

1885.07

Southampton County Chancery -

Charles, Jethro & Mary et als vs Wills, Thomas R. &
Emma

Sale of land for partition

Davis, Littleton

" , Louisa

Everett, Richard

" , Willa

Shields, James

" , Mary

Daughtrey, Roderick

" , Benj. T.

" , Patrick

Parker, Charles

" , Susan

Daughtrey, Charles

Moore, James W.

Wills, Irvin C.

Wiggins, John B.

Berry, Jefferson

" , Joseph

Moore, Matthew

Parker, Claudius

" , Florence

Griffin, K. R.
(Admin.)

infants

~~74~~ ~~75~~ ~~76~~ ~~77~~ ~~78~~
Charles & wife to 53

25 } Stat. Rules

Wills' admors 80

In Southampton Circuit Court.

Jethro Charles & Mary his wife, Littleton Davis & Louisa his wife, Richard
 Everett & Stella his wife, James Child & Mary his wife, Rodrick Daughtrey,
 Binge J. & Patrick Daughtrey, Charles Parker & Susan his wife, Charles Daughtrey,
 James W Moore, Irving C Mills, John B Higgins, Jefferson Berry, Joseph
 Berry, Matthew Moore, Lelandus Parker & Florence Parker, the last five infants
 who sue by Irving C. Mills their next friend Plaintiffs
 against

K. R. Griffin admr. of Thomas R Mills dec'd & Emma Mills Defendants.

1878 Nov 20th Summons issued returnable to January Rules.
 1879 Jan 10th " returned executed, - Bill filed D. Nisi v. Deft.
 " Feb " Bill taken for confessed & cause set for hearing 4th
 " May 5th Decree for cost &
 " Nov " " further cost? y^e.

1880 May " Decree for sale &
 1882 " " " to withdraw bond &
 " Nov " " " " " "

Charles Wolfe

to:

Wills Adams & Co.

Final Report
of
W. W. Briggs & Co.

1885. Sept. 1.

Filed. L.B.P.C.C.

Charles Swift

vs 3 Final Report of Comr Briggs.
Miller Adm'r &c.

In this Cause, your Comr. submits
the following report. He has collected
the purchase money for the sale of
the real estate of which Thos R. Webb
decd seized, and distributed the
same among the parties entitled,
as will more fully appear from
their receipts filed herewith as a
part of this report. There is nothing
further to be done in this Cause,
and I recommend that it be
removed from the docket, all of
which is respectfully submitted.
I have made a deed to the purchaser
of the real estate.

Sept 1, 1885.

To Judge Cir. Ct. - 3
Lo'ampton 3

W. W. Briggs, Comr.
by L. B. P.

50
Charles Swift
vs 3 Decree
Hills & Davis & Co

1885. Nov Term

To be entered.

Geo. B. Snow.

✓

Charles Swift
vs 3 Decree.

Hills Adm'r &c

This day this Cause came on to be further heard on the papers formerly read, and the reports of Comr. Grobbs filed Sept 1. 1885 - reporting Collection and disbursement to proper parties of all the purchase money for the land sold under proceeding in this Cause - which reports seem to be supported by proper vouchers. and was agreed by Counsel. On consideration whereof and no exceptions being filed to said reports they are hereby confirmed. Nothing further remaining to be done in this Cause, it is ordered to be removed from the docket - with leave to any party interested to reinstate the same upon the docket on motion -

Charles & wife &c
 to 3 Decem
 Will's admors &c

To be in time

Nov 1879

Geo: B. D.,

are committed to this
 Decem.

Kydney & Shand
 for plaintiffs.
 Giffin & Co
 for defendants

Charles & wife vs
vs 3 Decr
Wills admr vs

This day this cause came on again to be heard on the papers formerly made and the report of Commissioner Tyler of K. R. Griffin's administration of Thomas R. Wills' estate an account of debts outstanding against the said estate and of the actual and assumed value of all the real ^{estate} owned and possessed by the said Thomas R. Wills and to which reports no exceptions have been filed and was argued by counsel. On consideration the court is of opinion that the widow Emma J. Wills is not entitled either to Dower or the Homestead in the tract of land containing 290 $\frac{2}{3}$ acres belonging to Thomas R. Wills' estate but that the same belongs to the mass of the said Wills subject to his debts and it appearing from the said reports that the rents arising from the land will pay the debts in five years the court doth further adjudge, order, and decree that unless the heir at law shall pay the debts reported due of \$240.50 or on or before the 31st of December next to the creditors therein named, then the sheriff of Southampton shall after twenty days notice by advertisement at Northway station proceed to rent out from year to year at public auction or the premises the said 290 $\frac{2}{3}$ acres of land to the highest bidder taking from him bond and security

* That there are no appeals in the land of the administrator K. R. Griffin and

for the rent and as the bonds fall due
each year collect the same and distribute
pro rata among the creditors until all
the debts are paid and the said sheriff
will report his proceedings at the end of
every year to the court and the court
doth further adjudge, order and decree that
a commissioner of this court take a further
account of debts outstanding against the
estate, and require further and report whether
partition can be made of the said tract
of land among the heirs at law of the
said Mills and if not whether the interests
of all will not be promoted by a sale of
the entire tract of land and the proceeds
of sale distributed among the parties
who will report the said accounts together
with any matters specially stated deemed
justified by himself or which may be
required to be stated by any of the parties
interested and it is hereby agreed, decreed,
by consent of parties that the said sheriff
out of the rents collected shall pay to
Emma S. Smith the sum of one hundred
and twenty five dollars pro rata with the
other creditors in full satisfaction for
her claim to dower and she pay no
suit for the year 1879

¹⁰⁸
Charles & wife & als

as 3 Decr

Will adm & als

Enter This
May 6th 1879
Geo. B. B. B.

Charles & wife & als

vs 3 Deere

Wills admr & als

This day this cause
came on to be heard

on the plaintiffs, ^{bill of} The answer of R. R
Griffin administrator of Thomas R Wills
decd and Emma J Wills and general
replications ^{thinks} and exhibits filed and was
argued by counsel On consideration whereof
the court doth approve, order and decree
that R. R. Griffin settle an account of
his transactions as administrator of
Thomas R Wills before one of the commissioners
of this ^{court} and the court doth further order
that the said commissioner take an
account of all the debts outstanding
against the said Thomas R Wills' estate and
file an account of the actual and
annual value of all his real estate
and report the same accounts to the court
together with any matters specially
stated deemed pertinent by himself or
which may be required to be so stated
by any of the parties interested

Charles & wife

n. 3 Decree
Wills & Thoms

This day this cause came on again to be heard on the papers formerly made and the report of Wm H Briggs Sheriff and as such acting as commissioner made pursuant to a decree of this court entered at the May Term 1880 of the sale of the land and payments of debt to the creditors and to which report no exceptions have been filed and was argued by counsel on consideration whereof the court doth adjudge order and decree that the said report be confirmed and that the said Wm H Briggs withdraw the bond of \$666.66²/₃ due the 5th of November 1881 and collect the same with interest thereon due and distribute that along with the \$19.15²/₃ cash in hand after paying all the debts against Thomas R Wills estate among the heirs at law of the said Thomas R Wills according to the decree of the May term 1880 when this matter and claims are given in full and return this receipt along with his report to court in order to a further decree

Rec^d. January 13th 1882 of The Clerk of the Circuit
Court of Southampton County ^{one} ~~for~~ bond for \$666 & 66²/₃
due by ~~George W. Miller~~ ^{W. L. Briggs} ~~to~~ ^{for} ~~the~~ ^{the} ~~15th~~ ^{15th} day of November 1880 Payable on
two years after date

W L Briggs shff

11

Charles A. Wright

as 3 Dec

Grillo & others

Nov. Term 1885

to be returned

W L Briggs

Feb

53

Charles & wife &c

as 3 Dec

Wills adm^{or} &c
To be entered
Geo. T. B. D.

Nov 1st 1882

By Virtue of a decree of the Circuit Court of
Saukhampton County, in the Chancery Suit of Charles
Twiss against Willi^d. Adams &c. The undersigned
Commissioner after advertising according to the
directions of said decree, the Tract of land
belonging to the Estate of Thomas D Wells decd,
Containing $290\frac{1}{2}$ acres, did rent to the highest
bidder on the premises on the 16th day of December
1879 for the year 1880 the Tract of land, and
Godwin Parker became the Renter for the sum
of one Hundred & twenty five dollars, & paid Ten
dollars in cash and executed his bond for
one Hundred & thirty five dollars payable the
1st day of December 1880, ~~with interest~~ ~~at the rate of~~ ~~per cent~~
~~thereon~~; Out of the Cash Payment of Ten dollars
I paid costs of Sale as follows; For Printing
Advertisements \$1.00 Auctioneer \$3.00 Part of
Commission \$6.00 Making Total Ten dollars; leaving
\$2.00 due Commissioner

W. W. Briggs Shff. Clerk

Charles & wife vs
vs $\frac{3}{3}$ Decree
Wills admr vs

This day this cause
came on again to be heard on the papers
formerly read and was argued by counsel
on consideration whereof the court doth
adjudge order and decree that Wm W Briggs
sheriff and commissioner do withdraw
from the papers in this cause the bond
for \$666.66 $\frac{2}{3}$ etc executed by G. W. Millar and
D. J. Webb to him and value the 15th of November
1882 executing his receipt to the clerk for the
same and collect the same and pay out
the same according to the directions of the
decree entered in this cause at the May
Term 1880 to the him and distributees of
Thomas R Wills dec'd first paying such costs
as have been incurred since the last
decree entered and he will upon the
payment of the said bond & bring the
last due amount to George W Millar a dec
with special warranty for the tract of
290 $\frac{2}{3}$ acres of land whereof Thomas R
Wills dec'd seized and possessed and return
his receipts along with his report to court
in order to a further decree

Charles & wife
as 3 Dec
Wills adme &c

To be entered
May term 1850

Geo. B. Snow.

Charles & wife & als

vs 3 Deere

Wills admr &c

This day This cause came on again to be heard on the papers formerly read and the report of Mr. W. Biggs of the ruling of the land for the year 1880 and the further report of Commissioner ^{Tyler} of additional outstanding debts and also the report of Commissioner Tyler upon testimony taken by him that a sale of the tract of land containing 290 1/2 acres belonging Thomas R. Wills' estate would be necessary for a division among his heirs at law and to which reports no exceptions have been filed and was argued by counsel on consideration whereof the court doth adjudge, order, and decree that the said reports be confirmed and the court being of opinion that even after the payment of the debts a sale of the land would be necessary for a division among the heirs at law doth further adjudge, order and decree that Mr. W. Biggs sheriff of Southampton shall after having given thirty days notice of the time and place of sale by advertisement at Jerusalem Franklin and Northway stations proceed to sell at Jerusalem either at noon or

Count day
or December county 1880 The tract of land
containing 290 $\frac{2}{3}$ acres of belonging to
Thomas & Mills state on the following
terms to wit one third cash balance in
two equal annual installments taking
from the purchase bonds with approved
security carrying interest from the day
of sale and after paying the costs of this
suit and sale including a fee of fifty
dollars to Mr B Thomas the plaintiff commences
take the balance of the cash payment and
the sum of \$175 for which the land sells
This ^{year} and pay all the creditors in full
who have proved their debts in the
Commissioner's reports of October 1879 and
April 1880 and divide the remainder after
paying the debts into nine equal shares and
pay to John Charles and Mary Charles his
wife $\frac{1}{9}$, pay to Linton Davis and Louisa
Davis his wife $\frac{1}{9}$, to Benjamin Coville
and Stella Coville his wife $\frac{1}{9}$, to James
Dehilder and Maria Shields his wife $\frac{1}{8}$ of $\frac{1}{9}$,
to Patrick Daugherty $\frac{1}{8}$ of $\frac{1}{9}$, to Benjamin
F Daugherty $\frac{1}{8}$ of $\frac{1}{9}$, to Rodrick Daugherty
 $\frac{1}{8}$ of $\frac{1}{9}$, to Charles Parker and Susan Parker
 $\frac{1}{8}$ of $\frac{1}{9}$ and $\frac{1}{3}$ of $\frac{1}{9}$, to Charles Daugherty
 $\frac{1}{8}$ of $\frac{1}{9}$, to the lawful guardian of Jefferson
Berry $\frac{1}{8}$ of $\frac{1}{9}$, to the lawful guardians of

Joseph Berry $\frac{1}{8}$ of $\frac{1}{9}$, to James Moore $\frac{1}{2}$ of $\frac{1}{9}$,
to the lawful guardian of Matthew Moore
 $\frac{1}{2}$ of $\frac{1}{9}$, to the lawful guardian of
Claudius Parker $\frac{1}{3}$ of $\frac{1}{9}$, to the lawful
guardian of Florence Parker $\frac{1}{3}$ of $\frac{1}{9}$, to
Living & Mills $\frac{2}{9}$, and to John B Wiggins
 $\frac{1}{9}$, and the said Mr Wiggins will retain
the title to the said land until all the
purchase ^{money} shall have been paid, and subject
to the order of this court, and he will
deliver possession of the said 290 $\frac{2}{3}$ acres of
land to the purchaser on the 1st of January
1881 and return his receipts of payments
made and the bonds for the deferred payments
along with his report in order to a further
decree.

16²/₁₀
100
5

Charles Seipe

or by

Hills Adm.

Vouchers for
Adm. & Comm.

1885. Sept. 1. Filed
J.B.P.C.

The Estate of Thomas R Wells dec
In ac with W L Briggs County

1883

	Dr	Cr
Jan 15 th By amt received from George W Miller on bond for Purchase of land		\$ 452 00
" " To Paid Clerk Fickett	\$ 17 10	
" " " for writing Deed to George W Miller	5 00	22 00
By Bal due the heirs, distributed as follows.		730 00
To Mary Charles 1/9	81 00	
" Littleton Davis & Louisa his wife 1/9	81 00	
" Benjamin Everett & Stella his wife 1/9	81 00	
" J C Wells 2/9	162 00	
" M O Wiggins 1/9	81 00	
" James Moore 1/2 of 1/9	40 50	
" Matthew Moore 1/2 of 1/9	40 50	
" Charles Parker 1/3 of 1/9	27 00	
" Claudius Parker 1/3 of 1/9	27 00	
" Florence Parker 1/3 of 1/9	27 00	
" Jas Deshields & Mariah his wife 1/8 of 1/9	10 12 1/2	
" Patrick Daughtry 1/8 of 1/9	10 12 1/2	
" Benjamin Daughtry 1/8 of 1/9	10 12 1/2	
" Roderick Daughtry 1/8 of 1/9	10 12 1/2	
" Charles Parker & Susan his wife 1/8 of 1/9	10 12 1/2	
" Charles Daughtry 1/8 of 1/9	10 12 1/2	
" Jefferson Berry 1/8 of 1/9	10 12 1/2	
" Joseph Berry 1/8 of 1/9	10 12 1/2	
Balance	\$ 729 00	730 00

Received January 20th 1883 of W. C. Driggs Sheriff
 & Commissioners in the Chancery suit of Charles wife
 against Wills & others, the amount opposite our names
 on the 1st page, in full.

J. M. Clavin
 For John B. Higgins

Chas Parker

Chas Parker for

Susan his wife

Chas Parker for

Harvard Parker

Sittston Davis

Mary A. Moore.

J. M. Moore

B. H. Daugherty

C. L. Daugherty

James J. Daskill

J. B. Mills

E. J. Charles

allms of Mary Charles

Chas Parker for Claudius Parker

Rec^d March 19th 1883 of W. C. Driggs
 Com in the Chancery suit of Charles
 against Wills & others, the amount opposite our names
 on the 1st page, in full. ~~in full of the same from the second~~
 & previously Chas Parker for Claudius Parker

for his

Charles Cliffe

or

Wells Adm. Co.

Vouchers for
Adm. Co. -

From Heirs at
law

1885. Sept 1. Filed
L.B.P. Co.

Wells Adm. Co.

Revised - 13⁵ 17⁶ 4

The Estate of T R Wills de.^o
In ac with W L Duggs Shff & Com^y

1882

	Dr	Cr
July 20. By amt. rec ^d from G W Miller on bond for purchase of Land		\$709.00
" " To amt. retained to pay Creditors in full of debt ^{proved} including a debt due Char Smith bal on Coffin	\$31 15 15 00 46 15	46 15
		660 85

By Bal. due from Rent as per Statute
marked &

59 24

" Bal. due heirs distributed as follows \$720 09

To Setho Charles & Mary his wife 1/9	80 00
" Lillston Davis & Louisa his wife 1/9	80 00
" Benjamin Everett & Stella his wife 1/9	80 00
" T R Wills 2/9	160 00
" Mrs D. Wiggins 1/9	80 00
" James F. Moore 1/2 of 1/9	40 00
" Matthew Moore 1/2 of 1/9	40 00
" Charles Parker 1/3 of 1/9	26 66 2/3
" Claudius Parker 1/6 of 1/9	26 66 2/3
" Florence Parker 1/3 of 1/9	26 66 2/3
" James Deshields & Mariah his wife 1/8 of 1/9	10 00
" Patrick Daughtry 1/8 of 1/9	10 00
" T Dug ^d H Daughtry 1/8 of 1/9	10 00
" Roderick Daughtry 1/8 of 1/9	10 00
Am't Car ^d over	\$680 00
	\$720 09

Amount Paid over	\$ 680 00	\$ 720 09
To Charles Parker & Susan his wife $\frac{1}{8}$ of $\frac{1}{9}$	10 00	
" Charles Daugherty $\frac{1}{8}$ of $\frac{1}{9}$	10 00	
" Jefferson Perry $\frac{1}{8}$ of $\frac{1}{9}$	10 00	
" Joseph Perry $\frac{1}{8}$ of $\frac{1}{9}$	10 00	
Balance:	\$ 720 00	\$ 730 09

Received February 20th 1882 of W. L. Briggs
 Sheriff & Commissioner in the Chancery Suit of Charles
 against Wills & others the amount opposite our names
 With respect to Mary Charles
 Jefferson D. Perry.

J. C. Mills
 Sillerton Davis
 Mary ^{his} Charles
 mark
 Benj. Everett & Susan his wife
 E. E. Howard his atty
 Chas. Parker and
 Susan my wife
 Chas. Parker
 J. W. Macrae
 J. B. Higgins for J. W. Oliver
 Matthew Moore

\$1000

Received June 15th 1883 of Wm D. Briggs bond
in the Chancery Suit of Charles against
Willie & Twenty & 1/2⁰⁰ dollars in full of amt
due mentioned said Suit

Jefferson D. Berry

Portsmouth Va

th
April 24 1882

Mr Briggs Dear Sir, I have
sent you the receipt for the
money that is due me. and I have
not heard from you since. I
wish you would let me know if
you got it or not. I sent it about
the first of this month and I think
it is about time I was getting a answer.

Please let me hear from
you soon and oblige

C. L. Daughtry

\$10.00

Received of Mr W W Briggs commissioner in
the Chancery Suit of Charles and Wif. against Wills
and others Ten dollars amount due from said Suit
April 10th 1842

Witness
Fred Burke

Rodrick ^{his} Daughtrey
Mark

Rec'd Decr 6th 1882 of W L Briggs
Commissioner in the Chancery Suit of
Charles Swift against Wells & Twenty
Six \$64.00 dollars in full of Amount
due him in said Suit

Margaret S Parker
for Charles Parker

Recd. April 11th 1882 of W. L. Maggi Esq.
in the Chancery suit of Charles & wife against
Will & others Ten dollars my portion due from
the second payment in said suit.

Chas. J. Daugherty

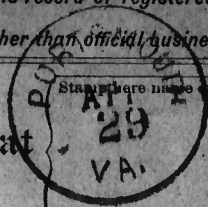
When the registered letter or parcel accompanying this card is delivered, the Postmaster will require signature to the receipt on the other side, also on his record of registered deliveries, and mail this card without cover to address below.

A penalty of \$300 is fixed by law for using this card for other than official business.

Post Office Department.

OFFICIAL BUSINESS.

Post Office at



and date of delivery.

RETURN TO:

Name of Sender

W. W. Briggs

Street and Number, }
or Post Office Box. }

Post Office at

FRANKLIN, VA.

County of

State of

REGISTRY RETURN RECEIPT sent

4/28, 18. 82

Reg. No. 44 from Post Office at

FRANKLIN, VA.

* Reg. Letter

~~Reg. Parcel~~

Addressed to

B. F. Daugherty
Parliament

After obtaining receipt below, the Postmaster will mail this Card, without cover and without postage, to address on the other side.

RECEIVED THE ABOVE DESCRIBED REGISTERED

* LETTER.
PARCEL.

(SENDER'S NAME ON OTHER SIDE.)

Sign on dotted lines
to the right.

When delivery is made to other
than addressee, the name of both
addressee and recipient must
appear.

B. F. Daugherty

* Erase letter or parcel according to which is sent.

When the registered letter or parcel accompanying this card is delivered, the Postmaster will require signature to the receipt on the other side, also on his record of registered deliveries, and mail this card without cover to address below.

A penalty of \$300 is fixed by law for using this card for other than official business.

Post Office Department.

OFFICIAL BUSINESS.

Post Office at

Stamp here name of post office

POST OFFICE
2 APR 1
LA

and date of delivery.

RETURN TO:

Name of Sender

W. W. Briggs

Street and Number, }
or Post Office Box. }

Post Office at

Jenkinson

County of

State of

REGISTRY RETURN RECEIPT sent

4/22, 18 83

Reg. No.

33

from Post Office at

FRANKLIN, VA.

* Reg. Letter

~~Reg. Parcel~~

Addressed to

Chas L Daughtry
Fonsmont, Va

After obtaining receipt below, the Postmaster will mail this Card, without cover and without postage, to address on the other side.

RECEIVED THE ABOVE DESCRIBED REGISTERED

{ *LETTER.
PARCEL.

(SENDER'S NAME ON OTHER SIDE.)

Sign on dotted lines
to the right.

When delivery is made to other
than addressee, the name of both
addressee and recipient must
appear.

Chas L Daughtry

* Erase letter or parcel according to which is sent.

\$1000

¹⁰⁰

Received of Mr W W Briggs
Commissioner in the Chancery Suit of
Charles and Wife against Will and others Ten
dollars amount due from said suit

Witness

April 10th 82
James L Dussell
and wife
James D Doherty

1882

Portsmouth Va Apl 25th
Mr W. W. Briggs.

Sir.

My Wife & Myself have signed
the inclose note. I think you
made a mistake. You put
Charles & Wife, I think it
ought to have been my
name. But you know better.
With respect.

Thanks for your trouble

B. F. Daughtry.

Received April 23rd. 1882 of W W Briggs Com^y
in the Chancery Suit of Charles & wife against
Will & others Ten dollars my portion due from
the second payment in said suit.

B. F. Daughtry
Mrs B. F. Daughtry.

Rec'd Decr 17th 1879 of W W Druggi...

Three dollars, for renting Mr R. Will's
land.

J. de Bordenave

Charles Jethra
40

Dec 31 57880

Received of W.W.B.
riggs the amount of
five dollars & ninety
three cents E.T. Charles

593
74

Three
by Jethra
Charles

Johna (Charles's wife, Pittleton Davis wife Rich
Everett wife James Shilless wife Rodrick
Daughtery, Benj. T. & Patrick Daughtery, (Charles Parker
wife, Charles Daughtery, Jas. W. Moore, J. C. Wills
Ino. B. Wiggins, Jefferson Berry, Joseph Berry
Matthew Moore, Claudius Parker, & Florence
Parker, the last five infants by Irving L.

Wills their next friend

To Clerk Circuit Court. Southampton County
Fees in suit vs Wills adn to May '79 \$ 5.93

L.R. Edwards C. C.

Charles Jencks
\$10.

Testes Charles

1880

To James R Tyler, Clerk in Chy & C.
Aprile 27th, Making up Report in Chancery
Suit of Charles & wife's.

Willi amth L^d

\$ 10.00

James R Tylerth
Commissary

Charles Festerro
5-

Gertrude Charles

1879

To James R. Tyler Clerk in ch. D.

Oct. 18th To Report Motion &c in Chancery

Suit of Charles & Wife vs. Willm Adm'r &c \$5.00

James R. Tyler

Commissioner

Mr.^s Emma J. Wills

Briggs to pay

1879.

To JAMES E. SEBRELL, Treasurer of Southampton County, Dr.

SUBJECTS OF TAXATION.	STATE TAX.		COUNTY LEVY.		SCHOOL TAXES.				TOTAL TAX.	
	50c. on \$100.		40c. on \$100.		COUNTY.	DISTRICT.				
					10c. on \$100.	5c. on \$100.				
To 290 ¹ / ₃ acres of Land, value \$524	7	62	6	09	153			77	16	01
“ Personal Property, value, . . \$										
“ Capitation Taxes,										
“ Income, \$										
Total,										
Fee Bills, . 1.									1	00
5 per cent. additional,										80
Total,									17	81

Received payment 14 day of Feb

1887 J. W. Briggs, C. E. Sebrill Treasurer.

Rec^d Decr 20th 1880 of W W Driggs Com
~~Twenty~~ dollars for service as Auctioneer in
selling same belonging to Thos D Wells and
J. D. Bordenak.

Rec^d Feby 12th 1881 of W. L. Briggs Comptroller
in the Chancery suit of Charles Swift against
Willis & others, five dollars for moving fence off
the land of the S B & R Rail Road, which fence
had been put there by said Willis or his factor.

James M. Eley

Mrs. Emma J. Miller

1880.

To JAMES E. SEBRELL, Treasurer of Southampton County, Dr.

SUBJECTS OF TAXATION.	STATE TAX,		COUNTY LEVY,		SCHOOL TAXES.		TOTAL TAX.	
	50c. on \$100.		32c. on \$100.		COUNTY, 10c. on \$100.	DISTRICT, 5c. on \$100.		
To 290 ² / ₃ acres of Land, value \$1524	7	62	4	88	1	52	76	14 78
“ Personal Property, value . . \$								
“ Capitation Taxes,								
“ Income, \$								
Total,								
Fee Bills,								
5 per cent. additional,								
Total,								

Received payment 9th day of June

1881, after the receipt of the 15 51
in full A. J. COOK, Jr. Treasurer.

I R Wells Esq
Report

The Estate of J. R. Will. d.

In ac. with W. L. Duggs Staff & Bond

1881

March By amt rec'd from Eley & Parker
for Rent for yr 1880

175 00

To amt paid Auctioneer

3 00

" " for printing Abstract

1 00

" " for moving fence off
rail road land

5 00

" " Commission

8 75

" Taxes for year 1880

15 51

" Amt over paid debt out of

Cash payment

82 50 115 76

By Balance from Rent

459 24

Hills + al.
vs
Hills adm. oc

Answer of R.R.
Giffin adm.

The answer of R. R. Grippin adm. of Thos R. Hills decd.
to a bill of Complaint - exhibited against him in
the Circuit Court of Southampton County. By Jesters
Charles and others.

This respondent - During and crossing
etc. for answer to said bill says, that it is true as al-
leged, that he qualified as the administrator of Thos.
R. Hills decd., on the day of 1898. But that
no estate of the said Hills has come into his hands
up to this time, and as far as he is informed there will
not be sufficient assets of said estate to pay funeral
expenses and cost of administration. That he
is also informed that there are many debts against
the estate of the said Thos R. Hills decd. and that
being the case, he asks that ~~a~~ one of the Com-
missionaries of the Court - take an account of the
same. And having answered he prays hence
to be dismissed.

R. R. Grippin adm.

Executed by delivering RR Griffin a Copy
of this Summons on the 2nd day of December
1848.

W W Briggs Shff

Executed by delivering Emma J With a
Copy of this Summons on the 5th day of
January

Mo W Lawrence by
for W W Briggs Shff

Charles & wife J. S.

to Emma. Chy

Wills admo J. P.

1878 January Rules

The Commonwealth of Virginia,

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU TO SUMMON

*K. R. Griffin administrator of Thomas R
Wills dec^d and Emma J Wills*

at the Clerk's Office

if they be found within your bailiwick, to appear before the ~~Judge~~ *Justice* of our ~~Court~~ *Circuit* — Court of Southampton County, at the ~~Court House, on the first day of~~ *to be holden for the said Court on the first Monday in January next to answer a bill in*

*Chancery exhibited in our said Court against them by John Charles & Mary his wife Littleton Davis
& Louisa his wife, Richard Everett & Stella his wife, James Shields & Mary his wife Rodrick
Daughtry, Benjamin F. Daughtry, Patrick Daughtry, Charles Parker & Susan his wife Charles
Daughtry, James W. Moore, Aaron C. Wills, John B. Wiggins & Jefferson Berry, Joseph
Berry, Matthew Moore, Claudius Parker & Florence Parker the five last infants who
sue by Aaron C. Wills their next friend*

And have then there this writ. WITNESS, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this *20th* day of *November* A. D. 1878, in the *105th* year of the Commonwealth.

L. R. Edwards cc

Lehman's Jethro et al.
et al.

vs

Wills A. Driver et al.

1879 August 7th

Executed
W W Briggs

COMMISSIONER'S OFFICE

COMMISSIONER'S OFFICE,

Jerusalem, Va., July 1st 1879

To Sisters Charles + Mary his wife, Littleton Davis + Louisa his wife, Richard Everett + Stella his wife, James Shields + Mary his wife, Rodrick's Daughter, Benj^d T. + Patrick's Daughter, Charles Parker + Susan his wife, Charles Daughtry, James W. Moore, Irvin C. Wills + John B. Wiggins Plaintiffs and W. R. Griffin answer of Thos R. Wills dec'd + Emma Wills Defendants.

You are hereby notified that I have fixed upon the 7th day of August next, if fair, if not, the next fair day thereafter (Sunday excepted) to take and settle, at my office, the following accounts, to-wit:

1st That W. R. Griffin settle an account of his transactions as admin^r of Thos R Wills dec'd. before me of the Commissioner of this Court, and the Court doth further Order that the said Commissioner take an account of all the debts outstanding against the said Thos R Wills' Estate of also an account of the actual & annual value of all his real Estate and report the said account to the Court, together with any matters specially stated deemed pertinent by himself or which may be required to be so stated by any of the parties interested.

Circuit
required to be taken by a decree of Southampton County Court, rendered on the 11th day of June 1879, 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.

JAMES R. TYLER, COMMISSIONER.

To the Sheriff of Southampton County to execute.

Charles & Wife

2nd

Report

Wills' admⁿ of C

1879. October 1st ^{the} 7

for the reports to the Court after the completion
of the said account he retained the same in his
Office ten days for the examination of the parties,
which with the decree of setting aside, and
subsequent return. Given under my hand of Commis-
sioner aforesaid, the day and year first aforesaid.

James R. Tyler,
Commissioner.

Commissioner's fee \$5.00
Charged to Plaintiff

In obedience to a Decree of the Circuit Court of Southampton County in the Chancery Suit of Charles wife against Willi^r Administrator & others, I advertised the Tract of land in the proceedings mentioned belonging to Tho^r R Webb dec^d, containing $290\frac{2}{3}$ acres, according to the directions of said decree, and sold said Tract of land at Public Auction in the Town of Jerusalem on the 3rd Monday in December 1880 and at the sale so made, George W Miller became the purchaser by bidding therefor the sum of Two Thousand dollars; And the said George W Miller paid one third Cash to wit \$666.66 $\frac{2}{3}$, and Executed two bonds for the like sum of \$666.66 $\frac{2}{3}$ each, Payable one & two years after date. To which bonds D F Webb is security, which bonds are herewith returned; And out of the Cash Payment I paid Costs of Suit amounting to \$132.00 and costs of sale of sale, as follows; For printing advertisement \$1.00 paid Auctioneer \$15.00 Commission \$49.00 paid for ad^{ts} for year 1879. \$17.81 - leaving a balance in my hands of \$451.85. which amount I paid debts due by Tho^r R Webb, as shown by Com^r Tylers reports filed in said Suit amounting to \$534.55, which will appear by Statement with receipts of parties herewith returned (Marked (A))

Respectfully Submitted
W L Driggs Com^r

165 94 91
800
55 4 85
451 85
482 29
564

Rec^d Decr 1st 1881 of the Clerk of the Circuit
Court. one bond against Geo W Miller & S F Webb
for \$666. 66¹⁰⁰ filed in this suit, Rec^d. Decr. 1st
1882, the other bond against said Geo W Miller
& S F Webb for \$666. 66¹⁰⁰ filed in this suit

Wm Briggs Shff

Charles & wife
against J. Reynolds
Wells & son

1881. May Term

Recd. February 21st 1881 of W. L. Briggs Commissions
 in the Chancery suit, of Charles & wife against
 Wills & others, the amounts opposite our names in
 part of claims, due us, by Thos. Wills & co., as shown
 by Comd. Tyler in ^{Report} said suit

R. W. Screws.	\$240.00	R. W. Screws
D. T. Webb	40.39	4 Fred. Johnson for W. T. Webb
Emma J. Stennett	125.00	W. M. Stennett Adm'r
J. A. Bryant	44.25	E. J. Gordon
E. C. Barrett	84.71	J. B. Pierce assignee E. C. Barrett
534.35-		
84.71		
449.64		

R. W. Screws - 2 years & 3 mo Interest on \$150.00 - \$18.75

157.37
 20.63
 62.71

83.48
 6.14
 14.84

417.46
 14.69
 5.54

Charles + Wiggins

24. 3 Sp²/₄

Wills ann²⁴

1886 Apr 20th

Executed

W W Wiggins Skiff

The Commonwealth of Virginia.

To the Sheriff of Southampton County—GREETING:

We Command You that you summon *'J. C. Wain, 'Jefferson S. Berry,*
'Dick Griffin, 'J. E. Wain, 'Charles Parker + 'H. E. C. Barrett

J. C. Wain ~~in~~ *in* ~~Chancery~~ *Chancery* of the Circuit
to appear before ~~the Judge of our~~ Court of Southampton County,
at the Court-House, on the *20th* day of *April* *Term, 1887*
to testify and the truth to say on behalf of *E. C. Barrett* ~~and~~ *of* *Edw. Wain*
~~for the benefit of~~ *in* a certain matter of controversy in our said Court, before
the said Judge, depending and undetermined between

Justice Charles J. Wain, Plaintiff, and
W. R. Griffin, and J. C. Wain, Defendant. And this *they* shall
in no wise omit under the penalty of the law, and have then and there this writ.

James R. Tyler - Commissioner
Witness: ~~LITTLETON R. EDWARDS~~, Clerk of our said Court, at the Court-
House, this *13th* day of *April* *1887*, in the *104th* year of the
Commonwealth.

J. C. Wain
Comm. in Chancery

Charles & Wipo

as } Reports

Wills & Adams & Co

1880. April 27th

A further account of Debts outstanding against the
Estate of Thomas A. Wills dec. proved before
James R. Tyler, Commissioner in Chancery

An Account due P. E. C. Barrett	\$	78	50		
Interest from 1st January 1879 to May 1st 1880		6	21	84	71
An account due Dr J. A. Bryant	\$	39	00		
Interest from 1st January 1878 to May 1st 1880		5	15	44	45
An Account due Mrs Emma J. Stenatt		125	00	125	00
Bond due D. J. Webb	\$	70	85		
Paid December 15 th 1877	\$	40	00		
		3	09		
Interest from January 1st 1876 to Dec: 15 th 1877		4	55		
		35	50		
Interest from Dec: 15 th 1877 to May 1st 1880		4	89		
Amount due 1st day of May 1880				40	39
Total amount of Debts				\$294	55

Respectfully Submitted,
James R. Tyler
Commissioner

Commissioner's Office
Jerusalem Va
April 27th: 1880.

To the Circuit Court of Southampton County

Pursuant to a decree of the Circuit Court of Southampton County, rendered at the November Term 1879 in the suit in Chancery depending in said Court between Jethro Charles and wife Plaintiffs and R. R. Griffin Administrator of Thomas R. Wills dec. and Emma Wills Defendant, the undersigned one of the Commissioners of said Court to whom was referred for settlement by said decree, "a further account of Debts outstanding against the estate of Thomas R. Wills dec. And inquire further and report whether partition can be made of the tract of land among the heirs at law of said Wills; and if not whether the interest of all will not be promoted by a sale of the entire tract of land. and the proceeds of sale distributed among the parties, who will report the said accounts together with any other matter specially stated" &c. Reports to the Court that on the 15th day of March last he issued notices against the several parties, requiring them to attend the settlement of the said account, before him at his said office on the 13th day of April which were returned to your Commissioner duly executed. That the parties aforesaid appeared before the Commissioner, and he thereupon, settled the foregoing account of Debts outstanding against the estate of Thomas R. Wills dec. The Commissioner reports Specially to the Court that he has examined witnesses, who are well acquai-

ainted with the Tract of Land of which Thomas R. Wills died seized and possessed And that partition cannot be made of the said Tract of land among the Heirs at law of the said Wills. And ^{expressed in the opinion of your Commissioner} that the interest of all parties interested will be promoted by the sale of the entire tract of land. and the proceeds of sale distributed among the parties entitled thereto. Given under my hand as Commissioner aforesaid the day and year first aforesaid.

Commissioner's fee
for this report \$10.00
charged to Plaintiff

Respectfully Submitted,
James R. Tyler
Commissioner

Charles & wife

2 3 Norton

Wm. Adair & Co

1880 April 12th

Executed
W W Briggs Shff

COMMISSIONER'S OFFICE.

Jerusalem, Va., March 25th 1880

To K. R. Griffin, administrator of Thomas R. =
Wills dead. and Emma Wills.

You are hereby notified that I have fixed upon the 13th day of April next, if fair; if not, the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to-wit:

"That a Commissioner of this Court take a further account of the Debts outstanding against the estate of Thomas R. Wills dead. and enquire, further, and report whether partition can be made of the said tract of land, among the heirs at law of the said Wills, and if not whether interest of all will not be promoted, by the sale of the entire tract of land, and the proceeds of Sale distributed among the parties, who will report the said accounts together with any other matter specially stated, deemed pertinent by himself or which may be required to be so stated, by any of the party interested.

required to be taken by a decree of Southampton County Court, rendered ^{in Circuit} at November ~~day~~
~~Term~~ 1879, 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.

JAMES R. TYLER, COMMISSIONER.

To the Sheriff of Southampton county to execute.

The Estate of Thomas R. Wills, dec.

In Account with N. R. Griffin, his Administrator

1879

July 1

By amount of sale of Sales

To Commission on Sales

" paid Tax on Bond

" paid Auctioneer's fee

" paid Attorney's fee

" paid Charles Smith burial expenses

" this amount retained to pay

Clerk's Tickets &c

\$ cts \$ cts

40 00

2 00

1 00

3 15

5 00

25 00

3 85

\$ 40

\$ 40 00

Respectfully

Submitted,
James R. Tyler,
Commissioner.

An account of all the debts outstanding against the Estate of Thomas R. Wills, dec. proved before me, James R. Tyler, One of the Commissioners in Chancery of the Circuit Court of Surinam County

A Bond due Robert W. Serous by J. C. Wills, Thos R Wills Security, dated 20th day of Sept. 1869, with interest from date, for Interest on same from 20th day of September 1869, to September 20th 1879, ten years—

15 00 00

90 00

240 00

Due Bill due Wm. H. Vaughan November the 21st 1877 Interest on same to September the 20th 1879,

50

05

55

Total amount of debts, September 20th 1879.

\$ 240 55

Respectfully Submitted,
James R. Tyler,
Commissioner.

An account of the actual and annual value of all the
real estate owned by Thos R. Wills decd. at the time
of his death.

A tract of $290\frac{2}{3}$ acres of Land Actual annual
lying in the County of Southampton,
on Nottingham River, from James Wills decd. \$150.00 \$150.00

Respectfully Submitted,
James R. Taylor,
Commissioner.

Commissioner's Office,
Jerusalem, Va.,
October 5th 1879.

To the Circuit Court of Southampton County,

Pursuant to a
decree of the Circuit Court of said County, entered at the
May Term last of this Court, in a suit in Chancery depend-
ing in the said Court between John Cobb & Wife of the one part,
and W. R. Griffin Admin. of Thos R. Wills decd. and Emma
Wills Defts; the undersigned One of the Commissioners of
the said Court, to whom was referred for settlement by said
decree, the following accounts to wit: 1st An account of the
transactions of W. R. Griffin as administrator of Thos R. Wills
decd. 2^d An account of all the debts outstanding against
the said Thos R. Wills estate, & also an account of the
actual and annual value of all the real estate, and
report the said accounts to Court, together with any
questions specially stated during the term by himself
or which may be required to be so stated by any
of the parties interested, reports to the Court that
on the 1st day of July last he served notices against
the several parties requiring them to attend the
settlement of the said accounts, at his Office
on the 7th day of August 1879, which were
returned to your Commissioner only executed,
That he examined the vouchers of the administra-
tor stated and settled the foregoing account of the
said W. R. Griffin's administration on the
Estate of Thos R. Wills decd. The Commissioner

Mary Charles husband. Father Charles half blood

Louisa Davis. Little Davis H. half blood

Stella Everett grand niece half blood daughter of
Anna Everett sister half blood
Maria Deshields

Roderick Daughtry

Benjamin F. Daughtry

Patrick H. Daughtry

Susan Parker

Charles Daughtry

Jefferson Berry

Joseph Berry

James W. Moore

Matthew Moore

Charles Parker

Claudius Parker

Florence Parker

Living Will. brother of full blood

John B. Wiggins brother of half blood

eight children of

Susan Berry sister

of half blood

children of Virginia Moore

sister of half blood

children of Sarah A. Parker

sister of half blood

Charles & wife

20.

Copy from

Wills ^{En} ann

Aug 7th 1877

Taunton Circuit Court
May Term: 1879

Charles & wife & als Plff)
vs) In Chy
Wills adm'r & als Defd)

This day this cause came on to be heard on the plaintiff's bill. the answer of K. R. Griffin administrator of Thomas R. Wills dec'd and Emma J. Wills and general replication thereto and exhibits filed and was argued by counsel, On consideration whereof the Court doth adjudge, order and decree that K. R. Griffin settle an account of his transactions as administrator of Thomas R. Wills before one of the Commissioners of this Court (and the Court doth further order that the said Commissioners take an account of all the debts outstanding against the said Thomas R. Wills' estate and also an account of the actual and annual value of all his real estate and report the said account to the Court together with any matters specially stated annexed pertinent by himself or which may be required to be so stated by any of the parties interested

At Copy:
Teste: J. E. Debrill Sc.

J. E. Debrill Sc.

Hills & al.

us 3

Hills & al.

Answer of

Emma J. Hills

The answer of Emma J. Wills, to a bill of complaint exhibited against her in the Circuit Court of Southampton by Jethro Charlesworth.

This respondent, having reserved for answer to said bill says. That it is true as alleged, that her husband Thos R. Wills died intestate, leaving no children. That it also true that he died before Edith Wills, the widow of his father. and that the said Edith Wills renounced the provisions of James Wills' will. and was endowed of the homestead tract. it being the same land devised to her by the will of her husband for life then to her husband in fee. Your respondent submits to the Court that she is entitled to be endowed the real estate, that was assigned as dower to Edith Wills.

That she is informed there are many debts against the estate of her deceased husband. and that such being the case and there not being any one but herself to put in the claim, she is entitled to claim her homestead. which claim she now here asserts. And having answered she prays hence to be dismissed.

In the name of God Amen: I James Wills of the
County of Southampton and State of Virginia
do ordain constitute and appoint this my
last will and testament in manner and
form following—

Item 1st. To my son James Wills I give and
devise the tract of land known as the Lawrence
tract containing about Four hundred acres
to him and his heirs forever

Item 2nd. To my son Irvin C. Wills, I give and
devise that part of my land lying on Chat-
toaway river, known as the Briggs and Bar-
rett Land containing about Four hundred
acres and divided from the Homestead or
old place by a line recently chapped by
myself, to him and his heirs forever—

Item 3. To my wife Edith Wills I give and
devise that part of my land known as
the Homestead or old place to have and
to hold during her life or widow hood,
and after her death or marriage then I
give and devise the said Homestead or
old place to my son Thomas R. Wills to
him and his heirs forever

Item 4th. To my wife Edith Wills I give and
bequeath my slaves Isaac, Ben, Agnes and
Winney to have and to hold during her
life or widowhood and after her death or
marriage then I give and bequeath the said
slaves to be equally divided among all my
children.

Item 5th. I give and bequeath the remainder

of my slaves to be equally divided among all my children, no regard being had in such division to any advancement which I may heretofore have made to either of my said children in slaves or money, it not being my intention that such advancement shall be brought into hotchpot or accounted for in the division of any part of my estate.

Item 6th: I desire my executor herein after named to sell all the balance of my chattel estate.

Item 7th: I give and bequeath to my wife Edith Mills one third of the proceeds of the sale of my chattel estate and one third of my moneyed estate to have and to hold during her life or widowhood and after her death on marriage, I give and bequeath the same to be equally divided among all my children.

Item 8th: I give and bequeath the other two thirds of the proceeds of the sale of my chattel estate and of my moneyed estate to be equally divided among all my children.

Item 9th: I hereby nominate and appoint Edward W. Massabury the executor of this my last will and testament hereby revoking all other and former wills and testaments by me heretofore made.

Item 10th: I give and bequeath to my sons Irvine C and Thomas R. Mills the debts due me from the Kottoway Saw mill Company for

timber cut off the lands given them under 2^d and 3^d clauses of this will to be divided between them in the same proportion that the timber has been cut from the lands given to each and should I collect the said debt on any part of ~~this~~ then I desire my Executor to divide the amount so collected in the proportions aforesaid between my said sons Irvin C and Thomas R before any of my moneyed estate divided under the 7th & 8th clauses. Item 11th I give and bequeath my stills to my three sons, James W. Irvin C. and Thomas R. the said stills to remain where they are and to be jointly & equally used by all three.

Item 12th I give & bequeath to my three sons and to my wife one bed each

In witness whereof I hereto sign my name and affix my seal this day of 1854

At the presence of

James Mills (Seal)

T. A. Scoggin (Seal)

Joshua Lummpler (Seal)

Edwin Daughtrey (Seal)

At a Court held for the County of South
ampton on the 14th day of November 1862
The last will and testament of James Mills dec^d
was this day proved by the oaths of T. A.
Scoggin, Joshua Lummpler and Edwin
Daughtrey the subscribing witnesses thereto
and thereupon ordered to be recorded

and on ^{the} motion of Edward. W. Massenburg
the Executor therein named who made
oath and together with James S. Massenburg
& William W. Cobb his securities (who jus-
tified on oath as to their sufficiency) entered
into and acknowledged a bond in the
penalty of twenty five thousand dollars
conditioned according to law, certificate
is granted him for obtaining a probat of
the said will in due form

Teste.

L^r R Edwards lde-

A Copy

Teste L^r R Edwards cc

James Miller
Will

Charles Miller 1st
to } Exhibit. 13

Will's ad 4th.

1825000

(756 words)

To the Hon George Blount Judge of the
Circuit Court of Southampton in chancery
sitting

Humbly complaining your Orators
Arthur Charles and Mary his wife Littleton Davis
and Lorrise his wife, Richard Everett and
Stella his wife, James Testinck and Maria
his wife, Rodrick Daughtrey, Benjamin F
Daughtrey, Patrick H Daughtrey, Charles Parker
and Susan his wife, Charles Daughtrey
James W Moon, Irving & Wells, John B
Wiggins and Jefferson Berry, Joseph Berry
Matthew Moon, Claudius Parker and
Florence Parker the last five infants
who are by Irving & Wells their next
friends shew unto your Honor that
in the year 1878 Thomas R Wells of
Southampton died intestate leaving
considerable estate real and personal
and that R R Griffin qualified as his
administrator he will now fully
appear by a copy of his certificate of
administration herewith filed marked A
and prayed to be taken as a part of
this bill and that he left his widow
Emma J Wells, Mary Charles a sister
of the half blood, Lorrise Davis a sister
of the half blood, Stella Everett only
child of Henrietta Langston ^{dece} a sister
of the half blood, Maria Testinck
Rodrick Daughtrey, Benjamin F Daughtrey
Patrick H Daughtrey, Susan Parker,
Charles Daughtrey Jefferson Berry and
Joseph Berry children of Susan Berry
a sister of the half blood and dead
James W Moon and Matthew Moon children

* Charles B. and Mary to be taken
as a part of the free

of Virginia Moore a sister of the
half blood and dead and Charles
Parker, Claudius Parker and Florence
Parker children of Sarah A. Parker
a sister of the half blood and dead
Living & Wills a brother of the free
blood and John B. Wiggins a brother
of the half blood his distributee and
himself at law. Your Orators are
informed and believe that Thomas R.
Wills who was upwards of thirty years
old at his death left no debt or any
few. They state that he had devised
to him by the last will and Testament
of his father James Wills a copy of
whose will is herewith filed, a tract
of land containing some 300 acres
known as the old homestead. Your
Orators charge and aver that this land
was devised to the widow of James Wills
Edith Wills for life and at her death
to their intestate Thomas R. Wills
remainder in fee. That the widow
of James Wills Edith Wills resumed
the provision made for her by the will
and was endowed of this whole
homestead tract and remained on it
until her death. That Thomas R.
Wills died some time before the
widow who has but recently died
and that Thomas R. Wills was never
seized and possessed of the homestead
tract of 300 acres of land at any

time during his marriage with his
wife Emma J. Wills and that no
claim to do so attaches it being a
well settled principle that cannot be
"Doe do do." Your Orators desire
a settlement of all proper accounts
and a partition of this land or if
that cannot be done a sale of the
same for division.

In tender consideration of the
and inasmuch as your Orators are
without relief at law and only entitled
to relief in a court of equity where
such matters are peculiarly cognizable
They therefore pray ^{that} K. R. Griffin solicitor
of Thomas R. Wills died and Emma
J. Wills his widow may be made parties
defendant to this bill and that the court
would compel them as full and perfect
answer make to the allegations herein
contained as if they had been summoned
more fully and especially interrogated
and that the court would direct all
proper accounts to be taken and that
if upon coming in of the same it
should be found there are no debts
then that the court would direct the
the said land to be divided according
to the rights of the parties or if that
be impracticable that the said land
be sold for partition and that the
court would grant such other and
general relief the premises considered

as equity may dictate and the nature
of this case may require and as in
duty bound your orators will now
pray me and your Orators further give
notice to all parties interested that they
will ask the court to allow fifty
dollars to Mr B Shanda their attorney
for prosecuting this suit Shanda p. 9.

1879 January 18th

Shanda is not in debt
H. H. H. H.
to 3
Bill
and
H. H. H. H.