

1878-001
Nansemond Co. (Suffolk)

Chancery Causes: Sylvester Wright et al vs Sarah C. I. Q Wright infant et al

Williams, Griggs, Parker, Norfleet, Johnson, Pruden

Will: 1864, John C. Pruden, Nansemond Co.

Plat

OVERSIZE

Box 5

- 1 Plat

CHANCERY SUMMONS.

The Commonwealth of Virginia,

To the SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON Sarah C. J. G., John C. W.
and Molly F. S. Wright, and John A. Johnson: all
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 *February* next, to answer a
Bill in Chancery, for sale of land exhibited against them
in the said Court by Sylvester Wright and Elizabeth E. wife of Nathaniel
Wright, and William Aaron P. C. Franklin La Fayette, A. M. former
Cornelia, and Mary Jane Alexina Wright, and Eldora V. wife of
Minerva ^{husbands} Williams, and Irene C. James W. and Thomas W. B.
Griggs, and Martha A. wife of James Parker, and Lydia W.
wife of John S. Kefleet.

and have then and there this Summons. Witness, *Peter B. Prentiss*
~~WILLIAM B. BENTLEY~~, Clerk of our said Court, at
his office, this 28th day of January 1876, in the 100th
year of the Commonwealth.

Teste:

Peter B. Prentiss Clerk of the Court.

Kilby & Son. p. 9

Sylvester Wright Sal

25 { Sum. in Chy.

Sarah C. J. Q. Wright
Sal: infants.

To Fety: Ruled, 1876.

Know all Men by these Presents,

That we, Wilbur J. Kilby, John L. Fulgham, John R. Kelly and
John C. Helms

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA, in the just and full sum of
Seven Hundred (700) 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 9th day of November in the year one thousand
 eight hundred and *seventy-six*, and in the 101st 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 *Wilbur J. Kelby and John L. Fulghame* ^{were by a Decree of} ~~who has~~ ^{the} ~~this day qualified before~~ ^{Circuit} Court of Nansomond County, pronounced on the 12th. day of October, 1876, in the Chancery Cause of Sylvester Wright & others, Plaintiffs against Sarah J. Z. Wright & others, Defendants, appointed Commissioners to make sale of certain Real Estate, in said Cause described, shall faithfully discharge their duties, as such Commissioners under said Decree and all other Decrees they may be required to execute under proceedings 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~~

~~the Court~~
Peter B. Prentiss, Clerk

Wilbur J. Kilby {Seal.}
 John L. Fulgham {Seal.}
 John D. Kilby {Seal.}
 Mrs B. Nelson {Seal.}

Walter J. Kilby Cal:

Commrs:

To } Bond

Commonwealth.

Nov: 9th: ¹⁸⁷⁶ Executed & filed

Virginia:

At Rules, in the Clerk's Office of the Circuit
Court of Hanseman County, on Monday,
the 7th day of February, 1876.

Sylvester Wright and Elizabeth E. Wright,
wife of Nathaniel Wright, and William Aaron
P. C. Franklin La Fayette, A. Missouri Cornelia
and Mary Jane Alexina Wright, and Eldora
V. wife of M. Gustavus Williams, and Irene
C. James W and Thomas W. B. Griggs, and
Martha A. wife of James Parker, and Lydia
W. wife of John J. Norfleet Complainants.

Against { In Chancery
Sarah C. J. Q. John C. W and
Molly F. S. Wright, and John A.
Johnson: all infants, under twenty-
one years of age Defendants.

On the motion of the Complainants by Counsel, Peter
B. Prentiss is appointed guardian ad litem to the de-
fendants, in this suit, and it is ordered that the said
guardian be notified of his appointment, by serving
upon him, a Copy of this order.

Teste,

Peter B. Prentiss. Clerk

1876. Feby 7th I hereby acknowledge service of the
foregoing order, and that I have received a copy thereof.

Peter B. Prentiss.

Gdn: ad litem

Wright's

$\frac{1}{2}$ } Order apt. q. g. ad litem

Wright's

At a Circuit Court held for Nausemound County, The
10th: day of April, 1878.

Sylvester Wright and Elizabeth E. wife
of Nathaniel Wright, and William Aaron P.
C. Franklin La Fayette, A. Missouri Correll,
and Mary Jane Alexina Wright, and Eldora
V. wife of M. Gustavus Williams, and Irene
C. James W. and Thomas W. D. Griggs, and
Martha A. wife of James Parker, and Lydia
W. wife of John J. Norfleet. Plaintiffs.

Against } In Chancery

Sarah C. J. L. John C. W. and Molly
F. S. Wright, and John A. Johnson: all
infants, under twenty-one years of age. Defendants.

This Cause came on this day to be again heard on the papers
formerly read therein, and on the Report of Commissioner, Wilbur
J. Kilby, made in pursuance of a Decree of this Court, pronounced
at the October Term thereof, in the year, 1877, 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 Wilbur J. Kilby and
John L. Fulkham, Special Commissioners, with the sum of
\$96:03, retained by them, as will appear by their Report of
28th: September, 1877, filed in this Cause on the 29th: day of
September, 1877, pay first, all unpaid costs of this suit to
be taxed by the Clerk of this Court, and then pay to John J.
Norfleet the sum of Seventy-four dollars and eighty-eight-
cents, with interest thereon from the 28th: day of September

1877, which, as ascertained by said Refat of Commissioners
Wilbur J Kilby, is the present worth of his life-estate, in
said sum of \$96:03, and then pay the residue of said sum
of \$96:03, and all interest thereon to the guardians (lawfully
appointed and duly qualified) of Geneva R and Willie
E. Norfolk, infants, under the age of twenty-one years.
And said Commissioners will make report to Court
of their proceedings under this decree.

A Copy:

Costs

Court. \$3.50

Teste,

Peter B. Prentiss, Clerk

Sylvester Wright & Son

vs. } Copy Decree

Sarah C. D. Q. Wright & Son

To the Circuit Court of Hanseman County,
Virginia:

In pursuance of a decree of
said Court pronounced at the April Term
thereof in the year 1878, in a cause in Chan-
cery in said Court depending between Sylves-
ter Wright and others, Plaintiffs, and Sarah
C. J. Q. Wright and others, Defendants, a copy
of said decree being herewith annexed;
the undersigned respectfully report to Court
that with the sum of \$96.03 and all interest
due thereon in their hands, they have paid
all unpaid costs of said suit and have
paid out and distributed the residue as
directed by said decree as will more
fully appear by the following statement:

By amount in hands of the un- designed as Commissioners:	\$ 96 03
By Interest on same for 6 months.	288
	\$ 98 91
To paid Wilbur J. Kilby, Coun. per acct.	3 50
	\$ 95 41
To paid John D. Anfleet, as per said decree per acct. principal	\$ 74 88
" " Same, interest on \$74.88	2 24
	\$ 77 12
	\$ 18 29
To paid John D. Anfleet, guardian of Genera R. & Willie E. Anfleet, as per said decree per acct.	\$ 18 29

Respectfully submitted this 25th. day of
May 1878.

Wilbur J. Kilby }
John L. Fulgham } Couns.

(over)

1878 May 25th. Received of Wilbur J. Kilby and John L. Fulgham, Commissioners, the respective sums of money charged as paid to us in the foregoing statement and set opposite our names as follows:

John T. Crawford	\$ 77 12
John T. Crawford Guardian of Geneva R. and Willie T. Crawford	\$ 18 29
	\$ 95 41
Wilbur J. Kilby Comr.	3 50
	\$ 98 91

Wright & als.

Wright & als.

Commissioners' Report
of Final Payments

25 May 1878

1878 June 10. Filed
J. M. D.

At a Circuit Court begun and held for Nausemond County,
the 10th day of October, 1877.

Sylvester Wright, and Elizabeth E. wife of
Nathaniel Wright, and William Aaron P.
O. Franklin La Fayette, a Minor's Counsel,
and Mary Jane Alexina Wright, and Eldora
V. wife of M. Gustavus Williams, and
Jane C. James W. and Thomas W. B.
Liggett, and Martha A. wife of James
Parker, and Lydia W. wife of John S.
Norfleet.

Plaintiffs.

Against { In Chancery

Sarah C. J. Q. John C. W. and Molly
F. S. Wright, and John A. Johnson: all
infants under twenty-one years of age.

Defendants.

This Cause came on this day to be again heard on the
papers formerly read therein, and on the Report of Special
Commissioners. Wilbur J. Kelly and John L. Fulyham,
made in pursuance of a Decree of this Court, pronounced
in this Cause, at the April Term thereof, in the year, 1877,
and on the joint Petition (this day filed, by permission of this
Court) of John J. Norfleet, in his proper person, and
Genera R. and Willie E. Norfleet, his children, infants under
twenty-one years of age, by Peter B. Prentiss, their next
friends and was argued by Counsel.

On Consideration whereof, the Court doth confirm said Report,
to which no exception has been filed, and, it appearing to the
Court, ^{as shewn by said Report} that the sum of Ninety-six dollars and three cents,

is retained by said Commissioners, The same being the money
to which, under proceedings in this Cause, it has been determined
that Lydia W. Norfleet, now deceased, late wife of said
John J. Norfleet, was entitled, in her life-time: the Court
doth decide, that she, being dead, her husband surviving her
(said John J. Norfleet) is entitled to an estate, in said
sum of money for his life-time, and doth order that a
Commissioner of this Court ascertain the present fee-
simple value of said Estate, in said sum of money, and
who, the heirs of said Lydia W. Norfleet are, and
make Report to Court, of his proceedings under this
decree.

A. Copy:

Jesse

Peter B. Prentiss, Clerk

X 2nd

Wright Lab.
27 } Copy Decree
Wright Lab.

Commissioner's Office
Suffolk, Va.

18 Feb. 1878

To the Circuit Court of Hanseman
County, Virginia.

In pursuance of a decree of said
Court, pronounced at the October Term thereof
in the year 1877 in a cause in Chancery
in said Court depending between Sylvester
Wright and others, Plaintiffs, and Sarah
C. J. Q. Wright and others, Defendants, a
copy of said decree being herewith annex-
ed; the undersigned, Commissioner of said
Court, having ascertained the present fee-
simple value of the estate, or interest, of
John T. Arfleet in the sum of \$96.03, as
required by said decree, for his lifetime,
doth make the following report thereof:

Your Commissioner estimates that said
sum of \$96.03 is worth annually \$5.76,
being six per cent interest. This sum of
\$5.76 is, therefore, the annual estate, or in-
terest, of said John T. Arfleet, during his life-
time, in said sum of \$96.03.

Being thirty-seven years of age, said
Arfleet's expectation of life is estimated
to be 27 years, and the present worth

2 Rob. Rep. 417.

2 Rob. Prac. (old)

381.

of an annuity of \$1.⁰⁰ for 27 years, to be
\$13.. The present value, in fee-simple,
of said Anfleets estate, for 27 years, in
said sum of \$96.03, is, therefore, ascer-
tained by the multiplication of \$13. by
\$5.76 to be _____ \$74.88

Upon this sum of \$74.88, said An-
fleet is entitled to interest at the
rate of 6 per cent per annum from
the 28th. day of September 1877 to time
of payment thereof.

Your Commissioner further reports
that the heirs at Law and distributees
of the estate of Lydia W. Anfleet de-
ceased, are her two children surviving
her, Geneva R. and Willie C. Anfleet,
infants under the age of twenty one years.

Respectfully submitted
Wilbur J. Kilby
Counr.

Counr's fee \$3.50

Wright & als.

vs. } chy.

Wright & als.

Commissioner's Report

18 Feb. 1878.

1878. July. 18th. Filed
clk.

At a Monthly Court continued and held for Hancock County, The 11th day of April, 1877.

Sylvester Wright and Elizabeth E. wife of Nathaniel Wright, and William Aaron P. C. Franklin La Fayette, A. Missouri.

Cornelia, and Mary Jane Alexina Wright, and Eldora V. wife of Gustavus Williams, and Irene C. James W. and Thomas W. B.

Griggs, and Martha A. wife of James Parker,

and Lydia W. wife of John F. Norfleet. Plaintiffs

Against E. D. Chancery

Sarah C. J. D. John C. W. and Molly F. S.

Wright, and John W. Johnson, all infants.

under twenty-one years of age. Defendants.

This cause came on this day to be again heard on the papers formerly read therein and on the Report of special commissioners, William J. Kiehl and John L. Fulgham, made by them in this cause in pursuance of a decree of this Court pronounced at the October Term thereof in the year 1876, 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 said commissioners William J. Kiehl and John L. Fulgham receive of the Clerk of this Court, (who will deliver the same to them and take a receipt therefor from them), the two Bonds respectively of Carr D. Butler, Mills B. Johnson

and Solomon Butler, and of Leam D. Butler, W. R. Butler and Darius King, filed with, and described in said Report filed in this Cause - the one being for the sum of \$234 $\frac{3}{4}$ dollars, dated the 13th day of November 1876, and payable to said Commissioners, six months after date, with interest from date and the other being for a like sum of money, dated the same day and payable in a like manner, twelve months after date with interest from date. And that said Commissioners proceed to collect the principal and interest of said two Bonds, where the same shall have become due, or, before the same shall have become due, should the obligors of said Bonds desire so to pay the same, receive said principal and the interest thereon. And that said Commissioners, with said money, when collected or paid proceed to pay first - all unpaid costs or expenses of this suit to be taxed by the Clerk of this Court, and that they then pay the residue of said money and distribute the same as follows, to wit: One-third ($\frac{1}{3}$) thereof in equal parts to Sylvester Wright, Elizabeth E. wife of Nathaniel Wright, William A. P. Wright, C. Franklin Lafayette Wright, A. Missouri Cornelius Wright, Mary Jane Alexina Wright, Sarah C. S. D. Wright, John C. W. Wright and Molly H. S. Wright, or to the lawfully appointed guardian or guardians of such of them as may be infants - under twenty-one years of age; And one-third ($\frac{1}{3}$) in equal parts to Eldora V. wife of M. Gustavus Williams, and

John A. Johnson, or the guardian of the latter being
an infant: And one sixth ($\frac{1}{6}$) in equal parts to
Irene C. Gigg, James W. Gigg, Thomas W. B. Gigg,
and Martha A. wife of James Parker: and one-sixth
to Lydia W. wife of John T. Norfleet.

And the Court doth further adjudge, order
and decree that said Commissioners execute a
Deed with special warranty, in the usual form
to said Carr D. Butler, conveying to him the real
estate purchased by him under proceedings had
in this Cause, when the principal and interest
of said Bonds shall have first been paid and
not until then.

And said Commissioners will make report
to Court of their proceedings under this decree

A copy:

Lester,

Peter B. Prentiss, Clerk.

Unpaid costs.

4 Commors. \$1 each. = \$4.

xena

Sylvester Wright sal
as } copy Decree
S. C. S. D. Wright sal

Credit value of
home \$50 in
hands of J. H.
Bulphouse & int

To the Circuit Court of Staunton
County, Virginia:

In pursuance of a
decree of said Court pronounced at
the April Term thereof in the year 1877
in a cause in Chancery in said Court
depending between Sylvester Wright and
others, as Plaintiffs, and Sarah C. J.
Q. Wright and others, as Defendants,
a copy of said decree being herewith
annexed; the Undersigned, Special
Commissioners, beg leave to report to
Court that they have received from
the Clerk of said Court, the two Bonds
of Carr D. Butler, Mills B. Johnson and
Solomon Butler, and Carr D. Butler
W. R. Butler and Danus King, described
in said decree, and that they have
collected the principal thereof and
all interest due thereon, and that
after paying all unpaid costs and
expenses of said cause in Chancery,
they have paid out and distributed
said principal and interest as di-
rected by said decree, as the fol-
lowing Statement will show:

(over)

Statement

By Principal of two Bonds aforesaid
each for \$254.84 =

509 68

" Interest on same - \$509.68

22 77

532 45

By proceeds of sale of horse, part of the chattel es-
tate of John L. Pruden, deceased, sold by his Ad-
ministrator, but not accounted for in his settle-
ment, the same being here entered for distri-
bution among said Pruden's legatees, to wit:

50 00

By Interest on same from day of sale

5 50 55 50

587 95

To paid for deed, conveying real estate to the
purchaser thereof under proceedings herein,

5 00

" " four Commissioners for report in this cause
of 10 July 1876, they having been heretofore
unpaid \$1. each. =

4 00

" 5 per cent commissions on \$55.50

2 77 11 77

576 18

To paid Sylvester Wright 1/9 of 1/3 of \$576.18, per act.

21 34

" " Elizabeth E. wife of Nathaniel Wright, "

21 34

Id. " " Wm A. P. Wright do. "

21 34

Id. " " L. Franklin LaFayette Wright do. "

21 34

Id. " " A. Missouri Cornelia Wright do. "

21 34

Id. " " Mary Jane Alexina Wright do. "

21 34

Id. " " Sylvester Wright, guardian of Sarah L. J.
Q., John L. W., and Molly F. S. Wright for
each of them 1/9 of 1/3 of \$576.18, total per act.

64 02 192 06

Carried on

384 12

Amount brought in		\$ 384 12
pd.	To paid Eldora V. wife of M. Gustavus Williams $\frac{1}{2}$ of $\frac{1}{3}$ of \$576.18	\$ 96 03
pd.	" " John P. Johnson guardian of John A. Johnson $\frac{1}{2}$ of $\frac{1}{3}$ of \$576.18. per acct.	96 03 \$ 192 06
		\$ 192 06
pd.	To paid Irene L. Griggs $\frac{1}{4}$ of $\frac{1}{6}$ of \$576.18 per acct.	\$ 24 00 $\frac{3}{4}$
pd.	" " Jas. W. Griggs do. do. "	24 00 $\frac{3}{4}$
pd.	" " Thos. W. B. Griggs do. do. "	24 00 $\frac{3}{4}$
pd.	" " Martha A. wife of James Parker do. "	24 00 $\frac{3}{4}$ \$ 96 03
		\$ 96 03
To $\frac{1}{6}$ of \$576.18 retained by Commissioners which by decree aforesaid was directed to be paid to Lydia W. wife of John T. Arflect, she being dead, the same being retained subject to future order of said Court. to wit		\$ 96 03

And your Commissioners further report to Court that they have executed to said Leam D. Butler, a deed with special warranty in the usual form conveying to him the real estate purchased by him under proceedings had in said Cause in Chancery, he having paid the principal of his two Bonds aforesaid and all interest due thereon to the undersigned

as aforesaid.

Respectfully submitted

Wilbur J. Kilby

John L. Fulgham

28th. Sept. 1877

Commissioners

1877 Sept. 28th. Received of Wilbur J. Kilby and John L. Fulgham, Commissioners aforesaid, the several sums of money charged as paid to us in the foregoing statement and set opposite our names below:

Witnesses { John R. Kilby as to	Sylvester ^{his} Wright	\$21.34
	Sylvester ^{mark} Wright son of Sarah C. ^{mark} Wright & Molly ^{mark} C. W. Wright & Molly ^{mark} S. S. Wright	\$64.02
	C. Franklin Lafayette ^{his} Wright	\$21.34
{ James Parker for his wife Martha Parker		\$24. ⁰⁰ / ₄
	John R. Kilby as to	
and {	Wm A. P. ^{his} Wright	\$21.34
	James ^{mark} Briggs	\$24. ⁰⁰ / ₄
and {	Eldora V Williams	\$96.03
	Irene C. Griggs	\$24. ⁰⁰ / ₄
	Thos. W. B. Griggs	\$24. ⁰⁰ / ₄
	Nathaniel ^{his} Wright for his wife Elizabeth E. Wright	\$21.34
	Mary Jane ^{mark} Alexina Wright	\$21.34
	Wilbur J. Kilby, Attorney for S. Missouri Cornelia Wright	\$21.34

John F Johnson Guardian of
John A Johnson \$96.03

Wright & als.

vs. } chy.

Wright & als.

Commissioners' Report
of
collections & payments
28 Sept. 1877

Filed this 29 Sept. 1877

1877. Sept. 29th. Filed

[By Geo. T. Parker, Auctioneer.]

A GOOD FARM AND VALUABLE LAND

FOR SALE!—In execution of a decree of the Circuit Court of Nansemond County, Va., pronounced at the October Term thereof 1876. In a cause in chancery, in said Court depending between Wright and als as Plaintiffs, and Wright and als., as Defendants, the undersigned, Special Commissioners, appointed for that purpose, will offer for sale at Public Auction, before the Court-house door of said county,

**On the 13th day of Nov. 1876,
BEING COUNTY COURT-DAY,**

The Real Estate of which John C. Prudden died seized and possessed, situated in said County, bounded by the county road and the lands of Ascension Griggs, John Thomas Norfleet and Edwin King's estate, and containing, by survey, 130 acres, more or less. Said land is only a few miles Northwestward of Suffolk, on both sides of the A. M. & O. R. R., and has on it a small one-story house of one room, and some wood and timber. The land is good and productive.

The Burying Ground, inclusive of a space fifty feet square, will not be sold. Together with the right of ingress to, and egress from the same, it will be reserved for the use of the family and relatives of said John C. Prudden, deceased.

Possession of the land will be given 1st January, 1877, but the title will be retained till further order of said court.

TERMS OF SALE.—Enough of the purchase price to pay expenses of the sale and costs of said suit will be required of the purchaser in CASH, and for the residue, two separate Bonds of equal sums, with good security, bearing interest from day of sale, and payable six and twelve months after date.

WILBUR J. KILBY, } Special
JOHN L. FULGHEAM, } Commis'rs.
October 25th, 1876.

Office of the Suffolk Herald,

Suffolk, Va., *Nov 16th* 1876

We hereby certify that the ^{notice}~~order~~, of which the annexed is a copy, has been published in the SUFFOLK HERALD in the manner prescribed by law, once a week for ^{three}~~four~~ successive weeks.

ELAM & ^{Hathaway}~~CAMPBELL~~, Eds. Herald.

THOS. G. ELAM.

Largest Circulation of any Paper in Nansemond. Isle of Wight, Southampton and Gates Co's.

E. E. HATHAWAY.

Suffolk, Va., _____ 187

Messrs. Kilby & Fulgham

TO "Suffolk Herald," DR.

Newspaper and Job Printing Establishment,

WASHINGTON SQUARE, NEAR MAIN ST.

1876

Oct	18	Ad. Wright vs Wright, sale of farm; 60 cts, 3 cts	7 00
"	"	Printing 50 1/2 Bills same,	2 00
			<u>\$ 9 00</u>

Kelly & Galt

At a Circuit Court, continued and held for Nansemond County, the 12th. day of October, 1876.

Sylvester Wright, and Elizabeth E. wife of
Nathaniel Wright, and William Aaron P.
C. Franklin La Fayette, A. Missouri Cornelia,
and Mary Jane Alexina Wright, and Eldora
V. wife of M. Gustavus Williams, and Irene
C. James W. and Thomas W. B. Briggs, and
Martha A. wife of James Parker, and Lydia
W. wife of John J. Norfleet. Plaintiffs.

against } In Chancery
Sarah C. J. L. John C. W. and Mollie
F. S. Wright, and John A. Johnson: all
infants, under twenty-one years of age. . . Defendants.

This Cause came on this day to be again heard on the papers
formerly read therein, and on the Report of Special Commissioners,
George W. Saunders, James P. Johnson, W. S. Williams and
James H. Fulgham, 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 Melbur J. Kelly and John
L. Fulgham, who are hereby appointed Special Commissioners
for that purpose, proceed to sell before the Court House door
of Nansemond County, at Public Auction, on some Court day,
the Real Estate of which John C. Pruden died seised and
possessed, situated in said County, bounded by the County road and
the lands of Ascension Briggs, John J. Norfleet and Edwin

King's estate, and containing by survey, One hundred and thirty acres, more or less; that said Commissioners reserve and do not sell the burying ground on said real estate, inclusive of a space, fifty-feet square, for the use of the relatives and family of said Pruden deceased, and the right of ingress to and egress from said burying ground for them; and that said Commissioners retain the title to said land until the further order of this Court. And the Court doth further adjudge, order and decree, that the said Commissioners proceed to sell said Real Estate, with the reservations aforesaid, for cash enough to pay the expenses of the sale and the costs of this suit, and that for the residue of the purchase price, they take two separate bonds of equal amounts from the purchaser of said Real Estate, with good security, bearing interest from the day of sale and payable to themselves as said Commissioners, respectively, six and twelve months after date, being the day of sale. And that said Commissioners give notice of the day of said sale, by advertisement, once a week, for three successive weeks, in the "Suffolk Herald" a newspaper published in the Town of Suffolk, and by printed notices, posted on the premises, and in the neighborhood thereof, and at the Court-house door of Nausemond County. And the Court doth further adjudge, order and decree, that said Commissioners, before proceeding to make said sale, execute in the presence of the Clerk of this Court, in his Office, a bond in the penalty of Seven Hundred Dollars, with good security, payable to the Commonwealth of Virginia, and conditioned for the faithful execution of this decree and

all other decrees they may be required to execute, under proceedings in this cause. And said Commissioners will make report to Court of their proceedings hereunder.

a Copy.

Teste

Peter B. Prentiss, Clerk.

Costs

Clerk . . . \$15.00

Atto: Hay . . 31.50

Surveyor (pro)

M. Cordier)

7.50

\$54.00

^{xms}
Sylvester Wright Cal

$\frac{11}{25}$ } Co: Moore
ap: 12/76

Sarah C. I. L. Wright Cal

A GOOD FARM AND VALUABLE LAND FOR SALE!

In execution of a decree of the Circuit Court of Nansemond County, Virginia, pronounced at the October Term thereof 1876, in a cause in chancery, in said Court depending between Wright and als as Plaintiffs, and Wright and als., as Defendants, the undersigned, Special Commissioners, appointed for that purpose, will offer for sale at Public Auction, before the Courthouse door of said county,

On the 13th DAY of NOVEMBER, 1876,
Being County Court-Day,

The Real Estate of which John C. Pruden died seised and possessed, situated in said County, bounded by the county road and the lands of Ascension Griggs, John Thomas Norfleet and Edwin King's estate, and containing, by survey, 130 acres, more or less. Said land is only a few miles Northwestward

OF SUFFOLK,

On both sides of the A. M. & O. R. R.

And has on it a small one-story house of one room, and some wood and timber. The land is good and productive.

The Burying Ground, inclusive of a space of fifty feet square

will not be sold, together with the right of ingress to, and egress from, the same, it will be reserved for the use of the family and relatives of said John C. Pruden, deceased.

Possession of the land will be given 1st January, 1877, but the title will be retained till further order of said court.

TERMS OF SALE--Enough of the purchase price to pay expenses of the sale and costs of said suit will be required of the purchaser in CASH, and for the residue, two separate Bonds of equal sums, with good security, bearing interest from day of sale, and payable six and twelve months after date.

WILBUR J. KILBY,
JOHN L. FULGHAM, Special Commissioners.

GEO T PARKER, Auct'r

October 25th, 1876

WILLIAM GEORGE A
 AND JAMES A. A. A. A.

WILLIAM GEORGE A

WILLIAM GEORGE A
 AND JAMES A. A. A. A.

WILLIAM GEORGE A

Being County Court

WILLIAM GEORGE A
 AND JAMES A. A. A. A.

WILLIAM GEORGE A

WILLIAM GEORGE A
 AND JAMES A. A. A. A.

WILLIAM GEORGE A

WILLIAM GEORGE A
 AND JAMES A. A. A. A.

WILLIAM GEORGE A

WILLIAM GEORGE A
 AND JAMES A. A. A. A.

WILLIAM GEORGE A

WILLIAM GEORGE A

Suffolk Va.

16th. Nov. 1876.

To the Circuit Court of Hansemond
County, State of Virginia:

In pursuance of a decree of
the Circuit Court of Hansemond County,
pronounced at the October Term thereof
1876 in a cause in Chancery, in said
Court depending between Sylvester Wright
and others, as Plaintiffs, and Sarah C. J.
Q. Wright and others, as Defendants, a copy
of said decree being herunto annexed;
the Undersigned, appointed Special Com-
missioners for that purpose, after giving no-
tice of the day of sale by advertisement once
a week for three successive weeks in the "Suf-
folk Herald", a newspaper published in the
Town of Suffolk, and by printed notices posted
in the premises, and in the neighborhood thereof
and at the Courthouse door of Hansemond
County, as required by said decree, as will
appear from papers herunto annexed, did pro-
ceed to sell, and did sell, the real estate
of which John C. Pondue died seized and
possessed, described in said decree, on
the terms and conditions named in
said decree, reserving the burying-ground
in said real estate, inclusive of a space
fifty feet square, for the use of the relatives

and family of said Pruden deceased, as well as the right of ingress to and egress from said burying-ground for them:

Your Commissioners report to Court that said real estate was purchased at public auction before the door of the Courthouse of said County, on the 13th. day of November 1876 by Carr D. Butler for the sum of \$ 603 00

Of this sum of \$603, Your Commissioners received in cash, and have paid out, in pursuance of said decree, as costs and expenses, as follows, the sum of \$93.32.

To 5 per cent commissions on \$300.	\$ 15 00		
" 2 per cent do. on \$303	6 06		
" paid Wilbur J. Kilby Atto, writ tax & fee, per act.	31 50		
" " P. B. Prentiss, Clerk.	15 00		
" " Geo. M. Cowling, Surveyor	7 50		
" " Elam & Hathaway, Proprietors of "Suffolk Herald" for advertisements	9 00		
" " Geo. T. Parker, Auctioneer	6 00		
" " Wm. Eley, Co. Treas. taxes for 1876	3 26	\$ 93 32	
		\$ 509 68	

To Bond of Carr D. Butler, with Mills B. Johnson & Solomon Butler as securities, dated 13th November 1876 payable 6 months after date with interest from date to your Comrs & filed herewith for - \$ 254 84

To second Bond of Carr D. Butler with W. R. Butler and Danus King as securities, dated 13th, November 1876, and payable 12 months after date with interest from date, to your Comrs & filed herewith for - \$ 254 84 \$ 509 68

Respectfully submitted this 16th. day of
November 1876.

Wilbur J. Kilby } Special
John L. Fulgham } Commissioners

1876 Nov. 16th. Received of Wilbur J. Kilby
and John L. Fulgham, Special Commissioners as
aforesaid, the respective sums set opposite our names
below and charged as paid to us in the fore-
going statement

Wilbur J. Kilby, Attorney, \$31.50
Peter B. Prentiss, Clerk \$15.00
J. M. Lowling surveyor \$7.50

Glenn & Hathaway for Admits \$9.00
Geo D Parker Assessor \$6.00
J. M. Day & Co Treas \$3.24

Wright & als.
vs. } Chy.
Wright & als.

Commissioners' Report
of Sale of land.

Completed 16th Nov. 1876

1877 Aug. 13. Received of
the Clerk of the Circuit Court
of Hanseman County Va.
the Bonds described in
the within Report.

Wilbur J. Kilby
John L. Bellham
Locusts

1876. Nov. 25th f.e.s.
clerk

At a Circuit Court held for Harrison County the 10th
day of April 1826.

Sylvester Wright and Elizabeth S. wife of
Nathaniel Wright, and William Aaron P., C.
Franklin La Fayette, A. Missouri Cornelia,
and Mary Jane Alexina Wright, and Eldora
V. wife of Gustavus Williams, and Irene C.
James W. and Thomas W. B. Riggs, and
Montha A. wife of James Parker and Lydia
W. wife of John F. Horflet. Reintiffs

Against } In Chancery.

Sarah C. J. L., John C. W. and Molly F. S.
Wright, and John A. Johnson all in-
fants under twenty-one years of age. Defendants.

This cause came on this day to be heard on the
Bill of the complainants, and the exhibits
filed therein and on the answer thereto of
the defendants, all infants under twenty-one
years of age by their guardian ad litem, Peter B.
Prentiss, and on general replication to said answer,
and was argued by counsel.

On consideration whereof the Court doth,
adjudge, order and decree. That James P.
Johnson, Washington G. Williams, James N. Ful-
gham, Trajak Johnson and George W. Saunders, who are
herely appointed special commissioners for that pur-
pose, any three of whom may act, proceed
with the assistance of a competent surveyor
if one be needed to make partition according
to land among the devisees of John C. Puden
deceased, of the real estate of which said Puden

deed seized and possessed, situated in Nansemond County Virginia, bounded by the County road and the lands of Ascension Griggs, John T. Norfleet and Edwin Kings, estate and containing by survey one hundred and thirty acres, and that said Commissioners in making said partition, set aside the burying ground inclusive of a space fifty feet square for the use of the relatives of the said John C. Puelan, deceased and reserve to them the right of ingress and egress to and from said burying ground. And if said partition cannot be conveniently made, the Court doth further adjudge, order and decree that said Commissioners allot said real Estate in whole or in part, to any one or more of said devisees, willing to accept the same and pay therefor to the others, such sums of money as they may be entitled to by reason of their interest therein. And if no such partition or allotment can be made the Court doth further adjudge order and decree that said Commissioners ascertain and report to Court, the value of said real estate and whether by a sale of the same the interests of said devisees will be promoted. And said Commissioners will make report to

to Court of their proceedings under this decree together with the reasons therefor.

A copy;

Teste,

Peter B. Prentiss, Clerk

Sylvester Wright et al.

vs } Leapy Deene

Sarah C. J. D. Wright et al.

To the Circuit Court of Hanseman
County, State of Virginia:

In pursuance of a decree of
said Court pronounced at the April Term
thereof 1876 in a cause in Chancery depend-
ing in said Court between Sylvester Wright
and others, as plaintiffs, and Sarah C. J. Q.
Wright and others, as defendants, a copy of
said decree being herewith annexed: ~~The~~
Undersigned, Special Commissioners, appoint-
ed for the purposes named in said decree,
having executed the same, respectfully sub-
mit the following report of their proceed-
ings thereunder:

Your Commissioners report to Court
that, after due deliberation and consid-
eration, they were unable conveniently
to make partition, according to law, a-
mong the devisees of John C. Pruden de-
ceased, of the real estate of which he died
seised and possessed and described
in said decree, because the large num-
ber of said devisees, and the small tract of
land to be divided, and the very small
share to which each would be entitled,
and the great expense of the partition made
it inconvenient and inadvisable to make
said partition.

And your Commissioners further report to Court that they have not allotted said real estate either in whole or in part, to any one or more of said devisees, because no one of them was willing or able to accept the same and pay therefor to the others such sums of money as they may be entitled to by reason of their interest therein.

Your Commissioners, therefore, further report to Court and recommend that a sale of said real estate and a proper distribution of the proceeds thereof among said devisees, be made, as the only convenient and advisable disposition to be made of said real estate, because the interests of said devisees will be promoted thereby, - especially as said devisees, all being adults except four, desire that a sale shall be made and especially as the money for their respective shares will be of more benefit to them than their respective shares or interests in said real estate, which is productive of little or no profit to them. And your Commissioners further report the value of said real estate to be \$4.23 ¹/₁₀ per acre or \$550, for the entire real estate aforesaid there being one hundred and thirty acres thereof.

And your Commissioners further report
the real estate or land aforesaid to be in
imperfect condition, being four, the dwell-
ling house and other buildings having
been burnt, and having but little timber
in it and one small rough, one-story
unlathed and unplastered house.

Respectfully submitted this 10th day of
July 1876.

Commissioners

George W. Saunders
Jas. P. Johnson
W. G. Williams
James St. Yulgham

Commissioners' fees \$4 - \$1 each.

Wright & als.

vs.

Wright & als.

Report of Commissioners
Recommending Sale
10th. July 1876

1876. July 10th: Filed
ck.

To the Circuit Court of Nause-
mond County, Virginia, Hon. George
Blow, Judge

The Petition of John T. Anfleet
in his proper person and of Genera
R. and Willie E. Anfleet, his children,
infants under twenty-one years of
age, by Peter B. Proctor, their next
friend

Your Petitioners respectfully rep-
resent and say that there is now
pending in the said Court, a cause
in Chancery between Sylvester Wright
and others as Plaintiffs, and Sarah E.
J. Q. Wright and others, as Defendants
to which one of your Petitioners, said
John T. Anfleet, is a party as the
husband of Lydia W. his wife
who is now dead. That under pro-
ceedings had in said cause the land
of which John C. Pruden died seized
and possessed, was sold on the 13th
day of November 1876, and that the
purchase-money has all been col-
lected and distributed among
the devisees of said John C. Pru-
den except to the said Lydia
W. Anfleet, a party in interest,
as will appear by the Report of

Commissioners, Wilbur J. Kilby and John L. Fulgham, dated 28th. September 1877 and filed in said Cause:

That said Lydia W. Anfleet, late wife of said John T. Anfleet, having died before said money was collected and distributed, said Commissioners did not, as they could not, pay one sixth thereof to said Lydia W. Anfleet ^{as directed to, paid by decree of said Court 1877;} that said Commissioners, having no authority to otherwise dispose of said Lydia W. Anfleets share of said money, have retained the same subject the further order of said Court, as will appear by their said Report: That said Lydia W. Anfleets share of said money represents her estate of ~~which she~~ in the lands aforesaid of said Jno. L. Pruden deceased, of whom she was devisee, which said estate was sold together with the estates of other devisees of said Pruden in said lands, as aforesaid: That said Lydia W. Anfleet died intestate as to her said share of said money and, that the same, therefore, passes to those who would have been entitled to her said estate in said lands had ~~not~~ the said estate not been

sold, See Code of Va. Chap. 124. s. 12:
that said estate of said Lydia W.
Anflect in said land would have
passed to her heirs, to wit, to her two
children, Your Petitioners, Genera R. and
Willie E. Anflect, subject to an estate
by the curtesy of Your Petitioner, John T.
Anflect, her surviving husband; and
that, therefore, said Lydia W. Anflect's
share of said money, to wit \$96.03
as shewn by said Report of said
Commissioners to be due to her, should
be paid to Your Petitioners Genera R. and
Willie E. Anflect, or their lawfully
appointed guardian if they be under
twenty one year of age, subject to the
life estate or estate by the curtesy, of
said John T. Anflect therein: And
Your Petitioners say that said John T. An-
flect is entitled to an estate by the
curtesy in said sum of \$96.03, as
the latter represents the fee-simple es-
tate of which said Lydia W. An-
flect deceased, his late wife, was
seised in said land before it was
sold and during coverture, the same
having been an estate of inheritance
which the issue of said J. W. T. and
Lydia W. Anflect, to wit: said Ge-

nera R. and Willie E. Norfleet, could have inherited as heirs to said Lydia W. Norfleet, said ^{issue} having been alive at the time, and said Lydia W. Norfleet having since died, leaving her husband. said Geo. T. Norfleet, surviving her and also her children aforesaid, all now living.

Your Petitioners, therefore, pray that ~~said~~ sum of \$96.03 may be paid over to ~~said Commissioner, Wilbur J. Kilby, who~~ is an officer of said Court and that ~~he~~ ^{may} be required to ascertain the present value of the estate of said John T. Norfleet, ~~therein~~ ^{in said sum of \$96.03} for his own lifetime and ~~be directed to pay the~~ ^{that the} same ^{may be paid} to him in fee-simple, when the same shall have been ascertained and that the residue of said sum of \$96.03 may be paid in equal parts to said Genera R. and Willie E. Norfleet in fee-simple, or to their lawfully qualified guardians should they be, as they are, under twenty-one years of age.

And Your Petitioner, Geo. T. Norfleet says that he was 36 years old on the 18th. day of February 1877.

John T. Norfleet

Peter B. Pimento, next
friend of Genera R. & Willie E.
Norfleet, infants

State of Virginia

Staunton County, to wit:

I, Wilbur J. Kilby, Notary Public in and for said county in said State of Virginia, do certify that John T. Arflect and Peter B. Prentis, next friend of said General R. and Willie E. Arflect, whose names are signed to the foregoing petition, this day personally appeared before me in the county aforesaid and made oath that the facts and statements contained in said petition are true to the best of their knowledge and belief; And said John T. Arflect further made oath that he was on the 18th day of February 1877, thirty-six years old.

Given under my hand this 6th day of October 1877

Wilbur J. Kilby
Notary Public

Wright & als.
vs. } chy.
Wright & als.

Petition of
John T. Infleet
and others.

Filed this 6th day, 1877

Sylvester Wright & als.
vs.
Sarah C. I. L. Wright & als.

This cause came on this day to be again heard on the papers formerly read therein and on the Report of Commissioner Wilbur J. Kilby, made in pursuance of a decree of this Court pronounced at the October Term thereof in the year 1877. And was argued by Counsel. On consideration whereof the Court doth confirm the said Report to which no exceptions has been filed, and doth adjudge, order and decree that Wilbur J. Kilby, and John L. Fulgham, Special Commissioners with the sum of \$96.03 retained by them as will appear by their Report of 28th September 1877 filed in this cause on the 29th day of September 1877. pay first all unpaid costs of this suit to be taxed by the Clerk of this Court and then pay to John T. Hoyt the sum of \$74.88, with interest

Wright & als.

vs. } chy

Wright & als.

Waukesha County

Circuit Court

April Term 1878

Decree

To be entered

Wright & als.

ch. 5

Entered O. B. No. 1 p. 383

thereon from the 28th day of
September 1877, which as ascertained
by said Report of Commissioner
Wilbur G. Kilby, is the present
worth of his life estate in said
sum of \$96.03, and then pray the
residue of said sum of \$96.03
and all interest thereon to the
guardian (lawfully appointed
and duly qualified) of Geneva
R. and Willie E. Norfleet, infants
under the age of twenty one years.
And said Commissioners will
make report to Court of their
proceedings under this decree.

Wright & als.

vs.

Wright & als.

This cause came on this day to be again heard on the papers formerly read therein and on the Report of Special Commissioners Wilbur J. Kelby and John L. Fulgham, made in pursuance of a decree of this Court, pronounced in this cause at the April Term thereof in the year 1877, and on the joint Petition, (this day filed by permission of this Court), of John T. Bnfleet in his proper person and Genera R. and Willie E. Bnfleet, his children, infants under twenty one years of age, by Peter B. Prentiss, their next friend, and was argued by counsel.

On consideration whereof the Court doth confirm said Report to which no exception has been filed and, it appearing to the Court, as shown by said Report, that the sum of \$96.03 is retained by said Commissioners, the same being the money to which, under proceedings in this cause, it has been determined that Lydia W. Bnfleet, now deceased, late wife of said John T. Bnfleet, was entitled in her lifetime, the Court doth decide that, she being dead, her husband surviving her (said John T. Bnfleet) is entitled to an estate in said sum of money for his lifetime, and doth order that an ^{exam} ~~officer~~ of this Court ascertain the present fee-simple value of said estate in said sum of money, and who the heirs of said Lydia

Wright & als

vs,

Wright & als,

Hausenund County

Circuit Court

October ^{10th} Term 1877

Decease

To be entered

Geo. T. Blod.

Entered O. B. D. No. 1

K-356

Mr. Shiplest are and make refert to
Court of his proceedings under this
decease

Wright & al.

vs.

Wright & al.

This cause came on this day to be again heard on the papers formerly read therein and on the Report of Special Commissioners, Wilbur J. Kilby and John L. Fulgham, made by them in this cause in pursuance of a decree of this Court pronounced at the October Term thereof in the year 1876 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 said Commissioners, Wilbur J. Kilby and John L. Fulgham receive of the Clerk of this Court (who will deliver the same to them and take a receipt therefor from them), the two Bonds respectively of Carr D. Butler, Mills B. Johnson and Solomon Butler, and of Carr D. Butler, W. R. Butler and Danus King filed with, and described in, said Report filed in this cause, - the one being for the sum of \$254, $\frac{84}{100}$ dollars, dated the 13th. day of November 1876 and payable to said Commissioners, six months after date, with interest from date, and the other being for a like sum of money, dated

the same day and payable in a like manner, twelve months after date with interest from date. And that said commissioners proceed to collect the principal and interest of said two Bonds, when the same shall have become due, or, before the same shall have become due, should the obligors of said Bonds desire so to pay the same. receive said principal and the interest thereon. And that said commissioners, with said money, when collected or paid, proceed to pay first all unpaid costs or expenses of this suit to be taxed by the clerk of this court, and that they then pay the residue of said money and distribute ~~the~~ the same as follows, to wit: One-third ($\frac{1}{3}$) thereof in equal parts to Sylvester Wright, Elizabeth E. wife of Nathaniel Wright, William A. P. Wright, L. Franklin Lafayette Wright, A. Missouri Cornelia Wright, Mary Jane Alexina Wright, Sarah L. J. Q. Wright, John L. W. Wright and Molly F. S. Wright, or to the lawfully appointed guardian or guardians of such of them as may be infants under twenty-one years of age; and one-third ($\frac{1}{3}$) in equal parts to Eldora V. wife of M. Gustavus Williams, and John A. Johnson, or the guardian of the latter being an infant; and one-sixth ($\frac{1}{6}$) in equal parts to Irene L. Griggs

James W. Griggs, Thomas W. B. Griggs, and Martha A. wife of James Parker: and one-sixth to Lydia W. wife of John T. Anfleek.

And the Court doth further adjudge order and decree that said Commissioners execute a Deed with special warranty in the usual form to said Lem D. Butler, conveying to him the real estate purchased by him under proceedings had in this cause, when the principal and interest of said Bonds shall have first been paid and not until then.

And said Commissioners will make report to Court of their proceedings under this decree.

Wright & al.
vs. } Chy.

Wright & al.

Hausmann County
Circuit Court.

April Term 1877

Deeree

To be entered

Geo. B. Snow.

Entered D.B. No. 1 - p. 337

Wright & als.

vs.

Wright & als.

This cause came on this day to be again heard on the papers formerly read therein and on the Report of Special Commissioners, George W. Saunders, James P. Johnson, W. G. Williams, and James H. Fulgham, 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 Wilbur J. Kilby and John L. Fulgham, who are hereby appointed Special Commissioners for that purpose, proceed to sell before the Court-house door of Hausmann County, at public auction on some Court day ~~the~~ real estate of which John C. Pondue died seized and possessed, situated in said County bounded by the County road and the lands of Ascension Griggs, John T. Chiffleet and Edwin King's estate and containing by survey one hundred and thirty acres, more or less; that said Commissioners reserve and do not sell the lying ground on said real

estate, inclusive of a space fifty feet square, for the use of the relatives and family of said Ponden deceased and the right of ingress to and egress from said burying ground for them; And that said Commissioners retain the title to said land until the further order of this Court.

And the Court doth further adjudge, order and decree that said Commissioners proceed to sell said real estate with the reservations aforesaid for cash enough to pay the expenses of the sale and the costs of this suit, and that for the residue of the purchase-price they take two separate Bonds of equal amounts, from the purchaser of said real estate, with good security, bearing interest from the day of sale and payable ^{to themselves as said Commissioners} respectively six and twelve months after date, being the day of sale.

And that said Commissioners give notice of the day of said sale by advertisement once a week for ~~five~~ ^{three} successive weeks in the "Suffolk Herald," a newspaper published in the Town of Suffolk, and by printed notices posted on the premises and in the neighborhood thereof and at the Courthouse door of Chausemunde County.

And the Court doth further adjudge order and decree that said Commissioners

before proceeding to make said sale, execute in the presence of the Clerk of this Court in his office, a Bond in the penalty of seven hundred dollars with good security, payable to the Commonwealth of Virginia and conditioned for the faithful execution of this decree and all other decrees: they may be required to execute under proceedings in this cause.

And said Commissioners will make report to Court of their proceedings hereunder.

Wright Sals.
vs.

Wright Sals.

Nauset County
Circuit Court
October ^{12th} Term 1876

Decree
To be entered

Geo. S. Low.

Entered O.B. No. 1-12-324

Wright & als.

vs.

Wright & als.

This cause came on this day to be heard on the Bill of the Complainants and the Exhibits filed therewith, and on the answer thereto of the defendants, all infants under twenty-one years of age, by their guardian ad litem, Peter B. Prutis, and in general replication to said answer, and was argued by counsel.

On consideration whereof the Court doth adjudge, order and decree That James P. Johnson, Washington G. Williams, James H. Fulgham, Isaiah Johnson, and George W. Saunders, who are hereby appointed Special Commissioners for that purpose, any three of whom may act, proceed, with the assistance of a competent surveyor, if one be needed, to make partition ~~of the~~ according to law, among the devisees of John C. Pruden deceased, of the real estate of which said Pruden died seized and possessed, situated in Hanover County, Virginia, bounded by the County Road, and the lands of Ascension Griggs, John T. Airfleet and Edwin

King's Estate and containing by survey one hundred and thirty (130) acres; and that said Commissioners, in making said partition, set aside the burying ground inclusive of a space fifty feet square for the use of the relatives of said John C. Pender deceased and reserve for them the right of ingress and egress to and from said burying ground; And, if said Partition cannot be conveniently made, the Court doth further adjudge, order, and decree that said Commissioners allot said real estate in whole or in part to any one or more of said devisees willing to accept the same and pay therefor to the others, such sums of money as they may be entitled to by reason of their interest therein; and, if no such partition or allotment can be made, the Court doth further adjudge, order and decree that said Commissioners ascertain and report to Court the value of said real estate and whether by a sale of the same, the interests of said devisees will be promoted.

And said Commissioners will make report to Court of their proceedings under this decree together with the reasons therefor.

Wright & als.

vs.

Wright & als.

Kauaunuu County
Circuit Court
April Term 1876

Decree To be entered

Geo. H. Brown,

Entered

Ob. No. 1-p. 303

Sylvester Wright & als.

^{vs.}
Sarah C. I. Q. Wright & als.

This cause came on this day to be again heard on the papers formerly read therein and on the Report of Commissioners, Wilbur J. being a ^{Report of} Kelly, and John L. Fulgham ~~made~~ ^{made} ^a final payments of money, in pursuance of a decree of this Court pronounced at the April Term thereof in the year 1878, 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 the same are hereby declared to be, final and binding on the parties; and, nothing more remaining to be done in this cause, ^{the Court doth further} ~~doth~~ order that the same be removed from the docket

Sylvester Wright & als.

vs. } chy.

Wright & als.

Nausumund County
Circuit Court.

October Term 1878

Final Decree

To be entered

Geo. S. Lord.

Entered D.B. No. 1- p. 404

Wright & als.

vs.

Wright & als.

The joint and several answer of Sarah C. J. Q., John C. W., and Molly F. S. Wright, and John A. Johnson infants under twenty-one years of age by Peter B. Prentiss their guardian ad litem, to the Bill of Complaint exhibited against them in the Circuit Court of Stanswold County by Sylvester Wright and Elizabeth E. wife of Nathaniel Wright, and William Aaron P., C. Franklin LaFayette, A. Missouri Cornelia, and Mary Jane Alexina Wright, and Eldora V. wife of M. Gustavus Williams and Irene C. James W. and Thomas W. B. Griggs, and Martha A. wife of James Parker, and Lydia W. wife of John T. Overfleet:

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

Wright & als

vs

Wright & als

Answer of Infants,
Defendants.

may be made herein inconsistent
with their rights.

By Peter B. Wentworth

John and Henry

Distributees of Juv. L. Poudon under his will.
 $\frac{1}{3}$ ^{of whole estate} equally among following 9 children of
Mary Jane deceased late wife of Sylvester Wright
and whole sister of Juv. L. Poudon deceased,
said children being alive at the time of the
death of said Poudon, see will: to wit

- 1 To Sylvester Wright father and heir of Mary
Jane's son Geo. Ro. Webb Wright deceased $\frac{1}{9}$ of $\frac{1}{3}$
- 2 To Elizabeth E. wife of Nathl. Wright $\frac{1}{9}$ of $\frac{1}{3}$
- 3 " Wm. A. P. Wright "
- 4 " L. Franklin LaFayette Wright "
- 5 " A. Missouri Cornelia Wright "
- 6 " Mary Jane Alexina Wright
- 7 " Sylvester Wright gd. of Sarah C. J. Q; Juv. L.
W. and Molly F. S. Wright infants $\frac{1}{9}$ of $\frac{1}{3}$
to each

To the following two children of Sarah Ann
deceased, late wife of John P. Johnson and
whole sister of said Juv. L. Poudon deceased
to wit: $\frac{1}{3}$ of whole estate as follows

- To Eldora V. wife of M. Gustavus Williams $\frac{1}{2}$ of $\frac{1}{3}$
" Juv. P. Johnson Guardian of John A. Johnson
an infant $\frac{1}{2}$ of $\frac{1}{3}$

To the following 4 children of Ascension
(Serusim.) Griggs, half sister of John L.
Poudon deceased $\frac{1}{6}$ of whole estate

Distributors of
John L. Pruden
deceased under his

will

as follows:

To Irene L. Enggs $\frac{1}{4}$ of $\frac{1}{6}$

" James W. Enggs "

" Thos. W. B. Enggs "

" Martha A wife of Jas. Parker $\frac{1}{4}$ of $\frac{1}{6}$

To Lydia W. wife of John T. Chisleet
& only child of Patsy Pruden half
sister of John L. Pruden $\frac{1}{6}$ of whole
estate.

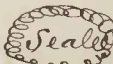
In the name of God. Amen. I, John C. Pruden, of the County of Hansemond and State of Virginia, being of sound and disposing mind & memory and calling to mind the uncertainty of human life, do make and appoint this to be my last will and testament, in manner and form, as follows, to wit:
Item the 1st: I give and bequeath unto my wife, Mary Ann, the following slaves, to wit: Barbary, Joanna, Tom, Newerson and Peggy.

Item the 2nd: I lend unto my wife, Mary Ann, during her natural life, my plantation and lands of every description, and also slaves, viz, Jordan & Georgiana - Also I lend unto my wife, Mary Ann, during her natural life, all my Chattel estate, consisting of moneys and bonds &c, stock of all kinds, household and kitchen furniture, and all and every species of Chattel property.

Item the 3rd: All the balance of my property, together with the two slaves, Jordan & Georgiana and Chattel estate & lands, I leave unto my wife, Mary Ann, I desire to be distributed as the law would do it, among the children that may be living at the time of my death of my sisters Mary Jane & Sarah Ann and also my half sisters, Sexton & Patsey.

I ^{do} hereby nominate and appoint my wife, Mary Ann, to be Executor of this my last will and testament. And I do hereby ^{declare} these presents to be and contain my last will and testament.
In Witness Whereof, I, the said testator, have hereunto set my hand and seal, This 15th. day of April, 1862.

Signed, sealed and declared by the testator, John C. Pruden, to be his last will and testament, in the presence of us, who, in his presence

John C. Pruden. 

at his request, in the presence of
each other, have herewith subscribed
our names, as witnesses

Peter B. Prentiss.

R. H. Riddick, Jr.

Wm. J. Holland.

At a Quarterly Court held for Nansemond County, the 14th.
day of November, 1864.

This Last Will and Testament of John C. Pruden, late
of this County, deceased, was this day fully proved by the oath
of Peter B. Prentiss, and the solemn affirmation of Wm. J. Holland,
two of the subscribing witnesses hereto, and was thereupon ordered
to be recorded.

Teste,

Peter B. Prentiss. Clerk

A Copy:

Teste,

Peter B. Prentiss. Clerk

In the Clerk's Office of Nansemond County Court, the 23rd.
day of July, 1866.

This duly authenticated copy of the Last Will and Testament of John C.
Pruden, deceased, with the Certificate Thereon, was produced by Mary Ann
Pruden, to the Clerk of said Court, and, on her application, is recorded
anew: the Book, in which the same was originally recorded, having
been destroyed by the burning of the Clerk's Office and records on the 7th.
day of February, 1866.

Teste,

Peter B. Prentiss. Clerk

At a Monthly Court, held for Nausemond County, on Monday,
the 8th: day of November, 1875.

On the Motion of John L. Fulgham, who made oath as the
law directs, and entered into a bond in the penalty of Five hun-
dred dollars, conditioned according to law, with John P.
Johnson, his surety therein, (who justified on oath as to his
sufficiency, and which said bond being acknowledged by the
obligors therein is ordered to be recorded:) Letters of Adminis-
tration on the Estate of John C. Pruden deceased, with his
will annexed, in due form, are granted him.

Teste,

Peter B. Prentiss. Clerk

A Copy:

Teste,

Nausemond County Court

Clerk's Office.

January, The 18th: 1876

Peter B. Prentiss. Clerk

Xind

John C. Pruden's

Will

(a Copy)

"A"

Wright & als.

vs.

Wright & als.

Exhibits

To the Honorable George Blow, Circuit
Court Judge for the County of Hansemond,
State of Virginia:

Complaining respectfully represent
and shew unto Your Honor, Your Complai-
nants, Sylvester Wright and Elizabeth E.
wife of Nathaniel Wright, and William
Sam P., C. Franklin LaFayette, A. Missouri
Cornelia, and Mary Jane Alexina Wright,
and Eldora V. wife of ^{Mr} Gustavus Williams, and
Irene C., James W. and Thomas W. B. Griggs,
and Martha A., the wife of James Parker,
and Lydia W. the wife of John T. Arfleet,
that between the 15th, and 25th, days of Sep-
tember in the year 1864 (during the late
war), John C. Ponder died in Chimborazo
Hospital in the City of Richmond, Virginia,
being a resident of Hansemond County,
in said State and leaving his last will
and Testament, and that at a Quarterly
Court, held for said County on the 14th, day
of November 1864, the said will and Testa-
ment was fully proven and duly ad-
mitted to record in the Clerk's Office of
said Court, and that the said will and
Testament was re-recorded in the Clerk's
Office of the County Court of said County,
on the 23d. day of July 1866, - as will ap-
pear by a certified copy of said will and

testament, and the certificates thereunto annexed, filed herewith as a part of this Bill and marked "A."

That the said John C. Pruden by his said last will and testament lent unto his wife, Mary Ann, during her natural life, his plantation and lands of every description and, after the death of his said wife, directs the same to be distributed, as the law would do it, among the children that may be living at the time of his death, of his sisters, Mary Jane and Sarah Ann, and also his half sisters Aentim (Ascension) and Patsy (Martha). See items 2 & 3 of the will.

That the said Mary Jane, now deceased, late the wife of Sylvester Wright, had nine children at the death of said John C. Pruden, to wit: Elizabeth E. wife of Nathaniel Wright, William Saml P., C. Franklin LaFayette, et. Missouri Cornelia and Mary Jane Alexina Wright, your complainants, and George Robert Webb, Sarah C. J. Q., John C. W., and Molly F. S. Wright, the last three being infants under twenty-one years of age; and the said sister of said John C. Pruden, Sarah Ann, now deceased, late the wife of John P. Johnson, had two children at the time of said John C. Pruden's death, to wit: Eldora V. wife of Gustavus Williams, your complainant, and John A. Johnson, the last named

one being an infant under twenty-one years of age; And the said Aescusim (Aescusim), widow of Benjamin Griggs deceased, half-sister of said John C. Prouden, had at the time of the death of said John C. Prouden, four children to wit: Your Complainants, Irene C., James W., and Thomas W. B. Griggs, and Martha A. wife of James Parker; And the said Patsy (Martha) widow of David Prouden deceased, and half sister of said John C. Prouden deceased, had, at the time of said John C. Prouden's death, one child to wit: Lydia W. Your Complainant, wife of John T. Arfleet.

That all said children, devisees of said John C. Prouden deceased, are now living, except George Robert Webb Wright, son of Mary Jane deceased, late wife of said Sylvester Wright; That the said George Robert Webb Wright died in the month of October 1870, (since the death of said John C. Prouden) being unmarried and without children, and leaving as his sole heir at law, his father the said Sylvester Wright, one of Your Complainants.

That the real estate of said John C. Prouden deceased, disposed of as aforesaid, consists of a tract of land, situated in Chaussemond County, Virginia, bounded by the County road, and the lands of Aescusim Griggs, John T. Arfleet and Edwin King's Estate, and

containing by survey one hundred and thirty (130) acres, as will be seen by a plat thereof, filed herewith as a part of this Bill and marked "B."

That the said Mary Ann, widow of said John C. Prouden deceased, died on the 6th. day of October 1875, and that after her death, the said children of the said four sisters of said John C. Prouden deceased, became possessed of said real estate as said devisees, by virtue of the terms of said will.

And Your Complainants further represent and shew unto Your Honor, that the said land is now subject to a partition among said devisees, or an allotment, or a sale; that the income or rent, arising from said land is small, when divided among said devisees, being many in number; that said land is of no benefit to said devisees; that the money for their respective shares thereof, would afford said devisees greater profit; that a partition or allotment thereof cannot be conveniently made; and that said land should, therefore, be sold, and the proceeds of the sale divided among said devisees.

In consideration whereof Your Complainants, being without remedy save in a Court of Equity, pray that the said Sarah C. J. Q., John C. W., and Molly F. S. Wright,

and John A. Johnson, all infants under twenty one years of age, may be made parties defendant hereto, and be required to answer by their guardian ad litem to be appointed for them, all the allegations contained in this Bill: That partition of said land may be made among said devisees or, if this cannot be conveniently done, that the said land may be allotted in whole or in part to any one or more of said devisees willing to accept the same and pay therefor to the other devisees, such sums of money as they may be entitled to by reason of their interests therein; or if no such division or allotment can be made, that the said land may be sold, with a reservation of the present burying ground inclusive of a space fifty (50) feet square, and the right of ingress and egress to and from the same for the relatives of said John C. Pruden deceased; and that the proceeds of the sale may be divided among said devisees, as Your Complainants especially desire in the interest of all parties; And that all other adequate and general relief may be granted consistent with Equity. And, as in duty bound, Your Complainants will ever pray &c.

Kilby Son
Attorneys.

Wright & als.
vs } Chaney.
Wright & als.

Bill

Staud. Co. Cir. Ct

Wright & Als

vs Chy: Notes.

Wright & Als

1876. Jan'y: 28th: Sumⁿ in Chy: joined to Feby: Rules, 1876

" Feby: 7th: Bill & x^{ts}: filed - Peter B. Reuter apptd gen: ad
litem to the Defts: who filed their answer to which
there was a genl: repln: & Cause set for hearing

" April 10th: Decree for partition &c.

" July 10th: Report of Commr: recommending sale, filed

" Octo: 12th: Decree for sale.

" Nov: 9th: Bond executed filed

" " 23rd: Report of sale filed

1877. Septs: 29th: Report of Collections & payments filed

" Octo: 4th: Petition of Geo: S. Harpport Sol: filed

" " 10th: Decree for acco:

1878. Feby: 18th: Report filed

" Apl: 10th: Decree to pay money

" June 10th: Report of pay^{ments} filed

" Octo: 11th: Final Decree.

Chy. Notes

Wright & als
vs. } Chy.
Wright & als

Plat of land
"B"

Surveyor's fee \$7.50