

CHANCERY NOTICE

IN CHANCERY, at Clarksville, Tennessee, Wm. M. Bruton vs. Wm. C. Rutland and the heirs of Geo. Burton [SIC] ----Injunction Bill----filed Jan. 27, 1842

It appearing to the satisfaction of the Clerk and Master by affidavit filed in this cause, that George, Sally and Emily Merriman, Wm. Olive and wife Patsey, Marvel M. Bruton, Parsons Bruton, David Thompson and wife Sally, Baxter Alexander and wife Tamour, Wm. Bruton. Ross Skinner and children Wesley, Dempsy, Merrill, Wm., George, Martha, Tamour, Marvel, Nancy and James, a portion of the defendants in this cause, are beyond the jurisdiction of this court, and are non-residents of the State of Tennessee. It is therefore ordered that publication be made for three successive weeks in the Nashville Union, a newspaper published in the city of Nashville, requiring the said non-resident defendants to appear at the next term of this court, to be holden [SIC] in Clarksville on the third Monday of September next, then and there to answer the complainant's bill, or the same will be taken for confessed as to them, and set down for hearing *ex parte*.

P. PRIESTLY, C.&M.

The Bill charges that in the year 18-- George Bruton died intestate, seized and possessed of a tract of land lying on the dry fork Panther creek, in Stewart Co; that said Geo. Burton [SIC] left as heirs at law, John H. Petty and wife Terra, Elizabeth Gatlin, Ira Olive and wife Nancy, and Samuel Burton[SIC], in addition to the said non-residents; that in the spring of 1835 complainant purchased, for a valuable consideration, the interest of all the heirs in said land, with the exception of Marvel M. Bruton and Ross Skinner and wife Catharine; that the deeds were signed and the privy examination of the *femes covert* duly taken; that complainant left the deed with the clerk of the court; that Marvel M. Bruton took or caused to be taken, said deed from the said office, that it has been destroyed or concealed to prevent complainant from having it registered, that Marvel M. Bruton became the purchaser of Samuel Bruton's interest in said land, at execution sale; that said Samuel Bruton was in possession, holding said land for complainant; that the 20 days notice in writing was not given to the tenant in possession; that said Marvel M. Bruton afterwards sold and conveyed the entire interest in said land to one Miles Purvis, who died sometime in 1836; and the said land was levied on and sold to satisfy a debt that Wm. C. Rutland had against said Purvis; that said Rutland took possession of said land in the fall of 1836 and exacted of the tenant in possession the rents for 1836; that said Rutland rented out and received the rents of said land for 1836-7-8-9, which were worth \$30 00 per year and fails and refuses to account; that said Wm. C. Rutland about the first of 1840 abandoned the possession of said land and houses and the place was unoccupied for near [SIC] two years, until about the 15th Oct., 1841, when complainant moved on said land and took possession of it as a tenant in common with said Rutland and the heirs of Ross and Catharine Skinner; that said Rutland does not now claim title to all of said land.&c., but that he commenced his action of forcible entry and detainer against complainant, that on said action a judgment was rendered against complainant and that complainant has taken said cause to the Stewart circuit court by writs of *certiorari* and *supersedeas*-- Praying that the heirs of George Burton [SIC] and Wm. C. Rutland be made defendants and answer, &c., and that the further prosecution of said suit in the Stewart circuit court be adjoined until the final hearing of this bill, and for general relief, &c.

SHACKLEFORD, Sol.

Clarksville, Feb. 21, 1842—w3-;rd. Fee \$15