

1831-005

Chancery Causes: Waley Batten & H & al vs Polly Holden, widow of Benjamin Holden & al
Isle of Wight County

other surnames: fellows,
vellines

Walter V. V. V. V.

Bill V. V. V.

Holden V. V. V.

September 6th 1830 Bill and
answer filed & Suter's decree

November 1st 1830 Report returned
& cont.

April 4th 1831 report conf.
& final decree entered

lands must to the injury & oppression of your
sister & orphans in the premises, in consideration
whereof need for removal as your
sister & orphans are without remedy
at law and can only be relieved in
this court where matters of this sort are
only cognizable & justice duly adminis-
tered. To the end therefore that the said
& defendant Polly, under the said defend-
ants Phoebe, Lucetta, Cherry & Louisa by
their guardians to be assigned there by
the court may remove the premises
as freely & distinctly as if they were
again separated & they thereto particularly
by interrogatories. And that by a decree
of this court the said fifty acres of land
may be sold at public auction sub-
ject to the direction of the said Polly
if she so desire it and the proceeds
thereof paid to the parties entitled there-
to according to their several rights, &
may it please the court to grant all
such other & further relief in the premi-
ses as may be consistent with equity
& the rules & principles of this court
& your sister & orphans. Trist. C.C.

Holliman pro.

Niles Batters & Anna his wife,
formerly Anna Holden, Matilda
Holliman, & Percival Holden }

vs

Phoebe, Lucetta, Cherry, & Louisa
Holden infants of Niles Batters
by Abraham Vallentyne of counsel

in Chancery

This cause was this day docketed and
by consent of parties and with the assent
of the court came on to be heard upon
the bill & answers filed & was argued
by counsel whereupon the court doth
adjudge order & decree that Jordan Pace
& Edwin Mowble be appointed commis-
sioners to lay off and allot to the de-
fendant Polly Holden ^{as he does} one third part
of the tract of land whereof he deced-
ed husband and since possessed, by proper
survey & bounds regarding both quality
& quantity, ~~as he does~~ that they then
sell the said land subject to said decree
at public auction on a credit of nine
months after giving thirty days notice
thereof, except so much as will pay all
expenses of this decree and sale which
shall be cash, that they take from the
purchase hands with good security
for the next proceeds of sale as follows
i.e. a bond for one seventh thereof pay-
able to each of the complainants to wit
Niles Batters & Anna his wife, Matilda
Holliman, & Percival Holden, and
a bond for one seventh thereof payable
to each of the infant defendants Phoebe
Lucetta, Cherry & Louisa Holden, that
they pay over the bonds to the said com-
plainants, and file in the clerk's office
of this court the bonds payable to the
infant defendants subject to the con-
trol of their legal guardians or of their
relatives where the course of age, that they con-
vey to the purchase without warranty and
upon their proceedings to this court in order &c.

To the justices of the court of Hidescript
county in chancery sitting

Humbly complaining thereunto
your worships your orator & oratrices
Wiley Batten and Anna his wife for-
mally Anna Bolden, Matilda Hollows
formerly Matilda Bolden, and Permelia
Bolden, that on about the day of
eighteen hundred & ~~twenty~~ thirty
a certain Benjamin Bolden late of your
county died intestate possessed of a small
tract of land in said county contain-
ing fifty acres; the legal heirs of the said
Benjamin Bolden were his seven children
to wit your oratrices Anna, Matilda
and Permelia; and Phoebe, Lucetta, Cher-
ry & Louisa Bolden infants under the
age of twenty one years, the said Ben-
jamin also left a widow named
Polly entitled to dower in said fifty
acres of land, the share of each here
is much under three hundred dollars
value, and if the said land were
divided the share of each would be
so small as to be worth little or
nothing, your orator & oratrices are
anxious to have said enjoy their in-
terest in said land ~~in the~~ without
delay, which they cannot do without
a sale thereof and a division of the
proceeds amongst the parties entitled
thereto But now so it is may it please
your worships by reason of the shaver
rights of the said Polly, and by reason
of the infirmity of the said Phoebe, Lucetta,
Cherry & Louisa being after called
defendants, your orator & oratrices are
prevented from having & enjoying
their interests in said land in so
full & ample a manner as they
otherwise would; all which

Midland
avenue

The separate answer of Polly Bolden to a bill
exhibited against her & others by Wiley
Butter & Anna his wife, Matilda Hollows
& Maria Bolden

This respondent for answer to the
said bill or to so much as she is advised
is material for her to answer, answers
& says that she is the widow of the said
Benjamin Bolden mentioned in
the complainant's bill, and as such
claims dower in his land, she is
willing to say where the court may
think proper to make concerning said
land first setting off to her her share
her dower in the same & having
thus answered prays her to be
dismissed &c

Lupinus
arvensis

3.97
62
489

The joint answer of Phoebe, Lucretia, Char-
ry & Louisa Bolden infant children
of Rufus Bolden and by Abraham Willmes
their guardians and return to a bill
exhibited against them by Wiley Rattle
& Anna his wife, Matilda Fellers, &
Pamela Bolden

These respondents by their said guardian
are for answer to the said bill, answer
& say, that they are infants under the
age of twenty one years and as to their
rights in the land, their deceased father
prays to place themselves under the pro-
tection of the court, & having thus an-
swered pray leave to be reserved
with their costs &c

Abraham Willmes

Batten Wife Vads

10 Diara

Holden Vads. of Co. Astoria

Aboshy

In Solis Night County Court

September term 1830

Wiley Ballen and Anna his wife formerly Anna
Holden, Matilda Fellows and Pomeria Holden Complainants
against

Phoebe, Lucretia, Cherry, and Louisa Holden
infants of Benjamin Holden decd. by
Abraham Fellows their Guardian ad litem

In Chancery

Defendants

This cause was this day docketed and by consent of parties and
with the assent of the court came on to be heard upon the bill and answers
filed and was argued by counsel, whereupon the court doth adjudge order
and decree that Jonathan Parr and Edmund Noble be appointed commission-
ers to lay off and allot to the defendant Polly Holden as her dower, one
third part of the tract of land whereof her deceased husband did possess
by proper notes and bonds regarding both quality and quantity, that they
then sell the said land subject to said dower at public auction on a credit
of nine months, after giving thirty days notice thereof, except so much as
will pay all expenses of this decree and sale which shall be cash, that they
take from the purchaser bonds with good security for the moneys proceeds of sale
as follows i.e. a bond for one seventh thereof payable to each of the complain-
ants to wit, Wiley Ballen and Anna his wife, Matilda Fellows and Pomeria
Holden, and a bond for one seventh thereof payable to each of the infant
defendants, Phoebe, Lucretia, Cherry, and Louisa Holden, that they pay
over the bonds to the said complainants, and file in the clerks office of this
county the bonds payable to the infant defendants, subject to the control of
their legal guardians, or of themselves when they come of age, that they convey
to the purchaser without warranty, and report their proceedings to this court in
order to a final decree

Clerks fee \$4.37
arre " 10:00
\$14:37

Attest Test. Nathl. Young Jr.