

Witherspoon, Mary  
Estate

1805



**SHAW-WALKER**

Third Cut #9203R

State of North Carolina  
Newbern district

In obedience to an order of the  
Superior Court of Law for the district of Newbern made at  
Term One Thousand eight hundred and appointing the Underigned  
Commissioners to divide and appropriate among the Heirs of Mr. Mary  
Witherspoon deceased, the lands of which said deceased died seized,  
possessed or entitled to. We have divided, allotted and appropriated the  
same as follows - Next To Miss Ann Nash the Pembroke plantation,  
with all the lands of the said Mary Witherspoon adjoining thereto, situate  
in Craven County, bounded as follows - on the North by Trent  
River, on the East by Prices Creek, on the West by Woods Creek  
and on the South by the lands of Durant Hatch and  
Fred. K. Joy, containing Six hundred and forty four acres more or  
less. And estimating this share as of inferior value to the other share  
thruely allotted; we do charge the remaining shares with the sum of Five  
hundred pounds to be paid by the proprietors of them, equally to the  
said Ann Nash - To Mrs. Elizabeth S. Ogden, a tract con-  
taining One thousand and sixty acres, called Seven Springs tract,  
situate in Jones County, bounded and described as follows - Beginning  
at an Ash in the River Swamp, near the upper end of the great  
marsh - running thence S. 13 1/2 East - to the back line of a Patent

granted to Frederick Jones, called South Wales - thence with said  
line S<sup>o</sup> 80 E<sup>t</sup>. to a corner of said patent, thence with said patent N<sup>o</sup>.  
10 East Two hundred and forty poles to Reedy Branch - thence down  
Reedy Branch to Frederick Jones line, of his Two hundred and fifty acres  
Tract - thence with the courses and lines of his said Tract S<sup>o</sup>  
82 W<sup>t</sup>. One hundred and twenty two poles, N<sup>o</sup>. 8 W<sup>t</sup>. Three hundred poles  
and N<sup>o</sup>. 82 East to Reedy Branch - thence down Reedy branch to  
Trent River and up the river to the beginning - To Miss  
Marec Nash, a Tract containing Nine hundred and eighty six  
acres (986) beginning at the mouth of Merry Hole branch on the lower side  
thereof, running thence S<sup>o</sup> 27<sup>1</sup>/<sub>2</sub> East to the public road, Joseph Sandersons  
line - thence with the same Eastwardly to Sandersons corner - thence  
with his line South to the back line of the South Wales patent -  
thence along that line S<sup>o</sup> 80 E<sup>t</sup>. to Elizabeth S. Ogden's line - thence  
with her line N<sup>o</sup>. 13<sup>1</sup>/<sub>2</sub> West to Trent River, and up the River to the  
beginning lying in Jones County - To John Witherspoon, a  
Tract containing Nine hundred and eighty four acres, situate in  
Jones County - Beginning at a Maple on the South Bank of  
Trent River, below the mouth of Island Creek and below the old  
ship landing, running thence S<sup>o</sup> 16 East Four hundred and seven poles,  
more or less to a poplar, at the lower side of the mouth of Har-  
Branch - thence up the East side of Island Creek to the public road,  
Joseph Sandersons line - thence Eastwardly along Sandersons line to  
Marec Nash's line - thence with her line N<sup>o</sup>. 27<sup>1</sup>/<sub>2</sub> W<sup>t</sup>. to Trent

Revert and up the River to the beginning — To Frederick Nash  
a Tract, situate in Jones County, containing Two Thousand Two hundred  
acres more or less — Beginning at a Maple upon the South bank  
of Great River, John Witherpoons beginning, below the mouth of Island  
Creek, and below the Old ship Landing — running thence with his line  
S. 16 East four hundred and sixteen poles more or less to a Poplar  
on the ~~left~~ side the mouth of Hawk Branch, John Witherpoons  
corner — thence up the east side of Island Creek to the back  
line of a patent of 1150 acres granted to Frederick Jones  
the 20<sup>th</sup> March 1711/12 — which said back line is described in said grant  
to run "From a Pine at the head of Mansfield's brook or Creek East  
1180 Poles to a Pine by the side of a Pond" thence along and with  
the said back line reversed with three hundred and fifty poles more  
or less to Edmund Hatches corner — thence with Hatches line  
North three hundred and eighty poles to a water oak in a pond,  
his corner — thence with another of Hatches line N. 1/2 W.  
One hundred and twenty eight poles to his corner — thence with  
Hatches line N. 14 W. Eighty two poles to a Hickory, Hatches  
corner and John Stanly's beginning of his Five hundred acre  
Tract — thence with said Stanly's line N. 21/2 W. to Great  
River, and down River, including the Island at the  
mouth of Island Creek, to the beginning — In

In witness whereof the said Commissioners have hereunto  
set our hands & seals this      day of July 1805

*Frederick Hargreaves* Seal

*Fredrick Hargreaves* Seal

*Durant Hargreaves* Seal

*Spicers Singleton* Seal

*John C. Gibson* Seal

Recorded in the Registers Office of Green County in Book

*J. C. Gibson 709 &c.* ) seven hundred and nine &c.

Attest. *John Green* Register

Heirs of Mary Witherspoon

Division of land

1805

John C. Gibson

To the ~~Judge~~ Honorable the Judges of the  
Superior Courts of Law and Equity for the  
State of North Carolina

The petition of Ann Nash Elizabeth  
Nash - and of Frederick Nash Francis  
Nash and Maria Nash infants under  
twenty one years ~~and~~ by Benjamin  
Moads their guardian for this special  
purpose duly appointed and of John  
Witherspoon an infant under twenty one  
years by John C. Osborn his guardian  
which said Ann Elizabeth Frederick  
Francis Maria and John are Children  
and heirs at law of Mary Witherspoon  
de'd late the wife of David Witherspoon  
Adesso de'd -

Humbly shew unto your Honors your petitioners that  
the hold together as tenants in common  
sundry plantations and tracts of land lying  
in the counties of Craven and Jones which  
they have ~~inherited from~~ lately inherited from  
their said mother as heirs at law -

And your petitioners are desirous of having  
partition made between them of the  
said plantations and tracts of land so  
that ~~each~~ <sup>they</sup> may hold & enjoy their respective

shares or parts in severalty —

May it please your Honors therefore  
to appoint five disinterested persons to  
make equal partition amongst  
your petitioners of the said planta-  
tions & lands according to the direction  
of the acts of Assembly in such  
case made & provided & your  
petitioners as in duty bound will  
ever pray

E Harris

Frederick Harpate Durant Halik  
Frederick Jay - Spence Singleton L  
Mr. McGlue

Chas. Stark & others  
Petition to divide lands