

1823-046

SOUTHAMPTON COUNTY
CHANCERY PAPERS

KINDRED, WIDOW VS. KINDRED'S
EX'R. & DIVISEES

9/1823

Found in 1849 box, hence out of sequence.
✓ 8/25/92

Minors 726
107
Kinsman 18. 3
Bills 18m 5

Sept. 1823 Int. 4. Decree.

Exp. enclosed

To the worshipful the county court of Southampton in Chancery
sitting: Humbly complaining sheweth unto your worshipps
your Oratrix Elizabeth Kindred widow and relict of Abner
Kindred dec^d. That her husband recently departed this life
^{without issue} after having first duly made and published his last
will and testament, which was duly recorded by this Court,
an attested copy whereof is hereto annexed as a part of
this bill: in which he devised all his property consisting
of a small tract of land and some negroes in this County
with other personal property, to his brother Henry Kindred:
that your Oratrix dissatisfied with this disposition, relinquin-
shed in open Court, and in due form of Law all benefit
under the said will, as will appear by an attested copy
of the order of Court made in that behalf, hereto annexed,
as a part of this bill - By which relinquishment, your
Oratrix became entitled to the same distribution share
of her husband's Estate, as if he had died intestate - which
she is advised, is the use for life of one third of the land
and one moiety of the negro slaves of her dec^d husband,
and one half of the perishable property money &c.
That she is anxious that the allotment should be made,
But so it is, may it please the Court, no such can be
had, without the intervention of this Court, in tender consid-
eration whereof, ~~the~~ forasmuch as w^t. Comptt is remediless
at Law, she prays your worshipps to compel the said
Henry Kindred to be made Deft hereto, and to answer
the allegations hereof, and that your ~~Worshipps~~ will
decree to your Comptt such part of her husband's
Estate as she may be entitled, and grant her such
other and great relief as may be consistent with
Equity &c as is duty bound she will ever pray &c

The answer of Henry Kindred to the foregoing bill - admits
that the facts are truly stated in the Comptts bill - that
the negro slaves are in his hands as Exr and that
he has no just objection to the prayer of her Bill Shaving
annexed prayer to be hence dismissed &

Kindred's widow
against } In Chancery.
Kindred's Exr & devisees }

This cause was this day docketed by
consent of parties and the agent of the Court. ~~Examination~~
there on to be heard on the bill, answer, exhibits & arguments
of counsel, upon consideration whereof the Court doth
adjudge, order and decree, that Rich^d Blunt, ~~Lawrence~~
~~Book~~ and Charles W. Goodwin or any, Knelt Harris,
& Wm. Phillips or any two of them do, assisted by the
County Surveyor if they think proper, allot to the Comptt
Elizabeth Kindred as widow of Abner Kindred dec^d, one
third part of the land whereof he died seized, for
her use during her life as her dower - and it
appearing to the Court, that the said Abner depar-
ted this life without issue, the same Commrs or any
two of them do allot to her for the same period
an equal half of the negro slaves of the said
decedent, having regard to value - & how they
shall act, report to this Court in order to a final
final decree -

Chancery Causes

Decided

1853