

1844-148 SOUTHAMPTON COUNTY
CHANCERY PAPERS

WALLACE VS. WHITEHEAD
4/1844

Wallace

~ { Bill &c.

Whitehead

1824 Feb. Diem felix &c.

" Mar. Report.

" Apl. Confm?

To the worshipful the county court
of Southampton in chambers sitting

Humbly complaining sheweth
unto your worship your com-
plainant Courtney Wallace
widow of Samuel Wallace dec^d
that as she came before the death
of her husband, he was taken in
exon under a case, and to relieve
himself from confinement was
obliged to take the oath of an
involunt debtor, and to surrender
all his property both real and
personal - that he surrendered
^{or} ~~some~~ small pieces of land, ~~one~~
of which was purchased by ~~him~~
^{Henry Whitehead} ~~with~~ - your complainant now be-
ing relinquished her dower in the
said land of land claims to be
recovered thereof, & for the purpose
of having justice done her in the
premises, ~~she~~ ^{Henry Whitehead} ~~prays~~ that the said
~~Whitehead~~ ^{Henry Whitehead} be made defendant
herein with apt and proper words
to charge him, & that he answer the
premises, & that commissioners may
be appointed to appraise her dower
in the said premises, & she will ever
pray -

Perpet. P 2

Henry Whitehead

The answer of ~~Whitehead~~ ^{Wallace} to a bill
of complaint exhibited to this wor-
shipful court by Courtney ~~Wallace~~

That, before and answering, admits

the allegations in the said bill to be true
and is willing that commissioners should
be appointed, to assign the complainant
her dower
Parker p. d.

Wallace
vs Whitehead
~~both~~

This cause was docketed and
came on to be heard by consent of parties
upon the bill and answer and was
argued by counsel when upon the
court both judge orders and decrees
that George A W Newman, Judging J
Mehone, and Thomson Moore
be appointed commissioners, any
~~two~~ of whom may act, to assign
the widow her complainant ~~her~~ as
dower ^{one third of} the said tract of land
to be used for and during her natural life
~~which is held by her late hus-~~
~~band and purchased by himself and~~
~~both, who sold by the sheriff of~~
~~the county, who are authorized if~~
they deem it necessary to employ the
county surveyor, or some other qual-
ified surveyor, to assist them in the
performance of the said duty, & that
they make report to this court in order
to a final decree

Wallace

n { copy Durr

Whitehead

To the worshipful court of Southampton County
 We the commissioners herein appointed, have divided the land
 between the parties as herein directed, allotting to Courtney Wallace
 the one third part, beginning at a pine in the line of H. Devereux
 thence through a field to a ditch in the rear of the dwelling, thence
 a long said ditch to another ditch, thence down said ditch nearly
 at right angles, a southerly course to a small black gum, thence
 nearly at right angles a westerly course a long a line of
 marked trees, some three or four hundred yards thence a southerly
 course a long a line of marked trees to the line of H. Devereux
 all of which is most respectfully submitted
 March 15th 1864

J. M. McCreary
 J. H. Mahone

Wallace

a } Copy Deed

Whitehead

Southampton February Court 1844-

Courtney Wallace

against

Henry Whitehead

Plff

Def

In Chancery

This cause was docketed and came on to be heard by consent of parties upon the bill and answer and was argued by counsel. Whereupon the Court doth adjudge order and decree that George A. Wetwson, Fielding McMahon and Harrison Moore be appointed Commissioners, any two of whom may act, to assign the widow complainant as dower one third of the said tract of land to be held for and during her natural life, and the said Commissioners, if they deem it necessary to employ the County Surveyor or some other qualified Surveyor, to assist them in the performance of the said duty - And that they make report to this Court in order to a final decree.

Attest

Teste.

L.R. Edwards Clk