

1872-059

SOUTHAMPTON COUNTY
CHANCERY PAPERS

VICK et al VS. VICK et al

3/1872

other surnames: Cutler,
Pope, Cutlar

(592)

Or in

no. 3 Bill.

with others.

1868 Decr. Decree as filed

#

1870 March. Decree to collect &c.

1871 Feby. Decree to distribute

Report

1872. Mar. Final decree

Let's see paid

To the worshipping Assembly of Southampton
in Church.

Humbly complaining shew into your Worship
your complainants, James Smith, Helen Smith
Parker Smith, George Abbott and William Smith
Children of Elizabeth Smith. That Osborn Smith
has deposited this wife having a parcel of
Land containing 40 acres in this County
and your complainants, and Smith a
Child of Nathaniel Smith, who was a nephew
of Osborn, and Thomas, George H. and
Sarah the wife of Munro Cullen his heirs at
Law and entitled to his estate.

That the Land is not worth \$300 - to
each share, and it is impracticable
to divide it among those entitled, and
the interest of the parties will be promoted
by a sale.

In Under consideration of all which
your complainants pray the Court to
give an infant, Thomas G. H. and
Munro Cullen and Sarah his wife heirs

to this bill. That you will appoint a
Commissioner to sell the Land, in the bill mentioned
a divide the proceeds according to
Law and the rights of the parties, and grant
such other and general relief, as Equity
may dictate.

May it please the Ct.

Chambers p.p.

Answer of Thomas & Richard Mills
and Mums Cutler & Hips, to the foregoing
bill - These depts. sincerely for answer
say they admit the facts and have no
objection to the answer prayed for and
having pray the same is refused.

Answer of Mills infant, by S. R.
Edwards his legal guardian, to the foregoing
bill

This depts. being an infant, submits her
return to the Court & honors are
pray the same is refused

S. R. Edwards.

Guardian

Bite and 2-

Back { Decen-
as. }

Back to the.

Dec. 1868.

With as much & others.

This and this cause was admitted by
consent of parties, and came on to be heard. on
the 11th inst. the replication stands and was
argued by counsel. On consideration thereof
the court with a judge and assess that
the sheriff of this County, after giving 20 days
notice of the time & place of sale, ^{at Esopus} sell, on
a credit of one year, 4 cts cash to pay
the costs of this suit and expenses of sale.
The Land of which is borne with
area signed. Containing 40 acres.

That he take of the purchaser bond with
good security for the deferred payment.
& retain the title, till the purchase
money is paid.

That he make report to court of
his proceedings.

Southampton County Court December Term 1868.

Dores Vick, Belia Vick Parker Vick, George Albert & William Vick children of
Elizabeth Vick

Plffs

In Chancery

Vicks

Defts

against
Thomas & Richard Vick & Monroe Butler wife of
infant by L. R. Edwards his Guardian ad litem

This day this cause was docketed by consent of parties and came on to be heard on
the bill, answers, replication thereto and was argued by Counsel. On consideration
whereof the Court doth adjudge, order and decree that the Sheriff of this County, after
giving 20 days notice of the time and place of sale at Jerusalem, sell on a credit
of one year, except cash to pay the costs of this suit and expenses of sale, the land
of which Osborne Vick died seized - containing 40 acres - that he take of
the purchaser bond with good security for the deferred payment and retain the
title till the purchase money is paid - That he make report to Court of his
proceedings.

clks costs \$5.

A Copy -

Test,

L. R. Edwards Clk

July 1st. 1869. Recd. of Shff. of Southampton
\$10.52 paid with Tax in the within
Case.

W. Chamberlay

Vicks

to { Copy desired

Vicks

Wick L.

as. } Secum.

Wick L. & others.

March 21: 1870.

Wick &c. Wick &c.

This way this case can be
be again heard on the report of Paul. Rello.
Lately of Southwestern & Co. Made under a
order of this Court. at Dec. 11. 1868. to which
no exception has been filed - and the Court.
Confirming said report. both agreed or are I.
agree, that - the S. Paul. Rello. Row as aforesaid.
received from the Clerk of this Court. The bond filed
with his report. Collect the same, and
report to Court, and the Court. with further
order. That - the same. when the purchase
of the land. shall pay the purchase money -
then be made to Wm Lewis. a deed for
the land. with special warranty.

Vick +
es. } Secu
Vick & Mary }

Southampton County Court, March Term 1870

Vicks & -

vs.

Vicks & others -

Plffs.

Defts.

Subpoena.

This day this Cause came on to be again heard in the report of Samuel Wells, late Sheriff of Southampton and Commissioner, made under the decree of this Court at December Court 1868, to which no exception has been filed, and the Court confirming said Report, doth adjudge, Order and decree, that the said Samuel Wells, Commissioner as aforesaid, receive from the Clerk of this Court, the book filed with his report, correct the same, and report to Court - And the Court doth further Order that the Commissioner, when the purchaser of the Land shall pay the purchase money, that he make to William Turner a Deed for the Land with Special Warranty -

Attest,

James D. Tyler, C.C.

Wick

as } Decem.

Wick & others

Feb. 1st. 1871.

To be entered

J. W. Wingerhart Judge

Vick vs Vick & others.

This way this cause came on to be
filed on the paper formerly read. on
the report of Samuel Kellogg on the statement filed
marked (W) and was argued by Counsel - On
consideration whereof the Court with advice, that
Samuel Kellogg, out of the funds in hands, pay to
the undersigned creditors of Order No 10 and the
following sums to said Vick \$2424. with int from
Nov. 23. 1869. To Wm Hamell \$842 with little interest
To Sally Vick \$1605. To Mr Rochelle \$25.08 To J J Darden.
\$3.65 - To Wm H. Davenport \$7.05 - To Elizabeth Phillips
\$19.16. To S. H. Bishop \$3.37 & to N P Pope, \$5.17.
Each of said amounts with interest - from 23rd Nov.
1869. till paid.

That the S^r Kellogg pay to Parker Vick.
Lelia Vick and Daisy Vick each the sum
of \$26⁵⁶. To George ~~W~~ Vick, Richard Vick,
Thomas Vick and Sarah A. Cullen each
the sum of \$6⁵⁹. To George E Pope William
Pope and Nathan Pope's infant child each
the sum of \$6⁵⁹. and to Mollie & Albert
Pope Children of Haly Pope each the sum of
\$3.⁰⁹.

Rich
m } Decm
Rich & c }

March Ct, 1872.
To be entered
J. W. Weymouth Judge

Nick

as

Nick & others -

This day this cause came on to
be finally heard on the papers formerly
read and on the report of Lord Rello made
under a decree of the Court. Made at March
Court 1870 - on a motion made in respect
the Court both confirm said report to which
no objection has been filed and it is ordered
that this cause be removed from the docket.

In obedience to a decree of the County Court of Southampton
County, pronounced at the December Term thereof 1868 in case of
Dons Vick, Julia Vick, Parker Vick, George Albert & William Vick
children of Elizabeth Vick
against

Defts
In Chancery

Thomas & Richard Vick & Minor Cutler wife
& Vick infant by L. R. Edwards his guardian ad litem Defts.

I proceeded, after having given the notice required by said
decree, to sell at public auction, at Jerusalem on the
18th. day of January 1869 the tract of land mentioned in
said decree, being the tract of which Osborne Vick died seized
and possessed, for which William Turner became the high-
est bidder and the purchaser for the sum of Two
hundred and Eighty five Dollars (\$285.00) for which,
after deducting the amt necessary to defray expense of
suit-sale &c, being Thirty four ²⁵/₁₀₀ Dollars which he
paid in cash, I took his bond with Davis Vick secu-
rity for the remainder of the purchase money, being
Two hundred & fifty ⁷⁵/₁₀₀ Dollars, giving thereon a
credit of Twelve months, as directed in said decree,
which is herewith returned, All of which is respect-
fully submitted.

J. Kello Shiff & Co. Secy.

Am't. of Sale — \$285.00

Suitor fee & writ-tax \$10.50 Paid as per receipt on decree.

Clerk's costs 5.00 paid. L. R. Edwards

Writ fee 4.00

Shiff. & Co. 14.25

Stamps for Deeds .50 34.25

Am't. of bond returned — \$250.75

1870 March 29. Received of the Clerk the bond returned by the Commissioner with
this report

E. L. Story for
S. Wells Pluff & Co. & Co. & Co.

Cour Report.

G. Kello Cour.

Report.

In obedience to a decree of the county Court of Southampton made at the March term thereof 1870 I have collected the bond therein mentioned it being a bond given by Wm. Turner and Davis Vick for the balance of the purchase money due from the sale of land belonging to the Estate of Osden Vick decd. amounting with the interest due up to Nov. 21. 1870 the day of payment to Two hundred and Sixty Three $38/100$ Dollars (\$263.38) which after paying Lawyers fee for suit brought on bond (10.00) and writ-Tax (30cts) leaves balance in my hands of Two hundred and fifty two $88/100$ Dollars (\$252.88), and by the consent and at the request of said William Turner I have executed a deed for said land to Davis Vick. All of which is respectfully submitted.

G. Helle Late Shff & Coun

1. William Vick

George H. Vick

Richard Vick

John Vick

Sarah Ann. Cutler

wife of Jas. H. Cutler

2. Elizabeth Pope

George E. Pope

Haley Pope (Lamie H Pope) Mollie & Albert

Nathan Pope has one child

William Pope

3. Parthur Vick

4. Celia Vick

5. Davis Vick

William Pope
wants you to pay
his part to
J. H. Bishop

Rebecca says name

Statements—

(五)

Doris Wick debt due 23 Nov. 69.	\$ 35.40	
Paia met of previous mt.	<u>18.16</u>	\$ 24.24
W ^m Hann. debt. "	12.92	
Po ^r . or above. "	<u>4.10</u>	\$ 8.82
Sally Wick debt. "	23.47.	
Paia or above "	<u>7.42</u>	\$ 16.05-
JR Rochelle debt. "	36.58	
Paia or above	<u>11.50</u>	\$ 25.08
J. S. Seaman debt.	5.35-	
Paia or above.	<u>1.70</u>	\$ 3.65-
W ^m H. Langley debt.	11.75-	
Paia or above	<u>3.76</u>	\$ 7.05-
Elizabeth Phillips debt.	28.00	
Paia or above	<u>8.82</u>	\$ 19.16
S H Bishop debt.	\$ 4.93	
Paia or above	<u>1.56</u>	\$ 3.37
H P Pope debt.	7.57	
Paia or above	<u>2.40</u>	\$ 5.17
Whole amt of debt, ^{including paia} ~~including paia~~		\$ 112.59
and total paia met ^{only to Sept 30. 91.} ~~previous~~	<u>8.49</u>	
The sum of \$ Com. Rellon.		\$ 121.08
Am't in hands of Coms.		\$ 250.88.
deduct amt debtly or above.		<u>121.08</u>
Am't to be paia to the treas. of		\$ 131.80
O. O. Allen Wick -		

Sum over.

Amount to the kin. of Grandrick		\$131.60
To Father's sick	1/3	\$26.36
" Sister's sick	"	\$26.36
" Sister's sick	"	\$26.36
" Geo. H. Rick, Rich & Rick		
Thomas Rick & Sarah Rick		
Children of Wm. each	\$6.59	\$26.36
George E. Pope, Nathan		
Pope's infant child	\$6.59	19.77
To Mother & Albert Pope	3.29	6.59
		<u>\$131.80</u>

(17)

Albion