

1845-010 Chancery Cause. Margaret Applewhite, by v c vs Ann B. Applewhite, by v c

Isle of Wight County

other surnames: Cofield,

Applewhite per
next friend
vs ^{my} chimney
Applewhite

Dec^r 5th 1841. Bill^{ts}
filed and Subj. done.

Feb^y: 6th 1842 Rep^{ts}. returned
Office for exceptions.

Feb^y: 3rd 1845
final done.

Cops^d

division between the parties by order
to be appointed for that purpose and
may it please the court to grant
all further necessary relief in
the premises and your ordering
will do

William

Margaret Applewhite by her next
friend daughter Esfildes plff
vs ^{2/3} The Chancery
Anne B. Applewhite by Nathaniel
P. Young her son and tutor dep

By consent of parties and with the
assent of the court this cause was
this day docketed and came on
to be heard on the bill and an
order filed and was argued by
counsel, on consideration whereof
the court doth hereby order
and decree that Josiah William
and daughter Esfildes who are
herely appointed commissioners after giving
at least fifteen days notice of
the time and place do sell at
public auction the land of which
Anne Applewhite did possess
containing about 62½ acres and
credit of nine months except a
sum in cash sufficient to pay
all expenses of this decree and
the sale, and take from the
purchaser ^{two} bonds with good ven-
erity to wit a bond for one

half the note proceeds of sale
payable to the plaintiff Margaret
Applewhite, and a bond for the re-
maining half payable to the infant
defendant Anne B. Applewhite, that
they deliver said bonds to the le-
gal guardian of said son if there
be no such guardian then return
the same to the court; that
the said commissioners to the
purchaser a deed for said land
without warranty and report
their proceedings to court in
order to a final decree

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

Humly complaining that unto the
court your worthy Margaret Applewhite
by her next friend Margaret Esfield
that a certain Nancy Applewhite late
of said county died intestate on the
day of 1841 possessed of a small
tract of land containing 62¹/₂ acres
worth about four or five hundred dollars,
her heirs at law are your worthy
and a certain Anne B. Applewhite
an infant under 21 years of age.

The said land is depreciating in value
and will sell for very little
and the said Nancy Applewhite in
her lifetime intended to sell the same
but died without doing so, it is
to the interest of the heirs that the
same should be sold and the proceeds
divided between them and
your worthy by her next friend
that the same should be done which
cannot be effected without the aid
of a court of equity. To the end there
fore that relief may be had, the
said land being worth less than
300 dollars per share, and forasmuch
as she is without remedy at law
your worthy prays the court that
the said Anne B. may be made
defendant to this bill and by
her oath for that purpose to be appointed
that she be required to
annex the same fully and distinctly
and the said land
may be sold and the proceeds

Applewhite

Applewhite

Infants

currier

The answer of Anne B Applewhite
by Nathl O'Young be you are taken to
a bill exhibited as her in Mapright
as come by Margaret Applewhite

This respondent having &c by her
said you for answer to said bill are
over and says that being an infant
she begs leave to place herself under
the protection of the court, and
if any decree is to be made for
the sale of the land belonging to
her and whether the claims her
full portion and asks that her
right may be duly protected
Whereby this answer she prays
to be dismissed with her costs
&c

Signed

N. O'Young Esq. attn

Appellate
vs
Appellate } to Decree

1842 Feb 7th filed for
recognition

At a Court held for the County of Suffolk Dec. 6th 1841

Margaret Applewhite by her next
friend Maughan Coffey

vs

Ann D. Applewhite by Fathance
& Young her Guo. ad litem

In Chancery

Def

By consent of parties and with the consent of the court this
Cause was this day docketed 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 Josiah Holleman and Maughan Coffey
who are hereby appointed Comd. after giving at least
fifteen days notice of the time and place, do sell
at public auction the land of which Nancy Applewhite
did possessed containing about 6 1/2 acres on a credit
of nine months except a sum in cash sufficient
to pay all expenses of this decree and the sale, and take
from the purchasers two bonds with good security to wit
a bond for one half the net proceeds of sale, payable
to the plaintiff Margaret Applewhite, and a bond
for the remaining half payable to the infant
defendant Ann D. Applewhite, that they deliver
said bonds to the legal guardian of each or if there
be no such Guo. then return them to the court,
that the said Comd. execute to the purchaser a
deed for said land without warranty, and report
their proceedings to court in order to a final decree

Cost including a
final decree about
\$15. att. \$10 - CLK \$5 =

Copy

Attest

N. D. Young Clk.

In obedience to a decree of the County Court
of Essex and hereto annexed we the commissioners
therein named have proceeded to sell the land
~~the lands~~ ~~belonging~~ belonging to the heirs of Nancy
Applegate Dec containing by estimation sixty
two and one half acres be the same more or
less to Arthur Channell for the sum of five
hundred Dollars from which we have deducted \$141.00
for the cost of suit and ——— 19.00
for commissions leaving a balance of 467.00
\$586.00

for which sum we have taken Bond and
paid over to the legal Guardian of the Plaintiff
V Defendant all of which is Respectfully
Submitted to the Court ———

Joseph Hallenar
Plaintiff & Co. Secy