

1848-022 SOUTHAMPTON COUNTY
CHANCERY PAPERS

PIERCE et al VS. PIERCE'S EXECUTOR
9/1848

other SURNAMES: Wyche, Ivey,
Middleton, Powell, Peirce

Pura & others

as	}	Burr I Anson.
Pura Econ.		

Sept. 60. 1848

to Wm. Allen

1848 Sept. Burr as filed

#

To the worshippers the beauty beaut of
Southampton, in charming setting,

Humbly complaining share unto
your worship your complainants, Thomas M
Pier, ~~Laurens~~ ~~Pier~~, Ira T. ~~Myche~~ and Martha
his wife - Mary V. Pier, Francis J Pier, George Pier
Caroline Pier, Alexander B. Pier - Larisa,
Margaret, Rice B. and Frederick Pier, The last five
of whom are infants of three years. by A B
Pier their next friend, Benjamin Day and
Margaret his wife, John S. Middleton and Martha
his wife, Burton D. and Mary his wife and
John M. Pier, That in the year 1846 Harriet
T Pier, late of the beauty of Southampton
deceased. This wife, after having first made and
published her last will and testament, in writing
which has been duly admitted to record in the
clerk's office of this court. a copy of which has
is herewith filed as a part of this bill, Marked A.
That the testatrix gave her land & negroes, to your
deputies. to be equally divided between them,
That there is a small tract of land about
acres, which is not worth \$300 a share
and may, therefore be sold under the act of
opportunity, for division - That there are 15
slaves, and they can not be divided in kind
and must be sold for division.

That the acts of the Testator, have been settled
and there is no use of the Land or slaves of
which the Testator died seized & possessed, being
retained by the Executor, for the purpose of
paying debts. -

That Rich B. Pierce who was appointed Executor
by the will qualified as such. and gave bond and
security according to law.

That he has never settled any accounts of his
transactions on the estate of his Testator,

Yours Deputies. are advised that they are now
entitled to the property to which their Testator, and
entitled, are indebted to your ~~deputies~~ Deputies.

In these considerations of all which and
in as much as your Deputies. are without remedy
in the premises, except in a Court of Equity, where
matters of this sort are peculiarly cognizable.

To the End therefore, that Justice may be done.

They pray your Honors to make Rich B. Pierce
Executor of Howard S. Pierce a. d. May be
made to ~~be~~ defendant to this bill, that
he answer the same fully & accurately, that
the slaves may be ordered up to be sold, by
the Executor, and that the Land may be sold,
and the proceeds raised according to their re-
spective rights.

That the Executor ~~shall~~ before a Court of
this Court an account of his transactions
on the estate of Howard S. Pierce & that

the balance be paid to your Deputies. & that your
Honors grant such other & general in the premises
as equity may dictate. as in and by law.

Deha. & Map. for Compts.

Answer of Rich B. Pierce Exec. of H. S. Pierce
to a bill filed against him in the County Court
of Southampton, by J. M. Pierce & others.

This defendant. having &c. for answer. says. he
answers the allegations of the Compts. bill, and has
no objections to the same prayed for and having
prays to be there dismissed.

Paina de.

as

Painu = Eior.

} Decu

Pine & others.

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1. Prin. Ess.

This day this cause was adjourned by consent of parties, and with like consent came on to be heard on the bill answer & exhibits and was argued by counsel, on consideration whereof the court with adjudge order and decree that Rice B. Paine who is appointed a leasor for the purpose, sell to the highest bidder on a credit of 12 months except each sufficient to pay costs of this suit and expenses of sale after giving thirty days previous public notice of the time & place of sale, by advertisement at two or more places in the ~~land~~ neighbourhood the Land & Slaves of which Kaintta J. Paine dies seized and possessed. That he take bonds and security of the purchasers in such sums, as to make ~~the~~ ^{the} ~~same~~ ^{the} equal shares: and that he pay to each of the following persons one such share & take their Receipt therefor viz. Thomas M. Paine Laurence le Paine, Ira T. Fryer & Martha his wife, Margaret V. Paine, Francis J. Paine, George Paine, Caroline Paine, Louisa Paine, Margaret Paine, Rice B. Paine Jr. Frederick Paine, Susanon B. Paine, Benjamin Gray & Margaret his wife, John S. Middleton & Martha his wife, Burton Correll & Mary his wife and John M. Paine That he make a deed to the purchaser for the Land & report his proceedings to court, in order to a final.

are. The least both further adjudge over and
are. - That Rice B. Rice Esq. of Harvill. T. Rice
now before a court. of this least, an account.
of his transactions, with his Testator's estate, who is
required to report the same with any matter specially
stated and asked pertinent by himself or which
may be required by either of the parties to be so stated