

**Probate, SC, York, FRANCIS ARMSTRONG 1865**

CASE #56  
FILE # 2545

**FRANCIS ARMSTRONG**, deceased  
**WILLIAM WHITE**, et. al., applicant

1865

**Probate, SC, York, FRANCIS ARMSTRONG 1865**

**WILLIAM WHITE** and **WHITE** applicants

vs

**JOSEPH WOOD SALLY WOOD** his wife  
heirs at law of **FRANCIS ARMSTRONG** deceased

Partition of Real Estate

November 24th 1865

The following named parties appeared:

**WILLIAM WHITE, ISABELLA WHITE** his wife  
**ALEXANDER WALLACE**  
**HUGH WALLACE** and  
**WILLIAM ARMSTRONG**

**WILLIAM WHITE** and **ISABELLA WHITE** his wife wish the lands sold.

**ALEXANDER WALLACE** no objections.

**HUGH WALLACE** no objections.

**WILLIAM ARMSTRONG** objects on grounds that if sold now land would bring nothing.

**ROBERT WALLACE** sworn, knows the lands knows the lands thinks it would be in the interest of the parties to sell, would not bear division.

**BRUMFIELD WALLACE** sworn, knows the lands thinks it would be the interest of parties to sell, would not bear division.

**ALEXANDER PERRY** sworn agrees and opinion with above witnesses.

**J. A. BROWN**, OYD

**Probate, SC, York, FRANCIS ARMSTRONG 1865**

**WILLIAM WHITE** and **ISABELLA** wife **WHITE** his wife  
applicants

vs

**JOSEPH WOOD** and **SALLY WOOD** his wife  
heirs at law of **FRANCIS ARMSTRONG** deceased

Partition real estate

On due examination it is ordered and decreed that the lands described in the summons in Partition in this case be sold by the sheriff of York District on the first Monday in January 1866, or on such other sales day as will be more advantageous for the parties, and interest on a credit of 12 months with interest from day of sale, the purchaser giving bond with good securities and a mortgage of the premises, if deemed necessary, to the ordinary for the payment of the purchase money.

Costs to be paid in cash.

Given under my hand and seal of office at York courthouse.

November 24th 1865

**J. A. BROWN**, OYD

**Probate, SC, York, FRANCIS ARMSTRONG 1865**

South Carolina  
York District

Before the undersigned personally appeared **JAMES BRIAN** and **R. R. PARISH** and on oath say that they are well acquainted with the plantation of **FRANCIS ARMSTRONG**, deceased, said to contain two hundred and fourteen acres, and that they do not regard the same as worth \$1,000.

Sworn to and subscribed before me November 3rd 1865.

**JAMES BRIAN**  
**R. R. PARRISH**

**W. J. CLAWSON,**  
Notary Public

**Probate, SC, York, FRANCIS ARMSTRONG 1865**

State of South Carolina  
York District

Writ in summons

To:

**JOSEPH WOOD, SALLY WOOD** his wife,

**WILLIAM ARMSTRONG,**

**GRIZELLA CARROLL,** daughter of **POLLY ROBERTSON,** formerly **POLLY ARMSTRONG,**

**THOMAS WHITE** and wife, **MARGARET WHITE** daughter of **POLLY ROBERTSON,** formerly **POLLY ARMSTRONG,**

**FRANKLIN ROBERTSON** son of **POLLY ROBERTSON** formerly **POLLY ARMSTRONG,**

**HUGH WALLACE, ALEXANDER WALLACE, SALLY WALLACE, ESTHER WALLACE, NANCY WALLACE, WILLIAM WALLACE** and **FRANKLIN WALLACE,** children of **REBECCA WALLACE** formerly **REBECCA ARMSTRONG,**

**WILLIAM BRANDON [BRANTON]** and wife **MARY BRANDON** daughter **REBECCA WALLACE** formerly **REBECCA ARMSTRONG.**

Legal heirs and representatives of **FRANCIS ARMSTRONG,** deceased, who died intestate, greeting:

You are hereby required to appear at the court of ordinary, to holden at York courthouse for the said District on the 24th day of November ad 1865, to show cause, if any you can, why the real estate of **FRANCIS ARMSTRONG** deceased, and situated in said district, on the headwaters of Allison's Creek in York District, bounding lands of **JAMES A. BARNWELL, R. HAGINS, Mrs. JAMES ROBERTSON, and MARGARET N. JACKSON** and containing 214 Acres more or less should not be divided, or sold, allotting to the said:

**WILLIAM WHITE** and wife **ISABELLA WHITE** 1/5th part thereof,

**JOSEPH WOOD** and wife **SALLY** 1/5th part thereof,

**WILLIAM ARMSTRONG** 1/5th part thereof,

**GRIZELLA CARROLL, THOMAS WHITE** and **MARGARET WHITE** his wife, and **FRANKLIN ROBERTSON** each one 1/15th part thereof,

**HUGH WALLACE, ALEXANDER WALLACE, SALLY WALLACE, ESTHER WALLACE, NANCY WALLACE, FRANKLIN WALLACE, WILLIAM WALLACE,** and **WILLIAM BRANDON** and wife **MARY BRANDON,** each 1/40th part thereof.

Given under my hand and seal this 3rd day of November 1865

**J. A. BROWN**  
Ordinary, York District.

**Probate, SC, York, FRANCIS ARMSTRONG 1865**

York

**WILLIAM WHITE & ISABELLA WHITE** applicants

vs

**JOSEPH WOOD, SALLY WOOD** his wife, et. al.

Heirs at law of **FRANCIS ARMSTRONG**, deceased

Summons in partition

I do hereby appoint **W. J. CLAWSON**, guardian ad litem of **FRANKLIN WALLACE & WILLIAM WALLACE**. **J. A. BROWN**, November 3<sup>rd</sup>, 1865

I accept the appointment of guardian ad litem of **FRANKLIN WALLACE & WILLIAM WALLACE**. **W. J. CLAWSON**, November 3<sup>rd</sup>, 1865

We accept the service of within summons:

**W. J. CLAWSON**, guardian ad litem of **FRANKLIN WALLACE & WILLIAM WALLACE**

**ISABELLA WHITE** {her mark} {**J. A. ERWIN**, witness}

**FRANKLIN ROBERTSON**

**GRISILLAR CARROLL** {her mark}

**THOMAS WHITE** {his mark} {**T. B. WHITE**, witness}

**MARGARET WHITE** {her mark}

**JOSEPH WOOD**

**SARAH WOOD** {**B. A. DAWSON** Davison, witness}

**ESTHER JOHNSON** {her mark}

**NANCY WALLACE** {her mark}

**WILLIAM BRANEN** {his mark} {**J. C. BRANEN**, witness}

**MARY BRANEN** {her mark}

**J. H. JOHNSON**

**SARAH T. WALLACE** {her mark, **J. H. YEARWOOD**, witness}

Nov. 17, 1865 I have, this day, personally served **WILLIAM WHITE** with copy of this summons also on 21<sup>st</sup>, same month, I personally served **ALEXANDER WALLACE** with copy of this & left copy at residence of **HUGH WALLACE & WILLIAM ARMSTRONG**.

**JAMES MASON**, OYD

Services proved before me Nov. 22, 1865, **J. A. BROWN**, OYD

**Probate, SC, York, FRANCIS ARMSTRONG 1865**

South Carolina  
York District

To: **JOHN A. ???** Esquire, ordinary, York district

Your petitioners **WILLIAM WHITE** and wife **ISABELLA** respectfully showeth:

That **FRANCIS ARMSTRONG** departed this life intestate seized and possessed at the time of his death of a sizable tract of land in York district containing two hundred and fourteen acres bounded by lands of **JAMES A. BARNWELL, R. HAGINS, Mrs. JAMES ROBERTSON, and MARGARET N. JACKSON.**

That he left has his heirs at law and distributees the following persons, to wit:

**ISABELLA WHITE** wife of **WILLIAM WHITE**; **SALLY WOOD** wife of **JOSEPH WOOD**; **WILLIAM ARMSTRONG**; **GRIZELLA CARROLL** wife of **ROBERT CARROLL** daughter of **POLLY ROBERTSON**, formerly **POLLY ARMSTRONG**; **MARGARET WHITE** wife of **THOMAS WHITE** daughter of **POLLY ROBERTSON**, formerly **POLLY ARMSTRONG**; **FRANKLIN ROBERTSON** son of **POLLY ROBERTSON**, formerly **POLLY ARMSTRONG**; **HUGH WALLACE**; **ALEXANDER WALLACE**; **FRANKLIN WALLACE**; **WILLIAM WALLACE**; **SALLY WALLACE**, **ESTHER WALLACE** and **NANCY WALLACE**, children of **REBECCA WALLACE** formerly **REBECCA ARMSTRONG**; **MARY BRANDON** wife of **WILLIAM BRANDON** daughter of **REBECCA WALLACE** formerly **REBECCA ARMSTRONG**.

That your petitioners are desiring to have partition and division ??? of the said tract of land ??? **FRANKLIN** and **WILLIAM WALLACE**

Respectfully ???

Probate, SC, York, FRANCIS ARMSTRONG 1865

M. WHITTAKER

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*****
*                                     *
*                                     *   JAMES BARNHILL
*                                     *
L. L. PACKARD * FRANCIS ARMSTRONG * H. C. THOMASSON
* 238 acres    *
*                                     *   J. H. ???
*                                     *
*                                     *
*                                     *
*****
R. HAGINS
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South Carolina  
York District

The above plant represents a tract of land containing 238 acres belonging to the estate of **FRANCIS ARMSTRONG** deceased with such form marks and boundaries as above shown.

Survey December 30th 1865

**JOHN G. ENLOE**

Deputy Surveyor



**Probate, SC, York, FRANCIS ARMSTRONG 1865**

**JOSEPH WOOD** and wife

vs

**WILLIAM ARMSTRONG** and others

heirs at law of **FRANCIS ARMSTRONG** deceased

Bill for petition

Surveyors cost

January 29th and 30th 1865

2 days of surveying	\$6.00
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1 Platt	\$2.14
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Total	\$8.14
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<b>J. R. ALEXANDER</b>	2 days	\$2.00
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<b>BENJAMIN ARMSTRONG</b>	2 days	\$2.00
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**Probate, SC, York, FRANCIS ARMSTRONG 1865**

State of South Carolina  
York District

Know all men by these presents that we **HIRAM C. THOMASSON, A. JACKSON BROWN** and **E. P. CASTLES** are held and firmly bounden to **JOHN A. BROWN**, ordinary for York District, or his successors in office, in the fall and just sum of \$970 to be paid unto the said **JOHN A. BROWN** ordinary for York District, or his successors in office, to which payment well and truly to be made and done, we bind ourselves our heirs, executors and administrators for the whole and in the jointly and severally firmly by these presents.

Sealed with our seals and dated this first day of January, in the year of Our Lord 1866.

The condition of the above obligation is such, that if the above bound **HIRAM C. THOMASSON** his heirs, executors, administrators or assigns shall and will truly pay, or cause to be paid to the said **JOHN A. BROWN** ordinary, as aforesaid, or his successors in office, the just and full sum of \$485.90 in specie on or before the 1st day of January 1867 then the above obligation to be void and of no effect, or else to remain in full force and virtue.

**H. C. THOMASSON**  
**E. P. CASTLES**  
**R. J. BROWN**

Signed sealed and delivered in the presence of

**W. B. METTS**

**Probate, SC, York, FRANCIS ARMSTRONG 1865**

\$41.40 received October 20th 1866 of **H. C. THOMASSON** 41 \$43 in part being cost and interest due to date **H. C. HARRIS**, Ordinary York District

\$100 received September 2nd 1867 on the within Bond \$100 currency **H. C. HARRIS**, OYD

\$50 received February 6th 1868 \$50 current on the within Bond **H. C. HARRIS**, OYD

\$50 received February 22nd 1868 on the within Bond \$50 in US currency **H. C. HARRIS**, OYD

\$288.85 received December 3rd 1868 \$588.85 dollars in US currency on the within Bond being in full of principal and interest incurring **H. C. HARRIS**, OYD

\$75 received 12th September 1870 \$75 **H. C. HARRIS**, Justice of peace

Received February 7th 1872 of **HIRAM C. THOMASSON** \$146.85 in full of bond in within stated case.

A. B. XXX

Probate, SC, York, FRANCIS ARMSTRONG 1865

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