

1871-009

Chancery Causes: James S. Turner & co vs John Wills & Anna C. Wills, by & C.

Dale of Wright County

To the respectable Justices of the County Court
of Isle of Wight County, in the State of Virginia,
Complaining thereof unto your worship, your
orator, Jas. S. Turner & Ellen Tice, wife, formerly Ellen
Wills, widow of Lucian Wills ad^r, - that one
said Lucian Wills, departed this life about three
years ago, leaving a widow the said Ellen who has
since intermarried with your orator, Jas. S. Turner,
and the following 8 children as his heirs at law - or
bro. Wills, Anna C. Wills & Octavian Wills - that
Octavian has departed this life since the death of his
father, leaving his Mother the aforesaid Ellen, &
bro. & Anna C. Wills, as his heirs at law - that Geo. Wills
is over 21 years of age, and Anna C. Wills under 21 years
of age - That the said Lucian Wills ^{of which he was seized in fee simple} left a valuable
tract of land, containing by estimation 375 acres -
your orator allege that the said Ellen as the
widow of the said Lucian Wills ad^r, is entitled to
her dower therein; and she pray that this Hon. Court
will appoint commissioners, to set aside the same to
her, by proper sales & conveyances.

That they are without adequate remedy save
in this Hon. Court, when matters of this sort, are brought
before it. To the End therefore, that justice may
be rendered in the premises, they pray that
Geo. Wills, & Anna C. Wills, be made parties defendant.

to this Bill, and be compelled to answer
the same. That this worshipful Court, will
grant a Decree to let aside her said Ellen
Twinner, formerly Trill, Dower in her late husband's
estate, and grant all other & further relief as may
be meet and fit in the premises. . . .

Gas. S. Twinner &
Ellen Twinner by
Rt Honble
Her ally,

Twinner wife.
to Bill
Pro. M. G. & Co.

Sept. 7. 1878. Bill
re filed & inty.
Decree T.

Nov. 7. 1878. Rept.
filed for execution

May 1879. paid
Decree.

Turner Ship

ff

Pro Mills & -

Pro Mills & Co

The answer of John Mills, to a Bill
filed against & other, in the County Court of
Esh of north County, by Jas. S. Turner & Ellen his
wife &c.

This respondent having & accepting &c. for
his answer to so much said Bill as he is ad-
-vised it is material for him to answer, answering
says, that he believes the facts as set forth in said
Bill are true, and has no objection to the setting
aside of the Complainant's Dower as demanded.
and having answered foregoing herein &c.

John Mills
J. A. Hubert

County Court of 2nd of Aug at Co. P. H. Whitfield
The answer of Anna C. Trille, by Atty. P. Young
her guardian ad litem & to a Bill filed against her
& ay, in the County Court, by Jas. S. Turner &
Ellen his wife, guardian ad litem.

This respondent saving exceptions &c. for answer to
so much of said Bill as she is advised it is material for her
to answer, say, that she is a minor under 21 years
of age, and wanting, for action, begs leave to submit her
interest in the premises to the protection of this Court & having
answered many bills to her is satisfied - P. H. Whitfield

Severer & help
of Infants
~~answer~~
Mr. Millson

To the Honorable Court of Isle of Wight

We the undersigned, Your Comrs by order of
Sept 7. 1858, beg leave to make the
following Report
"To Wits"

After viewing the premises and Land
belonging to the estate of L. E. M. Mills do^d
have agreeably to your order, set apart
Miss Turner's portion, as follows —

Beginning at the Corner of the fence at
the rise of the Hill, going from Sycamore
Church, and running the said fence
until it strikes the Lane in front of
the House; and thence straight across the
Lane, running with the row of Cedar
just passed, until it strikes the fence
on the opposite side of the field, and thence
the fence a S. W. direction, until it
strikes a clear field of about 8, or 10 acres,
thence the old fence the E. boundary of
said field, until you arrive at the
starting point — Giving Miss Turner
the privilege of using wood or timber
from any point of said Lane for her
use or for the benefit of said down,
which down includes all of the building
orchards appertaining thereto, given under
an order this 1st day of Jan'y 1858

Wm H. Boardman } Comrs
Wm N. Gray }
G. H. Parker }

Com^{rs} Report
Setting aside the
Widow's dower in
the real estate
of L. C. M. Mills
dece

Turner Knife

3/ Co. Deco
+
Cous. Rept.

Wills +

Nov. 7. 1840. filed
for exceptions.

Turner
Knife

At a County Court held for the County of Isle of Wight
on the 7th day of September 1868.

James J. Turner and Ellen his wife

Ptff.

Against

J. M. Ckey,

John Wills and Anna C. Wills, Infants.

Deftr.

This Cause came on this day to be heard by the Court
on the Bill, Answers of John Wills and Anna C. Wills by
their guardian ad litem N. D. Young, replication thereto,
and was argued by counsel: On Consideration whereof
the Court doth Adjudge, Order & decree that Wm. H. Dard and
Henry H. Wamble, Charles H. Dard and William A. Gray be
and the same are hereby appointed Commissioners for
that purpose, any three of whom may act & proceed
to examine and view the real estate whereof the late
Lucien E. M. Wills died seized, and set apart by proper
Mortgages and bonds one third part thereof, having regard
to quantity and quality, to the said Ellen Turner formerly
Ellen Wills as her third or dower in the same;
And if it be necessary employ the County Surveyor
to aid them, and report to Court.

Accep,

Teste

N. D. Young Clerk
By H. H. Wamble D.C.

Turner & Co
H. Stone
Mass & Co

J. P. Jordan
Ad

County Court of Cass of August 20

Wm. S. Turner & Uxor.

H.

Seene -

Mrs. Wells & als.

This cause came on this day to be heard ^{by consent} on
the Bill, answer of Mrs. Wells, and Anna C. Wells
by her guardian ad litem, N. P. Young -; Publication
thereof, and was argued by Counsel: On consideration
whereof, the Court doth adjudge, order & decree that
Wm. H. Gardner, Henry H. Womble, Henry Gardner &
Wm. Gray, be and the same are hereby appointed
Commissioners, any, for that purpose, any three of
whom may act, do proceed to examine & view
the real estate whereof the late Susan Wells
died seized, and set apart, by proper Metes & bounds,
One third part thereof, having regard to quantity &
quality, to the said Ellen Turner, formerly Ellen
Wells as her thirds, or dower, in the law: and
if it be necessary, employ the County Surveyor
to aid therein: And report to Court as

Turner & wife

\$

Wills &c

1871

May 21. Final
Decree

To be entered.

G. R. Peterson

Est^d

Turner wife

vs
Deeds

This cause came on this day
to be again heard from the report of W. H.
Darden, Wm F. Gray & C. H. Darden, made
pursuant to the decree of Sep. Term 1868
of this Court - ⁱⁿ making this cause ~~of~~
~~James S. Turner & wife vs. Mrs. Deeds~~
~~to which~~ to which report there is no
exception save argued by Counsel. On
consideration whereof the Court doth
confirm the said Report, & doth adjudge
order & decree that the proceedings
had in this cause be confirmed & that
the costs of this suit be paid by the Defendants,
& orders that the cause be removed
from the Docket.