

1819-027

SOUTHAMPTON COUNTY
CHANCERY PAPERS

GILLIAM VS. GILLIAM

3/1819

Silvan

to } Baker.

Silvan

March 1879 Feb.

duree —

To the County Court of Southampton in chancery
sitting Humbly complaining sheweth unto your Worships
your Complainant Robert Gilliam -

That John Gilliam departed this life
some time since intestate, intitled in fee simple to
a certain tract or parcel of Land lying & being in this
County - That your complainant and a certain
Matthew Gilliam are intitled to the said Land, as
the heir of him to the said John - your Complainant
- cant says came to state that the said Matthew as the
Land aforesaid in his possession & refuses a division thereof
without the aid and intervention of a Court of Equity
- and which is contrary to Equity & good conscience -

In further Consideration whereof I in as much as your
Complainant ~~is~~ remedies in the Premises, came in this
Court, he pray your Worships to compel the said
Matthew who is Prayed a defendant - hereto, trust & perfect
him to make to the foregoing bid, that your Worships
will decree a division of the said Land equally
between your Complainant & the said defendant
Matthew & grant such other & further Relief the
Premises considered as may be consistent &c. & your Complainant
is in any wise ever pray &c.

Ippius pro Complainant

The Answer of Matthew Gilliam to the bill exhibited
against him by William in Southampton County
Camp

This respondent, saving, reserving &c.
for answer saith: that the allegations contained
in the Complainant's bill are true so far as he
believes — that he has no objection to such a decree
as is prayed for — Praying all fraud, combination
&c. &c. may here to be dispensed wth.

Gilliam
vs. } the Chancellor
Gilliam

This day this cause came on to be heard
on the bill & answer when it is ordered & decreed
by the Court, that Jacob Barnes, James Everett, Jacob
Barnett & Benjamin Barnes, or any three be commissioners
appointed by the Court, to divide the Lands belonging
to the Estate of John Gilliam dec^d. lying & being in this
County into two equal moieties and assign one moiety
to Matthew Gilliam & the other moiety to Robert Gilliam
Praying respect to quality as well as quantity — that they report to this
Court in order to a final decree.

William & copy of
his 3
William 3 Mr. Ocora

Southampton County March Term 1879

Robert Gilliam - - - - - Complainant
as
Matthew Gilliam - - - - - Defendant } In Chancery

This day this Cause, was docketed by Consent of the parties and opened of the Court came on to be heard upon the bill of the Complainant answer of the defendant, and arguments of counsel. Whereupon and after due consideration, the Court, doth acquiesce, order and decree that Jacob Barnes, James Evans, Jacob, Barnes and Benjamin Barnes, or any three of them, be Commissioners appointed by the Court to divide the Lands belonging to the Estate of John Gilliam deceased lying and being in this County into two equal moieties and assign one moiety to the defendant Matthew Gilliam and the other moiety to the Complainant Robert Gilliam, having respect to quality as well as quantity and that they report there proceeding to the Court in order to a final decree.

Teste A. McCallister D.C.

Commissioner's
report
on the division of
John Williams Land

May 17th 1899 approved
& decree final by Court

Southampton County March Term 1819

Whereas the court for the said county did then order and decree and in pursuance of which we the undersigned did proceed To divide into two equal moities the land belonging to the estate of John Gillham Deceased lying & being in the aforesaid county of Southampton beginning at a small pine bush standing in a line as well John Herks as the decedents near the road leading from the Piney Grove To Murfreesboro N.C. thence a line of marked trees nearly a north course we suppose about ninety pole to a post Setup thence a little west of North a line of marked trees we suppose about fifty five pole To a nother post Setup in a line as well William G. Butts as said Decedents near the aforesaid road all the lands of the said decedents on the West Side of the above described line we allot and assign to the defendant Matthew Gillham the residue of the said decedents lands lying on the East Side of the said dividing line we allot and assign To the complainant Robert Gilliam Given under our hands this 19th Day of March one thousand Eight hundred and nineteen

Saml Barnes
Benjamin Barnes

Levin Everett