

1894-040

Nansemond Co. (Suffolk)

Chancery Causes: Laban Reed vs Admx of Dempsey Reed et al

Butler, King

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY - GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *Esther Reed, Administratrix of Dampsey Reed deceased, Peter Butler and Polly, his wife, John King and Martha, his wife, Abi, Rebecca and Cornelia Reed; the last three infants, under the age of twenty-one years.*

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* next to answer a *Bill in Chancery, exhibited against them* in the said Court by *Laban Reed*.

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this *30th* day of *August*, 1884, in the *107th* year of the Commonwealth.

Teste:

Peter B. Prentis Clerk.

Executed Sept 1st 1884 and a copy here of
delivered to each of the Withers named parties
dependents

J. T. Cox left for
J. L. Kelgham Sept

Curry, B. F.

John Reed

to Union in City

Esther Reed, Adm'r of
Reuben Reed's dec'd estate
to Sept. 1884

Pro: B. F. Curry

Curry

Virginia

At Rules, in the Clerk's Office of the Circuit
Court of Mansfield County, on Monday the
1st day of September 1884

Laban Reed

Complainant

Against } In Chancery.

Esther Reed, Administratrix of Dempsey
Reed deceased, Peter Butler and Polly his wife,
John King and Martha his wife, Ali, Rebecca
and Cornelia Reed, the last three infants,

under the age of twenty one years

Defendants,

On Motion of the Complainant by Counsel Peter B. Prentiss
is appointed Guardian ad litem, of the infant defendants,
in this suit, And it is ordered the said Guardian be
notified of his appointment by serving upon him
a copy of this order.

Teste:

Peter B. Prentiss. Clerk.

1884 September 1st: I hereby acknowledge service of the
foregoing order, and that I have received a copy of the
same.

Peter B. Prentiss,

John: W. Titman

Laban Reed

25th } In Chq:
Esther Reed Adm^y: dr
Dempsey Reed de'd Sal:

Order apptg: of due ad
lition.

Laban Reed

vs. J. S. Chey

Dempsey Reed deceased

This cause came on this day to be heard on the trial of the Complainants' return for confessed as to the adult defendants on whom process had been duly served, and they still failing to appear and plead, answer and demur thereto; on the exhibits filed with said bill; on the answer of the infant defendants by their Guardian ad litem; with general replication to said answer, and were argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that one of the Commissioners of this Court take, state and report to Court the following accounts:

1st. An account of the transactions of Eretus Reed, the Administrator of Dempsey Reed, deceased.

2nd. An account of the debts owing by said Dempsey Reed at the time of his death and for which his estate is now responsible, together with

Reed
vs. In ch
Reed vs. Reed

1884 Oct 11-

Reed decern

To be entered.

Geo. W. Reed

Reed vs. Reed for 10

the dignity and priority of said debts
3rd. An Account of the real estate
of which said Dempsey Reed died
seized and possessed, with the
annual and per simple values
of the same

Said Commissioner will also
report whether or not it will be
necessary to sell all or any por-
tion of the real estate of said dec-
edent to pay debts due, and will
report to this Court any matter
specially stated, deemed pertinent
by himself or which any of the
parties or interested may require
to be stated.

Laban Reed
vs

Ester Reed & others

It appearing that there has been no
order or proceeding for five years in
this cause, it is ordered that it be
stricken from the docket with leave
to reconstate within one year from
this date,

Laban Reed

W^d

Esther Reed tals

Dismissed under
the 5 years Rule

April 13th 1894

To be entered

CWJ

Entered in Chancery
Order Book
No. 2. Page 558

Labon Reed

Complainant

Against In Chancery.

Esther Reed, Administratrix of Deceased
Reed, Peter Butler and Polly his wife
John King and Martha his wife, Ali,
Rebecca and Cornelia Reed, the last three

infants, under the age of twenty one years. Defendants.

These ^{Infants,} Respondents answer and say, that so far as they
know, the Allegations and Statements contained in the
said Bill of Complaint may be true, but that being
infants and ignorant of their rights and interests
in the premises, they submit the same to the disposing
of the Court, and pray that no order or decree may
be made herein, inconsistent with their rights.

(signed) Peter B. Prender,

John and Letitia

Laban Reed
to S. J. Chy:
Esther Reed Adm: of
Dorothy Reed, dec'd Adm:

Answer of Infants'

Virginia

Household County, to wit:

In the Circuit Court for said County,

In Chancery

To the Hon^{ble} George Blow, Judge of said Court.

Humbly Complaining sheweth unto your honor, your orator Laban Reed of Household County, Virginia, on behalf of ~~himself~~ and all others, the simple contract creditors of Dempsey Reed late of the County aforesaid deceased, who shall come in and contribute to the costs of this suit;

That the said Dempsey Reed departed this life on or about the day of 1884 and was in his lifetime and at the time of his death justly and truly indebted to various parties in different sums of money, to wit: to the Commercial Bank of Suffolk in the sum of \$67.⁰⁰/₁₀₀, and to Joseph White \$6.⁰⁰, Warren White \$5.⁰⁰/₁₀₀, to the Treasurer of Household County for State and County Taxes \$12.²¹/₁₀₀, to J. S. Philkner \$8.⁰⁰/₁₀₀, to Dr. R. B. Baker \$10.⁰⁰/₁₀₀, to Daniel Brothman \$12.⁰⁰/₁₀₀, and others.

That the said Dempsey Reed was in his lifetime possessed of a small personal

estate, and also of a tract of land in
Harrison County containing
acres, more or less, adjoining
the lands of

and assessed on the Commissioners book
for the Upper ~~or~~ district, No 1 - for Harri-
son County at \$, and being so
possessed, departed this life on or about
the day of , 188 , intestate.
That on the day of , 188 , Esther
Reid, the widow of said decedent,
qualified as the Administratrix of his
estate, a copy of the order of qualifica-
tion being herewith filed marked "A".
And your orator further shews that
after the qualification of said adminis-
tratrix he ~~was~~ used every effort to
prevent a forced sale of said property,
and by earnest and assiduous labor obtain-
ed the means with which to pay off the
debt above mentioned together with
other smaller sums, and which said
administratrix Esther Reid promised
to repay to him - but which up to
this time she has wholly failed to do
and now refuses to adjust. That

Your orator has paid off the debt due
by the estate of the decedent at a great
personal sacrifice and being without
other adequate remedy is forced to
resort to a court of equity for pro-
tection and herewith files ~~the~~ the two
notes due ^{and paid by him to} the Commercial Bank
and his statement of moneys paid
to other parties -

That said decedent left at his death
a widow, the aforesaid Esther Reed and
six children, to wit. Polly, wife of Peter Butler
Martha, wife of John King, Laban Abi, Rebecca and Cornelia,
the last three infants

In consideration whereof since your orator
is without remedy save through the aid
of this Court, he prays that the said Esther
Reed, widow & admsr, Peter Butler & Polly his wife, John King & Martha
his wife, Abi, Rebecca and Cornelia -
be made parties defendant to this bill
and required to answer the same on
their corporal oath, the select in
their own proper person and the
infants through their guardian
ad litem -

That an account may be taken
by one of the Commissioners of this
Court of the transactions of said

Reverend an Administration of the
Also an account of all the debts
due by the said deceased at the time
of his death, or with which his estate
is properly chargeable.

Also an account of the real
estate of which said Joseph Reed
died seized and possessed, with
the annual and fee simple
value of the same.

And that all other and further relief
be granted your order in the premises
as to your honor shall seem meet
and the circumstances of the case
may require.

Latham Reed
By Counsel.

Latham Reed
vs G. Y. Chen
Esq. Reed's Adm'r

"Bill"

Mansfield Cir: Ct

Laban Reed

vs Chy. Notes

Esther Reed, Adm'g: of Oenpway Reed, dec'd Sal.

1884. Aug. 30th: Sum in Chy: iss'd to Supt: Rake, 1884

" Spt: 1st: Bill Le filed - Deane Mus vs about depts

" " " Peter B. Prentiss app'd g. h: as letam to
infants. who filed their answer to which
there was a genl: reply.

" Octo 16th: Deane Mus: confirmed & set for hearing

Chy. Notes

1 Dempsey Reid - est.
To Laham Reid
one note for

" " "
Coy acct for 1881

" " " 1880

Coffin

for white

women white

Phelhorn

To R. B. Baker

Samuel Brothers & Co.

Dr

\$41

46

5.21

7.00 -

10.

6.

5.

8.

\$128.21

Labam Reed
to Exhbs -
Dempsey Ruck adu