

1821-003

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BARNES

VS.

BARNES

WIDOW

11/1821

Barney

"

Barney

Bill P. Answer

Nov 1891 Mr. Decu

Grindal

Tregant

To the municipal Court of Southampton in Chancery sitting
Humbly complaining sheweth unto the Court your orator
Leimon Barnes a miner and son of Bennett Barnes and
by his next friend Jacob Barnes

That his father Bennett Barnes, did sometime in the present year having first made and published his last will and testament, which has been admitted to record, wherein he appointed his widow Lincy Barnes his only executrix. That the last aforesaid said, and proposed of ^{his} ~~the~~ ^{transferring} ~~transferring~~ going in this country, sundry slaves and other personal estate that the said testament in said will directs that his estate both real and personal should descend and pass in the same manner as if he had died intestate, in consequence whereof his widow the said Lincy is entitled to her dower in said land, to one third of the slaves for her life, and to one third of the other personal estate absolutely. Yet the said Lincy as widow and executrix aforesaid occupies the whole of said land, and has in her possession the slaves and other personal estate. In tender consideration whereof and in as much as your honor is without remedy in the premises he prays that the said Lincy Barnes widow and executrix of said Bennett Barnes may be made a defendant hereunto and be compelled to answer all and singular the allegations herein contained fully and unequivocally. He further prays that a decree may be made allotting to the said Lincy her dower in said land and her interest in the slaves and other personal estate, and that any other decree or order may be made which may be considered right and just and as in duty bound he will ever pray &c

In the most lifeful case of Southampton in Chancery
sitting. The answer of Lincy Barnes widow and
executrix of Bennett Barnes, and exhibits of complaint
submitted against her by Simmons Barnes a minor
and son of said Bennett Barnes by his next friend
This respondent saving and reserving herself all
benefit of exception to any errors or imperfections in
said bill contained, for answer shunts, saith. That
she believes the facts in said bill are truly stated
and she is willing that this Court should make
such decree as is prayed and any other order in
the premises which may be right and just and
having answered the prayer which heretofore did appear
to

Barnes - Plff
Barnes - 3 In Chy
Barnes - Plff

This cause was this day docketed by consent of parties
and opened of the Court and was heard in the bill
and answer and arguments of Counsel, whereupon
and after due consideration thereof had the Court doth
adjudge order and decree that one third in value
of the lands whereof Bennett Barnes died seized be
allotted to the defendant Lincy Barnes ^{for her natural life} by proper
metes and bounds. That one third of the slaves ^{in value} whereof
the said Bennett Barnes died possessed be allotted
to the defendant Lincy Barnes for her natural
life. And that one third of the remainder of the
personal estate be set apart to the said defendant
Lincy Barnes absolutely. And it is further ordered
that John Thomas Clement Rockwell George Gurley Jr. & Richard Blunt
^{any three of them}
unto the effect and of the servers do carry the foregoing
decree in to execution, and that they make a report
to this Court of their proceedings herein in order to a
final decree.