

1797-039

Chancery Papers. Jones vs Jones

7/1797

Southampton County

other surnames. Denson

Jan., }
" } Billed answer
June, }

(S.H.)

June 1797.
July Decree

To the right Honourable Court of Southampton sitting in
chancery humbly complaining sheweth to the
Court your orator Samuel Jones companion of Lemuel
Jones dec'd by London Denson his next friend,

That the said Lemuel Jones in his lifetime
and at the time of his decease was seized in fee
in certain Lands, departed this life on or about
the day of 1797 after having made &
published his last will and Testament, wherein
he devised his lands to be equally divided be-
tween your complainant and Joseph Jones his brother,

But as it is now in place the Court has notwith-
standing the premises the said Joseph has taken
possession of the whole land whereof the Testator
died seized and will not come to a division of
it according to the will aforesaid because of your
Complainant's infancy.

In tender consideration
whereof, and for as much as your orator is entitled
to remedy only in a Court of equity, To the end
Therefore that the said Joseph Jones, (who your orator prays
may be made defendant to this Bill of Complaint) may

upon his solemn affirmation that I perfect answer make
to all and singular the allegations in this bill contained
and that as especially as if the same were again herein
repeated and interrogated. And that your worshipps
will appoint proper persons to make an equal divi-
sion of the said Land between your Complainant &
the defendant, and direct by their decree the man-
ner in which the said division is to be made whe-
ther as regard to the improvements are to be considered
or the number of acres be equally divided without
that consideration, and make any other or further
order or decree therein as may seem meet. May
it please you

The answer of Joseph Jones to the bill of Complaint
of Samuel Jones infant of Lemuel Jones demanded
by Leonard Demer his next friend

This defendant saving and reserving
to himself all manner of exception to the uncertain-
ties and imperfections in the Complaints here contained,

for answer thereto or so much thereof as this defendant
is advised is material for him to make answer unto.
He answering saith That it is true that Lemuel
Jones did seized of Lands and made such will as
the Complainant has stated, and this defendant has
no objection to a division being made of the said
Lands, but is advising that as the Complainant is
an infant that it cannot be done with propriety
without the decree of this Court. He prays to be
hence dismissed with his costs in this behalf sus-
tained.