

1809-008

Chancery Causes: James Almond [Allmond] + ux + al vs Thomas Joyner + al

Ile of Wight County

Other SURNAMES: MORRISON
Uzzel, Dickinson, Uzzell,
Allmond

To the Justices of Isle of Wight court, sitting in
chancery, humbly complaining, shew to the court
your orators and oratrices James Almand and
Polly his wife, Edward and John Morrison infants
of John Morrison dec'd by Jane Morrison their
next friend Vicker, Thomas and Morrison leggal
by Thomas leggal their father and next friend.

That William Morrison died
in the early part of the year 1803 after having
duly made and published his last will and
testament in writing - the following clause is
in the said will "I give and devise to my two sons
James and Pitt Morrison the whole of the plan-
tation whereon I now live and which I purchased
of Christopher ~~Hall~~ Dickenson, to them and
their heirs for ever, and should either die before
they arrive to the age of twenty one years of age, it
is my will and devise, that their part shall
be equally divided between my sons William
and George Morrison to them and their heirs
forever." That this court have already decreed
a division of that part of the land aforesaid
which James Morrison was intitled to under
the foregoing clause. That Pitt Morrison died
in the early part of the year 1803 intestate
^{and under age} leaving as his heirs, your compts, a certain
George Morrison and Peggy Joyner the
wife of Thomas Joyner - the said George Morrison
has sold his interest in the aforesaid land
to the said Thomas Joyner - William Morrison
is also dead - Yr compts ~~are~~ advised under the clause
aforesaid, one half of Pitt Morrison's interest in
the said land passed to George Morrison
and the other half to the heirs of William
Morrison - That your compts, the said George
Morrison and Peggy are also the heirs of
the said William Morrison, and are anxious
to obtain a division or sale of the said
land, as may seem best - That some of
them are under age, and therefore they cannot
obtain such a sale or division, without the
aid of this court - In tender consideration

whereof, and as much as your Compts are
remediless at law, they pray the aid of your
Worships -

To the end therefore they pray
that the said Thomas Joyner and Peggy
his wife may be made defendants to this bill
of complaint, and that may make true
and perfect answer to the allegations aforesaid
and that as fully as if the same were here repeated
and they thereto particularly interrogated -

They pray that your Worships will decree that
Pitt Morrison's interest in the aforesaid land
be divided into two equal parts, that one
part thereof be allotted to Thomas Joyner
as alienee of George Morrison, and that
the other half (as the share of each heir will
not amount to \$100) be sold, and the proceeds
divided into five parts, one 5th of which to be
allotted to your Compts James Allman
and Polly his wife (who was a sister of Pitt) one
5th to Edmund and John Morrison children of
John Morrison a brother of the said Pitt, one
5th to Elisha, Thomas and Morrison Bygell
children of Nancy Bygell who was also a
sister of the said Pitt, one 5th to Thomas
Joyner and Peggy his wife who was likewise
a sister of Pitt Morrison, and the remaining
5th to Thomas Joyner as alienee of George
Morrison another brother of the said
Pitt - or make any other order or decree in
the premises for their relief which may
seem just &c.

The answer of Thomas Joyner and Peggy
his wife to the bill of complaint exhibited
against them in the High Court, by
James Allman, and Polly his wife, Edmund
and John Morrison infants suing by John
Morrison their next friend, and Elisha,
Thomas & Morrison Bygell infants suing
by Thomas Bygell their next friend,

These Respondents admit the
truth of all the statements in the complaint
said bill contained - and are willing that
your Worships should make such a decree
as is prayed for by the complaint or any
other which may seem just - Your Respondents
has purchased the whole interest of George
Morrison, in the said land, as the records
of this Court will shew - He prays that fit
persons may be appointed for carrying
into effect the decree of the Court in
the premises - I lastly prays to be hence
dismissed with his reasonable costs in
this behalf expended,

Alfred and the { Bill
is 2
Fogner den } answer

October 3^d 1808

July 1808

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Albion H. H. H.

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Isle of Wight County, to wit,

October Court 1808

James Allmon and Polly his wife, Colman and John Morison
infants of John Morison decd. by Jane Morison their next friend
and Elisha, Thomas and Morison Wyzell by Thomas Wyzell their
father and next friend

against

Thomas Soyner and Peggy his wife

Complts.

Defts.

In Chancery

By cons^t of parties by their attorney this day the bill and answer were filed and heard
thereon, Whereupon it is decreed and ordered that Andrew Woodley, Nathaniel Young, Francis M. Boykin
and Thomas King or any three of them divide into two equal parts the land of which Pitt Morison decd
deized and possessed that one part thereof be allotted to Thomas Soyner as assignee of George Morison
and the other half be sold ^{on a credit of six months} and the proceeds divided into five parts - one fifth of which to be allotted
to your complainants James Allmon and Polly his wife - one fifth to Colman and John Morison
children of John Morison decd: one fifth to Elisha, Thomas, and Morison Wyzell children of the Wyzell.
one fifth to Thomas Soyner and Peggy his wife and the remaining one fifth to Thomas Soyner as
assignee of George Morison - and that the said commissioners take bond ^{for} security from the purchaser
or payable to the persons as above mentioned - and make report thereof to the court
in order to a final decree

Attest Teste Nathl Young &

Agreeable to the annexed decree to us directed we the subscribers beg leave to
report to the court of Isle of Wight County, that they have divided the land of
which Pitt R. Morison decd deized and possessed in two equal parts, and
assigned one half thereof to Thomas Soyner Senr as the decree directs; and
have also made sale of the other half on a credit of six months, have
taken bonds, from the purchaser ^{for} the several proportions of the parties
intitled - Given under our hands this 12th day of October 1808 -

Francis M. Boykin

Andrew Woodley

Nathl Young

Memor of Costs of Suit in Chy.
for division of C. R. Monipons land

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