1862-016 SOUTHAMPTON COUNTY CHANCERY PAPERS

COOK vs. COOK'S ADMINISTRATOR et al

4/1862

492.

Cook Co } Bill. Inv.
ps. } Answ.
Cook Co. Com.

1862 Jany. Decree as filed
+ " March. Report.
" " Apl. " Confm.

To the worshipful County Court of Southampton

Your Orator Daniel Bartlett states that he has found Henry Leavitt, the said mistake, leaving your Orator his widow and one child Rosanna, who is under age, to wit of 12 years.

That said Bartlett is entitled as his dower, and to the slaves in his possession, but as they are not sufficient for the payment of debts, the dower is willing to allow them up for division among the distributees, but this division cannot be effected, without the aid of this Court, on account of the infancy of the aforesaid child.

To render consideration, and as your Orator is without remedy in the premises except in a Court of Equity. To the End, the prays the Court to make said Bartlett, a dower of Henry Leavitt, and Rosanna Leavitt his infant child subject to this bill - That your will direct a division of the slaves, according to law, and grant such other & further relief as Equity may entitle

May it please the Ct.
Chamblyn & Mcop. p.d.

Answer of Daniel Bartlett dower of Henry Leavitt to the foregoing bill.

This defendant saying to the allegations of the bill, and having answered prays the Court dismissed.

answer of Rosanna Leavitt. are injunct- by
L. R. Edmonds his Exor ad litem.

This dept. has no doubt of the
facts stating in the bill. but being an
injunct- protects his right to the protection
of the Court. thereby answering purp. of the
same dissolved.

L R. Edmonds. Exor.
ad litem.

~~Leavitt~~

vs

~~Leavitt~~. adms-

On motion the Court appoint
L R. Edmonds. Exor ad litem to the injunct- def.
Rosanna Leavitt. who files his answer, and
this cause was this day docketed by consent.
of parties and came on to be heard on the
bill, answer & the depos. & pleadings thereto
and was argued by Counsel. On consid.
-eration whereof. the Court. doth adjudge
order and decree. that- B. B. Richmond. Edwin
Harris. James R. Ingram. Wm. A Ingram. & B. F.
Bryant. who are appointed Comrs. for the pur-
-pose may three of whom act. divide the
lands of which Henry Leavitt died possessed
and allot One third thereof in value to
Martha Leavitt. his widow for life, and the other
two thirds allot the defendant. Rosanna Leavitt.
The Comrs. will report to Court.

Book

& 3 Copy. Decree

Book

Southampton County Court January 20 1862.

Martha Cook

against

Samuel Brittle admr. of Henry Cook & Roxanna Cook an infant &c Defts

Pefft

In Chancery

On motion the Court doth appoint D R Edwards Guardn ad litem to the infant Defendant Roxanna Cook who filed her answer and this cause was this day docketed by consent of parties and came on to be heard on the bill, answers of the Defendants, replications thereto and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that B. B. Kindred, Edwin Harris, James R Joyner, Wm A Joyner & B. J Bryant who are hereby appointed Commissioners for the purpose - any three of whom may act - divide the slaves of which Henry Cook died possessed and allot one third thereof in value to Martha Cook his widow for life and the other two Thirds allot the Defendant Roxanna Cook - The Commissioners will report to Court.

A Copy

Teste D R Edwards cc

1862 March 6th.

County

To the Worshipful Court of Southampton

In Compliance with above decree, we the undersigned commissioners, have divided the Slaves; of which Henry Cook died possessed; and beg leave to make the following Report, To wit; That we did on the 24th. day of January 1862; allot one third of Slave Value, of which Henry Cook died possessed to Martha Cook his widow, for life, namely Jena, Angy, Lana and Willis, and to Roanna Cook, the other two-thirds; To wit: Jacob, Charles, Helen, Mary, Margaret, Sarah, Eliza, Bob and Mariah.

Respectfully Submited

Ben. B. Kindred

James R Joyner

Edwin Harris