

1853-006 SOUTHAMPTON COUNTY
CHANCERY PAPERS

GOODMAN etal vs. HOWELL etal
11/10/05

other surnames: Scott, Moore,
Massenburg

22 31 24 20 16.11

4.39
92
5.06
\$10.57

Goodman Jr

W. } Papers

Howell Jr

1853 November

Goodman Jr
v } Stat. Rules

Howell Jr

Clerk	\$12.55
Staff - - -	6.00
Com -	10.00
Law &	15.75
	\$ 42.90

Harriet Goodman & Maria Scott by Arthur Whitehead their next friend
against

Anthony M. Howell, John Moore, Peter Goodman, John Scott, Milly Emaline and
Henry Howell.

1851 Feby. 27th Subpoena issued.

" March Rules. Subpoena returned executed on all the Defts except Dft. Goodman - he not
found. Bill filed - Dece nisi to Dfts. Howell, Moore & Scott.

" April R. L. R. Edwards assigned Geo. ad libitum to infant Dfts - answer ^{Dft. Goodman and} of infants filed
G. Rep. ~~thence~~ ^{in answer of infants} Bill taken for confessed as to Dfts. Howells, Moore & Scott.

" April Last Monday - Cause set for hearing as to all the Dfts on bill &c.

" May 1. Answer of Dft. Scott G. Rep. thence. Order for account. &c.

" Sep. 22nd Report.

" Nov. 1. Dece for sale &c.

1852 May " Continued

" Nov. " Dece

1853 " " Dece comping report &c.

To The Hon. Richard H Baker Judge of the Circuit Court for the County of Southampton

In Chancery
Humbly complaining shew unto your Honor
your complainants Harriet Goodman & Maria
Scott, by Arthur Whitehead their next friend
that in the year 1849 their father & mother
Anthony M & Emma Howell finding it im-
possible on account of domestic differences to
live amicably together agreed to separate, and ac-
cordingly on the 30th day of June 1849 entered into
articles of separation, by which a tract of land lying
in the said County containing about acres
which was the property of the said Emma before
her marriage with the said Anthony M, together
with a negro woman or slave named Indicta &
four children and other chattel property
therein specified was conveyed to John Moore
as trustee for the benefit of the said Emma
Howell during her natural life, and at her
death for the further benefit of her four daugh-
ters your complainants and their sisters Milly
(sometimes called Susan) and Emaline, who are
the only children of the said Anthony M & Emma
Howell except their only brother, Henry Howell
who is not provided for in the said articles of
separation, all of which will fully appear by
a copy of said articles herewith filed marked
(A) and prayed to be taken as a part of this bill.

That in the month of February 1851 the said Emma Howell died and your Complainants are advised it would be to the interest of all concerned that the said property should be sold and the proceeds applied for the benefit of those entitled. Your Complainant Harriet Soudman would further show that in the year 1848 she intermarried with Peter Soudman who was then and is now considerably indebted, that she well believes that the said Peter Soudman never obtained any credit on the faith of the remissionary interest she had in the property occupied by her mother, that the said articles of separation were contemplated providing for the creditors of the said Soudman but only for the support and maintenance of the said Emma Howell during her life and at her death for the support and maintenance of your Complainants and their sisters and she afterwards pretends that if her interest in the said property is permitted to pass into the hands of her husband it will be seized by his creditors and she and her infant child left without the means of support. And your Complainant Maria Scott ^{times} would further show that in the year 1849 a short time prior to the date of the said articles of separation being very young and imprudent she eloped from her family and intermarried with John Scott, that the said Scott was entirely unable and unwilling to provide for her even the most common ne-

cessaries of life and was in other particulars so offensive that after living with him only about two weeks, she found herself compelled to separate from him, since which she has been supported by her mother; that the said Scott never incurred any expenditure on her account and is not entitled to receive any portion of her property, that he is totally insolvent and worthless and should the said interest which your Complainant is entitled to in the said property pass into his hands it would never be of any benefit to your Complainant whatever.

Your Complainants are advised that it is within the jurisdiction of this Honorable Court to direct a just and equitable disposition of the said property and to order that such part thereof as your Complainants are entitled to be settled on them for their separate use and benefit: that the said Milly Enslin and Henry Howell are informers of and on your

Is under consideration of all which and in as much as your Complainants are without remedy in the premises except in a Court of Equity where matters of this kind are peculiarly cognizable, to the end therefore that justice may be done, they pray your Honor to make Anthony M Howell John Moore Peter Soudman John Scott, Milly Enslin, & Henry Howell Defendants to this bill, that some fit

and proper persons may be appointed guardian
ad litem to defend the infants, and that the said De-
fendants answer all & singular the matters
herein before stated and charged so fully and
particularly as if they were herein after repeated
and they thereunto distinctly interrogated. That the
ordinary writ of subpoena may issue &c. That the
said John Moore may be compelled to render
an account of his transactions as trustee before
a commissioner of this Court, that your Honors
will direct the said property to be sold and so much
of the proceeds thereof as your Complainants
may be entitled to, to be invested in State Stock or
other safe security for the sole and separate use
and benefit of your Complainants; and grant
such other and general relief in the premises as
equity may dictate, and as in duty bound they
will ever pray &c. May it please your Honors &c.

Chambliss & Messersburg P. S.

Sadman & Co.
Howell & Co.
Bill
Howell & Co.

1857 March 2nd

Goodman
vi 5

Howell

Petition of Mr. a
Mepenthus-

Filed Nov. 1. 1857

Goodman

in 1.

Howell

The Petitioner of William A. Massachusetts
respectfully representing that he is informed
that a suit is now pending in this Court
for the sale and division of the land and
negroes belonging to the children of Emma
Howell deceased which they claim
under the trust deed on the premises
mentioned - your petitioner prays to be
admitted to file his claim in said suit
against some of the children of the said
Emma Howell and against the beneficiaries
arising in said deed for medical services
to the said children and to the slaves
part of the trust subject as shown by the
account herewith filed. The said services
were rendered whilst the children ^{& slaves} were
suffering from violent attacks of the
small pox of which disease the mother
Emma Powell has died but a short time
before and your petitioner is advised that as
the said children have no other Estate & as
mentioned the services rendered to the slaves
were essential to the preservation of the trust
subject in part that the Court by virtue of its
equitable powers in the administration of
trust Estates and management of infants property
will take cognizance of his claim in the suit
and direct an inquiry before the Commissioner
of the Court as to the amount of the services
justly chargeable on the trust subject and
before decreeing a distribution of the trust
decree payment of his claim out of the trust
Estate & he prays accordingly -
W. A. Taylor
representing

Nov 8. 1857.

Goodman & Co
2
Howell & Co } Answers
 } of Infants

1857 April Rules

The joint & several answer of Henry,
Milly, & Emaline Howell, infants under
the age of seven years & L R Edwards
their guardian ad litem, to a bill of com-
plaints filed against them & of Harriet
Sawdman & Maria Scott -

These Defendants now and at all times heretofore
serving & receiving for answer to the
said bill of complaint or so much thereof
as they are advised it is material or ne-
cessary they should make an answer unto,
answering severally, say that they are
ignorant of the allegations of the said bill,
and being infants of under seven years they
submit their rights & interests to the
care & protection of this Honorable Court,
and having answered they pray leave
to be dismissed with their reasonable costs.

Chambliss Whippleburg
attys

The answer of John Scott to a bill of
complaint filed against him & then by Har-
riet Goodman & Maria Scott.

This defendant saving now & always
hereafter &c, for answer to the said bill of complaint
or as much thereof as he is advised it is material
for him to answer, says that he admits that there
was made a deed of settlement by Anthony M How-
ell & his wife Emma, in the year 1849, conveying
land, slaves & other chattel property to the said Emma
during her life, and at her death to be conveyed to her
children as charged in the said bill &c; That she
the said Emma Howell has since died. This defen-
dant further admits that in the year 1849 he in-
termarried with Maria Howell, that it is true
that this marriage was consummated in the state of
North Carolina but he states & avers that Emma
Howell the mother of the said Maria, was privy to
and cognizant of the intentions of her daughter toelope
with him & that she objected not thereto.

The charge in the said bill of complaint that this
defendant was entirely unable & unwilling to provide
for his wife the most common necessities of life is
utterly & entirely false. On the contrary he had pro-
vided her with a good & comfortable house & with
such furniture, provisions &c as are usually enjoyed
by persons in his condition in life.

This defendant states further that he & his wife
always lived peaceably & happily together, and that he
is ignorant of the cause of her departure from him,
unless it be attributed, as he thinks it justly should be,
to the designs of some wicked person or persons, seeking
to seduce her from the paths of virtue.

He is now & ever has been, willing & anxious

that his wife should return to him, as he still retains his affection for her, and is sufficiently able & willing to provide for & protect her.

This defendant knowing these facts to exist, and entertaining these feelings, should his wife again return to him for support & protection, which is duty bound, he feels, he would be compelled both morally & legally to render, insists that the portion of the property both real & personal to which his wife would be entitled in consequence of the death of her mother, should come into his possession to enable the better to provide for her. And this he considers the more reasonable, inasmuch as he is known to be a man of sober, frugal & industrious habits. All of which this defendant is ready to prove as this honorable court may direct. And having answered he prays to be hence dismissed with his reasonable costs &c.

John Scott

Jas J. Kinross att. for defd.

Virginia - Southampton County - Twick

I hereby certify that the above named John Scott personally appeared before me, a Justice of the Peace in the County and State aforesaid and made oath that the facts and allegations stated in the foregoing answer, are true so far as he knows or believes.

GIVEN under my hand & seal this 2nd day of May AD 1851.

Just O. N. Nichols in I Seal

1851 May 2nd

1851

John Scott
vs
Jas J. Kinross

Goodman & Co
Howells & Co

1851. Apr. Rules

The answer of Peter Soodman to a bill of
complaint filed against him & others by
Harriet Soodman and Maria Scott

This Defendant now and at all times
hereafter saving, and reserving, all benefit and
advantages of exception to the said bill, for answer
thereto or so much thereof as is material,
answering saith; That so far as he knows
or believes, the allegations of the said bill are
true, and he has no objection, that the Court
should grant the prayer of the Complainants,
and having answered he prays same to be
dismissed with his reasonable costs

Chambliss Whipple being
Attys

Goodman & Co
i } Dec
Howell & Co

To be entered
R. H. Baker
May Co. 5th.

1851 May Term

Goodman

Howell &

May Term 1831

The subpoena awarded in this cause having been returned executed on the Defendants John Moore and Anthony M Howell and they still failing to appear and answer although two months have elapsed as well since the Plaintiff filed this bill as since the service of the subpoena, on motion of the Plaintiff this bill is taken for confessed as to the Defendants Anthony M Howell and John Moore, and the cause comes on to be heard on the bill exhibits depositions and answers of John Scott, Peter Goodman and the infant Defendants, and was argued by counsel on considerations whereby the Court doth adjudge and order and decree that ^{one of the commissioners of the County} John Moore who is ^{2 applications to said answers} ~~is~~ ^{is} appointed a special Commissioner for that purpose and whether the interest of the parties entitled thereunto shall after giving due notice ~~be~~ ^{be} promoted by a sale of the entire tract or by a sale of the said land ~~separately~~ ^{separately} and other allotment of part thereof and the sale of the residue and profits mentioned in the said bill executed on the 30th day of June 1831, at such time and place as he may think best at public auction to the highest bidder, that he receive so much of the proceeds of said sale in cash as may be necessary to defray the expenses of this decree, and for the balance take bond with approved security payable six months after date and report

To this Court: and that he further report what
debts incurred by Emma Howell for necessities
for the support of herself and family since the 30th
day of June 1848 are still unpaid, and also what
debts have been incurred since her death in sup-
port of her family and the preservation of the pro-
perty aforesaid. But the said John Moore shall
have no authority to act under this decree until
he shall execute in the Clerk's office of this Court
a bond in the penal sum of \$3000 with security who
shall justify on oath as to his sufficiency
conditioned faithfully to perform the duties herein
assigned him

Goodman

2 } Co. Dene

Howell

Southampton Circuit Court May the 3^d 1857

Harriet Goodman and Mariak Scott

against

John Moore, Anthony M Howell, Milly Howell, Emeline Howell, Henry
Howell, Peter Goodman & John Scott

Plffs

In Chancery

Defts

The subpoena awarded in this cause having been returned executed on the defendants John Moore, and Anthony M Howell, and they still failing to appear and answer although two months have elapsed as well since the plaintiffs filed their bill as since the service of the subpoena, on the motion of the plaintiffs their bill is taken for confessed as to the defendants Anthony M Howell & John Moore, and the cause came on to be heard on the bill, exhibits, depositions and answers of John Scott, Peter Goodman and the infant defendants and replications to said answers and was argued by counsel. On consideration whereof the Court doth adjudge, order and decree that one of the Commissioners of this Court ascertain and report to Court the quantity and value of the lands in the proceedings mentioned, and whether the interest of the parties interested therein will be promoted by a sale of the entire tract or by an allotment of part thereof and a sale of the residue and make report.

Attest

Teste. J. R. Edwards

Goodman
vs J. G. G. notice
Howell

Entered
James A. G. L. M.
Dy of Ala. Myrath
Luff

Southampton Circuit Court May The 3^d. 1857.
Harriet Goodman, and Mariah Scott, Plffs
against

John Moore, Anthony M. Howell, Emily Howell, Emeline Howell, Henry Howell, Peter Goodman and John L. Scott.
The subpoena awarded in this case having been executed on the defendants John Moore and Anthony M. Howell, and they still failing to appear and answer although two months have elapsed as well since the plaintiffs filed their bill as since the service of the subpoena, on the motion of the plaintiffs their bill is taken for confessed as to the defendants Anthony M. Howell & John Moore, and the cause came on to be heard on the bill exhibiting depositions and answers of John Scott, Peter Goodman and the infant defendants and applications to said answers and was argued by counsel. On consideration whereof the Court with adjudge, order and decree that one of the Commissioners of this Court ascertain and report to Court the quantity and value of the lands in the proceedings mentioned, and whether the interest of the parties entitled thereto will be promoted by a sale of the entire tract or by an allotment of part thereof and a sale of the residue and make report.

A. C. By

Levi L. B. Edwards Esq.

Commissioner's Office, July 17th. 1857.

The parties interested in the above decree will take notice that I have appointed Tuesday the 19th day of August next, at my office in the town of Lismalund, to take the account directed by said decree, when and where they are required to attend —

W. B. Scott Esq.

Gorman X
is
Hornell

Dec. 2nd. 1857.

Enter the decem
R H Baker

Goodman

v ⁴/₃

Horrell

Deere to be
entered.

R. H. Baker
Nov. 20 '52
}

Goodman &c.

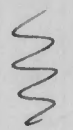
2 { Deane

Howell &c

This cause came on this day to be again heard on the papers formerly read and on the report of Commissioners Moore made and returned to Court in pursuance of the decreed order entered at the November Term 1851 to which there is no exception, and was argued by Counsel, on consideration whereof the Court confirming said report doth adjudge order and decree that the said John Moore who is hereby appointed a special Commissioner for that purpose receive and collect the said bonds of the said John M. Surley and William Barden, and out of the amount collected on the bonds of the said Surley pay first the costs of this suit and the balance pay over as follows to wit; $\frac{1}{4}$ to the guardians at law of Susan Howell, $\frac{1}{4}$ to the guardian at law of Emmaline Howell, $\frac{1}{4}$ to the ~~Trustee~~ of Harriet Goodman herein after appointed, and $\frac{1}{4}$ to the Trustee of Maria Scott herein after appointed: and that he pay over the amount collected on the bond of William Barden as follows to wit $\frac{1}{5}$ to the guardian at law of Henry Howell, $\frac{1}{5}$ to the guardian at law of Susan Howell, $\frac{1}{5}$ to the guardian at law of Emmaline Howell, $\frac{1}{5}$ to the Trustee ^{herein after appointed} of Harriet Goodman and $\frac{1}{5}$

to the trustee of Maria Scott herein after appointed -
And the Court being of opinion that the said money
should be settled on the said Harriet Goodman
and Maria Scott for their sole use and benefit
doth hereby appoint John Moore as trustee to
receive the same and to pay it out for the benefit
and to the order of the said Harriet Goodman and
Maria Scott, but that the said Moore shall have no
power to act as trustee ^{as aforesaid} until he shall
have entered into bond ^{with sufficient security} in the Clerk's office of this Court
in the penalty of ~~One Thousand Dollars~~ ^{\$500 in each case} conditioned
faithfully to perform his duties as trustee - And
the Court doth further order that the said Moore
report his proceedings as Commissioner to
this Court in order for a final decree, but that
he shall have no authority to act under this
decree until he shall have entered into bond in
the Clerk's office of this Court ^{with sufficient security} in the penalty of
Two Thousand dollars conditioned faithfully to
perform the duties herein assigned him as the
comet of the court -

Goodman & Scott
v
Harriet & Maria

Goodman. L.  Series
to
Howell L.

To be entered
R. H. Baker
Nov. Term 1853

Goodman &

vs



Deane

Howell &

This day this cause on to be finally heard on the papers formerly read and the report of Commissioners Moore made in pursuance of the order of the November Term 1852 to which report there is no exception, and was argued by counsel, on consideration whereof the Court doth adjudge order and decree that the said report be confirmed, and that the said Commissioners executed to the said purchaser Am Barden a title to the land in the proceedings mentioned with official warranty.

Goodman }
vs } Notice
Howell & Co }

To Anthony W. Howell and Henry Howell
Take notice that on the 26th day of
April 1857 between the hours of nine A.M. &
Six P.M. at the office of Chamberlains
-burg in the town of Jerusalem and County
of Southampton, I shall proceed to take
the depositions of certain witnesses to be
read as evidence for me in a suit now pending
in the Circuit Court of Southampton wherein
I and Maria Scott are Plaintiff and you and
others are Defendants. Given under my hand
this 14th of April 1857.

Harriet Goodman

Mr Edward Masserich with
I was to attend to this matter
from the estate of ^{my wife} ~~my wife~~ ^{my wife} ~~my wife~~
April 18.26

To the care of Mr Briggs on
J. J. Mahoney

✓
Goodman & Co

2. } Sp^r. 644

Morse & Co

1851 March Rules

Examined on
all cases - Peter Goodman
not found

James A. Gill & Son
of the Myrack Infy

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon *John Moore. Anthony M Howell. Mitty
Howell. Emaline Howell. Henry Howell. Peter Goodman & John
Scott*

to appear at the Clerk's Office of our Circuit ~~Superior Court of Law and Chancery~~ for the County
of Southampton, at the Rules to be holden for the said Court on the first Monday in *March*
next, to answer a Bill in Chancery exhibited against *them* in the said Court by

Harriet Goodman & Maria Scott

~~And unless *she* shall answer the said Bill within four months thereafter, the Court will take
the same for confessed, and decree accordingly. And this *they* shall in no wise omit, under
the penalty of £ 100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk
of our said Court, at the Court-house, the *27th* day of *February* 1851, in the
75th year of the Commonwealth.~~

SR Edwards 66

[One Copy to be delivered each Defendant.]

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon

*John Moore. Anthony M Howell
Nelly Howell. Emaline Howell & Henry Howell. Peter Goodman &
John Scott*

to appear at the Clerk's Office of our Circuit ~~Superior Court of Law and Chancery~~ for the County of Southampton, at the Rules to be holden for the said Court on the first Monday in *March* next, to answer a Bill in Chancery exhibited against *them* in the said Court by

Harriet Goodman & Maria Scott

And ~~unless~~ shall answer the said Bill within ~~four months~~ thereafter, the Court will take the same for confessed, and decree accordingly. And this *they* shall in no wise omit, under the penalty of £100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-house, the *27th* day of *February* 1851, in the *75th* year of the Commonwealth.

L R Edwards *CL*

[One Copy to be delivered each Defendant.]

1881-1882. The first year of the new century.

1881-1882. The first year of the new century.

1881-1882. The first year of the new century.

1881-1882. The first year of the new century.

1881-1882. The first year of the new century.

Goodman &
Howell &

~ } Deposition

Howell &

handed in by John Cobb J.P. April 26th
1851.

The depositions of E W Massenburg & Mr. Moore
taken at the office of Chambers & Massenburg in
the town of Jerusalem and County of Southampton
on the 26th of April 1851 pursuant to notice
to be read as evidence in behalf of the Plaintiffs in
a suit now pending in the Circuit Court of
Southampton, between Harriet Goodman and
Maria Scott Plaintiffs and Anthony M Howell
and Henry Harwell and others Defendants

E W Massenburg and Mr. Moore, being both
duly sworn depose and say on oath, that
Emma Howell did freely and voluntarily in
their presence sign seal and deliver the deed
of settlement between herself, Mr. Moore, and
Anthony M Howell dated the 30th of June 1849,
and further they say not

E W Massenburg
John Moore, Jr.

The above depositions were taken sworn to and
subscribed before me a justice of the peace
in and for the County of Southampton the day
and year mentioned in the caption

Geo. Coff J. P.

Goodman
vs. } Conn. Report.
Howell 1

1851 Sep. 27³

Goodman
vs.
Howell

Comrs. office, Sept. 17th 1857.

Pursuant to the decree of The Circuit Court of Southampton County pronounced at May term 1857, in the Chancery suit of Goodman vs. Howell, the Commissioner gave notice to the parties to appear at his office in the Town of Jerusalem on Tuesday the 19th day of August 1857, with the necessary evidence to enable him to comply with the requisitions of said decree. On which day the Commissioner proceeded to ascertain by proper testimony the facts required by said decree, and begs leave to make the following report.

The Commissioner reports that the tract of land mentioned in the above suit of Goodman vs. Howell, is supposed to contain about one hundred and twenty acres, and that the value of said tract of land is estimated at \$4.50₁₀₀ per acre - The Commissioner also reports that he thinks from the testimony given in before him, that the interest of the parties entitled to the said tract of land would be better promoted by a sale of the entire tract, than by an allotment of part thereof and a sale of the residue -

Respectfully submitted
Wm. W. Cobb Comr.

Commissioner's fee \$10.00
charged to the plaintiffs
Comr.

Estate of Emma Howell

To William H. McFarburg, Dr.

To Medical Services & attendance on Emma
Howell during an attack of Small Pox \$ 39.00 X not claimed

To Medical Services & attendance on Emeline
Howell during attack of small Pox \$ 39.00

To Medical Services & attendance on Milly
Howell during attack of small Pox \$ 39.00

To Medical Services & attendance on four
Slaves during attack of small Pox 236.00 \$ 413.00

Goodman & Co
" } Report
Howell & Co

Goodman to
 &
 Howell to } Report

The Commissioners reports that in pursuance of the decree of the Circuit Court for the County of Southampton entered at the November Term 1851 he proceeded on the 13th day of December 1851 to sell the land in the decree mentioned, to the highest bidder and that William Bardon became the purchaser.

Am't of sale	\$600.25
Comm'r & copy's fee	<u>23.00</u>
Balance due	577.25

For which balance the Commissioners took the bond of said Bardon with security which is here with returned - The Commissioners then proceeded on the 15th of December to sell the slaves in the decree mentioned as follows

Judy and 2 children	To John Suckey for	\$700.00
Leopie	To do	231.00
Agnes	To do	<u>300.00</u>
		\$1231.00
Comm'r		<u>30.77</u>

Balance	\$1200.23
---------	-----------

For which balance the Commissioners has taken two bonds from Suckey with good security one for \$931 and the other for \$269.23 which are here with returned.

Respectfully
 John Choate, Jr

Received January 22 1853 of the clerk of the Circuit Court of Southampton
County the books returned with the within report. To-wit. One against William
Barden Abram Reddick & A M Howell for five hundred Seventy seven ^{25/100}
Dollars due 13th December 1851 and One against John M Gurdy & J
Barkum & Harmon D Moore for Nine hundred & thirty One dollars due 15th
December 1851 & the other against John M Gurdy & John Moore for two
hundred & Sixty nine dollars ²⁵/₁₀₀ cents due 15th December 1851.

John Moore, Jr. Commr

Received of Mr Moore (appointed special commis-
sioner by a decree of the Circuit Court ren-
dered in the suit of Goodson vs. against Howell &c
at the November term 1857 the sum of One Hun-
dred and two & one dollars $70\frac{1}{2}\%$ the amount due
my ward Henry Howell under the said decree
Given under my hand this 25 day of April 1858
J. M. Howell

Test,

W. S. Mapenbury.

Goodman &
is } Report
Howell &

1853 Nov. 8th

Harrell 21

John Moore special commissioner reports that in pursuance of the decree of Nov. Term 1852 he collected the taxes therein mentioned and paid out the proceeds as directed, to wit;

[illegible]

as the guardian of Susan and Emeline Howell, and in that capacity has retained the amount reported due to each; and that he has paid over to A M Howell the guardian of Henry Howell the sum of \$122.32³/₅ reported due him - all of which is respectfully submitted

Geo Moore Comr.

Gordman &

is } Exhibit with B.M.

Moore &

A.

This Indenture made and entered into this 30th day of June 1849 between Anthony M Howell of the first part John Moore of the second part and Emma Howell of the third part Witnesseth: that whereas the said Anthony M Howell and Emma Howell owing to unhappy domestic differences which render it almost impossible that they can live together in peace and harmony, have mutually agreed to live separate and apart, and the said Anthony M Howell being willing to make provision for his wife and for the further consideration that she shall which she does hereby relinquish all her right title and interest which she now hath or hereafter may have to any portion of his estate whether real or personal either as dower or as distributrix or in any other manner or any claim on him or his estate for future maintenance and support as well as for the further sum of One dollar to him in hand paid by the said John Moore trustee as aforesaid, hath given, granted, sold and conveyed and by these presents doth give, grant, sell and convey and make over to the said John Moore the following property to wit: the tract of land lying in the County of Southampton on which the said Emma Howell now resides known as the old place containing about 120 acres be the same more or less adjoining the lands of Elizabeth Johnson and others it being the tract of land owned by the said Emma at the time of her intermarriage with the said Anthony M Howell together with all the buildings and improvements thereon and the appurtenances of every kind thereto belonging (with the exception of one acre on which the still house and fixtures are situated with free ingress and egress, all his existing right title and interest to which is hereby reserved to the said Anthony M Howell) also all the household and kitchen furniture of every description, and the stock of hogs, cattle and sheep now on the said tract of land, also one good work horse worth not less than \$30, one sow & pigs, one ox, one cart & gear and one plough and gear, also twenty barrels of corn and 3,000 pounds of fodder to be delivered by the said Anthony M Howell on the said tract of land, also one Woman slaves, Judy & three children and their increase. To have the said John Moore his heirs and assigns forever To have and to hold the said property free from the claim or demand of him the said Anthony M Howell, And he the said Howell for himself his heirs Executors and assigns doth hereby covenant and agree that he will not in any way set up any claim to the property hereby conveyed being in part the property which he the said Anthony M Howell got by his inter marriage with the said Emma his wife, nor to any property

which she the said Emma may hereafter in any way acquire. And the said John Moore and Emma Howell do hereby covenant by and with the said Anthony M Howell that she the said Emma will not claim or demand from the said Anthony M Howell or his heirs or assigns any part of his money or property which he now has or may hereafter in any way acquire but that it is understood and mutually contracted by the said Anthony M Howell Emma his wife that they shall live separately and apart and neither is to exercise any control or authority over the person or property of the other neither that which they now have or may hereafter acquire, And the said John Moore do hereby covenant and agree to hold the said property in trust for the sole use and benefit of the said Emma Howell during her life subject to her management and control, the profits of the said tract of land and the increase of the stock to be disposed of as she may direct, and to be made over after her death to the daughters of the said Anthony M Howell & Emma Howell to wit. Harriet Goodman, Maria Scott, Molly & Emeline Howell or the children of such as may die previous thereto. In testimony whereof the parties have hereunto set their hands and seals the day and year first above written.

A. M. Howell (Seal)

Emma ^{her} Howell (Seal)

John Moore ^{mark} Jr. (Seal)

Southampton County In the Clerks Office the 5th day of July 1849.

This deed of Separation and conveyance between Anthony M. Howell of the first part John Moore Jr of the second part and Emma Howell of the third part was acknowledged by said A. M. Howell and admitted to record.

Teste L. R. Edwards (Seal)

a Copy.

Teste L. R. Edwards (Seal)

KNOW ALL MEN BY THESE PRESENTS, That we *John Moore Jr*
and

are held and firmly bound unto the Commonwealth of Virginia, in the just and full sum of
Two Thousand Dollars, for the
payment of which, well and truly to be made, we bind ourselves, our and each of our
heirs, executors, and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this *22* day of *January*, 185*3*

The Condition of the above Obligation is such, That whereas the above bound

John Moore Jr

has by a Decree of *The Circuit Court of Southampton County*

pronounced on the *10* day of *November* 185*2*, in
a cause therein pending wherein *Harriet Gordon & Maria Scott by*
Plaintiffs and *Anthony M Howell and others* Defendants,
been appointed Commissioner to *receive and collect* ~~make sale of~~ certain bonds therein described ~~Estate in~~
~~the said cause described.~~ Now if the said *John Moore Jr*

shall faithfully discharge his duties as such
Commissioner under said decree, then this obligation to be void, else to remain in full
force and virtue.

Signed, Sealed, and delivered }
in presence of }

John Moore Jr L.S.
John M. Corley L.S.
L.S.

Printed at the Intelligencer Office, Suffolk, Va.

KNOW ALL MEN BY THESE PRESENTS, That we *John Moore* &
John M. Gurley.

are held and firmly bound unto the Commonwealth of Virginia, in the just and full sum of *five hundred* Dollars, for the payment of which, well and truly to be made, we bind ourselves, our and each of our heirs, executors, and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this *22^d* day of *January*, 185*3*

The Condition of the above Obligation is such, That whereas the above bound

John Moore &
has by a Decree of *The Circuit Court of Southampton County* —
pronounced on the *10th* day of *November* 185*2*, in
a cause therein pending wherein *Harriet Goodman & Maria Scott* by &c. —
Plaintiffs and *Anthony M. Howell & others* Defendants,
been appointed *Trustee of Maria Scott for the purposes in said decree mentioned* ~~Commissioner to make sale of certain~~ *Estate in*
~~the said cause described.~~ — Now if the said *John Moore* &
Trustee shall faithfully discharge the *of his office or trust* duties as such
~~Commissioner~~ under said decree, then this obligation to be void, else to remain in full
force and virtue.

Signed, Sealed, and delivered }
in presence of }

John Moore, for L.S.
John M. Gurley L.S.
L.S.

KNOW ALL MEN BY THESE PRESENTS, That we *John Moore Jr*
and

are held and firmly bound unto the Commonwealth of Virginia, in the just and full sum of
five hundred Dollars, for the
payment of which, well and truly to be made, we bind ourselves, our and each of our
heirs, executors, and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this *22nd* day of *January*, 185*3*

The Condition of the above Obligation is such, That whereas the above bound

John Moore Jr

has by a Decree of *the Circuit Court of Southampton County*
pronounced on the *10th* day of *November* 185*2*, in

a cause therein pending wherein *Harriet Goodenow & Maria Scott by &c*

Plaintiffs and *Anthony M Howell & others* Defendants,

been appointed *Trustee of Harriet Goodenow for the purpose in said decree mentioned*
~~Commissioner to make sale of certain~~ *Estate in*

~~the said cause described.~~ Now if the said *John Moore Jr* of his office or Trust

~~Commissioner~~ *Trustee* shall faithfully discharge ~~their~~ *his* duties as such
under said decree, then this obligation to be void, else to remain in full
force and virtue.

Signed, Sealed, and delivered }
in presence of }

John Moore Jr **L.S.**
Geo. M. Gentry **L.S.**
L.S.