

1840-003 Chancery Causes'. Nathaniel W. Norisworthy vs Catharine Goodwin & George Goodwin, by & c

Isle of Wight County

other SURNAMES: Hodsdon,
Battin, Bagwell

Notworthy answer:
of Goodwin
vs. $\frac{2}{3}$ Bill P.
Goodwin's sp. f. & v.
Feby. 3rd 1840. Bill filed
N. G. Adeline apt. & v.
March 2nd 1840. Depos.
of Geo. Goodwin f. & v.
& decree for sale of land
August 3rd 1840 rept.
of the com. ret. & conf. &
~~from~~ decree entered

if the sd tract of 80 acres, has long since ^{been} sold, suspected as the deposition
of persons endeavouring to injure the estate of the ~~sd~~ infants aforesaid.
Moreover, your orator says & charges that two of the said four slaves belonging
to the ~~sd~~ infants are old and infirm & would therefore sell for only a very small
sum, and the other two being young women, would, in time, be much more
valuable to the ~~sd~~ infants, than the ~~sd~~ tract of 80 acres can ever be, ^{since} as
aforesaid, that no rent has ^{ever} been received thereon, and it quite certain
that no rent will be for in future, he also, charges that the other ~~sd~~ tract of
300, is diminishing in value, in consequence of the ^{rapid} decay of houses, of
any description, fences, enclosures &c. and that already in consequence of such decay, as
aforesaid, and the smallness of the ~~income~~, arising from the hire of said four slaves, the
income of said infant, Catharine & George is ^{not} sufficient to board them, of course the
maintenance of said infants will go on to diminish, unless the houses on the aforesaid
tract of 300 acres, be thoroughly repaired in order to make the ~~sd~~ tract rent out well, &
if the estate of the ~~sd~~ slaves should be sold, now your orator says & charges that repairs
cannot be made upon the ~~sd~~ houses &c. & that one of the ~~sd~~ slaves will have to be sold for other
reasons, and that the income of ~~sd~~ infants cannot be prevented from diminishing
hereof, unless a sale be made of the ~~sd~~ tract of 80 acres & the proceeds thereof be applied
for the purposes aforesaid, wherefore your orator, being advised that a sale of
the ~~sd~~ tract of 80 acres, for the objects aforesaid, would greatly conduce to the interest
of his ~~ward~~, ^{he} ~~has~~ ^{has} this day, exhibited his bill, to the honorable Court of Chancery, being
without any ^{formal} ceremony at law, in which he prays that a sale of the ~~sd~~ tract of 80 acres may
be decreed, and the proceeds thereof applied to the improvement of his wards other
and estate, for their support, & to any other purposes, & in such manner
as the court may, in its wisdom, think best. To the end therefore that
the ~~sd~~ Catharine Goodwin & George Goodwin, infants heirs at law of the ~~sd~~ George
Goodwin dec'd, as well as one Joseph Goodwin, William Goodwin, Cornelius Goodwin,
George Goodwin, Margaret Goodwin & Sarah Goodwin infants who would
be heirs to the ~~sd~~ tract of 80 acres, if the aforesaid Catharine & George Goodwin
should die ^{within} ~~within~~ twenty one years of age may be made parties defendants
to this bill & sharing their guardian ad litem appointed by the honorable Court,
& may be required on their several corporal oaths to make true & perfect
answer hereto, and that as fully & particularly as of the same were here again
repeated: That your worship will decree a sale of the ~~sd~~ tract of 80 acres

for the objects upon the principles herein before set forth,
to give as much other & further relief as may be needed & proper under
the circumstances.

Res't H. Whiffles D. J.

Filed in High Court, to wit.

This day personally appeared before
me, a justice of the peace for the said County, Nathaniel
W. Neworthy, the complainant in the annexed Bill, and
made oath that the allegations contained therein, are true
& correct. Given under my hand this 3 day of 4 May 1860.

Gray Canale D.

Three independent, thoughtful men guardian
ad litem Joseph Hadden for answer to
the bill exhibited ~~by~~ them by the Catharine W.
Neworthy, answer & say that they are
infants under the age of 21 & for the protection
of their rights, they have come to make themselves
or the protection of contrary of this honorable
Court, and hence this pray to be dismissed
with their costs in this wholly expended.
Jos. B. Hadden

As the ~~particular~~ produce of the County Court of the
of Right in ~~the~~ selling. I accordingly complacently, & cheerfully gave
witnesses, & a complaint. Nathaniel K. ~~of the~~ that sometime
in September 1837 one George Goodwin of the County aforesaid
of the said, seized and proposed of a considerable real & personal estate
that is to say a tract of land whereon he did enclose a plantation & woods
situated in the aforesaid County & in the Town of Dover, it is to be ~~the~~

§ § § § § § § § § §

and also of one other tract of land containing about 80 acres but separate &
detached wholly from the before mentioned tract, and bounded as follows. on a South
by the Land of Miles N. Jordan, on the North by Dr. Anthony J. Roper
on the East by the Land of Miles N. Jordan.

and also of the following slaves, Peter, Nancy, Maria & John, which were
received into the possession of your brother, who had ^{only} qualified as an executor
under a will of the said intestate. And your complainant further shews that
the said George Goodwin left a widow & next one Isaac Goodwin, who
has since died, and as his heirs at Law & distributees ~~are~~ Catharine Goodwin
& George Goodwin, both infants, to whom your brother has been appointed
as guardian. Now, your brother in pursuance of an act ^{of the} ~~of the~~ made & provided
for such cases, believes it to be true, & therefore he charges that the interest of
his wards the said George & Catharine Goodwin infants as aforesaid would be
greatly promoted, by decreeing a sale of a portion of the real estate of them,
that is, a sale of the piece of land consisting of about 80 acres as aforesaid before
mentioned. Your charges that the personal estate has been consumed for ^{the} ~~the~~ by
paying off the debt of the said intestate, and that it is probable if the said 80 acres
be not sold, one of the said slaves will have to be sold to meet other claims against
the estate of the decd, which he believes would be greatly to the injury of his wards,
for your brother charges that the said tract of 80 acres, is wholly valueless to the
infants aforesaid, that it has no horse thereon, & the estate ^{of the decd} is not competent to
bear the expenses of erecting one, that it is a piece of wood land, the timber for
merely on it has long since been cut & carried away prior to the death of the said George
Goodwin, that ~~therefore~~ ^{therefore} no rent has been, nor can be, received. That it
is wholly separate & detached from ^{other} ~~the~~ aforesaid tract of 300 acres, the distance
between them being several miles, and that your brother has reason to believe

Sept 21st -
Norman Hill - Conn

of the said Tract of Land, and that if the
said Tract of Land is not sold, a negro
will have to be sold, and we believe
the interest of the infant would be
promoted by keeping the negroes and
selling said piece of Land

Joseph Goodson
aka of Bagwell

The foregoing representations were taken before me as
soon to a certificate at the time & place mentioned in
the caption, before me a Justice of the Peace for the county
of York of right. Given under my hand as this 2^d day of ^{March} ~~July~~
1846
Gray Carroll ^{Prd}

Depositions of Joseph Goodwin & Willie G. Buddin

taken aforesaid, to wit, at the Court House
of the County of ^{Monroe} on the 2^d day of ~~February~~ ^{March} 1840, to
be read as evidence in a suit depending in the County Court in
that sitting for the County of ^{Monroe}, between Nathaniel Versaworthy
Guardian of Catharine Goodwin & George Goodwin, infants
of George Goodwin dec'd. & Joseph Buddin Guardian
ad litem appointed by the Court for said Catharine Good
win & George Goodwin infants of George Goodwin dec'd.
And Impr- Goodwin, William, Wendell, George, Sarah &
Margaret Goodwin, infants of William Goodwin dec'd.
and next next in the event of the death of an ^{to the land in the above suit.} & infant
of George Goodwin dec'd. The deponent being first duly
sworn on the Holy Evangelists, deposes & says as follows:

The Tract of Land in the suit mentioned is
wholly separate and detached from the main
tract of George Goodwin on which he
died, and that the said Tract of Land
yields no rent to the heirs, and that they
believe it subject to depredations from
Strangers - And also that the Houses fence
on the tract on which said George Goodwin
died is very much out of repair and
requires funds to repair the same, and
the proceeds arising from other sources are
not sufficient to make said repairs and
support the Children without the sale

W. Brewster's Cornish
in Vermont { Report
W
Goodwin's Ph.D. record.

To the hon. Court of Isle of Wight in City sitting:

Whereas, on the 1st Monday in March last the same day being court-day for this county, a decree was pronounced in a suit then depending between Nathaniel Norworthy guardian of the Children of George Goodwin dec^d the Jos. Hudson Esq^r as Citus who ^{was} appointed by the Court guardian ad litem for the infant defendants to wit: Catherine & George Goodwin, - infant children of George Goodwin dec^d and the heirs of William Goodwin dec^d who would be heirs of the 1st tract of Land decreed to be sold, ~~upon the death of the~~ ^{the} infant children of the ^{1st} George Goodwin dec^d, in which ^{the} decree the Court appointed Joseph Norworthy Commissioner & directed him to sell the ^{1st} tract of Land, in the ^{1st} Bill & Answer filed, mentioned, to effect & execute the necessary & proper conveyances to the purchaser, to take a lien on the same according to Law, & to report the proceedings to this Court for a final decree herein - whereupon your Commissioner does report that according to the decree herein before mentioned he exposed to sale the ^{1st} tract of Land mentioned that Anthony G. Boykin became the purchaser for the sum of four hundred and eighty dollars, payable on the 1st Jan^y 1841, which sum your Commissioner received the bond of the ^{1st} Boykin, with Robt. M. Boykin security - & took a deed of Trust in the ^{1st} tract, all of which is herewith respectfully submitted to the Court for its final decision.

Decy 3rd 1840.

Joseph Norworthy

Norworthy

Att.

Secre

Goodwin's infant

Nathanial W Neworthy, guardian to Catharine & George
Goodwin, infants of George Goodwin decd

~~At~~

~~~~~

Decree in Chy.

Joseph Hodson, Guardian at Litem to Catharine Good  
win, and George Goodwin infants of George Goodwin decd, and  
Joseph, William, Cornelius,

This Cause, came on to be heard this day, by consent of parties, on  
Joseph Goodwin, William Goodwin, Cornelius Goodwin, George, Sarah & Margaret - infants of Wm Goodwin.

The bill and answer, and was argued by counsel: On consideration whereof  
the Court both approve, order and decree, that Joseph Neworthy, who  
is hereby appointed commissioner for the purpose, proceed to sell & by deed  
to convey and by deed convey to the purchaser, the tract, or parcel of Land in the  
Bill mentioned, to wit: The tract or parcel of Land lying & situate in Isle of  
Wight County, whereof the sd George Goodwin died seized, and take  
bonds with security for the purchase money, payable to the Guardian  
of the said infants, and <sup>also</sup> a deed of Trust on the Land for the payment of the  
sd bonds, and report the same to this Court, with a view to farther action  
and a final decree.

Necessary amount of  
 Food - 2 1/2 mths.  
 Food 49  
 Aug 1840 at 1840  
 this decrease on the  
 minutes

It is as above in  
 case of  
 that Northworth  
 the

Joseph. Fooded on Gr. addition  
 for to infants of some good  
 with the good in end

Nathaniel Newbury guardian  
of the infant-children of George Gordon & co.

{ If Joseph Gordon go ad. let him be the infant  
representing George Gordon & co. the infant of the Court  
who would be the heir of Geo. Gordon, in the event of =  
the death of the infant of George Gordon & co.

This cause came on for trial, & day  
to be again heard on the papers  
formly read the report of the  
Com. made pursuant to the  
order of the day of 1866,  
to which no exception has been  
filed and now, agreed by counsel  
on either side, ordered the J. & C. to  
confirm the said report & order  
that the same be held good  
and stable and that the costs  
be mutually borne by the parties  
respectively. Liberty is reserved  
to the infant & special next to be heard  
cause, <sup>if any they can,</sup> after this decree in a  
year after they shall respectively  
arrive to the age of 21 years -  
and the Court will hereafter determine  
further in this cause as to the  
disposition of the proceeds of  
the sale of the mallee -