1866 - 19 Southampton County Chancery Bradshaw, Mordecai H. (Ex.) vs Kindred, John J. et al

settle debt

Bradshaw, Mordecai

Kindred, Benjamin

late and the nature of the ceremony required
and as in duty bound I am ever pray'd
Mrs B Shandy
&c

84.

Braidhaugh Esqr
by
Leo D. Rundell &c
Blue

1866 October Rule

Exhibit 'B' referred

To the Hon Richard H Baker
Judge of the Circuit Court of Southampton - In chancery

Humbly Complaining Sheweth unto your Honor your Orator Mordecai H Bradshaw, Executor of Mordecai Bradshaw deceased -
that he qualified as Executor of the said deceased at the
term of the County Court of said County, viz the year
as will appear by an abstract from the record of the clerk's of-
fice of the county Court of said County, herewith filed (marked A)
that on the 2d day of March A.D. 1860, John J Kindred became
indebted to the said Mordecai Bradshaw in the sum of one
thousand dollars and executed his bond therefor, with Benjamin
B Kindred as his surety - a copy of which bond is herewith
filed (marked B) as part of this bill -
that since executing the said bond the said obligors, in con-
sequence of heavy losses sustained by the late war, have
become unable to pay their debts -
~~But~~ being anxious to pay and satisfy all demands
against them as far as they are able, they have proposed
to your orator to pay to him one half of the whole of the
said debt principle and interest in cash, on condition
that they be released from all further liability for the
said debt - This proposition, your orator is willing to
accept believing that it is as much for the benefit of the estate of said deceased to accept the same
their indebtedness as the said obligors are now able to pay
but your orator is advised that he has no authority to
accept the same, without the approbation of this Court the said Mordecai Bradshaw there being minors interested in the estate of

He therefore prays that your honor would make a
decree directing and authorizing the said Executor to
receive the same in full satisfaction for the whole debt -
Make the said John J Kindred and Benjamin B Kindred
parties defendant, and require them to answer fully to
[illegible] and general relief as equity may di-

"$1000.00 On demand we or either of us promise to pay Mordecai Bradshaw the sum of one thousand dollars for value received — for the payment of which we bind ourselves severally and jointly — Witness our hands and seals this 27th March A.D. 1860.

Jno I Kindred (Seal)

Benj B. Kindred (Seal)

South'ampton County Court August 21st. 1865.

On the motion of Mordecai Bradshaw who made oath and together with John Pretlow & Jeremiah Chappell his securities (who justified on oath as to their sufficiency) entered into and acknowled a bond in the Penalty of five thousand dollars conditioned according to law. Certificate is granted the said Mordecai Bradshaw for obtaining letters of administration on the estate of Mordecai Bradshaw dec'd in due form

A Copy

Teste D R Edwards Clk

So. Hampton County to Wit.

Personally appeared before me Benj. Devany a Justice of the Peace for the County aforesaid John G. Kello, & made Oath that he did on the 28th September 1866, go to the residence of Benj. D. Kendrick, he being from home, & no white person found there, posted a Copy of the within use, at the front door of his Dwelling: Given under my hand this 1 day of Oct. 1866. Benj. Devany J.P.

Benj. D. Kendrick Exor
vs
Estate of
Kendrick
1866 October Rule
Copy Rule

Printed at the office of Old Dominion, No. 18 Roanoke Avenue, Norfolk.

THE COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF SOUTHAMPTON COUNTY--GREETING.

WE COMMAND YOU to summon Jno. I Kindred & Benj. B. Kindred

to appear at the Clerk's office of our Circuit Court of Southampton County, at the Rules to be holden for the said Court on the first Monday in October next to answer a Bill in Chancery exhibited against them in our said Court by Mordecai H. Bradshaw Extr: of Mordecai Bradshaw dec'd

and have then there this writ. Witness LITTLETON R. EDWARDS, Clerk of our said Court, at the Courthouse this 28 day of September 1866, in the 91st year of the Commonwealth.

L R Edwards Clk

Bradshaws Exor

v. } Stat. Rules

Kindred

In Southampton Circuit Court.

Mordecai H Bradshaw Exr Mordecai Bradshaw dec'd

against

John I Kindred & Benjamin B Kindred

1866 Sept 28th Summons issued

" Oct R Sumn. ret'd Ex: Bill filed & Decree Nisi v Defts

" Nov. " Bill taken for Confessed & cause set for hearing

~~87 78 77 69 65 & 54~~

Bradshaws Ex.r

& } Papers

Kinsdicts

1870 May Dismissed