

1837-009 SOUTHAMPTON COUNTY BARNES VS. BARNES' GUARDIAN
CHANCERY PAPERS 11/1837

Plat

1218

Barnes

vs.

Porter Gen and Liten

copy to

Bice

answer

+

same

1837 Bts - Invoice as filed.

" Nov: Report. Ret. P. Humphreys?

To the Worshipful County Court of Southampton
in Chancery sitting.

I humbly come before you with much respect to your
Orator John H Barnes, that his Father Baling H Barnes
departed this life about the year leaving a
will which was duly proven and admitted to record
by the Court of Southampton, that by sd will he
devised his lands to his two sons your orator and
Nathan Barnes, with directions to be equally
divided between them when your orator attained
to a legal age, your orator avers that he
has attained the age of twenty one years
and is desirous that the division should
now be made according to the directions of
his Fathers will, which he is advised
can only be made by the worshipful Court
sitting in Chancery, he being remediless
at Law. He therefore in tender considera-
tion of the premises, prays this Court to appoint
two or more commissioners & invest them with
full power & authority to divide the sd
lands equally between your Orator & his
brother Nathan Barnes, and to do all the
things consonant with justice & the rules
of this Court. & praying the Court with
view of Sp. commanding in discretion &
he will ever pray -

Truly p^r

The answer of Nathan Barnes an infant
by Richard Porter Gordon and later appointed by
the court -

This Respondent saving to himself all
benefit of last exception to the Pltffs bill
for answer says that he has no objection
to the decree prayed for in the Pltffs bill
and having answered prays to be hence dismissed

Reddy for Deft.

Barons

vs
Porter Gordon and later } In Chancery

This day this cause was docketed by consent
of parties and leave of Court, and was argued
by Council, on consideration whereof the
Court doth order, adjudge & decree that
Thomas Newson John C. Turner and Augustus
Pope be appointed commissioners any two of
whom may act, that they do divide all
the lands whereof Boling H Barnes died
seized, into two equal moities, and allot
one half to John H Barnes and the other
to Nathan Barnes, the heirs at Law of
Boling Barnes - and report to this court how
they have executed this order, preparatory to
a final decree in this cause.

Barnes

"

} copy Decece

Barnes, an infant? &c

For bones

Southampton County. October Court 1837.

John A Barnes

against

Nathan Barnes, an infant; by Richard Porter Guardian ad litem.

Plff } In Chancery.
Def. }

This day this cause was docketed by consent of parties and leave of Court and was argued by counsel. On consideration whereof the Court doth order adjudge and decree that Thomas Newson, John W Turner and Augustus Pipe be appointed commissioners any two of whom may act, that they do divide all the lands whereof Bolling M. Barnes dies seized, into two equal moieties and allot one half to John A Barnes and the other to Nathan Barnes, the heirs at Law of sd. Bolling Barnes, and report to this Court how they have executed this order, preparatory to a final decree in this cause.

Teste J R Edwards clk

Commissioners Report on
the Division of the land
of Bolling H. Barnes, &c.

1836 Nov.

Agreeably to the annexed Decree, of the Worshipful Court of Southampton County to us directed. We the undersigned Commissioners as expressed in said Decree in obedience to the requisitions thereof, have proceeded to Divide the land of which Bolling H. Barnes died Possessed, attended by Tho. B. Arnell as Surveyor, who found there to be in the whole tract, Five hundred & fifty five acres, which we have divided into two parts (equal in valuation) as follows. Lot No. 1. Containing Two hundred and ninety one & half acres. (On which stand the buildings formerly Occupied by John Barnes, dec.,) Drawn by Nathan Barnes, and Bounded as follows to wit, Beginning at a pine a corner for Alexander Myrick and the land of Joseph Pope, dec., thence along said Pope's line S 53° W 3 poles to a pine stump, standing in front of the lane a new corner for said Nathan Barnes & John H. Barnes, thence the lane, along the dividing line N 4° W 26 poles to a corner in the lane near the machine thence along the path S 82° W 44 poles to a small branch, thence S 81° W 95 poles to a post on the old causeway, a new corner for said Nathan & John H. Barnes in John St. Turner's line, thence along his line of marked trees N 19° E 16 poles to a pine, thence N 18° E 64 poles to a corner in said Turner's line, thence N 63½° W 18 poles to a red oak, thence N 79° W 35 poles to a red oak, thence N 78½° W 24 poles to a white oak, thence N 80° W 12 poles to a white oak, thence N 76½° W 13 poles to a hickory, thence N 84° W 7 poles to a black gum standing in a small branch, thence N 57° W 6½ poles to a Dogwood a corner, thence N 29½° E 14 poles to a Dogwood, thence N 31½° E 18 poles to a pine a corner for Sally Day, thence along her line N 28½° E 25 poles to a red oak, thence N 26° E 20 poles to a water oak, thence N 32½° E 30½ poles to a large ditch in the old mill pond thence down the Ditch to the old mill-dam thence down the run of the Mill Swamp to the mouth of a small branch a corner for the land of Joseph Pope, dec., thence up the run of said branch to a pine on the East-side, thence S 22½° E 33 poles to a hickory, thence S 23½° E 9 poles to a hickory, thence S 22½° E 53 poles to a dead pine, thence S 21° E 9 poles to the run of a small branch, thence up the run of said branch to a corner in said Alexander Myrick's line, thence along his line S 53° W 55 poles to the Beginning -

Lot No. 2. Containing two hundred and sixty three & half acres. (On which stand the buildings formerly Occupied by said Bolling H. Barnes, dec.,) Drawn by John H. Barnes, and bounded as follows to wit, Beginning at a pine stump standing in front of the lane, a new corner for said John H. Barnes and Nathan Barnes in Joseph Pope, dec., line, thence along said Pope's line S 53° W 42 poles to a pine, thence S 55° W 22 poles to a Sassafras a corner, thence S 9° E 63½ poles to a pine a corner, thence N 66° E 45 poles to a corner (no tree)

thence S. 10° W. 6 poles to a pine. thence S. 13½° W. 28 poles to a dead pine. thence
S. 15° W. 19 poles to two small sweet gums. thence S. 2° E. 4 poles to a dead pine thence
S. 22° W. 14 poles to a pine stump. thence S. 14½° W. 5 poles to a possumon tree, thence
S. 12¾° W. 34½ poles to a pine. thence S. 1½° W. 8 poles to a pine. thence S. 5° W. 12 poles
to a pine. thence S. 15½° W. 5 poles to a pine a corner. thence S. 49° E. 11 poles to
a pine. thence S. 55° E. 9 poles to a pine. thence S. 51½° E. 20 poles to a pine. thence
S. 60° E. 3 poles to a red oak. thence S. 83° E. 21 poles to a pine. thence S. 78¾° E.
11 poles to a water oak. thence S. 76° E. 16 poles to a pine. thence S. 74½° E. 10 poles
to a pine stump. thence S. 58° E. 20 poles to a pine stump a corner in Augustin
Pope's line. (in his field.) thence S. 75° W. 14½ poles to a dead pine. thence
S. 74° W. 40 poles to a pine. thence S. 80° W. 9 poles to a pine. thence S. 87° W. 7 poles
to a pine. thence S. 79½° W. 13½ poles to a Post oak. thence S. 77° W. 50 poles to
a pine thence S. 81° W. 37 poles to a Post oak a corner for Augustin Pope in James
Norrell's line. thence along said Pope's line N. 15½° E. 99 poles to a small
sweet gum standing in the run of the Wolf pit branch. thence down the
run of said branch to a corner for Henry Loyner. thence along his line
North 8 poles to a red oak (down) thence N. 9° E. 9 poles to two pines. thence
North 11 poles to a pine. thence N. 4½° E. 12 poles to a white oak in a small
branch. thence N. 7½° W. 9 poles to a dead white oak a corner in said
Loyner's line. thence N. 24½° E. 4 poles to a white oak. thence N. 57° E. 36½
poles. thence N. 26° E. 8 poles to a pine. thence N. 23° E. 9 poles to a pine
thence N. 13° E. 9 poles to a red oak. thence N. 18½° E. 29 poles to a pine thence
N. 19½° E. 15 poles to a pine. thence N. 18° E. 18 poles to two pines. thence
N. 22½° E. 10 poles to a pine. thence N. 19° E. 8 poles to a pine. thence N. 17½° E. 11
poles to a pine at the path. thence N. 22½° E. 8 poles to a pine. thence N. 19° E.
16 poles to a Post standing on the old causeway the new corner for said John H.
Barnes & Nathan Barnes in John H. Turner's line thence the dividing line
along the path. N. 81° E. 95 poles to a small branch. thence N. 82° E.
44 poles to the centre of the lane at the machine. thence along the lane
S. 4° E. 26 poles to the Beginning. Respectfully Submitted to the Court
Given under our hands this 4. day of November 1837. —

Thomas Turner
John H. Turner
Augustin Pope

Plot & Division of the
land of Polling H. Barnes^{dec.}

Nathan Barnes lot N^o 1 - 29 1/2 Acres

Jos^{ph} H. Barnes - " N^o 2 - 26 3/4

55 5/4 Acres

To

The Commissioners appointed to divide
The Lands of ~~Beth~~ Barung &c.²

This is to Certify that I Cherry Barnes of The County of
Somerset State of Virginia do agree to relinquish my right
to all The lands belonging To The estate of J^{rs} Barnes dec^d and
Bolling H. Barnes dec^d To J^{rs} H. Barnes and Nathan Barnes
To them and their heirs for ever for The Consideration of The
said J^{rs} H. & Nathan Barnes' note for The sum of Thirty Dollars
a year as long as I shall live

Witness
Chas. Mays

Cherry ^{hoy} Barnes
marks