

1885-29

~ Southampton County Chancery ~

Turner, Edwin D. et al

vs Indian Trustees

petitioning court for Indian
descendants right to sell "their"
portion of land -

*

Plat within

Turner, Virginia

" , Maria

Harrism, Frances (Turner)

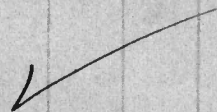
" , John

Britt, Rebecca (Turner)

" , John

Barham, Jesse S.
(Trustee)

Summ. 1881
or by Decree
Indian Trusts



To be entered
Nov. term 1881 -

Geo. B. Blow.

Turner v. als

vs 3

Decree

Indian Trusts

It appearing to the court
That some years have elapsed since the
last order entered in this cause it is
ordered that the same be removed from
the docket with liberty reserved to any
party interested to reinstate the same
on motion

Turner is also

as 3 Deane
Indian Trusts

This day this cause
came on to be
heard on the
petition of Edwin
D Turner, Virginia
Turner, Maria

Turner, Frances Harrison and her
husband John Harrison and Rebecca
Britt and her husband John Britt
and cousin of Jeph S Barham surviving
trusts of the Northway Trust of Indians
and was argued by counsel, On consideration
whereof the Court doth adjudge, order
and decree that Irving C Wells who
is hereby appointed a special
commissioner for that purpose shall
after having given reasonable notice
to the parties interested proceed to inquire
to what portion of the land now
containing 575 acres each the petitioners
to wit Edwin D Turner, Virginia
Turner, Maria Turner, Frances Harrison
and Rebecca Britt are entitled to it being
the land held by Jeph S Barham
surviving trusts for the Northway
Trust of Indians, and after ascertaining
that fact proceed to allot by metes and
bounds to Edwin D Turner, Virginia

Sumner, Maria Sumner, Francis Hamilton
and Rebecca Britt each their share
having regard to quality and quantity
and return his plat along with his
report to court in order to a further
decree and the court doth further
order that the petitioners each pay
his share of the costs of this petition
or suit

Sumner 4als

as by Decree

Archibald Forrest

To be entered

Geo Blos

179 105

Summ 4als
as 3 Petition
" 3 Deere
Indian Tules

1877 Nov. Deere

1878 Nov. Report & Deere

To The Honorable George Blair Judge
of The Circuit Court of Southampton
in Court now sitting

Respectfully Petitioning your petitioners
Edwin D Turner, Virginia Turner,
Maria Turner, Francis Harrison
who was Turner and now married
to John Harrison and Rebecca
Britt who was Turner now married
to John Britt all of whom are over
twenty one years old state that they
are descendants of a female of the
Nottoway Tribe of Indians and not
likely to become chargeable as paupers
to the commonwealth of Virginia and
desire that the court would have allotted
to them their share in the land of the
Nottoway Tribe of Indians in their own
right in fee simple which is now
held by Joseph S Barham the surviving
trustee for the tribe, that by an act of
the legislature passed the 23^d of February
1824 Among other things it was
enacted, "Whereas any descendant
of a female of the Nottoway Tribe
of Indians entitled to a share of
the property held in common in the

County of Southampton, shall apply to the County Court of Southampton for privileges similar to those given and granted to Mrs S Boyeman the said Court after notice to the Trustees may of their discretion exercise all the powers granted in the foregoing section for the benefit of such applicant and if so exercised he or she shall hereafter enjoy all the rights and privileges granted to the said Mrs S Boyeman provided they are satisfied of the good moral character of the applicants and that they are not likely to become chargeable to the commonwealth

Your Petitioners state that this power and authority has been since transferred to the Circuit Court of the said county. They state further that there are only two other persons to wit William Turner and Ella Turner two infants brother and sister of your petitioner and all seven children of one mother who own this land in common all the other members of the tribe having had their

shares allotted to them some
time since

Your Petitioners pray that a
commissioner may be appointed to
ascertain and allot to them by miles
and bounds their share in the
said land (which now amounts
to some 500 acres for the whole
tribe) to be held by them in their
own absolute right in fee simple
and as in duty bound your petitioners
will ever pray in

Edwin D Turner

Virginia Turner

Wana Turner

Francis Harrison and husband

John Harrison

Rebecca Britt and husband

John Britt

B9 Shandas atty

The answer of Jeph S Barham the
surviving trustee of the Nottoway tribe
of Indians to the petition of Edwin
D Turner and others

The said trustee says for answer
that the facts set forth by them are true
so far as he knows and he has no objection
to the court granting their prayer

Oct 1st 1877

Jeph S. Barham

Turner is also
vs 3. Deere
Indian Trust

This day This cause
came on again to be heard on the papers
formerly made and the report of special
commissioner Irving C. Mills who was
appointed by a decree of this court to
divide the lands between Edwin D
Turner and others and to which report
no exceptions have been filed and was
argued by counsel on consideration
whereof the court doth acquiesce, order
and decree that the said report be confirmed
- and that tract no 1 of 81.42 acres be
allotted to Virginia Turner, that tract no 2
of 81.42 acres be allotted to Rebecca Britt
that tract no 3 of 81.42 acres be allotted to
Mariah Turner, that tract no 4 of 81.42 acres
be allotted to Edwin Turner and that tract
no 5 of 81.42 acres be allotted to Francis
Harrison and as it appears by the report
of the said Irving C. Mills and his plat
filed therewith that he divided the said
lands in equal quantities without
regard to quality and value and it was
agreed that some of the parties should
pay money to the others to make the
value of the different tracts equal, the
court doth further acquiesce, order and
decree that Mariah Turner pay to
Virginia Turner \$10 and that Mariah
Turner pay to Edwin Turner the sum

of \$218, there being the amount agreed
to be paid by the parties and so reported
by the commissioners and that the said
Virginia Turner, Rebecca Britt, Mariah
Turner, Edwin Turner and Francis
Blamison, shall have the ^{same} power to sell,
convey, or exchange the same as any
other persons of this Commonwealth

Turner et al.
vs 3 Decem
Enclain Trustee
Nov Jan 1878
Is be entered
Test. J. H. W.

