

1808-037

SOUTHAMPTON COUNTY
CHANCERY PAPERS

WILLIAMS' HEIRS vs WILLIAMS' EXECUTRIX

6/1808

other surnames: BUNN

Williams heirs

24
Williams heirs } In chancery

On mot. of said Compts, the bill and ~~exhib.~~
being read and argument of counsel ^{Joynes} ~~be~~

It is ordered and decreed, that Abraham ^{Joynes} ~~Williams~~
Elisha Lewis, John Davis and Hardy Cobb
any three of them sell the lands, to which Eli
Williams ^{late of Southampton} died entitled, after having given ten days notice
by advertisement of the time and place of sale, ~~on~~
~~and~~ after having laid off and appraised ^{by Mary Williams 1/3 as her share}
on a credit of ~~months,~~ ~~and after running~~

~~a sufficiency in cash to pay the debts due~~
and apply the proceeds in the following manner
~~the said take a bond,~~ ^{with good security} payable ~~to each distributee~~

for one twelfth part of the amount of sales, except
those (if any) who have sold their interest in said land
& in that case that the bond or bonds ~~for the~~ ^{for the proportion}
of such vendee be made payable to the purchaser of
such proportion, and the heirs of Jordan Williams
who are altogether entitled to one twelfth part that
the bond for their part be made payable to

~~the said Williams as the representative~~
their father, and that the said commissioners make
a special report of their proceeding in the premises

Williams heirs

175 Bill & ans.

Williams heirs

Aug 1809

Inly decreed

To the worshipful Court of Southampton
in Chancery sitting,

Assembly complaining shew
unto the Court your Orators, and Oratrix's
Drewry Williams, Barwell Williams, John Witham,
Barwell Burn and Fanny his wife (late of
Williams) Silas Williams, Benjamin Will
Lucy Williams and Jeremiah Williams (for
- selves and Lion Williams, Polly Williams & George
Williams, infants, suing by the said Drewry
Williams their guardian & next friend, brothers
and sisters of Eli Williams deceased, and Polly
Williams widow and relict of Jordan Williams
deceased who was also brother to the said Eli Wil
ams, and George, Thomas, Henry and Betsey
Mariab Williams, infant children of the said
Jordan Williams suing by the said Polly
Williams their Guardian and next friend -

That ~~John~~ Williams father to the said Eli
and your complainants Drewry, Barwell
John, Fanny, Silas, Benjamin, ^{Lucy} Jeremiah
Lion, Polly & George, and grandfather to your
complainants, George, Thomas, Henry and
Betsey Mariab, died some or years
ago leaving your above named complainants the
said Jordan Williams and Eli, a widow Mary
Williams, a considerable personal and real estate
and a last will and Testament in writing

which bears date the day of
and which said will has been duly admitted
to record in this Court. That by his said will
he devised to the said Eli one third part of his
lands adjoining the lands of Burwell Williams
reserving however to his widow her dower therein.

That the said Eli Williams departed this life and
died intestate about five years ago leaving all
his afore-mentioned brothers and sisters. That
Jordan Williams hath since died

That Lion Williams appointed Mary his
widow Executrix to his said last will,

That she possessed herself of the whole
of the lands of Eli Williams and with
hold the same from your complainants who
are justly entitled to distribution thereof or to
the money which would arise from a sale of the
same. That if the said lands were sold
subject to the dower of Mary Williams then
the portion of each distributee would be far
short of one hundred dollars

In tender consideration whereof and for as
much as your complainants are without relief
except in a Court of Chancery they most earnest-
ly pray, that Mary Williams Executrix of the
last will of the said Lion Williams be made a
defendant and respondent to this bill and be
compelled to answer every of the allegations therein

and say if not true in manner and form as then
stated. That the will aforesaid be taken and considered
a part of this bill, that the Court appoint commissi-
oners to sell the lands aforesaid on a credit which they
may deem proper, take bonds for the amount of
sales payable to each distributee one twelfth part
of the net proceeds of said sale (after deducting the
necessary expences, which the purchaser must
advance in cash) Except, the orphans of Lion
Williams who are entitled to one twelfth to be shared
among them all, and that for their proportion a
bond be made payable to Polly Williams, as administratrix
of Jordan Williams: but if it shall appear to
the commissioners from sufficient vouchers that
any of the said distributees have sold their propor-
tion of interest in or for the said land, then they will
take the bond or bonds payable to such purchaser
or purchasers, and report specially.

And lastly that your worships grant such
other and further decree touching the premises as
you in your wisdom may deem consistent
with equity and good conscience. May
it please your worships so to do.

Cobb

The Answer of Mary Williams to a Bill
in Chancery exhibited against her by Henry
Williams and others the Heirs and distributees
of Eli Williams dec'd.

This respondent now and at all other
times hereafter saving and reserving to
herself, all and all manner of exception
to the Bill of the complainants, for its errors
or in answer thereto or to such parts as she
is advised it is material for her to answer
saith. That true it is Eli Williams died
leaving a will. That by said will he devised
the land aforesaid to Eli Williams who hath since
died, that the complainants and they only are
entitled to the remainder of said land. That
she believes the allegations in said Bill contain-
ed are all true, she can offer no serious
objection why the said land should not be
to as part of the distributees and infants
orphans, and stand in great need of their
proportion. She prays the Court that she
may be hence dismissed with her costs.

Mary Williams
by her

Attorney

Williams } Inty
 17 } done
 Williams }
 Sept 1884

12555
 46.33

112/555/5
 60

118.555/4
 472
 83

100
 83000
 44

Southampton, Sept. Court 1804.

Drew Williams & others Comps
against

Mary Williams - Deft

In Chancery

This cause was this day docketed by consent, hence
on the bill and answer: on consideration whereof it is
decreed and ordered that Abraham Smith, Elisha Lewis
John Davis, and Tracy Cobb or any three of them sell
the land, to which Eli Williams late of Southampton
was entitled, after having given ten days notice by adver-
tisements of the time and place of sale, (and after having
laid off and assigned to Mary Williams $\frac{1}{3}$ as her share
on a credit of 12 months, and apply the proceeds in
the following manner, to wit: a bond with good security
payable to each distributee for one twelfth part of
the amount of sale, except those (if any) who have as their
interest in said land & in that case that the bond or bonds for
the proportion of such remainder be made payable to the pur-
chaser of such proportion, and the heirs of Abraham Williams
who are altogether entitled to $\frac{1}{2}$ part, that the bond for
their part be made payable to Polly Williams as the
representative of their father; and that the Comptrollees
aforesaid make report of their proceedings to this
Court in order to a final decree

Wm. Rutter

Williams 3rd Int. J. dea
Williams 3rd Int. J. dea
Williams 3rd Int. J. dea

June 1808, Report
v. P. & deuce final

Williams' has
13 Report for
Williams

3.1
3.2
3.3

In conformity to the Annued Decree, we John Davis
Abraham Lyner & Henry Cobb, three of the Commissioners
therein named and appointed have proceeded to lay off
and set apart one third part of the lands to which Eli
Williams late of Southampton died entitled, having
regard to quality & quantity, and assigned the same to
Mary Williams widow of Lion Williams as her dower
of said lands for life. And the remainder and residue
we have sold on a credit of twelve months, according
to the said decree. It also appearing to us from proper
Exhibits that Gregory Williams had purchased the
right title & Interest of the following distributees, name-
ly John Williams, Silas Williams, Burwell Burr
his wife Kate Fanny Williams,
men Williams, Jeremiah Williams, Lucy Williams
and Burwell Williams all heirs of said Eli Wil-
liams, named in said Decree, one of the Exhibits referred
or alluded to is a deed recorded in the office of this Court
the other a receipt from Burwell sealed with his proper
seal and tested by three witnesses, which said receipt
is hereto annexed as a part of our said Report.

We have therefore taken Bonds payable to
Gregory Williams for each of said vendors propor-
tion of interest in said lands, after deducting the necessary
expenses attending the attention of the said decree
the sale &c. We have also taken bonds payable
to George Williams Lion Williams and Polly Williams
each for one twelfth part of net proceeds of said sale
and one payable to Polly Williams the representative of
Jordan Williams for the proportion of the orphans of
said Williams therein.

And as Joshua Corbett became purchaser of
the said lands we have given him a deed of convey-
-ance for the same as commissioners

The Bonds of each (entitled) are in our hands ready for them entitled

Given under our hands this 21st day of

December 1807

~~Abraham Joyner~~

~~John Davis~~

Abraham Joyner

John Davis

Hardy Cobb

A count of sales of the lands to which Eli
Williams died entitled by John Davis Absalom
Joyner and Hardy Cobb the 7th Novem 1807
Under a decree of the Southampton County Court
Joshua Corbett

In account with Eli Williams ^{heirs}

To amount of the lands —	200 —	\$555
By cost to defray expenses —	\$20.00	
By Bonds to balance	335	
		\$555 — \$555

Burwell William

Is { Receipt

Drewry William

Southampton County October eighteenth
one thousand eight hundred and seven
I acknowledge that I have received of
Shemmy Williams Two Barrels of Prandy
in full satisfaction of my proportion of inter-
est in of or to the land to which Eli
Williams late of this County died entitled

Witness my hand and seal this day
and year above mentioned

Witness
Shadrach Cobb
Beneath ~~Signature~~
Jesse ^{has} Williams
mark

Beneath ~~Signature~~