

1803-021 SOUTHAMPTON COUNTY
CHANCERY PAPERS

CARSTAPHANY'S EXECUTORS VS. RAIFORD'S WIDOW & HEIRS

12/1803

other surnames: Carstaphen,
Carrstaphen, Bowen, Griffin

Carstaphany's son
& Ch. of.
Ruford's widow to
her.

Hill.

To the Justices of Ston County Court in Chancery
sitting — Arthur Bowen & Micajah Griffin execs
of John Carstaphany decd humbly shew, that a
certain William Raiford of the Co of Va being indebted
to the said Carstaphany in their life time in the sum
of ~~thirty~~ ^{one} ~~pounds~~ ¹⁰⁰/₂ ~~good & lawful~~ money of Virginia
with a view of securing the payment thereof, by a
deed of mortgage entered into on the 12th day of September 1892
conveyed to the s^c ~~Carstaphany~~ ^{Arthur & Micajah} one certain tract or parcel
of land lying in the Co of Ston containing 200 — acres
as will appear by the deed therefor, which hath
been duly recorded in the Co Court afo^e, and which
your Compts make a part of this bill — That
there being no exec or admor of the s^c Raiford it
becomes proper to resort to the effect of the instrument
aforesaid, and — Your Compts further shew that
the s^c Raiford left a widow ^{by the will of Mildred} and four children under
the age of twenty one years — ~~That they have~~
~~applied to the s^c widow viz, William viz, Elizabeth~~
~~Larck, & Elbridge~~ — That they have applied to
the s^c Mildred, who is willing that sale may be
made of the lands afo^e ~~reserving to her dower in~~
~~therein~~ — but the children by reason of their
infancy cannot give any consent ^{inconsideration whereof} ~~to the end~~
~~therefore~~ that the s^c Mildred widow do, and the s^c
infants may be made Defts hereto, and answer the
allegations of this bill and that a Guardian may

be appointed them to defend — That this Court will
decree & order that sale may be made of the lands &
premises aforesaid (subject to the widow's dowerable claim)
~~and appoint some for allotting the same & carrying~~
~~it~~ for the purpose of raising the aforesaid sum of
money with interest thereon from the time it
became due, & costs — in the following manner, 100 £ in
cash, & the residue on 12 mo. credit, taking bond to
the exors as far as the demand, & the bal. to the Comm
for the benefit of the aforesaid infant heirs of Wm Raiford
decd — or make any other Decree & order as shall be
deemed most proper — may it please the Court the
Comwlth's Exors to grant, directed to the Defts,
commanding them to appear here to &c &c.

Wm Hill for
the Compls.

The arrival of Mildred Raiford widow of Wm
Raiford decd — and Elizabeth, Sarah, & Elbridge
Raiford infant children of the said Wm, by Thaddeus
Powell ~~for~~ their guardian for this purpose
appointed —

to
the bill of Arthur Bowen & Micajah Griffin
exors of John Carstaphany decd — Compls.
these depts. ^{saving} admit the statement & allegations of
the foregoing bill to be true, and have no objection
that the Court should decree & order in pursuance
of the prayer thereof — they request to be
hence dismissed to &c &c —

Caristaphens en 4
VI Inty
Raiford by Deane

September 1803
December 1803
rept. re P. & Co. etc.
Final

Sampton September court 1803

Arthur Bowen and Micajah Griffin ex^{rs}
of John Canstarphen and plffs

Against

Mildred Raiford widow and executrix of William
Raiford dec^d and Elizabeth Raiford Sarah
Raiford, & Elbridge Raiford infant children
of the said William by Thaddeus Powell
their guardian for this purpose appointed Deft

In Chancery

This cause was this docketed by Consent heard
on the bill and answer on consideration whereof it is
N decreed and ordered that John Bowers Joseph Denson
Can Bowers and William Pope or any three of them
make sale of the land which the S^r William Raiford
conveyed to the said ex^{rs} to secure a debt due to them
Subject to the dowerable claim of the widow on a
credit of twelve months (except one hundred dollars
which is to be raised in Cash) taking bond to the executors
for the amount of their claim (after deducting the afore^d
one hundred dollars) against the S^r W^m Raiford and bond for
balance to the Commissioners for the benefit of the said orphans
And assign the same in equal proportions to the afore^d orphans
or their legal representatives and make report in order to
a final decree

Jam^s Wells C^l

Commissaries
Report

Agreeable to a decree of September Court Southampton
County 1803. We the commissioners, after having duly and
Publicly advertised, on the thirteenth of October made
sale of all the land conveyed by William Raiford to
Arthur Bowen and Micajah Griffin Executors of John
Carstaphen dec'd Subject to the dower claim of the
Widow, on a credit of twelve Months except one
hundred Dollars which was to be ready money, as
mentioned in the decree, Which Land sold for ~~one~~
thirty one Pounds and a shilling, but the debt due,
the Executors being twenty Eight Pounds ten shillings & 4.
leaves a balance of two Pounds ten shillings and 8.
which balance is bonded to the children on demand
at the expiration of twelve Months from the Day of sale
Given from under our hands this 28th Day of
October 1803. —

John Bowers
Joseph Denison
William ^{his} Pope
mark