

1845-004 Chancery Causes: Joseph Gale & Nathaniel P. Phillips VS Susan Gale & Samuel Gale, by VC
Isle of Wight County

other surnames: Young

Joseph Gale & others
vs

Susan Benjamin }
Gale by Walter } Bills
Young the guardians
ad litem

March 6. 1843. Bills & filed
and docketed

June 5th 1843 Report, returned
and filed for exceptions

1845 July: 3rd

finals decreed

To the worshipsful The Justices of Shropshire county in
chancery sitting humbly complaining shew unto your worships That
Joseph Gale late of the county of Shropshire died intestate leaving
the following persons his heirs at law to wit Joseph Gale, Stephen
Gale, Saml Gale, Mary Ann Gale, Susan Gale, and Saml Gale the
two last children of Benjamin Gale infants under the age of 21-
years Your orators and oratrix would state that the said
Joseph Gale died and died and possessed of a small tract
of land in the county of Shropshire containing about 3/4 of an acre
which is too small for a division, and as there are infants
Your orators and oratrix cannot proceed to sell the land
without a decree of this court. Your orators & oratrix would
further state that since the death of Joseph Gale, Stephen
Gale has sold his interest in the said land to one Nathl D
Philips, and hence He is required to be made one of the
parties plaintiff to this bill - and they by that Susan Gale
and Saml Gale by Nathl D Young their guardian ad litem
be made a parties defendants - As Your orators & oratrix are
without remedy at law and can only be relieved in this court
they by that the court will decree a sale of the said land and
make such further ^{order} as may be consistent with equity and
the rules of this court and they will ever pray &c

Leay Jsg

Lusan & Benj. D. Gale

by N. O. Young their

Guardian ad litem

att
Joseph Gale Polley } Answer

The Joint answers of Susan & Benjamin D Gale infants under the age of twenty-one years by Nathaniel P Young their guardian ad litem, to a bill exhibited against them in the county court of Sol of Wight by Joseph Gale and others

These respondents by their said Guardian, for answer to the said bill, say: That they are infants under the age of twenty-one years and for the protection of their rights; they by leave to place themselves under the control of this honorable court; and hence they pray to be dismissed with their reasonable costs in this behalf expended.

January 31st 1840 Rec^d of the Clerk of
the County Court of Salcof with a bond
due me by the within report is Thomas
Mc Dashed & Miles M Darden
Witup
J. F. Miles

Benjamin Gale
marks

Gale & Darden
as } Report
Gale & Darden

By Virtue of a decree of the County Court of Blue-
-mington in the Case of Gale vs Gale issued on the 6th day
of March 1843. and hereto annexed to me directed.

Your Commissioner proceeded to sell the land mentioned in
said decree wherein Joseph Gale and his wife and possessor
containing by estimation thirty seven acres. and after
advertising the time and place of sale, at least thirty
days previous to the day of sale, did expose to sale
upon the premises on the 20th day of May in the year one thousand
-and eight hundred and forty three. and at which.
Gale Thomas McDaniels became the highest bidder and
purchaser at the price of Seventy five Dollars. \$75.00
then deducting Eight dollars for the attorney fees
and five dollars to the Clerk of the Court. which
makes thirteen dollars (Thirteen). \$13.00

and 5th Cent Commissioners on the amt of sale
which makes thirteen dollars & seventy five cents. 3.75.

The Balance to be equally dividing among the
parties is fifty Eight dollars and twenty five cents. 58.25.

I then took one bond payable to Nathl. P.
Phillips for Eleven dollars and sixty five cents. \$11.65.

one bond payable to Jane Gale for Eleven dollars
and sixty five cents. 11.65.

one bond payable to Mary Ann Gale for Eleven
dollars and sixty five cents. 11.65.

one bond retained to myself for Eleven dollars and
sixty five cents. 11.65.

The remaining fifth I took a bond payable to the
infants defendants, Benjamin and Larkin Gale of heirs of Samuel
Gale dec'd. say Eleven dollars and sixty five cents. 11.65. \$58.25.

which makes the net amount to be equally divided accord-
-ing to the decree. all of which is respectfully submitted
to your Consideration under whose decree I have acted.

May 29th 1843.

Joseph Gale
Commissioner

Gale & others
v. } Copy Done
Green & A.

At a Court held for the County of Isle of Wight 6th day of March 1823
Joseph Gale vs.

against

} In Chancery

Benj^l Gale & Susan Gale Infants by N. P. Young their Trust. ad litem
On motion of the plaintiffs by Counsel N. P. Young is appointed Trust.
ad litem to the Infants defendants, and this day this Cause came
on to be heard on the bill answer and Exhibits filed, and was
argued by Counsel on Consideration whereof the Court doth as Judge
order and Decree that Joseph Gale who is hereby appointed a
Commissioner for the purpose after having given thirty days
Notice, proceed to see the land of which Joseph Gale died
possessed, containing thirty seven acres upon a Certificate
of nine months, Except for so much as will pay the expenses
of sale, which will be for cash, and one of the funds
arising from such sale, he pay one fifth to Nathl. P.
Phillips, one do to Jane Gale, one to Mary Ann Gale, one do
to retain in his own right, and the bond for the remaining
fifth he bring into Court, subject to the future order
of Court, and that he make report to this Court in
order to a final decree

CLK & S-

J. Coppy

Clerk

J. D. Mills D.C.

Gale & Thuy
to
R. D. Young
Guadalupe and Stone

3 Dec 1891

Joseph Gale & others
vs
Nathl P Young Guardian
ad litem

} In chancery

This day this cause came on to be heard on the bill answer and exhibit-filed and was argued by counsel on consideration whereof the court doth adjudge order and decree that Joseph Gale who is hereby appointed a commissioner for the purpose after having given thirty days notice proceed to sell the land of which Joseph Gale died seised containing thirty seven acres upon a credit of nine months except for so much as will pay the expenses of sale which will be for cash and out of the funds arising from such sale He pay one fifth to Nathl P Phillips one do to Jane Gale one to Mary Ann Gale one do to utam in his own right and the bond for the remaining fifth He bring into court subject to the future order of court and that He make upshot to this court in order to a final decree -