

1827-109

SOUTHAMPTON COUNTY
CHANCERY PAPERS

EDWARDS et al vs. PEARCE and Wife
12/1827

found in 1841 folder, hence out of sequence.
JSH 7/29/92

Edward K
Bill & Ann?
Pearce Surfs.

1827 Dec. cleared as per done
filed -

to the worshipful the County Court of Southampton
sitting in Chy.

Humbly complaining sheweth to your
worships your compts, Francis Edwards - Inigo
Edwards - Mary Pesson formerly Edwards - Martha
Williamson formerly Edwards & all four children of
Mary Edwards dec'd. formerly Cook - Miles Cook
William Cook - Martha Cook the latter being
an infant by the s^r. Miles her next friend - & all three
being children of Sam^l. Cook dec'd. - Nath^l.
Rockelle & Frances his wife late Day - John Turner
an infant grandchild & only issue of Martha Turner
formerly Day dec'd. by the s^r. Rockelle his next friend
& both of whom are the issue of Elizabeth Day for-
merly Cook dec'd. That Laurence Cook the brother
of the said ancestor of the Compts has lately departed
this life intestate as to his real estate unmarried
& without issue - That his heirs at law are his
brothers & sisters & their issue - all but one being dead -
those of whom are above enumerated - & the remaining
one is Frances late Cook & at present the wife of Rev^d.
B. Pearce & who are prayed depts hereto. That
the s^r. intestate had another sister Martha who married
Isaac Fort & of whom died leaving issue only
one child Martha Eliza who married Isaac
Fort & died leaving issue a daughter Martha
Eliza who has lately died an infant. That as the
interest in this land to which the s^r. infant would have
been entitled accrued exclusively on the maternal side
your compts are advised that it now descends to the
maternal relations who are precisely the same
legal heirs as if the principal intestate dec'd.
That your compts are anxious to obtain a division

of the real estate of the 1st intestate (consisting of about 1400 acres) but that this cannot be effected but by the interposition of a Court of equity. To this end therefore that the 1st Rice B. Pearce & Frances his wife may as defts hereto be required to answer the premises - that your worship decree a division of the 1st land according to the laws of the land & the respective rights of the parties, & moreover grant to them general relief in the premises. - May it please &c. Produce P. 2

The Answer of Rice B. Pearce & Frances his wife late Cook to the foregoing Bill of complaint.

These respondents saving &c for answer to the 1st Bill say that they admit the facts alleged by the complaint, & have no objection to the relief prayed for. And having answered they pray to be hence dismissed &c. Produce P. 3

one such share to Rice B. Pearce, & Frances his wife in right of his said wife - that they then ^{subdivide} ~~subdivide~~ one other share ~~being that~~ to which Mary Edwards ^{deceased} formerly Cook would have been entitled & all one such sixteenth to Francis Edwards - one to Louisa Edwards - one to Mary Preppan late Edwards, & the remaining sixteenth to Martha Williams late Edwards ^{being that to which said Cook did not have been} ~~being that to which said Cook did not have been~~ that they then subdivided one other fourth part into three equal parts & all of one to Mully Cook - one to Willoughby Cook - & the remaining one to Martha Cook - children of the 1st said Cook - that they then subdivided the remaining fourth part into two equal shares ~~being that to which~~ ^{being that to which} Elizabeth Day if alive would have been entitled & all of one to Nathl. Rochelle & Frances his wife in right of his 1st wife & the remaining one to John Turner infant son of Martha Day ^{deceased} & that they report their proceedings in the premises to this Court in order to a final decree.

Edwards &c

3rd Chy.

Pearce wife

This cause this day came on to be heard by consent of parties on the Bill & answer & the Court on mature examination of the premises doth adjudge order & decree that Wm. H. Jones, Esq. Jackson, Brittain Bryant, John Barrett & Jacob Barnes or any three of them proceed with the assistance of the County Surveyor to divide the lands of which Laurence Cook died seized into four equal shares - that they all