

1817-002

Chancery Causes: Edmund Godwin

vs Wiley Godwin, the Younger, by & c

Isle of Wight County

Plat in Oversize Box 3

other SURNAMES: Bagnall, Harrison,
Reynolds, Wills

To the worshipful the Justices of the County of Isle of Wight
in Chancery sitting Humbly Complaining, Shew unto your worship,
your Orator Edmund Godwin, that some times in the year seventeen
hundred and eighty eight, Edmund Godwin the father of your Orator
departed this life seized & possessed of a tract or parcel of land situate
in the said County of Isle of Wight, containing by estimation one
hundred and twenty acres - that the said Edmund Godwin deceased
left seven children, to wit, your Orator, Emilia Bagnall, formerly
Emilia Godwin, Tristan Godwin, Wiley Godwin, Patsy Godwin, Fanny
Harrison formerly Fanny Godwin, & Lucy Reynolds, formerly Lucy Godwin
who were entitled as heirs of the said Edmund Godwin ac. to the said
tract or parcel of land - that since the death of the said Edmund
Godwin, the said Tristan Godwin and Patsy Godwin, have departed this
life, by reason whereof the said Edmund Godwin, your Orator, together with
the said Fanny Harrison, formerly Fanny Godwin, Lucy Reynolds, formerly
Lucy Godwin, and a certain Wiley Godwin son of the said Wiley
Godwin, who hath also departed this life, are entitled to the parts or
shares of the said land belonging to the said Tristan & Fanny at
the time of their death - your Orator further states that he has
purchased for a good and valuable consideration, as will appear
by reference to a deed which has been presented & is now used
on the Court of the County aforesaid, the parts or shares of the said
tract or parcel of land, to which the said Emilia, Tristan, Patsy, Fanny
& Lucy were entitled, except one fifth part of the share to which the said
Tristan was entitled & one seventh part of the share to which the said
Patsy was entitled, whereby Your Orator, Edmund Godwin, has become the

absolute owner of the said tract a parcel of land, together with the said
Wiley Godwin, infant-son of the said Wiley Godwin, who is entitled to the
part one sixth part thereof as representing his said father, & the two shares,
that is to say, one fifth of one sixth & one sixth of one seventh,
as herein before mentioned. That your Orator has frequently urged the
said Wiley Godwin the younger to make division of the said tract or
parcel of land, as well as a certain John G. Mills, his guardian, &
notwithstanding his just & equitable rights, his division thereof has
hitherto been refused, & is still objecting thereto the said Wiley & John
G. Mills his guardian. In Tender Consideration whereof, and for as
much as your Orator is without remedy in the premises except by the
aid & interposition of a court of equity; To the end therefore ~~that~~ pray,
that the said Wiley Godwin the younger, (who is prayed to be made
defendant here by ~~my~~ guardian to be specially appointed to defend the suit,
may fully & perfect answer make to all & singular the allegations
herein contained as fully & unswayingly as if the same were here again
repeated & be thereby more especially interrogated - that he may declare
whether he is willing that the said land may be divided, in the manner
herein before mentioned - your Orator further prays that your worship
will appoint fit & proper commissioners to make divisions of the land
aforesaid, allotting to the s^d def^t one seventh part thereof, together with one
fifth of one seventh & one sixth of one seventh thereof & the balance to your
Orator as their own & absolute estate - He lastly prays that your worship
will make such other or further order or decree in the premises as may
seem consistent with equity & good conscience & as in duty bound they
will now pray -

The answer of Wiley Godwin, an infant child of Wiley
Godwin dec^d by John G. Mills a guardian specially appointed in this
behalf, to a Bill of Complaint exhibited against him by Edmund
Godwin, in the county court of Dale & Wright -

This Respondent, saving & reserving to himself all benefit
& advantage of exception to the many wrongs in the said Bill ~~contained~~
contained, for answer thereto saith - That the allegations in the s^d
Bill set-forth are true & correct & that he consents to a division
of the land in the Bill mentioned, in the manner req^d by the com-
plainant - He denies fraud & says to be here dismissed
with his reasonable costs in this behalf most wrongfully sustained.

John G. Mills

Edmund Godwin

vs In Chy - Decree -
Wiley Godwin, Infant son of Wiley Godwin dec^d defendant by John G.
Mills his guardian in this behalf -

This cause came on this day to be heard upon
the Bill & answer by consent of the parties & with the assent of the
Court, whereupon the court both order & decree, that Math^s
Mills, Robert Lawrence & George Andrews or any two of them, assisted
by the county surveyor if necessary, do divide the tract a parcel of
land in the Bill mentioned, containing by estimation one hundred & twenty
acres, & allot to the infant-defendant, the following shares thereof, that is to
say, one seventh of the whole tract, one sixth of one seventh & one fifth of
one seventh & the remainder to the complainant Edmund Godwin

in fact, sample, make report to this court in view to a final decree.
liberty is reserved the infant defendant, for twelve months after he attains
the age of twenty one years, to show cause, if any he can, against this
decree.

Goodwin

v. ^{vs.} Bill Heman.

Goodwin p. guard:

J. H. Heman, 1817 Bill and
Ans. Just. Intest. Decree

March 10th 17 Report ut.
and decreed accordingly.

0 17
Sole of Wright County (to wit) I do hereby certify that at the
request of Edmond Godwin, and in conformity to the annexed
decree of the court of the aforesaid county. I have surveyed the
land mentioned in the said decree, as will appear by the an-
nexed plat; and have also run the dividing ^{line}, as will also ap-
pear by the said plat. reference being had to the field notes
taken on the survey which being thereunto annexed
will fully explain the boundaries thereof.

Given under my hand this 27th day of February 1817.

Thomas Uzzell depy Sur^r

Field notes taken on the Survey of a tract of land, called
Goodwins - Beginning at the corner of Williams' land on the road
leading to the Ragged Islands -

& Running N. 16 W. 62 p. on Williams' line, to the head of North cove.

N. 4 W. 24 p. down North cove, on W. line

N. 4 E. 38 p. do do

N. 10 W. 42 p. do do

N. 8 E. 66 p. do do

N. 80 E. 40 p. to the fork of the creek, corner Wilms' land

S 50 E 26 p. up pines bridge cove, on Goodwins line

S 53 E 50 p. do - to a corner of Goodwins & Bagnals

S 12 E 58 p. do on Bagnals line

S 3 E 16 p. do do

S 23 E 42 p. to a large beach, corner of Bagnal & Esfields, at the road

S 2 E. 31 p. along the road, corner of Esfields & Goodwins land

S 71 W. 76 p. do to the barn leading to the house

S 75 W. 50 p. along the road to the beginning

From the Barns. to the house, N. 3 W. 40 p

In obedience to the annexed decree of the Worshippfull
Court of Isleswight to us directed we the undersigned
Commissioners have this day met and run a deviding line
between the Complaiant Edmund Goswin, and the defendant
Willie Goswin Infant of Willie deceased, beginning at
the road turn ^{up} six poles from Wm's corner and running
North Eleven Degrees West in a strait direction, to the
said William's line near the marsh to a Pine -
mark tree, containing twenty Eight and half Acres
Given under our hands and Seals, this 28th 1817

Geo. Andrews
Rs Lawrence

State of North-Carolina, to wit,
Ermond Godwin.

January Court 1817

Complainant

against

Wiler Godwin infant son of Wiler
Godwin dead by John G. Mills his
Guardian in this behalf.

In Chancery

Defendant

This cause came on this day to be heard upon the bill
and answer, by consent of the Parties and with the assent of the Court,
as upon the lowest state order, adjudged and decreed that Nathaniel
Wills, Robert Lawrence, and George Andrews, or any two of them, assisted
by the County Surveyor (if necessary) do divide the Tract or Parcel of
Land in the bill mentioned, containing by estimation one hundred
and twenty Acres, and allot to the infant Defendant the following
shares thereof, that is to say, one seventh of the whole Tract, one sixth
of one seventh, and one fifth of one seventh - and the same order to the
Complainant Ermond Godwin in fee simple, and make report
thereof to this Court in order to a final decree; Liberty is reserved the
infant Defendant for twelve months after he attains the age of twenty
one years, to shew cause if any he can against this decree.

Attest
Thos. Digges Clerk

Edwin

ms

Copy of

Edwin

N.



to the bridge corner of Williams' corner

1	74	21	1554
2	137	16	2142
3	137	13 1/2	2123 1/2
4	137	12	1644
5	137	14	2603
6	125	18	2050
7	133	18	2374
8	133	31	4123
9	112	19	2128
10	90	13	1170
11	88	14 1/2	1276
			160) 23457 (146 1/2
			160
			745
			640
			1057
			960
			97
			160