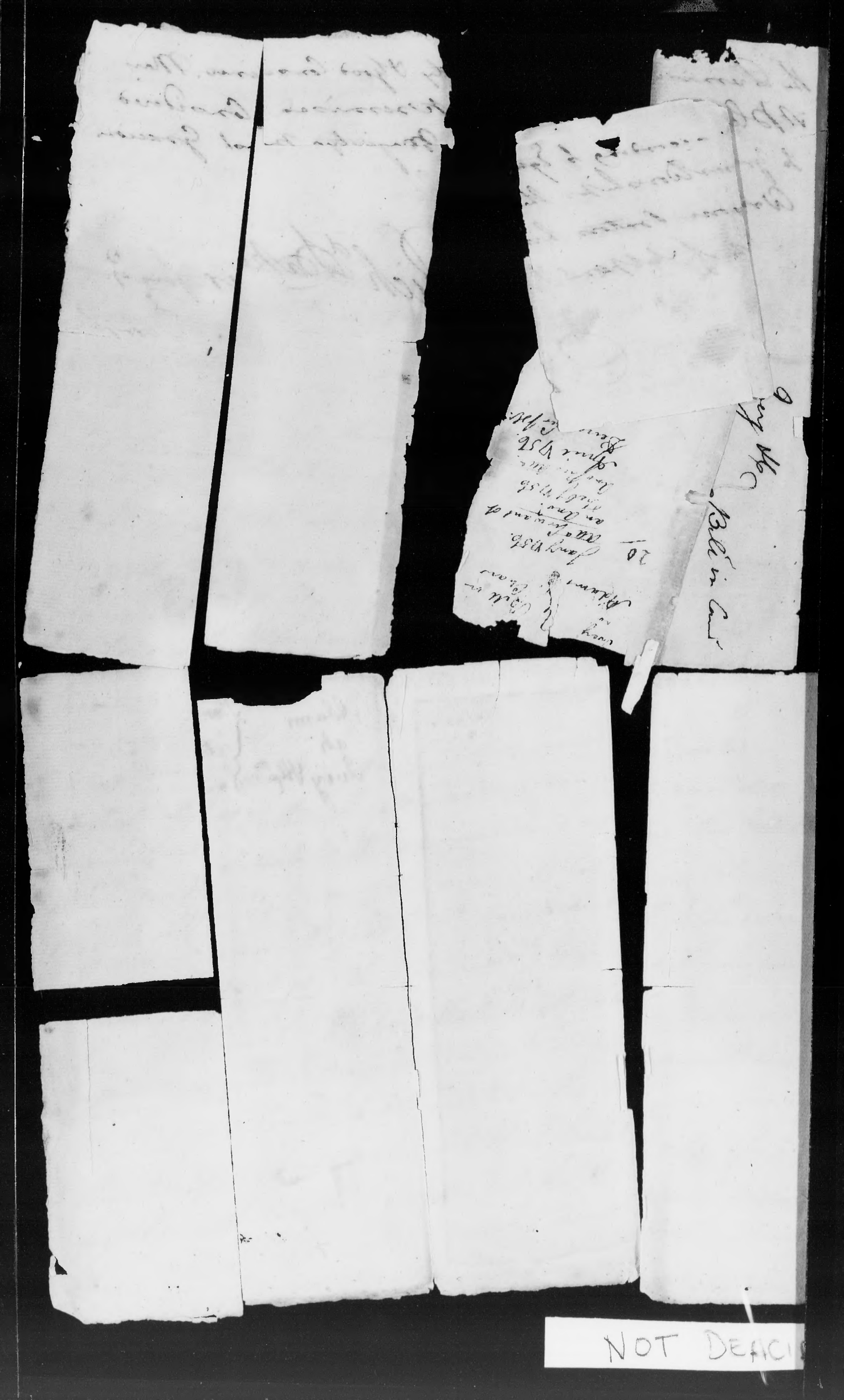
1756-001 SOUTHAMPTON COUNTY CHANCERY PAPERS

IVEY + wf vs ADAMS + al

4/1756

See also ADAMS vs. ADAMS, 1753
ADAMS vs ADAMS, 1754

Other surnames: Ivy


NOT DEACI

To the Worshipfull Justices of the Peace for
Southampton County, sitting in Chancery
Humbly Complaining shew unto your Worships your
Orators John Avery and his Wife of the County aforesaid
That David Adams late of the said County deceased was in
his Lifetime possessed of a Considerable
Estate amounting in the whole, after Debts funeral
Expences & other Charges paid & Satisfied to
or Thereabouts and being so possessed departed
this Life sometime in the Year of our Lord One
Thousand seven Hundred &
Intestate leaving Issue Your Oratrix and married
Other [illegible] Writ.

Your Orators further shew unto your Worships that
after the Death of the said David, one
obtained Letters of Admon on the said Estate. Proved
himself of the same, that Br. John Adams
of the County aforesaid, became the Sd Admor to
for his due Admon on the said Estate. Your orators further
shew unto your Worships that the said Administrator
is gone out of the Jurisdiction of this Court not
having paid & satisfied by your Orators any Part of the
Sd Estate. That the said John & Henry Adams as Security.
thinking themselves to be in Danger of suffering by the
said Estate, by some Means or other Purposed themselves

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themselves of Security. Your Orator further shews unto your Worships that your Orator is a Part of the said Estate amounting to a Treasonth. And that they have often applied to the said John Adams & Henry Adams regarding the said Debt & Duty & to pay & satisfy to your Orator the said Sum of Fifteen Pounds with Lawful Interest on the same from Nine Months after the said Intestates Death, according to Law. Your Orator further shews unto your Worships that there was overall things particularly the Profits of the said Estate the Year that the said Intestate died never accounted for by the said Adams & Security — But now so it is. May it Please your Worships. That the said John Adams & Henry Adams altogether refuse & make them any kind of Satisfaction for the said Estate. To the End therefore that the said John Adams & Henry Adams may full & perfect Answer make to all & every the allegations of this Bill. As particularly Whether the said Intestate. Whether the Value of the same the Year Whether they from the said Estate. And Henry Adams may be Worshipfull Court to pay their Proportionable Part together with Lawful Interest for the same from Nine Months after the said Intestates Death. And may be relieved in the

the Premises & Please your Worships to Grant unto your Orator his Writ or Writs of Subpœna to be directed to the said John Adams & Henry Adams thereby commanding them & every of them at a certain day & under a certain Penalty to be therein limited personally to be & appear before your Worships in this Honourable Court & then & there to answer the premises & stand to perform & abide such Order & Decree therein as to your Worships shall seem meet according to Equity & Good Conscience. May it please your Worships the premises considered Your Orator humbly prays your Worships Writ

Adams .. Ston.
ad Ann.
Savy Ville.

Adams
as
Surv Mfr.

The Answer of Henry Adams Defr to
the Bill of Compldt of John Sawyer
& Mary his Wife Compltes

This Defendant now and at all Times
hereafter saving & reserving to himself all
and all Manner of Advantage of
Exception that may be had & taken to the
manifold Insufficiencies & Uncertainties of
the Compls Bill of Complaint for
Answer thereto or to so much thereof as
this Defr is advised is material for him
to answer unto he answereth & saith that
the Compl. Wife is one of the Daughters
of David Adams dec'd That Robert
Adams administred on his Estate & this
Defr and one John Adams were his Securities
That this Defendt petitioned Court for Counter
Security as he imagined himself in Danger
from the said Robert Adams's Circumstan-
ces but before he could get the Estate into his

Hands that said Robert Adams ran away out
of this Colony Whereby this Defr. hath been
obliged to keep & maintain the Children of the said
David Adams out of his own Estate Because
Robert Adams having carried away the greatest
Part of the said David Adams Estate before this
Defr. came at the same That each child
Part or Share of their Fathers Estate Amount.
to [illegible] nine Pounds ten Shillings
as well as this Defr. remembers by a Decree of
this Worshipfull Court But the Defr. hath
paid the Compts. the sum of thirty Shillings
and hopes this Court will not compell him
to pay Interest on the Money as he is not
obliged to pay Because out of his own
Estate to the Impoverishment of himself in
his old Age and his Family never made
any Profit therefrom That this Defr.
Never Rec'd the Compts. any Part of his Estate

to discharge the Demand but he refused
taking any thing but Cash for which this
Defr. could not raise at that Time
and Interest for some Time he
this Defr. believes himself not subject
to for the Reasons before mentioned.

Without that that

Southampton County, to wit,

The Foregoing Answer } Henry Adams
Sworn to, before,
26th Febry 1756 }

Wm Taylor

Ivy Pltf.

vs

Adams

Snares Chan.

C. S. Pltf

Mich. Blowfield

June 1733.

Dismd for want of Bill

George the second by the Grace of God of Great Britain France and Ireland
King Defender of the Faith &c To the Sheriff of Southampton County Greeting
We Command you that you Summon Henry Adams
to appear before our Justices of our said County Court in Chancery at the
Courthouse of the said County on the second Thursday in June next to
answer a Bill in Chancery exhibited against him by John
Ivy and Mary his Wife and this he shall in no wise omit
under the Penalty of £30 And have then there this Writ
Witness Richard Kello Clerk of our said Court at his Office the
Thirteenth Day of May 1753 In the Twenty eighth Year of
our Reign

R. Kello C

Chancy. Decd
re
Adams.

Shapter
Chancy

Copy Lease

P. Wm Thomas
July 1755.
Time to Anó.

George the second by the grace of God of Great Britain France and Ireland King Defender of the Faith &c To the Sheriff of Southampton County Greeting We command you that you Summon Henry Adams ~~to~~ appear before our Justices of our said County Court ~~at the~~ in Chancery at the Courthouse of the said County on the second Thursday in July next to Answer a Bill in Chancery exhibited against him by John Ivey and Mary his wife And this he shall in no wise omit under the Penalty of one hundred Pounds And have then there this Writ Witness Richard Hello Clerk of our said Court at the Courthouse the fifteenth day of June In the twenty eighth year of our Reign

R. Hello

Ivey
vs } Attᵃ
Adams
The within Henry &
John Adams not found
& Ben Simmons sth

George the second by the Grace of God of Great Britain France and Ireland King Defender of the Faith &c To the Sheriff of Southampton County Greeting We Command you that you attach Henry Adams ~~& that you~~ John Adams so that you have their Bodies before our Justices of our said County Court of Southampton in Chancery on the second Thursday in February next to Answer us as well of a certain Contempt by the said Henry & John to us offered as it is said as upon those things which to them then and there shall be objected and further to do and receive what our said Court shall in this part consider And have then there this Writ Witness Richard Kello Clerk of our said Court at the Courthouse the twelfth Day of January In the twenty ninth Year of our Reign

R. Kello C.

For not answering the Bill of Complaint of John Ivey and Mary his wife exhibited against them

RK

Avery
vs
Adams.

Att[a] Fin
want of
Answer

The within Henry
& Jn[o] Adams will
not be taken &c[r]

Ben. Simmons Sh[ff].

George the second by the grace of God of Great Britain France
and Ireland King Defender of the Faith &c To the Sheriff of
Southampton County Greeting We command you that you Attach
Henry Adams and John Adams so that you have their Bodies
before our Justices of our said County Court of Southampton in
Chancery on the second Thursday in March next to Answer
us as well of a Certain Contempt by the said Henry & John Ivey
offered as it is said as upon those things which to them then
& there shall be objected & further to do & receive what our Court
shall in this part Consider And have then there this Writ.
Witness Richard Hello Clerk of our said Court at the Courthouse
the fifteenth Day of February in the twenty ninth Year of our
Reign

R Hello

For not answering the Bill of Complaint
of John Ivey & Mary his wife exhibited
against them.

VK.