

1815-004

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BRITT etal vs. BRITT etal

3/1815

other surnames: Ritter,
Diggs

Brith 1^o

n. $\frac{3}{4}$ Bell

Brith 1^o

March 1873 order
of publications

James G. Thompson

In the worshipful Court of Southampton County in Chancery sitting.
Humbly complaining shew unto your worships your orators Benjamin
Britt and Merritt Britt, sons of Matthew Britt deceased, that the said Matthew
Britt departed this life, in the County of Southampton, on the day of
180, having first duly made and published his last will Testament
in writing, which was duly proved & admitted to record in the Court
of the said County on the 16th day of January 1809 - That among the
devises and bequests in the said will contained, the said Matthew Britt
devised ~~devise~~ the land and plantation, whereon he resided, to his
wife Catherine Britt during her natural life or widowhood, and
at her death or the expiration of her widowhood, devised the said land
and plantation to his four sons ~~to his four sons~~ Joseph Britt, Benjamin
Britt, Matthew Britt and Merritt Britt, in fee simple, to be equally
divided between them - as will fully appear by an attested copy
of the said last will Testament hereto annexed and to which your
worships are referred as a part of this bill - That the said ~~Matthew~~
Britt is not at this time an inhabitant of this Commonwealth, and
that your orators and their brother Matthew proceeded, some little time ago,
to have the said land divided according to the said will, leaving one equal
fourth part of the said land, for the said Joseph Britt, whenever he shall
return to this Commonwealth - that the said Matthew Britt sold the
fourth part of the said land, allotted to him in the above division, in fee
simple to a certain David Ritter, who has since sold the same in fee simple
to a certain George Diggs, a free man of colour - that the said division,
although believed to be equal and strictly just, was however made without
any decree of this Court or any other Court having Jurisdiction over the
subject, which, your orators are informed, leaves the said division
still exposed to investigation and controversy - In the End therefore that
the said Joseph Britt, Matthew Britt, David Ritter & George Diggs may be made Defendants
in this bill & be compelled on their corporal oaths to answer all &
singular the allegations ^{thereof} ~~of this bill~~ & that as fully as if the same were
repeated and they thereunto particularly interrogated - that
your worships will thereupon decree that the aforesaid land & plantation

be equally divided between your orators and the said Joseph Britt
& Matthew Britt - the share of the said Matthew to be allotted to the
said George Diggs - that any other decree be rendered, by your worship,
in this behalf, which upon the hearing may seem just & proper - that any other
& general relief may be granted in the premises, consistent with Equity,
& good Conscience - may it please the Court to grant the Commonwealth
writ of Subpoena, commanding &c, and as in duty bound your orators will
ever pray -

Wm. for Compl. &c