

1816-046 Chancery Causes - Nancy Darby, widow of George Darby & al VS George Darby's adms

Isle of Wight County

Other surnames Hardie
Round tree

Darby West. R.
Darby West. R.
P. A.
Record

Darby West. R.

or Z. Pitt & Anst.

Darby Admor.

October 2^d 1815 Pitt & Anst.

gild & intely more

Sept. 1816 upon ut. and

Record accordingly

To the worshipful Court of the High Court of Chancery sitting,
humbly complaining, Sheweth to your wisdoms your
natrix Nancy Darby widow & child of George Darby dec'd -
and your natrix & natrix, ~~said~~ Nancy, Darby, George Darby, Alfred Darby
& Eliza Darby infant children of said George Darby, by said
Nancy Darby their next friend & mother - and your natrix
William Darby by Thomas Hardie by guardian & next friend,
That sometime in the year of - the said George Darby departed
his life intestate possessed of - among other estate in personal
property to the value of - That to his personally
his said widow has legal title absolutely to one third
part thereof - & that the residue ought equally to be
divided between the said five children & substitutes.
That a certain Charles Roundtree has duly qualified
as Adm'r on the estate of said decedent & has
so fully settled the same & that it may now
properly be subjected to a division among the
complainants or persons - To the end therefore
that said Charles Roundtree be made a def't
to this bill, & compelled to distribute the effects of
his intestate among the legal representatives as
aforesaid - ~~you~~ ~~complaint~~ ~~may~~ ~~of~~ ~~being~~ ~~reminded~~
in the premises except in a Court of equity &
you ~~complaint~~ ~~may~~ ~~of~~ ~~being~~ ~~reminded~~ ~~to~~ ~~decree~~ ~~that~~
the ^{Roundtree who is} ~~def't~~ ^{may} ~~is~~ ^a ~~defendant~~ ^{to this bill} ~~shall~~ ^{fully} ~~shall~~ ^{enforce} ~~the~~ ^{same} & that
yourships will decree a division of the estate
of said Geo. Darby among his widow & children
according to law, & make such other &
further decree as may in the opinion of
yourships comport with equity & the nature
of the case -

I am, Sir, your
obedient servant,

The answer of Charles Roundtree, Adm^r of George Darby dec^d.
to the bill of complaint against him exhibited in the County
Court of Suffolk on the part of Nancy Darby widow
of said George, and of James, George, Albert &
Elihu Darby infant children of said George, by said
Nancy their mother & next friend, William Darby
also an infant of said George Darby, by Thos. Harder
his next friend - This defend^t admits the said statements
allegations as set forth by the i^r. comp^t in their
plea to be true & correct & objects not to
a decree in conformity to the prayer of the same,
or to such other as by y^r. worship may be deemed
equitable proper - May it
James Harder

Darby's Widow & others,

Darby, Adm^r } Decree

This day this cause came on to be tried on
the bill, answer and exhibits by consent and counsel
of said, by consent of the ^{parties} ~~parties~~ and Agent of the ^{Copies} ~~parties~~
it is decreed and ordered that the personal effects
that belonged to the estate of George Darby dec^d;
~~be~~ be divided & apportioned as follows, to wit
one third part thereof to his widow Nancy Darby
absolutely as her legal share; and ^{that} the residue be
equally divided into five portions & one portion
thereof be apportioned to the other complainants respectively
to wit, to James, Darby - to George Darby, to Albert Darby
to Elihu Darby
and to Thomas Harder as Guardian of William Darby.
"and that, Edmunds Peckham, Samuel P. Jordan,
Edeon Powell, & Thornton Smith, officiate as
commissioners in the purchase & effecting the
improving decree - after first deducting the legal
expenses attendant on such proceedings.
Who make due report, &c.

Darby & W. F. Friend

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Copy of cue

Darby & W. F. Friend

Pursuant to a decree of the County Court of Isle of Wight,
to us directed, We the undersigned, have this day
proceeded to, & made distribution of the personal Estate
of George Darby, dec^d in the said decree mentioned
amounting to two hundred & Forty four dollars & 31 ¹/₂ cts
and after deducting the sum of fourteen dollars &
Ninety seven Cents for Clerks & Lawyers fees, ~~leaving~~
leaving a Balance of two hundred & Twenty nine
dollars & thirty four ¹/₂ cents; which we have de-
vised as follows:— To Nancy Darby; We
assigned the sum of \$76.44 ¹/₂ for her legal third
of said estate— To James Darby we have assigned
the sum of \$30.58- as his proportion of 1st Estate—
To George Darby, we have assigned the sum of
\$30.58- as his proportion of 1st Estate— To Albert
Darby, We have assigned the sum of \$30.58- as
his proportion of 1st Estate— To William Darby
the sum of \$30.58- as his proportion of 1st Estate
To Elias Darby, the sum of \$30.58- as her pro-
portion of 1st Estate— Making an aggregate
sum of two hundred & Twenty nine Dollars & 34 ¹/₂ cts
the whole amount of the residue of said Estate
after deducting the sum of \$14.97- for Clerks
& Lawyers fees as before mentioned given under
hand this day of Feby 1846—

Edmund Davis
Sam^l P. Jordan
Horatio Bull

Isle of Wight County, October Court 1845

Nancy Darby, widow and relict of George Darby dec^d
James George, Albert and Eliza Darby infant children
of George Darby dec^d by the said Nancy Darby their
next friend and William Darby by Thomas Hardy his
Guardian
against
Charles Rowntree administrator of George Darby dec^d Deft.

By consent of the parties by their Attorneys, this day the bill and
Answer was filed and heard thereon whereupon it is decreed and ordered that Edmund
Davis, Samuel P. Jordan, Edward Powell and Horatio Bull or any three of them make
division and distribution of the personal Estate of George Darby dec^d in the following
manner to wit, one third part thereof to the complainant Nancy Darby Widow of
the said George Darby dec^d absolutely as her legal third— and divide the residue
into five equal shares, and assign unto the complainants James, George, Albert,
Eliza and William Darby each fifth each, and make report thereof to this
Court in order to a final decree—

Certs att^d \$ 10
Certs 4.97
14.97 to be paid in cash
Attest J. B. Barth Lightfoot D.C.

Divisions of the Estate
of George Darby esq

1816

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