

Superior Court

Guilford County

- 1 John Staulk
- 2 Calista Staulk
- 3 Esther Staulk
- 4 A S Staulk, Daniel Staulk

Amy Staulk, Amanda Staulk
 offull age & Rufus H Staulk
 Mary Staulk & Esther Staulk children

- 5. of Charles Staulk dead & infant who was
 the first son next to and the said John Staulk
 Sarah Miller & Emily his wife
 Isaac H Staulk, Sarah H Staulk
 Emily Staulk, Mahala Staulk,
 Mary Staulk, Nancy Staulk &
 Charles Staulk children of
 Sarah Staulk dead.

- 6. Robert W Stafford as admr
 with the will annexed of Isaac Staulk dead

petition to sell land
 for decedent -

24 parts

To the Court please:

The petition shows unto the Court - That Isaac Staulk by
 his last will & testament in record in the late Court of Pleas
 & Quarter Sessions for Guilford County devised his landed property
 situated in Guilford County on the headwaters of Branch Creek
 to his widow Elizabeth Staulk for her life or widowhood & at
 her death, ~~devoted~~ the same to be sold to the
 proceeds to be equally divided between & amongst all his
 children share & share alike as will more fully appear
 by reference to a copy of said will to be hereafter produced
 & when produced prayed to be taken as a part of this petition

2. That said will was admitted to record in August Term 1861 of Guilford County ^{Court} & Charles Stucky one of the Executors therein named qualified & he & the other persons therein named as Executors are both now dead, having closed up the administration as to the personal estate of the widow of Isaac Stucky to wit Elizabeth Stucky, the Dances for life of the lands is also now dead -

3. That Isaac Stucky left a tract of land situate in Guilford County on the head waters of Branch Creek, adjoining the lands of John W. Blacklock & the lands of the Magistrate Iron Works Company, ^{& others} the same land in which Isaac Stucky died, containing about 130 acres & the land now belong to his heirs at law as devised in said will, to wit, John Stucky Calista Stucky, Esther Stucky who are his children & A. S. Stucky Daniel Stucky Amos Stucky, Amanda Stucky of first ^{or} & Rufus H. Stucky, Mary Stucky & Esther Stucky ~~Executors~~ ~~of said~~ ~~estate~~ the behalf of John Stucky their uncle & next friend which said last mentioned now are children of & represent Charles Stucky died a son of Isaac Stucky, and the following who are children of & represent Amos Stucky died, also a son of Isaac Stucky, to wit, Emory wife of John Miller, Isaac Stucky Sarah H. Stucky, Amos Stucky, Mahala Stucky, Mary Stucky Isaac Stucky & Charles Stucky, in all making five shares.

4. Your Honors show, that the said lands now owned by a company in common is not needed for the payment of any debt or obligations against the estate of Isaac Stucky ~~and that the same is not needed for the payment of any debt or obligations against the estate of Isaac Stucky~~

given to a party to the sale of land and further
 and that the same can not be divided in kind without
 materially injuring the interests of the parties entitled
 thereto both from the number entitled & from the character
 of the lands & Robert de Stafford sheweth that he is
 the admsr de bene now with the will annexed of Isaac
 Stanley dead & he gives in this petition to set forth that
 he knows of no debt against the estate of Isaac Stanley
 & he is willing to a sale for a division amongst the heirs
 therefore your petitioners pray that a Commissioner
 may be appointed to make sale of said lands &
 that the proceeds thereof may be distributed & divided
 to & amongst all of the parties entitled thereto as
 refused & for such other & further relief in the
 premises as may be good to sight

Devised & signed
 for Petitioners

On reading the foregoing petition it is ordered adjudged & decreed
 by the Court that the lands in the petition mentioned ought to be sold
 for partition, & to this end it is adjudged that Robert de Stafford
 the admsr de bene now with the will annexed of Isaac Stanley dead, he & he is
 hereby appointed a Commissioner, whose duty it shall be, to set
 the lands in the pleading mentioned at public auction on his month
 end & taking bond & security, reserving the title, on the premises
 after advertising the time & place of sale as prescribed by law for sale
 of land under execution. & the said Commissioner will
 report his sale to the Court in view of a confirmation thereof
 Devised & signed

J. Nelson Esq
 De officio Petitioners