

1816-044

Chancery cause. James Gwaltney & wh, Bailey Davis vs Thomas Nonsworthy & al

Isle of White County

Plat in Overseer Box 3

Other surnames: Harriss,
Parnell, Garner,

survey and exhibit and arguments of Councils in reference to the
County of York and the same that Joseph Holliday, John
Phillips, James Hill & Thomas Hill or any two of them
have agreed to quality and quantity do and do the land of which
they are ^{and at last} Pennell did sign of property on the Rolling piece
on the 15th. The said parties in the following manner: proportion
one fourth to Bailey & Geo Davis and their heirs, the said parties of the property
to wit one fourth to Bailey. Davis, James, Davis and others.
James & Charles of wife John Charles Davis in right of her community did
one fourth to James Gravatt and Sally his wife fourth Sally
Perrin and the remaining one fourth to James Monmouth,
Pelle James and Rachel his wife fourth Rachel Monmouth,
George Monmouth, wife Monmouth, Benjamin Monmouth
and Mary Monmouth widow and heirs of Ellis Monmouth
do and make report thereof to the Court in order to
a final decree.

Davis & ad

vs $\frac{2}{3}$ Bill & ad
Monmouth & ad

From 1816 Bill, 1818?

filed & entered as above

Sept. 1st 1818 report made

to the Court & entered

to be fourth share and that ~~the same~~ Henry Stoworth
and Phillis James and Rachel Stoworth George Benjamin
hall and Mary Stoworth and heirs of said
this Stoworth are entitled to the remaining one
fourth of the said tract of land. - They therefore pray
that the said, Thomas Stoworth Henry Stoworth
and Phillis James and Rachel his wife Henry Stoworth
George Stoworth Joseph Stoworth Benjamin
Stoworth and Mary Stoworth ~~be made defendants~~
~~and that by themselves and next friends~~ be made defendants to the said
and that by themselves and next friends be made defendants
full, true and perfect answer to make to all and upon
the allegations herein as fully as if the same were true
again repeated they think particularly interested; and
to say if the said allegations are not correct and true
and what objection if any they have they can allege against
the division of said land as the same wished by seven
complainants. They further pray that your wisdoms will
decree that the said land be divided into four equal
shares to wit ^{and allotted as follows} ~~one fourth~~ to George Bailey Davis and
Chloris Davis & Charlotte his wife in right of the Stoworth & the latter in right of Benjamin
one fourth to Lewis Gwatney and Sally his wife formerly Sally
Davis, and the remaining one fourth to Henry Stoworth
and Phillis James and Rachel his wife formerly Phillis
Stoworth George Joseph Benjamin and Mary Stoworth and
heirs of this Stoworth deceased. They
further pray that your wisdoms will appoint fit and
proper persons to carry the said decree into effect or
make any other or further order for this relief which
may seem just and equitable.

Geo. Bailey Davis
George Davis
Chloris Davis

To the Honorable Court of King's Bench sitting
in and under the name of Henry Stoworth. Thomas
Stoworth and Rachel his wife Henry Stoworth
George Stoworth Joseph Stoworth Benjamin Stoworth and
Mary Stoworth the four latter infants of tender years
Henry Stoworth ~~the~~ who has been appointed by the Court
to defend them in this suit, to a Bill of complaint exhibited
against them in the said county of Middlesex by James Gwatney and
Sally his wife formerly Sally Davis, Bailey Davis George Davis
and Chloris Davis and Charlotte his wife formerly Charlotte Davis
of the said county of Middlesex being and moving to themselves now and at all times
hereafter able and every right of exception to the same in the
Bill contained for answer thereto or so much as they may
advise it is material for them to answer, say that they have
the truth about the truth of the principal allegations in the
Bill of complaint set forth, they believe it would and to the
intent of themselves as well as that of the complainants to have
the said land divided. They have no objection to the same being
for and are willing that the Court shall make the same
or pronounced any other or further order for this relief in
the premises which may seem just and equitable. This prayer
to be dispensed with their honorable costs in this behalf
expended.

Attest p. g. Phillis James (Seal)
Mrs. Stoworth (Seal)
Mary Stoworth (Seal)
James Stoworth as next friend Geo. Joseph (Seal)
Prof. & Peter Stoworth infants (Seal)

Lewis Gwatney and Sally his wife formerly Sally Davis
and Chloris Davis & Charlotte his wife
against 3/4 the share
Henry Stoworth, Phillis James, Rachel his wife, George
Joseph Benjamin Stoworth, George Stoworth, Joseph
Stoworth, Benjamin Stoworth, Mary Stoworth
by consent of parties and the report of the Court this
Cause being docketed, came on to be heard upon the said,

To the Honorable Court of Ch. of Middle County in Albany, N.Y.
Sheweth that your honor's grace and order was
oratory, law, Greeting unto and unto Sally Pomeroy
Bailey Davis George Davis and John Harris and Charlotte
his wife formerly Charlotte Davis that certain Benjamin Pomeroy
did indebted on or about the day of

18th of a certain tract of land lying in the
said County, containing by estimation four hundred acres and
the same more or less and lying on the Norwichee river and
That the said Benjamin Pomeroy the said left 4 children
to wit Rachel, Mary, John, Pomeroy Pomeroy and one
now dead as per a power to your explanation

That the said Thos. Stoworth and Benjamin Stoworth did and
Ellis Stoworth did and the said Sally formerly formerly
Sally Pomeroy are the executors of the said Benjamin Pomeroy,
the said father of the said Rachel his mother
and such of them as are living and the children of them
deceased are the legal heirs of the said Benjamin Pomeroy

That the said Thos. Stoworth and Benjamin Stoworth did
did in the lifetime of said deceased coming by deed of conveyance
bargain and sale to the said Bailey Davis, George Davis
and ~~John Harris~~ Charlotte Davis ~~his~~ now wife of John Harris
all the right, title, interest and demand of, in and to the said land
as will appear by reference to the said deed dated the day
of 18th of a domain

That the said Ellis Stoworth is and at this life intestate on or
about the day of 18th of a domain 18th of a domain
leaving a widow to wit Mary Stoworth and five children to wit
Rachel former wife of John Harris, John, Rachel, Benjamin
George Harris Benjamin and Peter Stoworth the four latter
being now infants of tender years. Your copy cautions being the
only persons claiming title to the said land except themselves,
intestate named in this bill are anxious that it may be
divided between them and the other having an interest therein
in such manner as it just and proper. They are advised that
the said Bailey Davis, George Davis and John Harris & Charlotte his wife
are entitled to ~~two shares~~ ^{two shares} of the said tract of land in right of
the said Thos. Stoworth and Benjamin Stoworth deceased
whereunto they have purchased, that the said ~~Sally~~ ^{Sally} leaves
Equally and Sally his wife formerly wife Pomeroy an estate

Pursuant to the annexed decree to us directed, We the un-
designated commissioners have this day proceeded to lay
off & divide the lands as mentioned in the said decree
having the survey with us, in the following manner,
we have assigned Lot N^o 1 containing 126 Acres to
Bailey Davis, Geo. Davis, Nelson Harris & Charlotte his
wife in right of Thomas Answorthy, ^{containing 122 7/8 acres} Lot N^o 2 to
Nancy Answorthy, Willis Garner, & Rachel his wife
formerly Rachel Answorthy, Benjamin Answorthy,
Joseph Answorthy, George Answorthy, & Patsy
Answorthy, widow & heirs of Ellis Answorthy, Lot
N^o 3 containing 122 7/8 Acres to Bailey Davis, George
Davis, Nelson Harris & Charlotte his wife in right
of Benjamin Answorthy, and have assigned Lot
N^o 4 containing 122 7/8 Acres to James Swatney
& Sally his wife, formerly Sally Parnell in right of
Elij. Parnell, as appears, reference being had to
the plat will fully explain the above. Given
under ~~our~~ our hands this 26th day of August
1876

James Hall
Joseph W. Reed

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Davis & ad.

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diem

Nowworthy & ad

Isle of Wight County, to wit,

June Term 1816.

James Gwatney and Sally his wife formerly
Sally Parnell, Bailey Davis, and Nelson
Harvis and Charlotte his wife.

Complainants

against

Nancy Norwothy, Willis Garner and Rachel
his wife, formerly Rachel Norwothy, Benjamin
Norwothy, George Norwothy, Joseph Norwothy
~~Benjamin~~ & Patsy Norwothy

In Chancery

Defendants

By consent of parties and assent of the Court this cause
being docketed, came on to be heard, upon the bill, answer and exhibits and
arguments of counsel; whereupon the Court doth adjudge, order and decree
that Joseph Holladay, John Phillips, James Hall and Thomas Hall or any
two of them, having regard to quality and quantity, do divide and allot the
Land of which Benjamin Parnell died seized and possessed, lying on the
Bowling Green Road and in the bill mentioned, in the following manner
and proportions to wit, one fourth part thereof to George Davis, Bailey
Davis, and Nelson Harvis and Charlotte his wife, in right of Thomas
Norwothy - one fourth part thereof to the said George Davis, Bailey Davis
and Nelson Harvis and Charlotte his wife, in right of Benjamin Nor-
wothy decd. one fourth part thereof to James Gwatney and Sally his wife
formerly Sally Parnell and the remaining one fourth to Nancy Nor-
wothy, Willis Garner and Rachel his wife formerly Rachel Norwothy
Benjamin Norwothy, Joseph Norwothy, George Norwothy and
Patsy Norwothy, widow and heirs of Ellis Norwothy decd. and make
report thereof to the Court in order to a final decree

Attest Test Barth. Lightfoot, Cler

