

1814-064

SOUTHAMPTON COUNTY
CHANCERY PAPERS

GHOLSON et ux VS. CARY et al

5/1814

Other surnames: Cryer,
Robinson, Robertson,
Booth

Johnson

Bill, Chap
Capt. 2 Dec 1874

March 1874 Int. J. Secre

to the worshipful Court of Southampton County in Chancery sitting -
complaining shew unto your worship your orator and oratrix Thomas Gholson and
Anne his wife, that on the day of a certain Robert Gyer ~~with~~
~~County of Dinwiddie~~ departed this life in the County of ~~Southampton~~ Dinwiddie
having first duly made & published his last will & testament in writing
and that at a Court held for the said County on the 16th day of June 1856
George Boothe and Thomas Boothe, two of the Executors therein named, qua-
lified to the said will and took upon ~~himself~~ themselves the burden
of executing the same - that among the Bequests & Legacies in the said
will contained, ~~of~~ the following - "Item - I lend unto my niece
Elizabeth Cary, daughter of my sister Ann Booth, during her
natural life, the following negroes, to wit, Yellow Winney and all
her children (except Jim and Gilbert, which I have already devised)
and at her death, I give and devise the said negroes, together with
other increase, to be equally divided between the then living children
of the said Elizabeth Cary, then & their heirs forever" - that the said
Elizabeth (who intermarried with a certain Peter Robinson) has lately
departed this life and left four living children, to wit, your oratrix
Anne, and Sally T. Cary, Charlotte L. Cary and Geo. B. Cary
^{other Guardian}
who are infants & ^{to be} made defendants to this bill - notwithstanding
altho your oratrix Anne is clearly entitled to her proportion of the
said slaves, yet the same cannot be recovered into possession
without the aid of a Court of Equity, where matters of this sort are
properly cognizable - to the end therefore that the said Sally T. Cary,
Charlotte L. Cary and Geo. B. Cary may be made defendants to this
bill & be compelled to answer all singular the allegations of
the same fully, perfectly & unceasingly, that your worship is & is
that the said slaves, ~~in equally divided~~ to wit, Winney, Nancy, Scheld
Edmund, Randall, Jincy and ~~be equally divided~~
~~between your oratrix Anne & the said infant defendants who were as~~
relieved of the Bⁿ of the said Robert Gyer due, to the said
may be equally divided between your oratrix Anne & the said

sent defendants, that any other general relief may be granted in the premises
interested with Equity & good conscience, may it please the good worshipful
to send the Commission the writ of habeas corpus commanding J. and as an
duty bound, give ~~in~~ order to be taken will J.

Still for prompt

To the honorable Court of Southampton County in Chancery
sitting - The Joint Separate answer of Sally P. Cary, Charlotte L.
Cary and Geo. B. Cary infant children of Elizabeth Robinson
deceased, formerly Elizabeth Cary, ~~by~~ by Peter Robinson, their guardian,
to the bill of complaint exhibited against them in this Court by Thomas
Gholson and Anne his wife - The said defendants, having answered
J. for answer thereto say, that the allegations therein contained are
true & that they have no objection to the decree prayed for - & they
pray, &c.

Still for prompt

Thomas Gholson & Anne his wife ——— Compt.
agt.
Sally P. Cary, Charlotte L. Cary and George B. Cary
~~Robinson~~ infant children of Elizabeth Robinson }
deceased, formerly Elizabeth Cary, by Peter Robinson }
their guardians }
Depts

This Cause was this day docketed by consent of the parties & sent to
the Court and came on to be heard on the bill, the answer of the
defendants and the ~~argu~~ arguments of counsel, whereupon the Court
doth advise, order & decree, that Samuel Blunt, Nathaniel
Brush, James Millan, Still Nicholson & Peter Blum or any Three
of them, do divide the slaves in the bill mentioned, to wit, Zella
Winnery, and all her children (except Jim and Jellah) and Jane
Schild, Edmund, Randall, Dinny and ~~Leguashed~~ Leguashed by the
will Testament of Robert Cary deceased to the said Elizabeth Cary for life,
to her living children after her death, ~~by~~ ~~equal~~ ~~parts~~
Equal ~~parts~~ parts, and that they allot one of the said parts

to the ~~complainant~~ complainant Thomas Gholson in right of his wife
Anne, another of the said parts to the Def. Sally P. Cary, another
of the said parts to the Defendant Charlotte L. Cary and the remaining
one of the said parts to the Def. Geo. B. Cary, taking care to deliver the
provisions of the said Sally P. Cary, Charlotte L. Cary & Geo. B. Cary
to the said Peter Robinson, their guardian - And it is further
ordered that the said Commissioners make report of their acting & doings in this
behalf to the Court, in order to a final decree -

I do hereby certify that I am willing that the division
of the negroes between the Sally P. Cary & Charlotte
L. Cary & George B. Cary may take place according to the Will
of ~~Robert Cary~~ Robert Cary deceased. Given under my hand
the 22 March 1814

Peter Robinson Guo.

Sholom 8th }
" 8th } Int. J. Durce

May 1874 Rep. ret. 8th
Duce final -

Southampton March Court 1874

Thomas Shobon & Ann his wife - Complainants
against

Sally T. Bay, Charlotte L. Bay and George
B. Bay, infant children of Elizabeth Robinson
formerly Elizabeth Bay, by Peter Robinson
their Guardian. - Defendants

In Chancery

This cause was this day docketed by consent of the parties
and agent of the court and came on to be heard on the
bills, the answer of the defendants and the arguments of
counsel, whereupon the court sotho adjudged order & decree
that Samuel Blunt, Nathaniel Bowls, James Millan,
Stith Nicholson & Peter Blaw, or any three of them do
divide the slaves in the bill mentioned to wit: Nellow Minny

Nancy & Child, Edmund, Randall, Jimmy and
bequeathed by the last will and testament of Robert Bryer
senr. to the said Elizabeth Bay for life, remainder to her
living children after her death, into four equal parts, and
that they allot one of the said parts to the complainant
Thomas Shobon, in right of his wife Ann, another of the
said parts to the defendants Sally T. Bay, another of the
said parts to the defendant Charlotte L. Bay and the
remaining one of the said parts to the said Defendant
George B. Bay, taking care to deliver the proportions of
the said Sally T. Bay, Charlotte L. Bay & George B. Bay
to the said Peter Robinson, their guardians. and it is
further ordered that the said commissioners make report
of their doings & doings in this behalf to the court
in order to a final decree

Teste James Rochelle D.C.

By virtue of a decree of the court of Southampton herewith annexed we the under signed commissioners therein appointed have divided the Slaves as named and directed in said decree as follows To wit

yellow Winney appraised to	\$ 175.00	} each proportion \$ 320.00
Nancy & Child Gilbert	400.	
Edmonds	175.	
Randolph	300.	
Jenny	230.	

To Thomas Graham in right of his
wife Ann. Jenny \$ 230.00
To Kewee 40

\$ 320.00

To George B. Cary Nancy and
Child Gilbert \$ 400.00
To pay 80

320.00

To Sally F. Cary. Randolph \$ 300.00
To Kewee 20

320.00

To Charlotte L. Cary yellow Winney \$ 175.00
Edmonds 175.00
Pay 350.
30

320.00

\$ 1280.00

We the subscribing Commissioners do further report that we have delivered over to Peter Robinson the Slaves in the shares of George B. Cary Sally F. Cary and Charlotte L. Cary as their Guardians, given under our hands this tenth day of May 1842

James Miller
John Nicholson
M. Boush