1872-066 Chancery Causes. Thomas Riggin & ux vs Burrell Brock & al 46

Dsh of Wight County

other surnames: Baker, Bell, Little, Channell, Riggin

46

(Negroes)

Ryffin & Wife
vs
Brock and others

Bill
P.C.

March 1st. 1832
Dedt. to file
Answ. & evidence.

April 5th 1832 Report
of Com. made.

in the most friendly manner to Burrell Brock and Joel Brock
administrators of Benjamin Brock deceased; But now with
may it please your Worships the said parties named above herein
after called defendants have under various pretences refused
the said adult parties allege that while they are willing to accommo
date your orator and oratrix in relation to their interest, they
fear the infancy of the other defendants may interpose an objection
at this time. but if it should not they are contented, and the said
Indiana Brock, and Richard John Mary anna, James and Emmett Channell
say that being infants so far as they understand things, they have no
consent to give all of which actings and doings of said defendants
are contrary to equity and tend greatly to the embarrassment of
your orator and oratrix in the premises. In tender consideration
whereof and for as much as your orator and oratrix are
without remedy at Law, and can only be relieved in this court
where trusties are called to an account and the estate of
intestate are distributed agreeably to the act in such case
made and provided: To the end therefore, that the said
defendants; Indiana Brock, and Richard, John, Mary anna
James and Emmett Channell, may by their guardian to be assigned
to them, answer the premises; and that the other defendants may
distinctly answer the foregoing allegations as fully and as distinctly
as if the same were here again repeated, and they were thereto
more particularly interrogated; and that by a decree of
this honorable court the said defendants Burrell & Joel
Brock administrators of said intestate may be required
to settle their administration of said intestate estate before
a commissioner of this court and to account for any
balance which may be due and that a writ
may be appointed to sell the slaves above mentioned in order
that your orator and oratrix and the other parties interested
may get their proportion of the intestate estate. May it please
your worships your orator and oratrix may have all such
other and further relief in the premises as may be agreeable
to equity and justice to award to them pray &c.

May for plaintiff

To the worshipful the Justices of Isle of Wight county
in chancery sitting, humbly complaining shew unto your worships
Your orator and oratrix Thomas Ryson and Sarah his wife
late Sarah Brock; that your oratrix is the daughter of
Benjamin Brock late of Isle of Wight but now deceased,
that the said deceased and possessed of the following valuable
slaves in the month of 1857 - to wit Maria, Harry, Henry
Esther and a young child, Bill, Adam and Peter and left
the following children and grandchildren his heir at Law
to wit, Burrell Brock, Joel Brock, James Brock, Bennett Brock
Judith Baker widow of Henry Baker who was Judith Brock. Nancy
Bell wife of Josiah Bell who was Nancy Brock, Mary Lillie wife
of Edwin Lillie who was Mary Brock these are the children now
living. and the following grand children. to wit, Susannah
Brock and Indiana Brock children of William Brock
deceased, Susannah is the wife at this time of Henry J Brock
Rebecah Brock daughter of Benjamin Brock married Arthur
Channell the said having the following children Richard,
John, Mary Anna, James, and Emmett. That your orator and
oratrix were married agreeably to law in That Burrell
Brock and Joel Brock administered on the estate of Benjamin
Brock deceased, that the debts were small and nearly all
have been paid and funds enough in hand to pay them -
That the minors are young and will not be able to manage their
share of the estate for some years to come - Now your orator
and oratrix are in fear and of her probation of her Fathers
estate, and with a view to obtain it they have made application

Ryssin & Wife
Vs
Brockholden } Answer

Thomas Ryson Wife
vs Brock & other

The joint and several answer of Burrell Brock, Joel Brock James Brock Bennett Brock Henry I Brock and Susannah his wife Judith Baker Josiah Bell and Nancy his wife Edwin Little and Mary his wife to a bill exhibited against them and others in the county court of Delaware by Thomas Ryson and Sarah his wife

These Respondents now and at all times saving and reserving to themselves all benefit of exception to the allegations of the bill of the plaintiffs, for answer thereto, or to so much thereof as these respondents are advised material for them to answer they answer and say that so far as they are individually concerned in the subject of the bill, they believe the material allegations thereof to be true. The said Burrell and Joel Brock say that for themselves they are willing to adjust before a comr of this honorable court their administration of the intestates estate and to allot to the plaintiffs their proportion of the estate, and the parties all say that they will submit cheerfully to any decree which this honorable court may make in the premises. And having answered they pray hence to be dismissed, with their reasonable cost in this behalf expended

Edwin Little for myself and Mary Judith Baker my wife

James Brock

Henry I Brock for myself and Susannah my wife Josiah Bell for myself and Nancy my Wife

Burrell Brock

Joel Brock

Infants answer

The Joint answer of Indiana Brock, and Richard, John, Mary Anna Jane and Emmett Channell by Nathaniel P Young their guardian ad litem, to a bill exhibited against them, in the county court of Isle of Wight sitting in chancery by Thomas Pippin and wife. These respondents by their said guardian, for answer to the said bill, say, that they are infants under the age of twenty one years, and for the protection of their rights they by leave to place themselves under the control of this court, and hence they pray to be dismissed with their reasonable costs in this behalf expended —

N. P. Young
Gdn. ad litem.

(Reggin)

Reggin vs Brock & als:

Comm[r] upon of
Sale of Slaves &c.

Under a decree of the Court
Dec[r] 8th 1852 Brock &als
vs Brock. &dm[r]

I have received all the
Monies mentioned in this report

Burwell Brock

The bond of Thomas Ryjin $ 213
Do of Edwin Little - for $ 680
Do of Bennett Brock - $ 71
Do of James Brock $ 1000-
Do of Barrett Brock - $ 906
Do of Josiah Bell - - $ 286
$ 31.56
Deduct $ 20 from the bond of $ 40
Barrett Brock which is credited on
bond ten dollars from bond of
Edwin Little - & ten dollars
from bond of James Brock
also credited on bonds Chancellery
forty dollars leaves a balance
of $ 31.16 due the estate
$ 31.16

The Court requests that the said bonds may be filed with this report subject to the future order of the court —

Wm Holday. Comr.

Ryjin vs Brock Exr —

In pursuance of a decree of the County court of Isle of Wight entered at march court 1852 the subscriber who was appointed a Comr. for the purpose proceeded to sell on the 19th day of March the slaves mentioned in said decree belonging to the Estate of Benjamin Brock dec'd and now reports to this court the following report to wit.

There were eight slaves to wit an old woman Maria woman Esther and young child Man Harry, do Henry, boys Bill and Peter and a little girl named Ann, and at the sale so made

The woman Maria was bought by Thos Ryjin at $ 213.
Woman Esther and child by Edwin Little at $ 680
Man Harry by Bennett Brock at — — $ 71
Man Henry by James Brock at — — $ 1000.
Boy Bill by Burrell Brock at — — $ 550
Boy Peter by Josiah Bell — — $ 286
and girl Ann by Burrell Brock at $ 356
$ 3156

The amount of sales being thirty one hundred and fifty six dollars. The costs of procuring the decree and of the sale amounted to forty dollars which deducted from thirty one hundred and fifty six dollars leaves thirty one hundred and sixteen dollars due the estate — and in pursuance of said decree the Comr now brings into court subject to its future order the following bonds — to wit The —

On the motion of the plaintiff by counsel Nathaniel P Young is appointed guardian ad litem for the infant defendants to defend them in this suit —

Thomas Ryffin & wife
vs
Burrell Brock & others } In Chancery

This day this cause came on to be heard on the bill answer and exhibits, and was argued by counsel, on consideration whereof, the court doth adjudge order and decree that Wm H Clay ——— who is hereby appointed a Comr for the purpose, after having given 19 days notice, by posting advertisements in conspicuous places in the county of the time and place of sale proceed to sell to the highest bidder on a credit of Nine months except for so much as will pay the costs of this and this decree the slaves in the bill mentioned to wit, Maria, Harry, Henry, Esther and a young child, Bice, and and Peter. belonging to the estate of Benjamin Brock deceased, on a credit of eight months, and that he take from the purchasers bonds with good security, which he will bring into court subject to the future order of the court. And the court doth further order that Burrell Brock and Joel Brock administrators of Benjamin Brock deceased, render an account before one of the Commissioners of this court, of their administration of the testators estate, and that the said commissioner do examine state and settle the same stating such matters as the parties may deem pertinent, and to report his proceedings to the court in order to a final decree. Liberty is reserved to the infant defendants to shew cause against this decree within a year after they shall respectively arrive to the age of twenty one years —

But this decree is suspended until the said Comr shall enter into and file in the Clks office such ample security as the Penalty of $ 300 Conditioned according to law

Riggin & wife

to

Comd. Bond.

Brockett Esq.

Executed in the
Clerks office &c
5th 1832.

W. D. Harvey D.

Know all men by these presents, that we William H. Day and W. P. Young are held and firmly bound unto the Commonwealth of Virginia in the sum of Three Thousand Dollars, to the payment whereof well and truly to be made to the said Commonwealth of Virginia, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals and dated this 5th day of March 1832.

The Condition of this obligation is such, that if the said Wm H Day who, by decree of the County Court of Isle of Wight, pronounced on the 1st. day of March 1832 in the suit of Thos. Reggin & wife Pltffs. vs. Burrell Buck &c. defendants, was appointed a Commissioner to sell certain negroes in the said decree mentioned, belonging to the estate of Burrell Buck dec'd. and the bond made by him, shall faithfully discharge the duties imposed on him as Commissioner under said decree, then this obligation is to be void or else to remain in full force.

Witness

Wm H Day (Seal)
W. P. Young (Seal)