

1858-032

SOUTHAMPTON COUNTY
CHANCERY PAPERS

MOORE

VS. MOORE & al, by & c

7/1858

Elizabeth Moore

C. S.

Esuvia Moore Hottel

Deere &c.

1857 Dec. Deere as paid
 * 1858 June. Rep. Ret.
 " July " Confm?

To the worshipful County Court of Southampton County -
In chancery -

Humbly complaining sheweth unto your
wships your oratrix Elizabeth Moore, that Harrison
D Moore her late husband, departed this life a few
weeks since, intestate, being seized at the time of
his death of certain real estate lying in the said
County of Southampton and leaving as his only heirs
at law his widow, your said oratrix and three
infant children of tender years wit^t Vesuvia
Moore, Rebecca Moore and Littleton Moore. Your
oratrix is advised that she is entitled, according to
the laws of Virginia, to one just third in value of the
whole of the real estate of which the said intestate died
seized, for and during the term of her natural life
remainder to her said three infant children, as and for
her dower in and to the said real estate of the said intestate.

And as she is desirous to have the said dower
allotted or apportioned to her according to law and ~~equity~~^{equity}
equity she humbly prays that your wships would
~~give~~^{make} the said three infants ~~to be made~~ parties, defen-
dant to this bill, and require ~~and require~~ them a per-
fect answer to make to its allegations, by a guardian ad
litem to be appointed by your wships; that your wships

appoint a proper number of suitable persons. Com-
missioners with authority to allot or assign her said
dower in and to the real estate of which her said husband
lately died seized and do all other things, ~~to be~~ from
is considered that equity may dictate and the nature
of her case may require; and as in duty bound
the will ever pray &c.

Ino J. Kindred
p q

The joint and separate answer of Vesuvia Moore,
Rebecca Moore and Littleton Moore, infants of tender
years (by L R Edwards Their guardian ad litem) to a
bill filed against them in the County Court of Southampton
County, by Elizabeth Moore -

These defendants, saving now and always
&c, for answer to the said bill, say that they are infants
of tender years, know nothing of the matters alleged
in the said bill, and submit Their interest to the pro-
tection of this ~~dear~~shipful Court - and having answered
they pray to be hence dismissed &c -

Ino J. Kindred
p d

Elizabeth Moore

25
Vesuvia Moore & Others

3 Dec 20

This Cause this day came on to be heard
on the bill, the answer of the infant defendants (by L R
Edwards ~~who~~ is appointed their guardian ad litem)
together with the replication thereto, and was argued by ^{Mr E. Gay} counsel:
On Consideration whereof the Court doth advise, order
and decree that James D Bryant, James ^{W. Gay} ~~W. Gay~~, George
Lawrence and Nathaniel Darden be and they are hereby ap-
pointed commissioners (any three of whom may act)
with authority to allot or assign to Elizabeth Moore, wid-
ow of Harrison D Moore deceased, one just third in val-
ue of the whole of the real estate of which the said
deceased died seized lying in the County of Southampton.
^{The said third ~~being~~ in one lot or parcel if convenient and practicable.}
And the said commissioners so acting are di-
rected to employ if necessary the services of a competent
surveyor -

And they are further ordered to report to this Court
in order to a final decree.

Southampton County Court. December 21st 1857

Elizabeth Moore

against

Veronica Moore. Rebecca Moore & Lilliston Moore infants of tender years by L.R. Edwards their guardian ad litem

Plff

In Chancery

Defls

This cause this day came on to be heard on the bill, the answer of the infant defendants by L.R. Edwards who is appointed their guardian ad litem together with the replication thereto, and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that James D. Bryant, James Jenkins, Wm. E. Gay, George Lawrence & Jonathan Darden be and they are hereby appointed Commissioners (any three of whom may act) with authority to allot or assign to Elizabeth Moore widow of Harrison D. Moore deceased, one just third in value of the whole of the real estate of which the said deceased died seized lying in the County of Southampton, the said third in one lot or parcel if convenient & practicable. And the said Commissioners so acting are directed to employ if necessary the services of a competent Surveyor.

And they are further ordered to report to this Court in order to a final decree.

Attest

L.R. Edwards Clk

In obedience to the above Decree we allotted to Elizabeth Moore the Widow of H. D. Moore deceased ^{Dower} one third in value of the real Estate of H. D. Moore viz. All that Tract of Land lying on the East side of Flag Run Swamp together with all the improvement on said Land. Containing by estimation Three Hundred & forty seven acres, more or less; also a small piece of Land lying out West of Flag Run Swamp. it being all the Land of H. D. Moore lying out the ~~South~~ side of Road leading from Jernamint to Lynns bridge, and out East side of Road leading from Dixie post at Flag Run to Cypress bridge supposed to contain thirty seven more or less. Given under our hands and seal this 26 day of

December 1857

James D. Bryant
Jonathan Darden
William E. Gay
Geo. W. Lawrence