

1834-006 Chancery Causes: Robert White & up & d vs Edward Jordan

Dale of Wright County

other surnames: Fanning,

Robt. White Sec. del

or. $\frac{5}{3}$ Bill

Edw. C. Jordan.

July 11th 1832. Bids to
Anna-filio & Fritz Securus

June 11th 1832 report of
H. evat.

7th Jan 4. 1833. former decree
set aside. & amended inter loc
entory decree filed & cont.

August 5th 1833 bonds withdrawn
by commissioners.

November 4th 1833 report of
commissioners returned & cont.
& bonds filed.

June 2nd 1834 com. report
conf. & final decree entered

The answer of Edward Jordan to the bill of complaint exhibits in this court against him by Robert White & Sarah his wife & others, complainants. This respondent saving and reserving to himself every advantage of exception to the errors contained in the said bill, for answer thereto says that admitting the statements in the said bill contained to be true, he is willing the court should decree a sale & division of the small tract of land in the bill mentioned as req^d by the complainants - and this respondent having answered the process to be supplied with his costs &c

What does tal m. Edw. Jordan - say.

This cause came on for hearing to be heard on the bill & answer by consent of parties was argued by counsel, on consideration whereof the court did adjudge order & decree that Barthi daylight & Walter P. Jordan or any one of them, after advertising the time & place of sale at least ten days successively at two or more public places, do sell at public auction the small tract of land in the bill mentioned, containing by estimation fifty or sixty acres & being land of which said E. Jordan did seize & possess, and after paying the expenses of the sale & the costs of this suit (for which cash is to be required) divide the net proceeds of sale into four parts, and take bonds with good security for the same payable nine months thereafter, so as to give to Robert White & Catherine White, each, one of the said parts: to the guardian of the infants Eliza, Thomas & Mary Harrington one of the said parts: to the com^{rs} Joseph E. Jordan one half of one of the said parts & the guardian of his brother Maltese Jordan the other half of the same, and to the deft Edw. Jordan the remaining one fifth part, & make report &c &c

To the worshipful Court of Isle of Wight County in chan-
cery sitting Humbly complaining shew unto your worships your
orators and oratrices Robert White & Sarah his wife, Nathan
White & Mary his wife, Eliza, Thomas & Mary Fanning infant
children of Elizabeth Fanning dec'd by Robert White their guar-
dean and next friend, Joseph E. Jordan and Matthew Jordan
an infant suing by the said Joseph E. Jordan his brother &
next friend, that some time in the year Samuel E. Jordan
departed this life intestate, seized and possessed of a small
parcel of land situate in the County aforesaid containing by
estimation fifty or sixty acres, which, by law, descended
to the said intestate's brother, sisters children & their descendants
as his heirs at law - your oratrices Sarah & Mary White
therefore are entitled, each, to one fifth part of the said
tract of land: your orator and oratrices Eliza, Thomas & Mary
Fanning, children of Elizabeth Fanning who was a sister
of the said Samuel E. Jordan, are entitled, share & share
alike to one fifth part of the said tract of land:
your orators Joseph E. Jordan and Matthew Jordan children &
heirs of Simon Jordan dec'd who was also a brother of the
said Samuel E. Jordan are entitled share and share alike to
one other fifth part of the said tract of land, and your orators
and oratrices claim that the remaining one fifth part of the
said tract of land belongs to Edward Jordan son & heir of
Elizabeth Jordan. The said tract of land is worth greatly
less than one fifth share, and cannot be divided so
as to do justice to the parties without first selling the same
under proper and competent authority - In Tender consideration
whereof &c To the said Court therefore that the said Edward Jordan,
who is prayed to be made defendant hereto, may upon his
corporate oath full & perfect answer make to all singular
the said allegations and that as perfectly as if the same
were here again repeated & interrogated: your orators & oratrices
pray that your worships will decree a sale & division of the
said tract of land as herein before suggested, & that you will
make such other or further order or decree in the premises
as to the Court may seem right & proper - May it please the

Title of Right Security - Pursuant to the within decree I have made sale of the within mentioned
 tract of Land, at public auction on this 17th day of May 1832 on the Premises, after
 having advertised the time and place of sale as herein directed, at which sale John
 A. Reedman became the purchaser thereof for the sum of one hundred dollars -
 which sum I have taken bond for payable as herein directed after deducting the costs,
 &c. as follows - & herewith filed & reported to the Court

Sale of Land		\$100.00
Costs of suit	\$12.02	
Comms	5.00	
for drawing and of conveyance	2.50	
	<u>20.12</u>	
To Robert White	15.97 1/2	
" Rob. White. Geo. to Eliza, Mary & Thos. Fanning	15.97 1/2	
" Nathan White	15.97 1/2	
" Edward Jordan	15.97 1/2	
" Jos. E. Jordan	7.99	
" Matt. Jordan	2.99	
		<u>79.00</u>

Given under my hand this 17th day of May 1832 Barth. Lightfoot Com.

Robt. White Sol.

or E. Doerens

Edw. Jordan

Filios of Wayne County February Court 1832 -

Robert White and Sarah his wife & Nathan White
and Mary his wife Eliza, Mary, & Thomas Fanning
infant children of Elizabeth Fanning dec'd. by
Robert White, their guardian and next friend
Joseph E. Jordan & Matthias Jordan are infant
being by the said Joseph E. Jordan his brother &
next friend

against

Lawrence Jordan

Complts.

In Chancery

Defect

This cause came on this day to be heard on the bill &
answer by consent of parties, & was argued by counsel, on consideration
whereof the court took advice, order and decree that Barth Lightfoot & Mathew
P. Jordan or any one of them, after advertising the time and place of sale at
least ten days successively at two or more public places, do sell at Public auction
the small tract of land in the bill mentioned, containing by estimation fifty or
sixty acres, one being of which said & Jordan did seize and possess, and
after paying the expenses of the sale & the costs of this suit (for which cash is
to be required) divide the net proceeds of sale into five parts, and take bond with
good security for the same payable within thirty days, so as to give to Robert
White & Nathan White, each one of the said parts; to the guardian of the complts.
Eliza, Thomas & Mary Fanning one of the said parts; to the complt Joseph E.
Jordan, one half of one of the said parts & the guardian of his brother Matthias
Jordan the other half of the same, and to the deft. Lawrence Jordan the re-
maining one fifth part, and make report he do.

clk, for \$2.62

due . . . 10 . . .
\$12.62

A copy, Dated at Athol Young Feb.

Rec'd my fee
M. Young

also \$10 for R H Baker.

White and others.

amended
by Σ Secretary

Lordan.

A copy.

Robert White & Wife et al.

Plts

vs

In Chancery

Edw. Jordan

Def

The decree heretofore entered in this case is set aside and the cause came on this day to be heard on the bill & answer by consent of parties and was argued by counsel: On consideration whereof the court doth adjudge, order and decree that Routh. Lightfoot & Matron E. Jordan, or any one of them, after advertising the time & place of sale at least ten days successively, at two or more public places, do sell at public auction the small tract of land in the bill mentioned, containing by estimation fifty or sixty acres & being land of which Samuel E. Jordan did seize and possess, and after paying the expenses of the sale & the costs of this suit (for which each is to be required) divide the net proceeds of sale ~~into five parts~~ ^{into four} parts & take bond with good security for the same payable nine months thereafter, so as to give Robert White & Catharine White, each, one of the said parts; to the guardian of the complete. Eliza, Thomas & Mary. Manning one of the said parts; to the complete Joseph E. Jordan ~~one half of one of the said parts & the guardian of his estate~~ Matthew Jordan ~~the other half of the same~~ ^{share & share alike} to the said Edw. Jordan, the remaining one ^{fourth} ~~part~~ & make report to the court.

A copy, Teste Nathl. Young et.

Shelby
John
Wm. W. Wm.
Wm. Wm.
Wm. Wm.

Sale of High County Pursuant to the within decree I have made sale
of the within mentioned land after advertising the time & place
of sale as herein directed, at which sale John Rusmer
became the purchaser thereof for the sum of one hundred
dollars - from which was deducted eighteen dollars &
seaten cents which leaves \$81:84 for which sum I
have taken bonds with security payable to the parties
as directed by said decree: all of which bonds is here-
-with filed as a part of this report. Jan'y 15th 1833
Barth. Lightfoot Comr.

In Island of N. York County Court

January Term 1833

Robert White and Sarah his wife, Nathan White
and Mary his wife, Eliza, Mary, & Thomas Fanning
infant children of Elizabeth Fanning decd. by Robert
White their guardian and next friend, Joseph E.

Jordan & Matthew Jordan an infant suing by the said
Joseph E. Jordan his brother and next friend.

against

Edward Jordan

Compl'ts.

Defendants.

In Chancery

The decree heretofore entered in this case is set aside, and the cause com-
menced on this day to be heard on the bill and answer by consent of parties, and was ar-
gued by counsel. On consideration whereof the court doth adjudge, order and
decree that Bartholomew Sigkifoot and Nelson P. Jordan, or any one of them, after
advertising the time and place of sale at least ten days successively, at two or
more public places, do sell at public auction, the small tract of land in the bill
mentioned, containing by estimation fifty or sixty acres, and being land of which
Samuel Jordan died seized and possessed, and after paying the expenses of the sale
and the costs of this suit, for which cash is to be required, divide the said proceeds
of sale into four parts & take bonds with good security for the same payable nine
months thereafter, so as to give Robert White & Nathan White, each one of the said
parts; to the guardian of the complainants Eliza, Thomas, and Mary Fanning one
of the said parts; to the complainant Joseph E. Jordan, Matthew Jordan and the
defendant Edward Jordan, share and share alike, the remaining one fourth part
and make report &c. &c.

Attest Teste Nathl. Fanning Clk.

Clerks fee \$3.16

att^o 10.00

\$13.16

Mr. Ro. White

Mem.

Saml. E. Gordon died intestate possessed of 500 or 600 acres
of land - to be sold for division among his ^{brothers} sisters & children,
children, for Robert White & Sarah his wife, at least
White & Mary his wife; Eliza, Thomas, Mary children of
Elizabeth Fanning - Joseph E. Gordon, Malthus Gordon children
of Seimon Gordon, the last one a miner - Edw. Gordon
son of Elizabeth Gordon who was a sister of Seimon
Gordon - comes But: Lightfoot Hutton P. Gordon
or either of them

Robt. White & Sarah is entitled to	$-\frac{1}{4}$
at least White & Mary " "	$\frac{1}{4}$
Eliz: Thomas & Mary are	$\frac{1}{4}$
Joseph E. Malthus & Edw. are	$\frac{1}{4}$

April 7th 1834 Rec^d of Wm C. Edwards D^y for Nathaniel Henry clerk
one bond in my favour against John Newman and Isaac Sullivan for \$20.40
one bond due of Nathan White against same persons for \$20.40, also one
other bond made payable to me as guar. of Eliza, Thomas, and Mary
Hanning against same persons for \$20.40, and this shall be your rat-
ification for the same.

Robert White

October 8th: 1831 Rec^d of William C. Edwards deputy for Nathaniel
Young Clerk one bond in favour of Edward Jordan for six dollars and
eighty five cents against John Newman & Bartholomew Lightfoot on
demand the 18th day of October 1831, also one other bond in favour
of Matthew Jordan for the like sum in favour of ~~Matthew Jordan~~
against same persons and made payable on the same day. which
I bind myself my heirs &c. to deliver to the said persons or account
with them for the amounts.

Teste
Jordan Edwards

Robert White

The Clerk of the County Court of Litchfield
County, will please deliver to Robert White a note
that was deposited in the Clerk's office of said
County for my Benefit —
March 12th 1839, Joseph C. Jordan

Witness Edward Daly

Apr. 1st 1839 Rec^d the note above alluded to

Robert White