1824-17 SOUTHAMPTON COUNTY CHANCERY PAPERS BRACEY VS. LUTER', ADMINISTRATOR OF

BRACEY v AL 1/1824

other SURNames; BRACY

Bracey
vs } Bell &c
Luker }

Decr 1823 Jul. Term
Copd. & delivd.

To the worshipful the County Court of Dan in Chancery sitting humbly complaining sheweth unto your worships your Orator Polly Bracey that sometime during the present year died her husband John Bracey leaving himself his widow and seven Children. Viz Mary Bracey, Sally Bracey William Bracey & Elizabeth Bracey all of whom are infants also a tract of land containing about 50 acres and one negro man Charley together with other personal estate which has been since exhausted in the payment of his debts -

That Jonathan Luter qualified as his adm.

That a sale of the said land & negro is desired for the purpose of a division between those interested. the value being too inconsiderable for a division in kind. that your Orator is willing to receive in lieu of dower such proportion of the money arising from the sale as to the Court may seem just the tender consideration of the premises. It is prayed that this worshipful Court will cause the said

Luter to answer stating whether it be necessary
to retain said negro for the payment of outstand-
-ing debts to cause the infants to answer by next
friend by the Court appointed them and grant
such other & general relief as may to this worship-
ful Court seem equitable & just & as in duty &c.

Polly Bracey.

The answer of Jonathan Luter the admr of
John Bracey and as guardian to the infants
Mary, Sally Ann, William & Elizabeth B Bracey
being by the Court to appointed— This respondent
saving &c for answer thereto saith
that it is not necessary that the negro should be
detained on account of outstanding debts. as he
believes, none such exist— that the facts stated
in the bill are true & that he has no objection
to such order as this Court may deem expedient
and having fully answered prays hence to be dismissed &c.

Jonathan Luter

Bracey
Luter } In Chancery

This day came on this cause
to be heard upon the bill answer whereupon
the Court doth adjudge order & decree that
Benj^n Griffin & Joseph St Johnson or either
of them sell the tract of land on which John
Bracey died seized. also a negro man Charles.
belonging to the Bracey estate on a credit of
twelve months after giving reasonable notice
of the time & place of sale. & of the purchaser
or purchasers take five bonds with good securi-
-ty for the payment of one fourth part. &
the others of the equal amt with each other
and the first upon to Polly Bracey and the other
to be retained by Benj Griffin for the benefit of the said
infant Children one for each. and make
report to this Court in order to a final decree.

Southampton County Dec. Court 1823

Polly Bracy ——— Complainant

vs

Jonathan Sider adm. of John Bracy dec'd. Mary Sally Ann, William and Elizabeth B. Bracy the infant Children of the said John Bracy dec'd by Jonathan Sider their guardian and next friend appointed by the Court to defend them in this behalf ——— Defendants

Bill Dis.

This day came as this Cause to be heard upon the bill and answers whereupon the Court doth adjudge order and decree that Benjamin Griffin and Joseph H. Johnson or either of them sell the tract of land of which John Bracy died seized, also a negro man Charles belonging to the Bracys Estate, on a credit of Twelve months after giving reasonable notice of the time and place of Sale, and of the purchaser or purchasers take fine bonds with good security one for the payment of one seventh part and the others of the equal amount with each other and the first upon to Polly Bracy and the other to be retained by Benj.a Griffin for the benefit of the said infant Children, one for each and make report to this Court in order to a final decree ———

Test A. Macfarlan D.C.

Report of the Sale
of the Land & Negroe
belonging to the estate
of Jno Bracey decd

1823

Jany 19th 1824 rets & ord.

By virtue of the annexed Decree, We the undersigned Commissioners have, after giving due notice, of the time, and place of Sale: Sold to the highest bidder on a Credit of twelve months. two small Tracts of land which John Bracy died seized. also a Negroe Man Charles belonging to said estate. One tract of the land containing 37½ Acres which Polley Bracy (Widow of the said John Bracy) became the purchaser for the sum of $.115.— One other tract of 42 Acres, which Elias Liter became the purchaser of for the sum of $130.90 Cent. Also. the Negroe Man Charles whom Jonathan Liter became the purchaser of for the sum of $.339.— making in the aggregate the sum of $604.90 Cent — the whole amount of sales, deduct from this sum $43.87 Cent for Cost and Commissions, leaves the sum of $361.03 Cent. to be devided amongst the legatees.- one seventh part of this sum, is $80.14 Cents which we are directed by the decree to allot to Polley Bracy Widow of the said John Bracy dec. as her part in fee simple.- that leaves a balance of $480.89 Cent which is to be equally divided between Mary. Sally Ann, William, and Elizabeth C. Bracys, Children of the said John Bracy dec. making four shares: in the whole: each share making the sum of $120.22 Cent. for which we have taken four seperate bonds ~~are~~ payable ~~twelve~~ months after date. one to Mary. for $120.22. one to Sally Ann. for the same amount ~~And~~ other bond to William, for the same amount of one to Elizabeth C. Bracy. for the same amount which bonds We have ready, in our hands as by the Decree we are required.— All which Actings and doings is respectfully submitted to the Court — Given under our hands this 27 day of December 1823.

Benj. Griffin Commissioner

Joseph M. Lemmon