

1891-009 Chancery Causes. Annie Ashburn + Minga Ashburn VS Priscilla Stagg, widow of

Isle of Wight County

Mills Freeman + d

Other SURNAMES: Smith,
Gay, Clements

In the Circuit Court of Isle of Wight County
in the State of Virginia:

Dec. Rules (1st Monday) 1888

James complainant Annie
Ashburn and Minga Ashburn her husband
respectfully represents:

That in the year 1883
her father Mills Freeman departed this
life leaving a widow named Priscilla
who is now the wife of Luther Staggs,
and James complainant Annie and
Emma Smith now the wife of Alonza
Smith his only children and heirs at
law; and said father died seized and
possessed in fee of a certain tract
of land lying and being in the county of
Isle of Wight in the state of Virginia
adjacent the lands of Mrs. M. Ray, &
B. B. Roberts said to contain 25 acres
more or less and was purchased from
said Mrs. M. Ray by said Mills Free-
man:

James complainant Annie says she is
entitled to one moiety in said land sub-
ject to the dower of said Priscilla
Staggs and that said tract of
land cannot be divided into two equal
parts without great loss. If so divided

each share would be of little or no value but the whole tract is a valuable little tract worth about \$200.⁰⁰.

Your complainant is advised that she is entitled to have her share in said land or have her share in the proceeds of sale.

Your complainant says that for about five years said Luther Staggs has had ^{the} entire ~~the~~ control and exclusive use of said land.

For as much as your complainant is without remedy save in this honorable court where such matters are alone and properly cognizable, they therefore pray that Priscilla Staggs who was the widow of Mills Freeman, Luther Staggs her husband, Emma Smith who was Freeman and Alonza Smith her husband be made parties defendants to this bill and required to answer the same, but an answer on oath is hereby waived, and they pray that dower may be assigned to said Priscilla Staggs, that said land may be sold and the proceeds of sale after paying ^{ing} the costs of this suit including a reasonable attorney's fee to W. S. Hall and, be divided equally between the two said heirs, that all proper expenses

ries and accounts be taken and reported
to Court, that all proper commissions
may be ~~to be~~ appointed. And your
complainants pay for all such other
further and general relief, as the
nature of their case may require and
as to equity shall seem meet.
And they will ever pray &c.

W. S. Hallen
H. S.

W.S. Hallam, T. D.

Ashburn Annie and
her husband

vs. { In chancery

Staggs Priscilla et al.

Bill of Complaint

Rules 1st Monday Dec 1888.

Bill & expts. filed. Cause
settled & decree nisi.

Rules 1. Monday in Jan. 1889.

Bill taken for costs &
cause set for hearing.

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON *Priscilla Staggs, who was the*
widow of Mills Truman, Luther Staggs her husband,
Emma Smith, who was Truman, and Alonzo Smith
her husband

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 *December* next, to answer *the Bill in*
Chancery of Annie Ashburn, who was Truman,
and Eliza Ashburn her husband

of a plea of _____ for \$ _____ Damages \$ _____ And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Courthouse, the *2nd* day of

Novr., 188*8*, in the *153th* year of the Commonwealth.

N. P. Young clk.

Presented by delivering to the within named
Priscilla Stagg, Luther Stagg, Emma Smith
and Alonza Smith each a true copy of
the within summons, Nov. 24th 1885

R. A. Edwards Sheriff.

Ashburn Ammitay,

W. 3 Lewis. to Ans.
Bill in
Cher

Stagg Priscilla & Co.

11 20 Dec. Rules 1885.

1st Monday.

W. D. Holland & Co.

✓

Mr. Gung

Dear Sir, if in your possession, the
original deed from Jno. M. Gay to
Mills Freeman recorded about
five years ago in these papers. I do not
make it an exhibit but I thought
it would be useful.

Yours &c.
W. S. Hallen, Jr.

Assend 27. Nov
1888

Annie Ashburn who was Freeman and
Minga Ashburn her husband vs. Priscilla
Staggs who was the widow of Mills Freeman,
Leather Staggs her husband Emma Smith
who was Freeman and Alonza Smith
her husband. Summon in Chancery to Decem-
ber Rules (1st Monday) 1888 W.S. Halland p.v.

Asburn Kinga

ns,

Stagg, it. sh.

On notice of planiffs
this cause is dismissed from
the docket, it appearing
to the court that the matters
have been settled outside
of court.

Ishtar Abinggo

vs.

Staggs & co.

To be entered

CMH

Oct 24, 1891

Entered #14

This deed made this the 20th day of Jan'y 1883
between John M. Gay, and Thomas J.
Clements of the first part and Mills
Freeman (col) of Second part, all the
parties residing in the County of Isle of
Wight and State of Virginia.

Witnesseth That for and in consideration
of the Sum of One hundred and Twenty
five dollars in hand paid. The Said
parties of the first part, doth bargain
and Sell to the party of the Second
part, a certain piece or parcel of land
lying and Situate in the County and
State aforesaid, and containing by
estimation Twelve⁽¹²⁾ acres more or less, and
bounded as follows. on the South and
West by the lands of D. B. Roberts, and
Chappel Grove Church, on the North
by the County road leading from
Windsor to Black water bridge, on the
East by the County road leading from
the Black water road near John M. Gay to
Carrsville - This is a part of the tract of
land which John M. Gay purchased of
Walter H. Eley, and is better known as
the Robert S. Eley land.

The party of the first part doth warrant
generally the right and Title herein conveyed
Given under our hands & Seals this 20th day
of Jan'y 1883.

John M. Gay. Seal
Thos. J. Clements Seal

Virginia

County of Isle of Wight, to wit:

I W.S. Holland, a Notary Public in
And for the County & State of aforesaid
do certify that John M. Gay and Tho.
J. Clements whose names are signed
to the writing above bearing date on the
20th day of January 1883 personally
appeared before me in my County &
State of aforesaid and acknowledged
the said writing, given under my
hand this 31st day of January 1883

W.S. Holland

N. P.

Gay, John M. & T. J. Clements
To. J. D. D. of W.S.
Holland Notary

Dec. 22, 1883.

W.S. Holland

Recorded
D. 13 44p. 334

Tax and Fee paid.

J. D. D. Spring cc.

In the Clerk's office of the County Court of Isle of
Wight County, the 22^d day of Dec. 1883, This
Deed from Jno. M. Gay and T. J. Clements to
Wills Freeman, was admitted to record on
the annexed certificate of W.S. Holland a
Notary Public.

Teste, J. D. Spring clk.