

1819-021

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BARRETT etal

VS. BARRETT etal

5/18/19

other SURNames: Thomas

Barnett & Co
Bill & Co
Barnett & Co

Brownay.

Feb. 4.
~~Jan. 4.~~ 1818 decreed
accordingly

To the worshipful the County Court of Southampton sitting
in chancery. Humbly complaining shew unto your
worships your orators & oratrices Davis Barnett, Eliza-
beth Barnett, Benjamin Barnett & James S. Barnett -
infant children of James Barnett dec'd by John
Thomas their next friend, That the said James Barnett
their father departed this life some time since intestate,
leaving your orators & oratrices his only children and a
widow Nancy Barnett (who is prayed to be made a
defendant to this Bill) - That a certain John Barnett
(who is also prayed to be made a defendant hereto)
has been legally appointed the administrator of the
said decedent & has qualified in due form of law.
That the said intestate left a tract of land and a
considerable personal estate in this County to which
your complainants are entitled as they are advised
as coparceners & distributers by virtue of the Acts
of Assembly in those cases provided, reserving to the
widow of the said intestate her right of dower
therein. That there are monies due from
the estate of sufficient magnitude to render it ne-
cessary that the negroes ~~belonging~~ to the said
estate should be retained any longer in the hands
of the said administrator, or to prevent an immediate
distribution thereof. In tender consideration
whereof & inasmuch as your orators & oratrices
are without remedy at law in the premises,
To the end therefore that the said defendants may
answer this Bill & that your worships the premises

considered. be pleased to decree & order proper com-
missioners to be appointed by the Court to allot to
the said dependent Oracey, the widow of the intestate
her dower in the lands & distributable proportion
of the slaves of which the said James Barnett died
seized & possessed and to divide the residue of the
said estate real & personal equally among
your complainants & to grant them such other
& further relief as may be deemed consistent with
equity & the rules of this worshipping Court. May
it please the Court to award so.

The Joint answer of Oracey Barnett the widow &
Piles Barnett administrators of James Barnett decd.
to the Bill of complaint exhibited against them in
this worshipping Court by the infant children of the said
decedent: These respondents coming to themselves
for answer to the said Bill, say that they ad-
mit the facts therein alleged to be stated correct-
ly. That they have no objection to a division
of the land & slaves mentioned by the complainants
in their said Bill as is therein prayed for, or
to such other decree as to the Court may seem
just & equitable. And having answered they
pray to be hence dismissed &c.

Barrett &c.
Barrett &c. In Atty.

This cause was this day docketed &
tried by consent of parties on the Pile & answer,
and the Court on mature consideration thereof
doth advise order & decree, that Thomas Newman
Joseph Pope, Jacob Barnes & George Gurley
or any three of them proceed with the assistance
of the County Surveyor to allot to Oracey Barnett
Relict of James Barnett decd one third part of the
lands of which her said husband died seized to be
held by her during the term of her natural life
as her dower in the said lands — and that they
also ~~allot~~ ^{divide} the slaves ~~belonging to the estate of the said decedent~~ ^{part of the slaves}
belonging to the estate of the said decedent to be held
during her natural life as her distributable
proportion of the same — that they divide divide
the residue of the lands and slaves ^{each} into four
portions equal in value, and allot one such
portion to Davis Barnett, one to Elizabeth Barnett,
one to Benjamin Barnett & the remaining one
to James A. Barnett the infant heir & distributee
of James Barnett decd. and that having done so
they report their proceedings in the premises
to this Court in order to a final decree. —

Barrett & Co } copy
vs }
Barrett & Co } done

Febry. 1818 done
and paid

Bourhampton February Court 1818

Dair, Barrell, Elizabeth Barrell
Benjamin Barrell and James H Barrell
infants Children of James Barrell decd.
by John Thomas their next friend - complt
against

Nancy Barrell (the widow) and Jiles
Barrell the admrs of James Barrell
decd. - - - - - Defendants

In of Francey

This Cause was this day docketed and tried by
Consent of Parties, on the bill and answer, and the Court
on mature deliberation thereof, doth adjudge order and
decree, that Thomas Mearns, Joseph Pope, Jacob Barnes
and George Gurley or any three of, proceed with the
assistance of the County Surveyor, to allot to Nancy
Barrell relict of James Barrell decd one third part
of the lands of which her said Husband decd seized to
be ~~less~~ holden by her during the term of her natural
life as her dower in the said lands and that they also
allot her one third part of the Slaves, belonging to the
Estate of the said decedent, to be holden during her natural
life as her distributable proportion of the same, that
they ~~allot~~ the residue of the land and Slaves ~~in~~ ~~the~~

~~to~~ to Dair Barrell, ~~and~~ Elizabeth Barrell, ~~and~~
~~to~~ Benjamin Barrell and ~~the~~ James
H Barrell the infant heirs and distributees of James Barrell
decd and that having done so they report their proceedings
in the premises to this Court in order to a final decree

Teste A. Middleton D.C.



Sampton February Term 1878 —

whereas the Court for the afore said County did then order and Decree and In pursuance of which we the under signed did on the twenty first day of February in the aforesaid year proceed with James Jones surveyor for the aforesaid County and allot to Nancy Barnett relict of James Barnett Dec. one third part of all the Land of which her said Husband Died Seized & possessed of: beginning at a small Bush standing nearly north of the Dwelling house of said Dec. in the line as will Joseph Joyner thence a straight Line ^{south} two Degrees east Eighty four Poles to a pine thence a straight Line south three Degrees west one hundred & seventy three poles to a Line as will James Vickz all of the Land of said Decedents Lying on the west side of the above Described dividing Line being one hundred & Thirty four acres of Land which we allot as aforesaid to the said Nancy Barnett as her full Dower in all the said Decedents Land.

We also allot to the said Nancy Barnett two negro slaves to wit one Woman named Frankie one Boy named Jack they the said slaves being one third Part in Value of all the slaves which the said James Barnett Died Seized & possessed as her full Distributionable proportion in the said Decedents slaves the above Described one hundred & Thirty four acres of Land & slaves to be holden by the said Nancy Barnett During her own natural Life

Secondly we allot the residue of Land & slaves of said Decedents to Davis Barnett Elizabeth Barnett

Benz. Banette & James H. Banette The Infant heirs
& Distributors of the said James Banette Dec: given
under our hands this twenty first day of February
Eighteen hundred eighteen

Joseph Pope

Caleb Barnes as to the Land

Thomas Newcom as to the Negro

Geo: Gurley

Commonwealth
of the division
of James Banette's
Land & Slaves

May 17th 1819
1000 by contract