

1857-002 SOUTHAMPTON COUNTY
CHANCERY PAPERS

DAVIS et al vs. MORRIS' ADMINISTRATOR et al
11/1857

other surnames: Kello,
Butler, Morris, Burges,
Vick, John T. Davis & Company,
Harris, Sebrell, Stephenson,
Doles, Coker, Kello &
Stephenson, Fivash, Fivash

~~55~~ 23.

Davis &

v. } Papers

Morris' am v.

Davis }
v. } Stat. Rules.

Morris & Co.

In Southampton Circuit Court.

Merit J Davis Saml B Kello & Milton D Butler who sue in behalf of themselves and all other creditors of Wm D. Morris who will pay their part of the costs of this suit. Plffs

against
Jno. Firbank admor. of Wm D. Morris, Hester Morris, Wm Morris, Nancy Morris, Alfred Morris, Joseph C Morris, Luanna Morris & Edmina Morris } Defs.

1855 Dec. 17th Summons issued returnable to Jany. Rules

1856 Jany. Rules. Sum. ret. Ex. Bill filed.

" Feb. Bill filed. L R Edwards assigned Geo. ad litem to infant Defs: Joseph C. Luanna & Edmina Morris. Ans. of infants. G. Rep. thereto. Decree nisi in Defs. Firbank admor, Hester, Williams, Nancy & Alfred Morris.

" Mar. R. Bill taken for confessed as to Defs: Firbank admor, Hester, Williams, Nancy & Alfred Morris.

" Apr. Cause set for hearing as to infant Defs. on their ans. &c. and on bill taken for confessed as to the other Defs.

" May Decree for account &c.

" Sept. 30th Report.

" Nov J. Decree &c.

1857 " " Rept. & Decree.

1856 Nov. Term

Bluffs boats -	alks	\$ 9.13
	Stiff	9.00
	Leam.	20.00
	Law 1 st	<u>15.75</u>
		\$ 53.88

Ret am for future costs for alk

Paris 21
w Bill
Morris &c

1856 February Rules

To the Hon. Richard H Baker Judge of the Circuit Court for the
County of Southampton In Chancery

Humbly complaining sheweth
unto your Honor your orators Merit & Davis Sons & B
Kello and Milton & Baile who sue on behalf of themselves
and all other creditors of Wm & Morris dead who will pay
their part of the costs of this suit, That sometime in
the year 18 Wm & Morris died intestate leaving some
personal estate and a tract of land lying in the
County of Southampton That he left a widow Hester
Morris and six children to wit, William, Nancy,
Alfred, Joseph & Luanna and Edmina Morris the
three last infants under the age of twenty one - That the
said Wm & Morris at the time of his death was large-
ly indebted and at the Term 18 of the County
Court of Southampton Bro Fireast qualified as his
adm^r and proceeded to administer according to law the
personal assets of his intestate which proved insuffi-
cient to pay the debts outstanding against; all of
which will appear from a copy of the account of the said
adm^r settled before a commissioner of the said County
Court hereunto filed marked (A) and prayed to be ta-
ken as a part of this bill, which said account your
orators are satisfied is correct - That the personal
assets of the said Wm & Morris did not pay quite $66\frac{2}{3}$
per cent of his said debts and that there is a con-
siderable balance due each of your orators as will
appear from the account of the said adm^r above mention-
ed - That at October Term 1854 of the said County Court
some of the heirs of the said Wm & Morris not waiting
for a settlement of the account of the adm^r filed their
bill against the other heirs praying for an allot-
ment of doers to the widow and a sale of the said land and
division of the proceeds among those entitled - That under
a decree of the said court the said land was sold on a
credit and the bonds returned to court, and at the November

June 1855 of the said Court a decree was entered directing
the said bonds to be delivered to the heirs of the said Wm
& Morris which was accordingly done. That the said
bonds were executed by Alfred & Wm Morris with your
Orator Saml B Kelso as their security for the sum of
\$375; all of which will appear from a copy of the record of the
said bill in the said Court herewith filed marked (B)
and prayed to be taken as part of this bill. That the said
heirs of Wm & Morris who have no other means are
about to collect and appropriate away the said bonds, and
that your Orators may be thus deprived of their remedy
against the real estate of the said Wm & Morris.

In tender consideration of all which said in as
much as your Orators are without remedy in
the premises except in a Court of Equity where
matters of this kind are cognizable, to the end there-
fore that justice may be done they pray your Honor to
make Geo Firecash agent of Wm & Morris Hester Morris
Wm Morris, Nancy Morris, Alfred Morris Joseph Morris
Luanna Morris and Edmunda Morris Defendants
to this bill, that some fit and proper person may be
appointed guardian ad litem to the infant Defs,
and that the said Defs Alfred & Wm Morris may be
restrained from paying the said bonds executed
by them with the said Saml B Kelso as security
until ordered so to do by this Court; That the amount
due on the said bonds or so much thereof as may be
necessary may be applied to the payment of your
Orators, that your Honor will grant such other and
general relief in the premises as Equity may
dictate and that the ordinary writ of sub po
may issue &c and as in duty bound they will
ever pray &c May it please your Honor &c

Chambliss & Prosser
for Comps

The answer of Joseph E, Luanna, & Edmunda Morris by
L R Edwards their guardian ad litem to the bill of com-
plaint filed against them and others of Merit & Gair
Saml B Kelso and Hester & Butler.

These Defs saving and reserving &c for answer
unto the said bill or so much thereof as they are ad-
vised it is material or necessary they should
make answer unto, answering say, that they believe
the facts set forth in the bill are true, and being
infants they submit their rights to the protection
of the Court, and having answered they pray hence
to be dismissed.

Chambliss & Prosser
for Defs

Davis & Co }
as }
Monip & Co }

To be entered

R. H. B.

May 4. 1856.

Davis & Co
vs
Morris & Co } Deans

This cause came on this day to be heard on the bill taken for confessed as to the Defendants Mr Treacher adm^r of Wm S Morris, Heirs, William Harvey and Alfred Morris on whom process had been duly served they still failing to appear and plead answer and demur to the said bill, on the answer of the infant Defendants & L M Edwards their guardians ad litem with replications thereto and on the exhibits, and was argued by counsel, but consideration whereof the Court doth adjudge order and decree that one of the Commissioners of this Court take an account of the transactions of Mr Treacher as adm^r of Wm S Morris, also an account of the outstanding debts against the estate of the said Morris, and an account of the sums due from the sale of the real estate of the said Morris and report the same to Court with any matters specially stated deemed pertinent by him self or which he may be required so to state by any of the parties; And the said Commissioner is directed in taking the said accounts to report as prima facie correct, but liable to be searched and and falsified, any settled accounts of the said administrator, made under orders of a court of competent jurisdiction and returned to and ordered to be received by such Court

Quintal
vs 3 Copy Deane
Morris's Comm. 3c

Southampton Circuit Court, May Term, 1836

Mrs. J. Davis, Saml. B. Kello, & Milton D. Butler, who are
in behalf of themselves and all others creditors of W^m D. Morris & who
will pay their part of the costs of this suit Plffs. In Chancery
against

John Fivash, (admr. of W^m D. Morris, Hester Morris, W^m
Morris, Nancy Morris, Alfred Morris, Jos. E. Morris, Luanna Morris,
& Edmunda Morris. Dfts. &c.

This cause came on this day to be heard on the bill taken for
compelled as to the defendants Jno: Fivash (admr.), W^m D. Morris,
Hester, William, Nancy and Alfred Morris in whom process
had been duly served they still failing to appear and
plead, answer and demur to the said bill, on the answer
of the infant defendants by R. R. Edwards their guardian (ad
litam) with replication thereto and on the exhibits and was
argued by Counsel. On consideration whereof the Court,
doth as judge, order and decree that one of the Commissioners
of this Court take an account of the transactions of Jno
Fivash, as admr. of W^m D. Morris, also an account of
the outstanding debts against the estate of the said, W^m D.
Morris showing the character & dignity thereof, and an ac-
count of the sums due from the sale of the real estate of
the said Morris and report the same to Court with any
matters specifically stated deemed pertinent by himself
or which he may be required so to state by any of
the parties; And the said Commissioner is directed
in taking the said accounts to regard as prima facie
correct, but liable to be surcharged, and falsified, any
settled accounts of the said administrator made under
orders of a Court of a competent jurisdiction and returned
to and order to be recorded by such Court.

Attest,
Dated,

Henry S. Howard, W. C.

X ✓

Davis 2p
as } from
Monip }

Nov. Term 1888

R. 14. 13 a Mer
└──────────┘

14
26
—
84
18
—
364

Saris L.

as

Moniff L.

} Secured

This day this cause came on again to be heard on the papers formerly read and on the report of Commr Cobb made pursuant to the order of the last term to wit: there is no exception and was argued by counsel on considerations whereby the court confirming the said report doth assign order and decree that Wm L Cobb who is hereby appointed a special commissioner for that purpose, receive the bonds for the sale of the real estate of Wm S Moniff and deliver to Hester Moniff as guardian of Zephania & Elmira Moniff to Nancy Moniff and to Wm Moniff in ^{amounting exclusive of interest to \$375. which bond the said parties are required} his own right and as guardian of Joseph & Moniff to deliver to the said Commr Cobb that he collect the same and after paying the costs of this suit and the following debts outstanding against the estate of the said Wm S Moniff to wit: Saml B Helle \$40.12 A S H Barger \$3.65 Japh B Lick \$1.22 Milton S Barber \$9.80 M J Saris L 19.96. Alva Colver \$9.43 Matthew Harris \$6.39 Wm J Lohr \$6.13 Wm R Stephenson \$5.33 Madison J Saris \$1.98. Helle & Stephenson \$3.24 Noble M Cole \$1.02 Alfred L Moniff \$17.36, with interest on all of said sums from Oct 15th 1855, pay over the balance in equal proportions to the guardians of the infant defendants Zephania, Elmira, & Joseph & Moniff, and to the defendants Nancy & Wm Moniff and report to court. But this decree shall be of no effect until the said Wm L Cobb shall execute bond with good security in the penalty of eight hundred dollars ^{in the clerk's office of this court} conditioned faithfully to execute this decree.

Southampton Circuit Court, November term, 1856
Merit J. Davis, Saml. B. Kello & Milton D. Butler, who sue
in behalf of themselves and all other creditors of W^m D.
Maniss & who will pay their part of the costs of this suit
Plaintiffs,

against

Inc. Tricash, adm^r of W^m D. Maniss, Hester Maniss, W^m Maniss
Nancy Maniss, Alfred Maniss, Joseph E. Maniss, Lavinia
Maniss, & Edmona Maniss Defendants.

This day this cause came on again to be heard on the papers
formerly read and on the report of C^{mr} Cobb made pursuant to
the order of the last term to which there is no exception and was
argued by counsel. On consideration whereof, the Court confirm-
ing the said report doth as judge, order and decree that W^m
W. Cobb who is hereby appointed as special Commissioner for
that purpose receive the bonds for the sale of the real estate of
W^m D. Maniss dec^d. delivered to Hester Maniss as guardian
in law of Elmina Maniss, to Nancy Maniss and to W^m
Maniss in his own right and as guardian of Joseph E. Maniss
amounting exclusive of interest to \$37.50 which bond the said parties
are required to deliver to the said C^{mr}. & that he collect the same
and after paying the costs of this suit and the following debts
outstanding against the estate of the said W^m D. Maniss, to wit;
Saml. B. Kello \$40.12, A. J. H. Buzes \$3.55 & Sep. B. Vick
\$1.22, Milton D. Butler \$9.80 M. J. Drayton \$19.76 & A. W.
Cooker \$7.43, Matthew Harris \$6.39, W^m J. Sebell \$6.13,
W^m R. Stephenson \$5.33, Madison J. Davis \$1.98. Kello
& Stephenson \$3.24, Robt M. Dole \$1.02. Alfred L. Maniss
\$17.36, with interest on all of said amounts from October 15th
1855, pay over the balance in equal proportions to the guard-
ians of the infant Defendants Elmina & Joseph E.
Maniss and to the Defendants Nancy & W^m Maniss and report to
Court. But this decree shall be of no effect until the
said W^m W. Cobb shall execute bond with good security in the
penalty of Eight hundred Dollars in the Clerk's office

of this Court faithfully to execute this decree.

Test,

Henry A. Howard, D.C.

Other Costs \$ 9.13

Shiff 9.00

W.W. Cobb. Com 20.00

Law fee & 15.75 \$ 53.88.

Retain for future costs
for lobb.

April 22nd 1857. Rec^d. of W^m W. Cobb Commr. The sum
of \$10.27 in full of amt directed to be paid to
me by within decree. Alfred W. Coaker

April 22nd 1857. Rec^d. of W^m W. Cobb Commr. The
sum of \$43.72 in full of amt directed to be paid
to me by within decree. S. B. Kelso

April 22nd 1857. Rec^d. of Wmloboth
Comm the sum of \$10.67 in full of
amount directed to be paid to me by
within decree —

L. D. Butler

Rec^d.
to J. C. C. C. C.
March 1857

March 1857

April 30th 1857. Rec^d. of Wmloboth \$21.73
in full of my claim as per March 1857.

Davis
w 3/4 piece
Brough's work.

To be entered
R. H. Baker
Nov. Co. 1857.

Davis &

vs

Morris admr &

This day This Cause came on to be again heard on the papers formerly read, and on the report of Commissioner Cobb made in pursuance of a decree rendered in this cause at Nov Term 1856 & which report no exceptions have been filed, and ~~The Court confirming the same with adjudge order and decree that~~ on consideration thereof the Court with adjudge, order & decree that the said report be confirmed -

Davis & Co.

v { Sp⁹ Chy.

Morris' adv

1856. January Rules

Executed by deducting
to each a copy on the
21st day of Dec. 1855

J. J. Lane Depty
for A. Kello & Co.

THE COMMONWEALTH OF VIRGINIA :

To the Sheriff of Southampton County—GREETING :

We command you to summon *John Finash admor. Wm D Morris de^d and in his own right*
Hester Morris, Wm Morris, Nancy Morris, Alfred Morris, Joseph E Morris, Luanna
Morris & Elmina Morris

to appear at the Clerks office of our Circuit Court of Southampton county at the Rules, to be
holden for the said Court on the first Monday in *January* next, to answer a bill
in Chancery, exhibited against *them* in our said court by *Mervin J Davis,*
Saml B. Kells, & Milton Butler who sue on behalf of themselves and all other creditors of
Wm D. Morris who will pay their part of the expenses of this suit

And have then there this writ. WITNESS, LITTLETON R. EDWARDS, Clerk of our said
Court at the Courthouse, the *17* day of *December* 1855 in the *80*
year of the Commonwealth.

L R Edwards

Davis to theus

24 3 Commes Notice

Monif. admr to theus

Augt 19th, 1886

To Merit J. Davis, Samuel B. Kello and Melton
W. Butler Plaintiffs, and John Fincask
adm'r. of Wm. B. Morris dec'd, Kister Morris,
Wm. Morris, Alfred Morris, Beanna Morris
and Edmunda Morris defendants.

You are hereby notified that I have
fixed upon Tuesday the 19th day of August
next, at my office, in the town of Jerusalem,
to take the several accounts required to be
taken by a decree of the Circuit Court of
Southampton County rendered at May Term
1856, in the suit of Davis & others vs Morris
adm'r. & others, in which you are parties,
plaintiffs and defendants; at which
time and place you are required to attend.
Given under my hand as Commissioner
of the said Court this the 24th day of July
1856 —

Wm. W. Colborn

Executed by delivering a copy to M. B. Butler
aug-12th M. J. Davis aug-12th - Alfred
Morris, William Morris, Hester Morris self and
as Guardian ad litem for Luanna and Almira
Morris, and ^{also on} Fanny Morris aug-12th. Saul
B. Kello august-12th and John Fitzgish admr
of Wm & Morris dec 5. August-16th 1856

Given in Court

Davis & others
vs 3
Morris' admr. &c.

Commissioner's Report

1856 Sept 30th Ret^d

The Estate of William D. Morris dec.
In account with John Finckish Administrator.

1854			Dr.	Cr.
Decr		To paid Miles Scarborough, appraiser,	1 00	
"		" " William Pond, "	1 00	
"		" " Calvin Scarborough, "	1 00	
"		" " Eli W. Davis, Crier,	2 00	
"		" " Tax accounts,	8 51	
"		" " A. L. Morris, execution	4 54	
"		" " Benjamin Davis, appraiser,	1 00	
1855		" " Chambliss & Mafentung, attor.	5 00	
Jan'y		By cash rec ^d . of E. C. Land trustee		2 97
"		To paid T. J. Drumright, clerk,	5 83	
Augt		" " Joseph P. Glasse for Coffin	6 00	
"	22	By account of sales due this day		376 28
"		To Commissions on \$377.25	18 96	
Octo	15	" paid Clerk's tickets	5 00	
"		" " R. C. Wells	40	
"		" Clerk's fees retained	1 50	
"		" Commissions fees retained	1 50	
"		By Balance due the Estate	316 01	
			379 25	379 25
"	"	By Balance due brought down		316 01
"	"	To paid Saml. Wells for Bacon &	14 61	
"	"	" " S. B. Wells amount apportioned	88 60	
"	"	" " A. S. H. Buzes, " "	7 98	
"	"	" " J. B. Weil, " "	2 62	
"	"	" " Milton D. Butler, " "	22 56	
"	"	" " M. J. Davis, " "	44 05	
"	"	" " A. W. Loker, " "	20 80	
"	"	" " Matthew Harris, " "	14 03	
"	"	" " Wm J. Sebree " "	13 52	
"	"	" " Wm R. Stephenson " "	11 74	
"	"	" " Madison J. Davis " "	4 33	
		Amounts carried forward	244 84	316 01

1855	Amounts brought forward	244	84	316	01
Octo 15	To paid Wells & Stephenson amount apportioned	7	11		
" "	" " Robert M. Wiles, " "	2	20		
" "	" " Alfred L. Morris, " "	38	36		
" "	" " Clerk's tickets	6	00		
" "	" " Commissioners fees	17	50		
		316	01	316	01

The Commissioner reports that John F. Wiersh admr. of Wm D. Morris settled before a Commissioner of the County Court of Southampton County, an account of his transactions as administrator aforesaid, who also reported an account of all debts due and outstanding from said estate, and there being not sufficient assets to pay all of said debts, the balance due from him to said estate was apportioned amongst the several creditors who had proved their debts according to law, and an order was made at the last February term of the County Court of Southampton County directing him to pay to the several creditors the amounts which had been apportioned to them, which amounts have been paid by the said administrator, and are allowed in the foregoing account. The whole amount in his hands has been paid out. The Commissioner further reports that at the October term of the County Court of Southampton 1854, a decree was obtained by the heirs of the said Wm D. Morris for a sale of the real estate of which he died seized and possessed and a division of the proceeds amongst them - That by virtue of said decree a sale was accordingly made and the bonds for the purchase money payable in one and two years executed by Alfred Morris and Wm Morris with Saml B. Wells their security for the sum of \$375. were returned to the clerk's office

of said Court, and by a decree of the said Court made at the November term 1855, the said bonds were directed to be delivered to the heirs of the said Wm D. Morris which was accordingly done. That said bonds have not yet been collected. That the said real estate was all that the said Wm D. Morris died seized and possessed except what was allotted to his widow as dower. The following is the balance of debts due and outstanding against the estate of the said Wm D. Morris decd. They all belong to one class.

	\$	cts
Balance due to Saml B. Wells, October 15 th 1855	40	12
" " " A. S. H. Buzges, " " "	3	65
" " " J. B. Dick, " " "	1	22
" " " Milton D. Butler, " " "	9	80
" " " M. J. Davis & Co, " " "	19	76
" " " A. W. Coker, " " "	7	43
" " " Matthew Harris, " " "	6	39
" " " Wm J. Sebell, " " "	6	15
" " " Wm R. Stephenson, " " "	5	33
" " " Madison J. Davis, " " "	1	98
" " " Wells & Stephenson, " " "	3	24
" " " Robert M. Wiles, " " "	1	02
" " " Alfred L. Morris, " " "	17	36
Total amount of debts with interest from October 15 th 1855	75	65

Respectfully Submitted
Wm D. Cobb Comr

Commissioner's office Sept 16th 1856.
In obedience to a decree of the Circuit Court of Southampton County rendered at May term 1856, in the suit of Davis & W Morris admrs. the undersigned Commissioner of said Court begs leave to submit the foregoing accounts. The parties were duly served with notice of the time and place of taking the said

accounts, which notice is herewith returned with
This report.

Comm. fee \$20. ³
charged to the P.H.S. ³

Respectfully Submitted
Wm. W. Cobb Comm

Davis M J Jr

5.86

5.48

1.45

4.00

20

20

4.00

21.19

P.D 99¢ to
Sheriff on
another Ticket
C.W. Cobb

M. J. Davis. S. B. Kello & M. D. Butler.

1856.

To the Clerk Southampton Circuit Court

Dr.

Issuing Summons &c. 43 Copies 1.00. return 35. docketing 18. attorney 10. filing
bill 15 papers 25 exhibits 10. Rules 50. Continuance 8. answer infants 15
replication 15 Rule 58. 1 May, Rule 30 v. Morris &c.

4.44

May. Deere & copy 56. copy papers for Com. 50. Cont 36

1.42

S. R. Edwards &c

5.86

M. J. Davis, S. B. Kello. & M. S. Butler,
- 1856.

Augt. To Writings & delivering Com^d Notice on your side,
Furnace, S. Morris, W^m Morris, Alfred Morris, J. Morris & E.
Morris. Received payment of W^m Morris Com \$9.00
Kello Liff.

Davis M J L

2.33
1.33
1.20

4.85

Paid in full

1
Lm M G L
for Wm W G L

Merit J. Davis. M.D. Butler of S.B. Kello
 1856 To the Clerk Southampton Circuit Court

Sep.	Filing report 15 v. Morris &c.	15
Nov.	Entering decree 36 copy 20. Taxing costs & copy 40 taking bond 50	}
	Continuance 36	
May	Continuance	36
		<u>2. 33</u>

L.R. Edwards Clk

June 6th 1857. Recd. of W W Cobb \$1.02 in full of the
amount directed to be paid to me in the suit of Davis
vs Monipht — Robt M Dales

June 6th 1857. Recd. of W W Cobb ~~the sum of~~ \$8.50
in full of the amount directed to be paid to me, and
to Keble & Stephenson in the suit of Davis vs. Monipht
Wm J Stephenson

June 6th 1857. Recd. of W W Cobb the sum of
of \$3.65, and also the sum of \$1.98, it
being the amounts respectively secured to be
paid to A. S. H. Binger & Madison J. Davis
in the suit of Griffin & wife vs Almond
& others — Wm J Stephenson

C. & M.

Receipt

\$30.75

~~Dollars~~ is Morris

May 4th 1859 Noddy Commissioners cost this 5
dollars ⁷⁵/₁₀₀ per for in the above case.

Charles H. P. of Massachusetts

Wm. J. & Nancy
Morrill Receipt

April 22nd, 1857. Recd. of Wm W,
Cobb Commr the sum of \$34,57²/₅
each, it being the balance to which
we are entitled after paying the debts
of Wm W. Morris decd, under the decree
of the Circuit Court of Southampton
County rendered at Nov. Term 1856
in the suit of Davis & Morris
decd
witness,

W D Butler
A W Coker

Nancy ^{her} Morris
mark
Wm ^{his} Morris
mark

April 22nd, 1857. Recd. of Wm W. Cobb
Commr the sum of \$34,57²/₅, it being
the amount to which Joseph E. Morris
is entitled after paying the debts of
Wm W. Morris decd, under the decree
of the Circuit Court of Southampton
County rendered at Nov. Term 1856
in the suit of Davis & Morris —

Teste
W D Butler

Wm ^{his} Morris Guar.
mark
to Joseph E. Morris

John Finckh's
Receipt
for A. L. Morrill

April 28th 1857. Rec^d. of Wm. W. Cobb
Commissioner the sum of \$18.89^{for}, it being
the amount ^{& interest.} directed to be paid to Alfred L.
Morris by the decree of the Circuit Court
of Southampton County rendered at Nov. Term
1856 in the suit of Davis & v Morris &c, which
claim an order was given me on W. W. Cobb
aforesaid by Alfred L. Morris.

John F. Fawcett

Hester Morrip'

Receipt

April 22nd, 1857. Received of Wm. W. Cobb Commr.
The sum of \$69.14 $\frac{4}{5}$, it being the amount to which
Zuanna & Elmira Morriss are entitled after paying
the debts of Wm. W. Morriss, under the decree of the
Circuit Court of Southampton County rendered at
Nov. term 1856 in the suit of Davis & others vs Morriss,
admrs. & others &
Witness.

John Fivewash

His
Nester X Morriss Guard
Mark
to Zuanna & Elmira Morriss

M^r. William W Cobb

725

6

Mr Wm. W. Cobb Sir you will please to pay to
John Finckh the amount that is common to
me from my Father's William F Morris's estate
that the Chatter Estate lack of paying W. L. Morris's
William F Lane mark

January 7th. 1857

Ward
at 3 Report
M. J. Toth

1867 November 10th filed.
H. H. 56.

Harris &
24
Morrish, Adams & others,

In obedience to a decree of the Circuit Court of Southampton County rendered at Nov^r, Term 1856 in the above suit the undersigned appointed a Commissioner for the purpose received from the parties therein mentioned the bonds for the sale of the real estate of Wm. W. Morrish dec^d. That he collected the same which amounted to \$395.61 on the 22nd day of April 1857 - That he ^{too} paid the costs of this decree amounting to \$68.88, and deducted his commissions \$16.91 ^{too}. And that he paid the several creditors the respective amounts directed to be paid to them, and that he paid over the balance to the parties mentioned in said decree, from all of whose receipts were taken and are herewith filed - Statement made A. is filed with this report showing } Respectfully Submitted
the amt. rec^d. & paid out. } Wm. W. Collier

Davis

v
know if }

statement made it.

Amount rec^d from bonds for the sale of the real
estate of Wm D. Morrish dec^d. \$ 395.61

 To Commissions \$ 16.91

 " paid Costs of dec^d. \$ 68.88

 " " debts mentioned }

 in said dec^d - \$ 136.95

 To paid Nancy William }

 Zelma, Elmina and }

 Joseph E. Morrish per receipt. 172.87

\$ 395.61 - \$ 395.61

KNOW ALL MEN BY THESE PRESENTS, That we *William W Cobb &*
W. H. Nicholson —

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum
of *Eight hundred* ————— Dollars, current money of Virginia,
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 *15* day of *Dec* A D. 185 *6*.

The Condition of the above Obligation is Such, That if the above bound *William*
W Cobb who was appointed Commissioner in a suit in Chancery depending in the Circuit
Court of Southampton County between *Mrs J Davis & others* plffs against *John*
Finch admr. of *Wm D Morris & others* Defts. by a decree entered therein on the *7th* day of
November 1856 for certain purposes in the said decree expressed —

shall faithfully discharge the duties of his said office or trust according to law, then the above
obligation to be void, or else to remain in full force and virtue.

Signed, Sealed and delivered in the ()
presence of ~~the Court~~)

J R Edwards *clerk*

Wm W Cobb
W H Nicholson

L.S.

L.S.

L.S.

L.S.

Southampton Circuit Court In the Clerks Office the 15 day of Dec.
1856

The within bond was acknowledged before me in my Office aforesaid
and Nath Nicholson the surety therein made oath that his Estate after the pay-
ment of all his just debts is worth the sum of Eight hundred dollars the penalty
thereof

L R Edwards Clk

James H
Nicholson
to Bond

Southampton Co

And Account apportioning
Debts against the estate of
H^m D. Morris Dec^r.

A Copy

Davis & others
vs { Exhibit "A."

Morris & others

In obedience to an order of the County Court of Southampton made at December term 1855, directing the undersigned Commissioner of said Court to apportion the amount due from John Stocock ^{decd} of William D. Morris ^{decd} to the estate of his intestate, amongst the several creditors of the said estate, who have proved their debts according to law, the said Commissioner begs leave to submit the following report.

1855					
October 15 th	By	Balance due the estate per Commissioner's Report			316 01
"	"	To Commissioner's fee for reporting and account of all debts or demands	10	00	
"	"	To Clerk's fees retained	6	00	
"	"	" Commissioner's fee for this acct	7	50	
"	"	" paid Saml. Kellogg acct	4	61	
"	"	By Balance due the estate	277	90	
			316	01	316 01
"	"	By Balance due to be apportioned			277 90

The following is a list of the creditors who have proved their debts according to law with interest included on their several claims, to October 15th 1855.

Saml. B. Kellogg	2 bonds of Int.			47	09
Ditto	account			87	63
A. S. Sturges	"			11	63
J. B. Vick	"			3	84
Amount carried forward				144	19
Amount brought forward				144	19
M. D. Butler	acct of Int			32	36
M. J. Davis	3 do	"	"	64	01
A. H. Coaker	"	"	"	30	23
Mathew Harris	"	"	"	20	42
W ^m J. Tebrell	bonds of "			19	67
W ^m R. Stephenson	acct of "			17	07
Madison J. Davis	"	"	"	6	31

Kello & Stephenson	" "	10 35
Robert M. Dales	" "	3 22
Alfred L. Morris	" "	35 72
Total Amount		\$ 403 35.

The following are the several amounts apportioned to each of the foregoing creditors.

To Saml B. Kello	2 bonds acct	88 60
" A. S. H. Buzes	acct	7 98
" J. B. Vick	"	2 62
" Milton D. Butler	"	22 36
" M. J. Davis & Co.	"	111 05
" J. W. Coker	"	20 80
" Matthew Harris	"	11 03
" Wm J. Sebrill	bond	13 52
" Wm R. Stephenson	acct	11 71
" Madison J. Davis	"	11 33
" Kello & Stephenson	"	7 11
" Robert M. Dales	"	2 20
Carried forward		239 34
Amount brought forward		239 34
To Alfred L. Morris	acct	38 36
		277 70

Respectfully submitted

Wm H. Cobb, Clerk.

Southampton County in the Clerk's Office the 3^d day of January 1856.
Wm H. Cobb, a Commissioner of this Court this day returned an account apportioning the amount due from John Seacash (adm of William D. Morris decd.) amongst the several creditors of the said Morris as his estate, which is filed for exceptions.

Attest
J. H. S. Howard, D. C.

Mouise & als

vs { Copy of Recd.

Mouise & als

Davis & others

vs { Exhibit "B."

Mouise & others

To the Worshipful County Court of Southampton.
In Chancery sitting.

Humbly complaining shew unto
your worships, your complainants, William and Mary Morris
that their father W^m D. Morris lately departed this life intestate,
leaving a widow Hester Morris and five children, to wit:
your complainants, Joseph, Luano and an unborn infant his heir at
Law, also a son named Alfred of full age. That during his
life the intestate advanced to his son Alfred one hundred acres of
Land, and put him in possession thereof, and he erected buildings and
made other improvements thereon; but he did not lay off the boundaries
of the said Land. That the intestate died seized of about 300 acres
of Land, - That the said Land belong to his children subject to
his widow's dower, and they now desire a partition of the said Land
but it is not worth £300. a share and in as much as the interests
of all parties will be manifestly promoted by a sale, they pray that
the said Land may be sold for division, but as some of the parties
are infants, they cannot effect a sale without the aid of this Court
sitting in equity.

In Tender consideration of all which and in as much as your com-
plainants are without remedy except in a court of equity. To the
end therefore, they pray your worships to make Alfred Morris,
Hester Morris widow of W^m D. Morris, Joseph & Luano Morris
and the child of which Hester Morris is now pregnant, infants by
some fit person to defend them, Do unto this bill, that you
will appoint Com^{rs} to lay off the Land advanced by W^m D Morris
to his son Alfred. also to assign to Hester Morris her dower in
in said Land, and direct the said Land to be sold and the proceeds
divided according to Law, and the rights of the parties and grant
such other and general relief in the premises as Equity may dictate.

Chambliss for Com^{rs}.

Answer of Alfred Morris to the foregoing bill.

This Defendant shewing &c. says the facts in the bill are true. That
he has rec^d one hundred acres of Land as an advancement from his

father in his lifetime and having answered, prays to be hence dis^d.

"Answer of Hester Morris to the foregoing bill.

This Defendant admits the facts contained in the bill, is willing to accept her dower & having answered prays to be hence dismissed.

"Answer of Joseph Morris & Luano Morris and the unborn child of which Hester Morris is now pregnant by R. R. Edwards their guardian ad litem to the foregoing bill.

These Defendants being infants are incapable of defending their rights and therefore submit them to the judgment and protection of this worshipful Court and having answered pray to be hence dismissed."

At a Court held for the County of Southampton, at the Courthouse thereof, on Monday, the _____ day of October 1834.

William Morris & Nancy Morris } Plffs }
against }
Alfred Morris, Hester Morris, Joseph Morris Luano Morris }
Morris the last three infants of tender years } Defs }

The Court doth appoint R. R. Edwards Guardian ad litem to the infant defendants Joseph, Luano and Morris who filed their answers and the cause was docketed by consent of parties & came out to be heard on the bill, answers of the Defendants, replications thereto and was argued by Counsel. On consideration whereof, the Court doth adjudge, order and decree that John Givensh, William Bain and W^m. S. S. who are hereby appointed Commissioners for the purpose shall first accompanied by a competent Surveyor lay off and run the boundary line of the 100 acres of land advanced by W^m. D. Morris in his life time to his son Alfred Morris, that out of the balance of the land of which W^m. D. Morris died seized they lay off one third in value by metes and bounds and assign the same to Hester Morris as her dower in the lands of her deceased husband to be enjoyed by her for life. That the said Commrs then sell the lands of W^m. D. Morris on a credit of one and two years subject to the widow's dower after giving twenty days previous public notice of the time and place of sale by advertisement at several public places in the

neighborhood of said land. That they take of the purchaser five bonds for each payment of the money and return to Court to await its future order. And the Commissioners will report to Court in Order to a final decree.

And at another day, To wit: At a Court held for the said County of Southampton, at the Courthouse thereof, on Monday the 13th day of January 1835.

The Commissioners in this cause this day made their report in the following words and figures, To wit:

In obedience to the above decree pronounced in Southampton County Court at October term 1834, we the Commrs above appointed accompanied by J. F. Drumwright a competent Surveyor laid off and run the boundary line of 100 acres of land advanced by W^m. D. Morris in his lifetime to his son Alfred Morris and out of the balance of said lands have assigned to Hester Morris one third in valuation to be enjoyed by her for life. After giving 20 days notice of time and place we sold to the highest bidder (subject to the widow's dower) on a credit of one and two years the balance of said lands for four hundred and nine dollars. We reserved \$35.00 to meet expenses, which has been appropriated as follows. To Commrs \$17.18, Attorney \$10.50, for writing Dec^y & report \$1.32, copy \$1.00 with a balance of \$4.00 to meet other expenses. All of which we now respectfully present to Court.

John Givensh }
The bonds are herewith returned }
William Bain } Commrs
William Pond }

And at another day, To wit: At a Court held for the said County of Southampton the 19th day of February 1835.

This day this cause came on again to be heard in the papers formerly read and on the report of the Commissioners made at the last term of this Court, to which no exceptions have been filed and was argued by Counsel. On consideration whereof the Court approving and confirming said report doth adjudge, order and decree that the same be held firm and stable and binding between all the parties forever, and that the costs of this cause be proportionably borne by the parties.

And at another day, to-wit: At a Court held for the said County of Southampton, the 20th day of November 1853.

This day this came came on to be again heard on the papers formerly read and on the report of the Commissioners made pursuant to the order of October term 1853, to which report there is no exception. On consideration whereof, the Court confirming the said report, doth adjudge, order and decree that one of the bonds for \$37.50 on demand the 22^d of Novr 1853, and one for the same amount on demand, the 22^d of Novr 1856 be delivered to the guardian at law of each of the infants Defendants, and that one of each of the said bonds be delivered to the plaintiff, William Morris and to the plaintiff Nancy Morris.

The following are copies of the Receipts given the Clerk for the bonds under the foregoing decree:

"As guardian of Luanna & Elmira M. Morris orphans of W.D. Morris, I have this day received of the Clerk of Southampton County four of the bonds filed by the Commissioners with their report to-wit: Two bonds for \$37.50 each due 22^d November 1853, and two bonds for \$37.50 each due Novr. 22^d 1856 being the said Luanna & Elmira's proportion of the sale of W.D. Morris' land. Given under my hand this 23^d Novr. 1853.
Witness
Nancy S. Howard."
Wester^{her} Morris mark

"Received this 23^d Novr 1853, of the Clerk of Southampton County two bonds filed by the Court with their report for \$37.50 each one due Novr 22^d 1853, & the other due Novr 22^d 1856.

Witness
Nancy S. Howard."
Nancy^{her} Morris mark

"As guardian of Joseph E. Morris orphan of W.D. Morris, I have received of the Clerk of Southampton County two bonds for \$37.50 each, one due Novr 22^d 1853, & the other due Novr 22^d 1856, being said Joseph E. Morris' proportion of sale of W.D. Morris' land. I have also rec^d two of the same amount & due at the same time, being my

proportion of the sale of W.D. Morris' land.
Witness.
William^{her} Morris mark
Nancy S. Howard."

A Transcript of the Record.
Nancy S. Howard, D.C.
"