

1798-011

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BEALE, et al. vs. BEALE, et al.

6/1798

other surnames: Council,
Beal, Council, Rowe

Braden
Braden } Bick
Braden }

Nov 1797

Inty Decree

June 1798

Rep. W. &

Decree final

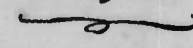
To the Worthy Court of Southampton County sitting in
chancery humbly Complaining Shew unto your Worthy
Orator, & Petitioner, Names, Beale, Temperance, John & Lemuel
Beale infants of Joshua Beale dec'd. by Lemuel Beale their next
friend,

That the said Joshua Beale in his life
time and at the time of his decease was seized of an tract of
Land in the aforesaid County, and departed this life intestate
on or about the day of _____ leaving Polly Beale his
widow & child, and six children to wit Dicky who hath
intermarried with a certain Lemuel Council & your Comptes
That the said widows Polly, & Lemuel Council, have proposed
themselves of the said Land, and because of the injury of your
Complaints, they refuse to come to a division agreeably to
the act of assembly in that case made & provided. In
under consideration whereof, and for as much as of your
Complaints are without remedy only in a Court of equity.

To this once therefore that the said Polly Beale the widow
aforesaid, and the said Lemuel Council & Dicky his wife
who your Complaints pray may be made defendants to
this bill of Complaint, may upon their corporal oaths, true &
perfect answer make to all & singular the allegations in this
bill contained & that as Copyists as if the same were again
repeated & interrogated,

And that your Worthy will
appoint proper persons to lay off and apportion to the said defendants
Polly her share in the Land aforesaid, and divide the
values in moieties, allotting to the Comptes, John, Lemuel and
Robert one moiety, to the Lemuel Council & Dicky his wife, Nancy &
Temperance Beale the other moiety, thereof, and make any other
or further order or decree in the premises for the relief of your
Complaints as may be equitable.

Very respectfully,

For and for
Comptes


Beale } Inter^o
adv. }
Beale } decree

Nov. '94

At a Court of quarterly Session continued & held for the County
of Southampton the 21st day of November 1797
Nancy Beale, Temperance John & Samuel Beale
infants &c of Joshua Beale dec'd by Samuel Rowe
their next friend &c - - - - - Complainants
against

Nancy
John
Samuel

Polly Beale widow of Joshua Beale, dec'd, & Lemuel:
- Council & Decy his wife - - - - - defendants

This cause was docketed by consent of the parties, And this day
heard on the bill of the complainants the answer of the defendants
& the arguments of the counsel on each side On Consideration
whereof it is decreed and ordered that Joseph Scott Shadrach
Lewis David Washington & James Scott or any three of them
lay off apportion and set apart to the defendant Polly Beale her
dower in the lands whereof her husband Joshua Beale died seized
&c &c &c & make a division of the residue in moieties allotting
to the complainants John Lemuel & Robert one moiety, & the other
moiety to Lemuel Council & Decy his wife and Nancy & Temperance
Beale make report in order to a final decree test Samuel D

Pursuant to a decree of the court of Southampton
November session 1797 directed to us, we have and
consequence thereof lay'd off & assign'd & into a part
the Dower of Polly Beal widow, in the lands that her
husband Joshua Beal died seized and possessed of
in the manner following, to wit. beginning at a
maple standing in a small branch in Meriam
Scotts line thence along the said line to James
Scotts Mill pond side thence up the side of the
said Mill pond to a poplar thence leaving the
Mill pond side, along a line of new made
marked trees to a pine on the side of an old field
thence through the corner of the said old field to
a pine thence along a line of new marked trees to a pine
a corner tree at the corner of a small corn field
thence along a line of new marked trees bending on the fence
of a small field to a small pine on the south
side of a small branch thence down a line of
new marked trees near the said branch to an elm
standing in another small branch, thence up the
various courses of the run of the said branch to
the beginning -

The residue of the said lands we have divided
in two moities agreeable to a line of new made
marked trees, as follows - to wit/

beginning at a small pine a new made corner
tree standing near the fence of the said corn
field thence along a straight line of new
made marked trees to a red oak standing in
Meriam Scotts line.

alotting to Samuel Cunniff & Dicy his wife
Nancy & Temperance Berl all that part of the
aforesaid lands that is not included in the
widows dower that ^{his} on the north side of the
aforesaid line of partition, the residue lying
on the ~~South~~ side of the aforesaid line, to John
Samuel & Robert Berl.

Given under our hands this 18th day of June
anno Dom 1798 -

Subscribed
David Washington
Jas. Smith