1870 - 14 Southampton County Chancery Claud's (Guardian) vs Kindred, John T. (et al

settle debt

Thomas, David (Guardian) for:
Claud, John P.
" Mary E.

Kindred, Benj. B

U

deliver to them their said bond and release them from all further liability for the said debt —

This proposition, your Orator, after due consideration and full enquiry into the pecuniary Condition of the said Obligors is well advised it will be to the interest and advantage of his said wards to accept — as he well believes that they, his said wards, may otherwise lose the whole of the said debt.

But your Orator is advised that he is without authority to accept the sum tendered by the said obligors — save and except by the approbation and sanction of this honorable Court of Chancery especially Vigilant of the interests of infants of tender years — where such matters are properly cognizable —

Your Orator therefore prays that your honor will make a decree directing and authorizing them to accept the said proposition —

And that the said Jno I Kinnard and Benjamin B Kinnard Parties defendant to this bill and required them to answer fully and discretely its allegations —

Grant such other and general relief as the nature of the case may require —

And as in duty bound &c —

Wm B Sharrard K.C.

Wm B Sharrard K.C.
Guardian
ad Litem
Jno I. Kinnard &c
Bill

1866 October Rules

Exhibit '13' not filed

63

To the Hon Richard H Baker

Judge of the Circuit Court for Southampton County

In Chancery —

Humbly complaining showeth unto your honor your orator David H. Thomas guardian for John P. Leland and Mary E. Leland, —

That your orator qualified as guardian for the said John P and Mary E Leland at the term of the County Court of Southampton in the year as will appear by an abstract from the records of the clerk's office of the County Court of said County (marked A) That on the first day of January in the year 1862, John I Kindred became indebted to your orator as guardian as aforesaid in the sum of seven hundred dollars, for which said sum the said Jno I. Kindred together with Benjamin B. Kindred as his surety, did on the said first day of January A.D. 1862 execute a bond to your orator as guardian as aforesaid — a copy of which bond (marked B) is herein & filed as part of this bill —

Now your orator avers that at the time the said bond was executed the said Obligors were universally reputed to be, and no doubt were entirely solvent and responsible for a much larger sum — but they now represent to your Orator, and your orator is well convinced of the fact that they have sustained so many and large losses by the late war that they are now unable to pay their debts — But the said Obligors manifesting a just and honest purpose of paying all their debts and liabilities as far as they are able to do have proposed to your orator to pay to him one half of the whole of the said debt, principle and interest, in Cash, or Confederate that your orator would

So. Hampton County To wit.

Personally appeared before me Benj. Dewany a Justice of the peace for the County aforesaid John G. Hills & made oath, that he did on the 26th Sept. 1866, go to the residence of Benj. B. Kendrick, he being from home, & no white person found there, did leave a Copy of the within posted at the front door of his dwelling. Given under my hand this 1 day of October 1866.

Benj. Dewany JP

Blands Ex.

vs

Sims Adm

Kendrick

1866 October Rules

Executed

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. T. 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 David H Thomas Guardian of John P. Claud & Mary E Claud

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

Wlands Gdn

To } Ex: with bill
. A,

Kindred &c

Southampton County Court. February 18 1861.

The Court doth assign David A Thomas guardian to Mary E Bland & John P. Bland orphans of Phillip J Bland dec'd Whereupon he together with Nathan N Thomas, John E. Briggs and Wiley F. Thomas his securities (who justified on oath as their sufficiency) entered into and acknowledged a bond in the Penalty of Sixteen thousand dollars, conditioned according to law.

A Copy

Test R R Edwards Clk

Kindred's
Bond $700
To
Leland & Brandeau
Copy "B"

"$700.00 cents — On demand with interest from date we or either of us promise to pay David H Thomas, guardian of John P. Leland and Mary E Leland, the sum of seven hundred dollars ($700.00 cents) for value received — Witness our hands and seals this first day of January AD 1862.

Jno I Kindred (Seal)

Ben B Kindred (Seal) "

Claudi Gon

v. 3 Stat. Rules

Hundred

In Southampton Circuit Court

David H ~~Davis~~ Thomas guardian for John P Cland & Mary E Cland

against

John J Kindred & Benjamin B Kindred

1866 Sept 28 Summons issued

" Oct 8 Summons ret'd Executed - Bill filed - Decree Nisi &c. Defts

" Nov " Bill taken for Confessed & Cause Set for hearing