

1855-020 SOUTHAMPTON COUNTY
CHANCERY PAPERS

BRYANT VS. BEATON

1/1855

Bryant
as $\frac{1}{2}$ Decree.
Beaton

1854 Nov. Decree as $\frac{1}{2}$ Decree

" Dec. Report.

1855 Jan. Conf. ²

County Court of Southampton County -
(November term 1854.)

To the worshipful Justices of the said Court:

Humbly complaining I shew it unto your
writings your oratrix Maria Bryant, that her husband
William Bryant (of Drury) departed this life during the
present year, but some time since; and at the time of his death
was not seized or possessed of any property real or personal of
any kind whatsoever — Some time before the said William Bry-
ant's death, he executed a deed of Trust to Nathan B. Bry-
ant (Trustee) for the benefit of certain persons therein named
which deed of Trust was duly recorded in the clerk's office
of the said County in the year — That the said Nath-
an B. Bryant (Trustee or of the said) proceeded according to law
afterwards, to wit on the ————— to execute the said
deed, by selling the property therein conveyed to the highest bidder
(a copy of whose account of sales is herewith returned, marked
A, and prayed to be taken as a part of this bill) no objection
being made to the proceedings and acts of the said Trustee in
the premises aforesaid — In the said deed of Trust ^{among other things} was conveyed
a certain tract of land, containing 62½ acres more or less, lying
in the said County, to which land your oratrix has never yet re-
linquished her right of dower, not having entered in the said
deed of Trust, and she is advised that she is still entitled to the
said. Your oratrix therefore humbly prays that

your worship ^{*}would make Edward Beaton (who be-
came the purchaser of the said real estate at the
Trustee's sale aforesaid) a party defendant to
this bill and compell him as true and perfect an-
swerer to its allegations &c - and that your
wishes would grant such other and general relief
as equity may dictate and the nature of the case
may require, and an inquiry being made the writ was
granted.

Ino J. Kindred per

Answer of Edward Beaton to the fore-
going bill -

This defendant saying now &c, for
answer to the said bill says that he admits the right
of the said Maria Bryant to dower in the land in
her bill mentioned, and has no objection to the ap-
pointment of proper persons as commissioners to as-
sign the same to her - and having answered her, to
be hence dismissed - &c.

Ino J. Kindred per

*

Appoint proper and discreet persons, three or more, whose duty
it shall be to assign to her one just and equal third in val-
ue of the said real estate in the said deed of Trust mentioned;

Bryant
vs } Dece.
Beaton

This day this cause came on to be
heard on the bill, answer and exhibits and the replication there-
to; On Consideration whereof the Court doth order, adjudge
and decree that Harrison P. Pope, Benjamin B. Kindred,
James J. Gardner, Edwin Harris and Everett Bryant
(any three of whom may act) be and they are hereby appoint-
ed commissioners to assign to Maria Bryant (widow of
William Bryant of Greenvy) one just and equal third in
value of the real estate conveyed by the said William Bry-
ant in his lifetime by a deed of trust executed to Nathan
B. Bryant (Trustee) and recorded in the year - which
said real estate was sold by the said Trustee and Edward
Beaton became the purchaser, and is supposed to contain
162 1/2 acres more or less, lying in Southampton County - And to
which deed of trust the said Maria Bryant never reli-
quished her right of dower.

And the said Commissioners are directed to re-
port to this Court in order to a final decree.

Bryant

~ } Copy. Done

Beaton

Southampton County Court November Term 1854.

Maria Bryant
against
Edward Beaton

Plff. } In Chancery
Deft.

This day this cause came on to be heard on the bill, answer and exhibit and the replication thereto: On consideration whereof the Court doth order, adjudge and decree that Harrison P Pope, Benjamin B Kindred, James I Darden, Edwin Harris and Emmet Bryant (any three of whom may act) be and they are hereby appointed Commissioners to apportion to Maria Bryant, widow of William Bryant of Drury, one just and equal third in value of the real estate conveyed by said William Bryant in his lifetime by a deed of trust executed to Nathan B Bryant (Trustee) and recorded in the year which said real estate was sold by the said trustee and Edward Beaton become the purchaser, and is supposed to contain 162 1/2 acres more or less lying in Southampton County, and to which deed of trust the said Maria Bryant never relinquished her right of dower. And the said Commissioners are directed to report to this Court in order to a final decree.

Attest

Teste. J R Edwards Clk

1854 Dec.

The undersigned commissioners appointed by a decree of the county court of Southampton county, pronounced at the November term 1854 (Maria Bryant vs Edward Beaton) to assign to Maria Bryant widow of William Bryant of Drewry, her dower in the real estate, of which her said husband was seized during the coverture, and to which, she never made any relinquishment, report, that they did on the 6th of November 1854, proceed to perform the duties imposed by said decree. They assigned to the said widow as her dower, the parcel of land bounded as follows; to wit; beginning at south west corner of Smoke-house, thence the right line running south to Sassafras in original line, thence along original line to pine, a corner tree, thence running in a n. easterly direction to corner of old field, thence along same direction the edge of old field being the line, (to a lane, running east from house) thence along said lane running west to a lightwood Stab, from thence following at said Stab and running north to Walnut-tree, Thence a straight line running west to corner of Smoke house the starting point, supposed to contain about thirty acres and including mansion house, and other buildings.

Respectfully Submitted

B. B. Kinard
E. W. Harris
Jas. J. Sarden } Comrs