

1831-012 Chancery Causes: William B. Woodley vs Willis H. Woodley & Andrew B. Woodley,
Isle of Wight County exors of Andrew Woodley & al

and decree that - Battle Lightfoot Albion Potte, Wilson Lewis
and John B Gale or any ^{three of them} after notice to the adult
parties proceed to the next fund of ^{the} infants proceed to divide
the slaves of Andrew Woodley deceased into five parts
and allot one fifth of the said slaves to Wm B Woodley
one fifth to John Woodley one to Cleyalith Woodley
one to Thomas Woodley and the remaining fifth
part to Mary Ann Woodley, and that they do make
a report of their proceedings to this court in order to a
final decree - Liberty is reserved to the infant defendants
to shew cause if any they can against this decree within
twelve months after they shall arrive to the age of
21 years

Woodley } Bill
vs }
Woodley } answer &
decree

Jan 4. 3^d 1831 Int 9.
decree

your orator in relation to his interest, they fear that the infancy of the other children may interpose an objection at this time: but, if it should not thus be contented and the said John Elizabeth Thomas and Mary Ann say, that being infants, so far as they understand things, they have no consent to give: All which acting, & doing, of the said defendants are contrary to equity and good conscience; and tend greatly to the impoverishment of your orator in the premises. In tender consideration whereof, and for as much, as your orator is without remedy at law, and can only be relieved in this honorable court, where trustees are called to account, and the estates of intestates distributed, agreeably to the act in such case made and provided: Is the end therefore, that the said defendants John, Elizabeth, Thomas and Mary Ann may by their guardian for that purpose to be assigned to them, answer the premises; and that the other defendants may on their oath, distinctly answer the foregoing allegations as fully, and as completely, as if the same were again repeated, and they were more particularly interrogated; And that by a decree of this honorable court, commissioners may be appointed to divide the slaves of Andrew Woodley deceased, between your orator and the four infant defendants viz John, Elizabeth Thomas and Mary Ann. May it please your Honor by your orator may have all such other & further relief, in the premises, as may be agreeable to equity and justice, to award to him pursuant to subpoena directed &c. Day for plaintiff.

The Joint and several answers of Willis B Woodley & Andrew B Woodley executors of Andrew Woodley deceased to a bill exhibited against them, and others, in the county court of Isle of Wight by William B Woodley plaintiff. These respondents now at all times hereafter saving and reserving to themselves, all benefit of exception to the allegations of the bill of the plaintiff for answer thereto, or to so much thereof, as these respondents are advised

material for them to answer, they answer and say, that so far as they are individually concerned in the subject of the bill, they believe the material allegations thereof to be true. That they are willing to allot to the plaintiff his proportion of the negroes as they are willing to any decree consistent with the prayer of the bill, which this court may think proper to make in the premises: Wherefore they pray hence to be dismissed, with their reasonable costs in this behalf expended. —

Wm B Woodley

The Joint answers of John, Elizabeth, Thomas, and Mary Ann Woodley, infants, under the age of 21 years, by Nathan P. Jordan — their guardian ad litem, to a bill of complaint exhibited against them and others in the county court of Isle of Wight by Wm B Woodley plaintiff. These respondents, now and at all times by their said guardian, for answer to the said bill, say: That they are infants under the age of 21 years and for the protection of their rights, they by leave to place themselves under the control of this honorable court: and hence they pray to be dismissed with their reasonable costs in this behalf expended.

N. P. Jordan, guardian
ad litem for John, Elizabeth Thomas
and Mary Ann Woodley —

Wm B Woodley
against
Willis B Woodley and Andrew
B Woodley executors of the last will
& testament of Andrew Woodley deceased
and others —

Sum

This day this cause came on to be heard on the bill, answer, and exhibits, and was argued by counsel: on consideration whereof the court doth adjudge order

To the worshipful the Justices of Isle of Wight
county in chancery sitting; humbly complaining
shew unto your honors your orator Wm^{ts} Woodley of
the county of Isle of Wight; That your orator is the son
of a certain Andrew Woodley, late of the said county,
but now deceased, that he died seized and possessed of a
very valuable estate real and personal in the month
of Dec^r 1829 lying and being in the said county,
that he left five children of whom your orator is
one: that the other four are called John, Elizabeth,
Thomas and Mary Ann - That the said deceased
left a will and appointed Willis B Woodley and
Andrew B Woodley his executors thereof which is proved
to be made a part of this bill - That the said executors
have conducted matters with great prudence and that
although the debts were numerous the greater part of them
have been paid - that the lands of the said deceased
have been divided between Wm^{ts} Woodley your orator
John Elizabeth Thomas & Mary Ann - ~~under~~
~~the decree of~~ the high court of Chancery in Willis
answery - That the said John Elizabeth Thomas and
Mary Ann are ~~infants~~ and will not be of age for several
years to come: That they are under the care of tender &
prudent guardians, who, no doubt, will manage their
interests with great prudence and justice; but your orator
is in great need of ^{his proper portion of} his father's personal estate; and with
a view to obtain it has made application, in the
most friendly manner to the executors Willis B Woodley
and Andrew B Woodley: But now so it is, may it please
your honor, that the said Willis, and now, John, Elizabeth
Thomas, and Mary Ann, hereinafter called defendants,
have under various pretences refused: The said Willis &
Andrew say that while they are willing to accommodate