1813-013

SOUTHAMPTON COUNTY
CHANCERY PAPERS

TURNER vs. TURNER'S ADMINISTRATOR et al

2/1813

See also: Turner et al v. Turner's Widow, 1812-15

other surnames: Jones,
Cook, Boykin

Legatees of Johnson &
to Celestia
Wm Turner

This is to Certify to the Honourable Court of Southampton, that we agree, that Winny Turner shall take a equal part of the Est of Jacob Turner dec'd, with the legatees. & have a right to Dispose of the said proportionable part in any way as she may think proper, Under the Consideration of her relinquishing of her Dower right in the said Est as a Widow. In Witness our hands this 17th Feboruay 1813

Jno Crumpler
Silas Summerell
Robert Hartman

Benja Seal
Tot. Turner Seal
Temperance Turner Seal
Nancy Turner Seal
Sam Cock Seal

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Turner

a. } Bill &c.

Turner adw. &c.

November 1813 Att'y. Turner

Commissioners

Jno. Leyendecker

Simon Boyle

Geo. Cook.

Silas Sumerville a amy.

To the worshipful Court of Southampton County in Chancery sitting - Humbly complaining sheweth unto your worships, your oratrix Rinney Turner, widow and relict of Jacob Turner Junr. deceased, late of the County of Southampton, that the said Jacob Turner departed this life on the day of in the said County, intestate, and that at the term of the County of the said County, letters of administration on the estate of the said Jacob Turner decd. were in due form of law, granted by the said Court to a certain Samuel G. Boykin, who is prayed to be made a defendant to this bill. Your oratrix begs leave to state to the Court that the said Jacob Turner died seized of land in the said County, which hath heretofore been ~~sold for distribution~~, and also possessed of several slaves, which yet remain to be distributed, as the said Samuel G. Boykin admr. of the said Jacob Turner decd, has progressed so far with his administration as to ascertain that none of the said slaves, need be sold for the payment of his said intestates debts - Your oratrix also begs leave to state to the Court, that the said Jacob Turner, ~~departed this life~~ dead, leaving five children, to wit, Patsey Jones (formerly Patsey Turner) wife of Benjamin Jones, Solomon Turner, Temperance Turner, Nancy Turner and Lucretia Cook (formerly Lucretia Turner) wife of Samuel Cook, all of whom, are above the age of twenty one years and are also prayed to be made defendants to this bill - that your oratrix is entitled to one third part of the said slaves, for the term of her natural life, as her dower therein, but that an agreement hath been entered into, between herself and the aforesaid children of the said Jacob Turner decd, to the following effect - that is to say - that your oratrix should relinquish her right of dower in the estate of

the said Jacob Turner deceased, and take an equal part thereof with the children, absolutely and unconditionally - all of them considering it more to their respective interests, that she should take one sixth part of the said estate absolutely, than one third part thereof, for the term of her natural life. Your orator is willing to conform to this agreement and accordingly annexes hereto her written agreement to that effect, as a part of this bill - She therefore prays that the said Samuel S. Boykin, admr. of the said Jacob Turner dec'd, the said Benjamin Jones and Patsey his wife, the said Solomon Turner, the said Pemperance Turner, the said Nancy Turner and the said Samuel Cook and Lucretia, his wife, may be compelled to answer all & singular the allegations of this bill, and that as fully & amply as tho' they were herein again repeated & they thereunto particularly interrogated - that your worships will thereupon decree that the said slaves be equally divided between your orator & the aforesaid children of the said Jacob Turner dec'd, in pursuance of the agreement herein before mentioned - that any other & general relief may be granted in the premises, consistent with Equity and good Conscience - May it please the Court to grant the Commonwealths writ of Subpoena commanding &c and as in duty bound, your orator will ever pray &c

Stith for Complainant

To the worshipful court of South'n County in Chancery sitting. The separate answer of Samuel S. Boykin adm'r of Jacob Turner dec'd. and to the bill of complaint exhibited in this court by Winney Turner, widow & relict of the said Jacob Turner dec'd against him, Benj'n Jones and Patsey his wife, Solomon Turner, Pemperance Turner, Nancy Turner and Samuel Cook and Lucretia his wife -

The said defendant saving & reserving to himself now & forever all & all manner of Exception to the said bill of complaint, for answer thereto saith, that he believes the allegations therein contained are true and that he has no objection that the Court should decree according to the prayer thereof, provided each of the distributees are required to execute to him a bond with approved Security, to refund, in case debts due of his intestate should hereafter appear, to render it necessary - And he prays to be hence dismissed &c

Saml. S. Boykin Admr &c

To the worshipful Court of South'n County in Chancery sitting. The joint & separate answer of Benjamin Jones and Patsey his wife, Solomon Turner, Pemperance Turner, Nancy Turner and Samuel Cook and Lucretia his wife, to the bill of complaint exhibited in this Court, by Winney Turner, widow and relict of Jacob Turner dec'd, against them and Sam'l S. Boykin adm'r of the said Jacob Turner dec'd.

The said defendants saving & reserving to themselves now & forever all benefit of Exception to the said bill of complaint, for answer thereto, say, that the allegations in the said bill contained are true and correct - they think proper more distinctly to admit that an agreement hath

there plain between them and the Complainant that provided the said Complainant would relinquish her Right of Dower in the Estate of the said Jacob Swearingen, they would consent that she should an equal part with them of the said estate, & have & to hold the same absolutely and unconditionally to her and her heirs & assigns for ever — These respondents are willing to conform to this agreement and according to annexed hereto their written agreement to that effect as a part of this answer — They are moreover willing that a decree pursuant to the said agreement should be made by this Court & pray the same accordingly &c.

Stith for Defts

Nancy Turner widow and relict
of Jacob Turner dec'd. complt.

vs

Samuel C. Boykin adm'r of Jacob Turner dec'd
Benjamin Jones & Patsey his wife, Solomon Turner,
Temperance Turner, Nancy Turner and James
Cook and Charlotte his wife defts.

This cause was this day submitted by Counsel for the parties and upon the bill, the answers of the defendants, the exhibits and agreements of record, and the appearing to the Court that an agreement in writing had been entered into between the complainant and the defendants Benjamin, Solomon, Temperance, Nancy and Samuel, by which the said Complainant had relinquished her Right of Dower in the estate of the said Jacob Turner deceased, and to take an equal part thereof, with the said defendants absolutely and unconditionally, in lieu of her said Right of Dower, Therefore it is adjudged, ordered and decreed by the Court that the defendant, Solomon

Boyton, George Cobb and Silas Cummell or any three of them, to divide the slaves of which the said Jacob Turner deceased, died possessed, into six equal parts - that they allot one of the said parts to the complainant Simmons Turner, as her own absolute property, another of the said parts to the defendant Benjamin Jones in right of his wife Patsey, another of the said parts to the defendant Solomon Turner, another of the said parts to the defendant Pamparance Turner, another of the said parts to the defendant Nancy Turner and the remaining one of the said parts to the defendant Samuel Cook to report each of the said distributive executing bond with approved security & the said defendant Benj. S. Boyton in right of his wife Lucretia, and that they make report of their acting and doings in this belay to the Court, in order to a final decree

This is to certify to the [illegible] Court of [illegible]
that I Relinquish any Power or right in the Est of
Jacob Turner Dec'd my Dr husband [illegible]
of Drawing a Equal Proportion of the said Est Both per
Real Estate the Legatees and have it in my power
to Dispose of my said Proportionable part as a Legatee
in any Will you I think best, but Should the Legatees
Refuse to make me a right to the said proportionable part
I Claim the right in the Est as the law allows to
Widows. Witness my hand this 7th January 1813

Witness
William Bowden
Robert Holloman

Winney Turner