

1801-139

SOUTHAMPTON COUNTY  
CHANCERY PAPERS

MAGGOT & UX & al VS. CARR et ux

1801

other SURNAMES: Everitt, Hart,  
Dillard, Barrell

Magd. Father  
27 3 Bm. Hansw  
barr Father

To the wasteful the justices of Southampton County in chancery sitting ~~hereby~~

Humly complaining shew unto the Court  
your complainants ~~the said~~ William Maggot and  
Sally his wife late Sally Everitt and John Everitt and Mary  
Everitt infants being by the said William Maggot their  
Guardian and next friend

That a certain Nicholas Everitt late of this  
County departed this life two or three years ago intestate  
leaving a widow Sally Everitt and one only child a child  
Everitt Junior. That the said widow died shortly after  
the death of her said husband, and after her, the said  
son died also (an infant). That the said Nicholas Everitt  
senior at his death aforesaid left two tracts of land  
in the said County and Jurisdiction of this Court  
containing about one hundred and twenty acres  
in the whole which said two tracts of land  
descended to his son Nicholas aforesaid who at his  
death left your complainant and Lane Carr  
wife of Arthur Carr his uncle and aunts  
on the fathers side who were the only ones entitled  
to claim through said infant child. That they  
being thus entitled to said land the said Arthur  
Carr and Lane his wife formerly Lane Everitt  
have entered on the said land taken possession  
thereof and fraudulently hold them with the profits  
thereof from your complainants

In tender consideration whereof and for as much  
as your complainants are without remedy except  
by the aid of a Court in Chancery they sincerely  
pray that the said Arthur Carr and Lane  
his wife late Lane Everitt be made defendants or  
respondents to this bill and so to answer all and  
singular the allegations therein contained and  
say if they are or are not true. That all  
the title papers of Nicholas Everitt the Elder under  
which he claimed and held said land recorded  
in the office of this Court be made a part of  
this Bill. That Edwin Clark Richmond Dillard Esqrs  
Everitt and Jacob Barnett or any three of them be  
appointed by your <sup>honors</sup> (commissioners) to lay off and divide  
said land into four equal shares or divisions having  
regard to quality as well as quantity that one  
fourth part be allotted to your complainant William  
Maggot in right of his wife Sally Maggot formerly  
Sally Everitt one fourth to John & one fourth to Mary

Everitt and one fourth part to Arthur A Carr of  
Lane his wife in right of his said wife and that  
your worship grant any other and further order or  
decree in the premises which may seem equitable  
and your complainants as in duty bound will pray for

Scott & Pigg

The answer of Arthur A Carr and Lane his wife late  
Lane Everitt to a bill exhibited against them in South  
ampton County by William Chagot and Sally  
his wife late Sally Everitt and John & Nancy Everitt  
by said William Chagot their guardian and next  
friend. These respondents now and at all other times here  
after saving and reserving to themselves all and  
all manner of exceptions to the Bills of the complainants  
for its errors imperfections and misrepresentations in an  
-swer thereto or to correct thereof as it is material  
for them to answer say that the facts therein  
stated to be practiced or intended to be practi-  
-sed by them is false. That all the other al-  
-legations are true and reasonable they are  
willing that the prayers thereof be granted  
may never to be dismissed with their faults.

Scott & P

Chagot & P  
by B. J. B. J. B. J. B.  
Carr & P