

1886-20

Southampton County Chancery - Rogers, Ophelia vs Rogers, William R.

a division of property -
by partition or sale

Good, James B.

" Elizabeth R.

Rogers, Joseph M.

Eldridge, John T.

" Alberta

{ Rogers, Jesse.
an infant.

Rogers, Joseph

Rogers & others
as 3 Bill.
Rogers.

To the Honl. Justices of the
Court of S^campton County. In Chancery.
Humbly Representing, Show unto
your Honor, your complainants, Ophelia
Rogers, James B. Good and Elizabeth R. his
wife, Joseph M. Rogers, John Y. Eldridge
and Albert R. his wife, and Leve B. Rogers
a Minor, by Jos. M. Rogers his next friend
That, your complainants further Jos. M. S.
Rogers, was in his lifetime seized and
possessed of certain real estate to wit
a tract, in the County of S^campton, and
giving the same of

Containing 405 acres - also another
tract in the County of Greenville, giving the
same of

Containing 259 1/2 acres, And being so
thereof seized and possessed, some time
in the year 1871 after the death of
intestate, leaving your complainants,
and William J. Rogers his only children
and him at law and entitled to the
said real estate.

And your complainants, further
state the said real estate, is, as they
believe susceptible of partition, among
the parties entitled thereto; but if not.

Then your Complainants desire the same
to be sold, and the proceeds distributed, among
the parties, in proportion to their respective
interest therein.

In further consideration, and
and for as much as your Complainants
are reminded in the premises, save by the
aid of a Court of Equity where matters
of the kind are alone & properly cognizable
your Complainants pray, that the said
William J. Rogers be made a party
defendant to this bill, and required to answer
the same as fully and summarily, as if
particularly required as to each allegation,
that the said real estate, be divided,
between the parties above mentioned in the
trust; and in case the said real
estate be indivisible, that the same be ex-
posed to sale, and the proceeds thereof
be distributed among the parties in the
trust; that proper costs may be paid,
and that such other and general relief
may be afforded your Complainants,
as the nature of their case may require
or to Equity may seem meet.

And your Complainants will say no more.

Chambers p/p

To the League of Southampton C^o. Co.

Answer of William L Rogers. To the foregoing
Bill of Complaint Exhibited against him in
the Circuit Court of Southampton by.

Ophelia Rogers Locken -

This defendant saying &c.
for answer says the allegations of the bill
are true, so far as he knows & believes, and
he consents with the complainant, in
praying leave Her Honor, to assign ^{a portion} or sale
of the real estate mentioned in the bill, as
may be set up by - for distribution among
the parties entitled, and he is fully
satisfied, that Respondent prays the
same assigned.

Ophelia Rogers. James B Good. and
Elizabeth R. his wife, Joseph M. Rogers,
John J. Eldridge and Abner his wife.
and Liza B. Rogers, a minor. by Joseph
M. Rogers - his next friend. Plffs.
Ans.

~~William J. Rogers~~
This cause was this day docketed by
consent of parties, and with leave of the
Court, and by like consent came on
to be heard on the Bill, answer of the defendant,
William J. Rogers. Replicated thereto, and was
argued by Counsel for the Plffs -;

On consideration whereof the Court
doth order, that - George E. Beaton, Wm. A. Davis,
Loose Hall and, Lewis R. Person, and J. M.
Coulter, who are hereby appointed Com.
for the purpose, any three of whom may
act, do proceed to say off and divide
the real estate in the bill mentioned, of
which Jos. M. & Rogers. did seized and
possessed, consisting of two tracts of land,
One near in the County of
Southampton, containing about 205 acres.
adjoining the land of
and others; and the other, near
the first named tract, in the County of
Greenwich containing about acres.

and acquiring the same of.

into six equal parts, being regard to quality
and quantity, and assign one of said six
parts, to each of the children of Joseph (Mr. S.
Rogers as? named to Ophelia Rogers.
One sixth; To Jas. M. Rogers one sixth;
To Elizabeth R. Good wife of James B Good
one sixth - to Alberta Eldridge wife of
John T. Eldridge one sixth; To Luke V.
Rogers one sixth, and to Wm J Rogers
one sixth;

But if the Court should find it imprac-
able to divide the said land among the
aforesaid parties; or should be of opinion
that the interests of the parties would be
best promoted by a sale of them & money in
such case they are required ^{to report to Court} the facts on
which their opinion is based; and also
the present value of the land; and
in either case, they will report their report

Rogers &c.
as, { my decess
Rogers. - 1874

Wm Rogers 1874

To be entered

Geo. B. Good

Wm I Rogers -

Maraplets -

Geo. M S Rogers - as in inter state -
Leaving - Real estate -

405 acres - in Southampton.

acres in Green Hill -

him -

Ely & B. Good, wife of James B. Good -
Geo M Rogers -

Ophelia Rogers -

Atlanta Elbridge wife of Dr J. Elbridge

Walter B Rogers - Memoir 17 -

Wm J Rogers now living -

Wm J Rogers -

George E B. Eaton,

to our Hollandia

Wm J Rogers - J. R. P. Rogers - J. M. Corbett -

Rogers

n 3 Decree

Rogers

May Term 1886

to be entered

Geo. B. Blow,

✓

Rogers }
" } Deane
Rogers.

It appearing to the Court, that there
has been no order in this cause for
seven consecutive years, it is ordered
to be removed from the docket, with
leave for any interested party to
reinstale on motion.