

1882-010 Chancery Causes: George T. Hall vs Nancy Whitley, Richard Whitley & James Whitley

Dale of Wright County

other surnames: Casey,
Young, Bland

Hale G. F. Bill
in

Whitley v. Chancery

Jan. Res. 1882.
Bill & ex. to. filed.
Saml. ex. & de. new
v. Nancy Whitley.

Feb. Res. 1882. Bill
taken for conf. as to the
Whitley & set for hearing
(as to law. Saml. ex. & de.
Rich. & Jan. Whitley & de.
Saml. ex. & de. new.)

March Res. 1882. Bill
taken for conf. as to
R. & G. Whitley & set
for hearing as to them

April. Ct. 1882

Dismissed

be appointed dower dower
to the said Nancy Whitley out of
the aforesaid tract of land of
which her said husband died
seized and possessed and that
sale of the said land owned
by the said Nancy in fee sim-
ple and dower may be decreed
and the proceeds thereof applied
to the satisfaction of your
Complainant's said judg-
ment and that such other
and further relief in the prem-
ises may be granted your
Complainant as may suit the
equity of the case and the
Court may seem meet and
your Complainant will ever pray.
Hayden pr

formed and so charges that his said Judgment is a Lien on said lands, fee simple and dower, and that he has a right to subject the same to the payment of his said judgment either by appropriating the rents and profits thereof if sufficient for that purpose for five years, and if not sufficient to sell the same.

That the rents and profits of said lands for five years will not satisfy said judgment.

That said judgment is wholly unpaid.

In tender consideration whereof and for as much as your Complainant is without remedy at law, and can only be relieved by the aid of this Honorable Court of Chancery where matters of this sort are cognizable; to this end your Complainant, prays that the said Henry Whitley, Richard Whitley and James Whitley may be made parties Defendant to this Bill and required to answer the same and that Commissioners may

fee simple of a tract of land containing by estimation $17\frac{2}{3}$ Acres be the same more or less, being the $\frac{1}{3}$ of the tract of 53 Acres of which Pleasant Casey died seized and possessed in said county of Isle of Wight, inherited by the said Nancy as one of the heirs at law of said Pleasant Casey: the other $\frac{2}{3}$ of said Pleasant Casey tract being owned respectively by James M. Whitley deceased and your said Complainant: the said James M. Whitley having been the husband of the said Nancy and on his death his $\frac{1}{3}$ descended in fee simple on his two heirs at law Richard Whitley and James M. Whitley subject to the dower therein of the said Nancy. That although no record thereof has been made the said several thirds of said Pleasant Casey land set apart and allotted severally to said parties by plainly chopped lines well known to said parties.

That your Complainant is in-

To the Honorable George Blow Judge
of the Circuit Court of Isle of Wight
County in Chancery Sitting.

Humbly complaining sheweth
to the Court your Complainant Geo. F.
Hall, that on the 22nd day of Oct 1881.
your Complainant obtained a
judgment against one Nancy
Whitley in the Circuit Court of said
county of Isle of Wight for the sum
of \$52.⁹⁰ with Interest thereon from
Aug 12, 1863, until paid and costs,
subject to a credit thereon of
\$7.⁸⁵ on the 1st day of January 1870,
which judgment was docketed
according to law on the day of
1881. That execution
was issued on said judgment
on the 29th day of Oct 1881, and re-
turned no effects.

Certified copies of said judg-
ment, docketing, execution, and
return marked respectively, A
B. & C, are herewith filed and
prayed to be taken as a part
of this Bill.

That on the date of said judg-
ment the said Nancy Whitley
was seized and possessed in

Geo. F. Hall

vs.  Sam. J. m
Carr

Stance Plutted

20 Jan. 1881.

Stander pg.

Received of
to the 10th of Jan
1881
1881

1881

The Commonwealth of Virginia,

TO THE SHERIFF OF THE COUNTY OF ISLE OF WIGHT, GREETING;

We Command You, TO SUMMON *James M. Allen*

to appear at the Clerk's Office of the Circuit Court of Isle of Wight County, at Rules to be holden for the

said Court, on the first Monday in *July* next to answer *the Bill in*

chancery of George T. Hall

of a plea of ~~_____~~ for \$ ~~_____~~ Damages \$ ~~_____~~

And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Court House, the *10th*

day of *Decr* 188*8*, in the *106th* year of the Commonwealth.

N. P. Young

Geo. F. Hall

²
no. 3 Jan^y. to.
ans. Bill

Rich.^d Whitley
James Whitley

To Feby. Rls. 1882
Hayden Ky.

Executed by delivering
to the within named
Richard Whitley &
Jas. Whitley each
a true copy of the
within summons
Feb. 6th 1882

A. B. Edwards Deft
For L. O. Reicher and Shiff

The Commonwealth of Virginia,

TO THE SHERIFF OF THE COUNTY OF ISLE OF WIGHT, GREETING;

We Command You, TO SUMMON *Richard Whitten*
and James Whitten

to appear at the Clerk's Office of the Circuit Court of Isle of Wight County, at Rules to be holden for the

said Court, on the first Monday in *February 1887* next to answer *the Bill*
in Chancery of George B. Hall

of a plea of _____ for \$ _____ Damages \$ _____

And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Court House, the *2nd*

day of *Feby.* 188 *7*, in the *106th* year of the Commonwealth.

N. P. Young CLK.

Hall G. F. m

11

Whitley Kang et al -

17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

Order

April Term 1882

Geo. Blaw. 3.

Entered 46

106

Hall P. F

or

Whitley Nancy et al

On motion of the
Plaintiffs this suit is dismissed -

by the Court that the plaintiff
recover against the defe-
ndant, the said sum
of \$52⁹⁵ with interest aforesaid
subject to the credit of
\$71⁸⁵ as aforesaid, and his
costs in this behalf ex-
pended.

Attest
Testo.

W. L. Edwards D. C.
for M. O. Younger

It all seen.
v. Z. Judgment

Mary Whitely

Oct. 1881

El. B. a.
Jan. Rich 1882
file with pgs.
will

In the Circuit Court of
Essex County, Vermont.

Oct, 22^d 1881.

Geo. F. Hall,

Plff.

v { In Debt

Nancy Whitley

Def't

This day came the parties
by their attorneys, and
thereupon came a jury
to wit: J. A. Ashburn, Milton
Dunstons, J. R. Bowden, M. J.
Butler, A. R. Whitehead, Miss
Hodwies, Jos. H. Johnson, Geo. S.
Pierce, Samuel Turner, B. W.
Hearne, R. F. Davis and J. T.
Rose who being selected by
ballot and sworn the truth
to speak upon the issue
joined, upon their oaths
do return the following
verdict: we the jury find
for the plaintiff the sum
of Fifty Two Dollars &
ninety five cents, with int.
thereon from Augt. 14th 1863.
till paid - subject to a credit
of \$7.⁸⁵ on the 1st Jan'y. 1870.
Therefore it is considered

Cir. Ct. fs. 69	Atts. fee + tax -	3.50
Have seen 5.	Atts. fees -	8.88
	Shff -	2.10
		<u>14.48</u>

v $\frac{3}{4}$ Dif. a.

Whittier Nancy

"January 1882.

Story on

page.

We properly found
to satisfy their
Executives on
any point thereof
Decr. 9th 1881.

S. I. Edwards

Shff

Ex C. filed with
Complainants Bill

The Commonwealth of Virginia,

TO THE SHERIFF OF THE COUNTY OF ISLE OF WIGHT—GREETING:

We command you that of the goods and chattels of Nancy Whitley

late in your bailiwick, you cause to be made the sum of Fifty Two Dollars & Ninety five cents with int. from 12th of Aug. 1863 the payment subject to a credit of \$4.85 as of the 1st day of January 1872 which Geo. S. Stoll

lately in our Circuit Court of the County of Isle of Wight, recovered against her for debt, also the sum of Fourteen Dollars and 48 Cents, which to the said George S. Stoll in the same Court were adjudged for his damages, as well by reason of detaining the said debt, as for his cost in that suit expended, whereof said Nancy Whitley convicted as appears to us of record; and that you have the said debt and damages before the Judge of our Circuit Court, at the Courthouse, on the first Monday in January next, to render unto the said Geo. S. Stoll of the debt and damages aforesaid. And have then there this writ.

Witness. NATHANIEL P. YOUNG, Clerk of our said Court, this 29th day of

October A.D. 1881, and in the 18th year of the Commonwealth.

attest N. P. Young clerk N. P. Young

CLERK'S OFFICE
ISLE OF WIGHT COUNTY, VIRGINIA.

N. P. YOUNG, Clerk.

Isle of Wight Co. Cl., Va., Janu. 5th 1882.

C. B. Hayden Esq.

Att. at Law.

Dear Sir

In compliance with your
memo. left with Mr. Edwards on Monday - asking
information as to the land of Nancy Whitley. Find
on examination, that she, as one of the three children
& heirs at law of Pleasant Casey, inherited one third
of her father's land ~~land~~ consisting of 53 acres.
making her share $17\frac{2}{3}$ acres which she holds
now in fee - having never disposed of it that I
can find on the record. After the death of P. Casey
the parties, being adults - by the aid of persons
selected by themselves, as I am informed -
divided the land. This was done informally &
no record of the division was ever made tho
the lines were chopped & I have been unable
to trace - Nancy Whitley also owns a lower
interest in the land of her husband James
M. Whitley decd: consisting of about $24\frac{2}{3}$
acres - ^{this is} also part of the Pleasant Casey

land which James M. Whitley bought of the other
himself. All this land lies adjacent to Geo. F.
Hall; L. P. Roberts & als. near the court house.
Say. One half inch - W. All the remainder
of said P. Casey land in which she was interested
and from which her said share was taken, is
now owned by the estate of said James
M. Whitley, as before said - and Geo. F. Hall
by purchase.

Yours truly

A. P. Young att.

It is to pay of their debts which he is
doing with it. They have closed up
or are about to do so. Their present bond
is chg. of the trust - This deed says
nothing about Robert & William, but
there was a deed made by R. & W. in
the early fall to indemnify their in-
debtors on purchase of saw mill.

Very truly

J. P. Young

I send the Wright deed

Wm. Wright

Richard / 60821 -
J. P. Young

CLERK'S OFFICE
ISLE OF WIGHT COUNTY, VIRGINIA.

N. P. YOUNG, Clerk.

Isle of Wight Co. Cl., Va., Jan. 7th 1882

C. B. Hayden Esq:

Dear Sir,

Your fr. fr. Mason is recd. Return
you the Canal drawn with my right for \$5.00 on it.
The balance of the Pleasure case and is
owned by Geo. F. Hall purchaser from ^{James} ~~James~~
Blair & wife, who bought it on a ~~Whitney~~ ^{James} ~~Whitney~~
and James W. Whitney Est. he having bot.
of Hall part of what Hall bot. of
Blair - In the land of Whitney's Est. the
widow Nancy Whitney holds down.

All the awards such are in your hands
since Mr. Cook as shown by Mr.
Edward memo on the Ct. docket
M. L. Watkins & Co. as a firm & as in-
dividually have made a bid to W. S. Holman
trustee to indemnify J. W. Drake, T. J.
Clements & W. S. Chapman then indorse
on two notes in Book of \$5000.00 each.

Now does not see what is to be
done with this money but the trustee says