

1872-045 Chancery Causes - James D. Long & ut, Henry J. Tynes, adms of Matthew Pruden & al
Isle of Wight County vs Henry James Pruden & al, by & c

24

other surnames: Brock, Williams,
Porter, Pitt

Long, 24th May 1840

H. Bill &
Cramer

Prudent his - C " "

Long Court 1840

Bill & filed & entry.
done.

and the R. Nathaniel Pruden is 50 to his brother Henry James, and John Pruden is
guardian to his brother Edwin C. Pruden —

and the lastly the other fifth, will be divided into five equal parts, between
the children of James Pruden ^{also} and a son of the old Nathaniel Pruden —
to wit: William Porter Pruden his wife formerly Ann Porter Pruden daughter
of J. James Pruden and, then as Pitt & Elizabeth his wife formerly Elizabeth
Pruden — Camilla Pruden, Johanna Pruden, & Erastus Pruden — the three
last being infants — and their guardian is their mother Mary Pruden who
has no interest — then your Honor conceives, her husband the J. James having departed
this life, before the termination of the life interest of J. Nancy Pruden the daughter
your Honor need hardly address any other facts, than the number & value
of some of these entitled to only three slaves to show the necessity of
a sale for the purpose of dividing the same — two of which of said
negroes of your Honor are apprehended may not sell for any value, but
if suddenly put up to the lowest bidder as they should be — may require
a portion, if not all of the proceeds of the other to buy such bidder for keeping
the same —

Your Honor & orators are reminding same in a court of Equity, &c.
& therefore pray, that the said — Henry James & Edwin C. Pruden, infants of
Nathaniel Pruden dec. a son of J. Nat. Pruden dec. the son, and Mrs. Henry Williams
infants of the J. David Williams dec. (who's guardian is the J. James Williams his brother)
and Camilla, Johanna, & Erastus Pruden infants as aforesaid of the said James
Pruden dec. may be made parties Defendant hereto — and be compelled
as the several Original parties to answer the same — &c.

Your Honor &c. pray the Court to appoint a commissioner, to sell the
said negroes-apprehended & distribute the net proceeds upon the terms
herein above prescribed & grant all them & necessary relief, as in the premises
may be meet & proper —

Robt. Whitfield

The joint & separate answer of Henry James & Edwin C. Pruden, and
Mrs. Henry Williams, and Camilla, Johanna, & Erastus Pruden
Defendants &c. By St. P. Young Esq. their 9th ad litem appointed to defend their
Interest in suit By Rule filed at the Court &c. Long, by us ad. J. Powell. 808
These respondents by St. P. Young their 5th 9th ad litem saving &c. and
reserving &c. for answer &c. answer & say that they each of them are
infants under the age of 21 — that they believe they are entitled in manner
and form as in & to the bill alleged, but they admit nothing &c. but they leave
to place themselves, individually under the protection of this honorable
Court — and having answered pray leave &c.

signed
in

To the undersigned justices of the County Court of Isle of Wight County, in
Chancery sitting, humbly complaining Sheweth unto your worship, your voters
Essex witnesses James & Long, Henry & Tyres ^{of Providence his wife,} admors of Mathew Brouce dec, Nathaniel
Prouden, and John Prouden, Joel Brock, Nathaniel Williams, James, Baird, & Rhoda
Williams, and Mr Porter & Ann his wife, Thomas Pitt and Elizabeth his wife -
That some time ago to wit in the year, Old Capt. Nathaniel Prouden
of the County aforesaid departed this life, seized and possessed of a considerable
Real & Personal estate - leaving several children as his heirs and distributees
at law, as hereinafter will be more particularly set forth - and a widow named
Wancy Prouden to whom was assigned & allotted as her third, or dower
in the slaves of her ^{1st} husband ^{at} ^{the} Prouden dec: the following slaves
to wit: Stephen, Rachael, & Milly, to hold during the term of her natural
life - that the said Wancy has departed this life to wit -
and your voters & witnesses deem it necessary to sell the said dower slaves
and the proceeds distributed to, as the division in kind cannot be had and
obtained, between the distributees of the said Nathaniel Prouden dec.
who, your voters & witnesses are as follows, and entitled in the following manner
First Edy, formerly Prouden - married a daughter of the said Nathaniel Prouden, married
one Joel Brock by whom she had several children, and whom she survived and enjoyed
her interest in ^{1st} slaves, not having been disposed of or reduced in to possession by her
said husband Brock - survived to her - the said Edy who afterwards married your
voter James & Long who surviving his ^{1st} wife Edy - is entitled, as her adv., to have
portion of ^{1st} dower slaves - that is to say to one fifth of the whole - and who, i.e. the
1st James & Long is entitled also to one sixth of one fifth of the whole, having
married one Providence Williams the daughter of one Sarah Williams who was
a daughter of the ^{1st} Nathaniel Prouden - and the other children & distributees of
1st Sarah Williams one (besides the ^{1st} Providence Long) - Joel Brock & Mary his wife
formerly Mary Williams - Nathaniel, James, Baird, Rhoda, & Sus. Henry Williams
the last being an infant - in number seven entitled to the portion of 1st Sarah Williams &
3rd that the Mathew Brouce dec is entitled to one fifth thereof, having married Elizabeth
Prouden the daughter of the ^{1st} Nathaniel Prouden, and whom the ^{1st} Mathew Brouce survived
who ^{as} admors the ^{1st} Henry & Tyres as his admors will receive that portion -
4th That one Nathaniel Prouden also dec, and a son of the ^{1st} Capt. Nathaniel Prouden
left four children to wit: Nathaniel, John, ~~the~~ Henry, James, & Edwin C Prouden
the two last being infants - who are entitled between them ^{to} one fifth thereof -

June
or { December
June

July: 5th 1846

July done

Pruden: Hall-

th.

Pruden

This came up, this day by agreement of parties, docketed, and was
argued by counsel, in consideration whereof the Court doth order, as follows
to wit: That M^{rs}. W. Borden who is hereby appointed a commissioner for such purposes, do
expose to public auction, on a credit of six months, save so much as will be necessary
to defray the
expenses of sale & this debt, which shall be in Cash - after having given ten days notice
of time & place of sale, at two or more conspicuous places, near place of sale - the
following negroes, to wit: Stephen, Rachael & child & the increase of any - being the down
negroes of Nancy Pruden dec'd in the estate of her late husband Capt. Nathaniel Pruden
dec'd: and the ~~the~~ proceeds divide into five equal parts one part of which he
will take a good bond with good security payable to James & Lang in right of his wife
Edy - & also a bond &c. for a like amt: that is to say one fifth of the same payable to Henry & Tyne
admors of Matthew Pruden dec'd being the interest of s^r. Pruden in right of his wife Elizabeth -
and another fifth thereof, will divide into four bonds with good security - &c: payable to Nathaniel
Pruden, Jnr. Pruden, to Nathaniel Pruden & to Henry James Pruden, and to J^r. Pruden & of
Edwin C. Pruden prospectively - being the portion of Nathaniel Pruden the father - and another fifth
will divide in seven parts, to wit: bonds for the same - as bought & sold to J^r. Brock in
right of his wife, Mary Brock, Nathaniel Williams, James, David, Rhoda, James Seering, in
right of his wife Prudence Seering - and to James Williams, as the Guardian to Mrs. Henry Williams
And the other fifth will divide into five parts, in which three bonds &c: and payable respectively,
to James Porten in right of his wife Ann Porten - Thomas Pitt in right of his wife Elizabeth
and to Mary Pruden as the g^d to Camilla Pruden, Thelma Pruden, & Crastus Pruden
respectively - But if either of the said negroes, or more, shall be worth less or less beneath
any value, whatever shall be necessary to be paid for keeping them, being put up publicly
for such object - shall be taken from the proceeds - before distribution is made thereof
as aforesaid - & report proceeding to this Court in order to a final decree in
the premises - -