

1853-042
Southampton Co. Chancery Causes: Indiana Bozeman, etc. vs Trsts. of Nottoway Tribe of Indians

Parker, Newsom, Barham

To the worshipful County Court of Southampton
March Term 1852

Your petitioners Indianina Boyeman and Milky Wood-
son respectfully represent that they are descendants
of a female of the Nottoway Tribe of Indians and as
such entitled to a share of the property in com-
mon in the County of Southampton held by the
Trustees for the benefit of the descendants of said
tribe. That they have always been and still main-
tain a good moral character and hope to be able to
satisfy the Court that they are in no manner
likely to become chargeable to any part of the
commonwealth should this worshipful Court
grant the prayer of their petition. That by an act
of the general assembly passed the 23^d day of Feb-
ruary 1824 at the instance of one William S Boye-
man a descendant of said tribe the Court of the
County is empowered to order the Trustees to pay
the said Boyeman out of the funds of said tribe
the amount of the ascertained value of his interest
to have and to hold as his individual and absolute
property or to assign and set apart to be held of him
in manner of record such portion of said estate
real and personal as will be of value equal to the
amount of his interest ascertained as aforesaid.
To which act there is a clause annexed in these words
"When any descendant of a female of the Nottoway
Tribe of Indians entitled to a share of property in
common in the County of Southampton shall ap-"

ply to the County Court of Southampton for privileges
similar to those granted to Wm S Bozeman on the said
Court after similar notice to the trustees may at
their discretion exercise all the powers granted in
the foregoing sections for the benefit of such appli-
cants, and if so exercised he or she shall thereafter
enjoy all the rights and privileges which by the
aforesaid sections are granted to the said Wm S Boze-
man provided they are satisfied of the good moral
character of said applicant and that he or she is not
likely to become chargeable to any part of the com-
munal wealth. Your petitioners anxious to avail them-
selves of the benefit of said act pray the Court to have
the value of their said interest in the real and per-
sonal estate aforesaid ascertained by reference to
a commissioner or in such other manner as the
wisdom of the Court may direct and that the same
may be allotted to them as their individual and
absolute property - and your petitioners will
ever pray &c

Indianna Bozeman and
Milly Woodson
Chambliss Proffersburg
Attys

Bozeman
i
Indian Trustees ?

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Orders

This day this cause came on to be
read on the petition of Indianna Bozeman & Milly
Woodson, and it appearing to the Court that the said
trustees of the Nottoway tribe of Indians have been
summoned according to law, and have failed to show
cause why the prayer of the petitioners should not
be granted, the Court doth adjudge, order & decree
that Jas E Parker who is hereby appointed a special
Commissioner for that purpose shall ascertain the
interest of the said Indianna Bozeman & Milly Woodson both in the
real & personal estate held in common by the said
Nottoway tribe of Indians and report the same to Court

Petitions of
Indiana Boyenants
of Melly Woodson

1852 March. Filed same. and

" Oct. Order of. to ascertain
interest -

" Dec. Order to allot of.

1853 Sep. Report of.

According to an order of the county court of Southampton made at December term 1852, and amended at January term 1853, I have laid off by the assistance of Thomas B. Merrill surveyor, Fifty acres of the Indian land for Indiana Bozeman which I consider to be her proportion in value, of the balance of the undivided Indian land. The said land is bounded as follows, beginning at a sapasfras post a corner for Patsy Bozeman in Benja. E. Pope's line (formerly Hy. B. Vaughan's line) thence along said Patsy Bozeman's line N. 16° E. 61 poles to a post a corner, thence S. 71° E. 131 poles to a post a corner, thence S. 16° W. 61 poles to a post a corner in said Benja. E. Pope's line: thence along Pope's line N. 71° W. 131 poles to the beginning. I have also laid off Sixty four & a half acres of the said Indian land for Milly Woodson which I also consider to be her proportion in value of the balance of the said undivided Indian land, which is bounded as follows beginning at a post a corner for Indiana Bozeman in Patsy Bozeman's line thence along said Patsy Bozeman's line N. 16° E. 64 poles to a post (her corner) thence same course, N. 16° E. 15 poles to a post near a water oak at the edge of the low ground a corner, thence S. 71° E. 131 poles to a post in the low ground a corner, thence S. 16° W. 79 poles to a post, a corner for the said Indiana Bozeman, thence along the said Indiana Bozeman's line N. 71° W. 131 poles to the beginning.

Respectfully submitted to the
County court of Southampton

J. A. Merrill Commissioner

The Commonwealth of Virginia:

To the Sheriff of Southampton County, GREETING:

We command you to summon

*James W Parker, G. A. W. Newson & Jesse
S. Barkum trustees of the Atterbury Trile of Indians*

to appear before the Justices of our County Court of Southampton, at the Court
House, on the first day of the next ~~quarterly~~ term, to answer *the petition of*

Indians Begeman filed against them

And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our
said Court, at the Courthouse, this 17th day of March 1852,
in the 76th year of the Commonwealth.

L. R. Edwards

Bozeman

π } Sum.

Indemn Trustee

1852 April Term

Executed

James A. Gillis & son
& Mr. J. Seville by shuff
for Liza Parker

Southampton October Court 1852.

On the petition of Indiana Boyeman and Milly Woodson descendants of females of the Nottoway Tribe of Indians: This day this cause came on to be heard and it appearing to the Court that the said Trustees of the Nottoway Tribe of Indians have been summoned according to law, and have failed to show cause why the prayers of the petitioners should not be granted, the Court doth adjudge, order and decree that Jas. W. Parker, who is hereby appointed a special Commissioner for that purpose, shall ascertain the interest of the said Indiana Boyeman and Milly Woodson both in the real and personal estate held in common by the said Nottoway Tribe of Indians and report the same to Court

Attesty

Teste.

L. R. Edwards C. C.

In obedience to the aforesaid Order, I present the following Report: There remain undivided Eight hundred thirty six (836) acres of Indian land in which twelve (12) distributees have an equal interest. There are in the hands of the Treasurer three hundred thirty three dollars & seven cents (\$333.07¢) in which the twelve to whom has not yet been assigned their share in either the real or personal estate of the tribe, as well as five others who have had their interest in the land allotted to them, making seventeen (17) have an equal interest.

The, as yet, unascertained cost of a long tedious law suit against the late Treasurer, has induced me to withhold from the five (5) whose interest in the land a year or two since was assigned them, any part of the fund in hand. As soon as I am able to ascertain the amount, I shall promptly pay to those who may have received their land, the respective amounts to which they are entitled.

I therefore recommend to the Court to decree to the present petitioners, Indiana Boyeman & Milly Woodson, only their interest in the real estate.

Respectfully submitted to the Court.

Decr. 20th 52.

James W. Parker.

Indiana Boyman &
Milly Woodson.

Order to ascertain their interest
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Indiana Boyman &
Milly Woodson
interest
in the real Estate
Est. of the Northway 1919.

1852 Dec. 10th