1834-025 Chancery Causes Martha Stott, widow & Samuel Stott vs John W. Jordan,
Isle of Wight County admx of Samuel Stott & gdn of Samuel Stott's children

Mr. Jones etc.

Slott

vs

Bill Vanuc

Slotts advisor &c

January 3th 1829 Bill and answer filed & Subpoena decree

August 5th 1833 Report of commissioners returned & confd

April 7th 1834 report confd & final decree entered

with divers persons unknown to your Orator, pretends that no division can take place unless by the sanction and decree of a Court of Equity where matters of this sort are properly Cognizable and alone relievable—

In tender consideration whereof and for as much as your Orator is without remedy in the premises except through the intervention of a Court of Chancery:

To the end therefore, that the said Jno. W. Jordan as the admr. of the d. Saml. Stott, and as Guar: ad-litem to the infant children of the said Saml. he made a party deft: hereto, and that he be compelled to answer all and Singular the allegations herein cont. as fully as if the same were here again repeated and he thereto more particularly interrogated; and lastly that your Honor nor ships will order and decree, that one full and equal third part of all the land of which her said husband died seized be laid off and assigned to her, as and for her full and equal third part of all the slaves, as and for her dower interest in & to the same, and that the remaining two thirds of the said slaves, be then divided into four equal parts, one fourth of which, to be equally divided into four other equal parts, and one part or fourth of which he assigned to her in fee, as and for her proportion of the same, as one of the heirs of the said Martha, and that your Honorships will make any other or further order & decree in the premises, as may be consistent with the nature of the case and the Laws of the Land; and may it please Your

Mr. Jordan Atto: for Compth:

The answer of John W. Jordan as the admr. of Saml. Stott dec'd. and as Guar: ad-litem of Louisa Stratton and Indiana Stott, infants of the said Saml. to a Bill of Complaint against them exhibited in the County Court of Isle of Wight on the part of Martha Stott, widow and relict of the d. Saml. Stott dec'd.

This deft: in his own right and as Guar: ad-litem to the infants aforesd. admits the allegations in the Complts. bill, and objects not to a decree in conformity to the prayer of the same, so far as regards the division of the land and slaves, believing that he has sold only property sufficient to pay the debts of his said intestate — He also consents to the division of the slaves upon the condition that the Compltt: enters into bond and Security for the refunding her proportion of the debts which shall hereafter come agt. said intestate or any debts which the assets, other than said negroes, now in his hands, may be insufficient to pay, and that those negroes, which may be appraised to the said infants, remain in his possession, subject alone to his control, until Commissioners are appointed said infants, and the said negroes divided according to Law. Having answered, he prays the Court will protect his rights as to him may to be hence necessary Jno. W. Jordan

Jno. 10 for a on.

To the worshipful Court of Jacob[illegible] County in Chancery sitting humbly complaining sheweth unto your worships, Your Oratrix Martha Stott, widow and relict of Saml. Stott, late of the County of Jacob[illegible] - That the said Saml. Stott, husband of Your Oratrix, departed this life On or about the [illegible] day of [illegible] in the Year [illegible], intestate, seized and possessed of a considerable real and personal estate, leaving at the time of his death, three infant children to wit, William, Arthur and Indiana, and Your Oratrix his widow, en-saint or pregnant, who in a short time thereafter gave birth to another child (call'd Martha) who according to the laws of the land inherited an equal proportion of her deceased fathers estate, both real and personal - That the said child Martha survived her father but a few months, and in due course died without issue and intestate, and in consequence of which, Your Oratrix is informed that she heirs equally, with her now living children that part of the personal estate of the said Saml. her husband which would have been allotted to the said Martha, were she now living - That some short time after the death of the said Saml. Stott a certain Jno. W. Jordan of the County of Jacob[illegible] proceeded to take out letters of administration upon his estate, and immediately thereafter sold off the Personal property (negroes excepted) of which he died seized, by which means, Your Oratrix is informed, he got in possession of funds amply sufficient to discharge all or nearly all the debts against the estate which being the case, Your Oratrix is desirous to have, according to law, one third part of the land and negroes, and other personal property (if any) allotted to her, as and for her dower interest in and to the same, as well as her proportion of the slaves and other personal property which the said Martha was entitled to, as one of the heirs at law of her said father Saml. Stott dec[d]., but That the said John W. Jordan, as the admr. of the said Saml. hath reduced all the slaves to his possession, & the other personal property and having combined and confederated

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Stotts

6: 3 Chadd.
3 1

Stotts

Simon + ... 75.

Mingo + ... 10

Jacob + ... 225.

Jim + ... 400.

Anny + ... 10.

Rose and child Sam + ... 275.00

John + ... 175.00

Anny + ... 100.00

1310

Reuben + ... 200

Josiah + ... 225.00

George + ... 175.00

Henry + ... 175.00

Isaac + ... 125.00

Rose + ... 75.00

200

Esther + ... 200

Robert + ... 250.00

Amanda + ... 150.00

Jimmy + ... 250.00

2990.00

3040

900
200
1310
$3000

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Negroes to be sold in Smithfd Saturday next

Rose & child Esther	$275.00
Jacob	225.00
Delsey	200.00
Jenny	100.00
John	175.00
Anny	10.00
Simon	15.00
	$1000:00

Wisdom

Sim — Mincy, Robert, Henry, Geo, Jenney and Keziah —

Rose & child Sam	$275.00
Amanda	150.00
July	75.00
	500.00

All the land on the So. side of the road with the improvements thereon, & to get fire wood & fencing timber on any part of the land.

upon a credit of nine months, except so much as will be sufficient to pay expenses of such sale, which is to be Cash, as may be sufficient to effect the division as aforesaid, and divide the Proceeds of such Sale as is heretofore directed — The Court doth further adjudge order and decree that the Complt: Martha, enter into Bond with Security, payable to the legal representatives of the d.ᵈ Saml. Stolt, conditioned for the refunding to him, her proportion of any debts against said estate, which the assets in his hands, other than the Slaves aforesd. may be insufficient to pay — and that the Commrs: or such of them as may act, make report of their Proceedings to this Court in order to a final decree — Leave is given the infants of the said Saml. Stolt dec.ᵈ —

Decree.

Martha Stolt, widow & relict of Saml Stolt dec^d — Compl^t

Ag^t

Inf^ts Jordan as adm^r of Saml Stolt dec^d
and as Guar^n ad litem to Wm Arthur and
Indiana Stolt, infants of the s^d Saml Stolt — Def^ts

In Chancy

By the consent of parties and with the assent of the Court, this cause was this docketed, and came on to be heard upon the Bill, answer, and exhibits filed, and was argued by Counsel; whereupon the Court after mature deliberation, doth adjudge, order, and decree, that Charles Corsen, Wm Atkinson and Levi Jordan be appointed Commissioners, to be sworn by the County Surveyor (if necessary) either two of said Commrs: to act, first to lay off one full and equal third part of all the lands, having regard to value, of which the said Saml Stolt died seized, and assign the same to the Compl^t: in this cause, as & for her dower interest in and to the lands of her late husband; and that they then divide the herein after named negro slaves to wit, Simon, Mingo, Jacob, Jim Anney, Lelsey, Rose and three children to wit, John, Nancy, and Sam, Kitpiah and three children to wit, Geo: Henry, and Isley, Rose and child Esther, Robert, Amanda and Jenney, into three equal parts or shares, and assign one part or share to the said Compl^t: as and for her dower interest in and to the same, and that then they divide the remaining two thirds into four equal parts or shares, and one fourth part of which into four other equal parts or shares, and assign one fourth part of said fourth part to the Compl^t: in fee as and for her proportion as one of the heirs at law of Martha Stolt dec^d: infant child of the said Compl^t: and the said Saml Stolt dec^d. — The balance of said slaves, the Court doth further order and direct, the Commrs: or such of them as may act, to replace them in the possession of the lawful representatives of the said Saml, to be in future disposed as the law may direct, when Guardians shall be appointed to the infants of the said Saml Stolt, or when they or either shall arrive at lawful age — The Court doth further order and decree, that the Commrs: who may act divide the aforesaid slaves in kind if practicable, or as far as is practicable, but should it not be so, they are hereby authorized and directed to make sale of such of them

Stoth

v

Stoth's admr

a one of the heirs at law of Martha Stott and infant child of the complainant, and the said Samuel Stott and, The balance of said Slaves. the court doth further order and decree, the commissioners or such of them as may act, to replace in the possession of the lawful representative of the said Samuel, to be in future divided as the law may direct, when guardians shall be appointed to the infants of the said Samuel Stott, or when they or either shall arrive at lawful age, The court doth further order and decree that the commissioners who may act divide the aforesaid Slaves in kind if practicable or as far as is practicable but should it not be so, they are hereby authorised and directed to make sale of such of them upon a credit of nine months, except so much as will be sufficient to pay expenses of such sale, which is to be cash, as may be sufficient to effect the division as aforesaid, and divide the proceeds of such sale as is hereinfore directed. The court doth further order and decree that the complainant Martha enter into bond with security payable to the Legal representative of the said Samuel Stott, conditioned for the refunding to him her proportion of any debts against said estate which the assets in his hands other than the Slaves aforesaid may be insufficient to pay and that the commissioners or such of them as may act make report of their proceedings to this court in order to a final decree. Leave is given the infants of the said Samuel Stott &c

A Copy Teste

Nath[l] Young Cd. W.C.

We the Consequence Commissioners, named in the foregoing decree, have in conformity to the order thereof Proceeded to divide the property in said decree mentioned according to the provisions thereof, and have allotted to Martha Stott, widow of Samuel Stott all the Lands on the South side of the road running through the said Estate, with the privilege of her getting fire wood & fencing timber on any other part of the plantation, also the following Slaves to wit Peter & child Easther, Jacob, Kelsey, Nancy John, Nancy & Simon as and for her dower interest in and to the Lands & Slaves of her said Husband — We then Proceed to divide the residue of said Slaves into four equal Parts, and then devided one fourth Part into four other equal Parts, and have allotted Rose Negro Girl Amanda, to the said Martha in lieu & as and for her proportion of the est: of her dec[d] child, she the said Martha paying to the Guardian of her three Remaining children the sum of Twenty five dollars

All of which is respectfully submitted to the Court

Wm. Jordan

Chs. Wilkins

Wm. H Wilson

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Shofright County Tenn January Court 1829

Martha Stott, widow of Samuel Stott dec'd ..... Compth

against

John W Jordan as administrator of Samuel Stott dec'd and as guardian ad litem to William Esther and Indiana Stott, infants of the said Samuel Stott ..... } In Chancery

By the consent of the parties and with the assent of the court, this cause was this day docketed, and came on to be heard upon the Bill Answer, and exhibits filed and was argued by Counsel; whereupon the court after mature deliberation, doth adjudge, order and decree that Charles Brown, William Atkinson and Merit Jordan be appointed commissioners to be sworn by the county Surveyor, if necessary, either two of said Commissioners to act, first to lay off one full and equal third part of all the lands, having regard to value, of which the said Samuel Stott died seized and assigned the same to the Complainant, in this cause, as and for her dower interest in and to the lands of her late husband; and that they then divide the herein after named negro Slaves, to wit, Solomon, Wiggo, Jacob, Lin, Anny, Delsay, Rose and three children, to wit, John, Anny and Sam, Ryziah & three children, to wit, George Henry, and Julay, Rose and child Esther, Robert, Amanda and Jinny, into three equal parts or shares, and assign one part or share to the said Complainant as and for her dower interest in and to the same, and that then they divide the remaining two thirds into four equal parts or shares, and one fourth part of which into four other equal parts or shares, and assign one fourth part of said fourth part to the complainant in fee as and for her proportion