

1849-126 SOUTHAMPTON COUNTY
CHANCERY PAPERS

HOLT et al vs. STORY

12/1849

other surnames:

Daughtry, Clary, Edwards,
Sikes, Spivy, Wilson,
Furquson, Williams, More,
Furgason, Moore,

Story

~ } Bill & Ansr.

Story

1848 Feby. Deere as filed

1849 Nov. Report

" Dec. " Confm?

letts fees paid

Story { B. A. &
Mr } Deere.
Story }

To the Worshipful County Court of Southampton
in Chancery. Humbly complaining sheweth unto
your worships, your **compells**. Jane Holt in her own
right. Thomas N. Story, Benja^r E Daughtry & Harriett.
his wife Eldridge & H. Blay & Martha his wife. Grace
Edwards & Emeline C. his wife. Ira B Pikes & May his wife
Henry Sping & Louisa J his wife & Samuel Story heirs of
Isaac Story decd - William J. Wilson, Polly Fergusson
and Rebecca J & Martha E. Wilson Infants Children of John
Wilson by Jonathan Darden next friend - heirs of Margaret
Wilson decd - Elliot L Story Elijah Williams & May
his wife George Moore & Nancy his wife. Elizabeth
M Story, Martha F Story & Benja^r F Story. That
by the death of Polly Story, a sale of the lands
is necessary for a division, and your **compells** represent
that this can only be done by the intervention
of a Court of Equity - they further state that
the lands cannot be divided in kind and that
the shares will not amount to \$300 - they
therefore pray this Court to appoint Comrs to
make and sale and pray that Zachariah Story
may be made a party ~~deft~~ ^{next} friend and be
required to answer this bill -

Rt G. for **compells**

Answer of E Story.

This Respondent for answer says
that the facts set forth in the answer are
true & therefore he has no objection to the
decrees prayed for and having answered prays
to be hence dismissed.

Story

or
Story } Decree

This day this cause was docketed by leave of Court and Consents of parties 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 Thomas B. Worrell and John E. Beale be appointed Commissioners for the purpose of selling to be highest bidder the land of the late Polly Story. upon the following terms. So much Cash as may be necessary to pay the Cost of this decree, the billancer on a credit of nine months. That they take bonds as follows, One bond for one fifth and assign the same to Zachariah Story. One for one fifth and assign the same to Jane Holt. One for one seventh of one fifth and assign the same to Thomas N. Story - One for like amount & assign to Benja E. Doughty in right of his wife. One for same amount and assign to Eldridge & N. Blay in right of his wife. One for same amount & assign to Willie Edwards in right of his wife. One for same amount & assign to Ira B. Likes in right of his wife. One same amount & assign to Henry Spring in right of his wife and one other same amount and assign to Samuel Story (heir of Jesse Story). One bond for one third of one fifth and assign the same to William G. Wilson. One for same amount and assign to Polly Furgerson and one other for same amount and assign the same to Jonathan Darden Guardian to Martha & Rebecca J. children of John Wilson (heirs of Margaret Wilson). One bond for one sixth of one fifth and assign the same to Elliott L. Story - One for same amount and assign to Elijah Williams in right of his wife - One for same amount & assign to George Moore in right of his wife - One same amount & assign to Elizabeth M. Story - One same amount & assign to John

of Martha & Story & one other bond same amount and assign to the Guardian of Benja & Story. And it is further ordered that the family burying ground & right of way there to be reserved - and it is ordered further that the title to said land be withheld till the purchase money is all paid - and so Comrs are ordered to report to this Court in order to a final decree -

Roll of

& { Les. Devine

Story

Southampton February Court 1848.

Jane Holt in her own right, Thomas N Story & others - Plffs

against
Zachariah Story

In Chancery
Defts

This day this cause was docketed by leave of the Court & consent of parties and came on to be heard on the bill & answer and was argued by counsel. On consideration whereof the Court doth a dydige, order, and decree that Thomas B Norvell and John E Neale be appointed commissioners for the purpose of selling to the highest bidder the lands of the late Polly Story upon the following terms - so much cash as may be necessary to pay the costs of this decree - the balance on a credit of nine months - that they take bonds as follows. One bond for one fifth and assign the same to Zachariah Story, one for one fifth and assign the same to Jane Holt. One for one seventh of one fifth and assign the same to Thomas N Story - One for like amount & assign the same to Benj. C Daughtrey in right of his wife. One for same amount and assign to Eldridge D N Clary in right of his wife. One for same amount and assign to Wiley Edwards in right of his wife. One for same amount and assign to Ira B Sykes in right of his wife. One for same amount & assign to Henry Spring in right of his wife. and other same amount & assign to Samuel Story (heir of Jesse Story) One bond for one third of one fifth and assign the same to William G Nelson. One for same amount & assign the same to Jonathan Darden guardian of Martha E & Rebecca J Children of John Wilson (heir of Margaret Wilson) One bond for $\frac{1}{6}$ of $\frac{1}{5}$ & assign to Elliott S Story. One for same amount & assign to Elizabeth Williams in right of his wife. One for same amount & assign to George Moore in right of his wife. One for same amount & assign to Elizabeth M Story - One for same amount & assign to guardian of Martha F. Story and one other bond same amount & assign to the guardian of Benjamin F. Story. And it is further Ordered that the family burying ground and a right of way thereto be reserved. And it is further Ordered that the title to said land be withheld till the purchase money is all paid. And said Commissioners are ordered to report to this Court in order to a final decree.

Letts costs \$2.38.

Attesty

Teste.

J R Edwards. lcl

Holt

to } Reps

Story

1849 November Term

Agreeably to a Decree of the County Court of Southampton, dated February Court 1848. We the undersigned Commissioners after advertising the time and place of sale, as directed by said Decree, did on the 29th day of February 1848. sell to the highest bidder on a Credit of nine months, the tract or parcel of land of which Polley Story died possessed. Containing by Estimation one hundred and ninety one Acres, more or less, and Benjamin E. Daughtry became the purchaser thereof for the sum of \$3.65 pr Acre, which amounts to - - - - - \$697.15

from which sum we have deducted for
 Lawyers fee, and paid him - - - \$10.00
 Clerks fee, and paid him - - - 2.38
 and retained as commissions - - - 12.623 25.00
 leaving a ballance of - - - 672.15

for which ballance we have taken Bonds from said Daughtry (except for his own share in right of his Wife.) with A. M. Howell, John M. Gurley, James Maquet, Robert G. Griffin Henning J. Smith, L. P. Nicholson and Job Holland, his securities and paid them over to the distributees as follows, to wit,

To Zachens Story one fifth part. - - -	\$134.43
" Jane Holt one fifth part. - - -	134.43
" William G. Wilson 1/3 of 1/5 part - - -	44.81
" Polley Furgason " " " - - -	44.81
" Jonathan Darden, Guardian for John Wilson's two children. - -	44.81
" Elliot L. Story 1/6 of 1/5 part - - -	22.40 1/2
" Elisabeth M. Story " " " - - -	22.40 1/2
" George Moore, in right of his Wife - - -	22.40 1/2
" Elijah Williams, in right of his Wife - - -	22.40 1/2
" Elliot L. Story, Guardian for Martha F. & Benj ^a F. Story	44.81
" Thomas N. Story 1/7 of 1/5 part - - -	19.20 1/2
" Samuel Story " " " - - -	19.20 1/2
" Ira B. Sikes, in right of his Wife - - -	19.20 1/2
" Eldridge D. N. Clary in right of his Wife - - -	19.20 1/2
" Henry Spivy in right of his Wife - - -	19.20 1/2

(turn over.)

To Willie Edwards in right of his Wife . . . 19. 20th
And said Benjamin E. Daughtry in right of his Wife 19. 20th
672. 15

Respectfully submitted to the Court.

Thos. H. Morrell Comm^r

John E. Beale