

1802-001 Chancery Causes: George Williams & ux VS John Hough & al

Isle of Wight County

Other SURNAMES: Baldwin,
Sikes, Bristo, Niblet,
Harris, Edwards, Delotch,
Deloach, Sykes, Deloch,
HARRISS

To the Worshipfull Justices of Isle of Wight county in chancery
sitting, Humbly complaining sheweth unto the court, your, Orator
and Oratrix, George Williams and Nancy his Wife. That Fanny
Hough late of this county, departed this ^{life} ~~life~~ ^{as to lands} on or about the day
of 1800, intestate; being seized and possessed of about
70 acres of land, and leaving intitled thereto, John Hough a
brother to one sixth part, Anne Baldwin a Sister, to one sixth part,
Andrew Sikes and Eliza his Wife (formerly Eliza Hough a Sister) to one
sixth part, The children of James Hough, ~~xxx~~ a deceased brother
to wit. William Bristo & Polly his Wife, Edward Noble & Sally his
Wife, John Hough, Fanny Hough, and your complainants, to one sixth
part amongst them; or in other words to one fifth part of one
sixth part each; The children of Thomas Harris and Mary his
Wife (formerly Mary Hough a deceased Sister) to wit. Eliza Harris,
John Harris, ^{James Harris}, Edwards & Fanny his Wives, to one sixth
part amongst them, Or in other words, to one fourth part of one
sixth part each, The children of Melisen Sikes (a deceased half
Sister) to wit. Thomas Sikes, Francis Deotah and Elizabeth his
Wife, James Sikes, Melisen Sikes, and Manning Sikes, to one
twelfth part amongst them, or rather to one fifth part of one
twelfth part each, And Hezekiah Hough, a surviving half
brother, to one twelfth part. Which eight parts comprehends the
whole premises.

Your Oratrix being the only heir under
12 years of age, has in conjunction with her said husband
made repeated applications to the other heirs before named,
for a friendly division of said land, in the foregoing proportions

amongst the said parties intitled, but to no purpose, the said shus,
besides your complainants intitled, alleging that a division of the
said land, agreeable to the laws of this commonwealth, cannot take
place, because each share of such division would not be worth 100^s,
that in consequence the land aforesaid must be sold, and the
proceeds of such sale be distributed in the same proportions as
above proposed for a division; And moreover that, because of the
infancy of your ^{female} complainant such sale and ~~division~~ distribution
cannot be carried into effect, without the interference of a court
of equity having jurisdiction of the case. Wherefore
and for as much as your complainants are without remedy
in the premises without the aid of this court they pray, that the
said John Hough, Anne Baldwin, Andrew Sikes & Cloe his wife,
William Burt & Polly his wife, Edward & Siblet Hall's his wife, John
Hough & Fanny Hough; The said Cloe Harris, John Harris, James
Harris, And Edwards & Fanny his wife; The said
Thomas Sikes, Francis Delatch & Elizabeth his wife, James Sikes,
Abner Sikes & Mary Sikes, And the said Azariah Hough,
be made defendants to this bill of complaints and that they be
made to answer all the allegations herein contained, and
unless they show the court good cause to the contrary, that your
Worships will decree a division of said land amongst the
said defendants and your complainants, or if more agreeable
to the existing laws of the Country, that the same be sold
by commissioners to be appointed by the court, ^{at public sale to the highest bidder} for ready money,
and that the said commissioners after paying all the costs,

incident to this suit, and the charges attending said sale,
pay over to said parties interested their several parts, agreeable
to the foregoing statement, & that they take receipts in conformity
thereto, ~~And~~ that your worships will add any other
order or decree in the premises, as may comport with justice
for the benefit of your complainants, And that they may
have the commonwealths writ of ~~subpoena~~ ^{subpoena} awarded them.

May it Please VC

J^r Barber for
Complainants


Williams & Co
vs
Hough & Co } Bill

May 1801

Bill of Ans^r. filed &
Interd^y Decree &

March 1802

rept. ret^d. & Decree
accordingly &

Williams & Co
vs
Hough & Co } Bill

Hough Father
to
Williams Wife } Ans.²

The joint answers of John Hough, Anne Baldwin, and Andrew
Sikes & Elze his wife, William Bristol & Polly his wife, Edwards
Niblett & Sally his wife, John Hough Junr - Fanny Hough, Elze
Harris, John Harris, James Harris & Edwards and Fanny,
his wife, —

Fanny Sikes, Francis Delotch and Elizabeth his wife, James
Sikes, Melzer Sikes, & Mornning Sikes, and Azekiah Hough,
To the bill of complaints of George Williams & Nancy his
wife, exhibited against them, in the Worshipfull Court of
Isle of Wight, in chancery ~~sitting~~. These respondents
Were unwilling to submit to a division of the land in
the bill mentioned because of the vast number of share
into which a division would cut it, must render it of
little or no value to either of the heirs, and would be attended
with much expence & trouble, and because they have been
advised that a division under such circumstances was not
consistent with the laws of the Commonwealth. —

They objected to a sale and distribution in any
other way than by virtue of a decree of a Court in
chancery having jurisdiction, because of the infancy
of the female complainant; but Your respondents
have no other objections to a sale & distribution, as prayed
for in said bill, than what they have above stated,
and therefore cheerfully submit themselves to such
decree in the premises as may be considered by
the Court, to be equitable. Barber for the
Defendants

Jacob Wright Comr.

May Term 1801

George Williams and Nancy his wife Compls.

against

John Haugh, Anne Baldwin, Andrew Lykes
& Chloe (his wife) William Bristol & Sally his
wife, Edward Nettlet & Sally his wife, John
Haugh jr. Fanny Haugh, Chas. Harris, John Harris,
James Harris, Edward & Fanny his wife
Fanny Lykes, Francis Delack & Elizabeth his wife
James Lykes, Melan Lykes, Morning Lykes, & Ezekiah
Haugh

Chancery

Defts

0.0
0.0

This Day came the parties by their attorneys & they consent
the bill and Answer filed, and heard thereon, whereupon it
is decreed, and ordered, that William Jordan esq. Robert Day
(Capt.) William Day, and John Barber, or any three of them, make
sale of the land of which Fanny Haugh died seized and possessed
(to wit about One Hundred & Seventy Acres) on a credit of six months
except to much as will defray the expenses of this, which
must be paid in cash to the said commissioners on the day
of sale; the balance of the money arising from such sale
to be divided in the following proportions: To be paid to the
sufficient security payable to each of the parties named. Allot
John Haugh, Senr. 1/6th part, to Anne Baldwin, 1/6th part, to Chas. Harris, 1/6th part, to John Harris, 1/6th part, to
Edward & Fanny his wife, 1/6th part, to William Bristol & Sally his wife, 1/6th part, to Edward Nettlet & Sally
his wife, 1/6th part, to John Haugh jr. Fanny Haugh & the complainants (being
children of James Haugh dead) to one fifth part of
one sixth part each; to Chloe Harris, John Harris, James
Harris, Edward & Fanny his wife (being children of
Mary a deceased sister) to one fourth of ~~one sixth~~ one sixth part
each; to ~~James~~ ^{James} Lykes, Francis Delack & Elizabeth his wife,
James Lykes, Melan Lykes, & Morning Lykes, to one fifth part
of one twelfth part each; being children of Melan a deceased
half sister, to Ezekiah Haugh (a half brother) one twelfth
part which deferent party comprehends the whole
and make report thereof to the court in order to a
final decree

Attest

Nathl. Young Clk.

14

Copy into
Deeds.
Hough's title.

Wrote Young the other
in a correct copy
and stated the parties

Atto. fee — Jan. 10th — \$10
Wm. W. No. 10 — Geo. W. No. 10 — 5-98
15-98

120.00
~~120.00~~
~~120.00~~
~~120.00~~

In obedience to the annexed decree of the Court of Isle of Wight
We the undersigned Commissioners have sold at publick Sale, the
Land there in mentioned, to ~~John~~ Thomas Halladay, and have
taken bonds, executed by John Barber, Robert Roberts & Francis Boykin
payable to the different distributees, agreeably to the proportions
within stated, and have paid of the Charges incidental to the
proceeding, as directed.

Amos Jordan

W. Coley

John Barber

Commissioners

Isle of Wight County Febry - 24th 1802 - Rec^d from the Commissioners for the
Sale of Fanny Houghs Land - Twenty four Dollars in full for my services as
an attorney & cc in and about said Suit & Sale, & one dollar & two cents
for the buyers fee — — — — —

John Barber

Sale of Wight County March 2^d 1802 Rec^d from the commissioners for
the sale of Fanny Houghs Land - five Dollars and ninety eight cents for
my services as Clerk & in and about the said Suit — — — — —

Nathl. Youns Co

A Statement of the Sale of Fanny Houghs Land, and of the Shares
 Amount of Sales ----- \$400.00
 Deduct Clerk, attorneys fees & other incidental Charges ----- 31.00
 ----- 369.00

John Houghs Son ~~Share~~ Share	$\frac{1}{8}$ th	\$61.50	
Ann Baldwins do	$\frac{1}{8}$ th	61.50	
Andrew Lykes & Wife do	$\frac{1}{8}$ th	61.50	
Wm Burto Wife	$\frac{1}{5}$ th of $\frac{1}{6}$ th	\$12.30	
Nancy Niblet	$\frac{1}{5}$ th of $\frac{1}{6}$ th	12.30	
John Hough Son	$\frac{1}{5}$ of $\frac{1}{6}$	12.30	61.50
Fanny Hough	$\frac{1}{5}$ of $\frac{1}{6}$	12.30	
George Williams Wife	$\frac{1}{5}$ of $\frac{1}{6}$	12.30	
Peter Smith	$\frac{1}{4}$ of $\frac{1}{6}$	15.37 $\frac{1}{2}$	
John Harris	$\frac{1}{4}$ of $\frac{1}{6}$	15.37 $\frac{1}{2}$	
Lordan Edward Wife	$\frac{1}{4}$ of $\frac{1}{6}$	15.37 $\frac{1}{2}$	61.50
James Harris	$\frac{1}{4}$ of $\frac{1}{6}$	15.37 $\frac{1}{2}$	
Thomas Lykes	$\frac{1}{5}$ of $\frac{1}{12}$	6.15	
Francis Deloach Wife	$\frac{1}{5}$ of $\frac{1}{12}$	6.15	
James Lykes	$\frac{1}{5}$ of $\frac{1}{12}$	6.15	
William Lykes	$\frac{1}{5}$ of $\frac{1}{12}$	6.15	61.50
Mary Lykes	$\frac{1}{5}$ of $\frac{1}{12}$	6.15	
Elizabeth Hough	$\frac{1}{12}$	30.45	\$369.00