

1854-007

SOUTHAMPTON COUNTY
CHANCERY PAPERS

JOINER

VS

MOORE

et al

5/1854

Other surnames: Howell,
Goodman, Scott

~~35 28 17~~ #13.

Joyner

to } Papers

Goodman &c

1854 • May Dismissed

Jayner

to } State Rules

Goodman &c

Harrison Joyner
against

John Moore, Harriet Goodman, Peter Goodman, Maria Scott & John Scott her
husbands, Milly Howell & Emaline Howell

1851 Feby. 18. Bill filed. Summons & issued.

" March 20. Summons ret. Ex. on Dfts. Moore, Harriet Goodman, John Scott, Milly &
Emaline Howell. Decree nisi to Dfts Moore & John Scott.

" April " Bill taken for confessed as to Dfts Moore & John Scott.

" " (Last Monday) Cause set for hearing as to Dfts Moore & John Scott.

" Nov T. Leave for Dft Harriet Goodman to answer & Cause cont.?

1852 May Cont. 2

Nov Cont.

Harrison, John

as 2

John Albion Hall

Bill & Exchangers

1857 Feby 18th

To the Honorable Richard H. Baken Judge of the circuit
court of Southampton County in chancery sitting

Humbly complaining your complain-
-ant Harrison Jervis sheweth unto your Honor that on
the 30th of June in the ^{year} 1849 Anthony M Howell made a
certain deed of Trust or settlement to John Moore as Trustee
for the benefit of Emma Howell his wife, that the
said deed recites the fact that whereas the said Anthony
M Howell and his wife the said Emma could not
live in peace owing to unhappy domestic differences
that they had mutually agreed to live separate and
apart and that the said A. M Howell being willing to make
provision for her support during her lifetime in consideration
of her relinquishing all interest in his estate both real and
personal, the said Anthony M Howell conveyed to John
Moore as Trustee a tract of land lying in Southampton
County containing about one hundred and twenty acres
also a negro woman slave Judy and her ^{three} children and
their increase together with furniture, hogs, corn &c &c
to hold in Trust for the benefit of the said Emma
Howell permitting her to hold and enjoy the profits arising
from the land the increase of the stock and labor of
the slaves the said profits to be disposed of as she might
direct, that he was to hold the said property in Trust for
the benefit of the said Emma Howell during her life
and at her death the said property was to be made
over to the daughters of the said Anthony M Howell to
wit Harriet Goodman, Maria Scott, Emily Howell and
Emeline Howell, or the children of such as might die
previously. All of which will more fully appear by a
certified copy of the said deed of Trust or settlement herewith
filed marked A and prayed to be taken as a part of this
bill,

Your complainant further sheweth unto your

Honor That Emma Howell for whose life the said John Moon was directed to hold the said property has very recently departed this life and your complainant is advised and charges that the said property conveyed by the said deed at least the land and negroes is now vested by the terms of the deed in Harriet Goodman, Maria Scott Milly Howell and Emeline Howell the persons to whom it is directed to go at or after the death of the said Emma Howell, your complainant further sheweth that Harriet Goodman who before her marriage was Howell is at this time married to one Peter Goodman and that Maria Scott who before her marriage was Howell is at this time married to one John Scott

Your complainant further shews to your Honor that on the 23^d day of June in the year 1848 Harriet Goodman and Peter Goodman her husband executed this note in writing to your complainant for the sum of one hundred dollars for value received your complainant states that the said Harriet Goodman is his niece that several years since she intermarried with the said Peter Goodman, that the said note was executed to him by the said Harriet Goodman and her husband for money actually lent and advanced to her to relieve her pressing wants, that she came to him in deep distress stating that unless he would lend her money she must suffer, that moved and touched by her distress and by principles of humanity and kindness he lent the sum of one hundred dollars to the said Harriet Goodman for which she together with her husband Peter Goodman executed this note to your complainant for the sum of one hundred dollars as above stated which note is herewith filed marked IB and prayed to be taken as a part of this bill

Your complainant is advised and charges that the property conveyed by Anthony M Howell to John Moore

as trustee for the benefit of Emma Howell and her daughter and which has now come to the said children by the death of the said Emma Howell is liable for the debts of the children that the interest which Harriet Goodman and Peter Goodman her husband has in the said property is now vested in them and liable for his debt, that even if this property should be considered the separate estate of Harriet Goodman which your complainant does not admit yet he believes and charges that it should be subject to the payment of this bond or note, which was for money lent and advanced to Harriet Goodman alone to keep her from suffering and to which her husband became her security

In tender consideration whereof and inasmuch as your complainant is without remedy at law and only entitled to relief in a court of equity where such matters are peculiarly cognizable he therefore humbly prays that John Moore, Harriet Goodman, Peter Goodman Maria Scott and John Scott her husband and Milly Howell and Emeline Howell the last two of whom are infants of tender years by some fit and proper person their guardian ad litem appointed for that purpose may be made parties defendants to this bill and answer the allegations therein as fully and unreservedly as if they had been summoned more fully and specially interrogated, that John Moore the trustee state in his answer what he thinks is value of the property conveyed by the said deed and what is the value of the property now and what is the value of the interest which Harriet Goodman and Peter Goodman own in the said property, and that your Honor would decree that the bond or what may be found due upon the said bond may be paid out the portion ^{or} the property which may be belong to Harriet Goodman and Peter Goodman now in the hands and possession of John Moore the trustee

and that the court would grant such other and general
relief the premises considered as equity may dictate and
the nature of his case may require and as in duty bound
your complainant will ever pray we

Shanda J. J.

The Sheriff will attach the estate of the Defendants Peter Goodman
& Harriet Goodman in the hands of the Defendant John Moore, or the
debts due to or to become due to them by the other defendants or either of
them.

Juste L.R. Edwards Gk

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon *John Howe. Harriet Goodman*
Peter Goodman. Maria Scott. & John Scott. Milly Howell &
Emaline Howell

to appear at the Clerk's Office of our Circuit ~~Superior Court of Law and Chancery~~ for the County
of Southampton, at the Rules to be holden for the said Court on the first Monday in *March*
next, to answer a Bill in Chancery exhibited against *them* in the said Court by

Harrison Joyner

And unless ~~shall answer the said Bill within four months thereafter, the Court will take~~
~~the same for confessed, and decree accordingly.~~ And this *they* shall in no wise omit, under
the penalty of £100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk
of our said Court, at the Court-house, the *18th* day of *February* 1851, in the
7th year of the Commonwealth.

L R Edwards

[One Copy to be delivered each Defendant.]

The Sheriff will attach the estate of the defendants Peter Goodman &
Harriet Goodman in the hands of the defendant John Moore or the
debts due to or to become due to them by the other defendants or either
of them -

Teste. L R Edwards 66

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon

*John Moore, Harriet Goodman,
Peter Goodman, Maria Scott and John Scott, Milly Howell*

Emaline Howell

to appear at the Clerk's Office of our Circuit ~~Superior Court of Law and Chancery~~ for the County
of Southampton, at the Rules to be holden for the said Court on the first Monday in *March*
next, to answer a Bill in Chancery exhibited against *them* in the said Court by

Harrison Joyner

And unless ~~shall answer the said Bill within four months thereafter, the Court will take~~
~~the same for confessed, and decree accordingly.~~ And this *they* shall in no wise omit, under
the penalty of £100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk
of our said Court, at the Court-house, the *18th* day of *February* 1851, in the
75th year of the Commonwealth.

L R Edwards

[One Copy to be delivered each Defendant.]

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon

*John Moore, Harriet Goodman
Peter Goodman, Maria Scott, & John Scott, Mary Howell
& Emeline Howell*

to appear at the Clerk's Office of our Circuit ~~Superior Court of Law and Chancery~~ for the County
of Southampton, at the Rules to be holden for the said Court on the first Monday in *March*
next, to answer a Bill in Chancery exhibited against *them* in the said Court by

Harrison Joyner

~~And unless~~ shall answer the said Bill within four months thereafter, the Court will take
~~the same for confessed, and decree accordingly.~~ And this *they* shall in no wise omit, under
the penalty of £100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk
of our said Court, at the Court-house, the *18* day of *February* 1851, in the
75th year of the Commonwealth.

L. R. Edwards

[One Copy to be delivered each Defendant.]

The Sheriff will attach the estate of the Defendants Peter Goodman
Adams Goodman on the hands of the Defendant John Moore or the
debts due to or become due to them by the other Defendants or either
of them

John
J. H. E. Adams to be

✓
Dwyer

Sp^a. Chs

Moore & P

1851 March Rules

Entered on
Jno Moore Harriet
Goodman Jno Scott.
Milley & Emeline Howde
James A Gillett
Duty of the Myrarch Yaff

Joyner

to { app.

Baudman y

Southampton County to wit

This day Harrison Joiner.

personally appeared before me a justice of the peace for the said county and made ^{oath} that Peter Goodman and Harriet Goodman are justly indebted to him in the sum of \$100 due by note dated 23^d of June 1848 subject to a credit of \$30.⁰⁰cts the 11th of July 1850 and of \$25.⁰⁰cts the 13th of July 1850 and that he fully believes that the said Peter and Harriet Goodman will remove as soon as they possibly can all the property which they own out of the state so that process of execution cannot be laid upon it given under my hand and seal this 18th day of February in the year 1851

Wm P. N. Hulme ^{Dea}

Jayner

Ex: with bill

Goodman & Co

This Indenture made and entered into this 30th day of June 1849
between Anthony M Howell of the first part John Moore of the second part and
Emma Howell of the third part Witnesseth that whereas the said Anthony M
Howell and Emma Howell owing to unhappy ^{domestic} differences which render it almost impossible
that they can live together in peace and harmony have mutually agreed to live
separate and apart, and the said Anthony M Howell being willing to
make provision for his wife, and for the further consideration that she shall
which she does hereby relinquish all her right title and interest which she now
hath or hereafter may have to any portion of his estate whether real or personal
either as dowry or as distributree or in any other manner or any claim on him
or his estate for future maintenance and support as well as for the further sum of
one dollar to him in hand paid by the said John Moore trustee as aforesaid hath
given, granted sold and conveyed and by these presents doth give, grant, sell, convey
and make over to the said John Moore the following property to wit the tract of land
lying in the County of Southampton on which the said Emma Howell now resides
known as the old place containing about 120 acres be the same more or less adjoining
the lands of Elizabeth Johnson and others it being the tract of land owned by
the said Emma at the time of her intermarriage with the said Anthony M
Howell together with all the buildings and improvements thereon and the appur-
tenances of every kind thereunto belonging (with the exception of one acre on
which the still house and fixtures are situated with free ingress and egress all
his existing rights title and interest to which is hereby reserved to the said Anthony
M Howell) also all the household and kitchen furniture of every description, and
the stock of hogs, cattle and sheep now on the said tract of land, also one good
work horse worth not less than \$30. one sow and pigs, one ox, one cart & gear
and one plough and gear, also twenty barrels of corn and 3000 pounds of fodder
to be delivered by the said Anthony M Howell on the said tract of land,
also one African slave, Judy, & three children and their increase to him the
said John Moore his heirs and assigns forever To have and to hold the said
property free from the claim or demand of him the said Anthony M Howell
And the said Howell for himself his heirs Exors admors and assigns doth hereby
covenant and agree that he will not in any way set up any claim to the property
hereby conveyed, being in part the property which he the said Anthony M Howell
got by his intermarriage with the said Emma his wife nor to any property

which she the said Emma may hereafter in any way acquire. And the said John Moore and Emma Howell do hereby covenant by and with the said Anthony M Howell that she the said Emma will not claim or demand from the said Anthony M Howell or his heirs or assigns any part of his money or property which he now has or may hereafter in any acquire. But that it is understood and mutually contracted by the said Anthony M and Emma his wife that they shall live separately and apart and neither is to exercise any control or authority over the person or property of the other neither that which they now have or may hereafter acquire. And the said John Moore does hereby covenant and agree to hold the said property in trust for the sole use and benefit of the said Emma Howell during her life subject to her management and control. the profits of the said tract of land and the increase of the stock to be disposed of as she may direct and to be made over after death to the daughters of the said Anthony M & Emma Howell to wit. Harriet Goodwin, Maria Scott, Molly & Emeline Howell or the children of such as may die previous thereto. In Testimony whereof the parties have hereunto set their hands and seals the day and year first above written.

A. M. Howell (Seal)

^{her} Emma Howell (Seal)

^{mark} John Moore Junr. (Seal)

Southampton County. In the Clerks Office the 5 day of July 1849.

This deed of Separation and conveyance between Anthony M Howell of the first part John Moore Junr of the second part and Emma Howell of the third part was acknowledged by said A. M. Howell and admitted to record.

Teste J. R. Edwards Ck

A. C. Jones

Teste J. R. Edwards Ck

\$100 One day after date I promise to
pay to Mr. Harmon Jones or order the sum of
one hundred Dollars for Value Received
as witness my hand & seal this the 23. day of June
A.D. 1848

Witness
W. Laster
Vice tain
Jane Goodman

Peter Goodman
Harriet Goodman

May 16th 1830 by cash in
part \$20.04

July 15th 1830 by cash in part \$25.93