1836-011 Chancery Causes. Arthur Robbins & wf & al vs Nathaniel Pearden & wf & Amanda Chapman

Isle of Wight County

Plat in Oversize Box 3

by & c

other surnames: Mears, Ashby, Norsworthy, Ames, Corr an, Lawrence, Whitehead, Ironmonger, Robins

Robins & others
vs. Bill &c.
Pruden & others

Feby: 2d. 1835 Bill filed

June Rules 1835 ans. of
Pruden & wife & Gnd. resp.

Aug: 3d. 1835. Gnd. Resp.
Depn & cont.

Octo: 1835. N. Gunny Esq.
is taken to Amanda Chapman
Decree for division of land
& act. of Neely by consent

May 4th. 1836. Report of
Com. filed of division
of land.

May 6. 1836 Decree
Page 56.

All Available Text Successfully Captured

State of the case

Robert Walters

vs

Rhuda Walters

February 2nd 1835 Bill filed

June Rules 1835 Answer and Cross Bill filed Issue joined

July Rules 1835 cont.

August Rules 1835 cont.

September Rules 1835 cont.

October 1835 Term Decree for divorce as prayed by Complt

To the Hon'ble Richd. K. Baker. Judge of the Circuit Superior Court of Law and Chancery for the County of Isle of Wight. Humbly complaining, shew unto your Honour, your complaint Arthur Robbins and Lucia his wife, Elizabeth Swan, Lewis Ashby, Nathl. Norsworthy & Rachel his wife, Mary Ashby, John Conrad and Sarah his wife, and Mary Laurence an infant suing by Joseph B. Whitehead her next friend, that Stephen Swan late of the County of Isle of Wight, at his death which occurred about the year 1830, was seized & possessed in fee simple of a tract of land in the said County, containing by estimation three hundred and fifty acres which was derived title to by himself of his wife Tabitha Swan by descent from their father James Swan - that Tabitha being entitled to one moiety of the said land died about the year 1820 under age, intestate, without issue and without having executed any deed or other instrument in writing by which she could in any way have conveyed her half owned by her, & was then owned in fee simple & the whole land vested in her father James Swan as heir at law, hopes - that the said Stephen Swan died about the year 1830 under the age of 21 years and without issue having made a will which was duly recorded as a will of personal property only -

that at the time of his death, he left no child or children, nor the descendants of any; no father, brother or sister of the father's side, nor the descendant of any; that his mother Nancy Prudence (deceased) who had by a second marriage a daughter whose name is Amanda Chapman, a half sister of the said Alfred on the part of the mother, which said Amanda is now a minor of tender years. That the said Nancy Prudence - thia of Alfred is now Nancy Prudence wife of Stable Prudence Register of Wright County, he this husband; that at his death the said Alfred Ames had a paternal aunt, Polly Laurence who has since died intestate and your orator's wife of John J Corran the said Mary Laurence are her heirs at law; the said Polly Laurence was sister of the said Lewis Ames father of Alfred Lecompte - nity an aunt on the part of the father and the said Alfred had also the following first cousins, Julia your orator, and Elizabeth and Lewy and Rachel and Mary your orators and orators who were the children of Sally Ames another sister of said Lewis the father of Alfred, & who is intermarried with one Ashley who, with her said husband, were both dead at the time of the death of said Alfred

Ames. Your complainant further states that at the death of said Alfred Ames, the said Nancy took possession of the said lands, and with the said children took possession of the whole of the said lands and cultivated the same - and now, as it is, may it please your honors, your orator and orators aver that by a fair construction of the laws of descents in Virginia, they are entitled to a partition of the said lands according to the following principles - That from half of the said tract of 350 acres, descended to the said Alfred from his father James Ames, and the said Alfred having died an infant and without issue and then being living at the time of his death Polly Laurence (the aunt) or your orators Sarah and Mary (which said Polly was sister of the father of Alfred, and your orators Lewy, and your orators Julia Elizabeth Rachel and Mary, children of Sally another sister of said James, father of said Alfred, that one half of the said lands then descended to the said Alfred from his father's side and ~~descend~~ to the paternal kindred of said Alfred who are your orators & orators; and the other half of the said lands having been acquired by the said Alfred neither from his father or his mother, but from his sister Tabitha, will go to his mother Nancy Prudence and Amanda a Chapman half sister of the mother's side - Now to the end that full and complete justice be done in the premises, your orator and orators pray that the said Stable Prudence

and Nancy his wife, and the said Thomas Jackson an infant by Com. fit here or to be appointed guardian to defend her in this suit, may be made defendants with apt words to charge them and that process may issue to compel each of them to answer this bill fully and unevasively on their corporal oaths or fully on if the same were herein again repeated and they the said more particularly interrogated - that they answer all and singular allegations aforesaid, and say whether they are not true and correct - and that a proper Com. may issue to assign a partition of the said land according to law and the rights of the parties - and they further pray that the defendants produce and viva voce may render to a Commissioner of this Court an account of the rents and profits of the said land since the death of the said Alfred Jones if they have in their possession; and that Com. may issue requiring to them by the said defendants and wife of their portions of the said rents and profits - and they pray for such other and general relief in the premises as may be proper and just and as in duty bound they will ever pray &c -

A. Attorneys &c.

for Compl'ts.

Purdum & wife
vs
Robbins &c

answer

June 1st 1835 answer
filed

are advised that they cannot be
compelled to render an account
of the rents and profits of the said land
since the death of the said Alfred
because your respondent Nancy
by the law of the land, will dower
be assigned her and may remain
& continue in the mansion house
& the messuage or plantation thereto be-
longing without being chargable
to pay the heirs any rent for the same
and they submit to the court whether
they are bound to render an account
as aforesaid: your respondents are
advised that inasmuch as the said
Alfred dies seized of the said
the said land by descent from the fa-
ther and the other half from his mother
Tabitha, your respondent Nancy
is entitled as his sister to
portion & the one half thereof to
gether with certain Amanda
daughter of said Nancy
one half sister of the said Alfred
that your respondent Nancy is en-
titled to two thirds of the said one
& half, and the said Amanda to
the remaining one third, the
said Amanda being a sister
of only the half blood
your respondents have been
ready at all times to come to
a fair division of said land
& coming in the first place down-
on in the name to your respondent
Nancy, and then coming two
thirds of one half thereof which she
is entitled to as the mother and
heir of the said Alfred dec'd.
and they are willing that the court
should grant a decree accordingly
having thus answered they pray
leave to be dismissed with their
costs in this behalf expended &c

Signed Hollemon P.Q.

Nath'l Bowden, Sen'r

Interrogate counts to wit

This day Nathaniel Bo-
den Sr. appeared before me David
Roberts a justice of the peace of said
county and made oath that
the foregoing answer and the
matters therein contained are
true to the best of his knowledge
and belief. Given under my
hand this 1st day of June 1835

David Roberts J.P.

The answer of Nathaniel Purdum and Nancy his wife to a bill exhibited against them in the Circuit Superior court of Chancery for Lewis county by Arthur Robbins and Eliza his wife & others

These respondents having and reserving to themselves all advantage of exception to the uncertainties of the said bill, for answer thereto or unto such parts thereof as it is material for them to answer, answer and say, that it is true that the said Samuel Purdum died under the age of twenty one years, that he was entitled to the said three hundred and fifty acres of land from his father Samuel Purdum dec'd and his mother Isabella Purdum died as stated in the plaintiffs bill, subject however to the dower of your respondent Nancy. who was the widow of the said James Purdum dec'd as not entitled to dower in the lands of which he was seized and possessed during their coverture which dower she now claims to be entitled to, the same having never been set apart and allotted to her, your respondents

Foregoing answers is true so far as he knows or believes — Given under my hand and seal this day of 1835 —

(D)

Clarke Co. Ala.
March 7th
A.D. 1835
Adm.

With Leave of the Circuit Sup. Ct. Laws Holly for Plff. Regis-
ters the answer of Amanda Chapman an infant by the
Rev. her guardian specially appointed to answer
the Bill of complaint exhibited against
her and others by Nathl. Tenney and Holly - This respon-
dent says she is an infant and knows nothing of
the charges in the complainants bill and
submits for proof of the allegations
same for proof and hopes answer
may be dismissed. &c.

Nath. Tenney Dr. Wallace

Sept. Ct. County to wit This day Nathl.
Tenney made oath before the Subscriber a Jus-
tice for the Peace in said County, that the

Executed by leaving copies with the defendants
January 21.st 1835.

Charles S. Renno D.s for
Charles Renno Shff.

Came to hand January 16.th 1835
for Chas Renno Shff

Louis Hicks & Others
vs.
Sheriff Pa. City.
&
Orden Hicks & Co
To Feb.y Rules, 1835
Attachment P. F.

The commonwealth of Virginia to the Sheriff of Isle of Wight County greeting, we command you to summon Nathaniel Brown Sen. and Nancy his wife and Amanda Chapman the last an infant under the age of Twenty one years - to appear before the Judge of the circuit superior Court of Law and chancery for the said County at the clerks office of the said County on the first monday in February next to answer a bill in Chancery exhibited against them in the said Court, by Arthur Robins and Julia his wife, Elizabeth Evans, Lucy Ashby, Nathaniel Norsworthy and Rachel his wife, Mary Ashby, John T. Corran and Sarah his wife, And Mary Lawrence the last an infant suing by Joseph B. Whitehead her next friend - And if the said Nathaniel Brown Sen. & Nancy his wife & Amanda Chapman shall fail to Answer the complainants bill aforesaid within four months from the execution of this Writ, the said Bill will be taken as confessed - And have then there this Writ - Witnes Nathaniel Young clerk of our said court at the Court House the 14th day of January 1835 in the 59th Year of the commonwealth -

Nath. Young

The deposition of Charles B. Ironmonger of lawful age taken before me Barth: Lightfoot Commissioner in Circuit Superior Court of Law & Chancery for the County of Isle of Wight this 10th day of December 1835 to be taken as Evidence in an account to be made in the suit, Robbins & Wife & others v. Pruden & Wife &c — This deponent saith that for the years 1833. 1834. & 1835 he rented the plantation belonging to Sigred A. Amis for the sum of Seventy dollars for each year, that for the year 1835 he put repairs on the dwelling house to the amount of three dollars to be deducted from the rent. & further saith not —

Charles B. Ironmonger

Isle of Wight County to wit The above deposition sworn to before me according to Law this 10th day of Dec. 1835

Barth. Lightfoot Com.

In obedience to the order of the Court to me directed, I have made up an account of rents and profits of the lands in this demise alluded to since the said lands have been in the possession of the defts. Pruden and wife; the statement annexed No. 1. shews that if the said Pruden and wife are required to pay interest on the rents, the amt. of principal in Court up to the 10th Dec. 1835 . . . . . $314.16

No. 2 - shews, that if Pruden & wife are not charged for rents - the amt. in that view is 287.08

I am requested to state what is the proportion of rents and profits due to each party. And it seems to your Comr. that Pruden and wife are entitled to 1/3 part, and the balance should be divided into two equal moieties, one of which moieties is to be divided between the pltffs: as follows; one half equally between John T. Coman & his wife, and Mary Lawrence - the remaining one moiety into five equal shares, to wit to Arthur Robbins & wife, Elizabeth Sullivan, Mary Ashby, Nathl. Stone & wife and Mary Ashby; & the balance between Pruden and wife & him 2/3 and Amanda L. Chapman & his one third, & the Court is referred to statement annexed marked X. Respectfully submitted to the Court. -

Barth: Lightfoot & Bond.

An account of the rents & profits of Alfred Adams's Land for the years '30. '31 '32. '33. '34. & 1835 —

6

An Account of the Rents & profits of the Land of which Aggrey & Ames died sized which came to the hands of Sarah Pruden after the death of said Ames —

1830	Rent of Land this year		$ 30: 00
	paid tax on Land		2: 32
			$ 27: 68
1831.	Rent of Land this year		$ 30: 00
	paid tax on Land		2: 32
			$ 27: 68
1832	Rent of Land this year		$ 30: 00
	paid tax on Land		2: 32
			$ 27: 68
1833	Rent of Land this year		$ 70: 00
	paid tax on Land		2: 32
			$ 67: 68
1834	Rent of Land this year		$ 70: 00
	paid tax on Land		2. 32
			$ 67. 68.
1835.	Rent of Land this year		$ 70: 00
	paid tax on Land	$ 2. 32	
	paid for repair on Land	3. 00	
		$ 5. 32	5: 32
			$ 64 : 68

~~Received it of Sarah Pruden in full for rent of Land until the 1st day of January 1836~~

am't of rent for 1830	$ 27.68	Rent for 1830	$ 27.68
Int from Jany 1. 1831 till Dec. 10. 1835	8.12	——— 1831	27.68
Rent for 1831	27.68	——— 1832	27.68
Int from Jany 1. 1831 to Dec. 10. 1835	6.40	——— 1833	67.68
Rent for 1832	27.68	——— 1834	67.68
Int	4.80	——— 1835	68.68
Rent for 1833	67.68		$ 287.08
Int	7.88		
Rent for 1834	67.68		
Int	3.82		
Rent for 1835	64.68		
	314.16		

To Pruden and wife 1/3 of the total rents of the Lots = $104.72
To Conan Wife — 26.18
To Mary Lawrence — 26.18
To Robins Wife — 10.47½
To Elizabeth Mears — 10.47½
To Lucy Ashby — 10.47½
To ~~Elizabeth~~ Nathl. Norsworthy Wife — 10.47½
To Mary Ashby — 10.47½
To Amanda Chapman — 34.90⅔
To Pruden and wife — 69.81⅓
$ 314.16

(Statement addressed as No. 2)

To Pruden and wife 1/3 — $95.69½
To Conan and wife — 23.92¼
To Mary Lawrence — 23.92¼
To Robins and wife — 9.56⅘
To Elizabeth Mears — 9.56⅘
To Lucy Ashby — 9.56⅘
To Nathl. Norsworthy Wife — 9.56⅘
To Mary Ashby — 9.56⅘
To Amanda Chapman — 31.89⅔
To Pruden and wife — 63.79
2
$ 287.08

Robbins & Wise & ux.

vs. Report

Pruden & Wife &c

Feb. 1st 1836 rept &c
ret.

Isle of Wight County, December the 10th 1835.

Arthur Robbins & Julia his wife, Elizabeth Means, Lucy Ashby, Nathaniel Bosworthy & Rachel his wife, Mary Ashby, John T. Worrell & Sarah his wife & Mary Lawrence an infant suing by Jos B Whitehead her next friend ... Complts

against

Nathaniel Pruden & Nancy his wife & Amanda Chapman an Infant ... Defts

In Chy

Pursuant to a decree of the Circuit Superior Court of Law and Chancery for the County of Isle of Wight made the 9th day of October 1835 in the above named suit in said Court depending — hereto annexed marked A — a notice was issued on the 25th day of October 1835 appointing this 10th day of December 1835 on the Lands of which Alfred H. Jones died seized for carrying into effect so much of said Decree as directs that a Commissioner of the said Court take an account of the rents and profits of the Land of said Alfred H. Jones since it came to the hands of the said Nath. Pruden & wife, after the death of the said Alfred H. Jones, which notice was returned by Ch.s F. Mann Dy.ff for Ch.s Mann Sh.ff "Executed 9th November 1835 & a copy left with the Defendant Nath. Pruden" marked B — Your Commissioner attended at the time and place aforesaid & caused such evidence to come before him as the case admitted of — It was in evidence before your Commissioner & admitted by the Defendant Pruden & by Jos B Whitehead was guardian to Mary Lawrence, that the Land of which Alfred H. Jones died seized, came to the possession of the said Nath. Pruden the last of the year 1829 or the first of the year 1830 — That the Land rented for the years 1830. 1831. & 1832 for the sum of Thirty Dollars annually — that for the years 1833. 1834 & 1835 for the annual sum of Seventy dollars — It was also in evidence before your Commissioner that the said Pruden paid annually for the six years aforesaid for the tax on said Land $2.32. & that he paid three dollars for repairs on the Land for the year 1835. An account of which rents & expenditures is hereto annexed marked C — All of which is respectfully submitted to the Court —

Time employed 10 hours $10.00

charged to Defs. Pruden

Bart.w Lightfoot Com.r

Isle of Wight County to wit

Bartholomew Lightfoot this day made oath before me, a Justice of the Peace for the said County that the fee charged by him for this report is just & proper — Witness my hand Jany 30th 1836.

W.T. Jordan J.P.

and the Commissioners to a decree for
an use of rents and profits, and that Com.
be appointed to divide the lands. —

A. Atkinson for

Defts. &
Answer
Sale &
Affts. &c.
Forthe Pl.

Ps cause com
& fy costs

Nobiny &c. vs Prudence Burgess.

This cause coming on to be heard upon the Bill of the Complt. Prudence and wife with reply of the Defts. and divisions of the Lands in the Bill mentioned, from the death of Alfred Abney, when Prudence and wife took possession—

The defts answer and say that they are in possession, but ought not to account for rents, because the defts. Nancy may entitled to dower in the same lands, as having descended to Alfred Abney from the first husband of said defts. Nancy Prudence—

The defts. ought to account for rents, because the said Alfred was a minor and he was the mother, & it was her duty to protect his rights and have dower allotted, & she ought not to be allowed to take advantage of her own wrong— On the death of Jonas Abney from whom Alfred derived title, the widow ought to have had her dower assigned & set apart & refusing to hold it until her death.

Arthur Robbins and Julia his wife, Elija-
-beth Mears, Levy Ashley, Nathl. Morgitt
and Rachel his wife, Mary Ashley, John J
Carnan and Sarah his wife, and
Mary Cameron an infant prin by Joseph
B. Whitehead her next friend ——— vs
Nathl. Pruden and Nancy his wife &
Amanda Chapman an infant ——— defts.

By consent of parties, this cause
came on this day to be heard, on the Bill
of the complainant, and the answers of
the defts, Nathl. Pruden and Nancy his
wife, and Amanda Chapman an
infant by Nathl. Pruden who was by the Ct.
appointed special guardian to defend her in
this suit, and was argued by counsel, On
consideration whereof, the Chancellor adjudg-
-es and decrees that Arthur Chamberlain Joseph
Goodwin, Daniel P. Jordan and Bartholomew Lightfoot
or any 3 of them, with the assistance of a sur-
-veyor, if required, do part and allot to the def
Pruden and wife, one third part of the land
in the Bill mentioned, having regard to quality
and quantity, to be held by her as ~~widow~~
dower in the real estate which of her late
husband James Mears, dec'd died seized &c, and that
they then proceed to divide the residue
of the said real estate into two equal
moieties, and divide ~~to the~~

one of the moities between the pltffs: as follows
to wit, one half equally between John T
Conan and Sarah his wife in her right
and Mary Lawrence and the other half
equally between Arthur Robbins and Lidia his
wife, Elizabeth Allen, Lucy Ashley, Sally C.
Chisworthy and Rachel his wife in her right
and Lucy Ashley - and that they then divide
the other moiety of the said land between
the defendants, pursuant to Amanda Chapman
's and to put them and each of the Mr. Pltffs.
into possession of such division, to quality
and quantity - and that a Com. of this Court
take an acct of the rents and profits of the
said land since it came to the possession
of the defts. putting and each of them
after the death of the said Alfred Ashley
Jones, and make report with any
matters by him deemed necessary to be
stated or by the parties required to be
specially stated, &c. —

Robbins & others

vs

Pruden's Exrs &c

Notice to the 10th of Dec. 1835

At a Circuit Superior Court of Law and Chancery continued and held for the county of Bluefright the 8th day of October 1835 —

Arthur Robbins and Julia his wife, Elizabeth Means, Lewy Ashby, Nathaniel Norsworthy and Rachel his wife, Mary Ashby, John J. Corran and Sarah his wife and Mary Laurence an infant suing by Jos. B Whitehead her next friend . . . . . Complainants

against

Nathaniel Pruden and Nancy his wife and Amanda Chapman an infant . . . . . Defendants

By consent of parties this cause came on this day to be heard on the bill of the complainants and the answers of the defts: Nath: Pruden and Nancy his wife, and Amanda Chapman an infant by Nath: Young, who was by the court appointed special Guardian to defend her in this suit, and was argued by counsel; On consideration whereof, the court doth adjudge order and decree that Arthur Bennell, Joseph Goodwin, Samuel P. Jordan, and Bartholomew Leightfoot or any three of them, with the assistance of a surveyor, if required, do assign and allot to the defendants Pruden and wife, one third part of the lands in the Bill mentioned, having regard to quality and quantity, to be held by her as dower in the real estate whereof her late husband James Means died seized &c and that they then proceed to divide the balance of the said real estate into two equal moieties, and divide one of the moieties between the plaintiffs as follows, (viz) one half equally between John J. Corran and Sarah his wife in her right, and Mary Laurence: and the other half equally between Arthur Robbins and Julia his wife, Elizabeth Means, Lewy Ashby, Nathaniel Norsworthy and Rachel his wife in her right, and Mary Ashby, and that they then divide the other moiety of the said land between the defendants, giving to Amanda Chapman 1/3 and to Pruden & wife the other 2/3 having regard in such division to quality and quantity — And that a commissioner of this court take an account of the rents and profits of the said land since it came to the possession of the defendants Pruden and wife, after the death of the said Alfred H. Means, and make report with any matters by him deemed pertinent to be stated or by the parties required to be specially stated &c —

A Copy Test.

Nath: Young clk:

Smithfield, Commissioners Office October 25th 1835.

I have appointed the tenth ——— day of December next, for carrying into effect, so much of the within decree as directs that an account of the rents and profits of the Land in said decree named since it came to the possession of the Defendants Trevis after the death of Alfred H. Ames — The parties interested will attend on that day between the hours of 10 O'Clock Ante and 4. O'Clock Post with their Testimony on the aforementioned Lands ———

Benth. Lightfoot. Comm.

Roberts
vs
Boudin

B

Commissioners Report
Filed Dec. 2nd 1835

At a Circuit Superior Court of Law and Chancery continued & held for the County of Isle of Wight the 8th day of October 1835.

Arthur Robbins and Julia his wife, Elizabeth Means, Levy Ashby, Nath. Norsworthy and Rachel his wife, Mary Ashby, John T. Corran & Sarah his wife & Mary Lawrence an infant suing by Jos: B Whitehead her next friend — Complts.

against

In Chy.

Nath. Pruden and Nancy his wife & Amanda Chapman an Infant — 3 Defts

By consent of parties this cause came on this day to be heard on the bill of the Complainants and the answers of the Defts. Nath. Pruden and Nancy his wife and Amanda Chapman an Infant by Nath. Young who was by the Court appointed Special Guardian to defend her in this suit, and was argued by Counsel: On consideration whereof the Court doth adjudge, order and decree that Arthur Chappell, Joseph Goodwin Samuel P Jordan and Bartholomew Lightfoot or any three of them with the assistance of a Surveyor (if required) do set apart and allot to the Defendants Pruden and wife one third part of the Lands in the Bill mentioned having regard to quality and quantity to be held by her as dower in the real estate whereof her late husband James Sims died seized &c. and that they then proceed to divide the balance of the said real estate into two equal moieties and divide one of the said moieties between the plaintiffs as follows to wit, one half equally between John T. Corran and Sarah his wife in her right, and Mary Lawrence: and the other half equally between Arthur Robbins and Julia his wife, Elizabeth Means, Levy Ashby, Bartholomew Norsworthy and Rachel his wife, in her right and Mary Ashby: and that they then divide the other moiety of the said Land between the defendants, giving to Amanda Chapman one third, and to Pruden and wife the other two thirds having regard to quality & quantity:

And that a Commissioner of this Court take an account of the rents and profits of the said Land since it came to the possession of the Defendants Pruden & Wife after the death of the said Jesse B. Sims, and make report with any matters by him deemed necessary to be stated, or by the parties required to be specially stated &c.

A Copy Teste

Nath. Young Clk

A Copy Teste

Barth. Lightfoot Comr.

Robin Hoths

v Hy Broughton

Pleadings &c.

for the Judge

(Entered)

Arthur Robins and Julia his wife, Elizabeth Allman, Lucy Ashby, Nathl. H. Nonnenthy and Rachel his wife, Mary Ashby, John J Corran and Sarah his wife and Mary Laurence an infant heirs by Jno. B Whitehead next fd.

vs

Nathl. Pruden and Nancy his wife and Amanda Chapman an infant by Nathl. Pruden her guardian ad litem

A certain partition between the parties being made and returned, pursuant to a decree of this Court, bearing date the 8th day of Oct. 1835, to which no exception has been filed, on consideration whereof, it is ordered, that the said partition be confirmed, and that the costs of such partition be proportionably borne by the parties, and the cause coming on again further to be heard on the papers formerly read and the report of the Com. Eq. dated 8th ult relating to the rents and profits, made in obedience to the order of the 8th of Oct. 1835, to which no exception has been filed & was argued by Counsel; On consideration whereof the Court confirming the said report and adopting that the distribution of the rents and profits, which the Com. Eq. designated on the paper marked C, as No. 2 of the aforesaid report and order that Nathl. Pruden and wife retain in their right $95.69¼ - that they pay to John J Corran and Sarah his wife $23.92¼ - to Mary Laurence $23.92¼; to Robins and wife $9.56⅘; to Elizabeth Allman $9.56⅘; to Lucy Ashby $9.56⅘; to Nathl. Nonnenthy and wife $9.56⅘; to Mary Ashby $9.56⅘; to the legal and proper guardian of Amanda Chapman $31.89⅔, and that Pruden and wife in their right retain the further sum of $63.79, and that the balance of the costs be borne by the parties respectively in proportion to their rights - leave liberty is reserved to the infant defendants to show cause if any they can against this decree in a year after they shall arrive to the age of 21 years &c —

Ashbury & B

Robin Briggs
Susan Briggs
Polly Lawson
Solomon Briggs
Wife: Alice

Father side —
Cousin Briggs &
Mary Lawson
represents a paternal
aunt ——

Julia Robbins,
Elizabeth Mears
Lucy Ashby
Rachel Haworthy,
Mary Ashby. as
representing a paternal
aunt ——

Robins &c vs Prudence Wife &c

It is contended by Defts: Prudence Exx: that as widow of Jos. Ames she had a right to continue in possession of the land stake the profits until dower was assigned - Objection - 1st - She as widow of Jos. Ames was entitled to remain in the mansion House only - But no value seems that this was the mansion House of plantation thereto belonging -

2d. She did not continue in the mansion House &c, but left it & it was occupied by Alfred Ames till his death, & then Prudence Wife took possession. the Bill charges that Ames was possessed at his death not denied in the answer

3d. Had it been the mansion House she had constantly claimed it, yet she would have been accountable for profits, because Alfred was a minor and she could have had dower assigned &c. - See 1 Equity 449. Raymond vs Wife vs Heirs -

Defts should account before a Comr. for rents and profits &c -

A. Allen Pty

any one for me, made up to the
pltffs whose duty it was to rule
apart be drawn whereon they close
after the death of A Ames when
this title accrued. The pltffs should
also pay costs of suit, as the defts were
always ready to submit to a decision

Rule 7
days etc
for the
court

Pruden & wife vs Robins &c

The defendants ask that in dividing the land of A Pruden the court will direct dower to be first set apart to A Pruden and the land then to be divided as stated in the answer

The question of rents & profits is not a question between mother & son, but between the pltffs & defts. that under the law she is not responsible to

Robeins Dr.
& Borden
Prudence Dr.

dec 1835—

Arthur Robbins and Julia his wife, Elizabeth
Mears, Levy Ashby, Nathl. Mowbray, &
Rachel his wife, Mary Ashby, John T. Conrad
and Sarah his wife, and Mary Lawrence
an infant suing by Joseph B. Whitehead her
next friend, on Nathl. Prudden and
Nancy his wife, and Amanda Chapman
On motion of the complainants, ~~Solr.~~
Nathl. Coop ~~~~
~~signed~~ guardian to the infant defdt.
Amanda Chapman, to defend her in this
suit. ~

Alfred Amey had land 350 acres - ½ acres
from his father & the other half from
his sister, & he dies an infant without issue,
having a half sister & a mother -
The land acquired from his father goes
to paternal aunts and the descendants
if any dead -
That from the [illegible] sister goes to the half
sister and mother -

Bill of Costs

No exon: to
issue for the
Costs —

Bill of Costs in the Suit of
Robins & Wife vs. Prosser Chy:

	Sp. & in Chy.	50
	Noting on R. Docket &c	10
	Docketg.	10
	return	35
1835 Feb 5	filg Bill	15
" June	filing replication	15
"	Cont.	25
"	Rule	50
July	Cont.	25
Aug	do	25
Sept	do	25
Octo	Sr. Adelaide Appt.	50
"	decree for a division &c	36
"	Cont.	25
1836 Jan 1	exors & Hfilg com. rept.	0
"	do summy exhibits	80
" May	do rept of division of Land	70.
	2 copies of the decree for division &c	72
	summy copies from Record &c	1.00
"	decree in minute	36
"	copy do costs	36
	Messrs: do clk	40
		5.60
		13.00
		16.66
	Attd	90
	Sheriff for 8 Sps	10.00
	Commissioner's fee for Act. &c	2.30
	do for taking depos.	2.50
		$ 43.06
	Cts of Partition. Surv. fee	19.88
	Commissioners do	15.00
		$ 34.80
	Wm. Tarp	77.94
		.75
		$ 78.69

16.66
.75
17.41
25.00
7.59
.75
8.34

3) 287.08

95.69 1/3

3) 191.38 2/3

95.69

47.84 1/2

23.92 1/4

5) 47.84

9.56 4/5

3) 95.69

31.89 2/3

63.79

2 x 7.0 x

3 | 314.16
104.72
2 | 209.44
104.72
5 | 52.36
10.47 2/5

104.72
104.72
2 | 52.36
26.18

104.72
104.72

3 | 104.72
34.90 2/3
34.90 2/3
69.81 1/3

In obedience to the annexed decree we the Commissioners named therein did on the 17th of March 1836 attended by the County Surveyor proceed to divide the tract of land therein named according to the directions thereof. When we assigned to Nathaniel Braden in right of his wife Nancy the Mansion house and sixty acres of land the boundaries of which may be seen by reference to the written Plat, as her dower in said land. We also assigned one hundred & eight acres 2 roods & 20 poles part more or less of the remainder to Nancy C. Braden & Amanda Chapman the boundaries of which may be seen on the written Plat and we assigned fifty four acres 1 rood & 10 poles one half of the other moiety to John J. Corran & Sarah his wife & Mary Laurence, and the remainder being fifty four acres 1 rood & 10 poles we assigned to Arthur Roberts & Lydia his wife, Elizabeth Mann, Levi Ashby & Nathaniel Isgsworthy & Rachel his wife & Mary Ashby the boundaries of which may be seen on the written Plat. We further ~~that~~ that by request of parties we did not divide the Moody between Nancy Braden & Amanda Chapman as directed

Commissioners fee $15 — Signed

Surveyor & Chain

Carriers 19.88

$ 34.88

April 7th 1836

Arthur Chapman
Samuel P. Jordan
Joseph Goodwin

Robins &c
vs. } Chy
Braden &c

May 4th 1838 this rept. ret'd & filed

Whole area of Platt, 277. 1 Rood acres

Platted from a scale of 20 rods to the ½ inch

Variation of needle 1½° East

March — 1836

Dower marked A = 60 acres

A. Chapman & mother. B = 108. 2. 20

16. Laurence & Coman. C 54. 1. 10

2 Ashley & others — D 54. 1. 10

277. 1. +

The above is a true Platt, with the several divisions of Ann's Lands. ——— Willis Wilson Surveyor of Isle of Wight, —