

Probate, NC, Lincoln, William Starrett 1803

State of North Carolina
Lincoln County

April Session 1819

The within divisions of land was confirmed by Court recorded and ordered to be registered.

Witness **VARDRY MCBEE** CC

Probate, NC, Lincoln, William Starrett 1803

State of North Carolina

The within Return of the Commissioners was duly registered in the register's office of Lincoln County the 19th day of July 1819.

In book number 29 page 63 to 65.

WILLIAM J. WILSON, register

Commissioners

Return of division
of the real estate of
WILLIAM STARRETT Jr
deceased among is several
heirs

Probate, NC, Lincoln, William Starrett 1803

JAMES HANKS and wife **MARY** reside in Wilkes

JOHN STARRETT, ISAAC BRIMER and his wife **ABIGAIL** reside in Lincoln

ALEXANDER STARRETT, JOHN GILLESPIE and his wife **ELIZABETH** reside in Buncombe

PETER P. VANNATTA and **REBECCA, JAMES SWANN** and his wife **RUTH**, Moses Starrett reside in Tennessee

Order of publication 6 weeks in the Raleigh

Probate, NC, Lincoln, William Starrett 1803

JAMES HANKS and his wife **MARY**
Petition for partition
To October term 1818

Probate, NC, Lincoln, William Starrett 1803

North Carolina
Lincoln County

Court of pleas and quarter sessions
October sessions 1818

The petition of **JAMES HANKS** and his wife **MARY** showeth onto your worships that **WILLIAM STARRETT** Jr died intestate on about the year 1803 being possessed of a tract of land lying and being in the county of Lincoln.

Beginning at two Black Gums on the banks of the south Fork and running along **JOHN STARRETT**'s Line N 60 E 61 poles to a Red Oak; thence along another of his lines S 80 E 54 poles to a Walnut in a field; thence to N 5 E 100 poles to a Black Oak on the East side of a branch on **ALEXANDER**'s line; thence along it N 14 W 80 poles to a Red Oak his corner and **HENDERSON**'s; thence along **HENDERSON**'s Line N 48 W 80 Pole to a large White Oak by a road; thence along **SWANN**'s line being his old Line W 118 poles to a Red Oak **MOSES STARRETT**'s corner on the W side of a branch; thence down said branch the various courses to the riverbank; thence down the river to the beginning.

Including all the island insect river that **WILLIAM STARRETT** Sr. was possessed of in the year 1799 or before that time.

That your petitioner, together with,

PETER P. VANNATTA and **REBECCA** now residing in the state of Tennessee

JOHN STARRETT residing in the county of Lincoln

ALEXANDER STARRETT residing in Buncombe

JOHN GALASPIE and **ELIZABETH** residing in the county of Buncombe,

JAMES SWANN and his wife **RUTH** residing in the state of Tennessee,

MOSES STARRETT residing in Tennessee and

ISAAC BRIMMER and his wife **ABIGAIL** residing and Lincoln

All of whom your petitioners pray may be made parties to this petition, heirs at law.

Your petitioner **JAMES HANKS** in right of his wife **MARY** showeth that he is entitled to one undivided eighth part of the aforesaid land.

Your petitioner therefore prays that five discreet free holders may be appointed to lay off and apportion to your petitioners the part of the said lands that they are entitled to agreeably the prayer of their petitioner and the act of the assembly in such case made and provided.

And your petitioner will as and duty-bound ever pray

B. SHIP

attorney for petitioners.

Probate, NC, Lincoln, William Starrett 1803

July 6th 1801

We the under subscribers being this day called upon by **WILLIAM STARRETT Sr.** to appraise the estate of **WILLIAM STARRETT Jr.**, deceased, the same as follows:

[INVENTORY]

Inventory given under our hand and seal the day and year above.

JAMES MCKEE
JOHN SWANN

Probate, NC, Lincoln, William Starrett 1803

February 23rd 1819

Division of the real estate of **WILLIAM STARRETT** Jr. deceased among several heirs.

SAMUEL MCKEE charges in this case serving as commissioner three days and as a surveyor three and a half days ordered by court that **SAMUEL MCKAY** be allowed to dollars a day a surveyor and \$1 per day as commissioner - \$10

JOHN MCKEE charges as commissioner three days and as chain Bearer 3 days and **JOHN MCKEE** \$1 per day as commissioner and \$1 per day is chain Bearer - \$6

JACOB FITE charges as commissioner three days and as chain Bearer 3 days and **JACOB FITE** \$1 per day as commissioner \$1 per day is chain Bearer - \$6

Allotting DOWER for **ELIZABETH DAMERON**

SAMUEL MCKEE charges as surveyor 3 days and as juror 3 days ordered by the court that **SAMUEL MCKEE** be allowed as serve are \$2 per day and Ash drawer \$1 per day \$9

For services
Proved and allowed

Probate, NC, Lincoln, William Starrett 1803

State of North Carolina
The sheriff of Lincoln County greeting

Are hereby commanded to summon **JOHN STARRETT, ISAAC BRIMER** and his wife **ABIGAIL** heirs of **WILLIAM STARRETT** Jr deceased to appear before the justices of the next County Court of pleas and quarter sessions to be held for Lincoln County at the courthouse in Lincolnton on the third Monday of January next then and there to answer the petition of **JAMES HANKS** and his wife **MARY** exhibited against them praying for the division of a tract of land.

And this you shall in no wise omit under penalty by law enjoined.

Witness **V. MCBEE** clerk of said court at office the third Monday October in the 43rd year of our independence AD 1818

VARDRY MCBEE CC

Probate, NC, Lincoln, William Starrett 1803

Return on **JAMES HANKS &
MARY** his wife

vs

JOHN STARRETT,
ISAAC BRIMER and **ABIGAIL** his wife

Summons to January session 1819

Executed **I. BRIMER** mileage 50 by **PHILLIP WARLICK**

A true copy together with a copy of the petition
served on **JOHN STARRETT** by **JOHN COULTER** Sheriff

Probate, NC, Lincoln, William Starrett 1803

State of North Carolina
Lincoln County

February 23rd 1819

We **SAMUEL CALDWELL** , **JACOB FITE**, **JOHN MCKEE**, **SAMUEL MCKEE** and **ADAM HOYLE** being appointed by the court County Court of said County January sessions 1819 as Commissioners to divide a tract of land lying on the S Fork of the Catawba River the real estate of **WILLIAM STARRETT** Jr. among his several heirs met on the premises and proceeded as follows viz to lay off:

Lot No. 1 containing 21 acres to **ALEXANDER STARRETT** beginning at a post Oak on the bank and runs then N 63 E 204 poles to a White Oak on the old line then with said line S 14 E 17 poles to a Black Oak the old Corner then S 55 W 100 poles to a Black Walnut in a field the N 50 W 54 poles to a Red Oak since S 60 W 61 poles to two Black Gums the old corner on the bank of the Fork then up the bank 5 poles to the beginning.

And Lot No. 2 to **JAMES HANKS** and **MARY [STARRETT HANKS]** his wife containing 30 acres beginning at a stake and pointers on the bank of the Fork and runs N 58th E 222 poles to a hickory on the old line then with said Line S 15 E 50 poles to a White Oak two corner to Lot No. 1 then with its Line S 63 W 204 poles to a post Oak the beginning corner of said lot on the Fork Bank and fence up the bank 5 poles to the beginning.

Lot No. 3 to **ISAAC BRIMER** and **ABIGAIL [STARRETT BRIMER]** his wife containing 27 Acres beginning at a Sassafras on the Fork Bank and runs N 42 E 222 poles to a White Oak on the old line then with said Line S 49 E 21 poles to a Red Oak and old Corner then with another Old Line S 15 E 14 posed to a White Oak second corner of Lot No. 2 then with a line of said lot S 50 W 222 poles to a stake and pointers, its beginning corner on the Fork Bank then up the bank 5 poles the beginning.

Lot No. 4 containing 23 acres to **MOSES STARRETT** beginning at a stake and pointers on the Fork Bank and runs N 33 $\frac{3}{4}$ degrees E 223 poles to a Post Oak in the old line then with said line S 49 E 30 pills to a White Oak corner of Lot No. 3 then with a line of it S 42 W 222 poles to a sassafras beginning corner of said lot on the Fork Bank then up the bank 5 poles to the beginning.

Lot No. 5 containing 25 acres to **JOHN STARRETT** beginning at a pine on the bank of the Fork and runs N 30 $\frac{1}{2}$ degrees 225 poles to a White Oak and an old line sentence with said line S 49 E 25 poles to a post Oak second corner of Lot No. 4 then with its Line S 35 and three quarters W 223 poles to a stake and pointers corner of said lot on the Fork Bank then up the bank 12 poles to the beginning

Lot No. 6 containing 20 acres to **JOHN GALASPIE** and **ELIZABETH [STARRETT GALASPIE]** his wife beginning at a Water Oak on the Fork Bank and runs N 25 E 212 poles to a Red Oak and an old line then was said Line N 86th E 26 poles to a large White Oak the old corner fell down then with another line S 49 E for poles to a White Oak two corner of Lot No. 5 then with a line of it S 30 $\frac{1}{2}$ W 225 poles to a pine It's beginning corner on the Fork Bank then up the bank for poles to the beginning.

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Lot No. 7 containing 21 acres to **SAMUEL SWANN** and **RUTH [STARRETT SWANN]** his wife beginning at it maple on the bank of the Fork and runs Norse 26 E 24 poles to a dog would then N 16 E 147 poles to a White Oak then in an old line then with said Line N 86 E 35 poles to a Red Oak two corner of Lot No. 6 then with a line of it S 25 W 112 poles to a water Oak corner of said lot on the Fork Bank then up the bank for poles to the beginning.

Lot No. 8 containing 28 acres to **PETER P. VANNATTA** and **REBECCA [STARRETT VANNATTA]** his wife beginning at a Maple the Fork Bank on the Fork Bank beginning corner of Lot No. 7 and runs with a line of it N 26 E 24 to a dogwood fence with another of its lines N 16 E 174 poles to a White Oak in the old fine corner of said lot then with said Line S 86 W 58th poles to a Red Oak the old corner and voyage on the W side of a branch send down the various courses of the branch nearly S 5 was about 100 and 88 poles to a stake on the Fork Bank at the mouth of said Branch then down the Fork to the beginning.

Given under our hands and seals the day in your above written.

SAMUEL CALDWELL {seal}
JACOB FITE {seal}
JOHN MCKEE {seal}
SAMUEL MCKEE {seal}
ADAM HOYLE {seal}

Probate, NC, Lincoln, William Starrett 1803

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Transcribed from original documents by Brent R. Brian & Martha M. Brian.

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