

1819-003

Chancery Causes, Nancy Gay, widow of Mills Gay vs Mills Gay's exor & al

Isle of Wight County

Other SURNAMES: Eley

May 3 Bill in ch
May 22
May 23

July 11
vs Bill, Ans. 10
Gays Admors.

August 4th 1817 Bill & Ans.
Sils & John M. Ely app.
Sp. Gen. to the diffant depts.
& Intorby decree

July 1819 report ret. Admors
accordingly

See account next page of the
in any house in the
Attorney. p. c.

To the Honorable Court of the Superior Court in the City of New York,
The answer of John de Ely, exor of Mills Gay, decd, and of
Scion, Lucy Elizabeth Gay, infant of tender years, by the
said John de Ely their ~~and~~ Guardian, specially
appointed by the Court of record to defend them in this suit, to a
Bill of complaint exhibited against them in this Court by
Stacey Gay widow & relict of Mills Gay decd.

Then respondents ~~being~~ now & at all times hereafter, saving
to themselves all manner of benefit and advantage of
Exception to the many uncertainties, insufficiencies & imperfec-
-tions in the said complainant's bill of complaint con-
-tained; for answer therunto, or to so much as they
are advised it is material for them to answer unto, they
answerably, say that it is true the complaint is the widow of
the said Mills Gay and as such is entitled to the part
of his land prayed for - they deny all fraud, connivance
- tion &c. and humbly pray leave to be dispensed with
their reasonable costs in this behalf sustained -

Attorneys for R.

Stacey Gay widow of Mills Gay p^l
By the Clerk

John de Ely ex. of Mills Gay, & Scion, Lucy
Elizabeth Gay infant children of the
said Mills Gay - Respondents

By consent of parties & the appointment of the Court this cause
came on this day to be heard upon the Bill, answers &
exhibits & arguments of Counsel, whereupon the Court doth
adjudge, order & decree that Erasm Ely, James Holland
Allen Gay & Joseph Holland or any 3 of them, do allot
and set apart to Stacey Gay widow of Mills Gay, one third
part of all the lands, tenements & other real estate of
which her husband Mills Gay, died possessed, or her owner
right in the same - Having regard to quality & quantity & that
they have the assistance of the County Surveyor or if it be deemed
necessary, & that they make report to this Court of any matter

deemed pertinent or required by any of the parties - in order
to a final decree - Liberty is reserved to the infant
defendants to show cause against this decree, within
six months after they attain full age, ~~in any~~ they can -

Gay & M. answer.
Gay
=

In Obedience to the Annex'd Decree of the Honourable Court
of Suffolk County to us Directed bearing date August Court
one Thousand eight hundred & seventeen We have allotted and set
apart to Nancy Gay Widow & relict of Mills Gay dec'd one third
Part of the Land which Mills Gay died Seized & Possessed hom-
-ed as follows (to wit) beginning at a black gum standing in
the Branch adjoining James Holland from thence down the
said Branch to Ann Eley line thence up ~~another~~ Branch
and the line of said Eley to a small dam thence up the East
Prong of said Dam opposite to a line of two Pear trees & one
Peach tree thence a Straight direct course with said trees to
a stake standing about twenty yards from the corner of the garden
thence a North course between two rows of apple trees to a black
Sack Oak thence an East course along a line of marked
trees to the black ^{gum} the beginning and first Station as her dower
in the Land for life Given under our hands and Seals this 6th
day of November one thousand eight hundred & seventeen

Ann Eley 

James Holland 

Allen Gay 

a report of the division
of the land of Miss
Gay decd.

Me Nancy Gay and John M. Eley
which said John M. Eley is exor of Melly
Gay & next friend to his children said
Luz & Rhodak, are willing that the Court of
Jury might shall decree that the dower
estate in the land of the said Gay which his
widow is entitled shall be set apart —
July 1877 —

Nancy Gay
John M. Eley

appt. Eley, James Holland, Allen Gay
and Joseph Holland —

Item the 2nd I lend unto my loving wife Nancy
Gay all my land & plantation two featherbeds
& furniture one loom & gear one wooling wheel
one flax wheel & cards, two pine Chest one
Sorel mare I also lend unto my loving
wife the balance of my house & kitchen
furniture that I may not hereafter dispose
of other wise also I lend as aforesaid one app
le mill & all my Cider Casks one Cart and wheel
plow & gear all my plowhoses grubbing hoes Axes &
all other utensils belonging to me during her single life

or widowhood

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Isle of Wight County

August Court 1817

Sarah Gay Widow of. Mills Gay decd.

Complainant

against

John M. Gay executor of Mills Gay decd. and
special guardians of said Sarah & Elizabeth
Gay infant children of said Mills Gay decd.

In Chancery

Defendants

By consent of parties by their attorney this case
this day came on to be heard upon the bill Answer and exhibits and
argument of Counsel. Whereupon the Court doth order a Judge and
jurors that James Gay, James Holland, Allen Gay and Joseph Holland or
any three of them taking with them the Surveyor of this County if necessary
do allot and set apart to the Complainant Sarah Gay Widow and
relies of Mills Gay decd. one third part of all the Lands, tenements and
other real estate of which the said Mills Gay her deceased husband died
seized, as her dower therein for life, having due regard to quality and
quantity and make report thereof to the Court in order to a final decree.

Proper Teste Court Sighted &c.
J. F.

Aug 27
at Lytle's Store
Pay cash 100