

1881-13

Southampton County - Chancery

Pittland, Joshua
Starr

vs Bradshaw, James' Adm'r

"2 all land to
settle judgment"

Gillitt, Joseph E +
Pittland, Joshua
Partners

Biggs, W. W. Sh. + Adm'r
Est. Bradshaw, James

Bradshaw, Vermilia

Bradshaw, James

Bradshaw, James

(Bradshaw, Jurel
Bradshaw, Mary

Pittow

Bill

in 3 exhibits

Bradshaw's admin re

1886 January 23 filed &
Receipts attached

To the Honorable George Blom judge of the
circuit court of Southampton County in
chancery sitting

Humbly complaining your orator Solina
Pattow sheweth unto your Honor that as
surviving partner of the firm Joseph & Gillitt
and Solina Pattow at the November term
1867 of the circuit court of Southampton
he obtained a judgement against James
Bradshaw for the sum of \$80.72⁰⁰ with
interest from the 1st of March 1860 and \$1.70⁰⁰
costs which was docketed on the 23^d of
December 1867 all of which will now
appear by certified copies of the said judgement
and certificate of the docketing herewith
filed marked A & B herewith filed and prayed
to be taken as parts of this ^{bill} and which
judgement your orator states and avers he
never been paid but is still due

Your Orator states further that in the
year 187-- James Bradshaw died intestate
leaving both real and personal estate
and his widow Permelia Bradshaw
and four children to wit James
Bradshaw, Amos Bradshaw, an infant
Jesse Bradshaw, an infant and Mary
Bradshaw an infant his distributees and
heirs at law and that at the July County
court ¹⁸⁷² the estate of James Bradshaw was
committed to the hands of Mr. W. Briggs
sheriff of Southampton for administration
all of which will now fully appear by a
copy of the said order herewith filed

marked D and prayed to be taken as a part of
this bill

Your orator states further that W. W.
Bridges informs him that no assets belonging
to James Bradshaw's estate have come
to his hands and that the said Bridges
has never settled any account and there is
no personal estate out of which to make
his judgment but there is a tract of land
lying in Southampton County belonging to
the said Jas Bradshaw's estate containing
nearly acres (90) worth some \$300 on which
his docketed judgment is a lien and his
suit is brought to enforce his lien on the
said 90 acres of land

In further consideration whereof 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 W. W. Bridges
sheweth and as such administrator of
James Bradshaw died, Permelia Bradshaw
James Bradshaw, James Bradshaw, John
Bradshaw, and Mary Bradshaw the last
three named infants by some fit and proper
person their guardian ad litem appointed
for that purpose may be made parties
defendant to this bill and that the court
would compel them as free and perfect
persons to answer to the allegations therein
contained as if they had been themselves
more fully and especially interrogated, that
all proper accounts may be taken and
if it should turn out that the writs of

The said tract of land of 90 acres will
not pay your orator's judgment in five
years then that the same may be sold
for that purpose subject to the widow's
dower and that the court would grant
such other and general relief the premises
considering as equity may dictate and the
nature of his case may require and as
in duty bound your orator will ever
pray

Shand sp. g

Prichard Sp John

v } Exhibit

Bradshaw ad

Exhibit "A. & B."

Southampton Circuit Court, November Term 1867.

Joshua Preble surviving partner of himself and
Joseph E. Gillette dec. late Merchants & partners
trading under the name firm and style of
Gillette & Preble.

Plaintiffs

against

James Bradshaw

Defendant

Subscribed

The Judgment obtained at the Rules 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 ^{Said} Defendant Eighty dollars
and Seventy five Cents, the amount of the account upon
which this action is brought, ^{legal} with interest thereon
from the first day of March 1867, till paid, and his
costs by him about his suit in this behalf expended.

Teste,

October 1867

December 23rd 1867

J R Edwards Clk

Copy

Teste,

J R Edwards Clk

Memorandum
for
Clerk

Clark will please copy following exhibits
and file with bills

payment of John Peltow vs James
Bradshaw obtained Nov term 1869 of
Circuit Court

A

Certificate of Discharging same
23^d Dec 1867

B

Copy of order committing James
Bradshaw to Sheriff Briggs
July court 1872.

C

Pittow

vs 3

Bradshaw's admix

Asson of infant
defendants James,
Esq vs Mary Bradshaw
by gr ad litem

The joint answer of Imms, Japer, and
Mary Bradshaw Thre infants by.

S R Redwards This guardian ad litem
to a bill in chancery in the circuit
court of Southampton against them
and others

This defendant for answer to the
said bill or as much thereof as he is
advised it is material for him to
answer, answering says that he
submits the intent of his words to the
care of this court whose peculiar duty
it is to protect the rights of infants
and having fully answered prays leave
to be dismissed with his costs

signed

S R Edivard Guardian
ad litem

Thomas Ford left

Prellon 5/10
v } Exhibit

Bradshaw adv

"Exhibit I."

Southampton County Court, July Term 1872.

James Bradshaw having been dead more than three months
and no person having administered on his Estate, on the
petition of Ely Bradshaw it is Ordered that Wm. W.
Briggs Sheriff of this County, take the Estate of
the said James Bradshaw into his hands, and
administer the same according to law.

Attest,

Jas. R. Taylor, Clk.

Presented this the 2th day of Feby 1880
Delivering to W. W. Briggs admr of James
Bradshaw dec. Pamela Bradshaw James
Bradshaw, Junious Bradshaw & Jesse Bradshaw
each a copy of the same. Mary Bradshaw
is a non resident of the County

J. W. Lawrence deputy for
W. W. Briggs Shff

Presented

2073 decr

Admr: Bradshaw
Briggs & Co

1880
J. W. Lawrence
deputy for
W. W. Briggs Shff

The Commonwealth of Virginia:

To the Sheriff of Southampton County Greeting:

We command you to summon W. W. Briggs admr. of James Bradshaw
decd. Permelia Bradshaw, James Bradshaw
Junius Bradshaw, Jefe Bradshaw & Mary Bradshaw
if they be found within your bailiwick to appear at the Clerks office of our
Circuit Court of Southampton County at the Rules to be holden for said Court
on the first monday in February next to answer
a bill in chancery exhibited
against them by Joshua Pretlow

and have then there this writ. Witness Littleton R. Edwards Clerk of our
said Court at the Courthouse this 23rd day of January 1880
in the 10th year of the Commonwealth. L. R. Edwards D.C.

~~112~~ 112

Prattlow Sq ph

Stat. Rules

Bradshaws adm sp

In Southampton Circuit Court.

Joshua Preble Surg. partner of the firm of Joseph E. Gillette
& Joshua Preble

against.

W. W. Briggs Sheriff & as such administrator of of James Bradshaw
de^d ^{Peripelia Bradshaw} Junius Bradshaw, Jesse Bradshaw & Mary Bradshaw the
last three infants

1880 January 23^d: Summons issued

" February 18th: " Summons not Executed on Briggs not Peripelia
Bradshaw James, Junius, & Jesse Bradshaw - Mary Bradshaw
a now resident - Bill filed - L. R. Edwards assigned Gov
addition to infant Defts - Answer of infants Sent Rep thereto
Decree nisi for adult Defts -

" March: Bill taken for confessed as to adult Defts & Cause
Set for hearing &c.

" May 5th: Decree for acct &c.

Nov. i Decree for sale

1881 May - Decree &c.

Portland Sq. partur. 40

20 2 Rept

Braden's Adair 40

1880. Oct. 1st

An Account showing the outstanding debts against
The Estate of James Braashaw dec'd as follows

Clap

Joshua Prellow Surviving partner of himself
& Joseph E. Gillett dec'd late Merchants
& partners trading under the name firm &
Style of Gillett & Prellow.

Judgement for \$ 80 72

Int from 1st March 1860 to 1st Oct 1880 99 68

Costs 67 0

Docketed 23rd December 1867.

\$ 187 10

An Account of the Annual & Actual Value
of the real Est. of James Braashaw dec'd.

Annual Actual Value

One tract of 88 Acs in Southampton Pky \$ 25 00 \$ 200 00
Subject to the widows dower

Respectfully Submitted
James R. Cyles,
Commissioner

Commissaries Office

Jerusalem 18th Oct 1880

To the Circuit Court of Southampton County

Pursuant to a decree of the Circuit Court of Southampton County, rendered at the May term 188 in a suit in Chancery pending in the said Court between Wm W Brigg administrator of James Bradshaw dec'd & others and Gillett & Briscoe partners &c. the undersigned one of the Commissioners of said Court, to whom was referred for settlement the following account to wit. That Wm W Brigg settle an account of his transaction as admr of James Bradshaw dec'd before one of the Commissioners of this Court who will also take an account of the actual and Annual Value of all the real Est. whereof James Bradshaw died seized & possessed subject to the widow dower and also an account of the debts outstanding against the said Bradshaw Est. with their priorities together with any matter specially stated & reports to the Court that on the 27th day of August last he issued notice against the several parties aforesaid, requiring them to attend the settlement of said account before him, on the 11th day of September. Which was returned to your Commissioner duly executed. The parties aforesaid appeared before the Commissioner by atty in obedience to said notice and he thereupon examined. Stated and settled the foregoing account up to the first day of October 1880 and on that day finds the outstanding debt to be \$187.10 which \$99.68 is interest & \$6.70 costs. The Commissioner states specially that Wm W Brigg Sheriff and admr has received no assets belonging to the estate of James Bradshaw dec'd. The Commissioner further reports to the Court that after the completion of the said account, he retained the same in his office ten days for the examination of the parties. Which with the decree and notice aforesaid are herewith returned. Given under my hand, as Commissioner aforesaid the day & year first aforesaid

James R. Taylor,
Commissioner

Commissioner fee \$ 5.00

Rec Dec 20th 1880 of W. A. Druggs Com.
five dollars for services as Auctioneer in
selling land belonging to Estate of J. L. Druggs
Throckmorton

J. D. Bordenack:

February 7th 1881 Received from Hon^{ble}
Briggs Sheriff and commissioners to
sell the land in the case of Putlow
surviving parties we as Bradshaw & Son
are also the sum of one hundred
and fifty dollars and sixty seven
cents (\$150.67cts) in full of amount
owed by him as such after
deducting costs of suit retained by
him

William B. Shaw
Attorney for Putlow & Son

January 18th 1881. Received from Wm. W. Briggs,
Sheriff and commissioner of the County legal
fee taxes in the case of Portnow vs
Brookman and \$3.50 to be paid for the
plaintiff Joshua Portnow

Wm B Shaw
Atty at Law

To. Commissions for selling	\$10.75
" Paid Auctioneer	5.00
" " for writing deed to Purchaser	5.00
" " Costs of Suit	35.08
" " retained due by Genl Shands	5
	<u>60.83</u>

By amt of rec^d for Land

\$215.00

60.83

154.17

3.58

150.69

58.53

92.16

60
55.50

95

00

293.

41.50

251.50

58.53

25

50

83

16

6

150.66

1

Pretlow
against } Report
}
Bradshaw

1881 May Term

In obedience to a Decree of the Circuit Court of Southampton County in the Chancery suit of Pratt against Bradshaw and others, I advertised the Tract of land in the proceedings mentioned containing 88 acres belonging to James Bradshaw etc according to the directions of said decree, and sold said Tract of land at Public Auction ^{in the Town of Sevierston} on the 3rd Monday in December 1880, and at the sale so made Joel St. Seitchin became the purchaser by bidding therefor the sum of \$215.⁰⁰ - And the said Joel St. Seitchin paid said the said sum in Cash, and out of that sum I paid Costs of Suit and Sale amounting to \$64.33 which will more fully appear by Statement herewith returned (marked A) leaving a net balance in my hands of \$150.67 - which amount I paid to Wm. B. Shands Plaintiff's Attorney and took his receipt therefor, which receipt is herewith returned, I also executed a Deed to the purchaser Joel St. Seitchin, with Special Warranty.

Respectfully Submitted

W. A. Briggs Comy

Petlow. Sy. Partner &c
to } Decees
Bradshaw's Adm.

Copy

44

132
49
16

Southampton Circuit Court November Term 1880.

Joshua Pittlow dec'd. partner of the
Firm of Joseph E. Giltlett & Joshua Pittlow
against Plaintiff (Duchy.)

W. W. Briggs, Sheriff & as such adm^r of
James Bradshaw dec'd. Fannelia Bradshaw
Jemima Bradshaw, Jefe Bradshaw &
Mary Bradshaw the last three infants
Defendants

This day this cause came on again
to be heard on the papers formerly
read, and the Report of Commissioner
Tyler of October 1st: 1880. made pursuant
to a decree of this Court entered at the
May Term 1880. and to which report no
exceptions have been filed, and was
argued by counsel, on consideration
whereof the Court doth adjudge,
order, and decree, that the said Report
be confirmed, and it appearing to the
Court from the said Report that there
are no personal assets in the hands
of W. W. Briggs administrator of
James Bradshaw dec'd. and that the
Rents and Profits of the said Tract of
88 acres of land will not pay the
Debts in five years. The Court doth
further adjudge, order and decree that
W. W. Briggs Sheriff of Southam-
pton after having given at least
Twenty days notice of the time and
place of sale, by advertisements at

the Court House and in the neighborhood of land, proceed to sell at Jerusalem on some County Court day to the highest Bidder the Tract of land, containing 88 acres, subject to the Widow's Dower, whereof James Bradshaw died seized and possessed, on the following terms to wit: Sufficient Cash to pay the costs of this suit and sale, and balance, on a credit of one, two and three years, taking from the purchaser Bonds with approved security, carrying interest from the day of sale, and return the said Bonds along with his Report to the Court. But if the purchaser should prefer to pay all the purchase money down at once, the said, W. W. Briggs will receive it, make him a Deed and pay over to Joshua Pretlow the sum of \$187.00 cts. if there should be so much after paying Costs, and if there should be a Surplus, pay it over to the Administrator of James Bradshaw dec. for his distribution among his heirs at law and report to Court in order to a further decree.

A. Leahy

Teste: J. A. Blythe D.C.

Costs to wit
 Clerk \$11.08
 Shff 2.50
 Com. F. 5.00
 Law. fee 16.50
 135.08

Prickles

20

} Notes

Pratt's Admiration

1880 Sept. 14th

Executed

W. C. Prigg Staff

Commissioner's Office,

Jerusalem, Va., August 27th 1880.

To

W. W. Briggg Sheriff + as such administrator of
James Bradshaw decd. & Permelia Bradshaw, James
Bradshaw, Jepo Bradshaw & Mary Bradshaw, the last
three Infants -

You are hereby notified that I have fixed upon the 14th day of September
next, if fair, if not, the next fair day thereafter (Sunday excepted) to take and
settle, at my office, the following accounts, to wit:

"That W. W. Briggg settle an account of his transactions as admin.
of James Bradshaw decd. before one of the commissioners of this
Court, who will also take an account of the actual and
annuel value of all the real Estate, whereof James Bradshaw
died seized & possessed, Subject to the widow's Dower, and
also an account of the debts outstanding against the said
Bradshaw's Estate with their priority, together with any
Matters specially stated &c."

required to be taken by a decree of Southampton Circuit Court, rendered at the
May term, 1880, in a suit in Chancery, depending in said Court, in
which you are parties, plaintiffs and defendants; at which time and place you
are required to attend.

Given under my hand as Commissioner in Chancery of the said Court, the
day and year first aforesaid.

James R Tyler
W. H. PARKER, Commissioner.

To the Sheriff of Southampton County to execute.

Southampton Circuit Court May Term 1880.

Joshua Pettor, Suror, Partner of the firm
of Jos. E. Gillette & Joshua Pettor Petrs.
against

In Chancery

W. W. Briggs Sheriff & as such administrator
of James Bradshaw decd. and Fernelia
Bradshaw and James Bradshaw, Jeph
Bradshaw & Mary Bradshaw, the last
three infants Defendants.

"This day this cause came on to be
heard on the Plaintiffs bill taken for
confessed as to the Defendant Wm W. Briggs
adm^r of James Bradshaw decd. and
Fernelia Bradshaw and James
Bradshaw, the answer of the three
infants Defendants, James Jeph and
Mary Bradshaw, by L. R. Edwors
their Guardian ad litem and general
replication thereto and was argued
by counsel. On consideration
whereof the Court doth adjudge order
and decree that Wm W. Briggs settle
an account of his transactions as
administrator of James Bradshaw
decd. before one of the Commissioners of
this Court, who will also take an account
of the actual and annual value of all
the real estate whereof James Bradshaw
decd. seized and possessed, subject to the
widow's Dower and also an
account of the Debts outstanding
against the said Bradshaw's estate with

their priorities and report the said
accounts to court together with any
matters specially stated deemed
pertinent by himself or which shall
be required to be so stated by any
of the parties interested.

A. Looby, Tester:

L. R. Edwards & Co.

18

Pettor & Co. Partners
at
Deer
Bath and a new one

Looby

(Sept 14th)

Putlow meso partum in
on 3 Decem
Bradshaw's adm-

This day this cause
came on again to be
heard on the papers
formerly made and the

report of commissioner Taylor of October 1st 1880
made pursuant to a decree of this court entered
at the May term 1880 and to which report no
exceptions have been filed and was argued by
counsel on consideration whereof the
court doth adjudge order and decree that
the said report be confirmed and it appearing
to the court from the said report that there
are no personal assets in the hands of W. W. Briggs
administrator of James Bradshaw decd and that
the rents and profits of the said tract of 88 acres of
land will not pay the debts in five years, the court
doth further adjudge order and decree that W. W. Briggs
sheriff of Southampton after having given at least
twenty days notice of the time and place of sale by
advertisement at the court house and in the
neighbourhood of the land proposed to sell at Jerusalem
on some county court day to the highest bidder
the tract of land containing 88 acres ^{subject to the widows dower} whereof James
Bradshaw decd seized and possessed on the following
terms to wit sufficient cash to pay the costs of
this suit and sale, ~~paid~~ balance on a credit
of one, two, and three years taking from the
purchaser ^{carrying interest from the day of sale} bonds with approved security, and

return the said bonds along with his report
to the court. But if the purchaser should prefer
to pay all the purchase money down at once
the said W. W. Briggs will receive it make him
a deed and pay over to Joshua Pullen the
sum of \$187.10cts if there should be so much after
paying costs and if there should be a surplus
pay it over to the administrator of James
Bradshaw died for distribution among his heirs
at law and report to court in order to a further
deed

Pullen and put in

as 3 Deeds

Bradshaw's adm'n

Geo. T. Brown

1840 Nov

To be entered

Pullow

to 3 Decr

Bradshaw's adms, 142

To be entered

May term 1880

Yes: B. Low.

Pellor

vs 3 Deere

Bradshaw's admr vs al

This day This
cause came on to be heard on the plaintiffs
bill taken for confessed as to the defendants
Mr W Briggs admr of James Bradshaw decd and
Pernelia Bradshaw and James Bradshaw
The answer of the three infant defendants
James, Septi, and Mary Bradshaw by L.
R. Edwards Their guardian ad litem and
general replication Thence and exhibits filed
and was argued by counsel On consideration
whereof the court doth adjudge, order, and
decree that Mr W Briggs enter an account of
his transactions as administrator of James
Bradshaw decd before one of the commissioners
of this court who will also take an account of
the actual and annual value of all the real
estate whereof James Bradshaw decd seized
and possessed subject to the widow's dower and
also an account of the debts outstanding against
the said Bradshaw's estate with their priorities
and report the said accounts to court together
with any matter specially stated deemed
pertinent by himself or which shall be
required to be so stated by any of the
parties interested

Putton - long foot

as 3 Decem

Bradshaw adum

May Term 1881

To be entered

Geo. B. Rod.

Follow - say part - re

as 3

Decem

Bradshaw's admiralty

This day This cause came on again to be heard on the papers formerly read and the report of Mr R Briggs sheriff of the sale of land of James Bradshaw and made pursuant to a decree of this court entered at the November term 1880 and to which report no exception have been filed and was argued by counsel On consideration whereof the court doth adjudge, order, and decree that the said report be confirmed and it appearing to the court that there is nothing further to be done in this cause it is ordered that the same be removed from the docket