

1798-026

SOUTHAMPTON COUNTY
CHANCERY PAPERS

DREW

VS.

DREW'S EXECUTORS

6/1798

other surnames: Myrick,
Newsom

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 June 1798 Report
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To the Worshippful Court of Southampton in Chancery sitting, hum-
bly complaining sheweth unto your worshipps your orator Messrs
Drew, a Son of Jeremiah Drew late of the County aforesaid,

That the said Jeremiah Drew in his life time & at the time of
his decease was seized & possessed of a considerable Real & personal es-
tate, after having made his last will & Testament, executed his life
in or about the day of 17 leaving issue your orator,
Messrs Drew, James, Jeremiah, Polly, Margaret, Sally & Priscilla,
in which said will he nominated & appointed Mr Myrick and
Randall Messers his executors, and after a number of other devises
he gave to Polly ^{Drew} ~~Myrick~~ an Negro man Slave known by the name
of Harry, and made a Residuary clause, that after specific
liquidation of payment of debts, that all the rest of his estate should be
sold & the money arising therefrom to be equally divided amongst
his said children — That after his circumstances were
or about the day of The said Polly ^{Drew} ~~Myrick~~ de-

parted this life while an infant, by which means your orator
and the other children became entitled to the Negro man Slave
Harry above mentioned, in equal proportions. But
now so it is may it please the Court, that notwithstanding
the premises, the said executors, have proposed a division of the
said Slave Harry, and propose to give him up to be sold that
partition & division may be legally made, which your
orator conceives to be contrary to equity & justice. In
which consideration Messrs, and for as much as your orator
is reminded at Law & Equity and properly receivable in a Court
of equity,

To the end therefore that the said William
Myrick & Randall Messers the executors aforesaid, (whose
your orator prays may be made defendants to this bill of Com-
-plaint) may upon their Oath or Oaths both true & lawful an-
-swer make to all & singular the allegations in this bill contained
and that as expressly as if the same were again herein re-
peated & interrogated.

and that your worshipps will decree
that the said defendants make sale of the Slave Harry

and divide the money arising therefrom between your Gra-
ndson and the said children of the said Jeremiah Drow
in equal proportions, and make any other, or further
order or orders for your estates relief as may be equitably
may be made.

By a bequest for Comps:

The answer of William Wyndham & Rendall Messers
defendants, to the bill of Complaint of Newell Drow
exhibited against them in the said Court.

These defendants having forewarning to themselves
all manner of exception to the many uncertainties and
improprieties in the said Complainant's bill of Complaint
contained. For answer thereto, in the said Court, whereof as
these defendants are advised is material for them to
make answer unto, they answer & say.

That true
it is that the said Jeremiah Drow did depart this life
leaving the will aforesaid mentioned & these defendants his
executors, that he left the said Slave Harry to his daughter
Polly, who died soon after her father. That these
defendants are in possession of the said Slave. But
they deny that they are giving him up to be sold as the
Complainant has stated in his bill, but for their
justification they wait the order of this Court in the
premises, which they will most strictly adhere to.

They deny all fraud in the premises & pray to be
dismissed with their reasonable costs in this behalf
wrongfully claimed.

Report of the sale
of Negro Harry
belonging to Drums
Estate.

In obedience to a decree of the Court of Southampton
bearing date November Session 1793 Directing the sale
of Negro Harry mentioned in the bill. In Obediance
thereof we the Commissioners Sold the said Negro at
public sale for the Sum of Seventy four Pounds 15/-
and have made partition & division of the same.
As follows to each of the legatees the sum of Twelve pounds 2/-
To Wit. Newil Drew. James Drew. Susanna Drew. Peggy Drew.
Sally Drew. & Priscilla Drew.

Randolph Newsom

Surviving Executor and defendant mentioned in the
Said bill. June 12th 1798.