

1797-019

SOUTHAMPTON COUNTY
CHANCERY PAPERS

DUSHERLD and Wife vs. COWPER'S ORPHANS

6/1797

other SURNAMES: Dashiell,
Cooper, Dashiell

Dashell & wife
vs
Coopers & others
Bill
Ansⁿ

Dashell & wife
vs
Coopers & others.
Bill
Ansⁿ

to Novbr. 1795
Novbr. 1795 interlocutory
decree.
June 1797 report returned
& final decree.

To the Wppul Court of Southampton County in
Chancery sitting, humbly Complaining there unto
your worship, your orator Jacob Dushall & Sarah
his wife, formerly Sarah Cooper & widow & Heir
of John Cooper deceased.

That the said John Cooper in his lifetime
and at the time of his decease was Seised & possessed
of a tract of land & a parcel of Slaves, deposited
this life intestate, leaving your orator his wife
& four infant children he viz. Nancy,
Thomas, Leon, Henry Cooper. That a certain
Solomon Cooper, attorney at Law, of administration
on the estate of the said deceased in this Wppul
Court. and in his office of the said intestate had
Seised & possessed himself of all the intestate's land
& Slaves. and refuses to have your orator's
claim there in assigned to him. which is contrary
to Law. In tender consideration whereof
and for as much as your orator's situation is well
-entitled remedy only in a Court of equity,

To the end therefore that the said Nancy
Thomas, Leon, Henry Cooper infants of John Cooper
by Solomon Cooper their Guardian, (and your Complai-
-ments may be considered as defendants to this
bill of Complaint,) may upon their Corporal oath, true
and perfect answer make to all & singular the allegations
in this bill contained: and that as fully & sufficiently as

if the same were again represented and interrogated.

And that your Honors will appoint fit & able persons to lay off & assign to your Complainants their share in the Land & Shares of which the said Laper died seized & possessed. and the residue to make sale of, and divide the money arising from such sale after payment of just debts between the infant defendants in equal portions, and make any other or further order or decree in the premises for the relief of the parties concerned as may be consistent with equity. May it please the

Your Honor for Comptrol.

The answer of Nancy, Thomas, Jean & Henry Cooper infant children of Laper Cooper, by Solomon Cooper their Guardian. As the bill of Complaint of Louis Dushell, Esquire his wife, exhibited against them in the aforesaid Court of Southampton

These defendants having and reserving to themselves all manner of exception to the many uncertainties and imperfections in the said Complainants bill contained. for answer thereto. as to so much thereof as these defendants are advised is material for them to make answer unto they answer and say.

That

Laper Cooper at the time of his decease was seized & possessed of the Land & Shares in the bill mentioned. and that these defendants by their guardian do aver & profess the same. but they deny having any objection to the decree of the Complainants being set aside, the being infants and wholly under the Control of this Worthy Court, with their order or decree for the persons, they deny everything that is unjust in the premises and pray to be there dismissed with their reasonable Costs to wrongfully sustained

James F. 1800

Dashill
and Wife } Rept.
vs } in
Cooper's } Shanty

In obedience to a decree and order of the Honorable
Court of Southampton, bearing date March Session 1796
which is hereunto annex'd; In a Suit in Chancery, -
Josiah Dashiell and Sarah his Wife, formerly Sarah
Cooper widow and relict of Jesse Cooper dec. Complainants,
against Nancy, Thomas, Sean, and Henry Cooper infants
Children of Jesse Cooper dec. by Solomon Cooper their
guardian Defendants. We the Subscribers have set apart
and a lot unto the Complainants Sarah her dower in
the Land belonging to the estate of the said Jesse
Cooper dec.; beginning at a pine chopped, in Newitt Claud's
line, thence to a white oak in the field, thence to a peach
tree near the house, thence to a small pine chopped
near a gully in the field, thence a long a chopped line
of trees in the swamp, to Amos Harris's line (or the land
belonging to the estate of Amos Harris dec.) thence a long
the said Harris's line to Henry Thorp's line, thence a
long the said Thorp's line, to Newitt Claud's line,
thence a long the said Claud's line to the Beginning;
And We have also sold the residue of the said Land
with the reversion of the said Sarah's dower, unto the
said Josiah Dashiell for the Sum of Thirty Seven
Pounds, Eighteen Shillings, payable on or before
the twenty fifth day of October next; for which

we have taken his Bond with Richard Blow
 security, payable in equal portions to the said
 Defendants; which Bond we pray that your
 Worships will direct may be given up, to Solomon
 Cooper guardian to the said defendants; —
 And we further represent that the Administrator
 of Jesse Cooper dec'd, gave up to the Subscribers, one
 Small Negro Girl, call'd Eady, which he sold, agn-
 =able to your decree, for the sum of Twenty Nine
 pounds, payable on the same day of the Land, to Josiah
 Dashiell; and we further decree and pray, that the
 Court, would direct what part of the price of the
 said Negro, the Commissioners are to pay to the
 said Complainants, as we are at a loss, respecting
 what sum to pay, out of sale of said Negro Eady, as
 the Money becomes the said Complainants absolute
 property; and the balance of the price of said
 Negro, we beg, that the Court will direct, that
 the Bond may be given up to the said Solomon
 Cooper, guardian to the said defendants, and be
 directed to give the Subscribers an Acquittal
 for the same; — Given under our Hands, this 6th day
 of June 1797 —
 Rob^t Mabry
 James Lundy

With ample March Session 1796
 and riding and relief of Jesse Cooper dec'd.
 Nancy, Thomas, and Henry Cooper infant children
 of Jesse Cooper by Solomon Cooper their guardian
 By consent of the parties the directed in this suit
 at November Session 1795 is set aside and in lieu thereof is decreed and
 ordered that John Williams, John Dashiell, James Lundy and Robert
 May or any two of them lay off and assign to the Complainants their share
 in the lands and slaves of which Jesse Cooper dec'd and his wife after the re-
 payment of debts, that they make sale of the rest of the lands with the re-
 mainder of the said down and the rest of the slaves they hold with good
 security from the purchaser or purchasers payable in equal portions to the
 defendants make legal conveyance of the said lands, and make report there
 of to the Court in order to a final decree.
 Attest
 Rob^t Mabry
 James Lundy

Dashiel & wife

vs

Interlocu-
tory
decree

Looper's orphans

March 1796