

was heard upon the bill, the answer of the defendants and the arguments of counsel thereupon the Court did approve over and since that Jack Darius, George Wiley, John Thomas and Samuel Atgough and any three of them attended by the Surveyor of Southampton County, as attol and set apart to the complainant legitimate child for the term of her natural life one third part of a tract or parcel of land containing by estimation four hundred and four acres and two thirds of an acre of which her husband William Dyal and David in the said County, as her own portion, that the said Complainants in the said bill have regard as well to the quality of the said land as to the quantity thereof and report of their doings and doings in this behalf to the Court in order to a final Decree —

James Phipps, Benjamin Phipps

Mary Jones Phipps and Martha Ann Phipps infant children and coheirs of John Phipps dec'd: by Humphrey Drury their next friends — Complainants

against
Nancy Phipps, widow and relict and administratrix
of the said John Phipps deceased.

Defendants

In Chancery

This Cause was this day decided by Consent of the parties and the agent of the Court and was heard on the bill, the answer of the defendant and the arguments of counsel thereupon the Court did approve over and since that John Darius, David Medbrooks, Allen Jones and Walter Frances or any three of them, attended by the Surveyor of Southampton County, as attol and set apart to the defendant Nancy Phipps for the term of her natural life, having regard as well to quality as quantity one third part of the tract or parcel of land in the said County of which her deceased husband John Phipps died seized, as her own portion and that they divide the remaining two third parts thereof equally between the Complainants James Phipps, Benjamin Phipps, Mary Jones Phipps and Martha Ann Phipps that the said Complainants or any three of them do also attol and set apart to the defendant Nancy Phipps for the said term of her natural life, one third part of the following tracts, to wit: To, Peter, John, who appears by the bill and answer to be of us called Cherry, Odly, Rufus, Harry and Hammett, of which her said husband died seized, as her own portion and that they divide the remaining two third parts of the said tracts equally between the said Complainants of such division can be made in kind or not that they sell the said remaining two third parts of the said tracts at Public auction on or about of twelve months giving reasonable notice of the time and place of sale and conveying bonds with approve surety from the purchasers and divide the proceeds of the said sale equally between the said Complainants, taking care to pay their respective proportions to their Executors or Administrators if any they have, if not to hold the same in their hands subject to the further order of this Court. It is further ordered that the said Complainants make a report to this Court of their doings and doings in this behalf. In order to a final Decree —