

1822

38: Dunbar estate documents (hand-copied), 1822-1835

Estate Document

Follow this and additional works at: <https://scholarlycommons.obu.edu/dunbar>



Part of the [Archival Science Commons](#), and the [United States History Commons](#)

Recommended Citation

Estate Document, "38: Dunbar estate documents (hand-copied), 1822-1835" (1822). *William Dunbar Collection*. 8.
<https://scholarlycommons.obu.edu/dunbar/8>

This Book is brought to you for free and open access by the Archives and Special Collections at Scholarly Commons @ Ouachita. It has been accepted for inclusion in William Dunbar Collection by an authorized administrator of Scholarly Commons @ Ouachita. For more information, please contact mortensona@obu.edu.

Memorandum of a Partition of the Estate of the late William Dunbar Dec. of the Forest made and concluded on this Eighth day of April A. D. Eighteen hundred and twenty six. By the undersigned heirs and distributees of the said Estate.

Whereas on the seventeenth day of January A. D. one thousand eight hundred and twenty five the undersigned heirs and distributees of the late William Dunbar Dec. viz. Ann D. Postlethwaite Margaret Dunlop Eliza Surget and Francis Surget William Dunbar Helen Huntington and Henry W. Huntington Archibald Dunbar Robert T. Dunbar and Alexander C. Dunbar a minor then in the nineteenth year of his age and also Samuel Postlethwaite the husband of the said Ann D. Postlethwaite who died subsequently to that period. Entered into an agreement that they would make division of the Estate of the said William Dunbar dec. among themselves in manner therein recorded - Now therefore having made a division of the said Estate of the said William Dunbar in manner satisfactory to themselves the said heirs and distributees do hereby declare and publish the same to be as hereinafter more particularly set forth - And whereas it was provided for by articles first and second in the said agreement of the seventeenth of January A. D. Eighteen hundred and twenty five that the four plantations viz the Grange the Forest the Sedges and the river place together with all the slaves, stock, farming utensils &c. thereon should be equitably divided among the four sons William Archibald Robert and Alexander together with their proceeds for the last and preceding years - and that the balance of the Real property not specifically devised (consisting of four town lots and one half lot in the City of Natchez and of eight tracts of land situated within the States of Mississippi and Louisiana) should be divided equitably among all the heirs. But: in consequence of Debts and credits some of the said heirs have relinquished to others of the said heirs their claims upon the said balance of the real property viz. the said Margaret Dunlop and the said Helen Huntington and Henry W. Huntington to the said William Archibald Robert and Alexander; and the said William his own claim upon the said balance of the real property and also that claim which he derives from the relinquishment of the said Margaret Dunlop and the said Helen and Henry W. Huntington to the said Archibald Robert and Alexander. Also in consequence of a private agreement the said Eliza & Francis Surget relinquish their claim upon the said town lots to the said Ann D. Postlethwaite and to the said Archibald Robert and Alexander they having paid by due bills for the same to the said Eliza & Francis and also in consequence of the trouble difficulty and expence of dividing equitably lands situated at a distance from Natchez or of ascertaining the value of the same the remainder of the said heirs and distributees viz. the said Ann D. Postlethwaite Eliza Surget & Francis Surget Archibald Robert and Alexander have hereby agreed to nominate appoint and constitute the said Francis Surget their agent to sell in any manner and at what prices he may think proper the said eight tracts of land and to divide and distribute the proceeds thereof in manner hereinafter mentioned

1st To the said Ann D. Postlethwaite; the said other heirs --- do give --- the

5th Whereas various debts & Credits exist and may arise out of the said division of the said estate of William Dunbar among the following heirs viz Margaret Dunlop in behalf of the estate of James Dunlop dec^d William Dunbar Helen Huntington and Henry W Huntington Archibald Dunbar Robert T Dunbar and Alexander C. Dunbar. Now therefore these heirs viz. the said Margaret William Helen Henry Archibald Robert & Alexander do hereby agree to settle the said debts & credits as far as the same can be done by sales one to another of these said heirs of Lands that they may possess by virtue of the said Division or otherwise

6th For the part, portion or share allotted to each heir in manner aforesaid the other heirs parties to this agreement bind themselves to execute each to the other a full release and quit claim and further to execute all such other instruments & conveyances in the Law, when thereto reasonably required as may be necessary to confirm & ratify said division

7th And the said Alexander C. Dunbar aforesaid hereby covenants and agrees to ratify the said division when made so soon as he shall become of age.

In testimony whereof the parties to these presents have hereto set their hands & seals the day and year first above written

Signed sealed & delivered in presence of
 H P Postlethwaite } Witnesses as to the two
 John Baynton } first signatures
 Lewis Phoenix } Witnesses as to last
 John Baynton } nine Signatures

Ann D. Postlethwaite (Seal)
 Sam^l Postlethwaite "
 Margaret Dunlop "
 Eliza Surrgett "
 J Surrgett "
 William Dunbar "
 H D Huntington "
 Henry W. Huntington "
 Arch^d Dunbar "
 Robert T Dunbar "
 Alexander C. Dunbar "

State of Mississippi }
 Adams County } Personally appeared before the undersigned Justice of the peace in and for said County Samuel Postlethwaite and Ann D. Postlethwaite his wife Margaret Dunlop Francis Surrgett and Eliza Surrgett his wife William Dunbar Henry W. Huntington and H. D. Huntington his wife Archibald Dunbar Robert T Dunbar and Alexander C. Dunbar and acknowledged that they signed sealed and delivered the foregoing instrument of writing as their voluntary acts and deeds to and for the uses and purposes therein mentioned and the said Ann D Postlethwaite Eliza Surrgett and H. D. Huntington, being examined by me separately and apart from their said husbands acknowledged that they signed sealed and delivered the same as their voluntary act and deed without any fear threats or compulsion of their husbands.

In Testimony whereof I have hereto set my signature and seal of this nineteenth day of January 1825
 Received into my office to be recorded on the 3d day of February 1825
 John Baynton J.P. (Seal)
 Woodson Wren clk

Said eight tracts of land ---
7th To the said Alexander C. Dunbar --- convey the Hedges plantation
represented in a plat hereto annexed with all the improvements, farming
utensils stock &c. thereon containing eleven hundred and forty two acres
more or less and bounded by lands belonging Doctor Mercer Jacob Sargent
Margaret Dunlop Benjamin Roach the estate of William Biggs dec'd Adam
L. Binngaman and Robert S. Banks also by the said Elgin plantation together with
seventy eight slaves named in the valuation of George D. Banks and Stephen
Duncan hereto annexed also the one half of Lot No: 1 in square No: 49 in
the City of Natchez --- Also three sixteenths of the proceeds arising out of
the sale of the said eight tracts of land ---

8th And to the said Archibald Robert and Alexander --- convey the re-
maining three sixteenths --- which --- shall be divided --- in the propor-
tion of eight parts to Alexander six and a half parts to Robert and two and
a half parts to Archibald ---

And the respective parties --- do covenant and agree, each with the other
that the respective estates and interest --- are free from any incumbrances
done or suffered by the grantor --- declare that there are no debts or credits
due or to be due by reason of the partition of the said estate between them excepting
those which have been settled by Notes or Due-bills --- and it is
further declared by this Instrument that the said Instrument does not
include, nor is it intended in any way to affect the claim of the said
Estate for a tract of land on the Bluff in front of the City of Natchez ---
And it is further declared and understood by and between the parties to this
present that the papers herein before referred to and those mentioned
in the schedule which follows and which are hereto annexed, shall be
taken as part of this instrument and be always considered as conclusive
binding on the said parties, their heirs --- so far as they purport to go.

(Signed by ADP MD ES FS WD HDH HWH AD RTD ACD
Jno Baynton Wm Jorriday witnessed 2^d 1st 5th & 9th signatures also 8th & 10th
Lewis Phoenix Jno Baynton witnessed 3^d 4th 6th & 7th signatures)

Schedule or List.

The papers hereto attached are as follows viz. No: 1 the valuation of
lots by Wilkins and Shipp No: 2 Change plat No: 3 Forest plat No: 4
Hedges plot No: 5 River plot No: 6 Elgin, Forage or Thunderston plot
No: 7 Letter from S. Duncan relative to the valuation of the Estate W. Dun-
bar dec'd No: 8 Letter of George D. Banks & Stephen Duncan altering their
Estimate of the River plantation No: 9 Estimate of the shares of land
and negroes by Stephen Duncan No: 10 Estimate of George D. Banks to
Stephen Duncan's estimate. No: 11 Estimate of slaves of W. Dunbar
by S. D. & G. B. No: 12 Estimate of A. Dunbar's slaves by Ditto.
No: 13 Estimate of R. Dunbar's slaves by ditto. No: 14 Estimate of
Alex: Dunbar's slaves by Ditto. No

(Acknowledgment before Justice of the peace Jno Baynton 22nd May
1826. ADP MD ES FS WD HDH HWH AD RTD ACD
Elysa and Helen examined apart from husbands)

We the undersigned heirs and distributees of the late Wm Dunbar nom-
inate and appoint William Shipp and James C. Wilkins to set
a value upon our town lots preparatory to a division of said lots
(Signed ADP AD ACD WD RTD HW^mH HDH FS ES MD)

I Valuation does not follow here in Book P but plots do I
J. Alexander C Dunbar one of the heirs of the late William Dunbar of
the Forest and a signer of the within & foregoing instrument being now
of lawful age do hereby ratify and confirm the instrument of
writing made and entered into when I was a minor under the
age of twenty one years. Given under my hand this 19th day of
September A D 1827. Alexander C Dunbar

(Acknowledged before Jno Baynton JP 8th February 1828)
Rec'd & recorded 8th Feb 1828.
Witness Calvin S Smith, Silas E Potts

8) half of lot N^o: 2 in Square N^o: 3 the other half whereof is the property of the estate of Samuel Postlethwaite dec^d; also lots N^o: 1 and 2 in Square No 14 in the City of Natchez; and also one equal eighth part of the proceeds arising from the sale of the said eight tracts of land ---

2^d To the said Eliza and Francis Surgit --- convey one equal eighth part of the proceeds of the said eight tracts of land

3^d To the said William Dunbar --- the Forest plantation represented in the plat herewith annexed, with all the improvements farming utensils stock &c thereon containing nine hundred and eighty one acres more or less and bounded by Second Creek and by land belonging to Doctor Mercer (formerly Mrs. Rapelje) by Elgin plantation the property by this instrument of the said Archibald Dunbar by lands belonging to John Henderson and the estate of Mrs. Jane White deceased and by a strip of land of fifty four ^{5/10} acres heretofore attached to the Forest but by this instrument the property of the said Helen Huntington together with seventy seven slaves named in the valuation of Stephen Duncan and George D. Banks herewith annexed ---

4th And whereas by the will of the said William Dunbar dec^d the said Helen D. Huntington was entitled to the Bayou Pierre plantation or the Homochitto place on which Mrs. Shelby alias Polly Doan lived with the exception of one hundred acres to be cut off for the latter at her election and she has thought proper to choose the said Homochitto plantation --- Now therefore, --- convey unto the said Helen D. Huntington --- all that plantation lying between the waters of Homochitto and Buffalo and called the Homochitto plantation being the same on which Mrs. Shelby now resides and consisting of two tracts of land granted to Henry Nicholson and Alexander M^c Cullloch excepting therefrom however the one hundred acres in the said will mentioned --- Also the said strip of land adjoining the Forest hereinbefore mentioned containing fifty four ^{5/10} acres ---

5th To the said Archibald Dunbar --- convey the said Elgin plantation consisting of lands formerly attached to the Hedges and Forest plantations represented in the plat herewith annexed with all the improvements farming utensils stock &c. thereon containing seven hundred acres more or less, and bounded by lands belonging to Jno Henderson Robert S. Banks and Doctor Mercer (formerly Mrs. Rapelje) also by the said Forest and Hedges plantations together with eighty one slaves named in the valuation of Stephen Duncan and George D. Banks herewith annexed --- Also the River plantation herein before mentioned represented in the plat herewith annexed with all the improvements &c. thereon containing seven hundred and seventy two acres more or less and bounded by lands belonging to the said Alex^r C. Dunbar (which he purchased recently from Elijah Smith) by land of J. M. Williams formerly Parke Walton and by the Mississippi River And also lot N^o: 4 in Square N^o: 6 in the City of Natchez, being one of the same said lots belonging to the estate of the said William Dunbar dec^d and which were all valued preparatory to the division as per certificate of Mess^{rs} Shipp and Wilkins herewith annexed And also Three sixteenths of the proceeds arising out of the sale of the said eight tracts of land ---

6th To the said Robert T. Dunbar --- convey the Grange plantation represented in a plat herewith annexed with all the improvements farming utensils stock &c. thereon containing eleven hundred acres more or less and bounded by lands belonging to Francis Surgit, Benjamin Roach Calvin Smith Stephen Duncan by land formerly of the estate of James M^c Intosh by lands belonging to Mrs. Holmes & Charles Bosley and by the waters of Second Creek together with seventy nine slaves named in the valuation of George D. Banks and Stephen Duncan herewith annexed --- Also the one half of lot N^o: 1 in Square No 19 in the City of Natchez the same lot being one of the same valued by the said Wilkins and Shipp. Also three sixteenths of the proceeds arising out of the sale of the

4) Fronting one mile on the Mississippi river and bounded by lands of John Hutchins John M. Williams Silas Driscoll and the Mississippi river containing one hundred and forty Acres more or less being the same tract of Land purchased by one William C. Oates of one George Aldredge and conveyed by John Forsyth Sheriff of Adams County to said Archibald Dunbar by indenture bearing date the fifth day of April A.D. one thousand eight hundred and twenty four. The part here intended to be conveyed by the said party of the first part, to the said party of the second part being the equal half or moiety, other than the one half of said tract heretofore conveyed by the said party of the first part to said John Hutchins, the one half so conveyed to said John Hutchins being the part next and adjoining to the lands of the said John Hutchins: Also a certain other piece or tract of Land adjoining the aforesaid tract and Situate in the County of Adams aforesaid the said tract being Sections three and eight in township N^o five of Range N^o four west of the basis meridian of the lands directed to be sold in the land office west of Pearl river in Mississippi.

Together with all and singular the appurtenances privileges advantages and hereditaments whatsoever unto the land above mentioned and described premises in anywise appertaining or belonging and the reversion and reversions remainder and remainders rents issues and profits thereof.

And also all the estate right title interest property claims and demand whatsoever, both in law and in equity of the said party of the first part of and to the same and every part and parcel thereof with the appurtenances.

To have and to hold the above granted bargained and described premises with the appurtenances unto the said party of the second part his heirs and assigns forever and the said Archibald Dunbar the party of the first part for himself his heirs executors and administrators does hereby covenant grant and agree to and with the said party of the second part his heirs and assigns the above described and hereby granted premises and every part thereof with the appurtenances unto the said party of the second part his heirs and

assigns against the claims and demands of the said party of the first part his heirs and assigns and of all persons whomsoever legally or equitably claiming or to claim the same or any part thereof by from or under him the said party of the first part shall and will warrant and by these presents forever defend

As Witness whereof the said party of the first part has hereunto put his hand and seal the day and year first above written
Signed Sealed and delivered
in presence of

Arch^d Dunbar

F. H. Tooley
State of Mississippi
Adams County

Be it remembered that on the seven-teenth day of June A. D. one thousand eight hundred and twenty six personally appeared before me the undersigned Henry Tooley Esquire one of the Justices of the peace in and for said County of Adams Archibald Dunbar the grantor in the within deed of conveyance mentioned who acknowledged that he signed sealed and delivered the same as his voluntary act and deed to and for the purposes therein mentioned

Witness my hand and Seal the 17th day of June 1826

I certify that the foregoing and within deed was received into my office to be recorded on the 2^d day of August 1826

H. Tooley J. P.
Woodson Wren Clk
By J. Guene D. Clk

Deed Record p. 158
Samuel Postlethwaite To William & Archibald Dunbar
Know all men by these presents that I Samuel Postlethwaite of the City of Natchez trustee under the last will and testament of Jesse Carter deceased late of the County of Adams and State of Mississippi having thereto the consent in writing of the several executors of the last will and testament of the said Jesse Carter as provided for in said will have for the consideration of Fourteen Thousand four hundred dollars received to my full satisfaction granted bargained sold and confirmed unto William Dunbar and Archibald Dunbar of the County and State aforesaid the following negro Slaves

"Duck Pond" Plantation [or a part] went from James Dunlop to Samuel Postlethwaite Duncan to his heirs to Francis Surget. Book L p 513 + 515

1820. Samuel and Ann Postlethwaite to Margaret Dunlop "Greenfield" 565 acres for \$16,000
Had already William [Dr.] Dunbar administrator to James Dunlop to Samuel Postlethwaite

Book R p 453
1829 Alexander C Dunbar sold to Robert T Dunbar his $\frac{1}{3}$ of the 1000 acres on Thompson's Creek

Book W p 520
1835 Alexander C Dunbar to Francis Surget "The Hedges" 1087 acres for \$17,352

Deed Record O p. 159
Heirs of William Dunbar to William Dunbar et al Quit Claim
This Indenture made this tenth day of July in the year of our Lord one thousand eight hundred and twenty two between Samuel Postlethwaite and Ann his wife, Margaret Dunlop Francis Surget + Eliza his wife Henry W. Huntington and Helen his wife all of the County of Adams in the State of Mississippi of the first part and William Dunbar Archibald Dunbar Robert Dunbar and Alexander Dunbar of the County and State aforesaid of the second part.

Witnesseth That whereas William Dunbar Esq. late of The Forest in the said County of Adams deceased did by his last will and Testament bearing date the thirteenth day of October eighteen hundred + Ten devise in the following viz "Imprimis" It is my express will and devise that the Two plantations upon which the slaves are now at work be managed for the general benefit of all the home family as it is now done and at my decease the plantation shall be equally divided among the four Boys with the slaves thereon. And whereas doubts might hereafter arise as to the true intent and meaning of the deceased and create dissension and difficulty in the family - And whereas the said parties of the first part are well satisfied of the true intent and meaning of the said deceased, so well from subsequent facts of the said last will and Testament as from the testimony of Eliza Surgett late Dunbar who committed to writing the said last will and Testament of the deceased her father.

This Indenture therefore Witnesseth that the said parties of the first part for and in consideration of the

5) belonging to the estate of the said Jesse Carter deceased viz John, Pitt, Congo, Peter Ivory, Boatwain, Bill Joe Louis Arthur Ceaser Prince Isaac Gills Harry Joe Junior Juba Venus Maria African Lucy Violet Sophia Charriisa Charlotte and Sally the said negro slaves being now upon the plantation heretofore conveyed by George Poindexter to the said Jesse Carter and lately conveyed by me to the said William Dunbar and Archibald Dunbar together with all the corn fodder plantation utensils Hogs meat cattle mules and horses on the said plantation and I do hereby warrant the said negroes to the said William Dunbar and Archibald Dunbar as slaves for life
 Given under my hand at the City of Natchez this Second day of January 1822

Sam Postlethwaite
 Trustee under the will of the late Jesse Carter

State of Mississippi }
 Adams County } Personally appeared before the undersigned Justice of the peace in and for said County Samuel Postlethwaite Trustee under the will of the late Jesse Carter and acknowledged that he signed Sealed and delivered the foregoing instrument of writing as his voluntary act and deed to and for the uses and purposes therein mentioned

In Testimony whereof I have hereunto set my hand and Seal this third day of February A. D. 1825

Jno Baynton J.P. (Seal)

Received to be recorded on the 3^d day of Feb^y. 1825

Woodson Wren Clerk

W [Our p. 157 Book^o executors of the last will of Jesse Carter authorizing S.P. as trustee of the estate to sell same describes

--- "all that tract of Land lying and situate on Second Creek in the County of Adams containing two hundred and fifty acres being the same tract originally granted to Sarah Kennard" --- by the Spanish government

Jesse Carter sold to George Poindexter 1811
 George Poindexter " " Jesse Carter 1815 \$5000
 Sam Postlethwaite " " W & A Dunbar 1822 Recorded 1825
 George L. Poindexter (grandson of Jesse Carter) quitclaimed to Lewis Williams, his mother Lydia's 2nd husband, (1st George Poindexter) in 1832

To the best of my remembrance it was excerpts from the next two documents that I copied + sent 1955 in re Archibald and "Elgin" but will do the 1st in toto and skip about in 2nd as this more or less completes the settlements but not of course much of James Dunlop's buying and sellings, Archibald and Alexander Dunbar.
M.E.P.

Deed Record O p 160

Heirs of William Dunbar to Partition of Land Agreement
Memorandum of an agreement entered into the Seventeenth day of January A.D. Eighteen hundred and twenty five Between the undersigned heirs and distributees of the late William Dunbar dec.

For the purpose of avoiding any interference of strangers and to prevent the Costs of expenses of Legal proceedings, the heirs and distributees of the late William Dunbar dec. wit Agn D. Postlethwaite and Samuel Postlethwaite Margaret Dunlop Eliza Surgett and Francis Surgett William Dunbar Helen Hunting Tom and Henry W. Huntington Archibald Dunbar Robert P Dunbar and Alexander C. Dunbar a minor in the nineteenth year of his age. Have agreed and by these presents do agree to make division of the estate of the said Wm Dunbar among themselves in manner following to wit

1st. The four Plantations Joint the Forest the Grange the Hedges and the River Place together with all the slaves Stock and farming utensils &c thereon shall be divided equitably among the four sons William Archibald Robert and Alexander together with their proceeds for the last and preceding years.

2nd The balance of the Real property not specifically devised shall be divided equitably among all the heirs

3rd And the said four sons William Archibald Robert and Alexander Have agreed + by these presents do agree to divide into four shares in manner most convenient to themselves the four plantations viz the Forest the Hedges the Grange and the River place together with all the slaves stock (&c &c) (as named in article first.) therein with the exception of fifty four ¹⁵/₁₀₀ acres of woodland adjoining the plantation upon which Henry W Huntington resided, to be hereafter annexed to the said plantation and to appropriate to themselves each one share without any casting of Lots unless they cannot agree in which case it shall be determined by Lot. And the said four sons do also agree to appoint Stephen Duncan and George D Banks to appraise so much of the said four shares as shall consist of Land and Negroes the balance of the said shares consisting of stock &c (as in article first) the said sons do hereby agree to appraise for themselves

4th It is also understood and agreed that the balance of the real property named in article 2nd maybe divided among all the heirs with or without the Casting of lots as may be most agreeable to the parties to this agreement

premises and in further consideration of the sum of Five Dollars to them in hand paid by the said party of the second part the receipt whereof is hereby acknowledged have bargained sold conveyed released and quit claimed and do by these presents bargain sell convey release and quit claim to a certain Plantation on Second Creek called and well known by the name of the Grange Plantation and now in the possession of the said party of the second part by virtue of the said last will and testament of their deceased Father William Dunbar together with the slaves thereon and all appurtenances thereunto belonging To have and to hold the said plantation with the slaves thereon and the appurtenances thereunto belonging to the said party of the second part their heirs and assigns forever. And the said party of the first part for themselves their heirs executors and administrators do hereby covenant promise and agree to and with the said party of the second part their heirs and assigns - that they will forever warrant and defend the said plantation called the Grange with the slaves thereon and the appurtenances thereunto belonging to the said party of the second part their heirs and assigns - against the said party of the first part and against all persons claiming or to claim by through or under them - In Witness whereof the said party of the first part hath hereunto set their hands and seals the day and year first above written

Signed sealed and delivered in presence of
 J P Postlethwaite John Baynton Witnesses
 as to the two first signatures = Mary Field
 Lewis Phanin witnesses to the signatures of J P
 Huntington + wife - Lewis Phanin John
 Baynton = Witnesses as to 3^d 4th + 5 names

Sam Postlethwaite Esq
 Margaret Dunlop "
 Ann D Postlethwaite "
 J. Sargett "
 Eliza Sargett "
 Henry W Huntington "
 Helen D. Huntington "

State of Mississippi
 Adams County

Personally appeared before me the undersigned Justice of the Peace in and for said County Sam^l Postlethwaite and Ann D Postlethwaite his wife Margaret Dunlop Francis Sargett and Eliza Sargett his wife Henry Huntington and Helen D Huntington his wife and acknowledged that they signed sealed and delivered the foregoing instrument as their voluntary act and deed to and for the uses and purposes therein mentioned and the said Ann D. Postlethwaite Eliza Sargett and Helen D. Huntington being examined by me separate and apart from their said husbands acknowledged that they signed sealed and delivered the same as their voluntary act without any fear threats or compulsion of their said husbands

In testimony whereof I have hereunto set my signature & seal this nineteenth day of January A D 1825

Rec^d into my office to be recorded on the 3^d day of February 1825
 Jⁿ Baynton Seal
 Woodson Wren Clerk