

1815-014

Chancery Causes: James Peckin + Emley Peckin, by v c vs Bonister Meador

Isle of Wight County

other surnames: Young

Pedrus Offi } Bill
vs } the
Meador } ansr
= Jan'y 1815 Intell'edence
= October 2^d 1815
Report vot^d & the said accordingly

B. Drew,
T. Purdie,
J. S. Chalmers,
A. Woodley, &
Wm Gibbs, or any
three of them

Commissaries

The answer of Banister Meador, defendant ^{to} ^{against} ^{him}
the foregoing bill of Complaint, exhibited by James
& Emily Pedin, infant Children of Jeremiah
Pedin dec'd, being by Edmund Pedin their next
friend, in the County Court of Isle of Wight.

This respondent denies all fraud &
intention, on his part to defraud the Comptts.
Being ignorant, in a great measure of the
rules of law — and of ~~the~~ rights of each
party concerned agreeably to the statement
in the Complainants bill, he can only
say that he is ready, & willing to submit
cheerfully to any decree which this Court
shall deem just and equitable in and
concerning the premises. He will surrender
the slaves in his possession, which were of
the estate of Bunell young sent to such
Commissioners as this Worshipfull Court shall
appoint, for division as prayed for, & will
hold himself ready, & willing to submit
all and every question involving his own rights
and that of the Complainants, to the final
end, decision & termination of the Courts
Commissioners, to act on the Cases, either as
to the act of ~~that~~ for land, profit and
hire of Slaves, or other question of justice
& Equity. —

What did the plantation rent for annually
how many years and to whom? —

Your Orators pray, that on the coming
in of his answer, the Court will decree
a fair division of the Slaves aforesaid,
and that such of them as shall be allotted
to your Complainants may be delivered
to them clothed as negroes ought to be
at the then season of the year — That
an acct be directed to be made up, of
the hires and profits of the said Slaves
and, rents & profits of the said plantation
by Commissioners, by the Court to be appoint-
ed to carry the decree into effect; and
lastly, your Complainants pray, for the
further aid of this Court, to make and
enter any other or further Order or
decree in and concerning the premises
for their relief and the promotion of
justice, as may be deemed necessary,
right and just — May it please &c

justice in these respects; but in vain. hitherto.
he the said Banister, pretending to have a right
to hold the whole of the said slaves as his
own, that he is not accountable for any
of their profits. hitherto, nor for any part of
the back rents; and altogether refuses to give
in part Complainants, every thing like justice
in and concerning the premises. — Intender
Consideration whereof and for as much as your
Complainants, are only and properly releivable
in a Court of Equity, To the end therefore they
pray that the said Banister be made
defendant to this bill of Complaint, and full
true and perfect answer make to all and
singular the allegations it contains —: More
especially, that he answer and say, how many
Slaves came into his possession by his intermarriage
with Polly B Peddie? — how many of them
had been of the estate of Bennett Young Esq? — What
their ages, names & Sexes? — At what time Nancy
Young died? & when did her brother Bennett
die? — How many Slaves remained of the
estate of Bennett Young Esq at these two last
periods? and what has become of them? —
and how many now remain under his Contract?
How much have they hired for annually
since the death of Bennett Jr? To whom
how many have been resold & not hired at

Continued to hold the said Slaves until her subsequent marriage with one Banister Meador, after which he held the possession of the said Slaves until her death - on or about the day of - in the year of our Lord 1813 - and the said Meador still continues to hold them and claims them as his own property, with a design to injure and defraud your Complainants in that behalf. - Here it becomes necessary for your Orators to state, that Nancy Young died in infancy, intestate - on or about the day of - in the year 1807 - leaving her mother, Bennett (her full brother) and your Complainants, half brother and sister, entitled to her moiety of the said Slaves, in the following proportions, namely, the mother & full brother to one third part each and your Complainants to one third part between them - That shortly after the death of said Nancy - to wit on or about the day of - in the year 1807, Bennett (her brother) died in infancy, and intestate, leaving his mother entitled to one half of his Slaves and your Complainants to the other half; so that your Complainants are justly entitled to one moiety of all the Slaves that were Bennett Young's the elder, at the time of his death, or at any rate all of them which descended to the said Nancy and Bennett jr. and the said Banister Meador, in right of his said wife, to the

Other moiety of the said Slaves, which, your Complainants are informed, are at this time Eleven or twelve in number, all in the possession of the said Banister Meador. -

Your Complainants are informed that, as the said Meador & wife have unjustly retained possession of those parts of the said Slaves which regularly descended to your Complainants on the death of Nancy and Bennett Young jr. - the said Meador is, in justice and equity, bound to render & submit to a fair account of one half the profits of the whole of the negroes, to your Complainants. -

Your Complainants also state, that their mother and her husband the said Meador, were entitled to her life estate ^{as her dower} in one ~~half~~ third of a small plantation of which Jeremiah Pedin died seized & possessed, the whole of which the said Meador & wife enjoyed from the day of ~~the 18~~ to the day of 1813 - altho: it had been stipulated and agreed between the said Meador and your Complainants ^{Edmond Pedin} (as their next friend) that said Meador w^d account for two thirds of the rent of said plantation, it being considered that a division of the land would greatly reduce the value of the whole. -

Your Complainants have made application repeatedly, to the said Meador and wife during her life time, and to him since her death, to do

To the worshipful Court of Isle of Wight in Chancery
sitting Humbly Complaining shew unto the Court your
Orator & Oratrix James Pedit & Emily Pedit,
infant Children of Lurricia Pedit, suing
by Edmund Pedit their next friend. — That
your Complainants mother, before her marriage
with their father, was the widow of one Bennet
Young, by whom she had two Children, living
at her marriage with your Complainants father
namely Nancy Young & Bennett Young, infants
of tender years. That their father Bennett,
having died intestate on or about the day
of _____ in the _____ year of our Lord
1800 — the Nancy & Bennett became the heirs of
his estate, except that the widow had her
right of dower therein for and during her
natural life — That the widows name was
then Polly B Young — that on or about the
day of _____ in the year of Christ 1803. She became
the wife of your Complainants said father, by whom
she had your Complainants, that part of the
estate which Nancy & Bennett young inherited from
their said father, was a number of Slaves, of
which his widow held possession during her
widowhood, ~~as well as~~ and after her marriage
with your Complainants said father he possessed them
until his death, which happened about the
day of _____ in the year 1805 — That she (the widow)
Continued to

We the undersigned Commissioners appointed by the annexed decree of the Worshipful Court of Isle of Wight County, have proceeded this 19th day of January 1815 to Commence our Compliance with the said decree, so far as to divide the Slaves in the decree alluded to - between the parties in the decree mentioned - as follows

VRZ.

To Banister Meador, we have assigned

Arrou at \$400 - Aggy \$175 — \$575

James at 200 - Minerva \$150 — 350

Margate 100 \$ 10 25

To James Pedin & Amelia Pedin jointly

Dick - \$285 - Betty \$275 — 560

Sam \$240 — Rose \$150 — 390

George \$75 — 75 \$ 10 25

We have also divided the last lot - between James & Amelia Pedin. Separately as follows — — — to wit. -

To James Pedin - we have assigned.

Betty at - \$275 - & Sam at \$240 is 515

and to pay to Amelia Pedin's lot No 2 — 2.50 \$ 512.50

To Amelia Pedin. Rose at \$150.

Dick - at "285

& George at "075

& receive from James Pedin — 2.50 \$ 512.50

The board then adjourned, to meet at Wm Gibbs Tavern in Smiths on the sixteenth of February next —

In evidence Whereof we have signed this
partial - Execution of the decree. —

Thos. Purdie
And^{ro} Woodley
Wm Gibbs —

1815. Smithfield March 22.nd We the undersigned commissioners
met by request of the parties and upon consideration
of all the circumstances laid before us, are of
opinion that any formal acct. curt. of a Guardi-
an acct. is unnecessary; it being considered that the
profits of the s.^{es} infants estates which came
to the hands of Mrs Pester during her widow-
hood and to Mr B. Meador after his marriage
with her up to the 1st day of May 1813. were
equal to each other — Mr Meador having
rec^d. the rent for 1813. being \$70. forty dollars, ¹³¹
allowed for repairs put by him the s.^o Meador on
the house \$9. 89. Cents for his 1/3 of that year
rent of \$10. 67 for a Doct.^r Bill leaving
a Bal^{ance} of Sixteen Dollars & 63 Cents due to
the Guardian for the s.^{es} infants: which is
hereby awarded — Given under our hands
the day & year above written —

Pat. Chalmers
And^{ro} Woodley
Wm Gibbs —

Wright County Jan court 1815
James Peden and Emily Peden suing by
Leamon Peden their next friend. Compts.
against
Banister Meador Deft. In Chancery

By consent of parties by their attorney this day the bill and
answer were filed and heard thereon Whereupon it is decreed and
ordered that Benjamin Drew, Thomas Purdie, James Lehalmer, Andrew
Woodby and Wm. Gibbs or any three of them divide the Slaves in the
bill mentioned. assigning one half to the defendants the other
half to the complainants equally between them. It is further
ordered that the said commissioners or any three, make an account
of the profits of the said negroes and the rents of the plantations; and
of all other matters of right between the complainants and
the defendants reciprocally claim by them from each other
and make report thereof to the court in order to a final decree

Attest Teste David Dick D.C.

... 6171 ...

[Faint, illegible handwriting throughout the page]