

1774-005

Chancery Causes: Joseph Dobbs & ux & al vs James Bennett & al

Isle of Wight

other SURNAMES: Stevens,
Hardy

Dobson Bill
Bennett & Co. 2

(file it)

without making Sale of any of the aforesaid Slaves for that purpose and what are their Reasons for not making Partition of the said Slaves And that the said Deft^s may be compelled by a Decree of this Worshipfull Court to make an equal Partition of the aforesaid Slaves between your ~~Contractors~~ Contractors and the said Deft^s and that the said partition be made by some fitt and able Persons to be by this Court appointed and be made perpetuall and binding between the Parties and that your Orators and Contractors may have such other and further Relief in the Premises as shall seem agreeable to equity and good Conscience May it please Y^r Hon^r.

John Day for Compt^s

The Answer of James Bennett, Jesse Bennett, Thomas Bennett and Edmund Bennett Infants under the Age of Twenty one Years by Richard Hardy their Guardian Defendants to the Bill of Complaint of Josiah Dobb and Martha his Wife, Thomas Stevens and Lucy his Wife Compt^s

These Deft^s saving and reserving to themselves all manner of Advantage and Benefit of exception to the Plt^s said Bill of Complaint for Answer thereto or to so much thereof as these Deft^s are advised materially concerns them to make Answer unto they Answering by their said Guardian say that true it is that John Bennett died possessed of such Slaves having first made such Will and devise as by the Compt^s in their Bill set forth, that the said Compt^s are two of the Children Mentioned in the said Devise and entitled to an equal part of the said Slaves with these Deft^s but that they being Infants of tender Years can do nothing in the Premises without the Decree of this Court they further say they are willing such Decree be made in the Premises as shall be agreeable to equity Praying that all Right may be saved unto them because of their Infaney And pray to be hence dismissed &c.

Richard Hardy

To the Worshipfull Court of Isle of Wight
County sitting in Chancery

Humbly complaining sheweth
unto your Worships your Orators Josiah
Dobbs and Martha his Wife & Thomas Stevens and
Lucy his Wife that some time in the Year one John
Bennett departed this Life having first made his
last Will and Testament in Writing wherein he
directed the following Slaves; to wit Aaron, Sam,
Garry, Jim, Naron & Rose to be equally divided between
Six of his Children to wit your Orators Martha and
Lucy and James Bennett, Jesse Bennett, Thomas
Bennett and Edmund Bennett as by the said Will
duly proved & Recorded may appear. Your Orators further
shew that have intermarried with your Orators
Martha & Lucy two of the Devisees aforesaid & have
often applyed themselves to the said James Bennett
Jesse Bennett, Thomas Bennett & Edmund Bennett
and requested them in a friendly manner to have an equal
Partition made in the aforesaid Slaves as in all Justice
they ought to do But now so it is may it please your
Worships that the said James Bennett, ~~Jesse~~ Jesse Bennett,
Thomas Bennett, and Edmund Bennett, whom your Orators
and Oratrices pray may be made Defendants to this
their Bill) altogether refuse to comply with this Request
pretending that they being Infants no Partition of the said
Slaves can be binding on them without the Presence of this
Worshipfull Court In tender Consideration whereof and to
the end therefore that the said Defendants may by their
Guardian to be by this Worshipfull Court in their behalf
appointed full true and perfect Answer make to all and
singular the Allegations of this Bill as fully and particularly
as if herein again repeated and interrogated, more
especially that they may set forth and discover Whether the
said John Bennett did not depart this Life seized and
Possessed of such Slaves as before set forth, having first
made such Will and devise as before recited Whether your
Orators ^{are} not two of the Devisees Mentioned in the said
Will whether there was not sufficient Estate of the said
Bennett for the payment of his Debts and Legacies

Dobbs &c

my

Bennett &c

} Sup^d in
Charity

January 1774

Int. Deane

April 1774

Rept. re 10th Deane

accord^d 8th the last to be -
equally born by the parties

65	—	10
46		10
111		
10		
5		
10		
136		

Deane

John J. M. M. M. M.

George the third by the Grace of God of Great Britain France
and Ireland King Defender of the faith &c. To the Sheriff of
Isle of Wight County greeting We Command you that
you Summons James Bennett, Jesse Bennett, Thomas
Bennett, & Edmund Bennett to Appear before our Justices
of our Court of our said County County at the Court house
on the first Thursday in January Next to Answer a bill
in Chancery exhibited against them by Josiah Polles
& Martha his Wife, Thomas Steven & Lucy his Wife &
this they shall in no wise omit Under the Penalty of
100. and have ther ther this Writ Witness Nathaniel
Burwell Clerk of our said Court the 14th day of December
1773 in the fourteenth year of our Reign.

Nathaniel Burwell Clk

Dolls. &c.

Report

Bennett

Jan^y 8th 1774. Pursuant to an order of the Court of Isle of Wight County
We the Subscribers having met at the House of Josiah Dobbs Admors
of John & Sarah Bennit ^{decd} have made Partition of the slaves
whereof John Bennit died seized & possessed in manner & form
following to Wit,

Nan to Thomas Steuens £22. 10. from Thomas Bennit
Rose to Josiah Dobbs £ 12. 10. from J^{es}er Bennit
Jimmy to Edmond Bennit & 2. 10. from James Bennit
Aaron to Thomas Bennit, who is to pay £22. 10. to Thomas Steuens
Sam to J^{es}er Bennit, who is to pay £ 12. 10. to Josiah Dobbs
Conny to James Bennit, who is to pay £ 2. 10. to Edmond Bennit
In Witness whereof we have hereunto set our hands

Good: Willson
Sam^l: Willson
William Carrell
James Dering