

1794-020

SOUTHAMPTON COUNTY
CHANCERY PAPERS

PIERCE'S HEIRS

vs.

PIERCE,

WIDOW

9/1794

other surnames: Cobb,
Calvert

Pierce's house

W

Pierce's widow

~~_____~~
Pill & Co. Inc.

March 1793 int. deuce

August 1793 report returned
& deuce found
to the slaves -

To the worshipful the court of Southampton county in chancery
sitting, humbly complaining sheweth unto your worships your
orators Michael Jabb & Martha his wife (Spencer Pierce,
(Matthew Pierce) ^{Petsey Pierce} Nathaniel Pierce, Peter Pierce & Bolton
Pierce, by Tom. Colvert — their guardian & next
friend appointed by this court for the express purpose of carrying
into effect the premises) that sometime or on about the

day of _____ in the year of our Lord 1792 a certain
Bolton Pierce of this county departed this life intestate
being seized & possessed at the time of his death of a considerable
estate both real & personal — Your orators farther shew
that they are the legal heirs & representatives of the decedent
& that they have often applied to Elizabeth Pierce the
relict of the s^d decedent to have her third in the lands &
slaves of her s^d husband set apart & allotted her, in order that

your orators might have a fair & equal distribution of
the residue between them. — But so it is may
it please y^r worships that the s^d Elizabeth Pierce, the
widow & relict of the s^d decedent Bolton Pierce, who
& confederating with divers others (whose names when since
y^r orators pray may be made dependant to this their bill with
to charge them) hitherto hath refused to comply with
y^r orators most reasonable request; pretending & saying

that your orators are not intitled to
part of the lands & slaves of her late husband's till she
decease. — In tender consideration whereof, & for
much as your orators are properly relicuable in a court
of equity, the end therefore that the s^d Elizabeth
may be compelled to take full true & perfect and

make to all & singular the allegations of this bill, & as fully as if the same were repeated & interrogated, but more especially whether y^e orators are not the legal heirs & representatives of the s^r Rice Bolton Pierce, who he not seized & possessed of a considerable estate both real & personal, & has she not refused to take or accept her thirds. And that this worshipful court may order & decree some fit & able persons to a lot & set apart her thirds in the lands & slaves which her s^r husband died seized & possessed, & the residue of the s^r lands & slaves to be equally divided among your orators, or make any further or other decree as may seem just & right, is the prayer of y^e orators, & they will ever pray &c.

B^u Drew for the plaintiffs.

The answer of Elizabeth - Pierce widow & relic of Rice Bolton Pierce dec^d to the bill of complaint of Michael Lobb & Martha his wife, (Spencer Pierce, Matthew Pierce, Betsey Pierce, Nathaniel Pierce, Peter Pierce & Bolton Pierce, exhibited against her. This defendante never at all times hereafter saving & reserving to herself all such manner of benefit & advantage to the many contents, imperfections, & insufficiencies in the complainants s^r bill & complaint contains, for answer thereto, or to so much as she is advised is material for her to make answer unto, answers & says. That true it is she is the widow & relic of Rice Bolton Pierce dec^d, & he died sometime or a about the time in complainants bill mentioned, & that he was seized & possessed of a considerable estate both real & personal. - This defendante denies all combination, or that she has any objection to have her thirds in the s^r lands & slaves & tithes & set apart to her. - And if there is any other matter or thing in the complainants s^r bill mentioned & not answered or denied y^e respondent is ignorant of, & prays to hence dismissed with her reasonable costs in this behalf sustained.

B^u Drew for the

Sierce's heirs

Report

Sierce's widow

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[Faint handwritten text, likely bleed-through from the reverse side of the page]

At a court of Quarter session held for the county of Southampton
the 14th day of March 1794

Michael Cobb and Martha his wife, Spencer Pierce
Elizabeth Pierce Nath^l Pierce Peter Pierce & Bolton
Pierce (whom S. Spencer Elizabeth Nath^l Peter & Bolton
are under the age of 21 Years) by Sam^l Calvert their
guardian

against

Elizabeth Pierce widow executrix of Rice B. Pierce dead

In Chancery

This cause being docketed by consent of the parties
was this day heard on the bill of the complainants answer of the
defendant On consideration whereof it is decreed & ordered
(Sam^l Calvert being first appointed guardian to the complainants who
are infants &c.) That Thomas Gray Sam^l Kello Joseph Vick &
Matthew Calvert or any three of them do allst assign & set apart
the dower of the defendant Elizabeth in the lands and slaves wherof
Rice Bolton Pierce died seized & possessed And make an equal
division of the remaining Land and slaves among the Compt^s
& make report in order to a final decree

Sam^l Kello B

In obedience to an Order of the worshipful court of Southampton
 huts annuall We the subscribers have allotted and set apart
 the dower of Elizabeth Pierce the widow of Rice P. Pierce deceased
 in the slaves of the s^r Rice P. Pierce and divided the remaining
 slaves among the complainants in the following manner.

Wiz. To M^{rs} Pierce her dower (10 slaves) Will Nanny the child,
 Dinah, Jenny, Jacob, Eve, Gaby, Sylvia & Charlotte values to £291..13..4
 & to receive from the complainants --- £1..17..1/2 --- 293..10..5/2

To
 To Spencer Pierce negroes Ned & Milbe values to £91..10..- }
 & to receive --- --- 6..7..7/2 } 97..17..2
 = Michael Cobb & Maitha his wife Sampson & Mason } £107..10
 values to --- } 9..12..11/2 } 97..17..2
 & to pay --- ---
 - Elizabeth Pierce Sam and Bob values } 87..10
 & to receive --- } 10..7..- } 97..17..2
 = Nath^l Pierce, Rachael & Adam values } 90..-
 & to receive --- } 7..17..- } 97..17..2
 = Peter Pierce - Betty his child Annika & Ned } 102..10..-
 values to --- } 4..12..11/2 } 97..17..2
 & to pay --- ---
 = Bolton Pierce Easton & Cook values to } 110
 & to pay --- } 12..2..11/2 } 97..17..2

We also further report that after repeated Attempts to divide
 the lands among the complainants & lay off the dower of the
 dependant We have not been able to effect the owing to the
 difficulties attending the division & the evident injustice that
 some of the parties would receive

Jam Kello

Shampton. May. 1794

L^o Viole
 Mat Calvert

Report in city.

Pence
or
Pence & } Rept
I

In obedience to an interlocutory decree passed South-
ampton August court 1794. We have divided the
land & slaves belonging to the estate of Rice Bolton
Pierce deceased in the following manner to wit:
To Bolton Pierce the tract of Land known by the name
of "Calthorps" containing 228 acres & negro Jacob
& he to receive twenty one pounds & 4^d. - To Spencer
Pierce the tract of Land known by the name of
the "Hame tract" containing 226 acres & negro Will
& he to pay security nine pound nineteen shillings
& 8^d. - To Elizabeth Pierce the tract of Land known
by the name "Spivy's" & negroes Jimmy & Silvia
~~and~~ & she to receive sixty four pounds & 4^d. -
To Nathaniel Pierce the tract of Land known by
the name of "North side of Chappels" containing
163 ^{two negroes, Manny & Dixie} ~~1/2~~ acres & he pays two pounds two shillings & 8^d.
- To Michael Cobb the tract of Land known by the name
of "the remainder of Chappels" containing 163 ~~1/2~~ & negro
Eve & pays two pounds two shillings & 8^d. - To
Peter Pierce the tract of Land known by the name
of "Simmons' tract" containing 162 acres & negroes
Gaby & Charlotte & he to pay fifteen shillings & 8^d.

Given under our hands this first day of September
in the year of Christ 1794 -

The words, & two negroes, Manny & Dixie
Entered before signed, -

Samuel Albert

Thos. Butts

William Welbors.