

1877-04

Southampton County Chancery.

Bryant, James Fenton vs Pretlow, John Jr. et als

Real Estate settlement

Cobb, Jethro

" Bettie

" H. V.

Minors { " Richard
" Annie
" Cora
" Carrie

Edwards, L. R.

GAL of above

Bryant
vs $\frac{3}{4}$ Bice &
Preston & others

1877. April Rules

L. B. Smith

To the Hon Geo: Blow, Judge of the Circuit
Court of Southampton. In Chancery.

Humly complaining sheweth unto
your Honor, your complainant James
Fenton Bryant, that during the year
1874, he contracted for the purchase of a
lot in the village of Franklin, from the
following parties - to wit, Henry V. Cobb,
John Pictow Jr. & Jethro Cobb, that there was
no written contract entered into, but it
was agreed by all the parties that your
complainant, upon the payment of the
sum of \$400, should receive a deed
for the said lot containing one acre.
That the said Henry V. Cobb, owned $\frac{1}{4}$ th of
the said land, Jethro Cobb owned $\frac{1}{4}$ th and
John Pictow Jr. owned one half. That
it was agreed by the parties that in
paying for the said lot, your complain-
ant should have credit to him, on
account of the purchase, the bill
he might have against the said
parties for medical attendance, your
complainant being the family physi-
cian for all three of the aforesaid
parties. That in pursuance of said
agreement, your complainant has
paid in part for the said lot of land,
and is anxious ready to comply in
full with the agreement. That Henry V.
Cobb one of the parties to the agreement
has departed this life, leaving a widow
Mrs Bettie Cobb, & the following children,
all minors - to wit, Richard Cobb, Annie,
Leora, & Carrie Cobb. That your complain-
ant is advised, it is impossible for him
to get a good title to the said lot of land

without the assistance of a Court of Equity.
In consideration whereof, and inasmuch
as your Complainant is remediless, except
in a Court of Equity, where matters of this
kind are peculiarly cognizable, to the end
therefore that justice may be done, your
Complainant prays that John Putton Jr.
John Cobb, Betsey Cobb, widow of H.V. Cobb,
and the following ~~minor~~ children of
H.V. Cobb, wit, Richard, Annie, Lora,
& Carrie Cobb, all minors, be made
parties defendant to this bill & compelled
to answer the allegations thereof. That
some fit & proper person be assigned you
as herein to defend the infant
defendants. That your Honor, when
satisfied from the proper proofs of the
correctness of the facts as charged by your
Complainant, will grant an order,
appointing a Commissioner, who, with the
said John Putton Jr. & John Cobb, may
execute to your Complainant a deed
for the said lot of land, when your
Complainant shall have fully paid
for the same - And that your Honor will
grant such other, further, general, &
special relief, as to Equity may seem meet
& the nature of this case may require.
And as in duty bound your Complainant
will ever pray &c. May it please
the Court &c.

J.B. Pomeroy &c.

The joint & several answer of Richard
Amin, Leon, & Carrie Cobb, infants, by L.R.
Edwards, their Gdn ad litem, to a bill
of Complaint exhibited against them &
others in the Circuit Court of Southamp-
ton - by J.F. Bryant.

These respondents, having reserved
all just grounds of Exception to the said
bill, for answer thereto say - That
they are infants & know nothing of
the facts in said bill, and being
such they submit their interests to the
protection of this Court & Having
answered - they pray hence to be
dismissed &c.

L.R. Edwards
Gdn ad litem

by J.B. Ramey for.

187

Bryant

to } Stat. Rules

Peterson & Co.

1877 November

6.95

In Southampton Circuit Court

James Fenton Bryant

against

John Preston Jr. Iethro Cobb, Bettie Cobb widow of H. V. Cobb & Richard,
Annie, Cora & Carrie Cobb minors.

1877 March 24th Summons issued

" April R. Summons ret^d. Executed on John Preston. Bettie
Cobb & Iethro Cobb - Bill filed. L. R. Edwards assigned
Bon ad litem to infant defendants Richard, Annie, Cora
& Carrie Cobb. Answer of Infants, G. R. Decree Nisi &
Defts. John Preston Jr. Iethro Cobb & Bettie Cobb -

" May - " Bill taken for confessed as to adult Defendants - Cause set for
hearing &c.

" " T. Ans^r of Preston. Decree &c

" Nov. T. Report & removed from the Docket

Bryant
vs 3
Patterson & others

Answer of
Jno Patterson p.

1877 May 8th

Bryant
vs { Answer of Dr. Pecton Jr.
Pecton & others

This respondent for answer to the said bill says. That it is true or alleged in the said bill that the said complainant J. F. Bryant did purchase the lot of land more particularly mentioned in the bill, of this respondent & Henry V. Cobb & Jethro Cobb; upon the terms as set forth in the said bill, and it is further true that the understanding & contract was that the medical bills of the said Bryant against the vendors should be credited upon his purchase. It is further true that the complainant has so obtained credit on his purchase from this respondent and so far as this respondent knows & believes there is no objection by any of the interested parties to a deed being made whenever the said Bryant shall comply with the contract. And having answered your respondent prop to be hence dismissed &c.

John Pecton Jr.

Brockhampton County Court.
Personally appeared before me,
Jos R. Tyler, a Commissioner in Chancery
for the Circuit Court of Brockhampton
John Pecton Jr. and made oath
that the above answer is true to
the best of his knowledge & belief.
Given under my hand May 7.
1877.

Jos R. Tyler
Comm. in Chancery

Bryant
at $\frac{1}{3}$ Decree.

Pittman & others

Nov Term 1877

In the nature of

Geo. B. Stone

Bryant
vs by decree.
Piston & others

This day this cause came on to be further heard on the papers formerly read & the report of Amr. J. B. Prince, reporting execution of deed to Josiah P. Gay & was agreed by Council. On consideration whereof, and no exception being filed to said report, the same is hereby confirmed. And the Court doth further decree that Jethro Cobb, out of the assets in hand belonging to the estate of Henry V. Cobb decd, pay the costs of this suit - and nothing further appearing necessary to be done in this cause, it is ordered to be removed from the docket.

Bryant

vs $\frac{4}{3}$

Puctin sothens

Report of Comr

I B Prince

Nov: 5. 1877

Bryant

vs $\frac{2}{3}$ Report of Comr. Prince

Pacton & others

In this Cause, J^r Comr. submits
the following report. That pursuant
to decree entered in this Cause at
May Term 1877, and being directed
by J. F. Bryant, by a certificate under
his hand & seal dated May 23. 1877,
to make the deed I was authorized to
make to said Bryant to Josiah P. Gay,
I, with John Pacton, Jethro Cobb
& Bettie Cobb, have executed a deed
for the lot of land in the proceedings
mentioned to said Josiah P. Gay,
he having paid to the several
parties all the purchase money.
The part of the purchase money
to which Henry V. Cobb's Estate was
entitled was paid to Jethro Cobb
Adm^r of H. V. Cobb. There is nothing
further to be done in this Cause.
all of which is respectfully
submitted.

Nov 5. 1877.

J. B. Prince
Comr.

2 Judge Circuit Ct. }
Southampton. }

Bryant
vs { Dicke
Pulter &

May Term 1877
To be entered.

Geo. T. Blount.

Bryant
vs. 3 Deere,
Puttows & others

This day this cause came on to be heard on the bill of the complainant, taken for embezzled as to the debts of Jethro Cobb & Bette Cobb, the answer of the infant debts, by L.R. Edwards, who is hereby assigned their bond ad litem, & the answer of John Puttows Jr., filed during the term and was agreed by counsel. On consideration whereof the Court doth ^{when J.P. Bryant shall fully pay for the flag in the proceedings} ~~adjudge~~ order & decree that J.B. Prince who is hereby appointed a special Commissioner for the purpose, together with John Puttows Jr., Jethro Cobb & Bette Cobb, Execute to the said Bryant a deed with special warranty as to the said Prince & make report to Court.

J. F. Bryant
to 3 certif
Cour & others

Bryant
vs 3 certif from
J. F. Bryant
Putlow & others

1877 May 24th

To J. B. Smice, Special Comr; John
Putter p. John Cobb & Pettie
Cobb.

You are hereby authorized
& directed to execute the deed
you were ordered to make to
me, by a decree of the Circuit
Court of Southampton, rendered
at May Term 1877, in the
chancery suit of Bryant &
John Putter p others, to Josiah
P. Gay, he having agreed to
pay the purchase money therefor.
Witness my hand & seal May
23. 1877.

J. Bryant Secy.

Executed by delivering John Brown, Bethe Cobb,
 & Jehro Cobb each a copy of this Summons on the
 24th day of March 1877.

W. C. Briggs shff.

86/4
 94/6
 31/2
 6/2

of Bryant

to

James C. J.

W. C. Briggs

1877. Office Rules

Since J. J.

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON

John Fretton Jr. Guardian of Anne A. Cotts
Luther R. Edwards Guardian of Geo. A. Cotts, Sister Cotts widow of Henry
& Cotts and Mrs. Cotts, the widow of said Henry & Cotts and Geo
A. Anne A. Richard H. & Carrie F. Cotts (the last four Infants by L.R.
Edwards their Guardian & others.
if ~~they~~ be found within your bailiwick, to appear at the Clerk's Office of our Circuit Court of Southampton County
at the rules to be holden for the said Court, on the first Monday in *April next* to answer a bill
in Chancery exhibited against them in our said Court by *James*
Stanton Bryant.

And have then there this writ.

WITNESS, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this *24th*
day of *March*, 187*7*, in the *101st* year of the Commonwealth.

L. R. Edwards *cl*