1879-12 Southampton County Chancery ~ Mason, Wm. T. (Estate) vs Mallory, William et als

obtain a decree for sale of Real Estate

Dodson, Daniel (adm.)
Goodwyn, W. S.

Mangum, James H. (adm.)
Mallory, Wm.
" , Sally
Day, William
" , Mary Ann
Mason, L. W. (Trustee)

Mason's Admr &c

vs } Papers

Mallory's admr &c

Prince & Goodwyn
P. Q.

Masonry adm: ac

$\frac{3}{2}$ $\frac{3}{3}$ Bill of Exhibits

Miscellaneous adm: ac

1861 January February Rules

(1404 words)

To the Hon. Judge of the Circuit Court of
Southampton County — In chancery sitting

Humbly complaining shew to your Complainants, David Dodson adm. of William Williams dec'd. and N. L. Goodrich, who sue in behalf of themselves and other creditors of William Madday dec'd; who may from time to time come in and contribute to the expenses of this suit that sometime since, to wit in 1860 the said William Madday died intestate; and indebted to your complainant Dodson adm. of N. L. Mason, in the sum of $ with interest on $ from the day of in the year due by judgement of the Circuit Court of the County aforesaid, as will appear from a copy of the same herewith filed; and to your complainant N. L Goodrich in the sum of $17.30 with interest from the 1st January 1844, as will appear from the bond of said Madday herewith filed — that previous to the death of the said Madday, in the year , he executed to L. M. Mason trustee, a deed of trust conveying all the property, at that time owned by him, for the benefit of certain creditors therein specified, and among others your complainants, to be paid in the order in which they are therein named; which said deed of trust was regularly recorded in the Clerks office of Southampton County, and herewith filed as part of this bill; and your complainants are advised that all the debts provided for in the said deed, have been paid by the said Madday in his lifetime, save those due to your complainants. Your complainants further state that subsequent to the date of the deed of trust above mentioned, the said Madday acquired other real estate, and at his death, was possessed of a tract of land in the County aforesaid, containing about 256 acres; the land conveyed in the deed aforesaid, being part of the same the said tract adjoining the lands belonging to the estate of Solomon Parker, the lands of W. G. Clements and others that James H. Mangum has qualified as adm. of the said Madday, and executed bond as required by law; and that the said Madday, at his death, left a widow, Sally, who is entitled

to dower in the real estate; and one child, Mary Shaw, the wife of William Day, who resides out of the State, to wit: Iowa. In consideration of the facts hereinbefore stated, your complainants and that the personal estate of the said Malloy is insufficient for the payment of his debts. In consideration of the facts before stated, your complainants pray that James H. Thompson adm'r of William Malloy, Sally Malloy and William Day and his wife Mary Shaw, and L. N. Musselman as aforesaid, be made parties defendants to this bill, and that they answer the same that your Honor will decree a sale of the real estate aforesaid, after assigning to the said Sally Malloy her dower therein. That the proceeds of sale of the property conveyed in the deed of trust aforesaid, be first applied to the payment of the debts therein provided for, which are unpaid and due, in the order as specified in said deed. That an order of publication may be made against the defendants William Day and his wife Mary Shaw, who are non residents of the State; and that your Honor will grant such other and general relief as your complainants in justice and equity may require, and they will, as in duty bound, ever pray &c.

N. S. Goodykoontz for
Pltffs.

Masons answ^d

Ex^s with bill

Mallorys answ^r

This Indenture made and entered into this 17th day of October 1849 between William Mallory of the County of Southampton of the first part L.W. Mason of the County of Sussex of the second part and Joseph H Parker, Grief Wood, Thos. P. Hunnicutt, Elizabeth Little, Thomas M Newsom and Cuthbert D Barham, James E Peters, Howell Ferguson, Margaret Nicholson, Patsey Newsom, Gregory & Potts, David R Newsom, William Harris, Wm. S. Goodwyn, William T Mason of the third part. Whereas the said William Mallory is justly indebted to Joseph H Parker in the sum of one hundred and fifty dollars due by note, to Grief Wood in the sum of forty dollars to Thos P Hunnicutt in the sum of twenty two dollars, to Elizabeth Little the sum of nine dollars Thos M Newsom and Cuthbert D Barham the sum of twenty dollars and fifty cents, to Jas E Peters in the sum eighty eight dollars and fifty cents to Howell Ferguson the sum of twenty dollars to Margaret Nicholson in the sum of ten dollars, to Patsey Newsom ten dollars to Gregory & Potts in the sum of two hundred and fifty seven dollars and thirty two cents to David R Newsom in the sum of twenty five dollars. to Wm Harris in the sum of ten dollars, to Wm. S Goodwyn in the sum of seventeen dollars. to Wm T. Mason in the sum of two hundred and forty five dollars - And Whereas the said Wm Mallory is willing and desirous to secure the payment of the said debts above named. This Indenture therefore Witnesseth, that for and in consideration of the premises and of the further sum of one dollar to him in hand paid by the said L.W. Mason the receipt whereof is hereby acknowledged, he the said Wm Mallory hath granted, bargained and sold and do hereby, grant, bargain and sell unto the said L.W. Mason his heirs and assigns that certain tract or parcel of land situate in the County of Southampton containing One hundred and forty five acres and bounded by the lands of Robert F. Parker, Grief Wood and Louisa Parker, together with the appurtenances. also the following property to wit One sorrel horse, twelve head of cattle, thirty one sheep, thirty two hogs, one buggy, two carts, one large spot, also all of my household and kitchen furniture of every description, also my plantation utensils, my crop of corn and eight stacks of fodder and one stack of blade and all the debts of every description due me. To have and to hold the said land and its appurtenances and the said personal property above named to him the said L.W. Mason his heirs and assigns forever. Upon trust, Nevertheless, that if the said Wm Mallory shall well and truly pay the above named debts on demand then these presents are to be void otherwise it shall be the duty of the said L.W. Mason after having advertised the time and place of sale for ten days previous thereto sell to the highest bidder for cash the property herein named and after paying the expenses of this trust pay the debts herein named in their order as set forth in this deed, and the balance pay to Wm Mallory. In Witness whereof the parties have hereunto set their hands and affixed their seals the

day and date above named.

Wm Mallory (Seal)
L W. Mason (Seal)
(Seal)
(Seal)
(Seal)

Southampton County, to wit: In the Clerks Office the 7th day of November 1849.
This Deed of trust between Wm Mallory of the first part. L.W. Mason of the second part and Jos. H. Parker & others of the third part was acknowledged by said Mallory and admitted to record.

Teste

L.R. Edwards Clk

A Copy

Teste. L.R. Edwards Clk

(Clks fee 48¢)

Southampton Circuit Court. November 12th. 1860

Daniel Dodson administrator of William T Mason dec'd Pltff
against
James St Mauguin administrator of William Mallory dec'd Dfts } Pltfs debt & Sci. fa.

The judgment obtained in the office not having been set aside and the plaintiff being now entitled to a final judgment it is therefore considered that the plaintiff may have execution against the defendant for two hundred and forty five dollars and ninety cents with legal interest thereon from the 17th day of February 1845 till paid, the debt and interest and $7.35 the costs in the writ aforesaid specified. and also that the plaintiff recover against the defendant his costs by him expended in suing for the and prosecuting this writ. to be levied of the goods and chattels of the decedant in the hands of the defendant to be administered. And the said Defendant in Mercy &c.

Pltffs Costs $6.12.

A Copy

Teste L.R Edwards Clk

(Clks fee 20¢)

Mason adm^{r}

vs. } Copy Decree

Mallorys adm^{r}

1861.

Southampton Circuit Court May 2d 1861.

Daniel Dodson adm: of William T Mason dec'd and William S Goodwyn who sue on behalf of themselves and all other Creditors of William Mallory dec'd who may prove their debts and contribute to the expenses of this suit. Plaintiffs

against

James H. Manqum adm: of William Mallory, Sally Mallory William Day and his wife Mary Ann & L. W. Mason. Defendants

In Chancery

The bill of the plaintiffs having been taken for confessed at the Rules as to the defendants James H. Manqum adm: of William Mallory, Sally Mallory and L. W. Mason, and it appearing to the Court that the plaintiffs have pursued the mode prescribed by law against absent defendants as to the defendants William Day and his wife Mary Ann, who still failing to appear and answear. and the cause coming on to be heard on the bill and exhibits filed therewith, and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that a Commissioner of this Court State the following accounts. to wit. 1st. An account of the transactions of James H. Manqum as adm: of William Mallory, showing what amount if any, was derived from the proceeds of Sale of property conveyed in the deed of trust executed to L. W. Mason trustee by William Mallory, bearing date the 17th October 1849 - a copy of which is filed in the papers of this cause - 2d. an account of the absolute and annual value of the real estate of which William Mallory died, seized and possessed - 3d. an account of all outstanding claims against the estate of William Mallory and their dignity, specifying such as are provided for in the deed of trust above named - Which said accounts the said Commissioner is directed to audit, state and report to Court with any matters specially stated which may be required by either of the parties or which he may deem pertinent.

A Copy

Teste L R Edwards cc

So. amptон Co. Va wit.

This day Jas. H Chapman made oath before me to the written statement given under my hand this 6th day of Nov. 1867.

John B Pattan J.P.

Marquis's
Statement
Dunn Matters
Depositions & Examinations
(X)

Mason's adm'r. } Dft's. } In Chancy.
vs
Mallory's adm'r. } Dft's. }

I answer & Mangum adm'r of Wm Mallory. dec'd that he should not be held responsible for the balance due on his adm'r account, as reported by Comm'r Parker & Edmund in this cause.

1st Because although charged with the account of Sales which fell due on 1st Oct 1861. as of that day. yet the same was not collected, until 1862. and 1863. except very small sums. which the same was paid to him in Confederate money. the only money. That was in circulation. That he can not state, at what particular date, he rec'd the debts due to his intestate, but they were collected or else stood in the years 1862-3- except a small claims, amounting in the aggregate to about $100.

That after the collection of the claims due to his intestate. he could not pay over the same to the creditors, because, the intestate himself was not able to pay all the demands against it. a bill was filed and decree rendered to ascertain the creditors, in order to a division of the assets according to law. [redacted] retained the money in his hands to meet the decree which should be rendered, for that purpose.

The decree ended: the money failed, in the hands of Mangum. He was insolvent. and so now is. That the Comm'r of this Court may ascertain at what time, he rec'd the debts due to his intestate & the circumstances, under which. the money was retained by him.

He has no objection to account for the sale.

Jas. H. Mangum adm'r of
Wm Mallory

Masons adm ys

to Ex. Pub:

Mullorys adr ys

Copy posted up at the front door of
Ct House Feby. 6. 1861

At Rules held in the Clerks Office of the Circuit Court of Southampton County on the 4th day of February 1861.

Daniel Dodson admr. of William T. Mason dec. and W. L. Gordwyn who sue in behalf of themselves and other creditors of William Mallory dec who may prove their debts and contribute to the expenses of this suit. Plffs

against } In Chancery

James M Manguen admr. of William Mallory, Sally Mallory, William Day and his wife Mary Ann and L. W. Mason Trustee Defts

The object of this suit is to obtain a decree for the sale of the real estate conveyed in a deed of trust (a copy of which is filed as an exhibit with the bill) executed by William Mallory in his lifetime to the defendant L. W. Mason trustee for the benefit of certain creditors therein specified reserving to the defendant Sally Mallory her dower therein - and the proceeds of sale to be applied to the payment of the debts provided for in said deed of trust which are unpaid and due, in the order as specified therein. And it appearing by affidavit filed that the defendants William Day and his wife Mary Ann are not residents of this state on the motion of the plaintiffs by their attorney it is ordered that they do appear within one month after due publication of this order and do what is necessary to protect their interest, and that a copy of this order be published once a week for four weeks successively in some newspaper published in the City of Petersburg and posted at the front door of the Courthouse of this County on the first day of the next County Court thereof.

A Copy

Teste. L R Edwards Clk

Mason's Admr
vs
Commrs
Report.
Mallory's Admrx
"
"

1872. May

Commissioners Office.

Jerusalem Va. May 6th 72.

To the Judge of the Circuit Court of Southampton County.

Pursuant to a decree of this Court in the Chancery suit of Mason's Adm'r &c. plaintiff against Mallory's Adm'r &c., entered at the November Term 1871. the Undersigned, one of the Commissioners of this Court, to whom was referred, by said decree "to enquire into & report to Court at what time J.H. Maupin, Adm'r of Wm Mallory dec'd received the debts due the Estate of his testator, the circumstances under which they were received, and what disposition was made of them" respectfully reports as follows. That he has made enquiry of the Adm'r of J.H. Maupin dec'd, to learn if he could find any evidence among the books & papers of the said Maupin, as to what time the debts above mentioned were received, and was informed by him that he could find nothing. The only evidence that your Commissioner has been able to obtain after much inquiry, is the report of the Commissioner heretofore filed & which has been confirmed; this report shows that the balance due the Estate Jany 1st 1862 was $496.78. and that the accounts of Sales were due Oct 1. 1861. Your Commissioner finds among the papers of this cause, a Sworn statement of J.H. Maupin (marked X) in which it is stated that, altho' the account of Sales were due Oct 1. 1861. yet only a very small part of them were

Comm'r Rep. Ala. Claims to Plaintiff's Exhibit

actually received by him, at that time, but that they were paid along at different times, during the year 1862-63, in what was then known as Confederate States Currency.. But your Commissioner cannot find from any source, that the said Mangum ever, at any time, took any steps to collect the said amount, so that he might not be charged with what he had not really received, nor can he find that he ever applied for any order to invest the same, when received, to the credit of this Estate, or that he kept this money, so that it might be identified as the property of his intestate.. On the other hand, the facts are, so far as your Commissioner has been able to ascertain, that no investment was ever made, and no trace of this money or any part thereof has been discovered among the papers of the said Mangum; not even the Confederate money itself, if granting the statement of Mangum, it was received in this particular kind of Currency.. Your Commissioner is therefore induced to believe, that, J.H. Mangum was justly indebted to the Estate of Wm Mallory in the sum of $496.78 as of Jany 1. 1862, and that the money received by him on account of said Estate was appropriated to other purposes than the payment of the debts of his intestate. Given under my hand as Commr the day & year first above written.

L.R. Tyler. Commr

Masons adm^{r} &c

v. } Sci. fa.

Mallorys adm^{r} &c

1871 September Rules

Acknowledge
Service of this
Summons
W. D. Briggs

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY--GREETING:

WHEREAS Daniel Dodson admor: of William T. Mason dec'd & W. S. Goodwyn who sue on behalf of themselves and all other Creditors of William Mallory dec'd. who may prove their debts and contribute to the expenses of this suit

heretofore exhibited to our Circuit Court of Southampton County, sitting in chancery, their bill of complaint against James H Mangum admor: of William Mallory dec'd Sally Mallory & William Day & his wife Mary Ann & L W. Mason

whereupon sundry proceedings have been had, as appears from the records and files of the said court, but before a final decree could be pronounced in the cause, the said James H Mangum & Sally Mallory have departed this life and administration on the estate of James H Mangum has been committed to the hands of W H Mitchell Sheriff of the County of Sussex, and administration on the estate of the said William Mallory unadministered by the said James H Mangum has been committed to Wm W. Briggs Sheriff of the County of Southampton - and administration on the estate of Sally Mallory has also been Committed to the hands of Wm W. Briggs Sheriff as aforesaid - the said L. W. Mason has also departed this life and administration on his estate has been granted unto — Robert Mason in due form as we are informed —

And the said Daniel Dodson admor: & W. S. Goodwyn having supplicated us for a proper remedy in this behalf, and we being willing that what is right and just should be done: Therefore, we command you that you make known according to law to the said W H. Mitchell Sheriff & admor: of James H Mangum, Wm W Briggs Sheriff & admor de bonis non of Wm Mallory dec'd & as admor. of Sally Mallory dec'd & Robert - Mason admor: of L W. Mason dec'd

that they be at the Clerk's office of our said Circuit Court, at the rules to be holden for the said court on the first Monday in September next, to shew cause, if anything, for themselves they — have or know to say why the said suit should not be proceeded into a final decree against them in their characters aforesaid

and be in all things in the same plight and condition as it was at the time of the of decease the said J. H. Mangum, Sally Mallory & L W. Mason

and further to do and receive what our said Court shall in that part consider. And have then there this writ.

Witness, OSWIN WHITE, Clerk of our said Court, at the Courthouse, this 28 — day of July — 1871, in the 96 year of the Commonwealth.

O White Cl

Masons adr Qr

v. 3 Comr: bond

Mallorys adm

Know all men by these presents that we James H. Mangum & Thomas J Wrenn are held and firmly bound unto the Commonwealth of Virginia, in the just and full sum of Five hundred dollars, to the payment whereof well and truly to be made, we bind ourselves, our heirs, executors and administrators jointly and severally firmly by these presents, Sealed with our seals and dated this 17th day of December A D 1866

The Condition of the above obligation is such that whereas at a Circuit Court held for the County of Southampton on the 9th day of November 1866, by a decree of the Circuit Court, entered in a suit in Chancery therein pending in which Daniel Dodson admr. of Wm T. Mason & others were plaintiffs and James H Mangum admr. of William Mallory dec'd & others Defendants, the above bound James H Mangum was appointed a Commissioner to make Sale of certain lands therein referred to. Now if the said James H Mangum shall faithfully perform his duties & trusts under the said decree and under such other decrees as may be hereafter entered in the said suit then the above obligation to be void or else to remain in full force and virtue.

Ja's H. Mangum (Seal)

T. J. Wrenn (Seal)

In the Clerks Office of the Circuit Court of Southampton on the 17th day of December 1866

The above bond was acknowledged by the obligors thereto and Thomas J Wrenn the security thereto made oath that estate after the payment of all his just debts is - worth the sum of five hundred dollars, the penalty of the said bond as he verily believes.

LR Edwards clk

Masons act &c

vs } Affr.

Mallory act

Southampton Circuit Court Clerk Office Jany 20. 1861

This day personally appeared before me, B. L. Goodwyn who made oath that Willis Day and his wife Mary Ann are non-residents of the State of Virginia. Given under my hand this 20th day of January 1861—

L R Edwards clk

Mason &c
vs
Mallary &c Sum.
1861 February Rule

Before

Executed on J. H. Maugrum Admr. of William Mallary and L. W. Mason. The 2nd day of Feby 1861. by delivering to each true Copies of the within Summons &c

A. Findlay Harrison deputy
For
Wm Harrison Sheriff

" " "

The Commonwealth of Virginia, Subpt.

TO THE SHERIFF OF ~~SOUTHAMPTON~~ COUNTY—GREETING.

WE COMMAND YOU TO SUMMON James H Mangum admr: William Mallory, Polly Mallory, L W. Mason and William Day and his wife. Mary Ann

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 February next, to answer a bill in chancery exhibited against them in our said Court by Daniel Dodson admr: of Wm T. Mason and W. P. Goodwyn who sue for themselves & all other Creditors of William Mallory

and have then and there this writ. *Witness*, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this 22 day of January 1861, in the 85 year of the Commonwealth.

L R Edwards Clk

Received May 26. 1879 of J. B. Pence
atty fifteen dollars in full clerks
fees in suit Masons Admr vs
Mallory's Admr.

L R Edwards

Masonic Admr
vs 3
Mallory's Admr

Statement of
J. B. Prunératty.
&
Receipt of W. Saml
Goodyear.

May 7. 1849

Mason's Adm'r
vs
Mallory's Adm'r

In this cause I render a statement as follows. That I have collected of Jno. H. Peters, Ex'r of James E. Peters, the sum of $499.88½ in full of amts decreed to be paid by the Adm'r of Wm Mallory to the parties enlarged. Peters was surety of Maupin on his bond as Adm'r of Mallory and Maupin's estate was insolvent. I have paid to W. Sam Goodwyn atty for Danl Dodson Adm'r W. T. Mason the sum of $296.69½ in full of amts due him and have as atty for the following parties the following sums. viz - for Hall Potts & Branch $13.93 T. Dunn $22.38½ Hall & Dunn $20.50 W. B. Westbrook $2.93 W. F. Harris $36.36 J. P. Hale $10.12½ W. E. Price's Ex't. $67.28½. The amts were scaled @ $1.40 as of April 1. 1862. the time they were due. Nothing further remains to be done in this cause.

May 9. 1879.

J. B. Price
Atty.

Statement of money collected by J.B. Pannier, atty. from John H. Peters Exr James D. Peters dec'd in favor of amts due Dan'l Dodson Admr W.T. Mason - in Chancery suit Mason's Admr vs Mallory's Admr Circuit Court of Southampton. Scaling principal sums @ 41.40 as of apl 1. 1867.

To Dan'l Dodson Admr $ 50.20		
Int to apl 1. 1879.	51.20	101.40
To same -	116.20	
Int from 7. Jan 67. to apl 1. 1879.	79.09	195.29
		$296.69
Charges -		
To - pd J.B. Pannier atty fee -		29.66
		$267.03

Received May 5. 1879 of J.B. Pannier atty Two Hundred & Sixty Seven 03/100 dollars in full of above Statement.

W. Dan'l Goodwyn Adm'r

AT RULES held in the Clerk's Office of the Circuit Court of Southampton county, on the 4th day of February, 1861:

Daniel Dodson, adm'r of William T Mason dec'd, and W S Goodwyn, who sue in behalf of themselves and other creditors of William Mallory, dec'd, who may may prove their debts and contribute to the expenses of this suit, Plt'ffs.

Against | In Chancery.

James H Mangum, adm'r of William Mallory, Sally Mallory, William Day, and his wife, Mary Ann, and L W Mason, Trustee, Deft's.

The object of this suit is to obtain a decree for the sale of the real estate conveyed in a deed of trust (a copy of which is filed as an exhibit with the bill) executed by William Mallory in his lifetime to the defendant L W Mason, Trustee, for the benefit of certain creditors therein specified, reserving to the defendant, Sally Mallory, her dower therein—and the proceeds of sale to be applied to the payment of the debts provided for in said deed of trust, which are unpaid and due in the order as specified therein.—And it appearing by affidavit filed, that the defendants, William Day and his wife, Mary Ann, are not residents of this State, on the motion of the plaintiffs by their Attorney, it is ordered that they do appear within one month after due publication of this order, and do what is necessary to protect their interest; and that a copy of this order be published once a week for four weeks successively, in some newspaper published in the city of Petersburg, and posted at the front door of the Courthouse of this county, on the first day of the next county Court thereof.

A copy.

fe 12-w4w Teste. L. R. EDWARDS, C. C.

CITY OF PETERSBURG, To Wit:

Personally appeared before me, an Alderman of said city, T. F. Clark Clerk of the Intelligencer Office, and made oath that the annexed Order of Publication has been published weekly for four weeks successively. Given under my hand, this 15th day of March 1861

J. A. Johnston Jr.

Rec't Payment for D. Dodson Esq.
by D. D. Harwood,

Mason's acct. &c

3 Proof sheets

Mallory acct &c

1861 Sept. 13.

Sold by G. B. Jones & Co., Wilson & Ar... friend, N. F. Bives, Wm. F. Spotswood, Peters... burg; J. H. Seay, Lynchburg; Purcell, Ladd & O... Richmond; and by Druggists elsewhere at $1 per...

Executed by delivering Sally
Mallory a copy of this Summons
W. W. Wright D.S.
for H. A. Wickliffe

Mason &c. p.
2 Summ. Chy.
3
Mallory's exr. &c.
1 Mallory &c. p.
1 Stat. Forcible Rules

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON James H. Mangum adm: William Mallory Sally Mallory. L.W. Mason and W.J. Day and his wife Mary Ann

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 February next, to answer a bill in chancery exhibited against Them in our said Court by Daniel Dodson admr of Wm. Mason, and W.S. Goodwyn, Who sue for themselves and all other creditors of Wm. Mallory

and have then and there this writ. *Witness*, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this 22nd day of January 1861, in the 85 year of the Commonwealth.

L.R. Edwards CC

The estate of William Malloy dec'd, in Account Current with James H. Marquam, Administrator.

1860, Dec.	To cash found in the house			$ 27	11
1861, Oct. 1	" amt. of Account Sales, due this day			608	05
1860, Dec. 1	" paid Drury Lane	1			
" " 7	" " G. Myricks	12	50		
" " 8	" " Ths. Wrenn	6	00		
1861, Jany. 1	" " Sheff. of Southampton	11	32		
" " 21	" " T. Dunn	1	50		
" July 26	" " Waddell & Macnair	11	88		
" " 30	" " Mrs. Fole	7	00		
" Sept. 20	" " Marrell & Macnair	"	63		
" " 26	" " D. Lewis	1	87		
" Oct. 20	" " Marrell & Macnair	5	"		
" " "	" " J. M. Pearman	1	25		
" Nov. 15	" " B. A. Young & Bro.	7	48		
" " 28	" " J. M. Pearman	1	38		
	To commissions on $635.5 cents	31	75		
	By balance due the estate	534	49		
		635	05	635	05
	By balance due the estate brought down			534	49
1862, Jany. 21	To paid Samuel Drury	20	"		
" " "	" " ds. ds.	2	13		
" " "	" " John Richardson	10	"		
" " "	" " Clerks tickets	5	58		
	By balance due the estate	496	78		
		534	49	534	49

By balance the est. $496.78 with interest from the 1st of April, 1862. Of this amount, $70.28 cts. was derived from the proceeds of the sale of property conveyed in a deed of trust executed to D. M. Mason, Trustee, by Wm. Malloy.

William Mallory died seized & possessed of 156 ½ acres of land. Of this, 30 acres, with the improvements, were allotted his widow; the remainder, 126 ½ acres, are estimated to be worth, in fee simple, two hundred & fifty dollars, & the yearly value fifteen dollars.

An account of the outstanding debts against the estate of the said dec?, including the plaintiffs demands.

4th Class.

	$	c	$	c
Danl. Dodson, Admr. of Wm. T. Mabry, payment for $245.90 c. with interest from 17th Feb, 1845, till 2nd May, 1862. (included in deed of trust)	245	90		
Interest	106	32	332	22
William S. Gennings, bond (included in deed of trust)	17	50		
Int. from 21st May, 1844, till 2nd May, 1862	19	12	36	62
Cost of suit	13	47	13	47
Hall, Potts & Branch, bond, credits for $49.00, 6th March, 1857.	76	53		
Int. till 6th March, 1857	9	36		
	85	89		
Paid 6th March, 1857	49	00		
	36	89		
Int. on $36.89 till 2nd May, 1862	2	34	39	23
James H. Marqum, bond due 18th Dec. 1856, credits for $18.00 the 18th June, 1860	27	24		
Int. till 18th June, 1860	4	35		
	34	59		
Recd 18th June, 1860	18	00		
	16	59		
Int. till 2nd May, 1862	1	90	18	49
Fortunatus Dunn, bond due 27th May, 1858	23	63		
Int. till 2nd May, 1862	5	86	29	49
Hall & Dunn, bond due 4th Jany, 1859	22	00		
Int. till 2nd May, 1862	4	35	26	35
James H. Marqum, bond due 25th Dec, 1859	200	00		
Int. till 2nd May, 1862	28	99	228	99
William B. Westbrook, acct. due 1st Jany, 1859	2	31		
Int. till 2nd May, 1862		46	2	77
William F. Harris, acct. due 1st Jany, 1860	42	00		
Int. till 2nd May, 1862	5	88	47	88
Benjamin F. Epps, acct. due 1st Jany, 1861	7	00		
Int. till 2nd May, 1862		98	7	98
William E. Rives, acct. due 1st Jany, 1861	82	00		
Int. till 2nd May, 1862	6	56	88	56
J. F. Hailes, acct. due 1st Jany, 1859	8	06		
Int. till 2nd May, 1862	1	62	9	68
			901	74

For order of publication, paid by the Administrator, $10.00
" Sheriffs fee for serving one notice " 00.50
Commissioners fee for this acct. taken $6.00

Respectfully submitted to the Court.
James M. Parker Comm.r.

Commissioners Office,
Jerusalem, March 18th 1862.

To the Circuit Court of Southampton County:

Pursuant to a decree of the Circuit Court of Southampton County, rendered on the 2nd day of May, 1861, in a suit in Chancery depending in the said Court between Daniel Dodson Admr. of Wm. T. Mabry, dec.d & Wm. S. Gennings, who sues on behalf of themselves & all other creditors of Wm. Mallory, dec.d who may prove their debts & contribute to the expenses of this suit, against

James H. Mangum, Admr. of William Malloy, Sally Malloy, William Day this wife, Mary Ann; & Littlebury M. Mason, defendants, the undersigned, one of the Commissioners of the said Court, to whom was referred for the settlement stating by said decree: First, an account of the transactions of James H. Mangum, as Admr. of Wm. Malloy, showing what amount, if any, was derived from the proceeds of sale of property conveyed in the deed of trust executed to L. M. Mason, trustee, by Wm. Malloy, bearing date the 17th of Oct. 1849; Second, an account of the debts & encumbrances of the real estate of which Wm. Malloy died seized & possessed; Third, an account of all outstanding claims against the estate of Wm. Malloy, Which dignity, specifying such as are provided for in the deed of trust, Reports to the Court, that he notified, according to law, the parties interested, that on the 10th of February, 1862, at his office in Jerusalem, he would take up the settlement of the accounts, as directed by said Decree; that Jas. H. Mangum was unable to attend, & that a postponement, from day to day, & until the 18th of March, became necessary, when he may use, & now presents to Court, the accompanying accounts

Respectfully submitted.
James M. Parker Comm.r

Mangum adm.r &c
vs
Malloy's Exr &c
Report
1862 April 29

Masons adm.

2/3 Comr. Report

Allabaugh adm.

1864 Nov. Term

Mason, adm: } In the Hon Circuit Court of the County
vs } of Southampton
Mallory, adm: }

Pursuant to the decree rendered in this cause on the 9th Nov: 1866, the undersigned Commissioner hereunto appointed to sell the land in the decree mentioned according to the directions therein contained at public auction on the day of July 1867, and that Benj F Applewhite become the purchaser at the sum of $202.43, which amt was paid to the Commissioner in cash. The following statement will show the amt in the hands of the Commissioner, after the payment of the costs of the suit

Amt sale of the land		$202.43
To Commissioners commission 5 p.ct	$10.13	
" amt paid Clerk for cost	14.49	
" " Sheriff "	2.00	
" " Commissioner "	16.00	
" " Printer "	14.00	
" " Lawyer "	16.00	
" " Auctioneer "	1.00	73.61
Amt bal in hand subject to the order of Court		$128.82

Respectfully submitted

Jas H. Mangum Comr

Bal due on account Jany 1st 1862 $496.78

Intert thereon to Nov: 8th 1867 (5.10.8) 173.88

Amt due on acct & Int to Nov: 8th 1867 — $670.66

Amt bal from sale of land Nov: 8th 1867 $128.82

Amt included in account from sale of property
interest deducted due Jany 1st 1862 70.28

Interest thereon to Nov: 8th 1867 5.10.8 24.55

N. L. Gridyer debt due May 21st 1844 $17.30

Interest thereon to Nov: 8th 1867 (23.5.18) 24.19

Amt Judgment due Dent. from admrs in part 181.96

$223.63. 223.63

Amt in account included in deed of trust 94.83

Amt bal on account for payment of debts reported $375.83

Judgement due Daniel Dodson - July 17th 1845 -	$245.90
Int to Nov: 8th 1867 - (22.8.21)	334.93
	580.83
Cr: by amt paid in part from trust property - Nov: 8th 1867 -	181.96
Bal due on Judgement Nov: 8th 1867 —	$398.89
Bond due Hall Potts & Brooks March 1st 1857 —	36.89
Int to Nov: 8th 1867 -	23.57
	$60.46
Bond due James D Morgan due June 18th 1860 -	16.59
Intrst to Nov: 8th 1867 -	7.34
	$23.93
Bond due Fortunatus Dunn - May 27th 1858	23.63
Intrst to Nov: 8th 1867 -	13.76
	$37.39
Bond due Hall & Dunn - Jany 7th 1859	22.00
Intrst to Nov: 8th 1867 -	11.66
	$33.66
Bond due James D Morgan - Octr: 25th 1859 -	200.00
Intrst to Nov: 8th 1867 -	82.30
	$282.30
Act due N. B Westbrook - Jany 1st 1859	2.31
Intrst to Nov: 8th 1867 -	1.14
	$3.43
Act due William T Norris - Jany 1st 1860	42.00
Intrst to Nov: 8th 1867 -	19.74
	$61.74
Act due Benj: T Effen - Jany 1st 1860	7.00
Intrst to Nov: 8th 1867 -	3.29
	$10.29
Act due William C Prince Jany 1st 1861	82.00
Intrst to Nov: 8th 1867 -	33.62
	$115.62

Act due J. P. Vails - Jany. 1st 1833 -		8.06
Intrst to Nov: 8th 1867 -		4.24
		$ 12.30

Whole amt debts and Intrst - Nov. 8th 1867 - $1077.12
Amt bal. due on account - " " " - 373.83
We find pays 33 1/2 cents to the dollar -

Daniel Dodson adm: a -		$215.40
Wall. Potts & Branch -		33.34
2 James D Morgan -	2 dbts	165.54
Fortunatus Dunn.		22.00
Wall & Dunn		20.36
Williams B Westbrook		3.84
William F Davis		35.02
Benj. F Epps		3.30
William C. Prince		63.83
J. P. Vails		6.56
		$373.83

Walthall-(Ex'r)

Masons adm Ps
vs } Sci. fa.
Mallory admor Ps

1871 September Rule

The Commonwealth of Virginia, Sussex

TO THE SHERIFF OF ~~SOUTHAMPTON~~ COUNTY--GREETING:

WHEREAS Daniel Dodson admor. of William T Mason dec^{d} & W. S. Goodwyn who sue in behalf of themselves and all other creditors of William Mallory dec^{d} who may prove their debts and contribute to the expenses of this suit

heretofore exhibited to our Circuit Court of Southampton County, sitting in chancery, their bill of complaint against James H Mangum admor. of William Mallory dec^{d} Sally Mallory, William Day & his wife Mary Ann & L. W. Mason &c

whereupon sundry proceedings have been had, as appears from the records and files of the said court, but before a final decree could be pronounced in the cause, the said James H Mangum & Sally Mallory have departed this life and administration on the estate of James H Mangum has been committed to the hands of W. H. Mitchell Sheriff of the County of Sussex and administration of the estate of the said William Mallory unadministered by the said James H Mangum has been committed to Wm W Briggs Sheriff of the County of Southampton and administration on the estate of of Sally Mallory has been committed also to the hands of Wm W Briggs Sheriff as aforesaid - the said L. W. Mason has also departed this life and administration on his estate has been granted unto Robert Mason in due form as we have been informed —

And the said Daniel Dodson admr & W. S. Goodwyn having supplicated us for a proper remedy in this behalf, and we being willing that what is right and just should be done: Therefore, we command you that you make known according to law to the said W. H. Mitchell Sheriff & admor of James H. Mangum, Wm W. Briggs Sheriff & admor. de bonis non of Wm. Mallory dec^{d} & as admr of Sally Mallory dec^{d} & Robert Mason of L. W. Mason dec^{d}

that they be at the Clerk's office of our said Circuit Court, at the rules to be holden for the said court on the first Monday in September next, to shew cause, if anything, for themselves they have or know to say why the said suit should not be proceeded into a final decree against them in their characters aforesaid

and be in all things in the same plight and condition as it was at the time of the of decease the said J. H. Mangum. Sally Mallory & L. W. Mason

and further to do and receive what our said Court shall in that part consider. And have then there this writ.

Witness, OSWIN WHITE, Clerk of our said Court, at the Courthouse, this 28 day of July 187/, in the 9th year of the Commonwealth.

O. White Clk

Mozon's Adm.
vs
Mallory's Adm.

May Term 1879

To be entered.

Geo. Bloss.

Mason's Admr
vs
Z Deeds.
Mallory Admr

This day this cause came on to be again heard on the papers formerly read & statement of J. B. Price atty, showing collection of amounts due the parties interested, sealed at $1.40 as of 4th 1.1862- and receipt of W. Saml Goodwyn, atty for Danl Dodson Admr of W. T. Mason dec'd- for amt due said Admr- and was argued by Counsel. On consideration whereof, and nothing further appearing necessary to be done in this cause, it is ordered to be removed from the docket.

Maxims adm:

2 3 Decae

Malloy &c

Modern 1867

To be entered

R. H Baker

Mason, adm'x &c
v
Malloy, adm'x

Nov. Term 1867.

Decree

This day this cause came on again to be heard on the papers formerly read and on the report of Comr. Morgan filed during the term, to which no exception has been filed, and on the report of Commissioner Poston, to which no exception has been filed, and the statement of J. H. Morgan under oath and was argued by Counsel - On consideration whereof the Court confirming the report of Comr. Morgan doth adjudge order and decree that the said Commissioner James H Morgan pay to N. L. Goodwyn the sum of forty one dollars and 69/100, with interest thereon from this day, and to Daniel Dodson adm'r. of N. L. Mason, the sum of $87.13 with interest thereon from this day in part of judgment - dec'd the said Dodson from the estate of said Malloy, the said amounts being the balance of the funds from the sale of the real estate in the hands of said Comr. Morgan - And the Court doth further adjudge order and decree that the report of Comr. Poston be recommitted to a Commissioner of this Court who is directed to inquire into and report to Court at what time J. H. Morgan adm'r. of Ann Malloy received the debts due the estate of his testator; the circumstances under which they were received, and what disposition was made of them - And the Court doth further adjudge order and decree that Comr. J. H Morgan, make and execute to Benjamin H Applewhite the purchaser of the real estate in the proceedings mentioned a good and lawful deed for the same, with special warranty

Masons admitted

2 3

Mellons admitted

Statement (A)

Dand. Dodson adm: Mason	from tent-fund	Int from	April 1st 1862	$70.28
Same	"	Int from	Nov. 7th 1867	$ 163.68
Hall, Potts & Brooks		Int from	April 1st 1862	9.73
Fortunatus Dunn		"	"	13.52
Hall & Dunn		"	"	13.86
James L Morgans		"	"	120.45
William B Hartsook		"	"	1.45
William H. Harris		"	"	25.19
Benj. H. Epps		"	"	4.19
William E Price		"	"	46.60
J. P. Hall		"	"	8.09
				408.78
Amt due from adm:				426.80
Bal in hands of adm:				$ 20.72

Mallory admr &c
v. } Bill &c
Mallory admr &c

May term 1872

This day this cause came on again to be heard on the papers formerly read and on the report of Comr. Lyle made pursuant to the order of November term 1871, to which no exceptions have been filed, and no statement noticed (ct) this day filed, and was argued by Counsel. On consideration whereof, the Court confirming said report, doth adjudge, order and decree that W. H. Mitchell admr of James D. Morgan, out of the assets of his intestate, pay to Daniel Dodson admr of N. F. Mason the sum of $70.28 with interest thereon from the 1st April 1862, and to the same the further sum of $163.68 with interest thereon from the 7th November 1867 - to Hall, Pitts and Branch the sum of $9.73 with interest thereon from the 1st April 1862 - to Fortunatus Dunn the sum of $18.52 with interest from the same time - to Hall & Dunn the sum of $13.88 with interest from the same time - to William B Chesterton the sum of $1.45 with interest from the same time - to William H. Davis the sum of $25.19 with interest from the same time - to Benj. F. Epps the sum of $4.19 with interest from the same time - to William E. Pearce the sum of $46.60 with interest from the same time - to J. P. Hall the sum of $6.09 with interest from the same time, and that said Mitchell admr of the said Morgan reserve in his hands as part of the estate of said Morgan the sum of $120.45 with interest from the same time; and out of the balance remaining in his hands as appears from statement (ct) to wit the sum of $20.72, he pay the costs of this suit which has accrued since the sale of the land, and if any of said balance remains, pay the same to W. S. Goodwyn atty on account of his services in this suit - and liberty is hereby reserved to the plaintiffs to proceed against the securities of the said J. D. Morgan, in his bond executed as admr of William Mallory, if this decree shall be found unavailing -

one

And it appearing to the Court from the report of Comr. Mongum that the whole of the purchase money for the sale of the land has been paid by the purchaser, Benjamin F. Applebite & the Court doth further adjudge order and decree that N. B. Stout who is duly appointed Special Comr. for the purpose, make and execute a deed for the said land to the said Applebite with special warranty. and report his proceedings to Court

xx and that Comr. Mongum in his lifetime failed to make to the purchaser a deed for the said land in obedience to the decree of Sept. Term 1867 -

Allowed 40.
" 3 Decree
Making 40.

To be entered

Test Bates.

Nov Term 1872

Dr to Applebite and Comrs Fee
U. S. Stamps

Mason adm:

$\frac{2}{3}$

Malloy adm:

Statement (A)

Masons adm:s &c
vs
Mallory exrtrs } Statement-

Debt due Masons adm:s- May 2d- 1862-		$362.22
Int to Novembr 7th 1867. (5.6)		116.21
Cr: by amt paid under decree from land fund		468.43
		87.13
		$381.30
Amt to be paid out of trust-fund-		70.28
" debt to be paid pro rata-		$311.02
Bal due on adm:s account April 1st 1862-	$96.78	
Amt trust-fund included in Some	70.28	
" to pay debts pro rata	$426.80	
Whole amt debts reported by Comrs-	$901.74	
Debt due W. S. Hodges paid from land fund- $80.09		
" " Masons adm:s " in part- " " 41.20-	91.29	
Whole amt debts to be paid pro rata	$610.46-	
The fund pays 52.63 p. ct of debts-		

Masons adms:

2/3

Mallory adms

Statement (A)

On demand with Int. from the 1st January 1844, I owe and promise to pay unto N. L. Goodrich the sum of seventeen dollars and 37/100 - Witness my hand & seal this 21st May 1849 -

Wm Wallace

Amt due Jany 1st 1844 — $17.50

Int to Jany 1st 1857 (13) — 13.65

$31.15

Int to Jany 1st 1859 — 2.10

Amt due Jany 1st 1859 $33.25

Masons admor ℔

vs ℥ Co: Decree

Mallory's admrs ℔

1816 Feb.

Southampton Circuit Court. November 9th 1866.

Daniel Dodson admr. of William T. Mason dec'd & W. L. Goodwyn who sue on behalf of themselves and all other creditors of William Mallory dec'd who may prove their debts & contribute to the expenses of this suit. Pffs

against } In Chancery.

James H. Mangum admr. of William Mallory, Sally Mallory, William Day this wife Mary Ann & L. W. Mason Defts

It being suggested to the Court that since the last order in this cause Sally Mallory widow of William Mallory and one of the Defendants in this suit has died, and the cause coming on again to be heard on the papers formerly read, and on the report of Commissioner Parker made pursuant to the order of May Term 1861. to which no exceptions have been filed, was argued by Counsel. On consideration whereof, the Court confirming said report doth adjudge, order and decree that James H. Mangum who is appointed Commissioner of the Court for the purpose, after advertising the time and time of Sale, at the Courthouse of Southampton County, and at other public places in the vicinity of said land; for at least thirty days before the day of Sale, do proceed to sell at public auction, the land in the proceedings mentioned of which William Mallory died seized; containing 156⅝ acres on a credit of nine months, reserving so much of the proceeds of Sale in cash as will pay the expenses of Sale and the costs of this suit, and for the balance of the proceeds of Sale, take from the purchaser bond with good personal security, to bear interest from the day of Sale and payable nine months after date and report his proceedings together with the said bond to Court. But this decree is to be suspended until

the said Marquand Commissioner shall execute in the Clerks Office of this Court before the Clerk thereof bond with good personal Security in the penalty of $500. payable to the Commonwealth of Virginia conditioned for the faithful performance of his duties and trust under this decree - and such other decrees as may be hereafter entered in this cause -

Copy

Test L.R. Edwards Clk

Clks Costs	$ 14.49	Recd Clks fee	$ 14.49 LRE.
Shffs "	2.00		
Commissioners fee	16.00		
Printer	14.00		
Law do	16.00	$ 62.49	
Paid - Davis Cryer	1.00		L.R. Edwards Clk
Printers Bill -			
Sale of Lots	$ 202.43 -		

Masons admr &c

to Decree

Mallory &c

Aug. Term 1871

To be entered

Geo. Bent.

Mason's adm'r &c
v
Malloy's &c

Nov: Term 1871

Scire facias awarded in this cause against N. W. Mitchell late Sheriff of Lupex County and adm'r of James D. Mongum, N. M. Briggs Sheriff of Southampton County and adm'r de bonis non of William Malloy and adm'r of Sally Malloy and Robert Mason adm'r of L. W. Mason, to which have duly returned executed on said parties, and the said parties having failed to show cause why this writ should not be revived against them, the Court doth order that this writ be revived against the said parties, and that the proceedings in the same be thenceforth conducted against them in this revived character as aforesaid. And the cause coming on again to be heard on the papers formerly read, was argued by Counsel, on consideration whereof the Court doth adjudge, order and decree that a commission of this Court be and he is hereby directed to carry into effect the decree entered in this cause at September Term 1867.

Mann's adm'r

c 3 Same

Mullay's adm'r c

May court 1861.

To be entered

R. H. Baker

with the letter to which it is a reply Same plaintiff

Mason, admr &c May term 1861

vs

Mallory admr &c

The bill of the plaintiff being heretofore taken for confessed as to the defendants James H Montgomery admr William Mallory, Sally Mallory and L W. Mason; and it appearing to the Court that the plaintiff has pursued the mode prescribed by law against absent defendants as to the defendants William Day and his wife Mary Ann, who still fail to appear and answer and the cause coming on to be heard on the bill and exhibits filed therewith was argued by counsel - On consideration whereof the Court doth adjudge, order and decree that a commission issue to state the following accounts - to wit - 1st an account of the transactions of James H Montgomery as admr of William Mallory, showing what sum, if any, in his hands was derived from the proceeds of sale of property conveyed in the deed of trust executed to L W. Mason trustee by William Mallory, bearing date the 17th October 1849, a copy of which is filed in the papers of this cause - 2d - an account of the absolute and annual value of the real estate of which William Mallory died seized and possessed - 3d an account of all outstanding claims against the estate of William Mallory, and their dignity, specifying such as are provided for in the deed of trust aforesaid - And the said accounts the said Comr is directed to audit, state and report to Court, with any matter specially stated which may be required by

Manuscr

2 3 Leaves

Allahpadma

Nov. Co. 1866

To be entered

R. H. Baker

Mason orst

2 3 3 Deane-

Ballenger adm:

It being suggested to this Court that since the last order in this cause, Sally Ballenger widow of William Ballenger one of the defendants in this suit, has died; and the cause coming on again to be heard on the papers formerly read, and on the report of Comr. Postlewaite, made pursuant to the order of May term 1861, to which no exceptions have been filed, was argued by Counsel - On consideration whereof, this Court confirming said report, doth adjudge order and decree that James Ballengrone, who is appointed Comr. of this Court for this purpose, after advertising the time place and terms of sale at the Court house of Huntingdon County, and at other public places in the vicinity of said land, for at least thirty days before the day of sale, do proceed to sell at public auction, the land in the proceedings mentioned, of which William Ballenger died seized, containing 136 1/5 acres, on a credit of nine months, reserving so much of the proceeds of sale in cash as will pay the expenses of sale and the costs of this suit; and for the balance of the proceeds of sale, take from the purchaser, bond with good personal security, to him or order from the day of sale and payable nine months after date, and report his proceedings to Court with the said bond to Court - But this decree is to be suspended until the said Ballengrone Comr. shall execute in the Clerks office of this Court, before the Clerk thereof, bond with good personal security in the penalty of $500, payable to the Commonwealth of Virginia, conditioned for the faithful performance of his duties and trust under this decree, and such other decree as may hereafter be had in this cause -

Masons adm

vs } Copy Decree

Mallorys adm

1871

Southampton Circuit Court, November Term 1867.

Daniel Dodson admr of William T. Mason dec'd
and W. S. Goodwyn who sues on behalf of themselves
and all other Creditors of William Mallory dec'd. Plffs:

Chancery

against

James H. Marqueen Admr of William Mallory, Sally
Mallory, William Jay & his wife Mary Ann and
L. W. Mason Defts

This day this Cause came on again to be heard on the papers
formerly read & on the Report of Commissioner Marqueen, filed
during the term, to which no exceptions have been filed, and
on the Report of Commissioner Parker & the Statement of
J. H. Marqueen Admr Cash, and was argued by Counsel;
On Consideration whereof, the Court confirming the Report
of Commissioner Marqueen, doth adjudge, Order and decree, that
the said Commissioner James H. Marqueen pay to W. S.
Goodwyn the Sum of $41.62 cts with interest on $17.50 from this
day, & to Daniel Dodson Admr of W. T. Mason the Sum of
Eighty Seven dollars and thirteen Cents, with interest from this
day, in part of Judgment due the said Dodson from the Estate
of said Mallory, the said amounts being the balance of
the fund from the Sale of the real Estate.
And the Court doth further adjudge, Order and decree, that the
Report of Commissioner Parker be recommitted to a Comr.
of this Court, who is directed to enquire into & report to
Court at what time J. H. Marqueen Admr. of William Mallory
received the debts due the Estate of his testator, the
Circumstances under which they were received, & what
disposition was made of them.

A Copy

Teste, James R Sykes, Clk

Southampton Circuit Court, November Term 1871.

Mason's Adm'r &c. Plaintiffs
against In Chancery.
Mallory's Adm'r &c Defendants

The Decree Facing awarded in this Cause against W. H. Mitchell late Sheriff of Isle of Wight County and Adm'r of Jas H. Mangum, W. W. Briggs Sheriff of Southampton County and Adm'r do bring suit of William Mallory and Adm'r of Sally Mallory and Robt Mason Adm'r of L. W. Mason, bearing date duly returned Executed as said parties, and the said parties having failed to Show Cause why this Suit Should not be revived against them, the Court doth Order that the Suit be revived against the said parties, and that the proceedings in the Same be hence forth Conducted against them in their Same Character as aforesaid; and the Cause Coming on again to be heard on the papers formerly read, was argued by Counsel. On Consideration whereof the Court doth adjudge, Order and decree, that the Commissioner of this Court be and he is hereby directed to Carry into effect the Decree entered in this Cause at November Term 1867.

A Copy
Teste James R Sayler, D.C.

Mason's Admr

vs

Copy Deed

Mallory's Admrs &c

1867

1866 Nov.

Pliffs Costo Court.

Clks.	11.19.	$ 12.49
Shff.		2.00
Comm.		16.00
Printer		14.00
		$ 46.49
Law Pr.		16.00
		$ 62.49
Auctioneer		1.00
		$ 63.49

Masons ad. $

" 3 Stat: Rules $

Mallory's ad $

1872 May. Costs Succession

Island

Dodson ad. Goodwyn	$ 12.14
Hall. Bth Branch	1.24
	1.24
F. Dunn	1.24
Hall & Dunn	1.24
W.B. Westbrook	1.24
W F. Harris	1.24
B F. Epps	1.24
W Hale	20.82
Com. Tyler	10.00
	$ 30.82

In Southampton Circuit Court

Daniel Dodson admr. of William T. Mason dec'd & W. S. Goodwyn who sue on behalf of themselves and other creditors of William Mallory dec'd who may prove their debts & contribute to the expenses of this suit.

against

James H Mangum admr. of William Mallory. Sally Mallory. William Day & his wife Mary Ann & L W Mason

1861 Jany 22 Summons & issued
" Feby. R. Summons returned Ex'd on all the defts except Day & wife. they not residents. Bill filed. O. Nisi v Defts Mangum ad. Mallory & Mason. Or: Pub: v Defts. Day & wife.
" March R. Bill taken for confessed as to Defts Mangum ad. Mallory & Mason
" Apl. " Cause set for hearing as to Defts Mangum ad. Mallory & Mason
" May T. Decree for account.
1862 Apl. 29. Report.
1866 Nov T. Decree for Sale
1867 " " Report & decree.

1871 July 28 Sci fa to revive v. W H Mitchell Shff & ad. Jas H Mangum & W W Briggs Shff & adm D B Ston of Wm Mallory & as adm Sally Mallory & Robt. Mason adm L W Mason dec'd

" Sept. Rules Sci fa Executed & Suit revived &c.

" Nov. T. / Decree for acct. &c.

1879 May " Dismissed from Docket