1820-008 SOUTHAMPTON COUNTY CHANCERY PAPERS JOHNSON VS. JOHNSON & al 7/1820

Plat

Johnson

vs

Johnson

Bill & Answer

Deposit

Nov. 1879 Int. & Cases

To the worshipful Court of Southampton in Chancery
sitting — Humbly complaining sheweth unto your
worships your orator Mildred Johnson widow and relict
of Pettaway Johnson dec'd. That her said husband died
seized in his demesne as of fee of and in the premises
in the bill of complaint mentioned having a last will and
testament which has been admitted to record, an attested
copy of which is here unto annexed and prayed to be taken
as a part of this bill. That your orator renounced in
due form all benefit which she might claim under
the will of her said husband, and is entitled to her dower
in all the lands of which he in his lifetime was seized —
Your orator states that the said Pettaway Johnson
was seized of two small tracts of land lying in this
County which he has devised to Joseph and Jesse two
of his sons
in which she has not had dower assigned her and in
which she is advised she cannot obtain her dower
without the aid of this Court. In tender consideration whereof
and in as much as your orator is remediless in the
premises save in this Court she prays that the said
Joseph & Jesse who is an infant may be made defendants
hereto and be compelled to answer all and singular the
allegations herein contained fully and unevasively
that further prays that dower may be assigned to her
in the lands aforesaid, and that this Court would grant
unto her such other or further relief in the premises which may
be right and proper, and as in duty bound she will
ever pray &c.

To the worshipfull Court of Southampton in Chancery sitting.

The answer of Joseph Johnson & Jesse Johnson an infant by his next friend Henry Johnson to the bill of Complaint exhibited against in this worshipfull Court by Millcah Johnson widow and relict of Pettaway Johnson decd.

These respondent saving and reserving to themselves all benefit of exception to any errors or imperfections in said bill contained for answer to such thing as they are advised is necessary for them to answer answering say. That they cannot gainsay the complainants allegations and that willing to abide by such decree as this Court may think it just to pronounce in the premises and having answered they pray to be hence dismissed &c.

Joseph Johnson
Henry Johnson
for
Jesse Johnson

Sworn
James Sergeant

Johnson ---- Plff

vs

Johnson --- Deft

In Chancery

This cause was this day docketed by consent of the parties and upon the Court and was heard on the bill answer, exhibits filed, and arguments of Counsel whereupon and after due consideration thereof had the Court doth adjudge order and decree that Jonathan Jr Dale Jesse Sanksfort, John H Chapman and William Jones or any of them do with the assistance of the County surveyor if the same should be necessary, lay off and set apart to the complainant Millcah Johnson by proper metes and bounds one third of the two lots of land lying in this County whereof Pettaway Johnson died seized hereto regard to value as to quantity and that they do assign the same to the said Millcah Johnson for and during the term of her natural life as and for her dower in the same. And it is further ordered that the before named persons, or such of them as may act, do make a report to this Court of their proceedings herein in order to a final decree —

Joseph H Johnson
Henry Johnson
for
Delsey Johnson

Johnson
vs
Johnson

Int. Decree

Southampton November Court 1819

Mildred Johnson widow and relict of Peterway Johnson Plt.

against

Joseph Johnson and Jesse Johnson infants by Henry Johnson Defts.

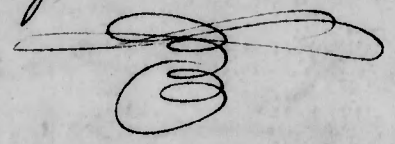
In Chy.

This cause was this day docketed by consent of the parties and a part of the court and was heard on the bill answer exhibits filed and arguments of counsel whereupon and after due consideration thereof had the court doth adjudge order and decree that Jonathan Slater, Jesse Lankford, John H Chapman and William Joyner or any three of them do with the assistance of the county Surveyor of the same should be necessary lay off and set apart to the compltt. Mildred Johnson by proper metes and bounds one third of the two tracts of land lying in this county whereof Peterway Johnson decd. died seized having regard to value as well as quantity and that they do assign the same to the said Mildred Johnson for and during the term of her natural life as and for her dower in the same, and it is further ordered that the before named persons or such of them as may act do make a report to this court of their proceedings herein in order to a final decree—

Copy Teste

James Rochelle Cl.

Report of the Widows
dower in the lands of
Percy Johnson dec.d
June 14.th 1820



July 17.th 1820 rept.
rec.d & ordered by
Court

Agreeable to an Order of the County Court of Southampton
to us directed bearing date Nov.r Court 1819
We the Undersign.d have gone on the Lands of Peterway
Johnson Dec.d attended with the County Surveyor as by
the Order of Court were required and have Surveyed the
Same; and (find) there to be in the Home Tract 68
Acres and the Other tract 66 Acres making in all
134 —— Acres —— We have further Proceeded to
Assign and Set apart to the Widow of the S.d dec.d
her One third part of s.d Land in manner and
form following (to wit) in the Home Tract 26 Acres
and bounded as follows Beginning at a White Oak
on the Side of the road a new C.r made in the Widows
dower: thence S. 79. W. 36 pole to a Small Branch; thence
along that Branch to Jn.o Ballards Milpond: thence down
S.d milpond to the mouth of another Small Branch; thence
up that Branch to a Cypress a new C.r made in S.d
Branch; thence along a new marked line N.o [redacted] running
between the Dwelling House and Kitchen to the first
Station: Containing 26 Acres being her One third part
of the S.d Home Tract of Land for life —— also
the Bounds of the ~~other~~ dower of the Other tract are
Bounded as follows (to wit) Beginning at a red oak
a new C.r in the dower line and in Samuel Corbells line

thence N. 57. W 74 pole to a pine a C. of Samuel Corbett thence N. 31. E. 30 pole to a pine thence N. 48. E. 30 pole to a small pine a new C. made in the above and in Jonathan Lutes line: thence along the line of new marked Trees S. 30. E. 80 pole to a pine a Variation in the above line thence S. 15. W. 22 pole to the first Station containing 22 acres being the above for life of the widow of the Said . Given Under Our hands this 14th day of June 1820

Jonathan Lutes

California

Jno Lankford

W Chapman.

Platt of the Town
Tract of Land of
Pettway Johnson dec.
68 acres

This done by the magnetic
meridian Var. N. 1/2. E

James Jones Surv.

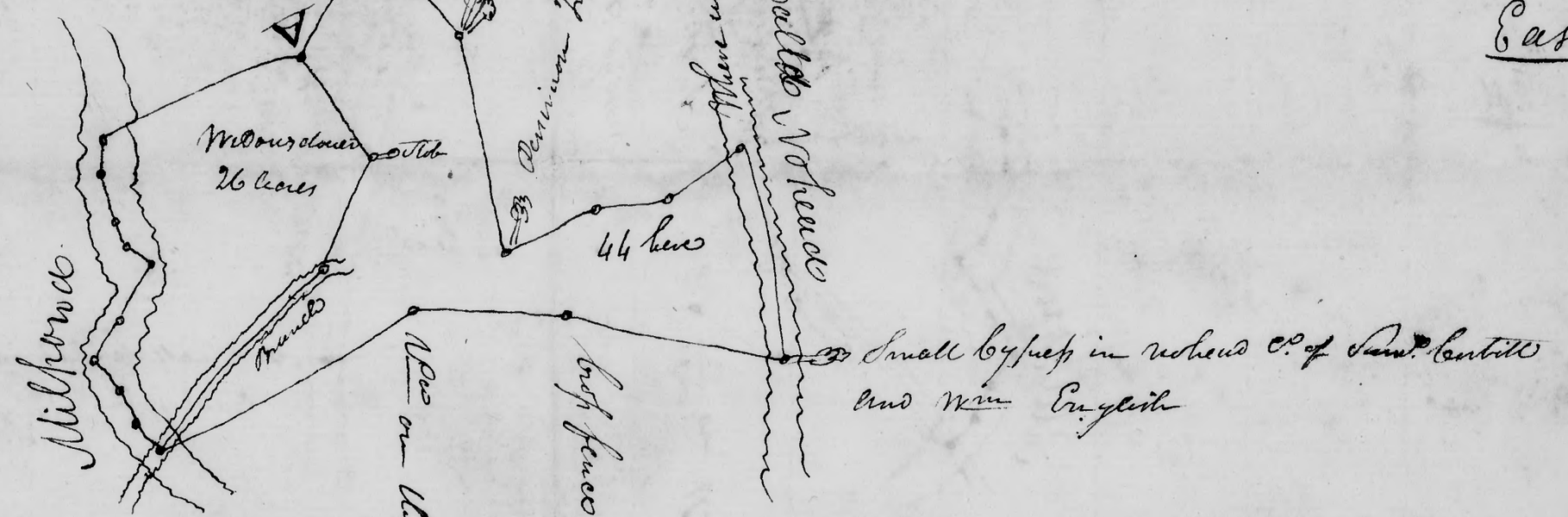
Laid down by a Scale of
40 poles in an Inch

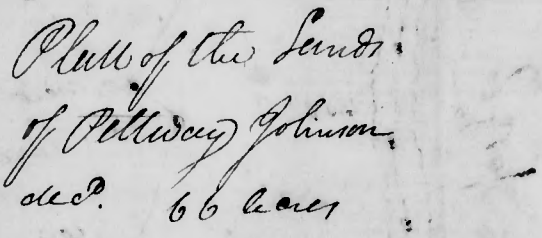
North

West

East

South

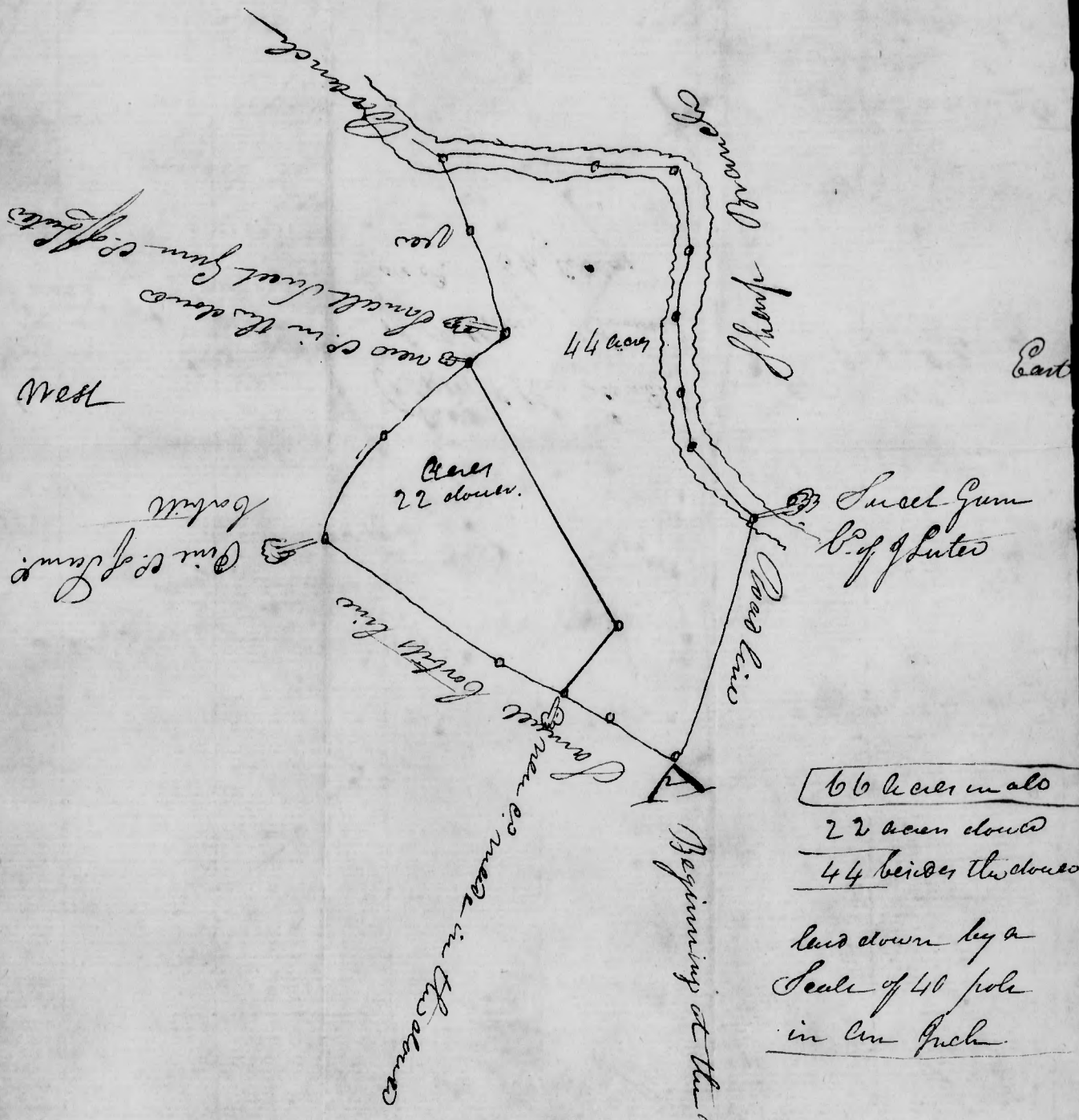

Beginning at the Birch on the road by
White Oak in the corner.
Pine
Pine
at a Ditch
Sweet Gum and Lin Oak in fence
Pine
Pine
Pine


Plat of the Lands
of Pelleg Johnson
dec'd 66 acres

North

This done by the magnetic
Meridian Vars. N. 1/2 East

James Jones Esq



66 Acres in all
22 acres clouds
44 beides the clouds

Land drawn by a
Scale of 40 pole
in an Inch

In the Name of God Amen— I Dillway Johnson of the State of Virginia County of Southampton & Parish of Nottoway Being Weakly of Body but of Sound mind and memory— Thank God, do make my own Will and Testament in manner and form following (To Wit) —— - - - -

Item 1st I give and Bequath unto my Son Joseph H Johnson my Land and Plantation Commonly call'd the old place Containing Thirty Six Acres more or Less, By paying unto my Son James C Johnson the Sum of fifty dollars on his arival to the age of twenty one years, and if the S.d James C Should die under that age the S.d Sum of money to be paid unto my Son Timothy, also I give my S.d Son Joseph H Johnson one bay Horse & one Small Trunk unto him and his Heirs forever with the privilidge of four years with his Labour to Draw one third of the profits of my Orchard and Still for the purpose of raising S.d Sum of fifty Dollars ——— - ——

Item 2.nd I Lend the use of my Land and plantation Where on I now Live unto my loving Wife During her widowhood or natural Life with all and Every other Article of my Estate provided however that She Keep my Children to geather untill they Shall dispose of themselves By marriage, But if She Should marry again I will that She be Thirded and the Ballance rented and Sold for the Benifit of my Childrens - - - ———

Item 3.rd I give & unto my Daughter Eliza Johnson one Feather Bed and furniture and one Flax Wheel and hackle unto her and her Heirs forever ———

Item 4.th I give & unto my Daughter Jinsey Johnson one Feather Bed and furniture & one Large painted Chest with Six puter plates unto her and her Heirs forever ———

Item 5th I give & unto my Son Jesse H Johnson at the Death or Marriage of my Wife Mildred the Land and plantation I Live on with my Still By paying unto my Son Timothy the Sum of fifty Dollars on his arrival at the age of Twenty one years and if the S.d Timothy Johnson Should die under that age the S.d Sum of Money to be paid to my Son James C Johnson also I give unto my S.d Son Jesse H Johnson one Apple mill and Press unto him and his Heirs forever - - -