

1E 42-002

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BRANCH et al. vs. BRANCH

8. | 1842

Plat

Other surnames: Gay,
Washington, Davis,
Stephenson, Johnson

Branch V^r

" { Bill. ans V^r

Branch

1835 July Decree as filed V^r

1836 Mar - Decree amended -

" Oct - Decree amended

1837 Aug. Rept. ret^d Tompⁿ.

1837 Nov. Ordered that the bonds
due J. Stephenson be delivered to
the President of board O. Poor.

1842 July - Receiver appt^d.

To The worshipful the county Court of Southampton
in chancery setting yr Orators Lewis N Branch
Vallantine Branch Orson Branch, Cary Gay
& George Gay in Right of their wives Nancy & Matilda
children of Ethelana Washington & Sally his wife
formerly Sally Branch James Davis son of James
& Denny his wife formerly Denny Branch & Ursula B
John Stephenson in right of his wife Denny children of H. B.
Johnson Cary, Denny & Robertson Johnson chil
J. Johnson -
dren of Hannah & James Johnson - formerly Hannah
Branch p'ts in & N Polly Branch widow &
Suzee of George Branch - Respectfully com-
plaining shew unto yr worshipps That a certain
George Branch departed this life in the
year ¹⁸⁴⁰ having made & published a
will in writing which was shewn to this
court & prayed to be taken as a part of the
file which said will was admitted to record
by the county court as a good & valid will of
personal estate only, ^{a copy of} which said decision is
herewith filed & prayed &c Thus it will appe-
ar to your worshipps that the said George
Branch died intestate as to his real estate
of which he was seised which in fact
was considerable at the time of his death &
yr Orators further shew unto yr worshipps that
the said George Branch died ^{a widow} having no
children but -
children and that they as the Brothers & Sisters

Received Aug. 15/1842 of the Clerk of Southampton County the bonds returned by
the Com. in this Sum as the proportion of Valentine Branch's to mt. one executed by Stuart
Branch. Lewis W Branch & Marmaduke H Branch for \$82.⁴²/₁₀₀. due 30th December
1837. One against George Gay. Gay Gay & Puffin Hart. for \$35.⁵⁰/₁₀₀ due 30th December
1837 & another against Lewis W Branch Hawkins Pond & Jas H R Pond for \$21.⁰⁴/₁₀₀
due Dec. 30/1837.

Wm Griffin

Branch of

in { Geo. Deere's report

Branch

For Commissioners

1837 Augt 6th Reta.

Received April 25/1840 of the Clk of Southampton County three
bonds amounting in all to \$34.99 each, being the bonds returned
by the Comr. who made sale of the Land of George Branch dec.
as the proportion to which John Stephens is entitled of said Sales—

W. H. Butler
President of the
Board of over
Seers of poor

Southampton July Court 1835-

Lewis N Branch. Valentine Branch. Orson Branch. Cary Gay & George Gay
in right of their wives Nancy and Matilda children of Etheldred Washington and
Sally his wife formerly Sally Branch. James Davis son of James Davis and Dizzy
his wife formerly Dizzy Branch. Newsum B Johnson. John Stephenson in right
of his wife Lizzy. ~~and~~ and Robertson Johnson children of Hannah and James
Johnson children of James & Hannah Johnson formerly Hannah Branch Pliffs.

against

Polly Branch.

In Chancery
Deft.

This day this cause was docketed by consent of parties and came on to be heard
on the bill answer and exhibits and was argued by counsel whereupon the court doth
adjudge order and decree that George G G Gray, Richard Wells and Shadrack
Boyle be appointed Commissioners to carry into effect this decree, or any two of them
proceed to divide the lands whereof George Branch died possessed in the following man-
ner, first with the County Surveyor assigning to the Widow Polly Branch her dower
one third of said real estate with respect to quantity and value thereof and proceed
to sell after giving sixty days notice of the time and place of sale the lands in the
bill mentioned. Set. the lands of which George Branch died possessed subject to the
widows dower as aforesaid on a credit of twelve months (Save so much as shall
be necessary to defray the expenses of this decree and the carrying it into effect) taking
from the purchaser or purchasers bonds with approved security and a true return
of said sale thus secured in the following manner, assigning to Lewis N Branch
one sixth to Orson Branch one sixth to Valentine Branch one sixth to George and
Cary Gay one sixth James Davis or one sixth to Newsum B Johnson. John Stephen-
son in right of his wife Lizzy, ~~and~~ ^{son} & Robertson Johnson the remaining sixth and
report their proceedings to this Court in order to a final decree.

Teste

James Rockwell

Branch

vs.

Branch

Deer

July 21: 1842

Branch etc.

v.

Branch

} On motion Benjamin Griffin is appointed
a receiver to receive from the Clerk of this

Court for the bond & fees in this suit, to

which Valentine Branch, is intitled - / now to

collect the same, and report to this Court in

order to a further decree

This Indenture
This Indenture

be d. stid & furniture Est. of Geo. French
1 trunk to
3 seting chairs Surveyor
\$ 48.69.

50.00
48 69
1.31

Estale of George Branch

Dec. 18. 1835.

br. to William D. Hood

Massion tract	To Running 1300 poles - - - - -	\$7.00
	65 Courses - - - - -	2.27
	Platting ditto - - - - -	2.27
	Calculating ditto - - - - -	2.27
	Copy of survey - - - - -	2.27
X Roadstrack	To Running 824 poles - - - - -	4.64
	" 41 Courses - - - - -	1.55
	Platting ditto - - - - -	1.55
	Calculating ditto - - - - -	1.55
	Copy of ditto - - - - -	1.55
Dover	Running 1 dividing line - - -	.50
	" 169 poles in do. - - -	1.35
	Calculating dover 37 Courses - -	1.43
	" 64 other division 31 Courses -	1.25
	Plat of each division - - -	2.65
Orion Branch	To Running 1038 poles - - - -	5.69
	" 51 Courses - - - -	1.85
	Platting ditto - - - -	1.85
	Calculating ditto - - - -	1.85
	Copy of ditto - - - -	1.85
	Travelling 15 miles - - - -	1.50
		\$48.69

March 7. 1837. Recd.

the above in full of Comms.

W. D. Hood.

By Virtue of the aforesaid decree we the undersigned
 Commissioners, appointed to see the Lands belonging to the
 Estate of Geo. Branch dec. after giving sixty days notice
 we sold upon the 29th day of December 1836 the
 following tract of Land, belonging to the said Estate
 1st the Crop Roads tract. Containing by survey 209. A. 11 R
 9.9 P. - for \$125 pr. acre and purchased by Geo. Gay \$261.56 1/4
 2nd tract called the Orsen Branch Tract Containing
 167. A. 2 R. 20 P. & Purchased by Lewis Branch for 427. 44
 3rd The Home tract Subject to the widows dower
 Containing 281. A. 1 R. 17 P. & Purchased by L. A. Branch ^(Geo. Branch) 267. 19
 making in all \$956.19 1/4

Expenses of decree
 County Surveyors fee 48.69
 Decree 10.00
 Flag & Chain Ranges 9.00
 Clerk Tickets 1.00
 Commissions 47.80
 Whole amt. expenses 116.50

taken from principal sum \$839.69 1/4
 which we divided in the following
 manner taking bond from the purchs.

With good security
 To Lewis B. Branch 1/6 - making - 139.95
 " Orsen Branch 1/6 - " 139.95
 " Valentino Branch 1/6 - " 139.95
 " Jas. Davis - 1/6 - " 139.95
 " Geo. & Mary Gay - 1/6 - 139.95 (each)
 " Edward & Johnson, Jerry Johnson (each)
 " Nathan Johnson & John Stephens (1/6 each) 139.95
 \$839.70

The commissions paid over to the
 to Lewis B. Branch Orsen Branch order

to Messrs. Hearn & Co.
Mary Bay Attorney at Law for La. Davis
and to Thos. Kitchen husband of Lucy Johnson
their respective Monies - Reserving Valentine's Man-
dus Monies - Robertson Johnson & John Stephen in
our hands - not being residents of this state we
return the said Monies to Court - and
Newcom B Johnson, also.

Made this 15th August 1837 by the Court

R. A. Kello
Robert Derry

Compromising
Report

Courses of the Croft Roads tract belonging to the estate of George Branch commencing at a white oak a corner of the said tract and Valentine Branches and running S 10° E. 243.96 p. thence N 68° W 13.44 N 64° W 8.60 N 66° W 20.60 N 74° W 13.44 N 63° E 8.32 N 70° W 42 p. a pine corner of Branch and Boykins, N 27° W 12.56 N 24° W 20.84 N 33° W 9.60 N 28° W 8.52 N 26° W 22.96, N 30° W 5.20 N 53° W 40.28 a maple stump N 14° E 9.32 N 11° E 44.68 N 18° E 6.48 N 20° E 20, N 17° E 14, N 13° E 17.56 p. N 3° E 14, N 7° W 21.68 N 4° W 50.64, a pine corner of Branch & Gay S 88° E 18.28, S 86° E 20.40 a corner at S. Gay's fence, S 52° E 2.40 S 35° E 32 S 27° E 21.52, S 30° E 46.56 S 73° E 11.28 to the white oak and beginning containing 209.1.09.

Drawn on a scale of 40 poles to the inch.

Variation of the needle N 45° E from the true north.

Croft Roads tract
A. R. P.
Containing 209.1.9

Valentine Branches tract
detached from above
141.2.31.

V. Branch 141.2.31
Dower 139.2.26
281.1.17

In obedience to an order of the county court of Southampton made at July Term 1835 I proceeded to survey the lands belonging to the estate of George Branch and commencing at the sign post a corner of said Branch on the Broad water Road running N 68° E 86.16 poles thence a corner of Harrison Stephens thence N 53° W 31.56 p. S 44° W 26.24 N 34° W 64.60 a pine N 30° W 21.72 N 32° W 24.56 N 27° W 5.36 a branch between Branch & Hancock thence S 70° W 8.54 N 15° W 15.16 N 23° W 4.48 a white oak corner Mrs Hancock's fence, N 44° W 20 p. N 52° W 66.32, N 57° W 10.16 N 49° W 12.20 a gum in Washington's lane and a corner in Dower's lane annexed, N 60° W 15.16 N 72° W 46.60 N 73° W 19.68 N 72° W 52.96 N 76° W 72.4 N 70° W 18.60 a pine corner of Gay & Washington thence N 75° W 18.44 N 68° W 18.56 white oak corner of Valentine Branch & Croft Roads tract thence S 10° E 243.96 a stump, corner of Branch & S. Brittle, thence N 48° E 15.28, N 47° E 12.92, N 43° E 10.56, N 49° E 13.80 N 55° E 10.72 N 83° E 22.16 N 70° E 11.44 N 74° E 60.04 N 76° E 22.24 N 74° E 34.38 N 69° E 30.24 S 6° W 24.56 E 18.510° E 11.28 S 19° E 47.60 a pine at mouth of lane between Branch & Wilson thence S 17° E 24.24 a stump at Road (Broad water) a corner between Mrs White & Branch thence N 34° E 48.56 N 32° E 14.24 S 42° E 36.44 to beginning containing 281.1.17 - 139.2.26 of which was allotted as Dower.

Orson Branches tract
Containing 167.2.20

The courses of the Orson Branch tract of land belonging to the estate of Geo. Branch are as follow beginning at a Gum stump in the meadow or Tarara Swamp and running N 86° W 21.68 N 84° W 168.58 to a pine in Comp's line thence N 86° W 13.52 N 89° W 30 N 86° W 73.68, N 81° W 31.28, N 76° W 14.88 N 72° W 21.36, N 69° W 10.24, N 65° W 17.48, N 55° W 10.52 corner of Pond Brittle and Branch S 3° E 20.52 S 12° E 43.72 corner of Carroll, Branch & Brittle, N 72° E 24.40 N 89° E 38 a pine S 82° E 15.68 S 80° E 43.44 S 80° E 60.84, Red Oak, corner of Carroll & Branch S 28° E 33.28 S 32° E 7.36, S 25° E 15.80 S 28° E 17.28, S 26° E 26.56 S 29° E 17.16 Red Oak stump corner of Wm O. Bailey, Hancock & Branch, N 55° E 40.76 N 52° E 79.28 a pine in Spring Branch, thence along said branch to its junction with the Tarara Swamp thence up said Swamp to the beginning containing 167.2.20.

Valentine Branches tract
A. R. P.
139.2.26

January 12. 1836.

William D. Hood Surveyor

Branch 8th
" Report

Branch

1837 August.

1836 December 25th Recd of Rich^d and A. Kelso & Robert Drury
Commissioners acting under a decree of the County Court of
Southampton to sell the Lands belonging to the Estate of
George Branch dec^d, the bonds my legal ex^r in that Estate entitled
me to.

Witness

Shugart Linn

Benj^d McHanna

George Gay

Lewis Brainerd

Cary Gay

Cary Gay, atty in fact

for James Davis

Lewis Brainerd for Oron

Dan

Samuel M. Pond as to T. H.

Joseph Gardner as to N. B. J.

Ben S. Blunt as to John R. Johnson

Thomas K. Tcher

Nurs on B. Johnson

John R. Johnson

January 14th 1837

Mr Richard & Theow & Robert Drury

Gentlemen you will please to pay Lewis or
Branch the amount of the proportion of
the amount of the Land that I have
coming to me from George Branch & his
and oblige your O^b

John H. Barth

Orson Branch
marks

Orson Branch has acknowledged before me that
the above order is a true one—

Benj^d M Hancock

John G. Johnson
Order
To the Clerk of the
Court of Exchequer
J. G.

This is to certify that I have Authoris^d
Joshua Harrod to take out of the office
of southampton court house County
my bond or bonds which are due me
from the branch estate & Oblige yours &c

Test
Wm Middleton Harvey

John^{his} & Stephenson
~~mark~~ mark
October 30 1829 —

Presum Branchi

Will

Hope

In the name of God, Amen! I, Levi Branch of the County of Southampton, do make and ordain this my last will and testament in manner and form following, to wit;

Item I give and bequeath unto my beloved wife Mary Branch during her life or widowhood the use of my whole estate both real and personal.

Item It is my will and desire, that at my wife's death or marriage, all my lands should be equally divided among my four sons, George, Valentine, Owen and Lewis Branch, and the remainder of my estate to be sold, and out of the monies arising therefrom It is my will & desire that my Executors pay to my five children George, Owen, Valentine, Lewis Branch and Sally twenty pounds each - and the remainder then to be equally divided among all my children, to wit; George, Valentine, Owen, Lewis & Levi, Sally and Hannah Johnson and Diana Dani.

Item It is my will and desire that as my children come of age or marry that my wife may lend them such part of my estate as she may choose, having it valued and charged to them as part of their proportion of my estate - and should receive of them £10 without receipt if not after receiving such part of my estate from my said wife as part of their proportion. It is my will and desire that it should be taken back into my estate and equally divided among my surviving children or their Heirs.

Item It is my will and desire, that my sons George Branch and Valentine Branch may retain in their hands my daughter Hannah Johnson's proportion and dispose of it to her and her children as they may think best for them - and in such a manner as to exclude her husband James Johnson from deriving any benefit whatever from her proportion of my estate - and at her death whatever property they have in their hands for her use. It is my will and desire, that it should be equally divided among her children.

And lastly, I do hereby constitute and appoint my wife Mary Branch and my sons George and Valentine Branch executors of this my last will and testament, hereby revoking all other wills or testaments by me heretofore

made. In witness whereof, I have hereunto set my hand and affixed my
Seal this twenty fifth day of August in the year of our Lord, the
thousand eight hundred and two.

Signed, sealed, published & declared } George Branch Seal,
as for the last Will & testament }
of the above named Deceased }
Branch in presence of us.

John C. Gray

John Biddle

James Biddle

At a Court held for the County of Sumpter the 15th day of August 1803
This Will was proved by the oath of John Biddle having been before
sworn by the oath of James Biddle another witness ^{then} to and order
ed to be recorded. And on the motion of George Branch who
made oath according to law for the administration on the said
estate. Certificate was granted him for obtaining a probate thereof
in due form in giving bond of Saml. Kello, C.C.

Copy
Henry S. Howard, Sec.
Feby 21st 1860.