

Saturday, November 14<sup>th</sup> 1857.

Present

The Hon. Richard H. Baker, Judge.

Amos T. Pope

against

Depts.

Fanchia J. Island, Mary Eliza Island and John H. Island infants and in the eye of law one year by Richard M. Cass their guardian ad litem. Depts.

This cause came on this day to be heard upon the bill, the answer of the infant defendants by Richard M. Cass their guardian ad litem this day filed by leave of the Court with replication thereto, exhibits, and the examination of witnesses and was argued by Counsel: On consideration whereof the Court doth order that David Bennett, Harrison T. Pope, & Henry K. Chapman, James W. Parker, James L. Dinsent, and John W. Munroe who are appointed Commissioners for the purpose, any three of whom may act, having been first duly sworn, do proceed to lay off and divide the real estate of which Phillip J. Island died seignor and possessed jointly with Amos T. Pope which said real estate is specially described in the bill filed by the said Amos T. Pope the plaintiff in this cause, containing about four hundred and thirty acres bounded by the house of Richard Dinsent and others adjoining in the County of Southampton, first into two equal shares having regard to quality and quantity and again one share is half to Amos T. Pope, and divide the other share in half into three equal portions or parcels and assign one to Fanchia J. Island, one to Mary E. Island and the other to John H. Island infant children of Phillip J. Island.

But if the said Commissioners should find it to be impracticable to divide the said real estate among the said parties or should be of opinion that the interest of the said parties would be more promoted by a sale of the same in such case they are required to report to the Court the facts upon which their opinion is based and also what in their opinion is the fair simple value of the whole of the real estate of which the said Phillip J. Island died seignor and possessed either jointly with the said Amos T. Pope or otherwise. And in either case they are required to report their proceedings under this decree to the Court.

All matters and causes pending in this Court and not otherwise disposed of are severally continued until the next term.

Or Order that the Court be adjourned until the first day of the next term.

Rich<sup>d</sup> H. Baker

Diff. Court  
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