1902-014
Nansemond Co (Suffolk)

Chancery Causes: Frances C. King et al vs Martha Ann Eason et al

Lilly, Littleton, Wilson, Slavins, Decker, Savage, Baker, Howell

OVERSIZE
Box 4
- 1 broadside (list of delinquent taxpayers)

11 — 267
14 — 662
14 — 275

21 — 439
31 — 65 —
[illegible] — 267

Earth & Court Ord Known
as Estes with Crack
S by Rob Mathews Dorsey
W

14 mi on Patuxent Rd a
N Jordan Rosaries
100 acres

D & B. 35 — Page 655 —
13 Jany 1896

du B O Baker Trustee
for Ohio Ol. Soaps
$200

Eugene Wilson
Wife "

Lydia Stevens
Will "

Effie Decker
Willie "

Rufus Lilly

N. 60

N. 60

N. 60

N. 60

Alex Lilly Supt N. 60

100 acres inherited from father John Lilly: 50 S. of Skelton Lies near W. on road leading from Salem to Sup. and Jordan River Frank Ellsworth John Lilly. Mill Park

William Lilly; died 1897
Ann M. Lilly Widow

Martha Ann Eason
Raymond Eason N. Co
Lonnie Littleton " "
Jas. Linton Pennell

Frances E. King } Yadkin Co
W. H. King
Hazelton N. C

John Lilly Yadkin Co
Jesse " " "

Ella Wilson dead
Jos. Wilson husband } N. Co
one child
Susie infant
under 14

Office of

GATES PACKING CO.,

Dealers in and Shippers of

LARD AND MEAT,

Smithfield Hams a Specialty.

Shipping Point: DRUM HILL, N. C.

HARRELL'S PRINT WELDON, N. C

Hazleton, N. C., Aug 30 1901

M. R. H. Rawles
Suffolk, Va.,

Dear Sir,-

I write to say to you, Take charge of the Lilly farm & sell for a division. If you wish any instruction let me hear from you at once. Sell it publicly under foreclosure of the mortgage

Yours respectfully
W. H. King

IF NOT DELIVERED IN FIVE DAYS RETURN TO

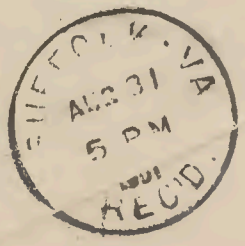
R. H. RAWLES.

ATTORNEY AT LAW AND NOTARY PUBLIC,

SUFFOLK, VA.

HAZLETON
DEC
30
1901
W. VA.

Mr. R. H. Rawles,
Suffolk, Va.


SUFFOLK, VA
AUG 31
5 PM
RECD.

We hereby consent to a decree in the cause of Frances C. King et als vs. Martha Ann Eason et als confirming the sale of the Lilly farm at $700 00 and ordering a distribution of the money after the payment of the costs and liens ; and we hereby authorize R. F. Rawles to appear for us in this matter and seek to have said a decree entered. May. 14. 1902

Witness: C. W. Byrd. + Martha Ann Eason

Haywood Eason

We hereby consent to a decree in the cause of Frances C. King et als vs Martha Ann Eason et als confirming the sale of the Lilly farm at $765 00 and ordering a distribution of the money after the payment of the costs and liens ; and we hereby authorize R. H. Rawles tp appear for us in this mat ter and seek to have said e decree entere d. May. 14. 1902

W Iners :—

D. R Jones

Rufus X Lilly

Maggie Lilly

We hereby consent to a decree in the cause of Frances C. King et als vs Martha Ann Mason et als confirming the sale of the Lilly farm at $765 00 and ordering a distribution of the money after the payment of the costs and liens ; and we hereby authorize R. F. Bowles to appear for us in this not tor and seek to have said a decree entered. May 12. 1902

Witness;—

Joseph T. Wilson

Eugenie Wilson

We hereby consent to a decree in the cause of Frances C. King et als vs Martha Ann Eason et als confirming the sale of the William Lilly farm at $760;0. and ordering a distribution of the money after the payment of the costs and liens ; and we hereby authorize R. N. Bowles to appear for us in this matter and seek to have said decree entered. May 14th 1904.

Witness:

Willie Slavin

Giddie Slavin

We hereby consent to a decree in the cause of Frances C. King et als vs Martha Ann Mason et als confirming the sale of the William Lilly farm at $765;0- and ordering a distribution of the money after the payment of the costs and liens ; and we hereby authorize R. H. Rawles to appear for us in this matter and seek to have said decree entered. May 14th 1902.

Witness :—

Mrs E H Darden witness

her mark X Mrs Anna Maria Lilly

her mark X Mrs Effie Decker

Will Decker

We hereby consent to a decree in the cause of Frances C. King et als vs. Martha Ann Eason et als confirming the sale of the William Lilly farm at $765;0, and ordering a distribution of the money after the payment of the costs and liens ; and we hereby authorize R. H. Rawles to p appar for us in this matter and seek to have said decree entered. May 14th 1902.

Witness:-

A R Bloomington

Witness:
W. W. Felk-

L J Littlton

Lavenia Littlton

Alexander his x Lilly mark

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

SOUTHERN BELL TELEPHONE 88.

PRACTICES IN ALL STATE AND
FEDERAL COURTS.

5-13-1902.

We. Fonar C. King. W. H. King. John E. Lilly and Jesse Lilly agree to dear confirming sale of the Wilborn Lilly farm at $765. and ordering cost to be paid and money distributed at once and R. H. Rawles will offer proof and have such decree entered.

Fonnie C King

W H King

Jessie Lilly

J E Lilly

Your fee sign & return them to me.

A M Tillery

Libbie B Sloan

65 pcs

JAMES H. McDONALD & CO.

DEALERS IN

STOCKS, BONDS, GRAIN,
PROVISIONS AND COTTON.

SMITH BLOCK.

PRIVATE WIRES
TO
NEW YORK AND CHICAGO
AND
ALL SOUTHERN POINTS.

BOTH PHONES
LOCAL AND LONG DISTANCE.

Wilson Dunn
65-50 Cash

SUFFOLK, VA., Febuary 6, 1902

Dear Sir:-

We have opened a brokerage business in this City, where we are connected by a private wire cased wire with a reliable firm on Wall St where our orders are executed either for delivery or on margins. We receive daily continuous market quotations of all Stocks and

Cent 25.00
Lin 220.00
715.00

Jurors for 1901		3.61
Judgment B. R Dunklin		5.65
Thos. W. Scruggs deed/tax	222.50	222.50

C H. Conway Comr		15.00
A L. Harned		10.00
Fee		5-0.00
clerk		10.51
		1.25
Sheriff		14.00
Harned	75 - 50	1.25
		102.01

$5\frac{65}{100}$ Recd of R. H. Rawles Special Commr in the cause of Homer C. King et als vs. Martha Ann Eason et als in the Circuit Court of Nansemond County Five & $\frac{65}{100}$ dollars in full payment of balance due me on Judgment vs. William Lilley docketed in Clerks Office and ordered due by C. H. Causey Commr in said cause. May 24 1902.

B. R. Daughtie

$ 200.- ..... On demand I ..... promise to pay unto

Thomas W. Sarg ..... his Heirs, Executors, Administrators or Assigns,

the just and full sum of Two Hundred ..... DOLLARS and ..... CENTS,

current money of the United States, for value received, with interest from date; for the payment of

which I bind my self my Heirs, Executors and Administrators firmly by these presents;

and I hereby waive the benefit of my homestead exemption as to this debt, obligation or contract.

As witness my hand and seal this 13th day of January, in the

year of our Lord one thousand eight hundred and ninety-six.

Secured by Deed of Trust

William Wm Lilley [SEAL.]

WITNESS R. R. Smith

Anna Maria Lilley [SEAL.]

Interest pd to Thu 13 Jan 1897

Interest pd to 13 Jan 1898

Interest pd to 13 Jan 1899

Interest pd to 13th Jan 1900

Receive of R. H. Rawley Special Commr in cause of King etals vs. Eason etals Two Hundred and twenty two 50/100 dollar in full payment and satisfaction of this bond which is hereby Cancelled. May 26. 1902.

Thomas W. Savage

$222.50

222.50

$65;09. Received of R. H. Rawles special commissioner in the chancery cause of "Frances C. King et als Vs. Martha Ann Eason et als" now pending in the Circuit court of Nansemond county, the sum of sixty five dollars and nine cents in full payment and settlement of all my dower interest in the estate of my late husband William Lilly deceased, whose real estate was sold by authority of decree in said cause, and I having agreed to commute my dower interest and to take same in cash. And this receipt is given in full release and discharge of the said special commissioner R. H. Rawles, and in full satisfaction of all my interest in said cause, and in said estate real or personal, and in full acquittal. Witness my hand and seal this 30th day of May 1902.

Witnesses;

J. T. Wilson

E. W. Doughetty.

her
X Ann Maria Lilly seal
mark

Established, 1873
Terms of this Bill - NET CASH

Newspaper
Book & Job
Commercial
and Legal
Printing

First-class Printing of all kinds
promptly executed

SUFFOLK, VA., April 16, 1902.

Mr. R. H. Rawles

Fee Commission

To The Suffolk Herald, Dr.

BOOK AND JOB PRINTING

A full line of Legal Blanks in stock

No. 9 Washington Square

50 Hand Bills "Ode. Williams Silly land" 75

Rec'd Payment
Suffolk Herald
Martin

1

.50 Rec'd of R. H. Rawles Special
Commr in King vs. Boom etals
fifty cents for posting bills of
Sale. May. 14. 1902.

Clyde Gurley.

1

$10.00 Rec'd of R. H. Rawls special
Commissioner ten dollars for preparing
deed of Wm. Lilly deed in suit of
Frances C. King et als vs M. A. Bosmith
et al. Northampton Cir. Court. May 26, 1902

A. L. Harrell.
Cmr.

$50.00 Recd of R. H Rawls special
Counsel in Cause of Forman C. King etals vs
M. A Eason etals fifty dollars in full
for services in said Cause and in lieu
of all other fees or perquisites.

R. H. Rawls
Counsel.

$20 50/100 Recd of R. H. Rawles special Commis
in the chancery cause of Francis C. King et
als vs. Martha ann Eason et als now
pending in the Circuit Court of Nous-
Mond County the sum of Twenty & 50/100
dollars in full of all fees due
sheriff for service in said cause.
May. 28. 1902. A. J. Walker
Sheriff

$10 57/100 Recd of R. H. Rawles special Commr in
Cause of Fronan C. King etals vs. Martha Ann Eason etals
Ten & 57/100 dollars in full payment of clerk's
fees & mil tax in said cause up to and
including final decree. May 26. 1902

A. L. Gomey clerk

R. A. Rawles Atty

1901--

To R. R. SMITH, Clerk of Nansemond County Court, Dr.

Oct 12th

~~Tax and Recording~~ Fee for Copy of Deed of Trust from Wm Selby & wife to B P Baker Trustee for F W Savage $1.25

J. P. Toney D. C., Clerk.

$15.00 Recd of R. H. Rawles special Commr in the chancery cause of Thomas C. King et als vs Martha Ann Edson et als the sum of Fifteen dollars fee as Commr for stating accounts in said cause. May 30/1902

Suffolk, Va
May 30/1902.

C. H. Causey Jr
Comm'r in Chy.

Mr. William Silly Est. Dr.

R. H. Rawls Spec'l Commiss

1901. To S. T. ELLIS, Treasurer of Nansemond County, Va.

No. 615 / No. of Acres 53	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, 15c. on $100.	TOTAL TAX.
To Real Estate, value $ 340	1 02	34	68	27	17	17	51	3 16
" Personal Property, value $ 30	09	03	06	03	01	01	03	28
" value $								
" Poll Taxes		~~1 00~~						
Total							~~50~~	
5 per cent. additional								3 44
Total								17
								3 61

Received payment 27 day of May 1902 S. T. Ellis Treasurer.

By R. H. Rawls (Special Commiss) Per

$34;20 . Received of R. H. Rawles special commissioner in the chancery cause of Frances C. King et als vs Martha Ann Eason et als now pending in the Circuit court of Nansemond county the sum of thirty four dollars and twenty cents in full settlement and payment of my prorata share of the sum coming to me from the sale of the real estate of which William Lilly died seized and possessed, and sold in the said chancery suit and in full release and discharge of the said R. H. Rawles special commissioner from all further obligations whatever ; and I hereby consent to all that has been done and acted in said suit and sale and approve the same. June 9th 1902.

her
Lavania x Littleton
mark

Witness
E. C. Lassiter

$34;20 . Received of R. H. Rawles special commissioner in the chancery cause of Frances C. King et als vs Martha Ann Eason et als now pending in the Circuit court of Nansemond county the sum of thirty four dollars and twenty cents in full settlement and payment of my prorata share of the sum coming to me from the sale of the real estate of which William Lilly died seized and possessed, and sold in the said chancery suit and in full release and discharge of the said R. H. Rawles special commissioner from all further obligations whatever ; and I hereby consent to all that has been done and acted in said suit and sale and approve the same. June 9th 1902.

Witness:-
Walter Horton

Martha Ann Eason
her
X
mark

$34;20 . Received of R. H. Rawles special commissioner in the chancery cause of Frances C. King et als vs Martha Ann Eason et als now pending in the Circuit court of Nansemond county the sum of thirty four dollars and twenty cents in full settlement and payment of my prorata share of the sum coming to me from the sale of the real estate of which William Lilly died seized and possessed, and sold in the said chancery suit and in full release and discharge of the said R. H. Rawles special commissioner from all further obligations whatever ; and I hereby consent to all that has been done and acted in said suit and sale and approve the same. June 9th 1902.

Engraner Wilson

Witness:

$34;20. Received of R. H. Rawles special commissioner in the chancery cause of Frances C. King et als no vs Martha Ann Eason et als now pending in the circuit court of Nansemond county the sum of thirty four dollars and twenty cents in full settlement and payment of my pro rata share of the sum coming to me from the sale of the real estate of which William Lilly died seized and possessed and sold in the said chancery suit and in full release and discharge of the said R. H. Rawles special commissioner from all further obligations whatever ; and I hereby consent to all that has been done in said suit and sale and approve the same . June 9th 1902.

Rufus his X Lilly mark

Witness:-
R. B. Evans

$34;20 . Received of R. H. Rawles special commissioner in the chancery cause of Frances C. King et als vs Martha Ann Eason et als now pending in the Circuit court of Nansemond county the sum of thirty four dollars and twenty cents in full settlement and payment of my pro rata share of the sum coming to me from the sale of the real estate of which Willjam Lilly died seized and possessed, and sold in the chancery suit of Frances C. King et als vs M. A. Eason et als, and in full release and discharge of the said R. H. Rawles special commissioner from all further obligations whatever; and we hereby consent and agree to all that has been done in said suit and sale and approve the same. June 9th 1902.

Witness
E. E. Hasecuse

Effa her X Decker
mark

$34;20. Received of R. H. Rawles special commissioner in the chancery cause of Frances C. King et als no vs Martha Ann Mason et als now pending in the circuit court of Nansemond county the sum of thirty four dollars and twenty cents in full settlement and payment of my pro rata share of the sum coming to me from the sale of the real estate of which William Lilly died seized and possessed, and sold in the said chancery suit, and in full release and discharge of the said R. H. Rawles special commissioner from all further obligations whatever ; and I hereby consent to all that has been done in said suit and sale and approve the same . June 9th 1902.

Witness:—

J. P. Lee

his
Alexander X Lilly
mark

$34;20 . Received of R. H. Rawles special commissioner in the chancery cause of Frances C. King et als vs Martha Ann Eason et als now pending in the Circuit court of Nansemond county the sum of thirty four dollars and twenty cents in full settlement and payment of my pro rata share of the sum coming to me from the sale of the real estate of which Willian Lilly died seized and possessed, and sold in the chancery suit of Frances C. King et als vs M. A. Eason et als, and in full release and discharge of the said R. H. Rawles special commissioner from all further obligations whatever; and we hereby consent and agree to all that has been done in said suit and sale and approve the same. June 9th 1902.

Witness:-

_____ L. Jessie Lilly

$34;20 . Received of R. H. Rawles special commissioner in the chancery cause of Frances C. King et als vs Martha Ann Eason et als now pending in the Circuit court of Nansemond county the sum of thirty four dollars and twenty cents in full settlement and payment of my pro rata share of the sum coming to me from the sale of the real estate of which William Lilly died seized and psosessed and sold in the chancery suit of Frances C. King et als vs M. A. Eason et als and in full release and discharge of the said R. H. Rawles special commissioner from all further obligations whatever; and we hereby consent and agree to all that has been done in said suit and sale and approve the same. June 9th 1902.

Witness;

Martha Sarh King.

her
Francis C. + King
mark

$34;20. Received of R. H. Rawles special commissioner in the chancery cause of Frances C. King et als no vs Martha Ann Eason et als npw pending in the circuit court of Nansemond county the sum of thirty four dollars and twenty cents in full settlement and payment of my pro rata share of the sum coming to me from the sale of the real estate of which William Lilly died seized and possessed, and sold in the said chancery suit and in full release and discharge of the said R. H. Rawles special commissioner from all furhher obligations whatever ; and I hereby consent to all that has been done in said suit and sale and approve the same . June 9th 1902.

Witness;
R. E. Darden

Liddie X Slavin
her
mark

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

SOUTHERN BELL TELEPHONE 88.

PRACTICES IN ALL STATE AND
FEDERAL COURTS.

$34 20/100 Recd of R. H Rawles
Special Commr thirty four 20/100 -
dollars in full of share of sale
of land of Wm Lick decd in the
Chancery Suit of Homer C. King &
als vs. Martha Ann Eason & als
belonging to infant Susie A.
Wilson an infant.

J. T. Wilson
guardian for
Susie Wilson

$22 69/100 Recd of R. H. Rawles Special Commissioner in King Mfg Co. vs. Eason et als. Twenty two & 69/100 dollars in full of my pro rata share of the amt due by said special Commissr to John E. Lilly as his share of paid estate of his father Wm. Lilly. May. 26. 1902

J. W. Savage

Mr. R. H. Cantu,

Please pay

Y. M. C. A. Gym. this

account and charge

my Athletic Club with

same date.

One Y. M. C. A. Gym. for

Soldier. 2.75

Cash to A. S. Miller 4.50

June 9th 1898. 7.25

J. E. Lilley

. R. H.. Rawles Special Commissioner in the chancery cause of

Frances C. King et als vs Martha Ann Eason et als,

Dear Sir ;

You will please pay to Mr. Thos. W. Savage

the sum of my note for $ 15.00 with interest on the same from May 15. 1884 till paid, or such propotionate part thereof as the fund due me will pay and this shall be your receipt for the same.

Witness;

J E Lilley

Note 15 00
1400 interest
1425 acct
$43.65
52 %

All Available Text Successfully Captured

$11 $\frac{51}{}$ Reid of R. H Rawls Eleven & $\frac{57}{100}$ dollars in full of my share of John E. Lilly's share of the funds coming to him in the case of King what v. Egan et als in which said R. H Rawls is special Commissr. in the Circuit Court of Nansemond County.

Jan. 9, 1902

B. D. Baker

. R. H.. Rawles Special Commissioner in the chancery cause of

Frances C. King et als vs Martha Ann Eason et als,

Dear Sir ;

You will please pay to Mr. B. P. Baker

the sum of my note for $12.62 with interest on the same from Aug. 10, 1887 till paid, or such propotionate part thereof as the fund due me will pay and this shall be your receipt for the same.

Witness;

Lamar K. Parker. J. E. Tilley

All Available Text Successfully Captured

22,63305

R. R. SMITH,
Clerk of Nansemond County Court,
SUFFOLK, VA.

Voucher for Fines &c

R. H. Rawles, Atty.
Suffolk, Va.

Circuit Court of Nansemond County, in vacation, on the 8th. day of February 1902.

Frances C. King et als

vs.

Martha Ann Eason et als.

in which

This cause came on this day to be again heard on the papers formerly read as well as on the report of C.H.Causey, one of the commissioners of this court, to whom the papers in said cause had been referred, which said report was filed on the 18th. day of January 1902 and to which report no exception has been filed and was argued by counsel.

On consideration whereof the court doth approve and confirm the said report and doth order, adjudge and decree that R.H.Rawles, who is hereby appointed a special commissioner for that purpose, shall after advertising the same for twenty days by hand bills publicly posted proceed to sell the land in the bill and proceedings mentioned, being the real estate of which William Lilly died seized and possessed, at public auction to the highest bidder before the court house door of Nansemond County on some court day on the following terms to-wit:

One-third to be paid in cash and the other two-thirds to be paid in equal installments at six and twelve months.

The deferred payments to bear interest at six per-cent from date of sale until paid. Duty with the option to the purchaser after the sale is over to pay the whole of the purchase money in cash, should he so desire. And title to the said land to be retained until the whole of the said purchase money has been paid and until further order of this court. But before the said R.H.Rawles, special commissioner, shall act under this decree, he shall enter into a bond of $ dollars before the clerk of this court with security deemed sufficient by said clerk for the faithful performance of his duties as such commissioner under this and all other decrees that may hereafter be entered in this cause and the said commissioner shall report all of his actions under this decree to this court and this cause is continued.

To Martha Ann Eason, Heyward Eason, Lavenia Littleton, James Littleton, Eugenia Wilson, Joseph Wilson, Lydia Slavins, Will Slavins, Effa Decker, Will Decker Rufus Lilly, Alexander Lilly, Ann Maria Lilly, Thomas W. Savage, B.P.Baker trustee, and John P. Lee guardian ad litem for Susie Wilson, an infant.

Please take notice that we shall appear before the Hon. Robert R. Prentis Judge of the Circuit Court of Nansemond County in vacation at his office in Suffolk, Virginia on Saturday the 8th. day of Febuary, 1902 between the hours of eight A.M. and six P.M. and move the said court to enter the above decree in the chancery cause of Frances C. King et als vs. Martha An Eason et als, wherein we are plaintiffs and you are defendants. And if from any cause the said motion be not heard and determined that day, then we shall renew the same from day to day at the same place and between the same hours until the same shall have been heard and determined. Of all of which you will please take due notice and govern yourself accordingly.

Respectfully,

Frances C. King q. W. H
King John Lilly Jesse
Lilly By R H Rawles
Counsel

We hereby accept sufficient and legal service of the within or above notice and offer no objection to the decree asked for.
January. 20. 1902

B. P. Baker Trustee and
Thos. W. Savage By
R. H. Rawles atty!
J P Lee, Guardian ad litem
for Susie Wilson

We consent to the deed as set forth herein and pray that same may be ordered in vacation
on day of 1902.

Witness:
Zionsweg

Witness: J. D. Lee

Witness:
Nellie Matthews.

Witness
Nellie Matthews.

Witness: ann Marin her X mark Lilly
Nellie Matthews.

Martha ann her X mark Eason
Gladwood Eason
Lovania her X mark Littleton
James his X mark Littleton
Effie her X mark Decker
Will his X mark Decker
Alexander his X mark Lilly
Will his X mark Slovins
Lydia her X mark Slovins

Hon. A.P.Gommer (Clerk of the Circuit Court of Nansemond County, Virginia)

Frances C. King and W.H.King, her husband,

John Lilly and Jessie Lilly.

Pltffs.

In Chancery

vs.

Martha Ann Eason, and Heyward Eason, her husband,

Lavenia Littleton and James Littleton, her husband,

Eugenia Wilson and Joseph Wilson, her husband,

Lydia Slavins and Will Slavins, her husband,

Effa Decker and Will Decker, her husband,

Rufus Lilly and Alexander Lilly,

Thomas W. Savage,

B.P.Baker, trustee, Ann Maria Lilly

and Susie Wilson , the last named, being an infant under the age of twenty-one (21) years,

Defendants.

Issue summons for plaintiffs vs. defendants, to second September rules, (the 3rd. Monday in September) 1901.) to answer of a bill in chancery.

Say $1.50 paid

R. H. Rawles

D.C.

Frances L King & others
vs. Memorandum
In Chancery
Martha Ann Eason and
others

16

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Martha Ann Eason and Heyward Eason her husband Lavenia Littleton and James Littleton her husband Eugenia Wilson and Joseph Wilson her husband Lydia Slavins and Will Slavins her husband Effa Deaker and Will Deaker her husband Rufus Lilly and Alexander Lilly Thomas W Savage B P Baker trustee Ann Maria Lilly and Susie Wilson the last named being an infant under the age of twenty one (21) years

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 September 1901, to answer a Bill in Chancery, exhibited against them in the said Court by Frances C King and W S King her husband John Lilly and Jessie Lilly

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this 6th day of September 1901, in the 126th year of the Commonwealth.

A copy—Teste:
A P Gomer, CLERK.

Teste:
A P Gomer, CLERK.

R. N. Rawles p. q.

A Copy for
Susie Wilson Infant.

vs. } In Chancery.

1901.
September Rules.
Third Monday.

Nansemond Circuit Court.

Process Book No. D

Page 214

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Martha Ann Eason and Norwood Eason her husband, Lavenia Littleton and James Littleton her husband, Eugenia Wilson and Joseph Wilson her husband, Lydia Slavins and Will Slavins her husband, Effa Decker and Will Decker her husband Rufus Silly and Alexander Silly, Thomas W Savage & P Baker Trustee, Ann Maria Silly and Susie Wilson, the last named being an infant under the age of twenty-one (21) years

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 September 1901, to answer a Bill in Chancery, exhibited against them in the said Court by Frances E King and W H King her husband John Silly and Jessie Silly

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this 6th day of September 1901, in the 126th year of the Commonwealth.

A copy—Teste:

_____, CLERK.

Teste:

A. P. Gomer, CLERK.

R N Rawles p. q.

Frances le King
and others

vs. } In Chancery.

Martha Ann Eason
and others

1901

September Rules.

Third Monday.

Nansemond Circuit Court.

Process Book No. 2

Page 214

& how executed the within
& delivering a true copy
hereof to the following
named defendants in the
aforesaid, to wit, Lennon Eason
Spencer Eason, Bryan Eason, Effie Eason
Lennon Eason, Willie Eason, Wilbur Eason
Joseph Wilson, Willie Stevens, Eugene
Martha Ann Eason, Lennon Eason, Jr. and
said Wife Eason Decker at his
& usual dwellings in said County
on the same with his wife &
explaining its purport & effect
the said Lennon Eason & Martha
each of whom at the same time
& Eason a true copy
his writ of summons with
explaining its purport & effect
finders at the same time
& usual place of abode & at the
same time of delivering a true copy
of the Answers on their
the same with
Eason and ex-
hibit and
U. Sarah of the
& Lennon Answers on
copy thereof with this

Fee $7.50

R E Taylor D.C.
Asst Deputy Clerk

with Summons & Answers & Exhibit

In the Circuit Court of Wauce-
mond County:
In Vacation, on the 10th day of October
1901.

Frances C. King etals
vs
Martha Ann Eason etals } In Chancery

On motion of the Complainants Coun-
sel John P. Lee a Competent and
discreet attorney at Law is hereby
appointed Guardian ad litem of the
infant defendant Susie Wilson, in
this Cause, and required to defend her
interest in said suit.

A. P. Gomez Clerk

Order appointing
guardian ad litem

Know All Men by These Presents, That we, R N Rawles and Julius T Rawles

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of One Thousand 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 16th day of April in the year of our Lord one thousand ~~eight~~ nine hundred and two, and in the 126th year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas Richard N Rawles by a decree of the Circuit of Nansemond County pronounced on the 15th day of April 1902 in the Chancery Cause of Frances C King & others against Martha Ann Eason & others pending in said Court it was adjuged ordered and decreed that the lands mentioned and described in the bill in the bill in said cause be sold and said Richard N Rawles was apponted Special Commissioner for that purpose proceed to sell the same on the terms and conditioned named in said decree. Now therefore if the said Richard N Rawles shall faithfully discharge his duties under said decree and all other decrees he 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

R N Rawles SEAL

Julius T Rawles SEAL

By R N Rawles atty in fact SEAL

SEAL

SEAL

In the office of the Clerk of the Circuit Court of Nansemond County, on the 16th day of April 1902 ~~189~~.

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

Teste: A D Gomer CLERK.

A copy Teste: A D Gomer Clerk

R. H. Rawles

To } Spec. Comr Bond

The Commonwealth.

1902
April 16th

A copy.

Recorded in Official
Bond Book No 1 Page 265
Circuit Court

I. A. P. Somers clerk of the Circuit Court of Nansemond County do certify that R. H. Rawles special Commissioner in the Chancery cause of Thomas C. King etals vs. M. A. Eason etals has given the bond required of him by the decree in said cause with security deemed sufficient by me. Given under my hand this 16. day of April 1902

A. P. Somers clerk

To the Honorable Robert R. Prentis
Judge of the Circuit Court of Nan-
semond County:

The undersigned Special Commissioner
in the Chancery cause of Fronce C. King
et als vs. M. A. Cason et als now
pending in said Court respectfully begs
leave to submit the following report
of his transactions under the decree of
May 22. 1902 confirming sale of the
real estate and ordering collection of
and distribution of purchase money.
Your Commissioner reports that he has
collected the whole of the purchase
money and has made to the purchaser
Walter H. Horton a deed for said
real estate in the bill and pro-
ceedings mentioned, with the usual
covenants of title. He has also collected
of Rufus Liddy who was renting the farm
for the year 1902, the rent of same
for the months of January, February, March
and April 1902 at the rate of $50
per annum amounting to $16.66 for the
months named. This money was collected
at the request of all parties in interest

including the rents of Rufus Lilly.
Below is a statement of the collections and distribution.

Whole purchase money collected of purchaser	
Walter H. Horton	$765.00
Rents collected of Rufus Lilly	16.56
	$781.56

Paid out

Suffolk Herald for printing Handbills		75 ✓
Cyphers Sunday for posting " "		50 ✓
A.L. Hamill Crier & Sale	10	00 ✓
R.H. Rawles Counsel fee	50	00 ✓
A.H. Baker Sheriff	20	50 ✓
A.P. Gomer clerk Circuit Court	10	51 ✓
R.R. Smith clerk County Court	1	25 ✓
C.H. Causey Commissioner	15	00 ✓
Sidney T. Ellis Co. Treasurer taxes	3	61 ✓
Total Cost & Expenses	$112.	12
Ann Maria Lilly dower Commuted	66.	09 ✓
J.W. Savage lien of a deed of trust on land	222	50 ✓
B.R. Dunklin, Judgment vs. Lilly	5.	65 ✓
	$405.	36

Paid remainder to heirs and distributees as follows:

Lavina Littleton	$34	20 ✓
Martha Ann Eason	34	20 ✓
Eugenia Wilson	34	20 ✓
Rufus Lilly	34	20 ✓
Effa Decker	34	20 ✓
Alexander Lilly	34	20 ✓
Jesse Lilly	34	20 ✓
Hosmer C. King	34	20 ✓
Lydia Slaving	34	20 ✓
J.T. Wilson Guardian of Susie Wilson	34	20 ✓
and John E. Lilly's share was paid on his written order as follows:		
J.W. Savage $22.69 ✓		
Beverly P. Baker 11.51 ✓	34.20	$376.20
		$781.56

(Continued)

your Commissioner herewith files vouchers for all his disbursements and as this closes the case and leaves nothing further to be done he respectfully asks that this cause be removed from the docket.
all of which is respectfully submitted.

Aug. 21. 1902.

R. H. Rawles Special Commissioner.

Your Commissioner also says that J. L. Wilson guardian of Lucia Wilson has given bond in the County Court of Mavermond County in the penalty and with security sufficient for the security of the funds paid to him by your Commissioner in this cause.

R. H. Rawles Special Comm.

Report of
Distribution

Filed Aug. 24th
1902. A. L. Gomez Clk

To the Honorable Robert R. Prentis , Judge of the Circuit Court of Nansemond county ;

The undersigned special commissioner, duly appointed by a decree entered on the I5th day of April I902, in the chancery cause of Frances C. King et als, vs. Martha Ann Eason et als, pending in the said court, to sell the real estate of which William Lilly died seized and possessed in the bill and proceedings mentioned, respectfully begs leave to make the following report of his transactions under said decree;

After having given bond as required by said decree, and after due notice of the sale, and after having in all respects fully complied with all the terms and requirements and conditions of the said decree, your commissioner offered the said real estate for sale at public auction before the court house door of said county, on Monday the I2th day of May I902, that being court day, on the terms named in said decree ; and at said sale the said property was struck off to Walter H. Horton, for the sum of seven hundred and sixty five ($765), that being the highest bid for the same. The purchaser has paid your commissioner five hundred dollars ($500) of the purchase money in cash, and is ready and desires to pay the remainder down in cash as soon as the sale is confirmed. Your commissioner is of the opinion that the price paid is a very fair one for the property, and he respectfully asks the court to confirm the same, and to allow him to collect the remainder of the purchase money in cash, and when paid, to order him to make the purchaser a deed for the said property. All of which is respectfully submitted .

R. H. Rawles
Special Commr.

Report
Of Sale.

Filed May 14th
1902
A.G. Gomey clerk

PUBLIC SALE

—OF—

VALUABLE FARM!

By authority of a decree of the Circuit Court of Nansemond County entered on the 15th day of April, 1902, in the chancery cause therein pending, under the style of Frances C. King *et als.* vs. Martha Ann Eason *et als.* I will sell at public auction, to the highest bidder, before the Courthouse door of Nansemond County, at 11 o'clock A. M., on

MONDAY, MAY 12, 1902,

that being court day, the following real estate, of which William Lilly died, seized and possessed, to wit:

All that certain tract of land with the buildings and improvements thereon, situated near Whaleyville, in Nansemond Connty, Virginia, containing about one hundred acres, more or less, though the same is sold in gross and not by the acre and bounded and described as follows: On the east by the county road known as the Gatesville road, on the south by the lands of Mitchell Parker, on the west by the other lands of Mitchell Parker, known as the John Lilly Place, and on the north by the lands of Jordan Howell.

TERMS—One third Cash; one third in six months, and one third in twelve months with interest on the deferred payments from day of sale till paid at six per cent. But with the option to the purchaser after sale is over to pay the whole of the purchase money in cash if so desired.

R. H. RAWLES,
SPECIAL COMMISSIONER.

I, A. P. Gomer, Clerk of the Circuit Court of Nansemond County, do certify that R. H. Rawles, special commissioner, in the above named cause has given the bond required of him by the decree in said cause with security deemed sufficient by me.

Given under my hand this 16th day of April, 1902.

A. P. GOMER, Clerk.

PUBLIC SALE

—OF—

VALUABLE FARM!

By authority of a decree of the Circuit Court of Nansemond County entered on the 15th day of April, 1902, in the chancery cause therein pending, under the style of Frances C. King *et als.* vs. Martha Ann Eason *et als.* I will sell at public auction, to the highest bidder, before the Courthouse door of Nansemond County, at 11 o'clock A. M., on

MONDAY, MAY 12, 1902,

that being court day, the following real estate, of which William Lilly died, seized and possessed, to wit:

All that certain tract of land with the buildings and improvements thereon, situated near Whaleyville, in Nansemond County, Virginia, containing about one hundred acres, more or less, though the same is sold in gross and not by the acre and bounded and described as follows: On the east by the county road known as the Gatesville road, on the south by the lands of Mitchell Parker, on the west by the other lands of Mitchell Parker, known as the John Lilly Place, and on the north by the lands of Jordan Howell.

TERMS—One third Cash; one third in six months, and one third in twelve months with interest on the deferred payments from day of sale till paid at six per cent. But with the option to the purchaser after sale is over to pay the whole of the purchase money in cash if so desired.

R. H. RAWLES,
SPECIAL COMMISSIONER.

I, A. P. Gomer, Clerk of the Circuit Court of Nansemond County, do certify that R. H. Rawles, special commissioner, in the above named cause has given the bond required of him by the decree in said cause with security deemed sufficient by me.

Given under my hand this 16th day of April, 1902.

A. P. GOMER, Clerk.

In the Circuit Court of Nansemond County
In Vacation, May 22nd 1902.

Frances C. King et als,
vs.
Martha Ann Eason et als .

In Chancery

This cause came on this day, to be again heard on the papers formerly read by consent of parties and on reasonable notice of the complainants intention to apply for this decree, as well as on the report of R. H. Rawles special commissioner appointed by a decree in said cause on the 15th day of April 1902, to sell the real estate in the bill and proceedings mentioned, which said report was filed on the 14th day of May 1902 and to which no exception has been filed, and was argued by counsel.

On consideration whereof, the court doth confirm said report, and doth also confirm the sale of the real estate mentioned therein, and doth order adjudge and decree that R. H. Rawles, special commissioner shall proceed to collect the remainder of the purchase money due for the said real estate ~~as soon as the purchaser is ready to pay the same~~, and when the whole of the said purchase money shall have been paid to the said commissioner, he shall make to the purchaser, Walter H. Horton, a deed for the said real estate with the usual covenants of title. And out of the proceeds arising from said sale, the said special commissioner shal first pay off the costs and expenses of this suit and sale, including an attorney's fee of fifty ($50) dollars, to the said R. H. Rawles, for services rendered by him in this cause, which said sum shall however be in lieu of all other fees, commissions and perquisites, which said R. H. Rawles, as special commissioner or ~~attorney~~ attorney, is entitled to receive in this cause; he shall then pay off and discharge all liens on the said property as reported by commissioner C. H. Causey, including the lien of the deed of trust to T. W. Savage; ~~out of the remainder~~ out of the remainder, he shall then pay the widow Ann Maria Lilly, the sum to which she is entitled as commutation for her dower interest in said real estate; and the balance, he shall distribute and pay to the heirs at law of the said William Lilly deceased according to their respective interests in the same. And the said special commissioner shall report to this court all his actions under this decree, and this cause is continued .

Robert R. Rawles

To the Clerk of the
Circuit Court of Nansemond County:

To Martha Ann Eason, Heyward Eason, Lavenia Littleton, James Littleton, Eugenia Wilson, Joseph Wilson, Lydia Slavins, Will Slavins, Effa Decker Will Decker, Rufus Lilly, Alexander Lilley Ann Maria Lilley, Thomas W. Savage, B. P. Baker trustee, and John P. Lee Guardian ad litem for Susie Wilson an infant.

Please take notice that we shall ~~pea~~ appear before the Honorable Robert R. Prentis, Judge of the Circuit court of Nansemond county, in vacation at his office in Suffolk Virginia on the day of May I902 and move the said court to make and enter thhe foregoig decree in the cause of Frances C. King et als vs Martha Ann Eason et als confirming the sale of the Lilly land for the sum of $765, and ordering the payment of the liens on the same, the costs of this suit and sale, and the distribution of the remainder of the proceeds among the heirs at law of Willaim Lilly deceased; and if from any cause the said motion be not heard that day we shall renew the same from day to day at the same place till the same shall have been heard and determined.

Frances C. King.
W. H. King
John E. Lilly
Jesse Lilly By R H. Rawles
Counsel.

We hereby accept sufficeint and legal servive of the above notice, and agree and consent that said decree may be entered in vacation in the ~~b~~ a above named cause. May I902.

Thos. W. Savage
B. P. Baker Master.
By R. H Rawles, Counsel.

Susie Wilson
by John P. Lee
Guardian ad litem

Martha Ann Eason,
Heyward Eason
Lavenia Littleton
James Littleton
Eugenia Wilson
Joseph Wilson
Lydia Slovins,
Will Slovins
Effa Decker
Will Decker
Rufus Lilly
Alexander Lilly
Ann Marion Lilly
By R. H. Rawles Counsel.
(See Copies of Consents filed)

Decree
Confirming Sale.

Filed May 22, 1902

Robert R. Hunter

Entered in Chancery
Order Book No 3
Page 429.

Frances C. King et als

vs

Martha Ann Eason et als .

In Chancery

This cause came on this day to be again heard on the papers formerly read, as well as on the report of C. H. Causey, one of the commissioners of this court, to whom the papers in said cause had been referred, which said report was filed on the 18th day of January 1902, and to which said report no exception has been filed, and was argued by counsel.

On consideration whereof, the court doth approve and confirm the said report, and doth order, adjudge and decree, that R. H. Rawles, who is hereby appointed a special commissioner for that purpose, shall, after advertising the same for twenty days, by hand bills publicly posted, proceed to sell the land in the bill and proceedings mentioned, being the real estate of which William Lilly died seized and possessed, at public auction to the highest bidder before the court house door of Nansemond county, on some court day, on the following terms to-wit;

one third to be paid in cash, and the remaining two thirds to be paid in two equal installments, at six and twelve months respectively, the deferred payments to bear interest at six per cent from the day of sale, until paid; but with the option to the purchaser after the sale is over, to pay the whole of the purchase money in cash if so desired; and the title to the said land to be retained until the whole of the purchase money has been paid, and until the further order of this court. But before the said special commissioner shall act under this decree, he shall enter into a bond in the sum of $1000 — before the clerk of this court with security deemed sufficient by said clerk, conditioned for the faithful performance of his duties as such special commissioner under this and all other decrees that may be hereafter rendered in this cause; and the said special commissioner shall report all his acts under this decree to this court, and this cause is continued .

Decree for Sale.

Enter: April 15, 1902.

Robert R. Ellis

Entered in Chancery Order Book No. 3, page 409.

Frances C. King etals

vs.

Martha Ann Eason et als.

This cause came on this day to be again heard on the papers formerly read as well as on the report of C.H.Causey, one of the commissioners of this court, to whom the papers in said cause had been referred, which said report was filed on the I8th. day of January, I902. and to which report no exception has been filed and was argued by counsel.

On considertaion whereof the court doth approve and confirm the said report and doth order, adjudge and decree that R.H.Rawles, who is hereby appointed a special commissioner for that purpose, shall after advertising the same for twenty days by hand bills publicly posted, proceed to sell the land in the bill and proceedings mentioned, being the real estate of which William Lilly died seized and possessed, at public auction to the highest bidder before the Court House door of Nansemond County on some court day on the following terms to-wit:

One-third to be paid in cash and the other two-thirds to be paid in equal installments at six and twelve months.

The deferred payments to bear interest at six per-cent from date of sale until paid. But with the option to the purchaser after the sale is over to pay the whole of the purchase money in cash, should he so desire. And title to the said land to be retained until the whole of the said purchase money has been paid and until further order of this court. But before the said R.H.Rawles, special commissioner, shall act under this decree, he shall enter into a bond of $
before the clerk of this court with security deemed sufficient by said clerk for the faithful performance of his duties as such commissioner under this and all other decrees thatmay hereafter be entered in this cause and the said commissioner shall report all of his actions under this decree to this court and this cause is continued.

To Martha Ann Eason, Heyward Eason, Lavenia Littleton, James Littleton, Eugenia Wilson, Joseph Wilson, Lydia Slavins, Will Slavins, Effa Decker, Will decker
Rufus Lilly, Alexander Lilly, Ann Maria Lilly, Thomas W. Savage, B.P.Baker trustee, and John P. Lee, guardian ad litem for Susie Wilson, an infant.

Please take notice that we shall appear before the Hon. Robert R. Prentis Judge of the Circuit Court of Nansemond County in vacation at his office in Suffolk, Virginia on Saturday the 6th. day of Febuary, I902 between the hours of eight A.M. and six P.M. and move the said court to enter the above decree in the chancery cause of Frances C. King et als vs. Martha Ann Eason et als, wherein we are plaintiffs and you are defendants.. And if from any cause the said motion be not heard and determined that day, t then we shall renew the same from day to day at the same place and between the same hours until the same shall have been heard and determined.
Of all of which you will please take due notice and govern yourself accordingly.

Respectfully,

Thomas C. King. W. H. King
John Lilly. Jesse Lilly
By R H Rawles Counsel.

For Sale Deed

Frances C. King et als

vs.

Martha Ann Eason et als.

This cause came on this day to be heard on the bill and exhibits filed, the answer of the defendant, Ann Maria Lilly, the answer of the infant defendant, Susie Wilson by John P. Lee, her guardian ad litem duly appointed to defend her interest in this cause and the other defendants on whom process has been duly served, failing to plead, answer, or demur, the said bill was taken for confessed as to them, and was argued by counsel:

On consideration whereof, the court doth adjudge , order and decree that the papers in the cause be referred to one of the commissioners of this court to take and state the following accounts:

1st. -- The real estate of which William Lilly died, siezed and possessed, together with its annual and fee simple values.

2nd. -- The liens thereon, if any, together with their amounts, dignities and priorities, and especially if it has been sold for delinquent taxes.

3rd. --Whether the real property in the bill mentioned can be conveniently divided in kind between the several parties entitled to share therein, without a sacrifice of interest.

4th. -- If the same cannot be conveniently divided in kind, whether any party will take the entire property and pay therefor to the other parties, such sums of money as their respective interests therein may entitle them to.

5th. -- And if the same cannot be conveniently divided in kind and if no party will take the entire property and pay the others for their shares whether the interests of those who are entitled to the said property or its proceeds, will be promoted by a sale of the entire property or by the allotment of a part and the sale of the residue.

Which several inquiries the said commissioner shall report to the court, together with any matter specially stated deemed pertinent by himself or required by any party to be so stated.

Frances O. King et als

vs.

Martha Ann Bacon et als.

This cause came on this day to be heard on the bill and exhibits filed, the answer of the defendant, Ann Maria Lilly, the answer of the infant defendant, Sonia Milano by Joe Milano her guardian ad litem duly appointed to defend her interest in this cause and the other defendants having failed to plead answer or demur the said bill was taken for confessed as to them, and was argued by counsel.

Upon consideration whereof the court adjudges , order and decree that the powers in this cause be referred to one of the Commissioners of this court to take and state the following accounts:

1st. -- The real estate of which William Lilly died, seized and possessed together with its annual and fee simple value.

2nd. -- The liens thereon, if any, together with their amounts, priorities and especially if it has been sold for delinquent taxes.

3rd. --Whether the real property in the bill mentioned can be conveniently divided in kind between the several parties entitled to share therein, without a sacrifice of interest.

4th. -- If the same cannot be conveniently divided in kind, whether any party will take the entire property and pay therefor to the other parties, such sums of money as their respective interests therein may entitle them to.

5th. -- And if the same cannot be conveniently divided in kind and if no party will take the entire property and pay the others for their shares, whether the interests of those who are entitled to the said property or its proceeds will be promoted by a sale of the entire property or by the allotment of a part and the sale of the residue.

Which several inquiries the said commissioner shall report to the court together with any matter specially stated deemed pertinent by himself or required by any party to be so stated.

Decree for Accounts

Entered Oct. 15, 1901

Robert Smith

Circuit Court

Cook County, Ill.

Page 3 7/2-

A Supply of Fancy Smithfield Hams on Hand at all times.

Highest Cash Price Paid For Green Pork Between the Dates of Dec 1st. and Feb. 1st.

Weekly quotations on Country Produce, Groceries etc., mailed free to any address upon request.

OFFICE OF

L. A. COWPER & CO.,

Dealers in

General Merchandise,

And Cash Buyers of Cotton, Peanuts and all Country Produce.

Agents for Standard Fertilizers.

Shipping Point: DRUM HILL, N. C.

HARRELL'S PRINT, WELDON, N. C.

Hazleton, N. C., 2/12 1902

Mr. R. V. Rawles,
Suffolk, Va.

Dear Sir:—

Your favor of the 8th to hand and noted. In reply, will say that I think it better to sell the farm in Marsh and think all of the parties will sign the necessary papers. Write them up and send to me at once. Let me know if the widow will have to sign. Let me hear from you at once.

Yours truly
W. H. King.

1902
N.C.

Judge R. H. Rawles,
Suffolk,
Va.

SUFFOLK
FEB 13
5 PM
1902
RECD

This Deed, made this 13th day of January in the year one thousand eight hundred and ninety six between William Lilly and Ann Maria his wife of the county of Nansemond and State of Virginia of the first part and Beverly P. Baker chosen as trustee for the purposes hereinafter named of the second part—

Witnesseth: That said party of the first part do grant unto the said party of the second part the following property, to wit: all that tract piece or parcel of land situate, lying and being in the county of Nansemond, Cypress Magisterial District in the State of Virginia and bounded and described as follows: on the east by the county road known as the Gatesville Road, on the south by the lands of Mitchell Parker, on the west by the lands of Mitchell Parker known as the John Lilly place and on the north by the lands of Jordan Howell and is estimated to contain one hundred (100) acres be the same more or less, and is the same land the same party of the first part now resides, and is the same land which was lately under a Trust to Dr. H. A. Morgan together with all and singular the ap-

hurtenances belonging to the same.
In Trust to secure to Thomas N. Savage
of the county of Isansemond in
the State of Virginia the payment
of the sum of Two hundred dollars
as is evidenced by a bond executed
by the said William Lilly of even
date with this deed and payable
to the said Thomas N. Savage his
heirs executors administrators or
assigns and on demand.
In the event that default shall
be made in the payment of the
above mentioned debt principal
or any instalment of interest
when due and payable then the
trustee on being required so to do
by Thomas N. Savage his executors
administrators or assigns shall sell
the property hereby conveyed. And
it is covenanted and agreed between
the parties aforesaid; that in case
of a sale the same shall be made
after first advertising the time place
and terms thereof for twenty (20)
days and upon the following terms
to wit: for cash as to so much of
the proceeds as may be necessary
to defray the expenses of executing
this trust including a trustees
commission of five per centum
the fees for drawing and recording

this deed if then unpaid, and to discharge the amount of money then payable upon the said debt, and if there be any residue of said purchase money the same shall be made payable at such time and secured in such manner as the said party of the first part his executors, administrators or assigns shall prescribe and direct or in case of a failure to give such direction at such time and in such manner as the said Trustee shall think fit. The said party of the first part covenant to pay all taxes, assessments, dues and charges upon the said property hereby conveyed so long as he or his heirs or assigns shall hold the same.

If no default shall be made in the payment of the above mentioned debt then upon the request of the party of the first part a good and sufficient deed of release shall be executed to him at his own proper costs and charges.

Witness the following signatures and seals.

William his X mark Lilley (seal)
Ann Maria her X mark Lilley (seal)

County of Nansemond, To wit:

In the office of the Clerk of the

Wm Selby Clerk
By B P Baker Trustee
for T W Savage

Recorded in Deed Book
35 Page 655

A copy.

Ex. a.

County Court for the County of Nansemond the 13th day of January 1896 this deed was presented and acknowledged by William Selby and Ann Maria Selby his wife and thereupon ordered to record.

Teste: R. R. Smith, Clerk.

A Copy
Teste R R Smith Clerk

This Deed, Made this 13th day of January in the year one thousand eight hundred and ninety six, between William Tilley and Ann Maria his wife, of the County of Nansemond and State of Virginia of the first part, and Beverley P. Baker chosen as Trustee for the purposes herein named of the second part—

WITNESSETH: That said party--of the first part do----grant unto the said party--of the second part the following property, to wit: All that tract, piece or parcel of land, situate, lying and being in the County of Nansemond, Cypress--Magisterial District, in the State of Virginia, and bounded and described as follows: On the East by the County road, known as the Suffolk road, on the South by the lands of Mitchael Parker, on the West by the lands of Mitchael Parker, known as the John Tilly place, and on the North by the lands of Jordan W. Howell, and is estimated to contain one hundred (100) acres be the same more or less. And is the same land the same party of the first part now resides. And is the same land, which was lately under a Trust to Dr H. A. Morgan. together with all and singular the appurtenances belonging to the same. —

IN TRUST, to secure to Thomas W. Savage of the County of Nansemond, in the State of Virginia the payment of the sum of Two Hundred Dollars, as is evidenced by a bond executed by the said William Tilley, of even date with this Deed, and payable to the said Thomas W. Savage, his Heirs, Executors, Administrators or Assigns, and on demand. —

In the event that default shall be made in the payment of the above-mentioned debt, principal or any instalment of interest, when due and payable, then the Trustee, on being required so to do by Thomas W. Savage, his executors, administrators, or assigns, shall sell the property hereby conveyed.

And it is covenanted and agreed between the parties aforesaid, that in case of a sale, the same shall be made after first advertising the time, place, and terms thereof for twenty (20) days

and upon the following terms, to wit: for cash as to so much of the proceeds as may be necessary to defray the expenses of executing this trust, including a trustee's commission of five per centum, the fees for drawing and recording this deed, if then unpaid, and to discharge the amount of money then payable upon the said debt, and if there be any residue of said purchase money, the same shall be made payable at such time, and secured in such manner, as the said party of the first part his executors, administrators or assigns shall prescribe and direct, or in case of a failure to give such direction, at such time and in such manner as the said Trustee shall think fit. The said party of the first part covenant to pay all taxes, assessments, dues and charges upon the said property hereby conveyed so long as he or his heirs or assigns shall hold the same; ~~and further covenant and agree to keep the buildings on the property hereby conveyed insured for the full amount of $ for the further protection of the said or assigns;~~ ~~and in the event of failure to do so, then the Trustee, or the beneficiary under under this deed, may effect or renew such insurance from to time, so long as the said debt, or any part thereof, remains unpaid; and the insurance premiums shall constitute a part of the lien created by this deed, to be paid out of the proceeds of the property, if sold, or to be recoverable by all the remedies in law or equity by which the debt aforesaid may be recoverable.~~

If no default shall be made in the payment of the above mentioned debt ~~or insurance premiums~~, then, upon the request of the party of the first part, a good and sufficient deed of release shall be executed to him at his own proper costs and charges.

Witness the following signatures and seals:

his
William X Lilley SEAL

her
Ann Maria X Lilley SEAL
Mark

SEAL

SEAL

STATE OF VIRGINIA,
COUNTY OF _____ } To wit:

I, _____, a _____ for the county aforesaid, in the State of Virginia, do certify that _____ whose name _____ signed to the writing hereto annexed, bearing date the _____ day of _____, 189__, ha__ acknowledged the same before me in my county aforesaid.

Given under my hand this _____ day of _____, 189__

MEMO.—To be acknowledged before a Justice, Notary Public, or Commissioner in Chancery.

COUNTY OF Nansemond, To wit:

In the office of the Clerk of the County Court for the County of Nansemond the 13th day of January 1896, this deed was presented, and, ~~with the certificate annexed~~ acknowledged by William Lilley and Ann Maria Lilley, his wife, and thereupon admitted to record.

Teste:

R. R. Smith, CLERK.

Deed of Trust.

William Tilley & wife.

To

Beverley D. Baker

Trustee for Thomas W. Savage

Admitted to record this 13th day of

January 1896.

Recorded D. B. 3 S1 Page 6 S1 S1

Janry 12th 1891.

Examined and verified.

P. P. Smith Clerk.

$

TAX, - - - - - -	$ 50
FEE, - - - - - - -	125
Paid	$ 175

PRINTED AND FOR SALE AT HERALD OFFICE, SUFFOLK, VA.

Commissioner's Office,

Suffolk, Va., Decr., 28, 1901.

To Frances C. King and W. H. King, her husband, John Lilly and Jessie Lilly, Complainants:

and

Martha Ann Eason, and Heyward Eason, her husband, Lavinia Littleton and James Littleton, her husband, Eugenia Wilson and Joseph Wilson, her husband, Lydia Slavins and Will Slavins , her husband, Effa Decker and Will Decker, her husband, Rufus Lilly and Alexander Lilly, Thomas W. Savage, B. P. Baker, trustee, Ann Maria Lilly and Susie Wilson, the last maned being an infant under the age of twenty-one years, and John P. Lee, guardian ad litem of the said infant defendant, Defendants.

You are hereby notified that I have fixed upon the 11, day of January next, if fair, if not, on the next fair day thereafter, Sunday excepted, to take and settle at my office the following accounts:

1st. The real estate of which William Lilly died, seised and possessed, together with its annual and fee simple values.

2nd. The liens thereon, if ant, together with their amounts, dignities and priorities,and especially if it has been sold for delinquent taxes.

3rd. Whether the real property in the bill mentioned can be conveniently divided in kind between the several parties entitled to share therein, without a sacrifice of interest.

4th. If the same cannot be conveniently divided in kind, whether any party will take the entire property and pay therefor to the other parties, such sums of money as their reppective interests therein may entitle them to.

5th. And if the same cannot be conveniently divided in kind, and if no party will take the entire property and pay the others for their shares whether the interests of those who are entitled to the said property or its proceeds, will be promoted by a sale of the entire property or by the allotment of a part and the sale of the residue.

Which several inquiries the said commissioner shall report to the Court together with any matter specially stated deemed pertinent by himself, or required by any party to be so stated.

Required to be taken by a Decree of the Circuit Court of the County of Nansemond, rendered on the 15, day of October, 1901, in a suit in chancery 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 aforesaid.

C. H. Causey Jr.

Commissioner in Chancery.

1962, January 3.

Executed the within notice by serving a true copy of the same upon Martha Ann Eason, and Heyward Eason, her husband, Lavinia Littleton and James Littleton, her husband, Lydia Slavins and Will Slavins,her husband, Effa Decker and Will Decker, her husband, Rufus Lilly , Alexander Lilly , Eugenia Wilson and Joseph Wilson, her husband, and Ann Maria Lilly.

Fee $6.50

A S W Baker

Sheriff of Nansemond County, Virginia.

Commissioner' Office,

Suffolk, Va., Decr., 28, 1901.

To Frances C. King and W. H. King, her husband, John Lilly and Jessie Lilly, Complainants,

and

Martha Ann Eason, and Heyward Eason, her husband, Lavinia Littleton and James Littleton, her husband, Eugenia Wilson and Joseph Wilson, her husband, Lydia Slavins and Will Slavins, her husband, Effa Decker and Will Decker, her husband, Rufus Lilly and Alexander Lilly, Thomas W. Savage, B. P. Baker, trustee, Ann Maria Lilly and Susie Wilson, the last named being an infant under the age of twenty-one years, and John P. Lee, guardian ad litem of the said infant defendant, Defendants.

You are hereby notified that I have fixed upon the 11, day of January next, if fair, if not, on the next fair day thereafter, Sunday excepted, to take and settle at my office the following accounts:

1st. The real estate of which William Lilly died, seised and possessed, together with its annual and fee simple values.

2nd. The liens thereon, if any, together with their amounts, dignities and priorities, and especially if it has been sold for delinquent taxes.

3rd. Whether the real property in the bill mentioned can be conveniently divided in kind between the several parties entitled to share therein, without a sacrifice of interest.

4th. If the same cannot be conveniently divided in kind, whether any party will take the entire property and pay therefor to the other parties, such sums of money as their respective interests therein may entitle them to.

5th. And if the same cannot be conveniently divided in kind, and if no party will take the entire property and pay the others for their shares whether the interests of those who are entitled to the said property or its proceeds, will be promoted by a sale of the entire property or by the allotment of a part and the sale of the residue.

Which several inquiries the said commissioner shall report to the Court together with any matter specially stated deemed pertinent by himself, or required by any party to be so stated.

Required to be taken by a Decree of the Circuit Court of the County of Nansemond, rendered on the 15, day of October, 1901, in a suit in chancery depending in said Court 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 aforesaid.

C H Causey Jr

Commissioner in Chancery.

Now Lenly accepts sufficient and legal service of the within notice. Jan. 6. 1902.

Fomer C. King
W. H. King
John Lilly
Jesse Lilly
Thos. W. Savage
B. P. Baker Hunter
by R. H Ranker
Counsel.

J. P. Lee
Guardian ad litem for
the infant defendant
Susie Wilson

Commissioner's Office,

Suffolk, Va., January 18, 190

Frances C. King and W. H. King, her husband, John Lilly and Jesse Lilly, Complainants;

Against -- : -- In Chancery

Martha Ann Eason, and Heyward Eason, her husband, Lanivia Littleton and James Littleton, her husband, Eugenia Wilson and Joseph Wilson, her husband, Lydia Slavins and Will Slavins, her husband, Effa Decker and Will Decker, her husband, Rufus Lilly and Alexander Lilly, Thomas W. Savage, B. P. Baker, Trustee, Ann Maria Lilly and Susie Wilson, the last named being an infant under the age of twenty-one years, and Johh P. Lee, guardian ad litem of the said infant defendant, Defendants.

To the Circuit Court of Nansemond County:

Pursuant to the Decree of this Court pronounced in the above entitled cause on the 15, day of October, 1901, 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 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 result of your Commissioner's work is herewith returned and is as follows:

I.

The real estate of which William Lilly died,seised and possessed, together with its annual and fee-simple values.

William Lilly died, seised and possessed of a tract of land, situate, lying and being in Cypress Magisterial District, Nansemond County, Virginia, containing one hundred acres, more or less, the same being part arable and part woodland.

The annual value of said real estate is, in the estimation of your Commissioner, $50.00

The fee-simple value of said real estateis, in the estimation of your Commissioner, $500.00

II.

The liens thereon, if any, together with their amounts, dignities and priorities, and especially if it has been sold for delinquent taxes.

The said real estate has not been sold for delinquent taxes, but taxes to the amount of $3.61, for the year 1901 are now due and held against said real estate. $3.61

B. R. Doughtie, Judgment.
v.
William Lilly

Amount,	$11.20	
Int. Nov.7,1885 to Mar.26,93,	4.97	
Costs	1.50	
Amt. due Mar. 26, 1893	$17.67	
Mar.26, 1893, Cr. by cash,	14.00	
Amount due as of Mar. 26, 1893,	$3.67	
Int on same to Mar.26, 1902	1.98	
Amount due on Judgment as of Mar. 26, 1902		5.65

Thomas W. Savage, Trustee Deed.

Amount secured,	$200.	
Interest due on same to Mar.26, 1902	22.50	222.50
Total indebtedness discovered by your Commissioner		$231.76

III.

Wherther the real property in the bill mentioned can be conveniently divided in kind between the several parties entitled to share therein,

without a sacrifice of interest.

Your Commissioner is advised and believes that the real property, in these proceedings mentioned, cannot be conveniently divided in kind between the parties entitled to share therein, without a sacrifice of interest, the grounds for such belief being, the fact that there are so many heirs and such a small tract of land.

IV.

If the same cannot be conveniently divided in kind, whether any party will take the entire property and pay therefor to the other parties, such sums of money as their respective interests therein may entitle them to.

Your Commissioner has been unable to find any party who would take the entire property and pay therefor to the other parties in interest, for their respective shares therein.

V.

And if the same cannot be conveniently divided in kind, and if no party will take the entire property and pay the others for their shares, whether the interests of those entitled to the said property or its proceeds, will be promoted by a sale of the entire property or by the allotment of a part and the sale of the residue.

Your Commissioner is of opinion that the interests of those entitled to share in the said real estate, in these proceedings mentioned, would be promoted by a sale of the entire property and a division of the proceeds amoung those entitled to share therein, rather than a sale of a part and the allotment of the residue.

Your Commissioner desires to Report that the depositions of several witnesses were taken by him, and such depositions are herewith returned and asked to be read as a part of this Report.

The Jessie Lilly mentioned in the institution of these proceeding is the same Jesse Lilly who testified before your Commissioner. You Commissioner feels, that under the circumstances , he should inform the Court that his

reason for not recommending that dower be assigned the widow of William Lilly, deceased, Ann Maria Lilly, is on account of the indebtedness due by the estate, and the inability of the said widow to take up same.
Your Commissioner had before him the widow and explained to her her right in the premises and was informed by her that she was not able to pay off the debts or to hold the farm.
There seems to be no objection to the commutation of dower in the net proceeds of the said estate, by any of the heirs.

The questions involved, the character and nature of the interrogatories and the names of the witnesses to be examined were submitted to the Gaurdian ad litem prior to the taking of the depositions herein after recited.

Respectfully submitted,

Fee, $15.

C. H. Causey Jr.
Commissioner in Chancery.

The last clause in the foregoing Report is correct.

J. S. Lee
Guardian ad litem of the infant defendant, Susie Wilson.

Depositions.

Suffolk, Va. Jan. 11, 1902.

Frances C. King and husband and others

Against

Martha Ann Eason and husband and others.

Present:

R. H. Rawles, Counsel for Plaintiffs.

Jesse Lilly, a plaintiff, RufusLilly

Ann Maria Lilly, Lavinia Littleton and Effa Decker, defendants.

Your Commissioner inquired of the defendants present if they had or desired counsel and was informed that they did not so deire. The character of the proceedings was expalined and the taking of testimony begun.

Jesse Lilly being first duly sworn deposes and says as follows:

Q. I. Please state your name, age, residence and occupation, and do you know the parties in the suit?

A. Jesse Lilly, 37 years, Gates County, North Carolina. I am a farmer. I know the parties to the suit.

Q. 2. Are you acquainted with the land in the bill and proceedings mentioned, it being the land belonging formerly to William Lilly deceased?

A. Yes, Sir, I was born there and have known it all my life? It contains about I00 acres more or less.

Q. 3. What is the general character of this land?

A. It is a part arable land and a part wood-land. It being only an ordinary farm.

Q. 4. What is your opinion as to the annual and fee simple values of this land?

A. Its annual value in my judgement, is $75.00. I should put its fee simple values about $800.00.

Q. 5. There being about twelve heirs to this land, will you state whether or not, in your opinion it is divisible in kind among the heirs without a sacrifice of interest?

A. Well, No, Sir, I do not think it could be divided in kind or fairly done.

Q. 6. What is your reason for saying it could not be divided in kind among those entitled without a sacrifice of interest?

A. Because there are so many heirs, and it would be cut up in so many small pieces that it would be of no benefit to any one.

Q. 7. Do you know, whether or not any party in interest would take the entire property, paying to the otherstheir respective shares?

A. I do not.

Q. 8. Would it, in your opinion be better to sell the property as a whole and divided the proceedings among those entitled to share therein, or to sell a part and assign the remainder to other interest, who might desire the same?

A. I think it would be well to sell the whole just as it stands.

Q. 9. Are you aware of the fact that there are ~~re~~corded evidences of ~~the~~ debt against the real estate in these proceedings mentioned?

A. Yes, Sir.

Q. IO. Do you know the amount and to whome the same is due?

A. $200.00 was originally borrowed from TOm. W. Savage and secured by a trust deed.

Q. II. Please state the age of your mother, Ann Maria Lilly, who is the widow in this case?

A. 64 years.

And further this deponent sayeth not

Signature waived by the consent of the others.

RUFUS LILLY being first duly sworn deposes and says as follows:

Q. I. Please state your name, age, residence and occupation, and do you know the parties to this suit?

A. Rufus Lilly, 35 years, Nansemond County, occupation, farmer. I know all the parties to the suit.

Q. 2. Are you acquainted with the land in the bill and proceedings mentioned known as the Lilly farm?

A. Yes Sir. I have been knowing it all my life.

Q. 3. Please state the acreage and location.

A. Contains about I00 acres and is situated very near the Village of Whaleyvelle in Nansemond County, and adjoins the lands of Mitchell Parker, George Russell, Frank Ellinor and Jordan Howell. It consiste of a small farm being part arable land and part wood land. It has an ordinary dwelling house on it and some few out houses.

Q. 4. Will you state, whether in your opinion, this land is divisible

in kind among all the parties entitled thereto without a sacrifice of interest.

A. I do not think it could be divided in kind. To divide it up into every heir's share, would destroy the value of all. There are so many heirs.

Q. 5. Please state the annual and fee simple values of this tract.

A. I suppose it would rent from $65. to $75. per year. It ought to sell for $700.00 as its fee simple value.

Q.6. Do you know any one of the heirs who will take the whole tract and pay to the other heirs their respective shares of the same in cash?

A. I do not.

Further this deponent sayeth not.

Signature waived by consent.

LAVINIA LITTLETON being first duly sworn deposes and says as follows:

Q. I. Please state your name, age and residence.

A. Lavinia Littleton, 39 years. I live in Suffolk, Virginia.

Q. 2. Are you acquainted with the land in the bill and proceedings mentioned?

A. Yes, Sir. I was born there and have known it all my life.

Q. 3. What is its character and condition?

A. It is a small farm , supposed to contain about 100 acres. I do not think it is in quite as good condition as it was when Father died. It is a part open land and a part wood land. It has some small buildings on it.

Q. 4. What is its annual and fee simple values?

A. I should say its annual values was $75. or $80. and its fee simple values I should judge to be $900.00 or $1,000. The farm has rented for $50.00 per year and the tenament house for $30.00 per year since Father died.

Q. 4. Please state whether or not, in your opinion this land is divisible in kind among the parties entitled to the same.

A. I think it is not. My idea is that it would not be any benefit to any one, because it would in such small pieces, So many heirs, and such a small tract of land.

Q. 5. Do you know of any of the heirs who will take the entire tract and pay to the other heirs their share in money?

A. I do not.

Q. 6. Have you any interest in these proceedings?

A. Yes, I am one of the heirs and one of the defendants.

Q. 7. If the property should be sold, have you any objection to the widow having her dower interest commuted?

A. No, objection, I want her to have her dower. I think her dower interest, in money would do her more good.

Further this deponent saith not. Signature waived by consent of all parties present.

The further taking of testimony in this cause is continued till Monday, Jany. 13.th, 1902.

C.H.Causey Jr.
Commissioner.

Suffolk, Va, Jany. 13.1092.

Pursuant to adjournment on Saturday Jany 11th, the further taking of depositions in this cause is concluded.

Present R.H.Rawles Counsel for plaintiffs
C.H.Causey Jr. Commissioner and
Witnesses, Beverly P. Baker and Jordan W. Howell

Beverly P. Baker being first duly sworn deposes and says as follows:

Q. I. Please state your name, age,occupation and residence.

A. Beverly P. Baker, 62 years, Nansemond County, I am a farmer and county surveyer and know the parties to the suit.

Q. 2. State whether or not you are acquainted with the William Lilly farm in the bill and proceedings mentioned, and if so how far you live from it and how long you have been knowing it? and its size and character?

A. Yes, I have been knowing the place for many years, ever since he has owned it. I live about three miles from it. Contains about one hundred (I00) acres. It is a part open land and a part wood land.

Q. 3. What, in your opinion, is its fee simple and annual values?

A. I would not put its fee simple values above five hundred $500.) and I do not think its annual values is more than fifty ($50.00) dollars. The farm has deteriorated in value since the death of William Lilly and it is not worth as much now as it was when he left it.

Q. 4. In your opinion, can this land be conveniently divided in kind among the respective heirs considering the number of them?

A. It would not do to divide it in so many shares because, some of them would get good land, some of them would get all woods, some of them all cleared and it would be a sacrifice of interest. None of them could realize any out of it by the division in kind.

Q. 5. Do you know whether or not any party or parties in interest could take the land in question paying to the other parties thereto their respective shares in money?

A. There are none of them who are able to take it and pay for it without borrowing the money.

Q. 6. Are you aware or not of the fact that there are encumberances upon the land, if so to whome due?

A Yes, there is an encumberance as shown by the records of the Nansemond County Court due to Thomas W. Savage the amount of which, I think is $200.00. I do not know, however, how much

interest there may be due upon said debt.

Further this deponent sayeth not.

Signature waived.

Jordan W. Howell being first duly sworn deposes and says as follows:

Q. I. Please state your name, age, residence and occupation.

A. Jordan W. Howell, 56 years, Nansemond County, Virginia, I am a farmer and know all the parties to the suit.

Q.2. State whether or not you are acquainted with the William Lilly farm mentioned in the proceedings in this case.

A . Yes, I live on the adjoining farm and I have known it for many years.

Q.3. State the nature and character of this farm.

A. It is a small farm with some few houses on it and is partly open land and partly wood land though there is very little timber indeed on it, scarcely none. Contains about, I think one hundred (100) acres.

Q. 4. What, in your opinion, is its fee simple and ahnual values?

A. I would not be willing to give over $400.00 even if I wanted it, which I do not. I do not think it worth over $500.00 at the xp utmost, as it has gone down considerable since Mr. Lilly died. There is nothing on it to ke ep the fence up. I should think its annual values was about $40.00.

Q.5. In your opinion, can it be conveniently divided in kind among the respective heirs?

A. No, it cannot be done.There are too many of them and each part would be rendered practically of no value. If there were only two of them it might be divided in kind, but as it is, it can not be to any advantage.

Q. 6. Do you know any one of the parties who will take the entire tract and pay the other heirs their respective shares in money?

A. No, I do not.

Further this deponent saith not.

Signature waived.

No other witnesses being presented and none others having been summoned, the taking of depositions in this cause is hereby con cluded.

C.N. Causey Jr.

Commissioner.

Frances C. King and
Husband and others

v. } Report of
Commissioners
Causey.
Dated Jany.
18th 1902.

Martha Ann Ewson
and Husband and others

1902 Jany 18th Filed
L. P. Gomez clk

Frances C. King et als

vs

Martha Ann Eason et als .

In Chancery .

This cause came on this day to be again heard on the papers formerly read, as well as on the report of special commissioner R. H. Rawles, showing the collection of the whole of the purchase money for the land in the bill and proceedings mentioned, and the distribution of the same, which said report was filed on the 21st day of August 1902, and to which no exception has been filed, and was argued by counsel.

On consideration whereof, it appearing from said report that the whole of the purchase money for the land in the bill and proceedings mentioned in this case has been collected; that all the costs and expenses of the suit and sale have been properly paid; that all reported liens and taxes have also been paid by the said special commissioner; that he has paid the widow Ann Maria Lilley the full amount to which she was entitled in cash in commutation of her dower interest in the said land, and that the remainder has been properly distributed and paid over to the heirs at law, and those entitled to receive the same; and that proper vouchers have been filed by the said special commissioner for all of his said payments and disbursements; the court doth confirm the said report and distribution, and it appearing that nothing further remains to be done in this cause, it is ordered adjudged and decreed by the court, that the same shall be stricken from the docket .

Final Decree

Enter:

Entd Oct 15/1902

Robert R. Ellis

Entered in Chancery
Order Book No 3
Page 458.

Everett Waddey, Stationer and Printer, Richmond, Va. } Form No. 35.

In the Circuit Court for the County of Nansemond,

to wit:

THE ANSWER OF Susie Wilson, an

infant under the age of twenty-one years, by John P. Lee her guardian *ad litem*, assigned to defend her interest in this suit, to a bill of complaint exhibited against her and others in the Circuit Court for the County of Nansemond, by Thomas C. King and others.

The respondent, reserving to herself the benefit of all just exceptions to the said bill, for answer thereto, answering by said guardian *ad litem*, say, that she is an infant of tender years, and by reason of such disability is incapable of understanding, or of taking care of her rights and interests, she therefore commends the same to the protection of the court, and prays that no decree may be pronounced which will tend to her prejudice.

And having answered. the respondent pray to be hence dismissed with her reasonable costs in this behalf expended; and she will ever pray, &c.

John P. Lee Guardian *ad litem*.

for Susie Wilson an infant under the age of fourteen years.

State of Virginia:
County of Nansemond to wit:-

Sworn to before me in my county aforesaid by John P. Lee guardian ad litem for Susie Wilson an infant, on this 10th day of October 1901.

R. H. Rawles N. P.

Form No. 35.

Martha Ann Eason
et al.

adv.

ANSWER
OF
INFANT DEFENDANT.

Francis C. King
et al

The answer of Ann Maria~~h~~ Lilly to a bill in chancery exhibited against her and others in the Circuit Court of Nansemond County by Frances C. King and others. In answer to the said bill or so much thereof as this defendant is advised it is material for her to answer, she answers and says:

that it is true that her husband William Lilly died, seized and possessed of the land in the bill and proceedings mentioned, leaving her as his widow, and his heirs at law as stated in said bill; it is also true that during the life-time of her husband he conveyed in trust to Beverly P. Baker, trustee, to secure the Thomas W. Savage the debt mentioned in said bill, which said debt still remains unpaid, and ~~for~~ in which convey~~ed~~ance this respondent joined conveying dower interest so for as the said debt was concerned. Your respondent does not believe that the said land is divisible in kind among the parties entitled thereto, without a great sacrifice of interest and is ~~said~~ of opinion that the interest of the parties would be promoted by a sale of the said land and a division of the proceed~~ings~~s among those entitled thereto; she further says that she is willing to commute her dower in the said land, and to take her share of the same in money, as she beleevs that the land will bring a better price if all interests are sold, and also because she has already conveyed her dower so for as the said debt due to the said Savage is concerned, and having no means to pay the said debt, she thinks it would be best to have the land sold, selling her dower right and all, and paying to her what may be due to her under the law, in money. And having fully answered she prays hence to be dis-missed with her reasonable costs in this behalf expended and she will if pray &c.

her
Ann Maria ~~h~~ Lilly
mark

Witnesses:-
D. Knight
R. B. Hayes

Answer of
Ann Maria Lilly

To the Honorable Robert R. Prentis, Judge of the Circuit Court of Nansemond County :—

Humbly complaining sheweth unto your Honor your complainants, Frances C. King, and W.H.King, her husband, and John Lilly and Jesse Lilly, the following case:

Your complainants say that their father, William Lilly departed this life some time during the year of 1897, in Nansemond County, Virginia, intestate, leaving his widow, Ann Maria Lilly, who still survives him, and as his only heirs at law the following children to-wit:

Martha Ann Eason, who married Heyward Eason, Lavenia Littleton, who married James Littleton, Eugenia Wilson who married Joseph Wilson, Lydia Slavins who married Will Slavins, and Effa Decker, who married Will Decker, Rufus Lilly, Alexander Lilly and Susie Wilson, who is an infant under the age of 14 years, and is the only child of his deceased daughter Ella Wilson.

And your complainants further say that at the time of their father's death, he was seized and possessed in fee simple of a certain tract of land situated in Nansemond County, Virginia near the village of Whaleyville, containing about one-hundred (100) acres more or less, which he inherited from his father, and which is bounded and described as follows:

on the east by the County road known as the Gatesville Road: on the south by the lands of Mitchell Parker: on the west by the other lands of Mitchell Parker known as the "John Lilly place": and on the north by the lands of Jordan Howell.

Your complainants further say that this land is subject to the lien of a deed of trust thereon, made by the said William Lilly and Ann Maria his wife dated the 13th day day of January, 1896 and recorded in D.B. No. 35, page 655 in the Clerk's Office of Nansemond County by which said deed they conveyed the said land to Beverly P. Baker, trustee to secure to Thomas W. Savage a debt of $200.00 which said debt is yet unpaid.

as more fully by copy of said deed of Trust herewith filed marked Exp. A. and prayed to be read as a part of this bill.

Your complainants further state that if the said real estate is divisible without a sacrifice of interest, that they desire that the same shall be divided amongst those entitled to receive it. But your complainants are of opinion and believe, and therefore charge that the said real estate is not susceptible of partition amongst the parties entitled thereto without a great sacrifice of interest, and if it be not so divisible then your complainants desire that the same may be sold, and after paying the expens of the suit and sale, and discharging the liens thereon, that the remainig proceeds may be distributed amongst the said heirs in proportion to their respective interest therein; and your complainants further believe that this course is all the more necessary on account of liens now in the said estate, which none of the heirs are willing to pay off and discharge.

In tender consideration whereof, and forasmuch as your complainants are remediless in the premises save by the aid of a court equity where matters of this kind are alone, and properly cognizable, your complainants pray that the said Ann Maria Lilly, Martha Ann Eason and Heyward Eason, her husband, Lavenia Littleton, and James Littleton her husband, Eugenia Wilson and Joseph Wilson, her husband, Lydia Slavins and Will Slavins , her husband, Effa Decker and Will Decker, her husband, Rufus Lilly, Alexander Lilly, Susie Wilson, and Thomas W. Savage, and B.P.Baker, trustee may be made parties defendants to this bill, and required to answer the same though an answer under oath is hereby waived; that a proper guardian ad litem be assigned the infant defendant to defend her interest in this suit ; that all proper accounts may be taken: that the said real estate may be divided between the parties afore mentioned, if the same can be done without a sacrifice of interest, but that in case the said real estate be indivisible without a sacrifice of such interest, then they pray that the same may be sold and the proceeds thereof after paying the expenses of this suit and sale, and the liens thereon, may be distributed among the parties entitled thereto; that proper process may issue, that all such other further and general relief may be afforded your complainants as the nature of this case may require, or which to equity may

seem meet; and notice is hereby given that the court will be asked to allow a reasonable fee to complainants counsel for prosecuting this case.

And your complainant will ever pray.

Witness, W. H. Rountree

Frances C. King her mark

W H King

John E. Lilly his mark

Jessie Lilly

Maggie Lilly

Witness

Virginia, Nansemond County to-wit:

I, R.H.Rawles, a Notary Public in the County aforesaid, in the State of Virginia, do hereby certify that Frances C. King and W.H.King, her husband, John Lilly and Jesse Lilly the complainants in the above bill and whose names are signed thereto, have made oath before me in my said county that the facts contained in said hill stated as comming of their own knowledge are true and that all other facts contained therein, derived from knowledge or in promotion received from others, they believe to be true.

Given under my hand this 14th day of September, 1901.

R. H Rawles
N. P.

Bill:

NOTICE

TO DELINQUENT TAX-PAYERS!

The Real Estate mentioned below, to satisfy the taxes for 1900, costs and charges due thereon, will be sold at public auction

ON MONDAY, DECEMBER 9, 1901,

(court day), in front of the Courthouse in Suffolk, between the hours of 10 o'clock A. M. and 4 o'clock P. M., unless the amounts for which said lands are delinquent, together with costs, etc., shall have been paid.

OCTOBER 1, 1901.

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

HOLY NECK DISTRICT.

WHITE

Names of Persons.	Quantity of Land.	Local Situation.	Tax and Costs
Ashburn, William R.	1 lot	Kilby street extended	$5.96
Cutchin, Joseph J.'s estate	40 acres	Smith and Lawrence	1 79
Cutchin, Joseph J.'s estate	15 acres	Smith and Howell	.94
Cutchin, Joseph J 's estate	70 acres	Robertson and Lawrence	5.13
Daughtrey, T. H.	350 acres	Winborn and others	16.64
Dumville, Mary E.	1 lot	Sarah Dumville	1 56
Dunford, Jesse	4 acres	Babb and Rawles	.90
Jones, James H.	1 lot	West Suffolk	1.56
Kernodle, Lula W	1 lot	West Suffolk	2.13
Kernodle, Lula W	1 lot	West Suffolk	1 84
Matthews, A. S	1 lot	West Suffolk	1 56
McGee, J. Walter	31¾ acres	Howell and Davidson	1.51
Rawles, Indiana	¼ acre	Cutchin and Holland	1.69

COLORED.

Bennett, George's estate	5 acres	Burk and Mizell	1.01
Briggs, John's estate	2 acres	Norfolk and Western Railroad	2.35
Burk, Charles C.'s estate	4 acres	Bennett and Holland	.72
Carr, John	3 lots	New Boston	1.17
Copeland, James (of S.)	14 acres	Lee and Holland	1.25
Copeland, Virginius	18 acres	Faulk and others	.87
Copeland, Virginius	7 acres	Holland and Boon	1.66
Dillard, Edmund's estate	60 acres	Cross and Dillard	2.45
Dillard, Temptha	75 acres	Holland and others	6.59
Edwards, Sophia	11 acres	Knight and Edwards	1.08
Eley, David	1 lot	Day street	3.06
Faulk, Andrew T	27 acres	Holland and White	1.60
Faulk, James (of C.)	7¼ acres	Holland and Vaughan	.78
Faulk, Peter	5½ acres	Lewis and Vaughan	.90
Goodman, Caleb	5 acres	Howell and Stephenson	.74
Hampton, Vernon	1 lot	Wellons street	1.30
Jones, Emma	1 lot	Philadelphia	2 13
Jackson, John's estate	41 acres	S. L Co.'s, R. R. and Mizell	1.83
Jordan, Wilson's estate	45 acres	Self and Boon	2 45
Saunders, Loucinda's estate	86 acres	Butler and Vaughan	2.40
Smith, Elizabeth's estate	1 lot	Day street	1.56
Vaiden, Francis	1 lot	Day street, Briar Hill	1.34
Walters, Robert	1 lot	Day street, Briar Hill	2 68

CYPRESS DISTRICT.

WHITE.

Ashburn, Charles Anna	1 lot	Smith and Suffolk	6 59
Bailey, W. A., and B. F. Doe	16½ acres	Leslie and others	1.56
Barton, Geo. L., and C. W. Dennis	1 lot	Kindling-wood mill lot	4.91
Byrd, Mary Ida	50 acres	Boothe and Jones	1.56
Duke, Lizzie A.'s estate	45 acres	Harrell and Umphlett	1.47
Everett, William H.'s estate	95 acres	Wiggins and State Line	3 08
Goodrich, Anna G	1 lot	South Suffolk	3 80
Hecht, Jacob's Heirs	1 lot	East Suffolk	1.02
Harrell, Esther's estate	24 acres	Butler and Morgan	1.12
International B'ld'g & Loan Ass'n	1 lot	Union street	3 24
King, Bettie W	32½ acres	S. and R. R.R. and Moore	1.47
Layton, Laura J	1 lot	No. 13 East Suffolk Land Co	2 00
Parker, O. A	4 lots	East Suffolk	1 56
Small, W. W	1 lot	Whaleyville	.79
Vickery, H. G	4 lots	East Suffolk	1 56
Wilmer, Skipwith	4 lots	East Suffolk	1.56

COLORED.

Ballard, Charles E.	1 lot	Pleasant Hill	.85
Boon, Richard R.	41¾ acres	Skeeter and Hosier road	1.79
Briggs, Israel's estate	42 acres	Morgan and Harrell	1.91
Butler, Charles S	1 lot	West Jericho	1.46
Butler, Denson	1 lot	Pleasant Hill	2.69
Council, Alfred's estate	10 acres	Grant and others	1.56
Freeman, Nancy	1 lot	West Jericho	.79
Goodman, Francis C.	1 lot	Pleasant Hill	1 25
Harrison, Daniel	13¾ acres	Brown and S. L. R.R.	1.36
Kelly, Charles	7¾ acres	Savage and others	1.06
Reed, Lois Virginia	1 lot	West Jericho	1.56
Ross, Toney	1 lot	West Jericho	1.30
Savage, Lewis' estate	1 lot	Norfolk and Western Railroad	1.78
Shepherd, Joshua	1 lot	Culloden Road	2 66
Smith, Matilda	1 lot	Culloden Road	3.85
Thomas, Kizzie	1 lot	Whaleyville	2.13
Trotter, John	1 lot	Pleasant Hill	.90
White, Harriet	10 acres	Rountree and Savage	.68
Watkins, William M	3 acres	Rountree and Mill Pond	.92
Wiggins, Elizabeth's estate	1 lot	West Jericho	1.23

CHUCKATUCK DISTRICT.

UPPER PARISH—WHITE.

Names of Persons.	Quantity of Land.	Local Situation.	Tax and Costs
Holland, Meredith D.	5 acres	Holland and Road	2.13
Newell, George M.	50 acres	Carroll and Creek	11 59
Nurney, John T.'s estate	12½ acres	Randall and Williams	1.31
Rhodes, Sarah A.	41 acres	Holland and Holland	3 66

LOWER PARISH—WHITE.

Gray, William A.'s estate	9½ acres	King and Haughwout	5.35
Haywood, J. W	½ acre	Post and Carson	1.48
Kay, John W.	½ acre	Haughwout and others	.97
Knewstep, H. B., and M. A. Richardson	½ acre	Williams and Gilliam	3.53
Sadler, Mariah S.	½ acre	Matthews and Nix	1.48

UPPER PARISH—COLORED.

Burkett, Kitt's estate	25 acres	Underwood and Edwards	2.98
Fitzgerald, Clara	½ acre	Camp and Jordan	1.56
Johnson, Mary Eliza	2½ acres	Pierce and Stallings	.71
Randall, Charles' estate	8 acres	Stallings and Wright	1.08
Scott, Cornelius	5 acres	Phillips and Williams	.78
Wick, Solomon, Sr	3½ acres	Williams and Church	.87

LOWER PARISH—COLORED.

Artis, Richard	½ acre	Godwin and Edwards	.56
Beamon, Fannie	8 acres	Hollomon and Pruden	.54
Crump, Betsey	16 acres	Corbell and Pruden	1.70
Jackson, Eliza	9 acres	Corbell and Brock	1.33
Jackson, Caleb R.'s estate	45 acres	Parker, Hall and others	6.21
Newsome, Loucinda	½ acre	Nix and Johnson	2 10
Newsome, Loucinda	½ acre	Nix and Moore	.99

SLEEPY HOLE DISTRICT.

WHITE.

Jakeman, Mary A.	140 acres	Wilson and Creek	9.08
Kelley, Capps and others	769 acres	Cross Swamp	32.08
Norfolk Fertilizing Company	130 acres	Carney and Jones	13.81

COLORED.

Banks, Allen	7 acres	Tomlin and Driver	1.14
Epps, Austin, and others	1 lot	Bellville and others	.98
Griffin, Edward	1½ acres	Bidgood and others	.83
Griffin, Joseph H.'s estate	3 acres	Road and Peake	2.00
Griffin, Joseph H.'s estate	1½ acres	Wagner and Pope	1.10
George, Major E	1 lot	Huntersville	.97
Lawrence, Mary P	27⅔ acres	Bell and Holland	3.33
Norchum, Emma	1 lot	Bellville and others	.98
Pipkin, Joseph	3 acres	Pierce and others	.91
Parnell, J. D	1 lot	Huntersville	.71
Riddick, Lewis	11 acres	Wilson and Holland	1.58
Riddick, James	3 acres	Pierce and Pipkin	.92
Reed, William, and John Smith	2⅔ acres	Odom and Boon	1.55
Willis, John	2½ acres	Wagner and Road	.71
White, James	3 acres	Savage and Pierce	.83

TOWN OF SUFFOLK.

WHITE.

Butler, Lucy C.	1 lot	No 2 Holladay street	5.37
Butler, Lucy C.	1 lot	No. 4 Holladay street	6.13
Butler, Lucy C.	1 lot	No. 6 Holladay street	5.09
Butler, Lucy C.	1 lot	Franklin street	7.64
Cherry, Louisa's estate	1 lot	No. 19 Sycamore street	7.27
Frank & Adler	1 lot	Cor. Johnson and Virginia sts	1.96
Graham, William T	1 lot	Cor. Pinner st. and Central ave.	1.75
Johnson, Harriet A	1 lot	Cor. Hill and Institute sts	2.35
Oliver, Alex.'s estate	1 lot	Johnson's Lane	.83
	1 lot	No. 15 Holladay street	3 19
Singleton, George W.'s estate	1 lot	Milner street, north	1.9
Singleton, George W.'s estate	1 lot	No 8 Milner street	3 10
Singleton, George W.'s estate	1 lot	Lower Main st. and wharf	15.59

COLORED.

Alston, Madison H	1 lot	No. 20 Back or Church street	3 86
Branch, Wakefield	1 lot	No. 30 Church street	1 96
Edwards, James Adam	1 lot	Milner street	.83
Godwin, Willis and Mary	1 lot	Milner street	1.40
Gray, Henry's estate	1 lot	Cor. Main and Mahan streets	2 92
Johnson, Abel's estate	1 lot	Milner street	1.21
Reed, Walter	1 lot	Wellons street	2.35
Riddick, Isaiah	1 lot	No. 63 Milner street	1.59
Tynes, Everett's estate	1 lot	Back Singleton	1.78
Ward, Cornelia	1 lot	No. 30 Smith street	2.34