

1826-002

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BUTTS et al VS. JONES and Wife

3/1826

PLAT

other SURNAMES: Ellis

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SOUTHAMPTON COUNTY
CHANCERY PAPERS

BUTTS etc. VS. JONES and Wife

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Butts etc
in { Bill
Impr { Ans^r &
Deer

Dec^r 1825 Int^y Deere

Feb^y 1826 - Int^y Deere

To the worshipful the County Court of Southampton in
Chancery sitting. Humbly Complaining shew unto your
worships. your orator & oratrices Debut Butts Martha Butts
& Rebecca Butts who are infants sue by their next friend
James Ellis. That James Butts their father departed this
life in October 1817 intestate leaving a widow Martha
J Butts & four children your orator & oratrices and
Eliza Butts who has since died intestate an infant &
unmarried. That the said James Butts left the tract
of land on which he died containing by estimation
two hundred & two acres. That the said Martha
J Butts the widow qualified on his administration &
has since remarried with a certain Edward W
Jones. That now division or allotment of dower
has been since made. That after the assignment
of dower shall have taken place the shares of the
compts will not amount as it is believed to the value
of three hundred dollars each. That it is wished that
the said dower in the said land may be allotted to
the widow & the remainder & residue be sold for over
to a division among the compts. To the end therefore
it is prayed that the said Edw^d W Jones & Martha J.
his wife late Butts be made depts hereto & compelled

to make true & perfect answer hereto. that your worship
appoint fit & proper persons to carry into effect the Provs
of this bill & grant general relief. &c. & as in duty so.

James Elly next friend
to the inf^t couple

The answer of Edward Le Jones & Martha J. Jones his
wife to the bill of complaint exhibited against them
in this worshipful court. by Robert Butts and others
• Their respondents, saving & reserving &c for answer thereto
or such part thereof as they are advised it is material
for them to answer. say that they admit the truth
of the allegations in the said bill contained & have
no objection to such decree as the Court may think
proper to pronounce. Shewing fully answered pray to be
desisted &c.

Edw^d Le Jones
Martha J Jones.

Butts &c } In Chy } Decree
Jones &c }

This Cause this day came on to be heard
on the bill & answer whereupon the Court with ad-
vice & decree that. Mess^{rs} Messrs John Brown
Barham Brown & Saml Barham or any three of them

appointed by the County Surveyor. lay off & allot to Martha
J Jones her dower in the land of which her former de-
ceased husband James Butts died seized. and the other two thirds
together with the reversion in the one third so allotted sell
to the highest bidder after giving reasonable notice of the
time & place of sale on a credit of twelve months & if
the purchaser take three lands with good security, &
allot one of them to each of the infants of the said James
Butts. Set Robert Martha & Rebecca Butts by their common
law guardian if any & if none then ^{return them to} to the Court together
with their report in order to a final decree. —

Butler Jr.

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Jones Jr.

Ant. J. Deane

April 1826 Rep^t - Rpt. of General

Deane

Southampton February Court 1826

Robert Butts, Martha Butts & Rebecca Butts
who are infants and sue by their next friends
James Ellis

Comptts

against

Edward M. Jones and Martha Jones his wife

Defendants

In Chancery

This cause this day came on to be heard on the bill and answer whereupon the court doth adjudge order and decree that Benj^d Hine, John Browne, Barham Mason and Samuel Barham or any three of them assisted by the county surveyor. lay off and allot so much as I Jones her acres in the land of which her former sec^d husband James Butts was seized and the other two thirds together with the reversion in the one third so allotted sell to the highest bidder after giving reasonable notice of the time and place of sale on a credit of Twelve months and of the purchaser take three bonds with good security and allot one of them to each of the infants of the said James Butts Sect. Robert, Martha & Rebecca Butts by their commonlaw guardians if any and if none then return them to this court, together with their report in order to a final decree -

Attest

James Lochell Esq.

LS. 718

Butt^y & In ch^y. } This day the cause came
on to be heard. by consent. and is not
appearing to the satisfaction of the Court. that
the share of the capt. emphy. was worth less
than \$300. It is therefore ordered that. David Barkham
& Barkham. be appointed Comm^{rs}. to examine
into the value of the land in controversy & report
to the Court. in order to a decree. —

Recd of Barham Wrenn and Benj. Hines
two of the Commissioners named in the annexed
decree. The sum of nine hundred and fifty two
dollars in four separate bonds, three, of two hundred
and eighty four dollars 91.^{cts} and one of ninety seven
dollars 27.^{cts}. which last named bond is for the amount
of expence as pr. account.

31st March 1826

Sam. Barham Guardian



Beginning at a red oak on the bank of Hottoway river thence up along the bank of S. river to a red oak a corner between between Mrs. Betia Champlin and S. tract. thence along S. Champlin's line S. 82. 30. W. 64 p. to an elm. thence S. 88 W. 18 p. to a white oak. thence S. 85 W. 12 p. to a white oak. thence S. 87. 30. W. 26 p. thence S. 85 W. 11 p. thence S. 86. W. 86 p. to a red oak thence S. 74. W. 18 p. to a white oak. thence S. 67. 30. W. 33 p. to a hickory. thence S. 63 W. 36 p. to a corner maple in the spring branch. thence down the various courses of S. branch to a sweet gum. thence S. 17. W. 28 p. to a black jack oak. thence S. 15 W. 16. 6 p. to a black jack oak thence S. 12. E. 24 p. to a black jack oak. thence S. 17. E. 59 p. to the racoon swamp. thence down the various course of S. swamp to the beginning Dover line. beginning at a stake. thence S. 10. E. 58. 6 p. to a sapafra. thence S. 20. W. 126 p. to the racoon swamp. Geo. H. Gray, Surveyor of Loud. Co.

Pursuant to a decree of the County Court of Southampton, bearing date the 20th day of Feb'y. A. D. one thousand eight hundred and twenty six. We the undersigned Commissioners did, on the 22nd day of March, aided by the County Surveyor, proceed to set apart, and assign to Mrs. Patsy Jones, her dower, in the tract of land belonging to the estate of her deceased husband James Butts. And on the 31st day of March, did, also proceed to expose to public sale, to the highest bidder, on the premises, on a credit of twelve months from the day of sale, the s^d tract of land, subject to the dower right of Mrs. Patsy Jones during her natural life.

of which James Cooper became the purchaser for the sum of nine hundred and fifty two dollars. We have therefore granted to him such a title to the s^d tract, as we were authorized, as Com-

missioners. he having inter'd into four separate bonds, three of two hundred and eighty four dollars 91^{cts}. each. and one of ninety seven dollars 27^{cts} which last named bond is the amount of expence attending on dividing and selling s^d land as per account. which three first named bonds we have allotted one to each of the infants as required by the decree, by their Guardian, whose receipt accompanies this report and with it is respectfully submitted to the Court

Sam^l Barham

Barham Wren.

W. Hines

Commissions on selling . . .	17. 60
Attendance two days . . .	30. 00
Surveyor's fee . . .	15. 67
Chain carriers two days . . .	4. 00
	\$ 97. 27