

1844-051 SOUTHAMPTON COUNTY
CHANCERY PAPERS

WHITFIELD VS. WHITFIELD eJ al
11/1844

Plat

other SURNAMES: BARNES

Whitfield

by 3

Whitfield & others

Bill answered to do once

1843 Feb. Dues as filed &c

" May. Dues amended

1844 Oct. Report.

" Nov. Confm?

Letters fees paid

Robert French Jr

To the worshipful the county court of South-
ampton, in chancery sitting -

Humbly complaining, when the unto your
worships your complainant Martha Whit-
field, that she is one of the legacies and
devises of her father the late George Whit-
field, who deposited this life some time in
the year ^{having first duly}
made his last will and testament, appoin-
ting one Isaac Barnes his Exor, who great-
ly as much at the ^{home of the}
County court of Southampton in the year
(all of which will more fully appear
by reference to a copy of the said will
& certificate of probate herewith shewn to
& produced to be taken as a proof of the con-
tents thereof) - That the said testator by his
said will, directed one of his slaves, and such
other of his personal estate as might be necessary
for the purpose, to be sold by his Exor for
the payment of his just debts - ~~And then~~ ^{And then} ~~after~~
the whole of his estate both real and personal
to his wife, to his wife Polly during her natural
life, and after her decease he directs and
bequeaths, all his estate to be equally divided
among his four daughters to wit your complain-
ant Martha, Mary Whitfield, Margaret Whit-
field & Isaac Whitfield - That the said Exor
then proceeded to pay off all the debts of his testator,
that the remainder of the estate was left according
to the provisions of the said will by the widow
Polly, until her decease, which took place some
time in the year - That Isaac Whitfield one
of the daughters, died during the life of her ^{father} ~~mother~~
~~and father~~, an infant of tender years unmarried &
interdicted, & the decrees and bequests to her before by
that court Mary Whitfield died after full age
unmarried & childless but having an illegitimate child
by the name of Norfolke Whitfield, who is her legal

heer and distribute ~~my own~~ ~~complement~~ ~~prays~~
That Margaret Whitfield is still living, and is under
age, and the complement prays that a guardian
ad litem may be appointed to defend her interests in
this suit, as also for the said Norfol B Whitfield,
that they as well as the said Jacob Barnes Exor
as aforesaid, may be made defendants to this bill
with apt and proper words to charge them, &
that they answer the premises &c & that they
acknowledge that the said Jacob Barnes
That the said Jacob Barnes, settled an account of
his transactions as Exor, by report to this court on the
20th day of ~~February~~ ^{August} 1838, which shows a balance then
due the estate of ~~\$464.33~~ ^{\$464.33} with interest ~~on \$464.33~~
from the ~~31st day of January~~ ^{31st day of January} 1836, which
was ordered to be recorded on the 17th of ~~Sept~~ ^{Dec} 1838
your complement prays, that the said Exor may
be decreed to pay her her proportion of the said
account, say one third, and that commissioners
be appointed, to divide the real and personal estate
deceased and bequeathed under the said will, into three
equal parts, allotting one to your complement
one to Margaret Whitfield and one to Norfol B
Whitfield as her and distributee of ~~her~~ mother
Mary Whitfield deceased & grant such other
and further relief touching the premises, as may be
deemed equitable & just —

Parsons & French prs

The answer of Guardian Ad litem to Edwards
guardian ad litem, appointed by this court to
Margaret Whitfield & Norfol B Whitfield, infant
defendants, to a bill of complaint, exhibited in this
Courtship, court against them & others, by Martha
Whitfield —

Then defendants answering &c, for answer say
that they admit the will, as recd &c ~~and~~ ^{other} facts stated in
the said bill to be true, & for ~~as they~~ ^{as they} ~~believe~~ & believe
and here nothing to argue against the deceased prays for

He submit their rights and interests in the said bill to
the decision of this Courtship court to pray to be hence
dismissed &c. Parsons & French prs &c

The answer of Jacob Barnes Exor of George Whitfield deceased
to a bill of complaint exhibited in this Courtship
court against himself and others —

Then defendants answering &c, for answer to the said bill
says, that it is true that he qualified as Exor of
George Whitfield deceased, & in that character proceeded
to settle the estate & pay off ~~all~~ ^{all} the debts of the estate
of which he had notice ~~in due~~ ^{in due} ~~time~~ ^{time} & believes there
are none more ~~outstanding~~ ^{outstanding} That the widow took
& retained the ~~distinction~~ ^{distinction} of the estate real & personal
till the time of her death, which took place sometime
in the year 1842 & the ~~real~~ ^{real} estate & the ~~personal~~ ^{personal} estate
the personal estate as was not consumed in the case is
now subject to division, among the persons legally enti-
tled, Charles under the will of his testator — That he admits
the account of his executorial transactions as referred to
in the said bill, was returned & recorded, at the time
set forth, & that the balance, stated as due from him
to the estate is thereon correctly rendered and stated
& that he is willing to pay over, after the costs & charges
attending this proceeding, are deducted, the balance then
he owes to persons, as the court may decide legally entitled
thereto & having answered prays to be hence dismissed &c

Whitfield
Whitfield & others —

This cause, was then duly docketed & heard by com-
mittee of parties, on consideration whereof the court doth hereby
order and decree that Jacob Barnes, Exor of George Whitfield
deceased, pay over to the complement Martha Whitfield
the sum of \$ ~~that being the amount~~
of her proportion of the balance due her father's estate, after
deducting her proportion of the expenses of this suit, & to the

legally constituted guardians of Margaret & Norfolc B
Whitfield, their respective, each tendered duly after
like deduction, & that Thomas B Worrall, Isaac
Burnell & Alex orser Myrick, any two of them may act
be appointed commissioners to divide the real & personal
estate of the said George Whitfield, into three equal parts
allotting one to the complainant Margaret, one to Mar-
garet and one to Norfolc B Whitfield, and that
the said Burnes & the said commissioners, make report
to this court, of their doings and doings in this behalf in
order to a final decree -

Whitfield
N Y Co. Decree
Whitfield John

Southampton February Court 1843.

Whitfield

vs

Whitfield and others

This cause was this day docketed and heard by consent of parties on consideration whereof the Court doth adjudge order and decree that Jacob Barnes Executor of George Whitfield deceased pay over to the Complainant Martha Whitfield the sum of \$

that being the amount of her proportion of the balance due her fathers estate after deducting her proportion of expences of this suit & to the ^{legally} constituted guardians of Margaret & Norfle B Whitfield their proportions each individually after like deduction & that Thomas B Worrell Jacob Barrett & Alexander Myrick any two of whom may act be appointed Commissioners to divide the real & personal estate of the said George Whitfield into three equal parts allotting one to the Complainant Martha one to Margaret and one to Norfle B Whitfield and that the said Barnes & the said Commissioners make report to this Court of their doings and things in this behalf in order to a final decree

Teste L R Edwards Sec

A Copy

Teste L R Edwards Sec

1843 May Term

Southampton May Court 1843

Whitfield

^{or}
Whitfield & others

This cause this day was docketed by consent of parties and argued by counsel whereupon the Court ~~did~~ ^{again} agreeing that the decree rendered in this cause at the last February Court should be amended, so doth adjudge, order and decree that Jacob Barnes Executor of George Whitfield dec. pay over to the Complainant Martha Whitfield the sum of £

that being the amount of her proportion of the balance due her father's estate after deducting her proportion of the expenses of this suit and to Margaret Whitfield her proportion and to Robert W. Griffin ~~the~~ ^{the} ~~advent~~ ^{advent} of Mary Whitfield &c. the proportion to which the Estate of the said Mary Whitfield is entitled after making like deductions. That Thomas B. Warrall, Jacob Barnes & Alexander Myrick any two two of whom may act, be appointed Commissioners to divide the real and personal estate of the said George Whitfield dec. into three equal parts, allotting one to the Complainant Martha, one to Margaret, and the other to the ~~representative~~ ^{of Mary Whitfield &c.} Purp. 13. Whitfield &c. and make report to this Court of their acting and doing in this behalf in order to a final decree.

Whitfield

v. } Geo. Dene.

Whitfield's Exor

Southampton May Court 1843
Whitfield

D
Whitfield

This cause this day was docketed by consent of parties and argued by counsel wherefore the Court agreeing that the decree rendered in this cause at the last February Court should be amended doth adjudge order and decree that Jacob Barnes Executor of George Whitfield dec^d pay over to the complainant Martha Whitfield the sum of \$ ^{that being} the amount of her proportion of the balance due her Father's Estate after deducting her proportion of the expenses of this suit and to the Guardian of Margaret Whitfield ^{her} proportion and to Jonathan Griffin adm^r of Mary Whitfield dec^d the proportion to which the Estate of the said Mary Whitfield is entitled after making like deductions that Thomas B. Worrell Jacob Barrell & Alexander Myrick any two of whom may act be appointed Commissioners to divide the real and personal Estate of the said George Whitfield dec^d into three equal parts allotting over to the Complainant Martha one to Margaret and the other to Norah B. Whitfield heirs of Mary Whitfield dec^d and make report to this Court of their doings and doings in this behalf in order to a final decree.

Attest

Teste L. R. Edwards Ck

Whitfield

n. 2 Report

Whitfield

1844 Oct. Term

Agreeably to the annexed order of the Worshipful Court of Southampton County to us directed, We the undersigned Commissioners as expressed in said order, have divided the tract of land of which George-Whitfield died possessed, (Known as the Piney-grove tract of land, containing eighty nine acres, into three parts of equal value, as represented on the plot accompanying this report, in the following manner to wit, lot No. 1. Containing Sixteen & $\frac{3}{4}$ acres, including the Dwelling house. Drawn by Margaret Whitfield, and bounded by the lands of Lewis Norrells & John Norrells estate by the land of Jacob Barnes, and by lot No. 2. by a line beginning in Boon's road in Jacob Barnes's line, running between the Dwelling house & store house N. $26\frac{3}{4}$ W. 92 poles to a post a corner. Thence S. 69° W. 85 poles to a black gum standing in a small branch in said Lewis Norrells Estate line

lot No. 2. Containing twenty six acres. Drawn by Martha Whitfield, and bounded by the lands of said Lewis Norrells Estate, by the above line of lot No. 1. by the land of Jacob Barnes, and by the fish road, the dividing line between lots No. 2. & 3. — lot No. 3. Containing forty six & $\frac{1}{4}$ acres. Drawn by Norflet B. Whitfield, and bounded by the said fish road, or lot No. 2. & the land of Lewis Norrells Estate, and by the land of Jacob Barnes. —

We have also divided the personal Estate of said George-Whitfield, valued at thirty seven dollars and fifty cents, into three equal lots, or shares, as follows, to wit, lot No. 1. Drawn by Martha Whitfield, containing the following articles —

1 Bed	\$5.00.	1 Jug & tongs	.50c	1 chest	\$1.25	=	\$6.75
1 wheel	\$1.00.	1 Bed & std	\$1.50.	1 table	.25c	4 old chairs	.25c = 3.00
1 knife box & pot rack	.87c.	Table Skillet, & bells	.88c				1.75
1 bread hoe, tray and stand							1.00
							<u>12.50</u>

(turn over.)

lot N^o 2. Drawn by Margaret Whitfield. Containing the following articles. 1 Bed. and Desk \$10.00. 1 clock \$2.50 \$12.50

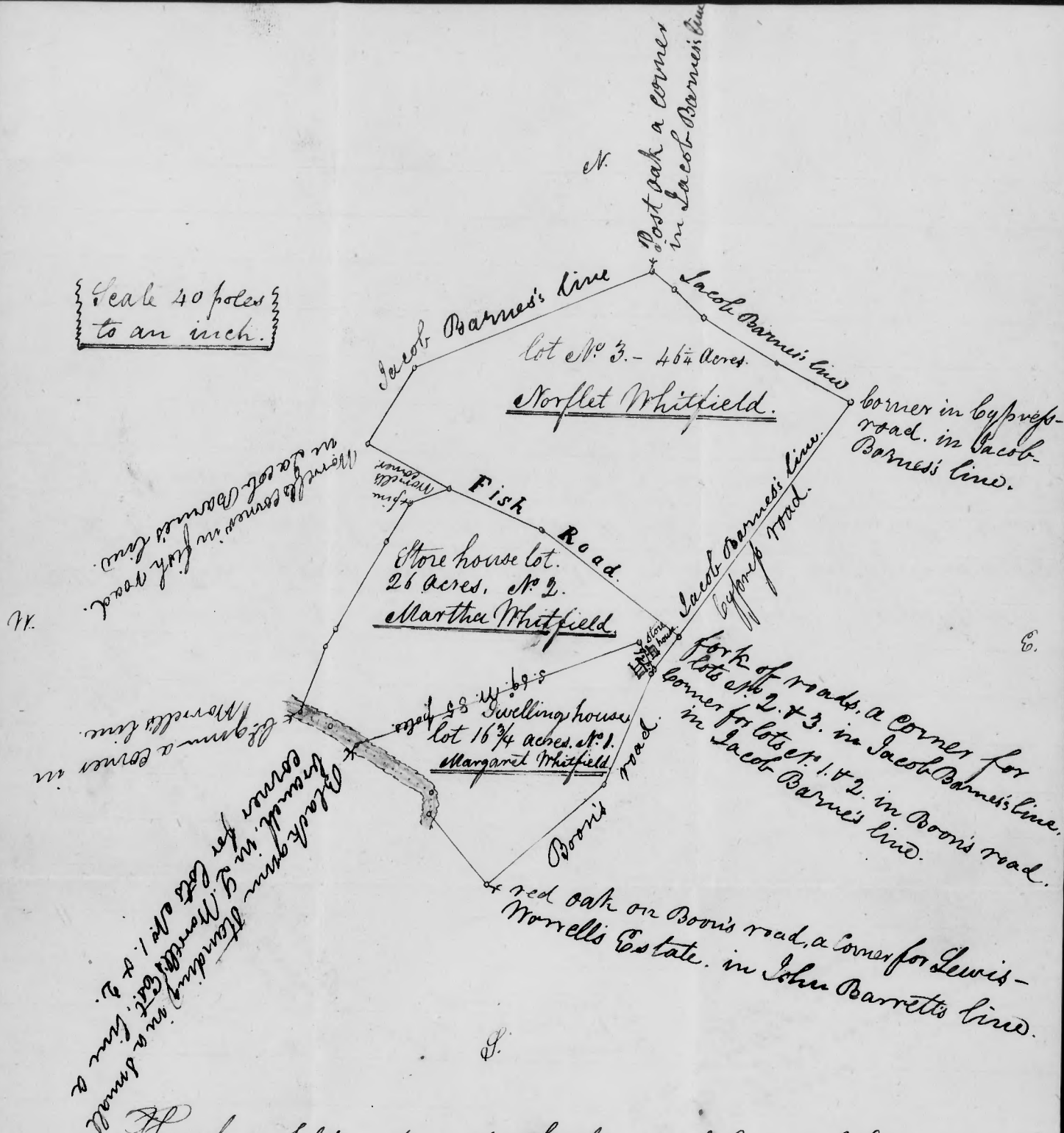
lot N^o 3. Drawn by Norflet B. Whitfield. Containing the following articles. 1 Bed. Chest & Cradle - \$7.25
1 wheel \$1.25. China prep \$2.50. Scales & Weights 65c 4.40
1 pot 75c. 1 waiter Candle stick & book 10c - .85
12.50

all of which is respectfully submitted to the Court.

Given under our hands this 27th day of Sept. 1843.

Thos. B. Morrell
Jas. Bennett
A. Myrick

Scale 40 poles
to an inch.



The above plot represents the land of George Whitfield, dec'd, called the Piney Grove tract of land, containing Eighty nine acres, and divided as represented on said plot by the Comm^{rs} appointed by a Decree of the County Court of Southampton to divide the same,

Thos. B. Norvell Sur^r
March 4th 1843.