

1822-037 SOUTHAMPTON COUNTY
CHANCERY PAPERS

FRANCIS VS. FRANCIS, EXECUTOR OF POPE

3/1822

Francis 929

107

Francis Ex. Pope

Bill & Answer

March 1822 Int. of Denee

Exant

To the worshipful Court of Northampton in Chancery setting
Humbly complaining sheweth unto the Court that the said
Francis a minor by his guardians and next friend
Jally Francis That Mary Pope late of this County
died some time in the year having first made
and published her last will and testament an office
copy of which is hitherto annexed and prayed to be taken
as a part of this bill That your orator is the
sole residuary legatee in said Will and
alone entitled to the balance of her estate after
the payment of specific and pecuniary legacies
all of which your orator believes have been
paid or are ready to be paid. your orator
represents that a certain William Francis was
appointed executor in said will and has in
due form of law taken upon himself the
burthen of the execution thereof, and has or might
have reduced all the estate long since into
his possession. your orator further represents
that he hath not yet received any benefit
from the legacy so as aforesaid bequeathed to
him except a small amount nor does he
know to what he is entitled. In tender amittor
tion whereof and in as much as your orator is
remissible in the premises enabled by the intervention
of a Court of Equity he prays that the said William
Francis executor as aforesaid maybe made
a defendant hitherto and be compelled to answer
all the allegations herein contained fully and
truly. He further prays that he may be compelled
to render to this Court a true account of his
executorial proceedings on said estate to this
Court and be also compelled to pay to your
orator whatever may appear to be due
upon a fair adjustment of his said transactions

and your most faithful prayer that your
members would grant any other relief or make
any other or further order or decree in the premises
which consist with principles of equity and
justice, and as in duty bound he will ever pray
Yes

To the honorable Court of Southampton in Chancery
sitting - The answer of William Francis
executor of Mary Pope and to the vice of Complainant
exhibited against him by Elizabeth Francis, a
minor by his guardian and next friend Sally
Francis - This respondent now and at all
times saving and reserving to himself all benefit
of exemption to any error or imperfections in said
vice contained for answer to so much thereof as he
is advised is necessary for him to answer. That
that he is executor to Mary Pope's vice as is stated
in the vice. And that he is prepared and willing
to submit to this Court a true and perfect ac-
count of his transactions upon said estate, And
pay over under the direction of this Court any balance
which may be found to be due from him, provided
he is secured in doing so in the manner required
by law And having answered he prays to be
dismissed with costs &c.