

1868 - 13

Santhampton County -

Bailey, Mary B (Cisner) ds. Bailey, William (Cisner) et al

Henry & Bailey Estate

Atkins Atkins
Alina Atkins, Bridge

(Estate Settlement)

Erastus M. &
Alice Ada

James Henry Bailey

Amphelia Bailey

Henry E Bailey, wife

Bailey & Co.

or

Bill

Bailey & Co.

1866 September Rules

To The Hon. Richard H. Baker Judge of the Circuit Court of San Francisco County
In Chancery sitting -

Most respectfully showing unto your Honor your Obedience May 13 Bailey & Son with the answer of May 9 Bailey. That her husband Henry D. Bailey a citizen of said County departed this life in the year 1866 having previously executed his last will and testament, which was duly admitted to record in the County Court of said County on the 18th day of December 1866, a copy of which is herewith filed marked "A" and prayed to be taken as a part of this bill and that your Honor as Judge of said Court qualified as above stated to wit: as an will appear by an affidavit from the record of said Court of said last will & testament, it will be shown that the testator bequeathed a portion of his real estate and as much if not all of his personal property or certain exceptions to his widow your Obedience during her life, the remainder of his estate of any kind to be divided among his wife and four children and other persons and his wife gave and bequeathed certain property to certain of his children in the following words "I the said Henry D. Bailey do hereby give and bequeath unto my daughter Mary the sum of one hundred and fifty

"dollar" - Your Chastity represents unto your Honor that the persons
included in its words "and of my daughter," are Olivia Alden, wife
of William Alden, an orphan child, Oliver Bailey, sister Ada Bailey and Stephen
Bailey, and that the said orphan children, as given to the said Alden daughters,
in consequence of the overthrow of the Confederates, in the last war, have
contrary to the expectations of the said father, as your Chastity is well
opined and believe, have entirely failed and become of no value, so that the
said three daughters of the said father and your Chastity are penniless, when
the sum of the said words of the last will and testament are to be obeyed,
will take the whole or more of said father's estate, which is contrary to justice
and good conscience, and contrary to the intention of the said father in
making said bequest. Your Chastity would guarantee that after the payment
of said will's expenses, and during the life of said father, said father's estate
from said father's child when said father is dead, and who was furnished
with said last will and testament, that your Chastity is advised that the said Henry, Edward
and said last mentioned child is entitled to some portion of his father's estate
paid to him by the other legatees. In tender consideration of your Chastity
as your Chastity's mission is nearly done, in course of God's will, she prays
that your Honor would by a decree instruct her as to the just and

equitable meaning ^{intention} of the said part with a statement. That your Honor
would direct an account to be taken showing what amount is to be paid
by each of the other legacies to the said Henry Edward Bailey. That your Honor
would make Wm. Edward Bailey, children, John & Olive his wife, (Charles
H. Allen, John, James, Henry, Stephen, and Henry Edward Bailey to
act for and for the parties in this Bill, and compel them to answer
the allegations of the same, and not set off the same which as Equity
may direct or as matters of law may require and as we say should your
Ordnance will ever pray

Passion J. S.

The children of Maria M. Allen, John, James, Henry, Stephen, and Henry Edward
Bailey in favor of J. H. Edwards their guardian and title to the property
Bill - Their respondents, J. H. Edwards their guardian and title
saying excepting to the said account to no such of said bill as they
are advised it is material for them to answer, answering any thing they
believe the allegations in the Bill to be true, but being informed under
the age of twenty one years, they have no business their interests in the
estate the protection of this Honorable Court, and having answered
they have no business to be dismissed

Baileys adme

to } Stat. Rules

Bailey & Co

In Southampton Circuit Court

Mary B. Bailey admy. with the will annexed of Henry D. Bailey dec.
against.

William Adicus Bailey, Adicus Atkinson and Olivia his wife, & Erastus at, Alice Ada,
James Henry, Amphelia & Kinney E. Bailey infants. by L.R. Edwards their guardian
ad litem.

1866. Aug 13. Summons issued to

" Sep R. Summons ret. Ex. on the Defts except Adicus Atkinson & wife. Bill filed.
L.R. Edwards assigned guardian ad litem to infant defts. Ans. of infants. Sum. Rep. Church.
Decree nisi v. Deft Wm. A. Bailey - New Sum. v. Dfts Adicus Atkinson & wife

" Oct. R. - Sum. is Atkinson & wife ret. Executed - Decree nisi v. Atkinson & wife - Bill
taken for confessed v. Wm. A. Bailey.

" Nov. R. Bill taken for confessed v. Atkinson & wife. Cause set for hearing as
to all the parties to

" Nov. T. Decree for act.

1867 March 28. Report.

" Nov. T. Rept. Confm. & decree to

1868 May. Decree to & cause removed from the Docket

Albany. Teste L.R. Edwards 64



Henry D Baileys

Will

Albany

Bailey

Baileys
to
Ex with Bill

I Henry D Bailey of Southampton County Va being perfectly
conscious of the uncertainty of human life do hereby make and declare this to
be my last Will and testament in manner and form following -

1st I give to my wife the Benjⁿ Washington tract of land during her
natural or single life. after her death or marriage I give the said
land to my youngest son James Henry. I also give her the use of all
household & kitchen furniture one bay horse - a sufficient quantity of corn
fodder, & bacon to last twelve months - also farming implements sufficient to
keep up the farm - also a sufficient number of hogs & cattle for said use -
upon the conditions that after her death or marriage the said property to
be sold and equally divided amongst all my children - The remainder of
my chattel & property I desire sold from the proceeds & other monies due
my estate all my just debts to be paid. I then give to each of my daughters
the sum of one hundred and fifty dollars - and the remainder of the money
if any, to be equally divided amongst all my children when the youngest
James Henry comes of age.

I give to my son William all of my lands lying North of Proctors
road - To my son Erastus I give the James Washington tract of land
all & reserves made previous to signing - Given under my hand and
seal this 23rd day of November 1859.

Signed in the presence of -

J. B. Kello

James W Freeman
Charles Sadler

Henry ^{his} D. Bailey (Seal)
mark

At a Court held for the County of Southampton on the 18th day of December
1865

This last will and testament of Henry D Bailey as was this day proved by the oath
of James W Freeman one of the subscribing witnesses thereto. And at a Court held for the said
County on the 16th day of April 1866 the said last will and testament was fully proved by the
oath of J. B. Kello also a subscribing witness thereto and ordered to be recorded

Test.

J. R. Edwards Clk

Executed Sep 24, 1866, by delivering a true copy
 of the within to Mrs Adkinson a member of
 A Adkinson family he being above sixteen
 old and explaining its nature A Adkinson
 being from home and his wife being quite
 sick and not in a condition to be seen
 R L Dotie Skiff.

Bailey's Exr

to
 { Mrs Sum. Ch.

Bailey J^d

1866 October Rules

Super

THE COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF SOUTHAMPTON COUNTY--GREETING.

WE COMMAND YOU to summon

Adicus Atkinson & Oliver his wife (jointly)
another time we have commanded you)

to appear at the Clerk's office of our

Deiunct

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 & theirs in our said Court by Mary
B. Bailey Executrix of Henry B. Bailey dec'd and in her own right

and have then there this writ. Witness LITTLETON R. EDWARDS, Clerk of our said Court, at the
Courthouse this 5 day of *September* 1866, in the 91st year of the Commonwealth.

L. R. Edwards

The Estate of Henry D Bailey decd. In Account with Mary B Bailey his Adm^r & with the will annexed

1866		Dr	Cr
Yang	To Paid Taxes for 1865	4 86	
	" " " " 1866	4 13	
	" " Sheriff's fees	3 00	
	" " Wm H Peltow Atty for motion to admit will to prob		
1867	" " and motion to qualify	10 00	
Yang	Balance due Adm ^r		21 99
1867		21 99	21 99
Yang	Balance due Adm ^r brought down with interest	\$ 21 99	

Respectfully submitted

Wm H Peltow Compt

An Account of the debts or demands outstanding against the estate of Henry D Bailey decd. Brought before and Wm H Peltow one of the Commissioners in Charge of the Probate Court of Davidson County arranged according to their dignities and priorities

3 ^d Class			
Debt due from the decedent as Adm ^r of Allen's Raiford d. d. Oct. 21 st 1863	30 23		
To amount paid distribut ^{es}	10 00		
Balance due	20 23		
Interest on Yang's 1867	3 85	24 08	
Account due to H Bailey Yang 1 st 1864	6 00		
Interest thereon to 1867	72	6 72	
Total amount of debts inclusion of interest to the 1 st day of Yang 1867		\$ 30 80	

Respectfully submitted

Wm H Peltow Compt

An Account of the value and amount of Chattels and Personal Property belonging to Henry D Bailey at his death, and coming to the hands of Mary D Bailey his Administration -

Henry D Bailey died about the 16th of January 1865 and the following property came into the hands of Mary D Bailey his Adminr, to wit:

\$1500.00 in Confederate currency worthless	
One bond on James W Freeman	\$30.00
2 Horses valued at \$70.00 and 2 cows at \$20.00 2 cows at \$20.00	\$110.00
1200 lbs pork valued at \$120.00 40 barrels corn valued at \$60.00	280.00
1500 lbs fodder valued at \$15.00 2 cows valued at \$20.00	35.00
Two tim & on shovel plough valued at \$4.00	4.00
2 yoke & 2 wood hoes valued at \$2.50 1 work skin \$10.00	12.50
2 axes & 5 plough hoes valued at \$2.50 6 axes \$1.70	5.00
1 pair \$2.00 red buggy \$21.00 looking glass \$6.00	33.00
4 birds valued at \$100.00 2 chairs \$2.00 clock \$2.50	104.50
Trunk \$5.00 6 window chairs \$3.00 8 stool \$4.00	7.00
1 cup board 8 chairs 2 mirrors 50 chairs	1.00
Loam - opening wheel \$2.50 3 chairs \$1.00	3.50
4 chairs \$1.00 10 chairs \$1.00 10 chairs \$1.00	15.00
Total value of property	\$776.50

Respectfully submitted
Wm H. Paddock Compt

An Account showing what amount of the Chattels and Personal Property of Henry D Bailey died is coming to the hands of Mary D Bailey for her portion

Given Commission on this point examined with copies in the neighborhood and would state that all the property personal and chattel coming to the hands of Mary D Bailey Administration is making to her up the same except the following articles, namely -

2 Bids valued at \$	50.00
One horse valued at \$	15.00
68 sheep	6.00
1 Buggy	25.00
8 chairs	4.00
Total value of property	\$100.00

An Account showing the value of each of the specific legacies and of the property bequeathed the widow during her natural life

Personal property bequeathed widow valued at	\$726.50
Real	300.00
Value of land given to William Bailey	180.00
Value of land given to William Bailey	255.00
Value of Home tract of land given to James Henry Bailey subject to the widow's life	600.00
The \$150. each given to Olivia, John and Mary Bailey out of monies belonging to the testator, and in full there being no money otherwise in his estate	

Respectfully submitted
Wm H. Paddock Compt

An Account showing what amount is to be paid by each of the legacies to Henry Edward Bailey the putative child -

Amount to be paid to Henry Edward Bailey by the putative child as his distribution

over

Amount to be paid by the widow	\$ 73 89
" " " " James Henry Bailey	85 65
" " " " Erastus N Bailey	26 50
" " " " William Bailey	25 77
Total amount to be paid	<u>\$221 81</u>

Respectfully submitted
Wm H Packer Compt

Commissioner's office
Jamestown March 28th 1867

To the Circuit Court of Southampton County -

Whereas a decree of the Circuit Court of Southampton County rendered on the 8th day of November 1866 in a case in chancery then depending between Henry B Bailey Administrator of H D Bailey dec; Plaintiff and William Bailey & others Defendants one of Commissioners of said Court to whom was referred for settlement by said Court the following account to wit: 1st the account showing the value and kind and amount of chattels and personal property belonging to the estate of said dec'd and coming to the hands of Henry B Bailey his Administrator 2nd the account showing what amount of said chattels and personal property is necessary to keep up the farm and household of the widow for this season. 3rd the account ascertaining the value of each of the specific articles and of the property found in the estate during the actual life 4th the account showing what amount is to be paid by each of the parties to Henry Edmund Bailey as putative child. 5th the account of the expenditures of Henry B Bailey since the death of H D Bailey dec'd 6th the account of the debts outstanding against the

Return of Henry D Bailey distinguishing their dignity and
priorly report to the Court Mason on the 30th day of January
last. He issued notices against the parties aforesaid, requir-
ing them to attend the settlement of said accounts
before him at his said office on the 18th day of March, which
were returned examined to your Commissioner. That the parties
aforesaid appeared before him in obedience to the notices, and
he thereupon examined the vouchers and titles and attested
the foregoing accounts marked "A" of Henry B Bailey, trans-
actions as agent of Henry D Bailey, deed, one marked "B"
of the debts outstanding against the said Bailey, estate,
and also four other accounts marked respectively "C"
"D" "E" "F" all of which are made part of this report. The
Commissioner further reports that after completion of
said accounts, he retained the same in his office ten
days for the examination of parties, and no exceptions being
then filed, the said accounts, together with notices, &c are
hereby returned to Court.

Given under my hand as Commissioner aforesaid
this 25th day and year aforesaid
Comp^d for \$25.00 }
Chas^r H. Abbott

Wm H. Parker Clerk

Bailey, Stuart
vs
Bailey, Jc } Compt
Report

1867 March 28th

Chas. B. Brown & Co.

Bailey Mount

is

Bailey & Co

Compt. Reports

1868 Apr 3^d

Commissioner's Office
Journals April 28 1868

To the Clerks Court of Southampton County.

Present

In a decree of the Clerks Court of Southampton County
rendered on the day of November term 1867, in a case
in equity depending in said Court between Mary
B Bailey Adm^r of Henry B Bailey dec^d, Plaintiff and
Wm Adkins Bailey and others, defendants. At
undersigned one of the Commissioners of said Court,
to whom was referred for settlement by said decree
the accounts of the transactions of Mary B Bailey as
Adm^r of Henry B Bailey dec^d, and also directing
him to correct certain errors in accounts
marked "B" in a former report, reports in Court
that that on the 15th day of May 1868, he issued
notice, against the several parties aforesaid
requiring them to attend in settlement of
the said accounts before him at his said office
on or before the 15th day of June 1868, which were returned to your
Commissioner duly executed. That the parties
aforesaid appeared before the Commissioner
in obedience to said notice, and he thereupon
received and settled the two foregoing accounts
marked respectively "A" & "B" - The Commissioner
further reports to the Court that after completion
of said accounts, he retained the same in his office
several days for examination of the parties, which with
the decree and notice aforesaid are herewith
returned. Given under my hand as Clerk,
aforesaid at day and year aforesaid

Comp: Fee \$10.00
Ag^t to Court

Wm B Butler
Clerk

"A"

A further account of Mary B Bailey Treasurer
 Com as Adm^t of Henry D Bailey and

1867		Dr	Cr
1868	Balance due Adm ^t as per last report of Com ^r Willow	21 99	
July 12	To one year interest on last year's balance	1 31	
1867	To Balance due Adm ^t		23 30
		23 30	23 30

1867	July 12 To Balance due Adm ^t brought down with interest on \$21.99		
	part thereof from this date till paid	\$ 23 30	

Respectfully submitted

Wm H Willow Com^r

"B"

An account showing what amount of
 chattels and personal property of Henry D Bailey
 and is necessary to keep up at farm and house
 in Mary B Bailey for that purpose (retained)

Your Commissionaries would report
 that striking out the two beds valued at
 \$60.00 and the night chair valued at
 \$4.00 which are located in the window, that
 the account "D" will stand corrected thus

One horse valued at	\$ 15 00
Six sheep	6 00
One buggy	25 00
Total value not needed for farm	\$ 46 00

Respectfully submitted

Wm H Willow Com^r

Commissioner's office
Jamestown April 22 1868

To the Circuit Court of Southampton County.

Shirley

In a decree of the Circuit Court of Southampton County rendered on the day of November 1867, in a suit in chancery depending in said Court between Mary B Bailey Adm^r of Henry B Bailey dec^d, Plaintiff and W^m Adams, Bailey and others, defendants. The undersigned one of the Commissioners of said Court, to whom was referred for settlement by said decree the accounts of the transactions of Henry B Bailey as Adm^r of Henry B Bailey dec^d, and also directing him to correct certain errors in accounts marked "D" in a former report, reports to Court that that on the 15th day of May 1868, he issued notice, against the several parties aforesaid requiring them to attend the settlement of the said accounts before him, at his said office on the 25th March 1868, which was returned to said Commissioner duly executed. That the parties aforesaid appeared before the Commissioner in obedience to said notice, and he thereupon received and audited the two foregoing accounts marked respectively "A" & "B" - The Commissioner further reports to the Court that after completion of said accounts, he retained the same in his office for days for examination of the parties, which with the decree and notice aforesaid are herewith returned. Given under my hand as Commissioner aforesaid on day and year aforesaid

Comp: Fee \$10.00
Ag^d to Adm^r

W^m B. Butler
Comp^r

Personally appeared before me M. D. Butler a Justice
of the peace for the County of Southampton John Skello
and made oath that he did on the 29th of August 1866
deliver to H. A. Bailey, Ernestus A. Bailey, Lucretia A. Bailey, Alice
Ada Bailey, Amphelia Bailey, & Henry E. Bailey, each a copy
of the within summons

Given under my hand this 1st day of Sept. 1866.

M. D. Butler JP

Bailey & Co

at Summery

Bailey's

1866 September Rules

Adams witnesses & others
his wife are not residents
of my County

J. Skello JP



THE COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF SOUTHAMPTON COUNTY--GREETING.

WE COMMAND YOU to summon *Wm. A. Bailey, Adicus Atkinson & Olivia*
his wife, Erastus N. Bailey, James H. Bailey, Alice Ada Bailey,
Auphelia Bailey & Minney E Bailey

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 *September next* to answer a
bill in chancery exhibited against them in our said Court by Mary B Bailey
Executrix of Henry D Bailey decd and in her own right

and have then there this writ. Witness LITTLETON R. EDWARDS, Clerk of our said Court, at the
Courthouse this *13* day of *August* 186*6*, in the *9th* year of the Commonwealth.

L R Edwards Clk

1866

Presented by Verbal Notice on A. M.
Olivia Adkinson Nov 14th, 86th
R L Dolie snp
Surrogate.

Fee \$1.06

Admission with Adkinson

Admission

COMMISSIONER'S OFFICE,

JERUSALEM, January 30th 1867

1867

To Mary B Bailey Adm^r with the will annexed of Henry D Bailey dec^d Plaintiff

vs W^m Adieus Bailey, Adieus, Stinson and Olivia his wife, Executors, v. Adieus, Ida, James Henry, Sophia and King Edward Bailey infants by L R Edwards their guardian and Stinson - Defendants

You are hereby notified that I have fixed upon the 15th day of March next, if fair, if not, on the next fair day thereafter, (Sunday excepted,) to take and settle, at my office, the following accounts, to wit:

- 1st An account showing the value and amount of estate and personal property belonging to the testator at his death and coming to the hands of Mary B Bailey his Adm^r - 2nd An account showing what amount of said estate and personal property is coming to her up to the form and round to the widow for that purpose - 3rd An account ascertaining the value of each of the specific legacies and of the property round to the widow during her natural life - 4th An account showing what amount is to be paid by each of the legacies to Henry Edward Bailey the putative child - 5th An account of Mary B Bailey's transactions as Adm^r of Henry D Bailey dec^d - 6th An account of all the debts outstanding against the estate of Henry D Bailey dec^d

required to be taken by a decree of Southampton Circuit Court, rendered on the 7th day of November 1866, in a suit in Chancery, depending in said Court, in which you are parties, plaintiffs, and defendants; at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery of the said Court, the day and year first afore said.

W^m H Prettlow

Commissioner.

To the Sheriff of Southampton County to execute.

Bailey Adm't

is } confirmation

Bailey &c

Executed Feb 14th 1867
of Mary B. Bailey & the
A. Bailey by delivering a
copy to each - F. Adams
Adams not a resident
of the County

W. G. Holmes Secy
for S. Keels Shff

COMMISSIONER'S OFFICE

COMMISSIONER'S OFFICE,

JERUSALEM,

January 30th 1867

To Mary B Bailey Adm^r with the will annexed of Henry
O Bailey dec^d Plaintiff
vs Wm Adrien Bailey, Adrien, Simon and
Olivia his wife, Executors with Allen Allen James
Henry, Amelia and Henry Edward Bailey
infants by L R Edwards their guardian and
lit^m Defendants

You are hereby notified that I have fixed upon the ~~15th~~ ^{9th} day of March next, if fair, if not, on the next
fair day thereafter, (Sunday excepted,) to take and settle, at my office, the following accounts, to wit:

- 1st An account showing the value and amount of chattels
and personal property belonging to the testator at his death
and coming to the hands of Mary B Bailey his Adm^r.
- 2nd An account showing what amount of said chattels and personal
property is necessary to keep up the farm and to be used to the widow
for that purpose.
- 3^d An account ascertaining the value of each of
the specific legacies and of the property bequeathed to the widow during her natural
life.
- 4th An account showing what amount is to be paid by each of
the legacies to Henry Edward Bailey the putative child.
- 5th An account of Mary B Bailey's transactions as Adm^r of Henry O Bailey.
- 6th An account of the outstanding debts against the Estate
Henry O Bailey dec^d.

required to be taken by a decree of Southampton Circuit Court, rendered on the 7th day of November
1866, in a suit in Chancery, depending in said Court, in which you are parties, plaintiffs, and defendants; at which time
and place you are required to attend.

Given under my hand as Commissioner in Chancery of the said Court, the day and year first afore said.

Wm H Patterson

Commissioner.

To the Sheriff of Southampton County to execute.

Nov 10. 1868 Delivered a copy of the
Within to Mrs Adkinson wife of Alvin
Adkinson, explained its nature to her.
Mr Adkinson being absent from home.

R. M. Dobie Esq
for R. L. Dobie Esq

Can. J. M. T. in

Bailey & Co
Bailey & Co

COMMISSIONER'S OFFICE.

Jerusalem, *Young* 15th 1868

To *Mary B Bailey Adm't with the will annexed*
of Henry D Bailey died

vs
Wm Addison Bailey, Addison Atkinson and Olivia
his wife, Executors of the will of James Henry
Amptelia and Henry Edward Bailey infants
by L B Edwards their guardian ad litem

You are hereby notified that I have fixed upon the 18th day of *March* next, if fair,
if not, on the next fair day thereafter, (Sunday excepted,) to take and settle, at my office, the follow-
ing accounts, to wit: *a further account of Mary B Bailey's*
transactions as Adm't of Henry D Bailey died

required to be taken by a decree of Southampton Circuit Court, rendered on the 7th day of
November 1867, in a suit in Chancery, depending in said Court, in which you are
parties, plaintiffs, and defendants; at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery of the said Court, the day and year first aforesaid.

Super

Wm H. Willow

Commissioner.

To the Sheriff of *Southampton* County to execute.

Bailey, Adm^y
n
Bailey &c

Comp^y notice

Execution on Mary B Bailey
Wm A Bailey & L. R. Edwards
March 12. 1868 by delivering
to each a copy

H. G. Holmes Dep^y
for S. Wells Chff

COMMISSIONER'S OFFICE,

Jerusalem, Jan'y 15th 1868

To Mary B Bailey Adm^t with the will annexed of
Henry B Bailey decd

vs

Wm Adkins Bailey, Adkins, Atkinson and Oliver
his wife, Exors, M. Allen Adm, James Henry,
Amphelia & Henry Edward Bailey in part by
Jr Edwards their Guardian ad litem

You are hereby notified that I have fixed upon the 18th day of March next, if fair,
if not, on the next fair day thereafter, (Sunday excepted,) to take and settle, at my office, the follow-

ing accounts, to wit: A further account of Mary B
Bailey's transactions as adm^t of Henry B
Bailey decd.

required to be taken by a decree of Southampton Circuit Court, rendered on the 7th day of
November 1867, in a suit in Chancery, depending in said Court, in which you are
parties, plaintiffs, and defendants; at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery of the said Court, the day and year first aforesaid.

Com^r A Patton Commissioner.

To the Sheriff of Southampton County to execute.

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examined, state, settle, and make return
thereof to this Court, with any matter specially
stated by himself, or which may be required
to be so stated by any of the parties

Bailey a

¹¹
Bailey ~~vs~~ ^{vs} ~~the~~ ^{the} ~~State~~ ^{State}

This day this cause came on again
to be heard on the papers formerly read, and on
the report of Compt. Patterson made pursuant
to a direction order entered in this cause
at the November term of this Court 1867
and was argued by counsel. On consideration
whereof the Court doth adjudge, order, and
decree that that part of the Commissioners
report marked "F" showing what amount
is to be paid by each of the legatees to Henry
Edward Bailey as put in and child be
confirmed, and that the widow Mary B Bailey
pay to the legatee ^{successor} of Henry Edward
Bailey the sum of \$73.89, and that James Henry
Bailey pay the sum of \$85.65 in the same,
and that Erastus N Bailey pay to the same
the sum of \$36.50, and that William
Bailey pay to the same the sum of \$25.77,
it being the respective amounts apportioned
against each of ^{them} in account "F" of Com-
missioners report. And the Court doth further
adjudge order and decree, that one of the
Commissioners of this Court, retain the
account marked "D" in account returned
by Compt. Patterson, and in so doing be is
directed to commit money in said account in
including 2 beds valued at \$50.00 and 8 chairs
valued at \$4.00, amongst the articles not
necessary for the widow to keep up the farm.
And the said Commissioner is also directed to
retain a further account of Mary B Bai-
ley's transactions as administratrix of Henry D Bailey
decd, which said accounts, he is directed to

Bailey Adm^r

or

Bailey &c

Deere

This cause this day came on to be heard, on the bill of the Plaintiff taken for as to John Adieus Bailey, and A Skimmon and wife, on the answer of the infants defendants, James N. James Henry, Sophia, Alice Ada, and Henry Edward Bailey, and general application thereon, on exhibit, and was agreed by Council - on consideration whereof the Court doth adjudge, order and decree that one of the Commissioners of this Court take the following Accounts. 1st An Account showing the value, and amount of chattels and personal property belonging to the testator at his death and coming to the hands of Mary B Bailey his Adm^r - 2nd An Account showing what amount of said chattels & personal property is necessary to keep up the parson, and house to the widow for her purpose - 3^d An Account ascertaining the value of each of the specific legacies, and of the property bound to the widow during her natural life - 4th An Account showing what amount is repaid by each of the legacies to Henry Edward Bailey the petitioner cited - 5th An Account of the transactions of Mary B Bailey Adm^r of Henry D Bailey decd - 6th An Account of the debts outstanding against the estate of Henry D Bailey decd, distinguishing their dignity & priority, which said Accounts the said Commissioners is directed to take and settle and make report thereof to this Court, with any matters specially stated decreed by

1888

Handwritten text in Arabic script, likely a letter or document, covering the left side of the page.

Build
Bingy
May 1888
To the editor
A. H. Baker

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Bailey v
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This day this cause came on again to be heard on the papers formally read and on the report of Commissioner Sullivan made pursuant to a similar order entered in this cause at the November Term 1867, to which ^{part} two exceptions have been filed, and was argued by counsel. On consideration whereof the Court confirming said report doth adjudge order and decree that the balance due to the administratrix, to wit: Eight Dollars and ten cents together with the costs of this cause be paid out of the personal property assigned to the widow as hereupon directed, and the Court doth further adjudge, order and decree, that the surviving legatee, namely Olivia Bailey Atkinson formerly Bailey, Sophia Bailey and Alice Adair Bailey, upon a fair construction of the will of the testator, and the report of the Commissioner as in this cause, are entitled to nothing by virtue of the said bequest to them, because as appears by the record in this case, there appears to be no property out of which, the said legacies can be paid, inasmuch as the lands specifically devised to the testator's sons are not liable for the same upon a proper construction of said will, and inasmuch as the personal subjects assigned to the widow for life as aforesaid, upon her death is given to the all the children of the testator, some and some alive, there remaining nothing further to be done, this cause is removed from the docket.

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