

1845-039 Chancery Causes: Sally Council, widow of Joshua E. Council vs William Council
Sale of Wight County val, by & c

To the County Court of Isle of Wight County sitting in
ch. humbly complaining, I shew to the Court your
complainant Sally Cornille widow of Joshua &
Cornille of Isle of Wight. That she late her husband
Joshua & Cornille departed this life about the
2 day of Apr. 1842, having made his will which
has been recorded in the County Court of Isle of
Wight County, a copy of which is filed here with
made it a part to be considered part of
his will - That the said Sally resided in
Court, all her right under said will, to such
became entitled to her share in his land
which consists of two tracts in Isle of
Wight County - one tract contains about 200
acres, and called "Vinethy Johnsons" for the
called "The Cat's tract" of about 200 acres of
land - the said testator left to child one J. C.
William, Elizabeth, Susan and John Cornille
infant - and the said Sally Cornille, before the
said Court became admin, trustee with
the wife and name of said Joshua & Cornille
and in that character has been performing
of several years of the estate of her husband
some of the names of the estate are Frank, Violet, William, Mary, Anne
Elizabeth, Rebecca, Sarah, and others
which are not necessary to pay the debts of
the testator, and of them, she is entitled to one
third part of her life. she is anxious to have
her portion of the land and slave, set apart
but is advised that as the children are infant
it can't be done unless under a decree of this
Court - in consideration thereof, she prays
the aid of the Court - she prays that the said
William, Elizabeth, Susan and John Cornille
by fit provisions and letters, may be made
defendants to this bill and be compelled to
answer this bill and that you will decree
that Court retain her share in said land

and slave, and that you will make any
sum necessary for his relief, for in any bond
she will pay for.

Attest 10-5

The joint and separate answers of William
Elizabeth, Susan and John Coenice infant
by Joseph Coenice
their next friends to the Bill of complaint
said Court against them exhibits by Sally
Coenice to in said County Court of Probate
Wright - the defendant say they are infants
and incapable to attend to their rights
of the Court - the complainant is widow of
a son of Joshua and Coenice, they are
willing she shall have her just due, but
may to be dismissed.

Sally Coenice widow Lady of Joshua &
Coenice is son Coenice & others infants -
On motion of the complainant, Joseph
Coenice is appointed guardian and taken to
the infant defendant. And this case
this day, came on to be heard on the Bill,
answers and exhibits filed, and agreed
by Coenice, On consideration whereof,
the Court doth adjudge, decree & order, that
Jacob H. Beck, Maria M. Beck, Augustina
Ballard, and Susan Day, or any 2 of them

with the aid of a surveyor (if necessary) do set
apart to Sally Coenice widow of Joshua &
Coenice 1/2 of the lands and slave, when of
he was possessed at his death, having regard
to quality and quantity, to hold for her life,
and that they make report in order to a
final decree. And the said Sally is to execute a
bond in the penalty of \$1000 with good
security, if required by the said conditions
to answer and proportion of any debt or
demand that may hereafter arise against
said estate with the cost attending the same.
Liberty is reserved to the infant & its mother
Coenice against this decree if they can, in
a year after they shall be 21 years of age.

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Barrett &

Rev. L. A.

1872

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Continued

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Nov 11/84 32200

Nov^r 11th 1843 Report
between 8 o'clock &
one o'clock —

March 3^d 1845.

Funial (Dene).

att. 125

Council
vs
Councils has } to: peace

1448

In Isls of Wight County Court November the 7th 1842.

Sally Councils Widow of Joshua C Councils. — Pet
against

William Elizabeth, Susan and John Councils infants by
Joseph C Councils their next friend } Defts

On the motion of the complainants Joseph C Councils is appointed guardian
ad litem to the infant defendants. And this cause came on this day to be heard
in the bill answers and exhibits filed and was argued by counsel; On
reference of the cause doth the court order and decree that Jacob
H. Duck, Irvine W. Duck, Aug. Ballard and Exum Eley or any three
of them with the aid of a Surveyor (if necessary) do set apart to Sally's
Councils widow of Joshua C Councils One third of the Lands and Slaves
which he was possessed at his death, having regard to quality and
quantity to hold for her life and that they make report in order to a final
decree: And the pet. is to execute a bond in the penalty one thousand
dollars with good security if required by the court conditioned to refund
due proportion of any debts or demands that may hereafter arise against
her estate with the costs attending the same. Liberty is refused to the
infant defendants to shew cause against this decree if they can in a
year after they shall be twenty one years of age.

Attest

Teste

W. J. Banks L.C.

Costs to wit

100. 50

and 10. 00

\$ 110. 00

To the
Att. Gen.

In obedience to the annexed decree of the county
court of Schoharie County dated November 1842
and to me the undersigned directed
With the aid of the county surveyor and which your said
commissioners found it necessary to proceed to allot and set
apart one third of the land of John E. Council and to his
widow Sally Council having regard to quality as well
as quantity ~~and~~ apart to the said Widow Sally Council
acres with the dwelling and all the buildings and
household as follows commencing at the mouth of the lane
on Gilbert Stephens line thence running N. 83. E. parallel
with said lane 140 poles to a red oak a marked tree thence
N. 7. E. along a line of marked trees a post oak in Sally
Montforts line thence said line to the first station
and thence your said commissioners proceeded to value
all the negroes of said dec. (to wit) one negro man
Henry \$475. one boy Tom \$350. one negro woman Polly and
child Mingo \$205. one woman Charlotte \$100. and
one woman Insane to receive \$175. one boy Joseph
valued to \$475. one D. Frank \$250. one D. Willis \$150
one D. Isaac \$125. one D. Jack \$75. one D. Cur and \$75.
one girl Barbara \$250. one D. Vilet \$175. one D. Rebecca
\$125. one woman and ^{Martha} child and child Manner
\$300. which the several valuations amounted to \$3190
dollars and after deducting the \$175. which was given
to the Insane woman Rachel left \$3015. to select
the owner of said slaves to the Widow Sally Council
and one equal third part amounted to \$1005. and your
said commissioners set apart to the said Widow Sally
Council the following slaves to wit one negro man Henry
valued at \$475. one boy Tom \$350 one woman & child
Polly and child Mingo \$205. one woman Charlotte \$100.
Which the several sums amounted to \$1005. dollars
after deducting \$175. dollars for Rachel the insane
woman and was allotted to the widow being \$10. more
than her proportion your commissioners agreed & consented

To set apart that lot to her the said Widow
Sally Council, and further your commissioners
report not given under our hands this 11th
day of November 1842.

David M. Duck
Jesse M. Duck
Augustus Bruce and

white.

insufficient not to pay in.

also the use of water 1 day.

3 days.

less
in
sum

John & Cornelia separate this life or
or about Apr. last, made a will, his
widow when named is Sally Cornelia
renounced the will and is entitled to
1/3 of his land - lands as follows - one
tract of land called North St. Johnson
tract of about 200 acres - some other
called "Coke tract of about 200 -
children named Wm. Elizabeth, Susan
and John Cornelia - Cons. to settle in
the oversea - say Jacob & Deek, Irvin
W. Deek, Augustin Balcen, & others
Elly others, ~~and~~ put a will ~~about~~ to
apart the life estate in the clearing -
widow is ~~adef.~~