1818-016 SOUTHAMPTON COUNTY CHANCERY PAPERS PRINCE vs. PRINCE etal 9/1818

other SURNAMES: Weather, Bendall

Prince

M
Princeto
Bill 2 Answer –

January 1818 accepted.

To the worshipful Court of Southampton in Chancery
sitting — Humbly complaining Sheweth unto
your worships your orator Elizabeth Prince
widow and relict of John Prince dec'd. That
her late husband the said John Prince departed
this life in sometime during the last year
seized and possessed of a tract of land lying in this
county. That before his intermarriage with
your orator to wit on the second day of August
1815 he made a last will and testament-
which has been duly admitted to record in the
Court of this County, wherein he appointed
a certain Joseph Prince and Isaac Bond
all his executors, of whom Joseph Prince alone
hath taken upon himself the burthen of the
execution of the same. That by the said will
he devises all his real and personal estate
not herein by him disposed of equally to his
four children to wit, John Richardson,
William and Littleton Prince. That after
the making the will aforesaid he purchased
one parcel of land adjoining
to his original tract which land is embra-
ced in the will will go as aforesaid to the
said four mentioned children, all of
whom are under the age of twenty one
years; and of not included in the division

it will be equally divided among the said four named children and infant child Leroy A Weathers of Sterling Weathers and his deceased late wife Anna Prime a daughter of said John Prime. That your orator as the widow of said John Prime is entitled to dower in said land, but is advised that she cannot have the same assigned to her without the intervention of this Court. In tender consideration whereof and in as much as your orator is without remedy save in this Court she prays that the said John. Richardson. William and Littleton Prime infants as aforesaid may be made defendants hereto by some friend to be appointed by the Court to defend them in this behalf and that the said Leroy A Weathers an infant may be also made a defendant hereto by some friend to be appointed by the Court to defend him in this behalf. That all of them may be compelled to answer all and singular the allegations herein contained fully and answerably. She further prays that your worships would decree her dower to be assigned to her in the land aforesaid

whereof the said John Prime died seized and possessed. and finally she prays that such other and further order or decree may be made in this behalf as may be just and proper. And as in duty bound she will ever pray &c.

To the worshipful Court of Southampton in Chancery sitting - The joint and seperate answers of John. Richardson. William and Littleton Prime infant children of John Prime dec'd by their next friend Isaac Bendall appointed by the Court to defend them in this behalf. and of Leroy A Weathers an infant child of Sterling Weathers and his deceased wife Anna a daughter of said John Prime dec'd by their next friend the said Sterling Weathers appointed by the Court to defend him in this behalf to the bill of Complaint exhibited against them by Elizabeth Prime widow and relict of said John Prime dec'd - These respondents now and at all times saving and reserving to themselves every benefit of exceptions to any errors or imperfections in said bill contained, for answer to so much thereof as they are advised is necessary for them to answer, answering say - That they cannot deny the complainants allegations and are willing to submit to such decree in the premises as this Court may think proper to pronounce. And having answered they pray to be hence dismissed &c.

Isaac Bendall

Prince

My

Princess &

~~Wife's Husband~~

Rough Draft

Priest ——— Pltff

vs } In Chancery

Priests &c ——— Defts

This Cause was this day docketed by consent of the parties and upon motion of the Court and was heard on the bill and answers and arguments of Counsel whereupon and after due consideration thereof had the Court doth adjudge order and decree that John Mapenburg. Williams Mapenburg, Howel Nicholson, Edward Reese Jesse Holt and John Nicholson or any three of them with the assistance of the County surveyor do set apart and allot to the complainant Elizabeth Priest one third of the land lying in this County of which John Priest died seized and possessed, by proper metes and bounds having regard to quality as well as quantity for and during the term of her natural life as and for her dower in the said - And it is further ordered that they or any of them as may act do make a report to this Court in order to a final decree -

Prince &c
vs
Prince &c

} Copy decree

Sept. 21st 1818 Rept.
~~Rat. & C.R.~~
& decree final

Southampton January Court 1818

Elizabeth Prince widow and relict of John Prince deceased — — Complainant

vs.

John, Richardson, William and Littleton Prince, infant Children of John Prince dec'd by their next friend Isaac Benson, appointed by the Court to defend them in this behalf; Henry a Weathers and infant child of Sterling Weathers dec'd and his deceased wife Anna a daughter of the said John Prince dec'd by his next friend the said Sterling Weathers appointed by the Court to defend him in this behalf — — Defendants

In Chancery

This Cause was this day docketed by Consent of the parties and upon the Bill and answers and Arguments of Counsel, Whereupon and after due Consideration thereof had the Court doth adjudge order and decree that John Mapenburg, William Mapenburg Howell Nicholson Edward Reese, Isaac Holt, and John Nicholson or any three of them, with the assistance of the County Surveyor do set apart and allot to the Complainant Elizabeth Prince one third of the land lying in this County of which John Prince died seized and possessed by proper metes and bounds, having regard to quality as well as quantity for and during the term of her natural life, as and for her dower in the Same. And it is further ordered that they or such of them as may act, do make a report to this Court in order to a final decree —

Test A. Middleton D.C.

Agreeable to an Order of the County Court of Jr. Campton
to us directed bearing date January Court 1818. We the
Undersigned have gone on the lands of John Prince
decear.d attended with the County Surveyor as by the Order
we were Riquired. and have Surveyd the same
and find there to be in all the Lands 1690 Acres
Including the Home Plantation, the land on the South
Side of Howel Sebornes Mill, & the three Small Tracts
of the Dale land 30 Acres in one & 49 in the 2nd & 49¼
in the 3rd Part: having some doubts at first
Whether the land was all in one body or not: we at
last finally Concluded that they were Separate Tracts,
yet after a mature deliberation: and believing that it
Would be more beneficial to the legatees: to allot and
Assign to the Elizabeth Prince Widow and relict of John
Prince decd. all her dower right in sd. Lands at one Place
namely the Home Plantation; we have by Consent of Parties allotted
and assignd. to her by Proper meets and bounds One third
of the whole of the Lands that John Prince died Seizd.
& Possessd. of in one Compleat Boundary ~~and Beginning~~
as follows (Viz) Beginning at a Small White Oak
a new Corner made in the Dower line Standing on the side
of the Horse Swamp: running thence S. 40. W. 164
Pole to a Pine a new Corner made in the dower line in
an old field; not far from the Lane: thence S. 72. E. 360

Pole to a brook & Pine a new corner made of the lines in Howel Seborne's out line: thence along Seborne's line to a Red Oak a corner in Nathaniels Summons's line: thence along his line N. 11° E. 266 Pole to the Horse Swamp aforesaid thence along that Swamp & the Various Courses thereof to the first Station ——— Containing 560 Acres. being what we think is right. Given Under our Hands & Seals this 14th day of February 1818

Wm C Mapenburg

John Nicholson

Edwd Reese

Report upon the Exemption Deed

Commissioners to be appointed

Majr John Masserburg

Wm Masserburg

Powell Nicholson

Edward Reese

Jesse Holt

John Nicholson

Mention to Col. Trisvant that Capt. Seborn
will leave this State. and wants your opin
-on on my Guardian Acct. and convey them
to court —

S. B— for
Jos. Prince

This is to certify that I wish a
Division to take place in the Land of
L. John Prince Dec'd. by a decree of the
Court of Southampton County and allot
to Me one third thereof as my Dower right
Given under my Hand this 16th day of Jany.
Eight Hundred & Eighteen ——

Her
Elezabeth ✗ Prince
Mark

Witness
Robert Murrell