

1861-005

Chancery Causes: Mary E. Whitley, widow of Robert D. Whitley vs Robert D. Whitley's
Ishe of Wright County admr, James F. Whitley + Emily J. Whitley, by v c

Other surnames: Young

Whitley } 72- Hay
Whitley's } In Chancery
Adm^{rs} }
et als }

Complainants Bill

Jan. 3^d 1837 Bill of file
Twenty decrees.

1/9th allotted her; in tender consideration whereof &
for as much as your complainant is without remedy
at law, & can only be relieved by the aid of this wor-
shipful court of chancery where matters of this sort
are cognizable, to this end your complainant prays
that the said N P Young as Administrator of Robert
& Whitley, the said James F Whitley, ~~Emily J~~
Whitley by some one appointed their guardian ad
litem to defend them in this suit may be made par-
ties defendant to this bill & be required to answer the
same, & that by the decree of this worshipful court
of chancery commissioners may be appointed to as-
sign your complainant her portion of said slaves, as
~~disturbance~~ of the said Robert & Whitley, ~~to~~ ^{as} well
of the dower slaves, as those held by the said inter-
late jointly with the said James F Whitley & Emily
J Whitley, & that such other further relief may be
granted as comports with the equity of the case, &
to the court may seem meet & your complainant
will ever pray &c &c.

May den 1799

To the Worshipful County Court of Isle of Wight
in Chancery sitting, humbly complaining shew-
eth to the court your complainant, Mary E Whitley
widow of Whitley deceased. - that on or
about the day of 18 the said

Whitley departed this life intestate, leaving your
complainant, his widow as aforesaid & three chil-
dren, to wit, Robert E Whitley, James F Whitley
& Emily J Whitley surviving him & his distributees
at law - that on the settlement of his estate by
a decree of the County Court of Isle of Wight the
following slaves, to wit, Stephen, Harriet, Charlotte
& child were allotted your complainant

as her dower slaves in her husband's estate. & she re-
maining two thirds of the slaves belonging to said es-
tate, to wit, Dawson, Clarissa, Amanda, Amy, Marga-
ret & Henrietta were jointly allotted to the three chil-
dren & placed into the hands of N. P. Young their

guardian - that on or about the day of 1858, the
aforesaid Robert E Whitley departed this life, in the
County aforesaid, intestate, without having married -
that one N. P. Young, ^{has} qualified in the County Court
of the County aforesaid as administrator of the said
Robert E Whitley - that the said Robert E Whitley left as
his distributees at law your complainant his mother
as aforesaid & the aforesaid James F & Emily J Whitley
that as such distributee your complainant is entitled
to one third of the said Robert E Whitley's interest
in the dower negroes aforesaid, as to which her in-
terest for life has merged into an absolute interest
& also to one third of the said Robert E Whitley's
interest in the negroes allotted jointly to him & the
said James F & Emily J Whitley - that said negroes
are not needed for the payment of the debts of the
said Robert E Whitley - that your complainant
is informed & so charges that she is entitled to have
partition made of said slaves & her portion $\frac{1}{3}$ of $\frac{1}{3}$ of

Whitley }
v }
Whitley Adm } In Chancery
et als - }

Answer of R. & Whitley
Adm's —

To the Worshipful County Court of the County of Isle
of Wight in Chancery sitting - The Answer of M. P. Young
Admr of Robert & Whitley decd to the bill of complaint
in said court exhibited by Mary & Whitley against
him & others - This defendant, reserving to himself all
right of exception to the said bill of complaint for an-
swer thereto, answering saith that he is as in said bill
charged the admr of Robert & Whitley decd that the inter-
est of his said intestate in the stock in said bill mentioned
are not needed for the payment of debts that he admits to be
true the general allegations of said bill that he has no objec-
tion to the decree prayed for provided he can obtain refund-
ing bonds according to law - & having answered prays hence
to be dismissed with his costs in this behalf expended -

Signed -

A. S. Young Admr.

Whitley
Whitley^{as}
Admin^r
et al^s } In Chancery

Infants Answer

To the Worshipful County Court of Isle of Wight in chan-
cery sitting. The joint & several answer of Emily J Whitley,
& James F Whitley by N P Young their guardian ad litem
to the bill of complaints in said Court exhibited by Mary
E Whitley against them & others -

These defendants severally answering say that they are
infants under twenty one years of age, & submit their
interests in the premises to the protection of this worship-
ful court, & having answered pray hence to be dismissed
with their costs in this behalf most unreasonably expend-
ed &c &c -

Signed -

N. P. Young guardian
ad litem -

held by said Complainant as her dower Slaves, to wit, Stephen, Harriett & Child Charlotte, & allot to said Complainant One Ninth of said Slaves, to be held by her absolutely as her portion of said dower Slaves, as distributed aforesaid, And the remainder thereof leave in the hand of said Widow as her dower Slaves aforesaid. In such partition, the said Commissions are to have regard to quantity & quality, and make Report to Court of their proceedings under this decree.

Copy
Teste

J. C. Satterlee D.C.

February 14th - 1859 having determined to relinquish my right to the negroes mentioned in this decree, both those held by my children, & my free sample in these held by me as dower - I do hereby direct this suit to be dismissed, and I hereby relinquish any claim & convey to my children Emily, and Harriett, all my right & title in & possession in the said negroes, to wit: my sample in the negro held & owned by my then children

and also my free sample in the negroes held & owned by me as dower in my husband's estate. retaining only my said dower right. Witness my hand & seal this day and year aforesaid.

Mary E. Whitley

Witness
A. P. (Mary)

Mary E. Whitley
vs. Copy decreed
Whitleys. Adm. P.

At a County Court held for Isle of Wight County
On the 3^d day of January 1859. —

Mary E. Whitley

Ptly.

against

$\frac{1}{2}$ In Chry. —

N. P. Young adm^r. of R. D. Whitley, decd. and Heirs
and Emily J. and James F. Whitley infants.

This day came the ptly. and filed her bill, and on her motion N. P. Young is appointed guardian ad litem to the infant defendants, Emily J. and James F. Whitley, to defend their interest in this suit, And thereupon said Gdn. ad litem filed the answers of said infants to the bill of Complaint. And the defendant N. P. Young as administrator of Robert D. Whitley files his answer, to the former of which the plaintiff generally, And the Cause coming on to be heard on the bill, said answers, & the general replication aforesaid, was argued by Counsel; On Consideration whereof, the Court doth adjudge, order and decree, That Hardy Chapman, George F. Hall, Miles Edward and E. P. Womble, or any three of them who are hereby appointed Special Commissioners for that purpose, do proceed to value the Slaves in the said bill mentioned, Now in the hands of the said N. P. Young adm^r. of said decedent and guardian of said infant defendant, to wit: Dawson, Claripa, Annanda, Amy, Margaret & Henrietta, And allot one full equal ninth part thereof, to the complainant Mary E. Whitley as her distributable share — or portion thereof, as distributed at law of said decedent. And the remaining portion thereof, allot to the infant defendants Emily J. Whitley and James F. Whitley jointly: And that said Special Commissioners do proceed to value the Slaves in said bill mentioned, Now

aforesaid & the remainder thereof leave in the
hands of said widow & her down slaves aforesaid
in such partition the said commissioners
are to have regard to quantity & quality & make
refusal to court of their proceedings under this
decease -

Whitley
Whitley's in Chancery
Adm. &
Laws

Rough beaver
Savoy Term 1838

To be entered

Geo. St. Lawrence

Whitley

is

Whitley Adm & als.

This day came the Plaintiff & filed her bill, & on her motion R. P. Young is appointed guardian ad litem to the infant defendants, Emily J. & James F. Whitley to defend their interests in this suit, & thereupon said guardian ad litem filed the answer of said infants to the bill of the complainant, & the defendant R. P. Young as Adm of Robert & Whitley filed his answer, to the former of which the Plaintiff replied generally, & the cause coming on to be heard on the bill, said answer & the general replication aforesaid, was argued by counsel, on consideration whereof, the court doth adjudge order & decree that Hardy Chapman, Geo F Hall, Miles Edwards, & E P Noble, or any three of them, who are hereby appointed special commissioners for that purpose, do proceed to value the slaves in the said bill mentioned now in the hands of the said R. P. Young ^{as administrator} ~~as guardian~~ of said decedent & as guardian of said infant defendants, to wit; Dawson Clarissa, Amanda, Amy, Margaret & Henrietta & allot one full equal ninth part thereof to the complainant Mary E. Whitley as her distributable portion thereof as distributee at law of said decedent, & the remaining portion thereof allot to the infant defendants Emily J. Whitley & James F. Whitley jointly, & that said commissioners do proceed to value the slaves in said bill mentioned now held by said complainant as her dower slaves, to wit, Stephen, Harriet & child Charlotte & allot to said complainant (1/9th) one ninth of said slaves to be held by her absolutely as her portion of said dower slaves as distributee