

1815-011

Chancery Causes: Sampson Barlow v Lally Barlow, by v c vs Samuel Jefferson v al

Isle of Wight County

other surnames: Crocker,
Atkinson

To the honorable Court of Wch. & Wight County in Chancery
sitting: Warmly complaining shew unto the Court, Your
Orator and Oratrix, Sampson and Sally Barlow, infants—
Children of John Barlow, suing by William Crocker their
next friend: that your Orator's father having departed this
life several years past intestate, three of his slaves were
assigned to Sarah—his widow for life as her dower
namely, Sally, Beck & Jacob — (the latter of which
has since died) that— the said widow afterwards inter-
married with one Samuel Jefferson, a Citizen of this County
and departed this life on or about the 4th day of
~~January~~ January, 1815. of Course the two remaining slaves are
subject— to a division equally, among the Children of your
Complainant's father to wit, Polly who is now the wife
of one Moses Atkinson and your Complainants: but owing
to their smallness of numbers, as also the inequality of the
value of the said slaves are not susceptible of a fair
and equal division: besides your Complainants find
that the said Samuel Jefferson, who has possession of
the said two slaves, and the said Moses Atkinson the
husband of Polly, combining and continuing to injure

and defend your Complainants in this behalf, refuse
their Consents to a Sale (and distribution of the proceeds, which
is the Only means by which Justice Can be accomplished:-

Wherefore, and for as much as your
Complainants are remedied only in a Court of equity
having Jurisdiction, which this Court ^{has} they pray that the
Said Samuel Jefferson and the Said Moses Atkinson be
made Defs to this bill and full and true, and perfect
answers make to all and singular the allegations it-
contains, and that thereupon your worship's vice decree a
Sale of the said two slaves, and a fair distribution of
the proceeds, assigning One third part thereof to the
Said Atkinson's wife, and One third part to each of
your Complainants, and make any other or further order
or decree in and concerning the premises as shall be
considered, by the Court, necessary and proper for the
benefit of your Complainants, and the promotion of Justice
May it please

The Joint answers of Samuel Jefferson and Moses
Atkinson and Polly, his wife to the bill of Complaint
in equity, exhibited against them in the worshipful Court

of Wile & Wright, by Sally and Sampson Barlow, infant-
Children of John Barlow dead, their respondents
except as to Combination and frauds charged against
them, which they deny, have no other objection to the Sale
of the Slaves and distribution of the proceeds, than what
grows out of the infancy of the Complainants: which renders
any Consent on the part of these respondents, useless &
negatory: They however, are perfectly willing to submit
to such decree in the premises as the Court shall deem
Just and equitable and Consistent with the prayer of the
bill. They therefore pray to be hence dismissed &c

Barlows by
Crocker next to
vs { Bill &
Jefferson { answer

May. 1015 Bill and Ans.
filed & entry done

Nov. 1015 Repts. ret.^d and
decided accordingly

In Obedience to a Decree of the Honorable Court of Sale
 of Wight County, bearing date May Court 1815. we the
 undersigned Commissioners, have made sale of the Slaves
 belonging to the heirs of John Barlow dec'd., as follows
 to wit, — — — — —

1 Negro Woman, Sally	to Samuel Jefferson	\$52-00	
1 Ditto	Beck	Ditto	248-00
			<u>300-00</u>
Alts Fee		\$10-00	
Clerks do		4-00	
5 Cent Commission		15-00	
			<u>29-00</u>
			<u>\$271-00</u>
			<u>\$90-33</u>

We the said undersigned Commissioners make the mat
 proceeds of the sale of the Slaves above mentioned two
 Hundred Seventy one Dollars, and ^{each} of the heirs part
 of proceeds, Ninety Dollars, and thirty three Cents, for
 which sum of Ninety Dollars, and thirty three Cents
 we have taken three separate bonds for - to wit
 one payable to Moses Atkinson and wife, one to Sam-
 son Barlow, and one to Sally Barlow, as was direct-
 ed in said Decree, Given under our hands this
 first Day of Aug^r Eighteen Hundred and Fifteen
 Wm Crocker

Jordan Parr
 Francis Branch

Barlow's infants by Crocker their next friend

vs

} Chy.

Samuel Jefferson, and Moses Atkinson & Polly his wife

Whereupon it is decreed and ordered that Wm Crocker
Jordan Parr & Frances ^{Branch} or any two of them sell to the
highest bidder ^{on a Credit} ~~for ready money~~ the two ~~slaves~~ surviving
slaves in the bill mentioned, and distribute the proceeds
~~as bona~~ ^{equally} agreeably to the prayer of the bill, to wit, by apportioning
One Third part thereof to said Moses Atkinson in right of
his wife — & One Third to each of the Complainants,
~~from the report thereof~~ having first deducted from
the aggregate amount — The amount of costs of this
suit which the sd Com^{rs} will ~~retain~~ & pay over to those
entitled thereto — and make report &c

Isle of Wight County Court,

May Court 1815.

Sampson and Sally Barlow infant children of
John Barlow dec'd by William Crocker their
mat. friend

Compl'ts

against

Samuel Jefferson, and Moses Atkinson & Polly
his wife.

Defts

In Chancery

By consent of the parties by their Attorney, this day
the Bill and answer was filed and heard thereon: whereupon it is
decreed and ordered that William Crocker, Jordan Parr, and Francis
Branch or any two of them sell to the highest bidder on a credit of
nine months (the slaves in the bill mentioned) except so much thereof
as will pay the amount of the costs attending this suit and take
three bonds for the residue in equal proportion payable as follows
one third part to the defendant Atkinson and wife - and one third part
to each of the complainants - and make report thereof to the Court in
order to a final decree

Alexy Teste Barth. Lightfoot D.C.D.

Barlow & Co
is copy decu
Jefferson & Co.
