1868-031

ISAAC WILLIAMS ETC VS ADM'R OF WILLIAM HARRELL ETC

CHANCERY CAUSES
1868

NANSEMOND COUNTY
(SUFFOLK)

SURNAMES:

Isaac Williams &c

vs

Chy: Notes

Wm: Eley, Shff: & Admr
of Wm: J. Hamill decd &c:

1865. Feby: 17th: Sum: issd Chy: efd
" March 5th: Bill filed - Conditional
Sapplt
decree vs absl - defts:
" " " P.B. Prentiss Sapplt: filed: as
Clerk to infant defts: who filed
their ans: to which there was a
gen: replic: & cause set for
hearing as to them.
" Apl: 2 nd: Conditional decree confirmed
& cause set for hearing
" " 17th: Decree for Accon: &c to Sheriff
Master
" July 10th: Report of Master returned
" Aug: 11th: Report of Comm: in Chy: filed
" Octo: 13 Decree for Sale & for further Accon
1867. June: 7th: [illegible] Sale filed
" Apl: 19th Continued
" Septr: 7th Commr's Report filed
" Octo: 12th: Decree to allow Solr his Costs &c
1868 Apl: 20th Final Decree

Chy: Notes

To the Hon. Richard N. Baker Judge of the Circuit Court of Nansemond County —

Complaining shew unto the Court your Complainant Isaac Williams, who sues for himself (and all other creditors of Wm J. Harrell deceased, who may make themselves parties hereto, in the usual form —

Your Complainant respectfully represents to the Court and says, That at January rules last, he exhibited his original bill of Complaint in this Court, against Wm Eley, Sheriff of Nansemond County & admr. of Wm J. Harrell decd, & Elizabeth Harrell (widow) & Joseph Henry, Willie Mary, & Billie Rogers Harrell (the last three being Infants), stating that the said Wm J. Harrell died in said County Intestate, and that his estate had been duly committed to the hands of said Wm Eley, Sheriff aforesaid for administration: that the said Wm J. Harrell left as his heirs at law, his widow, the said Elizabeth, and three Infant children, the said Joseph Henry, Willie Mary, & Billie Rogers Harrell; that the personal estate of said deceased was insufficient to pay his debts and that his real estate would have to be sold for that purpose: that his said widow has Dower in said Lands: And praying that such Dower might be assigned to the said Elizabeth Harrell, widow as aforesaid, that the debts of said deceased might be

ascertained: that the accounts of said Sheriff & admor. might be duly settled. That the land might be sold & the proceeds, together with the personal assets might be applied to the payment of the several debts; And further stating that the said Wm J. Hamer died possessed of a tract of land in Nansemond County containing by estimation two hundred and seventy seven & 3/4 — acres, more or less (and adjoining the lands of Seth Parker, R. H. Beamon & others, —

And your Complainant say that the said several defendants were duly served with the process issued herein, and that no answer was filed by the adult defendants & that the Infants duly answered by P. B. Pruden their guardian ad litem appointed at Rules, for that purpose & that the case may duly prepared & set for hearing when the papers in the case together with all the records of this Court were destroyed by fire on the night of the 7th Inst. —

Whereupon your Complainant now files this his supplemental bill, and prays that all the relief asked for by him in his said original bill, may be, now granted to him; To the End therefore, as this Court can grant all adequate relief, your Complainant prays That the said Wm Ely as Sheriff & admor. of said Wm J. Hamer dec'd, the said Elizabeth Hamer (widow), and Joseph

That the defendant may be decreed to pay Complainant $500. with interest from 15th Oct. 1869 as appears by Bond filed in said office.

Henry, Willie Mary, & Bettie Rogers Harrell,
the last three being Infants, may be made
Defendants to this Bill & be required to answer
the allegations herein, and that the same relief
may be afforded your Complainant as he might
& could have been granted under said Original
Bill, and that all further relief may be
granted in the premises, consistent with
Equity &c.

John R. Kelly p.q.

Killy P.O.

Isaac Williams &c

In Chancery, supplemental, Bill

Wm Eley, Shff. Cadwr of Wm J. Hamel dec'd Def.

The joint and separate answer of Joseph Henry Harrell and others, Infants, by Peter B. Prentis, their guardian ad litem, to a Bill in Chancery exhibited in the Circuit Court of Nansemond County, by Isaac Williams &c. against them & others.

These Respondents say that so far as they know or believe, the facts & allegations in said Bill are true, but being infants and ignorant of their rights and incapable of knowing what they are, they submit the same to the Court, and pray that no order or decree may be made in the cause inconsistent with their just rights.

(Signed)

Peter B. Prentis
gdn. ad litem

Isaac Williams
&c
vs
Answer of ~~&c~~:
Injunct. by &c:
ad litem
Om: Ely. Shff: & Admr:
& Om: J. Howell decd
Dre:

March 5th: 1866 Filed

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Nansemond County—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON William Eley, Sheriff and administrator of William J. Harrell deceased and Elizabeth Harrell (widow) and Joseph Henry Willie Mary and Bettie Rogers Harrell, the last three infants

to appear at the Clerk's Office of our Circuit Court for the County of Nansemond. on the first Monday in March next, 1866, being rule day, to answer a supplemental bill in chancery, exhibited against them by Isaac Williams who sues for himself and all other creditors of William J. Harrell deceased—

and unless they shall answer the said bill by the next rule day thereafter, the Court will take said bill for confessed, and decree accordingly.

And have then there this writ. *Witness*, PETER B. PRENTIS, Clerk of our said Court, at his Office, this 17th day of February 1866 and in the 90th year of the Commonwealth.

Peter B. Prentis Clerk.

☞ The sheriff will, in his return, note the day on which this process is executed on each defendant.

Killy. p. 9

Isaac Williams,
who sues &c

vs

Summons in Chy:

William Eley, Sheff &c
of William J. Harnell
decd, &c.

To March Rules 1866.

Issued 27th Feb. 1866 and a copy
delivered to defendant.

Wm Eley Sheff

(no. 6. no. 1: p. 5.)

Virginia – At Rules held in the Clerk's Office
of the Circuit Court of Nansemond County,
on Monday the 5th. day of March 1866.

Isaac Williams who sues for himself and all other
creditors of William S. Darrell deceased – Complainant

against &c. &c. Chancery

William Eley, Sheriff and administrator of
William S. Darrell deceased and Elizabeth
Darrell (widow) and Joseph Henry, Willie
Mary and Bettie Rogers Darrell, the last three
infants. . . . . Defendants

On the motion of the Complainant, by counsel, Peter B. Prentis,
is appointed Guardian ad litem to defend the infant defendants
in this suit, and it is ordered that notice be given the said
guardian of this appointment, by serving on him a copy of
this order.

Teste,

Peter B. Prentis. Clerk

1866. March 5th.–
I acknowledge service of this order and that I have received a copy
hereof

Peter B. Prentis
Gdn. ad litem

Isaac Williams &c

vs

Or: appt'g: 9th: inst
Item

Wm: Eley. Sh'ff: & Admor:
of Wm: J. Harrell decd
Def:

Breckenridge, &c vs. Hanvey, adm &c

This cause came on this day to be again heard on the papers formerly read & on the report of Wm. Ely, Sub: Comm. made pursuant to the decree of the 12th of Oct 1867, 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 made final and binding and that the cause be removed from the Docket.

Williams &c

vs.

Hancock &c

1868

Oct. Court. Decree

Final

To be entered

R. H. B.

Filed

William A. N. Hamell's adm'r

This cause came on this day to be again heard on the papers formerly read & on the Report of Com'rs Wm Ely and of W. L. Riddick, severally made pursuant to the decree of the 13th of Octo. 1866; to which report there is no exception, and was argued by Counsel;

On Consideration whereof the Court doth Confirm the said Reports and doth adjudge, order & decree that Wm Ely as Com'r aforesaid, receive of the Clerk of this Court (who is directed to deliver the same to him) the Bond of Elizabeth Hamell, Ro. Rodgers and Elizabeth Rodgers for $583.52, and collect the same with all interest due thereon; and together with the sum of $250.88, which appears to be in his hands as adm'r aforesaid by account A. of said Com'r Riddick's Report made up under decree of 17th of April 1866, & all interest due thereon he pay any Costs that may remain unpaid & then pay the remainder of the same, ratably to the several creditors of Wm J. Hamell dec'd, as appears by account (B.) of said last named report of Com'r Riddick, and make report to Court with the evidence of such payments and make a deed to Elizabeth Hamell the purchaser of the Real estate sold under proceedings had in this cause, with special warranty in the usual form.

Williamson

vs.

Hanley Roberts

1867

Octo. Court Decree

To be entered

R. H. Baker

Entered

Williams &c
vs.
Hanley's Ch. Sadw.

This cause came on this day to be heard on the Bill taken for confessed as to the adult defts. on whom process had been served, they still failing to answer; on the answer of the Infant defendants by P. B. Pendis, their guardian ad litem & with general replication thereto, and was argued by Counsel;

On consideration whereof the Court doth adjudge, order and decree that a Comr. of this Court, take the following accounts — 1st an account of the transactions of Wm Ely, Sheriff of Hanover County & admr. of Wm J. Hanley dec'd; 2d an account of all debts & demands against the said Wm J. Hanley & his estate and their priority — 3d an account of the real estate whereof said Wm J. Hanley died possessed and its annual & fee simple value (subject to the dower therein of Mrs. Elizabeth Hanley the widow of said deceased), and make report to Court of any matter specially stated, deemed pertinent by himself or which any of the parties may require to be so stated — And the Court doth further adjudge, order and decree that Hugh B. Kelly, Jefr Parker, Thomas S. Bernard, & Wm S. Raby, be and they are hereby appointed Comrs. for that purpose (any three of whom may act) proceed to set apart & assign for life unto the said Mrs. Elizabeth Hanley widow aforesaid, one third part in value, having regard to quantity and quality, of the Real

Isaac Williamson

v

Wm J. Hamell's
Sh. Admr. &c

1866
April Ct. Decree
To be Entered
R. M. B.

Entered

estate, which sum is due & unpaid, as
appears from Plaintiff's Bill of Complaint &
Exhibits thereto filed, and remains due & unpaid to
Court.

Williams &c

v.

Harrell's Adm. & Comr &c.

This cause came on this day to be again heard on the papers formerly read & on the Report of Comr. W. L. Riddick, made pursuant to and also on the report of N. H. Kelly Esq. Parker &c, Mrs. S. Bernard & Wm. Raby made pursuant to same decree the decree of the 17th day of April 1866; to which Reports no exception has been filed and was argued by Counsel. On consideration whereof, the Court doth confirm the said Reports, and doth adjudge, order and decree, that Wm Eley, Sheriff of Nansemond County & Committee of the estate of Wm J. Harrell dec'd who is appointed Comr. for that purpose proceed to sell before the Court House door of Nansemond County, on some County Court day, at auction the land whereof the said Wm J. Harrell died seized and possessed, situated in said County & containing two hundred and seven ~~(207)~~ & 3/4 acres, more or less, and adjoining the lands of Lefe Parker, R. H. Beaman & others (subject only to the Dower of Mrs. Elizabeth Harrell as assigned her), on a credit of twelve months, with interest from date (except for a sum sufficient to pay costs & cost & expenses of sale which shall be cash), having first given at least three weeks notice by advertisement at the Court house door of Nansemond County & at six other public places in said County & in some newspaper published in Norfolk City once a week for three weeks - taking from the purchaser Bond

with good security, and retaining the title tree
the order of Court, and return said Bond & make Report
to Court: and it is further decreed & ordered that
a comr of this Court make up and report a further
account of the transactions of said Wm Eley Sh'f &
Comr of Wm I. Starnes dec'd, with any matters
specially stated, deemed pertinent by himself, or that
may be required by any one of the parties to be so stated:

Endorsed

1866
Oct'o. Court.
To be executed
D. M. Pearson

Williams &c
vs.
Starnes &c

In compliance with a Decree of the Circuit Court of Nansemond County, pronounced the 17th day of April 1866, (a copy of which is hereto annexed) the undersigned Commissioners therein appointed, did proceed on the 3rd day of July 1866, to set apart and assign for life unto Mrs. Elizabeth Harrell widow of William L. Harrell dec'd. one third part of the land of which William L. Harrell died seized and possessed:- The following is the boundary "Commencing at the Mill Pond (heretofore known as Bernard's) near Riamond and running in a Southern direction along a Branch, the dividing line between Richard H. Beaman and the said estate thence along said line in a Western direction to the line between Richard H. Beaman & the land of William J. Harrell dec'd, thence East bounded as aforesaid to the Commencement supposed to be about eighty acres. Your Commissioners having discharged the duty appointed them, beg leave to submit the foregoing as their report.

H. H. Kelly
Jesse Parker
Thos F. Bernard
William X his R Raby mark

Comrs.

Isaac Williams, who
sues &c

vs. } Commrs: Return
of Dower

Wm: Ely, Shff: & admr:
of Wm: J. Howell dcd
&c:

1846. July 10th Filed ck:

At a Circuit Court held for Nansemond County,
the 17th. day of April 1866.

Isaac Williams, who sues for himself and all
other creditors of William J. Harrell deceased. Plaintiff

Against } In Chancery

William Ely, Sheriff and administrator of
William J. Harrell deceased, and Elizabeth
Harrell (widow) and Joseph Henry, Willie
Mary and Bettie Rogers Harrell, the last
three infants. . . . . Defendants

This cause came on to be heard on the bill taken for
confessed, as to the adult defendants, on whom process
had been served, they still failing to answer, and on the
answer of the infant defendants by Peter B. Prentis their
guardian ad litem and with general replication thereto,
and was argued by counsel; on consideration whereof,
the Court doth adjudge, order and decree, that a
Commissioner of this Court take the following accounts
First - An account of the transactions of William Ely,
Sheriff of Nansemond County and administrator of
William J. Harrell deceased.
Second - An account of all debts and demands against
the said William J. Harrell or his estate and their
priority -
Third - An account of the Real estate whereof said
William J. Harrell died possessed and its annual
and fee simple value (subject to the dower therein
of Mrs. Elizabeth Harrell, the widow of said deceased,)
and make report to Court of any matters specially
stated, deemed pertinent by himself or which any
of the parties may require to be so stated. And the
Court doth further adjudge, order and decree, that
Hugh A. Kelly, Jesse Parker, Thomas S. Bernard
and William H. Raby be and they are hereby appointed
Commissioners for that purpose (any three of

whom may act) proceed to set apart and assign for life unto the said Mrs. Elizabeth Harrell, widow aforesaid, one third part, in value, having regard to quantity and quality, of the Real estate whereof said William J. Harrell died possessed, as and for her dower therein, and make report to Court.

A Copy:

Teste,

Peter B. Prentis. Clerk

Summons Williamsburg, Feb. 5th 1855
for Dr.

Bo: Bonus April Term
1855

Wm. Eley, Shff. & Returned.
Wm. J. Harrell dec'd &c.

At a Circuit Court held for Nansemond County the 12th. day of October 1867.

Isaac Williams, who sues for himself and all other Creditors of William J. Harrell, decead. Plaintiff.

against } In Chancery.

William Eley Sheriff and administrator of William J. Harrell deceased, and Elizabeth Harrell, (widow) and Joseph Henry, Willie Mary, and Bettie Rogers Harrell, the last three infants ..... Defendants.

This cause, came on this day to be again heard on the papers formerly read and on the Report of Commissioner William Eley and W.L. Riddick severally made pursuant to the decree of the 13th day of October 1866. to which Reports there is no exception and was argued by Counsel; On consideration whereof the Court doth confirm the said reports, and doth adjudge order and decree that William Eley as Commissioner aforesaid, receive of the Clerk of this Court, (who is directed to deliver the same to him) the Bond of Elizabeth Harrell, Ro. Rodgers and Elizabeth Rodgers, for Two Hundred and Eighty three Dollars and Thirty two cents, and collect the same with all interest due thereon, and together with the sum of Two Hundred and fifty dollars and Eighty eight cents which appears to be in his hands, as administrator aforesaid by account (A) of said Commissioner Riddicks report, made up under decree of 17th. of April 1866, and all interest due thereon and pay any costs that may remain unpaid, and then pay the remainder of the same, ratably, to the several Creditors of

William J. Harris deceased, as appears by account filed by
said last named report. of Commissioner Reddick, and make
report to Court, with the evidence of such payments, and
make a deed to Elizabeth Harris, the purchaser of the
Real estate sold under proceedings, had in this cause
with special warranty, in the usual form.

A Copy:

Test.

Costs .

Counsr: fs.

Peter B. Prentis. Clerk

Isaac Williams Jas.
Ex. &c. to Secre
Wm J. Harris's Estate.

To The Circuit Court of Nansemond County:

The Undersigned, William Eley, Sheriff of Nansemond County and Commissioner, begs leave to report, that pursuant to the Decree of the 12th: day of October 1867, made in the cause of Isaac Williams, who sues for himself and all other creditors of William J. Harrell deceased vs. William Eley, Sheriff and Administrator of William J. Harrell deceased & others, he has received of the Clerk of said Court the bond of Elizabeth Harrell, Robert Rogers and Elizabeth Rodgers, for $583:32c, filed in said Cause, and has collected the same and paid out and distributed the same together with the sum in his hands as administrator aforesaid, to the Creditors of said deceased, as directed by said Decree, and that he has made a Deed for the land sold under the proceedings to said Elizabeth Harrell, the purchaser thereof, in the usual form, with special warranty -

The following statement and papers attached will shew how the funds in his hands have been distributed, to wit:

By amo: of the Bond of Elizabeth Harrell & others	$583:32
" int: from 10th: Decr: 1866 to 13th: April 1868	41:11
	$624:43
" Bal: in the hands of said Eley, as admr of dec'd	250:88
" int on same 1 yr: 7 mos: & 25 days	17:35
Carried on	$892:66

By amo: brot: on				$892	66
To said Commr: Riddick		$5	00		
" " unpaid Costs		5	00	$10	00
Leaving amo: to be distributed pro rata and which has been paid to the several Creditors entitled, as per Statement and receipts annexed, as follows:				$882	66
To Isaac Williams	per receipt	$304	87		
" Richard H. Beamon	ditto	277	24		
" Ro: H. Webb	"	13	42		
" Sophia Harrell	"	60	30		
" Wm: H. Brinkley	"	54	67		
" A. S. Darden	"	54	39		
" Andrew McAllister	"	45	05		
" Jas: B. Nafleet	"	4	32		
" John R. Kelly	"	10	87		
" John R. Kelly	"	30	43		
" Jas: W. Perkins	"	5	43		
" Nath[l] Riddick	"	11	45		
" Andrew McAlister, per bond filed		10	02		
		$882	66	$882	66

Respectfully submitted

Jno Pegg Sh[ff]: & Commr:

This note was presented after the Commrs. made up his Accot: but was allowed in the distribution

23:32
43
69 96
9328
10:0 2:7 6

1868. Apl: 13th Recd of Wm Eley, Shff: Le Ten Dollars Two cents, being the valuable consn: to which it is entitled of the Est: of Wm J Harnell decd (#10 02)

Jas McAlester

Wm J Harnell

Note

#15.87/100

$ 15.87

Int: from 9th Nov: '58 to 12th Oct: '66 7.45

$ 23:32 - which pays 43 per ct

~~1868 Apl: 13th~~ Recd

~~Wm Eley Shff: &c~~

~~Ten~~ Dollars

~~and Thirty Two Cents~~ the consn ~~thereby~~ to which the ~~valuable~~ is entitled.

~~Test~~

$15.87

on demand I promise to pay to ANDREW McALISTER, order or assigns

Fifteen ——— Dollars 87 cents, for value received, for which payment,

well and truly to be made I bind myself Heirs, Executors and Administrators. jointly and severally,

firmly by these presents; as witness my hand and seal this 9th day of Decmbr 1858.

Teste

Wm J Harrell L.S.

L.S.

Pro Rata Share due each Creditor of William J. Hamell deceased, in the fund of $882.66c. and their receipts therefor.

1868. April 13th. Received of William Eley, Sheriff & Commissioner, the several sums set opposite our names, as our share of the above fund of $882.66c.

John R Kelly atty for Isaac William	$ 304	87
John R Kelly " " R. H. Beamon	277	24
John R Kelly " " Ro. H. Wells Est.	13	42
John R Kelly " " Sophia Harvey	60	50
John R Kelly " " W. H. Brinkley	54	67
John R. Kelly " " A. S. Darden	54	39
John R. Kelly " " Andr. McCaskill	45	05
John R. Kelly " " Jas. B. Amblet	4	32
John R. Kelly Jr receipt	10	87
John R. Kelly Jr receipt	30	43
John R Kelly atty for J. W. Pedin	5.	43
	$ 861.	19
Nathaniel Riddick by N. A. J Riddick	11	45
Duncan McAlister	10	02

Recd. of Wm. Eley, Shff. &c. the unpaid costs due us in this case.

N. L. Riddick, Conv. — $5—
Peter B. Prentis, Clerk . . $5—

Isaac Williams &c

vs } Report of Payments

Wm. Eley, Shff. & admor. of Wm J. Howell
decd.

At a Circuit Court held for Nansemond County, the 13th: day of October 1866.

Isaac Williams, who sues for himself and all other creditors
of William J. Harrell, deceased. . . . . Plaintiff.

Against } In Chancery. . . . .

William Eley, Sheriff and administrator of William J. Harrell, deceased
and Elizabeth Harrell (widow) and Joseph Henry, Willie Mary and
Bethie Rogers Harrell, the last three infants. . . . . Defendants.

This cause came on this day to be again heard on the papers formerly read, and on the report of Commissioner W.L. Riddick, made pursuant to the decree of the 17th: day of April 1866, and also on the report of H.H. Kelly, Jesse Parker sr. Thos. S. Bernard and Wm: S. Raby, made pursuant to some decree, to which reports no exception has been filed, and was argued by counsel. On consideration whereof the Court doth confirm the said reports, and doth adjudge order and decree, that Wm: Eley, Sheriff of Nansemond County and committee of the estate of William J. Harrell deceased, who is appointed commissioner for that purpose, proceed to sell before the Court House door of Nansemond County, on some County Court day at auction, the land whereof the said William J Harrell died seized and possessed, situated in said County and containing Two Hundred and seven and three fourth acres, more or less and adjoining the lands of Jesse Parker, R.H. Beamon and others, (subject only to the dower of Mrs. Elizabeth Harrell as assigned her) on a credit of twelve months, with interest from date (except for a sum sufficient to pay costs of suit and expenses of sale which will be cash) having first given at least three weeks notice by advertisement at the Court House door of Nansemond County and at six other public places in said County, and in some newspaper published in Norfolk City once a week for three weeks, taking from the purchaser bond with good security, and retaining the title till the order of Court, and return said bond and make report to Court. And it is further decreed and ordered that a Commissioner of this Court make up and report a further account of-

the transactions of said Wm: Eley Sheriff and Committee of William J. Harrell deceased, with any matters specially stated deemed pertinent by himself, or that may be required by any one of the parties to be so stated.

A Copy:

Teste,

Peter B. Pearsall. Clerk.

Tuesday
Aug. 13

Commissioner's Office
Suffolk Va. Aug. 27th 1867

To the Circuit Court of Nansemond County:

Pursuant to a decree of the Circuit Court of Nansemond County rendered on the 13th day of October, 1866 in a suit in Chancery depending in the said Court between Isaac Williams who sues for himself and all other creditors of William J. Harrell dec'd. against Wm. Eley, Sheriff and administrator of William J. Harrell dec'd and others, the undersigned one of the Commissioners of the said Court to whom was referred for settlement a further account of the transactions of the said Wm. Eley Sheriff & administrator;

Reports that the said Wm. Eley Sheriff and Administrator as aforesaid states that he has done nothing further in the matter of said administration than has been already reported.

And this report, with copy of decree directing same is herewith returned to Court.

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

W. L. Riddick
Comm'r.

Commissioner's fee $5.

Isaac Williams &c.

vs: } Com. Rep't.

Wm. Eley Sheff. & Com. of

Wm. J. Harrell dec'd

et al.

1867 Sept. 7th Filed

28

At a Circuit Court held for Nansemond County, the 13th. day of October 1866.

Isaac Williams, who sues for himself and all other creditors of William J. Harrell deceased. Plaintiff

Against } In Chancery

William Eley, Sheriff and administrator of William J. Harrell, deceased, and Elizabeth Harrell (widow) and Joseph K. Henry, Willie Mary, and Bettie Rogers Harrell, the last three infants. . . . . Defendants

This cause came on this day to be again heard on the papers formerly read, and on the report of Commissioner W. L. Riddick, made pursuant to the decree of the 17th. day of April 1866, and also on the report of H. H. Kelly, Jesse Parker Sr. Thos. S. Bernard and Wm. S. Raby, made pursuant to same decree, to which report no exception has been filed, and was argued by counsel: On consideration whereof the Court doth confirm the said reports, and doth adjudge, order and decree, that Wm. Eley, Sheriff of Nansemond County and Committee of the Estate of William J. Harrell deceased who is appointed Commissioner for that purpose, proceed to sell before the Court House door of Nansemond County, on some County Court day, at auction, the land where of the said William J. Harrell died seized and possessed, situated in said County, and containing Two Hundred and Seven and Three fourth acres, more or less, and adjoining the lands of Jesse Parker, R. H. Beamon and others (subject only to the dower of Mrs. Elizabeth Harrell as assigned her) on a credit of Twelve months with interest from date (except

for a sum sufficient to pay costs of suit and expenses of sale which will be cash) having first given at least three weeks notice, by advertisement, at the Court House Door of Nansemond County, and at six other public places in said County, and in some newspaper published in Norfolk City, once a week for three weeks, taking from the purchaser bond with good security, and returning the title till the order of Court, and return said bond and make report to Court.

And it is further decreed and ordered, that a Commissioner of this Court, make up and report a further account of the transactions of said Wm: Eley, Sheriff and Committee of William J. Harrell deceased, with any matters Specially stated, deemed pertinent by himself or that may be required by any one of the parties to be so stated.

A Copy:

Teste,

Peter B. Prentis Clerk.

Costs

Clerk	$15:00
Atto: Pl	31 00
Sheriff	1·00
W L Rudd: Commr:	35:00
	$82:00

Xmd

State of Virginia &c

To Copy Decree Oct: Term 1866

Wm: Eley, Shff: & Admr: &c of Wm: J. Harrell dec'd &c:

To The Circuit Court of Nansemond County.

The Undersigned respectfully reports to Court, that, pursuant to the annexed Decree of the Circuit Court of Nansemond County, pronounced on the 13th. day of October 1866, in the Cause therein pending, wherein Isaac Williams, who sues for himself and all other Creditors of William J. Harrell deceased, is Plaintiff, and William Ely, Sheriff and Administrator of William J. Harrell deceased & others, are Defendants, he proceeded to advertise the land referred to in said Decree, in the manner therein directed, and did, on Monday, the 10th. day of December 1866 (being Court day) sell at Auction, the said land, subject to the Dower of the widow of said deceased, as assigned her, on the terms named in said Decree, when the same was purchased by Elizabeth Harrell for the sum of $700:00

The Costs and expenses were received in cash from Elizabeth Harrell, and paid out as follows—

To Peter B. Prentis. Clerks fees . . .	$15:00 ✓
" John R. Kelly. Atto: fee . . .	31:00 ✓
" William Ely. Sheriff . . .	1:00 ✓
" Washington L. Riddick, Commr: in Chy: . . .	35:00 ✓
" 5 per cent Com: on $300. . . .	15:00 ✓
" 2 do do on $400 . . .	8:00 ✓
" Wm: H. McGuire, Crier . . .	2:50 ✓
" "Norfolk Virginian" for advertising . . .	3:34 ✓
" returned to pay for Deed & Stamps, to purchaser . . .	3:50 ✓
" do do for Say on said lands . . .	2:34 = $116:68

Leaving a net Balance of $583:32

For which the bond of said Elizabeth Harrell with Robert Rogers and Elizabeth Rodgers as securities, payable 12 months after date, with interest from date has been taken, and is filed herewith $583:32

Receipts for the cash payments are also filed herewith

Respectfully Submitted

Wm Ely — Sheriff & Commr.

Decr: 13th: 1866.

1866. Decr: 13th: Received of William Eley, Sheriff & Commr:
our fees in the foregoing case.

Peter B. Prentis. Clerk $15:00
John R. Kilby atty: $31:00
N. L. Riddick Comr. $35:00.
Wm J. McGuire Crier $2.50
Wm Eley Shff " 1 00

Isaac Williams, who
sues &c

vs

Commrs. Report of Sale

Wm. Eley, Shff. & Admr.
of Wm. J. Harrell decd
et al.

1867
Jany. 1st. Filed
clk.

$9 50/100

One days after date I promise to pay to Jas W Pedin or order the full and just sum of Nine 50/100 Dolls for value received, for which payment well and truly to be made I bind Myself My heirs, executors and administrators, jointly and severally, firmly by these presents, as witness My hand and seal this 30th day of March 1861

Jas M Baily Jr

Wm J Harrell SEAL

SEAL

Debly vs. Wm J. Harree

Creditors Atty	Isaac Williams Plt. Bond.		
Kelly	to which Durant L. Harree & Ro. Rogers sec'y	$	500. 00
	Int. fm 10th Oct. 1859		
	To Rich'd. H. Beamon, to		
Do.	which Durant L. Harree & O.H. Savage sec'y	$	500. 00
	Int. fm 1 Jan. 1862		
	To Ro. H. Webb. (2 acts).	$	27. 00
Do	Int. fm 1 Jan. 1864		
	To Sophia Harree Bond		100 00
Do	Int. fm 1 Jan 1860		
Do	To Wm H. Brinkley Bond	$	100 00
	Int fm 3 Apl 1862		
Do	To A. S. Dawson Bond	$	93. 94
	Int. fm 3 Jan 1861.		
Do.	To And. McAlister act.	$	81. 42
	Int. fm 1 Jan. 1862		
	To Jas. B. Norfleet Bond	$	7 96
Do	Int fm 15 May 1862.		
	To Jno. R. Kelly Bond		20. 61
Do	to which Durant L. Harree. sec'y. Int fm 1 Jan 1863		
Do	To Jno. R. Kelly ~~act.~~ Bond	$	55 00
	Int fm 1 Jan. 1862		
	J W Rodwell		9 50
	Int fm 30th March 1861.		

Wm J. Harrell Esq.

Mr Esq.

$93 94/100

Two days after date I promise to pay to

A. S Darden or order,

the just sum of Ninety Three 94/100 Dollars,

for value received, for which payment, well and truly to be made, I

bind myself my heirs, executors and administrators, jointly and severally,

firmly by these presents. As witness my hand and seal. this 1st

day of January 1861

Wm J. Harrell

SEAL

SEAL

DUROSS. PR., PHILA.

$7.96

Gov — days after date I promise to pay to

Jacob W. Fleet or order,

the just sum of Seven — 96/100 Dollars,

for value received, for which payment, well and truly to be made, I bind My Self heirs, executors and administrators, jointly and severally, firmly by these presents. As witness My hand and seal, this 12th day of May 1862

Wm. J. Harrell

SEAL

SEAL

DUROSS, PR., PHILA.

Mr William J Harrell

To Amaren McMaster Dr

		To Bond due Dec 9th 1858	15 87		
1859		" Intrest up to Jany 1st 1866	7 13		
Jany	5	" 1 pr Brogans pr self	1 63	23	00
May	25	" 1 " Shoes	1 75		
July	6	" 1 " Boots	3 75		
Augt	29	" Repg "	12		
Sept	17	" 1 pr Coarse Shoes	1 75		
	28	" 1 " Shoes child	50		
Oct	20	" 2 " " pr self	2 65		
Nov	3	" 1 " " " "	1 25		
	16	" 4 " " " "	3 50		
	25	" 1 " Planters	1 50		
Dec	5	" 1 " Boots	3 50		
	28	" 1 " "	3 75		
		" Intrest to Jany 1st 1866	9 23	34	88
1860					
Jany	14	To 1 pr Shoes child	63		
May	14	" Footing Boots	4 50		
Oct	15	" 1 pr Brogans pr self	1 62		
	17	" 1 " Shoes wife	1 50		
	20	" 1 " " pr self	1 50		
Nov	16	" Stroping & Caping Boots	75		
	16	" 1 pr Boots	4 75		
1861		" Intrest to Jany 1st 1866	4 57		
Jany	28	" Repairing Shoes	25	19	82
Sept	3	" 1 pr Shoes	1 37		
Dec	11	" 1 " "	1 38		
		" Intrest to Jany 1st 1866	3 72		
				3	72
				81	42

Mr. Wm J Hamill
a/c
$81.42/100

Mr. Wm. J. Hamel

1862		To Ro. H. Webb		25
June	7	" 20 Doo: 1/6 Sul: Quin: 6/ (Jack)	$	1 25
July	29	" Cathar: 1/6 (Timothy)		25
Augt.	5	" Mist: Vol: Pot: 3/ Tonic Pills 1/6 (Wife)		75
Sept.	4	" Mist: Pot: 3/ Sul: mag: 1/6		75
Oct.	19	By one bbl. Corn 3 18/	$ 3 00	" "
Nov.	1	To Cathar: 3/ Doo: 1/6 (Bell)		75
	22	" Syt. Tooth 6/		1 00
			$3.00	$4.75
				$1.75

W. J. Handel
$1.75
).

Mr. Wm. J. Harrell

1863 To Dr. H. Webb — Dr.

March 7th	"	To Visit: Effe: 6/. (Zella)	$ 1.00
May 14	"	Visit 18/. Leather 3/. —	3.50
	" "	Do: 3/. Effe: Mixt: 6/. —	1.50
June 13	"	Opiate 3/ Sul: Quin: 9/. (Wife)	1.75
July 17	"	Sul: Quin: 9/. — (Zella)	1.50
Augt. 4	"	Opiate 3/. Tonic Powders 6/. —	1.50
	7 "	Visit 18/. Morph: 3/. Tonic Powders 6/.	4.50
	11 "	Visit 18/. Opiate 3/. Effe: Mixt: 6/. —	4.50
	14 "	Visit 18/. Mixt: Effe: 6/. —	4.00
	" "	Do: 3/. Quin: Pills 6/. —	1.50
			$ 25.25

Wm. J. Nancell Esq.

$ 25-25

1 75

27 00

Claim against
William J. Hamell's estate
To Isaac Williams. a Bond executed
by Wm J. Hamell, Durant L. Hamell
and Robert Rogers for $ 500. 00
Int from 10 Oct. 1859.

Not Bond is not in my hand J.R.C. To Richd. H. Beamon, a Bond executed
by Wm J. Hamell, O. H. Savage &
Durant L. Hamell for $ 500. 00
Int from 1 Jany 1862

To S. R. H. Wilt. acct, $25.25 & 1.75 27 00
" A. S. Davis a Bond for 93 94
Int. from 30. Jany 1861.

To Jno. R. Kelly 1 Bond $ 20 00
Int from 1 Jan 1863
" Do. acct. 55 00
Int from 1 Jan 1862

not in my hand To J. B. Noblett Bond $ 7 96
Int from 15 May 1862

not in my hand To Sophia Hamell Bond for $ 100
Dated 1 Jany 1860 & on demand

not in my hand To Wm H. Brumley a Bond for $ 100
Int from 3 Apl 1862

Wm. J. Harrell's Est.

Claim

vs.

(Walcott
filed but no
part of the record)

Commissioner's Office,
Suffolk, Va, July 25th 1866

To the Hon. Richd. A. Baker, Judge of the Circuit Court for Nansemond County:

Your Commissioner, to whom the decree of the 17th day of April, 1866, in the Chancery Cause of Isaac Williams & als. vs. Wm. Eley, Sheriff and Administrator of the Estate of Wm. J. Hansell decd. & als., was referred, begs leave to report, that on the 17th day of July, 1866, having previously given notice to the parties interested, which was duly acknowledged, he proceeded to state the several accounts directed to be taken by the aforesaid decree:

That upon a statement of the transactions of Wm. Eley, Shff. & Admr. of Wm. J. Hansell decd, your Commissioner ascertains a balance to be in the said Administrator's hands, on the 12th day of October 1866, of ($250.88) Two hundred & fifty dollars & Eighty Eight cents as shown by accompanying Account marked (A.):

That by accompanying Account marked (B.) the total debts and demands against Wm. J. Hansell decd. or his Estate, are ascertained & reported to be ($2029.43) Two Thousand and ~~twenty thirteen~~ nine dollars & ~~forty three~~ cents on the interest on the several claims having been computed to the 12th. day of October, 1866.

That by account marked (C.) the fee simple value of the land of which Wm. J. Hansell died possessed, subject to Dower therein of his widow, is ascertained & reported to be ($800.-) Eight Hundred Dollars, and the yearly rental or value to be ($75) Seventy five dollars. This value is ascertained from, and based upon the aforesaid value of said

Land upn the Land Book for Nansemond County. of 1861.

From the recapitulation it will be seen that the afets will scarcely pay the several creditors the sum of 50 p.ct. of their claims.

All of which, with the Copy of decree, notice & the several accounts, are respectfully submitted.

Given under my hand as Commissioner in Chancery for the Circuit Court of Nansemond County, the day & year first aforesaid.

W. L. Riddick
Comm'r.

Commissioner's fee $35.00

Isaac Williams &c.

vs

Comm. Rep.

Wm Eley Shff & admr.
&c.

25th. July 1866
Completed & filed
in my office for exception.
W. L. Riddick
Clk.

1866. Aug. 11th Filed
clk:

(A.) (1.)

Dr. The Estate of Wm. J. Harrell decd.
In account with Wm Eley, Shff. & Administrator of said
Estate.

1865 Nov. 6th.	The Estate committed to Shff. Lands.		
" "	To paid Clerk fees for qualification		℔ 2.00
" " " "	U.S. Tax on do.		3.00
" " " "	State and Tax 1865		2.22
" " " "	Appraisers of Estate & Crier at Sale		8.00
" "	By amt: of Acct. of sales		℔ 280.10
" "	To 5 per Ct. Comms. on same	14.00	
1866 Octo: 12	To Balance due the Estate	250.88	
		℔ 280.10	℔ 280.10

1866 Octo: 12 By Balance due the Estate brot: down ℔ 250.88

(B.)

Ans Account of Debts and Demands against Wm. J. Hanell dec'd, or his Estate, and their priority.

First Class.

None.

Second Class.

None.

Third Class.

None.

Fourth Class.

Pltff's Atty.

J.R. Kilby — To Isaac Williams, Bond (signed by Wm. J. Hanell, Durant L. Hanell & Ro. Rogers) for $500.00
" Int. from Octo: 10th 1859, to Octo. 12th 1866 — 7 yrs. & 2 days — 210.17 $710.17

Same — To Richard H. Beaman, Bond (signed by Wm. J. Hanell, Durant L. Hanell & O.H. Savage) for $500.00
" Int: from Jany. 1st 1862, to Octo: 12th 1866 — 4 yrs. 9 mos. 12 days 143.50 $643.50

To Ro. H. Webb (2 Accts.) for $29.00
Same " Int. from Jany. 1st 1864, to Octo: 12th 1866 — 2 yrs. 9 mos. 12 days. 4.21 $31.21

Amt: carried over to next page (3) $1384.88

(B.) Continued.

Pltff's Atty. — Amt: brot. from page (2.) $1384.88

J.R. Kilby — To Sophia Hanell, Bond for $100.00
" Int. from Jany. 1st 1862, to Octo. 12th 1866 — 4 yrs. 9 mos. 12 days. 40.70 $140.70

Same — To Wm. H. Brinkley, Bond for $100.00
" Int. from Apl. 3rd 1862, to Octo: 12th 1866 — 4 yrs. 6 mos. 9 days. 27.15 $127.15

Same — To A.S. Darden, Bond, for $93.94
" Int: from Jany. 3rd 1862, to Octo 12th 1866 — 5 yrs. 9 mos. 9 days. 32.55 $126.49

To Andw. McAlister, acct: for $81.42
Same " Int: from Jany. 1st 1862, to Octo 12th 1866 — 4 yrs. 9 mos. 12 days. 23.37 $104.79

Same — To Jas. B. Norfleet, Bond for $7.96
" Int: from May 15th 1862, to Octo 12th 1866 — 4 yrs. 4 mos. 27 days. 2.10 $10.06

To Jno. R. Kilby, Bond (signed by Wm. J. Hanell & Durant L. Hanell)
Same for $20.61
" Int. from Jany 1st 1863, to Octo: 12th 1866 — 3 yrs. 9 mos. 12 days 4.68 $25.29

To Jno. R. Kilby, Bond, for $55.00
same " Int: on Same from Jany 1st 1862, to Octo: 12th 1866 — 4 yrs. 9 mos. 12 15.79 $70.79

To Jas. H. Pedin, Bond, for $9.50
" Int. from March 30th 1861, to Octo: 12th 1866 3.15 $12.65

Amt: Carried over to page (4.) $2002.80

B. continued.

Amt. brot. over from page (3)		₶2002.80
To Nath[l]. Riddick - acct: for	₶15.60	
" hir. from Janj 1st 1855 to Oct. 12th 1856	11.03	₶26.63
Total Fourth Class.		₶2029.43

Fifth Class.

None.

(C.)

An Account of the value of the Real Estate belonging to Wm. J. Hanell dec[d]., and subject to the Dower of his Widow therein.

Real Estate; without Dower fee simple		₶1200.00
do. subject to do. do.	₶800.00	
" Yearly rental or value -	₶75.00	

Recapitulation.

By: Value of Real Estate, subject to Dower (Acct. C.)	₶800.00	
" Amt. in Admrs Hands (Acct A.)	250.00	
To Amt. of Debts & Demands agt. Wm. J. Hanell's Est. (Acct. B.)		₶2029.43
By Deficit to Balance	979.43	
	₶2029.43	₶2029.43

₶2029.43 / 2029.43

Commissioner's Office:
Suffolk, Va. June 8th 1866

To

Isaac Williams, who sues for himself and all other creditors of William J. Harrell deceased: Plaintiff.

And

William Eley, Sheriff and administrator of William J. Harrell dec'd. and Elizabeth Harrell (widow) and Joseph Henry, Willie Mary, and Betty Rogers Harrell, the last three infants: Defendants:

You are hereby notified that I have fixed upon Tuesday, the 17th day of July, next, if fair, if not, the next fair day thereafter, (Sunday Excepted) to take and settle, at my office, the following accounts required to be taken by the decree of Nansemond Circuit rendered on the 17th day of April, 1866 in a suit in Chancery depending in said Court, viz:

First: An account of the transactions of William Eley Sheriff of Nansemond County, and administrator of William J. Harrell, dec'd.

Second: An account of all debts and demands against the said William J. Harrell, or his Estate and their priority:

Third: An account of the Real Estate whereof said William J. Harrell died possessed, and its annual and fee-simple value (subject to the dower therein of Mrs. Elizabeth Harrell, the widow of said deceased).

At which time and place you are required to attend:

Given under my hand, as Com-

missioner in Chancery of the said Court, the day and year first aforesaid.

W. L. Riddick
Commissioner.

Williams

vs: Notice. in chy.

Eley, Hff. & adm'r. Wm. J. Hamlt

Received a copy of the within notice for the Plaintiff — Blount Hff. & Defendants Solr. R. Williams P.Q. June 8th 1866.

I acknowledge service of the within notice. Peter B. Pender. Sol'r. for Defendants. June 9th 1866

At a Circuit Court held for Nansemond County, the 17th. day of April 1866.

Isaac Williams, who sues for himself and all other creditors of William J. Harrell deceased. . . . . Plaintiff.

Against } In Chancery

William Eley, Sheriff and administrator of William J. Harrell deceased, and Elizabeth Harrell (widow) and Joseph Henry, Willie Mary and Bettie Rogers Harrell: The last three infants . . . . . Defendants.

This Cause came on to be heard on the bill taken for confessed as to the adult defendants, on whom process had been served, they still failing to answer; and on the answer of the infant defendants, by Peter B. Prentis, their guardian ad litem and with general replication thereto, and was argued by Counsel. On Consideration whereof, The Court doth adjudge, order and decree, that a Commissioner of this Court, take the following accounts.

First- An account of the transactions of William Eley, Sheriff of Nansemond County, and administrator of William J. Harrell decd.

Second- An account of all debts and demands against the said William J. Harrell or his estate and their priority.

Third- An Account of the Real estate whereof said William J. Harrell died possessed and its annual and fee-simple value (subject to the dower therein of Mrs: Elizabeth Harrell, the widow of said deceased) and make report to Court of any matters specially stated, deemed pertinent by himself or which any of the parties may require to be so stated. And The Court doth further adjudge, order and decree that Hugh H. Kelly, Jesse Parker, Thomas S. Bernard and William S. Raby be and they are hereby appointed Commissioners for that purpose (any three of whom may act) proceed to set apart and assign for life, unto the said Mrs: Elizabeth Harrell, widow aforesaid, one third part in value, having regard to quantity and quality of the real estate whereof said William J. Harrell died possessed, as and for her dower therein and make report to Court.

A. Copy: Teste,

Peter B. Prentis. Clerk.

Xind

Isaac Williams: who
sues for &c

vs
&
Co: Dicon April Term
1866.

Wm: Eley, Shff: & Admr: &c
Wm: J. Handle decd &al.

Ack'd by Atty.

For Pltf. Sandy

Costs

Clerk . . $ 15:00

Atty: Y . . 31:00

Sheff . . 1:00

W. L. Ridd:

Commr } 35:00

$ 82.00

Cobb