

Jefferson County Circuit Court
Case Files Civil
February 1826 - No. 1

Magoon, Richard H.
Eastepp, Nancy

vs.

Wideman, Meredith

Title

Spanish land grant on the "Negro
fork of the River Maramack"

Box

1 Folder 27

To the Honorable the Circuit Court of the Third Judicial
District sitting as a Court of Chancery within and for
the County of Jefferson -

Humbly complaining shew unto Your Hon-
our Your Orators Nancy Eastep and Richard W. Ma-
goon, that a certain William Eastep, before the cession of
the Province of Upper Louisiana by Spain to France did
by the permission of the Spanish Government of the said
Province settle upon a certain tract of land situate upon
the Negro fork of the River Maramack, and within the
limits of the County aforesaid, that some time in the year
eighteen hundred and two, the said William Eastep did
upon a voyage to Natchez, having until the time of his said
voyage remained in the possession of the said land,
that he died leaving a widow, and a son, and that
at the time of his death his wife was en ventre of Your Orator
the Nancy Eastep who was born about three months after
the decease of his said father, and that Your Orators
and his aforesaid brother were the sole heirs of the
said Eastep, that his said widow remained in possession
of the said land till some time in the year eight-
een hundred and ten, when she sold her right of
down in the same to a certain Mark Wideman who
immediately entered thereupon and continued in pos-
session until the time of his death, that some in the
year eighteen hundred and fifteen the said widow
of the said William died, and some time in the
year eighteen hundred and sixteen the said brother
of Your Orators died without issue leaving your
Orators his sole heirs, that upon the day
of in the year eighteen hundred and
the settlement right of the said Eastep to six
hundred and forty acres of land was confirmed by
and the same were ordered to be surveyed, in a

square as nearly as possible and so as to include the
improvement made by the said Eastop as aforesaid
that be entailed James Pattinson had also a settlement
right to a Tract of Land situate about a mile from
the Land of the said William, but ^{not} in any wise interfering
with the Land so confirmed to the said William, that
the said right of the said Pattinson came by assign-
ment to the said Wideman; and by virtue of the said
right six hundred and forty acres of Land were confir-
med to the said Wideman, to be located as nearly
as possible in a square, and so as to include the
said Pattinson's improvements, that in the year
eighteen hundred and eighteen the Government of
the U. States ordered the aforesaid two tracts of
Land to be surveyed by Angus L. Laugham a duly
authorised deputy Surveyor; that the said Wideman
intending to defraud your Oratrix of her said Tract of
Land, falsely represented that the improvement of her
said father was at the place improved by the said
Pattinson, and by the said false representation in-
duced and procured the said Surveyor to survey the
Land confirmed to the said William, so as to include the
Land settled upon by the said Pattinson, and to
survey the Land confirmed to the said Patterson
so as to include the improvement of the said William,
and has thereby deprived your Oratrix, who at the
time of the said Survey was an infant of the Tract of
Land to which by law she was entitled, and has left
her in line there of another Tract of Land inferior
in quality and value, that some time in the year
eighteen hundred and twenty one the said Mark Wide-
man died leaving Meredith Williman his son and
sole heir at Law, that upon the death of his father
the said Meredith entered upon the tract of Land
so surveyed for the said Patterson's legal Representative

twice and hath once taken the rents and profits thereof, that upon the twenty seventh day of December in the year eighteen hundred and twenty four your Orator by his certain deed bargained and sold and conveyed the said six hundred and forty acres of land so confirmed to the said Eastep's Legal Representatives unto your Orator Richard A. Magoon his heirs and assigns, And your Orator herewith exhibits a certified copy of the survey of the land confirmed to the said Eastep's legal Representatives marked A. N^o 1. and a certified copy of the survey of the land confirmed to the said Patton's legal Representatives, marked A. N^o 2, and also the affidavit made from your Orator to your Orator marked B. and your Orator pray that the said Exhibits may be taken as part of their said Bill of Complaint. And your Orator further shew that the said Meredith hath obtained from the President of the United States a patent for the land so surveyed for the said Patton's legal Representatives, but of right belonging to your Orator, and that the said Meredith refuses to convey the same ^{to} your Orator, but pretends that the same is his own. In consideration whereof and for as much as your Orator are remediless in the premises by the strict rules of the Common Law, and can obtain a relief only in a Court of Equity, To the end therefore that the said Meredith defendant may full true and perfect answer make to all and singular as the premises, as fully and particularly as if the same were here again repeated and interrogated, and may set forth whether the said William Eastep did not settle upon

a certain Tract of Land upon the said negro fork, and
what Tract of Land, whether the same has not been
confirmed to the said William's legal Representatives,
and when and by whom, and what are the terms
of the said confirmation, whether the widow of the
said William did not sell her right of dower in the
said Tract of Land to the said Mark, and if the
said Mark was not in possession thereof at the time
the said Surveys were so made, where the said Patterson's
settlement was, and if his confirmed settlement right way
not so ~~made~~ ^{surveyed} as to include the settlement and improve-
ments made by the said William, by whom and when
the said Surveys were made, whether the said Mark did
^{not} represent to the said Laugham that Patterson's Land should
be surveyed so as to include the improvements made by
the said William, and whether the said Patterson or
any person claiming under him had any right to the
Land so set apart for him or them by the said
Survey and the said confirmation of his settlement
right. When the said Mark Wideman died, and to
whom his property hath descended, whether he the said
Meredith has not obtained a patent for the said Land
included in the survey marked Exhibit A. No 2, for what
length of time the said Meredith hath been in pos-
session of the said Land, and what is the
annual value of the rents and profits thereof
and that the said Meredith may be decreed to
deliver up to your Orator Richard Magoon the
said Patent, and to convey to him his heirs and
assigns the Land therein mentioned, and to pay
to the said Richard the profits and rents of
the said Land since the twenty seventh day of
December in the year eighteen hundred and twenty

and to pay to your Oratrix the rents and profits
of the said land from the time when the said
Meredith took possession thereof until the day
and year last aforesaid, and that your Ora-
tor and each of them may have such other
and further relief in the premises as shall
be agreeable to equity and good conscience
and your Orator will ever pray &c

Cogwy
for Compt.

+ R.H. Magoon, in proper
person

(R.H.)

No 1

Wm. D. term 1826

Richard W. Magoon

& Nancy East

vs Bill in Chancery

vs Richard W. Magoon

Acta Chancery

Copy

for Complaint

vs Wm. Magoon in person

per person

filed Nov 1st 1826

John W. Clark