

1833-006 SOUTHAMPTON COUNTY
CHANCERY PAPERS

JORDAN/JURDAN and Wife VS. MARCHANT/MERCHANT et al
8/1833

N.B. Several Sheets pasted together and filed.
Handle with care.

other SURNames: Jordan,
Marchant

To the worshipful County Court of Southampton
in chancery sitting

Humly complaining shew unto your worships your
natrix Jacob Judan and your natrix his wife
Elizabeth who was Elizabeth Merchant daughter
and one of the heirs of John Merchant deceased
who departed this life in the year intestate

leaving a widow since deceased and the

following children to wit your natrix Elizabeth

Mary Ann Merchant, ^{Stephen Merchant} John Merchant, ^{Henry Merchant} & since
deceased, leaving a widow Rebecca Jam

and an infant by the name of ^{John} Henry who are
the only heirs of the said John Merchant deceased.

That the said John Merchant died seignor &
possessor of a tract of land adjoining Monroe
in this county containing 95 acres which is sub-
ject to division among his children and heirs that
the shares of each are not worth \$300 and therefore
this court under an act of Assembly in that regard
made and provided are empowered to make
sale of the said tract of land and divide
the proceeds of sale equally among the heirs

your order and return may that the said Mary Ann Merchant John Merchant Stephen Merchant Rebecca Jane and children of Henry Merchant and John Henry infant son of the same by a guardian addition to be appointed by this Court be made defendants hereto and answer the premises -

That you will please direct a sale of the
said tract of land appointing commissioners for
that purpose and divide the proceeds among the
several heirs in equal proportions and grant such
other and further general relief touching the premises
as you will please may deem consistent with
equity and your oath and orator will ever pray

Parker B. G.

The answer of Mary Ann Merchant John Mer-
chant Eliza Merchant Rebecca Jane Merchant
the widow and next of Henry Merchant deceased
and John Henry Merchant only son of the
said Henry Merchant by Rebecca Jane his
mother and guardian ad litem appointed by
the court to defend him in this suit to a
bill of complaint exhibited herein by said
Judson & Elizabeth his wife -

These defendants answering & admit the

allegations of the plaintiffs, vice and believe
that it will conduce to the interest of all persons
interested that the said tract of land should
be sold and they are willing that commissioners
should be appointed by the court for that pur-
-pose

John J. D.

Sudan & wife

Merchant and Ship

This cause came on to be heard by consent
of parties on bill & answer and was argued by
counsel whereupon the court doth adjudge
order & decree that Justice Porter Thomas
Norrell & Edmund ^{Thorne} the appointed commissioners
to see the sales tract of land referred to in the
plaintiffs bill any two of whom may act
who are directed to see the same at public
auction after giving ten days notice in some
public newspaper published in the state of
Virginia and ~~as aforesaid~~ written notice stuck up
at one or more public places in the county, ~~on a~~
credit of nine months except so much as will ^{be left} ~~and~~ that
they divide the proceeds of the said sale into
five equal parts allotting one fifth to Jacob

Jordan in right of his wife Eliza bet^d me the fifth
 to Mary Ann Merchant one then to John Merchant one
 other to Stephen and one to Rebecca Jane widow
 of Henry Merchant and John Henry infant son of the
 same allow^d to the said Rebecca Jane one sixth
 of the said fifth in right of dower &
 make report to this court of this proceedings here
 in order to a final decree

Cap. 11

Jordan was called

D. C.

Much out and then

Edw. answer & decree

1831 Dec. decree appts 4th

1832. Henry. decree annulled?

1833. May. Report not to be taken

None decreed to be taken?
 to Rebecca J. Merchants 4th

Jordan & Co

23 Dec 1832

Marchant & Co

January 16/1832.

Jordan & others

amended decree

vs

Merchant & others

This cause came on this day to be
heard by consent, whereupon the
court doth amend the said ^{decree} and do
further
rejudge order and decree that
the said commission, to pay
to Richard Drummond of the
Borough of Norfolk his heirs
Exors admors or assigns
the amount which is now
due to the said Drummond
the due payment whereof is
secured by a deed of trust
upon the tract of land directed
to be sold by the former decree
as soon as the same amount of
money is collected, & upon the then
cert in order to a final decree

January 16th 1832.

This cause came on this day to be heard by consent whereupon the Court doth amend the said decree and do further adjudge, order and decree that the said Commissioners do pay to Richard Drummmond of the Borough of Norfolk his heirs Executors or assigns the amount which is due to the said Drummmond the due payment whereof is secured by a Deed of Trust upon the tract of land directed to be sold by the former decree, as soon as the amount of sales is collected and report to this Court in order to a final decree.

Teste James Rochelle Ck

Jordan v. Wolfe

vs. Executors

Marchant &c

For Commissioners

Southampton December Court 1831.

Jacob Jordan and his wife Elizabeth who was Elizabeth Marchant. Plffs
against

In Chancery

Mary Ann Marchant, John Marchant, Stephen Marchant
Rebecca Jane Marchant the widow and relict of Henry Marchant dec.
& John Henry Marchant only son of the said Henry Marchant by
Rebecca Jane his mother & guardian ad litem. Defendants

This cause came to be heard by consent of parties on the bill & answer &
was argued by counsel. Whereupon the Court doth adjudge, order and decree
that Jesse Parker, Thomas Horrell & Edmund Thorpe be appointed commis-
sioners to sell the said tract of land referred to in the bill, any two of whom may
act, who are directed to sell the same at public auction after giving ten
days notice in some public newspaper published in the State of Virginia
and written notice stuck up at one or more public places in the County of
on a credit of nine months except so much as will pay the costs of
carrying this decree into effect, and that they divide the proceeds of the said
sale into five equal parts allotting one fifth to Jacob Jordan in right of his
wife Elizabeth, one fifth to Mary Ann Marchant one other to John
Marchant one other to Stephen and one to Rebecca Jane widow of
Henry Marchant and John Henry infant son of the same, allowing to
the said Rebecca Jane one sixth of the said fifth in right of Dower, and
make report to this Court of their proceedings herein in order to a final
decree.

Teste James Rochelle Clk

The Clerk will deliver the within bond to John M Mason
aug: 15th 1833

Witness
J. W. Thomas

her
Rebecca^{er} Marchant
Mark
adm^r of J. H. Marchant & Co

Commissioners' report
on the sale of the
land of
John Marchant, dec.

1833. aug: 19th Rec^d of James
Rockwell clk of Southampton
the bond directed by order of
court to be delivered to the
above named Rebecca Jane
Marchant adm^r as afores^d.

J. Z. Mason

Seen in
rec^d of dau 1819.

Agreeably to an Order of the Worshipful Court of Southampton County
to us directed, dated December Court 1831, and Amended January Court
1832. And herewith Annexed, We the undersigned Commissioners in Obedience
to the requisitions thereof, (after advertising the time & place of Sale
as directed) have sold the land of which John Marchant died Possessed
at public Auction. On a credit of nine months from the 31st day
of January 1832 (the day of Sale) - and Doct. Lafayette Browne became
the Purchaser for the sum of Eight hundred and fifty two Dollars. -
from which Sum, we have deducted forty Dollars, to Defray the expenses
of the sale of said land, leaves Eight hundred and twelve Dollars -
from that Sum we have also deducted the Sum of One hundred
and Seventy two Dollars, & Eighty Eight cents, the Amount due
Richard Drummond, and paid to him by said Doct. Lafayette Browne
March 15th 1832 p^r rec^t. - On which amt. we have allowed said
Lafayette Browne Interest to October 31st 1832. (the time of the
expiration of the credit) makes One hundred and Seventy nine
Dollars, & thirty Six cents. That taken from the \$812:00 leaves
A balance of Six hundred and thirty two dollars, sixty four cents
which Sum of \$632:64 we have divided into five equal parts -
making one hundred and twenty Six Dollars, & fifty Three cents
to each part, and have taken from said Doct. Lafayette Browne
four bonds, each for the said Sum of \$126:53 due October 31st
1833. and paid One to Jacob Jordan, One to Mary A. Marchant -
One to John A. Marchant, and One to Mary A. Marchant Committee
for Stephen Marchant, - for the other part or share we have taken
One bond from said Browne due Oct. 31st 1832. for One hundred and
five Dollars, forty four cents, for John Henry Marchant infant son
of Henry Marchant, dec^d, which bond we herewith return to the Court
as there has been no guardian appointed for said infant. for the balance
of said part or share we have taken one bond, for twenty One
Dollars and nine cents, (which is One Sixth of one share) for
Rebecca S. Marchant widow of Henry Marchant, dec^d, and paid her
that amount p^r her receipt, - all of which we respectfully
Submit to the Court, Given under our hands the 8th day of August
1833.
Tho. M. Morrell

Edmund Thorpe
Certificate

1832 April 13th This may certify to The Worshipful-
Court of Southampton County, that I served as Commis-
sioner, with Tho^{rs} Worrell on January 31st 1832; to
Sell the Land of John Marchant dec^d. in
Pursuance of an Order of said Court "dated Decem-
ber Court 1831" Given under my hand the above
day and date —

Edmund Thorp