are only entitled to relief in equity they
therefore pray that the court would set
aside the original decree and divide the
said land into four parts and grant
such other relief and use

Sham D J 3

The answer of Edwards, James is by Mr Webb
by G. R. Edwards their guardian ad litem to
the above bill

This defendant for answer is answering
says he submits the care of his wards to
the court and having answered precepts times
to be dismissed is

Miller is wife
as 3 Decem
Webbs by re

By consent of parties this
cause came on this day again to be heard
on the papers formerly made the amended
bill of the plaintiffs, answer of the infant
defendants and general application Thoms and
was argued by counsel on the hearing whereof
the court sitting aside the decree entered
at the September term 1866 of this court
doth adjudge, order and decree, that Gillman
Edwards, Joshua Portlow and Irving Mills
who are hereby appointed commissioners for that
purpose, shall after reasonable notice to the
parties interested allot to George W Miller and
Margaret Miller his wife one fourth in value
of all the lands whereof Mr Webb died.
seized and proposed leaving regard to quality and
quantity, exclusion of the widow Nancy
Webbs dower and report to this court in
order to a further decree

Mellerguise
- } Rep.

Webb &

1868 Feb 6.

At the commissioners appointed by the County Court
of Southampton to allot to Mr. Geo. N. Miller an
certain piece of land from the N^m Webb-tract
by law to report as follows. We allot to the
said G. N. Miller the North West portion of the tract
boundaries as follows. Beginning at a pine a cor
on the Dabney Edwards tract thence in a chopin
line to a Gum in the Gravel Road Swamp thence
the the run of said swamp to road thence
the road to Red oak ^{at} thence to a pine a cor on
Gilliam Edwards thence to a pine stump
a cor for Gilliam Edwards thence to a pine
a cor for ~~Gilliam Edwards~~ G. N. Miller and N^m
Webb decd thence a new line S 42 3/4 E to a
pine at beginning.

Dec 16th 1867.

A. C. Miles
Gilliam Edwards } Commissioners
Joshua Pritton }