

1846-026 SOUTHAMPTON COUNTY
CHANCERY PAPERS

PORTER and Wife et al VS. BARNES' ADM'R.
7/1846

other surnames: Reese,
Francis

Postle & Mife et. al.

vs. 3

Barnes, adm.

Bio, and Lanes,

~~December~~ 1845-

6 & M

1845 Nov. Dura asfited

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1846 June Report

" July - Rep. Conf. 2 & 3

Santhampton

To the Honorable the County Court of Southampton
in Chancery sitting,

Humbly complaining shew unto your Honors, your Compts.
Richard Porter and Martha his wife, Virginia Barnes, Elizabeth
Ruse, and Ann Eliza Porter. the true and lawful owners and
of L. R. Edwards. their next friends - That Nathan Barnes of
this County has died, after attaining full age, intestate,
possessor of several negro slaves, and some chattel estate, and
that sufficient to pay and satisfy all his just debts - That
Nathaniel Francis has qualified as his adm. and has now
all his personal estate in possession, except what has been
expended in a new course of administration - That your
Complainants are the distributees of Nathan Barnes, and
entitled to the balance of his estate after the payment of
his debts - That your Compt. Martha Porter, is the mother
of Nathan Barnes, your Compt. Virginia Barnes, is a
daughter of Geo H. Barnes a brother of the whole blood - and
Elizabeth Ruse, a daughter of Martha Ruse, a sister of the whole
blood - Ann Eliza Porter is a sister of the half blood -
your Compt. Richard Porter, also states, that he is the father
and consequently the heir to his wife's share - who
was a sister of the half blood to Nathan Barnes -

That there is no necessity for the adm. to liquidate
the personal estate, or all the debts against his
intestate have been satisfied and they have applied in
a proper way to him, for a settlement and distribution
but he has, hitherto declined to accede to their
reasonable request. and your complainants are
without remedy save in a Court of Equity.

In consideration of all which, & in as much
as your Compt are entitled in the premises, & ought
in a Court of Equity. To the End therefore they pray,
That Nathaniel Francis adm. of Nathan Barnes dec'd. may
be made a debt to this suit and compelled to

Answer The allegations broadly & unreservedly - That your
 shippers, will appoint Cues, to decide the cases relating
 to Nathan Borns, now in the hands of his adm. according
 to law and the rights of the parties. & if they can not be
 decided in kind - that they may be sold & the proceeds
 applied - They from the custom duty & merchant's custom
 - anding - and a great deal other & general duties in
 the premises, as Equity may dictate -

Prof. Dr. Max Josef Berthelms

Chs. Mrs. also for Campbells.

Answer of Nathaniel Francis, assn. of Nathan Barnes
to the foregoing Bill, exhibiting against him & Rich^d
Dorbo & others, in the County of Southampton.

This respondent taking and reserving etc. for answer to said Bill says, that he admits all the material facts therein charged, and has no objection to such action as the justice advise, or any action consistent with Equity and the Rules of this Court, and having answered frogs to be taken as aforesaid with his estate as in and by the

68 Nov for Sept.

Posters & signs and others

20
Barnes a. d. m.

Puffs,

Sept. } In Chaucery.

This day, this cause was docketed by
 court of justice, with the assent of the Court, came on
 to be heard on the Bill and answer, and was argued by
 counsel - On consideration thereof, the Court with advice
 and assent, that - Messrs J. P. T. Brierly, Esq., E. Poplar, Sampson &
 Russ, and James H. Parsons, any three of whom may act as appraisers
 for the purpose of dividing the slaves of Nathaniel Barnes
 which are now in the hands of Nathaniel Francis the adm.
 That they divide the said slaves, and allot one fourth to Richard
 Porter, and Martha his wife - one fourth to Virginia Barnes
 daughter of John H. Barnes decd - one fourth to Elizabeth Russ
 daughter of Martha Russ - one eighth to Ann Eliza Porter, daughter
 of Richard Porter - and the remaining eighth to Richard Porter
 heir of his deceased mother, Mary Porter - & report their proceedings
 to Court - If the said slaves cannot be divided in
 kind - Then Nathaniel Francis, ^{Jarvis & Singmaster}, who ~~are~~ approved a court for
 that purpose, shall, after giving 20 days previous notice of
 the time and place of sale, by advertisement at one or more
 places in the neighborhood and at the Court House door -
 sell the above mentioned slaves, to the highest bidder, on a
 credit of 12 months (except cash sufficient to pay the expenses
 of this suit & of the sale) - That he take bond & security of
 the purchaser, in such sums as to assign one fourth of the
 proceeds to Richard Porter & wife - one fourth to Virginia Barnes
 one fourth Elizabeth Russ - one eighth to Ann Eliza Porter
 and one eighth to Richard Porter - that they report their
 proceedings to Court in view to a final decree.

No 12

~~Proseminar~~ Report

Barnes

~ } Report.

Barnes

1846 June

According to a decree of the court of Southampton County made at November Court 1845 decreeing the sale of the slaves belonging to the estate of Nathan Barnes, dead for division we have proceeded to sell on a credit of twelve months except cash sufficient to pay the expense of sale and the sum of \$875.60 cents due Nathl Francis the admr of said Barnes in the Commissioners report for the settlement of said estate. and taken bonds in sums to correspond to the amt due each legatee according to decree on demand twelve months from the 24th of Jan 1846. that being the day of sale of the following slaves —

	Wartwell	Nathl Francis	\$443.00
Am't of Cash	Am't due Nathl Francis Admr. —		\$275.60
Received	Commissions for selling \$45.96	Lawyers fees \$10.72	35.76
\$338.74.	Auctioneers fees \$5.00.	Clerks fee 2.38	7.38
			\$338.74
			443.00
	Am't due from Nathl Francis. on his purchase		104.06
Henry	— Jas H Person —		570.30
William	— Sampson C Reese —		163.30
Rosetta & 3 children	— George A. Newson —		526.00
Hester	— Harrison D Moore —		143.00
			\$1509.06

The above sum of \$1509.06 cents is the amt due from proceeds of the sales Nathan Barnes slaves if bonds due twelve months from the 24th day of Jan 1846. To the amount of \$1403.00 leaving a balance of one hundred and four dollars and

six cents due from Nathl Francis on his purchase
for which sum the said Nathl Francis is personally
bound to the court of Southampton County for
the benefit of the heirs of Nathan Barnes decd.

Nathaniel Francis
Edward Simmons } Compeers