

1842-026 SOUTHAMPTON COUNTY
CHANCERY PAPERS

MAGETT etal vs. CARR

s/1842

other SURNAMES: Maget,
Battle, Carr

Magett &c

& } Bell & ans

Carri

1840 Mar. Deere as filed &c.
+

1842 Apr. Report.

1st May. Report conf.

To The worshipful Court of Southampton
this is to shew and certify

your brother Arthur Magill and Mary
his wife (late Mary Magill widow of William
Magill)

Respectfully complaining shew unto
your worship that he the said J^r Magill
departed this life in the year 1831

of lawful age unmarried and intestate

that at the time of his death the

said Magill was possessor of a tract or
parcel of land containing about fifty acres

lying in this county

and your honors say that they and a

certain Englishman in his own right and in
right of his child. Many years ago

are the only lawful heirs & distributees

of J^r Magill and that the land

of said land is of less value than three

hundred dollars a share to those

up. orders & entitled to dislocation
and to the end that they may be
put in possession of their lawful
rights by sale and distribution of
the said proceeds they pray that
Erskine may be appointed guardian
ad litem to and
his child. infant of 15 years of age
to answer the allegations of this bill
and that they may pray that
defendant in his own right answer
the said allegations & so far as ne-
cessary for the attainment of justice
touching the premises & and for
which they will in pray &c

Magill & Battle
Vt
can &c

The answer of Erskine
as guardian ad litem of
his infant child.
order as set as defendant to put in his

to the bill & replied & them by another
magill & many Battle

These respondents answering say they
he cannot carry the truth of the
allegations of the plaintiffs bill and
have no objection to such decree
touching the premises as to their
court may seem fit & proper
and having answered pray to be
dismissed &c

Magill &c
Vt
can &c

This day this cause
was accepted by consent of pa
and came on to be heard on
the bill & answer & exhibits & was
argued by counsel whereon the

count doth advise now & agree
That James Magill Manning Magill & Tho:
Smith ~~James Manning Magill & Tho:
Smith~~
or any two of them be & they are
fully authorized commissioners to
make sale of s^d land after giv-
ing one months notice by advertis-
ing the day & place of sale at the
court house door & three other
public places in the county of
Savannah for Appraisement &
security on six months credit
and make distribution of the pro-
ceeds of the s^d sale after paying the
expenses of this decree. Assigning to the
said James Magill Manning Magill
& Tho: Smith in right of their heirs one third
each of the proceeds of said sale
and report to this court
here for a final decree. (Wray) ety

Mageth &c

v } Copy Dene

Can

For Commissioners

Southampton March Court 1840.

Arthur Magett and Mary Battle, late Mary Maget, widow of
William R Battle.

Plffs

In Chancery

against

Defts.

Everett Carr and Mary Jane Carr.

On the motion of the plaintiffs by Counsel Everett Carr is assigned guardian
ad litem to his infant child Mary Jane to defend her in this suit - and thereupon this
cause came on to be heard on the bill and answer and exhibits and was argued by
Counsel whereon the Court ~~adjudge~~ order and decree that James Magett
a Mary Maget and Thomas Everett or any two of them be and they are hereby
appointed Commissioners to make sale of the land after giving one months
notice by advertising the day and place of sale at the Courthouse door & three
other public places in the County of Southampton, for approved bonds & security
on six months credit and make distributions of the proceeds of said sale after
paying the expences of this decree - assigning to the said Arthur Maget, Mary
Battle & E. Carr in right of his child one third each of the proceeds of said sale
and report to this Court in order to a final decree.

Copy Teste L. R. Edwards Ck

Mugger
to } Report
Bar

1812 April Last

Pursuant to the annexed order of the commissioners
this day proceeded to sell the tract of land named
in the decree belonging to the estate of William
C Maget decd. on a credit of six months to
the highest-bidder after having advertised the
same one month as directed when Everett A
Barr became the purchaser at the sum of
one hundred & forty seven dollars & seventeen
cents and the said Everett A Barr after paying
in cash the sum of twenty dollars to defray
expenses, Executed two separate bonds payable
the 11th day of January next, one to Arthur C
Maget & one to Mrs Mary L Battle each
for forty two dollars & 39 cts with Henry L
Williams security and the said Everett A Barr
assigned his Act in right of his wife & Child Mary
Jane Carr to the Com^{rs} for the other there amounting
to forty two dollars & 39 cts, which said bonds
have been paid over ~~and~~ to their respective owners
one to Arthur C Maget & one to Mrs Mary L
Battle who gave their receipts for the same

Given under our hands & seals This 11th day
of July 1849.

As Magt Com^{rs}

Thomas Everett