

1928-020
Nansemond Co (Suffolk) Chancery Causes: Sarah L. Wiggins, gdn vs William E. Wiggins, et al

Baker, Howell, Lee, Porter, Darden

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY

Sarah L. Wiggins, Guardian, etc., et als.....Complainant

vs

William E. Wiggins et als/.....Defendants

This cause came on again to be heard on the papers formerly read and upon the report of R. B. Hill, Special Commissioner, dated the 20th day of June, 1924, and this day filed, to which report no exception has been taken, and was argued by counsel.

It appearing from said report that the said R. B. Hill, Special Commissioner, William E. Wiggins and Hester Wiggins, his wife, and Sarah L. Wiggins did on the 24th day of April, 1924, convey unto G. A. Harris by deed of trust the following property, to-wit:

1. "All that certain tract of land lying in Holy Neck District of Nansemond County, containing 72-1/2 acres, known as the Elisha Howell tract, and bounded by the lands of Arthur Dillard, formerly the Ethel Dred Holland land; East by the County Road; West by the B. T. Darden land, and South by the lands of Z. T. Langston, with all the improvements thereon.

It being the same land that was conveyed to W. H. Wiggins by Henry G. Baker and wife by deed bearing date the 14th day of January, 1918, and recorded on January 17, 1918, in Deed Book 88, page 71, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia.

2. All that tract of land situated in Nansemond County, Virginia, bounded by the lands of the Late P.H.Lee, Z. T. Langston, E. W. Howell (now belonging to Henry G. Baker) and others, being known as the "Jacob Barnes" tract of land, this being the same piece or parcel of land conveyed to Sallie A. Potter by S. E. Everett and L. P. Holland, Special Commissioners, under date of April 19th, 1911.

It being the same land that was conveyed to W. H. Wiggins by Henry G. Baker and wife by deed bearing date the 8th day of January, 1916, and recorded on the 10th day of January, 1916, in Deed Book 84, page 17, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia.

3. A tract of land containing 160 acres, more or less, known as the Mathews tract, and bounded on the North by the lands of W. J. Holland, known as the James Harrison Holland tract, on the East by the lands of Willie E. Lee, widow of P. H. Lee, on the South by the Jacob Barnes land, and on the West by the lands of W. H. Bradshaw and others, being the same tracts of land conveyed to the said David - Howell and Lafayette I. Howell from Willie J. Lee and E. E. Holland, Executors of P. H. Lee Estate and Willie E. Lee, Widow of the said P. H. Lee, by deed dated the 15th day of June, 1908, and duly recorded in D. B. No. 65, page 65, in Nansemond County Clerk's Office.

It being the same land that was conveyed to W. H. Wiggins by David H. Howell and Lafayette I. Howell by deed bearing date the 29th day of October, 1908, and recorded on the 14th day of January, 1909, in Deed Book 66, page 399, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia."

In Trust, however, to secure the payment of the sum of Forty Five Hundred Dollars (\$4500.00) as follows, to-wit:

Mrs. Virginia Delk the sum of \$1500.00 evidenced by three bonds ^{2 x \$500.00 each} bearing even date with the deed of trust, executed by R. B. Hill, Special Commissioner, William E. Wiggins and Sarah L. Wiggins, payable to the said Mrs. Virginia Delk two years after date, interest thereon payable semi-annually;

Mrs. Margaret S. Cross, Guardian of H. Blackwell Cross, Sara L. Cross and Edwin S. Cross, the sum of \$2500.00; said sum to be evidenced by five bonds ^{2 x \$500.00 each} bearing even date with this deed of trust, executed by R. B. Hill, Special Commissioner, William E. Wiggins and Sarah L. Wiggins, and payable two years after date, with interest thereon, payable semi-annually;

Mrs. Margaret S. Cross the payment of the sum of \$500.00; said sum to be evidenced by one bond ^{2 x \$500.00 each} bearing even date with this deed of trust, executed by R. B. Hill, Special Commissioner, William E. Wiggins, and Sarah L. Wiggins, and payable to the said Mrs. Margaret S. Cross two years after date, with interest thereon, payable semi-annually.

And it further appearing from said report that said Commissioner has received and disbursed the following sums of money:

1924

April 25th	To amount received from sale of bonds to Mrs. Virginia Delk.....	\$1500.00	
April 25th	To amount received from sale of bonds to Mrs. Margaret Cross, Guardian, etc.....	2500.00	
April 25th	To amount received from sale of bond to Mrs. Margaret Cross.....	500.00	
April 30th	By amount paid G.A.Harris, Atty., fee for conducting suit.....		\$150.00 ✓
April 30th	By amount paid A.Woolford covering note held by him securing deed of trust.....		2937.20 ✓
April 30th	By amount paid A.Woolford covering interest on said note from December 31, 1923, to date.....		58.72 ✓
April 30th	By amount paid Bradford Kilby for making report.....		20.00 ✓
April 30th	By amount paid Superior Guano Co., for account against W.H.Wiggins...		717.17 ✓
April 30th	By amount paid G.E.Bunting, Clerk, covering Court costs, etc.....		24.00 ✓
April 30th	By amount paid Suffolk Insurance Corporation covering premium on surety bond.....		15.00 ✓
April 30th	By revenue stamps on bonds.....		2.00
April 30th	By amount paid G.E.Bunting, Clerk, for recording deed of trust.....		6.75 ✓
April 30th	By Special Commissioner's Commission..		99.00
April 30th	By amount paid Sarah L. Wiggins to be applied on her account against the estate of W.H.Wiggins.....		470.06
		<u>\$4500.00</u>	<u>\$4500.00</u>

On consideration whereof, and by consent of all parties, the infants by their guardian ad litem and the adults by their attorney, the said report is approved and all disbursements made by the said Special Commissioner is also ratified, confirmed and approved.

And the further hearing of this case is continued.

VIRGINIA:
IN THE CIRCUIT COURT OF
HANSEMOND COUNTY

Sarah L. Wiggins

vs

William E. Wiggins et als

.....

DE C R E E

*We consent to this
decree*

G. H. Harris p. f.

*William S. Willard
Guardian ad litem
for all infant
defendants*

Enter March 30. 1925.

James S. McInore

5-532

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY

Sarah L. Wiggins, Guardian, etc., et als.....Complainant

vs

William E. Wiggins et als.....Defendants

TO THE HONORABLE JAMES L. McLEMORE, JUDGE OF SAID COURT:

Your Special Commissioner, R. B. Hill, respectfully reports to the Court that in pursuance of decree entered in this cause on the 21st day of April, 1924, he did on the 24th day of April, 1924, along with William E. Wiggins and Hester Wiggins, his wife, and Sarah L. Wiggins convey unto G. A. Harris by deed of trust dated as aforesaid the following property, to-wit:

1. "All that certain tract of land lying in Holy Neck District of Nansemond County, containing 72-1/2 acres, known as the Elisha Howell tract, and bounded by the lands of Arthur Dillard, formerly the Ethel Dred Holland land; East by the County Road; West by the B. T. Darden land, and South by the lands of Z. T. Langston, with all the improvements thereon.

It being the same land that was conveyed to W. H. Wiggins by Henry G. Baker and wife by deed bearing date the 14th day of January, 1918, and recorded on January 17, 1918, in Deed Book 88, page 71, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia.

2. All that tract of land situated in Nansemond County, Virginia, bounded by the lands of the Late P. H. Lee, Z. T. Langston, E. W. Howell (now belonging to Henry G. Baker) and others, being known as the "Jacob Barnes" tract of land, this being the same piece or parcel of land conveyed to Sallie A. Porter by S. E. Everett and L. P. Holland, Special Commissioners, under date of April 19th, 1911.

It being the same land that was conveyed to W. H. Wiggins by Henry G. Baker and wife by deed bearing date the 8th day of January, 1916, and recorded on the 10th day of January, 1916, in Deed Book 84, page 17, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia.

3. A tract of land containing 160 acres, more or less, known as the Mathews tract, and bounded on the North by the lands of W. J. Holland, known as the James

Harrison Holland tract, on the East by the lands of Willie E. Lee, widow of P. H. Lee, on the South by the Jacob Barnes land, and on the West by the lands of W. H. Bradshaw and others, being the same tract of land conveyed to the said David Howell and Lafayette I. Howell from Willis J. Lee and E. E. Holland, Executors of P.H.Lee Estate and Willie E. Lee, Widow of the said P.H. Lee, by deed dated the 15th day of June, 1908, and duly recorded in D. B. No. 65, page 65, in Nansemond County Clerk's Office.

It being the same land that was conveyed to W. H. Wiggins by David H. Howell and Lafayette I. Howell by deed bearing date the 29th day of October, 1908, and recorded on the 14th day of January, 1909, in Deed Book 66, page 399, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia."

In Trust, however, to secure the payment of the sum of Forty Five Hundred Dollars (\$4500.00) as follows, to-wit:

Mrs. Virginia Delk the sum of \$1500.00 evidenced by three bonds bearing even date with the deed of trust, executed by R. B. Hill, Special Commissioner, William E. Wiggins and Sarah L. Wiggins, payable to the said Mrs. Virginia Delk two years after date, interest thereon payable semi-annually;

Mrs. Margaret S. Cross, Guardian of H. Blackwell Cross, Sara L. Cross and Edwin S. Cross, the sum of \$2500.00; said sum to be evidenced by five bonds bearing even date with this deed of trust, executed by R. B. Hill, Special Commissioner, William E. Wiggins and Sarah L. Wiggins, and payable two years after date, with interest thereon, payable semi-annually;

Mrs. Margaret S. Cross the payment of the sum of \$500.00; said sum to be evidenced by one bond bearing even date with this deed of trust, executed by R. B. Hill, Special Commissioner, William E. Wiggins and Sarah L. Wiggins, and payable to the said Mrs. Margaret S. Cross two years after date, with interest thereon, payable semi-annually.

The parties hereinabove mentioned have agreed to loan to the said Sarah L. Wiggins, guardian of Ruth B. Wiggins, Veona Wiggins, Willie E. Wiggins and Adell Wiggins, and William E. Wiggins and Sarah L. Wiggins, in her own right, according to the terms hereinbefore set forth, the sums hereinabove mentioned.

Your Special Commissioner, R. B. Hill, further reports, in further pursuance of said decretal order, that he has received

and disbursed the following sums of money:

1924

April 25th	To amount received from sale of bonds to Mrs. Virginia Delk.....	\$1500.00
April 25th	To amount received from sale of bonds to Mrs. Margaret Cross, Guardian, etc.....	2500.00
April 25th	To amount received from sale of bond to Mrs. Margaret Cross.....	500.00
April 30th	By amount paid G. A. Harris, Atty., for fee for conducting suit.....	\$150.00
April 30th	By amount paid A. Woolford covering note held by him securing deed of trust.....	2937.20
April 30th	By amount paid A. Woolford covering interest on said note from December 31, 1923, to date.....	58.72
April 30th	By amount paid Bradford Kilby, for making report.....	20.00
April 30th	By amount paid Superior Guano Co., for account against W. H. Wiggins.....	717.17
April 30th	By amount paid G. E. Bunting, Clerk, covering Court costs, etc....	24.00
April 30th	By revenue stamps on bonds.....	2.00
April 30th	By amount paid Suffolk Insurance Corporation covering premium on surety bond.....	15.00
April 30th	By amount paid G. E. Bunting, Clerk, for recording deed of trust.....	6.75
April 30th	Special Commissioner's commission..	99.00
April 30th	By amount paid Sarah L. Wiggins to be applied on her account against the Estate of W. H. - Wiggins.....	470.16
		\$4500.00
		\$4500.00

Your Commissioner would recommend that the suit remain on the docket at least for the present, or until the bonds have been paid and the deed of trust marked satisfied on the records of the Clerk's Office in which it is recorded.

Respectfully submitted this 20th day of June, 1924.

[Signature]
Special Commissioner.

VIRGINIA:

IN THE CIRCUIT COURT OF
THE CITY OF SUFFOLK

Sarah L. Wiggins

vs

William E. Wiggins et als

.....

COMMISSIONER'S REPORT

.....

1925. March 30. paid.
J.M.

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY

Sarah L. Wiggins, Guardian, etc.....Complainant

vs

William E. Wiggins et als.....Defendants

This cause came on this day to be again heard on the papers formerly read and upon the report of Commissioner Bradford Kilby, dated the 15th day of April, 1924, and this day filed, to which report there is no exception taken, the counsel for the adult defendants and the guardian ad litem for the infant defendants, by endorsement on said report, having waived the ten days for exception, and on the depositions of witnesses returned with said report, and was argued by counsel.

On consideration whereof, and by consent of all parties, the adults by their attorney and the infants by their guardian ad litem, and it being clearly shown by said report and the evidence returned therewith, independently of any admissions in the answers, that the interest of the infant defendants will be promoted by mortgaging of the real estate to be hereinafter mentioned for the sum of Four Thousand Five Hundred Dollars (\$4,500.00) and applying the proceeds therefrom to the payment of the debts of their father, W. H. Wiggins, from whom they inherited the said property, and the Court being of the opinion that the rights of no party will be violated thereby, the Court doth approve and confirm said report and doth adjudge, order and decree that R. B. Hill, who is hereby appointed Special Commissioner for the purpose, proceed to convey unto G. A. Harris, Trustee, the following property, to-wit:

1. "All that certain tract of land lying in Holy Neck District of Nansemond County, containing 72-1/2 acres, known as the Elisha Howell tract, and bounded by the lands of Arthur Dillard, formerly the Ethel Dred Holland land; East by the County Road; West by the B. T. Darden land, and South by the lands of Z. T. Langston, with all the improvements thereon."

It being the same land that was conveyed to W.H.Wiggins by Henry G. Baker and wife by deed bearing date the 14th day of January, 1918, and recorded on January 17, 1918, in Deed Book 88, page 71, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia.

2. "All that tract of land situated in Nansemond County, Virginia, bounded by the lands of the late P. H. Lee, Z. T. Langston, E. W. Howell (now belonging to Henry G. Baker) and others, being known as the "Jacob Barnes" tract of land, this being the same piece or parcel of land conveyed to Sallie A. Porter by S. E. Everett and L. P. Holland, Special Commissioners, under date of April 19th, 1911."

It being the same land that was conveyed to W.H.Wiggins by Henry G. Baker and wife by deed bearing date the 8th day of January, 1916, and recorded on the 10th day of January, 1916, in Deed Book 84, page 17, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia.

3. "A tract of land containing 160 acres, more or less, known as the Mathews tract, and bounded on the North by the lands of W. J. Holland, known as the James Harrison Holland tract, on the East by the lands of Willie E. Lee, widow of P. H. Lee, on the South by the Jacob Barnes land, and on the West by the lands of W. H. Bradshaw and others, being the same tract of land conveyed to the said David Howell and Lafayette I. Howell from Willis J. Lee and E.E. Holland, Executors of P. H. Lee Estate, by deed duly recorded in D. B. No. 65, page 65, in Nansemond County Clerk's Office."

It being the same land that was conveyed to W.H.Wiggins by David H. Howell and Lafayette I. Howell by deed bearing date the 29th day of October, 1908, and recorded on the 14th day of January, 1909, in Deed Book 66, page 399, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia.

In trust, however, ~~however~~, to secure the payment of the sum of \$4500.00 to such person, persons, bank or banks as may be willing or desire to loan said sum of money to said infants; said sum to be evidenced by nine bonds of the denomination of Five Hundred Dollars (\$500.00) each, and to be executed simultaneously with said deed of trust by R. B. Hill, Special Commissioner, and payable to the order of such person, persons, bank or banks as

are willing or desire to make said loan, said bonds to be payable ~~sixty days~~ ^{two years} after demand, with legal interest thereon, at the rate of six per cent per annum, payable semi-annually. The said Special Commissioner shall have no authority, however, to execute said deed of trust and bonds until the said deed of trust and bonds have been executed by Sarah L. Wiggins and William E. Wiggins in their own right.

The said R. B. Hill, Special Commissioner, is hereby authorized and directed to pay out of the funds received by him as Special Commissioner, from the sale of the bonds hereinabove mentioned, the sum of \$150- to G. A. Harris, attorney, for conducting this suit; to A. Woolford, the legal holder of a certain bond secured by deed of trust on the property first hereinabove mentioned, the sum of \$2937.20, with interest thereon from the 31st day of December, 1923; to the Superior Guano Company of Baltimore, Maryland, the sum of \$717.17; to Sarah L. Wiggins the sum of \$500.00, and all Court costs expended in this suit, including a fee of \$20.00 to Bradford Kilby Commissioner. But the said Special Commissioner shall have no power to execute this decree until he shall enter into bond with sufficient security in the Clerk's Office of this Court, payable to the Commonwealth of Virginia, in the sum of \$5000-, conditioned upon the faithful discharge of his duties hereunder.

. And the said Special Commissioner and Trustee shall report to Court.

VIRGINIA:

IN THE CIRCUIT COURT
OF NANSEMOND COUNTY

Sarah L. Wiggins, Guardian, etc.

vs

William E. Wiggins et als

.....

~~5~~ 579 473

DECREE

*The Court to this
decree*

*W. S. Holland Guardian
ad litem for all infants
defendants -*

*GA Horn Attorney
for adult plaintiffs
and defendant.*

*Enter April 21. 1924
J. L. McInroe.*

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY

Sarah L. Wiggins, Guardian of Ruth B.
Wiggins, Veona Wiggins, Willie E.
Wiggins and Adell Wiggins, and Sarah
L. Wiggins in her own right.....Complainant

vs

William E. Wiggins, Ruth B. Wiggins,
Veona Wiggins, Willie E. Wiggins,
and Adell Wiggins, the last four
being infants under the age of twenty-
one.....Defendants

This day came Sarah L. Wiggins, Guardian of Ruth B.
Wiggins, Veona Wiggins, Willie E. Wiggins and Adell Wiggins, and
by leave of Court, filed her bill, verified by her oath thereto,
and the exhibits therewith; and on her motion, W. P. Lipscomb, a
discreet and competent attorney at law, is assigned the guardian
ad litem of the infants to defend their interest in this suit,
and thereupon the said guardian ad litem filed an answer of the
said infant defendants and his own answer, on oath, to the bill
of complaint; and the said Veona Wiggins, ^{and Ruth B. Wiggins} infants over fourteen
years of age, filed ~~their~~ own answers on oath; ~~Ruth B. Wiggins, not~~
~~being a resident of the State of Virginia, did not file her own~~
~~answer~~; and William E. Wiggins, the adult defendant, filed his
own answer to the said bill; to which several answers the complain-
ant replied generally; and thereupon, by consent of all parties,
by counsel, this cause is set for hearing and docketed; and by
like consent came on this day to be heard, on the bill of complaint
and the exhibits therewith, the several answers of the defendants
in said bill as above set out, ^{all filed this day} and the general replication of said
complainant to every one of said answers, and was argued by counsel.

On consideration whereof, the Court doth adjudge, order
and decree that this cause be referred to one of the Commissioners

of this Court, who is directed to inquire and report to the Court as follows:

1. Of what estate, real and personal, the infant defendants are possessed and entitled, and what are their respective shares and interest therein. Where such estate is situated and what is its fee simple and annual value.

2. Whether the estate of the said infant defendants will be promoted by mortgaging the real estate in the bill mentioned, or any part thereof, for the purpose of paying the debts of the estate of W. H. Wiggins, deceased.

3. Whether the rights of any person would be violated by such mortgage and payment of debts.

4. Who would be the heirs at law or distributees of the said infant defendants if they were dead, and whether all such persons are properly before the Court in this cause.

Which said inquiries, the said Commissioner shall make, after first giving notice of the time and place thereof to all the parties or their counsel, and report the same to the Court, along with any matter specially stated deemed pertinent by himself or required by any person to be stated.

VIRGINIA:

IN THE CIRCUIT COURT
OF NANSEMOND COUNTY

Sarah L. Wiggins, Guardian, etc

vs

William E. Wiggins et als

.....

DECREE OF REFERENCE

Enter April 1st. 1924
 Jas. L. McElmore.

5-7g. 469

\$470.16 Received of R. B. Hill, Special Commissioner, the
sum of Four Hundred Seventy Dollars and Sixteen Cents (\$470.16),
which is to be applied on my account against the estate of W. H.
Wiggins, deceased.

Given under my hand this 30th day of April, 1924.

Sarah E. Wiggins
by G. M. Kinniburgh atty

MR. W. F. & Sarah F. Wiggins
TO G. E. BUNTING, CLERK CIRCUIT COURT
OF NANSEMOND COUNTY
SUFFOLK, VA.

to
Sept. 30, 1924

TAX, \$

4.50

TRANSFER, \$

9

FEE, \$

3.75

675

RECORDING

DEED FROM

TO

Spel. Court. W. F. Wiggins etc.
Sub Fee

R. B. Hill
S. A. Harris

PAID

July 28th

1924

G. E. Bunting CLERK
By M. K. Lardner P. O. C.

FIRE
RAIN
RENTS
GLASS
TEAMS
ENGINE
TORNADO
ELEVATOR
LIABILITY
LIGHTNING
AUTOMOBILE
LEASE HOLD
PARCEL POST
STEAM BOILER
REGISTERED MAIL
TOURIST BAGGAGE
USE AND OCCUPANCY
RIOT AND CIVIL COMMOTION

Mr. R. B. Hill,
Suffolk, Va.

SUFFOLK, VA., June 4th., 1924.

Suffolk Insurance Corporation

National Bank Building

Phone 323

LIFE
HAIL
THEFT
WHEEL
CREDIT
HEALTH
PROFITS
ACCIDENT
BURGLARY
EXPLOSION
ELECTRICAL
SURETY BONDS
OCEAN MARINE
INLAND MARINE
FIDELITY BONDS
SPRINKLER LEAKAGE
WORKMEN'S COMPENSATION

Policy Date	Policy No.	Company	Term	Premium	Property Insured
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4/24 ~~37976~~ Ind. Ins. N.A. One Yr. \$15.00 Special Commissioner's Bond
30708

SUFFOLK INSURANCE CORP.

PAID

This is the only item which is payable before June 15th., 1924.

If we can serve you in any way call us.

By 6/16/24
R.S.

This Account Is Payable On Or Before The 15th Of June

Extension of Credit beyond above date constitutes rebating and punishable by law, by a fine and revocation of Certificate of Registration

$$\begin{array}{r}
 2943 \\
 1171 \\
 \hline
 1471.65
 \end{array}$$

$$\begin{array}{r}
 2943.15 \\
 71.50 \\
 \hline
 2871.65 \\
 1400.00 \\
 \hline
 1471.65
 \end{array}$$

$$\begin{array}{r}
 2943.15 \\
 71.50 \\
 \hline
 2871.65 \\
 1400.00 \\
 \hline
 1471.65
 \end{array}$$

Copy of Costs

Taxed in the Suit of:

L. E. Harris

p. q.

Sam R. Higgins

vs.

H. E. Higgins et al

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA

Writ Tax

1 50

Clerk

7 50

Sheriff

Attorney

15 00

Commissioner

\$ 24 00

Printer, for Order of Publication, etc.

Deposit

Date of Judgement or Final Decree

192

Paid

Aug 25

192

L. E. Harris

Clerk

*Always for of \$18.00
in any order*

Suffolk, Virginia.

\$20.00 Received of R. B. Hill the sum of Twenty Dollars
(\$20.00) covering fee for making report in the matter of
the suit of Saral L. Wiggins vs William E. Wiggins et als
this 30th day of April, 1924.

Bradford Kilby
Comm. in Chancery

\$150.00 Received of R. B. Hill, Special Commissioner in the suit of Wiggins vs Wiggins, the sum of One Hundred and Fifty Dollars (\$150.00) in full for attorney's fee for conducting this suit.

Given under my hand this 30th day of April, 1924.

G. A. Harris

\$2995.92 Received of R. B. Hill, Special Commissioner in the suit of Wiggins vs Wiggins, the sum of Twenty Nine Hundred Ninety-five Dollars and Ninety-two Cents (\$2995.92); \$2937.20 of which is in full payment of note executed by W. H. Wiggins for \$5000.00 under date of December 31, 1919, and \$58.72 of which is accrued interest on said note.

Given under my hand this 30th day of April, 1924.

Alvord

\$717.17 Received of R. B. Hill, Special Commissioner in the suit of Wiggins vs Wiggins, the sum of \$717.17 in full payment of account against the Estate of W. H. Wiggins, deceased.

Given under my hand this 30th day of April, 1924.

G. A. Harris
Attorney for Superior Guano Co.

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY

Sarah L. Wiggins, Guardian of Ruth B.
Wiggins, Veona Wiggins, Willie E.
Wiggins and Adell Wiggins, and Sarah
L. Wiggins in her own right.....Complainant

vs

William E. Wiggins, Ruth B. Wiggins,
Veona Wiggins, Willie E. Wiggins and
Adell Wiggins, the last four being
infants under the age of twenty-one.....Defendants

Extract from decree entered April 1, 1924

"On consideration whereof, the Court doth adjudge,
order and decree that this cause be referred to one of the Commis-
sioners of this Court, who is directed to inquire and report to
the Court as follows:

1. Of what estate, real and personal, the infant
defendants are possessed and entitled, and what are their respec-
tive shares and interest therein. Where such estate is situated
and what is its fee simple and annual value.

2. Whether the estate of the said infant defend-
ants will be promoted by mortgaging the real estate in the bill
mentioned, or any part thereof, for the purpose of paying the
debts of the estate of W. H. Wiggins, deceased.

3. Whether the rights of any person will be
violated by such mortgage and payment of debts.

4. Who would be the heirs at law or distributees
of the said infant defendants if they were dead, and whether all
such persons are properly before the Court in this cause.

Which said inquiries, the said Commissioner shall
make, after first giving notice of the time and place thereof to
all the parties or their counsel, and report the same to the Court,
along with any matter specially stated deemed pertinent to himself
or required by any person to be stated."

Office of Commissioner Bradford Kilby,
Suffolk, Virginia.

TO THE PARTIES TO THE ABOVE SUIT *April 2, 1924.*

I have fixed on the 5th day of April, 1924, at ten o'clock A. M., as the time, and the office of G. A. Harris, attorney-at-law, National Bank of Suffolk Building, Suffolk, Virginia, as the place for executing the decree of which the foregoing is an abstract.

Given under my hand as Commissioner in Chancery of the Circuit Court of Hansemond County, Virginia, the day and year aforesaid.

Bradford Kilby
Commissioner

We hereby acknowledge legal service of the above notice:

G. A. Harris
Counsel for the complainant and
adult defendant

William S. Halland
Guardian ad Litem of the Infant
defendants.

Virginia,

Circuit Court for the County of Nansemond, to-wit:

Sarah L. Wiggins, Guardian,)

v.)

William E. Wiggins et als.)

In Chancery.

Commissioner's Office,

Suffolk, Va. April 15, 1924.

To Honorable James L. McLemore, Judge of the Circuit Court for the County of Nansemond:

In pursuance of the decree of the Circuit Court of Nansemond County pronounced on the 1st. day of April 1924 in the suit in chancery pending in said court between Sarah L. Wiggins, Guardian, Complainant and William E. Wiggins et als, Defendants, the undersigned, Bradford Kilby, one of the Commissioners in Chancery of said Court, respectfully reports as follows:

That on the 2nd. day of April 1924, your commissioner gave notice to the parties to the said suit that he would proceed on the 5th. day of April 1924 at 10 A.M. at the office of G.A. Harris in the National Bank of Suffolk Building, Suffolk, Virginia, to make the several inquiries required by said decree to be made by one of the Commissioners in Chancery of said Court.

That legal service of the said notice was duly accepted by the parties to said suit.

That at the time and place aforesaid, your commissioner took the depositions of William E. Wiggins, Junius Darden and Sarah L. Wiggins, touching said inquiries, which depositions are herewith returned as a part of this report.

That from the testimony of said witnesses and from information otherwise obtained, your commissioner reports as follows:

(1)
and their adult brother.

The infant defendants¹ are possessed and entitled to the following real estate, subject to the dower of Sarah L. Wiggins, the widow of William H. Wiggins:

(1) All that certain tract of land lying in Holy Neck District of Nansemond County, Virginia, containing $72\frac{1}{2}$ acres, known as the Elisha Howell tract, and bounded by the lands of Arthur Dillard, formerly the Etheldred Holland land; East by the County Road; West by the B. T. Darden land and South by the lands of Z. T. Langston with all the improvements thereon, it being the same land that was conveyed to W. H. Wiggins by Henry G. Baker and wife by deed bearing date the 14th. day of January 1918 and recorded on January 17, 1918 in Deed-book No. 88 at page 71 in the Clerk's office of the Circuit Court of Nansemond County, Virginia.

(2) All that tract of land situated in Nansemond County, Virginia, bounded by the lands of the late P. H. Lee, Z. T. Langston, E. W. Howell (now belonging to Henry G. Baker) and others, being known as the Jacob Barnes tract of land, this being the same piece or parcel of land conveyed to Sallie A. Porter by S. E. Everett and L. P. Holland, Special Commissioners, under date of April 19th. 1911, it being the same land that was conveyed to W. H. Wiggins by Henry G. Baker and wife by deed bearing date the 8th. day of January 1916 and recorded on the 10th. day of January 1916 in Deed-book No. 84 at page 17 in the Clerk's office of the Circuit Court of Nansemond County, Virginia.

(3) A tract of land containing 160 acres, more or less, known as the Matthews tract, and bounded on the North by the land of W. J. Holland, known as the James Harrison Holland tract; on the East by the land of Willie E. Lee, widow of P. H. Lee; on the South by the Jacob Barnes land and on the West by the lands of W. H. Bradshaw and others, being the same tract of land conveyed to the said David Howell and Lafayette I. Howell from Willis J. Lee and E. E. Holland Executors of P. H. Lee estate and Willie E. Lee, widow of the said P. H. Lee by deed dated the 15th. day of June 1908 and duly recorded in Deed-book No. 65 at page 65 in Nansemond County Clerk's office, Virginia, it being the same land that was conveyed to W. H. Wiggins by David H. Howell and Lafayette I. Howell by deed bearing date the 29th. day of October 1908 and recorded on the 14th. day of January 1909 in Deed-book No. 66 at page 399 in the Clerk's office of the Circuit Court of Nansemond County, Virginia.

Each infant defendant has an undivided one-fifth fee-simple interest in the above described real estate, subject to the dower of Sarah L. Wiggins, widow of William H. Wiggins.

The above tracts of land adjoin each other and practically make one farm. The fee-simple value of all of said land is about \$10,000. and its annual value about \$500.

The infant defendants are possessed of no personal property.

(2)

The estate of the said infant defendants will be promoted by mortgaging the real estate in the bill mentioned for the purpose of paying the debts of the estate of W. H. Wiggins. W. H. Wiggins left one son who is 26 years old and some of the infants are old enough to work on the farm. There is much young timber on the farm and the evidence shows that this will probably grow in value enough to pay off a mortgage of \$4.500. This increase in the value of the timber, together with profits from the operation of the farm by the heirs, will enable them to save the farm from sale at a sacrifice at public auction in a creditors suit.

(3)

The rights of no person will be violated by such mortgage and payments of debts.

(4)

The heir at law of the said infants, if they were dead, would be William E. Wiggins, their adult half-brother, and he is properly before the Court in this cause.

(5)

Your Commissioner deems it pertinent to state that the debts proposed to be paid ^{and which have been proven} in this proceeding are as follows:

Superior Guano Company	\$717.17
National Bank of Suffolk	\$2.937.20
Sarah L. Wiggins	\$1.150.00
	\$4.804.37

The above amounts do not include interest.

Your commissioner deems it pertinent to say that William S. Holland, Guardian ad Litem of the infant defendants, was present during the taking of the depositions herewith returned.

There is no other matter specially stated deemed pertinent by your commissioner or required by any party to be so stated.

Respectfully submitted this 15th. day of April 1924.

Bradford Kilby
Commissioner in Chancery.

WILLIAM E. WIGGINS, being duly sworn, testifies as follows:
(Examined by Mr. Kilby).

Q. What is your age and occupation

A. 26 years old, farming

Q. You live on the farm described in the bill in these proceedings

A. Yes, sir

Q. Lived there all your life

A. Yes, sir

Q. You are the son of William H. Wiggins, deceased

A. Yes, sir

Q. These other defendants, Ruth B. Wiggins, Veona Wiggins, Willie E. Wiggins and Adell Wiggins, are your half-sisters

A. Yes, sir

Q. Are you willing that the land described in the bill should be mortgaged for the purpose of paying the debts your father owned

A. Yes, sir

Q. You think it will be to the advantage of yourself and the infant children to do this

A. Yes, sir

Q. Why do you think so

A. I think it will allow us to pay the bills and then be clear

Q. Any other reason

A. Yes, the timber on it will grow and any time if we chance to sell it might cover the amount to pay the mortgage

Q. Is it in good state of cultivation

A. Yes, sir

Q. Buildings in fair condition

A. Yes, sir

Q. Fences kept up and houses painted

A. Yes, sir

Q. What do you think is the fee simple value of this land

A. \$10,000.00 or \$12,000.00

Q. What would it rent for by the year

A. About \$500.00

Q. This place is your home

A. We all live there, I am married and live in a separate house from the rest of the family. The property is the home for all of us

Q. William, you don't think the rights of any person will be violated by mortgaging this property

A. No, sir

And further this deponent saith not.

William E. Wiggins

JUNIUS DARDEN, being first duly sworn, deposes and says as follows:
(Examined by Mr. Kilby)

- Q. What is your name, age, residence and occupation
- A. Junius Darden, age 53, Hansemond County, Virginia, farming
- Q. Are you acquainted with the land mentioned in the bill in these proceedings
- A. Yes, sir
- Q. How long have you been knowing it
- A. I have been knowing it for about forty years
- Q. What, in your opinion, is the fee simple value of the land
- A. With the timber as it is and being fertile, you can easily get \$10,000.00 for the plot
- Q. What do you think it would rent for by the year - the whole thing
- A. A man ought to get \$500.00, taking the whole thing in
- Q. Do you think that the interest of these infants will be promoted by mortgaging this real estate for the purpose of paying the debts of William H. Wiggins
- A. I certainly do
- Q. Why
- A. Because they would pay all the debts and have only one; and why I say so is it would be wise for them to mortgage the land because they are young and can pay it off.
- Q. Do you think the land would grow in value enough to justify the mortgage and pay off the debts until the children grow up
- A. Yes, sir. I certainly do. Because there is a lot of young timber on the place and you could sell the timber and clear the land off. If you never cultivated the land, the land would be clear.
- Q. Who are the children of William H. Wiggins, deceased
- A. The children of William H. Wiggins are William Wiggins, Ruth Wiggins, Veona Wiggins, Willie Essie Wiggins and Adell Wiggins

And further this deponent saith not.

Junius Darden.

SARAH L. WIGGINS, being first duly sworn, deposes and says as follows:
(Examined by Mr. Harris)

Q. State your name, age and residence

A. Sarah L. Wiggins, 40 years old, Nansemond County, Va.

Q. Are you the mother and guardian of Ruth B. Wiggins, Veona Wiggins, Willie E. Wiggins and Adell Wiggins

A. Yes, sir

Q. Are you the widow of William H. Wiggins, deceased

A. Yes, sir

Q. Are you the administratrix of the Estate of William H. Wiggins, deceased

A. Yes, sir

Q. Have you in hand, as administratrix, any funds belonging to his estate

A. No, sir

Q. Are there any unpaid debts outstanding at this time

A. Yes, sir

Q. Please state the amounts and to whom the estate of William H. Wiggins is indebted

A. ~~Superior~~ Guano Company - \$717.17

Q. How long has this debt been standing

A. Since 1920

Q. Is the Estate of William H. Wiggins indebted to anyone else

A. Mr. Woolford, the sum of \$2937.20, with interest from the 31st day of December, 1923

Q. Are there any other debts

A. I have advanced \$1150.00 derived from the proceeds of the insurance policy payable to myself in the Metropolitan Life Insurance Company on the life of William H. Wiggins

Q. Have you in hand any personal estate of the late William H. Wiggins that you can convert into money and apply to the payment of these debts

A. No, sir

Q. Are there any deeds of trust against any of the real estate mentioned in the bill in these proceedings

- A. Yes, sir. The deed of trust of Mr. Woolford's on the 72-1/2 acre tract
- Q. Are you living on this farm at this time
- A. Yes, sir
- Q. Farming it yourself
- A. My son and myself farm together
- Q. Has any demand been made for the payment of these debts
- A. Yes, sir
- Q. Do you think it would be to the best interest of the infants and your interest as well to borrow a sufficient amount to pay off the debts against the estate and secure same by mortgage or deed of trust on the real estate
- A. Yes, sir
- Q. Have the infants any other property other than the real estate mentioned in the bill in these proceedings
- A. No, sir

(Cross-examined by Mr. Kilby)

- Q. Do you think that the interest of the infants will be promoted by mortgage of the lands for the purpose of paying off the debts
- A. Yes, sir
- Q. Are your children, Ruth B. Wiggins, Veona Wiggins, Willie E. Wiggins and Adell Wiggins, under the age of twenty-one years
- A. Yes, sir

And further this deponent saith not.

Sarah L. Wiggins

Daughtrey-Beale Co.

DEALERS IN

Peanuts and Cotton

Holland, Va.,

April 4th, 1924.

Mr. G. A. Harris
Suffolk, Va.

Dear Mr. Harris:

Replying to your inquiry of 3rd, inst.
I think \$8000.00, or possibly \$10000.00, would be a
conservative estimate on the Sarah Higgins property.

I am not familiar with the quantity of
land in these tracts, but base my judgment on the
appearances by driving through the place.

Yours very truly,

L. J. Daughtrey

COMMISSIONER'S REPORT.

Sarah L. Wiggins, Guardian,

v.)

In Chancery.

)
William E. Wiggins et als.

Report of Bradford Kilby,
Commissioner in Chancery,
under decree of April 1, 1924.
Filed April 21 1924.

J. M.

Clerk.

*Approved and Assent
given to enter decree
conforming same
with S. Holland's motion
as claim for all interest
dependent on*

BRADFORD KILBY

Attorney at Law

SUFFOLK, VIRGINIA.

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

SARAH L. WIGGINS, GUARDIAN,
etc.....COMPLAINANT

vs.

WILLIAM E. WIGGINS et als.....DEFENDANTS

It appearing to the Court that the land described in the bill in these proceedings has been disposed of by decree entered by this Court in the suit of Sarah L. Scott, William E. Wiggins and Ruth B. Wiggins vs. Veona Wiggins, Willie E. Wiggins and Adell Wiggins; it is therefore adjudged, ordered and decreed that this cause be stricken from the docket.

36

Final

VIRGINIA: IN THE CIRCUIT
COURT OF ISLE OF WIGHT COUNTY

SARAH L. WIGGINS

vs.

WILLIAM E. WIGGINS

.....

D E C R E E

.....

Entered this *3rd* day of
November, 1928.

Far S. McElmore
Judge.

51.60

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY

Sarah L. Wiggins, Guardian, etc.....Complainant

vs

William E. Wiggins et als.....Defendants

Answer under oath of Ruth B. Wiggins, infant under the age of twenty-one, and above the age of fourteen, to a bill of complaint exhibited against her and others by Sarah L. Wiggins, Guardian, in the Circuit Court of Nansemond County, Virginia,

For answer to said bill, this defendant says that she is twenty years of age; that she, by reason of her tender years, knows but little of the allegations of the said bill; so far as she does know, she believes the same to be true. And she sees no reason why the prayer of the bill should not be granted; she concurs therein, but she relies upon the Court to protect her interest.

And now having fully answered, she prays to be hence dismissed with her costs, and she will ever pray, etc.

Sign RBW. Ruth B. Wiggins

STATE OF NEW JERSEY
County of *ESSEX*

, to-wit:

Sworn to before me in my County aforesaid by Ruth B. Wiggins this *20th* day of March, 1924.

[Signature]
Notary Public.

VIRGINIA:

IN THE CIRCUIT COURT
OF HANSMAN COUNTY

Sarah L. Wiggins, guardian, etc.

vs

William E. Wiggins et als

.....

ANSWER OF

Ruth B. Wiggins

Filed April 1st 1924
J. N. M.

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY

Sarah L. Wiggins, Guardian of Ruth B. Wiggins, Veona Wiggins, Willie Wiggins, and Adell Wiggins, and Sarah L. Wiggins, in her own right.....Complainants

vs

William E. Wiggins, Ruth B. Wiggins, Veona Wiggins, Willie Wiggins and Adell Wiggins, the last four being infants under the age of twenty-one years.....Defendants

The separate answer of William E. Wiggins to a bill in equity exhibited against him and others in the Circuit Court of Nansemond County, Virginia, by Sarah L. Wiggins, guardian, etc.

This respondent, saving and reserving, etc., for answer to the said bill, says that he believes the statements therein made are true. This respondent doth not object to the mortgaging of the land mentioned in the bill; he concurs in the prayer of said bill.

And now having fully answered, he prays to be hence dismissed with his costs, etc.

William E. Wiggins

Affidavit to the foregoing answer waived.

VIRGINIA:

IN THE CIRCUIT COURT
OF HANDBLOID COUNTY

Sarah L. Wiggins, etc.

VS

William L. Wiggins et als

.....

ANSWER OF

William L. Wiggins

Filed April 1st 1924.
J.P.M.

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY

Sarah L. Wiggins, Guardian, etc.....Complainant

vs

William E. Wiggins et als.....Defendants

The answer of Ruth B. Wiggins, Veona Wiggins, Willie E. Wiggins and Adell Wiggins, infants under the age of twenty-one years, by William S. Holland, a discreet and competent attorney at law, their guardian ad litem assigned to defend them in this suit, and the answer of the said William S. Holland, guardian ad litem of said infant defendants to a bill of complaint exhibited against the said infants and others by Sarah L. Wiggins, Guardian, etc., in the Circuit Court of Nansemond County, Virginia.

For answer to the said bill, the said infant defendants by their said guardian ad litem, answer and say that being of tender years they do not know what their true interest are in relation to the subject matter in the said bill, nor do they know whether the statements therein are true or not; they confide the protection of their interest therein to the care of the Court,

And the said guardian ad litem for the said infant defendants to the said bill, answers and says he knows nothing of the truth or falsity of the statements in the bill contained. He prays full protection for the infant defendants.

And now having fully answered, these defendants pray to be hence dismissed with their costs, etc.

Ruth B Wiggins

Veona Wiggins

Willie E. Wiggins

Adell Wiggins

By William S Holland
Guardian ad Litem

William S. Holland
Guardian ad Litem of
the infant defendants

STATE OF VIRGINIA,
City of Suffolk, to-wit:

Sworn to before me in my said City aforesaid
by William S. Holland, guardian ad litem as aforesaid, this
1st day of April, 1924.

Wm. S. Holland
Notary Public

VIRGINIA:
IN THE CIRCUIT COURT OF
NANSEMOND COUNTY

Sarah L. Wiggins, Guardian, etc.

vs

William E. Wiggins et als

.....

ANSWER OF GUARDIAN AD LITEM
AND INFANT DEFENDANTS.

*Filed April 1st 1924
J.L.M.*

VIRGINIA:

IN THE CIRCUIT COURT OF HANSEMOND COUNTY

Sarah L. Wiggins, Guardian, etc.....Complainant

vs

William L. Wiggins et als.....Defendants

Answer under oath of Veona Wiggins, infant under the age of twenty-one, and above the age of fourteen, to a bill of complaint exhibited against her and others by Sarah L. Wiggins, Guardian, in the Circuit Court of Hansemond County, Virginia.

For answer to said bill, this defendant says that she is fifteen years of age; that she, by reason of her tender years, knows but little of the allegations of the said bill; so far as she does know, she believes the same to be true, and she sees no reason why the prayer of the bill should not be granted; she concurs therein, but she relies upon the Court to protect her interest.

And now having fully answered, she prays to be hence dismissed with her costs, and she will ever pray, etc.

Veona Wiggins +

STATE OF VIRGINIA,
County of Hansemond, to-wit:

Sworn to before me in my County aforesaid by Veona Wiggins, this 15 day of March, 1924.

J. D. Rawles
Notary Public.

My Commission Expires October 17th, 1927

VIRGINIA:

IN THE CIRCUIT COURT
OF HANCOCK COUNTY

Sarah E. Wiggins, etc.

vs

William E. Wiggins, et als

.....

ANSWER OF

Veona Wiggins

Filed April 1st 1924
J.L.M.

VIRGINIA:

IN THE CIRCUIT COURT OF HANSEMOND COUNTY

Sarah L. Wiggins, Guardian of Ruth B.
Wiggins, Veona Wiggins, Willie E. -
Wiggins and Adell Wiggins, and Sarah
L. Wiggins, in her own right.....Complainant

vs

William E. Wiggins, Ruth B. Wiggins,
Veona Wiggins, Willie E. Wiggins and
Adell Wiggins, the last four being
infants under the age of twenty-one.....Defendants

TO THE HONORABLE JAMES L. McLEMORE, JUDGE OF THE
CIRCUIT COURT OF HANSEMOND COUNTY, VIRGINIA:

Humbly complaining, sheweth unto your Honor your complain-
ant, Sarah L. Wiggins, guardian of Ruth B. Wiggins, Veona Wiggins,
Willie E. Wiggins and Adell Wiggins, infant children of William H.
Wiggins, deceased, that she was appointed and qualified as the
guardian of the said infants in your Honor's Court on the 13th day
of March, 1924, as will appear from a certificate of the Clerk of
the Court showing the same, herewith filed, marked "A", and prayed
to be taken as a part of this bill;

That said infants are aged as follows: Ruth B. Wiggins,
twenty years of age; Veona Wiggins, fifteen years of age; Willie E.
Wiggins, eleven years of age, and Adell Wiggins, six years of age.

The said infants and William E. Wiggins, their half
brother, owns in fee simple, subject to the ~~diver~~ estate of Sarah L.
Wiggins, of the following real estate situated in Holy Neck Magis-
terial District, Hansemond County, Virginia:

1. "All that certain tract of land lying in Holy Neck
District of Hansemond County, containing 72-1/2
acres, known as the Elisha Howell tract, and
bounded by the lands of Arthur Dillard, formerly
the Ethel Dred Holland land; East by the County
Road; West by the B. T. Darden land, and South by
the lands of E. T. Langston, with all the improve-
ments thereon."

It being the same land that was conveyed to W. H.
Wiggins by Henry G. Baker and wife by deed bear-
ing date the 14th day of January, 1918, and
recorded on January 17, 1918, in Deed Book 88,

page 71, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia.

2. "All that tract of land situated in Nansemond County, Virginia, bounded by the lands of the Late P. H. Lee, Z. A. Langston, E. W. Howell (now belonging to Henry G. Baker) and others, being known as the "Jacob Barnes" tract of land, this being the same piece or parcel of land conveyed to Sallie A. Porter by S. E. Everett and E. F. Holland, Special Commissioners, under date of April 19th, 1911."

It being the same land that was conveyed to W. H. Wiggins by Henry G. Baker and wife by deed bearing date the 8th day of January, 1916, and recorded on the 10th day of January, 1916, in Deed Book 84, page 17, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia.

3. "A tract of land containing 160 acres, more or less, known as the Mathews tract, and bounded on the North by the lands of W. J. Holland, known as the James Harrison Holland tract, on the East by the lands of Willie E. Lee, widow of P. H. Lee, on the South by the Jacob Barnes land, and on the West by the lands of W. H. Bradshaw and others, being the same tract of land conveyed to the said David Howell and Lafayette I. Howell from Willis J. Lee and H. E. Holland, Executors of P. H. Lee Estate and Willie E. Lee, widow of the said P. H. Lee, by deed dated the 15th day of June, 1908, and duly recorded in D. E. No. 65, page 65, in Nansemond County Clerk's Office."

It being the same land that was conveyed to W. H. Wiggins by David H. Howell and Lafayette I. Howell by deed bearing date the 29th day of October, 1908, and recorded on the 14th day of January, 1909, in Deed Book 66, page 399, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia.

and their half brother, William E. Wiggins

The said real estate descended to the said infants by inheritance from their father, William H. Wiggins; that this is all the property, real or personal, which the said infants owned.

That at the time of the death of William H. Wiggins, there was a deed of trust against the 72-1/2 acre tract of land aggregating the sum of \$5000.00, this having been curtailed, however, by applying the proceeds from the sale of a tract of land in Surry County, Virginia, which was owned by William E. Wiggins

and which secured said \$5000.00 debt leaving a balance of \$2937.30 with interest thereon from the 31st day of December, 1923, and in addition to the said debt, the said William H. Wiggins owed at the time of his death more than \$3000.00, \$1500.00 of which was due the Spear Guano Company of Baltimore, Maryland, which sum has been curtailed by your complainant as administratrix of the estate of William H. Wiggins, and there now remains an unpaid balance of \$717.77.

Your complainant, Sarah L. Wiggins, has advanced from her own personal funds \$1150.00, which has also been used by her as administratrix in the payment of the debts of the said William H. Wiggins. Your complainant, as administratrix, has exhausted all of the funds in her hands and there is no personal property which she can apply to the payment of the remaining unpaid accounts.

Your complainant further sheweth unto the Court that the land hereinabove described is valuable farm land in high state of cultivation, and is being cultivated by your complainant, her wards and William E. Wiggins. For this reason your complainant believes and here charges that if the creditors are allowed to enforce their claims against the estate of William H. Wiggins, not only your complainant but her wards as well and all other parties having an interest in the farm land will suffer an irreparable loss.

Your complainant has been notified by the creditors of the estate of William H. Wiggins, deceased, that unless their accounts are paid within a reasonable time, they will take legal steps to collect the amounts due them.

Your complainant believes that if she were allowed to borrow the sum of \$4500.00 or so much thereof as may be necessary to pay the said debts, that the rents and profits from said farm will be sufficient to pay the interest on said indebtedness, and

to make liberal curtails each year until said loan has been fully paid and cancelled.

For these reasons, your complainant respectfully requests that she be permitted to borrow said amount, not to exceed \$4500.00; said sum to be applied to the payment of the debts aforesaid, and to be secured by first deed of trust on the real estate hereinabove described.

And your complainant believes that the rights of no person will be violated by securing such loan by deed of trust or mortgage against said property.

If all the said infants were dead, the following person would be her heir or distributee, viz: Sarah L. Wiggins, and William E. Wiggins.

In tender consideration of the premises, and for as much as your complainant is remediless therein, save in a court of equity wherein such matters are cognizable and relievable, your complainant therefore prays that the said infants under the age of twenty-one, and William E. Wiggins may be made parties defendant to this bill and required to answer the same; the infants by their guardian ad litem to be assigned them, except that the infants over fourteen may be required also to answer in person and under oath, and the adult in proper person, though not under oath, which is hereby waived; that a guardian ad litem may be assigned said infants to defend their interests in this suit, and who may also be required to answer said bill under oath; that the said land may be mortgaged to secure a loan not to exceed \$4500.00, and the proceeds of such mortgage be applied to the payment of the debts of the estate of William H. Wiggins, deceased, and as the Court shall direct; that all proper allowances and counsel's fee may be made in this suit; that all proper accounts be taken, inquiries directed, and such

other and general and further relief may be granted as to equity and good conscience may seem meet and proper. Let subpoena go.

And your complainant will ever pray, etc.

Sarah L. Wiggins

STATE OF VIRGINIA,
City of Suffolk, to-wit:

I, Minnie Lavin, a Notary Public in and for the City aforesaid, do certify that Sarah L. Wiggins, guardian of Ruth B. Wiggins, Veona Wiggins, Willie E. Wiggins and Adell Wiggins, the complainant in the above suit, this day personally appeared before me in my city aforesaid, and made oath that she believes the several statements made in the foregoing bill to be true.

Given under my hand this 13th day of March, 1924.

My commission expires Oct. 2, 1924.

Minnie Lavin
Notary Public.

BILL OF COMPLAINT

VIRGINIA:
IN THE CIRCUIT COURT
OF NANSEMOND COUNTY

Sarah L. Wiggins, Guardian, etc

vs

William E. Wiggins et als

*Filed
April 1st 1914.
J.L.M.*

G. A. HARRIS
ATTORNEY AND COUNSELLOR AT LAW
SUFFOLK, VIRGINIA