

1795-025

Chancery Causes: James House & Mary House vs Samuel House 'ector val

Isle of Wight County

other surnames: Wills,  
Jordan

To the worshipful justices of ~~Southampton~~ Isle of Wight in Chancery

James House & Mary House Humbly Shew.

That their father Samuel House late of this County deceased made his will bearing date the 16 day of December 1770 & appointed his son Dempsey House his executor who proved the said will & took upon himself the execution having first entered into bond with John Scarbrooke Willingent & Billingsly Jordan his securitys for his due administration of the estate of the testator and performance of his will, to which well & bond your orators pray leave to refer amongst the records of the Court of this County

That in Oby the said will the testator amongst other things gave to your orator James his sharegun and to your Orators Mary one feather bed & furniture that belonged to it and further devised that all the rest of his estate should be equally divided between his three children / after his debts were paid / to wit Dempsey your orator James & your Orators Mary your orators charge that after payment of the debts legacies & necessary & accustomed charges a very considerable balance will be left to be divided agreeable to the will of their father no Account either by Inventory appraisment Sale or Account has been yet returned by the said Dempsey the executor of the estate of his testator or his will in any manner been performed whereby your Orators are well intituled to call upon as well the executor as the aforesaid Securitys for the due performance of the trust reposed in the said executor for which end & purpose your orators have made frequent & the most friendly application <sup>to them respectively</sup> But now so it is May it please your worships that the said executor & his Securitys as aforesaid have hitherto neglected & refused to comply with this your Orators reasonable request which is clearly contrary to every idea of justice & equity To the end

Therefore that the said Sampson House ex<sup>or</sup> He of Samuel House  
deceased & the said John Scarbrooke Wells & Billingsly Jordan  
his Security, as aforesaid may upon their Corporal oaths full true  
& perfect answer make to the allegations of this bill as above  
alleged but especially whether the said Samuel House did not  
leave such will, appoint such executor, was not the same  
duly proved & recorded & such bond entered into & given with  
such Security as above stated, Hath any Inventory Appraisal  
Sales or Accountment of the estate of the said testor been  
returned or made up either by the said executor or ~~he~~ either  
of his Security? What is the true amount of the said estate  
to be devised agreeably to the will, And that this Court will  
Compell the Defendants to return a true & perfect Inventory  
& Appraisalment or Account of Sales of the said estate and also  
a just Account of the Administration thereof and also that  
this Court will Decree that the defendants do pay unto your  
Orators their respective proportions of the balance of such  
Account deducting debts & funerals & other usual allowances  
with interest thereon from such time as this Court shall  
think reasonable. Or that will give your Orators such  
other relief as is agreeable to equity & good Conscience  
May it please the

Nello P. Compter

House.

v

Houses exp<sup>d</sup> & Chan<sup>d</sup>.  
Security.

Bott

in

Chan<sup>d</sup>.

May 1786 Academy

Bill filed & line

Novemb. 1786

Ulla & Amos<sup>m</sup>

April 1788

Att<sup>or</sup>. with Proclam.

May 1790

Int. Deem<sup>r</sup>

August 1794

abates as to Dist. Office by his  
death & Com<sup>d</sup>. for Capt.

November 1794

Cont. W<sup>ar</sup>. in. Refuses

Massch 1795. —

Cont<sup>r</sup>. —

Novemb. 1795.

Deem<sup>r</sup>.

The answer of John Sck Wills to the bill of Complaint  
exhibited against him by James & Mary House  
This defendent saving to himself all  
manner and benefit of Advantage to the many errors  
and imperfections in the said Bill of Complaint containd  
for Answer thereto, for as much as he is advised is material  
to answer, answereth and saith; That Samuel House  
did make his will about the time mentioned in the  
Bill of Complaint & Deceased Derry House his executor  
who took upon himself the execution <sup>thereof</sup> Entered into bond  
with Bellingbold Jordan & John Sck Wills his security, that  
Derry House sold the estate the amount of which the said  
John Sck Wills cannot tell; the said executor paid  
Sundry debts to the amount of forty seven or eight  
pounds as appears from some papers in the possession  
of the said John Sck Wills, & the said John Sck Wills believes  
the amount of the sale of the estate was very little if any  
more than the debts & other expences; and that he does not  
know of any Inventory appraisment, Sails or amount  
current of the estate of the said testator, and <sup>they</sup> ~~very~~ claim in  
the said bill containd this Defendent doth altogether  
deny and prays that the said Bill may be  
dismissed without, that he that he

Sworn to this 4th of May 1700 before  
James Wills

The answer of  
John Wills to the  
Bill of Complaint  
exhibited against him  
by Houlker &c

1755

The Commonwealth of Virginia To the Sheriff of Isle of  
Wight County Greeting you are hereby commanded to Summon  
John Sears, brook Wills and Billingsley Jordan to appear before our  
Justices of our County Court in Chancery at the Court house on the  
first Thursday in January next then and there to answer a Bill in  
Chancery exhibited against them by James House and Mary House  
and this they shall in no wise omit under the penalty of £100. —  
each & have them there this Wait. Witness Francis Young Deputy Clerk  
of our said Court at the Court house on the eight Day of December 1703  
in the eighth year of the Commonwealth

Francis Young D<sup>cl</sup>.

House No.

v.

Mill No.

Exec. Justices

} Spec  
in  
Chancery.

May 1784

Cont. & Bill



The Commonwealth of Virginia To the Sheriff of Isle of Wight County  
Greeting, you are hereby commanded to Attach John Selk Wills, & Billingsley  
Jordan

so that you have their bodies before our Justices of our court of our said county in  
Chancery at the court house on the first Thursday in March next to answer us  
as well of a certain contempt by them to us offered as it is said as upon those  
thing which to them then and there shall be objected and further to do and receive  
what our said court shall in this part consider and this you shall in no wise  
omit, and have then these this Wit. Witness Nathaniel Burwell Clerk of our  
said court at the court house the 8<sup>th</sup> day of November 1706 in the eleventh  
year of the Commonwealth

Thos: Young Secy. to the Court

For not appearing to answer the Bill of complaint exhibited against them by James  
Horse and Mary Horse

By Rule according to law

Francis Young Clerk

Alto  
for  
Answer  
Miss  
Horse

Exd. on Wills  
B. Goodrich D

The Commonwealth of Virginia To the Sheriff of Isle of  
Wright County. Greeting. We Command you that in all and  
singular places in your bailiwick when it shall seem  
most expedient, you cause it publickly on your part to  
be proclaimed that John Sek, Mills and Billingsly  
Jordan under the penalty of this allegiance, before  
our Justices of our Court of our said County in Chancery  
at the Court house on the first Thursday in May next  
personally do appear, and notwithstanding the said John  
Sek, Mills and Billingsly Jordan in the mean time  
if you can find, you attach so that you have their  
bodies before our Justices of our said Court at the court  
house aforesaid, to answer us as well of a certain  
Contempt by them to us offered, as it is said as upon those  
things, which to them then and there shall be objected  
and further to do and receive what our said Court  
shall in that part consider, and this you shall in no  
wise omit, and have then there this writ witness  
Francis Young Clerk of our said Court at the court  
house the 8<sup>th</sup> day of April 1788. in the 12<sup>th</sup> year  
of the Commonwealth

Francis Young Clk  
Clerk

For not appearing to answer the Bill of complaint exhibited against them by John  
Gallary House

By Order of Court

Francis Young Esq. Clerk.

House Sec. }  
w. }  
Altho' }  
with }  
Miss, Genl. & C. Proclamant

executed  
J. Horning &

at  
T. R. Young Esq.