1839-007

Chancery Causes

Isle of Wight County

M. G. Bidgood
[redacted]
In E. Bice & Co
Hallettsville

Hodges

Sept 2d. 1839. Bice & Co
filed thirty days.

Shipping Co. Co.

your oratrix is without remedy in the premises in this cause by the strict course of a court of Equity where such a matter is lawfully cognizable, your oratrix prays that the said Dawson Blake and Lilley his wife may be made parties hereto, and may be required upon their corporal oaths to make true and perfect answer hereto, & that your Worships will decree a division of the said lands as herein indicated, as well as such other and further relief as may be right and proper — may it please &c

Wm D. Hodges.

Wherein & wherefore answer Dawson Blake and Lilley his wife, to the bill of complaint exhibited against them by Manhattan Jones, an infant, suing by William Brock, his guardian next friend — These defendants, saving &c, for answer say — that the facts set forth in the complainants bill of complaint are substantially true and correct, and that they are willing that such a decree may be rendered in the premises, as the complainant has prayed, or as to the court may seem right and proper under the circumstances of the case — And having answered, they pray to be hence dismissed with their costs.

To the worshipful the Justices of the County Court of Ilay Circuit, in chancery sitting:

Humbly complaining, sheweth unto your worships your oratrix Martha Ann Ivey, an infant suing by William Roach, her guardian and next friend, that Enoch Bidford of the said County died departed this life sometime in the month of seized and possessed of several tracts or parcels of land, lying and situate in the said County, and leaving a last will and testament which has been duly admitted to record; by which last will and testament he devised the said tracts of land, known by the names of the Ivey, and the Bidford tracts to his daughter Patsey Ivey, and a third tract of by name of the Gordon tract, to your oratrix; as all of which will more fully appear by reference to an attested copy of the said will hereunto filed and prayed to be taken as a part of this bill. That the said Patsey Ivey, then a widow, departed this life sometime in the year 1837, leaving two daughters, heirs at law, namely, your oratrix and Milly, now the said Milly Cope, widow and relict of James Cope, who has since intermarried with Dawson Hale of the said County; and that the two tracts hereinbefore mentioned, namely the Ivey & Bidford tracts, not being equivalent to three hundred dollars per share in the division, are liable to be divided between your oratrix and the said Milly her sister; and that your oratrix, in consideration of this, hath frequently urged the said Milly and her husband, the said Dawson Hale, to consent to such division without the necessity of a suit; but that they have all along refused to accede as they in justice they ought to have done. Whereupon, and for as much as

Decree
on. 3 Decree
Decree this

M: A. Bigood Ptf.
vs.
Flake & wife Defts. Decree

September 2nd 1839 Int. decree ent.

The Bill & Ans. were not filed on the day of this decree

Martha Ann Bidgood, an infant suing
by Wm Brock, her guardian next friend.

vs.

Darius Flake & Nilley his wife.

This cause came on this day to be heard,
by Consent of parties, on the bill, answer, & ex-
hibit, and was argued by Counsel; On con-
sideration whereof, The Court doth adjudge,
order, and decree that Benjamin Jones,
William Kelly, Benjamin Edwards, &
Enoch Jones, or any three of them, who
are hereby appointed Commissioners for
the purpose, do proceed and (after first
a competent Surveyor if necessary)
divide the tract of land in the bill men-
tioned, being that devised in the last
will & Testament of Josiah Bidgood
deceased, and commonly known by the
name of the Jones and Bidgood tract,
into two equal parts, and set apart and
allot one part thereof, with proper metes
and bounds, to the ~~plaintiff~~ said
Wm Brock as guardian of the infant com-
plainant, and the other part, with
like metes and bounds, to the said Dar-
ius Flake & Nilley his wife; and that
they make report of their proceedings
herein to this Court with the view to a final
decree.

Bigood Pr. Prins
vs. } Chy. Int. decree
Flake Purse

Isle of Wight County, September Court 1839

Martha Ann Bidgood an infant suing
by William Brock, her guardian and
next friend . . . . . Plt.

against

Dawson Flake & Willy his wife . . . . Defts. } In Chancery

This cause came on this day to be heard by consent of parties, on the bill Answers & exhibits; and was argued by counsel: On consideration whereof the court doth adjudge order, & decree that Benjamin Jones, William Shelly, Benjamin Edwards & Jacob Jones, or any three of them who are hereby appointed commissioners for the purpose, do proceed and (assisted by a competent surveyor if necessary) divide the tracts of land in the bill mentioned, being those devised in the last will & testament of Josiah Bidgood dec'd: and commonly called & known by the name of the Jones & Bidgood tracts, into two equal parts, and set a part & allot one part thereof with proper metes and bounds to the said William Brock as guardian of the infant complainant, and the other part, with like metes and bounds to the said Dawson Flake & Willy his wife; and that they make report of their proceedings to this court with the view to a final decree.

A Copy Teste

Nath'l Young C.