

1015-024

SOUTHAMPTON COUNTY
CHANCERY PAPERS

BASS

VS. THOMAS

2/1815

other SURNAMES: Lundy

Bapt

27. } Bill, answer

Thomas. } L Decree.

December 1872

Int. J. Decree

To the worshipful Court of Southampton County in Chancery sitting -
Humbly complaining sheweth unto your worships your oratrix Rebecca
Bass, widow & relict of Edwin Bass an^d, that her said husband Edwin
Bass, in his lifetime, being seized & possessed of a certain tract or
parcel of land in the County of Southampton, by his deed of Benjamin
Isale, granted, conveyed & sold the same to a certain William
Lundy of the said County, as will appear by an attested copy of
the said Deed of Benjamin Isale hereto annexed & to which the
Court are referred as a part of this bill - that the said William
Lundy died seized & possessed of the said land and by his will
directed the same to be sold, which was accordingly done by
a certain James Lundy, who qualified to the said will & took
upon himself the burden of executing the same, as will appear by
attested copies of the said will and of the Deed from the said James
to David Thomas, the purchaser from him, hereto annexed and
to which your worships are also referred as a part of this bill -
that the said David Thomas hath now departed this life and devised
the said land to his son John Alexander Thomas, who is an infant
of tender years & is prayed to be made a defendant to this
bill, by his guardian to be specially appointed to defend him in
this behalf - An attested copy of the last will of the said David Thomas
is also hereto annexed as a part of this bill -

Now your oratrix begs leave to state to your worships that
at the time of the sale of the said land by her deceased husband
to the said William Lundy, she did not relinquish her right

of dower in the same nor hath she ever relinquished her
said right of dower from that time to the present day - so
that she is now clearly entitled to one third part of the said
land for the term of her natural life as her dower therein -
yet the same cannot be reduced into possession without the
aid of this Court, where matters of this sort are properly
cognizable - to the end therefore that your worships will
decree that one third part of the said land may be allotted
& set apart to her as her dower in the same, & that
any other & general relief may be granted in the premises ^{mentioned}
with Equity & good conscience, may it please the Court to
grant the Com^{rs} writ of Subpoena commanding D^c and every
duty bound your orators will ever pray D^c

Sith for Com^{rs}

The answer of John Alexander Thomas an infant son of
~~David~~ Thomas dec^d, by Willie Francis his guardian
specially appointed to defend him in this behalf, to the
foregoing bill of complaint exhibited against him by
Rebecca Baps widow & relict of Edwin Baps deceased -

The said defendant having answered & answered
thrust forth, that he admits the allegations therein contained
to be true & correct & has no objection to the Decree prayed
for ~~the~~ by the complainants - & he prays to be
leave dismissed D^c

Rebecca Baps widow & relict of Edwin
Baps dec^d _____ Com^{rs}

^{24.}
John Alexander ^{Thomas} ~~dec^d~~, an infant son of { In Chy.
~~David~~ Thomas dec^d, by Willie Francis his
Guardian specially appointed to defend him
in this behalf _____ D^c

This cause was this day docketed by consent of parties & report of the
Court & came on to be heard on the bill & Answer & arguments
of Counsel, whereupon the Court with advice, order & decree
that James Harris, Benjamin Blunt sen^r, Arthur Williamson and
John Bachman or any 3 of them, attended by some competent surveyor
~~or any 2 of them~~, do allot, assign and set apart to the com-
plainant one third part of the land sold by Edwin Baps, in
his lifetime, to William Lundy and by James Lundy Es^r of
the said Wm Lundy, to ^{David} ~~James~~ Thomas, as her dower in the
said land, and that they make report of their doings & doings in this
behalf to the Court in order to a final decree.

Willie Frances, who qualified as adm. with the will con-
cerned of ~~the~~ David Thomas and yesterday agreed in my
presence that Dover should be assigned to Rebecca Baps, widow
of Edwin Baps, in the land sold by said Baps to Wm. Lundy
& by James Lundy Ex. of said Wm. Lundy to the said David
Thomas

J. S. Harris
17th Dec. 1812

Bapt }
vs } Int. of Decree
Thomas }

February 1815 Bapt.

Int. of Decree Final

Int. of Record

In Obedience to an order and decree hereto annexed
from the county court of Southampton bearing date
december court 1800 & twelve to us directed we the
undersigned accompanied by the deputy Surveyor
of said county have allotted assign and set apart
to Rebecca Bass widow and relict of Edmund Bass
dec. One third part of the lands in the said decretal
order mentioned in the following manner (To wit)
Beginning at a pine the most north eastern corner
of the late Aaron Thorpe better Shelter tract of land
running South 15 degrees east 46 Pole to a pine a corner
of Benjamin Blunts land standing by the side of the road
leading from Hixford to Jerusalem thence north 80 degrees
east 64 Pole to a turn in said road thence north 35 degrees
east 54½ Pole to a Sweet gum a corner of John Alexander
Thomas land on the side of said road thence north 65
degrees west 38 Pole to a pine thence north 57 degrees west
87½ Pole to a post Oak in said Thomas line thence
South 57 west a dividing line to the beginning estimated
at fifty seven acres given under our hands this twenty
eighth day of Jan^y 1800 & fifteen

L. P. Harris

Arthur Williamson

John Bachman

