

1838-016

SOUTHAMPTON COUNTY
CHANCERY PAPERS

HARRISON VS. HARRISON

6/1838

Harrison 1236 *copy*

vs $\frac{1}{2}$ Bee
Harrison

1838 June Decree as per decree filed

To the worshipful the County Court of Southampton sitting
in Chancery

Humbly complaining shew unto your worships your Complainant
Malinda Harrison widow of the late Thomas Harrison death, that Benjamin
Harrison late of the County of Southampton gave a deed of trust upon
his land, being and situate in the County of Southampton to certain
persons for certain purpose, herein mentioned which deed is
of record in the Clerk's office of the said County, a true copy
of which is here with exhibited and prayed to be taken as
a part of this bill, the said tract of land was sold by the
trustee of deed with Thomas Harrison became the purchaser
late husband of your Complainant became the purchaser
subject to Catharine Harrison's then the wife of Benjamin
Harrison title of dower in the said tract of land which
she at that time refused to relinquish according to law
and that the said Thomas Harrison became the purchaser
and after that Thomas Harrison gave a deed of trust on the
said land a true of which is herewith exhibited and prayed
to be taken as a part of this bill, that sometime in the
year

Thomas Harrison departed this life leaving the
said Malinda his widow & Benjamin Harrison and
Catharine his wife then living the said tract of land was sold
under the deed of trust after the death of the said Thomas Harrison
and that your Complainant and widow of Thomas Harrison
deed became the purchaser subject to the title of dower which
the said Catharine then the wife of Benjamin Harrison had in
the said land and your Comptt says that since she purchased
the said tract of land that Benjamin Harrison has departed
his life leaving Catharine Harrison his widow who is entitle to one
full and equal third part of the said tract of land during
her natural life and that your Comptt is willing and endeavors
to allot to the said widow of Benjamin Harrison in full & equal
third part of the land, But so it is may it please the Court
such an allotment cannot be made without the interposition
of this worshipful Court sitting in Equity, To the end that Catharine
Harrison widow of Benjamin Harrison death may be made

a defendant needs and compelled to answer the allegations
here of the prayer the commonwealth with of the said & C
commanding & C that your worship will decree an allotment
of the widows dower in the said land during her natural
life and grant her such other general & special relief in
the premises as may be consistent with equity and the wife
over pray & C
Wynne for Compt

The answer of Catharine Harrison widow of Benjamin Harrison
dead to the foregoing bill of Complaint referring to herself all
benefit of that exception to the said bill. for answer says. She
admits the allegations to be true as far as she knows or believes
and having answered prays to be hence dismissed

Malinda Harrison widow of Thos. Harrison decd Plaintiff
against
Catharine Harrison widow of Benja. Harrison decd Defd
This cause was this day docketed by consent of parties, with
the assent of the Court and came on to be heard on the bill,
answer, and argument of Counsel upon consideration
whereof the Court doth adjudge order and decree that
Solomon Parker, James Jackson, James James, John Whitehead
Robert Thomas be commissioners to allot to Catharine Harrison
widow of Benjamin Harrison decd not including the mansion
houses one full and equal third part of the land in the County
of Southampton having regard to quantity & quality which
Thomas Harrison purchased of Benjamin Harrison Trustee
and afterwards purchased by Malinda Harrison after
the death of Thos. Harrison by his trustee and is now in
possession of the said Malinda Harrison widow of Thos.
Harrison decd and when they shall have carried this
decree into effect refer their proceedings in the premises to
this Court in order to a final decree