

1870-041 SOUTHAMPTON COUNTY
CHANCERY PAPERS

BARNES' ADM'R. VS. KINDRED v a

7/1870

Barnes' Adm.
vs 3 Petitioners
Kinde &c.

1870 Sum. Decree as filed

Primer p.p.

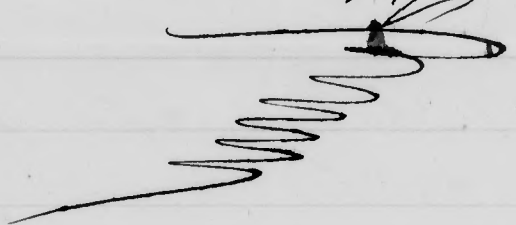
616
Barnes' Adm.
vs 3 Petitioners
Kinde &c.

To the Honorable Joseph W. Ingraham, Judge of
the County Court of Southampton. In Chancery.

Humbly petitioning, sheweth unto your Honor, your
petitioner Benj. E. Morrell, who is Adm^r of Est^t.
S. Barnes dec^d, that among other debts due the
estate of his intestate, he has a bond against
Jno. J. Knidred & B. B. Knidred, for the sum of two
hundred & fifty two & 5/100 dollars, with interest
from Jan^y 1, 1868, subject to two credits as will be
seen by ~~and~~ the bond herewith filed, & prays to
be taken as a part of this petition. That from the
best evidence your petitioner can obtain, he is
not able to collect the said bond, and he deems
it best for the interests of the estate of his intestate
that the said bond should be compromised. That
all the real estate owned by the two obligors in
the bond before alluded to has been sometime since
conveyed by a Trust Deed to secure other debts.
That the obligors in the aforesaid bond have offered
to compromise said bond by paying one fourth
part of the principal & interest, the interest to
be calculated to Jan^y 1, 1870. That in the
opinion of your petitioner, this is a fair &
equitable adjustment of said claim.
In consideration of all which and inasmuch
as your petitioner is not able to act in this
matter without the aid of a Court of Equity, where

matters of this kind are properly cognizable, to the
end therefore that Justice may be done, he prays
that Geo J. Knudsen & Benj B. Knudsen may be
made parties defendant to this petition, & compelled
to answer the allegations thereof. That an order
may be entered, affirming & ratifying a compro-
mise by your petitioner of the aforesaid bond
at the rate of twenty five cents to the
dollar, principal & interest, interest to be calcu-
lated to Jan'y. 1. 1870. And that your petitioner
be relieved from any & all future liability
on said bond, except for the amount agreed
on in the compromise. And that your
Honor will grant such other & general
relief in the premises as to Equity may seem
meet & the nature of the case may require. And
as in duty bound, your petitioner will ever
pray &c. May it please the Court &c.

Principled by -

A handwritten signature, likely of the petitioner, written in cursive script.

Barnes' Adm.
vs $\frac{3}{4}$ Decree.
Kindred & Co.

June Term. 1870.

To be entered.
J. W. Mayhew
Judge

On the petition of Benj: E. Norrell, Adm^r of Robt S. Barner, for instructions from this Court, as to whether he shall accept the offer made to him of Twenty five cents to the dollar, on a debt due to the said Barner by bond from Jno. J. Kindees & B. B. Kindees, which said petition, with the said bond is this day filed in Court: The Court on consideration thereof, and on evidence adduced, and argument of counsel, being of opinion that under all the Circumstances, the said offer is a reasonable, just, & equitable satisfaction of the said debt, doth adjudge, order & decree that Ninety six dollars and five cents (\$96.05) be received by the said Administrator in full discharge of the said debt.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you to summon

John I Kinder & B. B. Kinder

if ~~they~~ be found within your bailiwick, to appear at the Clerk's Office of our *County*
Court of Southampton County, at the Rules to be holden for the said Court, on the first
Monday in *July next to answer a bill in chancery exhibited against them by B. E*
Worrell admr. Robert S. Barnes

And have then there this writ.
Courthouse, this 22nd day of
the Commonwealth.

Witness, OSWIN WHITE, Clerk of our said Court, at the
June A. D., 187*0*, in the *94* year of

Oswin White

June 22nd 1870 - I acknowledge service of the
Within Writ for my own right I do I Kenire

And as Attorney for Benja B. Kenire &

I do I Kenire
Att for Benja B Kenire

James B. Kenire

{
I do I Kenire

Kenire

1870 July Rules

\$252. 85.

On demand with interest from
January 1st 1858 we or either of us promise to pay
Benj E. Norrell or Joseph E. Gillette Exrs Lewis Norrell decd
Two hundred and fifty two dollars and eighty five cents (\$252. 85)
for value received — Witness our hands and seals this 25th
November AD 1857.

Geo. J. Hindred Seal
Ben. B. Hindred Seal

Jan'y 1. 1870. Received thirty four 20.
dollars in part of within - by paying off
balance due on bond due by Robt. S.

Banner.

B. E. Norrell by
J. B. Pouncebury atty.

Paid 252.85
Total \$131.00
383.85

Ans. J. Kindred
To { Note
L. Norrell & Co
\$252.85

Nov. 7th 1869. Recd. of the within Sixteen
5000 dollars

Thos. Ed. Correll -
" "

Chancery Causes
Decided

1879

SHANEY
SAUSES

DECIDED

1870