

1873-006
Nansemond Co. (Suffolk)

Chancery Causes: Jethro Riddick vs William T. Riddick etc.

Holland, Duke, Boothe, Saunders, Harrison, Brothers, Brinkley, Helms, Prentis

Will: 1849, Edward Riddick, Nansemond Co.

The Commonwealth of Virginia,

the city of Portsmouth
To the Sheriff of ~~Nansemond County~~ - Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON *William T Riddick Mary*
Holland David ed Leuke, James R Saunders, John R
Brindley admiral Berkeley, Joseph Broth and Mary & his
wife David Brothus and Cornelia his wife Stealy
Davidson and Margant a his wife & S. F. Adams &
Margant a his wife

to appear at the Clerk's office of the *Circuit* Court of Nansemond county, at Rules to be
holden for the said Court, on the first Monday in *July* next, to answer
Bill in Chancery, exhibited against *them*
in the said Court, by *Jethro Riddick*

and have then and there this Summons. Witness, WILLIS E. COHOON, Clerk of our said Court, at
his office, this *14th* day of *June* 1873, in the 97 year of the Commonwealth.

Teste

Willis E Cohoon Clerk of the Court.

N. 1 Son

Cir Co

Doctro Riddick

n { Spa Clay

Wm. T. Riddick sal

20 July Rules 1873

Executed June 17
1873 by Sewing
one copy hereof on
Admiral Pinkley in
pencil -

Geo. S. Sewing
Supt.

Partments

The Commonwealth of Virginia,

the City of Norfolk

To the Sheriff of ~~Nansemond~~ County--Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON *William J Riddick Mary
Holland, and a Duke James R Saunders, John R
Bisshly, admiral Pinkley Joseph Booth and Mary &
his wife Waul Brothers and Lancelin his wife, Henry
Harison and Margret a his wife + a F Selms +
Margaret a his wife*

to appear at the Clerk's office of the *Circuit* Court of Nansemond county, at Rules to be
holden for the said Court, on the first Monday in *July* next, to answer
Bill in Chancery, exhibited against *her*
in the said Court, by *John Riddick*

and have then and there this Summons. Witness, WILLIS E. COHOON, Clerk of our said Court, at
his office, this *14th* day of *June* 1873, in the *97* year of the Commonwealth.

Willis E Cohoon Clerk of the Court.

7
7050

cut Co

Jethro Riddick

r  spm clay

Wm Riddick sub

20 July 1873

Executed by delivering
a copy hereof to
Deely Harrison this
18th day of June 1873
A. M. Coe Respy
for H. H. Saunders Sgt
Norfolk

The Commonwealth of Virginia,

Southampton

To the Sheriff of ~~Nansemond~~ County--Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON *William J Riddell May*
Holland, David W. Leake, James R Saunders, John R
Burkley, Admiral Burkley, Joseph Booth and May &
his wife David Brothus and Louella his wife,
David Brothus and Louella his wife Keeley Harrison
and Margant A his wife & A F Nelson & Margant
A his wife

to appear at the Clerk's office of the *Overcut* Court of Nansemond county, at Rules to be
holden for the said Court, on the first Monday in *July* next, to answer
Bill in Chancery, exhibited against *Shaw*
in the said Court, by *Leake*

and have then and there this Summons. Witness, WILLIS E. COHOON, Clerk of our said Court, at
his office, this *14* day of *June* 187*3*, in the *97* year of the Commonwealth.
Leake
Willis E Cohoon Clerk of the Court.

Executed.

W. J. Cobb, Deputy

for
W. B. Briggs, Sheriff

Jethro Riddick

v { Spa day

W. J. Riddick vs

=
20 July Rules 1873

Executed on 20 July
1873

The Commonwealth of Virginia,

To the Sheriff of Nansemond County--Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON *William J. Riddick,*
Mary Holland, David W. Duff, Jervis B. Saunders
John R. Berrilly, admiral Berrilly, Joseph Broth
and Mary & his wife David Brothus and Cornelia
his wife, Kelly Harrison and Margaret a his wife
+ a. F. Helms + Margaret a his wife

to appear at the Clerk's office of the *County* Court of Nansemond county, at Rules to be
holden for the said Court, on the first Monday in *July* next, to answer
Bill in Chancery, exhibited against *them*
in the said Court, by *Iethro Riddick*

and have then and there this Summons. Witness, WILLIS E. COHOON, Clerk of our said Court, at
his office, this *14th* day of *June* 1873, in the *97th* year of the Commonwealth.

Willis E. Cohoon Clerk of the Court.

Executed June 27th 1873 by delivering a copy to W^m T Riddick
Mary Holland. David W Duke. Jas R. Saunders Jno R
Brinkley. Joseph Booth & Mary E his wife & Daniel
Brothers and Cornelia his wife each)

W H Eley
Shy

John Riddick

W E Eley for Henry

William R Riddick
& al.

26
July 1873.

To

Wm. T. Riddick, Mary Holland, Daniel W. Duke, Jas. R. Saunders,
Jno. R. Brinkley, Admiral Brinkley, Jos. Boothe & Mary E. his
wife, Daniel Brothers & Cornelia his wife, Keely Hamison & Margant
A. his wife, & W. H. Helms & Margant A. his wife.

Take notice that I shall on the 14th, day of July 1873, next, at

the office of Jno. R. Kilby Son in Suffolk
Virginia between the hours of 8 a. m. and 6 p. m. of that day, proceed

to take the Depositions of Edward C. Riddick

and others, to be read as evidence in my behalf, in a certain suit
in Chancery, depending in the Circuit Court of Fauquier
County, wherein I am

~~are~~ plaintiffs, and you

are defendants; and if from any cause the taking of the said
Depositions be not commenced on that day, or if commenced be not concluded on that day, the
taking of the same will be adjourned and continued from day to day or from time to time, at the
same place and between the same hours, until the same shall be completed.

Sergeant of Suffolk Co.
To the Sheriff of Fauquier
County to execute.

Respectfully,

Jethro Riddick
By Jno. R. Kilby Son
Attest.

Riddick

v

Riddick & Co

noted to take

exp. 14 July 1873

Executed this 18th day
of June 1873 delivering a
copy hereof to Reely
Harrison

A. M. Cook copy
for M. H. Saunders
Sgt

To

{ William J. Riddick, Mary Steeand, David W. Duke,
James R. Saunders, John D. Brinkley, admiral Brinkley, Esq.
Brooke & Mary E. his wife, Daniel Brinkley, & Cornelia his wife
Keely Harrison & Margaret A. his wife & A. J. Kelly, & Margaret A. his wife

Take notice that I shall on the 14 day of July 1893, next, at

the office of John R. Kelly, in Suffolk, Nansemond County
Virginia between the hours of 8 a. m. and 6 p. m. of that day, proceed

to take the Depositions of Edward C. Riddick
_____ and others, to be read as evidence in my behalf, in a certain *suit*
in chancery, depending in the Circuit Court of Nansemond
County, wherein I am _____

_____ are plaintiffs, and you _____
_____ are defendants; and if from any cause the taking of the said
Depositions be not commenced on that day, or if commenced be not concluded on that day, the
taking of the same will be adjourned and continued from day to day or from time to time, at the
same place and between the same hours, until the same shall be completed.

Respectfully.

Jethro Riddick

by John R. Kelly Esq.
Att'ys.

To the Sheriff of ~~Southern~~ _____
County to execute.

Riddick

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Riddick fac

notice to take

sep 14. July 1873

Executed on
Waters Jan 22 1874

Executed on
to J. R. Kelly

Stamp

Executed.

A. J. Cobb, Deputy

for

M. W. Briggs Esq.

To

Wm. T. Riddick, Mary Holland, Daniel W. Duke, Jas. R. Sam-
ders, Geo. R. Brickley, Admiral Brickley, Jos. Boothe & Mary E.
his wife, Daniel Brothers & Cornelia his wife, Keely Hamison &
Margaret A. his wife, & A. F. Nelson & Margaret A. his wife,

Take notice that I shall on the 14th day of July 1873, next, at
the office of John R. Kilby Son in Suffolk
Virginia between the hours of 8 a. m. and 6 p. m. of that day, proceed
to take the Depositions of Edward C. Riddick

and others, to be read as evidence in my behalf, in a certain suit
in Chancery, depending in the Circuit Court of Hanseman d
County, wherein I am

~~are~~ plaintiff, and you

are defendants; and if from any cause the taking of the said
Depositions be not commenced on that day, or if commenced be not concluded on that day, the
taking of the same will be adjourned and continued from day to day or from time to time, at the
same place and between the same hours, until the same shall be completed.

Sergeant of City of Portsmouth
To the Sheriff of Hanseman d
County to execute.

Respectfully,

Jethro Riddick

By Geo. R. Kilby Son

Attos.

Riddick

n

Riddick sac

notice to take
sep - to 14
July 1873

Executed by sending
a true copy hereof
on Admiral Binkley
in person -

~~Geo. O'Connor~~
Supt.

To

Wm. J. Riddick, Mary Holland, David W. Duke, Jas. R. Saunders,
Geo. R. Brinkley, Admiral Brinkley, Jos. Boothe & Mary E. his wife,
Daniel Brothus & Cornelia his wife, Keely Hamison & Margaret A
his wife & A. F. Helms & Margaret A. his wife.

Take notice that I shall on the 14th day of July 1873, next, at
the office of John R. Kilby & Son in Suffolk
Virginia between the hours of 8 a. m. and 6 p. m. of that day, proceed

to take the Depositions of Edward C. Riddick

and others, to be read as evidence in my behalf, in a certain suit
in Chancery, depending in the Circuit Court of Hansemond
County, wherein I am

~~are~~ plaintiffs, and you

are defendants; and if from any cause the taking of the said
Depositions be not commenced on that day, or if commenced be not concluded on that day, the
taking of the same will be adjourned and continued from day to day or from time to time, at the
same place and between the same hours, until the same shall be completed.

Respectfully,

To the Sheriff of Hansemond
County to execute.

Jethro Riddick
By John R. Kilby & Son
Attos.

Excuse my delivering a copy to N T Dickson, Mary Hildan &
David H. Duke, Jas R. Saunders, Joe H. Brinkley, Jos. H. Heth
and Mary E. his wife, Daniel Brooks & co. also his wife
(Luen) June 27th 1853

W. H. Ely
Sept.

Richard
M. S. Lake sep

Richard Lee

10 Aug

Richard Lee
10 Aug

W. H. Ely

Deposition of Edward C. Riddick
taken on this 19th, day of July
1873 (continued from the 14th, day
of this present month) at the Office
of John R. Kilby Esq in Suf-
folk Virginia, between the hours
of 8 o'clock A. M. and 6 o'clock
P. M. of the said day, to be read
as evidence on behalf of the
Plaintiff in a suit in Chancery
depending in the Circuit Court of
Stafford County, wherein Jethro
Riddick is Plaintiff and Wm.
T. Riddick & Mary Holland and
others are defendants, — Taken
pursuant to the annexed notices:

Said Edward C. Riddick being
duly sworn on the Holy Evangelist
of Almighty God, deposes and says:
as is set forth in the answers fol-
lowing:

1st. Question by John R. Kilby Attorney
for the Plaintiff

How old are you, where do you
reside and were you acquainted
with the late Edward Riddick
senior now dead,

Answer. — I am sixty four years old,

I reside in Hanswound County Va,
where I have resided all my life,-
And I was well and intimately ac-
quainted with the said Edward Rid-
dick Senior having lived in a short
distance of him and frequently
transacted business for him,

2nd Question by same,

When did said Edward Rid-
dick Sr. die, and did he exe-
cute a last will and testament,
before he died, and if so, were
you a witness to the same, and
who wrote the same, and who
were witnesses to said will?

Answer.-Said Edward Riddick Sr. died
about twenty years ago, the exact
year and day I do not now
remember, and he did execute
a last will and testament before
he died and I was a witness to the
same as also were James Goodman
and Phillip Rogers both of whom
are now dead, and I wrote said
will at the request of said testator,

3d.- Question by same,

Did the said testator execute
the said last will and testament
in the presence of all three witnesses

at the same time and then acknowledge the same, and was he of sound mind & capable of making a will?

Answer. The said testator did execute and acknowledge said last will and testament in the presence of all three of said witnesses and he was of sound mind and capable of making a will

4th. Question by same,

Examine the paper filed in this cause as exhibit "A" and say whether that is a just and true copy of said last will and testament executed as above and also whether your recollection is distinct as to its provisions?

Answer. - I have examined the said exhibit "A" carefully and have a perfect and complete recollection of its contents, and have no hesitation in saying that it is a correct and true copy ^{of the will}, written by me and executed as above stated,

5th. Question by same,

Did you as a witness to said will with any of the other subscribing witnesses prove the same in any Court and if so in what Court?

Answer.- I did, with the other two subscribing witnesses to said will, from the same in Hanswound County Court soon after the said testator's death,
Qth. Question by same,

Who qualified as the representative of said testator?

Answer.- Jethro Riddick, the executor named in said will.

The Question by same

What became of the will proved as aforesaid in Hanswound County Court?

Answer.- It was destroyed by the burning of the records of Hanswound County, among which said will was recorded, in February 1866.

And further than this, this deponent saith not.

E. Riddick

Jethro Riddick being duly sworn says I am the son of said Edward Riddick Sr. deceased and the executor under his last will and testament and I qualified as such in Hanswound County Court soon after his death some twenty years ago, and settled up his estate,

That exhibit "A" filed in this suit is a correct copy of the original of said testator's will, taken by me; that the original of said will was recorded in Hansemond County Court as stated by Edward C. Riddick in his deposition aforesaid, which original was destroyed by fire in February 1866, when the clerk's office of Hansemond County and the records therein were burned.

Edward Riddick

Peter B. Prentiss being duly sworn deposes and says, that I was clerk of Hansemond County Court Virginia from the year 1852 to the year 1871; that ~~said~~ ^{the} will of said Edward Riddick Sr. was recorded in said Court soon after I became clerk and I recollect having recorded the same and I recollect very distinctly its leading features, and especially the third and fifth clauses of said will - that I have examined exhibit "A" filed herein and that I am satisfied from my recollection of the original that said exhibit "A"

is substantially correct; that the records of Hanover County Court among which said original was recorded, were destroyed by fire on the 7th, day of February 1866.

Peter B. Prentiss.

State of Virginia

County of Hanover to wit:

I, Wilbur J. Kilby a Notary Public in and for said County in said state do certify that foregoing depositions were taken at the time and place specified in the caption hereto pursuant to the annexed notice.

Given under my hand this 19th, day of July A. D. 1873.

Wilbur J. Kilby
Notary Public

Charges \$3.00

Riddick
v. $\frac{1}{2}$ Deposits
Riddick & als.

Filed 24 July 1873

W

100

Acopy of
Edward Riddick's
Will

"A"

filed as Exhibit
with Bill
Riddick
Riddick's

In the name of god Amen I Edward Riddick of
of the county of Nansmond and state of Virginia
being weak in body but of sound disposing mind the
uncertainty of life and being desirous to dispose of such
worldy estate as it hath pleased god to bless me with
I give and bequeath the same in manner and form
and fouling that is to say,

Item 1st I give to my beloved wife Nancy Riddick
during her natural life or widowhood the following property
to wit, Moses hamer Synthia Jack Rubin Tom Abram
Blansy Ann Amanda Harriet Adeline Frances and Little
Tom. and all my house hold and kitchen Furniture of all
and every kind also my land and plantation whereon I now
live also my water grist mill also my stock of hogs and
cattle and sheep and horses and Carriage and wheels &c
crop of Corn and Fodder peas farming implements of all
and every kind to her during her natural life
or widowhood,

Item 2nd I give to my Daughter Mary Holland the wife
of Solomon J. Holland the sum of Five hundred dollars to
be raised out of my estate after the death of my beloved
wife, as her full proportion of my estate addition to
the advances here to made her to and her heirs forever

Item 3rd I give and bequeath to my grand son William
J. Riddick after the death of my wife the following
Slaves to wit Moses Synthia and plantation whereon I
now live one water grist Mill and contents also one baycote
and one brandy still & apple Mill & cove press and cove
bavells and if he should die before he the said William
J. Riddick the Son of Jethro Riddick should die before
he arrives to lawful age or hath a lawful heir begotten
of his own body then the said property shall Return
to my son Jethro Riddick and his heirs forever


Item 4th I give and bequeath to my son Jethro Riddick
all the property advanced, to him and his heirs forever,

Item 5th my will and desire is after the death of my beloved
wife or widowhood all the property loan for life shall
be divided into three equal shares one of which share I
give and bequeath to my son Jethro Riddick to him and his
heirs forever also I give and bequeath one third of such
division to my two grand sons Joseph, R. Duke and David
W. Duke to be equally divided between them in kind but
should either of them die without and lawful heirs begotten of
their own bodies the other to inherit and should both die
without and lawful heirs begotten of their own bodies then the
the hold of said property to descend to my son Jethro Riddick
and his heirs forever also I give and bequeath one third part
of such division to my grand Daughter Margaret J. Brinkley
and grand son James R. Saunders to be equally divided in kind
between them and their heirs forever

Lastly I nominate and appoint my son Jethro Riddick my sole
Executor thus my last will and testament hereby Revoking all
or those previous wills or testaments by me heretofore made.
in witness where off I have

here unto set my hand affixed my seal this the 2nd day of
February in the year of our lord one thousand eight hundred
and forty nine Signed sealed published and declared by Edward
Riddick as for his last will and testament in the presence
and hearing of us who at his request and his presents have
subscribed our names as witnesses

James Goodman
Philip Rogers
Edward C. Riddick

Edward Riddick or 

an appraisement of the estate loaned
by Edward Riddick sr to his wife
Nancy for life, and now remaining
- the said Nancy having recently died

Riddick

m.

Riddick &

1873

Oct. Cir. et

Deer establishment
wire &c.

To be entered.

1873

Oct Term 1873

Entered & 190

Riddick

v

Riddick sal.

This cause came on this day to be heard on the Bill of the Complainant taken for confessed as to the Defendants, on whom process had been duly executed, and they still failing to appear and make defence, an Exhibit filed with the said Bill & on examination of witnesses, and was argued by Counsel. - On consideration whereof the Court doth adjudge, order & decree that the paper filed with the said Bill, as exhibit "A", be and the same is ~~admitted~~ hereby established as the last will and Testament of Edward Riddick sen^r dec^d, and orders that the same be recorded in the will book of Hanover County Court as such, and orders that the costs of this suit be paid by the plaintiff.

Killy son
Arthur Riddick

n. } Rice

Wm. J. Riddick Sal

Cincinnati

That all the other devisees & legatees named
in said will are alive, to wit: your Complainant
(Jethro Riddick), and Mary Stollans, William
J. Riddick, David W. Duke, & James R. Saunders,
In consideration whereof, and as this
Court has jurisdiction to grant all adequate
Relief - To The End your Complainant prays
That the said William J. Riddick, Mary
Stollans, David W. Duke, James R. Saunders,
John R. Brinkley, Admiral Brinkley, Jn. Boothe
and Mary E. his wife, David Boothe and
Leannea his wife, Keely Harrison and
Margaret A. his wife, and A. J. Nelson &
Margaret A. his wife, may be made defendants
hereto, and be required to answer the allegations
herein, and especially to say whether the copy
of said Edward Riddick sr.'s will as filed
herein is a correct copy; and that this Court
may establish said paper as the Last will
& Testament of said Edward Riddick sr.
& that all other & further relief may
be granted consistent with Equity, &c.

Jethro Riddick
by John R. Kelly Jr
his atty.

two of the subscribing witnesses to said will are
dead — That an unofficial copy of said
will was made from the original will, by your
Complainant, before the same was burnt, which is
a correct copy, and is filed herewith (and)
prayed to be considered as part of the Bill
and which your Complainant prays may be
set up, established, and recorded as & for the
last will and Testament of said Edward Riddick
Esq. — which copy is marked "A".

That Nancy Riddick the wife of said
deceased to whom the Testator left a portion of
his estate, is dead —

That Mrs R. Duke named in said will
is dead, leaving no issue but a Brother named
E. W. Duke now alive and a sister named
Mary A. now the wife of A. L. Adams.

That Margaret J. Brinkley also a legatee in
said will, has died since the Testator, leaving six
children, to wit: Ro. B. Brinkley, Mrs. R. Brinkley,
Admiral Brinkley, Mary E. Brinkley, Cornelia
Brinkley, Margaret A. Brinkley —

That said Ro. R. Brinkley has died since the
said Margaret J. without issue, never having
married — That Mary E. Brinkley is now
the wife of Mr. Boothe; That Cornelia is now
the wife of Capt. Brothers, & Margaret A.
is now the wife of Keely Harrison of Norfolk.

To the Hon. Geo. Blow, Judge of the Circuit
Court of Nansmond County, Virginia,

Complaining, shew unto the Court, your
Complainant Itho Riddick, of the County
of Nansmond.

Your Complainant respectfully rep-
resents to the Court and say, That on the 2^d.
day, of February 1849, Edward Riddick sr. of the
said County, made and executed his Last will and
Testament, which was duly witnessed by James
Goodman, Philip Rogers (and Edward C. Riddick,
and that soon thereafter the said Edward Riddick
sr. died, and his said Last will & Testament
was duly proved by the subscribing witnesses, and
ordered to be recorded & was duly recorded according
to Law, (and Itho Riddick, your Complainant
qualified in Nansmond County Court (wherein the
said will was proved) as the Executor of said
Last will and Testament, and proceeded to settle
up the said Estate —

That on or about the 6th day of February
1866, the Clerk's office of Nansmond County
Court was destroyed by fire and all the records
and papers therein were destroyed, including the
Book in which the said will was recorded, and also
the original of said will also, (and that no
official copy of said will is in existence
so far as your Complainant knows.

That James Goodman and Philip Rogers

Notes

1873 Oct 5

Final record

In the Circuit Court of Newsumond County

Setho Riddick Plffs
v
Wm T Riddick et al Dfts

} In Chancery

Chancery Notes v

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- 1873 June 14<sup>th</sup>      Procep issued to July Rules
- 1873 July Rules,      Procep Executed as to all dfts, Bill filed  
+ decree nisi
- ~~~~~
- 1873 August Rules,      Bill p.c. & cause set for hearing

Willy. Sen.

Itho Riddick

W. } Clk. papers.

William R. Riddick sal.

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1873 Octo Term

Final decree

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Cir. Ct.