

1835-008 Chancery Causes: Robert White vs Edward Jordan, by v c

Dale of Wright County

W. L. L. 2
 27. 2
 Jordan / very

White

Bill & ans?
 Jordan

August 4th: 1834 Bill and
 answered & Interd. de

November 3rd 1834 Report
 of commissioner returned &
 cont.

June 1st 1835 born? report
 conf. & final deors entered

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all	8
Set. bill	15
unusur	15
collected	15
Deora	50
copy	37
born: rpt	151
reg	0 ⁰⁰
cont	18
f. deors	18
pa	18
ed	30
	\$293

trust in and to the said tract or parcel of land, as
will more fully appear by reference to a deed of re-
cord in this worshipful court and also prayed to be
taken as a part of of this bill, has applied to the said
Edward Jordan for a division of the same, or
for a sale of the said tract or parcel of land for the
purpose of a division as it could not be divided
with advantage and the share if divided would
be worth much less than \$300 per share. - But
now so it is may it please your worships, that the
said Edward Jordan, herein after called Defendant,
has under various pretences refused, saying that
being an infant, so far as he understands things,
he has no consent to give. All which actings &
doings of the said Defendant are contrary to equi-
ty and good conscience, and tend greatly to the
injury of your Orator in the premises: In
tender consideration whereof and forasmuch
as your Orator is without remedy at law and can
only be relieved in this worshipful court, where
matters of this sort are only cognizable and jus-
tice duly administered: To the end therefore
that the said Edward Jordan may by his guar-
dian for that purpose to be assigned to him, an-
swer the premises and foregoing allegations
as fully and completely as if the same were
here again repeated and he thereto distinctly in-
terrogated, and that by a decree of this worship-
ful court commissioners may be appointed
to make sale of the said tract of land and to di-
vide the proceeds according to law: and may
it please your worships to grant all with other
and further relief in the premises as may
be consistent with the rules and principles
of this court; and to award all such other
and

and further process as may be necessary and pro-
per in the premises, &c.

in faith att'd for the
Plaintiff

The answer of Edward Jordan an infant
under the age of twenty one years by Wm. E.
Jordan his guardian ad litem to a bill exhi-
bited against him here the worshipful court
of Wm of Wight county by Robert White. -

This respondent by his said guardian, for
answer to the said bill says: that he is an
infant under the age of twenty one years
and for the protection of his rights he begs
leave to place himself under the protection
and control of this worshipful court; and
prays to be distributed with his reasonable
costs in this behalf expended.

Edward Jordan by
his guardian ad litem

White
" Jordan } Deere

\$2.73
10.00
\$12.93

Black for
all

In Sale of Wright County Court Augst term 1834

Robert White Plaintiff

Against

Edward Jordan an infant under the
age of twenty one years by Mr E Jordan
his Guardian ad litem

Defendant

In Chy

On Motion Mr E Jordan is apptd guardian
ad litem to the infant Defendant to defend him in this
suit—

This Cause came on this day to be heard by Consent
of parties on the bill answer and exhibits, and was argu-
ed by Counsel; on consideration whereof the Court doth
approve, order & decree that Mills & Jordan a commis-
sioners appointed for that purpose, after having given
reasonable public notice thereof at two or more public
places, sell the said tract or parcel of land in the bill
mentioned, and which was devised by Matthew Jordan
to the five children of Simon Jordan deceased, on a credit
it of nine months, except for so much as may be ne-
cessary to defray the expenses of the sale and of this
suit which may be for Cash, and that the said Comm-
issioners divide the nett proceeds of the sale so as to give
to the Plaintiff, two fifths of the nett proceeds, and also
four fifths of two other fifths, and the balance to the
Defendant, and having taken bonds with good securi-
ty for the same assign them over and make report
of their proceedings hereon in order to a final decree—
But liberty is reserved to the infant Defendant to shew
Cause if any he can, within one year after arriving at the
age of twenty one years, against this decree—

Copy Test Math^l & Co

Pursuant to the annexed decree of the County Court of Islip, made August Term 1834 & the undersigned Commissioner named in the said decree for that purpose after giving due and public notice by advertising the same as directed by the decree have on the 3rd day of October 1834 sold the land mentioned in the said decree to Robert White who was the highest bidder for the sum of one hundred and seventy six dollars and after deducting the sum of Twelve dollars and ninety three Cents for the Cost of the suit and expenses of the sale of the said land have divided the neat amount of sale which is one hundred and sixty three dollars and seven Cents, And I allow the Plaintiff, Robert White, who was the purchaser, two fifths of the neat proceeds and four fifths of two other fifths which makes one hundred and seventeen dollars forty and two fifths Cents, and I have taken a bond for the balance with good security for forty five dollars sixty six and three fifths Cents payable to the defendants. William C. Jordan, Guardian of Edward Jordan (Orphan of Robert W. Jordan dec'd) which bond is payable here nine months as directed by the decree ^{of the Court} aforesaid Given under my hand this 3rd day of October 1834

Mills W. Jordan Commr

Land sold for	\$176.00
deduct for the Cost	12.93
	<u>\$163.07</u>

Plaintiffs part	\$117.41 ³ / ₅
Defendants	45.66 ³ / ₅
	<u>\$163.07</u>

liberty is reserved to the infant Defendant to show
cause if any be ~~can~~ within one year after ar-
riving at the age of twenty one years, against
this decree.

decree

Wm. W. Gordon

White } In Chancery
vs. }
Jordan }

An motion ~~thru~~ ^{thru} Wm. C. Jordan is assigned guardian ad litem to the respondent Defendant to defend him in this suit.

This cause came on this day to be heard by court of parties on the bill answers and exhibits, and was argued by counsel: On consideration whereof the court doth adjudge, order, & decree that Mills W. Jordan a commissioner appointed for that purpose ~~of the~~ after having given reasonable public notice thereof at two or more public places, sell ~~on a credit of~~ ~~months~~ the said tract or parcel of land in the bill mentioned, and which was devised by Matthew Jordan to the five children of him on Jordan deceased, on a credit of ~~nine~~ months, except for so much as may be necessary to defray the expenses of the sale and of this suit which may be for cash, and that the said commissioner divide the nett proceeds of the sale so as to give to the Plaintiff, two fifths of the nett proceeds, and also four fifths of two other fifths, and the balance to the Defendant, and having taken bonds with good security for the same assign them over and make report of their proceeding herein in order to a final decree. - But

I do, ^{hereby} certify as the Esquire of Edward Jordan son
of Robert B Jordan and that I am willing that
an certain piece of parcel of land belonging
to said Edward Jordan and others in the county
of Isle of Wight should be sold for a messuage

Suffolk July 4th 1834
Wm B Jordan