

1829-004 Chancery Causes: Sally Edwards, & al, by & c VS Siodicea Edwards

Ile of Wight County

Other surnames: Young

of this suit ~~and~~ that in all things the award
to the widow, the said Court do make such
an allotment as is most likely to conform to
the mutual intent of the plaintiff & the
defendants, and that they do rely
upon the Court in order to a final
decree, & that they allot & pay over the
bond, to which each infant may be entitled
to his or her legal guardian.

Admiral

Admiral
to the Court

Admiral
to the Court

Admiral

Admiral

Edwards & Friends

Bill & Ans?

Edwards

August 7th 1820 Bill &
Ans? filed & Intertory decree

May 3th 1820 decree amended
according to amended decree
filed in the cause

September 1st 1828 report
returned & court

Jan 5th 1829 final decree

of this ~~type~~ way, as ~~not~~ ~~able~~ ~~to~~ ~~be~~ ~~tried~~
out some fees, which they are wholly
excluded of at present. It will not be possible
properly to divide the slaves in kind and
they therefore ask that the Court will order
an allotment to the said Edward & Lavinia
Edward of the said slaves for life in the said
slaves, and a sale of the balance of the
to be devised accord to law. The said
Herbert and Lavinia said an infant Lavinia
Edward and your complacencies are
equally entitled to the share of the slaves
aforesaid. In consequence of this infirmity
they cannot obtain their property, in kind
or continuation whereof they pray that
the said Lavinia Edward be made
adult. Hence and be compelled to answer
the bill to and that your Honors
will make any decree in the premises
for this relief which may be done
with equity be aided as in duty
bound they will ever pray.

Attorney for the said

This cause came on this day to be heard
on the bill and answer filed and
was argued by Counsel; on considera-
tion whereof the Court both judge, sur-
vived decreed that Samuel Wilson, John
B. Crump and James Wilson any of them
do divide it apart and allot to La-
vinia Edward widow of Herbert Edward
and one full and equal third part
of the slaves belonging to the estate of Herbert
Edward dec'd. as he sown in the same
; and that they do divide ~~the balance~~
~~equally between the said John, Sally~~
~~between~~ the said John, Sally
and the highest bidder after
a reasonable notice of the time and place
of sale is given at Smithfield and other
places, upon a credit of nine months
except for so much as will be required to
pay the expenses of the sale and the costs of
this suit which will be for each, the remain-
der of the slaves belonging to the said estate -
that if the net proceeds they take of the person
-ages bonds with good security in such
way as to enable them to comply with
his decree. That they allot $\frac{1}{4}$ to John, $\frac{1}{4}$ to
Sally, $\frac{1}{4}$ to Martha Jane fourth
to the representatives of Herbert and Edward
dec'd in right of the said Herbert and Edward
- that they then proceed to divide the said
 $\frac{1}{4}$ allotted to the estate of Herbert and Edward
as follows - to wit, $\frac{1}{4}$ to Lavinia Edward,
 $\frac{1}{4}$ to John, $\frac{1}{4}$ to Sally & one fourth to Martha
Edward - and it is also ordered that the said
Court or such of them as may act
do pay out of the Cash Sales of
the slaves aforesaid, the expenses

Hubert Edwards died some years ago intestate
left four children Sally, John, Martha &
~~John~~ Hubert and Edwards - the last's
decease under age also myself his widow
I am guardian of the children - there are five
more Ben, Fanny, Anarchy, Henry &
Liza - fit a decree to set apart my
share in the said slave and to sell the
rest and divide between the children
given under my hand this 7th of
August 1826.

Wm
A. Atkinson

Lavinia Edwards
mark

At the County Court of Wm of Wight sitting in
Chancery - Hubert complaining, sheweth unto
your worship, your oration Sally, John and
Martha Edwards infants by St. Young Clerk of the Court
that in the year - one certain Hubert
Edwards died intestate leaving a widow called
Lavinia Edwards and four children to
wit, Sally, John, Martha and Hubert and
Edwards - the said Hubert and Edwards
has died under age and intestate and
unmarried leaving no issue - their father
left some personal estate consisting in part of
the following negro slaves, to wit, Ben, Fanny,
Anarchy, Henry and Liza which slaves now
belong to said estate and are not requisite
for the payment of debts - for the father died
indebted but to a very small amount - They
represent that one David Wilson has managed the
estate and given the ~~same~~ ^{slaves} up as they are infor-
med to Lavinia Edwards the mother & guardian
of your complainants - they or some of them
are indebted for necessaries and in consequence

Infant may be entitled to his or her legal Guardian, and make report thereof to this court in order to a final decree

Costs
 Attorney \$10.00
 Clerk 4.00
 \$14.00

Allopy Test Barth: Lightfoot Dye

4.00
 97
 62
 5.59

Edwards v. Offspring

vs. 2 Decr
 Edwards

We find that it is impracticable to make a division in land agreeable to the within above

It may be well for the Cor. to allot to Mr. Midaw such or more probably improve. a.g.

By the Court
 Daniel Webster

City of Wright County, August Term 1826.

Sally, Edwards. John Edwards and Martha

Edwards, infants under the age of twenty one

years suing by Nathaniel Young their friend Complainants

against

Ladicea Edwards.

In Chancery

Defendant

By consent of the parties and with the assent of the court, this cause this day came on to be heard upon the bill and answer, & was argued by counsel. On consideration whereof the court doth as judge order and decree that Samuel Wilson, John B. Crump and James Wilson or any two of them do set apart and allot to Ladicea Edwards Widow of Herbert Edwards decd. one full and equal third part of the slaves belonging to the estate of Herbert Edwards decd. as her Dower in the same - and that they do sell to the highest bidder after giving reasonable notice of the time and place of sale, in the town of Smithfield and at other places, upon a credit of three, six, & nine months except for so much as will be required to pay the expenses of the sale and the costs of this suit, which will be for Cash, the remainder of the slaves belonging to the said estate - that for the nett proceeds they take of the purchasers bonds with good security in such way as to enable them to comply with this decree - that they allot one fourth part thereof to each of the Complainants, and the remaining one fourth to the representatives of Herbert Ann Edwards decd. in right of the said Herbert Ann Edwards decd. that they then proceed to divide the said one fourth and allot the same as follows to wit, one fourth to each of the Complainants and one fourth to the Defendant Ladicea Edwards, and that the said commissioners or such of them as may act, pay out of the Cash part of the sale of the said slaves, the expenses of this suit - that in allotting the Dower to the Widow, the said Commissioners is directed to make such an allotment as is most likely to promote the interest of the Plaintiffs and Defendant - that they allot and pay over the bonds to which each

Rally towards, John Edwards & Martha
 Edwards infants under the age of
 11 years being by Nathl. Rogers
 their next friend — couple
 2 1/2 in ch.

Nasica Edwards — *sp.*

This case came on again this day
to be heard upon the papers formerly
read and the report of the Com.
made in pursuance of the order
of August Court 1826 and was argued
by Counsel, by which report it seems
impracticable to divide the slaves
in kind according to the order aforesaid
; on consideration whereof the
Court both adj. &c. &c. & decree that
said Wilson John C. Crump com.
appoints seven the day aforesaid
~~of the 1st inst.~~ or within of them
having given at least ten days notice
at some publick place, &c. &c. at
sundry Court House, or some Court
day, the slaves in the decree aforesaid
mentioned &c. &c. to ~~be~~ upon
of 9 Mon. &c. except as much as
a writ or for Court or to the
~~same great hardship on a part for each~~

To the County Court of Whoppy Co.

The Court appointed to divide the
slaves belonging to the estate of
Herbert Edwards, having reported
that the said slaves can't be
divided except by a sale, I do
wish the Court to amend the
decree so as to direct a sale,
and that a part shall be
given to me in money absol-
utely in lieu of my dower.

April 10th 1828

Wm
J. Alkerson

Lavinia X Edwards
mark

Shof Mgt Covert 90. agreeable to the several
 hereto annexed we have sold after our notice
 six slave being their names in the several to wit
 Benjamin to wit Laddiea Howard for One hundred
 - one and twenty six dollars. Mary to
 Magrant Reed for five dollars fifty five cents
 Fanny White to Saml. Wilson for two hundred
 - one and fifty six dollars; Amy to Richard
 Bloche for One hundred and twenty six
 dollars - Liza to Saml. Wilson for Eighty six
 dollars - making a total of five hundred
 and ninety nine dollars fifty five cents -
 of this we have retained for Commission
 and expenses of sale - \$45.56
 we have retained under the several of \$63.44
 subject to the order of the Court -
 To Laddiea Howard we have
 allotted in her own right - \$107.20
 To Sally Howard - \$127.75
 To Laddiea Howard for 1/2 of
 each of the other two John Howard - \$127.75
 To Martha Howard 1/2 of
 each of the other two - \$599.55
 which is sum of money received
 July 7. 1828

Samuel Wilson
 M. C. Crump
 Com. 5.99.80
 40.801
 20.09
 16.62
 22.99
 14.41

Recd my fee in this case ten dollars
 A. Adams

Aug. 8th 1828 Recd of Saml. Wilson & John C. Crump
 in Bonds, the sum of One hundred and twenty seven dollars
 & 75th cent as Guardian of John Edwards, And the sum of
 One hundred and twenty seven dollars & 75th cent as Guardian
 of Martha Edwards, agreeable to the annexed Statement
 Witness
 M. J. Blunt. Laddiea ^{her} Edwards
 mark.

Edwards & Crump

Deena Edwards

Albany

The Cor. with agree-
 - the as seen of
 popular

Aug. 8th 1828 Recd of Saml. Wilson & John C. Crump in Bonds
 the sum of One hundred and seven dollars & 30 cent agree-
 - able to the annexed decree Laddiea ^{her} Edwards
 Witness M. J. Blunt - mark.
 Aug. 15th 1828 Recd of Saml. Wilson & John C. Crump in Bonds the
 sum of One hundred and twenty seven dollars & 75th cent
 agreeable to the annexed decree - John ^{her} Edwards
 mark.

Isle of Wight County May Court 1828.

Sally Edwards, John Edwards, and Martha Edwards,
infants under the age of twenty one years suing
by Nathaniel Young their next friend.

against
Laodicea Edwards.

Complainants,

Defendants.

In Chancery

This cause came on again this day to be heard upon the papers
formerly read and the report of the commissioners made in pursuance
of the order of August Court 1826, and was argued by counsel, by which report
it seems impracticable to divide the slaves in kind according to the order
aforesaid; on consideration whereof the court doth adjudge, order and
decree that Samuel Wilson and John B. Crump commissioners appointed
under the order aforesaid or either of them having given at least ten days
notice at some public place, do sell at survey courthouse, on some court
day, the slaves in the decree aforesaid mentioned and alluded to upon a
credit of 9 months except so much as will be required to pay expenses
of suit and of sale and the sum of \$60. and of the net proceeds they do pay
over 1/5 to Laodicea Edwards widow of Herbert Edwards as a full equivalent
for her right of dower in the said slaves which said portion she is to hold
in fee simple, and that they do divide the remainder into 4 equal shares
and allot one fourth to each of the complainants: that they do then divide
the other one fourth part, it being that to which the heirs at law of Herbert
Ann Edwards dec^d was entitled, into four equal shares, and allot 1/4 to
Laodicea Edwards, and one fourth to each of the complainants as heirs
at law of said Herbert Ann Edwards; It is further more ordered and decreed
that the said commissioners or such as may act do pay over to Sally
Edwards, who appears to have arrived to 21 years of age the proportion to
which she is entitled under this decree, and pay the parts to which the
infants are respectively entitled, to their Guardians and make report to the
court in order to a final decree.

Costs —

attorney \$10.00

clerk 5.37

\$15.37

Attest Teste Nathl. Young

Rowan

7 3 June

Rowan

Rowan, per friend R.

D 3, Augth
Rowan -

This case came on again to
day to be heard on the papers formally
read & the report of the Court made in
pursuance to the order of the Judge
Court 1828, ~~to which was attached~~ by
which it appears that the Court have
in their verdict to the further order
of this Court the sum of \$60 and the
Court do the further on adjourn order &
decree that the said Court pay over the
same as follows - to wit, to the said
Rowan \$22.50 - to each Rowan \$12.50,
to the legally authorized proceeds of the Rowan
~~Rowan~~ \$12.50 & to the legally authorized
of the said Rowan \$12.50. The case
is continued &c.