

1844-003

Chancery Causes. Joel Brock v up v al vs Nathaniel Williams v Sally Williams

Isle of Wight County

Bishop Wright County, December Court 1838—

Isel Brock and Mary his wife, Rhosy, James, David²,
& Prudence Williams, ^{John Henry Williams} by Isel Brock their next friends . . . 3 Pts.

against

In Chancery

Nathaniel Williams & Sally Williams Deft. 3

This cause came on this day to be heard on the Bill and answer filed and was argued by counsel, on consideration whereof the court doth assign, decree, and order that Nathaniel Young, John Newman, & Nathl. Pruden or any two of them, after giving notice of the time and place of sale for at least Twenty days, by advertisements at the door of the court House of this county, and at some other places near the premises, sell to the highest bidder upon a credit of nine months (except for so much as will pay the costs of this suit and the sale, which will be for cash) the lands whereof Willis Williams died seized as an estate of inheritance in the county of Bishop Wright (except the sower of the meadow Sally Williams in the said lands being one third which the commissioners who may act are hereby directed to set apart to her before the sale is made of the balance having regard in such allotment of sower to quality and quantity) taking from the purchasers bonds with good security in such proportions as will enable the commissioners to distribute the bonds as this order directs—that they make a deed or deeds to the purchaser or purchasers—that they divide the net proceeds of sale into seven equal shares, assigning one to Brock & wife in her right, one to Nathaniel Williams, one to Prudence Williams, one to Rhosy Williams one to James Williams one to David Williams and one to John Henry Williams—that they bring the bonds for the infants into court to be filed in this cause, subject to future order, and make report of this proceeding to this court in order to a final decree—

Attest

Nathl Young Cl. Court.

January 1st 1830 comm^d
Report returned from

Book No. 100
17.
of copy books.
William No. 3 and

Wagon 102
One horse 200-00
Horse 102
the horse 210 00
wagon 189-00
Fred Brough

St. Garrison Jr. 6-86 whole cash
24.61

~~685.00~~
 643.00
 40.00
 603.00
 80.00
 523.00
 12.00

$$\begin{array}{r} 15. \\ 6.86 \\ \hline 21.86 \end{array}$$

210-00
12-25
197-70
73-100

24-57

$$\begin{array}{r} 16.59 \\ 16.59 \\ 16.59 \\ \hline 16.59 \\ 346:30 \\ \hline 16.59 \\ \hline 432:95 \end{array}$$
$$\begin{array}{r} 35.86 \\ 15.00 \\ \hline 21.86 \end{array}$$
$$\begin{array}{r} 26.59 \\ 24.57 \\ \hline 62.02 \\ \hline 86.59 \end{array}$$

Sales of the lands of Willis Williams decd.

102 Acres called the old place to Sol Brook	at	\$ 244. 00
96 Acres called Corbett's tract to do do do	at	189. 00
102 Acres called Shivers tract to Nicholas Goodson	at	210. 00
		\$ 643. 00
Costs of the suit \$15. commissions \$21. 86		36. 86

This sum divided by the number of heirs $7 \overline{) 606. 14}$

Nett proportion of each heir $\$80. 59$

Pursuant to the annexed decree of the court of Isle of Wight County bearing date December Court 1838 we the undersigned commissioners, after advertising the lands in the said decree mentioned for more than Twenty days, on this 31st day of December 1838 have allotted to Sally Williams widow of Willis Williams decd. to be held by her for life, as her dower in the said Willis's lands, the plantation called Miles's being the place on which said Willis Williams died.

We then exposed to sale the other lands of which the said Willis Williams died seized and possessed being three distinct tracts - at which sale Sol Brook became the purchaser of two tracts as above stated at \$433. 00 and Nicholas Goodson became the purchaser of the other tract as above stated at \$210. making an aggregate of \$643. - from which amount we deduct \$36. 86 being the amount of the costs of the suit and the sale which leaves the sum of \$606. 14, & the said last mentioned sum being divided into seven equal parts give to each of the children & heirs of said Willis Williams the sum of \$86. 59. we have taken a bond with security payable to each of the said heirs for \$86. 59 being their several proportions of the nett proceeds of the sale aforesaid - They have delivered over to Sol Brook Swife his bond, to Nathaniel W. Williams his bond, and the bonds due to the infant parties ^{we have also entered bids to the purchasers without warranty} are here withwith exhibited to the court - all which is respectively reported to the court -

Nathl. Young
Nathl. Goodson
John Newman

Brook Lewis Brothers

no.

3
2
1

Commis^{rs}

Williams & Co

Report

Jan. 7th 1839.

Report returned

& continued —

To the County Court of Ill. of Wright County in
Chy. humbly complaining, shew to the Court
your complainant Joe Brock & Mary his
wife Rhody, James, David, ^{Prudence} John ^{Henry} William
~~children of the said Joe Brock & Mary his wife~~
that one Miller, William late of the said
County did intestate about the year 1836
sized and possessed of ^{several} tracts of land in
said County all small parcels and
worth together ~~less~~ than \$2000 a share
leaving a widow whose name is Sally
William, and 7 children - to wit, Nathl,
~~William~~ May Brock formerly Mary William,
Rhody William, James William, David
William, Prudence William, John
Henry William, the last 5 infants under
21 years of age ~~and~~ ~~by the said~~
~~the said~~ that the lands now
are yielding an inconsiderable profit
and the intent of all requires that
the said widow & seven should be set
apart, and the balance of the lands
shall be sold on such terms as to the
Court may seem right. and they
are advised that no sale can be
made unless by an order of this Court.
In tender consideration whereof, &
for as much as they are otherwise
remediless in the premises, they pray
that the said Nathl. William and
~~Joe Brock~~ and Sally William be
made defendants to this bill the
compelled to answer the same fully
and unvariously, and that you will
make any order in the premises that
may be correct and consistent

with justice &c.

Attest p. 3 — signed,

next friend to
the p. 3 —
Nathl. Linder

Whereas of Nathl. Williams of
Sally Williams to the p. 3 of course
in the Co. Court of Bluff M. T. by
Whose william, to the exhibit
aff. then &c. the defendant
want the p. 3 to contain the
truth and consent to the same
asked for &c. (signed)

Nathl. W. Williams
Joel Brock for
himself and wife

Joel Brock and Mary his wife, Rhody,
Lamar Davis, prudence Williams &c.

3
Nathl. Williams Sally Williams
This case came on this day to be
heard on the p. 3 and answer file
and was argued by counsel; on con-
-motion whereof the Court with a q.
and over on that Nathl. Corp,
John Newman, Nathl. pruden and a q.
of them, after giving notice of the time &
place of sale for at least twenty days, by
posting advertisements at the door of the Court
House of this County, and at some other
places near the premises, did to the
best his own upon a credit of 9 months
except for so much as will pay the cost of
the sale, and of this suit, which will be
for Cork, the lands whereof Mila, Williams
and wife as an estate of inheritance in the
County of Bluff M. T. (except the share of
the widow Sally Williams in the said
lands, p. 3, which the Cor. who may
act are hereby directed to set apart to
her before the sale is made of the balance,
having regard in such allotment of share
to quality and quantity.

taking from the purchasers bonds with good
security, in such proportion as will enable
the Cor. to distribute the bonds as this order
directs. That they make a deed or deeds to
the purchaser or purchasers. That they
divide the net proceeds of sale into seven

equal share, giving one to Brock &
 wife in her right, one to Nathl. William
 one to James William, one to Henry
 William, one to James William, one
 to David William, and one to John
 Henry William. That they lay the
 hands on the infant into Court to be
 placed in this case, subject to future
 order, & make report to

Brock & wife

3

William &

1

December 30. 1838

Wm. J. & Wm. J. Wm. J.

Henry: 17th 1838. Report

William & wife

March term 1844

James William

Wm. J.
 (at per cap. 8)