1891-003
Nansemond Co. (Suffolk)

Chancery Causes: Marmaduke Jones vs Claudius W. Wright & wife

Riddick

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Claudius W. Wright and Maggie E. his wife (nee Riddick)

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the first Monday in September, 1881, ~~next~~ this month *to answer a Bill in Chancery, exhibited against them in the said Court by* M. Jones

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this 3rd *day of* September *1881, in the* 106th *year of the Commonwealth.*

Teste: Peter B. Prentis *Clerk.*

C. N. Causey, P.Q.

M. Jones

vs } Sum.s in Chy:

Claudius 10. Wright and Maggie E. his wife (nee Riddick)

To Septr. Rules, 1881

1881 September 3rd Exec.d and delivered a copy hereof to Wright and Maggie E. (Nee Riddick) his wife each

J. H. Rawls D.S.P.C.
J. L. Hughes Con. S.H.C.

Pro B. No: 1. Page
Gir. Co.

Ex

At a Circuit Court Continued and held for Hanover County the 14th day of October 1882.

M Jones Plaintiff.

Against

C W Wright & wife

This Cause came on this day to be heard on the bill of the Complainant taken for confessed as to the defendants, both adults, on whom process had been duly served, and they still failing to appear and plead answer and demur thereto, or exhibit file therewith and was argued by Counsel

On Consideration whereof the Court doth adjudge, order and decree that one of the Commissioners of this Court, do take, state and report to Court an account of all the real estate in which the said C W Wright has a vested interest, and also state whether such interest be in fee simple or by curtesy because of his marriage with Maggie E, the daughter of the late Willis J Riddick and having living issue by said marriage.

Said Commissioner will take and State a further account of all docketed judgments, debts or liens upon the lands of the said C W Wright together with their dignity and priority

Said Commissioner will also state whether or not it will be for the interest of all parties concerned to rent said property till the debts and costs are satisfied or sell a portion of the same and satisfy them at an early date.

And said Commissioner will also state an

account of the annual value of said real estate together with the value of the life estate of the said C W Wright in and to that portion inherited by his wife Maggie E from her father's estate and any other matter deemed pertinent to the case, or which he may be required to state.

And the Cause is continued &c.

a Copy:
Test:
Peter B. Prentiss. Clerk

M. Jones
vs
C. Wright Dep.
Ch: Decree. Oct: 14/82

M. Jones
&
C. W. Wright + wife

This cause came on this day to be heard on the bill of the complainant taken for confessed as to the defendants, both adults, on whom process had been duly served, and they still failing to appear and plead, answer and demur thereto, or exhibit filed therewith, and was argued by counsel

On consideration whereof the Court doth adjudge, order and decree that one of the Commissioners of this Court do take, state and report to Court an account of all the real estate in which the said C. W. Wright has a vested interest, and also state whether such interest be in fee simple or by curtesy became of his marriage with Maggie E. the daughter of the late Willis S. Ridlick and having living issue by said marriage

Said Commissioner will take and state a further account of all docketed judgments or liens upon the lands of the said C. W. Wright together with their dignity and priority

Said Commissioner will also state whether or not it will be for the interest of all parties concerned to rent said property till the debts and costs are satisfied or sell a portion of the same and satisfy them at an early date.

And said Commissioner will also state an account of the annual value of said real estate, together with the value of the life estate of the said L. W. Wright in and to that portion inherited by his wife. Maggie E. from her father's estate, and any other matter deemed pertinent to the case, or which he may be required to State

And the Cause is continued &c

In Power
vs
C. W. Wright & wife

1892
Oct 14 Term
Rough draft
To be entered
Decree Book

Entered - Chancery Order
Book No. 1 - Page 591

Marmaduke Jones

v.

Claudius W. Wright and Maggie E. Wright, his wife. -

It appearing to the Court that the judgment ~~lien~~ asserted in the complainants bill has been satisfied, the Court doth adjudge, order and decree that this cause be stricken from the docket. —

M. Jones

v. Final Decree

C. M. Wright wife

Enter Octo 15. 1891

C M J

Entered in Chancery
Order Book No. 2. P. 418

R. H. Forestal & Col.
Philadelphia

In the name of God, I, Willis S. Riddick of the town of Suffolk, in the State of Virginia, being of sound mind and memory (blessed be God for the same) do make & Publish this my last Will and Testament. I give and bequeath to my five Children, the real estate opposite their names below: My Daughter Maggie to have possession of her portion now; and the others have possesion upon each one's arriving at the age of twenty one years, Except one lot each, upon the Conditions named below in this Will, To Wit, Namely

1st. Maggie E. Wrights Share Real Est.

1st Cully Lot & Stables on Franklin St	(valued)	$2500:00
" Kinyon tract 20 acres	"	600:00
" 3 vacant lots on E. side Holladay St: 2 sold	"	350:00
" 2 Lots on Fair Ground sold by C. W. W	"	350:00
" Prospect tract of land (280 acres)	(bal: due on it)	900:00
" All my household & Kitchen Furniture		300:00
		$5000:00

2nd. Willis S. Riddick Jr: Share Real Est:

2nd Clarke Cottage. West side Pinner St:		$1200:00
" Julius Godwin Lot on Pinner St:		800:00
" Geo: T. Parker Lot on Holladay St: with about 2 acres of land in rear adjoining		1200:00
" 2 Lots at Jericho Canal, on West side Canal		400:00
" Young Tract of land of 50 acres (as sold to Luke)		1400:00
		$5000:00

No: 3. Jno: B. Riddicks Share Real Estate

3rd Dr: Talem Lot, Cor: Franklin & E. Washington Sts:		$1500:00
" Tobe Brothers Lot, on Holladay St: with about 2 acres of land in rear adjoining		1200:00
" Shackelford Cottage: Cor: Pinner & E. Washington Sts:		800:00
" Lot on Back St: adjoining Jordan Thompson		400:00
" Henry Foreman Lot: on Fair Ground (Norfolk Road)		500:00
" Pitch Kittle Farm of 60 acres		600:00
		$5000:00

No: 4
Rosa M. Riddick's
Share real est.

4th Kitty Jones Lot. Riddick St. a.m.t.O.R.R. . . . $1500:00
" Butler & Blanks. Double Tenement. E. Washington St. 1500:00
" 1/2 Lot Cor Main & Washington (M Jones 1200:00
" London Riddick Lot: Fair Ground, on Norfolk Road . . . 550:00
" Henry Smith Lot on Pine St. 225:00
" Jno: Parker: Vacant Lot. a.m.t.O.R.R. 25:00
$5000:00

No: 5
Lucie C. Riddick's
Share of real estate

5th Bassett Lot: Riddick St. $1800:00
" Gardner Lot: Kelly St. 1400:00
" Jordan Lot: Cor: Holladay St. 600:00
" 3 Lots: Tynes St: on Fair Ground 600:00
" Cosler Lot: on Holladay St 600:00
$5000:00

6th I give to Henry Smith Col (who has been a faithful servant)
my horse, cart, wheels & gear.

All the real estate bequeathed above to my five children, I wish them to have in fee simple, to do as they please with when they become twenty-one years of age, Except one Lot to each which is given conditionally, viz: the Cully Lot to Maggie, provided she have an heir or heirs before she dies, but if she die without heirs, the Lot is to go back to my other children, then living, equally. In the same way, I give Willis all his portion in fee-simple, to do as he pleases with, except the Clarke Cottage, which is to go back to my other children, provided he dies without heirs. And to John the same, except the Tobe Brothers Lot. And to Rosa the same, except the Kitty Jones Lot; and to Lucie the same, except the Bassett Lot.

All bonds, notes, accounts, Stock and all other debts due me, at my death, I wish collected, and after paying all my just debts, the balance is to be deposited at the Farmers Bank of Nansemond, (if my Executor thinks it best) to the credit of my Estate, and also all rents & income be collected and placed to the credit of my estate, except the portion

given to Maggie, and out of the whole balance to pay the expenses of my four other Children until they become of age; and when the Youngest shall arrive to the age of twenty-one years, then I wish the balance of my personal effects be equally divided between all my Children then living.

I also empower my Executors to sell any of the real estate of either child (except Maggie) before they become twenty-one years old at any time he thinks it best to do so, & place the proceeds to the credit of such child as the property is bequeathed to.

It is my desire that all my Children shall share equally in my estate, and therefore, I wish, In case of necessity or unforseen disaster by fire or otherwise (not from their own fault) one should be more unfortunate than others & loose part of their real estate in infancy, that enough be reserved of each of the others shares to make them equal in the general distribution.

I hereby Constitute and appoint my friends John R. Copeland and T. W. Smith, Executors of this my last Will and Testament & Guardians of my infant Children, desiring that my Daughters Rosa & Lucie shall remain with their sister Maggie, as long as may seem best to all concerned.

In Testimony Whereof, I hereunto set my hand & seal, this 26th. day of July, 1875.

Willis S. Riddick (Seal)

Memo: for my Executors

As a large portion of my bequests to my Children is in real estate, I would particularly request my Executors to rent only by the month Have this well understood at the beginning: I do this, because it will be best for both parties, and never let the rent remain uncollected, as it is much easier to pay one month's rent than two; and it will enable my Executors to realize in time to meet the expenses of the Children. Of course when a party is her-

fectly good, the Executors will use their discretion as to quarterly or yearly rents or to leases &c. In such cases take note & security.
I had expected to appoint my son in law, C. W. Wright, as one of my Executors, but upon reflection & advice, I think it best not to do so, for the reasons that he is interested in the bequests, & that it would be best for all concerned, and not by reason of any confidence I have in him or his integrity &c, having been changed.

I have an Act book & two note cases in which will be found a memo: of indebtedness to me & all notes & business with parties not yet due, with a statement in each case of facts in connection with unsettled business &c. Also I have papers & notes in the hands of Col: Copeland to secure my indebtedness there. My Assetts, I consider about 50:000 $ & my indebtedness between 8 & 10.000 $.

In case Mrs: Elenor fails to buy the lot she occupies, she pays rent, & the rent is to go to all the Children equally.

I wish Col: Copeland & J. W. Smith to be guardians of my Children & to do with them what they think best.

Maggie has her part of real est: now, & my Executors has nothing to do with that portion. The balance of the est: is to be kept together & the proceeds to pay the other four Childrens expenses, and when Willis becomes of age, he is to have his 5000 $ worth real estate, & the Executors will have nothing to do with his portion. Then the balance to be kept together & the proceeds to pay the expenses of the other 3 Children & so on to the last, then, if any thing is left, to be divided among the whole of the Children then living. This is the meaning of my Will &c.

W. S. Riddick

Virginia:

At a Monthly Court continued and held for Nansemond County, The 18th: day of December, 1875:

This Writing, purporting to be the Last Will and Testament

E. H. Faserist & Co.,
Philadelphia

of Willis S. Riddick, late of this County, deceased, (together with a Memorandum enclosed therein) was this day presented to the Court. And there being no subscribing witnesses to the said Will and Memorandum, C. H. Causey, William P. Moore and James R. Saunders were sworn and severally deposed that they are well acquainted with the hand writing of the said Willis S. Riddick, deceased, and verily believe that the said Will and Memorandum and signatures to each subscribed, are wholly in the hand-writing of the said Willis S. Riddick, deceased: Whereupon, the same is ordered to be recorded, as the true last Will and Testament and Memorandum of the said Willis S. Riddick, deceased. And on the Motion of John R. Copeland and Thomas W. Smith, the only Executors named in the said Will, who made oath as the law directs, and entered into a bond in the penalty of Forty Thousand Dollars, conditioned according to law with William P. Moore, James R. Saunders and Joseph Boothe, their sureties therein (who justified on oath as to their sufficiency, and which said bond being acknowledged by the obligors therein is ordered to be recorded): Certificate is granted the said John R. Copeland and Thomas W. Smith for obtaining a probat of said Will and Memorandum, in due form.

Teste:

Peter B. Prentis. Clerk.

A Copy:

Teste:

Peter B. Prentis. Clerk.

Nansemond County Court Office.
February the 7th. 1881

B

Xmd

Willis S. Riddick's
Will.
(a Copy)

FI FA.

The Commonwealth of Virginia,

To the SHERIFF OF NANSEMOND COUNTY, Greeting:

WE COMMAND YOU, that of the Goods and Chattels of L W Wright

in your bailiwick, you cause to be made the sum of One Hundred and Eighty six *Dollars and* fifty three ——— *Cents, with interest thereon at the rate of* Six *per centum per annum, from the* 23 rd *day of* April ——, *1878, till paid, which* M. Jones

lately in our Circuit *Court of Nansemond County, recovered against* him for damages

Also, Nine ——— *Dollars and* eighteen *Cents, which to the said* M Jones

in the same Court were adjudged for his *costs by* him *about* his *suit in that behalf expended: whereof the said* L W Wright is

+ 5-8 ct for the writ

convict, as appears to us of record; and that you have the same at the Clerk's office of our Circuit *Court, at Rules directed by the law to be held in and for Nansemond County, on the first Monday in* July *next, to render unto the said* M Jones

of the Damages — *and costs aforesaid. And then and there have this writ.*

Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this 11th *day of* April *, in the year of our Lord 187 9, and in the* 103rd *year of our Independence.*

COSTS:

Clerk	$5.18
Attorney	2.50
Sheriff	.50
~~*Witness*~~	
W. T.	1 00
	$9.18

Teste:

Peter B. Prentis C. C.

Causey Dgf

Mr Jones
Copy
vs } Fi Fa.
C W Wright

To July Rules. 1879.

came to hand april 11th
1879. at 2.55. P M.
J L Fulgham Shff

"B"

1878
Octo. 6th
Judgt

1879 Octo 20th
Returned & Recorded.
Peter B Prentiss Clerk

Pro: B. No 1. Augt 11th
Ex. B. " " " 56.
Cir Co.

I came into my office on the within
Execution, on the 5th day of April
1879 & Fulgham Shff.

Execution: Peter B. Prentiss Clerk

Virginia

At a Circuit Court continued and
held for the County of Nansemond
the 12th day of October 1878.

M. Jones Plaintiff

Against } In Assumpsit.

C W Wright Defendant.

This day came the Plaintiff, by his Attorney and the defendant being solemnly called, and failing to appear, the Court proceeded to execute the writ of enquiry, and award judgment against him. Therefore it is considered by the Court, that the Plaintiff recover against the said defendant the sum of One hundred and eighty six dollars and fifty three cents, with legal interest thereon from the 23d day of April. 1878, till paid, and his costs, by him about his suit, in this behalf expended and the said defendant in mercy &c.

A Copy

Teste:

Peter B. Prentis. Clerk

Costs
Clk. $4.60
Atty 3.50
Shff. .50
8.60
F. Fa. Oct 22. 1878

M. Jones
vs
J. Cohn Judgment

L. W. Wright

"A"

In the Circuit Court of Nansemond County

To the Hon.ble George Blow Judge of said Court.

Mannaduke Jones. Plff

vs. } In Chy

Columbus W. Wright and

Maggie E. his wife (nee Riddick) Defts.

Humbly complaining, your Complainant Mannaduke Jones, a resident of Nansemond County, State of Virginia, sheweth unto your Honor the following case;

That on the day of October 1878 in the Circuit Court of the said County of Nansemond your Complainant obtained a judgment on a negotiable note waiving the benefit of the Homestead exemption against C. W. Wright one of the aforesaid defendants for the sum of One hundred and eighty six dollars and fifty three cents with legal interest thereon from the 23rd day of April 1878 till paid and $8.60 cts costs by him about his suit in that behalf expended which said judgment was docketed in the Clerk's Office of the County Court of said County on the 22nd day of

October, 1878, as will appear by a duly authenticated copy of said judgment, marked "A".

That on the 22 day of October execution issued on said judgment against said E. W. Wright from the Clerks office of the Circuit Court of the County of Nansemond directed to the Sheriff of Nansemond County and which was duly returned to said office by said Sheriff with the following endorsement thereon "I can find no property upon which to levy the within execution or any part thereof". "J. L. Fulgham Sheriff" a copy of said execution and return thereon being herewith filed marked "B". And that a 2nd and a 3rd fi. fa. issued and were returned with like endorsements, thereby making an additional cost on your Complainant of $1,[illegible]

That said judgment is a lien and binding upon the real estate of said E. W. Wright in said County of Nansemond which consists of several tracts or parcels of real estate and town lots, as follows

1st: a lot in the town of Suffolk in Nansemond County situated on Franklin Street and assessed on the land book of the Comm'r: of Revenue for District No. 1 in the County at $1400.00

2nd. A lot of land embracing Six (6) acres on the eastern border of the Town of Suffolk and assessed on the land book of the aforesaid Comm'r of Rev: at $120.00

3rd. A lot of one acre adjoining the estate of Mrs. P. Moore and S. & R. Rail-Road near Suffolk and assessed on aforesaid book at $20.00

4th. A tract of 104½ acres, situated in the District of Sleepy Hole adjoining the lands of Wilkes Holland and James Reid and assessed on the books of the Commissioner of Revenue for Dist No 2 at $313.50

That the intent of the said C. W. Wright in the above mentioned property is a life estate, being tenent by Curtesy, by reason of his intermarriage with Maggie E. Riddick and living issue born of such marriage, The said Maggie E having inherited the said property from

her father the late Willis S. Ridelich as will appear by the will of said Willis S. Ridelich duly probated and recorded, a copy of said will being herewith filed marked "C"-

That no part of your complainants judgment for $186.53/100 and $8.60/100 + $1.10/100 costs has been paid to him or to any one for him by the said C. W. Wright and that the same is now due and owing and being a lien on all of said land above mentioned should be enforced against the same, and said land or some part thereof rented out until the judgment aforesaid and costs, and the costs of this suit be paid in full, or the rents and profits of said estate will pay the said judgment and costs in five years,

In Consideration whereof your complainant being without remedy save in a Court of Equity pray that said Claudius W. Wright and Maggie E. his wife may be made parties defendant to this bill and required to answer all the allegations therein

Contained in their proper person
That a Commissioner of this Court
may take and state at his office an
account of the judgment lien of your
Complainant and any other liens
there may be on said lands accord-
ing to their priorities also an ac-
count of the annual value of
said real estate and the life es-
tate of said R. W. Wright in and to
the same.

And your Complainant further
prays that the said property or
so much thereof as may be ne-
cessary be rented out until his
judgment aforesaid and costs, and
the costs of this suit are paid in
full or if deemed better for the in-
terests of all parties that some portion
of the real estate herein mentioned be
sold to satisfy the judgment and costs
herein mentioned:

And that all further and adequate re-
lief consistent with Equity may be grant-
ed. Your Complainant will ever pray &c

M. Jones

By C. H. Causey Atty

Sept Rules 1881

Caused h.g.

M. Jones
vs
E Chr

C. W. Wright & wife

The judgment asserted
in this bill, has been
satisfied in full. -
M Jones

Witness
Robert R. Prentis
Oct. 14. 1891

M. Jones

vs & Chy notes

Claudius W. Wright + wife

1881 Sept: 3rd Summs. in Chy issued to Sept. Rules 1881

" " 5th: Bill & exhibits filed & decree nisi vs defts

" Octo: 3rd: Decree nisi confirmed & cause set for hearing on mo: of Pltff's Counsel.

Chéj notes