

1806-011

Chancery Causes, Cirmstead Hartwell vs Jacob Waterfield

Isle of Wight County

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To the worshipfull Court of ~~the County~~ County
Humbly ~~sheweth~~ unto the Court, your Orator Amicus
Hartwell That Isaac Hartwell, your Orators
Grandfather, on the 10th day of Dec ~~1796~~ 1796
made his last will and Testament in
writing. in and by which he gave a
Certain Slave named Oringer, to John
Hartwell and his heirs; but in the event
of the said Johns dying without a lawfull
heir, begotten of his body, that then and
in that Case, the said Slave was devised
over to your Orator, as will more
fully appear, reference being here to
the said will: a Copy of which is
hereto annexed & prayed to be made
a part of this will. — And the said
John having lately, departed this life
without such heir of his body; and by
a last will, by him stated to have been
made, he has attempted to emancipate &
set free said Slave, evidently against
the express will & and intention of the
testator Isaac, under whose will he held
and claimed title to him. Consequently
must have held him, under all the limitations
and restrictions imposed by the said

restator Israel. Since the death of said
John, a certain Jacob Waterfield has ~~been~~ ~~admi-~~
~~nistered~~ with the will annexed on his estate,
the ~~testator~~ named in the will having refused.
Now therefore ~~may~~ it please the Court,
the said Jacob - not at all regarding your
Orators Claim has lined out said Slave
to ~~in~~ in the borough of
Norfolk, and combining and confeder-
ating himself with said Slave and others
unknown to your Orator, under false
and frivolous pretences, and to his great
injury and oppression, refuses to give up
said negro Slave or to do any
thing by which your Orator shall be relieved
of said negro remaining in the State of
Virginia, or under the jurisdiction of
her laws, until an action can be
prosecuted and determined, in and
Concerning the premises afore stated
In tender Consideration Whereof
and because your Orator is without relief
Only in a Court of equity, to the end therefore
he prays that said Jacob Waterfield, and
his Confederates, when known, be made
defendants to this bill, and on oath
full, true and perfect answer make

to the premises Shelly and particularly
as if the same were again repeated
& they thereto particularly authorized
More especially that they may set out
I say whether the said slave mentioned
in this bill is not the negro devised by
Israel Hartwell in his will a copy
of which has been referred to in this
Bill - whether he is not the negro
called orange & whether John Hartwell
left any heir of his body lawfully begotten
at the time of his death. —

That your honours will interpose so as
to prevent Jacob Waterfield & all others

from performing any act, either under
the name of the said John Hartwell or
otherwise which may affect the title of
your orator to the s^d negro slave orange
that your honours will compel the said
Jacob Waterfield either to enter into bond &
security to have the said negro forth-
coming to answer the judgment of the C^t

is an action of-

of Detinue brought by your orator to recover
the s^d slave, or deliver to your orator, or the
officer of the C^t ^{the s^d slave} or your orators entering
into or tendering a Bond with sufficient Sec^s in
such penalty as your Honours shall ap-

right: Conditioned either to allow the negro
to petition the C. & appear ^{for his freedom} according to
the true spirit & meaning of the act of
the Genl Assembly of Virg^a in such cases
made & provided - or to deliver the said
negro to the adm^r: or allow ^{him} to go at liber
ty as a free man in the event of the Court
of ~~the~~ deciding against him, in
the aforesaid action of detainer - & that
you will grant to your orator such other
& further relief in the premises as to
your honours may seem meet & con-
sistent with the principles of Equity
May it please

Nansemond body } April 15. 1806. Honi-
lied Hartwell personally appeared before
me a Magistrate of this body & made oath
that the facts stated in the above injunc-
tion so far as they depend on his own know-
ledge are true & so far as they depend on
the information of others he believes
them to be true. W. M. M.

Annexed Hartwell
Waterfield ^{bill} _{H.}

