

1886-016 Chancery Cause: Joshua S. Freeman vs E. Susan Freeman + Martha Freeman, widow

Dale of Wright County

of John Freeman

other surnames: Hall, Rawles,
Daughtrey, Rawls

This deed made this 1st day of annar
1877 between Edmund J. Freeman
Harriet E. Holland ^{Elisha Rawls (of long)} Sarah J. Rawls And
Mary Ann. Daughters of the first
part and Joshua S. Freeman of the
second part witnesseth that for and
in consideration of the sum of one
hundred and fifty dollars to each
party we the said Edmund J. Freeman
Harriet E. Holland Sarah J. Rawls And
Mary Ann. Daughters do sell and
relinquish all our rights title and interest
to the lands on which our Father John
Freeman died seized and possessed to
Joshua S. Freeman his heirs &c and
the said Edmund J. Freeman Harriet E.
Holland Sarah J. Rawls And Mary Ann.
Daughters do hereby warrant gene-
rally the property herein conveyed to
the said Joshua S. Freeman his heirs
&c

Witnesseth the following signature & seal

R. M. Kiddick J. P.
John Brady J. P.

Edmund J. Freeman (Seal)
Edith J. Freeman (Seal)
A. A. Holland. Seal
H. E. Holland. Seal
Sarah J. Rawls (Seal)
Mary A. Daughters (Seal)
Elisha Rawls (of long) (Seal)
marks

State of Virginia.

County of Southampton to wit:

I W. B. Holland a Justice in and for the County aforesaid do hereby certify that this day Personally appeared before me in the County aforesaid, A. A. Holland whose name is signed to the writing on the preceding page bearing date the 1st day of January 1877, and acknowledged the same to be his and Given under my hand this 20th day of December 1877.

W. B. Holland J. P.

State of Virginia.

County of Southampton to wit:

We W. B. Holland and J. W. Duke Justices in and for the County aforesaid do hereby certify that Harriet E. the wife of A. A. Holland whose names are signed to the writing on the preceding page bearing date the 1st day of January 1877, personally appeared before us in the County aforesaid, and being Examined by us privily and apart from her husband, and having the writing aforesaid fully explained to her, she the said Harriet E. acknowledged the said writing to be her act and declared that she had willingly executed the same and that she does not wish to retract it. Given under our hands this 20th day of December 1877.

W. B. Holland J. P.
J. W. Duke J. P.

State of North Carolina }
Bates County. }

I R. B. Bowyer
Clerk of the Superior Court and Probate
Judge of said County and State
do hereby Certify that R. M.
Riddick and John Brady
whose genuine signatures are
attached to the foregoing Deed
as Witnesses, are acting Justices of
the Peace of Bates County.

In testimony of which I
do hereunto set my hand and
affix my seal of Office at
Batesville, this the 27th day
of September A.D. 1877.

R. B. Bowyer
C. S. C. & Probate Judge.

State of Virginia, Hansberr County to wit
I, William J. Holland, a Notary Public for the County aforesaid,
in the State of Virginia, do Certify that Elisha Rawlings
(son) whose name is signed to the writing hereto annexed, bearing
date on the 1st day of January 1877, has acknowledged
the same before me in the County aforesaid; Given under
my hand this 24th day of April 1883.

William J. Holland
Notary Public

State of Virginia

Nansemond County to wit:

I, J. H. P. Daughtry, a Notary Public in and for
Nansemond County Virginia do certify that Sarah
J. Rawls whose name is signed to the instrument
of writing hereto annexed bearing date the 1st-
day of January 1877, personally appeared before
me, and after being examined by me privately and
apart from her husband, and having the writing
aforesaid fully explained to her she the said
Sarah J. Rawls acknowledged the same
to be her act, and declared that
she had willingly executed the same
and does not wish to retract it.

Given under my hand this 19th day of January
1878
J. H. P. Daughtry
Notary Public

State of Virginia:

Nansemond County to wit:

I, J. H. P. Daughtry, a Notary Public in and for Nansemond
County Virginia do certify that Mary Ann Daughtry
whose name is signed to the writing hereto annexed
bearing date the 1st-day of January 1877 personally
appeared & acknowledged the same before me in
my County aforesaid. Given under my hand
this 28th day of August - 1882.

James H. P. Daughtry
Notary Public

Notary Public
J. H. P. Daughtry

State of North Carolina

Gates County, To wit:

We W^m H. Riddick and Wiley Higgins
Justices of the Peace

do hereby certify that
Edmund J. Freeman whose name is
signed to the annexed deed to Joshua Q.
Freeman, bearing date the 1st day of
January, 1887, has acknowledged the
same before us in the county aforesaid.
And we further certify that Edith V.
Freeman, the wife of the said Edmund
J. Freeman, whose name is likewise
signed to the said deed, bearing date
as aforesaid, personally appeared
before us in the said county, and being
examined by us privately and apart from
her said husband, and leaving the
said deed fully explained to her, she
the said Edith V. Freeman acknowledged
the same to be her act and deed, and declared
that she had willingly executed the same
and does not wish to retract it.

Given under our hands this 8th day of
October 1888.

W^m H. Riddick J.P.

Wiley Higgins J.P.

In the Clerk's office of the County Court
 of Isle of Wight County, the 5th day of Nov.
 1883. This deed from Edmund J. Freeman
 and wife and others, to Joshua L. Freeman,
 was admitted to record on the annexed
 certificates of Justices of the Peace and
 Notaries Public.

Test,

A. D. Young clk.

Freeman E. J. et al.
 }
 } Deed.
 Freeman J. L.

" Nov. 5th 1883.
 C. de on cts of J. P. & Not. P.

" Exhibit "A"

Recorded D. 13. to 47
 Pages 349

Examined and
 verified.
 Test, A. D. Young

Tax & fee paid \$2.25
 A. D. Young

Freeman J. L.

vs

Freeman Martha et al.

This cause came
on this day to be heard and
on motion of the plaintiff the
cause is dismissed ^{from the docket} - the matters
in dispute have been settled,
without prejudice to either
party.

Freeman J. L.
~~24~~ & Inchy
Freeman st. 28.

10 Oct. 1886

~~10~~ be entered

Geo. Blom

Entered
#7.

J. L. Freeman
vs { In chancery
E. Susan Freeman

This cause come on this day to be heard on the Complainants bill taken for Confessed as to all the Defendants on whom process has been duly served and thy failing to plead answers or demurs and was argued by Counsel on consideration whereof the Court doth order adjudge and decree that

any three of whom may act after first being duly sworn do proceed to lay off by metes and bounds one equal sixth part of the lands of which John Freeman died seized and possessed in the bill and proceedings mentioned having into consideration that portion of land already assigned to Martha Freeman widow of said John Freeman dec'd. - that is to say one sixth part in value of the ^{said} tract of land taken subject to said dower - and it is further ordered that said Commissioners call in the aid of a competent Surveyor if in their opinion necessary - that said Commissioners report to Court

J. L. Freeman
no $\frac{1}{2}$ in cherry

E. Susan Freeman ¹⁸⁷⁴

beaver

To be entered

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON

Martha Freeman
Widow of John Freeman deceased, and
E. Susan Freeman

to appear at the Clerk's Office of the Circuit Court of Isle of Wight county, at Rules to be holden for the
said Court, on the first Monday in *September* next, to answer *the Bill in*

Chancery of Joshua L. Freeman

of a plea of _____ for \$ _____ Damages \$ _____ And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Courthouse, the *23^d* day of *August*
188*6*, in the *111th* year of the Commonwealth.

N. P. Young clk.

Joshua L. Freeman

v. { Susan: to Amos:
{ Bell in Key:

Martha Freeman
etal:

To Sept. Rls: 1886
✓ W. S. Hallard
J. J.

Entered by returning
to the within Warrant.
Martha Freeman and
E. Susan Freeman
each at one copy
of the within Summons
Sept. 9. 25th 1886.

A. A. Canard
J. J.

Hon. George Blaw Judge of the Circuit Court for Isle of Wight County in the State of Virginia:

I am complainant Joshua L. Freeman respectfully represents that his father John Freeman died intestate on or about the year 1858 seized and possessed of a tract of land adjacent the lands of Jeremiah Hall and, W.E. Outland dec'd, R.B. Johnson J.D. Cornhill, John Sorden dec'd, and others lying and being in the County of Isle of Wight in the State of Virginia said to contain acres more or less, and leaving a widow Martha Freeman still surviving and six children including your complainant as follows: Edmund J. Freeman, A.S. Freeman who after wards intestate married with A.A. Hall and, Sarah J. Bowles wife of Elisha Bowles who was Freeman, Mary A. Daughtry widow of Ned Daughtry who was Freeman and E. Susan Freeman as his only heirs at law, and your complainant says that he has purchased all the interests of each of said heirs except that of E. Susan Freeman for the sum of one hundred and fifty dollars as will

more fully appear by reference to the original deed of B. & S. between the parties herewith filed as an exhibit, marked "A" and prayed to be read as a part of this bill; and your complainant says that he has offered his said Sister E. Susan the same price for her share but she declines to sell and that he has often tried to get a division of said land, and to that end, invited the Commissioners appointed to assign dower to mark off a piece of said land which would be a right and just share for said E. Susan, and they did so by designating the land called the Molly Place which in the opinion of your complainant is worth more than one sixth part of the whole of said tract of land, but she refused to accept that and your complainant says that he has done all in his power to have a division of said land without a suit, but all without effect.

Your complainant says that in the year 1884 on his own motion in the County Court of Isle of Wight County Commissioners were appointed to assign dower

to his mother, the said widow of said John Freeman dec'd, who discharged their duty and reported to said Court a copy of which is herewith filed marked "B" and prayed to be read as a part of this bill - and your complainant is advised that he is entitled to a division of said lands between himself and his said sister either in kind or that she be required to accept a reasonable price for her share of said land: And for as much as your complainant is without remedy save in a Court of Chancery where such matters are alone and properly cognizable he prays that said E. Susan Freeman and Martha Freeman said widow of John Freeman dec'd. be made parties defendant to this bill and required to answer the same, an answer on oath being waived as by Statute provided; that Commissioners may be appointed, that said land of which said John Freeman died seized and possessed be partitioned in kind between himself and said E. Susan Freeman allotting to said E. Susan one sixth part thereof as and for her share in the same - that said Commissioners be required to ascertain whether your complainant or said E. Susan will pay a fair price in money for

the interest of the other, that all accounts
may be taken and enquiries directed
as the nature of the case may require
and all such other further and gen-
eral relief may be afforded your
complainant as is meet in Equity and
agreeable to good Conscience - and he
will ever pray &c -

W. S. Hall and P. G.

J. L. Freeman
vs J. M. Channing
E. Susan Freeman et al.

Complainant's Bill

Sept. Rl. 1886.
Bill & filed, answer expd
and de. nisi on. defr.

"
Octo. Rl. 1886.
Bill taken for confd. &
an for hearing.

"
Octob. Term 1886.
Dismissed on motⁿ Plff.