

1827-021 Chancery Causes : Richard Barlow + Benjamin Barlow, by + c + Isabella Wills
vs Henry Casey, Charles Wail admr of Evelina Wail +
Archibald Atkinson

Dsh of Wight County

other SURNAMES: Jenkins
Browne, Brown, Stott, Wail,
Pasture,

Such other or further decree in the premises
as may be consistent with equity & the ma-
= ture of the case, & in duty bound will ever
Pray for

Solomon Foster

Barlow &c.

in 3rd Dec

Carey to them

January 1st 1827

Bill and ans^r: filed and

Inter: decrea

Foreman

The said James Barlow and Beza Barlow
the remainder men named in the will died
some years past ^{before the termination of the life estate} leaving children

The said James Barlow left at the time
of his death five children to wit: Stacey, James
Benja. Thomas & Evelina - The said children, of -
- except Evelina, were full brothers & sisters, Evelina
was of the half blood - the said Stacey, Benja.
Thomas & Evelina, all died several years
past - At the death of Nancy the s^r. James Tho:
Benja. and Evelina were living and they, together
with ~~the~~ mother, now the wife of a certain
Ro: Browne, were the heirs at law of the said
Stacey - but the s^r. Evelina being half blood,
was entitled only to half share - Then,
- after the s^r. Tho: died, and at his death, the
- ~~after the s^r. Benja.~~ Evelina and James Barlow now
Benja. now wife of ~~that~~ Brown - that
were his heirs at law, and thereafter the s^r.
Benja. died, and at his death the s^r. James
Evelina, and the s^r. Francis his mother were
his heirs at law - The said Evelina at her
death was the wife of a certain Charles Mail, who
as your Comptty. are informed in ^{her} ~~the~~ ^{admt.} and
entitled to her distributive share of the estate
aforesaid and that Ro: Browne the husband of the
eldest of the aforesaid Stacey, Benja. & Thomas,
has sold & regularly conveyed all their interest
in the est: aforesaid to a certain Archibald
Atkinson who is now entitled to that distributive
- line share - That the said James Barlow
has sold and conveyed his interest to the aforesaid
est: to one David Stott, who afterward, sold
& conveyed the same to a certain Henry Cary,
who is entitled to that distributive share.

Your Comptty. further more state, that
they are the only heirs at law of Benja. Barlow
one of the remainder men, and as such are
entitled to one moiety in the slaves and
heirs aforesaid - The said Henry Cary to the mea-
- nifest injury of your Comptty. although the
life est: has terminated, continuing to hold
the said slaves, when in justice they ought to
be divided into two moieties, one of which
ought to be divided equally between your
Comptty. and the other moiety between the
s^r. Henry Cary, Chas. Mail, and Arch: Atkinson
according to their respective rights, but so
it is now it pleases your worship, your
Comptty. being under years, ~~and~~
their just rights without the aid of the Court
Equity in which matters of this sort are alone
properly cognizable & they ~~are~~ ^{are} ~~unavoidable~~

In tender consideration whereof and
they pray that the Court said Henry Cary
Charles Mail admr. of his late wife, and
Arch: Atkinson, be made defts: hereto &
be compelled to answer all the allegations
aforesaid as fully as if the same were here
again repeated, & they thereto were par-
- ticularly interrogated - that the said
Henry Cary state in his answer an account
of the heirs of the slaves, aforesaid let to him
for the year 1826 - And that your worship
will appoint fit & proper Commissioners
to divide the slaves & heirs aforesaid and make

To the most honorable Court of Iscopol^t County in Cham-
-ber sitting, humbly complaining, shew unto your
mships, Your Orators Rich^d. Barlow and Ben^a. Barlow
infants of Ben^a. Barlow dec^d. suing by Solo. Pasture
their next friend and Isabella Mills formerly Isabella
Barlow, one of the children of the d^d. Ben^a. Barlow dec^d.

That Wm Jenkins late of the County afores^d
separated this life on or about the ^{day of}
18th ^{after having made & published his last will & testament} ~~testate~~, by which devising his real & personal
estate to his wife Patience Jenkins, except a negro
Holland, during her natural life, and ~~then~~ at her
death to Ben^a. Barlow and Lemuel Barlow, one
moiety each - that some time thereafter the said
Patience intermarried with a certain Henry
Carey, who became possessor of the slaves devised
to the said Patience for life, and has been the same
except negro woman Beeth and ^{two children} ~~two children~~, who
were sold for the payment of debts, and is now
in possession thereof - that the said Patience de-
-parted this life, the wife of the d^d. Henry Carey,
on the 4th day of June 1826 - at which time
(the life estate having terminated) the remain-
-dermen or their heirs became entitled to the
~~possession~~ the heirs of such of the slaves afores^d.
as were let to hire from the ¹⁸²⁶ ~~present~~ year from
the d^d. 4th day of June, to the conclusion of the
~~present~~ year - The said slaves and their women
consist now of the following to wit: Old Man-
-nah, Lim, Tom, Dick, Ply and three children,
Charlotte and Chila, Mrs. Henry, Margaret &
Young Hannah, of which slaves your Compt^y.
are informed, that Lim, Dick & Charlotte
were hired for the year in which the d^d. Patience
died, but for what serves your Compt^y. are
uninformed -

Maile

add: Hanson

Borlow

Attention for diff.

11

The answer of Charles Wail answer: of his
late wife Evelina to a bill of complaint
exhibited against him and others in the
County Court of Solihull High by Richard
Barlow and others. His respondent saying
he for answer says it is true that his late
wife Evelina of whom he is the answer. Was
connected in the manner and to the
persons in the degree charged in the bill of the
complainant, and as her representative he
claims an intent in the slave the heirs
in the possession of Henry Corry one of the
defendants. He cannot facing the
allegations of the plaintiffs, has no object
-ion to the decree asked by them and
is willing that the Court may make any
order in the premises for his relief with
-out with equity and having answered
he prays that he be dismissed with his
reasonable costs this behalf sustained by
Attorney for aforesaid (signed) Charles Wail

Casey

ad: 3 answer

Barlow

The answer of Henry Leary to a Bill of Com-
-plaint against him and others of libel in
the County Court of Essex on the part of
Rich^d. Barlow & 1 Ben^d. Barlow infants of
Ben^d. Barlow dec^d. seeing by Solo Pasture
their next friend, and Isabella ~~Barlow~~
Mills, formerly Isabella Barlow, one of the
children of the s^d. Ben^d. Barlow dec^d.

This respondent saving & reserving for
for answer saith, it is true & correct, as
the late husband of Lucine, who was Pa-
-rice Jenkins, he is in possession of the slaves
in the bill mentioned that Sam, Dick, & Charlotte
were let to hire by him, for the year 1826
for the sum \$98. —

and that his wife died on the 14th June 1826

That he has purchased and deced
bitter to that part of the said slaves to
which James Barlow, one of the chil-
-dren of James Barlow the dec^d, was
entitled, ~~in the s^d property~~ — That he cannot
gain say the ~~completly~~ allegations, ^{if expt. that}
he denies all fraud & intension to ^{keep with hold} from
them ^{their} just dues, and is willing that the
Court shall decree in the premises
according to Law & Equity, I pray
to be hence dismissed &c

Henry Leary

Statement
for
A. Asterson
&

11/200

$$25 \text{ is } \frac{1}{4} \text{ of } 1200$$

$$\begin{array}{r} 20 \text{ is } \frac{1}{5} - 300 \\ \hline 65 \text{ is } - 240 \\ \hline 64 \text{ is } - 540 \end{array}$$

1¢ Cent is 12 to be deducted

$$\underline{\$528}$$

Makes this proportion 44 Cent

$$\begin{array}{r} 20 \text{ is } \frac{1}{5} \text{ of } 1200 \\ \hline 44 \text{ is } \frac{1}{5} - 240 \\ \hline 48 \text{ is } - 288 \end{array}$$

Making 24 Cent $\underline{\$288}$

37.50

52.50

90.00

8

Jan

Widow

$$\begin{array}{r} 20 \text{ is } \frac{1}{5} \text{ of } 1200 \\ \hline 10 \text{ is } \frac{1}{5} - 240 \\ \hline 2 \text{ is } \frac{1}{5} - 24 \\ \hline 32 \text{ is } \frac{1}{5} - 384 \end{array}$$

Making

32 Cent

$\underline{\$384}$

Curlew

528

288

816

$\underline{\$2400}$

$$\begin{array}{r}
 2400 \\
 3 \overline{) 1200} \\
 11 \overline{) 240} \\
 \hline
 21.66
 \end{array}$$

$$\begin{array}{r}
 240 \\
 21-66 \\
 31.46 \\
 49.25 \\
 \hline
 342.37
 \end{array}$$

$$\begin{array}{r}
 240 \\
 43.33 \\
 9 \overline{) 1283.33} \\
 \hline
 31.46
 \end{array}$$

$$\begin{array}{r}
 283.33 \\
 62.92 \\
 7 \overline{) 346.25} \\
 \hline
 49.45
 \end{array}$$

$$\begin{array}{r}
 2240 \\
 34.28
 \end{array}$$

$$\begin{array}{r}
 43.33 \\
 62.92 \\
 98.56 \\
 \hline
 204.75
 \end{array}$$

$$\begin{array}{r}
 240 \\
 444.75 \\
 \hline
 342.37
 \end{array}$$

$$\begin{array}{r}
 342.37 \\
 204.75 \\
 \hline
 991.87
 \end{array}$$

$$\begin{array}{r}
 991.87 \\
 204.75 \\
 \hline
 1196.62
 \end{array}$$

$$\begin{array}{r}
 1196.62
 \end{array}$$

$$\begin{array}{r}
 200. \\
 68.56 \\
 \hline
 268.56
 \end{array}$$

$$\begin{array}{r}
 240 \\
 68.56 \\
 \hline
 308.56
 \end{array}$$

w

240

34.28

240

68.56

~~Honey~~ - James - Brew - Thomas - Chelmer
~~92.40~~ 26.66
 240 240
 53.32 53.32
 83.80 83.80
150.84 41.90
 527.96 5137.12
 75.42
 383.98

James - Bew - 90

$$\begin{array}{r} 240 \\ 33 \cdot 32 \\ 83 \cdot 80 \\ \hline 150 \cdot 84 \\ \hline 527 \cdot 96 \end{array}$$

~~Amesbury~~
~~99-98~~
~~04726~~

$$\begin{array}{r} 53.32 \\ 83.80 \\ 150.84 \\ \hline 287.96 \\ 527.96 \\ 383.98 \\ \hline 1199.90 \end{array}$$

Sen. King's

91. 10. 10.

Mr Jenkins will gave to his wife portion
for life his real and personal
estate - then one half the personal
to James Barlow & the half to Mary
Barlow - Patience died 1826 James
- James Barlow died May child
to wit;

names, Hannah R. James, Tom Dick,
pld 3 children; Charlotte
one child; John Henry, Margaret, Har-
-riet the younger -

Key Bary purchased the int which James
Barlow had of ~~the~~ ^{sale} plot who had of Barlow
- Brown has sold to A. Allen