

1822-043

SOUTHAMPTON COUNTY
CHANCERY PAPERS

TURNER and Wife vs. BARROWS etal.

3/1822

See also. Goodwyn + wife v. Harris + wife, Admrs. of Barrow 1822-9

other SURNAMES: HARRIS

Turner stripe

W

Barnes &c

Bill of Answer -

Nov. 1878 decreed and ord.
accordingly

To the worshipful Court of Southampton in Chancery
sitting - Humbly complaining shew unto your worshipps
your orator and oratrix Edmund Turner junior and his
wife Starispa late Starispa Barrow That the father
of your oratrix, Henry Barrow late of this County died
sometime in the year leaving a last will and
and testament which has been admitted to record an
attested copy of which is hereto annexed as a part of this
bill. That he made no disposition in said will
of the lands of which he was seized, neither did he
bequeath the personal estate of which he was
possessed. That he left a widow, Elizabeth who hath
since intermarried with a certain Nunt Harris
to whom dower in the lands and one third of the
slaves of which said Henry Barrow died possessed
have been allotted, by Commissioners appointed by a
decree of this Court heretofore rendered. That the said
Henry Barrow left besides your oratrix Starispa,
five other children, to wit, Richard, Henry, John
Thomas, and Elizabeth Barrow all of whom are under
the age of twenty one years. That he left also a
very considerable ~~slaves~~ estate in lands and slaves
to which your oratrix and the aforesaid five in-
fant children are equally entitled subject nevertheless
to such extent as the said Nunt Harris & Elizabeth
his wife have in the same. Your orator and oratrix
are advised that partition in said land & slaves
cannot be effected without the aid of a Court of
Equity where matters of that kind are properly
cognizable. They further state that the said
Nunt Harris and his wife Elizabeth are advised

and adm^r of said Henry Barrow and in that
character have the aforesaid slaves in their possession
and that it is not necessary that they should
retain them longer. In tender consideration of the
premises and in as much as your complainants
are without remedy save in a Court of Chancery, they
may. That the said, Richard, Henry, John, Thomas
and Elizabeth Barrow by some friend to be appointed
by the Court to defend them in this behalf may be
made defendants hereto and ~~compelled~~ and that
the said Nevil Harris and his wife Elizabeth
adm^r and adm^r of said Henry Barrow and may be
also made defendants hereto and that they be
compelled to answer all and singular the allegations
herein contained, fully and unreservedly. They further
may. That the lands and slaves of which said Henry
Barrow died seized and possessed except such portions
of the same as have been allotted to the said Nevil
Harris and Elizabeth his wife for the lifetime of the
said Elizabeth, be divided into five equal parts
that one equal fifth part be allotted to your
nator and natrix in right of your natrix, and
that one equal fifth part be allotted to each
of the infant defendants. And finally they may
that the Court would grant any other reliefs make
any other or further order or decree in the premises
which may be consistent with justice and Equity.
and as in duty bound they will ever pray &c
Edmund Turner jr

To the worshipful Court of Southampton in Chancery
sitting - The joint and separate answers of
Richard, Henry, John, Thomas, and Elizabeth Barrow
infants children of Henry Barrow and by their
next friend Nevil Harris appointed by the Court
to defend them in this behalf ~~the heirs~~ and if
the said Nevil Harris and Elizabeth his wife
adm^r and adm^r of said Henry Barrow and by them
to the bill of Complaint exhibited against them
by Edmund Turner junior and his wife Narcissa
late Narcissa Barrow -

These respondents now and at all
times saving and reserving to themselves all and
every benefit of exception to all errors or imperfections
in the complainants bill contained; for answers thereto
or to so much thereof as they are advised is material
for them to answer, say. That they cannot deny
the complainants allegations, and that they have
not any objection. That the Court should pronounce
in the premises such a decree as is prayed for and
having answered these ~~complainants~~ bill, these
respondents pray to be ~~dismissed~~ &c -

Nevil Harris

Rough Decree

Turner and wife — Plffs

vs

Barrow & — Defts

In Chancery—

This cause was this day docketed by consent of parties and
agent of the Court and was heard on the bill, answers
exhibit, and arguments of Counsel, whereupon and
after due consideration thereof had the Court
doth adjudge now and decree that Edmund Turner
Deputy Master, Siri Muller and Peter Edwards, or
or any three of them do divide the lands lying in the
County of which Henry Barrow died seized and possessed
exclusive of that which has been allotted to the said
Elizabeth as her dower, into ^{five} ~~four~~ equal parts having
regard to value. To effect which, they or such of them
as may act are hereby required to call in the
assent of the County Surveyor. That they
allot to the Complainants Edmund Turner
junior and Starved his wife in right of his
said wife one ^{five} ~~four~~ parts and to each of the
defendants. Richard Barrow, Henry Barrow, John
Barrow, Thomas Barrow and Elizabeth Barrow one ^{five} ~~four~~ parts.
It is further decreed and ordered that they
or any three of them do divide the slaves of which
the said Henry Barrow died possessed and their
subsequent increase, except such as have been
allotted to the defendant Elizabeth for her natural
life as the widow of said Henry Barrow died, into
^{five} ~~four~~ equal parts having regard to their value and
that they allot to the complainants Edmund Turner

junior and his wife received in right of his said
wife one fifth part, and to each of the defendants
Richard, Henry, John Thomas, and Elizabeth Barrow
one fifth part. And it is further ordered that they
or such of them as may act do make a report
of their proceedings herein in order to a final
decree -

Joseph Davis

Report of the Division
of Three Tracts of land
of Henry Barrow dead,
all Inclusive

98	1307
450	500
392	100
149	1901
441	150
	2051

250	17
240.50	17
490.50	

Barrow & 3
or
Barrow & } Chy. Rep.

March 1822 Rep. Ret. & final
Decree by court

Agreeable to an Order of the County of Sumpton to us directed bearing date the 18th. We the Undersigned have gone on the three different tracts of land name^d or known by the Home Plantation: the Blake Tract & the Barlow Tract: of Henry Barrow deceased attended with the County Surveyor as by the order we were required and have run out all the S. Lands and find as follows. The Home Plantation 778 acres in the Blake tract 335 acres & in the Barlow tract 181 acres making in all 1294 acres: we then Proceeded to divide each Tract among the legatees in manner and form following (com^o)

lot no 1 containing 136 acres drawn by Richard Barrow in the Home Plantation: and bounded as follows (to wit) Beginning at a white Oak Post Standing at the C^r of the fence at the field Road: thence N. 85. W. 160 Pole to a black Jack a C^r in Britches line Standing on the side of the road; thence N. 38. W. 75 Pole to the road call^d Hagleys Road thence along that road 94 Pole to a red oak: thence S. 84. E. 26 $\frac{1}{2}$ Pole to a Persimmon Tree a C^r in the widow daves of the S. Land: thence N. 33. E. 56 Pole to a Gum near the red^d meadow: a new C^r made in lots no 1 & 5. thence along the dividing line of lots no 1 - 2 - 3 - 4 & 5 to the first Station: being his Proportionable part of the Tract as above Stated: — also lot no 2 drawn by Henry Barrow containing 170 $\frac{3}{4}$ acres in the S. Home Plantation and bounded as follows. (com^o) Beginning at a new C^r in lots no 2 & 3 thence N. 34. E. 26 Pole to the Branch call^d Doves Swamp thence along that Swamp the various Courses thereof to a branch making out of the Swamp just across the field road: thence N. 63 W. 28 Pole N. 40. W. 46 Pole N. 21. W. 78 Pole to a Pine in Britches line: thence N. 12 p N. 100 Pole to a white oak on the first road bef^o lots no 7 - 2 & 3 — thence along the dividing line of lots no 2 & 3 to the first Station: being his Proportionable part of the same land as above Stated — also lot no 3 containing 144 $\frac{1}{2}$ acres of the Home Tract drawn by Edmund Furness in right of his Wife —

And bounded as follows (to wit) Beginning at a small Pine a new corner made in lots no. 3 & 4 and in the meadow Fitzhugh's line: thence along her line S. 34. W. 119 Poles to a new C. in lots no. 2 & 3 — thence along the dividing line of lots no. 2 & 3 to the White Oak Post C. of lots no. 1/2 & 3 stand on the first road thence thence along the dividing line of lots no. 1 & 3 to a new C. Pine in lots no. 1 — 3 & 4 — thence along the dividing line of lots no. 3 & 4 to the first Station — being his full Proportionable Part the S. Home Plantation in right of his wife — also lot no. 4 containing 16 2/3 acres drawn by Thomas Barrow And Bounded as follows (to wit) Beginning at a Pine in Long Mullen line: and a new C. of lots no. 4 & 5. thence S. 43. E. 8 Poles to the road call'd Holladay's road opposite Mr. Fitzhugh's house thence along S. Road. S. 45. W. 106 1/2 Poles to a Pine a new C. of lots no. 3 & 4 thence along the dividing line of lots no. 3 & 4 to a Pine a new C. in lots no. 1 — 3 & 4 thence along the dividing line of lots no. 1 & 4 to a new C. made in lots no. 1 — 4 & 5 thence along the dividing line of lots no. 4 & 5. to the first Station being his Proportionable part of the Home Plantation aforesaid — also lot no. 5. containing 16 1/4 acres of the same Plantation drawn by Elizabeth Barrow and bounded as follows (to wit) Beginning at a new C. made in lots no. 1 & 5. thence N. 61. E. 4 poles to the road call'd Chappel road; thence N. 61. E. 4 poles thence N. 78. E. 70 Poles: thence N. 21. E. 50 1/2 poles to the other road: thence S. 75. E. 64. Poles to a Pine a C. of Francis Ridley thence S. 19. W. 22 poles to a dead Pine stump C. of F. Ridley: thence N. 66. E. 64 1/2 Poles to a black Jack C. of Ridley. thence S. 43. E. 26 Poles then S. 77. E. 78 poles to a Pine a new C. in lots no. 4 & 5. thence along the dividing line of lots no. 4 & 5 to a C. of lots no. 1 — 4 & 5. thence along the line of lots no. 1 & 5. to the first Station: being her part of the land before mentioned — which furnishes the division of the 778 acre Tract of land of Henry Barrow dead

also lot no. 1 in the Blake Tract of land of Henry Barrow dead containing 67. acres drawn by Thomas Barrow and bounded as follows (to wit) Beginning at a small Pine a new C. made in lots no. 1 & 5. thence S. 3. E. 20 Poles to a lightwood stump in a meadow thence S. 3. W. 20 Poles to a Persimmon Tree C. in Mr. Blair's line thence S. 46. W. 12 Poles to a Maple C. of Blair. thence S. 14. 28 poles N. 27. E. 6 poles: S. 55. E. 82 Poles N. 87. E. 76 Poles to two white Oaks C. of Capt. Barrow's Estate thence N. 5. E. 36 poles to the run of the millpond: thence along the dividing line of lots no. 1 — 2 and 5 N. 56. W. to the first Station being his Proportionable part of the land of Henry Barrow dead call'd Blake's Place — also lot no. 2. of the same land containing 70 acres drawn by Elizabeth Barrow. and bounded as follows to wit Beginning at a Post in the run of the millpond: thence N. 83. E. 88 Poles N. 28. W. 14 poles: thence N. 14. W. 30 Poles to two crooked Pines thence W. 20. W. 58 Poles to small beech tree a new C. made in lots no. 2 & 3: thence along the dividing line of lots no. 1 — 2 — 3 — 4 & 5 to a new C. made in lots no. 1 & 5. 2 & 5. thence along the dividing line of lots no. 1 & 2 S. 56. E. to the first Station being her Proportionable part of the land aforesaid: also lot no. 3. of the same tract containing 64 acres drawn by Henry Barrow and bounded as follows (to wit) Beginning at a small beech Tree new C. in lots no. 2 & 3. thence N. 20. W. 58 Poles N. 19. W. 40 Poles to two black Juncos standing in a small Branch leading to Pusley Branch thence N. 12. W. 18 poles N. 29. E. 18 poles N. 19. E. 32 poles to Pusley Branch N. 63. W. 52 Poles S. 33. W. 38 Poles S. 63. W. 20 Poles to a Maple a new C. made in the dividing line of lots no. 3 & 4 thence along the dividing line of lots no. 3 & 4. S. 15. E. to a Post a new C. in the dividing line of lots no. 2 — 3 & 4 — thence along the dividing line of lots no. 2 & 3. to the first Station: being his Proportionable part of the land aforesaid: also lot no. 4 of the same Tract of land containing 66 3/4 acres drawn by Colonel James in right of his wife Marcia James formerly Van Ciper Barrow and bounded as follows (to wit) Beginning at a Maple a new

Corner mass in lots no 3 & 4 thence S. 63. W. 20 Pole thence
N. 78. W. 40 Pole thence N. 45. W. 66 Pole to a new C. in lots
no 4 & 5. thence along the dividing line of lots no 4 & 5. S. 12. 8.
to a new C. mass in lots no 2-4 & 5. thence along the dividing
line of lots no 2 & 4 ^(N. 71. 8.) to a Post a C. of lots no 2-3 & 4. thence
along the line of lots no 3 & 4 N. 15. W. to the first Station
being his Proportionable part of S. lands in right of his wife
aforesaid: Also lot no 5 of the same Tract of land containing
68 acres drawn by Richard Barrow. and bounded as follows
(to me) Beginning at a new S. of lots no 4 & 5. thence N. 45. W.
16 Pole N. 87. W. 20 Pole N. 50 W. 36 Pole to the old Bridge
S. 34. W. 53 Pole to 3 Persimmon Trees S. of George Stephens
thence S. 69. 8 29 Pole to a large Pine in Edwin Blandline
thence S. 3. 8. 80 Pole to a small Pine a new C. made
in lots no 1 & 5. thence along the dividing line of lots no 1 & 5.
to a new C. in lots no 2 & 5. thence along the dividing line of
lots no 4 & 5 to the first Station. Being his Proportionable
part of the lands aforesaid: Which Ends the Division of the Blake
Tract of land of Henry Barrow dec. also of 335 acres.
also the tract of land of Henry Barrow dec. Call^d the
Barrow Tract. lot no 1 containing 44 acres drawn by Richard
Barrow and Bounded as follows (to me) Beg. at a small Pine
in Randolph newsums line thence N. 10. W. 46 Pole to where
was a corner at Parkers line: S. 88. W. 33 1/2 pole S. 52 W. 10 3.
Pole to a red oak a C. of John Filled and Matthew Parkes thence
S. 4. W. 50 Pole to a small red oak bush a new C. in lots
no 1 & 2 thence along the dividing line of lots no 1 & 2. N. 63. 8
to the first Station. being his Proportionable part of the
land aforesaid. Also lot no 2 of the same land containing
35 acres drawn by Edmund Turner. in right of his wife
and Bounded as follows (to me) Beginning at

a Small Red Oak bush a C. of lots no 1 & 2 thence S.
4. W. 23 Pole to a small black Jack and two gums new C.
of lots no 2 & 3 thence along the dividing line of lots no 2 & 3 N. 76. 8
to a Post a new C. in lots no 2 & 3 again and thence on
the out Boundary line to the first Station: being the
full Proportionable Part of the land aforesaid: also lot no
3. of the same tract of land containing 34 acres drawn
by ~~Henry~~ Barrow. and Bounded as follows (to me) Beginning
at 2 Small Black Jacks & 2 Gums a new C. of lots no 2 & 3
thence S. 6. W. 23 Pole to a Pine a new C. in lots no 3 & 4
thence along the dividing line of lots no 3 & 4 to a rotten Pine
a new C. made in lots no 3 & 4 N. 87. 8. thence along the
out line N. 4. W. 40 Pole to a Post a C. of lots no 3 & 4
thence along the dividing line of lots no 3 & 4 S. 76 W. to the first
Station. being his Proportionable Part of the S. lands
and also lot no 4 of the same Tract of land containing 34 acres
drawn by ~~Henry~~ Barrow. and bounded as follows (to me) Beg.
at a Pine a new C. in lots no 3 & 4 - thence S. 6. W. 28 pole
to a large Pine in the Gum Pond: thence along the dividing
line of lots no 4 & 5 to a Pine a new C. made in lots no 4 & 5
thence N. 4. W. 40 Pole to a C. of lots no 3 & 4. thence along
the dividing of lots no 3 & 4 to the first Station. being his
full Proportionable part of the Tract of land aforesaid.
also lot no 5. of the same tract containing 34 acres
drawn by Elizabeth Barrow and bounded as follows (to me)
Beginning at a large Pine in the Gum Swamp & a C. of
lots no 4 & 5. thence along the run of S. Swamp the
various courses thereof to a large Willow oak a C. of
Randolph Newsum: thence N. 22. W. 18 pole thence
N. 12. W. 26 Pole to a new C. of lots no 4 & 5. thence
along the dividing line of lots no 4 & 5. to the
first Station being her full Proportionable

of the Tract of land aforesaid: Which finishes the delivery
of the Barlow Tract of 181 acres: and also a settlement
of all of the Three Tracts as within Express^d agreeable
to the deed within mentioned — ~~Given~~

Also do assign unto John Thomas Barrow the follow-
ing slave, Jacob & Amy by his paying Henry Barrow
thirty seven dollars, and Elizabeth Barrow One dollar
it being his proportion of slaves belonging to his Father
estate,

Also do assign to Edmund Turner in right of his wife
Marion Peter & Nath. by his paying Elizabeth Barrow
thirteen dollars it being his proportion of slaves be-
longing to her Father estate,

Also do assign to Richard Barrow Thomas and
Diya by his paying Elizabeth Barrow sixty three
dollars it being his proportion of slaves belonging
to his Father estate,

Also do assign unto Henry Barrow Messrs & Mason and
to receive from John Thomas Barrow thirty seven dollars
it being his proportion of slaves belonging to his Father
estate,

Also do assign unto Elizabeth Barrow, Cray Henry
and Dick, and to receive from Richard Barrow, sixty
three dollars from Edmund Turner Thirteen dollars
and from John T. Barrow One dollar it being her pro-
portion of slaves belonging to her Father estate
Given under our hand December 20th 1818.

Deputy Master

Edwin Turner

Levi Waller

No 2.	Henry Barrow	_____	170 ³ / ₄
3	do do	_____	66
3	do do	_____	34
			<u>264³/₄</u>

No 3.	Edna Turner. Co. in right of wife	144 1/2
	do do	66 3/4
	do do	35
		246 1/4
		211 1/4

162 1/2	
67	Mr. 4 Thos. Barrow
34	do do
263 1/2	do do

No 5	Eliza	Barrow	16674
2	do	do	70
3	do	do	35
			<u>131031</u>

$$\begin{array}{r} 1269\frac{3}{4} \\ 53\frac{1}{4} \\ \hline 347\frac{1}{4} \\ \hline 188\frac{3}{4} \end{array}$$

Nick. H. P. Bland
 4
 8888

$$\begin{array}{r} 957 \\ 415 \\ \hline 1366 \end{array}$$

$$\begin{array}{r}
 675 \\
 2700 \\
 \hline
 5400 \\
 56700 \\
 3377 \\
 \hline
 16874 \\
 \hline
 5720674
 \end{array}$$

$$\begin{array}{r}
 567.00 \\
 11.6874 \\
 \hline
 \end{array}$$

$$\begin{array}{r}
 447 \\
 \hline
 467
 \end{array}$$