

1822-013

SOUTHAMPTON COUNTY
CHANCERY PAPERS

WHITFIELD ~~vs~~ vs JACKSON

8/1822

Plat

other surnames: Daughtrey,
Knox, Daughtrey

Jackson

B. J. ~~de~~
Jackson

January 1871 decree
granted

Nov. 1871 Decree amended

To the Worshipful the County Court of S. Anthon
in Chancery sitting, Your Compliments, Ruben Whitfield
& Phoebe his Wife formerly Jackson & Matilda Beaghty &
Lancel & Laurence Beaghty infants by Ruben Whitfield
their next friend & Sally Knox humbly sheweth:

That when Jackson departed this life several
years since, having first duly published his last will
& Testament, which has been admitted to record in
this Court an attested Copy of which is hereto annexed
as a part of this bill — That the said Testator
desires for life to his Wife Mary all his Lands &
other Property & at her death to be divided among
his Children, & your Compliments further state,
that the said Mary died some time since, & that they
are by the Will intitled to the said Estate — your
Compliments Sally Knox begs leave to state, that she
is intitled to a share of the said Estate from a purchase
from Lancel & Laurence Beaghty, who have executed
Wills to her for their proportions & which deeds are
referred to as a part of this bill — your Compliments
begs leave to state, that they are advised that a division

of the said Land cannot be effected without the
aid & intervention of a Court of Equity, as some of your
Complainants are infants & a certain Mary Jackson who
is one of the parties opposes a division thereof without
such aid - Also which contrary to Equity & good
Conscience - In tender consideration whereof & in as
much as your Compts, and remedies at common Law
& alone available in a Court of Equity where
matters of this kind are properly cognizable, they pray
your Honors to compel the said Mary Jackson who is
named a defendant here, true answer to make to the
forgoing bill; that your Honors will decree according to the
prayer thereof & grant such other & further relief the Premises
considered as may be consistent with Equity & good Conscience
& your Complainants as in duty will ever pray &c.

The Answer of Mary Jackson to the within bill
This depts. saving &c. for answer saith;

that she admits the allegations in the bill contained
to be true - that she has no objection to such a
division as is prayed for - being all freely & voluntarily
prayed hence to be dismissed &c.

Jackson &c.

W. J. In Maney
Jackson

This day this cause came on to be heard on
the bill, answer & exhibits, when it is ordered and
decreed by the Court, that Ephraim Vick, Holliday Reiver
& Jacobus Bunn, or any two be commissioners to divide
the Lands lying & being in this County, belonging to
the Estate of John Jackson decd. into five equal
Parts & assign one fifth Rowen Whitfield in Right
of his Wife Phoebe, one fifth to Mary Jackson, two
fifths to Sally Knox in Right of - Jordan & Margaret
Jackson & that the Commissioners sell to the highest
bidders the remaining fifth upon a credit of twelve
Months, having first duly advertised the time & place
of the sale & take three separate bonds, with good
Security for the same & assign one bond to Matthew
Daugherty, one to Samuel Daugherty & one to Lawrence
Daugherty in Right of their decd. mother Phoebe Lawrence
that the said Commissioners be attended by the County
Surveyors - & that they Report to this Court in order
to a final decree -

Jackson W. 3

is

Jackson W.

Int. J. Deane

Saunderston November county court 1821-

Reuben Whitfield and Phoebe his wife (formerly
Jackson) Matthew Daughtrey and Lemuel
Lawrence Daughtrey infants by Reuben
Whitfield their next friends and Sally
Prop

Comptee

In Chancery

against

Mary Jackson

Defendant

This cause this day again came on to be heard on the Bills
answer and arguments of counsel whereupon it
is decreed ordered and adjudged that George Gur-
ley and James Bishop with persons appointed
by a former decree of this Court or any ^{three} of
them do divide the Lands lying and being in
this County belonging to the Estate of John
Jackson dec'd into five equal parts and
assign one fifth Part in Westfield in right of
the said Phoebe one fifth to Mary Jackson
two fifths to Sally Knox in right of Jordan
and Michael Jackson and that the Commis-
sioners sold to the highest bidder the remaining
fifth upon a credit of twelve months having
first duly advertised the time and place by the
date aforesaid make three separate bonds with good
security for the same and assign one Bond
to Matilda Daughtrey and to Lemuel Daugh-
trey and one to Lawrence Daughtrey in right
of their said mother Phoebe Lawrence that the
said Commissioners attended by the County Survey-
or and that they report to this Court in order
to a final decree

Attest Teste James Doehle &

Commissioners

Report

By virtue of a former decree directed to Commissioners ~~there~~
in name — they proceeded with the County Surveyor to
set apart, lay off and make sale of the lands of John
Jackson Dec'd in compliance of the said decree — ~~but~~
but a misunderstanding arising between the said Commission-
ers, the Court thereupon ordered two others to be added —
and in pursuance of the said order we the undersigned, pro-
- ceeded and laid off to Ruben Whitfield lot No 1 in right
of his wife Phoebe containing 32 acres — Lot no 4 to Mary
Jackson containing also 32 acres Lots no 3 and 5 to
Sally Knox in right of Jordan and Meajah Jackson ~~the~~
each containing 32 acres — the remaining Lot No. 2
belonging to the children of James Daughtry in right of
their Dec'd Mother Phoebe after being duly advertised
was set up and sold when Alfred Story became the purcha-
ser — Bonds taken and distributed as to us directed —
each lot containing one fifth part of the aforesaid
lands and are regularly marked and posted —

We further Report, that there remains still 3 acres
held under a forfeit Bond which said bond does not
specify any particular ^{time} or limit. and as we are of an
opinion that we have no power to act upon it. — we
therefore submit to the Court to make such further
provision as they may deem necessary or expedient.

Holladay ^{his} ~~mark~~ ^{mark}
James Bishop

Lee Givley

Platt of
Jacksons Land
163 acres

Jackson H. 2
 2
 Jackson H. 3
 3
 Rep. H.

Aug 19 " 1822 rept. red
over a 12 month for getting
kind's seen by board

Small pine corner of Alfred Story & Sally Know in D. Knowes line

Small white oak corner of Sally Know in D. Knowes line

Pine corner of Mary Jackson & Sally Know in D. Knowes line

Large pine corner of Mary Jackson in Sally Knowes line

Small red oak corner of Mary Jackson & Sally Know in Stephen Barrett's line

Small Sassafras corner of Sally Know & Reuben Whitfield in Stephen Barrett's line

Small pine corner of Reuben Whitfield in Benjamin Foreman's line

Settled stump at road corner between Mrs. Knowe and R. Whitfield

a red oak in Mrs. Knowe's line and a corner between Mrs. Knowe and Sally

This done by the Magnetic Meridian
Variation N. 1st West. R. R.

James Jones Esq

C. North

This Plate contains 163
Acres of land of Jones

