

1842-130 SOUTHAMPTON COUNTY
CHANCERY PAPERS

PRESSON et al vs. PRESSON

4/1842

other surnames, Harris

Preface & Bill
 or Answer &
 Preface & Deane

1842 Feb. Given as filed &

" Mar. Report

Apr. Rep. Conf. 2

To the Worshipful County Court of
Southampton in Chancery sitting

Humblly complaining shew unto your
worships, your Complainants James H and
Mary Eliza Prepon infants of Joel Prepon dec'd by
Catherine Prepon their next friend, who also sues
in her own right as widow of sd Joel Prepon, that
at the death of Lucy Harris and Sally Harris they
became entitled to a tract of land, which they
in right of sd Joel Prepon together with Leshua
Prepon. who is prayed to be made a defendant
unto, inherited from sd Lucy & Sally Harris.
And being so entitled they desire a division
of the same into moieties, which they are
advised can only be done by order of a Court
of Chancery. Therefore, in consideration of
the premises and for as much as they are
remediless at law & only relievable in Equity
where matters of this kind are alone cognizable
they pray your worship to appoint fit commissioners
with instructions to make sd division, also
to allot to your Compt. Catherine her
thirds in the share of her late husband
They further pray the Commission to consist of
three directed & commanding & and
such other general & special relief in
premises as may be consonant with
justice and the Rules of this Court
and they will ever pray &

R & L.

Answer of Joshua Preeson -

This Respondent saving to himself all benefit of just exception that may hereafter arise to sd bill, For answer thereto or unto so much thereof as he is advised it is at all material for him to answer, Answering sayb that the facts set forth in sd bill are true and that he has no objection to the decree pray'd for and having answered he prays to be heard dismissed -

R. G.

Preeson et al }
vs } Decree.
Preeson et al }

This day this cause was docketed by leave of Court and Consent of parties and was argued by Council on consideration whereof the Court doth order adjudge and decree, that Richard A. Weymouth, John S. Guarnsey, Samuel H. Homes & Phineas M. Balg be appointed Commissioners by two of whom may act, that they attended by a competent surveyor, divide the land late the property of Lucy and Sally Harris, into two equal shares regard being had to value, and allot one moiety thereof to Joshua Preeson in his own right and the other moiety allot to the heirs of Joel Preeson and, which sd moiety is subject to the widows claim of dower, which sd Commissioners are hereby directed to allot to her - And report their proceedings to the Court in order to a final decree -

At a Court held for the County of Southampton the 21 day of February 1822
James N and Mary Eliza Prepon infants of Joel Prepon dec'd
by Catherine Prepon their next friend

against

Joshua Prepon

Plff
vs
Defd

This day this cause was docketed by leave of Court
and consent of Parties, and was argued by Council on Consideration
whereof the Court doth order adjudge and decree that Richard A Urquhart
John S Gwaltney Samuel N Holmes and Phineas M Bailey be appointed
Commissioners any two of whom may act that they attended by a competent
Surveyor divide the lands late the property of Lucy and Sally Harris into
two equal shares regard being had to the value and allot one moiety
thereof to Joshua Prepon in his own right and the other moiety allot
to the heirs of Joel Prepon dec'd which said moiety is subject to the
existing claim of dower which said Commissioners are hereby directed
to allot to her - And report their proceedings to the Court in order
to a final decree -

Attest Teste L R Edwards C C

February 15th 1822 In obedience to a decree of the Court of Southampton is
said at its February term the John S Gwaltney, Samuel N Holmes, P M Bailey
and R A Urquhart divided the lands, late the property of Lucy & Sally
Harris into two equal parts, by running a direct line from a forked
pine formerly a side line of the mansion tract to a hetherwood post
at the head of a bottom a side line between the mansion tract
and Clarks land, cutting off from the mansion tract and adding
to, the Red house tract five rows apple trees, giving thereby
about thirty acres of the mansion tract to the Red house tract

We farther subject the Red house tract to supply the
mansion tract annually with enough pine timber to
split one thousand rails, for the repairing and keeping
up the enclosures of the mansion tract. We the afore
said Commissioners do apiece to Joshua Prepon in his
own right the mansion tract, and to the heirs of the
late Joel Prepon we allot the Red house tract, which
tract in law is by the last will and testament of
the late Joel Prepon loaned to his widow - during

her life, In meetings where we have been to set our
hands this day and date above written

John J. Watney
Sam. H. Holmes
R. J. Bailey -

R. A. Weymouth

as
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as
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