1861-07 Southampton Ch Chancery Duck, Irving W. et als Vs Williams John P Estate

Creditors
Duck, Irving W. et al

Heirs
Silas Williams Widow
Supt Chilson
Evelina
Caelia
Cassander
Arechia
Clara


Duck
v.
Williams et al

Duck
vs 3 Bills exhibits
Williams adm vals

1857 March Rules.

(826 words)

To Richard H Baker judge of the circuit court of Southampton County in chancery sitting

Humbly complaining your Orator Irving W Duke who sues for himself and all the other creditors of John R Williams Dec'd who are willing to come in and bear their share of the expence of this suit sheweth unto your Honor that sometime in the year 185- John R Williams of the county of Southampton departed this life intestate and leaving considerable estate both real and personal and leaving, Sally Williams his widow and Elpsena, Hadrian, Kapandu, Anadna and Elvira Williams his five infant children his distributees and heirs at law, that William E Rawls has qualified as his administrator as will appear by a copy of his letters testamentary herewith filed marked A Your orator further sheweth unto your Honor that the said John R Williams died as he has every reason to believe largely in debt for his means, indeed he has been informed and believes that his personal estate will be wholly insufficient to pay his debts and that his landed estate will have to be charged therewith, the said John R Williams has left but little personal estate and a tract of land lying in Southampton County and some real estate lying around Franklin depot in Isle of Wight county, and your Orator further shews that the said John R Williams died owing to your Orator as guardian a bond for $60.25 etc and a note for $87 dec 25th Dec 1880 a note for $87 due 25th of Dec 1882 as will appear more fully by the said notes herewith filed marked B and prays to be taken as a part of this bill and that both the personal and real estate of the said John R Williams died and bound for the said debts

In Tender consideration whereof and inasmuch as your orator is without relief in a court of law and only entitled to relief in a court of equity where such matters

* To take an account of all the debts outstanding against the said Williams estate

an Infant by Thompson prays that Wm E Carols administrator of John R Williams died Sally Williams his widow and Elpena, Hadrian, Capandus, Anachus and Cleora Williams his five infant children by com fit and proper person their guardian ad litem appointed for that purpose may be made parties defendant to this bill, that the court would compel them as full and perfect answer make to the allegations therein contained as if they had been thereunto more fully and specially interrogated, and that the court would by its decree order the said William E. Carols to settle an account of his transactions as administrator of John R Williams died before one of its commissioners and also direct the said commissioner to ascertain the actual and annual value of dec the real estate of the said John R Williams died in the county of Southampton exclusive of the widow's dower and direct him to ascertain that the said lands may be sold to satisfy your orators debt and others in the event the said Williams personal estate should prove insufficient to pay his debts, and that the court would grant such other and general relief the premises considered as equity may dictate and the nature of his case may require and as in duty bound your orator will ever pray &c

Thomas p.q.

Williams by mc

ats 3 assm of infants
3 by L. R. Edwards
Duck for m claim

Received by consent
Wm B Thomas atty
for J. W. Duck

The answer of Elvina, Hadrian, Cassander, Ariadne and Elvira Williams infants of tender years by Littleton R Edwards their guardian ad litem to a bill in chancery in Southampton Circuit court by Emily R Duck &c &c &c

This defendant for answer to the said bill or as much thereof as he is advised it is material for him to answer, answering, says, that he knows nothing of the allegations of the plaintiffs bill but submits the interests of his wards to the care of this honorable court whose peculiar duty it is to protect the rights of infants and having fully answered prays hence to be dismissed with his costs &c

L R Edwards Gdn Pl

At a Court held for the County of Southampton the 17th day of March 1856.

On the motion of Wm E. Rawls who made oath and gave bond & Security according to law, certificate is granted him for obtaining letters of administration on the estate of John R Williams dec'd in due form.

A Copy

Teste. L R. Edwards CC

1858 January 6. Rec.d of Wm B. Shands Commissioner of Sale &c. the Sum of Twenty Dollars my fee as Commissioner in the Chancery Suit of Irvin Duck &c. vs. John R. Williams admr. &c. &c.

Henry S. Steward Com.r

Received Janry 9 1858 of W. B. Shands Com.r in the Suit of Duck &c. vs. Williams admr $7.98 Cents the Clks fee.

J. R. Edwards Clk

On demand the 25th day of Decr 1852 We the Subscribers and each of us do promise and oblige ourselves our joint and several Heirs Exors &c to pay or cause to be paid unto Irvin Mock guardian for Martha R and Indiana M Clay orphans of Mills L Clay Dec.d his Heirs or assigns the just and full Sum of eighty seven dollars good and lawful money of Virginia for the hire of a negro man Willis. which negro is to be kept and returned in good customary clothes Hat &c and said negro is to be worked on no publick works whatever except that of attending to the depot under the penalty of the value of the negro which 600 dollars Given under our hand and seals This 25th day of Decr 1852

Test
N M Smith

J R Williams
G A Williams

January 5th 1858 Rec.d of Wm B Shands Commissioner the sum of Ten Dollars in full for selling John R Williams real estate

Nathan N Thomas

Jno. R. Williams

to

J. M. Duncan

Mail 3# 60.25

JB

On demand the 27th day of Dec. 1849 We the subscribers
or either of us do promise and oblige our selves our
Joint and several heirs Exors Admrs &c to pay or
cause to be paid unto Isaac W Dench Guard
for Ingraham M Eby Orphan of Mills L Eby
Dec'd his heirs Exors Admrs or assigns the just
and full sum of sixty dollars & 25/100 ——
good and lawful money of Virginia for the hire
of a negro boy Willis which negro is to be kept
and returned in good customary clothes hat and
shoes, and is to be worked on no publick works
or Labour, nor to be carried out of the State
Given under our hands and seals this 27 day
of Dec. 1849

Test
Wilson Stephenson

J W Williams (SS)
J B Johnson (SS)
(SS)

Duck

2 Std. Rules.

Williams' atom. do

In Southampton Circuit Court.

Irwin W Duck who sues for himself & all other creditors of John R Williams dec^d who are willing to come in and bear their share of the expenses of this suit

against

William E Rawls admor of John R. Williams dec^d, Sally Williams & Elpheus, Hudgins, Cassander, Arcadia & Eleora Williams

1857

" March. R. Sums rec^d Ex^n Bill filed – Decree Nisi &c. Dfts Wm E Rawls admr of Sally Williams.

" Apl. R. LR Edwards appointed gd^n ad litem to infant Dfts and & infants D. Resp – Bill taken for confessed as to Dfts Rawls admr & Sally Williams.

" " R. (Last Monday) Cause set for hearing as to all the Defts &c

" May T. Decree for acct.

Oct 6. Rep^t.

Nov 5. Decree.

1858. Jany. 9. Rep^t.

" Apl. 1. Rep^t.

" May. T. Jas H Judkins on his petition made party & decree

" Sept. 13. Report.

" Nov T. Decree for Com. to receive & pay out &c

1859 Apr 10. Report & Decree

1860 Jany 11. Rep^t

" Apl. 6. Rep^t.

" May. T. Decree confirming report & cause continued

1866 May T. Cause removed from the docket

N. B. Gardner's
Vouchers.

Acct. Settled 4th
Augt. 1838. Due from
Trustee $598:81
Withdrawn from Dr.
1838.

A. P. Mumford

Duck fo. 7.

vs 3 Depositions

Williams 7 als 7.

1857

Octo 6

Return of writ Com. Howard
Repeat

The Examination of Joseph E. Gillett and William Murfee witnesses of lawful age, taken on the 24th day of August 1857, before Henry S. Howard one of the Commissioners in Chancery of the Circuit Court of Southampton County, at the office of the said Commissioner, to be used as evidence before the said Commissioner touching a certain matter of account referred to the said Commissioner to be inquired into by a decree of the said Court pronounced at the May term 1857 in a suit in Chancery therein pending between Duck for the plaintiff and Jno. R. Williams adm'r & others defendants

The Witness Joseph E. Gillett being first duly sworn, deposes and says: "I know the real estate of the late Jno. R. Williams dec'd and it is my opinion that the absolute value of the same exclusive of the widows would be about one thousand Dollars, and the annual value of the same exclusive of the widow's dower about one hundred & fifty Dollars".

And further this Deponent saith not.

Joseph E. Gillett

Sworn to, and subscribed before me as Commissioner aforesaid this 24th day of August 1857.

Henry S. Howard, Comm.

The Witness William Murfee being first duly sworn, deposes and says: "I know the real estate of the late John R. Williams dec'd and it is my opinion that the absolute value of the same exclusive of the widows would be about a thousand or twelve hundred Dollars and the annual value of the same exclusive of the widow's dower about a hundred or a hundred & twenty five Dollars".

And further this Deponent saith not.

Wm. Murfee

Sworn to, and subscribed before me as Commissioner aforesaid, this 24th day of August 1857.

Henry S. Howard Comm.

Duett for 2d Petition
Williams Dom? 2d

1858 May 4th

Duett pro.
vs
Williams & Om.

Petition of James H Deitrick

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

Your Petitioner James H Deitrick humbly
sheweth that Willis D Summers, S A W Newsom
Sarah Rollo and John R Williams were indebted
to your Petitioner in the sum of $700 by bond
dated the 28th day Oct 1832 the said Summers as
the principle debtor and the other obligors as his
securities. That since that time the said James
Newsom and Williams have died leaving the
said bond still unpaid. That the estate of the
said Summers is insufficient to pay the said bond
and will leave about the sum of $400 due thereon
after all assets have been exhausted which can
ought to be paid specially by the estates of the said
Williams & Newsoms and Sarah Rollo, but the
estate of the said Newsoms being sufficient
to pay the full amount of the debts outstanding
against it, the estate of the said Williams are
to be bound to contribute more than one third
of the said sum of $400. That sometime since
the Plaintiff in this cause filed his bill, and a
decree made on the hearing of the cause
a commission was directed to take an ac-
count of the debts of the said Jno R Williams
in the usual way and upon a partition being
the real estate of the said Williams was directed
to be sold which sale according to law com-
ing the proceeds of such sale are still under
the control of the court. That your Petitioner
did move the Commissioner notice to the
creditors to come forward & prove their debts

and did not know on his return that this cause was pending — Your Petitioner is advised that under the circumstances aforesaid he ought now to be permitted to go in before the commissioner and prove the said debt — Your Petitioner therefore prays that he may now be allowed to prove the said debt against the estate of the said Lohan N Williams, and that your Honor will make such order therein as may be just — and your Petitioner will ever pray &c

Thomas Hyde Pendleton
atty for
James H Dickson

Duck

Comr. bond.

Williams' adr.

Know all men by these presents that we William B. Shands & Richard I Burden ~ are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of Two thousand dollars. to the payment whereof well and truly to be made we bind ourselves our heirs executors and administrators jointly and severally firmly by these presents. Sealed with our Seals and dated this 8th day of December 1857

The Condition of the above obligation is such that whereas by a decree of the Circuit Court of Southampton County entered on the 9th day of November 1857 in a suit therein depending between Irwin W Duck who sues for himself &c. pltf. & William E Rawles admr. John R Williams dec'd & others Defts. the above bound William B. Shands was appointed as Special Commissioner for purposes therein mentioned. Now if the said William B. Shands shall faithfully discharge the duties of his office or trust according to law then the above obligation to be void or else to remain in full force & virtue.

Signed Sealed & delivered in the presence of } William B Shands (Seal)
R. J. Barden (Seal)

Docks
ex 3 Com=Report
Williams

1860 April 6th

Deck
vs 3 Commissioners report
Williams

The commissioner begs leave to report that he has since his last report sold seven acres of land belonging to John R Williams estate to Charles Holland for Thirty dollars which the said Holland has paid and that he has made him a deed for the same. The commissioner reports further that he herewith returns a receipt taken from the said Holland as guardian for John R Williams' children for further monies paid over to him under the order of this court the said commissioner claiming a small amount to meet debts which have been proved but the money not yet applied for, All of which is respectfully submitted

by

Wm B Shands Commissioner

Receipt
from
Charles B Cotland

Receipt
from
Charles B Cotland

$133-

Recivd from Wm B Shands Commissioner to sell
John K Williams Lands the sum of Three hundred and
Thirty Three dollars and Twenty four cents ($333.24cts)
for Elpinor Williams, the sum of Three hundred
and Thirty Three dollars and Twenty four cents ($333.24cts
for Hadrian Williams the sum of Three hundred and
Thirty Three dollars and Twenty four cents ($333.24cts,
for Capsander Williams, the sum of Three hundred
and Thirty Three dollars and Twenty four cents ($333.24cts)
Ariadne Williams and the sum of Three hundred
and Thirty Three dollars and Twenty four cents ($333.24cts)
for Cleora Williams
These sums of money the said commissioner has
been directed to pay over to me as guardian
of the above named children and this receipt
is given as guardian given under my hand this
10th of January 1860

Charles Holland Exor
for the Estate

April 6th 1860 Recivd from Wm B Shands
Commissioner in the case of Duke vs Williams
the sum of $27 for Elpina Williams the sum
of $27 for Hadrian Williams the sum of
$27 for Capsander Williams the sum of $27
for Aridne Williams the sum of $27 for
Cleora Williams [redacted] amounts
directed to be paid by the said Commissioner
to me as guardian for the said children

C. Holland
Executor

Duckstone
vs 3
Williams adm-rs

Commissioners Report

1858 Jany 9

1859 Jany 15 Returned the lands filed with the report.
Upon 13 Claims the Commissioners

Deed for re
vs
Williams admr &c

Commissioners Report

The special commissioner Wm B Shands begs leave to report that Thos Sims at Law of John R Williams dec'd having failed to pay to the parties mentioned in the decree rendered in this cause at the Nov Term 1857 the sums of money which they were directed to pay within the time thereby prescribed, he after having given notice in the time and manner directed by the said decree, did on the 5th of January 1858. proceed to sell on the premises at Blackwater or Franklin depot all the land whereof John R Williams died seized and possessed, which had not been disposed of before under a deed of trust, he sold first a lot of land lying at Blackwater depot, running along Blackwater river including a valuable wharf lying to the south of the rail road in Isle of Wight County estimated to contain five acres more or less to Charles Holland for the sum of twenty one hundred dollars ($2100) a lot of land estimated at three fourths of an acre at the same depot in the same county lying north of the rail road to John L Kosher for the sum of Thirty dollars ($30.) a Tract of Pine woods land lying in Isle of Wight supposed to contain one hundred and seventy nine acres and lying some two miles from the same depot, the said Tract being sold by the Tract and not acre to Mills W Daughtrey for the sum of five hundred and sixty six dollars $566, and six acres in Southampton County to William Thorpe for the sum of eighty dollars and fifty cents ($80.50cts) amounting in all to the sum of twenty seven hundred and seventy six dollars and fifty cents ($2776.50cts) the Justice

auction to the highest bidder on the terms directed by the decree, that after deducting the costs of the suit to wit costs of suit $66.98 cts commission on sales 5 pr on $300 2 pr cent on residue $64.52 cts and paid auctioneer $10 amounting $141.17 cts he took bonds with approved security for the net proceeds of sales $2634.99 cts which are herewith returned subject to the future order of the court, all of which is respectfully submitted by

Wm B Shands Commissioner

Jany 9. 1858

The commissioner reports further that Nelson B Yardum sold some of the lands belonging to Jno R Williams and after paying the debts secured under the said deed of trust there is a balance due to the grantee Jno R Williams the sum of of $598.81 cts with interest from the 9th of Dec 1857

Wm B Shands Comm

Executed on Wm E Rawls admr Jno R Williams
dec. Sally Williams, Hadrian Williams,
& Casander Williams by delivering each a
Copy of the within Summons, and Hadrian,
Eleanor & Elpenar Williams not being at
home I left a Copy for each of them with
their Mother.

Wm W Briggs Shff

Duckl
2 Summ. Chy.
Williams' exr &c
1857 March Rules.

THE COMMONWEALTH OF VIRGINIA:

To the Sheriff of Southampton County—GREETING

We command you to summon Wm E. Rawls admr. of John R Williams dec'd. Sally Williams. Hadrian Williams. Coleander Williams. Ariadna Williams, Eleora Williams & Elfreda Williams

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 March — next, to answer a bill in Chancery exhibited against them — in our said court by —

Irwin W Duck

And have then there this writ. WITNESS, LITTLETON R. EDWARDS, Clerk of our said Court at the Courthouse, this 23d day of February 1857 in the 81st year of the Commonwealth.

L R Edwards CC

Ducks

" 3 A

Williams ad

1859 Nov 10th Feb mails
from Mandi report.

The estate of Jno R Williams Decd
In account with Wm B Shands Commissioner

1836			Dr $	Dr cts	Cr $	Cr cts
Jany	1st	By cash from Nelson B Gardner			228	80
		To paid Gillette & Pretlow	108	80		
		" paid Wm B Shands	22	13		
		" paid Abram Riddick	215	50		
		" paid Henry S Howard Commissioner	5	00		
		" paid Sheriff of Southampton Tickets	3	30		
		" paid do do Tickets	1	00		
Jany	17	By cash from Mills & Daughtry			300	00
		" cash from Wm Murfee			78	89
		" cash from Nelson B Gardner			370	00
		" cash from John I Kreber			30	00
		To commissions on $398.80 cts @ 5 p Cent	20	97		
Feby	2	By cash from Charles Holland			103	00
		To paid J. H. Ellington R & H. Baker atty	97	47		
		" paid James H. Judkins	126	66		
May	2	By cash received from Charles Holland			300	00
May	2	To paid Abram Riddick (pr W. S. Goodwyn atty)	290	63		
May	16	" paid Abram Riddick (pr same)	58	46		
		" paid Seth D Williams (pr do)	77	10		
		" paid Seth D Williams (pr do)	96	12		
May	21	" paid Wm L Riddick (& Murfee assignee	38	15		
"	"	" paid Wm Murfee Trustee	31	31		
"	"	" paid Wm Murfee Trustee	22	25		
"	"	" paid Wm Murfee Trustee		75		
June	13	" paid H. S Howard Commissioner fee	20	00		
June	20	" paid H. P. Pope	23	43		
"	21	" paid Wm A Mapsenburg	8	36		
July	18	" paid Wm H Vaughan	22	88		
"	18	" paid James Barcumm	9	27		
Augt	15	By cash from Mills & Daughtry			53	
Septr	27	To paid Samuel Hills	19	27		
		" paid Wm B Shands atty for cost v Jno R Holland	27	50		
		" Balance	320	34		
			1617	69	1617	69
Nov	10	By balance due Jno R Williams estate			320	34

Duckenc
vs 3 Com Report
Williamsnc

1859 Nov 10

Duck ve
vs 3,
Williams admrs

Commissioners Report

The undersigned commissioner begs leave to report that in obedience to the decree of the November term 1866 of this court he proceeded to take the bonds filed in this cause and collect the same, that he has collected the sum of $1667.19cts and paid out the sum of $1347.34cts as will appear by a detailed statement with the receipts of payments made as another herewith filed marked A leaving a balance in his hands of $320.34cts he states further that all the bonds have been collected except one on that he has brought suit and now has a decretal judgment, that he has paid all the debts proved before the commissioner except four and they do not amount to much, he has made deeds to William J Neely, Mills H Daugherty, and Alexander Norfleet for lands purchased, the bond for the same having been paid, and he will make a deed to the remaining purchasers as soon as he pays his bond, he states that after the collection of the remaining bond there will a surplus in his hands of upwards of $1500 say $1600 and he asks the court to make some disposition of the same when it comes to hand, all of which is respectfully submitted by

Wm B Shands Commissioner

Receipt
from
E. W. Mapenburg
Trustee of Wm Munger

Receipt
from
Wm. S. Goodwyn
for Riddick & als

33.15-
31.35-
22.25-
7.5-
$87.50

Recivd from Wm B Shands Commissioner in case of Duck vs Williams the sum of $33.15 cts for Wm Munfee
assignee of Washington L Riddick
E W Mastenbrook

Recivd from Wm B Shands Commissioner in the case of Duck vs Williams the sum of $31.35 cts for Wm Munfee
E W Mastenbrook

Recivd from Wm B Shands Commissioner in the case of Duck vs Williams the sum of $22.25 cts for Wm Munfee
E W Mastenbrook

Recivd from Wm B Shands Commissioner in the case of Duck vs Williams the sum of 7.5 cts for Wm Munfee
May 21st 1869
E W Mastenbrook

Recivd for Abram Riddick the sum of $18.46 cts from Wm B Shands Commissioner of John R Williams estate amount paid by Abm Riddick for Williams as security
N. L. Snowden atty

Recivd from Wm B Shands Commissioner the sum of $77.60 cts for Seth D Williams as Admr of Edwin Harrison found due by commissioners Report
N. L. Snowden atty

Recivd from Wm B Shands Commissioner the sum of $96.12 cts for Seth D Williams admr of Edwin Harrison found due by Commissioners Report
May 16th 1869
N. L. Snowden atty

96.12
77.60
18.46
$232.18 cts

July 18th 1859 Recived from Wm B Shands Commission
the sum of $22.88 in full of amount directed to
be paid Wm H Vaughan under decree of Court

A. Fowler for
W. H. Vaughan

July 18th 1859 Recived from Wm B Shands Commission
the sum of $9.27 cts amount directed to be paid
him under decree of Court

his
James X Hancock
mark

June 21st 1859 Recived from Wm B Shands Commission
in case of John R Williams at the sum $8.36 cts

W. D. Mapoutney.

Estate of John R Williams Decd

To Wm B Shands atty Dr

1859 To cash & joint Tax of Charles & Mundith Holland $2.00

By cash in full

Wm B Shands

Rec Jany 1st 1859 of Wm B Shands Commissioner
of Jno R Williams the sum of one hundred and eight
90/100 Dollars being amount of account due us

Gillett & Pretlow

February 28th 1859 Recived from Wm B. Shands Commissioner
the sum of one hundred and twenty six dollars and sixty
six cents ($126.66) on bond executed by Summers, Kelly,
Newsome and J. John R Williams to me and directed
to be paid to me

Jas H. Judkins

1859 Jany 1. Rec'd of Wm B. Shands Com'r. two
hundred and fifteen dollars and sixty cents
in full of a debt due Abram Riddick by
Jno R. Williams, and paid under decree
of Southampton Cir. Ct of Nov. term 1858
in suit of Duck &c. v. Williams &c.

John R Kelly p q

May 5th 1859 Recived from Wm B Shands Commissioner
of J. John R Williams in case of Duckenfield vs Williams &c
the sum of $290.63 cts amount paid by Abram Riddick
for Williams as security paid Jany 15th 1859 recived
for Abram Riddick

N. S. Godwyn atty

Recived of W. B. Shands Special Comm: Ninety seven
dollars & 97 ℔ claim of J. H. Etheridge vs Jno
R Williams a appealed by Comm Howard, with
interest thereon up to 30. Sept 1859.

$97.97

R H Baker jr
atty

Irwin Duck & others

To Henry S. Howard Commissioner in Chancery of

1858 Southampton County Court Dr

March To making up & reporting account of admrs
Transactions in Chancery suit of Jno R.
John R. Williams' adm. & others & issuing
Notices &c } $5.00

Rec'd payment

Henry S. Howard Comm.

Isaac W. Duck & others
To Henry S. Howard Com. Circuit Court of Southampton
1858 September — To issuing notices & making up accounts in Chancery Suit of yr. Co. Williams admrs & als } $30 00

Rec'd of Com'r. Shands June 14th 1859.
Henry S. Howard Com'r.

June 20th 1859 Recvd of Wm B Shands Commissioner of John R Williams est the sum of $23.43 cts
H. O. Pope

On this 25th day of December 1852 the promise To pay to Samuel Hills Assignee the benefit of Anna I Harrison Orphan of James Harrison the sum of Fifteen Dollars for the hire of Negro woman Winny and 2 children, the said Negroes to be furnished with usual clothing bounty & 2 blankets. For the true payment whereof we bind ourselves our heirs &c: Witness our hands & seals this 1st day of January 1853.
John H Parker (seal)
J R Williams (seal)

Isaac W Duck & B Shands
To W W Briggs Sheff of Southampton
1859 To Ex Notices on 6 parties & Williams $3.50

William B. Shands, Comr. for J. R. Williams Land &c.
To William W. Briggs Sheff of Southampton
1858
July To Ex Notices on 2 Parties — 1.00

Amt due Oct 15th 54 61.80
Payd Oct 15 54 43.48
18.02

Interest to 1st Jan 1855 4.61
$22.63

Rec'd from comm the sum
of $22.63 Wm B Shanas

John R Williams
To 3 bond
Wm B Shanas

$30.00

October 15th 1854 by
cash $43.48

Vouchers
To Wm B Shanas Com
of John R Williams est

P. 50

On demand I promise to pay unto William B Shands the just and full sum of fifty dollars for value recived for the payment whereof well and truly to be made I bind myself and heirs as witness my hand and seal this 17th of December 1850

J R Williams (Seal)

Duck Forge

vs } Comm'rs Report.

Williams' adm'r.

1858. Sept. 13

Irvin Duck, who sues &c. Plaintiff

against

Wm E. Rawls, admr. of John R. Williams, Elgena, Hadrian, Caspander, Ariadne, & Clovis Williams by L R. Edwards their guadian ad litem defendants } In Chancery

A further Account of the Debts outstanding against the estate of the said John R. Williams decd.

To Amount of Debts Reported in former account with interest inclusive to 30th Septr. 1857			789	92
Amount of Debt paid by Abram Riddick as coseurity with said Williams & others $1500 and Williams' portion being 1/6 paid Jany 15th 1855	250	00		
Interest thereon from Jany 15th 1855 to 30th September 1857	40	63		
			290	63
Amount paid by same as coseurity &c $303.00 Feby 19th 1855, Williams part 1/6	50	55		
Interest thereon from Feby 19th 1855 to the 30th September 1857	7	91		
			58	46
Amount of Debt paid by S. D. Williams admr of Edwin Harrison due Richard Darden as coseurity with said Williams & others Jany 5th 1855 $400 — Williams' portion	66	66⅔		
Interest on same from Jany 5th 1855 till 30th September 1857	10	94		
			77	60⅔
Amount paid by same 1/6 March 14th 1855 $500.44 Williams' portion	83	40		
Interest on same from March 14th 1855 to 30th September 1857	12	72		
			96	12
Amount due Abram Riddick owner of bond executed to Edward Shaw by H. T. Smith J R. Williams & M. D. Sumner 1st Jany 1850 for $140.00 with interest from date the said Smith & Sumner being Dead & Insolvent	140	00		
Interest thereon from 1st Jany 1850 to the 30th of September 1857	65	10	205	10
Amount Carried forward			1517	83⅓

Amount brought forward			1517	83⅓
An open account due William Munfie Constable on account of claims in his hands due Dr. H. B. Cunnell & R. H. Baker & advanced for the said John R. Williams - 1855 Nov. 13th	20	00		
Interest thereon from November 13th 1855 to September 30th 1857	2	25		
			22	25
An open account due William Munfie 1857		75		
			75	
An open account due Wm A. Mapes and Dec 31 1856	8	00		
Interest thereon to September 30, 1857.		36		
			8	36
Balance on Bond executed to James H. Jenkins by M. D. Sommers with Saml. Kello, G. A. W. Newsom & John R. Williams, as his securities September 30th 1857 ⅓ of the balance of $380.00	126	66⅔		
			126	66⅔
Total Amount of Debts inclusive of Interest to the 30th September 1857			$1675	86

Respectfully Submitted
Henry S. Howard, Comr.

See below.

An open Account due Gillette & Butler on the 1st January 1857	97	15		
Interest thereon to 30th September	4	37		
			101	52
Total amount of Debts inclusive of interest to the 30th September 1857			$1771	38

Respectfully Submitted
Henry S. Howard Comr.

Commissioners Office
Jerusalem, September 4th 1858

To the Circuit Court of Southampton County

Pursuant to a decree of the Circuit Court of Southampton County, rendered on the 4th day of May 1858, in a suit in Chancery depending in the said Court between Irvin Deuck who sues &c and John R. Williams' adm'r &c, the undersigned one of the Commissioners of the said Court to whom was referred for settlement by said decree "A further account of the Debts outstanding against the estate of the said John R. Williams dec'd. reports to the Court that on the 16th day of June 1858 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 20th day of July 1858, which were returned to your Commissioner duly executed. At which time the Commissioner proceeded to take proof of the debts & demands outstanding against the estate of the said John R. Williams and the Commissioner not being able to get in all the debts & demands adjourned the further taking of the said proof of Debts to the 18th day of August 1858. At which time the Commissioner made up and completed the foregoing account. The Commissioner deeming it pertinent states specially that the Debt due James H Jenkins is a balance on a bond executed to him by M. D. Sommers, who is wholly insolvent, with Saml Kello John R. Williams and George A. W. Newsom as his securities, and that the said George A. W. Newsom's estate will be insolvent, but that it has not been ascertained as yet what proportion of his debts he will pay, and that your Commissioner has therefore only reported ⅓ of the debt as due by John R. Williams there being three securities.

The Commissioner further reports to the Court that 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 and notices aforesaid is herewith returned.

Given under my hand as Commissioner aforesaid, the day and year first aforesaid.

Henry S. Howard, Comr.

Commissioners fee $20.00
charged to plaintiff

Duck &c
vs
Williams' adm. &c

Claims Notice

To July 20th 1858.

Executed July 21st
1858 on Wm E Rawls
by delivering him a
copy of the within
notice Jervis Busbee
not a resident of my
County
Lew W Dick Dep
for Wm W Briggs Shff

Clerks office Circuit Court
Wm B Shands Attorney
for Pltff

SOUTHERN ARGUS PRINT, NORFOLK.

Commissioner's Office,

Jerusalem, June 16th 1858.

To Irvin Duck who sues &c. plaintiff -
against
Wm E. Rawls, admr. of John R. Williams, Elpina, Hadrian, Cassander, Ariadna & Cleora Williams by L. Edwards their guardian ad litem - defendants -

YOU ARE HEREBY NOTIFIED, That I have fixed upon the 20th day of July 1858, to take and settle, at my Office, in the Town of JERUSALEM, the following accounts:
A further account of the Debts outstanding against the estate of the said John R. Williams dec'd.

Required to be taken by the decree of Southampton Circuit Court, rendered on the 4th day of May 1858, in a Suit in Chancery depending in said Court, in which you are parties Plaintiff and Defendant ; 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.

Henry S. Howard, COMMISSIONER.

To the SHERIFF of Southampton County to Execute.

N. B. Gardner. Trustee

To 3/3 Settlmt.

Jno. R. Williams

Copy.

Cash.

An Account of the transactions of Nelson B. Gardner as Trustee in a deed of trust from John R. Williams, to Secure Certain Debts.

1857				
Mar.	1	To Taxe on Land Conveyed in trust Deed.		9 24
May	26	" " Irvin W. Duck 2 Bonds Secured by deed		21 05
June	1	" " Wm. Murfee One do. " " "		9 17
		" " Alfred Gardner agt. " " " "		9 58
		" " Auctioneer at Sale of Land " " "		2 00
		" This Sum to pay for Recording agt. of Sales.		35
		" " " Comm.rs for this agt. & Recording Do.		2 70
		" Commissions on Receipts of $1005:00		29 10
Aug.	12	" Bal. due the Estate of John R. Williams by trustee With interest from 9th. Dec.r 1858.		$ 598 81
				$ 1005 00

1857			
Dec.r	9	By Amount of Sales of Land adjoining the Black Water Dep.t in the Deed of trust Conveyed.	$ 1005 00

Commissioners office. Isle of Wight County.
August 12th 1858.

To The County Court of Isle of Wight County.

Your Commissioner Reports to the Court that on the second day of August 1858. Nelson B. Gardner trustee in a deed of trust made to him by John R Williams to Secure Certain debts therein Mentioned. exhibited before your Commissioner a Statement of all the money he has received, become chargeable with or has disbursed - as such trustee during the period embraced in the foregoing account, together with the Vouchers for such disbursements, That the Commissioner embraced the said Trustee in the list of Fiduciaries - whose accounts were before him for settlement. Which was posted at the front door of the Court house of said County On the first day of August Court last. And on the date of this report. (ten days having elapsed since the same was thus posted.) Made up and Completed the foregoing account of the transactions of the said Trustee, And On the date of this report. finds a balance of $598.81. due from the said trustee to the estate of the said John R. Williams (Who has died since the execution of the deed of trust.) With interest from 9th Dec.r 1858.

Given under My hand as a Commissioner of said Court the day and year first Aforesaid

N. P. Young Comm.r.

In the County Court of Isle of Wight County.
October 4th 1858. the foregoing account having been filed in the clerks office of said Court for one month, and no exceptions being filed thereto. was confirmed by said Court. Ordered to be recorded.

Test.

N. P. Young C

Test.

H. C. Latimer D.C.

Duck. for 3.

vs 3 Comm's Report—

Williams' adm. 3 als.

1857 Octo 6. Returned

All of said Debts being of the 4th Class of Debts as classified in the Code of Virginia except the Debt due the estate of James Kilpatrick dec'd which is of the third class. Some of the Debts as reported by the Commissioner in the County Court have been paid by Sales under the Deeds of Trust made and executed by the said Williams during his life and are therefore not reported here. The Commissioner also reports the foregoing account "C" of the real estate of the said John R. Williams dec'd showing the absolute and annual value thereof exclusive of the Widows dower. The Commissioner begs leave to state here that part of the real estate of which the said John R. Williams died seized and possessed has been sold since his death under a Deed of Trust made by the said Williams in his lifetime by the trustee. The administrator has not fully administered the estate, there being one or two small Debts still due the estate uncollected.

The Commissioner further reports to the Court that after the Completion of the said accounts he returned the same in his office ten Days for the examination of the parties, which with the Decree and notices aforesaid and the evidence in relation to the real estate are herewith returned

Given under my hand, as Commissioner aforesaid the day and year first aforesaid.

Henry S. Howard, Comm.

Commissioner fee $20.00
Charged plaintiffs

("A")

The estate of John R. Williams dec'd.
In account with William E. Rawls his administrator.

1856			Dr.		Cr.		Int.
		By Cash from sales of chattel estate			242	85	
		" " " Richard P. Clements			228	05	
		To paid John R. Kilby execution	32	16			
		" " funeral expenses	20	00			
		" " auctioneer	2	00			
		" " Sheriff execution which was levied on the property at the time of the sale & a lien on the same	216	87			
		" " Gillette & Pitts acct	2	45			
		" " Clerks ticket	2	00			
1857		" " Taxes	7	08			
Jany	20	By amt rec'd of R. H. Baker			20	00	
		" " " " Berry Chavers			10	00	
		To paid Commissioner Shands	20	00			
		" " Clerks ticket	4	00			
		" Commissions on $500.90	35	04			
March	17	" balance due estate	169	30			
			500	90	500	90	
"	"	By Balance brought down			169	30	
Sept.	21	" Cash rec'd of M. H. Daughtry			39	45	
"	"	To paid M. H. Daughtry note offset	19	16			
		By Sale of watch gun &c			3	63	
"	"	To Commissions on $43.08	2	15			
"	30	By Interest on $169.30 to date					5 50
"	"	To balance due estate	191	07			
			212	38	212	38	5.50
"	"	By balance Brought down			191	07	5 50
"	"	" Interest brought in			5	50	
"	"	By balance due estate with interest on $191.07 part thereof from this day till paid.			196	57	

Respectfully Submitted Wm E. Rawls, Exr.

("B.")

An Account of all the Debts against the estate of John R. Williams dec'd. Showing the character & dignity thereof -

3rd Class.				
A Debt Due from the decedent as the administrator of the estate of James Kitchen deceased due 1st January 1858	162	85		
Interest thereon to the 30th day of September 1857	26	87		
Total amount 3rd Class Debts to September 30. 1857			189	72
4th Class.				
Bond due Hannis P. Lake, Nov. 19th 1851	20	00		
Interest thereon to the 30th September 1857	3	43		
			23	43
Bond due William B. Shands October 16th 1851	18	12		
Interest thereon to the 30th September 1857	3	09		
			21	21
Account due J.H. Ethridge 1st January 1857.	93	75		
Interest thereon to the 30th September 1857	4	22		
			97	97
Promissory Note due Irvin W. Duck guardian of Martha and Indiana Eley due 25th Dec. 1852	87	00		
Interest thereon to the 30th September 1857	24	87		
			111	87
Bond due Irvin W. Duck guardian of Indiana Eley due 25th Dec 1850	60	25		
Interest thereon to the 30th September 1857	24	45		
			84	70
Account due Washington L. Riddick 1st January 1856	30	00		
Interest thereon to the 30 September 1857.	3	15		
			33	15
Bond due Alfred Gudner 9th April 1853.	66	81		
Interest thereon to the 30th September 1857	17	92		
			84	73
Amount Carried forward			457	06

Amount brought forward.			457	06
Account due Francis Rose 1st January 1857	2	25		
Interest thereon to the 30th September 1857		10		
			2	35
Account due William Munfee 1st January 1857	30	00		
Interest thereon to the 30th September 1857	1	35		
			31	35
Account due Lewis D. Knight 1st January 1857	3	50		
Interest thereon to the 30th September 1857		16		
			3	66
Bond due William Munfee 17th March 1853	49	55		
Interest thereon to the 30th September 1857	7	55		
			57	10
Account due James Harcum Jany 1st 1857	8	88		
Interest thereon to the 30th September 1857		39		
			9	27
Note due Wm H. Vaughan Dec 25 1851	17	00		
Interest thereon to the 30th September 1857	5	88		
			22	88
Account due Richard P. Freeman May 30th 1853	14	50		
Interest thereon to the 30th September 1857	2	03		
			16	53
Total Amount of 4th Class Debts to Sept. 30th 1857			$600	20
3rd Class Debts brought over			189	72
Total Amount of Debts to 30th Sept. 1857			$789	92

Respectfully Submitted Henry S. Howard Com'r.

"C"

Account of the real estate left by John R. Williams dec'd. Showing the absolute and annual value thereof exclusive of the widow's dower in the same.

The Absolute value of the Real estate $10000.00 to $12000.00

The Annual value of the same from $1250.00 to $1500.00

Respectfully Submitted

Henry S. Howard, Com'r.

Commissioners Office
Jerusalem October 6th 1857.

To the Circuit Court of Southampton County:-

Pursuant to a decree of the Circuit Court of Southampton County, rendered at the May Term, 1857, in a suit in Chancery depending in the said Court, to whom was referred for settlement and taking by said decree the account of William E. Rawls' administration on the estate of John R. Williams dec'd. also an account of all the debts outstanding against the estate of the said John R. Williams dec'd. showing the character and dignity thereof, and also an account of all the real estate left by the said intestate showing the absolute and annual value thereof exclusive of the widow's dower, between Irwin W. Duck for use &c. vs. John R. Williams' adm'r. &c. others the undersigned a Commissioner of the said Court reports to the said Court, that on the 5th day of July, 1857, he issued notices against the several parties aforesaid requiring them to attend the settlement and taking of the said accounts, before him, on the day of August 1857, which were returned to your Commissioner duly executed. And he also posted a copy of the said notices at the time of issuing them at the Courthouse door of this County. On which day the said accounts not being completed the further taking of the same was adjourned to the 21st day of September 1857. On which day they not being completed they were again adjourned to the 23rd day of September 1857. At which time he examined the accounts returned to and rendered by the County Court of this County by a Commissioner of the said Court and also the vouchers and stated and settled the foregoing account marked "A" of the said William E Rawls' administration on the estate of the said John R. Williams' dec'd. up to the 30th day of September 1857, and on that day finds a balance due the said estate from the administrator of $176.574 of which $5.50 is interest. He also made up and completed the foregoing account marked "B" of the Debts outstanding against the estate of the said John R. Williams dec'd showing the character and dignity thereof as marked in said account.

Duck for use
as 3
Williams admirals

Commissioners Report

1860 Jany 11

Duck for pc
as 2/2 Commissioners Report
Williams adm-vs-

The commissioner begs leave to report that in obedience to the decree entered at the November Term 1859 he has collected and paid over to Charles Holland as guardian of John R. Williams for infant children the sum of sixteen hundred and sixty six dollars and twenty cents as will appear by his receipt herewith returned and files with the papers in this cause all of which is respectfully submitted by

Jany 10th 1860 Wm B. Shands Commissioner

I acknowledge service of the within notice
for Irwin Duck. Dat hi attorney

Wm B Thomas atty
for Plaintiff

Duck & al
vs
Thomas Notice
J. J. & Williams adm'r

SOUTHERN ARGUS PRINT, NORFOLK.

Commissioner's Office,

Jerusalem, February 17th 1858.

To Irvin W. Duck, who sues for the benefit of himself and all other creditors of John R. Williams dec'd who are willing to come in and bear their share of the expenses of this suit Plaintiff

and

William E. Rawls adm'r. of John R. Williams dec'd. Sally Williams and Elephanet, Hadrian, Cassander, Ariadne & Elena Williams by L. R. Edwards their guardian ad litem

YOU ARE HEREBY NOTIFIED, That I have fixed upon the 18th day of March 1858, to take and settle, at my Office, in the Town of JERUSALEM, the following accounts:

A further Account of the Transactions of William E. Rawls as Administrator of John R. Williams dec'd

Required to be taken by the decree of Southampton Circuit Court, rendered on the 9th day of November 1857, in a Suit in Chancery depending in said Court, in which you are parties Plaintiff and Defendant; 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.

Henry S. Howard, COMMISSIONER.

To the SHERIFF of Southampton County to Execute.

Duck for yr

vs 3 Comm's Report

Williams' et ux. yr

1858 Apr. 1st.

The estate of John R. Williams dec'd
In account with Wm E. Rawls administrator.

1857			Dr.		Cr.		Int
Sept.	30	By balance due by last report			191	07	5 30
"	"	" Amount rec'd from Wm. Thrift Trustee for sale of land &c			49	29	
Dec	26	" Amount rec'd of J.T. Drysdale for Home rent			84	00	
"	31	" Amount rec'd of Lawson Vaughan Home rent			111	50	
"	"	To paid Clerks Fees	19	95			
"	"	" " Say account	1	20			
"1858"							
May	2	" Commissions on $2144.79 at 5 per cent	12	24			
"	"	By Interest on $191.07 to this day					6 18
"	"	To balance due estate	422	47			
			455	86	455	86	12 18
"	"	By balance brought down			422	47	12 18
"	"	" Interest brought in			12	18	
"	"	" Balance due estate with interest on $422.47 part thereof from this day till paid			434	65	

Respectfully Submitted
Henry D. Rawls Adm'r.

Commissioners Office
Jerusalem April 1st 1858

To the Circuit Court of Southampton County.

Pursuant to a Decree of the Circuit Court of Southampton County, rendered on the 9th day of November 1857 in a suit in Chancery depending in the said Court between Duck &c

plaintiff Wm Williams' admr &c. vs. Chas Rawls defendants, the undersigned one of the Commissioners of the said Court to whom was referred for settlement by the said decree a further account of Wm E. Rawls' transactions as administrator of John R. Williams dec'd reports to the Court that on the 17th day of February 1858 he issued notices against the several parties aforesaid, requiring them to attend the settlement of the said account before him at his said office, on the 18th day of March 1858, which were returned by your Commissioner duly executed. That the administrator aforesaid appeared before the Commissioner in obedience to the said notices, and he thereupon examined the vouchers, stated and settled the foregoing account of the said Wm E. Rawls' administration of the estate of John R Williams since the former report up to the 3rd day of May 1858. and on that day finds a balance due the estate of $1434.63, of which $12.18 is interest. The Commissioner further reports to the Court that after the completion of the said account he retained the same in his office ten days for the examination of the parties. Which account with the Decree and notices aforesaid is herewith returned.

Given under my hand, as Commissioner aforesaid, the 8th day and year first aforesaid.

Henry S. Howard, Com.

Commissioner's fee $5.00
Charges plaintiff
Sheriff's fee $1.50

Decks

Certificate of qualification of guardian &c

Williams's ack &c

1839 Oct. 21st filed

Southampton County Court March 21st 1859

The Court doth assign Charles Holland guardian of Elpheniz Hadrian Arrendal Cassander & Eleanor Williams orphans of John R Williams dec'd Whereupon he together with Meredith Holland & Beverly B Vaughan his securities (who justified on oath as to their sufficiency) entered into and acknowledged a bond in the Penalty of three thousand dollars conditioned according to law

Test J R Edwards Clk

Duck

v } Gen. Cond

Williams's adm ff

Know all men by these presents that we Charles Holland. Meredith Holland

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of three thousand dollars: to the payment whereof well and truly to be made we bind ourselves our heirs. Executors and administrators. jointly and severally firmly by these presents. Sealed with our seals and dated this 21st day of November 1859.

The Condition of the above obligation is such that whereas in a Suit in Chancery depending in the Circuit Court of Southampton County between Irvin W Buck who sues for himself and all other Creditors of John R Williams dec'd &c Pltffs and William E Rawls admr: of John R Williams dec'd & others Defts. by a decree entered in the said Cause on the 10th day of November 1859 it was among other things decreed and ordered as follows. Viz. "doth further adjudge and decree that the Commissioner Wm B. Shands after paying the residue of the debts proved in this cause and all costs which may have since accrued shall after collecting all the money arising from the sales of the lands of John R Williams pay over to the lawful guardian of Elphina Hadrian Cassander Arianda and Cleora Williams in five equal parts the said balance". Now if the said Charles Holland (who has filed in the papers in the suit aforesaid a copy of the order of his qualification as guardian of Elphina Hadrian Cassander Arianda & Cleora Williams in the County Court of Southampton) shall as guardian as aforesaid account for the amount which he may receive of the said Wm B. Shands under the decree aforesaid, and shall faithfully discharge the duties of his trust under the said decree, then the above obligation to be void or else to remain in full force & virtue.

Charles Holland (Seal)
Meredith Holland (Seal)
(Seal)

Southampton Circuit Court Clerks Office Nov 21st 1859

The above bond was acknowledged by the obligors thereto before me Clerk of the Court aforesaid. And Meredith Holland the Securities thereto therein made oath that his estate after the payment of all his just debts are worth the sum of $3.000. the penalty of the said bond.

Given under my hand the date above

J R Edwards Clk

Duckfs. g.

vs } Comis Gratiæ

Williams' Admrs. g.

Jo. 20th August 1857.

Exemplar

Copy

Commissioners Office
Jerusalem July 8th 1857.

To Irwin W. Duck who sues for himself & all other creditors of John R. Williams dec'd who are willing to come in and bear their shar. of the expenses of this suit. Plff.

against

William E. Rawls, Adm. of John R. Williams dec'd. Sally Williams, and Elphena, Hadrian, Cassander, Ariadna, & Elvira Williams by L. R. Edwards their Guardian ad litem Defts

You are hereby notified that I have fixed upon the 20th Day of August 1857, to take and state at my Office the following accounts; An account of Wm. E. Rawls' administration on the estate of his intestate John R. Williams dec'd. An account of all the Debts outstanding against the estate of the said John R. Williams shewing the character & dignity thereof taking any accounts which may have been stated by a Commissioner of the County Court of Southampton and confirmed by the said Court as prima facie correct liable to be surcharged or falsified by any of the parties. And also an account of all the real estate left by the said intestate shewing the absolute and annual value & reversion of the widow's dower in the same required to be taken by the decree of Southampton Circuit Court rendered at the May term 1857, in a suit in chancery depending in said Court in which you are parties plaintiff 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.

To the Sheriff of Southampton
Comty to execute.

Henry A. Howard, Com.

Henry A. Howard, Com.

Duck

w. } Com. Bond

Williams ov.

Know all men by these presents that we William B Shands & Richard J Darden

are held and firmly bound unto the Commonwealth of Virginia in the just and full Sum of Four thousand

Dollars Current money of Virginia; to the payment where of 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 7th day of December A.D. 1858.

The Condition of the above obligation is such that if the above bound Wm B. Shands a Commissioner appointed by a decree of the Circuit Court of Southampton County on the 9th day of November 1858 in the Suit of Duck vs. Williams' admrs &c

shall faithfully discharge the duties of his 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

S R Edwards Clk

Wm B Shands (Seal)
Richard J. Darden (Seal)
(Seal)
(Seal)

Deeds
vs
Deeds
Williams' advocate

To be entered
R. H. B.
May Co. 1857.

Duck

vs 3 Decm

Williams' admr vals

This day this cause came on to be heard on the bill of the plaintiff taken for confessed as to the defendants Wm E Rawls admr of John K Williams decd and Sally Williams on whom procss had been duly served and they still failing to appear and plead, answer and demur to the said bill, On the answer of the infant defendants Hadrian, Expendia, Ariadne, Elvira, and Elfinia Williams by Littleton K Edwards their guardian ad litem appointed for that purpose and general replication thereto and exhibits filed, and was argued by counsel. On consideration whereof the court doth adjudge, order and decree, That William E Rawls render an account of the administration of the estate of his intestate John K Williams, before one of the commissioners of this court who is also directed to take an account of all the debts outstanding against the estate of the said John K Williams, showing the character & legal amount Taking any accounts which may have been settled by a commissioner of the county court of Southampton and confirmed by the said court as prima facie correct liable to be surcharged or falsified by any of the parties and also to take an account of all the real estate left by the said intestate, showing the absolute and ~~of the actual~~ and annual value exclusive of the widows dower in the same, and report the said accounts together with any opinion on the state by himself, or opinions by any of the parties to be so stated

Duck Lot

vs.

Williams' admr.

Gothan

May Court 1858

To be entered

R. H. Baker

Sheriff &c
vs
Williams Adm? &c

Decree

This day this cause came on again to be heard on the papers formerly read and on the report of Commissioners Howard & Shands made pursuant to the decree of this Court herein to which report there is no exception and has stood for confirmation, on consideration whereof this Court doth confirm the said report & doth adjudge order and decree that on the Commissioners & this Court taxing & reporting a further account of the debts outstanding against the estate of the said John N Williams

Duck for Z.

vs Sheep of Deane

Williams adm'r. Z.

Southampton Circuit Court, November 9th 1837.

Irwin H. Duck, who sues for himself and all others creditors of John R. Williams dec'd. who are willing to come in and bear their share of the expenses of this suit. Plff.

against

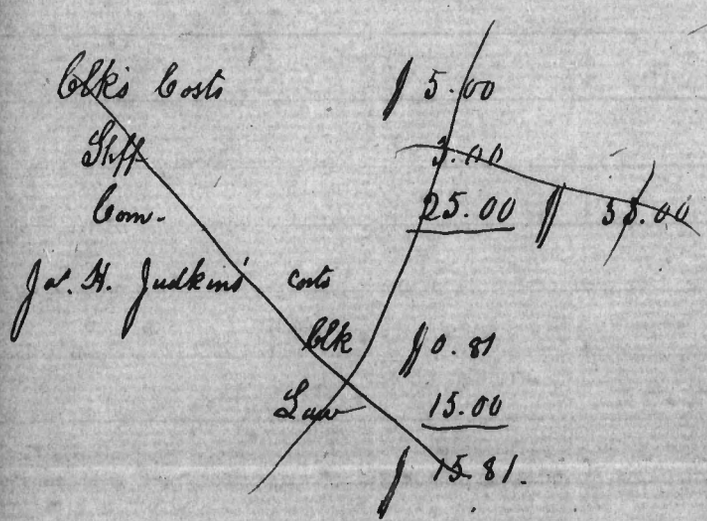
William E. Rawls administrator of John R. Williams dec'd. Sally Williams & Elsheva, Hadrian, Casander, Striadna, & Cleora Williams. Defts

This day this cause came on again to be heard on the papers formerly read and on the reports of Commissioner Howard made in pursuance of a decree of this Court entered at the May Term last, and to which reports no exceptions have been filed and the Court confirming the same on the argument of the plaintiff's Counsel, doth adjudge, order and decree that Wm E. Rawls settle a further account of his transactions as administrator of John R. Williams dec'd. before a Commissioner of this Court, and that he pay to the estate of James Kitchen, the sum of One hundred and eighty nine dollars and seventy two cents and unless Elsheva, Hadrian, Casander, Striadna and Cleora Williams or some person in their behalf, children and heirs at law of John R. Williams shall within thirty days from the date of this decree pay to Hamilton D. Pope the sum of $23.43 cents. to Wm B. Shands the sum of $21.21 cents, to D. H. Ethridge the sum of $97.97 cents, to Irwin Duck guardian of Martha Indiana Ely the sum of $111.87 cents to Irwin Duck guardian of Indiana Ely the sum of $84.10 cents, to Washington L. Riddick the sum of $33.15 cents to Alfred Gardner the sum of $84.73 cents to Francis Rose the sum of $2.35 cents, to William Musser the sum of $31.35 cents to Lewis J. Knight the sum of $3.66 cents, to William Musser the sum of $57.10 cents to James Harcum the sum of $9.27 cents to William H. Vaughan the sum of $22.88 cents, to Richard P. Freeman the sum of $16.83 cents, then in their failure so to do, William B. Shands who is hereby appointed a Special Commissioner for

that purpose shall after having advertized the time and place of sale for at least three weeks preceding at the Courthouse and at Franklin proceed in the premises to sell at public auction to the highest bidder all the lands whereof John R. Williams died seized and possessed in the following terms viz: Sufficient cash to defray the costs of this suit and expenses of sale and the residue of the purchase money on a credit of twelve months taking from the purchaser or purchasers a bond or bonds with approved security retaining the title until all the purchase money shall have been paid. And the said Commissioner is directed to return the said bond or bonds to the Clerks Office of this Court together with a report of his proceedings in order to a further decree. But the said William B Shands shall not proceed to act under this decree until he shall have executed in the Clerks Office of this Court a bond in the penalty of Two thousand dollars conditioned as the Law directs.

Teste,

Henry S. Howard D.C.



Duck for 3'

vs 3 Copies Deeds.

William Cadman

Southampton Circuit Court, May Term, 1857.

Irwin W. Duck, who sues for himself & all other creditors of John R. Williams dec'd who are willing to come in and bear their share of the expenses of this suit

Plff's

In Chancery.

against

William E. Rawls Adm'r. of John R. Williams dec'd Sally Williams & Elphena, Hadrian, Cassander Ariadna & Elvora Williams Defts

This day this cause came on to be heard on the bill of the plaintiff taken for confessed as to the defendants Wm. E. Rawls adm'r. of John R. Williams dec'd and Sally Williams on whom process had been duly served and they still failing to appear and plead, answer and demur to the said bill, on the answer of the infant defendants Hadrian Cassander, Ariadna, Elvora and Elphena Williams by L. R. Edwards their guardian ad litem appointed for that purpose and general replications thereto and exhibits filed and was argued by Counsel. On Consideration whereof the Court doth adjudge, order and decree that Wm. E. Rawls render an account of the administration of the estate of his intestate John R. Williams before one of the Commissioners of this Court who is also directed to take an account of all the debts outstanding against the estate of the said John R. Williams showing the character & dignity thereof taking any accounts which may have been settled by a Commissioner of the County Court of Southampton and confirmed by the said Court as prima facie correct liable to be surcharged or falsified by any of the parties and also to take an account of all the real estate left by the said intestate showing the absolute and annual value exclusive of the widows dower in the same and report the said accounts with any special matter stated by himself or required by any of the parties to be so stated.

Teste,

Henry S. Howard, D.C.

Book
of 3 Deeds
Williams advances

To be entered

R. H. Baker

Nov. 4. 1857.

Duck

vs

Deem

Williams' admrs

This day this cause came on again to be heard on the papers formerly read and the reports of commissioner Howard made in pursuance of a decree of this court entered at the may term last ~~praying him to state~~ an account of Wm B Pauls administration of John R Williams estate as account of the debts outstanding against the same and also an account of the estate and assets of the said John R Williams deceased and report which has been done, and to which reports and exceptions have been filed, and the court confirming the same on the argument of the plaintiffs counsel doth adjudge order and decree, That Wm B Pauls settle a further account of his transactions as administrator of John R Williams dec'd before a commissioner of this court, and that he pay to the estate of James Ketchum the sum of $189.72 cts and unto Elpinus Gadsinan, or some person in their behalf Rapandon, Ariadne and Elvira Williams children and heirs at law of the said John R Williams dec'd within thirty days from the date of this decree pay to Harrison & Pope the sum of $23.42 cts to Wm B Shands the sum of $21.21 cts to J. G. Eldridge the sum of $97.97 cts to Irving Duck guardian of Martha and Indiana Ely the $11.87 cts to Irving Duck guardian of Indiana Ely the sum of $84.70 cts to Washington E Riddick the sum of $33.15 cts to Alfred Jardine the sum of $84.73 cts to Francis Rose the sum of $2.35 cts to William Murfee the sum of $31.35 cts to Lewis T Knight the sum of $3.66 cts to William Murfee the sum of $57.10 cts to James Hardaway the sum of $9.27 cts to William H Vaughan the sum of $22.85 cts to Richd P. Freeman the sum of $16.83 cts

Then on Thursday next to be William B Shands who is hereby appointed a special commissioner for that purpose

shall after having advertised the time and place of sale for at least three weeks preceding at the court house at Franklin proceed on the premises to sell at public auction to the highest bidder all the land which John R Williams died seized and possessed ~~including the~~ ~~reversion in the widow~~ and on the following terms to wit sufficient cash to defray the costs of this suit and expenses of sale and the residue of the purchase money on a credit of twelve months taking from the purchaser or purchasers a bond or bonds with approved security, retaining the title until all the purchase money shall have been paid and the said commissioner is directed to return the said bond or bonds to the clerks office of this court together with a report of his proceeding in order to a further decree

But the said William B Shands shall not be permitted to act under this decree until he shall have executed in the clerks office of this court a bond in the penalty of two thousand dollars conditioned as the law directs

Deck

vs E. Deane

Williams admrs

Nov. 9. 1858

To be entered

R. H. Baker

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Duck
vs
Williams

This cause came on this day to be again heard upon the papers formerly read and upon the report of Comr. Howard taken and returned hereinto pursuant to the decree of the 4th day of Feby 1858, to which report no exceptions have been filed, and was signed by counsel; On Consideration whereof, the Court doth confirm the said report, and doth adjudge order and decree that W. B. Shands special Comr. proceed to collect the bonds returned with his report of sale, filed herein on the 9th day of January 1858, as they respectively fall due, (for which purpose the clerk of this court is directed to surrender the same to him) and that he collect and receive from Nelson B Gardner the balance due for him as a distributee of Jno R Williams deceased, as appears by a memorandum upon the report of Comr. Shands aforesaid, and pay out of the funds so collected and received by him, the costs of this cause, and the several debts and demands against the Estate of Jno R. Williams deceased, as ascertained and reported by Commissioner Howard in his report filed herein on the 6 Octo. 57 and 13 Sept 1858 respectively, and make report of his transactions under this decree to the Court fully shewing the receipts of the several debtors; And upon the collection by him of the several bonds aforesaid, the said W. B. Shands Commissioner as aforesaid, is directed to make to the purchasers, deeds of conveyance with special warranty, for the lands bought by

them respectively -

But this deem as to the collection of the said bonds and of the balance in the hands of the said Nelson B Sandine is to be suspended until the said N B Sands shall execute a bond before the Clerk of this Court, with sufficient security, in the penalty of $4000 Conditioned for the faithful performance by him of the duties of his said office as Trustee -

Durham
vs 3 Deeds
Williams

Trespass. 1857.
To be Entered
R. H. B. J.

1859 November Term

Duke &c
vs
Dean
Williams adm. &c

This day this cause came on again to be heard upon the papers formerly had and the report of Commissioner Shands made pursuant to a decree entered at the Nov Term 1858 of this court and to which no exceptions have been filed and the court confirming the same doth further adjudge & decree that the commissioner Wm B Shands after paying the costs of the debts proved in this cause and all costs which may have since accrued shall after collecting all the money arising from the sales of the lands of John R Williams, pay over to the lawful guardians of Emma, Hadrian, Expander, Anadne and Elcora Williams in five equal parts the said balance, but the said Wm B Shands shall not proceed to do so until they shall have executed in the clerks office of this court a bond in the penalty of Three Thousand dollars ($3000) conditioned to account for the same as guardian, and in the event they or he fail to execute such bond then to deposit the same in some savings bank in the city of Norfolk and return the certificate of deposit to this court and report his proceedings to this court in order to a further decree

Duck for us
cs 3 Deans
Williams adms vs

May cs. 1860
To be entered
R. H. Baker

Docket for no

cs 3 Decm

Williams adminrs

This day this cause came on again to be heard on the Exceptions formerly made and two reports made by Commissioner Shands pursuant to a decree entered and was argued by counsel and no exceptions having been filed to the said Reports the court doth adjudge order and decree that the said reports be confirmed and this cause is continued as to all other matters

Duck
vs
Z Deem
Williams Adms &c

April Co. 1866
To be entered
R. H. Baker

Duck
vs 3 Deer
Williams admr vs

This day this cause came on again to be heard on the papers formerly read and was argued by counsel on the hearing whereof the court doth adjudge, order and decree that the same be ~~dismissed~~ removed from the docket