

Equity, SC, Spartanburg, THOMAS CAMP v. HARRIET CAMP, 1851

Box 32
Package 8

1852

THOMAS BRIAN, et. al.

vs.

HARRIET CAMP, et. al.

Equity, SC, Spartanburg, THOMAS CAMP v. HARRIET CAMP, 1851

State of South Carolina
Spartanburg District

TO THE CHANCELLORS of the said state

HUMBLY COMPLAINING therewith unto your honors your orator **THOMAS BRIAN** and your oratrix **NARCISSA BRIAN**, his wife.

THAT **JAMES CAMP**, the father of your oratrix, on the ___ day of _____ year of Our Lord 1800, after having made and executed his last will and testament which has then duly proven and admitted of record in the ordinary's office in this district, that amongst other things the said **JAMES CAMP** willed and devised the real estate which he owned in this district consisting of two tracts of land, viz. the homestead tracked containing about 300 acres and the mill tract containing about 100 acres, to his widow **SARAH CAMP**, during her life and after her death to be equally divided amongst his children here after named.

THAT THE said **SARAH CAMP** after the decease of the said **JAMES CAMP** resided on and cultivated the said tracts of land as provided for in the will of the said **JAMES CAMP** until the ___ day of ___ in the year of our Lord 1851 at which time the said **SARAH CAMP** departed this life.

THAT THE PETITIONER partition and division of said to tracts of land, which be in the district aforesaid, on the North Pacolet River bounded by Lands of **JESSE CLEVELAND, P. S. HUNTER** and others remains to be made amongst those who are legally entitled to the same under the will of the said **JAMES CAMP**, deceased, a copy of which is here with filed and marked EXHIBIT A.

YOUR ORATOR AND ORATRIX further show on to your Honors that the defendants:

1. **HARRIET CAMP**
2. **WILLIAM W. CAMP**
3. **JAMES M. CAMP**
4. the heirs of **JOSEPH T. CAMP**, viz:
 - a. **WILLIAM MOONEY** and his wife **LOUISA MOONEY** formerly **LOUISA CAMP**
 - b. **JOHN C. CAMP**
5. the heirs of **GEORGE CAMP**, viz:
 - a. **THOMAS CAMP**
 - b. **WILLIAM CAMP**
6. the heirs of **ALFRED CAMP**¹, viz:
 - a. **JOSEPH CAMP**
 - b. **CATHERINE BLALOCK**, wife of _____ **BLALOCK**
 - c. **MARY BLALOCK** wife of _____ **BLALOCK**
 - d. **MARSHALL CAMP**
 - e. and other children of the said **ALFRED CAMP** whose names are unknown to the complainants
7. the heirs of **LANGLY CAMP**² viz:
 - a. **MARY CAMP** wife of **THOMAS BLACK** and other children of the said **LANGLY CAMP** whose names are unknown to your orator and oratrix

and your oratrix **NARCISSA BRIAN** are the heirs and devisees of the said **JAMES CAMP** deceased.

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THAT THE SAID **JOSEPH T. CAMP** **GEORGE CAMP** **ALFRED CAMP** and **LANGLY CAMP** have all died since their father, the said **JAMES CAMP**, and before the decease of their mother, the said **SARAH CAMP**, the life tenant.

YOUR ORATOR AND ORATRIX further show unto your honors that **JOHN C. CAMP**, one of the children of **JOSEPH T. CAMP**, deceased, **THOMAS CAMP** and **WILLIAM CAMP**, the children of the said **GEORGE CAMP**, **JOSEPH CAMP**, **CATHERINE BLALOCK**, **MARY BLALOCK**, **MARSHALL CAMP** and others whose names are unknown children of **ALFRED CAMP** and **MARY BLACK** and others whose names are unknown, children of the said **LANGLY CAMP**, **WILLIAM W. CAMP** and **JAMES M. CAMP** reside from and without the limits of this state.

YOUR ORATOR AND ORATRIX further show unto your Honors that the said **JOHN C. CAMP**, son of **JOSEPH T. CAMP**, **THOMAS CAMP** son of **GEORGE CAMP**, **MARSHALL CAMP** and **LANGLY CAMP** are all Miners and the complaints pray that some fit and proper person may be appointed their Guardian ad litem to superintendent ??? and protect their interests in the partition of the said Real Estate of the said **JAMES CAMP** deceased.

THE COMPLAINANTS pray your honors for a writ of partition of this honorable court to be directed with proper instructions to certain commissioners therein to be named commanding them to make partition and division of the foregoing described lands and tenements amongst those legally entitled to the same. thee or if that cannot be done without injury to some of the parties in interest that they return plats of the same with their evaluation thereof and that your honors may decree a sale of the same for the benefit of complainants and those of the defendants who may be by law entitled to the same.

MAY IT PLEASE your honors to grant the complaints the necessary rules and orders against the said **WILLIAM W. CAMP**; **JAMES M. CAMP**; **JOHN C. CAMP**; **THOMAS CAMP**; **WILLIAM CAMP** son of **GEORGE CAMP**; **JOSEPH CAMP**; **CATHERINE BLALOCK** and her husband _____ **BLALOCK**; **MARY BLALOCK** and her husband _____ **BLALOCK**; **MARSHALL CAMP** and others children of **ALFRED CAMP**; **MARY BLACK** and her husband **THOMAS BLACK**; and other children of **LANGLY CAMP**; so as to make these parties to these proceedings and the writ of subpoena add responding them of The Honorable Court to be directed to the said **WILLIAM MOONEY** and **LOUISA MOONEY**, his wife, and **HARRIET CAMP** commanding them under the usual dualities? to appear and answer, abide and perform the orders and decrees of this honorable court and such other and further relief in the premises as shall be agreeable to equity and good conscience and the complainants will ever pray and so forth.

Dean
Complainants solicitor

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South Carolina
Spartanburg District

IN EQUITY

THE SEPARATE ANSWER of **J. B. TOLLESON**, guardian ad litem of the defendant's **JOHN CAMP, THOMAS CAMP**, and **MARSHALL CAMP** and others minor children of **ALFRED CAMP** deceased, and the minor children of **LANGLY CAMP** deceased to the bill of complaint of **THOMAS BRIAN** and **NARCISSA BRIAN** his wife.

THIS DEFENDANT, Guardian ad litem, of the minor above named and answer to so much of the complaints bill of complaint as he is advised it is material for him to answer, answering admits.

THAT **JAMES CAMP**, departed this life on about the time alleged in the complaints bill.

THAT the said **JAMES CAMP** made and executed his last will and testament which has been duly proven and admitted of record in Manner and form and in the district and office as stated by the complaints.

THAT the copy there of filed with the complaints bill marked EXHIBIT A is a true and correct copy of the same and that the desire amongst other things in said last will and testament by the said **JAMES CAMP** of his real estate to his wife **SARAH CAMP** during her lifetime and at the termination thereof to be equally divided amongst the children of the said **JAMES CAMP** is correctly stated by the complaints.

THAT the two tracts of land referred to in the Bill of complaints are property described as said Real Estate belonging to the said **JAMES CAMP**.

THAT has alleged by the complainants the said **SARAH CAMP** continued to occupy, possess, and cultivate the two tracts of land devised to her for Life as a forehead up to the time of her death which took place on or about the time alleged by the complaints.

THIS DEFENDANT FURTHER admits that the set real estate is now open for partition and division Among The Heirs and devisees of the said **JAMES CAMP**, deceased, and that the person's named in the complaints bill are properly named and described as such heirs and devisees.

THIS DEFENDANT FURTHER answering states that he has carefully examined into the facts and circumstances of this case and upon such Examination is satisfied that the partition and division sought by the complaints will be to the interest of the minors whom he represents and will essentially promote the same and not being able to ? any point in which the said partition and division will injuriously affect the rights and interests I've said minors he joins in the prayer of the complaints for a writ of partition of this honorable Court directed to suitable and proper persons to be there in named who shall make such division or return as shall be deemed most advantageous to all the parties and submit to the adjudication of this honorable Court the rights claimed by the minors whom he is appointed to represent in the premises and on this behalf he also joins in.

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THIS DEFENDANT having answered fully so much of the complaints bill of complaint as he is advised it is necessary to answer prays to be hence dismissed.

J. V. TRIMMIER
Defendants solicitor

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State of South Carolina
Spartanburg District

IN EQUITY

TO **HENRY DODD, JOHN BULLINGTON, WILLIAM CHAPMAN Jr., WILLIAM WILKINS Jr., and JOHN B. DAVIS** Esquire, surveyor.

WHEREAS **THOMAS BRIAN** and his wife **NARCISSA BRIAN** lately filed them or their bill in the court of equity for said District against **HARRIET CAMP, WILLIAM W. CAMP, JAMES M. CAMP**, The Heirs of **JOSEPH T. CAMP**, viz: **WILLIAM MOONEY** and his wife **LOUISA MOONEY**, formerly **LOUISA CAMP**; and **JOHN C. CAMP**; the heirs of **GEORGE CAMP** viz: **THOMAS CAMP** and **WILLIAM CAMP**; the heirs of **ALFRED CAMP**, viz: **JOSEPH CAMP, CATHERINE BLALOCK** wife of _____ **BLALOCK, MARY BLALOCK** wife of _____ **BLALOCK, MARSHALL CAMP** and other children of the said **ALFRED CAMP**, whose names are unknown; the heirs of **LANGLY CAMP**, viz: **MARY BLACK** wife of **THOMAS BLACK**; and other children of the said **LANGLY CAMP** whose names are unknown bring their heirs at law and devisees of **JAMES CAMP**, deceased, praying for the partition and division of the real estate of the said **JAMES CAMP** deceased Praying for the partition or division of the real estate of the said **JAMES CAMP**, deceased consisting of two tracts of land, viz: the homestead containing about 300 acres and the mill tract containing about 100 acres situate and lying in the district aforesaid on the North Pacolet River bounded by lands of **JESSE CLEVELAND, P. S. HUNTER**, and others.

THESE ARE therefore to command you, or a majority of you, to go to and upon the premises and make diligent estimations thereof and if you, after being duly sworn, find that the premises will bear a division amongst the complainants and defendants according to their legal rights without injury to any of the parties in interest you will proceed to make division of the same assigning to each part share and share like having up having reference to the value as well as the quantity and make plots of the same together with your valuation of each lot separately and make your return to this court in under your hand and seal. but if upon such examination you determine that the premises cannot be divided amongst the parties and in interest without injury to someone or more of them that you cause a survey to be made of the premises and divide the subtract of land into Lots if you think it best with your evaluation of each lot or the whole together and that you report your opinion upon the propriety of selling the same within the lot or the hole together. and make your return as aforesaid.

WITNESS **L. V. P. VERNON**, Esquire commissioner and equity for Spartanburg District at Spartanburg Courthouse on the 9th day of December A. D. 1851.

Dean
complainants solicitor

THOMAS O. D. VERNON, C. E. S. D.

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EXHIBIT A

In the name of God Amen

I, **JAMES CAMP** of Spartanburg district, being of sound mind memory and understanding, for which I thank Almighty god, and calling to mind the uncertainty of human life and desirous of disposing of such worldly estate as it has been pleasing to God to bless me with to make and ordain this my last will and testament and manner and form following, viz.

It is my will and desire that all my just debts and funeral expenses be first paid.

ITEM 1 I given bequeath unto my son **ALFRED [CAMP]** a negro boy named CARTER when he arrives at the age of 21 years.

ITEM 2 I give unto my daughter **NARCISSA [CAMP]** a negro girl named RIAH, on her marriage day, also a good beast worth \$60 and a saddle.

ITEM I give to my son **JOSEPH [CAMP]** a negro PALRUM.

ITEM 3 I given to my son **GEORGE [CAMP]** when he arrives at the age of 21 years old one negro boy named JACK.

ITEM 4 I give to my son **LANGLY [CAMP]**, when he arrives at the age of 21 years old one negro boy named LEWIS.

ITEM 5 I give to my daughter **HARRIETE [HARRIET CAMP]** on her marriage day or when she arrives at the lawful age when negro girl named ARRABELLA [ARABELLA].

ITEM 6 I give them to my two younger sons **JAMES [CAMP]** and **WILLIAM [CAMP]** \$500 each or one negro boy each equal to the above negro boy which I gave to my other sons when they arrive at the age of 21 years old.

ITEM 7 I give to my beloved wife **SARAH CAMP** the balance of my Negroes viz: one fellow named FARMER; three winches DICE, JANE, and CLARACY; also one small negro girl named FILLIS also the whole of my stock of every kind and also my dwelling house and Plantation where on I now live also my Mill and plantation adjoining to it over the river also all my household and kitchen furniture, blacksmith tools. and plantation utensils. It is to be further understood that she is to raise, school, clothe, the children, clear of board, and when they come of age or marry she is to give them one horse, saddle, and bridle each to be worth \$80, all except **NARCISSA**, also one feather bed and furniture, each, and one cow and calf, each.

ITEM 8 it is further my will that my loving wife sell my land in Virginia and lay out the money in young Negroes for the use of my children, and also my plantation on Buck Creek, known by the name of West Haniss's place.

ITEM 9 I will that the whole of my property left my wife during her life and at her death be equally divided amongst my children.

ITEM 10 I will that all my land not mentioned be equally divided amongst my children.

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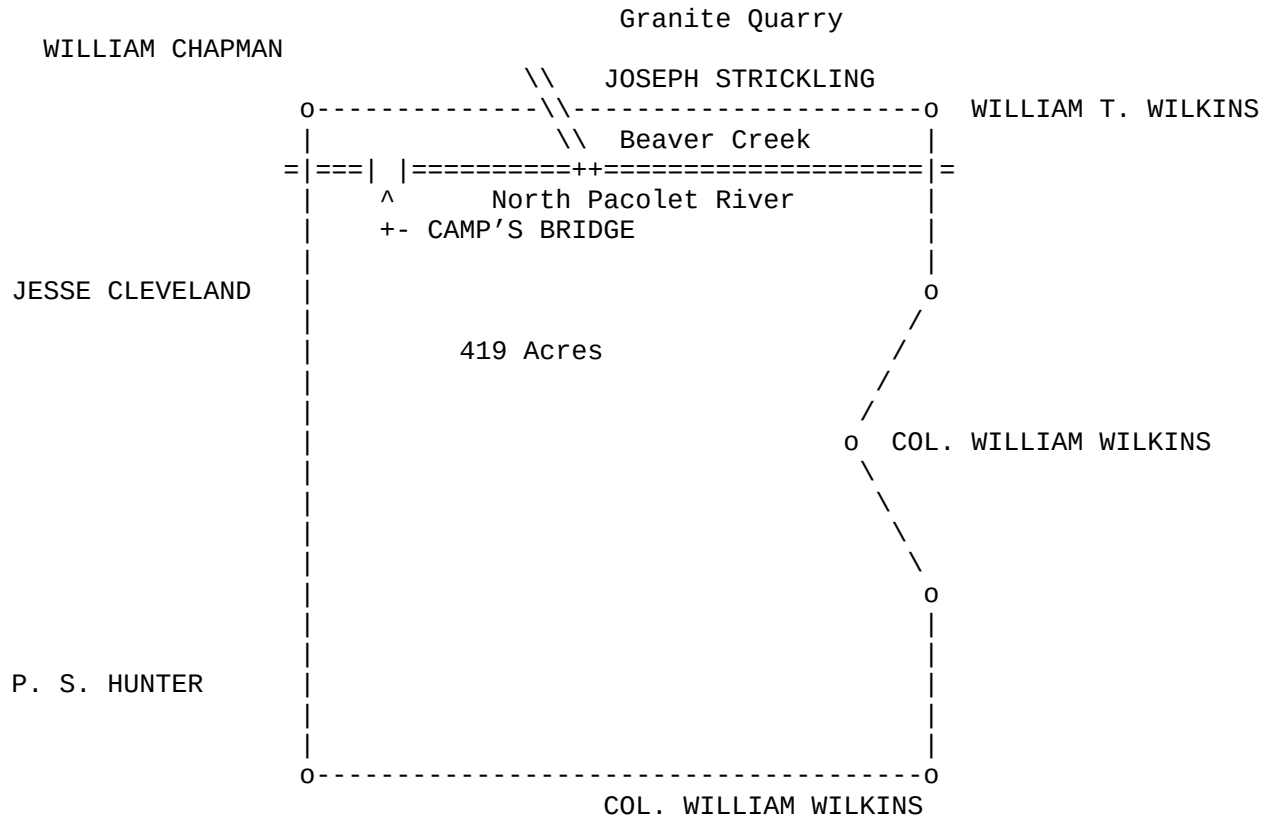
ITEM 11 I nominate my loving wife and **JAMES YOUNG** executors to this my last will and testament here unto revoking and renouncing all other Wills heretofore made by me.

AND WITNESS WHEREOF I have here on to set my hand and seal this 28th day of January 1817.

JAMES CAMP {seal}

ALEXANDER COPELAND
GEORGE M. WILLIAMS
WILLIAM COPELAND

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Laid down by a scale of 20 chains to an inch

The mean variation in declination is 2 degrees 39 minutes 13 seconds east of the true meridian

HENRY DODD and **JAMES BRIAN**, chain bearers

South Carolina

Pursuant to an order from the court of equity for Spartanburg District in the case where in **THOMAS BRIAN** and his wife **NARCISSA BRIAN** filed their bill against **HARRIET CAMP** and others for a partition of the real estate of **JAMES CAMP**, deceased, dated the 9th day of December 1851. I have surveyed the track of land described and said writ it being the whole tract of land originally granted **GEORGE ALEXANDER** on the 25th day of September 1776 containing 419 acres, situated in Spartanburg District on both sides of the North Pacolet River bounded on the North by **JOSEPH Strickland's** land on Northeast by **WILLIAM T. WILKINS** land, on the east by Colonel **WILKINS** land on the south by Colonel **WILLIAM WILKINS** land **P. S. HUNTER's** land and on the west by **JESSE [CLEAVELAND] CLEVELAND's** land and on the northwest by **WILLIAM CHAPMAN's** land and hath such form and marks as the above plat laid down with black lines doth represent.

THERE are 4 $\frac{3}{4}$ Acres of the above survey on the south side of the North Pacolet River claimed by **JESSE CLEVELAND** as laid down by a small plat with red lines and Mark number one the date of **CLEVELAND's** land papers did not ascertain.

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ALSO there are 8½ acres of the above survey on the north side of the North Pacolet River claimed by **WILLIAM CHAPMAN**, the grant under which **WILLIAM CHAPMAN** claims is dated the 10th day of October 1816

Survey the 27th day of December 1851
JOHN BANKSTON DAVIS, Deputy surveyor

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FOOTNOTES

8. ALFRED CAMP and JANE CANTRELL
 - a. JOSEPH B. CAMP
 - b. JAMES MARSHALL CAMP m. ANTINETT HARRIS FLETCHER
 - c. MARY ANN CAMP m. ZADOCK BRAXTON BLALOCK
 - d. AARON T. CAMP
 - e. HARRIET EVELYN CAMP m. GEORGE CLEVELAND LOONEY
 - f. NARCISSA J. CAMP m. SIMEON ZELLARS
 - g. CAROLINE DELILAH CAMP m. _____ CRAWLEY
 - h. CATHERINE CAMP m. JESSE L. BLALOCK

9. LANGLEY CAMP
 - a. MARY CAMP m. THOMAS BLACK

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