

1834-146

SOUTHAMPTON COUNTY
CHANCERY PAPERS

WILLIAMS

VS.

JOYNER'S EXECUTOR

et al

11/1834

other surnames : Whitehead, Davis,
Drake

1127

Williams } Bice &
v
Williford &

Archd Johnson
Jen. Mayhew
Jessean Edwards
1834 Nov. decree filed &c

(Gray)

Williams
N
Williford &

This day This cause was docketed by
consent of party, & came on to be heard on the
bill answer & exhibits whereupon the court doth
adjudge order & decree That Jm. Williford the
within named Executor having ascertained what each
portion of The within named Legatus shall amount
to (Sct the children of William Davis, The children of
James Whitehead & The child of Emily Drake, and
The said Drake as heir at law of his child James
Williams) pay over to The said Benjamin B. Williams
one moiety as Guardian of his child, and one other
moiety in his own right as heir at law of his auct.
child and report &c.

Gray. p. 80

To the worshipping court of Southampton in
chancery sitting for orator Benjamin B. Williams
respectfully complaining shew unto your
worships that a certain Jordan journeyer
died this life sometime in the month of August
1833 having made his will which is of record
in the clerk's office of this county in which
the said bequest he directs his estate not
after use disposed of to be sold & the proceeds
or money arising therefrom to be equally divided
between his grandchildren of Elizabeth Whithead
and Davis Melinda Williams & Temperance
Drake, to be equally divided between the children
of any four daughters, appointing a certain
Juryman William his Executor - who has quali-
fied & given security as such according to law

for orator shew unto your worships that the said
William is agreeable to the will of his testator after
paying the legacies under said will & proceeding to sell
the remainder of the estate & now holds the same
ready for distribution under the said bequest to
his intestate's grandchildren of orator says at
the time of the death of said Jordan journeyer
he was married to the said Melinda Williams
formerly journeyer & the daughter of said Jordan who
had as the issue of their marriage living at the
time of said Jordan's decease two children infants
of tender years 5th Eliza 5 years old James Williams 3
years at the time of his grandfather's death, that

after the death of said Jordan James the son
of yr. brother by Barbara his wife died. yr. brother
is advised that as him at law of his child
James he is entitled to receive that portion of
Jordan James estate which his child James
would have received if living and being so
advised he prays that Janyneath Williford
executor of Jordan James decd. and James
Whitehead guardian ad litem of his children
William Davis guardian ad litem of his children
Ernest Drake in his own right & guardian of his child

be made defendants
to this bill to answer &c and that this court
will award such a decree in this cause as
the law of the case requires &c

Graspy

Williams

Williford

The ^{defendants} answer of Janyneath Williford & J.
James decd. James Whitehead guardian ad litem of his children
William Davis guardian ad litem of his children
& Ernest Drake in his own right & guardian of his
children these defendants answering say (answering to
themselves all right of exceptions &c) that they cannot
deny the allegations of the 5th bill and have
no objection to such a decree in this cause as
to the court may seem fit & proper and having
answred pray to be dismissed. &c