

1822-133

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BEAL et ux vs. WHITEHEAD et al

2/1822

other surnames: Beale

Beal Huse

Wm. B. Bick

Whitchurch, Cal.

Baker.

Oct. 1891 Inty. Dence

Leamington

To the wor. shipful Court of Southampton County
in Chancery sitting hereby Complaining shew unto
your worships your Orator and Petitioner S. P. Beal
and Margaret his wife, ~~that some time~~ about the
year eighteen hundred and seven Richard Whitehead
departed this life, intestate, seized & possessed of many
valuable negro slaves, and entitled in remainder to
many other valuable negro slaves; a certain John
Whitehead in due form of Law qualified as the executor
of the said intestate, and immediately took possession
of the slaves of which the said Richard died possessed,
and some short time afterwards, the slaves to which
the said Richard was entitled in remainder the
particular estate therein having determined, he the
said John Whitehead also resigned to possession as
making in all twelve, ~~namely~~ George, Dyer, Phillis, Lydia, John, Young George, Edith
admiral as aforesaid: the said Richard Whitehead
Hagar, James, Alice, Bob & Isaac
left a widow, now your Petitioner Margaret Beal,
and three children still under the age of twenty
one year, namely, Elliott Whitehead, Edgar Whitehead
and Content Whitehead: As the said Richard White
head having also left sufficient personal estate,
besides the said slaves, for the payment of his just
debts, the said John Whitehead has fully discharged
satisfied the same, & has since delivered the said
slaves into the possession of your Orator & Petitioner whom
they now are liable to division in the manner required
by Law: But your Orator & Petitioner are advised

that in consequence of the minority of the children &
him of the said Richard Whitehead as herein before men-
tioned, no division of the slave or slaves can legally
be made but ~~in accordance~~ a court of equity
may decree, in Tender Consideration thereof &c.

To the End therefore that the said Elliott, Edgar &
Content Whitehead (who are prayed to be made Defendants
herein by some person to be appointed as their special guard-
ian in this case) may upon their corporal oath full
true & perfect answer make to all & singular the afore-
said allegations & that as particularly as if the same were
here again repeated and they thereby interrogated: your
Orator & Petitioner pray that your worship will decree
a division of the said slave, allotting to your Orator
in right of his said wife one third part or more &
the remaining two thirds to the children & heirs of the
said Richard Whitehead slave to have & hold, and
that your worship will make such other or further
order or decree in the premises as may seem expedient
with the principles of justice may it please &c.

The Joint & several answer of Elliott
Whitehead, Edgar Whitehead & Content
Whitehead, infant children of Richard
Whitehead deceased, defending by Jacob Linder
their special guardian, to the annexed
Bill of Complaint &c. These respondents

saving & reserving &c. for answer thereto say that the
allegations contained in the said Bill are true &
correct: they Consent that this worshipful Court
may decree a division of the slave in the bill
mentioned as required by the complainants: without
that &c. they pay all fraud &c. & pray to be
dismissed with their costs in this behalf offer-
ed &c.

Jacob Linder

Head
Comm. Repat. of the
Whithead divisions of Slaves
for the Court

Feby 18. 1822. rule 100.

Pursuant to a Decree of the county court of Southampton, a copy of which is hereto annexed, we the undersigned, have divided the slaves of Richard Whitehead due as follows. *Viz*

The whole value of the slaves we found to be \$2920.00
 One third of this sum we have allotted to Joseph D. Beale (in right of his wife Margaret) it being 973.33
 That is to say \$150.00
 Lydia " 350.00
 John " 150.00 950.00

Leaving a deficiency in valuation of 23.33

As an equivalent to this deficiency, he is to be paid in cash by Content Whitehead, one third of its amo^t as shown below, say 7.77 1/2
 Leaving, to be added to the amo^t distributable amongst the children 15.55 1/2

Two thirds of the whole value of the slaves 1940.00
 Add this sum retained of the above deficiency 15.55 1/2
 The whole amo^t distributable amongst the 3 children 1955.55 1/2
 Each child's proportion in valuation 651.85 1/6

We have allotted

To Elliott Whitehead Negro Fells valuation 200.00
 Nagar " 300.00
 Alice " 120.00

with this sum to be paid by Content Whitehead 34.07 1/2 654.07 1/2

To Edgar Whitehead Negro Doncas and child George 400.00
 James 250.00

and this sum to be paid by Content Whitehead 4.07 1/2 654.07 1/2

To Content Whitehead Negro Edith child Bobb 400.00
 Isaac 300.00
700.00

Am her paying to Joseph D. Beale as above \$7.77 1/2
 Elliott Whitehead 34.07 1/2
 and to Edgar Whitehead 4.07 1/2 45.92 1/2 654.07 1/2

Given under our hands this 19th day of Nov^r 1821
 Bolling H. Barnes
 William D. Moore

Isaac D. Bech & Margaret his wife, Compt^s

vs. ^{James} In Ch^y.

Elliott Whitehead, Edgar Whitehead & Content Whitehead
Infants, appearing by Jacob Darden, their sp. guard.

This cause came on this day by consent
of parties & with the assent of the Court, whereupon
the Court ~~thereat~~ doth adjudge & decree that
Bolling St. Barnes, Richard B. Day, William T. Moon
& Richard Darden or any three of them, do divide
the Slaves in the Bill mentioned, that is to say, George,
Dorcas, Phillis, Lydia, John, young George, Edith, Hagar,
James, Alice, Bobb & Isaac, and allot & assign to
Isaac D. Bech in right of his wife Margaret one
third part thereof for & during the life time of the
said Margaret and the remaining two third parts
the said Compt^s or such of them as may act as
herby directed to divide into three equal shares &
deliver the same ~~part~~ viz, to Jacob Darden
as guardian to the v^{ts} Elliott & Edgar two shares &
to Sally K^{re} the remaining share: And the said
Compt^s or such of them as may act as herby
authorized & required to demand & receive from any
one or more of the said parties such sum or sums
of money as may be necessary for the purpose of
making proper & just division of the slaves & and
it is ordered to the said v^{ts} to show cause

if they can again be observed ^{any} time
within twelve months after they respectively arrive to
the age of twenty months. P.

Done