

1829-050 SOUTHAMPTON COUNTY
CHANCERY PAPERS

NICHOLSON VS. NICHOLSON

3/1829

944

Nicholson.

or 3 Pile &c.

Nicholson

1829 March. Sierra asple
By Counsel -

Mason.

To the crosshiffal the County Court of Southampton
sitting in Chancery:

Humbly complaining sheweth
to your worships, your Orator George Nicholson, an
infant by Wm. H. Nicholson his next friend, that
by the last will and testament of John Nicholson
dec^d a copy of which is herewith exhibited as a part
of this bill, the tract of land lying on the East side
of the new road containing seven hundred and
eighty six acres, to be equally divided between your
Complt, and his brother Robert Nicholson who is
also of tender years. That your Complt wishes
partition to be made thereof, but so it is may it
please the Court, this cannot be done, without
the aid of this Court sitting in equity: In tender
consideration whereof and forasmuch as your
Complt is without remedy at Law, To the end
that the said Robert Nicholson his coparcener
may be made Defect hereto, by some fit and
discreet person to protect his interests in this be-
half to be, by the Court here appointed to pro-
tect his interests in this behalf, and compelled
to answer the allegations hereof, i.e. prays the Court
mit of Sp^a directed do. That your worships will
decree partition to be had of the said tract of
land so devised to them - and grant your Complt
such other and gen^l relief as may be consistent
with Equity & the nature of this cause, and
as in duty bound he will ever pray &c.

The answer of Robert Nicholson, by Wm Briggs his
Guardian ad litem, by the Court here appointed to
protect his interests in this behalf. to the foregoing
Bile of Complaint.

This Respondent, saving &c. In answer to the 3^d
Bile says, that he admits the allegations thereof &
has no objection to its prayer, and having an-
-swered; he prays to be hence dismissed &c.

Nicholson

" } Decred.
Nicholson

Nicholson by next friend.

Ptff.

against

3^d Chf

Nicholson by: Guardians ad litem. Defdt.

This cause was this day docketed by consent of parties, with the assent of the Court, and came on to be heard on the Bill, am: exhibit, and argument of Counsel. On consideration whereof, the Court doth adjudge order and decree, that Jno. Cobb, Henry Briggs, Henry B. Baughman, and Peter Edwards, or any three of them, do divide the land devised by John Nicholson in his last will and testament to the Ptff and Defdt, into two parcels of equal value, and allot one to the ptff George, and one to the Defendants Robert Nicholson, & report their division to Court in order to a ^{decree} final.