

1878 ~ 35

Southampton County Chancery -

Vick, Franklin vs Travis, Priscilla

Settle real estate

Travis, Virginia P.
in { Travis, Joseph
parts " Lizzie B.
L. P.
Edwards, Guardian A. L.

Wick

as 3 Bill
" " Exhibit
Travis & also

To be dismissed
Mr B. Howard

1878 January Rules

To the Honorable George Blow judge of the
Circuit Court of Southampton in Chancery sitting

Humbly complaining your Oration Franklin
Vick sheweth unto your Honor that on
the 18th of January 1872 he sold to Burton
& Travis two small tracts of land lying in
the county of Southampton to wit the
Booths tract containing 113 acres and
the Johnson tract containing $48\frac{2}{3}$ acres
for the sum of two hundred and fifty
dollars and that the agreement and
understanding was that he was to place
the said Burton & Travis in immediate
possession of the said lands and make
him a deed for the same when he
should have paid all the purchase
money, That in pursuance of the said
agreement Burton & Travis executed his
bond for \$250 dated 18th January 1872
on demand for the purchase money
of the said land which bond is
herewith filed marked A as an exhibit
and prayed to be taken as a part of
this bill to your Oration and he
placed him in possession of the said
tracts of land That in Novr 1872
Burton & Travis paid your Oration

one hundred dollars which he has
endorsed on the said bond, Your
Orator states further that Burton &
Travis died in the year 1874 leaving
a widow Priscilla Travis and three
infant children to wit, Virginia P
P Travis, Josephine Travis and Lizzie
B Travis his distributees and him at
law, and that he left some \$1.50 and
upwards and interest due for the
purchase of the said lands to your
Orator and that your ^{mother} has now
made a deed to him

Your Orator states that he is now
ready and has always been ready to
make to B. J. Travis or his heirs a deed
with general warranty to the said
two tracts of lands wherein the balance
of the purchase shall be paid and he
so offers to do but that Travis did not
pay in his lifetime and he is informed
his heirs at cannot ^{now} do so both
from inability to raise the money
and from infancy wherein he
comes into chancery

In Tender consideration whereof
and inasmuch as your orator is
without relief at law and only
entitled to full relief in a court of
equity where such matters are peculiarly

coquizaole he therefore prays that Priscilla
Travis, Virginia P. Travis, Josephine Travis
and Lizzie B Travis the three last infants
by some fit and proper person their
guardian ad litem appointed for that
purpose may be made parties defendant
to this bill and that the court would
compel them as full and perfect answer
makers to the allegations therein contained
as if they had been themselves more
fully and specially interrogated and
that the court would order that unless
the abovesaid defendants shall within
some time named by the court pay
to your Orator the residue of the ^{file}
bond for the purchase money ^{summed}
upon his giving them a deed with
general warranty for the said two tracts
of land, then that the said lands be
sold your Orator prays and the
balance of the purchase money if
any be paid over to the defendants
and that the court would grant
such other and general relief the
premises considered as equity may
dictate and the nature of his case
may require and as in duty bound
your orator will ever pray we

Shames p. 9.

Vick
vs 3
Travis vs

Return of the
infant defendants

1878 January Rules

The cause of Virginia P Travis, Josephine
Travis and Lizzie B Travis their infants
by L. R. Edwards their guardian ad litem
to a bill in chancery by F. Vick as their
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 he knows nothing of the allegations
of the plaintiffs but submits the interests
of his wards to the care of this court
whose peculiar duty it is to protect the
rights of infants and having fully
answered prays hence to be discharged with
his costs etc

L R Edwards Jr. Gdn ad litem

Pick

is 3 argument

Travis is also

argument of
Lemmon

Vick

as 3 In chancery

Travis is als

It is agreed that
in this case the bond of Burton
& Travis for \$250 given for land
one hundred dollars paid Nov 15th 1872
shall be withdrawn from the papers
delivered up to Mrs Travis and that
Frank Vick shall hold the land
in fee simple.

Mar

1878

Wm B Shames
Attorney for plaintiff
and

John R. Kelly Hon
attorneys for defendant

Vick

v 3 Decm

Travis

On motion of the
plaintiff his bill is dismissed

Rich

as 3 Decm

Travis

Nov^r Term 1878

L. be in time

Geo. B. Low,

Vick

Spa. Chy.

Travis V

1877 December Rules

Shands pg.

Came to hand
too late to be
Executed.

W. H. Cobb
by for W. H. Peggison

als ip^o

The Commonwealth of Virginia:

TO THE SHERIFF OF SOUTHAMPTON COUNTY....GREETING:

as at another time
WE COMMAND YOU TO SUMMON *Priscilla Travis, Virginia P
Travis, Josephine Travis, & Lizzie B Travis the three last infants*

if they ~~to~~ *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 December next to answer a bill in
Chancery exhibited against them in our said Court by Franklin Vick*

and have then there this writ.

Witness, Littleton R. Edwards, Clerk of our said Court, at the Court House
this 24th day of November 1877, in the 102^d
year of the Commonwealth.

L. R. Edwards

Executed by delivering Pipecella, Virginia P. Josephine
+ Leggy Travu^t each a copy of this summons on
the 24th day of December 1877.

A. F. Cobb Dy for
W. W. Driggs Shff

Grand { Sum. 2 Clay 1 ad,

1878 January Rules

~~December 24. 11. Dec.~~

~~1847, 27.7.60~~

29-8-11

The Commonwealth of Virginia:

as at another time we have TO THE SHERIFF OF SOUTHAMPTON COUNTY....GREETING:

WE COMMAND YOU TO SUMMON *Priscilla Travis, Virginia P Travis,*
Josephine Travis & Lizzie W Travis the three last infants

if they to 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 *January next* to answer a bill in
Chancery exhibited against them in our said Court by *Franklin Vick*

and have then there this writ.

Witness, Littleton R. Edwards, Clerk of our said Court, at the Court House
this *2^d* day of *December* 187*7*, in the *10th*
year of the Gommonwealth. *L. R. Edwards cc*

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Vick

v { Stat. Rules

Travis

1878 May Dismissed

In Southampton Circuit Court

Franklin Vick

against

Priscilla Travis, Virginia P Travis, Joseph Travis and Lizzie B Travis, the three last infants by L. R. Edwards their guardian ad litem

1877 Nov 24. Summons issued

" Dec R. Sum. ret? "Come to hand too late to execute" Al Sum awarded

1878 Jan. R. al. Sum ret? Executed Bill filed. L. R. Edwards assigned Gr ad litem to infant Defs. Ans. of infants. Genl. Rep. Dece nisi to adult Def.

" " " Bill taken for confessed as to adult Def. and cause set for hearing

" M. J. Dismissed