

equally Divided (at the discretion of his Executors) amongst all his Children Vizt Barack Martin, Hannah Gibbons (now Wife of Joseph Gibbons Junior) Sarah Martin John Martin and Ezra Martin to be for them their Heirs and Assigns forever and appointed his Son Barack Martin and his Friends Isaac Hayne and John Mitchel Executors and also Shewing that the said Executors are all Since dead, and the Petitioner Joseph Gibbons having married the Eldest Daughter of the Said Testator did after the Death of the Said Executors obtain Letters of Administration of the Estate and Effects of the said James Martin with his Will annexed unadministred by the said Executors and that the Testator's Debts are all fully paid And that the Petitioner William Gibbon hath lately intermarried with Sarah Martin the other Daughter Devisee and Legatee of the said James Martin, And that the Petitioners were desirous of having the Personal Estate [116] Of the Said James Martin Divided according to the Directions of the said Will: But as the Executors who were empowered to Divide the same are all Dead, There are no persons properly Authorized to Divide the said Estate, And therefore Praying, that this Court by an Order would be pleased to appoint Such proper Persons as to this Court Should Seem meet to Divide the said Personal Estate of the Said James Martin according to the Direction of the said last Will and Testament; And the Court having Considered the Said Petition, Do Order the Personal Estate of the said James Martin to be Divided according to the Direction of the Said Last Will and Testament, And Do Appoint James Skirving and James Bullock Esquires James Donnon, William Simmons and Samuel Lowle or any three of four of them to Divide the Same, and to allot to the Petitioners their Several Shares and Proportions thereof, and to return an account of the Division by them to be made under their hands to the Register of this Court, within three months from the Date hereof.

ALEXR STEWART Deputy Register in Chancery

Read the Petition of Josias Allston in behalf of himself, and also of the said Josias Allston, and Thomas Mitchell and Benjamin Marion Executors of the last Will and Testament of John Allston late of Craven County deceased Shewing, That Samuel Allston Brother of the Petitioner Josias Allston lately departed this Life Intestate, and an Infant, By reason whereof the Petitioners were advised that his Personal Estate went in a Course of Distribution to his next of Kin vizt; One third part thereof to the Petitioner Josias Allston One third part to the Children of the said John Alston deceased, And one third part thereof to William Allston another Brother of the said Samuel Allston, and further Shewing, That the said John Allston deceased had left four Daughters all very Young, the Eldest not being Eleven Years of Age, and praying that this Court, would be pleased to appoint proper Persons to Divide the said Personal Estate and to allot to the Petitioner Josias his Share and



proportion thereof, And also to allot to the several other Petitioners as Executors of the said John Allston's Will the Share and proportion of the said Samuel Allston's Estate which appertains to the Children of the said John Allston, And further prayed, That this Court would be pleased to give them an Authority to sell such part of the said Samuel Allstons Personal Estate as Should on the Division aforesaid fall to the Children of the said John Allston, And that they might be empowered to let the said Monies out at Interest on Such Securities as they should esteem good, or as Should be approved of by the Master of this Court without prejudice to the Petitioners: And the Court having Considered the said Petition do think fit to appoint the said Thomas Mitchell and Benjamin Marion to be Guardians of the Infant Children of the said John Allston deceased and do appoint Messers William Allston Archibald [117] Johnston and Thomas Waties to Divide the said Personal Estate, and to allot to the Petitioner Josias Allston his share and proportion thereof, and also to allot to the said Thomas Mitchel and Benjamin Marion as Guardians of the said John Allston's Children their Share and proportion of the said Samuel Allston's Estate; And do Authorize the said Thomas Mitchel and Benjamin Marion to Sell such Part of the said Samuel Allston's personal Estate as shall on the Division aforesaid fall to the said Children of the said John Allston, And do Empower them to lett the Said Monies out at Interest on Such Securities as shall be approved of by the Master of this Court; for the Use and benefit of the said Children; And it is Ordered That the said William Allston, Archibald Johnston and Thomas Waties do return an Account of the Division by them to be made under their hands unto the Register of this Court within three Months from the Date hereof.

ALEXR STEWART Deputy Register in Chancery

Read the Petition of William Simmons only Surviving Executor and of Susannah Bee Widow and Executrix of the last Will and Testament of Colonel John Bee late of Pon Pon in the Province aforesaid Gentleman deceased and Natural Guardian of Thomas Joseph and Rebecca Bee her Infant Children Shewing, That the said John Bee by his last Will and Testament amongst other things did Order and Direct, That the remaining part of his Personal Estate should be divided into Seven equal parts equally amongst his seven Children to be delivered unto them at the age of Twenty one Years or day of Marriage and did empower his said Executrix and Executors to sell all or any part of his five Youngest Children's Personal Estate, Provided they in their Discretion should think it necessary and Conducive to the Interest of his said Children, and further Shewing, That one of the said Testator's Children is of full age, And that three of them are since dead, and the other three now living are all Infants under the Age of thirteen Years, Vizt Thomas Bee of the age of about thirteen Years, Joseph Bee of the