

1764-005 SOUTHAMPTON COUNTY
CHANCERY PAPERS

ATHERTON et ux vs. JARRELL, S/1764

Alherton 8/10 } Bile by
" }
Janell .. 8 am 2

Jan? 6/4.
Quire 1/10

March
10/10

May 6/4.

Quire 1/10
Repar

To the worshipful court of Southampton county sitting in
chancery.

Humbly complaining Sheweth unto your worship your Orator &
oratrix Septha Atherton and Betty his wife that one Thomas
Janich late of the county of Southampton was in his lifetime and
at the time of his death seized ~~and possessed~~ of a certain
tract or parcel of Land situate lying and being in the Parish
of St. Luke and county aforesaid containing acres and
also possessed of several Negro Slaves to wit Dick Frank
Grau Nde abt Belinda Peter — George &

and being so seized and possessed departed this life intestate
leaving your oratrix Betty his widow and Relict and two
children to wit Thomas his eldest son and her at law
and Martha his daughter your Orator further sheweth that
the lands and Slaves aforesaid whereof the said intestate died
possessed are descended and come to the said Thomas his
heir at law as aforesaid to whom your orator have
applied to have your oratrix Dower in the aforesaid lands
and Slaves allotted ^{assigned} and set apart But now so it
is may it please your worship that the said Thomas
being an infant of tender years cannot by the rules
of law consent thereto ~~without~~ to the end therefore that
the said Thomas Janich by his Guardian may upon
his corporal oath give true and perfect answer make
to all and singular the allegations of this bill as fully
and particularly as if the same were herein again
repeated and interrogated and that your Worship
with due and order that the Dower of your oratrix
in the lands aforesaid be assigned allotted and set apart
by proper men and bounds by proper persons to be appointed
by your worship and that they also allot and set apart
the Dower of your oratrix in the Slaves aforesaid whereof
the said Thomas died possessed and that they do report
the same to this Worshipful court that the same may

be thereby held firm and stable and that your worship
will make such further or other decree in the premises
as shall be agreeable to equity and good conscience

may it please the

The answer of Thomas Janell an Infant now and then at
law by his guardian to the bill of complaint
of ~~the~~ Cynthia Atterton and Betty his Wife complainants

This Defendant having and receiving the for answer
to the complainants said bill of complaint faith that
true it is that the said Thomas Janell died seized of
the lands in the bill mentioned and also of the the slaves
therein also mentioned that the said complt. Betty is his
Widow and relict and entitled to dower therein that this
defendant is willing and desirous that the same be allotted
and set apart according to the prayer of the said complt.
bill but being an infant of tender years cannot consent
thereto without the decree of this worshipful court and
~~this~~ defendant submit himself thereto and humbly hopes that
what right he hath to the said lands and slaves may
be saved to him without that, that the

Atherton & Co
Janell
P.O.
W. H. Jones & Co

George by the grace of god of great britain France and
Ireland King Defender of the faith &c Wm Mather
of Transfession greeting we command you that
you Commision Thomas Jarrett an Infant son an heir
at Law of The Jarrett Esq. As appear before our
Justices of our said County Court at the Court
House the second Thursday in January next
to answer a bill in Chancery exhibited as here by
Jephtha A. Whittington & Elizabeth his wife and this
the said in now present under the Seal of Lord
And have them then this writ witness R. Hells Clerk
of our said Court at the Court House the ~~Seventh~~
Twelfth Day December in the 7th Year
of our reign

R. Hells

In obedience to the within order we the subscribers have allotted
 assigned and set apart the Dower of Betty the widow of the intestate
 Thomas Janelle decess in the lands whereof he died possessed as follows
 beginning ~~actual~~ ^{the same} at an upper prong of Tucker's branch swamp & the
 the swamp to Underwoods line, thence to the Indian line in portion
 of John Thomas, thence to proper branch, down that to the beginning
 & also the following slaves to wit Frank Grace Peter & Nathan
 as her dower in the slaves of the said intestate given under our
 hands this 11. day of February 1766

Micaj. Edwards

Henry Thomas

William Thomas

A. Benson
 or
 Janelle.

Copy sent

N^o 1 Dick

Nice

Lender

N^o 2 Frank

Grace

Peter

Nathan

N^o 3 Able

Leath

George

At a court held for the county of Southampton the 12 day
of January 1764.

Jephthah Atherton & Betty his wife Pl^{ts}
ag^{ts}.

In chancery

Thomas Janell an infant son their as
law of Thomas Janell dec^d. Def^t

Richard Riick, is by the court appointed
guardian to the defendant in this cause, & the same came
on this day to be heard on the bill & answer, Whereupon
It is decreed & ordered that Henry Thomas, William
Thomas and Mirajah Edwards or any two of them do
assign allott & ^{by proper meets & bounds} set apart the dower of the plaintiff Betty
~~by proper meets~~ in the lands whereof the intestate Thomas Janell
her late husband died seized & also that they do allott &
set apart the dower of the said plaintiff Betty in the
slaves whereof the said intestate died possessed, & that
they make report thereof to the court that the same
may be made firm & stable in the premises

copy.

J. H. Llo &
J. H. Llo

In obedience to the within order we the subscribers have allotted
 assigned and set apart the Dower of Betty the widow of the intestate
 Thomas Janell decess in the lands whereof he died possessed as follows
 beginning ^{the same} at a ^{upper} ^{branch} among of Tuckers at about 1/2 way & up
 the swamp to Underwoods line, thence to the Indian line in position
 of John Thomas thence to Popes branch, down that to the beginning
 of also the following places to wit Frank Grace Peter & Nathan
 as her dower in the places of the said intestate given under our
 hands this 11. day of February 1766

Micaj. Edwards

Henry Thomas

William Thomas

A. Gordon
 Janell.

Copy same

N^o 1 Dick

Nell

Lender

N^o 2 Frank

Grace

Peter

Nathan

N^o 3 Abb

Smith

George