

1845-042

Chancery Causes

Maria F. Booth, widow of Claiborne Booth vs Claiborne Booth's exor &

Dele of Wight County

al

other SURnames: Blunt,
Holleman

Booth
vs. Clavey
Booth's
executor

Decr. 4th 1837.
Bill & ans: filed by
Consent & entry: decem
entered.

Feby: 5th 1838. Report
returned & continued

June term 1844
final decree entered

as it is without remedy at law and
can be relieved only in a court of equity
your orating prayer, your worship that
the said Joel Holman and the said
Julianne Haustrine and Lucille Booth by
guardians to be assigned them for that
purpose be made defendants hereto, and
be compelled to answer the premises fully
and distinctly and by a decree of this
court the said slaves be divided and
one third part thereof be set apart to
her for her dowry to be held during
her natural life, and the balance
to be given to ^{all} the children of the said
testator whether born after or before ~~the~~
~~the~~ ^{his} death of the testator or ^{the} granting of the
decree. And may it please the
court to grant such other relief in
the premises as may be consistent
and proper &c

Melville F. Booth Plaintiff

vs
Joel Holman Ex of Claiborne Booth and
Julianne Booth, Haustrine Booth, and
Lucille Booth infants under the age
of 21 years by Nathaniel Young their
guardians ad litem &c in case

By consent of parties and with the assent
of the court this cause was this day doct-
tered and came on to be heard on the
docket and answer filed and was argued
by counsel; on consideration whereof the
court doth adjudge order and decree
that William Atherton, Josiah F. Meade and
William Kitchett be appointed commissioners
and that they value and divide the slaves
of which Claiborne Booth died seized to
wit Lou, Jack, Matilda, Dolly, Lucy,
Beck, old Ned, Jim Lee, Lilla, Lyphe,
Ivade, Edy, Cornelia, Emeline, Charlotte, Sol-
ly Jane, Plutarch, Nancy, Timogene, Louis,
and old Jimmy; together with Jim, Mary,
Isabel and ~~per~~ young Jimmy which
last four were the dower slaves read
by the plaintiff from the estate of John
Blunt her former husband; that they
allot and set apart one third part
of said slaves ~~for~~ ^{to} the plaintiff as her
dower and the ~~to~~ balance to be
delivered to the ^{infant} children of the said
Claiborne Booth ~~to~~ whether born after
or before his death, or to their legal guar-
dians, and report their proceedings there-
on in order to a final decree

To the justices of the county court of Maryland
in chancery sitting

Humbley complaining thereof unto
your worships your orator Maria H.
Booth that her husband Claiborne Booth
died on the day of November 1837
possessed of an estate of great value
consisting among other things of the fol-
lowing negroes to wit Tom, Jack, Ma-
tilda, Dolly, Lucy, Beck, old Ned, Jim,
Tilar, Gephay, Wades, Edy, Cornelius, Eve
line, Charlotte, Dolly, Plutarch, Nancy
Timopena, Louis, and old Jimmy; also
Jim, Nicy, Acker and young Jimmy
which last four were the slaves re-
posed of your orator received from
the estate of Jno. Blount dead her former
husband: her said husband made
a last will and testament appoint-
ing a certain Jos. Holliman of said
county executor, but made no
disposition of his estate; ^{which said will has been admitted to record;} the said ex-
ecutor has duly qualified on the estate
and has reduced the said negroes
into his possession together with other
estate of great value: your orator be-
lieves there is sufficient estate to pay
and satisfy all claims against the estate
without requiring a sale of any of the slaves
and there is no reason why the said
executor should retain them in his pos-
session: the said testator left at the
time of his death three children to wit
Julia Anne Booth, Harrietta Booth and
Lucilla Booth, and your orator re-
presents that she is now coverture; she
wishes to have the said negroes divided
and her share set apart and
allotted to her and has applied to the
said executor for that purpose, but
he refuses to grant her request: In
consideration whereof and forasmuch

Booths exilis

aurum

The answer of Joel Holliman executor of
Claiborne Booth dead to a bill exhibited
against him & others in the county court
of Mississippi by Maria F. Booth

This respondent having the answer
and says he has duly qualified as the exe-
cutor of Claiborne Booth dead, he has the
said negroes ^{mentioned in the plaintiff bill} in his possession and he
believes he has other estate sufficient to
satisfy all claims against the estate, he
is willing to surrender the said slaves
to be divided between the widow and
children of his testator as the laws
direct, as no disposition was made
of them by the will. And having thus
answered he prays leave to be dismissed

He do

signed
Joel Holliman

Infants
arrived

The names of Julian Anne Booth, Harriet
and Booth and Lucille Booth infants
under the age of 21 years by Nathaniel
Young their guardians and letters to a
bill exhibited against them by Maria
F. Booth

These respondents by their said
guardians say that they are infants
under 21 years and as to their rights
in the slaves belonging to the estate of
their dead father they by leave to
place themselves under the protection
of the court, leaving this answered
they pray to be dismissed with their
costs &c

Signed
N. Young Esq ad
litens

Jack 400
 Delia 275
 Nancy 75
 Lyphian 300
 Charlotte 250
 Louis Child 400
 Cornelia 350
312450
 81666 $\frac{2}{3}$

Juliana Worth
 Edy Child 400
 Cornelia 350
750
 to receive 666 $\frac{2}{3}$
 \$81666 $\frac{2}{3}$

Lucilla Worth
 Jack \$400
 Delia \$275
 Nancy 75
750
 to receive 666 $\frac{2}{3}$
 \$8166 $\frac{2}{3}$

Fairbairn: Worth
 Lyphian \$300
 Louis Child 400
 Charlotte 250
950
 and to pay 666 $\frac{2}{3}$
 \$81666 $\frac{2}{3}$

The undersigned commissioners named in the annexed
deed in obedience thereto did not set apart the
negroes named therein among the parties thereto, to
Juliana Booth we allotted George Child Henry, and
Cornelia and to receive from the guardian of Christina
M. M. Booth sixty six dollars 66 2/3 cents. to Christina
M. M. Booth we allotted Stephen, Louis Scheld Junior,
& Charlotte, and to pay to the guardian of Juliana
Booth sixty six dollars 66 2/3 cents and to the guardian
of Lucella Booth the like sum of sixty six dollars 66 2/3
cents, to Lucella Booth we allotted Arch Delila
& Maney and to receive sixty six dollars 66 2/3 cent
from the guardian of Christina M. M. Booth.
Negroes Sam & Fanny we did not divide as the
heirs of Claiborne Booth have only a right in
said Slaves so long as Mrs H. M. Booth lives
at her death they return to the heirs of John
Booth, and Fanny being worth up the guardians
thought it best to have her kept annually
and divide the expenses among the parties

Geo. W. Carroll
Albert B. Wren

Jos. F. Meun

M. J. Booth

20.

Booth's exor. &c

copy Inty.
decree

Isle of Wight County December Court 1837—

Maria F. Booth Plaintiff

against

Sol Hollman executor of Claiborne Booth,
decd^t. Julia Ann Booth, Faustina Booth,
and Lucilla Booth infants under the age of
Twenty one years by Nathaniel Young their
guardian ad litem

Defendants

In Chancery

By consent of parties, and with the assent of the
Court, this cause was this day docketed, and came on to be heard on the
bills and answers filed, and was argued by counsel; On consideration of
the Court whereof it is as yet ordered and decreed that William Atkinson
Josiah F. Mann and William Fitchet be appointed commissioners, and
that they value and divide the slaves of which Claiborne Booth died
seized to wit, Tom, Jack, Matilda, Dolly, Lucy, Beck, old Ned, Jim
sen., Pidas, Typhax, Isaac, Eady, Cornelia, Emeline, Charlotte, Dolly,
jun., Plutarch, Nancy, Timozena, Louis, and old Jimmy, together
with Jim, Nicy, Archer and young Jimmy, which last four were the
dower slaves received by the plaintiff from the estate of John Blunt
her former husband: that they allot and set a part one third part
of said slaves to the plaintiff as her dower, and the balance to be deli-
vered to the infant defendants and children of the said Claiborne Booth
whether born after, or before his death, or to their guardians: and
report their proceedings thereon in order to a final decree—

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

Booth
vs.
Booth's Ex.
Report

In obedience to a decree of the justices
of the county court of Talbot County in
chancery sitting on the day of Decr.
1838 and unto annexed, we the
undersigned commissioners proceeded
on the 23rd day of Decr. to value and
divide the negroes mentioned in
said decree belonging to the estate
of Claiborne Booth dead and after
estimating their value as well as
their probable annual hire, we
set apart and allotted as dower
to Maria F. Booth widow of the dead
the following negroes to wit Tome
Sacker, Nelly, Matilda, Percy and
Timothy. The balance of the negroes
mentioned in said decree we
have assigned to the infant defen-
dants. All which is respectfully sub-
mitted. Given under our hands
the 3rd day of February eighteen hundred
and thirty eight

signed

Wm. A. Kinson
Josiah L. A. Kinson
Jm. Fitchett