

1835-031

SOUTHAMPTON COUNTY
CHANCERY PAPERS

PHILLIPS vs. RIDLEY et ux et al

8/1835

Other surnames: Wilkerson,
Edwards, Edmunds, Ridly,
Phillips, Wilkinson

Philips
vs
Ridley et al. } Bill

Downman

1834 June 27th
" 23 Sp. a sp.
" Sep. New sp. of O.P. n sp.
Edwards.
1835 Feby Decree filed &
" Aug. Report returned &c.

Cell. \$23.5
Law 5.50
Printer 5.50
\$34.50

(Tax charge 2)

To the most honored the county court of Southampton
in chancery sitting.

Seemly complaining sheweth unto ^{your orator} your
mishaps that a certain Nathaniel Wilkerson of this
county died sometime about the year 1809 leaving
William Philips the Father of your orator ^{as his}
exr. Your Orator states that several special legacies were
left to different legates ^{by said,} amongst the rest, to Nathaniel
Edwards, all of which will be made to appear by ref-
erence to the will. which your orator prays may be referred
to and taken as a part of this Bill - Your Orator
further states that William Philips Father of your
Orator. and exr. as aforesaid paid to the different
Legates their respective legacies. as will hereafter
more fully appear. under the apprehension that
a sufficiency remained in the hands of the exr.
to satisfy all the just claims, debts, and demands
against the estate. that the exr. took a refunding
bond for the return of a proper and just proportion for
the payment of any debt which may be established against the
estate. your orator. who is also the heir at Law states that the
exr. Father to your orator. found it necessary at ~~a~~ subsequent
time to advance considerable sums of money, for the payment of
debts, due by the estate. your orator further states that Nathaniel
Edwards's part or portion, be paid to the exr. by commissioners
report Decr ~~1809~~ 1809 was \$158.28 - your Orator states
that the said Edwards is out of the limits of this Com-
monwealth - so that the heir or representative of said Philips
can not get at him the said Edwards save that a

court of equity - your Orator states that the said Edwards
has an interest in the dower estate of Ann Ridley wife
of Thos Ridley and formerly Wilkerson - Widow of Nathaniel
Wilkerson to the end therefore that your orator may have
justice done him in behalf he begs that court may direct
one or more commissioners to proceed to sell the interest
of said Edwards in said Ann Ridleys dower or so
much thereof as shall be sufficient to satisfy the said
claim against the said Edwards. and for as much
as your Orator is wholly remediless at law and only entitled
to be heard in a court of equity where matters of
this sort are cognizable begs that Thos Ridley or and
Ann his wife formerly Wilkerson and Nathaniel
Edwards be made defts to this state their reasons
if any they can why the said interest of said
Edwards in said dower may not be sold as
above your begs he directed &c as Ridley and wife
and that an order of Publication be directed to be
made some Paper Edited in the Town of Petersburg
against the said Nathaniel Edwards. and your
wishes will make such other and further disposition
of the case as to them may just and equitable &c

William P. Phillips

William P. Phillips this day personally appeared before
me a justice of the peace for the County aforesaid
and made ^{oath} that the above bill contained in its ~~allegations~~
allegations the truth the whole and nothing but the truth
so far as he is advised or believes to the best of his know-
edge Given under my hand and this 17 June 1854 Geo H. Parham J.P.

Phillips

~ { or Pub.

Reilly &

Loth's. by L.R.C

At Rules held in the Clerk's Office of the County Court of Southampton on
the 1st Monday in September 1934.

William D Phillips

Plff. } In Chancery

against

Thomas Ridley Sr and Ann his wife and Nathaniel Edwards. Dfts.

The defendant Nathaniel Edwards not having entered his appearance and
given security according to the Act of Assembly and the Rules of this Court and it
appearing by satisfactory evidence that he is not an inhabitant of this country
it is ~~ordered~~ and ordered that the said Defendant do appear before the Justices of
our said Court at the Courthouse on the first day of November Term next and answer
the bill of the plaintiff and that a copy of this order be forthwith inserted in some
newspaper published in the Town of Petersburg for two months successively and posted
at the front door of the Courthouse of this county.

Attest Just L. R. Edwards Clk

Wm D Philips car A ~~Nathaniel~~ Phelps who was over of
Nathaniel Milkerson
us ..

Thos. Ridley and wife and Nathaniel Edwards -

The depts Thos Ridley and Ann his wife
and Nathaniel Edwards - failing to appear and
answer the bill of compt. - and it appearing
to the court that the said Ridley and wife have
been regularly subpoenaed ^{thems} to answer the bill of
compt filed against. and the foreign debt
having failed to answer within the rules prescribed
by this ^{court} and it appearing to them that due notice
of the bill and rule to answer has been suffici-
ently published in the Intelligencer published in
the town of Petersburg ^{and only posted at the front door of the} it is ordered therefore that
the same be taken for confessed - whereupon the
court doth order adjudge and decree that Brodwin
Bryant, Kendra Jackson and James Jackson or
any two of ^{them} proceed as commissioners after due notice
thereof in some public place to sell the interest
of Nathaniel Edwards in the reversumary est
of the dower of Ann Ridley formerly widow of
Nathaniel Milkerson and that out of the proceeds
thereof they pay to Wm D Philips as as aforesaid the
sum of 158-28/100 dollars with interest thereon

from the 1st 15 day of Feb 1809 or so much thereof
as the amount of proceeds of said sale and
having complied with this order they are directed
to make return to this court in order to a
final decree -

Phillips
{ Deceased

Ridley &
1835 Feby.

c

Col

Phillips

in Sp^a in lch

Ridley &

To August Rules 1834

At From a

Dep. Downy up of
Bury. Downy staff

THE COMMONWEALTH OF VIRGINIA:

To the Sheriff of Southampton County--Greeting:

We command you that you summon *Thomas Ridley Sr. and Ann his wife and Nathaniel Edwards* —

to appear at the Clerk's Office of our ~~Circuit Superior~~ Court of ~~Law and Chancery~~, for the County of Southampton, at the Rules to be holden for said Court, on the first Monday in *August next* — to answer a bill in Chancery, exhibited against *them* in the said Court, by *William D Phillips* —

And unless the said Defendant *s* shall answer the said bill within four months thereafter, the Court will take the same for confessed, and decree the matter thereof accordingly; and this *they* shall in no wise omit under the penalty of 100l.

And have then there this writ: Witness, JAMES ROCHELLE, Clerk of our said Court, at the Courthouse, this *23rd* day of *June* 1834, and in the *38th* year of the Commonwealth.

James Rochelle Clk

C. C.

Phillips

~ 2 Spc in Chy

Ridley

November Rules 1834.

Mr Thomas Bailey & Wife
Executed by delivering a
true copy to each Sept.

29/1834 Nathan Edwards.

per Exh. Agent
of the County of
Bury. Duany & Co

THE COMMONWEALTH OF VIRGINIA:

To the Sheriff of Southampton County--Greeting:

We command you that you summon

*Thomas Ridley & and Ann his wife and
Nathaniel Edwards*

before
to appear at the Clerk's Office of our ~~Circuit Superior~~ Court of Law and Chancery, for the
County of Southampton, at the Rules to be holden for said Court, on the first Monday in
November next

to answer a bill in Chancery, exhibited against *them*
in the said Court, by *William O'Phillips*

And unless the said Defendant, shall answer the said bill within four months thereafter, the
Court will take the same for confessed, and decree the matter thereof accordingly; and this
they shall in no wise omit under the penalty of 100l.

And have then there this writ: Witness, JAMES ROCHELLE, Clerk of our said Court, at
the Courthouse, this *1st* day of *September* 1834, and in the
59th year of the Commonwealth.

James Rochelle Clk

Town of Petersburg, To wit:

This day, Thomas L. Wilson, of the Intelligence office, appeared before me, and made oath that the annexed order of Southampton County Court in the case of Phillips vs Ridley, &c. was published in said newspaper for two months successively.
Given under my hand this 16th day of January, 1835.

Wm. M. Harrison, Mayor
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At rules held in the Clerk's Office of the County Court
Southampton, on the 1st Monday, in September, 1834.
Wm. D. Phillips Plif.

AGAINST

Thomas Ridley, Sr. and Ann his wife, and Nathaniel Edwards Defts.

IN CHANCERY:

The defendant, Nathaniel Edwards, not having entered his appearance and given security according to the act of Assembly and the rules of this court, and it appearing by satisfactory evidence that he is not an inhabitant of this country: It is ordered that the said defendant do appear before the Justices of our court aforesaid, at the court house, on the first day of November term next, and answer the bill of the plaintiff; and that a copy of this order be forthwith inserted in some newspaper published in the town of Petersburg for two months successively, and posted at the front door of the court house of this county.

A Copy—Teste,

L. R. EDWARDS, D. C.

Sept 15 2m

Recd Payment
Printer's fee \$5.50
Rough & Co.

Phillips

" Copy Dated

Ridley & P

For Commissioners -

1835 Augt.

Southampton February Court 1835.

William D Phillips -

against

Thomas Ridley Sr. and Ann his wife and Nathaniel Edwards &ts.

Plff

} In Chancery

The defendants Thomas Ridley and Ann his wife and Nathaniel Edwards failing to appear and answer the bill of Complainant - and it appearing to the Court that the said Ridley and wife have been regularly subpoenaed to answer the bill of Complt. filed against them, and the foreign Defendant having failed to answer within the rules prescribed by this Court - and it appearing to them that due notice of the bill and rule to answer has been successfully published in the Intelligencer, published in the Town of Petersburg, and duly posted at the front door of the Courthouse for more than two months successively. It is ordered therefore that the same be taken for confessed - Whereupon the Court doth order adjudge and decree that Britton Bryant, Kinross Jackson and James Jackson or any two of them proceed as Commissioners after due notice thereof in some public place to sell the interest of Nathaniel Edwards in the reversionary estate of the Dower of Ann Ridley formerly widow of Nathaniel Wilkinson and that out of the proceeds thereof they pay to William D Phillips as aforesaid the sum of One hundred and fifty eight dollars twenty eight cents with Interest thereon from the 15th day of December 1809 or so much thereof as the amount of proceeds of said sale, and having complied with this order they are directed to make return to this Court as ordered in final decree -

Attest Date James R. Kelle (Att.)

Agreeable to the above order of Southampton county court we Two of the commissioners have proceeded on the 30th day of May 1835 and sold the Interest of Nathaniel Edwards in the following Slaves belonging to the Estate of Nathaniel Wilkinson Decd. naming Dick Billy & John amounting to two Hundred and Seventy five dollars and have paid over the said Sum to William D Phillips given under our hands this 30th day of May 1835

Britton Bryant

James Jackson