1829-004 SOUTHAMPTON COUNTY CHANCERY PAPERS BRIGGS et al VS. BRIGGS 1/1829

PLAT

other SURNames: Nicholson

1829-004 SOUTHAMPTON COUNTY CHANCERY PAPERS BRIGGS et al VS. BRIGGS

Copy

Briggs & others

vs Bill &c.

Ch. A. Briggs

1828 Oct answer as filed

Mason

To the worshipful the County Court of Southampton sitting in Chancery.

Humbly complaining, shew unto your worships, your Complainants, William Briggs junr. and Joseph & John Robert Briggs, who are infants of tender years, by Wm Briggs Sr. their father and next friend. That in the last will and testament of John Nicholson, late of this County dec'd which was admitted to record by this worshipful Court, an attested copy whereof is herewith exhibited, after several devises of real estate, is the following clause. "The balance "of my land, together with the mill, I give to be "equally divided between my Nephews Charles "A Briggs, William, Joseph, & John Robert "Briggs to them, & their heirs forever." That your Complts. three of the devisees under that clause wish partition to be made of the said land and mill. But so it is may it please the Court, such partition cannot be compelled without the interposition of this worshipful Court where such matters are peculiarly cognizable.

To tender consideration whereof, and forasmuch as your Complts are remediless at Law and only relievable in equity where such matters are peculiarly cognizable, To the end that the said Charles A. Briggs may be made Defendant hereto, and compelled to answer the allegations hereof, they pray the Commonwealth's writ of Subpœna directed & commanding &c. that your worships will thereupon decree partition, to be made, equally, amongst the Complts and the

said Defendant, agreably to their respective rights under the said Will, of the said Lands and Mills. and grant them such Other and genl. relief as may be consistent with equity, and as in duty bound, they will ever pray &c.

The answer of Charles A. Briggs. to the foregoing Bill of Complainant. This Respondent. saving &c. for answer to the said Bill, says. that he ~~Cannot~~ gainsay its allegations, and has no objection to the degree prayed for and having answered. he prays hence to be dismissed &c.

Wm. Briggs & Others . . . Pltffs.
against
Charles A. Briggs . . . Defdt.

In Chy.

This cause was this day docketed by consent of parties with the Assent of the Court. and was heard on the Bill, answer, Exhibit, and argument of Counsel. On consideration whereof, the Court doth adjudge, order, and decree, that Jere Cobb, Henry Briggs, Henry B. Vaughan and Peter Edmunds or any three of them, as, attended by some competent surveyor, divide the Lands and Mills, devised by John Nicholson, in his last Will & Testament, to Charles A. Wm Joseph & John Robert Briggs, into four parcels of equal value, having regard to quality, improvement and quantity, and allott one parcel by metes & bounds, to each of the said devisees, and how they shall have acted in the premises, make report, in order to a final decree —

Southampton County, to wit. Surveyed for John Nicholson the land formerly belonging to Etheldred Edmunds dec'd containing three thousand two hundred & thirty one & three fourth acres, bounded as followes. Beginning at a corner pine for Rebekah Knight thence her line N48⅔W 26 p. N53W 20 p. N48W 70 p. to the middle of Barnes's road, N48¾W 51.8 p. to pine corner for Levi Weller, thence his line N52¾W 16 p. N56⅔W 18 p. N47½W 20 p. N46¾W 19.2 p. to corner white oak by small branch in Edwin Turner's line, thence down the run of said branch as it meanders (no lines chopped) to corner Blackoak in Joshua Johnson's line on the north of said branch, thence his line across said branch S20E 24 p. S15E 10 p. S18E 20 p. S17E 16 p. S21¾E 18 p. S44½E 18 p. S30¾E 24 p. to the south edge of Barnes's road, thence said road N60E 76 p. N78½E 21.7 p. to pine on the s'd road corner for Elisha Williams, N76E 18 p. N65E 42 p. N86E 20 p. S85E 44 p. N79¾E 66 p. N68½E 22 p. N49¾E 28.4 p. N70¾E 40 p. N80½E 68 p. S75E 29.3 p. to place marked for path, same corner 38 p. S74E 20 p. N88E 22 p. N60¾E 56.7 p. to corner pine for Sally Williams on north side of road, thence leaving road along her line S88E 26.4 p. to corner Sweet gum in small branch S48E 18 p. S47½E 48 p. S50½E 20 p. S49½E 38 p. S45½E 94 p. S47E 43.1 p. to small pine corner for Nathan Pope, thence his line S50¼W 18 p. S44¼W 40 p. S41½W 36 p. S45W 26 p. S48W 18 p. S46½W 18 p. S37W 22.5 p. to large pine corner, S52½E 24 p. S38½E 8 p. S51¾E 18 p. S46E 32.8 p. to corner Shrub oak, in William Pope's line, thence his line S43½W 40 p. S40¾W 48 p. S46½W 61.8 p. to pine corner for Henson Pope, thence his line S44W 151.4 p. to pine corner, N49W 72 p. N53W 18.8 p. to corner pine where new path is marked from, N54W 13.6 p. to corner red oak, thence the line called a new one S30¾W 14 p. S33½W 50 p. S36¾W 46 p. S36W 21 p. S36W 18 p. S40¾W 20 p. S42¾W 48 p. S41¾W 83.3 p. to dead pine, S31½W 114 p. to pine (crooked b.p.) S21¾W 174 p. to small red oak sapling, S19W 12 p. S25W 18 p. S28W 22 p. S38W 7.5 p. to corner red oak in James Taylor's line thence his line N4W 14 p. N1W 12 p. N3½W 18 p. N3¾E 18 p. N42W 5.8 p. to corner pine head of small branch S44½W 14 p. S40¾W 10 p. S64¾W 10 p. S30W 17.8 p. to corner (white oak, then to a small branch & down the run of the same as it meanders to its junction with the run of the mill swamp, thence up the run of said swamp as it meanders to the mill, & up the run of the mill pond to where Benjamin Blunt's line intersects the run thence, thence his line S68W 22 p. S67W 15.1 p. to corner red oak for Richard Pope, thence his line N46W 40.8 p. N30W 15.2 p. to corner pine N20¾E 26 p. N11E 96 p. N20E 36 p. to corner pine, N60W 22 p. N63¾W 51 p. N59½W 14.4 p. to corner Blackjack for Nathan Pope, thence his line N37E 18 p. to head of small branch, & down the run of the same as it meanders to corner Poplar, thence a chopped line N49½W 26 p. N33W 54 p. N34½W 39.8 p. to burnt lightwood stumps, corner for Rebekah Knight, thence her line N29¾E 14 p. N28¾E 26 p. N32⅓E 28 p. N30½E 16 p. N27¾E 22 p. N31E 24.7 p. to the tree began at. Plat laid down by a scale of 60 p. per Inch.

John W. Watkins Surveyor
8th Mo 25th 1825

Southampton County, to wit. By the direction of Commissioners acting under a decree of the County Court of Southampton, first designated the bounds of the land on the plat bequeathed to Wm H. Nicholson, in the will of said John Nicholson dec'd. then divided the balance of the land (except the part on the north of Barnes's road) as the face of the plat now represents, said Commissioners also allotted to each person the part of the plat in which his name is written.

John W. Watkins Surveyor
11th Mo 26th 1828

Plat of John Nicholson's
land, Southampton County
3 1 31 3/4 acres

1829 Jany returned & record
and filed by consent &c

Road

Blackgum corner for Joshua Johnson

Small branch

46¾ acres

Edwin Briddle

Pine corner for Levi Weller

Charles N. Briggs
No. 4, - 450 acres

Beg. corner pine for Rebekah Knight

Gizzard path

Burnt pine stump corner for Rebekah Knight

Poplar, corner for Nathan Pope in small branch

Barrow's
pine corner for Elisha Williams

William Briggs Jr.
No. 3. 450 acres

due north line

N. 1¾ E.

Wm H. Nicholson
766½ acres
to gizzard path

Blackjack corner for N. Pope

Large pine

Pine, corner

S. 86½ E.

John R. Briggs No. 2,
157½ acres to milleswamp,
together with the mill.

Pine corner

Red oak corner for Richard Pope

Side red oak in Benja Blanks line by highwater swamp

Mill

Mill-Swamp

Small branch

Joseph Briggs No. 1,
609½ acres to gizzard path
1 mile swamps

Sabine ash

Pine

Red oak corner in James Taylors line

East chimney of dwelling house

West course, including a little to the east of north.

Perash.

Pine

Pine corner

Dead pine

Crooked top pine

Magnetic Variation 0. 4½ East

Robert Nicholson
349½ acres

S. 84½ E.

Pine, corner on cart road for Lacy Williams.

Sweetgum in small branch.

Small pine corner for N. Pope

Pine corner

George Nicholson
400 Acres

Large pine corner.

Thick oak corner for [illegible]

Pine, corner for Hinson Pope

We the undersigned Commissioners Appointed to lay off and divide the Land bequeathed by John Nicholsons Will, agreeably to the annexed decree, Respectfully report they have performed that duety, first ascertaining the unascertained boundaries of the Land bequeathed to Wm. Henry Nicholson, which contains 766 ¾ acres, bounded by the new road on the east, on the west by a new line, North and South to the Mill Swamp, and then the run of said Swamp to the Gig path, and by the said path on the South.—

Lot No 1 drawn by Joseph Briggs bounded by the said Gig path on the north, and the run of the Mill Swamp on the West, containing 809 ¼ acres —

Lot No 2 drawn by John R. Briggs bounded by the run of the Mill Swamp on the East on the North by a new line of marked trees, proceeding from a large pine on corner in Richard Popes Land &c. 85 ½ E. to the main run of the mill Swamp together with the Grist mill Containg 150 acres

Wm Briggs drew Lot No. 3. bounded by the lines and boundaries of Wm. H. Nicholson on the East, a small part of the line of Jno R. Briggs on the South, and a new line No 1 ¾ E on the West. Containg 450 acres

Charles St. Briggs drew Lot No 4 bounded by the line of Wm Briggs last named, on the East, and a part of the line of John R. Briggs on the South, containing 450 acres

The Land on the east of the new Road bequeathed to George & Robert Nicholson is divided by a line commencing at the new road thence No 84 ½ E. to a large pine in Nathan Popes line, leaving on the South of said line 500 acres which was drawn by George Nicholson, and on the North 350 ¼ acres which was drawn by Robert Nicholson, all which the annexed Plat, Surveyed and made by John Watkins will shew, which is herewith, made a part of our report.

Given under our hands this, 19th day of June, 1826

Test
Henry B. Vaughan
Peter Edwards
} Comrs