

1882-019 Chancery Causes: Belvy Ricks vs Ellen Ricks, widow of Jacob Ricks, Margaret
Dale of Wright County Bailey & Savanna Bailey, by v c

other surnames: Jackson,

Rickes, ^{Belor} Arnold et als +
vs { du Cheney
Bailey's Infants et als
Rickes Ellen et als

Camp Camacho bill

Sept. Rules 1885. Bill
refiled, am. Exp. & de.
nise n. adult de st. Gov.
ad litem app. to the
inf. de st. & then am.
filed.

Oct. Rules 1885. St for
hearing on plf. mot.

Octo. Ct. 1885.
Dismissed on
plf. mot.

(am. in stff. house.)

ants are without remedy at law and
can only be relieved by the aid of this
honorable court of Chancery where
matters of this sort are alone and
properly cognizable your complain-
ants pray that the said Ellen Ricks
widow as foresaid of the said Jacob
Ricks now deceased, Mary and Bailey
and Saranna Bailey infants as aforesaid
be made parties defendant to this bill and
required to answer the same; that a
proper guardian ad litem be assign-
ed the said infants defendants to
protect their interest in this suit;
that a proper process may issue;
that the said real estate may be sold
and the proceeds distributed amongst those
entitled thereto and to the payment of
costs of this suit including a reasonable
attorneys fee ^{or that partition be made} and that such other and
further general relief may be granted
as the nature of the case may re-
quire and to equity may seem meet,
And your complainants will ever pray

J. Cunningham
p.g.

about The 3rd day of March 1850 A.D. The
said Louisa Bailey departed this
life intestate, ^{seized of her interest in said land} leaving as her sole
sole heir at Law Savannah Bailey
now an infant under 21 years of age.

That on or about The 1st day of
September 1850 the said Jacob Ricks
heir as aforesaid of the said Lucy Ricks
died intestate seized and possessed
in one of his undivided share of said
land and leaving him surviving a
widow Ellen Ricks, and as his sole
~~sole~~ heirs at Law, your said com-
plainants Arnold Ricks, Eliza
Ricks, Patience Jackson, and the
said Margaret Bailey and Savannah
Bailey infants as aforesaid

That by reason of the small
quantity of said land and of the
large number persons interested therein
your complainants believe and as charge
that a sale of the said real estate is
necessary or demanded by the exigencies
of the case, and that the interest of
the infant defendants and of all parties
concerned will be promoted by such sale

In tender consideration whereof
and for as much as your complain-

Ricks, Cliza Ricks, Patience Jackson
(The wife of your complainant ~~with Jackson~~)
and Jacob Ricks (now dead) and
Margarett Bailey (now dead) the ^{then} wife
of your complainant Joshua Bailey.

That on or about the 1st Day of
Sept 1867 A.D. your complainant
Joshua Bailey was lawfully
married to the said Margarett
~~Bailey~~ daughter of the said Leep
and that while she was his lawful
wife, she the said Margarett gave birth
to two children, and that your said
complainant Joshua Bailey removed
the lawful husband of the said
Margarett until the 1st Day of Jan'y
1877 A.D. on or about which day the
said Margarett, the wife of your
complainant Joshua Bailey, died
intestate, seized and possessed in fee
of her undivided share of the said
tract or parcel of land, leaving her sur-
viving, her said husband Joshua Bailey,
and as her sole heirs at Law two
children viz. Louisa Bailey, and
Margarett Bailey now an infant
under 21 years of age.

That afterwards to wit on or

To the Hon. Geo. Blaw Judge of the
Circuit Court of Law and Chancery
for the County of Isle of Wight, in
chancery sitting:

Your Compliments, Belvy Ricks
Arnold Ricks, Eliza Ricks, Patience
Jackson, Wm. Jackson Jr. and Joshua
Bailey, humbly complaining, sheweth
to the Court:

That Levy Ricks during his life-
time was seized and possessed of a
certain tract or parcel of land
lying and being in the County of
Isle of Wight State of Virginia ^{now} known
as the "Jacob Ricks" tract containing
by estimation 50 acres ~~more~~ or less
and bounded as follows: that is to
say by the ~~land~~ of Mr. Morry,
Sandy Bottom, Brooklyn Pruden
by road leading from Bunch
Mill to Isle of Wight Court House
and that being so seized and possessed
the said Levy Ricks on or about the
5th day of Nov. 1870 A.D. died intestate
leaving your said complainant
Belvy Ricks his widow, him surviving
and as his sole heirs at law his five
children, viz. your complainants Arnold

Ricks Arnold et al.

vs { Lechancey.
Bailey Dufts et al.

1881.

Sept Rules - Filed.

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Infants Answer.

In the circuit Court of Dale of
Wright County.

The joint and several
answers of Morganth Bailey and
Savanna Bailey infants under the
age of twenty-one years, by N. P. Gentry
their guardian ad litem assigned to
defend their interest in this suit, to
the bill of Complaint in said
court exhibited by Beloy Ricks,
Arnold Ricks, Eliza Ricks, Patience
Jackson, Wm. Jackson Jr. and Joshua
Bailey against them and others.

These defendants, saving and reserving
all right of exception to the many
errors and imperfections in said
bill contained, for ~~answer~~ thereto
or to so much thereof as they are ad-
vised it is material or necessary to an-
swer, answering say, that they are
infants under the age of twenty-one
years and commit their interest in
the premises to the protection of this
honorable court, And having answered
they pray hereforth to be dismissed with
their costs in this behalf most un-
reasonably expended. And they will ever prove.

N. P. Gentry gdw. ad litem

Beloy Rick et al.

m. } Sum in
 } chg

Ellen Rick et al

To Sept. Rick
1881.

Welmey

Expected by deliver-
ing to the Clerk of the
Ellen Rick, a true
copy of the within.
Sept. 1st 1881.

R. F. Edwards
for L. B. Edwards

The Commonwealth of Virginia,

TO THE SHERIFF OF THE COUNTY OF ISLE OF WIGHT, GREETING;

We Command You, TO SUMMON *Ellen Ricks, and*
Margaret Bailey and Jacobus Bailey,
lost two infants.

to appear at the Clerk's Office of the Circuit Court of Isle of Wight County, at Rules to be holden for the

said Court, on the first Monday in *September 88,* ~~next~~ to answer *the Bill*
in chancery of Belou Ricks, Arnold Ricks,
Eliza Ricks, Thomas Jackson, W. H. Jackson
vs, and Joshua Bailey.

of a plea of _____ for \$ _____ Damages \$ _____

And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Court House, the *2nd*

day of *Sept^r* 188*8*, in the *106th* year of the Commonwealth.

N. P. Young

Beloy Ricks et als
15 { In Chauncy
Ellen Ricks et als

Oct Term 1881

To be entered

& the other remaining part they shall
assign in common to the infants defend-
ants, in the case, Margaret Bailey & Saranna
Bailey; all of which ^{parts} shall be subject to
the said Beloy Ricks right of dower, & to
the said Ellen Ricks right of dower & that
the part allotted to this said Margaret Bailey & Saranna Bailey
be subject to the said Joshua Balleys right of Curtesy,
but should the said commissioners find
that partition of the said real estate in
the bill of complaint mentioned to be
impracticable then & that a sale of
the same is necessary for the benefit
of all the parties concerned, then they
shall report the same to this court, &
whatever they may do under this decree
they are required to report the same
to court.

Beloy Ricks et als

vs { In Chancery
Ellen Ricks et als

This cause came on this day to be heard on the bill of complaint taken for confessed by the adult defendant Ellen Ricks on whom process has been duly served, the answer of infant defendants by N. F. Young their guardian ad litem, exhibits filed & was argued by counsel, on consideration whereof the court doth adjudge & decree that L. J. Darden, R. B. White, G. D. Kuley, Geo. H. Lewis, W. A. Darden any three of whom may act who are hereby appointed commissioners for that purpose, after first being duly sworn shall proceed to view the said premises in the bill of complaint mentioned & to proceed to make partition ~~equally~~ between the parties thereto entitled that is to say to divide the said Real estate, having regard to quality & quantity, into four equal parts of one of which parts they shall assign to Arnold Ricks, one part to Eliza Ricks, one part to Patience Jackson, ~~one half of the~~

Riches chais
15 } du Choucy
Bancs chais

113, 1

Rough ides
Oct. 1882
To the
Geo. Blow.

October 21

Ricks et al

vs Du Bouey

3rd civil

Boring et al

This cause came on this day to
be again heard on motion of counsel for
plaintiffs it is ordered that it be dis-
missed from the docket

Beboy Ricks

and } Agreement.

Arnold Ricks et al.

Jan'y. 5th 1844 Read &
admitted to record
upon the annexed
certificates.

Recorded Deed Book
No. 43. page 145.

Wm. Kelly by request
of them.

In the Clerk's office of the County Court of Isle of
Wight County, the 5th day of January 1844. This
agreement between the widow Maria of Levi
Ricks decd. was received & admitted to record
upon the annexed certificate of Jas. K. Kelly
a notary public.

Teste

J. P. Young Ck.

distant relative of said Levy, the residue to be equally divided among us the children of said Levy and said Margaret Bailey's children. (the children of said Bailey, together taking a share - and we agree that Arnold Ricks shall qualify as the administrator of said Levy Ricks dec'd.)

In witness whereof we Beby Ricks (widow) and Arnold Ricks, Jacob Ricks, Eliza Ricks, Sam Jackson, do covenant & agree to abide by the foregoing arrangement -

Witness our hands & seals Dec. 4th 1873

Witness
John R. Kilby

Beby ^{her} Ricks	(Seal)
Arnold ^{mark} Ricks	(Seal)
Jacob ^{his} Ricks	(Seal)
Eliza ^{her} Ricks	(Seal)
Sam ^{mark} Jackson	(Seal)

Virginia

Kanawha County S to wit.

I, John R. Kilby, a Notary Public in & for Kanawha County, Virginia, do certify that Beby Ricks, Arnold Ricks, Jacob Ricks, Eliza Ricks & Sam Jackson parties to the foregoing writing bearing date the 4th day of December 1873, personally appeared before me in Kanawha County aforesaid, and after having the same read & explained to them (the same having been prepared by me in accordance with their direction) - they severally acknowledged the same to be their act and deed. Given under my hand this 4th Dec. 1873.

John R. Kilby
Notary Public

heir forever, and as he is of weak mind, in case of long sickness, which may cause much expense, the said David is to be taken care of by us children of said Levy Ricks —

That Jacob Ricks is to have the plantation on which he now resides, embracing all the tract which said Levy bought of H. L. Ignes, to be held by said Jacob for the term of his life, and at his death to his lawful issue should he have any — on the failure of which said Land to revert back to ~~the~~ lawful heirs of said Levy Ricks, to them and their heirs forever, and with this further provision that should the said Jacob Ricks leave a widow, she is to enjoy the use of said Land as long as she remains his widow, or in other words until she marries again — That the plantation on which said Levy Ricks resided at his death shall be valued, and divided into four equal parts, and Eliza Ricks is to have one part — Arnold Ricks one part, Patience Jackson, wife of Wm. Jackson Jr. one part, and the children of Margaret Bailey ^{decd}, the other part — The part to said Patience Jackson at her death, she leaving no issue to go to the other heirs of said Levy Ricks ^{decd} —

That all other property left by the said Levy Ricks is to be sold and after payment of debts, and said Beboy's portion and said specific sums of one hundred dollars to Eliza Ricks and fifty dollars to David Ricks, (a

Whereas Levy Rick, a coloured man, of the County of Isle of Wight has recently died leaving a paper purporting to be his Last will and Testament, which was executed on the 11th day of April 1872 — and whereas after the making of said will, the said Levy Rick, married the second time, Beboy Butler, whereby and in consequence of which marriage after the execution of said will, under the Law, the said will is void — and whereas the children of said Levy Rick, desire as far as possible to carry out the purposes of said Levy Rick as expressed in said will, do covenant and agree each with the other as follows: That is to say, That the said Beboy, the widow of said Levy shall have such part of said Levy's estate, real & personal as the Law gives her, which is, the estate she had when she married said Levy (she having had no children by him, & the same not being necessary to pay debts) to wit: The Land she holds as owner in her first husband (Samy Butler's) estate, and some chattel estate — and owner in the Land of said Levy and one third of his personal and Chattel estate after debts and expenses are paid — Then That Eliza Rick, daughter of said Levy, one hundred dollars, one cow and calf and one bed & furniture for the bed, to her and her heirs forever — David Rick, is to have the sum of fifty dollars, to him & his