

1857-016

Chancery Causes: Mary Darden & al vs John W. Darden & al, by &c

Isle of Wight County

other SURNAMES: Avis

115-80

605-00

447-75

705-80

February 21st 1857

Rec^d. of Mr Martin, Comm^r. appointed by
by the County Court of Shelbourn County to sell all the Real
estate that John Garden died seized it being a full 1/4 part
to John 1/4 to Henry 1/4 to Richard and 1/4 to Thos^r M Garden
all making Thirteen Hundred & eighty six Dollars & 04/100
ct

M E Garden Secy

Mrs. E. L. Lard

Paid

\$1386.04

February the 20th 1857

Rec^d from Mr. Warkins Com^r. appointed
by the County Court to sell the real estate, that John Darden
died seized & possessed the sum of Three Hundred & forty six
dollars & 57/100^{ths}: it being an equal 7th part of the sale of real
estate

Wm Darden

Mary Dardley

Paid

\$346.51

February the 10th 1887 Received of W. H. Martin, Commr. appointed
by the County Court ^{of Isosipus} to sell the real estate of John Darden dec.
Three Hundred and Forty-six Dollars, and \$7/100 is being one equal 1/10
part of said sales

Witness
My hand
W. H. Darden

John Darden

John Avis

Receipt

\$ 346.51

February the 10th 1887

Rec^d. of Mr Mathies Comm^r. appointed by
The County Court of Salisburgh County to sell the real estate of John
Garden dec^d. Three Hundred and Forty-six Dollars and 51/100 it
being an equal 1/4 part of said Sale
Witness

Barbary Garden

M E Garden

2
Barbara Gordon

Receipt

\$346.51

KNOW ALL MEN BY THESE PRESENTS, That we, *Merideth H Watkins* and *Davis Edmund*

are held and firmly bound unto the Commonwealth of Virginia in the sum of *Thirty Two Hundred Dollars* to the payment whereof, well and truly to be made, we bind ourselves, our heirs, executors, and administrators, jointly and severally, firmly by these presents. As witness our Hands and Seals, this *seventh* day of *January*, in the year of our Lord, one thousand eight hundred and *fifty six*

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas by a Decree of the Circuit Court of Isle of Wight county pronounced on the *7th* day of *January* in a cause depending in the said Court in which *Mary Darden, Barbara Darden and John Avis & Mary Avis his wife Kate Darden* - - - - - plaintiff, and *and John W. Darden, Henry G Darden, Richard E. Darden and Thomas M Darden* - - - - - defendant, the above bound *Merideth H Watkins* - - - - - was appointed a special Commissioner to *sell the real estate of which John Darden of Mo. died seised in the proceedings mentioned taking bond from the purchaser with good security - payable to himself as Commissioner and return said bond with his report of proceedings to court.*

Now if the above bound *Merideth H. Watkins* shall faithfully discharge his duties as Commissioner under the said Decree, then the above Obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed, and delivered }
in the presence of }

A. P. May

M. H. Watkins
Davis Edmund



1800. 1801. 1802. 1803. 1804. 1805. 1806. 1807. 1808. 1809. 1810. 1811. 1812. 1813. 1814. 1815. 1816. 1817. 1818. 1819. 1820. 1821. 1822. 1823. 1824. 1825. 1826. 1827. 1828. 1829. 1830. 1831. 1832. 1833. 1834. 1835. 1836. 1837. 1838. 1839. 1840. 1841. 1842. 1843. 1844. 1845. 1846. 1847. 1848. 1849. 1850. 1851. 1852. 1853. 1854. 1855. 1856. 1857. 1858. 1859. 1860. 1861. 1862. 1863. 1864. 1865. 1866. 1867. 1868. 1869. 1870. 1871. 1872. 1873. 1874. 1875. 1876. 1877. 1878. 1879. 1880. 1881. 1882. 1883. 1884. 1885. 1886. 1887. 1888. 1889. 1890. 1891. 1892. 1893. 1894. 1895. 1896. 1897. 1898. 1899. 1900.

1800. 1801. 1802. 1803. 1804. 1805. 1806. 1807. 1808. 1809. 1810. 1811. 1812. 1813. 1814. 1815. 1816. 1817. 1818. 1819. 1820. 1821. 1822. 1823. 1824. 1825. 1826. 1827. 1828. 1829. 1830. 1831. 1832. 1833. 1834. 1835. 1836. 1837. 1838. 1839. 1840. 1841. 1842. 1843. 1844. 1845. 1846. 1847. 1848. 1849. 1850. 1851. 1852. 1853. 1854. 1855. 1856. 1857. 1858. 1859. 1860. 1861. 1862. 1863. 1864. 1865. 1866. 1867. 1868. 1869. 1870. 1871. 1872. 1873. 1874. 1875. 1876. 1877. 1878. 1879. 1880. 1881. 1882. 1883. 1884. 1885. 1886. 1887. 1888. 1889. 1890. 1891. 1892. 1893. 1894. 1895. 1896. 1897. 1898. 1899. 1900.

Darden P.

v. $\frac{3}{3}$ Cont. Bonds

Darden P.

Jan. 7. 1888 executed
Filed.

KNOW ALL MEN BY THESE PRESENTS, That we, *Meredith H. Watkins and M. E. Marshall*

are held and firmly bound unto the Commonwealth of Virginia in the sum of *Five Thousand Dollars* to the payment whereof, well and truly

to be made, we bind ourselves, our heirs, executors, and administrators, jointly and severally, firmly by these presents. As witness our Hands and Seals, this *27th* day of *December*, in the year of our Lord, one thousand eight hundred and *fifty six*

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas by a Decree of the *Circuit* Court of Isle of Wight county pronounced on the *1st* day of *December 1856* in a cause depending in the said Court in which *Mary Darden is*

plaintiff, and

John W. Darden others are

defendant, the

above bound

missioner to

Meredith H. Watkins

was appointed a special Com-

missioner to receive from the Clerk of the County Court *and forward the bond filed by him as committ. with his report of sale of the land in said proceedings round and to collect the said bond & distribute the proceeds amongst the several parties as directed by said decree - and make due to the purchasers & report to Court.*

Now if the above bound *Meredith H. Watkins* shall faithfully discharge his duties as Commissioner under the said Decree, then the above Obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed, and delivered }
in the presence of

J. P. Young co.

M. H. Watkins
M. E. Marshall



Darden

m. } Com. P. Bond

Darden to S.

Dec. 26. 1856 encl. &
filed.

We the undersigned, distributees & heirs at law of Geo
Garden died, do hereby authorize C B Hayden to obtain
a decree in the County Court of Sole of Right for the divis-
ion of the slaves among the parties entitled thereto & for the
sale of the land of which said Garden died seized & the
distribution of the proceeds of sale among the heirs at law.

A. R. Butler

John R. Kelly agt
to Geo. Davis }
3

Mary, Dec. 22
Barbara Garden
John Davis in
right of wife
Magdalena, late
Garden

Handen }
Handen }

Garden & als

vs

Gardens &c -

This cause this day came
on to be again heard on the papers formerly read
& on the report of Mr. H. Watkins special com=
missioner made pursuant to a decree herein
of December Term 1834, & was argued by coun=
sel, on consideration whereof, the court con=
firming said report, to which no exceptions
were filed doth adjudge order & decree that
the parties to this suit contribute mutually
to the costs of the same

Carden sold } In
at } Charing
Carden }

Rough beam
New Term 1837

To be entered

Geo. W. Canning

Mary Garden

15

John W Garden

& als-

This cause this day came on to be again heard on the papers furnished & on the report of Meredith H Watkins Commissioner of Sale made pursuant to a decree herein of January Term 1856, it was argued by counsel, on consideration whereof the court confirming said report, to which no exceptions were filed, doth adjudge order & decree that the clerk of this court deliver to the said Mr. H Watkins, on his giving his receipt therefor the bonds filed by said commissioner with his afore said report, which Bonds the said Mr. H. Watkins is thereby authorized & required to collect. ~~He shall do so & doth further adjudge & order & decree that the said & he pay the proceeds~~ & divide the proceeds equally between the seven children of John Garden deceased, to wit to Mary Garden, Barbara Garden, each one seventh, to the legal guardian of John W, Henry P, & Richard A, ~~and~~ & Thomas M Garden each one seventh & to John A's Magdalena his wife one seventh - The court doth further adjudge order & decree that on the payment of the said bonds the said Mr. H. Watkins shall execute & deliver good & sufficient deeds with special warranty to the several purchasers mentioned in said report for the land respectively purchased by them to wit to James Garden for the Mill & Mill track of 25 acres - lying adjacent to James Carr & others, & bounded on south by the Mill stream; to John A's, for 147 acres, being balance of 172 acre or Home Tract, lying adjacent to former ~~Swamp~~ Swamp - to Elam Rhodes, for 100 acres, adjacent to the land, to Jethro H Rhodes for 127 acres, adjacent to lands of Jethro H Rhodes & Blake Garden; to Lambert & Johnson for 100 acres

adjacent to the lands of Jacob H. Buck & Augustus Ballard,
being respective parts of the land of which John Warden
died seized in the county of Isle of Wight. The said
commissioner shall take receipts for the payments
of said ~~debt~~ ^{to court} the same, with his report of his
proceedings under this decree. But the effect of
this decree shall be suspended until the said
M. H. Watkins shall execute in the clerk's office
of this court a bond with sufficient security payable
to the Commonwealth of Va. in a penalty of \$5000.00
conditioned for the faithful performance of this
decree.

Mary Warden
atty-
ll-
John H. Warden
atty-
Shenandoah

Rough Decree -
the Term 1834

To be returned
with Tenors

Entered

Mary Warden & als }
vs }
Jno W Warden & als }

This cause came on this day to be again heard upon the papers formerly read & upon the report of M. W. Watkins. J. W. Council & Wm C B comes three of the commissioners under the decree herein of Nov Term 1835; to which report there is no exception was argued by ^{the} counsel for the Plaintiff. On consideration whereof the court doth approve & confirm said report & doth adjudge order & decree that Meredith W Watkins who is newly appointed special commissioner for that purpose, do proceed after having given at least 20 days notice of the time & place of sale by advertisement at the Court House door of this county, on some court day previous to the day of sale & at other public places in said county, to sell the real estate in these proceedings mentioned, whereof John Warden died seized in the County of Isle of Wight, consisting of one tract of about 172 acres, bounded by Coromantle map & the lands of Elam Rhodes & James Carr, selling the same in two tracts, one including the Mill & twenty five acres thereunto adjoining & the remainder of said 172 ^{acres} ~~land~~ in another tract. One tract of 100 acres adjacent to the last & the lands of Merit E Warden. One tract of 127 acres, adjacent to the lands of Sethus Rhodes & Blake Warden; One tract of 100 acres, adjacent to the lands of Jacob H. Tucker & Augustus Ballard, at public auction at the late residence of the said Jno Warden, on a credit of nine months except so much for cash as will pay the costs of this suit & of said sale. Taking from the purchasers bonds with sufficient security payable to himself as commissioner for the deferred payments. Return said Bonds with his report ^{to court} of proceedings under this

decree, but the effect of this decree shall be suspended
until the said M. R. Watkins shall execute deliver in
the Clerk's office of this Court Bond with sufficient security
payable to the Commonwealth of Virginia, in a penalty of
\$ 3200 - conditioned for the faithful performance of
this decree.

Mary Starden
vs
Mrs W Starden
et al

Rough decree
Mary Starden
vs
Mrs W Starden
et al

1855

To be entered

W. B. Brown

At a Court held for Isle of Wight County on the 3rd of Nov. 1853.

Mary Darden, Barbara Darden, and John Avis & Magdaline
his wife - late Darden. Plaintiffs

Against 3 In Chancery
John W. Darden, Henry G. Darden, Richard D. Darden and
Thomas M. Darden Defendants

This day came the plaintiffs & filed their Bill
and on their motion T. P. Young is appointed guardian ad litem
to the infant Defendants John W. Darden, Henry G. Darden, Richard
D. Darden and Thomas M. Darden and thereupon the said guardian
ad litem filed the answers of the said infants to the Plaintiffs Bill,
and the Cause coming on to be heard upon the Bill, The said Answer
and general exceptions thereto, and was argued by Counsel, On Consideration
whereof the Court doth adjudge order and decree That Merideth H.
Watkins, Jesse D. Council, W. E. Barnes, Edmund Carr and Josiah
P. Gay who are hereby appointed Commissioners for that purpose, Any
three of whom may act, having been first duly sworn, do proceed
to lay off and divide the real estate of which John Darden, of Ans,
died Seized and possessed, ^{consisting} ~~comprising~~ of four tracts of Land in the County
of Isle of Wight, One of about 172 acres bounded by Commowagh Swamp,
and the land of Elam Rhodes & James Carr, One of 100 acres adjacent
to the lands of ~~Jethro Rhodes & Blatti Darden~~ ^{Merideth &} ~~Jethro Rhodes and Blatti Darden~~
adjacent to the lands of ~~Jacob H. Darden and Augustus Ballard~~
and one of 100 acres adjacent to the land of ~~Jacob H. Darden & Augustus Ballard~~
into seven Equal parts, having regard to quantity and quality. And
assign one of said seven parts to Each of the Children of John Dar-
den decd: Namely, to Mary Darden 1/7th part, to Barbara Darden
1/7th part, to Mary Avis wife of John Avis late Mary Darden 1/7th
part, to John W. Darden 1/7th part, to Henry G. Darden 1/7th part,
to Richard D. Darden 1/7th part, & to Thomas M. Darden 1/7th part.
But if the said Commissioners should find it impracticable to divide
said land among the aforesaid parties, or should be of opinion that the
interest of said parties would be more promoted by a sale of the same, in
such Case, they are required to report the facts upon which their opinion

is based to the Court, & also what in their opinion is the fee simple value of the whole real Estate of which John Darden died seized and possessed, and in either Case they are required to report their proceedings under this order to Court.

A Copy
Teste.

L. C. Satuma D.C.

And before me the undersigned Justice of the Peace for the County of ...
proceeded on the 13th day of Dec
1855, after having been duly sworn to perform the same &
that during the proceedings the said ...
and ...

Dec 23rd 1855

Mary Darden & als.

vs.
Wm. Copy Deere

Mo. W. Darden & als.

Done in ...
Day of ... 1855

31st day of Decr 1855
A. L. Moody J.P.

Darden et al

vs

Darden -

This day came the Plaintiffs & filed their Bill, & on their motion V.P. Young is assigned guardian ad litem to the infant defendants John W Darden, Henry S. Darden, Richard E Darden, & Thomas M Darden, & thereupon the said guardian ad litem filed the answers of the said infants to the Plaintiffs Bill, & the cause coming on to be heard upon the Bill, the said Answer, & general replications thereto was argued by counsel, On consideration whereof the court doth adjudge order & decree that Meredith H Watkins, Esq & Council, Wm E Barnes, Esq & Carr, Josiah P Gay - who are hereby appointed commissioners for the purposes, any three of whom may act, having been first duly sworn, do proceed to lay off & divide the real estate of which John Darden, of Ind, died seized & possessed consisting of four tracts of land in the county of Isle of Wight, one of about 172 acres bounded by Curwinnam Swamps & the lands of Elam Rhodes, & James Carr, one of 100 acres, adjacent to the land & the lands of Merit E Darden, one of 127 acres adjacent to the lands of Sethus Rhodes & Blake Darden & one of 100 acres adjacent to the lands of Jacob H Buck & Augustus Balland into seven equal parts, having regard to quality & quantity & assign one of said seven parts to each of the children of John Darden deceased, names, to Mary Darden, 1/7th part, to Barbara Darden 1/7th part, to Mary his wife of John his late Mary Darden 1/7th part, to John W Darden 1/7th part, Henry S. Darden 1/7th part Richard E Darden, 1/7th part, to Thomas M Darden 1/7th part. But if the said commissioners should find it impracticable, to divide said land among the aforesaid parties

or should be of opinion that the interest of said parties
would be more promoted by a sale of the same, in such
case they are required to report the facts upon which
their opinion is based to the court & also what in their
opinion is the fee simple value of the whole real estate
of which John Darden seized & forfeited, & in either
case they are required to report their proceedings un-
der this order to the court. —

Darden & Pelt

as above —

Rough drawn

to be entered —

John Darden & Pelt

620

Pursuant to the annexed decree directing the clerk to deliver to your Comm^y an his living facts the bonds filed by said Comm^y with his report which said bonds the said Comm^y is hereby authorized & required to collect and divide the several amounts equally between the seven heirs of John Darden dec^d to wit $\frac{1}{7}$ to Mary Darden $\frac{1}{7}$ to Barbara Darden $\frac{1}{7}$ to John Avis in right of his wife Magdalena and the other $\frac{1}{7}$ to Meritt C Darden the legal Guardian of Henry D, Richard D, John Lee and Thomas m Darden your Comm^y have collected and paid to the several heirs as named in said decree below will be shown more particularly the several amounts, February the 27th 1857

| | |
|--|------------------|
| Amount of bonds | \$2445 60 |
| paid John Avis in right of his wife | |
| " Magdalena | 346 37 |
| " paid Patsy Darden | 346 37 |
| " paid Barbara Darden | 346 37 |
| " paid Meritt C Darden the Guardian | |
| for John Lee, Henry D, Richard D and Tho ^s D Darden | 1386 04 |
| The Comm ^y fee for making 3 deeds @ \$4.00 | 20 00 |
| | <u>\$2445 60</u> |
| | <u>\$2445 57</u> |

W. H. Atkins Com^y

A Court held for Isle of Wight County on the
1st day of December 1856.

Mary Darden
against
John W. Darden & als.

3 In Chry.

Plf.

Defts.

This cause this day came on to be again heard
on the papers formerly read, and on the report of Merideth
H. Watkins Commissioner of Sale made pursuant to a decree
herein of January term 1856. and was argued by Counsel;
on consideration whereof, the Court confirming said rep-
ort, to which no exceptions were filed, doth adjudge - order
and decree - That the Clerk of this Court deliver to the said
M. H. Watkins - On his giving his receipt therefor - the bonds -
filed by said Commissioner with his aforesaid report, which
bonds - the said M. H. Watkins is hereby authorized & required
to collect - and divide the proceeds equally between the seven
children of John Darden decd., to wit; To Mary Darden
& Barbara Darden - each - One seventh; To the legal guar-
dians of John W., Henry P., Richard D., and Thomas W.
Darden - each - one seventh; And to John Avis and
Magdalena his wife, One seventh. The Court doth further
adjudge - order and decree, That on the payment of the said
bonds, The said M. H. Watkins shall execute & deliver good
and sufficient deeds - with special warranty to the
Several purchasers mentioned in said report for the land
respectively purchased by them, to wit; To James Darden
for the mill & mill tract of twenty five acres - lying adjacent
to James Carr & others & bounded on the South by the Mill stream
- To John Avis for 147. being the balance of 172 acres in
home tract, lying adjacent to former - Corrough Swamp,
To Eleaz Rhodes for 100. acres - adjacent to the last;
To Jethro H. Rhodes for 127. adjacent to the land of J. H.
Rhodes & Blake Darden. To Lambert Johnson for 100
acres adjacent to the land of Jacob H. Duck and Augustus

Darden deed seized in the County of Isle of Wight, The said Commissioner shall take receipts for the payments aforesaid and return the same to Court with his report of his proceedings under this Decree. But the effect of this decree shall be suspended until the said M. H. Watkins shall execute in the Clerk's office of this Court a bond with sufficient security payable to the Commonwealth of Virginia in a penalty of \$5000:00, Conditioned for the faithful performance of this decree.

A Copy

Teste.

J. C. Latimer D. C.

Mary Darden

28.

Copy Received

John W. Darden & Co.

March 2, 1837
of collection & distribution

Pursuant to the annexed decree, after having complied with the requisitions of the same, your commissioner on the 28th day of January last exposed to sale at public auction, the several tracts of land in said decree mentioned at the late residence of Mrs Garden deceased, when the said tracts were respectively purchased as follows, to wit;

| | |
|---|------------------|
| Mill Tract of <u>25</u> acres to James Garden for | \$220.00 |
| 147 acre tract (balance of 172 acre tract | |
| to John Avis for | 895.00 |
| 100-acre tract to Elam Rhodes for | 525.00 |
| 127- " " Iethro Rhodes for | 408.00 |
| 100-acre tract adjacent to lands | |
| of Jacob H. Buck & Aug Ballard - | |
| to - Lambert Johnson for | 472.00 |
| Total Amts of Sales - | <u>\$2520.00</u> |

Expenses -

| | |
|-------------------------------------|------------------|
| Attys Fees in Court | 10.00 |
| Clerks Fees - | 5.00 |
| Commissions on 300.00 at 5 per cent | 15.00 |
| " " <u>\$2220.00</u> 2. " | 44.40 |
| | <u>74.40</u> |
| | <u>\$2445.60</u> |

Expenses of Sale & Suit as

above \$74.40 being paid in Cash

Left a balance of \$2445.60 for which bonds were taken as follows -

| | |
|------------------------------------|------------------|
| James Garden & Iethro N Rhodes for | \$212.66 |
| John Avis & Menk & E Garden for | 870.54 |
| Elam Rhodes & do for | 506.63 |
| Iethro N Rhodes - Elam Rhodes for | 396.00 |
| Lambert Johnson & D. S. Watkins .. | 459.77 |
| | <u>\$2445.60</u> |

Which Bonds are herewith returned

All of which is respectfully submitted

January the 28th 1856.

M. W. Martin, Commr.

3

December 29th. 1856. Received of A. J. Young clerk
of the County Court of Isle of Wight the bonds of James
Darden, John Avis, Elan Rhoads, Letitia Rhoads and
Sambert Johnson which were filed with this report.

M. Watkins
C

At a Court held for Isle of Wight County on the 7th day
of January 1856.

Mary Darden & al.

Against

Jno. W. Darden & al.

3
3

This Cause came on this day to be again heard
upon the papers formally read & upon the report of
M. H. Watkins, J. D. Council & William C. Barnes—
three of the Commissioners under the decree herein of
November term 1855. to which report there is no
exceptions & was argued by the Counsel for the Plaintiff.
On Consideration whereof the Court doth approve and
confirm said report and doth adjudge order and decree
that Meredith W. Watkins who is hereby appointed
Special Commissioner for that purpose, do proceed after
having given at least 20 days Notice of the time (and
place of sale by advertisement at the Court House door
of this County, On some Court day previous to the day
of Sale & at other public places in said County, to sell
the real estate in these proceedings mentioned, Whereof
John Darden died seized in the County of Isle of Wight,
^{consisting} ~~Containing~~ of one tract of about 172 acres, bounded by
Corrowanagh Swamp & the land of Elam Rhodes & James Carr,
selling the same in two tracts, One including the Mill
& twenty five acres thereto adjoining. & the remainder of
said 172 acres in another tract— One tract of 100 acres
adjacent to the last & the land of Merit C. Darden— One
tract of 127 acres, adjacent to the land of Jethro Rhodes
& Blake Darden; One tract of 100 acres adjacent to the
lands of Jacob W. Duck & Augustus Ballard, at public
auction at the late residence of the said John Darden,
on a credit of nine months— except so much for cash as
will pay the Costs of this suit & of said sale— taking from
the purchasers bonds with sufficient security— payable to him-
self as Commissioner for the different payments, & return
said Bonds with his report to Court— of proceedings under

Mary Barden Esq.

Est. ³/₄ Slope, Race

Mr. W. Barden & Co.

June 2^d - 1836 rept. of
Com^r. Watkins filed

This decree, but the effect of this decree shall be suspended until the said Mr. Matthews shall execute an Oath in the Clerk's office of this Court Owing with sufficient security payable to the Commonwealth of Virginia in a sum of \$3200: (sometimes for the faithful performance of this decree)

Conte.

Atto. 716.00

5.00
 15.00

A. P. May.

Sept. 24. 1777

To the Worshipful County Court of Isle of Wight in Chan-
cery sitting, humbly complaining, sheweth to the court
your complainants, Mary Garden, Barbara Garden
& John Ais & Magdalena his wife late Garden,
that on or about the 14 day of 1854, John
Garden of John, died intestate in the county ~~above~~
said seized & possessed in fee simple of the follow-
ing real estate lying in the county aforesaid, to wit
one tract of 172 acres, the late residence of said inter-
state, bounded by Currovan Swamp, the lands of Alan
Rhodes & James Carr - a second tract of 100 acres, adjoin-
ing last & lands of Merit E. Garden, a third tract of
127 acres adjoining the lands of Sethus Rhodes, Blake
Garden, & others -
a fourth tract of 100 acres adjoining the lands of Jacob H
Suck, & Aug Ballard, ~~John Watkins & others~~ - that the
said intestate left no widow, but left surviving him
as his heirs at law seven children, to wit Mary Gar-
den, Barbara Garden, & Magdalena wife of John Ais
who was Magdalena Garden, (your complainants aforesaid)
& John W, Henry G, Richard G, & Thomas M Garden,
the last four of whom are infants - that the said real es-
tate descended upon the said heirs in coparcenary
& they are entitled as such to have the same equally di-
vided between them if partition in kind can be effec-
ted which your complainants doubt - that owing to the
infancy of the aforesaid heirs, they cannot make parti-
tion thereof if it be practicable & that they are without reme-
dy at law & can only be relieved by the order of this worship-
ful court where matters of this sort are cognizable, to this
end your complainants pray that the said infants
John W Garden, Henry G Garden, Richard G Garden &
Thomas M Garden, by some one appointed their guardian
ad litem to defend them in this suit may be made parties
defendant to this bill & be required to answer the
same & that by a decree of this worshipful court

commissioners may be appointed to divide the said land equally among the said heirs at law of the said John Garden, if the same be practicable & if the said commissioners should report that the said land cannot be divided as aforesaid, then that a sale thereof may be decreed & that such other & further relief may be granted as consents with the equity of the case & to the court may seem meet & your complaints will in prayer -

Hayden pr-

To the Worshipful County Court of Isle of Wight in Chancery sitting; The joint & several answers of John W Garden, Henry F Garden, Richard S Garden & Thomas M Garden, infant nephews of the said Garden deceased, by A P Young their guardian ad litem. These respondents severally answering say that they are infants of tender years & submit their interests in the premises to the protection of this worshipful court & your respondents pray leave to be dismissed with their costs in this behalf most unreasonably expended &c -

Signed -

A. P. Young gon
ad litem

Darsham Case

3 Bill 100
shilling

Darsham

Nov. 3rd 1855 paid in
full & with interest.

January 7th 1856. Received
for do. in full of same.

June 2nd 1856 paid. A
d. 100.00.

Dec. 1. 1856 - Received
collected by and made due
payment.

March 2nd 1857 paid.
of collection by full.

June 1. 1857
final decree