

1815-008

Chancery Causes: Wiley Godwynne & John H. Parker, by & c vs Lendon Powell

Isle of Wight County

Other SURNAMES: Godwin
Reynolds

Godwin v.

vs. Bill & Ans.

Powell

May 1815 Bill & Ans. filed
& Intdly decd

November 6th 1815 up. ret.
and decd accordingly

November Judgments

1815.

No. 2

In consequence of the premises, if Court^s are advised that,
all the said negroes should be divided into two equal
parts in value - that one ^{part} thereof be opened to
the infant Wiley Godwynne - that the other ^{part} thereof
after being divided into five equal portions - be
~~opened~~ ^{as} ~~opened~~ a, following writs, two portions thereof be
opened to Gideon Powell as devised thro his wife.
2. other equal portions of the said five be ^{also} opened
to the complain^t Wiley Godwynne, the remains
one fifth of the 2. slaves, be opened to the
com^t John H Parker, as devised thro his
last sister Martha Anne Godwynne as above.

In further consideration thereof being recommended
in the premises except thro the intervention of
a Court of Equity - to the end that the s^d Gideon
Powell, who is now free, - a defen^t hereto.

fully answer the premises - if Court^s.

May J^s worship to give a decree, or a deviation
of the property above, - & the better to effectuate
what that, a sole if necessary be made
by Court^s in such manner to be appointed.

That if W^{orship} will make such further
or other order in the premises as may
conform with equity & the nature of their
case -

The answer of Gideon Powell to the bill of complaint
against himself exhibited in the County Court of
Isla - of W^{orship} on the part of Wiley Godwynne an
infant of Wiley Godwynne dec^d & John H Parker
an infant of John Parker dec^d
by Rich^d Dismore - their next friend.

The def^t admits that the ^{said} statements & allegations
as set forth by the com^t in their bill
are true & correct & obeys with not that ^{made}
decree conformable to the prayer of the same
as to such other decree as may under the
circumstances of the case be deemed ^{just} & proper.

Other - Court^s - John Gray, Jst of the Peace, B. of the
& Geo. Andrews - next of kin.

Decree: a sole deviation in
conformity to the bill - in the usual way

Godwynne / B. & W.
Powell

To the Honorable Court of the Supreme Court of the County of Essex
complaint sheweth to your Honors that Wm. Godwyn
an infant child of Wm. Godwyn died, and John Parker
an infant child of John Parker died by Richd. Reynolds,
their next friend, that sometime in the year of
the said Wm. Godwyn entered married with a certain
Jane Parker widow & eldest of said John Parker
& by consequence of such intermarriage became
possessed of sundry negro slaves in right of his
wife absolutely. That the said Wm. Godwyn
has issued by said Jane his wife ~~two children~~
your complaint Wm. - and also, his daughter
Martha Ann Godwyn, - The comp. John Parker
being also, an infant of said Jane by her former
husband, Parker. That soon after the marriage of
said Godwyn as aforesaid he departed this life
intestate leaving among other property the following
negro slaves, Lark, Sarah, Merib, Malinda,
that by consequence the widow became entitled in
her life to her thirds in ² slaves, & his two children
to equal moieties of ² property. - and being then
entitled, your complaint further state that soon after the
death of the intestate, his daughter also departed
this life, an infant - entitled as aforesaid to one
equal moiety in ² negro slaves - your complaint
in consequence of her death the moiety interest
in said slaves that would have gone to
said infant by operation of law, passed to his
mother, ^{then unmarried} surviving mother of the whole blood in
equal portions, & to her mother - Parker of the
half blood - in half proportions. - & your complaint
further represents that, ~~of the mother of the said~~
Jane Godwyn their mother - they entitled & surviving
intermarried with a certain G. Dismore who
in consequence of such intermarriage now became
possessed of all the said negro slaves now deceased
as yet been made of them - they lately departed this life

Sh of Wight County to wit

By virtue of a decree of the Court of said County to us directed we the undersigned Commissioners have after legal notice, made sale at public auction the slaves in the said decree for the sum of six hundred and seventy dollars, (and after deducting fifty five dollars and twenty cents for costs and commissions attending the sale thereof) have taken bonds with security, payable to the complainants and defendants for the respective proportions — Given under our hands this 23rd day of October 1815 —

Nathl Wells

Barth Lightfoot

Sis. (S. T.) Andrews.

Godwin H. H. H. H.

13.

Private

Int. J. deerce

Isle of Wight County

May Court 1815

Wilea Godwin infant of Wilea Godwin Decd.

John H. Parker infant of John Parker leg

Richard Reynolds their usual friend -

against

Isidiah Pearce

Comps:ts:

Defendant

In chancery

By consent of parties by their attorney the bill answer on this cause were this day filed & heard thereon, whereupon it is decreed & ordered that Nathaniel Young, Nathaniel Miles, Bartholomew Lightfoot & George Andrews or any three of them, make division of the slaves, as follows, into two equal parts and assign one part to the infant Wilea Godwin, & the other part into five equal parts, & assign two parts thereof to Isidiah Pearce two parts to the said Wilea Godwin & the remainder part to John H. Parker, but if a division of said slave should not be practicable, that the said Commissioners make sale of said slaves on a credit of six months & divide the proceeds thereof in like proportions, after deducting the time & place of sale, & except so much as will pay the costs which is to be paid in cash & make report &c.

Attesty Teste

Nathl. Young Clk.