

Josephus Whitehead and Catharine Bond
and Harriet his wife late James Whitehead
against

Complainants

Abner Mead Whitehead administrator, to be sued
with the will annexed of John Whitehead deceased
as also in his own right Martha Hill and John
Anthony Hill infant children of Sally Matilda
Hill deceased, formerly Sally Matilda Whitehead
by Arthur A. Carr their Guardian Lucius M.
Whitehead Magistrate Whitehead Lucius
Whitehead Lewis Morrell, Jacob Barrett and
Reuben Whitefield

In Chancery

Defendants

This Cause was this day docketed by Court of the parties and the effort of the Court and
came on to be heard upon the bill, the answer of the defendants and the exhibits annexed thereto
Comuel, and the Court taking the bill as confessed against the said defendants Magistrate
Whitehead. It appearing that the over hundred acres in this cause against him have been only
published in the Petersburg Intelligencer for two months successively, with a request, order and
decree that Edmund Robbelle, Walter Morrell, Samuel Magel Bond James Magel, Thos.
Thomas and Thomas Stanley, or any three of them chosen by the Surrogate of Southampton
County as dividers the lands lying in the said County of which John Whitehead was seignior not
including the lands which have been sold by value of the last will and Testament of the said
John Whitehead deceased into six equal parts and allot one of the said parts to the
Complainant Josephus Whitehead, another of the said parts to the defendant Abner Mead
Whitehead another of the said parts to the defendant Lucius M. Whitehead and another of the said
parts to the defendant Magistrate Whitehead that they subdivide the remaining two fourth
parts being those to which Lewis Augustus Whitehead and Jacob Anthony Whitehead are entitled
into seven equal parts of each subdivision will apportion a sum exceeding one hundred dollars
to each of the said shares, if not that they sell the remaining two fourth parts at public
auction on a week of twelve months from reasonable notice of the time and place of sale
and requiring a bond or bonds, with approved security from the purchaser or purchasers
and divide the proceeds of the said sale into seven equal parts, and in either event whether for
subdivision or sale of the said remaining two fourth parts to allot one of the said seven parts
to the Complainant Josephus Whitehead, another of the said parts to the Complainant Catharine
Bond wife of his wife Harriet, another of the said parts to the defendant Abner Mead
Whitehead, another of the said parts to the defendant Martha Hill and John Anthony Hill
in right of their deceased Mother Sally Matilda Hill to be delivered or paid over to their
guardian Arthur A. Carr, another of the said parts to the defendant Lucius M. Whitehead
another of the said parts to the defendant Magistrate Whitehead and the remaining seventh
part to the defendant Lucius Whitehead. And it appearing to the Court that the defendant
Lucius M. Whitehead by one of his agents and sales bearing date the 24th day of April 1839
sold his entire undivided interest in the aforesaid land with the temple to the defendant Lewis
Morrell it is further ordered and decreed, that the parts before directed to be allotted to the said
Lucius M. Whitehead, be afterwards allotted and transferred to the said Lewis Morrell and
it appearing also to the Court, that the defendant Magistrate Whitehead together with
Marion Whitehead now each by one of his agents and sales bearing date the 6th day of January
1798 sold fully seven acres and one eighth part of an acre of the aforesaid land