

1803-033

Chancery Causes: Elizabeth Dowty v d vs William Bagnal & Robert Heath

Isle of Wight County

other surnames: Frost,
Clegg, Bloxon, Milman,
Roberts

Locality K118.

is

Bill Kline?

Health 10.

March 1800

Indist. 4. License

March 1802

Cont. 2.

In said Wm. Orlow. As the said deviation
which is wished for by all the parties
aforesaid can not be made without the
interposition of this Court. Your Compts
obey the said.

To the end therefore they
pray that the said Wm. Bagnall advise
Robert Heath may be made Defendants
to this bill of complaint, and they may
fill true and perfect answer make to
all and singular the allegations herein
contained and that as fully as if the
same were here repeated. And more
especially that they set forth if in force
they which ~~did~~ did not depart his life
in possession of the said number of negroes
and the Compts and themselves are not
the only legal claimants. And if such an
advancement was not made by him to
the said Polly as is before mentioned.
They lastly pray that your Worships
will make such other orders or decree
in the premises for their joint reliefs
as may be consistent with equity & justice.

May it please
Faulcon Wynd
P. 2.

The answer of William Bagnall and Robert
Heath ^{in answer of the Dowlty of the s. Bagnall} to the bill of complaint exhibited against
them in the Worshipful Court of Isle of by Elizabeth
Dowty, John Frost and Tabitha his wife, ^{being}
Nancy Dowty an infant ^{of} Mr. Frost her next
Milly Dowty, Robert Clegg and Polly his wife
formerly Dowty - Rachel Whitman and Nancy
Roberts by Milly Dowty her next of

These Respondents, saving themselves
to themselves all right of excepting to the errors
if contained in the bill of the Compts for answer
thereof or to as much thereof as they are advised
is material for them to answer and say that
it is true that Hezekiah ~~Holladay~~ Dowty died
intestate in the legal possession of nine slaves
that the Compts and themselves are the only
persons entitled to distribution thereof, and
that the same can be done without the aid of
this Court on acct. of the infancy of some of
the Compts. They also state that there was an
advancement of a little negro boy to Polly
Clegg who by reason of her intermarriage with
the s. Orlow, became his property - They pray
that your Worships will not only decree the said
negroes to be divided according to Law, but also appoint
fit and proper persons for carrying the same
into execution - They lastly pray to be hence
discharged with their reasonable costs in this
behalf expended -

William Bagnall
Robert ^{but} Heath
mark

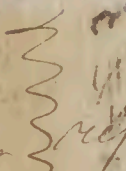
To the Justices of Isle of Wight County
sitting in Chancery respectfully complaining
shew unto your Worships your Oualors and
oualvices Elizabeth Dowly ^{in Frost} and Tabika ^{the wife}
of ~~John Frost~~ ^{Robert Frost} and ~~Alta~~ ^{by son of Frost} Dowly the Widow and
children of Addison Dowly dec^d Milby Dowly,
Polly elegg ^{Robert elegg} lately the Widow of William Bloxon
and formerly Polly Dowly, Rachel Milman
(formerly Dowly) the widow of Ephraim Milman
lately Roberts orphan of Susan Roberts who was
before her marriage Susan Dowly by Milby Dowly
her next fr^d That Heryekiah Dowly under whom
they claim died intestate about twelve or
thirteen years ago. That at the time of decease
he was lawfully seized and possessed of a
few valuable negroes amounting in all to
nine. That themselves and William Baguel
the husband of Matilda (formerly Dowly)
and Roberts Heath the husband of Rosy who
also a Dowly, and who are the administrators
of the said Heryekiah Dowly are the only
persons entitled to the said negroes. That
a division of the said negroes agreeable to
law would prove mutually beneficial
to the said William Baguel and wife, and
to the said Roberts Heath and wife, and to themselves,
but that the same can not be effected without
the interfearence of his Court on account
of the infancy of some of the Complainants
They think proper however, to mention that
there was an advancement made by the s^d
Heryekiah ~~Holladay~~ ^{Dowly} in his life time to the said
Polly (who afterwards intermarried with ~~Wm~~
Bloxon) of a negro boy about five or six
years of age. By which marriage it right
to the said negro boy became vested in

In obedience to an order of the worshipful court of Isle of Wight County which is hereunto annexed we the subscribers have appraised and divided the negroes of the estate of Wm. Doby Dec. amounting to £373 in manner following viz:

Names	Value	By whom Drawn	Sums Receivable	Sums payable	By whom paid	Total to pay
Lydia	189	Rich. A. Wilman	5 6		Robert Heath	11 14
Tom	30			5 6	John Frost	22 14
Tabb	65	Robt. Heath				
Charlotte	23	Nancy Roberts	10 6			
Conny	18			10 6		
Sam	75	John Frost				
Frank	12	Wm. Bagnall	21 6			
Ben	20					
Sam	60	Wm. Doby				
George	50	Robt. Clegg	3 6			
£373						

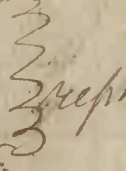
Each lot or proportion is estimated at £53.6

Lampson Wilson
James Dilan
John How
Mark

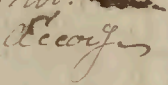
County Rec. 
15

Bagnall Rec.

June 5th 1803 ret. 

County Rec. 
3 Sept.

Bagnall Rec.

June 5th 1803 ret. ~~15~~
and decr. 

= Dowsy, One seventh part to Robert Lelegg and Polly his wife,
~~One seventh part~~, One seventh part to Rachel Milman,
widow of Ephraim Milman, One seventh part to
Nancy Roberts Orphan of Susan Roberts (to whom Melby
Dowsy is appointed Guardian for this purpose, one
seventh part to William Bagnall & Matilda his wife,
and the remaining one seventh part to Robert
Heath & Roscy his wife, and make report thereof
to the Court in order to a final decree,

Attest Teste
The Young Del. Court.

Dowsy Kat.
is: } Copy Decree
Bagnall Kat.

Isle of Wight County

March Session 1800-

Elizabeth Dowty, John Frost, and Tabitha
his wife, & Nancy Dowty by John Frost
her next friend, Milby Dowty, Robert
Clegg, and Polly his wife, Maichell
Milman & Nancy Roberts by Milby
Dowty her next friend.

Compts.

against

In Chancery

William Bagnall & Robert Heath
Administrators of Hezekiah Dowty
Deed. & the ^{said} William Bagnall & Matilda

Defts.

his wife & Robert Heath & Rosey his wife

By consent of the parties by their counsel, the bill answered
in this Cause was this day filed and heard thereon, whereupon
It is decreed & ordered that Sampson Wilson, James Pyland,

John Murry & John Stott or any three of them make
division of the Slaves of which Hezekiah Dowty died possessed
taking into their consideration the Value of the negroes
boy Benn at the time of his delivery to the Complainant
Polly, in the following manner One seventh part to
Elizabeth Dowty, John Frost, and Tabitha his wife, and
Nancy Dowty (for whom John Frost is appointed Guardian
-an for this purpose) One seventh part to to Milby
Dowty