

1884-14

Southampton County - Chancery

Brown, Sally ^{vs} Brown, Sally _{et al}

"Partition Suit"
to divide property

Bowers, Clemente +
Bowers, Jinsy his wife

Brown, Sally
Brown, Japhet
Brown, Dixie

Wiggins, Martha
Brown, Hae

Brown, Minerva

¹¹⁹
Brown's Keys

or $\frac{1}{3}$ Pile ~~Exhibits~~

Brown's Keys

1875 August Rules

J. B. Prince & Co

To the Hon Es: Blow, Judge of the Circuit
Court of Southampton. In Chancery.
Humbly Complaining, sheweth unto
your Honor, your complainants,
Clement Brown & Jirey his wife, who
was formerly Brown, Martha Higgins,
formerly Brown, Hae Brown & Minerva
Brown, that sometime during the
Year 1843, Wm Brown died intestate
leaving the following parties his
heirs at Law & distributees. viz -
Jirey Brown, formerly Brown, who had
intermarried with Clement Brown,
Martha Higgins, formerly Brown, Hae
Brown, the said Jirey Brown, Martha
Higgins & Hae Brown, being adult
children of Sally Brown decd, who
was a Sister of said William Brown
decd, Minerva Brown, a sister of
Wm Brown decd, Sally Brown, widow
of Antony Brown decd, who was a
brother of Wm Brown decd and Japhet
& Milly Brown, children of Antony &
Sally Brown. That the said Wm
Brown left no widow or children, father
or mother - That Milly Brown one of the
children of Antony Brown is under
21 years of age. That the said Wm
Brown died seized & possessed of a

Certain real Estate in the County
of Southampton, containing 125 acres.
And your Complainants further
state that the said real Estate is,
as they believe, susceptible of ~~division~~
partition amongst the parties
entitled thereto; but if it be not,
then your Complainants desire
the same to be sold, and the proceeds
distributed amongst the parties in
proportion to their respective interests
therein. In consideration whereof
and inasmuch as your Complainants
are without remedy save in a
Court of Equity, where matters of this
kind are properly cognizable, to the
end therefore that justice may be done,
your Complainants pray that Sally
Brown, Japhet Brown & Milly Brown
be made parties defendant to this
bill & compelled to answer the allegations
thereof, that a proper guardian
be assigned the infant def^t, Milly
Brown, to defend her interest in this
suit; that the said real Estate be
divided between the parties aforemen-
tioned, if practicable - And in case the
said real Estate be indivisible in
kind, that the same may be sold
and the proceeds distributed
among the parties entitled thereto

that such other further general
relief may be afforded, as the
nature of the Case may demand,
and to Equity may seem proper -
And as in duty bound I am -
May it please the Court &c.

J. W. H. H. H. H. H.

The Answer of Milly Brown, by
S. R. Edwards, her Son at Litter, to
a bill of Complaint exhibited against
her sisters in the Circuit Court of
Southampton by Clements Brown
and others.

This respondent, having & reserving
all just ground of Exception to said
bill, for answer thereto says - That
she is an infant - and knows
nothing of the facts alleged in said
bill - and being such, she submits
her interests to the care of the
Court - & having answered &c.

S. R. Edwards
her addition

Milly H. H.

Bower's to
aunt { Report
Brown took

May 5. 1896

In obedience to a Decree of the Circuit
Court of Southampton County in the late
Suit of Bowers vs Bowers rendered
at November Term 1855 I advertised a Tract
of Land belonging to Wm Bowers the contain-
ing Twenty six acres, according to the direction
of said decree and sold the same at public
Auction in the Town of Sevierstown on the 3^d
Monday in January 1856, and at the sale
so made Richard Starri became the purcha-
ser by bidding therefor the sum of one hundred
& thirty five dollars, and the said Richard
Starri paid on half cash to wit fifty five
dollars, and executed his bond with security
for balance of purchase Money ^{fifty five dollars} payable Twelve
Months after ~~the~~ which bond is herewith
returned. Out of the sum of fifty five dollars
received in cash I paid Costs of Suit & Sale
as follows, Clerk of Court \$5.26 Sheriff \$1.50
Attorney's fee Twenty five dollars. Comr Tyler
\$1.00. Auctioneer \$2.00. Comrs. Commissioners \$6.35
making Total costs \$41.51 leaving a balance in
my hands of \$23.49. Subject to the order of the
Court.

To Hon Geo D. Bly
Judge

W. W. Driggs Comr
April 1st 1856

Brown's Herin.

in 3-

Brown

Report of
Comm. Tyler -

Nov 5th 1845 -

Brown's Heirs -

vs $\frac{1}{3}$ Report of Comr Tyler -

Brown

In this Cause your Comr would report
that from the best information he can get,
he is of opinion, the land whereof Wm Brown
did seized cannot be divided in kind.
The farm is a small one, and the number of
shares is five; if partition in kind ever made
some of the shares would be of very little, if
any value to the owners - your Comr thinks a
sale would promote the interests of all parties
concerned, and recommends the same.

Oct 28. 1845.

20 Judge - Court - Ct. } Commissioner's Respy submitted.
do' accepton. } for \$1.00 chg } ~~James R. H.~~
to Plaintiff } Commissioner.

~~75~~ 59

Brown's Miss

v } Stat. Rules

Brown's



In Southampton Circuit Court -

Clements Bowers & Insey his wife, who was formerly Brown, Martha
Wiggins, formerly Brown, Isaac Brown & Minerva Brown

against
Sally Brown, Japhet Brown and Melly Brown

1875 June 22 Summons issued &c

Aug R. Sum not Executed - Bill filed - L R Edwards assigned Gen.
addition to infant Melly Brown - Answer of infant Gen. Rep. A. New
to Dfts. Sally & Japhet Brown.

Sep " Bill taken for Confessed as to Dfts. Sally & Japhet Brown & cause
set for hearing as to all Dfts.

" Nov. J. Decree & Rept & Decree for Sale

1876 May Report & Cont -

77 May Rept & Cont -

" Nov Cont -

Brown's Heirs
vs & Copy Deeds
Brown

135. B. S. T. Kanar

Southampton Circuit Court November Term 1875

Clement Brown and Susan his wife who was formerly Brown, Martha Higgins formerly Brown, Jane Brown and Minerva Brown

Plaintiffs

against

Sally Brown, Joseph Brown and Wiley Brown

Defendants

In Chancery

This day this cause came on to be further heard on the papers formerly read and the report of Commissioner Dyer, filed during the term, to which an exception is filed and was argued by Counsel. On consideration whereof, the Court adopting said report as the basis of this decree, doth adjudge, order and decree that Th. H. Briggs Sheriff of Southampton County, after advertising the same for twenty days, by notices posted at five or more public places in this County, sell to the highest bidder, the real estate whereof Thos Brown died seized, upon the following terms, one half cash balance on a credit of twelve months, purchaser to give bond with approved security, carrying interest from day of sale, and title to be retained for purchase money - and said Briggs will report his proceedings under this order to Court.

Attesty-

Leck \$5.26

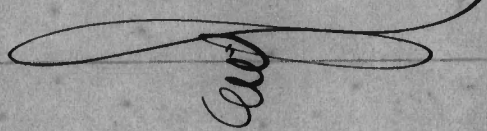
Shiff 1.50

Law 16.50 23.26

Com Tyler 1.00 1.00

\$ 21.26

Attest, Thos Parker D.C.



13 1/2
6.75

Received Apl 28. 1886. of Wm.
Briggs, Sixteen dollars, in full
of legal fee and nine dollars
fee for services in chancery
suit vs Wm. Brown's Estate,
Circuit Court, D. Mass.

I. B. Prince

Proctor Hein
in 3 Decade
Proctor

For June 1895-

To be entered,

Geo: Blow.

Brown's Heir

vs 3 Decree,

Brown

This day this Cause came on to be further heard as the papers formerly read and the report of Commr Tyler, filed during the term, to which no exceptions were filed and was argued by Counsel. On Consideration whereof, the Court, adopting said report as the basis of this decree, doth advise order & decree that Geo. Briggs, Sheriff of Southampton County, after advertising the same for twenty days by notices posted at five or more public places in this County, sell to the highest bidder the real estate whereof Comr Brown died seized, upon the following terms, one half cash balance on a credit of twelve months, purchase to give bond with approved security, carrying interest from day of sale, and title to be retained for purchase money. And said Briggs will report his proceedings, under this order to Court.

Brown's Heir 32
on 3 Decr.
Brown 8^e

May Term 1876

To be entered,

Geo. B. Brown.

Prigge to report - for oft
doct.

Brown's Heirs
vs $\frac{3}{4}$ Decease.

Brown &c

This day this cause came on to be again heard on the papers formerly read, and the report of Court Briggs, filed during the term, and was argued by Counsel. On consideration whereof, no exceptions being filed to said report, the Court doth adjudge order & decree that the same be confirmed. and as to all other matters this cause is continued.

Brown's Hair
vs 3 Deere
Brown.

Nov Jan 1898-

To be entered.

Geo. Blow-

this deer has been entered,

Brown's heirs

vs 3 Decease

Brown

This day this cause came on to be heard on the bill of the plaintiffs, taken for impexed as to the defts, Sally & Japhet Brown, the answer of the infant deft, Melly Brown, by L.R. Edwards, her guardian ~~ad litem~~, and was argued by Counsel. On consideration whereof, the Court doth advise order & decree that a Commissioner of this Court report to the Court, whether the land of which ~~unimproved~~ ^{unimproved} land said is susceptible of partition among his heirs or not - and such other matters as he may deem pertinent in connection therewith.

Green's heirs

vs $\frac{3}{3}$ Deceit

Green & Co.

Nov. Term 1884.

To be entered.

Geo Brown

Entered

68

Brown's heirs

vs 

Decease

Brown &c.,

This day this cause came on to be further heard on the papers formerly read, and was argued by Counsel. On consideration whereof, and it appearing to the Court that no order has made in this cause for seven consecutive years except to continue it, it is ordered that the same be removed from the docket.

Bowers & wife &
to { Sum. Chy

Brown &

1875 August Rules

Executed by delivring
Sally Brown, Japhet
Brown & Miley Brown.
each a copy of this
Summons on the 15th day
of July 1875

W W Briggs Shff

The Commonwealth of Virginia,

To the Sheriff of Southampton County---Greeting :

WE COMMAND YOU TO SUMMON

Brown

Sally Brown, Japhet Brown & Milly

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 *August next to*
answer a bill in Chancery exhibited against them in our said Court by
Clumts Bowers & Jinsy his wife formerly Jinsy Brown - Martha
Wiggins formerly Brown & Mac. Brown

And have then there this Writ.
the Court House, this *22nd*
year of the Commonwealth.

Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at
day of *June* A. D. 1875, in the *99th*.

L. R. Edwards