

1826-009

SOUTHAMPTON COUNTY
CHANCERY PAPERS

MAGETT, WIDOW et al VS. MAGETT'S HEIRS

6/1826

PLAT

other surnames: Drewry

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Magette udon de.
againit. } Bilem
Magette de. }

Mason.

March 1896 J. J. Dimes

To the most honorable the County Court of Southampton in Chancery
sitting:

Humbly complaining, shew unto your worships, your
Compl't Priscilla Magett, widow and ^{mother} executrix of Samuel Magett
dec'd. ^{and of Priscilla her infant daughter by her ^{husband} deceased} that the said deceased departed this life some time since
having first duly made and published his last will & testament
a copy whereof is admitted to record by this most honorable Court
& hereto annexed, and prayed to be read as a part of the bill
that within the time prescribed by law, your Compl't ^{his widow} came
into Court, and duly relinquished all benefit arising to her
from the 1st will, and became entitled to dower in the lands
and negro slaves whereof the 1st Saml. died seized & possessed
in the same manner as if he had died intestate. That besides
the lands situate in this County, the decedent was seized of
a tract of land lying in North Carolina, which your worships
will observe, ~~was~~ directed to be sold by his Ex^{rs}. That she
is entitled to ~~the~~ ^{an} interest in this parcel as a fourth, but not
wishing to affect the sale of the residue, is willing to receive
an allotment of ~~an~~ equal value in the lands situate in
this County in lieu thereof - That the 1st Samuel's children,
deceases & heirs are John D., Henry T., Charles, Martha
wife of Joseph Drury, and Priscilla who is under age,
that your Compl't is anxious to receive an allotment
of her dower, but so it is, may it please the Court, no such
allotment can be had without the interposition of this

Court. In tender consideration whereof, and foras much as
your Compts are remedied at Law, and only relievable in
this Court. To the end that the ^{adult} heirs & devisees of the sd.
Samuel may be made Defdts hereto, and compelled to
answer the allegations of this bill, they pray the Com^{ts} the
most of H^{on} & L^{ts}. that your worship will decree a division
of the land and negroes, by allotting to your Compt as
widow, her third part as dower, and to the infant Compt
her portion thereof, and the allotments to the other parties
agreeably to their interests - and grant them such other
and gen^l relief as may be consistent with equity, &
as in duty bound.

The answer of John D. Maggett, Henry T. Maggett,
Charles Maggett, and Joseph Drury and Martha Jane his
wife, formerly Maggett - to the foregoing bill of Compt.
These Respondents for answer to the said bill say, that
they admit the allegations thereof, and have no objection to
the decree prayed for, & having answered, pray to be hence
dismissed &c -

Maggett &

Maggett &

In Chy.

This cause was this day docketed by

consent of parties with the assent of the Court, and came on
to be heard on the bill, ans^r depositions, and arguments of
counsel: on consideration whereof, the Court doth adjudge
order, and decree, that Jacob Barnes, Willis Womble, Edwin
H. Hart, and John D. Hart, or any three of them, do attend
by the County Surveyor, allot to the Compt Priscilla
Maggett widow of Samuel Maggett, ^{de} one third part of the land
whereof the s^d Samuel died seized, having regard to quality
and quantity - and in addition thereto, so much ~~of the~~
residue of the s^d land, as shall in their estimation be of equal
value with one third part of the land of the s^d Sam^l situate in
the State of North Carolina - for her use, during her natural
life, as her dower in the real estate of the said decedent.
That they divide the residue of the said land situate in
this County into five parcels of equal value; and allot one
to John D. Maggett, one to Henry T. Maggett, one to Charles
Maggett, one to Joseph Drury & Martha J. his wife in
right of this wife, and the remaining share to Priscilla
Maggett, the infant Compt; and that they make report to
this Court, in order to a final decree -

Magets
} Inter.
Maget H. } Green

A (77)

Southampton County March Court 1826

Freecilla Maget widow of Samuel Maget decd and
Freecilla her infant daughter by her said Mother as next
friends. Complainants

against

John D Maget Henry F Maget Charles Maget & Joseph
Admry and Martha Jane his wife formerly Maget Defendants

In
Chancery

This Cause was this day docketed by Consent of parties with the
assent of the Court And Came on to be Heard on the bill And on Exhibits And Arguments of
Counsel On Consideration whereof the Court doth adjudge order And decree that Jacob
Barnes Wells Womble Edwin B Hart and John B Hart or any three of them do assess and
by the County Surveyor allot to the Complainant Freecilla Maget widow of Samuel
Maget decd One third part of the lands whereof the said Samuel Maget decd seized
having regard to quality And quantity And in addition thereto so much of the residue of the
said Lands as shall in their Estimation be of Equal value with One third part of the
Lands of ^{the} Samuel situate in the State of North Carolina for her use during her
natural life as her dower in the real Estate of the said decedent that they divide
the residue of the said Lands situate in this County into five parcels of Equal
value And allot One to John D Maget One to Henry F Maget One to Charles
Maget One to Joseph Admry and Martha J his wife in right of his wife
And the remaining share to Freecilla Maget the infant Complainant And
that they make report to this Court in order to a final decree

Attest
James Rochelle & Co.

James Rochelle & Co.

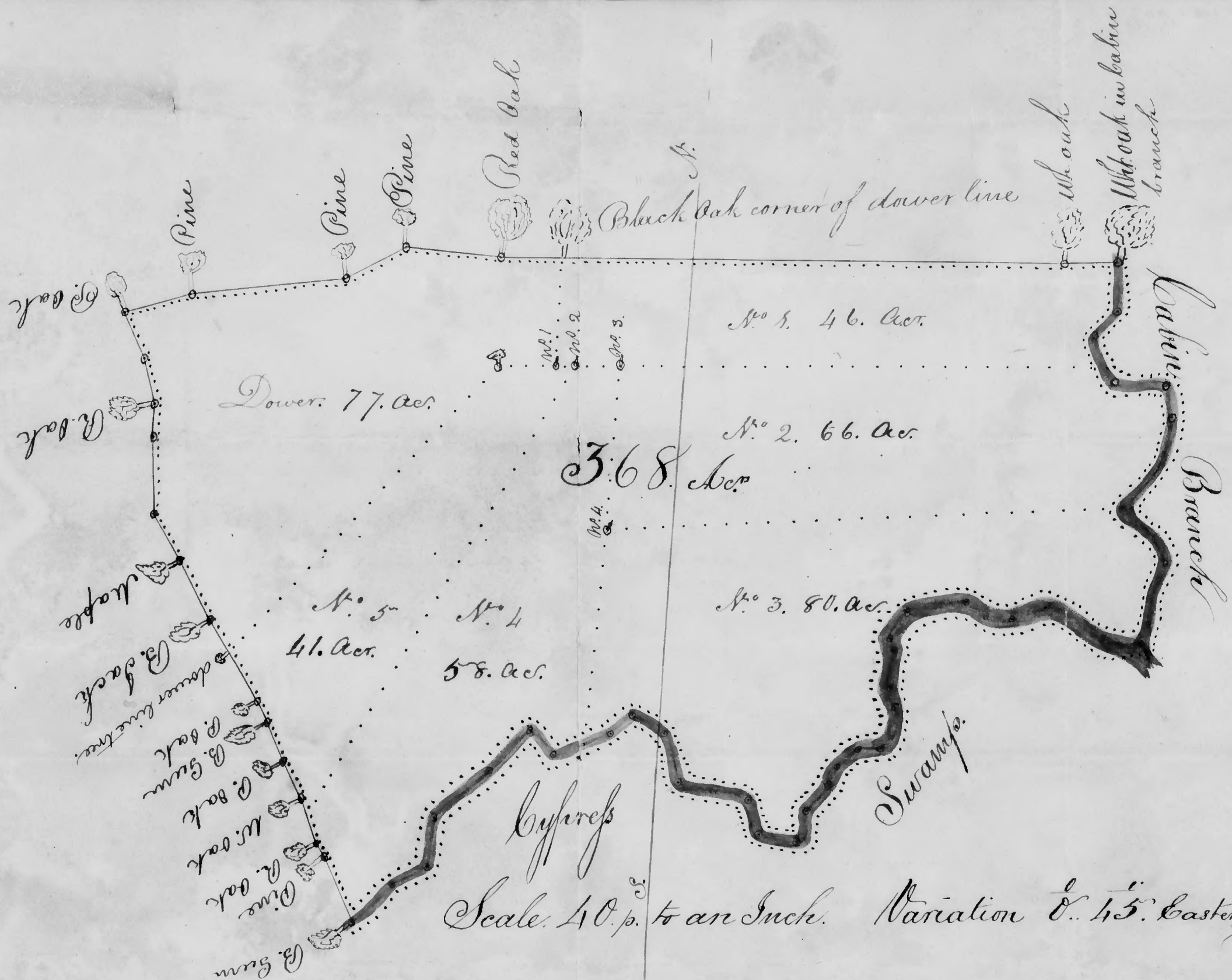
August 28.

187

August 28.

Rept. in blue.

June 1876 Rept. Rept. of Dunes
final —



Scale: 40 p. to an Inch. Variation $\delta. 45^{\circ}$ Easterly.

Commencing at a post oak a corner between M^{rs} Mary Maget: John Hargrove and the above tract. thence S. 25. E. 18. p. S. 16. E. 16. 8. p. to a red oak. S. 12. p. S. 7. 30. E. 28. p. S. 22. E. 18. 6. p. to a maple S. 30. E. 24. 2. p. to a blk. Jack. S. 33. E. 34. 6. p. to a post oak. S. 27. 15. E. 8. p. to a blk gum S. 25. E. 15. p. to a post oak. S. 28. E. 15. 2. p. to a white oak. S. 23. 15. E. 16. 8. p. to a red oak. S. 31. E. 5. 2. p. to a pine. S. 26. E. 25. 6. p. to a blk. gum in the Cypress Swamp. thence down the various courses of s^d swamp to the Cabin branch. thence up the s^d branch as it meanders to a wh. Oak thence S. 83. 30. W. 20. p. S. 87. W. 20. p. to a red oak. N. 87. ^{34. p.} W. to a pine. S. 59. W. 18. p. to a pine. S. 81. W. 62. p. to a pine. S. 7. 2. W. 26. 3. p. to the beginning.

Dower line. Beginning at a black oak. S. 38. 8. p. to a stake in a peach orchard. thence S. 85. W. 21. 8. p. to an apple tree in an orchard. thence S. 39. W. 135. 8. p. to a small post oak. 1st dividing line. Beginning at a stake. N^o 1. thence. N. 86. E. 198. p. to the Cabin branch. 2nd. at a stake. N^o 3. thence S. 1. W. 136. p. to the Cypress swamp. 3rd at a stake N^o 4. in the lane. thence N. 83. 30. E. 185. p. to the Cabin branch. 4th at a stake N^o 2. thence S. 26. 30. W. 188. p. to the line.

Geo. H. Gray. S. S. & Co.

In Pursuance of a Decree of the Court of Southampton County bearing date March Court 1826. We the undersigned Commissioners, did, on the 24th day of April, assisted by the County Surveyor, proceed to lay off and divide the tract of land belonging to the Estate of Samuel Maget dec^d as directed by the decree. allotting to the Widow, as her dower, a portion of s^d tract equal in value to her dower in s^d tract. and a tract lying in the State of N. C. belonging to the Estate of s^d S. Maget. dec^d Lot. N^o 1. to Joseph Drewry in right of his wife. Lot. N^o 2. to John D. Maget. Lot. N^o 3. to Priscilla D. Maget. Lot. N^o 4. to Charles Maget. Lot. N^o 5. to Henry J. Maget. conformably to the intention of s^d decree which is hereto annexed and prayd to be considered a part of this report. which is respectfully submitted to the Court.

Josh Barnes
Will^m Marble
Edwin G. Hart
John D. Hart