1871-08 Southampton County Chancery Moore, James W. & Matthew H. - vs Charles, Jethro Ld et al

Estate settlement

Edwards, Warren (friend)

Moore - Wm. ?
Massenberg, E. W. Exec
of Wills, James

~~77 9th 88~~ 82.77 ~~7~~ 64 57

Moores

~ 3 Papers

Charles

Moore
vs Bill
Charles &c

99

Moore
vs Bill
Charles &c

1864 Oct. 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 James W and Matthew H Moon infants under the age of fourteen years who sue by Warren Edwards their next friend, that Wm Williams their great-grandfather died about the year 1783 having devised a certain tract of land containing about 233½ acres lying in the county of Southampton to be devised between his three children Jane, Thomas and Elizabeth Williams - That Wm Wills the grandfather of your orators purchased all the interest of Jane & Thomas Williams in the said tract of land as will appear from a deed now of record in the Clerks office of said county dated June 1827 a copy of which is herewith filed marked (A) - That the said James Wills then married the said Elizabeth Williams the grandmother of your orators and without her knowledge or consent sold the whole of said tract of land to Peter Charles for the sum of $725 when in truth he had no right except by the courtesy to one third part of which part the said Peter Charles had notice as will fully appear from a bond executed by the said James Wills to the said Peter Charles conditioned to indemnify him from all loss in case the heirs at law of Elizabeth Williams should claim any part of the said land a copy of which bond is herewith filed marked (B)

That the said Peter Charles has been in

possession of said land ever since the 1829
That the said Elizabeth Williams died many years
since leaving two children her heirs at law
to wit: James W Wills and Virginia Wills the
mother of your orators who intermarried with
Wm P Moore - That the said James Wills died in the
year 1862 after having made his last will
which was admitted to probate at the [illegible]
of the said County Court and E W Hopkins of the
executors therein named qualified according to
law as will appear from a copy of the certifi-
cate of qualification herewith filed marked (C)
That James W Wills died in the year 1864 after
having made his last will which was admit-
ted to probate at the August term of said court
in the year 1866 a copy of which is herewith
filed marked (D) That by his said will he devi-
sed & bequeathed all his estate to the said Vir-
ginia Wills during her life & to descend to her
children after the termination of the life estate
That the said Virginia died in the year 1866
leaving your orators her only children &
heirs at law - Your orators therefore charge
that they are entitled in fee simple to one
third of the said tract of land except that the
said Wm P Moore (who is willing to release
his interest) may be entitled to an estate for
life by the courtesy in one half of one third
thereof - That the said one third if divided from
the remainder would be of little value and
the value of the remainder would be much
impaired - That they are not disposed to molest
the said Lethro Charles in the possession & en-
joyment thereof if they can otherwise obtain
just & equitable compensation therefor - That
if they should proceed by law to eject the
said Lethro Charles he would be entitled to recover
on the said indemnifying bond from the said E
W Hopkinsburg Exor of James Wills the value of
one third of the said land from which he might
be ejected thus leading to a multiplicity of
suits - That the said E W Hopkinsburg has
more than sufficient assets to pay all the
liabilities of his testator - That the said Lethro
Charles intermarried with Mary Wills a daughter
of the said James Wills and is interested as one
of the legatees under the residuary clause in
the will of the said James Wills, and that your
orators are also interested under the said clause
in right of their uncle James W Wills dec'd
In tender consideration of all which and in
as much as your orators are without remedy
in the premises except in a court of equity
where matters of this kind are properly
cognizable to the end therefore that justice
may be done they pray that the said Lethro
Charles and E W Hopkinsburg Exor of James
Wills may be made defts to this bill and
required to answer the allegations thereof
That one of the commissioners of this court may
be directed to ascertain & report the value of
the interest of your orators in the tract of land
aforesaid and that the said E W Hopkinsburg be
directed to pay the same to your orators out
of the assets of his testator and that on the payment
thereof [illegible] may be ordered to be executed con-
veying the interest of your orators in the said
land to the said Lethro Charles, and that your
Honor will grant such other & further relief in
the premises as equity may dictate, and as in duty
bound they will ever pray &c

Hopkinsburg & C

Moore

vs } Ex: with bill

Charles

This Indenture Made and entered into this day of June Eighteen hundred and twenty Seven between Jane Williams and Thomas Williams and his Wife Sally Williams, of the first part, and James Wills of the Second part. Witnesseth that the Said Jane Williams and Thomas and Sally Williams have for and in Consideration of One hundred and Sixteen dollars and 75 Cent, Currant Money in hand paid to each of them the Said Jane and Thomas Williams by the Said James Wills at and before the Sealing and delivering of these presents. Have bargained and Sold and by these presents Do and each of them doth bargain and Sell Unto the Said James Wills his heirs and assigns all their right title and interest in and to a Tract of Land Containing two hundred and Thirty three and a half acres being the tract devised by William Williams to be divided amongst his children Elizabeth, Jane and Thomas and the Reversion and Reversions, remainder and remainders with the yearly and other rents issues and profits thereof. To Have and to Hold the Said tract or their interest in the Same either joint or Seperate with the tenements hereditaments and all and Singular the premises herein Mentioned or intended to be bargained and Sold Unto the Said James Wills his heirs and assigns forever, and the Said Jane Williams and Thomas Williams and Sally his Wife for themselves and their heirs all their rights and interest in the Said land Considered either joint or Seperate, with all the appurtenances thereunto belonging Unto the Said James Wills his heirs and assigns free from the claim or Claims of them the Said Jane Williams and Thomas and Sally Williams or Either of them their or Either of their heirs and of all and every person whatsoever Shall will and do Warrant and forever defend by these presents in Witness Whereof the Said Jane, Thomas and Sally Williams Set their hands and Seals this day and date above Written.—

(Seal)

Jane Williams (Seal)

Thomas Williams (Seal)

Sally her ✕ mark Williams (Seal)

Southampton County. In the Clerk's Office, the 18th of June 1827.

This Indenture of bargain and Sale was acknowledged by Jane Williams & Thomas Williams parties thereto & Ordered to be recorded. And at a Court held for the Said County the day of July 1827. the Said Deed was entered upon the proceedings of the day.—

Teste, James Rochelle, C.C.

Southampton County, to wit:

We Benj. Griffin and Jephthah Dardin, Justices of the peace in and for the County aforesaid do hereby Certify that Sally Williams the Wife of Thos. Williams parties to the foregoing Indenture personally appeared before us in our County aforesaid and being examined by us privily and apart from her said Husband, She the said Sally Williams acknowledged the Same to be her act and deed, and declared that She had willingly Signed, Sealed, and delivered the Same and that she wished not to retract it.—

Given under our hands and Seals this 27th day of Feby 1832.

Benj. Griffin, J. P. (Seal)

Jephthah Dardin, (Seal)

Southampton County, In the Clerk's Office, the 21st day of February 1832:

This Certificate of the Relinquishment of Dower of Sally Williams Wife of Thomas Williams, parties to the within Deed, was returned & admitted to record. And at a Court held for the County aforesaid the 19th day of March 1832, the said Certificate was ordered upon the proceedings of the day.—

Teste, James Rochelle. Clk

A Copy

Teste L. R. Edwards Clk

Moore & Anderson

vs

Charles &c.

1867 Oct. Rules

The Answer of Peter Charles to the Bill of Complaint filed against him &c by James Ross, and Mathew H Moore infants who sue by Warren Edwards their next friend

This Defendant saving & reserving &c for answer to the said Bill or unto so much thereof as it is necessary or proper to make answer unto answering saith - That as far as he knows or believes the facts stated in the Bill are true and having answered the prays leave to be dismissed &c

Peter Charles
by Mosebury his atty

The Answer of Wm P Moore to the Bill of Complaint filed against him &c by James W & Mathew H Moore

This Defendant answering saith that the facts stated in the Bill are true and that he is willing & doth hereby relinquish & release all interest which he may have in the said land in favor of the Pltffs his sons, and having answered prays to be dismissed &c -

Wm P Moore by
Mosebury his atty

The answer of Elis Mosebury Exor of James Will dec'd to the Bill of Complaint filed against him &c by James W & Mathew H Moore

This Defendant answering saith that the facts stated in the Bill have come to the hands of this Defendant and that he has in hand assets of his testator sufficient to discharge all his liabilities and having answered the prays leave to be dismissed &c

Elis Mosebury

Moore

To } Co. Decree

Charles Jr.

6

Southampton Circuit Court. November Term 1867

James W. & Matthew H. Moore Pltff.
against.
Isthro Charles, Wm B. Moore & E. W. Mapenburg } Defts. } Chancery.
Executors of James Wills dec'd.

This day this Cause Came on to be heard on the Bill the answers of the Defendants Isthro Charles, Wm B. Moore and E. W. Mapenburg, Executors of James Wills, and Exhibits, and was argued by Counsel, on Consideration whereof the Court doth adjudge, Order and Decree, that one of the Commissioners of this Court ascertain and report the Value of the interest of the Plaintiffs in the said tract of Land, and whether or Not it would be to their advantage to take the Value thereof instead of the Land, and that he return with his Report the evidence on which it may be based.

A Copy

Test L. R. Edwards bb

Morris

W. Z Comm's Report

Charles J.

1868 April 3d

Commissioners Office
Jerusalem May 2nd 1868

To the circuit court of Southampton County

Pursuant to a decree of the circuit court of Southampton County rendered at the November Term 1867 in a suit in Chancery pending in said court between James W. & Matthew H. Moore, plffs — and Jethro Charles & Wm P. Moore & E. W. Mapenburg Extor James Wills decd. Defts, the undersigned one of the Commissioners of the said circuit court to whom was referred for settlement by the said decree, the following account. That one of the Commissioners of this court ascertain and report the value of the interest of the plaintiffs in the said tract of land, and whether or not it would be to their advantage to take the value thereof instead of the land and that he return with his report the evidence on which it may be based, reports to the Court that on the 16 day of January 1868. he issued notices against the several parties aforesaid requiring them to attend the settlement of said account before him at his said office on the 17th day of March 1868, which notices were returned to the Commissioner duly executed, that the said parties Jethro Charles. Wm P. Moore & E. W. Mapenburg Extor of Jas Wills decd appeared before your Commissioner in obedience of said notices and he thereupon examined on oath W. W. Briggs. Elijah J. Williams & Robt A. Williams as to the value of the interest of the plaintiffs James W. & Matthew H. Moore in the tract of land of Jethro Charles in the proceedings in this cause mentioned and whether or not it would be to their advantage to take the value thereof instead of the land and upon their testimony he ascertains the value of the whole tract of land to be $500.00 and the plaintiffs James W. & Matthew H. Moore being entitled to one third of the same. he ascertains the value of their interest to be $166.66⅔. with interest thereon from the 17 day of November 1862. that being

about the time that the said James Wills died. when they be came entitled to the same. & the Commissioner reports that it would be to their advantage to take the value thereof instead of the land. The Commissioner further reports. that after the completion of said account he retained the same in his said office, ten days. for the examination of the parties. which said account with the decree and notices and the evidence in relation thereto. is herewith returned.

Given under my hand as Commissioner aforesaid the day & year first aforesaid

Com's fee $10.00
Sheff's fees 2.50

Henry J Howard
Commis:

Morris

Et. 3 Testimony

Charles y.

The examination of W.W. Briggs Elijah J. Williams & Robt A. Williams witnesses of lawful age taken on the 19th day of March 1866. before Henry S. Howard one of the Commissioners in chancery of the Circuit Court of Southampton County at the office of the said Commissioner under a decree of the said Court pronounced at the November Term 1864. in a suit in chancery depending in said court, between Jas H. & Matthew A. Moore pltffs and Jethro Charles & others defendants, to be read as as evidence before the said Commissioner touching a certain matter of account referred to the said Commissioner for Settlement by said decree

The Witness W.W. Briggs being duly Sworn deposes & says, That is is well acquainted with the tract of Land, in the proceedings in this cause mentioned, and belonging to Jethro Charles & that the same is exceedingly poor sandy & barren mostly of which is grown up in old fued pines & broom straw & that the said tract of Land is not worth more than Ten dollars pr acre or at the utmost not more than five Hundred dollars. & that he verily believes it would be to the interest & advantage of the pltffs to Make the value of their interest in the said Land in money instead of the Land & further this witness sayeth not

W.W. Briggs

Sworn and subscribed before me as Commissioner aforesaid this 19 day of March 1866.

Henry S. Howard,
Comr.

The examination of Elijah J. Williams a witness being duly sworn deposes & says. That he is well acquainted with the tract of land in the proceedings in this cause mentioned and belonging to Jethro Charles & that the same is exceeding ly poor & Sandy & barren. mostly which is grown up in pines & broom straw & that the said ~~land~~ tract of Land is not worth more than Ten dollars per acre or at the utmost not more than five Hundred dollars & that he verily believes it would be to the interest and advantage of the plffs to take the value of ~~the land~~ their interest in the said Land in money instead of the land & further this witness sayeth not

Sworn and subscribed before me as Commissioner aforesaid this 19 day of March 1868

Henry S. Stewart, Com'r.

~~Sworn and subscribed before me as Commissioner aforesaid~~
~~this 19th day of March 1868~~ E J Williams

Sworn to and subscribed before me as Commissioner
aforesaid this 19th day of March 1868.

Henry S. Stewart, Com'r.

The Witness Robt A. Williams being duly sworn. deposes & says. that he is well acquainted with the tract of land. in the proceeding in this cause mentioned and belonging to Jethro Charles & that the same is exceedingly poor & Sandy & barren. most of which is grown up in pines & broom Straw & that the said tract of Land is not worth more than Ten dollars per Acre or at the utmost, not more than five Hundred dollars & that he verily believes it would be to the interest & advantage of the plffs to take the value of their interest in the said land in money instead of the land & further this witness sayeth not

Robert A. Williams

D.

Moore
to } Ex. with bill
Charles

Hardy's Bluff, Signal Station, Isle of Wight Co'y, Va.
August, 16th 1863.

Dear Sister.

I will now proceed to answer your Kind letter that came to hand last evening, I was very glad indeed to hear from you as I had not heard from you in a long; I am up but not very well, I have had a Couple of Chills and does not feel well Sister. I have no News of importance to write you at present, We can See the Yankee boats every day, Their fleet Came up the river the other day and threw us a few, but fortunately No person was hurt. I received a letter from Brother Irvin last week Stating he was well then, but did not know exactly where Bro. Thomas was. Sister tell Cousin Wm P. that I am very well Satisfied indeed with the Sales that he Made of the property he Sold for me, I am Much Obliged to him and will pay him for his trouble, for he done better than I could have done myself. I am glad that you have got the Steer home, you Can Keep him, I give him to you, he is gentle and the Children Can drive him to Mill. I am very Sorry that Cousin Wm has got to leave home again and come in the Service. I am Sorry for all the Men to leave home, though I expected it when the President called for the last Men. I wish Cousin Wm Could hire a Substitute in his place and Stay at home, I would assist him in paying One if he Could hire One. I Know Several Men in Southampton that is not in the Service. I Suppose they have Substitutes, Cousin Wm had as well Stay at home as they. I am Sorry but I Can't helps it. I wish I Could, you Must all do the best you Can. You asked if the Cedar Store house did not belong to the Lawrence tract. It was formerly attached to it, but after Father bought the Lawrence place, he Cut it off from the line in the rear of the house, from the County road, to the rail road below the Cedar. I dont Calculate it will ever do me any More good as I dont ever expect to live to See the War end, but I want it to do you and your Children Some good. If I get Killed or die in the Service I want it to be yours as long as you live and then to your Children, if I can have My way with it. Sister, as Soon as you hear of my death, go to Miss. Eudy's and demand My trunk and the Key of it. I expect that Cousin Emma has the Key, but She will give it up to you. E. Mapsenburg wrote me Some time ago that he was ready to Settle with me, and wanted to Know what he Should do with it, the Money, I told him to put it on Interest and put the bonds in Cousin Emma's hands to Keep, and She put

them in my new Trunk. I have a good bed, a Tin Safe and a pair of Cart wheels at the Widow's, I don't want her to have anything that belongs to me, She has got enough I think. Sister I had Two Notes in Father's hands when he died that I have not heard from, one was against Maj. Edwards of Jerusalem and the other against Mr. Parker for Pork Sold them at the Lawrence place last year. I don't know what Mapenbury did with them, also a hundred dollars that I sent home when I was at Camp Cook, Sister, I have in the hands of Mr. W. W. Edwards of Isle of W. Papers and Money to the amount of two hundred and eighty four dollars to keep for me, I have his receipt of which I will send you, then you will have something to show for it. My Watch I dont want Sold, I want Sammy to have it. I would be very glad to come home and see how things are looking, but I Can't, I don't ever expect to come again, but we Must do the best we Can and pray for better times. Give my love to all My Sisters and friends, Please Write again Soon and give me all the News from Old Southampton, if I Cant Come I am glad to hear from them at anytime.- Give My love to Cousin Wm and family, Nothing More at present. I remain your ever true and faithful brother,
excuse bad writing for I am in a hurry.-

J. W. Wills

At a Court held for the County of Southampton the 31st day of August 1866.- This Writing bearing date 15th of August 1863. purporting to be the last Will and Testament of James W. Wills dec. was this day again produced in Court by William P. Moore, and Virginia his Wife, in Order to be proved, and Irwin C. Wills and Gordwin Parker appeared and Opposed the proof of the said Will- Whereupon divers Witnesses were Sworn and examined and the parties by their Counsel fully heard. In Consideration Whereof it is the Opinion of the Court that the testator at the time of executing the writing aforesaid was of Sound Mind and Memory, and that he was under no undue influence and that the said writing and the Signature is wholly in the handwriting of the said James W. Wills. It is therefore Ordered that the said writing be recorded as and for the last Will and Testament of the said James W. Wills dec.

Teste, S. R. Edwards, Clk

Copy

Teste S. R. Edwards Clk

Moore
Bragg
Charles Ryd

In Pursuance of a Decree of the Circuit Court of Southampton County, in the suit of Moore against Charles & others rendered at May Term 1871, I was appointed Commissioner, after the payment of the Sum of $83 + 32/100 with interest from the 15th day of November 1862 till paid, to each to the Lawful Guardian of James W Moore & Matthew H Moore by D. E. Doles administrator of James Wills &c, to Execute to Selvo Charles a Deed for 232½ acres of Land in the proceedings of said suit Mentioned. and the Sum of Eighty three + 32/100 Dollars with interest as aforesaid having been fully paid to the Guardian of said James W Moore & Matthew H. Moore, as will appear by the receipts of Wm P Moore the Guardian of said Jas W & Matthew H Moore herewith returned as a part of this Report, I have Executed to the said Selvo Charles a Deed for the said Tract of Land with Special Warranty.

Respectfully Submitted

W W Briggs Comr

Proofs

of 3 Deans
Charles

Nov Term 1871

to be entered

Geo. Bliss.

Moores
vs 3 Decm
Charles

This day this cause came on again to be heard on the papers formerly read and the report of Commissioner Howard made pursuant to a decree entered at the November Term 1867 of this court and to which no exceptions have been filed and it appearing to the court from the suggestion of the plaintiffs that E. W. Mapenburg executor of James Wills died has departed this life since the last decree rendered in this cause and that the estate of the said James Wills has been committed to the hands of D. L Dolis late sheriff of Southampton County for further administration and that the said D. L. Dolis consents without further process to be made a party defendant to this suit in place of E. W. Mapenburg died and admits sufficient assets in his hands to answer the demands of the plaintiffs as administrator de bonis non with the will annexed of James Wills dec'd thereon this suit stands revived in his name as a defendant in this suit. On consideration whereof the court doth adjudge by consent of parties that the said report be confirmed and order and decree that the said D. L. Dolis administrator of James Wills died pay to the lawful guardian of James H Moon the sum of $83.33 cts with interest thereon from the 17th of November 1862 and to the lawful guardian of Matthew H Moon the sum of $83.33 cts with interest from the 17th of November 1862, and the court doth further adjudge order and decree

that upon the payment of the said sums of money to the said guardians of the said James W and Matthew H Moore by the said D. L Dolis Thus that W. W. Briggs who is hereby appointed a special commissioner for that purpose shall by deed convey to Jethro Charles all the right title and interest which the said plaintiffs have of, in and to a tract of land containing 23 3/4 acres now in the occupancy of the said Jethro Charles and the court doth further adjudge order and decree that the said D. L Dolis administrator of James Wells pay to the plaintiffs their costs about this suit in this behalf expended

Moore
vs
Dolis
Charles

May Term 1871
Decree
Geo. Gibbons.

Moore
vs
Dolis
Charles

This day this cause came on again to be heard on the papers formerly read and the report of Wm W Briggs made pursuant to a decree of this court entered at the May term 1871 and to which no exceptions have been filed and was argued by counsel on consideration whereof the court doth adjudge, order, and decree that the said report be confirmed and it appearing to the court that there is nothing further to be done it is ordered that the cause be removed from the docket

Moore
vs
Chambers &c.
Nov 20, 1867
To be entered
R. H. B.

Moore
vs
Charles &c

Decree

This day this cause came on to be heard on the bill the answers of the defendants Jethro Charles Wm P Moore and Edw Mosenberg Esqrs & Parol proofs and exhibits and was argued by Counsel On Consideration whereof the Court doth adjudge order and decree that one of the Commissioners of this Court ascertain & report the value of the interest of the Plaintiffs in the said Real Estate and whether or not it would be to their advantage to take the value thereof instead of the land and that he return with his report the evidence on which it may be based

Morris

" } Ex. with bill .

Charles

In the Name of God amen. I, James Wills of the County of Southampton and State of Virginia do Ordain Constitute and appoint this my last Will and testament in Manner and form following.—

Item 1st: To My Son James W. Wills I give and devise the tract of Land known as the Lawrence tract Containing about Four hundred acres to him and his heirs forever.—

Item 2nd: To My Son Irvin C. Wills I give and devise that part of my land lying on Nottoway River known as the Briggs and Barrett land Containing about Four hundred acres and divided from the Homestead or Old place by a line recently chopped by Myself, to him and his heirs forever.—

Item 3rd: To My Wife Edith Wills, I give and devise that part of my land known as the Homestead or Old place to have and to hold during her life or Widowhood and after her death or Marriage, then I give and devise the said homestead or Old place to my Son Thomas R. Wills, to him and his heirs forever.—

Item 4th: To My Wife Edith Wills I give and bequeath my Slaves Jacob, Ben, Agnes, and Winney to have and to hold during her life or widowhood, and after her death or Marriage then I give and bequeath the said Slaves to be equally divided among all my Children.—

Item 5th: I give and bequeath the remainder of my Slaves to be equally divided among all my Children, no regard being had in such division to any advancements which I may heretofore have Made to either of my said Children in Slaves or Money, it not being my intention that such advancements shall be brought into hotchpot or accounted for in the division of any part of my Estate.—

Item 6th: I desire my Executor hereinafter Named to Sell all the balance of my Chattle estate.—

Item 7th: I give and bequeath to My Wife Edith Wills one third of the proceeds of the Sale of my Chattle estate and one third of my Moneyed estate, to have and to hold during her life or Widowhood and after her death or Marriage, I give and bequeath the Same to be equally divided among all my Children.—

Item 8th: I give and bequeath the Other two thirds of the proceeds of the Sale of my chattle estate, and of my Moneyed estate, to be equally divided among

all my Children.—
Item 9th: I hereby Nominate and appoint Edward W. Mapsenburg the Executor of this my last Will and testament hereby revoking all other and former Wills and testaments by me heretofore Made.—
Item 10th: I give and bequeath to my Sons Irwin C. and Thomas R. Wills the debt due me from the Holloway Saw Mill Company for timber cut off the Lands given them under 2nd and 3rd Clauses of this Will to be divided between them in the same proportion that the timber has been cut from the Lands given to each, and should I collect the said debt or any part of it, then I desire my Executor to divide the amount so collected in the proportion aforesaid between my said Sons Irwin C. and Thomas R. before any of my Moneyed estate is divided under the 7th and 8th Clauses.—
Item 11th: I give and bequeath my Stills to my three Sons James W. Irwin C. and Thomas R. the said Stills to remain where they are and to be jointly and equally used by all three.—
Item 12th: I give and bequeath to my three Sons and to my Wife one bed each.—
In Witness whereof I hereunto Sign my Name and affix my Seal this day of 1854.

In the presence of

James Wills (Seal)
T. A. Scoggin (Seal)
Joshua Crumpler (Seal)
Edwin Daughtrey (Seal)

At a Court held for the County of Southampton on the 17th day of November 1862. The last Will and Testament of James Wills decd. was this day proved by the oaths of T. A. Scoggin, Joshua Crumpler and Edwin Daughtrey the Subscribing witnesses thereto and thereupon Ordered to be recorded, and on the Motion of Edward W. Mapsenburg the Executor therein named, who Made Oath and together with James D. Mapsenburg and William W. Cobb his Securities (who justified on Oath as to their Sufficiency) entered into and acknowledged a bond in the penalty of twenty five thousand dollars Conditioned according to law, Certificate is granted him for obtaining a Probate of the said Will in due form.—

Teste,

D. R. Edwards, Clk

B.

Moore
vs
Charleston

A

I James Wills of County of Southampton and State of Virginia. do bind myself. my heirs. Executors, Admrs or assigns to pay or Cause to be paid unto Jethro Charles his heirs or assigns. the just and full Sum of Five hundred dollars. This Money is to be paid Out of my Estate in Case that my two Children. James W Wills, and Virginia Wills shall Claim the Land or any part of the Land whare on Jethro Charles now lives on—

In witness my hand and Seal this 22d day of January 1848

Witness

James Wills Seal

Duplicate

~~99~~ 69

Moores

vs } Stat: Rules.

Charles Yf

Colk	J	14.14
Shff		4.00
Com Howard	—	16.00
Qfa V		16.00
		44,14

In Southampton Circuit Court.

James W. & Matthew H. Moore

against

Jethro Charles, Wm. P. Mumford & E. W. Mosemberg Executor of James Mills dec'd.

1867 Sep. 16: Summons issued
" Oct. Rules. Bill filed. Answers of Defts.
" Nov. " Cause set for hearing &c.
" " J. Decree

1868 Ap'l. 3: Report
1871 May. Decree in favor Plffs
" Nov. Removed from the Docket

Moore
&
Charles &c. } Comp Notice

Executed on Wm. P. Moore
Jas. W. Moore Matthew
H. Moore March 6th 1869
on Gilbert Charles March
14th and on E. W. Mas-
enburg March 16th by
delivering a copy to
each.

E. L. Story Dep.
for S. Hillhouse

COMMISSIONER'S OFFICE,

Jerusalem, Jany 16th 1868

To James W. & Matthew H. Moore Pltffs

Against

Jethro Charles, Wm P. Moore & E. W. Mapsenburg

Exrs of James Wills Decd Defts

You are hereby notified that I have fixed upon the 17 day of March next, if fair, if not, on the next fair day thereafter, (Sunday excepted,) to take and settle, at my office, the following accounts, to wit:

That one of the Commissioners of this Court ascertain and report the value of the interest of the plaintiffs in the said tract of land, and whether or not it would be to their advantage to take the value thereof instead of the land, and that he return with his report the evidence on which it may be based

required to be taken by a decree of Southampton Circuit Court, rendered on the ___ day of November Term 1867, in a suit in Chancery, depending in said Court, in which you are parties, plaintiffs, and defendants; at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery of the said Court, the day and year first aforesaid.

Henry S. Howard Commissioner.

To the Sheriff of Southampton County to execute.

Moores

v 3 Sum. chy.

Charles Ff

1867 October Rules

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU to summon Jethro Charles. Wm. J. Moore & E. W. Mosenburg Exrs: James Wills dec'd

to appear at the Clerk's office of our Circuit Court of Southampton County, at the Rules to be holden for the said Court on the first Monday in October next to answer a bill in Chancery exhibited against them in our said Court by James W & Matthew H. Moore infants under the age of fourteen years who sue by Warren Edwards their next friend

and have then there this writ. Witness LITTLETON R. EDWARDS, Clerk of our said Court, at the Courthouse, this 16 day of September 1867, in the 92 year of the Commonwealth.

L R Edwards CC

Rec'd May 22d. 1871 of W. W. Dr. 99 & 25/
One Hundred & Twenty five dollars &
74/100 = in full of the within Fi Fa.

Wm. L. Moore Ldcr for
Samuel & M. A. Moore

Copy- Teste, O. White Cl.

The Commonwealth of Virginia:

To the Sheriff of Southampton County---Greeting:

WHEREAS, in a certain suit in chancery depending in our Circuit Court of Southampton county, between James W. & Matthew H. Moore Plaintiff,s and Delhio Charles & others — Defendant,s it was on the 8th day of May 1871 it was among other things adjudged ordered and decreed that D. L. Doles administrator of James Wells dec'd pay to the lawful guardian of James W. Moore the sum of $83 33/100 with interest from the 17th November 1862 till paid

Therefore we command you that of the goods and chattels of D. L. Doles admr. of James Wells late in your bailiwick, you cause to be made the said sum of Eighty three dollars thirty three cents with legal interest thereon from the 17th November 1862. till paid which the said lawful Guardian of James W. Moore recovered against the said Doles admr. as aforesaid by the decree aforesaid; ~~also,~~ ~~dollars and~~ ~~cents,~~ ~~for his costs in said suit expended.~~ Whereof the said Doles admr. convict, as appears to us of record; and how you shall have executed this writ make known to us at the Clerk's Office of our said Court, at the Rules to be holden for the said Court on the first Monday in August next and have then there this writ.

WITNESS, Oscar White Clerk of our said Court, at the Court-House, this 21st day of May 1871 in the 95th year of the Commonwealth.

O White CC

Sheff's Statement

Debt Due Nov. 17th 1862 — 83.33
Int. to May 22 1871 — 42.41
Sheff Costs 6.28
132.02

W. S. Driggs Sheff

Rec.d May 22.d 1831 of Wm D Moore Guardian
One Hundred & Twenty four 24/00
dollars in full of the within Ntice
Wm D Moore Guardian for
Isaac & M D Moore

Copy- Test. O White cb

The Commonwealth of Virginia:

To the Sheriff of Southampton County---Greeting:

WHEREAS, in a certain suit in chancery dependiug in our Court of Southampton county, between James W. Mallicur & Moore Plaintiff, and Delia E. Charles Defendant, it was on the 8th day of May — 1871 among other things adjudged ordered and decreed that D. E. Doles administrator of James Wills do pay to the lawful Guardian of Mallicur & Moore the Sum of $183.33/100 with interest thereon from the 13th November 1862 till paid Therefore we command you that of the goods and chattels of D. E. Doles admr of James Wills late in your bailiwick, you cause to be made the said sum of Eighty three dollars thirty three cents with legal interest thereon from the 13th November 1862 till paid which the said lawful Guardian of Mallicur & Moore recovered against the said Doles admr by the decree aforesaid; ~~also,~~ ~~dollars and~~ ~~cents,~~ ~~for his costs in said suit expended.~~ Whereof the said convict, as appears to us of record; and how you shall have executed this writ make known to us at the Clerk's Office of our said Court, at the Rules to be holden for the said Court on the first Monday in August and have then there this writ.

WITNESS, Otwile — Clerk of our said Court, at the Court-House, this 21st day of May 1871 in the 95 year of the Commonwealth.

Otwile cc

Sheffs Statement.

Debt due Nov. 13th 1862. $183 33
Int till May 23d 1871 — 42.41
6.28
132.02

W. A. Brown Sheff