

1904-009
Nansemond Co (Suffolk) Chancery Causes: Olivit Bros] et al vs Admx of W.T. Everett et al

J H Behrenburg & Co] Jones, Lee & Co], Cowper, Jones, Lee
Farmers Bank of Nansemond], Voight,
William S Sweet & Son], Perry, Senderlin & Co],
George Teit & Son], J J Allen's Sons], Charles Reid & Son]
Brown & McMahon], Billups, Webb, G. A. & W. Frisbee]

OVERSIZE
Box 3

-] PLAT

Folder 1 of 2

AUCTION SALE

← OF →

Land in Nansemond County

By authority of a decree of the Circuit Court of the county of Nansemond pronounced on the 30th day of October, 1895, in the chancery cause pending in said court between Olivit Bros. and others, complainants, and William T. Everett's Administratrix and others, defendants, I shall sell by public auction to the highest bidder, before the Courthouse door of said county, on County Court day,

MONDAY, SEPTEMBER 14, 1896,

at 12 o'clock m., the following real estate of which said William T. Everett died seised and possessed, to wit:

All that certain tract or parcel of land situated in Sleepy Hole Magisterial district, in said county, near Sleepy Hole Wharf, on Nansemond river, containing 62 1-2 acres, more or less, and bounded on the north by Shoemaker ditch, the creek and Nansemond river; on the east by the county road leading from Suffolk to said wharf; on the south by fourteen acres of the homestead land of said William T. Everett's children (the said 62 1-2 acres being the remainder of said homestead land), and on the west by the Glebe Farm.

 **TERMS CASH!** 

WILBUR J. KILBY, Special Commissioner.

GEO. T. PARKER, CRIER.

AUGUST 8, 1896.

I, Azra P. Gomer, Clerk of the Circuit Court of Nansemond county, do certify that the bond required of Wilbur J. Kilby, special commissioner under the decree of said Court entered on the 18th day of October, 1889, in the chancery cause pending in said court between Olivit Bros. and others, complainants, and William T. Everett's Administratrix and others, defendants, has been executed with sufficient security.

Given under my hand this 8th day of August, 1896.

A. P. GOMER, Clerk.

VALUABLE LAND

In Sleepy Hole Magisterial District, in Nansemond County, Virginia,

For Sale at Auction!

By authority of the decree of the Circuit Court of Nansemond county, Va., pronounced on the 18th day of October, 1889, in the cause in chancery in the said court depending between Olivit Brothers and others, plaintiffs, and William T. Everett's Administratrix and others, defendants, I shall sell, by public auction, to the highest bidder, before the Courthouse door of said county, on County Court day,

Monday, December 9, '89,

all the real estate of which said William T. Everett died seised and possessed (except that part which has been assigned as dower to his widow), situated in Sleepy Hole Magisterial district, in said county, and consisting of two parcels—one parcel containing by estimation twenty acres, more or less, and bounded on the north by said dower, on the east by the county road leading from Suffolk to Sleepy Hole wharf, on the south by the lands formerly owned by E. P. Kelly and the Glebe land of the Protestant Episcopal Church, and on the west by said Glebe land and the land of John Bush; the other parcel containing by estimation seventy-three acres, more or less, and bounded on the north by Shoemaker ditch, the creek and Nansemond river, on the east by said county road, on the south by said dower, and on the west by said Glebe land and the land of John Bush.

TERMS OF SALE.—Enough of the purchase-money to cover the costs of said suit and the expenses of the sale will be required in cash and the remainder in equal sums at the end of one and two years, respectively, with interest from the day of sale; the purchaser to execute bonds in evidence of the deferred payments, with good personal security, and the title to the land to be retained until the further order of Court.

NOVEMBER 8, 1889.

WILBUR J. KILBY, Special Commissioner.

I, William B. Causey, Clerk of the Circuit Court of Nansemond county, Va., do certify that the bond required of Wilbur J. Kilby, Special Commissioner appointed by said Court by its decree on the 18th day of October, 1889, in the cause in chancery in said court depending between Olivit Brothers and others, plaintiffs, and the Administratrix of William T. Everett, deceased, and others, defendants, to sell certain real estate of which said William T. Everett died seised and possessed, has been executed with security deemed sufficient by me. *WBC*

Given under my hand this 8th day of ~~October~~, 1889.

WILLIAM B. CAUSEY, CLERK.

VALUABLE LAND

In Sleepy Hole Magisterial District, in Nansemond County, Virginia,

For Sale at Auction!

By authority of the decree of the Circuit Court of Nansemond county, Va., pronounced on the 18th day of October, 1889, in the cause in chancery in the said court depending between Olivit Brothers and others, plaintiffs, and William T. Everett's Administratrix and others, defendants, I shall sell, by public auction, to the highest bidder, before the Courthouse door of said county, on County Court day,

Monday, December 9, '89,

all the real estate of which said William T. Everett died seised and possessed (except that part which has been assigned as dower to his widow), situated in Sleepy Hole Magisterial district, in said county, and consisting of two parcels—one parcel containing by estimation twenty acres, more or less, and bounded on the north by said dower, on the east by the county road leading from Suffolk to Sleepy Hole wharf, on the south by the lands formerly owned by E. P. Kelly and the Glebe land of the Protestant Episcopal Church, and on the west by said Glebe land and the land of John Bush; the other parcel containing by estimation seventy-three acres, more or less, and bounded on the north by Shoemaker ditch, the creek and Nansemond river, on the east by said county road, on the south by said dower, and on the west by said Glebe land and the land of John Bush.

TERMS OF SALE.—Enough of the purchase-money to cover the costs of said suit and the expenses of the sale will be required in cash and the remainder in equal sums at the end of one and two years, respectively, with interest from the day of sale; the purchaser to execute bonds in evidence of the deferred payments, with good personal security, and the title to the land to be retained until the further order of Court.

NOVEMBER 8, 1889.

WILBUR J. KILBY, Special Commissioner.

I, William B. Causey, Clerk of the Circuit Court of Nansemond county, Va., do certify that the bond required of Wilbur J. Kilby, Special Commissioner appointed by said Court by its decree on the 18th day of October, 1889, in the cause in chancery in said court depending between Olivit Brothers and others, plaintiffs, and the Administratrix of William T. Everett, deceased, and others, defendants, to sell certain real estate of which said William T. Everett died seised and possessed, has been executed with security deemed sufficient by me. *WBC*
Given under my hand this 8th day of ~~October~~ *Nov*, 1889.

WILLIAM B. CAUSEY, CLERK.

Olivier Bros & als

vs

Everett's Adm^{rs} & als -

~~That~~ The Plaintiffs except
to item II of the report of Ro. R. Prentiss com-
missioner, reporting the value of the land
in the Bill proceedings, mentioned at only
\$ 3000⁰⁰ and ask that the same be not con-
firmed, ~~but referred to Commissioners to as-
certain the value of said land.~~

Geo. H. Wright - p. e.

Olivit Bros. & al.

vs. } In Chy.

Everetts Admrx & al.

Exceptions of Plain-
tiffs to item 11
of Report of Cour.
R. R. Prentis filed
30 March 1889

Virginia:

At a Circuit Court Continued and
held for the County of Nansemond
at the Courthouse in the Town of Suffolk
on Monday the 17th day of April 1899.

Olivit Bros & others Complainants

Against In Chancery

Everett's Administrators & others Defendants

This cause came on this day to be
again heard on the papers formerly read and
on the report of Special Commissioner William
J. Kelly this day filed by leave of the Court (the same
being a Report of the sale of land as in said Report
specified under the decree entered herein on the
17th day of October 1898) and was argued by
Counsel.

On Consideration whereof the Court doth
confirm the said Report to which no exception
has been taken. And it appearing from
said Report that the said land was offered
for sale by said Special Commissioner on the 12th
day of December 1898 on the terms and conditions
and in the manner directed by said decree,
and that Annie J. Darden became the pur-
chaser of said land as the highest bidder
for the sum of four hundred dollars
and that she has ~~has~~ failed and
neglected to comply with the terms
of said sale, the Court doth ^{as judge} order

and decree that said Annie J
Garden being served with a copy
of this decree before Thursday
the 20th day of April 1899, do
appear hereon that day and
show cause if any she can
why the said land should not
be sold at her risk and costs
and why a decree should
not be made against her for
so much of said sum of
Four hundred dollars as the
proceeds of the sale of said
land upon a resale thereof
might not pay off and
discharge.

A copy

Test: *A. J. Gomer Clerk*

*Oliver Bros. & Co.
NS. } In Chg.
Everett's Admrs. & Co.*

I have served this decree on the with-
in-named Annie J. Garden, by de-
livering a copy hereof to her in my
County in person this 17th day of April
1899.

R. E. Hooper

Deputy for Alex. H. Baker,
Sheriff of Chautauque County.

Oliver Brothers & als.

^{vs.}
Everett & als.

This cause came on this day to be again heard on the papers formerly read and on the Report of Special Commissioner, Wilbur J. Kilby, this day filed by leave of the Court (the same being a Report of the offer of one thousand dollars ^{in cash} made by Annie J. Garden for the fee-simple of the land heretofore assigned to her as dower herein, and of her willingness to accept a gross sum of money in lieu of said dower), and was argued by counsel.

On consideration whereof the Court doth approve and confirm the said Report to which ~~to which~~ no exception has been taken.

And it appearing from said Report and the papers in this cause that said sum of one thousand ^{dollars} is the value placed upon said land at the time it was assigned as dower to said Annie J. Garden, namely, on the 24th day of April 1889; that the said sum of one thousand dollars is now a fair value

of said land; ~~and~~ that said
Annie J. Darden is willing, and
offers, to pay one thousand dollars
in cash for said land; and
that she is willing to commute
her dower therein and to accept
a gross sum of money in lieu of
such dower, to be computed accord-
ing to section 2281 of the Code of
Virginia, Edition of 1887: the court
doth adjudge, order and decree
that said ^{offer} of said Annie J. Dar-
den be accepted and that said
land be sold and conveyed to
her for one thousand dollars, and
that said Wilbur J. Kilby, Special
Commissioner do make to said
Annie J. Darden a good and suf-
ficient deed in the usual form
with special warranty conveying
said land to her upon payment
by her to him of one thousand dol-
lars in cash as the purchase-price
therefor; the said land being a
parcel of seven acres, more or
less, situated in Sleepy Hole Mag-
isterial District in Craven and
County and bounded on the North
and South by the land of said
Annie J. Darden; on the East by the
county road leading to Sleepy Hole

Wharf and on the west by the Glebe land.

And the court doth further adjudge order and decree that said Special Commissioner, Wilbur J. Kilby, do pay out of said sum of one thousand dollars first in full to said Annie J. Darden, a gross sum in lieu of her dower in said land to be computed according to said section of said Code; then, out of the residue, pay all the unpaid costs of this cause, and then pay out and distribute the balance pro rata to and among the creditors of William J. Everett, deceased, whose claims have been proved and allowed herein and who are entitled to such balance.

And it further appearing from the Report of said Special Commissioner filed in this cause on the 20th day of October 1899, that there is deposited in the The Farmers Bank of Chausemond to the credit of this cause the sum of twenty and $\frac{66}{100}$ dollars belonging to the infant defendants, Edna E. Everett, Charles J. Everett and Lillie May Everett, and that said Annie J. Darden, their mother, is their guardian, the court doth further adjudge order and decree that said Special

Alvitt Bros. & als.
v. } In Chy.
Everett & als.

In the Circuit
Court of Chause-
mond County,
April 18, 1901

Decree

To be entered

Wm. R. Harris

Entered in Chancery
Order Book No 2 Page 362.

Commissioners do collect said sum
of twenty and ⁶⁶/₁₀₀ dollars and
the interest due thereon and pay the
same to said trustee J. Standen, guard-
ian of said minors, for their use
and benefit according to law.
And said Special Commis-
sioner will make report to court
of his transactions under this
decree.

Oliver Bros & al.

vs.

Everett & al.

This cause came on this day to be again heard on the papers formerly read and on the Report of Special Commissioner, Wilbur J. Kilby, this day filed by leave of the Court (the same being a Report of the collection and disbursement of money in pursuance of the decree entered herein on the 21st day of ~~October~~ 1899 April 1899), and was argued by counsel.

On consideration whereof the court ~~approve~~ doth approve and confirm the said Report to which no exception has been taken, and doth order that this cause be continued.

Oliver Bros & al,
vs. } In Chy.

Everett & al.

~~Decree to be~~
In the Circuit
Court for the
County of Chauce-
mond

20 Octo. 1899

Decree

To be entered

Robert R. Pentis

Entered in Chancery
Order Book No. 3.
Page 253.

Clurt Bros. Sal

vs.

Everett's Admrx. Sal.

This cause came on this day to be again heard on the papers formerly read and on the ~~further~~ Report of Special Commissioner, Wilbur J. Kilby, this day filed by leave of the Court (the same being a further Report under the decree entered herein on the 17th. day of October 1898), and was argued by Counsel.

On consideration whereof the Court doth confirm the said Report to which no exception has been taken.

And it appearing from said Report that Annie J. Warden, the purchaser of the land sold, under proceedings had in this cause, on the 12th. day of December 1898, is prepared to pay in cash the amount of her bid, to wit, the sum of four hundred dollars for said land upon the delivery to her

of a deed conveying said land to her, the Court doth approve and confirm the sale of said land to her and doth adjudge, order and decree that said Special Commissioner receive and collect from her the said sum of four hundred dollars with interest thereon from the 12th day of December 1898 till paid and, upon the payment of said money, make to her a deed with Special Warranty in the usual form conveying said land to her.

And the Court doth further adjudge, order and decree that said Special Commissioner do pay out of said money all unpaid costs of this cause the expenses of said sale and to Jones, Lee and Company, or their attorney, the sum of two hundred dollars with legal interest thereon from the 31st day of December 1887 till paid, and then deposit the re-

mainder of said sum of
four hundred dollars in the
The Farmers Bank of Chau-
semond in Suffolk, Virginia,
subject to the order of Court.

And said Commissioner
will make report to Court
of his transactions under
this decree

Clint Bros. & Co.,

vs. } In Chy,

Everett's Adm'x & Co.

In the Circuit
Court for the
County of Chancery

April 21, 1899

Decree

To be entered

Robert H. Mills

Entered in Chancery
Order Book No 3
Page 217

Clint Bros. & Co.

vs
Everett's Adm'r. & Co.

This cause came on this day to be again heard on the papers formerly read and on the Report of Special Commissioner, Wilbur J. Kilby, this day filed by leave of the court (the same being a Report of the sale of land as in said Report specified under the decree entered herein on the 17th day of October 1898) and was argued by counsel.

On consideration, whereof the court doth confirm the said Report to which no exception has been taken, and it appearing from said Report that the said land was offered for sale by said Special Commissioner on the 12th day of December 1898 on the terms and conditions and in the manner directed by said decree, and that Annie J. Darden became the ~~highest bidder~~ purchaser of said land, as the highest bidder for the sum of four hundred ^{dollars}, and that she has failed and neg-

lected to comply with the terms
of said sale, the Court doth
adjudge, order and decree,
that said Annie J. Darden,
being served with a copy of
this decree before Thursday,
the 20th. day of April 1899, do
appear here on that day and
show cause, if any she can,
why the said land should
not be resold at her risk
and costs, and why a de-
cree should not be made
against her for so much
of said sum of four hundred
dollars as the proceeds of the
sale of said land, upon a
resale thereof, might not pay
off and discharge.

Oliver Bros, &als

vs. } In Chy.

Everett's Admors &al

In the Circuit
Court of Chause-
mond County,
April 17th 1899

Decree

To be entered

Robert R. Huntis.

Entered in Chancery
Order Book No 3
Page 207

Alvitt Bros, & als.

vs.

Everett's Admrs. & als.

This cause came on this day to be again heard on the papers formerly read and on the Report of Special Commissioner. Wilbur J. Kilby this day filed by leave of the Court (the same being a Report under the decree entered herein on the 30th day of October 1895), and was argued by counsel.

On consideration whereof, the Court doth approve and confirm the said report, to which no exception has been taken, and doth adjudge, order and decree that the parcel of land of which William J. Everett died seized and possessed, mentioned in said Report as a parcel of land estimated to contain seventy-three acres, more or less, but found by survey to contain seventy-six and one-half ($76\frac{1}{2}$) acres, more or less, and being part of the land heretofore assigned under proceedings in this cause to said William J. Everett's children

as the portion of his lands to be held by them exempt from liability for his debts as to which his exemption had not been waived under Chapter 178 of the Code of Virginia, edition of 1887, be sold, and that Wilbur J. Kilby heretofore appointed Special Commissioner in this cause, do proceed to sell the same by public auction before the Court-house door of this County on some county-court day on the terms of payment by the purchaser of one-third of the purchase-money in cash and the remainder in equal sums at the end of six and twelve months respectively with interest from the day of sale; the purchaser to execute bonds with waiver of the benefit of his exemption and with good personal security, in evidence of the deferred payments and the title to said land to be retained until the further order of Court.

But before proceeding to make said sale said Special Commissioner will advertise the time, place and terms

of the sale by printed notices to be posted in the neighborhood of said land and at several public places in said County for two weeks prior to the sale and by publication of the notice of the sale once a week for two successive weeks ~~prior to the sale, and by publication of the notice of the sale~~ in the "Suffolk Herald", a newspaper printed and published in the Town of Suffolk in said County, and a certificate of the due execution of the bond heretofore executed by said Special Commissioner in this cause shall be obtained by him of the clerk of this court and the same, or a copy thereof, appended to the advertisement of said sale

And said Special Commissioner will make report to court of his transactions under this decree.

Olivit Bros. & al.

vs. } In Chy.

Everett's Admrx, & al.

In the Circuit
Court for the County
of Chaussemond
October 17, 1898

Decree

To be entered

Robert R. Hunt's

Entered in Chancery
Order Book No 3 Page
174

Alint Bros. Sal.

vs.

Everett's Admrx. Sal.

This cause came on this day to be again heard on the papers formerly read and on the Report of Special Commissioner, Wilbur J. Kilby, filed on the first day of October 1896 (the same being a Report of the sale of the land therein mentioned in pursuance of the decree entered herein on the 30th day of October 1895), and was argued by counsel.

On consideration whereof ^{and on the suggestion of the Special Commissioner} the Court is of the opinion that the offer of two hundred and thirty dollars made by Annie J. Barden for said land as stated in said report is inadequate and insufficient, and doth, therefore, reject said offer and adjudge, order and decree that said sale and Report be not, and the same are

Oliver Bros,

vs. } In Chy,

Everetts Admox.
and als,

In the Circuit
Court of Chase-
mond County,
October 20. 1896

Decree

To be entered.

Robert J. Harris

Entered in

Chancery

DV B Page 581

not confirmed or affirmed.
Chad this cause is con-
firmed

1 Clint Bros. & als.

2 vs.

3 Everett's Admrs. & als.

4 On the motion of William M.
5 Jones, Patrick H. Lee and Isaac P. Lee
6 late merchants and partners trading
7 as Jones, Lee and Company by their
8 counsel, leave is given them to file
9 their Petition in this cause and the
10 said Petition is filed accordingly.

11 And thereupon this cause came on
12 to be again heard on the papers formerly
13 read and on the said Petition (of which
14 Petition and the filing thereof the de-
15 fendants have had due and legal no-
16 tice) and on the exhibit filed with
17 said Petition, and was argued by
18 counsel.

19 And it appearing from said
20 Petition and exhibit that William
21 T. Everett died indebted to said
22 Jones, Lee and Company as surety for
23 Levi Frank Ames (who is insolvent)
24 in the sum of two hundred dollars
25 bearing interest from the 31st day of
26 December 1887 till paid; that the
27 benefit of the homestead exemption
28 which said William T. Everett had
29 the right to claim and which his
30 children are now entitled to claim
31 in his estate, has been waived as
32 to said indebtedness; that there is

1 no part of his property or estate remain-
2 ing liable for the satisfaction of said
3 indebtedness except that portion of
4 his real estate which has been set
5 apart and assigned under proceed-
6 ings in this cause, to his children,
7 Edna E. Everett, Charles T. Everett and
8 Lillie May Everett as that part of
9 his estate which they are entitled to
10 hold exempt from liability for his
11 debts as specified in Chapter 178 of
12 the Code of Virginia, edition of 1887;
13 that said indebtedness to Jones, Lee,
14 and Company has not been reported a-
15 mong the debts of said William T.
16 Everett heretofore reported and allow-
17 ed in this cause and that no part
18 thereof has been paid; the Court doth
19 adjudge, order and decree that so
20 much of said exempted real estate
21 as may be necessary to satisfy said
22 indebtedness to Jones, Lee and Com-
23 pany and the expenses of the sale be
24 sold and that Wilbur J. Kilby, her-
25 tofore appointed special Commissioner
26 in this cause, do proceed to sell to
27 the best advantage for all persons
28 interested and by public auction for
29 cash before the Courthouse door of this
30 county so much of said exempted
31 real estate as may be necessary to
32 pay said indebtedness and ^{the} expenses

1 of the sale, retaining the title to the land
2 that may be sold until the further or-
3 der of Court; or the said Commissioner
4 may make private sale of so much
5 of said real estate as it may be nec-
6 essary to sell for the purposes aforesaid,
7 provided not less than twenty-five
8 dollars per acre shall be obtained
9 therefor in cash.

10 But if said sale shall be made
11 by public auction, the time, place
12 and terms of the sale shall be ad-
13 vertised by printed notices posted for
14 a reasonable time prior to the sale
15 and by publication of the notice once
16 a week for two successive weeks in a
17 newspaper published in the Town of Suf-
18 folk in this County and a certificate
19 of the due execution of the bond hereto-
20 fore executed by said Special Commis-
21 sioner in this cause shall be obtain-
22 ed by him of the clerk of this Court
23 and the same, or a copy thereof, ap-
24 pended to the advertisement of said
25 sale by public auction.

26 And said Special Commissioner
27 will make report to Court of his trans-
28 actions under this decree.
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32

Oliver Bros. & Co.,

vs. { In Chy.
Everett's Admrx. & Co.

In the Circuit
Court of Chancery
mond County, Va.

30 Octo. 1895

Decree

To be entered,

B. S. Hunter

Recorded in Chancery
Order Book No 3 Page 8

Clint Bros. & als.

vs.
Wm J. Everett's Adm^r, & als

The decree entered in this cause
on this day is hereby annulled, avoid-
ed and rescinded and the conside-
ration of all questions arising on the
Petition of Jones, Lee & Company is
continued,

Clint Bros. & als.

vs. } In Chy

Everett's Admrs. & als.

In the Circuit
Court of Cause-
mond County
19 Octo. 1895

Order

To be entered
~~Robert Harris~~

Entered Chancery
Order Book No 3 page 6

1 Clint Bros. & als.

2 vs.

3 Everett's Adm^r & als.

4 On the motion of William M.
5 Jones, Patrick H. Lee and Isaac P.
6 Lee late merchants and partners
7 trading as Jones, Lee and Company, by
8 their counsel, leave is given them to
9 file their petition in this cause and
10 said petition is filed accordingly.

11 And thereupon, this cause came
12 on to be again heard on the papers
13 formerly read and on the said peti-
14 tion (of which petition and the fil-
15 ing thereof the defendants have
16 had due and legal notice), and on
17 the exhibit filed with said petition, and
18 was argued by counsel.

19 And it appearing from said pe-
20 tition and exhibit that William T. Ev-
21 erett died indebted to said Jones, Lee and
22 company as surety for L. F. Ames (who
23 is insolvent) in the sum of two hundred
24 dollars bearing interest from the 31st day of
25 December 1887 till paid; that the benefit
26 of the homestead exemption which said
27 William T. Everett had the right to claim
28 and which his children are now en-
29 titled to claim in his estate, has been
30 waived as to said indebtedness; that
31 there is no part of his property or estate
32 remaining liable for the satisfaction of

1 said indebtedness except that portion
2 of his real estate which has been set
3 apart and assigned under proceedings
4 in this cause to his children, Edna E.
5 Everett, Charles J. Everett and Lillie
6 May Everett as that part of his estate
7 which they are entitled to hold exempt
8 from liability for his debts as specified
9 in Chapter 178 of the Code of Virginia, e-
10 dition of 1887; that said indebtedness
11 to Jones, Lee and Company has not been
12 reported among the debts of said Wil-
13 liam J. Everett heretofore reported and
14 allowed in this cause and that no
15 part thereof has been paid; the Court
16 doth adjudge, order and decree that
17 so much of said exempted real es-
18 tate as may be necessary to satisfy
19 said indebtedness to Jones, Lee and
20 Company and the expenses of the sale
21 be sold and that Wilbur J. Kilby, here-
22 tofore appointed Special Commissioner
23 in this cause, do proceed to sell to the
24 best advantage for all persons inter-
25 ested and by public auction for cash
26 before the courthouse door of this County
27 so much of said exempted real estate
28 as may be necessary to pay said in-
29 debtedness and expenses of the sale, re-
30 taining the title to the land that may
31 be thus sold until the further order
32 of Court; or the said Commissioner

1 may make private sale of so much of
2 said real estate as it may be necessa-
3 ry to sell for the purposes aforesaid,
4 provided not less than twenty-five
5 dollars per acre shall be obtained
6 therefor in cash,

7 But if said sale shall be made
8 by public auction, the time, place
9 and terms of the sale shall be advert-
10 ised by printed notices posted for a
11 reasonable time prior to the sale and
12 by publication of the notice once a
13 week for two successive weeks in a
14 newspaper published in the Town of
15 Suffolk in this county and a certifi-
16 cate of the due execution of the bond
17 heretofore executed by said Special Com-
18 missioner in this cause shall be ob-
19 tained by him of the clerk of this court
20 and the same or a copy thereof ap-
21 pended to the advertisement of said
22 sale by public auction,

23 And said Special Commissioner
24 will make report to court of his trans-
25 actions under this decree.

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Oliver Bros. & Co.

vs. } In Chy.

Everett's Admrx. Sal.

In the Circuit
Court of Chancery
County, Va.

October 19, 1895

Decree

To be entered

Robert R. Hunt

Entered in Chancery
Order Book No 3

Page 5

Oliver Bros. Sal.

vs.

Everett's Admrx. Sal.

This Cause came on this day to be again heard on the papers formerly read and on the Report of Special Commissioner, Wilbur J. Kilby, filed on the 31st. day of March 1892 (the same being a Report of the collection and disbursement of money in pursuance of the decree entered herein on the 11th. day of April 1890), and was argued by Counsel.

On consideration whereof the Court doth approve and confirm the said Report to which no exception has been taken and doth order that this cause be continued for further proceedings to be had therein.

And it appearing from said Report that there is in the hands of said Commissioner the sum of nineteen and $\frac{3}{4}$ dollars, it is ordered that he retain the same as compensation or fee for services rendered by him as counsel for the defendant, Annie J. Everett, administratrix of William J. Everett deceased in this cause.

Oliver Bros. & al.

vs. } In Chy.

Everett's Admrx. & al.

In the Circuit Court
of Chaussemond County
April 12 1892

Decree

To be entered

CMT

Entered in Chy. & Book

No. 2. Page 432 -

Olin Bros. & al.

vs.

Everett's Admrx. & al.

This cause came on this day to be again heard on the papers formerly read and on the Report of Special Commissioner, Wilbur J. Kilby, filed on the 31st day of March A. D. 1890 (the same being a Report of the sale of part, to wit, twenty acres, more or less, of the land decreed to be sold by the decree entered herein on the 18th day of October A. D. 1889) and was argued by Counsel.

On consideration whereof the Court doth ~~adjudge, order and decree~~ approve and confirm said sale and Report, to which no exception has been taken, and doth adjudge, order and decree that said Commissioner receive of the Clerk of this Court (who will deliver to him and take of him a receipt to be filed with the papers herein for) the two bonds of Annie J. Everett ~~filed with said~~ and Martha J. Ames and Levi Frank Ames her sureties thereto, filed with said Report, each

for the sum of two hundred and
forty-five dollars, dated the 26th,
day of December A. D. 1889 and pay-
able respectively ~~on~~ on the 9th. day
of December A. D. 1890 and the
9th. day of December 1891 with in-
terest from the 9th. day of December
A. D. 1889 and proceed to collect the
same at ^{their} maturity, or receive the
money therefor at any ~~the~~ time
the obligors may desire to pay the
money before their maturity and
out of the money together with the
sum of sixty dollars already in his
hands, as specified in said Report,
pay first in full all the costs of
this cause and the expenses of said
sale and then, out of the remainder
of said money, pay to the The Farmers
Bank of Chausemound in Suffolk, Va.
two hundred and ten and $\frac{57}{100}$ dol-
lars with interest thereon from the first
day of May A. D. 1889 till paid; ~~to the~~
to Robert P. Wright ~~sixty five and~~
 ~~$\frac{08}{100}$ dollars~~ one hundred and eighty-
six and $\frac{18}{100}$ dollars with like in-
terest, and to Perry, Sanderlin & Co.,
Sixty-five and $\frac{08}{100}$ dollars with

like interest; - the said Bank and
Perry, Sanderlin & Co. being entitled to
~~the same in full of their claims~~
~~heretofore approved and allowed~~
~~herein and the said Robert P.~~
~~Wright in the~~^{said} amounts decreed to them
respectively in full of their claims
and the said Robert P. Wright being
entitled to ~~the~~^{said} amount decreed to
him in part of his claim, heretofore
approved and allowed herein, -
and said Commissioner will hold
the balance of said money, if any,
until the further order of Court.

And the Court doth further ad-
judge, order and decree that said
Commissioner make to said Annie
J. Everett after the payment of said
Bonds ~~in full~~ and the interest thereon
in full, a deed with special war-
ranty in the usual form convey-
ing said parcel of twenty acres of
land, more or less, to her as the pur-
chaser thereof.

And the Court doth further ~~adjudge~~
adjudge, order and decree that so
much of the decree entered herein
on the 18th. day of October A. D. 1889,
as might be construed as author-

issuing the sale of such of the real estate of which William J. Everett died seized and possessed as at this time remains unsold, be and the same is hereby cancelled and rescinded.

And the Court doth further adjudge order and decree that the Clerk of this Court do certify to the Clerk of the County Court of this County a copy of the account of the transactions of Annie J. Everett, as Administratrix of the estate of William J. Everett deceased, as stated in the Report of Commissioner, Robert R. Prentiss filed herein on the 30th day of September A.D. 1889 and Confirmed on the 18th day of October A.D. 1889, with a memorandum at the foot thereof stating the style of this cause and the date of ~~this decree~~ the decree confirming said last mentioned Report and account, to be recorded by the Clerk of said County Court in the book in which such ^{an} account is required to be recorded in his office.

And said Commissioner, Wilbur J. Kilby, will make Report to Court of his proceedings under this decree.

Oliver Bros. & al.

vs. } In Chy.

Everett's Admrx. & al.

In the Circuit
Court of Chancery
mond County Va.
April 11th 1890

Decree

To be entered

C. W. M. H.

Entered Chancery
order Book No 2
p. 319.

Oliver Bros. & al.

4

vs.

Everett's Admrx. & al.

This cause came on this day to be again heard on the papers formerly read, on the Report of Commissioner Robert R. Prentiss filed on the 30th. day of March A. D. 1889 (being a Report of debts due by William J. Everett deceased or his estate and of the transactions of Annie J. Everett, Administratrix of his estate etc. in pursuance of the decree entered herein on the 11th. day of October A. D. 1888), on the exception heretofore taken by the Complainant to item II of said Report, on the Report of said Commissioner filed on the 30th. day of September A. D. 1889 (being a Report of a further account of the transactions of said administratrix in pursuance of the decree entered herein on the 15th. day of April A. D. 1889), and on the Report filed on the 27th. day of August last, of William J. Jordan Wm. Chorfleet Harrell and James Wagner, three of the Commissioners appointed at the last term of this

Court to assign dower to said Annie J. Everett, widow of said William J. Everett, and also to assign to Edna E. Everett, Charles J. Everett and Lillie May Everett, children of said William J. Everett, such of his real estate as they are entitled to hold exempt from liability for his debts as specified in Chapter 178 of the Code of Virginia, Edition of 1887, (the same being a Report in pursuance of ~~the~~ ^{said} decree entered herein on the 15th day of April A.D. 1889) and was argued by counsel.

On consideration whereof the Court doth over-rule said exception and confirm said Report filed on the 30th day of March last ~~also~~ in all respects and especially as to said item II thereof to which said exception was taken, and doth approve and confirm in all respects the said two Reports filed respectively on the 27th day of August and 30th day of September last, to which reports no exception has been taken but it appearing from ~~the~~ papers in this

cause that the exemption which said
children ~~have the right~~ are entitled
to ^{as aforesaid} claim, has been waived as to
the indebtedness of said William
T. Everett to The Farmers Bank
of Chaussemond, Robert P. Wright
and Perry, ^{and as to part of his indebtedness to Robert P. Wright} Sanderlin & Co., heretofore
proved in this cause, ~~and~~ that
of such indebtedness there remains
unpaid the sum of two hundred
and ten and $\frac{57}{100}$ dollars due said
Bank, the sum of one hundred and
eighty-six and $\frac{18}{100}$ dollars due to
said Robert P. Wright and the sum
of sixty-five and $\frac{08}{100}$ dollars due
to said Perry Sanderlin & Co. all
as of the first day of May last,
~~and~~ that there is no property of
said William T. Everett, except
that exempted as aforesaid, re-
maining liable for the satisfaction
of said indebtedness, and that
said exempted property is liable
for the satisfaction of said debts,
the Court doth adjudge, order
and decree that said ^{exempted} real es-
tate, which has been assigned to
said children as aforesaid, be
sold and that Wilbur J. Kilby, who

is hereby appointed Special Commissioner for the purpose, do proceed to sell ~~said~~ ~~per~~ ~~ex~~ the same by public auction before the Courthouse door of this County on some ^{County} Court day on the terms of payment by the purchaser of enough of the purchase-money in cash to cover the costs of this suit that may be hereafter incurred and the expenses of the sale, and the remainder in equal sums at the end of one and two years respectively with interest from the day of sale. - The purchaser to execute bonds in evidence of the deferred payments with good personal security and the title to the land to be retained until the further order of Court.

But before proceeding to make said sale, said Special Commissioner will advertise the time, place and terms of the sale by printed notices and by publication of the notice ~~in the Suffolk Herald~~ once a week for three successive weeks in a newspaper published in the Town of Suffolk in this County and will execute before the Clerk of

this Court, a Bond in the penalty of ~~three thousand~~ dollars with good personal security, payable to the Commonwealth of Virginia and conditioned for the faithful discharge of his duties under this decree and all other decrees he may be required to execute in this cause, and will obtain of said Clerk, a certificate that said Bond has been executed and append the same or a copy thereof to the advertisement of said sale and make report to Court of his transactions under this decree.

Olin Bros. & Co.

vs. } In Chy.

Everett's Admrs. & al.

In the Circuit
Court of Chaussemond
County

October 18th, 1889

To be returned

C. W. H. H.

Oct 18, 1889

Entered Chancery
Office Book No. 2
p 352.

Olivier Brothers & als

vs}

Everett's Adm^{rs} & als.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of Robt. Prentiss, Commissioner, made pursuant to an order made herein on the 11th day of Oct 1888, and upon the Exceptions of Plaintiffs to item II of said report, and was argued by Counsel.

On Consideration whereof, without confirming said item II of said report of Commissioner ^{the said report being confirmed in all other respects, the Court} Robt. Prentiss, doth adjudge order and decree that Annie J. Everett, Administratrix of Wm J. Everett Dec^d, do render before one of the Commissioners of this Court a further account of her transactions as such; and that out of the funds shown by the report of Commissioner Prentiss, to be now in her hands, she pay first the Costs of this suit so far incurred, and the remainder, she will pay pro-rata, to the parties whose claims have been proved in this cause, or to their duly authorized attorneys, taking receipts therefor and filing the same with the papers in the cause.

And the Court doth further adjudge order and decree that E. J. Driver, Dr. Wm. J. Jordan, James Wagner, W. Harriet Hannell and Simon Bryant (any three of whom may act) who are hereby appointed Commissioners for the purpose, after being first

duly sworn, do proceed to lay off and assign to Annie J. Everett, widow of Wm. J. Everett Decd, as her Dower therein, one third part in value, having due regard to quality as well as quantity, of the Real Estate whereof said Wm. J. Everett died seized, of an estate of inheritance.

And the Court hath further adjudged order & decree that E. J. Driver, Dr. W. J. Jordan, James Wagner, Simon Regant and Wm. H. Hamell, (any three or more of whom may act) who are hereby appointed Commissioners for that purpose, do set apart and assign, out of the residue of the Real Estate of which said Wm. J. Everett, died seized, to Edna E. Everett, Chas. J. Everett, and Lillie May Everett, minor Children of said Wm. J. Everett Decd, so much of said residue as shall not exceed in value the sum of two thousand dollars, to be held by said minor Children, or such of them as there may be, exempt from levy, seizure, garnishment or sale, under any Execution, order or process issued on any demand for any debt or liability of said Wm. J. Everett Decd, except as otherwise provided by law, ^{and} also from the debts and obligations of said Children, or any of them, until they respectively attain the age of twenty one years, or marry, if they marry during their minority, as specified in Ch 178, Code

of Virginia of 1887.

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

And the Court doth further adjudge order and decree that the Clerk of this Court do certify to the Clerk of the County Court of this County, a copy of the account of the transactions of Amos J. Everett Administration of Wm J. Everett Decd., as stated in the report of Commissioners R. R. Prentiss filed herein, with a memorandum at the foot thereof stating the style of this Suit, and the date of this decree confirming said report and accounts, to be recorded by the Clerk of the County Court of this County in the book in which accounts of Administrations are required to be recorded in his office.

And this Cause is continued &c.

Olive & Bees & als

203

Ann J. Everett Adams & als

Dece

To be entered

C. W. H. H.

April 15th 1889

Entered Chancery order
Book No 2 p. 262.

Olivet Bros & als.

vs

Annie J Everett, adm^r in her own right, & als.

This

^{matured and set for hearing at Rules}
Cause came on this day to be heard upon the
Complainants' Bill and Exhibits filed therewith, and upon the Answer of Annie J. Everett
as Administration of W. J. Everett Decd, and in her
^{this day filed by leave of the Court and on the exhibit therewith filed}
Own Right, the ~~cause~~ joint and several answers of the infant defendants by Wilbur J. Kilby, their guardian ad litem, ^{with general replications to said answers} and was argued by Counsel.

On Consideration whereof the Court doth adjudge, order and decree that one of the Commissioners of this Court, after due notice, do take take, state and report to the Court, the following accounts:

- 1st An account of all debts due by W. J. Everett Decd, or by his Estate, with their dignity and priority, showing Separately those which contain a waiver of the Homestead Exemption.
- 2^d An account of the Real Estate of which said W. J. Everett died Seized, with any liens thereon & whether said liens or any part thereof have been discharged, with the fee Simple & annual values of said Real Estate.
- 3^d An account of the transactions of Annie J. Everett, Administration of W. J. Everett Decd, showing what personal Estate came into her hands as such personal representative, what dispo-

sition has been made of the same, and what proportion of the debts due by said W. F. Everett or his Estate, will remain unpaid after exhausting the personal Estate

And any other matters not specially stated which may be deemed pertinent by said Commissioner or be required by any of the parties.

And by consent of parties it is ordered that this cause may be heard in vacation.

Olivet Bros & als.

200

Twentys Advice & als.

Decees for accounts
Oct 11th 1888

To be Entered.

C. M. Hill

Entul by O.B. No 2
P 223

Norfolk, Va.

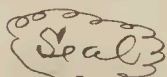
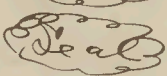
\$200⁰⁰

On July 1st 1888 with interest from date we jointly and severally bind ourselves, our heirs and assigns to pay to the order of Jones, Lee and Company two hundred dollars for value received -

We waive our Homestead Exemptions as to this obligation -

Witness our hands and seals this 31st day of December 1887.

Witness, A. J. Everett.

L. P. Angus. 
N. L. Everett. 

Principal of this bond \$ 200.00
Interest from 31st, Dec. 1887 to 11th.
May 1899. - 11y. 4m. 10ds. 1.36.33
336.33

1899 May 11th. Received of Wilbur J. Kilby
Special Comr. Three hundred and thirty-six and $\frac{33}{100}$
dollars in full of this bond, per the a-
bove statement.

E. E. Harland
Att James. Lee of Co

Know all men by these presents, that we, Elisha Everett
and Eliza Ann, ~~Everett~~ his wife of Nausaund County, State
of Virginia, in consideration of the natural love and affection
which we have and bear unto our son, William Thomas
Everett, and also for and in consideration of his (the said
William Thomas Everett) paying to our daughter, Eliza A.
Everett, One hundred dollars per annum, for five years,
commencing on the first day of January, 1877, which amount
shall be evidenced by bond without interest, and also for
other good causes and considerations, us, the said Elisha
Everett and Eliza Ann, his wife, hereto moving, have given, granted
and confirmed, and by these presents do give, grant and confirm
unto the said William Thomas Everett, all that certain tract of
land, lying & being situate in the County ^{and State} aforesaid, containing One
hundred acres, more or less, and bounded on the North, by Shoemaker
Ditch, The Creek and Nausaund River. on The East, by the County road;
on the South, by the lands formerly owned by E. P. Kelly and the Globe
lands. on The West, by the Globe lands and the lands belonging to John
Bush; and which lands heretofore conveyed, we called the "Snow field"
And we, the said Elisha Everett and Eliza Ann, his wife, the
said property unto the said William Thomas Everett and his assigns
against us, our Executors, Administrators and assigns, and all and
every other person or persons whatever, shall and will warrant and
defend by these presents: of which said property, - to, the said Elisha
Everett and Eliza Ann, his wife, have put the said William Thomas
in full possession. In Witness Whereof we have hereto set our hands and
Seals, this, the 20th day of April, 1876.

Elisha Everett 
Eliza A. Everett 

State of Virginia

Nansemond County, to wit:

This day personally appeared before me, A.C. Withers, a Commissioner in Chancery for the Circuit Court, Eliza Everett, one of the parties, whose name is signed to the writing above and acknowledged the same before me, in my County aforesaid.

Given under my hand, this the 23rd: day Oct: 1876.

A.C. Withers, Commr. in Chy: &c

State of Virginia

Nansemond County, to wit:

This day personally appeared before me, A.C. Withers, Commr. in Chy: for the Co: Ct: Nansemond Co: Eliza A. the wife of Eliza Everett, whose names are signed to the writing above, and, after having the writing aforesaid, fully explained to her, she declared that she had executed the same willingly, without any restraint upon the part of her said husband, & that she did not wish to retract the same.

Given under my hand, this the 23rd: day Oct: 1876

A.C. Withers

Commr. in Chy: &c for the County Court

Nansemond Co: Va:

In The Clerk's Office of Nansemond County Court, the 23rd: day of October, 1876

This Deed of Gift was received, and with the certificates written thereon, admitted to record -

To-wit:

Peter B. Prentiss, Clerk.

A Copy: To-wit: Peter B. Prentiss, Clerk.

Olivet Bros. & als. ^{xnd}

vs. } In Chy.

Everett's Admrx. & al.

Exhibit G.
filed with the
answer of An-
nie J. Everett
Admrx. etc.
11 Octo. 1888

Folio.....

ALL CLAIMS FOR DEDUCTIONS MUST BE MADE ON RECEIPT OF GOODS.

J. H. BAHRENBURG.

C. H. BAHRENBURG.

New York,

188

Mr W P Everett

SHIPPING ORDERS

Promptly

ATTENDED TO

And

SHIPPED WITH CARE.

Bought of J. H. BAHRENBURG & BRO.,

COMMISSION MERCHANTS & DEALERS IN ALL KINDS OF

COUNTRY PRODUCE,

Branch D. L. & W. Potato Yard, Hoboken, N. J.

108 MURRAY ST., near West.

1887							
Jan 29	1/2 Ton 10, 8/10 Cuans 58 ⁰⁰	\$ 29.00	June 8	By Express	P. E.	\$ 77.04	
	Drayage to Atlantic City	40	" 9	" " "	"	89 71	
July 3	6 Tons 10, 8/10 Cuans 58 ⁰⁰	3 48.00	" 10	" " "	W.D.E.	38 15	
	Drayage	3 00	" 11	" " "	P. E.	89 74	
	Freight	7 20	" 13	" " "	W.D.E.	53.05	
" 28	3 Tons 10, 8/10 Cuans 58 ⁰⁰	1 74.00	" 15	" " "	"	39 29	
Feb 7	2 1/2 " " " "	1 45.00	" 16	" " "	"	44 82	
" 22	" " " " "	1 16.00	" 17	" " "	P. E.	53 91	
	Drayage	3.75	" 22	" " "	W.D.E.	78 55	
	Freight	9.00	" 23	" " "	"	87 24	
April 21	1600 M ³ Bbls. 20	3 20.00	" 24	" " "	P. E.	61.33	
June 6	To Cash. "Draft"	30.00	July 18	" " "	W.D.E.	9 51	
		11 85.35	" 25	" " "	P. E.	51.33	
			Aug 25	" " "	W.D.E.	85 22	
				"Balance	"	8.13	
						2.42	
						5.54	
						11.45	
						298.94	
						1185.35	

To Balance \$298.94

State of New York,

CITY AND COUNTY OF NEW YORK.

} ss.

being duly sworn, says: that he is

J. H. Bakrentung
J. H. Bakrentung & Co mentioned in the annexed account against

M. Green that the same is just and true

in each and every item thereof; that the whole of the

Two hundred and ninety eight 1/10 Dollars
therein mentioned is now still due and owing thereon, and no part of such sum has
ever been paid, and that there is no just offset or counterclaim against the same, nor
any legal or equitable defense thereto; and further, that the annexed account is a
true and correct transcript of and from the books kept by the said

J. H. Bakrentung & Co
and of the several entries therein, made at the time of the respective sales, and of the
several credits therein made at the time of the respective payments on account there-
of.

Subscribed and sworn to before me this

10th day of *February* 188*8*

at the City and County of New York.

In witness whereof, I have hereunto set
my hand and affixed my official seal.

J. H. Bakrentung

J. H. Bakrentung
NOTARY PUBLIC,

IN AND FOR THE

City, County and State of New York.

At No. 287 GREENWICH ST.,
NEW YORK CITY.

Olivet Bros. & als.

vs. } In Chy

Everett's Admrx. & al.

Exhibit filed with
the Bill 7 May
1888

Statement

New York *March 7 1888*

Wm A. J. Everett

TO OLIVIT BROTHERS, Dr

GEORGE OLIVIT
AMBROSE OLIVIT.
J. P. COWPER.

PRODUCE

COMMISSION MERCHANTS.

335 WASHINGTON ST.

To Misc. Bill rendered:

Ansrs To check

15000

Olivet Bros. & al.

vs. } In Chy.

Everett's Admrx. & al.

Exhibit filed with
the Bill 7 May
1888

At a County Court continued and held for Mansfield
County, the 16th day of February, 1888:

On the motion of Annie J. Everett, who made oath as
the law directs, and entered into a bond in the penalty of
Fifteen hundred dollars; conditioned according to law, with
W. H. Hamell, Richard L. Ames and Elisha Everett, her
sureties therein, (who justified on oath, as to their sufficiency,
and which said bond being acknowledged by the obligors
therein, is ordered to be recorded.) Certificate is granted the said
Annie L. Everett, for obtaining letters of Administration on
the estate of William J. Everett, ^{deceased,} in due form.

A Copy:

veste.

Peter B. Prentiss, Clerk.

Clivik Brothers &als: ^{and}

vs { In Chy.

Annie J. Everett Adm'x
of William J. Everett, dec'd &c

~~~~~  
Copy order of qualification  
as adm'x.

Exhibit "A"

filed with the Bell  
7 May 1888

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

Your petitioners,W.M.Jones,P.H.Lee and I.P.Lee,late merchants and partners trading as Jones,Lee & Co,respectfully show to the Court the following case:

Ist.That at the time of his death,W.T.Everett,was indebted to your petitioners in the sum of Two hundred dollars.That the same is evidenced by a bond executed by L.F.Ames and W.T.Everett,payable on July 1st,1888 and dated Dec.31st,1887,in which they bind themselves jointly and severally to pay said amount unto your petitioners.Said bond is herewith filed and asked to be read as a part hereof.

2nd.Said bond,with the accrued interest,is still due and unpaid.Your petitioners have endeavored,without success,to collect at least a proportionate part of said debt from L.F.Ames,one of the makers of said bond. The said L.F.Ames is hopelessly insolvent and no part of said debt can be collected from him.

3rd.In their effort to collect at least a part of said debt from L.F. Ames they failed to present said claim sooner against the estate of said W.T.Everett.The estate of said W.T.Everett is equally liable for the payment of said claim.

Your petitioners state that a suit is now pending in this Court,between Olivet Bros and others,<sup>plaintiffs</sup>~~defendants~~ and Annie J.Everett and others,defendants,the purpose of which is to settle the estate of said W.T.Everett, and,if necessary for that purpose,to sell the real estate of which he died seized and possessed for the purpose of paying his indebtedness. That in said suit an account of the debts of said W.T.Everett,deceased, was taken and report thereof made to Court.Said report shows the amount thereof,and also which were evidenced by bonds or notes waiving the homestead exemption.

That the proceedings in said cause further show that all debts,the evidences of which waived the said homestead exemption,have been paid in full,out of the proceeds of sale of a certain part of the real estate of

which said Everett died seized and possessed, sold by W.J. Kilby, as Special Commissioner, under authority of a decree in said suit.

That a large part of the indebtedness, the evidences of which did not waive the homestead exemption, still remains unpaid.

That a certain parcel of land containing seventy three acres, more or less, fully described in the proceedings, remains unsold, the same having been assigned to the infant children of said W.T. Everett, deceased, in pursuance of the provisions of chapter 178, of the Code of Virginia, edition of 1887.

That the bond evidencing the debt due to your petitioners waiving the benefit of the homestead exemption, and said land is liable therefor.

That the estate of said W.T. Everett, as shown by a report of the transactions of his Administratrix, filed in said suit, and other proceedings in said cause, owns no other property out of which the debt due to your petitioners can be collected or made.

Your petitioners, therefore, joining in all the allegations of the plaintiffs bill in this cause, ask that they may be allowed to file this their petition ~~therein~~ in said suit, and become parties plaintiff thereto on the terms prescribed in said bill; that, if necessary, a further account of the debts of said W.T. Everett may be taken by one of the Commissioners of this Court; that as much of said land as may be necessary, or the whole of it, may be sold to pay your petitioners debt, and the surplus, if any, distributed under decree of this Court; and that all such other, further and general relief may be afforded your complainants as the nature of their case may require or to equity shall seem meet. And your petitioners will ever pray, &c.

James Lee & Co  
By E. E. H. and  
their atty

the necessarily attending and legal consequences of the service of this writ and of the process thereof.

William J. Kilby Guardian  
ad litem for Edgar E. Everett  
Charles J. Everett  
and Willie May Everett  
infant children of  
John J. Everett deceased

Attest  
J. D. Darden  
J. H. Gordon

Oliver Brown  
Petitioner of  
James Lee Oles  
Everett, Admiral

Filed 30 Octo  
1895

Oliver Bros. & als.

vs.

Everett & als.

This cause came on this day to be again heard on the papers formerly read and on the Report of Special Commissioner, Wilbur J. Kilby, this day filed by leave of the court, (the same being a Report of the collection and disbursement of money in pursuance of the decree entered herein on the 18th day of April 1901), and was argued by Counsel.

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

Oliver Bros. & als.

vs. } In Chq.

Everett & als.

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In the Circuit  
Court of Chauce-  
mond County.

October 12, 1904

Final Decree

To be entered

~~Not to be entered~~

---

Entered in Chq. Order  
Book - to. 3. Page 607.

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In the Circuit Court of  
Chaussemond County,  
Olivet Brothers & al.

vs } In Chancery  
Everett's Admrx. & al.

The joint and several answers of Edna E. Everett, Charles J. Everett and Lillie May Everett infants under the age of twenty-one years by Wilbur J. Kilby their guardian ad litem, appointed to defend them in this suit, to the Bill of Complaint exhibited against them and others by Olivet Brothers in the Circuit Court for Chaussemond County;

These Respondents reserving to themselves the benefit of all just exceptions to the said Bill, for answer thereto by their said guardian ad litem, say;

That it is true as alleged in said Bill that their father Wm J. Everett, late of said County has departed this life intestate,

seised and possessed of considerable real and personal estate and that by an order of the County Court of said County, their mother, Annie J. Everett, widow of said Wm. J. Everett, has been appointed Administratrix of said estate and that she has taken charge of the said personal estate to administer it; but these Respondents do not know whether the said estate is sufficient to satisfy the indebtedness of said Wm. J. Everett, nor do they know any thing of his indebtedness, nor what disposition has been made of said estate.

These Respondents know nothing of the indebtedness of said Wm. J. Everett to the Complainants. It may be such as is alleged in said Bill, but these Respondents call for strict proof thereof, as well as of any other indebtedness that may be alleged against said Wm. J. Everett, or his estate.

These Respondents allege that said W<sup>m</sup> J. Everett was in his lifetime a householder and head of a family and as such was entitled to set apart and hold in his lifetime his real and personal estate or either to the value of two thousand dollars exempt from liability for his indebtedness, but that he failed to set apart in his lifetime so much of his said estate as he had the right to set apart and hold exempt as aforesaid.

These Respondents, therefore, allege that they and their mother, said Annie J. Everett, widow of said W<sup>m</sup> J. Everett are entitled to hold said estate to the value of two thousand dollars exempt from liability for said indebtedness and also for their own debts and obligations, and pray that so much of said estate as does not exceed two thousand dollars in value may be set apart to them to be held by them as so exempt

untill the death or marriage of said widow and after her death or marriage, by said infants untill they respectively attain the age of twenty-one years or marry if they should marry before attaining that age.

But being infants of tender years and by reason of their infancy incapable of understanding or taking care of their rights and interests, these Respondents commit themselves and their rights and interests to the protection of the Court, and pray that in the administration of said estate or such disposition thereof as the Court may see fit to make, no decree may be pronounced which will tend to their prejudice.

And these Respondents hereby give notice that the Court will be asked to make a decree or order for the allowance of a fee or compensation to be paid to their Counsel and guardian ad litem out of the money or

property under the control of  
the Court in this suit  
and having answered, these  
Respondents pray to be hence dis-  
missed with their reasonable  
costs in this behalf expended,  
and they will ever pray etc.

Edna E. Everett  
Charles J. Everett  
Lillie May Everett.  
By Wilbur J. Kilby  
their guardian ad litem

7 May 1888

Olinit Bros. & al.

vs. } In Chy.

Everett's Admrx. & al.

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Answer of the  
infant defend-  
ants by their  
guardian ad  
litem filed  
7 May 1888 at  
Rules

In the Circuit Court of  
Chaussemund County,  
Olivet Brothers & als. }  
vs. } In Chy.  
Everett's Admrx. & al. }

The answer of Annie J. Everett  
in her own right and also as  
Administratrix of all and sin-  
gular the goods, chattels and  
credits which were of William  
J. Everett deceased at the time  
of his death, who died intestate,  
to a Bill of Complaint exhib-  
ited against her in her own  
right and as Administratrix  
aforesaid by Olivet Brothers  
and others, in the Circuit  
Court of Chaussemund County.

This Respondent reserving  
to herself the benefit of all  
just exceptions to the said  
Bill, for answer thereto, says,

That it is true as alleged  
in said Bill that W<sup>m</sup> J. Ever-  
ett, late of said County has  
departed this life intestate,  
seised and possessed of con-  
siderable real and personal

estate and that by an order of the County Court of said County this Respondent, widow of said Wm. J. Everett has been appointed Administratrix of his personal estate and has taken charge thereof to administer it. The said Wm. J. Everett departed this life on the 11th, day of February A.D. 1888 and not in the month of January 1888 as alleged in said Bill and this Respondent was appointed Administratrix as aforesaid on the 16th. day of February 1888 as will appear from Exhibit A. filed with said Bill.

That it is also true as alleged in said Bill that the only heirs and distributees of said Wm. J. Everett's estate, are his widow, who is this Respondent, and his three infant children, Edna E. Everett, Charles J. Everett and Lillie May Everett. The said Edna E. Everett was six years of age on the 3d. day of September

1888, the said Charles J. Everett three years of age on the 21st. day of February 1888, and the said Lillie May Everett one year of age on the 29th. day of August 1888.

That the personal estate of said Wm. J. Everett which came into the hands of this Respondent consisted almost entirely of chattels upon his farm and household and kitchen furniture.

That the said personal estate has been sold by this Respondent, as Administratrix aforesaid, according to law and the proceeds thereof are now in her hands subject to the order of Court.

That this Respondent is prepared to render an account of the sales of said personal estate and an account of her transactions as Administratrix aforesaid at such time and place as the Court may direct.

That the real estate of which

said Wm J. Everett died seised and possessed, consists of a parcel of land containing one hundred acres, more or less, situated in Sleepy Hole Magisterial District in said County, and bounded on the north by Shoemaker Ditch, the Creek and Cransmond River, on the east by the County road leading from Suffolk to Sleepy Hole wharf, on the south by the lands formerly owned by E. P. Kelly and by the Gebe lands, and on the west by the Gebe lands and the lands of John Bush.

d. b. 5 p. 539

That the said parcel of land known as the "Snow Field", was conveyed to said Wm J. Everett by Elisha Everett and Eliza A. his wife by deed dated the 20th day of April A. D. 1876 and recorded the 23d. day of October A. D. 1876 in the office of the Clerk of the County Court of said County as will appear by a copy of said deed filed herewith as part of this answer and marked Exhibit G.

That said land was charged in said deed with the sum of five hundred dollars to be paid by said Wm J. Everett to Eliza Addie Everett daughter of said Elisha Everett as part of the consideration for said land, but the said sum of five hundred dollars was paid on the 27th day of August 1880 by said Wm J. Everett to said Eliza Addie who was then the wife of Rev. J. Pressley Barrett.

That there are now no incumbrances upon said land.

That this Respondent does not know whether said estate is sufficient to satisfy the indebtedness of said Wm J. Everett, nor does she know any thing of his indebtedness except what she has learned since his death from those who claim to be his creditors. His indebtedness to the Complainants may be such, if any, as is alleged in said Bill, but she calls for strict

proof thereof, as well as like proof of any other indebtedness that may be alleged against him or his estate.

This Respondent alleges that as the widow of said Wm J. Everett she is entitled to dower in said land and she prays that the same may be assigned to her.

This Respondent also alleges that said Wm J. Everett was in his lifetime a householder and head of a family and as such was entitled to set apart and hold in his lifetime his real and personal estate or either to the value of two thousand dollars, exempt from liability for his indebtedness, but that he failed to set apart in his lifetime so much of his estate as he had the right to set apart and hold exempt as aforesaid.

This Respondent, therefore, alleges that she and said infant children of said Wm J. Everett

are entitled to hold said estate to the value of two thousand dollars exempt from liability for his debts and also their own debts and pray that so much of said estate as does not exceed two thousand dollars in value may be set apart to her and said Children to be held by them as so exempt in pursuance of the law in such case made and provided.

And this Respondent hereby gives notice that the Court will be asked to make a decree or order for the allowance of a fee or compensation to be paid to her counsel out of the money or property under the control of the Court in this cause.

And having answered, this Respondent prays to be hence dismissed with her reasonable costs in this behalf expended, and she will ever pray etc.

Wilbur J. Kilby, p.d.  
8 Sept. 1888.

Annie J. Everett Admrx  
and in her own right.

Olivet Bros. & al.

vs. } In Chy.

Everett's Admrx. & al.

Answer of An-  
nie J. Everett  
in her own right  
and as Admrx.  
of Wm J. Everett.  
filed 11 Octo. 1888  
by leave of Court

To Hon C. W. Hill, Judge of the Circuit Court of Kansas -  
Mound County:

Humbly complaining, shew unto Your Honor, Your Orators Geo Oliver, Ambrose Oliver and J. S. Cropper, merchants and partners in trade under the name of Oliver Brothers, and J. N. Bahnenburg & C. N. Bahnenburg, merchants and partners in trade under the name of Bahnenburg Brothers, Creditors of W. F. Everett, late of said County, deceased, on behalf of themselves and all other Creditors of said W. F. Everett, who shall come in and seek relief by, and contribute to the Expense of, this suit, that said W. F. Everett, at the time of his death, was justly & truly indebted to Your Orators, Oliver Brothers, in the sum of \$150<sup>00</sup>, with interest from the 25<sup>th</sup> day of January 1888, for cash loaned him at that time; and to Your Orators Bahnenburg Brothers, in the sum of \$298 <sup>94</sup>/<sub>100</sub> with interest from Feb 3<sup>d</sup> 1887, for goods sold and delivered and moneys laid out and expended to and for his use.\* And Your Orators further shew that the said W. F. Everett, in his life time and at the time of his death, was possessed of or well entitled to a considerable personal and Real Estate, and being so possessed, he departed this life, intestate, some time in the month of January 1888. That after his death, his widow Annie J. Everett, administered upon his Estate, and thereby possessed herself of all the personal Estate and effects of the said

\* A copy of each of said accounts being herewith  
filed as part of this Bill

W. J. Everett, to a considerable amount, but not sufficient, as your Orators are advised and believe, and therefore allege, to satisfy his just debts. A copy of the Order of qualification as Administrator of the said Anne J. Everett is herewith filed, and marked "A", and prayed to be read as part of this bill. That the only heirs and distributees at law of the Estate of the said W. J. Everett Decd? are his widow, Anne J. Everett, and his Children, Edna E. Everett, Chas. J. Everett, & Lillie May Everett, the three last named, being infants, under the age of twenty one years.

Your Orators have called upon the personal representative of said Decedent for a settlement of their claims, which they have failed to obtain, and being without remedy in the premises save in a Court of Equity where matters of the kind are alone and properly cognizable & relievable, to the end &c, Your Orators pray, that the said Anne J. Everett, Administrator of W. J. Everett Decd, and in her own right, Edna E. Everett, Chas. J. Everett and Lillie May Everett, may be made parties Defendant to this Bill and required to answer the same (the said infants by a Guardian ad litem to be assigned them); that one of the Commissioners of this Court may be required to take, state and report to Court the following accounts:

1<sup>st</sup> An account of all debts due by said W. J.

Everett or his Estate, with their dignity & priority.  
2<sup>d</sup> An account of the transactions of Annie J. Everett,  
Administration &c, showing what amounts have  
come into her hands as such administration &  
what disposition has been made thereof, and  
what per centage of the debts due by said W.F.  
Everett or his Estate will remain unpaid after  
exhausting the personal assets.

3<sup>d</sup> An account of the Real Estate of which said W.F.  
Everett died seized, together with its fee simple  
and annual values.

Together with any other matters not specially sta-  
ted which may be deemed pertinent or required  
by any of the parties. That personal assets in  
the hands of the Administration may be applied  
on the debts due by the decedent, and if there be  
a deficiency, that the decedent's Real Estate may  
be sold and the proceeds thereof applied to the  
payment of such deficiency, and that Your  
Orators may have such other and general relief  
in the premises, as their Cause may require or  
to Equity may seem meet. And Your Orators  
will ever pray &c. (Your Orators here give notice  
that they shall ask for a reasonable allowance  
for Counsel fees, for conducting this suit -

Geo. H. Wright & J.

<sup>1 Wright p. 9</sup>  
Olivier Brothers & als P<sup>ts</sup>

vs } In Chy ~

Annie J. Everett, Adm<sup>tr</sup> in  
in her own right & als <sup>vs</sup>

Complainants' Bill.

Filed at Rules 7<sup>th</sup>  
May 1888

Wm. Seward Cir. Co.

Olivet Brothers & al.

vs { Chy. Notes

Annie J. Everett, Adm<sup>r</sup> of William J. Everett, dec'd &c.

1888. April 19<sup>th</sup>: Sum<sup>r</sup> in Chy: issued to May Rules, 1888.

" May 7<sup>th</sup>: Bill &c. filed and decree nisi vs adult defendants.

" " " ~~W. J. Kilby~~ appointed guardians ad litem to infants, who filed their answer, to which there was a genl. reply, and cause set for hearing, as to them

" June 4<sup>th</sup>: Decree nisi confirmed & cause set for hearing on mo: of Wills' Counsel.

" Octo. 11. Decree for accounts

1889 Mar. 30 Report of Court under decree of 11<sup>th</sup> Octo, 1888 filed.

" Apr. 15. Decree for distribution and assignment of dower to widow and exemption to infant defendants

" Augt. 27. Report of Court. to assign dower & exemption filed

" Sept. 30 Report of distribution filed

" Octo. 18 Decree for sale of lands

" Nov. 8 Bond of W. J. Kilby, Special Court, to sell land executed & filed & certificate thereof given him.

1890. Mar 31<sup>st</sup> Report of sale of land filed.

Chy. Notes

Oliver Bros & al.

vs. } In Chy.

Everett's Admrx. & al.

|                                            |      |
|--------------------------------------------|------|
| 4. <sup>Potato</sup> <del>chips</del> @ 50 | 2.00 |
| 3 Dist Bbls @ 70                           | 2.10 |
| Blair cultivation & Plows                  | 5.00 |
| 300 cotton <sup>seed</sup> @ 50            | 1.50 |

Sold after life sale, and  
not included in it ✓

Collection of Refs  
Milliamson  
acct. ✓ \$4.25-

$$\begin{array}{r} 2,50 \\ 26,90 \\ \hline 29,40 \end{array}$$

Thos. of Emma J. Everett  
born before the 1st  
of Oct. the 24th of Nov.  
1835  
E. J. Everett

Assigned to Anna J.  
Everett

Norfolk, Va. July 1 1888

Claim

Mr. W. T. Everett



TO SCHOONER LOTTIE "V," DR.

To for 3000 brick @ 2<sup>00</sup>  
" " 6 tons plums @ 90¢

\$ 6 00

540

\$ 11 40

W. S. Everett

ALL CLAIMS for error or shortage must be made within five days after receipt of goods. After shipping goods and getting a receipt for them in good order, our responsibility ceases, and we can allow no claim for Breakage, Leakage or Damage.

Mr. H. T. Everett  
Suffolk, Va. Jan'y 22<sup>nd</sup> 1889

Bought of JOSEPH P. WEBB,

WHOLESALE AND RETAIL DEALER IN

SASH, DOORS, BLINDS, HARDWARE, PAINTS, OILS, GLASS,

Terms... Days... Per Cent. Discount for Cash.

INTEREST CHARGED AFTER MATURITY.

AND BUILDING MATERIALS OF ALL KINDS.

|      |    |    |                                                            |       |              |       |  |
|------|----|----|------------------------------------------------------------|-------|--------------|-------|--|
| Nov. | 17 | 87 | Lo 200 Pea Nut sacks                                       | 8 1/4 | 16 50        |       |  |
|      |    |    | " Draught & Whig on do                                     |       | 15           | 16 65 |  |
|      | 21 |    | " 200 Pea nut sacks 8 1/4 100 - 1 <sup>st</sup> Paper bags |       | 16 60        |       |  |
|      |    |    | " Pea nut on do                                            |       | 17           | 16 77 |  |
| Decr | 19 |    | " 100 Pea nut sacks 8 1/4 2 <sup>nd</sup> Pea nut sacks    |       | 8 75         |       |  |
|      |    |    | " Pea nut draught & Whig                                   |       | 30           | 90 5  |  |
|      |    |    |                                                            |       | Dollrs 42 44 |       |  |

G 706

W J Conard

ap

Estate of H. J. Everett

Dr Charles Reid & Son Dr

1888

Jan'y 9 To 80 Bags Standard Pe' Juan

Wg - 16000 lbs @ 57 456 00

Freigh  
Due June '88 -

960

~~4~~46560

Wright p. 9

Claims against W<sup>m</sup> J. Everett's  
estate represented by Wilbur J. Kilby  
Atto. to wit:

Jones, Lee Hco. open Account = \$1777.83  
Interest from 7 Octo. 1888.

W<sup>m</sup> S. Sweet & Son chote = \$75.00  
✓ Does not waive homestead  
Interest from 19 Jan. 1888.

Geo. Tait & Son open account = \$75.48  
✓ Int. from 1 June 1888.

J. J. Allen's Sons open Account \$354.00  
✓ Int. from 15 July 1888.

Robt. P. Voight chote waiving  
✓ benefit of homestead. \$300.  
Int. from 8 March 1888.

Robt. P. Voight, open account 133.89  
✓ Int. from 1 Jan. 1888.

~~This Deed made this~~

Oliver Bros & Co

W. T. Emmett Agent & Co

Claims - not proven

Holland. J. Bank Naud. note waived how much \$330.

Judgment.  
Kilby ✓ Perry Sanderson Co. Amended note \$100. - ~~affirmed~~ from 8. Mar '88.

Jos. P. Webb. A/c.

Holland. ✓ C. Billings A/c.  
✓ Oliver Bros

✓ Cha. Reid & Son \$465.10

✓ Brown & Mc Mahon

\$100. 18 Jan'y, 1888.  
Real Estate. - ~~Geo. W. Dumble~~ Sch. Lot 11.40, Feb'y, 1888.

\$2500 to \$3500. - say \$3000 -  
All funds <sup>in Court hands</sup> to go to creditors -

1888  
Feb'y 28 A/c Sales amt to \$2330.27

First Row

Ernest Adams  
1892

Yes

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *Annie J. Everett, Adminis-*  
*tratrix of W. J. Everett, deceased, and in her own right, Edna E.*  
*Everett, Charles J. Everett, and Lillie May Everett, the three last*  
*named, being infants, under the age of twenty-one 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 first Monday in *May* next, to answer a

*Bill in Chancery, exhibited against them,*  
in the said Court by *George Olivich, Ambrose Olivich*  
and *J. P. Cooper, merchants and partners in trade, under the name of*  
*Olivich Brothers; and J. H. Bahnenburg and C. H. Bahnenburg, merchants*  
and partners in trade, under the name of *J. H. Bahnenburg & Bro.*

and have then and there this summons.

Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this *17<sup>th</sup>* day of  
*April* 1888, in the 112<sup>th</sup> year of the Commonwealth.

Teste:

*Peter B. Prentis* Clerk.

I have this the 28<sup>th</sup> day of April 1888. Signed a copy  
of this precept in person upon the within named  
Anna J. Everett, Administratrix of Wm J. Everett  
deceased.

Wm J. Sawell

Shpf.

10<sup>th</sup> Right, p. 7  
Olivick Brothers Sal

to { Sum<sup>r</sup> in Chy

Annie J. Everett, adm<sup>r</sup>  
of W. J. Everett, deceased.  
and in her own right, Sal.  
To May 15, 1888.

Pro. B. No. 1. Page  
106

Know All Men by These Presents, That we, *Wilbur J. Kilby*  
and *Maggie T. Kilby*

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full  
sum of *Three 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.

The obligors herein hereby waive the benefit of our exemption as to this obligation, and also  
waive any claim or right to discharge any liability to said Commonwealth arising under this bond,  
or by virtue of the *trust* herein mentioned, with coupons detached from bonds of said Com-  
monwealth.

Sealed with our seals, and dated this *8th* day of *November* in the year  
of our Lord one thousand eight hundred and *eighty nine*, and in the *114th* year of  
the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound  
*Wilbur J. Kilby* who was appointed

~~who has~~ this day qualified before the ~~Clerk of the Circuit Court of Nansemond County,~~  
~~as~~ a special Commissioner of Sale under a decree of  
the Circuit Court of Nansemond County pronounced  
in the Chancery cause of *Olivier Brothers & Co* and others  
complainants against *Annie J. Everett Admrx of*  
*Wm. J. Everett decd and others defendants*  
Said decree being entered on the *18th* day of *October* *1889*

shall faithfully discharge the duties of his said *trust* then the above obligation to be void,  
or else to remain in full force and virtue

Executed in presence of  
of the ~~Court~~ Clerk  
of *Nansemond County*  
*Circuit Court*.

*Wilbur J. Kilby*  
*Maggie T. Kilby*



Olivit Bros. & al.

vs. } In Chy.

Everett's Adm'r & al.

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Bond of Special  
Comm. W. J. Kilby  
executed 8 Nov.  
1889 & filed

At Rules held in the Clerk's  
office of the Circuit Court for  
Chauvenard County on the 7th,  
day of May 1888:

Olivit Brothers & al. Complainants

Against } In Chancery

Annie J. Everett, Administratrix  
of Wm. J. Everett deceased and  
in her own right and others.  
Defendants.

On the motion of the Com-  
plainants by counsel, Wilbur J.  
Kilby, attorney at Law, is as-  
signed guardian to the de-  
fendants, Edna E. Everett, Charles  
J. Everett and Lillie May Ev-  
erett, who are infants under  
the age of twenty-one years, to  
defend them in this suit.

Peter D. Prentiss. Clerk

Olivit Bros. & als.,

vs. } In Chy.

Everett's Admrx.  
& als.

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Order assigning  
guardian ad  
litem to in-  
fant defend-  
ants 7th May  
1888

1901 July 8 Received of Wilbur J. Kil-  
by, Special Court., Seven hundred  
and thirty-four dollars and  
thirty-four cents, being the com-  
muted value and gross sum of  
money in lieu of my dower in the  
parcel of seven (7) acres of land  
assigned to me as my dower in  
the lands of my former husband,  
William J. Everett; such parcel of  
seven acres of land having been  
assigned to me as my dower a-  
foresaid under proceedings in  
the Chancery suit pending in the  
Circuit Court of Chaussemund County  
between Oliver Bros & als., Com-  
plainants, and Wm J. Everetts  
Admrx., & als., Defendants, and  
having been sold by said Special  
Court. with my assent for \$1000 in pur-  
suance of the decree entered in said  
suit on the 18th day of April 1901. and  
the said value of my said dower hav-  
ing been computed according to sec-  
tion 2281 of the Code of Virginia, Edition  
of 1887.

\$734.<sup>34</sup>

Annie J. Darden.

Virginia.

Circuit Court for the County  
of chausemond, to wit.

Olivit Bros.

vs.

Everett & als.

} In Chancery

To Honorable Robert R. Prentiss,  
Judge of the Circuit Court for the  
County of chausemond.

In pursuance of the decree  
of the Circuit Court for the County  
of chausemond, pronounced on the  
18th day of April 1901 in the Cause  
in Chancery in said Court de-  
pending between Olivit Brothers  
and others, Complainants, and  
William T. Everett's administra-  
trix and others, defendants, the  
undersigned, Wilbur J. Kilby,  
Special Commissioner for the  
purposes named in said de-  
cree, respectfully reports as  
follows:

That he has received of Con-  
nie J. Darden the sum of one  
thousand dollars for the fee-  
simple of the land heretofore  
assigned to her as her dower  
in the real estate of said William  
T. Everett, deceased, in pursuance

of the decree entered in said Cause on the 15th day of April 1889, - such land being a parcel of seven acres, more or less, situated in Sleepy Hole Magisterial District in said County, and bounded on the North and South by the lands of said Annie J. Garden; on the East by the county road leading to Sleepy Hole Wharf; and on the West by the Glebe Farm.

That Your Commissioner has made a deed with special warranty in the usual form conveying said land to said Annie J. Garden.

That out of said sum of one thousand dollars Your Commissioner has paid said Annie J. Garden the sum of seven hundred and thirty-four dollars and thirty-four cents, (computed according to section 2281 of the Code of Virginia, Edition of 1887), in lieu of her dower in said land, and, after paying all unpaid costs of said Cause, has distributed the balance of said money pro rata to, and among, the creditors of said William J. Everett, deceased, whose claims have been proved and allowed in said Cause and who, at the time of such

distribution, were entitled to such balance.

That the disbursement of said money, as stated above, will more fully and particularly appear from the vouchers hereto attached and the following statement:

|                                                |          |         |         |
|------------------------------------------------|----------|---------|---------|
| Amount received as above-stated                |          |         | 1000    |
| 5 per cent Coms. retained by Court on 300      | 15       |         |         |
| 2 per cent " " " " on 700                      | 14       |         |         |
| Paid C. P. Gomer, Clerk's fees                 | 3        | 50      |         |
| Paid W. J. Kilby, atty. for writing said deed  | 5        |         |         |
| Paid said Annie J. Gorden as above-stated.     | 734      | 34      |         |
| Paid said Creditors as follows:                |          |         |         |
| To Olcott Brothers 6 1/6 per cent of \$ 161.40 | 9        | 95      |         |
| " J. H. Bahrenburg & Bro. ditto of 339.18      | 20       | 92      |         |
| " Jones, Lee & Co. " of 1,838.27               | 113      | 36      |         |
| " Wm. S. Sweet & Son " of 80.77                | 4        | 98      |         |
| " Geo. Tait & Son " of 79.63                   | 4        | 91      |         |
| " J. J. & Henry's Sons " of 370.81             | 22       | 87      |         |
| " R. P. Wright " of 144.60                     | 8        | 92      |         |
| " Chas. Reid & Sons " of 486.55                | 30       |         |         |
| " Brown & McMahon " of 107.71                  | 6        | 64      |         |
| " C. Billups " of 40.78                        | 2        | 51      |         |
| " Joseph P. Webb " of 45.87                    | 2        | 83      |         |
| " G. A. & W. Finsbee " of 12.25                | 7        | 6       |         |
| " Annie J. Gorden (late Everett) " of 7.49     | 4        | 6       |         |
| Balance due Court.                             |          |         | 95      |
|                                                | 3,715.31 | 1000 95 | 1000 95 |

Your Commissioner further reports that he has received of the clerk of said Court and given him a receipt, which has been filed with the papers in said cause, for the

Certificate of deposit for twenty and 66/100 dollars mentioned in said decree of the 18th. day of April 1901, and, having collected such money with the interest due thereon, has paid the same to said Annie J. Gorden guardian of Edna E. Everett, Charles J. Everett and Lillie May Everett; the amount thus collected and disbursed being principal \$20.66 and \$1.74 interest, total \$22.40.

Respectfully submitted this 4th. day of October 1904.

Wilbur J. Kilby.  
Special Comr.

Received of Wilbur J. Kilby, Special Comr. the respective sums of money charged in the foregoing report as paid to us and set opposite our names as follows:

|                                                   |                      |
|---------------------------------------------------|----------------------|
| A. P. Gomer Clerk                                 | \$ 3.50              |
| Oliver Bros. by Wilbur J. Kilby, Atty.            | \$ 9.95              |
| J. H. Bakrenburg & Bro. by Wilbur J. Kilby, Atty. | \$ 20.92             |
| Jones, Lee & Co. by Wilbur J. Kilby, Atty.        | \$ 113.36            |
| Mrs. S. Sweet & Son by Wilbur J. Kilby, Atty.     | \$ 4.98              |
| Geo. Pait & Son by Wilbur J. Kilby, Atty.         | \$ 4.91              |
| J. J. Allen's sons by Wilbur J. Kilby, Atty.      | \$ 22.87             |
| Robt. P. Wright by Wilbur J. Kilby, Atty.         | \$ 8.92              |
| Chas. Reid & Sons by Wilbur J. Kilby, Atty.       | \$ 30. <sup>00</sup> |

G. A. & W. Frisbee by Wilbur J. Kilby, Atty. 76<sup>c</sup>  
c Annie J. Larden by Wilbur J. Kilby, Atty. 46<sup>c</sup>  
Brown & Mahon by Robert R. Dentis 6.64  
Joseph P. Webb Robert R. Dentis 283  
L. Lippin E. E. Naeveand, Atty. 2.57  
c Annie J. Larden, Guardian, by Wilbur J. Kilby, Atty. \$22.40

Oliver Bros. & Co.

vs. } In Chy.

Everett & Co.

Report of collections  
and disbursements un-  
der decree of 18th April  
1901

Filed and con-  
firmed 12 Octo.  
1904

Virginia;  
In the Circuit Court for the  
County of Chausmond,

Olivit Bros.

vs. } In Chancery  
Everett & als.

To Honorable Robert R. Prentiss,  
Judge of the Circuit Court for  
the County of Chausmond;

The undersigned, Wilbur J.  
Kilby, Special Commissioner in  
the Chancery Cause pending in  
the Circuit Court for the County  
of Chausmond between Olivit  
Brothers and others, Complainants,  
and Everett's Administratrix and  
others, Defendants, respectfully  
reports specially to Court as  
follows:

That on the 24th, day of April  
1889, dower in the lands of Wil-  
liam J. Everett, deceased, was  
assigned to his widow, Annie  
J. Everett, in pursuance of the  
decree entered in said cause on  
the 15th, day of April 1889.

That said dower consists of  
seven acres of land, more or less  
valued, at the time it was as-

signed, with the dwelling and other buildings thereon, at one thousand dollars.

That the said Annie J. Everett has since married Albert G. Darden who is now living.

That said dower consists of seven acres of land, more or less, and is located and bounded as stated in the annexed paper.

That said Annie J. Darden is willing to purchase said dower-land at the valuation placed upon it at the time it was assigned to her, namely, one thousand dollars <sup>in cash</sup>, and to accept in lieu of said dower, a gross sum of money to be computed according to section 2281 of the Code of Virginia, Edition of 1887.

That the offer of said Annie J. Darden to purchase the fee-simple in said dower-land and accept a gross sum of money in lieu of her dower therein, is herewith returned.

That in view of all the facts and circumstances, such as the long time said Annie J. Darden may live before said dower-land could be sold free of her dower for the benefit of the creditors of said William J. Everett,

and the fact that such land would  
sell for much less than one thou-  
sand dollars at her death, owing  
to the decay of the buildings upon  
it (for the land has been for some-  
time, is now, and is likely to be  
until said Annie J. Gorden's death,  
in the hands of tenants), it appears  
to Your Commissioner that it would  
be to the advantage of all parties,  
(especially the said creditors who  
would be entitled to the money over  
and above what would be necessary  
to pay said Annie J. Gorden in  
lieu of her said dower), to accept  
the offer of said Annie J. Gorden;  
and Your Commissioner recom-  
mends that such offer be ac-  
cepted. <sup>for he is of the opinion that one thousand dollars is now</sup> The said offer is made  
in writing and is herewith return-  
ed.

Respectfully submitted this  
16th. day of April 1901

Wilbur J. Kilby,  
Special Commissioner.

the full value of said land,

To Honorable Robert R. Prentiss,  
Judge of the Circuit Court for  
the County of Chaussemond;

The undersigned, Annie J. Larden, respectfully represents to Your Honor that in pursuance of the decree pronounced on the 15th day of April 1889 in the Chancery suit pending in said Court between Alvin Brothers and others, Complainants, and Everett's Administratrix and others, Defendants, her dower in the lands of her former husband, William J. Everett, was laid off and assigned to her by Commissioners appointed for that purpose as stated in said decree.

That the dower assigned to her as aforesaid consists of a parcel of land estimated to contain seven (7) acres, more or less, and, including the dwelling-house and other buildings on it, <sup>was</sup> valued at one thousand (1000) dollars.

That said dower is situated in Sleepy Hole Magisterial District in said county and is bounded on the north and south by the land of said Annie J. Larden, on the East by the county road

leading to Sleepy Hole wharf,  
and on the West by the Glebe  
land.

That said dower was assign-  
ed as aforesaid on the 24th day  
of April 1889, and the Report of  
the Commissioners to that effect  
was filed in said cause on the  
27th day of August 1889 and con-  
firmed on the 18th day of October  
1889.

That the said Annie J. Darden  
is willing to purchase the fee-  
simple of said land at the  
price of \$1000<sup>in cash</sup>, and to commute  
her dower therein, or to accept,  
in lieu of such dower, a gross  
sum of money out of said sum  
of \$1000; such gross sum of money  
to be computed according to sec-  
tion 2281 of the Code of Virginia,  
Edition of 1887.

That the said Annie J. Darden  
was thirty-seven years of age on  
the 16th day of August 1899.

Respectfully submitted this 16th  
day of April 1901

Annie J. Darden

Oliver Bros. & als.

vs. } In Chy

Everett & als.

Report of Milbur  
J. Kilby, Special  
Comm.

Filed by leave of the  
Court and confirmed  
18th. April 1901

1899 May 11th. Received of  
Wilbur J. Kilby, Special  
Commr. Three dollars for serv-  
ices as crier at the sale  
Wm J. Everett land on 12th.  
Dec. 1898.

\$3.<sup>00</sup>

J. Walterman  
Crier

Judge W. G. Kilby, Comm -  
1895 To B. P. Baker

Nov-15<sup>th</sup> running a line and calculations  
on the W. J. Everett farm \$4.50

Paid by Wilbur J. Kilby, Comm.  
Beverly P. Baker Esq. Sur.

Beginning at a Small Pine on the County road, a corner with  
the Dower of Mrs. Gorden thence along the said Dower line  
N  $73\frac{1}{4}^{\circ}$  W. to a Mulberry in the Glebe line thence N.  $8^{\circ}$   
W. 1 chain 48 links to the corner of the Glebe land. Thence N.  
 $81\frac{1}{2}^{\circ}$  W. 6.  $\frac{57}{100}$  chains. Thence N.  $71\frac{1}{2}^{\circ}$  W. 7.00 chains to center of  
ravine thence along the center of the ravine N  $30\frac{1}{2}^{\circ}$  W. 5  $\frac{40}{100}$   
chains thence along a new made line S.  $74^{\circ}$  E. 33. chains  
to the County road. Thence along the County road S  $6\frac{1}{2}^{\circ}$   
W. 5  $\frac{15}{100}$  chains to a small pine the beginning and  
contains 14 acres.—

Mr Albert G. Gorden would not consent for me to cut  
it off. in any other way. He said that this is, as he agreed  
to take it, and in accordance with the order.—

R. P. Baker Junr  
Nov. 15<sup>th</sup> 1895.—

ESTABLISHED 1873.

Suffolk, Va., Dec 1898

Mr W J Kelly A/cr Cour  
TO SUFFOLK HERALD, Dr.  
Newspaper and Job Printing Establishment,  
No. 9 WASHINGTON SQUARE.

Terms of this Bill

1896

|       |                          |      |
|-------|--------------------------|------|
| Aug 7 | To Adn W J Everett       |      |
|       | Lant in Sleepy Hole Desc |      |
|       | 4 1/2 in 3 W             | 625  |
| „ 28  | To 75 Bills for Same     | 1 25 |

\$ 7.50  
Recd Payment  
May 11<sup>th</sup> 99 J E Grohn

## FARM LAND FOR SALE!—

\* By authority of a decree of the Circuit Court for the county of Nansemond, in the State of Virginia, pronounced on the 17th day of October, 1898, in the chancery cause pending in said court between Olivit Brothers and others, complainants, and William T. Everett's administratrix and others, defendants, I shall sell by public auction, to the highest bidder, before the Courthouse door of said county, on County Court day,

MONDAY, DECEMBER 12, 1898,

at 12 o'clock M., the following real estate, of which William T. Everett died seised and possessed, to wit: All that certain tract or parcel of land situated on Nansemond river, near Sleepy Hole wharf, on the west side of the county road leading to said wharf, in Sleepy Hole Magisterial district, in said county, containing 76½ acres, more or less, and bounded on the north by Shoemaker ditch and said river, on the east by said road, on the south by the dower land of Annie J. Darden, late widow of said William T. Everett, and on the west by the Glebe Farm.

TERMS OF SALE.—One-third of the purchase-money will be required in cash, and the remainder in equal sums at the end of six and twelve months, respectively, with interest from the day of sale; the purchaser to execute bonds with waiver of the benefit of his exemption, and with good personal security, in evidence of the deferred payments, and the title to the land to be retained until the further order of Court.

 Possession will be given January 1, 1899.

no25-3t

WILBUR J. KILBY,  
Special Commissioner.

I, Azra P. Gomer, Clerk of the Circuit Court of Nansemond county, Virginia, do certify that the bond required of Wilbur J. Kilby as special commissioner under the decree of said Court entered on the 18th day of October, 1889, in the chancery cause pending in said court between Olivit Brothers and others, complainants, and William T. Everett's administratrix and others, defendants, has been executed with sufficient security.

Given under my hand this 8th day of August, 1896.

A. P. GOMER, Clerk.

the ages until plants might live and  
animals might live and men might live,  
changing all the while, now crumbling,  
now breaking off. The sun, burning,

suffolk, Va.,

Dec

1898

Mr W J Kirby Spl Cour  
TO SUFFOLK HERALD, Dr.  
Newspaper and Job Printing Establishment,  
No. 9 WASHINGTON SQUARE.

Terms of this Bill

1898

Adm W J Everett  
Dues 9 Land in Sleepy Hollow dist  
6 in 3 W  
Aug 75 Bill Notice of Sale 700  
125

Paid Payment

May 11/99 E. Book

825

Virginia:  
Circuit Court for the County  
of Chausemond, to wit:

Clint Bros sal.

Against } In Chancery  
Everett's Admrs. als.

To Honorable Robert R. Prentiss,  
Judge of the Circuit Court for  
the County of Chausemond;

In pursuance of the decree  
of the Circuit Court for the County  
of Chausemond, pronounced on the  
21st. day of April 1899 in the Cause  
in Chancery in said Court, de-  
pending between Clint Brothers  
and others, Complainants, and  
William P. Everett's, Administra-  
trix and others, Defendants, the  
undersigned, Wilbur J. Kilby,  
Special Commissioner for the pur-  
poses named in said decree,  
respectfully reports as follows:

That your Commissioner has re-  
ceived and collected, as directed  
by said decree, from Annie J.  
Garden the sum of four hund-  
red dollars and the interest  
due thereon, and has paid out  
and disbursed the same as will

appear by the annexed vouchers  
and the following statement,  
to wit:

## Statement

|                                                                                                                                                                                                                           |      |    |     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|----|-----|
| By cash received as above stated                                                                                                                                                                                          |      |    | 400 |
| " Interest from 12 Dec. 1898 to<br>11 May 1899. - 5 m.                                                                                                                                                                    |      |    | 10  |
| To 5 per cent commissions on \$300 = \$15.                                                                                                                                                                                |      |    |     |
| " 2 ditto ditto on 110. <u>220</u>                                                                                                                                                                                        | \$17 | 20 |     |
| " paid C. P. Gomer, clerk, his fees                                                                                                                                                                                       | 6    | 56 |     |
| " " Alex. H. Baker, shff. " "                                                                                                                                                                                             |      | 50 |     |
| " " J. Walter Hozier, Crier, for services<br>rendered at the sale of the land<br>sold under proceedings in said<br>cause to Annie J. Garden                                                                               | 3    |    |     |
| " " Beverly P. Baker, County survey-<br>or, for surveying and making<br>plat of said land.                                                                                                                                | 4    | 50 |     |
| " " J. E. Booker for printing notices<br>of sale of said land and<br>advertising such sale in the<br>"Suffolk Herald" newspaper.<br>twice - one bill for \$7. <sup>50</sup> and<br>another for \$8. <sup>25</sup> , total | 15   | 75 |     |
| " " Wilbur J. Kilby, Atty. for pre-<br>paring the deed conveying<br>said land to said Annie<br>J. Everett, the purchaser.                                                                                                 | 5    |    |     |
| " " Internal Revenue Tax<br>on said deed.                                                                                                                                                                                 |      | 50 |     |
|                                                                                                                                                                                                                           | 53   | 01 | 410 |

Brought on  
 To paid Jones, Lee Hco. \$200.  
 and interest thereon  
 from 31st Dec. 1887  
 to 11 May 1899, - 11y.

53 01 410

4 m. 10 ds. 136 33 336 33  
 See voucher filed with their Petition  
 " Balance deposited in  
 the The Farmers Bank of  
 Chausemond in Suffolk,  
 subject to the order of  
 Court, per certificate here-  
 with returned.

20 66

410

410

Your Commissioner further re-  
 ports that he has made to said  
 Annie J. Larden a deed with  
 special warranty in the usual form  
 conveying to her the land sold  
 to her as aforesaid.

Respectfully submitted this 4th  
 day of October 1899.

Wilbur J. Kilby,  
 Special Commissioner.

(over)

Received of Wilbur J. Kilby  
Special Commr. the respective sums  
of money charged in the foregoing  
Report as paid to us and set  
opposite our names as follows:

A. D. Homer, clerk, \$6.56

A. W. Zahner Sheriff

50 c

1902 Sept. 5th. Received of the clerk  
of the Circuit Court for the County  
of Chautauque, the certificate of  
deposit for \$20.<sup>66</sup>/<sub>100</sub>, mentioned in  
the foregoing Report, for the purposes  
named in the decree, entered  
in the cause mentioned in said  
Report, on the 18th. day of April  
1901

Wilbur J. Kilby,  
Special Commr.

Oliver Bros Sal.

vs. } In Chy.

Everett & als

Report of collections  
and disbursements  
under decree of  
21 April 1899

Filed by leave of  
the Court and con-  
firmed 20 Octo. 1899

# AUCTION SALE

←←←OF→→→

# FARM LAND

## In Nansemond County, Va.

By authority of a decree of the Circuit Court for the county of Nansemond, in the State of Virginia, pronounced on the 17th day of October, 1898, in the chancery cause pending in said court between Olivit Brothers and others, complainants, and William T. Everett's administratrix and others, defendants, I shall sell by public auction, to the highest bidder, before the Courthouse door of said county, on County Court day,

## MONDAY, DECEMBER 12, 1898,

at 12 o'clock M., the following real estate, of which William T. Everett died seised and possessed, to wit: All that certain tract or parcel of land situated on Nansemond river, near Sleepy Hole wharf, on the west side of the county road leading to said wharf, in Sleepy Hole Magisterial district, in said county, containing 76½ acres, more or less, and bounded on the north by Shoemaker ditch and said river, on the east by said road, on the south by the dower land of Annie J. Darden, late widow of said William T. Everett, and on the west by the Glebe Farm.

### TERMS OF SALE:

One-third of the purchase-money will be required in cash and the remainder in equal sums at the end of six and twelve months, respectively, with interest from the day of sale; the purchaser to execute bonds with waiver of the benefit of his exemption, and with good personal security, in evidence of the deferred payments, and the title to the land to be retained until the further order of Court.

☞ Possession will be given January 1, 1899.

### WILBUR J. KILBY,

NOVEMBER 10, 1898.

### SPECIAL COMMISSIONER.

I, Azra P. Gomer, Clerk of the Circuit Court of Nansemond county, Va., do certify that the bond required of Wilbur J. Kilby as special commissioner under the decree of said Court entered on the 18th day of October, 1889, in the chancery cause pending in said court between Olivit Brothers and others, complainants, and William T. Everett's administratrix and others, defendants, has been executed with sufficient security.

Given under my hand this 8th day of August, 1896.

A. P. GOMER, Clerk.

J. WALTER MOSIER,  
Solicitor

*Self to  
Annie J. Darden  
\$400.00*

*J. Walter Mosier  
Auct.*

*Dec 12 - 98*

Everett

# FARM LAND FOR SALE!—

By authority of a decree of the Circuit Court for the county of Nansemond, in the State of Virginia, pronounced on the 17th day of October, 1898, in the chancery cause pending in said court between Olivit Brothers and others, complainants, and William T. Everett's administratrix and others, defendants, I shall sell by public auction, to the highest bidder, before the Courthouse door of said county, on County Court day,

MONDAY, DECEMBER 12, 1898,

at 12 o'clock M., the following real estate, of which William T. Everett died seised and possessed, to wit: All that certain tract or parcel of land situated on Nansemond river, near Sleepy Hole wharf, on the west side of the county road leading to said wharf, in Sleepy Hole Magisterial district, in said county, containing 76½ acres, more or less, and bounded on the north by Shoemaker ditch and said river, on the east by said road, on the south by the dower land of Annie J. Darden, late widow of said William T. Everett, and on the west by the Glebe Farm.

**TERMS OF SALE.**—One-third of the purchase-money will be required in cash, and the remainder in equal sums at the end of six and twelve months, respectively, with interest from the day of sale; the purchaser to execute bonds with waiver of the benefit of his exemption, and with good personal security, in evidence of the deferred payments, and the title to the land to be retained until the further order of Court.

 Possession will be given January 1, 1899.

no25-3t

WILBUR J. KILBY,

Special Commissioner.

I, Azra P. Gomer, Clerk of the Circuit Court of Nansemond county, Virginia, do certify that the bond required of Wilbur J. Kilby as special commissioner under the decree of said Court entered on the 18th day of October, 1889, in the chancery cause pending in said court between Olivit Brothers and others, complainants, and William T. Everett's administratrix and others, defendants, has been executed with sufficient security.

Given under my hand this 8th day of August, 1896.

A. P. GOMER, Clerk.

I, AZRA P. GOMER, Clerk of the Circuit Court of Nansemond County, Virginia,  
do certify that the bond required of Wilbur J Kilby  
as Special Commissioner under the decree of said Court

~~made~~ <sup>entered</sup> on the 18th day of October, 1889, in the Chancery cause pending  
in said court between: Olivit Brothers and others

, complainants, and William S Everett's  
Administrators and others, defendants,  
<sup>sufficient</sup>  
has been executed with <sup>security</sup> ~~deemed sufficient by me.~~

Given under my hand this 8th day of August 1896.

A. P. Gomer, Clerk.

Virginia:  
Circuit Court for the County  
of chausemond, to wit;

Olivit Bros. & al

Against } In Chancery  
Everett's Adm<sup>r</sup> & al.

To Honorable Robert R. Prentiss,  
Judge of the Circuit Court for  
the County of chausemond;

In pursuance of the decree  
of the Circuit Court for the County  
of chausemond in the State of Vir-  
ginia, pronounced on the 17th  
day of October 1898 in the cause  
in Chancery in said Court  
depending between ~~between~~  
Olivit Bros. and others, Complain-  
ants and Wm. J. Everett's, ad-  
ministratrix and others, defend-  
ants, the undersigned, Wilbur  
J. Kilby, Special Commissioner  
for the purposes named in  
said decree, respectfully reports  
to Court as follows:  
That on County-Court day

Monday, the 12th, day of December 1898, Your Commissioner offered for sale before the courthouse door of said County by public auction the land which by said decree he had been directed to sell on the terms and conditions mentioned in said decree:

That the said land so offered for sale consists of all that certain tract or parcel of land of which William J. Everett died seized and possessed situated on Chausenond River, near Sleepy Hole wharf on the west side of the county road leading to said wharf in Sleepy Hole Magisterial District, in said county, containing seventy-six and one-half ( $76\frac{1}{2}$ ) acres, more or less, and bounded on the north by Shoemaker ditch and said River, on the East by said road, on the south by the dower land of Annie J. Barden, and on the west by the Glebe Farm.

That the highest bidder for said land was said Annie J. Barden whose offer or bid was four hundred dollars;

That said Annie J. Barden has not complied with the terms of said sale and has shown no disposition to do so. She has not been seen by your Commissioner since the day of said sale and has never replied to several letters from your Commissioner requesting her to comply with said terms, and your Commissioner is of the opinion that she does not intend to comply with such terms. She has shown indifference to the matter in every way.

That the title to said land was retained until the further order of court.

That said land was offered for sale after the time, place and terms of the sale had been advertised by printed notices posted in the neighborhood of said land and at several

public places in said County for two weeks and more prior to the day of sale, and by publication of a copy of the notices of the sale once a week for two successive weeks in the "Suffolk Herald", a newspaper printed and published in the Town of Suffolk in said County and after a certificate of the due execution of the bond heretofore executed by Your Commissioner in said Cause had been obtained by him from the Clerk of said Court and a copy of the same appended to the notices of said sale.

That said certificate and a copy of said notices are herewith returned.

Respectfully submitted  
this 31st day of March 1899.

Wilbur J. Kilby,  
Special Commissioner.

Oliver Bros. & als.

vs. } In Chy.

Everett's Admrx. & als.

---

Report under  
decree of 17th.  
October 1898

Filed and con-  
firmed 17th. April  
1899

Virginia:

Circuit Court for the  
County of Chaussemond, to wit:

Oliver Bros. & al.

Against } In Chancery  
Everett's Adm. & al.

To Honorable Robert R. Prentiss, Judge of the Circuit Court for the County of Chaussemond;

In pursuance of the decree of the Circuit Court for the County of Chaussemond in the State of Virginia, pronounced on the 17th day of October 1898 in the cause in Chancery in said Court depending between Oliver Bros. and others, Complainants, and Wm. J. Everett's Administratrix and others, Defendants, the undersigned, Wilbur J. Kilby, Special Commissioner for the purposes named in said decree, respectfully reports further to the Court

as follows:

That since the decree of the 17th day of April 1899, was entered in said cause, requiring Annie J. Barden to appear before Your Honor this day to show cause if any she could why the land purchased by her as stated in said decree should not be resold at her risk and costs and why a decree should not be made against her for so much of her bid of four hundred dollars for said land as the proceeds of the sale of said land, upon a resale thereof, might not pay off and discharge, she, the said Annie J. Everett, instead of complying with the terms of the sale of said land to her, has made provision, which Your Commissioner deems entirely safe and satisfactory, to pay the said sum of four hundred dollars in cash and is prepared to

do so immediately upon the delivery to her of a deed conveying said land to her.

Your Commissioner would, therefore, recommend that he be directed to receive said sum of money from said Annie J. Everitt and execute and deliver said deed to her.

Respectfully submitted  
this 20th day of April  
1899.

Wilbur J. Kilby,  
Special Commr.

Alvitt Bros. & als.  
vs. } In Chy.

Everett's Admrx. & al.

---

Further Report  
under decree of  
17th day of Oc-  
tober 1898

Filed and  
Confirmed  
21 April 1899

Virginia:

Circuit Court for the County  
of chausemond, to wit:  
Olivit Bros. & al.

Against } In Chancery  
Everett's Admrx. & al.

To Honorable Robert R. Prentis, Judge of the Circuit Court  
for the County of chausemond;

In pursuance of the decree  
of the Circuit Court of the County  
of chausemond, pronounced on  
the 30th day of October 1895 in the  
cause in Chancery in said Court  
depending between Olivit Bros.  
and others, Complainants, and  
Wm J. Everett's Administratrix and  
others, Defendants, the undersign-  
ed, Wilbur J. Kilby, Special  
Commissioner for the purposes  
named in said decree, a-  
gain respectfully reports to  
Your Honor as follows:

That by said decree Your  
Commissioner was directed  
to sell to the best advantage

for all persons interested and by public auction for cash before the Courthouse door of said County so much of the exempted real estate of the children of William J. Everett, deceased mentioned in said decree as might be necessary to pay the indebtedness of said William J. Everett, also mentioned in said decree, and the expenses of the sale, or to make private sale of so much of said real estate as it might be necessary to sell for the purposes aforesaid, provided not less than twenty-five dollars per acre should be obtained therefor in cash:

That at the time said decree was pronounced, the said exempted real estate consisted of a parcel of land said to contain seventy-three (73) acres, more or less, but by survey found to contain seventy-six and one-half ( $76\frac{1}{2}$ ) acres, more or less;

That on the 14th day of September 1896 part of said land, to

with, a parcel containing sixty-two and one-half ( $62\frac{1}{2}$ ) acres, more or less, was offered for sale in pursuance of said decree by public auction and on the terms and conditions therein named;

That the highest bidder for the land so offered for sale was Annie J. Gorden whose bid was \$230;

That such bid was deemed inadequate and, upon the suggestion of Your Commissioner, was rejected by Your Honor;

That Your Commissioner has not since offered any part of said real estate for sale by public auction, nor privately as authorized by said decree to do because he has been of the opinion that no adequate price could be obtained for said parcel of  $62\frac{1}{2}$  acres, part of said real estate, nor for any other part thereof, if, indeed, a purchaser, or bidder, could be found at all.

That Your Commissioner is of the opinion at this time

that the sale of all of said real estate, instead of only some part thereof, is necessary and will have to be made in order to realise sufficient funds to pay the debt mentioned in said decree:

Your Commissioner, therefore, recommends that all of said real estate be sold for the satisfaction of said debt and that the necessary decree to that end be entered in said cause.

Respectfully submitted this  
10th. day of October 1898  
Wilbur J. Kilby,  
Special Commr.

Oliver Bros. Sal.

vs. } In Chy.

Everett's Admrx. Sal.

---

Report of Special  
Comm. Wilbur J.  
Kilby, under de-  
cree of 30 Octo. 1895.

Filed and con-  
firmed 17 Octo. 1898

I Ezra P. Garner, Clerk of the Circuit Court  
of Nausemound County, do certify that the  
bond required of Lebur J. Kieby, Special  
Commissioner under the decree of said  
Court entered on the 18th day of October  
1889 in the Chancery Cause pending in  
said Court between Oliver Bros and others  
Complainants and William T. Everett's Ad-  
ministrators and others, defendants, has  
been executed with sufficient security.

Given under my hand this 8th day  
of August 1896.

E. P. Garner clerk

In the Circuit Court of the  
County of Chausmond, Va.  
Olivit Bros. & al.

Against } In Chancery,  
Everett's Admrx. & al.

To Hon. Robert R. Prentiss,  
Judge of the Circuit Court  
of the County of Chausmond;  
In pursuance of the decree  
of the Circuit Court of the County  
of Chausmond in the State of  
Virginia, pronounced on the 30th  
day of October 1895 in the  
cause in Chancery in said  
Court depending between Ol-  
ivit Bros. and others, Complain-  
ants and Wm J. Everett's, ad-  
ministratrix and others, defend-  
ants, the undersigned, Special  
Commissioner for the purposes  
named in said decree, re-  
spectfully reports to Court as  
follows:

That on county-court day  
in said county, to wit, on

Monday, the 14th. day of September 1896, Your Commissioner offered for sale before the Court-house door of said County by public auction for cash so much of the exempted real estate, mentioned in said decree, as in his judgment would produce sufficient money to discharge the indebtedness mentioned in said decree and meet the expenses of the sale.

That the real estate offered for sale as aforesaid consists of all that certain tract or parcel of land situated in Sleepy Hole Magisterial District in said County, near Sleepy Hole Wharf, on Chautauque River containing  $62\frac{1}{2}$  acres, more or less, and bounded on the North by Shoe-maker Ditch, the Creek, and said River, on the east by the county road leading from Suffolk to said wharf, on the South by the land of said Wil-

liam T. Everett and on the west by the Glebe Farm and being all of the land, except fourteen acres, heretofore assigned under proceedings in said cause to said William T. Everett's children as their exemption under the laws of Virginia.

That the highest bidder for the land so offered for sale was Annie J. Garden, the mother of said children, who was the wife of said William T. Everett, but is now the wife of Albert G. Garden.

That said Annie J. Garden's offer for said land was the sum of two hundred and thirty (230) dollars.

That said Annie J. Garden has not paid said sum of money to Your Commissioner, but is prepared to do so and will do so, if her said offer shall be accepted and a deed be executed conveying said land to her.

That the title to the land of=

ferred for sale as aforesaid was retained until the further order of Court.

That said land was offered for sale after the time place and terms of the sale had been advertised by printed notices posted for several weeks prior to the day of sale in the neighborhood of said land at said courthouse door and at various public places in said County and by publication of the notice once a week for two successive weeks in the Suffolk Herald, a newspaper published in the Town of Suffolk in said County, and after a certificate of the due execution of the bond heretofore executed by Your Commissioner in said cause had been obtained by him from the clerk of said Court and a copy thereof appended to the advertisement of said sale.

That said certificate and

a copy of the advertisement of said sale are herewith returned.

That your Commissioner has never been able to make private sale of any part of said land, as by said decree he was authorised to do, for the purposes aforesaid.

That said Annie J. Garden's offer aforesaid is not sufficient to discharge said indebtedness and pay said expenses, the deficiency being about one hundred and fifty dollars.

That if said offer be accepted said deficiency will have to be met by the sale of more of said real estate.

Respectfully submitted this first day of October 1896.

Wilbur J. Kilby  
Special Commr.

**A**UCTION SALE OF LAND IN NANSEMOND COUNTY.

By authority of a decree of the Circuit Court of the county of Nansemond pronounced on the 30th day of October, 1895, in the chancery cause pending in said court between Olivit Bros. and others, complainants, and William T. Everett's Administratrix and others, defendants, I shall sell by public auction to the highest bidder, before the Courthouse door of said county, on County Court day,

MONDAY, SEPTEMBER 14, 1896,

at 12 o'clock M., the following real estate of which said William T. Everett died seised and possessed, to wit:

All that certain tract or parcel of land situated in Sleepy Hole Magisterial district, in said county, near Sleepy Hole Wharf, on Nansemond river, containing 62½ acres, more or less, and bounded on the north by Shoemaker ditch, the creek and Nansemond river; on the east by the county road leading from Suffolk to said wharf; on the south by fourteen acres of the homestead land of said William T. Everett's children (the said 62½ acres being the remainder of said homestead land), and on the west by the Glebe Farm.

**TERMS—CASH.**

WILBUR J. KILBY,

Special Commissioner.

GEO. T. PARKER, Crier.

I, Azra P. Gomer, Clerk of the Circuit Court of Nansemond county, do certify that the bond required of Wilbur J. Kilby, special commissioner under the decree of said Court entered on the 18th day of October, 1895, in the chancery cause pending in said court between Olivit Bros. and others, complainants, and William T. Everett's Administratrix and others, defendants, has been executed with sufficient security. Given under my hand this 8th day of August, 1896.

au28-3t

A. P. GOMER, Clerk.

# AUCTION SALE

← OF →

## Land in Nansemond County

By authority of a decree of the Circuit Court of the county of Nansemond pronounced on the 30th day of October, 1895, in the chancery cause pending in said court between Olivit Bros. and others, complainants, and William T. Everett's Administratrix and others, defendants, I shall sell by public auction to the highest bidder, before the Courthouse door of said county, on County Court day,

### MONDAY, SEPTEMBER 14, 1896,

at 12 o'clock m., the following real estate of which said William T. Everett died seised and possessed, to wit:

All that certain tract or parcel of land situated in Sleepy Hole Magisterial district, in said county, near Sleepy Hole Wharf, on Nansemond river, containing 62 1-2 acres, more or less, and bounded on the north by Shoemaker ditch, the creek and Nansemond river; on the east by the county road leading from Suffolk to said wharf; on the south by fourteen acres of the homestead land of said William T. Everett's children (the said 62 1-2 acres being the remainder of said homestead land), and on the west by the Glebe Farm.

**TERMS CASH!**

**WILBUR J. KILBY, Special Commissioner.**

**GEO. T. PARKER, CRIER.**

AUGUST 8, 1896.

I, Azra P. Gomer, Clerk of the Circuit Court of Nansemond county, do certify that the bond required of Wilbur J. Kilby, special commissioner under the decree of said Court entered on the 18th day of October, 1889, in the chancery cause pending in said court between Olivit Bros. and others, complainants, and William T. Everett's Administratrix and others, defendants, has been executed with sufficient security.

Given under my hand this 8th day of August, 1896.

A. P. GOMER, Clerk.

*Sold to John J. Parker for \$1000.00*

Oliver Bros. Sal.  
vs. } In Chy

Everett's Admrx.

Report of sale  
under decree of  
30 Octo. 1895

Not confirmed:  
see decree of 20  
Octo. 1896

1896 Octo 1st Filed

A B Gomer Clerk

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

In pursuance of the  
decree of the Circuit Court of  
Chausemond County, Va. pronounced  
on the 18th. day of October 1889  
in the Cause in Chancery in  
said Court depending between  
Oliver Brothers and others, Com-  
plainants and Wm. J. Everett's  
Admrx. and others, Defendants;  
the undersigned, appointed  
Special Commissioner for the pur-  
poses specified in said decree,  
respectfully reports to Court,

That after he had executed  
the Bond required of him, as  
specified in said decree, before  
the Clerk of said Court, and  
had obtained of said Clerk  
a certificate of the due execution  
thereof, to be appended to the ad-  
vertisement of the sale herein  
reported, he proceeded to sell the  
real estate ~~mentioned in said~~  
~~decree~~, which, by said decree he  
had been directed to sell, and,  
on County Court day of said County,  
Monday, the 9th. day of December

1889, did sell part of said real estate by public auction, to Annie J. Everett, she being the highest bidder for the sum of five hundred and fifty (550) dollars:

That the real estate so sold consists of a parcel of land containing by estimation twenty (20) acres, more or less, situated in Sleepy Hole Magisterial District in said County and bounded on the north by the lower land of said Annie J. Everett, on the east by the ~~land~~ County road leading from Suffolk to Sleepy Hole wharf, on the south by the land formerly owned by E. P. Kelly and on the west by the Glebe land of the Protestant Episcopal Church and the land of John Bush together with all and singular the appurtenances belonging to the same:

That said land was sold on the terms and conditions specified in said decree and in

compliance therewith, the said Annie J. Everett <sup>has</sup> paid to your Commissioner, the sum of sixty (60) dollars, part of said sum of \$550, in cash and for the remainder of the latter sum <sup>has</sup> executed her two Bonds each for the sum \$245, with Martha J. Ames and Levi Frank Ames her sureties thereto, payable to your Commissioner, one and two years after ~~their dates~~ <sup>the day of said sale</sup> respectively with interest from that day, - which said Bonds are herewith filed,

That said sum of \$60 is now in the hands of your Commissioner subject to the order of Court.

That said sale together with the time, place and terms thereof was advertised by printed notices posted at said Courthouse door and at various public places and in said County and in the neighborhood of said land for more than twenty days prior to the sale and by publication of the notice once a week for three successive weeks in the Suffolk Herald, a newspaper

printed and published in the  
Town of Suffolk in said  
County.

That the remainder of said  
real estate, to wit, a parcel  
of seventy-three acres of land,  
more or less, advertised for  
sale as aforesaid, was not  
sold, because the net proceeds  
of the sale of said parcel of  
twenty acres, will be sufficient  
for the satisfaction and pay-  
ment of the claims of the The  
Farmers Bank of Chausemored.  
Perry Sanderlin Geo. and Robert  
P. Wright, ~~mentioned in said~~  
~~decree for which~~ for the satis-  
faction of which said <sup>estate</sup> real  
is liable at this time as  
specified in said decree.

The said Certificate of the  
due execution of said Bond by  
your Commissioner and a copy  
of said notice of sale are here-  
with returned as parts of this  
Report.

A plat of said real estate,  
upon which said parcel of 20

acres of land is designated as a parcel of  $22\frac{1}{2}$  acres, and said parcel of 73 acres is designated as a parcel of  $76\frac{1}{2}$  acres, is herewith returned.

The said parcel of 73 or  $76\frac{1}{2}$  acres of land remains unsold for the benefit of the infant defendants to said cause by virtue of the assignment therein made to them.

Respectfully submitted this 10th. day of January A.D. 1890.

Wilbur J. Kilby  
Special Commr.

In pursuance of the decree of the Circuit Court of Chautauque County entered on the 11th. day of April 1890 in the Chancery Cause pending in said Court between Olmit Bros. & al. Plaintiffs and Everett's Admrs. & al. defendants. I have, on this 13th. day of December 1890, received of the Clerk of said Court, the two bonds of Annie J. Everett and others, mentioned in the foregoing report, each for the sum of \$245, bearing interest from 9th. Dec. 1889.

Wilbur J. Kilby  
Special Commr.

# VALUABLE LAND

In Sleepy Hole Magisterial District, in Nansemond County, Virginia,

## For Sale at Auction!

By authority of the decree of the Circuit Court of Nansemond county, Va., pronounced on the 18th day of October, 1889, in the cause in chancery in the said court depending between Olivit Brothers and others, plaintiffs, and William T. Everett's Administratrix and others, defendants, I shall sell, by public auction, to the highest bidder, before the Courthouse door of said county, on County Court day,

**Monday, December 9, '89,**

all the real estate of which said William T. Everett died seised and possessed (except that part which has been assigned as dower to his widow), situated in Sleepy Hole Magisterial district, in said county, and consisting of two parcels ~~one~~<sup>a</sup> parcel containing by estimation twenty acres, more or less, and bounded on the north by said dower, on the east by the county road leading from Suffolk to Sleepy Hole wharf, on the south by the lands formerly owned by E. P. Kelly and the Glebe land of the Protestant Episcopal Church, and on the west by said Glebe land and the land of John Bush) the other parcel containing by estimation seventy-three acres, more or less, and bounded on the north by Shoemaker ditch, the creek and Nansemond river, on the east by said county road, on the south by said dower, and on the west by said Glebe land and the land of John Bush.

**TERMS OF SALE.**—Enough of the purchase-money to cover the costs of said suit and the expenses of the sale will be required in cash and the remainder in equal sums at the end of one and two years, respectively, with interest from the day of sale; the purchaser to execute bonds in evidence of the deferred payments, with good personal security, and the title to the land to be retained until the further order of Court.

NOVEMBER 8, 1889.

**WILBUR J. KILBY, Special Commissioner.**

I, William B. Causey, Clerk of the Circuit Court of Nansemond county, Va., do certify that the bond required of Wilbur J. Kilby, Special Commissioner appointed by said Court by its decree on the 18th day of October, 1889, in the cause in chancery in said court depending between Olivit Brothers and others, plaintiffs, and the Administratrix of William T. Everett, deceased, and others, defendants, to sell certain real estate of which said William T. Everett died seised and possessed, has been executed with security deemed sufficient by me.

Given under my hand this 8th day of ~~October~~<sup>Nov</sup>, 1889.

WILLIAM B. CAUSEY, CLERK.

I, William B. Causey, Clerk of the Circuit Court of Chausemond County, Va. do certify that the bond required of Wilbur J. Kilby, Special Commissioner appointed by said Court by its decree on the 18th. day of October 1889 in the Cause in Chancery in said Court depending between Olivit Brothers and others, Plaintiffs and the Administratrix of William T. Everett deceased and others, Defendants, to sell certain real estate of which said William T. Everett died seised and possessed, has been executed with security deemed sufficient by me.

Given under my hand this 8th. day of November 1889.

Wm. B. Causey Clerk

Olivit Bros. & al.

vs. } In Chy,

Everett's Admrx. & al.

Certificate of  
Clerk as to execution  
of bond by Special  
Commr. Wilbur J. Kil-  
by on 8 Nov. 1889.

Oliver Bros. & al

vs. } In. Chy.

Everett's Admrx. & al.

Report of Sale  
made 9 Dec.  
1889 under decree  
of 18 Octo. 1889

Confirmed 11th.  
April 1890

1890. March 31st

Filed A.P.G. Clerk  
c. c

Commissioner's Office

Suffolk W. Aug 10. 1889

To George Olcott, Ambrose Olcott and J. P. Cropper merchants and partners in trade under the name of Olcott Brothers, and J. H. Bahrenburg and C. H. Bahrenburg merchants and partners in trade under the name of Bahrenburg Brothers. - Complainants.

And

Annie J. Everett Administratrix of W. J. Everett decd. and in her own right, Edna E. Everett, Charles J. Everett and Lillie May Everett the last three infants under the age of twenty-one years, and Arthur J. Kilby, Guardian ad litem for the said last named infants. - Defendants.

You are hereby notified that I have fixed upon the 30<sup>th</sup> day of August 1889 next,

a further

if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle at my office, the account

of the transactions of Annie J. Everett Administratrix of William J. Everett deceased, since the 16<sup>th</sup> day of February 1889.

required to be taken by a decree of the Circuit Court of the County of Nausemond

rendered on the 15 day of April 1889 in a suit in chancery depending in said

court, between wherein you are parties complainant and defendant,

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.

Robt. A. Reuther,  
Commissioner.

We severally acknowledge legal and sufficient service of the within notice -

Mr. H. Wright atty. &c. for  
Complainants.

Wilbur J. Kilby atty.  
for defendants and  
guardian ad litem  
for infant defendants.

COMMISSIONER'S NOTICE.

1/3.

The Estate of William J. Everett, deceased,  
In account with Annie J. Everett, Administratrix.

1889

|         |                                                                                                                                             |           |           |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|
| Feb. 16 | By amount due the estate per last account.                                                                                                  |           | \$1952.13 |
| May 8   | " Cash of the Farmers Bank of Mansfield amount found there to the credit of the decedent.                                                   |           | 19.68     |
| To      | Cash paid the costs of the chancery suit of Oliver Brothers vs. W. J. Everett's Adm'r. as follows:                                          |           |           |
| "       | Cash paid John A. Wright, City taxed fee and State tax vouchers                                                                             | \$ 16.50  |           |
| "       | " " " C. H. Causey Adm'r. P. B. Prentiss Law Clerk, fee bill                                                                                | 6.25      |           |
| "       | " " " W. H. Howell, Sheriff, fee bill                                                                                                       | .50       |           |
| "       | " " " Robert Prentiss, Attorney fee                                                                                                         | .25       |           |
| "       | " " " Wm. J. Jordan, James Wagner and W. H. Farrell, Commissioners, appointed to assign down to Wm. J. Everett's widow \$1. each - vouchers | 3         |           |
| "       | " " " Simeon Bryant J. P. for swearing said Commissioners. voucher                                                                          | 75        |           |
| "       | " " " Reps Williamson, E. J. Driver, Jas. Hargroves, Wm. J. Jordan and John H. Ames, Appraisers \$1. each - vouchers                        | 5         |           |
| "       | " " Retained to pay Clerk County Court for recording a copy of this account.                                                                | 3.50      |           |
| "       | " " Retained to pay Commissioner for this account and Report                                                                                | 8         |           |
| "       | " " Retained for future costs of above named chancery suit.                                                                                 | 7.26      |           |
| "       | " 5% of commission on \$19.68 retained amount to balance for distribution to the decedent's creditors.                                      | .98       |           |
|         |                                                                                                                                             | 1895.07   |           |
|         |                                                                                                                                             | \$1971.81 | \$1971.81 |

Over

1889 May 8

By amount brought forward - for distribution.

\$1895.07

To Cash paid the creditors of Wm J. Everett 42 of. of their respective claims, as follows: vouchers.

To The Farmers Bank of Mansfield

|                            |         |           |
|----------------------------|---------|-----------|
| 42 of. of                  | 363.05  | \$ 152.48 |
| " Robt P. Voight 42 of. of | 321.    | 134.82    |
| " Perry Sanderlin & Co. "  | 112.20  | 47.12     |
| " Oliver Brothers " "      | 161.40  | 67.79     |
| " J. H. Behrens & Bro. " " | 339.18  | 142.46    |
| " Jones Lee & Co. " "      | 1838.27 | 772.07    |
| " Wm S Sweet & Son " "     | 80.77   | 33.92     |
| " Geo. Tait & Son " "      | 79.63   | 33.44     |
| " J. J. Allen's Sons " "   | 370.81  | 155.74    |
| " R. P. Voight " "         | 144.60  | 60.73     |
| " Charles Reid & Son " "   | 486.55  | 204.35    |
| " Brown & McMahon " "      | 107.71  | 45.24     |
| " C. Billups " "           | 40.78   | 17.13     |
| " Jos. F. Webb " "         | 45.87   | 19.27     |
| " G. A. & H. Frisbee " "   | 12.25   | 5.36      |
| " Annie J. Everett " "     | 7.49    | 3.15      |

\$4511.56 \$1895.07 \$1895.07

X

Commissioner's Office,  
Suffolk, Va., August 30, 1889.

Oliver Brothers, and others

Wm J. Everett's Administratrix and others.

To the Circuit Court of Hansemond County:

Your Commissioner (the parties, by their counsel, having duly acknowledged service of notice of the time and place of executing the decree pronounced in the above entitled cause on the 15th. day of April 1889) proceeded at his office on this day to take a further account of the transactions of Annie J. Everett as Administratrix of William J. Everett, deceased.

Your Commissioner herewith returns such further account from which it appears that the said Administratrix has fully disbursed all the funds which appeared to be in her hands, in obedience to the decree pronounced in this cause at the April Term 1889. - The said account is supported by satisfactory vouchers. - The said notice is herewith returned. -

Respectfully submitted,  
Robt A. Dentis, Commissioner.

Fee \$8.-

Olivet Bros. & Co.

W.  Commrs  
Report  
Dated 30. August 1889

Wm J. Everett's Admt & Co.

Confirmed 18. Octo 1889.

1889 Sept 30th: Filed CLK

Commissioner's Office,

Suffolk Va 28 November 1888

To George Olivet, Ambrose Olivet and J. P. Cooper, mer-  
chants and partners in trade under the name of Olivet Brothers; and  
J. A. Bahreuburg and C. A. Bahreuburg merchants and partners in trade under the name  
of Bahreuburg Brothers. — Complainants.

And

Annie J. Everett Administratrix of W. J. Everett decd. and in her own right; Edna  
E. Everett, Charles J. Everett and Lillie May Everett, the last three infants under  
the age of twenty-one years; and Wilbur J. Kelly Guardian ad litem for the said last  
named infants. — Defendants.

You are hereby notified that I have fixed upon the 13th day of December 1888 next,

following,

if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle at my office, the accounts;

1. An account of all debts due by W. J. Everett decd. or by his estate, with  
their dignity and priority, showing separately those which contain a waiver  
of the Homestead Exemption.
2. An account of the Real Estate of which said W. J. Everett died seized, with  
any liens thereon and whether said liens or any part thereof have been  
discharged, with the fee simple and annual values of said Real Estate.
3. An account of the transactions of Annie J. Everett Administratrix of  
W. J. Everett decd. showing what personal estate came into her hands as such  
personal representative, what disposition has been made of the same, and  
what proportion of the debts due by said W. J. Everett or his estate will remain  
unpaid after exhausting the personal estate. And any other matters to be

required to be taken by a decree of the Circuit Court of the County of Wandsworth

rendered on the 11th day of October 1888, in a suit in chancery depending in said

court, between wherein you are parties, complainants and  
defendants,

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.

Robt A. Mantis, Commr.

We severally acknowledge legal and sufficient  
service of the within notice.

Jos. H. Wright atty for  
Olivet Bros

Bahenbueg & Son

Chas. Reid & Son.

Wilbur J. Kilby, Atty. for  
all the within named de-  
fendants and guardian  
ad litem for the within  
named infant defendants,

COMMISSIONER'S NOTICE.

U.S.

# I

An Account of all debts due by William J. Everett  
or his estate, with their dignity and priority.

First: Debts as to which the Homestead  
Exemption is waived;

Holland. 1. The Farmers Bank of Nausemond.  
Judgment of the Circuit Court of  
Nausemond County against Elisha Everett,  
on note drawn by W. J. Everett and  
endorsed by Elisha Everett, Oct. Term 1888  
Principal \$332.77  
Int. 12. Mar. 88 to 1. May 1889 22.68  
Costs 7.60

363.05

Kilby 2. Robert P. Voight. -  
Note. Principal \$300.  
Int. 1. Mar. 1888 to 1. May 1889 21.

321

Kilby 3. Perry Sanderlin & Co. -  
Note. Principal \$105.  
Int. 8. Mar. 1888 to 1. May 1889. 7.20

112.20

Total of Debts waving Homestead

\$ 796.25

Secondly: All other Debts;

Wright 4. Clint Brothers. -  
Open Account. Principal \$150.  
Int. 25. Jan. 1888 to 1. May 1889 11.40

\$ 161.40

Wright 5. J. H. Dahnburg & Bro.  
Open Account. Principal \$298.94  
Int. 3. Feb. 1889 to 1. May 1889 40.24

339.18

Kilby 6. Jones, Lee & Co. -  
Open Account. Principal \$1777.83  
Int. 7. Oct. 1888 to 1. May 1889 60.44

1838.27

Amounts carried forward

\$ 2338.85 \$ 796.25

Amounts brought forward

\$2338 85 \$ 796 25

Kilby

7. Wm S Sweet Son

Note Principal

\$75

Int. 19 June 1888 to 1 May 1889

5.77

80 77

Kilby

8. George Turt Son

Open Account Principal

\$75.48

Int. 1 June 1888 to 1 May 1889

4.15

79 63

Kilby

9. J. J. Allen's Sons

Open Account Principal

\$354

Int 15 July 1888 to 1 May 1889

16.81

370 81

Kilby

10. Robert P. Wright

Open Account Principal

\$133.89

Int 1 June 1888 to 1 May 1889

10.71

144 60

Wright

11. Charles Reid Son

Open Account Principal

\$465.60

Int. 1 June 1888 to 1 May 1889

20.95

486 55

Prentiss

12. Brown McMahon

Open Account Principal

\$100

Int. 18 June 1888 to 1 May 1889

7.71

107 71

McLure

13. C. Billups

Open Account Principal

\$37.42

Int 1 Nov 1887 to 1 May 1889

3.36

40 78

14. Joseph F. Webb

Open Account Principal

\$42.47

Int. 19 Dec 1887 to 1 May 1889

3.40

43 87

15. G. A. H. Frisbie - Sch "Lottie V."

Open Account Principal

\$11.40

Int. 1 Feb 1888 to 1 May 1889

.85

12 25

16. Annie J. Errett, Assigned of Eliza Errett

Open Account Principal

\$7

Int 29 Feb 1888 to 1 May 1889

.49

7 49

Total of Debts not waiving homestead

\$3715 31

Grand total of all Debts

\$451156

Estimating the costs of this suit at \$100. the funds in the hands of the Administrator will pay about forty-one (41) per cent of the debts, which will leave about fifty-nine (59) per cent of the decedent's debts unpaid, after exhausting the personal estate.

An Account of the Real Estate of which William J. Everett died seized etc. -

That certain tract or parcel of land lying in Sleepy Hole Magisterial District Fauquier County, Virginia, known as the "Snow-field" bounded North by Shormaker Ditch, the Creek and Fauquier River; East by the County road leading to Sleepy Hole Church; South by the lands formerly owned by E. F. Kelly and the Glebe lands, and West by the Glebe lands and the lands of John Bush, - containing One Hundred (100) acres, more or less.

Its fee simple value is estimated to be \$3000  
 " annual " " " " 250

Memorandum: The five hundred dollars, part of the consideration, which in the conveyance of the said land is directed to be paid by William J. Everett to Eliza A. Everett, was paid by the said William J. Everett on the 27. day of August 1880, and the receipt, which ~~exists~~ is the evidence of such payment has been exhibited to the Commissioner by Hon. William J. Kirby, counsel for the Administratrix of William J. Everett, deceased. -

No liens upon the said land have been proved or asserted by any person before the Commissioner. -

An Account of the transactions of Annie J. Everett  
Administratrix of W. J. Everett, decd.

The Estate of William J. Everett deceased  
 In account with Annie J. Everett, Administratrix.

|          |                                                                                                                                      |    |           |
|----------|--------------------------------------------------------------------------------------------------------------------------------------|----|-----------|
| 1888     |                                                                                                                                      |    |           |
| Feb. 16  | The Administratrix qualified.                                                                                                        |    |           |
| 28       | By gross amount of sale of personal estate per Account of Sale returned.                                                             |    | \$2330 27 |
|          | " amount from sales of Potato ships, hoes, cultivators, plows, cotton seed and oil barrels, sold after Account of Sale was returned. |    | 10 60     |
|          | Cash collected of Reps Williamson - account.                                                                                         |    | 4 25      |
|          | To Cash paid Clerk County Court, fees & tax on qualification and fees for recording Inventory & Account of Sale - voucher            | \$ | 8 54      |
|          | " Cash paid John Satchel for labor - oaths                                                                                           |    | 1 85      |
|          | " " " Peter Sutton " " "                                                                                                             |    | 60        |
|          | " " " for sorting 36 bbls. potatoes " "                                                                                              |    | 1 80      |
|          | " " " Willis for labor " "                                                                                                           |    | 70        |
|          | " " " Davis " " "                                                                                                                    |    | 10        |
|          | " " " Eliza Cheatham " " "                                                                                                           |    | 2 50      |
|          | " " " G. Washington " " "                                                                                                            |    | 6 45      |
|          | " " " Eliza Williams " " "                                                                                                           |    | 4 50      |
|          | " " " Jesse Whitley " " "                                                                                                            |    | 6         |
|          | " " " Elizabeth White " " "                                                                                                          |    | 1 20      |
|          | " " " Simon Bryant, for swearing appraisers, keeping A/c Sale, and delivering property - voucher                                     |    | 15        |
| March 29 | " " " Dr. H. J. Jordan for medical services in decedent's last sickness - voucher                                                    |    | 16 50     |
|          | " " " Hall & Co. - burial expense "                                                                                                  |    | 55        |
|          | " " " H. R. Culley " " "                                                                                                             |    | 25        |
| May 9    | " " " John A. Wright, for cotton gin made & recently sold by Administratrix. voucher                                                 |    | 40        |
|          | Amounts carried forward                                                                                                              | \$ | 195 64    |
|          |                                                                                                                                      | \$ | 2345 12   |

|              |                                        |                  |                |
|--------------|----------------------------------------|------------------|----------------|
| 1888         | Amounts brought forward                | \$195.64         | \$2345.12      |
| March        | To Cash paid State & County taxes      |                  |                |
|              | for 1887. - voucher                    | 28.10            |                |
| Sept. 12     | " " " W. J. Kelly, Attorney, for legal |                  |                |
|              | services and advice. voucher           | 30               |                |
|              | " " " Suffolk Herald. advertising. "   | 2                |                |
|              | " 5% commission on \$2345.12 retained  | 117.25           |                |
| 1889 Feb. 16 | " amount to balance due the estate     | 1952.13          |                |
|              |                                        | <u>\$2345.12</u> | <u>2345.12</u> |
| 1889         |                                        |                  |                |
| Feb. 16      | By Balance due the estate by the       |                  |                |
|              | Administratrix. -                      |                  | \$1952.13      |

Commissioner's Office  
Suffolk Co. 13. December 1888.

Oliver Brothers & others

Wm J. Everett's Administratrix & others.

To the Circuit Court of Massachusetts County.

Your Commissioner (the parties, by their counsel, having duly acknowledged service of notice of the time and place of executing the decree pronounced in the above entitled Cause on the 11th. day of October 1888) proceeded at his office on this day to execute the said decree.

The results of the enquiries made by your Commissioner may be found on the preceding pages.

Account I shows that as of the 1st. day of May 1889, the debts due by William J. Everett dec'd amount to \$4511.<sup>56</sup>/<sub>100</sub>. Of this amount \$796.<sup>25</sup>/<sub>100</sub> are debts, the evidences of which contain a waiver of the homestead exemption.

Account II explains itself.

Account III - The administration account - is supported by proper vouchers and by the oath of the Administratrix. The Administratrix is indebted to the estate in the sum of \$1952.<sup>13</sup>/<sub>100</sub> with interest from the 16th. day of February 1889.

The notice is herewith returned.

Respectfully submitted,

Robt. D. Prentiss, Commissioner.

Fee \$25.

Olivet Brothers & Co

Commr's  
Report  
Dated 13 Dec. 1888.

Wm J. Everett's Audit & Co

1889  
March 30th Report filed.

Approved and confirmed  
15 April 1889 in all respects  
except as to item II.

Confirmed as to item  
II and in all respects  
18 Octo. 1889

State of Virginia }  
County of Chausemored } to wit  
This day W. J. Jordan  
James Wagner & W. H. Harrell

appeared in person before me,  
Simon Bryant a justice of  
the peace for said County in the  
State of Virginia and severally  
made oath that they would  
faithfully perform the duties  
required of them as Commis-  
sioners appointed for the purpo-  
ses specified in the decree pro-  
nounced on the 15th day of April  
1889 in the cause in Chancery in  
the Circuit Court of Chausemored  
County depending between Oliver  
Brothers & al. Complainants and  
Wm. J. Everett's Admrx. & al. de-  
fendants

W. J. Jordan  
James Wagner  
W. H. Harrell

Subscribed and sworn to before me this  
24th day of April 1889  
Simon Bryant J. P.

3 To the Circuit Court of Chause-  
mond County:

In pursuance of the decree of the Circuit Court of Chausemond County pronounced on the 15th. day of April 1889 in the cause in Chancery in said Court depending between Olvrit Brothers and others, Complainants and Annie J. Everett Administratrix of William J. Everett deceased, and others, Defendants; the undersigned, three of the Commissioners appointed for the purposes specified in said decree, respectfully report to Court,

That they found the real estate of said <sup>known as the "Snow Field"</sup> William J. Everett to consist of a parcel of land, situated in Sleepy Hole Magisterial District in said County, containing one hundred (100) acres more or less and bounded on the North by Shoemaker Ditch, the Creek and Chausemond River, on the east by the County road leading from Suffolk to Sleepy Hole wharf on the South by the lands formerly owned by E. P. Kelly and by the

Glebe Lands of the Protestant Episcopal Church <sup>on the West by said Glebe lands and</sup> and the lands of John Bush.

That said land was valued by the undersigned at three thousand (3000) dollars.

That on the 24th day of April 1889 <sup>after they had been sworn, they</sup> ~~the undersigned~~ went upon said land and after viewing the same, proceeded to lay off and assign to said Annie J. Everett, widow of said William J. Everett deceased, as her dower, one third part in value of said real estate with due regard to quality as well as quantity.

That the part of said land so assigned as dower consists by estimation of seven (7) acres more or less and includes the dwelling house and all the other houses, is valued at one thousand (1000) dollars and is bounded on the north and south by the remainder of said land, on the east by said County road and on the west by said Glebe Lands. The

Courses around said dower are as follows: Beginning at a post on said road near the Southwest corner of the yard in which said buildings are located and running Westerly to a ditch, thence along said ditch to a small sweet gum tree on said Glebe Lands, thence along the line of said Glebe Lands to a mulberry tree, thence Easterly to a small pine tree on said road and thence along said road to the Beginning.

That after said dower had been assigned as aforesaid, the undersigned set apart and assigned all the remainder of said land, first above described, unto Edna E. Everett, Charles J. Everett and Lillie May Everett minor children of said William J. Everett deceased to be held by them or such of them as there may be, exempt from levy seizure, garnishment, or sale under any execution, order or process issued on any demand for any debt or liability of said William J.

Everett, on contract, except as otherwise provided by law and also from the debts and obligations of said Children or any of them until they respectively attain the age of twenty-one years or marry, if they marry before attaining that age, as specified in Chapter 178 of The Code of Virginia, Edition of 1887

The land so assigned to said Children is valued at two thousand dollars and consists of two separate parcels; one parcel being on the South side of said dower and containing by estimation twenty (20) acres more or less, and the other parcel being on the North side of said dower and containing by estimation seventy three acres, more or less

Respectfully submitted this  
25th. day of April 1889

W. J. Jordan

W. McNamee

James Wagner  
Couns.

A balance sheet account continued and  
held for the County of Waukesha  
the 15<sup>th</sup> day of April 1889.

Olivet Brothers & also Complainants  
Against } In Chancery  
Everett's Administratrix & also. Defendants.

This cause came on this day to  
be again heard upon the papers formerly  
read, and upon the report of R. R. Prentiss,  
Commissioner, made pursuant to an  
order made herein on the 11<sup>th</sup> day of  
Oct. 1888, and upon the exception of Plaintiffs  
to item II of said report and was argued  
by counsel.

On consideration whereof, without  
confirming said item II of said report of  
Commissioner R. R. Prentiss the said report  
being confirmed in all other respects, <sup>the Court</sup> doth  
adjudge order and decree that Annie  
Everett, Administratrix of Wm. J. Everett  
decd. do render before one of the Com-  
missioners of this Court a further ac-  
count of her transactions as such  
and that out of the funds shown by  
the report of Commissioner Prentiss  
to be now in her hands, she pay  
first the costs of this suit so far  
incurred and the remainder she will  
pay pro rata, to the parties whose claims

have been proved in this cause, or to their duly authorized attorneys taking receipts therefor and filing the same with the papers in the cause.

And the Court doth further adjudge order and decree that E. J. Driver Dr W. T. Jordan, James Wagner, W. Norfleet Hanell and Simon Bryant (any three of whom may act) who are hereby appointed commissioners for the purpose after being first duly sworn do proceed to lay off and assign to Annie J. Everett, widow of W. T. Everett Deed, as her dower therein, one third part in value, having due regard to quality as well as quantity, of the Real Estate whereof said Wm. T. Everett died seized of an estate of inheritance.

And the Court doth further adjudge order & decree that E. J. Driver Dr W. T. Jordan, James Wagner, Simon Bryant and Wm N. Hanell (any three or more of whom may act) who are hereby appointed commissioners for that purpose, do set apart and assign, out of the residue of the Real Estate of which said W. T. Everett died seized, to Edna E. Everett, Chas J. Everett

<sup>and</sup>  
Lillie May Everett, minor children of  
said Wm J. Everett decd, so much of said  
residue as shall not exceed in value  
the sum of two thousand dollars to be  
held by said minor children or such  
of them as there may be, exempt from levy  
seizure, garnishment or sale, under  
any execution order or process issued  
on any demand for any debt or liability  
of said Wm J. Everett decd., except as other-  
wise provided by law, <sup>and</sup> also from the  
debts and obligations of said children, or  
any of them until they respectively  
attain the age of twenty one years or  
marry, if they marry during their mi-  
nority, as specified in Ch. 178 Code of  
Virginia of 1887.

And said Commissioners will make re-  
port to Court of their proceedings hereunder.  
And the Court doth further adjudge order  
and decree that the Clerk of this Court do  
certify to the Clerk of the County Court of  
this County, a copy of the account of  
the transactions of Annie Everett, Admin-  
istratrix of Wm J. Everett decd, as stated  
in the report of Commissioner R. R. Pentis  
filed herein, with a memorandum at  
the foot thereof stating the style of  
this suit and the date of this decree

Olivit Bros. etc.

vs. } In Chy.

Everett's Adm. & als.

Report of Comrs.  
appointed to assign  
dower and home-  
stead.

Confirmed 18th.  
October 1889

Sec. Sec. 7510 Code +  
Sec. 5645

1889 Aug: 27th filed clk.

confirming said report and accounts  
to be recorded by the clerk of the County  
Court of this County in the Book in  
which accounts of fiduciaries are  
required to be recorded in his  
office.

And this cause is continued to,

Attest

Teste:

Wm: B. Lantry Clerk

#11755 ~~Med &~~

Aug 20th 1888

Sixty (60) days after date

Pay to the Order of John P. Bigh I promise to

Three hundred Dollars

at The Bank of Commerce Norfolk Va

without defalcation, for value received. And we, maker and endorser, do hereby waive the benefit of our Homestead Exemption as to this debt.

*W. L. Everett*

*W. L. Everett*

Due

Barcroft Print

~~Robert P. Kight~~

1890 July 28th, Received of Wilbur  
J. Kilby, Special Commr. Six dollars for  
surveying the real estate of which  
Wm J. Everett died seised and  
possessed in Chautauque County  
\$6<sup>00</sup>.

B. F. Baker surveyor

Received of Wilbur J. Kilby  
Special Comr. five dollars for  
services as crier at the sale by  
public auction on 9th. Dec. 1889  
of 20 acres of land, more or less  
belonging to Wm J. Everett's estate,  
\$5.<sup>00</sup>  
Geo J Parker Crier

1891 Jan. 1st, Received of Wil-  
bur J. Kilby, Special Comr. One  
hundred and fifteen and  $\frac{81}{100}$   
dollars on account of the claim  
of The Farmers Bank of Chausemond  
against Wm J. Everett reported  
in the Chancery suit of Olvitt Bros.  
etc. vs. Everetts Admr. Sal. in the  
Circuit Court of Chausemond County  
\$115  $\frac{81}{100}$

E. E. Hoce and,

Attys Farmers Bank,

1892 Jan. 12. Received of Wilbur J. Kilby  
Special Comr. One hundred and twenty-three  
dollars, balance in full of the claim of  
The Farmers Bank of Havermond against  
Wm. J. Everett reported in the Chancery suit  
of Clint Bros. etc. vs. Everett's Admr. & als.  
in the Circuit Court of Havermond County  
\$123<sup>00</sup>

The Farmers Bank of Havermond  
By E. E. Hoceand,  
Its Attorney

Wilbur J. Kilby, Special Comr.

To John W. Ames, Jr. Dr.

1890

Feb. 24 To Amt. for services rendered  
B. P. Baker, surveyor, in  
connection with the survey  
of Wm J. Everett's land.  
1 1/2 days. =

" paid L. F. Ames for same

" " Jas. Jones "

" " Perry Powell "

\$ 2 50

1 50

1 50

1 50

7 00

Paid by Wilbur J. Kilby, Special Comr.  
Jan. 2nd 1891.

John W. Ames Jr.

## VALUABLE LAND FOR SALE.—

By authority of the decree of the Circuit Court of Nansemond county, Va., pronounced on the 18th day of October, 1889, in the cause in chancery in the said court depending between Olivit Brothers and others, plaintiffs, and William T. Everett's administratrix and others, defendants, I shall sell, by public auction, to the highest bidder, before the Courthouse door of said county, on County Court day,

MONDAY, DECEMBER 9, 1889,

all the real estate of which said William T. Everett died seised and possessed (except that part which has been assigned as dower to his widow), situated in Sleepy Hole Magisterial district, in said county, and consisting of two parcels—one parcel containing by estimation twenty acres, more or less, and bounded on the north by said dower, on the east by the county road leading from Suffolk to Sleepy Hole wharf, on the south by the lands formerly owned by E. P. Kelly and the Glebe land of the Protestant Episcopal Church, and on the west by said Glebe land and the land of John Bush; the other parcel containing by estimation seventy-three acres, more or less, and bounded on the north by Shoemaker ditch, the creek and Nansemond river, on the east by said county road, on the south by said dower, and on the west by said Glebe land and the land of John Bush.

TERMS OF SALE.—Enough of the purchase-money to cover the costs of said suit and the expenses of the sale will be required in cash and the remainder in equal sums at the end of one and two years, respectively, with interest from the day of sale; the purchaser to execute bonds in evidence of the deferred payments, with good personal security, and the title to the land to be retained until the further order of Court.

WILBUR J. KILBY,  
Nov. 8, 1889. Special Commissioner.

I, William B. Causey, Clerk of the Circuit Court of Nansemond county, Va., do certify that the bond required of Wilbur J. Kilby, special commissioner appointed by said Court by its decree on the 18th day of October, 1889, in the cause in chancery in said court depending between Olivit Brothers and others, plaintiffs, and the administratrix of William T. Everett, deceased, and others, defendants, to sell certain real estate of which said William T. Everett died seised and possessed, has been executed with security deemed sufficient by me.

Given under my hand this 8th day of November, 1889.

no22-3t WILLIAM B. CAUSEY, Clerk.

circle perish! Brigantines, go down! Clip-  
pers, go down! Steamships, go down! And  
the vessel, hearing the terrible voice, crouches  
in the surf, and as the waters gurgie through  
the hatches and portholes it lowers away,  
thousands of feet down, farther and farther,  
until at last it strikes the bottom; and all is  
peace, for they have landed. Helmsman,  
dead at the wheel! Engineer, dead amidst  
the extinguished furnaces! Captain, dead in  
the gangway! Passengers, dead in the cabin!  
In the great cemetery of dead steam-

*Mr J. Kelly*

TO SUFFOLK HERALD, DR.

J. E. BOOKER, PROPRIETOR

BOOK AND JOB PRINTING A SPECIALTY

1889

|       |                                       |     |
|-------|---------------------------------------|-----|
| Nov 9 | To Printing 100 Bills                 |     |
|       | Sale of W. J. Everett's Land          | 175 |
| 22    | " Advertising Sale of W. J. Everett's |     |
|       | Land in Herald                        |     |
|       | 6 inches 3 weeks                      | 750 |

Recd Payment of \$ 9.25  
 W. J. Kelly Cash  
 Jan 17 1890  
 J. E. Booker

apc  
W. T. Everetts  
Esq

W. J. Kilby Comr

Statement showing the settlement of the claims of The Farmers Bank of Chausemound, Robt. P. Voight and Perry, Sanderlin Hcs. against William T. Everett:

Debt due The Farmers Bank of Chausemound, principal and interest 1 May 1889.

363 05

Paid by Annie J. Everett Admrx. 1 May 1889.

152 48

210 57

Int. on \$210.<sup>57</sup> from 1 May 1889 to 1 Jan. 1891. - 1 y. 8 mos.

21 05

231 62

Paid by Wilbur J. Kilby Cour. 1 Jan. 1891.

115 81

115 81

Int. on \$115.81 from 1 Jan. 1891 to 12 Jan. 1892. - 1 y. 12 ds.

7 19

123 00

Paid by Wilbur J. Kilby Cour. 12 Jan. 1892 in full.

123 00

Debt due to Robt. P. Voight, principal and interest 1 May 1889

321 00

Paid by Annie J. Everett Admrx. 1 May 1889.

134 82

186 18

Int. on \$186.<sup>18</sup> from 1 May 1889 to 1 Jan. 1891. - 1 y. 8 mos.

18 62

204 80

Paid by Wilbur J. Kilby Cour. 1 Jan. 1891.

102 40

Carried on

102 40

Brought on  
Int. on \$102.40 from 1 Jan. 1891  
to 12 Jan. 1892. - 1y. 12 ds.

102 40

6 35

108 75

Paid by Wilbur J. Kilby  
Cour. 12 Jan. 1892 in full

108 75

Debt due Perry, Sander-  
lin Hes. principal and  
interest 1 May 1889.

112 20

Paid by Annie J. Everett  
Admrx. 1 May 1889.

47 12

65 08

Int. on \$65.08 from 1 May 1889 to  
1 Jan. 1891. - 1y. 8m.

6 50

71 58

Paid by Wilbur J. Kilby  
Cour. 1 Jan. 1891.

35 79

35 79

Int. on \$35.79 from 1 Jan. 1891  
to 12 Jan. 1892. - 1y. 12 ds.

2 21

38 00

Paid by Wilbur J. Kilby  
Cour. 12 Jan. 1892 in full.

38 00

To the Circuit Court of Chausmond  
County, Va.

In pursuance of the decree of  
the Circuit Court of Chausmond County  
pronounced on the 11th. day of April  
1890 in the Chancery Cause pending  
in said Court between Olmit Bros.  
and others, Plaintiffs and William  
T. Everett's Admrx. and others, Defend-  
ants; the undersigned Wilbur J. Kilby  
Special Commissioner, respectfully re-  
ports to Court that, as directed by said  
decree, he has received of the Clerk of  
said Court and given him a receipt  
(which has been filed with the papers in  
said cause) for the two bonds of Annie  
J. Everett, mentioned in said decree,  
with Martha J. Ames and Leri Frank  
Ames her sureties thereto, each for the  
sum of two hundred and forty-five  
dollars, dated the 26th. day of December  
1889 and payable respectively on the 9th.  
day of December 1890 and the 9th. day of  
December 1891 with interest from the 9th.  
day of December 1889, and has collected  
the money therefor and all interest due  
thereon and has disbursed the money  
together with the sum of \$60. already in

his hands, in the manner specified in said decree, as the vouchers hereto attached and the following statement will fully show, to wit:

|                                                                                                            |    |    |     |         |
|------------------------------------------------------------------------------------------------------------|----|----|-----|---------|
| By Cash in the hands of said Commissioner as stated above.                                                 |    |    |     | \$60 00 |
| " Principal of one of said Bonds                                                                           |    |    |     | 245 00  |
| " Interest on \$245. from 9 Dec. 1889 to 9 Dec. 1890. - 1 y.                                               |    |    |     | 14 70   |
| " Principal of the other of said Bonds                                                                     |    |    |     | 245 00  |
| " Interest on \$245 from 9 Dec. 1889 to 9 Jan. 1892 - 2 y. 1 m.                                            |    |    |     | 30 62   |
| To paid Costs of said Cause and the expenses of the sale mentioned in said decree as follows, to wit:      |    |    |     |         |
| To 5 per cent Coms. on \$300. = \$15.00                                                                    |    |    |     |         |
| " 2 " " " \$ 250. = 5.00                                                                                   | 20 | 00 |     |         |
| " Geo. T. Parker, for services as clerk at said sale                                                       | 5  | 00 |     |         |
| " J. E. Brooker, for printing notices of said sale and publishing the notice in The Suffolk Herald 3 times | 9  | 25 |     |         |
| " Beverly P. Baker for surveying the land sold as stated in said decree.                                   | 6  | 00 |     |         |
| " John W. Ames, Sr. for services of himself and others rendered said surveyor.                             | 7  | 00 |     |         |
| " W. J. Kilby for writing deed conveying said land to the purchaser thereof.                               | 5  | 00 |     |         |
| Carried on                                                                                                 | 52 | 25 | 595 | 32      |

|                                                                                                             |        |        |
|-------------------------------------------------------------------------------------------------------------|--------|--------|
| brought on                                                                                                  | 52 25  | 595 32 |
| To paid the claims against W <sup>m</sup> J. Ev-<br>erett as directed by said<br>decree as follows, to wit: |        |        |
| " The Farmers Bank of Chausemound<br>in part of its claim for \$210. <sup>57</sup>                          | 115 81 |        |
| " The Same in full of ditto                                                                                 | 123 00 |        |
| " Robert P. Voight in part of his<br>claim for \$186. <sup>18</sup>                                         | 102 40 |        |
| " The Same in full of ditto,                                                                                | 108 75 |        |
| " Perry, Sanderlin & Co. in part<br>of their claim for \$65. <sup>08</sup>                                  | 35 79  |        |
| " The Same in full of ditto                                                                                 | 38 00  |        |
| " Balance in the hands of the<br>Commissioner.                                                              | 19 32  |        |
|                                                                                                             | 595 32 | 595 32 |

As directed by said decree  
a deed with special war-  
ranty in the usual form  
has been made to Annie J.  
Everett, conveying to her the  
real estate purchased by her  
under proceedings in said cause.

Paid to W. J.  
Kilby, as Atty.  
fee, see de-  
cree, 12 Apl.  
1892

Respectfully submitted this 12th. day  
of January 1892.

Wilbur J. Kilby,  
Special Commr.

(over)

Oliver Bros. & al.

vs. } In Chy.

Everett's Admrx. & al.

Report of collections  
and disbursements  
under decree of  
11 April 1890

Confirmed 12 April  
1892

1892 March 31st Filed  
A. J. Gerner Clerk

Received of Wilbur J. Kilby, Special  
Comm. the respective sums of money charg-  
ed to us in the above Report and set  
opposite our names as follows, to wit:  
1891 Jan. 1, Bot. P. Wright by Wilbur J. Kilby, Atty. \$102.04  
" " Perry, Audenhuise, by W. J. Kilby, Atty. \$35.79  
1892 Jan. 12, Bot. P. Wright by Wilbur J. Kilby, Atty. \$108.75  
" " Perry, Audenhuise, by W. J. Kilby, Atty. \$38.00  
" " Wilbur J. Kilby, Atty. \$5.00



Olin Bros. & al.

vs. } In Chy.

Everett's Adm'r, & al.

Filed with Report  
of Court, Milburg.  
Kilby 31 Mar. 1890

