

1831-010 Chancery Causes, Jacob Addison's adm & al vs Jacob Addison & al, by & c

Isle of Wight County

other surnames: Lancaster,
Gray, Davidson, Brock,
Flake

Admiral Selwicks
Billie
Admiral Selwicks
Chaucer

Adison G. Hall
vs. E. Bell
Adison Bell

November 11th. 1878 Bill
filed and Comm. taken
away to take depositions.

December 1st 1828 answers
to filed and. Intently aware

May 3^d 1830 report m^{rs}.
and continue

April 1st 1821 rept contd.
 Affairs decrue entirely

necessary land, clothing, and sustenance;
that for this purpose your orders and
ratifying are desirous to have a sale and
division as aforesaid; But now so it is, may
it please your worships, the said wards Jacob,
Levi, Sally, and Peggy Addisaw herein after
Thomas Davidson's son his wife formerly Mary Addisaw also defendants
called defendants; and William and Sally
Addisaw and Miller Flake and Susan his
wife formerly Susan Addisaw, who would
be heirs of the said wards in case of their death,
and herein after also called defendants, have
under various pretences
refused the reasonable wishes and requests of
your orders ~~and ratifying~~; All which conduct
is the ~~indisputable~~ part of the said defendants is
contrary to equity and good conscience: In
tender consideration whereof and forasmuch
as your orders ~~and ratifying~~ are without re-
medy at law, and can only be relieved in
this court, where matters of this sort are only
equitably and justice duly administered; To
the end therefore that the said wards de-
fendants by their guardian to be appointed
by this court, and the said other defendants
may answer the premises as fully and distinctly
as if the same were again repeated, and they
thereunto particularly interrogated, and by a decree
of this court, the said defendants may be compelled
to make sale of the said land, and a distribution
of the proceeds amongst the parties entitled thereto,
according to their respective rights, by a commissioner
to be appointed for that purpose; And may it please
your worships to grant all such other and further
relief in the premises as may be consistent with
the rules and principles of this court, and to award
all such process as may be necessary and proper
in the premises &c

Baltimore p.p.

Blodwight county court.

This day personally
appeared before me a justice of the peace
for the county aforesaid William Lancaster,
Josiah Gray, & Josiah Addisaw ~~and Thomas~~
~~Lancaster~~ plaintiffs in the foregoing bill
and made oath that the allegations there-
in contained are true, according to the
best of their knowledge and belief.

Given under my hand this third
day of November 1828
J. Holloman J.P.

To the justice of the county court of Blount
in chancery sitting:

Humly complaining that unto your
wards your orators ~~and~~ ~~suitors~~ William Lee
carter guardian of Jacob Addisaw, Josiah Gray
guardian of Deew and Peggy Addisaw, & Josiah
Addisaw guardian of Sally Addisaw, ~~and~~ ~~The~~
~~said Jacob and Deew~~ ~~and~~ ~~by his wife~~ ~~for~~ ~~and~~
~~day of~~ ~~the~~ ~~year~~; that on the day of Sep-
tember eight hundred and twenty eight,
a certain Thomas Addisaw late of your county
an infant under the age of twenty one years
died possessed of a small tract of land, de-
vised to him by the will of his grandfather Mr.
Addisaw containing by estimation fifty
eight acres situated in the county of Bl-
ount; that the only heirs of the said
Thomas Addisaw at the time of his death
were the aforementioned Jacob, Deew, Sally &
Peggy Addisaw, & Roy Davidaw, brother
and sisters of the said Thomas Addisaw dead,
the said Jacob and Deew Addisaw and Roy
Davidaw being of the whole blood, and the
said Sally and Peggy Addisaw of the
half blood; your orators further shew
that the only property belonging to their said
wards consists of the said land, and a
small amount due them from the
estates of the said Thos. Addisaw dead, &
of their deceased father, making not
more than twenty dollars to each of the
said wards; that the said land will not
be profitable in its present situation, and
their interests will be greatly promoted, by
a sale thereof, and a division of the pro-
ceeds amongst them, as some of them
are of very tender years, and stand in
need of their portions thereof for their

Assurance of God
and his love.

The joint answer of Jacob, Dince, Lally
& Peggy & Addisac infants under the
age of twenty one years by Jos. Gwaltney
their guardian ad litem to a bill exhibited
against them and others in the Chancery
court of Interpight county by H. Lancaster,
Jos. Gray and Jos. Addisac plaintiffs.

These respondents by their said guardian
ad litem to the said bill for answer say, that
the allegations therein contained are true as
they know are true; but that they are in
fact under the age of twenty one years
and in relation to their rights in the land
of their deceased brother they beg leave to
place themselves under the protection of
this court; and since they pray to be dis-
missed with their reasonable cost, in
this behalf sustained

Interpight co. to wit

This day personally appeared before me
a justice of the peace for the said county
Josiah Gwaltney guardian ad litem
of Jacob Dince, Lally and Peggy Addisac
and made oath that the foregoing answer
and the matters therein contained are true.
Given under my hand this first day of
December 1828

J. H. DENT J. P.

Journal of Jacob
V. Lewis Harrison

The joint answer of Jacob and Luce Addison infants between 14 and 21 years to a bill exhibited v. them & others in the Chanc. Court of Hertsford Co. by William Lancaster & others

Those respondents for answer to the said bill say that the allegations therein contained so far as they are advised are true, and they have no objection to a sale of the land therein mentioned, and to any decree which this court may think proper to make in the premises, & having thus answered pray to be dismissed with their reasonable costs &c

Hertsford Co to wit

This day personally appeared before me a justice of the peace for the said Co. Jacob and Luce Addison and made oath that the foregoing answer is true. Given under my hand this
1st day of November 1828

Wm. P. Holloman J.P.

Journal of Davidson
wife, and others

The answer of Thomas Davidson & his wife
to a bill exhibited on them & others in the Chanc. co.
of Mississippi co. by Mrs Lancaster & others

These respondents for answer to the said bill
say that they admit the allegations thereof
to be true, and are willing to a decree this
court may think proper to make reciting
to them their right ^{in the proceeds of} said land, & having
their answer pray to be dismissed with their
costs &c.

The joint answer of Mrs. Addison, ~~William~~
~~Davidson~~ and Miller Flake & Susan his wife, ~~and~~
~~would be liable to~~ to a bill exhibited on them &
others in the Chanc. co. of Mississippi co. by Mrs.
Lancaster & others

These respondents for answer to the
said bill say that they believe the alle-
gations therein are true, and they have
no objection to any decree this court
may think proper to make, and having
their answer pray to be dismissed
with their costs &c. William Addison

~~William Addison~~

Miller Flake
for Susan his wife

Commission

The Commonwealth of Virginia to His Excellency and Aug. Nathaniel
Gouldman Justices of the High Court of the County of Loudoun. Know ye that we
trust to your fidelity and prudent circumspection, in diligently
examining William Gray and Robert
Burch

Managers ~~and~~ on behalf Jacob Addison & others of Guardian in a
suit now depending in the county Court of Loudoun, command
you that on such certain days and at such places as you shall appoint
you appear yourself, and the witnesses aforesaid before you, you
call and cause to come, and diligently examine on the holy Oath of
Almighty God, and their examination in to our said court distinctly
and plainly without delay you send and certify enclosed, returning
also to us this court, Witness Nathaniel Henry Clerk of our said court
at the courthouse the 10th day of November 1828. in the 33 year of
the Commonwealth.

Nathl Henry

Affidavit of
Witnesses

The ~~first~~ affidavit of William Gray
and Robert Brock of lawful age taken
before Mr. Smelly and Judge Randall
justices of the peace for the county of Bloomsbury
and in the presence of Josiah Goodwin guardian
ad litem of Jacob, Lucie, Sally, & Peggy Addison
to be read as evidence in a suit in Chancery
now depending in the court of the county of said
to obtain a decree for a sale of the land of which
Thomas Addison died seized and possessed,
William Lancaster & others plaintiffs, vs. the
heirs of said Thos. Addison defendants.

These affiant being first solemnly sworn af-
firm and say, that the infants Jacob, Lucie
~~Sally~~, & Peggy Addison were left with scarcely
any estate from their father, that the land of which
Thos. Addison was possessed is of but little ac-
tual value, and as some of the infants are
of very tender years, they are of opinion that
their interest will be promoted by a sale of
said land and a distribution of the proceeds
amongst the heirs according to their respec-
tive rights. Given under our hands this first
day of December 1828

Thos. Smelly JP.
Augustus Randall JP.

Addison J. Gen
M 3d Report
Addison V.

In obedience to the annexed decree of the Honourable
Court of Litchfield County, I have made sale of
the land mentioned in said decree, at public auction
after giving more than ten days notice of the time and
place of sale, to ^{Wm} Hollenmar for the sum of
Forty dollars, from which I have deducted fifteen
dollars and thirty one Cents for obtaining S. decree
and three dollars for Commissions, leaving a balance
of Forty one dollar and sixty nine Cents. And have
taken a bond made payable to Thomas Davidson in
right of his wife, for \$10.42³/₄, a bond made payable
to ^{Wm} Lancaster Guardian for Jacob Addison for \$10.42³/₄,
a bond made payable to Amiah Gray Guardian for
Dorcas Addison for \$10.42³/₄, a bond made payable to
Amiah Addison Guardian for Sally Addison for \$5.21³/₈,
and a bond made payable to
Guardian for Peggy Addison for \$5.21³/₈—

Given under my hand this 16th day of
January 1829.

^{Wm}
Hollenmar

Addison J. Son

vs

Deena

Addison R.

Attest

In West of Night County Court December Term 1828.

William Lancaster Guardian of Jacob Addison
Josiah Gray Guardian of Drew and Peggy
Addison and Jos. Addison Guardian of Sally
Addison

Complainants

against

In Chancery

Jacob, Drew, Sally, and Peggy Addison by
Josiah Gwaltney their Guardian ad litem, Thomas
Davidson and Abby his wife, William Addison,
Dolly Addison and Nelly Wake and Susan his wife Defendants.

By consent of parties and with the assent of the court, this cause was this day docketed and came on to be heard upon the bill, answers and exhibits filed, and was argued by counsel: whereupon the court after mature deliberation doth adjudge, order, and decree that William Holloman be appointed a commissioner to make sale of the land of which Thomas Addison died seized and possessed at public auction after ten days notice on a credit of nine months, except so much as will pay all expenses attending the sale, and for obtaining this decree which is to be cash, and for the balance of the proceeds that he take bonds with good security as follows i. e. a bond for one fourth thereof payable to Thomas Davidson in right of his wife Abby, a bond for one fourth payable to the legal Guardian of Jacob Addison, a bond for one fourth payable to the legal Guardian of Drew Addison, a bond for one eighth payable to the legal Guardian of Sally Addison, and a bond for the remaining eighth thereof payable to the legal Guardian of Peggy Addison, that the said commissioner do execute a deed of conveyance to the purchaser of said land, and retain a lien thereon for the payment of the purchase money and make a report of his proceedings in order to a final decree.

all^d fee \$10.00
Clerks fee 5.34
\$15.34 - 15.34

A Copy Test Nathl Young &
"C"

(Addisau Guardian
v.

(Addisau

Deere

Isle of Wight county, December court 1828

William Lancaster guardian of Jacob Addison
vs. Gray guardian of David & Peggy Addison
& Jos. Addison guardian of Sally Addison

In Chancery

Jacob, David, Sally, and Peggy Addison
by their guardian & letters,

Thomas Davidson & Mary his wife,

William Addison, Sally Addison

& Miller Flake & Susan his wife

Dec. 13

By consent of parties and with the assent of the court, this cause was this day docketed and came on to be heard upon the bill, answers and exhibits filed, and was argued by counsel, whereupon the court after mature deliberation doth adjudges, order, and decree that William Hollman be appointed a commissioner to make sale of the land of which Thomas Addison died seized and possessed, at public auction after ten days notice, on a credit of nine months (except so much as will pay all expenses attending the sale, and for obtaining this decree which is to be cash) and for the balance of the proceeds that he take bonds with good security as follow: i.e. a bond for one fourth thereof payable to Thomas Davidson in right of his wife Mary, a bond for one fourth payable to the legal guardian of Jacob Addison, a bond for one fourth payable to the legal guardian of David Addison, a bond for one eighth payable to the legal guardian of Sally Addison, and a bond for the remaining eighth thereof payable to the legal guardian of Peggy Addison; that the said commissioner do execute a deed of conveyance to the purchaser of said land, and retain a lien thereon for the payment of the purchase money, and make a report of his proceedings in order to a final decree.