

1848-237

SOUTHAMPTON COUNTY
CHANCERY PAPERS

EDWARDS

VS. HOWELL et al

1/1848

other surnames: Britt,
Ferguson

Edwards

to } Bill & Ann

Howell

1846 May. Deeds as filed

" July. Report

" Aug. Conf.

1847 July. Order to deliver bonds

Edwards
to } Bill & Ann
Howell

To the worshipful County Court of Southampton
in chancery sitting

Your complainant
Robert G. Edwards humbly shews that some
years since David Howell of the county of South-
ampton departed this life intestate leaving
a widow Susannah Howell and the following
heirs of his body, to wit; Antony M. Howell, Robert
Howell, Edwin Howell, Samuel Howell, Ann Maria
Howell who has intermarried with Samuel Britt
and Mary Ann Howell who has intermarried
with Peter Ferguson; and that a tract of land
lying in the county of Southampton containing
about five acres was assigned the said Susannah
Howell as a part of her dower in the estate of
her deceased husband David Howell; that the
said tract of land lying on Black Water river
is bounded as follows, to wit: beginning at a
chinquapin stump near the South East corner
of the Rail Road warehouse at Franklin, on the
bank of the Black Water river, thence to the coun-
ty road, and along the said road across the run of
the branch to Col Hardy Cresp. line, thence
along the said Col H Cresp. line to Jno B Jenkins, line
thence along the said Jno B Jenkins, line to the Black
Water river, thence down the said river along
the various courses thereof to the beginning.
Your complainant would further state that
some short time since he purchased the life es-
tate of Susannah Howell in the said tract of land
as will fully appear by the deed of conveyance exe-
cuted by the said Susannah Howell to him and now
of record in the Clerk's office of the county of Southamp-
ton and under this purchase he is now in posses-
sion of the said tract of land; and that at the same

time he purchased the reversionary interest of
Edwin & Lemuel Howell and of Peter Ferguson & his
wife Mary Ann, as will appear by the deed executed
by the said parties to him and entered of record
in the Clerk's office of the said County of Southampton
and that he is now entitled to the whole of the said
land during the life of Susanah Howell and to one
half of the estate in remainder after her death; he states
that the reversionary interest of the heirs is now
and always has been worth very little, and that
it would be to the mutual advantage of all
interested that the reversionary estate, that is the
estate in remainder after the death of the said Susanah
Howell in the said land should be sold; Your complain-
ant is advised that he can come in to this worship-
ful Court and pray a sale of the said estate in remainder
and a distribution of the proceeds of sale among the par-
ties interested according to their respective rights,
that is among your complainant, Antony M. Howell,
Robert Howell, and Lemuel Britt & his wife Ann Maria;
In consideration of the premises and in as much
as your complainant is without remedy at law, he prays
that Antony M. Howell, Robert Howell, Lemuel Britt & Ann
Maria his wife, be made parties deft to this bill; Your
complainant prays the usual writ of sub. p. &c and as in
duty bound will ever pray &c *Chambers & Ingersoll Jr*

The answer of Antony M. Howell, Robert Howell, and Lemuel Britt
& Ann Maria his wife - These defts saving &c for answer to
the said above bill, say that they believe the facts contained
in the said bill are true, and that ~~as~~ sale of the estate in re-
mainder and a proper distribution of the proceeds would
be to the interest of those entitled, and having answered
pray hence to be dismissed the Court &c

1846 May Term

Edwards
do } Decree
Howell &c }

This day this cause came on to be heard by consent in the bill & answer, and was argued by counsel on consideration whereof the ^{court} doth order adjudge and decree that Allen Edwards who is hereby appointed a special commissioner of this court after advertising the time and place of sale for ten days, at the court house and two or more publick places in the vicinity of said land described in the bill, proceed to sell the said reversionary interest in the said land after the death of the said Susanah Howell, to the highest bidder, and that he receive so much in cash as will pay the expenses of this decree and for the balance of the proceeds of sale he take six equal bonds with good security payable in six months and return them to this court in order for a final decree

Received July 20. 1846. of the Clerk of - Southampton
County three of the bonds returned by the Commissioners in this
cause amounting to Sixty one $68\frac{2}{3}/100$ each being my propor-
tion of the sales
R. S. Edwards

Received Aug 14th 1847 of the Clerk of Southampton
a bond returned with the within report for \$61. $68\frac{2}{3}/100$
Dollars being for my proportion of the sales
J. M. Howell

Received of the Clerk of S^c Ampton two of
the bonds returned by the Commissioners in this cause amounting
to \$61. $68\frac{2}{3}/100$ each being for the proportions of
of said sales

Edwards
S. S. Brown
Howell

Howell

Southampton County May Court 1846

Edwards.

v } Deed

Howell } This day this cause came on to be heard by counsel on the bill & answers and was argued by counsel on consideration whereof the Court doth now adjudge and decree that Allen Edwards who is hereby appointed a special Commissioner of this Court after adjusting the time and place of sale for two days at the Court house and two or more public places in the vicinity of said land described in the bill proceed to sell the said visionary interest in the said land after the death of the said Susannah Howell to the highest bidder and that he receive so much in cash as will pay the expenses of this deed and for the balance of the proceeds of sale he take six equal bonds with good security payable in six months and return them to this Court in order to a final deed.

Attest J. R. Edwards Clk

Agreeably to the above decree I have proceeded to sell for public Auction the visionary interest in the part and parcels of the tract of land of which David Howell died seized and possessed, lying on Black water river at the S.E. corner between the County road and Mrs. B. Lukins land, supposed to contain five acres more or less. and Mrs. B. Lukins became the purchaser for \$400.00

I have decreed for charges viz
Lawyer's fee \$10-
Clerk's do. 2.38

Com. on 300 ad 5 pch 100 at 25 pch. 17.50

Six Bonds each \$1.68 3/4 370.12 400.00

For which Balances I have taken six equal bonds \$1.68 3/4 each, with security. All of which is herewith respectfully submitted - June 1846 -

Allen Edwards

the other the day

Howard

vs } De Vere

Harrell

This day this cause came on to be finally
heard and it is decreed that the commission
make a deed conveying the said
premises in fee simple to John B. Jenkins

The Clerk of the Court of Southampton
County Virginia will please deliver to John
B. Jenkins, The two Bonds against him
in the Clerk's office of sixty one Dollars and
68 ¹⁰⁰/₁₀₀ Cents payable to Allen Edmund Connor
for the sale of five acres of Land sold
at or near Franklin in which David Howell
lived and signed and paper it being a part
of the said tract we being the legatee
of David Howell and have sold all our
rights and titles to the said John B. Jenkins
in all of that tract of Land including
those 5 acres and this shall be a receipt
for the same December the 1867

Witness
My hand

A. Riddick

A. Riddick

Robert ^{hus} Howell
marks

Sam ^{Ans} Britt
marks

Ann Maria ^{hus} Britt
marks

Robert ^{hus} Howell

August 1st 1861
Dear Mr. Perkins
I have the honor to acknowledge the receipt of your letter of the 28th inst. in relation to the purchase of the land for the purpose of building a school house for the colored people of the town of New Bedford. I am very glad to hear that you are interested in the welfare of the colored people of this town, and I am sure that your efforts will be successful in securing the land for the purpose intended. I have no objection to the purchase of the land, and I am sure that the town will be glad to see a school house built for the colored people. I am, Sir, very respectfully,
Your obedient servant,
John B. Perkins

Chancery Causes
Decided At

MAY & NOVEMBER
TERM 1848

Ornamentary Causes

Decided at

May & November Terms

1848.