1832-009 SOUTHAMPTON COUNTY CHANCERY PAPERS GURLEY and Wife VS. ROCHELLE et al

11/1832

Plat

Gurley & wife
v.s.
Rochelle & Rhea
Bill, answer & decree.

1831. Dec. decree as filed &c
+
1832 Aug: Decree amended

To the worshipful Court of Southampton in Chancery sitting

Humbly complaining shew unto your worships your orator George G Gentry and your oratrix Lucy his wife that your orators father John Rochelle departed this life in the year leaving your orators and his brothers Benjamin Rochelle & Mary Rochelle who are his only children and heirs - the two latter being infants under the age of 21 years to whom a guardian ad litem your worships will please assign to defend them in this suit and that the same may be made defendants hereto with apt and proper words to charge them & be compelled by their said guardian to appointed to answer the same - That the said John Rochelle deceased died seized & possessed of a tract of land lying on the South side of Notaway river containing between 300 & 400 acres which is liable to equal division between his said heirs - your orator and oratrix therefore pray that your worships will appoint commissioners to divide the said tract of land into three equal parts assigning one thereof to

your natur Lucy and the Chn bro th Benjaman
and Mary and grant such Chn and such
relief touching the premises as th your worships
may seem just and expedient — and your orator
and natur orice cm pray &c

Parkes p.q.

The answer of Benjaman & Mary Rochelle
infants under the age of 21 years by Clement
Rochelle their guardian ad litem appointed to
defend them in this suit to a bill of complaint
& bibelus against them in this mo behalfe.
court by George J Jinley and Lucy his wife

These defendants severly & admit the
allegations of the said bill and are perfectly
willing that the court should appoint
commissioners to make the division of the
said tract of land as asked for by the de-
fendants bill and pray to be hence dis-
missed &c

Parkes p.d.

Jinley & wife
v.
Rochelle and Chn

This cause came on this day to be
heard on the bill and answer and was argued
by counsel - Whereupon the court doth order
adjudge and decree that Zachariah Flory
Samuel Flory & James Flory surveyor of Wash.
Cty do act - be appointed commissioners to
divide the said tract of land into three equal
parts assigning one equal part to Lucy Jinley
one to Benjaman Rochelle and the third to
Mary Rochelle and that they call in the aid
of the county surveyor if deemed necessary by
them to the due execution of the duties herein
directed and that they make report to this
court of their proceedings in order to a final
decree

August 20. 1837

By consent of parties by their Counsel this interlocutory decree made in this cause at December Court 1831 is amended so as to direct the Comrs or such of them as may act to divide equally (according to quantity and quality) between the Pltff Lucy Gurley and the defendants Benjamin, Willis, & Mary Rochelle, the land which descended to them from their Grand father John Rochelle dec'd, and which lies adjacent to the lands directed by the former decree to be divided. and that the said Comrs or such as do act make report in order to a final decree.

Surveyor Hinds

Ex 3 Report

Rochelle Co.

1832 November — Rate of funeral charges

Scale 40 poles the Inch
Variation 1¼ degrees NE

Estate of John Rochell jr— Surveyed the land by order of Court August 27. 1832.
Commencing at a White Oak a Corner between Jas Gurley and Jn Rochell and running S 49 W 9.40p
S 39 W 11.02p to a Branch thence along Branch 34.20p to a pine S 35 W 40p a red Oak S 25 W 111.20p
S 62 E 8 a pine in Dicks Swamp, thence along said Swamp 78.32 poles a pine thence S 23 E 7.08p
a Log wood Stump S 31 W 54.52p a pine between Rochell, Beale & Story, S 73½ E 37.02p Red Oak
S 46 E 20.40p a pine, S 80 E 15.64 red Oak S 39 E 10.80 a pine S 24 E 43.04 N 38.80p N 68 E 106p
Oak & Gum to — N 65 E 32p maple N 31 E 27.32p persimon thence along various courses of Branch 60p to a
Black Gum thence N 75 E 11.0[illegible] Cypress thence along the various courses of the Thicknuck
Swamp to a Black gum 180p thence along said Swamp 182.60 poles to the beginning Containing
3 [illegible]. 0. 12 Acres allotting to E. G. Gurley 139 ½ Acres to Benyamin Rochell 125 ½
Acres, to Mary Rochell 75 Acres & to Willis Rochell 37 Acres
Dividing line [illegible] Rochell running N 70 E between Benyamin & Mary Rochell the various meanders
of this [illegible] between Mary & Willis Rochell S 43 E [illegible] W. R. Hood.

Agreeably to the annexed order to us directed by the County Court of Southampton we the undersigned have proceeded to set apart and divide the lands of John Rochelle jun dec'd in the following manner to wit- To Nicholas Rochelle (orphan of John) we have apisned Lot No 1 Mary Rochelle Lot No 2 Lucy Gurley Lot No 3 and to Benja Rochelle Lot No 4 all of which is respectfully submitted to the Court

November 19: 1832

Zachens Story
Samuel Story
Miles Story

August 20th 1832.

By consent of parties by their Counsel the Interlocutory decree made in this cause at December Court 1831 is amended so as to direct the Commissioners or such of them as may act. to divide equally (according to quantity and quality) between the plaintiff Lucy Burly and the defendants Benjamin, Wellis and Mary Rochelle the lands which descended to them from their Grand-father John Rochelle dec'd and which lies adjacent to the lands divided by the former decree to be divided. and that the said Commissioners or such of them as may act. make report in order to a final decree.

A Copy Teste

L. R. Edwards DC

Gurley & wife

vs } Co: decree

Rochelle &c

For Commissioners

Southampton December Court 1834.

George G Gurley and Lucy his wife. } Plaintiffs } In Chancery

against.

Benjamin W. Willis and Mary Rochelle infants under the age of twenty one years by Clements Rochelle their guardian ad litem. } Defts

This cause came on this day to be heard on the bill and answer and was argued by Counsel. Whereupon the Court doth order, adjudge and decree that Zachariah Story, Samuel Story, and Miles Story any two of whom may act be appointed Commissioners to divide the said tract of Land into four equal parts. assigning one equal part to Lucy Gurley, one to Benjamin Rochelle, one to Willis and one third to Mary Rochelle and that they call in the aid of the County Surveyor if deemed necessary by them to the due execution of the duties herein directed. and that they make report to the Court of their proceedings in order to a final decree. —

A Copy Teste James Rochelle clk