

1838-34 SOUTHAMPTON COUNTY
CHANCERY PAPERS

WESTBROOKE

VS. WESTBROOKES etal

2/1838

Plat

other surnames; Westbroke

1161.

Copa

Thomas Westbrook

vs {

Simon T. Westbrook
Guard of James Westbrook
and John Curry Guard
of William Westbrook

1836 Petr - Decree as per decree filed
1838 Feby - Report with final decree

To the worshipful, the County Court of Southamp-
-ton, in Chancery sitting humbly complaining
sheweth unto your worships, your orator
Thomas Westbrooke Complainant, vs James
Westbrooke by his guardian and next friend
Simon T. Westbrooke, and William West-
-brooke by his guardian and next friend
John Denny Defts & that sometime in the
year 1681 the said Westbrooke died leaving
a tract of land of some 4 or 500 acres lying
in this county to his three sons Thomas, James
and William Westbrooke - That the said
Thomas Westbrooke is now of age, and anxious
that his portion should be assigned to him
that he may proceed at once to improve it,
the assigning of which he does not think
would at all affect the interests of his bro-
-thers. he therefore prays that your worships
would order a survey of the said land
and appoint Commissioners to divide the
same into three equal parts, regard being
had to quality and location as well as quantity
and allot in such manner as they may
deem most proper his proportionate part
to each, And in as much as your orator is
remediless save by the intervention of a Court
of Chancery he humbly prays that your worships
would grant such fur-
-ther and general relief as the nature of
the case may require - And for this
he now prays &c

The Answer of James Westbrooke by his
Guardian and next friend Simon T. West-
brooke, and William Westbrooke by his
next Guardian and next friend John
Dewey Septs, admits the truth of the alle-
gations herein contained and
have no objection to the relief
prayed for -

Signed Simon T. Westbrooke
Guardian of James Westbrooke
and John Dewey Guardian
of William Westbrooke

Thomas Westbrooke

vs.

James Westbrooke by his next friend Simon T. Westbrooke
and William Westbrooke by his next friend John Dewey

This day, this cause came on to be heard by consent
of parties, upon the Bill, answer, and Exhibits, and
being argued by counsel, the Court doth adjudge
order and decree, that the tract of land left by
Yack Westbrooke to his three sons Thomas, James
and William Westbrooke, be surveyed, and
divided into three equal parts, regard being
had to quality as well as quantity, and that one
third part be apportioned to each legatee, by the
commissioners hereinafter named, either by
drawing lots, or in such other manner, as
the commissioners ^{the commissioners} shall deem most proper, and that
William Jones, Jos. T. Cland, and Rowel
Harris be appointed Commissioners to carry
the above decree into effect, any two of
whom are empowered to act -

See W. Taylor
for
Mr. Mason

(Westbrooke
" } Secrec
(Westbrooke

A Copy.

Southampton County October Court 1836.

Thomas Westbrooke

against

James Westbrooke by his next friend Simon T. Westbrooke and

William Westbrook by his next friend John Doremy

Plff.

In Chancery

Def^s

This day, this cause came on to be heard by consent of parties, upon the bill, answer and exhibits, and being argued by counsel, the Court doth adjudge order and decree, that the tract of Land left by Job Westbrooke to his three sons Thomas, James and William Westbrook, be surveyed and divided into three equal parts, regards being had to quality as well as quantity, and that one third part, be assigned to each legatee, by the Commissioners herein after named, either by drawing lots or in such other manner, as the Commissioners deem most proper, and that William Jones, Jo^l. T. Leland and Howell Harris be appointed Commissioners to carry the above decree in to effect any two of whom are empowered to act.

Teste J. R. Edwards C. C.

1st plat of Commos

Report on the decision
of the Land belonging
to the Estate of
Lord Westbrooke decd.

1838. Feb. R 174

Wm. J. B. King

Wm. J. B. King

Commos

The Land above mentioned in this decree having been surveyed
by the Commissioners. We divide said Land as follows—
having had regard to quality as well as quantity. House
Lot (No 1) being drawn by James Westbrook containing
100 Acres. Middle Lot (No 2) being drawn by William
Westbrook containing 127 Acres. Lower Lot (No 3) being
drawn by Thos. A. Westbrook containing 159 Acres—
which together with this our report, we return a plat
of said Land from the surveyor which will more fully
show, which we humbly submit to this Court. Given
under our hands this 22nd day of January 1838.

P.O. Westbrooke, del of Turner to Westbrooke

maple -

No. 1.
Drawn by

James Westbrooke
100 Acres

S. Sum. Westbrooke and the Westbrooke

No. 2.
Drawn by

William Westbrooke
127 Acres

S. Sum

No. 3.
Drawn by

Thomas A. Westbrooke
152 Acres

Land belonging to the Estate of Joel Westbrooke surveyed under an
 Order of Court Dec 5 1836 - Commencing at a Maple a Corner of Turner
 Westbrooke and this tract and running S 50° W 70 poles a dead gum, S 74° W 16.60 S 78° W
 14.32, N 89° W 19.90 S 62° W 26.16 S 77° W 12.4 S 53° W 11.88, S 53° E 34.12 S 57° W 12.16, S 87° W
 23.20 P. Oak Corner Jones Westbrooke S 59° E 29.36 S 57° E 19.60 S 56° E 10.96 S. Sum corner Jones
 Westbrooke S 67° W 18.92 S 71° W 36.36 S 67° W 21.63, S 70° W 72.88 S. Sum in swamp Corner Jones West
 brooke thence the various courses of said swamp to mill pond, thence the courses of said
 mill pond (Jones's) at high water mark to the various courses of a swamp making into
 said mill pond separating the lands of the above tract from those of Joseph Claud
 to the beginning Containing 139 Acres dividing line between No 1 & 2 S 68 1/2° E
 between No 2 & 3 running S 83 1/2° E - Magnet variation 1/4 of a degree E.

Wm. J. Hood Sr.