1872-058 SOUTHAMPTON COUNTY CHANCERY PAPERS TURNER and Wife vs. MOORE 3/1872

594

George W. Turner & Wife
vs
Hannibal Moore

Decree

1869 Feby. Decree as filed.
" Oct. Report
1872. March. Final decree

To the worshipful County Court of
Southampton County — In Chancery —

Humbly Complaining sheweth unto
your worships your Complainants George W Turner & Elizabeth H. his wife (who was Moore the
daughter & heir of Henry Moore deceased, and
being still a minor sues by the said George W.
Turner her next friend) that the said Henry
Moore departed this life many years since intestate,
and seized & possessed of certain real estate
lying in said County, & leaving as his only
heirs at law his widow Elizabeth Moore
(whose dower has been assigned) the said Elizabeth H. Turner & Hannibal Moore also a
Minor — The said Complainants desire a di-
vision of the said real estate in kind,
which they believe can be made —
They therefore pray that your worships
would make the said Hannibal Moore
by some fit and proper person as guardian
ad litem, a party defendant to this Bill & re-
quire him to answer specially its allegations —
& permit some discreet persons as Commission-
ers to divide the real estate of which the
said Henry Moore died seized (except the
dower) equally between the said Elizabeth
Turner & Hannibal Moore —
And grant such other & general relief as Equity
may dictate & the nature of the Case may require —
And as in duty bound your Complainants ever
pray &c — May it please the Court &c!

Knibb p.q.

The Separate Answer of Hannibal Moore (a minor by Saml Kello who is appointed Guardian ad litem to the said Hannibal) to a Bill filed against him in the County Court of Southampton County, by George W. Turner & Elizabeth his wife -

This Defendant for answer says that he is an infant of tender years and submits his interest to the Protection of the Court -

Hundred

L C

George W Turner & Elizabeth his wife
vs
Hannibal Moore } Decree

This Cause this day was heard on the Bill, the Answer thereto (by Saml Kello who is hereby appointed by the Court Guardian ad litem to the Infant Defendant Hannibal Moore) and the Replication thereto - On Consideration whereof the Court doth adjudge, order & decree that George N. Musgrave, William S. Francis, Nathaniel F. Francis & Dennis R Pierce (any three of whom may act) be appointed Commissioners whose duty it shall be to divide equally between Elizabeth H. Turner (wife of George W. Turner) and Hannibal Moore by allotment or assignment the real estate of which Henry Moore their father died seized and possessed -

That the said Commissioners in acting employ if necessary, the Services of a Competent Surveyor - and required if they deem it advantageous to the interests of the parties Concerned, small sums of money by one to the other -

And report to Court in order to a final decree -

Turner & wife

v } Copy Decree

Moore

Southampton County Court February Term 1869

George W Turner & Elizabeth A his wife who was Moore Plffs
against
Hannibal Moore Deft } In Chancery

This cause this day was heard on the bill, the answer thereto (by Samuel Kello who is hereby appointed by the Court guardian ad litem to the infant Defendant Hannibal Moore) and the replication thereto. On consideration whereof the Court doth adjudge order and decree that George N Musgrave Wm S Francis, Nathaniel T. Frances & Junius R Person (any three of whom may act) be appointed Commissioners, whose duty it shall be to divide equally between Elizabeth A Turner (wife of George W Turner) and Hannibal Moore by allotment or assignment, the real estate of which Henry Moore their father died seized and possessed - That the said Commissioners so acting employ, if necessary, the services of a Competent Surveyor - and require if they deem it advantageous to the interest of the parties concerned, small sums of money by one to the other. And report to Court in order to a final decree.

A Copy -

Teste, L R Edwards cc

Geo. W. Turnerville

vs

Hannibal Moore

March Term 1872

To be entered.

Geo. W Turner & wife
vs
Hannibal Moore.

This day came on to be further heard on the papers formerly read, and the report of Commissioner made in pursuance of an order rendered at the Feby Term 1869 of the County Court of Southampton, to which no exception have been filed and was agreed by Counsel on consideration whereof. And the Court confirming said report, doth adjudge order & decree that the right, title & interests acquired & restored by said report, according to the discription therein set forth, by "metes & bounds, to each of the said parties, viz: Geo W. Turner & wife, Elizabeth, for one share, and to Hannibal Moore, for the other share, be declared firm, stable, & binding. Each party paying his own costs.

And nothing further appearing to be done in this cause, the same is dismissed from the docket.

1869 Oct. 6.

Pursuant to an order of Southampton County Court at February term last - The undersigned commissioners This day proceeded to view the lands devised by Henry Moore to Elizabeth H. & Hannibal Moore and after a careful examination of the same, have assigned unto Elizabeth H. Turner wife of Geo W. Turner that portion of the land lying west of a line beginning at a corner in the dower line a white oak tree, about west of the road gate of the dower land about two hundred yards - The said line then running in a north-easterly direction to a large Pine in the branch in I. R. Persons line distance about ~~distance~~ ~~four~~ six hundred yards - The said parcel of land is bounded by the above line and the Dower land, The lands of B & James & I. R. Person. We have assigned unto Hannibal Moore the land east of the above mentioned line and bounded by the Dower land, The lands of I. W. Francis, N. T. Francis & I. R. Person. There being no buildings on this portion we endeavored to assign to it an excess in ~~number~~ quantity and value equal to the buildings on the other place. Given under our hands this 28th day of July 1869.

G. N. Musgrave
Wm. S. Francis
Junius R. Pepson
N. T. Francis