

1200-008

SOUTHAMPTON COUNTY
CHANCERY PAPERS

FRANCIS' ORPHANS vs. DRAKE and Wife 12/1800

Francis' heirs bee
in } &

Drake & wife

apc 1800

April 1800

April 1800

Money

Money

Dec. 1800

Report of the
Lary

To the Justices of Southampton
specially sitting in Chancery

William & Patsy Francis & Lathan & Benjamin
Francis infants by their guardian
complaining shew to the court that some time
about the day of 179 John Francis
their father died seized & possessed of 150 acres ^{more or less}
of land lying in this county to which your
complainants are entitled in equal degrees —
but their shares not amounting in value
to an hundred dollars each, they are advised
that by virtue of an act of the general
assembly, the sd Land ought to be sold at
public auction. For this purpose they have
applied to Lucy the widow of the sd
John, (who, since the death of the sd John,
was intermarried with one Simmons Drake)
to agree that the sd Land should be sold,
but she, the sd Lucy, & her husband, the sd
Simmons, being interested in to the sd Lucy's
dower, they will ~~consent~~ not agree to the
sd proposition unless the sale is sanctioned
by the interposition of this court. Wherefore

the complait pray
that the sd Simmons Drake & Lucy his wife
formerly Lucy Francis may be ^{made} defendants to
this bill ^{& your Complait pray} that the court will decree
a sale of the sd Land subject to the
widow's dower at such credit as the
equitable court may think proper
or that the court may make any
other order they please &c

I will ever pray &c

The joint & several answer of Simmons Drake &
Lucy his wife formerly Lucy Francis widow
of Jno Francis to the bill of complait exhibited
against them by the heirs of the sd Jno Francis
in Southampton court

The defendants saving & reserving to them-
selves every benefit of exception to the many
defects in the Complait's bill mentioned -

Answer say - that the facts in the
Complait's bill stated are true & that they
are willing that the court should make the
decree the complaiter wish, provided that
their right of dower is saved

without that &c

Francis aphon, Deane
vs
Drake George } John S

apl 1800

Southampton county, to wit. April court 1800

William Patry Nathan & Benja Francis

infants &c.

Complts

Chancery

^{vs}
Simmons Drake and Lucy his wife defts.

This cause was docketed by consent and heard on the bill and answer &c, On consideration whereof it is Decreed and decreed that Joseph Vick John Davis Jesse Gardner & Jordan Joiner or any three of them ~~compley~~ view the land formerly belonging to John Francis deceased and report to this court what in their opinion is its true value.

Sam. Wells 1800
7

To the Worshipful C^s
Southampton

In Compliance to a decree of the Worshipful
Court of Southampton — to us directed; Ordering
us the under. sig^d to view the lands, formerly
belonging to John Francis dec^d & report its true
value to the s^d Court — In, Obedience to the
s^d decree — We Com^d on the premises 28th
day of April 1800 — & think the value of
s^d land to be; Two Hundred, & fifty Dols
Witness —

Jⁿ. Davis
Jesse Gardner
For dan Jeynes

~~Francis~~
Francis

By } Rept
~~Francis~~

Dec^r 1800

Rept. ut^o & Deane
Genl

In Obedience to an Order of the Worshipful Court of
Southampton; To us directed, Ordering that we make
sale of the Land & Plantation of John Francis dec'd In
compliance to the above decree. We give Publick &
timely notice; & on the 28th day of June last set up the
afore-said Land to the highest bidder; which was bid
off by Robert Adams, for the sum of Two Hundred
& Fifty Dollars. We not Complying with the terms
of your decree. We give publick & timely notice of
the sale of the 3^d Land; which was on 15th day of Sept.
last; it being Court day before the door of Colo
Gard. Kello in the Town of Jerusalem. It was then
Purchased by W. M^r. Cricklow for the sum of One
Hundred & Fifty Dollars.

Given under our
Hands this 15th June 1800

John Davis—
Wm
Jeph Gardner
Jordan Bayner

The land & plantation belonging to In.^c Francis dec.^d
which was sold on the 28th June last (the terms
not being Comp.^d with) will be sold to the
highest bidder; on 15 day of Sept^r next, it being
Court day, before the door of Colo Sam^l Wells
in the Town of Jerusalem; between the hours
of Twelve & Two O'clock; by virtue of
of a decree of Southampton May Court 1800
— The afore s^d land (subject to the widows
dower) containing 150. acres (more or less)
— When M^c. Credit will be given the purchaser
by giving bond^s Security; within two hours
after the s^d land is bid off — On the
next didden shall have a right to re-
bid, by Comp^g with the terms to the —

15th Aug. 1800 —

Comm^r —