

1893-33

Southampton County - Chancery

Gray, W. J's ^{Est} vs

Bryant, M. F.

To sell land to
pay off debts

Deals Geo +
Deals, Martha Geo Edge
Bryant, William
Bryant, John

Bryant, Martha
Bryant, James
Bryant, Lucy A.
Bryant, Sarah F
Bryant, Rosa A
infant Bryant, Nathan
Bryant, Henry
Bryant, Peter
Bryant, Mason

117 59
Goyi Adm.
vs 3 Rice Exhibits.
Bryant.

1879 October Rules

Ex. not filed

J. B. P. 1879

To the Hon Geo Blount, Judge of the Circuit
Court of Southampton. In Chancery.
Humbly Complaining sheweth unto
your Honor, your complainant Rth H.
S. Pope, Advers W. J. Gray died that
at the Term of the Circuit Court
of Southampton, he obtained a judgment
against M. F. Bryant for \$45.³⁰ with
interest from July 21. 1845, and \$7.40
costs, as will more fully appear from
a copy of said judgment herewith
filed marked A, and prayed to be taken
as a part of this bill. That upon said
judgment execution of fieri has been
issued & returned "no effect." That the
said Bryant is possessed & seized of real
estate more than sufficient to satisfy
complainant's demand. That the rents &
profits of the said land will not pay
your complainant's debt in five years.
In consideration whereof, and inasmuch
as your complainant has no remedy
except in a Court of Equity, where such
matters are properly cognizable, to the
end therefore that justice may be done,
Your complainant prays that the said
Bryant may be made a party defendant
to this bill & compelled to answer the
allegation thereof. That your Honor

will direct the following accounts
to be taken. To wit - an account of
your Complainant's demand
and all other unsettled claims against
the defendant, distinguishing their
priorities. An account of the
absolute and annual value of the
real estate whereof the said M. F.
Bryant is seized - and if it should
appear that the rents and profits of the
said land will not pay your Com-
plainant's demand in five years, that
the same may be sold and the proceeds
properly applied - and that your Honor
will grant such other, further, general and
Special relief as to Equity may seem
meet and 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. D. Prince Jr.

Realet wife etc ¹²⁹

or

Bill

Bryant's widow & al

1878 April Rules

J B Prince & c

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

Humbly Complaining sheweth
unto your Honor your Complain-
ants Geo. Beale and Martha his
wife, William Bryant and John
Bryant That during the year 1871
William Bryant departed this life intestate
seized of a Tract of Land in said Coun-
ty containing about 230 acres, That
the said Wm Bryant left as his Children
and heirs at law the following parties
to wit: Martha who has intermarried
with your complainant Geo Beale, William
Bryant & John Bryant who are adults
and James, Lucy, & Sarah F. Rosa A.
Nathan, Henry, Peter, & Eliza Bryant
who are minors. Your complain-
ants state that the said Real Estate
is as they believe susceptible of
partition amongst the parties entitled
thereto but if it is not then your
complainants desire the same to be
sold and the proceeds thereof
distributed amongst the parties in
proportion to their respective in-
terest therein, In Considera-

tion whereof and inasmuch as your
Complainants are without remedy
save in a Court of Equity
where matters of this kind are prop-
erly to be heard, Your Complain-
ants pray that Martha Bryant
widow of said Bryant, James
Lucy & Sarah F. Rosam, Nathan
Henry Peter & Elvies Bryant the
last eight minors be made parties
defendants to this bill, and com-
pelled to answer its allegations.

That some fit and proper per-
son be assigned Guardian ad litem
to defend the interests of the infant
defendants in this suit. That
the said real Estate may be divided
if practicable, but if partition be not
practicable, That the same may be
exposed to sale and the proceeds
thereof distributed among the parties
according to their respective interests
And that your Honor will grant each
other further general & special relief
as the nature of the case may require
or to Equity may seem meet.

And as in duty bound your Complain-
ants will ever pray &c.

May it please the Court &c

W B Prince f c

The joint & several answer of
James, Lucy & Sarah T. Rosa & Cha
than, Henry, Peter & Eliza Bryant
all infants by L R Edwards, their
Gdn ad litem to a bill of complaint
exhibited against themselves & others in
the Circuit Court of Southampton by
Geo Beale & Martha his wife & others.

These respondents saving and
reserving &c for answer to said bill
say that they are infants and know
nothing of the facts alleged in said bill
and being such they submit their
rights to the protection of this Honor-
able Court, and having answered they
pray hence to be dismissed &c.

L R Edwards Gdn ad litem
J B Prince p d

An Account of outstanding debt against Martha F. Bryant as follows—

Judgement in favor of Robt S. Pope.	
Administrator of W. J. Gray Dec ^r for \$45 30	
Interest from July 21 st 1875 to Octob ^r 1. 1880 9 59	
Costs	7 40
	\$ 62 29
Obtained May Term 1876 Circuit Court	
Docketed May 23 rd "	

An Account of the absolute and Annual Value
of Martha F. Bryant's real Est &c

absolute	Annual
value	Value

Commissioner for \$5⁰⁰
Charged to the Deft.

Respectfully Submitted

James R. Tyler,
Commissioner

Commissioner's Office
Jerusalem 15th October 1880

To the Circuit Court of Southampton County

Pursuant to a decree of the Circuit Court of Southampton County rendered at the May Term 1880 in a suit in Chancery pending in said Court between Robt S Pope administrator of W. J. Gray^{deceased} and Martha F. Bryant. The undersigned one of the Commissioners of the said Court, to whom was referred for settlement the following acct to wit:

1st - An account of the plaintiff demand with all other unsettled liens against M. F. Bryant, distinguishing their priorities.

2nd - An account of the absolute & Annual Value of the real Estate owned by said Bryant, together with any other matters specially stated deemed pertinent by himself or required to be so stated & reports to the Court that on the 27th day of August last he issued notices against the parties requiring them to attend the settlement of the said account before him at his said office on the 14th day of September 1880 which were returned to your Commissioner duly executed.

That the parties aforesaid appeared (by Atty) before him the Commissioner in obedience to said notices and he thereupon examined, stated & settled the foregoing account up to the 1st day of October 1880, and on that day find a balance due by the said Bryant the sum of \$62.37 and the absolute value to be \$100.00 and the annual value to be \$10.00.

The Commissioner has nothing special to report to the Court. The Commissioner further reports to the Court that after the completion of the said account, he retained the same in his office ten days for the examination of the parties which was with the decree and notices are herewith returned.

Given under my hand as Commissioner aforesaid the day & Year first aforesaid

James R. Tyler,
Commissioner

Gray's Adm. ^{2d} ^{Repub}
Bryant

Gray's adm.
^m Bryant } Decree

1880. Oct 7th

Sept 14th

Southampton Circuit Court.
November Term 1879.

Robt. S. Pope Adminr of W. J. Gray decd Offy.
against Martha F. Bryant Deft } In Chancery

This day this cause came on to be heard on the plaintiffs bill taken for confessed, as to the defendant M. F. Bryant and exhibits filed and was argued by Counsel. on consideration whereof the Court doth adjudge order and decree that a Commr of this Court take the following accounts to wit. an account of the plaintiffs demands with all other unsettled liens against M. F. Bryant distinguishing their priorities. an account of the absolute and annual value of the real Estate owned by said Bryant, which accounts the Commr. will audit & report to Court together with any other Matters specially stated deemed pertinent by himself, or required to be so stated by any interested party.

A Copy Teste:

F. R. Edwards C. C.

Gray's Adm.

?

Bryant

Noted

1880 Sept. 14th

Executed

W W Pruggi Siff

Commissioner's Office,

Jerusalem, Va., *August 27th* 1880.

To

Maria F. Bryant

You are hereby notified that I have fixed upon the *14th* day of *September* next, if fair, if not, the next fair day thereafter (Sunday excepted) to take and settle, at my office, the following accounts, to wit:

- 1st An account of the plaintiff's demands and all other unsettled liens against M. F. Bryant, distinguishing their priorities.*
- 2nd An account of the absolute & annual value of the real Estate owned by said Bryant, together with any other matters specially stated deemed pertinent by himself or required to be so stated, by any interested party."*

required to be taken by a decree of Southampton Circuit Court, rendered at the *May* term, 1880, in a suit in Chancery, depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery of the said Court, the day and year first aforesaid.

James R. Tyler

WM. H. PARKER, Commissioner.

To the Sheriff of Southampton County to execute.

~~8087~~ 108 ~~93~~ ~~89~~ ~~80~~

79

Grays adm^d

v } Stat. Rules

By out

In Southampton Circuit Court

Robert S. Pope administrator of W. J. Gray dec'd Plff.
against
Martha F. Bryant

In Chancery
Deft.

1879 Sept. 11th Summons issued

Oct. 12th Summons returned Executed - Bill filed. D. Nisi &
Deft.

Bill taken for confessed & Cause set for hearing

Nov. 1st Decree for acct.

Gray's adn
to
Sum in
Chancery
Bryant

1879. Oct. Rules

Executed Sept 23rd 1879 by delivering a
copy of the within to Martha F. Bryant
Shewet Harriss del
for St. St. Briggs Shff.

The Commonwealth of Virginia:

To the Sheriff of Southampton County Greeting:

We command you to summon Martha F. Bryan

if ~~be~~ found within your bailiwick to appear at the Clerks office of our
Circuit Court of Southampton County at the Rules to be holden for said Court
on the first monday in October next to answer a bill in
Chancery exhibited against her, in our
Said Court by Robt. S. Pope Administrator
of W. J. Gray decd.

and have then there this writ, Witness Littleton R. Edwards Clerk of our
said Court at the Courthouse this 11th day of September 1879
in the 104th year of the Commonwealth. L. R. Edwards C. C.

~~St. 78 66 60~~
Beale & Wife $\frac{1}{2}$ ~~62 40~~

$\frac{1}{2}$ Stat. Rules

Bryant $\frac{1}{2}$

16 + 17

In Southampton Circuit Court

Geo. Beale and Martha his wife, William Bryant & John Bryant
against.

Martha Bryant, James, Lucy A., Sarah F., Rosa A., Nathan, Henry,
Peter & Moses Bryant the last eight infants by L R Edwards their Guardian
ad litem

1878 March 20th Summons issued

Apr. R. Summons ret^d Executed Bill filed, L R Edwards
appointed Gw ad litem to infant Defendants. Ans^r of infants
Genl Rep. Decree Nisi v Dft Martha Bryant.

" May " (last Monday in May) Bill taken for Confessed as to Defendant
Martha Bryant Cause set for hearing &c.

" Nov. Decree for division of land

Executed by delivering a copy
of the within Feb 20 1878
Hepet Harris
Jd W. H. Briggs Esq

Reading Wills & all
Business in
Court
Bryant

1878 App Rules

The Commonwealth of Virginia:

To the Sheriff of Southampton County---Greeting:

WE COMMAND YOU TO SUMMON *Marcus Bayant (widow)*
James, Lucy A. Sarah F. Rosa A. Marcia, Henry,
Peter & Moses Bayant, the last ^{eight} all miners,

if _____ to 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 George Beasley Marcia his wife, and William and
John Bayant

and have then and there this writ.

Witness, **Littleton R. Edwards**, Clerk of our said Court, at the Court
House this *20th* day of *March* 1878, in the
102^d year of the Commonwealth. *J R Edwards Clk,*

Executed by delivering Marital Warrant & clai.
Warrant each a copy of this Summons on the 1st
day of October 1877

H. I. Watkins dy.
for W. C. W. 1991 21st.

Beale W. W. W.

Sum. Chy

Warrant & clai.

1877 October Rules

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON *Martha Bryant, James, Lucy A. Sarah F.,
Rosa A. Nathan. Henry, Peter & Moses Bryant, last born infants* — —

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 *October next* — to answer a bill
in Chancery exhibited against them in our said Court by *George Beale & Martha*
his wife, *William Bryant & John Bryant*

And have then there this writ.

WITNESS, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this *15th*
day of *September* — , 1877, in the *102^d* year of the Commonwealth.

L. R. Edwards *cl*

Gray Adm.
vs 3 Decree.
Bryant.

Nov Term 1849

To be entered.

Geo. B. Shaw.

Grays Adm.

vs 3 Dece.

Bryant.

This day this Cause came on to be heard on the plainiffs bill, taken for confessed as to the defendant M. H. Bryant. and exhibits filed. and was argued by Counsel. On consideration whereof, the Court doth advise order and decree that a Comr. of this Court take the following accounts - to wit. an account of the plaintiffs demands, with all other unsettled claims against M. H. Bryant. distinguishing their priorities. an account of the absolute and annual value of the real estate owned by said Bryant. which accounts the Comr. will audit report to Court together with any other matters specially stated deemed pertinent by himself, or required to be so stated by any interested party.

Beale scipe
or 3 Deere.
Bryant Forks

Nov Term 1878

To be ruled.

Geo. T. Seow

Beale scribe
or 3 Deere.
Bryant's widow & others

This day this Cause came on to be heard on the bill of the Com-plainants taken for confessed as to the adult defendants, the answer of the infants by L.R. Edwards & an addition with replication thereto - and was argued by Counsel. On consideration whereof, the Court doth adjudge order and decree that F. E. Willcain, Wm E. Warrell, J. J. Gray & B. F. Knight, any three of whom may act, be and they are hereby appointed Commissioners, to make partition of the land in bill mentioned, same being all the real estate of which Wm Bryant died seized, except what has been assigned to his widow as her dower. And the Court doth further decree that the said Comrs do assign and allot to the heirs of said Bryant the respective shares to which they are entitled - and if, in their opinion, such partition of the real estate cannot be made in kind without loss or injury to the parties, then that said Comrs report that fact to Court and the reasons upon which their opinion is founded, with the real value of the estate together with any other matters deemed pertinent by themselves or required by the parties

~~17-18~~ ³ ~~40~~
Beale's wife
or
Bryant's widow
and
Grays Adm'r } Deere
or
Bryant's } 16 & 17

May Term 1885.

To be entered,

Geo. Brown,

Entered 115

Waiting for report

Beale v. Bryant's Widow & others.
and of decree.

Gray Adm'r vs Bryant

It appearing to the Court that these
causes are intimately connected,
it is ordered that they be consolida-
ted hereafter heard together.

And it is further decreed that it be
referred to a Commissioner of this Court
to enquire and report what is the
fee simple and annual value
of the above land of Mrs Wm Bryant
together with any other matters deemed
pertinent by himself or required by
any of the interested parties to be
stated.

Beale wife 46
vs } Decree
Bryant's widow & others

May Term 1884
To be entered.

Geo. B. Blow.

sc4

Com's still fail to report,

Beale wife

vs

}

Decree.

Bryant's widow & heirs

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.

William, W^m E. Linnell, 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

show cause, if any they can, why they have not proceeded to perform their

duties as Commissioners under the said decree.