

1796-017

SOUTHAMPTON COUNTY
CHANCERY PAPERS

JOINER

vs.

JOINER'S ORPHANS

9/1796

other surnames: Suiter

NOT IDENTIFIED 2/2/92

Joiner

vs

Bill

Joiner's vs. Ans.

Ans.

Novbr. 1795 interdictary
decree.

March 1796 ^{report re. 8} decree a-
mended.

Spt. Rpt. ut & Decree
Finis &c

To the justices of Southampton county court in Chancery sitting:

Rebecca Joiner widow and relict of Lawrence Joiner decd. complaining sheweth unto the court that a certain William Joiner of this county, father to your complainant's husband departed this life on or about the day of 1777 after having made his last will and testament & therein among other things devised to your complainant's husband as follows "I give and devise to my son Lawrence Joiner the lands and plantation whereon he now lives containing about 200 acres to him and his heirs for ever, I lend to my son Lawrence Joiner the use profit and labour of a negro girl named Dinah and the use profit and labour of one third part of all my remaining slaves living at my death for the term of his natural life, and after his death I give the part or share of the said Lawrence of my slaves aforesaid and also the negro Dinah to be equally divided between all the children of the said Lawrence that he may leave at his death and to their heirs for ever, as by an attested copy of the said will hereunto annexed and which your complainant prays may be made part of this her bill will more fully appear. Your complainant further agreeable to this devise did well the said negro Dinah as the names of Siller, Fall & George came to the possession of her husband in a short time after the death of his father and remained so until the day of 1790 when he was committed to the goal of this county on suspicion of murder from whence he made his escape, left this commonwealth and went to the state of Carolina, leaving your complainant the trouble and expense of raising and maintaining as well six of his own children as three of Dinah's to wit Charlotte Ben and Peter who were born since she came to the possession of the said Lawrence. Your complainant further sheweth that her husband Lawrence Joiner hath since to wit on the day of 179 departed this life intestate leaving the following children to wit Samuel Joiner, Lawrence Joiner, Temperance Joiner, Rebecca Joiner, Pamela Joiner & Benjamin Joiner to whom your complainant hath applied for her reasonable dower in the lands ~~whereof~~ and personal estate except the negroes aforesaid) ^{whereof her husband died seized & possessed} and for compensation for supporting her own and Dinah's children for the space of upwards five years she having no

right as she supposes of ~~any~~ claiming any dower in the said slaves
But now so it is may, it please the court that the said Samuel
Joiner, Lawrence Joiner, Temperance Joiner, Rebecca Joiner, Pamela
Joiner and Benjamin Joiner, have refused so to do the said Temperance
Rebecca, Pamela & Benjamin saying they have no power to agree
thereto without the consent or approbation of their guardian first
had. which refusal tend very much to the injury of your complainant.
In tender consideration whereof and for as much as your com-
plainant is only and properly relievable in a court of equity, to the
end therefore that the Samuel Joiner and Lawrence Joiner, and
Temperance, Rebecca, Pamela & Benjamin Joiner by their guardian
may be made defendants to ^{answer} ~~this~~ her bill of complaint, that the
court will appoint some proper persons to allot, assign and set apart
the dower of your complainant in the lands and personal estate
(the negroes excepted) whereof her husband died seized and possessed,
divide the aforementioned negroes equally among the defendants agreeable to the said will
and direct the defendants to make compensation to her for main-
X^o ~~tening~~ the negroes aforesaid and her own children or make such
further order or decree as to them shall seem just and consistent
with the principles of equity. May it please Se

The joint and several answer of Samuel Joiner and Lawrence Joiner
children of Lawrence Joiner deceased over the age of 21 years and Tempe-
rance Joiner, Rebecca Joiner, Pamela Joiner and Benjamin Joiner
infants under the age of 21 years by ~~their~~ ^{their} Bowing
their guardian

These defendants saving and reserving to themselves all
manner of exceptions to the manifold imperfections and ~~untruths~~
in the complainants bill contained for answer thereto or to so much
thereof they are advised to make answer thereto they answer and say
that they admit and acknowledge the statement and allegation
in the complainants bill to be true, and have no objection that
this court should appoint proper persons to allot, assign and
set apart the complainants dower in the lands and personal
estate (the negroes excepted) of the said Lawrence Joiner deceased
and make such compensation to her for raising the three negro
children and these defendants as they think proper, and make
such ~~further~~ further order or decree herein as shall appear to
them reasonable to justice and equity, they pray to be hence
dismissed with their costs &c.

Mr Francis Hill

Joiner vs Joiner's orphans &c

Make a motion for leave to amend the bill by inserting the following words to wit, "divide the aforementioned negroes equally among the defendants & agreeable to the said will. ~~and~~ the sale of one or more of the said negroes in order to accomplish an equal division among the defendants herein;

Joiner's widows

vs

Deere.

Joiner's ex/Ans.

Novbr. 1796

Southampton November Session 1795

Rebecca Joiner widow and relict of Lawrence Joiner decd. Plff.

against
Samuel Joiner & Lawrence Joiner children of Lawrence Joiner decd. over the age of 21 years, Temperance, Rebecca, Pamela, & Benjamin Joiner infants under the age of 21 years by Arthur Bowing their guardian - Defs.

In Chancery

This cause being docketed by consent of the parties and Arthur Bowing appointed guardian to the defendants, Temperance, Rebecca & Pamela & Benjamin was heard on the bill of the complainant and answer of the defendants on consideration whereof it is decreed and ordered that John Clayson jr. Micaiah Griffin jr. and John Worrell or any two of them shall assign and set apart the dower of the complainant in the lands and personal estate (the negroes excepted) whereof her husband Lawrence Joiner died seyl and possess'd and make report thereof to this court in order to a final decree.

A copy Teste

Jno. D. Kaufmann D.C. C.
Jus

Joiner
vs
Joiner heirs } Intents
Decree

Mar. 1796

At a Court of Quarterly Sessions continued & held for the county of
Southampton the 11th day of March 1796

Rebecca Joiner widow & executrix of Lawrence Joiner, dec'd
Complainant
against

Samuel Joiner & Lawrence Joiner for themselves and
Temperance Joiner Rebecca Joiner Pamela Joiner
& Benjamin Joiner infants under the age of 21
Years by Arthur Boewing their guardian &c

In Chancery

By consent of the parties the plaintiff has leave to amend
her bill by inserting the words "Divide the aforementioned
negroes equally among the defendants agreeable to the will of
W^m Joiner dec'd" and the cause being this day heard on the P. bill
so amended & the answer on consideration thereof the court
decree and order that John Clayton J^r Micajah Griffin J^r and
John Woull or any two of them make equal partition & division
of the slaves ^{or their increase} (which were devised to ~~the~~ Lawrence Joiner by his
father W^m Joiner in his last will) among the defendants
& make report thereof to the court in order to a final decree

Sam^l Kelle B

In obedience to a decree of the worshipful court of Southampton
Court dated March 11. 1796 We the subscribers have divided
the slaves in the said decree mentioned among the children
of Lawrence Joiner dead in the following manner.

To Samuel Joiner - Dinah	valued at £45,000.	to pay	£ 5. 6. 8
To Lawrence Joiner - Sall	140.	to pay	6. 8
To Rebecca Joiner - Ben & Lavinia	£26	to receive	13. 13. 4
To Temperance Sutter - Charlotte & Peter	£32	to receive	7. 13. 4
To Pamela Joiner - George	£40.	to pay	6. 8
To Benjamin Joiner - Siller	£55.	to pay	15. 6. 8

John Worrell
Micajah Griffin Junr

Joiner
1795
Joiner's heirs } Interd
Decree

Mar. 1796

Pursuant to a decretal order passed November Session 1795
we have allotted assigned & set apart the dower of Rebecca former
widow and relict of Lawrence Joiner decd. in the lands
whereof her husband died seij'd and possess'd in the
following manner to wit beginning at a turkey oak -
Standing on black creek from thence a straight line to a
corner tree a white oak standing in the open ground near the
house from thence a straight line to a scrub oak standing
on the edge of a pond from thence a straight line down
to Godwins branch & down the said branch to black creek
Given under our hands this 27 day of February

John Clayton
Mical Griffin