

1854-017 SOUTHAMPTON COUNTY
CHANCERY PAPERS

BARRETT VS. BARRETT & al

4/1854

other surnames: Jones,
Murfee

Barrett

vs

Barrett's

Bill & Answer

1853 Dec. Decree as filed

1854. Mar. Report

" Apr. " Confm?

To the worshipping County Court of Southampton
County - in Chancery.

Humbly complaining sheweth unto
your worships your oratrix Sally Barrett widow
of Benjamin T. Barrett deceased that her said
husband departed this life during the last year
sajid at the time of his death of a certain
tract of land containing three or four hundred
acres, the same on which he resided at the
time of his death. Your oratrix represents
also that her said husband did some
few months before his death, execute &
a deed of Trust to one C. S. Jones, which was re-
corded in the clerk's office of the County Court of
Southampton County on the 13th August AD 1853,
by which he conveyed a tract of land known
as the old Barrett place, containing about four
hundred & sixty six acres, and bounded by the
lands of Elizabeth Thomas & others, to and in
which deed of trust your oratrix never made
any relinquishment of her right of dower in and
to the said tract of land. She is therefore advised

that she is still entitled to claim dower in the
said tract of land — But she is perfectly wil-
ling that the whole of her dower should be
assigned her in one body and that out of the
tract on which her said husband died at the
time of his death, provided that the value of
her dower in the first tract mentioned
shall be also taken into consideration.

Your orator therefore humbly hopes
that your worship would make a decree ap-
pointing proper persons as commissioners to assign
to her such quantity of land as may be just and
equitable as her dower — that your worship would
make the following* (her children all of whom are
under age) by a guardian ad litem; parties depen-
dant to this bill and compel them as full and per-
fect answer make to the allegations therein con-
tained as if they had &c — and do all other
things the premises requiring, as equity may
dictate and the nature of the case may
require — and as in duty bound, she will
ever pray &c.,

* Elizabeth A Barrett — Louisa — William F — John A — Leonidas — Lewis
H — James C — Lucillius — Richard D — Charles
H — and Newton A Barrett.

Separate answer of Elizabeth A Barrett —
Louisa — William F — John A — Leonidas — Lewis
H — James C — Lucillius — Richard D — Charles
H and Newton A Barrett, by their guardian ad
litem L R Edwards, to a bill filed against
them by Sally Barrett.

These respondents, moving &c;
say that they have no objection to the decree
moved for and having answers, may to be
herein assigned.

Henry S

Barrett
v-1
Barrett's } Deere

1853 Deere Deere as filed

1854 Mar. Report.

Southampton County Court

December Term 1853

Barnett }
vs } Decees
Barnett's }

This day this cause was docketed by leave of Court and Consent of parties, and was heard on the bill and answer and the arguments of counsel — On Consideration whereof the Court doth order, adjudge and decree, that Thomas B. Norrell, Robert Barnes, Harrison P. Pope & Bayly D. Hindred, be and they are hereby appointed Commissioners for that purpose (any three of whom may act) that they assign to Sally Barnett, widow of Benjamin T. Barnett deceased, as her dower, one part third in value of the whole real estate of which her said husband died seized. The said Commissioners, in making the said assignment of dower, are directed to take into consideration the tract of land lately conveyed, by a deed of trust, by the said B. T. Barnett, to Calvert D. Jones (Trustee) for the benefit of William Murfee, and known as "the Barnett place"; to which deed of trust the said Sally Barnett was not a party.

And the said Commissioners are further ordered to report to this Court that a final decree may be made.

12.

Barrett

2 } Co. David

Barrett

Southampton County Court. December Term 1853.

Barrett

v.

Barrett

Plff

Def

} In Chancery

This day this cause was docketed by leave of Court and consent of parties and was heard on the bill and answer and the arguments of counsel - On consideration whereof the Court doth order, adjudge and decree that Thomas B. Norrell, Robert Barnes, Harrison P. Pope, & Benjamin B. Kinch, he and they are hereby appointed Commissioners for that purpose (any three of whom may act) that they assign to Sally Barrett widow of Benjamin B. Barrett dec'd as her dower, one part third in value of the whole real estate of which her said husband died seized. The said Commissioners in making the said assignment of dower, are directed to take into consideration the trust of land lately conveyed by a deed of Trust, by the said B. B. Barrett to Robert D. Jones (Trustee) for the benefit of William Murfee, and known as "the Barrett Place" to which deed of trust the said Sally Barrett was not a party - And the said Commissioners are further ordered to report to this Court that a final decree may be made.

Attest

Geo. L. Edwards Clk

1854 *Nat.*
Lang.

Agreeably to a Decree of the County Court of Southampton bearing date December Term 1853, we the undersigned Commissioners appointed by said Decree, have assigned to ^{att^{rs}} Sally Barrett as her Dower in the lands of her late husband, Benjamin T. Barrett, a certain part of the tract of land whereon said Benjamin T. Barrett resided at the time of his decease, including the houses, and supposed to contain about two hundred Acres, which we consider to be equal in value to one third part of all the lands of said B. T. Barrett, dec^d, including the tract of land conveyed by a Deed of Trust by said Benjamin T. Barrett to Calvert D. Jones trustee, for purposes therein mentioned. - The said Dower land is bounded by the lands of Alexander Myrick Esq: Caleb Everitts Heirs, - by the land recently purchased by Caleb Story, (formerly John E. Beal's,) and by the path (about 150 yards North westerly of the school house,) leading to said Alexander Myrick's line, from the fish road.

Respectfully submitted to the Court, Given under our hands
this 13th day of January 1854. — — — — —

Thos. B. Norwell.
Robt. S. Barnes
B. B. Skindred