

1872 - 042 Chancery Causee : Armstrong Turner & al vs Eley Edwards & al
Isle of Wight County

20

other surnames. Tomlin, Sykes,
Gale, Parkinson, Sikes

20 1/2
Armstrong's Journal

7 3/4 Bids

Ely Edwards

June 2nd 1845 Bill, adv.
of filed & ord of publication
vs. Ely Edwards

Oct^r term 1845 decree
for sale

July 2^o 1852 (copy)
made & sent

Armstrong Edwards, Ely Edwards & Co

Edward T.

no!

Seven

infantry

To the County Court of Duke of North Carolina sitting
in chancery - The undersigned Geo. Edward
and Edward Miller, ^{and other party partners} subjects of tender years, by their
procureurs as letters of attorney ^{of the County}
to the Bill of complaint in the said Court
exhibited against them by Armstrong
& others - The defendants for answer
say, they are of tender years, and are
not advised of the truth of the allega-
tions in the complainant's bill but
they submit their rights to the discre-
tion of the Court, and pray to be held
as if signed for - signed

A. P. Conway

and Edward Edwards, Emanuel Edwards,
George Edwards, Willie Edwards and Virginia
Parkinson, the wife of Ely Parkinson,
are six children of one Zachariah Edwards
decd. who was also of half blood,
and half brother to the intestate
James Turner. That the lands of said
is worth less than \$300 a share, and
cannot be divided without manifest
injury to the parties, without a sale;
they therefore pray a sale of the same,
and a division of the proceeds among
the parties respectively entitled. By
reason of the absence of Ely Edwards
from the Commonwealth, they pray
leave to proceed against him in the
mode prescribed by law against
absent defendants. In tender considera-
-tion whereof, they pray that the
said Ely Edwards, Phoebe ~~Edwards~~
and Willie Edwards, George Edwards & Emanuel ^{Edwards}
~~Edwards~~ ^{decd.} ~~Edwards~~ ^{decd.} ~~Edwards~~ ^{decd.}
may be made defendants to this bill,
and be compelled to answer the same
fully and satisfactorily; that you will
also a sale & distribution of the lands
directly and grant to them such other
and further relief as may be consistent
with equity do. Atkinson p. 9

to the County Court of Isle of Wight sitting in
Chancery, humbly complaining. shew to the
Court your complainants, Arthur Strong Turner,
Clotilda Edwards, Amelia Sykes, Thomas, &
John Gale, John Gale, Eliza Sykes, Allen Parkinson
and his wife Mary, Margaret Parkinson,
Wm Edwards, Josiah Edwards, Thomas Edwards,
Merrit Edwards, ~~James Edwards~~, ~~George Edwards~~,
~~George Edwards~~, Ely Parkinson
his wife Virginia of the County of Isle of Wight.

That one James Turner died about the year
in the County of Isle of Wight, seise
of a tract of land of 150 acres in said county,
bounded by the lands of Melly Edwards,
Timothy Edwards, and others, which land
was of small value, not exceeding \$300.
He left no wife, no child, no father,
or mother, but he other and sister of the
whole blood & of the half blood -
Arthur Strong Turner is a full brother,
Clotilda Edwards, Amelia Sykes, are
half sisters; Thomas & John Gale, John Gale
and Eliza Sykes, formerly Gale are the 3
children of a half sister - Phebe Parkinson
is the grand child of a half sister whose
name was Mary Parkinson and she is dead -
Mary Strong Parkinson wife of Allen Parkinson
Wm Edwards, Josiah Edwards, Thos Edwards
and Merrit Edwards are the children of
Burr Edwards deceased: who was half brother
son Ely Edwards (who is out of the Community)

I did Night County &c. This day came
 before the subscribers a justice of the said
 County, Armstrong James who made oath
 that he necessarily believes that Ely Rowan
 who is one of the defendants in the
 suit of James P. Cleveland & is at
 a residence of Ferguson - from
 which my husband died the 2^d day of
 June 1855 -

Anthony Person

James Vato:

W. J. Shaue Ely:

Edwards Vato:

3 June 1855

Anthony Person

Mr. Rowan, my husband,
 has been on my mind
 for some time and I
 have been on my mind

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of *Isle of Wight* County, Greeting:

WE COMMAND YOU TO SUMMON *Ely Edwards (who is an absent Defendant) Otho Edwards and William Edwards infant John Edwards and Emanuel Edwards infant*

Interim of the

to appear before the ~~Judge of the Circuit Superior~~ Court of Law and Chancery for the County of Isle of Wight, at the Court House of said county, on the first Monday in *June* next,

being ~~the~~ ^{Court} day, to answer a bill in Chancery in the said Court exhibited against *them* by *Amstrong Turner, Clotilda Edwards, Amelia Sykes, Thomas Lee Hale, John Hale, Eliza Sykes, Allen Parkinson and his wife Nancy, Margaret Parkinson, William Edwards, Sarah Edwards, Thomas Edwards, Must Edwards, Edmund Edwards, Emanuel Edwards, George Edwards, Ely Parkinson his wife Virginia.*

and if *they* shall fail to answer the Bill within two months thereafter, the Court will take the said Bill for confessed, and proceed to decree the matter thereof accordingly. And have then there this

Writ.—Witness Nathaniel P. Young, Clerk of our said Court, at the Court House, this *28th*

day of *May* 184*5*, in the *69th* year of the Commonwealth.

N. P. Young Clerk

AT a Court held for Isle of Wight County on the 2d day of June, 1845, Armstrong Turner, Clotilda Edwards, Amelia Sykes, Thomas W. Gale, John Gale, Eliza Sykes, Allen Parkinson and his wife Nancy, Margaret Parkinson, William Edwards, Josiah Edwards, Thomas Edwards, Merit Edwards, Edmund Edwards, Emanuel Edwards, George Edwards, Eley Parkinson and his wife Virginia, Plaintiffs.

IN CHANCERY.

Against
Eley Edwards, Phebe Edward and Willis Edwards, George Edwards and Emanuel Edwards,
Defendants

This day came the complainants by their Attorney, and it appearing to the satisfaction of the Court that the defendant, Ely Edwards, is not an inhabitant of this State, on motion of the complainants, by their Attorney, it is ordered that the said Eley Edwards do appear here on the first Monday in September next, and answer the bill of the complainants, and that a copy of this Order be forthwith inserted for two months successively in the Chronicle and Old Dominion, a Newspaper published in the town of Portsmouth, and another copy posted at the front door of the Court House of this county.

A Copy—Teste,
June 23—1aw2m N. P. YOUNG, Clerk.

Personally appeared before me a Justice of the Peace for the County of Norfolk, Virginia and made A. F. Cunningham and made oath, that the above attached advertisement had been published once a week in the Old Dominion newspaper, for two consecutive months, previous to this date, given under my hand and seal this 13th day of September 1845

John Nash JP

Recd. One dollar & 85 cents being my part
of this bond in sight of my wife
ap. 6. 1846.

Eley Parkerson

Sept. 7. 1846 Recd. my part of this note
being \$1. 35


To wit

M. P. Young

Edmund + Edward
marks

Six months after date, we bind ourselves to pay to
Ely Edward, Edmund Edward, Emanuel Edward, George
Edward, Willie Edward and Ely Parkinson &
his wife Virginia the sum of Eight dollars
& 12 1/2 cents — being their portion of
the net sales of James Turner land, sold
by N. O. Young Comr. under a deed of trust
given under our hands & seals this
15th day of January 1846.

Witness
J. N. Young

Emanuel ^{his} Edwards 
mark
Willis Edwards



Recd. of N. P. Gurney Comrs. the bond of
Emmanuel Edwards, & Minn, Edwards for
\$8. 12 1/2 due to us for our portion
of sale of James Gurney land sold
by deed of court. This amount
our hands this 2^d day of July
1846.

Witness
J. P. Mills
" "

Emm^l Edwards
mark

Minn^l Edwards
mark
Thom^l Edwards
mark

2/10

Mr. N P Young
Salisbury Wight 89/10

Mr. N P Young

I This is to Certify that we have made
H H Wamble our agent to Receive the Bond that you have
in possession due us for our proportion of the Sales of James
Turner's? of Lewis, lands, and this shall be a Receipt
in full against us for the said Bond or Claim
Given under our hands this 8th day of
April 1846

Witness

H C Latimer

Willis ^{his} ~~his~~ ^{mark}

Wm A ^{his} ~~his~~ ^{mark}

a bond in his office, in my favor, for
August 3rd 1846 Rec'd of N. P. Young, the
sum of eight dollars and 12 $\frac{1}{2}$ cts
it being my ~~portion~~ portion of the net
proceeds of sale of James Turner's land

Witness

James Willbourn

his
Clotilda & Edward

page 12 -

Margaret Dickinson
to - Greet.
to P Young content

Received of N. J. Young Commissioner The bond of
Emanuel Edwards and Miles Edwards for \$8.12 1/2 and
due to Allyn Parkinson and his wife Nancy, Margaret
Parkinson and Thelma Parkinson, The portions of Allyn
Parkinson and Thelma Parkinson having been paid to
them, for this receipt indorsed on the bond. Given
under my hand this 17th day of September 1846.

Witness
N. J. Young

Margaret ^{her} Parkinson
mark

du Vamp
Com.

[Faint, illegible handwriting, likely bleed-through from the reverse side of the page]

Sec. Am. St. P. Vesp. Com. in
 the care of Gen. Rogers
 for vol. bound to a volume
 for proceeds ————— \$15-
 total expended ————— 50
 \$ 15-50

no fifty cents of the
 of the very matter of a
 Sept. 19. 1860

$$\frac{120}{80}$$

$$\begin{array}{r} 120 \\ \underline{90} \\ 10800 \\ \underline{20} \\ 88 \end{array}$$

Plus

1729.85

Wells New Edwards, non Tomlin, Share of Sales
of Jas. Furness bond due by Geo. Edwards & Miles
Edwards, his security \$1.35
Interest from 12 July 1856 to 12 July 1857 .89
\$2.24

July 1857 Recd. of Miles Edwards security
for Geo. Edwards the sum of Two dollars
& twenty four cents due my wife as per
the above statement made by N. P. Gray.
and as will be seen by the bond in the office in
suit of Furness v. Edwards &
James A. Tomlin

Turner

in the Report

of the Committee

—

By virtue of a decree of the County Court of Shelby County
 made the 6th day of ~~November~~ ^{October} 1845 and minutes
 annexed, I the Commissioner therein named after
 advertising the same as the ~~above~~ debts, exposed to
 sale at the Courtroom of said County on the 2nd
 day of ~~December~~ ^{January} 1846, being Court day, on the
 terms mentioned in the said decree, the lands
 therein mentioned - at which sale Esau ~~Edward~~
 Edwards being the last and highest bidder pur-
 chased the same at the price of One hundred
 dollars. I have made a deed to the said
 purchaser without warranty, taken his bond in
 such proportions as will enable the grantee to be
 distributed as the decree directs. ^{and except such as have been paid over to the proper parties} ~~which~~ with
 the Statute below are referred to come.

N. P. Gentry Com^r

amt. of sale \$100
 Costs including atty.
 Ch. amt. & printer's
 fees } 35
 amt. distributed \$ 65.

Jan'y 13th 1846. Recd. of N. P. Gentry Com^r as above
 a ~~my~~ bond for \$16.25 being my share of the above
 amt. of \$65.

Amstrong ^{his} & Turner
 mark

J. Fordon

and they, and make a deed to the purchaser - without warranty - that the Com. who may act, take of the purchase to the credit of part, have with good security in such way, and in such proportions as will enable him to distribute as follows; that he pay them over as follows - to

Arny Young Junr _____ 4/10
 Clotilda Rowland _____ 2/10

Willis Sykes and Sally Sykes & her husband Amos Sykes as representatives of Amelia Sykes _____ 2/10

Thos. M. Gale, John Gale & Eliza Sykes _____ 2/10

Ellen Packman - his wife Mary, Margaret Packman, Phoebe Packman _____ 2/10

Wm. Rowland, Mick Rowland, Thos. Rowland & Janet Rowland _____ 2/10

Ely Rowland, Wm. Rowland, Ed. Rowland, George Rowland, Millicent Rowland & Ely Packman - his wife _____ 2/10

The Court doth order that the share of the absent wife, if he shall not apply to the Com., shall be filed in Court subject to their future order. Liberty is reserved to the infant heirs, to show cause - if they can apply, this order, in a year after they shall be 21 years of age. After Com. is to report in order to a hearing and so -

Wm. Rowland
 My Seal

Arms try Term 18

Ely Edwards Petitioner -

On notice of the complainants, the death of Emanuel Sykes one of the heirs is suggested, and by consent of parties, he heirs at Law, who are Willis Sykes and Sally Sykes who is the wife of Emanuel Sykes are made parties complainants in this suit - and this cause in which the title of the complainants is taken for confessed by Ely Edwards against whom the heirs seem to have proceeded in the mode prescribed by law against absent defendants having failed to appear and file his answer, came on to be heard on the title of the complainant, the answers of Phibe Parkinson, Willie Edwards, Ely Edwards, and Emanuel Edwards infant defendants, applications there to, and was agreed by Counsel; on consideration whereof the Court with advice, and advice given that Nathl. P. Young and Geo. Atkinson or either of them, after giving at least twenty days notice of the time and place of sale, at the door of the Court House of the County of Wright, and some other place near to the premises, sell to the highest bidder at the Court House aforesaid on some Court day, or a week of 6 months (or as long as will be necessary to defray expenses of the sale and of the sale, which will be for Cash, the lands in said County whereof James Turner died seized or an estate of inheritance, supposed to contain 150 acres, and bounded by the lands of Hunt Edwards, Lemuel Edwards

In the County Court of Isle of Wight November 2^d. 1814.
Phoebe Parkinson an infant by Cloe Edwards her next
friend, Thos Cloe Edwards in her own right, Thomas & Gale
John Gale, Eliza Sykes, Allen Parkinson & Margaret Parkinson
Plaintiffs.

against
Armsstrong Turner Defendant

In Chancery
This Cause came on this day to be heard on the
Bill and answer filed and was argued by Counsel
on consideration whereof the Court with equity,
aid and decree that Math^r & James after
advertising the time and place of sale at the
door of the Courthouse of this County as in
Smithfield for at least twenty days do sell at
Isle of Wight Court House to the highest bidder,
on a credit of six months (except for so much
as will pay the expenses of this suit and of the sale, which
will be for cash) the lands in Isle of Wight County
whereof James Turner was seized in fee simple when
he died, and which lands are bounded of Miles
Edwards, Timothy Edwards & others, supposed to contain
one hundred and fifty acres, taking of the
purchase money with good security in the proportion
to which the parties are respectively entitled - ~~that he make~~
a deed to the purchaser without warranty and pay
one of the note proceeds of sale, 45 to Armstrong Turner
1/5 equally between John Gale, Tom Gale & Eliza Sykes
1/5 between Mary Parkinson Peggy Parkinson & Phoebe
Parkinson the other 1/5 to Cloe Edwards, that if
the said Infant has no guardian her share
is to be put into Court subject to the future
order thereof to make report in order to a formal
deed &c.

Copy taken

N. P. Currier