1881 - 24 Southampton County Chancery Whitfield, William H et al vs Williams, Willia et al

"I partition land"

William Whitfield +
Susan Whitfield
his Wife

William Williams
William Daughtry
Mahala Daughtry

~~118~~ 113

Whitfield & wife

vs 3 Bill in chancery

Williams Sale

1840 March Rules

To The Honorable Judge George B Lowe of
the circuit court of Southampton County in
chancery sitting

Humbly complaining your Orators
William H Whitfield and Susan his wife
shew unto your Honor that in the year
1862 Lemuel Williams of Southampton County
departed this life intestate leaving considerable
estate both real and personal and his widow
Ginsy Williams (who dies in 1876) and
three children to wit Williams Williams
Susan
Rhoda Mahala married to Wm H Whitfield and
Mahala, married to Wm Daughtry his
distributees and heirs at law

Your Orators shew further unto your
Honor that there is a tract of land
containing one hundred acres held in
co-parcenary from the said estate between
them and William Williams and Wm
Daughtry and his wife three shares
and although all the heirs at law are
of age and your orators who desire
partition have frequently demanded it yet
the others have refused to grant their
request

In Tender consideration whereof
and inasmuch as your orators only entitled

to relief in a court of equity when such
matters are peculiarly cognizable they therefore
pray that William Williams and William
Daughtry and Mahala Daughtry his wife
may be made parties defendant to this
bill and that the court would compel
them as full and perfect answer make
to the allegations therein contained as if they
had been thereunto more fully and specially
interrogated and that the court would
appoint commissioners to divide the said
tract of land into three equal shares
among the heirs and if the commissioners
should report that impracticable then
that the said land may be sold and the
money divided according to the right of
the parties and the court would grant such
other and general relief the premises considered
as equity may dictate and the nature of this
case may require and that the court would
allow a fee of thirty dollars to be taxed in the cost
of the suit against all the parties to
William B Shands the plaintiffs attorney
and as in duty bound your Orators will
ever pray &c

Shands. Jr. q

Whitfield & wife
vs
Sums

Williams et als.

1880 March
Rules &c &c

Executed by delivering
William Williams
Wm Daughtrey & Mahala
his wife each a copy
of this Summons on the
24th day of February
1880; W W Driggs Shff

The Commonwealth of Virginia:

To the Sheriff of Southampton County Greeting:

We command you to summon William Williams William Daughtry and Mahala Daughtry his wife if they be found within your bailiwick to appear at the Clerks office of our Circuit Court of Southampton County at the Rules to be holden for said Court on the first monday in March next to answer A bill in Chancery in said Court exhibited against them by William S. Whitfield and Susan Whitfield his wife

and have then there this writ. Witness Littleton R. Eaugras Clerk of our said Court at the Courthouse this 18th day of February 1880 in the 104th year of the Commonwealth. L. R. Edwards CC

TIMES CHEAP JOB PRINT. FRANKLIN, VA.

Whitfield v Wife

v Z Dem

Williams v als

To be entered.

Geo Mott

May Term 1881.

1881 May Dismissed

Whitfield & wife

vs Decree

Williams & als

On motion of the

plaintiff his bill is dismissed