

810-041
Halifax Co

Chancery Causes: John Carter Martin Powell & wife, etc vs Thomas Watkins
Richard Carter, etc

Polly Powell, wife

William Carter

Polly Carter

Lemuel Carter

Nancy Carter, infant

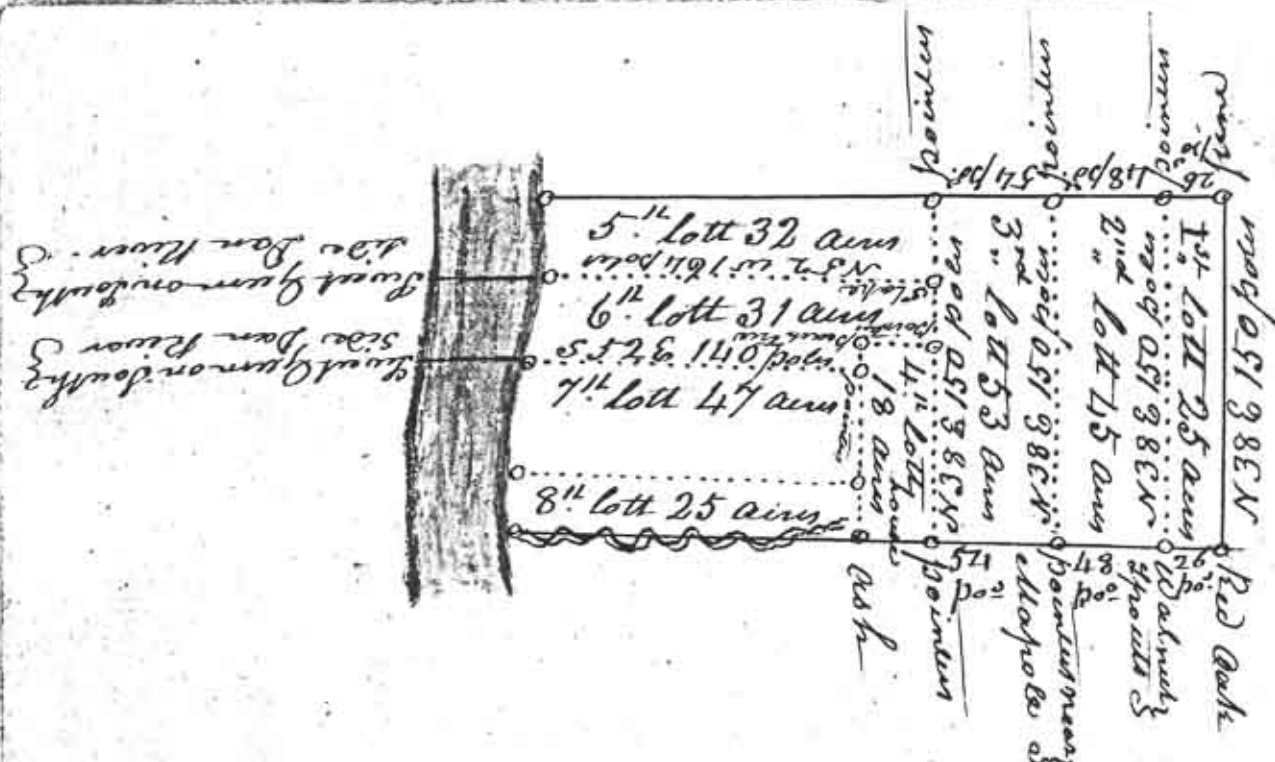
Samuel Carter

John Carter, Friends

Richard Carter, dec

Thomas Carter

D/AT



5th October 1808. divided the Widdows dower in the land of Richard Carter dec^d between the Legates of Said decedent, agreeable to a decretal Order of the Court of Halifax County and the Instructions of the Commissioners appointed for that purpose agreeable to the above plat & following Certificate to wit, —

Laid off 25 acres to John Carter it being first lot.

Laid off 15 acres to M^{rs} Polly Powell wife of Martin Powell it being second lot.

Laid off 31 acres to Miss Nancy ~~Carter~~ it being the sixth lot.

Laid off to Richard Carter the following lots to wit, the third lot containing 53 acres, fourth lot 18 acres including the dwelling house &c, fifth lot 32 acres, seventh lot 47 acres & eighth lot 25 acres (see the above Plat.) —

James Eastham S^r W^o C.

agreeable to the above mentioned Order of Court we the Subscribers therein mentioned have proceeded to divide & allot the above land between the legates of Rich^d Carter dec^d agreeable to the above Plat & Certificate

John S. Vaughan

Thomas Matthews

John Hancock

To the worshipful Court of Halifax County in chancery sitting: Humbly complaining shew unto your worships. your Orators and Oratrices John Carter, ~~Lemuel Carter~~, Martin Powell and Pabley, his wife, late Pabley Carter, and Nancey Carter, who sues by John Carter her next friend; she being an infant; that they are the children of Richard Carter deceased, who died intestate leaving several children, to wit, your Orator John Carter, and your Oratrices, Pabley and Nancey, and Thomas Carter, Lemuel Carter, Wm. Carter, Richard Carter, and Samuel Carter: that the widow of the said Richard Carter deceased, had assigned to her as her dower 218½ acres of land lying on Dan River, and 12 slaves: that she afterwards intermarried with Thomas Watkins, who now holds the slaves aforesaid, and is in possession of the land: that Wm. Carter and Richard Carter have sold their right in the slaves to your Oratrix ~~Pabley~~ Nancey: that Thomas, William, Lemuel, Richard and Samuel Carter sold their reversion ⁱⁿ the land to Thomas Watkins, who sold the same to Richard: But so it is may it please the Court, that the said Thomas Watkins, hereinafter called defendant, refuses to deliver up the slaves aforesaid, and to relinquish his possession to the land, alledging that he cannot do so with propriety without a decree of this Court for that purpose; and Wm. & Richard, also hereinafter called defendants, deny that they have disposed of their reversion in the said slaves to Nancey Carter, altho' they have done so by deed duly proved and recorded in this Court, and the said Thomas, William, Lemuel, Richard, and Samuel Carter, also hereinafter called defendants, deny that they have ever sold their reversion in the said ~~land~~ ^{land} ~~to the said Thomas Watkins~~ ^{to the said Thomas Watkins}, altho' the same appears to have been done by deed proved and recorded in this Court; all which is inequitable and tends to the manifest injury and oppression of your Orators and Oratrices: In tender consideration of the premises and inasmuch as your Orators and Oratrices are remediless in the premises without the aid of a Court of Equity, where such matters are properly relievable: To the end therefore that the said defendants may be compelled to answer this Bill on oath; and particularly that the said Thomas Watkins may say whether or not he holds in his hands the land and slaves aforesaid: that the said Wm. & Richard Carter may say whether or not they have sold their reversion in the said slaves to Nancey Carter: that the said Thomas, William, Lemuel, Richard, and Samuel Carter may say whether or not they have sold their reversion in the said lands to Thomas Watkins: that the said Thomas Watkins may say whether or not he has sold the said reversion to the said Richard Carter: and finally that your worships may order and decree that the said slaves may be divided into right equal portions & that 1 portion may be allotted to John Carter, 1 to Martin Powell and Pabley, his wife his wife; ~~the 3~~ ³ to Nancey ~~Pabley~~ ^{Carter}; one to Thomas Carter; one to Lemuel Carter; one to Samuel Carter; that the land aforesaid may be divided into right parts & one part allotted to John Carter; one part to Martin Powell and Pabley, his wife; one part to Nancey Carter and 5 parts to Richard Carter: May it please the Court to grant the Commonwealth's writ of Super

due to Equity may seem meet for

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The joint answer of Richard Carter, Wm. Carter, Thomas Carter, Lemuel Carter and Samuel Carter to a bill of complaint exhibited against them and Thomas Watkins in the Court of Halifax County, by John Carter & others. These respondents, reserving to, answer that they admit the allegations of the Bill to be true; and have no objection that a decree ~~be made~~ in conformity to the prayer of the Bill, should ~~be made~~ be made.

These respondents, ~~reserving to~~, having fully answered, pray to be hence dismissed with their costs in this behalf expended &c.)

The answer of Thomas Watkins to a bill of complaint exhibited against himself and others, in Halifax County Court, by John Carter & others.

This respondent, reserving to, answers, that he has in his possession the slaves mentioned in the bill, and also the land, which slaves and land were the dower property of his wife Susanna, who was the widow of Richard Carter deceased: that he admits the complainants are the coheirs and distributees of Richard Carter deceased; and that he has no objection to such a decree as will give all the parties interested in the suit their just rights. This respondent begs leave to state that he, as guardian for Nancy Carter and for her benefit, ^{purchased} the reversionary interest of William and Richard Carter ^{in the slaves}; he also states that he purchased the reversion of Thomas, William, Samuel, Richard and Samuel Carter in the land; and that he has sold the same to Richard Carter. This respondent having fully answered the complainants bill, prays to be hence dismissed with his costs in this behalf expended. &c

~~The~~ Tho. Watkins, The Court doth order and decree that Wm. Rogers, James ~~Watkins~~, Jas. S. Coughlan & Jas. Vanhook or any three of them Commissioners, do divide the slaves mentioned in the Bill into eight portions, and that they allot to ~~each~~ John Carter one portion; to Martin Powell and Polley, his wife one other portion; one other to Thomas Carter; one other to ~~Samuel Carter~~; Samuel Carter; one other to Samuel Carter; and the three remaining portions to Nancy ^{Carter} ~~Powell~~. And also that they, the Commissioners, do divide the land in the Bill mentioned into eight parts; and allot ^{five} of them to Richard Carter; one to John Carter, one to Martin Powell & Polley his wife; & remaining part to Nancy Carter. & report &c But this decree is not to be carried into effect until the 25th day of Decr. next: and the slaves and land aforesaid, in the interval, are to remain in the hands of Thomas Watkins; who is to deliver ^{well clothed} the slaves, 3 barrels of corn for each

Dr. John Carter To the Estate of Richard Carter Decr

1808		£	s	d	
Dec: 28	To Balance due the said Estate	—	—	—	£40..16..4½
	Contra b ^r				
	By division in the slaves	10	—	—	
	By 1 Bond Executed to William Carter } his proportion in full ————	11	10	7½	
	By Thomas Watkins Serv.	8	4	2	
	By Bond Executed to Richard Carter his } proportion in full ————	11	1	7	40..16..4½
	Thomas Carter to the said Estate Dr.				
	To Balance due the said Estate	—	—	—	28.7.4½
	Contra b ^r				
	By division in the Slaves ————	10	—	—	
	By Bond Executed to Martin Powell	18	7	4½	28.7.4½
	The Personal Estate are Divided in the following Manner to wit—				
	John Carter drew tot No. 8. viz:				
	Aggy. Valued to £60. Dicy £40 ————	100	—	—	
	has Received in full as above ————	10	—	—	£110—
	Thomas Carter drew tot. No. 5. viz.				
	Eddy. ————	100	—	—	
	has Received in full ————	10	—	—	£110—
	Samuel Carter. drew tot. No. 3. viz.				
	Indy £65. Dicy £60 ————	125	—	—	
	has paid his Balance in full ————	15	—	—	£110—
	Martin Powell. and Polly his wife				
	Drew tot. No. 2. One Negro Man Named Little Will	100	—	—	
	has Received in full ————	10	—	—	£110—
	Samuel Carter. drew tot. No. 4. containing				
	One Negro Woman Named Nance. £95. Also One small	120	—	—	
	Boy. Named Stephen £25 ————	10	—	—	£110—
	has paid in full ————				

Account Continued

Nancy Carter drew Lott No. 1 a Negro Man named

Gloster £ 130 also One Old Negro Man Married Willy 130 -

has paid in the Settlement ^{valued to nothing} 20

£ 110 - - -

Nancy Carter by her Guardian purchased of William Carter's Lott of Slaves for her benefit

Lott No. 6. a Negro Man Married Manuel 130 -

has paid in the Settlement 20

£ 110 - - -

Nancy Carter by her Guardian purchased

Richard Carter's Lott of Slaves for her benefit

Lott No. 7. a Negro Boy named Andrew £ 75 -

has received by Settlement 28 9.4.

To Balance due from Thomas Watkins her Guardian to 10.7. £ 110 - - -

In pursuance to an Order from the Court of Halifax County, Va. directed, we have settled and adjusted the Account Current of Thomas Carter and John Carter, with the Estate of Richard Carter Decd. and also have divided the Slaves between the Legatees of the said Decedant - as per Account above stated - and that Each of the Legatees have received the Slaves allotted to them, together with three Barrels of Corn for each Slave - which Division appeared to us to give General Satisfaction - Certified from under our hands this twenty Eight day of December 1808 -

Thomas Watkins, Rts,

John S. Vaughan

Jab. Vanhook