

1820-001

Northumberland Co.

CHANCERY CAUSES: MARGARET B. HUDNALL, etc vs NANCY WADDY, etc

Burgess, Eskridge

To the worshipping court of North. Tarrant, sitting
in chancery, humbly complaining sheweth and
sheweth up. deatrix & orr: Margaret B. Hurd-
rall & Benedict Burgess that sometime in
the year . . . , Shapleigh Waddy father of your
orrr: being possessor of a considerable real estate
lying in Hacks neck in the county of depart-
ed this life having previously made & pub-
lished his last will & testament in writing which
is of record in this court, whereby he devised
his lands to be equally divided between
his two sons S. N. Waddy & Alexander Waddy
that shortly after his death the land was di-
vided according to the will. & S. N. Waddy pos-
sessed of ^{one} half & the s: Alexander of the other
half - that the s: Alexander left this country
for Europe ^{about} the year 1808^{or 1809} & has never return-
ed or been heard from, except by two letters
herewith filed & prayed to be taken as part
hereof. containing the ^{best} information of his death
- yr orrr & orr: are ^{advised} ~~informed~~ that the s: Alexander
Waddy having absented himself beyond sea
for more than seven years successively, the law
presumes him to be dead, unless proof be made
that he was alive within that time - yr orrr & orr:
therefore pray that the land of which the s: Alex-
ander Waddy was possessor may be divided among
yr orrr & orr: & Nancy Waddy sister of the whole
blood to the s: Alexander dead: & Anna, Alexander
& Margaret Waddy the only children of S. N. Wad-
dy dead: who was brother of the whole blood to
the s: Alexander ^{who with yr orrr & orr: may be made up thereof} Benedict Bur-
gess further states that he derives his title to
one fourth part of the land in question, by pur-

Case of Mrs. Mason & Susan his wife (which is
Susan was the sister of the whole blood to the
Alexander Waddy dead) as will more
fully appear by deed of record in this
court, - of. out & out therefor pray that the
s. lands may be divided as afo. & they as in
duty bound will ever pray for

The separate ans. of Nancy Waddy an infant
under the age of 21 years by Wm. E. Kedge her
god & next friend to the bill of Compt. exhibited
as afo. ^{her & others} in the worshipful Court of North
County by Margaret B. Hudsonall & B. B. Burgett.

This resp. states saving & reserving to herself the usual
reservations, saith that she admits the allega-
tions contained in the bill of Compt. & that she
has no objection to a division of the land in ques-
tion as prayed for by the Compt. &c.

The separate ans. of Ann, Alexander, & Margaret
Waddy orphans of S. M. Waddy dead: & infants un-
der the age of 21 years by Benedict B. Burgett
their god especially appointed by the Court to
defend them in a suit instituted agt. them, in
this Court by Margaret B. Hudsonall & B. B. Burgett.

This resp. saving & reserving to themselves the usual
reservations - for ans. to the bill of the Compt.,
say, that they admit the allegations thereof
to be true & have no objection to a fair and
equal division of the land in question. &c.

May 8. 1820

M. B. Hudnall Burgess

Friendly
Bill &

Waddy

answers

This day came the Compts by their atty & exhibited their bill whereupon Mr. Estridge is appointed the spt. gov of the infant depts. Nancy Waddy for the special purpose of defending her in this suit. Benedict Burgess is apptd. the spt. guardian to the infant depts Ann, Alexander & Margt. Waddy for the purpose of defending them in this suit, who thereupon filed their answers, and the cause coming on by consent of the bill and answers being read & the arguments of counsel heard, It is decreed & ordered that Royston B. Lovington, Tho. Blackwell, Miram Harding & Th. H. Lett or any three of them, accompanied by a surveyor do lay off and divide the lands in the bill mentioned in four just and equal parts having regard to quality as well as quantity, and that they allot to Margt. B. Hudnall one part, to Benedict Burgess another part, to Nancy Waddy another part and to Ann, Alexander & Margt. Waddy another part, and report their proceedings hereon to the court. Six months are allowed the infant depts after they arrive respectively to the age of twenty one years, to shew cause if any they can against this decree.

Blackwell for spts depts

Margaret B. Hudnall & Benedict Burgess Compls.

agst.

3, In Chy.

Nancy Waddy, & Ann, Alexander & Margaret,
Waddy infants under the age of 21 years } defts

This day came the Compls by their atto. & exhibited their bill - whereupon Wm. Esprey is appointed the sp. gen. of the infant deft. Nancy Waddy for the purpose of defend. & ~~them~~ in this suit; and Benedict Burgess is appointed the sp. gen. to the infant defts. Ann, Alexander & Margaret Waddy for the purpose of defend. & them in this suit who ^{whereupon} filed their answer - And the cause coming ^{on} by consent & the bill & answer being read, & the arguments of counsel heard, It is decreed & ordered that Royston B. Covington Tho. Blackwell, Kniam Hardine & Tho. H. ^{for} any 3 of them, accompanied by a surveyor, do lay off & divide the Lands in the bill mentioned in four just & equal parts, having regard to quality as well as quantity. & that they allot to Margaret B. Hudnall one part; to Benedict Burgess another part

- to Nancy Waddy another part - & to Ann, Alexander
& Margaret Waddy another part - & report their
proceedings hereon to the Court.

Six months are allowed the infants defts. af-
ter they arrive respectively to the age of 21 years
to shew cause, if any they can against this decree.

H. M. Ship Garland
August 12th 1809

Sir

I write ^{to you} respecting
Alex Haddy. He often told me that he
was bound a privateer to you. after he
was cast a way in the Abeona on the coast
of Ferland he went to Liverpool where he
shipt in the Rosanna for new York but
on the passage he was impressed on board
the Muros a British man of war. were each
of us broken hearted used to talk of our
Relation in which we bound each other

Supposed to be a copy of the letter
sent by Mr. Haddy to Mr. Haddy

St. Michael's

St. Michael's
St. Michael's
St. Michael's

to be kept in the care of

in case we should part & reach home safe to in-
form each others friends of our situation. The Murder
was cast away. in case of this we was to the sent on
board of this ship were he had the opportunity
of making is escape. but to ad to the sorrow's of his
tender Age it pleased the Lord call upon him six days
after leaving the ship on the Island of Jamaica on board
of a vessel bound to Halifax this I heard from verry
good authors of his last words ~~that~~ he desired that
they would write to me so that I might write to you
to let his mother know what was become of him

when you receive this you would oblige me with
sending me an answer so that I may be satisfied
knowing that you received it. as for my self

I am a native of New York. when at home with
my wife & family I live at ^{and York} No. 100 Bedford Street
it will be great satisfaction to hear from you
on my friends account I am yours &c. &c.

Thomas Witches

P.S. Direct to me thus

Thomas Witches
On Board H. M. Ship
Garland Port Royal Jamaica

Philadelphia the 19 October 1800

Mrs Molly Waddy

The Inclosed will Inform you what is
become of your worthy son Alexander
much to be lamented by both you and me
It appears by the Inclose that he
Deserted the man of war and six days after
died on board a vessel bound to Halifax
which puts it out of our power either
to recover wages or Cloths from his majesty
on act of his desertion which is but
trifling to the loss of so promising
a youth as he appears to be his
appears to be the will of
the disposer of all things which
leaves us to say with jabe, the Lord giveth
and the Lord taketh away and blessed
be the name of the Lord
that our trouble very seldom comes
without another and the world is full
of disappointments which we are able
to yield to, Madam I remain your
most obedient servant I believe
the above with the Inclosed is a very
unpleasant Circumstance for me
to relate as for you to hear

Wm Darr

20

Mrs Molly Waddy
Southumberland County
near Smiths Point Light No
mail Virginia