

1892-013 Chancery Causes: R. R. Delk & James T. Frasier v W vs James P. Delk & d
Dale of Wight County

other surnames: Shelly, Ellis
[M. L. T. Davis & Company], Davis,
Southall, Minge, Shelley

Limbyfield
Mch 17, 86

Dear Sir

Please send me by
return mail a copy
of my memorandums
for suit of Traylor
others vs. Ellis others
as I have lost the
copy I retained & oblige

Very truly
Yours
Herman Nelson

In the name of God Amen, I, Dannie
J. C. Deek, of the County of Isle of Wight and
State of Vermont mind and memory, do
make and publish this my last will and
testament, I give all my property both real
and all money coming to me from my
Grand father's Estate, Joseph Shelley, to my
beloved husband Bolden Ellis, and wish
for him to sell the said real estate, and
use the money realized from said sale,
and any and all other money due to me,
in paying Doctor Gornie's my medical
bill, Doctor Smithall, for medicine &c
debt due by my husband Bolden Ellis
to J. N. Jones. I do nominate and appoint
my husband Bolden Ellis to be the
executor of this my last will and
testament. In testimony whereof
I subscribe with my hand and publish
and decree this to be my last will
and testament in presence of the
witness named below, this 22nd day
of December one thousand eight hun-
dred and eighty four.

Dannie J. C. Ellis (Signed)

Signed, Read and

delivered in the presence of }

J. N. Jones
S. W. Deek

In the County Court of Sedgwick
 County, the 5th day of July 1885.
 This paper purporting to be the last
 will and testament of D. J. C. Deen, but
 signed by D. J. C. Ellis, which was
 proved by the oaths of J. A. Jones and
 J. B. Deen the subscribing witnesses
 at March term 1885, and the opinion
 of the Court reserved, is ordered to be
 recorded as the last will and testament
 of D. J. C. Ellis read:

Test: A. P. Young &c.
 by G. M. Coad &c.

Adopted

Test: A. P. Young &c.
 by G. M. Coad &c.

Deen & Haygood

Deen & Haygood

Deen & Haygood

Deen & Haygood

Exhibit

I Joseph Sherry of the County of Lee of
Right, and State of Virginia, do make
and publish this my last will and
testament hereby revoking and mak-
ing void all former wills by me at any
time heretofore made. First, I direct that
all my debts and funeral expenses be
paid out of the first moneys that shall
come into the hands of my Executor, as
soon after my decease as possible. And
furthermore, I leave to my beloved wife Mary
M. Sherry, one third of my Estate, during
her life. And further, I give and bequeath
to my grand children, the whole of
my Estate - both real and personal;
and in case that any of them should
die, I direct that such portion or por-
tions shall go from one to the other of
the said my grand children, unless
those dying should leave children,
and in that case, such, such children
left shall be entitled to such portion
or portions. And lastly, I direct that
my daughter, Mary Ann Delt, shall
receive annually, the interest of
what money there may be left, after
settlement of my Estate. I do hereby
make and appoint my esteemed

neighbor, Richard B. Spratley, suc-
cessor of this my last will and testam-
ent. In witness whereof, I Joseph
Shelley, the testator, have to this my
will, set my hand and seal, this
18th day of October, one thousand
Eight hundred and fifty five
Witness:

Wm A. Edwards.

Richd. B. Spratley

Jos. McAllister

Madison Greenway.

Joseph ^{this} Shelley 
man

In the County Court of Isle of
Wight County, June 1st 1857. The
last will and testament of Joseph
Shelley decd. was presented in Court
proved by the oaths of William A. Ed-
wards and Richard B. Spratley two of
the subscribing witnesses thereto, & order-
ed to be recorded, and on the motion
of Richard B. Spratley the executor
therein named, who made oath
and with William A. Edwards his
security (who justified) entered into
and acknowledged their bond in
the sum of \$2400.00, conditioned
according to law, Certification of

probate is granted herein and
said Will is in due form of law
Test: Chas. R. Young att.

asdfm

Test: A. R. Young att.

Secy. of the Court DC,

Deell Tal
1853 } Dr. Shoy.

Deell. et al.

Copy for Shelly's Kid
Ehlt: 1 "A"

De K. et al
v

De K. et al

This cause came
on this day to be again heard on
the papers formerly read and
on the report of Commissioner
George R. Appin on under
the Decree of October Term 1886
dated March 30th 1887 to which
no exceptions are filed and was
argued by Counsel: On consid-
eration whereof the Court con-
firming the said report doth
with the consent of parties
given in open Court and entered
of record doth adjudge, order and
decree that this cause be fur-
ther heard in vacation and
that L. A. Jones, J. T. Edwards
R. T. Goudson John F. Scott
and R. H. Baker or any three
of them who may act make the
report required to be made by the
Decree herein of April Term 1886

90
Delt et al

v

Delt et al

Decr

April June 1887

To be inserted

C. M. Hill

Entered

No. 11

Deft et al

v

Dell et al

This cause came on this day & he again heard on the papers formerly read on the report of Commissioner G. R. Atkinson made under a decree when given at the October Term 1886 of this Court - to which no exceptions are filed and was argued by counsel. On consideration whereof the Court confirming the said report - to which no exceptions are filed doth adjudge, order and decree that J. H. Nelson and R. S. Thomas who are hereby appointed special commissioners for that purpose, either of whom may act shall after having advertised the ^{terms} ~~at least~~ terms and place of sale for ^{thirty} days prior to the day of sale at Edw Wright Court House and at other public places in the County of Edw Wright make sale of the land in the bill and proceedings mentioned ~~known~~ as The Shelley

Tract of land of one hundred and
forty acres more or less bounded
by the lands of C. B. Furman, R.
H. Baker and others for so much
cash as will pay the costs of suit
and sale and the balance upon
a credit of

in equal installments taking
for the deferred payments bonds
with good ^{security} payable

and retaining title till the further
order of the court.

But the effect of this decree is sus-
pended until the said J. H. Nelson
and R. S. Thomas, or such one of them
as shall act shall before the
clerk of this court - give bond with
surety deemed sufficient by him
in the penalty of

conditioned for
the faithful performance of
them, or of his duty under this
decree.

In the Circuit Court of the County of Light
County October 20th 1886

P. B. Bell, Jona P. Faagie

Plffs

v. In chancery

Jona P. Bell, Beauregard Bell &c. Defts.

This cause came on this day to be
again heard on the papers formerly read
on the answer of J. P. Bell, Bell & C. & C.
Bell & C. & C. filed by the leave of the
Court, & was argued by counsel - on
consideration whereof the Court took advice
order & decree that one of the commissioners
of this Court take reader & report
to Court, on account showing the
annual & few month value of the
tract of land belonging to the estate of
Joseph Kelly at the date of the death of
Mary M. Kelly and the date of the
death of the said M. M. Kelly.

2. The part of the said estate taken by
P. B. Bell, the part taken by Jona Faagie
and ~~Jona~~ Faagie her husband in
right of his wife, the part of the said
estate taken by John Carter Ellis
and Collins Ellis her husband in right
of his wife respectively and the annual
value of the same, and the wood
or lumber cut and sold from

the same, the date of the cutting,
 together with any other matter deemed
 pertinent, by himself or required by
 any of the parties to be so stated -
 2 Copy. - Text.

A. J. Younger

Reel 100,
 3 In clasp,
 10,
 Reel 100.

copy of
 Dec. of Oct. 1886.

for adn.

3 1/2
 5/29
 41/100

DeM

DeM et al

This cause came on this day to be again heard on the papers formerly read, on the answer of J. P. DeM, B. DeM and C. M.

DeM this day filed by the leave of the court and was argued by counsel: On consideration whereof, the court doth adjudge order and decree that one of the Commissioners of this court take, view and report to court-

- 1 An account showing the annual and for simpler value of the tract of land belonging to the estate of Joseph Shelley at the date of the death of Mary M. Shelley and the date of the death of the said M. M. Shelley
- 2 The part ~~that~~ of the ^{part} said estate taken by R. R. DeM ^{taken by} ~~James J. Frazer~~ ^{James J. Frazer} and James J. Frazer ^{her husband} in right of his wife, the part of the said estate taken by Donacaster Ellis & Bolling Ellis her husband in right of his wife respectively and the annual value of the same and the wood, or lumber cut and ~~so~~ ^{so} sold from the same, the date of the cutting, together with any other matter deemed pertinent by him self, or required by any of the parties to be so stated.

Deek

94

✓

Deek, Ellis et al

Rough Decm

October Term '86,

To be entered.

Geo. Blons.

Entered

#15-

Belk & others vs. Belk & others
In the circuit court of
Isle of Wight County:

This cause came on
this day to be heard on the
complainant's bill ~~to~~ ex-
hibits taken for confessed by the
adult defendants, answer of
infant defendants by N. P. Gentry
their guardian ad litem, with gen-
eral replication thereto, and was
argued by counsel: on consider-
ation whereof the court doth
adjudge order and decree that
J. N. Jones, J. T. Edwards, R. T.
Gordon, Jno. F. Scott, & R. H. Baker
who are hereby appointed commis-
sioners for that purpose, any three
of whom may act - go upon
the lands ~~made~~ named in this
bill as having been devised by
~~and Shelley~~ Joseph Shelley to his
grand-children & having due
regard to quality & quantity, to
make partition thereof according
to the rights or shares of the parties as
recited in the complainant's
bill - that is to say they shall

divide said tract of land into six equal shares having due regard both to quality and to quantity, one of which parts they shall allot & assign to R.B. Delk, one to Dona P. Frazier, one to James P. Delk, one to Beauregard Delk, one to Charles M. Delk, & the remaining part to the children of Dona Costin Ellis, viz: Robt. B. Ellis, James Thomas Ellis, Willmington Ellis & Dudley Ellis, infants. Should said Commissioners find that said land is not divisible in kind then they shall report the same to Court, together with whether a sale of said land will be for the interest of all parties, what is the value of said land, whether any of the parties are willing to take it at its value - & also upon what their opinions are based - and whatever they shall do under this decree they shall report to Court -

Delt et al.

vs

Delt et al.

Rough Decree

April Term 1886

To be entered

Geo. B. Jones

Entered No. 4,

The Commonwealth of Virginia,

To the Sheriff of the County of Isle of Wight, Greeting:

We command you that you summon Robert F. Dick and Robert

to appear at any place in Smithfield

in the County of Isle of Wight, on the 7th day of January
1887, before me in order to make in testimony of the above named

to testify and the truth to speak on behalf of James P. Dick, Benjamin
Dick and John P. Dick, who claim to be the owners of a certain tract of land
in the County of Isle of Wight, Virginia, and to be the heirs of the said

in a matter of controversy pending in the Circuit Court for the County
of Isle of Wight between P. R. Dick and others

Plaintiff and James P. Dick and others

Defendant And have then there this writ.

Given under my hand this 20th day of December 1887

Signed James P. Dick and others

DeM. 1886

no

DeM. 1886

DeM. 1886 no DeM. 1886

DeM. 1886

To the same before the same

To 7 Day from 1886

Entered Dec. 30th
1886.

N. A. Edwards & Co.
By A. B. Edwards Sept.

The Commonwealth of Virginia

To the Sheriff of Isle of Wight County Greeting
You are hereby commanded to summon R R Welf Bolling Ellis
and J S Welf, personally to appear before the undersigned one of
the commissioners in chancery of the Circuit Court of Isle of Wight
County, at his office in Smithfield, on the 7th day of January next
to testify and the truth to say in behalf of James P Welf. Because
said Welf and the Welf in certain matters of equity and account
referred to the said commissioners for inquiry and settlement by a de-
cree of the said court in a suit in chancery therein pending between
R R Welf and others plaintiffs and James P Welf and others defend-
ants and this they shall in no wise fail under the penalty of \$100
and here to them there this writ

Witness George R Atkinson, commissioner of the said court, at
Smithfield this 20th day of December 1886 in the 110th year
of the Commonwealth.

Geo R Atkinson Comr

Shells sent

no

Shells sent

Subscribers - R R Dett
✓ Boling Ellen
J S Darguin

To Jan 1st 87

Expense Deer 30th
1886.

A. B. Edward Esq.
For R. A. Edward
1886

Common Pleas Office
San Francisco, California 9th 1886

To B. B. Welch, Jane P. Frazier and J. S. Frazier her husband Pliffs
and

James P. Welch, Benjamin and Walter Bolling Ellis in his own
right as husband of Anne Foster Ellis deceased, Charles M.
Welch, and W. P. Frazier, guardian and heirs of Robert B. Ellis
James Thomas Ellis, William W. Ellis and Wesley Ellis infants
under the age of 21 years Defendants

You are hereby notified that I have fixed upon the 7th day
of January 1887 at my said office to take notice and report
to court the following cases to wit 1st Can we not show
any the amount and possible value of the trust of land be-
longing to the estate of Joseph Shelley at the date of the death
of Mary M. Shelley, and the date of the death of said John Shelley
2nd The part of the said estate taken by B. B. Welch, the part taken
by Jane Frazier and James S. Frazier her husband in right of his
wife, the part of the said estate taken by Anne Foster Ellis and
Bolling Ellis her husband in right of his wife respectively, and the
amount value of the same, and the costs or charges and costs
paid from the same since the date of the entry, as given to be
laid up by a decree of the court as set of date of which as may be
decided on the 30th day of October 1886 in and to the same proceeding
therein to which you are put in a plaintiff's case and to the
defendants' case place upon a requirement to attend
even under any law or in consequence of any of
the laws of the State of California
B. B. Williamson

Wick & Co

no

Wick & Co

Commissioner of the
Inspection of the State of Dela. Term 1886

July 11th 1886

Executed July 1st 1887

R. A. Cavanagh Secy.

Attest my hand and the seal of the said State

R. S. Thurner, atty
for James O. Beck
Beverlyfield Del
C. M. Beck

Declarations of Robert F Wolk James J Brainer, Bolling
Ellis and Robert Minge witnesses of lawful age taken before
George R. Calkins as a commissioner in chancery of the Circuit
Court of Isle of Wight county at his office in Smithfield, to be
read as evidence on behalf of James P Wolk, Benneyard Wolk
and John Wolk in certain matters of account referred to the
said Commissioner for inquiry and settlement by a decree of
the said court in a suit in chancery pending therein between
R R Wolk and others plaintiffs and James P Wolk and others
defendants.

Present R J Thomas counsel for Defendants and J H Quinn
counsel for plaintiffs

Robert F Wolk being duly sworn deposes that and swears
I am in my 4th year of my age and the father of John Brainer
in common in Ellis and R R Wolk J P Wolk R Wolk and
John Wolk. I am well acquainted with the Shelly Tract of
land. Have known it for over 40 years. Was the husband
of Mary Ann Wolk who died on the 12th day of December
1870. There are one hundred and twenty acres in this
tract of land. About one third of it is in wood and the
remainder is arable. The land was sold to me one year
after my wife's death by her executor the executor of Joseph
Bullby. I purchased the land at 1878. At that time it
was worth about \$600 or \$700. It was entered on the land
book at 4610 - If it had been entered and I had not bought for

\$40 or \$50. The land was divided after I left into three parts
J. T. Frayner and wife taking one part Rollins Ellis and wife
taking one part and Robert P. Delt one part. making about
11 1/3 acres apiece. The part taken by J. T. Frayner and wife was
worth a great deal more than it is now. The houses were sold
down and the land was subdivided. I think it would
now sell for \$30. I think the part taken by Rollins
Ellis and wife would now sell for the same price.
I think the part taken by R. P. Delt would now sell
for more than \$30 -

And further this document serves not.

Robert T. Delt

James T. Frayner having been duly sworn deposes and
says. I am an my 51st year of age. The land in question
mentioned, after R. T. Delt left it, which was about the 1st of
1874, was divided into four parts. that is a son of J. T. Frayner and
wife taking one part Rollins Ellis and wife one part R. P.
Delt one part and Carl Delt one part. and was held thus
for three years, and then was divided into three parts. Carl
Delt having died. and was thus held for three years
by J. T. Frayner and wife. Rollins Ellis and wife and R. P.
Delt. when it was divided into six parts J. T. Frayner and
wife taking one part. Rollins Ellis and wife one part
R. P. Delt one part. James P. Delt one part. Benjamin
Delt one part and Carl Delt one part. I do not think the
said land would now sell for more than \$300 where we

first divided it and would not have rented for over
\$40. The part that J. J. Gray owned and sold would have
rented for \$20. A few weeks of the part taken by Bolling
Ellis was about the same. and R. B. Wells part was
worth about the same. I sold ^{his part} about \$7.50 worth of timber
off my wife's portion when she sold one third of same land.
but it was cut off the portion which she now holds
and further the defendant could not.

J. T. Hrazier

Bolling Ellis being the only owner of possible value on the
land 30 years old. I think \$500 was a fair price for
the land when it was first divided, that \$100 was a
fair amount for each of J. J. Gray and wife with \$100 each
and with a fence it was worth \$150. R. B. Wells part was
not worth more than \$10 for encumbrance. He had 31 or 32 acres
but no buildings. My wife's part was worth about \$1.50
for encumbrance after the same enclosed. I owned from 1850 to 55
Bridges of Parents to the same after it was given it but he
had lost it and sold it and was never there to Bridges.

I sold ^{Robert H. Hrazier} ~~R. B. Wells~~ \$100 worth of timber from the land but he
did not cut over \$50 worth

and further the defendant could not

Bolling Ellis

Robert Mearns has my land, 20000 ft. front and
south. I am 67 years old. I cut from the land of 8000
acres and wife 97200. worth of timber and 980 worth from
the land of Robert, Ellis and wife and paid them these
amounts. I paid P. D. Bell about 900 for timber cut
off the land. The timber was all cut ^{about} 4 years ago. This timber
was all cut off the land now held by said parties.
And you have this document at the end.

Robert Mearns
+ wife
Mearns

Given to and subscribed before as commissioner of record
on the 7th day of January 1887

Geo R. Clarkson Commissioner

An account of the amount and fee simple value of the tract of land belonging to the estate of Joseph Shelly at the date of the death of Mary M Shelly.

Amount Value

45 00

Fee Simple Value

600 00

Commons Office
Southfield March 30th 1887

In the circuit court of the County of Wright county
Pursuant to a decree of the said court rendered at the October Term
1886 in a suit in chancery pending therein between Robert R Wolk
and others plaintiffs and James P Delt and others defendants, the undersigned a commissioner in chancery of the said court to whom was
referred for enquiry and settlement the following accounts to wit 1st
An account showing the amount and fee simple value of the tract of
land belonging to the estate of Joseph Shelly at the date of the death of
Mary M Shelly, and the date of the death of said Mary M Shelly
2nd The part of said estate taken by R R Wolk, the part taken by John Fox
yer and James J Frazer his husband in right of his wife, the part of
the said estate taken by Hannus brother Ellis and Bohney Ellis his husband
in right of his wife respectively, and the amount value of the same, and
the wood or lumber cut and sold from the same and the date of the cutting
reports to court that on the 9th day of December 1886 he issued notices
against the said parties requiring them to attend the taking of said ac-
counts at his said office on the 7th day of January 1887, which notices
were returned to your commissioner duly served or acknowledged by the
parties. That the said parties attended in obedience to said notice by their
counsel, and your commissioner proceeded to receive the said decree and
examined witnesses in relation thereto, whose depositions are herewith
returned, and not being able to complete the taking of the said account
on that day, it was adjourned from day to day and from time to time until
the date of this report when he completed the foregoing account of the
amount value of the land of belonging to the estate of Joseph Shelly and reports
that the amount value of said land at the date of the death of Mary M
Shelly was \$45. and the fee simple value thereof was \$600. and that
the date of the death of the said Mary M Shelly was the 12th day of December

1870. Your commissioner further reports that the said land was rented and occupied by Robert F. Weck the father of the plaintiffs and defendants from the death of his wife Mary A. Shady until the 1st of January 1879. when it was divided into four parts. J. J. Brayner and wife taking one part Bolding Ellis and wife one part R. R. Weck one part and Samuel Weck one part and held by them for three years there is a day for the years 1879, 1880 and 1881. when Samuel Weck having died, it was then divided into three parts. J. J. Brayner and wife, Bolding Ellis and wife and R. R. Weck each taking one part and holding the same for 3 years to wit for the years 1882, 1883 and 1884 and then divided into six parts J. J. Brayner and wife taking one part Bolding Ellis and wife one part, R. R. Weck one part, James P. Weck one part B. M. Weck one part and S. M. Weck one part. The evidence does not show what was the value of the parts when first divided and is conflicting as to the value of each part when it was divided into three parts but your commissioner regarding my Robert F. Weck as an interested party has reached a conclusion more nearly correct than the others and is of the opinion that a fair amount value of each of said parts is \$25-

Your commissioner further reports that J. J. Brayner cut and sold from the lands occupied by himself and wife \$72.80 worth of timber that Bolding Ellis cut and sold from the lands occupied by himself and wife \$80 worth of timber and that R. R. Weck cut and sold \$20 worth of timber from the land occupied by him, and that the timber in each case was cut on the lands now occupied by the said parties. The evidence before your commissioner shows that the date when the said timber was cut and sold was about June 1st 1888.

Given under my hand as a commissioner in charging of the said court this day and year first aforesaid

Geo R. Wilkinson Commissioner

Thus employed I have fee \$10.50

Book and others

no

Book and others

Comm. from Atkinson's
Report

under date of October Term 1886

March 8th 1887.

Filed.

Seal, M. J. George

April term 1887.

Confirmed.

Folio 784

MONTHLY STATEMENT.

Norfolk, Va.,

MOH 1887

Mr J BEEK

Fergusons of

To M. L. T. DAVIS & CO., Dr.

Wholesale Grocers,

Terms, ...

Days Time.

Iron Front Building, Cor. Water & Commerce Sts.

1886

april	16	Wells	31.33
June	2		70.46
aug	17		15.35
sep	24		27.38
oct	2		9.82
	23		4.67
	25		1.47
Nov	23		8.21

168.69

June	1	Payback	17
July	16		15
Aug	14		13.43
sep	8		15
oct	2		10
	23		8
Nov	23		20
Feb	24		10.50

108.93

Feb	24	Wells	59.76
			16.57

Interest

70.27

72.58

72.85

Established 1865.

Office of M. L. T. DAVIS & CO.
 WHOLESALE GROCERS,
 AND DEALERS IN
 FLOUR, FISH, PROVISIONS AND SALT,
 91 Water Street, Corner Commerce.

AGENTS OF
 THE ORANGE & FLE
 POWDER CO

Norfolk, Va. *Nov. 16* 1887

Mr. R. S. Thomas
 Smithfield Va
 Dear Sir

Mr. S. B. Peck
 owes us this account
 we now enclose you
 that you have the sale of
 some land in which
 he has an interest & agrees
 to secure this debt on
 said land & will
 sign ~~the~~ such papers
 as you may prepare
 to transfer this amount
 of his interest to us when
^{collectable} payable. you will please
 attend to the same & we
 will see to the payment of

If not delivered within 5 days return to

M. L. T. DAVIS & CO.,

WHOLESALE GROCERS,

COR. WATER & COMMERCE STS.,

NORFOLK, VA.

Mr R. S. Thomas

Hand of
S B Dick

Smithfield
Va

Wm. Bolling Ellis

1883

To J. H. Southall

Dec	19	To. Vial Croton Oil ¹⁰ 24 th Boxes Paint ⁷⁵ 85-
"	24	Vial Croton Oil ¹⁰ 1884 Sarg & Sults Pills ¹⁰ 35-
1884	23	Bot Greens Paint ²⁵ 1 lb Pully July 18 th Ac & P ⁵⁰ 80
Mar	6	" R 8514, April 8 th Bot-Diso June ¹⁰⁰ 3.00
April	8	" Hono Ford Acid ⁵⁰ June 12 th 5 gro Morph ¹⁰ 60
June	12	" Bot Valentines M Juice ¹⁰⁰ 25 tonic ⁵⁰ 1.50
"	21	" R 8780 ¹⁰⁰ 6 = 10 gro Quin Pow & ⁵⁰ 1.50
"	26	" R 8771 Repl ²⁵ 28 th R 8781 Repl ²⁵ 55-
July	1	" R 8780 + 81 ¹⁰⁰ Repl ⁵⁰ 28 th R 8781 Doub ⁵⁰ 1.50
"	15	" Bot-Cold Ext-Beef ⁹⁰ R 8780 ¹⁰⁰ 1.90
"	17	" 1/2 R 8781 Repl ²⁵ 21 st 1/2 R 8781 ²⁵ 50
"	26	" 1/2 R 8781 ²⁵ 28 th R 8898 ⁷⁵ Aug 2 R 8780 ¹⁰⁰ 1.00
"		" 1/2 R 8781 ¹²⁵ Aug 6 th 1/2 R 8781 Repl ²⁵ 1.50
Aug	12	" R 8781 Repl ⁵⁰ R 8898 R ⁷⁵ 19 th R 8 ⁹⁰ 1.25-
"	19	" R 8780 + 1/2 R 8781 ¹²⁵ Bot-Cold Ext-Beef ⁹⁰ 2.15-
"	21	" R 8950 + 2 ¹⁰⁰ 23 rd 1/2 R 8781 Repl ²⁵ 1.25-
"	26	" 1/2 R 8781 Repl ²⁵ Sep R 8898 Repl ⁷⁵ 1.00
Sep	22	" R 8780 ¹²⁵ 15 th 19 th Quin ²²⁵ 17 th 19 th Fil & E Thy ²⁵ 2.60-
"	17	" Sal Acid ⁵⁰ Box No 10 capsules ¹⁰⁰ 1.00
"	26	" 2 Phyl capsules Plas ³⁰ Octo 2 R 8780 R ¹⁰⁰ 1.30
Octo	2	" Bot-Cold Ext-Beef ⁹⁰ 90
"	16	" 4 g Spts Ver Recl ²⁵ 8 g Morph ³⁵ 60
"	22	" R 9111 ¹⁰⁰ 27 th Dine Cod Liver Oil ¹⁰⁰ 1.35
"	27	" 4 g Spts Ver Recl ²⁵ Box File Cont ²⁵ 50
Nov	24	" 1/2 D Uterine Acid ¹⁵ 20 th R 9192 ⁴⁰ 55-
Dec	22	" Bot Cold Liver Oil ¹⁰⁰ Pky Condition ²⁵ 1.25-
"	24	" Bromidia ⁵⁰ R 9208 ³⁵ 65-
		\$ 31.92

120/ Bolling Ellis

J,

J. H. Southall

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON *James P. Delt, Beauregard Delt, Bolling Ellis*
in his own right as husband of Donna Castor Ellis, deceased, Charles M.
Delt, Robert B. Ellis, James Thomas Ellis, Wilmington Ellis and Dudley
Ellis, the last five infants under the age of twenty one years

to appear at the Clerk's Office of the Circuit Court of Isle of Wight county, at Rules to be holden for the said Court,
on the first Monday in *March* next, to answer *the Bill in Chancery*
of R. R. Delt, Jona P. Frazier and J. T. Frazier
her husband

of a plea of _____ for \$ _____ Damages \$ _____

And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Courthouse, the *18th* day of *Feb.*
188*0*, in the *150th* year of the Commonwealth.

N. P. Young clk.

Debt to Baird's wife

27.  Sent to Ans.
Bill.

Debt Jas. P. Bolling
Ellis & others.

To March Rules 1886.

Jos. L. J. Delaney.

Executed by delivering
to the within name
J. P. Bolling
Ellis a true copy
of the within summons
Feb 26th 1886

A. B. Edwards dep
Ar. A. Edwards
Shiff

Not finding the within name Beauregard Bell
at his usual place of abode, I executed the same by
delivering a copy to J. M. Bell a member of the family
which resides over the age of sixteen years, Feb 26th 1886
& explained the purpose of the same.

Feb 26th 1886

A. B. Edwards & Shiff
Per A. A. Edwards & Shiff

The Joint and several answer of
James P. Deek, Benjamin Deek
and C. M. Deek to a Bill of Com-
plaint exhibited against them and
others in the Circuit Court of the
County of Wright - by R. R. Deek, Sonia
Fraser and J. T. Fraser her hus-
band.

These Defendants, now
and at all times hereafter saving and re-
serving to themselves all benefit and advan-
tage of exception which can, or may be had
or taken to the many errors, uncertainties
and insufficiencies in the said bill con-
tained for answer thereto, or to so much
thereof as they ^{are} advised it is material
or necessary for them to answer, an-
swering, say

1 That it is true, that their grandfather
tho Joseph Shelly died sometime in
the year 1857 after having first
made and published the will as the
complainants have alleged: that
he left the real and personal
estate ^{and the grandchildren} as the said complainants
have alleged and the personal estate
has been disposed of.

2 They say further that they have
only recently come of age, that R.
R. Deek, their brother, Sonia Fraser
their sister and Donacaster Ellis, their

sister, being much older than these
defendants (than their junior brothers)
into paid the use of their grand father
as giving them his whole Estate and
acting upon this intimation they
divided the real estate of the said Jo-
seph Shelly and into three parts
and each took a $\frac{1}{3}$ part, that is to
say R. R. Deck took $\frac{1}{3}$, Sonia Fra-
zier and James J. Frazier her
husband in the right of his wife
took $\frac{1}{3}$ and Donacaster Ellis & Bol-
ling Ellis her husband took $\frac{1}{3}$
part - and each of them respectively
used, occupied and enjoyed the fruits
and profits thereof as fully and as
completely as if they were the so-
le owners. They have culti-
vated the land and sold timber from
and ^{and as fully as} of their respective portions
whenever they wished and they have
done other wrongs and injuries to
the lands and if the land were
severally partitioned as the com-
plainants pray, or if it were sold
and the proceeds divided as they pray
then great wrong and injury would
be done to these defendants for the
said R. R. Deck, Sonia Frazier
and J. F. Frazier Donacaster Ellis
and Bolling Ellis have as aforesaid
seized, and now are seizing all of

the benefit - of all of the real estate of
the said Joseph Shelley to the exclusion
and injury of these Defendants. Where-
-fore these Defendants pray that
(1) an account may be taken by one
of the commissioners of this court
showing the annual and per annu-
ity value of the real estate in the
life mentioned at the date of the death
of Mary M. Shelley, (2) the date
of the death of the said M. M. Shelley,
(3) the part of the said estate taken by each
of the said R. R. Deek, John Frazer
and her husband J. F. Frazer in his
right, Duncan Ellis & Bolling Ellis
in his right, the farm yearly rental
of the same, and the quantity and
value of the wood cut from the
same & the date of the cutting.
And having answered they pray hence
to be dismissed with their reasonable
costs in their behalf expended. And they
will ever pray &c

James P. Deek
J. M. Deek

Virginia

Isle of Wight-

County to-wit-

This Day

personally appeared before me, the undersigned a Notary public for the County aforesaid James P. Deek, C. M. Deek who made oath that the statements made in the foregoing answer so far as made in their own knowledge are true, and so far as made in the knowledge and information of others they believe to be true Given under my hand this 19th Day of October A. D. 1886

R. S. Thomas

Deek

v

Deek, Ellis et al

Answer of

J. P. Deek

B. Deek

C. M. Deek

Filed Oct. 20. 1886

By leave of Court.

J. P. Deek Respondent

B. "

C. M. " N. H. H. H.

In the circuit court of the
county of Schoharie -

March Rules 1886

R. R. Wells, Louisa P. Hazier & J. T. Ma-
gier vs. James B. Wells, Boreauford
Wells Balling Ellis, Charles M. Wells
Robt B. Ellis James Thomas Ellis
Wilmington Ellis & Dudley Ellis
the last four infants -

The joint & separate answers of
Robt B. Ellis, James Thomas Ellis
Wilmington Ellis & Dudley Ellis
infants ~~under~~ by N. P. Goring their
guardian ad litem to the bill of
complaint filed against them
& others by the plaintiffs above
named - The said infant defendants
by their said guardian ad litem reserving
all manner of exceptions &c. for
answer to the said bill state to the
court that they are infants
under the age of 21 years, that they
neither admit nor deny the allegations
of the plaintiffs bill, but being infants
submit their interest to the protection
of the court, and having answered they
pray hence to be dismissed with costs.

N. P. Goring Guardian ad litem

Deck et al.

m. $\frac{3}{3}$ Meloy.

Deck et al.

Infants aux.

Taken March

Re. 1886.

To the Hon. George Blow Judge of the Circuit Court of law and chancery for the County of Allegheny in the State of Virginia, in Chancery sitting:

Humly complaining, your complainants, R.R. Dels, Lona P. Frazier and J.T. Frazier her husband, respectfully represent to the court: that

That some time in the year 1857 one Joseph Shelly departed this life in the County of Allegheny, having previously made and published his last will and testament which at the June Term 1857 of said County Court was admitted to probate a copy of which will is herewith filed & prayed to be taken as a part of this bill.

Ex "a"

That as will appear from said will said testator bequeathed for her life $\frac{1}{3}$ of all his estate to his widow Mary M. Shelly. - That said widow has since departed this life. That as appears from said will The residue of said testators property was given and bequeathed to his grand children. That said testator died possessed of a large personal estate which has been disposed of according to law & the directions of the will: that he also died seized of

of a tract of land in the county
of Allegheny, containing 140 acres
bounded by the lands of C.B. Turner
~~W.H. Baker~~ rather

which said tract of land has been held
by the parties entitled thereto since the
death of said Testator as tenants in
common. That said Testator had the
following grandchildren, viz: your com-
plainants R.R. Delk & Iona Hazen Delk
who intermarried with one J.T. Hazen;
Donacastor, who intermarried with Belling
Ellis, Joseph S. Delk, Samuel B. Delk
Jno. W. & Thos. F. Delk, James P. Boreau-
gard & Charles M. Delk - making in
all ten grandchildren. That the
said Joseph S. Delk, Samuel B. Delk,
Jno. W. Delk & Thos. F. Delk died in infancy
without issue - That Donacastor
Ellis died sometime during the year
1888 leaving her surviving as her sole
heir at law, her husband Belling
Ellis, & four children viz: Robt. B. Ellis
James Thomas Ellis, Wilmington Ellis
& Dudley Ellis, which children, together
with the said Charles M. Delk are
infants under the age of 21 years.
That said Donacastor Ellis led before

her will death made published her
last will and testament, which
was duly admitted to probate in
the County Court of Isle of Wight
County - a copy of said will
with certificate of admission to
probate is herewith filed & prayed
to be taken as a part of this bill.

And your complainants further
state that the said real estate is as they
believe susceptible of partition among
the parties thereto; but if it be not then
your complainant desires the same
to be sold and the proceeds divided
amongst the parties entitled thereto accord-
ing to their respective rights. &

In undue consideration whereof
and forasmuch as your complainants
are without remedy at law and
can only be relieved by the aid of this
honourable court of chancery where
matters of this sort are alone prop-
erly cognizable, your complainant
prays that the said James O. Bell, Bore-
gard Bell, Bolling Ellis in his own right
as husband of the said Danacastor, deceased,
Charles M. Bell, Robt B. Ellis, James Thomas
Ellis, Wilmington Ellis & Dudley Ellis be
made parties defendant to this suit

and be required to answer the same on
oath - that a proper guardian ad li-
tem be assigned the infant defendants
to defend their interest in this suit,
who shall also answer this bill - that
proper process issue - that said real
estate be divided amongst the
parties entitled thereto, and your com-
plainants' portion thereof allotted
to them separately; - in case said
real estate should not be susceptible
of partition in kind then may the
same be sold and the proceeds thereof
divided amongst those entitled thereto
according to their respective rights - that
all proper orders or decrees may be made
& proper inquiries directed, and that such
other, further or general relief may be
granted your complainants as the
nature of the case may require or to
equity shall seem meet - And your
complainants will ever pray &c

Joseph H. H. H.
J. H. H.

debt at abo

no.

Wells et al

Complacant Billor

March 1886.

Bill filed & de. nisi n.
adult depts. Geo. addition
app? to adult depts: then
acc. filed & genl. copies.

Ap. L. Res. Bill taken
for confs? as to adult
depts. & set for hearing

Ap. L. Term 1886 -
de for specification oc.

Oct. term 1886
de. for accts.

Ap. L. term 1887
kept. confirmed. oc.

April term 1892

Final Decree