1871-011 Chancery Causes. Martha J. Southall, widow of James B. Southall vs William P. Underwood,
Isle of Wight County admr of James B. Southall d

other surnames: Chapman

That your Complt wishes to have allotted to her her share in said decedents slaves under the Law. And is without remedy save in this worshipful court. To this end your Complt prays that W. R. Underwood admr as aforesaid, and Mary H, & Louisa T, infant children & said decedent by some one appointed guardian ad litem may be made parties to this Bill and required to answer the same, and that by a decree of this court Complt may be appointed to divide in kind if practicable, else in such way as shall be just and according to their respective rights, the slaves aforenamed belonging to decedent among the said parties thereto entitled according to their said rights and interests. And your Complt will ever pray &c

W. R. Underwood p.q.

Appl. 4 Oct. 1864. Rule & Def.s plea 4 Nov.; demr overruled 6 Feby 1865; ans. filed 6 Feby; demr withdrawn 8 Feby; Issue for hearing.

Mad. Co. 1870. Decree for complt. Clerks.

To the County Court of Isle of Wight County
In Chancery Sitting.

Humbly complaining
showeth unto the court your Complt. Martha E.
Turnbull That some time in the year 1863 one James
H. Turnbull late of the City of Richmond after having
published his last will & testament which was
duly admitted by this worshipful court to probate on
the 6th day of April 1863. That in said will your Complt.
who is widow of said decedent and a beneficiary
under said will, was appointed sole Executrix of
said decedent, but upon her declining to qualify
and in proper form naming & requesting this
court to allow one W.P. Underwood to qualify, as
Admr. of said decedent, letters of admon with the will
annexed upon said decedents estate were on the
6th day of April 1863 granted by this court to said
W.P. Underwood. That your Complt by her proper deed
duly authenticated & recorded in the Clerks office of
this court did on the day of 1864 renounce
the provision made for her by her said dec'd husband
in his said will, according to the statute in such case
made & provided - To all which writings reference is
craved herein & prayed to be taken & considered part of
this bill - Your Complt charges that there are sufficient
assets other than slaves in said Admr's hands for the
payment of said decedents debts - That your Complt is
entitled in the slaves belonging to said estate to wit
Isaac, Matthew, Richard, George, Lydia, Anna Maria, Jerry
Susan & 3 children, Jane & one child & Milly & five children
to one third part for life, the said decedent having left
as heirs three children who were infants & under years
to wit Mary W. Louisa T. and Martha E. - the latter an
infant now dead - And also in fee to one third part
of said last named infants portion as her dist law -

To the County Court of Isle of Wight in chancery sitting

The separate answer of W. P. Underwood admr de bonis non of James B Southall dec'd to a Bill of Complaint in said court exhibited by M. J. Southall widow of J. B. Southall dec'd against him & others.

This Deft, saving & reserving &c, for answer says. That he is admr with the will annexed of J B Southall dec'd, that he believes he has ample personal assets in his hands other than slaves for said decedents debts, and has no objection that the slaves to be divided as prayed for by said Compt in her Bill. And having answered prays hence to be dismissed with his costs in this behalf most wrongfully expended.

W. P. Underwood admr &c

To the County Court of Isle of Wight in chancery sitting.

The joint answer of Mary V. & Louisa T. Southall, infants of J B Southall dec'd, & W. P. Young g'd'n ad litem to a bill of complaints in said Court exhibited by M. J. Southall widow of said decedent against them & others.

These defts for answer say, that they are infants of tender years, and submit their interests in the premises to the protection of this worshipful court, and having answered pray hence to be dismissed with their costs in this behalf expended.

W. P. Young g'd'n ad litem

Southall

vs

Southall's admr. & als.

Final Decree

November Term

1871

To be entered

Jno R Hutchinson

Southall

v/s

Southall's Admrs &c.

This cause in which it is suggested that since the last decree herein that William P. Underwood as administrator of James B. Southall has been removed, & that the Estate of said James B Southall has been committed for administration de bonis non ~~with~~ the will annexed to E. J. Chapman Sheriff of the County of Isle of Wight, & that the said Mary W. Southall has attained twenty one years of age, it is by their consent ordered that this suit proceed against said E. J. Chapman as administrator aforesaid, & said Mary W. Southall, came on this day to be again heard on the papers formerly read & was argued by counsel, on consideration whereof the Court by consent of parties doth adjudge order & decree, that this suit be removed from the docket nothing further remaining to be done herein