

1816-27

SOUTHAMPTON COUNTY
CHANCERY PAPERS

HARRELL vs VS. HARRELL

7/18/6

other surnames: Darden, Britt,
Cobb

Harrell &

n. 3 Bee &

Harrell -

Jan'y 1816 July Decra

E. & L. L. L.

James Britton

Robert Williams

Albington Jones

or any 3

rule

In the Worshipful Court of Southampton County in Chancery sitting -
Humbly complaining shew unto your worships your orators and
oratrixes Elisha Harrell, John Harrell, David Harrell, Patsy Har-
rell and Mary Harrell infant children Heirs of Elijah Harrell
deceased, late of the County of Southampton, by Jacob Darden
their next friends, that at the December term of this Court in the
year 1870, among other things it was decreed, that Jacob Darden,
Guthrie Gardner, James Britt and Fudine Cobb or any 3 of them
should allot & give unto a certain Sarah Harrell, widow & relict
of the said Elijah Harrell dec'd, one third part of the land of which
the said Elijah Harrell died seized, as he Dover therein, which
decree was carried into effect by the three first named of
the said Commissioners - as will fully appear by reference to the
said decree & the report of the said Commissioners thereupon,
upon the return of which it was made final, remaining of record
in the books of this Court & to which your worships are referred
as a part of this bill - Your orators & oratrixes are entitled
to the reversion of the said land allotted to the said Sarah Harrell
as he Dover as aforesaid, their sister Charlotte Harrell, who
was living at the date of the said decree having since departed this
life, an infant, intestate & without issue - And so it is, may it
please the Court, that the said Sarah Harrell is anxious to re-
move, and is willing to relinquish her said Dover interest
for the benefit of your orators & oratrixes, upon receiving a
reasonable part of the proceeds of the sale thereof, to be enjoyed ab-
solutely in lieu of her said Dover - Your orators & oratrixes believe
that their interest would be promoted by acceding to this proposition of their
mother - To the End therefore that the said Sarah Harrell, widow
and relict of the said Elijah Harrell dec'd, may be made defendant

to this bill I may answer all singular the allegations herein
contained & that as fully as if the same were herein again repeated
~~she~~ ^{she} thereunto particularly interrogated - that your worships
will thereupon decree that the said lower land (which, when sold,
would not yield a sum ~~equal~~ equal to one hundred dollars to each
of your orators oratrixes) be sold - that ~~such~~ such part of the
proceeds of the said sale be assigned to the said Sarah Harrell
absolutely, in lieu of her dower, as the Court may seem just
& proper, & the residue equally divided between your orators
oratrixes - that any other general relief be granted in the
premises, consistent with Equity & good conscience - May it please
y^r and as in duty bound, your orators oratrixes will ever pray &c

John P. P.

The Answer of Sarah Harrell, widow & relict of Elijah Harrell
du^y to the foregoing bill - The said Defendant saying
in answer thereto that the allegations in
the said bill contained are true - that she is willing to relinquish
her dower interest in the bill mentioned upon the terms therein
specified set forth - and she prays to be hence dismissed

(Signed) Sarah Harrell

Elisha Harrell, John Harrell, David Harrell, Patsy
Harrell, and Mary Harrell, infant children & coheirs
of Elijah Harrell deceased, by Jacob Darden, their
next friend

against

Sarah Harrell, widow and relict of the said
Elijah Harrell deceased.

Compl^t

In Chancery

Def^t

This cause was this day docketed by consent of parties and the appointment
of the Court and was heard upon the bill and the answer of the Defendant,
and was argued by counsel, whereupon the Court doth adjudge, order
and decree, that Etheldred Gardner, James Britt, Robert Williams and
Albington Jones or any 3 of them, do sell at public auction, ~~within~~
~~limit of 12 months~~, the parcel of land containing acres,
heretofore allotted out a part to the defendant Sarah Harrell, as her dower
in the lands of which her late husband Elijah Harrell did sever in the
County of Southampton - giving at least two weeks previous public
notice of the time and place of sale - that they make the said sale
on a credit of 12 months, except as to the sum of \$15, which the purchaser
is to pay in cash for the purpose of defraying the costs of this suit - that they take
one bond with approved security from the purchaser for one third
deducting therefrom \$5 of the above \$15,
part of the purchase money, payable to the defendant Sarah Harrell,
to be delivered to her as her absolute property - that they take another
bond with approved security from the purchaser for the other two thirds
deducting therefrom \$10 of the above \$15,
of the purchase money, payable to themselves, and divide the proceeds
of the said sale, when collected, equally between the complainants, taking
care to pay over the same to their guardian or guardians, if any they shall
then have, if not, to hold the same in their hands, subject to the further order of
this Court. It is further ordered that the said commissioners make a report of their doings
& doings in this behalf to the Court, in order to a final decree -

Hanell }
" } Int. J. Deere
Hanell }

Rep. & Ret. (and final
decrees by Consent July
15th 1816 ..

Em C

Southampton January Court 1816

Elisha Harrell, John Harrell, David Harrell
Patsy Harrell, and Mary Harrell, infant children
of coheirs of Elijah Harrell dec'd by Jacob Sanders
their next friends - - - - - Complainants
against

Sarah Harrell, widow and relict of the said
Elijah Harrell dec'd. - - - - - Defendant

In Chancery

This cause was this day docketed by consent of parties and the agent
of the court and was heard upon the bill and answer of the defendant,
and was argued by counsel, whereupon the court doth adjudges order
(and decree, that Ethelred Sanders, James Drott, Robert Williams
(and Abridgton Jones or any three of them, do sell at public auc-
tion the parcel of lands containing _____ acres, heretofore allotted
and set apart to the defendant Sarah Harrell as her dower in the
lands of which her late husband Elijah Harrell dec'd died in
the county of Southampton - giving at least two weeks previous public
notice of the time and place of sale - that they make the said sale
on a credit of Twelve months, except as to the sum of fifteen dollars
which the purchaser is to pay in cash for the purpose of defraying
the costs of this suit - that they take one bond with approved
security from the purchaser for one third part of the purchase
money (deducting therefrom five dollars of the above fifteen dollars
payable to the defendant Sarah Harrell, to be delivered to her
as her absolute property - that they take another bond with appro-
ved security from the purchaser for the other two thirds of the
purchase money (deducting therefrom ten dollars of the above
fifteen) payable to themselves, and divide the proceeds of the said
sale when collected, equally between the complainants, taking
care to pay over the same to their guardians, if any they shall
then have, if not, to hold the same in their hands, subject to
the further order of this court - It is further ordered that the
said commissioners make a report of their actings & doings
in this behalf to the court in order to a final decree

Teste James Pichelle &c

Hand
to
Hand

Commissioners
Report for the
Sale of Harb's Lane

In Obedience to a Decree of the County Court
of Southampton to us directed a copy where of
is here unto Annexed we the Subscribers have
set up & Sold. Ninety Three & one third Acres
of land ^{being} ~~it~~ that which was set apart to
Sarah Harrel as her Dower in the lands
of Elijah Harrel deceased and Henry
Gardner became the Purchaser for the
Sum of Two Hundred & thirty three dollars
& thirty three cents who ~~gave~~ ^{gave} ~~the~~ Bond
& Security agreeable to the above decree
given under our hands this 30th of Feb'y 1816

Ethelred Gardner
James Brith

Attest James