1817-012 Chancery Causes. Drury Beal ux VS Benjamin Darden, the Younger, by &c

Isle of Wight County

To the worshipful Court of Isle of Wight County

Chancery Sitting Humbly Complaining Shew unto your
worships your Orator and Oratrix Drury Bird and Jemi-
ma his wife that about the month of June & July
in the year eighteen hundred and fifteen Benjamin Darden
formerly of this County, departed this life, seized and possessed
of a tract or parcel containing as is supposed two
hundred acres - That the said Benjamin Darden left
one child named Benjamin who is now an Infant of
tender years; that the said Benjamin Darden dec.d left
no other child, than the said Benjamin, who is willed
with your complainant, in right of your Oratrix as heir
at Law, to the said tract or parcel of land &c.
Your Complainants state that they have frequently applied
to the said Benjamin Darden requiring to procure
an allotment of your Oratrix's dower Interest in
to the said tract of land of which the said Benja-
min Darden died seized & possessed as aforesaid -
That in consequence of the minority of the said Benja-
min Darden the Younger, your Complainants have
hitherto been prevented from obtaining in this behalf
their just rights - In Tender Consideration whereof
and for as much as your Complainants are remediless
in the premises, except by the interposition of a
Court of Equity - To the End therefore that the said Ben-
jamin Darden the Younger (who is prayed to be made

defendant by a guardian specially appointed to defend
this suit may fully and particularly answer all and singular
the allegations herein contained, as amendingly as
if the same were here again repeated and he thereto
specially interrogated - That he may declare whether
the said land is not property of which the said Benjamin
Darden died seized & possessed as aforesaid & whether he
will consent that one equal third part thereof, having
regard to quantity as well as quality, shall be
set apart to the complainants, to be held and enjoyed
by them for and during the natural life of your
Orators Complainants - and for the purpose of dividing
and setting apart the land as aforesaid, your compts.
pray your Honour to appoint fit and proper
Commissioners to proceed in to effect - lastly
your Compts. pray that your Honour will make
such other or further order & decree in the premises
as may comport with Equity - may it please &c.
and as in duty bound they will ever pray &c.

The answer of Benjamin Darden Infant defendant
by Solomon Butler guardian specially appointed by the
Court to a Bill of Complaint exhibited by Drury Bat
& Company in the County Court of Bedford

This Respondent saving and reserving to himself
any benefit and advantage of exception to the many
errors and insufficiencies in the said Bill contained,
for answer thereto saith, that he cannot gainsay
the allegations in the said Bill contained, & that
he is willing that the Court shall appoint Commis-
sioners to act agreeably to the prayer of the Complaints
said Bill - He denies all fraud &c. & prays to be
hence dismissed with his reasonable costs &c.

Richd H Baker
for
Solo Butler.

Real Estate —

v.s. Bill, answer

& Depositions

P. Dandridge

October 1816 Bill and
answer filed & testimony
taken —

March 1817 report ret.d
& decreed accordingly —

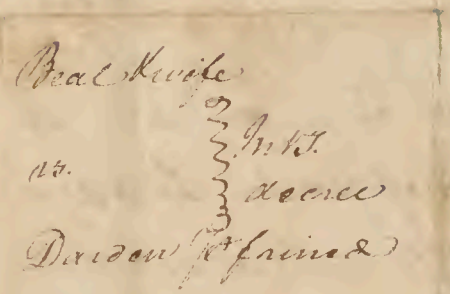
Isle of Wight County — October Court 1816

Drewry Beal and Temporance his wife Compts
against
Benjamin Darsow an infant by Solomon Butler appointed Specially to defend him Defendant

In Chancery

This cause this day came on to be heard upon the bill Answer, and by consent of parties It is Ordered & decreed that Jonn Griffin Matthew Daughtry and Jeremiah Bradshaw or any two of them attended by the county Surveyor if required do lay off set apart and allot to the complainants one third part of the tract or parcel of land in the bill mentioned in right of her dower, having regard to quality and quantity and allot the remaining two thirds thereof to the infant defendant, and make report thereof to the court, in order to a final decree

A Copy Teste
Nath.l Young C.I.W.C.



In obedience to the annexed decree of the worshipfull Court of Isle of wright County to us directed we the undersigned have proceeded to layoff and set apart to Temperance Beal who was the widow and relict of Benj.a Darden dec.d her dower in said decedents lands which said dower contains Eighty acres be the same more or less bounded as follows (to wit) begining at a marked post oak standing by the side of Black-water at the Gar-pond landing thence South 84 deg.s East 136 pole to a Mulberry tree in the yard thence South 87° E 20 pole to a willow in a branch thence along a line of mark'd trees North 19° East to Benj.a Dardens line thence along his line to a marked pine in Sollomon Dardens line thence along his line to Blackwater thence down blackwater to the first station which said eighty acres includes the dweeling house & one kitchin & two barns — Given under our hands this 29th day of November — 1816

John Griffing

his
Jeremiah ✕ Bradshaw
mark

Drury Beal & Temperance his wife

vs. In Chy. Decree

Benjamin Darden an Infant depending by Solomon Batchelor

guardian

This Cause this day came on to be

heard upon the Bill answer by consent of the parties and

agreement of the Court whereupon the Court doth now adjudge

& decree that Isaac Griffin, Mathew Daughtrey and

Jeremiah Bradham or any two of them, attended by the

County Surveyor if required, do lay off, set apart and

allot unto the Complainants one equal third part

of the land or parcel of land in the Bill mentioned

in right of Dower

having regard to quantity as well as quality and

the remaining two third parts thereof to the Infant defendant

to this Court in order to a final decree

Decree