

1875-16

Southampton County Chancery - Jordan, John Ella Eliz. vs Blanchard, Jesse

Estate settlement

Jordan, John H.
" Nancy H.

Jordan, Jacob

And the said Commissioner is directed to
 report to this Court in order to a final
 decree —

629
 56 48
 Jordan

or

Blanche H

Deene

To be ordered

December 19th 1870

J. H. Ingraham

Shirley

1870 Dec - Decs for sale

1871 July Report

1872. March. Rep's Decree

Received by Clerk Courts
 Court Aug. 13th 1873

To the Hon Judge of the County Court
of Southampton County - In chancery

Humbly sheweth
unto your honor your oratrix John
Ella Elizabeth Jordan and respect-
fully represents as follows -
That John H Joyner & Chancy H Joyner
his wife being seized & possessed of a
certain tract of land lying in said
County supposed to contain 165 acres
more or less, and bounded by the land
then belonging to John Hargrave, Robert
J Barner & others, executed and admitted
to record in the clerk's office of said
County on the 17th of November 1837, (a copy
of which deed is herewith filed marked A)
by which they granted the said tract of
land to Jacob Jordan during his life
and directed that after the death of the
said Jordan the said land should be
sold and one hundred and fifty dol-
lars be first paid to your oratrix
and that the residue should be equally
divided between your oratrix and the
said Chancy H. Joyner -
That the subsequently with on the 1st
December 1844 the said John H Joyner

and Nancy H. Joyner executed and recorded in the said Clerk's office another deed (a copy of which is herewith filed marked B) by which they granted all their right title and interest in and to the said land to Jesse Blanchett —

That the said Jacob Jordan departed this life many years since, and your oratrix is ~~now~~ advised that she is entitled to demand to have the said real estate sold and have her just portion of the proceeds of the sale paid to her which she anxiously desires, and as she is without remedy save in a Court of Equity as this is she therefore prays that your honor would make the said Jesse Blanchett a party defendant to this Bill and require him to answer the that the Court will appoint some discreet and proper person a special Commissioner to make sale of the said real estate and grant such other and general relief as equity may dictate and the nature of the case may require.

Respectfully
J. J.

The Answer of Jesse Blanchett to a Bill of Complaint filed against him in the County Court of Southampton County, by John Ella Elizabeth Jordan

This Respondent for answer to so much of the Complainant's Bill for answer says, that he submits his interest to the protection of the Court.

and having answer's prayer to be hence dismissed with his reasonable costs &c

Respectfully
Jordan vs Blanchett - Decree

This Cause was this day docketed by leave of Court and Court appointed and was heard on the Complainant's Bill and Exhibits therewith filed the Answer & Rejoinder thereto; on consideration whereof the Court doth as Judge Order and decree that Parker D. Story be and he is hereby appointed a special Commissioner for the purpose that he sell at auction after duly advertising the same, the tract of ~~land~~ of land on which Jacob Jordan lately resided bounded by the land formerly belonging to John Hargrave, Robert S. Barnes & others & adjacent to contain 165 acres — on the following terms, to wit: sufficient in cash to pay the expenses of sale & one hundred & fifty dollars in addition thereto; — and the balance on a credit of one year taking bond with sufficient security from the purchaser bearing interest from date and retaining the title till the same is fully paid — But the said Story shall first execute a bond with sufficient security in the Clerk's office of this County in the sum of one thousand dollars, conditioned for the faithful performance of his duties

Blanchard
to 3 Seed of Trut.
3
Joyner's Truter

(Sea 510)

This Indenture made and entered into this 5th day of Decr
1846, by and between Jeph Blanchard of Northampton County North
Carolina of the first part, Robert J. Beale of the said County and
State of the second part, and Amanda M. Jagers the wife of
James H. Jagers and her child Harriette F. of the County of
Northampton and State of Virginia of the third part; Witnesseth;
That for and in Consideration of the Sum of Four Hundred Dollars
to the said Jeph Blanchard in hand paid by the said Robert
J. Beale, the receipt whereof is hereby acknowledged, the
said Jeph Blanchard hath bargained, sold and conveyed
and doth by these presents bargain, sell and convey unto the
said Robert J. Beale, his heirs, Executors, Administrators,
and assigns, forever, all of the right, title, interest, and Estate
of him the said Jeph Blanchard, in and to a certain tract
or parcel of Land lying and Situated in the County of
Northampton, and State of Virginia, known as the Jacob Jordan
place and bounded by the land of John Hargrave, containing more
than two hundred and sixty five acres, more or less, to have and to
hold the same, together with all the appurtenances there-
unto belonging, unto him the said Robert J. Beale, his
heirs, Executors, Administrators and assigns forever, upon
the following Uses and Trusts to-wit; that the said
the said Amanda M. Jagers shall have use, possession, and
enjoy the said right, title interest and Estate in and to the said
tract or parcel of Land, and all the appurtenances thereunto belong-
ing during her life free from all Control and all the debts and
liabilities of her said husband, and during that time shall
live thereon or leave the same at her own Option

and for her own use and benefit, Separate and apart from her
Said husband, and the remainder, after her death to go
and vest in the Said Henrietta T. and her heirs and assigns
forever, to and for the use and benefit of the Said
Henrietta T. and her heirs, in fee simple, free from the
intervention of any Trustee. And the Said Jeph Blanchard
hereby bargains and agrees to warrant and defend all
his right, title interest and Estate hereby conveyed, against
the lawful claim or claims of any and all persons, who so-
ever. In Testimony whereof the Said Jeph Blanchard, hath
set his hand and affixed his seal this 5th day of
December 1865.

Signed, Sealed and
delivered in the
presence of
John Parker
Martha Parker
James T. Lester

Jeph Blanchard (Seal)
Robert J. Beale (Seal)

Dorchester County, In the Clerk's Office, December 18th,
1871. This Deed was this day proved as to Jeph Blanch-
ard a party thereto by the Oath of John Parker and
James T. Lester, two of the Subscribing witnesses
therein, and admitted to record. A Stamp of the
Int. Rev. of the U.S. to the amount of fifty Cents,
being affixed thereto, and duly cancelled.

Teste, James R. Tyler D.C.

A Copy

Teste James R. Tyler D.C.
"

Jordan

(1)

Blanchett

Com^{rs} Bond.

Know all men by these presents that in P D Story & Albert
D Bryant
are held and firmly bound unto the Commonwealth of Virginia in the just and
full sum of Three hundred ^{Dollars}
to the payment whereof well and truly to be made to the said Commonwealth we bind
ourselves our heirs executors and administrators jointly and severally firmly by these
presents Sealed with our seals and dated the 19 day of December
A.D. 1870

The condition of the above obligation is such that whereas by a decree
of the County Court of Southampton County rendered on the 22 day of November
1870 in a suit in chancery therein pending between ~~Jordan~~

^{Plaintiff and}
^{Defendant}
Blanchett
the above bound P D Story — was appointed Commissioner to
make sale of certain real estate in the said decree described —
Now if the said P D Story — shall faithfully discharge the
duties of his said office or trust according to law as Commissioner under the said
decree and under any other decree which may be rendered in said suit then the above
obligation to be void or else to remain in full force and virtue.

P. D. Story ^{Seal}

Albert D. Bryant ^{Seal}

^{Seal}

^{Seal}

Rev. J. Beale

to

John R. Kelly

Power of atty
filed May 1895

Know All Men by These Presents, that I Robert I Beale
of the County of Northampton and State of North Carolina
have made, constituted and appointed, and by these
presents do make, constitute and appoint John R
Kilby of the County of Hanover and State of
Virginia, my true and lawful attorney, for me and
in my stead, to demand, ask, sue for, collect and
receive, all sums of money, debts, due and other demands
of every kind nature and description whatever, which
are due, owing, or payable to me ~~for~~ ^{for} Amanda
McGoyner, wife of James McGoyner and Henrietta McGoyner
her daughter, by the Clerk of the Superior Court of North-
ampton County, Virginia, and to give a good and sufficient
receipt, acquittance and discharge therefor; giving
and granting unto my said attorney full power and
authority to do and perform every and thing whatsoever
 requisite and necessary to be done in and about the
premises, as fully, to all intents and purposes, as I might
or could do if personally present, hereby ratifying and
confirming all that my said attorney shall lawfully do
or cause to be done by virtue hereof

In witness whereof, I have hereunto set my hand and
seal, this 8th day of April 1875.

Robert I Beale, (Seal)

Jordan

2 } Report

Blanchard

1872 May 20

1875 May 5 Dec. 30 the Clerk of Circuit Court of Southwestern
County the certificate of deposit of \$157.96, with same there as
directs & issue of May Term 1875 -

John D. Kelly atty
in do. of above parties

Pursuant to a decree obtained March Term 1872
your comraeiffence was on the 18th day of April 1872
deposited in the banking house of Bain & Brother in
Portsmouth Va the sum of one hundred and fifty one
Dollars & Ninety Six cents That being the balance remain-
ing after paying John I Hendon counsel five Doll-
ars his fee for obtaining said decree, To the credit of
Robert I Black Trustee for Annretta F Joyner. The
certificate of deposit is herewith returned all of
which is respectfully submitted
May 20th 1872

P D Story Comr.

Jordan

or 3

Blanchett

Carr's Report

1872. March

Jordan
 } In Chancery
 Blanchette

Your Commissioner reports that pursuant to the decree rendered in this cause at the January Term 1872 he has paid to Caleb E. Story and John Ella Elizabeth his wife formerly Jordan the plaintiff in this cause the sum of One hundred and fifty six dollars and ninety six cents (\$156.96) that being his proportion of the sum decreed to be distributed by him after deducting therefrom such costs as remained unpaid and the taxes on the land as will appear by the statement hereto annexed.

The Defendant Robert J. Beale Trustee declining to receive his share of the fund to be distributed amounting to One hundred and fifty six dollars and ninety six cents, your Commissioner prays the Court to direct him by its order how to dispose of the same.

Respectfully Submitted

March 18th 1872

Caleb E. Story Comr

Albion D. Bryant's two notes for \$157.42 each.

314.84

1 year's Interest on same

18.90

333.74

Paid Clerk's fee

1.00

John J. Hendrick atty

10.00

Tax for 1869 & 1870

8.82

19.82

313.92

Paid Caleb E. Story trustee John Ella Elizabeth

156.96

Balance due Robert J. Beale Trustee.

\$ 156.96

Caleb E. Story Comr

Supply

1872 Aug 13 Received the Money

Jordan

W 13

Blanchett

Com. R. R. R.

Jordan
vs

Blanchett's H

Com. R. R. R.

To the judge of the county board of Southampton
 County The undersigned appointed a special
 commissioner to sell the said Jordan tract of land by
 a decree of the ~~county~~ county board of Southampton
 county granted at the December term thereof A.D. 1870
 in the suit of Jordan vs Blanchet & his heirs by leave
 to report that in pursuance of said decree I sold
 at public auction the tract of land on the 31st of December
 1870 and Albert D Bryant became the purchaser
 for the sum of \$520 00

That I have paid & received commissions	\$19 40	
Paid clerk's fees	4 30	
Paid P. Haron, Auctioneer,	3 00	
Paid J. J. Kendall Atty for Deed & deed	20 00	
U S Stamp for Deed	1 00	
Choke fee for recording Deed	1 25	
State Tax	1 00	\$ 55 15
Received from purchaser in cash		\$ 464 85
		\$ 130 00
Balance due		\$ 314 85

The purchaser has executed two bonds for 157.42
 Each with C. E. Hays security due one ^{year} after date
 bearing interest from date at 6 per cent. Taken the
 31st of December 1870 which are herewith returned
 which I respectfully submit to the court
 This 20th 1871 C. D. Story Comm

ordered & directed to pay the nett balance in
his hands in equal shares to the said John
Eliu & John Jordan and the said Beale, the
taking their receipts therefor
and without to him in order to a final decree
And this writ is hereafter to be executed in the
name & style of Jordan vs Beale, Trustee -

Jordan
vs
Beale, Trustee
Decree -

1872 January Term

It is entered

J. W. W. Judge

Jordan

by 3

Blanchett

This Cause was again heard this day on the papers formerly read together with the Report of Commissioner Story, ~~this day~~ filed by leave of Court, and stating that he had collected the balance of the purchase money from Albert D. Bryant, with two bonds for \$157.42 cents each = \$314.84 cents, with interest for one year \$18.90 = \$333.74 that he had paid a fee of \$10.00 to Geo J. Kinross

Attorney leaving a balance in his hands of \$323.74 cents And it appearing further to the Court that since the entering of the last Decree in this Cause a Decree has been recorded in the Clerk's office of the Court, to wit on the 18th day of December A D 1871, (which is hereby made a part of the proceedings hereafter to be had in this cause, and is marked X.) by which all the right, title and interest of the said Blanchett is granted & conveyed to Robert J. Deale Trustee, the said Commissioner Story is on-

deced + directed to pay the nett balance in
his hands in equal shares to the said John
Ella Elizabeth Jordan and the said Beale, Trustee
taking their receipt, therefore,
and Report to Court in order to a final decree
And this Court is hereafter to be conducted in the
name + style of Jordan vs Beale, Trustee -

Jordan
vs
Beale, Trustee

Decree -

1872 January Term

So he entered

J. W. Morganhart - Judge

Jordan

or

Blanche H

Decree

1871 June 20th -

To be entered
J. V. M. S. Hart
Judge

Jordan

vs
Blanchett } Dece

This was, this day, again heard on the papers formerly read together with the Report of Parker D. Story, Special Commissioner, to which there being no exception, the same is hereby confirmed, and was argued by Counsel: On Consideration whereof the Court doth adjudge, order and decree that the said Special Commissioner, Parker D. Story receive from the Clerk of this Court the two bonds for one hundred and fifty seven dollars and forty two Cents each which are filed with his said Report collect the same, pay any other expenses, necessary and legally accrued, execute a deed with special warranty to Albert D. Bryant the purchaser of the real estate in the proceeding mentioned, pay the nett balance of the said purchase money in equal shares; to wit one half to John Ella Elizabeth Jordan the Plaintiff in this case (she having received one hundred & fifty dollars heretofore) and the other half to Lepe Blanchett and report to this Court in order to a final decree

Jordan

or $\frac{4}{3}$ Decree

Blancheth

March Term 1872

To be entered.

Jordan

vs. $\frac{3}{4}$ Deane.

Blanchett

This Cause this day came on to be further heard on the papers formerly read, and the report of Commissioner Story, made in pursuance of an order entered at the January Term 1872, to which no exceptions have been filed, and was argued by Counsel. On consideration whereof, the Court, confirming said report, doth advise, order & decree that ~~the said~~ Parker D. Story, Commissioner aforesaid, deposit in some Savings Bank in the City of Norfolk or Portsmouth at his discretion to the credit of Robert J. Beale Trustee for the balance appearing to be due by the said report, and make report to Court, in order to a final decree.

Irish

h.

Blanchard h.

1895

May ci.

final decree

to be entered

Geo. B. Lord.



Jordan

v

Blanchard &

This cause came on this day to be again heard on the papers, formerly used on the Report of P. D. Story Comr. made pursuant to the decree of March Term of Southampton County Court 1872, to which report there is no exception was argued by Counsel. On Consideration whereof, the Court doth confirm the said Report, & the Court doth adjudge and decree that Basin Bros. Bankers of Portsmouth pay to No. J. Beale Trustee for Henrietta J. Payne or John R. Kelly his attorney the sum of \$157. 96, deposited with them by said P. D. Story as appears by his report aforesaid, together with all interest on the same, and that the Clerk of this Court deliver to John R. Kelly, attorney aforesaid, the said certificate of said deposit filed in the cause on his leaving a Receipt for the same,

and nothing further remaining to be done in the cause it is ordered that the same be removed from the Docket.

John J. Hendrick
Recd for
\$20.00

Received January 2nd 1871 of Parker D.
Story Commissioner to sell land by decree of the
County Court of Southampton in suit of Jordan
vs Blanchett, the sum of Twenty dollars
in full for two decrees & preparing deed

Jos S Knicker
Attorney at Law

January 15th 1872 Paid of Parker & Story horsemen
to see the Jacob Jordan tract of land. Paid \$4.00 and 40 cents
in full for tax on one half said tract of land for 1869 and
1870

A. D. Bryant

John P Story
J P Story's
Rec'd
\$316.86

Jan'y 2nd 1872 Recd of Parker & Story
commissions to sell land by decree of the
county court of Southampton in a suit
of John Ella Jordan against Jeph Blanchet
the sum of Three hundred and sixteen Dollars
and Eighty six cents in full of my proposition
for the sale of said land

Witness
R. P. Pope

Johnella E. Story
Caleb E. Story

Dec 31st 1840 Recd of D D Story of and commision
to sell the land of Jacob Jordan and five Dollars
in full for my fee as auctioneer to sell said land
Lansdown

Received of Parker & Story Commission
er in chancery suit in County Court
Jordan & v Blanchett, five dollars
in full for decree obtained at March
Term 1872.

Thos J. Kimbrell
Att. at Law
April 15th 1872

John D. Broderick

Recd

\$10

Received January 15th 1872 of Parker
J. Story Ten dollars in full for decrees
on Suit, County Court, Jaynes vs Beale & Co
Jno J. Minner
\$10 at hand