1908-012 Chancery Causes: Harriett J. Drummond & admr v Rena K. Chapman & extx VS
Dde 1 Wright County William T. Drummond & d
Petition of John T. Hutchinson

other surnames: Parker, Watson, Mistek, Kellman, Dize, Storling, Wilams, Bennett, Goodson, Pollard, Thompson, Killman, Duley Bonneville, Smith

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of the County of Isle of Wight, Greeting:

WE COMMAND YOU TO SUMMON W. P. Drummond, a defendant in the cause of Drummond's administrator etal; against Drummond et ah;

to appear ~~at the Clerk's office of our~~ before the Circuit Court of the County of Isle of Wight, at the Courthouse thereof, ~~at the rules to be holden for said Court~~ on the 20th day ~~Monday in~~ of October next, to ~~answer~~ show cause why the prayer of the petition of J. D. Hutchisson, filed in said Cause, should not be granted

~~of a plea of~~

~~Damage~~ ~~Dollars~~. And have then there this writ.

WITNESS, N. P. YOUNG, Clerk of our said Court, at the Courthouse, the 28th day of July 1896, and in the 121 year of the Commonwealth.

N. P. Young clk

Hutchesson J. P.

vs. { Summons in an Action of Docus &c

Drummond & Bro. Stds

Atkinson p. q.

To 26th October Rds,

1896, Circuit Court.

Executed by delivering to the within named D. T. Drummond a true copy of the within Summons Allows Accts 2d 1896 R. A. Edwards Shff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of the County of Isle of Wight, Greeting:

WE COMMAND YOU TO SUMMON Henry R. Parker plaintiff in the chancery suit of Drummonds administrator etal. against Drummond et als: and who is administrator with the will annexed of H. J. Drummond dec'd: to appear ~~at the Clerk's office of our~~ before the Circuit Court of the County of Isle of Wight, at the Courthouse thereof, ~~at the rules to be holden for said Court~~ on the 26th ~~Monday~~ day in of October next, to ~~answer~~ show cause why the prayer of the petition of John T. Hutchison filed in said cause should not be granted,

~~of a plea of~~

~~Damage~~ ~~Dollars~~. And have then there this writ.

WITNESS, N. ~~P~~. YOUNG, Clerk of our said Court, at the Courthouse, the 28th day of July 1896, and in the 121 year of the Commonwealth.

N. P. Young clk

Hutchison et al. vs. Stevens et al.

vs. { Summons in an Action of Claim & Delivery

Summons issued, etc.

Atkinson p. q.

To 20th October 1896

1896, Circuit Court.

Executed by delivering to the within named A.R. Parker a true copy of the within Summons.
Aug 4th 1896
Ro A. Eccles
Sh'ff

Everett Waddey Co.,
Stationers and Printers,
Richmond, Va.
} Form No. 400.

Commissioner's Office,

Isle of Wight county, Feb 22d 1893

To Jas Bridgwood Mumford & his wife and Elbourn Mathews

You are hereby notified that I have fixed upon the 7th day of October next,

if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle at my office, the account of First of the debts due by the said Harriet I. Drummond's estate. Second an account of the transactions of H K Chapman dec'd, as Ex'r of the said H. I. Drummond. Third an account of the transactions of A. R. Parker, admr de bonis non with the will annexed of said H. I. Drummond. Fourth, any matter specially stated or deemed pertinent by the Commissioner or required by any party to the cause.

required to be taken by a decree of the Circuit Court of the County of Isle of Wight rendered on the 16th day of May 1892, in a suit in chancery depending in said Court between A R Parker admr de of H. I. Drummond &c. & Jas Bridgwood Mumford & others

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.

N. P. Yancey Comr.

FORM No. 400.

.....

vs. } COMMISSIONER'S NOTICE.

.....

Executed Sept. 29th 1893
by delivering a copy of the
within Notice to John Daly
Marianna Daly and Ellison
Watson

Saml A Jarvis
Sh'ff

Everett Waddey Co.,
Stationers and Printers,
Richmond, Va.
Form No. 400.

Commissioner's Office,

Isle of Wight Court, Sept. 27, 189 3

To H. R. Parker admr. d. b. n. &c. of H. J. Drummond dec'd; W. A. Chapman Exr. of K. K. Chapman dec'd; also devisee &c. of H. J. Drummond; Plffs.—And to W. T. Drummond, F. A. B. Watson, Kate Goodwyn, Jno. Pollard & Sarah his wife, Jas. O. Thompson, Obed A. Thompson, Edco. Thompson, Chas. R. Thompson, Th. J. Mister, F. Killum & Indiah his wife, Mitchell Diggs & Frances his wife, W. Sterling & Rebecca his wife, Barnes Williams & Cossah his wife, Otho Killum and Annie his wife, Wm Bennett, Robt. Bonniwell & Nancy his wife, Jno. Ody & Mariah his wife, Edwin Watson, D. H. Smith and Bettie his wife and — — Watson, Defts.

You are hereby notified that I have fixed upon the 7th day of October next, if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle at my office, the following account

First—Of the debts due by the said Harriett J. Drummond or her estate. Second—An account of the transactions of K. K. Chapman dec'd. as executor of the said H. J. Drummond. Third—An account of the transactions of H. R. Parker as admr. de bonis non with the will annexed of said H. J. Drummond. Fourth—Such other matters deemed proper by the Commissioner or required by any party to be stated

required to be taken by a decree of the Circuit Court of the County of Isle of Wight rendered on the 16th day of May 189 3, in a suit in chancery depending in said Court between the said plaintiff & 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.

N. P. Young Comm'r.

FORM No. 400.

Drummond's Adm'r

vs. } COMMISSIONER'S NOTICE.

Drummond et als,

To 7th. Oct. 1893.

Executed by delivering a Copy of this Notice to H. L. Parker F. A. B. Watson W. J. Drummond & Kate Goodson Sept 22 1893

Jno. A. Edwards

Shff

Everett Waddey Co.,
Stationers and Printers,
Richmond, Va.
Form No. 400.

Commissioner's Office,

Isle of Wight County, Feb'y 22d 1893

To Francis Pullen and Sarah Pullen his wife

You are hereby notified that I have fixed upon the 7th day of October next,

if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle at my office, the account

of First of the debts due by the said Hayrige I. Drummond to the Second an account of the transactions of N. K. Chapman dec'd as Ex'r of said H. I. Drummond estate. Third an account of the transactions of H R Parker adm'r de bonis non with the will annexed of the said H. I Drummond. Fourth. Any matter specially stated, deemed pertinent by the Commissioner or required by any party the stated.

required to be taken by a decree of the Circuit Court of the County of Isle of Wight rendered on the 16th day of May 1893, in a suit in chancery depending in said Court between H R Parker adm'r de bonis of H. I. Drummond pltf and Francis Pullen dfts

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.

N. P. Young Com'r.

Alexandria To wit

executed the within Summons by
Delivering a copy to Francis Pollard and
By leaving a copy for Sarrah Pollard
With F Pollard her husband and explaing
the Purport he accepting Servis for her.
She not Being found

Sept 29th 1893 Wm H Smith Sergt
Alex city va

Form No. 400.

Alexandria ad

vs. COMMISSIONER'S NOTICE.

Defendants et al

Pleas To

Everett Waddey Co.,
Stationers and Printers,
Richmond, Va.
} Form No. 400.

Commissioner's Office,

Isle of Wight County Sept 22d 1893

To Jno W Thompson, Obed W Thompson, Edmund Thompson, Thomas J Nivens, F Kellam, Lydia Kellam his wife, B Wesborn Wilkins his wife Ollie Kellam, Anna Kellam his wife Robert Bowman, Nancy Bowman his wife, William Barnett.

You are hereby notified that I have fixed upon the 7th day of October next, if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle at my office, the account of First an account of the debts due by the said Harriett E. Drummond or her estate, Second an account of the transactions of K Chapman dec'd as Ex'r of said A. J. Drummond, Third an account of the transactions of A R Parker admr de bonis non with the will annexed of said A. J. Drummond, Fourth any other matter pertaining to the commissioner, or required by any party to the cause required to be taken by a decree of the Circuit Court of the County of Isle of Wight rendered on the 16th day of May 1893, in a suit in chancery depending in said Court between A R Parker admr &c of A J Drummond pltf and you defts.

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.

N. P. Young Comm'r.

FORM No. 400.

vs. } COMMISSIONER'S NOTICE.

Executed except as to Wm. Bennett, Obed A. Thompson, Jno. W. Thompson and Edw. Thompson who are non-residents of my bail-wick and were not found therein -

M. O'Neil,
Sheriff Accomack Co. Va.

Officers of Accomack County Court.

JOHN W. GILLET, Judge.
JAS. H. FLETCHER, JR., Attorney for Commonwealth. JOHN H. WISE, Sheriff.
M. OLDHAM, JR., Clerk. SAML. T. ROSS, Commissioner of Accounts.

Accomack C. H., Va., Oct. 4 1893

Geo. R. Atkinson Esq.
Smith Island, Va.,
Dear Sir,

I return here-
with the Comr's notice of Parker v. Drum-
mond, except exceptions except as to four
of the parties. I do not know where they
reside except Wm. Bennett, who, as I
am informed resides on Holland's Island
Md.. I also enclose Money order
for Two Dollars ($2.00) for fees overpaid,
on account of the process not being served
upon the four above-mentioned —

Resp.
Geo. W. Mase

This deed, made this 1st day of May 1868, between Francis A. B. Watson of the first part and William T. Drummond, trustee, of the second part, and Harriett J. Drummond of third part, all of the County of Isle of Wight and State of Virginia: Witnesseth, that the said Francis A. B. Watson in order to provide for the support and maintenance of his sister, the said Harriett J. Drummond, she being without means of support did in the absence of the said William T. Drummond her husband (protracted) open and engage in a millinery business in the town of Smithfield in the County and State aforesaid, and did conduct and carry on the same by and through the said Harriett J. Drummond, whom he considered and appointed his agent for that purpose. And whereas there has been accumulated by and through said business and above the capital money advanced and contributed by the said F. A. B. Watson, the receipt of which capital the said Francis A. B. Watson does hereby acknowledge, and does hereby release and discharge the said Harriet J. Drummond from all liabilities for the same, certain property

consisting of household and kitchen furniture, stock of goods, bonds and accounts which said property the said Francis A.B. Watson desires to settle upon the said Harriet J. Drummond, in consideration of his love and affection for her, for her support and maintenance. Now this deed further witnesseth, that the said Francis A. B. Watson in consideration of the premises, and the further consideration of one dollar, the receipt of which from the said Harriet J. Drummond he doth hereby acknowledge, doth grant unto the said William T. Drummond all the household and kitchen furniture in the possession of the said Harriet J. Drummond, consisting of beds, bedsteads & bed clothing, lounges, carpets and oil cloths, stands, tables and chairs, a bureau, side board, safe, rocking desk, clock, table furniture including table-cloths, napkins, plates & dishes, cups and saucers and spoons, knives & forks, a cooking stove & cooking utensils, all of which were purchased and acquired from the profits of said business; also all the stock of millinary goods in her millinary business and all the bonds and accounts due on account of said millinary business or the consideration of which arose in or grew out of said business.

either directly or indirectly, upon trust that he, the said trustee shall permit the said Harriet J. Drummond to have, hold and enjoy the said furniture, stock of goods bonds and accounts to her separate use and benefit for the support and maintenance of herself and family, free and clear of and from all debts and contracts of her said husband of any and every description with full power and authority to her the said Harriet J. Drummond to sell and dispose of the same, and the profits thereof, and to collect, sue for and recover the said bonds and accounts, and invest the same, or any part thereof, either in the millinery business or in any other manner or way which she shall choose it being the express intent and meaning of the said Francis A. B. Watson to grant and assign the said property and choses in action to the said Harriet J. Drummond exclusively and absolutely, entirely clear of and from any marital rights of said husband, with power to use, manage and employ the same, and to dispose thereof either by will or otherwise, as fully and effectually as if she were a feme sole. And the said William T. Drummond does hereby accept this trust, and give his consent to and authorize the said

Harriet J. Drummond to conduct and carry on the millinary business in the town of Smithfield, and the profits thereof to receive and enjoy for her sole and separate use and benefit aforesaid, and does consent that he will do all things needful and necessary to carry into effect and perform the objects of this trust. The interlineation of the word family in the thirteenth of the preceeding page was done before the execution of this deed.

Witness the following signatures and seals.

F. A. B. Watson (Seal)

Wm. T. Drummond (Seal)

Isle of Wight County, To wit:

I, Joseph S. Atkinson a justice of the Peace of the county aforesaid in the state of Virginia, do certify that Francis A. B. Watson and William T. Drummond whose names are signed to the writing above, bearing date the 1st day of May 1868, have acknowledged the same before me in my county aforesaid. Given under my hand this 22nd day of May 1868.

Joseph S. Atkinson J.P.

In the Clerk's office of the County Court of Isle of Wight County, the first day of June 1868 this deed from Francis A. B. Watson to William T. Drummond

Deeds for Harriet J. Drummond was received and admitted to record upon the annexed certificate of it's acknowledgment before Joseph N. Atkinson, a justice of the peace. And I certify that the requisite United States revenue stamps of one dollar were affixed hereto and cancelled.

Teste, N. O. Young Clk.

a copy.

Teste, N. O. Young Clk

Watson T. A. B.

To } Deed

Drummond Trustee

a copy.

Drummond's adm'r

vs. } Judy.

Drummond et als.

Exhibit D. filed with the bill.

I Daniel J. Drummond being of sound & disposing mind, do hereby revoke all wills & testaments heretofore made by me, do make & ordain this to be my last will & testament as follows. I give to Harriet M. Goodson the house & lot in the town of Smithfield on which I live subject however to the division of rooms in house hereinafter made, but if the said Harriet M. Goodson should die without leaving issue at the time of her death, I give the said house & lot to her mother Kate S. Goodson if she should then be living, during her life & then to her children whether the said Kate S. Goodson should be living at the death of the said Harriet M. Goodson or not, but if the said children of the said Kate S. Goodson should all die before the age of twenty one years & without children then I give the said house & lot to George N. Gray.

I give to my husband the use during his life of the chamber in said house now occupied by us together, with all the furniture in it, for his own personal use & not with the right to rent it or sell it.

I give to Mary Bass provided she is living with me at the time of my death, the use of the room in said house now occupied by her, together with all the furniture therein during her life for her own personal use & without the right to rent or sell it.

I give all my stock of millinery goods to Kate S. Goodson & Mary Bass in fee simple.

I give the pair of chorce dogs in the parlor to Eva Rouse.

I give to Pattie Bland the head of gold watch case,
I give to my husband William T. Drummond
my gold watch.
I give to Sarah Pollard one silver butter dish,
one silver basket her choice of a bed quilt and a
pair blankets and a silver ladle.
I give to Frank B. Pollard one set silver tea spoons choice
I give to Nattie M. Goodson all other articles of
furniture in said house, including bids, bedding
and other articles used in a house on the same terms
and conditions as I gave her the home except the
limitation over to George N. Guy.
I give to Emeline Watson my black silk dress,
a pair of nice table cloths and a pair of blankets.
I give to Francis A. B. Watson for life my horse and
vehicle and after his death to George N Guy
I give to John Drummond brother of my husband
the sum of one hundred dollars
I give to John T. Pritchinson the sum of
Twenty five dollars.
I direct my executor hereinafter named to rent
out all my other houses and lots in Smithfield
and apply the proceeds or so much thereof as
may be necessary to the decent and comfortable
support and maintenance of my husband William
T. Drummond during his life and at his death
I give the said houses and lots to Nannie M. Goodson
on the same conditions and limitations to Kate
S. Goodson and her children as I gave the other home
and lot to her and without limitation over to George N. Guy.
I give the vacant lot on Main Street and the lane
separating the said lot from the Miss Haydens lot
to Kate S. Goodson for her life with remainder

to her children other than Hattie M. Goodson.
I direct my executor to sell my tract of land
adjoining the lands of Geo. P. Helms & Tim Dick
for the purpose of paying my funeral expenses,
debts & legacies.
I desire that both myself & husband shall be
decently interred & a tombstone placed over our
graves & I give appropriate four hundred dollars
or so much thereof as may be necessary for that
purpose, to be chargeable on the last last given to
David M. Goodson if my personal estate shall
be insufficient.
I appoint Rena K. Chapman to be the executor
of this my last will & testament.
Witness my hand & seal this 9th day of April 1886.

David J. Drummond (Seal)

Acknowledged by said
testator before us both
present at the same time
& subscribed by us in his presence.

Geo. R. Atkinson
R. E. Boykin

In the county court of Isle of Wight county
the 5th day of Oct. 1891 the last will & testament
of David J. Drummond dec'd was proved
by the oaths of Geo. R. Atkinson & R. E. Boykin
the subscribing witnesses thereto & ordered to be
recorded.

Teste N. P. Young clk.

A copy Teste. N. P. Young clk.

In the County Court of Mercer County Oct. 5th 1891 1

The last will and testament of Harriet F. Drummond dec'd. was presented in court and proven by the oaths of L. E. Boykin & Geo. R. Atkinson the subscribing witnesses thereto and is ordered to be recorded as the last will and testament of Harriet F. Drummond decd. and on the motion of E. A. Chapman the executor named in the will, who made oath and together with N. T. Young his security, who justified, entered into and acknowledged a bond in the penalty of $2500.00 with condition according to law certificate of probate is granted him on due form on said will.

A Copy Teste N. T. Young clk
by N. T. Young Deputy

Mrs. Harriet F. Drummond
Will
Recorded.

Harriet F. Drummond admr.
de bonis non c.t.a.
vs.
Chas. E. Boykin
Drummond
et als.

Exhibit A filed
with the bill.

Drummonds Admr
Vs
Drummond et als.

From an examination of the deed of settlement,it clearly appears that the object was to settle the property in the deed mentioned upon H.J.Drummond for the support of herself and family,and for the like purpose to permit her to carry on the Millinary busi-ness,and from its terms it will be perceived,that the martial rights of the husband,were limited and restrained only to the extent necessary for the purposes and objects of the settlement, "to use manage and employ the same,and to dispose thereof,either by will or otherwise."

The marital rights divested,were those,and those alone,that were necessary to the complete management,use controle and dispositi-on of the property,during coverture,with the right to dispose of the same by will or otherwise.

The said H.J.Drummond died without disposing of considerable personal property,consisting of money bonds,accounts &c.

The priciple is well established,and the doctrine setled,that in such settlements to the separate use of a married woman,"the purpose to exclude the husband must clearly appear beyond reason-able doubt,otherwise he will retain his legal and marital righ-ts." 1 Minor 317. Mitchell Vs Moore 16 Grat 280. Buck Vs Wooten, 24 Grat 253.

It is insisted that W.T.Drummond,the husband of the said H.J. Drummond,surviving her,is entitled to the personal propety undis-posed of by the will.

First.Because the context of the setlement,its terms,shows as heretofore stated,that only such marital rights were affected,and intercepted,as would have interfered with the purposes and ob-jects of the same,

Second.W.H.Drummond takes the surplus,undisposed of by the will, not by virtue of his marital rights,but as distributee,and next of kin of the said H.J.Drummond,

The husband takes,not jure mariti,but as distributee,under the Stat. Code 1887 sec 2557.1 Minor 305. 1 Lmax on Exs 135,6. The statute provides,that when any person shall die intestate as to his personal estate,or any part thereof,&c it shallpass &c as real estate is directed to descend,except as follows. If the intestate was a married woman,her husband shall be entitled to the whole of the said surplus of the personal estate.

Therefore,in order to effectuate the statute,to carry into effect its provissions,though the deed divests the marital rights of the husband,yet if there is no limitation over in the event of her death,she dying without disposing of the personal,or leaving a residue undisposed of,the husbsnd takes as her distributee.he is her sole distributee,the only one who can take under the statute,in the event that she leaves personal property undisposesed of at her death.

Third. At common law,prior to the Va statute,where personal propery was settled to the separate use of a feme covert,that which was undisposed of passed to her husband.his qualification as admr

1 Lead Cases in Eq 705+6.

Prior to the Va statute,the husband was entitled to qualify as admr,or the ordinary so permitted,and he was not called upon to account,thus the personal estate undisposed of passed to himand e he received the benefit,by not accounting for the same.

In this state of the law was decided the case of Charles Vs Charles 8 Grat 486. In which it was held inferentially,that the husband was entitled to the separate personal estate un disposed of by the will,the decision beimg,that in the case at bar,he had expressly divested himself in terms of that right.

It may be seriously questioned,whether,since the st tute,a husband can so divest himself of his right as distributee,certainly not

it would seem not upon principle,or upon the resoning of the cases,unless in the settlement some other person is designated to take.

In Boisseau Vs Aldriges 5 Leigh 222,it was held ,that heirs can not be disinherited by the stongest declaration that they shall not take;the will must go furthe and designate who shall take,the same position has been more recently held in Virginia.

In Charles Vs Charles ~~Vs Charles~~ 8 Grat 489,the same contention was made by counsel,that by parity of reasoning, husband can not be deprived of their rights of property arising,jure mariti,by a deed which shall declare they shall not have them,unless the deed provided they shall go to others,in the case of intestacy.

In that case the husband had expressly agreedby the settlement, that he was to take nothing in the event that he survived the wife,which was not the case at bar,

In Charles Vs charles 8 Grat 492,the ~~court~~ on the other side,admitting the doctrine of Boisseau Vs Aldriges,said the husband,in consideration of the marriage,covenants that he will not take anything either during the marriage or if he survives the marriage,this is all he could do,he had no right to say how the property should go,that therby her title became perfect.

The court held that he could intercept his right to take as survi-ver,that the husband being entitled to admiister,and thus to t take the surplus,and that the right to administer depending on t the question,whether in virtue of the marital right he is entitled to the property,and having by his ~~right~~ deed relinquished his right to the property ,he was not entitled to qualify and as admr take the surplus.

This case was decided,when the husband only took the property by virtue of his right to qualify as admr,and not being held accountable for the surplus,and was decided under the law as it was

prior to the enactment of our statute.which only took ef ect fn Jany 1850,he was not then the distributee of the wife.

Since the statute,since the personal property of a married woman passes at her dath to her husband,the doctrine of Boisseau Vs Al -riges 5 Leigh 222,applies,and, though the husband is expressly excluded in the settlement,he takes the pesonal property,as sole distrib-utee,unless some other person is designated who shall take ,he standing in precisely the same position as to the personalty as the heir does as to the realty.It must be remembered in the case at bar,there is no language,which excludes the husband in the event he survives his wife,nothing which prevents him from taking as the dole distributee of the wife.

In the deed of settlement,in the case at bar,the marital rights of the husband are in terms excluded,but the redundancy of expres -sion,was simply to emphasise the intention,the language has no m more force and efficacy,than if the property had been conveyed "for the sole and separate use of the said H .J.Drummond";where property is settled to the sole and separate use of a feme covert the marital rights,ex vi termini,by the force of the words"for her sole and separate use",are necessarily excluded;free and clear of and from all marital rights" is no further restictive of the husbands rights;and we have seen that as erly as the cases cited in the note to Hulm Vs Penant 1 Lead Cases in Eq 705-6,where personal property is settled to the separate use of a feme covert that which is undisposed of at her death passes to her huaband,a fortiori,must such be the case under the Virginia statute,making the husband the sole distributee of the wife.

R. C. Boykin
atty for H. J. Drummond

Drummonds Admr.

Vs. Note.

Drummond et als.

In the Circuit Court of Isle of Wight April 26th 1893

Drummond's Executors &c Pltfs

vs

Drummond &c Defts

This cause comes on this day to be argued heard on the bill answer exhibits and was argued by counsel the consideration whereof the court doth adjudge order and decree that John T Hutchinson do recover of the said William T Drummond the sum of fifty dollars with interest thereon from the 10th day of August 1892 with his costs in this behalf expended, and that the said Henry P Parker executor &c in the answer named with the written consent of the said Wm T Drummond, do sell and convey the right of the lessee whose name was given to said Wm T Drummond by the said H P Whitehead in his last will and testament, and apply the proceeds to the discharge of the said fifty dollars, interest and costs, the same to be paid by the said Wm T Drummond to the said John T Hutchinson and retain what is left of his part and in this decree.

Drummonds Engraving

to

Drummond Bros.

Dover
April 26th 1897

To be returned.

Robert D. Pennis

Enclosed.

In the Circuit Court of Isle of Wight County, April 2d in 1896.

Drummond Executor Plaintiffs

vs

Drummond and others Defendants

This cause came on this day to be again heard on the papers formerly read and on the petition of John J Hutchinson this day filed by leave of court and was argued by counsel On consideration whereof, the court doth adjudge order and decree that the plaintiff Henry R Parker cease to be a party to this suit with the consent of Harriett J Drummond and the defendant William J Drummond be summoned to the next Term of this court to show cause why the prayer of the said petitioner should not be granted.

Drummond's Executors

vs

Drummond and others

Decree
Apl 27th 1896
J. be entered.
Robert C. Purvis

Exhibit #9

Drummond's Admr.

Vs. In the Circuit Court of the County of Isle of Wight.

Drummond et als.

This cause came on this day to be again heard on the papers formerly read, and on the report ~~herein~~ of Comr Young herein under the decrees of April and Oct terms 1893, filed April 2d 1894 and was argued by counsel, on consideration whereof, the court confirming the said report to which no exceptions were filed, doth adjudge order and decree, that H.R.Parker, admr de bonis non with the will annexed of Harriett.J.Drummond decd, after paying out of the sum of $90.67 shown by said report to be in his hands such sum the unpaid costs of this suit, shall first pay the debts of the said Harriett.J.Drummond as shown by Comr Youngs said report, with interest on the principal thereof, from the 20th day of April 1894 then pay the legacies mentioned in the said report, with interest on the principal sums thereof, from the same date, and the balance he shall pay to the said Wm.T.Drummond, or his attorney, taking the receipts of the parties or their attorneys for the said payments and return the same to court, with a report of his proceedings under this decree. And the court doth further adjudge order and decree, that Maggie.W.Chapman Executrix of K.K.Chapman decd, shall out of his estate pay to Wm.T.Drummond, or his attorney, the sum of $136.16 shown by Comr Youngs said report to be due by the said K.K. Chapman as Exr of Harriett.J.Drummond decd, taking the receipt of the said Wm.J.Drummond or his attorney for said payment and return the same to court with a report as directed by this decree.

Drummond's Admr

Vs. In Chcy.

Drummond et als.

Rough Decree.

April Term 1894.

To be entered.

CMD

Entered #13

Thos Lee Clerk

M R Robinson
for Plff

R. E. Boyd & Jno A Gatewood
Drummond

In Isle of Wight Circuit Court
Octo. Term 1893.

Drummond's adms.
vs. (In the Circuit Court of the County of Isle of Wight
Drummond et als.

This cause came on this day to be again heard on the papers formerly read & on the report of Comr. H. P. Young filed Oct. 10th 1893, on consideration whereof the Court confirming the said report, to which no exceptions have been filed, doth direct the said Comr. to serve notice upon Wm Bennett, Obed A. Thompson, John W. Thompson & Edward Thompson defendants in this cause, whose places of residence it appears from the said report are unknown & cannot be ascertained after diligent enquiry, by publishing the time & place to which the taking of the accounts required to be taken by the decree herein of the 16th day of May 1893 has been adjourned, & the nature of the accounts by the said decree directed; once a week for four successive weeks in some News-Paper published in the City of Norfolk, which notice shall be taken as equivalent to personal service of process.
And the Court doth decide, that Wm J. Drummond, the husband of the said Harriett J. Drummond dec'd, surviving

her, is entitled to the residue of the personal estate of the said Harriett J. Drummond after the payment of charges of administration, funeral expenses debts & legacies as his sole distributee -

A Copy. Teste.

N. O. Young Clk.

Drummond
vs
Drummond's Exrs.

Copy Decree
Dec. 1873.

Hunnicutt, p.q.

8-Jan-1874

COMMISSIONER'S OFFICE, ISLE OF Wight C. H., December 4th, 1893.—To William Bennett, Obed A. Thompson, John W. Thompson and Edward Thompson, defendants, whose places of abode are unknown.

You are hereby notified that I have fixed upon the 8th day of January next, if fair, if not, on the next fair day thereafter (Sunday excepted) to take and settle at my office the following account:

First—An account of the deb's due by Harriett J. Drummond or her estate.

Second—An account of the transactions of K. K Chapman, deceased, who was executor of said Harriett J. Drummond, deceased; and

Third—An account of the transactions of H. R Parker as administrator de bonis non, with the will annexed of the said Harriett J. Drummond, deceased, required to be taken by a decree of the Circuit Court of the county of Isle of Wight rendered on the 16th day of May, 1893, in a suit in chancery depending in said court between Henry R. Parker, administrator de bonis non with the will annexed of H. J. Drummond, deceased, et als., plaintiffs, and W. T. Drummond and the above William Bennett, Obed A. Thompson, John W. Thompson and Edward Thompson et als, 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.

N. P. YOUNG,

de8 f4w Commissioner in Chancery.

Drummond's ~~Exr~~ adm'r.

Vs. In the Circuit Court of the County of Isle of Wight.

Drummond et als.

This cause came on ths day to be again head on the papers formerly read, and on the report of Comr N.P.Young filed Oct 10th 1893, on consideration whereof the court confirming the said report, to which no exceptions have been filed, doth direct the said Comr to serve notice upon Wm Bennett, Obed A.Thompson, John.W.Thompson and Edward Thompson defendants in this cause, whose places of residence it appears from the said report are unknown and can not be ascertained after diligent inquiry, by publishing the time & place to which the taking of the acounts required to be taken by the decree herein of the 16th day of May 1893, has been adjourned, and the nature of the accounts by the said decree directed; once a week for four successive week in some News paper published in the City of Norfolk, which notice shall be taken as equivalent to personal service of process.

And the Court doth decide, that Wm.T.Drummond, the husband of the said Harriett.J.Drummond decd, surviving her, is entitled to the residue of the personal estate of the said Harriett.J.Drummond after the payment of charges of administration, funeral expenses debts and legacies, as her sole distributee.

Drummond's ~~Exr~~ Exrs

Vs. In Chcy.

Drummond et als

Rough Decree

Oct 21st 1893.

To be entered.

Carst—

Entered

Drummond.

Vs. In the Circuit Court of Isle of Wight County.

Drummond et als.

This cause came on this day to be heard, on the complainants bill taken for confessed by all of the defendants except W.H.Drummond, upon whome process has been duly served, either by personal service or in the manner provided by law against absent defendants and persons whose residence is unknown, they still failing to appear plead answer or demur, upon the answer of W.H.Drummond, this day filed by leave of court, awith general repplication thereto and ws was argued by counsel; on consideration whereof, the court ~~doth de-~~ without now deciding the questions raised by said answer ~~cide, that after the payment of the costs of administration, the debts of the said Harriet.J.Drummond, funeral expenses, and the legacies bequeathed by her last will and testament, is entitled her~~ the said W.H.Drummond as ~~distributee, to the residue of the per onal estate of the said Harriet.J.Drummond, undisposed of by her said last will and testament; and the court~~ doth adjudge order and decree, that a Commissioner of this court, take and report to court the following acounts.

First an account of the debts due by the said Harriett J Drummond or her estae.

Second. An account of the transactions of K.K.Chapman decd, executor of the said Harriett.J.Drummond.

Third. An account of the transactions of H.R.Parker, admr de bonis non with the will annexed of the said Harriett.J.Drummond.

With any matters specially stated deemed pertinent by himself or required by any of the parties to be so stated.

And the court doth further order, that the said H.R.Parker, as Admr of the said Harriett J Drummond, as aforesaid, out of her estate in his hands, pay the costs of this suit, including a fee to Geo.R.

Atkinson, aty in this cause, Of $50.00, for his services therein,

reserving the question of a further fee, for future decision.

and by consent of parties, entered in open Court it is ordered that this suit be made a vacation cause & be further proceeded with therein.

Drummond.

Vs. In Chancery.

Drummond et als.

Rough Decree. May 16 th 1893

To be entered.

COMT

Decree Filed Sept 19 1893 Jacob P. Cutler

Cutler

#2564

Aug 28th 1894. Rec'd of A.B. Parker adm'r of H. I. Drummond dec'd. Twenty Five Dollars & Eighty Four cents. in full of and due I. O. Thomas by the estate of the said H. I. Drummond as per ale of Court Young in Drummond adm'r v Drummond et al.

I. O. Thomas

May 5th 1895. Rec'd of A. R. Parker Twenty Four Dollars thirty Eight cents. in full of amt due A. M. P. Hall Principal and interest from the estate of Harriet J Drummond. bond in the suit of Drummond vs Drummond.

R. L. Boykin

May 24th 1895. Rec'd of H. R. Porter admr de bonis non of Harriet J. Drummond One Hundred and Ten Dollars and Seventy cents. being the legacy bequeathed by the said Harriet J. Drummond to Mrs Drummond as Referee by Court Young's Report in the suit of Drummond vs Drummond et als.

Mrs R Atkinson on letter for
John H Drummond

N. R. Parker admr of H. J. Drummond decd

1894. In ale with W. A. Drummond.

May 14	By amt due you as distributive shr of Est of H. J. Drummond dec'd as per Report of Commrs			538 25
	To pd costs of suit directed to be pd by decree of Court out of this fund.		53 86	
	" amt of your bond. amt adv'd you.	100.00		
	" int from Feby 12. to Apl 20	1.13	101 13	
	" amt advanced you	20.00		
	" int from Sept 10/92. to Apl 10/94	1.93	21 93	
	" pd Cy to Norfolk about touch stone. not allowed in ale		2 00	
	" amt to bal ale		359 33	
			$538 25	$538 25
	By bal due W A Drummond			$359 33

May 14th 1894. Rec'd of N. R. Parker admr of H. J. Drummond dec'd, the sum of Three Hundred and Fifty Nine Dollars and Thirty Three cents ($359.33) being amt due W. A. Drummond as per foregoing statement and decree of April Term 1894, entered in the suit of Drummonds admr v Drummond &c.

May 14th 1894. Rec'd of N R Parker Ten Dollars and retained by him from N R Cowles on account of and collected by him on claims of H J Drummond dec'd, also Rec'd of same book containing unpaid accounts due the said H. J. Drummond.

~~3 [illegible]~~
~~209.14~~
~~150.19~~

359.33
6.00
365.33
209.14
156.19

To be repaid

A. R. Parker

In a/c with Est of A. J. Drummond dec.

By amt in hands of admr			902	67
To amt returned & pay debts as per				
Comr Youngs a/c of debts	382	87		
" amt returned & pay legacies as per a/c	137	71		
" bal for distribution	382	09		
	$902	67	$902	67

By bal in hands of admr.			382	09
" amt fr A R Whitehead counsellor				
Comrs sales a/c			6	00
" bal due			388	09
To amt returned & pay costs of				
suit as per decree	53	89		
" amt to bal	334	20		
	$388	09	$388	09

By amt to be paid W J Drummond				
as per decree			334	20
To amt adv by admr as per bond 100,00				
" int fr July 12th to Apl 20	1.13	100	13	
" amt adv you by admr	20,00			
" int fr Sept 10/92. to Apl 20/94	1.93	21	93	
" pd expenses to Norfolk about				
tomb stone. omitted		2	00	
" amt to bal		209	14	
	$334	20	$334	20

By bal due J J Drummond $209.14

May 14th 1894. Rec'd of A. R. Parker Two Hundred and Nine Dollars and Fourteen cents being amount due W J Drummond as per foregoing statement. and the decree of April 1894. entered in the suit of Drummond admr vs Drummond et als. and also book of a/cs due A J Drummond dec'd.

Wm J Drummond

14 May 1894

CLERK'S OFFICE
ISLE OF WIGHT COUNTY, VIRGINIA.

N. P. YOUNG, CLERK.

Isle of Wight C. H., Va., May 2. 1894

Drummonds adm'r. etals.
vs.
Drummond et als.
In Chy.

Bill of costs not include in the
Com'l. report of Adm'r. transactions
which was filed Apl. 2nd 1894.

Clerk of Cir: Court fees	33.36
Do. " Chy. " "	2.00
Clks fee of Sept. Chy, cert with rep't.	1.00
Clks. fees	36.36
Comm'r. 1st Rept.	2.50
Do. 2. "	15.00
Total unpaid	$53.86

All the other fees appearing the
adm'r. acct. I have retained to
said dem. Teste, N. P. Young Clk

Drummond
adm. etals.
Pr. Bill of
Costs
Drummond
etals.

We hereby acknowledge that we have received of H.R.Parker Admr of Harriett.J.Drummond decd,the sums opposite our respective names,being the amounts due us by the said Harriett.J.Drummond decd,as per the report of comr Young filed Apl 2d 1894,in the suit of Drummonds Admr vs Drummond et als.

W.T.Sturgis. Wm J Sturgis 299.58.

The Estate of Hamill J Drummond

In account with Rena K Blackburn Executrix

1891				
Nov 12	To this expenses		3	00
	" hire for Hamstalls		1	25
14	" paid State Supts		26	98
	" paid Confederate Dr		11	24
	" paid Mrs Nelle Mentor account		1	75
1892				
January 4	" paid J L Anderson "		8	30
	" paid Clerks Tickets for qualification &c		4	60
	" 5 per cent Commissions on $91986		45	99
March 12	" Balance due the Estate at death of Executrix		819	99
			928	16
1891				
Nov 12	By Cash on Deposit with Executrix		625	00
	" Collections made by Benj Gordon		73	00
14	" Mrs C C Blackburns account		4	13
	" W H Blackburns "		4	73
18	" Thos Hudnall's "		2	50
19	" W B Jones "		4	00
20	" J W Jones State on part		25	00
21	" Wm A Bullens account		4	23
	" E M Mansom "		1	13
	" Wm Sparajo "			00
28	" John Scott's "		2	00
Dec 1	" J W Jones Bal of note		1	10
2	" R E Boykin account		1	14
3	" W V Wilson "			75
4	" J J Borden "			92
8	" Mrs Thos Blackburn "		2	45
	" E W Wilson "			00
10	" John Barnum "			20
14	" Wm Holland "			20
	" Mrs Isaac Mangum "			40
17	" Mrs Polly Whitley "			00
19	" Wm Johnson "			40
21	" Mrs J J Bagley "			00
			818	22

1891	Amount brought forward	818	22		
Dec 24	By D.G. Dale account	3	80		
1892					
Jany 2	" J.L. Underwood "	27	12		
6	" Mary Jordan "	10	84		
	" James Matthews "	4	62		
4	" Solicitor for Richmond Poly Bonds	12	00		
	" Bob Wood account	3	63		
13	" Jno A Ashby "	4	71		
23	" Chas F Blanchard "	11	30		
28	" John Barnes Jr "	3	33		
March 2	" Mrs R.B. Hughes "	4	00		
5	" Mrs W.W. Blackburn "	12	88		
		928	16		
1892					
March 12	By Balance due the estate			819	99
August 2	Deposit W.R. Parker account sales sold by order of				
	County Court of Isle of Wight.	673	87		
	" Balance due the Estate	146	12		
		819	99	819	99
	By Balance due the Estate			146	12
1894					
Apl 10	" Interest to date			10	04
				156	16

The Estate of Harriet J Drummond deceased

1892	In account with Henry R Parker Commissioner in chancery of Isle of Wight			
	To paid for recording deed	1	30	
	" paid R.A. Edwards solicitor	2	00	
	" paid R.C. Baskin preparing deed	3	00	
	" paid R.C. Baskin attorneys fee	10	00	
August 1	" paid Taxes		34	
	" paid blanks tickets		43	
	" paid for transferring land	1	00	
Sept 6	" paid for collecting check		67	
20	" paid W.B. Rowe Comm on sales	2	03	00
	" paid R.C. Baskin for preparing deed	3	00	
1893				
March	" paid for recording suit	12	50	
		243	16	

1893	Amount Brought forward	245	14		
March	To paid for summoning Jurors to Court	9	42		
June 1	" paid A R Boykin Medical services	18	00		
July 3	" paid W P Young Clerks Tickets	2	61		
	" paid for summoning Jurors in second Court	9	42		
	" paid " " " before commissioners	7	42		
	" paid Geo R Atkinson attorneys per Warg	51	30		
	" 5 per cent commissions on $805.62	40	28		
Oct 3 1893	" Balance due the Estate	421	81		
		805	62		
July 1892	By Proceeds Sales of Land	180	00		
Augt 2	" Cash of M W Chapman receiver of Wm K Chapman late Executor.	623	87		
	" Cash of Mrs A R Boykin	1	75		
		805	62		
1894					
March	To paid for Sundries	92	38		
	" paid Board much Cost of publication	12	25		
	" 5 per cent commissions on $347.00	29	88		
	" Balance due the Estate	884	13	16	87
		1018	81	16	87
1893 Oct 3	By Balance due the Estate	421	81		
June 1894	" Sales of Richmond City Bonds	397	00		
Oct 1894 3	" Interest on $421.81 one year			16	87
		1018	81		
1894					
Oct 3	By Balance due the Estate Principal	884	13		
	" " " " " Interest	16	87		
do	" Interest on $884.13 4 days	1	67		
		902	67		

(6)

An Account of the Debts due by Hurst & Drummond to the estate

To Lot 5 Square Bond	230	00		
Int from June 1st 1891 to April 20 1894	69	38	299	38
" J O Stevens Account	22	06		
Int from Augt 6th 1891 to Apl 20th 1894	3	58	25	64
Amount carried forward			325	22

Amount brought forward			392	92
To James A Johnson account	21	35		
Int from Augt 7th 1891 to Apl 30 1894	3	45	24	80
" W K Jordan account	3	95		
Int from Augt 5 1891 to Apl 30th 1894		64	4	59
" John P Hall account	20	00		
Int from Augt 26 189 to Apl 30 1894	3	18	23	18
" B B Chalkmans Exrs account	1	00		
Int from Decr 17th 1891 to Apl 30th 1894		14	1	14
" Wilson Bros account	1	13		
Int from October 6th 1891 to Apl 30 1894		17	1	32
" Suffolk Herald account	1	00		
Int from January 1st 1892 to Apl 30 1894		13	1	13
" Mrs Rosa Johnson	1	08		
Int from Nov 30 1887 to Apl 30 1894		41	1	49
			482	87

D.

An account of the pecuniary Legacies bequeathed by Harriet J Drummond

To John Drummond	170	00	
Int from Augt 10th 1892 to Apl 30 1894	10	17	
" John T Hutchinson	25	00	
Int from Augt 10th 1892 to Apl 30 1894	2	34	
	137	11	

An account showing the residuum of Harriet J Drummonds estate after the payment of charges of administration, debts and Legacies.

Balance due by K K Chapmans estate			136 16
" " " Henry R Parker late de bonis non			402 67
Amount of debts per account A.	382	87	
Amount of Legacies per account D.	137	11	
Residuum.	538	25	538 25
	1058	83	1058 83

Somm Sprouts Office
Isle of Wight 6th March 24th 1894

Pursuant to a decree of the Circuit court of Isle of Wight county rendered on the 16th day of May 1893 in a suit in Chancery pending in the said court between Maggie B Chapman executrix of Kirk K Chapman deceased who was executor of Harriet

J Drummond dec'd and Henry R Parker administrator de bonis non with the will annexed of the said Harriet J Drummond, plaintiffs and William J Drummond & A B Watson and others defendants, the undersigned a commissioner in chancery of the said court to whom was referred for settlement by a decree the following accounts, to wit 1st An account of the debts due by the said Harriet J Drummond on her estate, 2nd An account of the transactions of Kenn K Bhopman executor of the said Harriet J Drummond 3rd An account of the transactions of Henry R Parker administrator de bonis non with the will annexed of the said Harriet J Drummond and 4th An account stated pursuant to [illegible] by any party to the cause, reports that on the 22nd day of September 1893 he issued notices against the said parties requiring them to attend the taking of the said accounts at his office aforesaid on the 9th day of October 1893 and the notices against some of the parties having been returned unexecuted, they being non-residents or their places of residence being unknown, he continued the taking of the said accounts to the 8th day of January 1894 and the said court having by its order of the October Term 1893 directed that notice of the time and place of taking said accounts should be given to the said parties by publication in a newspaper published in the City of Hartford once a week for sixty successive weeks and such publication having been duly made, your commissioner on the date of this report completed the foregoing accounts marked respectively A, B, C, D and E. By account A which is an account of the transactions Kenn K Bhopman in execution of the said Harriet J Drummond he finds that the said executor is indebted to the said estate on the 20th day of April 1894 in the sum of $156.16 of which $146.12 is principal and $10.04 is interest. By account B which is an account of the transactions of Henry R Parker as administrator de bonis non of the said Harriet J Drummond he finds that the said administrator is indebted to the said estate on the same day in the sum of $902.67 of which $884.13 is principal and $18.54 is interest; and by account C which is an account of the debts due by the said H J Drummond at his death he finds that the said debts with interest thereon to the 20th day of April 1894 amount to the sum of $892.87 Your commissioner during the pendency of this instrument has also stated an account, marked D, of the pecuniary legacies bequeathed by the said H J Drummond and finds that the said legacies with interest thereon from the death of the testatrix to April 20th 1894 amount to $137.71, and an account marked E of the assets of the estate of the said H J Drummond after the payment of costs of administration, debts and legacies and finds that the said assets amount to the sum of $538.25

Known under my hand as a commissioner in chancery of the said court the day and year first aforesaid

Time employed 20 hours @ $15.

N. P. Hocking Comm.

Drummond Rd.
Co. Fy Jan'y,
Drummondville

Report of Comr.
under dates:

Fin. Asst. Dec. 1894

Mch 12th 1894. D Lemby assigns
unto Dikins any and all
Resi

535 25
178.92

359.33

Amt in Bank 586.38
Check to Sturgis 299.58

286.80

359.30
286.80

72.50
Amt to be pd D. in excess of amt in Bank

365.33
286.80
78.53

902.67
586.38
316.29
1206
194.23

379.93
75.00
284.33

aus der K16 Hofmann 15/16
aus der 4 NRW

538.25
694.41
53.86
640.55
6.50
676.55

290.33
286.80
3.53

Commissioners Office Isle of
Wight County, Oct. 9th 1893

adar.
Drummonds Exr et als.

Vs. In the Circuit Court of the County of Isle of Wight.

Drummond et als.

The undersigned N.P.Young a commissioer in chancery for the Circuit Court for the County aforesaid, to whom was referred for seetlement, by a decree rendered on the 16th day of May 1893 in the suit in chancer depending therein styled Drummonds Exr Vs Drummond et, the following accounts.

First an account of the debts due by Harriett J Drummond or her estate.

Second, an account of the transactions of Kena.K.Chapman decd, Exr of the said Hariett.J.Drummond.

Third an account of the transactions of Henry.R.Parker admr de bonis non, with the will annexed of the said Harriett.J.Drummond, together with any other matter specially stated deemed pertinent by the Commissioner or required by any party to be stated.

Reports that on the 22d day of Sept 1893 he issued notice to the said parties requiring them to attend the taking of the said account, at his office at Isle of Wight Court House on the 7th day of Oct next ensuing, whuch said notices were returned to him duly executed, except to Wm Bennett, Obed.A.Thompson, John.W.Thompsn and Edward Thompson, whose places of residence are unknown, and after diligent inquiry, on the part of your commisioner and the complainant can not be ascertained; whereupon he continued the taking of the said account by the said decree directed until the 8th day of Jany 1894, in order that process should be served on such parties in the manner the court should direct.

All of which is respectfully submitted.

N.P. Young

Comr in Chcy for Cir Ct.

Drummonds Exr ad'm.

Vs. In Chcy.

Drummond et als.

Report of Comr Young.

Filed Octo 9th
1893.

In the Clerks office of the circuit
Court of Isle of Wight county the 22d day
of February 1893, in vacation.
Henry K. Parker adm'r. de bonis non with the will
annexed of Harriett J. Drummond, and Maggie W.
Chapman executrix of Nina H. Chapman
who was executor of Harriett J. Drummond Pltffs.

against In Chancery,

Wm S. Drummond, T. A. B. Wolson, Kate
Goodson, Francis Pollard & Sarah his wife, John D.
Thompson, Obed A. Thompson, Edward Thompson,
Francis R. Thompson, Thomas J. Mosley, Frank Kellam
and Judia his wife, Mitchell Diggs & Frances his wife
Wm Sterling & Rebecca his wife, Burris Williams
and Cora his wife, Otho Hillman & Annie his wife,
Wm Bennett, Robert Bonniville & Nancy his wife, John
Duley & Mariana his wife, Edwin Wolson, D. G. Smith
and Bettie his wife, & — Watson Defts.

The object of this suit is to ask the Court to direct
to whom the assets of John D. Harriett J. Drummond
died intestate, shall pass. And affidavit having
been made & filed that the defendants Wm Sterling
& Rebecca his wife are not residents of the State of
Virginia, and that the name & residence of — Wolson
is unknown, it is ordered that they do appear here
within fifteen days after due publication of
this order, and do what may be necessary to pro-
tect their interests in this suit.

A copy, Teste, N. P. Young Clk

Everett Waddey, Stationer and Printer, Richmond, Va. } Form No. 302.

In the Clerk's Office of the Circuit Court of the County of Isle of Wight

N. R. Parker adm. &c. of Wm. Parker who was admr. with the will annexed of N. J. Drummond dec'd. Pltf.

against

W. T. Drummond et als, Defendants.

This day Geo. R. Atkinson atto. for the pltffs. personally appeared before me, N. P. Young Clerk of the said Court, and being duly sworn made oath that the resedgeuse of Mitchell Rives & Francis his wife and T. R. Thompson, ~~of Richmond Council dec'd~~ D. Y. Smith & Bettie his wife defendants in the said suit are not ~~resident of the State of Virginia~~. known and cannot be ascertained

Given under my hand as Clerk of the said Court, this 6th day of March, 1896.

N. P. Young C.C.

Form No. 302.

Drummond & adm.

vs. { AFFIDAVIT FOR ORDER OF PUBLICATION.

Drummond et al.

G. R. Atkins p.q.

Everett Waddey, Stationer and Printer, Richmond, Va. } Form No. 302.

In the Clerk's Office of the Circuit Court of the County of Isle of Wight

H. R. Parker adm. de bonis, now with the will annexed of S. J. Drummond dec'd. et als., Plaintiff,

against

O. T. Drummond et als., Defendant.

This day Geo. R. Atkinson atty. for the pltffs. personally appeared before me, N. P. Young Clerk of the said Court, and being duly sworn made oath that Wm Stephen, Sarah Lincoln are not residents of Va. and that Walter is not known nor is he known to the residents of Va. defendant in the said suit are not resident of the State of Virginia.

Given under my hand as Clerk of the said Court, this 20. day of Feby., 1896.

N. P. Young C.C.

Form No. 302.

Drummond's adm'r, et als.

vs. { AFFIDAVIT FOR ORDER OF PUBLICATION.

Drummond et als.

G. W. Atkinson *p.q.*

Understand for value received I bind myself to pay to Williams & Burgess the Sum of Two Hundred and Fifty Dollars, this the first day of January Eighteen Hundred and ninety.

I do hereby waive the benefit of exemption in the fulfilment of this obligation

Wit H. A. B. Watson H G Drummond (Seal)

Paid Jan 1st 1891
Williams & Burgess

Jan the first 1891

Received on the within $15.00
being the interest for one year

1892
Aug.

K. R. Parker adm. de bonis non of H. J. Drummond dec'd. &c.
To the Clk. of Isle of Wight Co. Ct.
Order to receive money from K. K. Chapman's exr. who was exr. of H. J. Drummond dec'd. 3 .56
H. P. Young Clk.

Pd O.C. Batton

Parker H. R.
adult -

.56.

H. R. Parker, admr. de bonis non, c.t.a., of H. J. Drummond decd. & N. W. Chapman, Exrx of H. K. Chapman who was exor. of H. J. Drummond.

1892 To the Clk. of Isle of Wight Cir. Ct. Dr.

Feby.	7 Sums. in Chy. vs. Drummond Subs. 1.75	
	97 Copies, Attd. 10. 4.63 - Postg. 10 - Mar. & Apl. endg.	
	return 2.45 - Sept. Contc. at rules Twice 50 - Octo.	
	Rules - Dismr. 50 - filg. pps. 20 - New Sums. 25 -	
1893	Copies 87 - noting 18 - - - - - - -	11.53
Feby	6 Sums. in new Suit vs. Drummond Subs 1.50	
	31 Copies 3.88 - noty. Sums 1.08 - Postg. 8 - endg.	
	return 2.22 - filg. bill & exhibs. 40 - endg. Attd. 10 -	
Mar.	New Sums. & noty. & Copies vs. Pollard & wife 68 - affd.	
	& filg. same 45 - Ord. of publn. 36 - Copies 54 - Rule 50 -	
	Second Rule 50 - docketg. 25 - 1st Apl. Rl. 50 - 2d. Apl.	
	Rules - another Rule 50 - another ord. of publn - 36	
	Copies 54 - June another Rule 50 - docketg. all. 25.	15.19
Apl.	Decree for accts, & Copy & noting	.94
		$27.66

Pd. 2 Dollars

N. P. Young, Clk.

Parker H. R., adm.

$27.66

26.08 due

27.66
1.58

26.08
1.66

24.04

27.66
26.64

1.02

At Old Point. Taking evidence in
case between Va and ..

R R Parker admr de bn NN Drummond

By bal			538.25
To unpaid costs		53.86	
" bond of Drummond &c.			
Dues	113	101.13	
Am bill	20.00		
Dues	1.93	21.93	
		176.92	178.92
Ex to Norfolk		2	
		178.92	359.33
Sturgis Dec			299.16
			658.97

Everett Waddey,
Stationer and Printer,
Richmond, Va.
Form No. 300.

The Commonwealth of Virginia,

To the ~~Sheriff~~ Sergeant of the ~~County~~ City of ~~Isle of Wight~~ Alexandria, Greeting:

WE COMMAND YOU, that you summon Francis Pollard and Sarah his wife

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight, at the rules to be held for the said Court on the first Monday in March 1893 to answer a bill in Chancery, exhibited against them and others in our said court by Henry R. Parker administrator de bonis non with the will annexed of Harriett J. Drummond, and Maggie W. Chapman executrix of Rena K. Chapman dec'd. who was executor of said Harriett J. Drummond dec'd.

And have then there this writ. Witness, N. P. YOUNG, Clerk of our said Court, at the court-house, the 27th day of Febry, 1893, and in the 117th year of the Commonwealth.

N. P. Young clk.

FORM No. 300

Drummonds' adm'r, etal.

vs.

SUBPŒNA
IN
CHANCERY.

Drummonds etals.

G. R. Atkinson p.q.

To first March Rules.
1893 Circuit Court
Isle of Wight Co

Fee & postage enclosed
elk

Plaintiff's counsel will please
execute the within Summons by
causing copies thereof to be delivered
unto Francis Pollard
and Sarah A. his wife.
March 7th 1893
Wm Blount Clerk

Everett Waddey, Stationer and Printer, Richmond, Va. } Form No. 300.

The Commonwealth of Virginia,

To the Sheriff *of the County of* Accomac , *Greeting:*

WE COMMAND YOU, That you summon Thomas J. Mister, Frank Killman and Julia his wife, Bennett Williams and Cora his wife, Otho Killman and Annie his wife, William Bennett, Robert Bonneville and Nancy his wife

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said court on the first Monday in March, 1893, to answer a bill in Chancery exhibited against them & others in our said court by Henry R. Parker admr. de bonis non with the will annexed of Harriett J. Drummonds, and Maggie W. Chapman executrix of Rena A. Chapman who was executor of said Harriett J. Drummond

And have then there this writ. Witness, N. P. Young, Clerk of our said court, at the court-house, the 21st day of Feby, 1893, and in the 117 year of the Commonwealth.

N. P. Young clk

Form No. 300.

Dreemon & adm. etc.

vs. { SUBPŒNA IN CHANCERY.

Dreemon et als.

G. R. Atkinson p.q.

To first March *Rules,*

1893. circuit *Court.*

Executed March 2nd.
1893. —

Jno. A. Mee,
Sheriff —

Everett Waddey,
Stationer and Printer,
Richmond, Va.
Form No. 300.

The Commonwealth of Virginia,

To the Sheriff *of the* County *of* Isle of Wight, *Greeting:*

WE COMMAND YOU, That you summon William T. Drummond, Francis A. B. Watson, Kate Godson, Francis Pollard and Sarah his wife, John W. Thompson, Obed T. Thompson, Edward Thompson, Francis R. Thompson, Thomas J. Mister, Frank Killman and India his wife, Mitchell Bize and Frances his wife, William Stirling and Rebecca his wife, Burnis Williams and Cora his wife, Otho Killman and Annie his wife, William Bennett, Robert Bonnevelle and Nancy his wife, John Duly and Marianna his wife, Edwin Watson, W. G. Smith and Belle his wife, and — Watson.

to appear at the Clerk's Office of the circuit Court of the County of Isle of Wight at the rules to be held for the said court on the first Monday in March, 1893, to answer a bill in Chancery exhibited against them in our said court by Henry R. Parker administrator de bonis non with the will annexed of Harriett J. Drummond, and Maggie W. Chapman executrix of Rena H. Chapman who was the executor of the said Harriett J. Drummond.

And have then there this writ. Witness, N. P. Young, Clerk of our said court, at the court-house, the 21st day of February 1893, and in the 117 year of the Commonwealth.

N. P. Young clk.

Form No. 300.

Drummond's adm'r, et als.

vs. { SUBPŒNA IN CHANCERY.

Drummond et als.

G. R. Atkinson p.q.

To first March *Rules,*

1893. Circuit *Court.*

Issued

Executed by delivering a copy of this Writ to Wm. T. Drummond & Wm. Coalter & Wm. Goode
to W. T. Drummond
for Exhr. 25 Oct 1893.
Ro. C. Edwards Shff

Everett Waddey,
Stationer and Printer,
Richmond, Va.
Form No. 300.

The Commonwealth of Virginia,

To the Sheriff *of the* County *of* Northampton, *Greeting:*

WE COMMAND YOU, That you summon Mitchell Dize and Frances his wife, John Oxley and Mariana his wife, and Ellison Watson, John W. Thompson, Obed A. Thompson, Edward Thompson and Frances R. Thompson,

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said court on the first Monday in March, 1893, to answer a bill in Chancery exhibited against Clements Heirs in our said court by Henry R. Parker admr. de bonis non of Harriett J. Drummonds, and Maggie W. Chapman executrix of Rena K. Chapman who was executor of said Harriett J. Drummonds

And have then there this writ. Witness, N. B. Young, Clerk of our said court, at the court-house, the 21. day of Feby. 1893, and in the 117, year of the Commonwealth.

N. B. Young clk.

Form No. 300.

Drummonds adm'r, &c.

vs. { SUBPŒNA IN CHANCERY.

Drummond et als.,

Chas. R. Atkinson p.q.

To first March Rules,

1893, Circuit Court.

Hantsport Co.

March 2nd 1893. I have executed the within process by delivering copies of the within To Jno. M. Hudspeth, Mary A. Dicky, his wife, Jno. M. Hudspeth, Jr., Olive M. Hudspeth, Elvira Atkinson, Elizabeth Atkinson, Thomas R. Atkinson, Elvira Atkinson, his wife and Frances R. Elvira Atkinson personally at the time and place therein.

Saml. E. Spicer
Sh'ff

Everett Waddey,
Stationer and Printer,
Richmond, Va.
Form No. 300.

The Commonwealth of Virginia,

To the ~~Sheriff~~ Sergeant, City of Norfolk of the ~~County~~ City of ~~Isle of Wight~~, Greeting:

WE COMMAND YOU, that you summon D. Y. Smith and Bettie his wife

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight, at the rules to be held for the said Court on the first Monday in March 1893 to answer a bill in Chancery, exhibited against themselves and others in our said court by Henry R. Parker admor. de bonis non with the will annexed of Harriett J. Drummond; and Maggie W. Chapman executrix of Keara K. Chapman who was executor of said Harriett J. Drummond

And have then there this writ. Witness, N. P. YOUNG, Clerk of our said Court, at the court-house, the 21st day of Feby. 1893, and in the 117th year of the Commonwealth.

N. P. Young clk

FORM NO. 300

Drummond Bros,
et als,

vs. | SUBPŒNA IN CHANCERY.

Drummond
et als,

G. R. Aikenhead q.

To First Month Rules.
1893. Circuit Court.

Not Found
T. L. Donnin Peyparts

Dep Sh'ff

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 200.

The Commonwealth of Virginia,

To the Sergeant of the City of Norfolk, Greeting:

We Command you to summon W. G. Smith and Bettie his wife

to appear at the clerk's office of our Circuit Court of the County of Isle of Wight, at the court-house thereof, at the Rules to be holden for said court, on the first Monday in March 189 7 ~~next~~ to answer a bill in Chancery exhibited against them and others, in our said court, by Henry R. Parker Admr. de bonis non with the will annexed of Harriett J. Drummond; and Maggie W. Chapman Executrix ~~of a plea~~ of Rena H. Chapman who was executor of said Harriett J. Drummond

~~Damage~~ ~~Dollars~~. And have then there this writ.

Witness, N. P. Young, Clerk of our said court, at the court-house, the 21 day of Feby, 189 7, and in the 121 year of the Commonwealth.

A copy. Teste, N. P. Young clk. N. P. Young clk.

FORM No. 200.

.....

vs. { Summons in an action of

.....

.....*p. q.*

.....*Rules,*

Circuit Court.

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 200.

The Commonwealth of Virginia,

To the Sergeant *of the* City *of* Norfolk, *Greeting:*

WE COMMAND YOU to summon W. G. Smith and Bettie his wife

to appear at the clerk's office of our Circuit Court of the County of Isle of Wight at the court-house thereof, at the Rules to be holden for said court, on the first Monday in March 1893, next to answer a bill in chancery exhibited against them and others, in our said court by Henry R. Parker adm'r. de bonis non with the will annexed of Harriett J. Drummonds, and Maggie W. Chapman of a plea of ~~Detinue~~ Equity of Henry T. Chapman, who was the executor of said Harriett J. Drummonds

~~Damage~~ ~~Dollars~~ And have then there this writ.

WITNESS, A. P. Young, Clerk of our said court, at the court-house, the 11, day of May, 1893, and in the 117 year of the Commonwealth.

A. P. Young clk.

a copy, Teste, A. P. Young clk.

FORM No. 200.

.....

vs. { Summons in an action of

.....

.....*p. q.*

.....*Rules,*

Circuit Court.

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 200.

The Commonwealth of Virginia,

To the Sheriff of the County of North umberland, Greeting:

WE COMMAND YOU to summon Mitchell Dize and Frances his wife John Ouley and Mariana his wife, Ellison Waleon John O Thompson, Obed A. Thompson, Edward Thompson and Francis K. Thompson

to appear at the clerk's office of our Circuit Court of the County of Isle of Wight at the court-house thereof, at the Rules to be holden for said court, on the first Monday in March 1893 ~~next~~ to answer a bill in Chancery exhibited against them and others in said Court by Henry K. Parker admr. de bonis non with the will annexed of Harriett J. Drummond, and Maggie D. Chapman ~~of a plea of~~ Executrix of Henry K. Chapman who was Executor of said Harriett J. Drummond

~~Damage~~ ~~Dollars.~~ And have then there this writ.

WITNESS, A. P. Gomey, Clerk of our said court, at the court-house, the 7th day of Feby, 1893, and in the 117 year of the Commonwealth.

A. P. Gomey Clk.

A copy, Teste, A. P. Gomey Clk.

FORM No. 200.

.....

vs. { Summons in an action of

.....

.....

.....*p. q.*

.....*Rules,*

.....*Circuit Court.*

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 200.

The Commonwealth of Virginia,

To the Sheriff of the County of Middlesex, Greeting:

WE COMMAND YOU to summon Mitchell Deje & Frances his wife, John Dudley & Marion his wife, Allison Wilson, John W. Thompson, Obed A. Thrunhson, Edward Thrunhson and Francis R. Thrunhson

to appear at the clerk's office of our Circuit Court of the County of Isle of Wight at the court-house thereof, at the Rules to be holden for said court, on the first Monday in March 1893 next to answer a bill in Chancery exhibited against them and others in said Court by Henry R. Parker admr. de bonis non with the will annexed of ~~said~~ Harriette J. Drummond, and Maggie W. ~~of a plea of~~ Chapman Executrix of Rena K. Chapman who was executor of said Harriette J. Drummond

~~Damage~~ ~~Dollars~~. And have then there this writ.

WITNESS, A. P. Young, Clerk of our said court, at the court-house, the 21 day of Feby, 1893, and in the 17 year of the Commonwealth.

A. P. Young Clk

A Copy. Test, A. P. Young Clk

FORM No. 200.

.....

vs. { Summons in an action of

.....

.....*p. q.*

.....*Rules,*

.....*Circuit Court.*

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 200.

The Commonwealth of Virginia,

To the Sheriff of the County of Northampton, Greeting:

WE COMMAND YOU to summon Mitchell Dize & Frances his wife, John Ouley & Mariana his wife, Allison Watson, John W. Thompson, Abed A. Thompson, Edward Thompson and Francis R. Thompson

to appear at the clerk's office of our circuit Court of the County of Isle of Wight at the court-house thereof, at the Rules to be holden for said court, on the first Monday in March 1893 next to answer a bill in Chancery exhibited against them and others in our said court by Henry R. Parker admr. de bonis non with the will annexed of Harriett J. Drummond, and Maggie A. Chapman ~~of a plea of~~ executrix of Rena K. Chapman who was executor of said Harriett J. Drummond

~~Damage~~ ~~Dollars~~. And have then there this writ.

WITNESS, N. P. Young, Clerk of our said court, at the court-house, the 21, day of Feby, 189 3, and in the 117, year of the Commonwealth.

a copy, Teste, N. P. Young CC. N. P. Young clk,

FORM No. 200.

.....

vs. { Summons in an action of

.....

.....*p. q.*

.....*Rules,*

.....*Circuit Court.*

Drummond.

Vs. In the Circuit Court of the County of Isle of Wight.

Drummond et als.

This defendant saving and reserving all right of exceptions to the many errors and imperfections inthe said bill contained for answer thereto or to so much thereof as he is advised it is material or necessary for him to answer,answering says,that he admits to be true the general allegations in the said bill contained.

And further answering this defendant says,that under the law of Virginia,being the husband of the said Harriett.J.Drummond d decd,he is entitled,as her sole distributee,to the residue of the of the,personal estate of the said Harriett.J.Drummond,undisposed of,by her last will and testament,after the payment of the costs of administration,funeral expenses,debts and legacies. And having answered this defendant prays hence to be dismissed with his costs in this behalf most unreasonably expended.

Drummond.

Vs. I" Chcy.

Drummond et als.

Answer of W.H.Drummond.

To the Honble. Surrogate court of Isle of Wight county,

Your petitioner John J Williamson respectfully represents.
that Harriett J Drummond died on the 10th day of August 1891
having duly made her last will and testament and hereunto
to your petitioner the sum of seventy five dollars; the said will
was duly recorded in the county court of said county
in the county court, and Henry R Chapman was the exec
utor therein named qualified as such as will appear by a duly
certified copy of said will and the probate thereof marked A
and filed herewith as a part of this petition.

The said Henry R Chapman having died shortly after qualifying
only partially administered the said estate, administration de bo
nis non with the will annexed was granted to Henry R Parker by
the said court as will appear by a copy of the order of said court filed
in the proceedings in the said hereafter mentioned.

It having been ascertained that after paying the debts and
expenses of the said Harriett J Drummond there would be a
sum of money sufficient to pay a few of hundreds of dollars which
the said H J Drummond has not disposed of and as to which she
had died intestate and W W Chapman the executor of the said
Henry R Chapman and Henry R Parker the administrator de
bonis non as aforesaid having a doubt whether the said sum of
money belongs to William J Drummond the husband of the
said H J Drummond or to her next of kin, they brought said
in your honorable court, which is still on the docket and praying the
and which is
said William J Drum
mond and the said next of kin, parties defendant and thereto
whom the court is desired to direct the said money paid.
By a decree of the said court in the said cause ~~of~~ on the 16th day of May 1893
the decree of said court of May 16th 1893 it appears that the person
al effects of the said estate in the hands of the said executor
and administrator de bonis non were $402.67. that
the debts of the said H J Drummond still outstanding and unpaid
amounted to $382.87 and the expenses and in her will were $37.71

1 bearing a maximum of $338.25. which the said court by its decree of
2 October 21st 1893 declared to belong to the said William J Drummond
3 mind. and which your petitioner is informed has been paid to him.
4 Your petitioner alleges that he was not a party to the said suit
5 having never been served with process therein nor appeared therein
6 or had anything to do with it
except to receive the amount stated in the said report as the amount
7 of his legacy to wit. $27.56 and this he did under protest claiming
8 that the amount of his legacy was $75. with interest from one year
9 after the death of the said H J Drummond to wit from the 10th day of
10 August 1892. and that he was not bound by said decree, or any
11 proceeding in said suit.
12 Your petitioner alleges that the said copy was furnished by an
13 incorrect copy of the said will reporting the amount of his legacy
14 to be Twenty five dollars and not seventy five dollars as will
15 appear by reference to the court to the original will of the said
16 H J Drummond and of which exhibit A filed herewith is a true
17 copy. and he claims that as the said William J Drummond has received
18 ~~has~~ more than enough of the personal property to pay the remaining
19 portion of the said legacy and interest there he is ~~responsible~~ liable therefor
20 Your petitioner further shows that the said H J Drummond by his
21 last will and testament directs that his executors should out
22 of his residuary estate ~~of~~ that which she shall receive, and should
23 apply the proceeds or so much thereof as may be necessary to the de
24 cent and comfortable support and maintenance of the said Wil
25 liam J Drummond. which ~~,~~ your petitioner alleges is more than one
26 fourth to pay off the sum of money due and unpaid on his said
27 legacy. Your petitioner therefore prays that he may be made a
28 party to this suit. that the said William J Drummond be required
29 to pay him the said sum of Fifty dollars with interest thereon
30 from the 10th day of August 1892 and if he should fail to do
31 that that the said Henry R Pinkus the executors before afore said
32 of the said H J Drummond should apply the said funds to the pay

ment of the said Indenture and in trust was that the court should grant to your petitioners such relief in the premises as the nature of the case requires and to equity should seem meet, and he will ever pray &c.

John T Hutchinson by
Chas P Atkinson his attorney.

Drummond Island Lots

Drummond Island with villages
Pelchaw &
John J Hutchinson

To the Honorable L W Hill Judge of the Circuit court of Isle of Wight County.

Humbly complaining shews unto your honor your complainants Henry R Parker administrator de bonis non with the will annexed of Harriett J Drummond deceased and Maggie W Chapman executrix of Rena K Chapman dec'd who was executrix of the said Harriett J Drummond. That the said Harriett J Drummond departed this life in the year 18 after having made and published her last will and testament, which was admitted to probate in the county court of Isle of Wight county on the 3rd day of Octo 1891 and on the same day the said Rena K Chapman the executrix therein named qualified as such in the said court, a duly certified copy of the said will and of the probate thereof and a certificate of the qualification of said executrix marked A is herewith filed and prayed to be taken as part of this bill.

Exhibit A

That on the 12 day of March 1892 the said Rena K Chapman departed this life and on the day of 1892 and Maggie W Chapman the executrix named in his will qualified as such in the county court of said county and the said Rena K Chapman has hereby fully administered the estate of the said Harriett J Drummond not administered by the said Henry R Parker de bonis non, to the will annexed of the said Harriett J Drummond was granted on the same day by the said court to the said Henry R Parker. Duly certified copies of said orders of the court marked B and C respectively are here with filed and prayed to be taken as part of this bill.

B. & C.

That the said Harriett J Drummond by her said last will and testament devised and bequeathed the larger part of her property, but left deposited in a savings bank was left a large amount of personal estate consisting of money, notes, accounts and other evidences of debt undisposed of, the exact amount of which can not now be stated as all of said evidences of debt have not been

collected, nor have the proper steps in such cases all been taken,
That the said Harriett F Drummond left, surviving, her husband
William F Drummond, and the following next of Kin, to wit Francis
A B Watson a brother of the whole blood, 2nd Thomas J Watson, Lucia Killmon
the wife of Frank Killmon, Frances Wise the wife of Michael Wise
Rebecca Sterling the wife of William Sterling, born Williams the
wife of Benjamin Williams, Lennie Killmon the wife of Otho Kill
mon, and William Burrell who are the children of a deceased sister of the
whole blood who married first Thomas Watson and afterwards
James Burrell, 3rd Kate Hudson, Sarah Pollard the wife of Fran
cis Pollard, John W Thompson, Obed A Thompson, Edward Thompson and
Francis R Thompson the children of a deceased sister of the whole blood
named Emma who married —— Thompson, 4th Nancy Bonniville
the wife of Robert Bonniville a sister of the half blood, 5th Mariam
Bailey the wife of John Bailey a sister of the half blood, 6th Edward Wat
son a brother of the half blood and Billie Smith the wife of W G
Smith and —— Watson whose name is to your complainants un
known, who are the daughter of John Watson deceased who was
a brother of the half blood,
That sometime prior to the year 1868 but how long before your
complainants do not know, Francis W B Watson a brother of the
said Harriett F Drummond and one of the defendants herein named
as trustee to provide for the support and maintenance of his said sis
ter who was then without any means of support aforesaid and
engaged in a mill among business in the Town of Smithfield, county
of Isle of Wight and State of Virginia and appointed and employed the
said Harriett F Drummond his agent to conduct carry on and
manage the same, and the said business having been well and profi
ciently conducted and managed the profits thereof were more than
sufficient for the support and maintenance of the said Harriett F
Drummond, and the said Francis W B Watson by his deed bearing

Dated on the 1st day of May 1868 and duly recorded in the clerks office of the county court of the county of Isle of Wight. Also granting unto the said profits wearing apparel of household and kitchen furniture, stock of goods bonds and accounts. To William J Drummond the husband of the said Harriett J Drummond whereby it appears that the said testator absolutely. The said Harriett J Drummond is now held and enjoy the said property to her sole use and benefit for the support and maintenance of herself and entirely free and clear of and from all debts and contracts of her said husband and of and from any of his marital rights with power in his life to use, manage, and employ the said property and the profits thereof and to dispose thereof either by will or otherwise as if she were a feme sole; which by the said William J Drummond assigned and authorized the said Harriett J Drummond to conduct and carry on the milliner business in the name of herself and the profits thereof to receive and enjoy for her sole and separate use aforesaid, and the original and all powers by the said deed. A copy of the said deed together with the certificate of acknowledgement and recordation thereof marked A are herewith filed and prayed to be taken as a part of this bill.

That the said Harriett J Drummond owns in the said house and lot with her furniture aforementioned worth about $1000 apart from the profits thereof all of which she disposes of by her last will and testament except the real estate hereinafter mentioned and to which she has title as aforesaid.

Your complainants are informed that by the statute laws of Virginia a husband is the distributee of his wife but being unlearned in the law they do not know how far or whether or not this provision of the law is modified and controlled by the provisions of the said deed settling the said property upon the said Harriett J Drummond free from the marital rights of her husband, nor do they know what the marital rights of a husband now whether the said right to be her distributee is one of

thereon, or whether those rights are only such as he may by law exercise in the management control and disposal of his personal property during the marriage, and being so ignorant they are unwilling to take the responsibility of paying out the said residuum received under and by the order of a proper court.

In tender consideration whereof and forasmuch as your complainants are remediless in the premises save by the aid of a court of equity where matters of this nature are properly cognizable and relievable your complainants pray that the said William J Drummond, Frances A B Watson, Kate Gardner, Francis Pollard and Sarah his wife, John W Thompson, Otho A Thompson, Edward Thompson, Francis P Thompson, Thomas J Minter, Frank Killmon and Ida his wife, Mitchel Hays and Frances his wife, William Parkey and Rebecca his wife, Benn Williams and Dora his wife, Otho Killmon and Annie his wife, William Bennett, Robert Bonnevale and Nancy his wife, John Ousley and Marianna his wife, A J Smith and Belle his wife and ——— Watson Daughter of John Watson deceased whose Christian name is to your complainants unknown be made defendants to this bill and required to answer the same fully and particularly as if the allegations herein were here again repeated and they charity specially interrogated, except that the said answers need not be under oath and that it be ordered the same is waived, that accounts may be taken by and under the direction of this court of the personal state and effects of the said Daniell J Drummond deceased by and come to the hands of the said Frank Blackburn his executor and to the hands of the said Henry P Parker his administrator de bonis non with the will annexed, and account of the said testators debts and that the said testators personal estate may be applied in due course of administration, that the decree rendered may be advertised and that your honor will determine to whom the same shall go, whether to the said William J Drummond, or to his next of kin aforesaid, that proper fees be allowed counsel for his services in this cause and that

And allow further me gratefully to offer you my complaints as the natural effects of those many requests with which you have been pestered. With your compliments will conclude

Yrs R Wilkinson Jay

Drummond's Adm'r, et als,
vs. Bill in Chy,
Drummond et als

March 1st Rules, 1893,
Bill & exhts. filed, Sum's. executed on all defts: except Sterling & wife; — Watson, Dige & wife; T. R. Thompson & D. Y. Smith & wife, and demurrers vs. same on colorum sec'd. ovd, and order of Feb'y vs. same on colorum sec'd. ovd.

Second March Rules. "
Bill taken for confd. as to defts. vs. colorum de: missi was awarded; and set for hearing as to them.

3rd April Rules 1893.
Bill taken for confd: as to defts: vs. colorum or sus of Feb'y: was retained, and set for hearing as to them.

May 16/93 dr. for ext.

Oct Term 1893. Confd ult. and sum. Defts. &c.

April Term 1894 confd. ult. &c.
To sell &c.

April Term 1895
De. Dom. Adm'r. to show cause &c.

April Term 1897
awarding judge to Jt. S. Drummond. Adm'r to collect rents & pay off same &c.

Final decree June 1, 1908