1821-013 Chancery Causes: Elizabeth Jefferson &al vs Sally Jefferson, widow of Samuel Jefferson

Isle of Wight County

other SURNAMES: ATKERSON, ATKINS

To the worshipful court of Isle of Wight in chancery sitting humbly complaining shew unto your worships your orators and oratrices Eliza Jefferson of full age, Archey Thomas, Erwin, Lucia, Patsey, Catharine, & Samuel D. Jefferson of tender years by their next friend Moses Atkerson, specially appointed guardian to take care of their interest in this suit; that Samuel Jefferson departed this life some in the year 1819 seized and possessed of a tract land lying in this county containing about 140 acres. Your orators & oratrices further state to your worships, that the said Samuel Jefferson dec. left a widow Sally Jefferson who is entitled to one third of the said tract of land during life. The residue of said land say two thirds should be divided amongst your complainants, as above named absolutely: ~~subject to the widows dower~~ according to an act of Assembly in such case made and provided. Your complainants further shew to your worships that the said tract of land ~~of land~~ is too small to be profitable if divided otherwise than by a sale of the said land, being not worth $500 a sheare. To the end therefore that the interest of all parties may be promoted; your complainants pray your worships to decree a sale of the said land ~~subject to~~ the widows dower, and dividing the proceeds arising from the sale thereof equally among your complainants: being the children & heirs of the said Samuel Jefferson dec. Your complainants are advised that the said land cannot be divided without the aide of a court of equity, where matters of this kind are alone properly cognizable. In tender consideration whereof and in as much as your complainants are without remidy elsewhere they pray that the said widow Sally Jefferson may be made defendant hereto, and be compelled to answer all and singular the alligations herein contained

fully and unevasively. They further pray that the aforesaid land be divided between the complainants and defendant according to their respective titles, and finally they pray that that this court would make any other or further order or decree in the premises which may be deemed right and just, and as in duty bound they will ever pray &c

Eliza Jefferson of full age
Archer Jefferson
Thomas Jefferson
Ervin Jefferson
Louisa Jefferson
Patcy Jefferson
Catherine Jefferson
Samuel D. Jefferson
Infants

By Moses Atkerson their next friend.

To the worshipful court Isle of Wight county sitting in Chancery. The answer of Sally Jefferson widow and relict of Samuel Jefferson dec to the bile of complaint exhebited against her by Eliza Jefferson and Moses Atkerson next friend and specially appointed to take care of the interest in this behalf of Archer, Tomas, Ervin, Louisa, Catharine & Samuel D. Jefferson of tender years & common guardian of the infant Patcy Jefferson.

This respondant now and at all times saving & reserving to her self every benifit of exceptions to any erraw or imperfection in the complainants bile contained for answer thereto or to so much thereof as she is advised is necessary and material for her to answer, answer and say, that she cannot gainsay the complainants allegations, and she is willing that this court should pronounce such decree in the premices as may be right and just, relying upon the wisdom and justice of this court,

This defendant ~~defendant~~ having answed pray to be hence dismised &c.

Sally Jefferson +

Jeffersons heirs Plaintiffs
vs
Jeffersons Widow defendant

By consent of parties and with the agent of the court this cause was this day docketed, and came on to be heard on the bile, answer & other exhibits filed, and was argued by cauncil whereupon it is adjudged ordred and decreed that Josiah Blunt, William Cracher, and Benjamin Chapman or any two of them, do ~~with the county surveyor~~ divide the tract of land that Samuel Jefferson died seized and polsed of in 3 equal parts having regard to quality as well as quantity, and allot one third part to Sally Jefferson the defendant for life as of he dower in the said land. and then to advertise and sell to the highest bidder all the said land subject however to the widows dower on a credit of nine Month, giveing 4 weeks notice of the time and place of sale except so much cash as will defray the expences incurd by the sale, &c

The said commissioners taking eight bonds of equal amount for the proceeds of the sale of the said land with good security, and assign one bond to each of the complainants, that is to say one bond Eliza Jefferson, one to the guardian of Arch, one to the guardian Thomas, one to the guardian of Ervin, one to the guardian Louisa, one to Moses Atkerson guardian of Patcy, one to the guardian of Catherine, and one to the guardian Samuel D Jefferson

and finally it is ordred that they or such of them as may act do make a report of their proceedings herein to this court in order to a final decree.

Jefferson
&c Bill &c.
Jefferson &c.

March 1811 Inter Bs decreed

April 1811 report rett'd and decreed accordingly

Jeffersons heirs
&c Bill Answer & decree
Jeffersons heirs.

Isle of Wight County March Court 1824.

Eliza Jefferson of full age, Archer, Thomas Lavin, Louisa, Polly, Catherine, and Samuel I. Jefferson of tender years by their Special guardian Moses Atkins ..... Compt.s

In ch.y

against

Sally Jefferson widow and relict of Samuel Jefferson decd. ..... Deft.

By consent of parties and with the assent of the court this cause was this day docketed, and came on to be heard on the bill, answer & other exhibits filed, and was argued by counsel, whereupon it is adjudged ordered and decreed that Josiah Blunt, William Crocker, and Benjamin Chapman or any two of them, do divide the tract of land that Samuel Jefferson decd. seized and possessed of in three equal parts having regard to quality as well as quantity, and allot one third part to Sally Jefferson the defendant for life as of her dower in the said land. and then to advertise and sell to the highest bidder all the said land subject however to the widows dower on a credit of nine months, giving four weeks notice of the time and place of sale except so much cash as will defray the expences incured by the sale &c. The said commissioners taking eight bonds of equal amount for the proceeds of the sale of the said land with good security, and assign one bond to each of the complainants that is to say one bond Eliza Jefferson, one to the guardian of Arch, one to the guardian Thomas, one to the guardian of Lavin, one to the guardian Louisa, one to Moses Atkins guardian of Polly, one to the guardian of Catherine, and one to the guardian Samd. I. Jefferson, and finally it is ordered that they or such of them as may act do make a report of their proceedings herein to this court in order to final decree.

A Copy Teste Nath.l Young c.c.

Jefferson }
vs } Copy Decree
Jefferson Exr.

In obedience to a decree of the Worshipful court of Jefferson County, bearing date march court 1821 to us directed, we the undersign'd, have laid off and set apart, to Sally Jefferson as her dower right in the land which Samuel Jefferson dec'd, died Seiz'd, poss'd of as follows, to wit beginning at a gum, joining the land which Jordan Thomas dec'd died, possess'd, thence running a South West course along a line of stabs, to a corner stab in the orchard, thence running along a line of stabs, a north course to a corner stab, on the north side of the Orchard thence running a South West course along a line of stabs, to a corner stab, thence running a north course, to a pine standing in the edge of the woods thence running along a line of mark'd trees, to a pine, a corner tree, thence running along a line of mark'd trees to Joseph Villines line, thence running along s'd Villines line to John Clarks line thence running along s'd Clarks line, to the line of the land, which Jordan Thomas dec'd died, possess'd. thence running along said Thomas's line to the first Station - We have also made sale of the remainder part of the land which said Samuel Jefferson dec'd died, possess'd subject to the Widows dower - as follows to wit, I - - -

representative for the sum of ninety nine dollars and 30 5/8 cts - one bond to Erwin Jefferson, or his legal represen-tative, for the sum of ninety nine dollars & 30 5/8 cts, one bond to Moses Atkins, guardian to Patsy Jefferson for the sum of ninety nine Dollars, and 30 5/8 cts - and three bonds to Sally Jefferson Guardian to Louisa Catharine, and Samuel F Jefferson, for the sum of ninety nine dollars, and 30 5/8 cts Each - given under our hands this Seventeenth day of march Eighteen hundred and twenty one - - - - - -

Ed Bland

William Brocker

his
Benjamin + Chapman
mark