1771-003 SOUTHAMPTON COUNTY CHANCERY PAPERS BROWNE'S LEGATEES vs. BROWNE'S EXECUTORS, 9/1771

other SURNames: Dickens, Parson, Jack, Atkinson, Person, Persons, Taylor

Brownes Exrs
v
Brownes exors
Bill &c

Feby. 1771.
Interl. decree.
April
Cons.
June
Cons. for report
Fin. Final decree

Brownes
Legatees
&
Brownes Exrs
Bill in Chan.

To the worshipful Justices of the County Court
of Southampton now sitting in Chancery

Humbly Complaining Sheweth

Samuel Browne John Atkinson & Sally his Wife, Thos Jack & Martha his Wife
unto your Worships, Your Orators and Oratrixes Jesse Browne
an Infant by Albritain Jones his next friend, Sally, Lucy,
Rebecca, Jesse & Charles Taylor infants under the Age of twenty
one Years, by Ridley Taylor their next friend Robert Dickens
and Mary his Wife Benjamin Parson & Juenilla his Wife
Parthenia Browne by Albritain Jones her
next friend, & Jenny Browne by Sheriba Browne her ~~next~~
Mother and next friend Infants and Legatees of Jesse Browne
decd: That some time in the Year of our Lord, One thousand
Seven hundred and Seventy ~~Six~~ Jesse Browne late of this
County departed this Life having first made his last Will
and Testament in writing, wherein among other things he devised
and bequeathed as follows; It is my Will and desire that after all
my just debts and funeral expences are paid all the residue &
remainder of my estate both real and personal not herein
before devised as well as the Legacies devised to my Daughter
Parthenia & Jenny should they or either of them die under
the Age of twenty one Years and unmarried shall be divided
in nine equal parts that is to say to my beloved Son Samuel
one part, to the legal representatives of my Daughter Taylor,
one part, to my six daughters (to wit) Jack, Atkinson, Dickens,
Parson, Parthenia, & Jenny each one equal part, and the
remaining ninth part to my Grandson Jesse Browne, and
the shares of my Daughters Parthenia & Jenny, on the contingencies

before recited to be divided equally amongst the survivors of my residuary Legatees or their legal representatives in equal proportion) that by said Will Samuel Browne his Son, Thomas Jack, John Atkinson and Benjamin Parsons were appointed and that the said Samuel Browne, Thomas Jack, John Atkinson took upon themselves the burthen and execution of his Executors, whom your Orator and Oratrixes pray may be made respondents to this Bill; And as there are many Negroe Slaves the residuum of the said estate, not bequeathed in said Will, which come under the clause aforesaid, your Orator and Oratrixes have often applied to the Executors aforesaid for their equal Share and dividend of said Slaves — But now so it is may it please your Worships that the said Samuel Browne, Thomas Jack, John Atkinson, Benjamin Parsons have refused to comply with this your Orators and Oratrixes most reasonable request, alledging that they cannot be justified in so doing without the interposition of this Worshipful Court — In tender consideration whereof and inasmuch as your Orators and Oratrixes cannot otherwise obtain relief — To the end therefore that the said Samuel Browne, Thomas Jack, John Atkinson and Benjamin Parsons may full, true, and perfect answer make to all and singuler the Premises, as fully and distinctly as if the same were herein again repeated and interrogated, and that your Worships may decree said Slaves to be sold in order that an equitable division may be made of the same, and such other decree in the Premises as to your Worships may seem agreable to Equity and Good Conscience —

May it please your Worships to grant unto your Orators and Oratrixes his Majesty's most gracious Writt of Sub. &c &c —

The Joint and Several Answer of Samuel Browne, Thomas Jack and John Atkinson to the Bill of Complaint exhibited against them by Jesse Browne by Albritain Jones his next friend — Samuel Browne & Jno Atkinson & Sally his Wife, Thos Jack & Mary his Wife

Sally, Lucy, Rebecca, Jesse and Charles Taylor infants under the Age of twenty one Years by Ridley Taylor their next friend, Robert Dickens and Mary his Wife, Benjamin Parsons and Lucretia his Wife, Parthenia Browne by Albritain Jones her next friend and Jenny Browne by Phoeba Browne her Mother and next friend Complainants

These Respondents saving and reserving now and at all times hereafter all manner of benefit and advantage of exception that may accrue to them, for Answer thereto or so much thereof as they are advised materially concerns them, they do answer, and say that the bequest in the said Bill set forth is true, and that they have no objection that this worshipful Court should make such decree in the premises as to your Worships shall seem consonant to Justice and Equity, and pray to be hence dismiss'd with their reasonable costs in the said Suit sustain'd —

Sworn to before me one of his Majesty's Justices of the Peace for the County aforesaid this 14th. day of February 1771 —

Ridley

Samuel Browne
John Atkinson

The Answer of Thomas Jack ~~to be~~ one of the acting Exors of Jesse Brown dec^d to the Bill of Complaint Samuel Brown, Jn^o Atkinson & Sally his Wife, Tho^s Jack & Martha his Wife exhibited against him by Jesse Brown an Infant by Albritain Jones his next friend, Sally, Lucy, Rebecca, Jesse, and Charles Taylor infants under the Age of twenty one Years by Ridley Taylor their next friend Benjamin Parsons & Lucretia his Wife Robert Dickins & Mary his Wife, Parthenia Browne by Albritain Jones her next friend, Jenny Browne by Phereba Browne her Mother and next friend Complainants

This Respondent Saving and Reserving to himself now and all times all manner of Benefit and Advantage of Exception to the many Errors and insufficiences in the said Bill contain'd for Answer thereto or so much thereof as he is advised materially concerns him, he doth Admit that the Bequest in the said Bill mentioned ~~to~~ is true and has no objection that this Worshipful Court should make such decree in the premises as to your Worships shall seem reasonable and agreable to Equity And prays to be hence dismiss'd with his reasonable Costs in the said Suit Sustained

Thom Jack

Sworn to before ~~me~~ one of his Majesty's Justices of the peace for the County of Nans^d this 12th day of February 1771

Sam^l Cotroon

Browne leg.
vs
Browne exors

George the third by the grau of God of Gnat Britain Fran
and Inland king defenar of the faith To the sheriff of South
ampton county greating We command You that You sum
mon Samuel Browne Thomas Jack John Atkinson & Benja
min Person to appear before our justices of our county court
in chancery at the courthouse of our said county in the
second thursday in february next to answer a bill in
chancery exhibited against them by Samuel Browne
Sally Lucy Rebecca Jesse and Charles Taylor infants
under the age of twenty one Years by Reddy Taylor their
next friend Thomas Jack & Martha his wife John At-
kinson & Sarah his wife Robert Dickins & Mary his
wife Benjamin Person & Lucretia his wife Parthenia
Jenny & Jesse Browne infants & legatees of Jesse Browne dec
and this they shall in no wise omit under the penalty
of £100 each & Witness Rich Wells clerk of our said court
at the courthouse afore. the twelfth day of January
in the eleventh Year of our reign.

R. Wells CS

Rect. Sales of Sundry Slaves belong'g to the Estate of Jasper Browne dec'd

Browne Vs
Browne et al.

Acct. Sales of Sundry Slaves belonging to the Estate of Jesse Browne Decd, sold pursuant to a decree of the Worshipfull Court of Southampton County Viz.

1771 Feby 28th	Tom a Negro man to	Benjn. Persons	£ 101 " 1 "
	Polina a Negro Woman to	Do.	70 " 10 "
	Cate a Negro Woman to	Do.	61 " 10 "
	Charles a Negro boy to	John Atkinson	17 " 11 "
	Daphne a Negro girl to	Phraby Browne	5 " — "
	Sidney a Negro girl to	Do.	10 " — "
	Phebe a Negro Girl to	Sarah Browne	10 " — "
	Malborough a Negro boy to	Eliz.a Ridley Taylor	10 " — "
	Daphne daughter of Luna a girl to	Do.	7 " 5 " 1
			£ 292 " 17 " 7

Errors Excepted pr. Jam.s Browne Exr.