1873-008
Nansemond Co. (Suffolk)

Chancery Causes: James Milteer etc vs Comt of Richard R Stallings etc

Hall, Doughtrey, Knight, Pearce, Pierce, Copeland, McClenny, Melteer

Will: 1864, Richard R. Stallings, Nansemond Co.

$ 67,75

One day after date we or either of us do promise to pay or cause to be paid unto Edward P. Daughtrey the just sum of Sixty Seven dollars and Seventy five cents good and lawful money of Va. for value received of him. Witness our hands and seals this 19th day of Feb 1861

Witnes
Wm P. Daughtrey

James E Hallings (seal)
his
Richard + Hallings (seal)
mark

Rec'd Twenty Five dollars
in part pay of the
within note. Aug the
25th 1865-

E. R. Daughtry

$10 On demand I promise to pay or
Cause to be paid to Stephen Pearce or order
the just & full Sum of Ten dollars lawfull
money of the State the same being
for Value Rec'd. as witness my hand and
Seal This 4th of October 1858

Witness
James E. Stalling

Richard R. his + Stalling
mark

Stephen Power.
Bal
$10 00
ent for
4th Oct: 38
to 1st Sept 7.74
$17.74

On demand I Promise to pay or cause to be paid unto John R. Copeland or order the just and full sum of Six dollars and fifty cents, for value received. As witness my hand and seal this 21st day of december 1859

Witness $6.50 cts

Richard his X mark R. Hall (seal)

Mrs: R. Copeland

R. R. Stallings

Note

$6.50

21 Dec 1889

Lot 1 M. M. $6.50

Sec. 171 4.56

$11.06

V

Richard R. Stallings

1862. To John R. Copeland Dr

To 550 Bricks at $5.00 pr M. $4.40

" 1 Barrel of lime 1.00

" 1st 6 years 35¢ a year .90

3. 1.70

$8.00

Nov. 14th 1868. This day Wiley Rawls personally appeared before me. and made oath that the above account was. Correct.

Jno W Ames J.P.

Jno. R. Copeland

Acct.

one Shoe, $5.00

1 mark Hat

to 1 Sept. 71 3.46

$9.36

V

Mr Richard. R. Stallings

1859		To J. D. M Clenny		Dr
Nov	16	To 2½ lbs sugar	@ 10 x	25
"	"	" 2 lbs coffee	@ 14	28
"	"	" 1 plug Tobacco	@ 20	20
Dec	26	" 2½ lbs sugar	@ 10 x	25
"	"	" 2½ do do	@ 10 x	25
"	"	" 2 do shot	@ 10	20
"	"	" ¼ do powder	@ 9 x	09
"	"	" 1 plug Tobacco	@ 12 x	12
1860 Jan	25	" 2 lbs coffee	@ 14 x	28
"	"	" 2 do shot	@ 10 x	20
"	"	" ¼ do powder	@ 10 x	10
"	"	" ¼ do pepper	@ 4 x	06
Feb	13	" 1 do Tobacco	@ 7 x	50
"	17	" 4 lbs nails	@ 4 x	25
March	12	" 2 do coffee	@ 15 x	30
"	"	" 1 peck salt	@ 16 x	16
"	24	" 2½ lbs sugar	@ 10 x	25
April	3	" 20 do flour	@ 5 x	1 00
"	10	" 3 do coffee	@ 1/	50
"	"	" 2½ do sugar	@ 10	25
"	"	" 1 spider Lead	5 5 x	55
"	"	" 2 plugs Tobacco	@ 1/	33
"	21	" 2½ lbs sugar	@ 10 x	25
May	3	" 2 do coffee	@ 1/	33
"	"	" 2½ lb sugar	@ 10 x	25
July	3	" 1 yd Train oil	@ 6/	25
"	"	" 1 peck salt	@ 16 x	16
"	"	" 1 lb starch	@ 9	13
"	21	" 5 lbs nails	@ 5 x	25
"	"	" 1 Box caps	@ 8 x	08
"	"	" ¼ lb powder	@ 10 x	10
"	"	" 2 do shot	@ 10 x	20
"	"	" Soda	@ 6 x	06
Augt	2	" goods	@ 72	72
"	21	" 5 lbs sugar	@ 10 x	50

~~Sept 15~~

Carried over

Amount Brot over $1.62½
Sept 15 To 1 plug Tobacco @ 25 .20
" " " 10 lbs Sugar @ 10 2.00
$1.82½
By cash
$1.82½

Rich R Stalling
To acct
$1.82½

Richard R. Stallings dec'd

1862: To Wiley Stallings Dr.

To this amount for supporting
the said Wiley Stallings
according to contract. $300.00

Wesley Stallings's
Acct.
$300.
cur: Jun: 1st Left -
71, Tile Yard

Richard R Stallings
Est.

Claims ~~vs~~

Claims

✓

The Commonwealth of Virginia,

To the Sheriff of Nansemond County---Greeting.

YOU ARE HEREBY COMMANDED TO SUMMON William Eley Sheriff and Committee of Richard R. Stallings deceased, Rufus C. Hall and Rexana E. his wife, who was the widow of the said Richard R. Stallings, and Executrix and Legatee of the said Richard R. Stallings deceased, Wiley Stallings and Lawrence Johnson and James E. Stallings

to appear at the Clerk's Office of our Circuit Court for the County of Nansemond, on the first Monday in April next, 1868, being rule day, to answer a bill in chancery, exhibited against them by James Melton, who sues for himself and all other creditors of Richard R. Stallings deceased, who may make themselves parties to this suit, on the usual terms

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 and there this writ. *Witness*, PETER B. PRENTIS, Clerk of our said Court, at his Office, this 30th day of March 1868, and in the 92nd 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.

W. L. Riddick p.q

James Melcher, who sues &c

vs

Sum's in Chy:

Wm. Eley, Jr., & Commrs of Richard R. Stallings decd & al:

To April Rules 1868.

Pro: B. No. 1. Page 37.

Cir: Co.

Know all Men by these Presents, That we William Ely and Samuel Ely

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the sum of Three hundred Dollars

Dollars; for the payment thereof, well and truly to be made to the said Commonwealth, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally firmly by these presents. Sealed with our seals, and dated this 5th day of December 1871, in the 96th year of the Commonwealth.

THE CONDITION OF THIS OBLIGATION IS, That if the said William Ely who was on the 12th day of October 1871 appointed a Commissioner under a Decree of Hanover Circuit Court in a certain Chancery Suit then pending under the Name and Style of "Miller &c against Stallings Administrator &c"

shall faithfully discharge the duties of his said trust,

aforesaid, then this Obligation to be void, else to remain in full force

Acknowledged in the presence of

Wm Ely [SEAL.]
Samuel Ely [SEAL.]
[SEAL.]
[SEAL.]
[SEAL.]
[SEAL.]
[SEAL.]
[SEAL.]

Publication No

vs Board Comrs

Hastings & Addison

Rappahannock County to wit

This day Samuel Ely personally appeared before me in my office and made oath that his estate after the payment of all his debts and those of others for which he may be bound leaving the homestead is worth the penalty of this bond. Witness my hand the 8th day of December 1871

Willis E Cohoon Clerk

1

Virg^{a}. In the Circuit Court of Nansemond Octo 12th 1872

Heller &c Plff
v. In Chancery
Stallings Defts

This cause came on this day to be again heard on the papers formerly read and on the report of Dear B. Prentis Commissioner made pursuant to the decree of the 12 April 1872 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 Wm Eby the Com^{r} who sold the land referred to, herein receive of the Clerk of this Court the three several bonds of the said Tribby for $87.10/3 each bearing date with (who will deliver the same to him on his leaving a receipt therefor) and collect the same when due, and the said Tribby is at liberty to pay the same before due, when the interest shall cease, and out of the proceeds pay any costs that may remain unpaid, and then pay to Mrs Roxanna E Hall late widow of Richard R Stallings dec'd, the sum of $10.75 with interest from this day, and the residue, with $16.23 in his hands as representative of said deceased, pay ratably to the creditors of said Richard R. Stallings and as reported by Commissioner Prentis' in his report of the 1 Sept 1872 and make to the said John R Tribby a deed for the land

purchased by him under proceedings in this cause, with special Warranty in the usual form and make report to Court. And it is further ordered that on the reception by the said Roxanna E. Hall of the sum of $101.75 she and her husband are required to join in the deed to the purchaser of said real estate and if she refuse the same then the said Wm Ely will report the facts to the Court for further proceedings herein.

A Copy

Test. Wells E Chase Clerk

Wells E. Chase
Clerk
Sterling Ill.

To the Circuit Court of Nansemond County.

The Undersigned reports to the Court that pursuant to the decree made on the ___ day of Oct. 1872, made in the cause of Meller &c. against Rich.d R. Stallings' adm.r &c., he has received of the Clerk of said Court the three Bonds of John R. Killy, each of $89.70 1/3 and collected the same (the said Killy preferring to pay them without waiting for all the credit to expire, as allowed by said decree), and has paid out the same as directed by the said decree, and as the following statement will show.

By John R. Killy's 3. Bonds of $89.70 1/3 each, all making the sum of	$269.11
" Int. from 11 Dec. 1871 to 13 Jan 1873 1 yr. 1 m. 2 d	17.58
" ams. due by Wm Eley as adm.r	16.23
" Int. from 3 Dec 1867 to 13th Jan. 1873	3.99
Total.	$306.91
To paid Wilbur J. Killy, Com.r fee $3.00	3.00
Nett Balance.	$303.91
Then paid Roxana E. Hall (late widow of Rich.d R. Stallings, in lieu of her Dower in Land sold per rec.t $101.75	
& Int. from 13 Oct. 1872 to 13 Jan. 1873 . 1.56 =	$103.31
Residue .	$199.60

Can.d over

By amo. brt. on $199.60

To paid James Miller, 30 per cent on his debt, as reported in Comr. Parnell's report. of $175.25 — $52.57

" " Edward R. Daughtry on $83.13 — $24.93

" " Richd. Knight " $45.28 — $13.58

" " Stephen Peace " $17.74 — $5.32

" " Jno. R. Upchurch " $11.06 — $3.31

" " same " $9.36 — $2.80

" " J. D. McClenny " $12.50 — $3.75

" " Wiley Stallings " $300.00 — $90.00 = $196.26

$654.32

To Charges for report &c $3.34

A deed with special warranty in the usual form has been made to John R. Kelly, the purchaser of the real estate sold under the proceedings in said cause, in which Rufus Hall & Roxana E. (late Stallings) his wife have joined as required by said decree.

The foregoing payments are evidenced by receipts annexed.

Respectfully submitted

William Eley Jr. Comr

1

1873 Jan. 13. Rec'd of Wm Eley, Coun the several sums set opposite our names, and as per foregoing report.

Rufus C. Hall	$ 103.31
Roxanna E. Hall	
John R. Killy, atty. for Jas. Mellen	$ 52.57
see below x: ~~John R. Killy, atty. for Edw'd Daughtery~~	~~$ 24.93~~
Wilbur J Killy Cons't	$ 3.00
x. Edward R. Daughtery	$ 24.93
John R. Upland	$ 6.11
Witness T. F. Holland. Wiley his x mark Stallings	$ 90.00
Stephen K Pierce	$ 5.52
John D McClenny	$ 3.75
Richard Knight	$ 13 58

Mellen &c

v

Stallings admr

Report of payments

1873. March. 24th

Circ. Ct.

In Chancery Circuit Court April 12. 1872

James Miller who sues for himself and all other Creditors of Richard R Stallings deceased may make themselves parties to this suit on the usual Terms Plaintiff

against } In Chancery

William Eby Sheriff and Committee of Richard R Stallings deceased, Rufus C Hall and Roxana his wife who was the widow of the said Richard R Stallings and Executrix of the said Richard R Stallings deceased Wiley Stallings Lawrence Johnson and James E Stallings Defendants

This cause came on this day to be again heard on the papers formerly read and upon the report of William Eby Commissioner made pursuant to the decree of the 12th of October 1871, 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 a Commissioner of this Court ascertain what is the present fee simple Value in Money of the dower of Mrs Roxana E Hall late widow of said Richard R Stallings deceased in the lands sold herein and make report to

Coms

A copy

Test

Willis & Cahoon Clerks

Miller &c
vs
Co Decree
Williams &Thos

16 sub

Commissioner's Office,

SUFFOLK, NANSEMOND COUNTY, VA.

Aug. 16. 1872

To "James Milteer, who sues for himself, and all other creditors of Richard R. Stallings deceased, who may make themselves parties to this suit on the usual terms" — *Plaintiffs.*

and William Exley Sheriff and Committee of Richard R. Stallings deceased, Rufus C. Hall & Roxanna E. his wife, who was the widow of the said Richard R. Stallings & executrix of the said Richard R. Stallings deceased, Wiley Stallings Lawrence Johnson & James E. Stallings — *Defendants.*

You are hereby notified that I have fixed upon the 16th, day of September next, to take and settle, at my office, the following accounts, to-wit:

What is the present fee simple value in Money of the dower of Mrs. Roxanna E. Hall late widow of said Richard Stallings deceased in the lands of the said Richard R. Stallings.

required to be taken by the decree of Nansemond Circuit Court, rendered on the 12 day of April 1872 in a suit in Chancery depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.

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

Peter B. Scuntes. Comm'r.

1892 Aug 16 Service of this notice
acknowledged for all parties
John R. Kilby Jr. Q

Commissioners Office,
Suffolk, Va., Sept. 25, 1872

Commissioner's Report.

In pursuance of a decretal order of the circuit court of Nansemond County, pronounced April 12, 1872, in a cause in chancery in the said Court, depending between James Miller, who sues for himself and all other creditors of Richard R. Stallings deceased, who are plaintiffs, and William Eley, Sheriff and committee of Richard R. Stallings deceased Rufus C. Hale & Roxanna E. his wife, late widow & executrix of the said Richard R. Stallings, deceased, Wiley Stallings, Lawrence Johnson, and James E. Stallings, defendants, a copy of which decree is hereunto annexed, the Undersigned, having given notice to the parties, as will appear by the notice herewith returned, proceeded on the 16th, day of September inst. to execute the order. The proceedings having been thereforward regularly adjourned from time to time, the same having been at length completed, the result is herewith respectfully submitted.

The Undersigned ascertains that the lands of which the said Richard R. Stallings died seised and possessed, were sold on the 11th day of December 1871, for the sum of $370.00.

That the widow of the said Richard R. Stallings deceased, is entitled, during her life-time, to the use of $123.33 1/3, that being one third of the said amount of $370.

That the said widow is just 32 years of age.

That her expectation of life is about 30 24/100 years.

That she is entitled to an annuity of $7.40, that being the interest on $123.33 1/3 per year.

And that therefore (the value of $1.00 for 30 years being $13.76 17/25), the present fee-simple value of her dower, in money, in the lands of which the said Richard R. Stallings died seised and possessed, amounts to $101.75.

Respectfully submitted

Peter B. Prentis
Commissioner.

Com'rs fee $3.00

Metcher & als.
vs.
Stallings & als.

Comm'rs
Report.
No. 2.

filed 26 sept 1872

At a Circuit Court held for Nansemond County the 13th day of October 1868.

James Milteer, who sues for himself and all other Creditors of Richard R. Stallings deceased, who may make themselves parties to this suit, on the usual terms . . . Complainant

against &c In Chancery.

William Eley Sheriff and Committee of Richard R. Stallings deceased, Rufus C Hall, and Roxana E. his wife, who was the widow of the said Richard R. Stallings deceased Wiley Stallings, and Laurence Johnson and James E. Stallings . . . . . Defendants,

This cause, came on this day to be heard on the Bill of the Complainant, and the Exhibits filed therewith, the defendants William Eley Sheriff and Committee of Richard R. Stallings deceased Rufus C. Hall and Roxana E. Hall his wife, who was the widow of the said Richard R. Stallings and Executrix and Legatee of the said Richard R Stallings deceased, Wiley Stallings, Laurence Johnson and James E. Stallings, who had been duly summoned, and they failing to appear and answer 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 Wm Eley, as Sheriff and Committee of Richard R. Stallings deceased. Second. An account of the debts and demands, due by the said Richard R. Stallings dece

ass, or his Estate. This, an account of the fee simple and annual value of the real estate, of which the said Richard R Stallings, died possessed; and to the Court report, with any other accounts, that may be required.

A Copy.

Teste,

Peter B. Prentis. Clerk.

X No 5

James Mallett, who sues
&c
vs
Ex & Co: Decree.

Com: Eq. Sept: 1st Comm^ns &c
Richard R. Stallings decd
Ind.

Commissioner's Office.
Suffolk Va: October 26th: 1868

To

James Milleer, who sues for himself and all other Creditors of Richard R. Stallings deceased, who may make themselves parties to this suit on the usual terms . . . . . Complainants.

And To,

William Eley, Sheriff and Committee of Richard R. Stallings deceased: Rufus C. Hall and Roxana E. his wife, who was the widow of the said Richard R. Stallings deceased, Wiley Stallings, and Lawrence Johnson and James E. Stallings . . . . . Defendants.

You are hereby notified that I have fixed upon Tuesday the 1st: day of December next to take and settle, at my Office, the following accounts:

First: An account of the transactions of Wm: Eley, as Sheriff and Committee of Richard R. Stallings deceased.

Second: An account of the Debts and Demands due by the said Richard R. Stallings deceased, or his Estate:

Third: An account of the fee-simple and annual value of the Real Estate of which the said Richard R. Stallings died possessed: which accounts are required to be taken by the Decree of the Circuit Court of the County of Nansemond, rendered on the 13th: day of October 1868, in a suit in Chancery depending in said Court, in which you are parties, Complainants and Defendants, at which time and place you are required to attend. Given

under my hand as Commissioner in Chancery of the Circuit Court of Nansemond County, the day and year first herein aforesaid.

Peter B. Prentis. Commissioner

Service of the within notice is hereby acknowledged by us.
1868. Octo: 26th

W. L. Riddick. Jr.

Account No: 1.

An Account of the transactions of Wm: Eley, as Sheriff and Committee of Richard R. Stallings deceased.

Dr The Estate of Richard R. Stallings, deceased.
In Account with Wm: Eley, Shff: & Commtee Cr:

1866. July 9	(Estate Committed to Shff's hands)				
" Dec: 3	By amo: of sales of Chattel Estate, at its appraised value		"	"	$ 28 50
1867. Dec: 3	" this sum recd of Nich[s] Riddick		"	"	2 00
" " "	To do do retained for Henry A. Rawls, Andrew J. Rawls and Thomas H. Rayfleet, as Appraisers: $1. each	$	3 00	"	"
" " "	" do paid Clerk's fees, per tickets		1 05	"	"
" " "	" " do John R. Copeland gar: her fi:fa: Sheet:		8 69	"	"
	" 5 per Ct: Commn: on $30:50		1 53	"	"
	" this sum to bal: acco:		16 23	"	"
		$	30 50	$	30 50
1867. Dec 3.	By Bal: due Estate brot: down		"	"	$ 16 23

Account No: 2.

An Account of the Debts and Demands due by the said Richard R. Stallings deceased or his Estate.

First Class — None

Second Class — None

Third Class — None

Fourth Class.

Kelby. Mo:	To James Milteer — Bond signed by Richard R. Stallings & James E. Stallings	$	100	00	" "
	" int: fm: 14th: Feby: 1859 to 1st Septr: 1871		75	25	$ 175 25
Kelby. "	To Edward R. Daughtrey . . Bond signed by James E. Stallings & Richard R. Stallings . .	$	67	75	" "
	" int: fm: 20th: Feby: 1861 to 23. Aug: 1865		18	32	
		$	86	07	
	Cr:		25	00	
		$	61	07	
	" int: fm: 23rd: Aug: 1865 to 1st: Septr: 1871		22	06	$ 83 13
	To Richard Knight — Bond signed by Richard R. Stallings & Wiley Stallings	$	50	00	
	" int: fm 22nd: March 1861 to May 3. 1862		3	28	
		$	53	28	
	Cr:		24	25	
		$	29	03	
	" int: fm May 3. 1862 to 1st Septr: 1871		14	25	$ 43 28
	Carried Forward . . .		"	"	$ 303 66

Brot: Forward			"	"	$303 66
To Stephen Pence	Bond	$	10 00		
" int: fm: 4th: Octo: 1858 to 1st: Septr: 1871			7 74	$ 17	74
To John R. Copeland . . .	Bond	$	6 50		
" int: fm: 21st: Decr: 1859 to 1st: Decr: 1871			4 56	$ 11	06
To Same	acct:	$	5 70		
" int: fm: 1st: March 1862 to 1st Sept: 1871			3 46	$ 9	36
To J. D. McClenny	acct.	$	7 82	"	"
" int: fm 1st Sept: 1861 to 1st Septr: 1871			4 68	$ 12	50
To Wiley Stallings	acct:	$	300 00		
" int: fm: 1st Septr: 1871 Till paid			"	" $	300 00
Total			"	" $	654 32

Account No: 3

An Account of the Fee-simple and Annual value of the Real Estate of which Richard R. Stallings, died possessed.

A Tract of Land, containing One Hundred and Sixty-three (163) acres, more or less, adjoining the lands of John J. Hollands heirs, David Folk's heirs & Mary Ann Miller

The Fee-Simple value of which is . . . $450:00

" Annual " " " 20 00

Commissioner's Office.
Suffolk, Va: Septr: 1st: 1871

To the County Court of Nansemond County:

Your Commissioner to whom was referred the Decree of the Circuit Court of said County, of the 13th: day of October 1868 - in the Chancery cause of James Milteer, who sues for himself and all other creditors of Richard R. Stallings decd to vs Wilkins Eley, Sheriff and Committee of Richard R. Stallings decd & others (the said Cause having been removed to the County Court aforesaid, by an order of said Circuit Court, rendered on the 13th: day of April 1871) begs leave to report, that on the 26th: day of October 1868, he issued a notice to the parties aforesaid (Service of which was duly acknowledged by them) requiring them to attend the settlement of the accounts directed by said Decree, before him, at his said Office, on the 1st: day of December 1868, when several of the parties, through their Counsel, appeared, and some progress was made: that the further settlement of said accounts, was then adjourned from day to day and from time to time, until this day, the date of this report, when the same was completed, all of which accounts, are numbered, respectively, 1. 2. 3. and are so plainly set forth, that a recapitulation of any one of them here, he trusts, is entirely unnecessary.

Your Commissioner, deeming it pertinent, reports specially to the Court, that the jointure or portion provided for the widow, under the will

of the said Richard R. Stallings dec'd, will be totally destroyed, on account of the insolvency of said decedent, and for that reason, would beg leave to submit to the Court, the propriety of being duly endowed, in the Real Estate, of which the said decedent died Seized & possessed.

All of which together with a Copy of said Decree, Notice & acknowledgment of the Service, and the accounts aforesaid, is most respectfully submitted.

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

Peter B. Trents

Commissioner

Commrs fee $15.00

James Milteer &c

vs } Comm'rs Report

Wm. Eley, Shff. & Comm'ee
of Rich'd R. Stallings, dec'd
&c

M. Richard R. Stallings Est.

1870. To A. S. ELEY, Sheriff of Nansemond Co., Dr.

To	163½ Acres Land, value $ 613.12 at 50 cts. on $100 value,	3	07
"	Ditto for county, 50 per cent. on revenue tax	1	54
"	Ditto for Parish, 12½ " " " " "		38
"	Revenue on Personal Property, Bonds, &c., at 50 cts. on $100 value,		
"	Ditto for county, 50 per cent. on revenue tax		
"	Ditto for Parish, 12½ " " " " "		
"	Clerk's Fees		
"	Commissioner's Fees		
"	Sheriff's Fees		
	RECEIVED PAYMENT,	$ 4	99

For A. S. ELEY, Sheriff.

Rich'd. R. Stallings
Est. # 4.99

1871. Richard Stallings est Dr

To Holy Neck township to July 1871

Use of 163 acres land $489 at 20c per Ac $ 98 c

Stallings Rec[illegible]
Esq
98

Rec Payment
M Y Darden

BOOK, JOB, AND ORNAMENTAL PRINTING EXECUTED WITH DISPATCH.

SUFFOLK, Va. Jany 2nd 1872

Mr Wm Eley

W. B. Wellons.
D. B. Dunbar.
N. F. McCann.

To W. B. WELLONS & CO., Dr

TERMS CASH.

KILBY STREET.

1871

Nov	17	Acting R. R. Stallings Land for Sale 2½ Ay 3t	5 00
"	11	To 50 8th Sheet-Bills	1 50
		Jany 2nd 1872 Rec'd Payment	$6. 50
		W B Wellons & Co	
		Per G W Ward	

Dec. 13th 1871 Rec'd of Col. Wm Eley Comr. five dollars for selling at Auction the Rich'd R. Stallings land under a decree of Court

$5.00

McGuire & Brinkley Aucts.

Mr. Richard R. Hastings Est.

HOLY NECK TOWNSHIP,

1871. **To NANSEMOND COUNTY TREASURER, Dr.**

To Revenue Tax on 163 Acres land, value $ 245 at 50 cents on $100		2 45	
" " " on property, bonds, &c., value $ ..... at 50 cents on $100			
" Capitation Tax on ..... person at $1 each			
Total State Tax			2 45
" County Levy, 25 per cent. on State Tax		" 61	
" Township " 25 " " " "			
" Capitation Tax for County on ..... persons at 50 cents each		" 61	1 22
Total County and Township Tax			3 67
Total			
September 1st, 5 per cent added			18
			3.85

Received Payment,

..... *Treasurer.*

M T Bazzle

..... *Collector.*

Stallings
Rich. R. (Est)

3 85
.98
---
4 83

Bd allow
Refused
Dec

3 85
46
61
240

984

I. W. E Colson Clerk of Nansemond County Court, Certify that I found on Commissioners Books Four hundred & Eighty nine acres of Land apt to Richard Stallings Estate Valued at ~~Four~~ hundred & Eighty ~~Eight~~ Dollars & ~~fifty Cents~~

Test

W. E, Colson

In Circuit and Equity Court Dec 15 1871

James Tribbey who sues for himself and all other Creditors of Richard R Stallings dec'd who may make themselves parties to this suit on the equal Terms

vs

Richard R Stallings Exr &c

Thomas B Hall and wife, Lawrence Johnson, James R Stallings, Williamson Stallings & Lawrence Stallings Heirs of Richard R Stallings dec'd, Willoughby Stallings Exr &c, Sarah Stallings and Edmund Stallings Creditors of said

Clerks Fees	$12.00
Sheriffs "	2.50
Atty "	30.00
Seal	.50
Counsel	15.00
~~Costs~~	$60.00

Test

Wm. E. Coleman Clerk

1872. Nov 6

Millar &c

vs } Bill Costs

Hastings & Anor

At a Circuit Court held for Nansemond County on 12th Oct 1871.

James Miller who sues for himself and all other creditors of Richard R. Stallings deceased, who may make themselves parties to this suit on the usual terms. Complainants

Against } In Chancery
William Eley, Sheriff and Committee of Richard R. Stallings deceased, Rufus C. Hall and Roxana E. his wife, who was widow of Richard R. Stallings deceased, Wiley Stallings and Lawrence Johnson and James E. Stallings. Defendants

This cause came on this day to be again heard on the papers formerly read and on the Report of P. B. Bruce Commissioner made pursuant to the decree of the 13th day of October 1868. 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 William Eley who is hereby appointed a Commissioner for that purpose, proceed to sell at Auction before the Court House door of Nansemond County on some Court day, the Land of which said Richd R. Stallings died seized and possessed. to wit. A tract of Land in Nansemond County, Virginia, containing One hundred and Sixty three acres more or less. and adjoining the Lands of John T. Holland David Folks Estate and Mary Ann Miller, having first given at least twenty days notice of such sale by advertisement at the Court House door of Nansemond County and once a week for three weeks in the "Christian Sun" a

Newspaper published at Suffolk, and at various other public places in said County. Which sale is to be made on a Credit of One, two and three years with Interest from date (Except the costs of suit and expenses of sale including a fee of $30.00 to the plaintiffs Attorney, which will be cash) Taking of the purchaser Bond and good security and retaining the title till ordered to be made by the Court and make report to Court. But no Sale is to be made under this decree till the said Wm Eley, shall execute a Bond before the Clerk of the Court in his Office, payable to the Commonwealth of Virginia in the penalty of $500.00 and conditioned for the faithful performance of the duties required of him under this decree and any other decree that he may be required to execute in this cause.

Teste

Willis E. Thomas clerk

Wm Eley extrx

Day Miller

&

Stallings &

1871

Cir Court

Decree

To the ~~County~~ Circuit Court of Nansemond County.

The Undersigned reports to Court, that pursuant to the decree of said Court, made on the 12th day of October 1871, in the cause therein pending wherein James Mellen &c. is plaintiff and Richard R. Stallings' adm'r &c. defendants, he proceeded to advertise the lands of which said Richard R. Stallings died seized & possessed, containing 163 acres more or less, and did on the 11th day of December 1871, (being Court day) sell before the Court house door of said County, the said Land free of Dower (the widow of decd consenting to relinquish Dower in kind and to take value in money), at auction on the terms of said decree, when John R. Kilby became the highest bidder (and purchaser thereof at the price of ——— $370.00

of which he paid in cash &
which was paid out as follows.

To 5 per cent Comm. on $300 =	$15.00	
" 2 do. on $70	1.40	
" paid W. H. McGuire, Crier	5.00	
" " Christian Sun advertising -	6.50	
" " Taxes, costs, & Jno. R Kilby atto	60.00	
" " Taxes	$10.99	
" " for deed Stamp	3.00	$100.90
Balance		$269.10

Amo. brought over ℔ 269. 10
for which the said John R. Kelly
executed three Bonds at 1. 2 & 3
years after date with Interest from
date, each for ℔ 89.70 1/3 making ℔ 269.10

The title to said Land is reserved as
directed by said Deed, & the Bonds are herewith
returned.

Respectfully submitted

Taxes due ℔ 4. 83

Jno Ray — Com.

Rec'd of the Bank the three before mentioned Bonds
of $89 70/3 ds Nov 11th 1872

Jno Ray (Com'r)

1871 Dec 30. Recd of Wm Eley Comr
Sixty three Dollars Taxed Costs &c
John R Kelly Atty

Matthias &c
Report of Sale
Filed 11 Dec 1871

Petition &c.

Metteer &c

vs.

Stallings &c

This cause came on this day to be again heard in the papers formerly read from the report of Peter B. Pearis, Commissioner made pursuant to the decree of the 12th April 1872 — to which report there is no exception, & was argued by Counsel: On consideration whereof, the Court doth confirm the said Report & doth adjudge ordain and decree that Wm Eley the Comr. who sold the land referred to herein, receive of the Clerk of this Court, the three several Bonds of John R. Kelly of $89.70 1/3 filed herein (who will deliver the same & take in his receipt therefor), and collect the same when due, and the said Kelly is at liberty to pay the same before due, when the Interest shall cease, and out of the proceeds pay any Costs that may remain unpaid & then pay to Mrs Roxana E. Wade, late widow of Richard R. Stallings dec'd. the sum of $ 10.75, with Interest from this day — and the residue pay ratably to the Creditors of said Richard R. Stallings dec'd. as reported by Comr Pearis in his Report of the 1st Sept 1871, and make to the said John R. Kelly, a deed for the land purchased by him under proceedings in this cause,

with $16.23 in his hands as Representative of said dec'd and

with special warranty in the usual form and make report to Court.

And it is further ordered that on the reception by said Roxana E. Hall of the said sum of $101.75 she & her husband are required to join in the deed to the purchaser of said Real estate, & if she refuse the same, then the said Commissioner will report the fact to the Court for further proceedings herein.

Deeds rec'd

Oct. Ct. 1872

Decree

To be entered.

Beetler &c.
v.
Hastings &c

Mellen &c

v

Hallings

This cause came on this day to be again heard on the papers formerly read & on the report of Wm Ely, Comr. made pursuant to the decree of the 15th of Oct. 1871, - to which report there is no exception & was argued by Counsel. On consideration whereof the Court doth confirm the said report, and doth adjudge, order & decree that a Comr of this Court ascertain what is the present fee simple value in money of the Dower of Mrs. Roxana E. Hall late widow of said Richard R. Hallings Decd, in the lands sold herein, and make report to Court.

Mettenius

v

Stallings

1872

Ape et.

Decree

To be entered

Geo. F. Bond.

3

James Miller who sues, for himself and all other creditors of Richard R. Stallings deceased, who may come themselves parties to this suit, on the usual terms

v.

William Eley, Sheriff & Committee of Richard R. Stallings decand, Rufus C. Hall & Roxana E. his wife, who was widow of Richard R. Stallings decd., Wiley Stallings and Laurence Stallings and James E. Stallings.

This cause came on this day to be again heard on the papers formerly read & on the Report of P. B. Pruitt, Commissioner, made pursuant to the decree of the 13th day of October 1868 — to which report there is no exception & was argued by Counsel: On consideration whereof the Court doth confirm the said Report, and doth adjudge, order and decree that William Eley, who is hereby appointed a Commissioner for that purpose, proceed to sell at auction before the Court house door, of Nansemond County on some Court day the Land of which said Richard R. Stallings died seized and possessed, to wit: a tract of land in Nansemond County, Virginia, containing one hundred and sixty three acres, more or less

and adjoining the lands of John J. Holland and David Dolby's estate I Mary Ann Melton, having first given at least twenty days notice of such sale by advertisement at the Court house door of Nansemond County, and once a week for three weeks in the "Christian Sun" a Newspaper published at Suffolk, and at various other public places in said County — which sale is to be made on a credit of one, two and three years with interest from date, (except the costs of said suit expenses of sale, including a fee of $30. to the plaintiff's attorney, which will be cash), taking of the purchaser Bond & good security & retaining the title till the order to be made by the Court — & make report to Court. But no sale is to be made under this decree till the said Melton, shall execute a Bond before the Clerk of this Court in his office payable to the Commonwealth of Virginia, in the penalty of $500 and conditioned for the faithful performance of the duties required of him under this decree & any other decree that he may be required to execute in this cause.

Ja. Mullen &c

vs.

Hallinger &c

1871

Ct. Court.

Decree

To be entered

Geo. P. Blow.

Entered.

James Millen

vs:

Wm. Eley Sheff &c. of Richd. R. Stallings dec'd &c.

This cause came on this day to be heard on the bill of the Complainant, and the Exhibits filed therewith, ~~and upon the answer of the infant defendants by their Guardian ad litem~~ the defendants William Eley Sheff & Com. of R. R. Stallings dec'd, ~~and~~ Rufus C. Hall & Roxana E. Hall his wife who was the widow of the said Richd R. Stallings and Executrix & Legatee of the said Richd R. Stallings dec'd. Wiley Stallings, Laurence Johnson & James E. Stallings, who had been duly summoned and they failing to appear and answer, and was argued by Counsel: On consideration whereof the Court doth adjudge order & decree that a Comr. of this Court take the following accounts

2nd ~~1st~~. An account of the debts & demands due by the said Richd R. Stallings dec'd. or his Estate

1st ~~2nd~~. An acct. of the transactions of Wm. Eley as Sheff. & Com. of Richd. R. Stallings dec'd.

3rd. An acct. of the fair simple and annual value of the real estate of which the said Richd. R. Stallings died possessed.

and to the Court report, with any other accounts that may be required by either of the parties to be so stated.

Pulliam Lucy
vs
Eley Hopkins Exrs.

Oct 5, Term 1868
Com to be entered
Rich. C. St. Baker

Exrs

$100. On demand we or either of us do promise to pay or cause to be paid to James Miller or his order the just and full sum of one Hundred dollars current money of the State for which payment well be bind our selves firmly by these presents as witness our hands and seals this the 14th of February 1859

Richard H Holland (his mark)

James D Hatton

Witness

John J. Holland

At a Monthly Court held for Nansemond County, the 9th day of July 1866.

Roxanna E. Stallings, the duly qualified Executrix of the Last Will and testament of Richd R. Stallings deceased having intermarried (being now the wife of Rufus C. Hall) and thereby extinguished her authority as such, and no person having applied for letters of administration upon the estate of the said deceased, on the motion of James. E. Stallings, and for reasons appearing to the Court administration of the estate of the said Richard R Stallings, unadministered by the said Roxanna E Stallings with the Will aforesaid of the said Richard R Stallings annexed, is committed to William Eley, Sheriff of this County.

A Copy:
Teste,

Peter B. Prentis. Clerk

X 4nd

Copy Order Committing
Richard R. Stallings'
Est: to Sheriff's hands

(B.)

In the name of God. Amen. I. Richd R. Stallings. of the County of Nansemond and State of Virginia, doth make this my last Will and Testament, in manner and form following:
1st: I desire, that all my just debts be paid.
2nd I give to my wife, Roxanna E. Stallings, all my land and plantation whereon I know live, and also all my bonds and all other property that I may be possessed of at my death, be it of what nature or kind, to she her heirs and assigns forever. also my said wife shall pay to my farther, Wiley Stallings, One Hundred Dollars, out of my estate, to him, his heirs and assigns forever. Also I leave my beloved wife, Roxanna E. Stallings, Executrix of this, my last will and Testament. In Witness Whereof, I have hereunto affixed - seal, this the 23rd: day of Feby. One thousand, Eight Hundred and Sixty-two.
Signed in the presence of John J. Holland and Wiley Rawls and in the presents of each other.

John J. Holland
Wiley Rawls

Richd R. his mark Stallings (Seal)

At a Monthly Court held for Nansemond County, the 10th: day of October 1864.
This Last Will and Testament of Richard R. Stallings, late of this County deceased, was proved according to law, by the oath of Wiley Rawls, one of the subscribing witnesses hereto: And John J. Holland, the other subscribing witness to said will, having departed this life. The said Wiley Rawls, being sworn, deposed and said, that the said John J. Holland signed the said will, as a witness to the same, in his presence and in the presence of the said

Testator, and thereupon the said will is ordered to be recorded. And on the motion of Roxanna E. Stallings, the only Executrix named in the said will, who made oath as the law directs, and entered into a bond in the penalty of Six Hundred Dollars, conditioned according to law with Laurence Johnson and James E. Stallings her securities therein (who justified on oath as to their sufficiency, and which said bond being acknowledged by the obligors therein is ordered to be recorded) Certificate is granted the said Roxanna E. Stallings for obtaining a probat of the said will in due form.

Teste,

Peter B. Prentis. Clerk

A. Copy:

Teste,

Peter B. Prentis. Clerk

x 2nd

Richd R. Stallings

Will

(A. Copy)

(A.)

3 Exhibits filed with the Bill.

Melter &c

v.

Stallings &c

This cause came on this day to be again heard on the papers formerly read & on the report of Wm Ely, made pursuant to the decree of the 12th Oct. 1872 — to which report there is no exception and was argued by Counsel. On consideration whereof the Court doth confirm the said Report and doth adjudge, order and decree, that the proceedings had in the cause be confirmed and made final and binding between the parties; and nothing more remaining to be done in the cause, it is ordered to be removed from the Docket.

Mellen &
v.

Stallings admr

1873

Apl Cir. Ct.

Final Decree

to be entered.

Geo. V. Bloodworth

Filed

Entered

Cir. Ct.

The Joint and separate answer of Rufus C. Hale and Roxana E. his wife to a Bill in Chancery filed in the Circuit Court of Nansemond County by James Miller &c. against William Eley, Sheriff & Committee of Rich? R. Stallings dec?. & these Respondents and others.

Your Respondents say, That it is true as stated in the Bill that your female ~~Orator~~ Respondent ~~and~~ was the wife of Richard R. Stallings & that the said Richard R. Stallings executed his Last will & Testament as stated; That it is also true that since the death of her first husband, the said Richard R. Stallings she has become the wife of said Rufus C. Hale, and that her powers and rights as the Representative of said deceased, thereby became ended, & that the estate of the said Richard R. Stallings has been committed to the hands of Wm Eley Sheriff & Committee -

Your Respondents believe that it is true that the said Richard R. Stallings is indebted to the Complainant as is alleged. & also to other parties and that his estate is not able to pay his Debts - That in consequence of the Insolvency of said Richard R. Stallings the portion or Jointure provided for your female Respondent ~~Complainant~~, were he lawfully destroyed

and she thereby (unwilling) deprived of the said fointure, and in consequence thereof she is advised & therefore claims to be duly endowed in the real estate of which the said Richard R. Hallings died seized.

Your respondents further say that by the Law of Virginia (Code page 577 sec: 14 it is declared that "when the decedent has left a widow or infant children, there shall be vested in them or such of them as there may be, exempt from sale for funeral expenses, or debts of the decedent or charges of administration on his estate such of his property as would if he were alive and a husband or parent be exempt from being taken under execution for his debts — and by acts of assembly of 1865-6 p. 169, this is to be done whether the decedents estate be solvent or not —

That the said Richard R. Hallings was a husband, and would have been entitled to all such exemptions, and therefore your female Complainant his widow is thus entitled — That in addition to the property exempt from execution by the Code of Virginia and the act of assembly amending the same, there is also exempt by the present Constitution of Virginia Two thousand dollars worth of property, which exemption your female respondent is advised she is also

entitled by operation of said Law—

That further legislation is now being had in reference to the same subject and your complainants pray to have any benefit therefrom applicable to their condition

Your ~~Petitioners~~ Respondents therefore pray that the property of said Richard R. Stallings to which your female ~~Complt~~ Respondent may be entitled as aforesaid may be set apart to her, and that all other and further relief consistent with Equity & right may be granted her.

And having answered prays hence to be dismissed &c

Rufus E. Hall
Roxanna E. Hall

I, Wm T. Holland, a Justice of the Peace for Nansemond County do certify that Rufus E. Hall & Roxana E. Hall personally came before me & made oath to the correctness of the foregoing answer.

Given under my hand 11 June 1870

Wm T. Holland J. P.

Miller &
N.

Stallings adm

answer of
Rufus C. Hall,
& Roxana his wife.

May 2nd. 1870
Filed

Cir. Ct. Nansemond

To the Hon. Richard H. Baker, Judge of the Circuit Court of Nansemond County

Complaining shew unto the Court James Mitter, your Complainant, who sues for himself and all other Creditors of Richard R. Stallings, deceased, who may make themselves parties to this suit on the usual terms.

Your Complainant respectfully represents to the Court and says that the said Richard R. Stallings, died in the month of in the year 1863, while a soldier in the Confederate army, and at the time being possessed of a tract of Land in Nansemond County, containing 162 acres more or less, and a small Chattel Estate: That by his last will and testament he gave to his widow Roxana E. Stallings, all of his land & chattel Estate - except $100, as a legacy which he gave to his father Wiley Stallings - which last will & testament was admitted to probate by the County Court of Nansemond County on the 10th day of October 1864 - copy of which is herewith filed, marked (A) and is prayed to be taken as a part of this bill: That the said Roxana E. Stallings qualified in said Court as the Executrix named in the will, of the said Richard R. Stallings, decd, on the said 10th day of October 1864, with Lawrence Johnson and James E. Stallings

as her securities: That some time afterwards, in the year 1865, the said Roxana E. Stallings, widow as aforesaid, intermarried with Rufus C. Hall, and by so doing resigned her position as Executrix aforesaid: That on the 9th day of July 1866, the said Estate of the said Richard R. Stallings was committed to the hands of William Eley, Sheriff and Committee, for administration by order of Nansemond County Court - copy of which order is filed herewith marked (B) and is prayed to be taken as a part of this bill.

That at the time of the death of the said Richard R. Stallings, he was indebted to your Complainant in the sum of One Hundred dollars, by bond bearing date the 14th day of February, 1859, which said bond is filed herewith marked (C). That your Complainant believes and represents that the said decedent was indebted to others to a considerable amount, at the time of his death: That your Complainant is advised that he is entitled to be paid his said debt and interest out of the personal Estate of said decedent, should there be enough for that purpose, and your Complainant therefore prays that an account of said Roxana E. Stallings' transactions as Executrix of said decedent's Estate may be had; as also an account of the transac-

tions of the said William Eley, Sheriff & Committee aforesaid, of said decedent's Estate; That an account of your Complainant's demand, and all other outstanding debts against the said decedent or his Estate may be had: That if the personal Estate of said decedent should be insufficient to pay said debts, that then the land may be sold for that purpose.

In Consideration whereof and as this Court has power to grant all adequate relief; To the End therefore your Complainant prays that the said Rufus C. Hall & Roxana E., his wife, the said Laurence Johnson and James E. Stallings — Securities upon the official bond of the said Roxana E. Stallings as Executrix as aforesaid, William Eley, Sheriff and Committee as aforesaid, and Wiley Stallings, may be made parties defendant hereto and be required to answer the allegations herein, and that the prayer of your Complainant may be granted and that all other and further relief may be granted Consistent with Equity, & to the End your Complainant will ever pray &c.

W. L. Reddick
P. Q.

James Mitteer, &c.

vs. Ej Bill & Ex.

William Eley, Shff & Com.
of Richd. R. Stalling's Estate.
&als.

Costs to Dec 15th 1871

Clerks Fees	$	7.[illegible]
" "		4.09
Shff "		2.50
Atty "		30.00
Tax		3.50
Comm		15.50
		60.00

1872 Sept. 26. Report No. 2. filed
1872 Octo 12. Report confirmed + decree to withdraw
receiver-bonds - &c

Miller &c

vs

Stallings Staff: & Commr.

1868. March 30th: Sumt: in Chy: issued

" Apl: 6th: Bill &c. filed — Conditional Decree vs defts:

" May 4th: Conditional decree confirmed & cause set for hearing on Mot of Complt's Counsel

" Octo: 13th: Decree for accos: (1869. Sept: 21st) continued (Octo: 14) continued

1870. Apl: 19th: Leave for Rufus C. Hall & wife: to file answer in 60 days &c. & Contd

" May 2nd. Answer of Hall & wife filed it.

" Octo: 13th. Continued. 1871. April 13. Cause removed to Co: Co by consent. 1871. Oct. 12. Decree for sale by Cir. Court—

1871 July [redacted] Deeds

1871 Dec. Report Comm (11 cert) Rpt: & sale filed

1874 April 12. Decree &c

Chy: Notes

19 10 L. Rule 59

James Miller &c

vs

Chancery Papers

Wm. Eley, Shff. & Commr. &c
Richd R. Stallings decd &al

1873 April 14

Final decree

Transcription
Mar
1957

Transcription Cir. Ct.