

1808-019 Chancery Causes. Robert Tynes + John Bibles; admr of Dolphin Drive val 15 Dixon Penner

Dsh of Wight County

→ Thompson Norisworthy

other surnames: Lewis,  
Cutchins

To the Hon<sup>ble</sup> the Court of Side of Wight County in  
Chancery sitting Humbly complaining shew unto your  
Honours your orators Robert Tynes & John Gibbs authors  
with the will annexed of Dolphin Driver dec<sup>d</sup>. & your  
orator John Gibbs in his own right your orator Drew<sup>r</sup> Driver  
your inf. complts: Robert Driver Nancy G. Driver & Char-  
lotte Driver by Robert Tynes their Guardian, your orator  
Charlotte Driver the widow & relict of Robert Driver the younger  
or your inf. complts: William Driver & Edwin Driver by  
Charlotte Driver their mother & Guardian: That Ann Driver  
the widow & relict of Robert Driver the elder departed this  
life some time about the day of August 1808.  
that she left at her death the following slaves Garrison  
Stephen, Andrew, Anna, Abraham, Fall, Easter, Judy-  
Randolph, & Dick, who she held as her dower of the slaves  
whereof Robert Driver the elder died possessed - That the  
said Robert Driver died intestate, & left the following be-  
cations entitled to partition of his Estate - viz Dolphin Driver  
his son the testator of your Complts. Robert Tynes & John Gibbs  
the said John Gibbs & Polly his wife in right of the said  
Polly one of the daughters of the s<sup>r</sup> Robert Driver - she  
& she during the lifetime of the testator for life of the slaves.  
s<sup>r</sup> Polly having survived her father - Robert Driver son  
of the s<sup>r</sup> Robert Driver the elder the younger Robert hav-  
ing survived his father - the s<sup>r</sup> Robert the younger having  
lately departed this life intestate leaving your Complts  
who are entitled to his share of the s<sup>r</sup> estate viz your fe-  
male Compl. Charlotte Driver the widow & relict of the s<sup>r</sup>  
Robert the younger who is entitled for life to one third part  
of his share, your Complts: Drew Driver, & the inf. Complts  
Robert Driver, Nancy G. Driver, Charlotte Driver William  
Driver & Edwin Driver who are the children of the s<sup>r</sup> Robert  
Driver the younger & entitled to the reversion in the widows  
viz Charlottes portion at her death & to the immediate posses-  
-ion of the remaining two thirds of the share of the s<sup>r</sup> Robert  
Driver the younger. - That the said Robert Driver left

living at his death the following persons entitled to come  
into partition viz Dixon Pinner & Anne his wife who was  
the daughter of the said Robert Driver the elder - the said Anne  
& during the life time of ~~the tenant~~ <sup>for life of the slaves</sup> having since died, Thompson Nonsworthy & Mary his wife  
who was the Grand daughter of the s<sup>r</sup> Robert Driver the elder  
& only child of Nathaniel Driver his daughter who intermarried  
with Josiah Cutchins - the said Nathaniel Driver having de-  
parted this life during the lifetime of her father the s<sup>r</sup> Robert  
Driver the elder - Your Compts represent that the s<sup>r</sup> Mary de-  
parted this life in the lifetime of Ann Driver who held the  
slaves during life - & Figures Lewis & Patsy his wife who  
was daughter of the said Robert Driver the elder - Your Compts  
further represent that the said Lewis & wife were very consider-  
ably advanced by the said Robert Driver the elder in his life-  
time - by several slaves which were given to the said Patsy  
as a portion and advancement which they have not brought  
into Hotchpot - These Compts also state that at the time  
of the death of the said Robert Driver the elder for shortly  
after a suit in Chancery was brought in this Hon<sup>ble</sup> Court  
for the records will shew by Pinner & wife for a division  
of the two thirds of the Estate of the s<sup>r</sup> Robert the elder & that  
Lewis & wife appearing to be absent depts: an order was made  
that they should appear & defend the s<sup>r</sup> suit & an order  
of publication was made & regularly published - that they  
did not appear to the said suit & that a decree was  
rendered - that the s<sup>r</sup> Lewis is since dead & that they  
never have brought into Hotchpot the slaves which  
the said Patsy had been advanced. - But now so it  
is may it please your Honours that the aforesaid  
slaves have come to the possession of Dixon Pinner  
& Thompson Nonsworthy - that the said slaves cannot be  
divided in kind - nor can they be sold without the  
intervention of this Hon<sup>ble</sup> Court - In tender consider-  
ation whereof Your Compts as your Compts are reminded  
in the premises save in this Hon<sup>ble</sup> where matters of  
this sort are properly cognizable & alone releivable to

the end therefore they pray that the said Dixon Pinner  
& Thompson Nonsworthy be made depts. to this bill  
that they be compelled to answer the allegations thereof  
fully truly & as fully as if the same were here again  
repeated - that you will decree a sale of the said  
slaves on such conditions as may be deemed Equitable  
that you will decree a division of the proceeds  
among the Compts. & depts. agreeably to their respective  
rights - that you will decree such other & further  
relief in the premises as may be deemed meet  
& consistent with the Principles of Equity  
May it please

The joint & separate answer of Dixon Pinner  
& Thompson Nonsworthy to the Bill of Compts. ex-  
hibited against them by Robert Lynes & others in the  
Hon<sup>ble</sup> the Court of Chancery in the County of  
There depts. now & at all times saving themselves  
to themselves all necessary exception for answer to  
the said Bill or comit thereof as they are advised  
is material for them to make answer to they answer  
& say - that it is true that the negroes mentioned  
in the Bill were assigned to Ann Driver for her son  
- or as stated. that the said ~~Ann~~ Driver is dead  
that the relations of Robert Driver entitled to partition  
of his Estate are correctly set out. They have no  
objection to the decree prayed for. - They deny  
fraud & combination & pray hence to be dismissed  
to.

Tynes tab ~ Bill  
vs ~ And  
Pinner - ~ Answer.

Com<sup>d</sup>.  
Nathl Wills  
Edmund Godwin  
Thomas Weyle  
Nathl Young  
John Newman

Answered to

Mr. Pinner

Nov 1008

Nov 1008. like full  
but done