

1838-008

Chancery Causes: Providence Smith & Elizabeth Bradley vs Joseph Howell & al

Sole of Wight County

other surnames: Hunt,
Williams, Goodwin, Davis,
Jones, Shivers, King, Pitt,
Verguhart, Jordan, Newman,
Day, Gardner,

Smith & Co

in 2/3 Bill & Co

Howell & Co

Bill 2^d Jan: 1837.
filed in

Jan: Rules 1837. order
of publication vs. Thos.
Gardner alias Howell

Feb 9. Rules 1837. new order
of publication vs. James
Thiers & Thomas Gardner alias
Thomas Howell

February 20th 1837
Ans^r of Mr. G. Pitt filed

Feb. 27th 1837 ans^r of Day &
Howell filed

May 11th 1838. Decree
entered (see ans. book)

October 8th 1838 report of the
commissioners etc

Oct 9th 1838 decree final
entered (see 2^d vol)

and is therefore according to the rights of the parties
entitled - that they may proceed with the absent
persons in the mode prescribed by law - and
that I will make any other order for the same
in the premises which may be corrected
consistent with law - and as in and
and they will obey -

A. Alcorn p.

the King at law of the said Ralph Hunt
for a sale of the said real estate in order to a
division, the said lands being worth much
less than \$300 a share and lying in such a
condition as to make it manifestly to the
interest of all concerned to have the same
sold, but so it is may it please the court the
said King at law refuse to come to any
agreement upon the subject, and moreover
they are advised that as many of the King
are under the age of 21 years, no sale or
division can be made unless under an
order of this Court or some other Court of Equi-
-ty - In tender consideration whereof and
for as much as they are without remedy in
the premises, save by the aid of this Court
they pray that the said Joseph Howell, Tho.
Gardner alias Howell, John D. Day, Nathan
William, Nathl. William, Wm. William, Stephen
William, La Fayette William, Joseph Goodwin,
Wm. Goodwin, Geo. Goodwin, Sarah Good-
-win, Mary Ann Goodwin and Cornelius
Goodwin, and Geo. Goodwin (of Ingham,
Stephen Jones and his wife Mary Frances
Jones, Thomas Davis, Catharine Davis,
Joseph Goodwin, Josephine Goodwin, Clarissa
Goodwin, Anna Wm. Goodwin, Richard
and Elvira Goodwin, Geo. E. Newman,
Emily E. Newman, Mary Ann E. Newman,
John E. Newman, Anna E. Newman, M. Newman,
Esther King, Charlotte Williams, John Leggett
and Hannah and his wife Nancy Jordan,
Levit Pitt, James Shivers, Albert Shivers
and John W. Shivers, Nathl., Mary Rhoads,
James, Prudence, David and John William

and all other proper persons (if any)
may be made defendant to this bill the
complainant full answer to make to the
allegations aforesaid fully answering,
that you will decree a sale of the said real
estate and direct a distribution of the money

grand father or grand mother - but he left
descendants of the brother and sister of the
maternal grandfather and maternal
grand mother. -

The maternal grandfather John William
left one brother whose name was David
Williams - he died many years ago and
left two children or descendants who were
Richard and Willis Williams; Richard
and Willis both died before the intestate Kent.
Richard's descendants are Anthony, Nathan,
Wm and La Fayette Williams - and Willis's
descendants are Nathl, Mary, Rhody, James,
Prudence, David and John Williams.

The maternal grand mother is the Williams
family Goodwin, died many years ago leaving Wm Goodwin,
Sarah Shivers and John Williams, the
sister and brother of the whole blood, &
Joseph Goodwin and George Goodwin
brothers of the half blood to the said mater-
nal grand mother. - The said Wm Goodwin
died many years ago, & also did Sarah
Shivers, and John Williams. Joseph Goodwin &
George Goodwin; Wm Goodwin left 3
children Wm Joseph and Hannah - Joseph
is now living; Wm is dead, ^{before Kent} and his descen-
dants are Josephine, Claudine, and Anna M.
Goodwin; Hannah married Wm Davis &
died before Kent, and her descendants are
Mary wife of Stephen W. Jones, Thomas Davis
and Catharine Davis. - Sally Shivers's descen-
dants are James Shivers, Esther King, Charlotte
Williams, Hannah wife of John Keegan, and
Francis Jordan (children of said Sally Shivers),
and Albert Pitt son of ^{Pitt a son}
daughter of Sarah Shivers, and Albert and
Geo. M. Shivers two children of John Shivers
and. and grand children of said Sarah.
George Goodwin died before intestate Kent
and his descendants are Richard & Elvira

Goodwin, infant children of Joseph Goodwin
and. and grand children of said George
and Nancy Sturman and. who was and
- the child of said George Goodwin - she is
dead since the said Kent, and her descendants
are George & ~~William~~, Emily K. ~~Goodwin~~,
Mayant & ~~Goodwin~~, John ~~Goodwin~~, Ann E.
and Wm Sturman infant. -

- Joseph Goodwin the son, the other brother
of the maternal grand mother, left Wm Good-
win and George Goodwin - the said Wm
died before Ralph Kent, leaving Joseph, Wm,
George, Sarah, Mayant and Cornelia
Goodwin all infants - and George after he
is now living. - and the said Ann Williams
left one child called ^{Richard} ~~William~~ Williams
he died before Kent, the intestate, and left
descendants Anthony, Nathan & Williams, ~~Joseph~~
Wm & Williams, Stephen & Williams & Richard
La Fayette Williams. -

Now complainants charge that James Shivers and
Thomas Howell left the state of Virginia some
years ago, and are either dead, or in some place
unknown beyond our orations, out of this state;
they understand and charge that Joseph Howell
has sold and conveyed to John D. Day of the
County of Warren one all his interest in the
estate of the said Ralph Kent to which he
was entitled. - The said Thomas Howell is
supposed to have died long ago intestate with-
out issue in the life of said Ralph Kent
the intestate, and they are advised that the
conveyance to said day was made on
28th May 1835. - Now orators have frequently
applied to the said ~~Wm~~ Joseph Goodwin the

To the Honble Richard Baker Judge of the Circuit Supr.
Court of Law and Chy. for the Night County & Co.
Chy: humbly complaining, shew to the Court and
complainants Prudence Smith and Elizabeth Madley
of the County of Frear - that about the year 1835, one
Ralph Kent of said County died intestate seized as
an estate of inheritance to a tract of land in
said County of 73 $\frac{1}{2}$ acres bounded by the lands of
James Carson, Joseph Beekitehead and Mary
-ret F. Atkinson. He left no child or children
or descendants - no father, mother, brother or
sister, or descendants of them or either of them,
so that his estate ought to be divided into
two moieties, one to the paternal and
the other to the maternal kindred -
On the part of the paternal kindred his
nearest kindred are your oratrices, his
aunt, and Thomas and Joseph Howell
children of Mary Howell another aunt of the
intestate - the moiety of the paternal side
they are advised should be so divided as
to give $\frac{1}{2}$ to each of your oratrices, & the other
third to Joseph and Thomas Howell -
The intestate kindred on the maternal side
are very numerous, and from the best
information your oratrices have is, that
the mother of said Ralph Kent the intestate
was one Sarah Kent whose maiden
name was Sarah Williams, the daughter
of John Williams and his wife Esther whose
maiden name was Esther Goodwin - the
said John Williams was, therefore the mater-
-al grandfather, and Esther Williams
formerly Goodwin was the maternal grand
mother of the intestate Ralph Kent - the
said maternal grand father of grand mother
died many years ago, and Kent ~~after~~ left
no maternal grand father or grand mother,
uncles or aunts on the same side, or any
descendants of them, or either of them; he left
no great grand father or great grand
mother, nor brother nor sister of any maternal

Smith Jr.

in January

Hovell Jr.

William H. H. H.
infants -
and ! H. H. H.
Smith & Co.

With Judge of the Circuit Sup. Ct. of La. & Holy
for this night County - The answers of Nathan
Williams, Wm Williams, Stephen Williams, La Fayette
Williams, Joseph Goodwin, Lem Goodwin, George
Goodwin, Sarah Goodwin, Margaret Goodwin,
Cornelius Goodwin, Tho. Davis, Catharine Davis,
Josephine, Claudine, and Anna M. Goodwin,
Richard and Elvira Goodwin, George G. Newman,
Emily K. Newman, Margaret Francis Newman,
John J. Newman, Anna K. Newman and Mr. Newman
and Nathl. Mary. Rhoads, James, President
David and of the Williams, infants by
Nathl. Young who has been appointed by
the said Court to defend them in the said
suit of partition from the others & them &
others. - The said defendants for answer
the facts, or facts so much thereof as
they are advised it is material to
answer unto, for answer say they
are of legal age, and ignorant of the
things charged and set out in the compla-
-intants bill - they have heard and believe
it to be true that the plffs. and themselves
with some others are entitled to the
estate of Ralph Hunt and, and they
submit to the Court the protection of
their rights, ~~keep answer and they may~~
have to be assigned to.

(Signed N. Young Esq. Solicitor)

Wm. H. Young Esq. This day came before the undersigned
justice of the peace for said County, Nathl. Young
who made oath that the foregoing answer is true
so far as he knows or believes - presence of
my hand and seal this (Signed,

Jonas Hallman Jr

Smith Dr.

or

Pitts Dr.

Pitts account

Feb. 20th 1837 ans. filed

Sup. L

To the Judge of the Circuit sup. & Law City for the
County of Wm of Wight. The answer of Meritt Pitt
to the Bill of complaint against him & others
in the said Court exhibited by prudence
Smith &c. He says he can't deny the truth
of the statement made in the complaint
but, and he is willing that the property
the estate of Ralph Keent shall be divi-
ded and his part set apart to him -

(signed)
Meritt J Pitt

Nicholson City Tex. - This day
Meritt Pitt made oath that the above is true
so far as he knows - given under my hand
as an alderman for said City the
13th day - July - 1857

J. W. Foster (R)

Starrsmond County Jcy. This day came
before the undersigned justice for said County
John D Day and Joseph Howell who
made oath that the ~~my~~ statement in this
return is true, so far as they know or
believe - Given under my hand and
Seal this day of January 1837. —

Sam^l Corbell JP 

May be
as: Starrsmond
Smith & Co

Feb. 27th 1837 This ans. filed

To the Judge of the Circuit Superior Court of
Law and Chancery for the County of Jefferson -

The joint and several answers of John
B. Day and Joseph House to the bill of
complaint against them and other exhibits
in the said Court by Prudence Smith &c.

These defendants say &c. For answer, the
said John B. Day says that he purchased
from Joseph House on the 28th of May 1835
and has conveyed to him out of day by
and all the right and interest of the said
Joseph House in the real personal estate
of said Ralph Hunt. he believes the allega-
-tions in the bill to be true ^{and yet submits to the Ct.}
~~and yet submits to the Ct.~~ ^{and yet submits to the Ct.}
~~and yet submits to the Ct.~~ ^{and yet submits to the Ct.}
to which Joseph House is entitled share he
pays to him. And the said Joseph House
for his answer, says the allegations in the
bill are true - he has conveyed to John B.
Day his whole interest in the estate of Ralph
Hunt and of his brother which descended
from said Hunt, and consents to the same
being so for and that his interest may be
conveyed to John B. Day and they may
have to be assigned &c. signed,

For his answer
Jas. B. Day

For his answer
Joseph House

Stephen Jones Dr

a d. 13 an. 10

Smith Dr

Filed Sept. 1837.

To the Judge of the Circuit Supr. Ct. of Law &
Chancery for the County of Dist. of N.Y.
The undersigned of Stephen Jones and Mary
Francis his wife and of John Hodson
and Catharine his wife to the bill of
complaint against them and others in
the said Court exhibited by John de
Smith and others. - The defendants for
answer, say they cannot deny that
the allegations in the bill are true, &
they consent that the Court may
pronounce a decree for a sale &
division of the estate of Ralph Hunt
according to law but they submit to the Court
whether the affidavits are signed,
in the

Stephen W. Jones
Mary F. Jones
Jno. S. Hodson
Catharine Hodson

The within named Thos. Gardner alias
 Howell is not an inhabitant of this state, as
 I am advised -

W. L. L. L. L. L.
 for M. D. C. C. C.

Smith &
 a
 Wallace &
 Wallace &
 Wallace &

Ly al service aches - 1000

Text
 Samuel Corbett Spence }
 for Nassau City

for J. H. Howell
 for J. H. Howell
 for J. H. Howell

The Commonwealth of Virginia,

To the Sheriff of *Isle of Wight* County, GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

*John D. Day, Joseph
Hould, Thomas Gardner son of Thomas
The Hould*

to appear before the Judge of the Circuit Superior Court of Law and Chancery for the County of Isle-of-

Wight, at the Court-House of Isle-of-Wight County, on the first ~~day of~~ *Monday in January next* term next,

before us, to answer a bill exhibited against *them and others*

in the said Court, by

*James Smith and Elizabeth
Brasley*

and unless the said defendants shall answer the said bill within four months thereafter, the Court will take the same for confessed, and decree the matter thereof accordingly. And this *they* shall in no wise omit, under the penalty of £100 *each* and have then there *this* writ: Witness NATHANIEL YOUNG, Clerk of our said Court, at the Court-House, the *31st* day of *December* 183*6*, and in the *61st* year of the Commonwealth.

Nathl Young

Executed on the 18th day of Feb'y. 1837. and a
true copy of the within subpoena in Chancery
delivered to Charlotte Williams.

James O. Drifflin, Deft.
for Samuel Williams, Shff.

Smith Dr. ^(etc.)

or

Williams Dr.

sp a in chy

process in the
first suit -

John M. Shivers

Chancery

- is given

The Commonwealth of Virginia,

To the Sheriff of *Kaymond* County, GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *Charlotte Williams*
Albert Graham and John W. Shadler —

to appear before the Judge of the Circuit Superior Court of Law and Chancery for the County of Isle-of-
Wight, at the Court-House of Isle-of-Wight County, on the first day of *May* term next;
to answer a bill exhibited against *him and others* —

in the said Court, by *Frederic Smith and others* —

and unless the said defendant shall answer the said bill within four months thereafter, the Court will take
the same for confessed, and decree the matter thereof accordingly. And this *she* shall in no wise
omit, under the penalty of £100 — and have then there this writ: Witness NATHANIEL
YOUNG, Clerk of our said Court, at the Court-House, the *4* day of *July* —
183 *7*, and in the *01* — year of the Commonwealth.

Nathl. Young

Since acknowledged by

Albert G. Phibbs

George Goodwin

John M. Liver

Anthony D. Williams

Executed on Nancy Jordan & no

Argument & wife Feb 20 1837

and April 6th 1837 and for Goodwin

W. Williams

for W. D. Williams

Smith &

My spa

Goodwin

John Jordan on Thos

Goodwin - James Liver,

Wm. Goodwin, Chas

Wm. Williams, John

Argument and

James C. his wife,

John M. Jordan

only. A. D. Williams - 1837

John M. Jordan

W. Williams

There are several other persons and some
have given their names to the same

Executed on the 18th day of Feby: 1837. and a
true copy of the within subpoena in chancery deliv-
-ered to Charlotte Williams.

James P. Griffin, Depty
for Purwell Riddick, Shff.

Chas. Smith

Wm. J. Smith
~~Wm. J. Smith~~

Deputy Clerk

procp in the

second suit

ed. H. H. H.

The Commonwealth of Virginia, to the
App. Name ~~To the Sheriff of *Isle of Wight* County,~~ GREETING:
YOU ARE HEREBY COMMANDED TO SUMMON ~~*Albion Pitt*~~
Charlotte Williams

to appear before the Judge of the Circuit Superior Court of Law and Chancery for the County of Isle-of-
Wight, at the Court-House of Isle-of-Wight County, on the first day of *May* term next;
to answer a bill exhibited against ~~*him*~~ *and others*

in the said Court, by *James Smith & Elizabeth*
Brasley

and unless the said defendant shall answer the said bill within four months thereafter, the Court will take
the same for confessed, and decree the matter thereof accordingly. And this ~~*she*~~ shall in no wise
omit, under the penalty of £100 — and have then there this writ: Witness NATHANIEL
YOUNG, Clerk of our said Court, at the Court-House, the *4th* day of *Feby* —
183*7*, and in the *61* — year of the Commonwealth.

Nathl. Young et al.

Smith dr.

or $\frac{2}{3}$ sp

King dr.

Executed the 18th Feb.
1837. W. Hope

Atkinson P. S.

The Commonwealth of Virginia,

To the Sheriff of *Elizabeth City* County, GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *Edm King* —

to appear before the Judge of the Circuit Superior Court of Law and Chancery for the County of Isle-of-

Wight, at the Court-House of Isle-of-Wight County, on the first day of *May* term next;

to answer a bill exhibited against *him and all those concerned*

advers: of Ralph Hunt & others —

in the said Court, by *Producers Smith & Elizabeth*

Brady —

and unless the said defendant ² shall answer the said bill within four months thereafter, the Court will take the same for confessed, and decree the matter thereof accordingly. And this *she* shall in no wise

omit, under the penalty of £ 100 — and have then there this writ: Witness NATHANIEL

YOUNG, Clerk of our said Court, at the Court-House, the *4th* day of *Feb*

183 *7*, and in the *08* — year of the Commonwealth.

Nathl Young *cl*

Mr. Archd. A. Kinson

Smithfield

This is to certify that my father (Rube Williams) was the only son
of Ann Williams, (the wife of David Williams) who was the born sister
of Ralph Hunt's Maternal Grandmother, — in 1832 that being the
year in which my father died. The sd. David Williams married
twice, his second wife is the mother of Willis Williams who mar-
ried the daughter of Capt. Nathan Pender Sr. — I am the exr. of
my father and would be pleased to have the estate of Ralph Hunt
settled as soon as possible.

Mr. Archd. Atkinson }
April 7th 1838. }

Yours &c.
Anthony D. Williams

Report of Sale of
R. Hunt's Land

Isle of Wight County to wit

Pursuant to a decree of the Circuit Superior Court of Law & Chancery for the said County, pronounced at May term 1838 in a suit which Prudence Smith & Elizabeth Bradley are plaintiffs and Joseph Howell, Thomas Bland and Elias Howell & others are Defendants - After having advertised in one of the newspapers published in the Borough of Norfolk & at the door of the Court house of this County for more than twenty days previous to the day of Sale; I did expose to public sale on the premises on a credit of twelve Months, the Land mentioned in said decree of which Ralph Hunt did seized: at which sale Slaughter Coffield being the highest bidder therefor, became the purchaser thereof at the sum of five hundred & fourteen dollars & fifty cents - for which amount the said Slaughter Coffield executed his bond with Joseph Driver & Mary Bland as his securities, which bond is herewith filed marked G.

Given under my hand this 10th day of July 1838

Barth: Lightfoot. Clerk.

Am't. of Sales	\$ 514.50
Comm. on \$ 514.50	\$ 19.29
for advertising	50
for draiding and	5.00
	24.79 = 24.79
	\$ 489.71 net proceeds

The pro: to which the
heirs of R Hunt, are
entitled, to the sale of
Land —

Bond withdrawn by
me — B Lightfoot

two tenths of the said remaining other money is to be divided as follows - To Joseph Goodwin $\frac{1}{3}$ of \$48.97 say \$16.32 $\frac{1}{3}$

To Josephine, Claudius, & Anna W Goodwin,
 $\frac{1}{3}$ equally between them say 5.44 each 3 16.32

To Stephen W. Jones in right of his wife Hannah,
In: Goodwin in right of his wife Catharine &
Thomas Davis $\frac{1}{3}$ equally between them say 5.44 $\frac{1}{3}$ 16.32

Two tenths to be divided as follows

To James Shivers, $\frac{1}{7}$	say 6.99 $\frac{4}{7}$	}	48.97
" Esther King $\frac{1}{7}$	" 6.99 $\frac{4}{7}$		
" Charlotte Williams $\frac{1}{7}$	" 6.99 $\frac{4}{7}$		
" In: Urquhart & Wife $\frac{1}{7}$	" 6.99 $\frac{4}{7}$		
" Nancy Jordan $\frac{1}{7}$	" 6.99 $\frac{4}{7}$		
" Merit Pile $\frac{1}{7}$	" 6.99 $\frac{4}{7}$		
" Albert G. Shivers $\frac{1}{14}$	3.49 $\frac{1}{2}$		
" John M. Shivers $\frac{1}{14}$	3.49 $\frac{1}{2}$		

One tenth to be divided as follows

To Richard & Elvira Goodwin $\frac{1}{2}$ of $\frac{1}{10}$
equally say 6.12 each 2 12.24

To George G. Newman Emily K. Newman John
J. Newman, Margaret F. Newman, Ann E.
Newman & Wm. Newman the remaining $\frac{1}{2}$ of $\frac{1}{10}$
say 2.04 each 3 12.24

The remaining $\frac{1}{10}$ to be divided as follows

To George Goodwin $\frac{1}{2}$ say 12.24 12.24

To Jos. William, Sarah, Margaret & Cornelius Goodwin
 $\frac{1}{2}$ say 2.45 each 3 12.24

All of which is respectfully submitted to the Court

Comm^r's fee \$3.00

Barth. Lightfoot Com^r

Isle of Wight County July 12th 1838

In a suit depending in the Circuit Superior Court of Law and chancery for the said county wherein Prudence Smith & Elizabeth Bradley are plaintiffs and Joseph Howell, Thomas Gardner (Alias Howell) & others are Defendants.

at May term 1838 a decree was made directing Bartholomew Lightfoot to make sale of a tract of Land of which Ralph Hunt did seise, for distribution among the heirs of the said Hunt: that under the said decree the said Lightfoot did on the 10th Inst. sell at public auction, the said Land for five hundred and fourteen dollars & fifty cents - from which he deducted \$24.77 for costs & commissions, - leaving \$489.71 net proceeds -

that in the said decree the Court directed one of its Commissioners ^{to} make up a statement showing the proportions to which the Plaintiffs & defendants are entitled in the proceeds of the sale of said Land - which your Commissioner hereto annexes to wit

Net proceeds of sale of Land

\$489.71

Prudence Smith, Elizabeth Bradley, Jos. Howell
& Tho. Gardner are entitled to one moiety being the
relations on the part of the Father - that is to say,

Prudence Smith to $\frac{1}{3}$	say	\$81.61 $\frac{1}{2}$
Eliz. Bradley to $\frac{1}{3}$	..	81.61 $\frac{1}{2}$
Jos. Howell to $\frac{1}{6}$	..	40.80
Tho. Gardner to $\frac{1}{6}$	..	40.80

\$244.85 equal to $\frac{1}{2}$ of 489.71

The other moiety which is to go on the maternal side should be divided as follows - To Anthony G. Williams, Nathan J. Williams William G. Williams, Stephen J. Williams, Richard S. Williams, James Williams, Prudence Williams David Williams & John Williams Nathaniel Williams, Mary Williams and Rhoda Williams - $\frac{7}{10}$

of the remaining other moiety say \$407.97.

To Anthony G. Williams, Nathan Williams John Williams, Wm G. Williams Stephen J. Williams & Richard Williams $\frac{7}{10}$ equally between them say

407.97

Court, on consideration whereof, the Ct. doth
adjudge, order and decree that Bartholomew
Lightfoot (who is said to be a person by the Ct.
with the consent of parties appointed a
Covr.) having published notice of the time
and place of sale, for 20 days, in one or
of the news papers printed in Norfolk, and
by advertising the same at the door of the
Court House of the County of Norfolk
on some Court day, and at some public
place near the residence of the person
at least 20 days before such sale, the rule to
the high. t. bidder on a credit of 12 months
the lands in this County, whereof Ralph
Kerant and wife are the estate of in her
- lands - taking of the purchase money with
good security for the purchase money
- and that the said Covr. give the said
bond into Court to be hereafter disposed
of - And the Ct. doth also order that
one of the Covr. of this Court, make up
a statement where is the proportion
to which the p'ss: the debt are
entitled - and make report thereon

Bartholomew
Lightfoot
Covr.

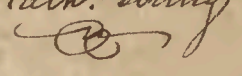
Bartholomew
Lightfoot
Covr.

Prudence Smith and Elizabeth Bradley Jeff.

Joseph Howell, Thos. Gadsden alias Howell,
John D. Day, Anthony D. Williams, Nathan J.
Williams, Wm. Williams, Stephen D. Williams
and Michl. La Fayette Williams, Joseph,
Wm. Hooper, Sarahs, Maryant and Cornelius
Goodwin, and Geo. Goodwin (of Joseph),
Stephen Myers and Mary Ann his wife,
Thos. Davis, Catharine Davis, Joseph Goodwin
Joseph Goodwin, Blanche Davis, Goodwin
Amasa Goodwin, Michl. and Eliza
Goodwin, Geo. G. Newman, Emily K. Newman,
Maryant F. Newman, John F. Newman, Anna
F. Newman and Wm. Newman, and E. the
King, Charlotte Williams, John Longhart
and Hannah his wife, Nancy Jordan
and Wm. Pitt, James Shivers, Albert G. Shivers
and John M. Shivers, Nattie Maynard,
James, Prudence, David Joseph Miller
defendants.

This cause (in which the bill of
the plff. is taken for confessed as to the defendants
E. the King, Charlotte Williams, Anthony Williams,
Geo. Goodwin, Joseph Goodwin, John
Longhart and Hannah his wife, Nancy
Jordan, Albert G. Shivers and John M. Shivers
on whom the vper seems to have been executed,
and the bill filed more than 4 months
ago and who still fail to appear answer
and the defendants Thos. Gadsden alias
Howell and James Shivers, who are out of
the state, and against whom the plff. seem
to have proceeded in the mode prescribed by
law against absent defendants, still fail to appear
and answer, on motion of the plff. the court
doth take their bill for confessed as to those defendants,
and the cause comes on to be heard
on the bill, the answer of the other defendants,
application and exhibit files, now argued by

purchase money - And that the said commissioner bring the said bond into
Court to be hereafter disposed of - And the Court doth also order that one of the
Commissioners of this Court make up a statement shewing the proportions to
which the plaintiffs and defendants are entitled and make report -

At Copy Teste Nathl. Young Clk.


Smith & Bradley

vs.

 Copy decree


Howell & others

Isle of Wight County May Sup. Court 1838

Prudence Smith & Elizabeth Bradley - Plaintiffs
against

Joseph Howell, Thomas Gardner Alias Howell,
John D. Day, Anthony G. Williams, Nathaniel
J. Williams, William J. Williams, Stephen D.
Williams, & Richard Lafayette Williams, Joseph,
William, George, Sarah, Margaret, & Cornilias
Goodwin, and George Goodwin of Joseph, Stephen
W. Jones & Mary Francis his wife, Thomas Davis,
Catharine Davis, Joseph Goodwin, Claudius
Goodwin, Hanna W. Goodwin, Richard & Elvira
Goodwin, Georg. Newman, Emily K. Newman,
Margaret K. Newman, John J. Newman, Anna C.
Newman, & William Newman, Esther King, Charlotte
Williams, John Urquhart and Hannah his wife,
Nancy Jordan, Merit Pitt, James Shivers,
Albert G. Shivers, & John M. Shivers, Nathaniel,
Mary, Rhoda, James, Prudence, David &
Joseph Williams. Defendants

In Chancery

This cause (in which the bill of the plaintiffs is taken for confessed as to the defendants Esther King, Charlotte Williams, Anthony Williams, George Goodwin, Joseph Goodwin, John Urquhart & Hannah his wife, Nancy Jordan, Albert G. Shivers, and John M. Shivers, on whom the subpoena seems to have been executed, and the bill filed more than four months, and who still fail to appear and answer; and the defendant Thomas Gardner Alias Howell, and James Shivers who are out of this state, and against whom the plaintiffs seem to have proceeded in the mode prescribed by law against absent defendants, still failing to appear and answer; On motion of the plaintiffs, the court doth take their bill for confessed as to those defendants, and the cause coming on to be heard on the bill, the answers of the other defendants, replication and exhibits filed, and was argued by counsel, On consideration whereof the court doth adjudge, decree, and order, that Bartholomew Lightfoot (who is for that purpose by the court with the consent of parties appointed a commissioner, having published notice of the time and place of sale for Twenty days in any one of the news papers published in Norfolk, and by advertising the same at the door of the court house of the County of Isle of Wight, on some court day, and at some public place near the premises, at least Twenty days before such sale, sell to the highest bidder on a credit of twelve months the land in this county whereof Ralph Hunt died seized as of an estate of inheritance - taking of the purchaser bond with good security for the purchase

Smith dr.

or 3

Howell dr.

Dear friend
to the dr.

(entered)

~~Joseph Goodwin~~

To Joseph Goodwin $\frac{1}{3}$ of $\frac{2}{10}$ of one moiety
To Josephine Goodwin, Claudine, and
Anna M Goodwin $\frac{1}{3}$ of $\frac{2}{10}$ of one moiety
equally between them to be divided
To Stephen Brown in right of his wife
Kamala, John Brown in right of his
wife Catharine, and Thomas Davis
 $\frac{1}{3}$ of $\frac{2}{10}$ of one moiety equally to be divided
To James Shivers $\frac{1}{7}$ of $\frac{2}{10}$ of one moiety
To Arthur Reed $\frac{1}{7}$ of $\frac{2}{10}$ of ditto
To Charlotte Williams $\frac{1}{7}$ of $\frac{2}{10}$ of ditto
To John Ingham $\frac{1}{7}$ of $\frac{2}{10}$ of ditto
To Nancy Jordan $\frac{1}{7}$ of $\frac{2}{10}$ of ditto
To David Pett $\frac{1}{7}$ of $\frac{2}{10}$ of ditto
To William Shivers $\frac{1}{4}$ of $\frac{2}{10}$ of ditto
To John McShivers $\frac{1}{4}$ of $\frac{2}{10}$ of ditto
To Michael and Eliza Goodwin
 $\frac{1}{2}$ of $\frac{1}{10}$ of one moiety equally
between them to be divided
To Geo. J. Newman, Emily K. Newman,
John J. Newman, Margaret J. Newman,
Ann E. Newman, David J. Newman
 $\frac{1}{2}$ of $\frac{1}{10}$ of one moiety

To George Goodwin $\frac{1}{2}$ of $\frac{1}{10}$ of one moiety
To Joseph W. Sacak, Margaret, and
Claudine Goodwin $\frac{1}{2}$ of $\frac{1}{10}$ of one moiety
And the Court further order that
the Court who sold the land, after the
lay of the land in 1811, make
a deed to the land shown without
warranty and that the Court pay
over such part as may be a title to
the land, to the grantee, and if
the grantee of the land, shall not
apply for the same, so as aforesaid, and
to be paid to them, the Court shall deposit
their proportions in the Bank of N. A.

Ansolved to the end of this Term.

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Smith & Howell & others -

This case came on again to be heard on the paper formerly read & the reports of Com. Lightfoot made pursuant to the order of May term 1838 to which no exceptions have been filed, and was argued by Counsel, on consideration whereupon the Court confirmed the said reports & settled and ordered that Bartholomew Lightfoot the Com. who sold the lands under one of the orders aforesaid, as soon after the 10th of July next as practicable, proceed to collect the taxes filed & made & executed by Plaintiff Coffin, Joseph Brewster and Mary M. Carroll, and first pay the expenses of this Suit, and then distribute and pay over the balance of the money as follows, that is to say, To precedence Smith $\frac{1}{3}$ of one moiety, To Eliza Brasely $\frac{1}{3}$ of - do, To John D. Bogan purchaser of Joseph Howell - $\frac{1}{6}$ of - do, To Thomas Gardner $\frac{1}{6}$ of - do, To Anthony J. Williams, Nathan J. Williams, John J. Williams, Stephen Williams, Richard Williams, James Williams, David Williams, John Williams, Nathl. Williams, Mary Williams and Rhoda Williams $\frac{1}{10}$ of one moiety, to be equally between them to be divided - To Anthony J. Williams, Nathan Williams, John Williams, Mr. J. Williams, Stephen J. Williams and Richard Williams $\frac{1}{10}$ of one moiety equally between them to be divided. -

Smith & Co.

27 May
Honduras

✓

William, Rhoda William, Jas. William,
Prudence William, David William, and
John H. William, ^{each} one of one

; to Esther King, Charlotte William, John
Mugubant and Hannah his wife, Nancy
Jordan, Merit Pitt, ~~and~~

and to James Shivers ~~1/5 of~~
~~and~~, to Albert G. Shivers $\frac{2}{3}$ of $\frac{1}{5}$ of
and to John H. Shivers the same.

To Joseph Goodwin $\frac{1}{3}$ of ; to Josephine
Belandier, and Anna M. Goodwin, as
representing their ancestor Mr. Goodwin $\frac{1}{3}$ of
equally to be divided between them and to
Stephen Jones and Mary T. his wife, Thomas
Davis, and Catharine Davis, as representing
their mother Hannah Goodwin, $\frac{1}{3}$ of
between them equally to be divided.

To George Goodwin $\frac{1}{2}$ of ; and to

Ann. of
Publication

AT Rules held in the Clerk's Office of the Circuit Superior Court of Law and Chancery, for the county of Isle-of-Wight, the first Monday in February, 1837.

Prudence Smith and Elizabeth Bradley.....Pl'ffs.

against,
Thos's Gardner, sometimes called Thos's Howell, James Shivers, and others, Def'ts.

In Chancery.

THE defendants Thomas Gardner alias Thomas Howell) and James Shivers, not having entered their appearance and given security according to the Act of Assembly and the rules of this Court, and it appearing by satisfactory evidence that they are not inhabitants of this country,—It is ordered that the said defendants Gardner (alias Howell) and Shivers, do appear on the first day of the next term for the Circuit Superior Court of Law and Chancery, for the county of Isle-of-Wight aforesaid, and answer the bill of the plaintiffs and that a copy of this order be forthwith inserted in some Newspaper published in the Borough of Norfolk for two months successively and posted at the door of the Court House of this county.

A Copy, Teste.

NATH'L P. YOUNG, D. C.

Feb 10—2m

I CERTIFY that the annexed Notice, in the case of Prudence

Smith & vs Thos. Gardner & Co
two months

has been inserted

successively,

in "THE AMERICAN BEACON," Newspaper, published in Norfolk, Va.

commencing Feb 10th 1837.

Hugh B. Grigsby

of Shields, Ashburn & Grigsby,

Publishers of the Beacon.

Sworn to before me, an Alderman of Norfolk Borough, by Hugh B. Grigsby — this 14th day of October 1837

Wright Southgate }
Recorder }

A Atkinson esq

To SHIELDS, ASHBURN & GRIGSBY, } Dr.

Office of the American Beacon and Norfolk and Portsmouth Daily Advertiser, }

1837.

To publishing Notice in the Case of Smith vs

Gardner & Co — } \$ 5-

Recd Payment of Alderman

Shields, Ashburn & Grigsby

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2/10 Dr. Sherin's dr. —

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2/10 — to Anna Williams

~~3000~~

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