

1878-23

Southampton County - Chancery

Ridley, N.B. vs

Beale, Larson et al

"
To sell land, property
distributed among Trust
Creditors

Larson Beale

B. J. Bonham

Geo H. Bonham

Geo, L. Neville
Lester +

Niesmeyer,

Edwards +
Brands

To the Hon Geo: Blow, Judge of the Circuit
Court of Southampton. In Chancery,
Humbly Complaining Sheweth unto
your Honor, your complainant
N.B. Risley, that at the Nov Term 1875
of the Circuit Court of Southampton
he recovered a judgment against
Lawson Beale for \$177. 04 with
interest from March 17. 1875, and
\$7. 40 Costs - as will more fully
appear from a copy of said judgment
herewith filed marked (A) & proposed to
be taken as part of this bill. That since
the recovery of said judgment, your
Complainant has issued his execu-
tion of fieri facias and only the
sum of \$ was made thereon:
as will appear from copy of same
herewith filed marked (B) & proposed to
be taken as part of this bill. That
the said Beale owns in fee Consider-
able real estate in Southampton, upon
which there are two deeds of trust - as
follows - one from said Beale made
to R. F. Barham Trustee to secure a
debt for \$1050. due Jos: H. Barham -
deed executed 11th March 1874 & recorded 16
March 1874. as will more fully appear
from copy of same, herewith filed

marked (C) & prayed to be taken as part of
this bill - and one from said Beale
scripe to Geo L. Neville, trustee to secure
a debt due Meinage Elberde & Brooks
for \$1000. - deed executed 19 March 1874
recorded March 21. 1874, as will
appear more fully from copy of
same herewith filed marked (D) & prayed
to be taken as part of this bill - That
the real estate upon which these
deeds are liens is all the real estate
owned by the said Beale - and your
Complainant charges that it is much
more than sufficient to satisfy the
Trust creditors, and upon any surplus
fund arising from a sale of the said
real estate, his judgment is a lien.
That the rents & profits of the said land
will not satisfy the lien debts in
five years, and that your complain-
ant cannot enforce his remedy
except by the aid of this Court. In
consideration whereof, and inasmuch
as your complainant is without remedy
except in a Court of Equity, where matters
of this kind are properly cognizable,
to the end therefore that justice may
be done, he prays that Sawson

Beale, R. F. Barham, Hunter, Jos. H.
Barham, Geo L. Neville, Hunter & Meininger
Whitely & Brooks may be made parties
to this bill & compelled to answer
the allegations of the same. That your
Honor will direct a Court of this
Court to take an account of your
Complainants demand and all
other claims against said Beale
whether by judgment or otherwise;
also an account of the real estate
owned by said Beale & its annual
absolute value. And if it should
be necessary that the same may
be sold & the proceeds of such sale
properly distributed among the
trust creditors whose holding other
claims - and that your Honor
will grant such other further & special
relief in the premises as Equity may
dictate and the nature of this case
may require. and or in duty
bound to. May it please the
Court &c. -

J. B. Parnice

am. of Bond \$1935.84
 Int from 28 April 1859
 to: 8 May 1871 — 12 yrs 10 d. } 1396.90
 Total.. \$3332.74

The within payments of Int.
 were made by W. A. Beece
 &c. as receiver,

Beece & Beece
 Esqrs.
 filed with
 Citation of
 W. A. Beece &c
 May 1871

The following is a copy of the bond and endorsement thereon filed in the Circuit Court of Southampton County in a suit lately pending therein between Wm W Briggs who sues for the benefit of Thomas Ridley Plaintiff & Jas. A Bell, Jas. E. Sebrell & others Defendants - to wit

" On demand with interest from date we owe and promise to pay unto William W. Briggs the just and full of nineteen hundred and thirty five dollars and eighty four cents for value received: for the true payment of which well and truly to be made we bind ourselves, our heirs Executors & As witnesses our hands and seals this 28th day of April 1859.

Jas. A Bell (Seal)

Jas. E. Sebrell (Seal)

Jas. E. Gillette (Seal)

James A. Gillette (Seal)

Jas. Dillard (Seal)

W. A. Bell (Seal)

J. Thos. Butts (Seal)

Endorsements - " I assign this bond to Thomas Ridley for value received April 29th 1859 - Wm W. Briggs

Received \$116¹⁵ being one years interest on the within collected on execution in the hands of the Sheriff Jan^y 1st 1868

Thos. Ridley by
J. W. Urquhart att^y

Received May 7th 1868 / \$116¹⁵ one hundred & sixteen & ¹⁵/₁₀₀ dollars being one years interest on the within, collected on execution in the hands of the Sheriff

Thos. Ridley by
J. W. Urquhart att^y

Teste, Oswin White Shff

82

Ridley

to } Stat. Rules

Beale & Co

To be dismissed

1878 May Dismissed

In Southampton Circuit Court.

A. B. Ridley

Plaintiff.

against.

Sawson Beale R. F. Barham Trustee, Jos. H. Barham Geo. L.
Newell Trustee & Kiemeyer, Eldredge & Brooks Defendants.
In Chancery.

1876 March 27th Summons issued

" Apl. R. Bill taken for ^{ret. Ex.} Bill filed. D. Nisi & Defs.
" May 1 Cause set for hearing & J.

" Nov. 5 Rept. of dees 36 Co 20 Co 50 Cont 3

Ridley
to J. C. J. S. J. S.
Parks

McFarley, N. C.
J. C. J. S. J. S.

(Costs 40)

Southampton Circuit Court November Term 1875.

H. P. Ridley

Plaintiff

against

Lawson Deale

Defendant

In Debt

Costs

Clk 3.40

Sh. 50

Save 3.50,

\$7.40

The judgment obtained at the Rules against the defendant not having been set aside and the plaintiff being now entitled to a final judgment, it is therefore considered by the Court, that the plaintiff recover against the defendant, the sum of One hundred and seventy seven ⁰⁴/₁₀₀ dollars, the debt in the declaration mentioned with interest thereon at the rate of eight per centum per annum, from the 17th day of March 1875, till paid, and his costs by him, about his suit in this behalf expended.

Attest

Wm. H. Parker D.C.

The Commonwealth of Virginia,

To the Sheriff of Southampton County - Greeting.

We command you that of the goods and Chattels of Samses Seale late of your bailiwick, you cause to be made One hundred and seventy seven ⁰⁴/₁₀₀ dollars with interest thereon after the rate of eight per centum per annum from the 17th day of March 1875 till paid which N. P. Ridley lately in our Circuit Court of Southampton County, has recovered against him as well for a certain debt as for interest thereon, also the sum of seven dollars and 40 cents, which to the said Ridley in the same Court were adjudged for his costs in that suit referred, whereof the said Seale is convicted as appears to us of record; and thus you shall have executed this writ make return at the Clerk's Office of our said Court, at the rules to be holden for said Court on the first Monday in January next, and have thereupon this writ. Witness, J. R. Edwards, Clerk of our said Court, at the Court House, this 20th day of November 1875, in the

Executed by delivering Lawson Beale, R. F. Barham
& Jos. H. Barham each a copy of this Summons
on the 29th day of March 1876.

W. D. Meigs, S. J.

Ridley }
to } Sum. chg.

Beale J^r

1876 April Rules

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON *Lawson Beale. R. F. Barham Trustee, Jol.*
N. Barham

if *they* be found within your bailiwick, 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 *April next* to answer a bill in chancery exhibited against them & others in our said Court by *N. B. Ridley*



And have then there this writ.

WITNESS, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this *27*
day of *March*, 187*6*, in the *100* year of the Commonwealth.

L. R. Edwards

Ridley

2 } Sum. chr.

Beale & Co

1876 April Rules

Executed March 30,
1876 by serving copy of
within on G. L. Haville
and on Nimsger, Ethridge
& Brooks in person,

Richard Vermillion
Sect. City, Portsmouth
Received my fee \$2.00

Two dollars for goods for interest

The Commonwealth of Virginia,

Sergeant of the City of Portsmouth
TO THE SHERIFF OF SOUTHAMPTON COUNTY GREETING:

WE COMMAND YOU TO SUMMON

*George L. Smith (Trustee) & Associates,
Essex & Spotsylvania*

if *they* be found within your bailiwick, 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 *April next* to answer *all*
in Chancery exhibited against them and others in and said
Court by N. B. Ridley

And have then there this writ.

WITNESS, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this *27th*
day of *March*, 187*6*, in the *100th* year of the Commonwealth.

L. R. Edwards

Ridley
2nd
Rept
Bristol

4

Genl. Tyler
1877 April 13th

Dorchester Circuit Court, November Term 1874.

N. B. Ridley

Plff:

vs

James R. Pease, R. F. Barham (Trustee) Jos. H. Barham,
Gen. L. Knolls, (Trustee) of Newbury, Eldridge, Brooks
& Co.

This day this Cause came on to be further heard on the
papers formerly read and the report of Commissioner Tyler,
filed Oct. 10th 1874, & was argued by Counsel, on Consider-
ation whereof, the Court without confirming said Report
did adjudge, order and decree, that a Commissioner of
this Court, inquire and report to Court, whether the
Judgments being reported in favor of James R. Pease,
& Ben E. Pease, for the benefit of J. H. Thomas,
have been satisfied, or not, and for this purpose,
the said Commissioner is authorized to summon,
before him, with their receipts, either of the
parties interested in the said Judgments. &

Attest

Just.

Jack Tyler, J.C.

Commissioner's Office,

Jerusalem, Va.

April 13th 1877.

To the Circuit Court of Dorchester County;

Pursuant
to the above decree, your Commissioner reports, that
he has inquired into, and finds that the Judgments
being reported by him in favor of James R. Pease, and
Ben E. Pease, for the benefit of J. H. Thomas, have been
satisfied. &

Clerk's fee, \$5.00
Chgo. to Plff. &

Respectfully,

Jack Tyler, Comm. in Charge

Ridley }
V } Com: Notice
Beale }

Executed on Lewiston
Beale & R F Banker
by delivering each a
copy of this notice
W A Driggs sth

COMMISSIONER'S OFFICE,

Jerusalem, Va., July 24 1876

To N. B. Ridley.

Plff

Against

Saunders Beale. R. F. Barkham Trustee, J. H. Barkham. Geo. L. Neville Trustee and Nemeyer Etheridge & Brooks

You are hereby notified that I have fixed upon the 22nd day of August next, if fair, if not, the next fair day thereafter (Sunday excepted) to take and settle, at my office, the following accounts, to-wit:

- 1st An Account of the plaintiffs demands and all other outstanding unsettled claims against Saunders Beale together with their priorities;
- 2nd An account of all the real Estate owned by infa or otherwise by Saunders Beale with its annual and absolute value, which account the Commissioners will report to court &c

required to be taken by a decree of Southampton County Court, rendered on the 1st day of May 1876, 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.

JAMES R. TYLER, COMMISSIONER.

To the Sheriff of Southampton County to execute.

R. May 2
to 20
B. May 20

(May 22nd) City to end
partly

Durham County Court, May Term 1876.

N. B. Ridley

against

Lanson Beale, R. F. Packham (Trustee) & H. Packham,
Geo. L. Knolls (Trustee) and Kinsinger, Cokeridge and Brooks

Plff

In Chancery

Def

This day this Cause came on to be heard in the Complaint
and bill, which has been taken for Confessed as to all the
Defendants, the exhibits filed, with general replication thereto,
and was argued by Counsel. On Consideration whereof, the
Court doth adjudge, order and decree that a Commissioner
of this Court take the following accounts, to wit,
1st An account of the Plaintiff's demand and all other
outstanding unsettled claims against Lanson Beale, together with
their priorities -

2^d An account of all the real Estate owned in fee or
otherwise, by Lanson Beale, with its annual and absolute
value, which accounts the Commissioner will report to Court,
with any other matters specially stated, deemed pertinent
by himself or which may be required to be so stated, by
any interested party -

Attest

Juste,

James K. Hyde J.C.

Ridley
2
Beale
Commissioner
Dylan
"

1876 October 10th

An account of the Plaintiff's demand and all other outstanding unsettled being
against Lanson Beale, together with their priorities.

		\$	cts	\$	cts
Deft att by M.	(1 st) James R. Joyner vs. Lanson Beale & Jos. M. Garley Judgment for - Int. from 1 st January 1858, to 1 st Nov. 1874, Costs	317	81		
		334	77		
		8	78		
				114	36
	Date of Judgment, May 7 th 1858, Dorchester Circuit Court. Docketed June 24 th 1858, (2 nd) Ben E. Pope also sued for the benefit of D. H. Shumay, late of Norton & Shumay dec. Judgment for - \$44.50 Int. from 22 April 1857, to Aug 31. 1861, 5.81 Then paid 52.31 25.00 \$27.31 Int on \$27.31 from Aug. 31. 1861. to Nov. 1 st 1874, Costs				
			27	31	
			24	72	
			8	27	
	Docketed, Dec. 25. 1861, Date 1861. Nov. 12 th (3 rd) Deed of Trust, dated 11 th day of March 1874 and recorded on the 14 th day of March 1874 from Lanson Beale and wife to R. F. Warham, Trustee for the benefit of Jos. H. Warham, to Secure a Bond for - Int. from 11. March 1874, to 11 th Nov. 1874, at 12 per Cent. (2 yrs & 8 mos.)	1050	00		
		334	00		
				1384	00
	(4 th) Deed of Trust, dated 19 th day of March 1874, and recorded on the 21 st day of March 1874, from Lanson Beale & wife, to Geo. L. Merrill Trustee for the benefit of Merrill, Eberidge & Brooks, to Secure a Bond for - Int. from March 19. 1874 to Nov. 19. 1874,	1000	00		
		140	00		
				1140	00
	Amounts Carried forward			3249	44

Amounts Brought forward \$3249 44
 (5th)
 Wm H. Bradstreet, Judgment for 20 00
 Sub. from 3rd Jan. 1871, to 3rd Jan. 1876, (5 years) 1 00
24 00

(6th)
 N. B. Ridley, Judgment for 177 04
 Sub. from 17th March 1876, to July 1st 1876,
 at 8th Jan. Court. 12 21
189 25
 Paid July 1st 1876, 20 80
168 45

Sub on \$148 45 from July 1st 1876, to
 Nov 1st 1876, at 8th Jan. Court (9 mos) 10 10

178 55

Total amount of debt, \$3474 21
 Respectfully Submitted,
 James R. Tyler,
 Commissioner

An account of all the real Estate owned in fee, or otherwise, by Lanson Beale, with its annual and absolute value of.

		Absolute	Annual Value
A Tract of 28 1/2 acres from A. Smith		78 37	10 00
" " 7 1/4 " " " "		24 6 00	50 00
" " 1 1/2 " " " "	Chas. H. Beale	13 00	5 00
" " 7 1/2 1/2 " " " "	Curry & Bellamy	15 43 12	150 00
" " 51 " " " "	Chas. H. Beale	104 55	25 00
" " 15 " " " "	A. Smith	50 00	10 00
		<u>\$2075 04</u>	<u>\$250 00</u>

Commissioner's Office,
 Jerusalem, Va.
 October 9th 1876,

To the Circuit Court of Southampton County
 Pursuant to a decree of the
 Circuit Court of Southampton County, rendered at the May Term 1876,
 in a suit in Chancery depending in the said Court, between Chas. B.
 Ridley, Plaintiff and Lanson Beale, also Defendants, the undersigned
 one of the Commissioners of the said Court, to whom they refer
 for settlement by said decree, the account of the Plaintiff's demand,
 and all other outstanding unsettled liens against Lanson Beale,
 together with their priorities, &c. An account of all the real Estate
 owned in fee or otherwise, by Lanson Beale, with its annual and
 absolute value, reports to the Court that on the 24th day of
 July last, he issued notice against the several parties aforesaid
 requiring them to attend the settlement of the said account,
 before him at his said Office, on the 22nd day of August
 last, which were returned to your Commissioner duly executed,
 that the parties aforesaid, appeared before the Commissioner in
 obedience to the said notice (by attorney) and that he
 finds the amount of Unsettled liens against the real Estate
 of the said Lanson Beale, to be \$3474 21 and the Absolute
 Value of 2075 04 its annual value of \$250 00.
 The Commissioner further reports to the Court, that after the
 completion of the said account he retained the same in
 his Office ten days for the examination of the parties,
 which with the decree & notice aforesaid, are herewith
 returned. Given under my hand as Commissioner aforesaid,
 the day and year first aforesaid.

James R. Tyler,
 Commissioner.
 Commissioner's fee for this Report
 Notice of - \$15 00 charged off.

Ridley vs Ridley -

I have the papers

J. W. Merganser

Ridley
in 3/2 Decue
Biale D.

May Term 1776

So he entered

Geo Blows,

Ridley
vs 3 Deane.

Beale & others

This day this cause came on to be heard on the Complainants bill which has been taken for Compressed as to all the defendants, the exhibits filed, with general replication thereto, and was argued by Counsel. On consideration whereof, the Court doth advise and decree that a Commissioner of this Court take the following accounts, to wit, an account of the plaintiffs demand and all other outstanding unsettled bills vs Sawson Beale, together with their priorities - an account of all the real estate owned in fee or otherwise by Sawson Beale, with its annual absolute value - which accounts the Commissioner will report to Court with any other matter specially stated, deemed pertinent by himself, or which may be required to be so stated by any interested party.

Widley
1/3 Decree
vs Beale & Co

Nov Term 1876

To be entered

Geo. Blow,

Ridley

in $\frac{1}{3}$ Decree.

Reale &c

This day this Cause came on to be further heard on the paper formerly read, the report of Com. Tyler filed Oct 10. 1876, and was argued by Counsel. On consideration whereof, the Court without affirming said report, doth adjudge order & decree, that a Com^r of the Court enquire report to Court whether the judgment herein reported in favor of Jas R Goyner & B E Pope for benefit of St. Thomas. have been satisfied or not. and for this purpose the said Court is authorized to summon before him, with their receipts, either of the parties interested in the said judgments -