1900-013
Nansemond Co (Suffolk) Chancery Causes: John R. Lilley vs Admr of Albert Edward Miller et al

Hirst, Philhower, A.G Culpepper, Raby, J. W. Brinkley, Bruce, Baines, Rabey

Plat

ESTABLISHED 1878.

Suffolk, Va., Dec 1899

Mr S E Everett & R H Rawles
Spl Comrs

To SUFFOLK HERALD, Dr.

Newspaper and Job Printing Establishment,

No. 9 WASHINGTON SQUARE.

Terms of this Bill .....

1899

Nov 17 To Pub advertisement Sale
of Land - in Case of
J R Lilley Vs W T Raby et als -
5 insertions - 3 weeks - $ 7.00
To Printing 50 Bills of Same .75
$ 7.75

A UCTION SALE OF VALUABLE REAL ESTATE IN NANSEMOND COUNTY!

By authority of a decree of the Circuit Court of Nansemond county, in the State of Virginia, entered on the 17th day of October, 1899, in the chancery cause pending in the said court between John R. Lilley, complainant, and William T. Raby and others, defendants, the undersigned will sell by public auction to the highest bidder, before the Courthouse door of said county, in Suffolk, Va.,

ON MONDAY, DECEMBER 11, 1899,

(court day), at 12 o'clock M., the following real estate, subject to the widow's dower which has been assigned her in this suit, "all that certain parcel of land situated in Nansemond county, Va., and bounded on the north by the lands of the Seaboard and Roanoke Railroad Company, on the west by the land formerly belonging to J. D. Penette, and on the south and east by the land formerly belonging to J. T. Cross, and containing about seventy acres, more or less.

TERMS OF SALE.—One-third cash, and the residue in [illegible] with interest from the day of sale, [illegible] purchaser or purchasers to execute [illegible], waiving benefit of exemptions, payable to the undersigned, in evidence of the deferred payment.

The title to the property will be retained until the further order of the Court.

S. E. EVERETT,
R. H. RAWLES,
Special Commissioners.
NOVEMBER 15, 1899.
no17-3t

I, Azra P. Gomer, Clerk of the Circuit Court of Nansemond county, Virginia, do certify that the bond required of Seth E. Everett and R. H. Rawles, special commissioners, under the decree of the said court made on the 17th day of October, 1899, in the chancery cause pending in the said court between John R. Lilley, plaintiff, and William T. Raby and others, defendants, has been executed with security deemed sufficient by me.

Given under my hand this 15th day of November, 1899.

A. P. GOMER, Clerk.

Mch 7 Received payment
J. E. Booker
per D L L

All Available Text Successfully Captured

#70,671

Received of S. C. Ewing and R. H. Rawlen special commissioners in case of John R. Lilley & W. H. Raby admrs. and others seventy dollars and fifty one cents. The pro rata share of the proceeds of sale of the property.

Munich 8th. 1900.

S C Ewing atty
for the said John
R. Lilley

R. H. RAWLES,
ATTORNEY AT LAW AND NOTARY PUBLIC,
SUFFOLK, VA.

PRACTICES IN ALL STATE AND
FEDERAL COURTS.

Recd of S. E. Everett & R. H. Rawles, Special Commissioners in the case of J. W. R. Lilly et als vs W. T. Raby Admr etc the amounts below opposite our names being our pro rata share of the proceeds of the sale of land in said suit:

Mrs. John Hunt	$ 13.31
R. L. Bains	34.30
J. W. Brinkley	9.67
W. T. Raby	10.14
A. G. Caffrey	1.45
Luther Philhower	1.22
J. B. Philhower	2.16
J. C. Holliday	.97
	$ 73.22

R. H. Rawles atty for all the above parties

March 7. 1900.

Oct 20 1899

Mrs. Margaret J. Miller, Dr.

To T. W. ARTMAN, Commissioner of Revenue.

To transferring 10 acres of Land from

A E Miller $1.00

Located Cypress Dist

Received payment.

J. H. Artman

March 7 1900

D I Ellis Co Tr

Mr. Margaret J. Miller Dr.

1899. Magnolia farm

To S. T. ELLIS, Treasurer of Nansemond County, Va.

No. 550 / No. of Acres 70	State Tax, 30c. on $100.	State School Tax, 10c. on $100.	County Levy, 20c. on $100.	Parish Levy, 8c. on $100.	County School Tax, 5c. on $100.	District School Tax, 5c. on $100.	County Road Tax, 10c on $100.	TOTAL TAX.
To Real Estate, value $ 680	204	68	136	54	34	34	68	598
" Personal Property, value $								
" ——— value $								
" Poll Taxes		100					50	
Total								598
5 per cent. additional								30
Total								628
								100

Received payment 1 day of Mch 1900 S. T. Ellis Treasurer. $ 8.03

A difference in Tot amt Ellis report, last paid to credit for vote.

84
88
2
1.98

$2.50

Received of S. [illegible] Everett and R. H. Rawles two dollars and half. Auctioneer's fee in case of Lilley v. N. [illegible] Ruby, admr., and others.

March. 8th. 1899.

J. Wallace
Auct.

Margaret J Miller

1899 taxes due	$6.28
" Transfer ticket	1.00
	$7.28

Suffolk, Va., July 23 1898

Mr A. E. Miller Dr.

Bought of J. C. HOLLADAY,

DEALER IN

Coal, Hay, Grain, Flour, Meal, Etc.

Office--No. 7 Riddick Street

350 ft	Corn	@ 45¢ Per Bush.	2 80

Sworn to before the Commissioner and Jus
Claim from May 20. 1899.

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON William T Raby Administrator of Albert Edward Miller deceased and Margaret J Miller widow of Albert Edward Miller

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 Third Monday in March 1899, to answer a Bill in Chancery, exhibited against them in the said Court by John R Lidley

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this 18th day of March, 1899, in the 123rd year of the Commonwealth.

A copy—Teste:
A P Gomer, CLERK.

Teste:
A P Gomer, CLERK.

S E Everett p. q.

A Copy for
Wm T Raby Admr &c

vs. } *In Chancery.*

1899

March *Rules.*

Third *Monday.*

Nansemond Circuit Court.

*Process Book No.*_____

*Page*_____

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON William T Raby and Administrator of Albert Edward Miller deceased and Margaret J Miller widow of Albert Edward Miller

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 Third Monday in March 1899, to answer a Bill in Chancery, exhibited against them in the said Court by John R Lilley

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this 18th day of March, 1899, in the 123rd year of the Commonwealth.

A copy—Teste:

_____, CLERK.

Teste: A P Gomer, CLERK.

Decemb this 18th day of Mar 1899 by declaring a true copy of his writing produced to Wm T Raley Adm: and Margaret Miller in favour of Miller widow of Albert Edwards

J. F. Duncan Dep. Clerk
For A. M. Baker Sheriff

S. E. Everett p. q.

John R Lilley

vs. } In Chancery.

Wm T Raley Adm
and others

1899

March Rules.

Third Monday.

Nansemond Circuit Court.

Process Book No.------

Page--------

To A. P. Homer. Clerk of the Circuit Court of Nansemond county, Virginia.

John H. Lilley..... Plaintiff.

Against

William T. Raby, administrator of Albert Edward Miller, deceased,

and Margaret J. Miller, widow of Albert Edward Miller. Defendants.

Issue summons in chancery to Third Monday Rules in March, 1883.

Pay $1.50 paid

J. E. Everett p.q.

Lilley
vs
Roby Admr &c

Know All Men by These Presents, That we, Seth E Everett and R A Rawles and William S Rabey

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of Six Hundred DOLLARS, to the payment whereof, well and truly to be made to the said Commonwealth, we bind ourselves, and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

And we waive the benefit of our exemption as to this obligation, and also waive any claim or right to discharge any liability to the said Commonwealth arising under this bond, or by virtue of the office, post or trust herein mentioned, with coupons detached from bonds of said Commonwealth.

Sealed with our seals, and dated this 7th day of November in the year of our Lord one thousand eight hundred and Ninety Nine, and in the 124th year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas by a decree of the Circuit Court of Nansemond County Virginia pronounced on the 17th day of October 1899 in the Chancery cause pending in the said Court between John R Lilly Plaintiff against William S Rabey and others defendants the above bound Seth E Everett and R A Rawles who were appointed Special Commissioners for the purposes specified in said decree, Now therefore if the said Seth E Everett and R A Rawles shall faithfully discharge their duties under said decree and all other decrees they may be required to execute in said cause then the above obligation is to be void, otherwise it is to remain in full force and effect.

Seth E Everett SEAL
R A Rawles SEAL
W S Rabey SEAL
SEAL
SEAL

In the office of the Clerk of the Circuit Court of Nansemond County, on the 7th day of November 1899.

The above bond was executed and acknowledged by the obligors (the surety justifying on oath as to his sufficiency) and recorded.

Teste: A P Gomey CLERK.

A Copy Teste: A P Gomey Clerk

S E Everett & R N Rawles

To

Spec. Comr. Bond

The Commonwealth.

1899

Nov 7th

A copy.
Recorded in Official
Bond Book No 1. Page 183

John A. Miller
against
William C. Raby and others.

H. D. Rawles, an attorney at law, is hereby appointed guardian ad litem to the infant defendant in this suit, viz: Raby, and required to defend his interest in this suit.

Judgment.

Appointment of Guardian ad Litem by the Court.

Commissioner's Office,

Suffolk, Va., August 7. 1899.

To John R. Lilley

and

William T. Raby, Administrator of the estate of Albert Edward Miller, deceased; Margaret J. Miller, widow of Albert Edward Miller, and R. H. Rawles, guardian adlitem of Ernest Raby, an infant under the age of twenty-one years.

You are hereby notified that I have fixed upon the 21. day of August, 1899, if fair, if not, on the next fair day thereafter, Sunday excepted, to take, state and settle at my office, the following accounts:

1. An account of the transactions of William T. Raby, administrator of Albert Edward Miller, deceased.

2. An account of the debts due by Albert Edward Miller, deceased, or his estate, together with proofs with the same and their priorities.

3. An account of the real estate of which Albert Edward Miller died seized and possessed, together with the fee simple and annual values thereof and whether it has been sold for delinquent taxes; together with any other matter deemed pertinent by the Commissioner, or required to be stated by any party in interest; required to be taken by a Decree of the Circuit Court of the County of Nansemond, rendered on the 21. day of April, 1899, in a suit in Chancery in said Court depending between you, at which time and place you are required to attend.

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

C. H. Causey Jr.

Commissioner in Chancery.

1899, August 8th.

Due, legal and sufficient service of the within notice is hereby accepted.

D. E. Emerson
Counsel for the Plaintiff.

W. J. Raby
Administrator of Albert Edward Miller, deceased.

R. H. Rawles
Guardian ad li tem of the infant defendant, Ernest Raby.

R. H. Rawles acty.
for Margaret J. Miller

Commissioner' Office,

Suffolk, Va.' August 7, 1899.

To John R. Lilley

and

William T. Raby, admisitrator of the estate of Albert Edward Miller, deceased;Margaret J. Miller,widow of Albert Edward Miller,and R. H. Rawles, guardian adlitem of Ernest Raby, an infant under the age of twehty- one years.

You are hereby notified that I have fixed upon the 21. day of August, 1899, if fair , if not, on the next fair day thereafter, Sunday excepted, to take, state and settle, at my office, the following accounts:

1. An account of the transactions of William T. Raby, administrator of Albert Edward Miller, deceased.

2. An account of the debts due by Albert Edward Miller, deceased, or his estate, together with proofs with the same and their priorities.

3. An account of the real estate of which Albert Edward Miller died seized and possessed, together with the fee simple and annual values thereof and whether it has been sold for delinquen taxes; together with any other matter deemed pertinent by the Commissioner, or required to be stated by any party in interest; required to be taker by a Decree of the Circuit Court of the County of Nansemond, rendered on the 21. day of April, 1899, in a suit in Chancery in said Court depending between you, at which time and place you are required to attend.

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

C. H. Causey Jr.

Commissioner in Chancery.

1889, August 6th.

Executed by delivering a true copy of the within notice to Margaret J. Miller, widow of Albert Edward Miller, in person.

A. H. Baker
Sheriff

Commissioner's Office,

Sept. 27, 1899.

John R. Lilley

against --- In Chancery

William T. Raby, Administrator of the estate of Albert Edward Miller, deceased; Margaret J. Miller, widow of Albert Edward Miller, and R. H. Rawles, guardian ad litem of Ernest Raby, an infant under the age of twenty-one years.

To the Circuit Court of Nansemond County:

Pursuant to the decree of this Court pronounced in the above entitled cause on the 21, day of April 1899, the undersigned, one of the Commissioners in Chancery of this Court, having first given notice as required by law, which notice is herewith returned, duly executed, proceeded on the day named in the said notice to take and settle the several accounts as directed in said Decree.

Being unable to complete the same on that day, the said cause has been continued from time to time, to this day, when this report is completed.

The results of his work are herewith reported as follows:

I.

An account of the transactions of William T. Raby, Administrator of Albert Edward Miller, deceased.

The Estate of Albert Edward Miller, deceased,

In Account with

William T. Raby, Administrator c. t. a.

1898	Oct. 12.	The Administrator qualified		
	Nov. 9.	By cash proceeds of the sale of personal property per account of sale recorded.		$237.13
Dec.	Dec. 17.	To cash paid R. R. Smith Clerk fee on qualification and for stamps on will voucher	$4.00	
	" "	To cash paid J. E. Booker for publishing in the "Suffolk Herald" notice of qualification and printing notices of salevoucher	2.75	
1899	May 11.	To cash paid Sydney T. Ellis County Treasurer State and Countytaxes for the year 1897 voucher	1.05	
	" "	To cash paid same for taxes for the year voucher	8.73	
	" "	To cash paid T. W. Artman, Commissioner of the Revenue for transferring land from B. M. Bruce to A. E. Miller voucher	1.00	
	" "	To cash paid W. T. Raby for money advanced for labor and fees paid crier at sale voucher	49.60	
	" "	To cash paid J. T. Roberts fee for services as appraiser voucher	1.00	
	" "	To cash paid J. W. Brinkley fee for services as appraiser voucher	1.00	
	" "	" To cash paid R. H. Powell fees for services as appraiser and clerk at sale voucher	4.00	
		Amounts carried forward	$73.13	$237.13

		Amounts brought forward	$73.13	$237.13
1899	May 11	.To cash paid R. H. Rawles Atty. for legal services rendered the Administrator voucher	10.00	
	" 13.	To cash paid Dr. John E. Phillips for services during last illness of A. E. Miller voucher	4.50	
	" "	To cash paid Dr J. M. Gibson for services rendered during last illness of A. E. Miller voucher	5.50	
	" "	To cash paid Rl. R. E. Parker for services during last illness of A. E. Miller voucher	40.00	
	" "	To cash paid Dr. R. E. Parker for medicines and drugs during last illness of A. E. Miller voucher	27.75	
	" 20	To cash paid following general creditors pro rata amounts of debts due them being 13.09 per cent of full amounts due.		
		John R. Lilly voucher	28.00	
		Mrs. John Hirst voucher	5.40	
		J. W. Brinkley voucher	4.00	
		R. L. Bain voucher	15.00	
		W. T. Raby voucher	4.00	
	" "	To cash paid R. R. Smith Clerk for recording inventory and appraisement, account of sale and this account of distribution voucher	3.00	
	" "	To cash paid John B. Pinner Commissioner of Accounts for certifying inventory and appraisement and account of sale and auditing the account of distribution voucher	5.00	
	" "	To 5% commissions on $237.13 gross amount which came into hands of Administrator, retained	11.85	
			$237.13	$237.13

This account embraces the full transactions of the Administrator and he is informed and says that there are no other monies with which he is chargeable as such Administrator.

II.

An account of the debts due by Albert EDward Miller, deceased, or his estate, together with the proofs with the same and their priorities.

1.	State and County taxes for the year 1899.		$8.31
2.	The claims proven against the estate as shown by the proceedings herein are as follows; all being of the same dignity.		
	John R. Lilley, Principal	$213.93	
	Int. on $190. March 7,1898 to May 20,1899	13.68	
	Int.on $23.93 Oct.2[illegible],1898 to Ma[illegible],1899	.81	
		$228.42	
	1899, May 20. By cash of Administrator	28.00	
	1899, May 20. To balance due	$200.42	
	Int. to Nov. 20. 1899	3.01	203.43
	Mrs. John Hirst		
	Principal	$40.00	
	Int Dec. 2, 1897 to May 20, 1899	3.52	
		$43.52	
	1899, May 20. By cash of the Administrator	5.40	
	1899, May 20. to balance due	$38.12	
	Int to Nov.20, 1899	1.04	
			39.16
	To amount carried forward		$251.90

Amount brought forward		$253.90
R. L. Baines, Principal	$110.00	
Int.on $45.Nov.27,1898 to May 20,1899	1.35	
Int.on $65.Dec.18,1898 to May 20,1899	1.62	
	$112.97	
1899, May 20. By cash of the Administrator	15.00	
1899, May 20. To balance due	$97.97	
Int. to Nov. 20, 1899	2.94	100.91
J. W. Brinkley		
Principal	$30.73	
Int. Nov.20,1898 to May 20,1899	.91	
	$31.64	
1899, May 20, By cash of the Administrator	4.00	
1899, May 20? To balance due	$27.64	
Int. to Nov. 20, 1899	.83	28.47
W. T. Raby		
Principal	$32.00	
Int.Nov.20. 1898 to May 20. 1899	.96	
	$32.96	
1899, May 20. By cash of the Administrator	4.00	
1899, May 20. To balance due	$28.96	
Int. to Nov. 20. 1899	.87	29.83
A. G. Culpepper		
Principal	$4.16	
Int. from May 20, 1899 to Nov. 20? 1899	.12	4.28
Amount carried forward		$417.39

Amount brought forward		$417.39
Luther Philhower		
Principal	$3.50	
Int. May 20, 1899 to Nov. 20, 1899	.10	3.60
J. B. Philhower		
Principal	$6.17	
Int. May 20, 1899 to Nov. 20, 1899	.19	6.36
J. C. Holladay		
Principal	$2.80	
Int May 20, 1899 to Nov. 20, 1899	.08	2.88
Total indebtedness reported		$424.23
		430.23

III.

An account of the real estate of Which Albert Edward Miller died seized and possessed, together with the fee simple and annual values thereof and whether it had been sold for delinquent taxes; togehter with any other matter deemed pertinent by the commissioner, or required to be stated by any party in interest.

The said Albert Edward Miller died seized and possessed of a tract of land in the County of Nansemond, Virginia, containing seventy acres, more or less, lying in Cypress Magisterial District and is bounded by the lands of J. T. Cross on the South and East, on the West by the land formerly belonging to J. D. Penette, and on the North by the land of the Seaboard and Roanoke Railroad Company.

The fee simple value of the said land is $500.

The annual value of said land does not exceed $50.

The said land has never been sold for delinquent taxes.

Your Commissioner is advised that the said Albert Edward Miller , by his last will and testament, which is of record in the the Clerk's Office of Nansemond County Court, bequeathed unto Margaret J. Miller, his wife, the said land herein mentioned and described, for and during her natural life, remainder to Ernest Raby, an infant under the age of twenty-one years. The said Margaret J. Miller, by her answer herein filed, renounces said will and desires that her dower in said land be assigned her and that this Court appoint Commissioners for that purpose, she the said Margaret J. Miller not desiring to commute her dower interest.

All of which is herby respectfully submitted,

C. H. Causey Jr.
Commissioner in Chancery.

Fee 20.00
Paid
C. H. Causey Jr. Comr.

Lilley, John R.

Report of

v. Comr. Causey

Dated Sept. 27. 1899

William T. Raby, Admr.

1899 Sept 27th Filed

A. D. Gurney DC

Oct 11th. 1899.

S. E. Everett

Report of
Commissioners

Oct. 11th. 1899

1899
Oct. 17, filed

To Honorable Robert A. Prentis, Judge of the Circuit Court of Nansemond County.

The undersigned commissioners, S. E. Everett and R. H. Rawles, appointed by the decree entered the 17th . day of October, 1899, in the chancery cause pending in said court between John D. Lilley, complainant, and William T. Raby and others, defendants, proceeded to execute the duties thereby enjoined upon them. After advertising the time, place and terms of sale in "The Suffolk Herald," a newspaper published in Nansemond county, once a week for three weeks, and posting notice of sale at one or more public places in Nansemond county, your commissioners proceeded to sell at public auction, to the highest bidder, at the front door of the court-house of this county, on the 11th. day of December, 1899, the said land in the bill and proceedings mentioned, at which sale J. D. Lilley made the highest bid and became the purchaser at two hundred and twenty five dollars. The purchaser has not complied with his purchase, but prefers to pay cash instead of giving his bond for the unpaid instalments, and is ready to comply as soon as the sale is confirmed and the commissioners are directed to deliver to him a deed for the said land.

Your commissioners have given the bond required by the decree directing the sale of the said land.

Respectfully submitted,

S. E. Everett

R. H. Rawles, } Commissioners.

Report of
Commissioners

1899 December 12th Filed
A L Gormey Clk

To Honorable Robert H. Prentis, Judge of the Circuit Court of Hammond County:

The undersigned commissioners, S. E. Everett and R. H. Rawles, Special commissioners, appointed by the decree entered the 17th. day of October, 1899, in the chancery cause pending in said court between John R. Lilley and W. T. Raney admr. and others, make the following report:

The land purchased by J. C. Lilley for.. .. $225.00

Paid Clerk as per voucher..	$10.38	
Paid attorney, R. I.	15.00	
Paid C. H. Causey, Jr. Com.....	20.00	
Paid J. .. Booker, advr. as per voucher..	7.75	
Paid W. Walter Hosier, Auct. as per voucher	2.50	
Paid S. T. Ellis, taxes as per voucher	6.31	
Paid special comm's comm on $225.00	11.25	
Writing Commissioners deed,.....	5.00	
Paid for stamp on deed	50	81.27
		$143.73

Paid creditors their pro rata shares as follows:

John R. Lilley as per voucher.....	$70.61
Mrs. John First.....	13.31
E. L. Haines.....	34.30
J. A. Brinkley.....	9.87
W. T. Raney.....	10.14
A. D. Culpepper.....	1.45
Luther Philhower.....	1.82
J. D. Philhower.....	2.18
J. C. Holladay.....	97
	$143.73

Respectfully submitted

S. E. Everett

R. H. Rawles } Special Comm'rs.

Report of Commissioner of distribution of proceeds of Sale.

Filed March 7th 1900

AUCTION SALE

OF

VALUABLE REAL ESTATE

IN NANSEMOND COUNTY!

By authority of a decree of the Circuit Court of Nansemond county, in the State of Virginia, entered on the 17th day of October, 1899, in the chancery cause pending in the said court between John R. Lilley, complainant, and William T. Raby and others, defendants, the undersigned will sell by public auction to the highest bidder, before the Courthouse door of said county, in Suffolk, Va.,

ON MONDAY, DECEMBER 11, 1899,

(court day), at 12 o'clock M., the following real estate, subject to the widow's dower which has been assigned her in this suit: "All that certain parcel of land situated in Nansemond county, Va., and bounded on the north by the lands of the Seaboard and Roanoke Railroad Company, on the west by the land formerly belonging to J. D. Penette, and on the south and east by the land formerly belonging to J. T. Cross, and containing about seventy acres, more or less.

TERMS OF SALE:

One-third cash, and the residue in one year, with interest from the day of sale, the purchaser or purchasers to execute bond, waiving benefit of exemptions, payable to the undersigned, in evidence of the deferred payment.

The title to the property will be retained until the further order of the Court.

S. E. EVERETT,

R. H. RAWLES,

NOVEMBER 15, 1899. SPECIAL COMMISSIONERS.

I, Azra P. Gomer, Clerk of the Circuit Court of Nansemond county, Virginia, do certify that the bond required of Seth E. Everett, and R. H. Rawles, special commissioners, under the decree of the said Court made on the 17th day of October, 1899, in the chancery cause pending in the said court between John R. Lilley, plaintiff, and William T. Raby and others, defendants, has been executed with security deemed sufficient by me.

Given under my hand this 15th day of November, 1899.

A. P. GOMER, Clerk.

Acc't of J. R. Lilley. $225.00

Nov 11 - 99 J. H. Matthews Auct.

8th.

In the Circuit Court of Nansemond county, in vacation, on the [illegible] day of February, 1900.

John R. Lilley, against William T. Reed , admr. of Ulvert Edward Miller, deceased, and others.

This cause came on this day to be heard, on the papers, when upon motion of the defendants and the purchaser of the complainant's interest to apply for this decree in this cause, as provided by statute; on the papers formerly read and on the report of the Commissioners, C. C. Everett and R. T. Rawles, appointed by the decree entered on the 17th. day of October, 1877, of the sale made by them of the tract of land in the said pleadings mentioned, in accordance to the said decree, as made report to the Clerk's Office of this Court the 12th. day of December, 1877, which no exception, and was signed by counsel. On consideration whereof the court doth approve and confirm the said report and the said sale.

And the court doth further adjudge, order and decree that when and as soon as J. C. Lilley shall have paid the [illegible] amount of the purchase-money as required by, and in pursuance of the report of the commissioners, to the said special decree, the said commissioners shall convey by good and sufficient deed, with special warranty, unto the said J. C. Lilley, the property conveyed by them in pursuance thereof; all that certain tract or parcel of land situated in Nansemond county, Virginia, and bounded and described by the courts of the Seaboard and Roanoke Railroad Company, on the west by the Lilley property, adjoining on J. T. Ingalls, and on the south by the lands formerly belonging to J. T. Cross, and containing about seventy acres, more or less, subject to the widow's dower reserved in one of said tracts.

And the said commissioners are directed to report their proceedings herein, together with the exhibits filed with their report, to the next term of this court.

Robert R. Prentis.

To the Clerk of the Circuit Court of Nansemond county.

Jones to Lilley

Agreement to chancery.

Filed ... 1900 ...

Decree confirming sale of land.

Entered Feb. 8, 1900.

Robt R. Prentis

Entered in Chancery Order Book,

No. 3 page 260.

John R. Lilley by S.E. Everett
J.C. Lilley by S.E. Everett his atty.
R.H. Rawles Guardian ad
litem for infant Earnest Roby
R.H. Rawles Committee for
W.T. Roby & Margaret J
Miller.

Feby. 15th. 1900

Notice for va-
cation decree
to confirm report
of commissioner

John R. Lilley

against

William T. Baby, admr. et als.

This cause came on again to be heard on the papers formerly read, the petitions of Mrs. John Hirst, R. L. Haines, J. T. Brinkley, W. T. Baby, M. G. Culpepper, Luther Philhower, J. B. Philhower, and J. C. Holladay, and exhibits, filed since last hearing of this cause on the report of the Commissioner, C. B. Causey, Jr., dated September 27, 1899, and filed September 30, 1899; and upon the report of the commissioners, W. B. Lawrence, John T. Roberts, and John A. Brown, who were appointed by the court to assign dower to the said Margaret J. Miller filed ~~this day~~, 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 S. S. Everett and R. H. Rawles who are hereby appointed special commissioners for the purpose, do, after having advertised the time, place, and terms of sale once a week for three successive weeks in one or more of the news papers in Nansemond county, and posting notice of the same in one or more of the public places in this county, proceed to sell at public auction at the front door of the court house of this county, the tract of land in the bill and proceedings mentioned, subject to the widow's dower assigned in this suit, in one or more parcels as the commissioners shall see fit, upon the followings term to-wit: for cash. If the commissioners deem it best to sell in parcels they may employ a surveyor to lay off the same in one or more parcels, making a plat of the same. And the said commissioners are directed to deposit the cash payment, deducting therefrom the expenses of sale, including their commissions, the fees of the surveyor (if one be employed), ~~and the costs of suit~~, in one of the banks in the town of Suffolk to the credit of the court in this suit, and to report their proceedings hereunder to the court, returning therewith a certificate of such deposit.

~~not proceed to act~~ But the said commissioners, S. S. Everett and R. H. Rawles, shall not proceed to act under this decree until they shall enter into bond with sufficient security in the clerk's office of this court, payable to the commonwealth of Virginia, in the penalty of $600.00, and conditioned for the faithful discharge of ~~the duties~~ their duties under this or any future decree that may be pronounced in this cause.

Decree for sale of land .
John R. Lilley
Against
William I. Raby admr..

Enter Octo. 17 1899.

Robt R. Lewis

Entered in Chancery
Order Book No. 3 page. 240.

after being first duly sworn,

John P Libby
against
Wm H Roby & others
Decree appointing
Commissioner to
assign Dower.

Enter Oct 10, 1899

Robert D Ellis

Entered in Chancery
Order Book No. 3.
Page 225.

R. F. Rawles, Esquire, a discreet and competent attorney at law, is assigned guardian ad litem to the infant defendant Ernest Raby to defend his interest in this suit and the suppor original and amended bills

this day

with

was

and whether it has been sold for delinquent taxes, — thereof,

John R. Lilly

Against

William D. Baby and others.

To the Circuit Court of Nansemond county, Virginia.

In pursuance of an order entered in the Circuit Court, held for Nansemond county, October, the 10th. 1899, the undersigned Commissioners appointed for the purpose of assigning dower to Margaret J. Miller, widow of Albert Edward Miller, deceased, in the real estate of which the said Albert Edward Miller died seized and possessed, submit the following report:-

We assign the dower of the said Margaret J. Miller in the said real estate of which the said Albert Edward Miller died seized and possessed as follows, to-wit:

Commencing at the West corner on the Seaboard and Roanoke Railroad and running along the South side of the said railroad two hundred and twenty six ~~xxxx~~ yards to a big ditch, thence running South-East to a sweet gum bush on a ditch in the field, thence running a little more to the South to a cedar tree near the house, thence from there running South to a persimmon tree on the back line of the said land, thence along the Western boundaries and along the land formerly belonging to J. D. Benette to the point of the beginning on the railroad.

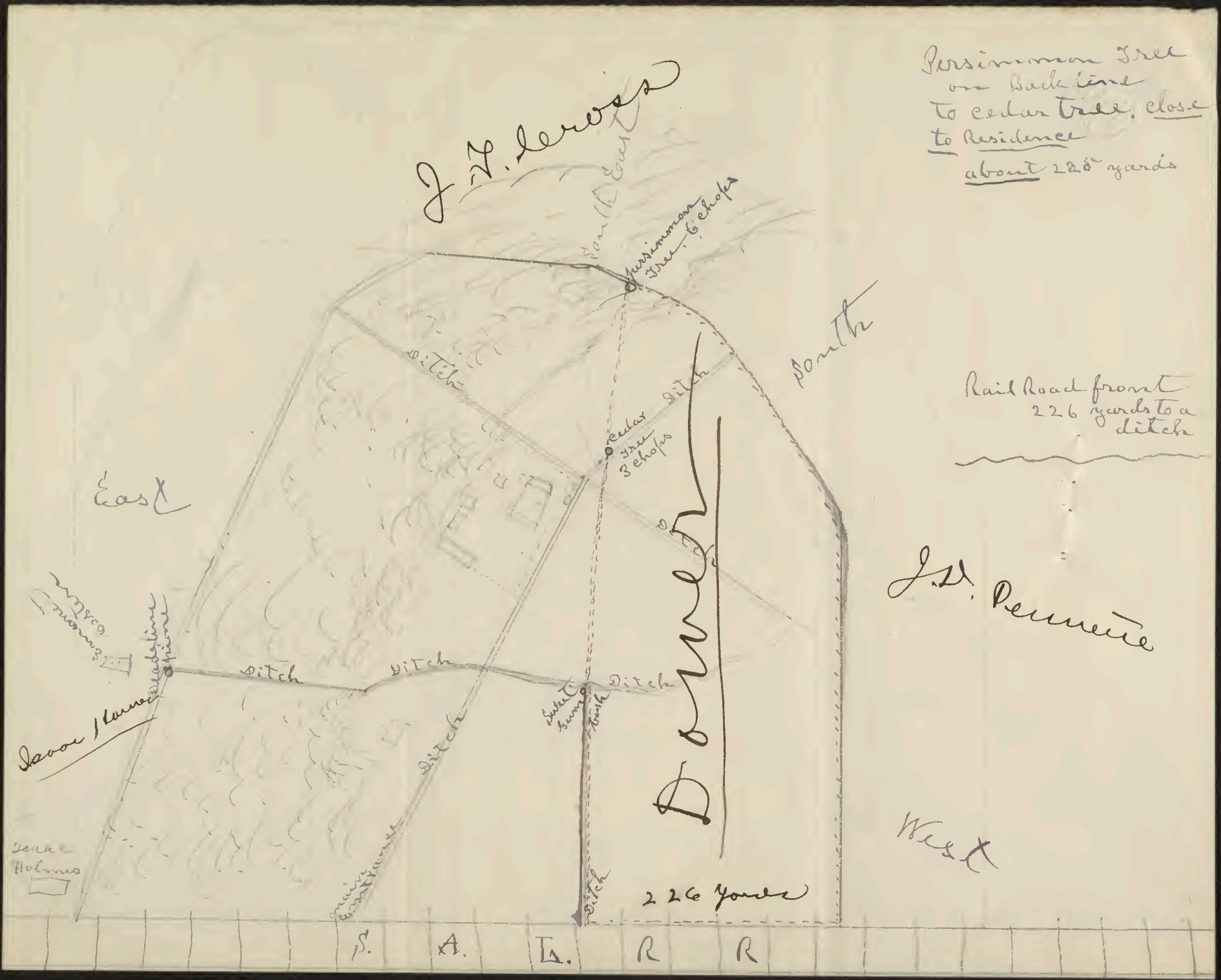
We herewith enclose a plat of the land.

Respectfully,

Jno A. Browne

J J Roberts

W B Lawrence


Persimmon Tree on Back line to cedar tree, close to Residence about 225 yards
J. T. Lewis
South East
Persimmon Tree 6 chops
South
Rail Road front 226 yards to a ditch
ditch
Cedar tree 3 chops
East
J. D. Pennell
Donnell
Ditch
Ditch
Ditch
Ditch
Ditch
Ditch
Ditch
Ditch
Isaac Holmes
226 Yards
West
S. A. L. R R

Report of

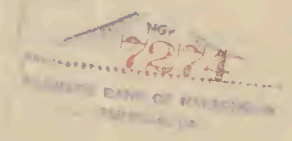
Commissioners.

Dec 1st 1892

A. E. Miller.

Dr to Mrs John Hurst.

		$	¢
To 8 Barrells	Long Corn	16	00
" 4 "	Short	4	00
" 16½ Yds	Carpet @ 25¢	4	13
"	Clock	2	00
"	Tools &c	3	00
" 10 lbs	Fodder	10	00
	Hawling		87
		$ 40	00



$40/00/000

NO. 4216
FARMERS BANK OF NANSEMOND
SUFFOLK, VA.

Suffolk, Va., Dec 2nd 1897

Six months ~~days~~ after date I promise to pay unto

Mrs John Hurst

or order, negotiable and payable,

without offset, at the *FARMERS BANK OF NANSEMOND* Suffolk, Virginia,

Forty ---- Dollars,

for value received; and it is agreed upon by the parties that the interest on this Note shall be payable in advance, and we, principal and endorsers, hereby waive the benefit of our Homestead Exemption as to this debt.

No. Due June 1st

Paid Interest on
this note to
June 1st 1898
$3.40

Paid Principal
and Interest
to date
Dec 13, 1898
$40.00

Form 1—7-3-97-10m

A. E. Nuller

M. Jo Nuller

Paid $5.40

Paid 13.31

$18.71

Pd by Commissioners.

John R. Lilley.

vs.

William T. Raby, Admr. &c.

To the Hon. Robert R. Prentis, Judge of the Circuit Court of Nansemond County.

Your petitioner Mrs. John Hirst of Nansemond County Virginia, respectfully represents that A. E. Miller in his life time was indebted to ~~his~~ her in the sum of $40— evidenced by negotiable note herein filed for that amount, it being for ~~that~~ value rec'd; there is now pending in the Circuit Court of Nansemond County, a suit in equity, wherein John R. ~~Miller~~ Lilley is plaintiff, and W. T. Raby administrator of A. E. Miller, deceased, and others are defendants, having for its object the subjection of the estate left by A. E. Miller deceased, to the payment and satisfaction of his debts, and asking that his real estate be sold for that purpose, your petitioner therefores prays that she may be allowed to join in said suit, contributing her share of the cost in the prosecution of the same; and to that end she prays that an account may be taken of ~~his~~ her said debt, that the said real estate of the said A. E. Miller deceased, (which will not rent for enough in 5 years to pay his said indebtedness) may be sold to satisfy said debt.

And your petitioner joins in all the charges and allegations of the bill and in all the prayers thereof; and prays for all such other further and general relief as ~~his~~ her case may require, or which to equity may seem meet and ~~will~~ she will ever pray &c. Mrs. John Hirst.

Virginis, Nansemond County; to wit,

This day personally appeared before me, R. H. Rawles, a Notary ~~P~~public of the County aforesaid in the State of Virginia.

Mrs. John Hirst

Whose name is signed to the foregoing petition, made oath that all the statements contained in the said petition are true to the best of ~~his~~ her knowledge and belief.

Given under my hand this 20th day of May, 1899. R. H. Rawles N.P.

Petition of

Mrs. John Hirst.

John R. Lilley.

vs.

William T. Raby, Admr. &c.

To the Hon. Robert R. Prentis, Judge of the Circuit Court of Nansemond County.

Your petitioner Luther Phillips of Nansemond County Virginia, respectfully represents that A. E. Miller in his life time was indebted to him her in the sum of $ 3 50 evidenced by open account mrk dem pr him in his life time for that amount, it being for that, there is now pending in the Circuit Court of Nansemond County, a suit in equity, wherein John R. Lilley is plaintiff, and W. T. Raby administrator of A. E. Miller, deceased, and others are defendants, having for its object the subjection of the estate left by A. E. Miller deceased, to the payment and satisfaction of his debts, and asking that his real estate be sold for that purpose; your petitioner therefores prays that he may be allowed to join in said suit, contributing his share of the cost in the prosecution of the same; and to that end he prays that an account may be taken of his said debt, that the said real estate of the said A. E. Miller deceased, which will not rent for enough in 5 years to pay his said indebtedness may be sold to satisfy said debt.

And your petitioner joins in all the charges and allegations of the bill and in all the prayers thereof; and prays for all such other further and general relief as his case may require, or which to equity may seem meet and will ever pray &c.

Luther Phillips
By Counsel

Virginia, Nansemond County; to wit,

This day personally appeared before me, R. H. Rawles, a Notary Public of the County aforesaid in the State of Virginia.

Luther Phillips

Whose name is signed to the foregoing petition, made oath that all the statements contained in the said petition are true to the best of his knowledge and belief.

Given under my hand this 20th day of May. 1899. R H Rawles N P.

Petition of
Lucius Pitkin

Magnolia, Va., May 1899

Mr A. E. Miller

Bought of A. G. CULPEPPER,

Manufacturer of Reed Pipe Stems

Shingles, Barrel Staves and Heading.

1898									
June	20	To	16	Truck bbls	"	16	$	2 56	
July	5	"	10	"	"	"	$	1 60	
						"			$4 16

John R. Lilley.

vs.

William T. Raby, Admr. &c.

To the Hon. Rchert R. Prentis, Judge of the Circuit Court of Nansemond County.

Your petitioner A. G. Coleffer of Nansemond County Virginia, respectfully represents that A. E. Miller in his life time was indebted to him ~~her~~ in the sum of $ 4 16/100 evidenced by open account herewith filed for that amount, ~~it being for~~; that, there is now pending in the Circuit Court of Nansemond County, a suit in equity, wherein John R. Lilley is plaintiff, and W. T. Raby administrator of A. E. Miller, deceased, and others are defendants, having for its object the subjection of the estate left by A. E. Miller deceased, to the payment and satisfaction of his debts, and asking that his real estate be sold for that purpose, your petitioner therefore prays that he may be allowed to join in said suit, contributing his share of the cost in the prosecution of the same; and to that end he prays that an account may be taken of his said Debt, and the said real estate of the said A. E. Miller deceased, which will not rent for enough in 5 years to pay his said indebtedness, may be sold to satisfy said debt.

And your petitioner joins in all the charges and allegations of the bill, and in all the prayers thereof; and prays for all such other further and general relief as his case may require, or which to equity may seem meet and will ever pray &c.

A. G. Coleffer
By Counsel

Virginia, Nansemond County; to wit,

This day personally appeared before me, R. H. Rawles, a Notary public of the County aforesaid in the State of Virginia.

A. G. Coleffer

Whose name is signed to the foregoing petition, made oath that all the statements contained in the said petition are true to the best of his knowledge and belief.

Given under my hand this 20 th day of May, 1899.

R. H. Rawles
N. P.

Petition of
A. G. Culpepper

1898	A. E. Miller Dr		
	To W. T. Raby		
Oct 9	To 3 Months board of horse		
	" called Bony, at $8.00	$ 24.00	
" 10	" one Month board of		
	horse called Bob	8 00	
		$ 32.00	
	Paid on the above by W. T. Raby, Admr	4.00	

John R. Lilley.

vs.

William T. Raby, Admr. &c.

To the Hon. Robert R. Prentis, Judge of the Circuit Court of Nansemond County.

Your petitioner W. T. Raby of Nansemond County Virginia, respectfully represents that A. E. Miller in his life time was indebted to him ~~her~~ in the sum of $ 32 00 evidenced by open account heremith filed board of hmei; for that amount, it being for that, there is now pending in the Circuit Court of Nansemond County, a suit in equity, wherein John R. Lilley is plaintiff, and W. T. Raby administrator ~~of~~ A. E. Miller, deceased, and others are defendants, having for its object the subjection of the estate left by A. E. Miller deceased, to the payment and satisfaction of his debts, and asking that his real estate be sold for that purpose, your petitioner therefore prays that he may be allowed to join in said suit, contributing his share of the cost in the prosecution of the same; and to that end he prays that an account may be taken of his said debt, and the said real estate of the said A. E. Miller deceased, which will not rent for enough in 5 years to pay his said indebtedness, may be sold to satisfy said debt.

And your petitioner joins in all the charges and allegations of the bill, and in all the prayers thereof; and prays for all such other further and general relief as his case may require, or which to equity may seem meet and will ever pray &c. W. T. Raby

Virginia, Nansemond County; to wit,

This day personally appeared before me, R. H. Rawles, a Notary public of the County aforesaid in the State of Virginia.

W. T. Raby

Whose name is signed to the foregoing petition, made oath that all the statements contained in the said petition are true to the best of his knowledge and belief.

Given under my hand this 29 th day of May, 1899.

R H Rawles
N P

Petition of
W. T. Robey

Suffolk, Va., March 31, 1899

Mr. W. E. Miller Esq

Bought of J. W. BRINKLEY & BRO.

DEALERS IN

Family Groceries, Liquors, Tobacco, Cigars, Etc.

P. O. BOX 32. No. 14 EAST WASHINGTON STREET.

1898			
April 7		Sundry	10
" 23	To	mdse	1 05
" 29	"	"	1 20
May 7	"	"	1 15
" 9	"	"	1 70
" 13	"	"	1 38
" 17	Mdse to 21st	mdse 16 5	1 75
" 26	To	mdse	1 99
June 4	"	"	1 25
" 11	"	"	2 07
" 18	"	"	2 28
		Forward	16,43

Suffolk, Va., 189

Mr

Bought of J. W. BRINKLEY & ~~BRO~~.

DEALERS IN

Family Groceries, Liquors, Tobacco, Cigars, Etc.

P. O. BOX 32. No. 14 EAST WASHINGTON STREET.

1898

June	18		Forward		16	43
"	24	To	mdse		1	48
July	2	"	"		3	07
"	11	"	Mdse 2 lbs 15 cts To mdse	161	2	31
"	28	"	"		1	98
Aug	6	Starch 10	26 lbs	" 100	1	10
Sept	8	To	Mdse			92
"	9	"	"			68
"	15	"	"		1	93
Oct	4	"	"			88
		Total Amt			30	78
		Cost of affidavit				50
					31	28

Pd in full by W. T. Roby $4.00 Adjust

A. E. Miller
Acct. Due
$ 30.73

John R. Lilley.

vs.

William T. Raby, Admr. &c.

To the Hon. Robert R. Prentis, Judge of the Circuit Court of Nansemond County.

Your petitioner J. W. Brinkley of Nansemond County Virginia, respectfully represents that A. E. Miller in his life time was indebted to him ~~her~~ in the sum of $ 31 23/100 evidenced by open account Rec with final goods sold in store: for that amount, it being for that, there is now pending in the Circuit Court of Nansemond County, a suit in equity, wherein John R. Lilley is plaintiff, and W. T. Raby administrator of A. E. Miller, deceased, and others are defendants, having for its object the subjection of the estate left by A. E. Miller deceased, to the payment and satisfaction of his debts, and asking that his real estate be sold for that purpose, your petitioner therefore prays that he may be allowed to join in said suit, contributing his share of the cost in the prosecution of the same; and to that end he prays that an account may be taken of his said debt, and the said real estate of the said A. E. Miller deceased, (which will not rent for enough in 5 years to pay his said indebtedness,) may be sold to satisfy said debt.

And your petitioner joins in all the charges and allegations of the bill, and in all the prayers thereof; and prays for all such other further and general relief as his case may require, or which to equity may seem meet and will he ever pray &c. J. W. Brinkley

Virginia, Nansemond County; to wit,

This day personally appeared before me, R. H. Rawles, a Notary public of the County aforesaid in the State of Virginia, J. W. Brinkley

Whose name is signed to the foregoing petition, made oath that all the statements contained in the said petition are true to the best of his knowledge and belief.

Given under my hand this 20 th day of May, 1899.

R. H. Rawles N. P.

Petition of
J. W. Brickey

A. F. Miller

to. John R. Lilley.

1898, Oct. 25th. To balance due for work on the farm of the said

A. F. Miller in the year 1898. $6.00

Paid $6.00
May 12th 1899
S. E. Emmons

This is a copy of the original receipt which was lost.

Magnolia Va
Mar 7th 1898

Received of J. R. Lilley the sum of One Hundred & Ninty dollars. ($190.00) loaned to me on entrest at 8 per cent.

A. E. Miller.

Paid $20,00
May 19 - 1899
J. E. Lewis.

69557

$45.00 Suffolk, Va., Sept 28th 1898

Sixty days after date I promise to pay unto

B. D. Baines, or order, negotiable and payable,

without relief at the FARMERS BANK OF NANSEMOND Suffolk, Virginia,

Forty five 00/100 Dollars,

for value received; and it is agreed by the parties that the interest on this Note shall be payable

in advance and we, principal and endorsers, hereby waive the benefit of our Homestead Exemption as to

this debt.

A. E. Miller

Paid in full
by cash
Nov 1st 1898
B. D. Baines

B. D. Baines

R. L. Baines

Fro

69238 66114 Dec 18

$ 65.00/100 69238 Suffolk, Va., Sep 19th 1898

Ninety days after date I promise to pay unto

B. D. Baines, or order, negotiable and payable,

without offset, at the FARMERS BANK OF NANSEMOND Suffolk, Virginia,

Sixty five 00/100 Dollars,

for value received; and it is by the parties that the interest on this Note shall be payable in advance; and we, principal rs, hereby waive the benefit of our Homestead Exemption as to this debt.

A. E. Miller

Magnolia

B. D. Baines

R. L. Baines

No.

John R. Lilley.

vs.

William T. Raby, Admr. &c.

To the Hon. Robert R. Prentis, Judge of the Circuit Court of Nansemond County.

Your petitioner R. L. Baines of Nansemond County Virginia, respectfully represents that A. E. Miller in his life time was indebted to him ~~her~~ in the sum of $110— evidenced by two negotiable notes then filed for that amount, it being value rec'd; for that, there is now pending in the Circuit Court of Nansemond County, a suit in equity, wherein John R. ~~Miller~~ Lilley is plaintiff, and W. T. Raby administrator of A. E. Miller, deceased, and others are defendants, having for its object the subjection of the estate left by A. E. Miller deceased, to the payment and satisfaction of his debts, and asking that his real estate be sold for that purpose, your petitioner therefores prays that he may be allowed to join in said suit, ~~contending~~ contributing his share of the cost in the prosecution of the same; and to that end he prays that an account may be taken of his said debt, that the said real estate of the said A. E. Miller deceased, (which will not rent for enough in 5 years to pay his said indebtedness) may be sold to satisfy said debt.

And your petitioner joins in all the charges and allegations of the bill and in all the prayers thereof; and prays for all such other further and general relief as his case may require, or which to equity may seem meet and will ever pray &c.

R. L. Baines

Virginis, Nansemond County; to wit,

This day personally appeared before me, R. H. Rawles, a Notary ~~Re~~public of the County aforesaid in the State of Virginia. R. L. Baines

Whose name is signed to the foregoing petition, made oath that all the statements contained in the said petition are true to the best of his knowledge and belief.

Given under my hand this 20th day of May, 1899. R. H. Rawles N. P.

Petition of P. Baines

Magnolia, Va., Nov 1 1898

Mr W J Robey Admrst

BOUGHT OF J. B. PHILHOWER

MANUFACTURER OF

NORTH CAROLINA AND VIRGINIA PINE

ROUGH AND DRESSED

	Feet.	Price.	Amount.
for H E Miller			
Dec 16 97 to 697 ft Lumber at.		90	5,57
" " " " 100 " Cull		60	60
			$6,17

John R. Lilley.

vs.

William T. Raby, Admr. &c.

To the Hon. Robert R. Prentis, Judge of the Circuit Court of Nansemond County.

Your petitioner J. B. Phillips

of Nansemond County Virginia, respectfully represents that A. E. Miller in his life time was indebted to him ~~her~~ in the sum of $ 6 17/100 evidenced by open account herewith filed for that amount, ~~it being for~~ that, there is now pending in the Circuit Court of Nansemond County, a suit in equity, wherein John R. Lilley is plaintiff, and W. T. Raby administrator of A. E. Miller, deceased, and others are defendants, having for its object the subjection of the estate left by A. E. Miller deceased, to the payment and satisfaction of his debts, and asking that his real estate be sold for that purpose, your petitioner therefore prays that he may be allowed to join in said suit, contributing his share of the cost in the prosecution of the same; and to that end he prays that an account may be taken of his said debt, and the said real estate of the said A. E. Miller deceased, which will not rent for enough in 5 years to pay his said indebtedness, may be sold to satisfy said debt.

And your petitioner joins in all the charges and allegations of the bill, and in all the prayers thereof; and prays for all such other further and general relief as his case may require, or which to equity may seem meet and will ever pray &c.

J. B. Phillips
By Counsel

Virginia, Nansemond County; to wit,

This day personally appeared before me, R. H. Rawles, a Notary public of the County aforesaid in the State of Virginia,

J. B. Phillips

whose name is signed to the foregoing petition, made oath that all the statements contained in the said petition are true to the best of his knowledge and belief.

Given under my hand this 20 th day of May, 1899.

R. H. Rawles
N. P.

Petition of
J. B. Pitchner

In the Circuit Court of Nansemond County.
John R. Lilley Vs. William T. Raby, adm'r.,of Albert Edward Miller, deceased, and others.

This cause came on this day to be again heard upon the papers formerly read and upon the report made by S. E. Everett and R. H. Rawles, Special Commissioners, of the distribution of the sum of $225.00, the proceeds of the sale of the land sold in this suit, together with a proper voucher for each item of disbursement, filed the 9th. day of March 1896, to which report there are no exceptions, and was argued by counsel:

On consideration whereof the court doth ratify, approve and confirm said report in all respects, and, it appearing from said report, that there is nothing further to be disposed of in this suit, doth order, adjudge, and decree that this cause be removed from the docket.

Lilley v. Kaby. adm'r.

Decree confirming distribution of proceeds of sale.

Enter April 10, 1930.

Robert M. Ellis

Entered in Chancery Order Book
No. 3 page 268.

The answer of Margaret J. Miller to a bill in chancery exhibited against her and others, by John R. Lilley, in the Circuit Court of Nansemond County.

This defendant, now and at all times hereafter saving and reserving unto herself all benefit and advantage which can, or may be had or taken to the many errors, uncertainties, and other imperfections in t the said plaintiffs said bill of complaint, contained for answer thereto, answers and says;

that she is the widow of Albert Edward Miller, deceased, and that it is true that the said Albert Edward Miller died, seized and posessed of the real estate described in the bill.

That it may be true that her said husband was indebted to the complaintant, John R. Lilley in the sum of $13.93 but of this she knows nothing, and demands proof of the same; it may also be true that her said husband was indebted to the petitioners; R. L. Baines, Mrs John Hurst, J. W. Brinkley, W. T. Raby, J. B. Philhower, Luther Culpepper; in the said amounts set forth in their respective petitions filled in this ~~cost~~. Cen .

She further says that her said hushand left a will, in which he devised and bequeathed all his property to her, for her natural life, and after her death to Earnest Raby, but your respondant says that she elects to waive all her rights under the said will, and demands her dower in the real estate left by her husband aforesaid; she therefore prays that your honor will appoint commissioners, and assign and set apart her dower for her in said land, according to the law in such cases made and provided; and for all such other, further, and general relief as her case may require, or which to equity may seem meet, she will ever pray &c

Margaret J Miller

Virginia Nansemond County to wit;

I, R. H. Rawles, a Notary public, for the County aforesaid, in the State of Virginia, do certify that Margaret J. Miller, whose name is signed to the above answer, has this day made oath before me in my said County that the statements contained in said answer are true. Given under my hand this 20th day of May, 1899.

R H Rawles N P

Answer of Margaret L. Miller

Earl

RH Rawles

RH Rawles

Answer of the United States of America and Jean Lafitte

To R. H. Prentis, Judge of the Circuit Court of Nansemond County, Va.

The amended bill of your complainant John R. Lilley, respectfully represents that heretofore exhibited in this court his original bill of complaint against William T. Raby, administrator of Albert Edward Miller, deceased, and Margaret C. Miller, widow of Albert Edward Miller, and answer since then it has been discovered that Ernest Raby, infant under the age of twenty one years, has an interest in the real estate mentioned in said original bill your complainant prays that the said Ernest Raby may be made a party to the said bill, that your Honor appoint him the proper guardian ad litem, and that he by his guardian ad litem and his guardian ad litem may answer the same.

And your complainant will ever pray etc.

S. E. Everett p. q.

John R. Lilley
by S. E. Everett.

Amendement
bien

To the Hon. Robert B. Prentis, Judge of the Circuit Court of Nansemond County, Virginia.

John B. Lilley..... Plaintiff.

against.

William T. Raby, administrator of Albert Edward Miller, deceased, Margaret J. Miller, widow of Albert Edward Miller. Defendants.

Your complainant, John B. Lilley, respectfully represents and shows unto your Honor the following case:

That sometime during the year, 1898, the said Albert Edward Miller departed this life, and at the time of his death was justly indebted to your complainant in the sum of two hundred and Thirteen Dollars and ninety three cents with interest on one hundred and ninety dollars from March the 7th., 1898, and with interest on twenty three dollars and ninety three cents from October the 25th. 1898, as will appear from exhibits hereunto filed and marked "Exhibit A." for money loan to the said Albert Edward Miller and for work done on his farm just before he died:

That the said Albert Edward Miller was at the time of his death seized of a certain piece or parcel of land situated in Nansemond county, Virginia, and bounded and described as follows, to-wit: On the north by the lands of Seaboard and Roanoke Railroad Company, on the west by the lands formerly belonging to J. D. Benette, and on the South and east by the lands formerly belonging to C. T. Cross, and containing about seventy acres more or less, and being the same land conveyed to the said Albert Edward Miller from E. W. Bruce and wife by deed dated the 19th. day of June, 1897, and duly recorded in the Clerk's Office of Nansemond county in Deed book, No. 78 page 182: and was also possessed of a very small personal estate: and the said Albert Edward Miller, being so seized and possessed, departed this life leaving a will in which he devises and bequeaths all his property to His widow, Margaret J. Raby her natural life and then to Ernest Raby and that William T. Raby qualified as administrator of the said Edwards Albert Edward Miller, deceased at the Sept term 1898 of the County Court of Nansemond county.

that the personal estate of said Albert Edward Miller was small and not sufficient to pay the debts and claims against the estate: that your complainant has applied to said administrator for the payment of the said debts and the said administrator has refused to pay the same, the estate not being sufficient to pay the debts. Your complainant is informed that there are other debts against the estate and that for satisfaction of your complainants claims and all claims against the estate a sale of said real estate will be necessary.

Your complainant also states that the rental of said farm is not more than sufficient to pay the taxes and keep the place in a condition to be rented out.

In tender consideration whereof and in as much as your complainant is remediless save in a court of Equity, your complainant prays that William C. Raby, administrator of Albert Edward Miller, deceased, and Margaret J. Miller his widow, may be made parties defendants to this bill and required to answer the same, but answer not on oath waived that the administrator be required to render before one of the commissioners of this court an account of his transactions as administrator; that an account of debts due by the said Albert Edward Miller, deceased, or his estate, together with proofs of same and account of the real estate of which the said Albert Edward Miller died seized and possessed together with its fair cash and annual value be taken and report thereof made to Court, that if necessary, sale or sale of the real estate, or as much as is necessary, and the proceeds thereof as well as the proceeds of the personal property be applied to the payment of their debts according to priorities, that the dower interest of the said Margaret J. Raby if claimed, be assigned to her or in she desires it, which she is required to state in her answer, be commuted and a certain amount of money be paid her in lieu thereof, that proper process issue; that all proper orders and decrees issue or may be made, and that all such other, further and general relief may be afforded your complainant as the nature of his case may require or to equity may seem meet. And your complainant will ever pray &c.

That proper counsel's fees were to be taxed as a part of the costs.

S. E. Everett p.q.

John R Lilley
against
Wm J Raby admr &
others.

Lilly
vs
Chauvey Noles
~~Lilly~~ Rabey & others

1899.	March 18th	Process issued returnable to March Rules third Monday.
"	"	
"	" 20th.	Process returned executed on defendants Bill filed and decree nisi vs him
"	Apl 3rd	Decree nisi confirmed and Cause set for hearing

Silly

25 Chancery Notes

Robey & others