

1893 - 74

Southampton County Chancery - Vick, Frank, vs O'Donnelly, John (dec.)

sues to have defendant's property
inventoried for settlement of debt,
after widows dower drawn. If not
enough. Sell land to settle.

Briggs, Wm. W. (admin)

Jones, Goodwyn S.

" , Susannah (wife)

O'Donnelly, Benjamin

Johnson, Benjamin

" , Mary (wife)

1 133 ~~net~~

Pick

Bill
n 3 Ex^h livit^o filu

O'Donnell's adu^o nae

To The Honorable George Blow judge of The
Circuit Court of Southampton County in
chancery sitting.

Humbly complaining your Orator Frank
Dick sheweth unto your Honor that John
O'Donnelly in his lifetime along with Henry
T. Fells and George T. Travis who are not sued
in this suit was indebted to your Orator
in a bond of \$82.03⁰⁰ with some credits
as will appear by the said bond herewith filed
marked A and prayed to be taken as a part of
this bill, that in the year 1880 the said
John O'Donnelly departed this life intestate
leaving a widow Susannah since married to
Goodwin S. Jones ~~his wife~~ and a son
Benjamin O'Donnelly and a daughter Mary
now married to Benjamin Johnson his daughter
and him at law and that his estate was
committed to the hands of W. W. Briggs sheriff
of Southampton for administration as will
appear by a copy of the order of commitment
herewith filed marked B and prayed to be
taken as a part of this bill Your Orator
states that the said bond has never been
paid either by the obligors herein named
or by the said administrator that he
has applied to the said administrator

for payment and has been informed he
has no assets and will not have any
Your Petitioner is informed that the said
John O'Donnelly left a tract of land
containing one hundred acres and that
is the only fund that is left to pay his
debts. In tender consideration whereof
and inasmuch as your Petitioner 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 Wm W Briggs administrator of John
O'Donnelly dec'd, Goodwin S Jones and
Susanah Jones his wife, Benjamin
O'Donnelly, Benjamin Johnson and
Mary Johnson his wife may be made parties
defendants to this bill and that the court
will compel them as fully and perfect
answer make to the allegations therein
contained as if they had been themselves
more fully and especially interrogated
that the court would order all proper accounts
to be taken and that if it should appear
there are no personal assets and that the
said land will not pay the debts by
its sale in five years that the court
would order the sale of the said 100
acres of land subject to the widow's

down and the money applies to the
payment of your Petitioner's debt and
that the court would grant such other
and general relief the justice considers
as equity may dictate and the nature
of his case may require and as his
duly bound your complainant will
ever pray he

Shanas Jr. g.

65

Vick

v } Stat. Rules

O'Donoghys adm. of

St. Southampton Circuit Court

Frank Vick

against
Wm W Briggs administrator of John O'Donnelly dec: Goodwyn S
Jones & Gusman Jones his wife, Benjamin O'Donnelly & Benjamin Johnson &
Mary Johnson his wife
Defendants

In Chancery

1882 Sept 19 Summons issued

Oct. 18 Summons returned Executed on Deft. Briggs adm: Jones & wife,
t. Benj O'Donnelly - Benj. Johnson & wife not residents. Bill of
felic - Deora Nisi v. Defts on whom Sum. Executed

Nov. 18 Bill taken for confessed as to Defts on whom Summons executed
& Cause set for hearing as to them -

1883 Jan. 1st Summons v Defts Johnson & wife

Feb. - Sum. ret. Executed & deora Nisi v Defts Johnson & wife

1. Mch. Bill taken for confessed & Cause set for hearing as to Defts

Johnson & wife

1. May Decree for - Account of

Vick &

Sum. Chy

O'Donnell's admor &

1882. October Rules

Executed by deliv-
ering to W. Braggi,
Gordwyer & Sons, &
Benjamin O'Donnell
each a copy of their
Summons on the 23^d
day of September 1882
Benjamin & Mary
Johnson are not
residents of my
County.

A. H. Cobb Dy for
W. Braggi & Co

The Commonwealth of Virginia,

To the Sheriff of Southampton County---Greeting:

WE COMMAND YOU TO SUMMON

Wm W Briggs Sheriff of Southampton
as such administrator of John O'Donnelly dec^d Goodwin & Jones & Susanna his
wife, Benjamin O'Donnelly, Benjamin Johnson & Mary Johnson

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 *October* next, to answer a bill in Chancery exhibited against *them* in our
said Court by *Frank Vick*, who sues for himself and all other creditors of John

*O'Donnelly dec^d who will come in, prove their debts and bear share of costs in this
suit*

And this *they* shall in no wise omit; and have then there this writ.

Witness, LITTLETON R. EDWARDS, Clerk of our said Court this *19* day of

188*2*, in the *107* year of the Commonwealth.

September

LR Edwards cc

Vick for G.
or } Sum. Chy

O'Donnelly's adn G.
1883 February Rules

Excerpts of following have copied in the northern
convention to Benjamin Sturges and Mary
Johnson on the 2nd of February 1883

Atty Leonora Deputy
for W. H. Briggs & H.

The Commonwealth of Virginia,

To the Sheriff of Southampton County---Greeting:

WE COMMAND YOU TO SUMMON *Benjamin Johnson & Mary Johnson his wife*

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 *February* next, to answer a bill in Chancery exhibited against *them & others* in our said Court by *Frank Vick* who sues for himself and all other creditors of *John O' Donnelly dec'd.* who will come in prove their debts and bear their share of the costs of this suit

And this *they* shall in no wise omit; and have then there this writ.

Witness, LITTLETON R. EDWARDS, Clerk of our said Court this *8* day of *January*
188 *3*, in the *107* year of the Commonwealth.

L R Edwards CC

508

1872 / Rms. Fifth - Dollars part of the within notes
Agony 22. Rms. Fifth and presented in the notes -

1872 / Rms. Fifth - Dollars and present in the notes -
Agony 22. Rms. Fifth and presented in the notes -
part of the within notes

Having 7 full
Mr. C. Summely
&
G. J. Lewis
Notes
82503

August 1st Day 1871

8

On Demand We promise to pay
J. Vick or order, with interest at the rate
of 7 per cent., for value received, the sum of Eighty two dollars,
and Two cents, We do hereby waive all exemptions allowed us by
the Constitution of Virginia as to this debt. Witness our hand and seal this
1st day of January eighteen hundred and seventy One

Witness
R. H. Cobb

Henry J. Galt (Seal.)

John D. Donnelly (Seal.)

George T. Travis (Seal.)

Vick
ms

Exhibits
"B."

O'Donoghue Adam & Co

At a County Court held for the County
of Southampton on the 19th day of
January 1880

Will of John Donald was fully proved
according to law by the Oaths of
Nevill Branch and William E. Branch
two of the subscribing witnesses thereto
And ordered to be recorded and there
being no executor named in said
will and no person applying for
administration upon the Estate it
is ordered that W^m W. Briggs Sheriff
of this County take into his hands
the Personal Estate of the said
John Donald dec^d and administer
the same according to Law,

A Copy Test J. H. Edwards c. l. c.

of the within named
Exceeded by delivering a copy to all the parties
except Benjamin O'Donnell. A. H. Cobb
Dy 8/8/88

Vick 3 Notice
to
Donnell's change.

1883. Sept. 5th

COMMISSIONER'S OFFICE,

Jerusalem, Va., August 9 1883

TO Frank Vick, esq. W. W. Briggs Sheriff & adm^r of John O'Donnell
& Gordon S. Jones & Susanna his wife, Benj^r O'Donnell
& Benj^r Johnson & Mary his wife-

You are hereby notified that I have fixed upon the 5th day of
September next, if fair, if not, the next fair day thereafter (Sun-
day excepted) to take and settle, at my office, the following accounts, to wit:

- 1st W. W. Briggs transactions as adm^r of John O'Donnell dec^d.
- 2nd An aff^d of all the debts outstanding against the Estate
of the said John O'Donnell dec^d. their dignity &
priorities.
- 3rd An aff^d of the real Estate wherof the said John
O'Donnell died Seign^r & prop^r, & its actual
and annual value &c."

required to be taken by a decree of Southampton Circuit Court, rendered at
the May term, 1883, 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, Commissioner.

To the Sheriff of Southampton County to execute.

Vick

is by Dece

O'Donnell's adme

May Term 1883

To be entered

Geo. M. Scott

Dick

on 3 Decr

O'Donnelly's admr vs

This day This cause came on to be heard on The plaintiffs bill taken for confessed as to all The defendants Wm W Briggs administrator of John O'Donnelly dec'd, Gordon S Jones, Susannah Jones Benjamin O'Donnelly, Benjamin Johnson and Mary Johnson and exhibits filed and was argued by counsel On consideration whereof The court doth adjudge order and decree: That one of The commissioners of This court take the following accounts 1st W. W Briggs' Transactions as administrator of John O'Donnelly dec'd 2nd an account of all The debts outstanding against the estate of The said John O'Donnelly Their dignity and priorities, 3rd an account of all The real estate whereof The said John O'Donnelly dec'd seized and possessed and its actual and annual value, and report the said accounts to court together with any other matters specially stated deemed pertinent by himself or which he may be required to so state by any of The parties interested



Commissioner's Office,

Jerusalem,

July 16, 1883 187

TO THE CREDITORS OF THE ESTATE OF

John A. Siney,

AND ALL OTHERS CONCERNED.

You are hereby notified, that, by a decree of the *Superior* Court of Southampton County, I have appointed the *3rd* day of *September* next, at my Office, for receiving proof of all the debts, or demands, against the said decedent, or his estate; at which time and place you are required to attend.

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

Samuel W. Tyler Commissioner.

✓
Vicks Series
74.
O'Donnell's area + 4.

by way of the parties interested.

Atty.
of
Vicks,
James B. Taylor & Co.

Sept. 17 1883

Durhampton Circuit Court, May Term 1883.

Frank Dick

Plff.

vs.

W. W. Prigg, Shff & Admin^r of John O'Sullivan
O'Sullivan dec^d. Goddard S. Jones, and
Susanna Jones his wife, Benja O'Sullivan
+ Benja Johnson & Mary his wife
Def^s.

This day this Cause came on to be heard, on the
Plaintiff's Bill, taken for Confession as to ^{the} Def^s
and dec^d, W^m W. Prigg, admin^r of John O'Sullivan
dec^d. Goddard S. Jones + Susanna Jones his wife.
Benja O'Sullivan, Benja Johnson & Mary his wife,
and exhibits filed, and was argued by Counsel;
On consideration whereof, the Court doth adjudge,
Order and decree, that, One of the Commissioners
of this Court, take the following accounts, to wit:
1st W. W. Prigg, transactions as administrator of
John O'Sullivan dec^d. 2nd An account of all
other debts outstanding, against the Estate of the
said John O'Sullivan, their dignity and priority.
3rd An account of all the real Estate of the
said John O'Sullivan died seized and possess^d
it, and its actual and annual value, and repay
the said accounts to Court, together with any
other matters specially stated by himself,
or which he may be required to do.

With
2d. } Report

O'Connell's Adm'to

Comptroller's Office
Tyrer.

1883 Sept: 14. Filed.
J.P. Clark

An account of all the debts outstanding against
the Estate of the said John D. Denny, their
debt & priorities.

	\$	cts
A Bond against Henry J. Wells, principal and John D. Denny & George J. Travis, Security, dated, the 1 st day of January 1871, for to Frank Rich	82	03
Interest to 1 st day of January 1872,	4	92
	86	95
Paid January the 22 ^d 1872,	50	00
	36	95
Paid January 22 ^d 1872,	12	77
	24	18
Interest on \$24.18 from January the 22 ^d 1872 to January the 22 ^d 1883, (Elmer Germ)	15	95
(Forced Exemption waived)	40	13

Respectfully Submitted,
James R. Tyler,
Commissioner.

An account of the real Estate, whereof
John O'Donnell, died seized & possessed,
and its actual and assessed value, &c.

A tract of 98 acres of Land in actual assessed
Round Hill,

\$245.00
Respectfully Submitted,
James Taylor,
Commissioner

Commissioner's Office,
Jerusalem, Va.

September 6th 1883.

To the Hon. Judge of the Circuit Court of Southampton County,
Pursuant to a decree of the Circuit Court of Southampton
County entered at the May Term 1883, in a Chancery
suit depending in the said Court, between Frank
Duck, Plaintiff and W. W. Briggs admr. of Jno. O'Donnell,
decd. & others, Defendants, the undersigned one of the
Commissioners in Chancery of the said Court, reports
to the Court that he issued notices against
the several parties, requiring them to attend the
Settlement of the said accounts, before him, at his
said Office, on the 3rd day of September 1883;
That W. W. Briggs Sheriff & administrator of

John O'Sunnely dec'd. has received no assets due
the Estate of his decedent, nor has he paid any
anything. The Commissioner reports to the Court
that he posted a Notice to the Creditors of
the said Estate, requiring them to attend the
Settlement & appear before the said Commissioner,
at his said Office, on the 3^d day of September
1883, & productions claimed against the said
Estate, which with the decrees, & Notices aforesaid,
are herewith returned.

Given under my hand,
this 6th day of September A.D. 1883.

Court fee \$5.00
Chg to Deft.

James H. Tyler
Commissioner

~~#7~~ ~~##~~
~~42~~
Pick

41

vs 3 Deere

O'Donnally, aka

To be unlined

Nov Term 1888

Geo. B. Low.

✓

and report this proceeding to court
annually until the slot is filled

Vick
on 3
O'Donnell's adverse

This day this cause came on again
to be heard on the papers formerly
made and the report of Commissioner
Tyler made pursuant to a decree
of this court entered at the May term 1883
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
from the said report that the tract of
land belonging to John O'Donnell's heirs
will pay the debt reported in five years
the court doth further adjudge, order
and decree that William W Briggs sheriff
of Southampton who is hereby appointed
for that purpose shall after allotting
to Susannah Jones who was O'Donnell
and widow of John O'Donnell One Third
in value of the tract of land containing
one hundred acres whereof John O'Donnell
died seized and possessed by miles and
bounds having regard to quality and
quantity as shown ^{and} set out from
year to year the residue of the said
tract until the debt of \$40.13 is
paid due to Frank Vick paying
first the costs of this suit and