

1844-033 SOUTHAMPTON COUNTY
CHANCERY PAPERS

CLARK and Wife etal vs. TILLAR v al
1/1844

Plat

other surnames: Tiller

Clark }
as }
Tillman }

Chas. for
Accounts.

Bill, Mrs. L. Allen

1842 Aug: Diara as filed Y.
+ 1843 Dec. Report
1844 Jan. Rep. Confirmed

Lo. accepted

To the most honorable the County Court of Southampton
Sitting in Chancery.

Humbly complaining, shew unto your
ships, your Campells Benjamin Clark. and Elizabeth
his wife formerly ~~John~~ Tillas, Christina Tillas, daughter
of Edmund Tillas, that some years since, Edmund
Tillas executed this wife sign and paper of a tract
or tracts of Land lying in this County and in the
County of Gloucestershire. containing in the aggregate
nearly four and five hundred acres - totally intestate
leaving a widow Martha Tillas, and three children
viz, Elizabeth, who has since intermarried with your
dear friend Benj. Clark. Christina, who is now of full
age and Martha who is under the age of twenty one
years. - His only heir at Law. That the said intestate
Edmund has remaining undivided from the time of his
death until the present moment, without even
an allotment of acres to the widow. That your
Campells have frequently and in a friendly way endeavored
to effect a division of the real estate, but could
not, That they on advice they are entitled to
a division of the Land according to Law.

To the Inc. Trustee, and in as much as your
Campells are without Remedy except in a Court
of Equity. where matters of this kind are cognizable
they pray your ships to make Martha Tillas
widow of Edmund Tillas, and Martha Tillas an
infant daughter of Edmund Tillas, after Martha, with
apt and proper words to charge them. The last of
some fit and proper person to assign her, that
your ships appoint Court to divide the real estate
of which Edmund Tillas did sign and paper
between your Campells, and the wife, according to
Law, and the rights of the parties - and grant
such other and general relief in the premises

as Equity may declare, to be justly bound to.

refuse to make report in order to a final decree.

answer of Martha Tiller, widow of Edmund Tiller, and as her
adversary to Martha Tiller and infants, daughter of E. Tiller.

This report saying that for answer said that the facts
contained in the Piffs bill are true, as she believes, and that she
can not urge any objection to the decree asked - and having
ans^d says to be bound as aforesaid

Brig. Charles & Elizabeth his wife
and Christina Clark.

Piffs.

as
Martha Tiller, widow of Edmund Tiller
and Martha Tiller, an infant

Defts. }
In Chancery

This day there came over exhibiting and by consent
of parties came on to be heard, on the bill, answers
of the depts, and was argued by counsel. On con-
sideration whereof the Court with advice, order and
decree, that the land of which Edmund Tiller died
seize and possessing lying in this county, and in the county
of Gloucester, be divided into three parts of equal
value, and that one third be allotted to Martha
Tiller, widow of Edmund Tiller, for life as her dower - that
the remaining two thirds be divided into three parts
of equal value, that one part be allotted to
Brigantine Clark and Elizabeth his wife, one part to
Christina Tiller, and the remaining part to Martha
Tiller. That Rich^d A. Williams, William C. Davis
and Byrd Lewis - attended by some competent sur-
veyors carry this decree into effect - and as

Clark & wife &c

v. } Co. Deane.

Tillar

For Commissioners

Southampton August Court 1842.

Benjamin Clark and Elizabeth his wife formerly Tiller, Christina Tiller, Peffs } In Chancery
against

Martha Tiller widow of Edmund Tiller dec^d and as guardian ad
litem of Martha Tiller infant & daughter of Edmund Tiller dec^d Dfts }

This day this cause was docketed and by consent of parties came on to be heard on the
bill answer of the Defendants and was argued by Counsel: On consideration whereof
the Court doth adjudge, order and decree that the land of which Edmund Tiller
died, seized and possessed lying in this County and in the County of Greenville
be divided into three parts of equal value, and that one third be allotted to Martha
Tiller widow of Edmund Tiller dec^d for life as her dower, that the remaining two
thirds be divided into three parts of equal value, that one part be allotted to Benja-
min Clark and Elizabeth his wife, one part to Christina Tiller and the remaining
part to Martha Tiller. That Richard N Gilliam, William L Davis and
Byrd Lundy attended by some competent Surveyor carry this decree into effect
who are required to make report in order to a final decree.

Attest

Juste.

J R Edwards Cky

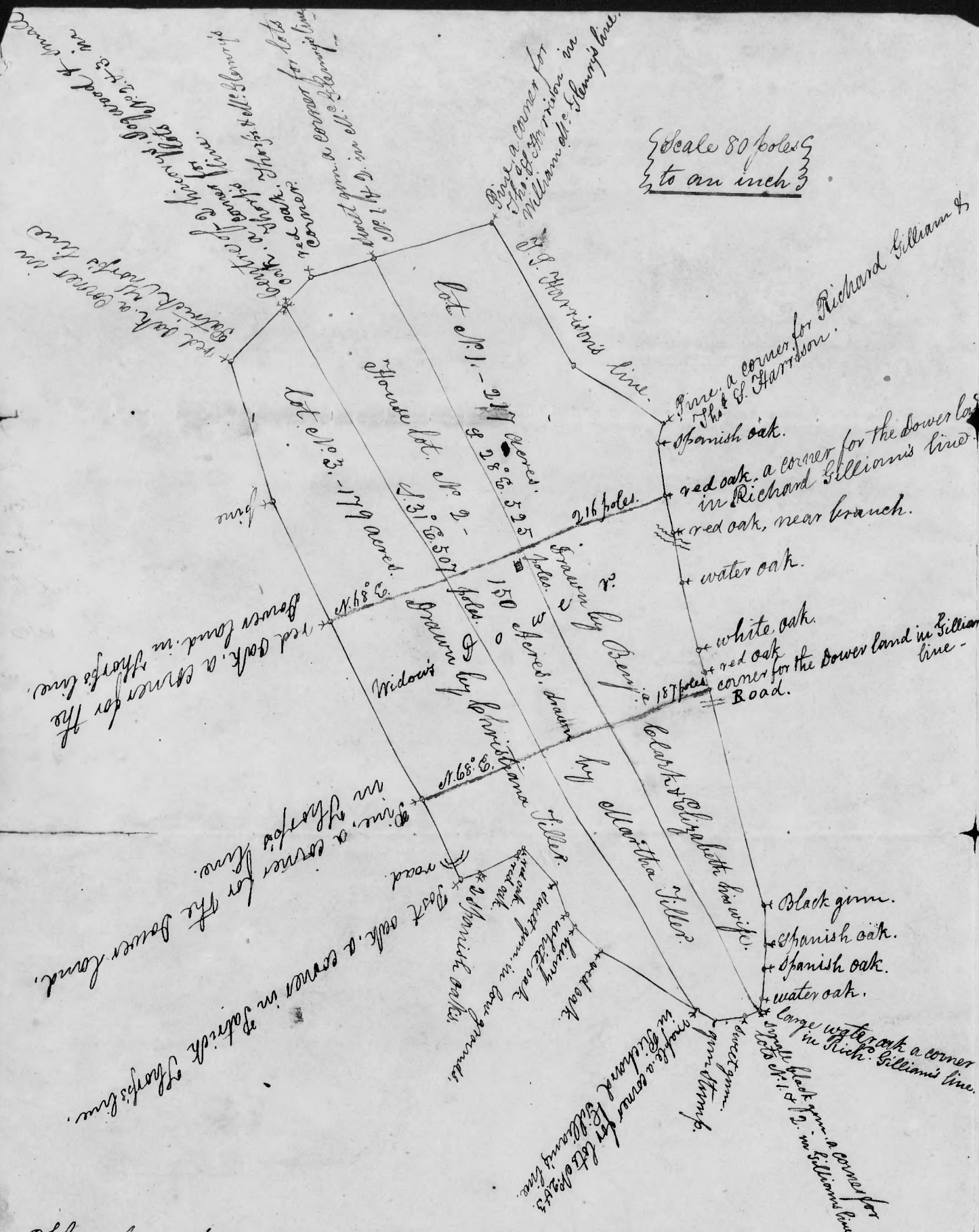
52.6
396
130

Clark & wife

& Report

Teller & Co

1843 December



The above plot represents the land of Edmund Tiller, dec'd., lying in the Counties of Southampton and Greenville, containing five hundred and forty six acres - and divided by two of the Comm^{rs} appointed by a Decree of the Court of Southampton County to divide the same - as represented on said plot. —

B. Clark & Wife	217 - 59 off	=	158	Acres in possession
Martha Tiller, infant,	150 - 34 "	=	116	" " "
Christiana Tiller	179 - 57 "	=	122	" " "

Agreeably to an Order of the Worshipful Court of Southampton County dated August Court 1842. We the undersigned, two of the Commissioners expressed in said order, have proceeded to divide the land of Edmund Tiller, dec'd., lying in the Counties of Southampton and Greenville, attended by Tho^s B. Morrell as Surveyor, who surveyed said land, and found there to be in the whole tract five hundred and forty six acres: which we have divided, as represented on the foregoing plot, as follows, to wit, laid off for the Widow, Martha Tiller, as her Dower in said land, One hundred and fifty acres, by two parallel lines running across said land from Patrick^s Thorp's line to Richard St. Gilliam's line, (represented on said plot by blue lines) including the house, which we consider to be equal in value to One third of the whole tract of land. — believing it to be, to the interest of the parties concerned, and to obviate the necessity of a future division of said Dower land, we have divided the whole tract of land into three parts, equal in value, (so that each lot contains a portion of the Dower land,) as follows: lot No. 1 containing two hundred and seventeen acres, drawn by Benjamin Clark & Elizabeth his Wife, (Fifty nine acres of which is included in the Dower land,) and bounded by the lands of Richard St. Gilliam, Thomas S. Harrison and William M^c Glemry, & lot No. 2, by a line running from a sweet gum standing in said M^c Glemry line, S. 28° E. 525 poles to a small black gum & corner in said Richard St. Gilliam's line. — House lot, or lot No. 3 containing One hundred and fifty acres. Drawn by Martha Tiller, (infant, Thirty four acres of which is included in the Dower land,) and bounded by the lands of Richard St. Gilliam and the above mentioned line of lot No. 1, by the lands of William M^c Glemry & Patrick^s Thorp, & lot No. 3, by a line running from the centre of 2 hickorys, Dogwood, & small oak, standing in said Patrick^s Thorp's line, S. 31° E. 507 poles to a maple standing in said Richard St. Gilliam's line. — lot No. 3, containing One hundred and seventy nine acres, drawn by Christiana Tiller, (fifty seven acres of which is included in the Dower land,) and bounded by the lands of Patrick^s Thorp, Richard St. Gilliam, and the above mentioned line of lot No. 2. — all of which is respectfully submitted to the Court, Given under our hands this 10th day of August 1843.

Wm. C. Davis
Byrd Sunday