

1804-001 SOUTHAMPTON COUNTY
CHANCERY PAPERS

ATKINS and Wife vs. KELLO et ux v al 10/1804

Other SURNAMES: Burges

Adkins & Wife
of M^r & Wife to
Kello & others

Oct. 1804

Adkins

vs.

Kello & Burges

friendly will &

amirner

To the worshipful Court of Southampton County
in shewance sitting. Humbly commending
unto your wisdoms your orator Howell Atkins and
your orator Abel Atkins, his wife (who was widow
of the said Henry John Burgess) that some time in
the year of our Lord one thousand seven hundred and
eighty nine, the said Henry John Burgess departed
this life, leaving a will, which has been duly read
that the said Burgess devised his estate to his wife
or widowhood. I obtained a lease which vested
in the care of the said Burgess, with
a third part of the estate, real & personal, with
an exception of specific legacies therein before
mentioned, to be divided equally among his
children. The said Henry John
Burgess died possessed of a tract of land containing
between six & seven hundred acres, with a grant
will thereon several negroes. When after
the death of the said land Atkins and the said
and the proceeds of the sale to be divided between
Richard B. Kelle & Eliza M. Martha Kelle
his wife. Whereas E. M. Burgess and Abigail
Burgess - whom some orator Fortaria pray
may be made respondent to the said your
orator Fortaria pray that the said respondents
be compelled to answer the allegations of the bill, & may
be unswornly sworn to the said bill and that
the said part of the said land & negroes may
be assigned to the said your orator and

To the worshipful Court of Southampton County
in chancery sitting. Humbly sheweth
unto your worship your petitioner Howell Atkins and
your orator Jacob Atkins, his wife (who was widow
of said Henry John Burges) that some time in
the year of our Lord one thousand seven hundred and
eighty seven, the said Henry John Burges departed
this life, leaving a will, which has been duly proved
that the said will devised the estate of the said Burges
or widowhood. I obtained a decree which directed
in the case of the said Burges, real & personal, with
a third part of the estate, real & personal, with
an exception of certain lands therein before
mentioned, to be divided equally between the said
Burges died possessed of a tract of land containing
between six & seven hundred acres, with a grant
will thereon several negroes. Which after
the death of the said land Atkins, one of the said
and the proceeds of the sale to be divided between
Richard B. Kelle & ~~son~~ Eliza M. Mathews Kelle
his wife. Whereas E. M. Burges and his wife
Burges. whom your orator Jacob Atkins pray
may be made respondent to the said your
orator & orator pray that the said respondents
be compelled to answer the allegations of this bill, & that
the said part of the said land & negroes may
be assigned to the said your orator and

notice as aforesaid, may it please your
worship to grant such other relief as may
be requisite & they will be
Yours for ever.

Remembrance of Richard B. Kelle & Eliza Milleda
his wife, and of ^{Benjamin} ~~Benjamin~~ ^{Benjamin} ~~Benjamin~~ to the bill of
Complaint exhibited against him in this wor-
shippful Court by Honore ~~Benjamin~~ and Sarah
his wife - The said defendants ~~Benjamin~~ ^{Richard}
B. Kelle & Eliza Milleda his wife & the
said defendants ~~Benjamin~~ ^{Benjamin} ~~Benjamin~~ ^{Benjamin} ~~Benjamin~~ ^{Benjamin}
Benjamin - by Richard B. Kelle, his next
friend - saying that they in the presence
of the said Court that they admit the allegations
of the said bill to be fully true & correct
and are willing that this worshippful Court
should make the decree prayed for.
And they pray to be dismissed &c.

W. H. for def.