

1845-012 Chancery Causes: Nathaniel W. Williams vs James J. Williams vs al, by + c

Isle of Wight County

other SURNAMES: Brock

Williams 86
vs.  chance.
Williams, per
gradualism

Nov. 1st 1841. Bell & filed
N. P. Cony a p. 2^d & 3^d added
to the inst. his ans. & filed
see ref. & done entirely
corrected &c.

July: Jan 1842 Refd return
filed for exceptions.

1845 July: 3^d
final decd.

your orators and oratrices are anxious
to have their due portions of said land
and of the said negro man George ~~and~~
but now as it is that by reason of the
infancy of the said James J. Willis &
Elizabeth T. and John B. Williams, they
are prevented from so doing except by
the aid of a court of equity. To the end
therefore that relief may be had and
procured as they are without remedy
at law, your orators and oratrices pray
the court that the said infants be made
defendants hereto and by their guardians
for that purpose to be appointed they be
required to answer the premises fully
and distinctly and by a decree of
the court the said land and ne-
gro man George be sold and the
net proceeds paid over to the parties
equally and may it please the court
~~to grant~~ to grant all such further
relief in the premises as may be
found consistent and necessary ~~to~~
~~the parties~~ and as in duty they
will ever pray &c

William

Nathaniel M. Williams, Rhoda B. Williams
and Joel Brock and Mary his wife for
and Mary Williams Petts

against

In Chancery

James J. Williams, Willis J. Williams, Eliza-
beth J. Williams and John B. Williams in-
fants under 21 years of age by Nathaniel
T. Jones their guardian ad litem Deft.

By consent of parties and with the assent
of the court this cause ~~was~~ ^{was} ~~settled~~ ^{settled} and came on
to be heard on the bill and answer
filed and was argued by counsel on
consideration whereof the court doth
adjudge order and decree that Jos.
Bushman and Nathl M. Williams
who are hereby appointed commissioners
for the purpose after giving at least
fifteen days public notice of the time
and place do sell by public auction
on a credit of nine months (except
a sum sufficient to pay the expenses of
this decree and of the sale which shall
be in cash) the land held by Sally
Williams as her dower in the estate of
her husband Willis Williams died con-
taining one hundred and forty acres
or thereabouts be the same more or less
and also the negro man George the
dower slave of the said Sally Williams
that they take from the purchasers bonds
for the net proceeds with good security,
and pay over one seventh part thereof
to each of the plaintiffs and to the
guardians of the infant defendants
that for the said land the said commissioners
execute to the purchaser ^{a deed} without war-
ranty and give a receipt for the sale
of said negro and report their pro-
ceedings to court for a final decree.

To the justices of the county court of
Windsor in chancery sitting

Humbly complaining these unto the
court your orators and oratrix Nathan
and M. Williams, Rhoda B. Williams, and
John Brock and Mary his wife formerly
Williams that a certain Willis Williams
late of said county died intestate about
the month of April 1834 leaving a con-
siderable real and personal estate
which was divided and about 140
acres of land were allotted to his wi-
dow ^{ally} Williams as her dower, and a negro
man named George, ^{allotted} as her portion
in the negro of the said Willis Williams
to be held by her during ^{life} and then
to descend to his heirs at law, that
the said ally Williams died on the
12th July 1841 and the said land
thereby descended to the seven children
and of the said Willis Williams who
are your orator Nathaniel M. Williams
your oratrix Rhoda B. Williams, your
oratrix Mary Brock, and James
J. Williams, Willis B. Williams, Elizabeth
J. Williams and John M. Williams which
four last named are infants and
are the age of 21 years; the said
land cannot be divided into seven
parts without destroying its value
almost entirely as one seventh part
thereof would sell for little or
nothing although the whole tract
is of considerable value and might
be sold advantageously, the negro
man George must necessarily be
sold to effect a division amongst
the seven parties entitled.

Millions

etc

Millions &c

Infants

answer

The answers of Jas J Milliams,
Mills & Milliams, Elizabeth J Milliams and
John B Milliams infants under 21 years
by Nathaniel P Young their guardian
to a bill exhibited against them in the
county court of Mississippi by Nathaniel
H Milliams and others

These respondents by their racial guardian
claim having & moving & to answer to
said bill answer and say that they
are infants and by have to place
themselves under the protection of the
court in any decree to be made
affecting their rights in the land
and negro mentioned in the plain-
tiff. If a sale is to be made they claim
their full share and desire that
their interests shall be fully
protected and preserved. Having
thus answered they pray to be
dismissed with their costs & to be
in this behalf expended

Signed

N. P. Young

W. M. Williams

In obedience to a Decree of the County
Court of Independence and hereto annexed we
the Commissioners therein named have proceeded
to sell the Land and Slave therein named
in the following manner to wit we have
sold the Land containing by estimation
one hundred and forty acres to the same
more or less to James Williams for the
sum of \$470.00 and the Slave to John
Shover for 553.00 making a aggregate ^{of} \$1023.00
from which we have deducted \$14.00
for cost of Auct and for commissions 29.46 43.46
leaving a net balance of \$979.54
which we have divided into seven
equal Parts & taken bonds and paid
them to the Parties interested given
under our hand ^{& seals} this 3^d day of Janry 1842

James Williams *JB*
Wm W Williams *JB*

William Bad.

n. 3 Co. Decm

William H. 20

1842. Feb. 7. th filed for
receptions.

At a Court held for Guilford County, November 1st 1841.
Kathaniel Williams, Wm. D. Williams
and Joel Brock and his wife Mary formerly
Mary Williams.

Against

James J. Williams, Wm. D. Williams,

Elizabeth J. Williams, and John H.

Williams, infants under 21 years of age

by Nathl. O. Goring their guardian ad litem

Plffs.

In Chancery

Defts.

On motion of the Complainant Nathl. O. Goring,
it is appointed guardian ad litem to the infant Defendants,
and this cause by consent of parties was this day docketed
and came on to be heard on the bill and answer filed, &
was agreed by Counsel, on consideration whereof the Court
with a Judge, order and decree that Josiah Willeman &
Kathaniel D. Williams, who are hereby appointed Commissions
for the purpose, after giving at least fifteen days public notice
of the time and place as well as public auction on a
credit of nine months, except a sum sufficient to pay the
expenses of this decree and of the sale, which shall be
in cash, the land held by Sally Williams as her dower
in the estate of her husband Wm. Williams decd, containing
one hundred and forty acres or thereabouts for the same
more or less, and also the negro man George the dower slave
of the said Sally Williams decd, that they take from the
purchaser bond for the full proceeds with good security
and pay over one month past thereof to each of the Plaintiffs
and to the guardians of the infant Defendants. That for
the said land the said Commissions execute to the
purchaser a deed without warranty and give a receipt
for the sale of said negro, and report their proceedings
to Court for a final decree.

Atto. Cont. \$10.00

Ch. D. 4.00

\$14.00

Copy

Test Nathl. O. Goring & Co.