

214.

Bailey and Francis Bailey children of Peter Bailey dec. Defts.

This cause coming on regularly to be heard on the Bill and the answer of the resident defendants and it appearing to the Court that due publication according to law has been made as to all those defendants who are now residents of this Commonwealth, on mature consideration it is decreed and ordered that Elias Sumnerell, Arthur Holliman, John Boykin (son of Simon) and John Crumpler Senr. or any three of them after having given reasonable public notice of the time and place of sale to sell at public auction to the highest bidder the land and slaves of which John Boykin the son of Daniel Boykin deceased died, seized and possessed on a credit of twelve months taking bond and good security from the purchasers - that they then divide the proceeds of such sale either in the bonds themselves or the money arising from the said bonds after the Administrator shall have collected them (whose receipt for the said bonds to the said Commissioners shall be a good acquittance as to them) together with the proceeds of the other personal Estate of the said intestate which may remain in the hands of the said Administrator David I Boykin after the payment of debts & as to them shall seem most expedient - That in effecting the said division they in the first place are to lay off the whole estate into two equal parts the one to go to the paternal and the other to the maternal relations of the said intestate. That they then divide the half set apart for the paternal relations into nine equal parts for the nine paternal Uncles and Aunts or their issue as herein after specified - that they then allot one such ninth part to Matthew Boykin, - one to Avery Branch, one to Arthur Sherrard and Sally his wife, formerly Boykin, in right of his said wife, one to Eley Boykin and one to Thomas Black & Patsy his wife formerly Boykin in right of his said wife, - that they then take another such ninth part being that to which Cherry Eley formerly Boykin would if alive be entitled and subdivide it into four parts for her four children or their issue as the case may be and allot one such fourth to her son John Boykin Eley who is alive. that they again subdivide another such fourth part into six equal parts among the children of her son Robert, to wit, Benjamin, Gilbert, Edwin, Margaret, Mills, & Martha Eley - that they then subdivide another fourth part into three shares for the children of or their issue of Elizabeth Council daughter of the said Cherry Eley and allot one to Hardy Council who is alive divide another equally between Dolphus Council & Sally Council the children of Eley Council and divide the other equally among Eliza Ann Luter, Charlotte Luter & John Luter the children of Cherry Luter dec. that they then take the remaining fourth part of Cherry Eley's ninth and to which her daughter Cherry Lawrence would if alive be entitled

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