

1845-009 Chancery Causes. Robert Eley vs John P. Eley & al

Ide of Wight County

other surnames: Johnson

Robert Ely
or
John P. Ely & others } Bill
and
answer

Staves

Decr: of the 1821/1. Bill &
John P. Ely: Decr.

Foley: Report returned & filed
for examination.

181/5. Foley: 3.
final Decr.

The answer of John P. Ely in his own right and of Nathaniel P. Johnson in right of his wife, to a bill exhibited against them in the county court of Isle of Wight by Robert Ely plaintiff. — These respondents now and at all times saving and reserving to themselves all benefit of exception to the allegations of the plaintiff's bill, for answer thereto say, that they admit so far as they are at present advised, the allegations of the bill to be true, and they have no objection to make to any decree which this court may think proper to make on the premises: and having answered, they pray to be dismissed with their reasonable costs in this behalf expended —

The Joint answer of Elizabeth, Sarah, Martha, Robert, Algernon, Edwin, and Michael Ely infants of Edwin Ely decd and under twenty one years of age by Nathaniel P. Young their guardian ad litem to a bill exhibited against them and others in the county court of Isle of Wight by Robert Ely plaintiff.

These respondents by their said guardian for answer to the said bill say, that they are infants under the age of 21 years and for the protection of their rights they by leave to place themselves under the control of this court: and hence pray to be dismissed with their reasonable costs in this behalf expended —

N. P. Young Guardian

To the Worshipful the Justices of the Peace of the County of Middlesex

in chancery sitting humbly complaining shew unto your
worships that your orator Robert Cley is the grandson of Lemima
Cley who was the widow of Robert Cley deceased late of the county of Middlesex.
That the said Lemima Cley died sometime since in the
possession of many slaves and that your orator and John P Cley
Nathaniel P Johnson in right of his wife and Elizabeth Sarah Martha
Robert Algernon Edwin and Michall Cley infants of Edwin Cley deceased
are her heirs at law, that your orator has applied to the other persons
named in this bill who are prayed to be made defendants to this bill
for his share of the said negro slaves, and the said John P Cley
and Nathaniel P Johnson say that they have no objection to a division
but fear that as there are infants it can only be done by a decree
of this court, and the said infants by Nathaniel P Young their
guardian ad litem say that being infants they have no consent to give.
Now as your orator is without relief at law etc prays that by
a decree of this court by commission to be appointed for the purpose
a division of the said slaves may be made among the parties
legally entitled, and that the court will grant all other relief as may
be consistent with the principles of this court: and to award all such
process as may be necessary and proper in the premises —

In obedience to a decree of the County Court of
Ipswich bearing date Dec^r Court 1841 - the the
Commissioners have according to said Decree divided
the Negroes belonging to the Estate of Lemima
Eley Deca and have set apart one share to Nathaniel
P Johnson in right of his wife, one share to Robert L Eley
one share to John P Eley, and the remaining share to the
infant children of Calvin J Eley Deca Elizabeth, Sarah,
Martha Robert, Algenon, Calvin and Michael the said
infant children is to pay to Robert Eley one hundred and
fifty six dollars and twenty five cents, Nathaniel P Johnson
in right of his wife is to pay Robert Eley twelve dollars and
fifty cents, also to John P Eley forty three dollars and twenty
five cents, one old negro woman named
appraised to nothing is to be kept and supported for life,
by Nathaniel P Johnson and wife for the sum of
Seventy five dollars, it being by special request of the
said Lemima Eley Deca the said parties contending thereto
Given under our hands this 7th day of Feb. 1841 -

Augustus Baccara
David Roberts
Monroe Clements



R. B. Eley
vs. In Chancery
J. P. Eley & others

Robert Cley & others
vs
John Cley & others -

In Chancery -

This day this cause came on to be heard on the bill answer and exhibits and was argued by counsel, on consideration whereof the court doth aforesaid order and decree that David Robert Mennor Clements Mills Warden and Augustus Ballard ^{or any two of them} be & are empowered hereby appointed to divide the Slaves of Lemina Cley dec'd. ~~into four~~ ^{into four} equal parts - ~~to wit~~ ^{to wit} Huldry and Hannah, Belia Amos, Isaiah Solomon Wilkes Allen, into four equal parts, - that they allot and set apart one share to Nathl Robinson ^{in right of his wife}, one share to Robert Cley, one share to John Cley - and the remaining share to the infant children of Edwin Cley dec'd Elizabeth Sarah Martha Robert Algernon, Edwin & Michael. And that they make report to this court in order to a final decree - ~~that~~ ^{which} is reserved to the infant defendants to shew cause if any they can ^{against the decree} within one year after they shall arrive to the age of 21 years -

Key
No. Decree
Key to the

1842 Feb. 7. ^a filed for
receptions

In the County Court of Isle of Wight December 5th 1841

Robert Eley

Plff.

vs

In Chancery

John P. Eley & others

Defes

This day this Cause came on to be heard on the bill answer and exhibits, and was argued by counsel, on consideration whereof the Court doth adjudge, order and decree, that David Roberts, Monroe Clements Miles W. Dardan, and Augustus Ballard, or any three of them, be Commissioners and they are hereby appointed to divide the slaves of Semina Eley dec'd to wit: Isaac, Huldoy, Ned, Hannah, Belia, Amos, Izaiak, Solomon, Willis, & Allen, into four equal parts, that they allot and set apart one share to Nathl. P. Johnson in right of his wife, one share to Robert L. Eley, one share to John P. Eley, and the remaining share to the infant children of Edwin Eley, dec'd. Elizabeth, Sarah, Martha, Robert, Algenon, Edwin, & Michael, and that they make report to this Court in order to a final decree, Liberty is reserved to the infant defendants to shew cause if any they can against this decree, within one year after they shall arrive to the age of 21 years. Cost including a final decree about \$15. to wit:

att \$10. Clk \$5.

Witness my hand

Copy

Teste

James P. Mills D.C.