

1827-018

SOUTHAMPTON COUNTY
CHANCERY PAPERS

FITCH ^{+ ux + al} VS. BARRETT and Wife

2/1827

other surnames: James,
Gorley

Samuel W
G. & B. W. H. W.
Bancroft

Dec-1826 Int. J. Decree

(Decree copied)

To the worshipful the County Court of Southampton
sitting in W^m. Humbly complaining shew to your
w^{ships} your compts Bela H. Fitch & Charlotte
Eliza his wife late James Lucy James Susan
James infant children of Rob^t. James dec^d by
George G. Gurley their guardian, that the said
Rob^t. James dec^d intestate having a widow Patsy
who has since intermarried with Bolling L. B.
Barrett & five children, the three above enumera-
-ted & W^m. James May James both of whom have
since died under age, without issue & intestate
entitled to a few slaves who cannot be divided
in kind & which your courtly are advised they
together with their p^r. mother are now entitled
to. That they are anxious to have a division
but this cannot be effected without the interpo-
-sition of a Court of Ch^g. To the end therefore
that the said Barrett & wife may be made
def^s to hereto & compelled to answer the premises
— that your w^{ships} decree a sale & division
of the p^r. slaves according to the respective
rights of the parties — & moreover grant them
general relief in the premises & may it please
you

Produce P. D.

The Answer of Bolling L. B. Barrett & Patsy
his wife late James to the foregoing Bill.

These respective depts having to themselves for
answer to the said Bill say that they admit the
facts alleged by the Compts & have no objection
to the decree prayed for — and having answered
they pray to be hence dismissed &c. Produce P. D.

Fitch &c
& 3 in Chy.

Pratt &c

This cause this day, came on
to be heard by consent of parties on the bill
& answer, and the Court on motion considered
= a decree doth adjudge order & decree that Clement
Rockwell - Jacob Barnes - James Bishop & Thomas
Newman or any three of them, do (if they can well
be divided in kind) proceed to sell at public
auction to the highest bidder on a credit of twelve
months, after reasonable public notice, the slaves
which were James & Mary James infant children
of Robert James dec'd. acquired from the estate
of their s^r dec'd. father & themselves lately died
entitled to, & take from the purchasers bond
& good security, divided in such way as
to enable them to transfer bonds of equal
amount in four proportions, one to Colling
S. C. Barrett & Patsy his wife late James
in right of his said wife, one to Bela H.
Fitch & Charlotte Eliza his wife, late James
in right of his said wife, one to Lucy James
- & the remaining one to Susan James, or the
regularly constituted guardians of the two
last who are infants. - And that they
report their proceedings in the premises to
the Court in order to a final decree.

Fitch &
to Amos Deane
Barnett &

Jan'y. 1827 Deane amended

(copies)

Fitch &c

Ranett &c

I ~~am~~ ~~the~~ ~~Att.~~

It appearing to the Court that the
estate of Rob^t. James dec^d. had never been dis-
tributed among his children the parties to
this cause in the former interlocutory decree
enumerated but that his widow had rec^d her
proportion of the Slaves, it is now ordered &
decree by way of amendment to the former
decree, that the said Com^{rs} in the
first place divide the Slaves belonging to
the estate of the s^d. Rob^t. James dec^d. remain-
ing after the widow distributable proportion
was laid off into five equal shares to
ascertain the proportions to which the said
two dec^d. children would have been
entitled - & then divide those shares by sale
or division as in the said former
decree directed - & also that they allot the
other three shares of the said Slaves to the
said living distributees respectively, and
report their proceedings in the premises to this
Court in order to a final decree. —

Stick & Co.

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Barnett & Co.

Aug. 9. Decree

July 1827 Rep. ret. 8 Final

Decree -

In pursuance of The decrees a Copy of which is hereto annexed

We the undersigned commissioners have divided The negro slaves of which Robert James died seized and possessed as follows To wit 1st we allot and apigne To Boling L^d Barrett in right of his wife Patsy one negrowoman named Easter as being one fourth of Two fifths of the whole Slaves of The Said Robert James Decd andly we ~~we~~ allot and apigne To Belah Wth Fitch in right of his wife Charlotte four of Said Slaves To wit one woman named Nanney one boy named Iere one girl named Martha one do named Thoady as being one fourth part of Two fifths of the whole and also one Third of the remaining three fifths of the whole Slaves of the Said Robert James Decd. Lastly we allot and apigne To George Gth Hurley Guardian to Lucy James, and Susan James, to be held in common for his Said Two wards the following negroes one negro man named Ben one boy named Hartwell one girl named Anna one do named Faney one Boy named Eli, one do named John, one girl named Hannah as being one half of The Two fifths and also Two Thirds of the remaining three fifths of the whole Slaves of the Said Robert James Decd, the dower right in Said Decedents Slaves being previously delivered over to the division as above described which proceedings of ours we respectfully submit to the Court given under our hands this 15th day of February 1827

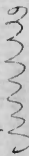
Oliver Rockwell
James Bishop

Jacob Barnett

Fitch & Co.

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Barnett & Co.



Int. & Deere

(Copy)

Southampton December Court 1826

Bela H. Fitch and Charlotte Eliza his wife, late James,
Lucy James and Susan James infant children of
Robert James dec'd by George Henley their Guardian
Compts

against
Polling & B. Barrette and Patsy his wife late
James - Defts

In Chancery

This cause this day came on to be heard by consent of parties on the bill and answer, and the court on mature consideration doth adjudge, order and decree that Clements Rochelle, Jacob Barner, James Bishop and Thomas Annum or any three of them, do (if they cannot be divided in kind) proceed to sell at public auction to the highest bidder on a credit of Twelve months after reasonable public notice, the Slaves which William James and Mary James infant children of Robert James dec'd acquired from the estate of their said dec'd Father and themselves lately dec'd entitled to, and take from the purchasers bond and good security, divided in such way as to enable them to transfer bond of equal amount in four proportions one to Polling & B. Barrette and Patsy his wife late James in right of his said wife, one to Bela H. Fitch & Charlotte Eliza his wife, late James in right of his said wife, one to Lucy James and the remaining one to Susan James or their regularly constituted guardians of the two last who are infants - and that they report their proceedings in the premises to this court in order to a final decree. -

Attest
James Rochelle C.

Fitch & Co.

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Barnett & Co.

Int. J. Deane

amended

Albany

Southampton January Court 1837.

Bela H. Fitch and Chauncey Chyke his wife, late James
Lucy James, and Susan James infant children of Robert
James dec^d by George Shurley their Guardian Compt^s

against

Bolling, J. B. Barnette & Pattee his wife late James Deth^d

In sol^{ly}

It appearing to the court that the estate of Robert James dec^d
has never been distributed among his children, the parties to this cause
in the former interlocutory decree enumerated, but that his widow
has received her proportion of the Slaves, It is now ordered and
Decreed by way of amendment to the former decree, that the said
commissioners in the first place divide the Slaves belonging to the
estate of the said Robert James dec^d remaining after the widows
distributable proportion was laid off, into five equal Shares to
apportion the proportions to which the said two deceased children
would have been entitled, and then divide those Shares by sale
or division &c. as in the said former decree directed, and also that
they allot the other three Shares of the said Slaves to the said
living distributees respectively, and report their proceedings to this
court in order to a final Decree—

Attest
James Rochelle Esq.