

1837-DS3

Chancery Papers: Williamson v ux & al v s Land v ux

7/1837

Southampton County

other surnames: Rochelle,
Murdough, Rochell, Murdaugh,
Rochel, Murdau, Barker

John W. Williamson

^{by}
Nathaniel Sandwidge

Bill in C. Long

1837 June - Deem as filed &c
" Aug. Rept. not filed

To the worshipping the County Court of Southampton sitting
in Chancery

Humbly complaining show to your worth
ips your complainants John W Williamson in right of
his wife Ann Williamson formerly & Ann Rochelle
& widow ~~of~~ of the late William Rochelle decd Natha
niel Land in right of his wife Mary Land formerly Mary
Rochelle Robert Rochelle John Rochelle Wm Rochelle
Mary — Rochelle & Martha Eliza Rochelle heirs of
Nathaniel Rochelle decd Infants by their next friend
& Guardian ad litem Gleason Merdough

That some time
in the year of Wm L Rochelle late of this County
died intestate as to his real estate & that a short time before
his death he contracted with one River Barker for
the purchase of a small tract of Land but before
any deed was made the said Rochelle died as above stated
& the said River Barker filed a bill in this Court
on the Chy side of the docket for a specific per
formance of the contract & on the day of March
1837 ^{at the court} held for this County the cause came on to be heard
on the bill answer & argument of counsel & the court order
& decreed a specific performance of the contract upon
River Barker making a good & sufficient title to the said
Land to the heirs at law of Wm L Rochelle decd,
which decree is here exhibited marked A and prayed
to be taken as a part of this bill of complaint to ge
- ther with the deed made by Barker & wife & of record
in the Clerk's office of this County the said Land is
said to contain ~~eighty~~ acres more or less, That the other
real estate of Wm L Rochelle decd has been divided
amongst his heirs at law by an order of this Court
before the decision of the suit of the said Barker
& wife, leaving this tract of eighty acres more or less yet
undivided & that your complainants are the only persons
entitled to the real estate of the said Wm L Rochelle
decd Ann Williamson wife of John W Williamson is en
titled to one third part as her dower for her natural
life Mary Land wife of Nathaniel Land to one
third after resigning Ann Williamson one third as her
dower Robert Rochelle to one third after making

the assignment as above stated and the other third to John
Rockelle Wm. Rockelle
who are the of Nathaniel Rockelle decd who was a
brother to Wm. L. Rockelle Mary Land & Robert Rockelle
And your complainants wish to effect a division of
the said Land but so it is in as much as your compl
aintants are wholly unaided at Law and only
releasable in equity & where such matters are
cognizable. In tender they pray the interposition of
this worshipping Court sitting in Chry that Nathaniel
Land & Mary his wife may be made parties depts to
this bill of complaint & compelled to answer the
allegations herein contained & grant them the Com
th writ of sub/pn directed to Co. Commanding Ho
and direct suitable persons to be appointed Commissioners
together with a competent surveyor to divide the tract
of Land as prayed for in this bill & grant them such
other relief as the circumstances of the case may ren
der proper & they will ever pray & Ho

Witness for the
Complainants

The answers of Nathaniel Land & Mary his wife
to a bill of complaint exhibit in the County Court
of Southampton by John W Williamson and Ann
his wife formerly Ann Rockelle widow of Wil
liam L. Rockelle decd Robert Rockelle Brother
to the said Wm L. Rockelle decd & John Rockelle
Wm Rockelle
nephews & nieces of the said Wm L. Rockelle decd by
their next friend & guardian ad litem Stephen
Merradough Answering saying that themselves & the
benefit of all just exceptions say the allegations
contained in the bill are true so far as they know
or believe and have no objection to the decree
& division prayed for in the bill and having ans
wered pray to be dismissed & to Nathaniel Land
Mary Land

John W Williamson et al
against
Nathaniel Land & Mary his wife
Plffs
In Chry
Defts

This day this cause came on to be heard
on the bill answer & argument of counsel to hereupon
the court doth adjudge order and decree, that George B.
W Newson George B. Cary Barham Wrenth Henry
Pettaway William Suckkins or any three of them
accompanied by a competent surveyor divide the Land of
William L. Rockelle decd called Maury's purchased of
River Barker containing 80 acres more or less into three
equal parts and allot one to John W Williamson in right
of his wife Anna formerly widow Wm L. Rockelle decd
as her dower in the said Land and divide the other two thirds
into three equal parts having regard to quantity as well as
quality & allot one part to Robert Rockelle one part
to Nathaniel Land in right of his wife Mary formerly
Mary Rockelle & the other part to the guardians of
Nathaniel Rockelle's heirs & make report to this Court
how they have acted in the premises in order to a final decree

Williamson Hulse & Co

in 3/4s: Dues

Land & wife

For Commissioners

Southampton County Court June Term 1837

John W. Williamson in right of his wife Ann Williamson formerly
Ann Rochelle & Widow of the late William S. Rochelle dec'd. Nathaniel
Land in right of his wife Mary Land formerly Mary Rochelle, Robert
Rochelle & John Rochelle. William Rochelle, Mary Rochelle & Martha
Eliza Rochelle heirs of Nathaniel Rochelle dec'd. infants by their next
friend & guardian ad litem Stephen Murdaugh.

against

Nathaniel Land and Mary his wife

Plffs

Defls.

In Chancery

This day this cause came on to be heard on the bill, answer and arguments
of counsel. Whereupon the Court doth adjudge, order and decree that George A. W.
Newsom, George B. Cary, Barham Wrenn, Henry Dethway, and William Jenkins or
any three of them accompanied by a competent Surveyor divide the lands of William
S. Rochelle dec'd. called Maury's purchased of River Barker containing eighty
acres more or less, into three equal parts and allot one to John W. Williamson in
right of his wife Ann formerly widow of William S. Rochelle dec'd. as her dower
in the said land, and divide the other two thirds into three equal parts, having
regard to quantity as well as quality and allot one part to Robert Rochelle, one
part to Nathaniel Land in right of his wife Mary formerly Mary Rochelle, and
the other part to the guardians of Nathaniel Rochelle's heirs and make report
to this Court how they have acted in the premises in order to a final decree.

Attest Teste L. R. Edwards C. C.

In obedience to a Decree of the
County court of Southampton
bearing date June Term 1837 and
to us directed, we the under sign
have proceeded to divide the land
as herein directed, we allotted to
John M. Williamson in Right of
his wife Ann formerly widow of
William L. Rockell deceased $2\frac{1}{2}$ acres
as her dower in said land, To Robert
Rockell 20 acres to Nathaniel D. Lathrop
in Right of his wife Mary formerly
May Rockell 20 acres and Stephen
Murdaugh Guardian ad litem to the
heirs of Nathaniel Rockell deceased
 $25\frac{1}{2}$ acres. we charge \$5. Each for
our services which amounts to \$15.

all of which is Respectfully submitted
to your worship.

August 21st 1834

Geo. A. M. Stearns

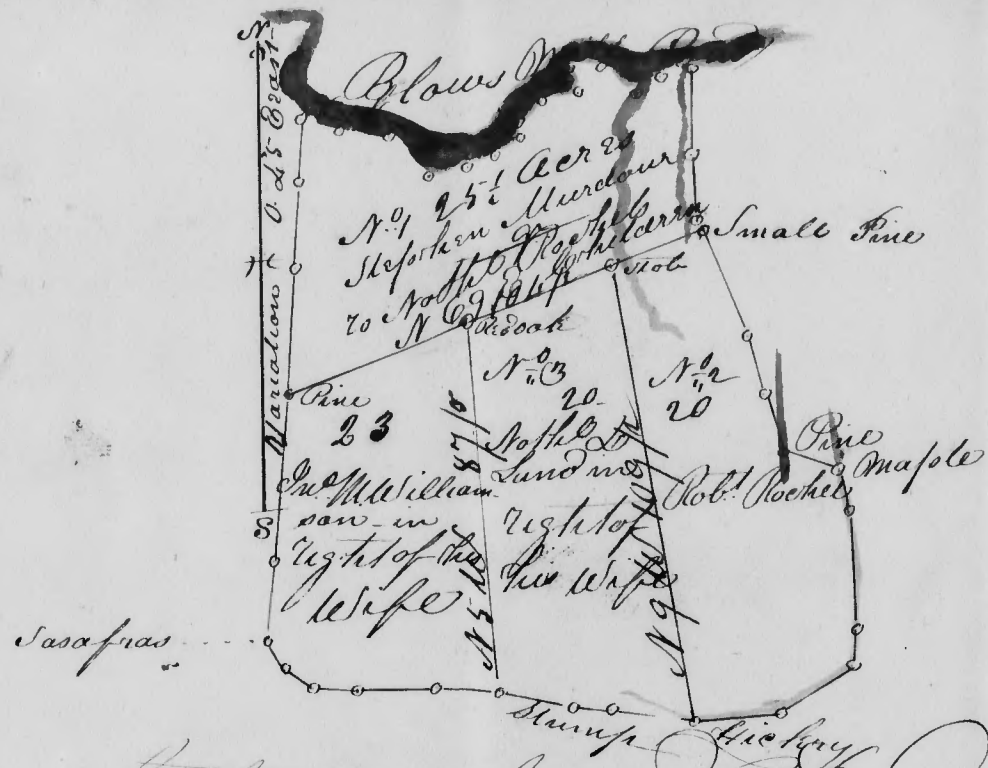
Barham Wrenn

Henry Pottery

Commenced

Refers to

Jan 25. 31



Southampton County to wit
 Surveyed for the heirs of
 William S. Rochel 88½ acres of land, Bounded as follows
 Beginning at a Spanish Oak in John McWilliamson's line
 by Blows Mill Pond, thence along the high water mark
 of said Mill Pond to corner marked a Little over a small
 branch, thence along by said branch S 23° 10.6 p to dead gum
 S 15° 9 p S 5½ W 28 p S 48° 13 p S 8 W 13 p to a large pine
 then left said branch S 71½ E 13.6 p to Maple in one other
 branch, then up s.d. branch S 11½ E 10.9 p to gum S 4 E 36.3 p
 S 57 W 20.4 p S 86 W 21 p S 80 W 18.6 p S 85 W 8 p N 75 W
 17.2 p to Spanish Oak at the head of said branch N 84 W
 16 p to white Oak due west 18 p to pine N 87 W 10.8 p to
 dead pine N 45 W 8 p N 38½ W 6.6 p to a Sacofras in John
 McWilliamson's line, thence his line N 4½ E 18.8 p to red Oak
 N 28 40 p N 6½ E 29.6 p N 28 19 p to the tree began
 Plat. Said down by a scale of 45 poles in an Inch
 Also by the direction of George A. W. Newson Barham
 Wm H. Henry Surveyors Commissioners acting under
 a Decree of the County Court of Southampton to divide
 said tract of land, and also by the direction of said
 Commissioners I divided it allotting each division of
 the plat to the Person whose name is written there in
 John A. Newson S. Surveyor
 July 29 1837

Chancery Causes
Decided
1837

Chancery Causes
Decided

1837.

(W)