

1871-035

SOUTHAMPTON COUNTY
CHANCERY PAPERS

HOLLAND and Wife
Holland - al

vs. BEALE et ux, et al
3/1871

other surnames: Wells,
Beal

520

Holland & wife

1873

Holland's father

Decease

1863 July. Decease as filed to

1871 March. Removed from
the Decease

To the Worshipful County Court of Southampton
In Chancery -
July term 1863

Your Complainants Jefferson Holland
and Elizabeth Holland, his wife, ^{citizens of this county} respectfully show
that some years since a certain Mrs Wells
departed this life in the State of North Carolina
County of Southampton, having previously exec-
uted her last will and testament which was
duly admitted to probate in some one of the
County of said last named county - by said
will the said testatrix gave and bequeathed
to the said Elizabeth Holland one of your said
Complainants certain negro slaves to be held
and possessed by the said Elizabeth for and during
the term of her natural life and after her death
the said negro slaves were given and bequeathed
to the children of the said Elizabeth Holland whose
names are herein after mentioned to be equally divided
between them the said five children -

Now your said Complainants respectfully state
and aver that ^{having removed them to this county} they have had possession of the said
negro slaves so given to be for many years -
that the said negro slaves have been always well
and kindly treated by them in all respects - but
that notwithstanding such kind treatment several
of the said negroes have lately attempted to make
their escape to the public Enemy now ~~making~~
waging a barbarous war of invasion upon our
soil - ~~Among~~ the negro women Hannah, Caroline
and Judah and three children -

Your Complainants are of opinion that it

will be at great risk of losing them finally, longer to retain possession of the said negro-slaves, and they are informed that such is the opinion of the parties entitled to the reversal in the said negroes - they, the said complainants, therefore beg that your worship would grant a decree for the sale of the said negroes ^{making some just order as to the net proceeds} - make the reversal in favor of Lawson Beale and Martha S (his wife) who was Holland; Alexander Holland; George Holland; Elizabeth Holland Junin; (adults) and Fern Holland; Darthulia Holland and Isabella Holland (the three latter infants, by L R Edwards their guardian ad litem) parties defendant to this bill and compel them and owners to make them to be -

Grant such other and several relief as equity may dictate be -
and the said complainants will ever pray

In Witness
Whereof complainants

The first and several answer of Lawson Beale and Martha S (his wife) Alexander Holland, George Holland Elizabeth Holland (Junin) Fern Holland, Darthulia Holland and Isabella Holland (the three latter infants, by L R Edwards their guardian ad litem) to a bill filed against them in the County Court of Southampton County, by November Hollands and Elizabeth Hollands his wife.

These defendants for answer say that they the adults defendants are privy to and admit the facts stated in the said bill and desire the decree to be granted as prayed for - the infants submit themselves to the Court
In Witness whereof

November Hollands Wife }
Hollands' Father } Decree

This Cause this day came on to be heard on the papers filed and answer with the objections thereto - The Court (appointing L R Edwards guardian ad litem to the Infant defendants) upon consideration thereof doth adjudge order and decree that Lawson Beale be and he is hereby appointed a special Commissioner for the purpose - that he see either publicly or privately the negro-slaves Hannah Caroline and Judah together with her three children - after paying the expenses of obtaining and executing this decree, that he invest the net proceeds in Confederate State Stock or stock of the State of Virginia or that he make some other safe investment of the same to the credit of this cause - that the said Elizabeth Holland to whom the said negro-slaves were given and bequeathed for the term of her natural life, be allowed and she is hereby authorized to draw and appropriate to her own proper use the interest annually or otherwise accruing thereon for the said period of her natural life -

That the said Beale report as early as practicable his acting under this decree, returning there with a receipt or certificate of the sum above directed to be invested &c - But he shall not proceed to act under this decree until he shall have executed in the Clerk's office of this County Court of this county a bond with sufficient security, in the penalty of twelve thousand dollars conditioned for the faithful performance of his duties as said Commissioner according to law.