

1797-013

SOUTHAMPTON COUNTY
CHANCERY PAPERS

HOLDEN'S WIDOW vs. HOLDEN & SUMMERELL

11/1797

To the Justices of Southampton
Sitting in Chancery.

Jane Holden widow & executrix of
Benj^t Holden died complaining shew unto
the court that some time on before the
day of . . . in the year of Christ
17. Benja Holden died seized of & possessed
of a tract of Land in this County containing
about 120 acres in which she is entitled to
dower. That Benja Holden Devised the same
Land to Benja. & William Holden his sons.
That Benja. the son of Benja Holden died
has sold & conveyed his part of the sd.
120 acres to one Henry Summerville of this
county before your Complainant had her
dower of the same. Your Complainant
further states to the court that she has
applied to the sd Henry Summerville &
William Holden to cause to be made an
allotment of her said dower in the sd.

Holden's widow

Holden & Summerville

Bill & answer

August 1796.

Southampton 1796

returned & decreed final

Land of which ~~Benja~~ ^{the 5^d} Holden died seized
but William Holden being an infant under
the age of 21 years, the sanction of a court
of Equity is held by them as well by the
Complainant to be proper. In their consid-
eration whereof & your Complainant's relief
is properly in a court of Chancery. To them
therefore that Henry Sumner & Joseph of
Benja Holden Jr & William Holden may
be made Defendants to answer this bill
& that the Court will appoint proper
persons to allot & set apart your Com-
plainant's dower in the land whereof
~~the~~ Benja Holden died seized & possessed
& make such other decree in the pre-
mises as is consistent with equity,

may it please the court &c

Aug. Locke

P. C.

The joint & several answer of Henry Sumner
& William Holden an infant under
the age of 21 years by his guardian
for this purpose specially appointed.

~~The Defendants~~ ~~severally~~ ~~severally~~ ~~severally~~ ~~severally~~
~~there are~~ ~~all~~ ~~to~~ ~~the~~ ~~bill~~ of com-
plaint exhibited against them by Jane
Holden.

These Defendants saving & reser-
ving to themselves all & all manner of
exceptions to the ~~bill~~ many ~~and~~ defects
do answer & say that true
it is that Benja Holden died seized
& possessed of a tract of Land in this
County containing about 170 acres in
which the Complainant is entitled to
dower & that the defendants are
willing that an allotment of the Complainant's
dower should be made in the same pro-
vided 'tis sanctioned by this Court ~~and~~
These defendants pray hence to be dismissed
&c

Aug. Locke p. D.

Jane Holden's
certificate

August 8th 1796

I Jane Holden do agree that a friendly bill
& answer shall be brought in the court of
Southampton County to have my dower
laid off in the land whereof Benjamin
Holden died seized containing 10 acres

Teste

Benjamin f Holden

Jean ^{her} Holden
mark

[Faint, mostly illegible handwritten text, likely bleed-through from the reverse side of the page. The text appears to be organized in several columns.]

H. Sumnerell's
Certificate

August 6th 1796

I Henry Summerville do agree that there
shall be a bill & answer brought in the
court of Southampten County to have
the dower of Jane Holden allotted
of the land whereof Benjamin
Holden died seised containing 20 acres

Teste

Aug⁶ 1796
A. B. Cooke

Henry Summerville

21st July 1796

Rep: Jane H. Bings

Down

Nov: 1797

— in children —
Wt to Dr. Stern
in of my body is
The same with

August 1796 We Henry Branch Arthur
Doles and William Boykin be first sworn
have Estimated and set apart some
Holden widow of Benj. a Holden dec'd
the said Widows dower of Land formerly
the Property of the said dec'd by a line
Beginning at a Turkey Oak adjoining
the line of Land formerly the Property
of Thomas Griffin thence a line to a
Blazed White Oak thence a line to a
pine thence a line to another pine thence
a line to a white Oak thence a line to
another white Oak thence a line to a
Red Oak thence a line to a forest
white Oak thence a line to a Turkey
Oak thence to an Oak stake thence
to a pine Stake thence a straight
Course to a persimmon tree where
make a corner thence to another pine
Stake thence a straight Course to a
line of Land formerly the Property of
Howel Branch dec'd Given under our
Hands this 29th day of August 1797

Henry Branch
Arthur Doles

William Boykin
D D D