Petitioners have been advised and therefore charge that the said Arlidge Cole, who under the said Will had a life estate in the said negro Women, Slaves for life as aforesaid, became entitled to their issue and increase absolutely, and was in fact so entitled at the time of her death: That the said Arlidge Cole who was not advised of her legal rights to the said issue and increase, died not dispose of the said issue and increase by her said last Will and Testament, and so far as respects the said issue and increase died intestate

Your Petitioners further state that the said Arlidge Cole who died as aforesaid intestate in respect to the said issue and increase, left the following distributees her next of kin who are entitled to the said issue and increase in the proportions hereinafter mentioned viz Your Petitioner Rebecca Ensor, daughter of Arlidge Cole intermarried with your Petitioner Abraham Ensor: Your Petitioner Sarah Hicks Widow, a daughter of Arlidge Cole, and that each of them is entitled to one fifth part of the said issue and increase: Nancy Cole a daughter of the said Arlidge Cole who is also entitled to one fifth part of the said issue and increase: and the following grand Children who are Children of Myanthia Jessop a deceased daughter of Arlidge Cole viz: Charles Jessop and Mary Cole formerly Mary Jessop who is intermarried with Salathiel Cole, who are entitled to one fifth part of the said issue & increase; and also the following grand children, who are the ~~[illegible]~~ children of Abraham Cole the deceased son of the said Arlidge Cole viz Miranda Cole married to Joseph Price, Sophia Elizabeth Cole married to Charles Jessop, Anetta Cole, Eleana Cole, Abraham Cole, Thomas Cole, Joseph Cole Thomas Cole and Salathiel Cole, who are also entitled to one fifth part of said issue and increase. Your Petitioners further state

(that)

that by the said last Will and Testament of the said Arlidge Cole Salathiel Cole was appointed Executor thereof, who has been duly qualified as such – That he the said Salathiel Cole has taken possession of the said issue and increase, as well as of the other property and Estate of the said Arlidge Cole, and claims to be entitled to the same as the residuary legatee of the said Arlidge Cole under the said last Will and Testament and the clause thereof hereinbefore stated, and refuses to account for the same or to make distribution thereof as he is bound to do.

Your Petitioners further state that altho' the time has long since past when the said Salathiel Cole is bound to distribute the said issue and increase, and altho' your Petitioners have frequently demanded that the said distribution should be made, and that their part thereof should be passed and paid to them yet the said Salathiel Cole refuses so to do and still refuses.

Your Petitioners therefore pray that the said Salathiel Cole may be required to answer this Petition on Oath, and particularly that he specify and state in his said answer the names, ages and value of the said issue and increase of the said negro Women Slaves for life born after the death of the said Salathiel Cole and during the lifetime of the said Arlidge Cole, and that an order for the distribution of the said issue and increase may pass this Honorable Court, and that your Petitioners shall have and receive their proportion thereof, and for such further relief as may be suitable to the circumstances of this case, and consistent with Equity and good Conscience &c.

John Nelson
Geo M Gill } for Petitioners