

1799-012

SOUTHAMPTON COUNTY
CHANCERY PAPERS

ANN DARDEN

VS.

DARDEN'S HEIRS

11/1799

other surnames: Garner,
Laurence

For the Widow, John Darden, & John Darden.

Ann Darden

(v)

Darden's heirs

Bill
Co.

March 1792 Int 4
decease.

Nov. 1799
abates by death
of Comp^{ts}

To the worshipful the court of Jst for county in chancery sitting
Humbly complaining sheweth unto your worshipps your oratrix
Ann Darden, that sometime an or about the day of
in the year of our Lord 1744 your oratrix's husband
Barr Darden departed this life, being at the time of
his death seized & possessed of a considerable estate, both
real & personal; Your oratrix further sheweth that
The intestate Barr Darden left at the time of his death
sundry children, to wit: Holland Darden, Jesse Darden,
Barr Darden, Ann Darden, & Elizabeth Darden,
which s^d. Ann & Elizabeth are since the death of
their father intermarried with Joshua Garner &
Joseph Laurence. Things being in this situation
your oratrix well hoped that she w^d. have her third
in the lands & other estate of which her husband
died seized & possessed, ^{latter her} according to the laws of
her country directing widows dowers & rights.

But so it is may it please your worshipps that
Although the s^d. Holland, Jesse ^{Darden}, Barr, Ann Garner, &
Elizabeth Laurence have been often requested in
a friendly manner to a lot & set apart her thirds in
the lands &c. of which her husband died seized &
possessed, but that she have refused to comply with
your oratrix's request; pretending & giving out in speeches
that your oratrix has no interest or right to any part
of the premises &c. — All which actions & doings
are contrary to equity & good conscience. In tender
consideration whereof, & for as much as your oratrix
is properly relievable in a court of equity, where matters
of this sort are cognizable. To the end therefore that she

Holland Darden, Jesse Darden, & Barr Darden, also Ann Garner,
& Elizabeth Laurence (whom your oratrix prays may be
made defendants to this her bill of complaint) may on their
corporate oath full true & perfect answer make to all
& singular the allegations herein contained, as fully as
if they were herein again set forth, but more particularly
whether your oratrix is not the widow & relict of
Barr Darden dec? did he not die seized & possessed of an
estate in lands & personal goods? have they not been often
applied to for your oratrix's thirds in the R. estate?
Have they not hitherto & do they not still refuse to comply
with your oratrix's request? And that your worship
may order & direct some fit & able persons to a lot & set apart
her dower in the lands & other estate of which her husband
died seized & possessed, or make any other or further decree
for the relief of your oratrix as may be consistent
with equity is the prayer of your oratrix —

J. Drew for the compt.


The answer of Holland Darden, Jesse Darden, Barr Darden, Joshua
Garner & ~~Ann~~ his wife, Joseph Laurence & Elizabeth
his wife to the bill of complaint of Ann Darden exhibited
against them. The defendants now & at all times hereafter
saving & reserving to themselves all & all manner of exceptions
to the manifold untruths, imperfections, & deficiencies
in her bill of complaint contained, for answer thereunto
to so much thereof as they are advised are material for
them to make answer unto, answer say, That true it is
that the s? Ann Darden is widow & relict of Barr Darden
dec? that the s? Barr departed this life on or about the
day of ^{on about the first} is the year in the bill mentioned, & that
they believe the s? Barr died seized & possessed of an estate
in land, & some personal estate. These defendants deny
all combination, or that they have been requested
to a lot or set apart her dower. And if there is any other
matter or thing in the complainant's bill contained &
not herein answered they are ignorant of, &
pray to be hence dismissed with their reasonable
cost in this behalf sustained. —

J. Drew
