

1841-008 Chancery Causes: James F. Whitley, executor of Daniel Whitley vs Isiah Whitley, executor
of Daniel Whitley vs
Isle of Wight County

other surnames: Chapman,
Ramsay, Cofer, Young

To the Co^l of the Jst in Chancery sitting

Humbly Complaining sheweth unto the Court
your Com^{ts} James F. Whitley, ^{exor of, & fully for his own right} that Daniel Whitley died
some time since possessor of the following slaves, to wit Jack
Sam Esau Dick Riddick and Dawson negro woman Clarissa
Charlotte Rachel Liddy Esther Amanda and that he directed
by his will a copy of which makes ^{his} ~~his~~ ^{made} ~~part~~ ^{part} of the will ~~after certain small legacies~~ the balance comprising the
above slaves to be divided among Jacob Whitley Levina
Chapman Deane Raining Mary of Cooper Martha Ann Whitley
and Almira Whitley, and the 3rd M A Whitley and A Whitley
being infants under age and it is desirable to effect
a division of^d slaves and as your Com^{ts} is without
remedy in the premises save by the aid of this Court he
prays that Jacob Whitley Charly Chapman & Levina his
wife John Raining and Deane his wife Mary a Cooper
and Mary Cooper her husband Martha A Whitley & Almira
may be made parties to this Bill & compelled to answer
the same and that thereupon a decree may
be entered directing a division of^d slaves among
those entitled and such other and further relief
as his Co^l may require

Joint answer ^{James F. Whitley can be} of ~~James F. Whitley~~ ^{and in his own right}
The answer of Jacob Whitley Charly Chapman
and Levina his wife John Raining & Deane his
wife Mary Cooper and Mary of Cooper & her wife M A Whitley
and Almira Whitley infants under the age of 21
years by W Young their guardian ad litem to a
Bill exhibited by James F. Whitley against them

That respondents for answering thereto as soon
much is necessary for them to answer any way
and that it is true as stated in the Bill
that Daniel Whitley did possess of the above
slaves and that he directed the residue of
his estate comprising the above slaves to be divided

among the persons named in the Bill and that
they have no objection to the decision of the Slaves
and having arranged that to be done

Nathl Young Esq as before

Chas Chapman

Benjamin D. Coffin

Whitney

21

Deirdre Faith Whitney

Whitney others As ~~to~~ not and this our note

This Cause came on this day ~~to~~
by Consent of the parties ^{it be heard} upon the Bill answers the
Court having appointed N Young Esq as before to
defend the infants ^{defendant} answers argued by Counsel on
Consideration whereof the Court doth ^{signify order} ~~appoint~~ ^{be appointed} Jacob
Stellman Monroe Clements and Allen Edwards any
two to act to divide the slaves Jack Sam Sam Dick
Reddick and Dauron woman Charlotte Clapha Rachel
Liddy Esler and Amanda among the said Parties with
the counsel J P Whitney Isaac Whitney Charles Chapman
and Seneca his wife John Rasmus & Dianah his wife
Rory Roger & Mary at his wife and M A Whitney & Medea
Whitney and if necessary to effect an equal division
the said Court are directed to sell one or more
of said Slaves after giving 20 days notice of the
~~place~~ ^{place} of sale on a Credit of 6 months that they
hand the same over to the respective parties
or their legal guardian and ~~making~~ make
report to the Court in order to a final
division

Copy the will & file with the papers

Whitney {
or { Bill an decree

Whitney John

January 4th 1841 Bill &
Ans. filed & Int^d. decree

March 1st 1841. report returns
and confirmed & final
decree.

In obedience to a decree of the County
Court of Schoharie v Heranto ordered we
the commissioners therein named have proceeded
to divide the Negroes belonging to the Estate
of Daniel Whitley Decd in the following manner
to wit we have sold negro Jack for \$208.⁰⁰
and we have assigned negro Esau to Charles
Chapman valued at \$800.⁰⁰ and for him
to pay back \$52.⁴⁰ which sum added to
the \$208.⁰⁰ makes \$260.⁴⁰ from which
sum we have taken \$15.⁰⁰ for the cost
of the decree and \$10.⁴⁰ for our services
as commissioners, leaving a balance of \$235.⁰⁰
which we have appraised with the deponent
lots of Negroes in the following manner to wit
we have set apart to Isaac Whitley Decd
and Hester valued at \$425.⁰⁰ and to Reeve
\$22.⁵¹ we have set apart to Benjamin
Coffey Decd v Redick valued to \$425.⁰⁰ v
to Reeve \$22.⁵¹ we have allotted to John
Ramsey negro Rachel valued at \$400.⁰⁰ and
to Reeve \$47.⁵¹ we have allotted to Martha
Whitley negro Sam valued at \$400.⁰⁰ and to
Reeve \$47.⁵¹ we have set apart to James
Whitley negroes Dawson Cherry v Amanda valued
at \$400.⁰⁰ and to Reeve \$47.⁵¹ and we
have ~~allotted~~ allotted to Amanda Whitley negro
Charlatti valued to \$400.⁰⁰ and to Reeve
\$47.⁵¹ which makes an equal proportion
of \$447.⁵¹ to each party all of which
is respectfully submitted to the Court

Recd my fee of five
dollars in this suit

W. Young Jr.

Josiah Hallman
Allen Edwards

Recd of J. Hallman Com. Ten Dls
my fee in this case
J. C. Harris

Mr. Clements

Is of Wright County, January Court 1841—

Jamus F. Whitley executor of D. Whitley & in his own right Compt.
against

Isaiah exor. of Daniel Whitley and in his own right,
Charles Chapman & Savina his wife, John Ramsay
& Dianah his wife, Benj. Cofer & Mary A. his wife
Martha A. Whitley & Almida Whitley infants under
the age of twenty one years, by Nathl. Young their guar-
dian ad litem, ...

Chancery

Defend^t

This cause came on this day by consent of the parties to be heard
upon the bill, answers & exhibits filed, (the court having appointed Nathl. Young
Guardian ad litem to defend the two infant defendants) & was argued by counsel,
On Consideration whereof the court doth adjudge, order, & decree, that Josiah Holleman
monroe Clements and Allen Edwards be appointed Commissioners (any two to act)
to divide the slaves, Jack, Sam, Esau, Dick, Reddick & Dawson, Charlotte, Clarisa,
Rachel, Liddy, Esther, & Amanda among the said parties (to wit, the complainant
Jamus F. Whitley, Isaiah Whitley, Charles Chapman Savina his wife, John Ramsay &
Dianah his wife, Benj. Cofer & Mary A. his wife & Mary A. his wife & Martha A. Whitley
& Almida Whitley) if necessary to effect an equal division, the said Commissioners
are directed to sell one or more of said slaves after giving Twenty days notice of the
time & place of sale on a credit of six months: that hand the same over to the respec-
tive parties or their legal guardians, and make report to the court in order
to a final decree—

Attest Teste Nathl. Young C. C. M.C.
C

Whitley

vs.

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 $\frac{1}{3}$

Ints. decree

Whitley Booth

March 1st 1841 report
ret^d, confirmed, & final
decree —