

1856-005

Chancery Causes: Miranda Whitley, widow of Isaac Whitley + Mary L. Joiner's adm vs

Isle of Wight County

Thomas Joiner + ux + Adeline E. Whitley

other surnames: JOYNER

1836 March 14th Received from Tho Hall  
one thousand and forty three dollars and 67/8  
cents in full for my portion of the sales of  
negroes sold by Hall as Comptroller and  
under the directions of the order of the  
Court pronounced on the 3rd of March 1836  
Witness  
Miranda Whitley

1836 March 14 Received from Tho Hall Two  
thousand and ninety five dollars and 67/8 cents  
in full for the portion due my Word Addeline  
C. Whitley from the sales of negroes sold by said  
Hall (and paid over to me as guardian  
under the directions of the Court pronounced  
March 3rd 1836  
Miranda Whitley

1836 Received from Tho Hall <sup>in right of my wife</sup> thirty four dollars  
and forty seven and 2/3 cents It being in full for  
the money allotted to me in division of  
negroes to be paid by Miranda Whitley and  
Addeline C. Whitley and in full for my share  
of the net proceeds of the sales of negroes  
sold by said Hall as well appear by  
an order of Court pronounced March  
the 3rd 1836  
Howell Lygner

Received of J. Hall, Ten dollars my Fee as Attorney  
in suit of Miranda Whitley vs. Thos. Reynolds  
& others -

C. B. Hayden

Recd of J. Hall Com. in this case my fee  
A. P. Murray

1835

Feb

27 Received of Thomas Hall Two Hundred & Eighty  
Six Dollars & Twenty Cents, being the sum of \$267.50  
& interest thereon from Dec 31<sup>st</sup> 1834 to date directed to be  
paid by decree of the County Court of Isle of Wight at its Feb  
Term 1835 in suit of Whitley as Joiner wife & others -  
Edward Whitley

**KNOW ALL MEN BY THESE PRESENTS,** That we, *Thomas Hall*  
*and A. S. Young*

are held and firmly bound unto the Commonwealth of Virginia in the sum of *Seventeen*  
*hundred dollars* to the payment whereof, well and truly  
to be made, we bind ourselves, our heirs, executors, and administrators, jointly and severally, firmly by  
these presents. As witness our Hands and Seals, this *11<sup>th</sup>* day of *February*, in  
the year of our Lord, one thousand eight hundred and *fifty six*

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas by a Decree of the  
Circuit Court of Isle of Wight county pronounced on the *4<sup>th</sup>* day of *February*  
in a cause depending in the said Court in which *Miranda Whitley* is

*Thomas Joyner and wife and Adeline Whitley* are plaintiff, and

above bound *Thomas Hall* defendant, the  
missioner to *"after having given at least 20 days notice*  
*of the time and place of sale, by advertisement at*  
*the Court house door and on some Court day per-*  
*vious to the day of sale, to sell at public auction*  
*to the highest bidder, for cash (unless they be upon*  
*credit, and then to the lowest bidder) such of said*  
*negroes as may be necessary to effect an equal division*  
*and out of the portion of said *Wm. D. Jones* pay to *Compell.**  
*Miranda Whitley \$267.50 with interest from *31st Decr. 1834* all*  
*paid putting the balance of *s. proceeds* of sale in his hands*  
*until the further order of this Court to make report to Court"*

Now if the above bound *Thomas Hall* shall faithfully discharge  
his duties as Commissioner under the said Decree, then the above Obligation to be void, otherwise to  
remain in full force and virtue.

Signed, sealed, and delivered }  
in the presence of }

*T. Hall*



*A. S. Young*



RECEIVED BY THE BANK OF NEW YORK

To the order of the Treasurer of the State of New York  
the sum of Five Hundred Dollars

Five Hundred Dollars

for the purchase of land

for the purchase of land

for the purchase of land

for the purchase of land

Whitby  
N. Y. Bond  
Boyer da  
July 11. 1836  
Execd. & filed.

for the purchase of land

for the purchase of land

for the purchase of land

for the purchase of land

for the purchase of land



May A. Whitley, with Marinda Whitley her Exor.

On the 31<sup>st</sup> Dec. 1857. find said gen: indebted to her own  
May A. Whitley in real estate \$80.53. which cannot be used  
in the form of expenses, Same state find said woman  
indebted to her guardian \$267.50. the account is sup-  
ported by satisfactory vouchers and is herewith returned  
Extract from the report of Comr. M. H. Watkins

J. C. Sumner & Co.

Whitley }  
as } In Chancery  
Storer & }  
wife et al }

Exhibit A filed  
with Compt's Bill

Ex.

10



Marinda Whitley

vs

Thomas Sayre et al

& Adeline Whitley

On motion of the Plaintiff by consent of parties this cause this day came on to be again heard on the papers formerly read & the second report of Commissioner T Hall made pursuant to a decree herein of March Term 1856, this day returned to court, was argued by counsel, on consideration whereof the court confirming said report to which no exception was filed. doth adjudge order & decree that the partition of slaves made by ~~the~~ commissioners T. Hall, D W Kitchen & E L Eley as shewn by their report heretofore made herein, & the payment of the proceeds of the sale of negroes as shewn by the first & second reports of Commissioner T. Hall, be held firm & binding between the parties & that the parties respectively shall hold the slaves allotted to them as shewn by said report of Commissioner T. Hall, D W Kitchen & E L Eley - & the court doth further adjudge order & decree that the parties to this suit contribute mutually to the costs of the same -

Maranda Whitty

Thos. Jaynes<sup>es</sup>  
wife & others

Rough Decree

April Term 1836

To be entered

Wm. Bowler P 2

At a Court held for Isle of Wight County On the 3<sup>d</sup> day  
of March 1856.

Marianda Whitley

Against

Thomas Jaylor wife and Adeline Whitley

Plf.

In Chancery

Defls.

On the motion of the plaintiff and by consent of parties, this  
Cause came on this day to be again heard on the papers formerly  
read, On the report of J. Hall, D. W. Kitchin and Geo. Alley  
Commissioners for division of negroes & the report of J. Hall Com-  
missioner of Sale made pursuant to a decree herein of February  
Term 1855. and was argued by Counsel, on considerations  
whereof the Court confirming said report to which no exceptions  
were filed, doth adjudge order and decree, that J. Hall out of  
the sum of \$513. 80. shown by his said report to be in his hands -  
pay the Costs of this suit - including of his Commissions of \$35. 00,  
on the amount of sale made by him, and that he further pay there-  
out to the said Marianda Whitley the sum of \$140. 66<sup>2</sup>/<sub>3</sub>, being <sup>1</sup>/<sub>5</sub>  
of the sum to be distributed, after deducting therefrom the sum  
of \$8. 33<sup>1</sup>/<sub>3</sub>, due from her to Thomas Jaylor and Mary J. his wife, to  
equalize the division of slaves, which sum the said Marianda Whitley  
is to receive in fee simple in lieu of her interest for life in the  
fund aforesaid. That he further pay to the legal guardian if any  
of Adeline C. Whitley (and if not, retain the same in his hands until  
the further order of this Court) the sum of \$295. 66<sup>2</sup>/<sub>3</sub>, being her  
portion of said fund - after deducting therefrom the sum of \$8. 33<sup>1</sup>/<sub>3</sub>,  
due from her to Thomas Jaylor & Mary J. his wife as per said report  
of division to equalize the partition of slaves, & that he further  
pay thereout to the said Thomas Jaylor & Mary J. his wife the sum  
of \$311. 46<sup>2</sup>/<sub>3</sub>, in satisfaction of the balance due them from said  
fund after paying the amount by said Commissioner Hall under  
the former decree herein to Marianda Whitley late Guardian  
of the said Mary J. and the amounts shewn by said report of  
division of slaves to be due them to equalize said division for  
the sum aforesaid directed to be paid, the said Commissioner shall  
take the receipts of the parties of lawful age & that of the legal

guardian of the infant, I return the same to Court with his report  
of proceedings under this decree.

A Copy

Teste.

J. C. Latimer D.C.

Merinda Whitley

vs.  
Copy Decree

Mrs. James Swift, dals

Whitley — as  
Tayner wife  
& others —

On the motion of the Plaintiffs, & by consent of parties this cause came on this day to be again heard on the papers formerly read, on the report of T. Hall, & W. Kitchen, & Epen Cley Commissioners for division of Negroes & the report of T. Hall Commissioner of Sale, ~~made pursuant to a decree herein of Feb Term 1835,~~ & was argued by counsel, on consideration whereof the court confirming said reports to which no exceptions were filed, doth adjudge order & decree that T. Hall out of the sum of \$ 513.80, shewn by <sup>his</sup> said report to be in his hands pay the costs of this suit inclusive of his commissions of \$ 25.00, on the amount of sale made by him, & that he further pay thereout to the said Marinda Whitley the sum of \$ 143.66 <sup>2</sup>/<sub>3</sub>, being <sup>1</sup>/<sub>5</sub><sup>th</sup> of the sum to be distributed, ~~after deducting therefrom~~ the sum of \$ 8.33 <sup>1</sup>/<sub>3</sub> due from her to Thomas Tayner & Mary T his wife to equalize the division of slaves, which sum the said Marinda is to receive in fee simple in lieu of her interest for life in the fund aforesaid — that he further pay to the legal guardian if any of Adeline C Whitley (& if not retain the same in hands until the further order of this court) the sum of \$ 295.66 <sup>2</sup>/<sub>3</sub> being her portion of said fund after deducting therefrom the sum of \$ 8.33 <sup>1</sup>/<sub>3</sub> due from her to the said Thomas Tayner & Mary T his wife as per said report of division to equalize the partition of slaves, & that he further pay thereout to the said Thomas Tayner & Mary T his wife the sum of \$ 34.46 <sup>2</sup>/<sub>3</sub> in satisfaction of the balance due them from said fund after paying the amount by said Commissioner Hall tender the former decree herein to Marinda Whitley late guardian of the said Mary T & the amounts shewn by said report of division of slaves to be due them to equalize said division.

For the sums aforesaid directed to be paid, the  
said commissioner shall take the receipts of the  
parties of lawful age & that of the legal guardian  
of the infant return the same <sup>to court</sup> with his report  
of proceedings under this decree. ~~And the  
court doth further adjudge & determine  
And the court doth further adjudge, order & decree  
that the partition of slaves made by the commis-  
sioner)~~

Whitley  
vs  
Byram wife  
vs  
Cotton }  
In Chancery

Recd decree

March Term 1836

To be returned

Wm. W. W. W.  
Wm. W. W.

2500

At a Court held for the County of Wight County On the fourth  
day of February 1855.

Marinda Whitley

Against

<sup>vs</sup> In chy.

Plff.

Thomas Joyner wife and Adeline Whitley

Defts.

This day came the Plaintiff & filed her bill, and on her motion  
N. P. Young is assigned guardian ad litem to the infant defendant  
Adeline Whitley. & Thomas Joyner guardian ad litem to his  
wife Mary J. and thereupon the said N. P. Young guardian ad  
litem to the said Adeline W. Whitley filed the answer of said infant,  
(and the said Thomas Joyner in his own right & as guardian  
ad litem of the said Mary J. filed the answer of the said Thomas  
Joyner and Mary J. his wife - & the Cause coming on to be heard  
upon the bill, the said answers and exhibits was argued by  
Counsel: On consideration whereof the Court doth adjudge order  
and decree that Thomas Hall, Dixon W. Kitchen & James S. Eley  
who are hereby appointed Special Commissioners for that purpose  
proceed to divide the negroes - Gilly, Lydia, Reddick, Joe, Solomon  
Jacob and Georg - between the Complainant Marinda Whitley and the  
defendant Adeline W. Whitley & Thomas Joyner & Mary J. his wife  
and allot one third thereof for her life - to the said Marinda Whitley,  
one third to the said Thomas Joyner & Mary J. his wife, and one third  
to the said Adeline W. Whitley, having in said Division regard to  
quantity and quality, And the said Thomas Hall is hereby authorized  
after having given at least 20 days notice of the time & place  
of sale by advertisement at the Court House door & on some Court  
day previous to the day of sale - to sell at public auction to the  
highest bidder for Cash (unless they be expensive negroes - & then to  
the lowest bidder) Such of said negroes as may be necessary to  
effect an equal division & out of the portion of said Mary J. Joyner  
to pay the Complainant Marinda Whitley the sum of \$267.50. with  
interest from the 31<sup>st</sup> day of December 1854. till paid, Retain the  
balance of said proceed of sale in his hand until the further order  
of this Court, And make report of his proceedings under this decree

to Court. But the effect of this decree shall be suspended until the said Thomas Hall shall execute and deliver in the Clerks office of this Court - Bond with sufficient security in a penalty of \$1600.00 payable to the Commonwealth of Virginia Conditions for the faithful performance of this decree.

A Copy  
Teste.

Clks. fee \$10.00

clks. fee 5.00

\$15.00

J. C. Statmer D.C.

Maria W. Statmer

3/4 Copy Decree

or

Miss. Statmer & al.



Whitley  
vs  
Joiner wife  
et als } In Chancery-

This day came the Plaintiff & filed her bill, on her motion S P Young is assigned guardian ad litem to the infant defendant Adeline Whitley & Thomas Joiner guardian ad litem to his wife Mary L & thereupon she said S P Young guardian ad litem of the said Adeline Whitley & she said Thomas Joiner in his own right & as guardian ad litem of the said infant Mary L filed the answer of the said Thomas Joiner & Mary L, his wife, & the cause coming on to be heard upon the bill, the said answer & exhibits was argued by counsel; On consideration whereof the court doth adjudge order & decree that Thomas Hall, Sijm & Kitchen & Eben Cley - who are hereby appointed special commissioners for that purpose proceed to divide the negroes Lilly, Lydia, Ridlick, So, Soloman, Jacob & Leuge between the complainant Miranda Whitley & the defendants Adeline Whitley & Thomas Joiner & Mary L his wife & allot one third thereof for her life to the said Miranda Whitley - one third to the said Thomas Joiner & Mary L his wife & one third to the said Adeline ~~Joiner~~ <sup>Whitley</sup> having in such division regard to quantity & quality - & the said Thomas Hall is hereby authorized after having given at least 20 days notice of the time & place of sale <sup>by advertisement to the</sup> to sell at public <sup>R. H. demand upon</sup> auction to the highest bidder for cash (unless they be expensive negroes & then to the lowest bidder)

To the Worshipful County Court of Isle of  
Wight in Chancery sitting, humbly complain-  
ing sheweth to the Court your complainant  
Miranda Whitley widow of Isaac Whitley  
decd. - that about the day of 18  
the Isaac Whitley departed this life in the  
county of said interlate, that after the  
settlement of his estate, there was placed  
in her possession by his administrators a  
negro woman Lily, to whom  
such of said negroes as may be necessary  
to effect an equal division & out of the  
portion of said Mary L. Somner to pay  
the complainant Miranda Whitley  
the sum of \$267.50 with interest from  
the 31<sup>st</sup> day of Decr 1834 - till paid & ~~then~~  
<sup>retain</sup> ~~the~~ <sup>said</sup> balance of proceeds of sale ~~of~~  
~~the said Miranda Whitley~~ in his hands  
until the further order of this <sup>Court</sup> ~~and~~ report of  
his proceedings <sup>under this decree</sup> to Court ~~and~~.

But the effect of this decree shall be  
suspended until the said Thomas Hall  
shall execute & deliver in the ~~Clerk's~~ office  
of this Court Bond with sufficient security  
in a penalty of \$1000 so payable to the common-  
wealth of Va & conditional for the faithful  
performance of this decree -

Miranda Whitley  
v. J. G. Somner  
Jury wife &c.

Exhibits

Miranda Whitley

as

Thomas Saynes  
wife & others -

Pursuant to the annexed decree the un-  
designated has paid to Miranda Whitley in her  
own right \$143.66<sup>2</sup>/<sub>3</sub> - to Miranda Whitley as Guar-  
dian of Adeline C Whitley \$295.66<sup>2</sup>/<sub>3</sub> - to Thomas Saynes  
in right of his wife Mary J. \$34.46<sup>2</sup>/<sub>3</sub> - as will appear  
from their respective receipts thereto annexed - which  
sums together with the costs of said suit amount  
to the sum of \$513.80 as shown by his last report to  
be in his hands, as will appear from the an-  
nexed statement -

Paid Miranda Whitley	143.66 <sup>2</sup> / <sub>3</sub>
" do Guardian of Adeline C Whitley	295.66 <sup>2</sup> / <sub>3</sub>
" Thomas Saynes in right of his wife	34.46 <sup>2</sup> / <sub>3</sub>
J. Hall's Commissions	25.00
Atty's Fees	10.00
Clk's	5.00
	<u>\$513.80</u>

All of which is respectfully submitted -

J Hall

Maranda Whittly  
es

Thos. Jaynes.

Wife & others -

J. Hall's <sup>2<sup>d</sup></sup> Report -

Whitley as Payee wife } Statement for Decree -  
 & others - =

Amount of Sales \$ 800.00  
 Comms on \$300. - 15.00  
 " " 500 - 10.00  
 Atty's Fee - 10.00  
 Clks " 5.00  
 Total Cuts - \$40.00 - Am't in Comms Hands

\$ 513.80  
40.00  
 473.80

5/800.00  
40.00  
 5/760.00  
152.00 Widows Share -

2/608.00  
304.00 Share of each child -

152.00  
 8.33 1/3 Am't to be pd Payee wife -  
\$143.66 2/3 + widows is to receive -

Adeline share 304.00

Share of Payee wife 304.00  
 bednt amt pd Sch - 286.20  
 Am't to be paid by 17.80  
 M Whitley to " 8.33 1/3  
 " by Adeline - 8.33 1/3  
\$34.46 2/3 Am't to be paid Payee wife -

bednt amt to be  
 pd Payee wife 8.33 1/3  
295.66 2/3

Final distribution -

To be paid Payee wife - 34.46 2/3  
 " M Whitley - 143.66 2/3  
 " A - " - 295.66 2/3  
 Cuts of Suit 40.00  
 Am't in Comms Hands - \$513.80

Statement of the decease

To the Worshipful County Court of Sole of Wight County;  
 The undersigned Commissioner in pursuance of the  
 annexed decree made by the court aforesaid at the Feb  
 Term 1856, in the case of Whitley as Sayer's wife & others,  
 reports to the court that after having satisfied in all  
 respects the requirements of said decree, he on the 27<sup>th</sup>  
 of February last passed exposed to sale at public auc-  
 tion at the residence of Miranda Whitley Negro wo-  
 man Lucy & Child Riddick (the goods necessary to be  
 sold to make an equal division among the parties)  
 when Miranda Whitley being the highest bidder  
 became the purchaser of said Negroes for the sum of  
 \$800.00 which amount she paid to the undersigned  
 in cash. That in further pursuance of said  
 decree he paid to the said Miranda Whitley the sum  
 of \$286.20, the amount directed to be paid to her by  
 said decree \$267.50 with interest thereon from the  
 31<sup>st</sup> of December 1854, to the day of sale, leaving a balance  
 in his hands of \$513.80, as will appear from the an-  
 nexed statement & the receipt of the said Miranda  
 Whitley for the said payment herewith filed.

Gross Amount of Sale of Riddick & Lucy	\$ 800.00
Deduct Amount paid M. Whitley	286.20
Balance in Commissioner's Hands	\$ 513.80

All of which is Respectfully Submitted

Signed -

March 1<sup>st</sup> 1856 -

John Wall

Whitley  
Sagnew<sup>is</sup> wife  
Lothens —

J Hall's Report  
as Commissioner of  
Sale —————



Pursuant to the annexed decree the undersigned proceeds to value & make partition of the negroes in said decree mentioned as follows: to wit;

Gilly valued at	\$200.00 -
So	" 600.00
Solloman	" 400.00
Jacob	" 350.00
Lease	" 225.00 -

Which negroes are divided into Lots as follows -

Lot No 1 - So at \$100.00	}	Lot No 2 = Gilly at \$200.00
& to pay No 3 - 8.33/3		" " Solloman 400.00
<hr/>		<hr/>
	\$591.66 2/3	- 600.00
		8.33/3
		<hr/>
		\$591.66 2/3
Lot No 3 - Jacob at 350.00		
" Lease " 225.00		
	<hr/>	
	\$575.00	
& To Receive from No 1 - 8.33/3		
" " " No 2 - 8.33/3		
	<hr/>	
	\$591.66 2/3	

On Ballotting for said Lots No 1, was drawn by ~~Adeline Whitley~~ Adeline Whitley, No 2, by Miranda Whitley & No 3 by Thos Jynen wife some made allotment of said negroes accordingly; to wit to Miranda Whitley for her life Gilly & Solomon & to pay to Jynen wife \$8.33/3 to Adeline Whitley, So & to pay to Jynen wife \$8.33/3 to Jynen wife Jacob & Lease & to receive from Miranda Whitley & Adeline Whitley each \$8.33/3 as aforesaid & the said negroes were delivered to the parties in accordance with said division, Miranda Whitley as legal Guardian of Adeline Whitley receiving her portion. If said & Richard it will be necessary to sell to effect an equal partition & out of the proceeds of sale, the sums aforesaid should be paid -

Feb - 1<sup>st</sup> 1854 - All of which is respectfully Submitted -  
 Signed } E. L. Kelly  
 Dixon W. Kitchen

Report of Finis  
of Negroes

To the Worshipful County Court of Isle of Wight in  
Chancery sitting  
The Answer of Thomas Joiner & Mary his wife  
late Whitley, the latter an infant by the said Thomas  
Joiner as Guardian ad litem, to the Bill of Complaints  
in said court exhibited by Miranda Whitley  
against them and others —

These Defendants answering say they  
have no objection to the decree made by  
by the complainant for the sale of so many  
of the negroes in the proceedings mentioned  
as may be necessary to pay the ~~debt~~  
Miranda Whitley the sum of \$267.50 and  
cost therein from the 31<sup>st</sup> day of Dec 1854  
due her on guardian account against the  
said Mary & Joiner late Whitley & they  
pray hence to be dismissed of course of course  
in his own right  
Signed & as Guardian  
ad litem of Mary  
& Joiner —

To the Worshipful County Court of Isle of Wight in  
Chancery sitting. The Answer of Adeline C. Hud-  
ley by the ~~Bill of Complaints~~ Guardian ad litem  
to the Bill of Complaints in said court exhibi-  
ted by Miranda Whitley against her & others  
This Defendant answering says she knows  
nothing of the matters in the Complainant's bill  
mentioned, & being an infant of tender years submits  
her interests in the premises to the protection of  
this worshipful court & prays hence to be dis-  
missed &c —

Signed —

A. P. Young, Gdn  
ad litem

Whitley  
" } In Chancery  
Sayer & Co  
et al -

Assessors of T. Sayer  
wife & Adeline Whitley }

To the Worshipful County Court of Isle of Wight  
in Chancery sitting, humbly complaining shew=  
eth to the court your complainant, Miranda Whit=  
ley widow of Isaac Whitley & late guardian of  
Mary & Joines former Whitley - That on or about the  
day of 184, she said Isaac Whitley  
departed this life in the county aforesaid in=  
testate, leaving your complainant, widow as  
aforesaid, & two infant children Mary & A  
Adeline C Whitley him surviving as his only dis=  
tributes at law - That after the settlement of her  
said husband's estate, she received from his ad=  
ministrators two negro women Lillie & Lydia  
which she held in her own right as widow  
of the said intestate & as guardian of her two  
children aforesaid, she having duly qualified  
as their guardian in the court aforesaid -  
That said negroes with their increase now  
consist of Lillie (an old woman) Lydia, Richard  
(the latter a child) So, Solomon, Jacob, & George -  
That said negroes still remain undivided, be=  
longing jointly to your complainant as widow  
aforesaid & to the said children of the intestate  
as his distributees at law - That your complain=  
ant as widow aforesaid is entitled to one third  
of said negroes for life - That said negroes  
cannot be divided in kind & that owing to the  
infancy of said Adeline C, the parties cannot  
themselves make sale of them for that purpose  
That said Mary & Joines has lately intermarried  
with one Thomas Joines - That said Mary &  
is indebted to your complainant on guardian  
account in the sum of \$267.50. with interest  
thereon from the 31<sup>st</sup> of December 1854 as  
will appear from a certified extract from the

Exhibit

A -

report of the commissioners of this court herewith  
filed as a part of this bill & marked (A) your  
complainant is informed & so charges that she is  
entitled to have the said negroes divided & one  
third thereof allotted to her for life & that  
she is entitled to satisfaction out of the portion  
of the said Mary L Joyner late Whitley of the  
aforesaid balance due her on her guardian  
account. that your complainant is with  
out remedy at law & can only be relieved by the  
order of this worshipful court of chancery  
where matters of this sort are cognizable & to this  
end your complainant prays that she aforesaid  
Thomas Joyner & Mary L his wife & Adeline C  
Whitley the two latter infants by some person  
appointed their guardian ad litem to defend them  
in this suit may be made parties defendant to  
this bill. she requires to answer the same & that  
by a decree of this worshipful court commissioners  
may be appointed to divide said negroes among  
the parties aforesaid according to their respective  
rights so far as the same may be practicable  
in kind & to sell so many of said negroes as  
may be necessary to equalize said division  
& to pay your complainant out of the por-  
tion of the said Mary L Joyner the <sup>aforesaid</sup> sum  
of \$267.50 with interest thereon from the  
31<sup>st</sup> 1854 till paid & that if in said division  
any money should fall to your complain-  
ant in equalizing her share that instead  
of receiving the same for life, such portion there-  
of as to the court may seem proper may be paid  
her absolutely in lieu of her life interest & that  
such further other relief may be granted as may  
conform with equity & the nature of the case  
your complainant will ever pray May dem pr

Whitley }  
as } In Chancery  
Towner & }  
Wife et al }

Complainant's Bill

July 4<sup>th</sup>. 1856. Bill said  
filed & entry decreed

March 3<sup>d</sup>. 1856 (rept. of  
division & and decreed  
for)

Apr. 7. 1856. filed  
decreed