Rule 8

Walcott Evans & ux. (Comm
of
Henry Vincent et al (Opinion
Return

8 15 R 533

Dated: 4 Dec: 1823

Clk pris pro Aug Off

State of S. Carolina
Lancaster District

By a writ of partition of the honorable court of said State & District to the subscribers directed and authorising us as commissioners to view appraise and divide a certain Plantation or track of Land which Ann Vincent late of said State & District dec^{d} was possessed of at her death, the time of her death, Equaly between the lawful heirs of the said dec^{d} and make a return thereof to the said Court
Persuant to the said writ and by the athority of the same we the subscribers did convene on the twenty fourth day of October in the year of our Lord one thousand Eight hundred & twenty four on the premises of the said dec^{d} to wit plantation or track of Land lies on the waters of Waxhaw Creek in said State & District bounding & butting on the North & East by Lands of Thomas Cureton on the South by Lands of John M^{c}Caralle & Allen Wood, on the West by Benjamin Massey Land containing by estimation one hundred & thirty three Acres more or less and after being qualified as the law directs did enter on and view the said lands with all their appertainances of the said dec^{d} and valued the same to Seven hundred & ninety Eight Dollars
And it is the opinion of your Commissioners that the said Land cannot be divided amongst the Legatees of said Ann Vincent dec^{d} without material injury to all of them and to most the said premises on one or more of the Legatees by their praying over a sum of money to the other legatees, in the opinion of your commissioners is inexpedient because the Land on the premises is nearly all cut down, therfore we are of opinion that it will be to the benefit of all the said legatees that the said plantation with all its appertainances be Sold at publick auction in order to sattisfy the demands against the said Ann Vincent as she by will conveyed away all the personable property she was possessed of
In witness we have hereunto set our hands this 24th day of October 1820

Thos Cureton
John Crawford
Benjamin Massey

in your opinion be fairly & equally divided between the parties in interest thereon as aforesaid, without great injury to them or some or one of them, then & in that case, you make a special return of the whole said tract or plantation & the Value thereof truly appraised & assigned, & only your Opinion to the said Court, whether it will be most for the benefit of the said parties & others to one or more of them of the parties in interest the said tract or plantation which cannot be fairly divided upon the payment of a sum of money by you to be specified, or to sell the same at public auction. And have you then this writ before the Clerk of the said Court forthwith, next, upon the sitting of the said Court — Witness the Honorable E. W. Bay Esqr. Senior Special Judge of the said Court at Lancaster Court House, the first Monday after the fourth Monday in March in the year of Our Lord One thousand eight Hundred & twenty three and in the forty seventh year of the Sovereignty & Independence of the United States of America.

William Clinton
Dpo. Comm.

State of South Carolina } Partition
Lancaster District }

To Henry Mapey, James Mapey, Tho^s Cureton, John Crawford & Robt Stinson Esq^rs Greeting

Whereas it is suggested Ann Vincent deceased in her Lifetime and at the time of her death was siezed in her demesne as of fee of a tract of land situate in the State aforesaid lying on the waters of the Waxhaw Creek, containing ~~a~~ acres more or less being the plantation whereon the said Ann died. That the said Ann being so siezed & possessed thereof as aforesaid, in the year of ~~departed~~ departed this life, leaving Haslett Evans & Rebecca his wife, Jas Vincent Rebecca Vincent & Sarah Vincent children and heirs at Law of Edmund Vincent dec^d, ~~Henry Vincent, James Vincent, William Vincent~~ & Edmund Williamson & Nancy his wife & the heirs at Law of Thomas Vincent (whose names have come to the knowledge of not mentioned) = Whereupon you the Henry Mapey James Mapey Tho^s Cureton John Crawford & Robert Stinson Com^rs for that purpose by the Court appointed & hereby Commanded that within three weeks from the date hereof, you or a majority of you in your proper persons go to & upon the premises aforesaid with their appurtenances & in the presence of the said heirs so aforesaid, by you to be warned if they wish to be present, & you them & them fairly and justly & impartially according to the best of your judgment, divide the the said Land or plantation aforesaid, together with the buildings improvements & appurtenances thereunto belonging & appertaining & allot & assign each lot to the true & intrinsic Value of the same into Seven Equal parts — & that to the said Haslett Evans & Rebecca his wife in their own right as came to be assigned the one Seventh part of the said tract or plantation, to Jas Vincent Rebecca Vincent & Sarah Vincent the heirs at Law of Edmund Vincent dec^d as aforesaid, you Came to be assigned the one Seventh part of the said Plantation or tract of land; to Henry Vincent you Came to be assigned the one Seventh of the said tract or plantation; to Paul Vincent you Came to be assigned the one Seventh part of the said tract or plantation; to William Vincent you Came to be assigned one Seventh of the said tract or plantation; & to ~~Henry~~ ~~Vincent~~ ~~Vincent~~ ~~Vincent~~ ~~Edmund~~ the one Seventh part of the said tract or plantation & to Edmund Williamson & Nancy his wife you Came to be assigned the one Seventh part of the said tract or plantation, & that you put each of the said parties in actual possession of their said respective Shares as aforesaid so aforesaid to be assigned & that thereupon you immediately Return a general plat of the said Land so assigned with a circumstantial Return in writing under your Hands and Seals describing the manner in which you have made division & partition aforesaid unto the Clerk's Office of the Court of Common Pleas held for District of Lancaster. And in Case the said Land Cannot

Halcott Evans
& wife
vs
Henry Vincent
et al

Writ
in
Partn

William Shields
Pro. Con.