

Samuel Martin dec'd
Petition for Dower & division
of his Real Estate.

August 29th 1879.
Orders made and
the following free-
holders appointed

Wm:

Robert Carney

Joseph S. Blake

Henry B. Lingo

John Fay

William Haggard

Edward Haulton

J. O. C.

Recorded in A. H. No. 35 page
159

Filed Aug. 29th 1879
Philip C. Pennel clk

To the Honorable the Judges of the Orphans' Court for Sussex County.

The Petition of *Sarah A. Martin & Samuel J. Martin* Humbly Showeth:

That *Samuel Martin* late of Sussex County aforesaid, deceased, died intestate, on or about the *nineteenth* day of *February* one thousand eight hundred and *seventy nine* being at the time of his death seized in his demesne as of fee of *several tracts pieces and parcels of land situate in Broadkill Hundred Sussex County and State of Delaware to wit No. 1. a certain tract of land situate in Broadkill Hundred State and County aforesaid adjoining lands of James Webb, Robert H. Carey and on the south side of Broadkill Creek containing 308 acres more or less. No. 2. A certain piece of cedar swamp land adjoining No. 1 and lands of Dr. Jas. A. Hopkins, Houston Hall and others containing 6 acres more or less. No. 3. A lot of ground between Lavinia Street and Paynter's Mill pond adjoining lands of Frederick Fulmer and others containing 11 acres more or less. No. 4. A mansion house and lot in the town of Milton on the east side of Federal St. and north side of Front St. containing 72,000 sq feet more or less. No. 5. Consisting of four wharves on Broadkill Creek. No. 1. adjoining Federal St. & mansion lot, No. 2. adjoining No. 1, No. 3. adjoining No. 2. and No. 4. adjoining No. 3. and wharf of Jas. Ponder with two story store house thereon containing together 30,000 sq feet. No. 6. a dwelling house & lot on east side of Chestnut St. adjoining lot of Jas. Ponder & others subject to a lease for a term of years in the town of Milton containing 72,000 sq feet.*

That the said *Samuel Martin* left to survive him a widow named *Sarah A. Martin* and two children ~~to wit~~ *and the issue of two deceased children to wit; Samuel J. Martin, Annie E. wife of John C. Polk; the issue of Mary A. Cornwell dec^d wife of Asa H. Cornwell viz. Anabella wife of Andrew S. Holland, Elizabeth, wife of Andrew Coulter; Martin J. Cornwell and James C. Cornwell; and the issue of Lydia Nelson dec^d late the wife of Wm. C. Nelson, viz. Milbert Nelson and Charles Nelson*

That it belongs to the said *Sarah A. Martin* widow of the said intestate, to have one third part of said lands, tenements and hereditaments, during her natural life, and of the residue of said deceased's Real Estate it belongs to *Samuel J. Martin to have 8 parts; to Annie E. wife of John C. Polk to have 8 parts; to the issue of Mary A. Cornwell dec^d to have 8 parts viz. to Anabella wife of Andrew S. Holland to have 2 parts; to Elizabeth wife of Andrew Coulter to have 2 parts; to Martin J. Cornwell to have 2 parts and to James C. Cornwell to have 2 parts. And to the issue of Lydia Nelson dec^d late the wife of Wm. C. Nelson to have 8 parts viz. to Milbert Nelson to have 4 parts, and to Charles Nelson to have 4 parts, the whole to be divided into 32 parts.*

Your petitioner therefore prays the Court to appoint five sufficient freeholders of the county aforesaid, to go upon and view the lands, tenements and hereditaments of the said *Samuel Martin* deceased, and assign one-third part of said tenements and hereditaments to the said *Sarah A. Martin* widow as aforesaid, during her natural life, and divide the residue of said deceased's Real Estate equally among the children *and legal representatives* of said intestate, according to the directions, true intent and meaning of the Acts of the General Assembly in such case made and provided.

And your petitioner will pray, &c., *Sarah A. Martin*
Samuel J. Martin

Chas M. Cullen atty

Samuel Martin dec
Petition for Division of
1/3 his real estate.

March 18, 1890. order
made and the follow
ing freeholders appoin
ted viz:

- James Ponder
- William A. Hazzard
- James A. Carey
- William R. Wilson
- Thomas L. Black

Returnable April 26th 1890

John W. Wainster

*with
seal*
J. W. W.
Recorded in Cyphrus
Court Record A. M.
folio 162th

Filed March 14th 1890
Chas. W. Whitey Jr. clerk.

To the Honorable the Judges of the Orphans' Court for Sussex County.

The petition of Samuel J. Martin

humbly sheweth:

That Samuel Martin

late of Sussex County aforesaid, deceased, died intestate,

one thousand eight hundred and

day of February

being at the time of his death seized in his demesne as of fee of Among other lands of the following tracts and parcels of land assigned to his widow Sarah J. Martin who held the same as tenant in dower until her decease which occurred on the month day of March AD 1890. Viz: No. 1 being the Mansion house and lot situate in the town of Millboro' Sussex Co. Delaware, on the North east corner of Federal & Marion Streets and on the South side of a 20 foot Alley or road leading from Federal Street of record to Chestnut Street containing about 7800 sqs feet of land more or less, No. 2 a certain other lot in said town adjoining Lot No. 1 and located on North side of Marion Street containing 4850 sqs feet more or less No. 3 a certain other lot situate in said town adjoining No. 2 aforesaid, and located on N. W. corner of said Marion Street & Chestnut Street containing 3900 sqs feet more or less. No. 4 a certain other lot situate in the town aforesaid or vicinity and located on the South side of Loxamina Street adjoining lands of C. J. Carey and lying on and along Paynters Mill Pond containing 1/4 of 8 acres more or less.

THAT the said Samuel Martin

left to survive him a widow named

Sarah A. Martin now and was

children of Samuel J. Martin

and wife of John C. Polk and the issue of Mary

A. wife of Asa F. Edmunds who died in the life time of her father viz:

Abigail wife of Andrew G. Holland Elizabeth wife of Andrew

Coulter, Beatty J. Cornwall and Adam C. Cornwall. And

the issue of Lydia A. wife of William Meelson who died

leaving to survive her two children viz Gilbert and

Charles Meelson which said Charles has since deceased

unmarried and intestate leaving to survive him his said brother

Wilbert as his only heir at law and entitled to the residue of the

estate of the said intestate,

THAT it belongs to the said

widow of the said intestate,

to have one third part of said lands, tenements and hereditaments, during her natural life, and of the residue of said deceased's

Real Estate it belongs to Samuel J. Martin to have four parts,

to the said Annie E. Polk to have four parts, to

Wilbert Meelson to have four parts, and to

Abigail Holland Elizabeth Coulter Martin J.

Cornwall and Charles W. Cornwall each to have

one part, the whole into sixteen parts to be

divided.

Your petitioner therefore prays the Court to appoint five sufficient freeholders of the County aforesaid, to go upon and

view the lands, tenements and hereditaments of the said Samuel Martin

deceased, and assign one third part of said tenements and hereditaments to the said

widow as aforesaid, during her natural life, and divide the residue of said

deceased's Real Estate equally among the children and legal representatives

of said intestate,

according to the directions, true intent and meaning of the Acts of the General Assembly in such case made and provided.

And your petitioner will pray, &c.,

Samuel J. Martin

And your petitioner will pray, &c.,

John C. Polk

Attorney for Petitioner.

Samuel Martin died
Petition for sale of $\frac{1}{3}$ his
real estate by Trustee.

April 26th 1890 Order
for sale made and
Charles M. Cullen Esq
appointed Trustee to
effect said sale

John H. Paynter
J. C. C.

Recorded in Ciph.
Court Record A. M.
No. 39. folio 190th.

Filed April 26th 1890
Chas. W. Wiley Jr. clk

TO THE HONORABLE, THE JUDGES OF THE ORPHANS' COURT OF THE STATE
OF DELAWARE, IN AND FOR SUSSEX COUNTY.

The petition of *Samuel J. Martin* respectfully showeth: That upon
the application by petition of *Samuel J. Martin* an heir at law of
Samuel Martin late of Sussex County, deceased, preferred in vaca-
tion, to wit, on the *eighteenth* day of *March* A. D., 1890, to the
Honorable *John H. Paynter* one of the Judges of the Orphans' Court, in and
for Sussex County, an order was granted by his Honor for ~~the assignment of Dower in, and the~~
Division of ^{*one third*} ~~the Residue~~ of the real estate of said deceased, which said real estate is fully described
and set forth in said order, as will more fully and at large appear by reference to the same, now of
record in this Court. That the Freeholders, appointed by his Honor, have made return of their
proceedings at the *adjourned* Term ^{*held on the 26 day of April 1890*}, of said Court, and say ~~that they have assigned~~
~~Dower in one third of the lands in said order mentioned to~~
~~the widow of said deceased; but that the residue of~~ said lands cannot be divided into the number
of primary shares directed without detriment to the parties interested, and that they have, there-
fore, made no division, but have valued the said ^{*one third of said lands*} ~~Residue~~ at the sum of *Fourteen hundred*
dollars as by said return and proceedings will more fully and at
large appear. That said return so made as aforesaid has been read, examined, and approved by
this Court, to wit, on the *twenty sixth* day of *April* A. D., 1890.
That your petitioner is a *son* of said deceased, and as such, a party in-
terested under said proceedings.

He therefore prays your Honors to make an order for the sale of said ^{*one third*} ~~residue~~ of said lands
and premises, and to appoint a Trustee to effect the sale thereof, according to the Act of the Gen-
eral Assembly in such case made and provided.

And, as in duty bound, your petitioner will ever pray, &c.

C. M. Cullen & Son.
Attorney for Petitioner.

Samuel J. Martin

A. Martin widow of Samuel Martin dec^d
I intend to apply to the Orphans Court, which will be held at Georgetown, on *Tuesday*
ninth day of *March* next, (being the *1st* day of the term of said
Court) to sell the whole, or such part of the Real Estate of *Samuel Martin*
as may be necessary to settle the debts due and outstanding against the same.

Feb'y 17th 1880

Samuel J. Proctor and
of Samuel Martin Dec^d

Under the rules of the Court, this notice must be served at least ten days before the sitting of the Court, else the application will be rejected.

I served a copy of the within, on *Sarah A. Martin* on the *20th*
February 1880.

Subscribed to ~~in open Court~~, this *24th* day of *February* 1880.
Philip C. Pennell CLERK.

To Annie E Polk

Take Notice. I intend to apply to the Orphans' Court, which will be held at Georgetown, on Tuesday
the ninth day of March next, (being the 24th day of the term of said
Court) for an order to sell the whole, or such part of the Real Estate of Samuel Martin
deceased, as will be necessary to settle the debts due and outstanding against the same.

GEORGETOWN, Feb 17th 1880

Samuel Martin Adm
of Samuel Martin Dec

As Agreeably to the rules of the Court, this notice must be served at least ten days before the sitting of the Court else the application will be rejected.

I Certify That I served a copy of the within, on Annie E Polk on the 20th
day of February 1880.

Sworn and subscribed to ~~in open Court~~, this 24th day of February 1880.
Philip A Perdue CLERK.

To Arabella Holland

Take Notice. I intend to apply to the Orphans' Court, which will be held at Georgetown, on Tuesday
the ninth day of March next, (being the 1st day of the term of said
Court) for an order to sell the whole, or such part of the Real Estate of Samuel Martin
deceased, as will be necessary to settle the debts due and outstanding against the same.

GEORGETOWN

Feb 17th 1850

Samuel Martin Adm
of Samuel Martin Esq

Agreeably to the rules of the Court, this notice must be served at least ten days before the sitting of the Court, else the application will be rejected.

I Certify That I served a copy of the within, on Arabella Holland on the 21st
day of February 1850.

Sworn and subscribed to ~~_____~~, this 24th day of February 1850.

N. W. Megee
Philip C Pennell CLERK.

To Elizabeth Coulter

Take Notice. I intend to apply to the Orphans' Court, which will be held at Georgetown, on Tuesday
the ninth day of March next, (being the 1st day of the term of said
Court) for an order to sell the whole, or such part of the Real Estate of Samuel Martin
deceased, as will be necessary to settle the debts due and outstanding against the same.

GEORGETOWN, July 17th 1880

Samuel Martin Adm
of Samuel Martin Dec

Agreeably to the rules of the Court, this notice must be served at least ten days before the sitting of the Court else the application will be rejected.

I Certify That I served a copy of the within, on Elizabeth Coulter on the 20th
day of February 1880 :

Sworn and subscribed to ~~in open Court~~, this 24th day of February 1880.
Philip C. Pennell CLERK.

Samuel Martin, Decd,
 Order for Sale of 1/3 of his
 Real Estate by Trustees.

Costs on Division	38.51
Drawing Plat. for sale	1.00
Exp. + filing	.25
Entering order + Cri	.35
Recording Plat. for Sale	1.00
Assessing order for sale	1.40
Filing Plat.	.25
Entering order for sale	.35
Recording order for Sale Plat.	2.00
20 Advertisements	2.00
Printing Bills	1.75
Printing + any Recog. (2)	1.00
Recording " (2)	.80
Drawing assignment (2)	2.00
Recording "	2.00
Filing + Recording copy of	.75
Check for costs	.25
offset to Posting bills	.25
	<u>55.91</u>
Trustee Costs 1890	
Com on \$1210.00	47.20
Attys fee	10.00
Posting Bill	10.00
Assessment	5.00
Subd. Plat. Envoys	6.00
" " Recording	2.00
	<u>80.20</u>
	\$136.11

Cullen

Sept. 2nd 1890 Read
 Examined approved
 and confirmed
 and the costs taxed
 and allowed.

Chas. M. Cullen
 J. C. C

Recorded in
 Orph. Court Record
 A. M. No. 39 folio 226
 &c

Sussex County, SS.

adjourned Term of the
At an Orphans' Court held at Georgetown, in and for Sussex County, on the
twenty fifth day of April in the year of
our Lord one thousand eight hundred and ninety

Samuel J. Martin, one of the
heirs at law of Samuel Martin late of
Broad Run

hundred in Sussex county, deceased, prayed the Court to grant an order for the sale of one third of
the Real estate of the said deceased.

AND NOW TO WIT: This nineteenth day of May
in the year of our Lord one thousand eight hundred and ninety it appearing to the Court
that the intestate Law of this State has been complied with in relation to the matter of the said Estate so far as to
warrant the present application for a sale thereof,

it is ordered by the Court that the Lands and Tenements of
the said Samuel Martin deceased, to wit:

- No. 1 a certain lot situate in the Town of Milton, Sussex County Delaware, on
the corner of Federal Street & Front or Union Street, adjoining No. 2, hereafter described,
& Wharf Alley, containing 7740 sq. feet more or less with 2 story dwelling hereon.
- No. 2 a certain other lot adjoining the above, lying on Front or Union Street in
said Town of Milton, adjoining No. 3 hereafter described and Wharf Alley,
containing 4515 sq. feet more or less.
- No. 3, a certain other lot adjoining above situate on the corner of
Chestnut and Front or Union Street, in said Town of Milton, containing
3870 sq. feet more or less, with 1 story house & granary thereon.
- No. 4 a certain tract situate in said Broad Run hundred, in
North Milton, adjoining lands of G. J. Carey, Sawyer's Mill
Pond, and lying on Lavina Road and Street, containing 14 1/2 acres,
more or less

be sold at Public Auction, to the highest and best bidder or bidders, and that Charles M. Cullen
Esq. be and he is hereby authorized and empowered by the Court to sell

the same at Public Auction, to the highest and best bidder or bidders, with authority to subdivide Tract No. 4

AND IT IS ORDERED, by the Court, that the Clerk of this Court make ten advertisements in writing to sig-
nify and give notice of said sale, and of the day, hour and place, when and where the said sale will be made, and what
Lands and Tenements are to be sold, and where they lie, and the quantity thereof. And that the purchaser or pur-
chasers thereof, be and appear at the next Orphans' Court of Sussex County, that the Court may assign to the pur-
chaser or purchasers the premises sold to him, her or them, pursuant to this order, he, she, or they, with sufficient
surety or sureties, to be approved by the Court, entering into a recognizance to be taken and acknowledged in the
said Court to the State in a penal sum, to be determined by the Court, with a condition to pay to the parties entitled
severally, or to their executors, administrators or assigns respectively, their and each of their respective, just and pro-
portionable shares of the said purchase money, with interest from such time as the said Court shall determine, in
such manner and time as may by the directions of the said Court be prescribed and appointed in said condition. And
that the said Charles M. Cullen Esq. fix or cause to be fixed, said advertise-
ments, in the most public places in Sussex County, at least ten days before the said sale is to begin. And it is or-
dered by the Court that the said Trustee make return of his proceedings in pursuance of this order, at the next term
of the Orphans' Court of Sussex county. In Testimony Whereof, I have caused the seal of said Court to be hereunto
affixed.

Charles W. Whaley Jr. CLERK.

To the Honorable the Judges of the Orphans' Court of the State of Delaware, now sitting at Georgetown in and for Sussex County:

I, Charles M. Cullen Trustee appointed by the Orphans' Court of the State of Delaware in and for Sussex County, to effect the sale of One Third of the real estate late of Samuel Martin deceased as in and by the annexed ^{having been appointed associate Judge of the Superior Court, I Charles M. Cullen} order of the said Court appears, report: That ^{the said Charles M. Cullen} believing it to be for the best interest of the heirs ^{attorney for Return} at law of said deceased, and in obedience to an order made by your Honors to subdivide Tract No. Four, ~~He~~ did divide said Tract No. Four into two allotments, and ~~he~~ caused advertisements to be made signed by Charles W. Whaley Jr. Esquire Clerk of the Orphans' Court, describing the lands and tenements to be sold, ~~and~~ ^{and} appointing the day, hour and place of sale, ~~He~~ caused said advertisements to be posted in ten or more of the most public places in Sussex County, more than ten days before the day of sale, ~~He~~ did on Saturday the fourteenth day of June AD 1890 last passed at two o'clock p.m. at the Ponder House in Milton, in Broadkill Hundred, Sussex County, Delaware (being the day, hour and place named in said advertisements) expose to public sale by way of public auction, all the lands and tenements mentioned and described in said order, and ~~He~~ did then and there sell no one, - A certain

lot, piece, or parcel of land, situate in the town of Milton, Sussex County, Delaware, on the corner of Federal street and Front or Union street adjoining No. 2 hereafter described, and Wharf Alley, containing 7740 square feet, more or less, with a two story dwelling house thereon, to John C. Polk for the price or sum of four hundred and forty five dollars, he the said John C. Polk being the highest and best bidder therefor and that being the highest and best price that could be obtained for the same. He also sold No. 2 A certain other lot, adjoining the above, lying on Front or Union street, in said town of Milton, adjoining Lot No. 3 hereafter described and Wharf Alley, containing 4515 square feet, more or less, to Curtis C. Reed for the price or sum of one hundred and five dollars, he the said Curtis C. Reed being the highest and best bidder therefor and that being the highest and best price that could be obtained for the same. — He also sold No. 3 A certain other lot, adjoining the above situate on the corner of Chestnut and Front or Union street, in said town of Milton, containing 3870 square feet, more or less, with a store-house and granary thereon to John C. Polk for the price or sum of three hundred and ten dollars, he the said John C. Polk being the highest and best bidder therefor and that being the highest and best price that could be obtained for the same.

He also sold No. one of No. 4, as subdivided

A certain tract piece or parcel of land, situate in North Milton, in the Hundred aforesaid lying on Paynter's Mill Pond and Lavina Street and adjoining lands of C. J. Carey, Wm. J. White and No. 2 of No. 4 hereafter described containing $5\frac{1}{2}$ acres, more or less to John C. Polk for the price or sum of One hundred and fifty dollars, he the said John C. Polk being the highest and best bidder therefor and that the highest and best price that could be obtained for the same. He also sold No. 2 of No. 4, as subdivided - A certain tract piece or parcel of land, situate in North Milton, in the Hundred aforesaid, lying on Paynter's Mill Pond and Lavina road, and adjoining No. 1 of No. 4 above described and containing $8\frac{5}{8}$ acres more or less to John C. Polk for the price or sum of Two hundred dollars, he the said John C. Polk being the highest and best bidder and that being the highest and best price that could be obtained for the same.

That the aggregate amount of the sale of said real estate is the sum of Twelve hundred and ten dollars (\$1210.00). That on the day of said sale He demanded and received from the said purchasers ten per cent of said purchase money being the sum of One hundred and twenty one dollars (\$121.00) which said last named sum I have deposited in The Farmers Bank of the State of Delaware at

Georgetown to the credit of the Orphans Court
and have filed a certificate of deposit for the
same with the clerk of this Court.

All which is respectfully submitted

Chas. Co. Culler

Sept. 2 1890

Atty. Genl.

Samuel Martin, Recd.

Order amending Order of
Sale

Recorded in Orphan's
Court Record, A. M. No. 39,
folio 210 -

In Re

Sale of $\frac{1}{3}$ of the Real Estate
of Samuel Martin, Decd.

And now to wit, this 19th day
of May, a. D. 1890, on Motion of Charles W.
Cullen, Esq., attorney for the petitioners, it is ordered
by the Court, that the order for the sale by Justice
of one third of the lands of Samuel Martin, Decd.,
be amended by inserting therein an authority
to the Justice appointed to effect said sale, to
subdivide for the purpose of said sale, No. 4 of
said lands, as described in the return of the
Freeholder, heretofore appointed to divide said
lands.

John W. B. B. B.
J. O. B.

Recorded in Ophi
Court Record A. M.
No 39. page 287

Samuel Martin dec'd
Subdivision Plot of No. 4.

Samuel Martin
dec^d

Assignment

Recorded in Money
Docket 7, folio
3034c

1/3 of

IN THE MATTER OF THE REAL ESTATE OF Samuel Martin — deceased, and now to wit this *second* day of *September* in the year of our Lord, one thousand eight hundred and *ninety* the said return and report of said Trustee for the sale of said Real Estate of the said *Samuel Martin* deceased, having been read and considered the said sale is approved and confirmed by the Court

And it appearing to the Court, that the purchase money of said real estate is the sum of *twelve hundred and ten dollars* and that the said Trustee has deposited *ten* per centum thereof, being the sum of *\$121.00* in the Farmers' Bank of the State of Delaware, at Georgetown, to the credit of this Court and the certificate of such deposit is filed with the Clerk. The Court, therefore, assign the said real estate so sold to the purchasers thereof, viz: *John C. Poek and Curtis C. Reed*

And it appeared to the Court that the costs taxed in this case amount to the sum of *\$136.44* and the said *ten* per cent. paid is the sum of *\$121.00* and the *Costs* exceeds the *percent* in the sum of *\$15.11* — which last named sum of *\$15.11* the purchasers of *said real estate* have paid to the clerk of this Court.

THE PURCHASE MONEY OF *nos 1, 3, 1 of no 4 + 2 of no 4* of said real estate purchased by *John C. Poek* is the sum of from which *\$124.36* *proportional part of* costs being deducted leaves the sum of *\$980.70* — The Court therefore order the said *John C. Poek* the said purchaser of *nos 1, 3, 1 of no 4 + 2 of no 4* of said real estate to enter into a recognizance in this Court with good and sufficient surety in the sum of *\$1961.40* being double the amount of the balance of said purchase money arising from the sale of — the said real estate *\$124.36* *prop. part of* costs deducted, with condition to pay to the parties entitled severally, or their executors, administrators or assigns, respectively, their respective, just and proportionable shares of *nine hundred and eighty dollars and seventy cents* being the balance of the purchase money of said *nos 1, 3, 1 of no 4, + 2 of no 4* of said real estate, costs deducted with interest thereon from the *second* day of *September* in the year of our Lord one thousand eight hundred and *ninety* on or before the *second* day of *September* in the year of our Lord one thousand eight hundred and *ninety one* and the Court approve of *Samuel J. Martin* of *Broadkill* and *John C. Hazard* of *Broadkill* hundred, Sussex county, as surety in said recognizance

THE PURCHASE MONEY OF *no. 2* of said real estate purchased by *Curtis C. Reed* is the sum of *\$105.00* from which *\$11.81* *proportional part of* costs being deducted leaves the sum of *\$93.19* — The Court therefore order the said *Curtis C. Reed* the said purchaser of *no. 2* of the said real estate to enter into a recognizance in this Court with good and sufficient surety in the sum of *\$186.38* being double the amount of the balance of said purchase money arising from the sale of *no. 2* of — the said real estate *\$11.81* *prop. part of* costs deducted, with condition to pay to the parties entitled severally, or their executors, administrators or assigns, respectively, their respective, just and proportionable shares of *ninety three dollars and nineteen cents (\$93.19)* —

being the balance of the purchase money of said *no. 2* of said real estate, costs deducted with interest thereon from the *second* day of *September* in the year of our Lord one thousand eight hundred and *ninety one* on or before the *second* day of *September* in the year of our Lord one thousand eight hundred and *ninety one* and the Court approve of *Robert H. Warren* of *Sadar Creek* hundred, Sussex county, as surety in said recognizance.

And the Court further order the Clerk of this Court to draw a check under the Seal of the Court on the Farmers' Bank of the State of Delaware at Georgetown, for the said sum of *\$121.00* the amount of the said certificate of Deposits in this case, and together with said sum of *\$15.11* —

paid into Court by said purchaser pay to the parties and officers entitled their respective costs in this case, and take receipts for the same on the records of this Court.

..... } Judge of the
Chas. M. Collier } Orphans' Court.

To be paid by Poek — \$13.80
 To be paid by Reed — 1.31
 15.11

Samuel Martin did

Recogny
Curtis C. Reed

Recorded, Recog.
Dock. C. No. 5, folio

37-

Samuel Martin dec'd
Recog'd
John C. Polk

Recorded in Recog.
Book C. No. 5. folio
36-

1830

1/3

In the case of the Real Estate of Samuel Martin

deceased, Recognizance taken in the Orphans' Court holden at Georgetown, in the County of Sussex, the second day of September in the year of our Lord one thousand eight hundred and Ninety on assigning Nos. One, Three, and Nos 1 and 2 of No. Four of the real estate of Samuel Martin of Sussex County, deceased, sold under an order of the Orphans' Court, according to the Acts of Assembly in such case made and provided.

Be it Remembered, That on this second day of September in the year of our Lord one thousand eight hundred and Ninety John C Polk of Broadkilm Hundred, in the County aforesaid and Samuel J. Martin of Broadkilm Hundred, in the County aforesaid, and John C Hazard of Broadkilm Hundred, in the County aforesaid personally come here into Orphans' Court of Sussex County, holden at Georgetown the day and year aforesaid, and jointly and severally acknowledge themselves to owe to the State of Delaware the sum of Nineteen hundred and sixty one dollars and forty cents lawful money of the United States of America, to be made and levied on their goods and chattels, lands and tenements respectively, UPON CONDITION that if the said John C Polk his heirs, ex-

ecutors or administrators, do and shall well and truly pay to the parties entitled severally, or their executors, administrators or assigns respectively, their respective just and proportionable shares of Nine hundred and eighty dollars and seventy cents (\$980.70) being the Balance of the purchase money of Nos. 1, 2, 3 and Nos 1 & 2 of No. 4 of the real estate late of Samuel Martin deceased this day assigned to the said John C Polk with interest thereon from the second day of September one thousand eight hundred and Ninety on or before the second day of September one thousand eight hundred and Ninety one then this recognizance to be void, else to be and remain in full force and virtue of law.

Taken and acknowledged in open Court this second day of September A.D. 1890

Charles W. Whelpley

Clerk.

Samuel Martin dec^d

1 William B. Tomblinson

2 Arhemiah D. Welch

3 James Ponder

4 Joseph L. Black

5 Henry B. Lingo

6 Robert Carey

7 John Fox

8 John B. Dorman.

Hazard Jos. C.
Surveyor.

Samuel Martin

made and exhibited to this Court upon
Rights and Credits of the said Samuel Martin
form of the act of the General assembly in such case made and provided it is found by the said account that the Personal Estate of said deceased is not sufficient for the payment of his debts to the amount of \$3,000.
18

order made to sell

Administrate^r as aforesaid, having
a just and true account of all the Personal Estate,
deceased, according to the
Petition &c. Read, notices proven and

Samuel Martin dec^d
Petition for sale of his
lands to pay debts.

March 9th 1880
Order of sale made
for all except
lots number two
and three -
Bond in the
total sum of
\$6,000. and
John C. Hogg
approved as
surety.
Edmund Wooten
J. C. C.

Recorded in A. G. No. 35
folio 255

To the Honorable the Orphans' Court of Sussex County.

The Petition of Samuel Martin Administrator of all and singular the goods and chattles, rights and credits which were of Samuel Martin late of Broadfield hundred in said county deceased,

Respectfully Represents—That the Personal Estate of said Samuel Martin deceased, is not sufficient to pay and discharge his just debts, as may appear by the account of all his personal estate and of all debts outstanding against his estate herewith exhibited.

That the said Samuel Martin was seized in his demesne as of fee of and in certain lands and tenements situate, lying and being in Broadfield hundred and county aforesaid, ~~containing~~ to wit A tract of land situate in Broadfield

- Numbered adjoining lands of N Warrington James Webb & others containing 390 acres more or less
- No 2 a tract situate in said hundred adjoining lands of Peter B Jackson W A Hayward and others containing 14 acres more or less
- No 3 The Mansion House and Lot situate in Milton on Union Street containing 1625 square feet
- No 4 Four Wharf lots in said hundred on Broadfield Creek in Milton containing 45724 square feet

That the said Samuel Martin left to survive him as his heirs at law a widow Sarah Martin Annie Polk, Elizabeth Boudin, Arabella Holland, Martin Council, James Council, Willat Nelson, Charles Nelson and your petitioners

his heirs at law, to whom your petitioner has given the usual notice required by the rules of this Court his in attention to apply on the first day of the present term for an order for the sale of said lands, and that your petitioners are the tenants in possession of said lands and tenements and to whom notice has been given as aforesaid.

That the said Martin Council, James Council, Willat Nelson, Charles Nelson are non resident of this State and have been noticed of your petitioners present application by the Clerk of this Court, by the said Clerk's posting up notices at the Court House Door of this County and in his office more than three weeks since, according to the Rules of this Court.

Your Petitioner therefore prays the Court to make an order for the sale of the said Lands, Tenements and Hereditaments aforesaid or a part thereof for the payment of such part of the debts of said deceased as his personal estate is not sufficient to satisfy; agreeable to the act of the General Assembly in such case made and provided; and that your petitioner be authorized to employ a person to bid for him at the sale of said lands and premises.

C. M. C. City

Samuel Martin and of Samuel Martin Dec

And your petitioner will ever pray &c.

ACCOUNT TAKEN IN THE ORPHANS' COURT OF SUSSEX COUNTY, at March Term 1880
 on the application of Samuel J. Martin Administrator
 Administrator of Samuel Martin deceased for an order to sell
 the Real Estate of said deceased for the payment of his debts,

Dr. the Estate of the deceased,	\$	Cts.	Contra Cr.	\$	Cts.
To James Bond on Note	250	00			
Int from May 18, 1864	221	98	Unapp Bal in hand		
To Endeavor Lodge No 17 Acct	347	46	Sett on 1 st Account	168	70
To Trustee of M B Church Note	200	00			
Int from Jan 2, 1865	102	38			
To Edward R Paynter Acct	155	89			
To Farmers Bank Reg Note	500	00			
To Annie E Polk Judgment	1258	10			
Int from Oct 11, 1879	31	43			
Cash	16	92			
To Sarah A Martin Note	59	00			
To Elias A Fisher "	100	00			
To this Administrator on Acct	175	00			
To Expenses laying off Dower	68	00			
To Priscilla A Parker Note	200	00			
Int from Feb 7, 1870	120	10			
	<u>3806</u>	<u>26</u>			

Amount of list of Sales of which has
 been accounted for \$944.60
 The am't of the inventory and Ap-
 praisment is \$7592.92
 The am't of sperate debts due dec'd
 The am't deseparate debts due dec'd \$570.00

SUSSEX COUNTY, SS Samuel J. Martin administrator as aforesaid
on oath saith that the above is a just and true account of all personal estate of the said Samuel
Martin deceased, of every nature and description, and of all debts outstan ling
 against the estate of said deceased, which have come to his knowledge and of all other property rights and credit be-
 longing to the Personal Estate of said deceased whereof he hath knowledge
 and subscribed this
Samuel day of March 1880
 In open Court Philip C. Pennel CLERK. Samuel J. Martin

KNOWN ALL MEN BY THESE PRESENTS, That we *Samuel J. Martin*
of Broadkill Hundred
and *John C. Hazard* of Broadkill _____ hundred

and held and firmly bound to the State of Delaware in the penal sum *Six thousand*
Dollars lawful money of the United States of America to be paid to the said State its certain attorney or assigns, to
which payment well and truly to be made, we bind ourselves, our heirs, executors, and administrators, jointly and
severally firmly by these presents, sealed with our seals and dated this *ninth* day of *March*
in the year of our Lord one thousand eight hundred and *Eighty*

Whereas the Orphans Court of Sussex County hath made an order that *Samuel J. Martin*
administrator of all and singular the Goods and Chattles, Rights and Credits which were of
Samuel Martin deceased shall sell *the lands and tenements*
on the foregoing petition fully and at large set forth
being the lands

late of the said *Samuel Martin* deceased for the payment of the debts of
the said deceased, as the personal estate of the said *Samuel Martin* deceased
is not sufficient to satisfy.

Now the condition of this Obligation is such, that if the above bounden *Samuel J. Martin*
shall account truly and just for all the money which shall arise from said sale and
(the just charges to be allowed by the said Court being first deducted) shall apply all the balance of the said money
in or toward payment of the outstanding debts against the said *Samuel Martin*
deceased according to their priority as prescribed by law, and shall pay the surplus, if any according to law, and shall
perform his duty in the premises, in all things with fidelity, then this obligation to be void and of none effect, or else
shall be and remain in full force and virtue.

Signed, Sealed, and deliv red)

IN THE PRESENCE OF

Philip Le Pennel

Samuel Martin Seal
John C. Hazard Seal
" " " "

The above surety

approved by the Court

(order and advertisement made out)

Samuel Martin Administrator as aforesaid, having
 made and exhibited to this Court upon a just and true account of all the Personal Estate,
 Rights and Credits of the said *Samuel Martin* deceased, according to the
 form of the act of the General assembly in such case made and provided it is found by the said account that the Per-
 sonal Estate of said deceased is not sufficient for the payment of his debts to the amount of *7363.56*
 order made to sell 18 Petition &c., Read, notices proven and

Samuel Martin dec'd
 Petition for sale of two
 lands to pay debts.

March 9th 1858
 Copy of Petition
 for sale of said
 lands returned to
 me this -
 Book in the
 Court room of
 S. C. 1858. and
 John La Plante
 a copy of
 same
 Edward Martin
 S. C.

Recorded in N. 9. N. 35
 Feb 12 55

September 21st
 1880. Return
 approved and
 also confirmed
 and costs taxed.
 Edward Woolley

Recorded in Outh Court
 Record A H. No 35. folio
 349

Samuel Martin dec^d
 Order for Sale of his real
 estate to pay debts

7/3 Costs on order for Dower etc	\$68.00
16 Notices to heirs 2.7	1.14
Drawing Pet.	1.00
Exhibit filing & cri	.35
Entering order & cri	.35
Recording Pet order & Bond	2.30
Stating & filing acct.	1.00
affidts	.50
Drawing & taking Bond	.50
Issuing order	1.40
20 Advertisements	2.00
Printing Bills	1.75
Drawing & filing return	1.00
Entering order on cri	.70
Recording Return	1.75
Drawing 5 Deeds each 2.00	10.00
Serving notices on heirs	4.00
Drawing 2 Deeds	4.00
	<u>97.94</u>
	4.00
	101.94

Adms. Costs
 Commission on \$4578.00 \$90.68
 Atty fee Pd by P.C. Pennel 10.00
 Posting Bills } Paid by P.C. Pennel 10.00
 auctioneering } 5.00

Filed Aug 21st 1879
 \$222.62

AT AN ORPHANS' COURT held at Georgetown, in and for Sussex Co.,

the nineteenth day of March in the year of our Lord one thousand eight hundred and Eighty, upon the petition of Samuel J. Martin Administrator of Samuel Martin late of

Broadkill hundred in said County, deceased, praying the Court to make an order for the sale of the Real Estate of said deceased, situate in Broadkill hundred

and County aforesaid, to wit: No. 1. A tract of land situate in Broadkill hundred adjoining lands of St. Warrington, James Pett & others containing 3.90 acres more or less. No. 2 a tract situate in said hundred adjoining lands of Peter B. Jackson, W. A. Hazard and others containing 14 acres more or less. No. 3 The mansion house and lot situate in Milton on Vernon Street containing 1625 square feet. No. 4 Four Wharf lots in said hundred on Broadkill creek in Milton containing 45124 square feet. That Nos 2 and 3 were assigned as Dower to his widow Sarah A. Martin.

adjoining lands of _____ and others or a part thereof for the payment of such part of the debts of said deceased, as his personal estate is not sufficient to satisfy.

And it appearing to the Court that the said Samuel J. Martin Administrator as aforesaid hath duly given written notices to the parties interested, of the intention of the said Samuel J. Martin admr to prefer such petition according to the acts of Assembly and the rules of this Court, and the said administrator hath made and exhibited to this Court on Oath a just and true account of all the personal estate of said deceased, of every nature and description, and of all debts outstanding against the estate of said deceased, which have come to his knowledge, and the inventory and appraisal, and list of debts, &c., according to the act of Assembly in such case made and provided, and it appearing to the Court that the personal estate of said Samuel Martin deceased is not sufficient for the payment of his debts to the amount of \$3637.56

It is therefore Ordered by the Court that the said Samuel J. Martin Administrator as aforesaid sell the aforesaid lands and tenements or such part thereof as will be sufficient for the payment of the debts of said deceased

by public auction, and that the said administrator give notice thereof by advertisements made and signed by the Clerk of this Court describing the premises to be sold and appointing the day, hour and place of sale, posted at least twenty days before the day of sale in ten or more of the most public places in Sussex County, and it is ordered by the Court that the said Samuel J. Martin administrator return his proceedings in the execution of this order to the next Orphans' Court of Sussex County, to be held at Georgetown in the County aforesaid, on Tuesday the twenty first day of September next.

In Testimony Whereof I Philip C. Pennel Clerk of the said Orphans Court have hereunto set my hand and affixed the seal of the said Court at Georgetown this thirtieth day of March in the year of our Lord one thousand eight hundred and Eighty

Philip C. Pennel Clerk.

respectfully represent that after due notice given by ten advertisements written and signed by Philip C. Kennel
Clerk of the Orphans' Court of Sussex county, describing the lands and premises to be sold, and appointing the day, hour and place
of sale posted more than twenty days before the day of sale in ten of the most public places in the County aforesaid, according to the
directions of the annexed and forgoing order, I did, on the 29th day of May last past at the hotel of Peter Hart in Milton
expose to sale, by way of public auction, all the lands and premises mentioned and described in the said order; and I did then, and
there by way of Public Auction, sell all the said lands and premises, viz: Residue B. No. 1 adjoining lands of N. Har-
vington, Residue B. No. 3 and Residue B. No. 2 and Broadkiln Creek and others con-
taining 5 3/4 acres with a small tenant house thereon

to Joseph L & Thomas Black for the sum of five hundred and thirty five dollars
the said Joseph L & Thomas Black being the highest and best bidder, and that being the highest and best price
that could be obtained for the same, one other tract Residue B. No. 2 adjoining Residue B. No. 1, Residue
B. No. 3 and lots of Hon. James Ponder and others containing 30 acres 30 square
perches more or less.

to John C Polk for the sum of five hundred and fifteen dollars
be the said John C Polk being the highest and best bidder, and that being the highest and best
price that could be obtained for the same, and also one other tract Residue B. No. 3 adjoining lands of James
Webb, Residue B. No. 4 and lying on Round Pole Branch containing 145 acres 70 square
perches more or less with a large two-story dwelling house and outbuilding and orchards
thereon.

to Noah W. Megee for the sum of fourteen hundred and fifty dollars
be the said Noah W. Megee being the highest and best bidder, and that being the highest and best
price that could be obtained for the same.

~~there by way of Public Auction, sell all the said lands and premises, viz:~~ and one other tract Residue B. No. 4
adjoining lands of James Webb, Residue B. No. 5 lands of S. J. Martin and lying on
Round Pole Branch, containing 76 acres 80 square perches more or less.

to Annie E Polk for the sum of five hundred & seventy seven dollars
be the said Annie E Polk being the highest and best bidder, and that being the highest and best price
that could be obtained for the same, one other tract Residue B. No. 5 adjoining lands of James Webb, lands
of James G. Cary, lands of A. J. Holland and Residue B. No. 4 containing 26 acres
80 square perches more or less.

to Noah W. Megee for the sum of two hundred and forty five dollars
be the said Noah W. Megee being the highest and best bidder, and that being the highest and best
price that could be obtained for the same, and also one other tract Residue B. No. 6 being a Wharf lot with
a carpenter shop thereon situate in the Town of Milton aforesaid on the south side
of Broadkiln Creek and east side of Federal Street containing 10,260 square feet of
wharf land

to Daniel R. Beerton for the sum of two hundred and eighty dollars
be the said Daniel R. Beerton being the highest and best bidder, and that being the highest and best
price that could be obtained for the same.

~~there by way of Public Auction, sell all the said lands and premises, viz:~~ one other tract Residue B. No. 7 being
a Wharf lot, without buildings, adjoining No. 6 last above described containing
10,260 square feet of wharf land.

to James A. Hopkins for the sum of two hundred and eighty one dollars
be the said James A. Hopkins being the highest and best bidder, and that being the highest and best price
that could be obtained for the same, one other tract Residue B. No. 9, being a wharf lot, without build-
ings, adjoining Residue B. No. 7 last above described containing 11,882 square
feet of wharf land.

to John W & Jonathan Fox for the sum of two hundred and eighty five dollars
the said John W & Jonathan Fox being the highest and best bidder, and that being the highest and best
price that could be obtained for the same, and also one other tract Residue B. No. 9 being a wharf lot with
a granary erected thereon adjoining residue B. No. 8, wharf lot of Hon. James Ponder
and Powell A. No. 1 containing 11,272 square feet of wharf land with a right of way
from Federal Street, to each of the above described wharf lots.

to John W & Jonathan Fox for the sum of three hundred and fifty dollars
the said John W & Jonathan Fox being the highest and best bidder, and that being the highest and best
price that could be obtained for the same.

WITNESS my hand the twenty first day of September, one thousand eight hundred
and seventy eight and certify that I have received the said purchase money ADM'R.

C. M. Cullumath

Samuel J. Martin Adm'r

To the Honorable, the Judges of the
Orphan's Court of the State of Delaware
in and for Sussex County;

The petition of John C. Polk
respectfully represents;

That under and by virtue
of proceedings heretofore had in this
Honorable Court, an order was ob-
tained for the sale of 3/4 of the real estate
of Samuel Martin deceased, late of
Broad River Hundred, Sussex County,
Delaware, and the same was duly
sold in pursuance thereof, and
Lots Nos. 1, 3, and Nos 1 and 2 of No. 4 were
purchased by your petitioner, who en-
tered into a recognizance in this Court
for the sum of \$980.70, now of record
in this Court in ~~Book~~ ^{Book} E. No. 5. page 36,
to pay to the parties respectively entitled,
their respective shares thereof.

That the said deceased left to survive
him at the time of said sale his widow
and the following heirs at law, who
are entitled under said recognizance
viz; Samuel J. Martin to have four parts
John C. Polk to have four parts, Arabella
Holland, Elizabeth Caultin, Martin J. Conwell,
and James C. Conwell, ^{each} to have one part
and Wilbur Nelson to have the remaining

^{the whole into ~~three~~ parts to be divided}
for no part. That the said Arabella
Holland is entitled in said recognizance
to the $\frac{1}{6}$ thereof, being the sum of \$61.39
with interest from 2nd Sept. A.D. 1890 to this
date, being the sum of \$41.3 aggregating
the sum of \$65.42

That the said Martin J. Cornell is
entitled in said recognizance to the $\frac{1}{6}$
thereof, being the sum of \$61.29, with interest
from the 2nd September 1890 to this date
being the sum of \$41.73 aggregating the
sum of \$65.42

That the said William Nelson is entitled
in said recognizance to the $\frac{1}{2}$ part thereof,
being the sum of \$245.18, with interest
from the 2nd day of September 1890 to
this date, being the sum of \$6.54 aggregating
the sum of \$261.72

That the said Arabella Holland,
Martin J. Cornell and William Nelson
are now residents of this State and
as such your petitioner is unable
to have said shares in said recognizance
satisfied.

Your petitioner therefore prays
your Honor to make an Order
allowing your petitioner to pay into
this Court the said sums set out
as aforesaid, being the respective

amounts due said Arabella Holland
Martin J. Cornwell and Wilbur Nelson
with interest thereon, according to
the provisions of the Act of Assembly
in such case made and provided
And will ever pay re

Chas. W. Cullen

Atty for Cullen

John G. Polk

And now to wit, this 14. day of October
A.D. 1891, the within and foregoing pe-
tition having been read and consid-
ered by the Court, It is Ordered by the
Court that the said John G. Polk pay
into this Court by filing with the Clerk
of the Supreme Court, in and for Sussex
County a certificate of deposit on the
Farmers Bank of the State of Delaware
at Georgetown as follows viz a certificate
for the sum of \$65.42 being the prin-
cipal and interest on said recognizance due
the said Arabella Holland; a certificate
for the sum of \$65.42 being the principal
and interest on said recognizance due

The said Martin & Cornell and a
certificate for the sum of \$261.72 being
the principal and interest due said
recognizance due the said William
Wilson and upon such payment
It is further Ordered that the Clerk
of this Court enter satisfaction
on the record of said recognizance
of the said John C. Polk, for the share
aforesaid. And it is further Ordered
that your petitioner pay the costs
of this proceeding to the Clerk of this
Court.

Chas. M. Cullen
J. C. C.

Petition of John C. Polk
To pay money into
Court on recognizance

Records can
Money docketed
page 115

Filed Oct. 16th 1891
Everett Williams
Clerk of Court

Wilbert Nelson, Petition to draw funds out of the Orphan's Court.

The petition of Wilbert Nelson of the city of Philadelphia & state of Pennsylvania, most respectfully represents: That under and by virtue of proceedings heretofore had in this Honorable Court, an order was obtained for the sale of $\frac{1}{3}$ of the Real Estate of Samuel Martin, deceased, late of Broadkill Hundred, Sussex County, Delaware, and the same was duly sold in pursuance thereof, and Lots Nos. 1, 3 and also Nos. 1 and 2 of No. 4 were purchased by John C. Polk, who entered into a Recognizance in this Court for the sum of Nine Hundred Eighty Dollars and Seventy cents (\$980.70) now of record in this Court in Recognizance Docket E. No. 5, page 36, to pay to the parties respectively entitled, their respective shares thereof. That the said deceased, left to survive him, at the time of said sale, no widow, but the following heirs-at-law, who are entitled under said Recognizance, viz: Samuel J. Martin, to have four parts; Annie E. Polk, to have four parts; Arrabella Holland, Elizabeth Couster, Martin J. Couwell and James C. Couwell, each to have one part, and Wilbert Nelson to have the remaining four parts, the whole into sixteen parts to be divided. That Wilbert Nelson (your petitioner) is entitled in said Recognizance to $\frac{4}{16}$ part thereof, being the sum of \$ 245.18, with interest from the 2nd day of September

A. D. 1890. That on the 16th day of October
A. D. 1891, your Honors made an order author-
izing the said John C. Cook, the Recognizer as
aforesaid, to pay into court the shares and
interests of the said Martin J. Leavelle, Arabella
Holland and Wilbert Nelson (your petitioners)
they being now residents of this State.

That the share and interest of your petitioners,
amounting to the sum of Two Hundred Sixty
one & 72/100 Dollars (\$261.72) remains on deposit
in the Farmers Bank of the State of Del-
aware at Georgetown, to the credit of the Or-
phan's Court in and for Sussex County as
will appear by reference to the certificate
of Deposit, recorded in Money Docket G.
page 4.

That your petitioner is desirous of receiving
his share and interest as aforesaid deposited
and he therefore prays your Honor to make
an order authorizing and directing the pay-
ment of the said amount to him or his
Attorney Chas. W. Cullen Esq.

And, as in duty bound, he will ever pray
tc.

X. Wilbert Nelson.

Chas. W. Cullen
Atty. for Petrs.

And now to wit, this twenty fifth day of
June A.D. 1892 the foregoing petition having
been read and considered and the state-
ment therein contained appearing to be
true, it is Ordered by the Court, that the Clerk
of this Court draw a check on the Farmers
Bank at Hogsbottom, under seal of said
Court, payable to the order of Charles W. Cullen
Esq. Attorney for the said Wilbur Nelson
for the said sum of two hundred and sixty
one dollars and seventy two cents and deliver
the same to the said Charles W. Cullen Esq
Attorney as aforesaid, taking his receipt on
the record of this Court therefor

And it is further Ordered that the petitioner
pay the costs of this proceedings.

Chas. W. Cullen
J.C.C.

Hubert Nelson.

Petition to draw funds
out of the Orphan's
Court

Recorded in
Money Docket
of page 144

Filed June 25th 1892
Everett Hackman
Clerk of Court

Miller Det

Arabella Holland.

Petition to draw funds
out of the Orphan's Court

Recorded in
Money Docket of
page 116

Filed Jan. 27th 1892
Everett Hickman
clerk. O. Court

Arabella Holland, Petition to draw funds out of the Orphan's Court.

The petition of Arabella Holland, of Somerset County and State of Maryland, most respectfully represents: That under and by virtue of proceedings heretofore had in this Honorable Court, an order was obtained for the sale of $\frac{1}{3}$ of the Real Estate of Samuel Martin, deceased, late of Broadkill Hundred, Sussex County Delaware, and the same was duly sold in pursuance thereof, and Lots Nos. 1, 3 and Nos. 1 and 2 of No. 4, were purchased by John C. Paek, who entered into a recognizance in this Court for the sum of Nine Hundred Eighty Dollars and seventy cents (\$980.70) now of Record in this Court in ^{Recognizance} Docket C. No. 5 page 36, to pay to the parties respectively entitled, their respective shares thereof.

That the said deceased left to survive him at the time of said sale, no widow but the following heirs at law, who are entitled under said Recognizance, viz: Samuel J. Martin, to have four parts; Annie E. Paek to have four parts; Arabella Holland, Elizabeth Coulter Martin J. Conwell and James C. Conwell each to have one part and Wilbert Nelson to have the remaining four parts, the whole into sixteen parts to be divided.

That Arabella Holland (your petitioner) is entitled in said Recognizance to the $\frac{1}{16}$ thereof being the sum of Sixty One $\frac{29}{100}$ Dollars, with interest from the 2nd day of Sep-

September A.D. 1890.

That on the 16th day of October A.D. 1891 your Honors made an order authorizing the said John C. Palk to pay into court the shares and interests of the said Wilbert Wilson Martin J. Louwell and Arabella Holland (your petitioners) they being now residents of this State. That the share and interest of your petitioners amounting to the sum of Sixty five Dollars and forty two cents (\$65.42) remains on deposit in the Farmers Bank of the State of Delaware, ^{at Georgetown} to the Credit of the Orphan's Court, in and for Sussex County, as will appear by reference to the Certificate of Deposit Recorded in Money Docket G. page 4.

That your petitioner is desirous of receiving her share and interest so as aforesaid deposited and she therefore prays your Honors for an order authorizing and directing the payment of the said amount to her or her attorney ^{Wm. H. Boyer}. And as in duty bound she will ever pray &c.

Arabella Holland

Wm. H. Boyer Atty. for Petitioner

And now to wit, this 30th day of January A.D. 1892, the foregoing petition having been read and considered and the statements therein contained appearing to be true, it is ordered by the court, that the clerk of

on the Farmers Bank at Georgetown
this Court draw a check, under seal of said
Court, payable to the order of Wm. H. Boyce Esq.
attorney for the said Arabella Holland, for the
said sum of sixty five & ⁴²/₁₀₀ Dollars,
and delivers the same to the said Wm. H. Boyce
Esq. Attorney as aforesaid, taking his receipt
on the Record of this Court therefor.

And the petitioner is further ordered to pay
the costs of this proceeding.

Chas. M. Cullen J. O. C.

Malibu Dist
Arabella Kealland.

Petition to draw funds
out of the Orphan's Court

Recorded in
Money Docket of
page 116

Filed Jan. 27th 1892
Everett Buchanan
clerk. O. Court

No. 288

Georgetown, Del. Sept. 4th 1890

The Farmers Bank of the State of Delaware,
AT GEORGETOWN,

Pay to Charles W. Whaley, Clerk, Orphans' Court or Order,
One hundred and twenty one ¹⁰⁰ * Dollars,
amt. certif. of Dep. Trustee sale, lands of Samuel
Martin, Decd.

And charge the same to the Orphans' Court.

Attest: Chas. M. Cullen

By order of the said Court.

\$ 121⁰⁰/₁₀₀ J. O. C.

Charles W. Whaley, Clerk, O. C.



Charles W. Whaley, Jr.,
Clerk, Orphans' Court

Martin J. Cornwall, Petition to draw funds out of Orphan's Court.

The petition of Martin J. Cornwall of the State of Wyoming respectfully represents: That under and by virtue of proceedings heretofore had in this Honorable Court, an order was obtained for the sale of one third of the Real Estate of Samuel Martini, late of Broadkill Township, deceased, and the same was duly sold in pursuance thereof and Lots Nos. 1, 2 and 3 and Nos. 1 and 2 of No. 4 were purchased by John C. Palk, who entered into a Recognizance in this Court for the sum of Nine Hundred Eighty Dollars and seventy cents (\$988.70) now of record in this Court in Recognizance Book E No 5 page 36, conditioned to pay to the parties respectively entitled, their respective shares thereof. That the said deceased, left to survive him, no widow, but the following heirs at law, who are entitled under said Recognizance, viz: Samuel J. Martini, to have four parts; Anne C. Palk to have four parts, Arabella Newland, Elizabeth Coulter, Martin J. Cornwall and James C. Cornwall, each to have one part, the whole into sixteen parts to be divided. That Martin J. Cornwall (your petitioner) is entitled in said Recognizance to the $\frac{1}{16}$ part thereof, being the sum of Sixty one & $\frac{29}{100}$ Dollars, with interest from the 2nd day of September A.D. 1890. That on the 16th day of October A.D. 1891

your Honors made an order authorizing
the said John C. Polk to pay into this court
the share and interests of the said Wilbert
Nelson, Martin J. Leavell and Arabella Holland
they being now residents of this State.

That the share and interest of your petition-
er, amounting to the sum of sixty five Dollars
and forty two cents (\$65.⁴²) remains on de-
posit at The Farmers Bank of the State
of Delaware at Georgetown, to the credit of
the Orphans Court, in and for Sussex County,
as will appear by reference to the certificate
of Deposit in Money docketed page 4.

That your petitioner is desirous of re-
ceiving his share and interest so as afore-
said deposited and he therefore prays your
Honors to make an order authorizing
and directing the payment of the said
amount to him or his Attorney Robert C.
White Esq. And as in duty bound
he will ever pray.

Robt C White Atty Martin J Leavell

And now to wit this 6th day of June
A.D. 1893, the above and foregoing Petition having
been read and considered, and the statements
therein contained appearing to be true, it
is ordered by the court that, the clerk of
this court draw a check under seal of
said court, payable to the order of Robt
C White Esq Atty for Martin J. Leavell, for
the said sum of sixty five & ⁴²/₁₀₀ Dollars.

and deliver the same to him taking his receipt upon the Receipt for the same.
And it is further ordered that the petitioners pay the cost of this proceeding.

J. H. Wolcott
P. O. 6

Martin J. Leavell.

Petition to draw funds
out of Orphans Court

Recorded in
Money Docket
of page 19 B

Filed June 6th 1893
Evertt Hickman
Clerk of Orphans Court