

1801-008 Chancery Causes: William Hodsden & al by & c. vs Lazarus Levy & al

Isle of Wight County

Joseph Hodsden & al by & c. vs Lazarus Levy & al
other surnames: Smith, Dews
Gorton

Augt. 1800

Cont^d for rept.

March 1801

abatis

Hodsdon tal.

v. 3 Bill v.

Levy Lien.

November 1795. Int^l 17.
Bill & Ans. filed & decree
do

May '97

Cont^d for rept.

November '97

Abts. w^o to levy & Cont^d
for rept.

March '98

Bill & Ans. Cont^d do

July '98

Cont^d for rept.

Nov^r 1798

Cont^d for rept.

March '99

Cont^d for rept.

May '99

Cont^d for rept.

August '99

Cont^d for rept.

Nov^r 1799

Cont^d for rept.

March 1800

Cont^d for rept.

May 1800

Cont^d for rept.

should be sold in order to bring about the
division contemplated, - the said Lazarus
& Sarah his wife have hitherto refused to
proceed in this case unless sanctioned by this
Court - to the end therefore that the
S^r. Lazarus & Sarah his wife may answer the
premises - that the said land, ^{the shares of which} ~~which~~ ~~will be~~
~~will be~~ of less value than 100 dollars to
the parties, may be sold & the money arising be
divided among the Compts & the Defts agreeably
to the Law provided for such cases - & that
the Compts may have such other & farther relief
in the premises as to this Court may appear
proper - MAY it please the Court

[Faint, mostly illegible text, likely bleed-through from the reverse side of the page.]

The Answer of Lazarus Levy & Sarah his wife to
the bill of complaint exhibited agt them in this
Court by W^m. Hodsdon, Jos. Hodsdon, & Elizabeth
Hodsdon, infants, by Thomas Smith their next friend

These Defendants believe & admit that
the Complainants have correctly stated the facts
relative to the case in which they have pray
ed relief from this Court, - & being willing
& desirous that a division of the land mentioned
by the Compts should be made by a sale
thereof among the parties entitled agreeably to
the directions of the Law, - for that end
submit themselves to such order & decree as
this Court may deem meet to be made
in relation thereto - & pray hence to be
dismissed &c -

To the Justice of Isle of Wight County
sitting in Chancery —

William Hadsden, Joseph Hadsden, & Elizabeth Hadsden, infants under the age of 21 years, by Thomas Smith their next friend, humbly complaining, shew, — that James Anguish Hadsden, late of the s^d County, died in the year 1794, under the age of 21 years, intestate, without having been married, without issue; & seized in fee-simple of a parcel of land containing about acres, & lying within the County aforesaid, — by descent from his father — & that the only persons intitled to this land as heirs in parcenary to the said James are the Compts William & Joseph, being his brothers of the half-blood on the part of the father, — the Compt Elizabeth, his sister of the whole blood, — & Sarah Levy, now the wife of Lazarus Levy, but heretofore under the name of Sarah Hadsden, — another sister of the said James, but of the half-blood on the paternal side —

But the Compts being infants, & it appearing to be the interest as well as the wish of the parties concerned that the said land

To the Justices of the County of Wright County

In Chancery setting -

Joseph Hodder, an in-

fant, by Dolphin Dewar his next friend, & Elizabeth Hodder, an
infant, by William Darton her next friend, complaining, shew,
- That on the _____ day of _____ in the year 17
William Hodder the elder, of this County, died intestate, seized
in fee-simple of a tract of land lying within the County
aforesaid, leaving a widow Mary Hodder
_____ & 5 children, William, Sally now the wife
of Lazarus Levy, Joseph, Elizabeth, & James - That some
years ago the widow received an assignment of her dower
in the land & also in the slaves, - the former of 40
acres of land, & the latter of two slaves, Batts & Moggie.
- The residue of the land was then divided among the
intestate's children, of whom James & William have
since died - the first intestate, an infant, & without issue
or ever having been married - the latter of age & leaving
a last will & testament (since duly proved in the Court
of this County & of which _____ duly attested is hereto
annexed) by which he devised his interest in the land
& slaves assigned to the widow as dower to his
brother Joseph - That since the death of these two
children the widow has lately died - & That, under
these circumstances, the land & slaves assigned to the widow
as aforesaid, has become liable to go as follows, to wit,
in five equal shares, ^{be divided} of which Joseph is intitled to
one, Elizabeth one, Sally one, ~~and~~ & the other
two, being the shares that would have gone to James &
William, are subject to go as follows, - That of William
to Joseph, - & That of James, 2 shares to Elizabeth
& one to each of his brothers Joseph & William & one
to his sister Sally, & again William's part ^(of James' share) to Joseph.
by the last will & testament of William - But
the s^d. Levy & wife the said Sally his wife, under

various pretenses, have hitherto constantly refused & yet
refuse to come to any terms upon this subject whereby
the Complainants may obtain their rights in the pre-
mises — Wherefore, I for as much as the
Complts are properly relievable in a Court of
Chancery, I in order that the said Lazarus
Levy & the s^d Sally his wife may answer this
Bill — That the Complainants may obtain their rights
in the said land, being about 40 acres, & the said
slaves, assigned as aforesaid to the Widows, — &
That they may have such other & further relief
as may seem proper I the Complainants
call for the Court's writ of Subpoena &

At a court held for Scotland County the 2^d day of January
 1797. This will was presented and in Court and being proved
 by the Oaths of James Young, John Casey and Thomas Gooden
 the Witnesses shews and appears to be record —
 The Exor. therein named refused to take upon himself the burden
 of the Execution of the same —

Attesty Teste
 Jⁿ Young Ad. Cor.

Copy William Hobbs's
 Will

for W^m Jⁿ. Hobbs

Copy
 1797

In the name of God amen, I William Hodson of the County
of Isle of Wight, being in a good state of health, and in my perfect senses
do make and assign, this to be my last Will and Testament, and give
my estate as follows viz:— Item my will and desire is that my
negro Girl named Venice, should have her liberty agreeable to an
act of Assembly, made for that purpose;— Item I give and
bequeath unto my sister Betsey Hodson, twenty pounds out of
my part of the Land, which fell to me by the death of Joseph
Bridger, when ever the said Land is sold by the rest of Legatees
which is my desire that the said Land may be sold immedi-
ately, Item I give unto my brother Joseph Hodson, all the rest of
my Estate, both real and personal after paying my Just debts,
to him and his heirs forever;— Item I do appoint Ralph West
my whole and sole Executor of this my last Will and Testament,
In Witness whereof, I have hereunto set my hand and
affixed my seal this 26th. day of November 1795.—

Signed sealed & Delivered

In presence of

James Young

John Carey

Thomas Goodson j^r

William Hodson

May 1800
Could. for rep^t

Aug. 1800
Could. for rep^t

March 1801
at test by the Depts.
Death

Hodden Sal.

3 Bile

Servy Lux.

May '97
Intell. Lina
Aug. '98
Could. for rep^t
Comm.

Wm Mallory

J. Goodrich

Davis Day

J. Sinclair

Nov. 1789
Could. for rep^t

Dec. 1790
Could. for rep^t

May '99
Could. for rep^t

Nov. 1799
Could. for rep^t

March 1800
Could. for rep^t

To the

Sayams Levy & Sally his wife, to the
Bill of Complaint exhibited against them in this
Court by Joseph Hodges, an infant, by Dolphin Sears
his next friend, & Elizabeth Hodges, an infant,
by William Garton her next friend, answer as
follows — They admit the Bill of the Compts
to be true, & having declined coming into the
partition & division of the land & slaves ment.
in the Bill, with the Compts merely on
account of their infancy, are now willing
that such partition & division, as they pray
for, may be made under the sanction of
this Court, — & with that view submit
themselves to such decree as this Court
may consider proper to make in that
respect, & pray hence, thereafter, to be
dismissed &c

Sayams Levy
Sally Levy

Engle

Heritt M. Robinson

Smithfield

May 2nd 1797

Meritt M. Robinson

Sir

as it appears to be the wish of
Joseph Wadsworth for a division to take place I give my
assent to it, to be done in this manner, the land to be
divided immediately & the negroes in the fall to be sold
I am Sir with Esteem your Humble Servant

Lewis. Levy