

1845 - 055 Chancery Causes. Nancy S. Turner vs Joel Whitley & ux & al

Dsh of Wight County

other surnames: Holland, Hall,
Beale, Young, Harvey, Gibbs,
Beal, Harvey

Ann his wife, late Turner, a daughter of Billy Turner a
 deceased brother of the intestate - Ransom ~~Harvey~~ & Emily
 his wife, late Turner daughter of aforesaid Billy, James M
 Turner son of said Billy & Joseph Beale & Virginia his
 wife, late ^{my} Turner, daughter of said Billy & Margaret Turner,
 an infant daughter of Alfred G. a deceased son of said Billy
 by N. P. Young her Guardian ad litem, be made defendants to
 this bill, & be compelled to answer the same, & that
 by a decree of this Court (according to the statute in
 such cases made & provided) Commissioners be appointed
 to sell the residue of said land remaining after the
 allotment of the dower of the widow ^{the} intestate, & distribute
 the ^{proceeds} ~~proceeds~~ arising therefrom according to the rights
 of each claimant - & make report thereof to this Court -
 & as in duty bound your complainant will ever pray &c

C. D. Hayden P. G.

Nancy L. Turner 409:

① In Chancery

Shel. Actively & all

March 3rd 1845 Dies
40 files 4 files dead

July 7th 1845 Refuse
return 4 files for
confusion -

Decided 1st 1845

Files closed.

To the County Court of Isle of Wight in Chancery sitting -
Humbly complaining them to the Court, your complainants
Nancy L Turner, a daughter of John Turner deceased, who
was a brother of Joseph Turner deceased, that the said
Joseph Turner late of the County of Isle of Wight & interstate
this life about the year 184 without children leaving a
widow Patsy Turner & as his heirs at law several nephews
& nieces the children of deceased brothers, the infant child
of ~~deceased~~ son of a deceased brother, to wit, your com-
plainant Nancy L Turner a daughter of John Turner a de-
ceased brother of said Joseph Turner, & the defendants
to this bill hereinafter particularly mentioned - that the
said Joseph Turner died seized & possessed of a certain tract
of land lying in Isle of Wight & bounded by the lands of Za-
charia Atkins - Wiley Batten, & ^{the heirs of} Sosanna Edwards
in said county & containing by estimation one hundred
more or less - that by the death of the said Joseph
Turner the said tract of land descended in parcenary to
his said before mentioned heirs at law, subject to the
dower estate of the intestate ~~widow~~ The said Patsy Turner
who by a decree of this Court has had her dower duly assigned
her - that the said heirs of the said intestate are ten in num-
ber, one of whom is an infant, & several of them are foreign
coverts - that the dividend of each heir will not equal in
value Three Hundred Dollars - that the division of said
land in kind among said heirs would be much to the
injury of your complainants in the premises - In tender con-
sideration whereof & for as much as your complainants with-
out remedy at Law & can only be relieved by order of this Court,
therefore your complainants pray that the said ~~proportion~~
Doel Whitley & Holly his wife, ~~Patsy~~ Turner, a daughter of John
Turner, a deceased brother of the intestate, James Holland & Eliza-
beth his wife late Turner, daughter of the said John - Atkins
Turner & Wiley his wife late Turner, daughter of said John
John Turner for sons of said John senior - Wm Hall & Rony

To the County Court of Isle of Wight in Chancery sitting -
The answer of Joel Whitley & Holly his wife - James Hol-
land & Elizabeth his wife - Atkins & Wilby Turner - John
Turner, Wm & Roy Ann Hall, Ransom & Emily Harvey,
James M Turner - Josiah & Virginia Beale & Margaret
Turner, an infant by R P Young her guardian ad litem -
to the bill of complaint in said court exhibited by ~~Ralph~~
Randy Turner against them -

These defendants saving & reserving to themselves
all manner of benefit & advantage of exception
to the errors & imperfections in the complainant's bill
contained, for answer say that they cannot gain say
the allegations in the bill of the complainant, nor can
they offer any thing against the demand asked
for - They pray hence to be dismissed &c -

Turner 9000
do do 3000
Total 12000

Subscribed

Nancy L Turner

vs

Joel Whitley & Holly his wife et al — &c —

This cause came on this day to be heard on the bill & answer filed & was argued by counsel, on consideration whereof this ^{Court} doth adjudge, order & decree that Monroe Clemens, Hardy Chapman, Henry H Worwble or any three of them do proceed to sell the land in the complainant's bill mentioned, to wit the residue of the land of which Joseph ^{Turner} died seized remaining after the endowment of his widow Patsy Turner, on a credit of six months taking bonds & good security with the exception of such an amount as may be necessary to bear the expenses of obtaining this decree, the sale & attendant expense, for which amount the said sale shall be for cash — that the said Co-defendants shall divide the bonds arising from said sale equally among those entitled thereto — to wit a bond or bonds to the amount of $1/10^{th}$ part of the proceeds (except that sold for cash) to Nancy L Turner — $1/10^{th}$ to Joel Whitley in right of his wife Holly — late Turner — $1/10^{th}$ to James Holland in right of his wife Elizabeth — $1/10^{th}$ to Atkins Turner in right of his wife Willey — $1/10^{th}$ to John Turner — $1/10^{th}$ to Wm Hall in right of his wife Rony Ann — $1/10^{th}$ to Ransom Harvey in right of his wife Emily — $1/10^{th}$ to James M Turner, — $1/10^{th}$ to Josiah Beale in right of his wife Virginia & the Guardian of Mary Ann Turner, $1/10^{th}$ & make report to this Court —

X⁸⁰

Turner

ms. Zephyrus

Whitby et al.

24

At a quarterly Court held for Blount County the 4th day
of March 1845

Nancy L. Turner

against

Joe Whitley & Holly his wife & als

Plaintiff

vs

Defendants

This cause came on this day to be heard on
The bill answered filed & was argued by counsel. On consideration
whereof this Court doth adjudge, order & decree that Monroe
Belmont, Mary Chapman, Henry Adwombles
or any three of them do proceed to sell the land in the complaint
herein mentioned, to wit: the residue of the land of which Joseph
Turner died seized remaining after the encumbrance of his
widow Patsy Turner, on a credit of six months dating from date
good security, with the exception of such an amount as may
be necessary to bear the expenses of obtaining this decree, the late
Valleu & Co's expenses for which amount the said sale
shall be for cash, that the said Commissioners shall divide
the bonds arising from said sale equally among those
entitled thereto to wit a bond or bonds to the amount of $\frac{1}{10}$ part
of the proceeds (except that sold for cash) to Nancy L. Turner
 $\frac{1}{10}$ to Joe Whitley in right of his wife Holly to Turner $\frac{1}{10}$ to
James Holland in right of his wife Elizabeth $\frac{1}{10}$ to Atkinson
in right of his wife Willey $\frac{1}{10}$ to John Turner $\frac{1}{10}$ to to Hall in
right of his wife Rosa Ann $\frac{1}{10}$ to Parsons Harvey in right of
his wife Emily $\frac{1}{10}$ to James M. Turner, $\frac{1}{10}$ to Jacob Boal in
right of his wife Virginia to the Guardian of Margaret
Turner $\frac{1}{10}$ to make report to this Court.

A Copy

Teste

J. M. Young, D.C.

In obedience to the aforesaid order of the worshipful
Court of Suffolk County to us directed, We the undersigned
commissioners have in compliance of our duty, have adver-
tised and sold at Publick auction The Land, above na-
med, Zacheriah Atkinson, being the highest bid-
der became the purchaser at the sum of One hun-
-dred & Sixty six dollars, on a credit of six
months after a deduction of Twenty Three dollars
and Thirty Cents cost and charges of said sale,
leaving a neat ballance due the Heirs of
One hundred and forty two dollars and seventy
Cents (which we have taken Ten Bonds One
of Fourteen dollars and and Twenty seven Cents
each (viz), 1 bond to Ransom J. Harvey in right of
his wife one do. to William Hale in right of his wife
one do. to James M. Turner one do. to James Holland
one do. to Joel Whalley one do. to Robert W. Gibbs.
Guardian to Margarette Turner one do. to Nancy
L. Turner one bond to Josiah Bead in right of
his wife one do. to Atkins W. Turner in right of his
Wife one do. to John L. Turner. making the sum
above of One hundred and forty two dollars
and and seventy Cents before named and have
paid the same over to the parties hereto before
named & taken a receipt for the same which
is annexed to this report given under our hands
this 11th April 1845

M. Clements

Henry H. Womble

Hardy Chapman

Bonds of Joseph James
dec

1845

11.23
1.55
1.50
1.50

After the 11th 1845 we the under Signed Legates
of Joseph Turner decd. have received from H.H.W.
Comble Hardy Chapman & Monroe Clements com
improming the sum of Fourteen dollars.
and Twenty Seven cents each ~~it~~ being infill
of sale of Land sold under a decree of the
County Court of Schofield pronounced the
14th March 1845-

Witness

H. P. Rice as to

H. K. Pope as to

~~W. H. Sturmer~~

~~H. R. Chapman~~

Y Hall as to

~~By C. G. Gledhill~~

Allen Edwards

J. P. Miles as to Harwood

William Hall

James H. Turner

Isiah ^{his} Seal
mark

Joel Whitley

Robt. W. Gibbs

A. W. Turner

~~John~~ ^{his} L. Turner
mark

James ^{his} Holland
mark

~~Money~~ ^{his} L. Turner
mark

C. E. Harwood

14.27

1.42

12.85-

14.27

10

1.4270

14.27

1.42

12.85-