

1847-005

Chancery Causes. James F. Chalmers, by VC VS Charles Christopher C. Chalmers + al, by VC

Isle of Wight County

Other SURNAMES: ATKINSON

Chalmers pfe
7 3/4 mile dr.
Chalmers dr.

Nov. 1846.

Nov. Court 1846 Bill of
filed and decree for
division of land.

Dec. 7th 1846 report
filed for exceptions

Feb. 1st 1847 final
decree entered

ack. p. 5

20 acres and up such seat, 220 man by the
Church, 150 acres more ~~up~~ for 200 men
and 110 boys up to 18 years
The complainant charges that the said
lands ought to be divided soon as
practicable between the four children
and devisees of said Chalmers, but as all
are under the age of 21 years, no division
can be made now by an order of this
Court. In consideration whereof, he
prays that the said Chas. Christopher C. Chalmers
addis, Rev. Chalmers, John D. Chambers
by whom fit person as for a & let him be
made defendant to this bill, and be
compelled to answer the same fully &
satisfactorily - that you will appoint some
fit and suitable persons to execute the
order of this Court and that you will
direct that the lands herein before
mentioned shall be divided equally
between the complainant and the 3
infant defendants. Having read to
equality and guaranty, that you
will make any other order in the premises
that may comport with equity - do.

To the County Court of Isle of Wight in ch.
sitting - Humbly complaining - shew to the Court
your complainant James F Chalmer an
infant who was by Archd. Atkinson his
next friend - that James Chalmer the elder
deceased, expended his life on a about the
13th of October 1860, having made his will
which is of record in the County Court of
Isle of Wight - that he left four infant sons
entitled to a considerable real estate
not authorized to be sold, lying more than
half a mile from the town of Smithfield
which children are your orator and Chs.
Christophe C Chalmer, Adm'r, Emma M
Chalmer, and John B Chalmer, all
under the age of 21 years - the testator
has a considerable real estate in the
said County - that portion lying in the
town of Smithfield for one half mile
thence, he has authorized his executors
to sell - but he left several separate
tracts of land not within that descrip-
tion and which the testator has directed
to be divided equally among his
children - of this description to be divided,
are one tract of land where Thomas Moore
now resides containing by estimation 25
acres bounded by the lands of John B Gale, estate
and the main road from Smithfield to ~~the~~
broadwater bridge, & by the poor house lane;
2 acres adjoining John B. Gale, estate with short impion-
ment, 170 acres near Uzzels Church - 202 acres
near same; 62 acres near same; 100 acres near
Isle of Wight Court House formerly Propriety -
13 acres adjoining Mark Thomas; 38 acres
near Butter; 272 acres near Uzzels Church; 60 acres
near same; 204 acres near Smithfield; 12 acres
adjoining Mr. Butter; 117 acres near Uzzels Church

also the following lands, to wit; 2 acres adjoining
 John B. Gale, et al - 170 acres near Suggs Church,
 202 near same; 62 near the same; 100 acres
 near Court House, called Brooks - 13 acres
 near Josiah Thomas; 38 acres adjoining Dr. Robt.
 Butler; 273 adjoining Suggs Church; 60 acres
 near same; 20 1/2 called the Mill tract or the
 Mill tract; 12 acres adjoining Dr. Robt. Butler;
 117 acres near Suggs Church; ~~200 acres adjoining~~
~~John B. Gale, et al~~ twenty acres adjoining the Mill
 tract; 220 acres near Suggs
 Church - 150 acres near Jones
 Mill - 110 acres purchased of Court -
 right prior adjoining Joseph B. Gale
 in which division, the Commissioners
 will have agreed to quality & quantity
 that the Commissioners make report
 to the Court with any remarks
 or comments put forward by themselves, or
 required by the parties to be stated.

John B. Gale

Wm. Jones

Chas. Jones

Charles Christopher C. Chalmers, Addison
Chalmers and John D. Chalmers inspect
who are represented by the P. Young
Club of this Court who hath been appoin-
-ted especially to defend them in this
suit

On motion of the complainant, the Court hath appointed Nathl P. Young guardian specially to defend the interest in this suit, of the respective infant defendants - and this cause came on this day to be heard by consent of parties, on the bill and answers filed, and was argued by Counsel; On consideration thereof, the Court with advice, deem, forasmuch as Joseph B. Whittemore, Benjamin Morrissey, David M. Morrissey, A. M. Morrissey, ~~and~~ for ~~the~~ right of them, or any 3 of them, with the aid of a surveyor if required, do propose to divide (having an eye to quality and quantity into four shares, the following real estate devised by James Chalmers to be divided among his children, or if he had survived, the following real estate - to wit, one tract of land supposed to contain 25 acres situate on Thomas Moore's now widow, which is on a lease to the said Moore for a term of years,

Chalms

My report
Chalms to

for Rev. Co. etc

1840.

7. Adair Emmitt Chalum, co. has
 assigned the tract of land and ^{adjoining} "prairie"
 containing one hundred and twenty
 the tract called "Heath's" containing 77
 acres, the tract called "Pender's"
 containing 14.5 acres - one piece of 12
 acres adjoining Dr. Robert Mearns and
 one tract of "Kimble's" of 2 acres which
 belonged to James Chalum in fee,
 and one the tract the said James
 Chalum purchased of J. M. Kimble
 containing 202 acres, to which Kimble
 has title in fee to one half, and
 the other half the said Kimble had a
 life estate, or tenancy by the curtesy - all
 value at \$1623. and the said Emmitt

is to receive from Chas. C. C. Chalmers, the
sum of forty seven dollars and 75
cents, making his share \$1070.75.
all which is respectfully submitted -
Given under our hands and seals
this 18th day of November 1846

Whitehead (D)
N. Thred. Norw. (D)
Barth. Lightfoot (D)

At a Court held for Sale of Wright County on 20th Novr. 1846
James F. Chalmers for mar. g.^{ts} Prof.
Against In Chancery
Charles C. C. Chalmers & al. Defts.

On Motion of the complainant the court hath appointed Nathl. P. Young guardian ad litem to the infant defendants, and this cause came on this day to be heard by consent of parties, on the bill and answer filed, and was argued by Counsel. On consideration whereof, the court hath adjudged, decreed and ordered that Joseph B. White head, Edwin Monison, Merit Mumble and M. W. (Nowworthy or any 3 of them), with the aid of a Surveyor if required, do proceed to divide (having due regard to quality and quantity) into four shares, the following real estate devised by James Chalmers to be divided among his children, as if he had died intestate, the following real estate - to wit: one tract of land supposed to contain 25 acres whereon Thomas Moore now resides, & which is now on a lease to the said Moore for a term of - years, also the following lands, to wit: 2 acres adjoining John D. Gales estate - 170 acres near Uzzells Church, 202 near same, 62 near the same, 100 acres near Court House called Peaswells, 13 acres near Josiah Thomas, 38 acres adjoining Dr. Robt. Butler, 273 adjoining Uzzells Church, 60 acres near same, 204 called the Mill tract or the Mill seat, 12 acres adjoining Dr. Robt. Butler, 117 acres near Uzzells Church, 20 acres adjoining the Mill seat, 220 acres near Uzzells Church - 150 acres near Jordans Mill 110 acres purchased of Bartwright Price adjoining Joseph D. Gales in which division the commissioners will have regard to quality & quantity - that the commissioners make report to the court with any remarks deemed pertinent by themselves, or required by the parties to be stated &c.

A. Copy
Test

Trask J. F. Mills L.C.

Agreeably to a decree of the
County Court of Sh. of W. & G. in
pronounced on the 2nd day of
November 1866 in the suit in
chancery and which James F.
Chalmers an infant by and
Attorney versus next friend of
complainant and Charles C.
Chalmers & others are left
in the referees report have expressed
to divide the same between
James Chalmers and wife
and that of said estate in the
County of Sh. of W. & G. and
by that the referee the father
in infant in the suit of

James F. Chalmers the tract of land called
the sick seat including 30 acres of land, which
contains 20 1/2 acres; also the tract known as
Thomas Moore series containing twenty five
acres near the poor house of Sh. of W. & G.; also
38 acres adjoining the Robert Butts. also 13
acres adjoining Isaac Thomas and twenty
acres adjoining the former mile tract,
which lands are valued at the sum of
sixteen hundred and twenty eight dollars
and to receive from Charles C. Chalmers
thirteen dollars and fifty cents
to receive from John F. Chalmers the sum
of twenty nine dollars and seventy five cents
making together sixteen hundred and
seventy dollars and seventy five cents.

liberty is required to the infant drafts that
show them if any they can get the
sum in a year after they shall respecting
arriving to the age of 21 years, the said

Charles
Charles
Charles
Charles

James F. Chalmers an infant by an ~~and~~ ~~attorney~~
his next friend _____ ~~confd.~~

Charles C. C. Chalmers & other exrs -

This cause came on this day to be again
heard on the papers formerly read & the report
of Joseph B. Whitehead, Nathl W. Sturtevant
and B. Leigh Wood Commissioners, to which
no exception has been filed & was argued
by counsel; On consideration whereof
the Court & the adj. deem and order that
the said report be confirmed and stand
firm between the parties - and that the
plff: & the defendants hold absolutely
the lands allotted them respectively by the
said Commissioners - and the Court & the
also adj. deem and order that John
& Chalmers pay to James F. Chalmers the
sum of \$29.75 - and that Charles C. C.
Chalmers pay to the said James F. Chalmers
the sum of \$13.50 - and the Court & the
also order that the said Charles C. C. Chalmers
pay to Adair Emmett Chalmers \$47.75 -
and the Ct & the order that the costs of this
suit be borne by the parties respectively - and

2 am adyip lchu 13 folz	estd value to \$35. am	
+170 man Nys 1/4 chuch	2 \$3.	510
+202 - same	2.50	506
+62 - same	\$2	124
+100 man C/Hover	3	300
+13 - Iniak Thomas	5 voloz, him	.78
+38 - No. Butler	5	190
+270. Nys chuch	2	544.
+60 - same	7	420
+204 - mikorat	(in 2 trds) 35	1020
~~1/2 am adyip~~		
+12 adyip No. Butler	5	60
~~2 am adyip~~		
The Gray 117 man Nys chuch	4	468
allow +25 adyip lchu 13 folz	12	300
+20 adyip mikorat	3	60
+220 man Nys chuch	4	880
+150 man Inom mic	5	750
+110 adyip lchph 12 folz	4	440
(prior land)		