1841-007 Chancery Cause. Mary F. Provin, by & c Vs Martha Provin & Lanetta Provin, by
Dsh of Wright County
& c

other SURNAMES. PARR,
Pitt, Young, PROVAN,
Gale

To the justices of the county court
of Independence in chancery sitting

Humbly complaining shew unto the
court your orator Mary F. Provine by
her next friend Jordan Parr that a
certain Esther Pitt late of said county
died intestate on or about the day
of November eighteen hundred and forty
eight and possessed of a tract of land
in said county containing about one
hundred acres of the value of two
or three hundred dollars; that the
said Esther Pitt left no father or
mother, brother or sister; but that her
nearest relations and heirs at law
were your orator Mary F. and her
two sisters named Martha and Lucretia
who are the infant children of a cer-
tain John Provine and who was the
brother of the said Esther, and your
orator and her two sisters aforesaid
are the nieces and only heirs at
law of the said Esther all of whom
are under the age of twenty one years
the said tract of land is worth
but little and will diminish
in value if rented out until
they arrive at age, and cannot
be divided into three parts without
further impairing the value thereof:&
Inasmuch as the same is worth
much less than three hundred
dollars per share the interest

of the parties could be promoted by a rule of the court and a division of the proceeds amongst them To the end therefore that relief may be had your orator by his next friend pray the court that the said Martha and Lucretia be made defendants hereto and by their guardian for that purpose to be appointed by the court may be required to answer the premises fully and distinctly and that by a decree of the court the said lands may be sold and the proceeds of sale be equally divided between your orator and the said Martha and Lucretia, and may it please the court to grant such and further relief in the premises as may be consistent with equity and the nature of the case and your orator as in duty bound will ever &c

Attorney

The answer of Martha Provine and Lucretia Provine infants under twenty one years by Nathaniel young their guardian ad litem to a bill exhibited against them in Shelpright county court by Mary H Provine through her next friend Joshua Parr

These respondents by their said guardian for answer to said bill answer and say that being infants under 21 years they are ignorant of their rights, but as relates to any title contained in the bond of their deceased father Billie dec they pray to place themselves under the protection of the court asking that their rights may be duly protected and preserved and having thus answered they pray to be dismissed with their cost &c as in this behalf appended

Signed

Provine by next
friend
vs. Chan.
Provine

Decr: Court: 1840. Bill &c
filed Verity decree.

Feby: 1st: 1841 Report
returned & confirmed &
final decree.

pursuant to a decree of the court of Pike County bearing date Dec. Court 1840, I the undersigned Commission-er, have made Sale of the land which Esther Pitt died Seized & possessed, as directed in said decree as follows to wit - - - - - - - - - - - - - - - - - -

The 1st. land 74 acres - - To Isaac Moody - - $250.00

Att°. fee - - - - $10.00
Clerk do - - - - - 5.00
Commission - - 12.50
$27.50 Net proceeds $ 2 2 2 50
each this part $ 74.16 2/3

and also I the 1st. undersigned Commissioner have taken bonds with security payable to the Legal heirs for the Sum of Two hundred & 22 Dollars 50 cts each made payable nine after date, all of which bonds I have returned with this report to the court of 1st. County. Given under my hand this 6th Day of January 1841

Jordan Parr Com.r

Mary F. Orrow by her next
friend Plaintiff vs. Martha Orrow
& Laretta Orrow ~~by their~~ Natl. Comm
their guardian ad litem

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 and
answers filed and was argued
by counsel on consideration whereof
the court doth adjudge order & decree
that Judge Dunn who is hereby ap-
pointed Comr for that purpose
be giving fifteen days notice thereof
in writing of the time & place
on the premises at public auc-
tion the tract of land & mill
Enter Pitt above named and
described containing about 100
acres on a credit of nine mos
except a sum sufficient to pay all expenses of this
decree and the sale, and for
the mill premises he do take
three bonds with good security
from the purchaser payable
to the plaintiff and defendants
each for one third part of
said proceeds and return
them with his report to court
that he execute a deed to the
purchaser without warranty
and report his proceedings &c

Provan Jo: fr.

as. Decree entry:

Provan &c.

Isle of Wight County, December 1840

Mary F. Provan, by her next friend ... Plt.

against

Martha Provan & Sanella Provin infants under the age of Twenty one Years of John Provan ..... Defts. } In Chancery

On motion of the complainant, Nathaniel Young is appointed Guardian ad litem to the infendants and 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 filed and was argued by counsel, on consideration whereof the court doth adjudge, order, & decree that Jordan Parr who is hereby appointed commissioner for that purpose after giving fifteen days notice thereof in writing of the time do sell on the premises at public auction the tract of land of which Esther Pitt died seized and possessed containing about one hundred acres on a credit of nine months except a sum in cash sufficient to pay all expenses of this suit and the sale, and the nett proceeds he do take three bonds with good security from the purchaser payable to the plaintiff and defendants each for one third part of said proceeds and return them with his report to the court, that he execute a deed to the purchaser without warranty and report his proceedings to the court in Order to a final decree —

Att'y fee $10.00
Clk Fee ... 5.00
$15.00

A Copy Teste Nath'l Young C. Cou.

March 23d. 1843. Rec'd of The Clerk of Isle of Wight County Court. The bonds that were filed in this suit in favor of Martha Ann Ethridge Provin and an order of court made at July term 1842.

Isaac Woody

Provan Pl'ff's
vs.
Woody & others
Provan Def'ts
Isle of Wight Co.

January 3d 1841. Acknd of Natl. P. Young clerk of the County Court of Calhoun for a bond filed in his office in favor of Mary Ann Perrow for $174.16 being the pro. of the mill and tools of Orton Pitts land.

his
Jno. B. X Gore
mark

Witness
Wm. T. Banks

July '41

Jno. B. Galé receipt
for board due to
Mary Provan