

1827-007 Chancery Causes'. Joseph Goodwin, by v c VS Nancy Bagnell & al, by v c

Isle of Wight County
Plat

other surnames'. Holleman,
Bunkley, Bagnall

Goodwin per
next friend
vs. $\frac{3}{3}$ Bill & ans.
Bagnells ad.

May 2^d 1824 Bill & ans.
files. Saml. Bagnall appointed
Special Gen. to the infant dept.
Wm E. Bagnall - & Intestly
alone

September 4th 1826
Report returned & cont^d

Sept. 3^d 1827
Report confirmed & final decree

Sam Bagnall est. Gen. to Wm E
Bagnall

Wm E. Bagnall att^o.
for Compl^t.

under the will of his said father, that he is
entitled to all his right & interest to the s^d
land as before stated, which is four ninths
of the whole, and which is to him of no
earthly value in its present undivided
situation: and that he is therefore desirous
that a legal & proper division should be
made, and his proportion assigned to him
by Court who may be appointed for that
purpose, but that he is informed that
~~such a~~ ^{such a} division cannot be made, un-
less by the decree of some Chancery
Court, where matters of this sort are
properly cognizable & alone relievable.

In tender consideration whereof
I for as much as your prayer by ~~law~~ ^{law} is
without remedy in the premises, except
by the aid of this worshipping Court.

To the end therefore that the said
Stacey, Patsy, Wiley, & Wm Baynell, by ~~their~~
Sps. Heas: who may be appointed to defend
him in this cause, as heirs at law to their
said father Charles, and the s^d Stacey, Patsy
Wiley & Wm, by his said Sps. Heas: Dr. Saml.
& Henry & Saml. Beukley in right of his wife
Polly, as heirs at law to their said sister
Easter Baynell, ^{and} be made parties defrs.
to this bill, & that they be compelled to
answer all & singular the allegations
herein cont^d as fully as if the same were
here again repeated & they thereto more
particularly interrogated: and that Your
worship will decree a division of the land
afores^d agreeably to law, which is four ninths

of the whole to Your infant Complt: & the
balance to the said defrs: which may at
some future day be divided between them
as the law directs, they not wishing their
part, divided at this time, & may it please
Your worship to make any other or
further order & decree in the premises
as ^{Yr. worship may think} ~~proper~~ ^{proper} and correct
& to grant all such process as may
be necessary.

Jonas Holliman
next friend to the Complt

The answer of Stacey, Patsy & Wiley Baynell, &
Wm Baynell by Saml. Baynell his Sps. Heas:
appointed by the County Court of Iscofut^t to defend
him in this cause, as heirs at law to their said
father Charles Baynell and the s^d Stacey, Patsy
Wiley, & Henry by Dr. Sps. Heas: & Dr. Saml.
& Henry Baynell, and Saml. Beukley in right
of his wife Polly, formerly Polly Baynell, as heirs
at law to their said sister Easter Baynell
decd^t: to a bill of Complt: against them
of libels in the County Court of Iscofut^t
on the part of Joseph Goodman in infant
son of Wm Goodman decd^t: suing by Jonas
Holliman his next friend. These respondents
admit that the several statements & allega-
tions in the Complt^s said bill, are
correct & true, & that they object not to
a decree in conformity to the prayer
therein cont^d or to such other decree as
Yr. worship may think proper to make
& pray to be hence dismissed.

To the worshipful Court of Iscobleigh County
in Chancery sitting humbly complaining sheweth
unto Your worships Your Orator Joseph Goodwin
infant son of Wm Goodwin dec^d. late of the County
of Iscobleigh, suing by Josiah Holliman his
next friend. - That a certain Charles Bagwell
also late of the afores^d. County, died some time or
about the day of in the Year intes-
tate ~~leaving~~ ^{leaving} sister & proposed of a small piece
or parcel of land, containing about 100 acres.

That the said Charles left at the time of his death nine children ~~as follows~~, ^{to wit:} Nancy, Patsy, Wiley, William now an infant Easter now dec^d. John, Samuel, Henry & Polly since intermarried with a certain Saml Benckley, who are all of the whole blood & kin as born to their same father Charles Bagnell.

That since the death of the said Charles,
the three last named male ~~child~~ children
and the said Saml. Brunkley in right of
his wife Polly, all of whom have arrived
to the age of twenty one year, sold and
conveyed all their right & interest in &
to the aforesaid tract of land to the said Wm.
Goodwin now decd. as will full appear
by their deed of conveyance now of re-
cord in the Clks: office of the County Court
aforesaid. I praye as a part of this lico -

That the said Wm Goodwin left a will which has also been duly recorded in the Clerk's office aforesaid in which he devises to Mr. infant Complt: Joseph all his right in & to the said land & that Mr. infant Complt: begs leave by his said next friend to state to Your worship, that

Wm
Holliman
Sam^l Carroll

This will certify that we the Subscribers
have given our consent to the Devision of
the Land of which Charles Bagnell died
Sized and Possessed of containing by Estimation
one Hundred Acres given under our hands
this Day of march 1824

Henry Bagnell
Samuel Bunkley
John Bagnell

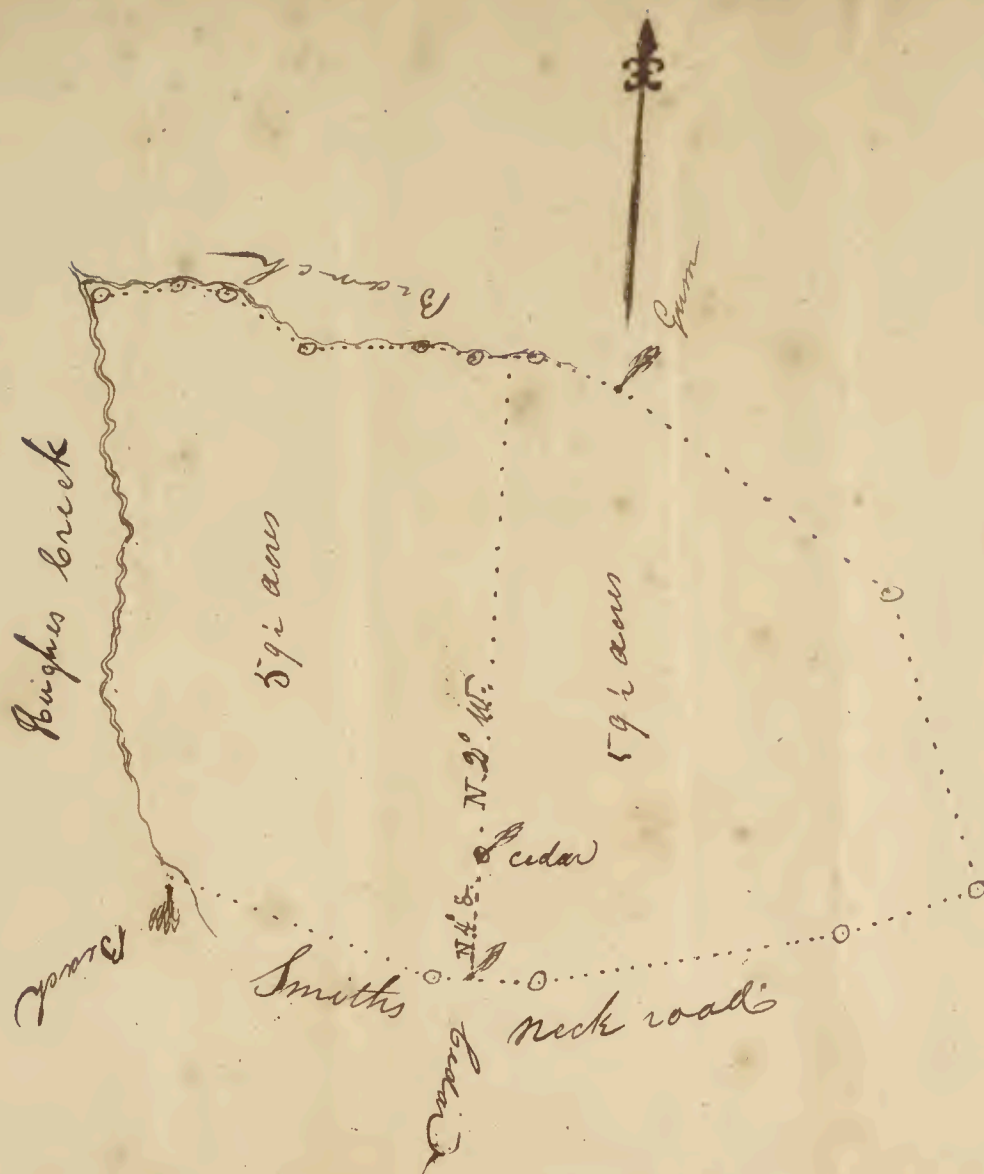
Samuel Bagnell

Wile Bagnell

Samuel Bagnell for William C. Bagnell

Petry Bagnell

Nancy Bagnell



Schofield County August 5th 1824

Surveyed for Josiah Holloman Exec^t of William Goodwin dec^d and the heirs of Charles Bagnal dec^d one hundred and nineteen acres beginning at a sweet gum at the head of a branch thence down the branch N. 72° W. 18 poles - S. 86° W. 12 poles - N. 86° W. 10 poles - S. 86° W. 24 poles - N. 59° W. 20 poles - N. 84° W. 10 poles - S. 80° W. 19 poles to Hughes Creek thence up the said creek to a Beach at the head thereof near Dones bridge thence along the Smiths neck road S. 73° E. 60 poles - E. 22 poles to marked pine. N. 77° E. 64 poles to a dead oak. N. 69° E. 30 poles to a gate a Goodwin line thence along the line N. 20° W. 55 poles thence N. 80° W. 70 poles to the Gum at the beginning, and by the direction of Commissioners hath divided the same in two equal parts by a line beginning at a cedar near the road thence N. 4° E. 26 poles to a cedar thence N. 2° W. to the branch. Mag. Variation 1.30° E. Thos. Smalley Sur.

Goodwin per next friend. Compt. & J. in Chancery.

Baynells Ad. Defts.

By consent of parties & with the assent of the Court, this cause was this day docketed & came on to be heard upon the Bill, and exhibits filed & was argued by Counsel, whereupon the Court after mature deliberation, doth acquiesce as we deem that Mr. Holliman, Saml. Barrell & Arthur Channell, ~~either~~ ^{two} of whom to act, & to be assisted by the County Suror or if necessary be appointed Com. and they are authorised & directed to lay off and assign four ninths of the land ~~of which~~ ^{of which} Charles Baynells did seize & which is mentioned in the Compt. Bill, to the infant Compt. in this cause it being that proportion which ~~the~~ his said father Mr. Goodwin per chance of the four children of the s^d Charles, named in the Compt. bill: and the other five ninths to the said Defts. which can at some future time be legally divided between them, they not wishing a ~~division~~ division at this time: I make report of their proceeding to this Court in order to a final decree — Leave is given to

Bottom of
us  River
Bagnale

Aleopoff

Isle of Wight County. May Court 1824.

Joseph Goodwin infant son of William Goodwin deceased,
suing by Josiah Holliman next friend. Complainant
against

Nancy, Patsy, and Wiley Bagnall and William
Bagnall by Samuel Bagnall his special Guardian. Defendants

In Chancery

By consent of parties and with the assent of the court, this cause was
this day docketed and came on to be heard upon the Bill answer and exhibits filed
and was argued by counsel whereupon the court after mature deliberation doth
doth adjudge order and decree that William Holliman, Samuel Carroll, and
Arthur Channell either two of whom to act, and to be assisted by the county surveyor
or if necessary be appointed commissioners and they are authorized and directed
to lay off and apportion four ninths of the land of which Charles Bagnall died
seized, and which is mentioned in the complainant's Bill to the infant complain-
ant in this cause it being that proportion which his said father William Goodwin
purchased of the four children of said Charles, named in the complainant's bill
and the other five ninths to the said Defendants, which at some future time be
legally divided between them they not wishing a division at this time, and make
report of their proceedings to the court in order to a final decree. leave is given

Attest Teste Nathl Youngblood
C. J.