

1814-015

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BRANCH

VS.

DAVIS

et ux & al 6/1814

other surnames: Judkins,
Ellis, George, Lane

Branch ^{N^o 283}

ⁿ
Davis et al } Bill

June 1813 Bill filed
rule to answer in diff named
July 20 and ditto

To the worshipful Court of Southampton in Chancery sitting
Humbly complaining sheweth unto your worship your orator
Lewis Branch. That Sometime since he became the purchaser
of tract of land of a certain John Davis containing One
hundred and eight acres lying within this County. That he
has paid the consideration money in full, but as
yet has been unable to obtain a legal right
to the same, and without the interposition of this
honorable Court he is advised he cannot obtain it -
in order to a full understanding of the situation in
which your orator is placed relative to the said
land he begs leave to state the following facts
A certain John George of the County of Surrep
by his deed which has been admitted to record in
this Court conveyed to a certain Mark Jenkins now
and the said land in trust to secure the payment
of a sum of money due to William Jenkins, that
by virtue of said deed the land was sold by the
said Jenkins in his lifetime for cash, and the
purchaser failing to comply with the terms of sale
the said Mark Jenkins was compelled to advance
the money to satisfy the deed in trust. That the
said ^{Mark Jenkins} Sometime after departed this life and the
said land was sold under a decree of this Court in
order to a division among his heirs at law, and
a certain John Davis (of whom your orator purchased)
became the purchaser. From a view of this statement

the Court will at once perceive that your orator
has not nor can he have a legal right to the
said land without the interference of this Court
Intender consideration whereof and in as much as your
orator is reminded in any other wise he prays that
Samuel Davis and Polly his wife late Polly Jenkins
one of the children of said Mark Jenkins and John
Davis and Elizabeth his wife another child of the
said Mark Jenkins and Caleb Ellis and
Margaret his wife late Margaret Jenkins another
child of the said Mark Jenkins and Nancy Jenkins
and Thomas Jenkins two other children of said Mark
Jenkins and and Sally Jenkins and John R.
Jenkins two other infant children of said Mark
Jenkins and by their guardians Mr Lane,
William Jenkins and John George be made
defendants here to and be compelled to answer
on their corporal oaths all and singular the
allegations herein contained as fully and
unvarnished as if the same were here again repeated
and they should more particularly interrogated
and more especially that they set forth
and say whether the statement herein submitted
is not true. And your orator further prays that
that the said several children of said Mark Jenkins

and together with the several defendants with whom
some of them have intermarried, in whom your orator
is advised is vested the legal title to said land
be compelled to execute to your orator a full and
sufficient title in fee simple to the same and your
orator prays that your worship would make such
other and further decree in the premises as may
be consistent with justice and equity and he
will &c.

Sept.

Branch 3

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vs

Davis &c

Spa in

(Chy)

To March 1813

Executed on John
Davis & Elizabeth
his wife, & Thomas
Sudkins

Sam Davis & wife
Caleb Ellis & wife
Nancy Sudkins Sally
Sudkins & John

R. Sudkins no
Inhabitants, Sam
Caherty for City of
James Geo. M.

The Commonwealth of Virginia to the Sheriff of Southampton
County Greeting you are hereby commanded to Summon Samuel
Davis & Polly his wife John Davis and Elizabeth his wife
Caleb Ellis and Margaret his wife Nancy Judkins, Thomas
Judkins, Sally Judkins and John R. Judkins, children of
Mark Judkins sec^d. William Judkins & John George to
appear before the justices of our county court of Southampton
on the third monday in march next to answer a bill in
chancery exhibited against them by Lewis Branch, And
that they shall in no wise omit under the penalty of
\$100 each And have there this writ - Witness
Samuel Kello clerk of our said court at his office the
24th day of February 1813 and 37th year of the
Commonwealth

Sam^l Kello
H

The Commonwealth of Virginia to the Sheriff of Sussex County Greeting you
are hereby commanded to Summon Samuel Davis and wife Polly, Caleb
Ellison and his wife Margaret, Nancy Judkins, Sally Judkins, John R
Judkins William Judkins and John George to appear before the
Justices of our county Court of Southampton, ^{at the courthouse on the 3rd Monday in June next} to answer a bill in chancery
exhibited against them by Lewis Branch and that they shall in
no wise omit under the penalty of £100 each And have then
these these writ Witness Samuel Keeler Clerk of our said Court at his
office the 4th day May 1814 and 38th years of the common.

James Rochelee D.C.
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Executed on Mrs. Jenkins, Nancy Jenkins, Samuel Davis
and his wife Polly, Caleb Ellis and his wife
Margaret and Sally Jenkins. Also George
& John H. Jenkins no inhabitants

W. E. Spitz deputy of
John W. W. W. W. W.

No 283.

Brando

W

Davis

Spitz

Chap

To Spitz Cont 1814