

1829-002

Chancery Causes: John L. Turner v al, by v c. VS John Turner's adms

Isle of Wight County

other surnames: Hatchell,
Whitley, Womble

Wentle acc: with the
was removed of the Turner.

W

Turner decten

Turner & others

vs Bill & answer

Turners answer:

March 3^d 1820 Bill and
answer filed & Interests
decree

April 7th 1828 decree amend-
ed by inserting the name
of Elizabeth Turner as a
party complainant

July 7th 1828 report as to
sale of negroes returned
and continued

Jan 5th 1829 final decree

To the worshipful court of King's Bench sitting in Chancery, Sheweth
Complaining sheweth unto the court that John A. Turner, William A. Turner
Matthew ^A Turner, & Eleanor A. Turner infant children of John Turner
decd being in the care of Dacey Hatchell their next friend, Wiley
Turner, Joel Whitley in right of his wife Hall and, late Hall and
Turner Nancy A. Turner ^{& Elizabeth Turner} & the said Dacey
Hatchell, being in her individual right, sheweth unto the court
that the said John Turner died some short time since having first
made & published his last will & testament which he has duly admitted
to be recorded in the court - Your complainants beg leave to state, that some
short time after his will was admitted to record, a certain Edwin Morrell applied
to the court for letters of administration which he has obtained him due force
of law, by virtue of which letters of administration the said Edwin Morrell
has proposed himself of the whole of the estate whereof the said John Turner
did die seized - & now refers to make any surrender to them of their interest under
the will of their said Father, which they well hoped he would have done -
here upon to agreed to be taken as a part of the will -
But now as it is shown it please your worship, he has refused to do
that which in Equity & conscience he should have done, & your complainants
being without a remedy at the common law, which is therefore proposed at
the hands of the worshipful court, who possess ample power and authority
to grant relief in all such cases. -

In Indor considered ^{that} your complainants pray that the said debt
may be made a party debt unto, & full time & perfect answer made
to all and singular the allegations herein contained, and ~~affirming~~
that he say if he is in possession of the other things of the said John Turner
and seized ~~thereof~~ the land or ~~other~~ personal estate. ~~that~~ &
that if the said is not bound by the laws of Grace Attorney Wm
Turner, Matthew Johnson & Joseph Porcell containing about 150 acres
Your complainants pray that the said Edwin Morrell do not
refuse may be made a party debt. & that your worship will grant
such other & further relief in the premises to your worship, shall
seem to be more equitableness & Equity. -

Amelia Arpner

The answer of Edwin Mumble administrator ~~of all~~ with its will
arrived of all singulars the goods & chattels of Jno Turner, to a bill
of complainant exhibited against him by Jno Turner & others

This respondent now and at all times heretofore having & receiving
to himself all manner of exception & advantage to the many
false allegations in the complainant's said bill contained for
answer thereto, or to so much thereof as this doct is advised is

necessary & material for him to answer, doth answer say, that
he admits the truth of the allegations in the ~~said~~ ^{said} bill complainant's
said contained, & consents that the court shall proceed to appoint
Comptrols to sell the land & slaves whereof the said Jno Turner and
sings, ^{to divide the same agreeable to the direction of his will} & that he will surrender the same for that purpose when
ever lawfully called on to do so — And this doct denies all fraud
& prays to be hence discharged with his cost so victoriously entered

Edwin Mumble

Adm^r with the will am^r

Stiefwight County March Court 1828

John L. Turner, William A. Turner, Matthew
A. Turner and Deannah A. Turner, infant
children of John Turner dec'd suing in this
behalf by Discey Ketchell their next friend,
Kelley Turner and Joel Whittier in right of his
wife Holland late Holland Turner, Naney's
Turner of lawful age and the said Discey
Ketchell in her own right

Complainants

against

Edwin Womble administrator with the will
annexed of John Turner deceased

Defendant

In Ct.

This cause this day came on to be heard by consent of parties
upon the bill and answer filed, and was argued by counsel on considera-
tion the court doth order to judge and decree that Jordan Carr and
Edwin Womble be appointed commissioners to sell the land and slaves
whereof the said John Turner did seized, described and mentioned
in the complainants bill, as being bounded by the land of Jack
Atkins, William Turner, Matthew Johnson and Joseph Powell,
containing by estimation 150 acres, and the three slaves also therein
mentioned to wit, Jenny, Fanny and Edy. It is further ordered
and decreed that the said commissioners advertise the time and
place of sale in some public place in this county at least ten days
previous to the day of sale, and then proceed to sell the same upon
a credit of 4 months, except so much as is necessary to defray the
expense of this decree which is to be in cash, and to divide the proceeds
of the sale agreeable to the direction of the will of the said John Turner
and make report to this court in order to a final decree, to wit, is
reserved the infant complainants to shew cause if any they can in
six months after they respectively arrive at lawful age

Attest Teste Nathl Young

(At a Court held for Stiefwight County the 7th day of April 1828

By consent of parties and with the assent of the
court the decree awarded in this cause at the last court be so amended
as to insert the name of Elizabeth Turner as a party complainant in
this cause

Attest Teste Nathl Young

Turner Old Friend
to Pierce
Turner's address.

(A copy —

Costs of 1st decr. \$3.77
of last 62
\$4.59
Octo 10.00

In Obedience to a decree of the Court of Isle of Wight County
bearing date March Court 1828. to us directed We the undersig-
ned have made sale of the Slaves, which John Turner dec^d.
did possess, as follows, to wit, - - - - -

1 Negro Woman, Fanny	to Edwin Womble	\$230-00
1 do. Girl, Fanny	Elizabeth Turner	107-00
1 do. do. - - - - -	Edy. - - - - -	40-00
		<u>5377-00</u>

Att. fee - - - - -	\$10-00	{	
Clarks do - - - - -	4-62		
Commission - - - - -	18-85		
			net proceeds - \$343-53
			each heirs part \$38-17

We the undersign. find the net proceeds of the Above
named Slaves three hundred & forty three Dollars, and
fifty three cents, and each heirs part of the net procee-
ds thirty eight Dollars & seventeen cents, for which sum
We have taken bonds & security from the several purch-
asers, payable to the several heirs, or their Guardians &c.
as directed in said decree - Given under our hands
this 17th day of May 1828 - - - - -

Jordan [Signature]
Edwin Womble

Turner Letter

7 3 Ruff down
Womble

Turner's Letters

m 3 Rough draft

Wmble advt. with the will annexed of Bro Turner decd.

This cause this day came on to the heard by Court of practice upon the bill of
affidavit filed, and was argued by counsel in consideration the Court doth order to adjudge
& decree that Jordan Parr and Edwin Marble be appointed Commissioners to sell
~~the~~ the said slaves who of the said John Turner died seized, ~~the~~ &
mentioned in the Complacant's bill as being burdened by the said of Geo.
Atkinson, William Turner, Matthew Johnson, & Joseph Powell Cohens
of valuation 150 acres and the 3 slaves also therein mentioned, to wit
~~Jenny, Fanny & Edy.~~ It is further ordered & decreed that
the said Commissioners advertise the time & place of sale in some public place
in this county at least 10 days previous to the day of sale, & then proceed
to sell the same upon a credit of 9 months ~~and to deliver the same~~
~~proceed~~ except so much as is necessary to defray the expenses of
this decree which is to be in cash, & to divide the proceeds of the
sale agreeable to the direction of the will of the said John Turner
& make report to this Court in order to a final decree. And
we the infant ~~Complacants~~ to show cause if any they can in
6 months after they respectively arrive at lawful age -