1860-016 Chancery Causes: Henry F Clarke + ux VS George Wiley + ux + Neil McDuffie

Isle of Wight County

other SURNames: Crocker

Peake & wife
vs. Bill

McDuffie & Wiley

July rules 1859. Bill ft. filed. Decree nisi vs. Wiley & wife & ord. of publn vs. McDuffie

Augt. rules - Bill taken for confessed set for hearing.

Oct. 1859. Cond.

May 1860. Dismissed.

buted among the parties entitled thereto. That the said George Riley render an account of the rents and profits of the same during the time he has been in possession of the premises, and your orator part thereof be paid decreed to them. That proper process may issue; and that such other further and general relief may be afforded your orator as the nature of their case may require or to Equity shall seem meet. & your orator will ever pray &c:

W. B. Whitfield P.Q.

To the Hon. Richard H Baker Judge of the Circuit Court of Isle of wight County - in chy sitting humbly Complaining shewith unto your Honor, your orator Henry Flake and Lucy Flake his wife - That Nancy Mc Duffie died many years ago, leaving a tract of Land containing about 100 acres, situated in the County aforesaid. which descended to her children, viz: Rebecca (who has intermarried with one George Wiley) - Neil Mc Duffie, and Flora (who married one William Crocker) -. Flora died about 15 years ago, her husband surviving her, & left a daughter, an only child, Lucy your orator who has intermarried with your Orator Henry Flake - - That William Crocker the father of your orator Lucy, died about two years ago, and Anselmus & William Crocker qualified as his Executors - - Your orator further state, that Flora the, died not seized, during her life time, her interest (being 1/3) of said Land to any one - Hence the same descended to your orator Lucy her only child - That one third thereof belongs to the said Rebecca Wiley; - and Neil Mc Duffie (who is a resident of N. Carolina) is entitled to the remainder - . That the said Rebecca Wiley & George her husband have occupied the said tract of Land for at least 13 years past; but whether they have paid the rents or not, or the portions thereof to which the said William Crocker was entitled, they are unable to say -, but they have certainly not paid any thing to your orator and they allege, that they are entitled to one third part thereof at least from the time of the death of William Crocker -

Your orator state that the said Land is, as they believe susceptible of division, or partition amongst the parties entitled thereto; but if it be not, then your orator desires the same to be sold, and the proceeds distributed amongst the parties, in proportion to their respective interests therein. In tender consideration whereof, and for as much as your orator is remediless in the premises, save by the aid of a Court of Equity where matters of this sort are cognizable, your orator prays that the said George Wiley & Rebecca his wife, and Neil Mc Duffie be made parties defendant to this Bill and be compelled to answer the same - That the said Land be divided among the parties aforesaid and your orator portion allotted to them; And in case the said Land be indivisible in kind, That the same be sold, and the proceeds thereof be distri-

on the 27th day of June 1859 I delivered
to the wife of Geo. W. Wiley a copy of the
within he being from home
Wm McDuffie's residence David Beaton
for Jos. R. Fayssoux

Town Clerk's Office
Charleston
Geo. W. Wiley Esq.
To Jos. G. Pecks
1859 C. C. C.
Whitefield Sq.

THE COMMONWEALTH OF VIRGINIA,

***To the Sheriff of Isle of Wight County*—Greeting:**

YOU ARE HEREBY COMMANDED TO SUMMON George Wiley and Rebecca his wife and Niel M. Duffie

to appear at the Clerk's Office, of our Circuit Court of Isle of Wight County, on the first Monday in July next, to answer the bill in Chancery of Henry Flake and Lucy Flake his wife

of a ~~plea of~~

~~damages~~

and have then and there this summons.

WITNESS, NATHANIEL P. YOUNG, Clerk of our said Court, at his Office, this 16th day of June 185 9, in the 83d year of the Commonwealth.

N. P. Young cc.

At rules held in the Clerks Office of the Circuit Court of Isle of Wight County, the 5th. day of July 1859.

Henry Blake and Lucy his wife . . Plffs:

against

In Chancery.

George Wiley & Rebecca his wife, and Neil M. Duffie Defts:

The object of this suit is to effect a division of a tract of land held jointly by the plaintiffs and defendants, and to recover of the defendant Wiley, rents &c. And it appearing by the return of the Sheriff, that the defendant M. Duffie, is not an inhabitant of this State. It is ordered that the said defendant M. Duffie, do appear at the Clerks office of the said Court, on the first Monday in September next, and do what is necessary to protect his interest.

A Copy

Teste

N. L. Young c.c.

Flake & Snipes

to

McCaffrey & Riley

Jan. May 1860

To be entered

R. H. Baker

Decree.

To take Bill
of
Mc. Duffee & Riley –

This Cause in which the plaintiffs have proceeded against the said Neil Mc. Duffee in the mode prescribed by Law against absent defendants, came on this day: Cause on to be heard this day on the Bill taken for Confessed as to the home defendant George Riley: and was argued by Counsel On Consideration whereof the Court, on motion of plaintiffs, by their Counsel, doth adjudge, order & decree that the said Bill be dismissed but without prejudice to any further suit which the said plaintiffs may bring in the premises &c –

Hoke Smith
r. Ford. pub.
McDuffie Co.

At rules held in the Clerks office of the circuit court of the county of Isle of Wight, on the 5th day of July 1859.

Henry Slade and Lucy his wife Plffs.

against

George Wiley & Rebecca his wife and Neil McDuffie Defts.

In Chancy.

The object of this suit is, to effect a division of a tract of land, held jointly by the plaintiffs and defendants, and to recover of the defendant Wiley, rents &c. And it appearing by the return of the Sheriff, that the defendant McDuffie is not an inhabitant of this State. It is ordered that the said defendant, McDuffie, do appear at the Clerks office of the said Court, on the first Monday in September next, and do what is necessary to protect his interest.

A Copy.

Teste N. P. Young cc

Order of Sale
of Estate
of Bridges

OFFICE OF THE SOUTHERN ARGUS,
NORFOLK, VA., 13 August — 1859.

I Abram F. Leonard, editor of the publishers of the Southern Argus, a newspaper published daily in the City of Norfolk, State of Virginia, do certify that the annexed Legal Notice in the case of Clarke Lucas vs. Wiley & wife & al. ——

pending in the Circuit — Court of the County of Isle of Wight, has been published once a week for four —— successive weeks in the said newspaper, commencing on the 14th — day of July — 1859.

A. F. Leonard —

Chge of Pub'n $5.—

... p Jamestown, will leave Nor...
...ock, on Wednesday at 12 o'clock, M

AT RULES held in the Clerk's office of the Circuit Court of Isle of Wight county, on the 6th day of July, 859,

Henry Blake and Lucy his wife, Pl'ts
Against
George Wiley and Rebecca, his wife, and Neil McDuffie, Def'ts
IN CHANCERY.

The object of this suit is to effect a division of a tract of land held jointly by the plaintiffs and defendants, and to recover of the defendant Wiley rents, &c—and it appearing by the return of the sheriff that the defendant McDuffie is not an inhabitant of this state—It is ordered that the said defendant McDuffie, do appear at the Clerk's office of the said Court on the 1st Monday in September next, and do what is necessary to protect his interest.

A Copy—Teste:
N P YOUNG, C C.

jy 11—Th4w
R H WHITFIELD, P Q.

GREAT REDUCTION IN PRICES