

1821-024

SOUTHAMPTON COUNTY
CHANCERY PAPERS

HARRIS and Wife et al VS. TURNER'S ADM'R.

9/1821

other surnames: Myrick,
Lundy, Lunday, Gilliam

To the worshipful Court of Southampton County in Chancery
Sitting humbly complaining Show unto your worshipps your
and Orators Newit Harris and Elizabeth his wife formerly
Elizabeth Turner. James Myrick and Phebe his wife formerly
Phebe Turner. Martha Turner. and Byrd Lundy an
infant of tender years by his guardian in
this behalf.

That Thomas Turner the father of your
female complainants and the grand father of the
infant Byrd Lundy. departed this life some time in
the year of intestate proposed a considerable real
and personal estate. leaving a widow Charlotte Turner
and your Orators and the complainant Byrd together
with their sister Charlotte Turner since married to a
certain Henry Rhelliam his heir at law. That Charlotte
the widow of the intestate applied to this worshipful
Court for an assignment of dower in the land and
Slaves of her dec'd husband which was accordingly
had. That the Charlotte the widow, hath recently
departed this life. and the beforementioned Henry Rh
gilliam whom your Orators and Oratrices pray may
be made defendant to this bill. hath obtained from
this worshipful Court letters of administration de bonis
non on the estate of the said Thomas Turner. and hath
proposed himself of the whole of the property comprised
in the said dower. and refuses to make distribution
thereof without the order of a Court of equity. all
of which actings & doings of the said Gilliam are
contrary to equity. In tender consideration whereof
and for as much as your Orators and Oratrices are
without relief in the premises without the aid of
a Court of Chancery. To the end therefore that the
said Henry Rhelliam do not as aforesaid may be

compelled on oath true and perfect answer to make
to the allegations in this bill contained. And that your
Worships will grant to your orators and oratrices
such other and further relief as may be consistent
with equity and the rules of this Court - May it
please your worship to grant the Commonwealth
suit of Sup^o &c -

The Answer of Henry Williamson to the bill of
Complaint exhibited against him in this honorable
Court, by Nevil Harris & others. This defendant
saying &c. for answer to the said bill says. That he
admits the allegations in the complainants bill, that
as Adm. de bonis non of the said Tho. Turner
he holds the property in the bill mentioned. but
has no objection to this Courts making such order
and decree in the premises as may be consistent
with law & equity. And having answered he prays
to be hence dismissed &c -

Harris & wife & others

Turner Adm.

This Cause was this day docketed by
consent of the Court and assent of the parties and
upon mature consideration thereon had the Court doth
order and decree that Humphrey Henry
Levi Waller Joel Westbrook & David Westbrook or
any three of them, do after giving due notice
of the time & place of the sale, sell to the highest
bidder on account of ^{the lands in the bill mentioned} months, taking for
separate bond with good & sufficient security for the
amount of the sum, and that they allot to each

Hammett & Co.

is 1/2 Bt. Amm. & Dec.

Lundy Co.

~~D. N. 1820~~ Sub. aurea

Hammett & Co.
~~is~~
~~Hammett & Co.~~

Hammett & Co.

Harris wife

M.

3/3

In chancery

Turner above.

This cause was this day docketed by consent
of the Court and the assent of the parties, whereupon
after mature consideration the Court doth adjudge ~~and~~
decree that Sundry Moller, Peter Edwards, Lewis ~~Turner~~
~~and~~ do take the County Surveyor with them
who record the same on the bill mentioned into five
equal parts, ~~the same~~ according to quantity and
quality, and that they or any three of them do allot to the
Compt's Jewett Harris and James Myrick in right of their
wives ~~Charlotte~~ ^{Elizabeth} and Phoebe, one of the said parts, each -
to the Compt's Martha Turner, one other of the 5th parts,
to the ~~Def't~~ Compt's Henry R Gilliam as Guardian to Bynd
Sundy one other part; and to the Def't Henry R Gilliam
in right of his wife Charlotte. The remaining part -
And it is further Decreed and ordered, that the s^d ~~Compt's~~
divide the negro slaves ^{estate} ~~belonging~~ held by ~~Charlotte~~ Turner,
as widow of Thom. a. Turner dec^d. into five equal shares,
and distribute in like manner and to the same parties
as above directed. And that they make report to this
Court in order to a final decree.

Harris & Co
London W.C. Decree

to Copy

Southampton County Decr Court 1820

newt Harrip and Elizabeth his wife formerly
Elizabeth Turner, James Myrick and Phoebe his
wife formerly Phoebe Turner, Martha Turner and
Byrd Lunsay and infant of Senev gear by Henry
R. Gilliam his guardian and next friends to prosecute
in this behalf

Comptants

In Chy.

ag^t
Henry R. Gilliam

Defendant

This Cause was this day docketed by Consent of the Court
and the agent of the parties, whereupon after mature Consideration
the Court doth advise order and decree, that Drury Waller
Peter Edwards, Leir Waller and David Westbrook, do take the
County Surveyor, with them, and divide the land in the vice
mentioned into five equal parts, according to quality and
quantity, and that they or any three of them, do allot to the
Comptants newt Harrip and James Myrick in right of
their wives, ~~Charlotte~~ ^{Elizabeth} and Phoebe, one of the said parts, each
to the Comptant Martha Turner, one ~~other~~ of the said
parts to the defendant Henry R. Gilliam as guardian to Byrd
Lunsay one other part, and to the defendant Henry R. Gilliam
in right of his wife Charlotte the remaining part and it is
further decreed and ordered, that the said Comptants divide the
negro Slaves lately held by Charlotte Turner as widow of Thomas Turner
and into five equal parts and distribute in like manner and to the
said parties as above directed and that they make report to this
Court in order to a final decree

Teste A. Middleton D.C.



Comm. report of division
of the Land & Waters
belonging to the Survey
estate

17th
Sept 1871 and 8 out to be
recorded

In Obedience of a decree of the worshipful court of Southampton
to us directed bearing date Dec. court 1820 we have pro-
ceeded to carry the same into effect to Wch being attended
by the county Surveyor we proceeded to divide the Land
belonging to Thomas Turner dec. which the late Charlotte
Turner his widow held as dower in five equal parts
having regard to Quality as well as Quantity and do
Assign unto James Myrick in right of his Wife
Thee lot N^o 1 containing Sixty three and half Acres
bounded as follows beginning ^{road} at the run of
~~the~~ branch thence down the road to Hixesford road
thence along that road to a post at the corner of
Orchard thence along a line of marked trees to the said
branch up the run of the said branch to the beginning
it being his proportion of the said Land, We also
unto Henry R. Gilliam in right of his wife Charlotte Lot
No 2 containing Eight Acres beginning at a post on
the south side of Hixesford Road a corner of James
Myrick ~~year~~ line thence along the said road to a
post in Martha Turners line opposite the Gate
thence along a line of marked trees to the said
~~the~~ branch thence up the said branch to
James Myricks & wifes line thence along his line
to the beginning it being his proportion of the
said Land

We allot unto Martha Turner Lot No 3 containing Six
Acres Beginning at a post in Henry R. Gilliams line
on the side of the said road thence along the said
Road to a Walnut tree in Newt Harris line thence
along his line to a Peach tree & corner thence along
a line of marked trees to a Saw Gum in Henry
R. Gilliams line thence along his line to the beginning
it being her proportion of the said Land We allot
unto Newt Harris in right of his wife Elizabeth Lot
No 4 containing Sixty Six and half Acres beginning at
a Walnut tree in Martha Turners line in the said
Harris line thence along his line to a White Oak
a corner of Byrd Luncys line thence along a line
of marked trees to ~~the~~ branch thence up the
said branch to Henry R. Gilliams line thence along
his line to Martha Turners line thence along her line
to the beginning it being his proportion of the said Land
We allot unto Byrd Luncy Lot No 5 containing
Sixty Six and half Acres beginning at a White Oak
in Newt Harris line thence along his line to Francis
Risley line thence along his line to ~~the~~ branch thence
up the said branch to Newt Harris line thence along
his line to the beginning it being his proportion of
the said Land — and do allot unto James
Myrick in right of his wife Phoebe the following Slaves
Comfort and Brunetta and to receive from Henry
R. Gilliams Thirtun dollars it being his proportion of the
Slaves belonging to the said estate —

We do allot unto Henry R. Gilliam in right of his wife
Charlotte Negro Man George and boy Tom by his
paying James Myrick Thirtun dollars, Martha
Turner Three dollars, Newt Harris Twenty Eight
dollars and unto Byrd Luncy Three dollars ~~it being~~
the same being his proportions of the said Slaves
We allot unto Martha Turner Negro Boy Harry
and to receive from Henry R. Gilliam Three
dollars it being her proportion of the said Slaves
We allot unto Newt Harris in right of his wife
Elizabeth Negro Girl Zenas and to receive from
Henry R. Gilliam Twenty Eight dollars it being
his proportion of the said Slaves — ~~it being~~
Byrd Luncy Negro Woman Lucy and boy
Polis and to receive from Henry R. Gilliam
Three dollars it being his proportion of the
said Slaves — Given under our hands this
29th day of Dec 1820 —

Levi Waller
Peter Edwards
Devere Weebrook