

1829-005 SOUTHAMPTON COUNTY
CHANCERY PAPERS

DONNELLYS & CO

VS. DONNELLY, O'DONNELLY

10/1829

Other surnames: Denelly,
Odonnelly, Odoneley,
Odonely, Odonelly

Donnelly

As

Donnelly

Bill & Answer

December 1878

Inty. Decree

1829 Oct. Robert returned final
decree by consent of.

Therapant

To the worshipful Court of Southampton in Chancery sitting -
Humbly complaining shew unto your worship your complain-
nants Betty Donnelly, Nancy Donnelly, Thomas Donnelly,
John Donnelly and Peggy Donnelly infants children of
John Donnelly dead by their next friend
appointed by the Court to defend prosecute for them in this
behalfs - That their father the said John Donnelly
died some three or four years ago leaving your
complainants his only children and a widow Sally
That he died intestate seized and possessed of two small
tracts of land lying in this County in the neighbourhood
each other, the one containing thirty two acres, and
the other twenty. That he left nothing besides of any
consequence out of which your complainants could be
maintained and that they are now in extremely
indigent and suffering circumstances, depending
almost exclusively upon the daily labour of the
said Sally Donnelly their mother, for a scanty
support. That the lands aforesaid are not worth
one hundred dollars to each of them, and therefore
they are advised it can be sold for the purpose of
effecting a division. They further state ^{that} the said
Sally Donnelly widow of their deceased father is entitled
to her dower in said land, and that they have been
informed that she proposes to have her dower allotted
to her of both tracts of land in the tract of twenty acres
upon which there is a small cottage. They are
also advised that the said lands cannot be divided
among your complainants, or dower allotted to the
widow without the aid of a Court of Equity. In tender
consideration whereof and in as much as your
complainants are without remedy elsewhere in

a Court of Equity. They pray that the said Sally Donnelly
widow as aforesaid may be made a defendant and hitherto
and be compelled to answer all and singular the
allegations herein contained fully and unreservedly.
They further pray that dower may be allotted to the
said Sally of both tracts of land in that tract
containing twenty acres, and that the balance
may be sold and the proceeds of the sale equally
divided among your complainants. And finally
they pray that this Court would make any other
or further order or decree in the premises which may
be right and just, and as in duty bound they
will ever pray &c.

In the most honorable Court of Southampton in Chancery
sitting — The answer of Sally Donnelly widow
and relists of John Donnelly decd, to the bill of
complaint, exhibited against her by Peter Donnelly,
Nanny Donnelly, Thomas Donnelly, John Donnelly
and Peggy Donnelly infant children of said John
Donnelly decd by James Rochelle / their next
friend appointed by the Court to prosecute for
them in that behalf —

This respondent having and reserving
to herself every benefit of exception to any errors
or imperfections in the bill of the complainants con-
-tained, for answer to so much thereof as she is
advised is necessary further to answer. Saith
That she believes the facts contained in the
complainants bill are true and she wishes such
a decree as is therein prayed for may be made
and having answered she prays to be hence
dismissed &c —

Rough Decree

O'Donnell vs.

Ptiff

In Chancery -

Donnelly

Defts

This cause was this day docketed by consent of parties and report of the Court and was heard on the bill and answer and arguments of counsel. Whereupon after due consideration thereof heard the Court doth adjudge order and decree that James Jones Jones Jones

Donnelly and Can Brown -
craving two of them do allot to the defendants Sally
Donnelly one third of two tracts of land lying in this
county containing together 52 acres in one the said
tracts containing 20 acres, and that they do after
giving ten days public notice of the time and place
of sale sell the balance of said land on account
of months taking ^{five} bonds of equal amount
or purchasers with approved security, and allot
one of said bonds to the plaintiff in each of the
complaints. Peter Donnelly, Nancy Donnelly,
Thomas Donnelly, John Donnelly and Peggy Donnelly

That they make a conveyance in fee simple to
the purchaser or purchasers of said land and it is
further ordered that they or such of them as may act,
do make a report ^{to this Court} of their proceedings herein, in order
to a final decree

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(copy)

Louthampton Decr Court 1818.

Betsy O'Donnelly, Nancy, Thomas, John and
Peggy O'Donnelly infants children of John O'Donnelly
decd by their next friends James Rochelle, appointed
by the Court to prosecute for them in this behalf - Complainants
against

Sally O'Donnelly widow and relict of John
O'Donnelly deceased

Defendant

In Chancery

This Cause was this day docketed by consent of parties
and argued of the Court, and was heard on the bill and answer
and arguments of Counsel. Whereupon after due Considerations
thereof the Court do hereby agree, order and decree, that James
Jones, and Boyner, Josiah Munroigh and John Bowser or any
three of them do allot to the defendant Sally O'Donnelly one
third of the tracts of land lying in this County containing
fifty two acres ^{in the one} and the other containing twenty acres, and that
they do after giving ten days public notice of the time and place
of Sale - Sell the balance of said land on a Credit of
months, taking five bonds of equal amount, from the purchaser
or purchasers with approved Surety and all of one of said bonds
to the guardian of each of each of the Complainants Betsy O'Donnelly
Nancy O'Donnelly, Thomas O'Donnelly, John O'Donnelly and Peggy
O'Donnelly That they make a conveyance in fee Simple to the
purchaser or purchasers of said land and it is further ordered
that they or such of them as may act, do make a report to this
Court of their proceedings herein in order to a final decree

Teste

Chas. Nicolson D.C.



Report of the Sale
of the lands of
John O'Connell Esq.

Agreeable to an Order of the County Court of
Langston to us directed we the Undersigned have
Proceeded to make Sale of the two tracts of land
of John Odomey ~~dec.~~ after first attesting to the widow
of S. ~~dec.~~ One third of S. land during her life
in manner and form following — We have sold
The Tract of 52 acres for. Fifty dollars —
Purchased by Harrison Joyner and the other 20 acre
Tract Purchased by S. Harrison Joyner — amounting
to. sixteen dollars & 40 cents — all of which
Tracts amounts to Sixty Six dollars & forty cents —
We then Proceeded to take the Bonds in the following
manner: (to wit) One Bond for
to Elizabeth Odomey; One to Nancy Odomey for
One Bond to Thomas Odomey for
One ditto to John Odomey for
and One Bond to Peggy Odomey
and have assign^d S. Bonds over. as by the Order we were
Required — Given Under our hands this 25th day of June
1824 —

Joseph White and

Can Bowers
James Jones