

1878-039
Southampton County

Chancery Papers: Raiford vs Raiford & al

10/1878

Raiford; Bill
 vs Answer
 Raiford, & Decree

Shugart Cain

1866 Nov decree as filed
 #

" Dec 17 Rept

1867 Jan. Rept. Conf.

1870 Feb. Decree to collect

To the worshipping lords and ladies of Southampton
County. In Chancery sitting.

Humbly complain-
ing sheweth unto your worships, Your Orator
Henry Traiford: That your Orators father Allen
Traiford was in his lifetime seized and pos-
sessed of certain real estate lying in the County
of Southampton, bounded by the lands of Henry
D Baile, Thomas Browne &c, said to contain 18 acres
more or less, and being thereof so seized and
possessed, some time in the year ^{deceased}
this life intestate, leaving your Orator,
Martin Traiford, Esq., Rebecca, and Milton
Traiford his only children and heirs at law.
That the said Martin, Esq., Rebecca and
Milton Traiford are infants, under the
age of twenty one years - and that your
Orator further charges, that the said real
estate is not susceptible of division in
kind amongst the parties, and your Orator
therefore desires that the same may be
sold and the proceeds of sale divided among
the parties entitled. and your Orator fur-
ther charges that the said real estate is worth much
less than three hundred dollars per share
in consideration of the premises, and inasmuch
as your Orator is without remedy save in a
Court of Equity, where such matters are peculiarly
cognizable and amenable, your Orator prays
that Martin, Esq., Rebecca, and Milton
Traiford, be made parties defendants ^{all infants} to this
Bill, and required to answer the allegations thereof,
and that a proper guardian ad litem be

appointed to defend their interests in this
suit, that the said real estate may be sold and
the proceeds of sale equally divided amongst
the parties entitled, and grant such other
and general relief as the nature of the case
may require, or the Equity shall seem meet,
and your Orator will ever pray &c
Patterson & S.

The answer of Martha, Emily, Rebecca and
Milton Raiford infants under the age of
twelve years, by L R Edwards their guar-
dian ad litem against the defend their
interests in this suit is a bill exhibited as
shown by Henry Raiford -

These defendants, having
and answering & for their answer, say that
being infants under the age of twelve years,
they have been to entrust their interests
in this suit to the protection of this wor-
shippful Court, and having answered
pray leave to be dismissed -

L R Edwards for ad litem

Raiford
vs
Raiford &c } Deane

This cause this day came on
to be heard on the bill of the Plaintiff, an-
swer of the infants dependants by L R Ed-
wards their guardian ad litem, several
applications thereto and was argued by
Counsel - On consideration whereof the
Court doth adjudge order and decree that
Wm Patterson who is hereby appointed
a special Commissioner for this purpose
proceed to sell, after giving at least twenty
days notice of time and place of sale, to the
highest bidder at public auction, the real
estate in the proceedings mentioned, of which
Allen Raiford died seized and possessed, and
that he sell on the following terms, to wit,
sufficient in cash to defray expenses of
suit and sale, the balance on a credit of
six months, taking from the purchaser
bond with approved security, after to be re-
tained until the purchase money is
paid, which bond together with a report of
of his proceedings under this decree is to be
returned to this Court - But the said Com-
missioner is not to execute the provisions
of this decree until he shall have given bond
with good and sufficient security, in the Clerk's
office of this Court, in the sum of \$200 - payable
to the Commonwealth of Va, conditioned for
the faithful performance of the duties herein
assigned him, and of any future orders of this Court
in this cause -

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Raipordte } Dear

1876 Feby 6th

Raiford
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Raiford &

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This cause this day came on again
to be heard on the papers formerly made and on
the report of Compt. Pittman made pursuant
to a decretal order entered in this cause at the
November Term 1866, and the Court confirming
the same doth adjudge, order and decree that
Wm. H. Pittman who is hereby appointed a Special
Commissioner for that purpose proceed to collect
the bond of \$20.00 on May B. Bailey & Joseph W. Sars
(which the Clerk is directed to lend to him) and out
of the collection so made, to first pay any expenses
that may have been incurred in this cause since
the entering of the last decree, and the balance to
distribute amongst it for the entitled.

Raiford
M
Raiford & Co } Ripon

1866 Dec 17

W. Carter for \$5. paid

Raiford
vs
Raiford & Co } Report

In obedience to a decree of the County Court of Southampton County made at its November Term 1866 in this cause your Commissioner after giving twenty days notice of time and place of sale, actually sold on the 15th day of Dec. 1866. the real estate of which Allen Raiford died testator, and thereafter Mary B Bailey became the purchaser for the sum of \$40.00, and thereafter deducting expenses of sale and such which was \$20.00, for the balance of \$20.00 he took from the purchaser bond with James W Freeman as surety, which with this report is returned to Court, all of which will more fully appear by the following statement:

Am't sold	\$40.00
Costs for	\$15.00
Clk's fee	\$ 5.00
Bond returned	20.00
	40.00 \$40.00

Respectfully submitted

Wm H Raiford Comr

Know all men by these presents that we Wm H. Prellow & J. D.
Prellow

are held and firmly bound unto the Commonwealth of Virginia in the just and
full sum of Two hundred Dollars
current money of Virginia, to the payment whereof well and truly to be made we
bind ourselves our heirs, executors and administrators jointly and severally firmly by
these presents. Sealed with our Seals and dated this 24 day of
November A.D. 1866

The condition of the above obligation is such that if the above bound
Wm H. Prellow as Comptroller in the suit of Raiford v. Raiford 1st appointed
by a decree entered at the November Term 1866 in the County Court of Southampton County

shall faithfully discharge the duties of his said Office or trust according to law
under said decree and any other decree which may be rendered in the said suit
then the above obligation to be void or else to remain in full force and virtue.

Signed, Sealed and delivered
in the presence of the Court }

Wm H. Prellow (Seal)
J. D. Prellow (Seal)
(Seal)
(Seal)

#46
of Clerk of Court
Paid the 21st October 1878 the within
bond, against Mary B Bailey & Joseph
W Hunt for the sum of Twenty Dollars
due 15th Decr 1867, with interest from
15th Decr, 1866

Wm H Pullow