

1825-004

SOUTHAMPTON COUNTY
CHANCERY PAPERS

GOODWYN VS. CRICHLLOW'S HEIRS

12/1825-

N.B. Several sheets pasted together and folded.
Handle with care.

Plat

other SURNAMES: Daughtery,
Gray, Lewis, Daughy, Daughtrey,
Daughtrey, Summerell, Taylor,
Hines, Briggs

Goodwyns
" 3. Bill
Crichton's
Ansⁿ 2 Decree

Nov. 1825 Int^r. Decree

To the Worshipful Court of Southampton County sitting
in chancery Humbly complaining ~~sheweth~~ unto your
worships your orator Robert Godwin here your
orator begs leave to represent to your worships
that he became the purchaser at the Sale of
the Marshalls of the Superior Court of chancery
under a decree pronounced in the said Court
on the 2th day of July 1825 in a suit then
then depending between Silas Summrell
claimant of John Taylor decd against Geo:
Harris Sheriff & committee of the estate of
James Brichlow decd Henry Briggs adm^r of
John Brichlow decd Wm E Daughtry & Mary
his wife Molerich low Geo Gray & Nancy his wife
Martha Brichlow Fanny Brichlow & James
Brichlow & Wm H Lewis ~~an undivided~~
Mascy of a tract of Land lying in the
County of Southampton & by the decree aforesaid
(hereto annexed) & prayer to be taken
as a part of this ^{will} directed to be sold by the
Marshalls of the said said Court

That he is desirous of obtaining a division
of the aforesaid Land but is in the premises
unsuccessfully at law & relievable only in a
Court of Chancery where matters of this kind
are alone cognizable & to the end that Justice
may be done your orator he begs your
worships to make John Brichlow who is one of
the Harris & Geo H Gray & Mary his wife Wm E
Daughtry & Mary his wife defendants hereto & to
an honest & suitable person guardian ad litem
to James Fanny & Patsy Brichlow infants of John Brichlow

The infant heirs are infant of tender years who
is also one of the heirs in right of his deceased
Mother Sarah Heavis who with the parties last
appearance are entitled as the heirs of John Brocklow
to other moiety of the said tract of land
deceaseds heirs & compel them to answer
the facts herein set forth that on the premises
& exhibit same works as he please to do
that suitable persons appointed by you
works commencing divide the said land
attendance by some competent surveyor
& by lot assign one moiety thereof to your
orator according to his share from the same
of the said tract of land & the remaining
moiety to the said deceaseds heirs as
appearance of John Brocklow & that your
Worshippers grant your orator the Commonwealth
want of support as directed to command
He & such other their & general relief as equity
& the rules of this court may direct
in duty we will come &c. Geo. H. Gray

The answer of John Brocklow & Mary Daughtry
& Mary his wife late Brocklow & the said John Brocklow
his wife late Brocklow & the said John Brocklow
appointed by the Worshipful Court of Exchequer
guardian ad litem to James James & Patry
Brocklow infant heirs of John Brocklow deceased
& also guardian ad litem to Sarah Heavis
also one of the infant heirs in right of his
late Mother Sarah Heavis late Brocklow
who is also one of the heirs of John Brocklow
These respondents saving to themselves
all just benefit of law & equity to the contrary
naught held for premises true to say that
they believe the facts stated in the said
of the complaint are true

that they have no objection to such a decree
as may be consistent with the rights of the
parties & that they have no objection to the
appointment of commissioners to be chosen
by some competent surveyor to divide
allot to the said complaint Goodwyn
his moiety in the tract of land & the
remaining thing to the deceaseds
& having assurance they may have to
dispossession & as in duty they will ever
obey &c. Geo. H. Gray

Mary Daughtry Geo. H. Gray Ann Gray
Robert Goodwyn complainant in Chancery
against John Brocklow & the said John
as guardian ad litem to James James & Patry
Brocklow. infants of John Brocklow deceased & an
ad litem to Sarah Heavis also in right of his
deceased Mother Sarah late Brocklow & Mary
Daughtry & Mary his wife late Brocklow also heirs of John
his wife late Brocklow also heirs of John
Brocklow deceased This day this cause came
on to be decided & heard by consent of the
parties & a part of the Court on the bill
answer Exch. & assignments of counsel
on mature consideration whereof the Court
doth adjudge order & decree that James
Rockwell Henry Gurley & John Alexander
& James W. Parker & any three attorneys
by some person by the said Commissioners
approved as a competent surveyor do
equally divide the tract of land in the
bill mentioned into equal moieties that
they by lot assign to the complainant Goodwyn one
moiety thereof & the remaining moiety to

The deponents being of the Creek town and
I make report to this Court preparatory to
a final decree

Goodwyn
to
brichlow's heirs



Platt &
Land

Decr. 1825 Rep^d Ret^d & final
Deeds —

Beginning at a corner pine at the head of
a small branch in Scott's line. thence down the
various courses of said branch to the flaggy run
swamp. thence down the various courses of said
swamp to a corner cypress thence S. 5. W. 8. 5. p. to a
pine. thence S. 8. W. 28. 3. p. to an oak stump. thence S. 85.
30. W. 22. 2 p to a red oak. thence S. 83. W. 27. 6. p. to a
black gum in the horsepen branch. thence S. 82. W.
54 p. to a red oak. thence S. 85. W. 20. 8 p. to a post oak
thence S. 82 W. 14 p. to a white oak in a branch, thence
N. 68. W. 8. p. to a white oak. thence N. 75 W. 54. 7 p. to
a red oak. thence N. 68. W. 24 p to a hickory, thence
N. 71. W. 14. 8 p to a black gum in the middle of black
branch. thence up the various courses of the said
branch. to a pine. thence N. 24 W. 35 p. to the begin-
ning

Dividing line, Commencing at a post oak
in flaggy run, thence S. 4. E. 135 p. to a pine on the
back line.

The within is a plat of Godwyn's tract
surveyed by the request of the Commissioners
on the 25th Nov. 1825

Geo. H. Gray

Scale 40 poles to an inch

Pine at the head of a small branch on Scott's Line

Pine in black branch

Upper division
Containing 142 - 0 - 18

Flaggy

Post oak in flaggy run

Run

Shoals

Post oak in flaggy run

Lower Division

Containing 128 - 3 - 35

Copt. Oichlow Est.

Blizzard's Road from Jerusalem

Oak stump

Red oak

Black gum in branch called - horse-pole branch

Red oak

Post oak

White oak in a branch

Pines, dividing line tree.

Red oak

Hickory

Black gum in the middle of black branch

Robt. Group

Magnetic Variation 1.15

Road to Jerusalem

Goodwyn }
O } Intr
Crichtons H.D } decree

A Copy

Southern County Nov. Court 1825

Robert Goodwyn
against

Complainant

John Crichtlow, William E Daughtrey and Mary his wife late
Crichtlow, George May and Nancy his wife late Crichtlow. and
the said John Crichtlow who is appointed by the Court as guardian
ad litem to the infant defendants to wit, James, Frances and
Patsy Crichtlow. heirs of John Crichtlow deceased and also as
guardian ad litem to William H Lewis, who is also one of the
heirs of the said John Crichtlow deceased in right of his mother
Sarah Lewis, deceased late Crichtlow, to defend them in this
suit.

In
Chy.

Defendants

This day this Cause was docketed by Consent of the parties and
agents of the Court, Came on to be heard upon the bill and ^{exhibits} answer, and
arguments of Counsel, Whereupon and after due Consideration whereof
the Court doth adjudge order and decree, That James Rochelle, Henry
Gurley, Aubin Middleton and James H Parker or any three of them
attended by some person who is to be approved of the Commissioners as a
competent surveyor, do equally divide the tract of land in the bill
mentioned into equal moieties, and that they by lot assign to the
Complainant Goodwyn one moiety thereof and the remaining moiety
to the defendants, heirs of John Crichtlow deceased, and make report
to this Court, preparatory to a final decree Teste A Middleton Clk

By virtue of a decretal order of the Honorable Justice
Court of S^t: Ample bearing date Novr. Court 1824.
to us directed and hints annexed, we have proceeded
divide the Land as mentioned and directed in said order
and make the following Report.

After a survey of the said Land we proceeded
to divide the same having regard both to quantity
& quality and have allotted to the Complainant
Robert ^{Goodman} the upper division of said Land marked
N^o 1. Containing 142 acres. or 18 p^{er}cs. And to
defendants the lower division marked N^o 2. Contain
128 acres. or 3 p^{er}cs. 33 p^{er}cs. — which division will more
fully appear by reference to the Plat which is hereto
annexed and is prayed to be taken as a part of this
Report. — Given under our hands this 15th
day December 1825.

James W. Parker

James Rochelle

A. Middleton

Virginia

At a superior court of Chancery holden at the
former Capitol in the City of Williamsburg the 20th
day of July 1825

Silas Sumner, adm^r of John T aylor ac^d — Pl^t

Against

Geo Hines Sheriff and committee of the estate of James Bricklow
de^d Henry Briggs adm^r of John Bricklow, Geo^d M^r Doughty
and Mary his wife, Jas Bricklow, Geo Gray and Nancy his wife
Martha Bricklow, Danny Bricklow, and James Bricklow and Wm
Lewis —

This cause in which the bill of the plaintiff hath been
taken for confessed as to the defendants Geo. Hines, Sheriff and
committee of the estate of James Bricklow ac^d Henry Briggs
adm^r of John Bricklow ac^d M^r Doughty and Mary his wife, Geo
Gray and Nancy his wife, on whom the executor's order for that
purpose appears to have been duly executed, and as to the
defendant John Bricklow, in the mode prescribed by law
a fair and absent defendant, he still failing to appear and answer
the bill of the plaintiff as to that defendant is taken for confessed
the cause coming on to be heard, upon the bill, the answer of
the infant defendant and exhibits, was argued by Counsel; on
consideration whereof the court doth adjudge, order and
decree, that unless the defendants, or some one or more
of them do within ninety days from the date hereof
pay unto the plaintiff the sum of one hundred and forty
one pounds eleven shillings and two pence, with interest
thereon from the first day of July 1804 after the rate
of 6 per centum per annum until paid and the costs
expended by the plaintiff in prosecuting this suit
the said defendants and their heirs and all persons
claiming under them be from thenceforth barred
and foreclosed of all equity and right to receive

Lot no 20 in the town of Jerusalem, and one
equal undivided moiety of the tract of land aforesaid
in the indenture of mortgage one of the exhibits
aforesaid made the 16th day of November 1802
between James Bricklow of the County of Southampton
of the one part John Saylor of the other part and
in case of default of the payment of the said
principal money interest and cost the then afore-
said that the mortgagee of this Court after
giving three weeks previous notice by advertisements
published in one or more news papers printed in the
Borough of Norfolk do exposed to sale by public
auction for ready money the lot with its appertinences
aforesaid together with one equal undivided
moiety of the said tract of land and premises in
the said indenture mentioned and out of the money
arising from said sale pay to the plaintiff the said
principal money interest and cost and it appears
to the Court from the cases of Barnstead vs Briggs
and others vs Briggs now pending in this Court
that several persons are now seeking to charge the said
lot and tract of land with the payment of debts due
from the estate of the said Jno Bricklow the Court doth
further order that the surplus of the proceeds of said
sale if any after defraying the expenses thereof be
deposited in the United States Branch Bank at the
Borough of Norfolk subject to the further order
of this Court in the cases above referred to