

1844-45

SOUTHAMPTON COUNTY
CHANCERY PAPERS

SIMMONS ^{vs} vs. SIMMONS

11/1844

Plat

n.B. Sheets pasted Together + folded.

other SURNAMES: Lanier,
Nicholson, Beale, Hines

Simmons { Bill
" { answer
Simmons { &
" { Decree

1844. Aug- Decree as filed
" Nov- Report-
" Decr- Final decree.

To the worshipful County Court of Southampton
in Chancery.

Humbly complaining sheweth unto
your worships, your Complainants, John
Simmons, Mary Elizabeth Simmons infants of
Benjamin Simmons by Mrs Simmons her next-
friend, Sterling H. Lavier & Sally E. his wife
Zebulon Nicholson heir of Alice B. Nicholson
who was Simon and William Beale assignee
of Benjamin Hines & Lucy R. his wife who was
Simon - that their father departed this
life some time since leaving a tract of
about 200 acres of land which they are anxious
to have divided, and as they are remediless
at law only relievable in equity where
matters of this kind are alone cognizable
they pray the appointment of Commissioners
to make said division and pray that
Thomas Simmons may be made a defendant
hereto and be required to answer this bill
- and praying such other general and
special relief in the premises as the
nature of the case may require and the rules
of the Court will allow. They will ever pray.

The answer of Thomas Simmons -

This respondent saving to himself all
benefit of just exception to the above bill, for
answer says that he has no objection to the
decree prayed for.

Simmons

vs

Simmons

Decree

This day this cause was docketed by leave of Court and consent of parties, and came on to be heard on the bill and answer and was argued by Counsel.

On consideration whereof the Court doth order, adjudge and decree, that Jesse Little, William S. Schell and Harry Butts, be appointed Commissioners any two of whom may act, that they attended by a competent surveyor divide the land whereof Charles Simmons died seized into such parts regard being had to value, and assign one share to Thomas Simmons one to John Simmons, one to Mary Elizabeth Simmons, one to Sterling H. Larin & Sally E. his wife one to Eubank Nickerson one to William Simmons and the other to William Beale assignee of Benjamin Harris and duty his wife and report to the Court in order to a final decree

Simmons

a } Dear
Simmons

copy.

Southampton County August Court 1844

John Simmons Mary Elizabeth Simmons infant of Benjamin Duff
Simmons by Jno Simmons her next friend Sterling G. Larnier }
vs Sally D. his wife by Gublon Nicholson her co-defendant } In law
against

Thomas Simmons

Deft

This day this cause was docketed by leave of Court and consent of parties and
came on to be heard on the bill and answers and was argued by Counsel on
consideration whereof the Court doth order adjudge and decree that Jesse Little
William S. Sbrell and Henry Bulls be appointed commissioners any two of whom
may act that they attended by a competent surveyor divide the lands whereof
Charles Simmons died seized into seven parts regard being had to value and
assign one share to Thomas Simmons one to John Simmons one to Mary Elizabeth Simmons one to Sterling
G. Larnier and Sally D. his wife one to Gublon Nicholson one to William Simmons
and the other to William Beale assignee of Benjamin Hines and Lucy his wife
and Report to the Court in order to a final decree.

Attesty Jno P. Edwards clk

Simmons

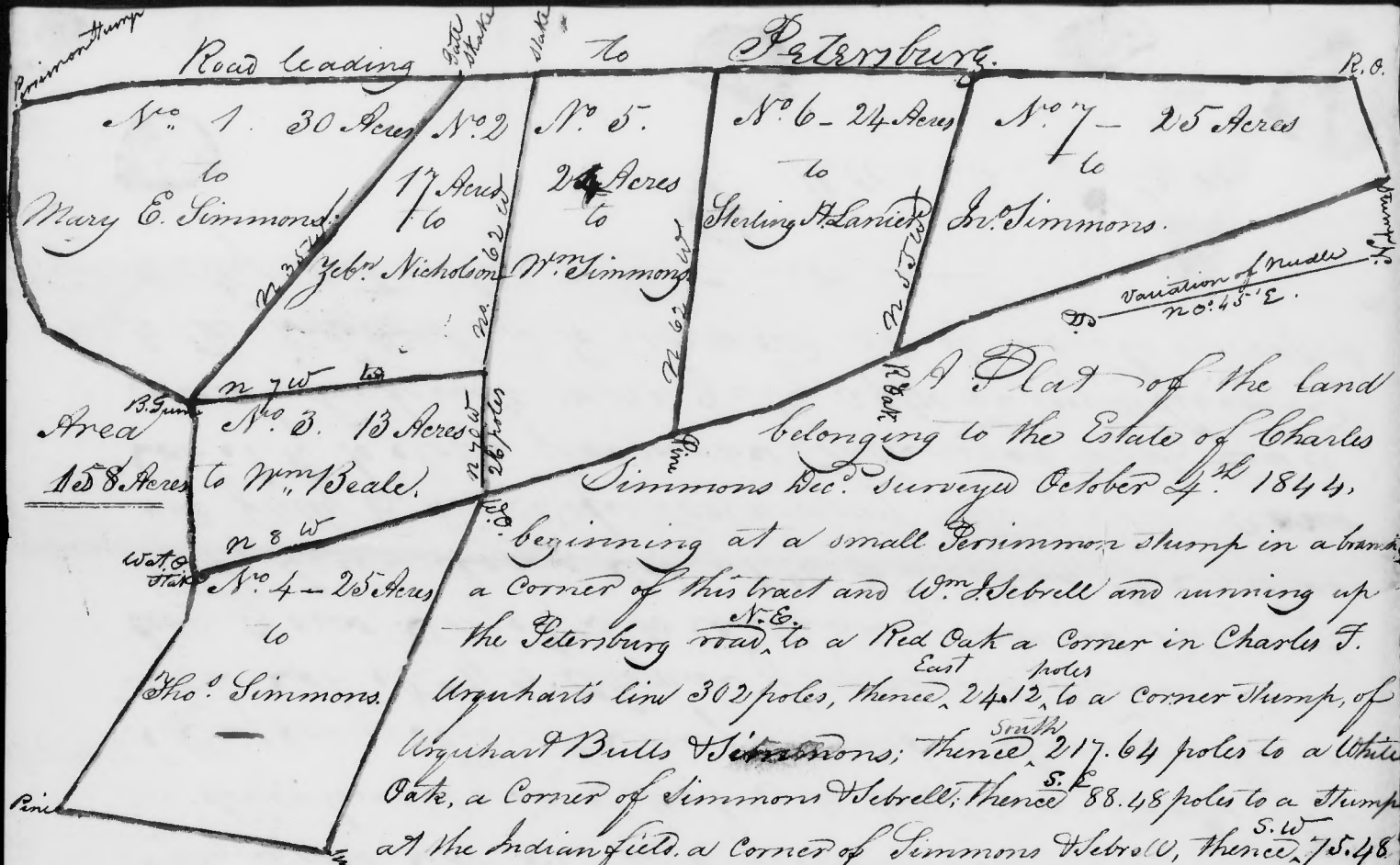
& Report

Simmons

1844 November Term

By virtue of a decree of the county court of Southampton bearing date August court 1844 which is hereto annexed, we the undersigned commissioners have according to said decree attended by the county surveyor, divided the land wherof Charles Simmons died seized, in the following lots to wit Lot N^o 1 to Mary E. Simmons containing thirty acres, Lot N^o 2 to Zebulon Nicholson containing twenty acres, Lot N^o 3 to William Beale after Benjamin Niles & Lucy his wife containing thirteen acres, Lot N^o 4 to Thomas Simmons containing twenty five acres, Lot N^o 5 to William Simmons containing twenty four acres, Lot N^o 6 to Sterling A. Sanier and Sally E. his wife containing twenty four acres, Lot N^o 7 to John Simmons containing twenty five acres, which will more fully appear by reference to the plot hereto annexed, all of which is respectfully submitted to the court. —

William Sebrule
Jesse Little
Commissioners



A Plat of the land
 belonging to the Estate of Charles
 Simmons Dec. Surveyed October 4th 1844,

beginning at a small Primont stump in a branch
 a Corner of this tract and Wm. Sebrell and running up
 the Petersburg road, to a Red Oak a Corner in Charles F.
 Urquhart's line 302 poles, thence ^{East} 24¹/₂ to a Corner stump, of
 Urquhart Bulls & Simmons; thence ^{South} 217.64 poles to a White
 Oak, a Corner of Simmons & Sebrell; thence ^{S. E.} 88.48 poles to a stump
 at the Indian field, a Corner of Simmons & Sebrell, thence ^{S. W.} 75.48
 poles to a Pine, a new made corner between Sebrell & Simmons at a branch
 thence down the various courses of said branch, along a course of marked trees
 to the beginning, containing 158 Acres. and divided among the
 legatees as follows

- No 1. by a dividing line, running from a Primont in branch N 35° E 96¹/₂ p
 to a stake near the Gate at the road, containing 30 acres, and allotted to Mary
 E. Simmons;
- No 2. by the dividing line of No 1, the dividing line of No 3, and No 5,
 and the Petersburg road, containing 17 acres including the Dwelling house,
 and allotted to Zebulon Nicholson and his sister Eliza.
- No 3. by a branch, dividing line of No 2, dividing line of No 4, &
 part of dividing line No 5. Containing 13 Acres, and allotted to
 William Beale, assignee of Benj^a Hines.
- No 4- by a line of marked trees from the White Oak, a Cor. of Sebrell & Simmons,
 to the stump at the Indian field, thence to a pine, a new corner of Sebrell & Sim-
 mons, thence the branch to a stake near a water oak, thence by dividing line of
 No 3. running to the White Oak corner, containing 25 Acres, & allotted to Thos. Simmons.
- No 5. Commencing at the Wh. Oak, by the dividing lines of Nos 2 & 3, to the Road,
 thence up said road to No 6, thence a new line to the back line, thence to the
 Wh. Oak and beginning, Containing 24 Acres, and allotted to Wm. Simmons.
- No 6. by the dividing line of No 5. the Road, to dividing line of No 7, thence
 to the back line, & thence to dividing line No 5, containing 24 acres, and
 allotted to Sterling H. Lanier - No 7. by the dividing line of No 6, to the Road,
 thence to the Cor. Red Oak, thence to the Cor. Oak stump, thence the back line
 to dividing line No 6, Cont^g 25 Acres, & allotted to Dr. Simmons's Heirs.