1877 - 22 Southampton County - Chancy Riddick, Abram vs Williams, Robt's Ext

"I sell real estate to"
pay debts

Sam'l. Kelly Comr.
Est - 7 Robt Williams

John Johnson +
Nancy his wife
Sarah Jane Williams
+
infr
David Williams

Henry M Britt +
Peggy his wife

Edny Whitley

52 Kilby pd

Richards. Compr
Exrs: of alm Riddick dec

} chy.

Ro: Williams admr
&c.

1877 May Dismissed

Received by Clerk Circuit
Court Aug: 13th 1873

Co. Ct.

To the Hon. Jos. W. Urquhart, Judge of the Circuit Court of Southampton County.

Complaining, shew unto the Court, your Complainant Richard B. Cowper, Executor of Abram Riddick deceased — suing for himself & all other Creditors of Robt William deceased.

That said Abram Riddick died leaving a will which was duly recorded & that your Complainant duly qualified as his Executor.

Your Complainant, further says, That one Robert. William of Southampton County aforesaid died on the day of 1863 having first made his last will & Testament which was duly proved & recorded in the County Court of said County on the 21st day of December 1863, as will herewith a copy of said will filed herewith & marked "A" — That by the said Will, Henry M. Britt was appointed the Executor thereof, but who refused to qualify as such, and thereupon the estate of said Robert Williams was committed to the hands of Saml. Kello, Sheriff of said County for administration — all of which can be seen by the order of Court endorsed on said will & filed herewith —

That the said Robert Williams was indebted to said Abram Riddick and is yet indebted to him, as follows —

(1) The sum of $314.51 by Bond dated the 1st day of June 1858 & due one day after date — (2d)

The sum of $41.48, due By bond Dated the 4th Dec 1856, 4 due four months after Date with Interest, — (3d) The sum of $41.00 due 20th January 1858 by Bond — which three Bonds are filed herewith and marked "B." "C." & "D"

That the Chattle estate of said Robert Williams, was sold by said Saml Kello his Persnal Representative, but that no settlement of said estate has ever been made so far as Your Complainant knows —

That, the said Robert Williams estate is insolvent so far his personal estate is concerned and that a sale of his real estate will have to be made, as it shows be, to pay his Debts.

That the said Robert Williams died possessed of a tract of Land in Southampton County, Containing Two hundred acres by estimation, more or less, and adjoining the Lands of Orman M. Bryant, Josiah W Johnson, Mrs. Edney Whitley, Benj. J. Bryant and others —

That the said Robert Williams by his said Deed gave to his wife Nancy, fifty acres of Land with the house thereon for life, and that the said Mary has since married & is now the wife of John Johnson —

That the said Robert Williams gave by his said Deed, the Residue of his estate to his two infant

children Sarah Jane & David, in equal parts to share alike, provided they live to be twenty one years of age, and if either should die before arriving at that age, he then gave and devised the whole estate to the surviving one, or in the event both should die before coming twenty one years of age, he then gave the Residue of his estate to his Brother Isaac Williams, Peggy Britt & Edney Whitley to them & their heirs forever. That Peggy Britt is the wife of Henry M. Britt, That Edney Whitley is a widow resides in Southampton Co. Va

Your Complainant says, That the said of said Robert Williams, are not pay his debts from the rents of said land, within five years, and that his widow nor any any of the Legatees is entitled thereout to any Homestead or other exemption —

Your Complainant prays that an account of debts and demands due by the said Robert Williams or his estate, may be had — That the fee simple and annual value of said lands may

Kelly p. v

Richd. G. Compton Exor
of Abram Riddick Decd

v

Rice

Ro. Williams admr dat

1672 May Rules

Co. Ct.

Kiddicks Esc—

vs 3

Williams Admrs

answer of Same

Kills Adm of Williams

&

exhibits

1872 June Rules

The separate answer of Samuel Hills late Sheriff and as such administrator de bonis non of Robt Williams Dec'd to a bill in chancery in the county court of Southampton by Ricketicks executor vs him and others

This defendant for answer to the said bill or as much thereof as he is advised it is material for him to answer answering says, that it is true the estate of Robt Williams was committed to him for administration and that on the 3rd of January 1864 he sold all the said Williams estate for the sum of $24134.80 cts in Confederate States currency on six months credit that he received the same in Confederate States currency the only currency then used that he paid all the debts when the creditors would receive the money that he unwillingly offered to pay to the plaintiffs testator the bonds now filed in this suit and he would not receive Confederate states notes. That after paying all the debts that were presented to him he had a large surplus of this money or currency in hand and acting under an order of the County Court of Southampton entered at the March term 1864 he invested $3500 in Confederate States 4 per cent bonds as will appear by copies of the said order Marked A and the certificate of the Confederate States Depositary Marked B herewith filed and prays to be taken as parts of this bill

and that the said C. S. Stock is
~~therein~~ now ~~wilfully~~ worthless without
any fault of your respondent.

Your respondent answers further that
he is ready to ~~settle~~ any accounts
which may be ordered and he is
satisfied that upon a final settlement
a small balance will be found due
him And having fully answered
prays hence to be dismissed with his
costs &c signed

Rhesa Jr. &c.

Southampton County to wit

Samuel Kello This day personally
appeared before me a justice of the peace
for the said county and made oath that
the facts set forth in the above answer
are true to the best of his knowledge and
belief given under my hand this 20 day
of May 1870

Jas. J. Darden J. P.

Riddick Exr

v

Williams adrx

1874

Oct. Cir. Ct.

1st Decree to collect &

to be entered

Geo. Bloxton.

Riddick Exr
v
Williams adm'r.

To the Circuit Court of Southampton County -

The Undersigned J. E. Vann respectfully represents to the Court, that on the 27th day of December 1858, Robt Williams aforesaid & C. E. Worrell executed their Bond to Richd G. Cowper adm'r of Jas Beetle for the sum of $42.25 payable the 25th Dec 1859 which is filed herewith - and that the said Bond has been transferred & the Undersigned now belongs to him, That the said R. Williams has died & a suit in Chancery entitled as above has been brought in this Court to sell the said Williams Land (which has been done) & to ascertain the debts due by said Williams - Your petitioner did not know when the account of debts against said Williams was taken, that he did not present his claim, he may now be allowed to do so & participate in any distribution of the assets of said Robt. Williams dec'd. that may be made under proceedings had in the above cause

J. E. Vann

Oct 26 1874. by John R Kelly his atty

Riddick Exrs

vs.

Williams' admr &c

This cause came on this day to be heard and on the petition of J. E. Vann this day filed again heard on the papers formerly read & on the report of sale, made by John R. Kelly Comr. under the Decree of the County Court of Southampton County, made at the January term thereof 1873 — to which report there is no exception; and was argued by Counsel. On consideration whereof the Court doth confirm the said Report, and doth adjudge, order & decree that the said John R. Kelly as Comr. aforesaid, receive of the Clerk of this Court (who is hereby directed the same to him on his leaving a Receipt therefor) the Bond of Orsman M. Bryant & B. J. Bryant for $113.33, due the 17th of Nov. 1874, & collect the same, & out of the proceeds pay to said Kelly $6.78 due him as appears by his aforesaid Report, and any costs that may remain unpaid & any Taxes due before the sale of the land referred to in said Report and the Residue pay ratably to the debt due to Abram Riddick, as appears by Comr Tyler's report filed in said cause of $766.24, & to the debt due J. E. Vann ~~Exrs & Co~~, referred to in the petition aforesaid of $42.25 with Interest thereon from the 25th day of December 1859 to 1st Jany 1873 (the date to which Interest is calculated in Comr. Tyler's report on the debt due Abram Riddick aforesaid), and make report to Court.

$42=25. On or before the 25th day December 1859. we either of us. promise to pay to Richd. G. Cooper. Admr. of Jos. Brent dec'd. or order the sum of forty two dollars & twenty five Cents. being for the hire of Negro Ellen . . . for the year 1859. said Negro to be furnished with a Blanket & good clothing . . as witness our hands & seals. the 27th day December 1858.

Test.

Robert Wilborn (seal)

C. C. Worrell (seal)

(seal)

$41.00.

On demand the 20th January 1858. I promise to pay Cyrus E. Woods or order the sum of Forty one dollars for value rec'd as witness my hand and seal the date above given

Robert Wilson [seal]

$41.45 Four Months after date, with Interest, we promise to pay or cause to be paid unto Abram Riddick Trustee for John H Bishop, the just and full sum of Forty one dollars forty eight cents Value rec'd. Witness our hands and seals the 4th day of December A D 1856

Robert W Williams Seal

Seal

Seal

$314.51

One day after date I promise to pay to Abram Riddick or order or assigns the just sum of Three hundred & fourteen dollars and fifty one cents, for value received. Witness my hand and seal this first day of June 1858

Robert Williams SEAL

SEAL

"A".

Robert Williams

Will

I Robert Williams of the County of Southampton and State of Virginia being of Sound mind and memory but considering the uncertainty of my earthly existence do make and declare this my last and testament in manner and form following. that is to say:

First. That my Executor (herein named) shall provide for my body a decent burial suitable to the wishes of my relatives and friends and pay all funeral expenses together with my just debts. howsoever and to whomsoever owing. out of the moneys that may first come into his hands as a part or parcel of my estate.

Item 1st. I give and devise to my beloved wife fifty acres of land or one third of my farm to be set out by metes and bounds in the east end of the tract whereon I now live so as to include my mansion house, all outhouses and other improvements to have and to hold to her the said Nancy my wife for and during the term of her natural life in satisfaction for and in lieu of her dower and thirds of and in all my real estate.

Item 2d. I also give and devise to my beloved wife one feather bed and furniture (her choice) half dozen chairs one pair Cards & wheel. one loom and gear, one Cow & Calf one Sow & pigs and her provisions for one year of Corn, and Pork or bacon, the amount to be determined upon by three freeholders on the day of my Sale, to have and to her and her heirs in fee simple forever.

Item 3d. the residue of my estate after paying my just debts I give and devise to my two Children Sarah Jane and David in equal portions, to share and share alike Provided they live to be twenty one years of age and if either should die before arriving at that age I then give and devise my whole estate to the surviving one. or in the event both should die before becoming twenty one years of age I then give the residue of my estate to my Brother Isaac Williams, Sister Peggy Britt and Edny Whitley, to them and their

heirs forever:
Item. And whereas my two children are minors. Sarah Jane will be five years old the 1st. September 1863 and David will be 3 years old, the 3d October 1863: Now therefore my will and desire is that my friend Henry M Britt is hereby constituted and appointed Guardian of these my two children, to have and to hold the Custody and guardianship both of their respective persons and estates until they, the said Sarah Jane and David shall severally arrive at the full age of twenty one years.-
And lastly I do hereby Constitute and appoint my trusty friend Henry M Britt my lawful Executor to all intents and purposes to execute this my last Will and testament according to the true intent and meaning of the same and every part and clause thereof hereby revoking and declaring utterly void all other wills and testaments by me heretofore made. In Witness whereof I the said Robert Williams do hereunto set my hand and Seal this the 21st day of August A D 1863.

Robert Williams (Seal)

Signed, Sealed, published and declared by the said Robert Williams to be his last will and testament in the presence of us, who at his request and in his presence do subscribe our names as witnesses thereto.

Saml. D Winborne.

Orman M Bryant

At a Court held for the County of Southampton on the 21st day of December 1863.

This last will and testament of Robert Williams dec

was proved by the oaths of Samuel D. Winborne and Orman M Bryant the Subscribing witnesses thereto and ordered to be recorded and Henry M Britt the executor therein named refused to take upon himself the burthen of the execution thereof and no person appearing for administration with the will annexed on the said estate It is ordered that Samuel Kello Sheriff of this County take into his hands the estate of the said Robert Williams dec^d and administer the same according to law

Test

D.R. Edwards C.C.

A Copy

Test. D. White C.C.

R. G. Compton Esqr.

of Aberdeen.

&

Ro. Williams Advr

for the Schools

R. G. Conbers Exr
of A. Riddick
dec'd &c

v

Ro. Williams, adm
&c.

answer &
Inft. with

1872. May Rules

The Joint & Separate answer of Sarah Jane Williams & David Williams (by L.R. Edwards their guardian ad litem) to a Bill in Chancery exhibited against them and others in the County Court of Southampton, by Richd. G. Cowper Exor. of Alm Riddick dec'd &c

These Respondents say That the facts and statements contained in said Bill may be true so far as they know, but being Infants & ignorant of their rights, they submit them to the protection of the Court & pray that no order or decree may be made inconsistent with their rights.

Clerk will issue Summons in dly. to
May Rules, 1872 Co. et al, follows

Richard G. Compton Executor of Abram
Riddick dec'd, suing for himself &
all other creditors of Robt Williams
dec'd

vs.

Saml Kelly, personal representative of
Robt Williams dec'd, John Johnson &
Nancy his wife, Sarah Jane Williams
& David Williams (the last two Infants
and Henry M. Britt and Peggy his wife,
and Edney Heathcock

Kiel
16 April 1872

Johnson wife and
Britt wife are non residents. Upon
order of Pub. issue to Christian Sum

K

Robert Williams Est
~~Certif~~ Order to Invest

A

Southampton County March Court 1864

Samuel Kello Sheriff & Committee of the estate of Robert Williams having filed his petition asking the direction & instruction of the Court as to the investment of the funds belonging to Robert Williams Estate. The Court doth adjudge, order and decree that Samuel Kello invest the sum of $3,550. belonging to Robert Williams est. in Confederate States Stock or Virginia State Stock taking the bond or bonds payable to himself as Committee and that he collect the interest on the same as it falls due and account for the same

A Copy

Teste J R Tyler Clk

No. 4050

$3500

Four per cent. per annum.

Confederate States of America,

Petersburg Office,

Mar 26 186

This will Certify, That Saml. Kelly assr to R. Williams

has paid in at this office thirty five hundred Dollars,

for which amount Registered Bonds, of the Confederate States of America, bearing interest from this date, at the rate of four per cent. per annum, will be issued to him, under the "act to reduce the currency and to authorize a new issue of notes and bonds," approved February 17, 1864, upon the surrender of this Certificate at this office.

Danl. Dalsa

Depositary.

Roderick Ex
v
William adv
affidavit.

Richd. G. Cooper Exr. &c Alm Riddick
dec'd &c
vs.
Rs. Williams admr &c.

This day, John R. Kelly attorney for the plaintiff made oath before me in my Office, that he has been informed & believes that the defendants John Williams & Nancy his wife, and Henry M. Bell & Peggy his wife, are non residents of the state of Virginia

James R Sykes, CC

Riddicks Exr

v. } Cr. Pub.

Williams adr &c

Copy posted at ft. door C House
May. 6. 1672.

At Rules held in the Clerks Office of the County Court of Southampton County on 1st Monday in May 1872.

Richard G Cowper Executor of Abram Riddick decd Plff

against

Samuel Hello personal representative of Robert Williams decd. John Johnson & Stancy his wife and Sarah Jane Williams and David Williams, Henry W Britt and Peggy his wife and Edney Whitley Defts. } In Chancery

The object of this Suit is to subject the real estate of the said Robert Williams to the payment of his debts. And affidavit being made that the Defendants John Johnson & Stancy his wife and Henry W Britt & Peggy his wife are now residents of the State of Virginia. It is ordered that they appear within one month after due publication of this order and do what is necessary to protect their interest.

A Copy

Teste James R Tyler Clk

AT RULES HELD IN THE CLERK'S Office of the County Court of Southampton County, on the first Monday in May 1872.

Richard G. Cowper, Executor of Abram Riddick deceased,

Plaintiff,

IN CHANCERY.

Against

Samuel Kello personal representative of Robert Williams dec'd, John Johnson and Nancy his wife and Sarah Jane Williams and David Williams, Henry M. Britt and Peggy his wife and Edney Whitley,

Defendants.

The object of this suit is to subject the real estate of the said Robert Williams to the payment of his debts. And affidavit being made that the Defendants John Johnson and Nancy his wife and Henry M. Britt and Peggy his wife are non residents of the State of Virginia. It is ordered that they appear within one month after due publication of this order and do what is necessary to protect their interest.

A Copy—Teste:

JAMES R. TYLER, C. C.

my31-4t

Kilby, p. q.

Price of Advg.

$6.75—

I do hereby certify that the annexed notice was published for four successive weeks in the Christian Sun, and that the price charged is in accordance with the established rates of the Office. Given under my hand this Augt 23rd 1872

W. B. Wellons

Illustrations

K

Riddicks Ex

vs

Williams and Al

Executed on Saml Kelly & Execution whereby by delivering each a copy of this Summons. The other Defendants are not residents of My County.

A. G. Cobb. } Dlrs
D. L. Barbee } for Wm Barbee Sheff

R. A. Hicks Ex. of
Summ Chy.
Williams &c
1872 & My Rules

The Commonwealth of Virginia

To the Sheriff of Southampton County, Greeting:

WE COMMAND YOU to summon Sam'l Kello personal representative of Robert Williams dec'd. John Johnson & Nancy his wife. Sarah Jane Williams & David Williams (last two infants) Henry M Britt & Peggy his wife & Edney Whitley 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 May next to answer a bill in Chancery exhibited against them in our said Court by Richard G Cowper Exr. of Abram Riddick dec'd Suing for himself & all the Creditors of Robert Williams dec'd

And have then there this writ. Witness, James R Tyler ~~OSWIN WHITE~~, Clerk of our said Court, at the Courthouse, this 17 day of April A., D., 1872, in the 96 year of the Commonwealth.

J R Tyler Cl

Sun Job Print, Suffolk, Va

The Estate of Robert William Dec'd

In account with Samuel Kello Shff & administrator

		Dr	Cr
1864			
July 5	By Amount sold personal property due this day		$4154 80
	By Rent of Land due this year		70 00
	" paid Taxes for 1864	18 77	
	" paid Clerk Ticket	1 33	
	" paid J Bill	8 00	
	" paid Wm Bryant	5 00	
	" paid Mrs Whitley	59 25	
	" paid L O Johnson	5 00	
	" paid Jos E Warren	7 00	
	" paid P J Bryant	5 00	
	" paid Wm Bryant for attending orders of sale	20 00	
	" paid R L Bryant for wheat	60 00	
	" paid Aaron Whitley for Coffin	35 00	
	" paid Smith & Warren	30 00	
	" paid Jno Bass	22 87	
	" paid Wm B Shands atty	50 00	
	" paid Collin Ketcher	20 00	
	" paid Comm. Auctioneer	50 00	
	" paid R L Bryant Clerk	25 00	
	" Commission on $4224 80 @ 5 %	211 24	
	" Interest on $3514 20 5 mo & 25 days		102 51
	" Commission on same	5 12	
	" Balance due est.	3682 29	
		$4327 31	4327 31
1865			
Jany 1	By Balance due Est. brot down		$3682 29
	with intrest on $3580.29 part thereof from date till paid		

Respectfully Submitted

James R Byrd

Com

An Account of the outstanding debts or demands against Robt Williams decd as follows

One Bond due Abram Riddick for	317	87	
Int from 1 June 1858. to 1 Janry 1873	292	49	
			607 00
One Bond due Abram Riddick for	111	48	
Int from 4th Decr 1858 to 1 Janry 1873	40	00	
			81. 48
One Bond due Cyrus E. Worrell for	41	10	
Int from 20 day of Janry 1858 to 1 Janry 1873	36	76	
			7776
			#766 24

Respectfully Submitted
James R Tyler
Com

An account of the real Estate of which Robert Williams died. seized and possessed. Its fee simple and Annual Value is

	Fee Simple Value	Annual Value
One tract of Land containing 165 acres.	#412 50	#25. 00

Respectfully Submitted
James R Tyler
Com:

Commissioners Office
Jerusalem January 10th 1873

To the County Court of Southampton County

Pursuant to a decree of the County Court of Southampton County rendered at the July Term 1872 in a suit in Chancery depending in said court between Richard G. Cooper adm of A Riddick and Samuel Kello personal representative of Robert Williams decd John Johnson & wife and Sarah J. Williams & David Williams, and others. the undersigned one of the Commissioners of the said Court to whom was referred for settlement the following account to wit

1st An Account of the transactions of Samuel Kello personal representative of Robert Williams decd

2nd An Account of the debts and demands due by said Robert Williams decd or his estate and their dignity

3rd An Account of the real Estate of which the said Robert Williams died Seized & possessed and its fee simple and Annual Value and make report to Court &c as reports to the court that on the 18th day of September 1872 he issued notices against the several parties aforesaid requiring them to attend the settlement of the said accounts before him at his said office on the 25 day of October last. which were duly returned executed. That the parties aforesaid appeared before the Commissioner in obedience to said notices (by attorney) and he thereupon examined Stated and settled the foregoing accounts up to January 1st 1873. and on that day finds the amount due by the administrator to the said estate to be #3682.29 cents. and also made up an Ac of the outstanding debts against the said Est. up to the 1st January 1873. and finds the same to be #766.24 cents and also an account of the fee simple and Annual Value of the Land which the fee simple Value amounts to #412.50 cent annual Value amounts to #25. The Commissioner reports specially to the Court that by an order of the county court. Samuel Kello the adm of said Robt Williams decd invested #350 - in Confederate State Stock. which said certificate is filed in this cause and marked "B." and

in the opinion of your Commissioner the said Kello. should be credited with the said amount & interest at the rate of four per cent pr annum. The Commissioner further reports to the Court that upon the completion of the said accounts he retains the same in his office ten days for the examination of the parties, which with the deeds and notes are herewith returned Given under my hand as Commissioner aforesaid the day and year first aforesaid

Jas R Tyler

Commissioner's fee $15.00
Charged to Plaintiff

Southampton County Court, September Term 1872.

Richard G. Cooper Executor of Abram Riddick dec'd. Pltff. } In Chancery

against

Samuel Keller personal representative of Robert Williams dec'd. John Johnson and Nancy his wife, and Sarah Jane Williams and David Williams. (two last Infants) Henry M. Britt and Peggy his wife and Edwin Whitley Defts.

This cause in which the Plaintiff have proceeded in the Mode prescribed by law as to absent Defendants against the defendants John Johnson and Nancy his wife and Henry M. Britt and Peggy his wife, came on this day to be heard on the Bill of the Complainants, taken for Confessed as to the said John Johnson & Nancy his wife Henry M. Britt & Peggy his wife and as to Edwin Whitley on whom process had been duly executed & the facility to appear and Make defence, the answer of the Defendant Samuel Keller, personal Representative of Robert Williams dec'd. and to the answer of the Infant Defendants by their Guardian ad litem, with replications to said answers, and to Exhibits filed with the said Bill and was argued by Counsel, On Consideration whereof the Court doth adjudge Order and decree, that a Commissioner of this Court proceed to take and state the following accounts:

1st An Account of the transactions of Samuel Keller personal Representative of Robert Williams dec'd.

2nd An Account of the Debts and demands due by said Robert Williams dec'd. at his Estate, and their dignity

3d An Account of the real Estate of which the said Robt Williams dec'd. died seized & possessed, and its fee Simple and annual Value, and to Report to Court with any Matters Specially Stated, deemed pertinent by Them or that any of the parties may require to be so stated.

A Copy

Test

James R Taylor, D.C

Riddick ad
&
William ad
} Com. Police
& Report

1873- January 7th
" "

Executed
D L Barham Dy
for W W Briggs Sh

COMMISSIONER'S OFFICE,

Jerusalem Sept. 18 1872

TO Richard G. Cooper Exor of Abram Riddick

against Plff

Samuel Kello personal representative of Robt Williams dec'd John Johnson and Nancy his wife and Sarah Jane Williams and David Williams (two last Infants) Henry M. Bill and Peggy his wife and Edney Whitley

Defts

You are hereby notified that I have fixed upon the 25th day of October next, if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to wit: 1st An account of the transactions of Samuel Kello personal representative of Robt Williams dec'd.

2nd. An account of the debts and demands due by said Robt Williams dec'd or his estate and their dignity

3rd An account of the real estate of which the said Robt Williams died seized and possessed and its fee simple and annual value &c &c.

3

required to be taken by a decree of Southampton ~~Circuit~~ Cs Court, rendered ~~on~~ the September ~~day~~ of June 1872, in a suit in Chancery, depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery of the said Court, the day and year first aforesaid.

To the Sheriff of Southampton County to execute.

James R Tyler Commissioner.

Riddick Exr. &c

&

Williams admr &c

Conv Bond

15 Jan 1873

Know all Men by these Presents, That we

John R. Kilby & Wilbur J. Kilby

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA, in the sum of

five hundred Dollars, to the payment whereof

well and truly to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our Seals, and dated this 15th day of November one thousand eight hundred and seventy three.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the said

~~who has this day qualified before the County Court of Nansemond County as~~

John R. Kilby, who has by decree of the County Court of Southampton County of January term 1873 made in the cause of Abram Riddick Exr. against Ro. Williams' adms. and others, appointed Commissioner to make sale of said Ro. Williams' real estate, as therein named, shall faithfully execute the said decree, and any other decree he may be required to execute in said cause

~~shall faithfully discharge the duties of his said office~~, then this obligation is to be void or else to remain in full force.

Signed, Sealed, acknowledged and delivered in the presence of

John R. Kilby {SEAL.}

Wilbur J. Kilby {SEAL.}

{SEAL.}

{SEAL.}

County of Nansemond, To-wit: At a Court held for the said County, at the Court-house, the day of 18 , this bond was acknowledged by the obligors therein, and ordered to be recorded.

Teste;

Riddicks Exr

vs } Coms bond

Williams admr

KNOW ALL MEN BY THESE PRESENTS, That we John R Kilby

Wilbur J. Kilby

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of Five hundred dollars, good and lawful money of Virginia, to the payment whereof, well and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly and severally firmly by these presents. Sealed with our seals and dated this 20th day of October A. D. 1878.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bound John R Kilby Commissioner appointed by a decree of the County Court of Southampton County at the January Term 1873 in the Chancery suit of Riddicks Executor. against Williams' admr &c

shall faithfully discharge the duties of his said office or trust according to law, then the above obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and delivered in presence of the Court.

John R. Kilby [SEAL.]

Wilbur J Kilby [SEAL.]

[SEAL.]

[SEAL.]

Memorandum of Real Estate within the County of Southampton, Va.

Sold this 16th day of November, Eighteen Hundred and Seventy four, for the non-payment of Taxes thereon for the year 1872 & 3

Name of the person charged with Taxes.	Quantity of Land charged.	Local Description of Land.	Amount of Taxes due.	Amount of Levies due.	Quantity of Land sold.	Name of Purchaser.	Amount of Purchase Money.
Sally & David Williams	127	Wm Bryant	7 41		127	O. M Bryant	7 41
						Commission	37
							7. 78

Received of O. M. Bryant the above sum of Seven Dollars and forty one Cents, it being the amount of purchase money for the land mentioned in the above Memorandum.

Jas. E. Sebrell Co. Treasurer.

Debts vs. Ro. Williams estate

To Abram Riddick		$766.24
" J. E. Vann	$42.25	
" Int. from 25th Dec 1859 to 1st Jan 1873 — 13 yrs. 6 ds.	32.93	$ 75.18
	Total —	$841.42

1874 Nov. 17 Rec'd of John R. Kelly Com. the sum of Ninety one dollars & ninety five cents on claim due Abram Riddick by Ro. Williams

$91.95 John R Kelly Adm

1874 Nov 17 Rec'd of John R. Kelly Com. the sum of Nine dollars & 2 cents, on claim due J. E Vann by Ro. Williams

$9.02. John R. Kelly Adm

Southampton Circuit Court, October Term 1874.

Riddick Exr &c
against
Williams Admr &c

Pltff
Defts
In Chancery

This Cause Came on this day to be again heard on the papers formerly read and on the petition of T. E. Vann this day filed, and on the report of Sale made by John R Kilby Commissioner Under the decree of the County Court of Southampton County made at the May Term thereof 1873, to which report there is no Exception, and was argued by Counsel; on Consideration Whereof the Court doth Confirm the said report, and doth adjudge, Order and decree, that the said John R Kilby as Commissioner aforesaid, recive of the Clerk of this Court, (who will deliver the Same to him on his leaving a receipt therefor, the Bond of Orrican M Bryant and B. J. Bryant for one hundred and thirteen 33/100 dollars, dated the 17th of Nov. 1874, and Collect the Same and out of the proceeds pay to said Kilby Six dollars and Seventy Eight Cents due him as appears by his aforesaid Report and any Costs that may remain Unpaid and any Taxes due before the Sale of the Land referred to in said Report, and the residue pay ratably to the debt due to Abram Riddick as appears by Commissioner Tyler's Report filed in said Cause of Seven hundred and Sixty Six dollars and twenty four Cents and to the debt due T. E. Vann, referred to in the petition aforesaid, of

Forty two dollars and twenty five cents, with interest thereon from the 25th. day of Dec. 1859 to 1st. January 1863 (the date to which interest is calculated in Commissioner Tyler's Report in the Deth and Abram Riddick aforesaid,) and make report to Court.

A Copy, Test, James R Tyler D.C

Clk's Costs. $2.35

Riddicks Exrs
vs
Williams adm.
Copy Decree

Dec. 1863

Riddick's Exr. &c

vs

Williams' admr

1st Report of

Payments

1873 January 19

Date

To the Circuit Court of Southampton County Va.

The Undersigned reports to the Court, that pursuant to the annexed decree of said Court, made at the October Term 1874, in the cause therein pending wherein Riddick's Exrs. &c. are plaintiffs and Williams' adm'r. & others, defendants, he has received of the clerk of said Court the Bond of Orran M. Bryant and B. J. Bryant of $113.33 dated 17 Nov. 1874 & collected the same & paid the same out as directed by said decree, as the following statement will show —

By amt. of Bond of Orran M. Bryant &.	$113.33	
" Int. from 17 Nov 1873 to 17 Nov. 1874 —	6.80	
		$120.13

To paid Com'r. Balance due on former report as directed by said decree $6.78

" " Back taxes due on said land before the sale per rec't $7.78 — 14.56

Nett Balance. $105.57

To paid Abram Riddick Exr. 12 per cent on his debt of $766.24 per rec't $91.95

" " J. E. Vann Dr. on $75.18 " $9.02 $100.97

Balance in Com'rs. hands. $4.60

To paid Clerk's fees. Taxed in decree 2.39

To ans. charged for Reports $2.21

Respectfully submitted
John R. Kilby Com'r.

1875 Jan. 1. Rec'd of John R. Killy Com. the amount
shown before & as set forth in foregoing Report.

John R. Killy atty for Abm Riddick Ex $91.95

John R. Killy " " J. E. Vann $9.02

BOOK, JOB, AND ORNAMENTAL PRINTING EXECUTED WITH DISPATCH.

SUFFOLK, Va. Feby 12th 1873

Hon John R. Kilby

To W. B. WELLONS & CO., Dr.

W. B. Wellons.
D. B. Dunbar.
N. F. McCann.

TERMS CASH.

KILBY STREET.

1872				
May	31	Acct vs R. G. Cowper Vs Saml Kello 2 yrs 4 m		6 75
		Feby 20th /73 Rec'd payment		
		W. B. Wellons & Co		
		per Mann		

Southampton County Court: January Term 1873

Richard G. Cowper Executor of Abram Riddick dec'd: suing for himself & all other creditors of Robert Williams dec'd. Plaintiffs

vs Dec'r Causey

against

Samuel Vick personal representative of Robert Williams dec'd. John Johnson & Nancy his wife & Sarah Jane Williams & David Williams (2 last infants) Henry M. Britt & Peggy his wife & Edney Whitley Defendants

This cause came on this day to be again heard on the papers formerly read and on the report of Commissioner Tyler, made pursuant to the decree of the 10th day of January 1873, in this cause to which report there is no exception, and was argued by Counsel: On consideration whereof the Court doth confirm the said report and doth adjudge, order and decree that John R. Vick (who is hereby appointed a Commissioner for that purpose) proceed to sell before the Court house door of Southampton County, on some Court day the land of which Robert Williams died seized and possessed, situated in said County of Southampton, and containing two hundred acres more or less, and adjoining the lands of Orman M. Bryant, Josiah W. Johnson, Edney Whitley, Benja. S. Bryant & others (subject to the dower therein of Mrs: Mary Johnson, late the widow of said Robert Williams dec'd) which sale shall be advertised for at least twenty days by notice at the Courthouse door of said County and once a week for three successive weeks in the Suffolk Herald, a newspaper published at Suffolk Nansemond County Virginia and by printed hand bills near the premises, and shall be made on a credit of one, two and three years, with Interest from date, the purchaser giving bond and good security and the title to be retained till further order of the Court - and make report to Court -

But no sale it is to be made hereunder till the said John R. Vick, shall

execute before the Clerk of this Court in his Office, the penalty of five hundred dollars and payable to the Commonwealth of Virginia, and conditioned for the faithful execution of this decree and any other decree he may be required to execute in this cause. ||

A Copy

Clks Costs	$8.91	Teste E.R. Edwards Clk
Shff "	2.50	
Christian Surv	6.75	
Comm Tyler	15.00	
Law Qs	16.00	$49.26

To Oman Bryant

$431.00
pr 91
Sum 340 00

113.33

send Bond

Riddicks Exr.
v. } Copy Decree
Williams dor Qs

Oman Bryant
Bykins

adv for Surv
165 acres
Sec Land value 412,50
1/3 " 137,50
1/3 " 275,00
1/4 " 68,75
$206,25

Suffolk, Va., Oct 10th 1873

Mr McKilly Commissioner

To T. G. ELAM,

Proprietor "Suffolk Herald," Dr.

To advertising Estate		
- Ro: Williams		
2 Squares 6 times	$6	00
Paid		
	T. G. Elam	
	Proprietor.	

To the Circuit Court of Southampton County Va.

The Undersigned reports to the Court, that pursuant to a decree of Southampton County Court made at the January term 1873, in the cause wherein Abram Riddick's Exrs &c. is plaintiff and Ro. Williams' admr &others are defendants, He proceeded to advertise the Land of which the said Ro. Williams died seized & possessed, as directed & did on Monday the 17th Nov. 1873, sell at auction before the Court House door of said County (being Court day) the said Land, subject to the widows' Dower therein, when the same was purchased by Orman M. Bryant for. $431.00

of which he paid in cash 91.00

$340.00

and executed three Bonds — each for $113.33, with B. J. Bryant as security, payable at 1. 2. & 3 years after date with Interest from date — making 340.00

which Bonds are herewith filed — The said Land sold for more than three fourths of its appraised value.

The cash received has been disposed of as follows —

By cash rec'd as above	$91.00
To 5 per cent Com's. on $300 —	$15.00
" .2 dr. on $131.	2.62
" paid "Christian Sun" per rec't.	6.75
Carried on	$24.37 $91.00

	amd. brot on	// 24:37	// 91:00
pd	2 paid clerks fees	8.91	
pd	" " Shff. "	2.50	
pd	" " Com Tyler	15.00	Paid J.R.Tyler
pd	" " attys. fees	31.00	
pd	" reserved for seal &c.	5.00	
pd	" "Suffolk Herald" advs. &c	6.00	
pd	" 2 years civis	5.00	// 97.78
		Due Kilby Com.	// 6.78

Respectfully submitted
John R. Kilby Com.

1874 Nov. 16. Rec'd. of the Clerk of this Court
the Bond of Orman M. Bryant & of $113:33
dtd 17 Nov 1874, Returned under order of Ct of
Oct. Term 1874 John R Kelly, Com'r

1875 Nov 15. Rec'd. of said Clerk the 2d. Bond of
Orman M. Bryant & of $113.33 dtd 17 Nov 1875.
John R. Kelly Com'r

1876 Nov 18, Rec'd of Clerk the 3d Bond of
Orman M. Bryant of $113.33 dtd 17 Nov 1876
John R Kelly, Com'r

Riddick's Exor. &c
vs
Williams' admr &c
Report of Sale

1873 Dec. 16.

Riddick's Exrs
vs
Copy Decree
Williams admr

Southampton Circuit Court, February Term 1875.

Richard G. Cooper Executor of Abram Riddick dec'd.
against
R. Williams's admr & als
Defts

This Cause Came on this day to be again heard on the papers formerly read and on the Report of John R Kelly Commissioner, Made pursuant to the decree of the October Term 1874, to which report there is no exception and was argued by Counsel; On Consideration whereof the Court doth Confirm the said Report, and doth adjudge order and decree, That the said John R Kelly Commissioner as aforesaid, receive of the Clerk of this Court, (who will deliver the same to him,) the two remaining bonds of Orrin M. Bryant of One Hundred & thirteen dollars and thirty three Cents, and Collect the same when due, Make & deed unto Special Warranty to said Orrin M. Bryant for the land purchased & him Under proceedings herein, and out of the proceeds pay any Costs that may remain unpaid and then pay the residue ratably to the Creditors of R. Williams dec'd as reported in Commissioner Tyler's Report of debts filed herein and make report to Court.

A Copy
Teste James R Tyler D.C.

Riddick adm'r

vs

Williams adm'r

2d Rep't of
collections
& Disc'd

1877. Jany. 16

1875 Nov 17 Rec'd of John R Kelly Com.
one hundred & thirty six 93/100 dollars
& in this report.
John R Kelly atty

To The Circuit Court of Southampton County Va.

The Undersigned Reports to the Court that pursuant to the decree of said Court made at the July Term 1875 of said Court, in the case of Riddick's adm'r. against Williams adm'r, he has, since the March last said Court, one of the Bonds of Orman M. Bryant named therein & collected the same, to wit Bond $113.33

Interest from 17th Nov 1873 to 17 Nov. 1875. 2 yrs. 13.60

Total — $126.93

~~Deducting the commissions thereon allowed~~, & paid to John R. Kelly, atty for Plt. per rec'd.

1876 Nov 17. The undersigned received of O. M. Bryant or his last Bond for the performance of the said decree to execute him a deed with special warranty for the said Farm and by him executed said Court Bond $113.33

Int from 17 Nov 1873 to 17 Nov 1876 20.40

$133.73

Rec'd to John R. Kelly atty per com 13⅓ p ct

Respectfully submitted
John R Kelly Com'r

1876 Nov 17 Rec'd of John R Kelly Com'r one hundred & thirty three 73/100 dollars in full of above
John R Kelly, atty

In Southampton County Court

Richard G Cowper Executor of Abram Rawlings dec^d Suing for himself & all other Creditors of Robert Williams dec^d

against

Samuel Kello personal representative of Robert Williams dec^d John Johnson & Nancy his wife & Sarah Jane Williams & David Williams (2 last infants) Henry M Britt & Peggy his wife & Edney Whitley

1872. April 17 Summons issued
" May 8 Summons ret^d Ex^d as Kello & Edney Whitley – the other Defts not residents – affidavit of non residence of Johnson & wife & Britt & wife filed. Bill filed. Dft Edwards assigned Gdn ad litem to infant Defts Ans of infants & Rep thereto. Dft Kello & Whitley. Or. Pub to Dfts Johnson & wife & Britt & wife.
" June " Ans. of Dft. Kello & Rep. thereto. Bill taken for Confessed as to Dft. Whitley & Cause Set for hearing as to Dfts. Kello & Wife on their Ans^r &c as to Dft Whitley &c.

" Sep 6^r. Decree for account.

1873 Jany 7 Report
" " 7. Decree for Sale
" Dec. 16 Report.

1874 Oct. 7 Decree to Collect

1875 Feby 19 Rep^t.
" Feby 7. Decree to Collect &c

1877 May - Dismissed

10
136
12.50

457
379
8.27
64
8.91 Cl
2.50 St
6.75 D
15.00 Com
16.00 Saw
49.11

Riddicks Exor

To } Stat. Rules

Williams admx &c

Riddick [redacted] adm. &c
vs
Williams adm. &c

This cause in which the plaintiff has proceeded in the mode prescribed by law as to absent defendants, against the defendants Isham Williams & Nancy his wife and Henry M. Britt & Peggy his wife

This cause coming on to be heard on the Bill of the Complainant. taken for confessed as to the said John Williams & Nancy his wife as to Henry M. Britt & Peggy his wife & Sidney Whitney against whom process has been duly executed for failing to appear ~~as to the said Sidney Whitney against whom process has been duly executed for failing to appear~~ and make defence. ~~the said John Williams & Nancy his wife & Henry M. Britt & Peggy his wife for failing to appear & make defence,~~ & on the answer of the defendant Saml Kello personal Representative of Robt Williams dec'd & on the answer of the Infant defendants by their guardian ad litem, with replications to said answers, & on exhibits filed with the said Bill, and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that a Commissioner of this Court, proceed to take and state the following accounts.

1st An account of the transactions of Saml Kello personal Representative of Robt Williams dec'd.

2d An account of the debts & demands due by said Robt Williams dec'd at his late

and their dignity.

3? an account of the real estate of which said Robert Williams died seized & possessed, and its fee simple and annual value, and make report to Court with any matters specially ~~stated~~ deemed pertinent by himself or that any of the parties may require to be so ~~stated~~.

Received copy order
of
Williams' adm'r
1872
Dep. ct.
Decree
to be entered
J. W. Wynkoop Judge

Riddick' adm'

v.

Williams adm'

This cause came on this day to be again heard on the papers formerly read on the rept of Commissioner Tyler, made pursuant to the decree of the 10th day of January 1873, in this Cause — to which rept there is no exception, and was argued by Counsel. On Consideration whereof the Court doth confirm the said rept, and doth adjudge, order and decree that John R. Kelly (who is hereby appointed a Commissioner for that purpose) proceed to sell before the Court house door of Southampton County, on some Court day, the Land of which Robert Williams died seized and possessed, situated in said County of Southampton, and containing 200 acres more or less, and adjoining the Lands of Orman W. Bryant, Josiah W. Johnson, Edney Whitley, Benj. J. Bryant & others. (subject to the Dower therein of Mrs. Mary Johnson, late the widow of said Robt. Williams dec'd) — which Sale shall be advertised for at least twenty Days by notice at the Courthouse door of said

County and once a week for three successive weeks in the Suffolk Herald, a newspaper published at Suffolk Nansemond County Virginia and by printed Handbills near the premises, and shall be made on a credit of one, two and three years, with Interest from date, the purchaser giving bond & good security and the title to be retained till the further order of the Court — and make report to Court.

But no sale is to be made hereunder till the said John R. Kelly, shall execute before the clerk of this Court in his office, in the penalty of $500. & payable to the Commonwealth of Virginia, and conditioned for the faithful execution of this decree and any other decree he may be required to execute in this cause

Recorded in
Chancery Ords
1873
Law Co. ct
decree
To be entered

Riddick adm

v

Rs. Williams adm

1875

Feb. Term

Decree

To be entered

Geo. T. Bond.

Riddick Exor &c

v

Williams' adm &

This cause came on this day to be again heard on the papers formerly read & the Report of John R. Kelly, Comr. made pursuant to the decree of the October Term 1874 - to which report there is no exception, and was argued by Counsel on consideration whereof the Court doth confirm the said Report, and doth adjudge, order & decree that the said John R. Kelly, Comr. aforesaid, receive of the Clerk of this Court (who is hereby directed so to do) the two remaining Bonds of Orman M. Bryant of $113.33 & collect the same when due, and make a deed, with special warranty to said Orman M. Bryant for the land purchased by him under proceedings herein and out of the proceeds pay any costs that may remain unpaid, & then pay the residue ratably to the creditors of Rd. Williams Decd, as reported in Comr. Kyles Report of Debts filed herein, and make report to Court.

Riddick adm

v

Williams adm'x

1877

May Term

Final decree

To be entered

Geo. Blow.

Riddick adm'r. v. Williams adm'r &c

This cause came on this day to be again heard on the papers formerly read & on the Report of John D Kelly Special Com'r. made herein at the July Term 1875 of this Court — to which report there is no exception and was argued by Counsel. On consideration whereof the Court doth confirm the said report & doth adjudge now & decree that the proceedings had herein be confirmed & made final & binding between the parties, and nothing more remaining to be done in this cause, it is ordered that the same be removed from the docket