1814-059 SOUTHAMPTON COUNTY CHANCERY PAPERS DREWRY et al Vs. JONES and Wife 1814

Other Surnames: GRIZZARD, BLUNT, DRURY

Deering & others

vs

Jones & wife

Bill & answer

February 1873 Int. Sess.

To the worshipful Court of Southampton in Chancery sitting

Humbly complaining Shew unto your worships your complainants Edmund Drury and Charles, Sally, Priscilla Rebecca and William Drury infants by Henry Blunt their next friend & Appointed to prosecute for them on their behalf and Phoebe Grizzard. That William Drury the father of your complainant Edmund and your infant complainants duly made his last will & testament on the 6th day of May 1791. That the said William died some years after the date of the said Will and died sometime in 179— That between the date of the said Will and the death of the said William your infant complainants Priscilla Rebecca and William were born and are unprovided for in said last will & testament as will more fully appear reference being had to the same a copy of which is hereto annexed and prayed to be taken as a part of this bill. That the said decedent William directs his lands and plantation to be sold at the discretion of his executors & and out of the money arising from the sales after the payment of his just debts should be divided between his wife and his children John Edmund Charles and Sally and Polly Grizzard daughter of your complainant Phoebe Grizzard, the said Polly to have only an half

share of the same. That John one of the children of the said William died after the death of the said William an infant unmarried and without issue and your complainants are advised that the proportion to which he would have been entitled had he lived to be divided equally between your complainants Edmund, Charles, Sally. Priscilla, Rhoda & William That Polly Quigg died also after the death of the said William leaving your complainant Rhoda her nearest relation who is entitled to her distributive proportion of said land. That Lucy Denny the wife of the said William hath lately intermarried with a certain Nathaniel Jones and thereby determined the particular estate which she had in said land. And your complainant Edmund states that he hath applied or caused application to be made to the said Nathaniel Jones and Lucy his wife and requested them to join with the complainants in a division of the said land and to convey to each of the complainants their respective shares thereof but that the said Nathaniel Jones and Lucy his wife have refused and neglected and still refuse and neglect to comply with the reasonable requisitions of your complainants and believes that the debts due from it have been discharged

In tender consideration whereof and inasmuch as your complainants are remediless in the premises except in account of Equity where matters of this kind are properly cognizable they pray that the said Nathaniel Jones and Lucy his wife late Lucy Denny may be made defendants to this bill and be compelled to answer all and singular the allegations herein contained as fully and minutely as if the same were herein again repeated and they thereto more particularly interrogated. And your complainants further pray that your worships would decree the said tract of land divided in the wife of the William to be sold at public sale or such other way as may be best calculated to promote the interest of the parties and the proceeds of the sale to be divided according to the laws and the directions of the will above referred to between the complainants and the defendants in right of the defendant Lucy - And your complainants pray for general relief - And they will ever &c

To the worshipful Court of Southampton in Chancery
Sitting. The Answer of Nathaniel Jones and Lucy
his wife late Lucy Drewry to the bill of complaint
exhibited against them by Edmund Drewry, and
Charles, Sally, Priscilla, Rebecca, and William
Drewry infants by Henry Blunt their next friend
appointed by the Court to prosecute for them, and
Phoebe Driggers. The respondents now and
at all times saving and reserving to themselves every
benefit of exception to any errors in the complainants
bill contained for answer thereto say that they
cannot gainsay the allegations contained in the
complainants bill, and they are willing to
submit to such decree as this worshipful Court
may think it just to pronounce and they
pray to be hence dismissed &c &c -

Dennys &c — Attys

vs

Jones & wife — Defts

In Chancery

This day this cause was docketed by consent of parties and come on to be heard upon the bill answer exhibits and arguments of counsel, whereupon after due consideration thereof had the Court doth order adjudge and decree that Henry Phillips. Millie Francis, Mike Harris Edmund Turner jr or any three do make sale of the tract of land whereof William Denny died seized on credit of 12 months after giving four weeks public notice of the time and place of sale. That they divide the proceeds of the sales into eight and an half shares and take bonds with approved security for the payment of one whole share to the defendant Nath Jones and his wife Lucy, of the half shares to Phoebe Driggard, of one eighth and one sixth of one eighth to the complainant Edmund, of one eighth and one sixth of one eighth to Charles Denny. of 1-8th and 1-6th of 1-8th to Sally Denny. of 1-8th and 1-8th of 1-8th to Priscilla Denny. of 1-8th and 1-6th of 1-8th to Rebecca Denny. and of 1-8th and 1-6th of 1-8th William Denny, and that they

pay over the same to the aforesaid Parties or their guardians when they may be infants and that they make report to this Court in order to a final decree

Drewry &c.
vs
Jones
Intg.
Decree

October 17th 1814 Rec.d
rt.d & Decree Final

Southampton February Court 1813

Edmund Drewry Charles Drewry Sally Drewry Priscilla Drewry & William Drewry infants by Henry Blunt their next friends & Phoebe Grizzard Complts

against

Nathaniel Jones and Lucy his wife late Lucy Drewry Defts

Dft's Chancery

This day this cause was docketed by consent of parties and came on to be heard upon the bill answer exhibits & arguments of counsel, & thereupon after due consideration thereof had the court doth order adjudg and decree that Henry Phillips Willis Francis Mike Harris, Edmund Turner jr. or any three do make Sale of the track of Land whereof William Drewry died Seised and possessed at twelve months credit after giving four weeks public notice of the time and place of Sale that they divide the proceeds of the Sale into eight and one half shares and take bonds with approved Security for the payment of one whole Share to the defendant Nathaniel Jones and his wife Lucy, of the half Share to Phoebe Grizzard of one eighth and one Sixth of one eighth to the complainant Edmund Drewry, of one eighth and one Sixth of one eighth to Charles Drewry, of one eighth and one Sixth of one eighth and one Sixth of one eighth to Sally Drewry, of one eighth and one Sixth of one eighth, to Priscilla Drewry of one eighth and one Sixth of one eighth to Rebecca Drewry and of one eighth and one Sixth of one eighth to William Drewry, and that they pay over the Same to the aforesaid parties or their guardians where they may be infants and that they make report to this court in order to a final decree

Sam Kello C

Return of Sale of Land
of Wm Drury dec.

In Pursuance to a decree of the Worshapful Court of Southampton dated February Court 1813 to make Sale & division of the Tract of Land belonging to the late William Drewry dec.d we the acting Commissioners Henry Philips Michael Harris & Edmund Turner.s have made Sale of s.d Land which amt. was £209.5.- To Nathaniel Jones one whole Share £24.2.8 to Peter Gryzzard one half Share £12.1.4 To Edmund Drewry Charles Drewry Sally Drewry Prescilla Drewry Rebekah Drewry & William Drewry to one Eighth and one Seventh of one Eighth £28.3.3½. there are three Bonds we have retain.d in our hands (To wit) Sally Drewry & William Drewry of age but not capable of acting for themselves as they are blinds and Insane. also Charles Drewrys bond as he is absent from this State and has been for a term of years and cannot be heard of.s given under our hands this 15.th Oct.r 1814

his
Henry + Philips
mark

Michael Harris

Edmund Turner jr

Copy

William Brown

Will.

Polly Grizzard is dead her mother Phebe Grizzard living

John is dead. Lucy his mother is living and married

Nat Jones

Nancy, Rebecca & William born since the will was made

infants —

Edmd Drewry adms of the testator

Capt Blunt next friend for the infants

Complts H Phillips Willie Francis, Mike Harris and

Edmd Turner or any three —

270 acres not worth $100 per share

In the Name of God Amen. I William Drewry of the parish of St. Luke & County of Southampton are at present very Sick & Weak of Body but of Sound mind & memory thanks be told for therefore, do make and Ordain this my last Will and Testament in Manner & form following (to Wit)

Imprs. I lend my beloved Wife Lucy Drewry my plantation & all my Lands adjoining the same during her Widowhood and no longer, and at the Expiration of her life or widowhood My Desire is that my said plantation and land be sold at Public sale

Item My desire is that all my Estate be sold assoon as Convenient together with my Still and Negro Land only Excepted and all the money arising from any sale or all Sales of my Estate after paying my just debts be Divided Between my Beloved Wife my Son Joseph, Edm.d Charles my Daughter Sally and Polly Grizzard Daughter of Phebe Grizzard all of which to have Equal Shares except Polly Grizzard and She to have only one half as much as one of the Rest, and their Respective Shares to them and their Heirs forever

Item My desire is that my Brother Rich.d take my son John and raise him & for Son Edmund my desire is that he be assoon as Capable bound to Humphrey Drewry if he will take him if not to some other person and as for my other Children my desire is that they be brought up at the Direction of my Wife & my Exors hereafter Mentioned. I Nominate and appoint my Brother Richard my sole & Sole Executor of this my last Will & Testament In Witness whereof I have hereunto set my hand & affixd my seal this 6th day of May in the year of our Lord 1791.

Signd Sealed Published & Declared to be my Last Will and Testament in presence of
Henry Smith
Aaron Smith
Nathan Turner

William Drewry (Seal)