

1817-013 Chancery Causes: James Brantley vs Willis Brantley

Sale of Wright County

other surnames: Barlow

To the Worshipful Court of Isles of Wight County sitting in
Chancery, humbly complaining ~~shin~~ unto your Worships,
Your Orator James Brantley and your infant Orators
Davis Brantley and Joseph Brantley, the former an
infant child of The Brantley — — — — — dec^d, who was a
brother of Joseph Brantley the elder dec^d, the latter
an infant child of Volentine Brantley — — — — — dec^d who
was also a brother of ^{sa} Joseph the elder dec^d, seeing
by Ben^d Barlow — — — — — their next friends — That the
said Joseph Brantley the elder dec^d departed this
life ~~on~~ about the day of — — — — — in the
Year — — — — — seized the possession of a certain tract or
parcel of land in the County of Isles of Wight con-
taining by estimation ten acres more or less —
That Your Orator James Brantley is a brother and
heir of ^{sa} Joseph, as is also a certain Willis Brantley
who is ~~prayed~~ a defendant to this bill — Your
Complainants also represent that they are all
equally entitled to the aforesaid tract or parcel
of land, to wit to your Orator James & his said
brother Willis, as heirs at law to their ^{sa} Brother
Joseph the elder dec^d and to your two infant
Complainants as representatives of their ^{sa} Father
dec^d who were also brothers of the ^{sa} Joseph the elder
dec^d — Your Complainants further represent, that

The land in question, when divided into four equal parts
or divisions, will not exceed in value the sum of \$100 per
share; that they are therefore advised that it is com-
petent to a Court of equity in such cases, to decree
a sale of the entire tract or parcel of s^d land, and
to direct the proceeds thereof, to be equally divided
between your Complainants, & the defendants to this
bill - In tender consideration whereof, and being
reminded in the Premises, except by the intervention
of a Court of equity, where such matters are pro-
perly cognizable - Your Orators therefore ~~humbly~~ pray
your worships, to compel the s^d Willis Brantley to
answer the several statements & allegations therein con-
tained, as if they were here again repeated, & he there-
to particularly interrogated, and that your wor-
ships decree & order, that the s^d tract or parcel of
land be publicly sold to the highest bidder for
cash, after giving him days previous notice of the
time & place of sale, & that the proceeds thereof be
equally divided ^{after first paying the expenses of this suit} between your Complainants and
the defendant to this bill, who are all equally en-
titled, as the legal heirs of the s^d Joseph dec^d, by
commissioners who shall be appointed by your
worships for that purpose - Your Orators beg leave
further to ~~pray~~ pray your worships, to make such

other order & decree in the Premises, as may comport with
equity & the nature of the case, & in duty bound will
ever pray for -

Prayer for Complainants

The answer of Willis Brantley to the bill of ~~complaint~~
complaint exhibited against him in the County Co.
of Essex, on the part of ~~James~~ James Brantley,
Davis Brantley & Joseph Brantley, this two days, by
Ben^d Barlow - Their next friends Complainants.

This defendant admits that the several statements
& allegations, as set forth in the Complainants said
bill, are correct & true, & he objecteth not, to a de-
- cree in conformity to the prayer therein contained,
or to such other decree as your worships may
deem equitable & proper -

Willis Brantley

Mark -

Brantley et al.
vs. J. Bell et al.

Brantley -

January 1817. Bell & Ans.
filed and Intng. were

March 1817. Rpt. ut.
Decreed accordingly

Jordan, for Compt.

Isle of Wight County

January Court 1817-

David Brantley son of Thomas Brantley
Joseph Brantley son of Volentine Brantley
By Willis Brantley their next friends

Complainants

In Chancery

against

James Brantley

Def.

By consent of the parties by their attorney this cause was this day filed docketed & heard on the bill and answer filed, whereupon it is decreed & ordered that Nathl. Young James C. Jordan Robert West Carter &c or any three of them make sale of the land of which Joseph Brantley died seized & possessed on a credit of nine months except so much as will pay this suit, & divide the proceeds equally between the complainants & defendants, & take bond from the purchasers, & make report thereof to the court —

Attest

Nathl. Young Cl.

In obedience to the within decree of Isidro eight count to us
decreed, we the undersigned have sold the land therein mentioned
for one hundred & seven dollars & twenty five cents to the said
After deducting the costs of the said sale, have taken bonds
for Twenty one dollars & forty eight cents payable to each
of the parties - Given under our hands this 21st day of
January 1817

Nathl. Young
James C. Jordan
Robt. West

James Brantley Decd.

Compls.

v.

Willis Brantley

Def.

In Chs.

By consent of the parties & with the assent
of the court this cause was docketed & came on to be heard
on the bill & answer filed, whereupon the court doth
as judges order & decree that Carter Deuss, Solomon Deuss
Micajah Biggood & Etal. Long as they shall make sale
of the land of which Joseph Brantley and seized &
propose to receive cash (and after paying the expenses
of this suit & the sale) that they divide the proceeds
equally between the compls. & defendant & make
report thereof in order to a final decree —