

1813-002

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BROWNE VS. FORT et al

6/1813.

other surnames: Blow,
Jordan, Brown

Brown

n. J. Bell & Co

Fort et al.

February 1873 Int. J. C. C. C.

To the worshipful Court of Southampton County in Chancery, &c.
Humbly complaining sheweth unto your worships, your oratrix
Patsy Browne, widow and relict of Jesse Browne deceased,
That on the day of in the present year, 1813, the said
Jesse Browne departed this life in the County of Southampton, having
first duly made and published his last will and Testament in writing
and seized and disposed of a tract or parcel of land in the said County
containing 162 acres or thereabouts - that by the said last will Testament
the said Jesse Browne devised the said land to your oratrix. Your
oratrix however begs leave to state to the Court that by a certain Deed
of Trust executed by the said Jesse Browne in his lifetime, he
conveyed the same to Joshua Fort Esq. in Trust to indemnify
Col. Henry Blow, Major William Blow, and Dr. Samuel Browne
who were then bound and are still bound as the ~~sureties~~ sureties
of the said Jesse Browne to a certain William Jordan, for the
payment of a considerable sum of money - so that your
oratrix is prevented thereby from claiming or holding the said
land as Devisee under the said ~~last~~ will - She is however
advised that she is entitled to one third part of the said land as
her dower therein - Yet the same cannot be allotted to her, without
the aid of a Court of Equity - In tender ^{whereof} consideration, because
matters of this sort are properly cognizable in a Court of Chancery -

to the end thereof that the said Joshua Fort Trustee as aforesaid, the
said Henry Blom, Wm Blom & Samuel Browne, and the said ~~John B~~
Jep Browne & Anthony H. Browne ^{and} infant children of the said Jep
Browne, may be made Defendants to this bill & be compelled
to answer all & singular the allegations of the same fully, perfectly
and unreservedly - that your worship will decree that one
third part of the said land may be allotted out a part
to your estate as her Dowry therein - that any other
& general relief may be granted in the premises, con-
sistent with Equity & good Conscience, may it please
the Court to grant the Comonwealth its writ of Habeas
Corporam &c. and as in duty bound your estate will
ever pray &c.

Att. for Compl.

The Joint & separate answer of Joshua Fort, Henry Blom, William
Blom & Samuel Browne, to the foregoing bill of complaint.

The said Defendants saving &c. for answer thereto say - that
the allegations therein are true & that they have no objection
to the decree asked for by the Complainants - & they pray &c.

Joshua Fort
Henry Blom
William Blom

The Joint & separate answer of Jep Browne & Anthony H.
Browne ^{and} infant children of ~~Jep~~ Jep Browne an. of Richard
H. Walker, specially appointed to defend them, to the foregoing
bill of complaint. The said Defendants saving &c.
for answer thereto say - that they cannot deny the allegations
therein contained & have no objection to the decree prayed
for by the Complainant. & they pray &c.

Brown }
17 } Ant. 9 Decer
Brown }

Patsy Browne, widow & relict of
Lepe Browne deceased ——— Compt

vs.

Joshua Fort, Henry Blon, William Blon
and Samuel Browne, and Lepe Browne

Anthony H. Browne and

infant children of Lepe Browne deceased, by

Richard H. Walther, specially appointed to

defend them.

In Chancery

Sept

This cause was this day docketed by consent of the parties and
assent of the Court and was heard on the bill, the answers of the
Defendants and arguments of Counsel, whereupon it is adjudged
ordered and decreed by the Court that Samuel Calcut, John
Rockelle, Clement Rockelle, Richmond Dillard, Arthur A. Carr,
Henry Thomas and John Thomas, or any five of them, attended
by the County Surveyor, do allot and set a part to the complain-
ant Patsy Browne, one third part of the land on which
Lepe Browne deceased, lived at the time of his death, as her
Dower therein, in which allotment they are to have regard
as well to quality as quantity. And it is further ordered
that the said Commissioners make a report of their doings
and doings in this behalf to the Court in order to a final
decree.

Samuel Kello es

Report of the
survey of the
lands of Jeff
Browner

June 1853 Sept. 1854

Deer Creek

Agreeable to an Order of the County Court
of Frampton to its doctored bearing date February
last 1813 we the Commissioners in Obedience
thereunto hath on the 24 of ^{the} ~~February~~ ^{January} 1813
met on the Premises of the Lands whereon
Jose Brown died seig? and Pofess? attended
with the County Surveyor and hath viewed
around the Out Bounor of the lands aforesaid
and find after an accurate Survey being made
the land to contain 211 Acres, which after
having regard to Quality as well as Quantity &c.
by this Order we were required we do allow
and assign to Patsey Browne Widow and relict
of Jose Browne decd. 70 Acres as her dower
right in the lands aforesaid, which dower
is laid off by Proper metes and bounor, as
follows (to wit) Beginning at a cypress standing
~~on~~ on the Bank of nottowing River; running thence
S. 35° West 56 pole to a Cherry Tree a new
corner made in the dower land; thence S. 85° West
68 pole to an Apple Tree in the Orchard—
thence a straight line to a White Oak a new
corner made in the dower land; standing on the
Side of the Road near the Corner of Saml. Brown's
place, thence along the Road to the back
line including all the woodland lying on the right
hand Side of the S^d Road, thence back
along the Road towards the ferry to the 1st
Station; Including the Stone House

And all other Houses of consequence belonging
to the Plantation — given Under our
seal this day and date as above written

John Rockell

Clement Rockell

Richmond Willard

Arthur Harr

Henry Thomas

John Thomas

And all other Houses of consequence belonging to
the Plantation — given Under our seal
this day and date as above written