

1809-005

SOUTHAMPTON COUNTY
CHANCERY PAPERS

LUNDY

VS.

TYUS

et ux et al 7/1809

Lundy
Lyn & Bill

To the honorable Court of Southampton in
I have very sitting - Humbly complaine
sheweth unto your wisdoms your oaths Thomas
Sunday that William Sunday his Father
departed this life some time in the year
having first made and executed
a last will and testament appointing
James Sunday his executor. That by the
said Will which is herewith annexed
and prayed to be taken as part of
this bill the said William Sunday
did devise his negroes in possession
as well as those which had been
given to his children by way of
advancement to be equally divided
between all his children. your or
further states that two negro ^{women} boys
have been received by him from
his father in his lifetime and that
two negro women with a child
a piece were given by the said

William Sunday in his lifetime
to William Tyer & Rebecca his
wife formerly Rebecca Sunday
daughter of the said William
Sunday and by way of advancement
your order further states that the
said James Sunday executor as of
and Nancy Sunday are infants
of the said William Sunday and are
entitled to an equal part of said
negroes of which said William Sunday
did dispose with your order and
William Tyer and his wife Rebecca

In tender consideration whereof and
in as much as your order is made
up in the premises except by the
interposition of this worshipful court
he prays that your worship would
appoint James Sunday and
James Harris and Nathaniel

Maby or any two to lay off and divide
the slaves belonging to the estate of
the said James Sunday equally between
your order and William Tyer and his wife
Rebecca formerly Rebecca Sunday James
Sunday and Nancy Sunday and that
the above named parties may be made
duly heirs and compelled to answer
all and singular the allegations
herein contained and when the said
commissioners moved to make such
division they be directed to ascertain
the value of the slaves given by
way of advancement to your order
and William Tyer and his wife Rebecca
which valuation shall be considered
in the distribution as part of their
residues. and your order will &c
Thomas Sunday

Lyons & Co Bill of
Lundy } Answer

July 1809 Int'd deuce

July 1809 Rep'd of final deuce

The Answer of James Lindsay
Executor and Administrator of William
Lindsay and to the bill of Complaint
exhibited against him by Thomas as
Lindsay. This Respondent saving
and reserving to himself & all benefits
& for answer saith that he believes
the allegations of the Complainant
are true and that he is willing
to submit to such decree as is
prayed for provided the parties are
compelled to give & refund bonds
to him as the law in such
cases directs and your Respondent
prays that he may be heard
advised with his costs &c.
James Lindsay

The Assent of William Lyers and his
wife Rebecca formerly Rebecca Lundy
and Nancy Lundy an infant by her
next friend James Lundy to the bill
of Complaint exhibited against them
by Thomas Lundy. These respondents
saying and reserving to themselves
all benefit of exception to all
errors and imperfections in the Compla-
-nants bill contained for answers
thereto say. That they are willing to
submit to such decree as the Court may
for and they pray to be
dismissed &c.

Wm Lyers

Rebecca Lyers

Nancy Lundy by her
next friend

James Lundy

Return of Commissioners
to divide H. Landys Land
between Tho. Landy & others

July 1809. rec'd & final
order

Southampton February Court 1809

Thomas Sundry —

Against

plffs

James Sundry executor of William Sundry decd
William Lyus and Rebecca his wife formerly
Rebecca Sundry and Nancy Sundry an infant
by her next friend James Sundry — defts

In
Chancery

This cause was this day docketed by consent Heard
on the bill of the complainant. Jurors of the defendants
whereupon it is decreed and ordered that Sumford Sundry
James Harris & Nathaniel Malny or any two of them
proceed to lay off and divide the slaves belonging to the
the estate of the ¹ Wm Sundry deceased equally between
the complainant and the defendants James Sundry and
Wm Lyus and Rebecca his wife and Nancy Sundry
having regard to the valuation of two negro men which
were given to the Complainant Thomas by ¹ William
in his life time by way of advancement. in the allot-
ment of his portion, also regard to the valuation of
two negro women with a child a piece which was
given by the ¹ Wm Sundry decd in his lifetime to
the defendants William Lyus and Rebecca his wife
by

Sam Kella

February 1809

Lunsford Lundy
J. P. Harris

Nath. Mabry