1856-024 SOUTHAMPTON COUNTY CHANCERY PAPERS DILLARD vs. VICK et al.

11/1856

other SURNAMES:
Gurley, Darden

Dillard

v. } Papers

Vick &c

3.65
40
Colt 4.05
Staff ... 1.00
5.05

1836 Nov.

Dillard

v. } Stat. Rules.

Vick &c

In Southampton Circuit Court.

James Dillard

against

Richard S. Vick & John M Gurley.

1856 July. 26th Summons in Chy. issued

" Aug. R. Sumns. ret'd Executed.

" Sept. " Bill filed & decree Nisi v Defts.

" Oct. " Bill taken for confessed.

" Nov " Cause set for hearing

" " 7. Dismissed.

Weiland
vs } Bill
Bickedal,

1855. September Rules

(854 words)

To the Hon. Richd. H. Baker judge of the Circuit Court of Southampton County. In Chancery.

September Rules, 1856.

Humbly complaining, sheweth unto your honor your complainant James Willard, that at the term of the County Court of Southampton in the year 1855, the said Court appointed Richard J. Warden Committee of Richard S. Birch who was then believed to be a lunatic, who qualified according to law. That the said Richard S. Birch at that time was indebted to your complainant in the sum of $100. by bond bearing date the 5th day of March 1855, and that your complainant instituted a suit against the said Committee on the said bond, and recovered a judgment against the said Committee at a quarterly term of the County Court of Southampton held on Monday the 17th day of March 1856, as will appear by a copy of the said judgment herewith filed and prayed to be taken as a part of this bill. That the said Court on Tuesday the 18th following day of March discharged the said Richard S. Birch from the care of his said Committee and as will appear by a copy of said order herewith filed after the said Court had adjourned on the same day the said Richard S. Birch executed a deed to John M. Gurley for a tract of land lying and situate in the County of Southampton containing three hundred acres, for the as will appear by a copy of said deed herewith filed and consideration of five Hundred dollars, prayed to be taken as a part of this bill. Your complainant is advised that his said judgment operated as a lien on the said tract of land, and the deed thus made to the said Gurley was so far as your complainant was concerned null and void. That his said judgment has been discharged according

to law - Your complainant declares that the said deed from the said Vick to the said Gunby shall be set aside, and the said land be made subject to the lien of his judgment aforesaid, which he is advised can only be done in a Court of equity. In tender consideration of the premises, and in as much as your complainant is without remedy save in this honorable Court, he prays, that Richard S. Vick and John M. Gunby be made parties defendant to this bill, and that they be compelled to answer all the allegations contained therein - That your honor will set aside the deed made by Richard S. Vick to John M. Gunby, bearing date the 18th day of March 1856, and conveying a tract of land lying in the County of Southampton containing by estimation three hundred acres, and that the said land shall be made subject to the lien of your complainant's aforesaid judgment - And that your honor will decree such further and general relief as equity may dictate, and as in duty bound they will ever pray &c

Cobb p. q.

Dillard

v } Exhb. with bill

Vick do

At a quarterly Term of the County Court of Southampton continued and held at the Courthouse thereof on Tuesday the 18 day of March 1856.

Richard S Vicke who has been declared a Lunatic This day appeared in Court and petitioned the Court to be discharged from his disabilities as a Lunatic and he being examined by the Court It is the opinion of the Court that he is restored to Sanity and now of a Sane mind and it is ordered that the Same be certified.

A Copy

Teste.

L R Edwards Clk

Dillard

vs } Exhibt with bill

Vick &c

At a quarterly Term of the County Court of Southampton continued and held at the Courthouse thereof on Tuesday the 18th day of March 1856.

James Dillard Pltff.

against } In Debt.

Richard I Darden Committee of Richard S. Vicks a lunatic Deft.

The judgment staried in the Office not having been set aside and the plaintiff being now entitled to a final judgment it is therefore considered that the plaintiff recover against the Defendant One hundred dollars the debt in the declaration mentioned with legal interest thereon from the 22nd day of January 1853 till paid and his costs by him about his suit in this behalf expended. To be levied of the goods and chattels of the said Richard S Vicks in or which may come to the hands of the Defendant to be administered. And the said Defendant in Mercy &c.

Pltffs Costs $7.39.

A Copy

Teste

L R Edwards Clk

The above Judgment was docketed in the Judgment Docket of the County Court of Southampton on the 29th day of August 1856.

Teste

L R Edwards Clk

Dillard

v } Sumt. Chy.

Gurley &c

1856 August Rules

Execution on John McBurly
by delivering a Copy
[illegible] day of Aug. 1856.
Mast of the Residence of
Rich. Dick he being
from home I left a Copy
of Pa. with Mrs.
Phillips his mother the being
a white member of his fam-
ily above 16 years of age and
[illegible] to her the purport thereof
N. R. Blow D.Sh. for A. Mills D.Sh.

THE COMMONWEALTH OF VIRGINIA:

To the Sheriff of Southampton County—GREETING

We command you to summon John M Gurley & Richard S Vick

to appear at the Clerks office of our Circuit court of Southampton county at the Rules, to be holden for the said court on the first Monday in August — next, to answer a bill in Chancery exhibited against them — in our said court by

James Dillard

And have then there this writ. WITNESS, LITTLETON R. EDWARDS, Clerk of our said Court at the Courthouse, this 26th day of July 1856 in the 81st. year of the Commonwealth.

L R Edwards Clk

Copy Deed

Dillard

v. } Exhibit with Bill

Vicks

Gurley &c

This deed made the 18th day of March 1856 between Richard S. Vick of the first part and Jno M Gurley of the second part Witnesseth that in consideration of the sum of five hundred and eighty dollars the said Richard S Vick doth grant unto the said John M Gurley a certain tract or parcel of land lying and being in the County of Southampton, bound by the Nottoway River on the North the land of Henry Pilow on the West & East Situated near the Cypress Bridge containing three hundred acres more or less. To have and to hold the said tract or parcel of land unto the said Jno. M. Gurley his heirs and assigns forever In Witness whereof the said Richd S. Vick have hereunto set his hand and affixed his seal the day and year first above Written.

Richard S. Vick (Seal)

Southampton County. In the Clerks Office the 18th day of March 1856

This deed of bargain and sale from Richard S. Vick to Jno. M Gurley was acknowledged by the said Vick and thereupon admitted to Record.

Teste

L R Edwards Clk

A Copy

Teste. L R Edwards Clk