

1902-22

Southampton County Chancery - Williams, George W. et al vs Williams, Mary E. et al

Sues for a deed of bargain & sale

Williams, James C.

Williams, Henry A.

" , John A.

Riddick, Jos. D.

Cooper, R. J.

Murry, W. M.

143

William J.
on 3rd Stal: Rules
William J.

In Southampton Circuit Court.

Geo: W. Williams & Jos. C. Williams Plffs.

Against

Mary E. Williams, widow of Jno Williams decd.

Henry A. Williams, + Jno A. Williams, last two

infants. Jos. D. Reddick, R. J. Cooper & W. Murray Dfts

In
Chancery

1885

Sept. 30

Summons to Oct: Rules.

Oct Rules.

Summons ret'd ex. to as to Mary E. Williams -
and cont'd for vice ..

Nov: Rules.

Cont'd for vice ..

Decr 1.

affidavit of non residence of dfts Jos. D. Reddick
R. J. Cooper & W. Murray and or: Pub: ..

" Rules.

Vice filed and exhibits. L. B. Paries app'd son
as tutor to infant Dfts. answer of infants
by Gov as tutor filed .. and decree nisi vs

1886.

Mary E. Williams.

Jan'y Rules.

Case set for hearing as to Mary E. Williams
and or. Pub. Completed.

Feb'y "

Case set for hearing as to non residents.

To

The Hon. Geo. How, Judge of
the Circuit Court of Southampton
County. In Chancery.

Humbly Complaining, show
to your Honor, your complainants,
Geo. W. Williams and James W. Wil-
liams, that, in pursuance of a de-
cretal order rendered at the Novem-
ber Term 1856 of the Circuit Court
of Southampton County, in the Chan-
cery cause of Gardner's Adm^r vs
Gardner and others, C. W. Wassen-
burg, who was appointed a Special
Commissioner for the purpose, adver-
tised, according to the terms of the
said decretal order, a sale of the
tract of land mentioned and describ-
ed in the proceedings of the said
Chancery cause of Gardner's Adm^r
vs Gardner and others, and that, at
the sale so made, Abram Riddick be-
came the purchaser thereof at the
sum of \$675.⁰⁰ and after the
payment of the said sum of \$675.⁰⁰
the said C. W. Wassenburg, as Spe-
cial Commissioner, executed to him, the
said Abram Riddick, a deed for the
same, which was duly recorded in

the Clerk's Office of Southampton
County, - all which facts will more
fully appear ~~from~~ copies of the pro-
ceedings of the Chancery cause of
Barden's Admors Barden and others,
and the Deed from Commissioner
Masperburg, herewith filed as ex-
hibits, marked "ll" and "X", and
made parts of this bill; that after
the execution and recordation of the
said deed by Commissioner Maspen-
burg, the said Abram Riddick offered
and agreed to sell the said tract of
land to John Williams, the father
of your Complainants, for the pur-
chase of the same, the amount at
which it was bid off at the judicial
sale; that since that time, the said
John Williams has fully complied
with the said agreement and paid
to the said Abram Riddick the whole
of the purchase price for the said
land with the interest thereon, as
will be seen by reference to the con-
tract and receipt signed and seal-
ed by the said Abram Riddick her-
ewith filed as an exhibit, marked
"H", and made a part of this cause,

that the said John Williams is now dead, and leaves, Mary C. Williams, his widow, Geo: W. James C. Henry A. and John A. Williams the two last infants under twenty years of age - his heirs at law; that the said Abram Riddick is also dead, and leaves Jos: D. Riddick, R. Glover, formerly Riddick, and D: R. W. Murray his heirs at law; that the said Abram Riddick never in his life time nor has any one else since his death, executed to the said John Williams in his life time or his heirs since his death, a deed for the said land; that your Complainants are advised that the heirs of the said John Williams are entitled to a deed for the said land, and that, your Honor should appoint a special Commissioner to execute to them a proper deed for the same.

In Consideration whereof, and forasmuch as your Complainants are without adequate remedy at law and are entitled to relief in equity where such matters are properly Cogni-

nizable, they, therefore, ^{pray} that Mary
E. Williams, widow of John Williams,
Henry A. and John A. Williams,
infants under twenty one years of
age, and Jos. A. Riddick, R. J. Cooper,
formerly R. J. Riddick, and Dr. R.
W. Murray, may be made defend-
ants to this and Compelled to answer
its allegations, — the infants by a guar-
dian ad litem to be assigned them;
that proper process may issue; that
your Honor may appoint a Special
Commissioner to execute to the heirs at
law of John Williams, dec'd, a deed
for the tract of land in the proceed-
ings mentioned; and that such other,
further, general and special re-
lief may be granted as to equity may
seem just and right.

And your Complainants will ever
pray &c. — May it please the Court &c.

W^m H. Parker. f.c.
— " —

Williams et als.

vs. } Coats

Williams et als.

Williams et als.

Williams et als.

vs. } Statement of costs

1885- Williams et als.

Sept. 30th Spa: 25, 6 copies 78, receipt 18, atty 10, dock, 18 = 149

Recd \$1.00, entering return 35, filing bill 15 = 150

D. Exp. 25, copy exhibits \$4.50, fil. answer 15 = 490

D. Lewis report 25, ord or publication 88 = 113

2 decrees & 2 copies \$1.24 Tax costs re. 40 = 184

Extract of decree 25, execution 50, receipt 15 = 90

Docket judgment 25, fil. away extract 20 = 45

Filing away papers 25, 31 continuances 7.75 = 800

Future costs a bond 2.50 = 250

Tax costs 15 years @ 10 cts 150 = 150

Paid L. A. Hay clerk \$24.24

Paid L. A. Hay shff. 1.00

W to J.B.P. atty Law re. 16.50

\$41.74

Witness J. W. Beaton 50 = 50

Fees of B. F. McLemore Louis paid B.F.M. 10.00

Teste: L. A. Hay lg, \$52.24

W to J.B.P. 666 L.A. J. B. Prince 11.26

paid. B.F.M. " B. F. McLemore 3.68 J.B. Prince

paid L.A. " J. M. Howard 1.00 for writing

paid L.A. " L. A. Hay 8.00 Dnd J.B.P. 5.00 pd

\$24.24 Tax and


paid - B. F. M. Recording } 2.25

Dnd } \$59.49

52.24
50.00
2.15

Costs made
up to Dec. 23rd
1901.

Williams v. others

vs  Decree,
Williams v. others

This day this cause came on to be further heard on the papers formerly read, and on the report of Comm'r M. Lemore filed Octo: 22nd: 1886, showing that the exhibit filed in this cause which purports to be a receipt from Abram Riddick to John Williams dated June 15th: 1863, is the genuine receipt of said Riddick, that all the purchase money has been paid ^{by} John Williams to Abram Riddick and the way it was paid, and was argued by Counsel.

On consideration whereof, the Court approving and confirming the said report, doth order and decree that J. B. Prince be and he is hereby appointed a special Comm'r to execute to the heirs of the said John Williams, to wit: George H. James E. Henry A. and John A. Williams, subject however, to the dower interest of Mary E. Williams, the widow of the said John Williams, deed, a deed with special warranty for the real estate mentioned and described in the proceedings of this cause. But, the Court doth further order and decree that

The said J. B. Prince shall not execute
such deed until the payment of
all costs incurred by reason of this
suit, and report his proceedings here-
under to Court in order to a final decree.

Williams vs
Williams
vs
Williams

80-76
Nov Term 1886
Do be entered.

W. B. Prince.

Franklin, Va., April 23, 1886.

Mr. W. H. Parker P. O.

In Account with **FRANKLIN GAZETTE**
Book and Job Printing Office,

DR. M. E. DAUGHTRY, Editor and Proprietor.

All Kinds of Job Printing Done with Neatness and Dispatch.

1885
Dec 3 To 3 1/2 inch advertisements
4 times G. Williams & James
Williams Plaintiff vs. Mary
Mary E. Williams widow of
John Williams dec'd.
and others. \$500

This is to certify that above
ad has been inserted in
the Gazette weekly for four
consecutive weeks.
M. E. Daughtry Edr

The above amount is due me
M. E. Daughtry

IN THE CLERK'S OFFICE OF
SOUTHAMPTON CIRCUIT COURT
in vacation DECEMBER 1, 1885.

Geo. W. Williams and James C. Williams
Plaintiff,

against

Mary E. Williams, widow of John Williams, dec'd; Henry A. Williams & John A. Williams, Jos. D. Riddick, R. J. Cooper, formerly R. J. Riddick and W. W. Murray, Defendants.

IN CHANCERY.

The object of this suit is to get a deed of bargain and sale from Abram Riddick's heirs to the heirs at law of John Williams dec'd. for a tract of land bought by the said John Williams in his lifetime from the said Abram Riddick in his lifetime situated in Southampton county and particularly described in the plaintiff's bill. And it appears by affidavit that Jos. D. Riddick, R. J. Cooper and W. W. Murray are non-residents of this State. It is ordered that they appear here one month after the publication of this order and do what is necessary to protect their interest in this suit.

A copy.
Teste: J. B. PRINCE, C. C.
W. H. PARKER, p. o.

①

Southampton Circuit Court. May Term
1886.

Williams & others

Plffs

v

Williams & others

Defds

In

Chancery

This cause in which the Plaintiff appears to have proceeded against the Defendants Jos. D. Riddick, R. J. Cooper and W. H. Murray, who are out of this Commonwealth, in the manner prescribed by law, against absent Defendants, and they still failing to appear and answer, came on this day to be heard on the order of publication as to said absent defendants, which has been duly published and posted as required by law - on the vice, which has been taken for confessed as to the defendants Mary E. Williams, on the answer of the infant defendants by J. B. Prince their Guardian ad litem and on Exhibits filed and was argued by Counsel. On consideration whereof the Court doth adjudge, order & decree that a Com'r of this Court enquire and report whether the exhibit filed in this cause which purports to be a receipt from Abram Riddick to John Williams, dated June 15th 1863, is the genuine receipt of said Riddick and the Com'r will return the evidence upon which he bases his report - The Court

doth further decree that the said
Court report whether all of the purchase
money has been paid by Jno. Williams to
Abram Riddick or not, and if so, in
what way it was so paid.

Attest

Teste: J. B. Peirce & Co.

The Deposition of John H. Beaton, taken before B. F. McLeod, a Commissioner in Chancery of the Circuit Court of Southampton County, on the 9th day of Oct: 1886. to be used as evidence by said Commissioner Court of Southampton County, taken at the May term 1886. in the Chancery Cause therein depending, under style of "Williams & others vs Williams & others", the undersigned, one of the Commissioners of said Court, to whom said decree has been referred, reports to Court, that the Commissioners being required by said decree to examine and report to Court "whether or not in making up a Report to the Circuit Court of Southampton County, in the Chancery Cause of Williams vs Williams:-

The Witness John H. Beaton being duly sworn, deposes as follows:

Q: What is your age, occupation, residence, and did you know Abraham Riddick, in said Court?

A: I know Abraham Riddick, and ^{state} if the signature thereto is genuine, is the genuine signature of Abraham Riddick dec'ed? -?

A: I am familiar with the handwriting of Abram Riddick dec'ed and only believe the signature to the paper you have shown me is the genuine signature

no life term.
A: My age is 46 years. Occupation Farmer,
reside at Joyner's Mills. Southampton County
and knew Abraham Riddick very intimately.

Q: Are you familiar with the handwriting
of said Riddick. if so, please examine
the paper purporting to be a receipt
from Abraham Riddick to John Williams
and filed in the papers of this Cause marked "Z".

familiar with his hand write, and verily
believe the signature to this paper - (meaning
the receipt above referred to) is the genuine
signature of Abram Riddick dec'd. -
The depositions of Capt Beaton are filed
herewith, to which the attention of the
Court is specially directed.

~~The Commissioners report further that
County, refer to Court, that in obedience
to a decree of said Court entered at the
May term 1886 in the Chancery Cause
depending in said Court under style
of "Williams & others vs Williams & others".~~

or not the Exhibit filed in this Cause
purporting to be a receipt from Abram
Riddick to John Williams - dated June
15th 1863, is the genuine receipt of said
Riddick. Begs leave to state, that the
genuineness of the above described receipt
has been proved to the satisfaction of
your Commissioners by the evidence

"X"

A Statement showing the amount of the purchase money paid by John Williams to Abram Riddick, as the purchase price of a certain tract of land, situated in Southampton County, and known as the "Old Howard Place"

To amo: of the purchase price of the tract of land sold by Abram Riddick to John Williams	645.00
Int: on same from Nov 4 th 1857 to June 15 th 1863.	227.36
By amo: paid by John Williams to Abram Riddick on the 15 th day of June 1863, as shown by receipt filed in the papers of this cause	\$ 910.00
To amo: over paid	7.64
	<u>\$ 910.00</u>
	<u>\$ 910.00</u>

Respectfully Submitted
To F. M. Lemore
Clerk in Charge

"X"

William G.
or 3 or Pub.
William G.

Dec 1. 1885

In the Clerk's office of Southampton
Circuit Court. In vacation.

December 1. 1885.

Geo. M. Williams and James C. Williams
Plffs.

against.

Mary E. Williams, widow of John Williams and
Henry A. Williams, & John A. Williams. Jos. D. Riddick
R. J. Cooper, formerly R. J. Riddick & W. Murray
Defts.

In
Chancery.

The object of this suit is to get a deed of
bargain and sale from Abram Riddick heir
to the heir at law of John Williams and
for a tract of land bought by the said
John Williams, in his lifetime from
the said Abram Riddick in his lifetime
situated in Southampton County and partic-
ularly described in the plaintiffs bill.
and it appearing by affidavit that Jos. D. Rid-
dick, R. J. Cooper & W. Murray, are non-
residents of this state, it is ordered that
they appear here one month after due
publication of this order and do what
is necessary to protect their interests
in this suit.

Teste. I. B. Prince c. c.

William J.
No 3 ~~State~~
William J.

Answer of
Infant Dept

1885 See Rules
Filed
L. B. C.

The joint several answer of Henry A.
and pro answerers, infants by I. B. Paine
then you as item to a bill of complaint
exhibited in the Circuit Court of Southamp-
ton against them & others by G. M. Williams
and J. C. Williams.

These respondents, saving and reserving
th. for answer to said bill say, that
they are infants, and know nothing
of the facts contained in said bill,
and being such, they submit their
rights to the protection of this Court,
and having answered they pray
hence to be dismissed th. -

I. B. Paine Esq
litern

Williams & others
71
Williams & others
Decree

This Cause in which the Plaintiffs appear to have proceeded against the Defendants, Joseph D. Piddick, R. J. Cooper & W. W. Murray, who are out of this Commonwealth, in the manner prescribed by law against absent defendants, and they still failing to appear and answer, came on this day to be heard on the order of Publication as to said absent defendants, which has been duly published and posted as required by law, on the bill, which has been taken for Confessed as to the defendant, Mary E. Williams, on the answer of the infant defendants by J. B. Prince their Guardian ad litem, and on exhibits filed, and was argued by Counsel. On Consideration whereof, the Court doth adjudge, order and decree that, ~~J. B. Prince be and is hereby appointed a Special Commissioner to execute for the heirs of the said John Williams to wit George W. James C. Henry A. and John S. Williams, subject, however, to the lower interest of Mary E. Williams, the widow of John Williams, deceased, and with Special Authority for the real estate in the proceedings mentioned and described. But the Court doth adjudge, order and decree that the said J. B. Prince shall not execute such deed~~

~~until the payment of all costs which has been incurred by reason of this suit - and until the payment also of the sum of One hundred and fifty dollars to Hon. H. Parker for his services as attorney in the prosecution and make report of his proceedings hereunder to Court. a court of this Court inquire and report whether the exhibit filed in this case which purports to be a receipt from Abram Reddick to John Williams dated June 15. 1863 is the genuine receipt of said Reddick - and the Court will return the evidence upon which he bases his report. The Court doth further decree that the said Court report whether all of the purchase money has been paid by Jno. Williams to Abram Reddick or not - and if so, in what way it was so paid~~

Williams & others 91
843 cleared
Williams & others

May Term 1886

to be entered

Geo. W. Scott



Williams, et: als:

" 3
" 3 Sum

Williams, et: als:

1885. Oct: Rules

lev: let

Executed Oct. 3"
1885. by delivering to
Mary E. Williams
and J. B. Prince a
copy of this summons

Thos G. Weeks
Shff

The other parties ~~named~~
~~there~~ mentioned not
residents of this County

G. Weeks

Sheriff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU TO SUMMON *Mary E. Williams - widow of John Williams dec'd - Henry A. Williams - & John A. Williams, infants under twenty one years of age - by J.B. Prince Guardian ad litem - and Jos. D. Richards - R.J. Cooper - (formerly R.J. Richards) & Dr. W.H. Murray - who are non residents of the state of Virginia -*

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

Geo. W. Williams and James L. Williams

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

WITNESS, J. B. PRINCE, Clerk of our said Court, this *30th* day of *September*, 188*5*,
in the *110th* year of the Commonwealth.

Jesto:

J.B. Prince Clk.

Comr. Massenburg

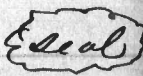
to 3 deed

Riddick

a copy

This Deed made this 22nd day of May 1860, between
E. W. Massenburg as Special Commissioner acting
under a decree of the Circuit Court for the County
of Southampton rendered in the cause of Bardin
admr vs Barden & at the November Term 1857,
of the one part and Abram Riddicks of the other
part, Witness; that the said E. W. Massenburg
doth grant unto the said Abram Riddicks all
that tract of land known as the Howell old
place adjoining the lands lately occupied by
Elizabeth Johnson and containing about one
Hundred and twenty acres it being the same
land conveyed by A. M. Howell to Jno. Moore
as Trustee for Emma Howell by Deed dated
June 30th 1849. And the E. W. Massenburg war-
rants the title specially.

Witness the following signatures and seal

E. W. Massenburg 

Southampton County in the Clerks Office, May
22nd 1860.

This Deed of Bargain and Sale was acknowl-
- edged by E. W. Massenburg a party thereto and
admitted to records

Teste.

L. R. Edwards, C. C.

Altop. Teste

L. B. Pines C. C.