

1833-029 SOUTHAMPTON COUNTY
CHANCERY PAPERS

NICHOLSON VS. NICHOLSON

3/1833

other surnames: Gray,
Blow

1074.

App^d

Nicholson
Bill, & Susan
and cleared
Nicholson

4832 Dec. - Decree as filed &c.
#

1833. March - Rep. int. & made final
between the parties &c.

To the worshipful the County Court of Southampton in
Chancery sitting - Humbly complaining sheweth unto
Your Worship your Complainant George E. Nicholson
one of the heirs and distributees of Robert Nicholson
who departed this life sometime about the year 1821,
^{deceased} possessed of a large estate both real & personal, a spe-
cific distribution of which was made by the last
will and Testament of said deceased admitted to re-
cord in this Court, and prayed to be refused to if ne-
cessary, as forming a constituent part of this bill,
among the widow and the heirs at law of the said
decd. - But the widow preferring the provision made
for her by law, renounced all benefit accruing to
her by said will, and by a decree of this Court, she
was allotted to her the proportion to which she was
entitled - The rest and residue of the said ~~personal~~ ^{estate}
property remained entire and undivided until by an
intervention of this Court, in favor several decrees, four
of the distributees of said decd. viz: Robert Gray
in right of his wife Mary Ann formerly Nicholson,
Robert Nicholson, Samuel Nicholson in right
of his wife Sarah formerly Nicholson, and John
T. Alow in right of his wife Sarah formerly Nicholson,
received to themselves the proportions to which they
were legally entitled - the remaining 1/3, to which
your Complainant and Robert Nicholson are
entitled, is still undivided, and equal division of
which they wish should be effected between them

To the end wherefore your Complainant prays that
the said Robert Nicholson, by some person appoin-
ted a Guardian ad litem to defend him in this case
may be made a defendant ~~in this case~~ ^{therein}, and be re-
quired to make answer to the several allegations
in said bill, stating his objections if any he has
to the prayer of the bill asking a division of said
property mentioned in said bill - And that as your
Complainant is remediless in the premises except
in a court of equity, where matters of this sort are

Geo. C. Nicholson

The answer of Albert Nicholas by Robert Nicholas appointed Guardian ad Litem to defend him in this case, to the bill of Complaint exhibited against him, by the plaintiff in this cause, to do such and such points thereof as he is advised it is material for him to answer to, who says that he readily admits the allegations set forth in said bill, and has no objections to your Honorships entering up a decree according to the prayer of the same, asking a division &c. Commissioners being appointed to carry the same into full & complete effect - Having answered the same denying all fraud your respondent asks to be heard dismissed &c.

Nicholson
Nicholson

This day this cause was
docketed and came on to be heard by consent of par-
ties, upon the Bill, answer, and exhibits, and was
argued by Counsel, whereupon the Court doth ad-
judge, order and decree that Spratley Williams,
Peter S. Deakman, George Cary, Wm. Bucklin
& Robert Lockhead be appointed commissioners,
any three of whom proceed to divide the said
property (slaves) into two equal parts regarding the
value, one of which parts they will allot to George
C. Ticholson the complainant in the bill, and
the remaining part they will allot to Albuter Tich-
olson to be placed in the hands of his said
Guardian Robert Ticholson. Having done
so to make report to this Court in order to a
final decree in this cause &c.

Nicholson

2 } Geo: Deere

Nicholson

For Commisgioners

Reported by
M^r. Leekins

Ro. L. Lockhead. &
Spratley Williams

Southampton December Court 1832.

George C Nicholson
against

Plff { In Chy

Albert Nicholson by Robert Nicholson his guardian ad litem. Dft.

This day this cause was docketed and came on to be heard by consent of parties upon the bill, answer and exhibits, and was argued by counsel. Whereupon the Court doth adjudge, order and decree that Spratley Williams, Peter L Beckman, George Leary, William Sudens and Robert L Lockhead be appointed Commissioners any three of whom ~~may~~ ^{will} proceed to divide the said property (Slaves) into two equal parts regarding the value, one of which parts they will allot to George C Nicholson the Complainant in the bill, and the remaining part they will allot to Albert Nicholson to be placed in the hands of his guardian Robert Nicholson. Having done so to make report to this Court in order to a final decree in this cause.

Attest Teste James Rochelle Clk

We the undersigned Commissioners in obedience to the annexed
Order have divided, and allotted the Slaves therein alluded to, in
the following manner, To wit: Simon and Esery at \$675.00
to George C. Nicholson; John, Elya, Henry & Caroline at 700.00
to Albert Nicholson; and that the said Albert Nicholson, by
his Guardian, Robert Nicholson, shall pay to George C. Nicholson
Twelve dollars and fifty Cents as an equivalent for the difference
in valuation. Given under our hands this 26 day of December 1832.

William Jenkins
Robt. S. Lockhead
Spratly Williams