

1822-019

SOUTHAMPTON COUNTY
CHANCERY PAPERS

PIERCE + ux + a | VS COOK

12/1822

Other SURNAMES: Fort, Presson
Williamson, Edwards, Rochell,
Turner, Day, Rochelle

Cook
3 Bite & Aus.
Cook

Oct 21st 1822

dec 10

temp?

(as the washipped the County Court of Southampton
- as in Chy. s. 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000)

also left four children viz the two above
enumerated & Edmund & John Day both
of whom died infants & whose interests con-
sequently became vested in their surviving
children. - In tender consideration of
all which & as the said tract of land can-
not be divided except by the intervention
of a Court of equity. To the end therefore
that the said Laurence Cork may be
made def. hereto & compelled to answer
the premises & that your worships would
make a division of the said land as may
be consistent with their just rights of the
parties & moreover grant them ~~the~~ ^{their} ~~request~~ ^{relief}
in the premises he May it please
Your Honor &c.

The Answer of Laurence Cork to the
aforesaid Bill of Complaint.

This respondent saying to
himself he ~~for~~ ^{in answer to the said Bill}
says that he admits the facts therein stated
to be true & has no objection to such a
decree as the complainants have
prayed for and having answered
he prays to be hence dismissed he,
Produce P.D.

Cork

Cork 2^d to Cork

This cause was this day decided
& tried by consent of parties on the Bill &
answer & the Court on matters consider-
ation thereof doth adjudge order &
decree that Rich^d. Planty, Wm Phillips
Newell Harris & John Thomas or any
three of them do proceed with the assistance
of the County Surveyor to lay off from
the tract of land in Southampton County
held by Elizabeth Cork dec^d as soon as
the real estate of her dec^d husband
Laurence Cork dec^d ^{two sixths} ~~one sixth~~ parts shall
be sold to Laurence Cork being his own
proportion & that to which Alice Cork
dec^d was in his life time entitled and
which it appears to the Court he had
regularly transferred to the s^t. Laurence
that the s^t. Court coming then divided
the residue of the said land into four equal
parts & sold one to Elizabeth Felt the infant
daughter of John Felt & Martha his wife
~~and they kept as before to Rich^d. Planty & Fanny his wife~~
that they ~~then~~ ^{divided} one of the remain-
ing shares into two equal parts & sold one
to Nathl Rockwell & Fanny his wife formerly
Day & the other to John Turner infant son of
Edwin Turner & Martha his wife, which s^t.
Martha & Fanny used the name of John Day &
Elizabeth his wife dec^d formerly Cork -
that they then subdivided the remaining
proportion into five equal parts and sold
one to Rich^d. Williamson & Martha his wife

in right of his said wife - one part to Samuel
Preper & Mary his wife in right of her 1st wife.
— one part to Frank Edwards — one to Lewis
Edwards & the remaining part to Rebecca
Edwards infant daughter of John C. Edwards
dec^d. & all of whom are entitled conjunctly
to the proportion to which their dec^d mother
Mary dec^d formerly Cook would have been
entitled; & that they report their proceed-
— ings in this premises to this Court in order
to a final decree.

Cook &
y } Pitt & Aust^r,
Cook

Oct^r 21st 1822
decree
T. C. P.

book for

m

book

Int. Deer

copy

Nov. 18th 1822. ref. Pub.
and deer amended. —
Sw deer on ref. —
filed —

and Cop. & hereon

Dec. 16th 1822. amended
ref. rat. & rat. to be received
by Consent.

J^o ampton County November Court 1822

Nice B. Purce & others ----- Plt.

against

Lawrence Cook ----- Def.

} In Chancery

This Cause again came on to be heard upon the bill, answer
thereupon by Consent of the parties and with the assent of the Court
It is further decreed and ordered, that the Commissioners heretofore appointed
in this Cause having reported that a division of the lands in kind in
the former decree mentioned would be impracticable as the prospective
proportions would be of less value than three hundred dollars it is
further ordered and decreed that the said Commissioners or any three of
them do sell at public auction to the highest bidder the tract of
land in the said proceedings mentioned on a credit of twelve months having
been given due and reasonable notice of the time and place of sale,
that they take bond and good security from the purchaser in such sums as
may facilitate the division ^{pro}subsequently to be made and assign such bonds
in the same proportions and to the same persons respectively as they were
previously ordered to divide the land itself and having done so
that they report their proceedings in the premises to this Court
in order to a final Decree Teste

A. M. Waterson D.C.

Southampton October Court 1822

Rice B. Pierce and Fanny his wife formerly Cook,
Elijah Fort infant daughter of Joshua Fort and Martha
his wife formerly Cook, Richard Williamson and Martha
his wife formerly Edward, Samuel Preson and Mary
his wife formerly Edward, Louisa Edwards an infant &
Rebecca Edwards an infant daughter of John B. Edwards
see? all which Edwards, are in the issue of Nathaniel
Edwards & Mary his wife see? formerly Cook, and
Nathaniel Rochelle and Fanny his wife and John
Turner infant son of Edwin Turner and Martha his
wife see? which said Fanny and Martha were the
issue of John Day and Elizabeth his wife see? formerly
Cook all which infants are by the said Edwin
Turner their next friend ----- Complainants

against

Laurence Cook ----- Defendants

In Chancery

This cause was this day docketed and tried by consent of parties on
the bill and answer, and the court on mature consideration thereof both adj-
-udge order and decree that Richard Blunt, William Philips, Lewis Harris
and John Thomas or any three of them, do proceed with the assistance of
the county Surveyor to lay off from the track of land in Southampton County
held by Elizabeth Cook see? as dower in the real estate of her deceased hus-
-band Laurence Cook see? two equal parts and allot the same to Laurence
Cook being his own proportion and that to which Miles Cook see? was in
his lifetime entitled, and which it appears to the court he had regularly trans-
-ferred to the said Laurence - That the said commissioners, then divide the
residue of the said land into four equal parts and allot one to Elijah Fort
the infant daughter of Joshua Fort and Martha his wife, that they allot one part
to Rice B. Pierce & Fanny his wife formerly Cook - That they divide one of the
remaining shares into two equal parts, and allot one to Nathaniel Rochelle
and Fanny his wife formerly Day, and the other to John Turner infant
son of Edwin Turner and Martha his wife, which said Martha & Fanny were
the issue of John Day and Elizabeth his wife see? formerly Cook - That they
then subdivide the remaining proportion into five equal parts and allot one to
Richard Williamson and Martha his wife in right of his said wife - one part
to Samuel Preson and Mary his wife in right of his said wife - one part
to Frank Edwards - one to Louisa Edwards & the remaining part to Rebecca
Edwards infant daughter of John B. Edwards see? and all of whom are entitled
jointly to the proportion to which their see? mother Mary see? formerly Cook
would have been entitled - and that they report their proceedings in the premises
to this court in order to a final decree.

Attest James Rochelle C.

In obedience to the annexed decree. we the undersigned
Commissaries, met on the Dover Lands of Mr. Elizabeth
Cook dec. on the 5th day of December 1822 and sold
the said Land to the highest bidder on a credit
of twelve Months - and Laurence Cook became
the purchaser for the Sum of two thousand seven
hundred & fifty one Dollars and after deducting
one hundred & twenty nine Dollars for an Commission
there was a balance of Two thousand six hundred
& twenty two Dollars which sum we divided as the
decree directs viz - Eight hundred & twenty four
Dollars to Laurence Cook (which is two Sixths, four hundred
and thirty seven Dollars to Rice B Pierce (which is one Sixth,
four hundred and thirty seven Dollars to Eliza Fort (which is
one Sixth, Two hundred & Eighteen dollars & 50 Cents to Nathl
Rockwell (which is one half of one sixth) Two hundred and eighteen
Dollars and fifty Cents to John Turner (which is one half of one
sixth, Eighty seven Dollars and forty Cents to Richard Williamson
which is one fifth of one Sixth, Eighty seven Dollars and
forty Cents to Frank Edwards (which is one fifth of one sixth -
Eighty seven Dollars and forty Cents to Samuel Prepon (which is one fifth
of one sixth, Eighty seven Dollars and forty Cents to Louisa Edwards
which is one fifth of one sixth, Eighty seven Dollars and forty Cents to
Rebecca Edwards (which is one fifth of one sixth, given under
our hands this day & date above written

Richd Blunk
M J Phelps
John Thomas

Commissaries

Southampton County

Pursuant to a decree of the Worshipful Court
of the county aforesaid, We the undersigned have met ^{with the court during} on the ^{lower} lands
of Mrs Elizabeth Cook ^{and} and Report that after viewing the same, we
find that by dividing the Lands agreeable to the aforesaid Decree,
the Interest of the parties concerned, would be considerably injured
thereby: admitting the Lands were worth three hundred ^{Dollars} each, but
we ~~find~~ are of opinion, that after the Lands is divided into six
equal parts, they will not be worth two hundred Dollars
each, and consequently ~~would~~ be worth much less when ^{some} ~~some~~
~~of~~ these Lots, come to be subdivided - We have had the
said Lands surveyed and find ^{there is} four hundred ^{agreeable to said Decree} ~~thirty~~ Acres in the whole
and have declined proceeding any further. -
Given under our

Bears this 12th day of November 1822 -

Richd Blunt

Wm Phill pp

John Thomas
Nov 1822

look to
look to
look to

Price & 4 Cork. 2 copy.

The Commissioners heretofore appointed
in this cause having reported that a division of
the land in kind in the former decree mentioned
would be impracticable as the respective por-
-tions would be of less value than \$300. it is
further ordered & decreed by way of amendment
to the original decree that the S^t. Commissioners
or any three of them do sell at public auc-
-tion to the highest bidder the tract of land in
the S^t. proceedings mentioned on a credit of
twelve months having ^{given} due & reasonable notice
of the time & place of sale. that they take good
~~binding~~ security from the purchaser
in such moneys as may facilitate the division
subsequently to be made & apportioned with
Bonds in the same proportions & to the
same persons respectively as they
were previously ordered to divide
the land itself — & having done so
that they report their proceedings in
the premises to this Court in order
to a final decree.

Commiss^{rs} Report. W