

1804-006

SOUTHAMPTON COUNTY
CHANCERY PAPERS

MYRICK et al
myrick et al

vs.

vs

MYRICK'S EXTOR-al q/1804
MASON - MYRICK

Other SURNAMES: Cryer,
Mark S., Jones

Myrauk & al.

2

Myrauk & al.

Bill

(54)

Mar. 1794.

Bill filed time to ans^r

Sum

further time

Now Bill filed
replication & answer.

March 1800

Decree & appeal by

121	
12	
110	
1452	48%
20	
252	
270	99

contrary to every principle of justice.

In

consideration whereof, and for as much as your orders &
relief remedy only in a Court of equity.

and therefore that the said Howell Myrick the execr of

the who was the surviving execr of John Myrick deceased

Howell Jones the surviving execr of John Myrick deceased. (and

your Complainants pray may be made defendants to this bill of

Complaint) may upon their corporal oath full true & perfect an-

swer make to all and singular the allegations in this bill con-

tained, and that as especially as if the same were again herein

repeated & interrogated, but especially that they see forth and

discover, a true and perfect account of all John Myrick's estate

of his and

account of all

of his and

of his and

to your Complainants, one third part of the estate of the

John that was in the possession of the said Ann at the time of

her decease. And also one third part of the said Ann's own es-

tate after payment of her debts & legacies. That distribution there-

of may be made amongst your Comptes. according to the will

of the said Ann, directing the mode of distribution of the estate

of the said Ann, and making the same in further order or decree

of the Court for the relief of your petitioners and others as may

appear.

may it please the

Yours for Comptes.

To the worshipful court of Southampton County sitting
in chancery humbly complaining shew unto the court your
orators and oratrixes: Lucy Myrick widow & Relict of
William Myrick deceased. George Cryer & Polly his wife &
Nancy E. Myrick, John. William, David, Robert, Lucy, James,
Leicester, Betsey, Alexander and Walter Myrick infants of
the said William Myrick dec. by Lucy Myrick their mo-
ther and next friend. all of the County aforesaid

That a certain John Myrick the elder late
of the County aforesaid, in his life time, and at the time of
his decease was seized and possessed of a very considerable
Real and personal estate, departed this life on or about
the day of after having made & published
his last Will and Testament bearing date the 27th day of
September 1764. wherein he nominated and appointed his
wife Ann Myrick executrix, & his Son William Myrick &
Oswin Myrick his executors, who qualified according to
law, and took upon them the burden of the execution of the
said Will.

That the said Testator in his Will expressed
among other things, made the following devise to wit,
"all the residue of my estate of what kind soever, I give
the use of to my beloved wife during her life, and to be
by her disposed of amongst my children at her discretion,
but if she fail to make such distribution, what of my estate
remains at her death. I desire may be equally divided

amongst my children then living" your complainants further shew to your worship, that the said Ann Myrick the widow of the said John on the 10th day of February 1795 while her sons William Myrick, John & Howell Myrick were all living, made and published a writing purporting to be her last Will and Testament, and therein among other things made the following devise, to wit: "My will and desire is, after paying my just debts and funeral expences, the residue of my estate of whatever it may consist may be equally divided between my three sons, William Myrick, John Myrick and Howell Myrick, and that the estate left me by my deceased husband may be divided equally as his will directs" and therein nominated and appointed William Myrick & a certain Howell Jones his executors. The latter of whom qualified and took upon him the burden of the execution thereof. Here your complainants beg leave to suggest, that shortly after the said Ann made and executed the writing last aforesaid, William Myrick one of the legacies aforesaid after a short illness departed this life intestate leaving your orators Lucy his widow, and your orator Polly, now the wife of the complainant George, Nancy E. Myrick and your infant complainants, his children, and that the said Ann Myrick on hearing of the death of her said son William (who was always esteemed as her most favored son) was also taken ill, and in a very short time deprived of her recollection, and

wholly incapable of making any other Will or appointment, & so continued until the time of her decease, which happened a few days after the death of her son William he dying on the day of 1795 & the said Ann on the day of 1795. Copies of John Myrick's Will, and the Will & appointment of the said Ann are hereto annexed & prayed to be considered as part of this bill of Complaint. your orators and oratrices beg leave further to shew, that they are advised that under the residuary clause of the said John Myrick's Will, immediately on the death of the said John Myrick, there was a vested interest of the residuum in William, John & Howell Myrick, the use of the estate only, being devised to Ann for life, and that the death of William before the decease of his mother Ann, does by no means deprive your complainants of that part of the said estate so vested in William Myrick, if in this point your complainants should be mistaken, which they are well assured is not the case. yet they are well convinced that by John Myrick's vesting his wife Ann with full and ample power to dispose of the estate given to her use, amongst the children of the said John at her the said Ann's discretion, without pointing out the mode by which this distribution was to be made, that the same is fully & sufficiently affected, by the instrument aforesaid which she executed as her will, and altho it did not take effect as to her own estate

Meyrick & Co
" } Bill of
Meyrick & Co amended

Filed Nov. 14. 1799

To the worshipping Court of Southampton county in ~~some~~
chancery sitting, humbly complaining shew to your worships
your oratrix Lucy Myrick and others, That heretofore
your oratrix and other complainants, filed their
bill of complaint in this worshipping court, ~~against~~
for relief against Howell Myrick, & Howell Jones
which suit is still depending and undetermined
and your oratrix and other complainants, by way
of amendment to the said bill, further begs
leave to shew, That one moiety of John Myrick
the elders estate, came to the hand and possession of
John Myrick the younger, instead of wholly to
Howell Myrick, and that ~~some~~ Howell Myrick
since the institution of the aforesaid suit, hath
departed this life, that administration of his estate
is granted to a certain Littleberry Mason, The
complainants therefore pray, that the said John
Myrick, and Littleberry Mason, be made depts to
this bill of complaint, and that your worships
shall make any other or further decree or
order in the premises, for your complainants
relief, as may be equitable, may it please
you

and
Myself & my wife

The answer of Howell Jones to the bill of Complaint
exhibited in this Court by Lucy Myrick & others

This respondent saving and reserving
to himself every sort of exception &c. saith - That
John Myrick the elder dyed - made his will &c.
as are charged in the said bill of Complaint -

This respondent further admits that Anne Myrick
dyed also, but he knows nothing of the said death
of her death - This respondent further admits
that William Myrick son to - dyed prior to
the death of his Mother Anne, And that the
said Anne executed a paper purporting to be
her will, but which this respondent is advised
is ineffectual & void in law. Therefore that
that the Complainants cannot take any advantage
as the representatives of the said William
the younger. This respondent admits that he is
Exor of Anne Myrick, and in that capacity proposed
himself of her moveable estate, for amount of
which he refers to the Account current returned
to the Court of this County, & to be considered as
part of this answer

he admits he is also in possession of property belonging
to the estate of John Myrick the Elder to the amount
of somewhere about £18. 7. 10. This respondent
further answering, saith, that a Suit is brought
in Super Court against him as executor to Compell
him to refund money rec^d. by the s^d. Anne
Myrick. If the Complainants Succeeded in
their unjust demand, which this respondent cannot
believe / he claims the privilege of retaining
1/3 of the amount of the s^d. debt out of that
part or portion claimed by the said Compts.

This respondent does not mention these circumstances
as affecting in any manner the merits of the
Cause or bill of the Compts; in this Court
but to act cautiously by and circumspectly as
as Ever. This defendant denying all Combination &c
prays to have dismissed with his Costs &c.

Without &c.

Howell Jones

Southampton County Court;

Howell Jones personally appeared
before me a Justice of the peace for the said County,
and made oath to the foregoing ~~and~~ truth of
the foregoing answer so far as it depends
on his ^{own} knowledge, & so far as it depends on the
information of others he believes it to be true

Given under my hand this

19

day of November 1799

Rob^t. Goodwyn

Myriak

adv. 3 Ansures

Myriak Lab.

(To be filed at the
Rules - M. M. R.)

57¹²
108 41 23
60 46
84

The Answer of Howell Myrick in his own right & as executor &c of Owen Myrick dec'd, who was executor &c of John Myrick the elder, dec'd, to the Bill of complaint exhibited against him & Howell Jones executor &c of Anne Myrick dec'd, by Lucy Myrick & others, Complainants.

This Defendant, saving to himself every benefit of exception to the Bill of the Compts, answers thereto as follows — He admits that John Myrick, the elder, & Anne Myrick have died & left such last wills & testaments as the Complainants represent — He admits too that the Complainants have made a correct representation of the case, in which they pray for relief, except in the following circumstances. — 1. As to Anne Myrick's being suddenly incapacitated to make or alter her last will & testament, upon hearing of the death of her son William, — this Defendant denies that it was so. On the contrary he avers, that the day after William Myrick's death, this Defendant was with his mother Anne Myrick, — that she was not only at that time as well as usual & in her perfect senses, but observed to him, that she supposed, as William was dead, his children would not be entitled to any part of the residuary part of her husband's estate, & asked this Defendant's opinion upon that point. He ~~then~~ ^{he} told ^{her} he considered that William's children could not, unless she made an alteration for that purpose in her will, the contents of which he was acquainted with. She replied, that she had made her will, & that she believed, she should not trouble herself to make another, — or in words to that effect. This Defendant conceives that Anne Myrick had full time to have altered her will, or to have made a

new one, after the death of her son William was known to her, had she chosen to have done either.

Q. As to the Complainants alleging that this Defendant has possessed himself of all the estate in question, - he must also contradict them. He has but a moiety of the slaves, & never had more. The other moiety of them is in the possession of his brother John Myrick. The other personal estate remains in the hands of Howell Jones as executor &c. of Anne Myrick. The estate in question, being the residuary estate of John Myrick, the elder, consisted of some land in North Carolina, slaves, & some other personal; to all of which this Defendant conceives that his brother John Myrick & himself are entitled as the only children of John Myrick, the elder, who survived his widow Anne Myrick.

This Defendant must observe, that in admitting that the complainants have correctly represented the case, in which they ask for redress, he only means that they have been correct as to matters of fact, with the exceptions before stated, & does not mean, that they have been just in the conclusions drawn therefrom. On the contrary he considers, & has been advised, that they are entirely mistaken in that respect.

~~And finally this Defendant desires to state of them~~

And finally this Defendant prays leave to be dismissed with his costs in this case most wrongfully sustained &c.

Howell Myrick

Southampton County, to wit,

This day Howell Myrick made oath before a Justice of the peace for the County of aforesaid, that the foregoing answer is true, so far as it is founded on his own knowledge, & that so far as it otherwise founded he believes it to be true. Given under my hand this 22^d day of November. 1794.

James Lee

John Myricks
Answer &c -
to the bill -
in Southampton
filed by Myricks
and others.

To the Worshipful Court of Southampton
County. The answer of John Myrick
to the bill of Complaint exhibited
against him in this worshipful Court
by ~~Lucy~~ Myrick & others.

This respondent reserving and saving to himself every
manner of benefit of acceptance to the bill of
Complaint exhibited against him in the said
Court for answer thereto says - that the answer
filed by Howell Myrick in his lifetime to the
aforesaid bill ~~respondent~~ ^{contains} a full disclosure of facts as
hebel^{to} which this ~~respondent~~ ^{respondent} long leave to refer, and
that it may be considered by this Court as
as part of this the respondent's answer.
This respondent denying all combination
Confederacy &c - prays to be here dismissed
with his costs in this behalf wrongfully
sustained

John Myrick

John Myrick
The defendant personally appeared before me and made oath
that the foregoing answer contains the truth so far as it
comes within his own knowledge, & so far as it
depends ~~on~~ upon the information of others he
believes it to be true - Given under my
hand this 17th day of March 1800 -
Scribble
of the peace for the said
County.

Southampton County Court

Littleberry Mason personally appeared
before me a Justice of Peace for the said County
and made oath that the matters and things contained
in the within answer so far as they respect the
his knowledge are true, & that so far
as they depend on the information of others, he believes
them to be true - Given under my hand this
18th 1799 - November: W^m Edwards

The Answer of Lilliberry Mason answer with the
Will annexed of Howell Mynick dec: to the bill of
Complaint ~~submitted~~ ^{and} reviews against him by
Lucy Mynick & others -

This respondent having answering
to himself every manner of benefit exceptions &c
For answer saith; that he knows nothing of
the matters & things contained in the said
bill, but from the answer of Howell
Mynick dec: already filed in this cause,
and that in the life time of the said Mynick
which this respondent ^{cause} begs to refer to, and
to be considered as containing a full answer
to the said bill; and this respondent
further avers that he believes that
the answer of the said Howell Mynick
contains the truth - Without that:
and this respondent begs to be hence dismissed
with his costs &c.

L. Mason

Myrick } City
v }
Myrick } Deane
May 1804

Sampton May Court 1864

Luz Myrick widow of Wm Myrick and George
Cryer and Polly his wife. Nancy E Myrick
John Myrick William Myrick David Myrick
Betsey Myrick Luz Myrick James Myrick
Littleton Myrick Betsey Myrick Alexander
Myrick and Walter Myrick infants of Wm
Myrick and by Luz Myrick their mother and
next friend - - - - - Compt

Agt

Howell Jones executor of Ann Myrick and
Littlesburg Mason adm'r with the will annexed.
Howell Myrick dec'd who was ex. Owen Myrick
the surviving and the Myrick dec'd and John
Myrick ~~and~~ - - - - - Defts

It appearing to the court ~~that~~ by an order from
the Chancery District court of Williamsburg that the
appeal from so much of the decree of this court pronounced
the 18 day March 1860 as respects the estate of Ann
Myrick is dismissed. Therefore it is ordered that Levi
Rockelle Frederick Parker Richard Clements Jno Wright
Zebulon Lewis and Ellis J Blake or any three of
them take an account of the estate of Ann Myrick dec'd
and report to this court in order that a final decree
may be entered thereupon agreeable to the Interlocutory
decree aforesd

Per
Sam'l Hides Esq

Chancery

Myrick

vs

Myrick's Ex.

Shanley

to March 1797.

Executed on Myrick
Door of Myrick
Howell Jones Door of
An Myrick no
Inhabitant—
Robt Mabry

The commonwealth of Virginia to the sheriff of Southampton county greeting:
You are hereby commanded to summon Howell Jones surviving Executor of
Ann Myrick deed and Howell Myrick Executor of Owen Myrick deed. the
surviving executor of John Myrick deed. to appear before the justices of our
county court of Southampton at the courthouse of the said County on the first
day of March term next to answer a bill in chancery exhibited against them
by Lucy Myrick widow and relict of William Myrick deed. George Bryer and
Polly his wife, Nancy E. Myrick, John Myrick, William Myrick, David Myrick,
Robert Myrick, Lucy Myrick, James Myrick, Littleton Myrick, Betsy Myrick,
Alexander Myrick and Walter Myrick infants of William Myrick deed. by
Lucy Myrick their next friend. And this they shall in no wise omit under
the penalty of one hundred pounds each. And have then there this writ.
Witness Samuel Kello clerk of our said court at the courthouse the 11th day
of January 1797 and in the 21st year of the commonwealth.

Jⁿ D. Hausmann Clk
Jⁿ E

Mynck

21
Jones

} Alpha in
Ch. 9.

to Sep.

Executed by
Jeth. Mason Dr.
for
R. Ellabry & Co

The COMMONWEALTH of VIRGINIA,

To the Sheriff of *Southampton*

County greeting:

YOU are hereby commanded to Summon *Harwell Jones*

to appear before the Justices of the County Court of *Southampton*
at the Court-House of said County, on the *third Monday of September*
~~to answer a bill to testify, and the truth to say, on behalf of~~
~~in Chancery exhibited against him by~~
~~in a certain matter of controversy in our said Court, depending and~~
~~undetermined between~~

Levy Myrick widow & executrix of Wm Myrick dec'd Geo. Myrick & Polly his wife Nancy E Myrick In. Myrick Wm Myrick David Myrick Robt Myrick Lucy Myrick James Myrick deatlen Myrick Betsey Myrick Margaret Myrick & Calvin Myrick infants of Wm Myrick dec'd by Levy Myrick their next friend

~~And this shall in no wise omit under the penalty of \$100.~~

And have then there this Writ. Witness *Samuel Kello*
Clerk of our said Court, the *21st* day of *June*
1797, in the *21st* Year of the Commonwealth.

Sam Kello

Mason ad. of Myrick

To June term 1799

Christliche Kirche

THE COMMONWEALTH OF VIRGINIA,

Southampton
County Court

To the Sheriff of *Sussex*

County, greeting:

YOU are hereby commanded to *Sam^r Mox Littleberry Mason adm^r of* with
of the well annexed of *Howell Myrick* ~~deed~~ to appear

if ~~be found within your Bailiwick, and~~ ~~safely keep, so that you~~

~~have~~ ~~be~~ before the Justices of the County Court, of

Southampton at the Courthouse of the said County, on the

this Monday of June next to answer *Wm Myrick* a bill
in chancery exhibited against him ^{in my Court of Chancery} by *Lucy Myrick* widow & execut^r of
Wm Myrick dec^d & *George Lanyon* & Polly his wife & the orphans of *Wm Myrick* dec^d
by the *S^r Lucy Myrick* their next friend & this he shall not omit under the penalty
of £100

And have then there this Writ. Witness *Sam^r Hullo*

Clerk of our said Court, the *29th* Day of *April*

in the *23^d*.

Year of the Commonwealth.

1799
Teste Sam^r Hullo
(H)

Myrick & Co
vs
Myrick } In
Chs

To Term 1799

Executed 20 May

1799

Robt Mabry

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of *Southampton* County, greeting:

YOU are hereby commanded to ~~take~~ *summon John Myrick*
to appear before the

is ~~be~~ *be* ~~found~~ *within your* ~~Barlinick~~ *and* ~~safely keep, so that you~~

~~here~~ ~~be~~ before ~~the~~ ~~of~~ the County Court, of *Southampton*

at the Courthouse of the said County, on the

this ~~monday~~ *of June next* to answer a bill in chancery

as he has against him & others by Lucy Myrick widow & executrix of Wm Myrick dec'd Geo. Rogers
& Polly his wife, Nancy E. Myrick, In Myrick Wm Myrick David Myrick, Robt Myrick, Lucy
Myrick James Myrick Lillaton Myrick Patsy Myrick Alexander Myrick & Walter Myrick infants
of Wm Myrick dec'd by Lucy Myrick their next friends & this he shall not omit under the penalty of

£100

And have then there this Writ. Witnesses *Saml Kelso*

Clerk of our said Court, the *29th* Day of *April*

1799

in the *23^d*

Year of the Commonwealth.

Saml Kelso
(S)

Deposition of
John Marks
in Chamory

The Deposition of John Marks taken at the House of
Arland Parker the Eleventh day of Nov^r 1797 in a
Suit of Chancery Lucy Myrick vs. Howell Myrick &
~~Howell~~ Executor of ^{Ann} ~~William~~ Myrick who was Executor
of John Myrick Sen^r Dec^r & Howell Sons Executor
of Ann Myrick Dec^r.

John Marks of full age after being sworn on
the Holy Evangelist of Almighty God Deposeth & say-
eth - That he the D^r John Marks was at the House
of Ann Myrick Dec^r some little time after the Death
of her son of William Myrick. That the said Ann
Myrick appeared to be much Distrest for the loss of
her said son William Myrick, this Deponent Enquired
of said Ann Myrick Whether or not she thought
that the property she had left to her son Wm.
would come from her Will to D^r Wm. Myrick's Heirs,
her answer was that she reckoned it would & that
it was her wish that it should & further this
Deponent sayeth not Given under our hands
this Day & year first above Written

James Millar
Lewis Morris

Deposition of Ann
Marks in Chinney

The Deposition of Ann Marks Taken at the House of
Arland Parkers the Eleventh day of Nov^r, 1797, in a
Court of Chancery, Lucy Myricks Vs, Howell Myricks Executor of
Owen Myrick Dec^d, Who Was Executor of John Myrick
Sen^r Dec^d, & Howell Jones Executor of Ann Myrick
Dec^d. Ann Marks of full age being sworn on the Holy
Evangelist of Almightie God To witth & sayeth

That she the P^d Ann Marks ~~Dec^d~~ (a few days before
the Death of William Myrick) was at the House of
Ann Myricks Dec^d, & that the P^d Ann Myricks Dec^d was
very much troubled by the Indisposition of her son
P^d William Myrick this Deponent Enquired of
the P^d Ann Myrick Whether or (not) if William
Myrick Died that his Children would get One
third part of her Estate she the P^d Ann Myrick
Answered this Deponent that it was her Wish &
Desire that they should & farther this Depo-
nent saith not Given under Our hands
this ~~Eleventh~~ Day & year first above Written

Amos Miller
J^d
J^dis Fort

John Marks Dep^y on
Chancery, Alleges & others
Complainants, Jones &
Alleged Defendants

by Virtue of a Commission from the Worship
=full Court of Hon to us directed we have pro-
=ceeded to take the deposition of John Marks
in suite in Chancery Lucy Myrick & Others
Complainants, & Howell Jones ex. of ann Myrick
& Howell Myrick, exors of Owen Myrick who was ^{Survivor} Exor
of John Myrick Dec^d Defendant at the House of
Cheesman Nicholson this 2 day of March 1798

John Marks being of full age after being sworn on the Holy Evangelist of Almighty God Deposeth & sayeth that he this Deponent's former taken Deposition taken in the aforesaid Suits was Just & true, Except an omission ~~in taking evidence~~ Which after a great time comes forward & that ~~the~~ or about the time of her Son Wm's Death she the P. Ann Myrick appeared to be sick, more so than usual & continued more so till her death which took place about Eight days after the death of Wm Myrick & further this deponent sayeth not given under Our hands this day & year first above written

James Millar
Lewis Ford

Ans Myricks Executor Def^{ts}

In Chancery

Ordered that the decree entered yesterday be ~~reversed~~ ^{advised}; and is further decreed and advised that Edward Howell Jones in his individual character pay into the hands of the said Lucy Myrick the sum of three hundred and eighty seven pounds eleven shillings and nine pence half penny, being one third part of the amount of the sales of the Estate of the said Ann Myrick and the interest thereon accruing; and also one third part of the bonds mentioned in the report of the commissioners to be allotted by the master commissioner; and it is ordered further that the said Howell Jones submit to the said commissioner at the time and place he shall appoint for the purpose of his making the allotment or division of the said bonds in order to a final Decree. —

Agreeable to the foregoing decree and order, the Mr. Commissioner did notify the said Howell Jones Executor &c. of a time and place of meeting for carrying into execution the above decree, and had his attendance, with that of the other party & Plaintiffs in this suit, with the necessary papers for acting thereon. And here permit me to suggest to the Court that error seems to have marked the progress of this business in all its parts; in as much as that the amount of sales of the Estate is incorrect — the amount of bonds &c. due the estate reported by the commissioners heretofore is erroneous. — And finally the above order is very indefinitely expressed on the subject of interest not stating from what date it should commence — and the cost of suit which should be adjudged to Mrs Lucy Myrick not noticed in the decree — thus fraught with inaccuracies. — An entire new statement (admitted to be correct by the parties) is respectfully submitted to the Court. —

The amts.^{rs} of sales of the Estate instead of 845.15.6 as stated by the Executors & John included 784.13.3 Cash which was taken by John & House Myrick, agreeable to their receipts out of the hands of the Executor on 20 Jan'y 1796, and should carry interest from that period chargeable to them - leaving

Interest on £187. 0. 9 from 25 Dec. 1796 till paid (10 July 1801) is $\frac{70. 10. 3}{2257. 11. 0}$

Cash received by John and Rowell Myrick belonging to the estate
of Ann Myrick dec^d. as by their receipts on the hand of the Exec^r. dated
20 Jan^y. 1796 - to amount of £284..13..3. — Mrs. Lucy Myrick
proportion of this sum being one third part - 94..17..9
Interest thereon from 20 Jan^y. 1796 till 10 July 1804 then paid - 40..3..6 135..1..3
carried over - £392..12..3

Amount brought over £392..12..03

By an estimate of bonds &c. due to Ann Myrick at her death, there appears to be £282..16..7. — except the sum of £20..00 which originated in the sale of her Estate, and is included in Barham Museum's bond; leaving £262..16..7. Of this sum one third part was paid by the Court in 1841, including interest to July 1842.

£480..

Cost of suit

Commissioners fees
for nine hours services at 6s 8d £5..6s 2d

Mr. Lucy Myrick has received of the above sum £141..13..4

Balance due her

Myrick
vs
Myrick's Exrs.

Comm. Report—

Myrick
vs
Myrick's Exrs.
Sept 1844

A Copy of Mellyrick's
Last Will & Testament

In the ^{name} of God Amen: the 27 day of September
in the year of our Lord one thousand Seven hundred &
sixty four, I Insignit of the County of Sampson
being sick & weak in body, but of sound & per-
fect memory, thanks be to God, & knowing it is
appointed for all Men to die, do make & ordain
this my Last Will & Testament as follows to wit:
Item: I give & bequeath to my Son William Insignit &
his heirs forever all my land I bought of Joseph
Harwood, on the west side of the Great Branch
called the Spring Branch, between my House & said
Harwoods, also my plantation & the Land thereunto
belonging joining the Horse Neck, also the following
Negro's to wit: Pat & his son Bird, Charles, Amos
& Amy, Wincy & Milly, also one Horse called Hobby
& eighteen head of Cattle on the aforesaid planta-
tion at the Horse Neck & one feather Bed & fur-
niture.

Item: I give & bequeath to my Son Owen Insignit & his
Heirs for ever the Plantation whereon his Grand
Father lived, & all the land thereunto belonging
unto the Branch between the said Plantation &
my now dwelling House, except a small Tract of land
formerly belonging to Wm Smith, also seven Negro's
to wit: Jane, Dorcas, Lunc, Jacob, Isaac, Moses,
& Abram, also eighteen head of Cattle, one Mare
called fancy & her filly, one sorrel Mare called
Pigeon & one feather Bed & furniture.

Turn over

Item: I give & bequeath unto my Son Shellyrick & his heirs forever, all my Land on Mohoning River that I bought of Tho^s Barrow & Mr Lee & his son Mr Lee also seven Negroes to wit: Ben, Lyaa, Jag, Easter, Isam, Jone & Adam, also Eighteen head of cattle one Black Mare that came from over Roanoke, & her colt & one Leather Bed & furniture.

Item: I give & bequeath to my Son Howell Myrick & his heirs forever, the Plantation whereon I now live with the appurtenances thereon, after his Mother's decease, with the land from the Branch between my house & the Land before given to Son Owen up to the Great Branch before said, on the Land I bought of Joseph Harwood also ^{also} my Land on the South side of the Poplar Swamp & a small Tract formerly Mr Smiths, above mentioned, also Eight Negroes to wit: Tom, Frank, Tony, Villet, Gile, Sam, Lucy & Haray, also Eighteen head of Cattle, a young Mare called Jinny, & one Leather Bed & furniture.

Item: I give & bequeath to my Daughter Sarah Jones & her heirs forever seven Negroes to wit: George, Joe, Harry, Frank, Dick, Fortin & Baader, also what other of my Estate she has now in her possession:

Item: I give & bequeath unto my Daughter Elizabeth Barnes the Use of seven Negroes to wit: Hannah, Bebe, Peter, & Peter, Abigail, Cato & Lot during her life, & after her decease them & their increase to be equal

divided between her children then living. I also give her what other of my Estate she has now in her possession.

Item: I give & bequeath unto my Daughter Edmund Myrick & her heirs forever seven Negroes to wit: Jack, Moggie, Rachel, Jese, Arthur, Tab & Jack & one young Horse called frozen Head & one Saddle & one Leather Bed & furniture.

Item: all the Residue of my Estate of what kind soever, I give the use of to my beloved Wife during her life & to be by her disposed of amongst my Children at her discretion, but if she fail to make such distribution, what of my Estate remains at her death I desire may be equally divided amongst my children then living. I also appoint & assign my wife & son William Myrick & Cain Myrick to be Executors of this my Last Will & Testament. In witness whereof I have hereunto set my hand & seal this day & year above written.

Sign^d & Seal^d Publish^d
& delivered in presence of

Joshua Nicholson
Dwight Parker
Howell Edmunds

Shellyrick Myrick

[Faint, mostly illegible handwritten text, likely bleed-through from the reverse side of the page.]

[Faint handwritten text on the left side of the page.]

Ann Myricks

Will

52 cents

[Faint handwritten text at the bottom of the page, including what appears to be a date "Jan 1860" and other illegible notes.]

In the name of God. Amen. Anne Myrick of Southampton county,
being weak in body but of sound and perfect memory thanks be to almighty God,
do make, constitute and ordain this my last will and testament in manner
and form following this eighteenth day of February 1795 (to wit:)

I give and bequeath to my loving son William Myrick twelve pounds ten shil-
lings to him and his heirs for ever.

I give to my loving son John Myrick twelve pounds ten shillings to him and
his heirs for ever.

I give to my loving son Howell Myrick one cherry tree desk also one bofat to him
and his heirs for ever.

I give to my loving grandsons Howell Jones two negroes named Joshua and Easter
to him and his heirs for ever.

My will and desire is that my old servant Bird shall have his freedom at my
death I also give him one sortell filly named Jenny.

My will and desire is that after paying my just debts and funeral expenses the
residue of my estate of whatsoever it may consist of may be equally divided
between my three sons William Myrick John Myrick and Howell Myrick
and that the estate left me by my deceased husband may be divided as his will
directs.

I do appoint my loving son William Myrick and my grandsons Howell Jones whole
and sole executors to this my last will and testament as witnesses my hand and
seal

H. Arrington
John ^{his} Marks
mark

her
Anne + Myrick - Sealed
marks.

J. Myrick D^l

At a court held for the county of Southampton the
11th day of February 1796. This will was presented in court by Howell Jones
the surviving executor proved by the oaths of John Marks and John Myrick two
of the witnesses thereto and ordered to be recorded. And on the motion of the
said executor who made oath according to law certificate is granted him for
obtaining a probat thereof in due form giving security. Whereupon

A true copy

Lamello &

W. D. Kaufmann D^l

Jones
" } Copy Order
Myrick

W^a Chancery District Court held in Williamsburg
the 28th day of April 1803.

Howell Jones executor &c of Ann Myrick deceased, Little-
berry Mason adm^r with the will annexed of Howell
Myrick deceased, who was Ex^r of Owen Myrick the sur-
viving Ex^r of John Myrick deceased, and John
Myrick Appellants

against

Lucy Myrick, widow and relict of William Myrick dec^d,
George Cryer and Polly his wife, Nancy E. Myrick, John
Myrick, William Myrick, David Myrick, Robert Myrick,
Lucy Myrick, James Myrick, Littleton Myrick, Betsy
Myrick, Alexander Myrick, and Walter Myrick infants
of William Myrick dec^d by Lucy Myrick their mother
and next friend Appellees

Upon an appeal
from so much of a
decree of the Court
of Southampton
County pronounced
the eighteenth
day of March

1800 as respects the estate of the said Ann Myrick deceased.

It appearing to the Court on inspection of the transcript of the record that the
said decree as far as respects the estate of the said Ann Myrick deceased is not
a final one It is ordered that this appeal be dismissed and that the Appel-
lants pay unto the appellees their costs.

A copy Anty Robinson cl^k

Report of the Comrs
of the Estate of Ann
Myrick decd

June 16 1804

Luce Myrick & others

vs.
Howell Jones Exor of
Ann Myrick deceased

In Chancery

This cause having been heard on
the bill answer, Exhibits & the report of the commissioners
appointed to ascertain the amount of the estate of said
decedent it is ordered & decreed that the Defendant
Howell Jones in his individual character pay unto the
said Luce Myrick the sum of \$387.11.3/4 being
one third part of the amount of the sales of the estate of the
said Ann Myrick & the interest thereon accrued and also
the one third part of the bonds mentioned in the Report of
the said commissioners to be allotted by the master com-
missioner & it is further ordered that the said Howell
Jones submit to the commissioner at the time & place
he shall appoint for the purpose of his making the
said allotment or division of the said bonds

Report of the Comrs
of the Estate of Ann
Myrick decd

June 16 1804

In Obedience to the annexed Order of the Worshipful
Court of South Hampton We the undersigned have
examined ^{into} the Estate of Sam Myrick dec^d, as exhibited
to us by Howell Jones Executor to said Estate, &
do report as follows. —

Balance due on the acct Sales & upon the Receipt
of John Myrick and Howell Myrick appears
\$845.13.2 with Interest from \$845.13.2
" 23rd Dec^r 1796. J. H. 3

David Mason's Bond balance } 23.10.1
due 5th May 1789 . . . }

Barham Newsums bond due Oct 8. 1803 . . 108.18.9

Howell Edmunds' dated July. 7. 1792 . . 44.15.—

Buckner Kimbells. due . Dec. 25. 1773 . . 6.15.2

Robert Petteway's . due . Dec. 25. 1795 . . 9.3.—

Balance due on Wm Myrick's receipt
for Simon's Replevy bond } 15.9.11
Howell Myrick's acct . . . } 25. —
\$1079.5.1

Int on 845.13.2 — 7 Years 6. — 317.2.2 3/4

South Hampton June 10th 1804 . . 1396.7.3 3/4
~~465.8.11 3/4~~

Levy Rohece

Rich^d P. Clements

Blake

845.13.2
317.2.2 3/4
1162.15.4 3/4
387.11.9 1/2

know all men by these presents that we John Myrick & Lett Mason
are held & firmly bound unto
Lucy Myrick for her self & her heirs of the orphans of Wm. Myrick
In the just & full sum of Two thousand Dollars
To be paid to the said Lucy Myrick
His certain attorney, care & address or assigns to which payment will & truly to be made we
bind ourselves and each of us our heirs & assigns jointly & severally
firmly by these presents sealed with our seals and dated this 18 day of March
1800

The condition of the above obligation is such that whereas in a Bill
Chancery
commenced & prosecuted in the court of the county of Southampton by the said
Lucy Myrick ^{then} of the orphans of Wm. Myrick
against the above named John Myrick & others
It was considered that by the said court that the complainants ~~bill to dis-~~
~~missed as to John Myrick's estate & that they should recover one third~~
of the estate of Ann Myrick decd

From which decree the said John Myrick & others
have prayed an appeal to the next High
Court of Chancery

Therefore the said John Myrick
shall effectually prosecute the said Appeal & pay all such costs & damages as shall be
awarded by the said High Court of Chancery

In case the decree of the said county court shall be affirmed then this obligation
to be void otherwise to remain in full force & virtue.

Sealed & delivered

In presence of

Lamir & Co
(11)

John Myrick
Lett Mason

Know all men by these presents that we Lucy Myrick & Barham Newcom

^{are held & jointly bound unto}
John Myrick, Littleberry Mason ^{of} ~~John~~ Myrick & Howell Jones
of Ann Myrick
In the just & full sum of Twenty pounds Next money
To be paid to the said J^r. Myrick Littleberry Mason & Howell Jones
Thereto certain attorney, Executor, admors or assigns to which payment well & truly to be made we bind
ourselves & each of us our heirs & our heirs Executors & admors jointly & severally family by these
presents sealed with our seals & dated this 18th day of March 1800

The condition of the above obligation is such that whereas in ~~a~~ ^{an} ~~scut~~ ^{of}
Chancery has been
commenced & prosecuted in the court of the county of Southampton by the said Lucy
Myrick & others the Executors & of W^m Myrick ~~did~~
against the above named Myricks, Mason as afore^d &
It was considered by the said court that the complainant's bill should be dis-
missed as to so much thereof as relates to the estate of J^r. Myrick
dead

From which decree to the said Lucy Myrick
Howell Jones hath prayed an appeal to the next High Court of
Chancery
Therefore the said Lucy Myrick
John Myrick Littleberry Mason & Howell Jones
shall effectually prosecute the said appeal and pay all such costs & damages as shall be
awarded by the said High Court of Chancery

In case the decree of the said county court shall be affirmed then this obligation
to be void otherwise to remain in full force power & virtue
Sealed & delivered

In presence of
Shello S.^r

Lucy Myrick ^{seal}
Barham Newcom ^{seal}