

1907-008

Chancery Causes' Wilson Powell & al, by & c vs Ishmaiah Potts & al

Isle of Wight County

To the justices of Isle of Wight county sitting in chancery,
humbly complaining, shew to the court your orator and
co-plaintiffs Wilson Powell, Mary Powell, and Sarah Powell, ^{Mary} Mary
Powell and Nancy Powell infants suing by the said ~~John~~ ^{Mary}
Powell their next friend.

That Godfrey Powell died intestate on
or about the day of A.D. 1800, leaving your compts
Mary Powell his widow and your other compts Wilson, Mary,
Nancy, Sarah and a certain Elizabeth who has intermarried
with Ishmael Pitts his only children. That at the time
of his decease, he was legally seized and possessed of a
small tract of land containing by estimation sixty
acres, lying within this county and within the jurisdiction
of this court. That the said land if divided, would
not be worth thirty pounds a share, and that your
compts are anxious that the same should be
sold, and the proceeds equally divided between
them and the said Ishmael Pitts & wife; but that
such a sale although obviously proper, can not be
legally made without the intervention of this
court on account of the infancy of some of
your ~~compts~~ compts.

Wherefore they pray the interposition
of your worshipps. To the end therefore, they pray
that the said Ishmael Pitts & Elizabeth his wife
may be made defendants to this bill of complaint
and that they may full, true and perfect answer
make to all and singular the allegations, averments
and that as if the same were here repeated, and they
therein particularly interrogated. They lastly pray that
your worshipps will decree a sale of the said land and
an equal distribution of the proceeds among the
said Ishmael Pitts & Elizabeth his wife and themselves,
or make any other order or decree in the premises
for their relief which may seem just.
May it please A. Nichol & Son

The answer of Ishmaiah Potter & Elizabeth his wife to the bill of complaint exhibited against them in the Court of Wight count by Wilson Powell, Mary Powell and Mary Nancy and Sarah Powell infants suing by ^{Mary} ~~William~~ Powell their next friend.

These Respondents admit that the said Godfrey Powell died intestate about the time mentioned by the complaint, and seized of such a tract of land as is by them described. They admit that the said piece of land is too small and of too little value to render a division at all desirable, that the share of each distributee if the said land was divided would not be worth six hundred dollars. They therefore join in praying that your worship will decree a sale of the said land and equal division of the proceeds among the complainants and themselves and also appoint fit & proper persons for carrying the same into effect. They lastly pray to be hence dismissed with their costs in this behalf expended.

Joseph Culchins -
James Gray -
James Morrison -
Thomas Wall & son -

Powells { Bill &
" } answer
Pitt & Co }

November 1805 Int. of
decrees

In obedience to the annexed decree of the County
Court of Isle of Wight to us directed we the
undersigned Commissioners have this day set
up and sold at publick Auction to John
Pike the highest bidder the lands in
the said decree mentioned for the sum
of one hundred and ^{twenty} two pounds one shilling
and after deducting three pounds fourteen shillings
& seven pence halfpenny for cost which was paid
in cash, have divided and taken bonds
payable in six months to the several
bidders or legatees in the said decree named
that is to say to Wilson Powell nineteen pounds
fourteen shillings & four pence three farthings and to
Mary Powell nineteen pounds fourteen shillings
& four pence three farthings to Sarah Powell
nineteen pounds fourteen shillings & four pence
three farthings to Nancy Powell nineteen pounds
fourteen shillings & four pence three farthings
to Mary Powell the widow nineteen pounds
fourteen shillings & four pence three farthings
(and to Ismaiah Pitts in right of his wife
Elizabeth nineteen pounds fourteen shillings
and four pence three farthings, making an
aggregate of one hundred & eighteen pounds six
shillings & four pence halfpenny the balance
of the proceeds of the sale after deducting the
cost as above mentioned given under our hands

This 14th day of November 1806

Nathl Wills } Commissioner
Jas Gray }
Thomas Hall }

Peace has.

is.

Chapt.

Pitts

2^d July 1807

Isle of Wight county; to wit,

November court 1850

Wilson Powell, Mary Powell, Sarah Powell, Nancy
Powell, and Mary Powell, the wifow, . . .

Comptt.

against

In beh ancy

Ismaiah Pitts and Elizabeth his wife

Defts.

By consent of the parties by their attorney, this day the bill
and answer was filed and heard thereon, whereupon it is decreed and ordered
that Nathaniel Mills, Joseph Litchin, Thomas Hall, Senr, and James Gray
or any three of them, make sale of the land of which Geo Gray Powell dies
seize and possessee, on a credit of six months, and take six bonds in equal
proportions, payable to each of the complainants, and the defendants Pitts
and wife - and make report to the court

Attest Teste Nath Young es.

Prindle & A.P.
is copy done
Pillsbury wife