1876-018
Nansemond Co. (Suffolk)

Chancery Causes: Columbus Jones & wife Alice vs Margaret A. Stallings, widow, Abram R & Martha E Stallings, infants

Plat

Oversized
Box 1
- 1 broadside

Costs

Clerk (Cohoon)	$4.61
" (P.B.P)	6.70
Atto: Fees	31:50
Stff	50
Commr to ascertain widows shares	5:00
	$48:31

Costs

Know all Men by these Presents,

That we, Irajah Langston and Thomas Parker

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA, in the just and full sum of Fifteen Hundred (1500) Dollars, to the payment whereof, 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 November in the year one thousand eight hundred and seventy-five, and in the 100th year of the Commonwealth. And we hereby waive our Homestead exemption, as to this obligation.

The Condition of this Obligation is such, That if the above bound Irajah Langston was by a Decree of the Circuit ~~who the this day qualified before the~~ Court ~~Court~~ of Nansemond County, pronounced on the 13th day of October 1875, in the Cause of Columbus Jones and wife, Plaintiffs, against Margaret A. Stallings and others Defendants, appointed a Commissioner to make sale of certain Real Estate in said Cause described, shall faithfully discharge his duties, as such Commissioner under said decree, and all other decrees he may be required to execute, in said Cause ~~shall faithfully discharge the duties of his said trust~~, then the above obligation to be void, or else to remain in full force and virtue.

Executed in presence of ~~the Court~~.
Peter B. Prentis, Clerk

Irajah Langston
Thos Parker

Seal.
Seal.
Seal.
Seal.
Seal.

Israel Langdon, Comm'r.

To } Bond.

Commonwealth

1875 –
Nov: 5th: Executed & filed

CHANCERY SUMMONS.

The Commonwealth of Virginia,

To the SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON Margaret A. Stallings widow of Abram Stallings deceased, and Abram R., and Martha E. Stallings, the last two being infants under twenty one years of age

to appear at the Clerk's Office of the Circuit *Court of Nansemond County, at the Rules to be held for the said Court, on the first Monday in* April *next, to answer a Bill in Chancery, exhibited against* them *in the said Court by*

Columbus Jones and Alice his wife (for sale of land)

and have then and there this Summons. Witness, WILLIS E. COHOON, Clerk of our said Court, at his office, this 22 *day of* March *1875, in the* 99th *year of the Commonwealth.*

Teste: W E Cohoon **Clerk of the Court.**

Apr 2nd 75 Executed & copy delivered to Margaret A Stallings
J. L. Hughes for Sheriff

K & son A & Co

C. Jones & wife

vs

Chy

M. A. Stallings (widow) &c.

Suits to Appl Rules

1875

EB 74

At a Circuit Court held for Nansemond County on Monday the 10th: day of April 1876.

Columbus Jones and Alice his wife. . . Plaintiffs.

Against } In Chancery

Margaret A. Stallings widow of Abram Stallings, deceased, and Abram R. and Martha E. Stallings the last two being infants under twenty one years of age. . Defendants.

This cause came on this day to be again heard on the papers formerly read herein and on the reports made in pursuance of a decree in this cause at the October Term 1875: of this County by Special commissioner Irajah Langston and by Commissioner Wilbur J. Kelly, and was argued by counsel. On consideration whereof the Court doth confirm the said Reports to which no exceptions has been filed and doth adjudge, order and decree that Irajah Langston special Commissioner aforesaid, first receive of the Clerk of this Court, who will deliver the same to him and leave with said Clerk a receipt for the two Bonds of John F. Pinner, Columbus Jones, John R. Kelly and H. E. Smith filed in this cause with said report of said special Commissioner Irajah Langston, and therein described as being each for the sum of $335= and dated the 8th: day of November 1875, and payable six and twelve months after date with

interest from date, and that said Irajah Langston proceed to collect the principal of said bonds when they shall become due and payable, together with all interest that may be due thereon. or receive the same before the maturity of said bonds should the makers thereof aforesaid desire to pay the same before maturity and that the said Irajah Langston, special commissioner collector receive of the Farmer's Bank of Nansemond whose cashier or other proper officer will pay the same to him, the sum of $226. deposited there to the credit of this cause together with all interest due thereon; and that the said Irajah Langston Special Commissioner, out of the funds received by him as aforesaid, proceed to pay first all the unpaid costs of this suit, and then to Margaret A. Stallings, widow of ~~said~~ Abram Stallings deceased, in lieu of her dower in the real estate sold under proceedings had in this cause the sum of $232.96 with interest from the 8th: day of November 1875: till paid and that the said Irajah Langston Special Commissioner, pay the residue of said money in equal sums to Columbus Jones in right of his wife Alice, and the guardians lawfully qualified of Abram R. Stallings and Martha E. Stallings

And the Court doth further order that the said Isaiah Langston Special commissioner make to John F. Pinner and Columbus Jones a deed with special warranty, in the usual form. conveying to them the land purchased by them. under proceedings had in this cause when they shall have first paid the principal of their bonds aforesaid and all interest due thereon.

And said Special Commissioner Langston will make report to Court of his proceedings hereunder.

A Copy
Teste,
C. H. Causey D.C.

X-mal

Columbus Jones et al.

vs. } Copy of Decree

Margaret E. Stallings et al

To the Circuit Court of Hancock County:

In pursuance of a decretal order of said Court pronounced at the April Term thereof 1876 in a cause in Chancery in said Court depending between Columbus Jones and wife as plaintiffs and Stallings and others, as defendants, a copy of said order being hereunto annexed; the Undersigned, Special Commissioner appointed for the purposes named in said decretal order, and having executed the same, respectfully reports to Court the following result of his proceedings thereunder:

By cash from The Farmers Bank of Hancock			$ 226	00
" Interest on same for 5 months.			5	65
" Principal of two Bonds of John F. Pinner and Columbus Jones, each $335.			670	00
" Interest on same for 5 m. 12 ds.			18	10
Total =			$ 919	75
To paid for Deed to Purchasers of land.	$ 5	00		
" " Wilbur J. Kilby, Attorney, fee &	20	00	$ 25	00
Carried on			$ 894	75

(See over)

Amount brought on			894	75
To paid Margaret A. Stallings, per decree rect.	$232	96		
" " Same, Interest on $232.96 from 8 Nov. 1875 to 20 Apl. 1876, per rect.	6	29	$239	25
			$655	50
To paid Columbus Jones in right of his wife Alice 1/3 of $655.50, per rect.	$218	50		
" " Columbus Jones, Guardian of Martha E. Stallings 1/3, per rect.	218	50		
" " Irajah Langston, Guardian of Abram R. Stallings 1/3 per rect.	218	50	$655	50

And your Commissioner further reports to Court that he has executed a Deed to John F. Pinner and Columbus Jones conveying to them, the real estate purchased by them under proceedings had in said Cause, they having first paid the principal of their Bonds and all interest due therem, as set forth in the above Statement.

Respectfully submitted this 20th. day of April 1876

Irajah Langston
Special Commissioner

(See below)

1876 April 20th, Received of Irajah Langstun, Special Commissioner, the respective sums charged in the above Report as paid to us, and set offsite our names below.

Wilbur J. Kilby, Attorney, $20.
Margaret A. Stallings $232.96
Margaret A. Stallings $ 6.29
Columbus Jones for his wife $218.50
Columbus Jones Adm. of M. E. Stallings $218.50
Irajah Langstun Adm of Abram R Stallings $218.50

Jones Wife
vs.
Stallings & als.

Commissioner's Report
of collections and
distribution. - final.

Completed
20th. April 1876.

1876. april 25th. Filed
Clk.

At a Circuit Court, continued and held for Nansemond County on the 13th day of October 1875.

Columbus Jones and Alice his wife. . . Plaintiffs.

Against } In Chancery

Margaret A. Stallings widow of Abram Stallings, deceased and Abram R. and Martha E. Stallings, the last two being infants under twenty one years of age. . . Defendants.

This cause came on this day to be again heard on the papers formerly read herein and on the report of special commissioners, James B. Norfleet, H. E. Smith, Wm. Cherry and Thomas Briggs, made in pursuance of a decree of the June (Special) Term of this Court 1875: and was argued by counsel. On consideration whereof the Court doth confirm the said report to which no exception have been filed and doth adjudge order and decree that Isaiah Langston, who is hereby appointed a special commissioner for that purpose proceed to sell before the Court House Door of Nansemond County, on some Court day, free of the dower of Margaret A. Stallings, widow of Abram Stallings deceased, the land of which the said Abram Stallings died seized and possessed, containing one hundred and fifty (150) acres, and three (3) roods, situated in said County, and bounded by the lands of R. H. Lee, Levi Thayer, Elisha Norfleets Estate, Richard Williamsons estate, and the lands of David Porter, Robert Riddick and others: said sale to be made after due notice shall have been given thereof by printed notices posted at said Court House Door and at several places near said land, at least fifteen days previous to the day of sale, and by advertisement once a week for three successive weeks in some newspaper

published in the Town of Suffolk; that the said commissioner, Isajah Langston reserve one half acre of said land wherein the burying ground of said Abram Stallings, deceased is located, and also the right of free ingress and egress to and from the same for the widow, heirs and family of said Abram Stallings deceased; that the said Commissioner Isajah Langston, sell the said land on the following terms: one third of the purchase money to be paid in cash, and the residue in two equal installments at the end of six and twelve months respectively, for the payment of which installments the purchaser is to give two separate bonds, with good security, receiving the benefit of the homestead exemption, and bearing interest from the day of sale; the title to said land to be retained until the further order ~~of~~ the Court: And that the said Commissioner Isajah Langston out of the cash payment as aforesaid, pay first the costs of this suit and the expenses of said sale, and then deposit the rest in one of the Banks of the Town of Suffolk, in his own name as Commissioner, subject to the order of this Court. But said Commissioner Isajah Langston, before making said sale will first execute before the Clerk of this Court in his office a bond with good security, in the penalty of fifteen hundred dollars, payable to the Commonwealth of Virginia, and conditioned for the faithful ~~performance~~ execution of this decree, and all other decrees he may be required to execute in this cause and will make report to Court of his proceedings therunder. And the Court doth further adjudge, order

X

and decree that a Commissioner of this Court ascertain and report to Court the fair cash value in fee simple of the dower of said Margaret A. Stallings, widow of said Abram Stallings, deceased, in said land. She by her answer having consented to take the same in lieu of her dower.

A Copy,
Teste,
Peter B. Prentis, Clerk

Columbus Jones Exr.

vs } Co: Decree. Octo: 13th 1875

Margaret A. Stallings, widow,
Lal:

To the Circuit Court of Nansemond County:

In pursuance of the latter clause of a decretal order of said Court pronounced at the October term thereof 1875 in a cause in Chancery in said Court depending between Columbus Jones and wife, as plaintiffs and Stallings and others, as defendants, - a copy of said order being hereunto annexed; the undersigned, a commissioner of said Court, in accordance with the rules and tables, given by the Supreme Court of Virginia to be found in Matthew's Guide, page 136 & seq., has ascertained and determined the present fee-simple value in money of the dower of Margaret A. Stallings, widow of Abram Stallings deceased, to be as follows, in the land of which said Abram Stallings died seised and possessed, and described in the proceedings had in said cause:

The said widow reports to your Commissioner that she is forty years of age. According to the rules and tables aforesaid, her expectation of life is, therefore, twenty six years. As the report of the

sale of said land, filed in this cause by Special Commissioner, Israjah Langston, shews the net proceeds thereof to be $896. said widow is entitled to the use of $298.66⅔ being 1/3 thereof — which use at 6 per centum per annum amounts to $17.92 yearly.

The present worth of an annuity of $1.00 for twenty six years at 6 per cent being $13, according to said rules and tables, the present worth of said annuity of $17.92 for the said period of twenty six years is ascertained by the multiplication of said $13 by said $17.92 to be $232.96.

This last sum of $232.96 is, therefore, the present fee-simple value in money of the dower of said widow in said land, ascertained to be due her on the 8th. day of November 1875.

Respectfully submitted this 24th. day of November 1875

Wilbur J. Kilby
Commissioner

Fee $5.

Jones & wife
vs.
Stallings & als.

1875 Nov. 24th.

Commissioner's
Report of dower.

1875. Nov. 24th Filed
Clk.

Mr. Abram Stallings Est

To GEORGE W. SKINNER, Dr.

1874. CLERK AND TREASURER OF CYPRESS TOWNSHIP.

To 1 Capitation Tax, 50 cts., to defray Township expenses.....	
To $409.50 worth land, at 5 cts. on the $100, to defray Township expenses..	21
To $——— worth personal property at 5 cts., on $100 do. do.....	
To Assessor's Fees.....	
	$ 0,21

RECEIVED PAYMENT,

Wm Fuller Collector.

Abram Gallaway Esq.

Farmers Bank of Newcomerstown

Staffordshire Va Nov 14th 1875

This is to certify that Isajah Langston Comr. in Deed for Davy & Wife vs Stalcup recd. his decree in this Bank Two hundred & twenty six dollars ($226.)

John N. Upchurch Cy

Mr. Abram Stallings Est Cypress Township,

1874. To WM. ELEY, Treasurer of Nansemond County.

	Dols.	Cts.
To State Tax on 63 acres land, value $ 409.50 at 50 cts. on $100...	2	05
To State Tax on Personal Property, value $ at 50 cts. on $100...		
Total State Tax	2	05
To County Levy, 50 per cent. on State Tax	1	02
To Parish Levy, 10 per cent. on State Tax		20
To County and District School Tax on Property, 6 cts. on $100		24
State and County Capitation Tax	~~1~~	~~50~~
Clerk's Fees		
Commissioner's Fees		
Sheriff's Fees		
Total Tax on all subjects	3	51
December 1st, five per cent. added		

RECEIVED PAYMENT,

Wm Eley ..... Treasurer.

..... Collector.

Abram Stallings Est.

3,31
21
3 72

124

Mr. Abram Stalling, of Cypress Township,

1875. *To WM. ELEY, Treasurer of Nansemond County.*

	Dols.	Cts.
To State Tax on 63 acres land, value $ 409.50 at 50 cts. on $100...	2	05
To State Tax on Personal Property, value $ at 50 cts. on $100...		
Total State Tax on Land and Property.....	2	05
To County Levy, 50 per cent. on State Tax.....	1	03
To Parish Levy, 25 per cent. on State Tax.....		51
To County and District School Tax on Property, 6 cts. on $100.....409.50		25
State Capitation $1, County Capitation 50 cts.....		
Clerk's Fees.....		
Commissioner's Fees.....	3	84
Total Tax on all subjects.....		
December 1st, five per cent. added.....		

RECEIVED PAYMENT

[illegible] *Treasurer.*

Deputy.

Abram Stalling.

3.84

March the 25 1875

Rec of Isafah Lingston

one Dollar for chain Borrow

around the Stallings Land

Christopher Peel

Recd from J. Langston one dollar
it being for my services as chain bearer
in the survey of the Stallings track
of land.

March 28th 1875.

J. J. Langston

Rec.d of Israfah Langston Administrator of Abram Stalling Dec.d Estate five dollars for selling the farm of the said Dec.d Nov 8th 1845

Geo D Parker Auc.

1875. Nov: 8th. Rec'd of Grayson Langston, Cor[illegible] Sev[illegible] dollars & seventy [illegible] cents, in Cly: Court: in Vancouver Circuit Court of Columbus Jones & wife vs Stallings &c.

Dismissed

$6.70

Peter B. Prentis: Clerk

March the 30th 1875

Recd of Isafah Langston
one Dollar for Bush Cutting on the
Stalling Survey

his mark
Frank X Raby

Irajah Langston Administrator of Abram Stallings
Estate Dec'd Dr

1875 — To B. F. Baker Co. Surv:

To Surveying and plotting the Abram Stallings land $6.00

Rec'd Nov: 16th 1875. $6.00 of Irajah Langston Adm'r
of Abram Stallings Estate Dec'd — payment in full of above

Beverley F. Baker Surv'r

Mr. Columbus Jones & wife

To W. E. COHOON, CLERK

1875 NANSEMOND Circuit COURT.

March	To spa Chy v Stallings 25 Co 25 —	50
	at 10 Nov 36 pa 25 bill 15 —	86
	ret 35 — Rules 1.00 and 15 —	1 50
June	" Decree 1.00 Co 75 —	1 75 —
		4 61

W E Cohoon

W. E. Cohorn
Clerk
$4.61

Jones Columbus

$4.61

BOOK, JOB AND ORNAMENTAL PRINTING EXECUTED WITH DISPATCH.

Suffolk, Va., Nov 18th

Mr. Rejoh Langston

To W. B. WELLONS, Dr.

TERMS CASH ON DELIVERY.

KILBY STRE

To printing advertisement of sale of Stalling's land handbills for same		$7.50
Received Payt — W B Wellons per R B Dunbar		

Abram Stallings Estate

1875 To Irajah Langston Dr.

Mar. 30

To services rendered County Surveyor in making survey of land &c. $ 2 50

Received payment

Irafah Langston

At a Circuit Court, continued and held for Nansemond County — The 13th day of October 1875.

Columbus Jones and Alice his wife. . . Plaintiffs.

Against } In Chancery

Margaret A. Stallings, widow of Abram Stallings, deceased, and Abram R. and Martha E. Stallings, the last two being infants under twenty one years of age. . Defendants.

This cause came on this day to be again heard on the papers formerly read herein, and on the report of special commissioners, James B. Norfleet, H. E. Smith, Wm. Cherry and Thomas Riggs, made in pursuance of a decree of the June (Special) Term of this Court, 1875. and was argued by counsel.

On consideration whereof the Court doth confirm the said report, to which no exception have been filed, and doth adjudge, order and decree that Isaiah Langston, who is hereby appointed a special commissioner for that purpose, proceed to sell before the Court House door of Nansemond County on some Court day, free of the dower of Margaret A. Stallings, widow of Abram Stallings, deceased, the land of which the said Abram Stallings died seized and possessed, containing one hundred and fifty (150) acres and three (3) roods, situated in said County, and bounded by the lands of R. H. Lee, Levi Thayer, Elisha Norfleets Estate, Richard Williamson's Estate, and the lands of David Porter, Robert Riddick and others: said sale to be made after due notice

shall have been given thereof by printed notices, posted at said Court House door, and at several places near said land, at least fifteen days previous to the day of sale, and by advertisement once a week for three successive weeks, in some newspaper published in the Town of Suffolk: that the said Commissioner Isajah Langston reserve one half acre of said land, whereon the burying ground of said Abram Stallings deceased, is located, and also the right of free ingress and egress to and from the same for the widow, heirs and family of said Abram Stallings deceased: that the said Commissioner Isajah Langston, sell the said land on the following terms: one third of the purchase money to be paid in cash, and the residue in two equal installments, at the end of six and twelve months respectively for the payments of which installments the purchaser is to give two seperate bonds, with good security, waiving the benefit of the homestead exemption and bearing interest from the day of sale: the title to said land to be retained until the further order of Court: And that the said Commissioner, Isajah Langston, out of the cash payment as aforesaid, pay first the costs of this suit and the expenses of said sale and then deposit the residue in one of the Banks of the Town of Suffolk in his own name as Commissioner, subject to the order

of this Court. But said Commissioner, Isajah Longshin, before making said Sale, will first execute before the Clerk of this Court in his office, a bond, with good security, in the penalty of fifteen hundred dollars, payable to the Commonwealth of Virginia, and conditioned for the faithful execution of this decree and all other decrees he may be required to execute in this cause, and will make report to Court of his proceedings thereunder.

And the Court doth further adjudge, order and decree that a Commissioner of this Court ascertain and report to Court the fair cash value in fee simple of the dower of said Margaret A. Stallings, widow of said Abram Stallings deceased in said land, she by her answer having consented to take the same in lieu of her dower.

A Copy:
Teste,
Peter B. Prentis. Clerk

Costs

Clk: (Cohoon)	$4.61	(has a ticket made out)
" P.B.P.	6.70	(paid. Peter B. Prentis. Clk:)
Atty: & Fees	31:50	
Shff:	50	
Commr:	5-00	
	$48:31	

Columbus Jones & ux:

vs } Co: Decree Octo: 13th 1875

Margaret A. Stallings, widow,
& al:

For.
Constr: of Sale.

To the Circuit Court of Nansemond County, Virginia:

In execution of a decretal order of said Court pronounced at the October term thereof 1875 in a cause in Chancery in said Court depending between Columbus Jones and wife as plaintiffs, and Stallings and als. as defendants, - a copy of said order being hereunto annexed; the Undersigned, as special Commissioner, appointed for that purpose, after having advertised the day and place of sale for three successive weeks in the "Christian Sun", a weekly newspaper published in the Town of Suffolk, and by printed notices posted at the Court-House door of said County, and at several places in the neighborhood for more than fifteen days previous to the day of sale, proceeded to sell, and did sell, on the 8th. day of November 1875, before said Court-house door, free of the dower of Margaret A. Stallings, widow of Abram Stallings deceased and reserving the plowing ground as directed by said order, the tract of land of which said Abram Stallings died seised and possessed, containing one hundred and fifty acres and three roods, situated in said County and bounded by the lands of R. H. Lee, Levi

Thayer, Elisha Norflect's Estate, Richard Williamson's Estate, and the lands of David Porter, Robert Riddick and others; John F. Pinner and Columbus Jones being the purchasers thereof for the sum of — $1005 00

Of this amount, your Commissioner received in cash and has disposed of as follows, the sum of — $335 00

To 5 per cent commissions on $300.	$ 15	00		
" 2 do. do. on $705.	14	10		
" paid W. E. Cohoon, clerk, part costs, per rect.	4	61		
" " P. B. Prentis, clerk, balance of do. "	6	70		
" " Wilbur J. Kilby, attorney, his taxed fee and writ tax, per rect.	31	50		
" " John L. Fulgham, sheriff "		50		
" " Commissioner of Court for report "	5	00		
" " Geo. T. Parker, auctioneer "	5	00		
" " W. B. Wellons, for advertising "	7	55		
" " for survey of land and expenses "	11	50		
" " Wm. Eley, Treasurer, taxes for 1874 "	3	71		
" " Same taxes for 1875 "	3	83	$109	00
			$896	00
To Balance of cash received, deposited in Farmers Bank of Nansemond, as per certificate of the cashier annexed.			$226	00
Carried on			$670	00

Amount brought on		$670 00
To Bond of John F. Pinner and Columbus Jones, purchasers, and John R. Kilby, and H. E. Smith securities, dated 8th. November 1875, payable six months after date, with interest from date, and filed herewith, for -	$335 00	
" Second Bond of same parties, dated as above, payable twelve months after date, with interest from date, and filed herewith, for	335 00	$670 00

Respectfully submitted,
this 18th. day of November 1875.

Irajah Langston
Special Commissioner.

1875 Nov. 8th, Received of Irajah Langston Comr. the following amounts, charged as paid to us in the foregoing account.

Wilbur J. Kilby, atty. fee & suit tax $31.50
Wilbur J. Kilby, for Jno. L. Fulgham, sheriff, 50c
Wilbur J. Kilby, Comr. of Court for report, $5.00

Jones & wife
vs. } Chy.
Stallings & als

1875
22. Nov. Commissioner's Report of Sale.

1876 Apl. 20th. Received of the Clerk of Nansemond County Circuit Court, the two Bonds each for $335 filed with and described in the within Report. as dated 8th. November 1875. made by John F. Pinner, C. Jones, Jno. R. Killy & H. E. Smith and payable six and twelve months after date with Interest from date.

1875. Nov: 23rd. Filed
CK

In Nansemond Circuit Court — June Term
Term 1875

Columbus Jones & Alice his wife. Plfs
vs
Margaret Stallings widow. of Abram.
Stallings & others. Defs } Mchmory

This cause came on this day to be heard on the bill of the complainants and the answer of the adult defendants in her proper person and the infant defendants by their guardian ad litem and on and on general replication to said answers and on the exhibits filed with said bill and was argued by counsel. On consideration whereof the court doth adjudge order and decree that James B Stafford, Henning D Smith and Thomas Griffin who are appointed Commrs for that purpose say three of whom may act, do ascertain and report to Court whether a partition of the land of which Abram Stallings died seized and possessed, among the heirs of said Stallings be practicable and whether the same will be to the advantage and in the interest of said heirs, or if the said partition cannot be conveniently made and the interest of said heirs would not be advanced thereby, that the said Commrs then ascertain and report to Court whether any one of said heirs will accept the said land and pay to the rest such sums of money as each may be entitled to by reason of their interest therein or if no one of said heirs will consent thereto, that the said Commrs ascertain and report to Court the value of said land, and whether by a sale of the same the interest

of said bais will be promoted. said tract of land containing one hundred and fifty acres and three (3) roods, situated in Amherst County Virginia and bounded by the lands of R H Lee Levi Thayer Elisha Norflet Estate Richard Williamson's Estate and the lands of David Poole. Robert Riddick and others as may be seen by a plat of said land filed in this cause.

Copy

Teste

W E Cobbs

clerk

Mary and Stallings

Jan Sheriff Sale
1875

(Copy)

Value of land $975.00

20

To the Circuit Court of Nansemond County.

In pursuance of a decretal order of said Court pronounced at the special term thereof in the month of June 1875 in a cause in Chancery in said Court depending between Columbus Jones and Alice, his wife, as plaintiffs, and Margaret Stallings, widow of Abram Stallings deceased, and others, as defendants, the undersigned, appointed special Commissioners to execute said order, - a copy of which is hereunto annexed, - in execution of said order, submit the following report: That a partition of the land of which Abram Stallings died seised and possessed, described in said decretal order, among the heirs of said Abram Stallings deceased, cannot be made conveniently, that, if said partition could be made conveniently, the same would not be to the advantage and interest of said heirs, and that no one of said heirs is willing or able to accept the said land and pay to the others such sums of money as each may be entitled to by reason

of their respective interests therein, — all because of the inability of said heirs to cultivate, and prevent the depreciation in value of said land, or the decay of fences and houses thereon, and because no one of them is able to take the same and pay the rest the values in money of their respective interests, and because the said land is productive of but little profit. Your Commissioners, therefore, further report to Court that the interests of said heirs will be best promoted by a sale of said land, and a distribution of the proceeds thereof among them, and do recommend the making of said sale, especially as the money for said land will afford them more profit than the land; Your Commissioners ascertain the value of said land to be one thousand dollars.

Given under our hands this 19th. day of August 1875.

Com'rs = { Jas B Wright
H. E. Smith
Wm C Hunt
Thomas Y Griggs
mark

Jones Wife

v.

Stallings & als.

Commissioners' Report

19th. August 1875.

1875. Aug. 19th: filed.
clk:

Jones & wife.

vs.

Stallings & als.

This cause came on this day to be again heard on the papers formerly read herein, and on the Reports ~~of 22nd day of November 1875 of sale, made by Special~~ made in pursuance of a decree in this cause at the October Term 1875 of this Court by Specially Commissioner, Irajah Langston, and ~~on the Report of 24th. day of November 1875 of dower, made~~ by Commissioner, Wilbur J. Kilby, and was argued by counsel.

On consideration whereof the Court doth confirm the said Reports to which no exception has been filed, and doth adjudge order and decree that Irajah Langston Special Commissioner aforesaid, first receive of the Clerk of this Court who will deliver the same to him, and leave with said clerk a receipt for, the two Bonds of John F. Pinner, Columbus Jones, John R. Killy, and W. E. Smith filed in this cause with said Report of said Special Commissioner, Irajah Langston and therein described as being each for the sum of $335. and dated the 8th. day of November 1875 and payable six and twelve months after date with interest from date; and that said Irajah Langston proceed to collect the Principal ~~and Interest~~ of said Bonds, when they shall become due and payable, together with all interest that may be due thereon, or ~~that he~~

receive the same before the maturity of said Bonds, should the makers thereof aforesaid desire to pay the same before maturity; and that the said Irajah Langston, Special Commissioner, collect or receive of the Farmers Bank of Clarksville whose cashier or other proper officer will pay the same to him the sum of $226. deposited there to the credit of this cause, together with all interest due thereon; and that the said Irajah Langston, Special Commissioner, out of the funds ~~that~~ received by him as aforesaid, proceed to pay ~~and pay~~ first all the unpaid costs of this suit, and then to Margaret A. Stallings, widow of Abram Stallings deceased, in lieu of her dower in the real estate sold under proceedings had in this cause, the sum of $232.96 with interest from the 8th. day of November 1875 till paid; and that said Irajah Langston, Special Commissioner, pay the residue of said money in equal sums to Columbus Jones in right of his wife Alice, and the guardians, lawfully qualified, of Abram R. Stallings and Martha E. Stallings.

And the Court doth further order that the said Irajah Langston, Special Commissioner make to John F. Pinner and Columbus Jones, a deed with Special warranty in the usual form, conveying to them the land purchased by them

under proceedings had in this cause, when they shall have first paid the principal of their Bonds aforesaid and all interest due therein.

And said Special Commissioner, Langstun, will make report to Court of his proceedings hereunder.

Jones & wife
vs. }
Stallings & als.

Nansemond County
Circuit Court
April Term 1876
Decree
To be entered
Geo. I. Blow.

Enrolled
O.B. No. 1 p. 300-1

Jones & wife
vs.
Stallings & als.

This cause came on this day to be again heard on the papers formerly read herein and on the Report of Special Commissioners, James B. Norfleet, H. E. Smith, Wm. Cherry, and Thomas Griggs, made in pursuance of a decree of the June (Special) term of this Court 1875, and was argued by counsel.

On consideration whereof the Court doth confirm the said Report, to which no exception has been filed, and doth adjudge, order and decree that Isajah Langston, who is hereby appointed a Special Commissioner for that purpose, proceed to sell before the Court-house door of Nansemond County on some Court day, free of the dower of Margaret A. Stallings, widow of Abram Stallings deceased, the land of which the said Abram Stallings died seised and possessed, containing one hundred and fifty (150) acres, and three (3) roods, situated in said County, and bounded by the lands of R. H. Lee, Levi Thayer, Elisha Norfleet's Estate, Richard Williamson's estate, and the lands of David Porter,

Robert Riddick and others; said sale to be made after due notice shall have been given thereof by printed notices posted at said Court-house door, and at several places near said land, at least fifteen days previous to the day of sale, and by advertisement once a week for three successive weeks in some newspaper published in the town of Suffolk; that the said Commissioner, Israjah Langston reserve one-half acre of said land, whereon the burying ground of said Abram Stallings deceased is located, and also the right of free ingress and egress to and from the same for the widow, heirs and family of said Abram Stallings deceased; that the said Commissioner, Israjah Langston, sell the said land in the following terms: one third of the purchase-money to be paid in cash, and the residue in two equal installments at the end of six and twelve months respectively, - for the payment of which installments the purchaser is to give two separate Bonds, with good security, waiving the benefit of the homestead exemption and bearing interest from the day of sale; the title

to said land to be retained until the further order of Court: And that the said Commissioner, Irajah Langston, out of the cash payment as aforesaid, pay first the costs of this suit and the expenses of said sale, and then deposit the residue in one of the Banks of the town of Suffolk in his own name as Commissioner, subject to the order of this court.

But said Commissioner, Irajah Langston before making said sale, will first execute before the clerk of this Court in his office, a Bond, with good security, in the penalty of fifteen hundred dollars, payable to the Commonwealth of Virginia and conditioned for the faithful execution of this decree and all other decrees he may be required to execute in this cause, and will make report to Court of his proceedings hereunder.

And the Court doth further adjudge, order and decree that a Commissioner of this Court ascertain and report to Court the fair cash value in fee-simple of the dower of said Margaret A. Stallings, widow of said Abram Stallings deceased, in said land, she by her answer having consented to take the same in lieu of her dower.

Jones Wife
vs.
Stallings & als.

Nansemond County
Circuit Court.
October Term 1875
Decree
To be entered

Geo. T. Blow,

Entered O.B. No 1 p. 291

? copies
Copies (2)

Jones Wife

v.

Stallings & als.

This cause came on this day to be heard on the Bill of the Complainants and on the answers of the adult defendant in her proper person, and the infant defendants by their guardian ad litem, and on general replications to said answers, and on the exhibit filed with said Bill, and was argued by counsel.

On consideration whereof the Court doth adjudge, order and decree that James B. Norfleet Henning E. Smith, William Cherry, and Thomas Griggs, who are hereby appointed Commissioners for that purpose, any three of whom may act, do ascertain and report to court, whether a partition of the land of which Abram Stallings died seised and possessed, among the heirs of said Stallings, be practicable, and whether the same will be to the advantage and in the interest of said heirs; or, if said partition cannot be conveniently made and the interest of said heirs would not be advanced thereby, that the said Commissioners then ascertain and report to court whether any one of said heirs will accept the said land, and pay to the rest such sums of money as each may be entitled to by reason of their interest therein; or, if no one of said heirs will consent thus to do, that the said Com=

missioners ascertain and report to court the value of said land, and whether ~~the~~ by a sale of the same, the interests of said heirs will be promoted; said tract of land containing one hundred and fifty (150) acres and three (3) roods, situated in Nansemond County Virginia, and bounded by the lands of R. H. Lee Levi Thayer, Elisha Norfleet's estate, Richard Williamson's estate, the lands of David Porter, Robert Reddick and others, as may be seen by a plat of said land filed in this cause.

Lewis Wife
v.
Stallings & als.

Nansemond County
Circuit Court.
June term 1875
Decree
To be entered
Geo. T. Bland.

Entered

Jones Swife

vs.

Stallings Admr. & als.

This cause came on this day to be again heard on the papers formerly read therein and on the Report of Special Commissioner, Irajah Langston, made in pursuance of a decree of this Court, entered at the April Term thereof 1876 in said cause, and was argued by counsel.

On consideration whereof the Court doth confirm the said Report to which no exception has been filed, and doth adjudge, order and decree that the proceedings had in this cause be, and they are hereby declared to be, final and binding between the parties thereto. And nothing more remaining to be done in this cause, the Court doth order that the same be removed from the docket of this Court.

James Snipe

vs.

Stallings' Admr. & als.

Nansemond County

Circuit Court

October Term 1876

Final Decree

To be entered

Geo. V. Bloxs.

Entered O.B. No. 1 - p. 319

Jones & wife
v.
Stallings & als.

The joint and several answer of Abram R., and Martha E. Stallings, infants, by Willis E. Cohoon, their guardian ad litem, to the Bill of Complaint exhibited against them in the Circuit Court of Nansemond County, Virginia, by Columbus Jones and Alice, his wife.

These Respondents answer and say that so far as they know the facts and statements contained in the said Bill of Complaint, may be true; but that, being infants and ignorant of their rights in the premises, they submit the same to the keeping of the Court, and pray that no order or decree may be made herein inconsistent with their rights.

Willis E. Cohoon

Jones & wife
v.
Stallings & als.

Answer of infants

Jones & al.

v.

Stallings & als.

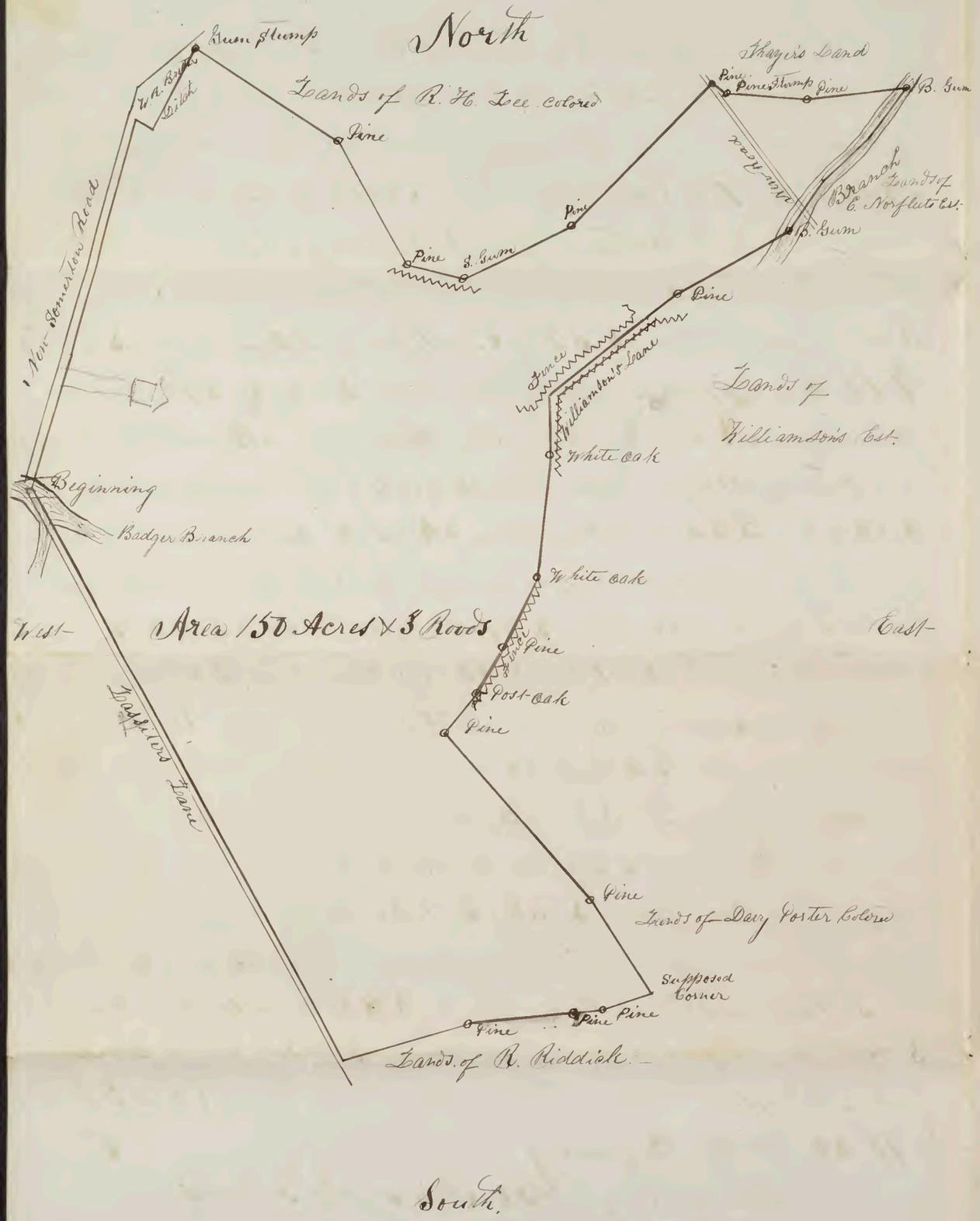
The answer of Margaret A. Stallings, widow of Abram Stallings deceased. to the Bill of Complaint, exhibited against her and others, in the Circuit Court of Nansemond County, Virginia, by Columbus Jones and Alice, his wife,

This Respondent answers and says that to her knowledge, the facts set forth in said Bill of Complaint, are true; that she does not desire to have her dower in the tract of land described in said Bill, assigned to her in kind; that she, therefore, consents to relinquish, and does hereby relinquish, her dower in the said tract of land; that she desires that the same may be sold free of her dower; and that an equivalent for her dower therein may be assigned to her in money in fee-simple, out of the proceeds of the sale.

Margaret A Stallings ×

Jones Wife
v
Stallings & als.

Answer of
Margaret A. Stallings,
widow.



This Represents the Lands of Abram Stallings Decd. Beginning in the Badger Branch on the New Somerton Road at the foot of James Lassiters Lane and running down the New Somerton Road N. 16¾° E. 9.00 (nine chains) thence N. 15½° E. 15.84 to a Ditch corner with W. R. Brothers thence S. 61½° E. 1.27 Down the Ditch thence N. 28¼° E. 6.00 to a Small Branch a Gum Stump a Corner with R. H. Lee (colr.) thence S. 57¼° E. 11.08 to a Pine, thence S. 28½° E. 9.12 to a large Pine near the fence. thence S. 76° E. 3.70. to a Sweet Gum. thence N. 64° E. 8.00 to a Pine thence N 44½° E. 12.94 to a Pine on Thayer's land. thence S. 55° E. 1.00 to a Pine Stump. thence S. 86¼° E. 5.56 to a Pine, thence N. 85° E. 6.58. to a Black Gum on a Small Branch on Thayer's land and E. Norfleets Est. thence up the Branch S. 37° W. 4.00 thence S. 47° W. 4.00 thence S. 34° W. 3.88 to a Black Gum on the Williamson land thence S. 61° W. 8.56 to a Pine. thence S 54° W 2.50 to Williamsons lane, thence up the lane S 57° W. 8.20 thence S. ½° E. 3.82 to a White Oak thence S 6° W 7.86 to a White Oak at the Corner of Fence thence along the fence. S 25½° W. 5.00 to a Pine thence S. 30° W. 3.50 to a Post Oak. thence S 38¼° W. 3.25 to a Pine. thence S. 41° E. 14.40 to a Pine thence S. 35° E. 7.50 to the Supposed Corner of Davy Foster (colr.) on R. Riddick. (the James Lassiter land) thence along said Riddicks line. S 71½° W. 3.50 to a Pine. thence S. 85° W. 2.00 to a Pine, thence S. 84° W. 6.80 to a Pine, thence S. 75½° W. 8.58 to James Lassiter's lane thence down said lane N 25½° W 41.50 to the Beginning. —

Containing 150 Acres and 3 Roods —

Scaled 8 Chains to the inch

Surveyed March 25th 1875. —

B. P. Baker Co: Surv:

Plot and notes of
the Abram Stallings
land.

Exhibit "A"
filed with the Bill.
Jones & al.
v.
Stallings

To the Honorable George Blow, Circuit Court Judge for the County of Nansemond in the State of Virginia

Complaining respectfully represent and shew unto Your Honor, Your Complainants Columbus Jones and Alice, his wife, that on the 22nd. day of November 1872, Abram Stallings died, intestate, leaving as his distributee a widow, Margaret A. Stallings, and as his distributees and heirs at law, the following children, to wit: Alice, now the wife of said Columbus Jones, who are both your Complainants, and Abram R. Stallings, and Martha E. Stallings, the last two being infants under twenty one years of age; that the said Abram Stallings died seised and possessed of a tract of land containing one hundred and fifty (150) acres and three (3) roods, situated in Nansemond County, Virginia, and bounded by the lands of R. H. Lee, Levi Thayer, Elisha Norfleet's estate, Richard Williamson's estate, David Porter, Robert Riddick and others, as may be seen by a plat of said tract of land filed herewith as a part of this Bill and marked "A"; that the said tract of land is rapidly depreciating in value in consequence of the inability of the said heirs of the said Abram Stallings deceased, properly to repair, improve, and cultivate it; that the same is productive of but little or no profit, the

rental income at most ~~but~~ being but small in a-
mount, and not sufficient for the maintenance
of said parties; and that, therefore, a sale of
the said tract of land, before any further depreci-
ation in value or otherwise shall have taken place
and a division of the proceeds of the sale
among the parties entitled thereto, would be
decidedly to the advantage of said parties.

In consideration whereof, Your Complain-
ants, being without remedy save in a Court of Equity,
pray that the said Margaret A. Stallings, widow
as aforesaid, and Abram R. and Martha E. Stal-
lings may be made parties defendant to this
Bill, and be required to answer on oath all
the allegations contained in the same, the adult
in her proper person and the infants by their
guardian ad litem to be appointed for them;
that the dower of the said Margaret A. Stal-
lings, widow as aforesaid, in said tract
of land, may be assigned to her, unless she
shall by her answer hereto in writing relin-
quish the same; that partition of said tract of
land into parts of equal value, may be made
among said heirs; or, if partition cannot be
conveniently made and no one of said
heirs will accept the same and pay to the
others such sums of money as each may be
entitled to by reason of their interest therein,
that the same may be sold, if the interests

of said heirs will be promoted thereby, and the proceeds of the sale divided among said parties; and that all further and adequate relief may be granted consistent with Equity. And, as in duty bound, your Complainants will ever pray etc.

Wilbur J. Kilby p.q.

Jones & wife
v. } Bill
Stallings & als

In the Circuit Court of Hancock County

C. Jones & wife Pltff
v
M. A. Stallings & al Deft } In Chancery

Notes of Proceedings

1875 March 22, Process issued - to April Rules 1875

1875 April Rules, Bill filed, W.E. Cohoon appt'd guardian ad litem for infants, Answers of adult & infant defendants filed and Causi set for hearing

1875 June Term Decree of reference

" Aug: 19. Report filed

" Octo: 13: Decree for Sale & for fees accd.

" Nov: 5th: Commr's Bond executed & filed

" " 23rd: Report of Sale filed

" " 24th: Report of Lower do

1876. Jan: 10th: decree to confirm, distribute &c

1876. Apl: 25th: Report of Distribution filed

" Octo: 10th: Final decree

Chy Notes

VALUABLE LAND!

FOR SALE.

By virtue of a Decree of the Circuit Court of Nansemond county, pronounced at the October term thereof, 1875, in a cause in Chancery in said Court depending between Columbus Jones and wife, as plaintiffs, and Stallings and als. as defendants,

I shall Sell, before the Courthouse Door

OF SAID COUNTY,

On the 8th day Nov. next, '75,

(that being Court-day,) free of the dower of Margaret A. Stallings, widow of Abram Stallings, deceased, the

LAND

of which the said Abram Stallings died seized and possessed, containing

150 ACRES and 3 ROODS,

situated in said County, and bounded by the lands of R. H. Lee, Levi Thayer, Elisha Norfleet's Estate, Richard Williamson's Estate, and the lands of David Porter, Robert Riddick and others.

One-half acre of said land, wherein the burying ground of said Abram Stallings, deceased, is located, will be reserved, and also the right of free ingress and egress to and from the same for the widow, heirs and family of said Abram Stallings, deceased.

TERMS OF SALE: One-third (1-3) of the purchase money to be paid in cash, and the residue in two equal installments, at the end of six and twelve months respectively; for the payment of which installments, the purchaser is to give separate Bonds with good security, waiving the benefit of the Homestead Exemption, and bearing interest from the day of sale. The title to said land to be retained until the further order of Court.

IRAJAH LANGSTUN,

Special Commissioner.

"Sun" print.

Sold to R. H. Lee.