1884-010 Chancery Causes: Richard Elliard Norsworthy v.d, by v.c, for v.c vs John D. Pettman,
Isle of Wight County admr of Thomas H. Pettman v.d
Petition of Richard Elliard Norsworthy
Petition of Mills Norsworthy v Richard Elliard Norsworthy

other surnames: Moody,
Pitman

Nieuwsbrief
van de
Philatelistenclub
Ontstaan in Groningen
Opgericht Heden
Anno 1867 8 9
Redactie
J. de Abeldt

Commonwealth of Virginia,

Office Secretary of the Commonwealth,

Richmond, Va., Sep. 23 1880

To the Sheriff of Isle of Wight Co

I Wm G. Norsworthy Hereby authorize
C B Hayden to bring suit for my
Children as next friend to
recover their share of their grand
father Thos D Pittman Estate
Dec 4/73-

W. G. Norsworthy
his
W. X.
mark

Witness
L. B Edwards

U. S. Marcesthys
consent to bring suit
for children

I, Thomas H. Pillman of Isle of Wight County, State of Virginia, do hereby make my last Will and Testament in manner and form following, that is to say,

1st I desire that my Son John D. Pillman shall be allowed two years to cut all the pine wood suitable for cordwood on my farm lying in Isle of Wight County, for which wood he is to pay fifty cents per cord on the stump, and the moneys arising from said wood are to go to my Estate,

2nd I desire that my Son John D. Pillman shall have my farm after said wood is cut upon the payment of four hundred dollars, and if he shall not want it at said price, I desire that William M. Moody of Isle of Wight shall have the privilege of purchasing it at said price (400.00),

3rd If neither my Son John D. Pillman, or Wm M. Moody shall want the farm at said price, I direct my Executor hereinafter named shall sell said farm, and the proceeds of said sale to go ± my Estate to be divided as hereinafter mentioned,

4th I desire that my Executor shall also sell all of my Estate both Real & personal and direct that the proceeds from said sale shall go to my Estate to be divided as herein

after mentioned,

5th " After the payment of my debts & funeral expenses I give to my wife Wilmouth Pillman One third of my Estate after being Converted into money for and during the term of her natural life, after her decease I give the same to my children hereinafter mentioned, equally to be divided among them, and to be enjoyed by them forever,

6th " I give to Wm G. W. Norsworthy one dollar to him and his heirs forever,

7th " I direct that the balance of my Estate shall be divided into five equal parts, and I give one of said parts to my Son John D. Pillman to him and his heirs forever,

8th " I give to my Son Nathaniel Pillman one of said parts to him and his heirs forever,

9th " I give to my daughter Fannie A. Pillman one of said parts to her and her heirs forever,

10th " I give to my daughter Mariella Moody one of said parts to her and her heirs forever,

11th " I give to the children of my daughter Sarah Diana Norsworthy, deceased, one of said parts to them and their heirs forever, said children being named Richard Elliard Norsworthy, Mills Norsworthy, Eva Anna Norsworthy and Diana Norsworthy,

12th " And lastly I hereby constitute and appoint

my friend William M. Moody Executor of this my last Will and Testament hereby revoking all other and former Wills and Testaments by me heretofore made. In Witness Whereof, I have hereunto set my hand and affixed my Seal, this 2nd day of August, in the year of our Lord Eighteen Hundred and Seventy two.

Signed, Sealed, published & declared by Thos. H. Pillman as for his last Will & Testament in the presence and hearing of us, who at his request in his presence have subscribed our names as witnesses.

Thos. H. his X mark Pillman (Seal)

Nath'l E. Pruden.
Miles Godwin.
Wm. H. Godwin.

Whereas, I Thomas H. Pillman having made my last Will and Testament, bearing date 2nd August, Eighteen Hundred & Seventy two, and having left out a clause I now do by this my written Instrument, Which I hereby declare to be a Codicil to my said Will, to be taken as a part thereof. Direct that my daughter Marcella Moody

shall receive the portion of my Estate bequeathed to my grand Children, Richard E, Mills, Eva Anna, & Dianah Norsworthy, And to hold it in trust for them, until they shall arrive at age of maturity, In Witness Whereof I have hereunto set my hand and affixed my Seal, this 2nd Day of August, in the year of our Lord, Eighteen Hundred and Seventy two,

Thos. H. Pittman his X mark (Seal)

Signed, Sealed, published & declared by Thos. H. Pittman as & for his last Will & Testament in the presence & hearing of us, who at his request & in his presence have subscribed our names as witnesses

Nath'l E. Pruden,
Mills Godwin,
Wm. H. Godwin.

Virginia,
In the Quarterly Court of Isle of Wight County, September the Second 1872.

The last Will and Testament of Thomas H. Pittman dec'd. together

with the codicil thereto, was presented in Court, and proved by the oaths of N. E. Pandem, Mills Godwin and William H. Godwin the subscribing Witnesses thereto, and ordered to be recorded, William M. Moody the Executor named in the will having refused to qualify. On the motion of John D. Pillman who made oath and together with Peyton R. Turner and W^m M. Moody. his securities, (who justified) entered into and acknowledged a bond in the penalty of $1600,^{00} with condition according to law, Certificate of administration with the will annexed is granted him on said will according to law, The estimated value of the Estate being less than one thousand Dollars no United States Revenue Stamps is required, Ordered that said Bond be recorded.

Teste,

C. D. Hart, D. C.

A Copy

Teste,

C. D. Hart, D. C.

Thos. H. Pillman's

Will.

A copy

Exhibit (A)

Fee 15 cts

Norsworthy

vs } In the Circuit Ct of Scott Co Tenn
Tennn etals

On motion of Deanna Norsworthy and Eva Anna Pierce formerly Norsworthy and for reasons satisfactory to the court, it is ordered that this suit be reinstated on the docket, and came on to be heard on the papers formerly read, on consideration whereof the court doth adjudge order and decree that the Clerk of this Court deliver to Eva Anna Pierce formerly Norsworthy or their atty, the certificate of deposit of the Farmers and Merchants Savings Bank of Emporia Va. for $41.53/100 each, Given to the said Eva Anna and Deanna respectively. returned with some Indorsements upon thereon Given Nov 1st 1880, and the said Bank is hereby directed to pay the sums named in said certificates, with all interest due thereon to the said Eva Anna and Deanna respectively or their Atty. And nothing further remaining

Dorsey
a } Dudley

Putnam et als

Court Docket
October Term 1884,
To be called.

Geo. Bacon.

Final

Docketed No. 10

Dudley Dorsey, Executor of Wm. Dudley
this cause, the defendants from the
order,

Nonsworthy

In the Circuit Court of Dale County Alabama

This cause came on this day to be again heard on the papers formerly read, and was argued by counsel on consideration whereof it appearing to the Court, that since the last term herein Eva Anna Nonsworthy has intermarried with one Junius Reid and has arrived to the age of twenty one years and that Deanna Nonsworthy has arrived to the age of twenty one years, the Court doth adopt order and decree that the Clerk of this Court deliver to the said Eva Anna and Deanna, the certificate of deposit of the Farmers and Merchants Saving Bank of Smithfield, payable to the said Eva Anna and Deanna respectively each for the sum of $205.55 and the said Bank is hereby directed to pay the amounts named in said certificates with all interest due thereon to the said Eva Anna and Deanna respectively or their atty, and nothing further remaining to be done herein, it is ordered that this cause be dismissed from the docket

Nonnority
& Jourday

Pilmen

Rough Draft
April Term 1884
Cake entered
Geo. Brown

Endorsed #26.

Norsworthy pr friend

Pitman's vs Adm'r et als.

This cause which on the motion of the Plaintiff - Mills Norsworthy who has attained the age of twenty one years, is restored to the docket, came on this day to be again heard on the papers formerly read, & on the Petition of said Mills Norsworthy and Richard Elliard Norsworthy, this day filed by leave of the court, & was argued by counsel; On consideration whereof the court doth adjudge order & decree that commissioner L B Hayden be allowed to withdraw from his report filed herein Nov 1st 1880 the certificate of deposit of the Cashier of the F. & M Saving's Bank Smithfield for $47.53 to the credit of said Mills Norsworthy and the certificate of said Cashier for $82.23. to the credit of this suit filed with the report of John D Pitman on his filing his receipt for said certificates - the first of which certificates he shall collect & the proceeds thereof pay to said Mills Norsworthy and ~~the~~ principal of the ~~last~~ first of which certificates he shall collect & one half thereof pay equally to said Mills Norsworthy & Richard Elliard Norsworthy first paying out of said collection the costs of this proceeding, & the other half of said collection he shall deposit equally to the credit of Eva Ann Norsworthy & Dianna Norsworthy in

said Bank taking the certificate of deposit therefor & the receipts of the parties for said payments & return the same to court with his report of his proceedings under this decree

Borough Decree
April Term 1862
To be entered

Exonerated.

Endorsed 35

Wortley for friends
vs
Lamais Admrs et als

J. B. Lippincott & Co.
Booksellers and Stationers,
Philadelphia, Pa.

Norsworthy pro fried

vs

Pitman et als

This cause this day came on to be again heard on the papers formerly read and on the Report of Collection and Payment of Commissioner C. B. Hayden under decree herein of Oct Term 1880, & was argued by counsel on consideration whereof the court doth adjudge order and decree that said report to which no exceptions were filed be confirmed, and that this suit be removed from the docket nothing further remaining to be done herein, with leave to any one interested for proper cause to restore the same

Norsworthy pro frind

vs

Pitman & als

Rough Decree

April Term 1881

To be entered

Geo. T. Lloyd.

Entered

In the Circuit Court
of Scioto County Ohio.
October 20th 1880.
Richard Elliard Answorthy pltf.
vs
In Chy.
John D. Pittmann et al. Defts.
This cause which on the
motion of the plaintiff
Richard Elliard Answorthy
who has attained the age
of twenty one years, is restor-
ed to the docket, came on
this day to be again heard
on the papers formerly read
and on the petition of said
Richard Elliard Answorthy
this day filed by consent of
the Court, and was argued
by Counsel, on consideration
whereof the Court doth adjudge
order and decree that the Clerk
of this Court deliver to Le B.
Hayden on his filing his
receipt therefor, the Certificate
of deposit of the Cashier of
the Farmers and Merchants
Savings Bank for $147.28
to the Credit of Richard

Elliard Norsworthy, Mills Norsworthy, and Eva Ann Norsworthy, filed with report of John D. Pittman, filed herein under decree of April term 1875. which certificate the said R. B. Hoy was thereby authorized and required to collect 1/4 of the proceeds thereof, after paying thereout the cost incident to this proceeding, to be paid to the said Richard Elliard Norsworthy, and the balance deposit in the Farmers and Merchants Savings Bank equally to the credit of the infant defendants Mills Norsworthy, Eva Ann Norsworthy, and Diana Norsworthy, in accordance with the said decree of April term 1875, taking his receipt for said payment, and certificate of deposit of the Cashier of said Bank

thereof, and return the same to Court with his report of his proceedings under this decree.

A Copy
Teste.
W. A. Edwards D.C. for
R. D. Young C.C.

Costs of this proceedings $2.13 cts. fees.
Paid R. D. Young

Oct 28th 1880 Received of C B Hayden Commissioner in the within suit $45.60 Forty Five Dollars & Sixty Cents under this decree.

R E Norsworthy

To the Circuit Court of Isle of Wight County.

The undersigned Special Commissioner under the above decree respectfully reports to the Court, that pursuant thereto, he received from the Clerk of this court the certificate mentioned in said decree for $147.12 On this date collected the same amounting to $190.12 & deposited $47.00 each to the credit respectively of Willis Norsworthy, Eva Ann Norsworthy & Elena Norsworthy

& the remaining fourth be left clerks cost of
Two dollars & Thirteen Cents the said Richard
Elbert Nannally as per

Statement A —

Paid Clerks Costs — — — — — 2.13
" Richard Elbert Nannally — 45.40
Deposited to credit of Mills Nannally — 47.53
" Evelina Nannally 47.53
" Diana Nannally — 47.53
$190.12

The receipts of the parties for said payments & the
Certificate of the Cashier of the Farmers Mechanics
Savings Bank Smithfield, are herewith filed —
All of which is respectfully submitted
Oct 25th 1880 — C B Hayden Comr

Nov 2/84. Rec'd the certificate of deposit & surrendered same to Mills Nannally & receipted therefor.

Nannally for
Hayden
Copy Deeds &c.

P. Turner clerk.

Allotment, Lands, 1880

C B Hayden
Certificate of Deposit
Payment of
under Act
of Congress
1880

Filed Nov. 1st 1880

Nov. 1882 — Received of Mills Nannally
Eighty dollars in full of
his share of the proceeds of
the sale of the Mills Nannally
Allotment —

C B Hayden —

In the Circuit Court of Osceola County - Oct. 20th 1880.

Richard Elliard Norsworthy Pet'r. Pet'n

vs

John D. Pitman et als. Def'ts

This cause, which on the motion of the plaintiff, Richard Elliard Norsworthy, who has attained twenty one years of age is restored to the docket, came on this day to be again heard on the papers formerly read, & on the petition of said Richard Elliard Norsworthy this day filed by the consent of the court, and was argued by counsel; on consideration whereof the court doth adjudge, order and decree that the clerk of this court deliver to E. B. Hayden, on his filing his receipt therefor the certificate of deposit of the cashier of the Farmers & Merchants Savings Bank for $147.28, to the credit of Richard Elliard Norsworthy, Miles Norsworthy & Eva Anna Norsworthy, filed with the report of John D. Pitman, filed herein herein under the decree of April term, 1875, which certificate the said E. B. Hayden is hereby authorized & required to collect, & 1/4 of the

proceeds thereof, after paying thereout the cost incident to this proceeding, he shall pay to the said Richard Elliard Norsworthy, & the balance deposit in the Farmers & Merchants Savings Bank equally to the credit of the infant defendants, Miles Norsworthy, Eva Anna Norsworthy, & Diana Norsworthy in accordance with the said decree herein of April Term, 1875, taking his receipts for said payment & certificate of deposit of the cashier of said bank therefor, & return the same to court with his report of his proceedings under this decree.

A Copy Teste W. A. Edwards D.C.

Norsworthy et al.
v
Clay et al
Petition &c.

"
Oct Ct 1880

J. B. Lippincott & Co.,
Booksellers and Stationers,
Philadelphia, Pa.

Norsworthy per Friend

vs

Pitman's Admin etal.

This Cause, which on the motion of the plaintiff's Richard Elliard Norsworthy, who has attained twenty one years of age is restored to the docket, came on this day to be again heard on the papers formerly read, & on the petition of said Richard Elliard Norsworthy this day filed by the Consent of the Court, and was argued by Counsel; on Consideration whereof the Court doth adjudge, order & decree that the Clerk of this Court deliver to O B Hayden, on his filing his receipt therefor, the Certificate of deposit of the Cashier of the Farmers & Merchants Savings Bank for $147.28, to the Credit of Richard Elliard Norsworthy, Mills Norsworthy & Eva Anna Norsworthy, filed with the report of John D. Pitman, filed herein under the decree of April term, 1875, which Certificate the said O B Hayden is hereby authorized & required to collect, & 1/4 of the proceeds thereof, after paying therefrom the Cost incident to this proceeding, he shall pay to the said Richard Elliard Norsworthy, & the balance deposit in the Farmers & Merchants Savings Bank equally to the Credit of the infant defendants, Mills Norsworthy, Eva Anna Norsworthy & Diana Norsworthy in accordance with the said decree herein of April term 1875, taking his receipt for said payment & Certificate of deposit of the Cashier of said bank

therefore, & return the same to Court with his report of his proceedings under this decree

Norcum Kentucky Lien Record
vs
Pittman's Admin't al

Record Decree
Octob'r Term, 1880.
To be entered
Geo. W. Gore

Entered 14

Mrs Anthony pr fd

vs.

Pittman's admr &c.

This cause came on this day to be again heard on the papers formerly read & on the report of payments, made by the said John H. Pittman under the decree of this court made in this cause at the April Term 1875, — to which report there is no exception and was argued by Counsel: On consideration whereof the Court doth confirm the said report and doth adjudge order and decree that the proceedings had in the cause be confirmed & made final & binding between the parties, and it is ordered that the Cause be removed from the docket, with leave to any party interested to reinstate the cause on the docket of this Court and ask for such other relief as the Court may deem proper to grant

Transmitted for fee

N.

Pittman's adm.

1877

Appl. ct.

final decree

to be entered.

Geo. T. Bliss.

Entered 18—

Norenaty for pend

vs

Pittmans Admrs &c

This cause this day came on to be again heard on the papers formerly read & on the report of Commissioner E. R. Aikin now on the decree herein of May Term 1876 & was argued & counsel, on consideration whereof the court confirms said report to which no exceptions were filed & doth adjudge order & decree that John D Pittman ~~first~~ pay the cost of this suit & then pay to Edmonth Pittman widow of Thos D Pittman 4/5 of 1/3 of the balance of $1100.73 with interest thereon from the 4th day of Jan 1873 ~~& 4/5 of said~~ to be held by her for life & 1/5 of said 1/3 deposit in the Farmers Merchants Savings Bank of Smithfield to the credit of this cause ~~deposited~~ to the further order of the court herein & pay the interest thereon semi annually to the order of the said Edmonth Pittman — pay to Wm D Norenaty $1100 with interest thereon from said date to Nathaniel Pittman, Fannie A Pittman to Wm M Moody in right of his wife Marietta Pittman & to John A Pittman each 1/5 of 2/3 of the balance of the amt due said testators estate after making the payments aforesaid & ~~& deposit~~ the remaining 1/5 of said 2/3 equally to the legal guardians of Richard Elliod Norenaty, Mills Norenaty, Eva Anna Norenaty

and Thomas Norment Jr, (first paying Teller of CB Hyde
an attorney per of $15.00 for his services on their behalf
in this cause) any legal guardian, deposit on
deposit to their credit (subject to the payments
aforesaid) in the Farmers & Merchants Savings Bank
of Smithfield - Taken from the Cashier of said
Bank certificate of deposit for the amount -
to defendant to return the same with the
receipt of the parties for the payments
herein directed with his report to court
of his proceedings under this decree -

But the effect of this decree shall be suspended
as to the payment to the said Mrs M E Moody
until the consent of his wife Mariella to
said payment, on her privy examination taken
by a Magistrate a commissioner in chancery
to be had in this cause -

As amended by consent
of
Pittman & Stevens Solrs

Pd Clerk's fees
Sheriff's fees 1875
to be collected -
Costs

Costs (1.33)

In Isle of Wight Circuit Court, May 29th 1874.

Richard Elliard Norsworthy, Mills Norsworthy, Eva Anna Norsworthy and Diana Norsworthy infant children of Wm G.W. Norsworthy, suing by the said Wm G.W. Norsworthy as their next friend on their own behalf & that of all other creditors of Thos A. Pillman — Plts.

vs. } In Chancery

John D. Pillman in his own right & as adm'r with the will annexed of Thomas A. Pillman dec'd; Wilmouth Pillman, Nathaniel Pillman, Fanny A. Pillman, Wm M. Moody & Marcilla his wife, formerly Pillman, Defts.

This cause this day came on to be heard on the Bill, in this own right & as adm'r with the will annexed of Thos A. Pillman, the answers of John D. Pillman, Nathaniel Pillman of Wilmouth Pillman, Fanny A. Pillman, Wm M. Moody and Marcilla his wife, this day filed by consent of the court, general replications thereto, and Exhibits filed, and was argued by Counsel: On consideration whereof the Court doth adjudge, order and decree that a Comm'r of this Court take the following accounts,

An account of the transactions of the said John D. Pillman as adm'r of the said Thomas A. Pillman;

An account of the [illegible] by the said Pillman from the [illegible] of the said Thomas A. Pillman under the provisions of his will —

(3rd)

4

The said Comr. shall ascertain and report to Court whether the said John A. Pillman has elected to take the farm of the said Testator, and if he has so elected, when he should be charged with the value of the same,

4th " An account showing the amounts due to the legatees under the will of the said Thomas H. Pillman,

5th " an account of all debts and demands against the estate of the said Thomas H. Pillman due to such creditors as may choose to contribute to the costs of this suit, which accounts he shall take, settle and report to Court, with any matters & specially states, deemed pertinent by himself or required by the parties to be so stated,

A Copy Test,

Chas. H. Hart, D. C. for
M. P. Youngblood.

Condition of Bond, &c. Copy of Decree May Cir. Ct. 1874.

Pillman's Adm'r. vs Pillman's Adm'r.

Norsworthy per Quind

&

Pillman & als

This cause this day came on to be heard on the Bill, the Answers of John D Pillman in his own right & as Admr with the will annexed of Thomas D Pillman, & Wilmouth Pillman, Nathaniel Pillman Jamie D Pillman, Wm M Moody & Manella his wife this day filed &, consent of the Court, general replications thereto & exhibits filed, & argued by Counsel, on Consideration whereof the Court doth adjudge & decree that as Admr of this Court, take the following acts,

1 An acct of the transactions of the said John D Pillman as Admr of the said Thomas D Pillman.

2 An acct of the moneys out by John D Pillman from the Estate of the said Thomas D Pillman under the Provisions of this will.

3 The said Comr shall ascertain & report to Court, whether the said John D Pillman has duly made the Payments of the said estate & if he has so duly not what he should be charged

with the name of the same,

4 And shewing the amount due against each of the said Thomas H Pitman,

5 And of all debts & demands against the estate of the said Thomas H Pitman due to such creditors as may choose to contribute to the costs of this suit, which as he shall take order & report to Court, with any matters specially stated or required by the parties to such state

Answer of Defendants

Filed

Rough Draft
May Term 1874
To the Chancellor

Dec: 1874

Entered
61

In the Circuit Court of Isle of Wight County, April Term, 1882.
Richard E. Norsworthy

Pltff.

vs.

John D. Pitman adm:

Defts.

This cause which on the motion of the Plaintiff, Mills Norsworthy who has attained the age of twenty one years, is restored to the docket, came on this day to be again heard on the papers formerly read, & on the petition of said Mills Norsworthy and Richard Elliard Norsworthy, this day filed by leave of the Court, & was argued by Counsel:
On consideration whereof the Court doth adjudge, order & decree that Commissioner C. B. Hayden be allowed to withdraw from his report filed herein, Nov: 1st, 1880, the certificate of deposit of the Cashier of the F. & M. Savings Bank, Smithfield for $47.53 to the credit of said Mills Norsworthy and the certificate of said Cashier for $82.23 to the credit of this suit filed with the report of John D. Pitman on his filing his receipt for said certificates - the first of which

certificates he shall collect & the proceeds thereof pay to said Mills Norsworthy and the principal of the last of which certificates he shall collect & one half thereof pay equally to said Mills Norsworthy & Richard Eldiard Norsworthy, first paying out of said collection the costs of this proceeding, & the other half of said collection, he shall deposit equally to the credit of Eva Ann Norsworthy & Dianna Norsworthy in said Bank, taking the certificate of deposit therefor & the receipts of the parties for said payments & return the same to Court with his report of his proceedings under this decree—

Costs of this proceeding $11.95 a copy Teste, N.D. Yommelt

May 5. 1882 - Received of C B Hayden Com. Nineteen Dollars & Ninety Cents under the within decree—

Richard E. Norsworthy

May 6 - 1882 - Received of C B Hayden Com. Minion Seventy One Dollars & Six Cents under the within decree—

Mrs Miller L. Norsworthy

Decree

Solicitor for Complainant

Solicitor's costs

2/82.23
41.11
2.05.5

5/.50
41.11
9.82

To the Honorable Geo Blow Judge of the Circuit Court of Isle of Wight County.

The undersigned C B Hayden Special Commissioner under the annexed decree of said Court of April Term 1882, in the suit of Nasmith etc vs Pitman etc respectfully reports to the court that pursuant to said decree, he on the 5th day of May 1882, collected the principal of the certificate of $82.23 & deposited $20.53 1/4 each to the credit of Viana Nasmith & Eva Ann Nasmith, & the other 1/2 paid equally to Richard E Nasmith & Mills Nasmith & that on the same date he collected the certificate of deposit for $47.53 to the credit of Mills Nasmith & paid the same to him less his clks fees $1.95 - as per Statement A —

Amount of Certificate	82.23
do —	51.81
	$134.04
Deposited to credit of Viana Nasmith	20.53 1/4
" Eva Ann — do	20.53 1/4
Paid N P Young Clerks fees —	1.95
" Richard E Nasmith	19.90 1/2
" Mills — Nasmith —	71.06 1/4
	$134.04

The Receipts of the parties for said
parties & said Certificates of deposit
are herewith filed —
All of which is respectfully submitted
D C B Hayden

oct 9/84. Read of the Clerk of this court
the certificate of deposit of the Cashier
of the Farmers and Merchants Savings
Bank at Smithfield Va, named in this
report and in the decree dated of April
1884. in favor of Eva Anna Norsworthy and Deanna Norsworthy for
$20.55/100 cash

R E Boykin atty

Commissioners Report & Collection &
Payment under
decree of April
Term 1884
=
May 19th 1885
Filed.

Norsworthy
vs
Pitman
&als —

1876 June 5th Rec'd of John D. Pitman, under Decree of Isle of Wight Circuit Court, made at the April Term 1875, in the cause of Richard Elliard Trustee &c &c against Jno. D. Pitman &c &c, each of us, the sum of One hundred & sixty two dollars & 28/5 only, being the amounts respectively due us under said Decree.

Jno Hatte Pitman	$162.28/5	Nathaniel Pitman
" Jannie A "	162.28/5	Jannie A Pitman
" Wm M Moody in right of wife Marietta	162.28/5	Wm M Moody Marillia Moody
" Jno. D. Pitman	162.28/5	John D. Pitman
Thomas Pitman " Wilmuth	$378.97	Thomas for Wilmuth Pitman mark

In Kleft Circuit Court.

Norsworthy & per friend — Plff.

vs.

Jno. D. Gilmore Defr. — Bill of costs incurred & estimated & paid down.

Atto. fee and cost tax Paid C B Hayden	16.00
Clerk Cir. ct. fees in suit	8.44
Do. Co. ct. for copy for sheff.	.75
Sheff. Do. Writ	3.50
Do. Summons	1.06
Comm'r Atkinson	8.00
	$37.75

Teste,

N. L. Young Clk.

Off the Clerks fees above $12.40 have not been paid in sheff's hands — Bal. are in sheff. hands.

Jonesville N. C.

v. Bill of
costs.

Pitman Sol.

In Isle of Wight Circuit Court, April 21st 1875.

Richard Elliard Norsworthy &als, pets. } Pltffs.
against } Decree
John D. Pillman in his own right & as adm'r of
Thos H. Pillman dec'd. &als — Defts.

This cause this day came on to be again heard on the pleadings formerly read, & on the report of Comm'r G. R. Allmason made the decree herein of May Term 1874, and was argued by counsel, on consideration whereof the Court confirming said report, to which no exceptions were filed, doth adjudge order and decree that John D. Pillman pay the costs of this suit, and then pay to Wilmouth Pillman widow of Thos H. Pillman 4/5 of 1/3 of the balance of $100,73 with interest thereon from the 4th of November 1873, to be held by her for life — and 1/5 of said 1/3 deposit in the Farmers and Merchants Savings Bank of Smithfield to the credit of this cause, subject to the future order of the Court herein, and pay the interest thereon semi annually to the order of the said Wilmouth Pillman — pay to Wm G. H. Norsworthy, Trustee, with interest thereon from said date — To Nathaniel Pillman; Fannie A. Pillman — to Wm M. Moody in right of his wife Marietta, late Pillman, to John D. Pillman each 1/5 of 2/3 of the balance of the amount due said testator's estate, after making the payments aforesaid, and pay the remaining 1/5 of said 2/3 equally to the legal guardian of Richard Elliard Norsworthy, Willis Norsworthy, Eva Anna Norsworthy and Fanny Norsworthy (first paying the cost to G. B. Hayden

an allowance of $15.00 for his services on their behalf in this Cause) if any legal guardian, as if none, deposit to their credit (subject to the payment aforesaid) in the Farmers and Merchants Savings Bank of Smithfield - taking from the Cashier of said Bank Certificate of deposit for the amount so deposited, and return the same with the receipt of the parties for the payments herein directed, with his report to Court of his proceedings under this decree. But the effect of this decree shall be suspended as to the payment to the said Wm. M. Moody, until the consent of his wife Mariella to said payment on her privy examination certified by a magistrate or Commissioner in Chancery and filed in this case.

Copy - Teste. C. H. Hart, Dep'ty for
H. P. Young, Clk.

Pittman's Admr. et als.
Copy decree & fil. Com
Ct. Oct. 1875.

Sol Cobb

Pittman's Admr. et als
vs.
Sol Cobb.

Recorded in Deed B. 11

Mowmthy Sals.
v.
Pittman's admr.
} In Cty: Circuit Court
Isle of Wight.

Statement of Amounts to be paid by John W. Pittman under decree of Circuit Court of Isle of Wight County in above case, of April Term 1875

To Balance due pursuant decree $1100.73
" Int. from 11 Nov 1873 to 5 June 1876 — 2 yrs. 7 mos. 170.58
$1271.31

To paid costs as per annexed Cost Bill. 37.75
$1233.56

To paid Wilmouth Pittman 1/3 of 1/3 to be held by her life pursuant decree sd to wit $328.92

To deposited in Farmers and Merchants Savings Bank of Smithfield to credit of this cause (per certificate of Chas. R. Allmon, Cash'r filed 15 Sept 73 82.23 — 111.15
$822.41

To paid W. G. Mowmthy for Commissioner 1.00
$821.41
Retained for future costs 10.00
Cash in $811.41

Ex'd C. B. Madison Atty for U.S. Marshall

By amo. Int. on (Balance) ℔ 811:41.

Dr paid Nathl. Pitman ℔ S/C

paid Balance per decree

℔ rct. ℔ 162.28/5

" " Fannie A. Pitman do 162.28/5

in right

" " Wm M. Merritt & wife

Maritta } do. 162.28/5

" " Jno. D. Pitman do. 162.28/5

℔ 649.12 4/5

" deposited in Farmers & Merchants Savings Bank of Smithfield for, Richard Elliot Nunnally, Mills Nunnally & Eva Anna Nunnally per cert & certificate of Deposit ℔ 147:28/5 ℔ 162.28/5

" " C. B. Hayden for S/P fees 15.00 ℔ 811.41

Recd Tax of 7 Sheriff dollars fees in part for

C. B. Hayden

all of which is respectfully submitted to Court

John W. Pitman
by atto.

May 5th 1882 Received of the Clerk of the Circuit Court of Polk of Wright County, the within named Certificate of Deposit for $2.23 pursuant to decree of April 1882

C B Hayden Comr

Pitman's assd &c

vs.

Depositors &c.

Insolvency &c

By authority of a decree in this cause at Octo. term, 1880, I have received from the Clerk of the circuit court of Polk of Wright county the certificate of deposit of the Cashier of the Farmers & Merchants Saving Bank Somerset, of $14.75 which was to the credit of of Richd. Elliott Insolvent & others, & which certificate was filed with the written report.

Octo. 28th 1880.

C. B. Hayden Comr

In Estate of Thomas H Pitman

1872 In account with John D Pitman his administrator

Nov	4	To paid Charges of Administration	10	00
		" paid for Attending for Expenses	18	00
		" paid Dr Lewis Bull	4	50
		" paid for Tombstone	50	00
		" 5 per cent Commission on $1224.55	61	32
1873 Nov	4	" Balance due the Estate	1100	73
			1224	55
1872 Nov	4	By Cash found in the house	18	00
	15	" proceeds sales of Chattels	348	83
		" Amt received of Elizabeth Pitman on due bill	14	72
		" 900 Cords of Wood cut on the farm	450	00
		" Cash for Land drawn by John D Pitman	400	00
			1224	55
1873 Nov	4	By Balance due the estate		1100 73.

(B)

An Account of the Wood cut by John D Pitman from the farm of the late Thomas H Pitman under the provision of his will

900 Cords of Wood . . . . . at 50¢ 450 00

(C)

An Account showing the amounts due to the Legatees under the will of the said Thomas H Pitman

1873 Nov	4	Balance due the Estate		1100 73
		Interest on the same to October 6th 1874		60 90
		To Wm Arnold Pitman Three sixths	366.91	
		Interest on the same October 6th 1874	20.30	387 21
				387 21 1161 63

Amounts brought forward			387 21	1161 63
To William L. Westerdelly	1.00			
Interest on the same to October 6th 1874	.06		1 06	
" Nathaniel Pilman 1/5 of 2/3 = 2/15	14.56			
Interest on the same to October 6th 1874	8.11		151 67	
" Thomas A. Pilman 1/5 of 2/3 = 2/15	14.56			
Interest on the same to October 6th 1874	8.11		151 67	
" Mandlin Moody 1/5 of 2/3 = 2/15	14.56			
Interest on the same to October 6th 1874	8.11		151 67	
" Edward Pilman 1/5 of 2/3 = 2/15	14.56			
Interest on same to October 6th 1874	8.11		151 67	
" Richard Ellard Westerdelly 1/40 of 1/5 of 2/3 = 1/30	31.64			
Interest on the same to October 6th 1874	2.03		38 67	
" Mills Westerdelly 1/40 of 1/5 of 2/3 = 1/30	31.64			
	2.03			
Interest on the same to October 6th 1874			38 67	
" Eva Jane Westerdelly 1/40 of 1/5 of 2/3 = 1/30	31.64			
	2.03			
Interest on the same to October 6th 1874			38 67	
" Deana Westerdelly 1/40 of 1/5 of 2/3 = 1/30	31.64			
	2.03			
Interest on the same to October 6th 1874			38 67	
			1161 63	1161 63

Commissioners Office

Smithfield September 24 1874

To the Circuit Court of Isle of Wight County

Pursuant to a decree of the said court rendered on the day of May 1874 in a suit in chancery depending in the said court wherein Richard Ellard Westerdelly and others Plaintiffs and John A. Pilman in his own right and as adm'r with the will annexed of Thomas A. Pilman dec'd and others defendants, the undersigned a commissioner in chancery of the said court to whom it was referred for settlement by said decree, the following accounts

1st An account of the transactions of the said John D Pilman as admr of the said Thomas H Pilman, 2nd An account of the wood cut by John D Pilman from the farm of the said Thomas H Pilman under the provisions of his 3rd the said commissioner shall ascertain and report to court whether the said John D Pilman has elected to take the farm of the said Testator, and if he has so elected, what he should be charged with the value of the same, 4th An account showing the amounts due to the Legatees under the will of the said Thomas H Pilman, 5th An account of all debts and demands against the estate of the said Thomas H Pilman due to such creditors as may choose to contribute to the costs of the suit, report to the court that on the 1st Day of August 1874 he issued notices against the said parties requiring them to attend the stating of the said accounts at his office on the 12 day of September 1874. which notice he returns together with the affidavits of the due execution & acknowledged by the parties or by their attorney that the said parties appeared in obedience to the said notice, and your commissioner having stated the foregoing accounts of the transactions of John D Pilman as admr & Trustee of Thomas H Pilman and found that there is due by the said administrator to the said estate on the 1st Day of November 1873 the balance of $1100.73/100 Your Commissioner finds as shown by account marked B. that the said John D Pilman has cut from the farm of the said Thomas H Pilman under the provisions of his will Nine hundred Cords of wood, the proceeds of which are credited to the said administrators account. Your commissioner further reports that the said John D Pilman has elected to take the farm of the said testator and that the price thereof has been credited to the estate in his account as administrator and is included in the balance found due by him to the said estate. Your commissioner finds as shown by account marked C that there is due to Edward H Pilman the widow of said Thomas H Pilman on the 6th Day of October 1874 the sum of £387.21 of which $366.91 is for her dower during her life principal and $20.30 is interest, that there is due to Mrs H Wellcome $1.06 of which $1 is principal and 6 cents is interest to Nathaniel Pilman $154.67 of which $146.56 principal and $8.11 interest to Hannah Pilman $154.67 of which $146.56 is principal and $8.11 interest to Marcella [illegible] $154.67 of which $146.56 principal and $8.11 interest to John D Pilman $154.67 of which $146.56 is principal and $8.11 interest to Richard C Howard $38.67 of which $36.64

in principal and £2.03 to Wells Arrowsmith $38.67 of which $36.64 is principal and $2.03 interest to Eva A Arrowsmith $38.67 is principal & $2.03 interest, to Deana Arrowsmith $38.67 of which $36.64 is principal and $2.03 interest. Your commissioner further reports that the proportions of the said estate to which the said legatees are entitled is as follows, the said Wilmouth Pittman is entitled to one third of the said balance remaining after the said Wm A Arrowsmith to one dollar, the said Nathaniel Pittman Florence A Pittman, Marcella Wordy, and John D Pittman are each entitled to two fifteenths ~~of the balance remaining after pay~~ and the said Richard E Arrowsmith, Mell Arrowsmith Eva Arrowsmith and Deana Arrowsmith are each entitled to one thirtieth of the remainder and are each entitled to like proportions of the remainder of the legacy to Wilmouth Pittman of said balance after deducting the legacy to the said Wm A Arrowsmith. Your Commissioner further reports that no debts against the said estate have been proven before him. Given under my hand as a commissioner in chancery of the said court this day and year first aforesaid

Geo Pettit Com'r

Jno Cuppage & Thos Fitch

Arrowsmith Eds

vs

Pittman admr &c

Commissioners Report

Filed Sept. 24th 1874

Commissioners Office

Instituted Augt 4th 1874

In Isle of Wight Circuit Court May 2nd 1874

Richard Edward Norsworthy, Hall Norsworthy, Eva Ann Norsworthy and Eliza Norsworthy, infant children of Wm H Norsworthy dcsd by the said Jno H Norsworthy his next friend who sue on their own behalf and that of all other creditors of Thomas H Pitman Plaintiffs

vs In Chancery

Lucy D Pitman in her own right and as admx with the will annexed of Thomas H Pitman dcsd Wilmouth Pitman, Nathaniel Pitman, Lemuel H Pitman Wm W Woodley and Marcella his wife formerly Pitman Defendants

It was adjudged ordered and decreed that a commissioner of this court take the following accounts: 1st An account of the transactions of the said Lucy D Pitman as admx &c of the said Thomas H Pitman.

2nd An account of the real estate descended to the said Lucy D Pitman from the said Thomas H Pitman under the provisions of the will.

3rd An account and report to what amount the said Lucy D Pitman has elected to take the said Thomas H Pitman's personal estate under the will of the said Thomas H Pitman and what amount she has elected to take under the provisions of the statute.

4 An account showing the amount due to the said Lucy D Pitman under the will of the said Thomas H Pitman.

5th An account of all debts and demands against the estate of the said Thomas H Pitman due to such creditors as may choose to contribute to the costs of this suit.

In pursuance whereof I do hereby certify that I have fixed upon the 12th day of September next at my office aforesaid for taking and stating the said accounts at which time and place any parties interested may attend. Given under my hand as a commissioner in chancery of this said court this day and year first aforesaid

Geo Perkinson Comr

1874 aug. 3.d. I acknowledge service of the within.

John R. Kelly atty
for John D. Pitman,
Wilmoth Pitman, Nathie
Pitman, Fanny A. Pitman

John D. Pitman and others

Received by delivering to the within named D.D. Pitman a true & Marietta Duvall a true & correct copy of the within Summons
Aug. 1. 1874
A. B. Edwards Sheriff

6

Guggenheimer & Weil, Prs. Baltc.

The Commonwealth of Virginia,

TO THE SHERIFF OF ISLE OF WIGHT COUNTY—GREETING:

We command you to summon John D. Pitman, in his own right & as administrator with the will annexed of Thomas H. Pitman dec'd, Wilmouth Pitman, Nathaniel Pitman, Fannie A. Pitman, William W. Moody & Marcilla his wife formerly Pitman

to appear at the Clerk's Office of the Circuit Court of Isle of Wight County, at Rules to be holden for the said Court, on the first Monday in March next to answer the Bill in Chancery of Richard Elliard Norsworthy, Mills Norsworthy, Eva Anna Norsworthy and Diana Norsworthy infant children of William G. D. Norsworthy, suing by the said William G. D. Norsworthy as their next friend, on their own behalf & that of all other children of said Thomas H. Pitman.

And have then and there this writ.

Witness, NATHANIEL P. YOUNG, Clerk of our said Circuit Court, at the Courthouse, the 5th day of February 18 74, in the 98th year of the Commonwealth.

N. P. Young clk

Norsworthy's pur fd.

Sum. To am.
Bill.

Pitman & als.

To March Rule. 1844.

Hayden & Boykin p.q.

Entered by delivering
to the within named
Jno. D. Pitman & Wilmoth
Pitman & C. Moody
Emeretta his wife a
true Copy of the within
Summons Feb 16 1844

R. A. Edwards D.S.
for L. D. Edwards Shff

Guggenheimer & Weil, Prs. Balto.

The Commonwealth of Virginia,

Vansumond

TO THE SHERIFF OF ~~ISLE OF WIGHT~~ COUNTY—GREETING:

We command you to summon John A. Pelham in his own right & as admr. of Thomas N. Pelham dec'd, Wilmouth Pelham, Nathaniel Pelham, Fanny A. Pelham, Wm M. Moody & Marcella his wife formerly Pelham

to appear at the Clerk's Office of the Circuit Court of Isle of Wight County, at Rules to be holden for the said Court, on the first Monday in March next to answer the bill of Chauncey & Richard Elliard Vansumbly, Mills Vansumbly, Eva Anna Vansumbly & Diana Vansumbly infant children of Wm G. W. Vansumbly, suing by the said Wm G. W. Vansumbly as their next friend, on their own behalf & that of all other creditors of said Thos N. Pelham

And have then and there this writ.

Witness, NATHANIEL P. YOUNG, Clerk of our said Circuit Court, at the Courthouse, the 5th day of February 18 74, in the 98th year of the Commonwealth.

N. P. Young Clk.

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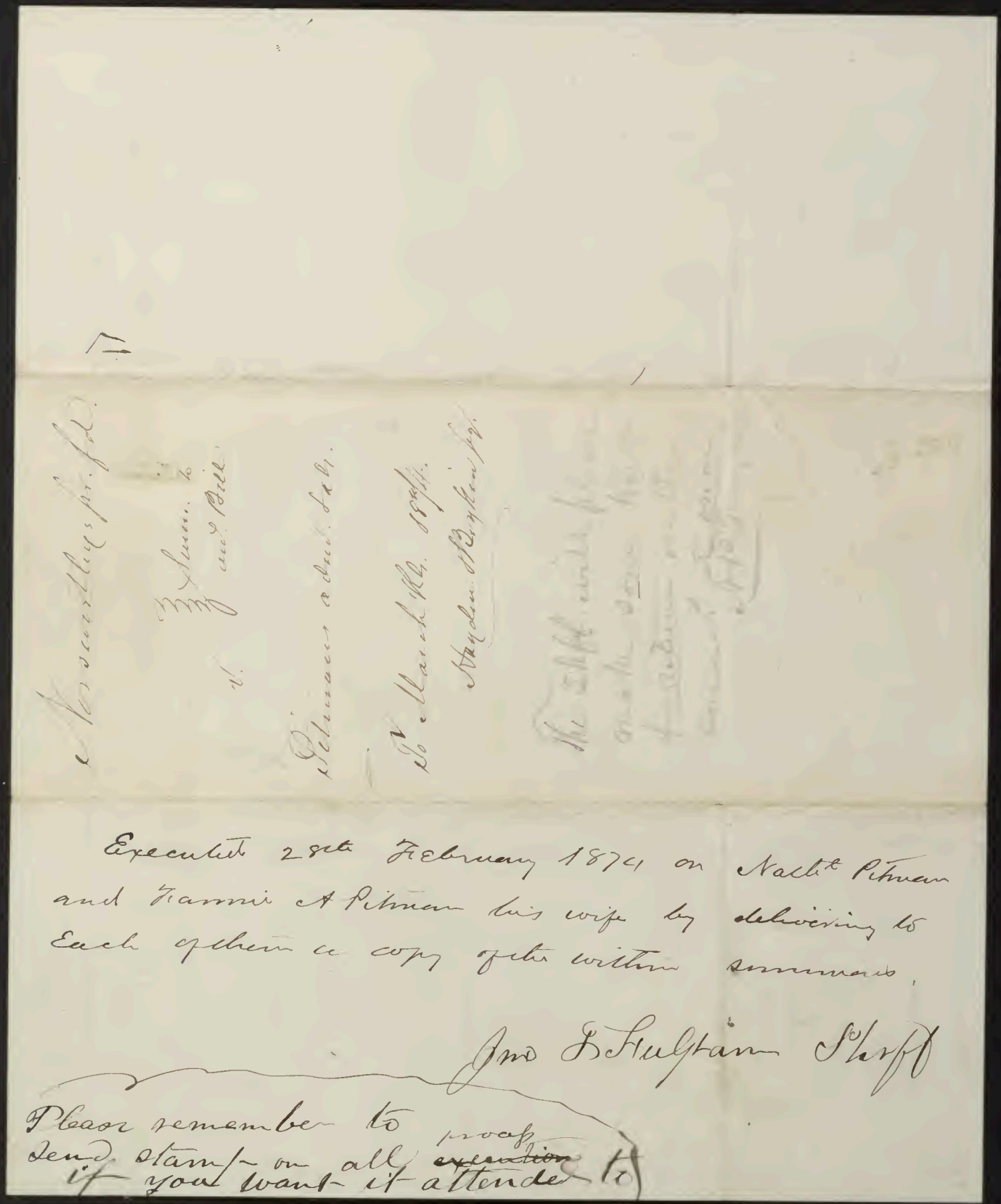

Executed 28th February 1874 on Nath[l] Pitman and Fannie A Pitman his wife by delivering to Each of them a copy of the within summons.

Jno D Sultzbach Sh[ff]

Please remember to send stamps on all proofs of service if you want it attended to

The Joint and separate answers of Nathl. Pitman, Henry A. Pitman, Wm. M. Moody & Mariella his wife to a Bill in Chancery exhibited against them & others by Richard Elliard Assumthy & others in the Circuit Court of Isle of Wight County —

These Respondents say that the facts set forth in said as to the death of Thomas A. Pitman, & the execution & recording, of his will & the qualification of his Personal Representative and the provisions of said will are all true.

Your Respondents have no interest against requiring any security of Mrs. Wilmuth Pitman widow of said Deceased, for the safety & return of any estate, she may receive as a Legatee under said will, as they are satisfied it was never so intended by the Testator, (her husband) and our father, and so far as we are concerned no such security is asked for or in any way required, for the contrary is hereby expressly waived & relinquished.

Signed

+ Nathaniel Pitman
+ Jennie Pitman
+ Wm. M. Moody
+ Mariella Moody

Answer &c

vs

Pittman's adm'r &c

Answer of
Nathl. Pittman
Henry Pittman
& Ann M. Moody wife

---

filed Dec 9th 1879

The answer of Wilmuth Pitman, to a Bill in Chancery exhibited in the Circuit Court of Isle of Wight County against others thereof, by Richard Elliot Norsworthy & others.

This Respondent says, That the statements contained in said Bill, as to the death of her late husband Thomas N Pitman, & the execution & recording of his will & qualification of his administrator, and the provisions of his will are true.

Your Respondent however protest against being required to give security for the portion of said decedents estate: That her husband never contemplated, for a moment any such thing, never designed to put any such conditions upon —

That no one of her children, except the Plaintiff desire that she should give such security

And having answered &c.

by Wilmuth Pitman

Assembly Sal.
v.
Pittman's adm'r &c.

Answer of widow
(Mrs. Melissa Pittman

To the Circuit Court of the County of Isle of Wight. Va.

The answer of John D. Pittman, in his own right and as administrator ~~with~~ the will annexed of Thos. N. Pitman dec'd. to a Bill in Chancery exhibited against him & others, in said Court by Richard Elliard & Nannie Ely & others.

This Respondent, says, That it is true, as stated in said Bill, That Thomas N. Pittman died at the time stated, and left a will which has been duly proved & recorded as set forth in said bill.

That it is also true that your Respondent duly qualified as Adm'r. with the will annexed, in the place of Wm. M. Moody the Executor named in said will, who refused to qualify. That the said bill correctly sets forth the provisions contained in said will —

Your Respondent says That he accepted the provisions contained in said will & agreed to rent the land therein referred to, on the terms named in said will & has elected to take the farm referred to at the price of four hundred Dollars on the condition named in said will, and is ready to render an account of his transactions as Personal Representative of said deceased, whenever required to do so.

Your Respondent says That it is true one third of the decedents estate, after paying funeral charges and expenses & debts is by said will given to Wilmouth Pittman the widow of said deceased for and during her natural life, & after her decease to his children,

to be divided equally among them — and your Respondent protests against requiring of said Wilmoth Pittman security for the same as prayed for in said Bill — That the Testator never contemplated that his widow (now an old Lady) should be deprived of the said money, which must be small in amount at the best; and your Respondent also is entitled to ask as he does not wish, so far as he is concerned that any such security should be required, and as your Respondent believes no one of the other heirs (except the Plaintiffs) require any such security, & they give or declare.

(and having answered &c

John B Pittman

Sworn to before me this
26th Day of May 1874
J. D. Young C.C.

Answer &c

Pittman's adm'r &c

Answer &
Jno. D. Pittman in
his own right & as adm'r
&c.

I solemnly swear that my son Mills Norsworthy attained twenty one years of age on the 14th day of March 1882, & that Wilmuth Pittman the Grandmother of said Mills, Widow of Thomas H Pittman died sometime in the year 1881 -

Signed Wm G. his X Norsworthy mark

Isle of Wight County, to wit;

I C B Hayden a commissioner in chancery for the County Court of the county aforesaid in the State of Virginia do certify that Wm G Norsworthy, subscribed & made oath to the above affidavit before me in My said County - Given under My hand this 15th day of April A D 1882 -

C B Hayden Com -

Namenatty
per print
vs
Pittman et al

Affidavit
of
Wm. G. Namenatty

J. B. Lippincott & Co.,
Booksellers and Stationers,
Philadelphia, Pa.

To the Hon^r George Blow Judge of the circuit court of
Isle of Wight Co;

Your undersigned Petitioners
Mills Norsworthy & Richard Gilliard Norsworthy,
humbly represent to the court, that your Petitioner
the said Mills attained twenty one years of age on
the 14^th day of March 1882 as appears by the affidavit
of William G Norsworthy the father of your Petitioner
herewith filed. That under the decree of this
court of October term 1880 in this suit of Norsworthy
et als vs Pittman's admr's et als there was deposited
to the credit of the said Mills Norsworthy $47.53
in the F & M. S Bank Smithfield by Commissioner
C B Hayden, as will appear from the certificate of
of deposit of the Cashier of said Bank of October 28^th 1880
returned by said Commissioner with his report
filed in said suit Nov^r 1^st 1880. Your said
Petitioner Mills Norsworthy prays that the said
certificate may be paid him as he is now of age.
Your said Petitioners humbly represent to the court
that on the 5^th day of June 1876 there was deposited
in said Bank to the credit of this suit $82.23, the
interest on which was to be paid Wilmouth Pittman
for her life & on her death the principal was to go
to the four children of Sarah Dianna Norsworthy,
the mother of your complainants. The said certif-
icate is filed with the report of John D Pittman in
said suit. Your said Petitioners are each entitled
to 1/4 of the principal of said certificate, and they
pray that the same may be paid them as the said
Wilmouth Pittman has departed this life, as appears
by the aforesaid affidavit. And Your Petitioners

will ever pray &c

Richard Nosworthy,
Mills Nosworthy,
per L B Hayden Atty

Norsworthy
vs
Pittmans Admrs &tals

Petition
of
Mills & Richard Nosworthy

Norsworthy + als
vs
Pitman's Admin + als

J. B. Lippincott & Co.
Booksellers and Stationers
Philadelphia, Pa.

To the Honorable George Blow Judge of the Circuit Court for the County of Isle of Wight;

Your petitioner, Richard Elliard Norsworthy, humbly represents to the Court, that by the decree of this honorable Court of April term, 1875 in the suit of Norsworthy, pen friend vs Pitman + als a certain sum of money was directed to be deposited to the joint credit of Richard Elliard Norsworthy (your said petitioner) + Mills Norsworthy, Eva Anna Norsworthy + Diana Norsworthy in the Farmers + Merchants Savings Bank of Smithfield, the said parties being then all infants, under twenty one (1) years of age; that your petitioner attained lawful age on the 6th day of February, 1880, as appears by the affidavit of Wm G. M. Norsworthy, the father of your petitioner, herewith filed, marked exhibit "A" + prayed to be taken as a part of this petition.

Exhibit "A"

That through mistake the name of the said Diana was omitted from said certificate.

That your petitioner is only entitled to 1/4 of said amount; that your petitioner prays that his said 1/4 may be paid him + the balance deposited in said bank to the credit of said Mills, Eva Anna + Diana so as to correct the error aforesaid and secure to the said Diana her interest in said fund + your petitioner will ever pray + e.

Signed Richd Elliard Norsworthy
per C B Hayden his Atty

Isle of Wight County to wit:

I C B Hayden, a Notary Public for the County aforesaid in the State of Virginia, do certify that Richard Elliard Norsworthy personally appeared before me in my said County and made oath to the truth of the Statements Contained in his foregoing Petition.

Given under my hand this 20th day of October A D 1880.

C. B. Hayden Notary Public

Petition of Richard Elliard Norsworthy

Amount $2 daly
vs
Pitmans Adm'r daly

I William G. M. Norsworthy Solemnly swear that my son Richard Elliard Norsworth attained lawful age of twenty one years on the Sixth day of February, Eighteen Hundred and Eighty

his
Wm G. W. Norsworthy
mark

Isle of Wight County to wit:

I C B Hayden a Notary Public for the County aforesaid, do certify that Wm G. M. Norsworthy subscribed and made oath to the annexed affidavit before me in my said County.

Given under my hand this 20th day of October A. D. 1880.

C. B. Hayden Notary Public

Norsworthy et al's

vs

Pitman's Adm'x et al

31 30 29 28 27 26 25 24 23 22 21 20 19 18 17 16

Affidavit

of

Richd Elliard Norsworthy's Majority

To the Honorable Leo Elam, Judge of the
Circuit Court of Law and Chancery for
the County of Cabell of Right in Chancery
sitting.

Humbly complaining sheweth to
the Court your orator Edward
Edward Howorth, Mary Howorth
Eva Anna Howorth and Diana
Howorth infants of tender
years by the said William
G. Howorth as their next friend and on
their own behalf, and that of all other
creditors of Thomas H. Pittman deceased,
who may choose to come in the cost
of this suit.

That on the day of 1872
one Thomas H. Pittman departed this life
in the County of Cabell having duly
made and published his last will and
testament, which at the September term 1872
of the County Court of the said County
was duly admitted to Probate, and
William M. Moody nominated in said
will as Executor having refused to qualify
as such, John D. Pittman qualified as
administrator with the will annexed
of said Thomas H. Pittman and took
upon himself the duties of said will

Exhibit (A)

with certificate of probate and of said qualification annexed marked A herewith filed and prayed to be taken as a part of this bill.

That the said testator died possessed of small personal estate which has come to the hands of the said John D Pillman by virtue of his said administration, but the said administrator has returned no account of his administration on the said testators estate.

That the said testator left as his heirs and distributees at law, his widow Dilmouth Pillman, and two sons John D Pillman the said administrator and Nathaniel Pillman; two daughters Fannie A Pillman and Marilla Moody the wife of William M Moody, and four grandchildren viz and children of a deceased daughter viz Lewis Edward Moorworthy Willis Moorworthy, Ora Anna Moorworthy and Nana Moorworthy.

That the said widow and grandchildren are the beneficiaries under the testators will which distributes his entire estate except the legacy of one dollar to William Moorworthy real, and personal, among them in the following manner to wit, One third of the proceeds of sale of this estate is loaned to his

wife for life, and the balance of his estate inclusive of the remainder in the estate given his wife is equally divided between his aforesaid four surviving children and grandchildren, the latter taking per stirpes.
That besides the personal estate aforesaid, the said testator died seized and possessed of a tract of land in said County, being the farm on which he resided.
That by the first clause of said will, the said John D Pillman was allowed to cut the cord wood on said land at fifty cents per cord, the said wood to be cut within two years, and after the said wood was cut, the said John D. Pillman was allowed to take the said farm on condition of paying four thousand dollars therefor, and if he elected not to take it at that price, the privilege was given William M Moody the husband of the said Manilla to take it on the same conditions, and if neither should elect to do, then the sale of the said land was directed and the proceeds distributed as aforesaid.
That the said John D Pillman by virtue of the provisions of said will, has cut nearly if not all of the wood from said farm

and that as your complainants are informed should it take the said Game on the Legacy aforesaid by the will.
That by a codicil to said will, the portion of the estate given your complainants is directed to be paid to the said Manilla Moody in trust for your complainants until they shall arrive at the age of majority.
That the said Manilla Moody is a married woman, and therefore unable to give proper security and otherwise to discharge the duties of said trust, and the payment of your complainants legacy to the said Manilla Moody would be both unsafe and improper and the same should be safely invested for the benefit of your complainants, or paid over to such legal guardian as they may hereafter select. Your complainants submit whether they are entitled to receive the interest on the said legacy during their minority or whether the same shall accumulate for their benefit.
That the one third of the proceeds of the sale of the real estate and the widow of the testator for life should not be paid to her without security being given for the forthcoming of the same on her death, and

in default of such security, it should be
lawful under the order of this
Court and the interest paid her during
her life.
That your complainants are without remedy
at law, and can only be relieved by the
aid of this honorable Court of Chancery
where matters of this sort are cognizable;
To this end and that justice may be done
in the premises, your complainant pray
that the said John A Fillman in his own
right and as administrator with the will
annexed of said Thomas A Fillman
deceased, Fillmouth Fillman, Nathan-
iel Fillman, Tamar A Fillman, William
Moody and Marella Chinock and
Richard Bowyer may be made parties
defendant to this Bill and be required
to answer the same.
That by the decree of this Honorable Court an
account may be taken of the transactions
of the said John A Fillman as adminis-
trator of the said Thomas A Fillman, in-
cluding in said account the lands &
sale of said mood at the price named in
the will, and of the use of the said Tamar
A the said John A Fillman has elected to
take the same at the price name in the

will, and that the said John D Pillman may be required to elect whether he will take the Grant of the Terms aforesaid and on his refusal so to do that the said William M Moody may be required to make a similar election and on his refusal, the said Grant may be decreed.
That the amount due your complainants may be ascertained and payment of the same by the said John D Pillman to the said Marilla Moody restrained and prohibited upon ample security for the discharge of her trusts under said will, and in default of such security investment of the same be decreed under the order of this Honorable Court.
That the said John D Pillman administrator as aforesaid may be restrained and prohibited from paying to the said Admonith Pillman amounts loaned her for life under said will, unless upon condition of her giving sufficient security for its forthcoming on her death, and in default of such security, investment of the same may be decreed by this Honorable Court, and that such other further and general relief may be granted your complainants in the premises as to the Court may

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seem meet and may suit the Equity of
the case. And your orator &c
ever &c &c

Hayden & Boykin S. C.

Noteworthy for fraud

v.

Chancery

Pittsburg Admrs &c

Complainants Bill

Mar. Ter. 1874 - Bill &
filed, summons issued & returned
nisi.

Apl. Ter. Bill taken for confd.
& set for hearing.

May, 1874. Dr. for Costs.

Apl. 1875. Rept. confd.
& Dr. for distribution

April term 1877
Final Decree

Oct 1880. Returned to Docket
Dr. to collect certificate of Deposit
& distribute &c

Apl, 1881. Rept. confd. &
removed from docket

Apl. Term 1884. Final Decree

Oct. Ter, 1884. Issued to Docket
Dr. to collect certificate of Deposit &c.
removed from docket.