

1888-003

Nansemond Co. (Suffolk)

Chancery Causes: Thomas M. Dashiell et al vs Comt of Henry W. Wills et al

Clements

Folder 1 of 2

Plot

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-1 Plat

At a Special Term of the Circuit Court,
continued and held for Maunsemond County
on the 23^d day of June 1887.

Thomas M. Dashiell, in his own right &c. Plaintiff

against In Chancery
John L. Tulgham, Sheriff and Committee
of the estate of Henry Wills deceased &c. Defendants.

This cause came on this day to be
again heard on the papers formerly read and
on the Report of John L. Tulgham, Sheriff &c.
filed the 24th day of March 1887 (the
same being a Report of the sale of the
real estate of which Henry W. Wills
died, seized and possessed in pursu-
ance of the decree entered herein on
the 11th day of October 1886) and on
the notice in writing, which was
given by three of the parties hereto, to-
wit by the Personal Representative
of said Henry W. Wills, and by Lucy
W. Wills and William Wills to all
the other parties hereto and was
served upon the latter on the 27th day
of April 1887, said notice having been
filed with the papers herein, specifying
that the three parties mentioned above
moved on this day ask the Court to
allow a fee to their counsel to be paid
out of the money under the control
of the Court in this cause for the
services of said counsel herein,
and was argued by counsel.

On consideration whereof the Court
doth approve and confirm said Report
in all respects, the same being hereto-
fore confirmed in part, no excep-
tions having been filed thereto, and
doth allow to said Counsel for
his services herein a fee of forty
dollars, to be credited with the
sum of fifteen dollars already
received by him, and doth order that
John D. Fulgham, Sheriff and Special
Commissioner, pay the balance of
said fee, to wit: the sum of twenty
five dollars out of the money
which may come unto his hands
in pursuance of the decree entered
herein on the 13th day of April last,
before proceeding to disburse said
money as specified in the last above-
mentioned decree, and make report
thereof to Court.

At Copy

Teste:

Peter B. Pentis. Clerk.

At a circuit court continued and
held for Nausemond County the 13th day
of April 1887

Thomas M. Dashiell, in his own right &c. Plaintiff
Against } In Chancery

John L. Fulgham, Sheriff and Committee
of the Estate of Henry W. Mills deceased &c. Defendants

This cause came on
this day to be again heard upon the
papers formerly read and the report
of J. L. Fulgham, Sheriff, made pursuant
to the decree entered herein on the 11th
day of October 1886, to which report
there are no exceptions, and was
argued by counsel: on considera-
tion whereof the court doth approve
and confirm the said report except as to
the expenses of the last sale, and the fee
paid the defendants' attorney the con-
sideration of which is reserved for a
future decree in this cause, and the
court doth, adjudge, order and decree
that the said John L. Fulgham Sheriff
of Nausemond County and as special
commissioner, hereby appointed for
that purpose, do collect the two bonds
of the Purchaser filed and returned
with his said report upon their
maturity or sooner, if the said Purchas-
er shall desire to pay them before
maturity, and upon the collection thereof
the said Sheriff and special commissioner

will convey with special warranty
unto the said purchaser Alexander M.
Oliver the said tract of land sold, sub-
ject however to the dower therein of
Lucy M. Mills, widow of the said
Henry M. Mills, deceased and he will
out of the proceeds of said bonds pay
first any unpaid costs of this suit
and then pay to J. F. Crocker attorney of
the plaintiffs one hundred and fifty
six dollars and ninety nine cents
(\$156.99) with interest on Sixty six
dollars and Sixty seven cents (\$66.67) a
part thereof, from the 9th day of May 1883
until paid and hold the residue until
the further order of the Court.

a copy

Teste:

Peter B. Prentiss. Clerk

Lashlee etc.

vs.

Wills & al.

This cause came on this day to be again heard on the papers formerly read, and on the Report of John L. Fulgham, Sheriff etc, filed the 24th. day of March 1887 (the same being a Report of the sale of the real estate of which Henry W. Wills died seized and possessed in pursuance of the decree entered herein on the 11th. day of October 1886), and on the notice in writing, ~~filed with the papers herein, which was~~ ^{by three of the parties hereto to wit} given, by the Personal Representative of said Henry W. Wills, and by Lucy W. Wills and William Wills, ~~three of the defendants hereto, to the Complainant and the other defendants~~ to all the other parties hereto and was served upon the latter on the 27th. day of ^{said notice having been filed with the papers herein} April 1887, specifying that the three parties ~~now~~ mentioned above named, on this day, ask the Court to allow a fee to their counsel to be paid out of the money under the control of the Court in this cause for the services of said counsel herein, and was argued by counsel.

On consideration whereof the Court doth approve and confirm said Report ~~as a~~ in

balance of
said fee, to
wit, the sum
of twenty-five
dollars

all respects, the same having been heretofore confirm-
ed in part ~~and~~ no exceptions having been filed
thereto, and doth ^{allow} ~~order~~ that said John L. Ful-
gham, Sheriff and Special Commissioner, pay to
said counsel for his services herein a fee of
forty dollars, to be credited with the sum of
fifteen dollars, already received by ^{him, and} ~~said Coun-~~
~~sel~~ ^{doth order that John L. Fulgham, Sheriff and Special Commissioner, pay the} out of the money which may come into his
hands in pursuance of the decree entered herein
on the 13th day of April last, before proceeding to
disburse said money as specified in the last
above-mentioned decree, and make report thereof
to Court.

Dashill etc.

vs. } In Chy.

Wills & al.

In the Circuit Court
of Chaussemond County
June 23d. 1887

Decree

To be entered

C. M. H. C.

1887

except - as to the expenses of the last sale, and the fee paid the defendant's attorney, the consideration of which is reserved for a future decree in this cause.

Thomas M. Leachman Esq.

Henry W. Wells Esquire

This cause came on this day to be again heard upon the papers formerly read and the report of J. L. Fulgham, sheriff, made pursuant to the decree entered herein on the 11th day of October 1886, to which report there are no exceptions, and was argued by counsel: on consideration whereof the Court doth approve and confirm the said report, and the Court doth adjudge, order and decree that the said John L. Fulgham sheriff of Hanson County, as a special commissioner, hereby appointed for that purpose, do collect the two bonds of the purchases filed and returned with his said report upon their maturity or sooner, if the said purchases shall desire to pay them before maturity, and upon the collection thereof the said sheriff as special commissioner will convey with special warranty unto the said purchases, Alexander W. Oliver the said tracts of land sold, subject, however, to the claims therein of Lucy W. Wells widow of the said Henry W. Wells deceased, and he will out of the proceeds of said bonds pay first any unpaid costs of this suit, and ~~and~~ then pay to J. A. Graham attorney of the plaintiffs one hundred and fifty six dollars and ninety nine cents (\$156.99) with interest on sixty six dollars and sixty seven cents (\$66.67) a part thereof from the 9th day of May 1883 until paid, and ~~pay the residue, hold the residue until the further order of the Court.~~ ^{hold the residue} ~~thereof, if any, to the within~~ ^{the residue} ~~Kelly attorney for the defendants, as he will make report to this Court.~~

Thos. M. Leachill L

27

H.W. Wells' per. ap L

Secura

to be entered

April 13th 1887

C. M. Stille -

Entered on May 127

Thos. M. Cookell &

"

vs
John L. Fulgham Sheriff & Com. of
State of Henry W. Wilk's dec'd &c

This Cause came on this day to
be again heard upon the papers formerly read
and the report of John L. Fulgham Sheriff
of Harseman County made pursuant to the decree
entered herein on the 15th day of October 1885, to which
report no exceptions have been filed and were argued
by counsel. On consideration whereof it appearing
by the said report of John L. Fulgham ^{sheriff} that at the sale
made by him pursuant to the said decree of the land
therein decided to be sold, the said land was knocked down
to Wm. B. Wilk, he being the highest bidder therefor at
the price of \$355⁰⁰, and it ^{further} appearing that the said
W. B. Wilk refuses to comply with the terms of the
said sale, the court doth adjudge order and decree
that the said land be sold at the cost and expense of the
said W. B. Wilk, and that John L. Fulgham Sheriff aforesaid
do proceed to resale at public auction the said parcel
of land, before the court house of said county, after giving
the notice as upon the terms mentioned and prescribed
by the said decree of the 15th day of October 1885; and
the court doth further adjudge order and decree
that the said John L. Fulgham Sheriff aforesaid, do
at the same time and place after ^{giving} like notice
sell upon like terms that portion of the tract of land
of which Henry W. Wilk's dec'd seized and possessed which
in these proceedings has been assigned in dower to Lucy W.
Wilk widow of the said Henry W. Wilk, containing 63 acres

The bonds of which are fully set forth in the accompanying file
in this case, and the said sheriff will make report
to the court of his proceedings under this decree. And
the court doth further adjudge order and decree that
the said sheriff making sale of said land shall not receive
or pay any bid given the said W. B. Wilby.

Thos. H. Leach, C. C. &

a. y.

Henry W. Wilby, Com. in Ch.

Dec. 11

2.6 miles

Oct 11 1886

Geo. Brown, S.

11

Entered 883 No 2 pages 90

Oct 11 1886

Copied

Dashiee etc.

vs.

Wills & als

This cause came on this day to be again heard on the papers formerly read and on the joint and several answers of Lucy W. Wills and William Wills filed the 4th. day of September A. D. 1883 and the exhibit filed with said answers and on the examinations of the witness, Thos. J. Clements, filed the 3d. day of October A. D. 1883 and on the Report of John L. Fulgham Sheriff, filed the 23d. day of September A. D. 1885 and was argued by counsel.

On consideration whereof the Court doth ~~ex~~ approve and confirm said Report to which no exception has been filed and doth adjudge, order and decree that the real estate of which Henry W. Wills died seised and possessed, except that part which has been assigned to his widow as and for her dower, be sold, - said real estate to be sold being a

parcel of land situated in
Chuckatuck Magisterial Dis-
trict in Chaussemond County
and containing one hundred
and two and one-half ($102\frac{1}{2}$)
acres, more or less and bound-
ed on the north and east by
that branch of Chaussemond River
which leads to Everett's Bridge,
on the south by the other land
of said Henry W. Wills, now held
by his widow as her said dower
and on the west by the land of
Wm H. Morris, and that said
sheriff proceed to sell said
land by public auction to
the highest bidder before the
Courthouse door of said County
on some County Court day on a
credit of six and twelve months
(except as to enough of the pur-
chase money to pay the costs of
this suit and the expenses of
the sale which he will require
to be paid in cash); taking of
the purchaser bonds for the de-
ferred payments in equal sums
with good personal security pay-

able to himself as ~~A~~ Sheriff a-
foresaid and make Report to
Court of his proceedings under
this decree and file said Bonds
therewith and retain the title
to said land until the further
order of Court.

But before proceeding to make
said sale, the said Sheriff will
advertise the same and the time
place and terms thereof by notice
to be published in a newspaper
published in the Town of Suffolk
in said County for a reasonable
time and by printed notices
to be posted at said Court house
door and at various public
places in said County and in
the neighborhood of said
land for at least twenty
days prior to the day of sale.

Dashiee

vs. } In Chy.

Mills & al.

In the Circuit Court
of Chaussemond County
October 15th. 1885

Decree

To be entered

Geo. B. Ross.

Entered 873 No 2 p 58

(C. p. 1)

Thos. M. Leaskhill L.

NT

H. W. Wills 'per. sup. L

This cause came on this day to be again heard upon the papers formerly read, the report of James W. Hull, E. J. Matthews and George M. Gay three of the special commissions appointed by the decree entered herein on the 10th day of October 1882 to assign to Lucy W. Wills widow of Henry W. Wills dower in the lands of which her said husband died seized and possessed, reporting said assignment of dower, and the report of Commissioner Wilbur J. Kelly made pursuant to the said decree of the 10th day of October 1882, to which reports there are no exceptions, and was argued by counsel: On consideration whereof the Court doth approve and confirm the said reports, and doth adjudge order and decree that Lucy W. Wills widow of Henry W. Wills descent do hold for and as her dower in the real estate of which her said husband died seized and possessed that portion thereof which by the report of the aforesaid special Commission is assigned to her, as in said report mentioned and described: And the Court doth further adjudge order and decree that the Sheriff of Hanscom County do rent out at privately or at public auction as he may deem best all the real estate of which Henry W. Wills died seized and possessed, except that portion thereof which has been

assigned in answer to the widow of said ^{Wm.} Wills, and he
 will take from the tenants or tenants bond with
 good security for the rent, and he will rent out
 the said lands from year to year until the fur-
 ther direction of the Court. and he will make
 report to the Court. On motion of the de-
 fendants Lucy W. Wills and Wm Wills by their
 counsel leave is given them to file ~~their~~
 answers in this cause.

Wm

Seashill

N 3

Wills &

decree
 to be entered
 14th Dec 1883

W. B. Brown

Seashill

Index 003. No 1. Page 620

Thomas M. Blackwell in his own right
as administrator of Lucy Ann Blackwell
suing for himself and all other creditors of
Henry W. Wills deceased

J. L. Fulgham sheriff of Hancock
County and Committee of the estate
of Henry W. Wills deceased, Lucy W.
Wills widow of H. W. Wills, William
Wills, Bessie Wills, Leonard Wills
and George Wills.

This cause came on this day to
be heard upon the bill taken for com-
pensed as to the defendants J. L. Fulgham
sheriff of Hancock County and
Committee of the estate of Henry W. Wills
deceased, Lucy W. Wills, and William
Wills, on whom process appears to
have been duly served, and they still
failing to appear, as well as demand,
the joint and separate answers of the infant
defendants Bessie, Leonard and George
Wills by P. B. Prentiss their guardians ad
litem, with general applications to said
answers and the exhibits, as was argued
by counsel: On consideration whereof,
the Court doth not judge order and decree
that one of the Commissioners of the Court

do take, state and report the following accounts:

- 1 An account of the plaintiff's claims and the claims of all other creditors of Henry W. Wills deceased, and state the order of their priority;
- 2 An account of the personal and real estate of which the said Henry W. Wills died seized and possessed, showing the fee simple and several volumes of the said real estate.
- 3 An account of the transactions of J. L. Fulgham sheriff of Hancock County and committee of the estate of the said H. W. Wills.

And it is ordered the publication of the notice of the time and place of taking said accounts by said committee since once a week for four ^{successive} weeks in some news paper published in the town of Suffolk, shall be taken as equivalent to personal service of the same on the parties.

And the court doth further direct by order and decree that J. W. Hall, E. J. Mather, Geo. M. Gay, S. T. Ellis and Peyton R. Turner who are appointed special commissioners for that purpose,

any three of whom may act, after being
duly sworn, do hereby certify to say
W. Wills, widow of Henry W. Wills dec'd,
as and for her dower to be held by her during
her natural life, one third of the real estate
of which the said H. W. Wills died seignor and
possessor, having regard to quantity and
quality, and if necessary the said com-
missioners may employ the aid of any com-
petent surveyor - and they will make
report to the Court.

7. In Clapham

&

H. W. Will's Casket

See also No 1

2 L. Casket

Oct ^{10th} 1882

Geo. Brown

Entered-Chancery Order
Book No. 1 - Page 576

Copies.

At a Circuit Court held for Hantsman County
The 10th day of October 1882.

Thomas M. Gashill in his own right
and as Administrator of Lucy Ann Da-
shill, suing for himself and all other
creditors of Henry W. Wills, deceased. Plaintiff.

Against & In Chancery
J. L. Fulgham, Sheriff of Hants-
man County and Committee of the
Estate of Henry W. Wills, deceased, Lucy
W. Wills, widow of H. W. Wills, William
Wills, Bessie Wills, Leonard Wills and
George Wills. Defendants.

This cause came on this day to be heard upon
The bill to enjoin for answered as to the defendants
J. L. Fulgham, Sheriff of Hantsman County and
Committee of the estate of Henry W. Wills, decess-
ed, Lucy W. Wills, and William Wills on whose
process appears to have been duly served and they
still failing to appear, answer or demur, the joint
and separate answers of the dissent defendants,
Bessie, Leonard and George Wills, by P. B. Proutie
their guardian ad litem, with general replications
to said answers and the exhibits, and was argued
by Counsel.

On consideration whereof the Court doth adjudge,
order and decree that one of the Commissioners
of this Court do take, state and report to

following accounts.

1. An account of the plaintiffs claims and the claims of all other creditors of Henry W. Wills, deceased, and state the order of their priority.
2. An account of the personal and real estate of which the said Henry W. Wills died, seized and possessed, showing the purchase and annual value of the said real estate,
3. An account of the transactions of J. L. Fulgham Sheriff of Chautauque County and Committee of the estate of the said H. W. Wills.

And it is ordered that publication of the notice of the time and place of taking said accounts by said Commissioner once a week for four successive weeks in some newspaper published in the Town of Suffolk, shall be taken as equivalent to personal service of the same on the parties.

And the Court doth further adjudge, order and decree that J. W. Hall, E. J. Matthews, Geo. W. Gay, S. T. Ellis and Peyton R. Turner who are appointed special Commissioners for that purpose any three of whom may act, after being duly sworn, do proceed to assign to Lucy W. Wills, widow of Henry W. Wills, deceased, as and for her dower to be held by her during her natural life, one third of the real estate of which said H. W. Wills died, seized and possessed, having regard to quantity and quality, and if necessary the said Commis-

Siavers may employ the aid of any compe-
tent Surveyor, and they will make report
to the Court.

A Copy,
Lester.

Peter B. Prentiss. Clerk.

Thomas M. Dashiell ^{Xnd} &c

^{4th} { Co. Decees Octo: 10/82
Henry W. Wills' Parl: Rep: &c

To Thos. M. Dashiell in his own right and as ad-
ministrator of Lucy Ann Dashiell deceased
suing for himself and all creditors of Henry W.
Wills deceased

TAKE NOTICE that, on the 3d day of October, 1883, next, at
the office of Wilbur J. Kilby, in Suffolk, Virginia

between the hours of 8 A. M. and 6 P. M. of that day, we shall proceed to take the Depositions of

Thomas J. Clements

and others, to be read as evidence in our behalf, in a certain suit in Equity
depending in the Circuit Court of Chatham county, wherein

you are Plaintiff and we and others are Defendants;

and if, from any cause, the taking of the said Depositions be not commenced on that day, or, if commenced, be not
concluded on that day, the taking of the same will be adjourned and continued from day to day or from time to time,
at the same place and between the same hours, until the same shall be completed.

Respectfully,

To the Sheriff or Sergeant of Norfolk }
city — county to execute.

18 Sept. 1883.

Lucy W. Wills
William Wills
By Wilbur J. Kilby Atto.

Executed this 20th,
day of September A D
1883 by serving a copy
here of on Thos W Dashiell
in his own right and as
Administrator of Lucy
Ann Dashiell deceased

Serpts fee 50 cents paid

C. L. Quinn Deputy
for F. L. Plade Serpt

In the Circuit Court of Hanse-
mond County, Va.

Thomas M. Dashiee &c Plaintiff
against } In Chancery
Lucy W. Wills and others. Defendants

The deposition of Thomas J.
Clements taken before me, Peter
B. Prentiss a Commissioner in
Chancery of the Circuit Court
in and for Hansemond County
in the State of Virginia in
pursuance of the notice hereto
annexed at the office of
Wilbur J. Kilby in Suffolk
in said County on the third
day of October A.D. 1883 be-
tween the hours of 8 A.M. and
6 P.M. to be read as evidence
on behalf of the defendants
in a certain suit in Equity
pending in said Court between
Thomas M. Dashiee in his own
right and as administratrix
of Lucy ~~W. Wills~~ Ann Dashiee

deceased, suing for himself and
all creditors of Henry W. Mills de-
ceased. Plaintiff and Lucy
W. Mills and William Mills
and others, Defendants

Present: Wilbur J. Kilby Atto.
for the defendants

Thos. J. Clements being duly sworn deposes as follows:

1 Q What is your age, where do you
reside, do you know the parties
to this suit

Ans. I am 52 years of age, reside
in Isle of Wright County about
seven miles from Windsor and
I know all the parties to this
suit except the infant de-
fendants.

1 Q Did you know Richard Clem-
ents and if so was he any
relation of yours

Ans. He was my brother, He is now
dead having departed this life
in July 1873. I am his admin-
istrator.

2 Q Did he have any middle Chris-
tian name for which the letter
"C" could stand

Ans. No Sir; and never had.

3 Q

Do you know whether or not he had any transactions in money matters in his life time with Thos. M. Dashiell the Plaintiff in this suit and if so were you familiar with them.

Ans.

My Brother had only one transaction so far as I know with Mr. Dashiell and in fact that was the only one he ever had with him. The occasion was before Mr. Dashiell went into Bankruptcy. Mr. Dashiell borrowed money of my brother and placed in his hands sundry claims as security (collateral security) for the money borrowed, but Dashiell afterwards paid the money to my brother and my brother returned and delivered ^{to Dashiell} all the claims, which he had held as security for the money and that wound up the matter, and so far as I know it was the only transaction my brother and Mr. Dashiell ever had.

4 Q.

It appears from the record in this suit that judgment was obtained 14 Octo 1868 in the Circuit Court of Chaussemond County and docketed in the Clerk's office of the County Court of said County on 2nd Nov. 1868 in favor of Richard C. Clements assignee of Thos. M. Dashiee against Henry W. Wills for \$100. with interest from 9 May 1862 and \$6.32 costs, and that said judgment was founded on a note executed by said Henry W. Wills, payable to said Dashiee and that said note purports to have been assigned to said Richard C. Clements by said Dashiee, please state whether you know any thing of said pretended assignment, and all the facts within your knowledge concerning it.

Ans.

The elements to whom said note purports to have been assigned was my brother Richard Clements

but as stated above, he had no middle name for which the letter "C." could stand. My brother never claimed any interest in the note nor in fact the note itself. I doubt very much whether the note was ever in the possession of my brother. I was familiar with my brother's matters & from my knowledge of his affairs before and since his death, I am of the opinion that the assignment of the note to him was purely fictitious, without value, and that the note, notwithstanding the assignment, continued & remained the property of Mr. Dashiell. Certain it was my brother never set up any claim to it in his lifetime, nor have I as his administrator ^{since his death}, nor does his estate now claim the note or any interest in it. The judgment on the note was obtained by Dashiell or at his instance

my brother having had nothing to do with it. My brother certainly never brought the suit to obtain the judgment nor was it brought at his instance.

And further this defendant says not

Thos. Helms

State of Virginia
Hanover County } to wit

I, Peter B. Prentiss, a Commissioner in Chancery of the Circuit Court in and for said County in said State, do hereby certify that the foregoing deposition was duly taken, sworn to and subscribed before me at the time and place mentioned therein

Given under my hand this
3d. day of October 1883

Peter B. Prentiss,
Comm'r. in Chy.

Fee of Court. \$6.00

" of Sergt. of

Norfolk, paid by

W. J. Kilby — $\frac{50}{\$6.50}$

John L. Fitchham, Shk: & Commr.
of the Est: of Henry W. Wells decd
Lsd: ads { Depositions
Marion M. Dashiell, in his own
right &c

1883
Octo: Incl: Filed
cll: f

Dashiee etc.

vs.

Wills & al.

This cause came on this day to be again heard on the papers formerly read ^{and} on the Report of John L. Fulgham, Special Commissioner, filed the 24th. day of May A.D. 1888 (the same being a Report of collections and disbursements in pursuance of the decrees entered herein on the 13th. day of April A.D. 1887 and the 23d. day of June A.D. 1887), and was argued by counsel.

On consideration whereof the Court doth approve and confirm said Report to which no exception has been taken and doth adjudge, order and decree that the proceedings had herein be final and binding between the parties and, nothing more remaining to be done herein, doth order that this cause be removed from the docket.

Dashiee

vs. } In Chy.

Mills & al.

In the Circuit Court
of Chausemond County
October 10th 1888

Final decree
To be entered
C. W. M.

Entered by O. B.
No 2 P- 212

Thomas M. Dashiell &c.

vs.

J. L. Fulgham Sheriff of Washington County,
and Committee of the Estate of Henry M. Wells.
Lucy M. Williams, Bepie, Leonard and
George Wells the last three infants under
twenty one years of age.

The joint and several answer of Bepie, Leonard
and George Wells; infants under twenty one years
of age by Peter B. Prentiss their Guardian ad litem.
to the Bill of Complaint exhibited against them
by Thomas M. Dashiell &c, in the Circuit Court of Washington County.
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 Disposing of the Court and pray that
no order or decree may be made herein, inconsis-
tent with their rights.

(Signed)

Peter B. Prentiss

Gdn. ad litem.

Thomas M. Dashiell, in his
own right &c.

vs { Answer of Infants
John L. Sulphur, &c. of the
Estate of Henry W. Wilkes dec'd &c.

\$100 On demand I promise to pay unto Tho^s. M. Dashiell, the
Just and full sum of One hundred dollars, difference in
trade of horses, for the payment of which, I bind myself, heirs
&c. As witness my hand and seal, this ninth day of May
Eighteen hundred and sixty-two

H. W. Wells —

Endorsed: Pay the within to Richard C. Clements, without recourse to
July: 1st 1868. J. M. Dashiell

I, Peter B. Prentiss, Clerk of the Circuit Court of Nausomand
County, Virginia, do hereby certify, that the foregoing is a copy of the
bond filed with the declaration in the Common Law suit,
late pending in said Court, wherein Richard C. Clements,
assignee of J. M. Dashiell is Plaintiff, and H. W. Wells, is
Defendant — that a Judgment was obtained in said Bond
in said Court on the 14th day of October, 1868, and that said
Judgment was docketed the 2nd day of November, 1868.
Teste:

Nausomand Cir. Co.
Clerk's Office, Sept: 15th 1883

Peter B. Prentiss, Clerk

Thos. M. Lashlee &c.

vs. } In Chy

Wills' Per. Rep. &c

Exhibit No. 4
filed with the
Answer of Lucy
W. and Wm. Wills

20 June 1883

1883. Sept. 4th Filed
cl

In the Circuit Court of Chausse-
mond County, Va.

Thomas M. Dashiell etc, Com-
plainant

against } In Chancery

Henry W. Wills' Personal Representa-
tive and others, Defendants

The joint and several answers
of Lucy W. Wills and William
Wills, two of the defendants to the
Bill of Complaint exhibited a-
gainst them and others in the Cir-
cuit Court of Chaussemond County
Va. by Thomas M. Dashiell in his
own right and as administrator of
Lucy Ann Dashiell deceased, suing
for himself and all other creditors
of said Henry W. Wills deceased, Com-
plainant,

These defendants reserving
to themselves all right of exception
to the said Bill of Complaint, for
answer thereto or so much and
such parts thereof as these defend-

ants are advised it is necessary or material for them to make answer unto, these defendants answering say,

That it is true, as stated in said Bill, that the said Henry W. Wills departed this life intestate leaving this defendant, the said Lucy W. Wills, his widow and this defendant, said William Wills, and Bessie, Leonard and George Wills his only distributees and heirs at law, the last four named being his children and the last three named, under twenty one years of age

That the said Henry W. Wills died seized and possessed of the tract of land described in said Bill as containing 171 acres, but in fact containing by survey 165 acres, in which this defendant, said Lucy W. Wills is entitled to dower, which dower, containing 63 acres has been assigned to her,

That said Henry W. Wills was possessed at the time of his death of but little personal estate, such as was left by him having long

since been consumed by his family in the use of the same.

That there was no administration on his estate prior to the 15th day of May, 1882, when his estate was committed to the hands of John L. Fulgham, Sheriff of said County for administration according to law,

That while it is true, as alleged in said Bill that said Henry W. Mills and one Thos. J. Clements on the 30th day of January 1854 executed the writing obligatory filed with said Bill as exhibit "A" for the sum of \$90, 16 ²/₃ for value received payable to Lucy Ann Mills, who afterwards married said Complainant, Thomas M. Dashiell, yet these defendants say that the said Complainant, Thomas M. Dashiell, as the administrator of ~~his~~ the said Lucy A. lately his wife who has departed this life, ought not to recover or have of, or from these defendants or the estate of said Henry W. Mills deceased, any thing on account of said writing obligatory, nor be allowed to re-

cover or maintain his suit for the amount thereof, to wit for said sum of \$90.16 $\frac{2}{3}$ against these defendants or said estate, or be permitted to have the benefit of their said Bill filed for the recovery of the same, because these defendants, allege and say that said writing obligatory was out of date and barred by the statute of limitations before the institution of said suit or the filing of said Bill, nor of said Thos. J. Clements for the same reason and the further reason that the said Thos. J. Clements was a minor under the age of twenty-one years when he signed said writing obligatory, the cause of action having not accrued on said writing at any time within twenty ^{years} next before the commencement of this suit.

But these defendants say that the said Bond for \$90.16 $\frac{2}{3}$ was, in fact, satisfied and paid by said Henry W. Mills in his lifetime between the time when it was given and the time of the marriage of said Lucy

Ann to said Thos. M. Dashiell, by payments to her of various sums of money and sundry articles of clothing and other necessities furnished her at different times, while she was in a dependent state, having to depend for the most part upon her needle work for a living.

That the said Lucy Ann set up no claim whatever during her lifetime to said Bond and desired to surrender it, but could not do so as she could not get possession of it, being as it was in the hands of her husband said Thos. M. Dashiell, who refused to let her have it.

That, while the said Thos. M. Dashiell had possession of said Bond, against the consent and without the knowledge of said Lucy Ann, his wife, he sent the same to John R. Kilby, attorney, for collection who, finding the facts herein alleged, to be true, returned the Bond to said Thos. M. Dashiell, in June 1871 as "insolvent and disputed".

These defendants, therefore, deny that they are, or either of them or the

estate of said Henry W. Mills, is liable in any way for the payment of said writing or sum of \$90, 16 ²/₃ or that the same is due and payable as claimed by said Thos. M. Dashiell in his said Bill.

As to the judgment, which was obtained the 14th day of October 1868 in the Circuit Court of said County and docketed in the Clerk's office of the County Court of said County the 2nd day of November 1868 in favor of Richard L. Clements as assignee of said Thos. M. Dashiell against said Henry W. Mills in his lifetime for the sum of \$100, with interest from the 9th day of May 1862 till paid and \$6,32 costs, as shown by exhibit B. filed with said Bill,

These defendants deny that the said Thos. M. Dashiell owns the same as claimed in his bill, and say that he not only does not own the same but is not entitled to any part thereof or any benefit thereof and has no right to sue for or claim the proceeds thereof in any way whatever, ~~notwithstanding~~ of, or from

these defendants or either of them or said estate, notwithstanding the fact that the same may be in free force and unpaid and a lien on the land of which said Henry W. Mills died seized and possessed.

These defendants allege that on the 25th day of February 1868 the said Thos. M. Dashiell filed his Petition in ~~the~~ Bankruptcy in the United States District Court at Norfolk Va. the case being Case No. 91 on the docket of that Court, and on the 5th day of March 1868 was duly declared a Bankrupt and on the 30th day of March 1868 R. S. Thomas was appointed his assignee and accepted the appointment on the 31st day of March 1868 and the said Dashiell having surrendered all his assets, the said assets were on said 31st day of March 1868 assigned and turned over to said R. S. Thomas by B. B. Foster Register in Bankruptcy of said District Court.

That knowing that he was about to file said Petition in Bankruptcy and while preparing voluntarily to

do so, ~~he~~ and with the intent to defraud and deceive his creditors and to prevent them from having the benefit, or his said assignee from having or receiving the proceeds of, or money for, the Bond upon which said judgment was afterwards obtained, he the said Thos. M. Dashiell on the first day of February 1868 only twenty-five days before he filed said Petition in Bankruptcy, by his indorsement on said Bond, did ^{pretend to} assign said Bond to Richard C. Clements, without recourse to him, while in fact and in truth, the said Bond was not for value received, assigned to said Richard C. Clements and was never in his possession and was never claimed by him, but on the contrary remained in the possession of said Dashiell while the Bankrupt proceedings in his case were pending; that the said Richard C. Clements never had any interest in said Bond, and never claimed any and that the said Dashiell was never indebted to said Clements on any account for which

payment of which it was necessary to assign to him said Bond, and that the suit afterwards brought upon said Bond and the judgment obtained as aforesaid in the name of said Richard C. Clements was all the work of said Dashiell for his own advantage, benefit and behoof, he taking advantage of said assignment to keep said Bond or the proceeds thereof from going into the hands of his said assignee in Bankruptcy.

These defendants, therefore, say that said pretended assignment of said Bond to said Richard C. Clements having been made by said Dashiell to hinder, delay and defraud his creditors and assignee in Bankruptcy, and the said Bond being before and at all times during the pendency of the Bankrupt proceedings in his case, in his possession, ^{and a part of his assets,} and being in no wise the property of said Richard C. Clements and having never been claimed by him by virtue of said assignment or otherwise, the same in truth and in

fact was rightfully the property of, and belonged to, said assignee in Bankruptcy, of said Dashiell and by virtue of the Bankrupt proceedings in this case ~~as too of said judgment~~ and that the said assignee, if any one at all, is ~~assignee being~~ now the only person having the right thereto or ^{the right to claim} the benefit of said judgment ^{thereon} ~~thereof~~, or the right to sue for or demand payment thereof, and that the said Dashiell having retained the same, under cover of the pretended assignment thereof to said Clements in fraud of his creditors and said assignee in Bankruptcy, has no right to claim the benefit of it or to sue for or demand payment thereof. A copy of said Bond with said pretended assignment indorsed upon it, is herewith filed as part of this answer and marked exhibit No 4.

That the said Dashiell was discharged in Bankruptcy on the 22nd day of August 1868 and having been hurried through the Bankrupt Court, he hurriedly proceeds to take the said judgment in the name of said assignee for his own benefit.

As circumstantial proof of the

truth of ~~these~~ the allegations of this answer, these defendants would call the attention of the Court specially to the fact that while all the ^{other} allegations in said bill are clearly and distinctly stated, yet the said Dashiell ~~is~~ simply states that he "owns the said judgment" without for once stating how he came to own the same, when it was all important for him to do so, as said judgment was ^{obtained} exclusively and wholly for the benefit of said Richard C. Clements his assignee according to the record.

Again, the person to whom said Bond was alleged to have been assigned was in fact Richard Clements, who is now dead and who had no middle name whatever for which the letter "C" could stand. The fact that the initial "C" was given to said Clements is further circumstantial proof of the ^{fraud} ~~fact~~ of said assignment. for if the matter of the assignment had been bona fide, it is fair to ~~presume~~ ^{presume} that said Clements would have been present and seen that

his name was correctly written
briefly "Richard Clements" without
the initial "C".

These defendants charge that
in withholding said Bond ~~&~~ under
cover of said pretended assignment,
~~&~~ the said Dashiell was guilty of
a gross fraud upon his creditors and
assignee in Bankruptcy and that
notwithstanding said pretended as-
signment, the said assignee in Bank-
ruptcy ~~alone~~ of said Dashiell is ^{alone}
entitled to the benefit of said judg-
ment or to sue for the money therefor
and that the said Dashiell has no
right to maintain his suit therefor.

These defendants, therefore, pray
that the said ~~&~~ Bill be dismiss-
ed.

But these defendants further
say that the said Bond was given
for the difference in a trade of horses
as indeed the Bond itself specifies,
that when said Bond was given (9th,
May 1862), the said Dashiell had a
horse which the said Henry W.
Wells desired to have as suitable
for his purposes as a soldier in

the army and for it the said Mills gave said Dashiell another horse and the said Bond for the difference in the value of the horses in favor of said Dashiell.

That said Bond was executed as a contract to be fulfilled or performed in Confederate money or with reference to such money as a standard of value. That Confederate money being at that time (9 May 1862) worth only $66\frac{2}{3}$ to the dollar in gold, these defendants claim that the said Bond or judgment upon it should be sealed ^{and reduced} at the rate of $33\frac{1}{3}$ cents to the dollar and the true value thereof fixed at $66\frac{2}{3}$ cents to the dollar notwithstanding said judgment upon it.

And now having fully answered the Complainant's bill, these respondents pray hence to be dismissed with their reasonable costs in this behalf expended and they will ever pray &c.

Lucy W. Mills
William Mills

Wilbur J. Kilby. Atto.
20 June 1883

State of Virginia }
Hausemund County } to wit:

This day personally appeared before me, Wilbur J. Kilby, a Notary Public in and for the county aforesaid Lucy W. Wills and William Wills whose joint and several answers are written above, and made ~~off~~ oath that the statements contained in said answers so far as made of their own knowledge, are true, and that such statements as are made therein from knowledge or information derived from others, they believe to be true.
Given under my hand this 20th, day of June 1883.

Wilbur J. Kilby
Notary Public

Thos. M. Dashiell & c^o

vs. } In Chy

Wills' Per. Rep. & al.

Answer of
Lucy W. Wills
and
William Wills

1883. Sept. 4th: Filed
clk.

A Judgment obtained in The Clerk's Office of The Circuit Court of
Nauvoo County, and confirmed at a Court held and closed
for the said County, on Wednesday, the 14th. day of October, 1868.

Richard C. Clements, assignee of J. M. Washell . . . Plaintiff -
against } In Debt

Ro. H. Mills Defendant

The Judgment obtained at the Rules not having been set aside, and
the Plaintiff being now entitled to a final judgment, it is therefore con-
sidered, that the plaintiff recover against the defendant, One hundred
dollars, the debt in the declaration mentioned, with legal interest
thereon, from the 9th. day of May, 1862, till paid, and his costs, by him,
about his suit, in this behalf expended.

And the said defendant, in mercy &c.

A Copy:

Teste:

Peter B. Prentiss, Clerk.

Costs:

clerk . . \$2.82

att. May 3.00

shff: 50

\$ 6.32

1869. Nov. 18th.

Fi. Fi.

Docketed

1868. Nov. 2nd.

xiii

Richard C. Clements,
assignee of J. M. Worswell
vs } Copy Judge's
H. W. Wilco.

"B"

#98. 16 ²/₃ Six months after date we or either of us do promise to pay
to Lucy Ann Mills orphan of Mrs Mills dec^d the sum of twenty dollars
and 16 ²/₃ cents it being for her Interest in the land of Mr Eleazar Mills dec^d.
to the true payment whereof well and truly to be made we find
ourselves our heirs executors and administrators jointly and
severally jointly by these presents made with our seals and
dated this 30th day of January 1854

Witness
[Signature]

Wm W. Wier, (seal)
Thos. Clements (seal)

Wills & Elements -
To 3 Bends
Wills Lucy Ann
\$90.16 2/3

Wills
to
Lucy Ann Wills
\$90.16 2/3

868 - Sept 10th recd one lot
of millwright to the amt of
four dollars

"A"

(986)

Dashiee

vs.

Wills

Exhibit A.

Barred by the
Statute of Limita-
tions. W. J. Kilby
Commr.

7. Hon Geo. Blaw, Judge of the Circuit
Court of Hancock County.

Thomas M. Seashell in
his own right and as administrator of
Lucy Ann Seashell, ^{deceased}, suing for him-
self and all other creditors of Henry W.
Wills deceased, humbly sheweth unto
your honor -

That Henry W. Wills lately of said
County departed this life about 1876
intestate, leaving surviving him his widow
Lucy W. Wills, and the following children,
to wit: William, Bessie, Leonard, and
George, his only heirs at law; the last
three are under twenty one years of age.

That the said Henry W. Wills was
at the time of his death, seized and possessed
of the following real estate, to wit, a
certain tract of land in said County
wherein he resided at the time of his
death and wherein his said widow now
resides, containing 171 acres, as bounded
by the land of Ser Geo Phillips, Ser.
B. Briggs, Bucklett and others, and the Creek
leading to Everett's Bridge - The said
widow is entitled to dower in said land,
which has not been assigned to her.

That the said H.W. Wills was possessed at the time of his death of but little personal property - but such as there was has been in the possession of his family, and is doubtless consumed in their support.

There ~~has~~ been no administration in his estate until 18th day of May 1882, when by order of the County Court of said County his estate was committed to J. F. Fulgham, Sheriff of said County.

That the said H.W. Wills and Mrs J. Clements on the 30th day of January 1854 executed their writing obligatory, bearing date on said day or year, whereby they promised to pay six months after the date thereof to Lucy Ann Wills orphan of W.S. Wills dec'd, the sum of twenty dollars or 16 $\frac{2}{3}$ cts for value received - which bond is herewith filed marked A.

That said Lucy Ann Wills thereafter intermarried with John Campbell - and she departed this life about three weeks ago, and John Campbell has qualified as the administrator of her estate to wit, on 20th May 1882. in the Corporation Court of Norfolk City.

That the said H.W. Wills did not in his life time pay the said bond to the said Lucy Ann nor to John Campbell - nor has his personal

representation since his death, nor the said
Thos. J. Clements, nor any other person
paid the said bond. but the same remains
wholly due, except the sum of \$4⁰⁰ paid
on the 10th Sept 1868.

That R. E. Clements as assignee
of your Complainant, at the October term
1868 of the Circuit Court of said County,
obtained a judgment vs. the said H. W.
Wills for the sum of \$100, with interest thereon
from the 9th May 1862 till paid at for \$6³²
cents, which judgment was duly docketed
on the 2^d Nov. 1868 in the Clerk's office of
the County Court of said County. A
Certified Copy of said judgment and
docketing, is herewith filed marked
B. as a part of this bill.

That your Complainant now owns
the said judgment. and the same
remains in full force, and unpaid.
and is a lien on the land of or said of
the said H. W. Wills died seized and
possessed.

That execution was sent out on
said judgment on 11th day of November 1869
which was returned by the Sheriff of said
County, endorsed "no effect"

That the debt on which said judgment
was obtained, was contracted before

the present Constitution of the State went into
Effect.

In tender consideration whereof,
your Complainant prays, that said
J. L. Fulgham Sheriff of Hanson and
County, and Comptroller of the estate of
Henry W. Wells deceased, Lucy W. Wells
widow of H. W. Wells deceased, and William
Wells, Bessie Wells, Leonard Wells
and George Wells may be made parties
defendant to this bill, as he requires to
answer the same - that guardian ad
litem be assigned to the said infant de-
fendants, Bessie Wells, Leonard Wells
and George Wells to defend their ^{interest} ~~interest~~
in this suit - that an account of your com-
plainant's claims as the claims of
all other creditors of the said H. W. Wells
deceased may be taken - that all proper
accounts may be also taken - and that done
be assigned to the said Lucy W. Wells -
that the said funds subject to said done
be sold, and the proceeds applied to
the payment of the creditors of the said
H. W. Wells, and that all other rights
relating be granted that the nature of the
case may require a Court of Equity shall see
meant to grant & he will so pay no
J. L. Fulgham pr

Thos. M. Leashell

or 3 Bill

H. W. Will's Committee

J. F. Crocker
T. J.

Thomas M. Daskell, in his own right &c. Plaintiff

vs
Chy. Notes

John L. Fulgham, Shff: of Nassau County
& Committee of the Estate of Henry W. Wills,
decd &c.

Defendants.

1882. May 23rd: Sum'm Chy: issued to June Rules, 1882.

" June 5th: Bill filed - Decree nisi to adult depts:

" " " Peter B. Prentiss apptd genl: ad return to infant
depts: who filed their answer to which there was a
genl: repln: & cause set for hearing, as to them, on mo:
of Plff's Counsel

" July 3rd: Decree nisi confirmed & cause set for hearing, on mo: of
Plff's Counsel

" Octo: 10th: Decree for accos: & to assign Dower

1883 March 22nd: Report of Dower filed

" " 31st: Comm'r: Plff's Report filed

" April 14th: Decree directing sheriff to rent
out land and giving Lucy W.
Wills and Wm Wills leave to
file answers, & and confirm-
ing reports above-mentioned
1883 Sept 4th: Answers of Lucy W. and
William Wills filed & exhibit
with them,

" Octo: 3rd: Wills filed (for depts)

1885: Sept: 23rd: Report of John L. Fulgham, Shff: filed

" Octo: 15th: Decree for sale

1886. April Term. Continued

" July 26th: Report of Sale filed

1886. Octo: 11th: Decree for re-sale of land

1887. March 21st: Report of Re-Sale. filed

" April 13th: Notice for Collection of Substantive, filed

" " 27th: Notice of Application for fee to be paid to Counsel
for the defendant, filed

" June 23rd: Decree directed for fee to be paid to said Counsel

1887. Octo: 11th: Decree for sale of land

1888 April " Ditto

1888. May 24th: Report of Collection & disbursements, filed

Chy: Notes.

Costs

Ch	\$15.00
Atto: Gray	16.50
Stiff: Maus	3.00
Sgt: Maso: Cth	50
Comm: in Chy: W. J. R.	15.00
" " " " " " " "	6.00
Printer (Suff: Herald)	7.50
Surveyor: J. M. C.	8.00
Comm: to W. J. R. Comm	
J. W. Hall	1.50
E. J. M. Hall	1.50
Geo: M. Gay	1.50
	<u>\$76.00</u>

--501

25

55

06

Parliament - 40

June 3^d 1882

Judge R. B. Prentiss

Dear Sir,

Yours with
proposals to pay off the claims
of Mr. Thos. M. Seashill -

Will you please send me
a statement of the costs of the
suit which I lately instituted in
Witcham - including order of
discontinuance - but do not
discontinue until you receive
an order from me.

Yours -

J. F. Crocker

Chk.	\$5.00
Att. Fees	16.50
Stamps	1.00
	\$ 22.50

Suffolk, Va., Nov. 2, 1886

Mr. John L. Tugham Sheriff

To Suffolk Herald, Dr.

TERMS.

Transient Advertisements and
Subscriptions, Payable in
Advance.

Annual Advertisers are Re-
quired to Settle Quar-
terly.

Job Work, Cash on Delivery.

Fine Job Work a Specialty.

1886

Nov 5	To 100 Bills Sale of Henry Mills Land	150	
" 19	" Pub Notice of Sale Henry Mills Land 5 1/2 in 4 Weeks	750	\$9.00

John. D. Langford

At a Monthly Court continued and held for Nausemond County, the 15th:
day of May, 1882.

On the motion of Thomas M. Washell, it is ordered, that the Estate of Henry
W. Wills, deceased, be committed to the hands of John L. Fulgham, Sheriff of this
County, for administration according to law: it appearing, that the said Henry
W. Wills has been dead more than three months, and no one having applied
for administration on his Estate.

A Copy:
Teste:

Peter B. Prentiss. Clerk

Henry W. Wills' Estate

Copy order committing to
Sh. H. of Halsewood Co.

Virginia

At Rules, in the Clerk's Office of the
Circuit Court of Harrison and County, on
Monday the 5th day of June. 1882.

Thomas M. Dashiell, in his own

right, and as Administrator of
Lucy Ann Dashiell, deceased,
suing for himself and all other
creditors of Henry W. Wells, deceased. . . Complainant

Against } In Chancery.

J. L. Fulgham Sheriff of Harrison and
County, and Committee of the Estate of
Henry W. Wells, deceased, Lucy W. Wells,
William Wells, Bessie Wells, Leonard
Wells and George Wells, the last three

infants, under twenty one years of age. Defendants

On Motion of the Complainant, by Counsel, Peter B. Prentiss is
appointed guardian ad litem to the infant defendants, 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

1882. June 5th. I hereby acknowledge service of the foregoing
order, and that I have received a copy thereof

Peter B. Prentiss

Gdru ad litem.

Thomas M. Darchwell, in his
own right &c

vs { order apptg: adm: ad litem
John L. Fulgham, atty: for the
Estate of Henry W. Wilks, dec'd &c

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY - GREETING :
YOU ARE HEREBY COMMANDED TO SUMMON *J. L. Fulgham, Sheriff of*
Nansemond County and Committee of the Estate of Henry W. Wills, deceased;
Lucy W. Wills, William Wills, Bessie Wills, Leonard Wills and George
Wills, the last three 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 *June* next to answer ~
~ Bill in Chancery, exhibited against *them*
~ in the said Court by *Thomas M. Dashiell, in his own right and*
as Administrator of Lucy Ann Dashiell, deceased, suing for himself and
all other Creditors of Henry W. Wills, deceased.

and have then and there this Summons. Witness, *PETER B. PRENTIS*, Clerk of our said
Court, at his office, this *23rd* day of *May* 1882, in the *106th*
year of the Commonwealth.

Teste :

Peter B. Prentiss. Clerk.

1882, May 29th Executed and a copy hereof delivered to Lucy or Wells and William Wells, each, this day.

J. H. Raulb Dyfor
J. L. Sulgham shiff

Sufficient and legal service of this process is hereby acknowledged by me.

J. L. Sulgham shiff of
Hanseman County & Committee of
The Estate of Henry W. Wells, deceased

J. H. Raulb Dyfor

Thomas M. Washell, in his own
right, and as Attorney of Lucy Ann
Washell, died, during the

20th June in Chy.

John L. Sulgham, shiff of
Hanseman County & Committee of the
Estate of Henry W. Wells, deceased.

To June Rules, 1882

1882.	51	23
1884.	72	30
27.	9	23
7	2	22
7	1	1

1869	19
1861	4-17
7.8	22

Pro: B. No: 1. June

C. C. C.

To

Thomas M. Dashiell in his own right and as Administrator of Lucy Ann Dashiell deceased, suing for himself and all other creditors of Henry W. Wills deceased, Bessie Wills, Leonard Wills and George Wills, the last three infants under twenty-one years of age;

You are hereby notified that on the first day of June 1887, we shall ask the Circuit Court of Chaussemond County, which will then be in Special Session, to allow a fee to our Counsel for services, to be paid out of the moneys under the control of said Court, in the cause in Chancery in said Court depending between yourselves as parties, Plaintiff and defendants, and ourselves as defendants.

Given under our hands this 26th, day of April 1887.

John L. Fulgham Sheriff of Chaussemond County and Committee of the estate of Henry W. Wills, deceased, Lucy W. Wills and William Wills.
By Wilbur J. Kilby, their Counsel.

Dashill etc.

W. } In Chy.

Wills & al.

Notice of application
for fee to be paid
to Counsel for the
defendants.

1887 April 27th. Filed
C.H.

Sufficient and legal service of this
notice is hereby accepted and acknowl-
edged by us this 27th day of April 1887.

Peter B. Prentiss, John as attorney
for Bessie Wills, Leonard Wills
and George Wills, the within
named infants

J F Crick atty & PPs.

To the Circuit Court of Chause-
mond County, Va.

In pursuance of the decrees
of the Circuit Court of Chause-
mond County, pronounced on the
13th. day of April A. D. 1887 and
the 23d. day of June A. D. 1887 re-
spectively in the cause or suit
in Chancery in said Court
depending between Thomas M.
Dashiee in his own right and
as Administrator of Lucy Ann
Dashiee deceased, Plaintiff
and the Personal Representative
of Henry W. Wills deceased
and others. Defendants, copies
of said decrees being hereto at-
tached: the undersigned re-
spectfully reports to Court
that he has received of the Clerk
of said Court and given him a
receipt for, the two bonds of Alex-
ander W. Oliver with Wm. J. Oliver
security thereto, mentioned in said
decree pronounced on the 13th. day
of April 1887 and in the Report
of the undersigned filed in
said cause on the 24th. day of
March 1887, each for the sum of

\$98.⁶⁵ bearing interest from the 14th day of March A.D. 1887, and that he has collected the money for said bonds and disbursed the same as directed by said decrees as the following statement and the receipts hereto attached will fully show, to wit:

Statement.

By Amount of said Bonds		\$	199	30
" Interest on same,			11	95
To paid Wilbur J. Kilby, Atto. per rect.	25	00		
" " Same for writing deed conveying to said Alex. W. Oliver the land purchased by him under proceedings in said cause, per rect.	10	00		
To paid J. F. Crocker, Atty. \$156.99 and interest to wit \$19. ²⁶ on \$66. ⁶⁷ part of \$156.99 from 9 May 1883, as per said decrees & his rect. =	176	25		
	211	25	211	25

A deed with special warranty in the usual form has been made to said Alex. W. Oliver conveying to him the land purchased by him under proceedings in said cause

subject to the dower therein of
Lucy W. Wills, widow of Henry W.
Wills deceased.

Respectfully submitted this
24th day of May 1888

John L. Fulgham
Counr. etc.

Received of John L. Fulgham
Counr. the sum of twenty-five dol-
lars and also the sum of ten
dollars charged in the above
Report as paid to me.

Wilbur J. Kilby,
Atty. etc.

1888 May. 23⁵ Received of John L.
Fulgham, Comr. One hundred
and seventy-six and $\frac{25}{100}$ dollars
in full of the sum of \$156. $\frac{99}{100}$ and
interest on \$66. $\frac{67}{100}$ part thereof from
the 9th. day of May 1883 decreed
to be paid to J. F. Crocker, Attorney
for the Plaintiff, as per the decree
entered the 13th. day of April 1887
in the Chancery suit depending
between Thomas M. Dashiell in
his own right and as Admr. of
Lucy A. Dashiell, Plaintiff, and
the Personal Representative of Henry
W. Wills deceased and others, de-
fendants in the Circuit Court
of Chaussemond County.

\$176. $\frac{25}{100}$

J. F. Crocker atty
for pff for r.

At a Special Term of the Circuit Court,
continued and held for the County of Waukesha
on the 23rd. day of June 1887.

Thomas M. Dashiell in his own right &c. Plaintiff.

Against, In Chancery

John L. Fulgham, Sheriff and Committee
of the Estate of Henry W. Mills deceased &c. Defendants.

This cause came on this day
to be again heard on the papers formerly read,
and on the Report of John L. Fulgham Sheriff &c.
filed the 24th. day of March 1887. (the same
being a Report of the sale of the real estate
of which Henry W. Mills died seized and pos-
sessed in pursuance of the decree entered
herein on the 11th. day of October 1886), and
on the notice in writing, which was given
by three of the parties hereto ^{by the Personal Representative} to wit, of said
Henry W. Mills, and by Lucy W. Mills and William
Mills to all the other parties hereto and
was served upon the latter on the 27th. day
of April 1887, said notice having been filed
with the papers herein, specifying that
the three parties mentioned above would
on this day ask the court to allow a fee to their
counsel to be paid out of the money
under the control of the court in this
cause for the services of said counsel
herein, and was argued by counsel.
On consideration whereof the court doth
approve and confirm said Report in
all respects, the same having been
heretofore confirmed in part. No exceptions

having been filed thereto, and doth
allow to said Counsel for his services
herein a fee of forty dollars, to be credited
with the sum of fifteen dollars already
received by him and doth order that John L.
Fulgham, Sheriff and Special Commissioner
pay the balance of said fee to wit: the sum
of Twenty-five dollars out of the money
which may come into his hands in
pursuance of the decree entered herein
on the 13th day of April last, before pro-
ceeding to disburse said money as specified
in the last above-mentioned decree, and
make report thereof to Court.

@copy

Teste:

Peter B. Peattie. Clerk

xnd

Dashwell

14

1882

* hereby appointed for that purpose, to collect the two bonds of the purchaser filed and returned with his said report upon their maturity or sooner if the said purchaser shall desire to pay them before maturity, and upon the collection thereof the said Sheriff and Special

Commissioner

Malicuit Court, continued and held for the County of Vausemond, on the 13th day of April, 1887.

Thomas M. Dashiell in his own right &c Plaintiff.

Against; In Chancery

John L. Fulgham Sheriff & Committee

of the estate of Henry W. Mills, deceased &c. defendants.

This cause come on this day to be again heard upon the papers formerly read and the report of J. L. Fulgham Sheriff, made pursuant to the decree entered therein on the 11th day of October 1886, to which report there are no exceptions, and was argued by counsel - on consideration whereof the Court doth approve and confirm the said report, except as to the expenses of the last sale, and the fee paid the defendants Attorney, the consideration of which is reserved for a future decree in this cause, and the Court doth adjudge, order and decree that the said John L. Fulgham Sheriff of Vausemond County and as special Commissioner will convey with special warranty unto the said purchaser, Alexander W. Oliver, the said tracts of land sold, subject however to the dower therein of Lucy W. Mills, widow of the ^{said} Henry W. Mills deceased - and he will out of the proceeds of said bonds pay first any unpaid costs of this suit, and then pay to J. H. Crocker Attorney of the Plaintiff one hundred and fifty six with interest on Sixty six dollars and sixty seven cents (\$66.67) dollars and ninety nine cents (\$156.99) a part thereof from the 9th day of May 1883 until paid.

Dashill etc.

vs. } In Chy.

Wills & al.

Report of collections
and disbursements
24 May 1888

1888. May 24th. ^{The Court}
clerk.

and hold the residue until the further order
of the Court.

atopy
Teste.

Peter B. Prentiss. Clerk

LAND

Near Everett's Bridge, in Nansemond County, ❧ FOR SALE! ❧

By authority of the decree of the Circuit Court of Nansemond county, Va., pronounced the 11th day of October, 1886, in the suit in chancery in said court depending between the Administrator of Lucy A. Dashiell, deceased, and others, plaintiffs, and the Administrator of Henry W. Wills, deceased, and others, defendants, I shall sell by public auction, to the highest bidder, before the Courthouse door of said county,

On Monday, March 14th, 1887,

(court day), the following real estate of which said Henry W. Wills died seised and possessed, namely:

1. All that certain parcel of land situated near Everett's Bridge, in Chuckatuck Magisterial district, in said county, and on the south side of the creek which runs from said bridge to Nansemond river, containing sixty-three acres, more or less, and bounded by the lands of Bettie S. H. Edwards, wife of Charles P. Edwards, or her estate, Christopher Burket, and E. J. Matthews and the parcel of land mentioned below.

2. All that certain other parcel of land also situated near said bridge, in said district, and on said creek, and containing 102 acres, more or less, and bounded by the lands of said Bettie S. H. Edwards and E. J. Matthews, the above mentioned parcel of land and said creek.

☞ The first mentioned parcel of land constitutes the dower of Lucy W. Wills, widow of said Henry W. Wills, deceased, and will be sold subject to her dower. The purchaser will not obtain possession thereof until her death. The dwelling and outhouses are on the dower. The two parcels constitute one good farm, consisting of ample arable and woodland and some marsh. A wharf or landing may be built on said creek without much expense, and produce shipped from it by vessels passing regularly from said bridge to Norfolk.

TERMS.—Enough of the purchase-money will be required in cash to pay costs of suit and expenses of sale, and the balance in equal sums at the end of six and twelve months, the purchaser to give bonds for the deferred payments, with good personal security, and bearing interest from the day of sale. The title to the land will be retained until the further order of Court.

JOHN L. FULGHAM, Sheriff.

GEORGE T. PARKER, Crier.

FEBRUARY 22, 1887.

TO THOMAS M. DASHIELL, IN

his own right and as administrator of Lucy Ann Dashiell, deceased, suing for himself and all other creditors of Henry W. Wills, deceased. Plaintiff,
and

John L. Fulgham, Sheriff of Nansemond county and committee of the estate of said Henry W. Wills, deceased; Lucy W. Wills, William Wills, Bessie Wills, Leonard Wills and George Wills, the last three named being infants under twenty-one years of age. Defendants.

You are hereby notified that in pursuance and in execution of the decree of the Circuit court of Nansemond county, pronounced the 10th day of October, 1882, in the suit pending in chancery in said court, to which you are parties, plaintiffs and defendants as above specified, the undersigned, a commissioner of said court, will proceed, on the 30th day of March, 1883, to take, state and settle at his office in Suffolk, Va., the following accounts, to wit:

1. An account of the claims of said Thomas M. Dashiell, plaintiff, and of the claims of all other creditors of said Henry W. Wills, deceased, according to their dignity and priority.
 2. An account of the personal and real estate of which the said Henry W. Wills died seized and possessed, showing the fee simple and annual value of the said real estate.
 3. An account of the transactions of said John L. Fulgham, Sheriff of Nansemond county and committee of the estate of the said Henry W. Wills, deceased,
- and that at the above-mentioned time and place you are required to attend.

Creditors of the said Henry W. Wills, deceased, will also take notice that they are required to attend at the same time and place and file their claims and proof in support thereof according to law.

Given under my hand this 2d day of March, 1883.

WILBUR J. KILBY,
Commissioner.

J. F. CROCKER, p. q.

mh7-4t

Office of the Suffolk Herald,

Suffolk, Va., *March 29* 1883

Notice

We hereby certify that the ~~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 four successive weeks.

Thos. G. ELAM ~~& COMPANY~~, Eds Herald.

[Boston Journal of Chemistry.]

On the State House grounds at Columbia, S. C., there is an iron casting commemorating the South Carolina soldiers who died in the war, whose names are inscribed on brass tablets at the base. A correspondent says, "The success of the casting consists of its perfect imitation of the living

Suffolk, Va., March 29 1883
Mr. Wilbur J. Kilby Commissioner
To The Suffolk Herald, Dr.

Fine Book and Job Printing at Moderate Prices.
1883

Mar 28 To Publishing Notice for Taking accounts in
the Chancery Suit of Thos M. Dashiell & C
VS - H. H. Wills Adm et als

5 in-ches H Weeks
Paid by Dno L Fulgham Shfl 19 Mar 87
H. B. Parker

7.50

VALUABLE LAND ON NAVIGABLE WATER, NEAR EVERETT'S BRIDGE, FOR SALE.

By authority of a decree of the Crenit court of Nansemond county, Va., pronounced on the 15th day of October, 1885, in the suit in chancery in said court depending between the administrator of Lucy A. Dashiell, deceased, and others, plaintiffs, and the administrator of Henry W. Wills, and others, defendants, I shall sell by public auction, to the highest bidder, before the Courthouse door of said county, on County court day,

MONDAY, DECEMBER 14, 1885,

all the real estate of which the said Henry W. Wills died seised and possessed, except that part which has been assigned to his widow as her dower—the real estate to be sold being a parcel of land situated near Everett's Bridge, in Chneckatuek Magisterial district, in said county, and on the south side of that branch of Nansemond river which leads to said Bridge, and containing 102 acres, more or less, and bounded on the north and east by said branch, on the south by said widow's dower land, and on the west by the land of William H. Morris. Part of the above land is arable, part woodland and part marsh. A wharf or landing may be made on said branch without much expense, and produce shipped by vessels passing regularly from said Bridge to Norfolk. There are no buildings or other improvements on the place.

TERMS.—Enough of the purchase-money will be required in cash to pay costs of suit and expenses of sale, and the balance in equal sums at the end of six and twelve months, the purchaser to give bonds for the deferred payments, with good personal security, and bearing interest from the day of sale. The title to the land will be retained until the further order of Court.

JOHN L. FULGHAM,
Sheriff.

Suffolk, Va.,

188

L Fulgham Shff

To Suffolk Herald, Dr.

885-

for 27	To Ad Sale of Land of H W Mills	
	4 1/2 in 30	6.00
"	100 Bills notices of sale of	
	Land as above	1.50
	Paid by Dr L Fulgham (Shff)	7.50
	19 Mar 1887	
	H. Brooker	

LAND NEAR EVERETT'S BRIDGE, IN NANSEMOND COUNTY FOR SALE!

By authority of the decree of the Circuit Court of Nansemond county, Va., pronounced the 11th day of October, 1886, in the suit in chancery in said court depending between the Administrator of Lucy A. Dashiell, deceased, and others, plaintiffs, and the Administrator of Henry W. Wills, deceased, and others, defendants, I shall sell by public auction, to the highest bidder, before the Court-house door of said county, on County Court day,

MONDAY, DECEMBER 13, 1886,

the following real estate, of which said Henry W. Wills died seised and possessed, namely:

1. All that certain parcel of land situated near Everett's Bridge in Chuckatuck Magisterial district, in said county, and on the south side of the creek which runs from said bridge to Nansemond river, containing sixty-three acres, more or less, and bounded by the lands of Bettie S. H. Edwards, wife of Charles P. Edwards, or her estate; Christopher Burket, and E. J. Matthews and the parcel of land mentioned below.

2. All that certain other parcel of land also situated near said bridge, in said district, and on said creek, and containing 102 acres, more or less, and bounded by the lands of said Bettie S. H. Edwards and E. J. Matthews, the above mentioned parcel of land and said creek.

 The first mentioned parcel of land constitutes the dower of Lucy W. Wills, widow of said Henry W. Wills, deceased, and will be sold subject to her dower. The purchaser will not obtain possession thereof until her death. The dwelling and outhouses are on the dower. The two parcels constitute one good farm, consisting of ample arable and woodland and some marsh. A wharf or landing may be built on said creek without much expense, and produce shipped from it by vessels passing regularly from said bridge to Norfolk.

TERMS.—Enough of the purchase money will be required in cash to pay costs of suit and expenses of sale, and the balance in equal sums at the end of six and twelve months, the purchaser to give bonds for the deferred payments, with good personal security, and bearing interest from the day of sale. The title to the land will be retained until the further order of Court.

JOHN L. FULGHAM, Sheriff.
GEORGE T. PARKER, Crier. no19-4t

Warm mustard water should be given freely.
 sweeten with loaf sugar. In fevers of tartar, one pint of water. M
 juice of one lemon, one teaspoonful of
 An excellent drink in fever: Ta
 possible, a bit of
 bottle.
 mouth
 and
 which has accidentally swallowed

Suffolk, Va.,

1886

Mr L Fulgham Sheriff

To Suffolk Herald, Dr.

Fine Job Work a Specialty.

TERMS:

Transient Advertisements and Subscriptions, Payable in Advance.

Annual Advertisers are Required to Settle Quarterly.

Job Work, Cash on Delivery.

1886

For 19 To Publishing Notice of Sale of
 land of Henry W Wells
 5 1/2 inches 4 weeks
 100 Hand Bills notice of same

750
 150

Paid by Mr L Fulgham shff
 19 Mar 1887
 J. B. Brooker

9.00

LAND NEAR EVERETT'S BRIDGE, IN
NANSEMOND COUNTY,
FOR SALE!

By authority of the decree of the Circuit Court of Nansemond county, Va., pronounced the 11th day of October, 1886, in the suit in chancery in said court depending between the Administrator of Lucy A. Dashiell, deceased, and others, plaintiffs, and the Administrator of Henry W. Wills, deceased, and others, defendants, I shall sell by public auction, to the highest bidder, before the Court-house door of said county,

ON MONDAY, MARCH 14, 1887,

(court day), the following real estate of which said Henry W. Wills died seised and possessed, namely:

1. All that certain parcel of land situated near Everett's Bridge, in Chuckatuck Magisterial district, in said county, and on the south side of the creek which runs from said bridge to Nansemond river, containing sixty-three acres, more or less, and bounded by the lands of Bettie S. H. Edwards, wife of Charles P. Edwards, or her estate, Christopher Burket, and E. J. Matthews and the parcel of land mentioned below.

2. All that certain other parcel of land also situated near said bridge, in said district, and on said creek, and containing 102 acres, more or less, and bounded by the lands of said Bettie S. H. Edwards and E. J. Matthews, the above mentioned parcel of land and said creek.

 The first mentioned parcel of land constitutes the dower of Lucy W. Wills, deceased, and will be sold subject to her dower. The purchaser will not obtain possession thereof until her death. The dwelling and outhouses are on the dower. The two parcels constitute one good farm, consisting of ample arable and woodland and some marsh. A wharf or landing may be built on said creek without much expense, and produce shipped from it by vessels passing regularly from said bridge to Norfolk.

TERMS.—Enough of the purchase money will be required in cash to pay costs of suit and expenses of sale, and the balance in equal sums at the end of six and twelve months, the purchaser to give bonds for the deferred payments, with good personal security, and bearing interest from the day of sale. The title to the land will be retained until the further order of Court.

JOHN L. FULGHAM, Sheriff.
GEORGE T. PARKER, Crier. mh7-1t

Have patience with—
[Babyhood.]
"Ye Have Need of Patience."

of cheese in a quarter of an hour, and
was so pleased with the approbation he
received from the bystanders that he
finished off with a beefsteak, a pint and
half of gin and a half-pint of brandy.

TERMS:

Transient Advertisements and
Subscriptions, Payable in
Advance.

Annual Advertisers are Re-
quired to Settle Quar-
terly.

Job Work, Cash on Delivery.

1887

Suffolk, Va., Mar. 1887
Fulgham Sheriff
To Suffolk Herald, Dr.

Fine Job Work a Specialty

Mar 11	To Adn Sale of H. H. Mills Land in Henrico - 6 in 15	4.50
"	100 Printer Notices - of Sale of same	1.50
		6.00
	Paid by Jno L Fulgham Shff	
	19 May 1887	
	J. E. Booker	

1887 March 18th.

Received of John L. Fulg-
ham Sheriff etc. one and
 $\frac{50}{100}$ dollars for services ren-
dered as Cour. in the suit
in Chancery pending in the
Circuit Court of Harsemond
County between the Per. Rep.
of Thos. A. Dashiell deceased
Plaintiff and the Per. Rep.
of Henry W. Wills deceased
and als. defendants.

\$1 50

Geo. M. Goy

To the Circuit Court of Cause-
mond County, Va.,

In pursuance of the decrees
of said Court pronounced respec-
tively on the 15th. day of October
1885 and the 11th. day of October
1886 in the suit in Chancery in
said Court depending between
the Administrator of Lucy A. Dashiell
and others, Complainants and
the administrator of Henry W. Wills
deceased and others, Defendants;
the undersigned, John L. Fulgham,
Sheriff of said County, respectfully
reports to Court that on County
Court day, Monday, the 14th. day
of March 1887, ^{before the Court-house door of said County,} he proceeded to
sell and did sell by public
auction the following real estate
of which said Henry W. Wills died
seised and possessed, namely:

1. All that certain parcel of land
situated near Everett's Bridge in
Chuckatuck Magisterial District
in said County and on the South
side of the Creek which runs from
said Bridge to Causemond River,
containing sixty-three (63) acres,
more or less and bounded by the

lands of Bettie S. H. Edwards wife of Charles P. Edwards, or her estate, Christopher Burket and E. J. Matthews and the parcel of land mentioned below; and

2. All that certain other parcel of land also situated near said Bridge in said District and on said Creek and containing one hundred and two (102) acres, more or less, and bounded by the lands of said Bettie S. H. Edwards and E. J. Matthews; the above mentioned parcel of land and said Creek, together with all and singular the appurtenances belonging to both of said parcels of land.

That said parcels of land were sold subject to the dower therein of said Lucy W. Wills and on the terms and conditions specified in said decrees to Alexander W. Oliver, he being the highest bidder for the sum of Three hundred and fifty-five (355) dollars;

That before proceeding to make said sale the said Sheriff adver-

tised the same and the time, place and terms thereof by notice published in the "Suffolk Herald", a newspaper published in the Town of Suffolk in said County for a reasonable time and by printed notices posted at said Courthouse door and at various public places in said County and in the neighborhood of said land for more than twenty days prior to the day of sale:

That in compliance with the terms of said sale, the said Alexander W. Oliver paid the undersigned the sum of One hundred and fifty-seven and $\frac{70}{100}$ dollars, part of said sum of \$355. cash, to cover the costs of said suit and the expenses of said sale, and for the balance of said sum of \$355.⁰⁰, executed his two bonds each for the sum of \$98.⁶⁵, with Wm J. Oliver security thereto, payable respectively six and twelve months after date with interest from date;

That by authority of said decrees, the undersigned has disbursed said sum of \$157.⁷⁰ on account of said costs and expenses as the vouchers

hereto attached and the following
statement will show, to wit:

Statement

By Cash received as above stated, =		\$ 157 70
To 5 per cent commissions on \$300. = \$15.00		
" 2 per cent " on \$55. = 1.10	\$ 16 10	
" Coms. at same rate on the proceeds of sale of said lands on the 14th day of December 1885 to wit on \$355. =	16 10	
" paid J. E. ^{in full of four bills} Booker, for printing notices of sale etc. and publishing same in "Suffolk Herald" per rect.	30 00	
" " Peter B. Prentis, Clerk's fees "	15 00	
" " Wilbur J. Kilby, Comr. "	15 00	
" " Jas. W. Hall, " "	1 50	
" " E. J. Matthews " "	1 50	
" " Geo. M. Gay " "	1 50	
" " John M. Cowling, Surveyor "	8 00	
" " Jas. F. Crocker, Atty. for Plff. "	16 50	
" " Wilbur J. Kilby, Atty. for Def. "	15 00	
" " John L. Fulgham, Shff. "	3 00	
" " Peter B. Prentis, Comr. "	6 00	
" " Geo. T. Parker, Crier at sale on 14 December 1885 "	5 00	
" " Same for services as Crier at sale on 14 March 1887, per rect.	7 00	
" " W. J. Kilby for Shff. of Norfolk Co. "	50	
	\$ 157 70	157 70

Prior to the time of the sale made as above-stated, namely, on County Court day of said County, Monday, the 13th. day of December 1886, after notice had been given in accordance with the requirements of said decrees, the undersigned offered said lands for sale by public auction before said Courthouse door, but failed to secure a purchaser at that time.

The above-mentioned bonds and copies of the advertisements or notices of said sales, are hereto attached.

The title to said land was retained until the further order of Court.

Respectfully submitted this
18th. day of March 1887

J L Fulgham Sheriff or

(over)

Received of John L. Fulgham
Sheriff etc. the respective sums
of money charged in the fore-
going Report as paid to us and
set opposite our names as fol-
lows:

Peter B. Prentiss, Clerk.	\$15.00
Wilbur J. Kilby, Comr.	\$15.00
J L Fulgham Shff	\$16.10
J L Fulgham Shff	\$16.10
J L Fulgham Shff	\$3.00
Peter B. Prentiss, Comr.	\$6.00
Wilbur J. Kilby Atto. for Defd.	\$15.00
In M. Lowling, Surveyor,	\$8.00
Wilbur J. Kilby for Shff. of Norfolk Co.	\$0.50
Geo Parker Cris	\$5.00
In M. Lowling for James W. Hall	\$1.50
Geo Parker Cris	\$7.00
E J Matthews Comr	\$1.50
J F Crocker Atty for plff.	16.50

At a Circuit Court held for Nassau County, the 11th day of October, 1886.

Thomas M. Dashiell, in his own right &c . . . Plaintiff.

Against & In Chancery

John L. Fulgham, Sheriff and Committee
of the Estate of Henry W. Wills, deceased &c. Defendants.

This Cause came on this day to be again heard upon the papers formerly read, and the report of John L. Fulgham, Sheriff of Nassau County, made pursuant to the decree entered herein on the 15th day of October, 1885, to which report no exceptions have been filed, and was argued by Counsel. On consideration whereof it appearing by the said report of John L. Fulgham, Sheriff, that, at the sale made by him, pursuant to the said decree of the land therein directed to be sold, the said land was knocked down to Wm. B. Wills, he being the highest bidder therefor at the price of \$355⁰⁰; and it further appearing, that the said W. B. Wills refuses to comply with the terms of the said sale: the Court doth adjudge, order and decree that the said land be re-sold, at the cost and expense of the said W. B. Wills, and that John L. Fulgham, Sheriff as aforesaid, do proceed to re-sell, at public auction, the said parcel of land, before the Court House ~~Door~~ of said County, after giving the notice and upon the terms mentioned and prescribed by the said decree of the 15th day of October, 1885; And the Court doth further adjudge, order and decree, that the said John L. Fulgham, Sheriff, ~~as aforesaid~~, do, at the same time and place, after giving like notice, sell, upon like terms, that portion of the tract of land of which . . . Henry W. Wills died seized and possessed, which, in these proceedings, has been assigned in dower to Lucy W. Wills, widow of the said Henry W. Wills;

containing 63 acres, the bounds of which are fully set forth in the survey filed in this cause; And the said Sheriff will make report to the Court of his proceedings under this decree. And the Court doth further adjudge, order and decree, that the said Sheriff, making sale of said land shall not receive or cry any bid. from the said W. B. Wills.

A Copy:

Teste:

Peter B. Prentiss, Clerk.

Kind
Thomas W. Dashiell &
23
S. C. Dec. 4
1886
John L. Fulham, S. W. &

By authority of, and for the purposes mentioned in, the decree which was entered in the suit mentioned in the above Report on the 13th day of April 1887. I have, this 27th day of May 1887 received of Peter B. Prentiss Clerk of the Circuit Court of Chaussemond County, the two Bonds of Alex. W. Oliver each for the sum of \$98.⁶⁵ mentioned in said Report.

John L. Fulgham
Sheriff cc

Thomas M. Dashiell
Secy In Chy.

John L. Fulghum, Shff &
Committee of the Estate of
Henry W. Wills, decd
Fal:

Report of Sale

1887. March 24th. Filed
C.H.

VALUABLE LAND

On Navigable Water, Near Everett's Bridge,

❧ **FOR SALE!** ❧

By authority of a decree of the Circuit court of Nansemond county, Va., pronounced on the 15th day of October, 1885, in the suit in chancery in said court depending between the administrator of Lucy A. Dashiell, deceased, and others, plaintiffs, and the administrator of Henry W. Wills, and others, defendants, I shall sell by public auction, to the highest bidder, before the Courthouse door of said county, on County court day,

MONDAY, DECEMBER 14th, 1885,

all the real estate of which the said Henry W. Wills died siesed and possessed, except that part which has been assigned to his widow as her dower—the real estate to be sold being a parcel of land situated near Everett's Bridge, in Chuckatuck Magisterial district, in said county, and on the south side of that branch of Nansemond river which leads to said Bridge, and containing 102 acres, more or less, and bounded on the north and east by said branch, on the south by said widow's dower land, and on the west by the land of William H. Morris. Part of the above land is arable, part woodland and part marsh. A wharf or landing may be made on said branch without much expense, and produce shipped by vessels passing regularly from said Bridge to Norfolk. There are no buildings or other improvements on the place.

TERMS.—Enough of the purchase-money will be required in cash to pay costs of suit and expenses of sale, and the balance in equal sums at the end of six and twelve months, the purchaser to give bonds for the deferred payments, with good personal security, and bearing interest from the day of sale. The title to the land will be retained until the further order of Court.

JOHN L. FULGHAM, Sheriff.

Sold to Mr. B. Wills \$355.00

H. W. Wills land sold for		\$355 00
5 percent on \$300 =	\$15.00	
2 " " " 55.	<u>110</u>	
Suffolk Herald	16 10	
"	7 50	
"	7 50	
Clerk	15 00	
Atto. & tax	16 50	
Saund. Shff.	3 00	
W. J. K. for Norfolk Co. Shff.	50	
" Cour. for Report	15 00	
" for depositions	6 00	
J. M. Cowling Surgeon	8 00	
J. W. Hall Cour.	1 50	
E. J. Matthews "	1 50	
Geo. M. Gay "	1 50	
Crier	5 00	
Atto. for defense	15 00	119 60
		<u>235 40</u>

To the Circuit Court of Chancery-
mond County, Va.

In pursuance of the decree
of said Court pronounced the
15th day of October 1885 in the
Cause in Chancery in said
Court depending between the
Administrator of Lucy A.
Dashiell deceased and others
Plaintiffs and the Adminis-
trator of Henry W. Mills and
others. Defendants, a copy of
which decree is hereto at-
tached; the undersigned
John L. Fulgham, Sheriff of
said County respectfully re-
ports to Court that on the
14th day of December 1885 he
proceeded, as directed by
said decree, to sell the real
estate of which said Henry
W. Mills died seized and
possessed in said County
(except that part assigned
to his widow as and for her
dower) as described in said
decree on the terms and
conditions mentioned in
said decree, after he had

advertised the sale and the time place and terms thereof in the manner and for the periods specified in said decree; that he offered said land by public auction to the highest bidder before the Court house door of said County on said 14th. day of December 1885, that being County Court day: and that Wm B. Mills became the purchaser of the ~~highest~~ land as the highest bidder for the sum of \$355.⁰⁰

But, the said Wm B. Mills has never complied with the terms of the sale, nor has he made any attempt to do so, nor has the undersigned been able to induce him to do so. In fact, the said Mills declines and refuses to comply with the terms of the sale or to pay the money or any part thereof ~~the~~ and the undersigned is unable to compel him to comply. A statement

of the costs of said cause
and the expenses of the
sale ~~are~~ is hereto attached,
as is also a copy of the ad-
vertisements of the sale.

Respectfully submitted this
24th. day of July 1886.

J L Fulghum
Shff

A business Court continued and held for House
and County the 15th day of October 1880.

Thomas H. Washburn in his own right Plaintiff
Against J. L. Channing.

John L. Telford Sheriff and Comptroller
of the State of New York Defendant.

This cause came on this day to be again heard on
the papers formerly read and on the joint and several
answers of said Telford and William Wells filed the 2nd
day of September A.D. 1880 and the exhibit filed with
said answers and on the examinations of the witness
Thos. H. Washburn filed the 3rd day of October 1880
and on the report of John L. Telford Sheriff
filed the 3rd day of September A.D. 1880 and was
argued by Counsel.

On consideration whereof the Court with approval
confirm said report to which no exception has
been filed and with adjudge order and decree
that the real estate of which Henry Wells deceased
and Joseph, except that part which has been assigned
to his widow as and for her dower, to wit, parcel
situate to be sold being a parcel of land situated in
Chickadee Magisterial District in Harrison's
County, and containing one hundred and two and
a half (102 1/2) acres, more or less and bounded on the
North and East by that branch of Harrison's River
which leads to Little Spring, on the South by the
other land of said Henry Wells now held by his
widow as her said dower, and on the West by the

Land of Wm. Harris, and that said Sheriff proceed to sell
 said land by Public Auction to the highest bidder before
 the Court House doors of said County on some County Court
 day on a credit of six and twelve months the receipt as
 to enough of the purchase money to pay the costs of
 this suit and the expenses of sale which he will
 require to be paid in cash, taking of the purchaser
 bond for the deferred payment in general terms with
 good personal security payable to himself or his
 assigns and make report to Court of his pro-
 ceedings under this decree and file said bond there-
 with and retain the title to said land until the further
 order of Court.

But before proceeding to make said sale the said Sheriff
 will advertise the same on the time place and
 terms thereof by notice to be published in a News-
 paper published in the Town of Suffolk in said
 County for a reasonable time and by printed notices
 to be posted at said Court House door and at various
 public places in said County and in the neighbor-
 hood of said land for at least twenty day prior
 to the day of sale.

A Copy

Teste:

Peter B. Pentis. Clerk

Costs.

Clerk	\$15.00
Atto: Genl	16.50
Shll: Mans	3.00
Sgt: Harp: City	.50 by W. J. K
Com: ut: in City W. J. K	15.00
" " for Deps	6.00 by W. J. K
Printer (Suff: Herald)	7.50
Survey or (J. M. Gaudin)	8.00
Comms to app: in Down	
J. W. Hall	1.50
E. J. Hawthorne	1.50
Geo. M. Gay	1.50
	\$76.00

Thomas M. Washell, in
his own right, &c.

vs. $\frac{1}{2}$ In Chy.

John L. Fulgham, Shff. &
Comr. of the Estate of
Hann, W. Willard & Co.

Report of Sale,
made 14 Dec. 1885

1886. July 24th: Filed
clerk

At a Circuit Court held for Hanson and County, the
14th day of April, 1883.

Thomas M. Dashiell, in his own right,
and as Administrator of Lucy Ann Dashiell
deceased, suing for himself and all other
creditors of Henry W. Wills, deceased. . . . Complainant.

Against E. In Chancery

J. L. Fulgham, Sheriff of Hanson and County,
and Committee of the Estate of Henry W. Wills,
deceased, Lucy W. Wills, William Wills,
Bessie Wills, Leonard Wills and George Wills.

The last three infants, under twenty-one years of age. Defendants.

This Cause came on this day to be again heard upon the papers
formerly read, the report of James W. Hall, E. J. Matthews
and George M. Gay, three of the Special Commissioners appointed
by the decree entered herein on the 10th day of October, 1882,
to assign to Lucy W. Wills, widow of Henry W. Wills, dower
in the lands of which her said husband died seized and
posseised, repeating said assignment of dower, and the report
of Commissioner, Wilbur J. Kilby, made pursuant to the said
decree of the 10th day of October, 1882, to which reports there are
no exceptions, and was argued by Counsel: On consideration
whereof the Court doth approve and confirm the said reports,
and doth adjudge, order and decree, that Lucy W. Wills,
widow of Henry W. Wills, deceased, do hold, as and for her
dower in the real estate of which her said husband died
seized and posseised, that portion thereof, which by the report of
the aforesaid Special Commissioners is assigned to her, as in

said report mentioned and described: And the Court doth further adjudge, order and decree, that the Sheriff of Hants County, do rent out, privately or at public auction, as he may deem best, all the real estate of which Henry W. Wells died seized and possessed, except that portion thereof, which has been assigned in dower, to the Widow of said H. W. Wells, ~~and~~, and he will take from the tenant or tenants, bond with good security, for the rent, and he will rent out the said lands from year to year, until further direction of the Court, and he will make report to the Court. On motion of the defendants, Lucy W. Wells and Wm. Wells, by their Counsel, leave is given them to file their answers in this cause.

A Copy:

Teste:

Peter B. Prentiss, Clerk.

Xind

Thomas M. Daskill, Jr.

or Copy Decree

John L. Fulgham, S.W. &c. &c.
Henry W. Wells died &c. &c.

To the Circuit Court of Cause-
ment County, Va.

In pursuance of the decree of
the said Court pronounced the
14th day of April A. D. 1883 in
the Cause in Chancery in said
Court depending between Thos.
M. Dashiell etc, Plaintiff and
the Administrator of Henry W.
Wells deceased and others, De-
fendants; the undersigned, John
L. Fulgham, Sheriff of Cause-
ment County, respectfully reports
to Court that as directed by
said decree, he has endeavor-
ed to let for rent from year
to year all the real estate ^{which} of
said Henry^{W.} Wells died seized
and possessed in said County
except that part thereof as-
signed as dower to his widow,
but has not been able to se-
cure a tenant at all for any
period of time for any price and
thinks there is but little hope
of his ever being able to secure
one. His inability to secure
a tenant is due to the fact

that there is no way of access to the land from the public county roads except over and through the land which the widow holds as her dower, which cuts it off from said roads entirely, and to the fact that only a small part of the land is arable land, the largest part being woodland and marsh, and to the ~~off~~ fact that there are no buildings upon it at all. The arable part of the land is ~~too small~~ to justify not sufficient in quantity to enable a tenant to raise a crop that would justify him in renting the land, and to a tenant the woodland and marsh would be of no benefit whatever. It is apparent, therefore, that the land is not of such a kind as that it can be rented out. It would hardly sell for more than enough to pay the debts proved in said cause against said Henry

W. Mills and the costs of the
suit and expenses of the sale.
The undersigned, would there-
fore, recommend a sale of the
land for the purpose of paying
said debts, costs and expen-
ses.

Respectfully submitted this
23d. day of September 1885.

J L Latham Chaffee

Dashiee

vs } In Chy.

Wills & als.

Report of John
L. Fulgham,
Sheriff

23 Sept. 1885

1885. Sept. 23. Filed
clx.

Suffolk, Va., Dec 19 1885

Mon Wilbur J Kilby Comr
To Suffolk Herald, Dr.

1883

Mar 7

To Pub notice as Comr
in case of To creditors of H W Mills
in suit of DASHIELL admr vs
Wills admr - 5 in H W Mills

750

Ex

A Circuit Court held for Hanson County
the 10th day of October 1882.

Thomas M Dashiell in his own right and
as administrator of Lucy Ann Dashiell
 suing for himself and all other creditors
of Henry W Mills, deceased.

Plaintiff

Against The balance.

J L Sulgham Sheriff of Hanson County
and Committee of the Estate of Henry W Mills,
deceased, Lucy W Mills, widow of H W Mills,
William Mills, Bepie Mills, Leonard Mills
and George Mills.

Defendants.

This cause came on this day to be heard upon the bill
taken for confessed as to the defendants of J L Sulgham Sheriff
of Hanson County and Committee of the estate of Henry
W Mills, deceased, Lucy W Mills, and William Mills, on whom
process appears to have been duly served, and they still
failing to appear, answer or demur, the joint and separate
answers of the infant defendants, ^{Bepie, Leonard and George Mills} by P B Proutie their guardian
ad litem, with general replications to said answers
and the exhibits, and was argued by Counsel.

On consideration whereof the Court doth adjudge
order and decree that one of the Commissioners of this
Court do take, state and report the following accounts.

1. An Account of the Plaintiffs claims and the claims of
all other creditors of Henry W Mills, deceased, and state
the order of their priority.

2. An Account of the personal and real estate of which

the said Henry W Mills did seize and foreclose, showing the
fee simple and annual value of the said real estate,
B. An Account of the transactions of J L Fulgham Sheriff
of Mansfield County and Committee of the estate of the
said H W Mills.

And it is ordered that publication of the notice of the
time and place of taking said accounts by said commissioners
once a week for four successive weeks in some newspaper
published in the town of Suffolk, shall be taken as
equivalent to personal service of the same on the parties.

And the Court doth further adjudge order and decree
that J W Hall, E J Mathews, Geo M Gay, S D Ellis and
Peyton R Turner who are appointed special commissioners
for that purpose any three of whom may act, after being
duly sworn, do proceed to assign to Lucy W Mills, widow,
of Henry W Mills decedent, as and for her Dower to be
held by her during her natural life, one third of the
real estate of which the said H W Mills did seize
and foreclose, having regard to quantity and quality, and
if necessary the said commissioners may employ the aid
of any competent surveyor, and they will make report to
the Court.

A Copy:

Teste:

Peter B. Pentis. Clerk.

To the Circuit Court of Chancery
County, Va.

In pursuance of the decree of said Court pronounced the 10th. day of October A. D. 1882 in the Cause in Chancery in said Court depending between Thomas M. Dashiell in his own right and as administrator of Lucy Ann, his late wife, deceased, Plaintiff, and the Personal Representative of Henry W. Wills deceased and others, Defendants, a copy of which ^{decree} is hereto attached; the undersigned, Wilbur J. Kilby, one of the Commissioners of said Court, respectfully reports to Court, that having given notice to the parties to said Cause and the creditors of said Henry W. Wills deceased, of the time and place of taking the several accounts herein mentioned, by publication of the notice once a week for four successive weeks in "The Suffolk Herald", a newspaper printed weekly in the Town of Suffolk, Va. as required by said decree and as will appear by a copy of said notice and the certificate of Thos. G. Elam Editor and Proprietor of said newspaper, hereto attached, he, the said Commissioner, proceeded at the time and place mentioned in said notice, to wit, on the 30th. day of March 1883 at his office in Suffolk Va. to take, state and settle the several accounts required by said decree to be taken, stated and settled and having completed the proceedings, he

now respectfully submits the result thereof as follows:

I

An Account of the claims of said Thomas M. Dashiell, Plaintiff and of the claims of all other creditors of said Henry W. Wills deceased according to their dignity and priority

Under this head, the Commissioner reports the following unsatisfied judgment obtained against said Henry W. Wills in his lifetime, to wit;

Richard C. Clements, assignee of said Thomas M. Dashiell, Plaintiff.

vs.

Henry W. Wills, Defendant.

Judgment the 14th day of October 1868 in the Circuit Court of Chaussemond County, docketed the 2nd day of November 1868 for - Interest from 9 May 1862 to 9 May 1883 - 21 ys.

costs of suit

Total due 9 May 1883 - with interest on \$100. from that day.

\$ 100 00

126 00

6 32

\$ 232 32

The above judgment was obtained against said Henry W. Wills in his lifetime and has not been satisfied. It constitutes the only existing lien, of which your Commissioner has any knowledge, on the land of which said Henry W. Wills died seised and possessed.

While Thos. J. Clements, the Administrator of said Richard C. Clements, informs the Commissioner that he claims no interest whatever in the above judgment and that the estate of said Richard C. Clements claims no right to, nor interest ⁱⁿ it, the Commissioner is not informed as to how said Thos. M. Dashiell (who claims it) became the owner of, or entitled to, it.

The Commissioner reports that the Bond upon which the above judgment was rendered, was given for the difference in a trade of horses. The said Dashiell, at the time the bond was given, (9th. May 1862), had a horse, desirable and suitable for the purposes of said Henry W. Wills as a soldier in the army, and for it the said Wills gave said Dashiell another horse and the said bond for the difference in the value of the horses in favor of Dashiell, as, indeed, the bond itself specifies. The bond was given as a contract to be fulfilled, or performed in Confederate money, or with reference to such money, as a standard of value. This being true and Confederate money being at that time (9 May 1862) worth only $66\frac{2}{3}$ cents to the dollar in gold, the Commissioner thinks that the above judgment or bond for \$100 should be scaled at the rate of $66\frac{2}{3}$ cents to the dollar and the true value thereof thus fixed, notwithstanding the said judgment has been rendered on the bond.

For the above reasons, therefore, the Commissioner makes the following statement showing the amount due on said judgment when scaled:

Scaled at the rate of $66\frac{2}{3}$ cents to the dollar, the principal of said debt as of 9th. May 1862 would be —
Interest on \$66.67 from 9th. May 1862 to 9th. May 1883
21 years.

\$ 66 67

84 00

costs of suit

6 32

Total due 9 May 1883 —
with interest from that day
on \$66.67 till paid

\$ 156 99

See Code of Va. 1873 page 980
sec. 2: 22 Grat. 313, 550, 461, 609,
466, 519; 24 Grat. 368; 25 Grat.
314, 427, 484 232; 26 Grat 188,
455; 23 Grat. 809.

The only other claim in addition to the above judgment, presented to the Commissioner to be allowed as a debt due by said Henry W. Wills, was the Bond for \$90.16 $\frac{2}{3}$ filed as exhibit "A" with the bill of the Plaintiff in this cause. This bond was executed by said Henry W. Wills with Thos. J. Clements security on the 30th. day of January 1854 and was made payable six months after its date to Lucy Ann Wills, who afterwards became the wife of said Thomas M.

Dashiee and the same is claimed by him now as her administrator, she being dead.

As to this claim, the Commissioner reports that it was barred by the statute of limitations before this suit was instituted and that it is, therefore, not such a claim as the Commissioner can report to be paid by the estate of said Henry W. Wills.

The bond is dated, as above-stated, the 30th. day of January 1854 and, being payable six months after its date, became due on the 30th. day of July 1854, and this suit was instituted on the 23d day of May 1882, - a period of 27 years 9 months and 23 days after the bond became due.

Deducting the period during which the application of the statute of limitations was suspended from 17 April 1861 to 1st. January 1869, namely, a period of 7 years 8 months and 14 days, and there is left a period of 1 month and 9 days during which this claim was barred by the statute before this suit was instituted.

See Va Code 1873 ch. 146, sec. 6; Acts 1865-6 p. 183 s 7; Acts 1866-7 p. 727 ch. 297; 27 Grat. 450.

In addition to the above, the Commissioner is informed that the above bond for \$90,164³ was satisfied and paid by said Henry W. Wills in his lifetime between the time when it was given and the time of the marriage of said

Lucy Ann to said Thos. M. Dashiell, by payments to her of various sums of money and sundry articles of clothing and other things furnished her at different times while she was in a dependent state, having to depend for the most part upon her needle work for a living.

The said Commissioner is also informed that the said Lucy Ann set up no claim during her lifetime to the above bond and desired to surrender it, but could not do so as she could not get control of it, - it being in the hands of her husband, said Thos. M. Dashiell.

Besides the above, the Commissioner is also informed that the said Thos. M. Dashiell placed the above bond in April 1871 in the hands of an attorney for collection, who returned it to him in June following as "insolvent and disputed".

The above-mentioned are the only claims against said Henry W. Wells or his estate of which the Commissioner has any knowledge.

II

An Account of the personal and real estate of which said Henry W. Wills died seised and possessed showing the fee-simple and annual value of the real estate.

Said Henry W. Wills died seised and possessed of a tract of land in Chuekatuck Magisterial District in Chausemound County, which is now divided into two parcels as follows:

1. A parcel of land containing 102 $\frac{1}{2}$ acres, more or less, and bounded on the North by Everett's Bridge Creek, on the East by said Creek, on the South by the other land of said Henry W. Wills which has been assigned to his widow as her dower and is described below, and on the West by the land of W^m H. Morris, —
 its fee-simple value being =
 and its annual value =

\$ 1200 00
 \$ 75 00

2. A parcel of land containing 63 acres, more or less and bounded on the North by the above-described parcel of land, on the East by the land of the Estate of Dr. John P. Phillips, called "Milner's," on the South by the land of Christopher Burket and on the West by the land of said W^m H. Morris,

its fee-simple value being
 and its annual value

= \$ 600 00
 = \$ 50 00

Both the above-mentioned parcels of land lie in one body and are assessed as such for taxes at a valuation of \$855. and as containing by estimation 171 acres, more or less.

The second mentioned of the two parcels namely, that containing 63 acres, more or less, has been assigned to Lucy W. Wills, widow of said Henry W. Wills as her dower in his estate, and has on it the buildings, (dwelling and other houses) and consists of part cleared and part woodland.

The other parcel of $102\frac{1}{2}$ acres more or less, has certain wharf privileges attached to it on said creek and consists of part cleared and part woodland, but has no buildings on it.

The Commissioner has no knowledge of any personal estate belonging to said Henry W. Wills or his estate. If he left any, it has long since become extinct by use on the part of his family. There is none in existence now.

III

An Account of the transactions of
John L. Fulgham, Sheriff of Causemond
County and Committee of the estate of
said Henry W. Wills deceased.

Under this head, The Commissioner
reports that the said Committee has
reported to him that, having received
no assets nor personal estate belonging to
said Henry W. Wills (there being none
to come into his hands), he has no
account of any transactions on his
part as said Committee to render
and, therefore, the Commissioner has
no account to report to Court under
this head.

Respectfully submitted
Wilbur J. Kilby
Commr.

Court's fee \$15.00
Printer's bill 7.50

Thos. M. Dashiell

vs. } In Chy.

H. W. Wills' Per. Rep. &c

Report of debts &c

30 Mar. 1883

31 Mar. 1883

1883. March 31st. Filed
CH

At a Circuit Court held for Hanson County the
10th day of October 1882.

Thomas McDashell in his own right and.

as Administrator of Lucy Ann Dashell,

suing for himself and all other creditors

of Henry H Mills deceased

Plaintiff

Against J. L. Chancery.

J. L. Fulgham Sheriff of Hanson County.

and Committee of the estate of Henry H Mills

deceased, Lucy H Mills, widow of H H Mills

William Mills, Bopie Mills, Leonard Mills

and George Mills

Defendants.

This cause came on this day to be heard upon the bill
taken for Conspic as to the defendants J. L. Fulgham Sheriff
of Hanson County, and Committee of the estate of Henry
H Mills, deceased, Lucy H Mills, and William Mills, on whom
process appears to have been duly served, and they still failing
to appear, answer or demur, the joint and separate answers of
the infant defendants, Bopie, Leonard and George Mills
by ~~John~~ B. Proutis their guardian ad litem, with general
replications to said answers and the exhibits and was argued
by counsel.

On Consideration whereof the Court doth adjudge, order
and decree that one of the Commissioners of this Court, do
take, state and report the following accounts.

1. An Account of the Plaintiffs Claims and the Claims of
all other creditors of Henry H Mills, deceased, and state the
order of their priority

2 An Account of the personal and real estate of which the said Henry W Mills died, seized and possessed, showing the full simple and annual values of the said real estate.

3 An Account of the transactions of J L Fulgham Sheriff of Nassau County and Committee of the Estate of the said Henry W Mills.

And it is ordered that the publication of the notice of the time and place of taking said accounts by said Commissioner once a week for four successive weeks in some newspaper published in the town of Suffolk, shall be taken as equivalent to personal service of the same on the parties.

And the Court doth further adjudge order and decree that J W Hall, E J Mathews, Geo M Gay, L T Ellis and Peyton R Turner who are appointed special Commissioners for that purpose, any three of whom may act, after being first duly sworn, do proceed to assign to Lucy W Mills, widow, of Henry W Mills, deceased, as and for her Dower to be held by her during her natural life, one third of the real estate of which the said Henry W Mills died seized and possessed, having regard to quantity and quality, and if necessary the said Commissioners may employ the aid of any competent surveyor, and they will make report to the Court.

A Copy

Teste:

Peter B. Pentis. Clerk

State of Virginia }
Hausemund County } to wit;

This day personally appeared before me, Wilbur J. Kilby, a Notary Public in and for said county in said State of Virginia, James W. Hall, E. J. Matthews, and Geo. M. Gay, three of the Commissioners, named in the above decree, and made oath that they would proceed to the best of their knowledge and ability as required of them by said decree, to execute the said decree and to assign unto Lucy W. the widow of Henry W. Wills deceased, as and for her dower to be held by her during her natural life, one third part in value of the real estate of which said Henry W. Wills died seised and possessed, having regard to quantity and quality.

Given under my hand this
8th. day of March 1883.

Wilbur J. Kilby
Notary Public

To the Circuit Court of Hansemond
County, Va.

In pursuance of the decree
of said Court pronounced the 10th. day
of October A.D. 1882 in the Cause in
Chancery in said Court depending
between Thomas M. Dashiee in his
own right and as administrator of
Lucy Ann, his late wife, deceased,
Plaintiff and the Personal Represen-
tative of Henry W. Wills deceased,
and others, Defendants, a copy of
which decree is hereto attached; the
undersigned Jas. W. Hall, E. J. Mat-
thews and Geo. M. Gay, three of the
Commissioners appointed by said
Court as specified in said decree
to assign dower to Lucy W. the wid-
ow of said Henry W. Wills deceased,
in the real estate of which said
Henry W. Wills, her husband, died
seised and possessed, respectfully
report to Court, that after having first
been duly sworn as specified in
the affidavit hereto attached, to
perform the duties required of them
by said decree to the best of their
ability and judgment, they went

on the 14th. day of March 1883 upon said real estate and viewed the same and, with the aid of John M. Cowling, a competent surveyor, familiar with said real estate, whose services they found to be necessary to enable them by a survey to assign said dower, they proceeded to perform the duties required of them in the premises and having completed the same, they now respectfully submit the result as follows:

Your Commissioners found by the survey made for them by said John M. Cowling, surveyor, that the real estate of which said Henry W. Mills died seised and possessed, consists of a tract of land situated in Chuckatuck Magisterial District in Houseman County, containing one hundred and sixty-five and one-half acres, more or less, and bounded on the North by the Creek called Everett's Bridge Creek, leading from Houseman River to Everett's Bridge in said County, on the East by said Creek and the land of the estate of Dr. John D.

Phillips, deceased, called "Milner's", on the South by said land of said Phillips and the lands of Christopher Burkett and W^m. H. Morris, and on the West by the land of said W^m. H. Morris.

From the above-described parcel of land, Your Commissioners have cut off and assigned to said Lucy W. Mills as and for her dower, to be held by her, as the widow of said Henry W. Mills deceased, during her natural life, a parcel containing sixty three (63) acres more or less, the same being, in the opinion of the Commissioners, one-third part in value of all said real estate in regard to quantity and quality, and being all the Southern part of said real estate which lies South of a line running, (as indicated on the plat of said real estate filed herewith as a part of this Report), from a large pine tree, (being a live tree) at the head of a bottom in the line of the land of said W^m. H. Morris, N. 86° E along a line of marked

trees to a pine tree beside a fence and thence on the same course across the open field along a row of apple trees to a sycamore tree and thence on to said creek, - The boundaries of which parcel of sixty three (63) acres, more or less, so assigned as dower aforesaid, being as follows: On the North by the remainder of said real estate containing one hundred and two and one-half acres more or less, on the East by the land of the estate of said Dr. John T. Phillips called "Milner's" on the South by said land of said Phillips and the lands of Christopher Burkett and W^m H. Morris and on the West by the land of W^m H. Morris.

The land assigned as dower aforesaid has on it the dwelling house and other houses and consists chiefly of cleared land, but ~~has~~ ^{part of it is} some woodland, having upon it sufficient timber to supply it with fence rails and lumber for repairs.

The remainder of the land consists partly of cleared and partly

of woodland, but chiefly of wood-
land, having upon it a considerable
~~timber~~ quantity of timber, suitable for
manufacture into wood for market,
and having good wharf facilities
and privileges on said creek at-
tached to it.

Taking into consideration the
number of acres (63) in the parcel
assigned as dower aforesaid and
the buildings upon it and the part
thereof cleared and the part thereof
of woodland, and on the other hand,
taking into consideration the number
of acres (102 $\frac{1}{4}$) in the remainder of the
land and the wharf privileges at-
tached thereto and the large quantity
of valuable timber upon it suitable
for market wood, The Commissioners
consider the parcel of 63 acres, as-
signed as dower aforesaid to be
one-third in value, quantity and
quality, of all said real estate.

The Commissioners consider the
value of said dower to be
in fee-simple \$600.00
and its annual value 50.00
and the value in fee-simple of

the remainder of said land ~~to be~~
to be _____ \$1200.00
and its annual value _____ \$ 75.00

Respectfully submitted

Jamus M. Vall }
E. J. Matthews } Cours.
George M. Gay }

Surveyor's bill \$8.00
Cours fees, each 1.50

Thos M. Dashiell

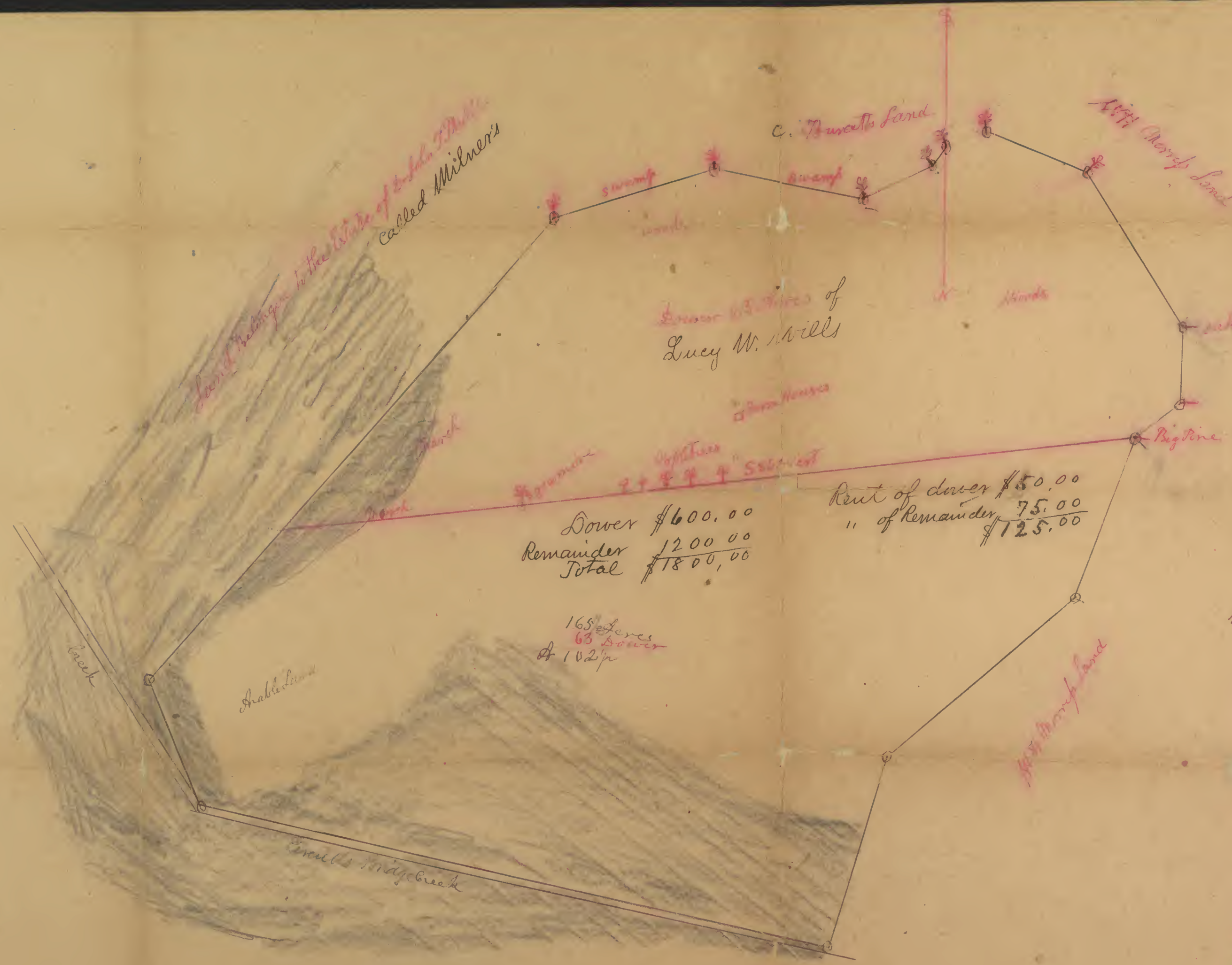
¹¹ 25 { In Chy.

H. W. Wells' Parl. Rep. &c

Report of Dover

22 Mar. 1853

1883. March 22nd. Filed.
ckh



This day entered & surveyed this plot of land belonging to the estate of the late Henry W. Mills in order to set apart the dower of the said deceased to his wife Lucy W. Mills.

Beginning at a small oak side of a path in Kit Burcetts land & running S 31° 34' 5 poles & links to oak then S 71° 55' 4 poles along Burcetts line then along S 4° 41' Morris line S 69° 54' 25 poles then N 30° 55' 41 poles then S 38° 18 poles then S 51° 13 poles S 20° 39 poles to Big Pine then down said creek S 31° 30 poles then S 40° 55 137 poles across the marsh dividing the lands of the late John W. Mills to the swamp then up swamp S 70° 14 38 poles S 72° 44 34 poles this course strikes Kit Burcetts line in the swamp then S 64° 58 along Burcetts line 18 poles to the beginning & containing one hundred & eighty one and half acres

March 14th 1883

J. M. Fowling Surveyor

The Dower of Henry W. Mills is set off on this plot commencing at a pine at the head of a bottom in S. H. H. & a line to a small oak to a small side of the then some course across the open field along a row of Apple trees on to a stream & on to the creek

J. M. Fowling Surveyor

Plotted to scale 10 poles to 1/2 inch