

1820-003

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BARHAM ^{va} | VS. | BARHAM ^{va} |

6/1820

other surnames, Nicholson

Barham
3 Bill
17 3 D
3 Ann
Barham

Nov. 1818 cleared accordingly

To the worshipful Court of Southampton in they
sitting. Humbly complaining shew unto
your worships your natur James and Joel Barham
infant children of Charles Barham and ~~their~~
Guardian and next friend Robert Nicholson
That they together with their two infant brother
and sister Edmund and Sarah Barham are
equally entitled to a tract of land lying in this
containing about 50 or 60 acres of land which
descended to them by the death of their uncle Nathl
Barham. That they are extremely poor and destitute
of the means ~~of~~ support, and that the land
aforesaid contributes nothing towards their support
in its present situation. That the land itself
is not worth one hundred dollars to each of
the parties entitled, and to effect a division ought
ought to be sold under the act of Assembly in
such cases made and provided. In tender
consideration where of and in as much your
complainants are advised that they are without
remedy save in a Court of Chancery where matters
of this kind are properly cognizable. They pray the
said Edmund and Sarah Barham by some
friend to be appointed by the Court to defend
them in this behalf may be made defendants
unto and be compelled to answer all and singular
the allegations herein contained fully and
unreversely. They further pray that the land
aforesaid may be sold or sent credit as

this Court may think right and the moneys
of the sale equally divided among your
complainants and defendants. And they
may for general relief &c. Robert Nicholson

To the honorable Court of Southampton in
Chancery sitting - The joint and separate
assessors of Edmund & Sarah Barham by
their next friends appointed by
the Court to defend them in this behalf to the
bill of Complaint exhibited against them by
James and Joel Barham infants by their guardian
and next friend Robert Nicholson -

These respondents severally and jointly
to themselves all benefit of exception to any
error or imperfections in the said bill contained
for answer to so much thereof as they are advised
is necessary for them to answer. Say That they
cannot deny the complainants allegations
and are willing to submit to such decree in
the premises as this Court may think proper to
pronounce. And having answered they pray
to be hence dismissed &c.

William Capell

Barham - Plffs
3
3 In Chancery -
Barham - Dfts

This cause was this day docketed by consent of
parties and a part of the Court was heard on
the bill and answers and arguments of counsel
whereupon and after due consideration thereof
had the Court doth advise order and decree
that Benjamin Cobb, George Hines, Samuel
B Hines, and John Williams or any three
of them, do after giving three weeks public
notice of the time and place of sale, expose to
sale of land lying in this County which descended
to the plaintiffs and defendants in this cause
by the death of Nathl Barham to public sale
on a credit of 12 - months. That they take
four separate bonds of equal amount from
the purchaser or purchasers with good securities
payable to the guardian of the infants plaintiffs
and defendants. That they make a conveyance
in fee simple to the said lands to the purchaser
or purchasers and make report to this Court
of their proceedings herein in order to a final
decree -

Barham
tr
Barham } decce

also

June 19th 1820 rep^d
ret.^d F.O.D. by consent

agreeably to the within decreed to us directed we have made sale
of the tract of land within mentioned & ~~the purchase of~~ ^{Lewis Morrell} ~~the purchase of~~ ^{became}
the purchaser for the sum of One Hundred & twenty one dollar
seven cents & have taken his bond for the same payable to
the guardian of the Compt. & Dy. as within directed: Given
under our hand this 18 of Jan'y 1819 -

Amos J. Williams
A. L. Williams

Southampton Nov. Court 1878

James Barham and Joel Barham infant
children of Charles Barham deceased, by their
guardian and next friend Robert Nicholson - Comptt.
against

Thomas Barham and Sarah Barham
by Nicholson, Special Appr. next friend.
Appointed by the Court to defend them in
this behalf.

In Chancery

Defendants

This Cause was this day docketed by consent of parties
and agreed of the Court and was heard on the bill and answer
and arguments of counsel, whereupon and after due consideration
thereof has the Court doth agree order and decree that Benja-
min George Hines, Land B. Hines and John Williams, or any three
of them do after giving three weeks public notice of the times and
place of Sale, sell a tract of land lying in this County which
accrued to the Plaintiffs and Defendants in this Cause by the death
of Nathaniel Barham, to public Sale on a Credit of Twelve months
That they take four Several bonds of equal amount from the
purchaser or purchasers with good Security payable to the guardian
of the Complainants and Defendants. That they make a conveyance
in fee Simple of the said land to the purchaser or purchasers and
make report to the Court of their proceedings herein in order to a
final decree

attest Teste

A. McIlwain D.C.