1887-04 Southampton County - Chancery Beale, George W et al vs Bryant, Martha et als

"Partition if practical
if not, a sale and
division of the proceeds"

Beale, Margaret

Bryant, Martha
Bryant, William
Bryant, John
Bryant, James
Bryant, Nathan
Bryant, Henry
Bryant Moses
Bryant, Rosa

Beale et als 77

vs } Decree

Bryant et als

May Term 1887

To be entered

CMAC

Beale et als
vs
Deane
Bryant et als

This day this cause came on again to be heard on the papers formerly read and upon the report of Special commissioner H. Shands to which report no exceptions were filed and was argued by counsel. On consideration whereof the court doth adjudge order and decree that the said report be confirmed. and it appearing to the court from the papers in the said cause that there is nothing further to be done in it, the court doth further adjudge, order and decree that the same be removed from the docket

Beale et als
vs Decree
Bryant et als

To be entered
May Term 1886
Geo. Bloss.

Reale et als
vs } Decree
Bryant et als

This day this cause came on again to be heard on the papers formerly read and upon the report of Special Comr H. Shands of the collecting of the bond of $265.00/100. due by J. L. Bryant &c. and the payment of part of the same out to the parties entitled thereto. To which report no exceptions were filed and was argued by counsel. On Consideration whereof the court doth adjudge order and decree that the said report be confirmed and the court doth further order adjudge and decree that the said William Thomas commissioner as aforesaid deposit the amount in his hands belonging to the three infant children Rosa Bryant, Celia Bryant and Moss Bryant $32.85 cts each and return the certificate of deposit in Bank of Franklin along with his report to court in order to a further decree

Beale et als
vs
Deese
Bryant et als

Nov Term 1865
To be Entered

Geo. Blow,

Dft Costs.

Beale et als
vs
Decree
Bryant et als

This day this cause
come on again to be heard
on the papers formerly read
and upon the report of Special
Commissioner H. Shands of the sale
of the land directed to be sold
by a decree entered in this cause
at the Nov. term 1884. the same
selling for $315.00. the pur chaser
paying $50.00 cash and giving
his bond for the residue payable
Dec. 15th 1885, to which report no
exceptions were filed and was
argued by counsel. On considera-
tion whereof the court doth adjudge
order and decree that the said
report be confirmed. And the court
doth further adjudge, order and
decree that H. Shands Special Com'r.
withdraw from the papers in this
cause the bond given by J.L.
Bryant &c for $265.00 and due on
15th of Dec 1885 executing his
receipt to the clerk of this
court for said bond. and collect
said bond and give said
Bryant a deed with special
warranty for said property

and out of proceeds pay first all cost in this cause and then divide the residue into eight equal shares, and pay one share unto Magaret Beale wife of Geo. N. Beale, one share unto Hillian Bryant, one share unto John Bryant, one share unto James Bryant; one share unto Nathan Bryant, one share unto lawful guardian of Henry Bryant; one share unto lawful guardian of Moses Bryant and one share unto lawful guardian of Rosa Bryant, and take receipts from them for said payments and return them along with his report to Court in order for a further decree

Jany 12 1886
Recond this day of the book the bond mentioned in the above decree
H. Shands. Comr

Beale's wife
vs Decree
Bryant's &c als

This day this cause came on again to be heard on the papers formerly read and the report of Commissioner Tyler made pursuant to a decree of this court entered at the May term 1884 and to which report no exceptions have been filed and was argued by counsel On consideration whereof the court doth adjudge confirming the said report order and decree that William Shands who is hereby appointed a special commissioner for that purpose who shall after having given at least twenty days notice of the time and place of sale at Jerusalem and in the immediate vicinity of the land by public advertisement posted up at Jerusalem on some county court day at public auction to the highest bidder the tract of land containing 230 acres or thereabouts William Bryant deceased and described

On the following terms to wit one half cash the balance of the

purchase money on a credit of twelve months taking from the purchaser bond with security carrying interest from the day of sale and after paying the costs of this suit and sale divide the balance of the purchase money into eight equal shares and allot one share to Margaret Beale, one share to William Bryant one share to John Bryant, one share to James Bryant, one share to Nathan Bryant, one share pay to the lawful guardian of Henry Bryant, one share pay to the lawful guardian of Moses Bryant and one share pay to the lawful guardian of Rosa Bryant, and return his receipts along with his report to court. But the said William Shands shall not proceed to act under this decree until he shall have executed in the clerks office of this court a bond in the penalty of one thousand dollars conditioned for a faithful performance of this decree and copies of the certificate given by the clerk of this court that the bond required by this decree shall be appended to the public

his report to court.

has been executed

advertisements and the certificate given shall be returned with said commissioners report

Beale & wife

vs

Bryant & als

Decree

May Term 1854

To be entered

Geo. Blow.

Beale and wife
vs
Bryant and als

This day this cause came on to be heard on the plaintiffs bill taken as to confessed as to the adult defendants Martha Bryant; William Bryant; John Bryant; and Nathan Bryant; and on the answer of the infant defendants Henry Bryant; Moses Bryant; and Rosa Bryant; by B.F. McLemore their guardian ad litem and general replication thereto and was argued by counsel. On consideration the court doth adjudge order and decree that one of the commissioners of this court inquire into and report to court whether the tract of land containing some four hundred acres whereof William Bryant died seized and possessed can be conveniently divided, exclusive of the widow's dower; between the heirs of said William Bryant deceased. namely; Margaret Beale (formerly Bryant) William Bryant; John Bryant; James Bryant; Nathan Bryant; Henry Bryant; Moses Bryant and Rosa Bryant; or whether any of the tract heirs will take the entire land and

pay to the others such sums of money as their interest may entitle them to or if partition cannot be made, if the interest of the parties will be promoted by the sale of all the land or allotment of part and sale of residue. And report to court in order for a further decree

Southampton Circuit Court to May
Term 1884

Beale wife
vs } Decree
Bryant's Widow et als:

This cause came on this day to be further heard on the papers formerly read and was argued by counsel on consideration whereof the Court doth adjudge order and decree that F. E. Williams. William E Worrell. J. J Gray and B. F. Knight who were appointed Commissioners by a decree entered at the November Term 1878. of this Court for the purposes therein mentioned be summoned to the next term of this Court to shew cause if any they can why they have not proceeded to perform their duties as Commissioners under the said decree.

A Copy
Teste J. P. Princeton

Executed October 24th 1884 by delivering
a Copy of the within Summons to the within
named parties

P Carson
for W W Briggs Sheff

Beal wife
vs
Deeren
Bryan & widow & others

Copy

2

Beale & als
vs } Report of:
Bryant & als
Special Commissioner
Wm. Shands

1885. Jany 29th Filed
L.B.P. c.c.

Beale &c adms
vs } Report
Bryant & adms

To the honorable George Blow judge of the circuit court of Southampton county

your undersigned commissioner begs leave to show unto your honor that in obedience to a decree rendered in this cause at the Nov' Term 1884 of the circuit court of the aforesaid county. that he after having first given due notice of the place. time and terms of sale. & proceeded to sell at public auction on Dec 15th 1884 in the Town of Jerusalem to the highest bidder the tract of land whereof W^m. Bryant died seized and possessed some containing some 400 acres more or less. and sold subject to his widows dower therein. that J. L. Bryant being the highest bidder. he having bid the sum of $ 315.$^{00}_{100}$. become the purchaser of the same. That he paid the sum of $ 50.$^{00}_{100}$ cash and gave a bond with approved security for the balance of the purchase money. said bond payable on demand on 15th Dec 1885 with interest from date. That your commissioner retained $ 15.$^{30}_{100}$ commissions on said sales. paid auctioneer for selling said land $ 2.$^{50}_{100}$ paid atty in case $ 16.$^{50}_{100}$ receipts

for which payments are herewith filed. and that there now remains in the hands of your commissioner the sum of $15.20/100 which he holds subject to the future order of the court. And that the returns along with this report J. L. Bryant's bond for the said deferred payments all of which is most respectfully submitted by

William Shands
Special Commissioner

January 26th 1885.

baron P
Zo } Receipt
Mando Vr comr

$ 2.50
100

Received this day of W. Rhonds Special
commissioner in case of Beale & others vs
Bryants here's the sum of $2 50/100 as
payment in full of my fee as auctioneer
for selling the Bryant land.
Dece 15th 1884 P Carron Esqr

Shands W. B
to } Receipt
Shands W. Shaad Co

$16.50
100

January 26th 1885 Received from William Shands commissions in case of Beals wife vs Bryant as als $16.50 et Legal fee for bringing suit

Wm B Shands

Beale v. ads

Vs) clerks certificates

Bryant v. ads

In regard to special

Comm's bonds &c

Southampton County: In the Clerk's
Office of the Circuit Court:
Nov: 22d: 1884. —

Beale & wife
against
Bryant & others
} Decree

I hereby certify that the fund required of Special Commissioner Wm Shands, in the above Decree, has been given, with security deemed sufficient by me.

J. D. Pruden C.C.

Executed by delivering Wm Bryant a Copy thereof Summons on the 25th day of January 1884

W W Driggs Shff

Read & Wife
vs
J Wm Bryant &c

Summons

1884 July Rule

Es

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—Greeting:

as at another time

WE COMMAND YOU TO SUMMON Martha Bryant, William Bryant, John Bryant, ~~James Bryant~~, James Bryant, Mason Bryant, Ivy Bryant, Moses Bryant and Rosa Bryant, last three infants

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 Feby next, to answer a bill in Chancery exhibited against them in our said Court by

George W Beale and Margaret Beale his wife

And this they shall in no wise omit; and have then there this writ.

WITNESS, J. B. PRINCE, Clerk of our said Court, this 12 day of Jany, 1884, in the 108th year of the Commonwealth.

Teste - J B Prince C. C.

The Commonwealth of Virginia,

To the Sheriff of Southampton County---Greeting:

WE COMMAND YOU TO SUMMON Martha Bryant, William Bryant, John Bryant, James Bryant, Mason Bryant, Henry Bryant, Moses Bryant, and Rosa Bryant, last three infants

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 January next, to answer a bill in Chancery exhibited against them in our said Court by George W. Beale and Margaret Beale his wife.

And this they shall in no wise omit; and have then there this writ.

Witness, ~~Littleton R. Edwards~~, Clerk of our said Court this 10th day of December, 1883, in the 108th year of the Commonwealth.

J. B. Pierce

Teste J. B. Pierce

Beale & Wife

vs Y Summons

Bryant &c.

1884. Jany Rules

Executed by delivering Martha Ann Bryant. Jacob [illegible] & Mason Bryant. [illegible] a Copy of this Summons on the 2d day of Jany 1884 & not Executed as to Wm Bryant.

Ltg Barrow & Co
for Wm Briggs &c

Executed Jany the 2nd on all except Wm Bryant

The Commonwealth of Virginia,

To the Sheriff of Southampton County---Greeting:

WE COMMAND YOU TO SUMMON Martha Bryant, William Bryant, John Bryant, James Bryant Mason Bryant, Henry Bryant, Moses Bryant, and Rosa Bryant, the last three infants

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 January next, to answer a bill in Chancery exhibited against them in our said Court by George W. Beale and Margaret Beale his wife

And this they shall in no wise omit; and have then there this writ.

Witness, ~~Littleton R. Edwards~~ J B Pruden, Clerk of our said Court this 10th day of December 1883, in the 108th year of the Commonwealth.

Teste. J B Pruden C.C.

Beach & Wife

vs.

3

Bryant and others

Kept of Comm. Tyler.

1884 Oct. 9th filed

Commissioner's Office,
Jerusalem, Va. Oct 4. 1884

To the Circuit Court of Southampton County.

Pursuant to a decree of the Circuit Court entered at the May Term 1884 in a Suit in Chancery depending in the said Court between Geo. W. Beale & Wife, against Martha Bryant & others, the undersigned One of the Commissioners of the said Court to whom it was referred by the said decree; "That one of the Commissioners of this Court, enquire into and report a Court whether the tract of Land Containing Two hundred and thirty acres whereof William Bryant died seized and possessed Can be Conveniently divided exclusive of the Widow's dower between the heirs of said Wm. Bryant dec'd. & whether any of the heirs will take the entire Tract of Land & pay to the others Such Sums of Money as their interest may entitle them to, & if partition Cannot be made if the interest of the parties will be promoted by the Sale of all the Land, & allotment of part and Sale of the residue &c." Reports to the Court that he has examined Frank Williams, R. T. Pope, Nathaniel Edwards, James Locke and James J. Gray, who reside Near the said Land and are well acquainted with the same, and from their testimony is of Opinion that the said Tract of Land Cannot be divided between the said heirs, & your Commissioner further reports to the Court that None of the heirs will take the entire tract & pay to the others Such Sums of Money as their interest may entitle them

to, and your Commissioner is of the Opinion, that the interests of all the interested parties will be promoted by a Sale. The Commissioner reports Speciall that the agreed Value of the Land is $575.) Six of which is paid

Respectfully Submitted by
James R Tyler
Comm. in Chancery

Comm's fee $10.00
Sign & Seal.

Southampton Circuit Court May Term
1884

Beale et wife }
vs
Bryant et. als: }

This day this cause came on to be heard on the ~~plaintiff~~ Bill taken for confesses as to the adult defendants Martha Bryant: William Bryant: John Bryant: and Nathan Bryant: and on the answers of the infant defendants, Henry Bryant Moses Bryant: and Rosa Bryant by B. F. McLemore their Guardian ad litem and general replication thereto and was argued by counsel. On Consideration whereof the Court doth adjudge order and decree that one of the Commissioners of this Court enquire into and report to court whether the tract of land containing some four hundred acres, whereof William Bryant died seized and possessed can be conveniently divided, exclusive of the widows dower: between the heirs of said William Bryant deceased namely: Margaretta Beale formerly Bryant William Bryant John Bryant: James Bryant. Nathan Bryant: Henry Bryant Moses Bryant: and Rosa Bryant: or whether any of the heirs will take the entire tract land and pay to the others such sums of money

as this interest may entitle them to or if partition cannot be made if the interest of the parties will be promoted by the sale of all the land or allotment of part and sale of residue and report to court in order for a further decree.

A Copy

Teste J. B. Priestley

Beale's widow
vs
Bryant et als

3 Decree

May Term 1891
Decree entered
Geo Bloss

230

A Copy

Received this day of W. Shands
Special commissioner in the Chancery
case of Beale et als vs Bryant et als
the sum of $32.65/100 for Henry Bryant
the sum of $32.65/100 for Moses Bryant
the sum of $32.65/100 for Rosa Bryant
the same being as Payment in
full for amounts due them from
sale of their father's land
June 21st 1886

Joseph H Gray
Guardian of Moses. Henry
and Rosa. Bryant

Beale et als
vs } Report of
Bryant et als

H. Shands Special Comr

Beale et als
vs } Report
Bryant et als

To the Hon George. Blow judge of the circuit court of Southampton county

Your undersigned commissioner begs leave to report that since the last decree entered in the above named cause he has paid to the lawful Guardian of Henry; Rosa and Moses Bryant the amounts due them and files his receipt with this report. That there are no funds in the hands of your commissioner. nor is there anything further to be done by him in this cause. all of which is

respectfully submitted by

H. Shands

Oct 20th 1886 Special Com'r

Mr. Willie Shands will please pay to the order of Mr. Fred Vaughan twelve (12) dollars and this shall be Recpt for same. July 31st 1885

Martha her X mark Beale

Witness
S. K. Edwards

Paid Feb. 15-1886
F. H. Vaughan

Boykins Va. Jany 25th 1886.

Mr. Willie Shands.

Dear Sir.

Please pay to George W. Beale the amount due me from the sale of my land and oblige

Yours Respectfully

S. K. Edwards

Martha Ann S. Beale

mark

Martha, Bedell
In } Receipt
Shands. N. Cook

$20.85/100

Received this day of H. Shands Special Comr in case of Beale and wife against Bryant and others the sum of $20.65/100 as payment in full of amount due me from the sale of my fathers land

Jany 26th 1886

Geo. H. Beale
his
mark

Witness for Martha Beale

J T Lankford

B. E. Worrell
To } Receipt
N. Islands comr

Received this day of H. Shands special Comm'r. in case of Beale et als vs Bryant et als $32.65/100 as payment in full of amount due me from sale of my fathers land

Benj. Elwell
for Wm Bryant

Jany 26th 1886

Bryant's
order
on Shands

Worrells Virg.a
Mch. 20th 1885.

Mr Wm B. Shands.

Dr Sir.

Please pay to
Benj. E. Worrell or order amt.
Coming to me from Sale of Fathers
land and oblige
Witness
James R Kello

Yours Truly
Wm his Bryant
mark

Mr Willie Shands
Jerusalem
Do

Boykins

January 2. 1886.

Mr Willie Shands

Dear Sir

Please pay my part of the money due me from the sale of my Farther's land, to James L. Bryant and this shall be your voucher for the same. Yours respectfully,

Witness

W. K. Stephenson

Nathan T. his X mark Bryant

Mr. Willie Shands,
Jerusalem,
Ga.,

Brijkins,
Jan 9. 1886.

Mr. Willie Shands.

Dear Sir.

Please pay my part of the money due me from the Sale of my father's land, to James L. Bryant and this shall be your voucher for the same.

Yours respectfully,

John W. his X mark Bryant.

Witness

W. L. Stephenson

J. L. Bryant & others

To } Receipts

N. Shands Comr

$97.$\frac{95}{100}$

Jany 12th 1886

Received this day of W Shands Comr in case of Beale and wife vs Bryant and others the sum of ($32.65/100) thirty ~~five~~ dollars and ~~fifty~~ five cents in payment in full of amount due me from the sale of my fathers lands.

Witness
C. L. Corbett

Jas L. his X mark Bryant

Jany 12th 1886

Received this day of W Shands Comr in case of Beale and wife vs Bryant and others the sum of ($32.65/100) thirty ~~five~~ dollars and ~~fifty~~ five cents in payment in full of amount due John W. Bryant from the sale of his fathers lands

Witness
C. L. Corbett

J. L. his X mark Bryant for John W. Bryant

Jany 12th 1886

Received this day of W. Shands Comr in case of Beale and wife vs Bryant and others the sum of ($32.65/100) thirty ~~five~~ dollars and ~~fifty~~ five cents in payment in full of amount due Norhon J. Bryant from the sale of his fathers land.

Witness
C. L. Corbett

J. L. his X mark Bryant for Norhon J. Bryant.

Jany 26th 1886

Beale et als
vs Decree
Bryant et als

In Southampton Circuit Court
November Term 1885.

This day this cause came on again to be heard on the papers formerly read, and upon the report of Special Commissioner W. Shands of the sale of the land directed to be sold by a decree entered in this cause at the Nov: Term 1884. the same selling for $315-00 the purchaser paying $50-00 cash, and giving his bond for the residue payable Dec: 15th 1885- To which report no exceptions were filed, and was argued by counsel. On consideration whereof the court doth adjudge, order and decree that the said report be confirmed, And the court doth further adjudge order and decree that W. Shands Special Commissioner withdraw from the papers in this cause the bond given by J. L. Bryant &c for $265-00 and due on 15th of December 1885- executing his receipt to the clerk of this Court for said bond, and collect said bond, and give said Bryant a deed with special warranty for said property and out of proceeds pay first all cost in this cause and then divide the residue into eight equal shares, and pay one share unto Margaret Beale wife of Geo. W. Beale; one share unto William Bryant; one share unto John Bryant; one share unto James Bryant; one share unto Nathan Bryant; one share unto Landsel Guardian of Henry Bryant; one share unto Landsel Guardian of Moses Bryant, and one share unto Landsel Guardian of Rosa Bryant, and take receipts from them for said payments, and return them along with

his report to Court in order for a further decree

A Copy

Test J. B. Prince C. C.

Costs.

Clk.	$9.80	pd L.B.P. C.C.
Shff W.W.B	4.00	pd H.S. for H.H.B
Comr. Tyler.	10.00	pd J.R.J Comr
Law Fee	15.70	pd H.B.S & Son allys but of fee due as per agreement
	$39.50	

Brake & others
vs
City of Decatur
Bryan & others

Beale et als
vs } Report of
Bryant et als

W. Shands
Special Comr

1886. May 1. filed.

Beale & als
vs } Report
Bryant & als

To the Hon George. Blow judge of the Circuit court of Southampton county

In Chancery Sitting

Your undersigned commissioner begs leave to report that in obedience to a decree rendered in the above cause at Nov Term 1865 of this court. he withdrew from the papers in this cause the bond of J. L. Bryant for $263.00/100 and collected the same and interest thereon and made said J. L. Bryant a deed with special warranty for the tract of land bought by him. That after paying all costs in this suit there remained in the hands of your commissioner the sum of $261.00/100 which he divided into eight parts or shares. one of which he paid Magaret. Beale wife of Geo. H. Beale. one share to Wm Bryant; one share to John. Bryant; one share to J. L. Bryant; one share to Nathan Bryant; and took their receipts for the same; which receipts are herewith filed with this report and as a part thereof That the parties entitled to the remaining shares (three) are Rosa

Bryant an infant over 14 years of age. Moses and Henry Bryant infants under 14 years of age. That your Commissioner has tried repeatedly to get some one to qualify as their guardian. but has been unable to get any one to do so. That they all live with their mother that they are very poor and much in want of their money and that their mother too is very poor and barely able to give them the neces=saries of life. and your Commissioner wishes to know what to do with their money (about $32.65/100 each). whether the court would sanction a payment of it to their mother (who is supporting and taking care of them) for them. or in what way to dispose of it. And there=fore asks the court to instruct him in regard to it. all of which is most respectfully submitted by

W. Shands

Special Commissioner

April 26th 1886

92.

Beale & wife

vs

Gt Stat. Rules

Bryant & others

In Southampton Circuit Court.

George W. Beale and Margaret Beale
his wife — Pltffs.

against

Martha Bryant. William Bryant. John Bryant. Mason Bryant. Henry Bryant. Moses Bryant and Rosa Bryant. last three infants. — Defts.

} In Chancery

Dec 10. 1883. Summons to Jany Rules. 1884.

1884
Jany Rules. Summons returned executed on all defts except Wm Bryant. Alias Summons vs Wm Bryant. to Feby Rules. Bill filed. B. F. McLemore assigned Gdn ad litem to infants. Answer of infants filed. Gen'l Replication thereto & Decree nisi vs all defts except Wm Bryant.

1884
Feby Rules. Bill taken for confessed as to all defts except Wm Bryant, & Cause set for hearing as to all except Wm Bryant. Als Summons vs Wm Bryant rel'd Exec'd & decree nisi vs him.

March Rules. Bill taken for confessed and Cause set for hearing as to Wm Bryant.

Beale vs wife

vs 3

Bryant & als

Answer of infants, Henry
Moore & Rosa Bryant
by guardian ad litem

The joint answer of Henry Bryant, Moses Bryant and Rosa Bryant three infants by Benj. F. McLemore their guardian ad litem to a bill in chancery by Beale & wife & others and others

This defendant for answer to the said bill or as much thereof as he is advised it is material for him to answer answering says he knows of the allegations of the plaintiffs bill but submits the interests of his wards to the care of this court whose peculiar duty it is to protect the rights of infants and having fully answered prays hence to be dismissed with his costs &c

signed
B. F. McLemore
guardian ad litem

Know all men by these Presents, That we Wm Shands and

Wm B. Shands

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of

One thousand Dollars, to the payment whereof well and truly to be

made we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents. And

and we the obligors hereinwe hereby waive all claims, right or privilege to discharge any

we, the obligors herein, hereby waive the benefit of our homestead exemption as to this obligation. Sealed with our

liability arising under this bond in any currency Counter claims or Setoff other than legal

seals and dated this 21 day of November A. D. 1884

tender currency of the United States.

THE CONDITION of the above obligation is such that if the above bound Wm Shands, who

was, by a Decree of the Circuit Court of Southampton

County entered at the November Term 1884 in the Chancery

suit of Bealle Wife against Bryant et. als:. appointed

a Special Commissioner. to sell the real Estate of which

William Bryant died seized and possessed upon

the Terms set forth in said Decree. to pay the

costs of suit and divide balance of proceeds as

directed by said Decree

shall faithfully discharge the duties of his office or trust according to law, then the above obligation to be void, or else to remain in full force and virtue.

Signed, sealed and delivered in presence of the Court.

Wm Shands SEAL

Wm B Shands SEAL

SEAL

SEAL

Realestate
" Com's Bond
Bryant

1884 Nov: 22

Recorded
Pg 122

Beals wife

vs Bill

Bryant et als

1883. Dec 7th filed

To the Honorable George Blow judge of the Circuit Court of Southampton County in chancery sitting

Humbly complaining your orator George W Beale and Margaret Beale his wife show unto your Honor that in the year 1875 William Bryant of Southampton County died intestate leaving a tract of land in the said county containing four hundred acres more or less and leaving a widow Martha Bryant and the following children now living to wit Margaret Beale who was Bryant William Bryant, John Bryant, James Bryant Nathan ~~Mason~~ Bryant, Henry Bryant an infant Moses Bryant an infant, Rosa Bryant an infant, his distributees and heirs at law, and that since William Bryants death three children to wit Lucy A Bryant Bryant and Peter Bryant died under age, intestate and unmarried and that their shares descended to the living children Your Orators show further that in the year 1880 the widow Martha Bryant was endowed in the said tract of land and that the widow is held in co-parcenary by the above named children And your Orators now desire partition of the same and if that be impracticable then

a sale and division of the proceeds of the sale of the land

In Tender consideration whereof and inasmuch as your orators are without remedy at law and only entitled to relief in a court of equity where such matters are peculiarly cognizable They therefore pray that the widow Martha Bryant, William Bryant, John Bryant, James Bryant, ~~Mason~~ Nathan Bryant, and Henry Bryant, Moses Bryant and Rosa Bryant the infants of tender years by some fit and proper person their guardian ad litem appointed for that purpose may be made parties defendant to this bill and that the court would compel them as full and perfect answer make to the allegations therein contained as if they had been thereunto more fully and specially interrogated and that the court would appoint Commissioners to make partition of the said 400 acres of land subject to or exclusive of the widows dower or if partition cannot be made then to order the sale of the same and division of the purchase money among the parties entitled thereto and that the court would grant such other and general relief the premises considered as equity may dictate and the nature of their case may require and as in duty bound your orators will ever pray &c

Shands & Lon p.q.