

1844-042

SOUTHAMPTON COUNTY
CHANCERY PAPERS

POWER et al vs. POWER

12/1844

other surnames: Claud, Powell,
Bryant

Powell

v. { Bell & Ans

Powell &

1821, 4. Dec. Dece as filed &c.

Powell et al	{	Bice
vs		Ans
Powell		&
		Dece

To the Worshipful County Court of Southampton
in Chancery. Sitting -

Humbly complaining sheweth unto your
worships, your Complainants. Richard E. Powel
John Eldred and Margaret his wife. Benjamin
W. Powel James T. Powel. John H. Powel and
infant and William H. Powel an infant by
James D. Bryant their next friend. that by
the death of their mother Anna Powel they
with their brother Joseph B. Powel became
entitled to a small tract or parcel of land
of about 194 acres, which to them is
unproductive and is so situated that it
can not be divided in kind - they are
anxious for a division of the same by sale.
which they are advised can be done as the
divided interest of the legatees will not
Command \$300-00 - But they are further
advised that this can only be effected
by the interposition of a Court of Equity, they
therefore as they are remediless at law
and only relievable in equity pray the
Court to appoint a special Commissioner
to make sale of sd land - and do all
other things necessary to accomplish the
same - and they will ever pray -
R & G

The Answer of Joseph B. Powel

This Respondent saving to himself all
benefit of just exception to the above
bill, for answer says. That the allegations
of sd bill are true and that he has no
objection to the decree prayed for, and
having answered prays to be hence dismissed

R & G.

Powel et al. }
vs } Decree
Powel }

This day this Cause was docketed and came on to be heard on the bill and answer and was argued by Counsel, On consideration whereof the Court doth order, adjudge and decree, that Joseph B. Powel be appointed a Commissioner of this Court, that he be authorized after due notice of the time & place of sale, to sell the lands held by the late Mrs Anna Powel as Dowry upon the following terms, 1st For so much money as will pay the cost of this decree, which he is to receive on the day of sale, 2^d For the balance, a credit of nine months to be allowed, the purchaser executing seven bonds with good security, one of which is to be assigned by the Commissioner to Richard B. Powel, one to John Blaud in right of his wife Margaret, one to Benjamin W. Powel, one to James T. Powel, one to the Guardian of John H. Powel, one to the Guardian of William H. Powel and 3^d Commissioner retain the other bond in his own right and report to the Court in order to a final decree