

1828-001

Chancery Causes: Hardy Davis v. ut vs Mary Glover v. al, by v. c. v. Samuel Glover's admr

Isle of Wight County

other surnames: Godwin,
Person

Archibald Atkinson Esq

For^d by ——— Post —
Wm B. Woodley } Smithfield —

Basin für die
in der Blau der
Glorie Kreis

July 11/828.

Alles in Ordnung

To the County Court of Shelby County (Mississippi)
in chancery, Sherriff, complaining, (Sherriff)
unto your worship, your orator and orator
Hardy Davis and Sally his wife, formerly
Sally Glover widow of said Glover deceased
That the said Hardy Glover departed this life
intestate on or about the day of
adominion the husband of your orator
and the father of the following children who
are now living and are under the age
of twenty one years - to wit, Mary Glover,
Winifred Glover and Martha Glover -
That the said Hardy Glover at the time of his
death was seized and entitled in fee to a
plantation whereon he lived in the County
of Shelby and several negroes to wit,
Tom, Jack, Star and child Charlotte,
Rose, Jackson, Leticia and boy, Randall
and ~~and~~

~~and~~ That the plantation and the
slaves Tom, Jack, Star and child Charlotte,
Rose, Jackson, Leticia and Randall the said
Hardy at his death was in possession of
the will of his father Robert Glover a copy of
which will is hereto annexed marked A
and is prayed to be considered as a
part of this Bill under which will, your
complainant contend the said land
and slaves devised to the said Glover
carried a free token and his heirs &
heirs with his other estate descended to
the said infant children and subject to the

and slave, thereby devised to said Elmore
and that the same upon his signature
- took according to his claim at law,
subject to the right of dower of the said
sally, late his widow; both a q. ord. & am
that Miller & George B. Morley
Bryan Chapman ^{and Chapman} & Claiborne & Booth a q. ord. & am
be and they are hereby constituted commissioners
and directed to sit under hall of the
the Jff. Hardy Davis and Sally his wife,
in her right one third of the lands and
slave in the bill mentioned before of
said Elmore was seized and entitled to
in fee either under the will of Robert
Elmore or in any other manner, having
regard to quantity and quality, & for
the purpose of making such allotment
the Court are authorized to call in the
aid of any sworn surveyor (if necessary)
which said fee is to be held in right of
dower

and that they make report to the Court
in order to a final decree

And liberty is reserved to the infant def. to shew
cause - (if any they can) against this decree
within one year after they shall respectively have
arrived to the age of 21 years & under the 20th
further order that if required the parties of full age & the
guardian of the infant give Bonds to defend & accept & an

To the County Court of the of Right sitting in
chancery - The answers of Martha, Maria -
and Mary Eliza infants under the age
of twenty one years by ~~John~~ Anthony person
who has been appointed their guardian as taken
to the bill of complaint exhibited against
them in the said Court by Harry Davis and
sally his wife - These defendants saying & for
answer say that in consequence of their
tender years they are unable to admit or
deny the truth of the allegations of the
complaint, and require strict proof
of the charges therein in the bill contained,
they submit their rights to the protection of
this Honorable Court and having answered
they pray leave to be dismissed &c

(signed, Anthony Person

David Swift

L 3 My
Gloria

—

At Home, a

The Separate answers of ~~James~~ ^{Joseph Gordon} and
of same given to the title of complaint
submitted against him and others in the
County Court of Mississippi by Nancy Davis
and Sally his wife.

This respondent having been sworn to for a juror says that he is the owner of the intestate's goods and has no reason to suppose that the debt due by the estate will require the sale of any of the slaves - He has no objection to an allotment of debts to the said Sally, but the widow of his estate provides the Court shall be of opinion that under the law she is entitled as charged in the bill - provides however that Bonds and security shall be given Conditioned to refund and proportion of any debt or demand that may hereafter arise against the estate - and having answered the prayer moves to be dismissed &c.

admo. of Paul Glover

Davis Prep
m3 Chy
Glow & Lottess

Sept 1828

To be Rnts.

August 1820 Bill, Ans^r
and exhibits filed by Tutor.
acru:

December 1st 1828 report ret^d
5000

December Judgments
10200

Oct 1828

22)
Pursuant to a decree of the court of Lf^{ts} of Wright
County bearing date August court 1828 to we direct
= ed we the undersign have laid off and allotted
to the widow of Saml Glover D^d. now the wife
of Hardy Davis one third part of Land & Slaves
That the S^d Saml Glover died ~~Dec.~~ possessed as
As follows viz the line commencing at a dividing
line between S^d C. Jordan and S^d land a marked
pine from thence an East course to a black gum
following a straight line of marked trees to a white
oak standing within the field thence continuing an
an East course thro' the field to a marked tree
a maple standing in a Branch thence down
S^d Branch an ~~North~~ North East course to the dividing
line of Grahm Carrel & S^d land — also the
following Slaves to viz Charlit Jack Bob & Lettie

Given under our hands this 12th day of November 1828

Wm^h Chapman
Mark

J^d. Chapman

Charlotte Booth

In Sale of Wright County Court August 1020

Hardy Davis and Sally his wife Complainants

against

In Chancery

Mary, Winifred and Martha Glover Defendants

On motion of the Complainants by their Attorney,
Anthony Person is appointed Guardian ad litem to the infant
Defendants. This cause came on this day to be heard on the bill
answer and exhibits and was argued by counsel. On consideration
whereof the Court being of opinion that the Will of Robert Glover
(a copy of which is filed as an exhibit in this cause) passed a fee simple
estate in the lands and slaves thereby devised to Samuel Glover, and
the same upon his dying Intestate descended to his heirs at Law,
Subject to the right of dower of the said Sally late his Widow; doth adjudge
order and decree that Willis H. Woodley, Andrew B. Woodley Benjamin
Chapman James Chapman and Claiborn Boothe or any three of them
be and they are hereby appointed Commissioners and directed to set
aside and allot to the Complainants Hardy Davis and Sally his wife
in her right one third of the lands and slaves in the bill mentioned and
whereof Samuel Glover was seized and entitled to in fee either under the
Will of Robert Glover or in any other manner, having regard to quality
or quantity - and for the purpose of making such allotment the Com-
missioners are authorised to call in the aid of any sworn Surveyor or
(if necessary) which said one third is to be held in right of dower, and that
they make report to the Court in order to a final decree - And liberty is
reserved to the infant Defendants to show cause if any they can) against
this decree within one year after they shall respectively have arrived to
the age of twenty one years &c and the Court doth further decree that if
required the parties of full age and the Guardian of the Infants give bond
to refund according to Law

Attest

Nathl. Young) C

Davis and wife

vs. Leon

Glover's Infants

I Robert Glover of the County of Isle of Wight and State of Virginia do hereby make
my last will and Testament in manner and form following that is to say
1st I lend unto my Son Samuel Glover during his natural life the Land
and plantation he now lives on, which formerly Wilson Brantley,
containing Two hundred and fifty acres and the following negroes,
Tom, Jacob, Sam & Child Carlott, Rose, Jackson, Lettice and
a Boy Randall, and although I only lend the above property
to my S^r Son Samuel Glover yet should he be disposed to sell
the S^d Land or Negroes or any part thereof, he is at full liberty
to do so and any bargain or sale or conveyance he shall so make
to be binding on his heirs as though I had in the first place given
the same to him and his heirs forever. and at the death of S^r Samuel
Glover. I do hereby give all the S^d Land and Negroes aforesaid such part
of S^d Land and Negroes as the S^d Samuel Glover shall not
have so sold in his life time, with the increase of S^d negroes to be
Equally divided between all the Lawfull Children of the S^d
Samuel Glover to them and their heirs forever, and in the event
of no Child or Children then and in that case to the legal heirs
of him the said Samuel Glover to them and their heirs forever.

2^{dly} I do give unto my said Son Samuel Glover three beds and furniture one of
which he has now in his possession two painted pine chests, one Round
Black walnut Table three Black walnut Chairs, one half of my
Stock of Cattle and Sheep and one young Sorrell horse call^d Sir
archer to him and his heirs forever - 3^{dly} I do lend unto my Son Harrison
Glover the following Tracts of Land and Negroes upon the express
provisor and Conditions the plantation I now live on also the Lands I
bought of Robert T. Fulgham which he bought of Thomas Ellis and
Henry Goodson also the following negroes, Lewis, Peter, Milley and
Chill pink, Chaney and Dolphin, provided he never shall marry
Polley Ward daughter of Williams. nor keep her as a wife nor
have any thing to say or do with her in any way whatever, dyrectly
or indirectly or go to where she is or suffer her to come and stay where
he is on the plantation to stay one year by his consent and upon
this further Condition that he shall not make Leopus, Bras
wells and Scott in his neighbourhood his companions in future and
that he shall portake himself to industry and Care so as to use
the S^d Lands and negroes and not abuse them and try to
become respectable and to support a good name and Character in the
neighbourhood and so long as he shall observe and keep and abide
by the provisor and Conditions aforesaid so long it is my
wish and desire that he shall hold the possession of S^d
Lands and Negroes aforesaid and no longer and when

even he shall fail herein, in the opinion of his Brother Samuel
Glover who I shall constitute and appoint my executor to this my
will, he the said Samuel Glover shall call in three of the
most convenient Justices of the peace in the S^d County, and
if they shall give it as their opinion from from under their
hands that the said lands and negroes would be improved
and that it would be to the advantage of S^d Harrison Glover
that my Executor should take the possession of the said
Land & negroes and their increase and hire and rent them
out annually for the support of my S^d son Harrison, and
that he shall have the same paid to him quarterly for his main-
-tenance, that then and in that case my said son Sam^d Glover
shall have full power to retake into his possession the Land &
negroes lent to my said son Harrison Glover and rent out the
Land and hire out the negroes annually for the benefit &
support of his Brother any thing to the contrary notwithstanding
and provided my said son Harrison should leave any lawfull
child or children at his death in that case I do give the
said Land & negroes with the increase to be equally
divided between them & their heirs forever — and in the
event of no such child or children then it is my wish &
desire that the S^d Land & negroes shall pass to my son Samuel Glover
heirs to them forever — any thing in Law or Equity to the contrary
it is my will for it to be so notwithstanding —

5thly I do give unto the said Harrison Glover my son two beds and
furniture five choice one walnut square Table Two pine
Tables one Desk two pine chairs two Trunks one Bowcase
and its contents six Maple chairs and all my kitchen furni-
-ture my Two Cows and all my stock of hogs and
half my stock of Cattle and Sheep all my corn and fodder
made at home at my house & so much thereof at my
son Sam^d Glover as is made between the path
leading from S^d Sam^d Glover to William Ward &
the main Bayware house road to him and his heirs
forever — 5thly. It is with and desire that my S^d son
Sam^d Glover do make Sale of that part of my land that
I bought of Robert T. Fulgham which he bought of John
Hornet for the benefit & use of my S^d estate in paying
my debts & b. for Cash or credit as he may think best
6thly after the payment of my debts and funeral expenses I do
give all the rest of my estate not lent or given away in
this will to be equally divided between my Two sons Samuel
Glover and Harrison Glover to them and their heirs forever —

7thly And Lastly, I do hereby constitute and appoint my son Samuel Glover
my ~~sole~~ and Sole Executor of this my last will and Testament
hereby revoking all other or former wills or Testaments by me
hitherto made. In Witness whereof I have hereunto set
my hand and fixed my seal this 9 day of December in
the Year of our Lord and Saviour Jesus Christ One thousand
Eight hundred and ~~eighteen~~ eighteen

Signed Sealed published and declared
as and for the last will & testament
of him the above named Robert
Glover in the presence of

William Gordon

John ^{mark} Ellis

Thomas Ellis

Robert Glover (Seal)

At a Court held for Steepwight County
the 7th day of December 1818 This
will was presented into Court by Samuel Glover the
Executor therein named who made oath there according
to Law and the same being proved by the oath of
William Gordon, John Ellis and Thomas Ellis the
witnesses thereof and was ordered to be recorded

Attesty Tite Nathl Young B. M.C.

I am of opinion that the devise in this
 will to land & slaves of the plantation
 and negroes in the first clause, is a
 full transfer of the land & slaves to the devisee
 without any condition, the same being to be
 held out and subject to the devise of the
 widow.

A. Atkinson
 July 15. 1829.

in 4 Randolph 547
 Meade & Cohoon.

Robert Glover's
 Will

Copy

A

Prop. Rep.
 1 June 1829 reports

2 from 228

note &c

Remains

Atk. of R. S. Glover's will

note

2 from 228

note &c

Remains

Atk. of R. S. Glover's will

\$5.50