

1877-15

Southampton County Chancery - Kello, John vs Washington, Miles et als

Suit alleging fraud -
(sell land for settlement of debt)

(admin) of
Kello, Samuel

Washington, Emily L.
" Margaret D.

Kello's adum

107 } Bill
" } Exhibit

Washington 1865

1877 April Rules

To the Honorable George B. Blow Judge of the
Circuit Court of Southampton County in
chancery sitting

Humly complaining your Orator John
Kells administrator of Samuel Kells died sheweth
unto your Honor that Miles Washington along
with one Samuel P. Cornell who is not sued in this
is indebted to your Orator in the sum of
\$55 - with interest thence from the 2^d of
October 1861 by bond as will more fully
appear by the said bond herewith filed marked
A and prayed to be taken as a part of this bill
which he refuses to pay

Your Orator states further and distinctly
alleges, charges, and avers that the said Miles
with the intent to hinder and delay and
defraud your Orator out of his debt on
the 5th of October 1876 together with his
wife made a deed to his daughter ^{Emily R. Washington}
conveying a tract of land lying in Southampton
county containing forty five acres bounded
by the lands of John Hedgepeth and others
for the sum of two hundred dollars, which
your Orator avers was all his estate. Your
Orator charges and avers that this deed
made by Miles Washington and Emily R.
his wife to his daughter Margaret D
Washington is a fraud on him that
the grantee Margaret D Washington never
paid any money for the said land and
that it was made by Miles Washington
to defraud his creditors out of their
just debts. In tender consideration whereof

Margaret D Washington

and inasmuch as your orator is without relief
at Law and only entitled to relief in a court
of equity where such matters are peculiarly
cognizable he therefore prays that Miles
Washington Emily L Washington and Margaret
D Washington 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 especially
interrogated and that the court would
set aside the said deed from M Washington
and wife to Margaret D Washington as void
as to your Orator and all the said land
to pay your Orator's debt 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
Shanes p. 5.

Killo
no 3 Decem
Washington was

May Term 1877

To be entered

Geo T. Bond

Kello

vs 3 Deane
Washington vs

This day This cause
came on to be heard
on the plaintiffs bill

taken for confessed as to all the defendants
Miles Washington, Emily L Washington and
Margaret D Washington and exhibit filed
and was argued by counsel. On consideration
whereof the court doth adjudge, order, and
decree that a rule be served on the said
defendants to appear at the next term
of this court to show cause if any
they can why an attachment should
not issue against them for failing
to answer the plaintiffs bill

Kello's adms

no 3 Deane

Washington was

To be entered

Geo. V. Brown

Kellogg v. ...

23 Decm

Washington v. ...

On motion of the
Plaintiff his bill is dismissed

This day John H. Kells. personally appeared before me
and made oath that he delivered Miles Washington,
Emily S. Washington, & Margaret D. Washington each
a copy of this Summons on the 31st day of March 1877.
Given under my hand and seal this 3rd day of April
1877.

John H. Kells
Comm. in Chancery

W. H. Kells
James H. Kells

Ca

Washington

1877 April Kells

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON *Miles Washington, Emily L. Washington*
the wife of said Miles Washington & Margaret D. Washington—

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 in our said Court by John
G. Kells administrator of Samuel Kells decd.

And have then there this writ.

WITNESS, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this *30th*
day of *March*, 187*4*, in the *101st* year of the Commonwealth.

L R Edwards cl

On Demand with Interest from date &
payable the 2nd. day of October 1861
We promise to pay Samuel Wells the
sum of Fifty five Dollars for value
recd. Witness our hands & seals the
2nd. day of October 1860.

Witness
Thos. ^{his} Crumple
mark

Miles ^{his} Washington Seal
mark
Samuel Bonnell Seal

Miles Washington

To

S. Kells

Bond

\$55

payable Oct. 2/1861.

A

Kellos admor

Copy Deere

Washington's

Executed

A. H. Cobb by for

W. L. Dragg Staff

Southampton Circuit Court May Term 1877
John G Kelle administrator of Samuel Kelle dec'd Plaintiff
against

} In Chancery

Miles Washington, Emily L Washington & Margaret Washington Defendants

This day this cause came on to be heard on the Plaintiffs bill taken for confessed as to all the Defendants Miles Washington, Emily L Washington and Margaret L Washington and exhibit filed and was argued by Counsel,
On consideration whereof the Court doth adjudge, order and decree that a rule be made served on the said defendants to appear at the next Term of this Court to shew cause if any they can why an attachment should not issue against them for failing to answer the Plaintiffs bill

A. Copy

Teste L R Edwards cc.

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Kello^s adm

v } Stat. Rules

Washington

1877 November Term

In Southampton Circuit Court

John Kello administrator of Samuel Kello dec'd

^{against}
Miles Washington, Emily L. Washington & Margaret Washington

1877 March 30th Summons issued.

" April R. Sum. ret. Executed Bill filed D. Nisi v.
Defts-

" May " Bill taken for confessed & Cause set for hearing

" " J. Rule v. Defts

" Nov . Bill dismissed