

1831-008

Chancery Causes: George M. Atkins, by & c. vs Parvina Atkins & al, by & c

Isle of Wight County

other surnames: TURNER,
Edwards

Comp^d 230.00
Int^r 17.63
Com. & Vork 18.25

265.88

Alkins of friend

no 2 Bill Vanier^r

Alkins of friend

December 7th: 1829 Bill
and answers filed. &
Interd^t: decre^d

March 1st 1830 rept. ret^d
Reout^d

April 14th 1831. rept. conf^d
& final decrees entered

To the worshipful court of Sirs
of Right courtesy in Chancery sitting.

~~Shun~~ Humbly complaining the with
unto your worships your orator ~~being~~
M. Atkins an infant child of Jeremiah
Atkins deceased, by Joshua Edwards
his next friend; that the said Jeremiah
Atkins departed this life about the day
of ~~the~~ 1727 intestate, having a widow
Elizabeth Atkins, now Elizabeth E. D.
wards hodie since intermarried with
Joshua Edwards, and five children, to
wit, your orator, and Savina, Charlotte,
Elizabeth, and Sarah Atkins, that the
said Jeremiah Atkins deceased left at the
time of his death a very small personal
estate, ^{was given and possessed by} and three small tracts or parcels
of land, lying and being in this county
containing about ~~one~~ acres, and bounded
by the lands of Edmund Wentw. Williams Turner
Benj. Hobbs, ~~the~~ W. Edwards and others, that an
administration on the personal estate has
by this court been duly granted to Samuel
Thomas who your orator believes has duly
administered the same, that the said Eli-
zabeth Edwards the widow of the said Jer-
emiah Atkins deceased, has not her dower

assigned in the said tracts and parcel of land
by commissioners duly appointed by this
worshipful for that purpose who were di-
rected to divide the said lands ^{equally} ~~equally~~
amongst the said children of the said
Jermiah Atkins deceased but the said
^{commissioners} finding it impracticable to make an e-
qual division have reported to that effect
that in addition to the dower of the said
Elizabeth Edwards late the widow of your
Orator's deceased father, one of the said tracts
or parcels of land is incumbered with the dower
of a certain ^{very} ~~very~~ Thomas of whose late
husband your Orator's deceased father purchased
it, that the said tracts or parcels of land are
of little value and if sold for a division
amongst your Orator and the said Jermiah,
Charlotte, Elizabeth and Sarah Atkins the chil-
dren of the said Jermiah Atkins deceased, the
shares would not amount to \$300 a share
that your Orator believing it to be the interest
of himself and of all the children of the said
deceased father that there should be a sale of
the said tracts or parcels of land for an equal
division thereof, has applied to the said Je-
rmiah, Charlotte, Elizabeth, and Sarah Atkins for
that purpose; But now so it is that your
Orator's worship that the said Jermiah, Charlotte,
Elizabeth and Sarah Atkins herein after cal-
led Defendants have under various pretences
refused

refused, alledging that being infants so far as they
understand things they have no consent to
give: all which conduct on the part of the
said Defendants is contrary to equity and
good conscience: In tender consideration
whereof and forasmuch as your Orator's estate
is without remedy at law and can only be
relieved in this worshipful court where most
just of this sort are only cognizable and justice
duly administered: To the end therefore
that the said Jermiah, Charlotte, Elizabeth,
and Sarah may by their guardian to be
assigned to them for that purpose, answer
the premises; and that by a decree of this
worshipful court a commissioner may
be appointed to make sale of the said tracts
or parcels of land of which the said Jermiah
Atkins died seized and possessed, subject
to the dower aforesaid for the purpose of an
equal division amongst your Orator and
the said Defendants: And may it please your
worship to grant all such other and further
relief in the premises as may be consistent
with the rules and principles of this court;
and to award all such process as may be ne-
cessary and proper in the premises, &c.
as with atts.
for Plaintiff.

Josiah ^{his} Edwards
mork

Juste
and Whiffeld

The joint answer of Lavinia, Charlotte
Elizabeth and Sarah Atkins infants un-
der the age of twenty one years by Richard
Edwards their guardian ad litem to a bill
exhibited against them in the wardship
court of H of Wight county by George M.
Atkins.

These respondents by their said
guardian for answer to the said bill
say; that they are infants under the
age of twenty one years, and for the pro-
tection of their rights they beg leave to
place themselves under the control
of this honorable court: and hence
pray to be supplied with their reason-
able costs in this behalf expended.

Atkins } Bill
vs }
Atkins & al. } answer

Lavinia, Charlotte, Eli-
zabeth and Sarah Atkins
by Richard ^{his} Edwards
their guardian ad
litem.

Teste
In Clack

Atkins G. J.

is 2 Deers

Atkins said G. J. had taken

Abby



March 1st 1830 report not
He out.

In Sole of Right County Court December Term 1874.

George M. Atkins an infant child of
Jeremiah Atkins deceased by Joshua
Edwards his next friend Complainant
against

Lavinia, Charlotte, Elizabeth, and
Sarah Atkins infants under the age
of twenty one years by Richard
Edwards their Guardian ad litem Defendants

In Chancery

This cause came on this day to be heard by consent of parties, on the bill answer and exhibits, and was argued by counsel: On consideration whereof the court doth adjudge order and decree, that Norton Parry & William C. Edwards commissioners appointed for that purpose, after giving reasonable public notice at the courthouse and other public places, do sell the said tracts or parcels of land of which Jeremiah Atkins died seized and possessed, subject to the dowers therein to the highest bidder on a credit of nine months, except so much thereof as may be necessary to defray the expenses of the sale and of this suit, which may be for cash; and that the said commissioners divide the net proceeds of the sale into five equal parts, and having taken bonds with good security for the same, do apportion over one to each of the Guardians of the infant defendants Lavinia, Charlotte, Elizabeth, and Sarah, Atkins, and one to the Guardian of the infant complainant George M. Atkins, but if the said defendants and complainant or either of them have no Guardian, that the said commissioners return the said bonds to court to be fixed for their benefit, and make report of their proceedings herein in order to a final decree.

Clerks fee \$11:54
att: " 10:00
\$21:54

Attest

Nathl Young &
" co

Atkins & Co. J^r

vs
2^d Report

Atkins & Co. vs. Atkinson

Pursuant to a decree of the Court of Chancery in the
 bearing date December term 1829. to us directed by the
 undersigned, have made sale of the several tracts or par-
 cels of land, which Jeremiah Atkins dec'd. died seized
 and possessed, as directed in said decree, as follows to wit,

1 tract of 225 acres - to Edwin Wamble. \$175-25

1 do. of 103-20 - - - Joshua Edwards - 36-50

1 do. of 55-00 - - - Geo. Book Casey - 210-05

\$421-80

Att. fee - - - - \$10-00

Clk. do. - - - - 4-59

Commission - - - - 21-09

35-48

\$386-12-00

\$77-22-00

We, the said undersigned find the net proceeds of the
 above several tracts or parcels of land, three hun-
 dred and eighty six Dollars, and twelve cents, and each
 child's part, twenty seven Dollars, and twenty two
 cents, for which we have taken bonds & security
 from the several purchasers for payment to the
 Guardian of the several Orphans of the said
 Jeremiah Atkins dec'd, as in said Decree directed.
 Given under our hands this 22nd day of Decr. 1829.

Jordan

Wm C. Edwards

" 1829 "

that the said commissioners return the said
bonds to court to be filed for their benefit,
and make report of their proceedings thereon
in order to a final decree.

Atkins }
vs. }
Atkins & Co.

Atkins
vs.
Atkins and others } In Chancery

This cause came on this day to be heard by consent of parties on the bill answers and exhibits, and was argued by counsel: On consideration whereof the court doth adjudge order and decree, that Jordan Parr and William C. Edwards commissioners appointed for that purpose, after giving reasonable public notice at the court house and other public places, do sell the said tracts or parcels of land of which Jeremiah Atkins and heirs and possessor ^{subject to the power of them} to the highest bidder on a credit of nine months, except so much thereof as may be necessary to defray the expenses of the sale and of this suit, which may be for cash; and that the said commissioners divide the net proceeds of the sale into five equal parts, and having taken bonds with good security for the same do assign over one to each of the guardians of the infant defendants Favinia, Charlotte, Elizabeth, and Sarah Atkins, and one to the guardian of the infant complainant George W. Atkins, but if the said defendants and complainant or either of them have no guardian that