Order Book

1883-1903

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Wyatt Chas. " Wyatt Irene 684 Williams. " Allen. P.H. 654, 638, 594

Williams Jas. D. " Perkinson J.E 686 Walker Sammy " Anderson 637, 597

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Young Trustee " Youngs 676 606-592-3 " James H " " E.H. rels 670, 666
Young E.H. rel others " Young James W, 666, 670

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WILLIAM HENRY MANN
RICHARD H. MANN

MANN & MANN
ATTORNEYS AT LAW

WRIGHT'S BLOCK
'PHONE 436

PETERSBURG, VA.,

May 15th, 1908.

Mr. A. M. Orgain, jr., President,
Farmers' Bank of Butterworth,
Dinwiddie Courthouse, Va.

Dear Sir:

I have your favor of the 9th instant. With regard to my bill, I hardly know what to charge. It is worth $100., but you may send me $50. and call it square.

Very truly, yours,

Richard H. Mann

rhm-es.

3-05

9143

159
45
50
312 1/2
112
131 3/4
11
346
100
43 1/2

1310 1/4
748
167
100
304 3/4
90 4

2720 acres

$27.200

179
761
232

1112

341
5000 174
200
552
900 150
114 52
110 33

1124 110
723 138

1847 70
905
1216 1/4
218 4
50
85

1190
327
228
218

10000
83
42
235

1310
123
168
192

P91

Virginia At a circuit Court Continued & held for the County of Wmd'th at the Court House thereof on Thursday the 14th day of April 1883 and of the Commonwealth the 107th

Present Hon D.S. Kerr Judge.

Wm D Elder Pl'ff
vs
J B. Elder Def'ts } In Chancery.

This cause came on this day to be further heard upon the papers formerly read, and upon the report of sale made by Commissioner Robert H Jones Jr bearing date on the 21st day of March 1883 to which report there is no exception and was argued by Counsel, On Consideration whereof the Court doth adjudge order and decree that the report aforesaid sale thereon is hereby confirmed, and that the said therein reported to W.D Elder and A.D. Sheffield be held firm and stable between the parties, and the Court doth further adjudge order and decree that when the purchasers W.D. Elder and A.D Sheffield shall have fully paid to Commissioner Robert H Jones Jr all of the purchase money for the real estate in the proceedings mentioned, that he shall as a special Commissioner of this Court execute to them a deed with special warranty for the same and that Commissioner out of the purchase money collected by him shall apply the same to the payment of the debts of J.B. Elder dec'd in accordance with the report of Commissioner C.M. Harris filed in this cause and that said Commissioner H Jones shall make report to Court, and the Court doth further adjudge order and decree that R.D. Semple adm. of Thomas B Elder dec'd Made a further acct of his transactions as such as ordered by a decree entered in this cause at the October Term 1882

Williams Cr's Pl'ff
vs } In Chancery
Williams Adm'r &c Def's

This cause came on this day to be again heard on the papers formerly read & the report of Spec'l Comr. E Pye dated April 10: 1883 to which there are no exceptions & was argued by Counsel On consideration whereof it appearing to the Court that Matilda Williams having married since the last decree that Court doth adjudge order and decree that the suit abate as to her that said report of Spl. Comr Pye be & the same is hereby confirmed that the sale therein reported of the land in the proceedings mentioned be held firm and stable between the parties & that said Comr.

Each one of the Cash payment pay the Cost of sale and when the bonds for the deferred payment become due that he withdraw the same & collect & make report to Court.

Terrence Murray wife
vs
Etenborough Gdn &c

Pltff
Deft. } In Chy

This Cause Came on this day to be further heard upon the papers formerly read and upon the report of Comr H.R. McKenney bearing date on the 1st day of April 1883 and this day filed in the Cause to which report there is no exception and was argued by Counsel, and it appearing to the Court from said report that there was on said 1st day of April 1883 in the hands of said Comr. McKenney a balance of Two Hundred and Forty Eight & 35/100 dollars ($248 35/100) On Consideration whereof the Court approving said report doth confirm the same and doth adjudge order and decree that said Comr. McKenney shall out of said balance of $248 35 pay to William Etenborough sometimes called William Etenborough Guardian the sum of Twenty two & 22/100 dollar ($22.22) with interest thereon from March 20th 1882 till paid that being the balance due them according to the report of Comr. John Y Harris filed in this Cause on the 27th day of March 1882 and that the residue of said $248 35 he shall after having paid any unpaid Costs of this Suit pay to James McKenney attorneys for Terrence Murray wife the plaintiffs in this Cause and make report to Court

Mitchell Exor
vs
Mitchell Devisee

Pltff
Deft } In Chy.

This day this Cause Came on to be further heard upon the papers formerly read and upon the report of Commissioner J Y Harris made in pursuance of the decree entered in this cause at the last term of this Court and upon the report of Special Commissioners Robt H Jones Jr and Jno S Bucklee filed at this term of the Court and was argued by Counsel On Consideration whereof the Court approving both of said reports to which there is no exception doth order and decree that the same be confirmed. And it appearing to the Court that the

Summons to the purchasers in default in their payments directed to be issued by decree entered in this cause at the last term of this Court has never been issued the Court doth adjudge order and decree that purchasers ofresaid to wit. George W Barnes B. F. Mitchell, Thos. Chambers, Wm J Spurs and Munroe Chappell appear on the first day of the next terme of this Court and shew cause if any they can why said real estate should not be resold and they held liable for any deficiency on such resale, And it appearing to the Court from the report of Special Comm. Robert H Jones Jr and Jos D. Budd, that a sale of the Kingston tract at public auction would result in a sacrifice of the same, and that it would be for the interest of the Cestuis that the Commrs be authorized to sell the said Kingston Tract and the tract known as Vaughans in the hands of real estate agents for sale. and that the said Commissioners be authorized to arrange with such real estate agent for the payment of a Commission in case of their effecting a sale of the same, the Court doth adjudge order & decree, that the Commissioners be and they are hereby authorized to arrange with any such real estate agent for a sale of the real estate aforesaid subject to the confirmation of the Court, and to make a proper arrangement to pay said agent a reasonable commission in case of sale, and that said Commissioners if necessary be authorized in their discretion to visit one or more of the Northern Cities for the purpose of effecting a sale of said land.-

F M Williamsons Executors Plaintiff
vs
F M Williamsons adms. & others Defts. } In Chy

This cause came on this day to be further heard upon the papers formerly read, upon the report of sale made by Robert H Jones Jr Trustee bearing date on the 16 day of March 1883. to which report there is no exception, and was argued by Counsel. On consideration whereof the Court doth adjudge order and decree that the report above mentioned be and the same is hereby confirmed, and that the sale therein reported to Wm Ellenborough be held firm and stable between the parties: and the Court doth further adjudge order and decree that when the said Wm Ellenborough shall have fully paid to the said Robert H Jones Jr Trustee all of the purchase money for the real estate in the proceedings mentioned, said Trustee shall execute to him a deed with special warranty for the same: and the Court doth further adjudge order and decree that as said Trustee shall collect

of said Ellenborough the proceeds of sale of said real estate, he shall apply the same to the payment of the debt due D G Carr secured by the Deed of Trust, as ordered by a decree entered in this Court at the October Term 1882: and that said Trustee shall make report to Court.

Rob't A Jones Jr Trustee Pleff } In Chancery.
vs
James Kelly Defd

This cause came on this day to be further heard upon the papers formerly read and upon the report of Robert A Jones Jr. Trustee bearing date on the 20th day of March 1883. to which report there is no exception and was argued by Counsel, And it appearing to the Court that the objects for which this Suit was brought has been fully accomplished; On Consideration whereof the Court doth adjudge order and decree that the report aforesaid be and the same is hereby Confirmed, And the Court doth further adjudge order and decree that this cause be removed from the docket.

Wm Ellenborough Pleff } In Chancy.
vs
Mumford adms. Defd

This day this cause came on to be further heard upon the papers formerly read and upon the report of special Commissioner Jno W Davis dated the 9th day of April 1883. This day filed by leave of Court and was argued by Counsel. On Consideration whereof the Court approving said report to which there are no exceptions doth Confirm the same. And it appears to the Court that there is nothing further to be done in this cause it is ordered that the same be removed from the docket.

Briscoe Plaintiff } In Chancy.
vs
Ramey & Smith Defts

This day this cause came on to be further heard upon the papers formerly read and upon the report of special Commr Jno W Davis dated the 9th day of April 1883 This day filed by leave of Court to which report there are no exceptions and was argued by Counsel On Consideration whereof the Court approving said report doth Confirm the same and doth adjudge, order and decree that this cause be Continued.

King &c. Plaintiffs
To
Wynn &c. } In Chancery.
&
Dean &c. Defts.

The above styled cause, came on this day to be further heard upon the papers formerly read and upon the report of Commissioner Robert H Jones Jr bearing date on the 26th day of March 1883 to which report there is no exception and was argued by Counsel

On Consideration whereof the Court doth adjudge order and decree that the report above mentioned be and the same is hereby confirmed and the sale therein reported to Edmund Gilliam be held firm and stable between the parties, and the Court doth further adjudge order and decree that when the said Edmund Gilliam shall have fully paid to said Commissioner Jones all of the purchase Money for the Sixty Seven and a half acres of land in the proceedings mentioned he shall as a Special Commissioner of this Court execute to said purchaser a Deed with Special Warranty for the same and said Commissioner shall make report to Court, And the Court doth further adjudge order and decree that when Commissioner Jones shall have fully collected all of the purchase Money for the real estate in the proceedings mentioned, he shall make distribution of the same as directed by a decree entered in the above styled cause at the March term 1874 of this Court, and said Commissioner shall make report to Court.

Deese Plaintiff
To } In Chancery
Deese Defts

This cause came on this day to be further heard on the papers formerly read and on the report of Com Jerry Davis returned to this term of the Court and the exceptions thereto filed and was argued by Counsel and the Court sustaining the said exceptions doth adjudge order and decree that it be referred to one of the Commissioners of this Court to make the inquiry and state the account as directed by the last decree in this cause and report to Court.

Lee & others Plaintiffs
To } In Chancery.
Hardy & others Defts

This day this cause was docketed by Consent of parties and by like Consent came on to be heard on the Bill and exhibits filed and the answer of Thos R. Chambers one of the Defts

in the deed from Brent to Ard was argued by Counsel, And the Court being of opinion that the case is fully made out in conformity with the Statute and that the granting of the prayer of the bill will be advantageous to the Church, Therefore the Court doth adjudge order and decree that A A Vandy. John W Harrison. B F Chappell. W F Wyche Jos F Haddon. C A Deshazo. and Wm R. Chambers Trustees to the Parsonage of the Methodist Episcopal Church in the Dismal River Circuit be and are hereby authorized and directed to borrow Sum of Two Hundred and fifty dollars for the purpose of completing the building already Commenced on the premises Comp to them for that purpose, and the said Trustees are hereby authorized and directed to execute a Deed of Trust on the property mentioned in the bill to secure the payment of the said Sum to the lender and that they report their action under this Decree to the Court.

R L Elder Com
&
S W Perkins Exor

Plaintiff
Defts
} In Chancery.

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner Robt Jones bearing date on the 31st day of March 1888 to which report there is no exception and was argued by Counsel. And it appearing to the Court from said report, that a mistake was made by Printer in the Order of Publication heretofore awarded in this cause, On Consideration whereof the Court doth adjudge order and decree that the report aforesaid be and the same is hereby confirmed, and the Court doth further adjudge order and decree that Martha A Sears formerly Mann and E Sears her husband, be summoned to the 1st day of the next term of this Court to Shew Cause why the 368½ acres of land of which S W Perkins died seized and possessed, and purchased by Charles N B Wood and A J Lee under decree entered in this Cause, shall not be conveyed to them, by Commissioner of this Court, upon the payment of the balance of the purchase money due by them, which notice shall be executed by publication once a week for four successive weeks in one of the newspapers published in the City of Petersburg.

Robt A Jones Jr Master.

Plaintiff
Defts
} In Chancery.

To
W. Sears Jr.

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Robert A Jones Jr Master, to which report there is no exception, and was

argued by Counsel. And it appearing to the Court that the object for which this Suit was brought, has been fully accomplished, On Consideration whereof the Court doth adjudge order and decree, that this cause be removed from the docket.

James McKinney Apellant
&
Burgess Williams.
Plaintiff
Deft
} On Chancery.

This Cause came on this day to be further heard upon the pleadings formerly read and orders argued by Counsel and by Counsel of parties by Counsel given in open Court and entered of record, the Court again entering upon any question raised by the Petition of Williams Burgess. filed in this Cause at the April term 1882. and reserving to all parties interested the right to plead to demur to or answer said petition as they may be advised or in term time, doth adjudge, order and decree that this cause be taken for hearing and decree in vacation, but all pleadings in this cause are to be completed within thirty days from the rising of this Court.

Chambers.
&
Williamson et al
Plaintiff
Deft
} In Chy.

This cause having been matured at Rules and set for hearing came on this day to be heard on the bill filed which is taken for confessed as to all the defendants except R.C. Williamson the admr of Wm A Williamson dec'd and upon the answer of the said R.C. Williamson this day filed by the Consent of the Court and was argued by Counsel. On Consideration whereof the Court doth adjudge order and decree that one of the Commrs of this Court take the following accounts viz. An account of the personal estate of R.C. Williamson admr of Wm A. Williamson dec'd from the day of his qualification to the time of taking said account. An account of the interest of the said Wm A Williamson dec'd in the land described in the plaintiffs bill with the fair annual and annual value of the same. And an account of the outstanding debts and liabilities of the said Wm A Williamson dec'd with their priorities and which debts by this day being specially referred or deemed pertinent by himself to be so stated and report to Court.

Howell S.C. et.
&
Howell Bellis et
Plaintiffs
Defts.
} In Chancery.

This day this cause came on to be further heard upon the pleadings formerly read and upon the report of Special

Commissioner Hoy & Ware dated the 9th day of April 1887. this day filed by leave of Court to which report there are no exceptions and was argued by Counsel, On Consideration the Court approving said report doth Confirm the same and it appearing to the Court that the objects for which the said sale was ordered have been accomplished it is ordered that it be dismissed from the docket.

W E Parrish. Plaintiff } In Ch.
vs
Richetts wife Defts

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner W.R. McKenzie bearing date on the 1st day of April 1888. and this day filed in this cause, to which report there is no exceptions and was argued by Counsel, On Consideration whereof the Court approving the said report doth confirm the same and doth adjudge order and decree that the sale therein reported as having been made by said Commissioner to Mary D Reed and of tract Number 12.5.6 & 8. and the Eastern one half (1/2) of tract Number 4 aggregating four hundred and forty seven one half (447 1/2) acres as mentioned and described in the plat of the same made by Thomas F. Ross County Surveyor at the price of Two Dollars per acre be held for and stands as between the parties thereto and the Court doth further adjudge order and decree that when the said Mary D. Reed and shall have paid in full the purchase price of said land that the said Commissioner McKenzie shall make to them a deed with Special warranty for the same, and the Court doth further adjudge order and decree that when the said Commissioner McKenzie shall have collected said purchase money that he shall pay over the same to James McKenzie Attorney for the plaintiff W E Parrish in this cause. taking their receipt for the same and make report to Court.

D S. Keller Plaintiff } In Chancery.
&
Dr Wilcox admtr &c Defts

This cause came on this day to be further heard upon the papers formerly read and upon the report of Com W.R. McKenzie bearing date on the 15th day of March 1888 and this day filed in this cause, to which report there is no exceptions, and was argued by Counsel, and it appearing to the Court from the said report that the said Com W.R. McKenzie has proceeded

disbursed in accordance with the Decree rendered in this cause at the October Term 1882 the sum of Two Hundred and Sixty three 0/100 Dollars ($263.00) which remained in his hands according to the report filed in this cause at our October Term 1882. and that he failed to pay to D.J. Hunt his pro rata share of said distribution, amounting to the sum of Eight dollars ($8.00) though the whole fund in his hands has been properly exhausted., In Consideration whereof the Court affirming said report doth confirm the same, and doth adjudge order and decree that said Com McKinney do collect from the creditors to whom said distribution was made the said sum of Eight dollars, which said sum he shall pay to said D.J. Hunt, and take his receipt therefor and file the same among the papers in this cause that is to say that he shall collect from C.E. Tucker one 00/100 dollars from Allison & Addison sixty cents from D.O. Keeler three 00/100 dollars from Wm Edmondson one 40/100 dollars from B.J. Epps one 00/100 dollars from B.J. Davis fifteen cents from John Hazard twelve cents and from W.E. Robertson fifteen cents and it appearing to the Court that the fees in this cause have been exhausted and that nothing further remains to be done therein it is ordered that the same be dismissed from the docket.

Keeler & Butterworth — Plaintiffs / Defts — Inj. Dy.

It appearing to the Court by the admission made in open Court by Geo. A. Bennett Counsel for Geo. Butterworth that the Defft D. Keeler has fully paid off & discharged the debt payable to said Butterworth under the decree entered in this cause at the April Term 1882 of this Court and that said Butterworth has duly signed satisfaction acknowledgd and left with the Clerk of this Court the deed executed by them pursuant to the decree entered in this cause at the April Term 1881 of this Court- the Court doth adjudge order and decree that said Clerk the new deed the same to the said Keeler having first endorsed on the back thereof. to be recorded at the same time with said deed a certificate that it is delivered pursuant to this decree.

Robert A Hardy vs John Chambers Constable &c — Plaintiff / Defts — Inj. Dy.

This cause in which a decree was rendered in vacation on the 21 day of March 1883 dissolving the injunction awarded the Plaintiff in the cause on the 6 day of January 1883 came on this day to be further heard upon the papers formerly read and was argued by Counsel and it appearing to the

Court that Nothing further remains to be done herein, On Consideration whereof the Court doth adjudge order and decree that the same be removed from the docket and that the Plaintiff pay the Costs of this suit

T J Jarratt who sues on behalf of himself & such other Creditors of Derkin H Webb decd as will come in & Contribute to the Cost of this suit } Pltff

vs

J Gray McCandlish admr. C t A of Derkin H Webb decd Elizth S Webb Thos Fox Webb Ann Rebecca Webb Ella Christina Webb Fannie Emma Webb W T Whittaker & Elizabeth his wife and Jno Webber & Margaret Jane his wife } Defts

In Chy

The cause came on this day to be heard upon the Bill taken for Confessed as to the defts Elizth S Webb Thos Fox Webb Ann Rebecca Webb Ella Christina Webb Laura Emma Webb the executor of the defd J Gray McCandlish admr. C T A of Derkin H Webb decd with general replications thereto the exhibits filed and an affidavit that the defts Jno Webb and Margaret Jane his wife are not residents of this State and was argued by Counsel On Consideration whereof it appearing to the Court that the object of the suit is to have an administration of the estate of the late Derkin H Webb decd and the Court being of opinion that the accounts herein after ordered may be taken after the due execution of the order of publication hereinafter provided The Court doth adjudge order and decree that it be referred to one of the Commissioners of this Court to take the following accounts to wit: 1st An account of the transactions of J Gray McCandlish as the personal representative of Derkin H Webb decd 2d An account of all debts and demands chargeable against the decedent or his estate with their priorities and priorities. 3d An account of all effects real & personal belonging to said Estate with the fair simple and annual value of the real estate Upon which account said Commissioner is ordered to make state & settle & report to Court with any

Matter Specially reported deemed pertinent by himself or required to be so stated by any party interested. And the Court doth further order that the defts Jno Webb Margaret Jane his wife and Laura Emma who are not residents of the State do appear within one month after the Publication of an extract from this decree in the Petersburg Mail once a week for four successive weeks and do what is necessary to protect their interest in this cause such Publications of an extract from this decree and of said Commissioners Notice of the time and place fixed by him for taking said account, and the posting thereof at the front door of the Court House of the County on the first day of the next term of the County Court of Dinwiddie to be deemed Equivalent to personal service thereof upon all parties interested except said personal representatives &c it is further ordered by the Court that the defts Wm Wheeler be summoned to the next term of this Court to show cause if any he can why he shall not be made a party to this cause in his capacity as trustee under a certain Conveyance dated Oct. 1. 1866. executed by said Perkins & Webb of record in the Clerks Office of the County Court of said County at P. 392 of Deed Book No 11.

Bizzian Mrs
&c
Rowe & als

Pltffs

vs

Defts

In Chy

This cause came on this day to be further heard upon the papers formerly read and upon the report of Comr. Wm. Geo Bernard dated April 7th 1883 showing his transactions from April 7th 1880 the date of his last report to Court and was argued by Counsel. On Consideration whereof it appearing to the Court from said report to which there is no exception filed that said Comr. has fully and properly disbursed all of the money in his hands at the date of his last report and of the late decree entered in this Cause and which has since come into his hands, and that there is now due said Comr. the Sum of Five Dollars Forty Eight cts. ($5.48) except of his disbursements over receipts and it further appearing to the Court from said report that all of the Equalization Money directed to be paid by some of the parties to this Suit under the decree entered in Vacation on the 13th day of May 1878 and that said Comr. has duly executed to the parties the several deeds directed by said decree and also by

the decree entered at the October Term 1878 the Court approving said transactions of said Commissioner and his said report thereof doth confirm the same And the Court doth further adjudge order and decree that the defe Mary G Roney administratrix of Isaac Roney decd do render upon one of the Commissioners of this Court a further account of her transactions as the personal representative of said decedent which Commr. is ordered to audit State & settle the same and to make report to Court with any matter specially stated deemed pertinent by him & ~~any~~ requested by any party interested to be so stated Said Commr. Bernard is also ordered to make report to Court

Carr's Distributees Pltff
vs
Carr's admr &c &c Defts } In Eq

This cause came on this day to be further heard upon the papers formerly read upon the report of Commissioner W R McKenney bearing date on the 2d day of April 1883 and filed in this Cause on this day which said report shows a balance of Five Hundred and twelve 38/100 Dollars ($512.38) in the hands of said Commissioner upon the Summons awarded against Lucy G Carr the wife of John Carr at the last term of this Court to show Cause why she should not be made a party defendant to this Cause returned duly executed upon her and upon the Motion of John A Hamilton one of the infant defendants by Counsel to be admitted as a party defendant to this Cause in his own right and was argued by Counsel On Consideration whereof the Court approving the said report of Commissioner W R McKenney to which there are no exceptions doth confirm the same and doth adjudge order and decree that the sale therein reported of the lands tract containing Four Hundred and forty three and one half acres of land in Dinwiddie County to Charles C Carr at the price of Seven dollars ($7.00) per acre of tract Number 1 & 2 of the Sappinose tract in said County Number 1 containing 113 acres 1 R & 34 Poles at the price of Eight dollars ($8.00) per acre and tract Number 2 containing 101 acres 3 R 3 P at Eight 50/100 dollars ($8.50)

per acre, both ~~has~~ sold to John Carr, and the reversion in the undivided interest in the Centre Warehouse property in the City of Petersburg to Augustus Wright at the price of Thirty Six Hundred and Fifty Dollars ($3650.00) be all held forever firm and stable as between the parties thereto, and the Court doth further adjudge order and decree that when the said John Carr and Charles Carr shall have paid in full the purchase price for the tract of land purchased by them respectively then that the said Commissioner McKenney shall execute to them Deeds with Special Warranty for the same and the Court doth further adjudge order and decree that said Commissioner do execute a deed to Augustus Wright with Special Warranty for the reversion in the undivided one fifth interest in the Centre Warehouse Property aforesaid and take from him as required by the terms of sale a Deed of Trust to secure the Notes for the deferred payments thereon but should the said Augustus Wright prefer to anticipate the payment of said deferred payments authority is hereby given to the said Commissioner to allow the proper legal rebate of interest thereon and it appearing to the Court that since the last decree entered in this cause said John A Hamilton one of the infant defendants has attained the age of twenty one years it is ordered that he be admitted as a party defendant in this Cause in his own proper person and that henceforth he be so proceeded against and it also appearing to the Court from the Statement of his Counsel Mr. James O'M Kenney that Lucy G Carr is desirous of being admitted as a party defendant to this Cause on her Motion it is ordered that she be so admitted and that henceforth she be proceeded against as such, And it appearing to the Court from the report of Commissioner McKenney that the Collateral inheritance tax to which the proceeds of the sale of the real estate aforementioned is liable by Statute has not been paid the Court doth further adjudge order and decree that said Commissioner McKenney apply the balance of Five Hundred and Twelve 38/100 dollars ($512.38) in his hands according to said report to the payment of said Collateral inheritance tax and it further appearing to the Court from the same Report that the Note of August 1st 1898 for the deferred payments on his purchase aforesaid will amount Principal and interest on the 28th day of April 1899 to the Sum of Twenty Nine Hundred and Seventy Eight

Five Dollars ($2918.45) the Court doth further adjudge order and decree that said Commissioner McKenney do on or before the said 23rd day of April 1883 deliver to the Richard Sears heirs or their attorneys in this cause the Note aforesaid and that he shall at the same time credit the purchase of Charles Sears aforesaid with the sum of Fourteen Hundred ~~Dollars~~ and Eighty Nine 20/100 Dollars ($1489.20) and that he shall credit the purchase of John Cain ~~aforesaid~~ aforesaid with the like sum of Fourteen Hundred and Eighty Nine 20/100 Dollars each as of March 23rd 1883 and that said Commissioner McKenney Make report to Court his actions under this decree

Bristow Trustee
vs
Davis adm: al

This day this Cause came on to be further heard upon the papers formerly read and upon the Report of Commissioner Wm R McKenney dated the 23rd day of March 83 and filed in this Cause on the 27 day of March 1883 to which report there are no exceptions and was argued by Counsel. On Consideration whereof the Court approving said report doth confirm the same and doth adjudge order and decree that W.G. Davis adm: of W.J. Davis dec'd pay the several sums reported in his hands as shown by Comr McKenney and it appearing from said Comr. McKenney's report that a sale of the real estate of which said W.J. Davis died seized and possessed to pay the debts proved before said Comr. the Court doth further adjudge order and decree that J Scholes VanKeuren & Jno G Harris be and they are hereby appointed either one or more of whom may act in executing this decree whose duty it shall be to make sale of the real estate in the proceedings mentioned at such time and after such Notice as they shall deem best for such sufficient to pay costs of this suit and expenses of sale and the balance due on the deed of trust in the proceedings Mentioned and the balance on a Credit of one & two years bearing from the

purchaser bonds for the deferred payment and retain the title to said property until the purchase money is fully paid but before said Comr. or the one acting shall receive any such bonds they or he shall execute before the Clerk of this Court a bond in the penalty of $570. with security to be approved by said Clerk Conditioned according to law, and said Commissioners shall make report to Court

Ordered that all cases not otherwise disposed of be continued

Jam. J. Haywood

In the Circuit Court of the County of Dinwiddie. In Vacation. August 10th 1883.

James Abbott & Charlotte, his wife. Plaintiffs.

vs.

George B. Martin, Trustee of Hannah T. Martin and Geo B. Martin and Hannah T. Martin and Alexander Duncan Trustee. } In Chancery. Defts.

The Order of publication awarded in this cause having been duly published according to law and the non resident defendant Alex Duncan failing to appear, plead or answer this cause which has been regularly set for hearing, came on this day to be heard upon the bill & exhibits filed. The bill taken for confessed as to the defendant, Alexander Duncan Trustee, and was argued by Counsel. On Consideration whereof, the Court doth adjudge, order and decree that John Mann who is appointed hereby a Commissioner for the purpose proceed to take, state, settle and adjust the following accounts; 1st An account of the moneys paid out or expended by each of the joint owners of the real estate in the bill mentioned since the same became a joint property or by any one for them in or upon said real estate or joint business connected therewith of the receipts from said business and to whom

the same have been paid;
2nd An account of the fee and annual value of said real estate and whether the same is divisible or not amongst the owners thereof.
3rd An account of the balance of unpaid purchase money due by Geo B. Martin Trustee for Hannah D. Martin, if any, and by whom the same is held & to whom due.
4th An account of the value of the services of said Jas Abbot in attending to said joint business and property since the beginning of such services and an account of the loss, if any to said Abbott by reason of the failure of said Geo B. Martin to give his time & services to the same. Together with any other matter deemed pertinent by the Comr or required by the parties to be reported, and said Comr. shall make report to Court. Notice of the time and place of acting said account shall be published once a week for four successive weeks in a newspaper published in the City of Petersburg which shall be equivalent to personal service of notice upon all parties interested.

David S. Harrison.

To The Clerk of the
Circuit Court of Dinwiddie
Cty.

V V

Virginia At a circuit Court held for the County of Dinwiddie at the Courthouse thereof on Friday the 5th day of October 1883 and of the Commonwealth the 108th

Present Hon D. D. Weisiger Judge.

John J Mitchell Etc

vs

J J. Mitchells Divisees.

This day this cause came on to further heard upon the papers formerly read upon the report of Joseph D Budd Special Commissioner filed at this term of the Court showing his receipts and disbursements since his report to the last term of this Court, leaving a balance in his hands of Sixty Nine and seventy three $\frac{0}{100}$ dollars for which he has filed a certificate of deposit in the Petersburg Savings and Insurance Company with the report in this cause upon the Commissioner directed to be issued at the last term of this Court Discriminating Wm Barnes B F Mitchell Dick Chambers O J Speed and Alonzo Chappell purchasers of several parcels of real estate under the proceedings in this cause to appear on the first day of the October term of this Court and show cause why the real estate purchased by them should not be resold and they held liable for the deficiency if any on such sale which Commissioner has been duly executed upon all said purchasers and was argued by Counsel, On consideration whereof the Court approving said report to which there is no exception doth confirm the same, And it appearing to the Court from said report that upon a survey of the tract of land heretofore ordered under the proceedings in this cause to be E. E Boyhill two hundred acres whereof was in pursuance of the decree entered in this cause at the October term 1882 transferred to J J and J N. Ricketts the same was found to contain Four hundred and Six 6/10 acres instead of three hundred and Ninety four acres as was supposed at the time the said E. E. Boyhill complied with the terms of sale, and accordingly that there will remain Seventy one acres of said tract undisturbed after Cutting off the one hundred and Ninety four acres for which the purchase money has been paid and a deed heretofore ordered to be executed to the said E. E Boyhill, and it further appearing to the Court from a paper filed with said report signed by said E E Boyhill that said Boyhill desires the deed for said one hundred and Ninety four acres made to Alice M Boyhill she having paid the purchase money for the same. The Court doth adjudge order and decree that the said Joseph D. Budd Commissioner execute to the said Alice M. Boyhill a deed

for the said One hundred and Ninety four acres of said land after first having the same cut off from the tract designated on the plat made by Thomas A Reis Surveyor filed with said report as tract No 1 and that the said Commissioner proceed to sell publicly or privately and on such terms as he shall deem best subject to the Confirmation of the Court, the owners on acre remaining of said tract of land after the said parcel of One hundred and Ninety four acres shall have been cut off from the same. And it appearing to the Court that the summons aforesaid has been duly served upon Geo W Barnes B F Mitchell Wm Chambers & Jos Reis and Manod Chadwell purchasers of several parcels of land sold under the proceedings in this cause, and said purchasers having failed to appear or shew any cause why the said sales by them respectively purchased should not be made and they held liable for the deficiency if any on such sale, the Court doth adjudge and decree that unless said several purchasers shall pay the purchase money due from them respectively within ninety days from the service of a copy of this decree upon them said Joseph T Reed Commr do sell at public auction having first given due notice of the time place and terms of sale upon the following terms to wit One fourth cash balance upon a credit of one and two years deferred payments to bear interest from date and the remaining whole purchase money shall be fully paid; the proceeds of said sales under the proceedings in this cause, of each of said purchasers as shall fail to pay said purchase money due by them within ninety days as aforesaid. And the Court doth further order that the said J. and J. F Reed be summoned to appear on the first day of the next Term of this Court, and shew cause if any they can why the sale of land by said purchasers should not be made and they made liable for the deficiency if any on such sale.

J E Wallace &c. Plaintiffs
vs
Challenders &c &c. Defts } In Chancery.

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner W. F. McKinney bearing date September 13th 1883 and this day filed in this cause to which report there is no exception and was argued by Counsel On Consideration whereof the Court approving said report doth Confirm the same, and it appearing to the Court that said Commissioner W F McKinney has fully and properly disbursed the balance of Two Hundred and Ninety seven $\frac{37}{100}$ dollars ($297.37) remaining in his hands according to his report filed in this cause as the April Term 1883 of this Court. Together with all of the other money which have from time to

him come into his hands as Commissioner in this cause and it further appearing to the Court that the object for which this cause was brought has been fully accomplished and that nothing further remains to be done, the Court doth adjudge order and decree that the same be removed from the docket.

Dennis Murray wife
vs
Ellen Wright &c.
Plaintiff
Defts
} In Chancery.

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner W.R. McKinney, bearing date on the 5th day of June 1888 and this day filed in this cause, to which report there is no exception and was argued by Counsel, And it appearing to the Court that said Commissioner W.R. McKinney has properly disbursed since the sum of Two Hundred & Forty Eight 35/100 dollars ($248.35) in his hands according to his report filed and confirmed in this cause at the April Term 1883. of this Court, but all other moneys which have from time to time come into his hands in this cause, and that nothing further remains to be done herein. On Consideration whereof the Court approving said report of Commissioner McKinney, doth confirm the same and doth adjudge, order and decree that this cause be removed from the docket.

W.R. McKinney Trustee
vs
Pickett an others.
Plaintiff
Defts
} In Chancery.

This cause came on this day to be further heard upon the papers formerly read and upon the report of W.R. McKinney, Trustee, bearing date on the 22nd day of September 1883 and this day filed in this cause, to which said report there is no exception and was argued by Counsel. On Consideration whereof the Court approving said Report which shows that the said W.R. McKinney has fully and properly disbursed the balance of Two hundred and Forty Eight & 70/100 dollars ($248.70) in his hands according to the Report of Commissioner John Y. Mann filed in this cause March 21st 1883. doth Confirm the same, and it appearing to the Court that Henry J Pickett the infant defendant in this cause, has since the institution hereof, attained the age of twenty one years, upon his motion he is hereby admitted as a party defendant in his own name and it is ordered that hereafter he be proceeded against as such. And it appearing to the Court that W.R. McKinney Trustee acted properly in paying to the said Henry J Pickett in person rather than to his guardian, as heretofore ordered, the sum of one hundred & fifty four 25/100 dollars in said Trustee report mentioned, the Court doth hereby confirm his action in that respect, And it further appearing to the Court that said W.R. McKinney Trustee has fully & properly disbursed

all moneys which have from Time to Time Come into his hands in this cause, save the sum of Twenty Dollars, retained in his hands as per Report of Comr Harris above mentioned, to pay any future costs, he has still in hand for that purpose the sum of Two Hundred dollars ($200); and it further appearing to the Court that the object for which this suit was brought has been fully accomplished and that nothing further remains to be done herein, the Court doth adjudge, order and decree that the same be removed from the docket

Wm H Lewis Admr. Plaintiff.)
vs) In Chancery.
Wm H Lewis Heirs Defts.)

This cause came on to be further heard upon the report of Commissioner Jno. Y. Harris filed Sept 20th 1883 upon the confirmation of the decree entered in this cause at the October Term 1882 and the April Term 1883, of this Court, showing the transactions of Robt. H. Jones Jr. Admr of William H Lewis decd, from the date of his qualifications to the date of said report: upon the report of E.H. Allen. M.M. Reams. William H. Brown and A.S. Vaiden Commissioners appointed by the decree entered in this cause at the last Term of this Court and was argued by Counsel. On consideration whereof the Court approving the report first above mentioned to which there is no exception, doth confirm the same. and doth adjudge order and decree that Robt. H. Jones Jr Admr of William H. Lewis decd do distribute the balance of One Thousand six hundred and Thirty six $\frac{66}{100}$ dollars, whereof One hundred and fifty three $\frac{53}{100}$ dollars is interest, appearing in his hands by said report as follows to wit. that he pay to Catherine E. Lewis, widow of said William H. Lewis the sum of of Three hundred and twenty seven $\frac{26}{100}$ dollars, with interest on Two hundred and ninety eight $\frac{98}{100}$ Dollars, a part thereof, from the 22nd day of August 1883. to Lucy E. Lewis, a like sum with like interest, to William A. Reiss and Martha S. his wife a like sum with like interest, to Richard S. Wells and Christie E. his wife a like sum with like interest, and to A.M. Lewis and Mary H. his wife a like sum with like interest. And it appearing to the Court from the report of Commissioners E.H. Allen & others, above mentioned that said Commissioners have made the following valuations of the several parcels of land whereof the said William H. Lewis died seized and possessed and allotments of the same among the heirs of said William H. Lewis to wit. the Homestead tract containing 604 acres was allotted to Mrs Martha A. Lewis

wife of A.M. Lewis at a valuation of $1400, the Coleman's tract containing 224 acres was allotted to Miss Susie E. Lewis at a valuation of $700 the Crowder tract containing 157 acres was allotted to Martha S Pierce at a valuation of $500. and the Peggy Ford tract was allotted to Mrs Carlie E Miles wife of Richd D Miles at a valuation of $400. the Court approving said valuations and allotments to which there is no exception doth confirm the same and doth adjudge order and decree that a deed of partition be executed by the said heirs at law of said William A Lewis dec'd and the commissioner herein appointed to make such deeds is directed to make such deeds to each of said heirs conveying the parcel of land allotted to her in severalty subject however to the payment severally by each of them to Mrs Catherine E Lewis widow of William A Lewis of the sum of $43.75 the same being a proportionate part of the amount of one hundred and seventy four dollars provided for the said Catharine E Lewis by the deed of Commissioners adopted as the basis of the decree entered at the last term of this Court, and in pursuance of the prayer in this cause, the said sum of $43.75 is a charge by deed of trust upon the several parcels allotted to said heirs respectively.
And it appearing to the Court that in lieu of equalizing the several parcels of land allotted to the heirs respectively at the above valuations one of the tracts in the hands of the personal representative of William A Lewis dec'd that said valuation can not conveniently be made by the said Mary K Lewis wife of A.M. Lewis to whom the homestead tract aforesaid was assigned at a valuation of $1400. paying to the other heirs of said William A Lewis dec'd the several sums hereafter mentioned the Court doth adjudge order and decree that the said A.M Lewis and Mollie H his wife pay to Mrs Lucy E. Lewis the sum of fifty dollars to Martha S. Pierce the sum of Two Hundred and fifty dollars and to Charlie E Miles the sum of Three hundred and fifty dollars the said last mentioned sums to be a charge upon said homestead tract allotted as aforesaid to said Mary K. Lewis wife of A.M. Lewis. And the Court doth further adjudge order and decree that Robert A Jones Jr. administrator of William A Lewis dec'd do make before one of the Commissioners of this Court a further account of his transactions as such administrator which account said Commissioner shall report to Court with any matter specially deemed pertinent by himself or which any party interested shall request to be stated, But that such Commissioner shall not proceed to take said account until he shall have published once a week for four successive weeks in one of the newspapers published in the City of Petersburg Notice of the time and place that shall be fixed by him for taking the same, which publication shall be deemed equivalent to personal service of such notice on all of the parties interested save said administrator, who shall be personally served with such notice;

Ordered that the Court be adjourned until tomorrow morning 10 o'clock.

Jam. J. Musgrove

Saturday October 6th 1883.

Present Hon. J. J. Musgrove Judge.

Louis Chas. Jeff. } Dr Chancery.
vs
Benj. C. Lowe Defe.

This day this cause came on to be heard upon the plaintiffs bill taken for confessed as to the defendant Benj. C. Lowe upon the certificate of R. P. Barham. Editor of the Daily Appeal a Newspaper published in the City of Petersburg that the notice to the said Benj. C. Lowe had been duly published upon the return of the order of publication duly executed and filed; upon the attachment issued in this cause returned duly executed upon the exhibits filed and was argued by Counsel. On Consideration whereof it being represented to the Court by the Plaintiffs Counsel that the whole matter in controversy has been satisfactorily arranged by the payment to the plaintiff of the full amount claimed in his bill it is ordered that this cause be dismissed and removed from the docket.

Morris W. E. admr. Pleff } Dr Chancery.
vs
Morris Legatees. Defs.

This day this cause came on again to be heard upon the papers formerly read upon the report of Com'r Dowdy made to this term of the Court to which there are no exceptions and was argued by Counsel, upon Consideration whereof the Court doth confirm the same and doth decree and order that Alexander Dowdy Com'r do pay to T. M. Edwards the amount reported by him as in his hands to be $104.61 and take the receipts for the same, in the papers of this cause and he is directed to make report to Court.

Abbott recks. Pleff } Dr Chy.
vs
Martin Dunlee admr Defs

This cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner, John Mann filed September 24th 1883. to which no exception is taken and was argued by Counsel On Consideration whereof the Court affirming the said report of Commissioner Mann, doth confirm the same, and it appearing to the Court that the real estate in the Bill and proceedings mentioned is not susceptible of Division in kind amongst the owners thereof. reference being had to quality, quantity and value and that neither of the owners is willing to take the same at valuation and pay the other therefor, and that the interests of all parties will be promoted by a sale thereof. for partition. And that Geo. B Martin. as Trustee of Hannah D Martin is indebted to Jas Abbott. in the sum of Thirty three 47/100 ($33.47) dollars on account of the improvements made upon said real estate, in order to equalize the costs of said improvements between said joint owners, with interest thereon from the 24th day of July 1883. till paid. And that the said Geo. B. Martin as the Trustee of said Hannah D. Martin is also indebted to said Jas Abbott in the further sum of Three Hundred dollars ($300.00) with interest thereon from the 1st day of October 1882 till paid being apart of the original purchase money due by said Martin Trustee, and secured by the deed of Trust to Alexander Duncan Trustee under the deed from Geo. E. Martin Trustee of Hannah D. Martin dated July 18th 1880. and filed with said report. which sums has been paid by said Jas Abbott for said Martin Trustee and the note of said Martin, Trustee, assigned to Thos Cobb to said Jas Abbott, and said Abbott having requested said Duncan Trustee to execute said deed by making sale of said real estate, the Court doth adjudge, order and decree, that said real estate be sold for partition and to satisfy said lien debt held by Jas Abbott And Alexander Hamilton is hereby appointed a special Commissioner of this Court, whose duty it shall be, together with Alexander Duncan, Trustee as aforesaid to sell the said real estate, after first advertising the time, place and terms of sale for at least ten days in a news paper published in the City of Petersburg, either before the premises or in the City of Petersburg. Upon the following terms, Viz: One fourth of the purchase money in cash, the residue upon credits of one and two years, the deferred payments to carry interest from the day of sale and title to be retained until all the purchase money shall be paid, and the deferred payments to be secured by note or bond satisfactorily secured, and said Com'r and Trustee shall report to Court. But said Com'r Hamilton, shall receive no money under such this decree until he shall have given bond with two or the penalty of $4000.00 with security approved by the Clerk of this Court and conditioned according to law

A Keen wife &c. Pleff.
vs
Tillson wife &c. Defts } In Chancery

This cause came on this day to be further heard upon the papers formerly read and the report of Com. Js. Alexander Bowman & Alexander Hamilton to which no exception is taken and was argued by Counsel. On consideration whereof, the Court approving the said report, doth confirm the same, and nothing further remaining to be done in this cause it is ordered that it be removed from docket.

James Pleff
vs
Newbery & others Defts } In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner John Mann of payments made by him to Henry Treadway ally for Benjamin Hughes and to Henrietta James as directed by the decree of October term 1882 and was argued by Counsel. On consideration whereof the Court approving the said report to which there is no exception doth confirm the same and nothing further remaining to be done in this cause it is ordered that the same be removed from the docket

Hamblin admr. Pleff.
vs
Hamblin & others Defts } In Chancery.

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner John Mann made to this term of the Court and was argued by Counsel On Consideration whereof the Court approving the said report to which no exceptions have been filed. doth Confirm the same and adjudge order and decree that the sale made by the said Commissioner John Mann to Walter N Jones and B B. Vaughan be held firm and stable between the parties and that said Commissioner execute and deliver to the said Jones Vaughan a deed with Special Warranty covenanting to them the title of lands sold to them by said Commissioner and as to all other matters this cause is continued.

Macfarland & others Plaintiffs } In Chancery.
vs
Sheffield & others Defts

This cause came on this day to be further heard

upon the Papers formerly read and upon the report of Special Commissioners Alexander Duncan and John Mann of sale of land and waters given in the proceedings mentioned in pursuance of the decree of October term 1881. made to this term of the Court, and was argued by Counsel On consideration whereof the Court approving the said report, to which there is no exception, doth confirm the same, and doth adjudge order and decree that the sale made by said Commissioners, to William E. Cameron and David B Duncan be held firm and stable between the parties, and that Commissioner John Mann receive of the said Wm E. Cameron and David B Duncan the purchase money for the property sold them. to wit. Sixteen hundred dollars and upon such receipt that he execute and deliver to them a deed with Special warranty, Conveying the property purchased by them, and the said Commissioner is ordered out of the proceeds of sale to be received by him to pay the costs and expenses of sale and of this suit as shewn by the report aforesaid. and distribute the balance amongst the parties entitled thereto. and make report thereof to Court in order to a final decree.

Helen Dickerson by &c. Pltff.
vs
Wm Dickerson &c. Defts } Jno Cameron.

This cause came on this day to be again heard upon the papers formerly read upon the demurrer filed in this cause January 24th 1883. which was taken for Confessed and was argued by Counsel. On Consideration whereof the Court doth adjudge order and decree that it be referred to one of the Commissioners of this Court to inquire into and ascertain

Patrick Chappell. Pltff
vs } Jno Cameron.
James Chappell & Eliza Chappell his wife. Defts

This cause came on this day to be heard upon the Bill taken for Confessed as to both of the defendants James Chappell and Eliza Chappell his wife, and the exhibit thereunto filed. and was argued by Counsel, On Consideration whereof the Court doth adjudge order and decree that the said James Chappell do convey to the Complainant Patrick Chappell, a deed, with general warranty, for the tract of ten acres of land in the proceedings mentioned now occupied by the said Patrick Chappell and that the said James Chappell pay the costs of this suit

Laura Gemm Guardian of Charles Gemm. Pltff.
vs
David E Davis & M A E Davis his wife. S.T. Gemm. and
Etta Elgin, his wife and Charles Gemm the last
one of whom is an infant by A M Organ his guardian

adlitem.

Defts } In Ch.

On motion of the Plaintiff A M Organ is appointed as guardian adlitem of the infant defendant Charles Glenn and thereupon this cause came on this day to be heard upon the Bill taken for confessed as to the defendants D P Glenn Ethel Glenn & W A E Davis and the exhibits thereunto filed, upon the answer of David E Davis, Charles Glenn he being an infant over the age of fourteen years and A M Organ guardian adlitem of said infant defendant Charles Glenn all three of said answers having been this day filed in this cause by leave of Court, and was argued by Counsel. On Consideration whereof the Court being of opinion that the sale of land in these proceedings mentioned can be conveniently partitioned in kind between the parties entitled thereto doth adjudge, order and decree that Thomas F. Rowe Richard Williamson Alfred James James Gates and David Meade be and are hereby appointed Commissioners, whose duty it shall be to partition equally between the said W A E Davis and the said Charles Glenn the tract of land aforesaid any three of which said Commissioners are hereby authorized to act and in making such partition they shall employ a competent Surveyor, if they shall deem it necessary. But that if said Commissioners shall find that said land can not be conveniently partitioned in kind and that the interests of the parties concerned would be promoted by a sale of the whole of said land and the division of the proceeds, they shall so state in their report which they are hereby ordered to make to the April Term 1884 of this Court.

J M Williams &c Pltffs }
vs } In Chancery
Wm W Jordan &c Defts }

This cause came on this day to be further heard upon the papers formerly read, upon the report of Commissioner W R McKenney bearing date on the 13th day of September 1883 and this day filed in this cause to which report there is no exception, upon the report of Commissioner Thomas F Rowe, made in pursuance of a decree rendered in this cause at the April term 1883 of this Court, bearing date on the 25th day of September 1883 and filed in this cause on the same day to which report there is no exception, and was argued by Counsel. On Consideration whereof the Court, approving both of said reports doth confirm the same and doth adjudge, order and decree that the sale of the tract of 328¼ acres of land in these proceedings mentioned & described by said Commissioner W R McKenney as having been made to John W. Broaddus at the sum of Seven hundred and fifty dollars and the tract be held firm and stable between the parties thereto as is appearing to the

Court that the said John W Bradbury has paid in full to said Commissioner D.R. McKenney the purchase money aforesaid, the Court doth further adjudge order and decree that said Commissioner McKenney do execute to said purchaser a Deed with special warranty, for said land. and it appearing to the Court from the Bill filed in this cause that the Complainants asked that a reasonable attorneys fee be allowed their Attorneys Jones & McKenney for services herein, the Court doth adjudge order and decree that said Commissioner out of the balance of six hundred Dollars & 92/100 Dollars in his hands, according to his report above mentioned, pay to said Jones & McKenney the sum of Twenty dollars in full of such fee, and the Court doth further adjudge order and decree that said D.R. McKenney Commissioner shall retain in his hands of the balance aforesaid the sum of Twenty five dollars wherewith he shall pay the taxes in the case of land above mentioned for the year 1883. together with any further or unpaid costs of this suit. And it appearing to the Court that after paying to Jones & McKenney the fee of Twenty dollars above mentioned and retaining in his hands the sum of Twenty five dollars aforesaid, there will remain in the hands of said Commissioner McKenney for distribution among the parties entitled the sum of Five hundred and seventy one 92/100 dollars ($571.92) the Court doth adjudge order and decree that said Commissioner McKenney do pay to B E Jordan and Mary his wife the sum of one hundred and fourteen 38/100 dollars. to James Wade alias sum of Elizabeth W Wilson alias sum and to Thomas W Jordan the sum of Forty six 28/100 dollars ($46 28/100) and that the balance of the sum of one hundred and fourteen 38/100 dollars to which the said Thomas W Jordan would otherwise be entitled, amounting to the sum of Sixty eight 10/100 dollars ($68 10/100) he shall pay to B E Jordan wife the sum of Seventeen 12/100 dollars ($17 12/100) to James Wade alias amount and to Elizabeth W Wilson alias amount in full of their respective shares of the said sum of Sixty eight 10/100 dollars ($68 10/100) ascertained by Commissioner Rees in his report above mentioned to be due by the said Thomas W Jordan to the other heirs of Mary A Tally deceased as rent for 1882 & 1883. of land above mentioned and it appearing to the Court that Arianna W Williams, the late wife of James M. Williams would if alive be entitled to the sum of Two hundred & fourteen 38/100 dollars out of the balance of $571. 92/100 in the hands of said Commissioner McKenney as aforesaid, as well as to the sum of seventeen 12/100 dollars as her share of the sum of Sixty eight 10/100 dollars due by Thomas W Jordan to the other heirs of Mary A. Tally deceased. and it further appearing to the Court that the said J M Williams as the husband of the said Arianna W Williams, deed is entitled to a life interest in the said two sums of one hundred & fourteen 38/100 dollars and seventeen 12/100 dollars. the Court doth adjudge order and decree that the said Commissioner McKenney

inquire and report to the next term of this Court what is the fair & proper value in money of the said life interest of said Jas. Williams according to the tables in such case made and provided and that in the mean time said Commissioner McKenney shall hold said sum subject to the order of this Court, and it is further ordered that said Commissioner W.R. McKenney report to Court his action under this decree.

The Loving Travellers. Pltffs

By Gilliam Sheriff of the County of Dismal &c. and as such administrator of Andrew Roberts deceased Emily Roberts Sarah Roberts Mary Roberts and Robert Roberts, the last three of whom are infants by Anne fit and proper person to be appointed their guardian ad litem. } In Eq.

Defts

Upon motion of the Plaintiffs Attorney it is ordered that Anne Bryan is appointed guardian ad litem of the infant defendants Sarah Roberts Mary Roberts and Robert Roberts and thereupon this came which has regularly matured at Rules. Came on this day to be heard upon the bill taken for confessed as to the defendant Sheriff Gilliam Sheriff of this County of Dismal &c. and as such administrator of Andrew Roberts deceased and the exhibits therewith filed. Upon the answer of A.M. Bryan, guardian ad litem of the infant defendants Sarah Roberts, Mary Roberts, and Robert Roberts. and upon the answer of Emily Roberts, both of which said answers have been this day filed in this Cause by leave of the Court and upon argument of Counsel. And it appearing to the Court that the said Emily Roberts the widow of the Andrew Roberts deceased in her answer admits the allegations of the Complainants Bill to be true and it further appearing to the Court that there is due by the Complainants to the Estate of the said Andrew Roberts the sum of Thirty one dollars with interest thereon from the 14th day of October 1880 the said Court in consideration whereof the Court doth adjudge order and decree that W.R. McKenney be and is hereby appointed a Commissioner of this Court, whose duty it shall be to collect from the said "Loving Travellers" the said sum of Thirty one dollars with interest thereon from October 14th 1880 the said, upon the payment of which amount to said Commissioner, he the said W.R. McKenney, Commissioner, he or is hereby authorized & empowered to the said "Loving Travellers" a Deed with special warranty for the tract of One hundred acres of land in these proceedings mentioned, and that said Commissioner make report to Court

But that said Commissioner McKenney shall not receive any money under this decree until he shall have entered into and about in the penalty of one hundred dollars with security to be approved by the Clerk of this Court conditioned according to law for the faithful performance of this trust.

Burroughs &c. &c. Pltff. } In Chancery.
Burroughs Etc &c Defts.

This cause came on this day to be further heard upon the papers formerly read and upon the report of Special Comm Geo S Bernard dated Oct 3rd 1883. this day filed showing his transactions since the 9th day of April 1883. the date of his last report in this cause, and was argued by Counsel. On Consideration whereof it appearing to the Court from said report dated Oct 3rd 1883. to which there is no exception filed. That said Commissioner has in his hands a balance of Two hundred Seventy two dollars & seventy eight Cents ($272.78) which may be at this Time properly disbursed notably among the several Creditors of Joseph Burroughs dec whose debts are proven in this cause, the Court approving the said transactions of said Special Commissioner this report therefore doth Confirm the same and doth adjudge order decree, that he do distribute said money among said Creditors and that he make report to Court. And it further appearing to the Court from said report that the purchasers. John Berry. B.E. Dotter and Jas E Mallory Aaron Neale Jas Mallory and Henry Neale. are all in default for the purchase money payable by them respectively, the Court doth further adjudge order and decree that said purchasers be summoned to appear before this Court at its next term on the first day thereof to show cause if any they can why the bonds of default to them respectively shall not be taken at their risk & Costs. And it is further ordered by the Court that Com Nami do report to Court the account in his hands under previous orders of this Court now in force respected.

Cons Distributees Pltff. } In Chancy.
against
Ellens Administrator &c. Defts

This cause came on this day to be further heard upon the papers formerly read, upon the report of Commissioner Nami dated September 20th 1883 made pursuant to the decree entered in this cause at the October term 1882 of this Court and showing the transactions of the defendant Geo S. Bernard as the personal representative of Burford Cons dec from the 18th day of July 1882 to the 18th day of July 1883. and the status of the Estate in said decedent on said last mentioned day to which report no exception is filed. and upon the report of Special Commr

William D McKenney dated October 5th 1883. made pursuant to the decree entered in this cause at the April term 1883. of this Court. showing the transaction of said Special Commissioner since the date of said last mentioned decree, to which report there is no exception, and. was argued by Counsel. On Consideration whereof it appearing to the Court from said report of Special Comm McKenney and from the papers therewith filed. that he has properly terms on the sale notice of the purchase Augustus Wright to the parties thereto entitled, to wit to the heirs of Richard Carr dec as directed by the said decree of the April 1883. and has credited the purchaser John Carr and the Com. each with the sum of Fourteen hundred & Eighty nine 1/100 dollars as directed by said decree and that said Special Commissioner has fully and properly distributed all of the Cash funds in his hands except the balance of Eighty seven & 61/100 the Court approving the said transaction of said Special Com McKenney and his said report thereof, doth confirm the same, and doth adjudge order and decree that said Special Commissioner do withdraw from the papers in this Cause the Receipts of the Treasurer of the County of Dinwiddie for the collateral inheritance tax paid him and cause the same to be recorded in the Clerks Office of the County Court of the County of Dinwiddie; and the said Commissioner McKenney shall make report to court; And it appearing to the Court that all of the parties in person or by Counsel Consent that the Court now sign said report of Commissioner Stamps; but reserving to any party entitled liberty to object thereto. if the exceptions be filed with the Clerk of this Court within sixty days from the date of this decree, doth take this cause for consideration in vacation with liberty to enter orders thereon.

Ordered that the Court be adjourned until Monday morning 10 o'clk

Jam. J. Monigan

Monday Morning. October 8th 1883.

Present Hon S. S. Heiskell Judge.

Stewart to Harris. Pltff. } In Chancery.
vs
Stewart to Harris. Defts }

This day this cause came on to be further heard the papers formerly read and upon the report of Commissioner John y Harris filed Sept 20th 1883. made in pursuance of the decree entered in this cause at the last term of this Court. Upon the report of Joseph. O. Budd. Special Commissioner of sale of the real estate in the proceedings mentioned to James M. Williams. for the sum of Two Hundred & 50/100 dollars, and was argued by Counsel. On Consideration whereof the Court doth approve of the report aforesaid, and doth adjudge order and decree that the sale reported in the record of the above mentioned report be held firm and stables between the parties and that upon the payment by the said James M Williams of the said sum of Two Hundred & 50/100 dollars. that said Special Commissioner Joseph O. Budd execute to him a deed of Special Warranty for the land aforesaid.

Dan. Mc Call, adm'r Pltff. } In Chancery.
vs
Eunice Wyche &c. Defts }

This cause came on this day to be further heard upon the ~~report of Caleb N. Jones Jr~~ bearing date on the 29th day of September 1882. to which report there is no exception and was argued by Counsel, On Consideration whereof the Court doth adjudge order and decree that the report above mentioned be and the same is hereby confirmed, and the Court doth further adjudge order and decree that Commissioner Robert A Jones Jr proceed to make distribution in accordance with said report to the parties entitled thereto, and that said Commissioner shall make report to Court; and the Court doth further adjudge order and decree that Commissioner Robert A Jones Jr one Alex Brown either one of whom may act. do proceed to sell the one hundred acres of land heretofore reported as sold N N Graham, either publicly or privately at such place after such notice and upon such terms as he may think best. and that said Commissioner shall make report to Court.

Wynns. Eunice. Defts.
vs

Wynne Division. Apl. } In Ch.

This cause came on this day to be again heard on the papers formerly read the petition of Wm Ellenborough filed at the Oct Term 1882. was argued by Counsel. On Consideration whereof it appearing to the Court that the judgment of Wm Ellenborough against Dr. in favor Slone & Ellington is the first lien on the real estate of said R E Wynne. The Court doth adjudge order & decree that Sp Comr. J. S. Budd. apply the fund balance in his hands of the proceeds of sale of said of said R E Wynne's interest in the real estate in the proceedings mentioned & the payment of said judgment.

J B Scott. Martha B Scott his wife J B E.
Vaughan. P E Vaughan. Pallie Brown v.
Martha Vaughan

in

Lottie Brown Vaughan & Vaughan. by
& her Guardian ad litem

Pltffs } In Ch.
Defts.

This day came the plaintiffs and by leave of Court filed their bill and on motion of said plaintiffs the Court doth appoint A M Wynne guardian ad litem who by leave of Court filed the answer of said infants, and on motion of the plaintiffs this cause was placed upon the docket and came on this day to be heard by Consent of parties upon the bill of the plaintiffs upon the answer of the infant defendants by A M Wynne their guardian ad litem and general replication to said answer and was argued by Counsel. On Consideration whereof the Court doth adjudge order and decree that D E Vaughan. R H Williams E H Chambers J T Brown and Jacob Sloan be and they are hereby appointed Commissioners whose duty it shall be to make partition of the land in the proceedings mentioned dividing the same into three equal parts having reference to quality and quantity and allot one third thereof to the plaintiff Martha B Scott the wife of J B Scott one third thereof to the heirs at law of James E Brown dec'd and the remaining third thereof to the heirs at law of West Vaughan dec'd and make report to Court.

Webb &c.

vs

Webb. admr &c.

Pltff. } In Chancery.
Defts

It appearing to the Court that the order of publication awarded by this Court to issue in this cause

on the April term 1888 of this Court against the said residuary defendants John Webber and Emma Jane Webber his wife from Henry County and that the Summons against the defendant William Whitaker has been duly executed, the said Whitaker is made a party hereto in his capacity as Trustee under the deed of Feby 1st 1866, executed by Burton & Webb referred to in said decree, and it further appearing to the Court that Commissioner John G. Hanes has not yet completed his report ordered to be made under said decree this cause is continued until the Commissioner can complete his said report.

Thomas D. Rees Trustee &c. Plaintiff
vs
Francis Williams admr &c others. Defts } In Chancery.

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner John G. Hanes filed in this cause on the 20th day of September 1883. to which report there is no exception and was argued by Counsel. On Consideration whereof the Court doth approve upon said report doth adjudge, order and decree that in addition to the accounts ordered to be taken by a decree rendered in this cause at the April term 1883. the said Commissioner of this Court proceed to take the following accounts. 1st An account of the estate real and personal of which the said Francis Williams was seized and possessed with the fair principle and annual value of the real estate. 2d An account of all debts and demands against the said Francis Williams deceased, as his estate, with their dignities and priorities. 3d An account of what, if any estate of which the said Francis Williams died seized and possessed remains if undisposed of for the payment of said debts, and a sufficient amount to pay all of said debts and demands which account the said Commissioner is directed to take with any matter specially stated deemed pertinent by himself or which any party interested shall require to be so stated. But that said Commissioner shall not proceed to take said accounts until he shall have published once a week for four successive weeks in one of the newspapers published in the City of Petersburg, notice of the time and place that may be fixed by him for taking such accounts. Which publication shall be deemed equivalent to personal service of such notice on all of the parties interested. Save the administrator of the said Francis Williams deceased, who shall be entitled to personal service of such notice.

Tuesday October 9th 1883.

Present. Hon D I Wainright Judge.

John F Chambers. Plff
vs
Wm & Williamson Adr. Defts. } De Clare.

This day this cause came on to be again heard upon the papers formerly read and upon the report of Com John G Harris made to this term of the Court, to which report there is no exception and it is hereby confirmed and was argued by Counsel. Whereupon the Court doth adjudge order and decree. That R. L. Orell. who is hereby appointed Master for that purpose. do make Sale by public auction at such time and place as he shall deem best of the interest of Wm A Williamson decd in the Court decree and the petition filed in vacation by Com Harris for such sale to pay Costs and expenses of said sale and sale, the balance in a credit of one two years. bills retaining until the final payment shall be made. And it is further ordered that after payment to D. L. Williamson Adr of $61.14 Sixty one dollars & 14 Cents. the amount paid by him for Wm A Williamson to Complete the bills to said Court of $33.33 Thirty three dollars 33 cents to D McKennedy. Due by him in the same way that he shall do before the report of the sale among the other creditors according to their respective rights of their debts ascertained in said report. But before the said Com shall proceed to execute this decree he shall execute bond with the penalty of $300. with sureties to be approved by the Clerk and shall report his proceedings under this decree to Court.

N B Jones. Plff
vs } The Clerk.
E by Ward Trustee &c. Defts.

This cause came on this day to be again heard upon the papers formerly read and upon the petition of Ed Jones. Defendant. and was argued by Counsel. Pr Consideration whereof the Court doth ordain said Petition and doth adjudge order and decree. That the Clerk of this Court issue summons against Hezekiah Pfaff of Bienville Co. and in such summons notify of Ed Jones that Bettie E Jones minor of Ed Jones dec Rosa Jones and Pauline Jones infants of Ed Jones dec the petitioner of whom are infants of under years & have filed and prosecute petition as their guardian ad litem to show cause why the

should not be made parties defendants to this cause and do what is necessary to procure their evidence herein.

Haywood &c
vs
Butler &c.
} Pltffs.
} Defts } In Chancery.

This cause came on this day to be again heard on the papers formerly read & the petition of J & A E Elam this day filed by leave of Court & was argued by Counsel, On Consideration whereof the Court doth adjudge order & decree that J. Elam & B J Eskew pay over the balance in their hands from the proceeds of sales of the land in the proceedings mentioned as follows. Viz to Edgar Butler twenty five dollars, to Thaddeus Butler twenty five dollars to Lorenzo Butler twenty five dollars & Lidia A E Elam or Butler the remaining twenty five dollars to be expended in the maintenance & education of her son R E Elam as prayed for in her petition & that said J & B Eskew file the receipts of said parties in the papers in this cause on or before this Court.

Ordered that the Court be adjourned until tomorrow 10 o'clk

Jam. F. Shrieger

Wednesday October 10th 1883.

Present Hon J F. Shrieger Judge.

Nashi Ann
vs
Nashi Ann.
} Pltiff
} Deft } In Chancery.

This cause came on this day to be again heard upon the papers formerly read upon the Commissioners report filed herein & the decree of April 8th 1883. whereon "Capias issued upon J Butler Smith" Commanding said Smith to appear before the Judge of this Court upon the first day of this term of the Court to show cause why the land purchased by him in said cause should not be resold for the said purchase money, On Consideration whereof the Court doth adjudge order & decree that unless the said J Butler Smith or some one for him shall within ninety days from service of a copy of this decree on him pay to B J Eskew as Com the unpaid purchase money of said land; then said Com Eskew shall proceed to sell the said

land in account of whom it may concern. after advertising the time & place of sale and a copy for four successive weeks in some newspaper published in the City of Petersburg. and the Com Exrs may report to the Court how he shall have executed this decree.

Gunn's Co. Pltff
vs
Gunn &c. Defts

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Com Jno Y Stanard dated Sept 1 1883. made in pursuance of the decree herein entered at the April term 1883 of this Court and was argued by Counsel. On Consideration whereof the Court without otherwise passing upon said report but giving to any party interested liberty to file exceptions thereto within sixty days from the date of this decree, being of opinion that said report is imperfect in not stating what particles of personalty embraced in the inventory referred to in the Contract of March 22. 1881. in the proceedings mentioned, and in not stating in whose possession are the articles of personalty mentioned in said inventory and Contract, the Court doth recommit said report to said Commissioner with instruction to make the necessary enquiry as to said matters and to so amend his report as to give the information required thereby, in making which enquiry said Com'r shall give to the parties interested due notice of the time and place fixed by him for the purpose. It appearing to the Court by the admissions of the parties in Open Court made that the defendants Sarah P. Gunn and Ella E Gunn his wife have fully and properly paid to the plaintiff M & A Davis the sum of One hundred and Seven dollars and fifty Cents ($107.50) and to the plaintiff Laura Gunn the legally qualified guardian of the infant defs. Chas Gunn a like sum of One hundred Seven dollars & fifty cents ($107.50) pursuant to the terms of the compromise made between the parties approved by this Court by its decree entered at said April term 1883 the Court, with a view to ordering proper Conveyances to the parties, doth direct that W R McKenney & Geo S. Bernard who are hereby appointed Special Commissioners for the purpose either of whom may act alone, do cause the real estate in the proceedings mentioned to be properly surveyed so as to cut off to the parties the several parcels of land allotted to them respectively

under said Commissioner, and it is ordered that said Special Commissioner file with their report herein, which they are hereby directed to make at the next term of this Court, the Survey or plat or plats of the property to be so surveyed.

Vaiden vals. Pltff
vs
Sandifer T. P. Defts } Bu Chancery

This cause came on this day to be heard upon the Bill and exhibits therewith filed, the Answer & exhibits thereunto filed and general replications thereto and was argued by Counsel, On consideration whereof the Court doth adjudge order and decree that it be referred to one of the Commissioners of this Court, to enquire into and ascertain whether the land in the proceedings mentioned is susceptible of division in kind or whether the entire subject may be allotted to any party interested who will accept it and pay to the other parties interested such sum or sums of money as their interest therein shall entitle them to, or whether the interest of all parties thereto would not be promoted by a sale of the whole and the proceeds divided among them entitled according to their respective interests therein, or whether a division of part and sale of the residue, would be best, And the Court doth further adjudge order and decree that said Commissioner shall take an account between the parties to this suit, of rents, hire, and profits that may have accrued from said land by said defendant and such sums of money as has been paid by said defendant for taxes and any other sums of money paid by him on account of said land. and said Com. shall report any matter specially which deems pertinent by himself or suggested by any party interested, and said Com. shall make report to Court. and that said Commissioner shall not proceed to make said enquiries or to take said account until he shall have given to all the parties interested personal notice of the time and place that such will be paid by him for making said enquiry and the same and until he shall have filed at the front door of the Court House of this county on the first day of the next and succeeding term

Olivia Waddell, admx. Pltff
vs
Waddell Heirs &c. Defts } Bu Chancery

This cause came on this day to be further heard upon the papers formerly read, and was argued by Counsel, On Consideration whereof the Court doth adjudge, order and decree that one of the Commissioners of this Court proceed to take the account ordered by a decree rendered in this cause at the April Term 1883 of this Court, but that said Commissioner shall not proceed to take said account until he shall have published once a week for four successive weeks in one of the newspapers published in the City of Petersburg, notice of the time and place that shall be fixed by him for taking said

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accounts, which publication shall be deemed equivalent to personal service of such notice on all parties. Except Dave the admr of Samuel Wadkins deceased who shall have personal service thereof,

Dickerson per Frame
&
Mrs Dickerson

Pltff
vs
Defts
} In Chancery

This cause coming on this day to be again heard upon the papers formerly read upon the amended Bill filed in this cause January 24. 1888 ~~which~~ upon the depositions of witnesses and was argued by Counsel. On Consideration whereof the Court doth adjudge order and decree that it be referred to one of the Commissioners of this Court to enquire into and ascertain 1st What property Mrs Dickerson the Defendant is possessed of Real & personal with its fair simple and annual value thereof with any liens specially stated deemed pertinent by him of or which any party interested may require to be so stated, and said Commissioner shall make report thereof.

Written. Order that the Court be adjourned until tomorrow morning 10 o'clk.

Saml. J. Shellinger

Thursday October 11th 1883.

Present Hon D. D. Reagan Judge

Bristow Barbee Pltff
vs
Davis administrator Defts } In Chancery.

This cause came on this day to be further heard upon the papers formerly read upon the report of Special Commissioner W W Keeler filed in this cause at this term of the Court, to which there are no exceptions filed, and was argued by Counsel. On Consideration whereof the Court doth confirm the said report of Special Commissioner Keeler. and it appearing to the Court from said report of Spl Com Keeler that in obedience to the decree entered in this cause at the April Term 1883. of this Court he offered as sale of the tract of land in the proceedings mentioned to Wm Etteridge for the sum of $152.00 on the 10th day of May 1883. having first advertised the time place and terms of sale, terms of sale as follows. $125.00 cash the balance in 6 & 12 months years, And it appearing to the Court from said report that Wm Etteridge the purchaser of the land thereon reported has fully complied with the terms of sale, It is adjudged ordered and decreed by the Court that the sale thereon reported as being made to Wm Etteridge for the sum of $152.00 be and the same is hereby confirmed finally and binding between the parties, And upon the payment of the deferred payments said Spl Com Keeler is ordered to make to Wm Etteridge the purchaser a deed with good and sufficient Special warranty for the tract of land in the proceedings mentioned And it appearing to the Court the said purchaser wishes to anticipate the deferred payments he should be permitted so to do. And it appearing to the Court from said report of Spl Com Keeler that in obedience to the decree entered at the April Term 1883 of this Court which directed him to pay into the Court the costs of this suit including the balance on the bond due A O Bristow, out of the cash payment that he has paid the legal costs of this suit, including the balance on said bond principal & interest to Oct 8th 1883. amounting in all to the sum of $129.75 leaving a balance of the said Spl Com of $42.25 the Court doth adjudge ordered and decreed that he shall retain the balance due him out of the money to be paid him, as deferred payments, And the Court doth further adjudge order and decree that said Spl Com Keeler pay to the Attorneys for the plaintiff in this cause the sum of $30.00 including the legal attorneys fee reported as paid by him on

order for this Decree rendered in this cause, and that said Commissioners shall make report thereof

Thomas Evans
Vs
Wm Evans

Pltffs
Defts
} In Chy

By Consent of parties entered in open Court this cause is taking for further hearing and deemed in vacation

Ferguson
vs
Callis admr &c

Pltff
Defs
} Dr Chancery

This cause came on this day to be again heard upon the papers formerly read the report of Com Esq of Oct 6 1868 was argued by Counsel on Consideration whereof the Court doth adjudge order & decree that Com Esq collect the Rents of the lands in the proceedings mentioned for the present year & if on his judgment it shall appear best for the interest of all concerned that he rent out the said lands for the next year.

Ordered that all causes not otherwise disposed of be and are hereby Continued.

Ordered that the Court be adjourned until the 1st day of the next Term.

Sam. J. Hargis

In the Circuit Court of the County of Dinwiddie In Vacation the 15th day of December 1883.

Carr's Exrs &c. Plaintiffs
vs
Carr's Admr &c. Defts } In Chancery.

This cause having been taken for consideration in vacation, with liberty to enter a decree thereon in vacation, and sixty day having elapsed since the date of the last decree entered in the cause, and no person having filed any exception to the report of Comm'r Jno. J. Harris refered to in said last mentioned decree this cause came on this day to be further heard upon the papers formerly read and was argued by counsel. On consideration whereof it appearing to the court from said report that on the 18th day of July 1883 the date of the closing of the second years transactions of the dft Geo. S. Bernard as the personal representative of Bushrod Carr dec'd said Geo. S. Bernard as administrator of said Bushrod Carr held in his hands on general account a balance of six hundred and sixty seven dollars & ~~fifty~~ one cents ($667 41/100) and balances in favor of the several distributaries of said decedent as follows to wit that is to say, of nine hundred and sixty seven dollars & fifty four cents ($967 54) in favor of the defd and Jno Carr, of Two hundred and four dollars & ninety Eight cents ($204 98) in favor of the plff Emily P. Gibbons, of One hundred & Eighty one dollars & fifteen cents ($181 14) in favor of the plff Mary Ann Hamilton of Seventy three Dollars & sixty seven cents ($73 67) in favor of the plff Geo J. Howard of Nineteen dollars and Twenty four cents ($19 24) in favor of the plff Chas J. Howard of Seventy two dollars and Sixty One cents ($72 61) in favor of the plff Wm E Howard Jr of Twenty three dollars & Eighteen cents ($23 18) in favor of the dft Jno H. Howard and of Seventy Six dollars and Ninety Eight cents ($76 98) in favor of the infant dft Annie Bell Howard, and that on the 18th day of July 1883 said personal representative was in advance to distributaries of said decedent as follows that is to say to the plff Isabella E. Smith in the sum of Twenty five dollars & Ninety seven cents ($25 97) and to the plff Richd G. Howard in the sum of Seventy one dollars and sixteen cents ($71 16) the court, approving said report, doth confirm the same and doth adjudge, order & decree that said Geo. S. Bernard administrator as aforesaid to pay to said several distributaries to which he was so indebted said several balances due the respectively and that said distributaries and Richd G. Smith pay to him said Geo. S. Bernard, admr as aforesaid said balances due by said two last distributaries respectively, all of said several balances

the respective parts

to carry interest from said July 18th 1883 till paid on, thereof indicated as principal in said report the balance in favor of said infant dft is to be paid to her legally qualified guardian But no one of said distributaries shall be entitled to the benefit of this decree in her or his favor until he or she or some person for him or her, shall have executed & filed a proper refunding bond in a penalty double the same so demand to be paid and distributed as required by law and it further appearing to the court that more than two years has elapsed since the said Geo. S. Bernard qualified as the administrator of said Bushrod Carr dec'd or the maker of the plaintiffs in the cause it is ordered that the creditors of said decedents appear before this Court on the first day of its next term and show cause if any they can, why the assets of said decedents shall not be paid and delivered to her distributaries And it is further ordered by the court that an extract from this decree setting forth so much thereof as relates to said creditors be published once a week for four successive weeks in some newspaper published in the city of Petersburg and be posted at the front door of the courthouse of this County on the first day of ten successive terms of this County Court of said County preceding the next term of this Court And it is further ordered by this court that said Geo S. Bernard administrator as aforesaid do render before one of the commissioners of this court a further account of her transactions as the personal representative of said Bushrod Carr dec'd which account said commrs is ordered to audit, state & settle and report to court, with any matter specially stated, deemed pertinent by said commissioner or requested to be so stated by any party interested It being suggested that there may be errors in the interest calculations made by comr Harris in his report confirmed by this decree in the manner of making the same or otherwise liberty is given to any party interested to point out this said error if any all to have them duly corrected in the next account to be rendered by said personal representative said report being approved and confirmed subject to this proviso

Sam S. Wisiger

To the Clerk of the
Circuit Court of Dinwiddie
Cty

Virginia

At a Circuit Court held for the County of Dinwiddie at the Courthouse thereof on Monday the 9th day of April 1884 and of the Commonwealth the 108th

Present Hon O. O. Wellons Judge

Stewart's Heirs Pltffs
vs
Stewart's Heirs Defts } In Chancery

This day the cause came on to be heard upon the papers formerly read and upon the report of Special Commissioner Joseph V. Budd filed at the term of the Court showing the distribution of the fund in his hands after deducting the expenses of said sale and sale bond the sum of $139.82/100 among the parties entitled and was argued by Counsel. On Consideration whereof the Court approving said report to which there is no exception doth confirm the same doth adjudge order and decree that said Special Commr pay to the parties entitled their respective proportion of the amount ascertained by said Statement to be the receipts for the amount so paid them and report to Court.

Farley Pltff
vs
Farley Defts } In Chancery.

This day this cause came on to be further heard upon the papers formerly read and upon the report of Commissioner W. B. McElwaine filed to which there is no exception and was argued by Counsel. On Consideration whereof the Court approving doth confirm said report from which it appears that Henderson Brown the purchaser of the tract of land in the proceedings mentioned has paid the full amount of the bonds given by him for the deferred payments of the purchase price, and the Court being of opinion that the said Henderson Brown is entitled to a conveyance of said land doth order and decree, the said W. B. McElwaine Commissioner to make to the said Henderson Brown a good and sufficient deed with special warranty to the tract or parcel of land of which Frank B. Farley died seized and possessed lying & being in the National County of Dinwiddie being Virginia containing about one hundred acres, And it further appearing to the Court that since the last decree was entered in this cause Helen Farley one of the defendants has died after having attained the age of twenty one years intestate, unmarried and without issue, and that the only debts due by her estate are for funeral expenses amounting to Eighty seven dollars and 67 cts

and that her mother the plaintiff, and her sister the only surviving defendant are entitled each to an equal share of whatever may remain of the said defendant Helen Farley's estate, the Court doth adjudge order and decree. That the said Commissioner Wm B. McElwaine do out of any money in his hands due to the estate of the said Helen Farley decased pay the said funeral expenses, and distribute the balance equally between the said plaintiff Helen Farley and the said defendant Rebecca A. Farley, paying the said Rebecca A. Farley's share to her guardian. The said Commissioner Wm B. McElwaine shall take proper receipts and make report to Court

Wyman Dorsey &c — Pltff
vs — } In Chy
Wyman Dorsey &c — Defts

By consent of parties in open Court this cause is ~~taken~~ for hearing & decree in vacation.

Nash's Heirs — Pltffs
vs — } In Chy
Nash's admr &c — Defts

By consent of Parties in open Court this cause is taken for hearing & decree in vacation

Ferguson — Pltff
vs — } In Chancery
Calleis adm &c — Defts

By Consent of parties given in open Court by Counsel it is ordered that by like Consent this cause may be taken up & decided in vacation by the Judge of this Court as effectually as if it were so entered.

Sieffermeath — Pltff
vs — } In Ch.
Joyce & wife. — Defts

By Consent of parties given in open Court by Counsel it is ordered that this cause may be by like Consent taken up & considered by the Judge of this Court in vacation & decree shall be entered.

Blanchard — Pltff
vs — } In Chancery
Lacey & als — Defts

This cause came on this day to be further heard upon the papers formerly read and the report of comr Alexander Hamilton, this day filed, to which no exception is taken and was argued by counsel. On consideration whereof the court approving the said report of comr Hamilton doth confirm the same, and doth adjudge order and decree that Mollie E. Street be summonsed to show cause on the first day of the next term of this court, if any she can, why a retake of the lands purchased by her under decree herein should not be made at her cost and risk, and comr Alexander Hamilton is directed to obtain judgment on the protested note of said Mollie E. Street, if in his judgment it is advisable, and this cause is ordered to be continued.

Thomas H. Rives, Master
&
Francis Williams admr &c

Plff } In Eq
Defts }

This cause came on this to be further heard upon the papers formerly read and upon the report of commissioner John G. Harris bearing date on the 25th day of March 1884 and filed in this cause on the 27th day of March 1884 to which report there is no exceptions filed and was argued by counsel and it appearing to the court that after the application of the value of the personal property of which the late Francis Williams died seized and possessed, to the payment of part of the debts and demands reported by said commissioner Harris as due by the said Francis Williams and his estate the rents and profits of the real estate would not in five years next an amount sufficient to pay the residue of said debts and demands, on consideration whereof the court approving said report of Commissioner Harris, doth confirm the same and doth adjudge, order and decree that Thomas H. Rives, who is hereby appointed a special commissioner of this court for that purpose proceed to make sale of the tract of Two hundred and Twenty six (226) acres of land of which the late Francis Williams died seized and possessed, at the publicly or privately, at such place, upon such terms, and after such notice as he shall deem best for the interest of all parties concerned and make report to Court. But that said Commissioner Rives shall not receive any money under this decree until he shall have executed a bond in the penalty of four hundred dollars with security to be approved by the Clerk of this Court conditioned according to law, for the faithful performance of this trust. And it appearing to the Court that in the bill filed in this cause it was asked that the plaintiffs Attorneys Messrs Jones & McKenney be allowed a reasonable attorneys fee for their services in this cau-

It is ordered that the said Wm F Revis Commissioner shall out of any fund that may hereafter come into his hands in this Cause pay to said Jones & McKenney the sum of Thirty dollars in full of said fee and take their receipt for the same.

Mortimer Mitchell & Wife
vs
Sidbellers Admrs & Others

Plaintiffs
Defendants

In Chy.

This Cause came on this day to be further heard upon the papers formerly read and upon the report of Comr W. R. McKenney, bearing date on the 22nd day of March 1884, and this day filed in this Cause, to which report there is no exception. filed, and was argued by Counsel — and it appearing to the Court that the said W. R. McKenney Commissioner has properly disbursed all moneys that have from time to time come into his hands in this Cause except the sum mentioned in said report as retained in his hands to pay any unpaid Costs of this suit, and except also the sum of Thirteen 66/100 dollars ($13 66/100) in his hands for distribution and it also appearing to the Court that Knox Thompson is entitled as a Creditor of Henry Sidbellers deceased to twelve dollars and eighty Cents of said Sum of $13 66/100 and that Wm Ellenborough is entitled to the residue. On Consideration whereof the Court approving said report doth Confirm the same, and doth adjudge Order and decree that said Comr McKenney shall of said sum of $13 66/100 pay to Knox Thompson the sum of Twelve 80/100 dollars and to Wm Ellenborough the sum of eighty six Cents taking their receipt therefor & filing the same among the papers in this Cause, and it appearing to the Court that nothing further remains to be done in this Cause, it is ordered that the same be removed from the docket —

R H Jones Jr Guardian of Chappell
vs
Wm G Chappells Admr.

Plff
Defts.

The above styled Cause came on this day to be further heard upon the papers formerly read and upon the report of Comr Robert H Jones Jr. bearing date on the 5th day of April 1884, to which report there is no exception and was argued by Counsel. On Consideration whereof the Court doth adjudge order and decree that George E Revis Admr of Thomas Parham decd. and the Widow and heirs at law of Thomas Parham deceased, be summoned to the first day of the next term of this Court to shew cause why the $83 39/100 acres of land purchased by Thomas Parham deceased in the proceedings mentioned shall not be vested, and the Court doth further adjudge order & decree

the Jurchasers John Smith be summoned to the first day of the next term of this Court to shew cause why the 47 acres of land purchased him shall not be resold, and the Court doth further adjudge order and decree that Commissioner Robert H Jones Jr proceed to make resales of the several tracts of land heretofore sold to J & A Nunnally W G Chappell Peter Coleman Jas Jones, T E Vaughan Mr Robertson, Wm Shead and Richard Williamson as ordered by decrees rendered in the above stated Cause at the April term 1881, at the October term 1881 and the April term 1882. and the said Court shall make report to Court, And the Court doth further adjudge order and decree that Commissioners Alexander Duncan and Robert H Jones Jr. either one of whom may act proceed to make sale of the tracts of the real estate in the proceedings mentioned as ordered by decrees heretofore entered in this cause and that they make reports to Court, and the Court doth further adjudge order and decree that one of the Masters of this Court proceed to take the accounts ordered in this Cause at the Oct term 1880 of this Court which account said Court shall report to Court with any matter deemed pertinent, or in which any party interested may request to be specially stated, but that said Court shall not proceed to take said accounts until he shall have posted at the front door of the Courthouse of this County on one County Court day prior to the taking of the same a notice of the time and place of the taking of said accounts, - besides personal service upon the parties interested in the taking of said accounts.

Wm Dennis. Plaintiff

vs. } In Chancery.

Wm's admr &c. Defts }

This cause came on this day to be further heard upon the papers formerly read and upon the certificate of the Clerk of this Court showing the due posting of an extract from the last decree entered in this cause calling upon Creditors of the deceased Bushrod Dennis to appear and shew cause against the payment and delivery of the assets of said deceased to his distributees, and upon the certificate of the Editor of the Daily Appeal, a newspaper published in the City of Petersburg, showing the due publication of said extract in said Newspaper and was argued by Counsel On Consideration whereof no creditor having appeared to object thereto and the Court seeing no reason why said assets may not now be distributed among said distributees without requiring refunding bond. the Court doth adjudge, order & decree that said distributees shall be, and they are hereby adjudged to be entitled to the benefit of said

decree without executing or giving any refunding bonds as
thereby required, but said Distributees shall allow as credits
against said decree all payments made to them by the defen-
dant Geo S Bernard. the administrator of said decedent since the
date of said decree, And the Court doth further adjudge, order
& decree. That said Memorial Representative do pay to Jno J.
Morris the sum of Seventy five dollars ($75.00) his fee for
his last Commissioners report filed in this cause, and for copies
thereof. furnished to parties thereto entitled. It is further ordered
by the Court that said Memorial Representative may make
further distributions to the distributees of said Bankhead
decedent without requiring of them refunding bonds

John J Mitchell Exr — Pltff
vs — Dfts — In Chancery
Mitchell &c.

This day this cause came on to be further heard upon the
papers formerly read and upon the report of Commissioner Joseph
D Budd made to this term of the Court and was argued by
Counsel. On Consideration whereof the Court approving said
report to which there is no exception doth confirm the same
and doth adjudge order and decree: That the sale to Sl. Bufs.
of two hundred and sixty acres of the land heretofore sold to
W J Speir, thereon reported, be held firm ~~and valid~~ between the
parties, and that said Commissioner Joseph D. Budd be and he
hereby authorized upon the payment by the said Bufs. of the purchase
money to wit the sum of Five hundred and forty five $^{00}/_{100}$ to execute
to him a Deed with Special warranty for the land aforesaid;
as shall the said purchase prefer. That the said Commissioner
execute to him a deed and take from him a deed of trust
to secure the deferred payments as report to Court

Morris Solicitor. — Pltff
vs — Dfts — In Chancery
Morris

This day this cause came on again to be heard upon the
papers formerly read, upon the report of Com Dorman made
to this term of the Court to which there are no exceptions and
was argued by Counsel, Upon Consideration whereof the Court
doth Confirm the same and doth order that A Dorman Com.
pay to W M Eskew Fifty Dollars and file his receipt for the
same in the papers of this cause and he is directed to make
report to Court,

J M Williams vrtus — Pltff
vs
Thos W Jordan vrtus — Defts
} In Chancery.

This cause came on this day to be further heard upon the papers formerly read upon the Petition of T J Ods. W E Ods. and A M Ods. as the only heirs at law of Jane H Ods deceased, this day filed in this cause by leave of Court and upon the report of Commissioner W.R. McKinney, bearing date on the 13th day of March 1894 and this day filed in this cause, to which report there is no exception, and was argued by Counsel. And it appearing to the Court from said report that the said Commissioner McKinney has properly discharged and paid over to Elizabeth J Williams, and Thomas W Jordan the Trustees appointed to be paid by him to them by decree rendered herein at the October Term 1883. that there remains to be paid to the heirs of the late Jane H Ods the sum of one hundred thirty four dollars 98/100 dollars ($134.98) and to James M Williams widower as heir at law to the share of the late Arizona Williams also dead the sum of One hundred thirty four 98/100 dollars. and that said Commissioner McKinney has properly charged in his said report the fee simple value of the estate by the Curtesy of J M Williams in the said share of his late wife Arizona Williams. In Consideration whereof, the Court, approving the said report doth confirm the same and doth adjudge, order and decree that said Commissioner McKinney pay to T J Ods, W E Ods. and A M Ods, the sole heirs at law of Jane H Ods deceased, in equal parts, the sum of one hundred thirty four 98/100 dollars. And that he pay to J M Williams in fee of his interest as tenant by the Curtesy as aforesaid the sum of Sixty Six 99/100 dollars. and that he shall pay to J E Williams the sum of $13.50 to the duly qualified guardian of J J Williams the sum of $13.50 and to the duly qualified guardian of Lina Williams the sum of $13.49 taking from said parties receipts for the same, and that said Commissioner shall make report to Court.

Gunns Annals
vs No 1.
Gunn notice
Gunn Sum.
& No. 2.
Gunn Ans.

Pltff.
Defts.
} In Chancery.

This day came No. 1 and came No. 2 above styled, came on to be further heard cause No. 1 upon the papers formerly read and upon the report of Commissioner John G Harris made in pursuance of an order rendered therein at the April term 1888. and filed in said cause on the 20th day of September 1888 and cause

No 2. Upon the Papers formerly read Upon the report of Commissioners A J James D B Meade and J Colgate, Made in pursuance of ascertainments in said Cause No 2. at the October Term 1888 of this Court, and upon the affidavit of Wm F Davis this day filed therein with Consent of the guardian ad litem to which report there is no exception and the said Cause Being argued by Counsel, On Consideration whereof, it appearing to the Court proper that said Causes should be heard together, and the parties thereto Consenting that they should be so heard, the Court doth adjudge order and decree that the report of the Commissioners A J James D B Meade and J Colgate be and is hereby Confirmed, and the Court further adjudge order and decree that George D Bernard Robert H Jones Jr and W R McKenney be and hereby are appointed Special Commissioners of this Court, any one or more of whom may act, execute and deliver to M A E Davis the wife of David E Davis a Deed with Special Warranty for the tract of land containing seventy four acres, designated as tract No 1 on the plat filed with the report of Commissioners James Wilson Adams mentioned in Charles Gunn a Deed with Special Warranty for the tract containing seventy four acres designated as tract No 2 on said plat. and to S P Gunn and Ella his wife said Commissioners, or any one of them shall execute a Deed with Special Warranty Conveying to them in fee Simple, or upon such trust as they shall desire. Such desire to be expressed in writing to such Commissioners the tract of Two hundred acres of land with the buildings thereon, lying South of the two tracts above mentioned and described in said report as the Northern two hundred acres of the lands of which the late James W Gunn died Seized and Possessed and that said Commissioners or any one of whom who shall act shall make report to Court, it being admitted that the sum of $1195.00 ordered to be paid by the said M A E Davis and also the one to Charles Gunn by Decree of April Term 1888 have been fully & properly paid And it having been clearly shown to this Court independently of any admissions in the Answer in Cause No 2 ~~above mentioned~~ that the interest of the infant defendant Charles Gunn will be promoted by a sale of tract No 2. above mentioned as allotted to him and that the rights of no person will be violated thereby. The Court doth adjudge order and decree that Robert H Jones Jr. and W R McKenney who are hereby appointed Special Commissioners of this Court for the purpose, either of whom may act proceed to make Sale of the said tract No 2 at such place and after such notice as they or the one acting shall deem best and upon the following terms 1/3 Cash. and the balance in Credits of 6. 12. & 18 months for negotiable notes

satisfactorily endorsed bearing interest from the day of sale and retaining the title until the whole of the purchase money shall have been fully paid. Purchaser to pay costs Jan 1884. But that said Commissioner or either of them, shall proceed to execute this decree until he or they shall have entered into bond in penalty of $5000 with security to be approved by the Clerk of this Court conditioned according to law for the faithful performance of this trust and that said Commissioner shall render report to Court.

Ormie Waddell &c. Pltff.
vs
Waddell Widow &c. Defts. } Dr. Chancery.

This cause came on this day to be further heard upon the papers formerly read, upon the petition of Pltfs Wednesday this day filed in open Court, and upon the report of Commissioner Thomas F. Rice, bearing date on the 19th day of March 1884, to which report there is no exception, and upon the motion of J. E. Wills and Es. Hobbs, to be admitted as parties plaintiff in this cause and was argued by counsel On consideration whereof the Court doth adjudge order and decree, that the report above mentioned be and the same is hereby confirmed, and the court doth further adjudge order and decree that Es. Hobbs and J. E. Wills, be admitted as parties plaintiff in this suit, and the Court doth further adjudge order and decree that George S. Bernard, Wm. R. McKinney and Robert St. John Jr be and are hereby appointed as commissioners of this court, either one or more of whom may act, thereof to the petitioner M. C. Wooldridge the real estate of which Samuel Waddell died seized and possessed, not including the real estate allotted to his widow, for one hundred and thirty five dollars per annum, the first payment for the same to be made on the 1st day of August 1884 and every twelve months thereafter, until said commissioners or commissioner shall have collected of said Wooldridge ~~shall have collected of said Wooldridge~~ enough rent to pay the debts of the said Samuel Waddell dec'd and that of his estate including the costs of this suit, and upon the ~~failure~~ of the said M. C. Wooldridge to make any of the payments as ordered above, the said Commissioner or commissioners shall proceed to make sale of the real estate of which said Waddell died seized and possessed including the reversion in the real estate allotted to his said widow as dower; for one third cash, the balance in ~~the~~ two equal annual installments with bonds and satisfactory securities and out of the proceeds of said renting or sales, said commissioners after the payment of the costs of this suit, the balance in their hands

they shall apply to the payment of the debts of the said Samuel Waddell dec'd according to the priorities as reported by commissioner T. A. Rives in his report as above referred to; and said Commissioner or commissioners shall make report to Court; but that said Commissioner or commissioners shall not proceed to act as such in making said rents or sales, until he or they shall enter into a Bond in the penalty of $1000 with security to be approved by the Clerk of this court for the faithful discharge of this trust

Patrick Chappell Pltff
vs
Jas Chappell Defe } Jr Clancy

This cause which has regularly matured at rules came on this day to be heard upon the Bill taken for confessed as to both of the defendants, and the exhibit therewith filed and was argued by counsel and it appearing to the Court that, since the institution of this suit the defendants James Chappell & wife have executed and delivered to the plaintiff, Patrick Chappell the deed, to obtain which this suit was instituted and it appearing to the Court that Patrick Chappell, in order to a full & final settlement of the matter in controversy in this cause, is willing to pay the Clerks & Sheriffs costs, for consideration whereof, and by consent of the said Patrick Chappell by counsel, it is ordered that Patrick Chappell pay the costs of this suit, exclusive of the usual counsel fee, that is to say, that he shall pay any costs due the Clerk and Sheriff and it appearing that the object for which this suit was brought has been fully accomplished and that nothing further remains to be done herein, it is ordered that the same be removed from the docket

Abbott & wife Pltffs
vs
Martin's Trustee & others Defts } Jr Clancy

This cause came on this day to be further heard upon the papers formerly read and the report of Comr Alexander Hamilton and Master Alexander Duncan this day filed with notices for payments, to which no exceptions is taken and was argued by counsel, on consideration whereof the court approving the said report of Alexander Duncan

Truste, and Alexander Hamilton, Comr, doth confirm the same and doth adjudge order and decree that the sale made to Jas. Abbott be held firm and binding between the parties, and doth direct that either said Truste, Dorman or said Comr Hamilton, collect the notes for the deferred payments, and when the same are fully paid that said Comr and Truste execute and deliver to said Jas Abbott a good and sufficient deed for said real estate with special warranty and it appearing to the court as shown in the report of Comr Jno. Mann heretofore confirmed, that the defendant Martin, Truste, is indebted to said Jas Abbott in the sum of $33,47 with interest thereon from Feby 24th 1882 and in the further sum of $300 with interest thereon from Oct. 1st 1882 which more than consumes the sum of $340,07 that one half of the money in hand to which Martin, Truste, would be otherwise entitled, the court orders and decrees that Alexander Dorman, Truste &c of the fund in his hands pay said sum of $340.07 to Jas Abbott or his attys on account of said debts, and it appearing that the same has been done it is hereby approved and confirmed and that said Truste pay the other one half of said fund viz $340,06 to Jas Abbott or his attys in his own right as half owner, and it appearing that the same has been done, except as to $180,13 the court doth approve and confirm the same and order that said $180,13 be paid as directed, and said Truste and Comr shall report to court

Macfarland rathbun Pltffs
vs
Stockdell rathbun Defts
} In Chy

This cause came on this day to be further and finally heard upon the papers formerly read and upon the report of commissioner John Mann showing the receipts and disbursements by him under decree of the last term filed at this term of the court and was argued by Counsel On Consideration whereof the court approving the said report, to which there is no exception doth confirm the same, And it appearing from the said report and the papers filed therewith that the said Commissioner has distributed the amount received by him under decree in this cause, and nothing further remaining to be done in this cause it is ordered that the same be removed from the docket.

Ordered that the court be adjourned until tomorrow morning 10 o'clock.

Jam. J. Wenger

Tuesday April 8th 1884

Present Hon D D Mangum Judge.

John Pegram Pltff
vs
Emma Pegram Defts
In Chancery

This cause came on this day to be heard upon the Bill which has regularly matured as to all and the exhibits thereto filed and the depositions taken in pursuance to notice thereon and was argued by Counsel. On Consideration whereof it appearing to the Court that the defendant Emma Pegram wilfully deserted the Plaintiff for a period of more than two years the Court doth adjudge order and decree that a divorce a vinculo matrimonii be granted the plaintiff John Pegram from the Defendant Emma Pegram and that all matrimonial relations heretofore existing between the Plaintiff John Pegram and the Defendant Emma Pegram be forever dissolved and it appearing to the Court further that the object for which this suit was instituted has been fully accomplished it is ordered that this cause be removed from the docket.

R L Elder Exor Pltff
vs
L W Perkins Exors &c Defts
In Chancery

This cause came on this day to be further heard upon the pleadings formerly read, and was argued by Counsel. And it appearing to the Court that the Summons issued in this cause at the April Term 1883 against the non resident defendants Martha Lewis formerly Moore and E Lewis her husband has been properly executed by an order of Publication. On consideration whereof the Court doth adjudge order and decree that when the purchasers, Charles W. B.W. and A.T. Lewis shall have fully paid to Commissioner Robert M. Jones Jr, the balance of the purchase money due by them for the 368½ acres of land in the proceedings mentioned he shall execute to them a deed with special warranty for the same as ordered by a prior decree mentioned in this cause and that said Commissioner shall make report to Court

Slaughter &c vs
&c

Pltff
In Chancery

Shelley &c. Dfdt

This cause came on this day to be further heard upon the papers formerly read and upon the report of Sale by Commissioner Robert H Jones Jr bearing date Sept 21, 1883, to which report there is no exception and was argued by Counsel. On Consideration whereof the Court doth adjudge order and decree that the report above mentioned be and the same is hereby confirmed, and that the sale therein reported to John Thomas be held firm and stable between the parties: And the Court doth further adjudge order and decree that when the purchase John Thomas shall have fully paid to Commissioner Robert H Jones Jr. all of the purchase money for the One Hundred and ten acres of land in the proceedings mentioned, that he shall as a special Commissioner of this Court execute to him a Deed with special warranty for the same: And that said Commissioner shall report to Court: And the Court doth further adjudge order and decree that said Commissioner shall proceed to resell the One hundred acres of land belonging to Jack Williams, as ordered by a Decree entered in this Cause at the April term 1883: And that said Commissioner shall make report to Court.

B W Shelleys Heirs Plffs
vs
B W Shelleys Admr Dfdt
} In Chy—

This Cause came on this day to be further heard on the papers formerly read, and was argued by Counsel. On Consideration whereof the Court doth adjudge order and decree that Robert Gibbons Jr who is hereby appointed a receiver for the purpose to withdraw from the papers in this cause the Certificate of deposit made by James Musgrave admr, in the Petersburg Savings and Insurance Company and filed with his report in this Cause at the October term 1878, and collect the accrued interest thereon, and after paying the Clerks Costs due in this Cause pay the balance of such interest to William Shelley for the support of the infants plaintiffs Benj Chas Shelley. And after collecting & paying out said interest said receiver shall return the Certificate to the Clerk of this Court to be filed in the papers in this Cause, And said receiver is directed to make report to Court how he shall have executed this decree, But said receiver shall not act under this decree until he shall have executed and filed with the Clerk of this Court bond in the penalty of $700 conditioned for the faithful discharge of his duties under this decree with Security to be approved by

said Court.

Rees
vs
Gholson

Plaintiff
Deft
} In Chancery

This cause came on this day to be further heard upon the papers formerly read, and was argued by Counsel. On Consideration whereof, it being suggested to the Court, that since the decree entered in this cause at the April term 1879. B C Shell who was thereby appointed a special Commissioner to sell and the real estate in the proceedings mentioned has died. The Court doth adjudge order and decree that John H Harris who is hereby appointed a Commissioner for the purpose collect the unpaid rent for said real estate and take charge of and rent the same, until such rents shall be sufficient to discharge the balance due on the judgment lein in the proceedings mentioned, and make report to Court, but before said Harris shall receive any money under this decree he shall execute before the Clerk of this Court a bond with Security to be approved by him in the penalty of $100 conditioned according to law, and the Court doth further adjudge order and decree, that it be referred to one of the Commissioners of this Court to inquire into and report to Court what sum of money was collected by the said B C Shell Commissioner as aforesaid and how much thereof was applied by him to the payment of the judgment due the plaintiff as rec. as other disbursements made by him.

Morcard Guion
vs
Morcard.

Pltff
Deft
} In Chancery.

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner Robert H James Jr. bearing date on the 29th day of March 1884. to which report there is no exception, and was argued by Counsel On Consideration whereof the Court doth adjudge order and decree that the report above mentioned be and the same is hereby confirmed, And the Court doth further adjudge order and decree that the personal representative of Jeff Rae be summoned to the first day of the next term of this Court to shew cause why the fifty acres of land purchased by the said Jeff Rae in the proceedings mentioned shall not be sold.

N B Jones. Plaintiff
against } In Chancery.
Barth Trustee &c. Defts

This day this cause came on again to be heard upon the bill of Complainant, exhibits, and depositions filed therewith, the answer of Geo W Allen and the adm. of Jno Jones. and the answer of Eliz. Jones the defts with exhibits and depositions filed therewith, and was argued by Counsel, On Consideration whereof the parties Consenting thereto in Open Court. this cause is taken for decree in vacation with leave to either party to file additional arguments within forty days from the rising of this Court.

Ordered that all Cause not otherwise disposed of be and the same are hereby Continued.

Chambers Pltff
vs } In Chancery
Williamson admr &c Defts

This day this cause came on to be further heard upon the papers formerly read and upon the petition of R A Williamson this day filed. By leave of Court, and was argued by Counsel, On Consideration whereof the Court doth adjudge, order and decree that R A Williamson be summoned to appear here on the first day of the next term of this Court to answer said petition, and as to all other matters this cause is Continued

Scott wife &c others Pltffs
vs } In Chancery
Brown & others Defts

This day this cause came on to be further heard upon the papers formerly read and upon the report of Special Commissioner Thos E Harrison E A Chambers and J T Brumbearing dated on the 4th day of December 1883, This day filed by leave of Court, and was argued by Counsel, On Consideration whereof the Court approving said report to which there are no exceptions, doth confirm the same and doth adjudge, order and decree that the partition of the real estate made by said Commissioners be held firm and stable between the parties - and doth further adjudge, order and decree that

John J Harris, who is hereby appointed a Special Commissioner for the purpose, convey by deed with Special Warranty, tract No. 1. on plat made by Thos F Rivers Co Surveyor, returned by said Commrs with their report, containing fifty nine acres to F B E Vaughan P E H Vaughan Vaughan & Vaughan heirs at law of Wm H Vaughan dec'd subject to the dower interest of Martha Vaughan the widow of said Wm H Vaughan dec'd to Lattie Brown the heir at law of James E Brown dec'd tract No. 2. on said plat. containing fifty eight acres, subject to the dower interest of Pattie Brown the widow of said Jas E Brown and to Martha J Scott the wife of Thos B Scott the remaining tract No 3 on said plat, containing fifty eight acres and make report to Court

Dickerson pro ami Pltff
vs } In Chy
Dickerson Deft

This Cause came on this to be further heard upon the papers formerly read and upon the report of Commissioner John J Harris bearing date on the 22nd day of February 1887 to which report there is no exception and was argued by Counsel,

On Consideration whereof the Court doth adjudge, order and decree that the report above mentioned be and the same is hereby confirmed: And the Court doth further adjudge order and decree that the bonds of Matrimony between the plaintiff and defendant in this cause be and the same is hereby dissolved: and the Court doth further adjudge order and decree that the Children of the said Plaintiff and Defendant be and are hereby committed to the custody and control of the Plaintiff in this cause: And the Court doth further adjudge order and decree that the twenty four acres of land in the report above mentioned be and the same is hereby allotted to the Plaintiff and Children above mentioned to be held jointly by them in fee simple for their maintenance and support, and this Court doth further adjudge order and decree that the remainder of land in said report, be and the same is hereby allotted to the defendant in fee simple to be held by him free from any contingent right of dower that the said wife may have in the same. And the Court doth further adjudge

order and decree. That the Defendant pay the costs of this suit, and that the same be removed from the docket, and other parties are permitted to many agreements hereto as they desire to do so.

Jehiman Wilkes. Pltff
&
Jehiman Owen. Defts } In Chancery.

This day this cause which was set for hearing by the Clerk in his office at the April Rules 1884 and it appearing to the Court that the Sheriffs return of the writ initiating this suit is incomplete it is ordered that the same be remanded to Rules, so that the said return may be corrected or supplemented if need and the cause properly docketed.

Ordered that the Court be adjourned until the 1st day of the next term.

Jam. J. Monaghan

Blackwells admrs
vs
Bragg &c.

Virginia, In the Supreme Court of Appeals held at the State Capitol in the City of Richmond, on Tuesday the 17th day of April 1884.

J W Ellis Sheriff of the County of Dinwiddie and as such admr de bonis non of R Blackwell dec'd. Appellant.
against
Wm J. Bragg & Natchell, and Lucy E his wife, who sue for the benefit of Wm J. Bragg, J W Ellis Sheriff of the County of Dinwiddie and as such admr of William Wilkinson dec'd of Peter W Hawthorne dec'd of Minerva E Blackwell dec'd Wm Duncan Blackwell in right of Sally O. Blackwell his deceased wife, and as late exor of R Blackwell dec'd Sally O Hobbs exor of Sterling Hobbs Jr. dec'd W H Hobbs admr dbn of Sabrey Hardy dec'd George E Hardy exor of Elisha Hardy dec'd Griffin O Hardy, Elisha Hardy, Sallie Hardy and Nancy Hardy the last four infants, Minnie D Bragg, Wm J. Bragg Jr. Sterling L Bragg infant Children of Constance E Bragg by A M. Organ their guardian ad litem Appellees.

Upon an appeal from a decree pronounced by the Circuit Court of the County of Dinwiddie on the 6th day of October 1881.

This day came again the parties by their Counsel, and the Court having maturely considered the transcript of the record of the decree aforesaid and the argument of Counsel, is of opinion for reasons

Stated in writing and filed with the record, that the Circuit Court of Dinwiddie did not err in the decree therein rendered at the October term 1881. appealed from in decreeing that the Complainant Laurie Hatcher and Lucy E his wife had lost their right against Robert Blackwell estate by reason of the various errors in the settlement of his accounts as set out in their original and amended bill filed in the cause and in dismissing their suit as to them, and in decreeing that there is no liability upon the estate of Robert Blackwell deceased on account of his transactions as guardian of Wilson E Hardy dec'd and in dismissing the bill of the plaintiff as to the defendant J M Ellis Sheriff of Dinwiddie County and as such admr de bonis non of William Williamson deceased and George E Hardy son of Elisha Hardy dec'd. the said William Williamson and Elisha Hardy having been the sureties of the said Robert Blackwell as guardian of the said Wilson E Hardy. But the Court is of opinion that the said Circuit Court of Dinwiddie did err in the said decree in decreeing that the said Wm J Bragg trustee for his wife Constance E. Bragg and the said Constance E Bragg and not bar of their rights to proceed against the estate of the said Robert Blackwell dec'd and in referring it to one of the Commissioners of the Court to settle and restate the accounts of said Robert Blackwell as admr of Wilson E Hardy dec'd. It is therefore considered by the Court that the said decree be reversed and annulled so far as it is in conflict with the foregoing opinion and the cause remanded and that the appellee William J Bragg trustee as aforesaid and Constance E Bragg do pay to the appellant his costs by him expended in the prosecution of his appeal aforesaid here. And the Court proceeding to render such decree as the said Circuit Court ought to have rendered doth decree and order that the bill of the plaintiffs be dismissed and that the plaintiffs William J Bragg trustee and Constance E. Bragg do pay to the defendants their costs by them in their defence expended in the said Circuit Court which is ordered to be certified to the said Circuit Court of Dinwiddie Court.

Appellant Costs in Supreme Court of Appeals (not including transcript of record. the fee for which is not noted.

Attorney
Pete Geo K. Taylor C.B.

$164.84

Ferguson &c
against
Crallé's admr &c

Plaintiffs } In Chancery.
Defts }

This cause which by the Decree of the 7th of April 1884 was taken for hearing in Vacation, came on this day to be again heard on the papers formerly read & was argued by Counsel, On consideration whereof the Court doth confirm the report of Com Harris of Sept 25th 1882 to which there are no exceptions & also the report of Spl Com Esqr. dated Oct 5th 1883 to which there are no exceptions & doth adjudge order & decree that the sale of the land mentioned in said report of Spl Com Esqr be held firm & stable between the parties & that said Spl. Com receive the bonds for the deferred payments & collect the same when they become due or in the event that the purchaser shall elect to anticipate said payments that he record & collect the same retaining the unaccrued interest when the purchase money shall have been fully paid that he execute to the purchaser a deed with special warranty for the said land & that he make report to this Court when he shall have executed this Decree.

To the Clerk of the Circuit Court of Dinwiddie Cty

Jno. S. Wiseger.

NJ.

In the Circuit Court of the County of Dinwiddie September 27th 1884

A B. Jones

vs

E W Jones

Pltff } In Chancery
Defts }

This cause, which at the April Term 1884 of this Court, was taken for decree in vacation, came on this day to be further heard upon the papers formerly read, the exceptions filed by the defendant E. W. Jones, to the Notice given by the Plaintiff of the time and place set for taking the depositions filed in the cause in behalf of said Plaintiff, and upon the written arguments of counsel, filed with the papers in this cause, as required by the said decree rendered at the April Term 1884. On consideration whereof the Court sustaining the said exceptions to the Plaintiffs on the ground of the insufficiency of the Notice thereof and being of opinion that the Plaintiffs claim, as set forth in his amended bill, is not only subject to the objection of being stale, but is governed by the principle expressed in law as res judicata doth adjudge order and decree that said bill be dismissed and that the Plaintiff, A. B. Jones pay the costs of this suit

To Clerk of the Circuit

Jno. S. Wiseger

Court of Dinwiddie Ctyz

Virginia, at a Circuit Court held for the County of Dinwiddie at the Courthouse thereof on Monday the 6th day of October 1884 and of the Commonwealth the 109th

Present Hon J. S. Meredyer judge.

P. R. Slone Pltff
vs
D. P. Lewis Defdt } In Chancery

This day this cause came on to be further heard upon the papers formerly read and upon the motion of the Pltff P. R. Slone this day filed marked A.K. and was argued by Counsel, On Consideration whereof, it appearing to the Court from the said receipt that the judgment in the proceedings mentioned for the enforcement of which this suit was brought has been fully satisfied and the debt represented thereby fully paid off and discharged, and it further appearing to the Court that nothing further remains to be done in this Cause, it is ordered to be removed from the docket.

Marks Hais. Pltff
vs
Marks Hais. Defdt } In Chancery.

This Cause came on this day to be heard on the papers formerly read, the return of the Sergt of the City of Richmond in the City of the Dfdt Oct 1883 the report of Sh Com Elyes Dfdt Apl 1884 was argued by Counsel. On Consideration whereof it appearing to the Court that J Amblers Devisees of a new residue of the Estate of Va. the Circuit Court of this city order of Decr that the said J Amblers Devisees shall acknowledge Service of a copy of the Decree entered in this Cause in Oct term 1883 within convenable time after the office shall have made to them that the same shall be done on them by publication in a Newspaper in the City of Petersburg once a week for four weeks in

Wells.

Lippincott Pltff
&
Joyce. Defe } In Chancery.

This cause came on this day to be again heard on the papers formerly read, was argued by Counsel, On Consideration whereof & the Cause of Action by them Counsel, the Court doth adjudge order & decree that the same be taken for hearing pro confesso in default & liberty to the parties to file an agreement of Counsel as to what is the law of the State of Nevada as to usury.

Darley Pltff
vs } In Chancery.
Darley. Defe

This day this cause came on to be further heard upon the papers formerly read and upon the report of Commissioner Wm B McElwain this day filed and was argued by Counsel. On Consideration whereof the Court approving said report & which this is exception and has argued by Counsel. On Consideration whereof the Court approving said report doth confirm the same and doth adjudge order and decree that Robert H Jones Jr Geo H Bowman and William B McElwain be and are hereby appointed Commissioners of this Court any one or more of whom may act, whom duly it shall be & hereby is ordered to make sale of the real estate of which the late Dunlap H Webb died seized and possessed or so much thereof as Chas H Harris mortgagee or such part, upon such

Webb Exrs. Pltff
vs } In Chancery.
Webb & ors Defts
This cause came on this day to be further heard upon the papers formerly read and upon the report of Com. John Williams bearing date December 20th 1883 and filed in this cause September 25th 1884 to which report this is no exception and has argued by Counsel On Consideration whereof the Court approving said report doth confirm the same and doth adjudge order and decree that Robert H Jones Jr Geo H Bowman and William B McElwain be and are hereby appointed Commissioners of this Court any one or more of whom may act, whom duly it shall be & hereby is ordered to make sale of the real estate of which the late Dunlap H Webb died seized and possessed or so much thereof as Chas H Harris mortgagee or such part, upon such

terms and after such notice as they shall deem best for the interest of all parties concerned and that said Commissioners shall make report thereof, But that said Commissioners, or some of them shall proceed to execute this decree and that they or one or more who shall act, shall have entered into bond in the penalty of $1500. with security to be approved by the Clerk of this Court conditioned according to law for the faithful performance of this trust.

Wm. Ditchley
vs
Wm. Wm.

Pltff
Dfts } In Chancy.

This cause came on this day to be further heard upon the papers formerly read and upon the report of Comm. Jno. G. Harris dated Septr 20th 1884 & filed in the Clerks Office of this Court on the 24th day of September 1884 made under the decree entered in this cause by the Judge of this Court in vacation on the 15th day of December 1883, and was argued by counsel On consideration whereof, it appearing from said report, which shows the transactions of the late Geo. S. Bernard as administrator of Rushrod Cam deed from the 18th day of July 1868 to the 18th day of July 1884 and to which report there is no exception, that on said last mentioned day said personal representative held in his hands a gross account a balance of Sixty Dollars and Sixty cents ($60.62) and for the distribution of said decedent balances as follows that is to say, for John and C C Beamberg ether a balance of twenty one hundred and forty five Dollars and Eighty six cents ($2145.86) whereof two thousand and forty five dollars and fifty four cents ($2045.54) was principal and the residue interest, for Emily P. Gibson a balance of three hundred and fifty nine dollars and seventy cents ($359.17) whereof three hundred and twenty three dollars and seven cents ($323.07) was principal and the residue interest, for Mary Anne Hamilton a balance of three hundred and forty eight dollars and twenty two cents ($348.22) whereof three hundred and twenty three dollars and twenty seven cents ($323.27) was principal and the balance interest, for Isabella E Smith a balance of three hundred and forty four dollars and sixty two cents ($344.62) whereof three hundred and three dollars and twenty three cents was principal and the residue interest

for Geo. J. Howard a balance of forty Eight Dollars and sixty six cents ($48.66) whereof forty one Dollars and fifty five cents ($41.55) was principal and the residue interest for Charles P. Howard a balance of fifty five Dollars and fourteen cents ($55.14) whereof fifty one Dollars and fifty six cents ($51.56) was principal and the residue interest to William E. Howard a balance of fifty one Dollars and Eighty two cents ($51.82) whereof forty five Dollars and Eighty one cents ($45.81) was principal and the residue interest, to Scott Howard a balance of fifty nine Dollars and seventy nine cents ($59.79) whereof fifty four Dollars and eighty four cents ($54.84) was principal and the residue interest and for Annie Bell Howard a balance of fifty two Dollars and thirteen cents ($52.13) whereof forty four Dollars and thirty four cents ($44.34) was principal and the residue interest and that Richard G. Howard a Distributee was on the last mentioned day indebted to said administrator in the sum of thirteen Dollars Dollars and thirty six cents ($13.36) Ten Dollars and thirty seven cents ($10.37) was principal and the residue interest and it appearing to the Court that any errors in said report or in the previous reports of said Commissioners in the matter of interest may be adjusted and corrected in their next account to be settled by said administrator as suggested in the said report of Court now before the Court it appearing said last mentioned report doth confirm the same and doth adjudge order and decree that said Geo. S. Bernard administrator of said Bickford Carr dec'd do pay to the several adms distributees of said deceased or to their attorneys, and to the legally qualified guardian of the infant distributee Annie Bell Howard the said several balances so held for them respectively, and do render before one of the Commissioners of this Court a further account of his transactions as administrator as aforesaid since said July 18th 1884 which account said Commissioner is ordered to audit state and settle and report to Court, any matter specially stated deemed pertinent by said commissioners or requisite to be so stated by any party interested. And the Court doth further adjudge order and decree that said Geo. S. Bernard admr as aforesaid do pay to said Jno. J. Stamm the sum of Seventy five Dollars ($75) his fee for his said report confirmed by this decree and for for copies thereof made for the parties interested

Jno. J. Crawford
vs
Wm M. Nalle ex.

Pltff.
Defts.

} In Chancery.

This cause coming on this day to be further heard upon the papers formerly read & the report of Com Alex Duncan this day filed to which no exception is taken nor argued by Counsel. On Consideration whereof the Court doth order & decree that the Defts the purchasers of the lands therein sold in this cause be summoned to appear on the first day of the next term of this Court to shew cause if any he can why the said lands purchased by him shall not be vested at his risk & costs & this cause is continued.

Thos J Miller &c. Pltff
vs
Miller &c. Defts
} In Chancery.

This cause coming on this day to be further heard upon the papers formerly read & the report of Com Alex Duncan this day filed to which no exception is taken nor argued by Counsel. On Consideration whereof the Court approving the said report of said Com Alex Duncan doth confirm the same and order & decree that said Com Duncan distribute the moneys report in his hands to the parties in their shares and the Court doth further order that the Defts be summoned to appear on the first day of the next term of this Court to shew cause if any he can why the land purchased by him should not be vested at his risk and costs.

Sevell & others Pltff
vs
Brown & others Defts
} In Chancy.

This day this cause coming on to be further heard upon the papers formerly read and upon the report of Special Commissioner Jerry Harris dated the 6th day of October 1884 this day filed to which report there is no exception and may argued by Counsel. On Consideration whereof the Court approving said report doth confirm the same and it appearing to the Court that the objects for which this suit was instituted have been accomplished it is ordered that the same be struck from the docket.

J M Williams & others Pltff
vs
Thos W Jordan. Defts.
} In Eq.

This cause coming on this day to be further heard upon the papers formerly read and upon the report of

Com's Off'r McKenney bearing date Sept 24/84 and this day filed in this cause to which report there is no exception filed and was argued by Counsel.

On Consideration whereof the Court approving said report, doth confirm the same and it appearing to the Court from said report, and from the other papers in this cause, that the said Com'r McKenney has fully and properly paid over and disbursed the various sums decreed to be paid by him to the several parties named in the decree rendered in this cause at the April Term 1884, & gather with all other money which have from time to time come into his hands in this cause save and except the sum of Thirteen $^{50}/_{100}$ dollars decreed to be paid to the duly qualified guardian of J. J. Williams; and it further appearing to the Court that said J. J. Williams will soon reach his majority, and it further appearing that with the exception of the payment of the said sum of $13.50, nothing for the remains to be done, in this cause: it is ordered that the same be removed from the docket, and that when said Com'r McKenney shall have to said J. J. Williams upon his having attained his majority, the said sum of $13.50, that said Com'r shall file his receipt therefor among the papers in this cause.

Wm F. Thompson Pltff
vs
Johnson wife & others Defts } In Chy

This cause came on this day to be further heard upon the papers formerly read and upon the report of Com'r N. P. Thompson this day filed in this cause, and the exception to said report filed by P. H. Thomas and was argued by counsel. On consideration whereof the Court sustaining the exception of said Thomas, but otherwise approving said report, doth adjudge order and decree that said report be and is hereby confirmed save as to the question raised in said exception and the Court doth hereby ratify and confirm the sales of the real estate to W. B. Bragg 12 acres, and Com'r Thomas as 113 acres and it appearing to the Court that said Com'r N. P. Thompson has already executed and delivered to said purchasers deeds for the tracts of Lands bought by them respectively and fully paid for, the Court doth hereby ratify and confirm the action of said Commissioner in executing and delivering said deeds, and the Court being of opinion that the exception to the deed to Mrs Johnson in said report charged for as well as the recordation of the same and the transfer to Mrs Johnson were unnecessary, doth order that Commissioner N. P. Thompson refund to P. H. Thomas the sum of (6 75/100) seven & 75/100 dollars

Burroughs creditors. Pltff } In Chy
vs
Burroughs Executors Defts.

This cause came on this day to be further heard upon the papers formerly read and upon the report of special Comr Geo. S. Bernard dated Oct 5th 1854 this day filed, showing the transactions of said comr from Oct 5th 1853 the date of his last report & Court to said Oct 5th 1854 and was argued by counsel. On consideration whereof it appearing to the Court from said report, to which there is no exception filed, that after making a disbursement of fifteen (15) per centum to the creditors of Jos Burroughs decd under the last decree entered in this cause said Comr has in his hands inclusive of the collections made since said decree a balance of Three hundred and Eighty four and Ninety two cents ($384.92) from which there may be more properly distributed as dividend of twenty four (24) per centum to said Creditors, leaving still under the control of the Court a fund sufficient to pay the widow of said decedent what she may be fully adjudged as property payable to her, The Court therefore doth order that said Comr do pay to the said general creditors respectively dividends of twenty four (24) per cent upon their respective debts as ascertained by proceedings in this cause. It further appearing to the Court from said report that all of the purchasers except Jas Jones Watkins, Wm George Mallory, Aaron Neale, and Henry Neale, have fully paid the purchase money of the tracts of land by them purchased & have received Conveyances therefor, but that said four purchasers above named are now in default, the Court doth further order that they be summoned to appear before this Court on its next term on the first day thereof to show cause, if any they can, why the lands respectively sold to them shall not be sold at their risk & cost, It is further ordered that Commissioner Harris do report to this Court the proceedings in his hands under previous orders of this Court

S. K. Rices Exrs. Pltfs } In Chy
vs
S. K. Rices Exrs Defts.

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioners Robt A Jones jr. bearing date on the 27th day of September 1884 to which report there is no exception nor was argued by Counsel, And it appearing to the Court that the object for which this suit was brought have been fully accomplished On Consideration whereof the Court doth adjudge order and decree that the report aforesaid be confirmed and the same is hereby confirmed And the Court doth further adjudge order and decree that this cause be removed from the docket.

S W Bond solr. Complts
A P Riney solr. Defts } In Chancery.

This cause came on this day to be heard on the complts bill taken for confessed as to both of the defendants on whom process has been duly served they also failing to appear and answer or demur to said bill and was argued by Counsel, On Consideration whereof the Court doth adjudge order and decree that partition of the tract of land of 428 acres in the bill mentioned be made in species. Viz. that an equal share thereof be assigned and allotted to the female complt Johnnie Bird and the other share to the female defendant Martha O Riney. and for the purpose of effecting said partition the Court doth order that D A Rice J W Bispham W Wright A L Mann & J P Gordon. who are hereby appointed Special Commissioners for that purpose, any three of whom may act after having been first duly sworn to assign and allot to said female complt Johnnie Bird her share aforesaid and to the female defendant Martha O Riney. the other share by metes & bounds having reference to quality and quantity and said Commissioners are authorized to employ a Competent Surveyor if in their opinion it be necessary to enable them to execute this decree, and if in their opinion such partition aforesaid tract of land cannot be conveniently made in kind without loss or injury to the parties then they report that fact to the Court with the reasons upon which their opinion is founded with the pecuniary value of the several shares aforesaid tract of land, and in either case said Commissioners are directed to report their proceedings to the Court with any difficulties encountered by themselves or reported to any party interested

R St Jones Jr Trustee. Pltff
vs
Lucy A Pool. and others Defts
In Chancery

This cause came on this day to be further heard upon the papers formerly read, and was argued by Counsel. and it appearing to the Court that Lucy A Pool. one of the Defendants in the above styled cause has departed this life and it further appearing from the papers in this cause, that at her death she was of her residence in the said county in the proceedings mentioned Court, she being an infant under the age of twenty one years. On Consideration whereof the Court doth adjudge order and decree that Henry D. Barnard. and Wm R. McKenney either one or both of them may act as are hereby appointed as Special Commissioners of this Court, whose duty it shall be to take charge of the said infant and her estate and the proceedings in this cause, and report to the Court publicly or privately, as they may think best. for the interest of all parties and that they shall have paid to Jno. McKenney the One Hundred dollars with interest. Due thereon and the Costs of this suit as heretofore ordered, including the costs of said Special Commissioners. Commissioners shall make report to Court, but that said Commissioners or Commissioners shall not proceed to act as such unless they shall have entered into bond in the penalty of $250.00 with security to be approved by the Clerk of this Court for the faithful discharge of their trust.

Duncan vs Allen. Pltff.
vs
Allen et al. Defts
In Chancery.

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner Robt St Jones Jr bearing date on the 1st day of October 1854. to which report there is no exception, and was argued by Counsel. On Consideration whereof the Court doth adjudge order and decree that the report aforesaid be and the same is hereby confirmed, and the Court doth further adjudge order and decree that Commissioners Robert St Jones. Jr and Alexander Duncan. proceed to execute the one hundred and fifty dollars of bonds. in the proceedings mentioned as ordered by a decree entered in the above styled cause on the 1st Oct 1853.

and that said Commissioner shall make report Court.

Bf read.

Pltff
Defts
} Re Chancery.

Decree Nisi.

This cause came on this day to be further heard upon the papers formerly read the return of the Comm. upon Mr E Strain to shew cause why the lands purchased by him should not be resold. On consideration whereof it appearing to the Court that notice of said Rule has been duly published to shew cause why the said purchase by him should not be made. & he has failed to appear on shew cause the Court doth adjudge order & decree that the lands heretofore sold under decree herein to Mollie E. Strain be resold as by law provided by Com. Wm Williams Robt Jones Jr. or either of them, upon the same terms & at same place as when sold & said Strain upon the resale shall be paid within sixty days after the Comm. upon said sale of above & this decree.

R H Jones Jr Comm of Chappell

vs

T G Chappell admrx &c.

Pltff
Defts
} Re Chancery.

The above stated cause came on this day to be further heard upon the papers formerly read, upon the report of Commissioner Robert H Jones Jr bearing date on the 2d day of October 1884, to which report there is no exception, and upon the petition of T E Hargrave, and was argued by counsel. On consideration whereof the Court doth adjudge, order and decree that the report above mentioned be and the same is hereby confirmed, and that the sales therein reported to Tom Lacy & R Chambers be held firm and stable between the parties, and that when the said purchasers shall have ~~been~~ fully paid to Commissioner Jones all of the purchase money for the respective tracts of land purchased by them he shall as a Special Commissioner of this Court, execute to them a Deed with special warranty for the same; and that said Commissioner shall make report to Court: And the Court doth further adjudge, order and decree that John Hargrave be substituted as a purchaser of the fifty acres of land in the proceedings mentioned, heretofore sold T E Hargrave; and that when the said John Hargrave shall have fully paid to Commissioner Jones all of the purchase money for the fifty acres of land aforesaid, he shall as a Special Commissioner of this Court execute to him a Deed with special warranty

for the same, and that said Commissioner shall make report to Court: and the Court doth further adjudge order and decree that of the balance reported in the hands of Commissioner R H Jones Jr, he pay the same to Alexander Dunnan admr of T G Chappell dec'd: and the Court doth further adjudge, order and decree that Commissioner Robert H Jones Jr shall proceed to make sale of the several tracts of land heretofore sold J H Kinnaly, Jno Smith, R G Chappell, Wm Stewart and Richard Wilson as ordered by decree rendered in the above styled cause at the April term 1881, October term 1881, April term 1882 and the April term 1884, and that said Commissioner shall make report to Court: And the Court doth further adjudge, order and decree that Commissioners Alexander Dunnan and Robert H Jones Jr, either one or both of whom may act, proceed to make sale of the balance of the real estate in the proceedings mentioned, as ordered by decree heretofore entered in this cause, and that they make report to Court: And the Court doth further adjudge, order and decree that one of the Commissioners of this Court proceed to take the accounts ordered in this cause at the October term 1880 of this Court, which accounts said Commissioner shall report to Court with any matter deemed pertinent, or in which any party interested, may request to be specially stated: But that said Commissioner shall not proceed to take said accounts until he shall have posted at the front door of the Court house of this County on one County Court day prior to the taking of the same, a notice of the time and place of the taking of said accounts, besides personal service upon the parties interested in the taking of said accounts

Kirby for friend
vs
Dickens administrator

Pltff
Dft
} In Chy

This above styled cause came on this day to be further heard upon the papers formerly, and upon the report of Commissioner Robert H Jones Jr. bearing date on the 23rd day of September 1884, to which report there is no exception and was argued by counsel. On consideration whereof the Court doth adjudge order and decree that the report above mentioned be and the same is hereby confirmed: and the Court doth further adjudge order and

and decree that Wm. J. Bevil the purchaser of the 100 acres of Land in the proceedings mentioned, be summoned to the first day of the next Term of this Court & show cause, why the One hundred acres of Land purchased by him shall not be vested And the Court doth further adjudge order and decree that Commissioner Robert H. Jones, Jr. is hereby ordered to make sale of the residue of the Land in the proceedings mentioned, Viz, the 333 3/4 acres of Land it being a part of the 408 3/4 acres of Land sold to said J. P. Tucker as hereinfore ordered by a decree entered in this cause, either publicly or privately at such place after such notice, and upon such Terms as he may think best for the interest of all parties; and that said Commissioner shall make report to Court

P. M. Williams &c Pltffs
vs } In Eq
Boston &c Defts

The above styled cause came on this day to be heard upon the papers formerly read and upon the report of sale by Commissioner Jones to Wm E Hamborough bearing date on the 22nd day of September 1884 to which report there is no exception, and was argued by counsel. On consideration whereof the Court doth adjudge order and decree that the report above mentioned, be and the same is hereby confirmed and that the sale therein reported, be held firm and stable between the parties; and the doth further adjudge order and decree, that when the purchaser Wm E Hamborough shall have fully paid to Commissioner Jones all of the purchase money for the real estate in the proceedings mentioned, that said Jones shall as a Special Commissioner of this Court, execute to him a deed with special warranty for the same; And the Court doth further adjudge order and decree, that of the balance in the hands of Commissioner Jones he apply to the payment of the liens according to their dignities and priorities as reported by Commissioner Stevens in this cause, and that said Commissioner shall make report to Court

Ordered, that the Court be adjourned until tomorrow morning 10 o'clk.

Jas. F. Pettigrew

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Tuesday October 7th 1884

Present Hon J. D. Weisiger Judge.

J. C. Chambers. Pltff
vs
R. A. Williamson et al. Defts } In Chancery.

This day this cause came on to be further heard upon the papers formerly read upon the summons awarded at the last term of this Court against R. A. Williamson which has been returned duly executed and upon Statement X. made at the bar of this Court showing the sale by Special Commissioner R. C. Shell of the interest of the decedent Wm. H. Williamson in the tract of land in the proceedings mentioned and the disbursements by him of the cash payment made by the purchaser to which Statement there is no exception and was argued by Counsel, On consideration whereof the Court doth approve said Statement X. and the sale in the bill in the proceedings mentioned as made by Commissioner R. C. Shell, doth confirm the same and doth adjudge order and decree that the same be held firm and stand Whereupon appearing to the Court from the report of Commissioner duly appointed in this cause on the 20th day of December 1883 that there was due to R. C. Williamson the purchaser of said land $61.14 and to D. M. Kennedy the sum of $33.33 sums of survey paid by them for the decedent Wm H Williamson on account of his original purchase of said land and it further appearing to the Court from the report of D. M. Kennedy that the said R. C Williamson has fully paid him the said sum of $33.33 and that the balance of the purchase money is payable to the said R. C Williamson the Court doth adjudge order and decree that Johnson Harris who is hereby appointed a Special Commissioner for the purpose of these proceedings do convey the title in this cause of said tract of land to the said R C Williamson or to such other person with such limitations and conditions as the said R. C. Williamson shall direct with Special warranty of title - And the said Commissioner shall make report to Court -

Wm Johnson Pltff
vs
Susan Johnson Defts } In Chancery.

It appearing to the Court that since the last term the Sheriff of the County of Norfolk has amended his return of the process issued upon the defendant in this cause said amendment showing that said process was duly served upon said defendant

This cause coming on this day to be heard upon the bill of the plaintiff exhibited thereon filed, said bill having been taken pro confesso and was argued by Counsel On Consideration whereof it appearing to the Court from the proofs in this cause that the defendant Duncan Johnson has willfully deserted the said Penelope Johnson his husband and has continued in said desertion for more than two years prior to the institution of this suit the Court doth adjudge order and decree that the said Duncan Johnson and Duncan Johnson be divorced from the bonds of matrimony and that the marriage between them be and the same is hereby annulled and dissolved. and that the defendant pay the plaintiff his costs by him in this behalf expended. And there being nothing to be done in this cause it is ordered that the same be removed from the docket

Archer Williams. Cmr.

Pltff
Deft
} In Chancery.

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Archer Williams Cmr.

Pltff
Deft
} In Chancery.

This cause coming on this day to be again heard upon the papers formerly read & the report of the Com Exr dated Oct 6 1899 to which there was no exception was argued by Counsel On Consideration whereof the Court doth adjudge order & decree that said report of the Com Exr be and the same is hereby confirmed it appearing to the Court that the Exr has brought back an offer outstanding claims against the said Archer Williams estate. The Court doth further adjudge order & decree that when said Exr shall exhibit to said Com Exr his vouchers for the moneys by him coming to the Court amounting to $99 that said Com Exr shall execute to him a deed such special warranty for the land in the proceedings mentioned & make report thereof

B J Davis.

Pltff.
Deft
} In Chancery.

5

Martha Slee

This cause came on this day to be further heard upon the papers formerly read, and was argued by Counsel. On Consideration whereof it appearing to the Court that R C Shell one of the Commissioners appointed by the decree rendered in this cause at the October term 1899 to sell the real estate in the proceedings mentioned has departed this life. the Court doth adjudge order and decree that Robert H Jones Jr. be and is hereby substituted as Commissioner in the place of said R C Shell. and the Court doth further adjudge order and decree that the said Robert H Jones Jr B J Epps and W R McKenney the other Commissioners appointed either one of whom may act proceed to execute the order of sale as directed by a former decree rendered in this cause

Jordans Cowles — Deft
&
Vaiden
Vaiden
&
Spain
Spain
&
Newsom — Defts

In Chancery.

The above styled cause came on this day to be further heard upon the papers formerly read, and upon the report of Comp Robert St James, Sr. bearing date on the 20th day of September 1884 to which report there is no exception, and was argued by counsel On consideration whereof the Court doth adjudge order and decree that the report of above mentioned be and the same is hereby confirmed and the Court doth further adjudge order and decree that Comp R. H. Jones, Sr. pay to Wm A Spain the balance in his hands, and that said Commissioner shall make report to Court

Henry Cowins Admr — Pltiff
&
R H Ledbetter & others — Defts

In Chy

Upon motion of St. C. Cowins adm of Henry Cowins dec'd is admitted as party Plaintiff in this cause, and therefore the above styled cause came on to be further heard upon the papers formerly read, and was argued by counsel. On consideration whereof the Court doth adjudge order and decree, that this cause in the future be proceeded with in the name of St. C. Cowins adm of Henry Cowins who was late sheriff of Lowndes County and as such adm of Jane Cowins dec'd, the Court doth further adjudge order and decree that one of the Commissioners of this Court shall proceed to take an account of all outstanding debts against Jane Cowins dec'd and her estate with the dignities and priorities and that St. C. Cowins adm of Henry Cowins late sheriff of Lowndes County and such adm of Jane Cowins dec'd shall render and before said Commissioner an account of his deceased transactions as such adm, from the time of his qualification to the date of his death, which accounts said Commissioner shall audit state and settle, and make report to Court with any matter deemed pertinent or in which any party interested may require to be specially stated; but that said Cowins

ioner shall not proceed to take said account until he shall have posted a notice of the time and place of the taking of said account at the front door of the Courthouse of this County on one County Court day preceding the taking of the same and until he shall also have published a notice of the time and place of the taking of the same once a week for four successive weeks in one of the newspaper published in the City of Petersburg, which is held to be equivalent to personal service of said notice upon all parties interested.

Robert A. Jones, Jr. Pltff
vs
James A. King Deft } In Chy

This cause came on this day to be heard upon the Bill with exhibit thereto filed which has regularly matured as to, which is taken for confessed and was argued by counsel On consideration whereof the Court doth adjudge order and decree, that one of the Commissioners of this Court proceed to take an account of the transactions of Robert A. Jones, Jr. adm of James Boisseau, and as such trustee under the deed of Trust from George W. Crump and wife & said James Boisseau dec'd in this proceedings mentioned; which account said Commissioner shall report to Court with any matter deemed pertinent or in which any party interested may require to be specially stated, But said Commissioner shall not proceed to take said account until he shall have posted a notice of the time and place of the taking of the same at the front door of the Court house of this County, on one County Court day preceding the taking of the same, and until he shall have published a notice of the same once a week for four successive weeks in one of the Newspapers published in the City of Petersburg, which shall be equivalent to personal service of all parties interested.

Alvedy's Heirs Pltffs
&
Alvedy's Heirs Defts } In Chancery

This day this cause came on to be further heard on the papers formerly read on the report of Special Commissioner John L. Crawford of the sale of the real estate in the proceedings mentioned (bearing date 6th Oct 1884) made to this Court, to which there are no objections or exceptions now agreed on consideration whereof the Court approving said

upon doth confirm the same and accepting statement & fees with decree doth adjudge order & decree that John J. Crawford come as aforesaid be discharged from any further liability in the case he having fully and legally settled with the Dist and Legatees mentioned in the proceedings and it appearing that nothing further is to be done in this cause it is ordered that it be removed from the docket

Weidenheb
&
Saunders

Pltff
Defts
} In Chancery.

This cause came on this day to be further heard on the papers formerly read and upon the report of Comr Jos H. Norris filed in this cause to which report there is no exception and was argued by Counsel On Consideration whereof the Court approving said report doth confirm the same and it appearing to the Court from said report that the sum in the proceedings mentioned is sufficient to satisfy debts &c and that the interest of all persons will be promoted by sale of the same it is therefore ordered and decreed that as to Butts and Wilcox be and they are hereby appointed Special Commissioners either one or both of whom may act whereby it shall be lawful to make sale of the land above mentioned either publickly or privately as to them may seem best after first duly advertising the time place and terms of sale for eight days by set up the expenses of this sale balance on credit of one and two years taking bonds from the purchasers for the deferred payments bearing interest at the rate of six per centum per annum till the purchase money is fully paid. But before said Comrs or the monies under this decree shall receive any money hereunder they the shall execute before the Clerk of this Court a penalty of $500. with security to be approved by said Clerk Conditioned according to law and said Commissioners shall make report hereof.

Crawford
&
Hynes
Pltff
Defts
} In Chancery.

By consent of parties entered in open Court this cause is taken for hearing and decree in vacation.

Hardy Ex
vs
Hardy Devisees

Pltff
Defts, } In Chancery

This day this cause coming on to be further heard upon the papers formerly and upon the report of Commissioners made in pursuance of the decree entered in this cause at the April term 1884 of this Court filed Sept 20th 1884 and was argued by Counsel On consideration whereof the Court approving said report to which there is no exception doth confirm the same and it appearing to the Court that the balance in the hands of the executor of Elisha Hardy dec'd is insufficient to pay the debts proved against the estate of said Elisha Hardy remaining unpaid the Court doth adjudge order and decree that unless the devisees of said Elisha Hardy or some one for them pay the debts aforesaid within thirty days from the service of a copy of this decree upon them that George L. Hardy who is hereby appointed a receiver for the purpose take possession of and rent out the real estate whereof said Elisha Hardy died seized and possessed for the year 1885 taking from the lessee thereof his bond with good security for the rent reserved and that said receiver report to Court But before said receiver shall act under this decree he shall enter into a bond in the penalty of $200. with sureties to be approved by the Clerk of this Court conditioned for the faithful performance of his duty under this or any further decree that may be entered in this cause

Crowder
vs
Reams
and
Reams
vs
Crowder

Plaintiff
In Chancery
Defendant
Plaintiff
In Chancery
Defendant

This day came the plaintiff in the record of the above styled causes and by Consent filed his bill and thereupon the defendant therein filed his answer and by Consent of parties said cause was placed upon the docket and it appearing to the Court that the matters in Controversy in said Cause No 2. are so connected with the matters of Controversy in Cause No 1. as that it is proper that said Causes be heard together, the Court by consent of parties doth order that they be so heard and thereupon said Causes came on to be heard together, Cause No 1. upon the bill of the plaintiff regularly taken for confessed and set for hearing ex parte, upon exhibits filed, Cause No 2. upon the bill of Complainant and Exhibits filed, upon the Answer of the defendant and was argued by Counsel. On Consideration whereof the Court being of opinion that Joseph Crowder the plaintiff in said Cause No 1. and the defendant in Cause No 2. is entitled to recover against the executors

by Emeline Reams (one of the defendants in Cause No 1 and the plaintiff in Cause No 2) widow of Stephen Reams, of dower in land in the bill of land in the proceedings mentioned purchased by said Crowder from said Reams in his lifetime upon the terms of paying to said widow interest from the Commencement of her suit on one third of the value of said tract of land estimated as of the death of the said Stephen Reams deducting therefrom the value of any permanent improvements put upon said land by said Crowder doth adjudge order and decree that the injunction heretofore granted in said Cause No 1, be and the same is hereby perpetuated; and the Court doth further adjudge order and decree that one of the Commissioners of this Court inquire and report to Court the value of the tract of land in the proceedings mentioned at the time of the death of the said Stephen Reams and that said Commissioner further inquire ascertain and report to Court the value of any permanent improvements put upon said land by the said Crowder since his purchase thereof and prior to the death of the said Stephen Reams and that said Commissioner state specially any matter deemed pertinent by himself or required by any party interested to be so stated.
And the Court doth further order that the defendants in said Cause No 1 pay to the Plaintiff his costs by him in said suit expended and there being nothing further to be done in said Cause No 1 it is ordered that the same be removed from the docket.

Ordered that all causes not otherwise disposed of be and are hereby continued.

Ordered that the Court be adjourned until the 2nd day of the next Term.

Sam'l J. Strawbridge

In the Circuit Court of Dinwiddie County in Vacation January 7th 1888

Wm F Baugh & Mary F his wife Pltffs.

vs

Wm A Webb in his own right & as Admr with W F Baugh of Ell Cocker dec'd & as Admr of Augusta W Webb dec'd the said W F Baugh as Admr of E W Cocker dec'd Linda C Webb Minnie C Webb W J Webb Rebecca R Webb Chas A Webb Lucy Webb, Chas A Cocker Arthur C Baugh, Lulie C Baugh, Minnie B Baugh Mary R Baugh Dave F Baugh Hugh S Baugh & Jno C Baugh, the last fourteen of whom are infants. Defts. } In Chancery.

This day this cause came on to be heard in vacation, upon the bill of the Complainants which was taken for confessed as to the adult defendants and set for hearing with the exhibits filed with said bill and upon the answer of A M Ogburn guardian ad litem of the infant defendants, with general replication thereto and was argued by Counsel, On Consideration whereof the Court doth adjudge order and decree that W F Kirkland and W J Webb R G Mallory J F Jackson and John P Duncan be and they are hereby appointed Commissioners, whose duty it shall be to make partition of the three hundred and forty three acres of land lying in the County of Dinwiddie of which the late Chas A Cocker died seized and possessed and which was conveyed to the said Cocker by Alex Duncan Special Commissioner by deed dated Aug 15 1878 and allot one third thereof to Mary F Baugh the wife of W F Baugh one third to Chas A Cocker and the remaining one third thereof to the defendant W A Webb for life with remainder to heirs of his deceased wife Augusta W Webb and make report thereof

To the Clerk of the Circuit Court of Dinwiddie Cty. Sam'l D Weisiger.

In the Circuit Court of the County of Dinwiddie In vacation February 13th 1888

Augustus Wright who sues for the benefit of himself and all other Creditors of W P Lewis, secured by a certain Deed of Trust from W P Lewis to W L Reams Trustee bearing date June 5th 1884, who may come in and seek relief by contributing to the costs of this suit

vs

W L Reams, Trustee, and W P Lewis Defendants } Pltff } In Chy

This cause came on this day to be heard in vacation upon the ~~Petition~~ Bill and the Exhibits therewith filed, taking the confessed

as to both of the defendants, and was argued by counsel On consideration whereof the Court doth adjudge order and decree that one of the commissioners of this Court proceed to take the following accounts First An account of the transactions of W.L. Reamis Trustee, under a certain Deed of Trust from W.P. Lewis, bearing date June 8th 1884, and recorded in the Records office of the County Court of Dinwiddie County, from the date of said Deed to the time at which such account shall be taken, Second An account showing for which if any, of the debts mentioned and described in said instrument to be secured by said Deed of Trust, the said W.P. Lewis or any one for him, has since the date of said Deed of Trust given new notes or which he has since that date compromised or otherwise discharged so far as the trust fund in said Deed of Trust mentioned is responsible therefor Third An account of what debts are still outstanding against, and ought to be paid out of the trust fund aforesaid with their priorities and preferences if any. which account such commissioner shall report to Court with any matter specially stated which he shall deem pertinent or which any party interested shall request to be so stated. But that such commissioner shall not proceed to take the said accounts until he shall have published once a week for four successive weeks in one of the newspapers published in the City of Petersburg, notice of the time and place that shall be fixed for taking the same and until he shall give to said W.L. Reamis, Trustee and W.P. Lewis personal notice of such time and place, the publication aforesaid to be deemed equivalent to the service of such personal notice on all other parties interested

To the Clerk of the Circuit Court of Dinwiddie Cty

Saml S. Wenziger

In the Circuit Court of the City Petersburg in Vacation March 28th 1885

W.R. Purcell
against
Emma L. Purcell

Pltff
Defts
} In Chancery.

This cause came on this day to be heard upon the motion by the Defendants Counsel, W.R. McKenney, made

in pursuance of the notice issued in the Complainants March 16th 1885 and was argued by Counsel, On Consideration whereof it is ordered that the Complainant S.H.R. Pumyear, deposit with the Clerk of this Court the sum of fifty dollars to enable the defendant Emma D. Pumyear to properly maintain her defence in this cause.

Jam. J. Weisiger.

To the Clerk of the Circuit
Court of the County of
Dinwiddie.

Virginia At a Circuit Court held for the County of Dinwiddie on Monday the 7th day of April 1884 and of the Commonwealth the 109th

Present Hon S. D. Meredyer Judge.

S M. Bird wife. Pltff
To
N O. Ruffin wife. Defts } In Chancery.

This cause came on this day to be heard on the papers formerly read and the report of Jas W. Bagwell H L. Morris and Thos F Rives Jrs of the Commissioners appointed by the decree entered herein at the October term 1884 of this Court of the partition of the land in the proceedings mentioned among the several parties entitled thereto, agreably to the terms of the said decree and now argued by Counsel; On Consideration whereof it appearing to the Court that in the partition made by said Commissioners lot No 1 embracing the land mentioned and described in the plat of survey Thos F Rives filed with said report and containing 216.50 acres fell to the share of the female defendant Martha S Ruffin and lot No 2 embracing the land mentioned and described in the said plat and containing 323.90 acres fell to the share of the female plaintiff Johnnie Bird, it is adjudged ordered and decreed that the said report of the said Commissioners be and the same is hereby confirmed and that the partition in manner and form aforesaid made be held firm and stable. And the Court doth further adjudge order and decree that mutual Conveyances be executed by the parties or their respective husbands to each other of the several lots hereinbefore mentioned assigned and allotted to each of them as aforesaid and that in case they neglect or refuse to do so within three months from the day this decree is entered then that W L Watkins & W H Jones Jrs be and hereby appointed Special Commissioners for that purpose with full power and authority may and do make and execute such Conveyances and the Court doth further adjudge order and decree that the Clerk of this Court do certify that the Clerk of the County Court of Dinwiddie C. Copies of the report of the Commissioners plat of division and this decree which shall be recorded by him in the proper deed book of his office; And the Court doth further adjudge order and decree that the costs of this suit be proportionably borne by the parties thereto and that the parties to this suit plaintiffs and defendants do pay James W. Bagwell H L. Morris and Thos F Rives the Commissioners aforesaid each the sum of $3.00 for their services in making the partition aforesaid and to Thos F. Rives $15.00 for the survey and plat made by him as aforesaid And nothing else appearing necessary to be done in this cause it is ordered that the same be removed from the docket and dismissed but leave is reserved to the parties to make application to the Court for such further order as may be necessary

to carry this decree into effect.

The Planters and Mechanics Bank of Petersburg Va. Pltff.
vs
D. W. Ferguson & A. A. Hardy & Richd Ferguson. Defts. } In Chy.

The above styled cause came on this day to be heard upon the Bill, and the exhibits thereto filed, which has regularly matured as to all, and upon the answers of D. W. Ferguson & A. A. Hardy and R. Ferguson and upon the depositions of the said D. W. Ferguson & A. A. Hardy and R. Ferguson, filed as evidence in this cause, and was argued by Counsel. On consideration whereof, the Court, not now deciding any of the questions in this cause, by Consent of Counsel, doth adjudge order and decree, that this cause be taken for decision on Vacation, to execute any order or decree to be certified to the Clerk of this Court to be of the same effect and force as if said order and decree had been entered in term time. And the Court doth further adjudge, order and decree by Consent of Counsel, representing all parties in this cause, that the same shall be matured for hearing, sixteen days from the date of this decree.

Ordered that the Court be adjourned until tomorrow 10 o'clock

[illegible]

Wednesday April 8th 1885—

Present Hon S. D. Weisiger Judge.

Vaiden writes. —— Pltffs.
vs
Sandifer. Defts

This day this cause came on to be further heard upon the papers formerly read and upon the report of Commissioner Joseph. S. Budd and proofs of the sale of the real estate in the proceedings mentioned to Wm Ellenborough for the sum of $131.75/100 and was argued by counsel, On consideration whereof the Court approving said report doth confirm the same, and doth adjudge order and decree that the sale reported be held firm and stable between the parties, and that upon the payment by the said William Ellenborough of the purchase price above mentioned to Comm Joseph. S. Budd that the said Joseph. S. Budd Comm execute and ~~deliver~~ to William Ellenborough

a deed with special warranty for the real estate aforesaid

James Hargrave wife Pleff
vs
William R. Hargrave wife Defts } In Chy

This cause came on this day to be further heard upon the papers formerly read, and upon the Report of Comr W.R. McKamy, bearing date April 3rd 1885 - and this day filed in this cause, to which report there are no exceptions filed and was argued by counsel, and it appearing to the Court from said report and from other papers filed in this cause, that said Comr W.R. McKamy has fully and properly disbursed all moneys that have from time to time come into his hands in this cause and that his said disbursements are sustained by proper vouchers and it further appearing that nothing further remains to be done herein, the Court approving said report of Comr W.R. McKamy doth confirm the same, and doth adjudge order and decree that this cause be removed from the docket

Brough Coedtors Pleff
vs } In Chy
Brough Adm &c Defts

These causes came on this day to be further heard upon the papers formerly read and upon the report of Comr W.R. McKamy, bearing date April 6th 1885 - and this day filed in these causes, to which report there is no exception filed, and were argued by counsel On consideration whereof the Court approving said report, doth confirm the same and doth adjudge order and decree that said Comr W.R. McKamy, after paying any unpaid costs of this suit, do apply the balance of Seventy six 75/100 dollars ($76.75) in his hands according to his said report to the payment of the judgment obtained by the late F.M. Wright against James A. Brough now deceased in the life time of said Brough, and reported in the report of Comr John G. Harris filed in this cause March 25th 1882, and confirmed herein at the April term 1882 of this Court and was also reported by Comr

Jordans Cmte
vs
Vaiden Extrx

Pltff
Defts
} Dr Chy

The above styled cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner Robert H. Jones Jr, bearing date on the 26rd day of March 1885, to which report there is no exceptions filed and was argued by counsel; and it appearing to the Court, that the object for which this suit was brought has been fully accomplished, On consideration whereof the Court doth adjudge order and decree that the report above mentioned, be and the same is hereby confirmed; And the Court doth further adjudge order and decree that the above styled cause be removed from the docket

W. E. Parrish
vs
Ricketts mfr

Pltff
Defts
} Dr Chy

This cause came on this day to be further heard upon the papers formerly read, and upon the Petition of S. P. Rowland, this day filed in this cause, and was argued by counsel and it appearing to the Court that all interest of the Plaintiff W. E. Patrick has been duly and properly assigned to the said S. P. Rowland, On consideration whereof the Court doth adjudge, order and decree that W. R. McKinney Commissioner do pay to the said S. P. Rowland any amount now in or hereafter to come into his hands, and make report to Court

Gunn Curator
vs } No 1
Gunn mfr
Gunn Guardn
vs No 2
Gunn Exrs

Pltff
Defts
} Dr Chy

This cause came on this day to be further heard upon the papers formerly read and upon the report of W. R. McKinney Commissioner bearing date on the 6th day of April 1885, and this day filed in this cause, to which report there are no exceptions filed, and was argued by counsel On considerating whereof the Court approving said report doth confirm the same and doth adjudge order and decree

that the sale therein reported as having been made of the tract of 74 acres of land assigned to Charles Gunn, to S.P. Gunn at the price of $222 be held forever firm and stable as between the parties thereto, and that when the said S.P. Gunn shall have paid in full the balance due on the purchase price aforesaid then that said W.R. McKinney, Commissioner, shall execute to the said S.P. Gunn a deed, with special warranty, for the tract of land aforesaid and it appearing to the Court that said Commissioner McKinney has paid to Laura Gunn out of the proceeds of said sale the sum of Twenty four Dollars to be used by her for the maintenance and support of the said Charles Gunn, and it further appearing to the Court that it is to the interest of said Charles Gunn that the balance of said proceeds of said sale should be paid to the said Laura Gunn, Guardian, for the maintenance and support of her ward, the said Charles Gunn, the Court doth approve the payment of the $24 aforesaid & doth adjudge order and decree that said W.R. McKinney shall pay to the said Laura Gunn, Guardian, the balance of the proceeds of said sale, including the sum of $19.21 in his hands according to his said report, as the same shall be collected, such amount so to be paid to her to be used for the maintenance and support of the said Charles Gunn, and that said Comr McKinney shall make report to Court

Bristow Trustee — Pltff
vs
Davis admr — Defts } In Chy

This cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner Keller to which there are no exceptions, and was argued by Counsel On consideration whereof the Court approving said report of said Special Commissioner Keller doth confirm the same and it appearing to the Court from said report that said Special Comr has collected from the purchaser Wm Ellenborough the deferred payments and delivered the bond to said purchaser, and it further appearing to the Court that said Comr has in his hands for distribution among the

Creditors of W.J. Davis dcd the sum of $27.83 The Court doth adjudge order and decree that Special Comr Keller pay to P.J. Moody the sum of $12.01 being his pro rata share, that he pay to S.G. Gilliam the personal representative of R.C. Shell dcd the sum of 82 cents his pro rata share and that he pay to Rhoderick Crosby the sum of $15.00 being his pro rata share and that said Comr make report to Court

Stewart Heirs Pltffs
vs
Stewart Heirs Defts } In Chy

This day this cause came on to be further heard upon the papers formerly read and upon the report of Special Commissioner Joseph S. Budd made to this term of the Court and was argued by counsel On consideration whereof the Court approving said report to which there is no exception doth confirm the same, and it appearing to the Court from said report that the fund arising from the sale of the real estate sold in this cause has been duly distributed among the parties entitled whose receipts for their respective are annexed to said report, and that there is nothing further to be done herein the Court doth adjudge order and decree that the this cause be removed from the docket

Wynn Devisees Pltff
vs
Wynn Devisees Defts } In Chy

This day this cause came on to be further heard upon the papers formerly read and was argued by counsel On consideration whereof the Court being of opinion that according to the true construction of the last will and testament of John M. Wynn the defendant R.L. Wynn has no power to convey any part of the real estate devised to be held by R.E. Wynn, in trust for the said R.L. Wynn doth adjudge order and decree that the deed from the said R.L. Wynn to D.R.G. Malone in the petition of R.E. Wynn further mentioned (said petition being that filed in this cause at the April term 1882 of this Court is and the same is hereby decreed to be made and void

Jane Lewis Adr
vs
R. H. Ledbetter &c

Pltff
Defts
} In Chy

Order that the Court be adjourned until to-morrow 10 o'clk

Jam's J. Finnegan

Thursday April 9th 1885

Present Hon S. D. Finnegan Judge.

Jane Lewis Adr &c
vs
Ledbetter &c

Pltff
Defts
} In Chancery.

The above styled cause came on this day to be further heard upon the papers formerly read and upon the report of Thomas A. River Commissioner, bearing date on the 2nd day of March 1885 to which report there is no exception filed and was argued by counsel. On consideration whereof the Court doth adjudge order and decree that the report above mentioned be and the same is hereby confirmed; And the Court doth further adjudge order and decree that J. E. Lewis Adr of H. Lewis dec'd and as such Adr de bonis non of Henry Lewis late Sheriff of Winn Co. County and as such Adr of James Lewis dec'd, pay to ~~Caleb~~ Ledbetter Executrix Catherine his wife $29.06/100, that he pay to John W. Rogers and Mary E. his wife $29.06/100, that he pay to Stephen B. Lewis $29.06/100 that he pay to the Townsend children $29.06/100 that he pay to George W. Wells and Susan A. his wife $29.06/100 and that he pay to Wm D. Lewis $21.86/100 and that said Adr make report & Account

Webb &c
vs
Webb Adr &c

Pltff
Defts
} In Chy

The above styled cause came on this

day to be further heard upon the papers formerly read, and upon the report of sale of Special Commissioner Robert H. Jones bearing date on the 27th day of March 1885, to which report there is no exception, and was argued by Counsel. On consideration whereof the Court doth adjudge order and decree, that the report above mentioned be and the same is hereby confirmed, and that the sales therein reported of the One hundred and three and a quarter acres of land to W. J. Webb and of the ninety and three quarter acres to E. L. Perkins be held firm and stable between the parties, and that when the said W. J. Webb and E. L. Perkins shall have fully paid to Commissioner Jones all of the purchase money for the real estate in the proceedings mentioned, that he shall as a special commissioner of this Court execute to them a Deed with special warranty for the same, and that said Commissioner shall make report to Court, and the Court doth further adjudge order and decree that of the moneys collected by said Jones for the real estate in the proceedings mentioned, upon the payment of the costs of this suit, the balance he shall distribute in accordance with the report of Commissioner John. Y. Starr made in this cause to the creditors of D. H. Webb dec'd, and that said Commissioner shall make report to Court. And the Court doth further adjudge order and decree that one of the Commissioners of this Court shall proceed to take a further account in this cause ascertaining what distribution should be made of the surplus fund in this cause, after the payment of the debts due by D. H. Webb dec'd or that of his estate and the amount to which each distributee or Legatee of D. H. Webb dec'd is entitled, which account said Commissioner shall report to Court, with any matter deemed pertinent or in which any party interested may require to be specially stated, but that said Commissioner shall not proceed to take such account, until he shall have given personal notice to the Personal representative of D. H. Webb and until he shall also have posted at the front door of the Court House of this County on one County Court day preceding the taking of the same of the same, a notice of the time and place of the taking of said account, and shall also have published said notice once a week for four successive weeks in one of the newspapers published in the City of Petersburg, which said notice, shall be equivalent to personal

service upon all parties interested in the subject matter of this suit

Chappell vs Pltff's
vs
Chappell vs Defts. } In Eq

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner Robert H. Jones Jr. bearing date on the 24th day of March 1885, to which report there is no exception, filed, and was argued by counsel, and it appearing to the Court that the object for which this suit was brought has been fully accomplished and that there remains nothing further to be done in this cause, On consideration whereof the Court doth adjudge order and decree, that the report above mentioned be and the same is hereby confirmed, and the Court doth further adjudge order and decree that this cause be removed from the docket

Heather Cowles Pltff's
vs
Jackson adr Defts } In Eq

The above stylid cause came on this day to be further heard upon the papers formerly read, and upon the report of Comr Robert H. Jones Jr, bearing date on the 25th day of March 1885, to which report there is no exception and was argued by counsel On consideration whereof the Court doth adjudge order and decree that the report above mentioned be and the same is hereby confirmed, and the Court doth further adjudge order and decree that the purchasers George Wyatt and George Chappell the purchasers of the real estate in the report mentioned be summoned to the first day of the next term of this Court to show cause why the respective tracts of land purchased by them shall not be resold, And the Court doth further adjudge order and decree that said Commissioner Robert H. Jones Jr, shall proceed to execute a deed of the court to the respective tracts of One hundred and twenty nine acres of land to the said Wyatt

Evans, And that said Commissioner shall make report to Court

Lewis adm &c Pltff
vs } In Chy
Lewis Heirs Defts

The above styled cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner Thomas Weir, bearing date on the 23rd day of March 1885, to which there is no exception, and was argued by counsel, On consideration whereof the Court doth adjudge order and decree that the report above mentioned be and the same is hereby confirmed; And the Court doth further adjudge order and decree that Robert H. Sims, Jr, Adr of Wm H. Lewis dec'd pay to Wm A. Prince and Martha L his wife $33 95/100; that he pay to Julia E. Lewis $33 95/100; that he pay to Catharine E. Lewis $33 95/100 that he pay to R. V. Wells and Christine E. his wife $33 95/100 and to Wm. Lewis, and Mary K. his wife $33 95/100 said amount having been ascertained to be due said parties by said adr, as per Commissioner T. F. Rimy's report above referred to; and that said administrator make report to Court

Phillips &c Pltff.
vs } In Chy
Harper adr &c Defts

This cause came on this day to be heard upon the Bill and exhibits therewith filed, which has regularly matured at Rules, and upon the answer of Susan Harper in her own right and as adx of W.M. Harper dec'd wife of A. F. Phillips, A.M. as gdn ad litem of the infant defendants Harry W. Harper and Phillips and upon the answer of said infants in their own proper person, and by the consent of the guardian ad litem of the said infant defendants, and the admission of the affidavit of A. P. Phillips is filed as evidence in this cause, and was argued by counsel On consideration whereof the Court doth adjudge order and decree that one of the Commissioners of this Court shall proceed to take the following accounts, Viz: 1st An account of the transactions of Susan Harper admx with the will annexed of Wm. Harper dec'd from the date of her qualification up to the present time, 2nd the fee simple value of the

Dower interest of said Susan Harper in the real estate of which her late husband died seized and possessed 3rd An account of all outstanding debts against said A.M. Harper dec'd & that of his estate with their dignities and priorities 4th The fee simple and annual value of the real estate of which the said A.M. Harper died seized and possessed; which account said Commissioner shall report to Court with any matter deemed pertinent, or in which any party interested may request to be specially stated; But that said Commissioner shall not proceed to take said accounts until he shall have posted at the front door of the Court House of this County, on one County Court day preceding the taking of the same, a notice of the time and place of the taking of said accounts; and until he shall also have published said notice once a week for four successive weeks in one of the newspapers published in the City of Petersburg which shall be equivalent to personal service upon all parties interested except the personal representative; And the Court doth further adjudge order and decree that Robert A. Jones Jr, be and is hereby appointed as a Special Commissioner of this Court to make sale of the real estate in the proceedings mentioned, publicly or privately at such place after such notice as to him may seem best for one third cash, the balance at one and two years in equal instalments for Bonds with approved security, title to the same to be retained until all of the purchase money shall have been fully paid, and that said Commissioner make report to Court; But that said Commissioner shall not proceed to act as such until he shall have executed a Bond in the penalty of $5000.00 with security to be approved by the Clerk of this Court for the faithful discharge of his trust

Elden Guard &c Pltff
vs
Persia Elder &c Defts } In Chy

The above styled cause came on this day to be further heard upon the papers formerly read, and was argued by counsel On

consideration whereof by consent of parties who are represented by Robert H. Jones Jr counsel in this cause, the court doth adjudge order and decree that this cause be taken for vacation, to make any report or enter any decree therein to be certified to the clerk of this Court as if in Term time

Elder et al
vs
Elder et als

Pltff
Defts
} In Eq

The above styled cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner Robert H. Jones Jr bearing date on the 24th day of March 1885, to which report there is no exception and was argued by counsel On consideration whereof the court doth adjudge order and decree that the report above mentioned, be and the same is hereby confirmed, And the court doth further adjudge order and decree that the purchasers W.D. Elder and and A.D. Sheffield, the purchasers of the real estate in the proceedings mentioned, be summoned to the 1st day of the next term of this Court to show cause why the real estate purchased by them shall not be resold

Norman et als ads &c
vs
Cousins et wife et als

Pltffs
Defts
} In Eq

The above styled cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner Robert H. Jones Jr bearing date on the 1st day of April 1885 to which report there is no exception, and was argued by counsel On consideration whereof the Court doth adjudge order and decree that the report above mentioned be and the same is hereby confirmed, And the Court doth further adjudge order and decree that Commissioner Robert H. Jones Jr proceed to make distribution in accordance with said report to the parties entitled thereto, and that said Commissioner shall make report to Court And the Court doth further adjudge order and decree that Commissioner Robert H. Jones Jr & Alex Norman, either one of whom may act, proceed to resell the balance of the real estate in the proceedings mentioned, as ordered by a decree entered in the above styled cause at the October term

1883; And that said commissioner shall make report
thereon

Burroughs &c Pltff
vs } In Chy
Burroughs Exrs &c Defts

This cause came on this day to be
further heard upon the papers formerly read and
upon the summons awarded by the decree entered in
this cause at the last term of this Court calling upon
the purchasers Jas Samuel Watkins and Isis Mallory
Nunn Neal and Henry Neal to show cause why the lands
purchased by them respectively should not be vested
at their risk costs, duly executed as to said purchasers and
was argued by counsel On consideration whereof the
Court doth adjudge order and decree that, unless said
purchasers pay to Geo. S. Bernard Special Comr in this
cause the several sums due by them respectively and the
costs of proceedings against them within sixty days
from the date of the service of a copy of this decree upon
them said Comr shall, & he is hereby ordered to, sell by
public auction for cash said tracts of land after
reasonable advertisement by hand bills or otherwise of
time, term & place of sale; but said Commissioner before
making any resale under this decree shall execute
& file with the Clerk of the Court a bond in the
penalty of $750 conditioned according to law and
with security to be approved by said Clerk. And that
said Court is ordered to make report thereon

Ordered that all costs now otherwise disposed of
be and they are hereby taxed.

Ordered Here the Court be adjourned until the 10th day
of this next Term.

Jam. F. Hunnicutt

(1)

A list of claims allowed by Board of Supervisors from July 1897 to July 1st 1898.

John P. Fisher	4.20
L. H. Luthrop	4.70
J. E. Clarke	4 50
J. M. Ryan	3.80
	.60
	2.00
	3.50
	4 00
	3 80
	1 60
	166.25-
	12 00
	7 75-
	3 75-
	5-00
	100.00
	50.00
	30.00
	2 00
	1 00
	60
	36.00
	33.75-
	2.28
	1.15-
	1280
forwd	$497.5-3

Between pg 96-97

forward,	497.53
	.40
	.78
	30.00
	57.00
	57.00
	57.00
	57.00
	4.70
	4.70
	3.50
	4.50
	5.16
	2.80
	5.00
	7.50
	1.97
	5.00
	22.50
	24.00
	58.00
	50.00
	50.00
	50.00
	23.25
	24.00
	7.50
	2.00
Carried Forward.	$1112.59

Plaintiffs Mechanics Bank of Petersburg Va Pltff
vs
S W Ferguson &c thers Defts } In Chancery.

The above styled cause came on this day to be further heard upon the order of the April Term 1885 papers formerly read, and upon the Depositions of S.W. Ferguson, A.A Hardy, R Ferguson and J Garland Blackwell, Taken in this cause, pursuant to legal notice to all parties interested, and was argued by Counsel, and the Court being of the opinion that the Deed of Bargain & Sale from S.W. Ferguson to A.A. Hardy and R Ferguson, of the 18th day of June 1883, of the tract of Three Hundred acres of land in the proceedings mentioned passed to said A.A. Hardy & R Ferguson an absolute fee simple title to said Tract of land. On consideration whereof the Court doth adjudge Order and decree that this cause be dismissed from the Docket, and that the Plaintiff pay to the defendants their costs in this behalf expended but that the operation of this Decree is hereby suspended for thirty days from the date hereof, in order that the Plaintiff may apply for a writ of Error or Supersedeas

To the Clerk of the Circuit Court of Dinwiddie County Saml. S. Weisiger

98

Virginia. Dinwiddie Circuit Court In Vacation.
February 26th 1886.

Whereas there was a failure to hold the regular term of the Circuit Court of Dinwiddie County in October 1885 as prescribed by law, and whereas the situation of Holmes Runyan a prisoner charged with murder now confined in Jail for trial in said Court makes it proper that his case should be disposed of before the next regular term of the Dinwiddie Circuit Court. Therefore a special term of the Circuit Court of Dinwiddie County is appointed & ordered to be holden on the 16th day of March 1886 for the trial of the said Holmes Runyan & for the trial of such other cases as may be lawfully disposed of during said Special term, A Venire is ordered to be summoned in the manner prescribed by law to attend the said Special term of the said Court.

To the Clerk of
Dinwiddie Circuit Court.

Beverley A Hancock

Virginia: In the Circuit Court for the County of Dinwiddie held at the Courthouse thereof on Monday the 8th day of April AD 1886 and of the Commonwealth the 110th

Lizzie Myrick &c. Jeff Ansley. Plaintiff
vs
Early Myrick Defd } In Chancery.

This day this cause came on to be heard upon the Bill which has regularly matured on Rules, the exhibits thereunto filed and the Depositions of Raleigh White &c. taken and was argued by Counsel, On Consideration whereof the charge of adultery having been fully proved doth adjudge order and decree that a Divorce a vinculo matrimonii be granted to the Plaintiff from the Defendant and the Court doth further adjudge order and decree that the Defendant Early Myrick pay the Costs of this suit, and there being nothing further to be done in this suit it is ordered that the same be removed from the Docket,

Baughs wife Plaintiffs
vs } In Chancery
Costens admrs Defts

This day this cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioners Jno. R. Tucker William J. Webb W. H. Kirkham & R. G. Malone who were appointed in vacation on the 7th day of January 1886. to make partition of the tract of land in the bill mentioned, to which report there is no exception and was argued by counsel. On consideration whereof the Court approving said report doth confirm the same and doth adjudge, order and decree that the partition of said tract of land as set forth in said report be held firm and stable between the parties And the Court doth further adjudge, order and decree that John W. Harris, who is hereby appointed a special commissioner for the purpose convey with special warranty - the several parcels of land so partitioned as follows; to E. W. Costen Jr the tract No 2 on the plat or survey returned with the report of said Commissioners as described and bounded on said plat; to Mrs. Baugh the wife of W. T. Baugh tract No 1 on said plat as described and bounded thereon. And to W. A. Webb for life, in right of his deceased wife Augusta W. Webb with reversion to the children of his deceased wife Augusta W. Webb to wid Linda C. Webb Milton C. Webb & Lucy Webb W. J. Webb Rebecca B. Webb & Chas. C. Webb the remaining tract as described and bounded on said plat shall make said plat a part of the deed conveying said land and make report to Court

Augustus Wright &c — Pltffs
vs
W.L. Reams, Trustee &c
& W.P. Lewis — Defts
} In Chy

On motion of the plaintiff this cause is dismissed

Loving Travellers — Pltff
vs
Anderson Roberts
admr &c — Defts
} In Chy

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner W.R. McKenny, bearing date April 8/86 and this day filed in this cause, to which there is no exceptions filed, and was argued by Counsel. And it appearing to the Court from the said report that said Comr McKenny has fully and properly disbursed the sum of thirty seven & 2/100 dollars which has come in to his hands in this cause except the sum of two dollars retained to pay unpaid costs of suit. And a balance of Seventy six 76/100 dollars which is properly payable to the personal representative of Anderson Roberts, deceased. On consideration whereof the Court, approving said report, doth confirm the same & doth order that said Comr McKenny do pay to such personal representative the balance of $70.76 aforesaid, and file his receipt therefor among the papers in ~~this~~ cause. And it appearing to the Court that nothing further remains to be done herein, it is ordered that this cause be removed from the docket.

Morris adr — Pltff
vs
Morris Legatees — Defts
} In Chy

This day this cause came on again to be heard upon the papers formerly read upon the report of Commissioner Dorman made to this term of the Court to which there are no exceptions and was argued by counsel upon consideration whereof the Court doth confirm the same and does decree and order that the sale of W.E. Morris interest in the dower of his late mother Judith C. Morris in the place known as "Hill Top" to Charles C. Wells at $100

be held a firm and binding and the Court does order that upon the payment of the said purchase money by Wells. that the said Commissioner Alexander Donnan execute to him a deed with special warranty therefor and that he the said Donnan Commissioner report to Court

Hawkes heirs Plaintiffs
vs
Hawkes heirs Defts } In Chancery.

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner J.D. Budd. showing the collection from the purchasers of the real estate sold in this cause of all the purchase money due by them and the execution and delivery to said purchasers of deeds with special warranty for the tracts of land by them respectively purchased, and also showing a partial distribution of the proceeds among the parties in bills as directed by the decree of the April Term 1881. leaving a balance due John R. Hawkes Est of $9.26 and each of the other heirs except of Jno R. Hawkes to whom is due, A.M. Hawks and the children of Edward Mayo of $1.56 and was argued by Counsel. On Consideration whereof the Court approving said report to which there is no exception doth confirm the same and doth adjudge order and decree that the said Joseph D Budd Special Commissioner do pay to the parties severally in said report the amounts thereby appearing to be due them respectively

Warren Baldwin Pltff
vs
W R McKenney, administrator of Rufell Baldwin, decd. Mary B Flagg. Rhoda Stotts. Lewis W Sims and Augusta A his wife. Eliza Rich. Jasper M Stotts and Harriet B. his wife. Lydia Ann Gordell, Simon Gordell, Samuel Gordell, and William A Gordell, the last named being an insane person, by A.M. Organ, his guardian ad litem. } In Chancery.
Defts

On motion of the Complainant, A.M. Organ has this day been appointed guardian ad litem of the insane defendant William A. Gordell, and filed his answer as such. And thereupon this cause in which the Complainant proceeded against all of the defendants except W.R. McKenney, administrator of Rufell Baldwin deceased, in the mode prescribed by law against non resident defendants, came on this day to be heard upon the bill taken for confessed as to the said W.R. McKenney, administrator of Rufell Baldwin deceased, the answer of A.M. Organ guardian ad litem of the said insane defendant, William A Gordell, and the exhibits filed with the said bill and was argued by Counsel. On Consideration whereof the Court doth adjudge, order and decree, that one of the Commissioners of this Court do proceed in case the following account, First An account of the transactions of W.R. McKenney, administrator of Rufell Baldwin deceased. Second.

An account of the Estate real and personal, of which the said Russell Baldwin died seised and possessed, with the fee simple and annual value of the real estate. Third, An account of all debts and demands against the said Russell Baldwin or his estate, with their dignities and priorities, if any. Fourth. An account or enquiry as to whether the real estate of which the said Russell Baldwin died seized can be conveniently partitioned in kind among the several parties entitled thereto; whether any one or more of the said parties is or are willing to have the whole thereof allotted to him, her or them, and pay to the other parties interested such sums of money as their several interests therein would entitle them to, and whether the interest of all parties concerned would be promoted by a sale of the whole and a division of the proceeds among them, according their respective interests. Which accounts and the result of the said enquiries the said commissioner shall report to Court with any other matter specially stated which he shall deem pertinent, or which any party interested shall request to be so stated. But that he shall not proceed to take the said accounts or to make the said enquiries until he shall have published in one of the Newspapers published in the City of Petersburg, Notice of the time and place that shall be fixed by him for taking and making the same; Once a week for four successive weeks, which publication shall be deemed equivalent to personal service of said Notice on all parties interested, except the said W.R. McKenny, administrator &c. who shall be entitled to personal service of the same

Harmon Boadt Pltff
vs
J.V. Van-Patten &als Defts } In Chy

This cause came on this day to be heard upon the bill and the exhibits therewith filed, which was regularly matured at Rules upon an order of Publication and to all of the Defendants duly executed and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that one of the Commissioners of this Court proceed to take the

following accounts, namely - 1st An account of the transactions of Harmon Bradt adminis tratir of Margaret Bradt dec'd from the date of ~~this~~ his qualification as such; 2nd An account of all outstanding debts against Margaret Bradt dec'd at the time of her death, which accounts said Commissioner shall report to Court, with any matter deemed pertinent, or in which any party interested may request to be specially stated; but that said Commissioner shall not proceed to take said accounts untie he shall have posted a Notice of the time and place of the taking of the same at the front door of the Court House of this County on one County Court day preceding the taking of the same, and untie he shall have also given notice, by personal service upon Harmon Bradt Admr of Margaret Bradt dec'd

Susan Moore
vs
Edna Crump

Pltff
Deft
} In Chy

On motion of the plaintiff the order entered at rules appointing A. M. Organ guardian adlitem of the infant defendant Edna Crump is hereby set aside and doth appoint Jno Y Harris her guardian adlitem in his place and stead and thereupon this day this cause came on to be heard upon the bill of the plaintiff with exhibits thereunto filed and upon the answer of the infant by Jno Y Harris her guardian adlitem, this day filed by leave of Court, upon a general replication to said answer And was argued by Counsel On consideration whereof the Court doth adjudge Order and decree that one of the Commissioners of this Court make the following enquiries first whether the tract of land in the proceedings mentioned can be conveniently divided in kind Second whether either of the parties are willing to accept the said land and pay to the other such sums as her interests therein will entitle her to Third whether the interest of both the parties entitled will be promoted by a sale of the entire subject And the division of the proceeds among the others And that said Commr report to Court with any matter specially stated deemed pertinent by himself or required by any party interested to be so stated

George S Sheffield & Rosa his wife Pltffs
vs
James E Hogwood and Annie E his wife Defts } In Chy

This cause came on this day to be heard upon the bill of the Complainants and the defendants demurrer thereto and was argued by Counsel. On consideration whereof the Court sustaining said demurrer doth adjudge order and decree that the said Bill be dismissed And that the said Complainants pay to the said defendants their costs in this behalf expended

W. L. Worsham Pltff
vs } In Chy
P. H. Thomas Defts

This cause came on this day to be heard upon the bill, the exhibit therewith the Demurrer and answer of P. H. Thomas this day filed by Leave of Court, and by Consent of parties the Court, without passing on the said demurrer and answer, doth adjudge order and decree that this cause be removed to the Hustings Court of the City of Petersburg

Cons distributees Pltffs
vs } In Chy
Cons admrs Defts

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner John G. Harris, filed in this cause on the 22nd day of September 1885. And by consent of parties, given in open court, and entered of record, the Court without passing upon said report and hereby giving leave to any party interested to file exceptions to the same, doth adjudge, order and decree that this cause be taken for decision and decided in vacation.

Mitchells Exrs Pltffs
vs } In Chy
Mitchells Devisees Defts

This day this cause came on to be further heard upon the papers formerly read

And upon the report of Special Commissioner Joseph S Budd made to this term of this Court. And was argued by Counsel On consideration whereof the Court approving said report to which there is no exception doth confirm the same in finding so much thereof as report the execution of a deed to George W Bannister for the land by him purchased and doth adjudge order and decree that the said Joseph S Budd Commr withdraw from the papers in the cause the certificate of deposit in the Petersburg Savings & Insurance Company for $167.83 dated October 3rd 1883, Number 17792 and out of the proceeds together with the other money in his hands as appears from said report pay to the several creditors mentioned in the Statement filed as part of said report the amount of their respective distributive shares of the amounts appearing in the hands of said Commissioner, as ascertained by the statement aforesaid. And the Court doth further adjudge order and decree that the said Joseph S Budd as special commissioner execute and deliver to Harrison Coleman a deed with special warranty for the land in the said report mentioned for which he has paid in full, and that the said Joseph S Budd execute and deliver to Caroline V. Bass wife of S P Bass a deed with special warranty for the tract of land heretofore Ordered to be conveyed to the said S P Bass, the said Bass uniting therein. And the Court doth further adjudge order and decree that Thos Chambers, Monroe Chappell, W. J. Spires, and J. J. and J. H. Rideout be summoned to appear on the first day of the next term of this Court to show cause if any they can why the tract of land by them purchased respectively should not be resold and they held liable for the deficiency if any on such resale. And the Court approving the sale made of the tract of land known as Kingston containing 116 acres to Dr H. T. Hunt for the sum of Three Thousand two hundred dollars payable in the manner set forth in the proposition in writing by said Hunt filed with said report doth accept said proposition and confirm said sale and doth order that Special Commissioner S S Budd take from the said H T Hunt his bonds for the purchase and that on the payment by him of his first bond that the said Joseph S Budd Special Commissioner execute to the said H. T. Hunt a deed with Special warranty for the tract of land aforesaid and take from the said H. T. Hunt

a deed of trust to secure the remaining deferred payments. And that said Commr report to Court

Ordered that the Court be adjourned until tomorrow 10 o'clk A.M.

Beverly A. Hancock Jr

Friday April 9th 1886

Present Hon B.A. Hancock Judge

Keeler & A — Pltff
vs
Tally A.D. et als — Defts
} In chy

This cause came on this day to be heard upon the bill which has regularly matured at rules & set for hearing and the Exhibits therewith filed, and was argued by Counsel. On consideration whereof the Court doth adjudge order and decree that one of the Commissioners of this Court take account of the outstanding debts against the Defendant A.D. Tally, with their dignities and priorities 2d The fee simple and annual value of the real estate in the proceedings mentioned belonging to said A.D. Tally and whether the rents and profits of the same will be sufficient to pay off and discharge the debts within five years and any other matter which he shall deem pertinent or he shall be requested specially to report and make report to Court.

Frank M. Sutherland, an Infant of tender years, who sues by W.O. Syphax his next friend, and the said W.O. Syphax in his own right — Pltff
vs
E.M. Sutherland in his own right and as Executor of Fendall M. Sutherland, deceased, Emma A. P. Sutherland, B.E. Sutherland, Glyndon M. Sutherland, Fendall Sutherland and D. Goode Sutherland, the last three of whom are infants, by A.M. Osgain, their guardian ad litem — Defts
} In chy

This cause came on this day to be heard upon the bill taken for confessed as to all of the adult defendants except E.M. Sutherland in his own right and as Executor of F.M. Sutherland, deceased

the exhibits filed with said bill the answer of the said E M Sutherland in his own right and as Executor of F M Sutherland deceased filed in this cause on the 8th day of April 1886 by leave of Court, the petition of A Rosenstock & Co & Jacob Cohen, praying to be made parties defendants to this suit filed in this cause on said 8th day of April 1886 by leave of Court; the answer of the said A M. Organ guardian ad litem of the infant defendants aforesaid and general replications to said answer. And by consent of ~~Counsel~~ parties interested it is ordered that this cause be removed to the Circuit Court of the City Petersburg

Catherine Lewis Pltff
vs
Wm A Pearce, trustee, Defts } In Chy
and Lucy E Lewis

This cause came on this day to be heard upon the bill, with the exhibit therewith filed, and upon the order of Publication as to the non-resident defendants, which has been regularly executed, and having been regularly matured at rules, was argued by counsel. On consideration whereof the Court doth adjudge, order and decree that one of the Commissioners of this Court proceed to take all necessary and proper accounts in order to ascertain the amount of annuity mentioned in the plaintiffs bill, and make report to Court. but that said Commissioner shall not proceed to take said account until he shall have posted at the front door of the Court House of this County, on one County Court day preceding the taking of the same, a notice of the time and place that shall be fixed by him for taking said account

Catherine Lewis Pltff
vs
R A Reams Trustee, and Wm A Pearce Defts } In Chy
and Martha A Pearce his wife

This cause came on this day to be heard upon the bill with the exhibit thereunto filed, and upon the order of publication as to the non-resident defendants which has been regularly executed, and taken for confessed as to the resident defendant, and having been regularly matured at rules, was argued by Counsel On consideration

whereof the Court doth adjudge, order and decree that one of the Commissioners of this Court proceed to take all neccessary and proper accounts, in order to ascertain the amount due on the annuity mentioned in the plaintiffs bill and make report to Court: but that said Commissioner shall not proceed to take said account until he shall have posted at the front door of the Courthouse of this County one County Court day preceding the taking of the same, a notice of the time and place that shall be fixed by him for taking said accounts and personal service of said notice shall be given upon R.A. Reynolds Trustee

Nash Heirs Pltffs
vs. } In Chy
Nash Heirs Defts

This cause came on this day to be again heard, on the papers formerly heard & the report of Spl Comr B.J. Epes made to this term of the Court & filed this day to which there are no exceptions & was argued by counsel. On consideration whereof the Court doth adjudge order and decree that unless J Amber Smith or some one for him shall, within sixty days from the time that a copy of the decree is mailed by registered letter to him at Washington D.C pay in full the unpaid purchase money due by him on his purchase of the lands in the proceedings mentioned, after first advertising the time and place of sale once a week for four successive weeks in some newspaper published in the City of Petersburg on such terms as in the opinion may seem best for the interest of all concerned and that in the event the said J Amber Smith pays between the dates of the publication of the notice of sale & the day of sale that he shall also pay the costs of the publication of said Notice and said Spl Comr Epes will report to Court how he shall have executed this decree

the Spl Comr B.J. Epes shall offer for sale in accordance with law and as may concern the land in this proceeding

Rose Butterworth Pltff
vs } In Chancery.
Henry Jones wife Defts

This day this cause came on to be heard upon the original and amended bill which have regularly matured as to the

for hearing the exhibits thereon filed and was argued by Counsel, On consideration whereof the Court doth adjudge order and decree that one of the Commissioners of this Court take an account of the outstanding debts against Harry Jones infts with their dignities & priorities 2d what interest the said Harry Jones has in the real estate in the proceedings mentioned the fee simple and annual value thereof is and whether the rents and profits of the same will be sufficient to discharge the debts within five years with any other matter deemed pertinent by such commissioner or which he may be requested specially to report, and make report to Court

Jones Robt H Jr Trustee Pltff
vs
Pride Johns Defts } In Chy

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Robert H Jones Jr Trustee this day filed bearing date on the 31st day of March 1886 to which report there is no exception, and was argued by counsel And it appearing to Court from said report that the object for which this suit was brought has been fully accomplished. On consideration whereof the Court doth adjudge order and decree that the report above mentioned be and the same is hereby confirmed And the Court doth further adjudge order and decree that this cause be removed from the docket

R C Elder guardian &c Pltffs
vs
T W Persons Exrs &c Defts } In Chy

This cause came on this day to be further heard upon the papers formerly and was argued counsel On consideration whereof the Court doth adjudge order and decree that one of the Commissioners of this Court proceed to take the following accounts, Viz 1st an account of the transactions of R S Persons exr of T W Persons decd 2nd And account of the amount to which each devisee of T W Persons decd is entitled absolutely or for life, and to whom, of the balance in the hands of Commissioner Jones from the proceeds of the sale of real estate in this cause, which accounts said Commissioner shall report to Court with any other matter deemed pertinent or in which any

party interested may request to be specially stated, but the said Commissioner, shall not proceed, to take said accounts, until he shall have posted a Notice of the time and place of taking the same on one County Court day preceding the taking of the same & untie he shall also have ~~served~~ personal ~~service~~ notice ~~of~~ upon Ed. Perkins exr of Lew Perkins decd and ~~upon~~ to all interested who are residents of the State of Virginia,

Ordered that the Suit be adjourned until tomorrow 10 oclock

Beverly A. Hancock

Saturday April 10th 1886.

Present Hon B A Hancock Judge.

Reams &c
against
Crowder.

Pltffs
Defts
} In Chancery.

This cause came on this day to be further heard upon the papers formerly read & the report of Com JH Harris dated Feby 9th 1885 & filed March 14 1885 to which there are no exceptions now argued by Counsel, On Consideration whereof the Court doth confirm the said report of Com Harris doth adjudge order & decree that the defendant Joseph Crowder pay to the complainant Emeline Reams the sum of $40.00 on the 5th day of Nov 1883 & while sum annually thereafter during her life the same being the interest on one third of the value of the land in the proceedings mentioned at the date of the death of her husband Stephen Reams.

Emelina W. Coleman
against
S G Gilliam Sheriff of Dinwiddie County and as such administrator of Mrs Kinney decd Bettie Kinney and Thomas Kinney

Plaintiff
Defts
} In Chancy

This cause came on this day to be heard upon the Bill with the exhibits thereunto filed which was regularly matured at Rules, and is taken for confessed as to the defendants ~~Kinney~~, and was argued by Counsel, And it appearing to the Court from the plaintiffs bill, that Mrs Kinney the defendant in this cause

of payment of the purchase Bonds of the tract of land in the proceedings mentioned. On consideration whereof the Court doth adjudge order and decree that one of the Commissioners of this Court proceed to take the following account, Viz, and account, showing the amount of purchase money which has been paid by Wm Jones dec'd in ~~the~~ by of his Estate to the complainant Emeline Woleman for the real Estate in the proceedings mentioned, and what remains due, which accounts said Commissioner shall report to Court with any matter deemed pertinent, or which any party interested may request to be specially stated, but said Commissioner shall not proceed to take said account until he shall have posted a notice of the time and place of taking the same on one County Court day preceding the taking of said account, and until he shall have given personal notice to all parties in this cause of the taking of said account

E H. Young, Guardian ad Litem Pltff.
B J Epes & als Defts } In Chy

This cause came on this day to be heard upon the bill with the exhibits thereunto filed, upon the answer of B J Epes, upon the answer of A M Organ guardian ad-litem of the infant defendants, appointed to represent their interest in the cause and upon the affidavits of J T. Rives & L L. Meredith, and was argued by counsel. On consideration whereof the Court doth adjudge order and decree that Wm H. Jones be and is hereby appointed as a Special Commissioner of this Court to collect the certificate No 20588 of Petersburg Savings & Insurance Co filed by B J. Epes with his Answer in this cause, and when he shall have collected said certificate, he shall execute a deed with Special warranty for the right of way over the tract of land, in the proceedings mentioned to the Virginia and Carolina Rail road Co. But that he shall not proceed to collect said certificate until he shall have executed a bond in the penalty of $300.00 with security to be approved by the Clerk of this Court for the faithful discharge of this trust, and the Court doth adjudge order and decree that of the money collected from said certificate after the

security of the cost of this suit, said Commissioner shall loan to Ettyning two thirds of said amount who shall execute a Bond in the penalty of $500.00 with good personal security to be approved by the Clerk of this Court, subject to any future order that may be made in this cause. And the Court doth further adjudge order and decree that said Commissioner shall also loan to Edward G. Sydnor the other one third of the net proceeds from said certificate, but that he shall not make said loan, until said Sydnor shall have executed a Bond in the penalty of $100.— with security to be approved by the Clerk of this Court, to have the amount loaned, subject to the future order of this cause in this cause, and that said Commissioner shall make report.

C. W. Reames & Julia P. Reames his wife. Plaintiffs
against.
Winfield Hobbs. Deft } In Chancery.

This cause came on this day to be heard, upon the Bill with the exhibits therewith filed, and was argued by Counsel. On consideration whereof the Court doth adjudge order and decree that one of the Commissioners of this Court proceed to take and state an account showing the date of the purchase of the real estate in the proceedings mentioned from the Complainants C. W. Reames wife by the defendant Winfield Hobbs the amount that he agreed to pay, and the amount that he is now in default to the Complainant, if any. Which account he shall report to Court with any matter deemed pertinent or which any party interested may request to be specially stated, but that said Commissioner shall not proceed to take said account until he shall have posted a notice of the time and place of the taking of said account, on one County Court day preceding the taking of said account, and until he shall have also given personal notice to all parties interested in this cause by summons.

J. M. Ferguson &c. Plaintiffs.
against.
Coralee's admr &c. Defts } In Chancery.

This cause came on this day to be further heard on the papers formerly read, the report of Comr J. Y. Harris filed Sept 25th 1882. to which there are no exceptions & the report of the Comr Estes made to this term of the Court dated April 9th 1883. & was argued by Counsel, On Consideration whereof the Court by consent of all parties doth confirm said report of Comr J. Y. Harris except as amended by the statement in the said Report of the Comr Estes & doth adjudge order & decree that said the Comr. Estes collect of the purchaser G. M. Ferguson the sum of $132.00 being the balance due by him on his purchase of the lands in the proceedings mentioned & one of the balances of $137.21 in his hands payable.

J.G. Gilliam Sheff his fee of $1.00 to R.O. Cerralle or his Counsel G.D. Bernard for him $14.66 what he distribute the balance in his hands of the unpaid purchase money when collected making together the sum of $24.33 1/3 pro rata among the general Creditors J.N. Ferguson & Matilda O Bland; on their respective debts of $161.25 & $113.33 & make report to Court how he shall have executed this decree, and said Spl Comm Espes will execute to the purchaser G.L. Ferguson a Deed with special Warranty to the land in the proceedings mentioned, as soon as he shall have Complied the payment of the purchase money.

Ordered that the Court be adjourned until Monday morning at 11 oclock am.

Beverly A. Hancock

Monday April 12th 1886.

Present Hon B A Hancock Judge.

O G.R. Smith. Plaintiff
vs
D L. Aspinwall. Defet } Inv Chancery.

This cause in which the original and amended bills have been taken for confessed against the defendant, came on this day to be heard on said bills depositions of witnesses and exhibits and was argued by counsel On consideration whereof and by consent of parties plaintiffs and defendant the Court doth adjudge order and decree that the injunction awarded the plaintiff on the 13th day of October 1883 to enjoin and restrain the defendant his agents and servants from selling or parting with, making a deed or conveyance to any other person or persons whatsoever for the tract of land in the bill & proceedings mentioned & in any way whatsoever disposing of or encumbering the same until the further order of the Court, be dissolved, that the bill of the plaintiff be dismissed and that each party plaintiff and defendant pay his respective costs by him about this suit in this behalf expended

H.W. Biggins Pltff
vs
James Rogers George J. Rogers
and the Petersburg Savings Insurance Co Defts } In Chy

This day this cause came on to be further heard upon the bill of the plaintiff taken for confessed at rules as to all the defendants, they still failing to appear plead answer or demur, upon the exhibits filed with said bill and was argued by counsel On consideration whereof the Court doth adjudge ordain and decree that one of the commissioners of this Court take the following accounts 1st An account of the ~~liens~~ liens binding the tract of land in the proceedings ~~x~~ mentioned with their dignities and priorities, 2nd An account of the fee simple and annual value of the tract of land aforesaid which accounts said commissioner shall report to Court with any matter specially stated deemed pertinent by himself for required by any party interested to be so stated

Chappells &c Pltff
vs
T.G. Chappells admr &c Defts } In Chy

This cause came on this day to be further heard on the papers formerly read and the report of Commissioner R.A. Jones Jr bearing date on April 6th 1886 and was argued by counsel On consideration whereof the Court doth adjudge order and decree, that the sales of land reported by commissioner Jones in his said report be confirmed and the said sales be held firm and binding between the parties thereto, And the Court doth adjudge order and decree that commissioner R.A. Jones Jr Execute to E.H. Chambers the purchaser of the 80 $\frac{79}{100}$ acres of land in said report mentioned a deed with special warranty for the same. And the said Commissioner R.A. Jones Jr shall execute to Peter Jones and Minnie Mitchell a deed with special warranty for the 60 acres of land in said report mentioned when they shall have fully paid for the same as requested by commissioner R.A. Jones Jr in his said report, the Court doth further adjudge order and decree, that one of the Commissioners of this

Court enquire into and settle an account of all the transactions of said R St. Jones Jr as commissioner in this cause, showing what lands he has sold when, to whom, and upon what terms, how much of the purchase money he has collected, when it was paid, how disbursed, and the amount with which he should now be charged as remaining in his hands, Also, what amounts of the purchase price of the lands respectively are still due by whom, and how evidenced, and whether all of the lands of J.G. Chappell deceased have been sold and if not which remain unsold Secondly that said Commissioner take a further account of the outstanding debts against the estate of J.G. Chappell deceased Thirdly That Alexander D Mann surviving administrator of J.G. Chappell deceased settle a further account before said commissioner of his transactions as such administrator, showing Specially, what amounts have been paid him, and when paid by Daniel Malones Estate on account of the debt due Nancy Roberts by said Malones Estate as principal and said Chappell Estate as security Ascertained by Commissioner John G Harris by report in this cause April term 1892, and what additional sum he will be able to collect from said Malones Estate on account of said debt, and also what part of said debt has been paid by said Chappells Estate, and what amount said Chappells Estate has received and is entitled to receive from said Malones Estate on account of such payment, Fourthly. That said Commissioner enquire into and report, how long Daniel Malone survived the qualification of the administrators of J.G. Chappell and when said Malone died, who were the personal representatives of Nancy Roberts and when they qualified as such, And whether judgement had been recovered on the said debt due Nancy Roberts by said Malone as principal and said Chappell as security during the lifetime of said Malone the said debt could not have been collected from the said principal or his Estate, And whether the representative of Nancy Roberts directed said judgement to be obtained and if so when, which said enquires and accounts, said Commissioner shall make and state and

report to Court, with any matter deemed pertinent by himself or required to be stated by any party interested; but the said Commissioner shall not proceed to take said accounts and make said enquiries until he shall have posted at the front door of the Courthouse of this County on one County Court day prior to the taking of the same a Notice of the time and place thereof, in lieu of personal service upon the parties interested therein

R H Bland Pltff
vs
Lucy Wise & others Defts } Decree

This cause came on this day to be further heard upon the papers formerly read, the return of the service of a copy of the decree entered in this cause at the Oct term 1884, upon Mollie E Street upon Oct 29th 1884, and upon the report of Comr Alex Hamilton this day filed to which no exception is taken & was argued by Counsel, On consideration whereof, the Court approving said report of Comr Hamilton doth confirm the same and order & decree that Comrs Alex Hamilton & M St Jones Jr either or both of whom may act, proceed to execute the decree entered herein for the resale of the lands heretofore sold Mollie E Street, but said Comrs neither of them shall act under this decree until they or one of them shall enter into bond in the penalty of $500 with security approved by the Clerk of this Court & conditioned according to law. And the Court doth further order & decree that W C Rainey be summoned to show cause on the first day of the next term of this Court if any he can, why a resale of the lands purchased by him heretofore under decrees herein should not be made at his cost risk & it is ordered that this cause be continued

Thomas F. Rives, Trustee Pltff
vs } In Chy
Thomas Williams admr &c Defts

This cause came on this day to be further heard upon the papers formerly read and upon the report of Thomas F. Rives, Commissioner, bearing date March 9th 1886 and this day filed in this cause to which report there is no exception filed and was argued by counsel. On consideration whereof, the Court, approving said report, doth confirm the same and doth adjudge order and decree that the sales therein reported of Six acres to James Morse for ten dollars 50 acres to Isham Morse for $52.50 and 100 acres to Milton Morse for $100 be held forever firm and stable as between the parties thereto. And it appearing to the Court that the said James Morse and Isham Morse have paid to said Commissioner Rives the full amount of the purchase price's agreed to be paid by them, the Court doth further adjudge, order and decree that said Commissioner Thomas F. Rives do execute to them deeds with special warranty, for the land purchased by them respectively And that when Milton Morse shall have paid to him the balance of the purchase price agreed to be paid by him as in said report mentioned, then that said Commissioner Rives execute to him a deed with special warranty, for the same The 60½ acres of land reported as unsold by said Commissioner, it is ordered that he proceed to sell as ordered by the decree rendered herein at the April term 1884 of this Court And that said Commissioner Rives shall make report to Court

Burroughs creditors Pltffs
vs } In Chy
Burroughs adv sals Defts

This cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner Geo L Bernard dated April 7th 1886 to which there is no exception filed, and was argued by Counsel On consideration whereof it appearing to the Court from said report & the papers

thereunto filed that the delinquent purchasers
Wm Maddox Aaron Neale and Henry Neale, having
been duly served with a copy of the summons
awarded against them by the decree entered
in this cause at the April term 1888 of this
Court failed to pay the purchase money payable
by them for the tract of land of one hundred
and forty (140) acres in the proceedings mentioned and
that said Special Commissioner after having
caused the said land to be surveyed by Thos
F. Rives County Surveyor acting under said
decree resold said land to A.C. Wheeler at
the price of two hundred eighty ($280) dollars
who desires the part of said land designated
as "S" on the plat of said Rives filed with said
report to be conveyed to Charles W Hammer and
part thereof designated as "S" on said plat
to be conveyed to said A.C Wheeler to hold
in trust for Sallie B. Wheeler his wife. the
Court approving said sale, doth confirm the
same, and doth adjudge order and decree.
that when said A.C. Wheeler shall have fully
paid to said Special Commissioner the balance of the purchase money, shall, and
he is hereby directed to, execute deeds conveying
said two parcels of land with special
warranty as requested by said A.C. Wheeler
annexed said plat to the deed conveying said
tract marked "S" In the deed to said Hammer
~~and~~ A.C. Wheeler wife shall unite. And it
further appearing to the Court from said
report that of the funds under the control
of the Court in this cause the sum of One
hundred ($100) may properly be paid to the
Aft Ann M. Burroughs on account of her
dower interest the Court doth order that of
the money to be received from said Wheeler
by said Special Commissioner he, said Special
Com do pay to said Ann M. Burroughs the
sum of One hundred dollars, the residue of
the money to be so ~~received~~ received said commissioner
is ordered to deposit with the Petersburg Savings
and Insurance Co to the credit of the this Court
in this cause And it appearing to the Court

from said report, which is hereby approved and confirmed, that of the cash payment of thirty dollars ($30) said Special Commissioner has a small balance of six dollars & seventy eight cents ($6.78) to be accounted for in his next report to Court, the Court doth order that said Commissioner after paying all taxes & costs properly payable out of the fund in this cause, and after reserving twenty five dollars ($25) to pay the claim of said Ann M. Burroughs do distribute said balance and the sum of One hundred and fifty five dollars and eighteen cents ($155.18) ratably among the general creditors whose debts are proven in this cause, and the said Comr is ordered to make report to Court. And it is further ordered by the Court that Comm'r John G. Harris do report to Court the account now in his hands under previous order of this Court, in order that there may be a final distribution of the whole fund in this cause

Ordered that the Court be adjourned until tomorrow morning 10 o'clock A.M.

Beverly A. Hancock

Tuesday April 13th 1886

Present Hon B A Hancock Judge.

W. D. Temple Pltff
vs
Elder Ass & others Defts } In Chy

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner Robert H. Jones Jr bearing date on the 5th day of April 86 to which report there is no exception and was argued by Counsel On consideration whereof the Court doth adjudge order and decree that the report above mentioned be and the same is hereby confirmed and the Court doth further adjudge order and decree that Commissioner Robert H. Jones Jr as he may collect the balance of the purchase money in the proceedings mentioned; that he shall distribute the same as ordered by former decrees of this Court; And that said Commissioner shall make report to Court.

J W Spiers Creditors Pltffs
vs
J W Spiers admr & others Defts } In Chy

This cause came on this day to be ~~further~~ heard upon the papers formerly read, and upon affidavits of R H Jones Jr & A M Organ as to the order of publication, and was argued by Counsel And it ~~appearing~~ was suggested to the Court that the first decree entered in this cause, to wit; at the April term 1878, did not recognize the fact that the legal execution of the order of Publication against the non-resident defendants had been properly executed And the Court being now satisfied that said order of Publication was properly and legally executed On consideration whereof the Court doth adjudge, order and decree that this decree be and is hereby made amendatory to the decree of the April term 1878, so far as it effects the non-resident defendants, and doth adjudge that said order of publication was prop

erly and legally executed, And the Court doth for
this adjudge order and decree that Commissioner
Robert H. Jones Jr shall proceed to execute the order
of this Court, entered at the April term 1881. as
to the resale of the tracts of land purchased
by Lucy C. Spiers and Samuel Davis in the proceed-
ings mentioned and that said Commissioner make report to
Court.

Jehas. F. Callier. W.R. McKinney and
Jehas. S. String fellow trustees Pltffs
vs
George S Bernard and Alex Dowman
Comm'rs Jo Johnson and Albena J.
his wife. R. N. Rebbett. Sylvillian
W Rewalton, and Jennie his wife
formerly Rowlett Andretta Brindley formerly
Rowlett J.S Kearney and M.A. his wife Defts
formerly Rowlett, S.K Callier and W.A.
his wife formerly Rowlett Mary Tanner
formerly Rowlett, Sue Rowlett and
Margaret John and Chas Rowlett infant
Children and heirs at law of Cobbs Rowlett

On motion of the plaintiffs A. M. Orgain is
assigned Guardian ad litem to defend the interests
of the infant defendants Margaret, John and Chas
Rowlett and thereupon said infant defendants
by the said A.M. Orgain their guardian ad litem,
and the defendants George S Bernard and Alex
Dowman Comm'rs filed their answers to the bill of the
plaintiffs. And this cause thereupon came on to be heard
upon the bill of the plaintiffs taken for confessed
as to the resident defendants Sue Rowlett, Mary
Tanner S.K. Callier and W.A. his wife, Jo Johnston and
Albena J. his wife, S.Y. Sullivan and R.N. Rebbett, who
have been regularly proceeded against at rules,
they still failing to appear plead answer or demur.
And as to the non-resident defendants, W.R. Walton,
and Jennie his wife, Andretta Brindley, J.S Kearney, and
M.A. his wife who have been regularly proceeded
against in the manner prescribed by law for non-resi-
dent defendants upon the plaintiffs bills upon the answer
of the defendants, Alex Dowman and George S Bernard

Court And the said infant defendants by A.M. Organ their guardian ad-litem with general repl-ication thereto and was argued by Counsel. On consideration whereof the Court doth adjudge order and decree that it be referred to one of the Commissioners of this Court to enquire and report whether any and if any what proportion of the purchase money of the tract of land in the bill and proceedings mentioned purchased by the def-endant R.N. Noblett from the defendants George S Bernard and Alex Dorman Commissioners in the chancery suit of Bouch & Fitzgerald was paid by the defendant J.A. Johnston, what portion if any was paid by the late John Rowlett dec'd and what portion if any was paid by the defendants R.N. Noblett and Sly Stilliam or either of them. And that the said Commissioner also enquire whether the partition of tract of land in the bill mentioned is in accordance with the rights of the parties And that said Commissioner report to Court, with any matter specially stated deemed pertin-ent by himself or required by any party interested to be so stated

E.B. Powell and all others the Creditors of Wm Balling dec'd — Pltffs

vs

Thomas F. Rives adr of Wm Balling dec'd Joanna Balling. Heartwell Balling. Martha Balling & Francis Balling the last of whom is an infant, ~~by A.M. Organ Guardian ad litem~~ — Dfts

} In Chy

This cause came on this day to be heard upon the Bill with the exhibits therewith filed, which has regularly matured at rules, and is taken for confessed as to the resident defendant, upon the answer of the infant defendant Francis Balling by A.M. Organ her guardian ad litem and was argued by Counsel On consideration whereof the Court doth adjudge order and decree that A.T. Powell, W.B. Powell J.E. Mad-dox J.M. Zehmer & P.H. Rainey, any three of whom may act; be and are hereby appointed as Special Commissioners of this Court to assign to Joanna

Balling the widow of Wm Balling dec'd dower in the eighty acres of land in the proceedings mentioned and that said Commissioners shall make report to Court, And the Court doth further adjudge order and decree that one of the Commissioners of this Court proceed to take the following accounts Viz. 1st an account of the transactions of Thomas F Rives adm of Wm Balling dec'd from the date of his qualification as such to the time of the taking of said account— 2nd An account of all outstanding debts against Wm Balling dec'd or that part of his Estate, with their dignities and priorities 3rd An account of all of the real estate of which Wm Balling dec'd died seized and possessed, with the fee simple and annual value of the same And whether the rents & profits thereof will pay off and discharge the debts due by the estate of the decedent within five years. which accounts said Commissioner shall make & report to Court with any matter deemed pertinent, or ~~xx~~ which any party interested, may request to be specially stated, But that said Commissioner shall not proceed to take said accounts, until he shall have posted a Notice of the time and place of taking the same at the front door of the Court house of this County one County Court day preceding the taking of the same, and until he shall have given personal notice to all parties in interest in this cause by summons

W. F. Doyle &wife Pltffs
vs
Jno. Hargrave Exor
And the other suits thereinth heard Defts } Ingles

These causes came on this day to be further heard upon the papers formerly read and upon the report of Special Commr Jos. S Bernard dated April 7th 1886 and were argued by Counsel. On consideration whereof, it appearing to the Court from said report, to which there is no exception filed, that said Special Commissioner has an offer from Jno. C. Harris to purchase at the price of twenty dollars ($20) the small parcel of land situate in Nottoway Magisterial district in the County of Dinwiddie immediately on the south side of White Oak Creek just below Chandlers Mill it being a

part of the real estate whereof the late John E. Harris died seized & possessed and containing about fifteen (15) acres the Court being satisfied that said offer ought to be accepted. ~~accepts~~ said offer and doth adjudge, order & decree that the sale of said land now made to said Jno. Harris be held firm & stable between the parties and doth further adjudge order ~~&~~decree that said special commissioner &c. upon the receipt of said purchase money, execute to said purchaser a deed conveying to him said tract of land with special warranty. the money to be so received, except such part thereof as may be required to pay unpaid costs of these suits or delinquent taxes upon said land said special Commr is ordered to deposit with the Petersburg Savings & Insurance Co to the credit of these ~~Causes~~ in these causes, And said Comr is ordered to ~~deposit~~ to Court. In his report he is directed to ~~set~~ set forth fully the status of the several interests under the control of this Court in these causes,

Ordered that all cases not otherwise disposed of be and are hereby continued.

Ordered that the Court be adjourned until the first day of the next term.

Beverly A. Hancock

Dinwiddie Circuit Court
In Vacation.

Wm Chase
vs
Wm Chase.

Plaintiff
Deft
} In Chancery.

On motion of the Plaintiff & by Counsel of the defendants given before the Judge in Vacation & ordered on this day this cause is remanded to the Circuit Court of Petersburg.

May 5th 1886.

Beverly A Wauncke.

To the Clerk of Dinwiddie Circuit Court.

In the Circuit Court of the County of Dinwiddie In Vacation.

Cary Distributees
vs
Cary admor &c.

Pltff
Defts
} In Chancery.

Pursuant to the Ansnit decree entered in this cause at the April term 1886 of this Court, this cause came on this day to be heard in Vacation upon the papers formerly read, and was argued by Counsel. On Consideration whereof the Court, approving the report of Com Harris dated Sept 30th 1885 shewing the transactions of the Defendant Geo D Bernard as the personal representative of Bushrod Cary dec'd during the twelve months ending on the 18th day of July AD 1885. Doth confirm the said report, and doth adjudge order and decree that said Defendant render before one of the Commissioners of this Court on account of his transactions since said 18th day of July AD 1885 which account said Commissioner is ordered to audit, state settle and report to this Court at its next term; with any matter specially stated deemed pertinent by himself or required to be so stated by any party interested, & the said time the Commissioner taking the account hereby ordered shall make enquiry and report to Court what part of the balance ascertainedly payable to the Defendant John Cary stated in said report of Com Harris is in part payable to said John Cary and what part thereof is payable to his son C. C Cary, It is further ordered by the Court that Special Commissioner Wm R McKinney shall have and he is hereby granted authority to collect from the purchasers of the tracts of land, in the County of Dinwiddie in the proceedings mentioned and respectively to said John and C. C Cary the balances of purchase money by them respectively payable, and to make distribution thereof and of any balance now in said Special Commrs hands to the parties thereto entitled according to their respective interests therein as determined by the plan for the division of the estate of said Bushrod Cary heretofore agreed upon by said parties, To facilitate such collection and distribution of said purchase money, said Special Commr may from time to time allow & said purchasers proper orders

of their respective Dividends from said purchase money when said purchase money shall have so paid, or shall have otherwise fully paid the purchase money now payable by them, Said Special Commissioner Wm R McKinney shall, and he is hereby ordered to, execute to them respectively deeds conveying to them respectively with Special warranty the tracts of land by them respectively purchased, And said Special Commissioner is ordered to make report to this Court at its next term. This decree is entered by Consent of parties and by like Consent any party interested is at liberty to bring to the attention of the Commissioner who may take the account hereby ordered any item of error in any interest calculation or any plan of charging interest in any of the several accounts stated by said late Geo S. Bernard before said Comm'r Harris in said proceedings in this cause, with like effect as if such error had been pointed out by exceptions to any such account.

Beverly A Hancock
Oct 4th 1886.

W. Clerk of Dinwiddie }
Circuit Court }

Virginia. At a Circuit Court held for the County of Dinwiddie at the Court-house thereof on Thursday the 7th day of October 1886 and of the Commonwealth the 111th

Present Hon B.A. Hancock Judge

Higgins &c Pltffs
vs
Rogers Defts
} In Chancery

This cause came on this day to be further heard upon the papers formerly read; and upon the report of Commissioner John Y. Harris, made in pursuance of a decree rendered in this cause at the April Term 1886 of this Court, to which report there is no exception filed, and was argued by Counsel: On consideration whereof, the Court approving said report, doth confirm the same; And the Court having considered the points of law raised by the special report or Statement in said report contained, made at the request of Counsel for L.P. Orth and Joel R. Hiscock; and being of opinion that the lien of the Deed of Trust in said report mentioned, from James Rogers to J.C. Bently, Trustee, is of superior dignity to the lien of the Mortgage from the said James Rogers to George J. Rogers, in said report of Commissioner Harris mentioned and described, as well as to the liens of the Judgements of H.W. Higgins and Alexander Dunnan the said James Rogers and George J. Rogers, in said report mentioned; and the Court being further of opinion that out of the proceeds of the sale of the tract of land in said report mentioned the balance of the purchase price of the said land ascertained by the said report to be due to the said L.P. Orth and Joel R. Hiscock, ascertained by said report to be three hundred and twenty two dollars and forty seven cents, should first be fully paid out of such proceeds of sale, said amount having been calculated as of August 20th 1886. and the debts in said report mentioned as due by the said James Rogers to H.W. Higgins and Alexander Dunnan should be satisfied ratably, without priority or preference, out of any balance that shall remain after having paid the debt due to L.P. Orth and Joel R. Hiscock as aforesaid and the proper costs of this suit and after that the claim of the Petersburg Savings & Insurance Co. ~~the Court~~ doth adjudge, order and decree that Joseph S. Budd, Alexander Hamilton and W.R. McKenny, who are hereby appointed as special Commissioners of this Court for the purpose, any one or more of whom may act, proceed to make sale of the real estate in these proceedings mentioned at public Auction, on the premises, ~~at Court~~ Dinwiddie C.H. or in Petersburg ~~place~~, upon such terms and after such notice as they, or the one or more acting, shall deem best for the interest of all

parties concerned, and make report to Court; but that said Commissioners or none of them shall proceed to execute this decree until they, or the one or more who shall act, shall have executed a bond in the penalty of One thousand dollars, with security to be approved by the Clerk of this Court, conditioned according to law for the faithful performance of his duty under this and any further decree in this cause

Calhoun &c
vs
Crumpacres

Pltff
Defts
} Ch'y

This day came the plaintiff and by leave of Court filed his bill and, on motion of the plaintiff, Frank Organ is appointed guardian ad litem to defend the interests in this suit of the infant defendants Evelyn M Crump, Bruce Crump, who are over the age of fourteen years and thereupon, by leave of Court, the defendants Susan W. Moore Bruce Crump, and Evelyn Crump, and the said Frank Organ guardian ad litem of the said Evelyn M. Crump, Bruce Crump filed their answers to the bill of the plaintiff, and thereupon, by consent of parties it is ordered that this cause be placed upon the docket of this Court.

Baldwin Warren
vs
Russel Baldwin's admr &c

Pltff
Defts
} Ch'y

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner John Y. Harris, made in pursuance of a decree rendered herein at the April Term 1886 of this Court, and filed in this cause on the 24th day of September 1886. to which report there is no exception filed and was argued by Counsel; On consideration whereof, the Court approving said report, doth confirm the same; And it appearing to the Court from said report that there was in the hands of W.R. McKenny as administrator of Russell Baldwin deceased, a balance of two hundred and eighty eight dollars and ninety five cents, as of June 20th 1886. And it further appearing to the Court from the said report that no debts were proved against the estate of the said Russell Baldwin, the Court doth adjudge, order and decree that the said W.R. McKenny, administrator, do, after

having paid the unpaid costs of this suit up to and including those incurred at the present term of this Court, pay to the parties entitled, and to the duly qualified committee of the insane defendant, William A. Goodell, their respective shares of the balance which shall then remain in his hands as administrator aforesaid, and make report to the Court. And it further appearing to the Court from the same report of Commissioner Harris that the real estate in the proceedings mentioned can not be conveniently partitioned in kind among the parties entitled thereto. that no one or more of the parties entitled is or are willing that the whole of the said real estate be allotted to him, her or them, and pay to the other parties interested such sums of money as their interest therein would entitle them to; and that the interest of all parties concerned would be promoted by a sale of the whole of the said real estate and the division of the proceeds of sale among the parties entitled according to their respective interests therein, the Court doth adjudge ordered and decree that W.R. McKenny, who is hereby appointed a commissioner of this Court for the purpose, proceed to make sale of the said real estate on the premises, at Dinwiddie C.H. or in Petersburg, upon such terms and after such notice as he shall deem best for the interests of all parties concerned, either publicly or privately, as he may deem best, and make report to Court: But that the said Commissioner McKenny shall not proceed to execute this decree as to the said sale until he shall have executed a bond in the penalty of five hundred dollars, with security to be approved by the Clerk of this Court, conditioned according to law for the faithful performance of this and any further decree in this cause.

Baugh &c
vs
Cowles admr &c

Pltffs
Defts
} In Chy

This day this cause came on to be further heard upon the papers formerly read and upon the report of Special Commissioner Judge Harris this day filed by leave of Court and was argued by Counsel. On consideration whereof the Court approving said report, to which there is no exception doth confirm the same - And it appearing to the Court that the objects for which this suit was brought have been accomplished it is ordered that the same be removed from the docket.

Abbott ourfo Pltffs } In Chy
vs
Martin, Trustee &c Defts

This cause came on this day to be further heard upon the papers formerly read and the report of Comr Alexander Donnan, this day filed, with statements and vouchers therein mentioned, to which report no exception is taken, and was argued by Counsel. On consideration whereof, the Court approving the said report doth confirm the same, and it appearing that all the purchase money for the lands sold has been paid and disbursed and that the purchaser has recd a deed for the said lands, and that nothing further remains to be done in this cause, it is ordered that it be removed from the docket.

Mitchells Extr Pltffs } In Chy.
vs
Mitchells devisees Defts

This day this cause came on to be further heard upon the papers formerly read, and was argued by Counsel, On Consideration whereof and it appearing to the Court that Thos Chambers Monroe Chappell, W J Speirs and I. I. and J H Ricaud, purchasers of real estate under the proceedings in this Cause, have pursuant to the last decree entered in this Cause, been duly summoned to appear on the first day of the this term to show cause if any they can why the tracts of land by them purchased respectively should not be resold, and they held liable for the deficiency if any on such resale, have been duly summoned, and said purchasers having failed to show any cause against the same, the Court doth adjudge order and decree that Comr Joseph S. Bucks proceed to resell at public Auction the real estate of said purchasers by Monroe Chappell Thos Chambers W J Speirs and I. I. and J H. Ricaud respectively on the premises, at Dinwiddie C.H. or in the City of Petersburg, upon the following terms - one-fourth Cash, balance upon a Credit of one and two years Taking for the deferred payments bonds bearing interest from date and retaining title until the purchase money shall be fully paid and report to Court.

Paris Distributees Pltffs } In Chy
vs
Paris admor &c Defts

This cause came on this day to be further heard

upon the papers formerly read, and upon the report of Com^r John G Harris dated Sept 20. 1886 made in pursuance of the decree entered in vacation on the 4th day of Sept. 1886, filed in the Clerks Office of this Court on the 24th day of September 1886, and upon the report of Special Com^r W R McKenny also made under said decree and this day filed, and was argued by Counsel, On consideration whereof the Court approving said reports, to which there is no exceptions filed, doth confirm the same, and doth adjudge order and decree that the defendant Geo. S. Bernard administrator of Bushrod Carr dec'd, do pay to the several parties to whom it appears by said report of Commissioner Harris to be indebted on the 18th day of July 1886, the several sums of money which respectively appears to be due by said administrator to said parties, with interest on such parts thereof as appear to be principal from said 18th day of July, 1886. till paid, and that the several parties who appear by said last mentioned report to be indebted to said administrator do pay to him the several sums of money which they appear by said report to respectively owe to said administrator on said 18th day of July 1886, with like interest. And it appearing to the Court from said reports that the purchaser Chas. C. Carr is indebted on account of the purchase money payable by him to an amount considerably in excess of his one fourth share of said purchase money and also of the balance payable to said administrator by him, it is ordered by the Court that he be summoned to appear before the Judge of this Court on the first day of its next term to show cause, if any he can, why the tract of land purchased by him shall not be resold at his risk and cost: And it is further ordered by the Court that said administrator may pay to said Special Commr Wm R McKenny the balance due by said administrator to said C.C. Carr, in which case said Special Commissioner shall credit said Chas. C. Carr on the balance of the purchase money payable by him to the amount of any payment or payments which said administrator may so make. And it is further appearing to the Court from said report of Special Commr Wm R. McKenny that the purchaser Augustus Wright has fully paid the purchase money of the interest in the real estate situate in in the City of Petersburg whereof said Bushrod Carr dec'd died seized and possessed, it is ordered by the Court that said Special Commr do execute a deed conveying to him with special warranty said interest, to wit, the property conveyed to said Bushrod Carr by Richd M. Gwaine Exor of A. G. M. Gwaine dec'd by a deed dated June 6th 1879 duly recorded in the Clerks office

of the Hustings Court of said City. And the Court doth further order that said defendant Geo. S. Bernard, admin-istrator of said Bushrod Carr decd, do render before one of the Commissioners of this Court a further account of his transactions as the personal representatives of said Bushrod Carr, which account said Commissioner is ordered to audit, state and settle and report to Court, with any matter specially stated deemed pertinent by said Commissio-ner or requested to be so stated by any party interested. In settling the said account any party interested may come before said Commissioner and raise any question as to interest in any of the reports heretofore settled by said personal representative. And said Special Commissioner Wm R. McKenny is ordered to make report to Court.

Ordered that the Court be adjourned until tomorrow morning at 10 o'c.

Beverly A. Hancock
Friday Oct 8th 1886

Present Hon B. A. Hancock Judge

Robt H Jones Jr Trustee Pltff
vs
Lucy A. Poole &others Defts } In Chy

This cause came on this day to be further heard upon the papers formerly read and upon the report of W R McKenny Comr, bearing date October 1st 1886. and this day filed in this cause, to which report there is no exception filed, and was argued by Counsel. On consideration whereof the Court, approving said report, doth Confirm the same, and it appearing to the Court that since the decrees rendered in this cause at the October term 1882 and to October term 1884 of this Court, Lucy A. P. Poole, who was entitled under the wills of J. W. P. Poole to a life interest in the real estate in these proceedings mentioned, with remainder over to William O. P. Poole has departed this life, and that William O. P. Poole has paid in full all of the costs of this suit, and the fee of $100 decreed to be paid to Jones McKenny after crediting the amount paid them by W R McKenny Comr appointed to rent out the said land for 1885 & 1886. And it further appearing to the Court that since the death of the said Lucy A. Poole the said Robert H. Jones Jr Trustee has executed a Deed to the said remain-derman, William O. P. Poole for the real estate aforesaid

and it further it appearing to the Court that the said W. R. Mc-
enny, Comr, has fully and properly disbursed all moneys that
have come into his hands in this cause; that the object for
which this suit was brought has been fully accomplished
and that nothing further remains to be done herein. The
Court doth adjudge, order and decree that the action of the said
Robt. H. Jones Jr Trustee in having executed the said Deed
to the said William O. P. Poole be and the same is hereby
confirmed. And this Cause be removed from the docket.

Bland R. H
vs
Lucy wife & others

Pltff
Defts
} In Chy

This cause came on this day to be further heard upon
the papers formerly read and the report of Comr Alex'r Hamil-
ton this day filed, to which no exception is taken & was argued
by counsel. On consideration whereof the Court approving
said report of Comr Hamilton doth confirm the same, and
adjudge order & decree that the sale reported to Wm Birthright
be held firm and binding between the parties, and that said
Comr Hamilton withdraw from the papers of the cause the two
notes given by said Birthright and collect the same, allowing
him to anticipate their payment if he desires so to do, and upon
his payment of his said notes then said Comr Hamilton shall
execute and deliver to said Birthright a deed for said tract
of land purchased by him with special warranty and said
Comr Hamilton is directed out of the money reported in his
hands to pay the costs of the resale to said Birthright and all
taxes due & paid said 143 acres to 1st January 1887 and take vouchers
for said payments and report to Court. And it appearing
that the Summons directed to be issued at the last term of
this Court to W. C. Rainey has not been served, the Court doth
order that said W. C. Rainey be summoned to appear on the first
day of the next term of this Court to show cause if any he
can why the land as purchased by him under decrees in this
cause should not be resold.

Powell E. C. & C.

vs

Rives Thos F. admr of Wm Balling & others

Pltffs
Defts
} In Chy

This cause came on this day to be further heard upon the
papers formerly read & upon the
report of J. E. Middleton & others, Special Commissioners appointed at
the April Term 1886. of this Court, to assign Joanna Balling

dower in the real estate of which her late husband William Balling, died seized and possessed; And also upon the report of Commissioner John J. Harris, bearing date August 9th 1886. to which report there is no exception, And was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that the report above mentioned of Commissioner Medlock Rathers, bearing date on the 4th day of October 1886. and the report of Commissioner John J. Harris bearing date on the 9th day of August 1886. filed Sept 20th 1886. be and the same are hereby confirmed; and it appearing to the Court, from the report of Commissioner Harris that the rents and profits of the real estate in the proceedings mentioned will not in ~~five~~ years pay off and discharge the debt reported, ~~the Court~~ the Court doth further adjudge order and decree that William H. Imm be and he is hereby appointed a special Commissioner of this Court to make sale of the 33 1/2 acres of land in the proceedings mentioned and of the reversion in the 16 acres assigned as dower to Joanna Balling for enough cash to pay the Costs of suit and expense of sale, And the balance in two equal payments of one and two years, for bonds, and said Commissioner shall make report to Court, but that said Commissioner shall not proceed to act as such until he shall have entered into a bond in the penalty of $200.00 with security to be approved by the Clerk of this Court for the faithful discharge of his duties under this & any further decree in this cause

Bradt Hammond Pltff
vs
J.V. Van Patten Deft } In Eq

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner John J. Harris bearing date August 9th 1886 to which report there is no exception and was argued by counsel; On consideration whereof the Court doth adjudge, order and decree that the report above mentioned be and the same is hereby confirmed; and the Court doth further adjudge, order and decree that Hammond Bradt, administrator of Margaret Bradt, deceased, pay of the balance of $179.22, ascertained to be in his hands as administrator, after the payment of the costs

of this suit shall make distribution among three legatees entitled to receive the same; and that said Administrator shall make report to Court.

Wheelhouse } Pltff
vs } In Chy
Wheelhouse } Deft

It being suggested that since the last Term of this Court, the plaintiff J B Wheelhouse has departed this life intestate, leaving a widow Julia L Wheelhouse and the following children, viz. Emma F. wife of Wesley T Watts, Virginia S Wheelhouse and Maggie G Wheelhouse who are over the age of twenty one years, and William Henry and Chas L Wheelhouse who are under the said age, and it appearing to the Court that said widow and children succeed to all the rights of the said J B Wheelhouse in this suit it is ordered that the same be revived and proceed in the name of the said Julia L Wheelhouse, Wesley T Watts and Emma F his wife. Virginia S Wheelhouse Maggie G Wheelhouse and William Henry and Charles L Wheelhouse as parties plaintiffs, the said infants William Henry and Chas L Wheelhouse suing by the said Julia L Wheelhouse as their next friend. And thereupon this cause came on to be heard upon the papers formerly read upon the answers of all the Defendants except John Wheelhouse upon the affidavit of E B Wells filed at this term of the Court and was argued by Counsel; On consideration whereof it appearing to the Court that the tract of land in the bill and proceedings mentioned is not susceptible of division in kind and that the interests of all parties would be promoted by a sale of the entire real estate and the division of the proceeds among them the Court doth adjudge order & decree that Chas F Collier and Jos. S Bush who are hereby appointed Commissioners for the purpose either of whom may act proceed to sell at public auction on the premises, at Dinwiddie C.H. or in Petersburg, the real estate aforesaid (excepting however the burial ground on said land which by consent of parties is to be reserved) upon the following terms one fourth Cash and the balance on a credit of one and two years, the deferred payments to bear interest from date, and the title of the property to be retained until the purchase money shall be fully paid, and report to Court.

But said Commissioners or neither of them shall act under this decree until he or they shall have executed before the Clerk of this Court with security to be approved by him, a bond in the penalty of $800.00 Eight hundred dollars conditioned for the faithful performance of his or their duties under this or any further decree that may be entered in this cause.

Moore
vs
Crump

Pltff
Deft
} In Chy

This day this cause came on to be heard on the papers formerly read, and was argued by Counsel On consideration whereof, on the motion of the pltff & by consent of the defendant it is ordered that this cause be dismissed. And leave is hereby granted to the plaintiff with draw the papers in this cause the exhibits filed with the pltffs bill, the same to be used in the suit of Collier Gdw vs Crump admrs depending in this Court at the Present term.

S. A. Keeler
vs
Talley A D & wife

Pltff
Deft.
} In Chy.

This day this cause came on to be further heard upon the papers formerly read, and upon the report of Comr Jno Y Harris dated the 13 day of Sept 1886 and filed Sept 24. 1886 to which report there are no exceptions, and was argued by Counsel. On consideration whereof the court approving said report doth confirm the same; and it appearing from the said report that the rents and profits of the real estate in the proceedings mentioned will be sufficient to pay off and discharge the liens thereon within five years, the Court doth adjudge order and decree that the Sheriff of this County take possession of the tract of land in the proceedings mentioned and rent out the same for the year 1887. and from year to year until the rents accruing therefrom are sufficient to pay the costs of this suit, taxes on said land, and the lien reported by Comr Harris, taking from the person or persons renting the same bonds with good security for the annual rent, and that said Sheriff report to Court.

Coleman
vs
Knox Admr & als

Pltff
Dfdts
} In Chy.

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Comr John Y Harris bearing date on the 9th day of August 1886 and filed Sept 24. 1886, made in obedience to a Decree entered in this cause at the April Term 1886, to which report

there is no exception and was argued by Counsel, and it appearing to the Court, from said report, that William Knox the purchaser of the 156 acres of land in the proceedings mentioned, is in default in the payment of his three notes for the purchase money due the 1st day of January 1877, and 1st day of January 1878, and 1st day of January 1879: On consideration whereof the Court doth adjudge order and decree that the report above-mentioned be and the same is hereby confirmed; and it being suggested that William Knox has departed this life, the Court doth further adjudge order & decree that a rule issue against Wm Gilliam Skaff and as such admr of William Knox decd against Bettie Knox widow of William Knox, and against Richard Knox, Lee Knox, Fenton Knox Thomas Knox and Georganna Mitchell the heirs at law of said William Knox returnable on the 1st day of the next term of this Court requiring them to shew cause if any they can why the land purchased in this cause by said Wm Knox should not be resold for the balance of the purchase money remaining unpaid thereon.

Rose & Butterworth Plaintiffs
vs
Harry Jones & Wife Defts } In Chy—

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Comr Jno W Harris filed on September 24th 1886 to which there is no exception, and was argued by Counsel, On consideration whereof the Court approving said report doth confirm the same, and it appearing from said report that the rents and profits of the defendants real estate will not pay off and discharge the judgment lien thereon within five years the Court doth adjudge order and decree that J H Kelly and John W Harris who are hereby appointed Special Commissioners for that purpose either of whom may act, after advertising the same by hand bills posted in five different places in Dinwiddie County do proceed to sell at public auction on the premises, or at Dinwiddie C.H. the interest of the defendant Harry Jones in the 25 acres of land mentioned and described in these proceedings, For one third cash and the balance in six and twelve months But said Special Commissioners or the one acting shall not proceed to act under this decree until he or some one for him shall execute a bond before the Clerk of this Court with security to be approved by him in the penalty of $100 Conditioned as the law directs and also for the faithful performance of his duties under this or any future decree in this cause.

Collier Gdn. . . Plff
vs
Crump & others Defts } In Chy

This day this cause came on to be further heard by by Consent of parties upon the bill of the plaintiff duly sworn to, the answers under oath of all the defendants and also of Frank Osgain guardian ad litem of the infant defendants Evelyn M Crump and Bruce Crump upon the depositions of witnesses taken upon interrogatories agreed on by the guardian ad litem aforesaid, and was argued by Counsel On Consideration whereof and it appearing to the Court independently of any admissions in the answers that the interest of the infant will be promoted by a sale of said real estate and that the rights of no person will be violated thereby the Court doth adjudge, order and decree that Chas F Collier and Joseph S Bass who are hereby appointed Special Commissioners for the purpose either of whom may act proceed to sell the interest of the said infant in the tract of land in the proceedings mentioned at public auction, at Dimmock's Ct, in the City of Petersburg, or on the premises upon the following terms, viz: one fourth cash, balance on a credit of one and two years taking for the deferred payments bonds with approved security bearing interest from date and retaining title until the purchase money shall be fully paid and report to Court.

But said Commissioners or neither of them shall act under this decree until they or the one acting shall enter into a bond with sureties to be approved by the Clerk of this Court in the penalty of $1000 00 conditioned for the faithful performance of his or their duties under this or any further decree to be entered in this cause.

Sula G. Fraser. Robt Fraser
in his own right & as adm^r of
Lucy J Fraser dec^d } Plffs.
vs
Robt Fraser adm^r of Jas W Fraser dec^d
John W Bain Ro Turnbull & E R
Turnbull Ex^rs of E R Turnbull dec^d
who was Trustee in a deed of trust
executed by Jas W Fraser 30th of Oct 1878,
Flora Lee Bain Geo W Bain Jas W Bain
Lucy Bain Beulah Bain, Grace A Bain
& Mary Bain the last seven of whom
are infants } Defts } In Chy

On motion of the plaintiffs Frank Osgain is assigned guardian ad litem

of the infant defendants to defend their interests in this cause and thereupon said infants by their said Guardian ad litem filed their answer to the plaintiffs bill to which answer the plaintiffs replied generally and thereupon this cause came on to be heard upon said bill taken for confessed as to the adult defendants upon the exhibits filed and upon said answer of the infant defendants with general replication thereto and was argued by Counsel. On consideration whereof the Court doth adjudge order and decree that it be referred to one of the Commissioners of this Court to take the following accounts.

1st. An account of the transactions of Robert Fraser as the administrator of Jno W Fraser decd

2nd. An account of the estate real and personal of which the late John H Fraser died seized and possessed with the fee simple and annual value of the real estate.

3rd An account of all outstanding debts and demands against the decedent Jno W Fraser or his estate.

Which accounts the said Commissioner shall report to Court with any matter deemed pertinent by himself or required by any party interested to be so stated. Before taking the foregoing accounts the Commissioner is directed to notify the parties to this suit of the time and place of taking the said account and shall also post a notice thereof at Dinwiddie C.H. on some County Court day prior to the taking of the same.

Benjamin Jones & A H Stratton Plffs
To
Geo. L. Franer & Jacob Decker Defts. } In Chy—

This cause came on this day to be heard upon the plaintiffs bill taken for confessed as to the Defendant Jacob Decker exhibits therewith filed and upon an order of publication duly executed as to the defendant Geo L Franer and was argued by Counsel— On consideration whereof the Court doth adjudge order and decree that it be referred to one of the Commissioners of this Court to take an account of the debt claimed by the plaintiffs as secured by the mortgage in the plaintiffs bill mentioned which account said Commissioner is ordered to report to Court with any matter specially deemed pertinent by himself or requested to be so stated by any party interested— Notice of the time & place to be fixed for taking said account shall be published once a week for four successive weeks in some newspaper published in the City of Petersburg and such publication of said notice shall be deemed equivalent to personal service thereof upon all parties interested.

Robt Fraser & Lula G. Fraser — Plffs —
vs
Sam[l] Y Gilliam Shff of the County of Dinwiddie and as such adm[r] C.t.a. of Tho[s] Tucker dec[d] Flora Lee Bain Geo W Bain John W Bain Lucy Bain Beulah Bain Grace A Bain & Mary A Bain the seven last named persons being infants — Defts — In Eq —

On the motion of the plaintiffs Frank Osgain is assigned as guardian ad litem of the infants defendants to defend their interests in this Cause and thereupon said infants by their said guardian ad litem filed their answer to the plaintiffs bill to which answer the plaintiffs replied generally, and thereupon this Cause came on to be heard upon said bill, taken for confessed as to the adult defendants upon the exhibits filed and upon said answer of the infant defendants with general replication thereto & was argued by Counsel.

On consideration whereof the Court without deciding any question raised in this Cause and giving liberty to the infant defendants to file an amended answer to said bill doth adjudge order and decree that John S Scott, W A Hitchcock Jas H King Tho[s] R Chambers and Thomas E Hargrave who are hereby appointed Special Commissioners for the purpose any three of whom may act do go upon the tract of land in the County of Dinwiddie given by the testator Thomas Tucker to the late Mrs Lucy J Fraser for her life and so divide off and partition the same as follows: 1st. into three parcels of convenient size & shape creating the buildings erected by John W Bain as they stood at the time of the death of said Lucy J Fraser as a part of said tract of land, and making the partition so that said three parcels shall as nearly as may be, be of equal value: 2nd by into three parcels of convenient size & shape and making the partition so that said three parcels shall as nearly as may be of equal value without reference to said buildings, which for the purposes of the last mentioned partition shall not be taken into consideration, but shall be treated as if they were the property of the infant defendants.

In each partition one of the tracts shall be so laid off as to embrace said buildings and such tracts shall be allotted as follows. One to the plaintiff Robert Fraser one to the plff Lula G Fraser and one to the infant defendants. Should said Commissioners be unable to conveniently lay off said land into tracts of equal value, but be of opinion that such

partitions can be better and more conveniently accomplished by making the tracts of unequal value and by allowing equalization money then such partitions shall be made.
To enable the Commissioners to carry out this order they are authorized to employ the services of the County Surveyor or some other Competent surveyor. And said Commissioners are ordered to make report to Court. Said Commissioners are ordered at the same time to make division of the personal estate belonging to Thomas Tucker dec'd among the parties entitled thereto.

Burroughs &c. Plff's
vs In Chy
Burroughs Ex'x + als Deft's

This cause came on this day to be further heard upon the papers formerly read, upon the reports of Com'r Jno Y Harris and special Com'r Geo. S. Bernard each dated Oct 5. 1886, and then duly filed, and made, the former under the decrees entered in this cause at the April Term 1880 and the April term 1882 of this court, and the latter under the decree herein entered at the April term 1886 of this Court and to which reports there is no exception filed, and was argued by Counsel. On consideration, whereof the Court being of opinion that the Defendant Ann M Burroughs should be paid in full without abatement by reason of losses to the fund under the Contros of the Court in this Cause incident to re-sales of certain parts of the real estate in which she was entitled to dower all of the money adjudged to be payable to her under the decree entered herein at the Oct term 1878 of this Court, and being further of opinion that she and the infant defendant Joseph Burroughs are entitled to have paid to them the sum of Thirteen dollars and nineteen cents ($13.19) the balance in favor of the defendant Amanda Traylor the executrix of Jos Burroughs dec'd in part satisfaction of the sum of One hundred and Seventy five dollars and Thirty three cents ($175.33) the value of certain articles belonging to said Ann M Burroughs and said infant under section 14 of Chapter 126 of the Code of Virginia which went into the hands of said executrix and for which said executrix is legally responsible to said Ann. M Burroughs and to said infant and it appearing to the Court from said report of special Comm'r Bernard that all of the money payable by the purchaser A.C Wheeler has been fully paid, that conveyances have been executed as directed by said decree of the April term 188[illegible]. And that the Court may now

order a full and final distribution of the fund under its control, the Court, approving said reports, doth confirm the same, and doth adjudge, order and decree that said Special Commissioner Geo S. Bernard do draw a check in favor of Ann. M Burroughs or her attorney for the sum of One hundred and fifty dollars ($150) upon the Petersburg Savings Insurance Co of Petersburg Va in part payment of the balance of One hundred and Seventy Eight dollars and eighty three cents ($178 83) now due them as reported by said Commissioner Jno G Harris, and an extract copy of this decree showing this order to accompany said check and to be the voucher of said banking Institution for its disbursement of said sum of money deposited with said institution by said commissioner May 5. 1886. to the credit of this Court in this cause, Of the balance of five hundred and twelve dollars and forty seven cents ($512 47) less the sum of One hundred and thirty six dollars and fifty cents ($136 50) paid to the creditor Frederick Saulsbury on the 16th of December 1885 constituting the funds in the hands of said Special Commissioner Geo S. Bernard, he is ordered to make distribution as follows: to said Ann. M Burroughs or her atty he is ordered to pay the sum of Twenty Eight dollars and eighty three cents ($28 83) in full of the balance due her on account of dower money; to said Ann M Burroughs and the legally qualified guardian of the infant defendant Jas T Burroughs or their atty said Special Commissioner is ordered to pay the sum of Thirteen dollars and nineteen cents ($13 19) on account of the amount payable to said Ann. M. Burroughs & said infant by said executrix for articles of property belonging to them under said section and Chapter of the Code of Virginia and which came into the hands of said executrix; and to the Treasurer of the County of Dinwiddie said Special Commissioner is ordered to pay the sum of Thirty six dollars and fifty four cents ($36 54) in full settlement of the amount due for delinquent taxes according to the report of said commissioner Harris. After making these special payments and reserving the sum of Fifteen dollars ($15 00) to pay the costs of this suit said special Commissioner is ordered to distribute the residue of the money ratably between the general creditors of said testator according to their respective rights as ascertained under the proceedings in this cause. And said Commissioner is ordered to make report to Court

R. H. Jones Jr & Wm Chappells &c Pltffs } In Chy
vs
T. G. Chappells admr &c Defts

This cause came on this day to be further heard upon the papers formerly read and upon the report of Comr J. Y. Harris, filed Sept. 24th. 1886, with exceptions thereto, and was argued by counsel; On consideration whereof, the Court approving the exceptions of said report of Comr Harris made by the admrs of Nancy Roberts and by Alexander Dunnan, assignee of Robt G. Chappell, doth sustain said exceptions, and to the extent of said exceptions doth disapprove said report, and in all other respects approving the said report of Comr J. Y. Harris doth confirm the same; And it appearing to the Court from said report that Comr Ro. H. Jones Jr is indebted to the fund in this cause in the sum of $3226.74, with legal interest on the sum of $2137.62 from Sept. 20th 1886 till paid, and the said Ro. H Jones Jr requesting that he be not required longer to act as a Comr in this cause, the Court doth adjudge, order and decree that the powers of Ro. H. Jones Jr as a Commissioner under each and all decrees entered in this cause be and the same are hereby revoked; and R. T. Wilson is hereby appointed a special Commissioner in this cause, whose duties it shall be to execute this decree as hereinafter directed, but said Comr Wilson shall not act under this decree until he shall enter into bond in the penalty of $5000, with security approved by the Clerk of this Court and conditioned according to law; And the Court doth further adjudge, order and decree that Ro. H. Jones Jr. late Commissioner, pay out of his own estate to said R. T. Wilson, Comr as aforesaid, the sum of $3226.74, with legal interest on $2137.62 the principal thereof from Sept 20th 1886 till paid in full of his liability as such Comr; And it appearing to the Court from the statement of counsel for all parties in interest and the admission of said Ro. H. Jones Jr that he has no estate with which he can pay said sum and that the same cannot be collected out of his Estate by legal process, and it being claimed by the parties interested that Alexander Dunnard, who was Co-Commissioner with said Ro. H. Jones Jr under the decree entered herein at the Oct. term 1871, and Jas. M. Dunnard and Robt. H. Jones, who were the sureties of said Ro. H. Jones Jr and Alexander Dunnard, Co-Commissioner under said decree, in the bond given under said decree, by said Dunnard and Jones Jr, which bond is dated Jan. 1st, 1872 and was filed in this cause on Jan 15th, 1872, are liable for the said sum of $3226.74 with interest as aforesaid due by said Ro. H Jones Jr., Comr, and

it further appearing to the Court that said Alexander Dunnam, Jas M. Dunnam and Robt H. Jones deny said liability and decline to admit the same in whole or in part, and it further appearing to the Court that a compromise between said Alexander Dunnam and all other parties interested has been agreed upon, whereby said Alexander Dunnam is to pay in full of any and all liability under any decree in this cause and under said bond upon him as Co-Comr and Co-obligor with said Ro. H. Jones Jr as aforesaid, and upon said Jas. M. Dunnam and Robt H. Jones, as sureties as aforesaid upon said bond the sum of twenty eight hundred and twenty eight dollars ($2828.00), upon the condition that said Alexander Dunnam shall be substituted and subrogated to all the rights and remedies of all parties interested against said Ro H. Jones Jr, as such Comr and under said bond, the Court doth approve said compromise agreement, and adjudge order and decree accordingly, and that unless the said Ro. H. Jones Jr shall within ten days after the issuance of an execution against him under this decree for the sum of $ due by him as aforesaid pay the same, then that said Comr R. T. Wilcox shall execute and carry out the terms of said compromise agreement, and is authorized and directed to receive from said Alexander Dunnam the said sum of $2828.00 upon the terms hereinbefore set forth; And thereupon the said Comr R. T. Wilcox shall out of the said sum of $2828.00 to be rec'd by him pay the following debts due by the Estate of T. G. Chappell to the several parties in full of the debts due them or their attorneys at Law, taking vouchers therefor, viz; to Alexander Dunnam the sum of $999.54 with interest on $934.85 the principal thereof from Sept 20th 1886, to Alexander Dunnam assignee of Robt G. Chappell the sum of $401.00 as of the date of the payment to him of said sum of $2828.00, being the debt due as set forth in the exception of said Dunnam to the said Report of Comr Harris, to Martha L. Warren adm'x of Nancy Roberts, the sum of $900.33 with interest on $734.98 the principal thereof from Sept 20th 1886, and that he pay all unpaid taxes due by the Estate of T. G. Chappell as per the said report of Comr Harris; And it appearing to the Court from said report of Comr Harris that said Ro H. Jones Jr late Comr, has

in his hands various obligations of the purchasers of land sold under decrees in this Cause for uncollected purchase money, the said R.T. Wilson, Commissioner as aforesaid, is directed to receive and take possession of the said obligations or other evidences of debt due by the several purchasers and collect the same of the purchasers, and the said R.H. Jones Jr is directed to deliver to said Commissioner R.T. Wilson said obligations and evidences of debt, taking a receipt therefor, which said Comr Wilson shall file; And it further appearing to the Court that there are lands yet unsold which have been heretofore directed to be sold under decrees in this cause, the Court doth further adjudge, order and decree that Comr R.T. Wilson proceed to sell the same upon the terms heretofore directed by decrees in this cause, and report to Court, but if the said Comr Wilson shall find that all the debts due by the Estate of T.G. Chappell and the costs of this suit have been paid before making said sales, and that the said unsold lands are divisible in kind among those entitled thereto, then he shall not make sale of said lands but shall report the same to Court. And said Comr is directed to make report to Court, And it further appearing to the Court that the Estate of Dave Malone is indebted to the estate of T.G. Chappell for money paid by the estate of said Chappell to Nancy Roberts estate, the said Chappell having been the surety of said Malone, the Court doth authorize and direct said Comr Wilson to collect and receipt for the dividend which may be applicable to the payment of said Chappell's estate, and said Comr shall report to Court, And it appearing to the Court that the following purchasers of lands sold in this cause are in default in the payment of their purchase money; Viz; J.A. Nunnalley, Jas Smith, Munroe Mitchell and Peter Jones, Tom Cain, John Hargrave, & E.H. Chambers, the Court doth order & decree that they be summoned to appear on the first day of the next term of this Court to show cause if any they can, why the lands purchased by them should not be resold and upon any of said purchasers of land paying in full the purchase money for said land then said Comr is to be to execute and deliver to such purchaser or purchasers deeds with special warranty for the lands so purchased and paid for. And it is ordered that this cause be continued.

Ordered that the Court be adjourned until to-morrow morning at ten o'clock

Beverly A Hamrick

Saturday Oct 9th 1880

Present Hon B.A. Hanners Judge

V.L. Shell } Pltff } In Chy
vs
Shells admrs &c } Defts

On motion of the Plaintiff Frank Orgain is assigned guardian ad litem of the infant defendants to defend their interests in this cause, and thereupon said infants by their said guardian ad litem filed their answer to the plaintiffs bill, to which answer the plaintiff replied generally, and thereupon this cause came on to be heard upon the bill taken for Cofessed as to the adult defendants, upon the exhibits filed and upon said answer of the infant defendants with general replications thereto and was argued by counsel. On consideration whereof, the Court doth adjudge order and decree that W.L. Reams, Jos. Wright Thos. Reams W.M. Martin and Thos F. Rives be and they are hereby appointed special Commissioners any three or more of whom may act whose duty it shall be to make partition of the 273 acres of land in the bill mentioned into three lots or parcels of equal value and allot one of such parcels to the heirs of Julia A. Shell decd, one to the Plaintiff V.L. Shell and one to the heirs of Lemuel Shell decd and make report to Court. And the Court doth further adjudge, order and decree that it be referred to one of the Commissioners of this Court to take the following accounts to wit; 1st An account of the transactions of Jno. J. Harris administrator of Julia A. Shell decd. 2d - An account of the estate of the decedent Julia A. Shell, real and personal, with the fair market and annual value of the real estate. 3d An account of outstanding debts and demands against Julia A. Shell dec'd and her estate. The Commissioner before taking the foregoing accounts is directed to post at the front door of Division C.H. on some County Court day a notice of the time & place of the taking of said accounts & also to give personal notice to the parties hereto -

Wm Lewis & Charlemine Lewis formerly Abernathy & William Abernathy Pltffs -
vs
Jno. W. Tally & Indiana Tally his wife Joseph L. Abernathy Mary E. Abernathy Geo. R. Baden C.C. Sisco & Maria A. Sisco and Maria T. Baden the last named being an infant } Defts } In Chy

On the motion of the plaintiffs Frank Ogain is assigned guardian ad litem of the infant defendant to defend her interests in this cause and thereupon said infant by her said guardian ad litem files her answer to the plaintiffs bill to which the plaintiffs replies generally, and thereupon this cause came on to be heard upon the said bill taken for confessed as to the adult defendants, upon the exhibits filed, and upon said answer of the infant defendant with general replication thereto and sworn argued by counsel — On consideration whereof, the Court doth adjudge, order and decree that it be referred to one of the Commissioners of this Court to make enquiry and report to Court what real estate the late Thos Fotheringill died seized and possessed the value thereof and whether the same is susceptible of partition in kind among the parties entitled thereto; and whether the interests of all parties in interest will be promoted by a sale of the entire subject and a distribution of the proceeds of sale according to the respective rights of those entitled

Ordered that the Court be adjourned until the first day of the next term,

Beverly A. Hancock

270

11 C
11 C
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In the Circuit Court of the County of Dinwiddie:
In vacation December 2nd 1886,

H. W. Biggins Pltff } In Chancery
vs }
James Rogers & others Defts }

This cause came on this day to further heard in vacation upon the papers formerly read and upon the report of Commissioners W. R. McKenny, Alexander Hamilton and Joseph S. Budd this day filed in vacation by leave of the Judge of the said Court, and upon the Notices to all of the parties interested that this decree would be asked for on the 2nd day of December 886, in vacation, which notices have been duly served on all of the parties in interest; and was argued by Counsel: On Consideration whereof the Court, approving the report of the said Commissioners doth confirm the same, and doth adjudge, order and decree that the sale therein reported as having been made to Alexander Donnan of the tract of One hundred and thirty five acres of land near Fords depot, in said County of Dinwiddie, at the price of four hundred and forty dollars, be held firm and stable between the parties thereto. And it appearing to the Court that Joel L. Hiscock and wife are willing to unite in conveying the said land to the said Donnan so as to cure any defect in the title thereto, as set forth in the said report, the Court doth adjudge order and decree that when the said Alexander Donnan shall have paid in full to said W. R. McKenny, the acting Commissioner in this cause, the sum of four hundred and forty one dollars, then that said Commissioner McKenny shall execute to the said purchaser a deed with special warranty for the said land, in which deed the said Hiscock and wife shall unite, And that the said Commissioner McKenny shall out of the said purchase Money pay the costs of this suit and the expenses of the sale of the said land, with any taxes due and unpaid, on the same, including those for 1886, and make report to Court,

To Dinwiddie
Circuit Clerk }

Beverly A Hancock

Collier Guardian
vs
Crump & others.

Plaintiffs
Defts
} In Chancery.

By consent of parties entered before the Judge of said Court in Vacation this cause is submitted to said Judge for hearing and decree in Vacation.
Beverly A Hancock
Feby 18th 1887

To Clerk of Dinwiddie Circuit Court.

Crump guardian
vs
Crump & others

This day this cause came on to be further heard by consent of parties Entered of record in vacation upon due notice to all parties & upon the papers formerly read, and upon the report of special commissioner J.S. Budd this day filed, and was argued by counsel; On Consideration whereof the the Judge of said Court in vacation setting approving the said report to which there is no exception doth confirm the same and doth adjudge order and decree that the sale to William Ettenborough of the interest of the defendant Evelyn M. Crump in the tract of land in the proceedings mentioned be held firm and stable between the parties, and the purchase money having been fully paid the Court doth further adjudge order and decree that the said special commissioner Execute and deliver unto the said William Ettenborough a deed with special warranty, for said interest in said tract of land, And the said Judge doth further adjudge order and decree that the said special commissioner pay over to the plaintiff Chas. T. Collier guardian of the said defendant Evelyn M. Crump the balance of $192.15 appearing in his hands taking the receipt of the Plaintiff therefor which receipt is to be filed in the papers in this cause, And there being nothing further to be done in this cause it is ordered that the same removed from the docket

To the Clerk of
Dinwiddie Circuit Court
Beverley A. Hancock
Feby 18th 1887

Circuit Court of Dinwiddie County, In vacation Manchester Va March 4th. 1887.
Priest for &c
vs
Boisseaus & others

It appearing that reasonable notice of the

application to the Judge of this Court in vacation, at his office in Manchester Va, on this, the 4th day of March 1887, for an interlocutory order in the above Styled cause preparatory to the hearing of the same on the merits, has been given to the adverse parties the nature and scope of said order being set forth in said notice, this cause pursuant to said notice, came on to be heard in vacation by the Judge of said Court upon the papers formerly read and upon the petition of S.Y. Gilliam, admr of Francis Priest decd, A.W. Ferguson admr D.B.N. C.T.A. of William Lanier decd, and Alex Donnan, praying that this suit be properly revived, that the accounts therein mentioned be taken, and that the land sold under the proceedings in this suit be subjected to the payment of the balance of the purchase money remaining unpaid thereon and of so much of the purchase money collected by R.H. Jones Jr thereon since the April term 1873 of this Court as he, the said R.H. Jones Jr. has failed properly to apply and account for, and was argued by Counsel. On consideration whereof it appearing that the Plaintiffs Francis Priest and David Lanier Exor. of William Lanier decd, have departed this life, and that the Estate of the said Francis Priest has been committed to the said S.Y. Gilliam, sheriff as aforesaid, for administration And that A.W. Ferguson has qualified as admr, D.B.N. C.T.A. of the said Wm Lanier decd, on Motion of the said S.Y. Gilliam sheriff as aforesaid, and as such admr as aforesaid, and of the said A.W. Ferguson administrator as aforesaid, of the said William Lanier decd, they are admitted parties plaintiff in this suit and it is ordered that this cause henceforth proceed in their names as parties plaintiff And it is further ordered that one of the Commissioners of this Court take an account of the transactions of Robt. H. Jones Jr as Commissioner or acting commissioner in this cause, in this cause showing how much of the purchase money of the land sold under the proceedings herein, has been collected by him and what disposition he has made of the same, ascertaining also the balance remaining in his hands, and report to Court with any matter specially stated deemed pertinent by himself or required by any party interested to be so stated, And it is further ordered that R.E. Boisseau, B.E. Vaiden and Maria E. his wife and S.Y. Gilliam

Sheriff &c, and as such admr. &c, of, V.T. Boisseau decd, be summoned to appear on the first day of the next term of this Court to show cause if any they can why the real Estate purchased under the proceedings in this cause by M.E. Boisseau decd, and R.E. Boisseau, should not be subjected to the payment of the balance if any of the purchase money remaining unpaid, thereon, and also to the payment of so much of the purchase money aforesaid as has been collected by the said R.A. Jones Jr. since the April term 1873, of this Court on the bonds given by the said R.E. Boisseau, and M.E. Boisseau and not properly applied and accounted for by him

To the Clerk of Circuit Court of Dinwiddie

Beverley A. Hancock
March 4th 1887.

Circuit Court of Dinwiddie County, in Vacation, Manchester Va,

Donnan & als, assignee &c
vs.)
Cousins wife & others

It appearing that reasonable notice of the application to the Judge of this Court in vacation, at his office in Manchester, Va. on this, the 4th. day of March 1887, for an interlocutory order in the above styled cause preparatory to the hearing of the same on the merits, has been given to the adverse parties, the nature and scope of said order being set forth in said notice, this cause, pursuant to said Notice, came on to be heard in vacation by the Judge of said Court upon the papers formerly read and upon the petition of Alexander Donnan, John Mandl, and B.B. Vaughan Jr assignees &c, praying that this suit be properly referred, that the accounts therein mentioned be taken, and that the land sold under the proceedings in this suit be subjected to the payment of the balance of the purchase money remaining unpaid thereon, and of so much of the said purchase money for said land which has been collected by R.A. Jones Jr, from each and of all of the purchasers of said land, as he, the said R.A. Jones Jr has failed properly to apply and account for, and was argued by counsel, On consideration whereof, it appearing that the defendant Henry Cousins has departed this life, and that Jane I. Cousins has qualified as the administratrix of his Estate, on the motion of the said Jane I.

Cousins admr of Henry Cousins it is ordered that said Jane I. Cousins, administratrix of Henry Cousins, be admitted a party defendant in this suit, and that this cause henceforth proceed in her name as a party defendant, And it is further ordered that one of the Commissioners of this Court proceed to take an account of the transactions of R. A. Jones Jr, as Commissioner, or acting Commissioner, in this cause showing how much of the purchase money of the land sold under the proceedings herein has been collected by said Jones and what disposition he has made of the same, ascertaining also the balance of the same remaining in his hands, if any, and whether he has given bond as such Commissioner in this cause, and if so what bond, and said Commissioner shall report to Court with any matter specially stated deemed pertinent by himself or required by any party interested to be so stated. And it is further ordered that A.W. Burgess Est. Chambers, J.N. Beck, J.J. Cocke, and J. Wm. Jackson be summoned to appear on the first day of the next term of this Court to show cause, if any they can, why the real Estate purchased respectively by them under the proceedings in this cause should not be subjected to the payment of the purchase money due by them respectively remaining unpaid, and also to the payment of so much of said purchase money for said real Estate as has been collected by said R.A. Jones Jr from each and all of said purchasers of said real Estate, as he, the said R.A. Jones, Jr has failed properly to apply and account for.

Virginia; At a Circuit Court held for the County of Dinwiddie at the Court-house thereof on Saturday the 9th day of April 1887. and in the 111th year of the Commonwealth:

Present Hon B.A. Hancock, Judge.

Ordered that the Court be adjourned until Monday morning at 10 o'clock.

Beverly A. Hancock

Monday April 11th 1887

Present Hon B.A. Hancock Judge.

Chas Distributees &c Pltffs
vs
Chas C Cain &c Defts } In Chy.

It appearing to the Court from a certificate of the Clerk of the Hustings Court of the City of Portsmouth that the Plaintiff Mary Ann Hamilton has departed this life intestate since the date of the last decree entered in this cause and that Chas. A. Sturdivant has duly qualified as her administrator, on his motion and by consent of parties said Chas. A. Sturdivant administrator of Mary Ann Hamilton dec'd is admitted a party Plaintiff in the room and stead of said deceased Plaintiff, as to whom this cause abates; and it further appearing to the Court that the summons awarded by said decree against the defendant Chas. C. Cain, has been duly executed, this cause came on this day to be further heard upon said summons so executed and upon the report of Special Commr Wm R. McKenny dated April 7th 1887, to which there is no exception filed and was argued by counsel. On consideration whereof, it appearing to the Court that said purchaser Chas. C. Cain is in default in the payment of the purchase money of the tract of land in the proceedings mentioned sold to him, the Court doth adjudge order and decree that, unless said Chas. C. Cain, or some one for him, shall within Sixty days after the service upon him of a copy of this decree

Copied

pay to said Special Commr Wm R. McKenny the balance of the purchase money of said land payable by him, said Wm R. McKenny, Geo. S. Bernard, Richard G. Pegram and John Mann, who are hereby appointed special commissioners for the purpose, any one or more of whom may act alone, shall, after making reasonable advertisement of the time ~~and~~ place and terms of sale, re-sell said land by public auction, requiring enough of the purchase money to pay what Chas C. Carr may owe on the day of the sale, and the costs of re-sale to be paid cash, the residue of the purchase money to be in three equal annual instalments, carrying interest from the day of sale title to be retained till the purchase money shall have been fully paid, the purchaser to execute bonds for the deferred payments, But no sale shall be made under this decree till said special commissioners or such one or more of them as shall act, shall enter into and file with the Clerk of this Court a bond in the penalty of ~~this Court~~ $4000, with security to be approved by said Clerk and conditioned according to law, And the said Special Commissioners are ordered to make report to Court, And it appearing to the Court from said report of Special Commr Wm R. McKenny that he has fully and properly disbursed all the money in his hands at the date of his last report to Court, and which has since come into his hands except a small balance of three dollars and eighty one cents ($3.81), and that he has executed to the purchaser Augustus Wright a deed as ordered by said decree the Court approving said Special Commissioners transactions and his said report thereof, doth confirm the same.

at Ford's Depot or at the City of Petersburg, or in the premises

It being brought to the attention of the Court that said purchaser Chas. C. Carr is not a resident of the State of Virginia, publication of a copy of this decree or of a proper extract therefrom, once a week for four successive weeks in some newspaper published in the City of Petersburg, shall be equivalent to personal service thereof upon said Chas. C. Carr

Edward Williamson
vs
Isiah Morris

Pltff
Deft

On motion of the defendant he is ~~entitled~~ allowed
V V to file his answer which is accordingly filed

R A Jones Jr Guard vs Wm B Thomas G. Chappells admr & others — Plaintiff / Deft. } In Chy

This cause came on this day to be again heard on the papers formerly read and the report of Commissioner R T Wilson this day filed by leave of Court and was argued by Counsel On Consideration whereof the Court approving said report to which there was no exception doth Confirm the same, and doth adjudge order and decree that the sale of land therein reported to Rufus E Chappells of the 265 65/100 acres formerly purchased by J A Nunnally be held firm and binding between the parties thereto, and that R T Wilson who is hereby appointed Comr for that purpose receive from said Chappell his bonds for the purchase money, make him a deed with special warranty to said land, and take from him a deed of trust to secure said bonds. The Court doth Confirm the action of said Wilson Commissioner as set forth in his said report in the several particulars of releasing said J A Nunnally from further liability on account of his land purchase, of substituting E A Chambers as purchaser in the place and stead of Monroe Mitchell and Peter Jones receiving from him the balance of the purchase money and making him a deed to the 60 acres of land purchased by said Mitchell and Jones: of receiving from E A Bleck the land and houses erected on the same, that he claimed to have purchased in satisfaction of his liability for the lumber removed from said land, and of all liability as a purchaser thereof, and doth adjudge order and decree that T G Chappell's estate receive back from Joe Smith the fifty seven acres of land heretofore sold him in this cause for one hundred and seventy one dollars, and that said Smith be relieved from all liability as a purchaser of the same and from the payment of two hundred and one dollars the balance of his purchase money therefor. The Court doth further adjudge order and decree that said R T Wilson Comr sell the lands remaining unsold either publicly or privately which belong to T. G. Chappells Est. on the best terms and for the best prices that he can obtain, receive the Cash payments and secure the deferred payments by deeds of trust on the lands sold, which lands said R T Wilson Comr is hereby directed to convey by the purchasers thereof with special warranty. V V

It is ordered publicly to be sold either on the premises or in the City of Petersburg — He shall

C H Pyle } Plaintiff
vs } In Chy
Euston & Others } Defts.

This day this Cause came on to be heard on the bill of the Complainants with exhibits filed therewith the answers of the defendants Joseph R Euston and Charles E Pyle an infant over the age of 14 years and the infant defendants Charles E Pyle Emma S Pyle Ann R Pyle by P S Seabury their Guardian ad litem general replications thereto the depositions of witnesses filed in said Cause, and was argued by Counsel. And by Consent of all parties in interest it is ordered that the Case be removed to the Circuit Court of the City Petersburg for further proceedings to be had therein.

Horatio G Pratt } Plaintiff
vs } In Chy.
Lyman D Demmary } Defendant

The above Styled Cause came on this day to be heard and the Complainant wishing to dismiss his Suit and discharge the attachment issued in this Cause to which the defendant Consents. On Consideration whereof the Court doth adjudge order and decree that this Cause be removed from the docket - he the said Complainant to pay all of the Costs of the same excepting the Attorneys fee of $15. which said Defendant waives, and the Court doth further adjudge order and decree that the attachment issued in this Cause be & the same is hereby dismissed.

Higgins A W } Pltff
vs } In Chy
Rogers & others } Defts

This cause came on this day to be further heard upon the papers formerly read, and upon the report of W R McKenny, Comr, bearing date April 5th 1867. and this day filed in this cause, to which report there is no exception filed and was argued by counsel. On consideration whereof the Court approving said report, doth confirm the same and it appearing to the Court that after having paid all costs of suit and expenses of sale, together with all taxes due on the real Estate sold to Alexander Donman, in this cause, there remains in the hands of said Comr McKenny the sum of Two hundred seventy two 31/100 dollars which was properly applicable

to the payment of the debt proven in this cause to have been due to L.P. Orth and Joel R. Hiscock, and that the said Sum of Two Hundred and Sixty two 31/100 dollars has been properly paid by said Commissioner McKenny to the duly authorized attorney for the said L.P. Orth and Joel R. Hiscock, as shown by his receipt filed among the other vouchers with said report, the Court hereby approves of such payment, And it appearing that nothing further remains to be done in this cause, the funds herein having been fully distributed, it is ordered ~~that~~ that this cause be removed from the docket

Warren Baldwin Pltff
vs
Russell Baldwin's admr & others Defts } In Chy

This cause came on this day to be further heard upon the papers formerly read, and upon the report of W.R. McKenny Commissioner, bearing date April 9th 85, and this day filed in this cause, to which report there is no exception filed, and was argued by counsel. On consideration whereof the Court approving said report doth confirm the same, and doth adjudge order & decree that the sale of the tract of 2 3/4 acres of land in these proceedings ~~mentioned~~, mentioned also in said report as having been sold to William N. Ledbetter at the price of $325; of which amount he has paid to said commissioner McKenny the sum of One hundred & twenty five dollars, and for the residue executed his notes at 1 & 2 years for $106.00 & $112.00 respectively be held firm and stable as between the parties thereto and that when the said purchaser shall have paid in full the two notes above mentioned, then that said commissioner McKenny shall execute to the said Ledbetter a deed with special warranty, for the same, and it is ordered that said commissioner McKenny shall withdraw from the papers in this cause & collect the same, the notes aforesaid, filing in their stead his receipt for the same, And the Court doth further adjudge order & decree that out of the balance of Fifty nine 13/100 dollars in his hands according to his said report, and out of any amounts which shall hereafter come into his hands, the said Commissioner McKenny shall pay to W.R. McKenny for his services as counsel for all of the parties in this

except the lunatic defendant, the sum of Seventy dollars and make report to Court,

W. S. Reade Pltff
vs } In Chy
Barnes Trustee &als Defts

On the motion of the plaintiff Albert M. Orgain is assigned as guardian ad litem of the infant defendant Drury F. Young to defend said infants interest in this cause and thereupon said infant by his said guardian ad litem filed his answer to the plaintiffs bill, whereupon this cause came on this day to be heard upon said bill taken for confessed as to all of the defendants Except the defendants Drury J. Barner & Wm F. Barner and Wm F. Young upon an order of publication duly Executed as to said three last mentioned defendants and upon such answer of said infant defendant and was argued by counsel, On consideration whereof the Court being of opinion that deed of trust in the bill mentioned dated August 19th 1878 Executed by the late Wm F. Barner and wife to the defendant A. M. Orgain acknowledged before the said A. M. Orgain as the Clerk of the County Court of Dinwiddie has never been legally admitted to record and creates no lien upon the property thereby conveyed a head of the deed on said bill mentioned dated Feby 1879. Executed by the same grantors to the dft Jno. Y. Harris, and being of opinion that it is proper for the Court in this Cause to assume the administration of the Estate of said Wm F. Barner decd, the Court doth adjudge order & decree that it be referred to one of the Commissioners of this Court to take the following accounts,

1st An account of the assets, real and personal belonging to the Estate of said Wm F. Barner decd, with the fee simple and annual values of the real assets,

2nd An account of all outstanding debts and demands against said Wm F. Barner and his Estate, with their dignities and priorities

3rd An account of the transactions of the dft Geo W. Barner as administrator of W. F. Barner decd,

which accounts said Commr is ordered to audit, state & settle and report to Court, with any matter specially stated deemed pertinent by himself, or requested to be so stated by any party interested, notice of the time and place to be fixed for taking said accounts to be posted at the front door of the Courthouse of said County on the first day of at least one term of the County Court, of said County preceding said time and to be published once a week for four successive weeks in some newspaper published in the City of Petersburg such posting and publication of said notice to be deemed equivalent to personal service thereof on all parties interested except the personal representative of said W.F. Barner decd upon whom there shall be personal service, In taking the accounts hereby ordered said commissioner shall be governed by the ruling of the Court made in this decree as to the priority of said deed to said Harris over the deed to said Orgain hereinbefore mentioned

Wm E Henborough — Pltff
vs } In Chy
3 No 1 — Deft

I.S. Keeler — Pltff
vs } In Chy
3 No 2 — Defts
Butterworth &c

It appearing to the Court that since the dates of the last decrees Entered in the two causes above Styled Isaac S. Keeler, the Plaintiff in cause No 2 and the defendant in Cause No 1 has departed this life intestate leaving surviving him a widow Selia A. Keeler, and six children do his sole heirs at law to wit: V Waller Keeler, Thos O Keeler, Mary Keeler, Kate Keeler, Agnes Keeler, and Isaac S. Keeler, the four last mentioned of whom are infants of tender years, that said V. Waller Keeler recently departed this life intestate unmarried without issue and over the age of twenty one years, and that the Estate of said Isaac S. Keeler decd has been duly committed to the hands of Saml G. Gilliam the Sheriff of the County of Dinwiddie for administration thereon according to law; On the motion of the Plaintiff in said cause No 1 and by consent of said Selia A. Keeler Thos A. Keeler and said Saml G. Gilliam sheriff and administrator as aforesaid, said Selia A. Keeler Thos O Keeler

Same. Y. Gilliam sheriff and administratrix as aforesaid and the four infant children of said Isaac S. Keeler decd are admitted and made parties defendants in said cause No 1, and will be hereafter so proceeded against, whereupon, upon the motion of said Plaintiff Albert M. Ogain is assigned the guardian ad litem of said infants to defend their interests in said cause, and thereupon said infants by their said guardian ad litem filed their answer to the plff's bill, and upon the motion of said Selia A. Keeler and Thos. O Keeler are admitted as parties Plaintiffs therein and said infants are made parties defendants therein and said Albert M. Ogain is assigned as their guardian ad litem to defend the interests of said infants in said last mentioned cause, whereupon said infants by their guardian ad litem filed their answer to the Plff's bill, and thereupon, all of the parties consenting thereto, said causes came on this day to be heard together upon the papers formerly read in each and and upon said answers and were argued by counsel, On consideration whereof the Court doth assuming the administration of the Estate of said decedent Isaac S. Keeler in said cause No 1, doth adjudge order and decree that it be referred to one of the Commissioners of this Court to take the following accounts,

1st An account of the assets, real and personal, belonging to the Estate of said Isaac S. Keeler decd, with the fee-simple and annual value of the real assets,

2nd An account of all debts and demands against the said decedent and his Estate, with their dignities and priorities.

3rd An account of the transactions of Saml Y. Gilliam, the sheriff of the County of Cincinnatus and as such administrator of Isaac S. Keeler

which accounts said commissioner is ordered to audit, state and settle, with any matter specially stated deemed pertinent by himself & requested to be so stated by any party interested, Notice of the time & place to be fixed by said Commr for taking said accounts to be posted at the South door of the Court-house of this County on the first day of the term of at least one County Court preceding such time and to be published once a

week for four successive weeks in some newspaper published in the City of Petersburg, such posting and publication of said Notice to be deemed equivalent to personal service thereof upon all parties, interested except said personal representative, upon whom there must be personal service thereof. And the Court doth further adjudge, order & decree that A. A. Dance, R. A. Williamson, J. N. Boisseau R. E. Boisseau & J. H. Boisseau any three of whom may act, be and they are hereby appointed special commissioners to assign to said Lelia A. Keeler her dower in the real Estate of her said decedent husband Isaac S. Keeler, and they are ordered to make report to Court,

Ordered that the Court be adjourned until to morrow 10 oclock am

Beverley A. Hancock

Tuesday April 12th 1887

Present Hon B. A. Hancock Judge

C. W. Reams & wife Pltffs
vs
Winfree Hobbs Defts } In Chy

This cause came on this day to be further heard, upon the papers formerly read, & upon the answer of Winfree Hobbs this day filed by leave of Court upon the report of Commissioner John Y. Harris, bearing date upon the 23rd day of March 1887. and upon the depositions of C. W. Reams, Winfree Hobbs & J. E. Gates: And was argued by counsel:

On consideration whereof, the Court without now passing upon said report or depositions, by consent of the parties to this suit by counsel, doth adjudge order and decree that this Cause be removed to the Circuit Court of the City of Petersburg for further proceedings to be had therein

Catherine Lewis Pltff
vs
W. A. Pearce Trustee & Lucy E. Lewis Defts } In Chy

This day this cause came on to be further heard upon the papers formerly heard, upon the report of Commissioner

John. Y. Harris dated on the 25th day of March 1887. and the depositions of R. H. Reams, and Richard Wells, and was argued by counsel, On Consideration whereof. the Court without now passing upon said report or depositions, by consent of the Parties by counsel, doth adjudge order and decree that this cause be removed to the Circuit Court of thes of Petersburg for further proceedings to be had therein

Catherine Lewis Pltff
vs
R. H. Reams Trustee &c. } Dr Chy
Pearce and Martha A. Pearce Defts

This cause came on this day to be further heard upon the papers formerly read, upon the report of Commissioner John. Y. Harris, bearing date on the 25th day of March 1887. and upon the depositions of Richard Wells and R. H. Reams, and was argued by Counsel, On consideration whereof the Court without now passing upon said report or depositions by consent of the parties by counsel, the Court doth adjudge order and decree that this cause be removed to the Circuit Court of the City of Petersburg. for further proceedings to be had therein

R. A. Martin &c who sues &c Pltffs
vs } Dr Chy
A. F. Slate &als Defts

This cause came on this day to be heard upon the bill taken for confessed as to all the defendants & the exhibits filed therewith, and was argued by counsel, upon consideration whereof the Court, doth adjudge, order and decree, that the papers in this cause be referred to one of the Commissioners of this Court to take and account of all Judgements or other liens binding the land in the bill mentioned, with their respective dignities and priorities, which account the Commissioner is directed to Audit, state, and settle, and report to this Court, together with any matter deemed pertinent by himself, or required by any party to be so stated

Edward Williamson Pltff
vs
Isaiah Moore Defts } In Chy

This cause came on this day to be heard upon the bill of the complainant, the answer of the defendant Isaiah Moore, with general replication thereto, and upon the depositions of Witnesses filed in this cause; and was argued by counsel, And by consent of all parties in interest it is ordered that this cause be removed to the Circuit Court of the City of Petersburg for further proceedings to be taken therein

L.A. Keeler Pltff
vs
Tally wife Defts } In Chy

This cause came on this day to be further heard upon the papers formerly read and upon the report of B.Y. Gilliam sheriff &c. this day filed to which there is no exception, and was argued by Counsel, On consideration whereof the Court without passing upon any matter in this cause doth continue it until the next term,

Jones & McKenny assees Pltffs
vs
Burgess & others Defts } In Chy

This cause came on this day to be further heard upon the papers formerly read and was argued by counsel: On consideration whereof it appearing to the Court that the balance of One hundred and one & 79/100 dollars reported by Commissioner W.R. McKenny in his report made and confirmed by this Court by decree rendered herein at the April term 1882, is still in the hands of said Commissioner; And it further appearing that no fee has ever been allowed to the complainants attorney for services herein, though such fee was duly asked for in the Bill filed in this cause the Court doth adjudge, order and decree that out of the said balance the said W.R. McKenny Comr do pay to pay to Mess Jones & McKenny the sum of Thirty dollars to this date in full of their fee for services in this cause and said Comr McKenny having expressed to the Court a willingness to pay interest on the balance of Seventy one & 79/100 dollars from April 13th 1882, so that such balance, principal & interest, now amounts to the sum of Ninety

three & 32/100 dollars, the Court doth adjudge, order and decree that said Comr McKenny do deposit the said balance of Ninety three & 32/100 dollars in the Petersburg Savings & Insurance Company to the credit of this Court in this cause, taking a certificate of deposit therefor, and filing the same among the papers in this cause

Coleman Pltff
vs
Knox's admr et als Defts } In Chy

This cause came on this day to be further heard upon the papers formerly read and upon the summons issued at last term ~~against~~ ~~at last term~~ against widow heirs of William Knox deceased which appears to have been duly served upon all of them except Thomas Knox who since the last term has departed this life intestate, without issue, And it appearing to the Court that the estate of said Thomas Knox has been committed to the hands of S.Y. Gilliam Sheriff of Dinwiddie County for administration & that said administrator has acknowledged service of said summons upon him, And was argued by counsel, On consideration whereof the Court doth adjudge, order & decree that W.H. Jones who is appointed a special commissioner for the purpose shall proceed to resell the tract of land containing One hundred fifty acres formerly purchased by William Knox deceased in this cause & for which he & his heirs are in default in paying the purchase money therefor, Unless the widow heirs of William Knox deceased, or S.Y. Gilliam the admr of William Knox Thomas Knox shall pay to W.H. Jones who is appointed a receiver for that purpose, the sum of $290-52/100 with interest ~~interest~~ from December 17th 1867, within sixty days from the adjournment of this Court then after first advertising the time & place & terms of sale for a reasonable time, The sale shall be made either privately or publicly, and if publicly to be made at Auction in the City of Petersburg or at Dinwiddie CH or on the premises for one third in cash & the balance in one & two years taking from the purchasers bonds for the deferred payments & the title to be retained until the purchase money is paid in full & a conveyance

ordered by the Court, That said Receiver and Special Commr shall not to proceed to execute this decree until he or some one for him, shall execute before the Clerk of this Court a bond in the penalty of Five hundred dollars with sufficient security to be approved by him conditioned for the faithful performance of his duties under this decree or any other decree that may be entered in this cause

Hurt & others Pltffs
vs } In Chy
Hurt Defts

It appearing to the Court that since the institution of the above styled cause, Mrs Matilda F. Hurt, has departed this life, Now, therefore, On the motion of the Plaintiffs by their attorneys, the Court doth adjudge, order & decree that the said cause be and is hereby dismissed & ordered to be removed from the docket of this Cmrt

Branch Hurt, W.A. K Faulkner, Walter Parker & Sallie H. Parker his wife William Faulkner Mattie S. Faulkner Henry L. Faulkner & Andrew Faulkner, the last two being infants by Wm Faulkner their Father & next friend and R.F. Arrington } Pltff
vs } In Chy
Bettie Peterson, in her own right, and the same Bettie Peterson admx with the will annexed of M.F. Hurt deceased, Mary F. Peterson Mary E. Berkely, Alice Leigh & Arthur Sandys and his wife Alice Sandys formerly Thweatt } Defts

This cause came on this day to be heard on the bill taken for confessed, as to the defendants Mary E. Berkely, Alice Leigh & Arthur Sandys & his wife Alice Sandys, on whom process has been fully served they still failing to appear and plead, answer and demur to the said bill; and also as admx &c of M.F. Hurt, and of Mary Peterson, with general replication thereto and on the exhibits filed with the bill & was argued by counsel, On Consideration whereof the Court doth adjudge, order and decree that Bernard Mann, who is hereby

appointed a Special Commissioner for the purpose, make sale of the tract of land in the proceedings mentioned at Public Auction on the premises or in the City of Petersburg having first given one weeks notice of the time place and terms of sale by advertisement in one of the newspapers published in the City of Petersburg, On the following terms to wit, One third Cash, balance on a credit of one & two years, Equal instalments interest added purchaser to give negotiable notes for deferred payments and title retained until the notes are paid, But the said Commissioner is not to act under this decree until he executes & file with the Clerk of this Court a bond with security to be approved by said Clerk, in a penalty of $2000. and conditioned according the law & for the faithful performance of his duties under this decree or any other decree that may be entered in this cause

Moncure Guardian &c Pltff } In Chy
vs
Moncures &c nor others Defts }

This cause came on this day to be further heard upon the papers formerly read, and was argued by Counsel, On consideration whereof the Court, without now passing upon said papers, doth adjudge, order and decree that the cause be removed to the Circuit Court of the City of Petersburg, for the further proceedings to be had therein

Harmon Bradt in his own right and as adr of Margaret decd Pltffs } In Chy
vs
J.V. Van-Patten &c others Defts }

The above styled cause came on this day to be further heard upon the papers formerly read, and was argued by Counsel, And it having been suggested to the Court that there are still outstanding debts against the Estate of Margaret Bradt decd, and that the administrator desires to settle a further account before one of the Commissioners of this Court, On consideration whereof the Court doth adjudge order and decree that one of the Commissioners of this Court, proceed to take the following acc-

ounts Viz,
1st A further account of all outstanding debts against Margaret Bradt decd as that of her Estate,
2nd An account of the transactions of Harmon Bradt ~~decd~~ Admr of Margaret Bradt decd
which accounts said commissioner shall report to Court, with any matter deemed by in which any party interested, may request to be specially stated, that said Commissioner shall not proceed to take said accounts until he shall give personal notice to Harmon Bradt adr of Margaret Bradt decd, of the time and place of the taking of the same; And until he shall have also posted at the front door of the Court-house of this County, on one County Court day preceding the ~~the~~ taking of the same a Notice of the time and place of the taking of said accounts

R. H. Bland Ptff
vs } In Chy
Lucy Wise & others Defts

This cause came on again to be further heard upon the papers formerly read and the return properly executed of a copy of the summons directed to be served upon W. C. Rainey by the decree herein at the Oct Term 1886 summoning the said Rainey to appear on the first day of the present term of this Court, to show cause if any he could why the lands heretofore purchased by him under decrees in this cause should not be resold he being in default in the payment of the purchase money due therefor, and was argued by counsel, On consideration whereof, the said W. C. Rainey having failed to appear and show such cause the Court doth adjudge order & decree that unless the said W. C. Rainey shall within sixty days after the service upon him of a copy of this decree pay to Comr Alex Hamilton all of the purchase money for said lands purchased by him and now due, to wit $124.40 with interest from Jany 5th 1886; and $141.60 with interest from 1st Jany 1886, and $148.80 with interest from 1st Jany 1887, then that said Alex Hamilton who is hereby appointed a commissioner of this Court for the purpose shall proceed to sell ~~said~~ said lands either on the premises or at Greenddie

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Court house after thirty days notice by handbills posted in said County at the Court House & other public places and upon the following terms Viz: One fourth of the purchase money in cash and the residue in two equal instalments with interest added from the day of sale and payable in one and two years time notes or bonds to given for the deferred payments title to be retained until all the purchase money ~~purchase money~~ shall be paid and said Comr shall report to Court, But said Comr Hamilton shall not act as such in making said sale until he shall have entered into bond in the penalty of $1000 with security to be approved by the Clerk of this Court and conditioned according to law and for the faithfull discharge of his duties under this or any future decree in this cause,

Rd Lula G. Fraser Pltffs
vs } In Chy
Jackies admr &c Defts

It appearing to the Court that since the date of the last decree entered in this cause John W. Bain has intermarried with the Plaintiff Lula G. Fraser, on his motion and by consent of parties he is admitted a party Plaintiff in this cause, and thereupon this cause came on this day to be further heard upon the papers formerly read, and upon the report of Jas H. King, Thos E Hargrave, Thos R. Chambers & A. Hitchcock Special Commissioners made under said decree, and upon the several Exceptions there to filed this day and was argued by Counsel, On consideration whereof by consent of all of the parties to this cause given in open Court it is ordered that this cause be submitted to the Judge of this Court for decree & decision in vacation

R. G. Elder Son Pltff
vs } In Chy
L. W. Perkins Exor Deft

This day this cause came on to be further heard upon the papers formerly read, and was argued by counsel, On consideration whereof it appearing that no certified copy of any bond

given by R.H. Jones a Special Commissioner, appointed under ~~under~~ the proceedings in this cause, is to be found in the Papers in this cause, the Court doth adjudge, order, and decree, that one of the Commissioners of this Court enquire and report to Court whether the said R.H. Jones a commissioner by decree entered in this cause at its April Term 1880, of this Court, has ever executed the bond, required by said decree, and if so who was surety in said bond, And that said commissioner report to Court, with any matter specially stated deemed pertinent by himself or required by any parties interested to be so stated

Mitchells Exor
vs
Mitchells devisees
Pltff
Defts
} In Chy

This day this cause came on to be further heard upon the papers formerly read, and upon the report of Joseph S. Budd, Special Commr this day filed, of a private sale to B.J. Ridout of the tract of land heretofore purchased under the proceedings in this cause, by J.J. Ridout & J.N. Ridout containing two hundred acres, ordered to be resold by the decree entered in this cause at the last term of the Court, And was argued by counsel, On consideration whereof the Court approving said report to which there is no exception doth confirm the same and doth adjudge order and decree that the sale reported be held firm and stable between the parties, And doth further adjudge, order and decree that when said B.J. Ridout, shall have fully paid the purchase money of said real Estate that said Joseph S. Budd Special Commr, execute ~~d~~ to the said B.J. Ridout a deed with Special warranty for the land aforesaid

Wheelhouse
vs
Wheelhouse
Pltff
Deft
} In Chy

This day this cause came on to be further heard upon the papers formerly read, and on the report of Commissioner Joseph S. Budd dated April 5th 1887. made to this term of the Court, and was argued by

Counsel, On consideration whereof the Court approving the said report to which there is no exception, doth confirm the same, and doth adjudge, order and decree that the sale of the tracts No 1 and 3 containing respectively 30 and 31 acres to A.H. Wheelhouse and of tract No 2 containing 12½ acres to W.T. Wallis by Commissioner Joseph S. Budd be firm and binding between the parties, And the Court doth further adjudge, order and decree that the said Joseph S. Budd Comr withdraw from the papers in this cause the notes and due bill of the said W.T. Wallis and the notes of the said A.H. Wheelhouse and collect the same when due, or if the parties owing so desire to pay, before the maturity of said notes, and on receipt of the purchase money in full execute and deliver to the purchasers deeds for the real Estate so purchased and paid for of all which together with the balance, reported at this term in his hands of $35.94 the said Joseph S. Budd Comr shall make report to Court

Collier & others Pltffs
vs } In Chy
Neblett & others Defts

This cause came on to be further heard upon the papers formerly and upon the report of Commissioner John Y. Harris, made in pursuance of the decree entered in this cause April Term 1886, of this Court, filed Mch 23rd 1887. and was argued by counsel: On consideration whereof the Court approving said report to which there is no exception doth confirm the same, and being of opinion that the Estate of John Rowlett deceased is in equity entitled to one third of the tract of land in these proceeding mentioned purchased by R.N. Neblett from George S. Bernard and Alexander Bonnau, Commissioners of this Court in the suit of Thomas Branch and others vs Fitzgerald and others on the 21st day of July 1871, that J.A. Johnston is entitled to another one third of said tract of land, and that the said R.N. Neblett is entitled to the remaining third thereof, the said J.A. Johnston, R.N. Neblett and John Rowlett having each paid one third of the purchase money of said tract, And it further appearing to the

Court that the partition of said land shown by the plat filed with the bill marked exhibit "D" whereby tract No 1 containing Two hundred and forty nine and one quarter acres, was assigned to the Estate of John Rowlett deceased, tract No 2, containing two hundred and forty eight acres, to the said J.A. Johnston, and tract No 3 containing two hundred and forty eight acres to the said R.N. Neblett is fair and in accordance with the rights of the parties, And it also appearing to the Court from Exhibit "A" filed with the Plaintiffs bill that the interest of the said John Rowlett in the said tract of land, was conveyed by him in his life time to the Plaintiffs for and upon the trusts set forth in said deed filed marked exhibit "A" the Court doth adjudge, order and decree that J.S. Budd who is hereby appointed a commissioner for the purpose, cause the plat aforesaid to be recorded; and that on the payment as hereinafter provided of the costs & fee hereinafter allowed of this suit, he convey said tract No 1. to the Plaintiffs, to be held by them for and upon the trusts set forth in said exhibit "A"; that he convey said tract No 2, to the defendant J.A. Johnston, and tract No 3 to the said R.N. Neblett, And the Court doth allow to Collier Budd & W.R. Mecanny counsel for the Plaintiffs in this cause the sum of $75.00 as a reasonable fee for their services herein, and doth order that the costs of this suit including said fee be paid, One third by the Plaintiffs, One third by the said J.A Johnston, and R.N. Neblett, And there appearing nothing further to be done in this cause it is ordered that the same be removed from the docket,

Crump Son
vs
Crump & others

Pltff
Defts
} In Chy

It appearing that so much of the order entered in this cause on the 18th day of Feby 1887, in vacation, as removed the cause from the docket, was unprovidently entered the Court now order approving said Order in other respects doth now order that this cause be removed from the docket,

Frasers admr &c. Pltffs
vs
Frasers admr &c Defts } In Chy

It appearing to the Court that the Plaintiff Lula G. Fraser since the date of the last decree entered in this cause has become the wife of the defendant Jno W. Bain, by consent of parties it is ordered that henceforth, ~~instead of~~ instead of proceeding herein as a Plaintiff, she shall be proceeded against as a defendant, along with her said Husband, and thereupon this cause came on this day to be further heard upon the papers formerly read and upon the report of Commr W. R. McKeithen dated March 25th. 1887 made under said decree and filed in the Clerk's Office of this Court on the 26th day of March 1887. and was argued by counsel On Consideration whereof, it appearing to the Court from said report, to which there is no exception filed, that a sale of all of the real estate whereof the late Jno. W. Fraser died seized & possessed will be necessary to satisfy the debts proven against his estate in this cause, the Court approving said report, doth confirm the same, and doth adjudge order and decree that Branch J. Epes Jno. Y. Harris and Geo. S. Bernard, who are hereby appointed Special Commissioners for the purpose, any or more of whom may act, after making reasonable advertisement of the time place and terms of sale, do sell by Public Auction on the premises or at Dinwiddie C.H. or privately, the tract of land ~~of land~~ of Eight hundred and eighty two acres in said report mentioned, and that said Branch J. Epes, Jno. Y. Harris Geo. S. Bernard and R. Turnbull, who are hereby appointed Special Commissioners for the purpose, any one or more of whom may act alone, after like advertisement, do make sale by Public Auction on the premises or at Dinwiddie C.H. or privately of the half interest in the mill property in said report mentioned whereof said Jno. W. Fraser died seized and possessed, said sales to be to made upon the following terms, to wit, one fourth of the purchase money in cash, the residue in three equal instalments carrying interest from the days of sale, title

to be retained till the purchase money shall be fully paid, the purchasers to execute bonds with satisfactory security for the deferred payments, said commissioners to have authority, if they deem it advisable so to do to have said tract of land of eight hundred and eighty two acres sub divided into smaller tracts of convenient sizes, But said commissioners, or those acting under this decree, shall not proceed to sell said eight hundred & eighty two acres of land, until they or such of them as may act under this decree shall execute and file with the Clerk of this Court a bond in the penalty of $25'00, with security to be approved by said Clerk and conditioned according to law for the faithful performance of his or their duties under this or any other decree to be entered hereinafter in this cause But the commissioners appointed to make sale of the one half interest in the mill property, under this decree or such of them as may act thereunder, shall not proceed to sell the same until they or those acting shall execute a bond before the Clerk of this Court in the penalty of $1000, with security to be approved by said Clerk and conditioned according to law, and also conditioned for the faithful performance of his or their duties under this or any other decree to be entered in this cause, And said Commissioners are ordered to make report to Court,

Shell V. L. Pltff
vs
Shelles admrs Defts } In Chy

This cause came on this day to be further heard upon the Papers formerly read, upon the report of special commissioners Wm. H. Martin Jos. W. Grigg & W. L. Reams made under the decree entered in this cause at the last term of this Court and upon the report of Commissioner Thos. F. Rives made in pursuance of said decree dated March 14th 1887. and filed March 28th 1887, to which there are no exceptions, and was argued by counsel, On Consideration whereof the Court approving said reports doth confirm the same, and doth adjudge order and decree that the Partition of the real Estate in the proceedings of this suit mentioned, as shown by the report of said Special Commissioners Wm.

Martin Jos. N. Grigg and W. L. Reams be held firm and stable between the parties and that John Y. Harris who is hereby appointed a special commissioner for the purpose execute a deed with special warranty conveying to the heirs of Lemon Shell deed tract No 1 as shown on the plat returned with the papers of said special Commrs containing 115 acres and to W. L. Shell tract No 2, on said plat containing 115 acres, And it appearing to the Court from the said report of Commissioner Thos. F. Rives, that a sale of the real Estate whereof the late Juliet G. Shell died seized will be necessary to satisfy the debts proven against her Estate in this cause the Court doth adjudge order and decree that John Y. Harris who is hereby appointed a special commissioner for the purpose after giving reasonable notice of the time ~~and~~ place and terms of sale, sell by Public Auction, on the premises or at Dinwiddie C.H, the tract of land allotted by the said special commissioners to the heirs of said Juliet G. Shell deed, and designated on said plat as tract No 1 containing (43) forty three acres upon the following terms to wit, one fourth of the purchase money in cash, the residue in three equal annual instalments carrying interest from the day of sale title to be retained till the purchase Money shall be fully paid, the purchaser to execute bonds for the deferred payments, But said commissioner shall not act under this decree until he shall execute before the Clerk of this Court a bond in the penalty of $250.00 with sureties to be approved by said Clerk, conditioned for the faithful performance of his duties under this or any other decree that may be entered in this suit, and said Commr shall make report to Court

Moore
&
Crump

Pltff
Defts
} In Chy

By consent of parties this cause is dismissed, each party paying his own costs

Donnan's als assees &c Pltffs
vs
Cousins wife &others Defts } In Chy

On Motion of H. E. Cousins a dmr of Henry Cousins decd it is ordered that he be admitted a party defendant in this cause and thereupon this cause came on again to be heard upon the papers formerly read upon the Petition of Alex Donnan assignee &c, B B Vaughan Jr assignee &c and John Mann, assignee &c, filed Mar 4th 1887 in vacation pursuant to notices duly executed upon all parties filed in vacation on March 4th 1887, upon the order entered in vacation on March 4th 1887, pursuant to said notices, directing a Commissioner of this Court to take an account of the transactions of R. H. Jones Jr Commissioner or acting commissioner in this cause, showing how much of the purchase money for the lands sold under the proceedings herein has been collected by the said Jones and what disposition he has made of the same, ascertaining also the balance of the same remaining in his hands if any, and whether he has given bond as commissioner in this cause, and if so, what bond, also ordering that A. H. Burgess, E. H. Chambers, J. N. Beck, J. J. Coerce and J. Wm Jackson be summoned to appear on the first day of this term of this Court, to show cause if any they can, why the real estate purchased respectively by them under the proceedings herein should not be subjected to the payment of the purchase money due by them respectively remaining unpaid & also to the payment of so much of said purchase money as has been collected by said R. H. Jones Jr from each and all of them as the said R. H. Jones Jr has failed properly to account for, upon the report of Comr John Y. Harris made pursuant to the order above mentioned and filed on Mar. 28th 1887, with the exceptions thereto of J. Wm Jackson & J. J. Coerce, and E. H. Chambers, and the depositions of Witnesses taken by Comr Harris and returned with said report, upon the answers of E. H. Chambers, and J. Wm Jackson & J. J. Coerce to the rule so as aforesaid awarded against them in vacation, the Demurrers and general replications of said Petitioners to both of said answers, and was argued by counsel; On consideration whereof the Court doth adjudge order and decree that said proceedings in vacation be and the same are

ratified and confirmed, and the Court overruling the exceptions aforesaid to said report of Comr Harris, doth confirm said report of Comr Harris, and the Court sustaining said Demurrers to said answers of said Chambers Cocke and Jackson, and no sufficient cause being shown by said Cocke Jackson, Chambers Burgess & Beck why the real estate respectively purchased by them should not be subjected to the payment of the purchase money due by them respectively remaining unpaid, and also, to the payment of so much of said purchase money as has been collected by said R.H. Jones Jr from said purchasers respectively as he the said R.H. Jones Jr has failed properly to account for it, appearing to the Court from the alternate statements on pp 8. & 10 of said report, which alternate statements are hereby adopted, that said J. Wm Jackson & J.J. Cocke still owe of the purchase money due by them the sum of $785 63/100 as of March 22d 1887. with interest on the sum of $574 principal thereof from March 22d 1887, and that said A.W. Burgess still owes of the purchase money due by him the sum of $63 90/100 as of Mar 22d 1887. with interest on $44 57/100 principal thereof from Mar 22d 1887. and that said J.N. Beck still owes of the purchase money due by him the sum of $135 92/100 as of Mar 22nd 1887. with interest on $122 24/100 principal thereof from Mar 22d 1887 and that said E.H. Chambers still owes of the purchase money due by him the sum of $543 23/100 as of Mar 22d 1887. with interest thereon from said March 22d 1887. the Court doth adjudge, order and decree that the deeds from the said Comr R.H. Jones Jr to J.N. Beck, A.W. Burgess E.H. Chambers and J.J. Cocke and J. Wm Jackson, conveying to them respectively the lands by them, respectively purchased, be and the same are hereby set aside and annulled, and further the Court doth adjudge, order and decree that unless the said J. Wm Jackson & J.J. Cocke, A.W. Burgess, J.N. Beck & E.H. Chambers shall on or before the first day of September 1887. pay to Alex Hamilton, who is hereby appointed a Commissioner of this Court for the purposes hereinafter mentioned the said several sums of money and interest due by each of them respectively as aforesaid, that the said Alex Hamilton Comr shall proceed to sell the

said real Estate bought by the said Jackson and Cocke Burgess Beck and Chambers under the proceedings in this cause respectively or so much thereof as may be necessary to pay the amounts due by them respectively as aforesaid and the costs of resale, in each case, as shall not on said first day of Sept 1887 have been fully paid for, at Public Auction on the premises or at Dinwiddie Court house or in the City of Petersburg after ten days advertisement in a news-paper published in Petersburg and upon the following terms, to wit, one fourth of the purchase money in cash and the residue in two equal instalments upon credits of one and two years, notes or bonds carrying interest from the day of sale, to be given for the deferred payments & titles to be retained until the purchase Money shall be fully paid, and said Alex Hamilton Comr shall execute and deliver to such or all of the said several purchasers Jackson Cocke, Beck Burgess and Chambers good and sufficient deeds with special warranty for the real Estate heretofore purchased by them respectively upon the payment by them respectively to said Comr Hamilton of the amounts due by them as aforesaid, and said Comr shall report to Court, And the Court doth further adjudge, order and decree that the appointment of R. H. Jones Jr as commissioner in this cause under decrees heretofore entered be and is hereby revoked, he having so requested and said Alex Hamilton Comr hereinbefore appointed, shall proceed to sell the lands in the bill & proceedings mentioned, not heretofore sold, at Public Auction, on the premises, or at Dinwiddie C.H. or in the City of Petersburg, after the advertisement and upon the terms hereinbefore stated as to the sale of other lands, and said Comr shall report to Court, But the said Alex Hamilton shall not act as such Comr under this decree until he shall have entered into bond in the penalty of $2500 with security to be approved by the Clerk of this Court and conditioned according to law, and for the faithful discharge of his duties under this and all future decrees in this cause And the Court doth further adjudge order & decree that when the said J. M. Jackson and J. J. Cocke and J. N. Beck and E. H. Chambers, or either of them, shall have paid the sums of money due by them as herein

before specified then that they or such of them as shall have so paid shall be substituted and subrogated to the rights remedies of the parties to this cause against the said R H Jones Jr to the extent that the said Jackson Cocke and Beck and Chambers shall have respectively paid money due by them in this cause to said Jones, for which the said Jones has not properly accounted, for which they have not received credit

and ordered that the Court be adjourned until to morrow 10 oclock a m

Beverley A Hancock JC

Francis Price who sues for Wednesday April 13th 1887

Present Hon B A Hancock Judge (In Chy

Price for c vs Boisseau admor &c (ex)

This day this cause came on to further heard upon the papers formerly read and upon the petition of Alexander Donnan & others filed March 4th 1887, in vacation pursuant to Notices duly served upon all parties, upon the order entered in vacation on said 4th day of March 1887, on the Petition and Notices aforesaid, directing a commissioner of this Court to take an account of the transactions of R. H. Jones Jr Commr or acting Commissioner in this cause showing how much of the purchase money of the land sold under the proceedings herein has been collected by him and what disposition he has made of the same ascertaining also the balance remaining in his hands, and ordering that R. E. Boisseau, S. E. Vaiden, and Maria E. his wife and S. Y. Gilliam sheriff &c and as such admr of V. S. Boisseau decd, be summoned to appear on the first day of this term of the Court to show cause if any they can why the real estate purchased under the proceedings in this cause by M. E. Boisseau decd and R. E. Boisseau should not be subjected to the payment of the balance if any of the purchase money remaining unpaid thereon, and also to the payment of so much of the purchase money aforesaid as has been collected by the said R. H. Jones Jr since the April Term 1873, of this Court on the bonds given by the said R. E. Boisseau and M. E. Boisseau and not properly accounted for by the said Jones, upon the report of Commissioner John Y. Harris made pursuant to the order above mentioned filed

March 28th/87. with the exceptions of the Petitioners, and of S.E. Vaiden and M.E. his wife, to said report, upon the answer of the said S.E. Vaiden and M.E. his wife to the rule so as aforesaid, awarded against them in vacation & the demurrer and general replication of the petitioners to said answer, and was argued by counsel, On consideration whereof the Court doth adjudge order and decree that all of said proceedings in vacation, be and the same are hereby, ratified, approved, and confirmed, and the Court sustaining the exception of the Petitioners to said report, and sustaining the exception thereto of S.E. Vaiden & M.E. his wife, to the extent of correcting the date at which the dower interest of Mrs M.E. Boisseau, should be credited on her bonds given for the purchase money of the land bought by her ~~xxxxxx~~ under the proceedings in this cause, and overruling the last named exception in all other respects the said report was, in the particulars mentioned in said exceptions, sustained as aforesaid, amended by a statement made on said report, by Comm'r Harris at the bar of the Court, doth adjudge order & decree, That said report as so amended be and the same is hereby confirmed. And the Court sustaining said demurrer to the answer of the said S.E. Vaiden, and M.E. his wife, and no sufficient cause being shown by the said R.E. Boisseau, Self. Gilleam Adm'r of V.T. Boisseau, and the said S.E. Vaiden wife why the real estate purchased under the proceedings in this cause by M.E. Boisseau, dec'd and R.E. Boisseau, should not be subjected to the payment of the balances of the purchase money remaining unpaid and also of so much of the purchase money aforesaid as was collected by the said R.H. Jones Jr. since the April Term 1873 of the Court, on the bonds given by the said R.E. Boisseau and M.E. Boisseau, dec'd, and not properly applied & accounted for by the said R.H. Jones Comm'r, the Court being of opinion that the bond executed by the said R.H. Jones, Jr. as special Comm'r on the 28th day of December, 1872, did not cover the collection by him of the bonds given by the purchasers of the real estate sold under the proceedings in this cause, for the deferred payments of the purchase money, and that the said Comm'r Jones had no authority to collect said deferred payments without first executing the bond required by the Statute in such case made and provided; And the said Court adopting the alternate statement on page 7 of said report of Comm'r Harris, as showing the amounts due from the said R.E. Boisseau upon his said bonds, he being

credited only with so much of the money paid by him to the said R. H. Jones, Commr. on his bonds for the deferred payments as the the said Commissioner has properly applied and accounted for, said balance due on said bonds with 22nd day of March 1887 being $78.79/100 of which $38.58/100 is interest, and also adopting the amended statement aforesaid, correcting the alternate statement on page 7 of said report, showing the amount due upon said bonds of M.E. Boisseau, they being credited only with so much of the money paid thereon to the said R.H. Jones, Jr. Commr, as he the said Jones Commr has properly applied & accounted for, said balance due on said bonds, on said 22nd day of March 1887, being $1321.55/100 of which $620.13/100 is interest; The Court doth adjudge, order, & decree that unless the said R.E. Boisseau shall on or before the 1st day of September next pay to Jos. S. Budd who is hereby appointed a Commr for the purpose of collecting the same and the purposes hereinafter mentioned, the said sum of $78.79/100 with interest on $42.21/100, a part thereof, from the said 22nd day of March 1887 until paid, and unless the said S.E. Vaiden & M.E. his wife shall on or before the 1st day of September next pay to the said Jos. S. Budd, Commr the said sum of $1321.55/100 with interest on $701.42/100 a part thereof from the said 22nd day of March 1887 until paid, That the said Jos. S. Budd Commr proceed to sell the real estate purchased under the proceedings with Cause by the said R.E. Boisseau & M.E. Boisseau, dec'd, or such of said real estate as shall not prior to said 1st day of September 1887 be fully paid for, at public auction such premises upon the following terms: one fourth cash balance in equal instalments falling due one and two years after date bearing interest from the day of sale Evidenced by the bonds or notes of the purchaser and the title to be retained until the purchase money shall be fully paid, the time, place & terms of sale to be advertised in one of the newspapers of the City of Petersburg & by handbills posted at the Courthouse of this County & such premises for such time as the Commr above appointed shall deem proper. But ordered the balance due upon said bonds of R. E. Boisseau & M.E. Boisseau as ascertained by the statement above adopted be paid to said Commr prior to the sale of said real estate under this decree. The Court doth adjudge, order & decree that the said Jos. S. Budd, special Commr, Execute & deliver good & sufficient deeds with special warranty for the said

real estate so purchased for; the deed for the land purchased by the said R.E. Borseau to be made to him the said R.E. Borseau & the deed for the land purchased by the said M.E. Borseau deed to be made to the said M.E. Borseau wife of the said R.E Borseau or to such other person or persons as she may direct by her & her husband uniting with the Comm'r in the deed. But said Joseph S Budd, Special Comm'r, shall not proceed to sell as Comm'r or advertise said real estate until he shall have entered into bond into about with penalty of $2000 with sureties to be approved by the Clerk of this Court, conditioned for the faithful performance of his duties under this or any future decrees that may be entered in this cause. And at the request of the said R.H. Jones, Jr., the Special Master, & order & decree that his appointment as Comm'r in this cause be and the same is hereby revoked, and it is further ordered that the said R.H. Jones, Jr. turn over to the said Jos S Budd Comm'r the said bonds of the said R.E Borseau & M.E. Borseau taking the receipt of the said Comm'r Budd for the same.

E.N. Allen who sues &c Pltffs
vs
D.Y. Gilliam Admr of
George Williams & others Defts } In Chy

On motion of the Plaintiff A.M. Organ is appointed guardian ad-litem to defend the interest of the infant defendants, Amanda Williams Emma Williams & Robert Williams in this suit, and by leave of the Court the said guardian ad litem filed the answer of said infant defendants to the Plaintiffs bill & thereupon this cause came on this day to be heard upon the bill of the Plaintiff with the exhibits filed thereunto, which has been regularly matured at rules and been taken for confessed as to the other defendants, upon the answers of Amanda Williams Emma Williams & Robert Williams by A.M. Organ their guardian ad litem filed by leave of Court, & upon general replication to said answers, and was argued by counsel, On consideration whereof the Court doth adjudge, order & decree that this cause be referred to one of the Commissioners of this Court who is directed to audit, state & settle the following accounts, viz an account of the outstanding debts against George

Williams deed & that of his estate, with their dignities & infirmities if any, & an account of the the real & personal estate whereof the said George Williams died seized & possessed with the fee simple & annual value of the real estate & any other matter deemed pertinent by himself or which he may be required by any party to specially state. But said Commissioner shall not proceed to take said accounts until he shall have given reasonable notice of the time & place of taking the same to the parties to this suit, and shall have also posted a notice of the time & place of the taking of said accounts at the front door of the Court House Dinwiddie County at least one County Court day before the taking of the same, & said Commissioner shall report to Court,

Samuel Waddell's Admin Pltff }
To } Dr Chy
Samuel Waddell's widow & heirs Defts, }

It being suggested that Ann Eliza Hanks the widow of the late Samuel Waddell has departed this life, it is ordered that this suit abate as to her, and thereupon this cause came on to be heard upon the papers formerly read and upon the report of Comr R H Jones & this day filed to which there is no exception and was argued by Counsel, On Consideration whereof the Court at the request of R H Jones Esq doth revoke his power as Special Commissioner in this cause & doth appoint W H Jones in his place and stead. And the Court doth further adjudge order and decree that Geo S Bannard W R McKenney and W H Jones who are hereby appointed Special Commissioners for the purpose any one or more of whom may act do proceed to sell the real estate in these proceedings mentioned, to wit: 221 acres of land in the County of Dinwiddie whereof Samuel Waddell died seized and possessed either publicly or privately, if publicly at Dinwiddie C.H. or on the premises, after first advertising the time, place & terms of sale for ten days by posted handbills at said C.H. and five other

public places in said County, for one third Cash, balance in one & two years with interest from day of sale; taking from the purchaser bonds for the deferred payments and retaining the title until the whole purchase money is paid, and a conveyance ordered by Court. But said special Commissioners in this acting under this decree shall not proceed to sell the real estate aforesaid until they or such of them as may act shall enter into bond before the Clerk of this Court in the penalty of $1500 — with security to be approved by him conditioned according to law and for the faithful performance of his or their duty under this or any other decree that may be hereafter entered in this cause, and said Commissioners are ordered to make report to Court

James A Stratton Pltffs
vs
Francis A Dicken Defts } In Eq

This day this cause came on to be further heard upon the papers formerly read and upon the report of Commissioner Thos J Rivers dated the 17th day of March 1887 made in pursuance of the decree entered herein at the October term 1886, to which report there is no exception, and was argued by Counsel. On consideration whereof the Court approving said report doth confirm the same and doth adjudge order and decree that unless the defendants Geo L Francis and Jacob Dicken or either of them shall pay to the plaintiffs or their attorney the sum of five thousand five hundred & sixty five ($5565) dollars, the sum ascertained by said report to be due on the mortgage in the proceedings mentioned within sixty days from the entering of this decree that John M Stamm who is hereby appointed a Special Commissioner for the purpose shall proceed to make sale of the tract of land in the proceedings mentioned containing six hundred & eighteen & three quarter acres upon the following terms. Cash sufficient to pay the said balance of five thousand five hundred & sixty five dollars due on said Mortgage and the cost of this and the balance

on a credit of one & two years. But said Comr Harris shall not proceed to sell the said real estate until he shall advertise the time place and terms of sale for ten days in some newspaper published in the City of Petersburg and the said sale shall be made either on the premises or at Dinwiddie C.H. But that said Comr Harris shall not proceed to execute this decree until he shall have entered into bond before the Clerk of this Court in the penalty of $7000 + Seven Thousand dollars with security to be approved by said Clerk conditioned according to law and for the faithful performance of his duties under this and any further decree in this cause, And said Comr shall make report to Court.

Kirby Corse & others
vs
Hubbard

Pltffs
Dfdts

This day came the plaintiffs and filed their bill, and on their motion Jno F Graham is assigned guardian ad litem to the infant defendants Wm T Hubbard Cornelia F. Hubbard and Vivian Ripley Hubbard to defend their interest in this suit, and thereupon the said guardian ad litem filed the answer of the said infants to the bill of the plaintiffs, and the defendants John T Hubbard & Mary F Hubbard his wife filed their answer to the said bill, to which answer the plaintiffs replied generally, And thereupon this cause was docketed by consent of parties, and by like consent came on to be heard upon the bill, the answer of the adults defendants, and the answers of the infant defendants by Jno F. Graham their guardian ad litem and general replication thereto, and the exhibits filed with the bill and was argued by counsel, On consideration whereof and by consent of all parties this cause is removed to the Circuit Court of the City of Petersburg for further proceedings to be had therein.

White Pltff

vs

White & wife Defts

On the motion of the plaintiff it is
ordered that this suit be dismissed

Hannah Tucker & Daniel Mitchell Pltffs

vs

J. J. Gilliam Shff of Dinwiddie Co.
& as such admr of Jas Monroe Mitchell
dec'd, Mary Mitchell, Mary Tucker
& Hannah Scott - the last named being
an infant Defts

On motion of the plaintiffs A M Morgan
is assigned guardian ad litem of the infant
defendant, to defend his interest in this cause
and thereupon said infant by his said guardian
ad litem filed his answer to the plaintiffs bill; to
which answer the plaintiffs replied generally, and
thereupon this cause came this day to be heard upon the
said bill taken for confessed as to the adult defendants
upon the exhibits filed and upon the said answer of the
infant defendant, with general replication thereto
and was argued by counsel. On consideration whereof
the Court doth adjudge, order and decree that Thos. E.
Harrison, R. S. Major, T. D. Scott, John Harrison and Thos.
Cain, any three or more of whom may act be and
they are hereby appointed Special Commissioners whose
duty it shall be to assign to Mary Mitchell
widow of Jas Monroe Mitchell dec'd dower in the real estate
of which her said deceased husband died seized -
and make report to Court. And the Court doth further
adjudge, order and decree that one of the Commissioners
of this Court take the following accounts -

1st An account of the transactions of J. J. Gilliam Sheriff
of the County of Dinwiddie and as such admr. of Jas
Monroe Mitchell dec'd

2d An account of the real and personal property of
which Jas Monroe Mitchell died seized and
possessed, with the fair simple and annual
values of the real estate.

3d An account of debts due by the said Jas Monroe Mitchell
with their priorities, and generally and report
to Court

T K Lucy & wife Pltffs
vs
Otelia Lucy Henry Marcum admr of L H Lucy dec'd, Ora Lucy, Ara Lucy, Willie Lucy Fred Lucy Julia Lucy and Theo Lucy the last five of whom are infants Defts } Order

On Motion of the plaintiffs A M Organ is appointed guardian ad litem for the infant defendants Ara Lucy, Willie Lucy Fred Lucy Julia Lucy and Theo Lucy, and on Motion of said guardian ad litem leave is granted him to file the answer of said infants which is accordingly filed to which the plaintiffs replied generally. And thereupon this cause came on this day to be heard upon the bill and exhibits filed which is taken for confessed as to the defendants Otelia Lucy, Ora Lucy and Henry Marcum admr. of L H Lucy dec'd and upon the answer of the infant defendants Ara Lucy, Willie Lucy Fred Lucy, Julia Lucy & Theo Lucy by A M Organ their guardian ad litem with general replication thereto, and was argued by counsel. On Consideration whereof the Court doth adjudge order and decree that Jno L White, Geo D. Baskerville, R B Howard, T J Jones F H Wells, any three or more of whom may act, be and they are hereby appointed Special Commissioners of this Court to assign dower to Otelia Lucy widow of L H Lucy dec'd out of the real estate of which her late husband died seized and possessed, and in making said assignment they are authorized to employ a competent Surveyor and said Commissioners shall report to Court.

And the Court doth further adjudge, order and decree that one of the Commissioners of this Court take and state the following accounts: to wit. 1st An account of the transactions of Henry Marcum admr. of L H Lucy dec'd. 2d An account of the debts due and outstanding against said L H Lucy and his estate, with their priorities and priorities. 3d An account showing whether the real estate of which L H Lucy died seized after the assignment of dower to Otelia Lucy his widow can be conveniently partitioned in kind among the parties entitled thereto, and if it cannot be so divided, whether the interest of all parties will be promoted by a sale thereof

and said Commissioner shall report to Court—

Heaths Committee.
vs
Jacksons Admr

Pltff
& Demurrer
Deft

This cause came on this day to be further heard on the papers formerly read and was argued by Counsel, On Consideration whereof, it appearing to the Court from the report of Comm'r R.H. Jones Jr that Geo Wyatt and Geo Chappman are in default in the payment of the purchase money due by them for lands purchased by them under the proceedings herein. the Court doth order and decree that said Geo Wyatt and Geo Chappman be summoned to appear on the first day of the next term of this Court to show cause if any they can why the lands respectively purchased by them should not be resold to pay the said unpaid purchase money, And the Court doth order that W.H. Jones be and he is hereby appointed Commissioner in this cause in the place and stead of R.H. Jones Jr, who is hereby removed at his own request, And it shall be the duty of the said Comm'r W.H. Jones to execute the decrees directing sales of the land heretofore entered in this cause upon the terms and requirements stated in said decrees, and he shall report to Court, But said Comm'r W.H. Jones shall not act under this decree until he shall have entered into bond before the Clerk of this Court in the penalty of $1500— with security to be approved by him and conditioned according to law and for the faithful performance of his duties under this or any other decree that may be entered in this cause

Ordered that the Court be adjourned until the first day of the next Term

Beverley A. Hancock

Virginia At a Circuit Court held for the County of Dinwiddie at the Court House thereof on Wednesday the 21st day of September 1887 and of the Commonwealth the 112th

Present Hon B A Hancock Judge.

F Pizzini &c. Pltff.
vs
R E. Boisseau. Defts. } In Chancery.

This cause came on this day to be further heard upon the papers formerly read and upon the suggestion of the death of Jno D Budd, late Special Commissioner appointed in the cause, and was argued by Counsel. On Consideration whereof, it appearing to the Court that Jno D. Budd who was appointed the Special Commissioner of this Court by the decree herein entered at the April term 1887 has departed this life. the Court doth hereby appoint Chas F Collier and Alexander Hamilton both or either one of whom may execute this decree and the Court doth adjudge order and decree that said R E. Boisseau. shall on or before the 1st day of November 1887 pay to said Collier and Hamilton Commissioners or to the one of them acting the sum of $98.79 with interest on $42.21 thereof from the 25th day of March 1887 till paid and unto J E Vaiden and M E Vaiden, his wife, shall on or before the 1st day of November 1887 pay to said Collier and Hamilton, or to the one of them acting, Commissioners the sum of $132.55 with interest on $70.42 thereof from the 22nd day of March 1887 till paid. then that said Collier and Hamilton Commissioners or the one acting, shall proceed to sell the real estate purchased under the proceedings in this cause by said R E Boisseau and M E Boisseau, deceased or such of said real estate as shall sufficient to said 1st day of November 1887 be fully paid for. at public auction on the premises upon the following terms. one fourth of the purchase money in cash the residue in equal instalments falling due one, two three years after date bearing interest from the day of sale and secured by the bond or bonds of the purchaser, and title to be retained until the purchase money shall be fully paid, the time, place and terms of sale to be advertised in a Newspaper published in the City of Petersburg and by hand bills posted at the Court House of the County for such Time as the Commissioners or Commissioner acting shall deem proper. But should the balance due upon the bonds of R E Boisseau and M E Boisseau as ascertained by the decree entered herein at the April term 1887 be paid to said Commissioners, or Commissioner acting, prior to the sale of said real estate under this decree, the Court doth adjudge order and decree that the said Collier and Hamilton, Commissioners, or the one acting, execute and deliver good and sufficient deeds with special warranty for the real estate respectively so sold for, the deed for the land purchased by said R E Boisseau to be made to said R E Boisseau, and the deed for the land purchased by said M E Boisseau to be made to the said M E Vaiden, wife of J E Vaiden, or to such other person or persons as she may direct by her husband uniting with the Commissioner in the deed.

And the Court doth further adjudge, order and decree that R.T. Jones do deliver and turn over to the said Colleo: and Hamilton Commissioners, or the one of them acting as Commissioner the bonds of the said W.E. Burrus and W.E. Burrus, which were given by the said W.E. Burrus and W.E. Burrus for the deferred payments of the purchase money due by them, and Jones taking the receipt of the said Commissioners or Commissioner acting for the said bonds, But the said Chas. T. Colleo and Alexander Hamilton, and neither of them, shall act as Commissioners or Commissioner under this decree until either they or the one of them who shall act, shall have entered into and acknowledged in the penalty of $2000. with security to be approved by the Clerk of this Court and Qualified according to law, and for the faithful performance of their or his duties as Commissioners under this or any further decree that may be entered in this cause.

W.E. Parrish.
To
Ricketts wife.
Pltff
Defts
} In Chancery.

This cause came on this day to be further heard upon the papers formerly read, and upon the Report of W.R. McKenney, Commissioner this day filed in this cause to which Report there is no exception filed. and was argued by Counsel, On Consideration whereof the Court, approving said Report doth confirm the same, and it appearing to the Court from the said Report that there is now in the hands of said Commissioner subject to the order of this Court the sum of Three Hundred and forty four 50/100 dollars which amount includes the sum of fifty dollars which said Commissioner reports as having been heretofore charged for five deeds not executed, and it further appearing to the Court from the said Report and the other papers in this cause that said Com. McKenney has fully & properly accounted for all moneys which have come into his hands in this cause the Court doth further adjudge, order and decree that out of the said balance of $344.50 in the said Comr shall first pay any unpaid Clerks Costs and any Taxes delinquent on the six (6) tracts of land sold to Mary D Breckenridge for any years prior to 1885. and that he shall then pay the balance which shall then remain in his hands to Mary D Breckenridge, or John Dimlich, her attorney, and make report thereof.

W.E. Burrus
To
W.E. Burrus.
Pltff
Defts
} In Chancery

This day this cause came on to be further heard upon the papers formerly read and on the suggestion of the death of Joseph S. Budd the acting Special Commissioner in this cause and was argued by Counsel, On Consideration whereof the Court doth adjudge order and decree that Chas. T. Colleo one of the Commissioners appointed to under the decree in this cause entered at the October term 1886. of this Court proceed to execute the decree entered in this cause at the April term 1887 and and that said Court also receive and receipt for the balance of $35.94 in the hands of Jos Budd in the due administration of his estate by his personal representative, But said Colleo shall before entering upon the discharge of his duties required

by this decree shall enter into bond in the penalty of $1000.00 with security to be approved by the Clerk of this Court conditioned for the faithful performance of his duties under this or any other decree entered in this cause. said Comr shall make report to this Court.

Petersburg Savings & Insurance Company. R.T. Arrington & S.P. Arrington partners trading under the firm name of John Arrington Bros. Commercial National Bank. and Alexander Hamilton admr of Joseph W Bivins decd. and all other creditors of Elizabeth Lynch decd. who may come in and make themselves parties to contribute to the cost of this suit Plaintiffs

vs

W.C. Gee, sheriff of Chesterfield County. and as such admr of Elizabeth Lynch decd. S.A. Lynch. E.A. Lynch and Mollie A Lynch. Defts } In Chancery.

This cause in which the plaintiffs have proceeded against the defendants John M Lynch S A Lynch and M E Hall who are out of this Commonwealth in the manner prescribed by law against absent defendants. and they have failing to appear and answer, came on this day to be heard on the order of publication against the said absent defendants, which has been duly published and posted as required by law. upon the bill, which has been taken for confessed as to all the other defendants, and upon the proof was duly sworn, they also failing to appear and plead, answer or demur to said bill and the exhibits filed with the bill and was argued by Counsel, On Consideration whereof, the Court doth adjudge, order and decree that one of the Commissioners of this Court take an account of the debts against the said Elizabeth Lynch decd with their priorities, and an account of the real estate of which she died seized and possessed, and the fee simples value thereof. and make report to Court, with any matter specially stated, deemed pertinent by himself or which any party interested may require to be so stated, Notice of the time & place of taking said account shall be given as to the absent defendants except the non residents.

vs

R A Martin &c Pltff

vs

A.F. Slate Defts } In Chancery.

This cause came on this day to be heard on the papers formerly read and the application of A.F. Slate and Emma Slate to be permitted to file their answers, and was argued by Counsel. On Consideration whereof this Court doth permit the said parties to file their joint and several answers and as to the other matters this cause is continued.

vs

Duncan after &c Pltff

vs

Comm's &c Defts } In Chancery.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of Com'r A Hamilton, this day filed, with the statement and vouchers thereto appended, to which no exception is taken and was argued by Counsel. On Consideration whereof, the Court, approving the said report of Com'r Hamilton, doth confirm the same, and doth adjudge, order and decree that said Com'r A Hamilton do pay out the sum of $1250 reported in his hands for distribution the following amounts to the following persons respectively, bearing interest for said payments, Viz: Emma W. Chase the sum of Two Hundred and forty two 80/100 Dollars ($242.80) Alexander Denman Three Hundred and forty 77/100 ($340.77) Gertrude Bolseau Fifty four 62/100 Dollars and ($54.62) W. E. Lewis Fifty four 63/100 Dollars ($54.63) John Mann assignee of Nancy Cousins estate One hundred and twenty nine 53/100 Dollars ($129.53) B.B. Vaughan Jr. One hundred and ~~twenty~~ nine 25/100 Dollars ($109.25) Mrs Ellen Brough Two Hundred and eighteen 51/100 Dollars ($218.51) and to W.R. McKenney, trustee of R.H. Jones Jr and Mary E Jones for benefit of Bank of Petersburg Ninety nine 89/100 Dollars ($99.89) or the said several sums may be paid to the certain Attorneys of the said several parties. And the said Com'r Hamilton is directed out of the sum aforesaid and not distributed to pay all accrued costs of this suit, and he is further directed to proceed to sell the tract of land of 100 acres more or less, as ordered by the decree herein at the April term 1887 entered and he is ordered to make to Clark Burgess, executed of to A.H. Burgess, the deed for the land bought by said A.H. Burgess, said Clark Burgess being now the owner and having paid the residue of the aforesaid money due thereon. And upon the motion of Colleen Budd and Denman & Hamilton, the Court doth order and decree that Emma W. Chase. A Denman. Gertrude Bolseau. W.E. Lewis, Jno Mann assignee of Nancy Cousins estate B.B. Vaughan Jr. Mrs Ellen Brough. W.R. McKenney trustee of R.H. Jones Jr. and Mary E Jones for the Bank of Petersburg and N.E. Lewis admr of Nancy Cousins be summoned to appear upon the first day of the next term of this Court and show cause, if any they can why a reasonable fee out of the funds under the control of the Court shall not be paid Colleen Budd and Denman & Hamilton for the legal services rendered by them in this cause in obtaining payment of the unpaid purchase money due by the several purchasers. And said Com'r Hamilton shall make report to Court.

vs

James McKenney. &c. Pltff. } In Chancery.

Burgess &c. Defts.

This cause came on this day to be further heard upon the papers formerly read, and upon the Petition of Clark Burgess this day filed in this cause by leave of Court and the exhibits filed with the said Petition, and was argued by Counsel. On Consideration whereof the Court being of opinion that the heirs at law of William Burgess deceased are necessary and proper parties to this suit and it further appearing to the Court that the following are the heirs at law, and the husbands and wives of the heirs at law of said William Burgess. Lewis Clark Burgess and Gertrude his wife of District of Columbia Wm Clark Burgess and Mary E his wife of New York New Jersey. Benjamin F Burgess and Flora his wife of Petersburg Va. Asa Burgess of Petersburg Va. Nathan Burgess and Eliza his wife of New York. Andrew Burgess of Petersburg Va. — Scott and Louisa his wife of the state of Kentucky J.A. Crenshaw and Amelia his wife of New York. L.C. Fox and — his wife of

Miscellaneous Mrs. Sarah Ramsdell, the wife of Ilda Ramsdell, who lives in West Westfield New York, her husband Ilda Ramsdell being also a non resident of Va. Allen Burgess and Mason Burgess of New York and Mary C. Burgess the widow of William A. Burgess it is ordered that the said heirs at law except Ilda Ramsdell and Sarah Ramsdell Allen Burgess and Mason Burgess who are already parties hereto be made parties defendant to this cause and that hereafter this cause proceed against them as such and the Court doth further adjudge, order and decree that all of the heirs at law of the said Wm Burgess, as above named, be summoned to the next term of this Court to answer the said Petition and to show cause if any he can, why the prayer of the said Petition should not be granted, and the Court doth further order adjudge that said heirs at law who are residents of this State be summoned personally and that the non residents be proceeded against by order of Publication.

Hunt & others
vs
Hunts adm &c &c.

Pltffs.
Defts.
} In Chancery.

This Cause came on this day to be further heard upon the papers formerly read and upon the report of Special Comm. Bernard Mann to which there is no exception On Consideration whereof the Court Confirming said report doth adjudge, order & decree that the decree entered in this cause at the April term last of this Court be modified to the extent of allowing the Commissioner to sell the said tract of land either publicly or privately as he may deem best for the interest of all parties Concerned.

E N Allen &c &c.
vs
Sy. Gilliam.

Pltffs
Defts
} In Chancery.

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner Thomas F Rives, bearing date on the 16th day of August 1887 to which report there is no exception, and was argued by Counsel and it appearing to Court from said report that the rents and profits arising from the real estate, in the proceedings mentioned are not sufficient to pay off and discharge the debts expenses. On Consideration whereof the Court doth adjudge, order and decree that the report aforesaid be and the same is hereby confirmed and the Court doth further adjudge order and decree that William A. Jones be and he is hereby appointed Special Commissioner of this Court, to make sale of the 17 acres of land in the proceedings mentioned at Public Auction on the premises, at such place in the County of Dinwiddie or the City of Petersburg after ten days notice by hand bills posted at four public places in Dinwiddie County, for one half cash, balance at twelve months, taking from the purchaser bond for the deferred payment and that said Commissioner make report to Court, but that said Commissioner shall not proceed to make said sale, until he shall have entered into & bond before the Clerk of the Court, in the penalty of $100.00 with surety &

be approved by him conditioned for the faithful discharge of his duties under this decree or any future decree that may be entered in this cause

Anna Eliza King
& No 1
H J Heartsill and ux.
N G Wynne Exr.
& No 2
H J Heartsill &c

Pltff } In Chancery.
Defts.
Pltff } In Chancery.
Defts

This cause came on this day to be further heard upon the papers formerly read, and was argued by Counsel. On Consideration whereof, and upon the motion of Robert H Jones Jr W H Jones ~~be and they~~ is hereby appointed as Special Commissioner of this Court, to act as Commissioner in this cause in the place and stead of Robert H Jones Jr. who is hereby removed at his own request. But that the said Wm H Jones shall not proceed to act as such Commissioner until he shall have entered into a Bond before the Clerk of this Court in the penalty of One thousand dollars with security to be approved by him conditioned for the faithful discharge of his duties under this decree, or any future decree that may be entered in this cause, and the Court doth further adjudge order and decree, that one of the Commissioners of this Court proceed to make the following enquiry, and to take and state the following accounts Viz, 1st. whether Special Commissioner R. H. Jones Jr. ever executed any bond as such Commissioner in this cause, 2d. To take an account of the transactions of Robert H. Jones Jr. Commissioner from the time of his acting as such, to the taking of said account, showing the receipts and disbursements made by him, 3d. To enquire and report ~~whether or not~~ any of the purchasers of the real estate in this cause are in default in the payment of the purchase price for the land bought by them, and if in default, to return an account showing to what extent they are in default, 4th To take an account showing who are entitled to the funds in this cause, and said Commissioner shall make report to Court, with any matter deemed pertinent by himself, or which any party interested, may require to be specially stated, But that said Commissioner, shall not proceed to take said accounts, or make said enquiry until ~~the parties to this suit~~ he shall have given notice of the time and place of the taking of said accounts to the parties to this suit, and until he shall have posted at the front door of the Court-house of this County, on one County Court day preceding the taking of said accounts a notice of the time and place of the taking of the same

Fraser's adm'x &c
vs
Fraser's adm'r &c

Pltff
Dr Chancery
Dfft

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Special Commissioner Jno Y Harris dated 21st September 1887, reporting a sale made to Wm Ellenborough of an undivided one half (½) interest in the Mill Property and fifty acres of land thereto attached in the proceedings mentioned as ~~decreed~~ directed by the decree entered in this cause at the April term 1887 of this Court, and was argued by Counsel On consideration whereof, it appearing to the Court from said report, to which there is no exception filed, that said property was sold on to said Ellenborough at the price of Six hundred (600) dollars, that said price is recommended by said Special Commissioner as a fair price for said property, to wit: the undivided one half (½) interest in said Mill and a like interest in the fifty (50) acres thereto attached whereof the late Jno H. Fraser died seized and possessed, the Court approving said sale doth confirm the same and doth adjudge order and decree that upon the due payment of the said purchase money said John Y Harris shall and he is hereby ordered to execute a deed conveying to said Ellenborough said property so purchased by him with Special Warranty. And the Court doth further adjudge order and decree that said Special Commissioner shall at the same time, that he collects said purchase money, pay to said Ellenborough his debt proven in this cause —

Order that the Court be adjourned until tomorrow morning 10 o'clock.

Beverly A. Hancock

Thursday September 22nd 1887.

Present Hon B A Hancock Judge.

L. A. Keeler Pltff
vs
A. D. Tally & wife Defts
In Chy

This day this cause came on to be further heard upon the papers formerly read and was argued by Counsel. On Consideration whereof the Court doth adjudge, order and decree that the Sheriff of this County take possession of the tract of land in the proceedings mentioned and rent out the same for the year 1888. and from year to year until the rents accruing therefrom are sufficient to ~~the~~ pay the costs of this suit, the Taxes on said land and the lien reported by Comr. J. W Harris. taking from the person or persons renting, bond or bonds with good security for said rents - and the said Sheriff is hereby directed to put such person or persons as he shall rent said land to, in possession of the same on the 1st day of January 1888. and make report to Court

John Rives Pltff
vs
Richard Gholson Defts
In Chancery

This Cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner John W Harris dated the 20th day of Septr 1887. to which report there is no exception filed and was argued by Counsel, On Consideration whereof the Court approving said report doth confirm the same and it appearing from said report that the objects for which this suit was instituted have been accomplished - it is ordered that the caine be removed from the docket.

Rose & Butterworth Pltff
vs
Mary Jones Defts
In Chancery

This day this cause came on to be further heard upon the papers formerly read and upon the report of Special Commissioner Jno W Harris, dated the 20th day of September 1887, to which report there is no exception filed and was argued by counsel, On Consideration whereof the Court

approving said report doth confirm the same, and doth adjudge order and decree that said Commissioner Harris collect the bonds of the purchaser of the real estate as they become due, and upon the payment thereof in full execute to the said purchaser a deed conveying to him the life estate of Mary Jones in the twenty five acres of land purchased by him, and pay the costs of this suit and make report to Court

Hannah Tucker &als Pltff
vs Ch Chancery
Mitchells admrs &als Defts

This day this cause came on to be further heard upon the papers formerly read - upon the report of Comr. Thos. F Rives dated August 27th 1887. and filed in this cause on September 10th 1887. and upon the report of Special Commissioners Thos. E. Hargrave, Thos. B. Scott, Thos Cairy R S Mayor and John Hargrave - to which reports there are no exceptions filed, and was argued by Counsel. On Consideration whereof the Court approving said reports doth confirm the same - and the Court doth adjudge order and decree that the assignment of dower made by said Special Commrs Thos. E Hargrave Thos. B. Scott, Thos. Cairy, R. S. Mayor, and John Hargrave be held firm and stable, and it appearing from the report of Commr. Thos. F Rives that a sale of the real estate of which the said Jas Monroe Mitchell died seized and possessed will be necessary to pay the debts reported by said Commr. Rives the Court doth further adjudge, order and decree that John W Harris who is hereby appointed a Special Commissioner for the purpose after giving reasonable notice of the time place and terms of sale, sell by public auction on the premises or at Winnsboro the tract of land mentioned in said Comr. Rives report, containing sixteen and two thirds acres, and also the reversion in that portion assigned to Mary Mitchell as her dower - upon the following terms to wit: One third cash the balance in one and two years the purchaser to execute bonds for the deferred payments, But said Commissioner Harris shall not act under this decree until he shall execute before the Clerk of this Court a bond in the penalty of one thou-

dred ($100), with sureties to be approved by said Clerk, Conditioned for the faithful performance of his duties under this or any other decree that may be entered in this suit, and said Comm'r shall make report to Court

V. L. Shell Pltff
To
Shells adm'r & als Defts
In Chancery

This day this cause came on to be further heard upon the papers formerly read and upon the report of Special Comm'r Jno Y Harris reporting the sale of 43 acres of land to W. P. Fowlkes dated September 20th 1887 to which report there is no exception filed, and was argued by Counsel, On Consideration whereof the Court approving said report doth confirm the same, and doth adjudge order and decree that said Comm'r Harris collect the bonds for the deferred payments from said purchaser as they become due, and when the same shall be fully paid, he shall execute a deed conveying the said land to said purchaser with special warranty - and the Court doth further adjudge order and decree that said Special Comm'r after paying the costs of this suit shall out of the money received and to be collected by him pay the balance to V. L. Shell on account of her debts reported by Comm'r Thos. J Rives. and said Special Comm'r shall make report to Court.

Jones & Stratton Pltff
To
France & Weeks Defts
In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of Special Comm'r John Y Harris dated 21st day of September 1887, to which report there is no exception and was argued by Counsel On Consideration whereof the Court approving said report doth confirm the same, and doth adjudge order and decree that the sale of the 57 1/8 3/4 acres of land therein reported to Benjamin Jones and N. W. Stratton be held firm and stable, and the Court doth further adjudge order and decree that when the said Benjamin Jones and N. W. Stratton the holders of the first lien on said land which exceeds the purchase price of said land shall pay to the said John Y Harris Special Comm'r. the costs of this suit, the said

Special Comm^r John W Harris shall execute to the said Benjamin Jones and N. W. Stratton a deed conveying to them the said tract of land with special warranty and the said Comm^r shall make report to Court

Ordered that the court be now adjourned until the first day of the next term

Beverly A. Hancock

F. Forest for Woman) Who sues for Pl^ff
m^r & Scott for Deers, in Vacation.
R. G. Boisseau adm^r &c
Circuit Court of Dinwiddie County, In Vacation
Manchester, Va. Jan 25th 1888.

Plaintiffs
Defts
} In Chancery

It appearing that reasonable notice of the application to the Judge of this Court in Vacation, at his office in Manchester Va. on this the 25th day of Jan. 1888, for an order in the above styled cause confirming a sale made to R. E. Boisseau of the property mentioned in said notice and in the report of Com^r A. Hamilton, this day filed has been given to the adverse parties, this cause, pursuant to said notice, came on this day to be heard in vacation by the Judge of said Court upon the papers formerly read and upon the report of said Com^r A. Hamilton, this day filed; of the sale made by him to said R. E. Boisseau of the Grove or Hotel property containing eight acres of land near Dinwiddie C.H. and was argued by Counsel. On consideration whereof, the Judge of this Court, approving the said Report of Com^r A. Hamilton, doth confirm the same, and adjudge, order and decree that the sales reported to Richard E. Boisseau be held firm and binding between the parties

To the Clerk of the Circuit
Court of Dinwiddie County;

Beverly A. Hancock
Jan^y 25th 1888.

Virginia At a circuit Court held for the County of Dinwiddie at the Courthouse thereof on Wednesday the 21st day of March 1888. and of the Commonwealth the 112th

Present Hon Beverly A Hancock Judge.

R. H. Bland Plaintiff
vs
Note for decree
Lucy & wife & others Defts } In Chancery

In the Circuit Court of Dinwiddie County, March Term 1888.
This cause, came on this day to be further heard upon the papers formerly read, and upon the report of Comr A Hamilton, with accompanying statement and vouchers therein mentioned, this day filed, to which no exception is taken, and it as argued by Counsel; On consideration whereof, the Court, approving the said report of Comr Hamilton, doth confirm the same, and it appearing to the Court that said Comr Hamilton has a balance of cash in his hands of $282.12, belonging to the fund, the Court doth Order and decree that he deposit the same in the Petersburg Savings & Insurance Co. of Petersburg, Va. and take therefor and interest bearing certificate of deposit payable upon the order of this Court, and file the same in the papers of this Cause, and it not being clear to whom said balance of the fund should be paid, the Court doth further Order and decree that Commissioner Hamilton proceed to inquire and report to whom and in what proportions said fund belongs and is payable, and said Comr shall make report to Court.

J. J. Mitchells Exr Plaintiff
vs
J. J. Mitchells Devisees & others Defts } In Chancery

This cause came on this day to be further heard upon the papers formerly read, and was argued by Counsel,
On consideration whereof, Jos. S. Budd, late Commissioner of the Court in this cause, having departed this life before he had fully executed his duties under decrees entered herein, the Court doth decree and order that Alexander Hamilton be and he is hereby appointed the Commissioner of the Court in this cause with all the rights, powers and duties under decrees in this cause, so far as the same are unexecuted, as existed in and devolved upon the said Jos. S. Budd prior to his death, and whose duty it shall be to proceed in the place and stead of said Budd to execute all of said decrees so far as the same remain unexecuted, except so far as said decrees required the payment

of money by the said Budd, but before the said Hamilton shall act as such Commissioner he shall enter into bond as such in the penalty of $5000. with security to be approved by the Clerk of this Court, and conditioned according to law and for the faithful performance of all his duties under this and all future decrees in this cause, and the Court doth further order that one of the Commissioners of this Court proceed to take and state the following accounts, viz;

1st. An account of the transactions of the late Jos. S. Budd as Comr in this cause, showing his receipts and disbursements as such; 2nd, An account of the real estate heretofore sold under decrees in this cause, showing the real estate sold, the purchasers, the prices, how much of the purchase money has been paid, and to whom and when, and the amounts of the purchase money now due, and an account showing any real estate of which J. J. Mitchell died seized and possessed which remains unsold with its fee and annual value; 3rd, An account of the debts outstanding against the estate of said J. J. Mitchell, with the dignities and priorities thereof; together with any other matter to be specially stated deemed pertinent by the Commissioner or requested by any party in interest, and Notice of the time and place of taking said accounts shall be given the parties, or be published once a week for four successive weeks in a newspaper published in Petersburg, Va. which publication shall be equivalent to personal service of notice upon all parties in interest, except the personal representatives of Jos. S. Budd and the personal representative of J. J. Mitchell and the purchasers of lands sold under said decrees who shall, if residents of this Commonwealth, have personal notice thereof; and it being suggested to the Court that Dr. H. S. Hunt, Munroe Chappell, Thomas Chambers and W. J. Spiers purchasers of lands sold under decrees herein, are in default in their payments, the Court doth further order and decree that they ~~may~~ be summoned to appear on the first day of the next term of this Court and show cause if any they can, why the lands respectively purchased by them should not be resold to pay the unpaid purchase money therefor, and in the event that said purchasers or any of them are non-residents then said summons shall be served by publishing the same once a week for four successive weeks in a newspaper published in Petersburg, Va. which shall be equivalent to personal service

thereof upon such non-resident purchaser or purchasers: and the said Hamilton, Comr, shall proceed to receive from the personal representatives of said Jas. S. Budd, late Comr, all money in the hands of said Budd, late Comr, which belonged to the funds of this cause and remained undistributed at his death, and all notes bonds, or other evidences of debt which were in the hands of said Budd, late Comr, given for the purchase money of lands sold under decrees herein and which remain unpaid at the death of said Budd, for which said money, notes, bonds or other evidences of debt said Hamilton, Comr, shall receipt to the said representatives of said Budd, and the said Hamilton, Comr, shall thereupon proceed to collect all such notes, bonds or other evidences of debt as he may so receive and which may due and payable, and shall proceed in all other respects to execute the decrees of sale heretofore entered herein in the place and stead of said Budd, late Comr, including the execution and delivery to any purchaser or purchasers of lands heretofore sold under decrees herein and fully paid for the good and sufficient deed or deeds with Special Warranty for the same, and said Comr Hamilton shall report to Court, and the Court doth further order and decree that the Clerk of this Court is empowered to take and said Comr Hamilton to execute in the Clerk's Office the bond required of said Comr Hamilton hereinbefore by this decree before the final adjournment of the Court for this term.

J. J. Mitchell Exor — Plaintiff
vs
J. J. Mitchell's devisees et als — Defts
} In Chancery

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Comr S. Hamilton, this day filed, to which no exception is taken and was argued by Counsel: On Consideration whereof, the Court approving the said report of Comr Hamilton, doth confirm the same, and adjudge, order and decree that the sale reported to Aug. Wright of the eight hundred acres of land, more or less, be held firm and binding between the parties, and said Comr Hamilton is directed to receive from said Aug. Wright, the purchaser, his cash payment and notes as per the terms of sale, and out of the same to pay the costs of sale of said lands and unpaid taxes due thereon, and then that he shall pay the residue of the cash payment to be in his hands to the Bank of Petersburg, or its attorney, and shall pass to the said Bank, or its attorney, the notes of said Wright for the differ-

ed payments at their cash value, said residue of said cash payment and said notes at their cash value to be receipted for by said Bank or its attorney as payment on account of the debt due to said Bank and secured by the deed of trust to R. St. Jones Jr. conveying said tract of land, and upon the payment of his purchase money in full by said Wright said Hamilton, Comr, and R. St Jones Jr., trustee in said deed, shall execute and deliver to said Wright a good and sufficient deed for said tract of land with special warranty, and said Comr Hamilton shall report to Court or the said Wright may take a deed for said land and give deed of trust on same to secure the deferred payments.

JJ

Webb. creditor

vs

Webb. admr &c

Pltff

Defts

} In Chancery.

This cause came on this day to be further heard upon the papers formerly read and was argued by Counsel, On Consideration whereof the Court doth adjudge, order and decree that the appointment of R St Jones Jr. as a Commissioner of this Court in this cause under decrees entered herein be and the same is hereby revoked and his powers as such Commissioner terminated, the said Jones so requesting, and Alex Hamilton is hereby appointed the Commissioner of this Court in this cause, whose duty it shall be to receive from said Jones as such Commissioner all moneys that have been received by said Jones as such Commissioner which has not been properly paid out or distributed, and also all notes or bonds of purchasers of land sold under decrees herein yet in the hands of said Jones and remaining unpaid, and said Commissioner A Hamilton shall receipt to the said Jones for all such money and notes or bonds as may be delivered to him by said Jones, and said Comr A Hamilton shall after paying any unpaid costs of this cause pay out and distribute any such money to be received by him to the parties entitled thereto as fixed by the decrees herein, and shall collect all such notes or bonds as to be received by him ~~& the parties entitled thereto as fixed by the decrees herein~~ and pay over and distribute the same to the parties entitled in the same manner, but said Commissioner A Hamilton, shall not act under this decree until he shall have entered into bond in the penalty of $ with security to be approved by the Clerk of this Court and conditioned according to law for the faithful performance of his duties under this and all future decrees in this cause, and the Court doth further order that one of the Commissioners of this Court present to it the following accounts, Viz, 1st An account of the real estate of which Dr Webb died seized and possessed, and what disposition has been made of the same, and if sold, to whom, when, and at what price, and what portion of the purchase money remains unpaid and by whom; 2d An account of the transactions of R St Jones late Comr in this cause, showing his receipts and disbursements as such Comr together with any other matter to be specially shown deemed pertinent by the Commissioner, or requested by any party in interest, and notice of the time and place of taking said accounts shall be given to the parties hereto, except the non residents, or notice of the time and place of taking the same shall be published once

owed for four successive weeks in some paper published in Petersburg Va. which publication shall be equivalent to personal service of notice upon all parties in interest except said N.H. Jones Jr who shall have personal service thereof.

E.N. Young &c &c vs Dyson &c. } Pltff / Defts. } In Chancery.

This day this cause came on to be heard, having regularly matured on Rules upon the Bill of the Pltff as to the defendants thereto filed the answer of the adult and infant defendants. The answer of the said infant defendants by A.M. Organ guardian ad litem, duly appointed on Rules, to which the pltff replies generally, and on the depositions of witnesses and was argued by Counsel. And it being suggested that one of the infant defendants Isidé Dyson has attained adult age, on her motion by Counsel, it is ordered that she be henceforth proceeded against as an adult defendant herein. On consideration whereof the Court being of opinion that the interest of the infant Willeman C. Dyson will be promoted and the rights of no person will be violated by a sale of the lands in these proceedings described the Court doth adjudge, order and decree that Chas F Collier be and he is hereby appointed a Special Commissioner to sell the lands in the Bill of the pltff described either publicly or privately and if publicly at such time and place and upon such notice as may seem meet to said Commissioner, and whether publicly or privately upon such terms as to cash or credit as said Com'r shall deem best in the interest of the parties, of all which said Commissioner shall make report to this Court, But the Court doth further order that said Com'r Collier before discharging any duty hereunder shall enter into bond before the Clerk of this Court with security to be approved by him in the penalty of $5'00 00 conditioned according to law, for the faithful discharge of his duties under this or any other decree which may be entered in this cause.

W.P. Chase Pltff / Vs / Dyson's admr &c &c Defts } In Chancery

This cause came on this day to be further heard upon the papers formerly read, and upon the Petition of Oscar Dyson W.P. Chase and Etta A. his wife, Joseph Cregar and Laura his wife, this day filed in the cause, and was argued by counsel, and on consideration thereof it appearing to the Court that Monroe Dyson, who was the brother of the said Oscar Dyson, Etta A. Chase and Laura Cregar has not been heard from for more than seven years so that the legal presumption is that he is dead and it appearing that the said brothers and sisters are his sole distributees and heirs at law, the Court doth adjudge ordered and decree that W.R. McKenney Commissioner in this—

cause do pay to the said Oscar Dyson, Etta A. Chase and Laura Gregar the share of the said Monroe Dyson of the proceeds of the sale of the real estate sold in this cause in equal shares, taking their receipts therefor upon their executing bond to refund the said amount to Monroe Dyson in case he is alive & shall assert his claim thereto, and make report to Court.

W. E. Parish Pltff
vs
Ricketts & wife &c Defts } In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of Comr W. R. McKenney bearing date March 20th 1888, and this day filed in this cause, to which report there is no exception filed, and was argued by counsel, On Consideration whereof the Court approving said report doth confirm the same - and it appearing to the Court that the said Commissioner McKenney has fully and properly disbursed the sum of Three hundred & forty four & 16/100 Dollars, in his hands according to his report filed & confirmed in this cause at the September Term 1887. of this Court; and it further appearing that nothing further remains to be done in this cause, it is ordered that the same be removed from the docket

R. C. Elder Gdn &c Pltff
vs
L. W. Perkins Extr &c Defts } In Chancery

This cause came on this day to be further heard upon the papers formerly read, and upon the report of J. G. Harris filed March 9th 1888, to which no exception is taken, and was argued by Counsel, On Consideration whereof the Court approving said report of Comr Harris doth confirm the same and the Court doth adjudge, order and decree that the appointment of R. H. Jones Jr as Comr of the Court in this cause under decree heretofore entered be and the same is hereby revoked, and his powers as such Comr terminate, said Jones having so requested. And it appearing to the Court that said R. H. Jones Jr did as the Comr of this Court appointed under the decree entered in this cause at the April Term 1880. execute the bond required of him as such Comr by said decree at the proper time and as required

by said decree with E.L. Perkins as his security in the said bond and that the said late Comr R St Jones Jr has received the sum of $861.19 of funds as such Comr or acting Comr which he has failed properly to distribute or account for, of which sum of $861.19 a share of $619.99 is principal and the sum of $241.20 is interest, and that the said Jones as such late Comr or acting Comr is indebted to the fund in this cause in the said sum of $861.19 with interest thereon from the 8th day of March 1888 until paid, the Court doth further adjudge, order and decree accordingly and that said R St Jones Jr do pay to Alexander Hamilton, who is hereby appointed a Comr of this Court for the purposes herein mentioned, the said sum of $861.19 with interest thereon from the 8th day of March 1888 until paid, and that execution issue therefor in favor of said Comr Hamilton; and it further appearing to the Court that the estate of L.H. Perkins is indebted to E.L. Perkins his Exor in the sum of $31.75 with interest on $23.40 principal thereof from the 8th day of March 1888 until paid and that said Estate is also indebted to the Estate of Jno Hardaway in the sum of $297.52 with interest on $258.86 principal thereof from the 8th day of March 1888 until paid, and that of the interest fund of $241.20 as of March 8th 1888 due by R St Jones Jr late Comr or acting Comr EJ Elder is entitled to the sum of $53.74 and Martha A Lewis to the sum of $57.68 and RC Elder Gdn of Anna Christie Hadson to the sum of $76.79 and Wm E Perkins to the sum of $53.59 and that the said Wm E Perkins is entitled to have paid him when realized the balance of the principal due him of $4.97 as of March 8, 1888, and that RC Elder Gdn of Anna Christie Hadson is entitled to have paid him when realized the principal due his ward of $116.64 as of March 8, 1888, and that the amounts of principal when realized belonging to E J Elder and Martha A Lewis, viz: $81.64 and $87.47 they have only a life Estate in, the Court doth further adjudge order and decree accordingly, and that said Comr Hamilton shall when he shall have collected the amount due the fund as aforesaid by R St Jones Jr late Comr or acting Comr pay to the said E L Perkins and to the personal representative of John Hardaway or to their Attorneys respectively the aforesaid debts respectively due them out of the principal sum to be so collected, and shall pay out of the interest fund so to be collected to EJ Elder the sum of $53.74 to Martha A Lewis the sum of $57.68 to RC Elder Guardian of Anna Christie Hadson the sum of $76.79 and to Wm E Perkins the sum of $53.59 to them or their Attorneys, and shall pay out of said principal fund when collected to W E Perkins the sum of $4.97 balance of principal due him and to RC Elder Gdn of Anna Christie Hadson the sum of $116.64 principal due her with interest as aforesaid to them or their attorneys, and that said Comr

Hamilton shall when realized, deposit in Bank to the Credit of the Court in this Cause the Sums of $81.64 and $87.47 principal on which E J Elder and Martha A Sims are respectively entitled to life Estates, arising from said principal sums unpaid Court in this suit, and Comr Hamilton shall take Vouchers for all disbursements of Money to be made by him and report to Court, filing said Vouchers.

But before the said Comr Alex Hamilton shall act as such under this decree he shall enter into Bond in the penalty of $1000.00 with security to be approved by the Clerk of this Court and Court finds according to law and for the faithful discharge of his duties under this and all future decrees in this Cause.

And E L Perkins surety in the bond of R H Jones Jr Comr in this Cause daimg that he is not liable as such surety for all the funds rec'd by said Jones Jr as Comr or acting Comr as aforesaid, the Court doth further order and decree that said E L Perkins be summoned to appear on the first day of the next term of this Court to show cause if any he can why a decree should not be entered against him requiring him to pay whatever sum of money that may be then due and unpaid to the fund in this Cause by said Jones Jr late Comr or acting Comr herein, and the Court doth further order and decree that Charles N, B Jr, and A F Lee the purchasers of the lands sold under decree in this cause be summoned to appear on the first day of the next term of this Court, to show cause if any they can why the lands so purchased by them, or so much thereof as may be necessary should not be resold to pay the balance of unpaid purchase money for said lands due by them.

R & Lula G Fraser Pltff
vs
Tuckers admrs & als Defts
} In Chancery

By consent of parties in open Court given this cause is taken for consideration and decree in vacation, with leave to the parties to take depositions in support of their respective exceptions to the report of J L D Kingsale Comr

Hamlins Exors Pltff
vs
Hamlin Wm B Defts
} In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner John Mann made to this Term of the Court and was argued by Counsel. On Consideration whereof the Court approving the said report to which there is no exception, doth

confirm the same and doth adjudge, order and decree that the sale made by Commissioner John Mann to W.E. Gristead of tract of land number four on plat of Thomas D. Hamlins land made by Thomas F. Rivers Surveyor, dated July 9th 1878 and to be recorded in the Clerks office of the County Court of this County, containing one hundred and seventy eight acres: be held firm and stable between the parties to this suit, And that said Commissioner execute and deliver to the said Gristead a deed, with Special warranty, conveying the said tract of land to him.

Warren Baldwin Pltff
vs
Rufus Baldwin's admr & others Defts } In Chy

This cause came on this day to be further heard upon the papers formerly read and upon the report of W.R. McKenney, Com'r. bearing date March 19th 1888 and this day filed in this cause, to which report there is no exception filed, and was argued by Counsel, On Consideration whereof the Court doth adjudge, order and decree that the said report be and the same is hereby confirmed. And the Court, doth further adjudge, order and decree that the said Commissioner McKenney do, after having paid any unpaid costs of this suit, distribute the balance of two hundred and seventy two dollars and forty four cents in his hands according to said report among the parties interested therein according to their respective interests as set forth in the Bill filed in this cause, and make report to Court

Wm Ellenbrook
vs No 1
D S Keeler

D S Keeler
vs No 2
Butterworth adm } In Chy

These causes came on this day to be further heard upon the papers formerly read, upon the report of Com'r Thos F. Rivers dated and filed March 12 1888, made under the decree entered by this Court

at its April term 1887 in said cause, and upon the exception to said report filed by Mrs Ettenbrough plaintiff in cause No 1. above styled and by James Hargrave Ex'x. and were argued by Counsel.

On Consideration whereof, all parties consenting thereto in open Court these causes are submitted to the Judge of this Court for decision and decree in vacation

Byrd Pltff
vs
Byrd Defts } In Chy

This cause this day came on to be heard on the bill of the complainant with the exhibits therewith filed, taken for confessed as to the adult defendant S M Byrd on whom process has been duly served, and he still failing to appear and plead answer and demur to said bill and was argued by Counsel And by consent of all parties in interest the Court without deciding any question in this cause doth order that the same be remanded to the Circuit Court of the City of Petersburg for further proceedings to be had therein.

Mary J Ledbetter who sues for &c Pltff
vs
J W Sutherland & adm'r with the will annexed of John T Sutherland and in his own right, Catherine E Sutherland, W E Sutherland, A J Sutherland, Elizabeth D Spain and John C Spain, her husband, and Kate M, Cora M. Bessie S, and Lucy V. Spain, the last four named being minors Defts } In Chy.

On Motion of the plaintiff John C Spain is appointed Guardian ad litem to the infant defendants, Kate M, Cora M, Bessie S, and Lucy V Spain, and leave given him to file his answer in this cause, and thereupon this cause which has been regularly set for hearing came on this day to be heard upon the Bill and Exhibits filed, the answer of the said infant defendants by their said Guardian ad litem this day filed and upon the Bill taken for confessed as to all the adult defendants and was argued by Counsel

On Consideration whereof, the

Court doth order and deem that an of the Commissioners of this Court proceed to take and state the following account, viz:
1st An account of the transactions of D.W Sutherland as administrator with the Will annexed of John T. Sutherland decd
2nd An account of the real estate whereof said John T Sutherland died seized and possessed, with its fee and annual value;
3rd An account of the debts due by the said John T. Sutherland or his estate, with their dignities and priorities; together with any other matter deemed pertinent by the Comr. to be specially stated, or required to be stated by any person in interest, and said Comr. shall report to Court. Notice of the time and place of taking said accounts shall be published once a week for four successive weeks in a newspaper published in Petersburg Va., which publication shall be equivalent to personal service of notice upon all parties interested, except D. W Sutherland adm'r of John T. Sutherland, who shall have personal service thereof.

B.B. Shelley &c
&
B.W Shelley adm &c. } Petff
} Defts } In Chancery

This day came Joseph W Phillips assignee of Chas Benj- Shelley (sometimes called Chas. Benj. W. Shelley,) and by leave of the Court filed his petition in this Cause and on his motion he is admitted a party plaintiff in this Cause on the usual terms;
And thereupon this Cause came on this day to be heard on the papers formerly read on the report of receiver Robert Gillian this day filed, on the petition of Joseph W Phillips assignee &c and was argued by Counsel. On consideration whereof, the Court approving said report to which there is no exception doth confirm the same and doth adjudge order and decree that said receiver Robt Gillian do deliver to said Joseph W Phillips Assignee as aforesaid, the certificate of deposite of the Petersburg Saving & Insurance Company No 8,756 dated Oct 2nd 1875 and being for the sum of $273.62 with full authority in said Joseph W Phillips to collect the same and thereon as of his own property, and make report to Court. But the Clerk shall not furnish the assignee J.W. Phillips a copy of this order, nor shall the receiver R.O. Gillian deliver said Certificate to him until the unpaid cost in this cause have been paid.

Thos F Rives &c
&
Francis Williams. } Petff
} Defts } In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner

Thos F Rives this day filed in this cause by leave of Court, to which report there are no exceptions filed nor was argued by Counsel, On Consideration whereof the Court approving said report doth confirm the same, and doth adjudge order and decree that the sales therein reported as having been made of 25 acres of land to Littleton Parham at the price of $75.00 and of 35 acres to Ben Tucker at the price of $35.00 be held firm and stable between the parties thereto: and it appearing to the Court from the said report that the said Littleton Parham and Ben Tucker have paid in full the said purchase prices, it is ordered that the said Com'r Rives execute to each of them a deed, with special warranty for the tracts of land purchased by them respectively, and the Court doth further order that said Com'r Rives do pay any unpaid Costs of this suit, including the sum of $12.50 for 5 Deeds three of which have been, and two of which are yet to be executed to the purchasers of the real estate sold by said Com'r in this Cause, and any taxes delinquent on the lands so sold including those for 1886 and the balance which shall then remain in his hands he shall distribute among the Creditors of Francis Williams according to the report of Com'r J H Harris heretofore filed and confirmed in this Cause, and make report to Court.

Harrisons Widow et als
v.
Harrisons Adm'r & Heirs.

Pltffs
Defts
} Dr Chy

This Cause came on this day to be again heard upon the papers formerly read, and was argued by Counsel;
On consideration whereof the Court doth order and decree that one of the Commissioners of this Court proceed to state the following accounts and make the following inquiries, viz: 1st. An account of the real estate whereof Richard Harrison died Seized and possessed, with its fee and annual value, and what disposition has been made of the same, if sold to whom, when and at what price and whether paid for or not. 2nd. A further account of the transactions of Jno J Mitchell, late Admin'r of the estate of Richard E Harrison showing the state of the accounts of said Mitchell as such adm'r and whether he has accounted for all the assets which came into his hands? 3rd. An account of the receipts and disbursements of R H Jones Jr as Com'r or acting Com'r under decrees in this Cause, and whether said Jones has executed any bond or bonds as such Com'r under said decrees, if so what and when, and if such as required by said decrees. 4th. A further account of the debts, if any, due by the estate of said Harrison, with their dignities and priorities and who are entitled to the real and personal estate of said Harrison after the payment of his debts, and whether his widow has

had dower assigned to her, and if so whether in kind or money and if in money, what money has been paid to her? and any other matter to be specially stated deemed pertinent by the Comr or any person in interest, and said Comr shall report to Court; and notice of the time and place of taking said account shall be given to the parties hereto, and to said R H Jones Jr or publisher once a week for four successive weeks in a newspaper published in Petersburg Va which publication shall be equivalent to personal service of notice upon all parties in interest, except said Jones & the Executor of Jas J Mitchell who shall have personal service of such notice.

P Priest for &c
vs
Robert G Boisseau Admr & Others

Plff
Deffts

In Chy

This day this Cause came on to be further heard upon the papers formerly read, upon the report of Comr A Hamilton of sale made to R E Boisseau filed Jany 26th 1888, in vacation pursuant to notices duly served upon the parties, upon the order entered in vacation on said 25 Jany 1888. Confirming said sale, and upon the report of Comr A Hamilton with accompanying statement and vouchers thereto mentioned this day filed to which no exception is taken and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that all of said proceedings in vacation be and the same are hereby ratified, approved and confirmed, and the Court approving the said report of Comr Hamilton, doth confirm the same and adjudge order and decree that said Comr Hamilton proceed to collect the notes given by said R E Boisseau for his deferred payments as they become due, or prior thereto should said Boisseau so desire absolving enamored interest; and that upon the payment by said Boisseau of all his purchase money said Comr Hamilton shall execute and deliver to said Boisseau a good and sufficient deed for the Hotel or Store property of Eight acres purchased by him with special warranty, and it appearing that said Hamilton Comr has in his hands a balance of Cash of $190.52 belonging to the fund, the Court doth further order that out of the same he shall first pay any unpaid costs of this suit, and any taxes unpaid upon the said Hotel or Store property up to Jany 1st 1888, and then that he shall deposit the residue of the fund in his hands in the Petersburg Savings and Insurance Com. of Petersburg Va and take therefor an interest bearing Certificate of deposit payable to the order of this Court, and said Comr shall file said Certificate in the papers in this cause and report to Court.

R H Jones & W R McKenney Aspers Pt

Bs Dr Chancy.

Bungs &c
Dfts

This cause came on this day to be further heard upon the papers formerly read and upon the Summons to shew cause why the prayer of the Petition of Mark Bungs. filed in this cause at the September term 1887 of this Court, should not be granted which Summons was returned duly executed on the resident heirs at law of William Bungs. deceased and upon the order of Publication order against the non resident heirs of said William Bungs. deceased which order of publication appears to the Court to have been duly published according to law, and was argued by Counsel. On Consideration whereof the Court doth adjudge, order and decree that Wm McChancy who is hereby appointed a Commissioner of this Court for the purpose, do proceed to make sale at public auction, either at Dinwiddie Court House, on some County Court day, or in the City of Petersburg, after due advertisement for at least one week in the Daily Appeal or some other Newspaper published in the City of Petersburg, of the tract of land known as the "Greenway Tract" in the proceedings mentioned on the following terms 1/4 Cash and the balance in Credits of 6. 12 & 18 months. with interest added for notes or bonds and title retained till the final payment. But that said Commissioner shall not proceed to make the said sale until he shall have and take bond in a penalty of One Thousand Dollars with security to be approved by the Clerk of this Court conditioned according to law for the faithful performance of his duties under this or any future decree in this cause, and that said Commissioner shall make report to Court.

Elders exrs &c
Pltffs
vs
J. B. Ellis exr &c
Dfts
} In Chancy.

This cause came on this day to be further heard upon the papers formerly read, and was argued by Counsel. On Consideration whereof the Court doth adjudge, order and decree that the appointment of R. H. Jones Jr. as a Commissioner in this cause under decree entered herein be and the same is hereby revoked and his powers as such Commissioner terminated, the said Jones so requesting, and Alex. Hamilton is hereby appointed the Comr of the Court in this cause whose duty it shall be to receive from said Jones Commissioner all moneys in his hands received by said Jones as Comr which has not been properly paid out or distributed, and also all notes or bonds of

purchasers of lands sold under decrees in this Cause yet in the hands of said Jones, and remaining unpaid, and said Comr Hamilton shall after paying any unpaid costs of this suit pay out and distribute any such money to be received by him to the parties entitled as fixed by the proceedings in this Cause, and shall collect all such notes or bonds to be received by him, and pay out and distribute the same to the parties entitled in the same manner, and said Comr Alexr Hamilton shall report to said Jones for all such money and notes or bonds as may be delivered to him by said Jones; but said Comr Hamilton shall not act under this decree until he shall have entered into bond in the penalty of $500.00 with security to be approved by the Clerk of this Court, and conditioned according to law, and for the faithful performance of his duties under this and all further decrees in this Cause, and said Comr shall report to Court. And the Court doth further order that one of the Comrs of this Court proceed to take the following accounts, viz:

1st. A further account of the transactions of R D Temple as administrator of Thos B. Elder dec'd showing the assets which have come into his hands or with which he is chargeable, and what disposition he has made of the same,

2nd An account of the real estate whereof Thos B. Elder died seized and possessed, and what disposition has been made of the same, and if sold, when to whom and what prices, and whether paid for.

3d An account of the transactions of R A Jones Jr late Comr in this cause, showing his receipts and disbursements as such Comr and said Comr shall report to Court with any matter deemed pertinent by him to be specially stated or requested to be stated by any party in interest, Notice of the time and place of taking said accounts shall be given to the parties hereto and to said R A Jones Jr. or notice of the time and place of taking said accounts may be published once a week for four successive weeks in some paper published in Petersburg Va which publication shall be equivalent to personal service of such notice upon all parties in interest except R D Temple admr of Thos B. Elder and said R A Jones Jr who shall be personal service thereof.

Domiam &c.

Pettit
D.
Comrs wife &c ..... Defts } Jr Chancery.

This cause came on this day to be again heard upon the papers formerly read and upon the report of Comr A Hamilton with accompanying statement and vouchers therein referred to, to which no exception is filed, and upon the petition of J J Cocke, J Mc Jaffray, & Est & Chambers this day presented to the

Court & upon their motion to file the same and was argued by Counsel, On Consideration whereof it appearing to the Court that said Comr. Hamilton has pursuant to the decree entered in this cause at the September Term 1869 Disbursed and paid to the following persons the sum of $1250. which was in his hands for distribution Viz. to Emma H. Chase $342.80 to A Dominick $340.77 to Gertrude Berjeau $34.62½ to W E Lewis $34.63 to John Mann agent of Henry Lewis wife $129.37½ to B B Vaughan Jr. $109.25 to Wm Edinborough $28.37 and to W B McKinney trustee of R H May & Jones for benefit of Bank of Petersburg $99.89 and that said Com. Hamilton has paid costs in this cause amounting to the sum of $18.93 and now has in his hands the sum of $169.92 of the sum ~~deposited~~ reserved heretofore to pay costs and Counsel fee; the Court approving the said report of Com Hamilton doth confirm the same, and adjudge order and decree that the sale of one hundred acres of land to E H Chambers at the price of $200 reported by said Com. be held firm and binding between the parties, and that said Com Hamilton shall collect the notes given by said Chambers for his deferred payments as they become due or prior thereto obtaining interest thereon the said Chambers desire to anticipate their payment, and upon the payments in full of his purchase money by said Chambers that said Com Hamilton shall execute and deliver to said Chambers a good and sufficient deed for said one hundred acres of land with special Warranty, and said Com Hamilton shall make report to Court and the Summons upon said Chase, Dominick, Berjeau, Lewis, Mann agent, Vaughan, Edenborough, McKinney trustee and W. E. Lewis under the Henry Lewis decree directing them to appear on the first day of this term of this Court, and show cause if any they can why a reasonable fee out of the funds under the control of the Court should not be paid to Collin Bell and Duncan Hamilton for the legal services rendered by them in this cause in obtaining payment of the unpaid purchase money due by the several purchasers, having been duly served upon or acknowledged by the said persons so summoned and they failing to appear and show cause against the allowance of such fee, the Court doth allow to said Collin Bell and Duncan Hamilton the sum of $150. as a fee for such services rendered by them and doth order and decree that said Com Hamilton out of the sum of $169.92 now in his hands and heretofore ordered to pay such fee and costs, shall pay to said Collin Bell and Duncan Hamilton the sum of $150. and that he take a voucher for such payment and file the same in the papers of this cause, with his future report to Court and the Court doth further order that said Com Hamilton out of the sum of $150. in his hands paid by said Chambers and the sum of $19.92 to be in his hands in addition after the payment of the fee aforesaid, shall pay any taxes due and

unpaid upon the lands sold under decree in this cause, for which the funds in this cause are liable, including the taxes to Jan 1 1888 on the 100 acres of land sold to said Chambers, to the extent that said funds coming in his hands shall be sufficient to pay said taxes. And the Court continue at this time permitting the said petition of J.J. Locke, J.W. Jackson, & Eli Chambers to be filed & passing upon any questions raised by said petition both as to the other parties in interest. And the next term of this Court to object to the filing of said petition and to demur to or answer the same,

Ordered that the Court be adjourned until tomorrow morning at 10 o'clock A.M.

Beverly A. Hancock

Thursday March 22d 1888

Present Hon Beverly A. Hancock Judge.

J.A. Kirby — Pltff
Sally wife — Defts
} In Chancery.

This cause came on this day to be further heard upon the papers formerly read and upon the report of B.H. Ragsdale Sheriff this day filed. On Consideration whereof this cause is continued over till the next term,

James T. Stratton — Pltff
&
Francis T. Deller — Defts
} In Chy.

This cause coming on this day to be further heard upon the papers formerly read and upon the report of Commissioner Jno W. Harris this day filed and was argued by Counsel. On Consideration whereof the Court affirming said report to which there is no exception, and it appearing to the Court that the objects for which this suit was brought have been accomplished, doth adjudge order and decree that the same be dismissed from the docket,

Francis &c. — Pltff
&
Francis &c. — Defts
} In Chancery.

This cause coming on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner

Jno. G Wain dated the 21st day of March 1888. this day files to which report there are no exceptions and was argued by Counsel On Consideration whereof the Court approving said report and the sales of 338½ acres of land to Wm E Walker and 149¼ acres to R H Edmunds doth confirm said report and said sales & doth adjudge order and decree that said sales so made be kept firm and stable and the Court doth further adjudge order and decree that said Special Commissioner pay to B J Eppes and John G Wain an attorney fee of fifty dollars which is hereby allowed them for their services in this cause pay the incidental costs of this suit and distribute the balance in his hands pro rata among the Creditors of Jno H. Ward dec'd. Which debts are reported by Chas W. P. McCreery. and said Special Commissioner Wain is hereby directed to withdraw from the papers in this cause the bonds for the deferred payments for the land sold by him & collect the same as they become due and distribute the money as collected among the aforesaid Creditors pro rata and make report to Court,

T. E. Leary wife
&
Otelia Leary widow.

Pltffs
Defts
} Dr Chancery.

This cause coming on this day to be further heard upon the papers formerly read, and upon the report of Special Commissioner J. L. White reporting appointed at the April term 1889 of this Court to assign dower to Otelia Leary the widow of S H Leary dec'd out of the real estate of which her late husband died seized & possessed. and upon the report and amended report of Commissioner Thos F Rives bearing date respectively on the 10th day of September 1889 and the 10th day of March 1888 to which reports there are no exceptions and was argued by Counsel On Consideration whereof the Court doth adjudge order and decree that the report above mentioned be and the same are hereby confirmed and the Court doth further adjudge order and decree that Wm H James & Thomas F Rives be and they are hereby appointed either one of whom or both may act to make sale as Special Commissioners of this Court, of the real estate in the proceedings mentioned, to wit: of the 338½ acres in fee and the reversion in the 90 acres of land which was assigned as Dower to Otelia Leary, the widow of S H Leary in the premises, at Dan Marina, in the County of Dinwiddie, Dinwiddie Court house, in the City of Petersburg after ten days notice by hand bills posted at five public places in Dinwiddie County, and by advertisement of the time terms and place of sale in one of the newspapers published in the City of Petersburg for one third cash balance in two equal annual instalments taking from the purchaser bonds for the deferred payments, and said Commissioners on the one

acting shall make report to Court; but that said Comr or the acting Comr shall not proceed to make said Sale until he or they shall have entered into a bond before the Clerk of this Court, in the penalty of $1500. with security to be approved by him conditioned according to law for the faithful discharge of his or their duties under this or any future decree that may be entered in this cause.

E H Allen vrtus
vs
Geo Williams adr &c.

Pltffs.
Defts.
} Jr Chancery.

This cause came on this day further to be heard upon the papers formerly read, and upon the report of said ~~Special~~ Commissioner Williams St James ~~heretofore~~ filed on the 22 day of March 1888, to which report there is no exception, and was argued by Counsel. On Consideration whereof the Court doth adjudge order and decree that the report aforesaid be and the same is hereby Confirmed. when and as the purchaser shall have paid the cash payment and executed his bonds for the deferred payment provided. This is done within 30 days from the rising of the Court. and that when this shall be done the said Commr reported to E H Allen of the 19 acres of land in the proceedings mentioned be held firm and stable between the parties. And the Court doth further adjudge order and decree that when the said E H Allen shall have fully paid to said Commissioner Jones all of the purchase money for the real estate in the proceedings mentioned, that he shall as Special Commissioner of this Court execute to him a deed with Special warranty for the same, and after the payment of the costs of this suit, including the cost of sale, he shall make distribution of the balance of proceeds of sale in his hands in accordance with the report of Commissioner Thomas F. Riverfield in this cause, and that said Commissioner Jones shall make report to Court,

J Y Phillips vrtus
vs
Susan Harper admx vrtus.

Pltff
Defts
} Jr Chy

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner John Y Harris filed the 22d day of Sept 1888 and upon the report of Special Commissioner Robert H Jones Jr. this day filed. to which report there are no exceptions, and was argued by Counsel, and it being suggested to the Court that since the last decree in this cause Mrs Susan Harper the widow and admx of A M Harper dec'd has departed this life, and that J Y Phillips has qualified as administrator of said Susan Harper, On Consideration whereof the Court by Consent of said administrator J Y Phillips doth adjudge order and decree that this cause be revived in his name

named as the administrator of Susan Harper dec'd, and the Court doth adjudge order and decree that the report above mentioned of Commissioner John G Harris be and the same is hereby confirmed except as to that part which ascertained the fair cash value of the seven undivided of Susan Harper in the real estate in the proceedings mentioned, she having departed this life before the confirmation of the report aforesaid. And the Court doth further adjudge order and decree that the report of Special Commissioner Robert H Jones Jr of the sale made to Peter F Baugh of the 386 4/10 acres of land in said report mentioned be hereby confirmed and stands between the parties, as the report of R H Jones Jr. the Court doth further adjudge, order and decree that his powers as Special Commissioner in this cause be and they are hereby revoked and William H Jones is appointed a special Commissioner in the place and stead of said R H Jones Jr. and said Commissioner W H Jones is directed to collect of Special Commissioner Robert H Jones Jr. the balance of $51.00 now in his hands which when collected by him he is directed to pay to Executor Adm. D B N of C B Parker in part satisfaction of his debt proven in this cause. And he is further directed to get the bonds for the deferred payments executed by Peter F Baugh from said Commissioner Robert H. Jones and said Robert H Jones Jr is ordered to deliver the same to him. on his taking a receipt therefor from said W H Jones Commissioner, And said W H Jones Com'r is directed to collect ~~[illegible]~~ said bonds as they become due and deposit the proceeds the same in the Petersburg Savings and Insurance Company to the credit of the cause in this cause. File an official of said deposit in the papers of this suit, And the Court doth further adjudge order and decree that when the said Peter F Baugh shall have fully paid to said Commissioner W H Jones his purchase bonds for the 386 4/10 acres of land in the proceedings mentioned he shall as a Special Commissioner of this Court execute to him a deed with special warranty for the same, and that said Commissioner Jones shall make report to Court, And the Court doth further adjudge order and decree that said Commissioner W H Jones shall as a special Commissioner of this Court proceed to execute the decree entered in this cause on the April ter 1888. as to the sale of the 446 68/100 acres of land the residue of the real estate in the proceedings mentioned and that said Commissioner Jones shall make report to Court but that said Commissioner W H Jones shall not proceed to act as Special Commissioner under this decree either in collecting the proceeds of the sale herein reported by Com'r Robert H Jones Jr. or in selling the 446 68/100 acres of land until he shall execute a bond in the penalty of $2000.00 with security to be approved by the Clerk of this Court, conditioned according to law for the faithful discharge of this trust under this decree

or any further decree that may be entered in this cause.

Ordered that all cases not otherwise disposed of be and the same are hereby Continued,

Ordered that the Court be adjourned until the first day of the next term

Beverly A. Hancock

In the Circuit Court of Dinwiddie County.

In Vacation.

E. N. Young. Guard &c &c. Plaintiff

vs. In Chancery.

Snyder others. Defts.

This day this cause came on to be heard before the Judge of the Court in Vacation upon the papers formerly read, and upon the report of Chas. A. Collier Commissioner dated the 26th day of March 1888. And was argued by Counsel, On Consideration whereof the Court approving the said report, to which there is no exception, doth Confirm the same, and doth adjudge order and decree that the sale of the Land, in said report reported, be firm and binding between the parties, and that the said Collier Comr execute and deliver to the purchaser Wood Young a deed with Special warranty for said land, and said Comr Collier is further ordered to make report to Court: said land being about 114 acres situate in Dinwiddie County Va. about 16 miles from Petersburg & bounded by the lands of Ramey Butterworth, on the West & South by the lands of Drewry Young, in the East, and by the Plank Road in the North.

To Clerk of
Dinwiddie Circuit Court.

Beverly A. Hancock.
April 4th 1888.

Virginia. At a Circuit Court held for the County of Hanover at the Courthouse thereof on Friday the 21st. day of September 1888, of the Commonwealth 113th

Kirby per Friend &c. Pltff
(&)
Paschal Tucker's Ex's & others Defts } In Chancery

This cause came on this day to be further heard upon the papers formerly read and was argued by Counsel, on consideration whereof the Court doth adjudge, order and decree that one of the Commissioners of this Court do proceed to take the following accounts and make the following enquiries:
First: An account of the transactions of Robert H. Jones, Jr. and B. J. Epes, Commissioners appointed under decree rendered in this cause at the October Term 1871 of this Court, which account shall show what lands were sold by the said Commissioners or either of them under authority given by the said decree, to whom sold, at what price, what amount of the purchase price was paid in cash to the said Commissioners or either of them, what amount has been paid to said Commissioners or either of them on account of the deferred payments agreed to be paid by the purchasers of the said land, what disposition has been made of the cash payments so collected; what disposition has been made of any collections made on account of the said deferred payments, and whether the said Commissioners or either of them executed the bond required by the decree of the said October Term 1871:
Second - An account showing in whose possession the lands mentioned in the said decree of the October term 1871 now are and under what claim, if any, the parties in possession now holds the said lands:
Third - An account showing what lands were sold by Robert H. Jones, Jr. and B. J. Epes, Commissioners appointed under a decree of the March Term 1874 in this cause, or by either of them, to whom sold, at what price, what amount of the purchase price was paid in cash, to the said Commissioners or to either of them, what amount has been paid to said Commissioners or either of them on account of any deferred payments agreed to be paid by the purchasers, if any of said lands, what disposition has been made of the cash payments so collected, what disposition has been made of any

collections made on account of said deferred payments, whether the said Commissioner or either of them executes the bond or bonds required by the said decree of the March term 1874;
Fourth: An account showing in whose possession any lands which may have been sold as aforesaid under authority given the said Commissioners, or either of them, by the said decree of the March term 1874, and under what claim, if any, the parties now in possession hold the said lands;
Fifth, An account any of the lands which still remain unsold
Sixth - An account showing what amounts have been paid on account of the debt mentioned and described in the decree rendered in this cause at the October term 1871 of this Court as due by the Estate of Paschal Tucker, deceased, to the Trustee of Lucy J. Kirby & Children, when paid, to whom and by whom paid and to whom any balance which may remain unpaid is now properly payable, which accounts the said Commissioner who shall take the same shall report to Court with any matter specially stated which he shall deem pertinent or which any party interested shall request to be so stated, But that such Commissioner shall not proceed to take the said accounts until he shall published once a week for four successive weeks in the Index Appeal, or some other newspaper published in the City of Petersburg, Notice of the time and place which shall be fixed by him for taking the same, and until he shall have given notice personally to all parties interested in the taking of the said accounts so far as the same shall be known to the said Commissioner, and especially shall such personal notice be given to said Robert A. Jones, Jr. and B.J. Epes, Commissioner

E. M. Sutherland & Emma P. Sutherland — Pltff
vs
B. E. Sutherland, Wm. O. Sydnor and Frank M Sydnor an infant under 21 years of age, by his guardian ad litem — Defts
} In Chancery

This cause came on this day to be heard upon the bill taken for confessed as to B. E. Sutherland, upon the answers of Wm. O. Sydnor and Frank M. Sydnor by his guardian ad litem, Francis R. Lassiter, with general replication thereto, upon the depositions taken in this cause, and upon the exhibits filed with the bill and answer of Wm. O. Sydnor, and was argued by counsel.
On consideration whereof, the Court, without passing upon any of the legal points raised by the pleadings in this cause, being

satisfied by the evidence in the cause that the said homestead tract of land, in the County of Dinwiddie, containing 295 acres, in the proceedings mentioned, is not susceptible of partition in kind, that no party in interest is willing to take the whole subject matter and pay to the other parties such sums of money as their interest therein may entitle them to, and that it would be to the interest of all parties interested that the same should be sold and the proceeds thereof divided amongst the parties entitled thereto, doth adjudge, order and decree that W. R. McKenney, W. H. Jones and Bernard Mann, who are hereby appointed Special Commissioners for the purpose, any one of whom may act, make sale of the said tract of land above mentioned, at public auction in the City of Petersburg, having first given at least ten days notice of the time and place and terms of sale by advertisement in one of the newspapers published in the said City, on the following terms, to wit: One-fourth cash, balance on a credit of one, two, and three years, equal instalments, interest added, and the purchaser to give negotiable notes for the deferred payments and title retained until the notes are paid. But whichever one of the said Commissioners shall act under this decree, shall not do so, until he executes before the Clerk of this Court a bond with security to be approved by him in a penalty of two thousand dollars, conditioned for the faithful performance of this decree and any other decree in this cause under which he may act, And the said Commissioner is directed to make report to Court of his proceedings under this decree, And it is further adjudged, ordered and decreed that Wm O. Sydnor render before one of the Commissioners of this Court a statement of all rents and profits of said land, received by him since the death of his wife, Mollie E. Sydnor, and that the said Commissioner take an account of said rents and profits and make report thereof to Court, with any matter specially stated deemed pertinent by him, or which may be required by any person interested to be so stated -

J. D. Phillips & others Pltff
vs
Susan Harper's admrs & others Defts
} In Chancery

This cause came on this day to be further heard upon the papers formerly read, and upon the motion of J. D. Phillips, that W. R. McKenney be appointed a Special Commissioner of this Court in the place and stead of William

A. Jones appointed a Special Commissioner of this Court by decree rendered herein at the March Term 1888. of this Court, and was argued by Counsel, on consideration whereof it appearing to the Court that said William A. Jones has failed to execute the Bond required of him as Commissioner under the provisions of the said decree rendered in this cause at the March Term 1888. of this Court and it further appearing to the Court that it is of great importance to the parties interested in this cause that there should be a duly qualified Court to execute the said decree - the Court doth adjudge, order and decree that the appointment of the said William A. Jones as Comr under the decree aforesaid be and the same is hereby revoked, and the Court doth further adjudge, order and decree that W. R. McKenney be and is hereby appointed a Special Comr of this Court in the place and stead of said William A. Jones, whose duty it shall be to execute the said decree rendered herein at the March Term 1888. of this Court just as is therein ordered that the same be executed by the said William A. Jones, Commissioner as aforesaid, and that Commissioner McKenney shall make report to Court - But that said Commissioner McKenney shall not proceed to execute the said decree rendered at the March term 1888 of this Court until he shall have entered into a bond in the penalty of Two Thousand Dollars ($2000) with security to be approved by the Clerk of this Court Conditioned according to law for the faithful performance of his duty under this or any further decree which may be rendered in this cause

Thomas Rhodson & others Pltff
vs
J. W. Sims' admx & others Defts } In Chancery

On motion of Charles F Collier, Administrator of Samuel Davis deceased, he is made a party defendant in this cause upon the usual terms; and upon like motion of B. A. Ragsdale Sheriff of the County of Dinwiddie and as such Administrator of Mary Davis deceased, he too is a made a party defendant in this cause upon the usual terms, and upon like motion of Harriet Davis and Lucy Davis, infant children of the late Samuel Davis and the late Mary Davis by Charles F Collier, their next friend they also are made parties defendant in this cause upon the usual terms, and upon motion of the plaintiffs Bernard Mann, a competent Attorney at law, is hereby appointed guardian ad litem to the said infant defendants Harriet Davis and Lucy Davis, and leave is granted them to file their answers thereto in. And thereupon this cause came on this day to be further

heard upon the papers formerly read and upon the answer of the said infant defendants by their said guardian ad litem, this day filed, with general replication thereto, and was argued by counsel: On consideration whereof the Court, at the request of Robert H. Jones, Jr: Commissioner or acting Commissioner, doth adjudge, order and decree that the powers heretofore granted to the said Robert H Jones, Jr. by decrees heretofore rendered in this cause be and the same are hereby revoked, and the Court doth further adjudge order and decree that W. R McKenney be and is hereby appointed a Commissioner of this Court whose duty it shall be to collect from Mrs Lucy Cline, the purchaser of the residuary interest mentioned in the report of Com'r or acting Com'r Jones, filed in this cause at the April Term 1879. the sum of Five Hundred Dollars which according to the said report she agreed to pay therefor, with interest from the date of such purchase, and upon the payment of the said sum of five hundred dollars with interest the said W. R. McKenney Commissioner, shall make to said Lucy C. Cline a deed for the interest aforesaid: But that in the event that said Lucy C. Cline shall pay the said sum of $500. with interest as aforesaid, then she shall have the right to show before any Commissioner who shall be appointed to take the accounts hereinafter mentioned that she has paid a portion of the purchase price & agreed to be paid by her as aforesaid to a Commissioner or acting Commissioner in this cause and that the sum so paid by her has been properly accounted for and to claim that the same be refunded to her if it shall be shown to have been properly accounted for, But that said Com'r McKenney shall not receive any money under this decree until he shall have entered into a bond in the penalty of One Thousand dollars, with security to be approved by the Clerk of this Court, conditioned according to law for the faithful performance of his duty under this or any further decree in this cause. And the Court doth further adjudge Order and decree that one of the Commissioners of this Court do proceed to take the following accounts:

First: An account of the real estate of which the late John H. Cline died seized and possessed, with the fee simple and annual value thereof - what disposition has been made of the same - if sold, by whom sold and to whom sold - and at what times and what portion of the purchase price or prices thereof has been paid and to whom, and what portion of said land, if any remains unsold -

Second: An account of what bond or bonds, if any, were or were executed by the Commissioner appointed by decree in this Cause to sell the said lands, or by any of the said Commissioners;
Third - An account of the transactions of Robert H. Jones, Jr. Commissioner or acting Commissioner in this cause, showing his receipts and disbursements. Which accounts such Com'r shall report to Court with any matter especially stated which he may deem pertinent or which any party interested shall request to be so stated, But that such Com'r shall not proceed to take the said accounts until he shall have given to all the parties interested personal notice of the time and place which shall be fixed by him for taking the same.

David Wynn
vs
Nina Wynn

Plaintiff
Defendant
} In Chancery

This cause in which the plaintiff has proceeded against the defendant in the mode prescribed by law and she the said failing to appear and plead answer and demur to the plaintiffs bill this day came on to be heard on the said bill, exhibits files and depositions of witnesses and was argued by Counsel on Consideration whereof the Court being of opinion that the defendant Nina Wynn did Commit adultery as charged in the plaintiffs bill doth adjudge order and decree that the marriage heretofore solemnized between the plaintiff and the defendant be and the same is hereby dissolved and the plaintiff forever divorced from the bonds of matrimony with said defendant, And the Court doth further adjudge order and decree that the defendant shall not have any right to or interest in any estate real or personal that the plaintiff may hereafter in any manner whatever acquire property or be entitled to, that either party shall have the right and privilege if they shall think proper so to do to marry again And nothing else appearing necessary to be done, it is ordered this cause be removed from the Docket;

Costs

R. H. Elder Admr &c
vs
L. W. Perkins Exr &c

Pltff
Defts
} In Chancery

This cause came on this day to be further heard upon the papers formerly read, and the report of Com'r A. Hamilton, this day filed, with the vouchers referred to therein, to which no exception is taken and was argued by Counsel, On Consideration whereof, the Court approving the report of Com'r A. Hamilton, doth confirm the same, and it appearing to the Court, that B. H., A. F., and C. A. Lee purchasers of the lands sold under decrees in this cause, have paid off the sum decreed to be paid by R. H. Jones Jr, late Com'r, at the Mar. Term 1888, the

sum of $500. on Sept. 15th, 1888, and that E.L. Perkins.. surety of said Jones as such Com'r, has paid the residue of the sum decreed to be paid by said Jones, late Com'r by said decree, said residue being $380.56 which was paid on Sept. 15th, 1888. the Court doth adjudge order and decree that the said B.H., A.F., and B.H.Lee be and they are hereby substituted and subrogated to the rights liens and remedies of the parties hereto against R.H. Jones Jr. late Com'r. and individually under the decree entered herein at the Mar. Term 1888, to the sum or extent of $500. and that said R.H. Jones Jr. do pay to said B.H., A.F., B.H.Lee the sum of $500. with interest thereon from the 15th day of Sept. 1888 till paid, and doth further adjudge, order and decree that E.L. Perkins be and he is hereby substituted and subrogates to the rights, liens and remedies of the parties hereto against R.H. Jones Jr., late Com'r. and individually, under the decree entered herein at the Mar. term 1888. for the sum of $380.56, and that R.H. Jones Jr do pay to the said E.L. Perkins the sum of $380.56 with interest thereon from the 15th day of Sept. 1888 till paid, and the Court doth order and decree that Com'r. A. Hamilton shall execute and deliver to B.H. Lee a good and sufficient deed with Special Warranty for the real estate purchased by the said Lees under decrees in this cause, the said A.F. and B.H. Lee requesting it and stating that they have heretofore by deed conveyed their interests therein to said B.H. Lee, and the Court doth further order and decree that Com'r A. Hamilton, out of the fund reported in his hands, pay the unpaid Costs of this suit, and then that he may pay out the residue of the fund in his hands as ordered by the decree entered herein at the Mar. Term 1888, abating pro rata (except from the debts) the several sums to be paid the parties or their attorneys, or be deposited in bank, in the event that the funds in hand shall be insufficient to pay in full, and said Com'r shall report to Court.

Costs

J.C. Query Admx. Pltff
vs
Otelia Query et als. Defts } Ch. Chancery.

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner Thomas F. Rice this day filed by leave of the Court, to which report there is no exception filed and was argued by

counsel, On consideration whereof the Court affirming said report doth confirm the same, and doth adjudge, order and decree that the sales of the tracts of land in said report mentioned as having been made by said Com'rs Rives to D. B. Lacy as follows.

Tract No 1	267 acres for	$36.67
" " 2	6½ " "	184.50
" " 3	14 " "	35.00
" " 4	Reversion in Dower for	50.00.

be and hold forever from and after as between the parties, thereto and that when the said purchaser shall have paid in full the balance of the purchase price still unpaid therefor, then that said Commissioners Rives do execute to him a deed with special warranty for the said lands. And it appearing to the Court from the said report that said Com'r of the sum of $126.17 reported as collected by him from said purchaser, has properly expended all but the sum of $109.28 the Court doth adjudge order and decree that he do distribute the said balance among the parties according to their respective interests as set forth in the Bill in this cause and that he also retain for collection the bonds mentioned in his said report as given for the deferred payments in the decree above mentioned and that when the same shall have been collected then that he shall distribute the amounts collected from time to time as is above ordered in reference to the balance now in his hands. And that said Commissioner shall from time to time report to Court his actions under this decree.

Robt H Jones Jr., Trustee &c Pltff
E J Nunnally Defts } In Chancery

This cause came on this day to be further heard upon the papers formerly read and was argued by Counsel.
On Consideration whereof, the Court doth order and decree that one of the Commissioners of this Court proceed to take and settle the following accounts, viz;
1st. An account of the lands sold under the decrees entered herein at the April term 1881 shewing the quantity of land sold, to whom, at what prices, what purchase money has been paid and what remains unpaid, to whom paid, and any pertinent fact connected therewith.
2d An account of the transactions of R H Jones Jr as trustee, under the deed from E J Nunnally mentioned in the bill, Notice of the time and place of taking said account shall be served upon the parties interested and upon Jas H King executor of J. J. Mitchell, deceased, and said Com'r shall report to Court, and the Court doth further order and decree that this cause and the cause of "Harrison's Widow et als. v. Harrison's adm'r et als" pending in this Court, be ~~consolidated~~ and hereinafter heard together.

With. credits.

Pltff.

Webb ans &c Defts. In Chancery

This cause coming on this day to be further heard upon the papers formerly read, upon the report of Com Jno G Wami filed Sept 10th 1888 to which no exception is taken, and upon the report of Com A Hamilton, this day filed with vouchers to which no exception is taken, and was argued by Counsel, On Consideration whereof, the Court, approving said report of Com Wami. & Hamilton doth confirm the same, and the Court doth order and decree that Com. A. Hamilton execute and deliver to E & Perkins, the purchaser of the real estate sold under decree herein, a good and sufficient deed with special warranty for the said real estate, he having paid his purchase money in full, and it appearing to the Court that Dr. E.H. Perkins has a claim & debt against the estate of D.H. Webb for more than $75, but is willing to accept $75. in satisfaction thereof. the Court doth allow said debt for $75. payable upon the adjournment of this term of this Court, and it appearing to the Court that R.H. Jones Jr late Com in this cause is indebted to the fund in this cause in the sum of $84.73 as of Sept 1st 1888. of which sum $78.10 is principal, and that said Jones claims as an offset against the same any interest in the funds in this cause belonging to Thos. Fry Webb and Annie R. Webb, as set forth in the report of Com Wami and Thos Fry Webb having no interest in said funds, but Annie R Webb having an interest of one third part of the residue of said funds after the payment of unpaid costs and the unpaid debts. and the Court being of the opinion that said Jones is entitled to said offset as to the interest of said Annie R Webb. doth so adjudge & decree, and direct that said interest of Annie R Webb in said funds shall be credited to said Jones upon the balance due by him upon a settlement of said balance, and that said Jones late Com as individually & pay to Com A Hamilton ~~Com~~, the said sum of $84.73 with interest upon $78.10 principal thereof from Sept 1st 1888 till paid, and in default of said payment by said Jones within 30 days after an execution is issued therefor, or by Thos F Rives his security upon his bond as late Com. in this cause, then that said Thos F Rives shall be summoned to appear on the first day of the next term of this Court to show cause if any he can, why a decree should not be entered against him upon him to pay the said balance due by the said R.H. Jones Jr. late Com and said Com Hamilton shall out of the money reported in his hands and to be collected by him pay first the unpaid costs of this ~~suit~~ then he shall pay to T.J. Jarratt or his attorney the sum of $13.43 with interest on $12.07 principal thereof from Sept 1st 1888 till paid and to E.H. Perkins or his attorney, the sum of $75. with interest from the adjournment of this term of this Court there being the unpaid debts and that he pay one third part of the residue of the fund to Margaret Jane Webb or her attorney, another third part thereof to Ella Christiana Webb or her attorney, and the remaining one third part thereof to Annie R. Webb he shall credit upon the aforesaid balance

row by R.A. Jones Jr late Comr, and said Comr Hamilton shall take vouchers for his payments
JV and report to Court,

James McKinney &c vs Plaintiff
To
Burgess &c. Defendts } In Chancery.

This cause came on this day to be further heard upon the papers formerly read and upon the report of Comr W.R. McKinney this day filed in this cause by leave of Court, to which report there is no exception filed, and was argued by Counsel, On Consideration whereof the Court approving said report doth confirm the same, and doth adjudge, order and decree that the sale of the tract of 169 3/4 acres of land known as Greenway in said report mentioned be and the same is hereby fixed upon terms and states as between the parties thereto and that when the said purchaser shall have paid in full the purchase price for the said tract to said Commissioner McKinney, then that said Comr shall execute to said Clark Burgess a Deed, with Special warranty, for the said tract of land, and the Court doth further adjudge order and decree that out of the said purchase price said Comr McKinney shall after having paid any of the costs of this cause with which the said purchase price is properly chargeable together with all the costs and expenses of the sales reported by said Comr McKinney, as aforesaid then that he shall pay over to said Clarke Burgess the balance which shall then remain in discharge of the mortgage executed by the late William Burgess to Dennis Burgess and now owned by said Clark Burgess
VJ and that said Comr shall make report to Court.

Dennis &c Plaintiffs
against
Commissioners. Defts } In Chancery.

This day this cause came on to be again heard and by Consent of all parties entered of record, it is ordered that this cause be submitted to the Judge of this Court
VJ for decision and decree in Vacation.

Hearts Committee Pltff
To } In Chancery
Jacksons &c Defts

This cause came on this day to be again heard upon the papers formerly read, and was argued by Counsel, On Consideration whereof the Court doth Order and decree that one of the Commissioners of this Court proceed to take and state the following Accounts Viz. Account showing what lands have been sold under the decree in this cause, when, to whom, at what prices, to whom the purchase money has been paid, what disposition has been made of the purchase money paid, if any, and what lands remain unsold together with any matter to be specially stated deemed pertinent by the Comr or required by any person interested, and said Comr shall give notice to the parties and persons interested of the time and
VJ place of taking said account and report to Court,

Costs

Sutherlands Heirs Pltff
To
Sutherlands heirs Defts } In Chancery

On motion of the plaintiffs this cause is ordered to be dismissed another cause being pending in this Court between the proper parties for the same object and it is ordered that that the costs of this cause be paid out of the funds in the Case of F.C. Sutherlands heirs v F C Sutherlands heirs.

Costs

E St. Young Guard pl Plaintiffs
To
Sydnor & others Defts } In Chancery

This day this cause came on to be further heard on the papers formerly read and on the report of Charles F. Collier Commissioner and was argued by Counsel. On Consideration whereof the Court approving the said report, to which there is no exception doth confirm the same, and doth adjudge & decree that Charles F. Collier Comr. distribute the balance reported in his hands Viz: the sum of $170.92 among the parties entitled, that is to say to Ed Young Guardian of Eg. Sydnor the sum of Eighty 32/100 Dollars to Wm L Sydnor a like sum of Eighty 32/100 Dollars and to Judith Sydnor a like sum of Eighty 32/100 Dollars; taking their receipts for said sum of money as respectively ordered to be paid to them. all of which said Commissioner is now required to come.

Costs

Chas E. Whitlock who sues for the benefit of himself and all other Creditors of Jno O Black deceased. who may come in and seek relief by and contribute to the cost of this suit
against
Adelina T. Black in her own right and as Executrix of John O Black deceased Gustavus W Black Belle A Black and E A Black } In Chancery.
Defts

This cause came on this day to be heard upon the Bill taken for Confessed as to all of the defendants and upon the exhibits filed with the said Bill, and was argued by Counsel, On Consideration whereof the Court doth adjudge order and decree that one of the Commissioners of this Court do proceed to take the following accounts. First An account of the transactions of Adelina T Black as Executrix of John O. Black deceased from the date of her qualification as such unto the date of the taking of such account. Second An account of all debts and demands against the said John O Black deceased against his estate, with the dignities and priorities of the said debts or demands if any. Third An account of the estate real and personal of which the said John O. Black died seized and of any liens binding the same, which account shall show the dignities and priorities of such

heirs, Fourth, An account of the fee simple and annual value of any real estate of which the said John O Black died seized, which accounts such Commissioner shall report to Court with any matter specially stated which he shall deem pertinent or which any party interested shall request to be so stated, But that such Commissioner shall not proceed to take the said accounts until he shall have published once a week for four successive weeks in some daily newspaper published in the City of Petersburg Virginia, notice of the time and place which shall be fixed by him for taking the same, which notice shall be deemed equivalent to personal service of the said notice on all parties interested except the executrix of John O Black, deceased, who shall be entitled to personal service of such notice,

R H Bland. Complt
against
Lucky wife and others. Defts } In Chancery.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of Com A Hamilton this day filed with the vouchers and certificate of deposit therein mentioned to which no exception is taken and was argued by Counsel, On consideration whereof, the Court confirming the said report of Com A Hamilton, doth confirm the same and doth adjudge, order and decree that Com A Hamilton withdraw from the papers the certificate of deposit for $252.12 mentioned in his report and cancel the same, and that he shall out of the sums so accruing and the sum of $111.71 in cash in his hands pay as follows 1st any unpaid cost of this suit, including a fee to him of $10. the allowance made by him in his said report, and then that he shall pay one third of the remainder of the fund to Mrs RH Bland and her child RJ O Bland taking their joint receipt therefor, and he shall pay another one third of the remainder to Mrs Martha Ann Lucky and her children, as shown in the proceedings of this cause provided all said children are of age and give in a receipt for said one third, or else that he deposit said one third in Bank taking a certificate of deposit therefor payable to the order of the Court, for said Martha Ann Lucky and her children, and the remaining one third he shall deposit in bank taking a like certificate of deposit for the benefit of the estate of Wm H. Spicely and said Court shall report to Court, and it appearing to the Court that this cause and the cause styled Slaughter admx v. Spicely admx pending in this Court should be heard together, the Court doth adjudge, order and decree that that said last named cause and this cause be consolidated and hereafter heard together, the costs in each cause to be kept separate & charged to the fund in the cause in which incurred.

F. G. Sutherlands Heirs Pltffs } In Chancery
vs
F. G. Sutherlands Heirs et als. Defts

On the motion of the plaintiffs, W. R. McKenney, a competent Attorney at Law, is appointed guardian ad litem to the infant defendants, Frank Ryder, and Lillie E., and Rosa M Sutherland, and leave granted him to file his answer herein, and thereupon this cause which has been regularly set for hearing, Came on this day to be heard upon the Bill and Exhibit filed

the answer of the said infant defendants by W. R. McKenney their guardian ad litem, the answer of the defendant, Tony Williams, this day filed by leave of Court, with general replication to said answers, and upon the Bill taken for confessed as to all the adult defendants, except said Tony Williams, and was argued by Counsel; On Consideration whereof, the Court doth adjudge, order and decree that the sale made to Tony Williams by J. T. Sutherland of the 50 acres of land described in the Bill at the price of $300 as of January 1st 1884 entitle said W[illiams] to a good and sufficient deed and title to said fifty acres upon the payment by him of the residue of his unpaid purchase money, and that it is to the interest of the owners of the tract of 131 acres mentioned in the Bill that said sale of 50 acres thereof to Tony Williams be carried out, and the Court doth adjudge, order and decree that the said sale made to Tony Williams be held firm and binding between the parties, and it appearing to the Court that the remainder of said tract of land of 131 acres can not be conveniently divided in kind amongst the owners thereof, that the interest of the owners will be injured by a sale of the same for partition and a distribution of the proceeds of sale, and that no one or more of the owners is willing to accept the same at its value and pay to the other owners their respective shares thereof, the Court doth further adjudge, order and decree that the remainder of the said tract of land, that is other than the 50 acres sold to Tony Williams, be sold for partition, and Jno. T. Harris and Alexander Hamilton, either or both of whom may act, are hereby appointed Special Commissioners of the Court, whose duty it shall be to make sale of the said remainder of said tract of land after reasonable notice by handbills or otherwise, either upon the premises, or at Dinwiddie Court House, or in the City of Petersburg upon the following terms viz: one fifth of the purchase money in Cash, the residue in instalments upon credits of one, two and three years, the deferred payments to carry interest from date, and notes or bonds to be given for said deferred payments, and title retained until all purchase money shall be paid, and said Commissioners shall report to Court; and the Court doth further order and decree that it shall be the duty of said Commissioners or the one acting, to collect and receive of said Tony Williams the residue of the purchase money due by

Copia

him for the 50 acres of land aforesaid, and that upon his payment of the same in full the said Commissioner or Comrs acting shall execute and deliver to said Tony Williams a good and sufficient deed with Special warranty for said fifty acres of land, and that the said Tony Williams do pay to the said Commissioners Harris and Hamilton, or the one acting, the sum of $169.41, with interest on $153.31, principal thereof from the 22nd day of Sept. 6, 1888 till paid that being the residue of his purchase money for the tract of fifty acres of land and said Commissioners shall report to Court, But before the said Commissioners, Harris and Hamilton, or either of them, shall act as such they or the one acting shall enter into bond in the penalty of $1000, with security to be approved by the Clerk of this Court and conditioned according to law and for the faithful performance of their or his duties under this and all future decrees in this cause

Slaughter Admr &c — Pltff
vs
Shirley's Admrs &c — Defts
} In Chancery

This Cause came on this day to be further heard upon the papers formerly read, and was argued by Counsel,
On Consideration whereof, the Court doth order & decree that one of the Commissioners of this Court proceed to take and state the following accounts viz:
1st An account showing the lands directed to be sold by decrees in this cause & what lands have been sold, by whom and to whom & whom, at what price, what purchase money has been paid and to whom; & the unpaid purchase money
2nd An account of the transactions of R. H. Jones Jr. Comr & acting Comrs in this Cause, showing his receipts and disbursements -
3rd An account showing whether any bond & bonds has or have been executed by any Comrs or acting Comrs in this cause if so what.
4th An account of the debts existing against the estate of Wm H. Shirley, with their priorities together with any matter to be specially stated deemed pertinent by the Comrs or requested to be stated by any person in interest, and Notice of the time and place of taking said accounts shall be given to the parties and said Comrs shall report to Court. and upon Motion of the Plaintiffs, a part of the real estate of Wm H Shirley having been sold under decrees in the cause of R H. Bland & Lucy & wife & others pending in this Court

it is ordered that this cause and the cause of R.H. Bland as Exor &c "others" be consolidated and hereafter heard together, but the costs in each cause shall be kept seperate & the charges to the fund in the cause in which it was incurred -

W.D. Elder Pl'ff
vs
Elder's Adm'r et als. Defts } In Chancery

This cause came on this day to be further heard upon the papers formerly read when the report of Comr Jas Y. Harris filed Sept. 10th. 1888 to which no exception is taken, and upon the report of Comr Alexander Hamilton, this day filed with the vouchers therein referred to, to which no exception is taken, and was argued by Counsel - On Consideration whereof, the Court approving the said reports of Comrs Jas Y. Harris and Alexander Hamilton, doth confirm the same; and the Court doth adjudge, order and decree that W.D. Elder and A.J. Sheffield do pay to Alexander Hamilton, the Comr in this cause, the sum of $175.01 with interest upon $ bal. 48. principal thereof from the 1st day Sept, 1888 till paid, and that upon the payment in full of the said sum that said Comr Hamilton execute and deliver to said Elder and Sheffield a good and sufficient deed for the real estate purchased by them and deliver up to them their bond for the last deferred payment upon the said realestate, and further, that R.H. Jones Jr, late Comr, and individually do pay to said Comr Hamilton the sum of $77.27 with interest on $ 70.70. principal thereof, from the 1st. day of Sept, 1888 till paid, and said Comr Hamilton is authorized to receive payment of the said sum due by said late Comr Jones or the surety in the official bond of said Jones, provided, that said Jones shall not pay the same, and further that J.A. Johnston, assignee of the debt of M.E.C. Gilliam, do pay to said Comr Hamilton the sum of $ 8.40, with interest thereon from from the 15th. day of Feb. 1887 till paid, he having been over-paid that sum by R.H. Jones Jr. late Comr; and further that R.A. Tunstall, Adm'r of Thos B Elder, do pay to Alexander Hamilton, trustee of Dunnons & Johnston and as such assignee of the judgment lien debt of L.E. Hogg, assignee, the sum of $9.57 being the balance due by him as such admr, with interest thereon

from the date of the adjournment of this term of this Court, to be received and credited upon said judgment lien debt; and said Com'r Hamilton is ordered out of the funds in his hands and to be in his hands to pay, first the unpaid Costs of this suit, and then to apply the funds to the the payment of the said judgment lien debt of L E Leigh, assignee, making payment to Alexander Hamilton, trustee of Dominick & Johnston and as such assignee thereof, until the same shall be satisfied or the fund exhausted, and that he shall distribute pro rata any residue then remaining of said funds to the general creditors of Thos. B Elder, whose debts are stated in the report of Com'r Harris filed Sept, 23rd 1882 and said Com'r Hamilton shall take vouchers for his payments and make report to Court,

Caldclough for &c, Pltff

vs. } In Chancery

Sutherland's Adm'r et als, Defts

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Com'r Jno. T. Harris, filed Sept. 10th 1888, to which no exception is taken, and was argued by Counsel: On Consideration whereof, the Court, approving the said report of Com'r Harris, doth confirm the same, and it appearing to the Court that the personal estate of J. T. Sutherland and the rents and profits of his real estate to accrue in five years will not be sufficient to pay the debts of the estate of said J. T Sutherland, and that the will of the said J. T. Sutherland was admitted to probate on the 17th day of Oct. 1887, and that one year has not elapsed since the admission to probate of said Will, and that Catherine E Sutherland, the widow of the said J. T. Sutherland has not elected to accept the jointure provided for her in said Will or to receive dower, and that she has until Oct. 17th. 1888 inclusive within which to make her election, the Court doth adjudge, order and decree that unless the said Catherine E Sutherland shall on or before the 20th day of Oct, 1888 elect in the manner provided by law to receive her dower in the real estate whereof J. T Sutherland died seized and possessed, then that the said real estate be sold H. R. McKenney, W B. McElvaine and A Hamilton, either one or more of whom may act, are appointed Special Commissioners of this Court to make sale thereof, whose duty it shall be, after reasonable advertisement to sell the said real estate (except the interest of said J. T. Sutherland

in the tract of land of 131 acres, provision for sale of which is made in another cause) upon the premises or in the City of Petersburg or at Dinwiddie Court house upon the following terms; One fourth of the purchase money in Cash, the residue upon credits of one and two years, Notes or bonds carrying interest from the day of sale to be given for the deferred payments, and title retained until the purchase money shall be paid, but paid Commissioners, and neither of them shall act under this decree until they, or the one acting, shall enter into bond in the penalty of $2000. with security to be approved by the Clerk of this Court conditioned according to law and for the faithful performance of this or his duties, under this and all future decrees in this cause, and said Commissioners shall report to Court; and in the event that said Catherine E. Sutherland shall on or before the 20th day of Oct. 1888 elect to receive her Dower in the real estate of J. T. Sutherland, then upon the motion of the Plaintiffs Thos. A. Dicke, Thos. D. Booth, David E. Davis, J. M. Beck, and Zach Clarke any three or more of whom may act are hereby appointed Commissioners of this Court, whose duty it shall be to assign Dower in the said real estate whereof J. T. Sutherland died seized and possessed by metes and bounds to the said Catherine E. Sutherland and the said Court doth further order and decree that John M. Sutherland, Admr with the will annexed of J. T. Sutherland proceed to make sale of the personal property of said estate which has come to his hands, and apply the proceeds thereof according to law.

Wm Etter et. brough.	I Slack	Pltffs	} In Chancery
vs No 1.	vs } No 2.		
I Slack.	J M. Batterworth et.	Defts.	

These Causes Came on this day to be fur the heard upon the papers formerly read and upon the report of Com Thos F Rives dated on the 12th Day of March 1888. and filed on the 12 Day of March 1888. and upon the exceptions thereto filed, said report being made under the decree entered in these causes at the April Term 1887 of this Court, and was argued by Counsel. On Consideration whereof it appearing to the Court from said report that the sale of the real estate in the proceedings mentioned can in any event be necessary and the creditors entitled to the proceeds of sale consenting that the whole property and the tract of land of twenty eight 28 acres should be sold in advance of the determination of the priorities of the liens binding said property and that the heirs of Isaac D. Slack

Dist by reason of the manifest insolvency of his estate can not be prejudiced by such sale, the Court reserving upon said exceptions or upon any question as to the priorities of said liens. Doth adjudge, order and decree that Alexander Dimmick George D Bernard Davy Harris and Thos R McKenney who are hereby appointed Special Commissioners for the purpose any one or more of whom may act under this decree, do sell by public auction, or privately after due notice of the time place and terms of a public sale by advertisement therof. Said Mills property and said tract of land of seventy eight (78) acres upon the following terms towit. one fourth of the purchase money in cash the residue in three equal annual instalments to carry interest from the date of sale title to be retained till said instalments are fully paid the purchasers to execute bond with satisfactory security for the deferred payments. But the Commissioners shall not receive money under this decree unless he shall have entered into and filed with the Clerk of this Court a bond in the penalty of one thousand ($1000.) with security to be approved by said Clerk and conditioned according to law for the faithful performance of his duties under this or any other decree in these causes. And said Special Commissioners are ordered to report to Court, And the Court doth further order that the Commissioners appointed for the purpose under said decree of the April term 1887 do proceed to assign to Celia A Keele the widow of said Isaac D. Keele her dower in the real estate whereof her said deceased husband died seized not perfected. assigning her said Dower from the homestead tract in the proceedings mentioned the Commissioners are ordered to report to Court.

Cause Distributees
vs
Cause admrs &c.

Plaintiff } In Chancery.
Defts

This cause came on this day to be further heard upon the papers formerly read upon the report of Com Geo Y. Harris dated Augt 29 1888 filed in the Clerks office on the 10th day of Octr 1888. Said report showing the transactions of the Defendant Geo D Bernard as the personal representative of Isaac Cain dec'd from July 18 1886 to July 18 1888 and being made under the decree entered herein at the October term 1886 and upon the report of Special Commissioner W R McKenney dated Sept 22 1888 and showing his transactions since April 7 1887 the date of his last report to Court, and was argued by Counsel. On Consideration whereof, it appearing to the Court from said report of Com Harris to which there is no exception filed that on said July 18 1888 said Geo D. Bernard was indebted to the distributees John Cain and Chas C. Cain in the several sums therein stated as part of each sum being interest that is to say, to said John Cain on the sum of Eleven hundred and twenty seven dollars and forty cents ($1127.40) whereof the sum of two hundred and forty four dollars and eighty cents ($244.80) was interest and to said Chas C. Cain in the sum of Seventeen hundred and forty six dollars and thirty eight cents ($1746.38) whereof the sum of three hundred and fifty five dollars and two cents ($355.02) was interest and that all of the other distributees were indebted to said Geo D Bernard in said July 18 1888 in the several sums also therein stated, a part of each sum being interest (except in the case of the sums due by the Distributees Geo T Howard, Chas T Howard and Annie Bee Howard. the amounts due by these last named persons being all principal) and it further appearing to the Court from said report that said Chas. C. Cain and said Geo D Bernard have each made advancements to parties entitled to

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the land found in the said report mentioned on account of their respective interests and how other for such advancement on said Special Commissioners the Court approving said report of Com Mann doth confirm the same, and doth adjudge order and decree that said Geo D. Bernard do pay to said Jack Cain and Chas C. Cain said sums of money so due by him to them respectively with interest on the same from the rendition thereof from said July 18 1888. till paid, and the distributees Emily F. Gibson, Isabella E. Smith, Richard B. Howard, Wm E. Howard Jr, Geo D. Howard, Chas F. Howard, Annie Bell Howard, John H. Howard, and Clark H. Shumate, heirs of Mary Ann Hamilton dec'd do pay to said Geo D. Bernard, said sums of money so due by them respectively to said Geo D. Bernard with interest on the same from the rendition thereof from said July 18. 1888 till paid, said Chas H. Shumate to make payment out of the goods of his decedent in his hands to be administered, and the balance doth further adjudge, order and decree that said Geo D. Bernard may in discharging his indebtedness to said Chas C Cain use at their face value principal and interest on said July 18. 1888. or as of said July 18. 1888. all orders on said Com. McGuire given him by the parties entitled to said land fund, and said Chas C. Cain may use the order for ten hundred dollars now held by him in said report of Com Mann mentioned and all orders which may be assigned to him by said Geo. D Bernard as hereinbefore provided or by any other party holding such orders at their face value as of said July 18 1888. In making further allowances for interest in discharging his indebtedness as aforesaid, the orders to be so used to be received by said Special Commissioner at their cash value as of said July 18 1888. And it further appearing to the Court from said report of Com Mann that said Chas C Cain was the owner of said land fund on said July 18th 1888 was the sum of six hundred and eighty three dollars and twenty nine cents ($683.29) said Special Commissioner is ordered to credit him as purchaser with said sum as if paid by him on that day and enter his receipt for said sum as paid to him, in full of his share of said land fund on said day. And it appearing to the Court from said report of Special Comr McGuire Commissioner to which there is no exception filed that he has duly executed to the purchaser Augustus Wright a deed as directed by the said decree entered in this cause at the October term 1888, that on the 9th day of July 1889. said purchaser C C Cain has duly complied with all of the decree entered by the Court at its April term 1889 and that said Special Commissioner has made no collection of purchase money from said C C Cain since the date of his last report to Court, the Court approving said report of Com McGuire dated Sept 21st 1888. doth confirm the same and doth order that if any party entitled to receive the said land money now due by said Chas C Cain or to any part thereof, shall in writing request said Com McGuire or any of the Special Commissioners appointed under the said decree of 9th April term 1889, to execute the same, such Commissioner or Commissioners shall proceed to do so. And said Special Commissioner McGuire, and he and any other Commissioner who may be called upon to act under the said decree of the April term, 1889,

are ordered to make report to Court. And the Court doth further adjudge, order and decree, that said defendant H.G. Bernard, administrator as aforesaid, do apply the balance of $130.38 due by him to his decedents estate on the general account in said 18th day of July 1888, as shown by said report of Comr. Harris, to the discharge of the costs and costs payable with said balance as set forth in said report, and that he do render a further account of his transactions as such administrator since July 18th 1888. before one of the Commissioners of this Court, who is ordered to audit, state and settle the same, with any matter specially stated deemed pertinent by such Commissioner or requested to be so stated by any party interested and to make report to Court

Ordered that the Court adjourn till to-morrow morning at 10 O'Clk.

Beverly A. Hancock

Saturday Sept 22d 1888

Present.

Hon B.A. Hancock Judge

J.J. Mitchell, Ex'r. Pltff
vs
J.J. Mitchell deceased et als Defts } In Chy.

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Com'r H.G. Harris, filed Sept 10th. 1888, to which no exception is taken, and upon the report of Com'r. A. Hamilton, this day filed, to which no exception is taken, and upon the summons to show cause duly served upon H.G. Hunt Monroe Chappell, Thos. Chambers & W.J. Spiers, and was argued by counsel, On consideration whereof, the Court doth continue the aforesaid summons to show cause until the 1st day of the next term & approving the said reports of Com'rs Harris & Hamilton, doth confirm the same; and the Court doth adjudge, order and decree that Com'r. A. Hamilton out of the funds in his hands do pay as a part of the costs of this suit to Jenkins Owen their reasonable charge for advertising the tract of land for sale called "Vaughans", and likewise pay to R. Butterworth, Esq. his attorney, a proper fee for his services as Atty in offering the said tract of land for sale; and further that the claim of H.G. Hunt for the refunding to him of the interest upon $800— from Dec. 25th. 1887 until April 17th 1888 be disallowed,

but this disallowance shall not be final provided that the said Hunt shall furnish proof that the said sum of $800 remained during said period idle in his hands and unused and ready at any time to be paid to the Comr of this Court from the time it became due until it was actually paid, and that hence said Hunt lost the interest upon or use of said $800—; and it appearing to the Court that Jas. S Bruce, the late Comr in this cause, was as of Sept 1st 1888 indebted to the fund herein in the sum of $1667.62, of which $1541.96 is principal on account of moneys received by him and not heretofore ordered to be distributed, and that he was as of the same date indebted to the fund in the sum of $126.76. being an undistributed balance in his hands of the sum ordered to be distributed by the decree of the April term 1886., and in the further sum of $269.24 as of the same date, being an undistributed balance in his hands of the same ordered to be distributed under the decree herein of the April term 1886, the Court doth further adjudge order and decree that Chas F. Collier and Sam'l W Budd, Executors of Jos. P. Budd dec'd, out of the assets of their testator, do pay to A Hamilton, Comr in this cause, the following sums viz; the sum of $1667.62 with interest on $1541.96 principal thereof from the first day of Sept, 1888 till paid, and the further sum of $126.76. and 269.24 with interest on said two last mentioned sums from Sept. 1st 1888. till paid, and said Comr A Hamilton shall give vouchers for said payments when made to him, and it appearing to the Court that Jas. H. King is individually indebted to the fund herein in the sum of $1042, with interest on $900. principal thereof, from the 1st day of Sept 1888, for the rental of "Kingston" for the years 1884 1885, and 1886. the Court doth further adjudge, order and decree that said Jas. H King do pay to said Comr A Hamilton the said sum of $1042., with interest on $900. principal thereof from Sept. 1st 1888 till paid, the same when paid to be in full of his liability for the said rental of "Kingston" ~~for the years 1884, 1885 and 1886.~~ It appearing to the Court ~~that James H King as Executor of J. J. Mitchell estate is indebted as~~ that said Jas H King, as Executor of J.J. Mitchell's estate, is indebted to said estate in the sum of $507.25, with interest on $158.01, principal thereof, from Sept. 1st 1888, and that the said sum is applicable to the payment of the costs of admin-

istration, and this suit and the debts of the creditors of said estate, and that said King, executor owing to the remote and inconvenient place of his residence and ill health, request that this sum may be paid over by him to said Com'r A. Hamilton for such application, the Court doth further adjudge, order and decree that Jas. H. King, Executor of J.J. Mitchell, do pay to said Com'r A. Hamilton, the said sum of $507.25, with interest on $158.01. principal thereof, from the 1st day of Sept, 1888 till paid; and the following purchasers of real estate sold under decree herein being in default in the payment of their respective purchase money in the several sums now stated all as of Sept. 1st 1888, viz: Mrs. M. Ann Mitchell in the sum of $141.61 of which $107.37 is principal; W. J. Spiers in the sum of $548.99, of which $501.37 is principal; Thos. Chambers, Wm Patterson, and Ed Taylor in the sum of $314.42, of which $309.01 is principal; Pompy Tucker in the sum of $30.81, of which $28.49 is principal, and in the further sum of $11.66, B.J. Ridout in the sum of $108.30, of which $100. is principal; and H. G. Hunt in the sum of $235.28, of which $204.40 is principal, the Court doth further adjudge, order and decree that the said several purchasers, so in default, do pay to said Com'r A Hamilton the said several sums of money due respectively by them with interest upon the principal sums thereof from Sept. 1st. 1888 till paid; and it appearing to the Court that said M Ann Mitchell is entitled to an unpaid dividend under the decree of April 1881 and will be entitled to a further dividend under this decree, and that said Pompy Tucker is entitled to an unpaid dividend under the decree of April 1886 and will be entitled to a further dividend under this decree, that said Com'r. Hamilton apply the said dividends of the said M Ann Mitchell and Pompy Tucker respectively to the payment of the balances due by them respectively upon their unpaid purchase money as aforesaid; and it appearing to the Court that whilst Com'r. Budd reported the purchase money of G W Barner as paid and delivered him a deed, yet that such was not the fact, and that said Com'r. Budd has been charged with the balance thereof of $39.22 as of Sept. 1st. 1888, and that it was understood between said Com'r. Budd and G W Barner and M J Barner, his wife, that the dividends of said M J Barner in her debt against the estate of J.J. Mitchell were to be applied by said Com'r. Budd to the payment of said balance of purchase money, the Court doth further adjudge, order and decree that Com'r. A Hamilton apply the dividends due the said M J Barner under

the decrees herein at the April terms 1881 & 1886 and under this decree to the repayment to the estate of said Budd of the said sum of $39.22, until the same shall have been fully repaid; and the Court being of opinion that the sums of $89. and $75. paid by Jos S Budd, late Comr herein, to R H Jones Jr. Comr. or acting Comr. or attorney, in the suit pending in this Court styled "Harrison's widow & others v. Harrison's adm'r & others", on May 7th. 1879 and Mar. 18th. 1880, as set forth in the report of Comr. Harris, were legal and valid payments, doth further adjudge, order and decree accordingly, the said payments having been made by R H Jones Jr. as attorney for R E Harrison estate. And the Court doth further, adjudge, order and decree, that said Comr A Hamilton shall out of the funds reported in his hands and out of the funds to be paid to him under this decree proceed to pay first the unpaid costs of this suit, and then that he shall distribute the residue of such funds to be in his hands to the several creditors of the estate of J J Mitchell, first however reserving from said funds the sums of $126.76 and $26.24 as aforesaid, and the dividends of Mrs Mitchell, Dempsey Tucker and M J Barner as aforesaid, the said sums of $126.76 and $26.24 to be paid out by him in paying the unpaid dividends under the decrees herein of the April terms 1881 & 1886, and the said dividends to be applied as hereinbefore directed, and for the purposes of the distribution to creditors hereby ordered the Court adopts as a basis the statement "X" made at the bar of the Court by Comr. D J Harris, and said Comr. Hamilton shall in making said distribution apply the aforesaid sum of $507.25 with interest aforesaid to the payment first of the unpaid fiduciary debts of the estate of J J Mitchell, until the same shall be satisfied and said Comr. Hamilton shall give & take vouchers for all moneys paid to him and paid out by him; and said Comr. A Hamilton is further ordered to execute the decree entered herein at the Mar. term 1888, so far as it remains unexecuted, whereby he was granted all the rights and powers & upon him was devolved all the duties which existed in and had been devolved upon said Jos S. Budd, late Comr. except so far as the prior decrees required the payment of money by said Budd Comr, including the duty to sell all unsold real estate of J. J. Mitchell, heretofore and now hereby directed to be sold, and said Comr. Hamilton shall report to Court. And the Court doth further order and decree that one of the Comrs of this Court proceed to take and state the following account: 1st. A further account of the debts due by the estate of J. J. Mitchell deceased, remaining unpaid

2nd. A further account of the transactions of Jas. H King, as executor of the estate of J J Mitchell;
3rd. What fee, if any, should be allowed to Donnan & Hamilton, for ~~their~~ their services rendered as counsel in this cause; Notice of the time and place of taking said account shall be served upon the parties interested when their residences are known, and when their residences are unknown such notice shall be published once a week for four successive weeks in a newspaper published in Petersburg Va., which publication shall as to the persons whose residences are unknown ~~shall~~ be equivalent to personal service of such notice upon such persons; and said Comr. shall report to Court. But said Hamilton Comr. shall not receive of said Jas H King Exr as aforesaid, the aforesaid sum of $507.25 with interest as aforesaid, until he shall have entered into bond in the penalty of $1000. with security to be approved by the Clerk of this Court conditioned according to law & for the faithful discharge of his trust as to said sum under this & all future decrees herein

W J Read & Pltff
vs
J Barnes trustee &c Defts } Decree

This cause came on this day to be further heard upon the papers formerly read and upon the report of Comr W R McKenney dated Sept 1. 1888, which report being made under the decree entered in this cause at the April term 1887 of this Court, was filed in the Clerk's office on the 10th day of September 1888, and was argued by counsel. On consideration whereof, it appearing to the Court from said report, to which there is no exception filed, that the late Wm J. Barnes died seized and possessed of the following tracts of land, all situate in the County of Dinwiddie, to wit. a tract of land called "Lunsford" containing one hundred and fifty five (155) acres, a tract of land containing about five hundred and twenty (520) acres, and a tract of land called "Meadow Bank", that the plaintiff's debt is the first lien on the tract of land called "Lunsford" and on said tract of land containing five hundred & twenty (520) acres, which three tracts of land are further described in the three several deeds of trust in said report mentioned, that the debt in favor of the creditor Wm Ettenbrough is the second lien on said tract of land of about five hundred and twenty (520) acres, and that the debt in favor of the creditor John R Barnes is the only lien upon said tract of land called "Meadow Bank", the Court, approving said report doth confirm the same, and being of opinion that the defendant John J Harris, trustee in the deed of February 15-

1879, in the proceedings mentioned may now be authorized to make sale under the same, doth adjudge, ordain and decree that said Harris, trustee as aforesaid, do proceed to execute said deed of trust of Feby 15. 1879, pursuant to the provisions thereof. And the said trustee is ordered to deposit with the Petersburg Savings & Insurance Company the purchase money that may be received by him, except such part thereof as may be expended as proper costs in making said sale, and to take a certificate of deposit therefor and to make report to Court. And it is further ordered by the Court that, if, at the exposition for sale of the tracts of land conveyed by said deed of Feby 15. 1879, said Jno Y Harris trustee as aforesaid deem the bid made for any tract of land insufficient, he shall have authority and is ordered, to rent out such tract for the year 1880, and at the subsequent exposition for sale, such land shall be offered with the understanding that the purchaser thereof shall be entitled to the rent for said year. But before said trustee shall receive any money or act under this decree he shall enter into and file with the Clerk of this court a bond in the penalty of two thousand dollars with security to be approved by said clerk and conditioned for the faithful discharge of his duty as such trustee under this decree or any future decree in this cause

Wells admr
Pltff
vs
Wells
Defts
} In Chy

This cause came on this day to be heard upon the bill taken for confessed as to all of the Defendants, except the defendant Caroline Evans, upon an order of publication duly executed as to said Caroline Evans and upon the exhibits filed with said bill, and was argued by counsel,

On consideration whereof the Court doth adjudge, order and decree that it be referred to one of the Commissioners of this Court take and settle the following accounts, to wit:

1st An account of the transactions of the defendant Saml G. Gilliam late Sheriff of Dinwiddie County and as such admr de bonis non of Daniel P. Wells dcd

2nd An account of the estate real and personal of said testator which remained at the death of

Mary R. Wells the widow of said testator
3rd An account showing the legacies property chargeable against said estate, and especially of the legacies given by the testator to his sons Albert G. Wells & Renuch Wells and his daughter Caroline Evans with any matter specially stated deemed pertinent by such Commr or required to be so stated by any party interested.
And said Commr shall make report to Court

Waddill's admrs Pltff
vs
Waddill's widow &c Defts } Rule Why

This cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioners Geo. S. Bernard & Wm. H. Jones dated Sept 21, 1888, this day filed, made under the decree entered in this cause at the April term 1887, of this Court, and was argued by Counsel.
On Consideration whereof, it appearing to the Court from said report, to which there is no exception filed, that on the 19th day of May, 1888, said Special Commissioners, acting under said decree, sold to Joseph L. Carter the real estate in the proceedings mentioned, to wit: a tract of land of two hundred & twenty one (221) acres situate in Dinwiddie County about three miles from Wilson's Depot at the Price of five hundred & twenty dollars ($520) and that said purchaser duly complied with the terms of sale, the Court, approving said sale and said Commissioners, said report thereof doth confirm the same and doth adjudge order and decree that said sale be held firm and stable between the parties. And it appearing to the Court that the balance of Sixty one dollars & eighty three cents ($61.83) in the hands of said Commissioners after reserving say ten dollars, to pay Clerks tickets and other proper costs may be ratably divided between the lien creditors E.S. Hobbs and Messrs Jones & McKinney and Thos. T. Rives creditors bearing claims for costs in this cause, the Court doth order that said Special Commissioners do so apply said balance in their hands.
The notes of the purchaser said Commrs are ordered to collect as they mature; and upon their due payment

to execute to the purchaser a deed conveying to him with special warranty the tract of land aforesaid. Upon the collection of the purchasers first years note said Commissioners are ordered to pay to said Hobbs said Jones & McKenney & Thos. F. Rives the balance due thereon respectively on their said claims, the balance of said money to be so received in payment of said note they are to apply ratably to the payment of the remaining debts reported by Comm'r Rives, and to make report to Court with a statement showing how the amount to be received in payment of the purchasers second years note should be distributed, notice being taken of said Hobbs's claim for the taxes referred to in the report of said Special Comm'rs

Shelley's Heirs &c Shelley's Admr } Pltffs / Defts } In Chy

This cause came on this day to be further heard on the papers formerly read, on the report of Receiver Robert Gilliam of his proceedings under the decree entered herein at the April term last of this Court and was argued by Counsel.

On consideration whereof the Court approving said report to which there is no exception, doth confirm the same, And it appearing that nothing further remains to be done in this cause, it is decreed that the same be removed from the docket

Read's Admr &c Read & others } Pltff / Defts } In Chy

This cause came on this day to be heard upon the Bill taken for Confessed as to all of the Defendants, & the exhibits therewith filed & was argued by Counsel On consideration whereof the Court doth adjudge order & decree that one of the Commissioners of this Court take & report to Court the following accounts Viz an account of the outstanding debts against the said Stephen Read's dec'd

or his estate with the dignities & priorities of the same
an an account of the transactions of Wm S. Read &
Admr of Stephen Read decd, taking as a basis
any ex parte account settled by the said W.S.
Read as Admr as aforesaid except so far
as the same may be surcharged & falsified
& said Commissioner will report Specially any
matter deemed pertinent by himself or which
any party may desire to be so stated.

Reams Pltff
vs } Dr Chy
Crowder Defts

This cause came on this day to be
again heard upon the papers formerly read
& upon the notice of L.W. Reams Admr of Emeline
M. Crowder, this day filed by leave of Court
and was argued by Counsel On Consideration
whereof & on the motion of L.W. Reams Admr of
Emeline Reams decd he is admitted a a party plaintiff to this Cause
& upon his motion legal notice of which has been given
the defendants, the Court doth adjudge Order & decree that
the decree entered in this cause on the 10th day of
April 1886, be corrected & that the defendant
Joseph M. Crowder in addition to the amounts
directed to be paid by him by said decree
of April 10th 1886, pay unto L.W. Reams Admr
of Emeline Reams decd her costs expended by
the said Emeline Reams in said suit

Ro & Lura Fraser Pltffs
vs } Dr Chy
Fuckers Admr & others Defts

This Cause Came on this day to be
further heards upon the papers formerly read
and upon the petition of William Ellenborough
and the pltff Ro Fraser and was argued by
Counsel. On Consideration whereof it appearing
to the Court from said petition that the plaintiff Robert
Frasier has by a deed duly recorded in the Clerk's Office
of the County Court of Winnidie Conveyed to the purchaser
Wm Ellenborough all of his said Ro Frasiers, right, title
and interest to and in the real estate which is the

partition in this cause and that both said Ellenbrough and himself desire that said Ellenbrough be substituted in his room and stead in these proceedings and it further appearing from this report that under the partition made by Jas A King, W. A. Hitchcock, Thos R. Chambers and Thos E Hargrave Commissioners acting under the decree entered in this cause at the October term 1886. of this Court and reported to this Court at its April term 1887., whereby said Commissioners heating the buildings erected by the plaintiff John W Bain during the life time of the late Lucy J Frasier in the land in the proceedings mentioned as a part of said land said Commissioners have partitioned and allotted the whole property as follows that is to say the said Robert Frasier tract No 1. on the eastern side of the original tract in the proceedings mentioned containing three hundred and eighty nine (389) acres to the plaintiff Linda G Bain tract No(2) two on the western side of said original tract containing two hundred and seventy two (272) acres, and to the seven infant defendants Flora Lee Bain, Geo W Bain, John W Bain, Lucy Bain, Beula Bain, Grace A Bain and Mary A Bain, tract No 3 Containing eight hundred and seventy (870) acres lying along the central portion of said original tract which said three tracts No. one, No. two and No. three are shown upon the plat of Thos E Hargrave Surveyor dated April 12th 1887, filed with the report of said Commissioners also dated on said April 12th 1887, the Court being of opinion that said partition as made is in all respects legal and proper doth overrule the several exceptions to said report filed at the said April term 1887 of this Court and the affirming said report doth confirm the same and doth adjudge Order and decree that the said partition be held firm and stable between the parties and that said Ellenbrough be and is hereby substituted in the room and stead of said Robert Frasier as the party entitled to the said tract of land so allotted to said Robert Frasier and it is further ordered by the Court for the purpose of giving a description of the land partitioned and allotted as aforesaid as required by Section (2870) twenty five hundred and ten, of the Code of Virginia, said

plat shall be directed to record along with a copy of this decree as provided by said section of said Code it further appearing to the Court from said report that the division of the personalty was made by the parties themselves and approved by said Commissioners. The Court doth also approve and confirm said division. And it appearing to the Court that the object for which this suit was instituted has been accomplished and that there is nothing further to be done therein it is ordered that the same be removed from the docket and that the plaintiffs pay the costs thereof and they recover from the ~~unpaid~~ infant defendant one third part thereof.

Harrison's widow et als. Pltffs
vs } Dr Chy
Harrison's Adm's et als Defts

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Com'r Jno. J. Hand, filed Sept 10th 1888, to which no exception is taken and was argued by Counsel, On Consideration whereof the Court approving the said report of Com'r Jno J Hand doth confirm the same, and upon the request of R. H. Jones late appointed Commissioner in this cause his powers as such Commissioner are hereby revoked and Alexander Hamilton is appointed Special Commissioner of the Court in this cause in the place and stead of said Jones, but said Hamilton shall not act as such Commissioner until he shall have entered into bond in the penalty of $600. with security to be approved by the Clerk of this Court, and conditioned according to law, & for the faithful performance of his duties under this and all future decrees in this cause, and it appearing to the Court that R. H. Jones Jr has been acting as Special Commissioner of the Court in this cause, has not executed the bond required of him as such by law, or by any decree in this cause, the Court doth accordingly order and decree accordingly; and it appearing to the Court that R. H. Jones Jr Esq. acting as the Commissioner of the Court in this cause is indebted to the fund in this cause in the sum

of $468.00 with interest upon $295.66 from the 1st day of Sept 1888 till paid The Court doth adjudge order and decree that said R. H. Jones Jr do pay to Alexander Hamilton Commissioner of the Court in this Cause the said sum of $468.00 with interest on $295.66 from the 1st day of Sept 1888 till paid, and Commissioner Hamilton is directed to collect said sum of money from said R. H. Jones Jr and report to Court, And it appearing to the Court that E. T. Hunnicutt was the purchaser of the tract of land of 425 1/2 acres sold by R. H. Jones Jr as acting Commissioner in this Cause, and that said Jones Jr as such acting Commissioner has failed to properly account for the purchase money received by him to the extent of the sum of $265.46 with interest on $159.14/100 from the 1st day of Sept 1888 till paid, the Court doth order and decree that said E. T. Hunnicutt be summoned to appear on the first day of the next term of this Court, and show Cause, if any he can why a decree should not be entered requiring him to pay the aforesaid balance of purchase money which was paid to said R. H. Jones Jr and not properly accounted for by him, or in default thereof ordering a resale of the said tract of land of 425 1/2 acres to pay the residue of unpaid purchase money due thereon, said residue being the said balance of purchase money not properly accounted for; And on motion of H. S. Harrison, one of the plaintiffs, it is ordered that this cause and the cause pending in the Court styled Robt. H. Jones Jr., trustee, v. E. T. Hunnicutt be and hereafter heards together. ~~And the Court being of opinion that the said Hunnicutt~~

Ordered that all cases not otherwise disposed of be and are hereby continued

Ordered that the Court be adjourned until the first day of the next term.

Beverly A. Hancock

Virginia At a decimal Court held for the County of Dinwiddie at the Courthouse thereof on Monday the 21st day of March 1889 and of the Commonwealth the 113th

Present Hon B Atkinson Judge.

Mark Mathews
against
Mark Mathews & others.

Plaintiffs
Defendants
} In Chancery.

This cause came on this day to be further heard upon the papers formerly read in this cause and upon the report of Commissioner Benj. Mann this day filed among the papers in this cause and was argued by Counsel. On consideration whereof the Court approving said report to which there are no exceptions doth confirm the same and doth adjudge order and decree that the sale therein reported be and the same is hereby made final and stable between the parties thereto, And the Court doth further adjudge order and decree that said Commissioner Mann make and deliver to Ed. H. Mathews & Wm H. Young & F. H. Barksdale the purchasers a good and sufficient deed with special warranty, for the tract of land in the proceedings mentioned lying, that certain tract of land in Dinwiddie County known as the "Northington Farm" and containing 345¼ acres, and take from the said parties a deed of trust thereon to himself as trustee to secure the negotiable notes given for the deferred payments. And the Court doth authorize the said Commissioner to withdraw the said notes from the papers in this cause and execute the same and distribute the net proceeds of sale after deducting all costs and expenses including also of $50.00 to John G Bouldin Esq for his professional services rendered in the above styled cause among the parties entitled thereto. and said Comr shall make report to Court.

Ed H Young Guard &c.
against
Sydnor & others.

Pltff
Defts.
} In Chancery.

This day the cause came on to be further heard upon the papers formerly read and upon the report of Charles H Taylor Commissioner dated November 27th 1888 and this day filed and was argued by Counsel, On Consideration whereof, and it appearing that the decree of the 5th term 1888 in this cause is in error in the particulars set forth in said report, and therein set forth. The Court doth adjudge order and decree that so much of said decree as directed $80.32 to be paid to Ed H Young Guardian of Ely. Sydnor and also sum of $80.32 to be paid to W. C. Sydnor be amended and corrected so as to read that $80.32 be paid Ed H Young guardian of W C Sydnor and also sum of $80.32 be paid to Ely Sydnor. and that said decree in all other respects remain unchanged. And it further appearing that said Commissioner has paid to said Ed H Young guardian of W. C. Sydnor $80.32 and to Ely. Sydnor a like sum of $80.32 and to Lizzie Sydnor the other party entitled also sum of $80.32 who are all the parties rightly entitled to the distribution, the Court approving the said report to which there is no exception doth confirm the same, and doth adjudge, order and decree that said payments be final and stable between the parties. and that the same be in full satisfaction of the rights of the parties entitled to the fund in this

cause. And nothing further remaining to be done in this cause it is ordered that the same be removed from the Docket

Nancy Ann admr. Pltff
against
Nancy Dft } In Chancery

This cause coming on this day to be further heard upon the papers formerly read, and upon the report of Special Commissioner John Mann made in this cause of the term, and was argued by Counsel, On Consideration whereof the Court approving the said report, to which there is no exception. doth confirm the same, and nothing further remaining to be done in this cause it is ordered that the same be removed from the Docket.

Jones & McKenney &c. Pltffs
vs
Berry &c &others. Dfts } In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of W. R. McKenney Commissioner this day filed in this cause to which report there is no exception filed. and was argued by Counsel On Consideration whereof, the Court approving said report doth confirm the same, and it appearing to the Court that said Commissioner McKenney has fully and properly distributed the sum of Four Hundred and eighty Nine Dollars and twenty four cents. which came into his hands according to said report, and it further appearing that nothing further remains to be done in this cause except the distribution among the parties entitled to the sum of $93.32 cts and interest represented by the certificate ~~of the Petersburg~~ of the Petersburg Savings Insurance Company, filed in this cause. It is therefore ordered that the said W. R. McKenney, Commissioner, do cancel the said certificate and, after having paid any unpaid Costs of this suit, he shall pay the balance which shall then remain to the parties entitled according to their respective interests as shown by the papers in this cause and make report to Court.

Nathan Ware Pltffs
Nathan Ware. Dfts } In Chancery.

This day this cause came on to be further heard on the papers formerly read and on the report of Commissioner B J Esters filed on the 21st Day of March 1889. and was argued by Counsel On Consideration whereof the Court approving said report to which there is no exception filed doth confirm the same. And it appearing to the Court that John Ambler Smith the purchaser of the one hundred and seventy six acres of land in fee, and the reversion in the sixty seven acres of land assigned for the widow W. E. Nash as her dower therein, which said lands were sold by Commissioner B J Esters on the 20th day of December 1888. pursuant to the decree in this cause rendered at the October term 1888. of Sheet in default in paying

the deferred payments due on said purchase, The Court doth adjudge order and decree that said Commissioner Esper do with all convenient speed proceed to sell the one hundred and sixty acres of land in fee and the reversion in the forty acres of land assigned to the widow W.E. Nash as her dower to pay the unpaid purchase money due thereon which said Sale shall be made on the following terms terms, one third of the purchase money in cash, and the residue on credit of one and two years. by equal annual instalments bearing interest from day of sale and title retained until the whole of the purchase money is paid, the purchaser executing bonds for the deferred payments. waiving the Homestead exemption, The time and place of said sale to be arranged by printed hand bills Posted at four or more places in the County of Dimmit for thirty days before such sale shall be made. But Commissioner B.J. Esper shall not act under this decree until he has executed & files with the Clerk of this Court a bond in the penalty of One thousand Dollars with Security to be approved by said Clerk, for the faithful discharge of his duty under this or any other decree that may be entered in this cause and additional bond ordered according to law.

J.J. Pleasants et ux. }
vs } Pltff.
Dimmit Masters county et ux. } Defts } In Chancery.

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner W.R. McKenney. made in pursuance of the decree rendered herein at the September term 1888 of this Court and this day filed in this cause to which report there is no exception filed. and was argued by Counsel. On Consideration whereof the Court, approving said report, doth confirm the same and doth adjudge order and decree that said Commissioner McKenney shall execute to the Pelican Springs Irrigation Company. the certificate aforesaid, for the Sum of Three Hundred and Thirty two & 68/100 Dollars with interest at 8% per annum from October 2nd 1888 two years, and when executed he shall, after having paid any unpaid costs of this suit, pay the same so collected together with the Sum of Fifty seven Dollars, mentioned in said report as having been collected by said Commissioner McKenney from Robert A. Jones Jr. the former Commissioner in this cause on to be Attorney admr. with the will annexed of W.B. Foster deceased, on account of the debt known in favor of the said C.A. Foster in this cause. And it appearing to the Court from an inspection of the report made by the former Commissioner Robert A. Jones Jr. filed in this cause at the March term 1888 of this Court, that said Commissioner Jones in said report charged the fund in this cause with Commissions as follows

Five per cent on $ 300. $15.00
Two per cent on $685.32 13.70. together with $10 as agent for Deed to the purchaser. and it further appearing to the Court that said Commissioner Jones collected of the purchasers of Town Lots only $328.44 Six per cent on which is $16.42, and it further appearing that said Commissioner Jones can not now that he has been relieved of his duties as such executed the said deed and that Commissioner McKenney will have to execute the same as well as collect the purchase money unpaid at the date of said report filed by Commissioner Jones & the Court being of opinion that said Commissioner Jones is not entitled to any fee for

Decd. now to any Commissioner except the $16.42 above mentioned, Dott adjudge order and decree that said Robt H Jones Jr. the Commissioner heretofore appointed in this cause do pay to Wm R. McKenney Commissioner, the sum of $22.28 which represents the difference between the amounts charged as aforesaid, and the said sum of $16.42 and said Commissioner McKenney is instructed to report to Court.

Chas E. Whitlock adm &c Pltff
vs
John D. Blanks Etc &c. Defts } In Chancery.

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner John G Harris, made in pursuance of a Decree rendered herein at the September term 1888. of this Court, which report has been ~~this day~~ filed in this cause on March 11th 1889 to which report there is no exception filed. and was argued by Counsel, on Consideration whereof, the Court, approving said report, Doth confirm the same and Doth adjudge, order and decree that unless the defendants or some one or more of them shall within four months from the date of the decree in lieu of about of this decree pay the costs of this suit and the debts principal interest and costs in the report of John G Harris Com. filed in this cause March 11/89 then Alexander Wm Blanks, W R McKenney and B F Eggleston be and are hereby appointed Commissioners of this Court any one or more of whom may act, whose duty it shall be to make sale of so much of the real estate in the said report mentioned as shall be found necessary to satisfy the debts mentioned in the said report, together with the costs and expenses of this suit and the costs and expenses attending such sale, and to this end the Commissioner or Commissioners who shall act are hereby authorized to employ a competent Surveyor to make a proper plat and subdivision of said land, such sale to take place at Driver Depot in Nansemond County County day after an advertisement of the time place and term of sale shall have been published for at least two days in the Daily Appeal a daily newspaper published in the City of Petersburg Va and such notice of such sale shall have been given by handbills, and upon the following terms, one fourth Cash and the balance on credits of one and two years, interest added for notes or bonds and title retained till the purchase money shall have been fully paid. But there said Commissioner and his one or more of them shall act as such shall be or they shall have entered into bond in the penalty of $2000.00 with security approved by the clerk of this Court, conditioned according to law, for the faithful performance of his or their duties under this or any further decree which shall be rendered by this Court in this cause. And that said acting Commissioner or Commissioners shall make report to Court.

F.C Sutherland's Heirs, Pltffs
vs
F.C Sutherland's Heirs. Defts } In Chancery.

This cause came on this day to be further heard upon the papers formerly read and upon the report of Com. McAuliffe this day filed with exhibit vouchers therein referred to, and was argued by Counsel. On Consideration whereof the Court approving the said report of Com. McAuliffe doth confirm the same. and the Court approving the sale of 83 acres of land at $300. to Jno. B Sparrow reported doth confirm the same, and adjudge, order & decree that the sale reported be held firm & binding between the parties, and that Com. McAuliffe proceed to collect the purchase money as it becomes due (or may be paid) and upon its payment is fully to execute and deliver to said Jno. B Sparrow the purchaser a good & sufficient deed for said land with special warranty. and the Court doth further order that out of the balance of $103.50 reported in the hands of the said Com. he shall pay the costs of the cause including a fee of $40.00 to Jno. G. Mann and Duncan McAuliffe for their services as Counsel in this cause, which is hereby allowed by the Court; and then that said Com. McAuliffe shall out of said balance pay the unpaid costs if any of the causes of Smith vs. Mann & Smith vs. Mann recently pending in this Court. but said costs not to include any attorneys fee in said causes taxing vouchers for said payments. and reporting to Court.

Vardon et al.
vs
Vardon.

Pltffs.
Defts.
} In Chancery

This cause came on this day to be further heard upon the papers formerly read. upon the petition of A E. Coleman and E.T. Sandifer this day filed by leave of the Court and upon the answer of said A E. Coleman and E.T. Sandifer this day filed by like leave of the Court and upon the application therein contained and was argued by Counsel, On Consideration whereof the Court without passing upon any of the questions raised by said petition and answer, doth adjudge order and decree that this cause be continued under the next term of the Court.

Jones v Mann &c.
vs
William Mann.

Pltff.
Defts.
} In Chancery.

This cause coming on this day to be further heard upon the papers formerly read, and upon the Report of W R McKinney Com. bearing date March 22/89 and this day filed in this cause, to which report there is no exception filed and was argued by Counsel. On Consideration whereof the Court approving said Report doth confirm the same, and notwithstanding so much of the decree of the October Term 1882. of this Court in this cause as orders said Commissioner McKinney to pay any portion of the proceeds of the real estate mentioned in said report to Robert H. Jones Jr. doth adjudge order and decree that when said Commissioner McKinney shall have paid out of the balance of $189.29 One hundred Eighty Nine 29/100 Dollars in his hands according to his said report, any unpaid Costs of this Court then the residue of said $189.29 he shall pay over to W R McKinney Attorney for John Mann Ex. of Robert Mann deceased. and Alexander Mann & W.H. Jones Trustees under Deed of Trust from Robert H Jones Jr and wife. And that said Com. shall make report to Court.

Wm Lewis Buford. Pettf

vs

John M Thomas and Mary C Thomas his wife, Fannie G Buford. Bernard Buford. Lillian Blanch Buford and John Lewis Buford. Deffts } Bill Chan.

This day came the plaintiff and by leave of the Court filed his bill, and on his motion, Alexander Hamilton, a discreet and competent Attorney at law was appointed guardian ad litem of the infant defendants, Mary C Thomas Fannie G Buford Bernard Buford Lillian Blanch Buford and John Lewis Buford; and thereupon by leave of the Court filed the answer of said infants, and the said John M Thomas, and Mary C Thomas his wife, by leave of the Court filed their joint answer, to both of which the said plaintiff replies generally, and thereupon by Consent of parties this cause was docketed, and by like consent came on to be heard, upon the said bill answers replications, and exhibits filed and said bill and upon the affidavit of Wm Mary D Buford also this day filed, and was argued by Counsel. On Consideration whereof it appearing to the Court that the real estate in the said bill mentioned cannot be conveniently partitioned in kind among the parties interested therein, that no one of them is willing or able to take the whole thereof, and pay to the others such sums of money as their interest therein entitle them to, and that the interests of all the parties will be promoted by a sale of the whole of said land, and the division of the proceeds among them. The Court doth adjudge, order and decree that George Mason who is hereby appointed a Commissioner for the purpose, proceed to sell the said real estate, the same being a tract of 130 acres of land, situate in the County of Dinwiddie, near the City of Petersburg and bounded by the lands of Field and Claypoole on the North, on the East by the lands of Claypoole and Child Smith, on the South by the lands of Jones and A A Andrews and on the West by the lands of A Dyson and Caroline Elmore either publicly or privately, but in case of a public sale the same shall be made either on the premises or at the front door of Dinwiddie Court House or in the City of Petersburg, after advertising the time, place and terms of sale for at least ten days by hand bills posted at Dinwiddie Court House and in the neighborhood of the land and inserted one time in some newspaper published in the City of Petersburg and for one fourth of the purchase money in cash, the balance payable in one and two years in equal instalments, the purchaser to execute his bonds or notes for the deferred payments, bearing interest from date, and the title retained till all the purchase money be paid and a conveyance ordered by the Court. And the said Commissioner shall make report to Court; But the said Commissioner shall not act under this decree till he shall have entered into bond in the penalty of $3000.00 with security to be approved by the Clerk of this Court, and conditioned for the faithful performance of his duties under this or any other decree that may be entered in this cause.

Thomas Shedden & others Pltffs } Bill Chy

vs

Spiers administratrix & others Deffts

This cause came on this day to be further

heard upon the papers formerly read, and upon the Report of Commissioner John G. Harris, made in pursuance of a decree rendered herein at the September Term 1888. of this Court; and filed herein March 11th, 1889 and was argued by Counsel; And it appearing to the Court that there is no exception filed to the said report, and it appearing further to the Court from the said report that neither Robert H. Jones, Jr: or Joseph D. Budd, the Commissioners appointed by decree rendered herein at the October Term 1878 of this Court, ever executed any bond as such, that said Robert H. Jones, Jr., has acted as such Commissioner without executing the said Bond; that of the purchasers of the real estate sold in this cause Lucy C. Obrien, the purchaser of the reversion in the tract assigned to her as Dower still owes thereon after crediting her with the amount paid by her to said Commissioner Jones and properly accounted for by him, the sum of $526.40, with interest on $328, part thereof from March 4th, 1889, till paid; That Samuel Davis, the purchaser of tract of 81 acres, after crediting him with so much of the amounts properly accounted for by said Commissioner Jones as paid to him, still owes thereon the sum of $269,02, with interest on $179.65 part thereof, from March 4th 1889, till paid; that James Halligan the purchaser of another tract called Emmons, 162 acres, after crediting him with all payments made by him to said Commissioner Jones and properly accounted for by him, still owes the sum of $224.21, with interest on $158.17 ~~by him~~, a part thereof from March 4th 1889 till paid; that T.J. Aldridge the purchaser of the tract containing 69 acres, after crediting him with all amounts paid by him to Commissioner Robert H. Jones Jr and properly accounted for by him, still owes the sum of $437.40, with interest on $270, a part thereof from March 4th, 1889, till paid; that J.T. Mingea, the purchaser of the Tract containing 60 acres, after crediting him with so much of the amount paid by him to Commissioner Jones as has been properly accounted for by him, still owes the sum of $108,05, with interest on $70.92, a part thereof from March 4th. 1889, till paid; that Samuel Davis, the purchaser of Tract containing 24 acres after crediting

him with all sums paid by him to said Commissioners Jones and properly accounted for by him, still owes thereon the sum of $207.77 with interest on $146.58, part thereof from March 4th, 1889. till paid; and it further appearing from the same report that J.M. Aldridge, the purchaser of the tract containing one acre as in said Report mentioned, has paid in full to said Commissioners Jones the purchase price therefor and that the whole of said purchase price has been fully accounted for by said Commissioners Jones: On consideration whereof, the Court approving the said Report doth confirm the same, And it appearing to the Court that it is proper so to do, now that the said report has been filed and confirmed, the Court doth hereby revoke and annul so much of the decree rendered herein at the September Term 1888. of this Court as appointed W.R. McKenney, a Commissioner to collect of Mrs. Lucy C. Shinn the sum of five hundred dollars with interest as therein set forth, and doth adjudge order and decree that Lucy C. Shinn, James Halligan & T.J. Aldridge, do pay to W.R. McKenney who is hereby appointed a Commissioner of this Court to receive the same, the sums above mentioned as due by them respectively, with interest as above stated, and that said Commissioner McKenney shall make report to Court, but that he shall not receive any money under this decree until he shall have entered into a bond in the penalty of $2000.00 with security approved by the Clerk of this Court, conditioned according to law for the faithful performance of his duties under this or any other decree which may be rendered in this cause; And the Court doth further adjudge order and decree that unless Lucy C. Shinn, James Halligan, J.T. Mingea, T.J. Aldridge shall before the 1st day of July 1889. pay the several sums due by them that they be summoned to appear at the next term of this Court, on the first day thereof, to show cause, if any they can, why the tracts of land purchased by them respectively, should not be resold for the pay-

ment of the balance of the purchase money due thereon as aforesaid, and that Charles F Collier, Administrator of Samuel Davis, deceased, be also summoned to the first day of the next term of this Court to show cause, if any he can, why the two tracts of land purchased by the late Samuel Davis, his decedent, should not be resold for the payment of the balance of purchase money due thereon as aforesaid, And the Court doth further order that W. R McKenney, as a Commissioner of this Court, do execute to J. M. Aldridge a Deed, with Special Warranty, for the tract of one acre of land purchased by him of Commissioner Jones as aforesaid, And the Court doth further adjudge, order and decree that when the purchasers aforesaid shall have paid the several amounts above ordered to be paid by them to said Commissioner McKenney, then that said Commissioner shall execute to each of them a Deed for the tracts of land purchased by them respectively, with Special warranty; and that said Commissioner shall report

vv to Court

Mary Hardy Trustee of A A Hardy

vs

A A & M B Hardy, B G Bispham, John B Whitmore, J J Purcell, W M Reid partners under firm name of Purcell Reid & Co and Hardy & Hardy & W Hardy & Zehmer the last-three named being minors, Thos C Zehmer, Wm M Reid, J E McClosky, Jas H Abernathy, John D Cronin, R W Manson & J R Shell partners under the firm name of Manson & Shell, S W Travers & Chas G Secrest partners under firm name of Travers & Secrest, S W Travers, Ney Wright, Simon Otten, The Farmers Warehouse Co, H C Davis trading as Davis & Co, W T Plummer trading as Plummer & Whitlow, B D Booth, John Turner, Chas. Leonard, C C Alley, W S. Reade, H Raney, D L Tucker, A J Teal, V O Wynn, Wm Ellenborough, R W Manson Trustee The Citizens Bank of Blacks & Whites, George A Whitmore, and all other Creditors of A A Hardy their names & residences being unknown.

The order of publication awarded in this cause having been published and posted according to law, and the unknown defendants still failing to appear and demur, plead or answer, on the motion of the plaintiff, B J Espey, a competent Attorney at Law, is appointed Guardian ad-litem to the minor defendants M Carrie Hardy, A A Hardy Jr, and Nate W Zehmer, and thereupon this cause, which has been regularly set for hearing came on this day to be heard upon the Bill and Exhibits filed, upon the Bill taken for confessed as to all the ~~adult~~ defendants

upon whom process has been served, and upon the answer of the said minor defendants M Carrie Hardy, A A Hardy Jr, and Kate W Zehmer, by their said guardian ad litem with general replication thereto and was argued by Counsel:

On consideration whereof, the Court, without at this time passing upon any question of fact or law raised by the pleadings, doth order and decree that one of the Commissioners of this Court proceed to take, state and adjust the following accounts, viz:

1st. An Account of the real and personal property conveyed by the several deeds of trust from A A Hardy, as mentioned in the Bill with the fee value thereof, showing what remains unsold:

2nd. An Account of the liens binding the said real and personal property, with their dignities and priorities, including all the debts secured by the several deeds aforesaid, and what sum or sums, if any, are owing and unpaid by A A Hardy as guardian of the minor defendants M Carrie Hardy, A A Hardy Jr, and Kate W Zehmer.

3rd. An account of the transactions of John Y Harris as trustee of A A Hardy, to the extent he has executed his trust: together with any other matter deemed pertinent by the Court or required to be stated by any party in interest: and said Comr shall report to Court: notice of the time and place of taking said accounts shall be published once a week for four successive weeks in a newspaper published in Petersburg Va which publication shall be equivalent to personal service of such notice upon all parties interested, except Jno Y Harris trustee, who shall have personal service thereof.

Order that the cause be adjourned until the terms in lieu of 10 o'clk am.

Beverly A. Hancock

Friday March 21st 1879.

Present Hon B A Hancock Judge.

James Abbott Pltff
vs
Emanuel Stokes Defts } In Chy

This cause which has been regularly set for hearing, came on this day to be heard upon the Bill and exhibits filed, and upon the Bill taken

for confessed as to the sole defendant ~~Emanuel~~, Emanuel Stokes, and was argued by Counsel; On Consideration whereof, the Court doth order and decree that unless the defendant, Emanuel Stokes, shall within ninety days after the service upon him of a copy of this decree pay to the plaintiff, Jas. Abbott the sum of $90 20/100 with interest thereon from the 12th day of Dec. 1887 till paid and the costs of this suit, then that the real estate in the Bill & proceedings mentioned of two acres be sold to pay the same, and Alex. Hamilton is appointed a Special Commissioner of this Court to make said sale, whose duty it shall be to sell said property after reasonable advertisement either on the premises or in the city of Petersburg, upon terms of one third of the purchase money in cash and the residue upon credits of six & nine months, notes to be given for deferred payments with legal interest from day of sale, & title to be retained until all purchase money shall be paid, but said Hamilton shall not act as such Comr until he shall have entered into bond in the penalty of $200 with security approved by the Clerk of this Court and conditioned according to law for the faithful performance of his duties under this & all future decrees in this cause & said Comr shall report to Court

E. H. Allen & others Pltffs
C. Y. (Jr) Gilliam Exff & as such Exr of Geo Williams decd Deft } In Chy

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Special Commissioner William H. Jones, bearing date on the 19th day of March 1889. and filed on the 23d day of 1889. showing a balance in his hands of thirteen dollars & fifty cents, to which report there is no exception, ~~filed~~ and was argued by Counsel: On Consideration whereof, the Court doth adjudge, order and decree that the report above mentioned be and the same is hereby confirmed And this Court doth order Comr W. H. Jones to withdraw from the papers in this cause the note of the purchaser for the deferred payment, collect the same and report to Court -

Wm Ellenbrough } Pltff
" } No 1 } In Chy
Keeler & c Deft

Keeler & c Pltff
" } No 2 } In Chy
Butterworth & others Deft

This day these causes came on to be further heard upon the papers formerly read, upon the report of Commissioners J. H. Brisscau, J St. Brisscau and R.E. Brisscau appointed to assign to Delia A. Keeler widow of I. S. Keeler her dower in his real estate and upon the report of Commissioner Alexander Dumon both this day filed and upon the upset bid for the mill tract with bond to comply with the same in case a resale is ordered of J.C. Griffin of $335.50 this day filed to which report there are no exceptions filed and was argued by Counsel, On Consideration whereof the Court does confirm the said report of Comm Dumon and does order that the sale of the 28 3/4 acres of land to Richard E Brisscau be held firm and binding and does order upon the payment of the notes given by him, the Commissioner Dumon execute to him a deed with special warranty for his purchase; and the Court does confirm the report of the Commissioners assigning the dower of Delia A Keeler in the lands of her late husband Isaac I. Keeler - And it appearing from the report of Commissioner Rives heretofore filed in this cause, that it will require all of the residue of the real estate of the late I. I. Keeler to pay his debts, the Court does decree and order that the said Commissioners heretofore appointed, to wit, Alexander Dumon, John G Harris W. R. McKenney and Geo. I. Bernard (either one or more of whom may act) proceed to sell the five acre lot and the reversion in the dower assigned the widow Delia A. Keeler, to wit: in the six acres with the dwelling and other buildings as appears by the plat filed in this cause upon the same terms and conditions as that already sold, and the Court doth refuse to confirm the sale of the Mill tract to R Butterworth & H. K Butterworth

at $ 305.00, and doth order the said Commissioners, or either of them, to proceed to sell the said mill tract upon the terms heretofore ordered, and at such sale the property shall be started at the upset bid of John C Griffin to wit: at the sum of $ 335.00, and the said Commissioners shall report to Court

E. W. Coleman Pltff
(4th)
Wm Knox admr &c Defts } Dr Chy

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Special Commissioner William St. Jones bearing date on the 18th day of March 1889. showing a balance in his hands of $ 158.96. to which report there is no exception, and was argued by Counsel;
On Consideration whereof the Court doth adjudge, order and decree that the report above mentioned be and the same is hereby confirmed and that the sale therein reported to be held firm and stable between the parties, and the Court doth further adjudge, order and decree that W. St. Jones deposit the said money in his hands to wit; the sum of $ 158.96 in the Petersburg Savings & Insurance Company to the credit of the Court in this cause, and file a certificate of deposit therefor in the papers in this suit, and make report to Court, And the Court doth further order that W. St. Jones Comr withdraw the bond of the purchasers for the deferred payment, collect the same and report to the next term of this Court-

Sutherlands Plaintiffs
vs
Sutherlands others Defts } Dr Chancery.

This cause coming on this day to be further heard upon the papers formerly read and upon the petition of A Rosenbach &c. and Jacob Cohen asking that they be made parties defendant in this cause, which petition has been this day filed by leave of Court upon the report of Commissioner A.M. Ogburn, made in pursuance of a decree rendered herein at the September term 1888 of this Court and filed herein March 7th 1889 and upon the report of W R McKenney Comr this day filed herein, to which said report is there any exception filed, and was argued by Counsel, On Consideration whereof the Court doth order that the said A Rosenbach &c and the said Jacob Cohen be admitted as parties defendant in this cause upon the usual terms and

that this cause be henceforth proceed with against them as said, And the Court approving the said report of Commissioner Organ doth confirm the same, and the Court approving also the said report of Commissioner McKenney doth confirm the same, and doth order and decree that the sum of 275 acres of land in the proceedings mentioned, made according to the said last mentioned report to E.M. Sutherland, at the rate of Fourteen hundred dollars, be held forever firm and stable as between the parties thereto. and that when the said E.M. Sutherland shall have paid in full to the said Commissioner McKenney the three bonds given by him for the deferred payments on the said land, as mentioned in and ordained with the said report then that the said W.R. McKenney shall execute to the said E.M. Sutherland ~~and~~ a deed with special warranty for the said land. and to this end he is authorized to withdraw the said three notes from the papers of this cause. depositing in their place his receipt for the same, And it appearing to the Court from the said report of Commissioner Organ that W.O. Dyson was a balance of $455.43 on of January 1st 1889, for rents and profits of the real estate aforesaid to the said date. the Court doth adjudge order and decree that the said W.O. Dyson do pay to W.R. McKenney, the Commissioner heretofore appointed in this cause, the sum of $455.43 aforesaid with interest thereon from January 1st 1889 till paid, and that when said Commissioner McKenney shall have received of the said W.O. Dyson the said sum of $455.43 and interest as aforesaid then that he shall distribute the same as follows, that is to say to W.O. Dyson guardian of F.M. Dyson, twenty one thirty seconds thereof, to E.M. Sutherland four thirty seconds thereof to E.P. Sutherland one thirty second thereof and four thirty seconds to B.E. Sutherland which proportions the said Commissioner is hereby authorized to pay to the said parties or their attorneys in this cause. And the Court doth further order that when the said Commissioner McKenney shall have paid out of the said sum, including one of one hundred dollars to the attorneys for plaintiff and defendant herein, in full for their services herein, then that he shall pay to Mrs E.P. Sutherland on account of the sum of $234. ascertained to be the sum of her dower interest in the land aforesaid, as set forth in the said report of Commissioner Organ, the sum of Fifty Eight dollars and fifty cents - and the balance which shall then remain of the sum of Two hundred and twenty eight dollars and eighty nine cents in his hands according to his report aforesaid he shall pay as follows: To E.M. Sutherland, or his attorneys, four thirty second thereof, to E.P. Sutherland or her attorneys one thirty second thereof, and to W.R. McKenney as attorney for the said E.E. Sutherland and attorney for the said A. Rosenstock & Co and said Jacob Cohen four thirty seconds thereof; and the remaining twenty one thirty seconds thereof being the interest of F.M. Dyson the infant defendant, he shall deposit in the Petersburg Savings & Insurance Company taking a certificate therefor in his name as such Comm in this cause and file the same in the papers in this cause, and make report to Court of

Costs

N to his action under this decree

Kirby per friend Pltffs
vs
Pascal Tucker Exr & others Defts
} In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner Johnly Harris made in pursuance of a decree rendered herein at the September Term 1888, and filed in this cause March 11th 1889 to which report there is no exception filed, and was argued by counsel. On consideration whereof the Court approving the said report, doth confirm the same; and it appearing to the Court from the said report that Robert H Jones Jr. and B J Epes, the Commissioners appointed by decree rendered herein at the October Term 1871 of this Court, each executed severally a bond as required by said decree; that said Commissioner B J Epes has never acted as such except in the sale of the lands sold under said decree and the collecting along with said Comr. Jones of the cash payments paid by the purchasers, and that said B J Epes, Comr. has fully accounted for all things which have come into his hands as such Comr. That Commissioner Robert H Jones Jr still owes on account of amounts collected from the purchasers of real estate under the said decree the sum of $53.20 as of March 4/89. And it further appearing to the Court from the same Report that neither Robert H Jones Jr or B J Epes, the Commissioners appointed by decree rendered in this cause at the March Term 1874 of this Court has been executed any bond as required by said decree, and that William Ettenbrough purchased of Robt H Jones Jr Commissioner under said decree the tract of Nine hundred and seventy four and a half acres in said report of Comr Harris mentioned, and it further appearing that of the purchase price agreed to be paid for said tract of 974½ acres, and actually paid to said Jones claiming to act as such Commissioner by said William Ettenbrough, the said Jones has failed to account for in this cause the sum of one hundred and ninety dollars and 04/100 ($190.04) as of March 4th. 1889, and that said William Ettenbrough is liable as such purchaser therefor; and it further appearing to the Court from the same report that William Ettenbrough claims to have purchased at a tax sale in September 1886 the tract of 433¾ acres of land sold to J.P. Tucker under the decree rendered herein at the October Term 1871 of this Court, but that said William Ettenbrough is willing to relinquish all claim to said tract upon the payment to him of the sum of $64.63 mentioned in said report as having been paid for taxes; and it further appearing to the Court that B J Epes is willing to accept fifty one dollars in full of his debt reported in said report as due to him and it further appearing

to the Court that J.P. Tucker and W.J. Beville who ~~had~~ have heretofore been reported as purchasers of the said tract of ~~land~~ 433 3/4 acres have heretofore been summoned by decree in this cause to show cause why the said land should not be resold, and that no good cause has been shown by them - And it appearing to the Court that Robert H. Jones Jr. desires that his powers as Commissioner aforesaid be revoked the Court doth further adjudge order and decree that William Ellenbrough do pay to W.R. McKenney, who is hereby appointed a Commissioner of this Court to receive the same as well as to make sale of the real estate hereinafter mentioned, the sum of One Hundred and Ninety & 90/100 dollars aforesaid, with interest on $167.82, apart thereof, from March 4th 1889 till paid, and that when he shall have paid said $190.90/100 with interest as aforesaid, then that said Comr McKenney shall execute to said William Ellenbrough or to such person as he shall designate in writing to said Comr McKenney a Deed with Special Warranty, for said tract of 974 1/2 acres of land, and that when said Comr McKenney shall have collected the said $190.90 & interest, then that he shall pay to said William Ellenbrough in full of the fees paid by him as aforesaid the sum of ($64.63) Sixty four & 63/100 dollars, and to R.J. Ellis in full of his claim aforesaid the sum of Fifty one dollars, and the Court, revoking the powers of the said Robert H. Jones Jr. as Commissioner in this cause, doth adjudge order and decree that the said W.R. McKenney as a Commissioner of this Court do proceed to make sale by public auction either at Dinwiddie Court House or some County Court day, or in the City of Petersburg, of the tract of 433 3/4 acres of land above mentioned, after at least ten days advertisement of the time, place and terms of sale in the Index-Appeal, a daily newspaper published in the City of Petersburg, and by handbills, and upon the following terms- One fourth Cash, and the balance on credits of one year and two years, interest added, taking for the deferred payments bonds of the purchaser, and retaining title till the whole of the purchase money shall have been fully paid - But that said Commissioner

McKenney shall not receive any money under this decree until he shall have entered into a bond in the penalty of One thousand dollars, with security approved by the Clerk of this Court, Conditioned according to law for the faithful performance of his duties under this or under any further decree which may be entered in this Cause; and that said Commissioner McKenney shall make report to Court as to his action under this decree

Webb's Creditors Pltff
vs
Webb's admrs et als Defts } In Chy

This Cause came on this day to be again heard upon the papers formerly read, and upon the report of Comm'r A. Hamilton, this day filed with the vouchers for the payments stated in said report, to which no exception is taken, and was argued by Counsel; On Consideration whereof, said Comm'r A. Hamilton having fully executed the decree herein at the Sept. Term 1888, by collecting all moneys due the fund, and by paying all debts, and having in his hands a balance of $70,72 payable to Margaret J Weber and Ella C. Webb or their Attorneys, the Court approving the said report of Comr Hamilton doth confirm the same, and doth order and decree that out of the balance of $70,72 reported in his hands he shall pay to Margaret J. Weber or her attorneys the sum of $35,36 and to Ella C Webb or her attorneys the like sum of $35.36, taking vouchers for said payments and reporting to Court

W D Elder Pltff
vs
Elder and Al. Defts } In Chancery.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of Com Alexander Hamilton, this day filed with the vouchers for payments mentioned therein, to which no exception is taken, and was argued by Counsel. On Consideration whereof the Court approving the said report of Com Hamilton, doth confirm the same and doth order and decree that he proceed to collect the balance of unpaid purchase money due by W D Elder and A.J. Sheffield, and that he shall distribute the fund in hand and to be collected as ordered by the decree herein at the Sept Term 1888. and report to Court.

R. B. Warren, who sues as Committee of Minerva Ann Heath, an insane person — Pltff's

vs

Minerva Ann Heath, Rebecca Slade, J. J. Slade, Sally Ann Mitchell John H. Jackson, Robert G. Jackson, Jos F. Jackson, Lucinda Jo Rose, Susan Temple, Alexander Temple, Wm Cain, Jno W. Cain Frederick Cain. Daniel L. Cain, Timothy Cain and Benj. Cain — Defts

In Chy

On motion of the plaintiff W. R. McKenney, a competent attorney at law, is appointed guardian ad litem to the minor defendants — Timothy and Benj. Cain, and also guardian to the insane defendants Minerva Ann Heath and Sally Ann Mitchell, and on motion of B. H. Ragsdale Sheriff of Winnidie County and as such Committee of said Sally Ann Mitchell, he is admitted as a party defendant in this cause, and thereupon this cause which has been regularly set for hearing came on this day to be heard upon the Bill and exhibits filed, the answers of Timothy and Benj. Cain, minors, by W. R. McKenney their guardian ad litem, the answer of W. R. McKenney, guardian ad litem to the insane defendants Minerva Ann Heath and Sally Ann Mitchell, the answer of B. H. Ragsdale, Sheriff and as such Committee of Sally Ann Mitchell, all of said answers being this day filed, with general replication to said answers ~~being this day filed~~ and upon the Bill taken for confessed as to the defendants, Rebecca & J. J. Slade, John H., Robt. G., and Joseph F. Jackson Lucinda J. Rose, Susan & Alexander Temple, and Wm., John W. Frederick, and Daniel L. Cain, and was argued by Counsel; On Consideration whereof the Court being of opinion that under the will of Littleton Heath his estate, including the Corpus thereof if necessary, was to be used during the life of Minerva Ann Heath for her proper support and maintenance, and that any residue thereof at the death of said Minerva Ann Heath was to pass to and become the estate of Winfield Jackson, doth adjudge order and decree accor-

dingly; and the said Winfield Jackson having departed this life in the lifetime of said Minerva Ann Heath, intestate except as to a provision for her life made for his widow, Edmonia Jackson, and the said Edmonia Jackson, having departed this life, the Court doth further adjudge, order and decree that the heirs of said Winfield Jackson owned at the death of said Minerva Ann Heath be entitled to and become the owners of any residue then remaining of the property bequeathed and devised by Littleton Heath for the support and maintenance of Minerva Ann Heath during her life; and the heirs and next of kin of said Minerva Ann Heath, if she were dead, not being persons who owned have and any interest in the said property bequeathed and devised for the support and maintenance of Minerva Ann Heath during her life, the Court doth further adjudge, order and decree that said persons who owned be the heirs and next of kin of Minerva Ann Heath, if she were dead, are not proper parties in this Cause; and the Court doth further order and decree that one of the Commissioners of this Court shall proceed to take the following accounts and make the following enquiries, Viz: 1st An account of the transactions of R. B. W. Warren as Committee of Minerva Ann Heath, showing the amounts rec'd and paid out by said Warren Committee, and what sum it is proper to allow to said Warren Committee for the care, support and maintenance of the said Minerva Ann Heath whilst she lived in the family of said Warren and the amount due to said Warren, if any, on that account; and also what sum is due, if any, to any other person for the care and support of said Minerva Ann Heath since she ceased to live in the family of said Warren, and what is a proper sum per annum to be allowed for the care and support of said Minerva Ann Heath in future; 2nd An account, showing the real and personal property, with the fee and annual value of the real estate, belonging to the bequest and devise of Littleton Heath for the support and maintenance of Minerva Ann Heath, together with any facts showing the necessity or advisability of a sale of said real estate. And said Comr shall report to Court with any other facts deemed pertinent by him or requested to be stated by any party in interest & notice of the time

and place of taking said accounts and making said inquiries shall be published once a week for four successive weeks in a newspaper published in Petersburg, Va. which publication shall be equivalent to personal service of notice upon all parties interested, except R. B. W. Warren, Committee of Minerva Ann Heath, who shall have personal service thereof,

F. Priest &c &c Pltff
To
Robt. E. Bissecan's adm &c Defts } In Chy

This cause came on this day to be again heard upon the papers formerly read, and upon the report of Comm^r Alexander Hamilton, this day filed with the compromise agreement and receipt, statement and vouchers therein mentioned, to which no exception is taken, and was argued by Counsel; On Consideration whereof, the Court approving the said report of Comm^r Hamilton, and said Compromise Settlement, doth confirm the same, and it appearing to the Court that Comm^r Hamilton has disbursed the entire fund in this cause (except $10 reserved to pay deed fee and additional costs) and that the two notes of R. E. Bissecan for his unpaid purchase money have been cashed by A. Dennon who holds the same, the Court doth order and decree that said Dennon be and he is subrogated and substituted to the rights and remedies of the Parties in and to said two notes, and upon their payment deed shall be executed and delivered to said R. E. Bissecan as heretofore ordered,

R. H. Blund Pltff
To
Lucy & wife & others Defts } In Chy

This cause came on this day to be again heard upon the papers formerly read and upon the report of Alex^r Hamilton, this day filed with the State and vouchers therein mentioned, to which no exception is taken, and was argued by Counsel; On consideration whereof the Court, approving the said, Report of Com^r Alex^r

Hamilton doth confirm the same, and the Court being of opinion that R. J. S. Bland had no interest in the one third of the fund in this Cause arising from the sale of the real estate, which was devised to Mrs R. H. Bland, the Court doth confirm, approve & ratify the payment made by said Comr Hamilton to said R. H. Bland of the sum of $129.98/100 made on Feb 9th 1889 and the Court doth order and decree that said Comr Hamilton shall pay to Mrs M. A. Lucy & such of her children as are of age the sum of $129.98/100 being the one third of the fund belonging to them accruing from said payment so much of the said sum of $129.98/100 as may be the share of such of said children as are not of age, and paying such shares to said children as they become of age; and the Court doth further decree and order that said Comr Hamilton shall pay the sum of $129.98/100, the remaining one third of the fund to Alexander Hamilton as Comr of this Court in the Cause of "Slaughters adm& vs Spicely's adm's &c pending in this Court, said one third of said fund belonging to the fund in the last named Cause; and said Comr shall take vouchers for said payments and report to Court. And said Comr Hamilton is directed to collect the unpaid purchase money due by W. B. Rainey as rapidly as may be practicable & report to Court.

Slaughters Adm& Plaintiff
vs
Spicelys Adm's et als Defts } In Chancery

This Cause came on this day to be further heard upon the papers formerly read and upon the report of Comr John G. Harris, filed March 11th 1889 to which no exception is taken and was argued by Counsel;
On Consideration whereof, the Court approving the said report of Comr Jno. G. Harris, doth confirm the same; and it appearing to the Court that R. H. Jones Jr has not executed any bond as Comr of the Court in this Cause, but has acted as such Comr, the Court doth hereby revoke the appointment of said Jones as such Comr said Jones so requesting, and Alex& Hamilton is appointed the Special Comr of the Court in this Cause who shall discharge such duties as may be ordered under this and all future decrees in this Cause but before said Hamilton shall act as such Comr he shall enter into bond in the penalty of $1500. with security to be approved by the

Clerk of this Court conditioned according to law for the faithful discharge of his duties under this and all future decrees herein; and it appearing to the Court that said R St Jones Jr is indebted to the fund in this cause in the sum of $304 95/100, with interest on $252 29/100 principal thereof from the 4th day of Mar: 1889 till paid, the Court doth adjudge, order & decree that said R St. Jones Jr do pay to said Com'r Alex'r Hamilton the said sum of $304 95 with interest on $252 29 principal thereof as aforesaid; and that the one fourth interest of said R.St. Jones Jr in and to the debt reported herein in favor of D.K. Suey be and the same is ordered to be credited when realized upon the said sum or debt due by said Jones as late acting Com'r in this cause to the extent of said debt if then unpaid; and it appearing to the Court that John Thomas owes a balance of purchase money for the 110 acres of land bought by him of $154 44/100 as of Mar. 4th 1889 of which $129 29 is principal which he has not paid to any person, and in addition owes on account of said purchase money the following sums illegally paid to R.St. Jones Jr acting as Com'r which said Jones has failed properly to account for. Viz: $49 63/100 with interest thereon ~~thereon~~ from Sept 17th 1883 $50 ± with interest thereon from May 15th 1885, and $30 ± with interest thereon from Dec. 21st 1885 till paid; and that Henry Madison owes a balance of his purchase money for the 160 acres bought by him of $390.43, with interest on $298 90 principal thereof as of Mar. 4th 1889. which he has not paid to any person and in addition owes the sum of $34 ± with interest thereon from Oct, 27th 1885 till paid, which was illegally paid to said Jones and has not been properly accounted for; and that Jack Williams owes a balance of his purchase money for the 100 acres of land bought by him of $218 17/100 as of Mar 4th 1889. of which $173 50 is principal, which he has not paid to any person, and in addition owes an account of said purchase money $30 41 with interest thereon from Nov 21st 1881, and $10 ± with interest thereon from Aug. 20th 1883, and $30 with interest thereon from Nov. 17th 1884, till paid, which sums were illegally paid to said Jones and are not properly accounted for, and

that Tony Davis owes the sum of $18 21/100 with interest thereon from Nov 22d 1881, the same having been illegally paid to said Jones and not properly accounted for; the Court doth adjudge orders and decree that the said John Thomas, Henry Madison Jack Williams and Tony Williams Davis do pay to Com'r Alex'r Hamilton the aforesaid several sums due by them respectively with interest thereon as aforesaid; and it appearing to the Court that Henry Madison has fully paid for the tract of 70 acres of land bought by him on Apl 11th 1874, & that said Jones has properly accounted for all the purchase money therefor the Court doth order that A. Hamilton who is hereby appointed a Com'r for the purpose execute and deliver to the said Madison a good & sufficient deed with Special warranty for said land, and it is ordered that John Thomas, Henry Madison, and Jack Williams be summoned to appear on the first day of the next term of this Court & show cause, if any, why the lands purchased by them respectively & for which they respectively owe the aforesaid balances of unpaid purchase money, should not be resold to pay said balances and the Court doth order & decree that Com'r Alex'r Hamilton collect and receive of Hamilton Com'r of this Court in the pending suit in this Court of "R H Bland Tr Levy & wife & others" the sum of $128 98/100, said sum belonging to the fund in this cause, & that said Com'r Hamilton shall out of said sum when so collected pay any unpaid costs in this suit and said Com'r shall report to Court -

Orders that Court be adjourned until tomorrow morning at 10. A. Clock A.M.

Beverly A. Hancock

Saturday March 23rd 1889.

Present Hon B A Hancock Judge.

Hannah Tucker. Pltff
vs
Mitchell et al. Defts } In Chancery.

This cause came on this day to be further heard ~~upon the proofs and~~ and upon the proofs formerly read and upon the report of Special Commissioner Jno G Harris dated March 22 1889. and this day filed, to which report there is no exception, and was argued by Counsel, On Consideration whereof the Court approving said report doth confirm the same and doth adjudge, order and decree that the sale of the Eighteen and two thirds acres of land and the reversion in the dower of Mary Mitchell. Containing eighty and one third acres to Peter Sale be held firm and stable, and upon the payment of the Sum of $47.50 The amount of said purchase which the said Peter Sale is allowed to pay in cash The said Jno G Harris Special Commissioner is directed to execute to the said Peter Sale a deed with special warranty Conveying to him the real estate aforesaid, and the Court doth further adjudge, order and decree that the said Comm. Harris shall after paying the legal costs of this suit apply the residue of said money to the payment of the debts reported by Com Thos D Rivers dated August 27th 1887 and make report to Court.

Narcissus Weir et ors Pltff
vs
Narcissus Ashcraft et ors Defts } In Chancery.

On the motion of Bernard Hearn administrator of R E Hancock estate, he is admitted a party Defendant in this cause and thereupon this cause came on again to be heard upon the proofs formerly read, and was argued by Counsel, On Consideration whereof it appearing to the Court that the Summons ordered against E T Nunnally by decree rendered herein at the Sept Term 1888 has not been issued or served, it is ordered that said E T Nunnally be summoned to appear on the first day of the next term of this Court to show cause if any he can, why decree should not be rendered requiring him to pay the Sum of $265.42 with interest from the 1st day of Sept 1888 at $15.92 per annum thereof, till paid, being the amount of purchase money legally paid by him to R A Jones Jr acting Comr and not accounted for by said Jones or in default thereof why a sale of said tract of land purchased by said Nunnally should not be ordered to pay the principal of said unpaid purchase money. And it is ordered that this cause be continued,

Robt A Jones Jr Trustee Pltff
vs
E T Nunnally Defts } In Chancery.

This cause coming on this day to be again heard upon the papers formerly read, and upon the report of Com. John G Harris filed 10th Day of March 1889 to which no exceptions is taken, and was argued by Counsel. On Consideration whereof, the Court, approving the said report of Com. Jno. G Harris doth confirm the same, and Robt H Jones Jr. trustee in the deed from Ed. Nunnally for the benefit of J. J. Mitchell dated April 17 1874, desiring to act further as such trustee, the Court doth appoint Alexander Hamilton the special Commissioner of this Court, whose duty it shall be to discharge the duties imposed upon him by this and all former decrees in this cause, but before said Hamilton shall act as such Commissioner he shall enter into bond in the penalty of $1200 with security to be approved by the Clerk of this Court conditioned according to law for the faithful discharge of his duty under this and all future decrees entered herein, and this Court having decided in the cause of Harris Widow & Ex. Harris against the proceeding in this Court that R H Jones Jr. acting Commissioner in that cause had failed to account for the moneys received by him in that cause to the extent of $468.05 with interest on $393.64 principal thereof from Sept 1st 1888 till paid which sum was due by the said Jones on account of purchase money paid to him by Ed. Nunnally for the tract of land granted by said Nunnally to said Jones by the said aforesaid, and it further appearing to the Court that more than the said sum due by the said Jones as acting Com. as aforesaid is due on purchase money by the purchasers in this cause who have not paid in full the purchase money contracted to be paid by them, and that 182½ acres of the said tract of land granted to said Jones, trustee, remains unsold, the Court doth adjudge, order and decree that after the payment of costs in this suit the funds to be realized in this Cause shall be applied in the first place to pay the fund in the said cause of Harris Widow & Harris against the said sum due to that fund by said acting Com. Jones, and the Court reserving its decision as to the validity of the orders made by R H Jones trustee of Ed. Nunnally, in the said deed, doth adjudge, order and decree that Scott Mitchell do pay to said Com. Alexander Hamilton the sum of $460.75 with interest upon $388 principal thereof from Mar 1st 1889 till paid. That being the balance of unpaid purchase money reported due by him, and it appearing that notice of the entering of the account embraced in said report of Com Harris was not served upon Henry Stevens reported as delinquent purchaser, it is ordered that he be summoned to appear on the first day of the next term of this Court and show cause if any he can why execution should not be issued against him for his unpaid purchase money for the land purchased by him and why said land should not be resold to pay the sum, and it is further ordered that Scott Mitchell be summoned to appear on the first day of the next term of this Court and show cause why the lands purchased by him should not be resold to pay the unpaid purchase money, if any such cause he can show; and Comm. Alexander Hamilton is ordered to proceed to sell the aforesaid unsold land of 182½ acres upon the terms contained in the aforesaid deed from Ed. Nunnally to R H Jones Jr, and said Com. shall report to Court; and it appearing to the Court that Robert H Jones Jr. trustee as aforesaid, is indebted to the fund in this cause in the sum of $330.84, with interest on $280.66 principal thereof from Mar. 1st. 1889, the Court doth adjudge, order and decree that Robert H Jones Jr. out of his own estate, do pay to

Alexander Hamilton Comr. as aforesaid, the sum of $330.84 with interest on
11 $280.66 from March 1st. 1889 till paid

R L Eelden Q d'n Pltff
vs
L W Perkins Exr &c Defts } In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of Comr. Alexander Hamilton, this day filed with its statement and vouchers therein mentioned, to which no exception is taken, and was argued by counsel: On consideration whereof, the Court approving the said report of Comr. Hamilton, doth confirm the same; and it appearing to the Court that Comr Hamilton has disbursed all the funds in his hands except $70.05 of principal and $1.85 of interest of Mrs E J Eelden, and $77.26 of principal and $1.93 of interest of the funds of Mrs M A Lewis, the Court doth order and decree that said Comr. pay to Mrs E J Eelden said interest sum of $1.85 and to Mrs M A Lewis said interest sum of $1.93, and deposit said principal sums in the Petersburg Savings & Insurance Co. to the credit of the Court in this cause upon interest bearing certificates, and return said certificates to Court; and the Court further orders that said E J Eelden and M A Lewis may receive the said principal sums, provided the same shall be secured by deed of trust upon real estate of double the aforesaid value of the said sums, as a first lien, title to be examined and approved by an attorney
11 and reported to this Court

J J Mitchell's Exr Pltff
vs
J J Mitchell's Devisees &c Defts } In Chancery.

This cause came on this day to be further heard upon the papers formerly read upon the report of Comr John W Ware filed Mar. 11 1889 to which no exception is taken, and upon the report of Comr Alexander Hamilton, this day filed with vouchers for the payments as stated in said report, to which no exception is taken, and was argued by Counsel. On consideration whereof, the Court approving the said reports of Comr John W Ware and Comr Alexander Hamilton, doth confirm the same, and the Court doth allow to H G Hunt his claim for services report $800 from Dec 3rd 1887 to April 17th 1888 being the sum of $14.92, and the Court doth allow to Duncan Hamilton, Counsel in this cause for legal services rendered upon of $300. and it appearing to the Court that Comr Alexander Hamilton has properly disbursed and accounted for all the funds received by him except the sum of Fifteen Hundred and Seventy three 29/100 Dollars, vouchers having been filed for said disbursements, the Court doth order and decree that on payment

balance in the hands of said Com Hamilton said Com shall pay to H.G. Hunt the aforesaid sum of $1492 and to Duncan Hamilton the aforesaid sum of $300. and shall pay any unpaid costs of the said Cattering vouchers for said payments, and that said Com Hamilton shall proceed to collect the moneys due to the fund in this cause as heretofore ordered, and shall then settle the unexpended balance in his hands and the funds to be collected after paying himself the sum of $75.00 for scheme of distribution made by him & filed with his report which the Court does not allow. him therefor proceed to make a further dividend to the creditors of J.J. Michael & co's, taking as a basis of such dividend or payment to the creditors the statement marked "X" of the debts made by Com Davis and filed with the report of said Com Hamilton in the September Term 1888. of this Court as modified by the payment of dividends to said Creditors. Prior made and reported to this term of this Court, and said Com Hamilton is allowed to execute and deliver to Purchasers agent and sufficient deed upon special warranty for the land of the Court sold of last purchased and paid for by him, and to execute and deliver similar deeds to the other respective purchasers of lands sold under decree herein when they shall have respectively paid their purchase money in full, and it appearing to the Court that Wm Patterson has paid not part of his purchase money for the land purchased by him, it is ordered that he be summoned to appear on the first day of the next term of this Court and show cause, if any he can, why the land agreed to be purchased by him should not be resold and his purchase declared null and void, and it is ordered that this cause be continued.

Heath's Committee Pltff
vs
Jackson's adm's et als Defts } In Chancery

On motion of R. B. W. Warren, as Committee of Minerva Ann Heath, he is admitted as party plaintiff in this Cause, and thereupon this cause came on to be again heard upon the papers formerly read, on the report of Comr A. M. Organ, filed Mar. 9th. 1889. and upon the exception of R. B. W. Warren, Committee as aforesaid, to said report, and was argued by Counsel; On Consideration whereof, the Court doth sustain the said exception of said Warren, Committee, to said report of Comr Organ and doth adopt the statement contained in said exception in lieu of so much of the said report, and in all other respects approving the said report doth confirm the same as modified by said exception; and at the request of R. H. Jones Jr. and W. H. Jones, who have heretofore been appointed Commissioners in this cause, their appointments as such Commissioners are hereby revoked, said W. H. Jones never having acted as such, and the Court doth appoint

Alexander Hamilton Special Commissioner of the Court in this cause, whose duty it shall be to discharge all the duties imposed upon him by this and all future decrees in this cause. And said Hamilton shall not act as said Commissioner until he shall have entered into bond in the penalty of $1500 with security to be approved by the Clerk of this Court and conditioned according to law for the faithful performance of his duties under this and all future decrees herein and it appearing to the Court that R.H. Jones Jr. who has been acting as Commissioner of this Court, has not executed any bond as such Commissioner, the Court doth adjudge order and decree that all payments of purchase money for lands sold made to said R.H. Jones Jr. illegally made and are not to be credited to said purchasers except to the extent that said payments were properly accounted for and paid over by said R.H. Jones. And it appearing to the Court that all the purchase money for the tract of land of 121 acres sold to Geo Chapman on Jany 1st 1877 at $242, to which purchase R.B.H. Warren was substituted as purchaser has been paid and properly accounted for the Court doth order that A. Hamilton who is hereby appointed a Com for the purpose executed deeds to said Warren agent and Successors and with Special Warranty for said land and it appearing to the Court that Wesley Evans owes a balance of his purchase money of $96.28 as of March 4th 1889 of which $82.00 is principal which he has never paid to any person, and also owes the following sums of his purchase money, which he illegally paid to R.H. Jones and which have not been accounted for. viz: 46.98 with interest thereon from Dec 4th, 1879. $50. with interest thereon from Mar. 8th 1881, and $62, with interest thereon from Dec. 12th, 1882, till paid, and it appearing to the Court that Geo. Chapman owes a balance of his purchase money as of Mar. 4th 1889 of $286.50 of which $200 is principal, which he has never paid to any person, and also owes the sum of $60 with interest thereon from Dec 20th 1881 till paid, which he illegally paid to R. H. Jones Jr and which has not been accounted for, and it appearing to the Court that Geo. Wyatt owes a balance of of his purchase money as of Mar. 4th 1889. of $308.19. of which $250.29. is principal which he has never paid to anyone, and also owes the sums as follows, viz: $8. with interest from Dec. 20th 1881, $5. with interest from Dec 9th 1882, $40. with interest from Dec, 20th. 1883. and $15. with interest from April 20th. 1885, till paid which sum he illegally paid to R.H. Jones and which have not been accounted for; and it

appearing to the Court that R H Jones Jr is indebted to the fund in this cause in the sum of $378.16, with interest on $286.98 principal thereof from Mar. 4th 1889. the Court doth further adjudge order and decree that said Wesley Evans, do pay to said Com'r Alexander Hamilton the following sums with interest on each as stated, viz; $96.28 with interest on $82,11 from Mar. 4th. 1889 till paid $46,98 with interest thereon from Dec'r, 4th 1879. till paid; $50, with interest thereon from Mar. 8th, 1881 till paid, and $62, with interest thereon from Dec. 12th 1882 till paid; and that said Geo. Chapman do pay to said Com'r Alexander Hamilton $286.50 with interest on $200 from Mar. 4th. 1889. till paid, and also the sum of $60. with interest thereon from Dec'r, 20th, 1881 till paid; and that said Geo. Wyatt do pay to said Com'r Alexander Hamilton the sum of $308.,19 with interest on $250.29 from Mar. 4th 1889. till paid, and also the following sums with interest as stated, viz; $8 with interest from Dec'r 20th 1881. $5. with interest from Dec'r 9th 1882, $40. with interest from Dec'r. 20th 1883, and $15. with interest from April 20th, 1885; until paid and that said R H. Jones Jr. do pay to said Com'r Alexander Hamilton the sum of $378.16 with interest on $286,98 until paid; and upon the payment by said purchasers or either of them of any money to make good illegal payments to said R H. Jones then said purchaser so paying shall be subrogated and substituted pro tanto, to the rights of the parties as against said Jones, and any money which may be collected under this decree of said R H. Jones shall be credited to said purchasers as their interest are; and the Court doth further order that said Wesley Evans, Geo. Chapman, and Geo. Wyatt be summoned to appear on the first day of the next term of this Court to show cause if any they can why the lands respectively purchased by them shall not be resold to pay the unpaid purchase money due upon said lands.

Mary J. Chandler Exr of Bolling Chandler & others Pltffs

vs

Ira Chandler, Edward Chandler
Musie Chandler & Vernon Chandler Defts

In Chy

This day came the Plaintiff by their attorneys & by leave of Court filed their Bill & on their motion J.G. Harris a discreet and Competent Attorney at law was appointed guardian ad litem for the Infant Defendants. Ira Chandler Edward Chandler Minnie Chandler & Vernon Chandler, who thereupon by leave of the Court filed the answer of the said Infants to which the said Plaintiffs replied generally & thereupon by Consent of parties this Cause was docketed & upon like Consent Came on to be heard upon the Bill & Exhibits therewith filed & the answer of the Defendants & the replication thereto & was argued by Counsel, On Consideration whereof the Court doth adjudge order & decree that B.J. Epes who is hereby Appointed Special Commissioner for the purpose. Make sale of the Mills in the proceedings mentioned, after advertising the time and place of sale by Handbills posted at the front door of the Court House of Albemarle County & three or more public places in the County four weeks ~~from~~ prior to the day of sale, for one third Cash & the balance in Semiannual instalments. on six & twelve months time. Taking from the purchaser bond with security to be approved by said Special Commissioner for the deferred payments with interest from date retaining a lien on the property until the purchase money is fully paid & the said Commissioner, out of the Cash payment pay the Costs of this suit & the expenses of said Sale & the debts due Herbert Williams, Balling Chandler & Stich Thrift & said Commissioner Epes will report to Court how he shall have executed this decree, But before said Special Commissioner Epes shall act as such he shall execute & file in the papers of this cause bond with security to be approved by the Clerk of this Court in the penalty of $5000.00 for the faithfull discharge of his duty as Commissioner under this or any other decree which may be entered in this Cause

Wells Admr
vs
Wells

Pltff
Defts
} In Chancery

This day this cause came on to be further heard upon the papers formerly read and upon the report of Commissioner Add Organ made in pursuance of the decree rendered herein at the September Term 1888, dated Janry. 22nd 1889, & filed Febry 16. 1889 to which report there is no exception and was argued by counsel, And it appearing to the Court that since the last decree entered in this cause, Caroline Evans the defendant who was procured against by order of publication has appeared by counsel. On consideration whereof the Court approving the report of Comsnr. Organ doth confirm the same. And the Court being of opinion that the tract of land devised by the testator David P. Wells by the second item of his will to his sons Robert and Flournoy Wells is liable for two thirds of the legacies given by said second item of said will to Albert G. Wells, Reuben Wells and Caroline Evans, the Court doth adjudge, order and decree that unless the defendants Robert D. Wells and Flournoy W. Wells shall, within ninety days from the service of a copy of this decree upon them, pay to P.H. Ragsdale Sheriff of Dinwiddie County and as such admr. of Albert G. Wells dec'd the sum of one hundred and forty nine dollars and eight two cents with interest on $133.33 from Jany 1. 1889 till paid, and to P.H. Ragsdale Sheriff. and admr. of Reuben Wells the sum of two hundred and twenty four dollars & seventy three cents, with interest on $200 - from Janry. 1. 1889 till paid and to the defendant Caroline Evans or her attorney the sum of one hundred and forty nine dollars and eight two cents with interest from Janry 1. 1889 on $133.33 till paid, that A.P. Powell and John G. Harris who are hereby appointed Commissioners for the purpose either one or both of whom may execute this decree, shall make sale of the tract of land in Comsnr. Organs report mentioned containing 153 acres, upon the following terms to wit. One third cash, the balance in one & two years, with interest from day of sale retaining title to said land until the purchase money is fully paid and taking bonds for said deferred payments - But before the said A.P. Powell and John G. Harris or either of them shall make said sale they or the one acting shall execute bond in the penalty of $800 with security to be approved by the Clerk of this Court, conditioned as the law directs and for the faithful performance of their or his duty under this or any future decree that may be rendered in this cause, And said Commissioners shall make report to Court. Provided that should either one of the said

Robert D Welly and J. Flournoy Welly pay one half of the aforesaid sums of money to the parties aforesaid that then the said Comrs shall sell only the undivided half interest of the other in said land.

M Whulhaus Pltff
vs
M Whulhaus Defts } In Chancery

This day this cause came on to be further heard upon the papers formerly read and upon the report of Charles F Collier Commissioner dated the 21st day of March 1889 and duly signed by Counsel. On Consideration whereof the Court approving the said report to which there is no exception doth confirm the same: And it appearing from said report of Comr Collier that the balance in his hands for distribution among the parties entitled is $694.58, and the Court adopting Statement "X" prepared at the bar of the Court and submitted with the report of Comr. Collier, as the basis of this decree and as part thereof but not to be spread upon the records of the Court doth adjudge, order and decree that said Collier Comr. distribute among the parties entitled the said sum of $694.58 as follows: To Louey E Whulhaus, widow of Henry L Whulhaus she consenting to accept a sum in gross the present value thereof in lieu of her dower interest $13.38; to A H Whulhaus $29.07; to Julia L. Whulhaus, the widow of D B Whulhaus she consenting to accept a sum in grop, the present value thereof, in lieu of her dower interest $48.26; to the five children of said D B Whulhaus viz: to Emma F, wife of W J Watts $35.76; to Virginia S Whulhaus $35.77 to Maggie G. Whulhaus $35.76; to Wm Henry Whulhaus, who is now of adult age $35.76; and to the duly qualified guardian of Charles L Whulhaus $35.76; and to the five children of J P Whulhaus and the widow of the deceased in Grops viz. to Richard Whulhaus $39.71 to Emma, wife of O. Dyson $39.71 to Joseph Whulhaus $39.70; to Benjamin Whulhaus $39.70; to John Whulhaus $39.70; and to Elizabeth Whulhaus widow of Geo Whulhaus, she consenting to accept a sum in grop, the present value thereof, in lieu of her dower interest $28.54, and that said Comr Collier take the receipts of the several parties for the several sums herein decreed by him to be paid and report to Court. And the Court approving & ratifying the making

delivery of the deed to the purchasers of the realty, W J Watts and A H Hudmon by Com'r. Collier, doth order that the said deed be as effectual as if a decree had been heretofore entered directing the said deed to be executed and delivered to the said parties by said Com'r. Collier

Ordered that all causes not otherwise disposed of be continued ~~this~~

Ordered that the Court be adjourned till the first day of the next term

Beverly A. Hancock

Virginia: At a Circuit Court held for the County of Dinwiddie at the Courthouse thereof on Saturday the 21st Day of September 1889 and of the Commonwealth the 114th;

Present Hon Beverly A Hancock Judge.

J. J. Mitchell's Exr Pltff
vs
J. J. Mitchell's Devisees &c Defts } In Chy

The Summons ordered to be issued against Wm Pattison by the decree entered herein at the March Term 1889 to appear on the first day of this term of this Court and show cause, if any he could, why his purchase of the interest in land reported as sold him in this cause should not be resold & declared null and void having been returned duly executed this cause came on this day to be further heard upon the papers formerly read and the said summons against Wm Pattison with the return as aforesaid, and was argued by Counsel;

On Consideration whereof, it appearing to the Court that Wm. Pattison has not paid any portion of his purchase money for one third of the 290 acres of land sold to him, Thos. Chambers and Ed. Taylor in Oct, 1886. and has failed to show any cause why said sale reported to him should not be declared null and void, the Court doth adjudge, order and decree that the said sale to Wm Pattison be and the same is declared null and void, and Com'r Alexander Hamilton is ordered to sell the one third of said tract of 290 acres of land upon the terms and in the manner ordered by decrees heretofore entered in this cause, and report to Court.

Hunt & others Pltff
vs
Hunt's adm'x & others Defts } In Chy

This Cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner, Bernard Mann, this day filed among the papers in this cause, and was argued by Counsel, On Consideration whereof the Court approving said report, to which there are no exceptions, doth

confirm the same, and doth adjudge, order and decree that the said Commissioner proceed to collect the said Notes mentioned in said report as they mature & distribute the money among the parties entitled thereto and make report of his proceedings to Court

Keeler, L. A. Pltff
vs. } In Chy
Tally, A. D. &c Defts

This cause came on this day to be again heard upon the papers formerly read, and was argued by Counsel; On Consideration whereof, it appearing to the Court that the rents of the real estate of the defendant A. D. Tally, mentioned in the bill and proceedings will not be sufficient within five years to pay costs of this suit, the taxes upon said land, and the lien debt therein reported in favor of the plaintiff, L. A. Keeler, and that the said land can not be rented to any person, the Court doth adjudge, order and decree that the said land, or so much thereof as may be necessary be sold to pay said costs, taxes and lien debt, subject to the contingent dower right therein of Hamill Tally, the wife of A. D. Tally; and Alexander Hamilton is hereby appointed Commissioner of the Court to make such sale, whose duty it shall be to collect and receive from said A. D. Tally the sum sufficient to pay the aforesaid costs, taxes, and lien debt, and unless the said A. D. Tally shall pay the same to said Hamilton Com'r, within Ninety days after the service upon him of a copy of this decree, then that said Hamilton Commissioner, shall proceed to sell the said land either at Dinwiddie Court House or in the City of Petersburg, after advertising the time, place and terms of sale for one week in a newspaper published in Petersburg, Va. and by handbills posted at Church Road Station and Dinwiddie Court House for at least ten days before the day of sale; and the said sale shall be made upon the following terms; viz; One fourth of the purchase money in cash, the residue upon credits of one and two years in equal instalments, the deferred payments to bear interest from day of sale, and title to be retained until the purchase money shall be fully paid, notes to be given for the deferred payments; and the said Commissioner shall report to Court; But said

Comr. Hamilton shall not act as such until he shall have entered into bond in the penalty of $ 400, with surety approved by the Clerk of this Court and conditioned according to law, and for the faithful performance of his duties under this and all future decrees in this Cause.

Henry A. Dolge,
Pltff
vs
Nicholas E. Krogsgaard, Conrad Bredrup, Catherine A. Clark, Joshua A. Clark, Lyman R. Greene assignee of Joshua A. Clark, Ernest W. Offe, and Conrad R. B. Krogsgaard -
Defts

In Chy

The order of publication awarded in this cause having been duly executed according to law, and the non resident defendants, Nicholas E. Krogsgaard, Catherine A. Clark, Joshua A. Clark, Lyman R. Greene assignee of Joshua A. Clark, Ernest W. Offe, and Conrad R. B. Krogsgaard, still failing to appear and demur, plead or answer, this cause, which has been regularly set for hearing as to all the defendants, came on this day to be heard upon the Bill and Exhibits filed, and the Bill taken for confessed as to the defendant, Conrad Bredrup, and was argued by Counsel; On Consideration whereof, the Court doth order and and decree that one of the Commissioners of this Court proceed to make the following inquiries and state and settle the following accounts. viz;

1st. An account of the amount due and unpaid by Nicholas E. Krogsgaard upon the debt of $ 6000. with interest, mentioned in the Bill and secured by the Mortgage therein mentioned from said Krogsgaard dated May 20th. 1876, and by whom the said debt is now held and owned;

2nd. An account of the real estate in Dinwiddie County Conveyed by said Mortgage to secure the payment of said debt, with its fee and annual value;

3rd, An account of the amount due to the Plaintiff, Henry A. Dolge, by the defendant Conrad R. B. Krogsgaard, secured by the aforesaid mortgage and debt thereby secured;

4th. That the bounds of the tract of 145 and 1/2 acres

said to have been conveyed to Conrad Bredrupt by M. Eshrogsgaard by deed dated May 11th, 1876, shall be defined by said Commissioner; and said Commissioner shall report to Court, and shall have authority in reporting upon the bounds of said tract of land, said to have been conveyed to Conrad Bredrupt, to employ a competent surveyor to define said bounds; and notice of the time and place of making said inquiries and taking said accounts may be published once a week for four successive weeks in a newspaper published in Petersburg, Va., which shall be equivalent to personal service of such notice upon all parties in interest, or, the non-resident defendants having had notice by publication, by serving notice upon the plaintiff and upon the defendant, Conrad Bredrupt.

F. C. Sutherland's Heirs Pltffs.
F. C. Sutherland's Heirs Deft. } In Chy

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Com'r Alexander Hamilton with accompanying statement of his receipts and payments and vouchers for the latter and with Statement "X" of distribution, this day filed, to which no exception is taken, and was argued by Counsel; On Consideration whereof, the Court, approving the said report of Com'r Hamilton and said Statement "X", doth confirm and adopt the same, and in accordance with said Statement "X" doth adjudge, order, and decree that Com'r Hamilton out of the balance of $148.08 reported in his hands do pay the following sums to the following parties, viz.: to A Hamilton, assignee of J. C. Kidd's Adm'r on account of the bond of J. F. Sutherland the sum of $57.59; to the heirs of Lucy A. Caldclough or their attorney, the sum of $57.59; to the heirs or devisees, or their attorney, of F. M. Sutherland the sum of $16.45; to the heirs of G. W. Sutherland, or their attorneys, the sum of $16.45; said sums aggregating the said sum of $148.08, taking vouchers for said payments and reporting to Court

Chandlers Ex & others Pltffs
vs
Chandlers Devisees Defts } In Chy

This Cause came on this day to be further heard on the papers formerly read and on the report of Special Commissioner Epes dated Sept 21st 1889. to which there is no exception & was argued by Counsel. On consideration whereof the Court doth adjudge, order & decree that said report of Special Comr Epes be confirmed & the sale therein mentioned of Bolling Chandlers Mill to R. D. Temple be held firm & stable between the parties, that the said purchaser be allowed to anticipate the deferred payments & when he shall have paid the same with interest to date said Special Comr Epes is directed to execute & deliver to him a proper conveyance of said property & said Special Comr Epes is authorized to withdraw from the papers in this Cause the bonds for the deferred payments & collect the same & apply the proceeds to the payment of the debts due Herbert Williams, Dick Thrift & Bolling Chandler & the balance if any he pay to the personal representation of Bolling Chandler decd. said Special Comr will report to Court how he shall have executed this decree.

JV

Daniel Waddills adms Pltffs
vs
Daniel Waddells Wm Jno & Thos Defts } In Chy

This Cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioners Jas. D. Bernard and Wm F. Jones dated Sept 21. 1889 this day filed, showing their transactions since Sept 21. 1888. the date of their last report to Court, and was argued by Counsel,

On Consideration whereof, it appearing to the Court from said report, to which there is no exception filed, and from the papers therewith filed, that said Special Commissioners have collected the purchase first

years note and have fully and properly disbursed as directed by the decree herein entered at the September term, 1888. of this Court the money so collected by them and all of the balance of the fund in their hands on said September 1. 1888. the date of their last report to Court except the sum of twelve dollars and sixty nine cents. ($12.69) reserved to pay the further costs of this suit, the Court, approving said report, doth ~~report~~ Confirm the same, And it appearing to the Court that Jno. T. Crow as well as E. S. Hobbs has a claim against the fund in this Cause for monies paid by him, said Crow as taxes upon the real estate sold to the purchaser, it is ordered that it be referred to one of the Commissioners of this Court to make enquiry and report to this Court at its next term the validity and amount of said Claims, Notice of the time and place for making this enquiry to be given only to the general creditors of the late Daniel Waddill who have proven their claims in this Cause or their attorneys

Burroughs Creditors Pltffs
vs
Burroughs Executors Defts } In Chy

This Cause came on this day to be heard upon the papers formerly read and upon the report of Special Commissioner Geo. D. Bernard, dated Sept 21, 1889. this day filed, showing his transactions since the 5th day of October 1886. the date of his last report filed in this Cause, and was argued by Counsel. On Consideration whereof, it appearing to the Court from said report and the vouchers therewith filed to which report there is no exception filed, that the whole of the fund under the control of the Court at the date of the last decree entered herein (the decree entered at the October term, 1886. of this Court), to wit, the sum of One hundred and fifty dollars ($150) on deposit with the Petersburg Savings and Insurance Co. And the residue of the sum of five hundred and twelve dollars and forty seven cents ($512.47) in the hands of said Special Comm'r after deducting the payments or advancement of One hundred and thirty six dollars

and fifty Cents ($136.50) made to the credits Frederick Salsbury, Dec 16. 1885, referred to in said decree) has been fully and properly disbursed as directed by said decree the Court, approving the said report of said Special Commr. dated Sept. 21. 1889. this day filed, doth confirm the same And it appearing to the Court that there is nothing further to be done in this cause, it is ordered that it be removed from the docket of this Court.

Harrison's Widow et als, Pltffs.
vs.
Harrison's Admrs et als. Deffts } Dr Chy

The Summons ordered to be issued by decree entered herein at the May Term 1889 against E. T. Nunnally & appear on the first day of this term of this Court and show cause, if any he could, why a decree should not be entered requiring him to pay the sum of $265.44 with interest from Sept. 1st. 1888. till paid on $159.84 principal thereof, having been returned duly executed upon the said Nunnally, and the said Nunnally still failing & appear or show any such cause, this cause came on this day to be further heard upon the papers formerly read, and upon the said return upon said summons and was argued by Counsel. On Consideration whereof, the Court doth adjudge, order, and decree that E. T. Nunnally do pay to Alexander Hamilton, Commissioner of the Court in this Cause, the sum of $265.44, with legal interest on $159.84 principal thereof, from the 1st day of Sept 1888. till paid, and that in default of payment thereof by said Nunnally within Ninety days after the service upon him of a copy of this decree, then that the lands purchased by him under decrees in this cause be sold to pay said sum, the same being reduced purchase money, and Alexander Hamilton Commissioner heretofore appointed in this Cause, is ordered to make said sale, where duly it shall be to sell the said lands at the Court House after reasonable advertisement, and upon the following terms, one fourth of the purchase money in cash, the residue upon credits of one and two years, the deferred payments to carry interest from day of sale and negotiable notes to be given for the deferred payments.

and title to be retained until all purchase money shall be paid; and said Comr shall report to Court,

Hunter Committee. Plaintiff } In Chancery.
vs
Jackson admr et als. Defts }

The Summons awarded by decree in this cause at the Mar. Com. 1889 against Wesley Evans, Geo Chapman and Geo Wyatt, having been returned duly executed, and said Evans, Chapman and Wyatt each failing to appear and show any cause why the lands purchased by them should not be vested to pay the unpaid purchase money due by them respectively, this cause came on this day to be further heard upon the said Summons so returned and upon the report of Com'r A. Hamilton, dated accompanying statement and vouchers for his disbursements, this day filed, to which no exception is taken, and was argued by Counsel, On Consideration whereof, the Court, approving the said report of Com'r Hamilton, doth confirm the same, and doth adjudge, order and decree that Alexander Hamilton, Com'r heretofore appointed in this cause, do proceed to resell, after reasonable advertisement, the lands heretofore purchased under decrees in this cause by Wesley Evans, Geo Chapman, and Geo Wyatt, either in the City of Petersburg or at Dinwiddie C.H. and upon the following terms: one fourth of the purchase money in cash, and the residue in equal instalments with six per cent interest from day of sale upon credit of one and two years, negotiable notes to be given for deferred payments, and titles to be retained until all purchase money shall have been paid, and said Com'r shall report to Court, and said Com'r is ordered to execute and deliver to R B H Warren the deed ordered by the decree herein at the Mar. Com 1889.

R H. Jones Jr Trustee Plaintiff } In Chancery.
against
E T. Newman ally. Defts }

The Summons ordered to be issued by decree herein entered at the March Com 1889 against Henry Newman to appear on the first day of this Com and show cause, if any he could, why execution should not issue against him for the unpaid purchase money for the land purchased by him of R H Jones Jr. Trustee, in this cause, and why said land should not be vested to pay the unpaid purchase money therefor, having been returned duly executed, and said Newman still failing to appear and show any such cause, this cause came on this day to be further heard upon the papers formerly read, upon the said summons so returned, and upon the report of Com'r A Hamilton, this day filed, to which no exception is taken, and was argued by counsel; On consideration whereof, the Court, approving the said report of Com'r Hamilton, doth confirm the same, and doth adjudge, order and decree that Henry Newman do pay to Alexander Hamilton, Com'r. the sum of $376.06, with interest on $353.07, Principal thereof, from the 1st day of March 1889 till paid, and that in default

of such payment by said Isaacs within ninety days after service upon him of a copy of this decree, then that the forty nine acres of land purchased by him be resold by Com'r A Hamilton, whose duty it shall be to sell the same, after reasonable advertisement at Rhea's Co Court House upon terms of one fourth of the purchase money in cash, and the residue upon credits of one and two years, negotiable notes to be given for deferred payments carying interest from the day of sale, and title to be retained until all the purchase money shall have been paid; and said Com'r. shall report to Court; and it is further ordered that Scott Winfield be summoned to appear on the first day of the next term of this Court and shew cause if any he can why the forty acres of land purchased by him should not be resold to pay the purchase money therefor

Slaughters adm'x. Pltff
vs
Spurlings adm'r et al Defts } In Chy

The summons directed by the decree entered herein at the Mar. Term 1889 against John Thomas, Henry Madison and Jack Williams to appear on the first day of this term of this Court and shew cause, if any they could, why the lands respectively purchased by them should not be resold to pay the purchase money due therefor, having been returned duly executed, and said Thomas, Madison and Williams still failing to appear and shew any cause, this cause came on this day to be further heard upon the papers formerly read, the said summons against said Thomas, Madison and Williams returned by executed, and upon the report of Com'r A Hamilton, with accompanying statement and vouchers therein referred to to which no exception is taken, and was argued by counsel;

On consideration whereof, the Court, approving the said report of Com'r. Hamilton, doth confirm the same, and doth order that said Com'r. Hamilton proceed to execute and deliver the deed to Henry Madison ordered by the decree herein entered at the March Term 1889; and doth further adjudge, order and decree that the lands respectively purchased, and as yet unpaid for, by said John Thomas, Henry Madison and Jack Williams be resold to pay the unpaid purchase money therefor, and said Alexander Hamilton, Com'r

is ordered to make said sales, when duly it shall be to sell said lands after reasonable advertisement, at Divisor's Court House, and upon the following terms; one fourth of the purchase money in cash, the residue upon credits of one and two years, notes carrying interest from day of sale to be given for the deferred payments, and titles to be retained until all the purchase money shall have been paid and said Comr. shall report to Court.

R H Bland Pltff
vs
Lucy Wise & others Defts } In Chy

This cause came on this day to be further heard upon the papers formerly read and upon the report of Comr. A Hamilton, with the statement and vouchers therein referred to, to which no exception is taken, and was argued by counsel;

On consideration whereof, the Court, approving the said report of Comr. Hamilton, doth confirm the same; and the Court doth adjudge, order and decree that said Comr. Hamilton proceed to execute the decree entered in this cause at the April term 1887 directing a resale of the lands purchased by W C Rainey, and report to Court

D G Elder Pltff
vs
L H Perkins Exr et al Defts } In Chancery

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Comr Alexander Hamilton this day filed with the certificates of deposit therein referred to of the Returning Officer of Swannanoa C. for $77.50 and $70.00 to which no exception is taken, and was argued by Counsel, On consideration whereof, the Court approving the said report of Comr Hamilton, doth confirm the same, and orders that the said certificate be issued by the Clerk subject to the further order of this Court.

Webb Credeas. Pltffs
against
Webbs & Bros et als Defts } In Chy

This cause came on this day to be further heard upon the papers formerly read and the report of Comr A Hamilton with the vouchers therein mentioned this day filed; to which no exception is taken, and was argued by Counsel;

On Consideration whereof, the Court, approving the said report of Comr Hamilton, doth confirm the same; and it appearing that said

Com'r Hamilton, has remaining in his hands the sum of .28 cents only, applicable to costs, and that nothing further remains to be done in the cause, the Court doth Order and decree that Com'r pay said 28 cents on account of any unpaid costs, and that this cause be removed from the docket.

Thomas Sheddon & others Plffs
vs
Shinn adm & others Defts } In Chy

This cause came on this day to be further heard upon the papers formerly read, upon the Report of W. R. McKenney, Commissioner, bearing date on the 17th day of September 1889. and this day filed in this cause, to which report there is no exception filed, and upon the rules to show cause why the lands purchased by T. J. Aldridge and Samuel Davis respectively should not be resold for the payment of the balance of the purchase money due thereon, returned duly executed as ordered by the decree rendered herein at the March Term 1889. of this Court, and was argued by Counsel: On Consideration whereof, the Court, approving the said report, doth confirm the same; and it appearing to the Court that no proper Cause has been shown either by the said T. J. Aldridge or Charles F. Collier, Administrator of the said Samuel Davis or by the heirs of said Davis all of whom are parties to suit & all defendants to why the said lands should not be resold for the payment of the balance of the purchase money due thereon as shown by the report of Commissioner John G. Harris filed and confirmed in this cause at the March Term 1889. of this Court, the Court doth adjudge order and decree that W R McKenney be and is hereby appointed a Commissioner of this Court, whose duty it shall be to proceed to make sale of the real estate mentioned in the said report of Commissioner Harris as having been purchased by the said Samuel Davis and the said T. J. Aldridge, such sale to be by public auction either in the City of Petersburg or at Dinwiddie Court House, as to said Commissioner McKenney shall seem best, but in the event of sale at Dinwiddie C. H. then such sale shall be on

some County Court day, Notice of such sale, whether at the one place or the other, shall be after advertisement in some daily newspaper published in the City of Petersburg for at least ten days, and by hand bills, The terms of Sale shall be one fourth Cash and the balance on Credits of one year and two years, equal instalments, the title to be retained till the purchase price shall have been fully paid, But said Commissioner McKenney shall not proceed to make the said sale until he shall have entered into a bond in the penalty of One thousand dollars, with security to be approved by the Clerk of this Court conditioned according to law for the faithful performance of his duty under this or any further decree which may be entered in this Cause, And the Court doth further adjudge, order and decree that the parties interested in this Cause be summoned to the next term of this Court to show cause, if any they can, why a reasonable and proper fee shall not be allowed to Alexander Hamilton and W R McKenney for their services in this Cause, out of the funds now under the control of and yet to come under the control of this Court in this Cause, such summons to be by publication of an extract from this decree in reference to the said fee, once a week for four successive weeks in the Index-Appeal, a newspaper published in the City of Petersburg, such publication to be deemed equivalent to personal service of such summons on all parties interested, And the Court doth further order that B.H. Ragsdale, Sheriff of the County of Dinwiddie and as such Admr of J.T. Minges dec'd (of the widow & heirs of the said J.T. Minges dec'd) be summoned to the first day of the next term of this Court to show cause, if any they can why the tract of land in these proceedings mentioned as having been purchased by the late J.T. Minges should not be resold for the payment of the balance of the purchase money due thereon, which according to the Report of Comr John G Harris, confirmed in this Cause by decree of this Court, rendered at the March Term 1889. is $108.05 with interest on $90.92, a part thereof from March the 4th. 1889. till paid

Damron, Alexander, &c Pltff
vs } In Chy
Cousins & wife & others Defts

This Cause came on this day to be heard upon the papers formerly read, upon the petition of J. Wm Jackson, John J. Locke, and E. H. Chambers, which was asked to be filed at the May, Term 1889, this day filed by Consent of parties, upon the paper signed by J. J. Locke, J. Wm. Jackson, E. H. Chambers, J. K. Beck, and Clark Burgess relinquishing all claim upon the fund in this Cause or the funds under the trust of R. H. Jones Jr & wife to A. Hamilton & W. H. Jones, trustees, and upon Alexander Damron personally, which paper is this day filed by Consent of parties, and upon the report of Comr Alexander Hamilton, this day filed with the accompanying statement and vouchers, to which no exception is taken, and cause argued by Counsel; On Consideration whereof, the Court, approving the said report of Comr. Hamilton, doth confirm the same; and by consent of parties the Court doth dismiss the said petition of said Jackson, Locke and Chambers "agreed", and doth adjudge, order and decree that the said Jackson, Locke, Chambers, Beck and Burgess are not entitled to have or receive any portion of the fund heretofore distributed to A. Damron in this Cause or hereafter to be distributed; and the Court doth further order and decree that Comr Alexander Hamilton out of the fund of $205.78 reported in his hands shall first pay the unpaid costs of this suit to dismission, and then that he shall distribute the residue of said fund amongst the parties entitled thereto, being the same to whom distribution was ordered by the decree entered herein at the Sept. Term 1887; and said Comr shall report to Court,

Ordered that the Court be adjourned until tomorrow morning at 10 o'clock A MM.

Beverly A. Hancock

Tuesday September 24th 1867.

Present Wm Beverly Hancock Judge.

R H Jones Jr Guardian &c Plaintiff
against
T.G. Choppell's admr &c Defendants } In Chancery

This cause came on this day to be again heard on the papers formerly read, and the report of Com R.T. Wilson this day filed by leave of Court to which there are no exceptions and was argued by Counsel, On Consideration whereof, the Court doth adjudge, order and decree that the sales of the two hundred and thirty acres more or less of land, and of the three hundred and seventy two acres more or less, part of "Forest View" tract of land be held first and binding between the parties thereto, And it appearing to the Court that Com R.T. Wilson has paid to each of the legatees, D.W. Choppell, Marcella Hays, S.T. Choppell, C.O. Choppell, R.E. Choppell, and Hasla G Choppell the amount in fees which each is entitled to be paid out of the estate of their deceased father T.G. Choppell, and that there remains nothing further to be done in this cause, therefore it is ordered to be removed from the Docket,

Wells' admrs Plaintiff
vs
Wells Defendants } In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of Special Com Jerry Mears this day filed, to which report there is no exceptions taken, and was argued by Counsel, On Consideration whereof, the Court affirming said report doth confirm the same and doth adjudge, order and decree that the sale of the 150 acres of land to J.C. Crop as reported by said Com J.J. Mears be held first and stable, and the Court doth further adjudge, order and decree that Com Mears shall accept of said purchaser J.C. Crop his bonds given for the deferred payments as they become due, and when said purchase money shall be fully paid he shall execute and deliver to said J.C. Crop a deed conveying to him said 150 acres of land with special warranty, and the said Com Mears is directed after paying the unpaid costs of this cause and the Attorneys fee to C.A.F. Penrle and John G Mears of $25.00 in addition to the two Attorneys fee in the cause, to pay the balance of the money in his hands and to be credited by him to Ed W Ray, late Sheriff of Worcester County and as such admr of Albert G. Wells dec'd and Reuben Wells dec'd and to Caroline Evans or her attorney on account of the legacies reported to be due them by Com A.H. Dyer in his report filed in this cause according to the shares due to each said Ray late admr of Albert G. Wells said Ray late admr of Reuben Wells and to Caroline Evans, and said Com Mears shall make report to Court;

Ordered that the Court be adjourned until tomorrow morning at 10 o'clock A.M.

Beverly A. Hancock

Wednesday Morning September 25th 1889

Present Hon Beverly R Wellford Judge.

Reads adms
vs
Read & others
Pltff
Defts
} In Chancery

This Cause came on this day to be further heard upon the papers formerly read & the report of Comr J. G. Harris dated Augt 28th 1889. to which there are no exceptions filed, and was argued by Counsel; On Consideration whereof the Court doth adjudge order & decree that said Report of Comr Harris as to the transactions of W. S. Read Jr admr of Stephen F. Read dcd be confirmed and that one of the Commissioners of this Court take & report a further account of the outstanding debts & demands against the said Stephen F. Read dcd or his estate - and a further account of the transactions of the said W. D. Read Jr admr of Stephen F Read dcd - and it appearing to the Court from Comr J G Harris' report that full justice can not be done & the whole controversy ended without the presence of Charles F Collier & D W Budd Exors of J. S. Budd dcd. A. Wright & Isaac Eigenbrun as parties to this suit, it is ordered that proper process issue summoning them to appear & defend any interest they may have in this suit.

Rogers
vs
Poole admtx &c
Pltff
Defts
} In Chy

On the motion of Wm J. Rogers by Counsel leave is granted him to file his bill and exhibits in this Cause whereupon he filed the same, and on his like motion, J. G. Harris is appointed guardian ad litem for the infant defendants Frank O. Poole, and Susie E. Poole, and on the motion of said Harris, leave is granted him to file the answer of the said infant defendants, whereupon he filed the same, and on motion of Callie B. Poole leave is granted her to file her answer to the plaintiffs bill both in her own right and as administratrix of W. D. Poole dcd, Whereupon she filed the same.

to which answer the Plaintiff does not deem it necessary to reply, and thereupon this day this Cause came on to be heard, On the bill of Complaint, the exhibits therewith filed, the answer of the infant defendants by their guardian ad litem the answer of Sallie B Poole in her own right and as administratrix of W. O. Poole decd, and was argued by Counsel, upon Consideration whereof, the Court doth adjudge order and decree, that whenever the said W. J. Rogers shall pay to P. L. Saunders who is hereby appointed a receiver for that purpose, the sum of $363.14, with interest on $163.14 from 27 April 1889. till paid, and retaining interest on $200.00 from date of payment to 27 April 1891. that being the balance in full of the purchase money for the land in the bill and proceedings mentioned, then that B. J. Epps, who is hereby appointed a Commissioner for that purpose, shall convey said land to the said W. J. Rogers or to whom he may direct by deed with Covenants of Special warranty, But before the said Saunders shall receive any money under this decree, he shall enter into bond with Security to be approved by the Clerk of this Court, in the penalty of One thousand Dollars conditioned as the law directs for the faithful discharge of his duty under this or any future decree in this Cause and the said Saunders shall out of the money so collected pay the costs of this suit; and the residue to said Sallie B. Poole, and make report of his proceedings hereunder for further decree by this Court.

W Heathouse Pltff
vs
W Heathouse Deft
} Decree

This day this Cause Came on to be further heard upon the papers formerly read and upon the report of Charles F Collier Comr dated Aug. 30th 1889. and was argued by Counsel;
On Consideration whereof the Court approving the said report to which there is no exception doth confirm the same, and doth adjudge order and decree that the payments therein reported being those decreed by the Court to be made in this cause at the March term 1889 of this Court to the several parties entitled be firm and binding on all parties — and it appearing

that the fund in this Cause has been entirely distributed to all parties entitled, and nothing further remaining to be done, it is ordered that this Cause be removed from the docket.

Heath's Committee
vs
Heath & Others

Pl'ff
Defts

In Chy

This Cause came on this day to be further heard upon the report papers formerly read and upon the Report of Com'r A. M. Organ, filed in this Cause Feb'y 9th 1889. On Consideration whereof the Court, without passing upon the said report and still allowing to any party interested leave to file at the next term of this Court exceptions to said Report, and being of Opinion from the papers in this cause that a sale of the real estate devised by Littleton Heath for the proper support and maintenance of his daughter Minerva Ann Heath, is necessary for her said support and maintenance heretofore & hereafter to be had, and that such sale will promote the interest of the said Minerva Ann Heath, doth adjudge order and decree that the aforesaid real estate of 500 acres, more or less be sold and John G. Harris and Alexander Hamilton, both or either one of whom may execute this decree, are appointed the Commissioners of the Court to make said Sale, whose duty it shall be to sell the said real estate, or the timber thereon, or such part thereof as they may consider advisable, separately from said land, and then sell said land should they deem it advisable so to do; and upon the following terms as to said land, after reasonable advertisement, viz; One fifth of the purchase money in cash, the residue upon credits in equal instalments of one and two years, the deferred payments to bear Six per cent interest and negotiable Notes to be given for said deferred payments, and titles retained until purchase money shall be fully paid; and in the event that timber shall be sold to be cut off of said lands, then after reasonable advertisement, upon terms of one fourth of the purchase money in cash, the residue upon credits of three and Six months, negotiable Notes to be

given for deferred payments carrying six per cent interest from day of sale, and said notes to be satisfactorially endorsed, and title to the timber to be retained until all purchase money therefor shall have been paid; and said Commissioners shall report to Court. And said Commissioners, Harris and Hamilton, or the one acting, shall proceed and are directed to collect the balance due upon the debt of Edmonia Jackson, late guardian of Minerva Ann Heath, to said Minerva Ann Heath, the same being the sum of $810.13 as of Jan. 1st, 1875 to which shall be added interest, subject to any credit for a payment since made thereon; and said Commissioners shall report to Court; But said Harris and Hamilton, Commissioners, and neither of them, shall act as such until they or the one acting shall have entered into bond as such in the penalty of $2000. with security to be approved by the Clerk of this Court and conditioned according to law and for the faithful performance of the duties of the commissioner executing said bond under this and all future decrees in this Cause.

B. A. Ragsdale Sheriff of Dinwiddie County and as such Adm of Sarah A. Handy dec'd. Rudolph Handy and Jno C. Handy ——— Pltffs

vs

Robt W. Tucker & Lucinda A. Tucker his wife, Wm Joseph Newton Handy, Wm L. Spain and Emily C. Spain his wife, Romulus L. Hunt and Caroline A. Hunt his wife, Isaac B. Bell and Etta W. Bell his wife, Isaac B. Bell Adm c.t.a. d.b.n. of John C. Handy dec'd, Fitz O. Robertson, Jno. C. Robertson, Lula L. Robertson and Abel Robertson - the last three parties being infants — Defts

In Chy

On Motion of the plaintiffs Alexander Hamilton is assigned guardian ad litem to defend the interest of John O. Robertson, Lula L. Robertson and Abel Robertson in this suit who by leave of Court filed the answer of said infants and thereupon this cause came on this day to be heard upon the plaintiffs bill taken for confessed as to all of the adult defen-

dants, upon the answer of said infants by said Guardian ad litem this day filed, and upon the exhibits filed with said bill and was argued by Counsel On Consideration whereof the Court, is thinks at this time proceeding upon any question raised by the pleadings in this cause doth adjudge order and decree that it be referred to one of the Commissioners of this Court to take the following accounts.
1st An account of the transactions of the plaintiff B.A. Ragsdale Sheriff of the County of Dinwiddie and as such admr of Sarah A Hardy dec'd - as the personal representative of said decedent.
2d An account of the estate whereof said Sarah A Hardy died possessed or to which she was entitled at the time of her death said account to show the value thereof and what disposition has been made thereof - 3d An account of the transactions of defendant Isaac B. Bell admr c.t.a. d.b.n. of John C Hardy dec'd as the personal representative of said testator - 4th An account of the assets real and personal whereof said John C Hardy died seized or possessed, said account to show the value thereof and what disposition has been made thereof -
5th An account of all outstanding debts or demands against said John C Hardy and Sarah A. Hardy or either of them or against their estates or either of them with the dignities and priorities of such debts and demands, that accounts said Comr is to audit, state and settle, and report to Court, with any matter specially stated deemed pertinent by himself or required to be so stated by any party interested, notice of the time and place to be fixed by said Comr for taking said accounts to be posted at the front door of the Courthouse of this County on the 1st day of some term of the County Court of Dinwiddie preceding such time and to be published once a week for four successive weeks in some newspaper published in the City of Petersburg Va. Such posting and publishing of said notice to be deemed equivalent to personal service upon all parties interested except said personal representatives upon whom there must be personal service thereof -

Ordered that the Court be now adjourned until ten Oclock tomorrow morning

Beverly A. Hancock

Thursday. September 26th 1889.

Present. Hon Beverly A. Hancock. Judge

Nash's Heirs Pltffs
vs
Nashes Heirs Defts
} In Chancery

This cause came on this day to be pursued upon the papers formerly read and upon the report of Comr B. J. Epes this day filed to which no exception is taken and was argued by Counsel, On consideration whereof the Court doth confirm the said report and as to all other matters it is ordered to be continued until the next term.

Frank Roberts Pltff
vs
Thomas B. Scott, John Hargrave & Lena M. his wife, Minna W. Scott, Walter F. Scott, Kate E. Scott, Maud A. Scott & B. F. Scott — Defts
} In Chy

On the motion of Frank Roberts leave is granted him to file his bill whereupon he filed the same, and on like motion B. J. Epes is appointed guardian ad litem for the infant defendants Lena M. Hargrave Minna W. Scott, Walter F. Scott, Kate E. Scott, Maud A. Scott & B. F. Scott; and on the motion of said Epes leave is given him to file the answer of the said infant defendants, whereupon he filed the same, and on motion of Thos B. Scott and John Hargrave leave is given them to file their answers to the plaintiffs bill, whereupon the same are filed. And thereupon this cause came on this day to be heard upon the bill of the plaintiff the answers of the infant defendants by their guardian ad litem and the answers of the adult defendants, and general replication to said

answers and was argued by Counsel - On Consideration whereof the Court doth adjudge, order and decree that John G Harris, who is hereby appointed a special Commissioner for the purpose, is hereby directed to execute and deliver to the plaintiff Frank Roberts, a deed conveying to him the lands in the bill mentioned in which deed of conveyance the said defendant Thomas B Read shall join and said Comr Harris shall make report to Court,

Fraziers adm'r &c Pltff } In Chancery
Frazier's adm'r &c Defts }

This Cause came on this day to be further heard upon the papers formerly read and upon the petition of W. P. King this day filed by leave of Court and was argued by Counsel, On Consideration whereof the said W. P. King is admitted a party plaintiff in the Cause as prayed in his said petition and it is ordered that the Cause hereafter proceed in the name of said W. P. King as one of the plaintiffs., and the Court doth further order that one of the Commissioners of this Court take an account of the debt of W. P. King against the estate of J. W. Fraser deceased & in his petition and report to the next term of this Court. And the Court doth further order that so much of the decree entered at the March term 1888. as directed Special Commissioner Harris to distribute the money collected by him from the purchasers of the real estate of John W. Fraser sold under decrees in this Cause among the creditors of said estate mentioned in the report of Commissioner McKinney be and the same is hereby revoked and annulled and said Commissioner is hereby directed to deposit all moneys collected by him under decrees in this cause in the Petersburg Savings & Insurance Co of Petersburg Va taking therefor interest bearing certificates payable to the order of the Court, which certificates shall be deposited with the Clerk of this Court to be filed in this cause

R. C. Elder Gdn Pltff
vs In Chancery
L W. Perkins Extrx Dfdt

By consent of all parties by their Counsel it is ordered that this Cause be submitted to the judge of this Court for decision & decree in Vacation

Keller Pltff
vs In Ch.
Bustemouth & others Defts

Ellenbrough Pltffs
vs In Ch
Keller & others Defts

The Cause came on this day & the Court heard upon the papers formerly and upon the report of Comr A Donnidan this day filed, & which no exception is taken and was argued by Counsel. On consideration whereof, the Court approving the said report of Comr. Alex Donnidan doth confirm the same; and doth adjudge, order and decree that the sales reported to Lelia A Keller of the lot of five acres at $130.00 and of the reversion in the dower property at $100. and the sale reported to Jno C. Griffin of the Mill property at $335.50 be hereby firm and binding between the parties, and said Comr A Donnon is ordered to collect the purchase money from said purchasers and when the same shall be paid in full for the property respectively so sold them that said Donnon Comr execute and deliver to said purchasers having so paid in full good & sufficient deeds for the property so purchased respectively and said Comr shall report to Court and it appearing to the Court that Jno C. Griffin the purchaser of said Mill property became such at the sum of $335.50 on May 20th 1889 which was his bid in accordance with his bond given as a part of his report bid dated March 21st 1889 in which bond B. J. Epes was the surety of said Griffin, and that said Griffin has failed to comply with the terms of his purchase, the Court doth order and decree that John C. Griffin and B. J. Epes

be summoned to appear before the Judge of this Court on the first day of the next Term of this Court and show cause if any they can why judgment should not be given against them for the said sum of $335.50 with interest thereon from the 20th day of May 1889 till said and the costs of this suit incurred with respect JJ to the collection of said sum & interest

W. O. Read Pltff
vs
Barnes, Tinsley & others Defts } In Chy

This cause came on this day to be further heard upon the Chancery Summons and upon the report of John G. Harris Trustee, this day filed, to which report no exception is taken and was argued by Counsel, On Consideration whereof the Court approving said report doth confirm the same, and doth adjudge, order and decree that the sale of the lands mentioned in said report to W. O. Reade Jr. and to W. O. Reade be held firm and binding. And the Court doth further adjudge order and decree that the said John G. Harris Trustee shall out of the funds in his hands pay the costs of this suit and to the plaintiff W. O. Reade the balance due him on his debt after crediting said debt by the amount of said W. O. Reades purchase of the 540 3/4 acres of land and the balance then remaining in his hands he shall pay over to A. M. Orgain Trustee in the deed of trust executed on the 19th day of August 1878 by W. T. Barnes & wife, and the said John G. Harris Trustee is hereby directed to execute and deliver to the said W. O. Reade Jr & W. S. Reade deeds conveying to them the tracts of land purchased by them respectively, and the said John G. Harris shall make report to Court with an account of his disbursements of the money received by him JJ as such Trustee.

Handys Executor Pltff
vs
Handy & others Defts } Dr Chy

This day this cause came on to be further heard upon the papers formerly read and was argued by Counsel. On Consideration whereof the Court doth adjudge order and decree that John G Harris, who is hereby appointed a receiver for the purpose, proceed to rent out for the year 1889 & 1890 either publicly or privately as to him shall seem best, and upon such terms as he shall deem judicious and proper the lands conveyed & him as trustee by the several deeds mentioned in this cause, and said Harris shall make report to Court, But before the said John G Harris shall act as such receiver he shall execute before the Clerk of this Court a bond in the penalty of $500. with security to be approved by said Clerk Conditioned as the law directs. and for the faithful performance of his duties under this or any future decree in this cause

Ordered that all causes not otherwise disposed of be and the same hereby continued

Ordered that the Court be adjourned until the first day of the next term -

Beverly A. Hancock

Virginia:- At a Circuit Court held for the County of Dinwiddie at the Court House thereof on Friday the 21st day of March 1890

Present Hon Beverly A Hancock Judge.

Frank C Roberts Plff
"
Scott & others Defts } In Chancery

This day this cause came on to be further heard upon the papers formerly read, and upon the report of Special Commissioner Jno Y Harris this day filed, and was argued by Counsel. On Consideration whereof, the Court approving said report, to which there is no exception, doth confirm the same, and it appearing to the Court that the objects for which this suit was instituted have been accomplished it is ordered that the same be removed from the docket

R M Mauson Pltff
"
J D B Rucker Deft } In Chancery

This Cause came on this day to be heard upon the plaintiffs Bill which was regularly matured at rules and set for hearing in the Clerks Office, and taken for confessed as to the defd and upon the exhibits filed with the Bill and was argued by Counsel. On Consideration whereof the Court doth adjudge, order and decree that it be referred to one of the Commissioners of this Court to take the following accounts viz. an account of the real estate, and interest in real estate owned by the defendant with its fair and annual value; and an account of the liens binding said real estate with their priorities, and make report to Court - and whether or not the rents & profits of said real estate will within five years pay & discharge said liens

J C Chambers Plaintiff
against
Indiana Caines Defendant } In Chancery

This cause came on this day to be heard upon the Bill of the plaintiff which has regularly matured at rules and set for hearing in the Clerks Office and taken for confessed as to the defendant, and upon

the exhibits filed with said Bill, and was argued by Counsel. On consideration whereof the Court doth adjudge order and decree that it be referred to one of the Commissioners of this Court to take the following accounts Viz.

An account of the real estate of which the defendant Indiana Harris is seized and possessed with its fee and annual value, and an account of the liens binding the same, with their priorities and report to Court whether or not the rents and profits of said real estate will pay off and discharge the liens binding the same within four years

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Lucretia M. [redacted] Pltff
vs
John G. Harris &c Defts
} In Chancery

There having been no appearance by any of the defendants in this Cause. On motion of the plaintiff it is Ordered that this Cause be removed from the docket.

Hardy Trustee Pltff
vs
Hardy & others Defts
} In Chancery

This Cause came on this day to be further heard upon the papers formerly, and upon the report of Comr. A. M. Organ, filed March 10th. 1890. to which no exception is taken, and was argued by Counsel;
On Consideration whereof, the Court, approving the said report of Comr. A. M. Organ, doth confirm the same; and it appearing to the Court that the said report of Comr. A M Organ, contains all information necessary for the guidance of the plaintiff in the execution of ~~this~~ his trusts, the Court doth order and decree that John G. Harris, trustee, do proceed to execute his duties as such trustee according to law, first paying costs of this suit and of the execution of his trusts, and in distributing the trust funds taking the said report of Comr A. M. Organ as the basis of his action; and said trustee, Harris, shall from time to time report to Court.

M. D. Elder Pltff
vs
Elders admrs &c Defts
} In Chancery

This Cause came on this day to be further heard upon the papers formerly read, and upon the report, with the accompanying statement and vouchers, of Comr Alexander Hamilton, this day

filed, to which no exception is taken and was argued by Counsel, ~~to which no exception is taken and~~

On Consideration whereof, the Court approving the said report of Comr Hamilton, doth confirm the same, and it appearing that all the funds in this cause have been disbursed except $5.65 in the hands of the Comr, it is ordered that said Comr pay out that sum as soon as practicable.

J G Phillips & others Pltffs
vs
Susan Harpers Admx & others Defts } In Chy

This Cause came on this day to be further heard upon the Papers formerly read and upon the report of W R McKenney Comr, bearing date March 15th 1870 and this day filed in this cause to which report there is no exception filed, and was argued by Counsel - On Consideration whereof the Court, approving said Report doth confirm the same; and it appearing to the Court from said Report that there remains in the hands of said Commissioner McKenney, subject to the order of this Court, the sum of Three hundred & forty two & 44/100 dollars ($342.44), the Court doth adjudge order and decree that said Comr McKenney shall out of the said sum of $342.44, pay any balance which shall be found due on the debt reported in favor of Wm C A Foster, Admr & that reported in favor of Wm C. A. Foster, according to the Report of Comr J. G. Harris heretofore confirmed in this cause; and that when the said two debts shall have been paid, then that he shall pay any balance which may then remain in his hands, so far as shall be found necessary, on account of the debt reported in said Comr Harris Report in favor of Susan Harper, Admx of A. M. Harper, dec'd, and make report to Court

Hunt & others Pltffs } In Chy
vs
Hunts Admx & others Defts

This Cause came on this day to be further heard upon the Papers formerly read and

upon the report of Commissioner Bernard Mann, this day filed among the papers in this Cause, and was argued by Counsel. On consideration whereof, the Court, approving said report, to which there are no exceptions, doth confirm the same, and doth adjudge, order and decree that the said Commissioner Collect the remaining note in his hands and make report to Court.

R. H. Bland Pl'ff
vs. In Chancery
Lucy & wife & others Defts

This Cause Came on this day to be further heard upon the papers formerly read, and upon the report of Comr Alexander Hamilton, with accompanying statement and vouchers, this day filed, to which no exception is taken, and was argued by Counsel; On Consideration whereof, the Court, approving the said report of Comr Hamilton, doth confirm the same; and it is ordered that this Cause be Continued

Vaiden & others Pl'ffs
vs. In Chancery
Sandifer. Defts

This Cause Came on this day to be further heard upon the papers formerly read, and upon the report of Charles F. Collier, Executor of Joseph D. Budd, dec'd (formerly Commissioner in the above styled cause) this day filed among the papers in this cause, and was argued by Counsel. On Consideration whereof, the Court, approving said report, to which there are no exceptions, doth confirm the same and by consent of parties by Counsel, and doth adjudge, order and decree that the said Charles F. Collier, Executor &c, as aforesaid, pay to T. P. Sandifer, or to his Attorney Charles F. Collier the sum of $37.97. to E. T. Sandifer, or to his attorney Wm Bell McIlvaine the sum of $39.97., and to E. A. Coleman or to her attorney Wm Bell McIlvaine the sum of $10.73 that being the present value of her dower interest in one half of the land sold in this cause (it being agreed that the said E. A. Coleman is about 50 years of age). and the said Charles F. Collier, Executor &c, shall make report to Court of his proceedings under this decree

J. J. Mitchell's Exr Pltff
vs
J. J. Mitchells Devisees Defts } In Chancery

This Cause Came on this day to be further heard upon the papers formerly read; and upon the report of Comr, Alexander Hamilton, this day filed, to which no exception is taken, and was argued by Counsel;

On Consideration whereof, the Court approving the said report of Comr Hamilton, doth Confirm the same, and doth adjudge, order and decree that the sale of 100 Acres of land reported to R. T. J. Main be held firm and binding between the parties, and it appearing that said Main has paid his purchase money in full, it is further ordered that said Comr Hamilton do execute and deliver to said Main a good and sufficient deed with Special warranty for said land; and it is ordered that this Cause be continued.

J. C. Robinson Plaintiff
vs
A. B. Kelly & wife Defts } In Chancery

This Cause Came on this day to be heard upon the bill taken for confessed as to the defendants, they still failing to appear, plead, demur or answer the said bill, and the exhibits filed therewith and was argued by Counsel. On Consideration whereof the Court doth adjudge, order and decree that it be referred to one of the Commissioners of this Court to take an account of all the real estate belonging to said defendants or either of them, with the annual rents over and above taxes thereof and the liens thereon with their priorities, and make report thereof to Court, with any matter specially stated, deemed pertinent by himself or which any party interested may require to be so stated & whether or not the rents & profits of the real estate will pay the debts in five years, and it is ordered that the notice of the time & place of taking said account shall be published once a week for four successive weeks in one of the news papers published in the City of Petersburg and such publication shall be equivalent to personal service of such notice on all parties.

R. E. Cole & Lucy E. Cole his wife, J. W. Cole and Eleanor E. Cole his wife Plaintiff
vs
Robt E. Coleman, Richd E. Coleman, G. A. Coleman, J. C. Coleman, C. E. Coleman, P. M. Farley & Viola, his wife, and Olney Coleman, the last named } In Chancery.

being an infant by guardian ad litem. Defts

On motion of the plaintiff, Jno Y Harris, a Complainant attorney at law is appointed guardian ad litem of the infant defendant Alonzo Coleman and filed his answer as such. And thereupon the Cause Came on this day to be heard upon the order of publication returned duly executed and published as to the non resident defendants from which it appears to the Court that they have been proceeded against in the manner prescribed by law upon the Bill and the exhibits filed therewith, taken for Confessed as to the absent defendants, and upon the answer of John Y Harris, guardian ad litem of the infant defendant Alonzo Coleman and was argued by Counsel. On Consideration whereof the Court doth adjudge, order and decree that one of the Commissioners of this Court do proceed to enquire and report to Court whether or not the tract of land in the said Bill mentioned can be conveniently partitioned in kind among the parties entitled thereto. and whether or not the interests of any of the parties concerned will be promoted by sale of the whole tract and the partition of the proceeds of sale among the parties entitled according to their respective interests therein. and the said Commissioner shall also take an account of rents and profits due by the plaintiffs P E Cook and J W Cole to the defendants, and such Commissioner shall report to Court such matters specially stated deemed pertinent, or such any party interested shall request to be so stated, But that such Comr shall not proceed to make said enquiries and take said account until he shall have published once a week for four successive weeks in some newspaper published in the City of Petersburg Va. notice of the time and place which shall be fixed by him for making such enquiries and taking said account, which publication shall be considered equivalent to personal service of said notice on all parties interested.

Henry A. Dodge Pltff
vs
Krogogaard et als Defts } In Chancery

This Cause Came on this day to be further heard upon the papers formerly read, and upon the report of Comr, John Y. Harris, filed March 1st. 1890. to which no exception is taken; and was argued by Counsel; Upon Consideration whereof the Court, approving the said report of Comr John Y Harris, doth confirm the same; and it appearing from the said report that A E Krogogaard was indebted to C R B Krogogaard as of the 24th day of Jan'y 1890. in the sum of $10.924. with legal interest ~~thereon~~ on $6.000. principal thereof from said last named date, and that the said debt is secured by the mortgage in the proceedings mentioned conveying the tract of land of 586 Acres in the proceedings mentioned, and that the said mortgage and the debt thereby secured has been assigned to the plaintiff Henry A. Dodge

to secure the payment of the debt due to the said plaintiff by Conrad R B Krogsgaard, which last named debt was on the 24th. day of Jan. 1890 the sum of $1772.03, with legal interest upon $1350. principal thereof, from said last named date, the Court doth adjudge, order and decree that unless the defendants N. E. Krogsgaard and Conrad R. B. Krogsgaard, or one of them, shall within thirty days after March 21st, 1890 pay to the plaintiff Henry A. Dolge, the aforesaid sum of Seventeen Hundred and Seventy Two Dollars and three cents, with legal interest on $1350., the principal thereof, from the 24th. day of Jan. 1890 till paid together with the costs of this suit, then that the said tract of land of 586 acres, more or less, or so much thereof as may be necessary for the purpose, be sold to pay the said sum to the said plaintiff, and Alexander Hamilton is appointed the Commissioner of this Court to make said sale, whose duty it shall be, in default of payment as aforesaid, to proceed to sell the said lands after reasonable advertisement by hand bills to be posted in Dinwiddie County and by publication in a newspaper published in the City of Petersburg, Va., for at least ten days, and either upon the premises, in Dinwiddie C. H., or in the City of Petersburg, Va. and upon the following terms; one fourth of the purchase money in cash, the residue in two equal instalments, with six per cent interest from the day of sale upon credits of one and two years, notes to be given for the deferred payments, and title to be retained until all the purchase money shall have been paid and said Comr Hamilton shall report to Court, but said Comr Alexander Hamilton shall not act as such until he shall have entered into bond in the penalty of Four $3000- with security to be approved by the Clerk of this Court conditioned according to law, and for the faithful performance of his duties under this and all future decrees in this cause)

Sutherlands
&
Dyonisotc

Pltffs
Deftt
} In Chancery

This cause came on this day to be further heard upon the papers formerly read, and upon the report of W.R. McKenney Comr. bearing date March 9th 1890 and this day filed in this cause to which report there is no exception filed and was argued by Counsel. On Consideration whereof the Court approving said report doth confirm the same and doth adjudge order and decree that out of the balance of Two hundred and Eighty six and 25/100 dollars in his hands according to said report said Comr McKenney shall pay the balance due to Mrs E.P. Sutherland on account of her dower interest, as mentioned in the decree rendered in this cause at the March Term 1889 of this Court and the balance he shall distribute as follows to E.M. Sutherland or his Attorneys 5/32 thereof to E.P. Sutherland or her attorneys 1/32 and to W.R. McKenney Atty for B.E. Sutherland and Atty for A Rosenstock & Co. and Jacob Cohen 5/32 thereof and the remaining 21/32 thereof being the interest of F.M. Sydnor the infant defendant, he shall deposit in the Petersburg Savings and Insurance Company taking a certificate therefor in his name as Special Comr, and file the same in the papers in this cause and that said Comr shall make report to Court as to his action under this decree

Jno

Thos Sheddon &tc
vs
Sims admr &c

Plaintiff
Defts
} In Chancery

This cause came on this day to be again heard upon the papers formerly read, upon the notice to the parties interested duly published to appear on the first day of this Term of this Court, to shew cause, if any they can, why a reasonable and proper fee should not be allowed to Alex Hamilton and W.R. McKenney for their services as counsel in this cause &c, and upon the summons duly served upon the Admr and widow of J.T. Minges dec'd to appear on the first day of this term of this Court, to show if any they can, why the tract of land purchased by the late

J T Minyea in this suit should not be resold to pay the residue of unpaid purchase money &c as set forth in said summons and was argued by Counsel: On consideration whereof, the said parties interested having failed to appear, or show any cause against the allowance of said fee, and the said Admr & widow of J T Minyea decd, having failed to appear or show cause why the said tract of land purchased by J T Minyea dec'd, should not be resold to pay the unpaid purchase money due therefor the Court doth order and decree that this Cause be Continued.

B. F. Hudgins in his own right
and as Exr of H C Worsham decd. Plffs

vs

Fannie Worsham, Elliott W Hudgins
B F Hudgins jr, H C Marrow, & M D Marrow his wife
Worsham Hudgins, Thos R Dew, & Harriet Dew his wife
H W Dew, Wm Dew, Daisy Dew, A C Hudgins
and Blannie Dew, the last two being infants
by guardian ad litem & B F Hudgins jr
Admr of Maud Hudgins decd Defts

In Ch.

On Motion of the plaintiff Alexander Hamilton a Competent Attorney at Law is appointed Guardian ad litem of the infant defendants A C Hudgins and Blannie Dew, and thereupon said guardian ad litem filed his answer as such, and upon motion of B F Hudgins jr admr of Maud Hudgins decd who has filed in this Cause his certificate of qualification said admr is admitted as a party defendant in this Cause, and it is ordered that henceforth said Admr be proceeded with in this Cause as such defendant and thereupon said Admr filed his answer as such, and then this cause came on this day to be heard upon the Bill and exhibits filed therewith, which Bill is taken for confessed as to all of the adult defendants except the said B F Hudgins Jr. Admr &c; upon the answer of said guardian ad litem with general replication thereto, and upon the answer of the said B F Hudgins Jr Admr &c with general replication thereto, and was argued by Counsel: On Consideration whereof the Court doth adjudge order and decree that B F Hudgins, Executor of H C Worsham deceased do proceed to make sale at public auction at Dinwiddie C.H. on some County Court day, or in the City of Petersburg Va of the 2840 acres of land of which H C Worsham died seized, in these proceedings mentioned, for one fourth of the purchase money cash, and the balance on Credits of One, two and three years, interest added, and title retained until final payment, but that he shall not proceed to make such

sale, until he shall have given at least ten days notice of the time, place and terms of sale in the Index-Appeal, a daily newspaper published in the City of Petersburg, and by hand bills, and in making said sale said Exr is authorized if he deem it best, to sell said land in tracts, as described in the plat made by T F Rives, surveyor referred to in said Bill, and said Exr shall report to Court his action under this decree. If however said Executor shall deem it best for the interest of the parties concerned he is authorized to sell the said lands privately, but in either event, the sale shall be subject to the confirmation of the Court, and he shall make report to Court. But that said Exr shall not proceed to sell the said lands by public or private sale until he shall have entered into a bond in the penalty of Twelve Thousand dollars ($12000) with security to be approved by the Clerk of this Court conditioned according to law for the proper application of any money which shall be received by him under this decree & for the faithful performance of his duties under this or any further decree which shall be entered in this cause, and until he shall have obtained the consent in writing of Fannie Worsham & Harriet Dew to such sale such writing to be signed by said Fannie Worsham and Harriet Dew and duly acknowledged before a Notary Public or a Justice of the peace and to be returned by said Executor to this Court as a part of his report of sale.

Damon, Assignee &c
vs
Cousins & wife & others

Pltff
Defts
} In Chancery

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Comr Alexander Hamilton, with accompanying statement and vouchers for his payments this day filed, to which no exception is taken, and was argued by counsel;
On consideration whereof, it appearing to the Court that the entire fund has been paid out, and that nothing further remains to be done in this cause, and the Court approving the said report of Comr Hamilton, the Court doth confirm the said report and adjudge, order and decree that this cause be removed from the docket

Ordered that the Court be adjourned until tomorrow morning 10. O. Clock.

Beverly A. Hancock

Saturday March 22d 1890

Present Hon Beverly A Hancock Judge.

R A Jones Jr Trustee Pltff } In Chy
vs
E T Newsom Deft }

This Cause came on this day to be again heard upon the papers formerly read and upon the summons Ordered by the decree herein at the Sept Term 1889 against Scott Winfield returned duly executed, and upon the summons ordered by said decree against Henry Newsom returned not executed on account of the death of said Newsom, and was argued by Counsel; On Consideration whereof, the said Scott Winfield failing to appear or show cause why the tract of One hundred acres of land purchased by him should not be resold to pay the unpaid purchase money due thereon, the Court doth adjudge, order & decree that unless said Winfield shall within Sixty days after the service upon him of a copy of this decree pay to Alex Hamilton Comr in this Cause the sum of $460.75 with interest on $388 principal thereof from the 1st day of Mar. 1889 till paid, then that said Comr Hamilton shall resell said tract of 100 acres of land after reasonable notice by hand bills upon terms of one fifth of the purchase money in cash & residue upon credits of one & two years, Notes bearing interest from day of sale to be given for the deferred payments, & title retained until the purchase money shall be paid - and said Comr shall report to Court

Frasers admrs Pltff } In Chy
vs
Frasers admrs &c Defts }

This Cause Came on this day to be further heard upon the papers formerly read and upon the report of Commissioner A. M. Organ made in pursuance of the decree entered herein at the September term 1889, and filed on the 11th day of March 1890 to which report there is no exception and was argued by Counsel. On Consideration whereof, the Court approving said report, do it Confirm the same, and doth adjudge, order and decree that Special Commissioner John Y Haines collect from the Petersburg

Savings and Insurance Company such monies as he has deposited therein in pursuance of the decree entered at the September term 1889, and collect the unpaid purchase money for the lands sold under decrees in this cause as it becomes due and distribute the same among the creditors of John M. Fraser deceased in accordance with the decree of March term 1888 — and said Commissioner Harris shall make report to Court.

Keeler — Plaintiff } In Chancery.
vs.
Butterworth et ux. — Defts }

Edinborough — Pltff. } In Chancery.
vs.
Keeler et ux. — Defts.

These causes came on this day to be further heard upon the papers formerly read upon the report of Com'r Alex Dowman this day filed, to which no exception is taken, and upon the Summons to Jno C. Griffin and B J Esper to appear before the Judge of this Court on the first day of this term to show cause, if any they can, why judgment should not be rendered against them for the sum of $335 50/100 with interest thereon from the 20th day of May 1889 till paid, together with the costs in these causes incurred with respect to the collection of said sum and interest, which Summons has been returned duly served upon said Griffin and Esper and upon the petition and request of Mr Lelia A Keeler & Mary Keeler, this day filed and now argued by Counsel. On consideration whereof the Court approving the said report of Com'r Alex Dowman Doth confirm the same, and the said Jno C. Griffin and B J Esper failing to appear and show any cause why judgment as aforesaid should not be rendered against them, the Court Doth adjudge, order and decree that J C Griffin and B J Esper do pay to Alex Dowman Commissioner in these causes the sum of Three Hundred and Thirty five Dollars 50/100 with legal interest thereon from the 20th day of May 1889 till paid together with the costs, and judgment is rendered accordingly, and it is ordered that Mary Keeler be substituted as the purchaser of the lands hereinafter purchased by Mrs Lelia A Keeler she the said Mary Keeler being liable to the payment of unpaid purchase money for the said lands and it is ordered that where said purchase money shall have been paid in full then that a deed for said lands shall be made to said Mary Keeler.

W E Deaton for Pltf — Plaintiff } In Chancery
vs.
M L Spencer admr &c. — Defts.

It being suggested to the Court that the defendant M L Spencer the administratrix of R M Spencer dec'd has intermarried with R J Shain since the last term of this cause and her powers as such administratrix having terminated upon her marriage, on motion of B A Rogers Sheriff of the County of

Dismissed and as such administrator of W. M. Spencer dec'd he is admitted as a party defendant in this cause and thereupon this cause came on to be further heard upon the papers formerly read, and was argued by Counsel, On Consideration whereof it appearing to the Court that full justice can not be done to the above controversy and without the presence of R. J. Okane and M. L. Okane his wife, as parties, the Court doth order that they be made parties defendant to this suit, and the Clerk is directed to issue process against them.

M. A. Heath's Exrtx Pltff

vs

Heath & others Defts

On motion of W. R. McKenney, his appointment as guardian ad litem to the Defendant Minerva Ann Heath, is hereby revoked and his duties and powers as such guardian terminates, and upon the motion of the Plaintiff Wm. P. McRae a Complainant attorney at law is appointed guardian ad litem to the said defendant Minerva Ann Heath and leave is given him to file his answer herein which is accordingly done. and thereupon this cause came on this day to be again heard upon the papers formerly read, upon the said Answer of Minerva Ann Heath by Wm. P. McRae her guardian ad litem with general replication thereto. upon the report of Commissioner A. M. Organ filed September the 9th 1889 with the exceptions thereto by the said Wm. P. McRae guardian ad litem upon the report of Commissioner Alexander Hamilton this day filed to which no exception is taken, and upon Statement A. this day presented at the bar of the Court and filed and was argued by Counsel, On Consideration whereof the Court approving said report of Commissioner Hamilton doth confirm the same, and doth adjudge Order and decree that the sale reported of the tract of land in the bill and proceedings mentioned upon the terms set forth in the said report of Commissioner Hamilton & Wm. R. McKenney be held confirm and binding between the parties and said Commissioner Hamilton is ordered to collect the purchase money therefor as per the terms of sale and upon payment in full thereof to execute and deliver to said W. R. McKenney a good and sufficient deed with Special Warranty for the said

tract of land, or should the said McKenney so desire said Commissioner Hamilton is ordered to execute and deliver such deed taking from the purchaser a deed of trust conveying the said tract of land, to secure the unpaid purchase money and the Court approving said Statement "A" presented at the bar of the Court, doth adopt the same as the further basis of this decree and doth overrule the exceptions to the said report of Com'r Organ so far as inconsistant with the said Statement "A" and in all other respects doth sustain the said exceptions and approving the report of said Commissioner Organ so far as not inconsistant with said Statement "A" doth confirm the said report of Commissioner Organ as modified by said Statement "A" and doth adjudge order and decree that the rights of the parties be fixed by the said report of Commissioner Organ as modified by said Statement "A" and the Court doth further order and decree that Commissioner Hamilton out of the funds in or to be in his hands, do pay all taxes upon the said tract of land to the first day of January 1890 and the Costs of this suit including a fee of $100 — to John G Harris & Duncan & Hamilton for their services as Counsel rendered in this cause and including a fee of $60 — to Wm J. McRae for his services as as guardian ad litem rendered in this cause and for making Statement "A" and that said Commissioner Hamilton pay out of said funds to R. B. Warren and George T. Mansell or to their respective attorneys the debts due them respectively as set forth in said report of Commissioner Organ as modified by Statement "A" and said Commissioner Hamilton shall make report to Court.

Ordered that all causes not otherwise disposed of be continued to the next term of this Court

Ordered that the Court be adjourned to the first day of the next term.

Beverly A. Hanaveck

In Vacation of the Circuit Court of Dinwiddie County - June 27th 1890.

Hardy's adm'r &c
vs
Tucker & wife &c

Vacation Order

By Consent of all parties by Counsel given before the Judge of this Court in vacation and entered of record, this cause is submitted to the said Judge for decision and decree in Vacation

Beverly A Hancock

To the Clerk of Dinwiddie Circuit Court.

Circuit Court of Dinwiddie County.
In Vacation June 27th 1890.

Hardy's adm'r &c
vs
Tucker & wife &c

Vacation Decree

On Motion of Robt. Tucker and wife and others by Counsel leave is given them to file their answer to the Plaintiff's bill, which is accordingly done, and to which the Plaintiffs replied generally, and on the motion of J. B. Bell administratir de bonis non with the will annexed of John C. Hardy dec'd and leave is given him to file his answer, which is accordingly done, to which the Plaintiff replied generally, and then this cause came on to be heard in vacation by consent of the parties upon the papers formerly read and upon the said answers of the defendants and the exhibits files therewith and the general replications thereto by the Plaintiffs and was argued by Counsel; On Consideration whereof and it appearing to the Court that the accounts directed by the decree of the September term 1889, have not been taken, & the Court being of opinion that it is necessary in order to get the facts in Controversy in this cause properly before the Court, that the said accounts should be taken, doth therefore adjudge order and decree that one of the

Commissioners of this Court do take the accounts directed by the said decree of the September term, 1889, and report to this Court as in said decree directed.

Beverly A. Hancock

To the Clerk of Circuit Court of Dinwiddie

Henry A. Dolge
v. } Note for decree in Vacation
Krogsgaard et als

This cause came on this day to be further heard upon the papers formerly read, including the notice to all the defendants, they being non residents by order of publication, and upon the report of sale made by Com'r Alexander Hamilton this day filed, to which no exception is taken, and was argued by Counsel; On Consideration whereof, the Court approving the said report of Com'r Hamilton, do ratify confirm the same, and doth adjudge, order, and decree that the sales reported to Herman Schierloh of the tract of land of 322 3/4 acres and the tract of land of 259. 3/4 acres, mentioned in the proceedings and said report, @ 3.60 per acre be held firm and binding between the parties; and the said purchaser Herman Schierloh requesting it, it is further ordered and decreed that upon the payment by said Schierloh to said Com'r Hamilton of not less than one fourth of the purchase money, and executing and delivering to said Hamilton, Com'r, his note or bond with 6 per interest from the day of sale for the residue of the purchase money, payable not more than one year from the date of sale, and upon his executing and delivering for record to said Hamilton, Com'r, a deed of trust conveying the said lands to secure said note or bond, then that said Com'r Hamilton shall execute and deliver to said Schierloh a good and sufficient deed for the said lands with special warranty; and said Commissioner Hamilton shall report to Court.

Virginia At a Circuit Court held for the County of Dinwiddie at the Courthouse thereof on Monday the 22nd day of September 1890 and of the Commonwealth the 115th

Present Hon B A Hancock Judge.

R E Colescripe and
J W Colescripe Pltffs.
vs
J A Coleman's Heirs Defts. } In Chy

This Cause came on this day to be further heard upon the papers formerly read and upon the report of A M Organ, Commissioner, taken in pursuance of the decree rendered in this Cause at the March Term, 1890, of this Court, and filed in this Cause on the sixth day of September, 1890, to which report there was no exception filed, and was argued by Counsel on consideration whereof the Court approving the said report, doth confirm the same. And it appearing to the Court from the said report that the real estate in these proceedings mentioned, cannot be conveniently apportioned in kind among the several parties entitled; That no one or more of the said parties is or are willing that the whole of the said real estate be assigned to him or her, or them, and pay to the other parties interested such sum or sums of money as their interests therein would entitle them to; And that the interest of all parties concerned would be promoted by the sale of the whole tract, and the division or apportionment of the proceeds of sale among the parties interested, according to their respective interests therein the Court doth adjudge, order and decree that John G. Harris, and W. R. McKinney (either or both of them may act) be and are hereby appointed Commissioners of this Court, whose duty it shall be to make sale at Public Auction of the whole of the said real estate, in these proceedings mentioned, either at Dinwiddie Court House, on some Court Day, or in the City of Petersburg,

such sale to take place only after at least Ten days publication in some newspaper published in the City of Petersburg — 229

of the time, place and terms of sale. And such sale shall be upon the following terms; One fourth of the purchase money in cash, and the balance on equal credits of One and Two years, interest added, and bonds or notes for deferred payments. The title to the said property to be retained until the purchase price shall have been fully paid, The purchaser to pay taxes for 1890. But that said Commissioners or neither of them shall proceed to execute this Decree until they, or the one acting, shall have entered into a Bond in the penalty of Twenty Five Hundred Dollars, with security to be approved by the Clerk of this Court, and conditioned according to law, for the faithful performance of their or his duties under this, or any further Decree, which may be entered in this Cause, And that the Commissioners or Commissioner making such sale shall report to Court the proceedings under this

vv Decree

D. A. Keeler Pl'ff
vs
A. D. Talley Deft } In Chy

It being suggested to the Court that the plaintiff, D. A. Keeler, has departed this life, and that her estate has been committed to B. H. Ragsdale sheriff of Dinwiddie County and as such her administrator, for administration, on the motion of said Ragsdale sheriff and as such administrator of D. A. Keeler, he is admitted as party plaintiff in this cause and it is ordered that this cause hereafter proceed regularly in his name, and thereupon this cause came on to be again heard upon the papers formerly read and the report of Com'r Alexander Hamilton, this day filed, to which no exception is taken, and upon the return of the sheriff made Nov. 25th. 1889 of the service upon the defendant, A. D. Talley, of a copy of the decree entered in this cause on the 21st day of Sept. 1889, and was argued by Counsel;

vv

On Consideration whereof, the Court approving said report of Com'r Hamilton doth confirm the same, and it appearing to the Court that the defendant, A.S. Tally, have failed to pay the costs, taxes, and debt ordered to be paid by the decree of Sept 21st. 1889, or either or any part thereof, for more than ninety days after the service upon him of a copy of said decree, the Court doth order said Com'r Hamilton to proceed to execute the said decree of Sept. 21st 1889 by selling the real estate therein mentioned as therein directed,

Legal & Equitable for &c Plaintiffs } In Chancery.
vs
Sutherland & others &c Defts }

This cause came on this day to be again heard upon the papers formerly read and upon the petition of Baguley & Williams, this day filed by leave of Court, and was argued by Counsel, On Consideration whereof there being no objection and the Court being satisfied as to the facts the Court doth adjudge order and decree that W.H.H. Baguley and James M. Williams late partners under the firm name of Baguley & Williams be admitted as parties plaintiff in this cause upon the usual terms, and that their debt against the estate of the late John T. Sutherland for One hundred and fifty six 56/100 Dollars with legal interest on $139.28 principal thereof from the 10th day of Sept 1890 until paid, be and the same is allowed as a valid and subsisting debt against the estate of John T. Sutherland as a debt of the second class under the report of Com'r Jno. G. Davis filed in this cause Sept. 1st 1888 and it is ordered that this cause be retained,

J.C. Robinson Plaintiff } In Chancery.
vs
A.B. Skelly wife Defts }

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner A.W. Organ returned to the Clerks Office September 8th 1890 and this day filed amongst the papers in this cause, and was argued by Counsel, On Consideration whereof the Court approving said report to which there are no exceptions, doth confirm the same and it appearing to the Court that the rents and profits of the said real estate in the proceedings mentioned will in few years pay off all the liens thereon, it is adjudged ordered and decreed that B.F. Rogers Esq. the Sheriff of Lowndes County, take possession of said tract of land, and rent the same from year to year, or for such time as may be necessary, collect the rents

ordering the fund to apply the same to the payment of the said judgment with the costs of this suit, and make report to Court of his proceedings under this decree,

Henry A Dodge. Plaintiff
vs
Kroggaard et al. Defts } In Chancery

This cause came on this day to be again heard upon the papers formerly read, the report of Com Hamilton, filed July 7th 1892 in Vacation, the order entered in vacation on the 8th inst named, and upon the report of Com A Hamilton, this day filed with accompanying statement and vouchers, to which no exception is taken, and was argued by Counsel.

On Consideration whereof the Court do confirm the said report and order entered therein in Vacation on July 7th 1892 and approving the said report of Com Hamilton, this day filed doth confirm the same, and doth order and decree that said Com Hamilton do pay to Henry A Dodge or his Attorneys, the sum of Four Hundred and Fifty seven 95/100 Dollars now held in Cash in his hands, on account of the debt due the said Dodge, costs, fees and doth authorize said Com Hamilton to draw and pay to C R B Kroggaard the balance which may be hereafter in his hands after the payment of the residue of the debt due to said Dodge, and said Hamilton shall be relieved and discharged of the rights of said Kroggaard for the sum so advanced, and said Com Hamilton is directed to collect the note given for the unpaid purchase money by Herman Schierloh and out of the same so collected said Com shall pay any costs of this suit not paid or provided for. Then pay the residue of the debt due to said Dodge or his Attorneys, and pay the residue of the fund to C R B Kroggaard, or to whom said Com should said Com account the same to said Kroggaard, and said Com shall report to Court,

J. J. Mitchell's Exrs Pltff
vs } In Chy
J. J. Mitchell's Devisees et al Defts

This Cause came on this day to be again heard upon the papers formerly read, and upon the report of Com A Hamilton, with accompanying statement and vouchers, this day filed, to which no exception is taken, and was argued by Counsel:

On Consideration whereof, the Court, approving said report of Com Hamilton, doth confirm the same, and doth adjudge, order and decree that the sale reported to J. E. Smith of 50 1/2 acres of land at $1.50 per acre and interest Cash, be held firm and binding between the parties

and said Annie Hamilton is ordered & Collect of said Smith the purchase money and & execute and deliver & him a good and sufficient deed with special warranty for said land; and said Annie Hamilton shall proceed & make a further distribution & the Creditors of J.J. Mitchell as soon as he shall collect sufficient funds & pay a reasonable dividend, and said Comm shall report & Court.

R.W. Mason Pltff
vs
J & W B Rucks Dfts } No 1. In Chancery

Travis Snead & Co Pltff
vs
J & W B Rucks Defts } No 2 In Chancery

On motion of the plaintiffs in Cause No 2. it is ordered that these causes be hereafter heard together; and Cause No 2 having been regularly set for hearing came on this day & be heard upon the Bill and exhibits filed, the Bill taken for confessed as to all of the defendants; and Cause No. 1, came on this day & be further heard upon the papers formerly read and upon the report of Commissioner A.M. Organ filed Sept 11th 1890 & which no exception is taken; and these causes were argued by Counsel, On Consideration whereof the Court approving the said report of Comr Organ doth confirm the same; and it appearing & the Court that the rents and profits of the real estate of the defendant J & W B Rucks will not be sufficient within five years & pay the liens debts thereon and the costs of these suits; and that the said real estate of said defendant J & W B Rucks is an undivided one half of a tract of land of one hundred and twenty five acres with improvements, the other undivided one half being owned by the defendant Virginia C Rucks, the Court doth adjudge

order and decree that the said real estate of the said J W B Rucks be sold to pay the lien debts binding the same and the costs of these suits - and John G Harris and George Mason either or both of whom may act are hereby appointed Commissioners of this Court to make said sale whose duty it shall be to sell the undivided interest of J W B Rucks in the said land either upon the premises at Wilsons Depot or at Winnsboro first after reasonable advertisement and upon the following terms; one fourth cash the residue in equal instalments with interest added from day of sale upon credits of one and two years till the retained until purchase money is fully paid, provided however that at such sale a price sufficient shall be bid to pay the said lien debts and the costs of suits and sale; and if no such sufficient bid shall be made for said interest then said Commissioners shall not sell said undivided interest of said J W B Rucks but the Court doth further order and decree that partition of said real estate between said J W B Rucks and the defendant Virginia B Rucks be made if the same can be conveniently done, and R H Jones Esqr. F M Sanders H A Gunning W B Brown and H T Fishburne any three of whom may act are hereby appointed Commissioners of this Court to make such partition and report to Court and in the event that such partition cannot be conveniently made then said Commrs shall so report to Court - But said John G Harris and Geo. Mason and neither of them shall act as Commissioners under this decree until they or the one acting shall

enter into bond as such Commr in the penalty of $1000.- with security to be approved by the Clerk of this Court and conditioned according to law and for the faithful performance of his duties under this and all future decrees in this Cause)

J W Phillips & others Pltffs
vs
Susan Harper & wife & others Defts } In Chy

This Cause came on this day to be further heard upon the papers formerly read and upon the report of W R McKenney Commissioner bearing date May 1/90 and this day filed in this Cause, to which report there is no exception filed, and was argued by Counsel;

On Consideration whereof, it appearing to the Court that said Commissioner McKenney has discharged according to the decree rendered herein at the March Term 1890, the sum of Three hundred and forty two dollars and forty four cents in his hands according to his report confirmed by said decree of March Term 1890, and the Court approving said report and the findings therein contained, doth confirm the same)

Sarah A Handy's adm'x &c
vs
Sarah A Handy's distributees &c

This Cause came on this day to be further heard upon the papers formerly read the report of Comm'r Jno G Harris made under the decree herein entered on the 27th day of June 1890. in vacation and filed in the Clerks Office on the 10th day of September 1890, the papers filed with said report and the exceptions thereto filed, and it appearing to the Court by the statements of Counsel in open Court made that all matters therein that the Cause be argued before the Judge

of this Court in vacation with liberty to said Judge to consider and decide the cause in vacation. All parties consenting thereto, it is ordered that this cause may be so argued and considered in vacation with liberty to said Judge to enter a decree in vacation.

Sarah A Hardy admr &c. Plaintiff.
vs
Sarah A Hardy distributees. Defts.

This cause came on this day to be further heard upon the papers formerly read. the report of Comr. Jno G Harris, made under the decree herein entered on the 27th day of June 1890. in vacation and filed in the Clerks office on the 10th day of September 1890. the papers filed with said report and the exceptions thereto filed, and it appearing to the Court by the statements of Counsel, in open Court made that all parties desire that the cause be argued before the Judge of this Court in vacation, with liberty to said Judge to consider and decide the cause in vacation, all parties consenting thereto, it is ordered that this cause may be so argued and considered in vacation with liberty to said Judge to enter a decree in vacation.

Sarah Pettigrew Plaintiff
vs
R A Reaves admr. Defts } In Chancery.

This cause came on this day to be heard upon the Bill taken for confessed as to the Defendants, and by Consent of all parties given in open Court and entered of record this cause is taken for Consideration and decree in vacation, but it is ordered that the said Defendants shall, within sixty days from this date file their answers to the said bill,

Hardy Hunter. Plaintiff
vs
Hardy and others. Defts } In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the petition of A A and Minnie B Hardy this day filed by leave of the Court, and was argued by Counsel, On Consideration whereof the Court doth adjudge order and decree that the lands conveyed by A A Hardy in the various deeds mentioned in the proceedings in some of which conveyances his wife Minnie B Hardy, did not unite be and the same are hereby declared free from any contingent right of Dower right of said Minnie B Hardy. and that the value of her contingent right of Dower in such lands, so far as she may be entitled, shall be ascertained and paid her in money out of the proceeds of sales upon her uniting in Conveyances to be made to purchasers, provided that said Hunter shall first obtain the Consent of the beneficiaries in actual interest under said deeds. And the same, doth further adjudge, order and decree that the said

the said several deeds of trust from A A Hardy forward to sell the lands thereby conveyed upon the terms of one fourth of the purchase money in cash the residue in two equal instalments, with interest from the day of sale upon credit of one and two years, provided that said trustee shall first obtain the consent of the beneficiaries in actual interest under said deeds to granting such credit to the purchasers.

N C Worsham Exr. Pltff

vs

N C Worsham Devisees & Legatees. Defts

This cause came on this day to be further heard upon the papers formerly read and upon the report of B F Hudgins, Executor of N C Worsham, dec'd giving the particulars of a sale of the lands in the proceedings mentioned being 2840 acres in the County of Prince Edward Virginia to Fannie B Worsham and Elliott W Hudgins at the price of ten dollars per acre, which report bears date September 2nd 1890. and has been this day filed in this cause, and to which report there is no exception filed, and was argued by Counsel. On Consideration whereof the Court, approving said report and the sale therein mentioned, doth confirm the same, and doth adjudge, order and decree that the said sale of Twenty eight hundred and forty acres of land to said Fannie B Worsham and Elliott W Hudgins, at the price of ten dollars per acre which is $28400 for the 2840 acres be held forever firm and stable as between the parties thereto and the Court being of opinion that B F Hudgins, as the sole distributee of Maud Hudgins, dec'd, is entitled to be paid out of the interest of Elliott W Hudgins, devised to him under the will of N C Worsham, dec'd, the legacy of one thousand dollars mentioned in the Codicil to the will of the said N C Worsham, dec'd, as payable to said Maud Hudgins; and it further appearing to the Court that B F Hudgins as Executor aforesaid is entitled to be paid his Commissions on the said sale, which Commissions amount to Two Hundred and Ninety three dollars and the Court being further of opinion that Five Hundred dollars is a reasonable fee to be paid to W R McKenney for his services as Counsel for B F Hudgins Executor in this case; On Consideration whereof the Court doth further adjudge order and decree that when Fannie B Worsham shall have paid to B F Hudgins one half of the Commissions aforesaid and to W R McKenney, one half of the fee aforesaid, and that when she shall have also paid one-

half of the other costs of this suit, then that the said B. F Hudgins, Executor shall execute to her a Deed, with special warranty, for an undivided one-half of the 2846 acres aforesaid, as mentioned and described on a Plat of the same, made by Thomas F Rives. County Surveyor of said County, and referred in the Bill in this Cause; and that when the said Elliott W. Hudgins shall have paid to said B. F. Hudgins and the said W R McKenney, respectively, the other one half of the said Commissions and fee, and when he shall have paid the other half of the costs of this suit and when he shall have also paid to the said B. F. Hudgins, as distributee of Maud Hudgins deceased, the legacy of one thousand dollars aforementioned, then and not till then, shall B F Hudgins Executor as aforesaid, execute to the said Elliott W Hudgins a Deed with special Warranty for the other undivided one-half interest in the 2840 acres of land aforesaid and the said B. F. Hudgins, Executor, is ordered to report & Court his action under this Decree.

Thos L. Aldridge Betty his wife James Aldridge Ida his wife Fredrick M Aldridge Rosa his wife, Joseph Aldridge. Frank Aldridge Thomas Childs & Lavinia his wife Billy Archer & Lucy his wife and Aj Bush. Plaintiffs

vs

Ernest Aldridge, William Aldridge, Catherine Aldridge & Mary Aldridge all of whom are infants. Defts } In Chancery.

On the motion of the plaintiffs leave is granted them to file their Bill, whereupon they filed the same, and on like motion BJ Estes is appointed guardian ad litem for the infant defendants Ernest Aldridge, William Aldridge, Catherine Aldridge and Mary Aldridge, and on motion of said guardian ad litem leave is given him to file the answer of said infant defendants whereupon he filed the same, and thereupon this cause came on this day, by consent of all parties to be heard upon the bill of the plaintiffs the exhibits filed therewith, the answer of the infant defendants by their said guardian ad litem and the replication thereto, and the affidavit of Jno L Shaw was argued by Counsel, On Consideration whereof, and it appearing to the Court that from the quantity of land the boundaries thereof and the number of interests involved partition thereof cannot be conveniently made, that no one or more of the parties interested is or are willing to have the whole subject divided to him, her or them, and pay the

other parties such sums of money as their interests therein may entitle them to, and that the interests of those who are entitled to the subject or its proceeds, will be protected by a sale of the said subject, this day ordered and decreed that John H Adams who is hereby appointed a Commissioner for the purpose shall make sale of the said one hundred & twenty four acres of land on the premises, in the City of Petersburg or at Dimmock's Store publicly or privately and if publicly after reasonable advertisement, for one third of the purchase money cash and the balance in equal payments of one two years with interest from day of sale, but before said John H Adams shall act as such Commissioner he shall execute a bond in the penalty of $ 300. with Security to be approved by the Clerk of this Court conditioned according to law and for the faithful performance of his duties under this & any further decree to be made in this cause,

Ordered that the court be now adjourned until tomorrow morning at ten o'clock

Beverly A Hancock

Tuesday September 23? 1890

Present Hon B A Hancock Judge.

Sherman ~~Robertson~~ C & Louisa B. his wife Sherman Wm H & Tina B. his wife, Joseph F Sherman Julia H Brockwell & Clara A, his wife Nelly Parks & Ruth A. his wife Henry Geny & Nannie C. his wife and Rhoda A. Sherman

vs

Sherman Rosa & Olive Sherman infants by B. J. Espes. their guardian ad litem

Pltffs

Dfts

} In Chy

On the motion of the plaintiffs leave is given them to file their Bill whereupon they filed the same and on like motion B J Espes is appointed guardian ad litem for the infant defendants Rosa Sherman and Oline Sherman and on motion of said guardian ad litem leave is given him to file the answer of said infant defendants, whereupon he filed the same, and thereupon this Cause by consent of all parties came on this day to be heard upon the Bill of the plaintiffs, the exhibits filed therewith the answer of the infant defendants by their said guardian ad litem with general replication thereto, and upon the affidavit of N M Fisher. This day filed by leave of the Court, and was argued by Counsel. On Consideration whereof, and it appearing to the Court that from the quantity of land and the number of those interested therein, partition thereof cannot be conveniently made, that no one or more of the parties interested is or are willing to have the entire subject allotted to him, her or them and pay the other parties such sums of money as their interests therein entitle them to. and that the interests of those who are entitled to the said land or its proceeds, will be promoted by a sale of the whole of said tract of land. doth adjudge order and decree that the same be sold, and doth further adjudge order and decree that John T Harris, who is.

hereby appointed a Commissioner for the purpose shall make sale of the said forty acres of land on the premises in the City of Petersburg or at Dividend No 4, either publickly or privately and if publickly, after reasonable advertisement, on the following terms, one half cash and the balance on a credit of twelve months bearing interest from day of sale retaining title till the purchase money is fully paid; but before said Judy. Harris shall act as such Commr he shall execute a bond in the penalty of $500, with security to be approved by the Clerk of this Court conditions according to law and for the faithful performance of his duties under this or any future decree to be entered in this cause,

Bridgeman Milton D. Plaintiff
against
Bridgeman Sarah F. Defts } In Chancery

This cause which has regularly matured as Rule to been set for hearing as to any parties came on this day to be heard upon the bill of the plaintiff & the exhibits filed therewith, upon the depositions of witnesses filed this day & was argued by Counsel. On Consideration whereof the Court being satisfied from the evidence independently of the admissions of the parties in the pleadings or otherwise that the charges of adultery against the defendant has been fully established, doth adjudge order decree that the bond of matrimony existing between the plaintiff & the defendant be & the same is hereby dissolved & they are forever divorced from each other, And nothing further remaining to be done in this cause it is ordered to be removed from the docket

W E Deaton for &c. Plaintiff
v
W L Spencer and wife &c. Defts } In Chancery

This day this cause came on to be further heard upon the papers formerly read, upon the Depositions ~~awarded~~ in the cause term of the Court which has been returned executed upon R T J Spain and M L Spain his wife upon the petition of W L Spencer this day filed by leave of Court upon the Bill taken for confessed as to the said defendants R T J Spain and M L Spain his wife, and was argued by Counsel On Consideration whereof and it appearing that the accounts ordered to be taken by the decree entered in this cause at the October term 1880 have not been taken and that Joh L Spencer the Commissioner appointed by said decree to carry out the real estate of which R M Spencer died seized has made no report

as required by said decree. the Court doth adjudge order and decree that it be referred to one of the Commissioners of this Court to take the accounts directed by said decree to be taken and in addition to the accounts thereby ordered, that said Commissioner shall take an account of the transactions of said John L. Spencer as Special Commissioner and monies coming and received by him for whose benefit the policies of assurance, referred to in the petition of Wm L. Spain on which the sum of $1000 was collected on custom, and more specially to report to this Court such monies specially stated account and particularly by him to be received or required by any person entitled to the same.

Read's Admr. Pltff }
vs } In Chancery
Read & others Defts }

This Cause came on this day to be again heard upon the papers formerly read and was argued by Counsel - On Consideration whereof it appearing to the Court that the Creditors of the said Stephen Read dec'd, mentioned in said Report of Comr J. G. Harris dated August 28th 1889 filed Sept 9th 1889 are entitled to share ratably the fund of $101.16 reported in the hands of W. S. Read Jr. admr of Stephen Read dec'd, the Court doth adjudge order & decree that the said W. S. Read Jr. admr of Stephen Read distribute the said sum of $101.16 ratably between the Creditors mentioned in said Report of Comr Harris. after paying the cost thereof, & said admr shall report to Court.

John Dempsey Plaintiff }
vs } In Chancery.
Frances Dempsey Deft }

This day this cause which has regularly matured at rules and been set for hearing came on to be heard on the bill of complainant and exhibits filed therewith and the depositions filed by the plaintiff in support of his bill, and was argued by Counsel, On Consideration whereof it appearing to the Court that the charge of adultery made in complainants bill is sustained by the proofs. the Court doth adjudge order and decree that the marriage heretofore solemnized between John Dempsey and Frances Dempsey formerly Bolling dec'd and the same is hereby dissolved so that they be forever divorced from each other.

Nashes Heirs Pltffs }
vs } In Chancery
Nashes Heirs Defts }

The undersigned the Comr respectfully reports to the Court that he has met

offered the land in the proceedings mentioned for sale since his Report made to the last term of this Court for the reason that he had offered it several times within the last twelve months without receiving any but a nominal bid - & as the Va & Ga R.R. Co have reorganized with the apparent purpose of completing said road which passes in sight of said land he thought best for the interest of all concerned to delay offering it again for sale. The said Comr further reports to the Court, that J. Amblen Smith had rented the 176 acres of land to several tenants for the year 1889 & at the instance of one of the parties interested in this suit your Comr told the tenants that they had better not pay the rents until the Court decided who were entitled to the same & your Comr is informed that said Rents for 1889 are still due & that there will also be Rents due for the present year - and your Comr submits to the Court whether he, or the said J. A. Smith shall collect said Rents

The above Report was entered instead of the decree which will be found below.

Nashe Hines Pltffs
vs
Nashe Hines Defts } In Chy

This day this cause came on to be further heard upon the papers formerly read & the Report of the Comr Epes dated Sept 23rd 1890 and this day filed & was argued by Counsel. On Consideration whereof the Court doth confirm said Report & doth adjudge order & decree that said the Comr Epes collect any rents due & which may become due for the said 176 acres of land for the year 1889 inclusive and that the Comr Epes proceed to execute this decree entered in this cause on the 26th Sept 1889 & in the event that he fails to make sale of the land that he rent the same on such terms as best he can

and collect the same when they become due

Ordered that all cases not otherwise disposed be and are hereby continued

Grief, Green Pltff
vs } In Chancery
Steme & others Defts

On motion of W.M. Steme leave is granted him to file his answer which is accordingly done, and on motion of Jane Green and others leave is granted them to file their petition which is accordingly filed thereupon this cause which has regularly matured at rules and set for hearing as to all parties came on this day to be heard upon the Bill of the plaintiff and exhibits filed therewith, taken for confessed as to the defendants Leonard Green & St. Roffe, upon the restraining order granted by Judge D.M. Bernard on the 21st day of April 1890, upon the answer of W.M. Steme with general replication thereto and upon the petition of Jane Green and others and was argued by counsel. On Consideration whereof, without now deciding any questions raised in the proceedings in this Cause the Court doth adjudge order and decree that the defendants be summoned to the first day of the next term to answer said petition and as to all other matters this cause is continued

Ordered that the Court be adjourned until the first day of the next term.

Beverly A. Hancock

Ex parte Petition of. } In Dinwiddie Circuit Court.
Trustees of Sharon Baptist } In Vacation November 14th 1890.
Church to Borrow money &c. } On the Petition of the Trustees of Sharon Baptist Church to Borrow money & execute Deed of Trust to Secure the payment thereof.

This day came George Matthews. James Chappell. R Stuckey. Johnson Watkins and Wm White the trustees of Sharon Baptist Church in Dinwiddie County and filed their petition praying to be authorized to borrow two hundred and fifty Dollars from the Baptist Home Mission Society & to execute a deed of trust to secure its payment upon the Church building & land belonging thereto & also praying to be empowered to execute a deed of trust upon the property aforesaid to the said Society for the sum of Three Hundred Dollars. to secure the refunding of that amount whenever the said Church shall cease to be used as a Baptist, being money proposed to be loaned by said society to said Church upon that condition, It appearing from the said petition & from the evidence produced before the said Judge that it is the wish of the Congregation of said Church that the prayer of said petition should be granted it is ordered that said trustees be and are hereby authorized to borrow two hundred & fifty Dollars from said society & to execute a deed of trust upon the Church building & land belonging to said Church to secure its payment, and they are further authorized to receive the additional Dollars of the three hundred Dollars from said society & to execute a deed of trust upon said Church building & land belonging to the Church to secure the refunding of said three hundred Dollars whenever said Church shall cease to be used as a Baptist Church But said trustees shall not receive any money from said society until they shall enter into and bond before the Clerk of this Court in the penalty of Seven hundred Dollars with security approved by said Clerk conditioned for the proper accounting for said money to said Church after disposing thereof as said Church shall order, If said Church shall desire said trustees to receive said money without giving said bond. then it may at any called meeting after due notice of the object thereof has been given to its members authorize the said trustees to receive said money from said Society without giving said bond & in that event no bond shall be required of them under this order.

To the clerk of } Beverly A Hancock
Dinwiddie Circuit Court } Judge of Dinwiddie Circuit

JJ

Virginia, In the Circuit Court of Dinwiddie County, On Vacation February 5th 1891.

Manson
Pl'ff
&c
Dep't
Rudd's
and
Pl'ff
Graves Snead & Co
Def'ts
&c
Dep't

In Chancery

In Chancery

The same suit

It appearing to the satisfaction of the Court, that Graves, Snead & Co, the pl'ffs in the decree of the above styled suit, have given due notice to the parties to both of said causes, pl'ffs and def'ts, that they would on this day, at the Courthouse in the City of Petersburg, Virginia, move the Judge of this Court to confirm the sale of the undivided one half interest of the def't John B Rudd, in the tract of 125 acres of land in the proceedings in the said suits mentioned, made on November 8th 1890. to said Graves Snead & Co. at the price of $570.00 these causes came on this day to be further heard in Vacation, upon the papers formerly read, upon the notice of said motion returned duly executed on all the parties, and on the report of Commissioner John G Harris this day filed of the said sale, made in pursuance of the decree of September term 1890. to which report there are no exceptions, and was argued by Counsel, On Consideration whereof the Court doth confirm the said sale, and doth order that the same be held firm as fixed and binding between the parties and the said Graves, Snead & Co.

Beverly A Hancock.

The Clerk of the Circuit Court of Dinwiddie County

Virginia At a Circuit Court held for the County of Dinwiddie at the Courthouse thereof on Monday the 23d day of March 1891, and of the Commonwealth 115th.

Present.

Hon B.A. Hancock. Judge.

Ordered that the Court be adjourned until tomorrow morning at 10. O. clock.

Tuesday. March 24th 1891.

R.E. Cole & wife and J.W. Cole & wife Pltffs
vs
J.H. Coleman's Heirs Defts } In Chancery

This Cause came on this day to be further heard upon the papers formerly read and upon the Report of W.R. McKenney, Commissioner, showing sale made by him on the 17th day of November 1890. of the tract of Six Hundred and Thirteen acres of land in these proceedings mentioned, to R.E. Cole and J.W. Cole, at the price of and for the sum of Twenty Four Hundred and Fifty Two Dollars ($2452), which Report bears date the 20th. day of March 1891. and which has been this day filed in this Cause, to which Report there is no exception filed, and was argued by Counsel: On Consideration whereof the Court approving the said Report doth confirm the same, and doth adjudge, order and decree that the sale of the tract of Six Hundred and Thirteen acres of land, in these proceedings mentioned, therein reported as having been made to the said R.E. Cole and J.W. Cole at the price and for the sum of Twenty Four Hundred and Fifty Two Dollars ($2452) be. and the same is hereby held firm and stable as between the parties thereto. And the Court doth further adjudge, order and decree that out of the Cash payment of Six Hundred and Thirteen Dollars, reported by the said Commissioner McKenney as having been collected from the said R.E. Cole and J.W. Cole,

in compliance with the terms of the said sale, the said Commissioner McKenney shall pay the costs of this suit and the expenses of the said sale. And that the said Commissioner McKenney be authorized to collect from the said R. E. Cole and J. H. Cole the two bonds for Nine Hundred and Nineteen Dollars and Fifty Cents ($919.50) each, with interest added from November 17th, 1890, till paid. It appearing to the Court from the Report of the said Commissioner McKenney that the said R. E. Cole and J. H. Cole desire to anticipate the payment of the same, and that when said bonds shall have been collected then that the said Commissioner McKenney shall pay to the said R. E. Cole and J. H. Cole, jointly, Twenty Eight Thirty Sixths (28-36) of the amount which will then remain in his hands after the payment of the costs of this suit, and the expenses of the said sale as above provided for, and that the remaining Eight Thirty Sixths (8-36) he shall pay to the heirs at law of J. H. Coleman deceased, or, to their attorney in this Cause taking receipts for such payments, and returning the same to Court with his next report in this Cause, And the Court doth further adjudge, order and decree that when said R. E. Cole and the said J. H. Cole shall have paid in full to the said Commissioner McKenney, the two bonds aforesaid, and when they shall have paid to the heirs at law of J. H. Coleman, deceased, or to their attorney in this Cause, the sum of One Hundred and Sixty Four Dollars and Forty Eight and Eight-Ninths cents ($164.48 8/9, with interest thereon from August 30th, 1890, (that being their Eight-Thirty Sixths (8-36) of the rents and profits of the said lands, as mentioned in the Report of Commissioner A. M. Organ, confirmed in this Cause at the September Term, 1890,) then that the said Commissioner McKenney be authorized to execute to the said R. E. Cole and J. H. Cole, jointly, a Deed with special warranty, for the said Six Hundred and Thirteen acres of land, and make report to Court.

JJ

Sheddon &c
vs
Speirs' Adm't & others

Pl'ffs
Defts
} In Chy

This Cause came on this day to be further

heard upon the papers formerly read, and upon the Report of the sales made by W R McKenney. Commissioner bearing date on the 20th day of March. 1891. in pursuance of the Decree rendered in this cause at the September Term, 1889. of this Court, to which report there is no exception filed, and was argued by Counsel.
On Consideration whereof the Court approving the said Report doth confirm the same, and doth adjudge, order and decree that the sale of the twenty four acres of land therein reported as having been made to A.W. Ennis at the price of Four Hundred and Thirty Dollars, and the sale of the tract of the tract of seventy nine acres of land, in said Report mentioned as having been made to Nancy E. Aldridge, at the price of Five Hundred and Twenty Five Dollars, be both held forever firm and stable as between the parties thereto; and the Court doth further adjudge, order and decree, that said Commissioner McKenney do, out of the Cash payments collected by him, according to his said Report, pay the expenses of said sales, and any unpaid costs of suit up to the present term of the Court, and that he retain in his hands for Collection the two bonds of A.W. Ennis in his report aforesaid mentioned, and the two bonds of Nancy E. Aldridge also mentioned in his said Report. And it appearing to the Court that from the sale of the tract of twenty four acres of land aforesaid, formerly purchased by Samuel Davis, now deceased, there will be a sum sufficient to fully pay off and discharge the balance reported by Commissioner Davis in his report filed in this Cause in March 11th. 1889. as due by Samuel Davis in his purchase of lands purchased by him in this Cause, the Court doth adjudge, order and decree, that the said W.R. McKenney, Commissioner, do execute to the heirs at law of the said Samuel Davis as mentioned in this Cause, a Deed with Special Warranty, for the tract of ~~land~~ Eighty One acres of land, referred to in the said Report of the said Commissioner McKenney, as having been purchased by the said Samuel Davis, now deceased; and that said Commissioner McKenney do make report to Court.

Sarah A Hardy's adms Pltff
vs
Sarah A Hardy's distributees Defts } In Chy

By Consent of parties by Counsel given in open Court & entered of record this cause is submitted to the Judge of this Court for decision & decree in vacation.

Heaths Pltffs
vs
Heaths & others Defts } In Chy

This Cause in which the plaintiffs have proceeded in the mode prescribed by law against the non resident defendants Joseph Heath, Emmeline Browder, Daniel Browder, Mary Heath, Emma Heath, Cora Heath, Henry Heath and Thos J Heath. if alive, Came on this day to be heard upon the plaintiffs bill taken for Confessed as to the resident adult defendants on whom process has been duly served, they also failing to appear and plead answer or demur to the said bill and upon the order of publication published, posted & otherwise duly executed as to the non resident defendants, on the depositions of witnesses and exhibits filed, and was argued by Counsel, on Consideration whereof the Court doth adjudge, order and decree that W. L. Watkins, W. H. Jones and George D Bernard who are hereby appointed Special Commissioners for the purpose, all three or any one or more of whom may act & proceed after having advertised the time place and terms of sale in some news paper published in the City of Petersburg for a reasonable time or by handbills duly posted in five or more public places in this County and also posted notice thereof at the front door of the Court house of Dinwiddie County on some Court day previous to the day of sale to sell the three tracts of land in the bill and proceedings mentioned known as the "Quarter Tract" containing 138 acres, the "Blick Tract" containing 50 1/4 acres and the "Todd Tract" containing 71 acres, at public auction in front of the Court house door of said County or at some Auction store in the City of Petersburg upon the following terms to wit one fourth cash and for the balance give credits of one two and three years equal annual

instalments with interest added from the day of sale, taking from the purchasers for the deferred payments bonds or negotiable notes with ~~good personal security~~ and retaining the title to the property sold until the further order of the Court, and the purchasers paying all taxes on the lands sold for the year 1891 And the said Commissioners or each one or more of them as may act, are directed to report therein his proceedings hereunder to the Court. But the said Commissioners or such of them as may act shall not execute this decree until they or he shall enter into bond in the Clerks office of this Court with security to be approved by said Clerk, payable to the Commonwealth of Virginia in the penalty of $1500 and conditioned for the faithful discharge of their or his duties hereunder

Hurt & others
vs
Hurts Admx & others

Pltffs
Defts
} In Chy

This Cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner Bernard Mann, this day filed among the papers in this cause, and was argued by Counsel. On consideration whereof, the Court approving said report, to which there are no exceptions doth confirm the same, and it appearing to the Court that nothing further remains to be done in the above styled Cause, it is ordered that the same be removed from the docket of this Court.

Vaiden & others
vs
Sandifer

Pltffs
Defts
} In Chy

This day this Cause came on to be further heard upon the papers formerly read and on the report of Charles F. Collier Exor of J. D. Budd, dated Aug 7th 1890 and was argued by Counsel. On consideration whereof the Court approving the said report, to which there is no exception doth confirm the same; and it appearing from said report with the vouchers filed therewith, that said Collier Exor of J. D. Budd has paid the several

amounts decreed to be paid in this cause at the March term 1890 of this Court, to wit. to W. Bell & Graine Atty for E. T. Sanders fee $39.97. and to same as Attorney of Ed Coleman $10.73. and to Charles F. Collier Atty for T. P. Sanders fee $37.97, and nothing further remaining to be done in this cause, it is ordered that the same be removed from the docket

Samuel W. Budd Pltff

vs

Phebe A. L. Budd, Robert D. Budd, William Budd, Fanny S. Budd, Julia M. Budd, Samuel W. Budd & Josephine Budd, the last six being infants under the age of twenty one years, who defend this suit by Alexander Hamilton, their Guardian ad litem Defts

In Chy

On motion of the defendants Phebe A. L. Budd and Alexander Hamilton, Guardian ad litem for the infant defendants leave is given them to file their respective answers in this cause, and the said answers are accordingly filed, and thereupon this cause came on this day to be heard upon the plaintiffs bill taken for confessed as to all the defendants, upon the said answers of the defendants Phebe A. L. Budd and Alexander Hamilton, guardian ad litem for the infant defendants, and upon the depositions of witnesses duly returned to Court, and was argued by Counsel, Upon Consideration whereof the Court is of opinion that the tract of land in the said bill mentioned, of which the late William Budd died seized and possessed cannot be conveniently partitioned and divided in kind among the parties entitled thereto, and the interests of all the parties who are entitled to the said land or its proceeds, will be promoted by a sale of the entire tract, and a division of the proceeds of such sale among the parties entitled thereto;, and the said defendant Phebe A. L. Budd having expressed her willingness in her said answer to receive a gross sum as commutation for her dower interest in said land, the Court doth adjudge, order, and decree that William P. McRae and Alexander Hamilton, who are hereby appointed Special Commissioners for the purpose either of whom may act under this decree, do proceed to sell the said tract of land in the said bill mentioned either publicly or -

privately, as to them shall appear most expedient upon the following terms to wit, for one fourth Cash, the residue in three equal instalments, due at one two and three years after the day of sale respectively, the credit instalments carrying interest from the day of sale, and the purchaser executing bonds therefor, payable at said respective dates, and the title of the property retained until the whole purchase money is paid and a conveyance directed by the Court. If the said Commissioners shall sell the said tract of land publicly, they shall sell the same either at Dinwiddie Courthouse or in the City of Petersburg, or upon the premises, and they shall give at least ten days notice of the time, place and terms of sale by advertisement in one or more newspapers published in the City of Petersburg, and by handbills distributed and notices posted at two or more conspicuous places in said County, including the Courthouse. If the said Commissioners shall sell the said tract of land privately, they may, in their discretion employ the services of a licensed real estate or land agent, and pay him the usual compensation for his said services, But the said Commissioners shall not proceed to act under this decree until they or the one acting, shall have executed a bond in the penalty of $6000.00 with security deemed sufficient by the Clerk of this Court, conditioned for the faithful performance of their duties under this and all future decrees in this Cause

R. H. Bland. Pltff

To } In Chancery.

Lucy & wife &c Defts

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner A. Hamilton, with the accompanying vouchers therein mentioned, this day filed to which no exception is taken, and was argued by Counsel, On Consideration whereof, the Court approving the said report of Commissioner Hamilton, doth confirm the same, and the Court approving the sale reported in Harriet L. Crowder of 336½ acres of land at the price of $646.24 doth confirm the same and adjudged, ordered and decreed that the said sale to the said Crowder

be had from and binding between the parties and doth order that said Commissioner A. Hamilton proceed to collect the unpaid purchase money as the same shall become due or permit the purchaser to anticipate payment, abating interest, if she so desires and upon the payment of the said purchase money in full said Commissioner Hamilton shall execute and deliver to the said Harriet L. Crowder a good and sufficient deed, with special warranty, for the said lands and out of the cash balance reported in the hands of said Commissioner Hamilton he shall first pay all unpaid costs of this suit and any unpaid taxes up to January 1st 1891 upon said land owed by said Crowder and out of the residue to be in his hands he shall pay to Mrs R.H. Blount 1/3 part thereof and to Mrs M A Levy and such of her children as are of age another 1/3 thereof remaining, however from said last mentioned 1/3 part so much thereof as may be the share of such of the children of said Mrs A Levy as are not of age and paying such shares to said children as they become of age and said Commissioner Hamilton shall pay the remaining 1/3 thereof to Alexander Hamilton as Commissioner of this Court in the suit of Slaughter admr &c Shields &c pending in this Court, said last mentioned 1/3 of such fund belonging to the fund in the last mentioned cause, and said Commissioner Hamilton shall likewise proceed to distribute the funds which may hereafter come into his hands from collections to be made by him as Commissioner, and said Commissioner Hamilton shall take vouchers for his payments and make report to Court.

Henry A Kroyer
vs
Kroyogaard &c

Pltff
Dfts
} In Chancery

This cause coming on this day to be further heard upon the papers formerly read, and upon the report of Commissioner A. Hamilton, this day filed, with the accompanying vouchers therein mentioned to which no exception is taken and was argued by Counsel. On Consideration whereof, the Court approving the said report of Commissioner Hamilton doth confirm the same, and the said Commissioner Hamilton having advanced to C.R.R. Kroyogaard the total amount which would be coming to him from the funds in this cause, the Court doth adjudge, order and decree that said Alexander Hamilton be and he is hereby subrogated and substituted to the rights and remedies of the said C.R.R. Kroyogaard upon the fund in this cause, and it is ordered that this cause be continued.

Caldclough &c
vs
Southerland & admrx &c

Pltff
Dfts
} In Chancery

This Cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner A Hamilton with the accompanying vouchers therein mentioned, this day filed, to which no exception taken, and was argued by Counsel. On Consideration whereof, the Court approving said report of Commissioner A. Hamilton doth confirm the same and order that this cause be continued.

Reads ads
vs
Reads wife & ors

Plaintiff
Defts
} In Chancery

This cause came on this day to be again heard upon the papers formerly read and on the Petition of Wm S. Reads Sr. and Wm S. Reads Jr. this day filed by leave of the Court was argued by Counsel On Consideration whereof it appearing to the Court that the real estate of which said Stephen F Reads died seized and possessed, with the exception of the estate for his widows life assigned her or her dower will have to be sold for the payment of his debts and that the interests of one of the parties will be promoted by the sale of the same in such a manner as to enable the purchaser thereof to obtain title to the fee simple of the whole tract, the Court doth adjudge order & decree that B J. Esper who is hereby appointed Special Commissioner for the purpose, after duly advertising the time place terms of sale by hand bills & by publication once a week for four successive weeks in some newspaper published in the City of Petersburg, proceed to offer for sale at public auction the said tract of One hundred & twenty four acres or so much thereof, for one third cash the balance in equal instalments one two & three months time, taken from the purchasers bonds for the deferred payments retaining the title in the purchased money in full & until paid before said Special Commissioner Esper shall and he shall execute but not seal such deed to be approved by the Clerk of this Court in the form prescribed according to law for the faithful discharge of his duties as such Commissioner make this or any other decree which may be entered in this cause, And the Court doth further adjudge order & decree that one of the Commissioners of this Court ascertain & report to Court 1st the value of the real estate for the widows life in the thirty acres of land assigned to her as her dower in the real estate of her husband Stephen F Reads 2d the value of the reversion in same 3d the value of said Widows life estate in the ninety four acres assigned her as a homestead & 4th the value of the reversion in the homestead in said ninety four acres.

Jacob Patterson
vs
R.H. Reams wife

Plaintiff
Defts
} In Chancery

This cause coming on this day to be further heard upon the papers formerly read, and upon the answer of R.H. Reams and Virginia H. Reams to the Complainants bill, which answer, in accordance with the decree rendered herein at the September Term 1890. of this Court, was filed in this Cause on the 9th Day of November 1890. and was filed and upon motion of said Complt. with general replication to such answer. and was argued by Counsel, On Consideration whereof the Court, without stopping upon the merits of any question involved in this cause, doth adjudge, order and decree that one of the Commissioners of this Court, proceed to take and report to Court the following accounts, 1st An account of the property transferred by the Defendant R.H. Reams, which the said Complainant sent to the said R.H. Reams house to live, together with an account of the value of the same. 2d An account of the rents and profits of the land belonging the Complainant, to the said R.H. Reams during and for the time the Defendant has had possession of the same. 3d An account of the quantity of lumber, wood and cord wood, if any, cut or sold by the Defendant R.H. Reams from the said land while in his possession, and the value of the same, 4th An account showing the period of time during which the Complainant lived at the house of the said R.H. Reams and what would be a fair compensation to the said Defendant for his maintenance and support during that time. And such Commissioner shall be authorized to take testimony, and make report to Court as to any matter involved in this cause concerning which any party hereto may wish testimony to be taken, but that such Commissioner shall not proceed to take the said accounts or to take such testimony until he shall have given to all of the parties hereto personal notice of the time and place which may be fixed upon by him for taking the same,

Sutherland &c.
vs
Defendants

Plaintiffs
Defts
} In Chancery

This cause coming on this day to be further heard upon the papers formerly read, and upon the report of W.R. McKamey, Commissioner, bearing date on the 20th Day of March 1891. (showing a balance of Three Hundred and Fourteen Dollars and Eighty cents ($314.80) in the hands of the said Commissioner) and this day filed in this cause, to which report there is no exception filed, and was argued by Counsel, On consideration whereof the Court approving the said report doth confirm the same, and doth adjudge, order and decree that the said W.R. McKamey Commissioner do distribute the balance of Three Hundred and Fourteen Dollars and Eighty cents ($314.80) in his hands as aforesaid as follows.
To E.W. Sutherland, or his attorney Five Hundred Dollars this 1/32
To E.P. Sutherland or her attorney one Hundred Dollars this 1/32
To W.R. McKamey. Attorney for W.E. Sutherland and Attorney for Thomas Cate Heirs and Jacob Cate Five Hundred Dollars this

And the remaining Twenty nine Thirty seconds 21/32 thereof being the interest of J.W. Dysons the infant defendant in this cause the said M.R. McCaw Commissioner shall depose in the Petersburg Savings and Insurance Company taking a certificate therefor in his name as Special Commissioner in this cause and return the same with his report And the said M.R. McCaw Commissioner shall make report to Court.

Slaughter's adm'x Pltff
To
Spiers's Adm'rs, Defts } In Chancery

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner A. Hamilton, with the accompanying vouchers, this day filed, to which no exception is taken, and cause argued by Counsel.

On Consideration whereof, the Court approving the said report of Commissioner Hamilton, doth confirm the same; and it appearing to the Court that the re-sale of the tracts of land, formerly bought by Henry Madison and John Thomas, respectively, were made to the said Henry Madison and John Thomas under a misapprehension by them, and that they desire that such re-sale be treated as null and void, the Court doth so adjudge, order and decree; and it appearing to the Court that John Thomas has declined to make further payments upon the 110 acres of land bought by him and has agreed to the re-sale thereof, the Court doth order and decree that Commissioner Hamilton proceed to re-sell the same as hereinbefore ordered by decree in this cause, and report to Court; and the Court doth further order that the parties to this cause be required to appear on the first day of the next term of this Court, before the judge thereof and show cause, if any they can, why a reasonable fee out of the fund in this cause should not be allowed by the court to Dorman & Hamilton for their services as counsel in this cause. Notice of which shall be published once a week for four successive weeks in a newspaper published in Petersburg, Virginia, which publication shall be equivalent to personal service of such notice upon all parties interested; and said Commissioner Hamilton, after reserving out of the fund a reason-

able ~~to~~ sum to pay such fee when allowed by the Court, shall pay the residue of the Cash reported in his hands, after paying any unpaid Costs of this suit, to the Creditor or Creditors entitled thereto, according to the report of debts made in this Cause or to the attorneys of such Creditors, taking vouchers for such payments and making report to Court.

Poole per friend
vs
Poole

Pl'ff
Deft } In Chy

This Cause which has regularly matured at Rules Came on this day to be heard upon the ~~Original~~ Bill & exhibits thereunto filed & the answer of the defendant F E Poole & was argued by Counsel, On Consideration whereof the Court doth adjudge order & decree that B J Epes who is hereby appointed Special Commissioner for the purpose conveys to F E Poole the one hundred & twenty five acres cut off to him by the survey marked "A" & filed with the Complainants Bill and that said Special Commissioner convey to Lilly A Poole widow of W J Poole & her infant Children Charles Poole & Wm Poole as the heirs at Law of the late Wm J Poole, the two hundred & sixty five acres cut off to said Wm J Poole by the said survey & that F E Poole pay one half the Costs of this suit & Lilly A Poole & her children the other half

Harrison's widow
vs
Harrison's Admr. & als

Pl'ff
Defts } In Chy

This Cause Came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner A Hamilton, this day filed, with the accompanying vouchers therein mentioned to which no exception is taken and was argued by Counsel, On Consideration whereof, the Court approving the said report of Commissioner A Hamilton, doth confirm the same, and the Court doth order and decree that the parties to this Cause be required to appear before the Judge of this Court on the first day of the next term of this Court and show Cause if any they can, why a reasonable

fee, out of the fund in this cause, should not be allowed to Dowman & Hamilton, Counsel in this cause, for their services. Notice of which shall be published for four successive weeks in a newspaper published in the City of Petersburg Virginia, which shall be equivalent to personal service of such notice upon all parties interested; and it is ordered that this cause be continued.

Meachi Commiller, Pltff

vs

Jackson's Adms Defts

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner A. Hamilton, with the accompanying vouchers, mentioned therein, this day filed, to which no exception is taken, and was argued by counsel.

On consideration whereof, the Court approving the said report of Commissioner Hamilton, doth confirm the same, and approving the sale reported of 100 acres of land to R. B. W. Warren, the same to go as a credit upon a debt due to Minerva Ann Heath by the estate of Mrs Edmonia Jackson and to go as a further credit from Minerva Ann Heath to R B W Warren upon his debt, the Court doth adjudge order and decree that said sale be held firm and binding between the parties, and upon a receipt being given for said $375.00 as of November 17th 1890 by the Committee of Minerva Ann Heath on account of the debt due her by Edmonia Jackson's estate, and upon a like receipt being given by R B W Warren, or his attorneys as of the same date, as a credit of said $275.00 upon a debt due to said Warren by said Minerva Ann Heath, said Commissioner, Alexander Hamilton is ordered to execute and deliver to said R. B W Warren a good and sufficient deed with special warranty, for the said 100 acres of land, and said Commissioner Hamilton is directed, out of the cash reported in his hands, to pay any unpaid Costs of this suit and to pay any delinquent taxes upon the aforesaid 100 acres of land sold to said Warren: and said Commissioner shall report to Court. And the Court doth adjudge order and decree that the parties to this Cause be Summoned to appear before the Judge of this Court on the first day of the next term thereof and show cause, if any they can, why a reasonable fee out of the funds in this Cause, should not be allowed by the Court to Dowman & Hamilton, Counsel in this Cause, for their services therein; Notice of which shall be published once a week for four successive weeks, in a newspaper pub-

lished in the City of Petersburg, Virginia, which publication shall be equivalent to personal service of such notice upon all parties interested.

Manson & Jones Pl'ff
vs
Rucks Def'ts
Travers Snead & Co Pl'ffs } In Chy
vs
Rucks Def't.

This cause came on this day to be further heard upon the papers formerly read, upon the petition of the defendants Travers, Snead & Co., and J. W. B. Rucks and wife, and exhibit accompanying the same, this day filed by leave of the Court, and upon the report of Commissioner John G. Harris accompanied by the bonds of the defendant, Virginia C. Rucks, each for the sum of $213.75, payable at one and two years respectively with interest from date, and dated November 8th 1890. given for the deferred payments of the purchase money for the real estate sold in these causes, which report was also this day filed, and to which there are no exceptions, and were argued by Counsel.

On consideration whereof, the Court doth approve and confirm the agreement made between the defendants, Travers Snead & Co, on the one hand, and J. W. B. Rucks and Virginia C. Rucks his wife on the other, a copy of which is filed with the said petition, and doth therefore adjudge order and decree, that the said Virginia C. Rucks be and she is hereby substituted in the place and stead of the said Travers Snead & Co. as purchasers of the real estate sold by the said Commissioner in these causes and that the said Travers, Snead & Co. be therefore released from their said purchase. And the Court approving the said report of Commissioner Harris, doth confirm the same, and doth further adjudge order and decree that said Commissioner do out of $57 35/100 the balance of the cash payment reported as having been paid him by the said Virginia C. Rucks. pay any unpaid costs of these suits and of the said sale and the balance, if any, he shall pay over to the Susquehanna

Developing Co, & to Hon W A Mann, its Counsel, on account of its judgment reported in these Causes as the first lien on the said real estate sold herein, And the Court doth further adjudge, order and decree, that the said John G Harris, who is hereby appointed a Commissioner for the purpose, execute and deliver to the said Virginia C Rucks a good and sufficient deed with special warranty of title, for the said real estate so purchased by her, upon the proper execution and delivery to him, by the said J W B Rucks and Virginia C Rucks his wife, of a deed of trust to secure the deferred payments of the said purchase, in accordance with the terms of the said agreement, duly executed for record, and paying to him the costs of recording the same, and that thereupon it shall be the duty of the said Commissioner to see that the same is duly admitted to record, And the said Commissioner shall make report to Court.

Fraser admr &c
vs
Fraser admr &c

Pl'ff
Deft
} In Chy

This Cause came on this day to be further heard upon the papers formerly read and the report of Special Commissioner John G Harris dated the 21st day of March 1891, to which report there is no exception filed and was argued by Counsel, On Consideration whereof the Court approving said report doth confirm the same, and doth adjudge order and decree that the sale of the 25 acres of land made to Robert Fraser be held firm and stable between the parties; and the Court doth further adjudge, order and decree that Special Comr John G. Harris execute and deliver to Wm E Hasken the purchaser of 35⅝ acres of land, a deed conveying said land to him with special warranty - and when the said Robert Fraser and R W Clements shall fully pay for the lands purchased by them respectively said Commissioner shall execute to them deeds for said lands so purchased with special warranty - And it appearing from said report of said Special Comr that

R. M. Clements is in default in the payment of his last bond for the land purchased by him it is ordered that he be summoned to appear on the first day of the next term of this Court and show cause why said land should not be resold at his risk and costs and the Court doth further adjudge order and decree that one of the Commissioners of this Court take a further account of the transactions of Robert Fraser as the personal representative of John W. Fraser dec'd and make report to Court.

Sam C. Waddell's admr. Plaintiff
vs
Same Waddell, Widow, Heirs. Defts } In Chancery

This cause coming on this day to be further heard upon the papers formerly read upon the report of Com'r Harris Comm'r dated Nov 21st 1889 made under the decree entered herein at the Sept Term 1889 of this Court and filed in the Clerk's Office on the 9th of December 1889 and upon the report of Special Commissioners Geo. D. Bernard and Hal. Jones dated March 21st 1891 showing their transactions from Sept 21st 1889 the date of their last report to Court to said March 21st 1891 and was argued by Counsel, On Consideration whereof it appearing to the Court from said report of Com'r Harris to which there is no exception filed, that there was due to the creditors Jno. T. Cross and E. S. Heath on said Nov 21st 1889 respectively for costs in the suit sold to the purchaser Jno. L. Carter, paid by them respectively the sum of Thirteen Dollars and four cents ($13.04) with interest in Eleven Dollars and eighty one cents ($11.81) from said date till paid, and of fifty Dollars and fifty six cents ($50.56) with interest in thirty four Dollars and eighty eight cents ($34.88) from said date till paid, and it for the appearing to the Court from said report of Special Commissioners Geo. D. Bernard and Hal. St. Jones, to which there is no exception filed, that said purchaser on the 30th Day of September 1889 anticipated the payment of his second and last year's note for said land. that said Special Commr executed to him a deed as directed by the decree herein entered at the Sept Term 1888. of this Court and that the money received from said purchaser and all of the balance of Twelve Dollars and Sixty Nine Cents ($12.69) received for the payment of costs except a small balance of three Dollars and sixty four cents ($3.64) has been fully paid and properly disbursed by said Special Commrs in the payment of said sums of money reported by said Comm'r Harris as due to said Creditors Jno. T. Cross and E. S. Heath as aforesaid and of a dividend of fifty (50) per cent on the general creditors on their respective debts proven in this cause, and also in the payment of said Com'r Harris fee for his said report and other small and proper items of cost. The Court approving the transactions of said Special Commrs aforesaid and said report doth confirm the same and doth order that the said balance of the three Dollars and sixty four cents ($3.64) now in their hands be applied to the payment of the further cost of this suit, and said Cause are ordered to make report to Court. And

√√ said report and hereby confirmed and confirmed.

Greek Green — Pltff
&
Stone &c. — Defts
} In Chancery

This cause came on this day to be further heard upon the papers formerly read and was argued by Counsel. On Consideration whereof and by Consent of parties the restraining order entered in this cause on the 21st day of April 1890 by the Judge of the Hustings Court of the City of Petersburg be continued in force
Cert. and be made perpetual, and it is ordered that the Defendant W. M. Stone pay the Complt his cost by him about his suit in this behalf expended, and the Bill appearing to be nothing further to be done in this cause it is ordered to
√√ be removed from the docket.

Abbott — Pltff
vs
Slotter — Defdt
} In Chancery.

This cause came on this day to be further heard upon the papers formerly read
Cert. and upon the report of Alexander Hamilton Commissioner, this day filed, to which no exception is taken and was argued by Counsel. On Consideration whereof, it appears to the Court that the Defendant Emanuel Slotter has paid the balance of his purchase money in full and the cost of this suit, and that nothing further
√√ remains to be done herein; it is ordered that this cause be removed from the docket.

M. A. Heath — Plaintiff
&
Heath &c. — Defts
} In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner A. Hamilton, with accompanying vouchers thereto marked this day filed, to which no exception is taken, and was argued by Counsel. On Consideration whereof, the Court approving the said report of Commissioner Hamilton, doth confirm the same, and doth order
Cert. and decree that said Commissioner Hamilton shall pay to R. B. W. Warren or his attorney, out of the fund reported in his hands the debt reported in this cause to be due to George T. Morrell upon being satisfied that the amount of the said debt has been advanced or paid to said Morrell by said Warren, and the Court doth further order and decree that, out of the cash reported in the hands of Commissioner Hamilton, he shall pay unto the Guardian and Committee of Minnie Ann Heath the infant plaintiff in this cause, the sum of $100.00 having reached the age, and the Court doth further order and decree that said Commissioner Hamilton pay the remainder of the cash fund reported in his hands to R. B. W. Warren

or his attorneys. on account of the debt proved by the said Warren in this cause and thereupon decreed to be paid, and said Commissioner shall take vouchers for said payments, and report to Court.

W. D. Elder. Pltff
vs
Elder's admr. &c Deft } In Chy

This Cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner A. Hamilton, this day filed, with the accompanying vouchers therein mentioned to which no exception is taken, and was argued by Counsel.

On Consideration whereof, the Court approving said report of Commissioner Hamilton, doth confirm the same, and it appearing to the Court that the person to whom the $1.00 was ordered to be paid, as the Sheriff of Sussex County, cannot be found and that the costs of this cause now will consume the $2.42 in the hands of Commissioner Hamilton, it is ordered that said Commissioner Hamilton do pay the balance in his hands of $2.42 to the Clerk of this Court in payment of the unpaid Costs of this cause, which having been done and the receipt therefor filed in the papers of this Cause, and nothing further remaining to be done in this Cause, it is ordered that the same be removed from the docket

R. A. Jones Jr. trustee Pltff
vs
E. J. Nunnally Deft } In Chy

This Cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner A. Hamilton, this day filed, with the accompanying vouchers therein mentioned, to which no exception is taken, and was argued by Counsel.

On Consideration whereof, the Court approving said report of Commissioner Hamilton, doth Confirm the same, and approving the sales reported by R. A. Field of 182½ acres and of 100 acres and of 49. acres of land at the price of $549.50, $500.47 and

$98.00 doth confirm the same and adjudge, order and decree that said sales made to R.A. Field be held firm and binding between the parties, and that said Commissioner A. Hamilton, collect the notes given for the deferred payments of the purchase money as they become due or permit the purchaser to anticipate payment abating interest; and upon the payment of said purchase money in full for any of said tracts of land said Commissioner Hamilton, shall execute and deliver to said Field a good and sufficient deed for said tract or tracts of land so paid for with special warranty; and said Commissioner shall report to Court; and the Court doth further order and decree that R.A. Jones Jr., trustee, E.T. Nunnally and Jas. A. King executor of J.J. Mitchell's estate & Bernard Mann admr. of R.E. Harrison be summoned to appear on the first day of the next term of this Court, before the Judge thereof, and show cause if any they can, why a reasonable and proper fee out of the funds in this cause should not be paid to Doman & Hamilton, Counsel in this cause, for their services rendered in this cause.

Mordy Heirs Pltffs } Dr Chancery.
vs
Mordy admrs &c. Defts

This cause coming on this day to be further heard upon the papers formerly read, and upon the report of W.R. McKenney Commissioner, bearing date March 30th 1891 and this day filed in this cause, to which report there is no exception filed, It appearing to the Court that the said W.R. McKenney Commissioner has properly executed the deed of Seven Dozen and seventy two cents ($7.72) representing the balance in his hands according to decree rendered in this cause at the April ter 1883 and that said Sum of Seven Dozen and seventy two cents ($7.72) has been used together with other sums collected from Mrs Elizabeth Mordy to pay the unpaid costs and expenses of this suit, and the sales made in this cause as fully set forth in the said report of Commissioner McKenney this day filed in this cause, On Consideration whereof the Court approving the said report doth confirm the same and doth adjudge, order and decree that whereas the said Commissioner McKenney shall have collected of Mrs Elizabeth Mordy the purchaser of the several four acres of land in these proceedings mentioned, the purchase price for the same that he shall execute to her a deed with special warranty, for the said tract of land

and the purchase price so collected he shall pay over to Mrs Elizabeth Moody, administratrix of Joseph T. Moody deceased, an account of the sum of one Hundred and sixty three dollars and sixty cents ($163.60) reported in this cause as due to her, and that said Commissioner McKenzie shall make report to Court.

Wm Ettenborough. Pltff
vs No 1.
J D Keller and
J S Keller.
vs No 2. Defts
Butterworth Ray

In Chancery

These causes came on this day to be further heard upon the papers formerly read, and upon the report of Com. A Dismukes dated the accompanying vouchers therein mentioned to which no exception is taken, and was argued by Counsel. On Consideration whereof the Court approving the said report of Com. A Dismukes doth confirm the same

J.J. Mitchells Exr Pltff
vs
J.J. Mitchells Devisees Defts

In Chy

This Cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner A. Hamilton this day filed with the accompanying vouchers mentioned therein & to which no exception is taken and was argued by Counsel, On Consideration whereof, the Court approving the said report doth confirm the same and the Court approving the sale reported by J.E. Smith of Seventy One and a half acres of land at the price of $89.37 doth confirm the said sale and adjudge order and decree that the same be held firm and binding between the parties, and that said Commissioner Hamilton execute and deliver to said J.E. Smith a good and sufficient deed with special warranty for said land, and the Court doth further order and decree that said Commissioner Hamilton out of the balance of $2268.39/100 reported in his hands, do proceed & make distribution to the Creditors of John J. Mitchell in accordance with the distributions heretofore made except that said Commissioner Hamilton shall pay to A.M. Dismukes the balance due him for Clerks tickets ~~due him~~

as a preferred debt; and said Commissioner shall take vouchers for his payments, and make report to Court

Gunn, Guardian Pltff
vs
Gunn &c Defts } In Chy

This Cause came on this day to be further heard upon the papers formerly read and upon the report of W R McKenney, bearing date on the 20th, day of March, 1891. and this day filed in this Cause, to which Report there is no exception filed, and was argued by Counsel, On Consideration whereof the Court approving the said Report doth Confirm the same, and it appearing to the Court that the said W R McKenney, Commissioner, has fully and properly disbursed all funds which have come into his hands in this Cause, and that the object for which this suit was brought has been fully accomplished, and that Nothing further remains to be done herein, it is ordered that this Cause be removed from the docket.

F.C. Sutherland's Heirs Pltffs
vs } In Chy
F.C. Sutherland's Heirs Defts

This Cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner A. Hamilton. with accompanying vouchers mentioned therein this day filed, to which no exception is taken, and was argued by Counsel, On consideration whereof, the Court approving the said report of Commissioner Hamilton doth confirm the same and doth adjudge, order and decree that said Commissioner Hamilton pay to Emma P. Sutherland, Widow of F.C. Sutherland, the sum of $7.29. to the guardian of Frank M Sutherland the sum of $9.31 and to E.M. Sutherland the sum of $5.37. and also any unpaid Costs of this suit,

Taking vouchers for said payments and reporting to Court

W. P. Chase & wife
vs
Dyson's Admrs &c

Pltffs
Defts
} In Chy

This Cause came on this day to be further heard and upon the papers formerly read, and upon the Report of W R McKenney, Commissioner, bearing date on the 20th day of March, 1891. and this day filed in this Cause, to which Report there is no exception filed; and was argued by Counsel. On Consideration whereof the Court approving the said Report doth confirm the same. And it appearing to the Court that the said W R McKenney, Commissioner has fully disburs-ed all funds which have come into his hands in this Cause, except the sum of Two Dollars and Thirty Six Cents ($2.36), and that nothing further remains to be done in this Cause (the object for which it was brought having been fully accomplished) the Court doth adjudge Order and decree that the said Report of the said W R McKenney, Com-missioner, be and the same is hereby confirmed. And the Court doth further adjudge, order and decree that the said W R McKenney, do use the said sum of Two Dollars and Thirty Six Cents ($2.36), representing the balance remaining in his hands, in the payment of any Costs of this suit not heretofore reported as paid; and that this Cause be removed from the docket.

Thos. Mulcahy Gdn of James P. Mulcahy and John K. Mulcahy. in his own right and as trustee under a certain deed dated Dec'r 9. 1884. executed by Lovely & Wheelhouse of record in the County of Dunnadin -

Pltffs
vs
Chas H Pyle and Ro DeHaven partners doing business under the name of Pyle & DeHaven; Wm P. Mulcahy. Jas P. Mulcahy and John K. Mulcahy, the two last mentioned persons being infants. Defending by Wm P. McRae their Gdn ad litem

Defts
} In Chy

On Motion of the plaintiffs it is ordered that this Cause be and the same is hereby dismissed

Ordered that the Court be adjourned until tomorrow morning at 10. o'clock

Beverly A. Hancock

Wednesday March 25th 1891

Present.

Hon B.A. Hancock Judge.

J.L. Robinson — Pltff
vs
R.B. Kelly wife — Defts
} In Chancery

This cause coming on this day to be further heard upon the papers formerly read & upon the return of B.H. Raynor Sheriff &c this day filed showing why he has not executed the decree of Sept Term 1890. to which no exception is taken and was argued by Counsel. On Consideration whereof the Court approving said report doth confirm the same save & except in all other matters & things the Commissioner

John Hughes etc. — Plaintiffs
vs
R.H. Crawley wife. — Defts
} In Chancery

On the motion of John G. Stamm Solicitor of A.A. Handy wife. he is admitted as party plaintiff in this cause and thereupon this cause coming on this day to be further heard upon the papers formerly read and was argued by Counsel. On Consideration whereof the Court doth adjudge, order and decree that one of the Commissioners of this Court shall forthwith take and state the following account and make the following enquiries, An account of the real estate whereof R.H. Crawley died seized and possessed and of the real estate of the said Crawley which has heretofore been ordered to be sold under decrees in this cause and what disposition has been made of said real estate and if sold when, at what price & upon what terms by whom and to whom, and whether the purchase money has been paid therefor or any part thereof, and if so to whom and what disposition has been made of the same and whether any bond or bonds exist & if so what bonds have been given by the Commissioner or either of them appointed to sell said lands, in whose possession the said bonds have been since said sale or sales and to whom any unpaid purchase money for said lands is due and payable, together with any other facts or enquiries deemed pertinent by the Commissioner or required to be stated by any party interested, and to report the

time and place of taking said accounts and making said inquiries shall be given to the parties entitled so far as the Commissioner may find the same practicable, and such notice shall be published once a week for four successive weeks in some newspaper published in the City of Petersburg Va which publication shall be equivalent to personal service of the notice upon all parties interested except those upon whom such personal notice.

Hardy's trustee
vs
Hardy & others

Pltff
Defts
} In Chy

This cause came on this day to be further heard upon the papers formerly read and upon the report of John Y. Harris, trustee & receiver, with the accompanying vouchers this day filed, and the consent of ~~Creditors~~ parties & the time of sale to which no exception is taken and was argued by counsel. On consideration whereof the Court approving the report of John Y. Harris, trustee & receiver doth confirm the same and approving the sales made by John Y. Harris trustee, of the one half interest for life of A. A. Hardy in the Store and dwelling in Petersburg Va. to Hugh Wright at the price of $735. and the sale of the one half interest of A. A. Hardy in the lot and store-house at Wilsons Depot to E. M. Jones at $260. and the sale of the tract of land of 312 acres more or less called San Marino to M. F. Jones at $1740. doth confirm the same, and adjudge ordain and decree that said sales be held firm and binding between the parties and that said Harris trustee proceed to collect the unpaid purchase money from said purchasers permitting said purchasers or any one of them to anticipate payment abating unaccrued interest, should they or either of them so desire and upon the payment of the purchase money by said purchasers respectively, said Harris trustee shall execute and deliver to said respective purchasers good and sufficient deeds with special warranty for the real estate respectively purchased by them and the Court approving the sales reported to John C. Griffin of the tract called "Crawleys" containing 500 3/4 acres at the price of $2325. and of the tract of 131 1/2 acres at the price of $265. and of the tract of 105. acres at the price $310. doth

confirm the same. and adjudge order and decree that the said sales of said lands made to said John C. Griffin be held firm and binding between the parties provided that the said John C Griffin shall within thirty days after service upon him of a copy of this decree Comply with the terms of said Sales without interest from the date of said sales to the end of said thirty days and should the said John C Griffin at the end of said thirty days fail to Comply with the terms of said sales then the said sales to the said Griffin shall be and the same are hereby ordered and decreed to be null and void, and the said Harris trustee shall then proceed to sell the said lands so sold to the said Griffin as hereinbefore ordered. but should the said Griffin so Comply with the said terms of said sales then the said Harris trustee, shall upon the payment in full by the said Griffin of the purchase money for the said land execute and deliver to the said Griffin a deed for said lands with special warranty and the Court doth further adjudge order and decree that the said Harris, receiver shall continue to rent out any unsold lands of the defendant A.A. Handy until sale thereof or until the further order of this Court and collect the rents thereof with power to take for such rents either a money rental or a portion of the crops and said receiver Harris shall report to Court. And it appearing to the Court that the title to certain lands supposed to be owned by A.A Handy in fee has been questioned the Court doth further order and decree that said Harris trustee, with the assistance of proper Counsel to be employed by him, shall proceed to take such steps as shall be necessary and proper to protect the interest of A.A Handy and the beneficiaries under the trust deeds from the said Handy to the said Harris trustee, and the Court doth further order and decree that the said Harris trustee may the Cash balance of $100.04 reported in his hands from the sale of the San Marino tract of land to B. G. Griffin or his attorney on

account of the lien debt thereon held by the said B.S. Brisseau and take a voucher therefor, and that the said Harris trustee, pay out of the funds of $1194.14 and out of the fund of $11.09 reported in his hands do pay to Alexander Hamilton Counsel for said Harris trustee for services heretofore rendered a fee $150. the amount of said fee to be apportioned between said funds in proportion of eight tenths thereof to the said balance of $1194.14 and two tenths out of the sales of the property sold E.M. Jones. taking a voucher therefor, and the Court doth further adjudge order and decree that said residue of said balance of $1194.14 be paid by said Harris trustee prorata upon the debt due John B Whitmore of $1300. reported in this Cause, and upon the debt due Percivale Field of $400. reported in this Cause, and upon the debt reported in this Cause due to Kate W. Zehmer. M. Carrie Hardy and A.A. Hardy Jr. making such payments to the said John B Whitmore and Percivale Field and to the legally qualified receiver of Kate W Zehmer and to the legally qualified Guardian of M. Carrie Hardy and A.A. Hardy Jr or to their respective attorneys taking vouchers for such payments. but out of the said sum so to be paid to the receiver of Kate W Zehmer and to the guardian of M. Carrie Hardy and A.A. Hardy Jr. said Harris trustee shall reserve the sum of $60. which shall be paid by him to B.J. Echeo. Guardian ad litem to the infant defendants Kate W. Zehmer. M. Carrie Hardy and A.A. Hardy Jr. in full of his fee for substantial services rendered to the said infant defendants and take a voucher therefor. and the said trustee and receiver Harris is further ordered out of the moneys to be received and collected by him to make payments to the parties respectively entitled thereto according to the proceedings in this Cause taking vouchers therefor and reporting to Court, and it is ordered that this Cause be continued

JJ

Ordered that the Court be adjourned until tomorrow morning at 10 oclock A M

Beverly A. Hancock

Thursday March 26th 1891.

Present Hon Beverly A Hancock Judge.

Ordered that the Cause be adjourned until the first Day of the next Term.

Beverly A Hancock

In the Circuit Court of Dinwiddie County

In Vacation April 10th 1891.

Aldridge wife &c. Pltffs

vs

Aldridge &c &c Defts. } In Chancery.

It appearing to the satisfaction of the Court that the Pltffs in this Cause have given due notice to the parties Defendant of this Cause that they would on this day at the Courthouse in the City of Petersburg Virginia move the Judge of this Court to confirm the sale of the 1st & 2nd tracts of land in the bill mentioned made on the 4th day of April 1891 to Walter Stewart at the price of $1200, this cause coming on this day to be further heard in Vacation, upon the papers formerly read upon the notice of said motion, duly acknowledged by the guardian ad Litem of the infant Defendants and on the report of Commissioner John G Harris of the said sale this day filed to which report there is no exception, and was argued by Counsel

On consideration whereof the Court by consent of the purchaser Walter Stewart & the parties to this cause doth confirm the said sale, and doth order that the same be held firm and binding between the parties, and the Court doth adjudge order and decree that the said Walter Stewart, the purchaser of the said land be and he is hereby permitted to pay the whole of the purchase money for said land in cash and upon the payment of the same in full the said John G Harris Special Commissioner shall execute a deed to said Walter Stewart conveying said land to him and special Commissioner John G Harris is ordered to pay one of the moneys coming into his hands from said purchase price, the costs of this suit & the expenses of the aforesaid sale and distribute the balance among the parties entitled thereto and make report to Court

JJ April 10th 1891.

Beverly A Hancock

Virginia. At a Circuit Court held for the County of Dinwiddie at the Courthouse thereof on the 23d Day of September 1891 - Commonwealth 116th

Present Hon: Beverly A Hancock Judge.

R. E. Cole & wife & J. W. Cole & wife Pltffs.
To
J. A. Coleman's Heirs Defts } In Chancery

This Cause came on this day to be further heard upon the papers formerly read and upon the Final Report of W. R. McKinney, Commissioner, bearing date on the 15th Day of June, 1891 and this Day filed in this Cause, to which report there is no exception filed, and was argued by Counsel: On Consideration whereof, the Court approving the said report, doth confirm the same: And it appearing to the Court from the said report and the vouchers filed therewith and from the other papers in this Cause, that said Commissioner W R McKinney has fully and properly disbursed under orders of this Court all sums which have come into his hands as such Commissioner; that the object for which the suit was brought has been fully accomplished, and that nothing further remains to be done herein, it is ordered that this Cause be removed from the docket.

J. C. Sutherland's Heirs Pltffs } In Chy
To
F. C. Sutherland's Heirs Defts

This Cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner Alexander Hamilton, this day filed, with the vouchers; for his disbursements therein mentioned, to which no exception is taken; and was argued by Counsel. On Consideration whereof, the Court approving the said report of Commissioner Hamilton, doth confirm the same; and it appearing that all the funds in this Cause have been disbursed, and that nothing further remains to be done in this Cause, it is ordered that the same be removed from the docket.

Caldclough Jr &c Pltff
vs
Sutherlands Adm&r Defts } In Chancery

This Cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner A Hamilton, with accompanying vouchers, this day filed, to which no exception is taken; and was argued by Counsel.
On consideration whereof, it appearing to the Court that Elizabeth S. Spain has become the owner, by purchase and assignment, of the debt reported in this Cause in favor of Mary J Caldclough, and of the balance due to Commissioner A. Hamilton of $17.16 as of the 17th day of September, 1891, and of the debt decreed to be paid in this Cause to Bagwell & Williams the Court approving the said report of Commissioner A Hamilton doth confirm the same and doth adjudge order and decree that the said Elizabeth S Spain be and she is hereby substituted and subrogated to all the rights liens and remedies of the said Mary J. Caldclough. A. Hamilton, Commissioner, and Bagwell & Williams as to the debts aforesaid assignes to the said Elizabeth S Spain; and it is ordered that this JJ Cause be continued.

Wyndham Perkins & wife Pltffs
vs
George R White's widow & Heirs Defts } In Chy

On Motion of the Plaintiffs Alexander Hamilton, a discreet and competent attorney at Law, is appointed Guardian ad litem of the infant defendants Lilly White. Walter L White and George R White, and thereupon the said Guardian ad litem filed his answer as such, and then this Cause came on this day to be heard upon the Bill, with the Exhibits filed therewith, the answer of Victoria D. White, the answer of W. Winston White, the answer of Annie M White and upon the answer of the said infant defendants by the said Guardian ad litem, and upon the affidavits of Thomas D Williams and John H Kirkland read as evidence in this Cause by consent of the said Guardian ad litem and was

argued by Counsel. On Consideration whereof the Court doth adjudge, Order and decree, that W R McKenney be and is hereby appointed a Commissioner of this Court whose duty it shall be to make sale by public auction of the tract of 116 acres of land in the County of Dinwiddie about 6 Miles from the City of Petersburg, as in said Bill mentioned, such sale to be made at Dinwiddie Court House on some County Court day, or in the City of Petersburg or on the premises, after advertisement for at least ten days in some daily newspaper published in the City of Petersburg, Va. of the time, place and terms of sale, and upon the following terms - 1/4 of the purchase Money Cash and the balance on equal Credits of one year and two years, taking for such balance notes or bonds bearing interest from the day of sale, and retaining title to the property sold until the whole of the purchase money shall have been fully paid and a Deed ordered by the Court. But that said W R McKenney as such Commissioner shall not proceed to execute this Decree until he shall have entered into and executed a bond in the penalty of Two Thousand Dollars with security approved by the Clerk of this Court Conditioned and payable according to law

Harrison's ex'dor, Plaintiff
To
Harrison's Adm'x &c als Defts } In Chancery

This Cause came on this day to be further heard upon the papers formerly read, and was argued by Counsel. On consideration whereof, the Court doth order and decree that the parties to this Cause be required to appear before the Judge of this Court on the first day of the next term thereof and show cause, if any they can, why an account be taken of the funds in this Cause should not be account to Donnan & Hamilton, Counsel, for their services herein. Notice of which shall be published once a week for four successive weeks in a newspaper published in the City of Petersburg, Virginia, which shall be equivalent to personal service of such notice upon all parties interested.

R H James Jr trustee - Plaintiff
To
E T Rowsey &c. Defts } In Chancery

This day this cause came on to be further heard upon the papers formerly read and upon the Commissioners Report at the last term of this Court, which has been duly executed upon the parties, and was argued by Counsel. On

consideration and said parties not appearing and pleading any cause against it the Court doth adjudge order and decree that Alexander Hamilton Commissioner one of the Funds in his hands heretofore reported & pay to Duncan & Hamilton the Sum of $100. which is allowed them by the Court as a fee for their services rendered as Counsel in this cause and it is ordered JJ that this cause be Continued

Heath Committee
vs
Jackson's admr.

Pltff
Defts
} In Chancery.

This cause came on this day to be further heard upon the papers formerly read, and was argued by Counsel. On Consideration whereof the Court doth order and decree that the parties to this cause be required to appear before the Judge of this Court on the first day of the next term thereof and show cause if any they can, why exception taken to the Fund in this cause should not be allowed to Duncan & Hamilton, Counsel in this cause for their services herein; Notice of which shall be published once a week for four successive weeks in a Newspaper published in the City of Petersburg Virginia, which publication shall be equivalent to personal Service of JJ such notice upon all parties interested,

Henry A Dodge
vs
Kloppgaard adm

Pltff
Defts
} In Chancery

This Cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner Alexander Hamilton with accompanying vouchers for his payments, this day filed, to which no exception is taken, and was argued by Counsel, On Consideration whereof the Court, approving the said report of Commissioner Hamilton doth confirm the same, Nothing further remaining to be done in this cause it is JJ ordered that it be removed from the docket,

Heaths
vs
Heaths Widow

Pltffs
Defts
} In Chy

This Cause came on this day to be further heard on the bill formerly read and on the report dated 10th day of September 1891 of Special Commissioner, Wm L Watkins showing with the vouchers thereunto filed that he had in obedience to the decree entered herein on 24th day of March 1891 after due advertisement of the

time, place and terms of sale as prescribed by said decree sold at public Auction on 25th April 1891 the three tracts of land in the bill and proceedings mentioned, when George W Heath became the purchaser of the tract known as the "Heath Tract" at $365.70, and Chas. H. Cuthbert of the tract known as the "Todd Tract" at $152.65 and A. J. Blick of the tract known as the "Blick Tract" at $106.00 of which said A. J Blick had paid in Cash in full $106.00, George W. Heath in Cash $91.41 and Chas. H. Cuthbert in Cash $38.16. aggregating in Cash $235.61 out of which said Special Commissioner had paid the expenses of sale, order of publication, &c sums of money aggregating $77.42. leaving in his hands a balance of Cash of $158.19 subject to the order of the Court and holding also subject to the order of the Court the three notes of George W. Heath of $96.90 $102.40 and $108.05 and three notes of Chas H Cuthbert of $40.47. $42.75 and $45.05 given for the deferred payments of the tracts of land bought by them respectively, and was argued by Counsel; On Consideration whereof the Court approving said report to which there is no exception doth confirm the same and doth adjudge order and decree that the sales of the three tracts of land aforesaid be and the same are hereby held forever firm and binding between all the parties and that said Special Commissioner W L Watkins do make and deliver to the said A. J Blick a deed conveying to him with special warranty the said tract of land known as the Blick Tract"; And the Court doth further adjudge order and decree that said Special Commissioner W. L. Watkins do out of the balance in his hands aforesaid of $158.19 pay to W. L & Thos G. Watkins: Geo. S. Bernard and W. H. Jones attys at law the sum of $30.00 which the Court doth allow them as a proper fee for their professional services in this suit in addition to the taxable attys fee and also $5.00 for the preparation of said deed to A. J. Blick and to Thos F. Rives his fee of $30 for the survey and plats made by him of the said three tracts of land filed with the papers in this cause, and any other costs of this suit that remain unpaid, and divide the residue into six equal parts and pay one of said six parts to the plaintiff George W Heath taking his receipt therefor and filing it with the papers in this cause, one other of said six parts to the plaintiff Virginia Beasley or George S. Bernard and W. H. Jnos her attys or either of

them, for her, taking and filing receipt therefor with the papers in this cause, to the plaintiff Martha Sarah Heath widow of Albert Heath dec'd or George S Bernard and W.H. Jones or either of them her attys for her. one of one other sixth part the sum of $ 2 on account of her dower interest in one sixth part of the whole net amount for which said three tracts of land were sold, taking and filing receipt therefor in the papers in this cause, and two thirds of the balance of the said other sixth part to the plaintiffs Wm Heath and Laura Francis Heath or George S. Bernard and W.H. Jones their attys or either of them for their taking and filing receipt therefor with the papers in this cause, and deposit the other third of said sixth part for the absent defendant Thos. J. Heath to the credit of this cause in The Petersburg Savings & Insurance Co. of Petersburg Va. taking Certificate therefor and filing the same with the papers in this cause, and deposit one other sixth part for the absent defendant Joe Heath with said banking institution to the credit of this cause taking Certificate therefor and filing the same with the papers in this cause, and deposit two thirds of one other sixth part for the absent defendants Emmett Brownder, and David Brownder in the said institution to the credit of this cause, taking certificate therefor and filing the same with the papers in this cause, and pay the other third to the defendant Mary A Jewell taking receipt therefor and filing the same with the papers in this cause, and deposit the remaining one sixth part for the absent defendants Emma Heath, Mary Heath, Cora Heath and Henry Heath with said institution to the credit of this cause taking Certificate therefor and filing the same with the papers in this cause. And the Court doth further adjudge, order and decree that said Special Commissioner W.L. Watkins do collect the three notes of Chas. H. Cuthbert and the three notes of Geo. W. Heath aforesaid as they respectively become due and payable, or, before if said Cuthbert and Heath or either of them chose deducting interest yet to accrue before maturity of notes, and when said notes are paid said Special Commissioner shall make and deliver to

them or such one of them as shall have so paid deeds or a deed with special warranty for the tract or tracts of land purchased by him as aforesaid. and of the money to be received by said Special Commissioner in payment of said notes. Said Special Commissioner is ordered to make distribution upon the basis of this decree, making deposits with said banking institution of the shares belonging to the non resident defendants and submitting a statement showing the exact sum properly payable to Martha Sarah Heath, And said Special Commissioner is ordered to ~~make~~ report to Court his transactions under this decree

A J. Slate and Emma A Slate, his wife and J. R. Slate, trustee of Emma Slate. — Plaintiffs

vs

Wm E Sheets, trustee of A A Sheets and Wm E Sheets and A A Sheets, his wife. — Defts. } In Chancery

This cause, which has been regularly set for hearing, came on this day to be heard upon the bill and exhibits filed, and upon the bill taken for confessed as to all the defendants, and was argued by Counsel. On Consideration whereof, the Court doth adjudge, order and decree that one of the Commissioners of this Court proceed to take and state the following account.

1st An account of the unpaid purchase money for the land mentioned in the bill, due by Wm E Sheets, trustee, by Wm E Sheets, or A A Sheets,

2d An account of the liens, if any, binding the aforesaid tract of land, together with any other matter deemed pertinent by the Commissioner or required to be stated by any party in interest; Notice of the time and place of taking said account shall be given to the parties interested, and said Commissioner shall report to Court,

R S. Bland — Pltff

vs

Lucy wife &c — Defts } In Chancery

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner A. Hamilton, with accompanying vouchers for his payments, this day filed, to which no exception is taken, and was argued by Counsel. On consideration whereof, the Court approving the said report doth confirm the same, and order that this cause be dismissed,

Slaughter's admx — Plaintiff

vs

Spurlock admr. — Defts. } In Chancery

This cause came on this day to be further heard upon the papers formerly read, and was argued by Counsel. On Consideration whereof, the Court doth

Order and decree that the parties to this cause be required to appear on the first day of the next term of this Court before the Judge thereof and show cause, if any they can why a reasonable fee out of the funds in this cause should not be allowed to Duncan & Nanzetta, Counsel for their services in this cause, Notice of which shall be published once a week for four successive weeks in a Newspaper published in the City of Petersburg, Virginia, which publication shall be equivalent to personal service of such notice upon all parties interested,

W A Hearts Exrs &c Pltff
vs
Hearts &c Defts } In Chancery.

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner A Nanzetta, with accompanying Vouchers therein mentioned, this day filed, to which no exception is taken, and was argued by Counsel, On Consideration whereof, the Court approving the report of Commissioner Nanzetta, doth confirm the same, and ord. that this cause be continued,

Acordys wife. Pltff
vs
Acordys &c Defts } In Chancery.

This cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner John M. Harris dated Sept 22d 1891 this day filed. and was argued by Counsel, On Consideration whereof the Court approving said report of Special Commissioner John M Harris to which there is no exception, doth confirm the same and it appearing from said report that the whole of the purchase money for the tract of land sold to Walter Stewart has been fully and properly returned, and that the object for which this suit was instituted has been accomplished, it is ordered that the same be removed from the docket,

Chandlers Exrs &c Plaintiffs
vs
Chandlers Devisees Defts } In Chy

This Cause came on this day to be ~~further~~ again heard on the papers formerly read & the Report of Spl Comr. B. J. Epes dated Sept 23d 1891 this day filed & which there are no exceptions, and was argued by Counsel, On Consideration whereof the Court doth confirm said Report - and it appearing that there is nothing further to be done in the cause doth order

that the same be removed from the docket.

Reades admr
vs
Reade & others
Pltff
Defts
} In Chy

This cause came on this Day to be again heard on the papers formerly read & the report of the Comr B. J. Epes of the sale of the land dated Sept 23d 1891. to which there are no exceptions and was argued by Counsel, On Consideration whereof the Court doth adjudge order & decree that the said Report of the Commr B. J. Epes be confirmed & that the sale of the land therein mentioned to W. S. Reade Jr for $3 25/100 per acre be held firm & stable between the parties, and that the Comr B. J. Epes out of the Cash payment $156 22/100 received pay the costs of suit and sale & report to Court, and the Court doth further adjudge order and decree that W. S. Reade Jr admr of Stephen Reade d. d. pay any money in his hands as said admr or which he may collect as such, ratably to the debts reported in Comr Harris' Report of Sept 9th 1889. and that he render before one of the Commissioners of this Court a further account of his transactions as said admr which account, said Commissioners will take and report to Court.

R H Perkins guardian of Julia M Perkins John J Perkins Nellie E Perkins, and Nolie Perkins
Plaintiff
vs
Minnie V Perkins, Nancy M Perkins Rush Perkins Julia M Perkins, John J Perkins, Nellie E Perkins and Nolie Perkins the last four being infants
Defendants
} In Chancery

On the motion of the plaintiff leave is granted him to file his Bill whereupon he filed the same, and on like motion B J Epes is appointed guardian ad litem for the infant Defendants Julia M Perkins, John J Perkins, Nellie E Perkins and Nolie Perkins, and on motion of said guardian ad litem leave is given him to file the answer of said infant Defendants whereupon he filed the same and on like motion the said infant Defendants who are over the age of fourteen years filed their separate answers, and thereupon by Consent of all parties this cause came on this day to be heard upon the Bill of the plaintiffs with the exhibits filed therewith, the answer of B J Epes guardian ad litem of the infant Defendants, and the separate answer of the said infant Defendants, with general replication to said answers and upon the affidavit of J C Harris and was argued by Counsel, On

consideration whereof the Court being of opinion that the interests of the infant in this cause will be promoted, and that the rights of nature, will be violated thereby, doth adjudge, order and decree that the said tract of land of 111½ acres be exchanged for the said tract of 92 acres and doth adjudge and order that John G Harris who is hereby appointed a Special Commissioner shall execute and deliver to the said John Vaughan a Deed Conveying the said tract of 111½ acres of land to him with special warranty upon the said John Vaughan executing a good and sufficient Deed for said tract of 92 acres of land Conveying the same to said R N Rollins and his children to be held by them in all respects as said tract of 111½ acres is now held by them and the said John G Harris shall make report to Court.

Joseph Walker Jr — Petft
a
Emma Walker — Defd
} In Chancery

This cause which has regularly matured at rules as to all the parties, came on this day to be heard upon the Bill & exhibits thereunto filed and the depositions of Witnesses filed Sept 14th was argued by Counsel, On Consideration whereof the Court being satisfied from the evidence independently of the admissions of the parties in the pleadings or otherwise, that the charge of adultery against the Defendant has been fully established, doth adjudge order & decree that the bond of matrimony existing between the Complt & the Defendant be & the same is hereby dissolved & they are forever divorced from each other & nothing further remaining to be done in this cause it is ordered to be removed from the Docket

Daniel Flowers — Plaintiff
vs
Martha Flowers — Defd
} In Chancery

This day this cause came on to be heard upon the Bill of the complt exhibits filed thereunto and depositions of Witness and was argued by Counsel. On Consideration whereof the Court being satisfied from the evidence that the Defendant had deserted and abandoned her husband for more than four years prior to the institution of this suit doth adjudge order and decree that the bonds of matrimony existing between Daniel Flowers and Martha Flowers be and are hereby dissolved and that the said parties be and are forever divorced from each other, and nothing further remaining to be done in this cause it is ordered that it be removed from the Docket

Ordered that the Court be adjourned until tomorrow morning at 10 O. Clock

Beverly A. Hancock

Thursday September 24th 1891—

Present Hon. B. A. Hancock Judge

Nash's Heirs Pltffs
vs } In Chy
Nash's Heirs Defts

This Cause Came on this day to be further heard on the Papers formerly read & the report of Spl Comr Epes dated Sept 23d 1891 & filed this day, to which there are no exceptions, and was argued by Counsel, On Consideration whereof the Court approving said report doth Confirm the same & doth adjudge order & decree that Spl Comr B. J. Epes out of the amount in his hands of $151.41 pay the accrued & unpaid Costs in this suit & that he deposit the balance in some Bank in the City of Petersburg to the credit of the Court in this Cause and file the Certificate of deposit therefor in the Papers in this Cause, and the Court adopting the suggestion of said Spl Comr Epes doth hereby appoint L. B. Bell Co. Commissioner with the said Spl Comr B J Epes & doth adjudge order and decree that said Commissioners or either of them Collect the rents that may become due on the lands in the proceedings mentioned - and sell the said land after duly advertising the time place & terms of sale by Handbills - said Commissioners or the one acting are authorized to sell the said land for one fourth Cash & the balance in one, two & three years if they shall deem the same advisable instead upon the terms heretofore ordered & make report to Court But the said L. B. Bell before he acts as such Commissioner, shall execute & file with the Papers in this Cause. Bond with security to be approved by the Clerk of this Court in the penalty of $800 Conditioned for the faithful performance of his duties as such Comr under this & any future decree which may be entered in this Cause

M. J. Clay, Julia Wheelhouse, Charlotte Clay
W. T. Dyson & Ida D. his wife R. H. Hawkes, & Lizzie
his wife, Fred Laughlenback & Lena his wife Alonzo Glazebrook
& Nelle his wife C. E. Tingley & Martha F. his wife J. A. Clay &
Elizabeth his wife W. C. Clay & Emma his wife E. S. Clay & Indra
A. his wife } Pltffs

Lafayette L. Clay, Travis Hawkes
& John Hawkes all of whom are infants) Defts) In Chy

On Motion of the plaintiffs leave is granted them to file their Bill whereupon they filed the same and on like motion B. J. Epes a Comptent attorney at law is appointed guardian ad litem for the infant defendants Lafayette L. Clay Travis Hawkes & John Hawkes, and on motion of said guardian ad litem leave is given him to file the answer of said infants defendants whereupon he filed the same and thereupon this Cause came on this day to be heard, by Consent of all parties upon the bill of the plaintiffs the exhibits filed therewith, the answer of the infant defendants by their said Guardian ad litem - with general replication thereto - and upon the affidavits of W. H. Young & S. E. Reams & J. W. Vaughan and was argued by Counsel - On Consideration whereof, the Court being satisfied that partition of the tract of land in the Bill mentioned cannot be conveniently made among the parties entitled to the same and that the interest of all the parties will be promoted by a sale of the entire tract - and that no one or more of the parties is or are willing to have the whole of said tract allotted to him, her, or them and pay to the other parties, such sum of money as their interest therein entitles them to - doth adjudge, order and decree that John G. Harris who is hereby appointed a Special Commissioner for the purpose shall make sale of the said tract of 34½ acres of land, on the premises at Dinwiddie C.H. or at Ford's Depot either publicly or privately, and if publicly after reasonable advertisement for one third of the purchase money cash and the balance on credits of one and two years with interest from day of sale, taking from the purchaser bonds for the deferred payments & retaining title to said land until the purchase money is fully paid made. But before the said John G. Harris shall act as such Commissioner he shall execute a bond in the penalty of $2000 &c, with security to be approved by the Clerk of this Court conditioned according to law and for the faithful performance of his duties under this or any further decree to be

entered in this Cause - and said Comr shall make report to Court

All Causes not otherwise disposed of is continued -

Ordered that the Court be adjourned until the first day of the next term.

Beverly A. Hancock

In the Circuit Court of Dinwiddie Co Vacation on the 13th day of Feby 1892.

Sarah A Hardy admr &c.

vs Note for Decree.

Sarah A Hardy's Distributees &c.

This Cause, which has been in the hands of the Judge of this Court for decision and there in Vacation, having been maturely considered by him after carefully reading the several notes of argument filed by the Counsel of several of the parties interested, came on this day to be further heard upon the papers formerly read and was argued by Counsel.

On Consideration whereof, the Court being of opinion that the whole of the personalty in the proceedings mentioned in the Petition or under the control of the late Sarah A Hardy dec'd. was the property of said decedent, Sarah A Hardy dec'd and should be so distributed the Court approving the report of Comm'r Hugh Nash made in this cause, except so far as it is inconsistent with the provisions of this decree and sustaining the exceptions thereto filed by the plaintiffs Rudolph C Hardy and Jno C Hardy and the exceptions thereto filed by the guardian ad litem of the infant defendants and overruling the exceptions thereto filed by the adult defendants and adopting the statement prepared by direction of the Judge of this Court showing a scheme for the distribution of the estate of said decedent as of Sept 1. 1890. the date of said report according to the principals settled by this decree, doth confirm said report except so far as it is inconsistent with the principles settled by this decree and doth also confirm said statement "A" and doth accordingly adjudge, order and decree that the defendant P. O Robertson pay to the plaintiff W M Ragsdale, late Sheriff of the County of Dinwiddie and as such administrator of Sarah A Hardy dec'd the sum of four hundred and eighty seven Dollars and ninety four cents $487.94. with interest on four hundred and four dollars and ninety three cents $404.93 part thereof from Sept 1, 1890 till paid that the defendant Wm J. A Hardy pay to said Ragsdale, late Sheriff and administrator as aforesaid the sum of one hundred and forty six dollars and twenty seven cents ($146.27). with interest thereon from Sept 1, 1890 till paid that the defendant Lentria A Fuller pay to said Ragsdale, late Sheriff and administrator as aforesaid, the sum of one hundred and forty six dollars and twenty seven cents $146.27 with interest thereon from Sept 1, 1890. till paid, and that the defendant Etta D. Bell pay to said Ragsdale, late Sheriff and administrator as aforesaid, the sum of one hundred and forty

Sixty Dollars and Twenty Seven Cents ($146.27) with interest thereon from Sept 1. 1890 till paid. And the Court doth further adjudge, order and decree that the money to be received by said Ragsdale, late Sheriff and administrator as aforesaid, under this decree be disbursed as follows, After allowing the Sum of One hundred and twenty Seven Dollars and Sixty seven Cents ($127.37) which he ordered to apply to the payment of a Commission of five (5) per Centum upon the money he may so receive and to the payment of the unpaid costs of this Suit including the sum of Thirty Dollars ($30.) to Comm. Jno. H. Davis his fee for said report, and the State Coy Attorneys fee of fifteen Dollars ($15.) to Branch J. Estes and Geo. S. Bernard the Attorneys for the plaintiffs in this cause he said Ragsdale late Sheriff and administrator as aforesaid is ordered to pay to the defendant S.J.B. Bell. admr. C.T.A. &c. of Jno. C. Hardy dec'd the Sum of Eighty Dollars and fifty Cents ($80.50) with interest thereon from Sept 1 1890 till paid, to the defendant Ruth Fuller the sum of four Dollars and eighty Cents ($4.80) with like interest, to the plaintiffs Rudolph C. Hardy and Jno. C. Hardy each the Sum of One hundred and eighty six Dollars and Thirty eight Cents ($186.38) with like interest. And to the legally qualified guardian of the infant defendants John, Lula L and Abel Rhodes the Sum of three hundred and sixty one Dollars and Sixty seven Cents ($361.67) with like interest, less the Sum of Sixty Dollars ($60.) which he said Ragsdale late Sheriff and administrator as aforesaid is ordered to pay with interest from the date of this decree to Wm P. McRae who has been representing the infant defendants in this cause in the room and stead of Alex. Hamilton, their guardian ad litem, by the request of said Hamilton, and by the request of the Guardian ad litem in the room and stead of said Alex's Hamilton, the Court hereby allowing to said McRae and Sixty Dollars ($60.) as a reasonable attorneys fee for his, said McRae's services in their behalf. And the Court doth further adjudge, order and decree that said Ragsdale late Sheriff and administrator as aforesaid, make before one of the Commissioners of this Court an account of his transactions as the personal representative of said Sarah A. Hardy dec'd since the 1st day of Sept 1890. which account said Commissioner is ordered to audit, state and report to Court, with any matter deemed pertinent by himself or required to be so stated by any party interested, At the instance and on the motion of the above defendants all or some of whom desire to present to the Supreme Court of Appeals or to a judge thereof a Petition for an appeal from this decree, it is ordered that the execution of this decree be suspended for a period of ninety days from & day when said defendants, or any of them, or any one for them or for any of them shall give bond before the Clerk of this Court in the penalty of two hundred Dollars with security to be approved by said Clerk and conditioned as required by law

Benj. A. Howard Judge of the Circuit

Court of Dinwiddie County February 13th 1892

In Chancery in the Circuit Court of Dinwiddie County

Virginia At a Circuit Court of the County of Dinwiddie held for the County of Dinwiddie at the Courthouse thereof on Tuesday the 22nd day of March 1892. and of the Commonwealth the 116th

Present Hon B St Hancock Judge.

Jas St King, creditors. Plaintiff.
against
Jas St King's adm'rs. Defts. } In Chancery.

This cause, which has been regularly set for hearing came on this day to be heard upon the bill and exhibits filed and the bill taken for confessed as to all the defendants not an infant & Married. On consideration whereof the Court doth order and decree that one of the Commissioners of this Court proceed to take and state the following accounts, and make the following inquiries, 1st An account of the real and personal property whereof the said Jas St King died the owner and the fee and annual value of the real estate. 2d An account of the debts due by the said James St King, or his estate, and their degrees and priorities, 3rd An account of the transactions of Alexander Hamilton, as executor and administrator, with the said estate of Jas St King dec'd, from the date of his qualification as such. together with any other matters to be specially stated, deemed pertinent by the Commissioner or required to be stated by any party in interest, Notice of the time and place of taking said account shall be published once a week for four successive weeks in a newspaper published in the City of Petersburg, Virginia, which shall be equivalent to personal service of notice upon all parties interested except Alexander Hamilton, executor and administrator of Jas. St King, W. J. Crowder, Thomas A. King, Mary E. Smith and W. A. Smith, her husband; Cordelia R. Leath, George T. Leath. Jas A. King and Mattie M King, who shall have personal service of such notice; and it is ordered that this cause be continued.

A. F. Slate & als Pltffs.
vs
Wm E Sheets & wife Defts. } In Chancery

This Cause Came on this day to be further heard upon the papers formerly read and upon the report of Commissioner John G. Harris, filed March 10th. 1892, to which no exception is taken and was argued by Counsel.
On Consideration whereof, the Court, approving the said report of Commissioner John G Harris, doth confirm the same, and it appearing to the Court that Wm. E. Sheets, trustee of A.A. Sheets, and individually is indebted to Mrs. Emma Slate in the sum of $330.92 with legal interest on $252,65. principal thereof from the 2nd day of March. 1892, till paid being the balance of unpaid purchase money due for the tract of land in the bill and proceedings mentioned, and also likewise indebted for the costs of this suit, the Court doth adjudge, order and decree that unless the said Wm E. Sheets, trustee as aforesaid, or individually, shall within 30. days after the service upon him of a copy of this decree decree may to Alexander Hamilton, Commissioner of this Court, hereinafter appointed, the aforesaid sum of $330.92 with legal interest on $252,65. principal thereof from the 2nd day of March. 1892. till paid. and the costs of this suit, then that said Alexander Hamilton, who is hereby appointed a Commissioner of this Court for the purposes herein indicated, shall proceed to sell the real estate in the bill and proceedings mentioned which were sold by the said Emma Slate & the said Sheets Trustee, Containing 214 3/4 acres of land, more or less to the highest bidder by public auction, either at Dinwiddie Courthouse, at Stony Creek or on the premises upon the following terms: One fourth of the purchase money in cash, the residue upon credits of one and two years notes to be given for the deferred payment, bearing legal interest from date and title to be retained until all the purchase money shall have been paid; and said Commissioner shall report to Court. And the Court doth further adjudge, order and decree that said Alexander Hamilton, Commissioner, appointed under this decree shall proceed to collect and receive from the said Wm. E Sheets trustee, or individually the aforesaid sum of money and costs ordered to be paid by him and that upon payment of the same said Comr Alexr Hamilton

execute and deliver to said Wm. E. Sheets as trustee for A.A. Sheets a good & sufficient deed to said lands with special warranty and that out of the sum so to be received by him, when received said Commissioner shall pay to John B. Thrift, or his attorney, the sum of $89.34, with legal interest on $57., principal thereof from the 22nd day of March, 1892, till paid; the said $89.34, with said interest, being the balance due the said Thrift by a judgment against A. F. Slate binding as a lien the tract of land aforesaid. But, before said Alexander Hamilton shall act as Commissioner in this cause he shall enter into bond as such in the penalty of Six Hundred Dollars, with security to be approved by the Clerk of this Court and conditioned according to law for the faithful performance of his duties as such Commissioner under this and all future decrees in this cause; and it is ordered that this cause be continued

Wm. Ellenboro,
(1) No 1
J. D. Keeler, &c
and
Keeler,
(2) No 2
Butterworth & als

} In Chancery.

This Cause came on this day to be further heard upon the papers formerly read, and were argued by Counsel.

On Consideration whereof, it being suggested to the Court that Alexander Denman, late Commissioner of the Court in this cause, has departed this life, and that he has not as yet fully executed the decrees entered in this cause, the Court doth decree and order that Alexander Hamilton be and he is hereby appointed a Commissioner of the Court in this cause, with all the rights, powers and duties under decrees heretofore entered in this cause, so far as the same remain unexecuted, as existed in and devolved upon the said Alexander Denman prior to his death, and whose duty it shall be to proceed in the place and stead of said Denman to execute all of said decrees so far as the same remain unexecuted, except so far as the said decrees require the payment of money by the said Denman, Commissioner; but before the said Hamilton

shall act as such Commissioner he shall enter into bonds as such in the penalty of $1000 — with security to be approved by the Clerk of this Court and conditioned according to law and for the faithful performance of all of his duties under this and all future decrees in this Cause; And the Court doth further order that said Alexander Hamilton Comr shall proceed to receive from and receipt to the executors of said Alexander Dorman all monies due to the fund in this Cause, and all notes or other obligations given for the payment of real estate, and that said Alexander Hamilton, Commissioner, shall obtain from the executors of the said Alexander Dorman a proper account of the transactions of the said Dorman as such Commissioner in this cause and report to Court the same to this Court with the report of said Alexander Hamilton, Commissioner; and it is ordered that said Alexander Hamilton Commissioner, proceed to execute the duties devolved upon him by this decree, including the collection of all monies due to the fund in this Cause and the execution of the deeds to purchasers when they shall have fully paid their purchase money in full, and it is ordered that this Cause be continued

VV

V B. Staples by Pro
vs
Wm H Staples.

Pltff
Deft
} In Chancery.

On motion of the plaintiff leave is given her to file, and admitted a Supplemental bill in this cause at Rules within ninety days from the rising of the Court.

VV

Harrison Wood.
vs
Harrison Adams &c

Pltff
Defts
} In Chancery.

This Cause came on this day to be further heard upon the papers formerly read, and upon the notice to the parties to this cause, ordered by the December term at the March term 1891 day executed, and was argued by Counsel on consideration whereof, no party appearing or showing any cause against it, the Court doth allow to Dorman & Hamilton $100 as a reasonable fee for their services rendered in this Cause, and Alexander Hamilton, Commissioner of the Court in this cause is ordered to pay the same out of any monies coming into his hands as such Commissioner and take a voucher therefor, and said Commissioner Hamilton shall report to Court, and it is ordered that this cause be continued.

VV

Slaughter adm't.
vs
Steeley adm'r &c

Pl'ff
Defts
} In Chancery.

This cause came on this day to be further heard upon the papers formerly read, and upon the motion of the parties in this cause, stand by the cause entered here in at the September term 1891 of this Court, duly executed, and was argued by Counsel, On Consideration whereof, no parties to this cause appearing or showing cause against it, the Court doth allow to Duncan & Hamilton, Counsel for their services rendered in this cause, the sum of $100.00 as a fee for such services, and doth order and decree that Alexander Hamilton, Commissioner in this cause, do pay the same out of the funds in his hands as such Commissioner, taking vouchers therefor and reporting to Court, and it is ordered that this cause be continued,

JJ

W. H. Heath's Committee.
vs
Heath & others.

Pl'ff
Defts
} In Chancery.

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner Alexander Hamilton, this day filed, to which no exception is taken, and was argued by Counsel, On Consideration whereof, the Court approving the said report of said Commissioner Hamilton doth confirm the same, and it appearing to the Court that $12, per month is a reasonable and proper sum to be paid for the board, support and care, and physician's bills and medicine for Minerva Ann Heath, said Commissioner Hamilton is ordered, out of any funds which may come into his hands from the sale of the real estate, to pay that amount per month for such support, board, care, physician's services and medicine for said Minerva Ann Heath, the same to begin from the 29th day of September 1891, up to which time payments had already been made for the board and care of the said Minerva Ann Heath, out of such sums the said Hamilton is authorized to expend $350. under the further order of the Court. And said Commissioner Hamilton is ordered & directed to collect the purchase money due for the real estate sold in this cause and out of the same pay any unpaid costs of this Court, to reserve the aforesaid sum of $350. for the support and maintenance of the said Minerva Ann Heath, and the residue to pay to R. B. H. Hamilton, or his attorney, on account of his fee heretofore passed in this cause, allowed by the Court, and ordered to be paid, taking vouchers for said payments and making report to Court, and it is ordered that

JJ this cause be continued,

Heaths
vs
Heaths & others

Pl'ffs
Defts
} In Chy

This Cause came on this day to be further heard upon the papers formerly read and upon the suggestion of the Court that since the date of the last decree entered in this cause Special Commissioner W. L.

Watkins has departed this life, and was argued by Counsel,

On Consideration whereof it appearing to the Court that said Special Commissioner has departed this life as aforesaid, on the motion of the plaintiffs the Court doth adjudge, order and decree that Thos G. Watkins be and he is hereby appointed a Special Commissioner in the room and stead of said deceased Special Commissioner with authority to receive payment of all Notes of the purchasers which had not been collected by said deceased Special Commissioner at the time of his death and to be governed in all respects by the provisions of said decree in so far as it directs the distribution or disposition of moneys to be so received in payment of said Notes and provide for the execution of proper Conveyances to the purchasers whose Notes shall be so paid, But before said Thos. G. Watkins shall act under this decree he shall give before the Clerk of this Court a bond in the penalty of Six hundred dollars with security to be approved by said Clerk and conditioned according to law. And said Special Comr is ordered to make report to Court.

X.

The City of Petersburg, Pltff
vs. } In Chy
A W. Harris &als. Trustees &c Defts

On motion of the plaintiffs & by consent of all the parties it is ordered that this cause be taken for hearing & decree in vacation.

Veach's Committee, Plaintiffs
vs. } In Chy
Jackson's Admr. Defts

This Cause came on this day to be further heard upon the papers formerly read, and upon the notice, duly executed, to the parties in this Cause, requiring them to appear before the Judge of this Court on the first day of this term thereof and show cause, if any they could, why a reasonable fee out of the funds in this Cause should not be allowed to Duncan & Hamilton, Counsel in this Cause, for their services herein; and was argued by Counsel. On Consideration whereof the Court doth adjudge, order and decree that Alexander Hamilton Commissioner of the Court in this Cause, shall out of the monies received or to be received by him as such Com-

X.

J. C. Robinson
vs. } In Chy
A. P. Kelly, &c.

This Cause came on this day to be further heard & upon the papers formerly read & was argued by Counsel; On Consideration whereof it appearing to the Court from the affidavit of Sheriff Ragsdale filed in this Cause & which has been adduced and nothing from the papers remains to be done in this cause, it is ordered that the same be removed from the docket of this Court.

missioner, pay to Duncan & Hamilton the sum of $100 00 the same being allowed by the Court out of the funds in this cause as a reasonable fee for the services of Duncan & Hamilton as Counsel herein. & no party appearing or showing cause against the same, and said Commissioner Hamilton shall take a voucher for the said payment and report to Court; and said Commissioner Hamilton shall proceed to execute the decree heretofore entered in this cause as to the sales of lands and the collection of the purchase money therefor and report to Court; and it is ordered that this cause be continued.

Reades adm^r Pl'ff
Reade & others Defts. } In Chy.

This Cause came on this day to be again heard on the papers formerly read, on the Report of Special Commissioner B. J. Epes dated March 22d 1892 to which there are no exceptions and the Report of Com^r J. J. Harris filed March 11th 1892 to which there are no exceptions, and was argued by Counsel.

On Consideration whereof the Court doth confirm the said Report of said Special Com^r B. J. Epes, and the said Report of Com^r J. J. Harris and doth adjudge order & decree that said Special Com^r Epes out of the sum of $253.42 in his hands pay to W. S. Reade Jr the sum of $146.80 as the amount to which he is intitled out of the said sum of $253.42 as purchaser of the dower interest of Jennie S. Reade. and that said Special Com^r Epes distribute the balance of $106.62 pro rata among the creditors entitled according to Com^r J. J. Harris' Report filed Sept 9th 1889 - and it appearing to the Court that the bond of W. S. Reade Jr for the first deferred payment for the land in the proceedings mentioned has been fully paid the Court doth direct said Special Com^r Epes to withdraw the same from the papers in this cause and deliver the same to the said Read, and said Special Commissioner Epes will also withdraw from the papers in this cause the bond for the second deferred payment & collect the same when it becomes due & when the said W. S. Read Jr has fully paid the purchase money for the said land said Special Com^r Epes is hereby directed to execute & deliver to him a Deed with Special Warranty

for the said land & report to Court how he shall have executed this decree.

*

The Lima National Bank of Lima, Ohio, and
Frank L. Langan — Pltffs } In Chy.
vs
Hanna Bros. and others — Defts

This Cause, in which the plaintiffs have proceeded against the defendants M. M. Hanna individually and as executor of Wm. Hanna deceased, Dora Knowlton, H. C. Patterson, John Kerr, The South Cleveland Banking Co., of Cleveland, Ohio, Chas. Graham Frank L. Langan, D. T. Winegardner, Trustee of J. M. Hanna, and John Morris in the manner prescribed by law against Non-resident defendants, came on this day to be heard upon the original and amended bills of the Complainants taken for confessed as to all the other defendants on whom process has been duly served, they still failing to appear and plead answer or demur thereto, & upon the exhibits filed, and was argued by Counsel:

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

1st. An account of the real estate of which the defendants J. M. Hanna, L. B. Hanna, Eliza J. Hanna, A. M. Hanna and Wm. Hanna or John Morris are seized and possessed in this Commonwealth, or in which they have any interest either at law or in equity; with the fee simple and annual value thereof;

2nd. An account of the liens binding the said real estate, with their dignities and priorities;

3rd. An account of all the personal property of the said defendants, or either of them, in this Commonwealth, with the value thereof;

4th. An account showing how much, if any, of the debts secured by the several Deeds of trusts in the said Original and amended bills has been paid, and to whom, and by whom paid; and

5th. An account of the debts due by the defendants,

* This day this Cause came on to be heard upon the papers formerly read and upon the arguments of Counsel, &c
* John Langan (Pltff) vs The Ohio Farmers Bank (Pltff) } appearing & the Court [illegible] the objection of the Defts that the same be dismissed from the docket. [illegible] Court has been [illegible] and Court [illegible] as ordered.

or by any of them to the Complainant, the Lima National Bank of Lima. Ohio, which account to the said Commissioner shall return to the Court with any matters specially stated deemed pertinent by himself, or required by any of the parties to be so stated. Publication of the time and place of taking the said accounts, in some Newspaper published in the City of Petersburg, Virginia, once a week for four successive weeks, shall be equivalent to personal service upon all the defendants.

✓✓

N. G. Markham' Executor.
vs
N. G. Markham' Legatees & Devisees.

Complaintiff
Deft.
} In Chancery.

This cause came on this day to be further heard upon the papers formerly read, and it appearing to the Court that the last Decree entered in this cause at the September Term 1890 Containing among other matters, the following words, And the Court being of opinion that B.F. Hudgins as the sole distributee of Maud Hudgins, deceased, is entitled to be paid one of the interest of Elliott W. Hudgins, devised to him under the will of N.G. Markham, deceased, the legacy of one thousand Dollars mentioned in the 6th item of the will of the said N.G. Markham, deceased, as payable to said Maud Hudgins, and it appearing to the Court that B.F. Hudgins as Executor aforesaid, is entitled to be paid his Commissions on the said sale, which Commissions amount to Seventeen and ninety Five Dollars. And the Court being further of opinion that Two Hundred Dollars is a reasonable fee to be paid to W.R. McKenney for his services as Counsel for B.F. Hudgins, Executor, in this cause, On consideration whereof the Court doth further adjudge, order and decree that when Ramie B. Markham shall have paid to B.F. Hudgins one half of the Commissions aforesaid, and to W.R. McKenney one half of the fee aforesaid, and that when she shall also have paid one half of the other costs of this suit, then that the said B.F. Hudgins, Executor, shall execute to her a Deed, with special warranty, for an undivided one half of the 28¾0 acres aforesaid, as mentioned and described on a plat of the same, made by Thomas F. Rives, County Surveyor of said County, and referred to in the Bill in this cause; And that when the said Elliott W. Hudgins shall have paid to the said B. F. Hudgins, and the said W.R. McKenney, respectively, the other one half of the said Commissions and fee, and when he shall have paid the other one half of the costs of this suit, and when he shall also have paid to the said B.F. Hudgins, as distributee of Maud Hudgins, deceased the legacy of One Thousand Dollars above mentioned, then, and not till then, shall B.F. Hudgins, Executor as aforesaid execute to the said Elliott W. Hudgins, a Deed, with special warranty, for the other undivided one half interest in the

2840 acres of land aforesaid; And it appearing to the Court from the Statement of W.R. McKinney, the Complainants attorney in this cause, that neither the said Fannie B. Worsham or the said Elliott W Hudgins, has paid to either the said B F Hudgins the one half of the commissions aforesaid ordered to be paid to him, nor to W R McKenney the one half of the fee aforesaid ordered to be paid to him, and that the said Fannie B Worsham has not paid the one half of the other costs of this suit, ordered to be paid by her, or any part of said commissions, fees and costs and that the said Elliott W Hudgins has not paid his one half, or any part thereof, of said Commissions, fee and costs, and that the said Elliott W Hudgins has not paid to B F Hudgins the One Thousand Dollars payable to him as Distributee of Maud Hudgins, deceased, as aforesaid.

It Consideration whereof the Court doth adjudge order and decree that W R McKenney be, and is hereby appointed a Commissioner of this Court, whose duty it shall be to make sale at Dinwiddie C.H. on some County Court day of enough of the 2840 acres of land in these proceedings mentioned, as shall be necessary to pay the said Commissions, the said fee, any unpaid costs of this suit, and the expenses of said sale; said sale to be made upon the following terms: after advertisement of time, place & terms of sale, for at least 10 days in the Petersburg Index Appeal and by hand bills., One Fourth of the purchase price cash, and the balance on credits of one, two and three years, taking from the purchaser bonds for the deferred payments carrying interest at the rate of six per centum per annum from the date of sale, and title to be retained until purchase money shall have been fully paid and Deed ordered by the Court; but that said W.R. McKenney Commissioner, shall not proceed to execute this Decree until he shall have entered into a bond in the penalty of Fifteen Hundred Dollars with security to be approved by the Clerk of this Court conditioned according to law; and that said W.R. McKenney, Commissioner shall make report to Court.

JJ

Moody Adms. Plaintiffs } In Chancery.
&
Moody admor &c. Defts }

This cause which was regularly matured at Rules held in the Clerks Office - came on this day to be heard on the Bill & exhibits thereto filed the answer of the Defendant Wm Young Jeff & admor of J.S. Moody dec'd the answer of Jy Harris guar ad litem of the infant Defendants this day filed by leave of the Court & the affidavits of J Chenault & J W Bain and was argued by Counsel On consideration whereof it appearing to the Court that the interests of all the parties will be promoted by a sale of the land in the Bill mentioned - the Court doth adjudge order and decree that B.J. Epes who is hereby appointed Special Commissioner for the purpose, make sale of the land in the proceedings mentioned whereof Joseph Moody died seized and possessed at Public auction after first advertising the time place & terms of sale by hand bills & once a week for four successive weeks in some newspaper published in the City of Petersburg for one fourth Cash & the balance in equal instalments of one, two and three years & take from the purchaser bonds for the deferred payments & reserve a lien on the land for the purchase money, but before said Special Commissioner Epes shall act as such, he shall execute and file with the papers in this cause a bond with security & be approved by the Clerk of this Court in the penalty of $600 00 conditioned for the faithfull discharge of his duties as such Commissioner - under this or any other decree which may be entered in this cause

Moody &c Pltff } In Chy
&
Moody's admrs Defts }

On the motion of the Complainants it is Ordered that this cause be dismissed -

Wyndham Perkins & wife Pltffs } In Chy
&
George R. White's Widow & Heirs Defts }

This cause came on this day & the further heard upon the papers formerly read, and upon the Report of the sale made by W.R. McKinney, Commissioner of the tract of One Hundred and Sixteen acres of land, in these proceedings mentioned, & Mrs. Minnie G. Hargrave, at the price and for the sum of One Thousand Dollars, which

Report bears date March 19th. 1892. and to which there is no exception filed; and upon Statement "X", made at the bar of the Court, and hereinafter mentioned, and was argued by Counsel:

On Consideration whereof, the Court approving the said Report and the sale of the tract of One Hundred and Sixteen acres of land therein reported, doth confirm the said Report and sale, and doth adjudge, order and decree that the said sale of the tract of One Hundred and Sixteen acres of land, aforesaid & the said Mrs. Minnie G. Hargrave, be held forever firm and stable as between the parties thereto; And it appearing to the Court, from the said Report, that the said Mrs. Minnie G. Hargrave has, of the said purchase price of One Thousand Dollars, paid to the said W.R. McKenney, Commissioner, the sum of Six Hundred and Twenty Five Dollars in cash, and for the residue has executed and delivered to the said W.R. McKenney, Commissioner, her homestead waiver negotiable note for Three Hundred and Seventy Five Dollars, dated, October 16th, 1891. and payable twelve months after date, with interest from date, & the order of W.R. Hargrave, and endorsed by the said W.R. Hargrave, the Court doth adjudge, order and decree that when the said purchaser shall have paid in full the said note, then that the said W.R. McKenney, Commissioner, be, and he is hereby authorized, & directed to execute & deliver with special warranty, for the tract of land aforesaid, and authority is hereby given the said W.R. McKenney, Commissioner, & allow the said purchaser to anticipate the payment of the said note, and charge interest thereon only to the date of payment. And it further appearing to the Court that Mrs. Victoria D. White, the widow of George R White, deceased, is entitled to dower in the tract of land aforesaid; And it further appearing to the Court from her Answer filed in this Cause, that the said widow is anxious that her dower interest in the proceeds of sale of said One Hundred and Sixteen acres of land, be commuted in accordance with the table in such case made and provided, and the present value thereof paid over to her in lieu of her dower interest aforesaid; And it appearing to the Court from the other papers in this cause that all of the adult parties desire that the said dower interest be so

commuted, and the fee simple value thereof so paid to the said widow; and the Court being of opinion that it is for the interest of the parties hereto that this be done; And it further appearing to the Court that from Statement X. made at the bar of the Court, the fee simple value of said Dower interest in the said sum of One Thousand Dollars is, according to the table contained in Section 2281 of the Code of Virginia (Edition of 1887), Two Hundred & twenty five & 9/100 dollars, she being, according to her Answer filed in this cause, Forty Six years of age; On consideration whereof the Court doth adjudge order and decree that the said W.R. McKenney, Commissioner, do out of the balance of Five Hundred and Twenty Seven Dollars and Twenty Two Cents ($527.22), in his hands, according to his Report aforesaid, and the vouchers filed therewith, pay to the said Victoria D. White the said sum of $225-9/100 in full of her Dower interest in the tract of land aforesaid, taking her receipt for the same; and the residue of the said balance of Five Hundred and Twenty Seven Dollars and Twenty Two Cents the said Commissioner McKenney shall, after having paid any unpaid taxes on the said land up to, but not including those of for 1891. and after having paid any unpaid costs of this suit, including a fee of Seventy five Dollars to W.R. McKenney, the Complainants attorney for his services herein, pay over to the Children of George R White, deceased as follows; One Fifth (1/5) to O.E. Perkins, the wife of Wyndham Perkins; One Fifth (1/5) to W. Winston Perkins; One Fifth (1/5) to the duly qualified Guardian of Lillie White; One Fifth (1/5) to the duly qualified Guardian of Walter L White; and One Fifth (1/5) to the duly qualified Guardian of George D. White; and that said W. R. McKenney, Commissioner shall distribute in the same way any amount which shall hereafter be collected from the Note for Three Hundred and Seventy Five Dollars and interest, above mentioned; that is to say, One-Fifth (1/5) to the said O.E. Perkins, One Fifth (1/5) to W. Winston Perkins, and One Fifth (1/5) to the duly qualified Guardian of each of the said infant children of the said George R. White, as aforesaid; and that said Commissioner McKenney shall report to Court his action under this Decree -

Wells' Admr. Pltff
vs
Wells. Defts } In Ch.

This cause came on this day to be further heard upon the papers formerly read & upon the report of Comr John G Harris this day filed, to which no exception is taken, & was argued by Counsel. On Consideration whereof the Court approving the said report of Comr Jno G Harris, doth confirm the same, and the Court doth order & decree that J.C. Crop. the purchaser of the real estate in this cause, be summond to appear on the first day of the next term of this Court before the Judge of this Court & show cause, if any he can why the real estate purchased by him should not be resold & pay the unpaid purchase money due by him, Viz: $133.86 with interest on $117.61 principal thereof JJ from the 22nd day of March 1892. till paid.

Ordered that the Court be adjourned until tomorrow Morning at 10. O'Clock

Beverly A. Hancock

Wednesday March 23rd 1892

Present Hon B J Estes Judge

J.C. Chambers. Pltff
vs
Indiana Caines Defs } In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner A.M. Organ filed on September 8th 1890 and was argued by Counsel. On Consideration whereof the Court doth confirm the said report, no exceptions being filed thereto, and doth order the Sheriff of this County to proceed forthwith, after giving reasonable notice thereof by handbills or otherwise as he may deem best, to sell the real estate in the bill & proceedings mentioned for sufficient time to bear off & discharge the lien binding the same, the costs of this Court and the expenses of sale, and to take from the vendee a bond to be payable on the 15th Day of November of each year for the next two successive years to be approved by said Sheriff. But if before the actual sale of said real estate the defendant or some one for him shall pay to the Sheriff the several sums for which it is ordered

to be sold then said Sheriff is ordered to sell the same as ordered and to convey the real estate as above directed, But if the beneficiary in the Deed of Trust recited by Commr Ogden in his report shall instruct the Sheriff not to sell the real estate aforesaid for the debt secured by such Deed then said Sheriff shall sell the said real estate only for the special purpose to pay off & discharge the debts other than that secured by the Deed of Trust after the costs & expenses as aforesaid, And said Sheriff shall report to Court.

Noah Hess — Plaintiff
&
Noah Hess. — Deft } In Chancery.

This cause came on this day to be again heard on the papers formerly read, and the report of Special Comr B. J. Epes, dated March 28th 1892 this day filed, to which there are no exceptions and was argued by Counsel, On Consideration whereof the Court approving said report doth adopt same and decree that the sale of the land of George L. Nash therein mentioned to R. D. Temple for the sum of Four Hundred Dollars in cash, be confirmed, and held good & valid between the parties and that said Special Comr Epes out of the proceeds in his hands pay any unpaid costs of this suit and all taxes accrued on said land (except the taxes on the land objected to by the widow as her dower) prior to July 1st 1892 and that he deposit the residue of said amount in his hands in some Bank in the City of Petersburg and file certificate of deposit of the same in the papers of this cause said sum to be deposited subject to the order of this Court in this cause and it appearing to the Court that the said R. D. Temple has paid to said Special Comr Epes the sum of four hundred Dollars in cash as set forth in said Special Commr Epes report hereby directed to execute deed to him & that such special warranty for the 186 acres in fee, and the forty acres subject to the widows life estate so said Special Comr Epes is directed to file as the next part of this cause a statement showing such as is liable to the proceeds accruing from the sale of the land in this cause.

Ordered that all causes not otherwise disposed of be continued.

Ordered that the Court be adjourned until the 1st day of the next term.

Beverly A. Hancock

Virginia, At a Court held for Dinwiddie County at the Courthouse thereof on Wednesday the 21st day of September 1892 and of the Commonwealth the 117th.

Present Hon Beverly A Hancock Judge.

W R McGinnis who sues for the benefit of himself and all other Creditors of Cornelius Hobson, deceased who may come in and seek relief by and contribute to the cost of this suit

Pltff.

vs

In Chancery

W H Young, Sheriff of the County of Dinwiddie and as such Administrator of the Estate of Cornelius Hobson, deceased, Ben Hobson, David Jackson and Mary E Jackson his wife Richard Hobson and Dollie Hobson his wife

Defts

This cause, in which the non resident Defendants, Richard Hobson and Dollie Hobson his wife, appear to have been proceeded against in the manner prescribed by law as non resident Defendants by the due publishing and posting of the order of publication, as the law prescribes, came on this day to be heard upon the Bill taken for confessed as to all of the Defendants, and was argued by Counsel, On Consideration whereof the Court doth adjudge, order and decree that one of the Commissioners of this Court do proceed to take the following accounts,

An account of the transactions of W H Young, Sheriff of the County of Dinwiddie and as such administrator of Cornelius Hobson, deceased, from the date of the Committal of the estate of the said Hobson to the said Young, down to the date at which said account shall be taken; An account of the real and personal, of which the said Cornelius Hobson died seized and possessed, with the fair market and annual value of the real estate; An account of the debts and demands against the said Cornelius Hobson or his estate, with their degrees and priorities, if any. Which account the said Commissioner shall report to Court with any matter specially stated which shall be deemed pertinent or which any party interested shall request to be so stated. But that said Commissioner shall not proceed to take the said accounts until he shall have published once a week for four successive weeks in some daily newspaper published in the City of Petersburg, Virginia, Notice of the Time and place which shall be fixed by him for the taking of the same, which publication shall be deemed sufficient personal service of said notice upon all parties interested except the said W H Young Administrator or aforesaid who shall be entitled to personal service of such Notice,

Wyndham Perkins & wife Pltffs } In Chancery
vs
Geo R White's Widow & Heirs Defts

This Cause coame on this day to be further heard upon the papers formerly read, and upon the Report of W R McKenney, Commissioner, bearing date on the 20th day of September, 1892. and this day filed in this Cause; to which Report there is no exception filed; and was argued by Counsel.

And it appearing to the Court from the said Report, and the vouchers filed therewith, that the said W R McKenney, Commissioner, has fully and properly disbursed the balance of Five Hundred and Twenty Seven Dollars, and Twenty Five cents ... ($527.25). in his hands according & decree rendered in this Cause at the March Term 1892 the Court approving the said Report doth confirm the same.

JJ

N C Worsham's Executrix vs Pltff } In Chy
H C Worsham's Legatees & Devisees Defts

This Cause came on this day to be further heard upon the papers formerly read, and upon the report of B F Hudgins Executor of H. C. Worsham, deceased, bearing date on the 15th. Day of August, 1892. and this day filed in this cause, to which report there is no exception filed; and was argued by Counsel. On Consideration whereof it appearing to the Court that the object for which this suit was brought has been fully accomplished, and that nothing further remains to be done herein, it is ordered that this cause be removed from the docket.

JJ

McEnery's Committee. Pltff } In Chy
vs
Gilliam et als. Defts

It being suggested to the Court that Alexander Dorman, late Committee of Nannie L. McEnery, has departed this life, and it appearing

& the Court from Certificate of the Clerk of the Hustings Court of the City of Petersburg, this day filed, that Alexander Hamilton has been by said Court appointed and has duly qualified as Committee of said Nannie McEnery, on motion of said Alexander Hamilton, Committee of Nannie McEnery, he is made party plaintiff in this cause; and it is ordered that this cause hereafter proceed in his name as such; and thereupon, this cause, which has been frequently set for hearing, came on this day to be heard upon the bill and exhibits filed, and upon the bill taken for confessed as to all the defendants, and was argued by Counsel.

On consideration whereof, the Court doth order that, Thos. F. Riney, Thos. R. Booth, Wm. B. Ritchie, Samuel W. Gillian, and Clark Burgess, who are hereby appointed Commissioners for the purpose, any three of whom may act, having been first duly sworn, proceed & lay off and divide the real estate owned by Nannie C. McEnery & the defendants in the bill mentioned and described, lying in Dinwiddie County, Virginia, known as "Wabo" and containing eight hundred and seventy two acres, more or less, into equal parts, having regard to quality, buildings, and quantity, and assign one of said two parts to Nannie McEnery, and the other of said two parts to Martin B. Gillinn & Peter McElwaine said parts to be of equal value. but if the said Commissioners should find it impracticable conveniently to so divide the said land into two parts of equal value between said McEnery and Gillinn & McElwaine or should be of opinion that the interest of the owners of the said land would be more promoted by a sale of the same, in such case said Commissioners are required to report the facts upon which their opinion is based to the Court, and also what in their opinion is the fair simple value of the whole of the said real estate; and in either case said Commissioners are required to report their proceedings to this Court.

M A Heath Adm. Plaintiff } In Chy.
vs
Heath et als Defendants }

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner Alexander Hamilton, this day filed, to which no exception is taken, and was argued by Counsel.

On Consideration whereof it appearing to the Court that said Commissioner Hamilton has properly disbursed the funds which have come into his hands, including the second deferred payment of Wm R McKenney, the purchaser of the land, except the sum of $118 still in the hands of said Commissioner for the support and maintenance of Minerva Ann Heath, as per the last decree entered in this cause, and that said Hamilton since paying out the said fund so received has charged up a clerk hire of $1.02, which has been before omitted by him, the Court approving said report of said Commissioner Hamilton, doth confirm the same and order that this cause be continued

Sutherlands Plffs } In Chy
vs
Sutherlands Defts }

This cause came on this day to be further heard upon the papers formerly read upon the Report of W R McKenney Amin bearing date September 6th 1892, and this day filed in this cause, to which report there is no exception filed, and upon the petition of W Osborn Guardian of F M Dysart, the infant defendant in this cause and was argued by Counsel, and it appearing to the Court from said report and the vouchers filed therewith, that there was in the hands of said Commissioner McKenney for distribution among the parties entitled in this cause the sum of One Thousand and twenty four 18/100 Dollars ($1034.18) and that ~~of same~~ of said sum of ($1034.18) the said Commissioner has properly disbursed and paid over all but the

sum of $649.84 is the property of F. M. Snyder the infant defendant in this cause; and it further appearing to the Court that instead of the sum of $282.37 asked for by said W. O. Snyder Guardian &c in his Petition to be allowed him out of the said sum of $649.84 there should be allowed him out of said sum of $649.84 the sum of One Hundred and twenty five dollars ($125.00) On consideration whereof the Court approving the said report doth confirm the same, and doth adjudge order and decree that the said W. R. McKenney Commissioner do out of the said sum of $649.84, pay to the said W. O. Snyder as Guardian of the said F. M. Snyder and as next friend of the said F. M. Snyder in the suit formerly depending in the Circuit Court of the City of Petersburg, Styled Snyder &c vs Sutherland, the sum of One Hundred & Twenty five ($125) instead of the sum of $282.37/100 asked in the Petition aforesaid and that after the said Commissioner McKenney shall have paid the said sum of $125, then that the residue of the said sum of $649.84 said Comr McKenney shall lend out, taking as security real estate of the assessed value of not less than twice the amount so lent out the party borrowing the money & give his note or bond carrying interest at the rate of six per centum per annum from date until paid and waiving the Homestead Exemption, and that said Comr McKenney shall make report to Court.

V. B. Staples - by &c
vs
W. H. Staples

Pltff
Deft
} In Chy

It having been suggested to the Court that since the last Term thereof that W. W. Brough the next friend of the Complainant V. B. Staples has departed this life on the motion of J. A. Brough it is ordered that this cause hereafter proceed in the name of said J. A. Brough as the next friend of the Complainant V. B. Staples and leave is

given the complainant ~~a~~ amend his bill and file the same in the clerks office on some rule day held for this Court.

James H. King's exrs &c. Plaintiffs
vs
James H King's admr &c. Defendants } Bill to Account.

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner John Y Harris, filed September 8th 1892. to which no exception is taken. and was argued by Counsel, On consideration whereof, the Court approving said report of said Commissioner Harris, doth confirm the same; and the Court, without at this time ordering sale of the real estate of the said James H. King, doth order and decree that Alexander Hamilton, administrator with the will annexed of said James H. King do proceed to collect as rapidly as possible the debts due to ~~this~~ his estate, obtaining judgments and executions therefor, if necessary, and employing Counsel for that purpose & to sell the Chattle personal property of James H King's Estate, now in possession of W. J. Lowndes and it appearing to the Court that Thomas M. Jones, under the Contract made between him and said James H King, dated the 5th day of January. 1880. had his election to consider the said Contract a contract for the sale of 383 acres of land mentioned therein or a contract of rental for said land at $75. per year; and it appearing to the Court that upon said Contract construed as a contract for sale and purchase said Thomas M. Jones is indebted to the estate of said James H. King in the sum of $547.79. with legal interest on $483.30, principal thereof from the 6th day of September, 1892 till paid, and it further appearing to the Court that upon said Contract construed as a contract for rent and not for purchase the said Thomas M. Jones is indebted to the estate of the said King in the sum of $411.86. with legal interest on $378.78 principal thereof from the 6th day of September, 1892, till paid; and it further appearing to the Court that said Thomas M. Jones has in writing expressed his intention to the administrator of the said James H King to pay the balance due by him to said estate of James H King upon

the said Contract as a purchase, but has subsequently expressed his inability to pay for said land as a purchase and requested that the said land might be considered the property of the said James H King's estate upon his being released from the payment of the unpaid purchase money; and it further appearing to the Court uncertain whether the said Thomas M. Jones has elected to consider the contract a Contract of sale and purchase or a contract of rent, and said Thomas M. Jones not being a party to this suit, the Court doth adjudge, order and decree that the said Thomas M. Jones be summoned to appear on the first day of the next term of this Court, before the Judge thereof, and make his election as aforesaid, and show cause, if any he can, why he should not be made a party to this suit and required either to pay the unpaid purchase money upon said lands or to pay to the administrator of said King the sum which would be due by him as rent for the said lands; and the Court doth further order and decree that Alexander Hamilton, administrator of James H. King, deceased, after paying the costs of this suit, out of the balance reported in his hands, do proceed, out of any of said balance remaining and out of any funds to be collected by him due said estate, to pay the debts reported due by the estate of the said James H King in the order of their priority, as shown by the said report of Commissioner Harris; and the Court doth further order and decree that one of the Commissioners of this Court proceed to take a further account of the transactions of Alexander Hamilton, administrator with the will annexed of James H King, deceased, and a further account of the debts due by the estate of the said King, if any, and report to Court, Notice of the time and place of taking said account shall be published once a week for four successive weeks in a newspaper published in the City of Petersburg, Virginia, which publication shall be equivalent to personal service of such notice upon all parties interested, except said Hamilton, administrator, who shall have personal service thereof, and it is ordered that this cause be continued.

Ordered that the Court be adjourned until tomorrow morning 10 o'clk

Beverly A. Hancock

Thursday September 22nd 1892.

Present Beverly A Hancock. Judge.

R A Bland. Plaintiff } In Chancery.
vs
Lucy wife &c. Defts }

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner Alexander Hamilton, this day filed, to which no exception is taken and was argued by Counsel, On consideration whereof, the Court approving the said report of said Commissioner Hamilton doth confirm the same, and doth order and decree that Mrs Narcie L Crowder, the purchaser of 336½ acres of land sold under decree in this cause, be summoned to appear on the first day of the next term of this Court, before the Judge thereof and show cause if any she can why the said land, so purchased by her should not be vested to pay the sum of $171.25 with interest thereon, from December 19th 1891 till paid, and the cost of sale and the residue of her unpaid purchase money, and it is ordered that this cause be continued,

Heaths. Plaintiff } In Chancery.
vs
Heaths &c &c. Defts }

This cause came on this day to be further heard on the papers formerly read and on the report of Elizabeth Watkins &c & Thos G Watkins Exr of W L Watkins dec'd late Special Commissioner this day filed, On consideration whereof the Court approving said report to which there is no exception doth confirm the same.

Heaths. Plaintiff } In Chancery.
vs
Heaths &c &c. Defts }

This cause came on this day to be further heard on the papers formerly read and on the report of Commissioner Thos G. Watkins this day filed. on consideration whereof the Court approving said report to which there is no exception, doth confirm the same,

J. L. Chambers
Cm

Indiana Caines. Defe

This cause came on this day to be further heard upon the papers formerly read and upon the report of W. Stanley Sheriff of this County of Dimi dri to which report there is no exception filed and was argued by Counsel, On consideration whereof, and it appearing to the Court from said report that the Judgment debt for which this suit was instituted to inforce has been fully satisfied and there being nothing further to be done herein, it is ordered that this cause be removed from the docket,

Perkins Gdr Pltff
vs
Perkins et al Defts } In Chy

This day this cause came on to be further heard upon the papers formerly read and upon the report of Special Comr Jno Y Stanis this day filed, to which report there is no exception and was argued by Counsel. On Consideration whereof the Court approving said report doth Confirm the same, and it appearing to the Court that the objects for which this suit was instituted have been accomplished, it is ordered that the same be removed from the docket.

Wells adms Pltff
vs
Wells Defts } In Chy

This cause came on this day to be further heard upon the papers formerly read and upon the summons awarded at the last term of this Court against J C Cross the purchaser of real estate in the proceedings mentioned which has been duly executed - and was argued by Counsel - On Consideration whereof the said purchaser failing to appear and show cause why the real estate purchased by him should not be resold for the unpaid purchase money due by him, the Court doth adjudge order and decree that unless the said J C Cross or some one for him shall within thirty days from the service upon him of a copy of this decree pay

to John Y Harris Special Commissioner in this cause pay the balance of the purchase money due by him as said purchaser, then John Y Harris Special Commissioner in this cause shall make sale of the real estate hereinbefore sold to J.C. Cook, or so much thereof as shall be sufficient to pay the balance of the purchase money due thereon and cost of such sale. for cash sufficient to pay the balance of said purchase money and the costs of sale and the balance on a credit of twelve months taking from the purchaser his bond for said deferred payments and retaining the title till final payment, and said Commissioner shall make report to Court.

Ordered that the Court be adjourned until tomorrow morning 10 o'clk.

Beverly A. Hancock

Friday September 23rd 1892.

Present Hon Beverly A Hancock Judge.

M.J. Clay vs Tes. Plaintiff
vs
L.L. Clay vs Tes. Defendants
} In Chancery.

This cause coms on this day to be further heard upon the papers formerly read and the report of sale made by Commissioner John Y Harris this day filed to which report there is no exception filed and was argued by Counsel. On consideration whereof the Court approving said report doth confirm the same and doth adjudge, order and decree that the sale of the 34½ acres of land in said report mentioned to M.J. Clay Mrs Clay and C.E. Tingley be and the same is hereby confirmed and that the same be held binding between the parties, and the said Special Commissioner is hereby directed to execute the bonds for the deferred payments when they become due and when fully paid he shall execute and deliver to the said purchasers a deed conveying the said land to them with special warranty and the said Special Commissioner is further directed out of the balance of $238.31 appearing in his hands pay the unpaid cost of this suit including an attorneys fee to the said Jno. Y. Harris for his services as Counsel in this suit of $40.00 which is hereby allowed, and the balance he shall distribute among the parties entitled thereto as set forth in the bill of the complaints and the said Com. shall make report to Court.

Reuben Berry Pltff } In Chancery
vs
Geo B Barkesdale & others Defts }

The matters in controversy between the parties to this cause, having been settled by the parties, it is ordered that the same be removed from the docket -

Knox Thompson Pltff } In Chy
vs
Sally Seymore & adms Defts }

On motion of the plaintiff B J. Estes is appointed guardian ad litem of the infant defendants Susie Childs and Richard Childs - and then this cause came on to be heard upon the bill of the plaintiff which has regularly matured at rules and set for hearing as to the adult defendants and the exhibit therewith filed and upon the answer of the infant defendants by their said guardian ad litem this day filed by leave of Court, with general replication to said answer, and was argued by Counsel. On consideration whereof the Court doth adjudge order and decree that it be referred to one of the Commissioners of this Court to take the following accounts,
1st An account of the transactions of John T Chambers as the personal representative of Sally Seymore dec'd.
2nd An account of the estate of which Sally Seymore died seized and possessed, with the fee & annual value of the real estate
3d An account of all debts and demands against Sally Seymore dec'd or her estate.
And said Comm'r shall make report to Court.

S. P. Poole's heirs Pltffs } In Chy
vs
S. P. Poole's heirs Defts }

On motion of the plaintiffs B. J. Estes is appointed guardian ad litem of the infant defendants William Crowder, Thomas Crowder, George Crowder, Belle Crowder, Minnie Odam and Kate Odam, and thereupon this Cause came

on this day to be heard upon the bill of the plaintiffs, which has regularly matured ab rules and set for hearing as to all the adult defendants except John H Crowder, and taxen for Confesso as to said adult defendants, the order of publication against said defendant John H Crowder which has been duly executed the exhibits filed with the plaintiffs bill - the answer of said infant defendants by their said guardian ad litem this day filed by leave of Court, with general replication to said answer, and upon the affidavit of J T Deane this day filed by leave of Court, and was argued by Counsel. On Consideration whereof the Court being satisfied that partition of the tract of land in the bill mentioned cannot be conveniently made among the parties entitled to the same, and that the interest of all the parties will be promoted by a sale of the entire tract that no one or more of the parties is or are willing to have the whole of the said tract allotted to him, her or them and pay to the other parties such sums of money as their interest therein entitle them to and that the interests of none of the parties will be violated by such sale, Doth adjudge order and and decree, that John G Harris, who is hereby appointed a Special Commissioner for the purpose shall make sale of the tract of land in ~~the proceedings mentioned~~ Dinwiddie County called Gordonsville Containing 366½ acres, mentioned in the bill, on the premises, at Dinwiddie C.H or in the City of Petersburg, at public auction, after reasonable advertisement of the same, on terms of one third of the purchase money Cash and the balance on Credits of one and two years with interest from the day of sale, taking from the purchaser bonds for the deferred payments and retaining the title to said land until the purchase money is fully paid. But before said John G Harris shall act as such Commissioner he shall execute a bond in the penalty of $1500 with security to be approved by the Clerk of this Court, conditioned according to law and for the faithful performance of his duties under this or any future decrees to be entered in this cause

and said Commissioner shall make report to Court.

Nashex Heins Pltff } In Chy
vs.
Nashex Heins Defts }

This cause came on this day to be further heard on the papers formerly read & the report of Special Comr B. J. Epes dated Sept 22d 1892 & this day filed & to which there are no exceptions filed and was argued by Counsel, On Consideration whereof the Court doth confirm the said report of Comr Epes, & doth adjudge order & decree that said Special Comr Epes withdraw from the papers in this Cause, the Certificates of deposit for $1305.03 & $353.40 heretofore filed by him & collect the amounts due on the ~~said~~ same aggregating together with the sum of $3.40 reported in his hands, the sum of $504.43 & after reclaiming $4.00 to pay further Costs, that he pay over the balance of $500.00 as follows viz: to Wesley A Nash One Eighth, to James W Nash, Elizabeth Cooper and Milly D Richardson each one eighth of said $500.00 & Thos E. Nash Wm A Nash, Eola C Nash, Ella B Williams Mary H Wells & Nannie R Browder Children of D A Nash decd, each one forty eighth of said $500.00. to Heirs of E. Nash Thomas E Nash, Hester A Rickman, Josephine V. Redmond & William A Nash Children of Wm P Nash decd each one fortieth of said $500.00 to the Heirs or Devisees of Selah Powers or to their legally qualified guardians if they are under age. One eighth, and to the heirs or devisees of Mary A. Nash or to their legally qualified guardians if they are under age. One eighth of said $500.00 & said Special Comr Epes will report to Court how he shall have executed this decree.

Geo W Heath who sues on behalf of himself and all other creditors of Minerva Heath decd who will come in and contribute to the cost of this suit Pltff

Thos G Green in his own right and
as administrator with the will annexed
of Manerva A Heath dec'd Delia Roney,
Ella E Reese and Annie Roney dec'd Defts

Mchy

It appearing to the Court that the order of publication awarded against the non resident defendants in this cause has been duly executed this cause came on this day to be heard upon the bill and exhibits filed and upon said order of publication so executed, whereupon the defendant Delia Roney appeared by Counsel and filed her answer to said bill to which answer the plaintiff excepted thereupon the cause was argued by Counsel. On consideration whereof the Court, without passing upon the exceptions to said answer doth adjudge order and decree that it be referred to one of the Commissioners of this Court to take the following accounts.
1st An account of the transactions of the defendant Thos G Green as the personal representative of Manerva A Heath dec'd. 2nd An account of the estate of said Manerva A Heath dec'd real and personal whereof she died seized and possessed and to which she was entitled at the time of her death
3rd An account of the debts due by said Manerva A Heath dec'd or her estate, with their dignities and priorities. Which accounts said Commissioner is ordered to audit state and settle and report to Court with any matter specially stated deemed pertinent by himself or required to be so stated by any party interested, said Commissioner to publish in some newspaper published in the City of Petersburg once a week for four successive weeks and to post at the front door of the Courthouse of this County on the first day of one term of the County Court a notice of the time and place to be fixed by him for taking said accounts, such publication and posting of such notice to be deemed equivalent to personal service thereof upon all parties interested -

Frasers adrs Pltff
vs
Frasers adrs Deft } In Chancery.

This cause came on this day to be further heard upon the papers formerly read and the report of Spl Comr John Y. Harris this day filed to which report there is no exception filed and was argued by Counsel On consideration whereof the Court approving said report doth confirm the same and doth adjudge order and decree that upon the payment by R W Clements of the sum of Eight Dollars and eighteen Cents ($8.18) appearing by said report to be due by him for the land mentioned in said report the said John Y Harris Spl Comr shall execute and deliver to the said R W Clements a good and sufficient deed conveying the said tract of 49½ acres of land with special warranty and the said Spl Comr shall distribute the said $8.18 in the same manner as he was directed to distribute the other funds in this cause and make report to Court

Reads exrs Plaintiffs
vs } In Chancery.
Reads admr Defts

This cause came on this day to be further heard on the papers formerly read & the report of Spl Comr Esq dated Sept 23 1892 to which there are no exceptions filed & was argued by counsel On consideration whereof the Court doth adjudge order & decree that said Spl Comr Esq pay to Mrs S Reads Jr the balance of $56.38 due him for the dower interest of Jennie F Reads & that he distribute the balance of $109.72 pro rata among the creditors of Dr Jno F Reads dec'd reported in Comr Harris report of August 28 1889 & said Comr Esq in report to Court how he shall have executed this decree & file with said report the vouchers for all payments made under this & the last decree in this cause and complete the distribution ordered by last decree

Ordered that the Court be adjourned until tomorrow May 10.0 days

Beverly A. Hancock

Saturday September 24th 1892

Present Hon B. A. Hancock Judge

Ordered that all causes not otherwise disposed of be and are hereby continued

Ordered that the Court be adjourned until the first day of the next term.

Beverly A. Hancock

In the Circuit Court of Dinwiddie County
In Vacation.

The Lima National Bank of Lima, Ohio
and Frank L Langan. Pltffs } In Chancery
vs
Harrod Bros &c. Defts }

This cause came on this day to be further heard, in Vacation, by consent of parties given before the Judge of this Court in Vacation & entered of record upon the papers formerly read, and upon the following papers this day filed, Viz: A Deed of release, duly recorded, from Albert McHarrod, as executor of William Harrod dec'd, and from Dora Goodson releasing the deed of trust or mortgage from S B Harrod and wife and J McHarrod to William Harrod and Dora Goodson, filed as exhibit "B" with the bill, a deed of release duly recorded, from William H Jones, as administrator of R H Jones Jr. deceased, late trustee, and as such trustee, and the parties secured by said deed, releasing the deed of trust from S B Harrod and wife and J McHarrod, dated April 14th 1892. and filed as exhibit "C" with the bill, a paper or writing executed by Frank L Langan, dated July 18th 1892. trustee under the deed of trust dated April 26th 1890. from S B Harrod and wife and J McHarrod to said Langan as trustee, to secure certain debts due the Lima National Bank of Lima, Ohio, filed with the bill as exhibit "D" whereby the said Langan declines to act further as trustee and requests the Court either to appoint a substituted trustee under said deed in his place Alexander H Hamilton, of Petersburg, Virginia, or to have the property conveyed by said deed of trust sold by a Commissioner of this Court instead of by said trustee, and upon written agreement of compromise settlement of the matters in controversy, whereby it has been agreed between said parties that the said Lima National Bank, of Lima, Ohio, shall be entitled to have and receive in full satisfaction of it debt of about $30. ctrs. mentioned in the bill, against the various defendants in the

said bills, full and complete title, free from all incumbrance to the real and personal estate of the defendants, Harrod Brothers and J McHarrod and D B Harrod and his wife, in Drinkiddle County, Virginia, including all the personal and real estate of said Harrods attached in this suit and to that end and for that purpose that the aforesaid deed of trust or mortgage to William Harrod and Dora Goldsby, and the aforesaid deed of trust to Robert H Jones Jr Trustee should be released, which has been done, leaving only as existing liens against said real and personal property the deed of Trust in the bill and proceedings mentioned from D B Harrod and wife and J McHarrod to F L Langan, trustee, for the benefit of said bank, and the attachments of said bank against the property real and personal, of the said Harrods, defendants, and further that it was agreed that the said Lima National Bank should pay the costs of this suit, without attorneys fees to the defendants, and should pay any unpaid taxes upon said real and personal property of the said Harrods in Virginia, and that this Court is asked to have the said agreement entered and carried out by all necessary and proper decrees, and to that end that sale of said real and personal property should be made under decree of this Court, either by said Langan, as trustee, as aforesaid, or by a commissioner of this Court, to the said Lima National Bank of Lima, Ohio, in consideration of its aforesaid debt of about $30.000. and that deed should be made to said bank for said property conveying perfect title, free from incumbrance, and the said Lima National Bank of Lima Ohio, and said Langan having agreed in writing to accept and receive in full payment and satisfaction of the aforesaid debts due them, mentioned in the bills, proper conveyance to the said Lima National Bank for the aforesaid real and personal property of the said Harrods of Virginia free from incumbrance save and except the costs of this suit, and any unpaid taxes thereon the Court, approving said written agreement of compromise and adjustment, & the confirm the same, and said Frank L Langan having declined to act as trustee under the deed of trust aforesaid to him, and the parties in interest having requested it, and the said Lima National Bank having agreed in writing to accept a deed of conveyance for the property aforesaid in full satisfaction and payment of the debts aforesaid, &c it, as fully set forth in said Compromise agreement, the Court doth hereby appoint Alexander Wanderer a special Commissioner of this Court, with duty it shall be to execute and deliver to the said Lima National Bank of Lima, Ohio, a good and sufficient deed with special warranty, for all the property, real and personal, of the said Harrod Brothers and D B Harrod and wife and J McHarrod, mentioned and conveyed in the deed aforesaid, and especially in the deed to Frank L Langan, trustee, as attached in this suit, in consideration of the debt due by the said Harrod Brothers and there set forth in the bill to the said Lima National Bank amounting to about $30 M; the said conveyance to be made subject to the payment by the said Lima National Bank of ~~Lima~~ all unpaid taxes upon the property

conveyed. and it is further ordered that the said Citizens National Bank of Lima, Ohio, do pay the costs of this suit, without delay, to the defendants and nothing further remaining to be done in this cause it is ordered that it be removed from the docket

Teste Clerk of
Dinwiddie Circuit Court,

Beverly A Hancock Judge of
Dinwiddie Circuit Court
Oct 22d. 1892.

Virginia, At a Circuit Court held for the County of Dinwiddie at the Courthouse thereof on Tuesday the 21st day of March 1893.

Present. Hon Beverly A. Hancock, Judge.

Hobbs' Exr
&
Hobbs & als

Pltff
Defts
} In Chy

It being suggested to the Court that the infant defendants John A Hobbs (commonly known as Ally Hobbs), Samuel Hobbs, Victoria Hobbs (called by mistake in this cause Augusta Hobbs) have severally attained the age of twenty-one years, and that said Victoria Hobbs has intermarried with H. F. Schlegel, it is ordered that this cause hereafter proceed against the said John A. Hobbs, Samuel Hobbs, Victoria Hobbs and Beverly Augustine Hobbs in their own proper person, and on the motion of the said Schlegel he is admitted a party defendant to this cause along with his wife, and it being further suggested, and appearing to the Court, that Willie Anna Thomas, the wife of John W Thomas one of the children and devisees and legatees of the Testator, Wm L. Hobbs and said John W Thomas her husband are proper and necessary parties to this cause, on the motion of the said John W. Thomas and Willie Anna, his wife, they are admitted parties defendant to the same; and thereupon this cause came on this day to be further heard upon the papers formerly read and the report of Commissioner John Y. Harris, made in pursuance of the decree of October 7th, 1879, and the exceptions thereto filed by the

defendant, J D B Rucker, admr., &c, and in his own right, thereto, and was argued by Counsel, On Consideration whereof the Court, doth sustain the said exceptions, doth recommit the said report to said Commissioner with instructions to make an alternate statement of said executrix transactions in accordance with said exceptions, and to take, state and settle the following accounts, to-wit:

1st, A further account of the transaction of the plaintiff, Ed. Hobbs, as executor of Wm L Hobbs deceased,

2nd, An account of the transactions of the said executor in his management of the estate of said testator for the benefit of the family of said testator,

3rd, An account of the real and personal estate whereof the said testator died seized, showing what has been sold and what now remains unsold, and the fair yearly and annual value of the real estate now unsold,

4th A further account of all the debts now outstanding against the said William L Hobbs and his estate, stating their respective amounts, dignities and priorities,

Which accounts the said Commissioner shall report to the Court, together with any other matter specially stated, deemed pertinent by himself, or required by any party to be so stated. Notice of the time and place fixed for the taking of said accounts shall be published once a week for four successive weeks in some Newspaper published in the City of Petersburg and be posted at the front door of the Courthouse of the County of Dinwiddie on the first day of some term the County Court preceding said day, such publication and posting of said notice to be deemed equivalent to personal service thereof upon all parties interested, except said Ed Hobbs, upon whom there must be personal service of the Notice.

JJ

Keith's Creditors Pltff's
vs
Keith's Adm's & Others Defts } In Chy

On Motion of Richard Johnson, the husband of Delia Roney, one of the defendants in this cause, the said Richard Johnson is admitted as a party defendant in in this cause, and it is ordered that hereafter this cause

be proceed,d against him as such, And then the said Richard Johnson, by leave of Court, filed his Answer to the plaintiffs Bill; And then this Cause came on this day to be further heard upon the Papers formerly read, upon the Answer of the said Richard Johnson, with general replication thereto and upon the Report of Thomas F. Rives, Commissioner in Chancery, made in pursuance of a decree rendered in this Cause, at the September Term, 1892 of this Court, and filed in this Cause on the 11th, day of March. 1893; to which Report there is no exception filed, and was argued by Counsel;
On Consideration whereof the Court approving the said Report doth confirm the same, and doth adjudge, order and decree that B.J. Epes, Thomas. G Watkins, George S. Bernard, and W.R. McKinney be and the same are hereby appointed Commissioners of this Court, any one or more of whom may act, whose duty it shall be to make sale of the tract of One Hundred and Seventeen (117) acres of land in these proceedings mentioned, either at public auction at Dinwiddie Court House on some Court day, or in the City of Petersburg. Virginia, such sale to be made after at least ten days advertisement of the time, place and terms of sale in some daily newspaper published in the City of Petersburg. Virginia, and by hand bills duly posted and distributed; The terms of such sale to be one-fourth (1/4) of the purchase price in Cash, and the balance on equal credits of one and two years. taking from the purchaser Notes or bonds carrying interest from day of sale, and title to be retained until the purchase money shall been fully paid,
But said Commissioners, or the one or more who shall act, are authorized to make private sale of the said property, upon the terms above mentioned, if they shall deem it best so to do, but in any event, whether the sale be public or private, the Commissioner or Commissioners who may act, shall make report to Court. But that said Commissioners, or no one or more of them shall proceed to execute this Decree, until they, or the one or more acting, shall have executed a bond, in the penalty of Fifteen Hundred Dollars ($1500), with security approved by the Clerk of this Court, conditioned according to law, for the faithful performance of their duty under this or under any other decree which may be rendered in this Cause

Jas H. King's Creditors Pltffs
vs
Jas H. Kings, admr & als Defts } In Chy

This Cause Came on this day to be further heard upon the papers formerly read and was argued by Counsel - It appearing to the Court that Thos M. Jones has not been summoned to appear at this term of this Court, as ordered by the decree entered in this Cause on the 21st day of Sept 1892, the Court doth order and decree that said Thos M. Jones be summoned to appear on the first day of the next term of this Court before the Judge thereof, and make his election whether he takes under the Contract between him & Jas. H. King mentioned in the bill & proceedings as a Purchaser or as a tenant of the tract of land of 353 acres mentioned as aforesaid, and to show Cause if any he can, why he should not be made a party to this suit & be required either to pay to the administrator of said King the unpaid purchase money due for said tract of land or the sum which would be due & payable by said Jones as rent for the said tract of land

Cornelius Hobson's Creditors Pltffs
vs
Cornelius Hobson's Admr & C Defts } In Chy

This Cause Came on this day to be further heard upon the papers formerly read and upon the report of Commissioner A. M. Organ made in pursuance of the Decree rendered in this Cause at the September Term 1892, and filed in this Cause November 19th 1892 to which report there is no exception filed and was argued by Counsel: In Consideration whereof the Court approving the said report, doth Confirm the same and doth adjudge, order and decree that W. R. McKenney be and is hereby appointed a Commissioner of this Court whose duty it shall be to make sale at Dimmidale C.H. at some County Court day of the tract of 114¼ acres of land in said Report mentioned of which Cornelius Hobson died seized, at public auction for ¼ of the purchase price in cash and the balance on equal credits of one year and two years, for notes & bonds carrying interest from the day of sale and title

retained, until final payment: but that said Commissioner shall not execute this decree until he shall have executed a bond in the penalty of five Hundred Dollars conditioned with security approved by the Clerk of this Court conditioned according to law for the faithful performance of his duties as such Commissioner under this decree, or under any other decree which may at any time hereafter be entered in this cause; but said Commissioner shall not execute this decree until the expiration of 60 days from its date, and not then if the debts reported by Com. Ogain in his said report and the costs of this suit are before the expiration of said 60 days paid by the parties interested in said tract of land to said Commissioner.

Mary B. Etty Young
By
John B. Young, William S. Young,
George Kidd, William D. Young,
E. N. Young, Adolphus H. Young,
R. L. Sydnor, Edwin Sydnor, Indiana
Sydnor, Chatton Sydnor, William Kirkham
John E. Kirkham, Drury T. Barnett,
John C. Barnett, W. T. Barnett, David L
Barnett, Geo. W. Barnett, Pattie Butterworth
and Fannie Butterworth, her husband, Telie
Edmunds and E. N. Edmunds, her husband,
Sue Davis and T. A. Davis her husband,
William Young, S. T. Young, Audrey O.
Young, James E. Young, Laura L. Young
Mamie A. Young, Myra Young, Lillian
Young, Virginia Young, Lavenia Young
and Willie Young, the last nine of whom
are infants, by John J. Harris their
Guardian ad litem

Pltff

In Chy

Defts

On motion of the Plaintiff, John J. Harris, a discreet and competent Attorney at Law, is assigned as Guardian ad litem of the infant defendants, Audrey O. Young, James E. Young, Laura L. Young, Mamie A. Young, Myra Young, Lillian Young, Virginia Young, Lavenia Young and Willie Young, and the said Guardian ad litem filed the Answer of the said infant defendants. And thereupon this cause

came on this day to be heard upon the Bill, taken for Confessed as to all of the adult resident defendants, the Exhibits filed with the said Bill, upon the Order of Publication returned duly published and posted as to the non-resident adult defendants, upon the Answer of the infant defendants aforesaid, by their said Guardian ad litem, with general replication to the said Answer, and upon the depositions of witnesses filed in this cause on the 11th. Day of March, 1893; and was argued by Counsel; And it appearing to the Court that the non-resident defendants have been proceeded against in the manner prescribed by Law; on Consideration whereof the Court is of opinion that the true and proper Construction of the first Clause of the Will of John F. Young, deceased, filed as an Exhibit with the Plaintiff's Bill, is as follows; That when Etta B Young, therein mentioned, intermarried with Robert Connelly, then that said Etta B Connelly and Mary Betty Young the Plaintiff, in this Cause, were entitled to have the tract of three hundred and ninety four (394) acres of land, known as Talisfano tract, mentioned in the said Clause of the said Will, equally divided between them, and that upon the marriage of the said Etta B Young to the said Robert Connelly, the said Etta B Connelly took a fee simple interest in the then undivided one half (1/2) of the said tract of land, and then the other one half (1/2) thereof became the property of the said Mary Betty Young; but that in the event that the said Mary Betty Young should die before having Married, then that her said undivided one half interest would pass to the next of kin and heirs at law of Mary E Young who was the widow of said John F. Young, under the terms and provisions of the Fifth Clause of the Will of the said John F. Young. The Court is further of the opinion that at the death of the said Etta B. Connelly her undivided one half interest in the said tract of land passed by operation of law to her next of kin, that is, one-third (1/3) thereof, which is an undivided one Sixth (1/6) of the whole tract, passed to the Children of John F Young, a brother as mentioned in the plaintiff's Bill; one-third, or an undivided one Sixth of the whole tract, to Mary Betty Young, as sole heir at law of her father, James B Young, who was a brother

of the said Etta B. Connelly, and the remaining one-third, or an undivided one-sixth of the whole tract, to George Kidd, as the sole heir at law of Lavenia Kidd, who was a sister of the said Etta B. Connelly.

And it appearing to the Court that the tract of about 39¼ acres of land, known as the Talliaferro tract, in the Plaintiffs' Bill mentioned, cannot be conveniently partitioned in kind among the several parties entitled thereto, that no one or more of the said parties is, or are willing to have the whole of the said tract of land assigned to him, her or them, and to pay to the other parties interested such sum or sums of money as their respective interests therein would entitle them to, and that the interest of all parties concerned would be promoted by the sale of the whole of the said tract of land, and the division of the proceeds of such sale among the several parties entitled thereto, according to their respective interests therein; On Consideration whereof the Court doth adjudge, order and decree that W. R. McKenney be and is hereby appointed a Commissioner of this Court, whose duty it shall be to make sale of the said tract of 39¼ acres of land, after at least one week's advertisment of the time, place and terms of sale, in the Index-Appeal, a daily Newspaper published in the City of Petersburg, and by hand bills duly posted and distributed; such sale to be for One-Fourth (¼) of the purchase price in cash and the balance on credits of one and two years, deferred payments to carry six per cent interest from the day of sale, and the title to the property to be retained until the purchase money shall have been fully paid, the purchaser to pay taxes for 1893. But that said Commissioner shall not proceed to execute this Decree until he shall have entered into a bond in the penalty of $1500, with security to be approved by the Clerk of this Court, conditioned according to law, for the faithful performance of his duty under this, or any other Decree which may be rendered in this Cause. And that said Commissioner shall make report to Court,

Sutherlands
Pltff
vs
Sutherlands.
Defts
} In Chancery

This cause came on this day to be further heard upon the papers formerly read, and upon the report of W.R. McKenney, Commissioner, bearing date on the 7th day of March 1893 and this day filed in this cause, to which report there is no exception filed, and was again by Counsel. She it appearing to the Court from the said report, and the proofs filed therewith, that the said W.R. McKenney, Commissioner, has in his hands according to the decree rendered in this cause at the September Term 1892 of said W.O. Sydnor, Guardian and next friend of Ella M. Sydnor, as ordered by the said decree, the sum of One hundred and twenty five dollars ($125.00) and that he has paid to himself the sum of Ten Dollars and twenty eight cents ($10.28) for his services in making the loan, as ordered by the said decree of the September Term 1892, and the balance of Four Hundred and fourteen dollars and fifty six cents ($414.56) now remaining in his hands, he has loaned to J.A. Stevens and Mattie L. Stevens his wife, taking their note for the said sum of Four Hundred and Fourteen Dollars and fifty six cents ($414.56) bearing date on the 13th day of October 1892 and payable one year after date to the order of himself, at the National Bank of Petersburg at Petersburg Virginia, the same being secured by deed of trust on real estate on New Street in the City of Petersburg Virginia. On consideration whereof the Court approving the said report doth confirm the same, and doth adjudge, order and decree that the said W.R. McKenney, Commissioner, do withdraw from the papers in this cause the said note for Four Hundred and Fourteen Dollars and fifty six cents ($414.56) representing the balance due the infant defendant Ella M. Sydnor in this cause, filing his receipt therefor among the papers in this cause, and hold the same for collection at maturity, or for such other action in regard thereto as shall hereafter be directed in this cause, and that the said W.R. McKenney, Commissioner, shall make report to Court.

Edward N. Smith, trustee &c
Pltff
vs
Mary M. Smith et als.
Defts
} In Chancery.

This day came the plaintiff, Edward N. Smith, trustee &c, and on his motion leave is given him to file his bill, which is accordingly done, and on his motion W.R. McKenney a competent attorney at Law is appointed guardian ad litem of the infant defendants Dorcas N. Smith, Archer A. Smith, John Lewis Smith and Charles Maurice Smith, and leave is given him to file his answer herein which is accordingly done and also, this day came the adult defendants Mary M. Smith, Edward Nash Smith, Hannie L. Smith, Nina Smith & A. Maureen Smith and by leave of the Court filed their answers to the bill, and thereupon by consent of parties, it is ordered that this cause be placed upon the docket for hearing

Edward A Smith trustee &c Plaintiff
vs
Mary M. Smith mother. Defts } In Chancery.

This cause, which has been docketed and set for hearing by consent of parties coming on this day to be heard upon the bill and exhibits filed the answer of all the adult defendants, and of the infant defendants, Donna A Smith and Charles Maurice Smith and upon the answers of the minor defendants Donna A Smith Amelia A Smith, John Lewis Smith and Charles Maurice Smith by W.R. McKenney their guardian ad litem, filed with general replication to said answers, and was argued by Counsel On Consideration whereof the Court doth order that A.M. Ogden P.E. Bispham A.A. Davis Jos J. Harris & E.A. Hill, who are hereby appointed Commissioners for the purpose any three of whom may act, having been first duly sworn, directed to lay off and divide the real estate mentioned and described in the bill of complaint, into four equal parts, having regard to quality, building & quantity, and assign one of said parts to Maurice Smith, and one of said parts to Mary M. Smith, the widow, & Donna Maria Smith the only child of David B. Smith dec'd. and one of said parts to Edward A Smith as trustee for Nina Smith, his wife, and the remaining one of said parts to Maurice L. Smith widow & Donna A Smith Amelia A Smith, Jos Lewis Smith and Charles Maurice Smith, children of J Amelia Smith dec'd. but if the said Comrs. shall find it impracticable conveniently to do so divide the said lands, or should be of opinion that the interests of the owners of the said lands would be promoted by a sale of the same, in such case said Comrs. are required to report the facts upon which their opinion is based to the Court, and also what in their opinion is the fair cash value of the whole of the said real estate. or in either case said Comrs are required to report their proceedings to this Court.

J J

J. Pouit Jas &c Plff
vs
A.E. Bispham & ors &c Defts } In Chancery.

This cause came on this day to be further heard, upon the papers formerly read and upon the report of Commissioner Alexander Hamilton, this day filed; to which no exception is taken, and was argued by Counsel On Consideration whereof the Court, approving the said report of said Commissioner Hamilton, doth confirm the same, and it appearing that nothing further remains to be done in this cause it is ordered that the same be removed from the docket,

J J

A.A. Hall & others Plff
vs
Wm E. Hall & wife. Defts } In Chancery

This cause came on this day to be heard, upon the papers formerly read and upon the report of Commissioner Alexander Hamilton this day filed and accompanying documents thereto annexed, to which no exception is taken, and was argued by Counsel On Consideration whereof, the Court, approving

the said report of said Commissioner Hamilton, doth confirm the same, and approving the sale made and reported of the tract of 214¾ acres of land, more or less, in the bill and proceedings mentioned to Annie G Roach at the price of $1395. doth confirm the same and adjudge, order and decree that the same be held firm and binding between the parties, and doth adjudge order and decree that Alexander Hamilton Commissioner in this cause do execute and deliver to the said Annie G Roach a good and sufficient deed with special warranty for the said tract of land so purchased by her she having paid the purchase money in full. And the said Hamilton Commissioner, shall out of the funds reported in his hands to the credit of this cause, pay the unpaid costs of this suit, including the cost of recording the release deed from Charles F Collins, trustee and J Jamar, filed in the depositions and marked exhibit "F." also any unpaid taxes upon the said lands up to the year 1893. then pay the judgment reported in this cause to John B Thrift or his attorney, after and same be credited with the credits of John J. Mitchell, and the residue of the funds now in the hands of said Commissioner Hamilton shall be paid over to the said Emma Slate wife of A J Slate. and said Commissioner shall take vouchers for his payments and make report to Court,

W R McKenney Trustee Alexander Hamilton Trustee
and W A Jones Trustee Pltffs

vs

Mary Ellis, Charles Ellis and Mary Ellis his wife. Minnie Robinson and William Robinson her husband and Eliza Ellis the last named being an infant by John G. Harris her guardian ad litem Defts } In Chancery.

On the motion of the plaintiffs by Harris, of counsel and Complainants Attorney at Law is assigned as guardian ad litem of the infant defendant Eliza Ellis and thereupon the said Guardian ad litem filed the answer of the said infant to the plaintiffs bill. And then this cause came on this day to be heard upon the Bill, with the exhibits filed therewith, which Bill is taken for confessed as to all of the adult defendants, and upon the answer of the infant defendant, Eliza Ellis by John G Harris, her guardian ad litem, with general replication to said Answer, and was argued by Counsel, On consideration whereof appearing to the Court from the plaintiffs Bill and the exhibits filed therewith, that at the time of the death of Jeff Ellis who was the purchaser from the said plaintiffs of the tract of forty four (44) acres of land in the County of Dinwiddie, Virginia, in the plaintiffs Bill mentioned, the said Jeff Ellis owed an account of the purchase price agreed to be paid by him for the said tract of land, the sum of One hundred and fifty four dollars and twenty two cents ($154.22) with interest thereon from the 19th day of April 1892 until paid. That no portion of the said sum of One hundred and Fifty four Dollars and twenty two cents ($154.22) and interest has been

said on account of the said purchase of the said land since the death of the said Jeff Ellis, & that the said sum of one hundred and fifty four dollars and seventy two cents ($154.72) with interest thereon is still due and unpaid on account of the said purchase. On consideration whereof the Court doth adjudge, order and decree that the adult defendants, Willy Ellis, Charles Ellis, and Mary Ellis his wife, Minnie Robinson and William Robinson be hereby and be summoned to appear on the first day of the next term of this Court, and show cause, if any they can, why the tract of Sixty four (64) acres of land in the Plaintiffs Bill mentioned, lying and situate in the County of Dinwiddie, Virginia, & being the same purchased from W.W. McLaurine, Baker and Alexander Hamilton and William A. James Trustees, under Deed of Trust from Robert A. James and Mary E. James his wife, should not be re-sold for the payment of the said sum of One Hundred and fifty four dollars and seventy two cents ($154.72) with interest thereon from the 19th day of April 1892 until paid as well as for the payment of the costs and expenses which may attend the sale of the tract of land aforesaid. And it is further ordered that a copy of this decree be served upon each of the said adult defendants. Such service of a copy of this decree to constitute the summons of the said adult defendants to appear on the first day of the next term of this Court as above mentioned.

Mary A. Nunnally (formerly Nunnally), Jas. A. Nunnally and Martha Nunnally his wife, Sarah J. Whitby (formerly Nunnally), Jennie Harwell and Fanny A. Harwell (formerly Nunnally), his wife Arthur Whitehurst and Amelia Whitehurst (formerly Nunnally) his wife and Jennie B. Wilson ——— Pltffs.

vs.

J. J. Slade, Maud Nunnally and Walter O. Nunnally, the last three being infants of tender years, defending by John Y. Harris their guardian ad litem ——— Defts. In Chy

This cause having duly matured in the Clerks Office of this Court at the first March rules 1893, held in said Office, at which rules, on the motion of the plaintiffs Jno. Y. Harris was appointed guardian ad litem of the infant defendants Maud Nunnally, Otis Nunnally and Walter O. Nunnally to defend their interest in this cause, and as such filed the answer of said infants to the plaintiffs bill, and at which rules the defendant J. J. Slade also filed his answer to said bill, to each of which answers there was general replication, this cause came on this day to be further heard upon said bill and said answers with general —

replication thereto, and upon a paper marked "A A", setting forth the facts agreed to be read as evidence in this cause, said paper being by consent of parties this day filed and so read as evidence, such consent being evidenced by the indorsement thereon of the Counsel for the plaintiffs and the adult defendant J. J. Slade and by said John N. Harris, the guardian ad litem for the infant defendants, and so argued by Counsel, On Consideration whereof, it appearing to the Court that the tract of land situate in Dorranty Magisterial District of the County of Dinwiddie, in the proceedings mentioned cannot be conveniently divided in kind among those thereto entitled, that no one or more of the parties interested is or are willing to have the whole tract allotted him, her or them, and to pay to the others such sums of money as their interests may entitle them to and that the sale of the entire property and a division of the proceeds of the sale among the parties thereto entitled according to their respective rights will promote the interest of all parties interested, and it further appearing to the Court that all of the adult parties interested in said land have made a sale of the whole tract of land to said J. J. Slade for the sum of two hundred and fifty Dollars ($250.00), one half of said purchase money to be paid cash, the other half to be paid six (6) months from the 6th day of February, 1893, said purchaser to receive a deed conveying to him a good and sufficient title to said property, free from all incumbrances, and that said sale was made subject to the approval of this Court, the Court, approving said sale, doth confirm the same, and doth adjudge, order and decree that the same be held firm and stable between the parties and that Geo. S. Bernard, who is hereby appointed a special Commissioner for the purpose, upon the payment to him of said purchase money, do execute a deed to said purchaser conveying to him with special warranty the tract of land aforesaid. Of the purchase money to be received by said Special Commissioner from said purchaser he is ordered to make the following disposition: After paying all the delinquent taxes, interest thereon and redemption fees chargeable against said land as set forth in the certificate of the Clerk of the —

County Court of said County filed with said agreement of facts, and also all taxes subsequently assessed upon said land, and the costs of this suit, said Special Commissioner is ordered to distribute the residue among the heirs of the late Sarah A Connally deceased according to their respective rights, giving to each of her four surviving Children one fifth (1/5th) part thereof and to her grandchildren Roxy A Harrell and Aurelia Whitehurst, each one fifteenth (1/15) part thereof, and to the legally qualified guardian of each of the infant defendants (her great grand children) one forty fifth (1/45th) part thereof, the shares of said Roxie A Harrell and Aurelia Whitehurst to be paid to them respectively as their separate estate. But said special commissioner shall not act under this decree until he shall have entered into and filed with the Clerk of the Court a bond in the penalty of five hundred dollars ($500) with security to be approved by said Clerk, and conditioned as the law directs for the faithful discharge of his duty under this and any other decree the Court may make in this cause. If said purchaser pays said taxes and the costs of this suit, or to any party his or her proper share of the nett proceeds of sale the proper receipts for any such payments shall be allowed him said purchaser as so much cash in his settlement with said Special Commissioner. And said Special Commissioner is ordered to make report to Court

Ordered that Court be adjourned till tomorrow morning at 10 o'clock

Beverly A. Hancock

Wednesday March 22nd 1893

Present: Hon B A Hancock Judge

Reade Devin
&
Reade Devin
Pltfs
Defts
} Mechanics

This cause came on this day to be further heard on the papers formerly read & the report of the Comr Epes filed March 21st 1893 to which there are no exceptions & was argued by counsel, On consideration whereof the Court doth adjudge, order & decree that the said report of the Comr Epes be confirmed & that he pay the balance of $70.85 remaining in

his hands to W. S. Read jr admin of S. T. Read dec'd & that the said W. S. Read jr admin of S. T. Read did render before one of the Comrs. of this Court a further account of his transaction as such admin.

Nash Hair, Plff
vs
Nash Hair, Defts } In Eq

This cause came on this day to be further heard on the papers formerly read & upon the oath of James W. Nash dec'd a copy of which is this day filed in the papers in this cause, & was argued by Counsel. On consideration whereof the Court being of opinion that the said James W. Nash died intestate as to his interest in the proceeds of sale of Mr. Nash's land doth adjudge order & decree that said Spl Comrs. Espy pay to the widow Illinois Nash the present value of his life interest in the said fund & distribute the balance equally between all of the children of the said James W. Nash & make report to Court

Thompson, Plff
vs
Seymour admr &c, Defts } In Eq

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner A. M. Ogden dated the 21st day of January 1843 and filed in this cause on the 1st day of February 1843, to which report there are no exceptions and was argued by Counsel, On consideration whereof the Court approving said report, doth confirm the same and the Court being satisfied from said report that the rents and profits of the real estate of which the deceased died seized and possessed will be sufficient to pay the costs of this suit and the debts reported by Commissioner Ogden within five years, doth adjudge order and decree that John T. Chambers admr of Sally Seymour dec'd pay to L. L. Meredith the sum of thirteen dollars and eighty seven cents, the balance appearing in his hands, on account of the debt reported in favor of said Meredith for the coffin of the deceased; and the Court doth further adjudge, order and decree that W. H. Young the Sheriff of Davidson County, take

Charge of the tract of land of which the said Sally Seymore died seized and possessed and rent the same out either publicly or privately for the year 1893, and until said rent shall be sufficient to pay the cost of this suit and the balance of the debts reported by said Commissioner Organ, taking from the renter or renters bond with security which shall be satisfactory to him for said rents, and the said Sheriff shall make report to Court

Marion Co. Circuit

and

Isaac Smart &c to Co. Circuit Court } In Equity

These causes came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner John G Harris This day filed, to which there are no exceptions, and were argued by Counsel On consideration whereof, the Court approving said report doth confirm the same, and doth adjudge, order and decree that Virginia C Rucks be summoned to appear on the first day of the next term of this Court and show cause if any she can why the one half interest of J D B Rucks in the tract of land in the proceedings mentioned and purchased by her should not be resold at her risk and cost

Stephen P. Pork, Junr. Plaintiff

vs

Stephen P. Pork Sens. Defts } In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner John G Harris of the sale made by him of the 366⅔ acres of land made by him to E S Crowder and C P Crowder, in pursuance of the decree entered in this cause at the September term 1892 to which report there are no exceptions and was argued by Counsel On consideration whereof the Court approving said report and of the sale of the land above mentioned doth confirm the same, and doth adjudge, order and decree that the sale of the said 366⅔ acres of land made by said Commissioner John G Harris to E S Crowder and C P Crowder be held firm and binding between the parties, and the Court doth further adjudge order and decree that said Commr Harris do withdraw the bonds of said purchasers given for the deferred payments for said land and cancel the same as they become due and when the purchase money is fully paid said Commissioner Harris shall execute and deliver to said purchasers a deed conveying to them the said tract of land with special warranty, and the said Commissioner is authorized, at any time before said bonds become due or payable, to receive the notes of said purchase money from said purchasers, remitting accrued interest, and the said Commissioner Harris

shall after paying the aforesaid cost of this suit, including an attorneys fee to the said John T Harris for his services in this suit of $45.00 pay the balance in his hands and the money to be collected by him for the deferred payments to the parties entitled to the same according to their respective rights as set forth in the bill, and said Commr Harris shall make report to Court. Provided that the interest of said E.D. Crowder and E.P. Crowder shall not be paid them until the rents due by them for said land for the years 1891 and 1892. are paid by them. And the Court doth further adjudge, order and decree that it be referred to one of the Commissioners of this Court to take an account of rents and profits due by the said E.P. Crowder and E.P. Crowder for the years 1891 and 1892 and said Commissioner shall make report to Court.

Ordered that the Court be adjourned until tomorrow morning 10 o'clock a.m.

Beverly A. Hancock.

Thursday March 23rd 1893

Present Hon B A Hancock Judge.

Ordered that all causes not otherwise disposed of be and are hereby continued.

John T Chambers &c Pltff
vs
W.C. Williamson &c Deft
} In Chy

It appearing to the Court that the objects for which this suit was instituted have been accomplished it is ordered that the same be removed from the docket.

Elizabeth Bivins Pltff
vs
J.S. Keeler Deft
} In Chy

It appearing to the Court that no steps have been taken in this cause for five years, except an order of continuance, it is ordered that the same be removed from the docket

H R Pursyear Pltff
vs
Emma L Pursyear Defd } In Chy

It appearing to the Court that no order has been entered in this above styled cause except a continuance for the last five years it is Ordered that the same be removed from the docket

Ordered that the Court be adjourned until the first day of the next term.

Beverly A Hancock

Horatio Gridley Plaintiff
against
Horatio Addison &c Defendants } In Chancery. In Vacation.

This cause came on this day to be further heard on the papers formerly read and on the report of Thos G Watkins Special Commissioner this day filed and was argued by Counsel, On Consideration whereof the Court approving said report to which there is no exception doth confirm the same, and as the parties to this suit, by Counsel appearing and consenting to the sale specially by said Thos G. Watkins Special Commissioner to A O Webb of the tract of 119 acres of land in the bill and proceedings, and in the report of said Special Commissioner, the Court doth adjudge order and decree that said sale be and the same is hereby made from date and binding between the parties thereto, and the Court doth further adjudge order and decree that when said A O. Webb shall have fully paid and discharged said notes and bond is hereby given him to anticipate and pay off said notes before their maturity in which event said Commissioner shall allow him a rebate of interest at the rate of six per cent per annum) said Special Commissioner shall execute and deliver to him a deed with Special Warranty for the tract of land aforesaid, and the Court doth further adjudge order and decree that Special Commissioner Thos G. Watkins do out of the $200. in his hands as per his report this day filed pay the costs of said expenses of sale &c as set forth in his said report as being unpaid and the balance he shall deposit in the Petersburg Savings & Insurance Company of Petersburg Virginia taking a certificate of deposit therefor payable to the order of this Court in this cause and return the same to Court. And leave is hereby given said Special Commissioner Thos G Watkins to withdraw from the papers in this cause the two notes of A O Webb returned by him with his said report and collect the same either at maturity or sooner should the said Webb desire to anticipate and pay the same before maturity, and said Special Commissioner shall make report to Court &c.

In the Clerks of Dinwiddie } Beverly A Hancock Judge of Dinwiddie
Circuit Court. } Circuit Court, June 8th 1893

Virginia At a Circuit Court held for the County of Dinwiddie at the Courthouse thereof on Thursday the 21st Day of September 1893 and of the Commencement the 118th

Present Hon Beverly A Hancock Judge.

Heath Creditors. Pltff
&
Heath admr &c. Defts
} In Chancery

This Cause came on this Day to be further heard upon the papers formerly read and upon the report of Comm Thomas G. Wallace bearing date December 30th 1892 and this Day filed in this Cause, to which report there is no exception filed, and was argued by Counsel On Consideration whereof the Court, approving the said report doth confirm the same and doth adjudge, order and decree that said Thomas G. Wallace be and he is hereby directed to withdraw from the papers in this Cause the certificate of Deposit for $99.30 in the said report mentioned and collect the same, and that when the said certificate shall have been so collected, the said Commissioner Wallace is hereby directed to pay the amount so collected, together with the sum of Twenty five Cents in cash in his hands and by the said report in the payment first of the Tax for 1892 on the land sold in this Cause and then the payment of the debts mentioned in the report of Comm Thos F. Rives confirmed in this Cause at the March Term 1893 of this Court in the order of priority in said report mentioned, and said Com Wallace is further directed to use and other funds which may hereafter be received by him from the proceeds of the Sale of the real estate in this Cause, in the payment first of the debts aforesaid according according to the priority aforesaid and then in the payment pro rata of the Legacies mentioned in the will of Marcia J Heath, and to this end Said Com Wallace is authorized to withdraw from the papers in this Cause the two notes given by the purchaser for the deferred payments on the real estate sold in this Cause filing his receipt therefor and ordered the same and said Commissioner shall receive upon the same;

City of Petersburg Pltff
vs
S W. Harris Trustee &als Defts
} In Chancery

By consent of parties by their Counsel it is ordered that this Cause be submitted to the Judge of this Court for decision and decree in vacation

Mordy's Heirs. ... Pltffs

vs

Mordy's Admtx & others ... Defts

In Chancery

This Cause came on this day to be further heard upon the papers formerly read, and upon the Report of W R McKenney, Commissioner, showing that he has collected of Mrs. Elizabeth Mordy, the purchaser of the tract of seventy two (72) of land in these proceedings mentioned, the sum of One Hundred and Forty Four Dollars ($144.00), in full of the purchase price for the same, and that he has paid over the said sum of One Hundred and Forty Four Dollars to Elizabeth Mordy, as Administratrix of Joseph Mordy, deceased, in part of the debt reported by Commissioner Shell in his report filed and confirmed in this cause, as due by the Estate of Charles J. Mordy to the said Elizabeth Mordy, Administratrix of Joseph Mordy, deceased all of which was authorized to be done by the Decrees rendered in this cause at the April Term, 1883 and at the March Term, 1891. to which report there is no exception filed, and was argued by Counsel:

On Consideration whereof the Court approving the said Report doth confirm the same. And it appearing to the Court that the said W R McKenney, Commissioner, has fully and properly discharged his duties as Commissioner in this cause, and that nothing further remains to be done herein, it is ordered that this cause be removed from the docket.

Heath ... Pltff.

vs

Heath & als ... Defts

In Chy

This cause came on this day to be further heard upon the papers formerly read, and the report of Special Comr Thos G. Watkins, dated Sept 20. 1893, showing his transactions since the September term of the Court 1892. the date of the filing of his last report to Court, and was argued by Counsel. On Consideration whereof, it appearing to the Court from said report, and

the receipt therewith filed, to which report there is no exception, that said Special Comr has collected from the purchaser Chas H. Leuthert his note for $42.75, due April 28th 1893. but has collected only $30 of the note of the purchaser Geo. W. Heath due on the said 28th day of April 1893, and that said Comr has properly disbursed all of said money so collected except a balance of $47.13 Forty Seven Dollars & 13/100, which he now holds in his hands subject to the order of the Court, the Court approving said report, doth confirm the same, and doth adjudge, order and decree that said Special Comr Thos G. Watkins shall distribute, and deposit said balance as directed by the decree entered in this cause at the Sept term 1891 of this Court, among the parties thereto entitled, said Geo W. Heath excepted, said Geo W. Heaths proper share of said balance, and of the balance due by him on his said note, to be paid him by giving him a proper credit on his said note, and it is further ordered by the Court that said Geo W. Heath be summoned to appear before this Court, on the first day of its next term, to show cause, if any he can, why the land sold to him under the proceedings in this cause, should not be resold at his risk, and cost, and should said Geo W Heath pay the balance due by him, after being allowed such credit, the money to be received by said Special Comr shall be disbursed & deposited as heretofore directed, as it was a part of said balance of $47.13, and said Special Comr Thos G. Watkins is ordered to make report to Court.

O R McKenney
Pltff
vs
Jeff Ellis' Widow & Heirs.
Defts.
} In Chancery.

This cause came on this day to be further heard upon the papers formerly read, and upon proof of the decree rendered in this cause at the March Term 1893 returned duly served upon all the defendants in this cause, which decree of the March Term 1893 required that said absent defendants should be summoned to appear on the first day of the present term of this Court to show cause, if any they could, why the tract of Forty four (44) acres of land in the County of District, Virginia, in the pleadings this cause mentioned, should not be resold for the balance of the purchase money due thereon, as set forth in said decree, and was signed by counsel

And it appearing to the Court that no cause has been shown by any of said adult defendants why the said tract of Sixty four acres of land, in the County of Dinwiddie, aforesaid, should not be sold for the balance of the purchase money aforesaid, On Consideration whereof, the Court doth adjudge, order and decree that Miss Milly Ellis, Charles Ellis and Mary Ellis, his wife, Minnie Robinson and William Robinson, her husband, or any one or more of them, shall within Sixty days from the rising of this Court, pay to the Plaintiffs in this cause, the Sum of One hundred and fifty four dollars and Seventy two cents ($154.72) with interest thereon from the 19th day of April, 1892. till paid, the same being the balance of the purchase price due on the said land as aforesaid, or else in default thereof, that W.R. McKenney and Alex. Robinson who are hereby appointed Special Commissioners of this Court for the purpose either or both of whom may act, do make sale, by public auction, of the said tract or parcel of land either at Dinwiddie Courthouse on some Court day, or at some auction house in the City of Petersburg, upon the following terms, 1/3 of the purchase price cash, and the balance on equal Credits of one year and two years, taking for the deferred payments notes carrying interest from date, and retaining title until the purchase money shall have been fully paid. But before making the said sale the said Commissioners or the one acting shall advertise the time place and terms of sale, for at least one week, in some daily newspaper published in the City of Petersburg, and shall, if he shall deem it best, advertise such time, place and terms of sale by hand bills, But that said Commissioners or either of them, shall proceed to execute this decree until they or he shall have entered into bond in the penalty of Five Hundred Dollars, with security to be approved by the Clerk of this Court, conditioned according to law, for the faithful performance of his duty under this, or such other decree which shall be entered in this cause. And said Commissioners or shall make report to Court;

Edward H Smith Trustee &c Pltff
vs
Mary M Smith et als Defts } In Chy

This Cause Came on this day to be further heard upon the papers formerly read and upon the report this day filed, with the accompanying plat referred to therein, made by Thomas F Rives, County Surveyor, of John G Harris, R E Bolling, A M Organ, A A Dance and Ed Hill, the Commissioners appointed by the decree entered herein on the 21st day of March 1893, of the partition of the lands in these proceedings mentioned among the several parties entitled thereto pursuant to the terms of the said decree, to which report no exception is taken, and was argued by Counsel.

On Consideration whereof, it appearing to the Court that in the partition made by the said

Commissioners, lot No. 1 of said lands, embracing the tract called, "Village View", containing four hundred acres, as per said plat, fell to the share of Edward H. Smith, trustee for Nina Smith, his wife; that lot No. 2, called "The Blue House", containing three hundred and fifty acres on said plat, fell to the share of Nannie L. Smith, widow of John Ambler Smith, deceased, and to Serena H. Smith, Ambler H. Smith, John Lewis Smith and Charles Maurice Smith, children of John Ambler Smith, deceased; that tract or lot No. 3. on said plat called "Browder's", containing three hundred and forty-seven acres, together with a tract of land of twenty-three and one quarter acres on the Boydton plank road, adjoining the property of Priest, Heelen and Ellenbrough and as shown on said plat, the same being embraced and considered as a part of tract No. 3 on said plat, fell to the share of C. Maurice Smith, and that the remaining one of said parcels or tracts of land, being tract number 4. on said plat, known as "Jacob Jones", and containing three hundred and forty-seven acres, and also another tract of land, marked as tract No. 4, on said plat, and known as "Cary Jones," containing thirty five and three quarter acres, on the Correctsville road, adjoining said tract No. 1. on the Northeast, fell, to the share of Mary M. Smith, as the widow and Edwin Harvie Smith as the only child of David B. Smith, deceased, it is adjudged, ordered and decreed that the said report of said Commissioners be, and the same is, hereby confirmed, and that the partition in manner and form aforesaid be held firm, stable and binding between the parties; and the Court doth appoint Alexander Hamilton special Commissioner of this Court, who shall execute and deliver to the said several parties good and sufficient deeds, with special warranty, for the said several tracts or parcels of land as allotted to them upon the payment by them respectively of their shares of the costs of this suit and petition, as hereinafter set forth; and in making said deeds, said Commissioner Hamilton shall convey the aforesaid tract No. 3 to the said C. Maurice Smith, subject to the lien of a certain deed of trust, dated March 1st, 1872, duly recorded, made to Edward H. Smith, trustee, to secure a certain

debt for $2300, then due to John Amblen Smith and now stand to be held and owned by Serena A Smith; and the said several parties are to take and hold the said several tracts or parcels of land so divided or partitioned between them under the same titles as they now hold their several undivided interests; and the Court doth further adjudge order and decree that the Costs of this suit and of the partition, including a fee of fifty dollars to Alexander Hamilton, Counsel for the parties, hereby allowed by the Court, be paid as follows, to the said Alexander Hamilton, Commissioner, before the delivery of the deeds aforesaid respectively, to the parties, viz: That E A Smith, trustee for Nina Smith, and said Nina Smith, his wife, do pay the sum of Forty Three $\frac{56}{100}$ ($43\frac{56}{100}$) dollars; that Nannie L. Smith, widow, and Serena A Smith, Amblen A. Smith, John Lewis Smith and Charles Maurice Smith children of John Amblen Smith, deceased, do pay the sum of Forty Three $\frac{57}{100}$ ($43\frac{57}{100}$) dollars; that C. Maurice Smith do pay the sum of Forty Three $\frac{56}{100}$ ($43\frac{56}{100}$) dollars; and that Mary M. Smith, as the widow and Edwin Lewis Smith, as the only Child of David B. Smith, deceased, do pay the sum of Forty Three $\frac{57}{100}$ ($43\frac{57}{100}$) dollars; these sums being respectively due by the parties as before mentioned as their shares of Costs on the division of the lands aforesaid; but before said Hamilton, Commissioner, shall act as such under this decree he shall enter into bond in the penalty of two hundred dollars, with surety approved by the Clerk of this Court, conditioned according to law and for the faithful performance of his duties under this and all future decrees in this Cause.

vs

James A Kings Creditors Pltff. } In Chy
vs
James A. Kings adr, etc. Defts

This Cause Came on this day to be further heard, upon the papers formerly read and upon return of the summons against Thomas M Jones, issued under the decree entered in this Cause at the March Term 1893 duly executed; and was argued by Counsel,

On Consideration whereof the said Thomas M Jones having failed to show any

cause why he should not be made a party defendant in this Cause, the Court doth adjudge order and decree that said Thomas M. Jones be & he is hereby, made a party defendant in this Cause, & that hereafter this cause proceed regularly as to such defendant; and it further appearing to the Court, from the papers filed in this cause that said Thomas M. Jones has elected to treat and has treated the contract made by him with Jas. H. King, dated March 5th 1880, & filed with the deposit of Comr Jno G. Hamlin in this cause, as a contract of purchase by said Jones of said King of the tract of land therein referred to on Hollaway River in Dinwiddie Co. Va., containing 353 acres more or less, the Court doth adjudge, order and decree that under said contract said Jones became the purchaser of said tract of land & liable as such for the purchase money; & it further appearing to the Court that said Thos M. Jones is in default in the payment of said purchase money in the sum of $547.29 with interest on $483.35 principal thereof from the 6th day of Sept 1892 till paid, the Court doth further adjudge, order and decree that said Jones do pay to Alex. Hamilton, as adm. of Jas. H. King, dec'd the said sum of Five Hundred & Seventy Nine 79 Dollars, with legal interest on $483.35 principal thereof from the 6th day of Sept 1892 till paid; and should said Jones fail to so pay the same within 30 days after the service upon him of a copy of this decree, then the Court doth adjudge, order and decree that said tract of land be sold to pay the said unpaid purchase money due thereon, and Alexander Hamilton, is hereby appointed a Commissioner of this Court to make said sale, whose duty it shall be to sell the said tract of land, either upon the premises at Dinwiddie C.H. or in the City of Petersburg after reasonable advertisement of the same, by handbills or in a newspaper published in the City of Petersburg, upon terms of one fourth of the purchase money in cash the residue in equal payments carrying six per cent interest from date of sale upon credits of one and two years. Notes to be given for the deferred payments, and title retained until the purchase money is fully paid and said Commissioner shall report to Court, But said Commissioner Hamilton shall not act as such

until he shall enter into bond in the penalty of $1000 — with surety approved by the Clerk of this Court conditioned according to law and for the faithful performance of his duties as such Commr — under this and all future decrees in this cause

R b. Elder. guar. Plaintiff
&
L W Perkins Exr &c. Defts
} In Chancery.

This cause came on this day to be further heard upon the papers formerly read and upon the application of Mrs E J Elder and Mrs M A Lewis that the accrued interest upon the monies deposited in bank be paid them according to their rights, and was argued by Counsel, On consideration whereof the Court doth order and decree that John b Strain as Clerk of this Court do withdraw from the papers in this cause the certificate of deposit of the Petersburg Savings and Insurance Co. for $77.25 and $70.00 that he collect the accrued interest upon the said certificates of deposit and pay first the unpaid costs of this suit, and then pay to Mrs M A Lewis the accrued int interest upon the said certificate for $77.25 and pay to Mrs E J Elder the accrued int interest upon said certificate for $70.00 taking vouchers for said payments and file the same in the papers of this cause, and that he so deposit the said principal sums to the credit of the Court in this cause in said Petersburg Savings and Insurance Co as heretofore done and file the said certificates in the papers of this cause, and the said John C Strain Clerk is ordered to do in like manner as to said interest upon said certificates of deposit annually until the further order of this Court, and pay over the said interest less the costs of this suit to said Lewis and Elder as hereinbefore directed,

Manson Pltff
vs
Reeks. Defts
} In Chy No 1.

and

Frances Trent & C. Pltffs
&
Reeks &c. Defts
} In Chy No 2.

These causes came on this day to be further heard upon the papers formerly read and upon the Commissions awarded at the last term of the Court against Virginia C Reeks the purchaser of the one sixth interest of J D B Reeks in the tract of land in the proceedings mentioned, which Commission has been duly executed and now argued by Counsel, On Consideration whereof, and the said Virginia C Reeks having failed to appear and shew cause why the said interest in the said tract of land purchased by her should not be vested at her sole and only, the Court doth adjudge, order and decree that unless the said

Virginia Rucks or some one for her, shall within sixty days from the service upon her of a copy of this decree, pay to Commissioner John Y. Mann the balance due by her on her said purchase, John Y. Mann and George Mason Special Commissioners in this cause shall proceed to resell the said one half interest of J & B Rucks in said tract of land at the risk and cost of said Virginia C Rucks, upon terms of enough cash to pay the balance due on said purchase and the cost of such resale and the balance on such terms as the said Virginia C Rucks may direct and upon her failing to make such direction then on a credit of twelve months and make report to Court.

Sutherlands
Pltff
vs
Sutherlands.
Dfts
} In Chancery.

This cause came on this day to be further heard upon the papers formerly read and was argued by Counsel. And it appearing to the Court that the last decree rendered in this cause at the March term 1893 of this Court directed that W. R. McKenney the acting Commissioner in this cause, should withdraw from the papers in this cause the said note for $574.56 representing the balance due the infant D. M. Sydnor in this cause, filing his receipt therefor among the papers in this cause, and hold the same for collection at Maturity, or for such other action in regard thereto as shown hereafter be decreed in this cause, the said note purported to be one of J. A. C. Stevens and Mattie L. Stevens for $574.56 Dated October 13/92 bearing interest from date, and secured by Deed of trust on real estate in the City of Petersburg as in said decree set forth, and it appearing to the Court that it is to the interest of said infant defendant, D. M. Sydnor, that the makers of said note should be allowed to retain the said sum of $574.56 for another year upon the same security the Court doth adjudge, order and decree that said Comr McKenney be and is hereby authorized to receive from the makers of said note the interest for one year, which will be due October 13/16 1893 on the note aforesaid, and allow the said J. A. C. Stevens and Mattie L. Stevens to give a new note for the said sum of $574.56 to bear date October 13th 1893 and to be payable one year after date with interest from the date such new note to be in renewal of the note for $574.56 due October 13/16 1893, as aforesaid and therefore to be secured by the same deed of trust, & for the interest to be collected by said Comr McKenney as aforesaid, he shall take a certificate of Deposit in the Petersburg Savings &

Ins Leo. payable to the order of the Court in this Cause and
w said Court shall make report to Court.

Harmon H Cropley & Lewis Gilchrist partners
trading under the firm name as Cropley &
Mitchell
vs } No 1
Michael P Ryan, A B Davis Trustee Wm B McClaran
Trustee P M Case, J Pease, G N King Trustee, Wm
Methone, Bernard Mann Trustee and the holders
of the notes mentions in the bill
and
Michael Moore & Henry Ott partners trading
under the firm name of Moore & Ott
vs No 2
Michael P Ryan

Defts
Defts
In Chancery
Pltffs

The order of publication awarded in the above cause designated No 1. against the non resident defendant Michael P Ryan and the unknown holders of the notes in the bill mentions having been duly published and posted according to law, and said Ryan still failing to appear and plead answer or demur, the said cause No 1 came on this day to be heard upon the bill taken for confessed as to the resident defendants, the said order of publication duly executed as aforesaid, the attachment issued out by the plaintiffs against said Ryan and levied on his real estate mentioned and described in the Sheriffs return thereon and in the bill, and exhibits filed, and the answer of said P M & J. P. Case this day filed in said cause by leave of the Court, And the order of publication awarded in the above cause designated No 2. against the defendant Michael P. Ryan, a non-resident having been duly published and posted according to law and he still failing to appear and plead answer or demur, the said cause came on this day to be heard upon the bill and exhibits, the said order of publication duly executed as aforesaid, and the attachment issued out by the plaintiffs against said Ryan, and levied on said real estate mentioned and described in the Sheriffs return thereon and in the bill. And then these causes were argued by counsel. On consideration whereof it is ordered that these causes be hereafter heard together, the several matters in controversy being such that it is proper, in the opinion of the Court that they shall be so heard. And it is further ordered, on the motion [illegible]

that their said answer be taken as a cross bill, and that the plaintiffs Cooper & Mitchell and the defendants Michael Ryan G. S. Wing trustee Wm Hathorn and Bernard Mason trustee be summoned to rely to answer the same. And it is further ordered that one of the Commissioners of this Court do take the following accounts, to wit: First. - An account of the liens with their priorities binding on the land in the bill mentioned -

Second - An account showing the amounts due from P M & T P. Case under their contract with Herbert Leadbeater in the bill mentioned - and if any payments have been made by said P M & T P. Case under said contract by whom and when said payments were made - together with any matter specially stated deemed pertinent by said Comr. or that any person interested may require to be so stated & make report thereof to Court - and said parties are ordered to lay the necessary

V J information before said Commissioner

R. H. Jones Jr. trustee Pltff
vs
E T Stannard Deft } In Chy -

This cause came on this day to be further heard, upon the papers formerly read, and upon the report of Commissioner Alexander Hamilton, this day filed, with the accompanying written consent of J A Field, a purchaser of land sold in this cause, to the entering of a decree for the resale of lands purchased by him, publicly or privately; to which report no exception is taken, and was argued by counsel - On consideration whereof, the Court, approving the said report of said Commissioner, doth confirm the same; and it appearing to the Court that J A Field, the purchaser of the tracts of 182½ acres, 100 acres and 49 acres of land sold under decrees in this cause, is delinquent in the payment of his purchase money in the amount of $462.19 with legal interest thereon from November 15th. 1892, and in the amount of $43.90, with legal interest thereon from the 17th day of November 1892, and that said Field has consented in writing to the entering of a decree for the resale of said lands for the payment of said unpaid purchase money, either publicly or privately, the Court doth adjudge order and decree that Alexander Hamilton Commissioner heretofore appointed in this cause, proceed to sell said lands, or so much thereof as may be necessary to pay said unpaid purchase money, with the costs of such

and any unpaid taxes, either upon the premises, in the City of Petersburg or at Dinwiddie C.H., and either publicly or privately; but after advertisement for one week in a newspaper published in the City of Petersburg or by hand bills, and upon terms of one fourth of the purchase money in cash, residue upon credits of one and two years, the deferred payments to bear interest from date of sale and notes to be given therefor; title to be retained until the purchase money shall be fully paid; and said Commissioner shall report to Court.

A J. Slate &c Pltffs
vs
Wm E Sheets &c Defts } Chy

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner Alexander Hamilton, this day filed with the accompanying vouchers therein mentioned, to which no exception was taken, and was argued by counsel — On consideration whereof, it appearing to the Court that said Commissioner, Hamilton, has properly disbursed all the funds which have come into his hands in this cause, and that nothing further remains to be done in this cause, the Court, approving said report of said Commissioner, Hamilton, doth confirm the same, and doth also decree that this cause be removed from the docket.

Wells' admr &c Pltff
vs
Wells Defts } Chy

This cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner John Y Harris this day filed, to which report there is no exception and was argued by counsel. On consideration whereof the Court approving said report, doth confirm the same and doth adjudge, order and decree that the sale of the 15 3 acres of land to W H Young be held firm and binding between the parties, and doth further order that when the said W H Young shall fully pay the purchase money for said land the said John Y Harris Special Commissioner shall convey the same to said W H Young by deed with Special warranty — and said Special Commissioner

M. J. Clay, &c Thos Pltff
L. L. Clay, &c Thos, Defts } In Chy.

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Special Commissioner John Y. Brown this day filed, to which report there is no exception and was argued by counsel On Consideration whereof the Court approving said report doth confirm the same and it appearing from said report that the acts for which this Suit were instituted have been accomplished, it is ordered that the same be removed from the docket.

Ordered that the Court be adjourned until 10 o'clock tomorrow morning.

Beverly A. Hancock

Friday September 22nd 1893.

Present Hon Beverly A Hancock Judge

Ordered that all Causes not otherwise disposed of be and are hereby Continued.

Ordered that the Court be adjourned until the first day of the next Term.

Beverly A. Hancock

In the Circuit Court of Dinwiddie Co.

In Vacation Feby 9th 1894.

Wm Leon Buford. Pltff
vs
Fannie G. Buford wife. Defts. } In Chancery.

This day came the plaintiff Wm Leon Buford in vacation, and moved the judge of this Court at the Courthouse in the City of Petersburg Virginia, at 11 o'clock A.M. to confirm the sale of the tract of 130 acres of land, more or less, in the bill mentioned and adjoining the lands of Field, Claypoole, Chas. Smith, A. A. Andrews, H. Dyson, Hamilton Elmore, made on January 17th 1894. to W. R. McKenney at the price of $500.00 by George Mason Special Commissioner, under a decree entered in this cause on March 31st 1889. and it appearing that all the adult parties Alex. Hamilton guardian ad litem of the infant parties and Wm R. McKenney the purchaser have been duly notified of said motion, this cause came on this day to be heard upon the report of said sale. this day filed before the judge in vacation by said Special Commissioner, and there being no exception to said report of sale, it is ordered that the said sale be and the same is hereby confirmed.

Teste Clerk Dinwiddie Circuit Court,

Beverly A Hancock.
Judge Dinwiddie Circuit Court
Feby 9th 1894

Wm Leon Buford Pltff
vs } In Chancery.
Fannie G. Buford wife. Defts

By consent of parties this day given before the Judge of this in Vacation it is ordered that this cause is hereby submitted to the Judge of this Court for decision and decree in Vacation.

Teste Clerk of the Circuit
Court of Dinwiddie County.

Beverly A Hancock
Judge Dinwiddie Circuit Court
March 5th 1894

Wm Leon Buford Pltff
vs } In Chancery.
Fannie G. Buford wife. Defts

It being suggested that the defendants Mary E. Thomas and Fannie G. Buford have attained the age of twenty one years and that Fannie G. Buford has intermarried with Millard F. Sheffield in this vacation and by consent of parties it is ordered that this cause hereafter proceed against said Mary E. Thomas and Fannie G. Buford in their proper person and that said Millard F. Sheffield be admitted a party defendant along with his said wife, formerly Fannie G. Buford: and by like consent this cause came on in vacation to be further heard upon the papers formerly read, and upon the report of George Mason Special Commissioner this day filed and was argued by Counsel. On consideration whereof the Court doth adjudge order and decree that said Commissioner recover from the purchaser

W. P. McKinney the whole of the purchase money for the land bought by him in this cause, but allowing him credit for the interest and four per cent of the principal of the different payments of his purchase, if paid without delay, and thereupon make to him a deed for said land with special warranty of title, The Court doth further adjudge, order and decree that said Special Commissioner pay the costs of suit and sale, including a commission of $50.00 to himself for his services in this cause out of said purchase money when collected, and pay over the balance in four equal shares to John M. Thomas and wife Mildred J. Sheffield and wife Lillian Blanch Buford, Bernard Buford and John Louis Buford, except that the discount allowed the purchaser as aforesaid shall be deducted from the shares of the adults and except also that the shares of the infants shall be paid to their legally qualified guardians. And said Special Commissioner shall make report to
Court

Beverly A. Hancock.
Judge of Davidson
Circuit Court March 5 1894

Virginia. At a Circuit Court held for the County of Dinwiddie at the Courthouse thereof on Wednesday the 27th day of ~~March~~ September 1894. and of the Commonwealth, the 118th.

Present. Hon. B. A. Hancock, Judge.

Wm Ellenborough &c.) No. 1.
J. A. Keeler and
Keeler &c. No. 2.
Butterworth, & als

Pltffs
Defts
} In Chy

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner Alexander Hamilton, with the accompanying Contract between Mary Keeler and W. M. Sterne, filed therewith, this day filed, to which no exception is taken; and was argued by Counsel. On Consideration whereof, the Court, approving the said report of said Commissioner Hamilton, doth confirm the same and doth order and decree that said Commissioner Hamilton proceed to collect from the executors of Alexander Dorman, late Commissioner in this cause the moneys due to the fund in this cause by said Dorman, as late Commissioner, as ordered by the decree entered herein at the March term, 1892. and the said Hamilton, out of the funds so to be collected and the funds reported in his hands, do pay the unpaid Costs of this suit and deposit the residue of this fund then to be in his hands in the Petersburg Savings & Insurance Company, taking an interest bearing certificate of deposit therefor, payable to the order of the Court in this cause and file the same in the papers of this cause, and make report to Court; and it further appearing to the Court that Mary Keeler, the purchaser of the homestead and five acre tracts of land, near Dinwiddie C.H. sold under proceedings in this cause, during her life-time, Contracted with W. M. Sterne & and did sell to him the said two lots or tracts of land, upon Condition that the said Sterne should pay to Alexander Hamilton Commissioner in this cause, the residue of unpaid purchase money due for the said tracts of land by the said Mary Keeler, as of the 21st day of March 1893, which has been paid by the said Sterne, and upon the further Condition that the said Sterne should pay to the said Mary Keeler, in addition, the sum of $181.68 on the 21st of March 1895 and the sum of $181.68 on the 21st of March 1896. with legal interest upon said two last mentioned sums from the 21st day of March, 1893, till paid; and it further appearing to the Court that the said Mary Keeler has departed this life, the Court doth adjudge, order and decree that the said W. M. Sterne be substituted as purchaser of the said two tracts or parcels of land in the place and stead of the said Mary Keeler, and that said Alexander Hamilton

Commissioner shall execute a good and sufficient deed, with special warranty, to the said Stone conveying the said two tracts or parcels of land so purchased by Mary Keeler, and shall deliver the same to such person as shall be agreed upon by the said Stone and by the owner of the obligations given by said Stone to said Keeler for the said last mentioned two sums of money by the said Stone, and then to be delivered to said Stone; and that said Hamilton, Commissioner, file the receipt of said person to whom said deed shall be delivered & be held in escrow, in the papers of this cause

McEneny's Committee,
Pl'ff
vs
Gilliam & als
Defts.
} In Chy.

This cause came on this day to be further heard upon the papers formerly read, upon the report of Commissioners Thomas F Rives, Thomas B Booth and William B Ritchie, this day filed, to which there is no exception taken, and upon the written offer by Peter McIlvaine, one of the owners of the real estate in the bill and proceedings mentioned, to purchase of Alexander Hamilton, Committee of Nannie McEneny, her interest in the said real estate, this day filed and was argued by Counsel:

On Consideration whereof, it appearing to the Court from the said report of said Commissioners, that the real estate in the bill and proceedings mentioned, known as "Wales", lying and being in Dinwiddie County, Virginia, and containing 822 acres, cannot be partitioned or divided in kind between the owners thereof, having regard to quantity, quality and buildings, the Court, approving the said report of said Commissioners Rives, Booth and Ritchie, doth confirm the same; and it further appearing to the Court that Peter McIlvaine, one of the owners of said real estate, is willing to purchase or have allotted him, and accept it, the undivided one half interest or moiety of Nannie McEneny in and to said real estate and pay for the same the price of two thousand dollars; one fifth thereof in cash, residue in three equal payments, with six per cent interest interest from March 20th, 1884, added thereto, payable respectively in one, two and three years after March 20th. 1894; the deferred payments to be secured either by proper deed of trust from Mrs. M. B. Gilliam and Peter McIlvaine, conveying the entire Wales property of 822 acres, in which case said Peter McIlvaine is to be allowed to cut and sell from said property timber and wood, but the buildings in such case to be insured against loss by fire by said McIlvaine for their fair value, as additional security for the deferred payments or said McIlvaine to secure said deferred payments by deed of trust upon

the undivided one half of the property purchased by him, in which latter case said McElwaine to keep one half value of said buildings insured against loss by fire as further security for said deferred payments and is not to cut or sell timber or wood from said land, except with the written approval of the Committee of said Nannie McEnery until the said deferred payments shall be fully paid, and in either case said McElwaine to assume the payment of all unpaid taxes upon said real estate and he and Mrs. M. B. Gilliam to pay their one half of the Costs of this suit; and it further appearing to the Court that such allotment of the moiety of said Nannie McEnery in said property to said Peter McElwaine, upon the payment by said McElwaine therefor, as above recited, is approved by Alexander Hamilton, Committee of said Nannie McEnery and is to her interest, the Court doth approve and confirm the same upon the terms set forth in the said written offer of Peter McElwaine and doth adjudge, order and decree that the said moiety of said property belonging to said Nannie McEnery be and the same is hereby allotted and sold to the said Peter McElwaine upon the terms contained in said written offer of said McElwaine; and Alexander Hamilton is hereby appointed a Special Commissioner of this Court, whose duty it shall be to execute and deliver to the said Peter McElwaine a good and sufficient deed, with special warranty, for the said undivided one half interest or moiety of Nannie McEnery in and to the said real estate, called "Malis", when the said McElwaine shall have paid to Alexander Hamilton as Commissioner of this Court, the aforesaid cash payment to be made by him and shall have executed and delivered to said Hamilton Commissioner, the aforesaid notes to be given by him for the deferred payments, and shall have executed, delivered and had recorded simultaneously with the deed to him the deed of trust mentioned and provided for in the offer of purchase and payment by said McElwaine, and when the said McElwaine shall have in other respects complied with his offer for the purchase of said interest of the said Nannie McEnery, and the said Hamilton Commissioner shall report to Court, and the Court doth further adjudge, order and decree that Mattie B. Gilliam and Peter McElwaine do pay one half of the costs of this suit and that Alexander Hamilton, Committee of Nannie McEnery do pay the other half of the costs of this suit, But Commissioner Hamilton shall not receive any money under this decree until he shall have entered into bond with security to be approved by Clerk of this Court in the penalty of $ 250 or & conditioned as the law directs

E. H. Coleman
To
Wm Knox's adm'r &others } Plff
Deft } In Chy

This Cause came on this day to be further heard upon the papers formerly read, and upon the Petition of J.A.M. Bzhmer and J.B. Bzhmer, this day filed in this Cause; and was argued by Counsel;

On Consideration whereof the Court doth adjudge, order and decree that W R McKenney be and he is hereby appointed a Commissioner of this Court, whose duty it shall be to collect from the said J.A.M. Bzhmer and J.B. Bzhmer their bond for the sum of One hundred Dollars, bearing date July 23, 1887. and payable two years after date, with interest from date, the same having been given for the last deferred payment on the purchase by the said J.A.M. Bzhmer and J.B. Bzhmer of the tract of 150 acres of land in these proceedings mentioned, and that when the said W R McKenney, Commissioner, shall have collected the said bond, principal and interest, then shall he be, and is hereby authorized to execute to the said J.A.M. Bzhmer and J.B. Bzhmer a deed, with special warranty, for the tract of 150 acres of land aforesaid; but that when the said W.R. McKenney, Commissioner shall have collected the said bond, principal and interest, he shall, after deducting his Commissions on the same, and fee of ten Dollars for preparing the deed to the said purchasers, deposit the residue in the Petersburg Savings & Insurance Co., taking a certificate therefor, payable to his order as Commissioner in this Cause; and that said W R McKenney, Commissioner, shall make report to Court. But the said Commissioner McKenney shall not receive any money under this decree until he shall have entered into a bond in the penalty of Three hundred Dollars, with security approved by the Clerk of this Court, conditioned according to law, for the faithful performance of his duty under this, or under any other Decree which may hereafter be rendered in this Cause. And the Court doth hereby revoke and annul so much of the Decree rendered in this Cause at the March Term 1889, as orders "That W H Jones, Commissioner, withdraw the bond of the purchasers for the deferred payment, collect the same and report at the next term of this Court. And it appearing to the Court that said Commissioner W H Jones has failed to make the Report required of him by Decree rendered in this Cause at the March Term 1889 of this Court, it is ordered that said Commissioner W H Jones do make the report ordered by said decree to the Judge of this Court in vacation on or before the 25 day of April 1894 under penalty of being proceeded against according to law

Wm Leon Bedford
vs
Fannie G. Bedford, & als

Pltff
Defts
} In Chy

This Cause came on this day to be further heard upon the papers formerly read, and the report and vouchers of George Mason, Special Commissioner this day filed, and was argued by Counsel. On Consideration whereof the Court doth confirm said report to which there are no exceptions. And it appearing from said report and vouchers that said Commissioner has properly disbursed the whole of the fund in this Cause, and it further appearing that nothing remains to be done in this Cause, it is ordered that the same be removed from the docket

R A Jones Jr, Trustee. Pltff

vs

Ed M Nunnally Deft

In Chancery

This Cause came on this day to be further heard upon the papers formerly read, upon the report of Commissioner, Alexander Hamilton, this day filed, to which no exception is taken, and upon the accompanying paper therewith filed, signed by J. A Field and J. E Smith; and was argued by Counsel: On Consideration whereof, the Court approving the said report of said Commissioner Hamilton, doth confirm the same, and it appearing to the Court that J A Field, the purchaser of three tracts of land, sold under decree in this Cause, containing respectively 18½ acres, 100 acres and 49 acres has granted and conveyed his interest in said tracts of land to James E. Smith and that the said James E. Smith has heretofore paid in full, all the purchase money which has been paid upon the said tracts of land, and has contracted to become the purchaser thereof in the place and stead of the said Field and to assume the payment of the unpaid purchase money for the said lands, and that the said Field and Smith have desired and requested that the said Smith should be substituted as purchaser of the said lands in the place and stead of the said Field, the Court doth adjudge, order and decree accordingly; and that the sale so made to the said James E Smith of the said tracts of land be held firm and binding between the parties, and it is ordered accordingly that said Commissioner Hamilton shall proceed to collect the Notes given by the said James E Smith for the unpaid purchase money for said land as they shall become due, and, upon the payment of the same in full, that he shall execute and deliver to the said Smith a good and sufficient deed, with special warranty for the said three tracts of land; and said Commissioner Hamilton is further ordered to pay the unpaid costs of this suit and to pay out the moneys in his hands as Commissioner, and to be received by him as such, to be entitled, as settled by the decree in this Cause, taking vouchers for his payments and making report to Court; and it is ordered that this Cause be continued

Carr's Distributees, Pltffs } In Chy.
vs
Carr's Admr. &c Defts }

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Special Commissioner O.R. McKinney, dated March 21. 1894. this day filed, showing his transactions since September 24. 1888 the date of his last report & Court; and was argued by Counsel.

On Consideration whereof, it appearing to the Court from said Report, and the papers therewith filed, to which report there is no exception filed, that said Commissioner has executed to the defendant John Carr a deed conveying to him the part of the real estate in the proceedings mentioned purchased by him, as directed by the decree entered in this cause at the April Term 1883. of this Court, and has received from the defendant Chas C. Carr, on account of the purchase money by him for the portion of said real estate purchased by him, the sum of Thirteen Hundred and Sixty-six Dollars and Fifty Eight Cents ($1366.58), as of the 18th day of July. 1888. by accepting from him sundry orders from sundry parties entitled to the proceeds of sale, as provided by the decree entered in this cause at the September Term, 1888. of this Court, said orders showing the due payment to all of the parties entitled to the real estate fund in this cause (said John Carr and Chas. C. Carr excepted) of the whole of their respective shares as ascertained by the Report of Commissioner Harris. made in this cause and affirmed by said last mentioned decree, and that said Commissioner has credited the amount due as purchase by said Chas C. Carr by the sum of Six hundred and Eighty Three Dollars and Twenty Nine Cents ($683.29), as of said July 18. 1888, his share of said real estate fund as of said date, as ascertained by said Report of said Commissioner Harris, and that after making to the said Chas C. Carr the proper credit for his payment aforesaid, and for his share of said real estate fund, as aforesaid, as directed by said last mentioned decree, he is indebted, as a purchaser, in the sum of Eight Hundred and Thirty Six Dollars and Thirty Nine Cents ($836.39), with interest thereon from said July 18 1888 till paid, and that said Special Commissioner has fully and properly disposed of all of the moneys that have come into his hands up to this date, except a small balance of Two Dollars and Eighty one cents ($2.81) to be held subject to the order of this Court; The Court approving all of said transactions of said Special Commissioner, doth confirm the same, and doth adjudge, order and decree that of the balance of the purchase money due, as aforesaid, by said Chas C. Carr, when credited said Special Commissioner O.R. McKinney is

pay to said John Carr the sum of six hundred and eighty three dollars and twenty nine cents ($683.29) with interest thereon from said July 18, 1888. till paid, said John Carr's share thereof, as ascertained by said report of Commissioner Harris, And the balance of said purchase money and special Commissioner is ordered to hold until the account hereinafter ordered shall have been taken. And the Court doth further adjudge, order and decree that it be referred to said John T. Harris, or to some other Commissioner of this Court, to take a further account of the transactions of the defendant George D. Bernard, as the personal representative of Benhard Carr, deceased, since the 18th day of July 1888. the date of the closing of the last account settled by said personal representative in this cause, which account said Commissioner is ordered to audit, state and settle, with any matter specially stated which may be requested to be so stated by any party interested, or be deemed pertinent by him, and the said Commissioner in taking said account is made inquiry and report specially whether all of the one hundred and fifty three dollars and ten cents ($153.10) of the aforesaid real estate fund, indicated in the last Report of said Commissioner as necessary to meet certain taxes, was required for such purpose, And the Court doth further adjudge, order and decree that unless said Chas. C. Carr or some one for him, within sixty days after the service upon him of a copy of this decree, pay to said special Commissioner W. R. McKenney the balance of the purchase money due by him, as aforesaid, the said W. R. McKenney and Geo. D. Bernard who are hereby appointed special Commissioners for the purpose, any one of whom may act alone, shall after advertisement of the time, place and terms of sale, re-sell by public auction, at Farris Depot or in the City of Petersburg, or on the premises, enough of the real estate purchased by the said Chas. C. Carr to pay what said Chas. C. Carr may owe on purchase on the day of sale, and the cost of re-sale, the terms of sale to be one fourth (1/4) in cash and balance in credits of one and two years. the deferred payments to carry interest from day of sale, title to be retained until the purchase money shall have been fully paid. the purchaser to execute bonds for the deferred payments. The Commissioner or Commissioners who may make such re-sale under this decree shall execute and file with the Clerk of this Court a bond conditioned as the law directs. in the penalty of two thousand dollars ($2000.) with security to be approved by said Clerk, It being brought to the attention of the Court that the said Chas. C. Carr is not a resident of the State of Virginia, publication of a copy of this decree, or the substance thereof once a week for four successive weeks, in some daily newspaper published in the City of Petersburg, shall be equivalent to personal service of the same upon said Chas. C. Carr. It is further ordered that it shall be necessary to execute said order of re-sale unless said Special Commissioner McKenney be requested so to do in writing by said John Carr, or some other party having an interest in the balance now due by the said Chas. C. Carr. And said Commissioner McKenney is ordered & required to cause,

P. H. Thomas
&
Edwin Draper

Pltff
Defts

} In Chancery.

This cause came on this day to be heard upon the Bill, Exhibits &

Confirmed as to the Defendant Edwin Draper, and on motion of the Plaintiff it is ordered that it be removed from the Docket,

Wyndham Pulman wife Plaintiff } In Chancery
vs
Geo R. White & Wife & Heirs Defts

This Cause Came on this day to be further heard upon the papers formerly read, and upon the report of W R McKenney Commissioner, bearing date the 17th day of October 1893. and this day filed in this Cause, together with the moneys paid thereunto, to which report there is no exception filed, and was argued by Counsel, On consideration whereof the Court doth confirm the said report, and from the other papers in this Cause, that the said W R McKenney Commissioner has fully and properly disbursed all funds which have come to his hands as Commissioner in this Cause, Save and except the sum of Three dollars and forty eight cents ($3.48) retained to pay unpaid costs to Principal, And it further appearing to the Court that the object for which this suit was brought has been fully accomplished: and that nothing further remains to be done herein, On Consideration whereof the Court approving the said report doth confirm the same, and doth adjudge, order and decree that the said W R McKenney Commissioner do retain the said sum of $3.48 to pay any unpaid costs in this suit to Principal, and file the receipt for such cost among the papers in this cause, And the Court doth further adjudge order and decree that this Cause be removed from the Docket,

Heath's Committee Petts } Ch Chancery
vs
Heath &c Defts

This Cause Came on this day to be further heard, upon the papers formerly read and upon the report of Commissioner Hamilton, this day filed, to which no exception is taken, and was argued by Counsel, On Consideration whereof the Court approving the said report, doth confirm the same, and doth order and decree that the said Commissioner Hamilton, out of the funds reported in his hands, pay the balance if any, of the debts remaining unpaid and the unpaid costs of this suit and reserve in his hands funds sufficient to pay for the support and maintenance of Minerva Ann Heath, for the ensuing Six months, and the residue of the fund to be in his hands be shown deposited in the Petersburg Savings & Insurance Company, bearing interest on Certificate of deposit, payable to the order of this Court, and file the same in the papers in this Cause, together with the vouchers for his payments & his last report and ascertainment thereof, and it is ordered that this Cause be continued.

W R McKenney Trustee &c. Plaintiff
vs
Jeff Ellis Heirs & Heirs. Defts } In Chancery.

This cause coming on this day to be further heard upon the papers formerly read, and upon the report of Alexander Hamilton, Commissioner, of sale of the tract of 44 acres of land, in these proceedings mentioned, under Decree rendered in this cause at the September Term 1888. which Report bears date March 19th 1894 and has been this day filed in this cause, to which Report there is no exception filed, and was argued by Counsel. On Consideration whereof the Court approving the said Report doth confirm the same, and doth adjudge order and decree that the sale of the tract of 44 acres of land in these proceedings mentioned, made by the said Alexander Hamilton, Commissioner, to W R McKenney at the price and for the sum of One hundred and fifty one dollars, be held firm and stable as between the parties thereto, and that when the said W R McKenney shall have paid to the said Alexander Hamilton, Commissioner the purchase price according to the hundred and fifty one dollars aforesaid, then that the said Alexander Hamilton, Commissioner, shall execute to the said W R McKenney a Deed with special warranty for the said tract of 44 acres of land. And the Court doth further adjudge, order and decree that out of the said sum of One Hundred and fifty one dollars, when so collected, the said Hamilton, Commissioner, shall pay the costs and expenses of sale, and the costs of this suit and the balance he shall pay over to W R McKenney as Trustee, under the deed of trust from Robert H Jones & and Mary E Jones his wife, bearing date on the 15th day of October, 1894 in the pleadings Bill mentioned. And that said Commissioner Hamilton shall render a report to Court,

W. S. Pairo, a merchant doing business under the name of
W S Paire & Co of Baltimore Md. Pltff

vs.

J E Williams J E Goulds. W A Graham Chauncey Spear and Bedford Defts } In Ch.

This cause came on this day to be heard upon the bill taken for confessed as to all of the defendants except the defendants Chauncey Spear and Bedford. The answer of said Spear and Ford this day filed by leave of Court the complts general replication to said answers. and the exhibits filed with said bill and answers respectively, and was argued by Counsel. On Consideration whereof it appearing to the Court that the only matter in controversy in this cause is whether a certain promissory note of eighty four dollars and thirty cents ($84.30) made to the plaintiff by J E Williams on or about the 19th day of May 1892. should properly be applied as a credit on the note for Ninety two dollars and fifty cents ($92.50) in the proceedings mentioned which the said J E Williams J E Goulds and W A Graham gave the maker or as a credit on the note for one hundred and four dollars and seventy cents ($104.70) in the proceedings mentioned whereof said J E Williams Chauncey Spear and Bedford were the makers, the Court doth adjudge order and decree that

it pertinent to any of the Commissioners of this Court to make enquiry and report to the Court all the facts bearing upon this question, with any matters specially stated which may be deemed pertinent of which any party interested may require him to do so,

Cornelius Mitchell. Pltff
vs
Michael P. Ryan &c. Defts.
and
Same Pltff
vs
Michael P. Ryan &c. Defts.

In Chancery

The order of publication awarded against the non resident defendant Michael P. Ryan to answer the answer of the defendants P.M. & T.P. Nase filed as aforesaid having been duly published & posted according to law: and said Ryan not having appeared and plead answer or demur thereto, and said answer & bill having been matured for exception at the rules, & the time defendants there came prime on this day to be further heard upon the papers formerly read, on the said answer & bill & the depositions of defendants, and the report of Commissioner A.M. Ogden, made in pursuance of the decree of the last term and filed March 10th 1894. to which there are no exceptions, and were argued by Counsel, On consideration whereof the Court approving the said report doth confirm the same, and it appearing that it will be necessary to sell the real estate of the defendant Michael P. Ryan in the bill mentioned to pay the liens thereon that the defendants P.M. & T.P. Nase are the holders & owners of the debts secured by the first and second liens on said land to-wit: the deeds of trust of R. B. Davis trustee and W.B. McElwain trustee respectively and that all the other liens reported on the said land are subject and inferior to the rights of the said P.M. and T.P. Nase as purchasers of the timber thereon under a contract or bill of sale therefor from Herbert Lee Mason & others in the bill mentioned the Court doth so decide and adjudge, and doth therefore adjudge order and decree that John G. Haines George Mason and G.S. Wing who are hereby appointed Commissioners for the purpose any one or more of whom may act, proceed & sell the said real estate, the same being a tract of land in the County of Dinwiddie State of Virginia known as Smith Side Farm being all that part of "Mill Quarter Farm" which lies in said County consisting of two tracts, viz One containing (172 3/4) one hundred and seventy three & three quarter acres and the other 25 acres twenty five acres more or less, and being in all respects the same land conveyed to the said Michael P. Ryan by Hugh Moore and wife by their deed dated the 9th Day of October 1892 and of record in the Clerk's Office of the County Court of said County of Dinwiddie

said sale should be made subject to the rights of the defendants P. M & T. P. Rose under said contract or bill of sale to cut and remove the timber from said land during its continuance. and shall be made by public auction at Dinwiddie Courthouse on some Court day or at Fords Depot in said county, or at some suitable place in the said city of Petersburg after giving at least 30 days notice by handbills posted at Dinwiddie Courthouse and in the neighborhood of the land and by publication in some newspaper published in said City of Petersburg not exceeding five times. For one third of the purchase money Cash. balance to be payable in one and two years in equal instalments with interest from day of sale the purchaser to give bonds or notes for the deferred payments and the title to be retained till all the purchase money shall be paid. and a deed ordered by the Court. And said Commissioners or the one acting shall make report to Court. But the said Commissioners shall not, nor shall any one of them act under this decree till he or they shall have entered into bond in the penalty of $10.000, in such security to be approved by the Clerk, and conditioned according to law for the faithful discharge of his or their duties under this or any future decree which may be entered in this cause.

Ordered that the Court be adjourned until tomorrow morning 10 o'clk

Beverly A. Hancock

Thursday March 3rd 1894

Present Hon Beverly A Hancock Judge

Pool Harris Pltff
a
Pool Harris. Dfdt } Inj & Chancy.

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner A M. Bryant dated July 10 1893 and filed in this cause on the 3d day of March 1894 and upon the report of Special Commissioner Jerry Harris dated the 23rd day of March 1894 to which report there are no exceptions filed and was argued by Counsel; On Consideration whereof the Court approving said report doth confirm the same and doth adjudge order and decree that E.D. Crowder and C.P. Crowder pay to Special Commissioner Jerry Harris the sum of Sixty Six dollars & eighty eight cents the amount appearing to be due as part of the real estate in the proceedings mentioned, with interest from the date of this decree and the said Special Commissioner is directed to execute the same and when executed to distribute and pay out the same to the several parties to whom he has heretofore been ordered to pay the sums from the sale of the said real estate and the Court doth further adjudge order and decree that the said D E Crowder and C.P. Crowder be summoned to appear on the first day of the next term of this Court and show cause why the said heretofore purchased by them should not be vested at their risk and cost. and the said Special Commissioner shall make report to Court.

Thos F Bispham who sues for the benefit of himself and all other creditors of Roger P. Bispham dec'd Pltff

6

W H Fleming Sheriff of Davidson County as such admr of Roger P. Bispham dec'd Ordelia Bispham & Thos H Bispham Dfdts } Inj & Ch

This cause which regularly matured at rules and set for hearing in the Clerks office came on this day to be heard upon the bill of the complaint taken for confessed as to all the defendants, and the exhibits filed with said bill and was argued by Counsel, On Consideration whereof the Court doth adjudge order and decree that it be referred to one of the Commissioners of this Court to take the following accounts. 1st An account of the transactions of W H Fleming Sheriff of Davidson County and as such administrator of Roger P. Bispham dec'd. 2 An account of real and personal of which the said Roger P. Bispham died seized and possessed 3d An account of the debts of said Roger P. Bispham dec'd and unpaid due by the said Roger P. Bispham at his death with their degrees and priority, And said Commissioner shall make report to Court;

V

Mary Eliza Mabry pro
next friend &c
vs
Wm Mabry

Pltff
Deft
} In Chy

This day this Cause which had regularly matured at rules and been set for hearing came on to be heard on the Bill of Complaint and exhibits filed herewith, and the depositions filed by the plaintiff in support of her said bill, and was argued by Counsel, On Consideration whereof it appearing to the Court that the charges of ~~adultery~~ cruelty abandonment and adultery made in Complainants bill are sustained by the proof, the Court doth adjudge, order and decree that the marriage heretofore solemnized between William Mabry and Mary Eliza Mabry formerly Shalom be and the same is hereby dissolved, and that they be forever divorced from each other, and that the defendant pay to the Plaintiff her costs in this behalf expended. And nothing further remaining to be done in the Cause the same is removed
vs from the docket

Wells adm &c
vs
Wells

Pltff
Defe
} In Chy

This day this Cause came on to be further heard upon the papers formerly read and upon the report of Special Commissioner Jas Y Davis this day filed by leave of Court, to which report there is no exception filed, and was argued by Counsel. On Consideration whereof the Court approving said report doth Confirm the same; and there appearing to be nothing further to be done in this Cause it is ordered that the
vs same be removed from the docket

Nashis Heirs
vs
Nashis Heir

Pltffs
Defts
} In Chy

This Cause came on this day to be further heard on the papers formerly read & upon the Report of Special Com'r B. J Epes dated March 22d 1894. this day filed by leave of Court to which Report there are no exceptions & was argued by Counsel, on Consideration whereof the Court doth adjudge order & decree that the said Report of Special Com'r B. J Epes be confirmed and that he pay the sums of $5.42 due to each of the minors. Willie Nash Johnny Nash & Ida Nash & their mother Illinois Nash be by her expended for the maintenance & support of the said minors.

Ordered that all cases not otherwise disposed of be and are hereby continued.

Ordered that the Court be adjourned until the first day of the next Term

Beverly A. Hancock

In the Circuit Court of the County of Dinwiddie.

In Vacation.

E W Coleman, Plaintiff

vs. } In Chancery

Knight adm'r &c. &c. Defts

This cause came on this day to be heard in Vacation on the Report of Commissioner W. H. Jones, made to the Judge of this Court, in Vacation, in pursuance of the decree rendered in the above styled cause at the March Term 1894 which has been this day presented to the Judge of this Court, and filed in this cause, to which report there is no exception filed, and was argued by Counsel, And it appearing to the Court from the said Report, and from the vouchers filed therewith, and the said W. H. Jones, Commissioner has fully accounted for the sum of One Hundred and Fifty eight Dollars and Ninety Six cents. ($158.96) in his hands according to the decree rendered in this cause at the March Term 1889. of this Court, in that he paid to Mrs E W. Coleman December 21, 1888, the sum of Twenty five Dollars. ($25) and to the said Mrs E W Coleman, on the 5th day of August, 1891. the sum of Fifty Dollars. ($50), and in that he has accounted for the balance of principal, amounting to Eighty three Dollars and Ninety Six Cents ($83.96), by depositing to his order as Commissioner in this cause, in the Petersburg Savings Insurance Co, of Petersburg, Virginia, on the 29th, day of March, 1894 the sum of one hundred and Sixteen Dollars and Forty nine cents ($116.29), made up of the principal sum of Eighty three Dollars and Ninety Six cents ($83.96) with Six per cent interest thereon from March 21st 1889. Subject to the credits aforesaid as fully set forth in his said Report, And it further appearing to the Court that said Commissioner W H Jones desires to resign his position as Commissioner in the said cause, so that some one else may be substituted in his place and stead, whose duty it shall be, after paying the unpaid costs of suit, to pay to pay to the said Mrs Ed. Coleman the balance which may then remain from the proceeds of the sale of the land sold by the said Commissioner W H Jones, in this cause, And it further appearing to the Court that W R McKenney was appointed Commissioner of this Court by the decree rendered herein at the March term, 1894 whose duty it should be to collect from the said J A M & J B Zehmer the bond executed by them for the last deferred payment given by them for their purchase

of the said land, so that it further appears to the Court that the said W.R. McKenney is a proper person to be substituted in the place and stead of the said W.A. Jones, as Commissioner in this cause, Our Consideration whereof, the Court approving the said Report of the said Commissioner Jones doth confirm the same, and doth adjudge, order and decree that W.R. McKenney be and is hereby substituted as Commissioner in the place and stead of the said W.A. Jones, whose duty it shall be to collect the said certificate for one Hundred and Sixteen Dollars and twenty nine cents ($116.29) and out of the amount so collected pay the unpaid costs of this suit, and that when such unpaid costs shall have been paid, then it is ordered that the said Commissioner McKenney do pay to the said Mrs E.W. Coleman the balance which shall remain of the said sum of One hundred and sixteen Dollars and twenty nine Cents ($116.29) together with any balance which shall be in his hands from the collection by him from the said J.A.M. & J.B. Zehmer of the last purchase bond aforesaid, following over said from the said Mrs Ed Coleman for such payment, and that said Commissioner McKenney report to Court. And it appearing to the Court that the said Commissioner McKenney has, as required by the decree of the March term 1894 aforesaid, executed a bond in the sum of Three Hundred Dollars, with security approved by the Clerk of this Court, and directed according to law for the faithful performance of his duty under the said decree of the March Term 1894, as well as under any other decree which might hereafter be rendered herein, and that the said bond for the sum of Three Hundred Dollars is ample to cover any amounts which may come into the hands of the said Commissioner McKenney, whether under the said decree of the March Term 1894 or under this decree, no further bond is required of the said Commissioner McKenney to enable him to collect the said certificate for One Hundred and Sixteen Dollars and twenty nine cents ($116.29),

To the Clerk of the Chancery Court
of the County of Dinwiddie Va.

Beverly A Hancock
Judge Dinwiddie Chancery Court
March 31st 1894

Virginia:

At a Circuit Court held for the County of Dinwiddie, at the Courthouse thereof, on the 21st day of September A.D. 1894, and of the Commwelth 119th.

Present, Hon. Beverly A. Hancock Judge

M. F. Jones & wife Pltffs } In Chancery
vs
Chesley Dance & wife Deffts

This day come the plaintiffs and filed their Bill, and the defendants filed their answer, to which answer the plaintiffs replied generally, and the cause was docketed by consent, and coming on to be heard by like consent on the said Bill, answer and replication, was argued by Counsel: And it appearing to the Court that of the purchase price of $900. agreed to be paid by the defendants, Chesley Dance, to the plaintiff, M. F. Jones, for the tract of 138¼ acres of land in said Bill mentioned, there is still due and unpaid to the said M. F. Jones the sum of $476.25. with interest thereon from December 2nd., 1891 till paid, and that said M. F. Jones is entitled to have the said tract of land sold, and to receive from the proceeds of such sale the said sum of $476.25. with interest aforesaid: On Consideration whereof the Court doth adjudge, order and decree that Thomas G. Watkins and W. R. McKenney be and are hereby appointed Commissioners of this Court, either or both of whom may act, whose duty it shall be to make, by public auction either at Dinwiddie Court House, on some County Court day, or in the City of Petersburg, of the said tract of ~~land~~ 138¼ acres of land, upon the following terms: ⅓ of the purchase price in Cash, and the balance in equal credits of one and two years, the deferred payments to carry interest from day of sale, and title to be retained until said payments; the purchaser to pay the taxes for 1895. But that said Commissioners, nor either of them, shall not proceed to execute this decree until they, or the one who shall act, shall have entered into a bond in the penalty of One Thousand Dollars, conditioned according to law for the faithful performance of their, or his, duty under this or any other decree which may be rendered in this cause. And the said Commissioners, or the one who

shall act, shall make report to Court.

W. R. McKenney, Trustee & others Pltffs } In Chancery
Jeff. Ellis' Wid'w & heirs Defts }

This Cause came on this day to be further heard upon the papers formerly read and upon the final report of Alexander Hamilton, Commissioner, bearing date June 12, 1894, and this day filed in this Cause, to which report there is no exception filed; and was argued by Counsel. On Consideration whereof the Court approving the said report doth confirm the same. And it appearing to the Court that out of the purchase price of One Hundred and Fifty One Dollars, collected by the said Commissioner from W. R. McKenney, the purchaser of the tract of 44 acres of land in these proceedings mentioned the said Alexander Hamilton, Commissioner, has paid Costs and Expenses of suit and sale, and taxes for 1892-93, amounting to Sixty Four Dollars and Forty Three Cents ($64.43), and that the balance, amounting to Eighty Six Dollars and Fifty Seven Cents ($86.57), he has paid over to W. R. McKenney, Trustee, under Deed of Trust from Robert A Jones and wife, as ordered by decree rendered in this cause at the March Term 1894; so that said Commissioner Hamilton has fully and properly discharged all of his duties as Commissioner in this Cause; And it further appearing to the Court for which this suit was brought has been fully accomplished, and that nothing further remains to be done herein, it is ordered that this cause be removed from the docket

E. M. Coleman Pltff } In Chancery
vs
Wm Knox's Admr. &c Defts }

This Cause came on this day to be further heard upon the papers formerly read, and upon the Report of Commissioner W. R. McKenney, made in pursuance of two decrees rendered in this cause, one at the March Term 1894, and the other on the 31st day of March, 1894, which Report has been this day filed, and was argued by Counsel; And it appearing to the Court that the said Commissioner McKenney has

fully and properly accounted for the sum of One Hundred and Forty Dollars and Seventeen Cents ($140.17). Collected by him from J. A. M. & J. B. Zehmer, in full of the balance of the purchase price of the tract of land purchased by them in this cause, as well as for the sum of One Hundred Sixteen Dollars and Twenty Nine Cents ($116.29), represented by the Certificate mentioned in the decree rendered in this Cause on the 31st. day of March 1894. so that the said Commissioner McKinney has fully and properly discharged his duties as Commissioner, save and except that he retains in his hands the sum of Two Dollars and Fifty Cents ($2.50). with which to pay any unpaid Costs of this suit to removal from the Docket; On Consideration whereof, the Court approving the said Report doth confirm the same, and doth adjudge, order and decree that the said Commissioner McKinney do, out of the said sum of Two Dollars and Fifty Cents ($2.50), in his hands as aforesaid, pay any unpaid Costs of this suit to removal from the docket, and file the receipts for such payments among the papers in this Cause. And it appearing to the Court that the object for which this suit was brought has been fully accomplished, and that nothing further remains to be done therein, it is ordered that the same be removed from the Docket.

Heacks Creditors Pltffs
vs
Heacks Admr &c Defts
} In Chancery

This Cause Came on this day to be further heard on the papers formerly read and on the report of Special Commissioner Thos. G. Watkins this day filed and was argued by Counsel. On Consideration whereof the Court approving said report to which there is no exception doth confirm the same

Heacks Pltffs
vs
Heacks Defts
} In Chancery

This day this Cause Came on to be further heard on the papers formerly read and on the report dated April 11. 1894 of Special Commissioner Thos. G. Watkins

this day filed and was argued by Counsel. On Consideration whereof the Court approving said report, to which there is no exception, doth confirm the same.

Caroline Thweatt, who sues by Wm Brown her next friend — Pltff
vs
William Thweatt — Defd
} In Chancery

This Cause Came on this day to be further heard upon the Bill, and Exhibit filed therewith, and upon the depositions of Witnesses, William Brown, Melinda Brown and Sarah Cosper, filed in this Cause on the 10th day of July, 1894; and was argued by Counsel.
On Consideration whereof the Court doth adjudge, order and decree that the plaintiff, Caroline Thweatt, be divorced from the bond of Matrimony from the defendant, William Thweatt and that the said William Thweatt do pay to the said Caroline Thweatt her Costs in this behalf expended. And it appearing to the Court that the object for which this suit was brought has been fully accomplished, so that nothing further remains to be done herein, it is ordered that this Cause be removed from the docket.

Crofsey & Mitchell — Pltff
vs
Mashack P. Ryan — Defd.
and
Moore and Ott — Pltff
vs
Michael P. Ryan — Defd
} In Chancery

By Consent of parties given in open Court and entered of record these Causes are submitted to the Judge of this Court for decision and decree to be rendered in Petersburg on the 9th day of November 1894

Hobbs' Exor. — Pltff
vs
Hobbs & als — Defts
} In Chancery

This Cause Came on this day to be further heard upon the pahers formerly read and upon the report of Commissioner Jno. Y. Harris dated Septr. 1, 1894, filed in the Clerk's Office of this Court on the 10th. day of September, 1894.

and made under the decree herein entered at the March term, 1893, of this Court, and was argued by Counsel. On Consideration whereof, it appearing to the Court from said report, to which there is no exception filed, that a sale of the real estate whereof the late W.L. Hobbs died seized and possessed, in the proceedings mentioned, to wit, the real estate situate in the County of Dinwiddie, Va., whereon he resided and the Mill property in the County of Nottoway, Va., embracing Sixty-two and a half (62½) acres in said last mentioned County and eighty seven and a half (87½) acres in said County of Dinwiddie the Court, approving said report, doth confirm the same except so far as the report embraces the transactions of the plaintiff E.D. Hobbs in the management of the farm for the benefit of the family of the testator, as to which account the Court reserves its opinion, and doth adjudge, order and decree that Geo. S. Bernard, who is hereby appointed a special Commissioner for the purpose, do sell all of the real estate aforesaid by public auction after reasonable notice, by advertisement in some convenient newspaper and by hand bills, of the time, place and terms of sale upon the following terms, to wit, one fourth of the purchase price in cash, the residue in three equal annual instalments, the deferred payments to carry interest from the date of sale, the purchaser or purchasers, to execute bonds for the deferred payments, title to the property sold to be retained until the purchase money is fully paid, the Commissioner to have authority to employ a competent surveyor to divide the real estate into tracts of convenient size, the property to be sold in tracts or as a whole as may be deemed best, the mill property excepted, which property is to be sold separately; said Commissioner before making a sale under this decree to execute and file with the Clerk of this Court a bond in the penalty of Eight thousand Dollars ($8000) Dollars with security to be approved by said Clerk and conditioned according to law; and said Commissioner is ordered to make report to Court. And the Court doth further order that the plaintiff E.D. Hobbs lay before one of the Commissioners of this Court a further account of his transactions as the personal representative of said testator, which account said Commissioner is ordered

to audit, state and settle and report to Court, with any matter specially stated deemed pertinent by himself or requested to be so stated by any party interested, notice of the time and place to be fixed by said Commissioner for taking said accounts to be published once a week for four successive weeks in some convenient Newspaper and posted at the front door of the Courthouse of this County on the first day of the term of the County Court of said County preceding such time, such publication and posting of said Notice to be deemed equivalent to personal service thereof upon all parties interested, said personal representative excepted, upon whom there must be personal service.

Ordered that the Court be adjourned until to-morrow Morning 10 O'clock

Beverly A. Hancock

Saturday September 22nd 1894

Present Hon. B. A. Hancock Judge

Nash's Heirs

vs

Nash's Heirs

Pltff. } Jr Chancery
Defts }

This Cause Came on this day to be further heard on the papers formerly read & the Report of Special Comm'r Epes dated September 21. 1894. this day filed and to which there are no exceptions & was argued by Counsel, On Consideration Whereof the Court doth adjudge order & decree that the said Report of Special Comm'r ~~Epes~~ B. J. Epes be confirmed. And it appearing to the Court that there is nothing further to be done in this Cause it is ordered that the same be removed from the docket

Thos. F Bispham &c vs

Tis

Bispham and &c

Plaintiff } Jr Chancery
Defts }

This Cause came on this day to be further heard upon the papers formerly read and upon the report of Comm'r A. M. Organ dated the 1st day of September 1894 and filed in the Clerks Office of this Court, on the 3rd day of September 1894 made under the decree entered in this cause at the March term 1894 to which report there are no exceptions filed and was argued by Counsel, On Consideration whereof, the Court approving said report doth confirm the same, and it appearing from said report that a sale of the interest of Roger T. Bispham deceased in the real estate in

the real estate in said report mentioned, it necessary to pay the fees reported by said Commr in his said report. The Court doth adjudge order and decree that John G. Harris who is hereby appointed a special Commissioner for the purpose make sale of the real estate of the said Roger P. Bispham in the proceedings in the one hundred and three acres of land mentioned in said report upon terms of one third of the purchase price cash, and the balance in two equal instalments of one and two years, with interest from day of sale, after duly advertising the time, terms and place of sale, which is to be made, in the premises, at Ford Depot in Dinwiddie Co. But before said Commissioner Harris shall execute this decree he shall execute and file with the Clerk of this Court a bond in the penalty of $1200. with security to be approved by said Clerk and conditioned for the faithful performance of his duties under this and any future decree which may be entered in this cause, and said Commissioner Harris shall make his report to Court,

Ordered that all causes not otherwise disposed of be continued until the first day of the next term

Ordered that the Court be adjourned until the 1st day of next Term.

Beverly A. Hancock

Virginia, In the Circuit Court of Dinwiddie County.
In Vacation, November 7th 1894.

Cropsey & Mitchell vs. Michael P. Ryan,
and
Moore & Ott vs. The Same.

These causes came on this day to be further heard in Vacation upon the papers formerly read, in pursuance of the decree of the last term, and upon the report of John G. Harris, George Mason and G. D. Wing, Commissioners, of the sale of the real estate in the proceedings mentioned, made on the 21st day of June 1894, to Harmon H. Cropsey and Lewis G. Mitchell, partners under the firm and Style of Cropsey & Mitchell, at the price of $4.375.00 together with the notes for the deferred payments of their purchase which report was this day filed, and upon the exceptions of John Mason to said report, and was argued by Counsel, On consideration whereof, the Court doth over-rule said exceptions, and doth confirm the said report; and doth order that the said sale be held forever firm and binding between the parties and the said purchasers, and doth adjudge order and decree

that said Commissioner George Mason, pay the costs of these suits and the said sale out of the cash payment of $1,458.34 now in his hands, and also any delinquent or unpaid taxes and levies on the said land and pay over the balance thereof to P. W. & P. R. Mason, in part of the debts due them, established in these suits as debts and liens of the first dignity on the said land, and make report to Court, And on the motion of the said purchasers, the Court doth further adjudge, order and decree that George Mason, who is hereby appointed a Commissioner for the purpose, make to them a good and sufficient deed, with special warranty of title for the said land, and at the same take from them a good and sufficient deed of trust upon the said land to himself, as trustee, to secure the deferred payments of the said purchase, providing therein for the sale of said land in the event either of said deferred payments be not paid when due, and that such sale shall be made for cash to pay the expenses of executing said trust, and such of said deferred payments as may then be due, and upon credit to suit such as may not be then due, and the notes to be made payable at such time or times as the said purchasers may direct, or as to him shall seem best, the payment of any credit payments to be properly secured by deed of trust on the said land at the expense of the purchasers. And it is further ordered that the cost of drawing and recording the said deed of trust to be executed by the said purchasers shall be borne and paid by them at the time the same is executed. And said Commissioner, Mason shall make report to the Court,

To the Clerk of the Circuit Court
of Dinwiddie County, Va.

Beverly A. Hancock
Judge of 2nd Judicial Circuit
of Virginia.

Virginia:- At a Circuit Court, held for the County of Dinwiddie, at the Courthouse thereof on Thursday the 21st day of May 1895. and of the Commonwealth 119th

Present:

Hon. Beverly A. Hancock. Judge.

Crafton & Mitchell
Pltffs
vs
Michael P. Ryan & als.
& Morse & Ott vs same
Deffts
} In Chancery

These Causes came on this day to be heard upon the papers formerly read, upon the report of John Y Harris, G. S Hicks & George Mason Special Commissioners filed in this cause on Nov 7th 1894 in vacation and the decree of that date made in vacation and the report and vouchers of George Mason Special Commissioner, this day filed, and were argued by Counsel, On consideration whereof the Court doth approve & ratify the said decree made on November 7th 1894, and approving said report of George Mason Special Commissioner this day filed, to which there are no exceptions, doth confirm the same. And the Court doth adjudge order and decree that said George Mason Special Commissioner, withdraw and collect the purchase Note of Crafton & Mitchell due June 21st 1895, and pay the proceeds to P. M & T.P. Rose on account of their debts proven in these causes and report to Court. And the Court doth further adjudge order and decree that the said P. M & T.P Rose lay a further account of the wood and timber cut from the land in the proceedings mentioned since the last report thereof before one of the Commissioners of this Court who shall examine audit and State the same and make report thereof to the Court together with any other Matter deemed pertinent by himself or required by any of the parties to be so stated.

M. F. Jones & wife
Pltffs
vs
Chesly Dance & wife
Deffts
} In Chy

This Cause came on this day to be further heard upon the papers formerly read, and upon the report of W. R. McSlenney, Commissioner, of the sale of the tract of

138 1/4 acres of land made by said W.R. McKenney, Commissioner, to M. F Jones, under decree rendered in this cause at the March Term. 1894. which report bears date March 15, 1895, and has been this day filed in this cause; to which report there is no exception filed, and was argued by Counsel. On consideration whereof the Court approving the said report doth confirm the same, and doth adjudge, order and decree that the sale of the tract of 138 1/4 acres of land therein reported as having been made by the said W.R. McKenney, Commissioner, to the said M. F Jones, at the price and for the sum of Six Hundred Dollars, as fully set forth in the said report, be and the same is hereby held forever firm and stable as between the parties thereto. And the Court doth further adjudge, order and decree that when the said M. F Jones shall have paid to the said W.R McKenney, Commissioner, the purchase price of Six Hundred Dollars aforesaid in cash, then that the said W.R. McKenney, Commissioner, be and is hereby authorized to execute to the said M. F Jones a deed, with special warranty, for the said tract of 138 1/4 acres of land; and that out of the said sum of Six Hundred Dollars the said W.R McKenney be and is hereby authorized to pay any unpaid taxes due on the said land up to the year 1894, together with the costs of the sale of the said land, and any other costs of this suit, and any balance of the said sum of Six Hundred Dollars which shall then remain, the said W.R McKenney Comr shall pay over to the said M. F. Jones, on account of the sum of Four Hundred and Seventy Six Dollars and Twenty Five Cents ($476.25), with interest thereon from December 2nd. 1891. due to the said M. F. Jones by Chesley Dance, on account of his purchase of the said tract of land, as set forth in the plaintiffs' bill. And that said W.R. McKenney, Commissioner shall make report to Court.

NJ

Rosendale & Fritz
vs
R.L. Wynn, C.H. Wynn
& M.A. Moncure

Pltffs.
Dfts. } In Chancery

This Cause came on this day to be further heard upon the bill taken for confessed as to the defendants, R.L. Wynn, C.H. Wynn and M.A. Moncure, on whom procss was duly served. They still failing to appear and plead, demur or answer the said Bill, and the Exhibit filed with the Bill; and was argued

by counsel: And Chancery Court thereafter on
Friday, March 2nd 1894 that the Sheriff of Putnam County
went out at public auction to the highest bidder the tract
of land in the Bill mentioned, in which the defendant, R. L.
Wynne, has a life ~~interest~~ estate, containing 158 acres,
for one year, and sold the said tract of land, ~~not~~ [illegible]
enough to pay the balance due the Plaintiffs and the
costs of this suit, then and in that event it shall be
the duty of the said Sheriff to rent out in like
manner for one year such of the other tracts of
land in the proceedings mentioned in which the
co-defendants, W. B. Wynne and M. A. Manning,
are interested, as shall bring for the Plaintiff
may direct him to rent out until the rents
are sufficient to pay the balance due the
Plaintiffs and the costs of this suit.
And the said Sheriff is directed to take from the
renters bonds with good security for the rent,
and make report to Court of his proceedings
under this decree.

Heard's Heard Matter.

This cause came on this day to be further heard upon
the papers formerly read and upon the Report of
Special Commissioner, Thomas J. Markins, dated
March 2nd 1894 and was argued by Counsel:

On consideration whereof, it appearing
to the Court from said report, to which there
is no exception filed, that the purchaser, George
W. Heard, is in default in the payment of
his sole note for the last instalment of the
purchase money of the real estate in the
proceedings mentioned purchased by him, the
Court, approving and confirming said
Report, doth order that said George W. Heard
be summoned to appear before the Court
on the first day of the September Term 1894,
to show cause, if any he can, why said
real estate purchased by him should
not be resold at his risk and cost.

Heath's Creditors
vs
Heath's Administrator.

This cause came on to be heard upon the papers formerly read and upon the report of Commissioner Thomas G. Watkins, bearing date March 20th 1895 and filed in this cause, to which report there is no exception filed, and was argued by counsel: On consideration whereof the Court approving the said report doth confirm the same: And it appearing to the Court from the said Report that of the note for Three Hundred & eighteen dollars ($318) due one year from May 29th 1893 and now being past due, there remains due and unpaid the sum of One Hundred sixty eight dollars ($168) with interest thereon from the 1st day of June 1894: And it appearing that the Court doth adjudge, ordain and decree that A.C. Webb the purchaser of the tract of One Hundred Seventeen (117) acres of land in these proceedings mentioned be summoned to the next term of this Court to show cause, if any he can, why the said tract of land should not be resold for the payment of the balance of the purchase price still due and unpaid thereon, which purchase price consists of $168 with interest as aforesaid, and a certain note for Three Hundred & Thirty six dollars ($336) at two years from May 29th 1893.

Geo. L. Bernard, Admr of Henry Keller and Kate Keller,
vs
Thos O. Keller, Witherspoon Sheriff of Lancaster County &c. -
widow and dist. Admr of J. L. Keller, dec'd, James Harris, Admr of W. W. Keller, dec'd, Agnes Keller and Isaac S. Keller - the two last named persons being infants.

Petition

Upon motion of Plaintiff's Counsel Jno. Bratton Esq. a discreet and competent attorney at law is assigned as Guardian ad litem of the infant defendants Agnes Keller and

Isaac Skeer to defend their interest in the cause;
And thereupon said infants by their said Guardian
ad litem filed their answer to the Complts bill,
whereupon, it appearing to the Court that the order of
of publication awarded against the non-resident
defendant, Thomas O. Keller, has been duly executed,
and that proof has been duly served upon
the other adult defendants, this cause came on
this day to be heard upon said Bill taken for con-
fessed as to all of the adult defendants, except
said Thomas O. Keller, upon said order of publication
duly executed as said last mentioned defendant, upon
said answer of the infant defendants filed by
their said Guardian ad litem, and upon the exhibits filed
with said Bill, and was argued by Counsel:
It is considered, ordered and decreed that it be referred to
the Master Commissioner of this Court to
take the following accounts:
1st: What Estate real and personal the late
W. W. Keller died seized and possessed of, with
the value thereof -
2nd: Whether said real estate can be conve-
niently partitioned in kind among his heirs at
law; and if not, whether any one or more
of said heirs is or are willing to accept the whole
thereof and pay the other such sums of money
as their respective shares thereof may entitle
them to receive, and whether or not the interest
of all parties concerned will be promoted by
sale.
3rd An account of the transactions of the Adm't
Jonny Harris as the personal representative
of W. W. Keller, deceased;
4th: An account of all outstanding debts and de-
mands against the said W. W. Keller, or his estate,
with their priorities and proofs.
Which accounts said Commissioner is ordered
to audit, state and settle and report to Court.
Publication of notice to be made and ac-
cordingly once a week for four successive weeks, in some newspaper
published in the City of Pittsburgh and posting

notice thereof at the front door of the Court House of this County on the first day of same term of the County Court of said County preceding the taking of said accounts shall be equivalent to personal service thereof on all of the parties except the personal representatives of V. W. Keller, dec'd, upon whom there shall be personal service of said notice.

Hannah F. Bausman &c
vs
Bausman's Adm'r &c.

This cause came on this day to be further heard upon the papers formerly read and upon the Report of Special Commissioner Jenny Davis of the sale of one-half undivided of Roger P. Bausman in the remainder in 103 acres of land, sold by Wm M. B. Bausman for life, to B. E. Leach, this day filed, to which Report there is no exception and none acquired by counsel: All and singular the Court being advised in the premises, and duly considering the same, and doth adjudge, order and decree that the said sale be held firm and binding between the parties hereto, and further that upon the payment of the purchase money in full, when the same becomes due, & before, if the said purchaser wishes to anticipate the payment of his said bonds, said Special Commissioner shall make and execute a deed conveying said interest in said land, with special warranty, and the said Special Commissioner out of the cash received by him and the money to be paid by said purchaser, shall pay the costs of this suit, reserving an attorney's fee of $15- to himself for prosecuting this suit: and the balance of said money he shall pay to the creditors, whose claims are proved in this suit, according to the amounts of their several claims, and

Vs Makeveplat to Court.

Ordered that the Court be adjourned until the first day of the next Co.

Beverly A. Hancock

At a Circuit Court held for the County of Dinwiddie at the Courthouse thereof on Monday the 23rd day of September 1895, and of the Commonwealth 120th.

Present.
Hon. B. A. Hancock Judge

Walker Dawney Pltff.
Vs
Walker Priscilla Defdt. } In Chancery

This cause having been matured and set for hearing, at rules in the Clerk's office as to the defendant: came on this day to be heard upon the bill of the plaintiff, depositions of witnesses and exhibits - and was argued by Counsel. On consideration whereof: the charge of adultery having been clearly proven, and the Court being satisfied from the evidence in the cause, independently of the admissions of either party, in the pleadings or otherwise - that a charge of adultery has been proved - Doth adjudge order and decree, that the marriage heretofore had and solemnized between the plaintiff Dawney Walker and the defendant Priscilla Walker, formerly Priscilla Moore, shall be and the same is hereby dissolved, and that the said Dawney Walker be forever divorced from the said Priscilla Walker and the Court doth further adjudge, order and decree, that the plaintiff Dawney Walker do pay the costs in the prosecution of this suit - and all matters in controversy having been settled it is ordered that this cause be removed from the docket.

Lewis Smith & others — Pltffs
vs
Everline Smith & others — Defts } In Chancery

This day came the plaintiffs and filed their bill and on their motion, John G Harris, a discreet and competent attorney at law, is appointed guardian ad litem to the infant defendant Ray Smith to defend her interest in this suit and thereupon the said guardian ad litem filed the answer of the infant defendant Ray Smith, to the bill of the plaintiffs, and the defendant Everline Smith her answer. Whereupon the cause was docketed by consent of parties and by like consent came on to be heard upon the bill, the said answers, and affidavit of G B Lewis and was argued by Counsel. On Consideration whereof, the Court being satisfied that partition of the tract of land, in the bill mentioned cannot be conveniently made among the parties entitled thereto; and that the interest of all parties will be promoted by a sale thereof, doth adjudge order and decree that John Mann, who is hereby appointed Special Commissioner for the purpose, proceed to sell the tract of land in the proceedings mentioned, at public auction, in the City of Petersburg, or at the Courthouse of this County as he may deem best, having first advertised the time, place and terms of sale, by advertisement in one of the newspapers published in the City of Petersburg, for at least one week and legal notice posted at the front door of the Courthouse of this County, or by hand bills duly posted on a day previous to such sale, on the following terms, to wit. One third cash, balance on a credit of six and twelve months, equal instalments bearing interest from date of sale. The purchaser to be required to give negotiable notes for deferred payments. Title retained until the notes are paid, and a conveyance or deed by the Court. But the said Commissioner shall not act under this decree until he execute before the Clerk of this Court a bond, with security to be approved by the Clerk, in a penalty of $600, and conditioned for the faithful discharge of his duties under this decree, and all other decrees entered in this cause. And the Court doth further adjudge order and decree that one of the Commissioners of this Court take an account of all debts and demands against Archibald T. Smith dec'd or his estate, with their priorities, and make report thereof to Court with any matters specially stated deemed pertinent by himself, or which any of the parties interested, may required to be so stated. And it is ordered that notice of the time and place of taking said account

= to the approval of the Court.

be published once a week for four successive weeks, in one of the newspapers published in the City of Petersburg, and that such publication shall be equivalent to personal service of such notice on all parties interested.

Heaths
To
Heaths & Others

Pltffs
Defts
} In Chancery

This Cause came on this day to be further heard on the papers formerly read and on the report of Special Commissioner Thos. G. Watkins dated 11th day of Sept. 1895 and filed this day, and was argued by Counsel. On consideration whereof it appearing to the Court that said Special Commissioner. Thos G. Watkins has properly credited all of the purchase money from the purchasers of the land in these Causes proceedings mentioned and has properly disbursed the same to the parties entitled thereto as directed by the Court, and has filed in these papers certificates of deposit, as directed by the Court for each of the parties entitled as could not be found and has paid all of the costs of this suit, and was argued by Counsel, On consideration whereof the Court approving said report, to which there is no exception doth confirm the same. And it being suggested to the Court that the several defendants for whose respective shares of the fund in this Cause certificates of deposit have been taken, to wit, Thos. J Heath, Emmete Browder, David Browder, Mary Atwell, Emmalee Heath, May Heath, Cora Heath and Henry Heath are all dead, it is ordered that one of the Commissioners of this Court make enquiry and report to Court whether or not they or any of them are dead and if so who are entitled to their respective shares of said fund. Notice of the time and place to be fixed by said Commissioner for making such enquiry to be published once a week for four successive weeks in some newspaper published in the city of Petersburg such publication thereof to be deemed equivalent to personal service thereof upon all parties interested.

Jas. H. Kings. Creditors — Pltffs
vs
Jas H. Kings admr &c others — Defts
} In Chancery

This Cause Came on this day to be further heard upon the papers formerly read, upon the report of Comr Jno. Y Harris, filed Sept 16th 1895 to which no exception is taken, and upon the report of Comr A Hamilton, this day filed to which no exception is taken, and was argued by Counsel. On Consideration whereof, the Court approving the said reports of said Comrs Harris & Hamilton, doth confirm the same, and doth adjudge order & decree that the offer made in said report of Comr Hamilton of H. A. Drongoole to purchase One Hundred acres of land at the price of $150 Cash, as therein stated be and it is hereby accepted & the sale so made held firm & binding between the parties, and that said Comr Hamilton shall execute and deliver to said Drongoole a good & sufficient deed with special warranty for said land, upon the payment by him of said purchase money in full to said Hamilton Comr, and said Comr shall report & Court.

R. H. Jones Jr Trustee
vs
E. T. Nunnally

This Cause Came on this day to be further heard upon the papers formerly read and the report of Commissioner A Hamilton this day filed, to which no exception is taken and was argued by Counsel.
On Consideration whereof the approving said report of said Comr A Hamilton, doth confirm the same; and it appearing to the Court that persons to whom and the proportions in which the fund in this Cause is payable are not ascertained with sufficient definiteness, the Court doth order and decree that said Commissioner Hamilton proceed to prepare and report to this Court a statement to be presented at the bar of the Court, showing the persons to whom said fund is payable and the amounts so payable to each of such persons; and said Hamilton Comr shall pay the unpaid Costs of this suit and report & Court; and it is ordered that this Cause be Continued

Mc Enery's Committee, Pltff } In Chy
vs
Gilliam & als Defts

This Cause Came on this day to be further heard upon the Papers formerly read, and upon the report of Special Commissioner Alexander Hamilton, this day filed in this Cause, and was argued by Counsel. On Consideration whereof, the Court, approving said report, to which there is no exception, doth confirm the same and doth adjudge, order and decree that Commissioner Alexander Hamilton, after paying the unpaid Costs of this suit, shall pay over to Alexander Hamilton, Committee of Nannie Mc. Enery, the balance shown by his report to be in his hands, to wit: $1956.45; and said Commissioner shall report to Court his proceedings under this decree.

Heath's Committee, Pltff } In Chy
vs
Heath & als Pltffs.

This Cause Came on this day to be further heard upon the papers formerly read, and upon the report of Special Commissioner Alexander Hamilton, this day filed amongst the papers in this cause, and was argued by Counsel. On Consideration whereof the Court, approving said report, to which there is no exception, doth confirm the same and doth adjudge, order and decree that Commissioner Hamilton retain in his hands until further order of Court the balance shown by his report, to-wit; $570.13, paying out of the same any unpaid Costs of this suit and Costs to accrue, and paying the amount per month heretofore ordered and decreed to be paid for the care, maintenance and support of Minerva Ann Heath; and said Commissioner shall report his proceedings under this decree.

Heaths Creditors
vs
Heaths admrs

Atty's
Defts. } In Chy

This Cause came on this day to be further heard on the papers formerly read and on the report of Special Commissioner Thos G. Watkins dated 18th Sept. 1895. and filed this day showing that he has collected from A. C. Webb the purchaser of the land in these proceedings mentioned the balance of $511.00 due by him and executed a deed to him for the land, and had paid all the costs in this suit and properly paid out the balance of $511.00 to the parties entitled thereto, returning proper vouchers therefor and was argued by Counsel On Consideration whereof the Court approving said report to which there are no exceptions doth confirm the same, and nothing further appearing necessary to be done in this cause, it is ordered that the same be removed from the docket.

Ordered that the Court be adjourned until tomorrow morning 10. O'clock

Beverly A. Hancock

Tuesday September 24th 1895.

Present Hon Beverly A Hancock
Judge.

Ordered that the Court be adjourned until tomorrow morning 10 o'clk A.M.

Wednesday September 25th 1895.

Present Hon Beverly A Hancock Judge.

J. De'Orsey Winfield + ~~[illegible]~~ Markham his wife, Willie Markham, Charles ~~[illegible]~~ and Carrie Lee his wife, Heirs Bap. Gn } Pltffs } In Chy.

Kate Winfield + Bridie Winfield, Defts }

This day came the plaintiffs by their attorney and filed their bill by leave of the Court, and on their motion John Y. Harris is assigned guardian ad litem of the infant defendants; and on motion of ~~the infant~~ said guardian ad litem he is granted leave to file the answer of the infant defendants, which is accordingly filed. Whereupon by consent of all parties this cause is docketed and set for hearing. And thereupon this cause came on to be heard upon the bill of the plaintiffs and the exhibits filed therewith, the answer of the infant defendants by their said guardian ad litem, with general replication thereto, and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that it be referred to one of the Commissioners of this Court to enquire and report to whether the real estate in the proceedings mentioned, can be conveniently partitioned in kind among the parties, entitled thereto, or in any other mode prescribed by law or if the interest all the parties entitled to said real estate will be promoted by a sale of the entire subject and the proceeds thereof paid to them according to their respective interests

Ordered that the Court be adjourned until ~~[illegible]~~ tomorrow morning at 8 o'clk.

Beverly A. Hancock

Thurs. day Sept. 26th 1895

Present Hon Beverly A Hancock Judge.

Ordered that the Court be adjourned until the first day of the next term.

Beverly A. Hancock

Virginia,

In the Supreme Court of Appeals, held at the State Court House in the City of Richmond, on Thursday the 12th day of December 1895.

F O Robertson. I B Bell and Etta W Bell his wife, and I B Bell admr de bonis non with the will annexed of John C Hardy dec'd J W N Hardy and R W Tisdale and L A Tisdale his wife Appellants.

against

B A Logsdale Sheriff of the County of Dinwiddie and as such admr of Sarah A Hardy dec'd, Rudolph Hardy and John Hardy, W T Sloan and Emeline C Sloan his wife, Remedus L Hart and Caroline A Hart his wife John O. Robertson, Leila L. Robertson and Abell Robertson the said three infants by W Rad their guardian ad litem. Appellees.

Upon an appeal from a decree pronounced by the Circuit Court of the County of Dinwiddie, at the September term, 1889, the 27th of June 1890 and the 13th of February 1892. This day came again the parties by their counsel, and the Court having maturely considered the transcript of the record of the decrees aforesaid and arguments of counsel, as of opinion, for reasons stated in writing and filed with the record that there are no errors in the said decrees, It is therefore decreed and ordered that the same be affirmed and that the appellants pay to the appellees damages according to law and also their costs by them about their defence herein expended, said damages and costs to be paid by the Appellant I B. Bell admr with the will annexed of John C Hardy dec'd out of the estate of his said decedent in his hands to be administered, which is ordered to be certified to the said Circuit Court of the County of Dinwiddie.

Appellees Cost in the Supreme Court of Appeals }

Abs of Rec. Geo K Taylor, Clk

Rec'd J C Sloan Clk.
1896 Jan 8

Virginia,

At a circuit Court held for the County of Dinwiddie at the Courthouse thereof on Monday the 23rd day of March 1896 and of the Commonwealth the 120th

Present Hon Beverly A. Hancock Judge

Venie Jones, by next friend
&c
James Jones

Pltff
Defe
} In Chy

This cause came on this day to be heard upon the bill and examination of witnesses, and was argued by Counsel. On consideration whereof, the Court being of the opinion from the evidence furnished in the cause, that the defendant has abandoned the plaintiff for a period of three years. doth adjudge, order and decree that the marriage heretofore solemnized between the defendant James Jones, and the plaintiff Venie Jones (formerly Venie Chappell) be and the same is hereby dissolved; and that the said Venie Jones shall have possession and control of the issue of said marriage. And the Court doth further adjudge order and decree that said James Jones do pay unto the plaintiff her costs & expenses in the prosecution of this suit. And touching further remaining to be done in this suit, it is ordered that the same be removed from the docket

VJ

R H Blands
&
Lucy and wife & others

Plaintiff
Defts
} In Chy

This cause came on this day to be further heard upon the papers formerly read, and the report of Commissioner A. Hamilton, this day filed, with accompanying statement and vouchers therewith. to which no exception is taken and was argued by counsel. On consideration whereof. the Court, approving the said report, doth confirm the same

VJ

R H Jones Jr Trustee
vs
Et Nunnally

Pltff
Defe
} In Chancery

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner Alexander Hamilton, this day filed, with the accompanying statement "K" of the fund filed therewith, to which report no exception is taken, and was argued by Counsel: On consideration whereof the Court, approving

statement "K" filed therewith, doth confirm the same, and doth adjudge order and decree that said Commissioner Hamilton, out of the funds reported in his hands, do first pay the unpaid costs of this suit to dismissal, that then he shall pay to Alexander Hamilton, Commissioner of the Circuit Court of Davidson, in the Chancery cause of Harrison Mitchell vs Harrison admrs. vol. $337.85 in full of the amount due to the fund in that cause by the fund in this cause, and that said Commissioner Hamilton pay the residue of the fund in this cause then remaining in his hands to Alexander Hamilton, Commissioner of the Circuit Court of Davidson in the Chancery suit of J. Mitchell executor vs J. Mitchell's devisees to be in that suit distributed by him or Commissioner to the creditors of said Mitchell in accordance with the decree heretofore entered in this cause, and said Commissioner Hamilton shall take vouchers for his payments, and make report to Court,

Harrison Mitchell & als Plaintiff

vs

Harrison Admr. & als Defts

This Cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner A. Hamilton, this day filed with the accompanying statement and vouchers for disbursements, to which no exception is taken; and was argued by Counsel. On consideration whereof, the Court approving the said report of said Commissioner Hamilton, doth confirm the same and, it appearing to the Court that the sum of $337.85 is due to the fund in this Cause by the fund in the cause of R H Jones, Jr. trustee vs E. T. Nunnally, it is ordered that said Commissioner Hamilton do proceed to collect the said amount from the Commissioner in the said cause of R H Jones, Jr. vs E T Nunnally, and credit the same to the fund in this Cause; and that, out of the sum so to be collected by him, he re-pay to himself the amount due him of $113.83, as shown by his report, then that he pay the unpaid costs of this cause to dismissal; and that the residue he shall deposit in the Pelerstburg Savings & Insurance Co. taking certificate of deposit payable to the order of the Court in this Cause and said Comr shall make report to Court, and the Court doth order that Jno Y Harris a Comr of this Court do proceed to inquire, ascertain and report to Court what debts, if any are still due and unpaid by the Estate of Richard E Harrison

Edward H Smith trustee Plaintiff } In Chy

vs

Mary M Smith & als. Defts }

This Cause came on this day to be further heard upon the papers formerly read, and upon the report of

Special Commissioner Alexander Hamilton, this day filed among the papers in this Cause, and was argued by Counsel.
On consideration whereof, the Court approving said report, to which there is no exception, doth confirm the same, and it appearing to the Court that of the $43.56 Directed by the decree in this Cause, entered at the September term 1893, to be paid Alexander Hamilton by E.H. Smith, trustee for Nina Smith, and said Nina Smith, as their share of the costs, etc., they have paid only $18.08. leaving a balance due by them of $25.48; that of the $43.57 directed to be paid said Commissioner by Nannie L. Smith, Dorena H. Smith Amber A. Smith John Lewis Smith and Charles Maurice Smith they have paid only $18.08. leaving a balance due by them of $25.49. and that of the $43.57 directed to be paid said Commissioner by C. Maurice Smith he has paid only $18.08 leaving a balance due by him of $25.49. the Court doth adjudge order and decree that the said parties pay to said Alexander Hamilton, Commissioner, the said balances due by them respectively, together with their respective proportions of the costs that have since accrued: and should said parties or any one of them fail to do so within sixty days then said Commissioner Hamilton shall sell so much of the land allotted to said parties respectively as shall be necessary, and, out of the proceeds, shall pay said amounts above mentioned, and turn over the residue if any, to the parties entitled thereto and when he shall have collected said amounts in full he shall make good and sufficient deed, with Special Warranty to said parties for their respective interests, as heretofore ordered

Mrs Wright Walker, George A.L. Walker, Sarah Brown Macpherson
and Alex Sinclair Macpherson Pltffs
vs
John Henry Walker Gill, Gertrude Gill, and Marcella Gill infants Defts } Bill to Sell.

This day came the plaintiffs and filed their bill, and Bernard Mann a citizen and competent attorney at law is appointed guardian ad litem to the infant defendants John Henry Walker Gill Gertrude Gill, and Marcella Gill to defend their interest in the suit, and thereupon the said guardian ad litem filed the answers of the said infants and his own answer to the said bill to which several answers the plaintiffs replie generally, and the cause was docketed by Consent and coming on to be heard by the Consent upon the bill answer and replications, was argued by Counsel,
On consideration whereof it appearing to the Court that the interest of parties concerned will be promoted by a sale of the entire subject and division of the proceeds thereof amongst the parties entitled, doth adjudge, order and decree that Richard D. Gilliam, who is hereby appointed Commissioner for the purpose to after having advertised the time, place and terms of sale in one of the

newspapers published in the City of Petersburg for a reasonal Time, after the sale by public auction, either on the premises or in the City of Petersburg, as he may think best, the tract of land in the bill mentioned, upon the following terms, one fourth Cash, and the balance in three equal installments at six, twelve and eighteen months, taking of the purchaser a note for the deferred payments bearing interest from the day of sale, and retaining the title until the whole of the purchase has been paid, But said Commissioner shall not act under this decree until he shall have entered into and acknowledged a Bond in the penalty of $250.00 with security to be approved by the Clerk of this Court, Conditioned according to law.

J. H. Lacy &c Pltff
vs
Otelia Lacy &c Defts. } Decree

This Cause Came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner Thos F Rives this day filed, and was argued by Counsel, On Consideration whereof the Court approving said report, to which there is no exception filed, doth Confirm the same, and it appearing to the Court that there is nothing further to be done in this cause it is ordered that the same be removed from the Docket,

Rosenfeld & Fritz Pltff
vs
R. L. Wynn & Others Defts } In Chancery

This Cause Came on this day to be further heard upon the Papers formerly read, and upon the report of W. H. Young Sheriff of Dinwiddie County, and was argued by Counsel Upon Consideration whereof it appearing to the Court from said report of said W H Young, Sheriff that he has an offer of $133.00 from E. L. Perkins for the rent for the year 1896 of the 158 acre tract in the proceedings mentioned in which R L Wynn has a life Estate, and that said Perkins is ready to comply but said Wynn refuses to give him possession of the property, the Court doth adjudge order and decree that said W H Young. Sheriff. do proceed at once to put said E. L. Perkins in possession of the same, and take from him a bond with good security for the rent, and said Young shall make report to Court, of his proceedings under this decree

James H. Kings Creditors Pltff
vs
James H Kings' Adr. &als Defts } In Chy

This Cause Coming on this day to be further heard upon the papers formerly read, and upon the report of Commissioner A Hamilton, this day filed, to which no exception is taken, and

and was argued by counsel.

On consideration whereof, the Court approving the said report of Commissioner Hamilton, doth confirm the same, and adjudge, order and decree that the sale reported to Mary Jane Clayton, of twenty-five acres of land, in said report described, at the price of $50., as therein stated, be and the same is hereby confirmed, and the sale so made held firm and binding between the parties, and that said Commissioner Hamilton shall proceed to collect the residue of the unpaid purchase money from said Clayton as the same shall become due and payable, and upon the payment in full of the same shall execute and deliver to said Clayton a good and sufficient deed with special warranty, for the said twenty-five acres of land.

Heath's Creditors

vs

Jackson.

Plaintiff, } In Chy
Defts }

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner A Hamilton, this day filed, with the accompanying statement and vouchers, therein mentioned, to which no exception is taken, and was argued by counsel. On consideration whereof, the Court approving the said report, doth confirm the same, and order that this cause be continued.

Ava Virginia Pettus, by Charles W. Pettus, her next friend, and said Charles W. Pettus in his own right - - - - - - Plaintiffs

vs.

T. J. Cairns, Jr. & Virginia F. Cairns, his wife, A. L. Potts & Lelia A. Potts, his wife, Robert H. Harvell & Missouri Josephine Harvell, his wife, John Edwards & Cora L. Edwards, his wife, Alexander Hamilton, trustee, Mary A. Hoyt and Alma May Cairns, the last two being infants under the age of 21 years. - - - - - - Defendants.

This day came the plaintiffs, by their attorneys, in open Court and filed their bill, and thereupon came the adult defendants, to-wit, T. J. Cairns, Jr., Virginia F. Cairns, A. L. Potts, Lelia A. Potts, Robert H. Harvell, Missouri Josephine Harvell, John Edwards, Cora L. Edwards and Alexander Hamilton, trustee, and filed their answers to the said bill by leave of Court; and thereupon by the consents of all the adult parties this cause is docketed, and, on motion of the plaintiffs, John G. Harris, a discreet & competent attorney at law is appointed guardian ad litem of the infant defendants, Mary A. Hoyt

and Alma Mary Cairns, to represent their interests in this suit, and leave is given him to file the answers of the said infants, which is accordingly done. And thereupon this cause came on this day to be heard upon the bill of the plaintiffs and exhibit and affidavit filed therewith, the answers of all the adult defendants, the answers of the infant defendants by Johnly Harris their guardian ad litem, and general replication to all of said answers, and was argued by Counsel. On Consideration whereof, it appearing to the Court that the property in the proceedings mentioned is not susceptible of partition in kind amongst the parties entitled thereto, that no one of said parties is willing to accept the whole property and pay therefor to the other parties such sums of money as their interests therein may entitle them to, that the interests of all parties concerned will be promoted by a sale of said property and the division of the proceeds, and that the rights of no person will be violated by such sale and division of proceeds, the Court doth adjudge, order and decree that Alexander Hamilton, who is hereby appointed Commissioner for the purpose, do proceed, after having first advertised the time, place and terms of sale by publication thereof for a reasonable time in one of the newspapers published in the City of Petersburg, Va., or by hand-bills to be posted, or in both of said ways, to sell the real estate in the bill and proceedings mentioned, of which Indiana Cairns died seised and possessed, consisting of a tract of land in Dinwiddie County, Estimated to contain between four and five hundred acres, adjoining the lands of T. J. Cairns Jr., Lelia A. Potts and others, at public auction, either on the premises or in the City of Petersburg, or in front of the Court-house of said County, on some Court day, upon the following terms, to-wit: One-fourth Cash, and the residue on Credits of one and two years; purchaser to give negotiable notes with interest added from day of sale for deferred payments, to be secured by deed of trust upon the property at purchaser's Cost, or title to be retained until the property is fully paid for; but before such sale said Commissioner is directed to have a survey and plat of said property made, showing the metes, bounds and acreage thereof. But said Commissioner shall not act under this decree until he shall have entered into a bond, with surety to be approved by the Clerk of this Court, in the penalty of $2000.00 and conditioned according to law for the faithful performance of his duty under this or any other decree that may be entered in this Cause.

Slaughter's adm't
&c
Spicely's adm'r &c als

Pltff
Defts
} In Chy

This Cause came on this day to be further heard, upon the papers formerly read, and upon the report of Commissioner A. Hamilton, this day filed, with the accompanying statement and vouchers for his expenditures, to which no exception is taken and

was argued by Counsel, On Consideration whereof, the Court approving the said report of said Commissioner Hamilton, doth confirm the same and doth adjudge order and decree that said Commissioner Hamilton, out of the funds reported in his hands of $540.22 shall pay first the unpaid costs of this suit then that he shall pay the residue of said funds in his hands pro rata upon the debts proved in this cause against the estate of Wm H Speir deceased, viz: The debts due to J J Haughtery administrator S K Lucy, and Martha H Spicely, making payment to the said parties or their respective attorneys. But said Commissioner Hamilton, shall from the dividend to be paid on account of the debt to S K Lucy, deduct one fourth part thereof belonging to the late Robert H Jones, Sr, and credit the same to the fund in this cause on account of the amount due by the said Robert H Jones Jr, as late acting Commissioner in this cause in accordance with decree heretofore entered in this cause and said Commissioner Hamilton shall take vouchers for his payments, and make report to Court, And said Commissioner Hamilton is directed to proceed to re-sell the tract of 160 acres of land heretofore purchased by Henry Madison, and the tract of 110 acres of land heretofore purchased by John Thomas, in accordance with decree heretofore entered in this cause, and it is ordered that this cause be continued & out of the residue pay the upon the debt of S K Lucy, pay to A. McOrgain the sum of $62.45/100 it appearing that said Organ is the equitable assignee to the extent of the fund under assignment from Jas Ambler Smith, and that said Smith was the assignee of said debt under assignment from S K Lucy assignee Bankruptcy

J H Worsham adm
vs
Kate Winfield et al

This day by leave of Court came the plaintiffs and filed their amended and supplemental bill and the exhibits therein mentioned and on their motion John W. Harris, a competent attorney at law, was appointed guardian ad litem of the infant defendants Katie and Birdie Winfree, and thereupon the said infants by their said guardian ad litem filed their answer to said amended and supplemental bill, as did the defendant Albert E. Spain Jr., and thereupon this cause which is to hereafter Styled "J.S. Worsham Admr &c. Katie Winfree &others", came on by consent of parties to be further heard upon the papers formerly read, the said amended and supplemental bill and the answers of said infants, and was argued by Counsel. On Consideration

whereof, it appearing to the Court from the pleadings in this cause that in the original bill and answer the plaintiff Willie Winfree was by mistake called Willie Winfield and that the infant defendants were by like mistake called Katie Winfield and Birdie Winfield respectively and that in the decree entered at the September term, 1895, of this Court said plaintiff was by mistake called William Woodham, whilst said infants were as in the bill called respectively Katie Winfield and Birdie Winfield, and it further appearing to the Court from said amended and supplemental bill, said exhibit and said answer of the defendant Albert E. Spain Jr. to said amended and supplemental bill, that the adult owners of the tract of land in the proceedings mentioned have sold the same to the defendant Albert E. Spain, Jr., subject to the approval of this Court in this cause, the Court, correcting the errors aforesaid in the names of the plaintiff, Willie Winfree, and the defendants Katie Winfree and Birdie Winfree, doth adjudge, order and decree that it be referred to one of the Commissioners of this Court to make enquiry whether the tract of land aforesaid can be conveniently partitioned in kind among the parties thereto entitled, whether any one or more of them is or are willing to have the whole tract allotted to him, her or them and to pay to the others what their respective interest therein entitle them to receive, whether said sale to said Spain will promote the interest of the infant defendants, and what debts, if any, of the late Mary E. Dodd, or either of her deceased sons, Richard Henry Dodd and Robert Vaughan Dodd, bind the shares of the last mentioned deceased persons in said land, and said Commissioner is ordered to make report to Court, with any matter specially by him deemed pertinent by himself or required to be stated by any party interested; notice of the time and place to be fixed by said Commissioner for making said enquiries to be posted at the front door of the Court-house of this County on the first day of some County Court at least three weeks before making such enquiry.

Heath
vs.
Heath & others.

This cause came on this day to be further heard upon the papers formerly read, upon the petition of the plaintiffs Martha Sarah Heath, Wm Heath and Laura Frances Gordon (formerly Laura Frances Heath) this day filed by leave of Court, and upon the report of Special Commissioner Thos. G. Watkins, dated respectively Sept. 21, 1895, and March 21, 1896, with the several papers filed with said report as therein mentioned, and was argued by Counsel. On consideration whereof, it appearing to the Court from his said report dated Sept. 21,

1895, and the papers therewith filed, that said special Commissioner has fully and properly disbursed all the funds which have come into his hands, and from said report dated March 21, 1896, and the papers therewith filed, that since the date of the last decree entered in this cause the parties entitled to dividends of the defendants Joseph Heath, Cora Heath, Emma Heath, Mary Heath and Henry Heath and of Mary M. Atwell desire that said Thos G. Watkins as their attorney shall collect the same for them, and it further appearing from said petition that Thos J Heath who was proceeded against as a non-resident defendant, if alive, has not been heard from since the filing of the bill in this cause, and had not when said bill was filed, been heard from for at least ten years. And the Court being satisfied that the dividends of said Thos J. Heath under the control of the Court in this cause may now be properly distributed to said petitioners as his legal heirs on the presumption that he had been dead for several years when said bill was filed, the Court approving said report, to which there is no exception filed, doth confirm the same, and doth adjudge, order and decree that said Special Commissioner Thos G. Watkins withdraw from the papers in this suit (leaving with the clerk of this Court his receipt therefor) all of the several certificates of deposit of said Petersburg Savings and Insurance Company for the dividends of said Joseph Heath, Mary M. Atwell, Emma Heath, Cora Heath, Mary Heath, Henry Heath and Thos J. Heath, to-wit: Certificates Nos. 31,692, 31,694, 31,695, 32,269, 34,764, 34,765, 34,767, 37,201, 37,198 and 37,199 and collect the same and pay over to the parties thereto entitled their respective shares of the money so collected, the money reserved as the share of Thos J. Heath to be paid over to Geo. S. Bernard and to H. Jones, the attorneys of said petitioners, and Special Commissioner is further ordered to withdraw certificates Nos. 31,693, 32,268, 34,766, and 37,200 and take new certificates for the aggregate amount; principal and interest due by said four last mentioned certificates in the names of Emmet and David Browder, less their respective proportions of the unpaid costs in this suit, said new certificates to be for equal amounts, And said Special Commissioner is ordered to make report to Court.

W. S. Powell & Co
vs.
Williams & others.

It appearing to the Court that the inquiry ordered by the decree entered in this cause at the March term, 1894, of this Court, as to the application of the credit of $86.30 therein mentioned, has not yet been executed

and there is no reason why a personal decree shall not be entered in favor of the plaintiff against the defendants J.E. Williams, the principal debtor, and that there is no defense on the part of the said principal debtor to the allegation in the bill made that the said Williams is indebted to the plaintiff by virtue of his notes therewith filed for $104.70 and $92.50 respectively and subject to the credits in said bill mentioned, the Court upon motion of the plaintiff doth adjudge, order and decree that the said defendant J.E. Williams do pay to the plaintiff the sum of $197.20, with interest on $104.70, a part thereof, from May 14th, 1892, till paid, and on $92.50, the residue thereof, from May 18, 1892 subject to a credit of $10.70 paid May 31st, 1892, and $85.30 paid May 23rd, 1892. And the Court doth further adjudge, order and decree that it be referred to one of the Commissioners of this Court to make the enquiry directed by the decree aforesaid and report to Court.

John Y. Harris, Substituted trustee
vs.
H.O. Shell, R.B. Shell, B.W. Edwards, Roger Shell & Julia Shell.

This day came the plaintiff and by leave of Court filed his bill and exhibits thereto mentioned and on his motion Alexander Hamilton, a competent attorney at law, is assigned as guardian ad litem of the infant defendants and thereupon said infants by their said guardian ad litem as did also the adult defendants (filed their answers to said bill) Whereupon this cause being placed upon the docket of the Court by consent of parties, by like consent came on to be heard upon the said bill and exhibits and said answers and the affidavits of J.C. Spain and W.H. Young filed and read by consent of parties, and was argued by counsel. On Consideration Whereof, the Court being satisfied from the pleadings in this cause and from the affidavits aforesaid which were read by consent of all the adult parties and the guardian ad litem of the infant defendants, that the interests of the parties entitled to the tract of land of 708 acres and the timber thereon in the bill mentioned and especially of the infant defendants will be promoted by the sale of the timber on the said land made to the defendants Edwards by the plaintiff and approved by all the adult parties entitled to the said land and timber as set forth in said bill, the Court doth approve and confirm said sale and doth adjudge, order and decree that the plaintiff, John Y. Harris, as Substituted trustee of the defendants H.O. Shell, do receive from the purchaser B.W. Edwards the purchase money due and to become due by him and make report to Court.

But before the said John Y. Harris, Substituted trustee, shall

receive any money under this decree, he shall execute before the Clerk of this Court a bond in the penalty of $1500.00 with Surety to be approved by him conditioned for the faithful performance of his duties under this and any future decree to be entered in this Cause.

Ordered that all causes not otherwise disposed of be and are hereby Continued

Ordered that this Court be adjourned until the 1st day of September

Beverly A. Hancock

In the Circuit Court of Dinwiddie County, In Vacation the 8th day of April 1896

Charles E. Whitlock whosoever &c Plff

against

John D. Bleick's Extrs &c Defts

This Cause coming on this day to be heard in Vacation by Consent of parties given before the Judge of this Court, and entered of record, upon the papers formerly read and on the petition of Adelia T. Bleick this day filed by leave of the Court. together with the exhibits filed therewith, and was argued by Counsel,

On Consideration whereof it appearing to the Court that all the debts against the estate of the said John D. Bleick deceased reported by Commissioner John M. Harris in his report filed in this Cause on the 11th day of March 1889 and on the Docket of this Court have been paid in full, and that all the objects of this Suit have been accomplished it is ordered that the same be dismissed and removed from the Docket, But the Court doth for the ajudge order and decree that the Clerk of this Court certify to the Clerk of the County Court of Dinwiddie County, payment and satisfaction of the judgment in the said report of Commissioner Harris mentioned, in favor of Chas E. Whitlock against the said John D. Bleick for the sum of $440.00 with interest thereon from May 31st 1888 the said obtained in the Circuit Court of Dinwiddie County at the April term 1889 in order that the said Clerk of the County Court may endorse said payment and satisfaction on the Lien Docket in his office

Teste Clerk of the Circuit Court of Dinwiddie County May 1st 1896

Beverly A Hancock Judge 2nd Judicial Circuit of Va

In the Circuit Court of Dinwiddie County. In Vacation. the 12th day of August 1896.

Wm Walkers Heirs. Pltffs
To
Wm Walkers Heirs. Defts } In Chancery.

This cause coms on this day to be heard in Vacation by consent of parties. which Counsel the Judge of the said Court hereby certifies, & the clerk to be entered by him in his Chancery order book. upon the papers formerly read. and upon the report of Commissioner R D Gilliam, made under a former decree herein, and was argued by Counsel. On consideration whereof, the Court approving the said report to which there are no exceptions doth confirm the same, and doth adjudge, order and decree that said Commissioner Gilliam be and he is hereby authorized and directed to make sale of the tract of land in the proceedings mentioned, where of Wm Walker died seized, situate in said County of Dinwiddie, and containing seventy seven more or less to Benj Eggleston or to the person for whom he is acting, for the sum of $300.00 upon the following terms, one fourth cash and the balance in three equal instalments at one two and three years from the date of sale. taking of the purchaser his notes for the deferred payments such interest added. and retaining the title to the said land until the whole of the purchase money has been paid, The Court doth further adjudge order and decree that the said Commissioner, upon the payment by the said purchaser of the whole of said purchase money, the deferred payment for which he shall be required to anticipate, paying interest thereon up to the time of payment, shall execute and deliver to the said purchaser a good and sufficient deed in fee simple with Special warranty from the said Court. And said Commissioner shall make report to Court.

Teste Clerk of the Circuit Court of Dinwiddie County

Beverly A Nance Judge 3rd Judicial Circuit of Virginia. Augt 12 1896

Walkers Heirs
To
Wm Walkers Heirs.
We consent to the within decree.

Wm B McIlwaine atty for all the adult parties.
Bernard Mann Guardian ad litem for infant defendants.

500

Peters
&
Carrico &c
Pltffs
Defts
} In Chancery.

This cause coming on this day to be further heard on motion, upon notice duly served or acknowledged upon all parties in interest, and upon the report of Comr. Alexander Hamilton of sales this day made, to which no exception is taken, and was argued by counsel; On consideration whereof the Court, approving the said report of said Comr. Hamilton, doth confirm the same, and, approving the sales reported by Robert Cabaniss, of the tract of 23 acres at the price of $75. and of the tract of 340¼ acres at the price of $500. doth confirm the same and adjudge ordain and decree that the said sales be held firm and binding between the parties, and it appearing to the Court that the said Cabaniss has paid his purchase money in full for the said tract of 340¼ acres of land, the Court doth order and decree that said Hamilton, Commissioner, do execute and deliver to the said Cabaniss a good and sufficient deed therefor with Special Warranty; and it appearing to the Court that the said Cabaniss is entitled to his purchase money of $75. for the tract of 23 acres of land upon the payment of a debt due to him by the late Ferdinand M Carrico of $75. besides interest, and that he purchased the said tract of 23 acres of land upon said credit, the Court doth further order and decree that said Hamilton, Commissioner, do execute and deliver to the said Robert Cabaniss a good and sufficient deed with Special Warranty for the said tract of 23 acres of land upon the receipt by the said Cabaniss to the said Hamilton, Commissioner, for the said $75. of purchase money in full payment of said debt due by said Ferdinand Carrico to the said Cabaniss for $75. besides interest, and it is ordered that said Commissioner, Hamilton, shall take credits for his payments and make report to Court.

Teste Clerk Dismissed
Circuit Court

Beverly A Hancock Judge 3d Judicial Circuit of Virginia July 25 1896

Virginia At a Circuit Court held for the County of Dinwiddie at the Courthouse thereof on Monday the 21st day of July 1896. and of the Commonwealth the 121st.

Present Hon Beverly A Stamcock Judge.

Coalclough, Plaintiff
&
Sutherland Defd } In Chancery.

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner A Hamilton, with the accompanying statement and vouchers, this day filed, to which no exception is taken, and was argued by Counsel, On Consideration whereof, the Court approving said report of Commissioner Hamilton, doth confirm the same, and doth adjudge, order and decree that the said sale reported to Elizabeth Shaw of the tract of land of 64½ acres, more or less, at the price of $675. be held firm and binding between the parties, and it appearing to the Court that the said Elizabeth Shaw, the purchaser, is entitled, on account of the debt due her, found in this cause, to the net balance of said purchase money due by her, after the payment to Commissioner Hamilton of the sum of $56.75 in payment of his costs, and that there will be no further Clerk's costs or taxes to be paid, the Court doth further order and decree that, upon the payment by the said Elizabeth Shaw to the said Alexander Hamilton, Commissioner, of $56.75 in full of his costs and upon her executing and delivering to the said Hamilton, Commissioner, her receipt of $618.25 the balance of the purchase money then due by her on account of the debt found in this cause, due to her, then the said Hamilton, Commissioner, shall execute and deliver to the said Elizabeth Shaw a good and sufficient deed for the property so purchased by her, with Special warranty. And said Commissioner shall report to Court,

McGeorge Committee Plaintiff
vs } In Chancery.
Gelliard & others. Defts

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Special Commissioner Hamilton, this day filed in this cause, and was argued by Counsel, On Consideration whereof the Court, approving said report, to which there is no exception, doth confirm the same and it appearing to the Court that nothing further remains to be done in this cause it is ordered that the same be removed from the docket,

Crosley Mitchell Plff
vs } In Chancery.
Ryan Defd

This cause came on this day to be further heard on the papers formerly read and the report of Geo Mason Special Comr. This day filed together with

with a certificate of deposit of the Petersburg Savings Insurance Co for $1143.33 payable to the order of the Court, and the report of A.M. Bryan Comr filed Sept 1st 1896 and was argued by Counsel. On consideration whereof the Court doth confirm said report to which there are no exceptions, And the Court now proceeding to distribute the fund arising the sale of Michael P Ryan according to the principles heretofore laid down by this Court in cases of this nature as appears by papers therein pending stated & settled by this day filed on the 3rd and adopted as Court doth adjudge order and decree that said Commissioner George Mason out of the proceeds in this cause, the said certificate of deposit bearing with the Clerk his receipt therefor and thereunto the Petersburg Savings & Insurance Co which said report being furnished with an attested copy of this decree. Shall pay to said George Mason $13.12 the balance due him upon his said report, to J.M. Bryan Clerk $4.00 fee due him in this cause, to A.M. Bryan Comr in Chancery $32.00 fee for his said report, to P.M. & P. Mason or Geo Mason their Counsel $488.31 the balance due them, and the residue of said certificate towit $1142.60 to Wm Heburn & Gt. King his Counsel in lieu of the debt due him, the same being a lien on said land next after the liens held by said P.M. & P. Mason.

W

R.H. James &c trustee - Pltff
vs
Ed. Hancock Defts } In Chancery

This cause came on this day to be further heard, upon the papers formerly read, and the report of Commissioner A Hancock, this day filed with the vouchers therein referred to, to which no exception is taken, and was argued by Counsel. On consideration whereof the Court, approving the said report of said Comr Hancock, doth confirm the same, and order that said Commissioner Hancock, out of the proceeds of $3. deposited for that purpose & pay the costs and of this suit, and it appearing to the Court that since the said Commissioner has paid out in full in accordance with the decree of this Court, all the other funds in his hands, and that nothing further remains to be done in this cause, it is ordered that this cause be removed from the docket.

J.V

Lewis Devises. Pltff
vs } In Chancery
Executor Defts

It appearing to the Court that since the date of the cause decree entered in this cause the plaintiff John Cain has departed this life, and that W.R. McKenney has duly qualified as the executor of his said deceased by Counsel of said Estate, this cause abates as to said John Cain, but not as to his motion and by consent of parties said W.R. McKenney executor as aforesaid is admitted a party plaintiff herein

in the room and stead of said testator. And this cause is continued to await the report of the account of the transactions of the defendant George A Bernard admr in chief of B Carr dec'd ordered by said decree.

Thos. P Rives Master Plaintiff
vs
Francis Williams admr Defts } In Chancery.

This cause coming on this day to be further heard upon the papers formerly read and upon the final report of the Commissioner Thos P Rives bearing date Sept 21st 1888 and this day filed in this cause, to which report there is no exception filed and was argued by Counsel, On Consideration whereof the Court being satisfied from said report that the accounts and vouchers therewith filed, that said Commissioner Rives has fully and properly distributed and disbursed the balance of $1035.00 dollars which was in his hands, according to his last report, filed and confirmed in this cause, in accordance with the decree rendered herein at the March term 1888. and it further appearing to the Court that no other funds have come, the said March term 1888. Come into the hands of said Commissioner Rives, and that there are no other funds to come into the hands of said Commissioner, and that the trust for which this cause was brought has been fully accomplished, and that nothing else remains to be done it is ordered that this cause be removed from the docket.

M James adm'r. Plaintiff
vs
Sinderland Lee. Defts } In Chancery.

This cause coming on this day to be again heard on the papers formerly read on the petition of B J Esq this day filed by leave of the Court, On Consideration whereof the Court doth adjudge ordered and decreed that G A Bernard who is hereby appointed Special Commissioner for the purpose executes B J Esq a deed with special warranty for the land in the proceedings mentioned upon request being made.

Mary Blanch Fulkan who sues by John H Fulkan her next friend. Plaintiff
vs
Allen A Fulkan Defts } In Chancery.

This cause coming on this day to be heard upon the bill and examination of witnesses, and was argued by Counsel, and was argued by Counsel, On Consideration whereof, the Court being of the opinion from the evidence filed in this cause, that the defendant has abandoned the plaintiff for a period of three years, doth adjudge, order and decree that the marriage heretofore solemnized between the

defendant Allen A Feelkan and the plaintiff Mary Blanch Feelkan (formerly Mary Blanch Feelkan) be and the same is hereby dissolved and that the said Mary Blanch Feelkan be forever divorced from the said Allen A Feelkan, And the Court doth further adjudge ordain and decree that the said Allen A Feelkan do pay unto the plaintiff her cost expended in the prosecution of this suit And nothing further remaining to be done in this cause it is ordered that the papers be removed from the docket, and leave is hereby granted her to resume her maiden name

Sarah A Hardy admrx &c — Plaintiff
vs
Sarah A Hardy Distributees — Defts
} In Chancery

It appearing to the Court that the decree entered in this cause on the 13th day of February 1892 was by a decree entered by the Supreme Court of Appeals on the 12th day of December, affirmed that said last mentioned decree was on the 8th day of January 1896 entered of record in the order book of this Court, as required by law, that recently to wit Since said 8th day of January 1896 the infant defendant John O Robertson having become of age, has departed this life intestate, and that his estate has been duly committed to the hands of W A Young Sheriff of this County for administration according to law, this cause having abated as to said John O Robertson upon the motion of said Young Sheriff as aforesaid and as such administrator of said John O Robertson, and by consent of parties he is admitted a party defendant in this cause in the room and stead of said John O Robertson dec'd and the Court doth further adjudge order and decree that it be referred to one of the Commissioners of this Court to take the accounts ordered by said decree of February 13, 1892 and make report to Court,

Peltier — Pltff
vs
Gaines — Defts
} In Chancery

This cause came on this day to be further heard upon the papers formerly read and the report of Commissioner A Hamilton, this day filed with the accompanying statement and vouchers thereto in reference to, and was argued by Counsel On Consideration whereof, the Court, approving the said report of said Commissioner Hamilton, doth confirm the same, and order and decree that said Commissioner Hamilton, shall out of the balance of the fund reported in his hands, pay the unpaid costs of this suit, and the taxes upon the lands sued, up to the year 1896, which may be and unpaid, provided the personal representative of Indiana Gaines, has not in his hands sufficient funds to do so, and after of the remainder pay to Mary Hanvey guardian &c the

Rosinskel v Ritz — Pltff — In Chancery — Dfdt

R L Hayne writes.

This cause coming on this day to be further heard upon the papers formerly read and upon the report of Wm. H. Young, Sheriff of Middle County, and was argued by Counsel, Upon Consideration whereof, it appearing to the Court that the said Sheriff has not been able to raise any of the sum of land in the proceedings mentioned, and the Court being satisfied that the rents & profits of said lands will not be sufficient in four years to satisfy the judgment of Rosinskel v Ritz against the Defendants, it is adjudged, ordered and decreed that unless the said judgment be paid within the next 60 days or some arrangement made in reference thereto satisfactory to the Plaintiffs Counsel, the said Sheriff shall sell at public auction for cash to the highest bidder at the Courthouse door in some Court day after reasonable notice of such sale, the life estate of R L Hayne in the tract of land in the proceedings mentioned, and make report to Court of his proceedings under this decree.

M L Enot & Geo F Jones surviving partners of Enot Farrar & C — Pltffs

vs

N M Ramsey and D E Walker late partners trading as Ramsey & Walker Richd B. Davis substituted trustee and Alfd B Hobson — Defts — In Eq.

This cause coming on this day to be heard upon the bill taken pro confesso as to the Defendant Richd B. Davis substituted trustee, and upon the order of Publication duly executed as to the other Defendants, and upon the exhibits filed with said bill, and was argued by Counsel, On Consideration whereof the Court doth adjudge, order and decree that it be referred to one of the Commissioners of this Court to make enquiry and Report to the Court, as it now stands whether or not the rents and profits of the tract of land of two hundred acres in the proceedings mentioned will in four years pay the remaining judgment, what other liens, if any, bind said real estate, and what part of the tract of two hundred and thirty three and three acres standing in the name of Nathaniel Ramsey on the Land books of the County of Darlington is the said tract of two hundred acres which the Defendant Richd B Davis substituted trustee was ordered by the decree entered by the Hastings Chancellor of the Circuit of Florence at its March Term 1887 in the suit of R H Jones & J. L. Robertson trustees of Dalgety Bank and to convey to the Defendant D E Walker, with any usual special clause deemed pertinent by himself or requested to be inserted by any party interested.

John Mann Exr of R H Mann dec — Pltff

vs

Archer Sheisley, Edmonia Sheisley, his wife

Bernard Mann, trustee and P. A. Hennay Defts, In Ch.

This cause coming on this day to be heard on the bill taken for confessed as to one of the defendants, on whom process was executed. The said failing to appear and plead, answer or demur to the said bill, and the exhibits filed therewith and was argued by Counsel.

On Consideration whereof, the Court doth adjudge, order and decree that it be referred to one of the Commissioners of this Court, to take an account of the land owned by the defendant Archer Spicely, at the time the judgment mentioned in the bill was obtained, and the land subsequently acquired by him, with the fee simple and annual value thereof, and also an account of the rents thereof, with their incidents which account the said Commissioner is directed to state, settle and adjust, and make report to Court, with any matter specially stated deemed pertinent by him to the same, or which any party interested may require to be stated.

JJ

Ordered that the cause be adjourned until tomorrow morning at ten o'clock.

Beverly A. Hancock

Tuesday September 22nd 1896.

Present Hon Beverly A Hancock Judge.

J. S. Workman Pltff
vs
Kate Winfree Defts } Bill to Enforce

This cause came on this day to be further heard upon the papers formerly read and upon the report of Com. A.M. Organ filed the 10th day of August 1896. made under the decree herein entered at the March Term 1896 of this Court and was argued by Counsel On Consideration whereof, it appearing to the Court from said report, to which there is no exception filed, that the tract of land in the proceedings mentioned whereof the late Wm O Dodd died seized and possessed situate in the County of Dawson, about seventeen miles South of the Courthouse, and containing about sixty acres cannot be conveniently partitioned among the parties thereto entitled, that no one or more of said parties is or are willing to have the whole tract allotted to him, her or them and to pay the others what their respective interests therein may be, but that the sale of said land made to the defendant Albert E Sloan Jr at the price of One Hundred and seventy four dollars ($174.) in the terms specified in the Conditional Contract in the proceedings mentioned will prejudice the interest of the infant defendants, and that no debt of any description can be proven before said Commissioner binding the share of said land which the late Mary E Dodd the widow of said Wm O. Dodd acquired as an heir at law of her deceased sons Richd Henry and Robert Vaughan Dodd, and that the claim of $139.50 the funeral expenses and expenses of the late illness of said Mary E Dodd. deceased has been reimbursed to the pltff J.S. Workman and Mrs A. Bass who paid them by Geo S. Bernard, the pltffs attorney out of the sum of One Hundred Seventy four dollars ($174.) purchase money recently being paid Geo S. Bernard, as atty for the pltffs. from said Albert E Sloan Jr. the Court approving said report made said sale, doth confirm the same, and doth further adjudge, order and decree, that said sale be held firm and binding between the parties, and that said Geo S. Bernard, who is hereby appointed a special Commissioner who is hereby appointed special Commissioner who is hereby appointed a special Commissioner for the purpose, do collect from said Albert E Sloan Jr. the balance of the purchase price of said land when the interest and installments thereon shall become due and payable and to whom the same shall have been fully paid execute a deed conveying to Sloan said tract of land with Special Warranty, But said Special Commissioner shall not receive any money under this decree until he shall have executed and filed with the clerk of this Court a Bond in the penalty of Four Hundred dollars ($400.00) with Security to be approved by the Clerk of this Court, and conditioned according to law. And said Special Commissioner is ordered to

make report to Court at its next term. and with his said report he is ordered to file a statement shewing how he has disbursed or ally for the above parties the part of the purchase money received by him from said purchaser, in order that under a proper petition distributing the whole fund may be distributed to the parties thereto entitled as if all of it had been received and disbursed under a previous order of the Court And the Court doth further adjudge, order & decree that Judge Stanard, the guardian ad litem of the infant defendants, be and he is hereby allowed a fee of four dollars & 50 cts for representing their interests in this Court the same to be paid by said Special Commissioner out of the funds in their hands, this and the fee of Four Dollars & fifty cts for his said report and other items of such incurred in this suit to be so paid unto him forthwith paid by said Geo. D. Bernard as attorney for the plaintiff.

J. F. Hadden adm'r of B. C. Wills. Plaintiff

vs

Parthenia Wills Christiana E. Wills M. S. Wills & Gabriel E. Wills his wife Richd. L. Wills & Amanda Wills his wife Geo. Wills & Susan B. Wills his wife Francis R. Wills Wm. Wills widow of John Wills & Wills his wife. } Defts

This cause which is regularly matured as to them and set for hearing in the Clerks office came on this day to be heard upon the bill of the plaintiff taken for confessed as to all the defendants, and the exhibits therewith filed and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that it be referred to one of the Commissioners of this Court to take the following accounts, 1st An account of the transactions of Joseph F. Hadden as the personal representative of B. C. Wills dec'd. 2nd An account of the real and personal of which the said B. C. Wills died seized and possessed with the fair Rents and annual value of the real estate. 3. An account of the debts and demands due and outstanding against the said B. C. Wills or his estate and to report to Court,

Order that the Court be adjourned until the 1st Day of the next Term

Beverly A. Hancock

In the Circuit Court of Dinwiddie County,
In Vacation, December 28th 1896.

Clifton B. Michael.
To a Consent for Decree in Vacation,
Alma D Michael and E.D. Michael,
the last one of whom is an infant

By consent of parties this day given before the Judge of this Court, in Vacation, John Mann, guardian ad litem of the infant defendant E.D. Michael, consenting for her, this cause is submitted to the said Judge for such decision and decree in Vacation as might be made in the cause in term,

Beverly A Nancrede Judge 2nd Judicial Circuit of Virginia Dec 28 1896

To the Clerk of the Circuit Court of Dinwiddie County.
The Consent to the entering

Geo Mann Counsel for the adult defendant.
John Mann Gdn ad litem for E.D. Michael
Alma D Michael.

Enter this decree, Dec 28 1896.
B.A.N.

Clifton B. Michael
vs
Alma D Michael and E.D. Michael.
the last one of whom is an infant

Note for decree

This cause, having been submitted to the Judge of this Court for such decision and decree in Vacation as might be made in the same in term, by consent of the parties this day given before the said Judge. John Mann, guardian ad litem of the infant defendant, E.D. Michael, having consented for her, cause in this day to be heard, in Vacation, in pursuance of such consent, on the bill and exhibit filed therewith, the answer of the adult defendant, Alma D Michael and the answer of the infant defendant E.D. Michael by John Mann her guardian ad litem appointed as the rules. And upon the depositions of H.C. Williamson, Clifton B. Michael and J.M. Lewis, taken in this cause and filed in the Clerk's office on the 24th day of December 1896 and was argued by Counsel. On consideration whereof, the Court being satisfied that the tract of 155 acres of land in the bill mentioned and fully described, cannot be conveniently partitioned in kind among the parties, that the parties, plaintiff and defendant are entitled thereto in equal shares, and that their interest will be promoted by the sale thereof and a division of the proceeds of the sale thereof among them, and that the rights of no one will be violated thereby. It is adjudged, ordered and decreed that George Mason who is hereby appointed a special Commissioner for the purpose, sell the said tract of land, either publicly or privately, but if publicly, after at least ten days notice by hand bills posted at Dinwiddie Court House and at three or more public places in the County of Dinwiddie, and if

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he think proper by publication not more than five times, in some news-
paper published in the City of Petersburg, such Sale to be made either
at Dinwiddie Courthouse on Same Court day or at Some Suitable place
in the City of Petersburg. for one fourth of the purchase money in cash,
the balance to be payable in one and two years after the date of Sale
in equal instalments, with interest from the date, and the title to be retained
from and the purchase money Shall have been paid and a Conveyance
ordered by the Court. the Purchaser to give his bonds for the credit pay-
ments, And Said Special Commissioner Shall make report to Court,
But Said Special Commissioner Shall not act under this decree
until he Shall have entered into bond in the penalty of $750.00
with Security approved by the Clerk of this Court, and Qualified
according to law.

Beverly A Haworth Judge
2nd Judicial Circuit of Virginia
Dec 28th 1896

To the Clerk of
The Circuit Court
of Dinwiddie County

A Copy Test this decree
George Mann Counsel for
the absent parties.
John Mann Gr adv Com for
E V Michael.
Alma D Michael
Entered this decree December 28th 1896.
B A H.

Virginia: At a Circuit Court held for the County of Dinwiddie at the Courthouse there on Monday the 27th day of March 1899 and of the Commonwealth the 124th [illegible]

Present Honorable Beverly A Hancock Judge.

W. F. Jones &c Pltff
Final Hrg for Decree
vs } March Term 1897 } In Chancery
Chesley Daniel &c Defts

This cause came on this day to be further heard upon the papers formerly read, and upon the final report of W R McKenney, Commissioner, bearing date October 9, 1896, and this day filed in this cause, to which report there is no exception filed, and was argued by counsel,

On consideration whereof the Court approving the said report doth confirm the same, And it appearing to the Court that the said W. R. McKenney, Commissioner, has fully and properly disbursed the sum of Six Hundred and Twelve Dollars ($612) representing all moneys which have come or will come into his hands as Commissioner aforesaid in this cause, and that he has filed proper vouchers for all such payments, except for the sum of $1.68, retained to pay future costs to dismissal, and that he has therefore properly discharged his duties as such Commissioner, that the object for which this suit was brought has now been fully accomplished and that nothing further remains to be done therein, it is ordered that this cause be removed from the docket

Cornelius Hobson's Divisees Pltff
vs } In Chancery
Cornelius Hobson's Admr & Heirs Defts

This cause came on this day to be further heard upon the papers formerly read and upon the report of W. R. McKenney Comr., bearing date March 17, 1897 and this day filed in this cause, to which report there is no exception filed, and was argued by counsel. On consideration whereof the Court approving the said report doth confirm the same, and doth adjudge, order and decree that the sale of the tract of 114 1/4 acres of land therein reported as having been made by the said W. R. McKenney Commissioner to R. B. Bragg at the price and for the sum of One Hundred and Twenty

Five Dollars, be held forever firm and stable as between the parties thereto that the said W. R. McKenney, Commissioner be authorized to either allow the said A B Bragg to comply with the terms of sale by paying 1/4 of the purchase price in cash and giving notes or bonds at one and two years for the balance, such notes or bonds to carry interest at the rate of six per cent per annum from January 18th 1897 until paid, and title retained until final payment. Or that such Commissioner be authorized to receive the whole of the purchase price in cash from the said A. B. Bragg, and that he be also authorized to allow the said A. B. Bragg to anticipate at any time the payment of any notes or bonds which he may give for the purchase price aforesaid, and that when the said A. B. Bragg shall have ~~paid~~ paid in full to the said W. R. McKenney, Commissioner, the purchase price aforesaid, then that the said W. R. McKenney Commissioner, be and is hereby authorized to execute to the said A. B. Bragg a deed with special warranty, for the said tract of land.

And that said Commissioner McKenney be authorized to pay out of the purchase price aforesaid the costs and expenses of this suit and sale and any taxes delinquent on the said land up to but not including the year 1897, the purchaser to pay the taxes for the year 1897 and thereafter, and that after having paid the said costs of suit and expenses of sale and said taxes, then that the said W. R. McKenney, Commissioner do apply any balance which may come into his hands from the proceeds of said sale to the payment of the debts of Cornelius Hobson, as reported in the report of Commissioner A. M. Organ, heretofore filed and confirmed in this cause.

And that said Commissioner McKenney shall make report to Court.

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S. E. Vaiden and Mariah E. Vaiden, his wife — Plaintiffs

(V S)

Benjamin E. Dabney, James W. Dabney, M. Ruth Dabney, S. Osgal Dabney, Sarah Mumford, Mary Jane Stokes, James N. Dabney, Olivia M. Coleman her husband, Eugenia Bentley and John A. Bentley her husband

J. Esther Dobney and Robert Brispeau, the two last named being infants, by some discreet and competent attorney at law to be appointed their Guardian ad litem. Defendants

On motion of the plaintiffs, John Y. Harris, a discreet and competent attorney at law, is assigned as Guardian ad litem to the infant defendants, J. Esther Dobney and Robert Brispeau, and thereupon the said Guardian ad litem filed the answer of the said infant defendants, to which the plaintiffs replied generally. And thereupon this cause came on to be heard upon the bill, with the exhibits filed therewith, taken for confessed as to all of the adult resident defendants, upon the order of publication returned duly published and posted as to the non-resident defendant, James N. Dobney, upon the answer of the said Guardian ad litem with general replication thereto, and upon the depositions of W. T. Wells & Thomas St Brispeau read with the consent of said Guardian ad litem, and was argued by counsel

And it appearing to the Court that the non-resident defendant, James N Dobney, who has not been heard from for more than seven years, has been proceeded against in the mode prescribed by law, and he having failed to appear and demur to, plead to or answer the complainants' bill. And it further appearing to the Court that the tract or parcel of land known as Chandler's Mill, with the Mill thereon and in acres of land adjoining, and the rights, privileges and appurtenances appertaining to the said mill, including the right to the use of the mill pond for mill purposes, cannot be conveniently partitioned in kind among the parties entitled thereto, as set forth in the complainants' bill, that no one or more of the said parties is or are willing to have the whole of the said property assigned to him or to her or to them, and pay to the other parties interested such sum or sums of money as their respective interest therein would entitle them to, and that the interest of all parties concerned would be promoted by a sale of the whole of the said property and the division of the proceeds of sale among the parties entitled thereto according to their respective interests therein. And it further appearing to the Court that the tract of land containing about one hundred and forty acres, owned by the mill pond, is subject to the rights of the owners of said Chandler's Mill property above mentioned, to the use of said tract of about 140 acres of land as a mill pond, as aforesaid, cannot be conveniently partitioned in kind

among the parties intitled thereto, according to the allegations in the complainant's bill, that no one or more of the said parties is or are willing to have the whole of the said property assigned to him, or to her or to them, and pay to the other parties interested such sum or sums of money as their respective interests therein would entitle them to, and that the interest of all parties concerned would be promoted by a sale of the whole of the said property and the division of the proceeds of sale among the parties entitled thereto according to their respective interests therein, On consideration whereof the Court doth adjudge, order and decree that W.R. McKenney be and is hereby appointed a Commissioner of this Court, whose duty it shall be to make sale at public auction, at Dinwiddie Court House on some county court day, of the mills with the one acre of land thereto adjoining, and the right to the use of the tract of land aforesaid as said mill land, as fully set forth above, and also to make sale of the tract of about 140 acres of land, ~~owned~~ Covered by the Mills land subject to the right of the owners of said Chandlers Mill property to the use of said tract of about 140 acres of land as aforesaid land as aforesaid, upon the following terms, in each of the said two cases, One third of the purchase price in cash, and the balance in equal credits of one and two years, taking for the deferred payments notes or bonds, carrying interest from day of Sale, and retaining title until the purchase money shall have been fully paid as they up to and including the year 1896. are to be paid out of the purchase money. Accounts for 1897. and thereafter are to be paid by the purchaser, But that said Commissioner McKenney shall not proceed to execute his deed until he shall have entered into bond in the penalty of One thousand Dollars with security to be approved by the Clerk of this Court, conditioned according to law for the faithful performance of his duties under this, or under any other decree which may be entered in this cause And the said Commissioner McKenney shall make report to Court.

Pettus
vs
Cairns

Plaintiff
Defendant

} In Chancery

On motion of Walker H Young, Sheriff of Dinwiddie County, and as such Administrator of Indiana Cairns, he is admitted a party defendant in this cause, and allowed to file his answer thereto, which is accordingly done accordingly, Thereupon, this cause came on this day to be further heard upon the papers formerly read, upon the answer of the said Young, Sheriff and Administrator, as aforesaid, this day filed, to which no exception is taken; and was argued by Counsel.

On consideration whereof, the Court, approving the said report of the said Commissioner Hamilton, doth Confirm the same, and it appearing to the Court that out of the fund in the hands of said Commissioner Hamilton from the sale of the real estate $11.08 should be paid to the said Young, Sheriff, and, as such, administrator of Indiana Curtis, to enable him, with the funds in his hands, to pay the taxes due upon the lands and personal estate of the said Indiana Curtis and the debts mentioned in the report of said Commissioner Hamilton, etc.; the Court doth adjudge, order and decree that said Commissioner A. Hamilton, out of the fund report in his hands, do pay to Walter H Young, Sheriff, and as such administrator of Indiana Curtis $11.08, and that the said Walter H Young, Sheriff, and as such administrator do pay the taxes aforesaid, the decree bill referred to in said report, the fees due by him to the Clerk, and Commissioner, the Auctioneer's fee, his own commissions, and the Costs of suing the appraising of the estate; and said Hamilton, Commissioner, is ordered to pay the unpaid costs of this suit, out of the residue of the fund remaining in his hands, and pay the residue thereof to the parties entitled thereto and as the decree heretofore entered in this cause; and said Commissioner Hamilton shall take vouchers for his payments and make report to Court.

J. J. Mitchell's Exrs. Plaintiff
vs } In Chancery
J. J. Mitchell's Devisees &c Deft

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner Alexander Hamilton, this day filed, and was argued by counsel.

On consideration whereof, the court approving said report, to which there is no exception, doth confirm the same, and doth adjudge, order and decree that said Alexander Hamilton, commissioner, distribute as promptly as practicable the balance shown by said report to be in his hands, to wit, the sum of $452.20, to the parties entitled thereto, and make report to court.

Smith Plaintiff
vs } In Chancery
Smith Deft

This cause came on this day to be further heard upon the papers formerly read, on the report of Commissioner John G. Harris, dated 11th November 1893 and filed the 9th day of March

1896 and the report of John D Mann, Special Commissioner of sale made by him, in pursuance of the decree of September term 1895, this day filed and was argued by counsel.

On consideration whereof the Court approving the said report, to which there are no exceptions, doth confirm the same, and doth adjudge, order and decree, that the sale made by Commissioner John Mann to Thomas Martin Sr. of the one hundred and fifty three acres of land in the proceedings mentioned be held firm and stable between the parties and that said Commissioner execute and deliver to the said Martin, a deed, with special warranty, conveying the said tract of land to him. And the Court doth further adjudge, order and decree, that said Commissioner John Mann, out of the money coming of the said Martin, pay the costs and expenses of this sale and of this suit, the debts against Archibald T. Smith, reported by Commissioner Harris, and distribute the balance thereof among the parties entitled thereto, and make report to Court of his proceedings under this decree.

A M. Rowland & B. F Rowland husband Pltffs
vs,
J W Thrift in her own right and as
Administrator of J B Thrift, deceased,
Hettie B Thrift, the wife of the said
J W Thrift, R A. Thrift, L G. Thrift,
R A. Thrift, N J. Thrift, and Charles
Thrift, the last named being an infant
by W R McKenney, his Guardian ad litem Defts } In Chancery

On motion of the plaintiffs, W R McKenney a discreet and competent attorney at law, is assigned as Guardian ad litem to the infant Defendant, Charles Thrift, and thereupon the said Guardian ad litem filed the answer of the said infant defendant to which the plaintiffs replied generally. And thereupon this cause which has regularly matured at Rules, came on to be heard upon the bill, with the exhibits filed therewith the answer of all the adult defendants, this day filed with general replication thereto and upon the answer of the said infant defendant by W R McKenney, his Guardian ad litem, with general replications thereto, and was argued by counsel. On consideration whereof the Court doth adjudge, order and decree that one of the Commissioners of this Court do proceed to take, state and audit the following accounts

as prayed for in the plaintiffs bill.

First: An account of the transactions of J.W. Thrift, as Administrator of J.B. Thrift, deceased, from the date of his qualification down to the time of taking ~~such~~ such account;

Second: An account of all of the personal estate of the said J.B. Thrift, deceased, which either came into the hands of the said J.W. Thrift, Administrator or which should have come into his hands, and what disposition has been made of the same;

Third: An account of all debts and demands against the said J.B. Thrift, deceased, or his estate, with their degrees and priorities, if any;

Fourth: An account of all the real estate of which the said J.B. Thrift died seized, with the liens binding the same, if any, together with the fee simple and annual value of the said real estate, and whether any conveyances of any interests in the said real estate have been made by the heirs at law of the said J.B. Thrift since the date of the death of the said J.B. Thrift, and if such conveyances have been made, to whom, and to what effect. And such commissioner shall enquire and report to Court as to whether the real estate of which the said J.B. Thrift, died seized, can be conveniently partitioned in kind among the various parties interested therein, whether any one or more of the parties interested is or are willing to have the whole of the said real estate assigned to him, or to her, or to them, and to pay to the other parties entitled such sum or sums of money as their respective interests therein would entitle them to, and whether the interest of all parties interested would be promoted by a sale of the whole of the said real estate, and the division of the proceeds of sale among the parties entitled thereto, according to their respective interests therein. Which accounts, and the result of which enquiries the said Commissioner shall report to Court, with any other matter specially stated which any party interested may desire to be so stated.

But that said Commissioner shall not proceed to take the said accounts, or make the said enquiry, until he shall have published once a week, for four successive weeks, in some daily newspaper published in the City of Petersburg, Virginia, notice of the time and place which shall be fixed by such Commissioner for the taking of said accounts and the making of said inquiry, and until such notice shall have been daily posted, in accordance with the law, at the front door of the Court House of the said County of Dinwiddie, such publication and posting of said notice to be deemed equivalent to personal service upon all parties interested except J.W. Thrift, Administrator of J.B. Thrift, deceased, who shall be entitled to personal service of the said notice,

Barker, by &c. Pltff
vs
Barker Dfts } In chancery

This cause came on this day to be heard upon the bill of the complainant, the exhibit filed therein the answer of John Watson, Guardian ad litem assigned to defend the infant defendant and the answer of the said infant defendant, by the said John Watson, her Guardian ad litem with general replication to said answers, and upon the depositions of witnesses, and was argued by counsel: On consideration whereof, it appearing to the satisfaction of the court from the depositions of witnesses and independently of the admission of either party, in the pleadings or otherwise, that the defendant, Rebecca L. Barker, at the time of her marriage with the plaintiff, Ro. H. Barker, was with child by some person other than her said husband, and that the parties have not voluntarily cohabited after the knowledge by the said husband of the fact that she was so with child, doth, adjudge, order and decree that the marriage heretofore had between the said Ro. H. Barker, and the said Rebecca L. Barker, be and the same is hereby dissolved, and that the plaintiff, the said Robert H. Barker, be and is hereby, forever divorced from his said wife, Rebecca L. Barker. The court doth further adjudge, order and decree, that the plaintiff pay the costs of this suit, including a fee of ~~five~~ dollars to John Watson, guardian ad litem of the infant defendant, for his services in this suit. And nothing further appearing necessary to be done in this cause it is ordered that the same be removed from the docket.

Mary L. Gill and O. C. Gill, her husband, — Pltffs
vs
Robert H. Bowder, Mattie Andrews and Benjamin Andrews, her husband, Rosa Bowder, Addie Bowder, Emma Fannie Watts and Wesley T. Watts her husband, Lee Wheelhouse and Mamie Wheelhouse his wife, Jessie Smith and John Smith her husband, Maggie Moore and Sam Moore her husband, Charles Wheelhouse, R. B. Wheelhouse, Mrs Emma Dyson and Jesse Dyson her husband, Joseph J. Wheelhouse, John Wheelhouse, B. F. Wheelhouse and Alice Bowder, } In Chancery

the last named being an infant by W.R. McKinney
Her Guardian ad litem, Defendants

On motion of the complainants Jno. Y. Harris, a discreet and competent attorney at law, is assigned as Guardian ad litem to the infant defendant, Alice Bowder. And thereupon the said Guardian ad litem filed his answer, and the complainants replied generally thereto. And thereupon this cause which has regularly matured at Rules came on to be heard upon the Bill taken for confessed as to all of the adult defendants, and upon the exhibits filed with the said Bill, upon the answer of the said infant defendant, Alice Bowder, by Jno. Y. Harris her Guardian ad litem, with general replication thereto, and upon the depositions of witnesses filed in this cause, February 24th 1897, and read as evidence in behalf of the complainants in this cause, with the consent of the said Guardian ad litem, and was argued by counsel. On consideration whereof it appearing to the Court that the tract of 86 acres of land, in the complainants Bill mentioned, cannot be conveniently partitioned in kind among the parties interested therein; that no one or more of the parties interested is or are willing to have the whole of the said tract of land assigned to him, to her, or to them, and to pay to the other parties interested such sum or sums of money as their respective interests therein would entitle them to, and that the interest of all parties concerned will be promoted by a sale of the whole tract, and the division of the proceeds of sale among the several parties according to their respective interests therein;

On consideration whereof the Court doth adjudge, order and decree that W. R. McKinney be and is hereby appointed a Commissioner of this Court, whose duty it shall be to offer for sale, at public auction, either at or in front of the Court House on some County Court day or at some auction house in the City of Petersburg, as such Commissioner shall deem best, after due advertisement of the time, place and terms of sale for at least one week, in some daily newspaper published in the City of Petersburg, and by hand bills duly posted and distributed, upon the following terms: One third of the purchase price in cash, and the balance in equal credits of one and two years, taking for the deferred payments notes or bonds bearing interest from day of sale, and title retained until the purchase money shall have been fully paid, the purchaser to pay taxes for 1897. All taxes up to January 1st, 1897, to be paid out of the purchase price. But that said Commissioner McKinney shall not proceed to execute this decree until

he shall have entered into a bond in the penalty of One Thousand dollars, with security to be approved by the Clerk of this Court conditioned according to law for the faithful performance of his duty under this or under any other decree that may be entered in this cause.

And that said Commissioner McKenney shall make report to Court.

Wm. Walker's Heirs — Plaintiffs
vs
Wm. Walker's Heirs — Defendants
} In chancery

This cause came on this day to be further heard on the papers formerly read and on the report of Commissioner R.D. Gilliam, showing the sale of the tract of land in the proceedings mentioned to Wm. H. Syme, the person for whom Benj. Lyon was acting, the receipt by said Commissioner of the sum of $2000.00 in full of the purchase price for the same, and the execution of a deed to the purchaser, and the payment by the said Commissioner of the sum of $63.33 together with his vouchers for said payments, and was argued by counsel:

On consideration whereof the Court approving the said report to which there is no exception, doth confirm the same, and doth adjudge, order and decree that the sale of the tract of land aforesaid, consisting of a tract of land in the County of Dinwiddie, containing seventy acres more or less, which the said Wm. Walker died seized, to the said Wm. H. Syme, at the price of $2000.00, be held firm and stable amongst the parties. And on motion of the plaintiffs, the Court doth further adjudge, order and decree that Bernard Mann, who is hereby appointed a special Commissioner for the purpose, take an account of the debts due by the said Wm. Walker or his estate, with their priorities and dignities, which account said Commissioner shall report to Court with any matter specially stated deemed pertinent by himself or required by any of the parties to be so stated. Notice of the time and place for taking said account shall be published once a week for four successive weeks in one of the newspapers published in the City of Petersburg. And on motion of the plaintiffs, and by consent of parties, it is ordered that this cause be remanded to the Circuit Court of the City of Petersburg for further proceedings herein

Caldeleugh &c. vs. against Dunkeland. — Plaintiff / Defts } In Chancery

This cause came on this day to be further heard, upon the papers formerly read, and upon the report of Comr A Hamilton, this day filed, to which no exception is taken, and was argued by Counsel, On consideration whereof the Court approving the said report, doth confirm the same, and doth order and decree that said Hamilton Commissioner, have the enclosed Cost of this suit, and nothing further remaining to be done in it, ~~cause~~ it is ordered that it be removed from the docket,

vs

James H. King. Creditors against James H. King's admrs &c. — Plaintiff / Defts } In Chancery

This cause came on this day to be further heard, upon the papers formerly read, and upon the report of Commissioner Alexander Hamilton this day filed and was argued by Counsel, On consideration whereof, the Court approving said report, to which there is no exception, doth confirm the same, and doth adjudge, order and decree that Alexander Hamilton be, and is hereby appointed Commissioner to execute and deliver good and sufficient deeds, with special warranty as follows, to wit: Deed to Benjamin Jones, for sixty acres in Sapony Magisterial District, Dinwiddie County, Virginia, bounded as follows: On the north by the land of Mrs. James Bain, on the east by the dower tract of Mrs. Lucy Mitchell, on the south by the land of Jennie Mabry, and on the west by the Goodwyn land, known as "Cedar Brook". Deed to Jennie Mabry for sixty acres, in Sapony Magisterial District, Dinwiddie County, Virginia, bounded as follows: On the North by the lands of Benjamin Jones, on the east by the dower tract of Mrs. Lucy Mitchell and the land of Sand Perkins, on the south by the land of R.C.V. Griswold, on the west by the Goodwyn land, known as Cedar Brook, deed to Benjamin F. Mitchell, for one hundred and fifty acres, in Sussex County, Virginia, bounded as follows: On the North by other land of the late J.H. King, on the east by the lands of Tillman Foster and John Peal, on the South by the land of Bowshaw, formerly Elizabeth Rowe, and on the West by the land of C.J. Bowden formerly Kings, And the Court doth further adjudge, order and decree that one of the Commissioners of this Court proceed to take a further account of the transactions of Alexander Hamilton, administrator with the will annexed of James H. King, deceased, and report to Court, Notice of the time and place of taking said account shall be published once a week for four successive weeks in a newspaper published in the City of Petersburg,

Virginia which publication shall be equivalent to personal service of such notice upon all parties interested, except said Hamilton, administrator, who shall have personal service thereof; and it is ordered that this cause be continued

vs

Watkins — Plaintiff
vs — In Chancery
Watkins & others — Defendant

This cause came on this day to be further heard on the papers formerly read and on the report of Special Commissioner Thos. G. Watkins, with vouchers attached dated — day of — 1896 showing that as directed by decree entered in this cause at the March Term 1896 he had collected the certificates of deposit in said decree mentioned and distributed the proceeds thereof among the parties entitled thereto, and was argued by counsel. On consideration whereof the Court approving said report to which there is no exception, doth confirm the same, and as to all other matters it is continued until the next term.

Ordered that the Court be adjourned until tomorrow morning 10 o'clock.

Beverly A. Hancock

Tuesday March 23, 1896

Present Hon Beverly A. Hancock Judge

Carr's Distributees — Plaintiffs
vs — In chancery
Carr's Administrator — Defts

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner Jno. G. Stand, dated September 10th 1894 and filed on the day of its date made under the decrees entered in this cause at the September term 1888 and at the March term 1894 of the Court and showing the transactions of the defendant Geo. D. Bernard as the administrator of Bushrod Carr deceased, from the 18th day of July 1868, to the 1st day of September 1894, and was argued by counsel.

On consideration whereof, it appearing to the Court from said report, to which there is no exception filed, that on said 1st of September, 1894, after reserving a balance

of fifty seven dollars and seventy one cents ($57.71) to pay the costs of this suit and of the proper costs of administrator was indebted to the distributee John Carr in the sum of fourteen hundred and forty six dollars and sixty nine cents ($1449.69), whereof the sum of eight hundred and eighty two dollars and seventy six cents ($882.76) was principal and the residue interest, and to the distributee Chas C Carr in the sum of five hundred and seven dollars and ninety six cents ($507.96) whereof the sum of three hundred and eighty nine dollars and twenty one cents ($389.21) was principal and the residue interest, and that on the same day the distributee Richd G. Howard was indebted to said Geo. S. Bernard in the sum of one dollar and fifty cents ($1.50) whereof one dollar and twenty one cents ($1.21) was principal and the residue interest, the costs of proving said report, doth confirm the same, and doth adjudge, order and decree that said Geo. S. Bernard out of his own estate, do pay to W. R. McKenney administrator of John Carr decd, said sum of fourteen hundred and forty nine dollars and sixty nine cents ($1449.69) due as aforesaid by said Geo. S. Bernard to said John Carr, with interest on said sum of eight hundred and eighty two dollars and seventy six cents ($882.76), a part thereof from said first day of September, 1894, till paid, and to said Chas. C. Carr said sum of five hundred and seven dollars and ninety six cents ($507.96) due as aforesaid by said Geo. S. Bernard to said Chas. C. Carr with interest on said sum of three hundred and eighty nine dollars and twenty one cents ($389.21) a part thereof from said first day of September 1894, till paid, and that Richd G. Howard pay to said Geo. S. Bernard said sum of one dollar and fifty cents ($1.50) due as aforesaid by said Richd G. Howard to said Geo. S. Bernard, with interest on one dollar and twenty one cents ($1.21) a part thereof, from said first day of September 1894 till paid. And the Court doth further adjudge, order and decree that said Geo S. Bernard, administrator as aforesaid do render before me or the Commissioner of this Court a further account of his transactions as the personal representative of said Bushrod Carr, since said 1st day of September 1894, which account said Commissioner is ordered & audit, state and settle and report to Court with any matter specially stated deemed pertinent by himself or required to be so stated by any party interested, In stating said account said Commissioner is ordered to make inquiry and state specially whether any of the one hundred and fifty three dollars and ten cents ($153.10) of the real estate fund indicated in the last report of Special Commissioner McKenney as money to meet certain taxes, will be required for said purposes.

Nunnally's Heirs Pltff
against } In Chancery
Slade's &c. Defts

It appearing to the Court that since the date of the decree entered in this cause at the March Term 1893 of this Court the defendant Jos J Slade has departed this life intestate leaving surviving him a widow Rebecca J Slade and five children to wit. Joseph T Slade Isa B. Warren the wife of Jas W Warren Gertrude A Slade Nannie W Slade and Nellie M Slade, said children being his sole heirs at law, and that John P. Tucker has duly qualified as admr of said decedent, this cause abates as to said deceased defendant, and on their motion and by consent of parties all of said parties, towit said Widow, children and personal representatives of said Jos J Slade, and said Jas W Warren are admitted as parties defendant hereto, and thereupon this cause coming on this day to be further heard upon the papers formerly read and upon the report of Special Comr Geo. S. Bernard dated March 22nd 1893 and was argued by Counsel. On consideration whereof it appearing to the Court from said report to which there is no exception filed, and from the papers therewith filed, that on the 2nd of January 1894 said Jos. J. Slade had duly paid all of the purchase money of the tract of land in the proceedings mentioned except a balance of thirty two dollars and fifty six cents ($32.56) that by an understanding between the adult parties to this cause and said Jos. J. Slade, said balance was not to be paid until the plaintiff, said J. Whitby can obtain a proper decree divorcing herself and husband, George Whitby, of Richmond Va from the bonds of matrimony or a proper deed releasing all his interest in said tract of land or conveying the same to said infant children of said Jos. J. Slade shall be executed by said Geo. Whitby, said balance to be then paid with interest from said 2nd day of January 1894; that said John P. Tucker, the administrator of said Jos. J. Slade has been requested by said infant children of said decedent to make payment of said balance, when said Geo Whitby shall have been made a party to this cause or shall have executed a proper deed of release conveying his interest in said land as aforesaid, and that said Special Commissioner has fully and properly distributed all of the money which he has received from said Jos J. Slade dec'd except a small balance of sixty cents (60 cts) to be accounted for in a further report to Court, the Court approving said report and the transactions of said Special Commissioner therein set forth, doth confirm the same, and doth adjudge order and decree that said Geo. Whitby as summoned to appear before this Court on the first day of its

next term, to show cause, if any he can, why he should not be made a party defendant to this cause, and the court doth further adjudge, order and decree that, if at any time before the next term of this court said Geo. W. Whitby, executes a proper deed releasing his interest in this real estate aforesaid or conveying his interest therein to said infant children of said Jno. J. Slade dec'd, then said special commissioner shall collect the balance of said purchase money, with interest as aforesaid, and execute a deed conveying with special warranty said tract of land to said children of said Jno. J. Slade dec'd, subject to the dower interest of his, said Jno. J. Slade's, widow therein (to and, and interest in one third thereof during her life) and the said Special Commissioner is ordered to make report to court,

7 vs

Ordered that this Court be adjourned until tomorrow morning 10 o'clock A.M.

Beverly A. Hancock

Wednesday March 24/ 1897

Present Hon Beverly A Hancock Judge.

W. S. Powell, &c. Plaintiffs } In Chancery.
vs
Williams et als. Defts

On the motion of the plaintiff, it is ordered that the attachment against the real estate of the defendant Chancey Spear be and the same is hereby dismissed. And as to all other matters this cause is continued.

J. D. Hendricks et als. Plaintiffs } In Chancery.
against.
Kate Neiffer et al Defts

This cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner Geo. A. Bescard. dated Mch 22. 1897. made under the decree entered herein at the

September term 1896 of this Court, and was argued by Counsel. On consideration whereof, it appearing to the Court from said report to which there is no exception filed, that the defendant Albert E. Shain Jr. is in default in the payment of the instalment of the purchase money of the tract of land in the proceedings mentioned due on the 1st day of February, 1897. the Court, approving said report, doth confirm the same and doth adjudge, order and decree that said defendant be summoned to appear before the Court on the first day of its next term to show cause if any he can, why said tract of land shall not be sold at his risk and cost,

Ida R. Robertson, Rosa O Potts & Timothy Potts, her husband, Lillian O Duke and — Duke, her husband, Eula C. Sullivan & Lemon Sullivan her husband, Russell E. Goulder & Julia, his wife, L.M. Goulder, L. R. Goulder, R A Goulder & R. P. Goulder,

Pltffs

vs

Walter H Young Sheriff of Dinwiddie and as such admr of Anna C. Goulder and Clinton Goulder an infant, by B. J. Epes his guardian ad litem

Defts

Dr Chancery

This day came the plaintiffs by leave of the Court filed this bill, and by like leave the adult defendant filed his answer, and on motion of the plaintiffs B.J. Epes is appointed guardian ad litem of the infant defendant Clinton Goulder, and by like leave filed the answer of the said infant defendant, and the plaintiffs replied generally to said answers, and thereupon, by consent of all parties this cause is docketed and set for hearing. Whereupon this cause came on to be heard upon the bill of the plaintiffs and exhibited therewith filed, the said answer of W.H. Young Sheriff of Dinwiddie County and as such admr of Anna C. Goulder, deceased and the said answer of Clinton Goulder the infant defendant by B.J. Epes his guardian ad litem and was argued by counsel, On consideration whereof the Court doth adjudge, order and decree that it be referred to one of the Commissioners of this Court to take the following accounts,

1st An account of the transactions by W.H. Young

Sheriff of Dinwiddie County and as such administrator of Anna L. Goulder dec'd

2nd An account of the estate, real and personal, whereof the said Anna L. Goulder died seized and possessed, and the disposition, if any, that has been made of the personal estate

3rd An account of the debts and demands outstanding against the said Anna L. Goulder or her estate, And the said Commissioner shall make enquiry and report whether the real estate of which said Anna L. Goulder died seized can be partitioned among her heirs in any of the modes prescribed by law. A notice of the time and place fixed by Commissioner for taking said accounts and making said enquiry shall be given to all parties interested and a copy thereof posted at the front door of the Court house of this County on the first day of at least one County Court day previous to the day so fixed for taking said accounts, and said Commissioner shall make report to Court

vs

Mary Betty Young Plaintiff
&c
John B. Young & others Defendants } In Chancery

This cause came on this day to be further heard upon the papers formerly read, and upon the report of C.R. McKenney Comm'r. this day filed and was argued by counsel. And the Court being unwilling to confirm the sale at the price reported unless no further amount can be obtained, The purchasers reported by the Comm'r. R. Butterworth & Bro, making their offer through R. Butterworth in person appeared in open Court and offered to pay the sum of ($675-00) six hundred and seventy five & ^ Dollars in cash for the land reported sold instead of $562.50 as reported by the Comm'r, which offer is written at the foot of the report of Comm'r McKenney and signed by the said R. Butterworth by the firm name of R. Butterworth & Bro. is accepted by the Court and the sale to the said R. Butterworth & Bro. at that price is hereby ratified and confirmed and ordered to be held firm and stable between the parties, And the said C.R. McKenney Comm'r is hereby authorized and directed to collect and receive from the said R. Butterworth & Bro. the said sum of ($675-00) in full payment for said land, and upon the receipt thereof to convey to the said purchasers the said land by proper deed with Special warranty, And the said Comm'r C.R. McKenney is hereby directed to pay out of the funds to be collected

by him the costs and expenses of this and any other sale that may have been heretofore advertised but not made, and any taxes delinquent but not paid on the said land up to the year 1897 but not including that year so that the said taxes are due to the Commonwealth of Virginia or to any other person who may have paid the same in order to prevent the said land being returned delinquent.

And the Court doth allow to W R McKenney atty, the sum of $50.00 as his fee for services rendered in the cause, to be paid out of the purchase money for the land sold. And the said Commr, W. R. McKenney will make report to Court how he has executed this decree

Ordered that the Court be adjourned until tomorrow morning at 10 o'clock A M.

Beverly A. Hancock

Thursday March 25th 1897

Present Hon Beverly A Hancock Judge.

Ordered that the Court be adjourned until tomorrow morning at 10 o'clock A M.

Beverly A. Hancock

Friday 26th March 1897.

Present Hon Beverly A Hancock. Judge.

Ewd. Jones Dep Sheriff &c. Plaintiff
vs
Rainey Waller &c. Defts } In Chancery.

This cause came on this day to be further heard upon the papers formerly read, the answer of R.B. Davis published in this cause and the report of Commissioner Thomas F. Rives dated the 3rd day of March 1897. made in pursuance of the decree entered in this cause at the last term of this Court, to which report there is no exception filed and was argued by Counsel. On Consideration whereof, and it being suggested to the Court that the heirs of E.R. Rainey, who is dead. the names and residences of whom are unknown, are necessary parties to this suit, without at this time stopping upon any of the questions raised in this cause, the Court doth adjudge, order and decree that the heirs of said E.R. Rainey do be summoned to appear here on the first day of the next term of this Court. and shew cause why they should not be made parties to this suit, and the publication of a like copy of this decree once a week for four successive weeks in some Newspaper published in the City of Petersburg shall be deemed equivalent to personal service of such Summons upon said heirs.

Ordered that the Court be adjourned until next term at 10 o'clock A.M.

Beverly A. Hancock

Saturday March 27th 1897.

Present Hon Beverly A Hancock. Judge

Ordered that the cause not otherwise disposed of be and the same are hereby Continued until the next term.

Ordered that the Court be adjourned until the 1st Day of the next Term.

Beverly A. Hancock

In the Circuit Court of the County of Dinwiddie, Va. In Vacation.

Plaintiff

vs. In Chancery

Defts

Vendor's suit
Ord Not for Decree in Vacation
13 June Term 1899
Dabney Titus.

This cause came on this day to be heard in Vacation in pursuance of the notices given by S E Vaden and wife to all of the other parties interested in this suit, said notices being in pursuance of Sec 3426 of the Code of Virginia, and notifying said parties that they would make application to the Judge of this Court, on this day in Vacation, for the confirmation of the Sales of the real estate in these proceedings mentioned made by W R McKenney, Commissioner, at Dinwiddie Court House, Va. on Monday the 19th day of April, 1899. in pursuance of decree of this Court rendered at its March Term 1899. which notices appear to have been duly served upon all of the other parties interested; And upon the report of Commissioner McKenney bearing date January 7th 1899. and this day filed in this cause, to which report there is no exception filed, and was argued by Counsel. On consideration whereof the Court approving the said report doth confirm the same, and doth adjudge order and decree that the Sale of the real estate therein reported as having been made as follows: To Moses R. Vaden of the Mill, and one acre of land attached, and the right to the use as a Mill pond of the tract of about 140 acres of land owned by the Heirs of the Mill pond at the price of six hundred Dollars; and of the tract of about 140 acres of land, so covered by the Waters of the Mill pond. Subject to the right to the use of the said tract of about 140 acres of land for Mill pond purposes, to R Butterworth and H K Butterworth, partners under the firm name of R Butterworth & Bro. at the price and for the Sum of One hundred and fifty Dollars. be held forever firm and stable as between the parties thereto. That each of the said purchasers be authorized to pay in full the purchase price for the property purchased by them respectively, and that when they shall have paid respectively the purchase prices for the said property, then that the said W R McKenney Comr. be and is hereby authorized to execute to the said purchasers respectively, a deed with Special warranty for the property so purchased by them respectively. That out of the purchase prices aforesaid the said Comr. McKenney be and is hereby authorized to pay any [redacted] delinquent or unpaid on the said land up to and including the year 1898 together with any other cost of this Suit or expenses of the said Sales to this date, And that said Comr. McKenney shall make report to Court, the Court reserving for further consideration the question as to the proportions in which the cost of this Suit, the expenses of the said Sales and the taxes

so ordered to be paid shall be paid out of the purchase price of the two pieces of property above mentioned respectively.

To the Clerk of the Circuit Court of Dinwiddie County

Beverly A Hancock
Judge 2nd Judicial Circuit of Virginia June 7th 1897

In the Circuit Court of Dinwiddie County. In Vacation the 29th day of July 1897.

Virginia Arabella Pierce. and Wm M Pierce her husband. Plaintiffs.

vs. } In Chancery

Edna F Bolyeau and O J Bolyeau her husband. Defts

This cause came on this day to be heard in Vacation, by Consent of parties. Which Consent the Judge of the said Court hereby certifies to the Clerk to be by him entered in his Chancery order book, upon the plaintiffs bill, with exhibits filed at rules and upon the joint and several answer of the said defendants. Consenting to the prayer of the bill and asking that the same be granted, this day filed, with general replication thereto and was argued by Counsel. On consideration whereof. the Court doth adjudge, order and decree that partition be made of the several lots or parcels of land in the bill mentioned into two equal shares, and for the purpose of effecting such partition the Court doth order that O J Lee. John W Galeski, Charles H Zehmer. Samuel J Gilliam and L L Mendell, who are hereby appointed Commissioners for that purpose any three of whom may act, do assign and allot to the plaintiffs Arabella Virginia Pierce, and the defendant Edna Frances Bolyeau each One-half part in value of the real estate aforesaid, and if in their opinion, partition of any portion of said real estate cannot be made in kind without loss or injury to the parties interested then that the said Commissioners report that fact to this Court. and the reasons upon which their opinion is founded. with the real value thereof. And if said Commissioners shall need the services of a Surveyor in order properly carry out their decree, they are authorized to employ such Surveyor. And the said Commissioners are directed to report their proceedings to the Court together with any matter stated. deemed pertinent by themselves, or required by any party in interest to be so stated.

Beverly A Hancock.
Judge 2nd Judicial Circuit of
Virginia, July 29th 1897.

To the Clerk of the Circuit Court
of Dinwiddie C H Va.
The Consent to the within decree.

Hancock & Hancock
Attorneys for all of the parties.

Virginia. At a Circuit Court held for the County of Dinwiddie at the Court House thereof on Tuesday the 21st Day of September 1897 and of the Commonwealth the 122d

Present Hon B A Watkins Judge.

Mary Billy Young. Plaintiff } In Chancery
to
John B Young &c Defts

In the Circuit Court of the County of Dinwiddie
This cause came on this day to be further heard upon the papers formerly read, and upon the report of W.R. McKenney, Comr, bearing date September 18th 1897, and this day filed in this cause, to which report there is no exception filed, and was argued by counsel

On consideration whereof the Court approving the said report doth confirm the same, and doth adjudge, order and decree that the said W.R. McKenney, Commissioner do out of the balance of Four Hundred and Fifty Three Dollars and Fifty seven cents ($453.57) in his hands according to the said report, pay the taxes delinquent on the tract of land in these proceedings mentioned, and any unpaid costs of this suit and that he shall distribute the balance which shall then remain in his hands among the parties entitled thereto according to the bill and other papers in this cause, And that the said W.R. McKenney, Commissioner shall make report to Court

Henry Wheelhouse's Heirs Plaintiffs } In Chancery
vs
Henry Wheelhouse's Heirs Defts

This cause came on this day to be further heard upon the papers formerly read, and upon the report of W.R. McKenney Commissioner, bearing date May 27th 1897, and this day filed in this cause, to which report there is no exception filed and was argued by counsel, On consideration whereof the Court approving the said report doth confirm the same, and doth adjudge, order and decree that the sale therein reported of the tract of about 86 acres of land, in these proceedings mentioned, made to P.E. Gill by said Commissioner McKenney, be held forever firm and stable as between the parties

thereto; and that when the said purchaser shall have paid the balance of the purchase price due thereon, as represented by the two bonds of the said P.E. Gill, given for the deferred payments, one of said bonds being for the sum of $66.66, payable one year after date, and the other of said bonds being for the sum of $66.68 payable two years after date, then that the said W.R. McKenny Commissioner, be and is hereby authorized to execute to the said purchaser a deed, with Special warranty, for the said tract of about 86 acres of of land, and that said Commissioner McKenny be authorized to pay out of any funds now in his hands, or which may hereafter come into his hands, any unpaid taxes on the said land up to January 1st 1897; the purchaser to pay the taxes for the year 1897 and thereafter; and that said W.R. McKenny, Commissioner be further authorized to pay any unpaid costs of this suit, including a fee of Thirty Dollars to W.R. McKenny, the complainants attorney in this cause, for his services rendered herein, the said complainants having asked in their bill filed in this cause that a reasonable attorneys fee be allowed to the said W.R. McKenny. And that said Commissioner McKenny do make report to court

Smith Plaintiff
vs
Smith Defts } Ch Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner John Mann this day filed and was argued by Counsel, On consideration whereof, and it appearing from the report of Commissioner Mann that he has fully complied with the decree entered in this cause at the last term of this court, the Court doth confirm said report, And nothing further remaining to be done in this cause, it is ordered that the same be removed from the docket,

Vaiden use &c Plaintiffs
vs
Dobbins & others Defts } Ch Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of W.R. McKenny, Commissioner bearing date September 18th 1897, and this day filed in this cause, to which report there is no exception filed, and was argued by Counsel, On consideration whereof, the court approving the said report doth confirm the same, and doth adjudge, order and decree that out of the balance of Five Hundred and Thirty Dollars and

Thirteen cents in the hands of the said W.R. McKenney, Commissioner, according to his said report, he shall pay any unpaid costs of suit and expenses of sale, charging the fund derived from the sale of the property to R. Butterworth & Brothers with one-fifth of all the costs and expenses of this suit, and of all the taxes paid by the said Commissioner as reported in his said report, and charging the fund derived from the sale of the property to M.R. Seal with the remaining four fifths of such costs and expenses and taxes. And it appearing to the court from the bill filed in this cause that the complainants ask that a reasonable attorney's fee be allowed to W.R. McKenney for his services in this cause, it is ordered that said Commissioner McKenney do pay to the said W.R. McKenney a fee of fifty dollars for his services as aforesaid. After ~~all~~ unpaid costs and expenses as aforesaid shall have been paid, then said Commissioner McKenney is hereby directed to distribute the balance which shall then remain in his hands among the parties entitled thereto according to the bill filed in this cause. And that said Commissioner McKenney shall make report to Court.

R. C. Elder Gdn } Plaintiffs
vs } In Chancery
L. W. Perkins Extr &c } Defts

This cause came on this day to be further heard upon the papers formerly read & upon the motion of Mrs. E.J. Elder that she be allowed to relinquish & give to her children who are "the heirs of her body" her life interest in the fund of $70 00 heretofore deposited in bank under orders in this cause and was argued by Counsel, On consideration whereof the Court doth grant the said motion of said E.J. Elder and orders & decrees that A.M. Organ, the Clerk of this Court, do withdraw from the papers of this cause the certificate of the Petersburg Savings & Insurance Co, for $70 00 and collect the same, & out of the money so to be collected that he pay first the unpaid costs of this suit chargeable to said fund, and pay over the residue of said fund in equal proportion to Jno L. Hardaway, Eva L Winfield and Marianna Hardaway, the "children" & heirs of her body" of said

E. J. Elder, and took vouchers for said pay'ts & filed the
N Same in the papers of this cause with his report to Court

Nennally's Heirs Plaintiffs
vs In Chancery
Slade &others Defts

This cause came on this day to be further heard upon the papers formerly read, the summons awarded against Geo. Whitty by the last decree entered in the cause and the report of Special Commissioner Geo. S. Bernard, dated Sept 21, 1897, this day filed, and was argued by counsel, On consideration whereof, it appearing to the Court from the return on said summons that it has been duly executed upon said Geo. Whitty, it is ordered that he be made a party defendant in this cause and hereafter be so proceeded against. And it further appearing to the Court from said report and the letter of the defendant Jno. P. Decker, the personal representative of the late John J. Slade and agent for the widow and children of said deceased purchaser filed with said report, that partition having been made of the real estate of said Slade and the tract of land of about sixty five (65) acres in the proceedings mentioned having been allotted as a part of said real estate to the defendant, Nellie M. Slade, it is the desire of all of the parties interested that upon the due payment to said Special Commissioner of the balance of the purchase money due for said tract of land the same shall be conveyed to said Nellie M. Slade and not as contemplated when said decree was entered and as thereby provided, the Court doth adjudge, order and decree, that said Special Commissioner do now collect said balance of said purchase money and when it shall have been fully paid do execute a deed conveying to her, said Nellie M. Slade, with Special warranty the tract of land aforesaid. And the Court doth further adjudge, order and decree that out of the money to be so received by said Special Commissioner he pay to the Plaintiff, Sarah J. Whitty and her husband, said Geo. Whitty, the sum of twenty three dollars and sixty cents ($23.60,) with interest thereon from the 4th day of January, 1894, till paid, and after reserving a sum sufficient to pay the unpaid costs of this suit do distribute the residue according to the plan of distribution provided by the decree entered herein at the May Term, 1893, of this Court, the share of said Sarah J. Whitty to be paid to herself and her said husband, and said Special Commissioner
Jv is ordered to make report to Court

V.W. Keeler's Heirs &c, Plaintiffs } In Chancery
vs
V.W. Keeler Heirs &c Defts

This cause came on this day to be further heard upon the papers formerly read and the report of Commissioner Thos. F. Rins, dated March 6th 1897, made under the decree entered in this cause at the March term 1895 of this court and filed in the Clerk's Office of this Court on the 11th day of March, 1897, and was argued by counsel. On consideration whereof, it appearing to the court from said report to which there is no exception filed that the late V.W. Keeler died seized and possessed of a tract of land situate in this County of Dimiddie, that it cannot be conveniently partitioned in kind among the heirs at law of said decedent, that no one or more of them is or are willing to accept the whole tract and pay to the other parties such sums of money as their respective interests therein will entitle them to receive, and that a sale of the whole tract will promote the interests of all parties interested, and it further appearing to the court that there are no debts due by the estate of the deceased except the costs of this suit, and that the defendant Jno. Y. Harris ~~has~~ as administrator has fully and properly distributed all of the decedents personalty which has come in to his hands or with what he was chargeable, except a balance of seven dollars and five cents ($7.05) payable to the non resident defendant Thos. O. Keeler as his distributive share of said personalty, the court approving said report, doth confirm the same, and doth adjudge, order and decree that said Jno. Y. Harris, admr. of said V.W. Keeler dec'd, do pay to said Thos. O. Keeler, or his attorney, said sum of seven dollars and five cents ($7.05), with interest from said 11th day of March 1897 till paid, and doth further adjudge, order and decree that Geo. L. Bernard and John G. Harris, who are hereby appointed Commissioners for the purpose either one of whom may act alone, do make sale of the tract of land aforesaid upon such terms and in such manner as to them shall seem best, the sale however to be subject to the approval of this Court, and no money to be received by said Commissioners, or such one of them as may act, until they or he shall have entered into and filed with the Clerk of this Court a bond in the penalty of two

hundred and fifty dollars ($250.) with security to be approved by said Clerk and Guardian ad litem as the law directs, said Commissioner to make report to Court,

J D Worsham adv. Plaintiff
vs
Kate Winfree adv. Deft } In Chancery.

This cause came on this day to be heard upon the papers formerly read, the Decree awarded by the last decree entered in this cause against the purchaser Albert E Spain Jr. and the report of Special Commissioner Geo D. Bernard dated Sept 21, 1897, made as directed by the decree entered herein at the September term, 1896, of this Court, and was argued by Counsel On consideration whereof, it appearing to the Court that said Decree has been duly executed, the Court doth adjudge, order and decree that unless said purchaser within sixty days from the date of the decree of adoption of this decree upon him by the balance of instalment of the purchase money payable on the 1st day of February, 1899 said Special Commissioner shall, and he is hereby ordered to sell by public auction after reasonable advertisement of the time, place and terms of sale the tract of land in the proceedings mentioned. ## the purchaser to pay enough cash to meet the costs of sale and the balance due on said instalments, the residue of the purchase money to be on three annual instalments, this first to be payable at some time subsequent to the 1st day of February 1898, and for an amount sufficient to pay off and discharge the instalment of purchase money payable on that day by said Albert E. Spain Jr, the other two instalments to be equal in amount to each other and carry interest from the day of sale till paid, title to be retained till the purchase money is fully paid the purchaser to give his notes for the deferred instalments, the sale to be subject to the approval of this Court

And it appearing to the Court from said report of said Special Commissioner and the statements and vouchers therewith filed, that, as attorney for the plaintiffs, he holds a balance of twenty nine dollars and nine cents ($29.09) to meet the further costs of this suit and as Special Commissioner has made disbursements, fifty eight (58) cents in excess of his receipts as Special Commissioner, the Court, approving his said several transactions and his said report thereof, doth confirm the same, and doth further adjudge, order and decree that of the money hereafter to be collected in payment of the purchase money due and to become due by said Albert E. Spain Jr, distribution be made as follows: after deducting a sum reasonably sufficient, with said sum of twenty nine dollars and nine cents ($29.09) now in his hands as attorney

to pay all of this costs of this suit including, commissioner's, commissioners and attorneys fees, Said Special commissioner is directed to pay to the legally qualified guardians of the infant defendants, Katie Winfred and Birdie Winfred, each the sum of Eighteen dollars and eight cents ($18,08) with interest on sixteen dollars and sixty five cents, ($16,65) from May 10th, 1897, till paid, so as to equalize these infants with the adult parties who have received dividends from said Geo S. Bernard or attorney, prior to said 10th day of May. 1897 on shares so paid apart. When the money shall have been paid or reserved to be paid, the respective shares shall be distributed as follows, One third part to the plaintiff Sarah A Hankins. One third part to the three children of Martha E Bass dec. One ninth to each, and one third part to the three children of Mary Ann Hankins dec'd (one ninth to each), the shares of said two infants to be paid to their legally qualified guardians, If there be no qualified guardian of either of said infants, the share of such infant shall be deposited with the Petersburg Savings and Insurance Company and a certificate of deposit taken therefor, payable to the order of this Court, said certificate to be returned with said Special Commissioners report of his transactions under this decree, which he is hereby ordered to make at the next term of this Court,

Ordered that the Court be adjourned until tomorrow morning at 10 oclk A M.

Beverly A. Hancock

Wednesday September 22nd 1897.

Present Hon B A Hancock Judge.

W. I. Brown and wife — Pltffs.

vs.

Mary A Brown, J. P. Brown and Alice E Brown his wife, J. T. Brown and Hattie Brown his wife, Henry C Brown and Kate Brown his wife, Lucy Vaughan and T. B. E. Vaughan her husband, R. H. Brown, Jennie Brown and Robert C Brown the last named being an infant by W. M. McGeary his guardian ad litem; — Defts.

Ste Chancy.

This day came the Plaintiffs, W. I. Brown and wife

and on motion of the said plaintiffs, and by and with the consent of all of the adult defendants, by W.R. McKenny their counsel, this cause was docketed, and thereupon the said plaintiffs filed their bill; the said adult defendants filed their answer, and on motion of the plaintiffs, W.R. McKenny, a discreet and competent attorney at law, is assigned as guardian ad litem to the infant defendant, Robert L. Brown, and filed the answer of the said infant defendant, and then this cause came on to be heard upon the Bill, with the exhibits filed therewith, the Answers of the Adult defendants, the Answer of the said infant defendant by his guardian ad litem, with general replications to the said answers, and was argued by counsel, On consideration whereof it appearing to the court, from the said Bill and the said answers, that the tract of 120 1/2 acres of land, in the plaintiffs' bill mentioned, cannot be conveniently partitioned in kind among the various parties interested therein, not only on account of the number of parties so interested, but on account of the size and nature of the said land, as shown by the said bill and answers, that no one or more of the said parties is or are willing to have the whole of the said tract of land assigned to him, her or them, and pay to the other parties interested such sum or sums of money as his her or their interest therein would entitle them to, and that the interest of all parties concerned will be promoted by a sale of the whole of the said land and a distribution of the proceeds of sale among the parties interested according to their respective interests therein, And it further appearing to the court from the answer of the adult defendants, that all of such defendants desire the sale to be made, the court doth adjudge, order and decree that W.R. McKenny, be and is hereby appointed a commissioner of this court, whose duty it shall be to make sale at public auction, either at Dinwiddie Court House on some county court day, or in the City of Petersburg Va, of the tract of land aforesaid, upon the following terms, One-fourth of the purchase price in cash, and the balance in equal credits of one and two years, deferred payments to carry interest at the rate of six per cent, per annum from day of sale, and title to be retained until the purchase money shall have been fully paid, Purchaser to pay taxes for 1897, All taxes prior to 1897 to be paid out of the purchase price, such sale, however, to take place

only after at least two weeks notice of the time place and terms of sale by hand bills duly distributed and posted, and at least one weeks notice thereof in some daily newspaper published in the City of Petersburg, Va., But that said Commissioner McKenney shall not proceed to execute this decree until he shall have entered into a bond, in the penalty of Two hundred dollars, with security to be approved by the Clerk of this court, conditioned according to law, for the faithful performance of his duties under this or under any further decree which may be rendered in this cause,

And that said Commissioner McKenney shall make report to court,

Eure & Jones Surviving partners &c Plaintiff
vs
Rainey & Walker Defts } In Chancery

This day came the non resident defendant, Alfred B. Hobson, and by leave of Court filed his answer to the plaintiffs bill, and thereupon, this cause came on this day to be further heard upon the papers formerly read and upon the said answer and was argued by counsel, On consideration whereof, it appearing to the Court from said answer, and from the admission of the plaintiffs in open court made by counsel, that the tract of land of two hundred acres in the proceedings mentioned, was purchased by said Hobson at the price of four hundred dollars, ($400.00) or with the understanding that he should pay the purchase in cash upon the due execution and tender to him of a deed conveying a good and sufficient title to said land, and it further appearing to the Court that the decree entered therein at the March term 1877, by mistake directed that the heirs of E.R. Rainey instead of the heirs of A.R. Rainey be made parties to this cause, The Court doth adjudge order and decree that the heirs at law of the late A.R. Rainey the names and residences of whom are unknown be summoned to appear before this Court on the first day of the next term thereof, to show cause if any they can, why they shall not be made parties to this suit and why the sale of the tract of land

in the proceedings mentioned made to the defendant Alfred B. Hopson at the price of $400 ~~to~~ which not be approved and confirmed, Publication of a certified extract from this decree once a week for four successive weeks in some newspaper published in the City of Salisbury shall be deemed equivalent to personal service of the Summons hereby ordered upon said heirs

Robertson rothers Plaintiffs } In Chancery
vs
Goulders admrx Defts }

This cause came on this day to be further heard upon the papers formerly read and the report of Commissioner A.M. Ozain made in pursuance of the decree entered in this cause at the last term of this court, and was argued by counsel, On consideration whereof the court approving said report to which there is no exception filed doth confirm the same; and it appearing to the court from said report that the real estate in the bill mentioned, cannot be partitioned between the parties entitled thereto in any of the modes prescribed by law, the Court doth adjudge, order and decree, that John G. Harris, who is hereby appointed a special Commissioner for the purpose, proceed to make sale of the real estate of which the late Anna E. Goulder died seized and possessed, after duly advertising the time terms and place of sale — either on the premises, at Dennisville or at Church Road Depot upon terms of one third of the purchase price cash and the balance in equal instalments of one and two years with interest from day of sale, But before the said John G. Harris shall act as such Commissioner he shall execute before the Clerk of this Court a bond in the penalty of $1500 ~~to~~ with surety to be approved by said Clerk, conditioned for the faithful performance of his duties under this and any future decree to be entered in this cause, And said Commissioner shall make report to court.—

Beverly A. Hancock
Thursday Sept 23rd 1897

Present Hon B. A. Hancock Judge

B. le. Wills admr,
vs
B. le Wills widow & heirs } cause No. 1,

Wills Exs,
vs
Wills admr, & ols } cause No. 2

Cause No. 2, above styled which has regularly matured at Rules in the Clerks Office & been set for hearing, came on this day to be heard upon the Bill taken for confessed as to all the defendants & the exhibits thereto filed & was argued by counsel, and cause No. 1, above styled came on this day to be further heard upon the papers formerly read, the report of Comr, A. M. Organ, dated March 6th & filed March 8th 1897, to which there are no exceptions, the answer of Parthenia Wills filed March 26, 1897 & was argued by counsel On consideration whereof it appearing to the Court that the matters in controversy in said causes are so related & the parties in interest the same, the Court doth adjudge, order & decree that said cause no. 1 & No. 2, be considered & heard together, that the said Report of Comr, A. M. Organ be confirmed, that J. Y. Stovall & B. J. Epes who are hereby appointed Special Commissioners for the purpose under & by virtue of an act entitled, "An act" &c, sell the tract of 174½ acres of which B. le Wills died seized and possessed, after advertising the same once a week for four successive weeks in some newspaper published in the City of Petersburg, for one week each the same in one other paper, but before said Commissioners or either of them act he or they shall execute & file in the papers in this cause bond with surety to be approved by the Clerk of this Court in the penalty of $800 conditioned for the faithful performance of his duties under this decree or any other which may be entered in this cause, and the Court doth further order that John Hoyt be summoned to the next term of this Court & show cause why the land purchased by him of the said B. Wills should not be sold for the Commissioners commissions, and that one of the Commissioners of this Court state & report to Court an account of the present value of the dower interest of Parthenia Wills in the real estate of which B. Wills died seized & possessed.

Mr. Stafford James not
appeared.

Pett
Dec

Sinclair & Lee. Defts

This Cause coming on this Day to be further heard upon the Report formerly made and entered upon by Commissioner Geo. D Bernard dated March 30th 1897 this Day filed, made under the Decree entered herein at the April Term 1896 of this Court, and now argued by Counsel, On Consideration whereof, it appearing to the Court from said Report to which there is no exception filed, that said Special Commissioner was empowered by the Purchase Money Mortgage in said Decree mentioned or directed by said Decree to convey the Lands referred to in said Report & to confirm the same, And it appearing that there is nothing further to be done in this Cause, it is ordered that it be removed from the Docket, and that said Branch of Essex pay all the costs of suit.

Ellenborough E J Nevin Pltff
&
Ellenborough E J & Nevin Defts } Sic Decree.

This Cause coming on this Day to be further heard upon the Papers formerly read and upon the Report of the Commissioners appointed to sell the Real Estate in the Bill Proceedings mentioned filed in October 1st 1897 to which no exception is taken and now argued by Counsel. On Consideration whereof the Petitioner Virginia Arabella Nevin, having by Counsel in open Court offered and agreed to and hereby to bid the Sum of Four thousand Dollars for the Messuage or Tenement and Tract of Land of 42½ acres at Ellenborough Cumberland Co Maine the Purchase of said Tract of Land at the Sale thereof to be made under this Decree if no higher bid be made therefor at said Sale, and the Defendant Edna Barnes Bickford thereupon having notice thereof by Counsel in open Court, no objections to the Confirmation of the Report of said Comr. Signed by Cy Lee & W Galacha and Ezekiel Zeltner, the Court approving the said Report as to the Alternate Report and Signed by said Comr. Cy Galacha & Zeltner doth Confirm the Same, and adjudge, order and decree that the several parcels of real Estate named & described in "Alternate Lot No 1" in said Report Confirmed viz:

No 1. Hay Farm of 398. acres
No 6. Capt Goodwin Farm of 9 acres
No 7 Evergreen Tract South of Main Road of 66½ acres
No 14 Noble Tract of 231 acres
No 28 Minnie Chappell Tract of 195½ acres
No 26 Edward Gilliam Tract of 100 acres
No 29 Sheet Tract of 62 acres
No 21 ½ of McDonald Tract of 175 acres or 87½ acres
No 20 Vaughan Tract of 57 acres
No 9 Kidd Tract No 1 of 123½ acres
No. 10. Kidd Tract No 2 of ½ of 60 acres or 30 acres
No 32. Olive Chappell Tract of 109 acres
No 34 Capt Vaughan Tract of 59 acres

No 35 Lots Numbers 27 & 28 in Block 18 D in Subdivision of Braxton Chandler Maps in Newport News Co. Surveyor of Circuit Court

No 36 Lot 12 Block 19 & Lot 34 Block 12 in Warwick C. H. on Map of Newport News Hampton & Old Point Development Co made by C. M. Braxton

No 37 1/2 of Mill site and 50 acres of land on Hotchkiss Road

No 31, A. P. Clarke Tract of 53 3/4 acres

No 28 E. Brisbin Tract of 260 3/4 acres

No 12 Adams Tract of 70 acres

No 18 Fowler Tract of 18 acres

No 41 W 1/2 of Lot on Real Estate in Petersburg Va of estate of Benj Bispham dec

No 42 Lot & House thereon on Dunlop Street in Petersburg Va.

No 30 J M Jones Tract Denbigh Co Va Court of 320 acres of the Real Estate of Mary E. Jones dec and the same is hereby allotted and assigned to Edna Frances Bispham and that Edna Frances Bispham & Ray L. Virginia Arabella Stevens David Lee Stevens minors of tender age, and the Court doth further adjudge order and decree that the several parcels of real estate named and set forth in Allotment List No 2 in said report contained viz:

No 17 Bostwick Tract of 948 acres

No 3 Young Tract of 120 3/4 acres

No 4 Henry Gilliam Tract of 50 acres

No 5 Wyatt Tract of 50 acres

No 23 Fowler Tract of 312 1/2 acres

No 24 C. H. Brisbin Tract of 304 3/4 acres

No 29 C. P. Jolly Tract of 100 acres

No 20 Hankins Heirs Tract of 167 acres

No 8 Crump Tract North of Marks Neck Road of 151 3/4 acres

No 11 Byrd Tract of 112 acres

No 33 Reid Tract Marks Road of 13 1/2 acres

No 39 Lots Numbers 25 & 26 in Block 18 D in Subdivision of Braxton Chandler Maps of Newport News bought of Land Co

No 38 Lot 23 in Block 13 Lot 38 in Block 6 in Warwick C. H. on Map of Newport News, Hampton & Old Point Development Co. made by C. M. Braxton.

No 39 45 acres of land in Denbigh Co Va near Savages Station.

No 40 41 1/2 acres of land in Denbigh Co Va near Savages Station.

No 1 J. D. Fowler life interest in 178 acres of land in Denbigh Co Va of the total valuation of $1061.20 but the same is allotted and assigned to Virginia Arabella Stevens, and she to be charged by said Edna Frances Bispham. the sum of seven 50 Dollars as value of said interest; and it appearing to the Court that the Redemption value of 42 1/2 acres of Denbigh Co Court House belonging to the said Va Arabella Stevens & Edna Frances Bispham cannot be amicably ascertained and fixed between the owners thereof, and it is the

sides of said mines to be provided & set in repair by each. Plan of and Distribution of the proceeds of sale, and the parties Consenting in open Court. The Court doth further adjudge order and decree that said parcel of Real Estate of 43½ acres with the improvements and appurtenances belonging thereto, reserving from such sale the family grave yard as now enclosed by Walls being a space of 30 feet by 30 feet more or less, with the right of access & egress to & from said grave yard also reserved to the grantees, be sold either privately or by public auction by Beverly Hancock Master after advertisement by hand bills to be posted at Dennis Mi Court House after advertisement by hand bills to be posted at Dennis Mi Ct. for ten days before such sale, and upon the terms of one fourth of the purchase money in cash, and residue in two equal payments payable in one & two years after day of sale, bearing 6 per cent interest from the date of said sale, the purchaser to give note for the deferred payments and keep the buildings insured for "their fair value until the purchase money shall be fully paid or additional security for the deferred payments, and title to be retained until the purchase money shall be fully paid - possession under said sale to be given on Jany 1st 1898. And Alexander Hamilton is hereby appointed a Special Commissioner of this Court whose duty it shall be to make said sale, and when further duty it shall be to execute and deliver to the said Vm Arabella Horne and Edna Frances Burgess, respectively, good & sufficient deeds with special warranty for the several parcels of real estate herein before allotted & assigned to them. But said Hamilton shall not act as such Comr in making said sale until he shall enter into bond as such, with security approved by the Clerk of this Court, in the penalty of $6.000.- conditioned according to law for the faithful performance of his duties under this and all future decrees in this cause, and said Comr Hamilton shall ~~make~~ report to Court

Ordered that the Court be adjourned until the 1st day of next Term.

Beverly A. Hancock

Sarah A Hardy admx. Plaintiff
vs
Sarah A Hardy Distributees. Defts } In Chancery.

This cause came on this day to be further heard on the papers formerly read, and on the report of Comr John G Harris dated the 12th day of Feby 1897. made under the decree entered in this cause on the 13th day of Feb 1897, filed in the Clerks office the 1st day of March 1897.

and the exceptions of the plaintiff B H Ragsdale, late Sheriff of Dinwiddie, and as such admr of Sarah A Hardy dec'd. and was argued by Counsel. On consideration whereof it appearing to the Court, from said former report, that said personal representative of said Sarah A Hardy dec'd has fully and properly distributed all of the money which has come into his hands under said decree except a small balance of $12.70 Twelve Dollars and Seventy cents, which said amount is properly applicable to the unpaid costs in this cause, and expenses of administration, and it appearing to the Court that the defendant J B Bell as the personal representative of the late Sarah A Hardy dec'd has had some transactions as such since the said decree of Sept 1st 1890, the Court overruling said exceptions, and confirming the said report. Doth confirm the same, and doth adjudge order and decree, that the said Ragsdale as the personal representative of the said Sarah A. Hardy dec'd, and the said J B Bell, as the personal representative of the said John A Hardy dec'd, render before one of the Commissioners of this Court an account of their respective transactions, said Ragsdale of his transactions since March 1st 1897, and said Bell of his transactions since said first of Sept 1890. which said account said Court is ordered to audit, state and settle and report to Court with any matter deemed pertinent by him or by any party interested.

In the Circuit Court of Dinwiddie County, Virginia.

S C Forsaith Machine Company. Plaintiff

vs

L P Sanders, doing business under the name of the Hudson Machine & Contracting Company G O Sanders, and L P Sanders partners trading under the firm name of G O Sanders & Co. G O Sanders and L P Sanders his wife, individually, and the Waldamar Boy and Lumber Company a corporation, under the laws of the State of Virginia } Defts

In Chancery.

This cause came on this day to be heard in vacation by consent of counsel upon the bill and exhibit filed by the

plaintiff and the answer of all the defendants, and was argued by counsel. On consideration whereof and by consent of counsel for all parties, the Court doth adjudge, order and decree that the defendants L.P. Sanders doing business under the name of the Newton Machine and Construction Company, G.O. Sanders, and L.P. Sanders, partners trading under the firm name of G.O. Sanders and Company, G.O. Sanders and L.P. Sanders, his wife, individually, and the Waldamar Box and Lumber Company a corporation under the laws of the State of Virginia, do within twenty days from the date hereof pay to the said plaintiff, the Dement Machine Company, the sum of Fifteen Hundred and ninety Dollars and fifty seven Cents ($1590.57), with interest on $300.00 a part thereof, at 6% per annum, from June 23d 1896, until paid, and with interest on $160.00 a part thereof at 6% per annum, from July 12th 1896 until paid and with interest on $330.57 a part thereof from September 3rd 1896 at 6% per annum, until paid, and with interest on $800.00 a part thereof at 6% per annum, from September 3rd 1896 until paid. And it is further ordered that if the said defendants shall within the period aforesaid pay to the said plaintiff the said sum of money with interest as aforesaid, that then the said plaintiff do reconvey the mortgaged property in the bill and proceedings mentioned to the said defendants free and clear of all encumbrances done by it or any claiming by, from or under it, the said plaintiff. And the Court doth further order, adjudge and decree that unless the defendants do within 20 days from the date hereof pay the said sum of money with interest as aforesaid to the said plaintiff, then that Charles Hale Davis, who is hereby appointed a special Commissioner for that purpose, do after having advertised the time, place and terms of sale for ten days in a daily Newspaper published in the City of Petersburg, Virginia, expose to sale at public auction to the highest bidder in the City of Petersburg the property in the proceedings mentioned, upon the following terms, one third of purchase money to be paid in cash and the residue in two equal instalments at 60 and 90 days from the day of sale, the credit instalments carrying interest from the day of sale and the purchaser giving his negotiable note for the credit instalments, the title to the property to be retained until the full purchase money is paid and a conveyance directed by the Court. And the said Commissioner, Charles Hale Davis, is directed to report his proceedings hereunder to the Court, But the said Charles Hale Davis shall not receive any money from the purchaser at such sale or under this decree until he shall enter into bond with sufficient security in the Clerks Office of this Court payable to the Commonwealth of Virginia in the penalty of $3000.00 and conditioned for the faithful discharge of his duties as such Commissioner. And the Court doth further order, adjudge and decree that a judgment be entered up against the said defendants and each of them for the sum of $1818.61 with interest on $300.00 a part thereof at 6% per annum, from June 23d 1896 until paid, and with interest on $160.00 a part thereof, at 6% per annum, from July 12th 1896, until paid, and with interest on $330.57 a part thereof from September 3rd 1896 at 6% until paid, and with interest on $800.00,

a part thereof, at 6% from September 3rd 1896 until paid, and with interest on $152.93 a part thereof, from May 22nd 1896 at 6% per annum, until paid, and with interest on $75.11 a part thereof, from Jany 28th 1897, at 6% per annum, until paid, said Judgment when so entered to be credited with any amounts that may be realized at the sale of the property hereinbefore mentioned.

To the Clerk of
Dinwiddie Circuit Court

Beverly R Stanard Judge 2nd
Judicial Circuit of Virginia.
Oct 28 1897

This cause is continued by all parties by their Counsel

L P Sanders doing business under the name of the Hudson Machine Construction Co. G O Sanders & L P Sanders partners trading under the name of G O Sanders & Co. G O Sanders and L P Sanders Woodward Bro & Lumber Co & Arnault Machine Co. } by Charles Hall Davis, Counsel for all parties,

Enter this decree
Oct 28 1897
B A S.

In the Circuit Court of Dinwiddie County.
In Vacation

Ettrickborough, E J & Heirs
vs
Ettrickborough E J & Heirs. } In Vacation.

This cause came on this day to be further heard by consent of parties, upon the papers formerly read, and upon the report of Commissioner B. R. Stanard, this day filed by leave of Court, with the written consent filed herewith, and the consent and request of all the parties of the application to have the sale of the real estate reported Confirmed in Vacation, to which report no exception is taken, and was argued by Counsel. On consideration whereof, the Court, approving the said report of said Commissioner therein, doth confirm the same, and adjudge, order and decree that the sale of the real estate reported, viz. the Ettrickborough deceased property of 42 1/2 acres, more or less, in Dinwiddie Co. Va. excepting and reserving from said sale the family graveyard thereon as now enclosed by walls, being a space 30 feet by 30 feet, more or less, with the rights of access and egress to and from said graveyard, to Virginia A Starke, as the heir

of fifty-three hundred Dollars ($5300.) one fourth thereof payable in cash, and the residue in equal of one and two years, etc, as prescribed by the decree of sale, be and the same is confirmed and held firm, stable and binding between the parties.

To the Clerk of the Circuit
Court for Dinwiddie C. Va.

Beverly A Hancock.
Judge 2nd Judicial Circuit of Virginia.
Nov 8th 1897

In Vacation Jany 5th 1898.

Chas Hale Davis, trustee of G O Sanders and L P Sanders partners trading under the firm name and style of G O Sanders & Company.

Pltff

vs

August Wright, R F Scott trading as J F Scott & Company, R W Mansons, G J Meade, J W Bain, J S Bellwood trading as J S Bellwood & Co, Belle R Hall admrx of E R Dodson dec'd, E A Pouch and P O Pouch, trading as E A Pouch & Son, The Petersburg Iron Works Company a Corporation under the laws of the State of Virginia, Charles Lenard and any and all of the holders of any of the notes, drafts and obligations secured by a certain deed of trust from G O Sanders and L P Sanders partners trading under the firm name and style of G O Sanders to Chas Hale Davis, trustee.

Dfts

In the Circuit Court of Dinwiddie County, Virginia,

This Cause came on this day in Vacation to be heard upon the bill of the plaintiff taken for confessed and the exhibit therewith filed and was argued by Counsel, On consideration whereof the Court doth hereby adjudge order and decree, that one of the Commissioners of this Court shall proceed to take the following accounts, viz: First, An account of the transactions of Chas Hale Davis, trustee of G O Sanders &c. under a Deed dated August 9th 1896. recorded in Dinwiddie County Circuit Clerks office in Deed Book No 29. No 2. page 320. Second, An Account of the debts secured by the deed of Trust from G O Sanders &c. to Chas Hale Davis trustee above referred to, with their amounts, Dignities and priorities, and ascertainment of the parties holding the same. But the Commissioner will not proceed to take the accounts herein ordered until he shall have given notice of the time and place of same by publication once a week for four successive weeks in some newspaper published in the City of Petersburg, Virginia, which notice when so published shall be taken as equivalent to personal service of the same on the parties interested except Chas Hale Davis, trustee, who shall have personal notice of same.

To the Clerk of Dinwiddie
Circuit Court.

Beverly A Hancock Judge 2nd Judicial Circuit of Virginia, Jany 5th 1898.

Virginia, At a circuit Court held for the County of Dinwiddie at the Court House thereof on Monday the 21st Day of March 1898 and of the Commonwealth the 122d

Present Hon Beverly A Hancock Judge.

Pettus Pltff
vs
Cairns Defts
In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of Alexander Hamilton Commissioner this day filed, showing a full distribution of the funds in his hands, and was argued by Counsel, On consideration whereof, the Court approving said report to which there is no exception doth confirm the same, and it appearing to the Court that nothing further remains to be done in this cause it is ordered that the same be removed from the docket.

R A Bland Plaintiff
vs
Lacy & wife, &als Defts
In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of Alexander Hamilton Commissioner this day filed showing a full distribution of the fund in his hands and was argued by counsel, On consideration whereof, the court approving said report to which there is no exception doth confirm the same, and it appearing to the court that nothing further remains to be done in this cause it is ordered that the same be removed from the docket.

Keily, per friend Plaintiff
vs
Paschal Tucker Defr
In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of W R McKenney Comr bearing date March 21st 1898 and this day filed in this cause to which report there is no exception filed and was argued by counsel And it appearing to the court that the said W R McKenney Comr desires that some one else shall be appointed in his place and stead to make sale of the tract

of 433 3/4 acres of land in these proceedings mentioned which he has been heretofore ordered to sell, and the said commissioner having set forth in his said report his reasons for such delay, which are satisfactory to the court On consideration whereof, the court doth adjudge, order and decree that Battelle Roper Jr, be and is hereby appointed a special commissioner of this court, whose duty it shall be to make sale of the tract of 433 3/4 acres of land lying and situate in the county of Dinwiddie, Va, and belonging to the Estate of Paschal Tucker, decd and set forth in the papers in this cause, said sale to be on the following terms; One-third of the purchase price in cash and the balance on equal credits of one and two years, the deferred payments to carry interest from day of sale, and to be secured by deed of trust on the property at the expense of the purchaser, All taxes prior to the 1st day of January 1898, to be paid out of the purchase price, and all taxes for 1898, and thereafter to be paid by the purchaser But that said comr, Roper shall not proceed to execute this decree until he shall have entered into a bond in the penalty of $2.000, with security approved by the clerk of this court conditioned according to law and that said commissioner, as well as said W.R. McKenney, comr, shall make report to court

Copy v Mitchell
vs
Michael P. Ryan
and
Moore & Olt,
vs
Michael Ryan

Pltffs
Defts

In Chancery

This cause came on this day to be further heard on the papers formerly read and on the report of George Mason Special Commissioner this day filed, and was argued by counsel, On consideration whereof this Court doth confirm said report there being no exceptions thereto and doth adjudge order and decree that this cause be removed from the docket, it appearing that nothing further remains to be done in the same

O. H. Curtis Pltff
vs
J. W. Thrift and Deftes } In Chancery
Mashebel Thrift his wife

This cause came on this day to be heard and on motion of the plaintiff it is ordered that the same be removed from the docket

B. D. Booth, trading as B D. Booth & Co Pltffs,
and Charles Leonard
vs } In Chancery
George W Bamer and Mollie J. Deftes
Bamer his wife

This cause came on this day to be further heard and on motions of the plaintiffs it is ordered that the same be removed from the docket

Chas. Hall Davis, Trustee, Plaintiff,
vs } In Chancery
Reg. Wright & als Deft

This cause came on this day to be further heard upon the papers formerly read and upon the report of A.M. Organ, Commissioner, taken in pursuance of the decree entered in this cause on the 5th day of January, 1898, and filed on the 5th day of March 1898, and was argued by counsel, On consideration whereof the Court approving said report to which there is no exception, doth confirm the same and order that the Trustee, Chas. Hall Davis, out of the balance of $454.78 reported in his hands pay first the costs and expenses of this suit and then whatever amount is due for the taxes of 1897 upon the property sold by him, to the County of Dinwiddie and the State of Virginia, and then pay over the balance remaining in his hands ratably to the persons holding the debts secured by the deed of trust in the proceeding mentioned, which debts, as ascertained by the report of Commissioner A.M. Organ, are as follows;

J. T. Heath & Bro	$133.99
G. J. Meade	90 97
B. R. Walker, Adms, E. R. Dodson	154.96
J. S. Beckwith & Bro,	103.58
Reg. Wright	76.82

D. L. Rosenstiel,	$ 76.20
W. H. Harrison	137.29
Jno. Herbert Claiborne	49.59
Petersburg Iron Works	85.56
Woldanstor Boy & Lumber Co,	99.73
R. W. Manson	135.80
	$1145.49

And the said Trustee will report to the Court how he has executed this decree,

S. C. Forsaith Machine Co, Plaintiff
To
Hudson Machine & Construction Co. & als Defts. } In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of sale made by Chas. Hall Davis Commissioner, under a previous order in this cause showing the sale made by him of the property mentioned therein to the S. C. Forsaith Machine Co, for the sum of $940 00, which report is this day filed, and was argued by Counsel,

On consideration whereof, the Court approving said report to which there is no exception, doth confirm the same, and order that the sale therein reported be held firm and stable between the parties, And it appearing to the Court from the papers filed in the cause that the said S. C. Forsaith Machine Co, is entitled to the whole net proceeds of sale of the property which remains in the hands of the Commissioner after paying the costs of executing the trust and the costs of this suit, and that therefore it will not be necessary to collect from them the whole of the purchase price, but only so much as may be necessary to pay the costs and expenses of this suit and of executing the trust aforesaid, it is ordered that the said Commissioner Chas. Hall Davis, collect from the purchaser the S. C. Forsaith Machine Co, enough of the purchase price to pay the said costs of executing the trust and the costs of this suit, and upon receipt whereof that he transfer and deliver to the said purchaser the property taking from the said purchaser a receipt on account of the debt due them and secured in the deed of trust or mortgage for so much as may remain of the purchase money after paying the cost of executing the trust and expenses of the suit aforesaid, and the

said Commissioner will make report to the Court how he has executed the said trust;

Ellenborough E. J.s Heirs Pltffs
vs
Ellenborough E. J.s Heirs Defts } In Chancery

This cause came on this day to be further heard upon the papers formerly read & upon the report of Comr A Hamilton this day filed by leave of court with the accompanying vouchers, to which no exception is taken & was argued by Counsel On consideration whereof, the Court approving the said report of said Comr A. Hamilton doth confirm the same and doth adjudge & order and decree, that said Comr A. Hamilton out of the sum of Seven Hundred & Eighty Three 82/100 $783.82/100 Dollars reported in his hands - do pay the unpaid costs of this suit and pay over the residue thereof to Edna Frances Boisfeau on account of her one half interest in the net fund in this cause taking vouchers therefor & reporting to court; and that said Comr Hamilton do credit upon the notes of Va A. Sterne for purchase money in his hands her net one half of the proceeds of sale or fund in this cause, & that said Comr collect the residue to become due on said notes as the same shall become due, or permit said Va A. Sterne to anticipate payment thereof, abating interest for such time anticipated and pay over to said Edna F. Boisfeau her one half of the net fund taking vouchers for payments & reporting to court and that said Hamilton Comr, do execute & deliver to said Va A. Sterne, or to such person as she and Wm M. Sterne may direct, a good & sufficient deed for the property purchased by her, with special warranty upon the payment by her in full of the said residue payable upon said notes, & said Comr, shall report to court.

J. S. Worsham &c vols Plaintiffs
vs
Kate Heiskell &c vols Defts } In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of Special Comr, Geo. S. Bernard, dated March

21, 1898 showing his transactions since the date of his last report to court this day filed, and was argued by counsel. On consideration whereof, it appearing to the Court from said report of March 21, 1898, to which there is no exception filed and from the papers therewith filed that the purchaser Albert E. Spain Jr, has paid all of the purchase money of the tract of land in the proceedings mentioned, and that said Commissioner has duly executed to him a deed therefor as directed by the decree entered herein at the Sept, term, 1896, of this court, and it further appearing that said Special Commissioner has fully and properly disbursed and distributed all of the money received by him as such, and the court being of opinion that the balance of twenty nine dollars and nine cents ($29.09) in the hands as attorney as shown by his report of Sept 21st 1897, together with the sum of twenty five dollars ($25) received by him on the 29th day of October 1898 as shown by said last mentioned report is a fair and reasonable attorneys fee for his services in this cause, it appearing that he makes no charge for Commissioners Commission or for preparing said deed, and that there is due and to become to balance of two dollars and ninety seven cents ($2.97) and he proposes to pay said clerks fees out of said balance of twenty nine dollars and nine cents, $29.09, the Court doth allow said Geo. S. Bernard to retain said last mentioned balance ($2902) as his fee in this cause and doth order that he pay out of the same said clerks fees, that is to say, the sum of two dollars and thirty five cents $2.33 to the personal representatives of Jno. E. Spain dec'd, and the sum of sixty two (62) cents to A. M. Organ the present clerk of this court. And it appearing that there is nothing further to be done in this cause it is ordered that it be removed from the docket,

Ordered that the Court be adjourned until to-morrow morning at 10 o'clock.

Beverly A. Hancock

Tuesday, March 22, 1898

Present, B A. Hancock, Judge

Eure & Jones Surv Partnership Pltffs
vs
Rainey & Walker & others Defts } In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the summons awarded by the decree therein entered at the Sept Term 1897 of this court against the heirs at law of the late A.R. Rainey duly executed by the due publication of an extract from said decree as thereby directed and was argued by counsel, On consideration whereof, the heirs at law of said A.R. Rainey dec'd whose names and residences are unknown having been so proceeded against and no one of them having appeared to show cause either why he or she should not be made a party to this suit or why the sale of the tract of land of two hundred (200) acres in the proceedings mentioned made to the defendant Alfred P. Hopson at the price of four hundred dollars ($400) as set forth in said decree, shall not be approved and confirmed the court doth adjudge, order and decree, that the heirs at law of said A.R. Rainey aforesaid be and they are hereby made parties defendants to this suit and the court approving the report of Comm. Thos. J. Rives mentioned in said decree, doth confirm the same and further approving said sale doth confirm the same and doth adjudge, order and decree that it be held firm and stable between the parties, and that John G. Harris, who is hereby appointed a Special Commissioner for the purpose, do receive from said Hopson the purchase money of said land and upon its due payment do execute a deed conveying to him, said purchaser, with special warranty, said land Of the money to be so received by said Special Commissioner first reserving a sufficient sum to pay the proper costs and charges incident to the sale, including a commission of Twenty Dollars ($20) to Thos. J. Rives for for effecting the same, and the proper costs of this suit & all taxes prior to the year 1898, do pay over the residue thereof to the plaintiffs or their attorneys on account of their judgment in

the bill mentioned the sum so received to be applied to the payment of the costs and charges aforesaid, But said Special Commissioner shall not receive any money under this decree until he shall have executed and filed with the clerk of this court a bond in the penalty of Seven hundred and fifty dollars ($750) with security to be approved by said clerk and conditioned according to law. And said Special Commissioner is ordered to make report to court

Wells Guardian Pltff
vs
Wells &als Defts } In Chancery

This cause coms on this day to be heard on the Bills & Exhibits therewith filed which are filed by leave of the Court the answer of Mary Wells filed by leave of Court & the answer of the Infant Defendants Peyton D. & Katie E. Wells by W.H. Young their Guardian ad litem appointed by the Court no attorney at law being found willing to accept such appointment which said answer is also filed by leave of the court and on the affidavits of R. Butterworth & G.A. Boispeau filed by leave of the Court & was argued by Counsel, On consideration whereof it appearing to the Court that that the interests of the Infant Defendants would be promoted by a sale of their timber in the proceedings mentioned the Court doth adjudge order & decree that J. G. Harris, Special Commissioner be authorized to sell said timber either publicly or privately as in his judgment may be best, but before said Comr Harris shall receive any money from said sale or del-under this decree he shall execute and file in the papers in this cause Bond with security to be approved by the clerk of this court & in the penalty of ($1000.00) conditioned for the execution of this or any other decree which may be entered in this cause & said Comr Harris is authorized to pay over the proceeds of said sale to said Mary Wells in such sums as he may think best to be expended by her in the maintenance of said Infants

Kroy Thompson Pltff
vs
Sally Seymour admrx Defts } In Chancery

This cause came on this day to be further heard

upon the papers formerly read and the report of the Sheriff of Desoto County, of the sums received by him from the rents of the land in the proceedings mentioned and of his disbursements, to which report there is no exception filed, and was argued by counsel,

On consideration whereof the court approving said report doth confirm the same, and doth adjudge, order and decree that unless the heirs of Sally Seymour pay on demand the balance of $4.26 due the Sheriff W.H. Young, the balance of the debt reported in favor of Kirby Thompson and the balance of the costs of this suit, the said W.H. Young Sheriff shall proceed to rent said land for the year 1898, and make report to Court,

R.C. Eden Gordon, Pltff
vs
L.W. Perkins Exor, etc Defts } In Chancery

This cause came on this day to be again heard upon the papers formerly read, and upon the report of A.M. Organ Clerk, this day filed, to which there is no exception, the Court confirms the same, and doth further adjudge order and decree that A.M. Organ, Clerk of this Court collect the interest on certificate of Deposit filed in this cause for $77.25 and pay the same over to M.A. Lewis who is entitled thereto, and file his receipt in the papers in this cause

W.B. Sloples who sues &c, Pltff
vs
W.H. Sloples Defts } In Chancery

It appearing to the Court that no order has been entered in this cause for the last five years except an order of continuance it is ordered that the same be removed from the docket,

B.C. Wills & wife
vs } No 1
B.C. Wills widow & heirs
B.C. Wills
vs } No 2
B.C. Wills & wife } In Chancery

This cause came on this day to be further heard upon the papers formerly read, the report of Special

Commissioner John J Harris of the sale of the tract of land in the proceedings mentioned to W R McKenney, this day filed by leave of Court, and upon the summons awarded at the last term of this Court against John Hayes - which has been duly executed, and been argued by Counsel -

On consideration whereof the Court approving said report, to which there is no exception filed, doth confirm the same and doth adjudge, order and decree that said sale be held firm and binding between the parties, and that said Comr Harris withdraw from the papers in this cause, when filed, the bonds of the purchaser for the deferred payments - collect the same as they become due or sooner should the said purchaser W R McKenney elect to anticipate the payment of the same, which he is hereby authorized to do - paying interest to the time of payment of said bonds. -

And the said Commr. Harris is hereby directed, out of the funds already received and to be collected by him - including the cash payment to be paid by W R McKenney - pay the costs of these suits - and to Parthenia Wills such sum as she is entitled to in commutation of her dower in the lands of which her husband B C Wills died seized and possessed, and pay the debt reported by Commissioner Organ in his report, filed in Cause No 1. Mch. 8th 1897, or so much thereof as may then be unpaid And said Commissioner Harris shall report to Court.

And the Court doth further adjudge, order and decree that J. F. Stasson admr of B C Wills dec'd - pay the balance in his hands as such, according to said Comr Organ's report to the administrator of Wm Ellenbrough dec'd on the debt reported in his favor.

And the Court doth further adjudge, order and decree that John Hayes pay one half of the balance due by him on the 1st day of March 1899 and the remainder on the 1st day of March 1900, to said Commissioner Harris. And when the said purchasers shall have fully paid the purchase money due by them respectively said Commissioner Harris shall execute and deliver to them deeds conveying to them with special warranty the several tracts of land purchased by them respectively, in which deeds the said Parthenia Wills is hereby directed to unite

Ordered that the Court be adjourned until the 1st day of the next Term

Beverly A. Hancock

560

In Dinwiddie Circuit Court In Vacation
May 19 1898.

Clifton B Michaux.
against
Alma D Michaux ads.

By consent of the parties this day given before the Judge of this Court in Vacation, this cause is submitted to the said Judge for decision and decree as if in term, and thereupon this cause came on this day to be further heard upon the papers formerly read upon the Ground aforesaid, which is mentioned of record and the report of George Mason Special Commissioner this day filed reporting the sale of the tract of land in the bill and proceedings mentioned on December 30th 1897, to Albert Shands for $700.00 and retaining until said report the bonds of the purchaser for said purchase money, and was argued by Counsel. On consideration whereof the Court approving said report to which there are no exceptions, doth confirm the same, and doth order that the said sale be held finally firm and binding between the parties and the said purchaser, and the Court doth ratify and confirm the agreement mentioned in said report, that W C Brewer shall cut the timber upon the said land and pay the said Commissioner $150.00 therefor, in part of the purchase money aforesaid, and doth adjudge order and decree that the said Commissioner report of the said Brewer when due, the balance of $100.00 due by him for said timber, and out of the same so heard and to be collected of the said Brewer, he shall pay the costs of this suit, and of the said sale including a fee of $50.00 to himself for his services as Counsel for the parties in this suit, and make report to Court.

To the Clerk of the Circuit
Court of Dinwiddie,
I ask for this decree
Geo Mason Counsel for all parties.

Beverly A Hancock
Judge 2nd Judicial Circuit of Virginia.
May 19 1898.

Circuit Court of the County of Dinwiddie
In vacation, June 6th, 1898

W J. Brown wife
vs
Browns and others

This cause came on this day to be heard in vacation, on the papers formerly read upon the notice of W J. Brown and wife, and the other parties to this suit, as well as to Clark Burgess, which notice has been duly served upon all parties interested, and in which notice the said W J. Brown and wife ask that the sale of the one hundred and twenty and one half (120½) acres of land in these proceedings mentioned, made by W R. McKenney to Clark Burgess at the

prices of $2 per acre, be not confirmed and the property aforesaid be re-sold and upon report of Commissioner W.R. McKenny, this day filed in this cause, for which the said Commissioner reports the said sale, recommends that the same be not confirmed and ask that he be authorized to re-sell the property, as fully set forth in said report and was argued by counsel;

In consideration whereof the Court approving said report of said Commissioner W.R. McKenny, doth judge, order and decree, that the sale aforesaid be not confirmed and that the same be and is hereby annulled and cancelled, and that said Commissioner W.R. McKenny, be and is hereby authorized to re-sell at public auction the tract of 120½ acres of land aforesaid at the place and upon the terms and after the notice required by the decree rendered in this cause at the September Term 1897, and the said Commissioner, W.R. McKenny, shall make report to court.

Beverly A. Hancock,
Judge 2nd Judicial Circuit of Va
June 6th 1898

To Clerk of the
Circuit-Court of
Dinwiddie

In the Circuit-Court for the County of Dinwiddie
Virginia.

Keiby, per friend &c. Plffs.
Ord. Note for Decree
Paschal Tucker's Adm'r. Defts. } In Chancery

This cause came on this day to be further heard on the papers formerly read and on the report of Commissioner Bartlett Roper, Jr, to which report no exception has been filed and was argued by counsel. On consideration whereof it appearing to the Court, that notice as required by law has been served on the adverse parties in interest,—to-wit: J.T. Haddon administrator of Martha J. Keiby and Sarah F. Keiby, deceased, Ann R. Keiby and O.S. Haddon, the Court approving and confirming the said report,—doth adjudge, order and decree that Bartlett Roper, Jr, whose is hereby appointed a special commissioner for the purpose shall, whenever as soon as the said purchaser W.R. McKenny, shall have fully complied with the terms of sale and paid the whole of the purchase price, money by good and sufficient—and, with special warranty, unto the said purchaser, all that certain tract or parcel of land in Dinwiddie County, Va., known as the "Paschal Tucker" tract, containing about 433.75-acres and mentioned in the bill and papers in this cause. And the said purchaser is hereby given power to anticipate the payment of any and all of the said notes to be given for the deferred payments of

his said purchase, And the said Bartlett Roper, Jr., commissioner &c is hereby authorized to withdraw from the papers in this cause any and all notes of the said purchaser to be given for his deferred payments as aforesaid, and deposit the same in bank for collection, And the said Bartlett Roper Jr, commissioner as aforesaid, is directed to report his proceedings hereunto to court

To Clerk of
Dinwiddie Circuit Court

Beverly A. Hancock, Judge, 2nd
Judicial Circuit of Va
July 14th 1898

In the Circuit Court of Dinwiddie County.
In Vacation July 14th 1898.

Joseph L Gray & others
vs
Wm. J. Davis an infant

By consent of parties this day given before the judge of this court in vacation Geo S Bernard guardian ad litem of the infant defendant — Wm J. Davis, consenting for him, this cause is submitted to the said judge for such decision and decree in vacation as might be made in the same in term

Beverly A. Hancock
Judge 2nd Judicial Circuit
of Virginia, July 14. 1898.

To Clerk Circuit
Court of Dinwiddie

In the Circuit Court of the County of Dinwiddie,
In Vacation July 1898.

Joseph L. Gray & Carrie Gray
his wife and Nathaniel Davis } Pltffs
vs } In Chancery
William J. Davis Dfts

This cause having been submitted to the Judge of this Court for such decision and decree in vacation as might be made in the same in term, by consent of the parties this day given before the said Judge, George S. Bernard, guardian ad litem of the infant-defendant, William J Davis, having consented for him, came on this day to be heard in vacation, in pursuance of such consent, on the bill, the answer of the infant-defendant, William J. Davis by George S. Bernard, his guardian ad litem appointed at the rules, and upon the depositions of witnesses filed

in this suit and was argued by counsel
On consideration whereof, the court being satisfied that the the tract of 40 acres of land in the bill mentioned cannot be conveniently partitioned in kind among the parties thereto entitled, that their interest will be promoted by the sale thereof and a division of the proceeds of sale thereof among them, that no one of the parties interested is willing to take the whole of said said land and pay to the other parties such sums of money as their interest therein entitle them to and that the sale thereof by the adult parties interested in said land to Joseph F. Haddon at the sum of one hundred dollars cash, is a judicious one, doth adjudge, order and decree that the sale so made to said Joseph F. Haddon, be and the same is hereby approved and confirmed, and that the same be held firm and binding between the parties, and the court doth further adjudge, order and decree that John G. Harris, who is hereby appointed a special commissioner for the purpose, upon the payment to him of said purchase money, which he is hereby authorized to receive, do execute to said Haddon a deed conveying to him, with special warranty, said tract of land of forty acres, situate in Rowanty Magisterial District of the County of Dinwiddie about three miles east from the C.S.R., on Vaughans Road, in the proceeding mentioned. The money to be received by said commissioner after paying the costs of this suit said commissioner is ordered to deposit with the Petersburg Savings and Insurance Co, and return the certificate of deposit with his report to court. But before said commissioner shall act under this decree he shall execute before the clerk of this court a bond in the penalty of $200.00 with security to be approved by said Clerk, conditioned according to law.

Beverly A Hancock
Judge 2nd Judicial Circuit
of Virginia July 14 1898

To Clerk of Dinwiddie
Circuit Court

Virginia. At a Circuit Court held for the County of Dinwiddie at the Courthouse thereof on Wednesday the 26th day of September 1898, and of the Commonwealth the 123

Present Hon: Beverly A Hancock Judge.

Tuckers Devisees
vs
Tucker & others

Pltff.
Defts.
} In Chancery

This day came the Plaintiffs & on motion of J.J. Harris a discreet & competent Attorney at law is assigned as guardian ad litem of the infants defendants E P Tucker, W A Tucker, Clara B Tucker, Annie E Tucker & Eaf Tucker, & thereupon by leave of the Court filed the answer of the said infants defendants. & This this Cause which has regularly matured on Rules in the Clerks Office & been set for hearing, as to all the adults defendants, came on to be heard on the bill Taken for confessed as to all the adults defendants & exhibits Thereunto filed & the answer of the infants defendants, this day filed, & was argued by Counsel. On consideration whereof the Court doth adjudge order & decree that J E Parkerson, F O Robertson & H C Jarratt be & they are appointed Commissioners for the purpose, make partition of the tract of 420 acres of land near Church Road Depot of which W A Tucker died seized & possessed having due regard to quality & quantity & assign one share to Sarah Ford, one share to Lula Tally one share to Nannie Tucker & one share to Cornelia Tucker ~~widow~~ Heir of George A Tucker & their heirs Children & said Commissioners if they deem it best may have the services of a competent Surveyor to assist them in the premises & will report their action to Court, & the Court doth further decree that the Sheriff of this County collect the rents due & to become due on said land & pay to B J Epps $30.00 as his Attorneys fee allowed by the Court in this Cause, the costs of this suit & the balance if any to those legally entitled to the same.

W A Brown & wife
vs
Brown & others

Pltffs
Defts.
} In Chancery

This Cause came on this day to be further heard upon the papers formerly read and upon the report of W R McKinney, Commissioner, bearing date Sept. 20. 1898, this day filed in this Cause, to which Report no exception was filed & was argued by Counsel,

envelope so that
Cyril can easily answer
to have it stamped
awaiting Wednesday
Mark Ayers
Blake Hamblin
Ford Memorial Co

25 15
64
183
249
370
456

26 420 ✓
383 ✓
526 ✓
527 ✓ part of 527 to K
28 316 ✓

Between
PG 564-565

June 17th 1905

Fiscal Dep

Wm A.M. Organ

Dear Sir I write to ask you if my land has been transfered from Mrs J.E. Young's name to mine. Mr Wells the late tax collector told me that he had it transfered some time ago about a year or so but Mr Davis the present tax collector says he hasn't found it on the tax list and it has not been transfered and if you please let me know by this enclose

On consideration whereof the Court approving the said Report & the sale of the 120½ acres of land in the said report mentioned, to John Hargrave at the price of $301, doth confirm the said report & sale, & doth adjudge, order & decree that the said sale be held firm & stable between the parties thereto.
And it appearing to the Court that the said purchaser has paid to the said Commissioner W McKenney the purchase price of $301. in full, the said Commissioner W McKenney is hereby directed to execute to the said purchaser a deed with special warranty, for the tract of 120½ acres of land, as aforesaid, & out of the purchase price aforesaid shall pay the Costs & expenses of sale together with the costs & expenses of this suit including a fee of $30. to W R McKenney, Complainants attorney for his services in this cause, a fee having been asked for in the Complainants bill to be allowed to the said W R McKenney, attorney as aforesaid: & when said Commissioner shall have paid the Costs & expenses of this sale & suit, as aforesaid, he shall distribute the balance which shall then remain in his hands among the parties entitled, as set forth in the Complainants bill. And the said Commissioner shall make report to Court.

Cabaniss Martha A.F. Plff
vs
Cabaniss Asa C Deft } In Chancery

This cause which has regularly matured at Rules & been set for hearing as to all parties came on this day to be heard upon the bill of the Plaintiff & the exhibits filed therewith, upon the deposition of witnesses filed this day & was argued by Counsel. On Consideration whereof the Court being satisfied from the evidence independently of the admissions of the parties in the pleadings or otherwise that the Charge of desertion against the defendant has been fully established & that the said desertion has continued for more than five years, doth adjudge, order & decree that the Bond of Matrimony existing between the Plaintiff and the Defendant be and the same is hereby dissolved & they are forever divorced from each other & that the said M A F Cabaniss shall have the possession, use & enjoyment of said tract of fifty-six acres of land until the further order of this Court, & that the said Asa C. Cabaniss pay to the said M A F Cabaniss the sum of four hundred dollars as Alimony hereby allowed her

* and the said Mrs. E. Cobourg is ordered and directed upon the payment of or assumption by the said Land Co. of the said purchase money of this Court, and the delivery of this Court of a Deed of Conveyance of the said land to the said Land Co. by the Commissioner aforesaid, in his official capacity and the same is hereby confirmed and the Commissioner aforesaid is discharged from further duty in the premises. And it appearing to this Court that the said Commissioner has executed a Deed of Conveyance of the said land to the said Land Co. and delivered the same to the Solicitors of the said Land Co. and the said purchase money has been paid to the Commissioner aforesaid, it is ordered that the said Commissioner do pay the said purchase money into Court to the credit of this cause, subject to the further order of this Court.

* unless he pay the said sum within sixty days, then B.J. Estes who is hereby appointed special Commissioner for the purpose shall make sale of said tract of 56 acres of land, after advertising the same by hand bills at the front door of Dinwiddie Court house & at three more public places in the County of Dinwiddie for thirty days prior to the day of sale. But before the said special Commissioner Estes shall receive any money under this decree he shall execute & file in the papers in this cause bond with security to be approved by the Clerk of the Court in the sum of $500.00 Conditioned for the faithful discharge of his duties under this or any other decree which may be entered in this cause.

Wm F Doyle &c Pltffs vs J P Cox's Legatees &c Defts — In Chy Cause No 3

Wm F Doyle &c Pltffs vs ~~Brinkley~~ &c Defts — In Chy Cause No 1

W. E. Hargrave &c vs Harris Heirs &c Defts — In Chy Cause No 3

These causes came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner Geo S. Bernard, dated Sept 2d 1898 shewing his monday transactions since the 7th day of April 1881, and his other transactions since the 7th day of April 1886 under decrees entered in these causes and was argued by Counsel. On consideration whereof it appearing to the Court from said report and the papers therewith filed that said Commissioner acting under the decree of the April term 1886 of this Court received from the purchaser Jno. H. Harris twenty dollars ($20) the purchase money of the tract of land in said decree mentioned, and executed to him a deed as thereby directed, that on the 24th day of April 1898 said Commissioner received from the widow and heirs at law of the late James Boisseau, late Special Commissioner in these causes, the sum of four hundred and ten dollars and ninety eight cents ($410.98) in full settlement of the compromise of the balance of the indebtedness of said deceased as such Commissioner, and that said Special Commissioner Geo S. Bernard has fully and properly disbursed the money so received as also the purchase money received from said Harris as aforesaid, and the balance of twenty one dollars and seventy six cents ($21.76) "Hargrave funds" and fifty one (51) cents "Harris funds" on his hands on said 7th day of April 1881, the Court approving said transactions of said Special Commissioner Bernard and his said report thereof doth confirm the same. And it appearing to the Court that there is nothing further to be done in these causes

it is ordered that they be removed from the docket

Kirby. per fiend Plaintiffs
To
Paschal Tucker's Adms. et als Defts } In Chancery

This day came William Parker and by leave of the Court filed his petition. Whereupon on his motion, he is admitted a party plaintiff in this suit on the usual terms, and it is ordered that a copy of the said petition be served on Virginia S. Hudson Ann R. Kirby, J. F. Hudson, administrator of Martha J. Kirby and Sarah F Kirby deceased as soon as may be after the rising of this Court.

Smith Courtney Co a Corporation Plffs
vs
L B Bruce & the W P Chapman Co. Defts } In Chancery
a Corporation

There having been no appearance by the defendants. On motion of the Plaintiffs it is ordered that this cause be removed from the docket.

J. D. & R. S. Christian Bro. a Corporation Plffs.
vs
L B Bruce, W P Chapman and Defts. } In Eq
W P Chapman Co. a Corporation

There having been no appearance by the defendants, on motion of the Plaintiffs, it is ordered that this cause be removed from the docket

The City of Petersburg Plff
vs
A. W. Harris & als Defts } In Chancery

By consent of parties given in open Court and entered of record it is ordered that this cause be submitted to the Judge of this Court for decision and decree in vacation.

S. L. Forsaith Machine Co. Plffs.
vs
Waldaman Box & Lumber Co. et als Defts. } In Eq.
~~to be further heard~~ This cause came on this day to be further heard upon the papers formerly read, & upon the report of Charles Wicks Davis, Commissioner, acting

under a decree entered in this cause on March 21.- 1898 which report is this day filed & was argued by Counsel. In consideration whereof, the Court approving said report to which there is no exception, doth confirm the same. And it appearing that the said Commissioner has obtained from the S C Forsaith Machine Co. the parties to whom the money secured by the Mortgage or Deed of Trust in the bill mentioned was due & owing, a receipt to the said Commissioner for the amount of money left over from the purchase price of the Machinery ordered to them, after paying the Costs of executing the Trust, & the Costs of this suit: the said Commissioner is hereby ordered to credit the judgment obtained by the said S C Forsaith Machine Co., against the said Hudson Machine & Construction Co., et als in this suit for $1818.61, with the amount of the said receipt; Towit:- $794.44

And it appearing to the Court that there is nothing further to be done in this Cause the said Cause is hereby ordered to be removed from the docket.

Charles Hall Davis, trustee — Plff
vs — In Chancery
August Wright & als — Defts

This cause came on this day to be further heard upon the papers formerly read & upon the report of Charles Hall Davis, trustee, this day filed, & was argued by Counsel. On consideration whereof the Court approving said report, to which there is no exception, doth confirm the same, & doth specially confirm the payment by the said Charles Hall Davis, trustee, of $33.16 to Charles Leonard instead of to Waldamar Box & Lumber Co., as ordered in the decree of March 21. 1898, it appearing to the Court from the report of the said trustee that the note evidencing the said debt was held by Charles Leonard, & that the order to pay the money to it, the Waldamar Box & Lumber Co., was an oversight.

And it appearing that there is nothing further to be done in this cause it is ordered that the same be removed from the docket.

Nicholas Walker — Plff
vs — In Chancery
Florence Walker — Deft

This cause came on this day to be heard upon the Bill of the Plaintiff, exhibits filed, the deposition of Witnesses, & was argued by Counsel. On consideration whereof, the Court being of opinion that the charge of wilful desertion and abandonment by the defendant of the plaintiff is fully proved, and that the charge of adultery against the defendant is also proved, doth adjudge, order & decree that the marriage heretofore solemnized between Nicholas Walker and Florence Walker, formerly Florence Hill be & the same is hereby dissolved, and the said Nicholas Walker be forever divorced from his wife, the said Florence Walker, formerly Florence Hill. And that the Plaintiff recover of the defendant his costs by him expended in the prosecution of this suit, and nothing further remaining to be done in this suit, it is ordered that the same be removed from the docket.

E. M. Jones, Guardian of his infant children Annie Rebecca Jones and William Edward Jones

vs

Annie Rebecca Jones & William Edward Jones

Plff's

In Chancery

Defts

This day came the complainant E. M. Jones, guardian etc, and by leave of Court filed his Bill, and on motion of said complainant Bartlett Roper Jr, a discreet and competent attorney at law, is appointed guardian ad litem of said infant defendants: and thereupon said guardian ad litem filed his answer, and said infant defendants filed their joint answer, by leave of Court to the complainants Bill, and then this cause came on to be heard upon the Bill and Exhibits filed therewith, the answer of Bartlett Roper Jr, guardian ad litem, and the joint answer of said infant defendants and was argued by counsel. On consideration whereof it appearing to the Court that it is to the interest of the said infant Defendants that the balance of lots 14 and 15 on the plat of the Abbott property in Dinwiddie County Va as mentioned in the complainants Bill, be sold to De Witt Smith at the price of $200 as set forth in the complainants Bill and as admitted by the said infant defendants in their joint answer filed as aforesaid, the Court doth adjudge order and decree that when the said De Witt Smith shall have paid for the balance of said lots 14 and 15 as set forth in the complainants Bill into the Petersburg Savings & Ins Co, and taken a certificate of Deposit therefor payable to the order

of this court in this cause, for said sum of $200. and shall have filed such certificate among the papers in this cause and when said Smith shall have paid the costs of this suit & when the Clerk of this Court shall have certified to W R McKenney who is hereby appointed a Special Commissioner of this Court that such certificate has been filed and said costs paid then that said Comr. W R McKenney shall execute to said DeWitt Smith a Deed with Special Warranty for said 120½ acres of land and make report to Court

Rosa F Peterson by J P Wright
her next friend. Pltff
vs
Morgan Peterson Deft } In Chancery

This cause in which the Plaintiff has proceeded against the Defendant in the manner prescribed by law for proceeding against absent defendants by the entering of an order of Publication, and the publishing thereof for four successive weeks in a newspaper published in this state, & fifteen days having elapsed since said publication was completed came on this day to be heard on the Bill of Complaint and the deposition of witnesses & was argued by Counsel;

On consideration whereof the Court being of opinion from the evidence that the defendant has abandoned the Plaintiff for a period of three years, doth adjudge order & decree that the marriage heretofore had, and solemnized between the defendant Morgan Peterson, and the Plaintiff Rosa F Peterson shall be & the same is hereby dissolved: and the said Rosa F Peterson be forever divorced from the said Morgan Peterson.

The Court doth further adjudge, order & decree that the right of custody of the infant boy of the said Rosa F. & Morgan Peterson shall be with the said Rosa F Peterson, his said mother.

The object of this suit having been accomplished it is ordered that the same be stricken from the docket.

James H Craig's Creditors Pltffs
vs } In Chy.
James H Craig's Admr &c Defts

This cause came on this day to be further heard on the papers formerly read, and upon the

report of Alexander Hamilton Comm^r this day filed, to which no exception is taken; and was argued by Counsel.

On consideration whereof, the Court approving the said report, doth confirm the same, and doth adjudge, order & decree that the sale reported to G W Truitt, W H Vincent, L A E Deal & G L Vincent partners under the firm name of Truitt Vincent & Co., of the tract of land in Sussex County, on Nanticoke River, containing two hundred and twenty eight (228) acres, being the second resales of the "River View" tract, at the price of four hundred and fifty dollars ($450.) payable in Cash, and the purchasers to pay the taxes upon the said land for the year 1898, be held firm & binding between the parties.

And the said Commissioner Alexander Hamilton is ordered to collect of the said purchasers the purchase money in full & thereupon to execute & deliver to said purchasers a good & sufficient deed with Special warranty for the said land.

And the said Commissioner Hamilton is further ordered out of the proceeds of such sale to pay all unpaid taxes if any, upon the said land, for years prior to 1898, & to pay the unpaid Costs of this suit, & pay over the residue thereof to the parties entitled, as heretofore ordered by the decrees in this cause.

Ordered that this Court be adjourned till 10 o'clock tomorrow morning.

Beverly A. Hancock

Thursday Sept 22 for 1898

Present B A Hancock Judge

Jos^h L Gray — Pl^ff
vs
Wm T Davis — Deft
} In Eq^y

This cause came on this day to be further heard upon the proofs formerly read & upon the report of Special Comr James Harris this day filed & was argued by Counsel

On consideration whereof the Court approving said report, to which there is no exception filed, doth confirm the same, and doth adjudge, order & decree that said Comr pay one half of the balance of $174.53 in his hands according to said report to Joseph L Gray and the other half thereof to the legally qualified guardian of Wm T Davis & make report to Court.

Kinloy Thompson's Admr Pltff
vs
Seymour's Admr + als Defts

This cause came on this day to be heard upon the papers formerly read, and upon the report of W H Young Sheriff of Dinwiddie County this day filed & was argued by Counsel. On consideration whereof, the Court approving said Report to which there is no exception, doth confirm the same: and there appearing to be nothing further to be done in this cause, it is ordered that the same be removed from the Docket.

Ordered that all causes not otherwise disposed of be continued until the next term.

Ordered, That the court be now adjourned until the first day of the next term.

Beverly A. Hancock

In the Circuit Court of Dinwiddie County.

Mary Frances Baugh Pltff
vs
Arthur L Baugh, Lulu L Baugh, Mary Rebecca Baugh, D. Timothy Baugh, Minnie B. Slade, Wm F Baugh and N. Stanley Baugh and John Charles Baugh, the two last named being minors, suing by their guardian ad litem Defts

This cause, pending in the Circuit Court of Dinwiddie County, on the motion of the plaintiff Rich B. Davis a discreet and competent attorney at Law is appointed guardian ad litem to the minor defendants N. Stanley Baugh and John Charles Baugh, and thereupon this cause is by consent of all parties, taken for hearing as to all matters in vacation, and came on this day to be heard upon the bill and exhibits filed the answers of all the adult defendants, and of N. Stanley and John Charles Baugh minors, in person and by Richard B. Davis their guardian ad litem, with general replication to all of said answers, and upon affidavits of witnesses filed, and was argued by Counsel. On consideration whereof it having been shown to the Court by the testimony of witnesses that the interests of all persons interested in the estate mentioned in the bill and proceedings

and proposed to be sold, that is, the timber therein mentioned, could be procured by such sale, and all the parties interested consenting thereto, and the Commissioner into cash of the life estate of the life tenant Mary Frances Baugh, in the net proceeds of the sale of the timber having been ascertained to and settled by all parties in interest, and the same being satisfied that the same is to the interest of the infant defendants, H Stanley and John Charles Baugh, the Court approving and granting the prayer of the bill, and approving and accepting the offer of Col Davis of the purchase, at the price of $2500. in cash of the timber upon the tract of land in the bill mentioned of 503 acres, more or less according to the description of said timber and upon the terms set forth in the bill, doth confirm the sale of the said timber, with the privileges as to cutting and cutlying the same, as stated in the Bill, to said Davis at said price of $2500. payable in cash, and doth order and decree that the same be held firm and binding between the parties, and doth appoint Alexander Hamilton a special Commissioner of this Court, whose duty it shall be to collect and receive from the said Davis the said purchase money of $2500. and him execute and deliver to said Davis, or to such person or Corporation as he may direct, a good and sufficient, with Special warranty, for the said timber and privileges for cutlying the same, and upon the terms and Conditions set forth in the bill and thereupon the said Comr Hamilton, shall out of the proceeds of such sale, pay the costs of this suit, including a fee of $50. to Hamilton & Mann, Counsel for the plaintiffs, for their services as such in this cause, and then said Hamilton, Commissioner, shall pay over to Mary Frances Baugh, the life tenant, out of the net proceeds of such sale, the amount then in cash of her life estate in the said Tract as shown by and pursuant to Secs 2781 and 2782 of the Code of Virginia, after first deducting from said cash value of said life estate all unpaid taxes, if any upon the said real estate held for life by said Mary Frances Baugh, which said taxes shall be paid by said Comr Hamilton to the proper officer entitled thereof, and the residue of said fund belonging to the remainder men shall be by said Comr Hamilton deposited in the Petersburg Savings & Insurance Company of Petersburg, Virginia, to the credit and order of the Court in this cause, bearing such interest bearing Certificate of Deposit, which shall be returned with his report in this cause, and said Comr. Hamilton shall take vouchers for his payments, and make report to Court, but said Comr Hamilton shall not act as such Comr. if any until he shall have entered into Bond as such before the Clerk of this Court in the penalty of $3000 with security approved by the said Clerk and Conditioned according to law for the faithful performance of his duties as such Commissioner under this and the further decree in this cause.

A Copy Teste: W. Clerk

Beverly A Hancock. Judge of Judicial Circuit of Virginia. October 10th 1878.

In Dinwiddie Circuit Court
In Vacation Feby 4 1899.

On the motion of the proper authorities of the Zion Christian Church of Dinwiddie County, Wm P. Spain, J.C. Buttery & E.W. Coleman are appointed Trustees of said Church and in them the legal title to the property of said Church shall vest in accordance with law

Beverly A Hancock
Judge 2nd Judicial Circuit
of Virginia

To Clerk of
Dinwiddie Circuit Court

Virginia: At a Circuit Court held for the County of Dinwiddie at the Courthouse thereof on Tuesday the 21st day of March 1899 and of the Commonwealth the 123

Present Hon, Beverly A Hancock Judge

Kirby her Friend, Plaintiff
vs
Paschal Tucker's Admr, Defendants
} In Chancery

This cause came on this day to be further heard on the papers formerly read and on the petition of William Parker, filed September 21st, 1898 and was argued by counsel. It appearing to the Court that Thomas Tucker by his last will and testament duly probated in the County of Dinwiddie, Virginia, a copy of which is filed among the papers in this cause gave in trust to his executors therein named the sum of $3000, for the sole and separate use of his sister, Lucy J. Kirby, wife of John W. Kirby the said sum of $3000, to be invested and she is to have only the interest arising therefrom, during her natural life, and at the death of the said Lucy J. Kirby, the said sum to be equally divided among her daughters then living and the descendants of such as may have died leaving issue; and it further appearing to the Court that the said Lucy J. Kirby and the following female issue, to wit; Virginia D. Kirby who intermarried with

J.T. Haddon, Rebecca Kirby who died unmarried, Ann R Kirby who is still living and unmarried, Martha J Kirby and Sarah F Kirby both of whom departed this life unmarried and Mary Kirby who intermarried with a Wm. Parker, and it further appearing to the Court that Mary Parker and her said husband have both departed this life and that William Parker is their only child and heir at law; and it further appearing to the Court that the said William Parker, being the only heir at law of his mother, the said Mary Parker, is entitled to share in the proceeds of the sale of the 433 3/4 acres of land sold by Bartlett Roper Jr, special commissioner to W.R. McKenney at the price of $3,15 per acre and should have been made in the proper way a party to this cause, Upon consideration whereof the Court doth adjudge order and decree that Bartlett Roper Jr, commissioner as aforesaid, pay to the said William Parker, out of the funds now in his hands or which shall hereafter come therein, his proportion, to wit: 1/5 of the proceeds of the sale of the said tract of land purchased by the said W.R. McKenney as aforesaid and known as the "Paschal Tucker" tract containing 433 3/4, And the said Bartlett Roper Jr, commissioner, is directed to report his proceedings hereunto to Court

W

The Eastern State Hospital, which sues &c, Plaintiff.
vs. } In Chancery
E.H. Hite, Committee of Richard Hite Defendant

This cause, which has duly matured at rules, came on this day to be heard upon the bill taken for confessed as to the defendant, E.H. Hite, Committee of Richard Hite, on whom process was duly served, he still failing to appear and plead, demur or answer the said bill and was argued by counsel. On consideration whereof, the Court doth adjudge, order and decree that one of the Commissioners of this Court do proceed to take and return to Court the following accounts:

1st. An account of the real estate of Richard Hite, with its fee simple and annual value, and whether the rents and profits issuing therefrom would in five years pay off and discharge the liens thereon;

2nd, An account of all liens binding said real estate, with their dignities and priorities including all delinquent taxes that may be due; which accounts such commissioner shall return to Court with any matter specially stated which he may deem pertinent, or which any party interested may request to be so stated; But such commissioner shall not proceed to take said accounts

until he shall have published in one of the daily newspapers published in the City of Petersburg Notice of the time and place which shall be fixed by him for the taking of such accounts once a week for four successive weeks, which publication shall be deemed equivalent to personal service of such notice on all persons interested

Rosnstiel & Fritz Plaintiff
vs
R. L. Wynn & others Defendant
In Chancery
Final Decree

This cause came on this day to be further heard, upon the papers formerly read, and was argued by counsel On consideration whereof, and it being brought to the attention of the Court by the attorneys for the plaintiffs in this cause that the subject matter of this suit has been fully settled and that nothing further remains to be done, it is ordered that the same be removed from the docket of this Court

Cabaniss per friend Plaintiff
vs
Cabaniss Defendant
In Chancery

This cause came on this day to be again heard on the papers formerly read & the report of Spl. Comr, B. J. Epes of the sale of the land dated March 18th 1899 & this day filed by leave of Court, & to which there are no exceptions & was argued by counsel- On consideration whereof the Court doth adjudge, order and decree that the sale reported in said report be and & is hereby confirmed as between the parties & said Report be confirmed and that said Spl. Comr, Epes make to the said M. S. T. Cabaniss a Deed with special warranty conveying all the interest of A. C. Cabaniss in said land to her when she shall have paid all delinquent taxes, due on said land

Robertson &c. Plaintiff
vs
Gouldens heirs Defendant
In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner John E. Harris this day filed, to which report there is no exception filed and was argued by counsel On consideration whereof the Court approving said report

doth confirm the same and doth adjudge, order and decree that the sale of the tract of land in the proceedings mentioned of 163 acres to C.H.Pyle & Rev.DeHaven be held firm and binding between the parties And the said Special Commissioner is directed to execute and deliver to said purchasers a deed conveying to them said tract of land with special warranty upon their paying to him said purchase money or if so desired by said purchasers to execute said Deed upon them making the cash payment and they at the same time executing to said John G.Harris as trustee a deed of trust on said land to secure the deferred payments, And said Special Commissioner is ordered to proceed to make sale of the tract of 145 3/4 acres of land in accordance with said decree of September term 1897 and make report to Court

Tucker Devisees Plaintiff
vs
Tucker & others Defendants } In Chancery

This cause came on this day to be further heard on the papers formerly read & the report of Commissioners J.E.Peterson T.O.Robertson & W.C.Lovell dated Nov 4th 1898 & made to this term of the Court, to which there are two exceptions filed & was argued by counsel, On consideration whereof the Court doth adjudge order and decree that said report be confirmed & that the partition & allotment therein made be held firm & stable between the parties, except that if the $100 to be paid by the heirs of G.I.Tucker to the other parties be paid or secured to be paid in 30 days the land allotted to them shall be free from all liability for said sum of $100 but if otherwise, then B.J.Epes who is hereby appointed Special Comr, for the purpose shall rent out for 1899 & 1900, the land allotted to them & said rent by consent of parties shall be in full payment of said $100 but before said Spl Comr Epes shall act as such he shall execute & file in the papers of this cause a bond in the penalty of $200 with security to be approved by the Clerk of this Court. Conditioned for the faithful discharge of his duties under this or any other Decree which may be entered in this Cause

Wells Guardian Plaintiff
vs
Wells &c Defendants } In Chancery

This cause came on this day to be again heard on the

papers formerly read & the report of Spl. Comr, J.J. Harris dated March 21st 1899 made to this term of the Court & this day filed by leave of Court, to which there are no exceptions & was argued by Counsel, On consideration whereof the Court doth approve the said report & doth adjudge, order and decree that the sale therein reported of the timber on the said land to the Brunswick Lumber Co, for $70.00 cash be held firm & stable between the parties & that said Spl, Comr, J.J. Harris on the payment to him by the purchasers of the said sum of $70.00 execute to them a deed with special warranty for said timber, with the right to remove the same within ten years

Hill & others — Pltffs
vs
Hills Committee — Defts
} In chancery

This cause which has regularly matured at rules in the Clerks Office came on this day to be heard upon the bill & exhibits thereto filed, the answer of E. H. Hill committee of Richd Hill this day filed by leave of court & the depositions of witnesses & was argued by counsel, On consideration whereof whereupon the Court doth adjudge order & decree that B.E. Cobb, B.H. Rogsdale Jr, & L.E. Coleman who are hereby appointed commissioners for the purpose, after having been first duly sworn, make partition of the tract of 500 acres of land of which the late Louisa R. Bentley died seized & possessed among those entitled having due regard to quantity & quality & report their action in the premises to this Court and this Court doth further adjudge order & decree that B.J. Epes who is hereby appointed Special Commissioner for the purpose make sale of the undivided half interest in the Mill & 100 acres attached in the Bill mentioned after due advertising the time terms & place of sale by hand bills & by publication once a week for four successive weeks in some newspaper published in the City of Petersburg for one third cash & the balance in equal payments of six & twelve months but before said Special Commissioner Epes shall receive any money under this decree he shall execute & file with the papers in this cause a Bond in the sum of $800.00 with security to be approved by the Clerk of this Court conditioned for the faithful discharge of his duties as such Special Commissioner under this & any other

decree which may be entered in this cause,

Ordered that all causes not otherwise disposed of be continued until the next term

Ordered that the Court be now adjourned until the first day of the next term

Beverly A. Hancock

Virginia: In the Circuit-Court of Dinwiddie county, In vacation
March 24th 1899

Geo. S. Briggs, Complainant-
To
R. H. Bain Defendant } In Chancery

On the 6th day of March, 1899, the complainant- Geo. S. Briggs, presented his bill together with the affidavit of the complainant- the papers marked Exhibit-No. 1. containing papers marked "2X" to "27" inclusive, and Exhibit-No. 2. containing papers marked "1y" to "17y" inclusive, and it appearing that- the defendant R. H. Bain, who had been notified of the application for an injunction, had not had sufficient- time in which to prepare his defence, the hearing was adjourned until the 10th day of March, 1899 at which time the said defendant presented his demurrer and answer to the said bill together with the affidavit of the defendant and the Exhibits marked No. 1. No. 2. and Nos. 2a to 2g, inclusive, whereupon the said application for an injunction was fully argued by counsel for both the complainant- and the defendant, and time was taken to consider said application, And on the 14th day of March, 1899, the complainant- presented his amended bill, together with the Exhibits marked 1z, and 2z, and afterwards the defendant- presented his demurrer and answer to the said amended bill, together with Exhibits Nos. 3, 4, 5, 6, 7 and 8, And now on this 24th day of March, 1899 the said original and amended bills, the demurrer and answers thereto, and the Exhibits and affidavits having all been fully considered, the injunctions prayed for in the said bill and amended bill are refused,

Beverly A. Hancock, Judge of 2nd
Judicial Circuit- of Virginia.
March, 24, 1899,

To the Clerk of Dinwiddie
Circuit- Court-

Circuit Court of Dinwiddie In Vacation

Connelly's Heirs
&c
Connelly's Heirs
} Note for Decree

This cause which has regularly matured at rules in the Clerk's Office of the Circuit Court of Dinwiddie, came on this day to be heard by consent of parties in vacation on the bill & exhibition therewith filed taken for confessed as to the defendants, Powhatan Hill & Roland Hill & the answer of E.H. Hill Committee of Richard Hill this day filed by leave of Court with general replication thereto & was argued by Counsel, On consideration whereof the Court doth adjudge order & decree that B. E. Cobb, B.H. Ragsdale Jr. & L. E. Coleman hereby appointed Commissioners for the purpose make partition of the tract of 232⅓ acres of land of which the late Susan G Connelly died seized & possessed among those entitled thereto having due regard to quantity & quality & said Commissioners are authorized if they think proper to employ a competent Surveyor to aid them & make report to Court how shall have executed this decree

Beverly A. Hancock
Judge 9th Judicial Circuit
of Virginia, April 19, 1899

To Clerk of Dinwiddie Circuit Court

Circuit Court of Dinwiddie County
In Vacation. May 13th 1899

Trustees of Zion Church Exparte
} Note for Order

E. H. Coleman & P. Spain & J. C. Beverly Trustees of Zion Christian Church, in Dinwiddie County this day filed their petition by leave of Court which thereupon came on to be heard together with the extracts from the records of said church therewith filed Marked "A". On consideration whereof the court doth order that E. H. Coleman, Wm. P. Spain & J. C. Beverly Trustees of said church be authorized to sell the old church building on such terms as to them may seem best & apply the proceeds to the payment of the costs of the new house of worship

Beverly A. Hancock

Judge 2nd Judicial Circuit
of Virginia
May 13th 1899

To Clerk of Dinwiddie
Circuit Court

Circuit Court of Dinwiddie County
In Vacation, May 1899

Goodwyn
vs
Effenson &c

Plaintiffs
Defts
} In Chancery.

This cause was docketed this day by consent of all the parties & by like consent, came on this day to be heard in vacation, on the Bill & Exhibits thereunto filed, the answer of the adult defendants this day filed by leave of Court the answer of the infant defendants, Paul B. & Lilly P. Effenson, who are over fourteen years of age, this day filed by leave of court the answer of J.G. Harris, guardian ad litem of the infant Defendants this day filed by leave of Court, the answer of W.H. Young, Sheriff & as such admr. of A.B. Goodwyn dec'd, this day filed by leave of court & the depositions of witnesses & was argued by counsel On consideration whereof, it appearing to the court that the interests of all of the parties interested in the property in the bill mentioned will be promoted by a sale of the timber on the said land The Court doth adjudge, order and decree that B.J. Epes, who is hereby appointed Special Commissioner for the purpose hereof sale of the timber on the said tract of land called "Bolling's" either publicly or privately as to him shall seem best for the interests of the owners, It being the same tract of land which was conveyed by A.M. Goodwyn to A.B. Goodwyn by Deed dated April 1867 & of record in the Clerk's Office of Dinwiddie But before said Special Commissioner Epes, shall act as such he shall execute & file with the papers in this cause a Bond in the penalty of $1600.00 with security to be approved by the Clerk of this court conditioned for the faithful discharge of his duties under this or any other decree which may be entered in this cause

Beverly A Hancock,
Judge 2nd Judicial Circuit of Va
May 18th 1899

To Clerk of Dinwiddie
Circuit Court

Virginia: Circuit Court for Dinwiddie County, to wit:

The Eastern State Hospital Pltff
vs } In Chy.
E. H. Hill, Committee of Richard Hill Dfts

This cause came on this day to be further heard in vacation, by consent of parties, upon the papers formerly read and upon the report of Commissioner, A.M. Organ, this day filed, and was argued by counsel. On consideration whereof, the court approving said report, to which there is no exception, doth confirm the same and doth adjudge, order and decree that Bernard Mann, who is hereby appointed commissioner for this purpose, do proceed to sell, either publicly or privately; and upon such terms --- and in the event of a public sale, at such place and after such advertisement -- as he may deem ~~best~~ most advisable for the parties interested, the real estate ~~of~~ belonging to Richard Hill as shown by said report of Commissioner, A.M. Organ, to wit: a tract of land on Butterwood Creek, containing 282 acres, standing on the land books of said county in the name of Richard Hill; an undivided 1/10 interest in the "Mill Property", containing 100 acres, standing on said land books in the name of L. R. Bentley and L. G. Hill; an undivided 1/5 interest in the "Stone Tract," containing 529 acres, standing on said land books in the name of E.J. Cobanise, E. H. Hill and B.J. Epes, trustees for L.R. Bentley, and an undivided 12/65 interest in what is known as the "Connelly Place" containing 233 1/3 acres. But said commissioner shall not act under this decree until he shall have entered into bond, with security to be approved by the clerk of this court, in the penalty of $1,500.00, conditioned according to law for the faithful performance of his duty under this or any other decree that may be entered in this cause; and said commissioner shall make report to court of his proceedings under this decree.

Beverly A. Hancock
Judge 2nd Judicial Circuit
of Virginia
May 13th 1899.

To the Clerk of the
Circuit Court of
Dinwiddie County, Va.

In the Circuit Court of the County of Dinwiddie,
In Vacation, the 19th day of May, 1899.

Ida D'Alton, guardian of her infant-children, Isbon B. D'Alton, Frank T. D'Alton, Frederick A. D'Alton, Clarence J. D'Alton, Walter E. D'Alton, and Aubrey V. D'Alton, and the said Ida D'Alton, in her own right

Plaintiffs

In Chancery

To

Marion E. D'Alton, Henry B. D'Alton, James T. D'Alton, Isbon B. D'Alton, Frank T. D'Alton, Frederick A. D'Alton, Clarence J. D'Alton, Walter E. D'Alton and Aubrey V. D'Alton, the last six defendants being infants under the age of twenty one years, by John Mann their guardian ad litem

Defendants

This cause, which was matured at rules and set for hearing was this day by consent of parties docketed in vacation, and by like consent came on to be heard in vacation upon the bill of the complainants verified by affidavit and exhibits filed therewith: the answers of the infant-defendants Isbon B. D'Alton, and Frank T. D'Alton, infants over the age of fourteen, verified by affidavit: the answer of John Mann, a discreet and competent attorney at law, assigned as rules guardian ad litem to defend the infant defendants Isbon B. D'Alton, Frank T. D'Alton, Frederick A. D'Alton, Clarence J. D'Alton, Walter E. D'Alton, and Aubrey V. D'Alton, and the answer of the said infant-defendants by the said John Mann their guardian ad litem, also verified by affidavit, with General replication to the said answers, and upon the depositions of witnesses, and was argued by counsel;

On consideration whereof, it being clearly shown from the evidence in this cause, independently of any admission in the answers that the interests of the infant defendants will be promoted by a sale of the timber upon the tract of land in the proceedings mentioned, situate on Stony Creek, and containing two hundred and seventy acres, more or less, to W. R. McKenny at the price of twelve hundred and fifty-one dollars, upon the terms and conditions set forth in the written offer made by said ~~W. R.~~ McKenny filed with the bill in this suit, and the court, being of opinion that the rights of no person will be violated thereby, doth adjudge, order and decree, that Bernard Mann, who is hereby appointed special commissioner, for the purpose, do procure to execute and deliver to the said W. R. McKenny a good and sufficient deed, with special warranty, for the timber upon said tract of land in accordance with the terms and conditions of the written offer aforesaid, upon the payment in full by

said McKenney of said purchase price and out of said purchase price said commissioner shall pay the costs and expenses of this suit including a fee of $35- to Hamilton & Mann, and no further attys fee to be taxed in the costs, attorneys for legal services, and a fee of $5- to John Mann guardian ad litem of the infant defendants for his services, and shall pay all delinquent taxes upon the said land, and shall pay to S.Y. Gilliam the sum of $125- in full of his commissions for making sale of said timber and shall commute the dower interest of Mrs. Ada D'Alton in the net proceeds of the sale of said timber and pay the same over to her and shall deposit the residue of said purchase price in the Petersburg Savings & Insurance Company upon an interest-bearing certificate of deposit, payable to the order of this court, in this cause, there to remain until the further order of the court; and said commissioner shall make report to court of his proceedings under this decree,

But the said commissioner shall have no power to execute this decree until he shall have entered into a bond, with sufficient security, in the clerk's office of this court, payable to the Commonwealth of Virginia, in the penalty of fifteen hundred dollars, conditioned for the faithful discharge of his duties under this decree and all other decrees entered in this suit,

Beverly A. Hancock,
Judge of the 2nd Judicial Circuit
of Virginia, May 19. 1899,

To the clerk of the Circuit-
Court of Dinwiddie Co, Va

In Vacation, Circuit-Court Dinwiddie County ___ day of
May, 1899

May A. Field Guardian of her infant-children,
John C. Field, Mary O. Field and Wm M. Field Plaintiffs
against-
John C. Field Mary O. Field and Wm M. Field
infants, who are under 21, but 14 years of
age, Bernard Mann, guardian ad litem of
said infants and Mary A. Field Defendants } In chancery

This cause which was matured at rules and set for hearing was this day, by consent of parties docketed in vacation, and by like consent came on to be heard on the bill

of the Plaintiff, and exhibit filed therewith, the answer of the infant defendants, John C. Field, Mary O. Field, by Bernard Mann, who was appointed at Rules to defend the infant defendants in this suit, the answer of the said guardian ad litem, and of the said infant defendants, who are over the age of 14 years, and the answer of the adult defendant Mary V. Field, all of which answers were filed at rules with general replication to said answers; and the deposition of a witness, and was argued by counsel. On consideration whereof, it being clearly shown from the evidence in the cause, independently of any admissions in the answers that the interests of the infant defendants will be promoted by a sale of the real estate in the Counties of Dinwiddie and Brunswick, in the bill mentioned, and the investment of the proceeds; and the Court being of opinion that the rights of no person will be violated thereby, doth adjudge, order and decree, that John Mann, who is hereby appointed Special Commissioner for this purpose, proceed to sell the tracts of land in the Counties of Dinwiddie and Brunswick, of which William M. Field died seized and possessed in the bill mentioned, with the timber thereon, or sell the land and timber separately, either publicly or privately, at such time and place, and on such terms, as to him may seem best for the interest of the infant defendants, Should he elect to sell by public auction, he shall first give at least two days notice of the time, place and terms of sale, by advertisement in one of the newspapers published in the City of Petersburg and make report to Court of his proceedings under this decree.

But the said Commissioner shall not proceed to execute this decree, until he enters into bond in the Clerk's office of this Court, with security approved by the Clerk, in the penalty of $8000, and conditioned for the faithful discharge of his duties under this decree and all other decrees entered in this cause.

Beverly A. Hancock,
Judge 2nd Judicial Circuit
of Va

May 19th 1899

To the Clerk of the
Circuit Court of
Dinwiddie County

In the Circuit Court of Dinwiddie County.
In Vacation, May 4th 1899

Michael
vs
Note for decree
Michael &c.

By consent of the parties this day given before the Judge of this court in vacation, this cause is submitted to the said Judge for decision and decree as if in term, and thereupon this cause came on this day to be further heard upon the papers formerly read and upon the consent aforesaid, which is now entered of record, and upon the report and vouchers of George Mason Special Commissioner, this day filed and was argued by counsel. On consideration whereof the court approving said report to which there are no exceptions doth confirm the same, and doth adjudge, order and decree that the said Special Commissioner pay out and distribute the said balance of $110.35- now in his hands, in equal shares as follows, to the Plaintiff, Clifton B. Michael and the adult defendant Alma D. Michael, one third to-wit: $36.78 each, and deposit the remaining one third, to-wit, $36.79 in the Bank of the Petersburg Savings and Insurance Company for the infant defendant, E. V. Michael, and take a certificate therefor payable to the order of the court, in this cause, and make report to court.

To the Clerk of the Circuit Court of Dinwiddie Co.

Beverly A. Hancock, Judge 2nd Judicial Circuit of Virginia, May 4th 1899

Virginia. At a Circuit Court held for the County of Dinwiddie at the Courthouse thereof on Thursday the 21st Day of September 1899 and of the Commonwealth the 124

Present:

Hon. Beverly A. Hancock Judge

T. A Vaughan,
Pl
Olivia Vaughan, } Note for Final Decree.

This Cause which was regularly matured at rules Came on this Day to be heard upon the bill and the exhibits filed therewith, and upon the depositions of W. Thos. Fisher and W. Benj. Procise and was argued by Counsel. And it appearing to the Court from the said Bill and from the said depositions of the witnesses that Olivia Vaughan the wife of the said T. A. Vaughan has deserted her said husband, and that such desertion had Continued for more than the space of three years prior to the institution of this suit, and that therefore the said Complainant, T A Vaughan is entitled to an absolute divorce from the said Olivia Vaughan; On Consideration whereof the Court doth adjudge order and decree that the said T. A. Vaughan be and is hereby granted a divorce a vinculo matrimonii from the said Olivia Vaughan, and that any Claim which she might otherwise have to the property owned by said Complainant be & is hereby Cancelled and annulled. And it further appearing to the Court that the object for which this suit was brought has now been accomplished, it is ordered that this Cause be removed from the docket

Henry Wheelhouse's Heirs
vs
Henry Wheelhouse's Heirs, } In Chy.

This Cause Came on this day to be further heard upon the papers formerly read, and upon the report of W. R. McKenney Commissioner bearing date September 19th, 1899, and this day filed in this Cause, to which report there is no exception filed, and was argued by Counsel. On consideration whereof the Court approving the said report doth confirm the same, and doth adjudge, order and decree the said W. R. McKenney Commissioner, to distribute among the parties entitled

thereto, according to the statement contained in the Bill filed in this Cause #149 53 according to said report, And that said Commissioner McKenney shall make report to Court,

Rebecca D. Powell and Wm H. Coleman who sue for the benefit of themselves and all other Creditors of J E Medlock, deceased, who may come in and seek relief by and contribute to the costs of this suit.

vs

Dr Chy.

C.S. Medlock and Mary Medlock his wife; Annie Jones and B. Calle Jones, her husband; Helen Edmunds and Chas D Edmunds, her husband; B. Calle Jones, Administrator of J.E. Medlock, deceased, and M.J. Medlock, the last named being a non-resident of the State of Virginia

This Cause, which has regularly matured at rules, Came on this day to be heard upon the Bill and Exhibits filed therewith, which bill is taken for Confessed as to all of the resident defendants, and upon the order of publication returned duly proved and published in the mode prescribed by law as to the non-resident defendant, and was argued by Counsel; On Consideration whereof the Court doth adjudge order and decree that one of the Commissioners of this Court do proceed to take the following accounts:-

1. An account of all debts and demands against the late J.E. Medlock or against his estate, with their dignities and priorities if any.

2. An account of all estate, real and personal, of which the said J.E. Medlock died seized or possessed, together with the fee simple and annual value of such real estate,

3 An account of the transactions of B. Calle Jones, Administrator of J.E. Medlock, deceased, from the date of his qualification down to the date of the filing of such account; such account to show what estate came or should have come into the hands

of the said Administrator, and what disposition he has made of the same. The result of the taking of said accounts such Commissioner shall report to Court with any matter specially stated which he may deem pertinent, or which any body interested may request to be so stated. But that such Commissioner shall not proceed to take the said Accounts until he shall have published once a week for four successive weeks, in some newspaper published in the City of Petersburg, Virginia, notice of the time and place which shall be fixed by him for the taking of the said accounts; such publication shall be deemed equivalent to personal service of such notice on all parties interested except B Cralle Jones Administrator of J.E. Midlock, deceased, who shall be served with personal notice of the time and place which shall be fixed for the taking of the said accounts,

R.D Tempee, guardian of John Tempee, Edward R. Tempee, Maggie Tempee, Joseph C Tempee, Harris Tempee, Samuel Tempee and Peace Tempee Plaintiff

vs

Ann J. Tempee, John Tempee, Edward R Tempee, Maggie Tempee, Joseph C Tempee Harris Tempee, Samuel Tempee and Peace Tempee the last seven of whom are infants under the age of twenty one years and B.J. Epes guardian ad litem of said infants.

On Chy.

This Cause which was matured at rules and set for hearing Came on this day to be heard on the bill of the plaintiff and exhibit filed herewith, the answer of the infant defendants by B.J. Epes who was appointed at rules to defend them in this suit and the answer of the said infant defendants John T. Temple and Edward R Temple who are over the age of 14 years and the answer of the adult defendant Ann J Temple, all of which answers were filed at rules with general replications to said answers, and the deposition of a witness, and was argued by Counsel: On consideration whereof, it being shown from the evidence in the Cause and ~~independently~~ especially of any admissions in the answer that the interest of the infants defendants will be promoted

by a sale of the standing timber on the land in the bill mentioned: and the Court being of opinion that the rights of no person will be violated thereby, doth adjudge order and decree, that John Y Harris, who is hereby appointed special Commissioner for the purpose, proceed to sell the standing timber on the tract of land in Dinwiddie County, of 207 3/4 acres in the bill mentioned, of which the last Thomas B Temple died seized and possessed, either publicly or privately, at such time and place, and on such terms as to him may seem best for the interest of the infant defendants. Should he elect to sell by public auction he shall first give at least ten days notice of the time place and terms of sale by hand bills posted at the front door of the Courthouse of said County and at [illegible] six other public places.

But the said Commissioner shall not proceed to execute this decree until he enter into bond in the Clerk's Office of this Court, with security approved by the Clerk in the penalty of $2500.00 and conditioned for the faithful discharge of his duties under this decree, and all other decrees entered in this cause. And it is ordered that John Temple the grand father of the infant defendants on the paternal side who owned be [illegible] of them in dower be made a party heir of the said infants, defendants to this bill and that the proper process issue against him

Martha D Riddle and Jennie S Riddle, Plaintiffs

Against

Ferdinand Schwenck and Mary Schwenck his wife, Archibald M Riddle, Anna M, Riddle and Mary Thornton Riddle, the last named being an infant, Defendants

This day came the plaintiffs and filed their bill and on their motion Bernard Mann, a discreet and suitable attorney at law is assigned guardian ad litem to the infant defendant, Mary Thornton Riddle to defend her interest in the suit, and the said Bernard Mann as such guardian ad litem filed the answer of the said infant defendant: and the said Ferdinand Schwenck, Mary Schwenck Anna M Riddle and Archibald M Riddle, to which several answers the plaintiffs by Counsel replied generally, and the Cause was docketed by consent, and coming

on to be heard by like consent, on the bill and exhibits, answer and replications, and affidavit filed, was argued by Counsel, On consideration whereof the Court doth adjudge, order and decree that John Mann who is hereby appointed a Special Commissioner for the purpose, do make sale of the standing timber on the tract of land in the bill mentioned and then sell the lands or sell the land and timber together as he may deem best, either publicly or privately, and on such terms as to him may seem best for the interest of all parties, Should he sell publicly he shall first give at least ten days notice of the time, place and terms of sale, by advertising in one of the newspapers published in the City of Petersburg and make report to Court of his proceedings under this decree,

But the said Commissioner is not to act under this decree until he executes, before the Clerk of this Court, a bond with security to be approved by said Clerk in a penalty of $3000 and conditioned for the faithful discharge of his duty under this decree, and all other decrees entered in this Cause,

M. A. Heath's Committee Pltff
vs
Heath &als Defts } In Chancery

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Alexander Hamilton, commissioner this day filed, showing a balance due him of $27.23, and was argued by counsel, On consideration whereof, the court approving said report to which there is no exception, doth confirm the same and doth adjudge, order and decree that said commissioner out of the amount to be paid him by the commissioner in the suit of Heath's Committee vs Jackson's, repay himself the above sum of $27.23, and shall pay the unpaid costs of this suit, and all costs if any upon the land in this case, and use the residue for the maintenance and support of Minerva Ann Heath, as heretofore directed in this cause, And this cause is continued

Harrison's Heirs &als Pltff
vs } In Chancery
Harrison's Adm &als, Defts

This cause came on this day to be further heard upon

the papers formerly read upon the report of Commissioner John Y. Harris, filed September 11th 1875, and upon the report of Alexander Hamilton, commissioner, this day filed, and was argued by counsel. On consideration whereof, the court approving both of said reports, to which there is no exception, doth confirm the same and doth adjudge, ordr and decree that Alexander Hamilton, commissioner, out of the balance of $239.22 shown by said report to be in his hands, pay the unpaid costs of this suit, reserving a sufficient amount to pay the costs to accrue; pay to John Y. Harris, Commissioner, five dollars for making the report aforesaid and all taxes if any upon said fund; pay to H.S. Harrison, assignee of Susan C. Eldridge, the debt with interest thereto found reported in favor of said Susan C. Eldridge and pay over the balance of said amount in his hands then remaining to H.S. Harrison and Ada A. Harrison the only children and heirs at law of Dr Richard E. Harrison, to whom the land sold in this suit belonged. And this cause is continued.

W.D. Young &c for Nellie S. Young
others
vs
D.F. Young &c. Florence N. Young, John Douglas Young and William Lawrence Young, the three last named being infants by R.H. Mann Jr. their gdn. ad litem, } Bill to Inj &c

This day came the Complainants and filed his Bill by leave of Court and on Motion of said Complainant R.H. Mann Jr. a discreet and competent attorney at law is hereby appointed guardian ad litem of the infant defendants Florence N. Young, John Douglas Young and William Lawrence Young and said gdn. ad litem filed the answer of said Infant defendants, and the adult defendant filed his answer: And whereupon this cause came on this day to be heard upon the Bill and Exhibits filed therewith, upon the answers aforesaid, with general replications thereto, and was argued by Counsel, on consideration whereof it is ordered that John Y. Harris as Commissioner of this Court of Ter having given notice to the parties to this suit shall proceed to enquire and report to Court as soon

practicabee whether the offer of W.Q. McKenney to purchase the timber on a portion of the tract of 300 acres of land as in the Complainants Bill Mentioned, is a fair one and whether or not it would promote the interest of the infant Defendants that such offer be accepted and that such sale of such timber be made.

W.P. Young Exrx
&
O.F. Young & others
vs.
In Chy

This cause come on this day to be further heard upon the papers formerly read and upon the report of John G. Harris Commissioner, made in pursuance of a Decree rendered in this Court this day, which report has been this day filed, and to which report there is no exception filed, and was argued by Counsel. On consideration whereof it appearing to the Court that the offer of W.Q. McKenney of $750- for the timber on so much of the tract of 300 acres of land in the bill mentioned as lies North or Northwest of the Petersburg & Boydton Plank Road as fully set forth in Exhibit B, filed with the bill is a fair and reasonable one and that the interest of all parties Defendant in this suit would be promoted by a sale of said timber at said price, the Court doth hereby accept said offer of said McKenney for such timber and that said McKenney shall deposit in the Petersburg Savings & Ins. Co. the cash and the Bonds for the deferred payments as provided for in such offer, said McKenney is to have the right to anticipate the payment of said bonds at any time, and that said McKenney shall present to the Court at its next term evidence of said deposit of such bonds and certificate of deposit for such Cash payment the evidence of such deposit to be a certificate of the Cashier of said Co.

Kuhn
&
Ballsworth &c
Pltffs
Dfts
In Chancery

This cause come on this day to be further heard upon the papers formerly read (which have been lost for several years) upon the report of Alexander Hamilton executor of A. Donnan, deceased late acting commissioner, and of Alexander Hamilton, commissioner substituted in the place of said A. Donnan, and upon the petition of John C. Griffin this

day filed by leave of Court, and was argued by Counsel
On consideration whereof, the Court approving both of said reports, to which there is no exception, doth confirm the same, and doth adjudge, order and decree that Alexander Hamilton, commissioner, out of the balance of $471.66 reported to be in his hands pay the unpaid costs of this suit, the taxes due upon the land purchased by John C. Griffin prior to the date of said purchase, amounting to $65.75 - as per statement of clerk, filed with the petition aforesaid of said John C. Griffin, the taxes due upon the lands purchased by Wm. M. Stine prior to the date of said purchase, to ascertain which it is hereby specially referred to A.M. Organ, Comm'r of this Court, who shall furnish said Comm'r Hamilton with a statment of such taxes and taxes if any due on the said land, and shall deposit the residue of said balance, in the Petersburg Savings & Insurance Company, taking a certificate of deposit therefor payable to the Order of the Court in this cause and upon filing said certificate of deposit amongst the papers in this cause, said Alexander Hamilton shall be relieved from all further duties as commissioner herein, And this cause is continued.

Slaughter's Admx.,
vs.
Spiceley's Admr. & als. } In Chy.

This Cause came on this Day to be further heard upon the papers formerly read, and upon the report of Commissioner Alexander Hamilton, this day filed, with the accompanying statement and vouchers for his expenditures, showing full disbursement of the balance in the hands of said Commissioner on March 23rd, 1896, and showing a balance in his hands as of this date of $691.75, and was argued by Counsel,

On consideration whereof the Court approving said report to which there is no exception, doth confirm the same and doth adjudge, order and decree that said Commissioner Hamilton after paying all taxes, if any, on this fund and the unpaid costs of this suit, shall pay the balance of $691.75 reported in his hands, pro rata upon the debts provided in this Cause against the estate of Wm. H. Spiceley, deceased, Viz: the debt due to J.J. Slaughter's administratrix, the debt due to S.K.

Lucy
which has been assigned to J. Ambler Smith, and the debt due to Martha H. Spiceley, making payment to the said parties or their respective attorneys or personal representatives But said Commissioner Hamilton shall from the dividend to be paid on account of the debt to S.K. Lucy, deduct 1/4 part thereof belonging to the late Robert H. Jones, Jr., and credit the same to the fund in this cause on account of the amount due by the said Robert H. Jones Jr., as late acting Commissioner in this cause, in accordance with decree heretofore entered in this Cause, And said Commissioner Hamilton shall take vouchers for his payments and make report to Court, And said Commissioner Hamilton is directed to proceed to re-sell the tract of 110 acres of land heretofore purchased by John Thomas in accordance with decrees heretofore entered in this Cause. And it is ordered that this Cause be continued,

Baugh, Pltff
Vs. In Chancery
Baugh &als

This Cause came on this day to be further heard upon the papers formerly read, and upon the report of Alexander Hamilton Commissioner, this day filed. showing the full distribution of the fund in his hands and returning with said report a certificate of deposit of the Petersburg Savings & Insurance Company for $1074.54, payable to Alexander Hamilton Commissioner, and was argued by Counsel. On consideration whereof, the Court approving said report to which there is no exception, doth confirm the same, and doth order that this Cause be Continued,

Elizabeth P Moody and A.J. Moody, her husband Richard D. Crop, Martha A. Atkinson and Joseph H. Atkinson, her husband, Richard F. Crop and Sallie Crop his wife, Lemuel R. Crop and R.H. Dalton, Pltffs
Vs.
Geo. G. Crop, Joseph H Crop, & Bessie Dalton infants by some fit and proper person to be appointed their guardian ad litem Defts. } In Chy

This day came the plaintiffs and by leave of Court filed their bill & exhibit therein mentioned

and on their motion B. J. Epes a competent attorney practicing in this Court was appointed guardian ad-litem of the infant defendants to defend their interest in this Cause and thereupon said infants by their said guardian ad litem filed their answer to said bill, whereupon this cause is continued for testimony in support of said bill.

Moody &c vs Pltff
&c
&c &c vs Dfts } In Chancery

This cause by consent of parties came on this day to be heard upon the bill exhibit therewith filed, the answer of the infant defendants by their guardian ad litem and the deposition of Will Johns this day filed and was argued by counsel. On consideration whereof the court being satisfied that the tract of 94 acres of land in the bill mentioned cannot be conveniently partitioned in kind among the parties thereto entitled that their interests will be promoted by the sale thereof and a division of the proceeds of sale among them that no one of the parties interested is willing to take the whole of said land and pay to the other parties such sums of money as their interest therein entitle them to, doth adjudge, ord and decree that John G. Harris who is hereby appointed a Special Commissioner for the purpose, proceed to sell said tract of 94 acres of land at such time and place and after such notice as to him shall seem best for the interest of the parties interested, on terms of one third of the purchase price cash and the balance in two equal instalments of six and twelve months with interest from day of sale till to return until finally paid for. But before said John G. Harris shall act under this decree he shall execute before the Clerk of this court a bond in the penalty of $500.00 with security to be approved by said Clerk, conditioned according to law.

Allin P. M. for &c Pltff
vs } In Chy
Anna Williams Dfft

This cause which has regularly

matured at Rules in the Clerk's Office come on this day to be heard on the bill & Exhibits thereunto filed and the answer of the defendant, Anna Williams this day filed by leave of Court & was argued by Counsel On Consideration whereof and by consent of the said Anna Williams, the executrix & sole devisee of Robert H. Williams, deceased the Court doth adjudge order and decree that B.J. Epes who is hereby appointed Special Commissioner for the purpose make Sale of the tract of land called Rogers of which R. H. Williams died seized & possessed containing about fifty acres, for one third cash & the balance in equal semi-annual instalments of six and twelve months, but before said Special Commissioner Epes shall act as such he shall execute & file in the papers in this cause a bond in the penalty of $300.00 with security approved by the clerk of this Court conditioned for the faithful execution of his trust under this or any other decree which may be entered in this cause,

&

Anderson for pe. Petts
vs } In Chy
Walker Sawney & al Defts }

This cause which has regularly matured at rules in the Clerk's Office came on this day to be heard on the Bill & Exhibits thereunto filed Taken for confessed as to the defendant, Sawney Walker & was argued by counsel On consideration whereof the Court doth adjudge order and decree that one of the commissioners of this Court take & report to Court an account of the real estate of which Sawney Walker is seized and possessed with the fee simple and annual value thereof, and account of the liens binding the real estate of the said Sawney Walker with their priorities and proprieties & what delinquent taxes if any are due on said land

Hill & others Pltffs
vs } In Chy
Hill's Committee Defts

This cause come on this day to be again heard on the papers formerly read & on the Report of Lt. Comr B. J. Epes, dated Sept. 21st 1899 of the sale

of the estate in the property known as "Hills mill" to which there is no exception filed & was argued by counsel,
On consideration whereof the Court doth dojudge, order and decree that the said report be and the same is hereby confirmed & that the sale of the mill property therein mentioned to E.H. Hill be & the same is confirmed & held firm & stable between the parties & that said Spl. Comr. B.J. Epes out of the cash payment of $116.66 in his hands pay the costs of this suit & when the notes for the deferred payments become due that he withdraw the same from the papers in this cause & collect the same report to Court how he shall have executed this decree,

Heath's committee, Pltff
vs } Dr chy
Jacksons Dfft

This cause came on this day to be further heard upon the papers formerly read and upon the Report of Alexander Hamilton, commissioner, this day filed, and was argued by counsel,
On consideration whereof the Court approving said report to which there is no exception, doth confirm the same, and doth adjudge, order and decree that said commissioner, after paying all costs, if any upon this fund and the unpaid costs in this suit pay over the balance in his hands, to-wit: $619.27, to Alexander Hamilton, commissioner, in the suit of Heath's Committee vs Heath & als, pending in this court to be used by him for the maintenance and support of Minerva Ann Heath, as heretofore decided by decree in said cause, And this cause is continued

Edward H. Smith, Trustee Pltff
vs } Dr chy,
Mary M. Smith & als Dfts

This cause came on this day to be further heard upon the papers formerly read and upon the report of Alexander Hamilton, commissioner, this day filed and was argued by counsel; On consideration whereof the Court approving said report to which there is no exception doth confirm the same, and doth adjudge, order and decree that said commissioner out the balance in

his hands of $16.63 in the payment of the unpaid costs of this suit including $2 each to the Commissioners who acted in this cause; and it appearing to the court that nothing further remains to be done in this cause it is ordered that the same be removed from the docket,

S. W. Meeks's Heirs &c Pltffs
vs
W. W. Meeks's Heirs Defts } Order

This cause came on this day to be further heard upon the papers formerly read and the report of Special Commr Jno. Y. Harris dated Sept. 21st, 1899 made under this decree herein entered Entered of the September Term, 1897, of this court and was argued by counsel. On consideration it appearing to the Court from said report to which there is no exception filed that Elmer Vaughan of the city of Pikeston is willing to purchase the tract of land in the proceedings mentioned at the price of one hundred and fifty dollars ($150) payable in cash upon the confirmation of the sale and and a titles to said purchaser of a proper conveyance provided the conveyance will vest in said purchaser a perfect title to said land free from all incumbrances and that said Special Commissioner recommends the acceptance of said offer, and an enquiry as to the title to said land the court accepting said offer, doth order that it be referred to Geo. S. Benard who is hereby appointed a Special Commissioner for the purpose to make enquiry and report to court whether or not such conveyance can be executed to said purchaser, and if not what is necessary to be done to make the execution of such conveyance practicable under the order of this court,

Beverly A. Hancock

Friday September 22nd 1899.

Present. Hon Beverley A Hancock Jr. Judge

Hardy's Trustee Pltfs
vs
Hardy et. als Defts
} In Chy.

This cause come on this day to be further heard on the papers formerly read and was argued by counsel on consideration whereof the Court doth adjudge, orde and decree that Richard D Gilliam who is hereby appointed a special Commissioner for the purpose, take the following accounts.

1st An further account of the transactions of John J Harris Trustee under the several deeds of Trust in the proceedings mentioned, and

2nd An account showing which of the debts, if any secured by the several deeds of trust have been ~~furnished~~ paid by the said trustee, and which of said ~~debts~~ are now outstanding, with their dignity and priorities! Which accounts the said Commissioner is directed to report to Court with any matter specially stated deemed pertinent by himself or required by any of the parties to be so stated. Publication of notice of the time and place for taking the said Accounts once a week for four successive weeks in some newspaper published in the City of Petersburg shall be deemed equivalent to personal service on all the parties hereto.

Ordered that the Court be adjourned until the first day of the next term

Beverly A. Hancock

In Dinwiddie Circuit Court,
In vacation, Sept. 29 1899

The regular term of Dinwiddie Circuit Court having ended without the dispatch of all its business and it being expedient in the opinion of the Judge of said Court that a special term of said Court should be held it is ordered that a special term of said Court be appointed to be held on the 5th day of October 1899. The Clerk of said Court will perform the duties imposed upon him by section 3060 of the Code of Virginia Edition 1887 & will record this order in the Common Law, & the Chancery order book's of the said Courts. Given under my hand this 29th day of September 1899.

Beverly A Hancock
Judge of 2nd Judicial
Circuit of Virginia

To the Clerk of
Dinwiddie Circuit Court,

Virginia: At a special term of the Circuit Court held for the County of Dinwiddie at the Courthouse thereof on Thursday the 5th Day of Oct. 1899, and in the Commonwealth the 124

Present Hon. Beverly A Hancock, Judge.

Mary A Field Guardian } Pla...ff
against } Decree
John C. Field & others } Defts.

The summons issued against John Field Lucy Edmonds, Edward T. Field John A. Field, Ellen Field, Meade Field, Minna Persons, Bessie Brown, Susie Bailey Minna Hardy and Emma Jones who were made new parties to the above styled suit; returnable to the September rules 1899, to answer the bill of the plaintiff having been returned duly executed, and the proper rules having been taxed, the cause was set for hearing as to them and the said parties still failing to appear and answer plead or demur to the plaintiffs bill, the same is taken as confessed as to them. And thereupon this cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner

John Mann this day filed, which shows that the Commissioner paid the plaintiff, Mary H Field, the widow of Wm M. Field, decd, nine hundred and seventy six 14/100 Dollars her commuted value of the balance in his for distribution and invested $3050.73, the balance in his hands, in the Century bonds, of the State of Virginia, as follows, For
For John C. Field No 1372 for $1000. Nos, 1889 & 1890 for $100 each Coll. 103 2"
" Mary P. Field No. 1373 " $1000. Nos, 1891 & 1892 " $100 " " 103 2
" Wm M Field No. 1374 " $1000 Nos 1893 & 1894 " $ 100 " " 103 2
309 6
Deduct balance in hands of Commissioner 3050.73
Leaving balance due Commissioner of 45.27
On $15.09 due by each of the said parties. And was argued by Counsel: On Consideration whereof the Court approving said report, to which there is no exception doth confirm the same and doth adjudge, order and decree that John Mann Commissioner be and he is hereby authorized to collect the interest on the century bonds of the State of Virginia for $360 hereinbefore mentioned as it matures, and pay the same to Mary H Field guardian of John C, Mary P and Wm M Field, take her receipts therefor and file the same in the papers of this Cause.

And the Court doth confirm the reported sale of 155 acres of land made by said John Mann Commissioner to William R McKenney for eight hundred dollars; and doth adjudge order and decree, that the said sale be held stable and binding between the parties, upon the said McKenney complying with terms of sale, as set forth in the report in the report of the said Commissioner. And the Court doth order said Commissioner, to collect the draft given for the said land at maturity; and upon the payment thereof that he execute and deliver to the said McKenney a deed with special warranty conveying the said tract of land to him. And the said Commissioner is directed to make report to Court of his proceedings under this decree

Dora A Michaels, Pltff
Vs Decree
Michaels, Defts
In Chancery

This Cause come on this day to be further

heard upon the papers formerly read, upon the report of Bernard Mann, Commissioner this day filed, and upon the petition of Dora J Mitchell this day filed by leave of Court, and was argued by Counsel; On consideration whereof, the Court, approving said report, to which there is no exception, doth confirm the same, and doth adjudge, order and decree that said Commissioner dispose of the balance in his hands $305.20 -- as follows, to-wit: He shall pay to Mrs Dora J Mitchell the sum of $63.61 in full of the Commuted Cash Value of her Dower interest; to Lucy E Bolster, Emma A C, Chappell and Anna L Mitchell, each, the sum of $40.26; to said Dora J Mitchell the sum of $80.54 being the shares of the infants Wm G Mitchell and Hamer E Mitchell to be used in their maintenance, education and support. The share of Alice F Bolster amounting to $40.27, said Commissioner shall deposit in the Petersburg Savings & Insurance Company, taking a certificate of Deposit therefor payable to the Order of the Court in this Cause, to be paid over to her when she reaches the age of twenty-one. And it is further ordered and decreed that the Clerk shall mark satisfied on the margin of the deed book the Deed of trust from W H Mitchell and wife, dated March 19th, 1883 and recorded in Deed Book No. 16, page 183, And said Commissioner shall make report to Court of his proceedings under this decree.

D'Altons' Guardian
vs
D'Altons

Decree

In Chancery

Plaintiff

Defts.

This Cause came on this day to be further heard upon the papers formerly read, and upon the report of Bernard Mann Commissioner, showing the distribution of the fund in his hand with proper vouchers therefor, and returning with said report a certificate of Deposit of the Petersburg Savings & Insurance Company for $696.80, payable to the Order of the Court in this Cause, and was argued by Counsel: On consideration whereof, the Court approving said report, to which there is no exception, doth confirm the same, And this Cause is Continued

The Eastern State Hospital
vs } Decree
E. H. Hill, Committee of Richard Hill.

Pltff
In Chancery
Dfts.

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Bernard Mann, Special Commissioner, this day filed, and was argued by counsel. On consideration whereof, the Court, approving said report, to which there is no exception, doth confirm the same and doth adjudge, order and decree that the sales reported by said Commissioner be held firm and stable between the parties, said sales being as follows, to-wit:

1st. To Robert Cabaniss, for $50., twenty-five acres of land on the north side of Butterwood Creek, adjoining the lands of said Cabaniss, and being a part of Richard Hill's tract of land, containing 276 acres,

2nd. to B.E. Cobb, for $500., the balance of said 276-acre tract; the whole of said 276-acre tract being bounded as follows, to-wit: On the north by the White Oak Road, east by the lands of Vaden and Smith, south by Butterwood Creek, and west by the depot road, running from Hill's Mill to the White Oak Road.

3rd. To B.E. Cobb, for $280., Richard Hill's undivided interest in the "Connelly" tract and "Home" tract, containing 233-1/3 acres, more or less, and 5½ acres, more or less,

4th. To E.H. Hill, the undivided interest of Richard Hill in what is known as "the Mill Property" at twenty five dollars,

Out of the cash in hand said Commissioner shall pay the costs and expenses of this suit, and shall pay all delinquent taxes, if any, prior to 1899, on the 276 acres of land above mentioned, and Richard Hill's proportion of the delinquent taxes, if any, prior to 1899, on the "Connelly" and "Home" tracts; and it appearing to the Court that Robert Cabaniss has paid the whole of his purchase price in cash, said Commissioner is directed to execute and deliver to him a good and sufficient deed with special warranty, for the twenty-five acres purchased by him; and said Commissioner shall execute and deliver to said B.E. Cobb, a good and sufficient Deed, with special warranty, for the property pur

chased by him when he shall have paid the three notes at 6, 12 and 18 months to be given by him for the deferred payments thereon, and shall execute and deliver to E.N. Hill a good and sufficient deed with special warranty, for the property purchased by him when he shall have paid the note given for his deferred payment; and said commissioner shall withdraw said notes, as well as the note for $15.90 of E.N. Hill at one year from June 19th, 1899, from the papers in this cause and collect the same as they fall due; and the residue of the cash in hand remaining after the payment of costs and taxes, etc. said commissioner shall credit upon the judgment of the Eastern State Hospital vs E.N. Hill, Committee of Richard Hill, and shall likewise credit thereon the notes above mentioned as they are collected, And said commissioner shall make report to Court of his proceedings under this decree

Beverly A. Hancock

Virginia: at a Special Term of the Circuit Court Continued & held for the County of Dinwiddie at the Court House thereof on Monday the 9th day of October 1899 and in the Commonwealth the 124th.

Present Hon Beverly A Hancock Judge

E M. Jones, Guardian, &c.
&
Annie Rebecca Jones and
William Edward Jones
} In Chancery

This Cause come on this day to be heard upon the papers formerly read and upon the Petition of Annie Rebecca Jones, this day filed in this cause by leave of Court and was argued by Counsel. It appearing to the Court from the said petition and from the affidavit thereto attached that the said Annie Rebecca Jones has, since the September Term 1898, attained the age of 21 years; and it further appearing to the Court that she is entitled to one-half of the certificate of Deposit of the Petersburg

Savings & Insurance Co. for $200, mentioned in the said decree of the September Term, 1898, it is ordered, that the Clerk of this Court do withdraw the said certificate of Deposit from the papers in this Cause and collect the same and after having paid any taxes due on said fund and any unpaid costs of this suit including the present term of this Court, said Clerk shall pay to said Annie Rebecca Jones one half of the balance which shall remain, taking her receipt therefor, and the balance which shall then remain he shall deposit in the Petersburg Savings & Ins Co. taking certificate therefor payable to the order of this Court in this Cause, which ~~report~~ receipt and certificate of Deposit, said Clerk shall file with the papers in this Cause and report to the Court at its next term what he shall have done under this decree

W. P. Young Trustee
vs
D. F. Young & others
} In Chancery

This Cause come on this day to be further heard upon the papers formerly read and it appearing to the Court the W. R. McKenney the purchaser of the timber in these proceedings mentioned has in accordance with the decree rendered in this Cause on September 21st 1899 presented to this Court his two homestead waiver bonds for two Hundred and fifty dollars each dated Sept. 21st, 1899 and payable to the order of this Court in this Cause, instead of depositing them in said Bank and that said McKenney has also presented to this Court a certificate of deposit of the Petersburg Savings & Ins. Co. for two Hundred and fifty dollars dated Oct. 7th 1899 and payable to the order of this Court in this Cause; it deemed by the Court that said McKenney ~~as~~ purchaser as aforesaid, has properly complied with the said decree of this Court rendered Sept 21/99 and when the bonds aforesaid shall have been paid then this Court will order the proper deed to be made to said McKenney for said timber in accordance with the true meaning and spirit of the proceedings thus far in this Cause, and the Clerk of this Court

is Ordered to file away said certificate & bonds for safe-Keeping

Ordered that the Court be adjourned [illegible] the first day of the next Term

Beverly A. Hancock

In Vinniddie Circuit Court
In vacation Oct. 14th 1899

It being expedient in the opinion of the Judge of Vinniddie Circuit Court that a special term thereof should be held, it is ordered that a special term of said Court be held on the 18th day of October 1899. No. Venire to be summoned. The Clerk will comply with the requirements of Section 3060 of the Code of Virginia 1887. Given under my hand this 14th day of October 1899

Beverly A Hancock
Judge 2nd Judicial Circuit
of Va.

To the Clerk of
Vinniddie Circuit
Court

Virginia: At a special term of the Circuit Court held for the County of Vinniddie at the Court House thereof on Wednesday the 18th day of October 1899 and of the Commonwealth the 124th.

Present: Hon Beverly A. Hancock, Judge

Ordered that the Court be adjourned until tomorrow Morning at 8 O'Clock

Beverly A. Hancock

Thursday October 19th 1899

Present. Hon Beverly A. Hancock. Judge,

Ordered that the Court be adjourned until the first day of the next term

Beverly A. Hancock

In the Circuit Court of the County of Dinwiddie
In vacation. December 1899

Moody &c vs Pltffs
&c &c vs Dfts
} In Chy.

This cause came on this day to be further heard in vacation, by consent of parties, upon the papers formerly read, and upon the report of Special Commissioner John G. Harris of the sale of the 94 acres of land in the proceedings mentioned, to O.J. Boisseau, at the price of $450.00 and was argued by counsel.

On consideration whereof, the Court approving said report to which there is no exception, doth confirm the same, and doth adjudge, order and decree that the sale of said 94 acres of land to said O.J. Boisseau be held firm and binding; and it appearing to the Court that said O.J. Boisseau desires to pay all of the purchase money in cash, the said Commissioner is hereby authorized to receive the same and upon the payment thereof said Commissioner is ordered executed and deliver to said O.J. Boisseau a deed conveying to him said land with Special warranty.

And the said John G. Harris, Commissioner, after paying any unpaid taxes on said land and the legal costs of this suit is hereby ordered to distribute the balance of said purchase money as follows: One half of said balance to Elizabeth P. Moody and A.J. Moody her husband and the other half of said balance to the heirs of Mary E. Crop, as follows: to Richard A. Crop, and Sallie Crop his wife, one sixth (1/6) of said half, to Martha A. Atkinson and Joseph H. Atkinson her husband one sixth (1/6) of said half, to Lemuel R. Crop

one sixth (1/6) of said half ~~and~~ and to the legally qualified guardian or guardians of Georgs G. Crop, Joseph H. Crop and Bessie Dalton, each one sixth (1/6) of said half when said guardian shall have entered into bond in sufficient penalty & with good security for the proper application of the fund coming into their hands under this decree taking proper receipts for all payments and making report to Court

Beverly A. Hancock Judge
2nd Judicial Circuit of Virginia
Dec 16th 1899

To Clerk of Dinwiddie Circuit Court

In Vacation Circuit Court of the County of Dinwiddie

Riddles
vs
Schevenck &c &c } Decree Dr Chancery

This cause came on this day in vacation to be further heard upon the papers formerly read and upon the report of Special Commissioner John Mann of the sale made by him to John T. Hardy of the tract of land in the proceedings mentioned containing eight hundred and twenty acres, this day filed to which there is no exception, and was argued by counsel, On consideration whereof, the Court doth approve the said report and doth adjudge, order and decree that the sale made by the said Commissioner to John T. Hardy be held firm and stable between the parties, and that said Commissioner receive of the said John T. Hardy, one thousand dollars and his two negotiable notes, one for $1000, at 4 months, and the other for $750 at eight months, and collect the same, and that upon the payment of the said notes he execute and deliver to the said Hardy a deed with special warranty, conveying the said tract of land to him, And the Court doth further adjudge, order and decree that said Commissioner, out of the money received by him, pay the costs and expenses of this suit - also sale, including a fee of $50 for his services, and also any delinquent taxes that may be due on said land, and distribute the balance among the parties entitled thereto, and make report to Court of his proceedings under this decree

Beverly A. Hancock, Judge 2nd
Judicial Circuit of Va
December 19th - 1899

To Clerk of
Dinwiddie Circuit Court

Virginia: At a circuit Court held for the County of Nansemond at the Court-house thereof on Wednesday the 21st day of March 1900 and of the Commonwealth the 124

Present Hon Beverly A. Hancock, Judge

Brunswick Lumber Company
vs
decree
In Chancery
Julia E Probst.

This cause which has been duly matured at rules, came on this day to be heard upon the bill of the plaintiff and the exhibits therewith filed, the joint several answers of G.L. Vincent & Co, G.W. Truitt and Truitt Vincent & Co. which were duly filed at rules, and upon the Order of publication as to the non-resident defendants, Julia E. Probst and Flavius J. Probst her husband, Maria L. Ellis, Judge Sherlock Allen and Mae Allen his wife, which appears to have been duly executed as required by law and more than fifteen days having now elapsed since the completion of the said Order of Publication, the said non-resident defendants still failing to appear, plead, answer, or demur to said bill, and upon the deposition of witnesses duly taken and filed with the papers in the cause and was argued by Counsel. On consideration whereof, it appearing to the Court from the Exhibits filed in the cause, and the deposition of W.T. Lead duly taken and filed in the cause, that Maria L. Ellis and Judge Sherlock Allen by their respective deeds referred to in the bill and proceedings intended to convey and did in fact convey to Julia E. Allen the two tracts of land known and described by the names of Clayton and Hamilton Farms which had ~~been~~ heretofore been conveyed to them respectively by the said Julia E. Allen, and that the misdescription of the said tracts as to the number of acres contained therein and the property of other persons adjoining the same was by mistake and inadvertence,

and that the mistaken description in said deeds, which has been repeated in the subsequent conveyances of the said lands, ought to be corrected so as to conform the said conveyances to the purpose of the parties thereto, doth order adjudge and decree that Charles Hall Davis, who is hereby appointed a Commissioner for the purpose convey by proper deed, with special warranty, to the Brunswick Lumber Company, at its proper costs, all that certain tract or parcel of land in Dinwiddie County, Virginia, sometimes called Oakland, or Lords, and sometimes called the Parker tract, but more recently known as Hamilton Harris, containing 1.000 acres, adjoining the property of William T. Doyle, R. R. Shilo, J. R. Jones and others which was conveyed to Judge Sherlock Allen by Julia E. Allen by deed dated the 25th day of August, 1893, and which was re-conveyed by the said Judge Sherlock Allen to the said Julia E. Allen by deed dated the 8th day of October, 1895: and that he also convey by proper deed to the said Brunswick Lumber Company, by deed with special warranty, all that certain tract or parcel of land in Dinwiddie County, Virginia, containing 974½ acres, adjoining the estate of Pascal Tucker, known as Elydon, which was conveyed to Maria L. Ellis by deed from Julia E. Allen bearing date the 24th day of June, 1895, and which was re-conveyed to the said Julia E. Allen by deed from the said Maria L. Ellis bearing date the 2nd day of September, 1895,

And the Court doth further order that in said deed the said Commissioner shall describe the said two tracts of land Hamilton Harris and Elydon as they are described in the deeds from Julia E. Allen to Judge Sherlock Allen and Maria L. Ellis, respectively, referred to in the bill in this cause, it being evident that the description in the said two deeds are the proper description of the said two tracts of land and that the inaccurate description in the two subsequent deeds of conveyance of the said tracts of land arose from inadvertance and mistake in the parties who prepared the said subsequent deeds. And, it appearing that the purpose of this suit has been fully attained, it is ordered that the same be removed from the docket

Thomas H. Shearer
vs } Decree } In Chancery
John Hargrave & als

By consent of parties in Open Court, it is ordered that this cause be removed to the Circuit Court of the City of Petersburg for further proceedings to be had therein according to law,

Michael
vs } Note for decree } In Chancery
Michael & als

This cause came on this day to be further heard on the papers formerly read and the report and vouchers of Geo Mason special Commissioner this day filed and was Argued by Counsel on Consideration whereof And it Appearing from said report & Vouchers that said Commissioner has disposed of the balance of $110,35 as directed by the decree of May 4th 1899 and there being no exception to said report the Court doth Confirm the same and doth order said Commissioner to deposit the balance of $14.22 now in his hands in the bank of the Petersburg Savings & Insurance Co. to the Credit of the Court in this cause And take a certificate therefor and make report to Court, And it Appearing that the purchaser Albert Shands is in default in the payment of his purchase bonds, payable One and two years after date for the land sold to him in this cause, the Court doth adjudge order and decree that he be summoned to appear here On the first day of the next term of this Court and show cause, if any he can, why said land should not resold at his risk and cost per such default.

Hardy's Trustee, Plaintiff
vs } In Chancery
Hardy et als, Defendants,

This cause came on this day to be further

heard upon the papers formerly read and upon the report of Special Commissioner Richd. D Gilliam, filed in the Clerks Office of this Court on the 7th day of March, 1900, and was argued by counsel, On consideration whereof the Court doth approving the said report to which there is no exception, doth confirm the same and doth adjudge, order and decree that Jno. G. Harris, Trustee, withdraw from the Bank in this cause certificate of Deposit No. 40786 of the Petersburg Savings & Insurance Company for $2339.52/100, (leaving this receipt with the Clerk of this Court therefor) and collect the same with the accrued interest thereon, and out of the proceeds thereof the said Trustee shall pay the costs of this suit & then to himself the sum of $28[illegible], the amount reported to be due him by the report aforesaid, to B. J. Boisseau, the sum of $373.29, in full of his debt as shown by said report to J. B. Whitmore the sum of $359.83 in full of his debt of the first class as shown by said report to Pescud & Field, the sum of $168.56 in full of their debt as shown by said report, and to Mary V. Whitmore executrix, or to the personal representatives of Geo. Whitmore the sum of $307.24, on account of the debt due to her as shown by said report taking receipts for said payments and returning them with the report he is required to make of his proceedings, The balance remaining in his hands after making said payment he shall deposit in the Petersburg Savings & Insurance Company's Bank, at Petersburg, Virginia to the credit of this cause and return the same with his said report.

But the said Jno. G. Harris, Trustee shall not act under this decree until he ~~shall~~ shall have first executed a bond before the Clerk of this Court in the penalty of $3000.00 with security approved by said Clerk, and conditioned according to law.

Keeler Pltff
vs
Butterworth Deft } In Chancery

This cause came on this day to be further heard, upon the papers formerly read upon the report of Commissioner A. M. Ogain, this day filed, and upon the report of Alexander Hamilton, Commissioner, this day filed, returning therewith a Certificate of Deposit of the Petersburg Savings & Insurance Company for $313.03 in full of the balance in his hands and was argued by counsel.

On consideration whereof, the Court approving both of

said report, to which there is no exception, doth confirm the same, and doth adjudge, order and decree that said Alexander Hamilton be and he is hereby relieved from all further duties as Commissioner herein. And this cause is continued.

Minnie L Roffe Plaintiff.
Vs)
Minnie L Roffe Guardian of Hazel McIlvaine Roffe Minnie Belle Roffe Geraldine Heath Roffe and John May Roffe, infant Defendants; Alexander Hamilton, Trustee, and the said Hazel McIlvaine Roffe, Minnie Belle Roffe Geraldine Heath Roffe, and John May Roffe infants under the age of twenty-One years. Defendants

This day came the plaintiff by her attorney, in open Court and filed her bill, and thereupon came the adult defendants, to-wit, Alexander Hamilton, Trustee, and the said Minnie L Roffe, guardian of Hazel McIlvaine Roffe Minnie Belle Roffe Geraldine Heath Roffe, and John May Roffe and filed their answers to said bill by leave of Court; and thereupon, by the Consent of all the adult parties, this Cause is docketed, And On motion of the plaintiff, Bernard Mann, a discreed and competent Attorney at Law is appointed guardian ad litem of the said infant defendants, Hazel McIlvaine Roffe, Minnie Belle Roffe, Geraldine Heath Roffe, and John May Roffe, to represent their interests in this suit, And leave is given him to file the answer of the said infants which is accordingly done, And thereupon this cause came on this day to be heard upon the bill of the plaintiff, and exhibits and affidavits filed therewith, the answers of the adult parties, the answer of the infant defendants by Bernard Mann, their guardian ad litem, with general replication to all of said answers, and was argued by counsel, On Consideration whereof, it appearing to the Court that the property in the proceedings mentioned is not susceptible of partition in kind amongst the parties, entitled thereto: that no One of said parties is willing to accept the whole property and pay therefor to the other parties such sums of money as their interests therein may entitle them to: that the interests of all parties concerned will be promoted by a sale of said

property and a division of the proceeds, and that the rights of no persons will be violated by such sale and division of proceeds, the Court doth adjudge, Order and decree that Thomas G Watkins, who is hereby appointed Commissioner for the purpose, do proceed, after having first advertised the time, place and terms of sale by publication thereof for a reasonable time in one of the newspapers published in the City of Petersburg, Virginia, or by handbills to be posted, or in both of said ways, to sell the real estate in the bill and proceedings mentioned of which John G Roffe died seized and possessed, consisting of a tract of land in Dinwiddie County, Virginia, estimated to contain one hundred and seventy seven acres, adjoining the lands of Palmer, Lundy, Evans, Green, Perkins, Justis and Lacy at Public auction in front of the Court House of said County, on some Court day, upon the following terms, to wit: One-third cash, and the residue on credits of one and two years, purchaser to give negotiable notes, with interest added from day of sale for deferred payments, to be secured by deed of trust upon the property, at purchaser's cost, or title to be retained until the property is fully paid for. But said Commissioner shall not act under this decree until he shall have entered into a bond, with surety to be approved by the Clerk of this Court, in the penalty of four thousand dollars and conditioned according to law for the faithful performance of his duty under this or any other decree that may be entered in this cause, And the said Commissioner is directed to report his proceedings under this decree to the Court,

Ettenborough's, E.J., Heir,
vs.
Ettenborough's, E.J., Heir,
} Final decree } In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of Alexander Hamilton, Commissioner, showing a full distribution of all funds in his hands, with proper vouchers for the disbursements made by him, and was argued by counsel, On Consideration whereof, the Court approving said report, to which there is no exception, doth confirm

the same, and it appearing to the Court that nothing further remains to be done in this cause it is Ordered that the same be removed from the Docket,

George T. Cobanis, guardian of Florence M. Edward H. and William A. Cobanis — Plaintiff
against
Florence M. ~~Edward~~ Edward H. and William A. Cobanis, infant defendants under the age of twenty-one years, and J. M. Cobanis — Defendants
In Chancery

This day came the plaintiff and filed his bill, and R.H. Mann Jr. is assigned guardian ad-litum to the infant defendants, Florence M., Edward H. and William A. Cobanis, to defend their interest in this suit, and thereupon the said guardian ad litum filed the answer of the infant defendants and his own answer to the bill of the plaintiff, duly sworn to, and the said Florence M. and and Edward H. Cobanis being infants over the age of fourteen years filed their own answer duly sworn to, to the bill of the plaintiff, and the adult defendant J. M. Cobanis filed his answer duly sworn to, to which several answers the plaintiff by counsel replies generally, and the cause was docket by consent and coming on to be heard by like consent upon the bill, answers and replications who argued by counsel,

On consideration whereof the Court doth adjudge, order and decree, that the papers in the cause be referred to one of the commissioners of this Court who is directed to enquire into and report to Court at the present term, First, Whether the interest of the infant defendants will be promoted by the sale of the timber in the bill mentioned and the investment of the proceeds of sale in other property. Second Whether the rights of any person will be violated by such sale, which enquiries the said commissioner shall make and report to the Court together with any matter specially stated deemed pertinent by himself, or required by any of the parties to be specially stated,

George T. Cabaniss, guardian of
Florence M. Edwards H. and William
H. Cabaniss, Plaintiffs

vs

In Chy

Florence M. Edward H. and William
H. Cabaniss infant defendants under
the age of twenty-one Years, and
J. M. Cabaniss Defendants

This Cause came on this day to be further heard on the papers formerly read and on the report of Commissioner John T. Harris, filed since last hearing, to which report there is no exception, and on the examination of witnesses returned with said report and was argued by Counsel, On consideration whereof the Court doth approve and confirm said report, and doth adjudge, Order and decree that Bartlett Roper Jr. who is hereby appointed a special Commissioner for the purpose, be and he is hereby authorized and empowered to dispose of to W. R. McKenney the standing timber on the tract of land in Dinwiddie County, mentioned in the papers in this cause and hereafter more fully described, at the price and on the terms, restrictions and limitations following, to wit: the payment by the said W. R. McKenney of the sum of five hundred Dollars in cash, the said W. R. McKenney also to pay all the costs and expenses incident to or in any way connected with the sale and Conveyance of the said timber to him, and to have only two years from the date of the said Conveyance to him to cut and remove the said timber; and he, the said W. R. McKenney, not to cut any tree from the said tract of land that does not measure, at the time of cutting of the same, ten inches in diameter at the stump: said McKenney, his agents and Servants to have, during the said term of two years the right of ingress and egress to and from the said tract of land, Also the privilege of erecting on the said tract of land saw mill to cut and saw the said timber and the right at any time to remove the same,

And the Court doth further adjudge, Order and decree that when and as soon as the said W. R. McKenney shall deposit in the Petersburg Banking and Trust Co, Petersburg Virginia to the Credit of this Court in this cause the said sum of five hundred dollars, the amount

of the purchase price of said timber And produce the certificate of such deposit to Bartlett Roper Jr. Commissioner then the said Bartlett Roper Jr. Commissioner as aforesaid, shall convey unto the said W.R. McKenney by good and sufficient deed, with special warranty, and subject to the limitations restrictions and privileges mentioned aforesaid all the standing timber of every kind and description whatsoever on that certain tract of land in the County of Rockingham, of which W. J. Cabaniss died seized and possessed, And which at his death passes by operation of law to his only Children and heirs, the said Florence M. Edward H. and William H. Cabaniss, and which is bounded on the North by the "Cross Road" tract, On the East by the "Cross Road" tract, On the West by the "Taliaferro" tract and on the South by the "Slaughter" tract, containing 106 acres,

And the said Bartlett Roper Jr. Commissioner is directed to report his proceedings hereunto to Court,

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Mary Belle Young Plaintiff
vs
John B. Young and Others Defendants } In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of W.R. McKenney, Commissioner, bearing date March 15th 1900, and this day filed in this cause to which report there was no exception filed and was argued by counsel, And it appearing to the Court from the said report and the vouchers filed therewith and from other papers in this cause that the said W.R. McKenney Commissioner, has fully and properly disbursed all sums which have come into his hands as Commissioner in this cause including the balance of Four Hundred Fifty Three Dollars and Fifty Seven Cents ($453.57) in his hands according to his last report filed in this cause at the March Term, 1897, save and except that he has returned with his said said Report of March 15th 1900 a certificate of deposit in the Petersburg Savings & Insurance Co. of Petersburg Va. payable to the Order of this Court in this cause for One Hundred and Two Dollars and Sixty four cent

($102.64) as fully set forth in his said report of March 15th 1900, and that said Commissioner McKenney desired to be discharged from further duty as Commissioner in this cause. When he shall have filed with the papers in this Cause the Check given George Liddel for $34.22 On consideration whereof the Court approving said report of the said Commissioner McKenney doth confirm the same, and doth, adjudge Order and decree that said Commissioner McKenney do deliver to the Clerk of this Court the certificate of deposit as aforesaid for the sum of $102.64, taking his receipt therefor and filing the same among the papers in this cause, And the Court doth further Order that said Clerk shall annually collect the interest on said certificate of deposit and pay over the same to Mary Bennie Young, sometimes called Mary Bettie Young the complainant in this Cause, taking her receipt for the same from time to time, after first paying all taxes thereon. And it is Ordered that said Commissioner McKenney report to the Court what taxes if any are due on any funds in this Cause,

V. H. Rules Heirs &c Plaintiffs
To
V. H. Rules Heirs &c Defendants } In Chancery

This Cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner George S Bernard this day filed and was argued by Counsel. On consideration whereof the Court approving said report to which there is no exception, doth confirm the same, and doth adjudge, Order and decree that Commissioner John H Harris collect from the purchaser Spencer Vaughan the purchase price One hundred and fifty dollars $150.00 and execute and deliver to him a good and sufficient Deed with special warranty for the tract of land purchased by him to wit: the forty seven (47) acres in the proceedings mentioned Situate in Saponey Magisterial District about 18 miles South East of the Court House; and said Commissioner after paying all the Costs of this suit including a fee of $7.50 to Geo. S Bernard Special Comm'r for the report on the title above referred to and a fee of five dollars to B. J. E per Gen'l ad litem

and all taxes on said land up to January 1st 1900, Shall distribute the residue as follows to wit: he shall pay One-fifth thereof to the Plaintiff Geo S Bernard, Admr of Mary Keller, deceased; One fifth to the Plaintiff Kate Keller (Now the wife of Samuel Ludy); One fifth to the defendant Agnes Keller, who has become of age and is now the wife of W C Kiracofe; One fifth to the duly qualified guardian of the infant defendant Isaac Keller; and the remaining One fifth belonging to the non-resident Thomas O Keller, Said Commissioner shall deposit in the Petersburg Savings & Insurance Company taking therefor a certificate of deposit, payable to the order of the Court in this cause, And said Commissioner shall make report to Court of his proceedings under this decree.

Riddles Plaintiffs
vs
Schweeck & wife & others Defendants
} In Chancery

This day this cause came on this day to be further heard upon the papers formerly read, and upon the report of Special Commissioner John Mann this day filed which shows that the said Commissioner received $1,000 the cash payment for the tract of land in the proceedings mentioned, sold to John W Hardy and disbursed the same, per receipts filed with his report and was argued by Counsel, On Consideration whereof the Court approving the said report to which there is no exception, doth confirm the same.

Ordered that the Court be adjourned until tomorrow morning at 10 o'clock A. M.

Beverly A. Hancock

Thursday morning, March 22nd 1900,

Present. Beverly A. Hancock Judge

Hill & others Plaintiffs
vs
Hill's Committee Defendants } In Chancery

This cause came on this day to be further heard on the papers formerly read, & the report of Commissioners B. E. Cobb L. E. Coleman & B. H. Ragsdale Jr, dated Oct. 14th 1899 & this day filed to which there is no exceptions filed & was argued by Counsel on Consideration whereof the Court doth adjudge Order and decree that the said report be confirmed & that the several parties take & hold title to the lots of land respectively assigned to them by said Report

C. H. Poole & Marcellus Poole Plaintiffs
vs
Lilly Richardson C. H. Poole & Marcellus Poole, the two last named being infants, Defendants } In Chancery

This day came the Plaintiff by leave of Court, filed his bill & exhibit therein mentioned, and on his motion J. G. Harris a reputable Attorney practising in this Court was assigned guardian ad litem of the said Infant Defendants to defend their interests in this Cause & thereupon the said Infant by their said guardian ad litem & the Infant Defendant C. H. Poole who is over fourteen years of age & the adult Defendant Lilli Richardson filed their several answers to said bill & which answers Plaintiffs replied generally & thereupon this cause was this day docketed by consent of parties & by like consent is continued to enable the Plaintiff to take testimony in support of the allegations in this bill.

Poole Guardian Plaintiffs
vs
Poole & others Defendants } In Chancery

This Cause which has been docketed by consent of parties came on this day to be heard on the Bill & exhibit therewith filed, the Answers of the Defendants with general replications thereto & the Depositions of

witness and was argued by Counsel. On Consideration whereof it appearing to the Court that the interests of the Infant Defendants C.H. Poole & Marcellus Poole would be promoted by a sale of the timber on their land in the Bill mentioned, the Court doth adjudge order & decree that B.J. Epes who is hereby appointed Special Commissioner for the purpose make sale of Pine timber down to 10 inches in diameter at the stump at the time of cutting the same, On the tract of 250 acres of land owned by the defendant C.H. Poole & Marcellus Poole, in Dinwiddie County, giving to the purchaser or purchasers the usual time allowed for cutting & removing the same from the said land with the right of ingress & egress for the purpose of removing said timber, and the said Special Comr, B.J. Epes is authorized to sell either publicly or privately as to him may seem best, and shall report to Court how he shall have executed this decree But before said Special Comr, Epes shall receive any money under this decree he shall execute & file with the papers in this cause a Bond with security to be approved by the Clerk of this Court in the penalty of $500.00 Conditioned for the faithful discharge of his duty under this or any other decree which may be entered in this cause,

Connelly's Heirs Plaintiffs
vs
Connelly's Heirs Defendants
} In Chancery

This Cause came on this day to be further heard on the papers formerly read & the report of Commissioners, B.E. Cobb L.E. Coleman & B.H. Ragsdale, Jr dated Oct 14th 1899 to which report there is no exception filed & was argued by Counsel On Consideration whereof the Court approving said report doth confirm the same & doth adjudge order & decree that the parties therein named do take & hold title to the lots of land assigned to them respectively in said report & the Court doth further adjudge order & decree that B.J. Epes who is hereby appointed Special Commissioner for the purpose make sale of the tract of twenty five acres which remains undivided, either publicly or privately as to him shall seem best for One half

cash & the balance on twelve months time, But before said Special Comr. Epes shall act as such he shall execute & file in the papers of this Cause a Bond in the penalty of $200.00 with security approved by the Clerk of this Court, conditioned for the faithful discharge of his duty as Special Comr, under this or any other decree which may be entered in this Cause,

J. E. Medlock's Creditors Plaintiffs
vs
J. E. Medlock's Heirs Adm, &c. Defendants } In Chancery

This Cause came on this day to be further heard upon the papers formerly read and upon the report of John Y. Harris Commissioner duly made as directed by the decree rendered herein at the September terms 1899 of this Court which report bears date February 27th 1900 and was filed in the Clerk's Office of this Court on March 10th 1900 and to which report there has been no exception filed, and was argued by Counsel

On consideration whereof the Court approving said report doth confirm the same, & the Court being of the opinion that all of the debts therein reported as due by J. E. Medlock to the several parties named in said report are of the same dignity, save that Mrs. Josephine J. Frazier is entitled to priority as against the balance of $62.69 in the hands of B. Crall Jones Admr of J. E. Medlock deceased for the rent claimed by said Mrs. Frazier since said balance pertains to the proceeds of the sale of personal property which was liable for said rent to the extent of $175.00 for the year 1896 The Court doth order that said Admr do pay to W. B. McElvaine, atty for said Josephine J. Frazier the said balance of $62.69 on account that debt reported by Comr. Harris in her favor, And the Court doth further adjudge order and decree that R. A. Marx Jr. who is hereby appointed a Special Commissioner of this Court for the purpose, proceed to sell by public auction at Demopolis Ala. on some County Court day of the tract of 147 acres of land in these proceedings mentioned, on the following terms; one fourth of the purchase price in cash and the balance on equal credits of 1 year and two years, the deferred payments to be evidenced by the Bonds of the purchaser, carrying interest at the rate of 6% per

annum from date of sale, title to be retained until the purchase money shall have been fully paid, such sale to be after at least 10 days notice published in some daily newspaper published in the City of Petersburg Va. and to be subject to the Dower interest of M. J. Medlock, the widow of J. E. Medlock deceased unless said Commissioners shall have obtained the consent of said widow to a sale of said land free from all claim of her dower, such consent to be given by said M. J. Medlock in form of her answer duly sworn to to be filed in this cause at the next term of this court, in which answer she shall agree to such sale and agree also to take in lieu of her dower interest in said 147 acres of land the commuted fee-simple value of her dower interest according to the facts to be obtained for said 147 acres, such fee-simple value to be calculated in accordance with the provisions of the Code of Virginia and the tables therein provided in such cases. But said Commissioners shall not proceed to sell said tract of 147 acres of land until he shall have entered into a Bond in the penalty of $1000, with security to be approved by the Clerk of this Court conditioned according to law for the faithful performance of his duties under this as well as under any other decree of this Court in this cause. The purchaser at the sale above ordered shall have the right to anticipate at any time the payment of the bonds above provided for, and the advertisement of sale to show that any taxes on said tract up to and including the year 1899 are to be paid out of the purchase money & that taxes for 1900, & thereafter are to be paid by the Purchaser. And the Court doth further order that one of the Commissioners of this Court shall proceed to take a further account of any debts due by the Estate of J. E. Medlock, deceased, other than those mentioned and reported by Comr. Harris in his report aforesaid such account to be taken only after notice of the time & place fixed for taking such account published for four successive weeks in some newspaper published in the City of Petersburg, such publication to be deemed equivalent to personal service of such notice on all parties interested

except B Bradley Jones, Admr. of J. E. Medlock deceased who shall be served with personal notice of such time and place for taking such account

B. C. Wells admr.
vs
B. C Wells widow &c

B. C Wells Crs, Plaintiffs
vs
B. C Wells admr. &c, Defendants } In Chancery

This Cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner John Y Harris this day filed and was argued by Counsel, On consideration whereof the Court approving said report to which there is no exception filed doth confirm the same and doth adjudge Order and decree that the decree entered in this cause at the March term 1898 be amended so as to direct John Y. Harris Special Commissioner to convey St. John Hayes the purchaser an undived half interest in the tract of 60 acres of land owned by B. C Wells and James Steidl,

Temple Gdn. &c Plaintiff.
vs
Temple &c Defendant } In Chancery

This Cause came on this day to be further heard upon the papers formerly read upon the return of the summons awarded against John Temple executed and upon the report of Special Commissioner John Y. Harris this day filed and was argued by Counsel, On consideration whereof the Court Confirming said report to which there is no exception filed doth confirmed the same and doth adjudge, Order and decree that the Offer of W. R. McKenney of $1500 for the standing timber on that portion of the tract of land of which Thomas B. Temple died seized and possessed lying on the South Side of Rocky Run Creek as set forth in said report, upon terms of One third Cash and the residue of said purchase money in two equal installments in One and two years with interest

from this date and upon Consideration that no part of said timber is to be cut until all of said purchase price is paid, be accepted and said Commissioner Harris is directed to execute and deliver to said O.R. McKenney a deed conveying to him said timber with special warranty upon the payment of said purchase money in full, the said McKenney to have the right to anticipate at any time the deferred payments aforesaid and is to have the right of ingress to and egress from any and all parts of the tract of land On which the timber aforesaid now is for the purpose of manufacturing and otherwise utilizing this timber during the Period of five years aforesaid, And Mrs Ann J. Temple, the widow of Thomas B. Temple, decd. being willing to accept the Commuted fee simple value of her dower in the purchase price of said timber and the Court Ascertaining said Commuted Value of said dower in the sum of $374 00 it is Ordered that said Comr. Harris out of the purchase money So to be paid him pay to Mrs Ann J. Temple the said sum of $374 00 in full of the Commuted value of her dower in said sum of $1500 And out of the residue said Commissioner shall pay the Costs of this suit and the debts mentioned in this bill as due John Temple and John Hargrave with interest accrued thereon and whatever balance remains said Commissioner shall expend in necessary repairs or improvements to the buildings on said land and make report to Court,

Mary Mann per Archer Bland her next friend
pltff
vs
Albert Mann
Dfft
} In Chancery

This Cause which has regularly matured at rules in the Clerks Office, Came on this day to be heard on the Bill of the Plaintiff & the Depositions of witnesses & was argued by Counsel On Consideration whereof the Court doth adjudge & decree that the said Mary Mann & the said Albert Mann be & are hereby divorced from bed & board & that the said children of the said parties

shall remain with their mother & that she shall have the custody and control of them & of their persons and earnings so long as they are minors, and that the said Albert Mann shall pay to the Clerk of this Court the sum of $500 each month to be applied towards the maintenance of the said Mary Mann & her minor children & deliver to the Clerk of this Court for the said Mary Mann all articles of property in his possession which belonged to the said Mary Mann, & the Court doth further adjudge, order & decree that the parties be perpetually separated and protected in their persons & property and the said Albert Mann is hereby restrained from interfering in any manner with the said Mary Mann or any of her children

Ats & others
vs
Haskins & others

Pltffs
Defts
} Sr Chancery

This cause which is docketed by consent of parties, came on this day to be heard by like consent upon the Bill & the answers of Randal Haskins & Edris Haskins, his wife & was argued by counsel, On consideration whereof the Court doth adjudge & decree that R. J. Epes who is hereby appointed Special Commissioner for the purpose, make sale of said land in the Bill mentioned either publicly or privately as to him may seem best for one third cash & the balance in twelve months & make report to Court how he shall have executed this decree, But before said Special Comr. Epes shall receive any money as such he shall execute & file in the Clerks Office of this cause a Bond in the penalty of $200 with security to be approved by the Clerk, conditioned for the faithful performance of his duties under this or any other decree which may be entered in this cause

Abernathys Creditors
vs
Abernathys admrs &c

Pltffs
Defts
} Sr Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner L. S. Keiser, this day filed and

was argued by counsel. On consideration whereof the Court approving said report, to which there is no exception filed doth confirm the same, and doth adjudge, order and decree that John Y. Harris, who is hereby appointed a Special Commissioner for the purpose, shall upon the executing of a paper by James H. Abernathy and filing with the papers in this cause acknowledging the receipt of the sum of $53,00 due him by the Estate of Sally Abernathy decd and the payment by the said James H. Abernathy of any unpaid costs of this suit and any taxes due on the land in this suit mentioned, Execute to the said James H. Abernathy a deed conveying to him the tract of land mentioned in this suit with special warranty, and said Comr. Harris shall make report to Court.

Robert Mabry Plaintiff
vs
G. A. Rose et als Defendants
} In Chancery

This cause which has regularly matured at rules held in the Clerk's Office came on this day to be heard upon the bill, the answer of the defendants this day filed by leave of Court & the depositions of witnesses & was argued by Counsel. On consideration whereof the Court doth adjudge, order & decree that the injunction heretofore awarded in this cause be and the same is & shall be considered as dissolved unless the said Robert Mabry shall within Sixty days from the date hereof pay to the said George A. Rose thirty three dollars & thirty three cents & each party is to pay his own costs in this behalf expended.

Ordered that all causes not otherwise disposed of be and the same are hereby continued

Ordered that the Court be adjourned until the first day of the next term

Beverly A. Hancock

John F. Roffe's Widow & Pfts
vs } Decrs } In Chancery
John F. Roffe's Heirs & Dfts }

In the Circuit Court of Demurdiv; in vacation

This cause came on this day to be again heard in vacation, upon the papers formerly read, and upon the report of Commissioner Thomas G. Watkins this day filed, dated the 24th day of May 1900, and was argued by counsel. Upon consideration whereof, the Court approving the said report to which there is no exception, doth confirm the same, and doth adjudge, order and decree that the sale made by Thomas G. Watkins, Commissioner to Daniel Dillon, on the 21st day of May 1900, of the land in the bill and proceedings mentioned, be held forever firm, stable and binding between the parties. And the Court doth further adjudge, order and decree that said Thomas G. Watkins do collect from the said Daniel Dillon one-third of the purchase price, ($2,071.00), and take from him his two (2) negotiable notes for the deferred payments at one and two years respectively, bearing six per cent interest; and said commissioner is hereby authorized to draw from the papers the said negotiable notes as they mature and collect the amounts of the said Dillon and report to Court.

The said Dillon shall have the privilege if he so desires of paying the whole amount of the purchase price in cash or of anticipating and paying the two negotiable notes aforesaid before their maturity, in which event the said commissioner shall allow the said Daniel Dillon a rebate of interest for the unexpired time the said two notes may have to run. The Court doth further adjudge, order and decree that the said commissioner, Thomas G. Watkins, shall out of the cash payment made by the said Daniel Dillon, pay first, the sum of One hundred dollars to to Thomas G. Watkins for his professional services in this behalf; the said Thomas G. Watkins to pay out of the said sum of one hundred dollars all of the costs of this suit. Secondly, shall pay to Parello Son, auctioneer, the sum of one hundred and three dollars and fifty five cents for his commissions, trouble and labor in making sale of the said land, and thirdly, he shall pay to Minnie L. Roffe, widow of John F. Roffe, on account of her dower interest in the land in the bill and proceedings mentioned, whatever remains from the cash payment made by said Daniel Dillon after the payment of the sums aforesaid, or in full of her dower interest if the said remainder of the cash payment shall be sufficient. And the Court doth further adjudge, order and decree that when the said Daniel Dillon shall have paid the full amount of the purchase money for the land in

the bill and proceedings mentioned, the said Thomas G. Watkins shall execute and deliver to him a deed with special warranty, for the land in the bill and proceedings mentioned, and sold by him to the said Dillon, as aforesaid, and make report to Court &c,

Beverly A. Hancock
Judge 2nd Judicial Circuit of
Virginia May 31st 1900.

In Dinwiddie Circuit-
Court,

In vacation, Circuit Court of Dinwiddie
County, this day of May 1900.

Mary H. Field Guardian, Pltff
against
John C. Field & others Dfts
} In Chancery

Decree

The Court being informed that since the ~~last~~ last decree entered in this cause, the plaintiff, Mary H. Field, has married William E. Morrison. On motion of the said Morrison he is admitted a party plaintiff to this suit. And this cause came on this day to be further heard, in vacation, on the papers formerly read, and on the report of Special Commissioner John Mahon, of the sale made by him to William R. McKenny of a tract of land in the County of Brunswick, containing two hundred acres, for the sum of One thousand Dollars, this day filed and was argued by counsel. On consideration whereof the Court doth approve the said report to which there is no exception, doth confirm the same, and doth adjudge, order and decree, that the sale made by said Commissioner to William R. McKenny be held firm and stable between the parties. That said Commissioner collect the cash payment, and notes of the said McKenny his notes given for the deferred payments, and collect the same at maturity, or sooner should the said McKenny desire to pay the same before maturity and that upon of the whole purchase money being paid he execute and deliver to the said McKenny, a deed with special warranty conveying the said tract of land to him. And the said Commissioner is directed to make report to Court of his proceedings

under this decree,

Beverly A Hancock
Judge 2nd Judicial Circuit
of Va

To the Clerk of the Circuit Court
of the County of Dinwiddie

In the Circuit Court of Dinwiddie County - In Vacation

Samuel W. Budd, Pltff
vs
Robt A.L. Budd et als, Defts
} Note for decree
} In Chancery

The Judge of this Court in vacation, doth certify to the Clerk of this Court that by consent of the parties entered of record in vacation, this cause is submitted to this said Judge for such decision and decree therein in vacation as may be made in term. And thereupon, it appearing to the Court that since the date of the last decree entered herein, Robert D. Budd, William Budd and Fannie S. Budd, infant defendants in this cause have each attained the age of 21 years, on motion of the said Robert D. Budd, William Budd and Fannie S. Budd, leave is granted them to file their petition in this cause and the said petition is accordingly filed. And it further appearing to the Court that since the date of the last decree in this cause, the plaintiff, Samuel W. Budd, has died, and that the said Robert D. Budd, William T. Budd and Fannie S. Budd and the infant defendants who are still under age, are his sole heirs, in accordance with the prayer of the said petition, the Court doth order that the said petitioners be made parties plaintiff to this suit in the room and stead of the deceased plaintiff, Samuel W. Budd, and that this cause do proceed hereafter at their suit as plaintiffs against their co-devisees, the infants Julia W. Budd, Samuel W. Budd and Josephine Budd as defendants.

And thereupon this cause came on this day to be further heard upon the papers formerly read, upon the notice of the said Robert D. Budd, William Budd and Fannie S. Budd to the said infant defendants Julia W. Budd, Samuel W. Budd and Josephine Budd, who defend this suit by Alexander Hamilton their guardian ad litem, that the said Robert D. Budd, William Budd and Fannie S. Budd would on this day move the Judge of this Court, in vacation, that this cause, by consent of parties, be submitted to said Judge for such decision and decree therein in vacation as might be made in term.

And that they should specially move the said Judge in va-

cation on the day aforesaid, to confirm a sale of the real estate in these proceedings hereinafter mentioned, and the written acknowledgment of legal service of the foregoing notice and consent in writing that this cause may be submitted to the Judge of the Circuit Court of Dimmidie County for such decision and decree therein in vacation as might be made in term on behalf of all parties to this suit the said infant defendants, Julia A. Budd, Samuel W. Budd and Josephine Budd acting therein by Alexander Hamilton their guardian, ad litem; And upon the report of Special Commissioner William P. McRae setting forth the sale of the land in the bill and proceedings mentioned belonging to the late William Budd, unto Hermann Post and William C. Schultz of Fremont, Nebraska, for the sum of $2825, payable as follows: $1700,00 cash and $1125 in four years with six per cent interest payable annually thereon, with the privilege reserved to the said purchasers of paying the said $1125, or part thereof at any time within the said four years with interest to the date of such payment. Upon consideration whereof the Court doth approve and confirm the said sale and doth adjudge, order and decree that the same be held firm and binding between the parties; and doth further adjudge, order and decree that the said Hermann Post and William C. Schultz do pay unto the said William P. McRae, Special Commissioner, the sum of $1700,00, and do execute their bond bearing date on this day for the sum of $1125, payable four years after date with six per cent interest from the date of said bond, payable annually thereon, in which bond it shall be stated that the obligors therein are entitled to pay the said sum of $1125 or, or any part thereof at any time within the said four years, with interest to the date of such payment, and out of the proceeds of sale the said Commissioner, William P. McRae, shall pay the costs of this suit - including a compensation of $282.50, to Tyle and DeHaven for services rendered by them as Real Estate Agents in effecting said sale, and out of the residue he shall pay over their shares to the adult parties, respectively entitled thereto, and to wit: One sixth each to Robt. D. Budd, Wm. Budd, Fannie Budd, and deposit the shares of the parties who are infants in the Petersburg Banking & Trust Co. to the credit of the Court in this cause, and if the said purchasers shall desire at any time to receive a deed conveying unto to them the said land and to secure the deferred payments thereon by a deed of trust, the Court doth order that in such case the said Special Commissioner McRae do execute and deliver

a good and sufficient deed with Special warranty, conveying unto the said purchasers the land aforesaid, and do prepare and have duly executed and recorded a proper deed of trust at the cost of said purchasers, conveying unto him as Trustee the land aforesaid in order to secure such Portion of the said purchase money $2825.- as may then be due and unpaid with the proper interest thereon,

And the Court doth further order that the said W. P. McRae Special Commissioner as aforesaid, do proceed to collect from the said purchasers the said deferred payment of $1125 as the same is herein provided to be paid and to distribute the same in accordance with the directions of this decree, And the said Special Commissioner McRae shall make report to Court of all his proceedings under this decree,

And the Court doth also that when the said purchasers shall have paid all of the purchase money aforesaid in full, that the said Commissioner McRae do execute and deliver a good and sufficient deed with Special warranty, conveying unto the said purchasers the land aforesaid.

And the Court doth allow W. P. McRae $15.00 as a fee for his services as attorney rendered herein about the increased price obtained for the real estate sold in this cause

Beverly A. Hancock
Judge 2nd Judicial Circuit of Va.

To the Clerk of Dinwiddie Circuit Court

Virginia. At a Circuit Court held for the County of Dinwiddie at the Court House thereof on Monday the 24th day of September 1900 and in the 126th year of the Commonwealth

Present Hon Beverly A Hancock Judge

John F Roffe's widow &c. Decree
vs. In Chancery
John F Roffe's heirs &c.

This cause came on this day to be further heard on the papers formerly read, and upon the petition of M. E. Roffe, Administratrix &c. and exhibit filed therewith this day filed by leave of the Court and was argued by Counsel. On consideration whereof, the Court doth adjudge order and decree that Thomas G. Watkins, Special Com=

mipronis do out of any money comming into his hands in this suit pay to M. L. Roffe Administratrix of John F. Roffe deceased the sum of one hundred and eighty seven dollars and forty-seven cents with interest from the 18th day of May 1899 mentioned in her said petition and found to be due her as such Administratrix upon a settlement of her account.

Hobbs Exor. }
vs }
Hobbs et al, } In Chancery

It appearing to the Court that since the date of the last decree entered in this Cause, to wit: the one entered at its September Term, 1894, the defendants Marcaina Hobbs (the widow of the testator Wm L Hobbs) and Thomas H. Hobbs (one of the children of said testator) have departed this life intestate, the latter leaving surving him a widow to-wit: Elizabeth E Hobbs, and six children, to-wit: William Lama Hobbs, ~~His~~ Mariana Hobbs, Erma Reese Hobbs, Augusta Hobbs, Thomas Eugene Hobbs and Jos McCulloch Hobbs, all of which children are infants except said William Lama Hobbs, this cause abates as to said deceased defendants, and on the motion of the plaintiff, and by consent of said Elizabeth E Hobbs and William Lama Hobbs, they, the said widow and children of said deceased defendant, Thomas H. Hobbs are admitted as parties defendants to this Cause, and will be henceforth so proceeded against, and on like motion Bernard Mann a discreet and competent attorney a law, is assigned guardian ad litem of said infants to defend their interests in this cause, and thereupon said infants, by their said guardian ad litem, filed their answer to the plaintiff's bill, whereupon this cause came on this day to be further heard upon the papers formerly read, and upon said answer, and was argued by counsel.

On consideration whereof the Court doth adjudge, order and decree that Geo. S. Bernard, special Commissioner under said decree of the September term 1894, do proceed to execute the same, and that the plaintiff, E. S. Hobbs, lay before one of the Commissioners of this Court an account of his transactions as the personal representative of the testator as directed by said decree, which account the said Commissioner is ordered to audit state and settle, and report to Court in accordance

with the provisions of said decree,

George T. Cabaniss
vs
M.J. Cabaniss' Heirs et als } In Chancery

This cause came on this day to be further heard on the papers formerly read and on the report of Bartlett Roper Jr. Commissioner this day filed, to which report there is no exception, and was argued by counsel,

Upon consideration whereof and it appearing to the Court that William R. McKenney, the purchaser of the standing timber mentioned and described on the papers in this cause has fully complied with the terms of sale and has deposited in the Petersburg Banking and Trust Company, Petersburg Virginia, to the credit of the Court in this cause the sum of ($500.00) five Hundred dollars, that being the full purchase price for said standing timber according to decree entered in this cause on the 21st day of March 1900, and has delivered the certificate of such deposit to said Commissioner which said certificate for the sum of five hundred dollars has been duly filed by said Commissioner with his said report, the Court doth hereby approve and confirm said report this day filed,

Kirby for Friend Plaintiff
vs
Paschal Tucker's Administrator Defendant } In Chancery

This cause came on this day to be further heard on the papers formerly read and upon the report of Commissioner Bartlett Roper Jr. filed on March 21st 1899 to which report there is no exception, and was argued by counsel,

Upon consideration whereof it appearing to the Court that the said Bartlett Roper Jr. Commissioner has properly distributed the cash instalment of $310.85 paid by W. R. McKenney on account of his purchase of the property mentioned in the papers in this cause, with the exception of the sum of $35.33 which is now to be distributed, the Court doth hereby approve and confirm the said report,

Kirby pur Fruend

vs

Paschal Tucker's Administrator et als Pltff / Defts } In Chy

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner Bartlett Roper Jr. this day filed to which report there is no exception, and was argued by Counsel.

Upon consideration whereof and it appearing to the Court that the said Bartlett Roper Jr. Commissioner has properly disbursed all the funds that have come into his hands with the exception of the sum of one hundred and nine dollars and ninety cents ($109.90) which is now to be distributed, the Court doth hereby approve and confirm said report, and doth order and decree that the said Bartlett Roper Jr Commissioner pay to William R McKenney the sum of fifty dollars an attorneys fee this day allowed him, and to John W Harris the sum of fifty dollars, fee allowed him for making report as Commissioner in the above cause.

Ais & others Pltffs

vs

Haskins & others, Defts } In Chancery

This cause came on this day to be further heard on the papers formerly read & the report of Special Commissioner B J Epps of the sale of the land which is dated Sept 21st 1900 & this day filed by leave of Court to which report there are no exceptions filed & was argued by Counsel. On consideration whereof the Court doth Confirm the said report & doth adjudge order & decree that the sale therein mentioned be held firm & stable between the parties and that said Special Commissioner B J Epps out of the proceeds of sale in his hands pay the taxes on the land, costs of this suit and sale including an attorneys fee of $20.00 to himself no other to be taxed, & if it shall appear to him necessary to locate the boundaries of said land the legal surveyors fee also & pay the balance to those legally entitled thereto & report to Court how he shall have executed this decree.

James Anderson for &c. Plff
vs
Saconey Walker Dft. } In Chancery

This cause came on this day to be further heard on the papers formerly read & the report of Commissioner J.Y. Harris, dated January 16th 1900 & filed March 10th 1900 to which there are no exceptions filed, & was argued by counsel. On consideration whereof it appearing to the Court that the rent of the real estate of the said Sonny Walker will not in five years satisfy the liens on the same. The Court doth confirm the said report of Commissioner J.Y. Harris, and doth adjudge, order & decree that B.J. Epes who is hereby appointed Special Commissioner for the purpose sell the tract of 36 acres of land owned in fee by said Sonny Walker, after advertising the time, place and terms for thirty days by hand bills posted at the front door of the Court House of Dinwiddie & at two or more public places in the neighborhood for one third cash & the balance in 1 & 2 years from date of said & report to this Court how he shall have executed this decree. But before said Spl. Commissioner B.J. Epes shall act as such he shall execute & file in the papers in this cause a Bond in the penalty of $200.00 with security approved by the Clerk of this Court conditioned for the faithful discharge of his duties as such Commissioner under this or any other decree which may be entered in this cause

R. Bellsworth &c. Pltffs
vs
J.R. Ivy and Mrs. Harriett Ivy Defts } In Chancery

On motion of the Complainants in this cause, Leave is hereby granted them to file an amended bill

A.B. Potts & Susan his wife, Saml. Watkins & Bettie L. his wife, J.B. Cowling & Adelina his wife, J.G. Ford & Edwin his wife, J.B. Ford & Katie his wife, J.E. Ford & Susan his wife, F.P. Rams & Ida M. his wife
vs
J.M. Ford, Howard Ford, Henrietta Ford & Everett Ford, Infants by Georgian Adkins } Pltffs / Defts } In Chancery

This day came the Plaintiffs and by leave of Court ~~and by leave of Court~~ filed their bill, & on their motion J.Y.

Harris a competent Attorney practicing in this Court was appointed guardian ad litem of the infant defendants to defend their interest in this cause & thereupon said Infants by their said guardian ad litem filed their answer to said Bill by leave of Court & by like leave the Infant Defendants who are over fourteen years of age filed their individual answers to said Bill, Whereupon this Cause is continued for evidence in support of said Bill,

A.B. Potts & others — Plaintiffs
vs
Ford & others — Defendants
} In Chancery

This cause came on this day to be heard upon the Bill, the answer of the Infant Defendants by J.J. Harris their guardian ad litem, the answer of the Infant Defendants over fourteen years old in person & the depositions of witnesses & was argued by counsel, On consideration whereof it appearing to the Court that the land in the Plaintiffs Bill mentioned is not conveniently susceptible of partition in kind & that it would be to the interest of all of the parties interested in said land that the same be sold & the proceeds divided, The Court doth adjudge order & decree that B.J. Epes who is hereby appointed a Special Commissioner for the purpose make sale of the said land of which Jeremiah Ford died seized & possessed after advertising the time place & terms of sale by hand bills & for one third cash & the balance in equal instalments at one & two years & make report to Court as to how he shall have executed this decree, But before said Special Commissioner shall act as such he shall execute & file in the papers of this cause a Bond in the penalty of $1000.00 with security approved by the Clerk of this Court conditioned for the faithful performance of his duties under this or any other decree which may be entered in this cause

Allen for &c.
vs
Williamson &c.
} In Chancery

This cause came on this day to be further heard on the papers formerly read & upon the report of Special Commissioner B.J. Epes of the sale of the land in the proceedings mentioned dated September 21st 1900 to which report there are no exceptions filed and was argued by counsel,

On consideration whereof the Court doth adjudge

order & decree that said report be confirmed & the sale therein mentioned be held firm & stable between the parties & that said Special Commissioner Epes out of the cash payment in his hands pay all taxes on said land, the costs of this suit & sale & is authorized to withdraw from the papers in this cause the Bond for the deferred payments & collect the same when they become due & if the purchaser elects to anticipate the payment of the notes to receive the amount rebating interest & when said purchase money is fully paid, said Special Commissioner Epes is directed to execute & deliver to the purchaser a Deed with special warranty for said land & report to Court how he shall have executed this decree.

B E Dallon Nannie M Dallon Plffs
B E Dallon Admr. of H L Crowder
J. G. Crowder & W H Crowder
vs
Lucius Crowder, Clifford Crowder
Lulla Crowder, Theo. Crowder &
Linwood Crowder by J.M. Harris
their guardian ad litem Defts

In Chy

This Cause which has regularly matured at rules in the Clerks Office came on this day to be heard on the bill & exhibits therewith filed the answer of the infant Defendants Lucius, Clifford, Lulla, Theo, & Linwood Crowder by J.M. Harris their guardian ad litem this day filed by leave of Court & the answer in person of the Infant Defendants Lucius, Clifford & Lulla Crowder who are over fourteen years of age, this day filed by leave of Court, and was argued by Counsel.

On Consideration whereof it appearing to the Court that Cicero Stanley has fully paid for the tract of 26 acres of land in the Bill mentioned & purchased by him of the late R M Crowder the Court doth adjudge order & decree that B. Epes who is hereby appointed Special Commissioner for the purpose execute & deliver to Cicero Stanley a Deed with special warranty for the said tract of land & that R E Dallon administrator of H L Crowder pay the costs of this suit including a fee of five dollars to B. Epes for writing said Deed & said spcl. Comr. Epes will report to Court.

Margaret M. Rives Plaintiff
vs
Emily Rives Neblett and
John H. Neblett her husband,
H. Cabell Rives, John D. Rives, Jannie
Rives Meredith and Reuben Meredith
her husband, Rebekah Rives Butterworth
and W Barner Butterworth her husband,
Mary Elizabeth Rives, Ellen Virginia
Rives and Thomas F. Rives, the three
last named being infants by
Bartlett Roper Jr. their guardian
ad litem Defts, } In Chancery

This day came the complainant and filed her bill by leave of Court and by like leave all of the adult defendants to wit: Emily Rives Neblett and John H. Neblett her husband, H. Cabell Rives, John D. Rives Jannie Rives Meredith and Reuben Meredith her husband and Rebecca Rives Butterworth and W Barner Butterworth filed their respective answers to said Bill, And on motion of the Complainant Bartlett Roper Jr. is appointed guardian ad litem to the infant defendants to wit: Mary Elizabeth Rives, Ellen Virginia Rives and Thomas F Rives and has filed his answer as such by leave of Court.

And thereupon this cause came on to be heard upon the Bill and the exhibits filed therewith, upon the answers of all of the adult defendants as aforesaid, upon the answer of the infant defendants by their guardian ad litem as aforesaid with general replications to said answers and upon the affidavit of H. B. McKinney this day filed by leave of Court, And it appearing to the Court from the papers aforesaid that the undivided one half interest in the real estate in the Complainants Bill mentioned can not be conveniently partitioned in kind among the several parties interested therein; that no one or more of the parties interested is willing to have the whole of said undivided interest allotted to him, her or to them, and pay the other parties concerned such sum or sums of money as their respective interests therein would entitle him or her or them to, save as in said Bill set forth, and that the interest of all parties concerned would be

promoted by a sale to the Complainant of the said undivided one half interest in accordance with her offer of one thousand Dollars therefor as fully set forth in said Bill and the commutation of the life interest of said Complainant as asked for in said Bill, and it further appearing to the Court that said offer of $1000 Cs for such one half interest should, in the interest of all parties concerned, be accepted.

On Consideration whereof the Court doth hereby accept said offer and make the sale to said Complainant as prayed for in said Bill and ~~and~~ as approved by all of the adult defendants in their respective answers and doth adjudge order and decree that when the said complainant shall have paid in full in cash to W.R. McKenney, who is hereby appointed a special Commissioner of this Court to receive the same, the sum of One Thousand Dollars in full of the purchase price of the said undivided one half interest, then that said Commissioner shall execute to said Margaret M. Rives a Deed with special warranty for the undivided one half interest aforesaid, out of which sum of $1000 Cs said Commissioner shall pay to the said Margaret M. Rives the Commuted value of her life interest in said undivided one half interest, after paying the costs of this suit exclusive of the usual attorneys fee and any taxes up to and including 1900 and the residue said Commissioner McKenney shall pay over as follows:

To Emily Rives Nesbitt 1/8 To Fannie Rives Meredith 1/8 One Eighth to H. Cabell Rives 1/8, to John D. Rives 1/8, to Rebekah Rives Butterworth 1/8, and for the remaining 3/8 representing the interests of the three infant defendants said Commissioner shall take a certificate of deposit in the Petersburg Banking & Trust Co. payable to the order of the Court in this Cause and make report to Court.

But that said Commissioner shall not proceed to execute this Decree until he shall have entered into a Bond in the penalty of $1500 conditioned according to law.

Order that the Court be now adjourned until the first day of the next term.

Beverly A. Hancock

In the Circuit Court of Hernando County.
December 5th 1900.

In vacation.

Hardy's Trustee, Pltff
vs } In Chy.
Hardy et als. Defts

This cause came on this day to be further heard by consent of all parties in vacation upon the papers formerly read, upon the statement of John Y. Harris, trustee, together with his checks filed therewith, as vouchers for the payments made by him under the decree herein of March 21st 1900, upon the petitions of Minna B. Hardy and A. A. Hardy, respectively, this day presented, and was argued by Counsel.

On consideration whereof the court approving the said statement of John Y. Harris, trustee which is adopted as a report of his transactions to which there is no exception, doth confirm the same.

And it appearing from the petition of the said Minna B. Hardy and the exhibits filed therewith, that she has purchased all of the unpaid debts proved against the defendant A. A. Hardy, and reported in the various Commissioners reports heretofore made in this suit except a debt of the third class reported to be due to Wm. Eltenbrough, amounting to $6.37, and that she is now the only unpaid creditor of the said A. A. Hardy, except as to the said debt of $6.37; and it further appearing that she desires a conveyance to her of the lands of the said A. A. Hardy, which remain unsold as shown by the report of Commissioner Gilliam, filed herein March 7th 1900, in full satisfaction and discharge of all her claims and demands against the said A. A. Hardy, as assignee of the creditors of the said A. A. Hardy, whose debts have been reported as aforesaid, after the the payment to her of the sum of $560.41 now in the hands of John Y. Harris, trustee. and it appearing from the petition of the said A. A. Hardy that he is willing that the court should so decree it is adjudged, ordered and decreed that Richard D. Gilliam who is hereby appointed commissioner for the purpose, do, upon the delivery to him of a certificate, showing the deposit by her in the Petersburg Savings & Insurance Company, to the credit of this cause, of the sum of $6.37, execute and deliver to the said Minna B. Hardy a good and sufficient deed, in fee simple, with special warranty, for all of the unsold lands of the said

A. A. Hardy, mentioned in the said report of March 7th 1900, all of which are situate in the county of Dinwiddie, to-wit

1st The tract of land containing 300 3/4 acres on Nottoway River, which was conveyed to said A. A. Hardy by R. H. Jones, Commissioner, by deed dated 25th April, 1879. 2nd the tract of land containing 131½ acres, which was conveyed to the said A. A. Hardy by E. C. Powell and wife by deed dated 20th August 1877. and 3rd the interest of the said A. A. Hardy in the tract of land containing 105 acres adjoining the first-mentioned tract. It is further adjudged, ordered and decreed that the said Richard D. Gilliam, who is hereby appointed a commissioner for the purpose, shall mark on the margin of the pages of the respective deed books, wherein the same are recorded, payment and satisfaction of the debts secured by the several deeds of trust mentioned in the bill in these proceedings, and also satisfaction on the judgment lien docket of Dinwiddie County Court, of all the judgments against the defendant A. A. Hardy, evidencing the debts proved against him in the several commissioners reports in these proceedings mentioned.

And it appearing from the said statement of John Y. Harris, trustee, that he has fully executed the decree herein of March 21st 1900, except as to the sum of $560.41, which is now in his hands to the credit of this cause, it is further adjudged, ordered and decreed that the said John Y. Harris, trustee, do pay to the said Minna B. Hardy, or to Wm B. McGlvain, her attorney, the said sum of $560.41. on account of the debts mentioned in the said report of March 7th 1900. of the second class, which have been assigned to her, taking her receipt for the same, which he is directed to file in the papers of this cause, it appearing to the court from the evidence filed with the said petition of Minna B. Hardy that the debt proved in favor of J. E. Medlock, who is now deceased, was paid to him in full in his life time by the said A. A. Hardy.

And the said John Y. Harris, Trustee, and the said Richd D. Gilliam, commissioner are directed to make report to court of their proceedings under this decree.

Beverly A. Hancock,
Judge 12nd Judicial Circuit of Va.
Dec. 5th 1900.

To the clerk of the Circuit Court
of Dinwiddie County Va.

In the Circuit Court of Dinwiddie County, In Vacation
January 26th 1901

Hardy's Trustee;
vs. } Decree
Hardy et als

This Cause Came on this day to be further heard, in vacation, by Consent of parties, on the papers formerly read, and on the report of John G. Harris, Trustee, showing the disbursements by him of all of the funds in his hands under the decree herein of December 5th 1900, together with his vouchers for such disbursements, and on the report of Commissioner Richd D. Gillicam, showing the execution by him of said decree of December 5th 1900, and was argued by Counsel,

On Consideration whereof, the Court approving the said reports of John G. Harris, trustee, and of said Richd D. Gillicam, Commissioner, to which there are no exceptions, doth confirm the same and doth adjudge, order and decree that, upon leaving a receipt therefor with the Clerk of this Court to be filed with the papers in this Cause, Minnie B. Hardy, or Wm B. McElwaine, her attorney, shall be and is hereby authorized to withdraw from the papers in this Cause the Certificate of deposit No. 48995 of the Petersburg Savings & Insurance Company for $6.37, filed with said report of Commissioner Gillicam, and proceed to collect the same, and apply the proceeds thereof to the payment pro tanto of the debts of the second class proved against the defendant A. A. Hardy, which have been assigned to her, first paying the unpaid costs of this suit. And nothing further appearing necessary to be done in this cause it is ordered that the same be removed from the docket.

To the Clerk of
Dinwiddie Circuit Court

Beverly A. Hancock
Judge 2nd Judicial Circuit
of Virginia.
January 26th 1901

In the Circuit Court of Dinwiddie County
In vacation, March 19th 1901

Michael &c
vs
Michael &als.

Pltff.
Dfts } In Chancery.

This day come the plaintiff, Clifton B. Michael and

filed his petition and the affidavit of George Mason by leave of the Court and it appearing therefrom to the satisfaction of the Court that John Mann the guardian ad litem of the infant defendant E. V. Michael has departed this life, the judge of this court upon the said petition doth hereby appoint Wm. P. McRae guardian ad litem of said infant defendant to defend her interest in this cause. Thereupon by consent of parties, the said Wm. P. McRae Guardian ad litem consenting for said infant defendant this day given befor the judge of this Court in vacation, this cause is submitted to the said judge for decision and decree in vacation with like force and effect as if in term; and thereupon this cause came on this day to be further heard upon the papers formerly read and upon the consent aforesaid, which is now entered of record and was argued by counsel. On consideration whereof, the Court doth adjudge order and decree that George Mason Special commissioner in this cause, collect of the purchaser, Albert Shands, the balance of the purchase money due by him for the real estate in the bill and proceedings mentioned and thereupon make to said Albert Shands a good and sufficient deed with Special warranty for said real estate, and make report to to Court.

Beverly A. Hancock,
Judge 2nd Judicial Circuit of Va
March 19. 1901

To The Clerk of the Circuit
of Dinwiddie County

Virginia:- At a Circuit Court held for the County of Dinwiddie at the Court-House thereof on Thursday the 21st day of March 1901 and in the 125th year of the Commonwealth.

Present Hon. Beverly A. Hancock Judge.

George Hitchcock &
Maud his wife, Peter Boisseau
& Benjamin Boisseau
vs
Ally Boisseau & Gus Boisseau
Infants

Plaintiffs
Defendants
} In Chancery

This day came the Plaintiffs by leave of Court filed their Bill & Exhibits therein mentioned and on their motion J.Y. Harris a discreet & respectable Attorney at Law practicing in this Court was appointed Guardian ad litem of the said infant defendants, to defend their interests in this suit & thereupon the said Infants by their said Guardian ad Litem and in person filed their several Answers to said Bill by leave of Court, to which answers the Plaintiffs replied generally and thereupon this cause was this day docketed by consent of parties & by like consent is continued to enable the Plaintiffs to take testimony in support of the allegations in their Bill.

Boisseau's Heirs
vs
Boisseau's Heirs,

Plaintiffs
Defendants
} In Chancery

This cause which has been docketed by Consent of parties came on this day to be heard on the Bill & exhibits therewith filed, the Answers of the Infant Defendants over fourteen years of age in person and of J.Y. Harris their Guardian ad litem, with general replication thereto, and the Petition of Sydney Chatman this day filed by leave of Court & was argued by Counsel on Consideration whereof the Court doth adjudge, Order & decree that W.E. Stockdell be substituted as purchaser of the fifty Acres of land in the proceedings mentioned, in the stead of Sydney Chatman he having fully paid for the same and that B.J. Epes who is hereby appointed Special Commissioner for the purpose, execute & deliver to the said W.E. Stockdell or to whomsoever he may direct a deed

with special warranty for said fifty acres of land and also for the tract of 80 1/4 acres on the North side of the Flat foot road purchased by him of B.G. Boisfeau, deceased, and that said Special Commissioner also convey to the widow & heirs of W.H. Bothelomew, dec'd, with special warranty the tract of 25 acres of land in the Bill mentioned purchased by W.H. Bothelomew, dec'd, of B.G. Boisfeau dec'd, & that Ellen Boisfeau Admx of B.G. Boisfeau, dec'd pay the costs of this suit,

Ellen Thomas, Complainant
vs
Lewis Thomas Defendant
} In Chancery

This cause came on this day to be heard upon the bill of the Complainant, the exhibits filed therewith and upon the depositions of Witnesses and was Argued by Counsel On consideration whereof it appearing to the Court independently of the admissions of either party in the pleadings or otherwise, that the defendant Lewis Thomas, has wilfully abandoned and deserted the plaintiff Ellen Thomas, and that he has been cruel to her, and that she has reasonable apprehension of hurt from him the Court doth adjudge, Order and decree that the said plaintiff Ellen Thomas be and she is hereby granted a divorce from the bed and board of the said Lewis Thomas, and that she be and she is hereby divorced from the bed and board of the said Lewis Thomas. The Court doth further adjudge, Order and decree that the said Lewis Thomas be and he is hereby restrained and enjoined from imposing any restraint on the personal liberty of the said Ellen Thomas and that the said parties be perpetually separated, And leave is granted the said Ellen Thomas to apply to this Court after three Years shall have elapsed from the 1st day of February 1900, that being the time of said Abandonment and desertion to apply to this Court for a decree for a divorce from the bonds of matrimony and for this purpose this Cause is Continued, The Court doth further adjudge, Order and decree that the defendant Lewis Thomas pay to the plaintiff Ellen Thomas, her Costs by her about her suit in this behalf expended,

John W. Neblett and Emily Neblett, his wife, Plaintiffs
vs
Mary Anna Neblett, Bina Hastens, Jennie Hastens, Nannie H. Hastens, Mary E. Hastens, R. Carter Hastens and Anne Meade Hastens, the last four of whom are infants Defendants
} In Chy

This day Came the said Plaintiffs and by leave of the Court filed their Bill of Complaint in open Court: Then Came the said Adult defendants, Mary Anna Niblett, Bina Haskins and Louise Haskins, and filed their joint and several answers to the said Bill of Complaint, by leave of the Court, the said defendants Having all process to Commence this suit and Consenting in said Answers that this Cause be placed upon the docket of this Court and heard as to them: Then on the motion of the said Complainants and by and with the Consent of the said Adult defendants, as aforesaid, and the Court, consenting for the said four infant defendants it is ordered that this Cause be and is placed on the docket of this Court and set for hearing as to all of the said parties, Then on the Motion of the said Complainants George D Bernard a discreet and Competent Attorney at Law is hereby appointed Guardian ad litem for the said four infant defendants, Nannie N Haskins, Mary G Haskins, R. Carter Haskins and Anne Meade Haskins, and leave is given him to file his answer, which answer is accordingly filed; and to which the said plaintiffs replied, Then this Cause Came on this day to be heard on the Bill of Complaint and the said Answer of Mary Anna Niblett, Bina Haskins and Louise Haskins and the said answer of Nannie N. Haskins, Mary G Haskins R Carter Haskins and Anne Meade Haskins, by Gorge D Bernard, their Guardian ad litem & which said Answers the plaintiffs replied generally, and upon the Affidavits of H M Fiches and Daniel Gilliam this day filed by leave of Court, and Was argued by Counsel, On Consideration whereof and it appearing to the Court that the two tracts of land mentioned in the Bill of the Plaintiffs cannot be conveniently divided in kind, in any of the modes prescribed by ~~law~~ the statute law of the State, but that it is necessary and best for the interests of all of the parties concerned that the same should be sold and the proceeds thereof divided Among the said parties, the Court doth adjudge, Order and decree that Meade Haskins, who is hereby appointed a Special Commissioner for the purpose, proceed at once to sell both of the said Tracts of land mentioned in the said Bill and proceedings, by public auction, After having advertised the time, place and terms of sale for thirty days, by posting hand-bills thereof at three or more public places in the County of Dinwiddie, including the Court House of said County, on some Court day, Upon the following terms

to-wit; One third cash and the residue on one and two years time, taking from the purchaser or purchasers bonds for the deferred payments of the purchase money, bearing legal interest from the day of sale, and the title to be retained until all of the purchase money has been paid and a Conveyance Ordered by the Court, provided, that if in the discretion of the said Special Commissioner a sale or sales of the said tracts of land or either of them, can be more advantageously made privately then the said Special Commissioner is hereby authorized to sell said land or either tract thereof privately, subject however to the confirmation by this Court and provided further, that the said Special Commissioner shall not proceed to act under this decree until he shall have executed a bond, in the penalty of One Thousand Dollars, with good security, to be approved by the Clerk of this Court and Conditioned as the law directs, and the said Special Commissioner shall report his proceedings under this decree to this Court,

Hobbs Exor. Plaintiffs
vs
Hobbs + others Defendants } In Chancery

This Cause came on this day to be further heard on the papers formerly read, and upon the report of Special Commissioner Geo S Bernard, dated March 21st 1901, made under the decree entered herein at the September term 1894, and September term 1900, of this Court, and this day filed, and was argued by Counsel On consideration whereof, it appearing to the Court from said report, to which there is no exception filed, that, acting in strict pursuance of the decree entered in this cause at its September term, 1894, and of the decree entered at its September term 1900, said Special Commissioner, on the 16th day of March, 1901, offered for sale, by public auction, at Wilsons Depot in the County of Dinwiddie the real estate in the proceedings mentioned, consisting (1) of a grist mill, situated on Namozine Creek, about two miles from said depot, with a tract of one hundred and fifty (150) acres thereto attached, whereof sixty-two and a half (62 1/2) acres lie in the County of Nottoway, and eighty-seven and a half (87 1/2) acres lie in the County of Dinwiddie; and (2) a tract of about nine hundred and ninety four (994) acres whereon the testator W. L. Hobbs resided at the time of his death, situated in Dinwiddie County about one (1) mile East of Wilsons Depot said property being all of the real estate whereof said testator died seized and possessed which remains undisposed of

and that at said exposition for sale said mill property, to-wit: said Grist Mill and one hundred and fifty (150) acres thereto attached, was sold to the plaintiff Eugene S. Hobbs, at the price of twenty-two hundred dollars ($2200.00) and said mansion house property was sold to said Eugene S. Hobbs at the price of five thousand dollars ($5000.00), these sums being, respectively, the highest sums bid for said mill property and mansion house property respectively, the Court, approving said sales and said report, doth confirm the same and doth adjudge order and decree that said sales be held firm and stable between the parties. And it appearing to the Court that of the debts proven in this cause said Eugene S. Hobbs holds, as shown by the report of Commissioner Harris mentioned in said decree of the 21st September Term, 1894, all of the debts of the first and second classes not held by the defendant John H. Thomas as assignee, that he holds as a Creditor, secured by the deed of Trust of September 14th 1896, in the proceedings mentioned, a debt of the third class exceeding by several hundred dollars, (including interest up to the present time), the purchase price of said mill property, that said Thomas has assigned to said Eugene S. Hobbs all of his debts aforesaid and others mentioned in said report of Commissioner Harris, and that said Hobbs accordingly holds claims against the testator's estate many thousand dollars in excess of the sum of seventy-two hundred dollars ($7200.00) the aggregate purchase price of the property sold to him as aforesaid, and that the whole of the net proceeds of said sales over and above what is necessary to pay the costs of said sales and of this suit and any delinquent taxes or liens binding said property is properly applicable to the payment of the claims so held by him, and it further appearing to the Court that said purchaser is ready to pay the whole of said purchase money in cash, it being understood that in the settlement he shall receive payment of the part of said proceeds of sales, to which he is so entitled, the Court doth further adjudge order and decree that said Geo. S. Bernard, Special Commissioner as aforesaid, do collect from said purchaser said purchase money, and at the same time pay over to him, on account of his claims aforesaid, the sum to which he is so entitled, and do execute to him a deed conveying to him, with Special warranty, the property aforesaid, sold to him as aforesaid, on said 16th day of March, 1901,

and the money which said Special Commissioner will so have in his hands for the purpose, he is ordered to apply to the payment of the costs of said sales and of this suit, including and Attorney's fee of Jen Delais ($10.00) to Bernard Mann for representing the infant defendants as Guardian ad litem, and to the payment of any delinquent taxes or levies binding said property. And said Special Commissioner is ordered to report to Court his transactions under this decree. And the Court doth further adjudge, Order and decree that the plaintiff settle before one of the Commissioners of this Court a further account of his transactions as the personal representative of the late W. L. Hobbs since the 1st day of January 1894 which account said Commissioner is ordered to audit, state and settle, and report to Court, with any matter specially stated deemed pertinent by himself or required by any person interested to be so stated, notice of the time and place to be given for the taking of said account to be published in some Convenient Newspaper once a week for four consecutive weeks, and to be posted at the front door of the Court-house of this County on the first day of some term of the County Court preceding such time, such publication and posting of said notices to be deemed equivalent to personal service thereof upon all persons interested, except the plaintiff, Eugene D Hobbs, on whom personal service shall be executed.

A. B. Potts & others — Plaintiffs
vs
Ford & others — Defendants
} In Chancery

This cause came on this day to be further heard on the papers formerly read & on the report of Special Commissioner Epes of the sale of the land, dated March 15th 1901 & this day filed to which report there are no exceptions filed & was argued by Counsel, On Consideration whereof the Court doth adjudge order & decree that the said report be confirmed & that the sale therein mentioned be held firm & stable between the parties and that said Special Comr. Epes out of the cash payment in his hands pay the taxes due on the said land, the costs of this suit & said & pay over the balance to the heirs of Jeremiah Ford or to the legally qualified Guardians of those who are Minors Upon said Guardian executing bond with sufficient security for security of same & report to Court how he shall have executed this decree and when the bonds for the

defined payments became due said Special Comr. Epes shall withdraw the same from the papers in this cause and collect the amounts due thereon or in the event that the purchaser shall elect to anticipate the payment of his said bonds said Special Commissioner Epes shall collect the same rebating the interest thereon, and said Special Commissioner Epes is directed to distribute the amount of the defined payments collected by him among the parties entitled thereto or to the Guardians of the Minors when they shall have executed bonds with sufficient security for the security of the interests of said Minors & report to Court how he shall have executed this decree.

Ates & others — Plaintiffs
vs
Hawkins & others — Defendants
} In Chancery

This cause came on this day to be further heard on the papers formerly read & the report of Spl. Comr. B. J. Epes dated March 21st 1901 of the receipts & disbursements of the proceeds of sale of Violet Duckin's land this day filed by leave of Court to which report there are no exceptions filed and was argued by Counsel. On Consideration whereof the Court doth adjudge order & decree that said report be confirmed & it appearing to the Court that there is nothing further to be done in this cause it is ordered that the same be removed from the docket.

Henry Ruffin — Plaintiff
vs
Daisy Ruffin — Defendant
} In Chancery

This cause came on this day to be heard on the Plaintiffs Bill, which has regularly matured at rules in the Clerks Office ~~and taken for confessed as to the defendant~~ the exhibits filed with said bill and the deposition of witnesses and was argued by counsel, On consideration whereof it appearing to the Court that the defendant Daisy Ruffin willfully deserted her husband Henry Ruffin more than three years prior to the institution of this suit, the Court doth adjudge, order and decree that the marriage existing between the plaintiff and defendant is hereby ~~dissolved~~ void, and the plaintiff Henry Ruffin is hereby divorced absolutely from the defendant Daisy Ruffin,

R.R. Mason & Jno L. Shell partners trading under the firm name of Mason & Shell

Plaintiffs

vs

W.W. Young, Sheriff of Dinwiddie County & as such Admr. of Stephen L. Vaughan and Indiana M. Vaughan, Robert Vaughan & Mary Vaughan his wife John Vaughan, H.W. Zehmer & Mary Zehmer his wife Lillian Mimatree & Everett Mimatree, her husband, William Vaughan and Luther Vaughan, the last three of whom are infants by B.J. Epes their Guardian ad litem

Defendants

} Dr Chy.

This cause came on this day to be heard upon the bill of the plaintiffs, taken for confessed and set for hearing as to the adult defendants, the exhibits filed with said bill and the answer of the infants by their Guardian ad litem this day filed by leave of Court and was argued by Counsel, On consideration whereof the Court doth adjudge, Order and decree that it be referred to one of the Commissioners of this Court to take the following Accounts

1st An account of the transactions of W.W. Young, Sheriff of Dinwiddie County and as such administrator of Stephen L. Vaughan, dec'd

2nd An account of the estate real and personal of which Stephen L. Vaughan died seized and possessed with the fee simple and annual value of the real estate,

3rd An account of the debts and demands against the said Stephen L. Vaughan and his estate with their degrees and priorities, with all delinquent taxes And said Commissioner shall make report to Court with any matter required by any party to be specially stated or deemed necessary by himself to be so stated.

W.P. Lewis

Pltff.

vs

} Dr Chy

Charles Clarke, Albert Clarke, John C. Clarke & Robert Clarke

Defendants

This cause came on this day to be heard upon the order of publication which has been duly executed, bill of the plaintiff taken for confessed as to the defendants the exhibits filed with said bill and the depositions filed and was argued by Counsel, On consideration whereof the Court being satisfied that the tract of land of sixteen acres

on the bill mentioned cannot be conveniently partitioned in kind among the parties entitled thereto and that no one or more of the parties entitled thereto is or are willing to take the whole tract and pay to the others such sums of money as their interests therein entitle them to doth adjudge order and decree that John Y. Harris who is hereby appointed a Commissioner for the purpose proceed to sell said tract of land after duly advertising the time terms and place of sale for one third Cash and the residue on credits of six and twelve months taking from the purchaser bonds for the deferred payments and retaining title until fully paid for. But before said John Y. Harris shall act under this decree he shall execute a bond in the penalty of $150.00 with security to be approved by the Clerk of this Court conditioned for the faithful performance of his duties under this and any other decree to be entered in this suit. And said Commissioner shall make report to Court.

Connelly's Heirs Plaintiffs
vs
Connelly's Heirs, Defendants } In Chancery

This cause came on this day be further heard on the papers formerly read and the report of Special Commissioner Epes of the sale of the tract of twenty five acres of land in the proceedings mentioned to which report there are no exceptions filed & was argued by Counsel On Consideration whereof the Court doth adjudge order and decree that the said report be and is confirmed, and that the sale therein mentioned be held firm & stable between the parties; and that said Spcl. Comr. Epes apply the cash payment of $37.50 in his hands towards the payment of the costs of this suit & sale & that he withdraw from the papers in this Cause the bond for the deferred payment when it becomes due & collect the same & apply the proceeds to the payment of the balance of said costs & any unpaid taxes & report to Court how he shall have executed this Decree.

Allen for &c. Plaintiff
vs } In Chancery
Williams Defendant

This cause came on this day to be further

heard on the papers formerly read and on the report of Spl. Commissioner B J Espes dated March 16th 1901 & this day filed & to which there are no exceptions filed & was argued by Counsel On consideration whereof the Court doth adjudge order and decree that said report be confirmed & that said Special Commissioner Espes pay the balance of $65.38 remaining in his hands to P.H. Allen & report to Court how he shall have executed this decree,

Billie Myrick per Isham Fisher
her father & next friend, Plaintiff
vs
Robert Myrick, Defendant } In Chancery

This cause which has been regularly matured at rules in the Clerk's Office came on this day to be heard on the bill and depositions of witnesses and was argued by Counsel, On consideration whereof the Court doth adjudge order & decree that the bond of matrimony existing between the Plaintiff and Defendant be & is hereby dissolved & with liberty to the Pltff. Billie Myrick to marry again and that the said Billie Myrick shall be free from the control of her said Husband in all respects as if she was never married to him, and that she shall have the custody & control of their child & his services.

Ordered that the Court be adjourned until tomorrow Morning 10 A.M.

Beverly A Hancock

Friday March 22nd 1901

Present Hon. Beverly A Hancock Judge.

John F Roffe's Widow. Plaintiffs
vs
John F Roffe's Heirs, Defendants } In Chancery

This Cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner Thos. G Watkins dated the 21st day of March 1901, and was argued by Counsel Upon consideration whereof, the Court approving said report to which there is no exception, doth confirm the same; and the Court doth adjudge Order and decree that the said Thos G Watkins Commissioner, do he shall collect the amount of the two notes of Daniel Dillon given for the deferred payments of the purchase price of the property in the bill and

proceedings mentioned, shall pay first, to Minnie L. Roffe whatever balance may be due her as administratrix of John J. Roffe, deceased, and he shall then pay to Minnie L. Roffe the amount due her upon the notes held by her and secured by deed of Trust upon the land in the bill and proceedings mentioned with all accrued interest thereon, and the balance he shall deposit in the Petersburg Savings & Insurance Company to the credit of the Court in this cause & file a Certificate of such deposit in the papers of this suit & make report to Court.

Edward B Duhl & Willie H Duhl his wife and Mary Ella Duhl Plaintiffs

vs

Mary E Duhl, Gertrude E Duhl, Jud H Duhl, Anna L Duhl, Willie E Duhl and Thomas C Duhl Defendants } In Chy

This cause came on this day to be heard upon the plaintiffs Bill, which has regularly matured & rules and set for hearing in the Clerks Office, the exhibits filed with said bill, the Answer of the infant defendants Gertrude E. Duhl, Jud H Duhl, Anna L Duhl, Willie E Duhl and Thomas C Duhl by B J Eyus their Guardian ad litem this day filed by leave of Court and was argued by Counsel On consideration whereof the Court doth adjudge, order and decree that P E Gill, Clark Burgess, J L Smith, S T Grow and John D Smith, any three or more of whom may act be and they are hereby Appointed Commissioners whose duty it shall be to lay off and Assign to Mary E Duhl her dower in the real estate of which her husband Thomas A Duhl, died seized and to partition the residue of said real estate among the several heirs at law of Thomas A Duhl, and in making said partition said Commissioners may lay off the shares of Two or more of the parties together if partition can be conveniently made in that way and make report to Court.

E. D. Crowder & al Plaintiffs

vs

Dora Mitchell, Annie Mitchell & Bolden, Emma Chappell, John Chappell, A Bu and Bolden Alice J. Bolden, John M. Barner, Billy Barner, Wm G. Mitchell, Jas E. Mitchell, Wm E. Bolden } In Chy

Charles L. Bolster & Alice E. Bolster the last five of whom are infants Defts.

R. H. Mann Jr the Guardian ad litem of the infant defendants Wm G. Mitchell, James E. Mitchell, Wm E. Bolster, Charles L. Bolster and Alice E. Bolster not being in attendance on the Court to defend either interests of said infants, he is hereby removed & B. J. Epes a discreet and competent Attorney at Law is appointed Guardian ad litem of said infants And thereupon this cause came on to be heard upon the plaintiffs Bill which has been regularly set for hearing in the Clerks Office and taken for confessed as to the adult defendants, upon the answer of said infant defendants by B. J. Epes their said Guardian ad litem this day filed by leave of Court and was argued by Counsel. On Consideration whereof the Court being satisfied that the tract of land of 114 acres in the bill mentioned cannot be conveniently partitioned in Kind between the parties entitled thereto and that no one or more of the parties is or are willing to take the entire tract and pay to the others such sums of money as their interests therein entitle them to doth adjudge, order and decree that John Y. Davis who is hereby appointed a Commissioner for the purpose, make sale of said tract of land at public Auction, on the premises or at Dinwiddie C.H. after duly advertising the time, terms and place of sale for one third of the purchase money cash and the balance on credits of one and two years with interest from day of sale but before said John Y. Davis shall act under this decree he shall execute a bond in the penalty of $800 Cc with security to be approved by the Clerk of this Court conditioned as the law directs. And said Commissioner shall make report to Court

J. McAbernathy Guardian of Annie Abernathy, Dallas Abernathy, Lloyd Abernathy, Mastow Abernathy, Clifton Abernathy and Victor Abernathy Pltff.

vs

J. M. Abernathy, William Dallas Abernathy, Lula Bennie Abernathy, W. J. Abernathy and Lucy Abernathy, his wife, Milton Abernathy, Annie Abernathy, Dallas Abernathy, Lloyd Abernathy, Mastow Abernathy, Clifton Abernathy, Ennie Abernathy and Victor Abernathy, the last seven of whom are infants, Defts. } In Eqy

This cause, which has regularly matured at rules

and set for hearing in the Clerks Office came on this day to be heard upon the bill of the Plaintiff and exhibits therewith filed the Answer of the adult defendants, the separate Answer of the infant defendants who are over the age of fourteen years, the Answer of the infant defendants by B.J.Epes their Guardian ad litem, which Answers were this day filed by leave of Court with general replications to said Answers and upon the depositions of Witnesses this day filed and was Argued by Counsel On Consideration whereof the Court Approving the offer of Jos.E.Perkinson of $1200 for the 92 acres of land in Dinwiddie County in the plaintiffs bill Mentioned doth accept the same, and doth adjudge order and decree that John Y.Harris who is hereby Appointed a Special Commissioner for the purpose, upon the payment to him by the said Joseph E.Perkinson of the said sum of $1200^{00} execute and deliver to him said Joseph E.Perkinson a Deed conveying to him said 92 acres of land with Special warranty, Upon the said J.W.Abernathy, William Dallas Abernathy, Ida Bernice Abernathy, W.J.Abernathy and Lucy Abernathy his wife and Milton Abernathy uniting in said deed. And the Court doth further adjudge, order and decree that John Y.Harris, who is hereby Appointed a Special Commissioner for the purpose, enquire and report to Court what would be a safe and judicious investment of the said sum of $1200^{00} and especially what title the said J.W.Abernathy has to the 770-12 acres of land in the County of Amelia owned by him, and the real value of said 770-12 acres and whether it would be to the interest of the parties interested to invest the $1200 in said land And said Commis shall make report either in term time or Vacation, But before said Commissioner, John Y.Harris shall act under this decree he shall execute a bond in the penalty of $2000 with security to be Approved by the Clerk of this Court conditioned according to law,

Joseph L.White, B.D.White M.E.White
his wife, B.L.White and Alma White
his wife S.G.White, Ann E.White, J.W.
White, Mabel White, his wife, Lucy G.White
W.T.White, L. L.Harrison W.V.Harrison
her husband and Samuel J.Harrison Plaintiffs

vs

Ann E.Harrison, Lillian M.Harrison

William Graham Harrison and Emily M. Harrison, who are infants by B J Epes their Guardian ad Litem Defts | In Chancery

This cause which has regularly matured at rules and set for hearing in the Clerks Office, came on this day to be heard upon the bill of the plaintiffs and exhibits therewith filed the answer of the infants by B J Epes their Guardian ad litem this day filed by leave of Court with general replication to said Answer and upon the depositions of witnesses and was argued by Counsel, On consideration whereof the Court being satisfied that the partition of the tract of land of 388 1/2 acres of land in the bill mentioned & as agreed upon by the adult parties to this suit, is a just and equitable partition of said land doth confirm the same doth adjudge order and decree that John Y Harris who is hereby appointed a Special Commissioner for the purpose convey to the several parties the parcels of land as agreed upon as appears upon the plat with the bill, subject to the sale of the standing timber hereinafter provided for as follows:

Tract No 1	containing	67 1/2	acres to	Lucy G White
" " 2	"	71	" "	Wm T White
" " 3	"	50	" "	Stephen G White
" " 4	"	50	" "	Annie E White
" " 5	"	65	" "	L D White
" " 6	"	77 1/4	" "	B L White
" " 7	"	65	" "	L C Harrison
" " 8	"	67 1/2	" "	The children of Emma M Harrison
" " 9	"	75	" "	J M White

Which plat the said Commissioner is hereby directed to withdraw from the papers in this suit and make it a part of said Conveyance in which Conveyance the said Joseph L White shall unite, And the Court doth further adjudge order and decree that John Y Harris who is appointed a Commissioner for the purpose make sale of the standing timber on the whole of said tract of 388 1/2 acres of land that will measure ten inches & more across the stump either publicly or privately as he shall deem best, and upon such terms as said Commissioner shall deem best for the interest of all parties, But before said John Y. Harris shall act under this decree he shall execute a bond in the penalty of $2000 with security to be approved by the Clerk of this Court conditioned according to law

Robertson &c. Plaintiffs
vii
Goulden's Heirs &c, Defendants } In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner John Y Harris this day filed to which there are no exceptions and was argued by counsel, On consideration whereof, the Court approving said report and the sale of the 145 1/4 acres of land to J. Geo. Wilkinson doth confirm the same and doth adjudge Order and decree that said Commissioner execute and deliver to the said purchaser a deed conveying him said land with Special warranty, And the Court doth further adjudge, Order and decree the Commissioner Harris, out of the funds in his hands from the sales of the lands in this cause pay any unpaid costs of this suit, the debts proved against A.C. Goulden dec'd, and the balance to the heirs at law of said Goulden or such of said debts and heirs as he has not already paid and make report to Court,

Hill &c others Plaintiffs
vii
Hills' Committee, Defendants } In Chancery

This cause came on this day to be further heard on the papers formerly read and the report of Special Commissioner Epes dated March 22 1901 this day filed by leave of Court to which there are no exceptions filed and was argued by Counsel On consideration whereof the Court doth adjudge ordain & decree that E.H. Hill the purchaser of the Mills property sold in this suit be summoned to the next term of this Court to show cause why the said property should not be resold for the payment of the unpaid purchase money,

J.E. Medlock's Creditors Plaintiffs
vii
J.E. Medlock's Heirs, Adm'r &c Defendants } In Chy

This cause came on this day to be further heard upon the papers formerly read and upon the report of R.H. Mann Jr. Commissioner bearing date March 20th 1901, of offer at public auction at

Dinwiddie Court House on March 18th, 1901, that being Dinwiddie County Court day, of the tract of 147 acres of land, of which the late J E Medlock died seized and possessed, subject to the right of dower of M J Medlock, the widow of the said J E Medlock It appearing to the Court from said report that W R McKenney was the highest bidder at the said sale for the said tract of 147 acres of land, subject to the dower interest aforesaid and it further appearing to the Court that said Commissioner Mann is not willing to recommend the sale of the said tract, subject to the said dower interest, at the price of $300; but said Commissioner Mann recommends that he be authorized to make sale of the said tract of 147 acres of land subject to such dower interest to the said W R. McKenney, provided the said McKenney will agree to pay therefor the sum of $450, instead of the sum of $300, and upon the following terms as set forth in the advertisement of the said sale, to-wit: " One-fourth of the purchase price in cash, and the balance on equal credits of One and two years, the deferred payments to be evidenced by the bonds of the purchaser, carrying interest at the rate of six per cent per Annum from the day of the sale, the title to be retained until the purchase money shall have been fully paid. The said sale to be subject to the dower interest of M J Medlock, the widow of J E. Medlock deceased said McKenney in event of such sale to be allowed to anticipate at any time the deferred payments, the consideration whereof the Court doth adopt such recommendation of said Commissioner Mann and doth adjudge, order and decree that if the said W R McKenney will agree in writing with the said R W Mann Jr. Commissioner, within ten days after the entering of this decree, to pay for the said tract of 147 acres of land, subject to the dower interest of M J Medlock, the widow of said J E Medlock the sum of $450. instead of the sum of $300 as bid for by him at the said sale, then that said Commissioner Mann be and he is hereby authorized to make such sale at the price of $450, to the said W R McKenney on the terms aforesaid And that said Commissioner Mann shall make report to Court

Ordered that the Court be adjourned until the first day of the next term

Beverly A. Hancock

In the Circuit Court of Dinwiddie County
In vacation April 16th 1901

Clifton B Michael
vs
Alma D Michael & al
} Note for Decree

By consent of the parties this day given before the Judge of this Court in vacation, this Cause was submitted to the said Judge for decision and decree in vacation, with like force and effect as if in term, and thereupon this cause came on this day to be further heard upon the papers formerly read and upon the consent aforesaid, which is now entered of record, and upon the report and vouchers of George Mason, Special Commissioner this day filed, and was argued by Counsel, On consideration whereof, the Court approving said report, to which there are no exceptions, doth confirm the same, and doth adjudge, order and decree that said Commissioner, after retaining $5.50 to pay the taxes on the fund in this cause for the year 1900 and $10.00 to pay said taxes for 1901 and unpaid costs, distribute and pay over the balance of $488.07 remaining in his hands according to the statement for distribution filed with said report among the parties entitled thereto, as follows; to Clifton B Michael $148.69, to the adult defendant, Alma D. Michael, $158.69 and deposit $180.69, to which the infant defendant E. V. Michael is entitled, in the Bank of the Petersburg Savings and Insurance Company to the credit of the Court in this cause and take a certificate of deposit therefor, And out of the balance of $15.50 retained as aforesaid to pay taxes and costs, said Commissioner shall pay the taxes on the funds in this cause for the years 1900 and 1901, and unpaid costs, and make report to Court

Beverly A Hancock Judge of
2nd Judicial Circuit of Va
April 16. 1901

To the Clerk of the Circuit
Court of Dinwiddie County

In the Circuit Court of Dearborn County, In Vacation June 5th 1901.

E.B. Duhl &c.
vs
Mary E Duhl & others } Note for Decree,

This day this cause came on by consent of parties, in vacation, to be heard upon the papers formerly read and upon the report of Clark Burgess, Peigle, J.C. Smith, S.T. Graves and J.O. Smith, Commissioners appointed by the decree entered in this cause at the March Term 1901 of this Court and was argued by Counsel. On consideration whereof, it Appearing to the Court from said report, to which there is no exception filed, that dower has been assigned to the defendant Mary E Duhl, and partition of the residue of the real estate whereof the late Thomas A Duhl died seized and possessed has been made and recommended as follows: that is to say by assigning to said Mary E Duhl as her dower a tract of One hundred acres, situate at the East end of the whole tract embracing the Mansion house and curtilage and particularly described in said report and by allotting to the plaintiff Edward B Duhl a tract of One hundred acres at the West end of the whole tract aforesaid also particularly described in said report and by allotting to the other heirs at law Mary Ella Duhl, Gertrude E Duhl, Sue W. Duhl, Anna D. Duhl, Willie E Duhl and Thomas L Duhl, the residue of the whole tract, to-wit: the portion thereof lying between the tract assigned to said widow and the tract allotted to said Edward B Duhl, it being understood that said Edward B Duhl will relinquish all of his right title and interest in the tract of land so assigned to said widow as her dower, to the other heirs at law, the Court approving the assignment of dower and adopting the partition so made and recommended by said Commissioners and approving said report doth confirm the same, and doth adjudge, order and decree that Jno Y Harris who is hereby appointed a Special Commissioner for the purpose withdraw from the papers in this suit the plat filed with said report and after causing the same to be admitted to record execute deeds conveying the property, with Special warranty as follows: a deed conveying to said Edward B Duhl, the tract of One hundred acres allotted to him as aforesaid and to the said Mary Ella Duhl, Gertrude E. Duhl, Sue W Duhl Anna D. Duhl, Willie E Duhl and Thomas L Duhl, the tract of land so allotted them, in which said last mentioned and said Edward B Duhl and his wife, shall unite as parties grantors

And said Commissioner shall make report.

Beverly A. Hancock
Judge of Dinwiddie Circuit Court
June 6th 1901

To Clerk of Circuit Court
of Dinwiddie

We consent to this decree

John Y. Harris, Atty for adult parties
B. E. Epps, Gen ad litem for infant defendants

In the Circuit Court of the County of Dinwiddie, in Vacation
June 1901

J. M. Abernathy, &c. &c. Pl
vs. Note for Decree.
J. M. Abernathy & others Defts

This cause came on this day by consent of parties, to be heard, in vacation, upon the papers formerly read and upon the report of John Y. Harris, Special Commissioner appointed under the Decree entered in this cause at the March Term 1901 of the said Court and the testimony filed with said report, and was argued by counsel,

On consideration whereof, it appearing to the Court from said report that the title of J. M. Abernathy to the tract of land in Amelia County in the proceedings mentioned is good and sufficient, subject however to the right of B. E. Cobb to cut and remove therefrom the timber as set forth in his contract and subject also to the lien of the Deed of Trust dated July 1st 1900 which secures to J. N. Beck, $1000. payable January 1st 1902 and the two notes of $80.00 each payable January 1st 1901 and January 1st 1902 and approving said report except in so far as it recommends the investment of the funds under the control of the Court in this cause, doth confirm the same, and being of opinion that the investment of said sum of money in the whole of the tract of 770.12 acres of land in Amelia County would be safe and judicious doth adjudge, order and decree that when the said John Y. Harris, Special Commissioner shall have received from the purchaser Joseph E. Perkinson the purchase money payable by him, he apply the money so received by him as follows, first to the payment of

the costs of this suit; Secondly to the payment and discharge of the lien of the deed of trust aforesaid and that he pay the residue of said money to said J.M Abernathy. And it is further ordered that said John G. Harris as Special Commissioner of this Court execute a deed conveying to said William Dallas Abernathy, wife of said J.M Abernathy and the children of said J.M Abernathy the 770.12 acres of land aforesaid, in which deed the said J.M Abernathy shall unite; said 770.12 acres of land to be held in the same manner and with the same rights as the grantees as the land in the County of Dinwiddie was held by them respectively under the Deed dated Jany 5th 1892 recorded in Dinwiddie County Court Clerk's Office in Deed Book 19 page 573 which deed so conveying said land, the said John G. Harris shall have recorded in Amelia County Court Clerk's Office, And said Commissioner shall make report to Court.

Beverly A. Mayo Jr.
Judge 2nd Judicial Circuit of Va
June 25th 1901

To Clerk of Circuit
Court of Dinwiddie

We consent that the within decree may be entered.

Jno G. Harris, Counsel for all
adult parties
E. J. Epes Gdn. ad litem

In the Circuit Court of the County of Dinwiddie,
In vacation, Aug- 27th 1901.

Whites heirs
vs
White heirs } Note for decree

This cause came on this day to be further heard, in vacation, by consent of parties, upon the papers formerly read and upon the report of Special Commissioner, John G. Harris, this day filed, and was argued by counsel,

On consideration whereof the Court approving said report to which there is ~~no~~ exception filed, doth confirm the same, and doth adjudge order and decree that the offer of T. R. Freeman of $2100.- for the standing pine timber upon the 588½ acres of land mentioned be accepted and upon the payment of said sum of $2100- by said T. R. Freeman to said John G. Harris, Special Commissioner the said

Spl. Commissioner is directed to convey to said purchaser said timber with special warranty, and said Commissioner, out of the money so to be received by him, shall pay any unpaid taxes due on said land, if not already paid, and the costs of this suit, and make report to court. And it appearing that Jno. G. Harris has given bond for only $2000, which is insufficient to cover his liability in this cause it is ordered that he shall not receive any money in this cause until he execute before the clerk of this Court bond in the penalty of $2500, with security to be approved by the clerk of this court, conditioned according to law

Beverly A. Hancock,
Judge 2nd Judicial Circuit of Va.
August 29th 1901

To Clerk of the Circuit
Court of Dinwiddie County

We consent that the within decree may be entered

Jno. G. Harris, Counsel for
all the adult parties,
R. J. Epes, Guardian ad litem
of the Infant Defts.

Edward H. Young, Sidney E. Young
Sallie E. Young, Plaintiffs
vs
James H. Young, Defendant

Note for Decree, In Chy

This cause which has regularly matured at Rules in the Clerk's Office came on this day to be heard in vacation on the Bill of the Plaintiffs & the exhibit therewith filed & the answer of the Defendant James H. Young by J. G. Harris his Guardian ad litem and was argued by Counsel. On consideration whereof the Court doth adjudge order & decree that A. D. Temple, W. Lee and John H. Lee who are hereby appointed Comrs. for the purpose make partition of the parcels of land in the Bill mentioned and report to Court, and that they employ a competent Surveyor to aid them if they deem it necessary.

Beverly A. Hancock
Judge 2nd Judicial Circuit of Va
Sept 10th 1901

To Clerk of the Circuit
Court of Dinwiddie

Virginia: At a Circuit Court held for the County of Buncombe at the Court House thereof on Saturday the 21st day of September 1901 and in the 126th year of the Commonwealth.

Present Hon Beverly A Hancock Judge.

Hobbs Exor Plaintiff
vs
Hobbs & Others Defendants } In Chancery.

This cause came on this day to be further heard upon the papers formerly read, upon the report of Commissioner John Y Harris dated on the 20th day of August 1901, and filed in the Clerks Office of this Court on the 3rd day of September 1901, and upon the report of Special Commissioner Geo D Bernard dated September 21st 1901 and this day filed both of which reports were made under the decree entered herein at the March Term 1901 of this Court and was argued by Counsel. On consideration whereof it appearing to the Court from said report of Commissioner Harris, to which there is no exception filed, that on the 1st day of August 1901, the plaintiff was the Creditor of his Testators Estate in the sum of thirty eight hundred and sixty seven dollars and fifty four cents ($3867.54) on account of the management of the farm and in the sum of six hundred and eighty eight dollars and thirteen cents ($688.13) on account of his transactions as executor, and it further appearing to the Court from said report of Special Commissioner Bernard, and the papers therewith filed, to which report there is no exception filed, that said Special Commissioner has collected from the plaintiff as purchaser all of the purchase money of the real estate in the proceedings mentioned sold to him, has executed to him a deed conveying said property as directed by said decree and has fully and properly disbursed all of said purchase money as directed by said decree the Court approving the transactions of the plaintiff as set forth in said report of Commissioner Harris and said transactions of said Special Commissioner as set forth in his said report doth adjudge, order and decree that said two reports be and they are hereby confirmed and doth order that said report of Commissioner Harris and his previous reports in this cause so far as the same have been confirmed, be recorded as required by law.

And it appearing to the Court that the plaintiff, E. S. Hobbs, executor has fully and properly administered the estate of his testator, W. L. Hobbs, and that all of the estate of said testator, real and personal has been duly and properly applied towards the payment of his debts and those of the estate, and it further appearing to the Court that

there is nothing further to be done in this cause, it is ordered that the same be removed from the docket, and that the Plaintiff pay all unpaid costs of this suit, including a fee of ten dollars ($10.) to Commissioner John Y Davis for his report dated August 20th 1901, hereinbefore mentioned.

Crowder & Bell Plaintiff
vs } In Chancery
Ora Mitchell & others Defts

This Cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner, John Y Davis, of the sale of the 114 acres of land in the proceedings mentioned to E. E. Crowder, to which report there are no exceptions filed and was argued by Counsel. On consideration whereof the Court approving said report doth confirm the same, and doth adjudge, order and decree that upon the payment to said Commissioner of the purchase money in full he shall convey with special warranty to the purchaser E. E. Crowder the said 114 acres of land, and make report to Court.

2

W. P. Lewis Plaintiff
vs } In Chancery.
Clarke & others Defendants,

This cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner John Y Davis, of the sale of the sixteen acres of land in the proceedings mentioned, this day filed, to which report there are no exceptions filed and was argued by counsel. On consideration whereof the Court approving said report, doth confirm the same, and doth adjudge, order and decree that the sale of the 16 acres of land to W. P. Lewis, reported by said Commissioner, be held firm and binding and upon the payment of the purchase money in full said Commissioner Davis is ordered to convey said 16 acres of land to said W. P. Lewis, with special warranty of title, and said Commissioner shall make report to Court.

3

Levi Walker Plaintiff
vs } In Chancery
Cornelia A Walker, Defendants

This Cause came on this day to be heard on the Complainants Bill, which has regularly matured against the defendant

and on the depositions of witnesses taken to sustain the same, and was argued by counsel: On consideration whereof, the Court being satisfied from the evidence, independently of the admissions of either party in the pleadings or otherwise, that the defendant Cornelia A Walker, has been guilty of adultery within five years before the institution of this suit, to wit: in or about the month of January 1900, that such adultery was not committed by the procurement or connivance of the said plaintiff, and that the said plaintiff has not cohabited with the said defendant after he had knowledge of the fact of her adultery, the Court doth adjudge, order and decree that the bond of matrimony now existing between the complainant Levi Walker, and the defendant Cornelia A Walker, his wife, be, and the same, is, hereby dissolved and annulled, and that the said Levi Walker be, and he is, hereby forever divorced from his said wife, The Court doth further adjudge, order and decree that the said Levi Walker shall have the care, custody and control of his infant son Lester Walker, and that the said Cornelia A Walker shall surrender the said infant to his father the said Levi Walker, whenever he shall make application for him, And nothing further appearing necessary to be done in this cause it is ordered that the same be removed from the docket,

White Heirs, Plaintiffs
vs
White Heirs, Defendants } In Chancery

This cause came on this day to be further heard upon the papers formerly read and was argued by counsel, On consideration whereof the Court doth adjudge, order and decree that Commissioner John Harris, after paying the costs and taxes heretofore ordered to be paid and an attorneys fee to himself of $50 he shall pay the residue of the proceeds to be received by him from the purchaser T. R. Freeman as follows: to Joseph L White one tenth of said residue to Lucy G White, one tenth thereof to Wm T White, one tenth thereof, to Stephen G White, on tenth thereof, to Annie E White, one tenth thereof to A D White one tenth thereof to B L White, one tenth thereof, to L C Harrison, one tenth thereof, to J W White one tenth thereof and to the legally qualified guardian of Emma M Harrison the remaining tenth thereof, taking proper vouchers for such payments and make report to Court, when he has given bond to cover the same

Robert Mabry Pltff
vs } In Chancery
G A Ross Deft

This cause came on this day to be further heard on the papers formerly read and on the letter of R H Mann Jr.,

this day filed & was argued by counsel. On consideration whereof it appearing to the Court that it was not intended by this suit to restrain proceedings against any of the parties except Robert Moby, the Court doth adjudge, ordr & decree that the injunction heretofore granted in this suit be dissolved as to all of the parties except Robt Moby, provided that the said G.A. Rose shall be authorized to enforce against said parties for only $66.66⅔ and two thirds of the costs of the judgment rendered against them by W.T. Heartwell, each of said defendants being agreed to pay but one half of the same,

No 7

A.M. Hill Pltff
vs } In Chancery
A.G. Mitchell's Extx. Dfts.

This cause came on this day to be heard on the complainants bill, taken for confessed as to the defendants E & A. Mitchell in her own right and as Executrix of A.G. Mitchell deceased, and Viola Kelly and Byrd Kelly, her husband, they still failing to appear and plead answer or demurrer, and it being suggested to the Court that Maggie Slaughter, the wife of F.E. Slaughter, she being the daughter of the said A.G. Mitchell, and one of his devisees, is a proper party to these proceedings, as well as her said husband, and it being represented to the Court by counsel for said parties that they desire to be made parties defendant to this suit upon their motion, the Court doth adjudge, ordr and decree that the said Maggie Slaughter and F.E. Slaughter, her husband, be and they are hereby made parties defendant to this suit on the usual terms, and it is ordered that they be hereafter proceeded against as such. And as to all other matters this cause is continued.

Young Plaintiff
vs } In Chancery
Young, Defts.

This cause came on this day to be heard on the papers formerly read and upon the report of Comr's R.D. Temple & Lee & J.H. Lee with the plat of lands thereto attached this day filed by leave of the Court and was argued by counsel on consideration whereof the Court doth adjudge, order and decree that the said report, to which there are no exceptions filed, be confirmed and that the parties to this suit have and hold the lots of land assigned them respectively by said report & the plat accompanying

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EVERETT WADDEY COMPANY,

MANUFACTURING STATIONERS,

OFFICE AND SALESROOM—1105 E. MAIN ST.

FACTORY—1, 3 & 5 SO. ELEVENTH ST.

. . Settlement of all accounts must be made only by check or draft, payable to the order of the EVERETT WADDEY CO.

RICHMOND, VA., 9/12/03 190__

Mr. A. M. Orgain, Clerk,

DEAR SIR:

WE HAVE RECEIVED YOUR VALUED ORDER OF THE _____ INST., PER _____ FOR

Legal blanks and envelopes.

THE ABOVE WILL BE FORWARDED AT THE EARLIEST POSSIBLE DATE. THANKING YOU FOR YOUR KINDNESS, WE REMAIN,

VERY TRULY,

EVERETT WADDEY CO.

PG 671

THE SPACE ABOVE IS RESERVED FOR POSTMARK.

POSTAL CARD.

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Mr. A. M. Orgain, Clerk,

Dinwiddie, Va.

the same as a part thereof. And that the costs thereof of this suit be paid equally by the parties including the surveyors fee of $10 ea and $3 00 to each of the Commissioners, A D Temple, by Lee & J H Lee. And that there shall be a Lien on the lot of land assigned to James W Young for the payment of the $100 ea to E H Young and the $100 ea to Sallie E Young but no personal liability on said J H Young for the payment of the same

J S Taylor Plaintiffs
vs
C F Hall & J W Dorn Defendants
} In Chancery

It appearing to the Court that this cause has been pending since June 1885 & that no order has ever been entered therein except orders for continuance, it is ordered that the same be struck from the docket.

Nunnally's Heirs Plaintiffs
vs
Slade & others. Defendants
} In Chancery

This cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner Geo. E Bernard, dated Sept 21, 1901, this day filed and was argued by Counsel, On consideration whereof it appearing to the Court from said report, to which there is no exception filed, and from the papers therewith filed that said Special Commissioner collected from the personal representative of the late John J Slade the balance of the purchase money of the land in the proceedings mentioned, executed the deed directed by the Decree entered herein at the September Term 1897 of this Court and at the request of the plaintiff, Sarah J. Whitby, And the defendant Geo B. Whitby her husband, paid to said plaintiff's attorney her proper share of said purchase money, principal and interest thus equalizing her with the other children of the late Sarah Nunnally, decd, and it further appearing from said report and the papers therewith filed that said Special Commissioner has fully and properly disbursed all the funds which have come into his hands under the proceedings in this cause, the Court approving his transactions as set forth in his said report, and his said report doth confirm the same, And it appearing that there is nothing further to be done in this cause, it is ordered that it be removed from the Docket.

Richard Branch Plaintiff
vs
Maria Branch Defendant
} In Chancery

This cause which has regularly matured at rules in the Clerks Office, came on this day to be heard on the Bill of the Plaintiff and the Depositions of witnesses and was argued by Counsel on Consideration whereof the Court doths adjudge, order and decree that the bond of matrimony heretofore existing between the Plaintiff and the Defendant be and the same is hereby dissolved with leave to the Plaintiff Richard Mauch to marry again and that in all other respects the parties be restored to their ante-nuptial rights & privileges. & it appearing to the Court that there is nothing further to be done in this cause it is ordered that the same be removed from the docket,

Ordered that the Court be adjourned until the first day of the next term.

Beverly A. Hancock

In the Circuit Court of the County of Dinwiddie in vacation; the — day of January, 1902,

John F. Roffe's widow, Plaintiff
vs. In Chancery
John F. Roffe's heirs et al, Defts

This cause came on this day, by consent of all parties, to be further heard, in vacation, upon the papers formerly read, upon the report of Thomas S. Watkins, commissioner, this day filed, showing a balance in his hands belonging to the infant defendants of $939.23, for which a certificate of deposit in the Petersburg Savings & Insurance Company, dated May 27th 1901, is filed with said report, and upon the petition of M. L. Roffe, this day filed by leave of Court, and was argued by counsel,

On consideration whereof, the court approving said report, to which there is no exception, doth confirm the same and doth adjudge, order and decree that said Commissioner pay over every month to M. L. Roffe, guardian of her four children, the infant-defendants in this suit, the sum of twenty-five dollars, to be expended by her for their maintenance and support, and that said commissioner shall collect said Certificate of deposit and pay the tax on the fund in this suit and any clerk's fees or other costs and the first payment of $25. to Mrs. M. L. Roffe, and shall then deposit the residue on certificates of deposit in the Petersburg Savings & Insurance Company

for $25- Each, payable to the order of the Court in this cause, and withdraw each month, of said $25-00 certificates, collect the same & pay the proceeds thereof to Mrs. M. L. Roffe until the further order of this Court, Comr. Watkins is ordered to report to Court as soon as practicable a suitable investment for said fund, But said Comr. Watkins shall not collect said certificate of deposit nor execute this decree until he shall have executed a bond before the clerk of this court in the penalty of fifteen hundred dollars, conditioned according to law for the faithful discharge of his duties under this decree,

Beverly A. Hancock, Judge of the Second Judicial Circuit of Virginia, January 21st 1902,

To the Clerk of the Circuit Court of Dinwiddie County

We consent to the within decree

Thos. G. Watkins, Atty. for all of the parties

Bernard Mann, Gdn. ad litem

Virginia: At a Circuit Court held for the County of Dinwiddie on Monday, the 24th day of March 1902, and of the Commonwealth the 126th

Present, Hon. B. A. Hancock, Judge,

Lem Johnson, Plaintiff
To
Rosela Johnson, Defendant } In Chancery

This cause came on this day to be heard upon the bill filed by the plaintiff in this cause, and the order of publication as to the defendant and the depositions of Henry Johnson and Peter Dudley, taken on behalf of the plaintiff in this cause, and was argued by counsel, On consideration whereof, it appearing to the Court that the said Lem Johnson is and has been continuously for more than one year preceding the commencement of this suit a resident of the County of Dinwiddie, Virginia in which this suit is brough, and that the plaintiff, Lem Johnson, and the defendant, Rosela Johnson were duly married and last cohabited as man and wife in the said County of Dinwiddie; and it further appearing to the Court that the said Rosela Johnson wilfully abandoned and deserted the said Lem Johnson, in the said County of Dinwiddie, Virginia, more than three years prior to the commencement of this suit, and has continued such wilful abandonment and desertion up to the present time the Court doth adjudge, order and decree that the marriage heretofore had and

Solemnized between the plaintiff Lem Johnson, and the defendant Rosela Johnson, shall be, and the same is hereby dissolved, and that the said Lem Johnson be forever divorced from the said Rosela Johnson, And nothing further appearing to be done in this cause, it is ordered that the same be stricken from the docket,

J. E. Medlock's Creditors, Plaintiff
vs
J. E. Medlock's Heirs Admr. etc, Defendants } In Chy.

This cause came on this day to be further heard, upon the papers formerly read and upon the report of Special Commissioner R. H. Mann Jr, and the letter of W. R. McKenney to the said Special Commissioner, dated March 20th 1902, and vouchers and plat filed therewith, and was argued by counsel, Upon consideration whereof, the Court, approving the said report, doth confirm the same, and doth adjudge, order and decree that the sale of the said lands by the said R. H. Mann Jr, Special Commissioner to the said W. R. McKenney be held forever firm and binding between the parties, And it appearing to the Court that the said W. R. McKenney has paid in full the sum of $450 00 unto the said Special Commissioner, with interest upon the deferred payments as in the said report set out (the said sum of $450 00 being the purchase price of the tract of land of 147 acres in these proceedings mentioned) the Court doth adjudge, order and decree that the said Special Commissioner R. H. Mann Jr, execute, acknowledge and deliver to the said W. R. McKenney a deed with Special warranty for the said tract of 147 acres of land, subject however to the dower interest of M. J. Medlock, the widow of J. E. Medlock, deceased making the plat of the same this day filed with the report of the said Special Commissioner, as a part of the title of the said W. R. McKenney a part of the said deed; So that the metes and bounds of the said tract of 147 acres of land may be set forth - there being in the papers in this cause no particular description of the said tract - noting in the said deed the difference between the 147 acres in these proceedings and the 145 acres as shown by the said plat, And it further appearing to the Court from the report of the said Special Commissioner this day filed that there is a balance in his hands as appears from said report, of $450 00, and the same being insufficient to pay in full the creditors of the late J. E. Medlock, who have proved their claims in this cause the Court doth adjudge, order and decree that the said Special Commissioner, R. H. Mann Jr, after paying the costs and expenses of this suit, including an attorney's fee of $45 00 to W. R. McKenney for his services in this suit, and retaining for himself the sum of $25 00 for his services as Special Commissioner, and paying all taxes, interest, costs,

and penalties upon the tract of 147 acres of land in these proceedings mentioned up to and including the year 1899, & distribute the balance remaining in his hands ratably, without priority or preference, among the parties entitled thereto, according to the report of Commissioner John G Davis bearing date February 27th 1900, filed in this Cause, and duly confirmed by a decree entered in this cause on March 22 1900, And the said Special Commissioner is hereby directed to make report to Court as to how he shall have executed this decree,

Florida F. Fitzgerald Executrix of J. P. Fitzgerald, decd, Plaintiff
vs
John L. Irby Deft. } In Chy

On the motion of John L Irby defendant, leave is given him to file his plea and demurrer, to the bill of complaint in this cause, which said plea and demurrer is this day presented in open Court and filed accordingly

Manson & Shutt Plaintiff
vs
Vaughan's Admr & Deft. } In Chy

This Cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner, A. M. Organ, filed in this Cause on the 10th day of September 1901, and it being suggested to the Court that W. R. McKenney trustee in the deed of trust from S. L. Vaughan and wife dated March 5th 1892, R. H. K. Butterworth, G. L. Vincent and S. L. Neal, Composing the firm of G. L. Vincent & Co, Spencer Vaughan, Executor of J. E. Smith and the Brunswick Lumber Company, a Corporation under the laws of Virginia are necessary parties to this suit, without passing upon any question raised in this suit it is ordered that the said W. R. McKenney trustee, R. Butterworth, H. K. Butterworth, G. L. Vincent and S. L. Neal, Spencer Vaughan, Exr of J. E. Smith, decd, and the Brunswick Lumber Co, be summoned to appear here at the next term of this Court and answer the bill of the plaintiff.

Trustees M. Levy &c. Plaintiff
vs
Warren Hall Deft. } In Chy

This cause came on which the defendant has been proceeded against in the manner prescribed by law against non residents defendants, came on this day to be heard on the bill of the plaintiffs and the exhibits filed therewith, and was argued by counsel, On Consideration whereof the Court not being now advised as to its judgment in this cause doth adjudge, order and decree that this cause be submitted to the Judge of this Court for decision and decree in vacation

Riddles
&
Schreuck & wife & others — Plaintiffs / Defendants } In Chy

This day this cause came on to be further heard upon the papers formerly read and upon the report of Special Commissioner, John Mann, this day filed, which shows that the said Commissioner collected of John I Hardy his notes for $1000 cs and $750 cs given for the deferred payments of the land purchased by him under decree in this cause, and disbursed per receipts filed with his report and was argued by Counsel, On Consideration whereof, the Court approving the said report to which there were no exceptions, doth confirm the same and nothing further remaining to be done in this cause it is ordered to be removed from the docket,

W D Young Trustee, — Plaintiff
&
D F Young and others, — Defendants } In Chy

This cause came on this day to be further heard upon the papers formerly read, and upon a letter, dated March 21st 1902, from W R. McKenney, the purchaser of the timber and timber rights and privileges in these proceedings mentioned, And it appearing to the Court from the papers in this cause that the said W R McKenney has fully complied with the terms of the decree rendered in this cause at the Sept. Term 1899, and at the special term on October 9th 1899, and that he is now ready and willing to pay the balance of the purchase, amounting as of March 21st 1902, to the sum of $575 25; the Court doth adjudge, order and decree that if the said W R McKenney shall within five days from this date file with the Clerk of this Court a certificate of deposit in the Petersburg Banking & Trust Co. of Petersburg Va. for the sum of $576.25, then that Richard H Mann, who is hereby appointed a Commissioner of this Court for the purpose, shall be and is hereby directed to execute to the said W R McKenney a deed with Special warranty for the timber and timber rights and privileges purchased by him, as fully set forth in the decree rendered in this cause at the Sept. Term 1899 which decree refers to the written offer of the said W R McKenney to purchase such timber and timber rights and privileges, the receipt of such Clerk for such certificate of deposit to be deemed sufficient authority for said Commissioner, to execute the said deeds to the said W R McKenney, And that said Richard H Mann Commissioner, shall make report to the next term of this Court,

Mary H Field. Guardian } Plaintiff
To
John C Field et als, } Defendants } In Chy

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Bernard Mann, Executor of John Mann, deceased, late Commissioner in this cause, showing the transactions of said Commissioner, since his last report, together with proper vouchers, there being returned with said report the certificate of deposit of the Petersburg Savings & Insurance Company for $69 69 and interest, the balance shown to be in said Commissioner's hands, and all the notes and bonds that were in his possession, and was argued by Counsel, On consideration whereof the Court approving said report, to which there was no exception, doth confirm the same, and doth adjudge, order and decree that Bernard Mann, who is hereby appointed Commissioner for the purpose, withdraw from the papers in this cause the notes of W.B. McKenney and collect the same with interest, and when both of said McKenney's notes shall have been paid said Commissioner shall execute and deliver to him a good and sufficient deed, with Special warranty, for the 200 acres of land in Brunswick County, purchased by him and said Commissioner is authorized and directed to collect the interest on the Century Bonds of the State of Virginia, for $4700, held as an investment in this cause, as it matures, and pay the same to Mary H Morrison, Guardian of John C, Mary D, and Wm H. Field, and take her receipt therefor and file the same in the papers of this cause But the said Commissioner is not to act under this decree until he shall execute, before the Clerk of this Court, a bond with security to be approved by said Clerk in the penalty of $1000., and conditioned for the faithful discharge of his duty under this decree and all other decrees entered in this cause, And said Commissioner shall make report to Court of his proceedings under this decree,

Slaughters Admr Plaintiff
To
Spicely's Admrs et als Defendants } In Chy

This cause came on this day to be further heard upon the papers formerly read and upon the report of Commissioner Alexander Hamilton this day filed with the accompanying statement and vouchers for his expenditures, showing full disbursements of the balance in the hands of said Commissioner on Sept 21st 1899, and showing a balance in his hands as of this date of $632 04 and was argued by Counsel On consideration whereof the Court approving said report, to which there is no exception, doth confirm the same and doth adjudge, order and decree that said Commissioner Hamilton

after paying all taxes, if any, on this fund and the unpaid costs of this suit shall pay the said balance of $532 00/100 reported in his hands pro rata upon the debts proved in this cause against the Estate of Wm H Speckley decd. Viz: the debts due to J J Shuggins Administratrix the debt due to D K Luey which has been assigned to J Ambler Smith and the debt due to Martha H Speckley making payment to the said parties or their respective attorneys or personal representatives But said Commissioner Hamilton shall from the dividend to be paid on account of the debt to D K Luey deduct 1/4 part thereof belonging to the late Robert H Jones Jr. and credit the same to the fund in this cause on account of the amount due by the said Robert H Jones Jr. as late acting Commissioner in this cause in accordance with decree heretofore entered in this cause, And said Commissioner Hamilton shall take vouchers for his payments and make report to Court The Court approving the sale of the 110 acres of land to Henry Madison reported by said Commissioner Hamilton doth confirm the same and all of the purchase money having been paid doth direct said Commissioner to Execute and deliver to said purchaser a good and sufficient deed with special warranty for said tract of land, And it is ordered that this Cause be Continued.

NV

The Eastern State Hospital Plaintiff
vs
E H Hill, Committee of Richard Hill. Defendant
} In Chy

This Cause Came on this day to be further heard upon the papers formerly read, and upon the report of Bernard Mann, Commissioner this day filed, showing a full distribution of the balance in his hands, and was argued by Counsel On Consideration whereof, the Court, approving said report to which there is no exception, doth confirm the same, and it appearing to the Court that nothing further remains to be done in this cause, it is ordered that the same be removed from the docket,

Dora J Mitchell Plaintiff
vs
Mitchells Defts
} In Chy

This Cause Came on this day to be further heard upon the papers formerly read, and upon the report of Commissioner Bernard Mann, this day filed, showing a full distribution of the balance in his hands and was argued by Counsel On Consideration whereof, the Court approving said report, to which there is no exception, doth confirm the same; and it appearing to the Court that nothing further remains to be done in this cause, it is

Ordered that the same be removed from the docket of this Court,

Ordered that the Court be adjourned until the first day of the next term,

Beverly A. Hancock

In the Circuit Court of the County of Dinwiddie,
In vacation, April, 1902,

Peter A. Jones, guardian — Pltff
vs
Peter A. Jones, Parthenia, Autrynette Jones, and Annie Roy Jones, the last named being an infant over fourteen years old — Defts
} In Chancery

This cause came on this day to be heard in vacation by consent of all parties, upon the plaintiff's bill, which has regularly matured at rules and set for hearing in the Clerk's office and exhibits filed thereinto, the answer of Parthenia Autrynette Jones, the answer of Annie Roy Jones an infant over the age of fourteen years, the answer of said infant by R. H. Mann, her guardian ad litem, and upon the depositions of witnesses, and was argued by counsel.

On consideration whereof, the Court being satisfied, and from the entry of any admission in said answers, that the interests of the infant will be promoted by a sale of the land in the bill mentioned and being of opinion that the rights of no person will be violated thereby, doth adjudge, order and decree that John Y. Harris, who is hereby appointed a Special Commissioner for the purpose, make sale of the Eighty-four acres of land in the bill mentioned either privately or publicly, as to him shall seem best, upon terms of one third of the purchase money cash and the residue of said purchase money in ~~credits~~ of six, twelve and eighteen months, retaining title to said land until all of the purchase money is paid, and if he sell publicly it shall be on the premises, at Dinwiddie Courthouse or in the City of Petersburg, after duly advertising the time, terms and place of sale, But the said John Y. Harris shall not act as such Commissioner until he has executed a bond, with security to be approved by the clerk of this Court, in the penalty of $1200.00 conditioned according to law,

Beverly A. Hancock,
Judge 2nd Judicial Circuit of Va
May 1. 1902

To Clerk of
Dinwiddie Circuit Court

In the Circuit Court of Dinwiddie County,
In vacation, May 7th 1902,

Trustees M. Levy Company Plaintiffs
vs
Warren Hall Defendant } In Chancery

This cause came on this day to be further heard upon the papers formerly read, and upon the depositions of witnesses, and was argued by counsel.

On consideration whereof, the court doth adjudge, order and decree that Richard D. Gilliam, who is hereby appointed a special Commissioner for the purpose, do execute and deliver to Wm. B. McElwaine and Alex. Hamilton, trustees under the deed of trust of October 29th, 1898, in the said bill mentioned, or to such person or persons, as they may, and writing designate, the two tracts of land mentioned in the plaintiffs bill and described in Exhibits A and B. respectively, filed therewith as follows: 1st, All that piece or parcel of land, situated in the township of Rowanty, County of Dinwiddie and State of Virginia, described as follows, being 116 acres, more or less: commencing on the east corner of the highway, running thence 50 rods along the center of said highway, thence north by highway and W.H. Bowers land on the North Fox branch, on the East by the lands owned by Chas. F. Hall to the place of beginning; and 2nd, All that piece or parcel of land situated in the Township of Rowanty, County of Dinwiddie and State of Virginia, and described as follows: Commencing in the center of the highway at the southeast corner of lands formerly owned by Orlando Briggs and now the property of Warren Hall following his east line and running thence northerly along the said Warren Hall's East line to the center of Fox branch; thence easterly along the center of Fox branch to its junction with Rowanty Creek, and thence southeasterly along the Southwesterly banks of said creek to the northeast corner of the lands of Edwin Mason and James Johnson; and thence westerly along the north line of said lands to the corner in the center of a branch or ditch; thence southerly along said line to a corner pine tree; thence easterly to the center of a branch; thence southerly along the center of said branch to the center of the highway; thence northeasterly along the center of the highway to the place of beginning, and

Containing 268 acres of land, known as the Perkins farm

Beverly A Hancock
Judge 2nd Judicial Circuit of Va
May 7th 1902

To Clerk of the Circuit
Court of Dinwiddie

In Vacation, Circuit Court of Dinwiddie County, this — day of May, 1902,

Mary A Field, Gdn,
vs
John C Field, et als

Plaintiff
Defts,
} In Chancery

It being brought to the attention of the Court that since the last decree entered in this Cause, the Infant defendant John C Field, has become of age, it is ordered that this cause hereafter proceed against him in his own rights, And this Cause came On this day to be further heard in Vacation On the papers formerly read, and on the petition of the said John C Field this day filed, and was argued by Counsel; On consideration whereof, the Court doth adjudge, order and decree that out of the Cash in his hands Commissioner Bernard Mann pay to said John C Field an amount equal to one-third thereof, plus one-third of the Certificate of deposit in the Petersburg Savings & Insurance Company, filed at the last term of this Court, with interest earned thereon to the date of such payment, and that said Special Commissioner shall transfer to said John C. Field One-third of the Virginia Century registered bonds under the Control of this Court that is to say he shall transfer to him Virginia Century registered bond No, 1592, for $1000, and 4 Virginia Century registered bonds Nos, 1589, 1590, 1591 and 1592 for $100 each, And said Special Commissioner is hereby empowered to sign all papers that may be necessary and proper to effect such transfer including a power of attorney if such may be requisite, And said Commissioner shall deposit the balance of cash in his hands in the Petersburg Savings & Insurance on Certificate of deposit payable to the order of the Court in this cause, And the said Commissioner shall take the proper receipts from said John C. Field, and make report to Court of his proceedings under this decree,

Beverly A Hancock
Judge Second Judicial Circuit of Virginia

To the Clerk of the Circuit Court
of the County of Dinwiddie,

In the Circuit Court, for the County of Dinwiddie; in vacation: this the 10 day of July, 1902.

John F. Rolfe's Widow,

vs.) Decree

John F. Rolfe's heirs, et als,

This Cause came on this day, in vacation, to be heard on the papers formerly read, and was argued by Counsel. On consideration, whereof, the Court being of the opinion that the sum of Twenty-Five Dollars ($25.00) per month, directed to be paid by the Commissioner to N.L. Rolfe, guardian of the infant defendants, by decree entered January 21st 1902, is insufficient for the support of the said infant defendants; doth adjudge, order and decree, that Thomas G. Watkins endorse & deliver every month, to N.L. Rolfe, guardian of her four children, the infant defendants in this suit to be applied by her to their maintenance and support; two certificates of deposit as hereinafter provided; and that said Thomas G. Watkins shall withdraw from the fund in this Cause each month, two of the certificates of deposit of Twenty-Five Dollars each, in the Petersburg Savings and Insurance Co. and shall on the first day of August, and the first day of each succeeding month thereafter, endorse the same, make them payable to N.L. Rolfe until the further order of the Court,

Beverly A. Haucock Judge 2nd Judicial Circuit of Virginia. July 10 1902,

To the Clerk of Dinwiddie Circuit Court

We consent to this decree. N.L. Rolfe by Thos G. Watkins, Atty,

Bernard Mann, Gdn, ad litem for infants,

Virginia: At a Circuit Court held for the County of Dinwiddie at the Court-House thereof on Monday the 22nd day of September 1902, and in the 127th year of the Comth,

Present: Hon B.A. Haucock Judge,

Albert Blanton & T.A. Blanton, his wife Plaintiffs

vs

W.A. Blanton, Martha V. Clay and C.P. Clay her husband, R.P. Blanton, Lucy Blanton, J.S. Robertson, Essie Blanton, Mattie Blanton, Chesley Blanton, John Blanton, Wayne Robertson, Paul Robertson

Robertson, Drey Robertson and Blanche
McCrum, the last eight being infants and
Mrs Laura Lewis, widow of Walter D Blanton
deceased } In Chy
Defendants

This day came the said Plaintiffs, and by leave of the Court filed their Bill of complaints and the exhibits therein referred to in open Court; then came W. A. Blanton, Martha V. Clay and C. P. Clay her husband, A. D. Blanton, Lucy Blanton and J. S. Robertson and Mrs Laura Lewis, the adult defendants, and filed their answers in writing, waiving all process to commence this suit and consenting that this suit may be docketed and heard as to them; then on motion of the said plaintiffs, Richard H. Mann is appointed a guardian ad litem for Essie Blanton, Walter Blanton, Chesley Blanton, John Blanton, Maggie Robertson, Paul Robertson, Drey Robertson and Blanche McCrum, the said eight infant defendants, and by leave of the Court, the said guardian ad litem filed his answer in writing for the said infant defendants; and the said Essie Blanton and Walter Blanton, being infants over fourteen years of age filed their answers to the said Bill; and the said plaintiffs also filed by leave of the Court the affidavits of A. G. Butterworth, J. A. Fisher and B. W. Perkins; then on motion of the said plaintiffs and the said written consent of all of the said adult defendants, and the Court consenting for the said infant defendants, this cause is placed on the docket of this Court and set for hearing as to all of the said parties.

Then this cause came on this day to be heard by bills answers on the said Bill of complaint and the Exhibits filed therewith, on the answers of all of the said adult defendants, on the answer of said two infants over fourteen years of age, on the answer of the said guardian ad litem for the said eight infant defendants, and on the said three affidavits, and the general replications of the said plaintiffs to the said several answers, and was argued by Counsel. On Consideration Whereof and it appearing to the satisfaction of the Court that the tract of land, containing one hundred and five (105) acres, more or less, in the County of Dinwiddie and State of Virginia, in Darvills Magisterial District and lying in the forks of the two public roads, Stubby Road and Butterwood Road, and bounded on the East by the tract of land called the "White Hall" tract of which J. J. Blanton died seized and possessed, and mentioned and described in the said Bill and Exhibits, can not be conveniently divided in any of the modes prescribed by the statute, but that it is necessary that the said land be sold and its proceeds distributed among those entitled thereto, and that a sale of the said land will promote the interests of all parties who are interested therein, the Court doth adjudge, order and decree that the said tract of land be sold and the proceeds of such sale

be divided among the parties entitled thereto as is set forth in the said Bill of Complaint and admitted in the said answers; and it further appearing to the Court that the sale of the said tract of land by the said adult heirs of law of the said J. J. Blantyn, deceased, to A.M. Lewis and E.H. Reames, partners doing business under the style and firm-name of Lewis & Reames, for the sum of Three Hundred Dollars ($300.00) in cash, subject to the confirmation and ratification of this Court, is for a fair price and that the rights and interests of all of the parties concerned therein will be promoted by the said sale, the Court doth adjudge, order and decree, that the said sale of the said tract of land be and is hereby ratified and confirmed, as is set forth in the Contract of sale of the 2nd day of June 1902, filed with the said Bill of Complaint, for the said price of Three Hundred Dollars in cash; and the Court doth further adjudge, order and decree, that as soon as the said sum of money shall have been paid by the said Lewis & Reames to Meade Haskins, who is hereby appointed a Special Commissioner to receive it, then the said Meade Haskins, who is also hereby appointed a Special Commissioner for the purpose, shall execute and deliver to the said A.M. Lewis & E.H. Reames, partners doing business under the style and firm name of Lewis-Reames, a good and sufficient deed, with special warranty, conveying to them the above mentioned and described tract of land; and the Court doth further adjudge, order and decree that out of the said fund so to be received by the said Meade Haskins, Special Commissioner, he pay first the costs of this suit and then that he retain the sum of thirty five dollars for his fee for services rendered and to be rendered in this cause including the fee for the writing of the deed to the purchasers and of the residue he pay to the adult parties as named in the said bill and answers their shares of the fund and the infants shares he retain until the further order of this Court: provided, that the said ~~Special~~ Commissioner shall not receive any money under this decree until he shall have executed a bond in the penalty of $500 00, with sufficient security to be approved by the Clerk of this Court and conditioned as the law directs for the faithful discharge of his duties as such Commissioner under this decree and under any other decree that may be entered in this cause: and that the said Commissioner make report to this Court of his actions and transactions under this decree,

2 vs

Charles Wyatt Plaintiff
vs
Irena Wyatt Defendant
} In Chancery

This cause came on this day to be heard upon the bill

filed by the plaintiff in this cause, and the order of publication as to the defendant, and the depositions of David Wyatt and James Wyatt taken on behalf of the plaintiff in this cause, and was argued by Counsel, On consideration whereof, it appearing to the Court that the said Charles Wyatt is and has been continuously for more than one year preceding the commencement of this suit, a resident of the County of Dinwiddie, Virginia, in which this suit is brought, and that the plaintiff, Charles Wyatt and the defendant, Drew Wyatt, were duly married and last cohabited as man and wife in the said County of Dinwiddie; and it further appearing to the Court that the said Drew Wyatt wilfully abandoned and deserted the said Charles Wyatt, in the said County of Dinwiddie, Virginia, more than three years prior to the commencement of this suit, and has continued such wilful abandonment and desertion up to the present time, the Court doth adjudge, order, and decree that the marriage heretofore had and solemnized between the plaintiff, Charles Wyatt, and the defendant, Drew Wyatt, shall be and the same is hereby dissolved; and that the said Charles Wyatt be for ever divorced from the said Drew Wyatt, And nothing further appearing to be done in this cause, it is ordered that the same be stricken from the docket,

Samuel H. Budd Plaintiff
vs
Phebe A. L. Budd, and others Defendants } In Chancery

It appearing to the Court that W. P. McRae, the Commissioner charged with the Execution of the decree herein of June 16th, 1900, has since the entry of said decree departed this life, and that the Petersburg Banking & Trust Co., his duly qualified executor, has this day filed a statement showing the transactions of the said W. P. McRae as such Commissioner, together with proper vouchers for all of his disbursements and two certificates of deposit of the said Petersburg Banking & Trust Co. for the sums of $647.08 and $367.46, respectively, representing the shares of the infant defendants, Julia H. Budd, Samuel H. Budd and Josephine Budd in the fund under the control of the Court and it being represented to the Court that the said Julia H Budd has attained the age of twenty one years, the Court doth order that this cause proceed against her as an adult defendant. Whereupon this cause came on this day to be further heard upon the report of the said W. P. McRae, Commissioner, and upon the papers formerly read, and was argued by counsel.

On consideration whereof the Court approving the said report to which there is no exception, doth confirm the same and on motion of the said Julia H. Budd by counsel, the Court doth further adjudge order and decree that Richd. D. Gilliam who is hereby appointed a

Special Commissioner for the purpose do withdraw from the papers in this cause the two certificates of deposit aforesaid, and proceed to collect the same with the accrued interest thereon, and out of the sum so collected, the said Commissioner shall pay first the costs of this suit, and any unpaid taxes on the said lands, and divide the balance in three equal parts, one part of which he shall pay over to the said Julia W. Budd, taking her receipt for the same and returning the same with the report he is required to make of his proceedings hereunder, and the other two parts he shall deposit in the Petersburg Banking & Trust Co, taking two certificates of deposit, each for alike amount, and returning them with his report as aforesaid, But said Commissioner shall not act under this decree until he shall have first executed a bond in the penalty of $1500.00 with security to be approved by the Clerk of this Court, conditioned according to law.

James D. Williams & Wayland E. Williams, Pltffs.

vs

J. E. Perkinson, trustee under the last and testament of James M. Williams deceased, Carton N. Williams & George B. Williams the last two being infants under the age of twenty one years, Defendants } In Eq

This day this cause came on to be heard upon the bill of the complainants, the answer of J. E. Perkinson trustee, as aforesaid, the answer of J. D. Hurt, guardian Ad Litem of the infant defendants, the depositions of witnesses and exhibits filed, and was argued by counsel: On consideration whereof, and it appearing to the Court that the interests of the devisees under the last will and testament of the said James M. Williams deceased entitled to the lands mentioned in the bill, will be promoted by a sale of the same, the Court doth adjudge order and decree that R. H. Arnold & John W. Harris as Comrs of this Court, either one or both may at, sell the said tract of 225 acres of land mentioned in the Bill, of which the said James M. Williams died seized and possessed, situate in the County of Dinwiddie and bounded by the lands of B. D. Williams, D. Gilliam and others, either as a whole, or in lots or parcels of not less than four, as in his discretion may seem for the best interests of the devisees, to the highest bidder, at public auction at Dinwiddie Court-House, after advertising the time and place of sale for thirty days upon the following terms, to-wit: Subject to confirmation of the Court: One third cash, the balance on a credit of one and two years in equal instalments, taking notes of the purchaser for the deferred payments with

interest from date of sale and retaining title to the land until all the purchase money is paid, And the said Comrs, are hereby authorized to employ a surveyor to establish the line of the lots as he may direct, But before Executing this decree, the said Comrs or either of them shall enter into a bond before the Clerk of this Court, with satisfactory Security in the penalty of $1000 dollars for the faithful discharge of his or their duty under this or any future decree of this Court, And the said Comrs shall report to Court returning therewith the notes for the purchase money and vouchers for money disbursed under this decree,

Ordered that the Court be adjourned until to-morrow morning at 10- o'clock

Beverly A. Hancock

Tuesday September 23rd 1902,

Present: Hon B A Hancock Judge,

R. H. Avent, John H Avent and Ben P. Avent Pltffs

vs

Irene Avent, William O Avent and Ruth Avent infants of tender years, and Mary Nola Avent, a person of unsound mind Defts } In Chy

This cause which has regularly matured at rules in the Clerk's Office and been set for hearing, came on this day by consent of the parties as aforesaid to be heard on the bill of the Plaintiffs and the Exhibit therewith filed and the answer of Irene Avent, William O. Avent, and Ruth Avent, infants of tender years and Mary Nola Avent a person of unsound mind by Charles E. Plummer their guardian ad litem, appointed at the rules and upon the affidavits of John H Avent and R. S. Wilson and Bill of the Organ this day filed, and was argued by counsel, On consideration whereof the Court being satisfied from the record and the said affidavits that the tract of eight three acres of land in the Bill mentioned can not be conveniently partitioned in kind among the parties entitled thereto, that no one of them will take the whole thereof and pay to the others such sums of money as their interests entitle them to, that a part cannot be conveniently allotted and the residue sold, that it will promote the interests of all parties to sell the said land and divide the proceeds, and that the sum of nine hundred dollars each is a fair price therefor, the Court doth adjudge, order and decree that the conditional sale made, mentioned in the Bill, of the said land to George Bruce be and the same is hereby confirmed; and doth further adjudge, order and decree that

George Mason, who is hereby appointed a Commissioner for the purpose, collect of the said George Kruse the said sum of nine hundred dollars, and when paid make him a deed for the said land, with special warranty of title, and after paying out of the said purchase money any unpaid taxes on said land, including the taxes for 1902, the costs of this suit and consummation of sale including a fee of fifty dollars to him for his services as Counsel rendered and to be rendered in this cause he shall divide the balance into five equal parts and pay to R.W. Avent, John H. Avent and Ben P. Avent, the plaintiffs, each one of said equal parts and the shares of the said infants and of Mary Nola Avent he shall deposit in the Bank of the Petersburg Savings and Insurance Co. to the credit of the Court in this cause and take an interest bearing Certificate therefor, and make report to Court: but said Commissioner shall not act under this decree until he shall have entered into a bond in the penalty of twelve hundred dollars, with security to be approved by the Clerk of this Court and conditioned according to law.

23 VV

Lavinia Wright and J. L. Wright, her husband, Mary O. Hawkins and W. H. Hawkins, her husband, Mildred Maitland and R. A. Maitland, her husband, Etta R. Talley and J. E. Talley, her husband and H. L. Miles — Pltffs

vs

W. D. Davis and E. O. Davis, his wife, Mary Virginia Miles, Thos Miles and Arthur Miles, the last three of whom are infants — Defts

} Dr Chy

On the motion of the plaintiffs and by consent of all the adult parties this cause is placed upon the docket and on motion of the plaintiffs, B. J. Epes is appointed guardian ad litem of the infant defendants, Mary Virginia Miles, Thos Miles and Arthur Miles,

24 VV

Wright & others — Pltffs

vs

Davis & others — Defts

} Dr Chy

This cause came on this day to be further heard upon the papers formerly read, upon the answer of the defendant W. D. Davis, the answer of the infant defendants Mary Va. Miles, Thos Miles and Arthur Miles by B. J. Epes their guardian ad litem, with general replication to said answers, upon the depositions of witnesses

and was argued by counsel, On consideration whereof the Court being of opinion that the offer of the said W.D. Davis of $450 for the tract of 209 acres of land in the proceedings mentioned is a fair price for said land, doth order and decree that the same be accepted and doth adjudge order and decree that the sale of said tract of land to said W.D. Davis at said price be confirmed and upon the payment of said sum of money to John Y. Harris, who is hereby appointed a Commissioner for the purpose, the said John Y. Harris as such Commissioner is hereby ordered and decreed to execute and deliver to said W.D. Davis a deed conveying to him said tract of land with special warranty. The said John Y. Harris Commissioner after paying the costs of this suit and any unpaid taxes due upon said land, shall make distribution of the residue there of as follows: One sixth of said residue to Lavinia Wright and J.L. Wright, her husband, One sixth there of to Mary C. Hawkins and W.H. Hawkins her husband, One sixth there of to Mildred Maitland and R.A. Maitland her husband, One sixth there of to W.L. Davis, One sixth there of to Etta A. Dalley and J.E. Dalley her husband, And the remaining sixth to the duly qualified guardian of the infant defendants Mary Virginia Miles, Thos Miles and Arthur Miles, taking proper vouchers for such disbursements and report to Court. But before the said John Y. Harris shall act as such Commissioner he shall Execute before the Clerk of this Court a bond in the penalty of $600 conditioned according to law, with security to be approved by said Clerk

Cora L. Eckles, Sadie V. Eckles
Herman L. Eckles, Pltffs

vs

George E. Eckles George Ducker
Joseph Irene Ducker & J.C. Chambers
Adm of G.W. Eckles dec'd, Defts } In Chy

This day came the Plaintiffs by leave of Court filed their Bill and thereupon the defendants, George E. Eckles George Ducker, Joseph Irene Ducker & J.C. Chambers Adm of G.W. Eckles filed their several answers to said Bill, to which answers the Plaintiffs replied Generally, and thereupon this cause was this day docketed by consent of parties, and came on to be heard upon the Bill Exhibit thereto mentioned and the answers of the defendants with general replication thereto, On consideration whereof the Court doth adjudge order & decree that E.S. Hobbs, Robert A. Lewis & D.A. Wells, who are hereby appointed Commissioners for the purpose make partition of the 316 acres of land of which George W. Eckles died seised & possessed & which remains after the assignment of the widows dower, and that in making said partition they divide the said 316 acres into five lots of equal value and allot one parcel to Joseph Irene Ducker, One to George

E. Eckles, one to Herman L. Eckles, & one to Sadie V. Eckles & one to the Heirs of Gordon Eckles decd, and said Commissioners are authorized to employ a competent Surveyor to assist them in making said partition & will make report to Court,

Ordered that the Court be adjourned until tomorrow morning at 10- A.M.

Beverly A. Hancock

Wednesday, Sept 24th 1902

Present: Hon. B. A. Hancock Judge,

D. Y. William & W. H. Young, Admrs. of D. E. Vaiden, deceased, Plffs.

vs

Maria Evelyn Vaiden and Mattie Epps Vaiden and Mary T. Vaiden, by John Y. Harris, their guardian ad litem, Defts. } In Chancery

This day came the plaintiffs and filed their bill, and John Y. Harris, a discreet and competent attorney at law is appointed guardian ad litem to the infant defendants Mattie Epps Vaiden and Mary T. Vaiden to defend their interests in this suit and thereupon the said guardian ad litem, filed the answers of the said infant defendants to the said bill, and the said Maria Evelyn Vaiden adult defendant, filed their answers thereto, to which several answers the plaintiff, by counsel, replied generally, and the cause was docketed by consent and coming on to be heard by like consent upon the bill, answers and replication was argued by counsel, On consideration whereof the Court doth adjudge, Order and decree that the said D. Y. Gilliam and W. H. Young, administrators of D. E. Vaiden, deceased, pay to Maria Evelyn Vaiden, the defendant, widow of their intestate one-third of the personal estate in their hands unadministered and deposit the balance in their hands in the Petersburg Banking & Trust Company to the credit of this cause taking two certificates of deposit therefor each for a like amount and returning them, together with the receipt of the said Maria Evelyn Vaiden with the report which they are required to make of their actions under this decree, The Court doth further adjudge, order and decree that one of the commissioners of this Court take, state and settle a further account of the transactions of the said D. Y. Gilliam and W. H. Young, administrators as aforesaid, And the said commissioner is directed to regard, de prima facie correct, but liable to be surcharged and falsified by any of the parties, any accounts of the said administrators which have been returned to a Court of Competent jurisdiction confirmed and ordered

to be recorded by such Court,

D. T Jones, et al, Pltffs } Dr Chy
&
Clardy's Heirs, et als Defts,

This cause is which the plaintiffs have proceeded against the defendants Amelia Clardy, Lizzie Clardy, Edward C. Clardy, Grace Clardy, Kitty Clardy and Lucy Clardy, in the manner prescribed by law against Non-resident defendants, came on this day to be heard on the Bill taken for confessed as to the defendants Mary Alice Jones, A A Jones, George Perkinson, Joseph Perkinson, Amos P. Davis, Nathaniel D. Davis, Fannie E. Tucker, A. G. Tucker, J. E. Talley and Sarah E. Jackson on whom process has been duly served, they still failing to appear and plead, answer, or demur to the said Bill, and the answer of Bernard Mann, guardian ad litem for the infant defendants Early Talley, Robert Talley, Carrie Talley, Bessie Talley, and Linda Talley, with general replication thereto, and was argued by Counsel, On Consideration whereof it appearing to the Court that the property in the bill mentioned is not susceptible of partition in kind amongst the parties entitled thereto, that no one of said parties is willing to accept the whole property, and pay therefor to the other parties such sums of money as their interest therein would entitle them to, that the interest of all parties concerned will be promoted by a sale of said property, and that the rights of no person will be violated by such sale, and the division of the proceeds, the Court doth adjudge, order and decree that Richard H. Mann, who is hereby appointed Special Commissioner for the purpose, do proceed to sell at public auction at Danville Courthouse on some Court-day, to the highest bidder upon the following terms: One-fourth cash, balance in three equal payments at six, twelve, and eighteen months each, with interest from day of sale, the purchaser to pay taxes for the year 1902, title retained until the further order of the Court, the real estate in the bill mentioned, of which M. C. Clardy died seized and possessed, to-wit: two hundred and nine acres of land, with the improvements thereon, in Danville Magisterial District, in the County of Danville, Virginia, subject however, to the right of T. M. and P. T. Hale to remove the pine timber on the Talley tract, and also the pine between the lands of the late M. C. Clardy and Dr Peter Allen's line, with the privilege of five years to cut and remove the same from said land, the said sale to be made after advertising the time, terms and place of sale for five days in some newspaper published in the City of Petersburg, Virginia But the said Commissioner shall not act under this decree until he shall have entered into a bond

with security to be approved by the Clerk of this Court in the penalty of fifteen hundred dollars, conditioned according to law for the faithful performance of his duty under this or any other decree that may be entered in this cause, And the said Commissioner shall make report to Court of his procedings under this decree,

W. C. Camp, Trustee, Plaintiffs
&
Lewis Thompson, surviving partner etc and others, Defts } In Eq

This Cause came on to be heard this 24th day of September 1902, upon the Bill and exhibits filed, the answer of James Mullen, guardian ad litem of the infant defendants Ellen Thompson McClain, Margaret Shrop McClain and Lewis Thompson McClain, children of Isaac E. McClain deceased, and upon the bill & exhibits therewith filed, upon the order of publication duly published, posted & otherwise duly executed as to the non-residents defendants, Rebecca D. McClain widow of said Isaac E. McClain; and Lewis Thompson the surviving partner of the late firm of Lewis Thompson Company as to both of whom there has been due order of publication as aforesaid, and more than thirty days have expired since such publication, and upon the affidavit of D. N. Walker This day filed and was argued by Counsel, On consideration whereof the Court being of the opinion, that the tract of land in the bill and proceedings mentioned lying in the County of Drumriddle, containing three hundred and sixty-two acres, more or less, and which was conveyed to Lewis Thompson and Isaac E. McClain, partners trading and doing business under the firm name and style of Lewis Thompson and Company by Alexander Hamilton, Trustee, by deed bearing date on the 30th. day of April 1895, and by Lewis Thompson and wife to W. C. Camp, Trustee, in trust to secure sundry creditors of said late firm of Lewis Thompson and Company, by deed bearing date on the 21th. day of January 1901, both of which deeds are duly recorded in the Clerk's office of the County Court of Drumriddle County, and filed as exhibits in this cause, was the property of the said late firm of Lewis Thompson and Company and liable first to the payment of the debts of said late firm and that the said Lewis Thompson, as the surviving partner of the said late firm had the right to convey the said property to the said W. C. Camp, Trustee, in trust for the payments of said debts and that the said defendants Rebecca D. McClain, Widow of the said Isaac E. McClain deceased, has no right of dower in said land

and that the infant defendants aforesaid, children of the said Isaac E McClain deceased, have no right in said land as against the said W. C. Camp, Trustee or the creditors of the late firm aforesaid, do to adjudge, Order and decree, that the said W. C. Camp, Trustee, as aforesaid, do sell the said tract of land at public auction on the premises, free of any dower rights and any right of the said infant defendants therein, upon the following terms: One third of the purchase money in cash, and the balance in two equal installments, payable in twelve and eighteen months from the day of sale with interest thereon, taking from the purchaser negotiable notes and a deed of trust to secure the same, or all cash, at the option of the purchaser, But before the said W. C. Camp, Trustee as aforesaid, shall offer the land for sale he shall give bond in the sum of $4000.00 with security to be approved by the Clerk of this Court, he shall give notice of the time, terms and place of sale by advertisement in the Petersburg Index Appeal, and in such other manner as he shall deem proper. It is further adjudged, ordered and decreed, that the said W. C. Camp, Trustee as aforesaid, do Execute a deed for the land aforesaid to the purchaser thereof with special warranty as to himself, but free from any dower right of the said widow of Isaac E McClain deceased and any right of the infant defendants children of the said Isaac E McClain, deceased therein. It is further adjudged, ordered and decreed, that the said W. C. Camp, Trustee as aforesaid, do make a report to this Court, showing the price at which the said land was sold by him and the surplus of the purchase money, if any, remaining in his hands, after the payment which he is hereby ordered to make of the costs of sale, including a commission of five per cent, to himself and the debts set forth in the deed of trust executed to him, as aforesaid, on the 22th. day of January 1901.

W. P. Lewis Pltffs
vs } In Eq,
Blake & Others Defts

This cause came on this day to be further heard upon the papers formerly read, and it appearing to the Court that the proceedings in this cause directing a sale of the lands in the proceedings mentioned, the sale of said land and the decree entered at September Term 1901 confirming the sale of the same were irregular because the infant defendant Robert Blake was not represented by a guardian ad litem, said proceedings are hereby set aside, and upon the motion of the plaintiff Richard H Leamy is appointed guardian ad litem of the infant defendant Robert Blake who thereupon filed his answer, and then this cause came on to be further heard upon said papers and upon the answer of the infant

defendant Robert Blank by his said guardian ad litem, and was argued by Counsel. On consideration whereof the Court being satisfied that the land can not be conveniently divided in Kind and that the sum of $16 offered by W.P. Lewis for the tract of sixteen acres of land in the bill mentioned, is a fair price for the same, doth adjudge, order and decree that said offer be accepted and that the sale to him of said sixteen acres of land at the price of $16 be confirmed and upon the payment of said purchase money in full, John Y. Harris Special Commissioner shall execute and deliver to said purchaser a deed conveying said sixteen acres of land to him with Special Warranty, And the said John Y. Harris Spl. Comr, upon the receipt of said purchase money shall pay the legal costs of this suit and any unpaid taxes on said land and the residue thereof he shall pay as follows: 2/6 thereof to W.P. Lewis, 1/6 thereof to Chas Blank, 1/6 thereof to Albert Blank, 1/6 thereof to John Blank, 1/6 thereof to the legally qualified guardian of Robert Blank and make report to Court.*

* But before said Harris shall act as such Comr he shall execute a bond before the Court of this County in the penalty of $1000 with security to be approved by said Court, and conditioned as the law directs.

3 VSV

Ordered that the Court be adjourned until tomorrow morning at 10. A.M.

Beverly A. Hancock

Saturday, September 28th 1902.

Present: Hon. B. A. Hancock Judge,

Ordered that the Court be adjourned until tomorrow morning at 10- o'clock A.M.

Beverly A. Hancock

Thursday October 2nd 1902

Present: Hon B. A. Hancock Judge,

Ordered that the Court be adjourned until to morrow morning at 10-o'clock A.M.

Beverly A. Hancock

Friday October 3rd. 1902,

Present: Hon B. A. Hancock Judge,

Duckers Dennies Plaintiffs
vs
Tuckers Dennies Defendants } In Chancery

This cause came on this day to be further heard on the papers formerly read & Report of W.H. Young this day filed by leave of Court to which there are no exceptions filed & was argued by counsel On consideration whereof the Court doth adjudge order and decree that said report of said W.H. Young Shff &c be and the same is confirmed & that he pay the balance of $97 &c remaining in his hands to E.M. George & file receipt for same in the papers in this cause & it appearing that nothing further is to be done in this cause it is ordered that the same be removed from the docket.

Ordered that the Court be adjourned until tomorrow morning at 10-o'clock A.M.

Beverly A. Hancock

Saturday October 4th 1902

Present: Hon. Beverly A. Hancock Judge.

Sutherland Plaintiff
vs
Sutherland & others Defendants } In Chancery

It appearing to the Court that the defendant J.M. Snyder has attained the age of twenty one years On his motion he is admitted a party defendant in this cause in his own proper person, and will be hereafter so proceeded against and thereupon this cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner W.R. McKenney this day filed, and was argued by counsel On consideration whereof the Court approving said report except so far as the same is modified by this decree doth confirm the same and doth adjudge, Order and decree that Special Commissioner W.R. McKenney do pay to said J.M. Snyder or to Jno. P. Harris his attorney the sum of $735.91 with legal interest thereon from the 21st day of September 1901, after retaining a sum sufficient to pay the unpaid costs of this suit in which shall be included the cost of a decree to be entered herein at the next term of this Court, And the Court doth further order and direct that said Special Commissioner W.R. McKenney withdraw from the papers in this cause the certificate of deposit for $30.87 filed with his said report and assign the same to said J.M. Snyder or to his attorney Jno. P. Harris

3rd And said Com'rs McKenney shall make report to Court.

Manson and Shell Pltffs
vs
Vaughan's Admr. et al Defts } In Chancery

This day came by L. Vincent Company and filed their answer in this cause by leave of the Court, and also came B.J. Epes and filed his statement that R Butterworth had offered to purchase the timber upon the tract of land in the procedings mentioned with the understanding that he is to settle with the Brunswick Lumber Company for their claim as the purchasers of the timber which was originally sold under a deed from D.N. Vaughan R. Butterworth and wife and H.K Butterworth and wife to J E Smith, and afterwards, by various conveyances vested in the said Brunswick Lumber Company; and thereupon this cause came on to be further heard upon the papers formerly read upon the answer of L. Vincent Company, and upon the statement of B.J. Epes, above referred to and was argued by Counsel On Consideration whereof, the Court being of opinion that the sale of the property to R. Butterworth for the sum of $500.00, as set out in his offer, will be advantageous to all the parties, doth order that the said sale be held firm and stable between the parties, and doth adjudge order and decree that B.J. Epes and John T. Harris who are hereby appointed Commissioners for the purpose, either one of whom may act, upon the receipt by them of the $500 00, the purchase price agreed to be paid by the said R. Butterworth, convey to him, the said R. Butterworth all of the standing timber upon the tract of land in the procedings mentioned; together with the privilege of going upon the said land and erecting thereon such tracks, saw mill structures and other buildings, as may be necessary or convenient, for cutting and removing the timber from the said tract of land, such privilege of so cutting and removing the said timber to continue for the space of five years from the date of this decree, But the said Commissioners, or the one acting, do not proceed under this decree until he or they shall have entered into bond with surety to be approved by the Clerk of this Court under the penalty of $500.00, conditioned according to law for the faithful discharge of his or their duty under this or any other decree that may be entered in this Cause; and the said Commissioners will make report to Court, how they have executed this decree, and for that purpose leave is granted them to make the said report in vacation, without further notice, for the confirmation of their said report,

Ordered that the Court be adjourned until tomorrow morning at 10 o'clock A.M.

Beverly A. Hancock

Monday Morning.
October 6th, 1902.

Present: Hon. B. A. Hancock, Judge.

Ordered that all causes not otherwise disposed of be and the same are hereby continued.

Ordered that the Court be adjourned until the first day of the next term.

Beverly A. Hancock

In the Circuit Court for the County of Dinwiddie, Virginia.
In Vacation on the day of 1902

Florida F. Fitzgerald, Executrix of J. P. Fitzgerald, deceased,
Plaintiff
vs
John L. Irby and als,
Defendants
} In Chancery

By consent of Parties by their Counsel, as appears from the endorsements on the note for this decree, it is ordered that this cause be and is hereby removed from the docket of this Court to the Circuit Court of the County of Nottoway, and the Clerk of this Court is directed to forward the papers in this cause to the Clerk of the said Circuit Court of Nottoway as soon as it is practicable for him to do so.

Beverly A. Hancock Judge 2nd Judicial Circuit Nov 14, 1902.

To the Clerk of the Circuit Court for the County of Dinwiddie, Va.

We consent to this decree,
Meade Haskins, Counsel for defendants
A. D. Watkins, Counsel for Plaintiffs

In The Circuit Court of Dinwiddie County,
In vocation, December 22nd 1902

John A. Avent et als. Pltffs
vs
Irene Avent et als. Defts } In Chancery

By consent of parties given before the Judge of this Court in vocation, it is ordered that this cause be submitted to the said Judge for decision and decree therein in vocation, with the like force and effect as if made in term time, thereupon on the motion of Anna M. Avent, widow of Jesse E. Avent, deceased, leave is granted her to file her petition, which is accordingly filed, and she is admitted a party plaintiff to this cause; and then this cause came on to be further heard in pursuance of the consent aforesaid, upon the papers formerly read and upon the said petition, verified in the affidavit of the said Anna M. Avent, and the report and vouchers of George Mason, Special Commissioner, said petition and report being this day filed, and was argued by Counsel.

On consideration whereof, the Court doth confirm the said report, there being no exceptions thereto, and the Court deeming $50.00 a year a reasonable allowance to the said Anna M. Avent for the support and maintenance of her three infant children, defendants to this cause, doth make said allowance, and doth adjudge, order and decree that said George Mason, special Commissioner, withdraw from the papers in this cause the certificate of deposit of the Petersburg Savings and Insurance Co. for $158.98 deposited in said Bank for the infant defendants, and collect the same, with accrued interest, and out of the proceeds pay the costs of this decree and to the said petitioner, Anna M. Avent $50.00, to be expended for the maintenance and support of the said infant defendants for the year 1903, and divide the balance of said proceeds into two equal parts and deposit the same in the same Bank, taking two certificates of ~~deposit~~ therefor, payable to the order of the Court in this cause, and make report to Court.

Beverly A. Hancock,
Judge 2nd Judicial Circuit of
Virginia, Dec 22, 1902.

To Clerk of Dinwiddie
Circuit Court

We consent that this cause may be heard and decided by the

Judge of Demopolis Circuit Court in vacation,

George Mason, for plaintiffs
Chas E Plummer Guardian ad litem
for infants and insane defendants

In The Circuit Court of the County of Demopolis

Ada Chappell, Complainant
vs
Annie Mason Stewart and C R. Stewart her husband, Lizzie C. Reese and J. E. Reese her husband, David Pierce Chappell, Henry Chappell, Maria Hamilton Chappell, William C. Chappell and Kittie Chappell, the last three of whom are infants, by David A. Lyon their Guardian ad litem

Note for Decree in Vacation

By consent of the adult parties to this cause the same is taken for hearing and decree in vacation, and on motion of the complainant David A Lyon, a discreet and competent Attorney at Law, is assigned as Guardian ad litem of the infant defendants, Maria Hamilton Chappell, William C. Chappell and Kittie Chappell; And then this cause came on this day to be further heard upon the bill of the complainant, the Answers of all said adult defendants and the Answers of the infant defendants by their said Guardian ad litem to the said Bill, with general replication to each of said answers, and upon the affidavit of R. Butterworth - said Answers and said affidavit having been this day filed by leave of Court - and was argued by Counsel;

On Consideration whereof it appearing to the Court that it is the wish of all the adult parties to this suit, - as well as to the interest of all the parties to this suit, that the sale of the standing timber on the tract of about 327 acres of land, of which the late B.F. Chappell died seized be sold to W.R. McKenny at the price of $600, cash net to the parties interested, all as fully set forth in the complainants' Bill, the court doth hereby approve such sale and doth order that when the said W.R. McKenny shall have paid in cash to R.H. Mann, who is hereby appointed a Special Commissioner of this court to receive the same, the sum of $600, then that said Special Commissioner shall execute to said W.R. McKenny a deed, with Special warranty, conveying to him the said standing timber as mentioned in the complainants Bill, and that said Special Commissioner shall then make report

to this Court in Vacation, filing with his said report a copy of the deed so Executed to the said W.R. McKinney, so that there may be another decree rendred in this cause in vacation directing said Commissioner as to how he shall distribute the said sum of $600, among the several parties interested, according to the Bill filed in this Cause, Provision will be made in the next decree rendred in this cause for the payment by the said W.R. McKinney for the costs of this suit, but that said Commissioner Mann shall not receive any money under this decree until he shall have entered into a bond in the penalty of $800, Conditioned according to Law, for the faithful performance of his duties under this decree as well as under any further decree that may be entered in this cause,

Beverly A Hancock,
Judge 2nd Judicial Circuit of Va
Janry. 5- 1903,

To Clerk of Deinwiddie
Circuit-Court

Eckles' Heirs Pltffs
vs
Eckles Heirs Defts } In Chancery

This cause came on this day to be heard in vacation, by consent of all of the parties, on the papers formerly read and on the report of Commissioner E. S. Hobbs, R.A. Lewis & F.A. Wells, made in pursuance of the decree entered in the above Styled cause on the 23rd day of September, 1902, and filed in the papers of said cause on the 12th of Nov 1902, to which there are no exceptions filed, and was argued by Counsel On consideration whereof the Court doth adjudge and decree, that the said report be confirmed, and that a Copy of this decree, and of said report and the plat filed with said report be recorded by the Clerk of the County Court in the Chancery Order Book as required by law,

Beverly A Hancock, Judge 2nd
Judicial Circuit of Virginia
Janry 15th 1903,

To the Clerk of
Dinwiddie Circuit-Court

I consent to this decree,
B.J. Epes, Counsel for all parties

In the Circuit Court of the County of Desoto
In Vacation, February 1903

Ada Chappell Pltff
vs
B.F. Chappells Devisees Defts
} In Chancery

This cause came on this day to be further heard, in Vacation, in accordance with the decree rendered herein on the 5th day of January 1903, and thereupon R.H. Mann, the Special Commissioner appointed by the said decree, filed his report, and the said R.H. Mann, as attorney for Mrs Chappell, by leave of court filed the additional affidavit of J.F. Wells, corroborating the affidavit of R. Butterworth heretofore filed in this cause, and then this cause came on then to be heard upon the papers formerly read, upon the said Report of Special Commissioner Mann, bearing date February 9th 1903, upon the said affidavit of the said J.F. Wells, and upon Petes copy of the deed Executed by said R.H. Mann, as Special Commissioner, to W.R. McKenny for the timber in these proceedings mentioned, and was argued by Counsel,

And it appearing to the Court that said Special Commissioner Mann, has collected from the said W.R. McKenny the sum of $600, in full of the purchase price of the said timber, and has filed with his said report a copy of the deed Executed by said Special Commissioner Mann to the said W.R. McKenny for the said timber, so that there is now in the hands of said Special Commissioner for distribution among the parties entitled, according to the Bill in this cause, the sum of $600:

On consideration whereof, the court approving the form of the said deed so executed to the said W.R. McKenny by the said Special Commissioner Mann, and also approving generally the said report of the said Special Commissioner Mann and the scheme of distribution therein set forth, doth adjudge, order and decree that said Special Commissioner Mann shall distribute to the parties interested in this cause, according to the Bill filed therein, the said sum of $600: as follows;

To Mrs. Ada Chappell, widow of B.F. Chappell, in full of the commuted value of her life interest the said sum of $600.	$351.40
To Annie Mason Stewart, the wife of C.R. Stewart	35.51
To Lizzie C. Rees, the wife of J.C. Rees	35.51
To David Pinckney Chappell	35.51
To Henry Chappell	35.51
To Mrs. Ada Chappell, the mother of Maria Hamilton Chappell, for her maintenance, Education and Support	35.52

To Mrs. Ada Chappell, the mother of William le Chappell for his maintenance, Education and Support 35.52

To Mrs. Ada Chappell, the mother of Kittie Chappell, for her maintenance, Education and Support 35.52

$600.00

And that said Special Commissioner Mann shall make Report to this Court at its next regular term, filing therewith evidence of the fact that said W.R. McKenney has paid in full the Costs of this suit

Beverly A Hancock, Judge 3rd Judicial Circuit of Va
Feby 21. 1903.

To Clerk of
Dinwiddie Circuit Court

Virginia: At A Circuit Court held for the County of Dinwiddie, at the Courthouse thereof on Monday the 23rd Day of March 1903, and in the 127th Year of the Commonwealth

Present: Honorable B. A. Hancock, Judge

In the Circuit Court of Dinwiddie County. March 23rd, 1903.

John H. Avent & als.
vs. Note for Decree
Irene Avent & als

This cause came on this day to be further heard on the papers formerly read and on the report and Vouchers of Geo. Mason, Special Commissioner, this day filed, together with two certificates of Deposit of the Petersburg Savings & Insurance Company for $54.03 & $54.04, respectively, payable to the order of this Court, and was argued by Counsel.

On Consideration whereof, the Court affirming the said report, to which there are no exceptions, doth confirm the same; and as to all other matters this cause is continued

In the Circuit Court of Dinwiddie County.
March Term 1903.

Ellen Thomas
vs Decree.
Lewis Thomas

This cause came on this day to be further heard upon the papers formerly read, and was argued by Counsel.

And upon the application of Ellen Thomas, the injured party, and the production of satisfactory evidence heretofore taken, and it appearing to the Court that three years have elapsed from the abandonment or desertion of the plaintiff by the defendant without any reconciliation, the Court doth adjudge, order and decree that the said Ellen Thomas be, and she is hereby, forever divorced from the said Lewis Thomas, and that the bonds of matrimony heretofore existing between them be, and the same are hereby forever dissolved.

Samuel W. Budd
vs
Phebe A. L. Budd & als. } Decree

This cause came on this day to be further heard on the papers formerly read and on the report of Commissioner R. D. Gilliam, claiming the collection of him under the decree herein of September Term 1902 of the sum of $1327.59/5 and the disbursement thereof, together with his vouchers for such disbursements and was argued by Counsel.

On Consideration whereof the Court approving the said report, to which there is no exceptions, doth confirm the same.

John W. Niblett and wife
vs
Mary Ann Niblett and others } Note for Decree

This day this cause came on to be further heard on the papers formerly read and on the report of sale of land made by Meade Haskins, Special Commissioner, with exhibits, this day filed, to which report there are no exceptions and was argued by Counsel. On Consideration whereof the Court doth approve and confirm the said report of Meade Haskins, Special Commissioner, and adjudge, order and decree that the sale of the two tracts or parcels of land in the Bill and Proceedings mentioned and described, containing in all one hundred and five Sixths (104 5/6) acres, to Mary E. Nash, for the sum of

Five Hundred Dollars in cash, as is set forth in the said report of Sale, be and the same is hereby confirmed and ordered to be held firm and binding on all of the parties. And the Court doth further adjudge, order and decree that as soon as the said purchase money shall have been paid to him, then he, the said Meade Haskins, who is hereby appointed a Special Commissioner for the purpose, execute and deliver to the said Mary E. Nash a good and sufficient deed, conveying to her, the said two tracts or parcels of land, mentioned and described in the Bill and proceedings in this cause. And the Court doth further adjudge, order and decree that when he has received the said fund, the said Special Commissioner shall pay the costs of this suit, the taxes on said land for the year 1902, and the expenses incurred in behalf of the said Sale and the offers to sell by public auction, and distribute the residue of the said fund to the parties according to their respective rights and interests as stated in the said Bill, paying the adult parties their interests and to the legal Guardian of the infants their respective shares, and make report thereof to this Court, together with his proper Vouchers for such payments and disbursements.

Albert Blanton and wife,
vs
W. A. Blanton and others } Chancery.

This day this cause came on to be heard further on the papers formerly read and on the Report of Meade Haskins, Special Commissioner, dated on March 21st, 1903, with his statements and all of his proper vouchers for the payments and disbursements thereinreferred to and this day filed in open Court, to which report there are no exceptions, and was argued by Counsel. On Consideration whereof the Court doth approve and confirm the said Report of Meade Haskins, Special Commissioner, and adjudge, order and decree that out of the fund now remaining in his hands from the sale of the land in this cause of which J. J. Blanton died seized and possessed, the said Commissioner pay the unpaid costs of this suit and that he pay the share of the three infant children of J. S. Rob-

return ($34.61) to their father, the said J. S. Robertson, and that he pay the share of the four infant children of Mrs Lucy Blanton ($26.55) to their mother, the said Mrs, Lucy Blanton, and that the share of the other infant, Blanche McCorkle, ($34.61), the said Commissioner deposit the said amount in the Citizens Bank, at Blackstone, Nottoway County, Virginia, taking therefor a certificate in her name, and bearing such rate of interest as the said Bank will allow, and file the said Certificate with his report in the papers in this cause. And said Commissioner make further report to this Court of his actions under this decree.

Bartlett Roper, Jr., Committee of Vaughan O. Andrews. Plaintiff

vs

W. C. Rives, trustee in a certain deed of Trust from Vaughan O. Andrews and wife, dated February 19th, 1892, and R. J. Charles, substituted trustee in a certain deed of trust, from said Vaughan O. Andrews to Walter H. Young, trustee, dated July 22nd 1901, and V. C. Andrews, wife of the said Vaughan O. Andrews. } Defendants.

This cause came on this day to be heard on the bill of the plaintiff, taken as confessed as to the said defendant W. C. Rives, trustee, the said defendant still failing to appear and plead, answer and demur thereto, which is filed therewith, answer of the said R. J. Charles, substituted trustee as aforesaid, this day filed by leave of the Court, with general replication thereto, and was argued by Counsel. Upon consideration whereof, the Court doth adjudge, order and decree that the said R. J. Charles, substituted trustee in the said deed of trust from the said Vaughan O. Andrews to Walter H. Young, trustee, dated February 19th 1892, under hand George Mason a special Commissioner appointed for the purpose an account of his receipts and disbursements as such substituted trustee, showing what balance he has now in his hands undistributed, or should have in his hands after the payment of the debt secured by said deed of trust and the proper costs and expenses incurred by him in the execution of said deed, and also an account showing what amount he has collected from the

tenants of V. C. Andrews, due by said tenants to said Andrews on account of advances made them by said Andrews, the Court reserving the question of whether said advances passed under said deed of trust to said Charles, Trustee or not.

And the Court doth further adjudge, order and decree that the said W. C. Rives, trustee in the said deed of Trust from the said Vaughan A. Andrews and wife, dated July 22nd 1901. render before said Commissioner an account of his receipts and disbursements as such trustee, showing what balance he has now in his hands undistributed or should have in his hands after the payment of the debts secured by said deed of trust and the proper costs and expenses incurred by said deed of said trustee in the execution of said deed of trust. Which said accounts the Commissioner shall take and report to Court together with any matter specially stated, deemed pertinent by himself or required by any party interested to be so stated.

And the Court doth further adjudge order and decree that said Rives, trustee deposit in the Petersburg Banking & Trust Company of Petersburg Va. to the credit of the Court in this cause the surplus now in his hands as such and file the certificate of deposit thereof with the papers in this cause.

Ordered that Court do now adjourn until 10 morning 10 o'clock.

Beverly A. Hancock

Tuesday March 24th 1903.

Present: Honorable Beverly A. Hancock, Judge.

Anderson
vs
Walker
} Note for Decree

This cause came on this day to be further heard on the papers formerly read and the Report of Spl. Commissioner B. J. Epes dated July 17th

1903 of the sale of the tract of thirty six acres of land in the Bill mentioned to which report there are no exceptions filed and was argued by Counsel on Consideration whereof the Court doth adjudge, order and decree that the said Report be confirmed and the said Sale be held firm and stable between the parties, and that said Special Commissioner B.J. Epes execute & deliver to the said purchaser a deed with Special warranty for said land and that he apply the proceeds to the payment of any taxes due on said land and the Costs of this suit, and the balance to the discharge of the Judgment liens on said land according to their dignities and priorities and make report to Court.

Eckles Heirs
vs
Note for Decree.
Eckles Heirs

This cause came on this day to be heard on the papers formerly read and it being suggested to the Court that since the last decree was entered in the cause the complainant Lora L. Eckles has intermarried with J. W. Hardy, it is ordered that this suit be proceeded in as to her in the name of Lora L. Hardy & thereupon this cause came on this day to be further heard and was argued by Counsel, On Consideration whereof the Court doth adjudge order & decree that B.J. Epes Who is hereby appointed Special Commissioner for the purpose of make Sale of the tract of fifty acres of land heretofore allotted to the heirs of Gordon Eckles, after advertising the time & place of sale by hand bills posted at the front door of the Courthouse of Dinwiddie County & at other public places in said County for four weeks prior to said Sale for 1/3 cash & bal. in 6 & 12 months, but before said Special Comr B.J. Epes shall receive any money under this decree, he shall execute & file in the papers of this cause a bond for $300.00 with security to be approved by the Clerk of this Court conditioned for faithfull discharge of his duties under this decree or any other decree which may be entered in this cause and the Court doth further adjudge ordir & decree that one of the Commissioners of this Court take & report to Court an account of the outstanding debts against the said Gordon Eckles or his estate, with their Dignities & priorities.

Samuel G. Sturt
vs
Sarah Sturt
} Note for Decree — Pltff. / Deft.

This cause which has regularly matured at Rules in the Clerks office of this Court, came on this day to be heard on the Bill of the Plaintiff and Depositions of Witnesses and was argued by Counsel on Consideration whereof the Court doth adjudge, order & decree that the bond of Matrimony heretofore existing between the said Samuel G. Sturt & Sarah Sturt be & the same is hereby dissolved and that the said Samuel G. Sturt be restored to his ante nuptial rights in full & that the Pltff pay the costs of this suit.

Pool Guardian
vs
Pool & others
} Note for Decree.

This cause came on this day to be heard on the papers formerly read & the report of Spl. Comr B. J. Epes dated March 21st 1903 to which there is no exception and was argued by Counsel, on consideration whereof the Court doth adjudge order & decree that said report of Spl. Comr Epes be and the same is confirmed & that the sale therein reported be held firm & stable between the parties and that when the purchasers have made the cash payment & executed their notes for the balance & paid said notes said Special Comr Epes shall execute to them a conveyance for said timber & report to Court and it appearing to the Court that R. Wachsman has rendered service in effecting the said sale it is ordered that said Spl. Comr Epes pay him the sum of $15.00 & that he pay the delinquent taxes & Costs of suit & sale & report to Court.

Peter A. Jones Gdn.
vs
Peter A. Jones & others

This cause came on this day to be further heard upon the papers formerly read and and upon the report of Special Commissioner John G. Harris of the sale of 82 acres of land more or less

in the proceedings mentioned, to which report there are no exceptions filed, and was argued by counsel.

On Consideration whereof the Court approving said report doth confirm the same and doth adjudge, order and decree that the sale of the 82 acres of land more or less, made by said Special Commissioner John Y. Harris on the 11th day of November 1902 to R. W. Collier at the price of $700.00 on terms of one third of the purchase price Cash and the residue on Credits of 6. 12. & 18 months with interest from the day of Sale, be held firm and binding. It appearing that the purchaser was not put in possession of the land at the time of Sale, it is ordered that he be charged with interest on his said purchase from the date of this decree and that said purchaser be allowed until the 15th day of April 1903 to examine the title to the land purchased by him and On motion of the purchaser the terms of sale are hereby amended, as to make the terms of sale one fourth cash and the residue on Credits of 6. 12. & 18 months with interest from this date. And when the said purchaser shall have fully paid the amount of his purchase the said Jno. Y. Harris shall execute and deliver to the said R. W. Collier a deed conveying to him the land purchased by him with Special warranty. And said Commissioner shall make report to Court.

Bronder & Bell

vs

Dora Mitchell & als.

It being suggested to the Court that Alice Bolster is a necessary party to this suit, on the motion of the plaintiffs she admitted a party defendant and it being suggested to the Court that Ludy Bolster has departed this life leaving surviving her the following children Wm. Edw'd Bolster seven years of age, Charles L. Bolster five years of age, and Alice Bolster three years of age, who are necessary parties to this suit on like motion they are admitted as parties defendant, and on the motion of the said plaintiffs B. J. Epes is appointed guardian ad litem of said infant defendants who thereupon filed his answer as such, Then this cause came on to be heard, by consent of parties on the papers formerly read, the answer of Wm Edw'd Bolster, Charles L. Bolster and Alice Bolster by B. J. Epes their guardian ad litem

and was argued by Counsel, On Consideration whereof the Court doth adjudge, order and decree that the sale of the 114 acres of land made by John Y. Harris Special Commissioner to E. L. Brander on the 20th day of Mar 1901 at $2.60 per acre as reported by said Commissioner in his report filed in this cause on the 21st day of September 1901 be held binding and that upon the payment in full of the purchase money said Commissioner shall execute & deliver to said purchaser a deed conveying him said land with special warranty.

Mann & Shell
vs
Vaughans Admr &c

This cause came on this day to be further heard upon the papers formerly filed and upon the report of Special Commissioner John Y. Harris to which there is no exception filed and upon Special Statement "A" of the debts due by the estate of Stephen L. Vaughan dec'd which is hereby adopted and was argued by Counsel,

On Consideration whereof the Court approving said report, doth confirm the same and doth adjudge, order and decree that Com'r John Y. Harris out of the funds in his hands pay the costs of this suit, including a fee of $10.00 to B. J. Epes as guardian ad litem of the infant defendants & as attorney for the widow and an attorney fee of $45.00 to John Y. Harris for his services as attorney in bringing this suit, pay the debts due by the estate of Stephen L. Vaughan dec'd as shown by Com'r Organs report and Special Statement "A" and it appearing to the Court that the widow the said India E. Vaughan has paid the funeral charges and debts of deceased in excess of the amount of the widow, it is ordered that said Commissioner pay over to her the amount of said widows. And said Commissioner should make report to Court.

Ordered that the Court be adjourned until the first day of the next term

Beverly A. Hancock

In the Circuit Court of Dinwiddie County,
In Vacation, April, 1903.

Clifton B. Michael Pltff
vs
Alma D. Michael & als Defts } In Chancery

By consent of the parties this day given before the Judge of this Court in Vacation, this cause was submitted to the said Judge for decision and decree in vacation, with like force and effect as if in term; and thereupon this cause came on this day to be further heard upon the papers formerly read and upon the consent aforesaid, entered of record, and upon the petition of Eva V. Michael, suing by C. B. Michael, her next friend, this day filed by leave of the Court, and the affidavit of C. B. Michael and the certificate of Dr. R. D. McIlwaine accompanying the said petition and also this day filed by leave of the Court and was argued by counsel,

On consideration whereof, the Court doth adjudge, order and decree that George Mason, Special Commissioner in this cause, withdraw from the papers in this cause the certificate of deposit of the Petersburg Savings and Insurance Co. for $36.99 and collect the same with accrued interest, and out of the proceeds pay to said Eva V. Michael $25.00, it appearing that she will properly expend the same & that her necessities and bad health require that this sum should be advanced to her, and said Commissioner shall deposit the residue in said Bank to the credit of this Court in this cause and take certificate therefor, and make report to Court.

Beverly A. Hancock
Judge 2nd Judicial Circuit of Va
April 11th 1903.

To the Clerk of the
Circuit Court of Dinwiddie Co.

In the Circuit Court of Dinwiddie the County of Dinwiddie.
In Vacation, the 25th day of July, 1903.

D' Alton's Guardian — Plaintiffs
vs
D' Alton's — Defendants

This cause came on this day to be heard on the papers formerly read and on the petition of Ida D' Alton natural and legal guardian of her infant children Frederick A. D' Alton, Clarence J. D' Alton Walter E. D'alton, and Aubrey V. D'alton and as Administratrix of the Estates of her sons, Harry B. D'alton dec'd, and John B. D'alton dec'd and the said Ida D'alton in her own right and Marcan E. Moore, James T. D' Alton and Frank J. D' Alton, the three last named being adult children of the said Ida D'alton, on the motion of J. J. Crocker Guar. ad litem for the infant parties and on the Certificate of qualification filed with said petition which by leave of the Court was this day filed, and was argued by Counsel. On Consideration whereof, the interests of all parties being represented, and it appearing from the proceedings heretofore had in this cause that the dividend of each party does not exceed three hundred dollars and that the Guardian and Administratrix as above written for her wards and decedents has given such bond as is provided for, the Court doth adjudge, order and decree that Commissioner Bernard Mann who is hereby so empowered and directed, do convert into money the Certificate of Deposit of the Petersburg Savings and Insurance Company dated Nov. 28th 1902 and in amount $787.39 and after paying the costs of these proceedings, including an Attorneys fee of $30 00 to James T. Rahilly Counsel for the petitioner, then pay over to the parties or to their accredited attorney the several sums to which they are respectively entitled and take from them proper receipts to be filed with the papers in this cause, to wit: out of the net proceeds of said certificate, costs and charges having been deducted from the gross sum there is due paid in equal shares of one ninth (1/9) each to the following.
1/9 to Ida D. Alton Administratrix of Harry B. D' Alton dec'd

1/9 to Ida D. Allen Administratrix of John B. D. Allen dec'd
1/9 to Marion E. Moore
1/9 to James T. D. Allen
1/9 to Frank J. D. Allen
1/9 to Ida D. Allen Guardian of Frederick A. D'Allen
1/9 to Ida D'Allen Guardian of Clarence J. D'Allen
1/9 to Ida D. Allen Guardian of Walter E. D'Allen
1/9 to Ida D'Allen Guardian Aubrey V. D. Allen.

Given under my hand this 25th day of July 1903.

Beverly R. Hancock, Judge 2nd.
Judicial Circuit of Va.

In Dinwiddie Circuit Court
Aug. 1903

Clifton B. Michael Pet'r } In Chancery
vs
Alma D. Michael & als. Defts

By consent of parties given before the Judge of this Court in vacation, it is ordered that this cause be submitted to the said Judge for decision and deem to be made herein in vacation, with the same force and effect as if made in term, and then this cause came on in pursuance of said Consent, to be further heard in vacation upon the papers formerly read and upon the report and vouchers of Geo. Mason Special Commissioner and petition of the defendant Eva V. Michael, this day filed, and was argued by counsel.

On consideration whereof it appearing from the said report and vouchers that the Commissioner has properly disbursed and disposed of the whole fund which has come into his hands, except a balance of $2.04 retained to pay taxes, the Court approving the said report, doth confirm the same, and it appearing to the satisfaction of the Court by the petition of the defendant Eva V. Michael this day filed that she has attained the age of twenty-one years, on her motion it is ordered that this cause hereafter proceed against her in her own proper person, and the Court doth further adjudge, order and deem that said Geo. Mason, Special Commissioner, & atty for Eva V. Michael, withdraw from the papers in this cause the said two certificates of deposit, leaving with the Clerk his receipts therefor, and collect the same, and out of the proceeds, together with the said balance of $2.04

in his hands, pay the costs in this suit and any unpaid taxes on the fund in this cause, and pay over the balance to the said Eva V. Michael and take his receipt therefor, and make report to Court

Beverly A. Hancock, Judge 2nd
Judicial Circuit of Virginia,
August 7th 1903.

To the Clerk of the Circuit Court of Dinwiddie Co. Va

In the Circuit Court of the County of Dinwiddie
August 14th 1903
Peter A. Jones &c
vs
Peter A. Jones & others.

This cause came on this day to be further heard, in Vacation, by consent of parties, upon the papers formerly read and the report of Special Commissioner John Y. Harris this day filed and was argued by Counsel On Consideration whereof the Court approving said report, to which there is no exception, doth confirm the same, and doth adjudge order and decree that said Commissioner Harris shall pay the legal costs of this suit including a fee of $35.00 to himself for his services as Commr in this cause, and upon the execution of a deed in fee simple by the parties owning the said tract of land in the County of Brunswick conveying said tract of land to Parthenia A. Jones & her heirs & the body under the provisions of the will of P. P. Hawthorne which was admitted to probat in the Hustings Court of the City of Petersburg on the 30th day of October 1882 he is ordered and directed to pay over to the grantors in said deed of conveyance the balance of the cash payment, after pay the costs aforesaid and assign to them the three notes of R. W. Collier given by him for the purchase of the said tract of 82 Acres of land in Dinwiddie County. The said John Y. Harris Commissioner, upon the delivery of the deed aforesaid to him shall have the same recorded in Brunswick County Court Clerks office and make report to Court.

To Clerk of
Circuit Court
of Dinwiddie.

Beverly A. Hancock, Judge
2nd Judicial Circuit of
Virginia. August 14th. 1903

Virginia: At a Circuit Court held for the County of Dinwiddie, at the Courthouse thereof on Monday the 21st day of September 1903 and in the 128 Year of the Commonwealth.

Present: Honorable B. A. Hancock, Judge.

D. Akers' Guardian
vs
D. Akers.

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Special Commissioner Bernard Mann this day filed, showing a full distribution of all funds which have come into his hands together with proper vouchers for such disbursements, and was argued by counsel.

On consideration whereof, the Court affirming said report to which there is no exception, doth confirm the same, and, it appearing to the Court that nothing further remains to be done in this cause, it is ordered that the same be removed from the docket.

Heaths Committee
vs
Jackson's Administrator et. als.

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Alexander Hamilton, Commissioner, this day filed, showing a balance in his hands of $25.00, and was argued by counsel.

On Consideration whereof, the Court affirming said report to which there is no exception, doth confirm the same, and in accordance with the report of said Commissioner doth adjudge, order and decree that he be relieved from serving further as Commissioner in this cause and that A. D. Hamilton be, and he is hereby appointed Commissioner herein, in his place and stead, but said Commissioner shall not act until he shall have entered into a bond, with surety to be approved by the Clerk of this Court, in a penalty of $400.00 conditioned for the faithful performance of his duties under this decree or any other decree that may be entered in this cause. And said Alexander Hamilton, late

Commissioner, is directed to pay over to said A. D. Hamilton Commissioner, when he shall have given the bond directed to be given by him, the said balance of his hands of $20.00. And said Commissioner A. D. Hamilton is directed to communicate with J. Herley Evans who is in default in the payment of purchase money due from him and said tract of land bought by him in this cause, and unless some satisfactory arrangement shall be made within the next sixty days by said Evans towards the settlement of the balance due by him as aforesaid, said Commissioner is directed to resell said tract of land in accordance with the decree heretofore entered. Out of the funds to be collected by said Commissioner he is directed to pay the unpaid costs of this suit, and all taxes, if any, upon the fund in this cause, and pay over the residue to the Commissioner in the suit of M. A. Heath's Committee vs Heath et. als. to be used for the maintenance and support of Minerva Ann Heath. And said Commissioner shall make report to Court of his proceedings under this decree.

M. A. Heath's Committee
vs
Heath et. als.

This cause came on this day to be further heard upon the papers formerly read, and upon the report of Alexander Hamilton, Commissioner, this day filed, showing a full distribution of all funds that have come into his hands to date, and was argued by counsel. On consideration whereof, the Court, approving said report, to which there is no exception, doth confirm the same, and in compliance with the request of said Commissioner, doth adjudge, order and decree that he be hence forth released from service as Commissioner in this cause, and doth appoint A. D. Hamilton as Commissioner in his place and stead, who, however, shall not act as said Commissioner until he shall have executed a bond, with surety to be approved by the Clerk of this Court in a penalty of $400.00 and conditioned for the faithful performance of his duties under this decree or any other decree that may be

in this cause. And the said Commissioner A.D. Hamilton is directed, as soon as any money shall come into his hands, to pay the unpaid costs of this suit, and all taxes, if any, upon the fund in this cause, and use the residue for the maintenance and support of Minerva Heath as hereinbefore directed in this cause. And said Commissioner shall make report to Court of his proceedings under this decree.

John W. Niblett & wife
vs
Mary Anna Niblett & als.

This cause came on to be heard on the papers formerly read and on the Report of Meade Watkins, Special Commissioner, as to his payments and disbursements of the sum of Five Hundred Dollars ($500.00) received by him from the sale of the two tracts or parcels of land as hereinbefore reported, together with all of his proper vouchers for said payments and disbursements filed with his said Report this day in open Court, to which said report there are no exceptions, and was argued by Counsel.

On consideration whereof the Court doth approve and confirm the said report of Meade Watkins, Special Commissioner. And nothing further remaining to be done in this cause it is ordered to be removed from the docket of this Court.

Albert Blanton and wife
vs
W. A. Blanton and others.

This day this cause came on to be further heard on the papers formerly read and on the Report of Meade Watkins, Special Commissioner, as to his disbursements under the decree pronounced herein at the last term of this Court, together with all his vouchers for such disbursements, including the certificate of deposit from the Citizens Bank, at Blackstone, Virginia, bearing date on September 19th, 1903, and marked as "No. 7170", in the name of Blanche McCann, for the sum of Thirty four Dollars and Sixty one Cents ($34.61), and bearing four per cent interest,

filed this day with the said Commissioners Report, to which report there are no exceptions, and was argued by Counsel, On Consideration whereof the Court doth approve and confirm the said report of Meade Watkins, Special Commissioner. And All matters in controversy in this cause having been settled and determined it is ordered that the same be and ~~the cause hereof~~ is removed from the docket of this Court, with leave to any party in interest to reinstate the cause on motion for good cause shown.

Charles E. Grant — Pltff
vs
Stuart W. Perry and Ida May Spain infants by R.J. Epps their Guardian ad litem — Defts
} In Chancery

This cause came on this day to be heard upon the Bill of the Plaintiff the answers of Stuart W Perry and Ida May Spain the infant defendants by R.J. Epps their guardian ad litem, assigned to defend them in this suit, with general replication to said answers, Exhibits filed, the depositions of witnesses and was argued by counsel. On Consideration whereof the Court being of opinion that the tract of 95 93/100 acres in the plaintiffs Bill mentioned, cannot be partitioned in kind among those entitled thereto and no one expressing a willingness to accept the whole subject and pay to the others what their interests entitled them to receive, and that it will be to the interest of all the parties to have the said land sold and the proceeds divided according to the rights of those thereto entitled, doth adjudge order and decree that Timothy Rios who is appointed a Commissioner for the purpose, enter upon the said tract of land and sell the same, either publicly or privately as he may deem best, for cash or for one third cash, balance in one and two years, the purchaser to give note, with approved endorser, with interest from day of Sale, and the title to be retained until a conveyance is ordered by the Court.

If the Sale be made publicly, then shall be hand Bills, advertising the time, place and terms of Sale, posted in at least three public places in Lowndes County, one of which places shall be the front door of the Court house, for at least ten

day before said Sale. But before the said Commissioner shall receive any money under this decree, he shall execute a bond in the penalty of $500 & conditioned according to law, before the Clerk of this Court, for the faithful discharge of his duties under this decree or any other decree that may hereafter be entered in this cause.

Robert A. Talmage and Addie L. Talmage, his wife, and W. W. Talmage, and Annie C. Talmage, his wife — Plaintiffs

Against — In Chancery.

Rosa E. Talmage, Lillian L. Talmage, Bessie M. Talmage, Edward O. Talmage and C. S. Talmage — Defendants

This day came the plaintiffs and filed their bill, and on their motion R. D. Gilliam a discreet and competent attorney at law is assigned guardian ad litem to the infant defendants, Lillian L. Talmage, Edward O. Talmage, Bessie M. Talmage and C. S. Talmage, to protect their interests in this suit, and thereupon, by leave of the Court the said R. D. Gilliam guardian ad litem filed the joint and several answer of the said infants defendants to said bill, to which answer the plaintiffs replied generally, and the said Rosa E. Talmage by like leave filed her answer to said bill, to which the plaintiffs replied generally, and the cause was docketed by consent. And coming on this day to be heard by like consent upon the bill of the plaintiffs, the answer of the said infants defendants by the said R. D. Gilliam their guardian ad litem, and upon the answer of the said Rosa E. Talmage, with general replication to said answers and was argued by counsel.

On consideration whereof, it appearing to the Court that the land in the bill mentioned is not susceptible of partition in kind amongst the parties entitled, that neither party will accept the entire subject and pay to the others such sums of money as their respective rights would entitle them to, and that the interest of all parties will be promoted by a sale of the entire subject, and that the sale made by the adult parties subject to the confirmation of the Court is judicious and proper, the Court doth adjudge, order and decree, that R. D. Gilliam and John D. Watkins, who are hereby appointed Special

Commissioners for the purpose do make sale of the land in the bill mentioned to Franz Zirkle at the price of $500.00 and the costs of this suit, and upon the payment to them by the said Franz Zirkle of the said sum of $500.00 and the costs of this suit, to execute and deliver to the said Franz Zirkle a good and sufficient deed in fee simple with Special Warranty for the said land. But said Commissioners shall not execute this decree until they or some one of them shall have first entered into and acknowledged a bond before the Clerk of this Court, with security to be approved by him in the penalty of $600.00, conditioned according to law. Out of the money so to be received by them the said Commissioners shall pay first the costs of this suit and any unpaid delinquent taxes accruing against the said land, and then pay to the defendant Rosa E. Talmage the present value of her dower in said land, commuted according to law as of the age of 43 Years. The balance in his hands he shall divide into six parts and pay one part to each of the plaintiffs, Robert A. Talmage and H. W. Talmage, and deposit the remaining four parts to the credit of this cause in the Petersburg Banking & Trust Company allowing a certificate therefor with the receipts of the parties to whom such payments are made with the report which they are required to make of their proceedings under this decree.

George S. Vandeleff
v
J. T. Hardy

Plaintiff
In Chancery
Defendant

This cause having regularly matured and been set for hearing came on this day to be heard on the bill of the plaintiff and the answer of the defendant this day filed by leave of the Court and the general replication thereto by the plaintiff was argued by Counsel.
On Consideration whereof the Court doth adjudge, order and decree that Burnard Mason of Petersburg Va. who is hereby appointed a Special Com. for the purpose, make enquiry and report thereon as to the following matters, to wit:
First: Take, state and State an account of the

various transactions and dealings between the plaintiff and defendant as to timber, lumber and supplies of various kinds as is set forth in the bill of the plaintiff, showing the amount of indebtedness there may be from one to the other and the balance that may exist in favor of the one and the balance that may exist in favor of the one against the other. Second ascertain and state the facts and circumstances of the alleged loan of lumber by the plaintiff to the defendant, as is claimed in the said bill of complaint, and the amount and nature of such lumber that may be now due to the said plaintiff by the said defendant on account of the said contract of loan; Third - Ascertain and state the facts and circumstances of the alleged contract between the the said plaintiff and the said defendant for the delivery of the two hundred thousand feet of lumber, as is claimed in the said bill of complaint, and the amount of such lumber if any that is, ~~claimed~~ now due delivered by the said defendant to the said plaintiff under the said contract; and that the said commissioner also enquire and report as to any other matters specially stated and deemed ~~and~~ pertinent by him, or which may be required ~~due~~ to be stated by either party; and that in taking said accounts and making said enquiries the said Special Commissioner take and consider any legal evidence that may be produced by either party. And that said Special Commissioner make report to this Court.

American Fertilizing Company, a corporation, which sues for the benefit of itself and all other lien creditors of A. G. Butterworth, who will come in and contribute to the costs of this suit. } Plaintiffs

vs

A. G. Butterworth and Ella F. Butterworth his wife } Defendants

3 Jn Chancery.

This cause came on this day to be heard on the bill and exhibits filed therewith, and was argued by counsel.

Upon consideration whereof, the Court, doth adjudge, order and decree that the papers in this cause be referred to one of the Commissioners of this Court, who shall take the following accounts.

(1) An account of the real estate in Dinwiddie County, Virginia, mentioned and described in the bill and papers in this cause, with the fee simple and annual value thereof.
(2) An account of all liens binding upon the said real estate with their priorities, including any and all delinquent taxes.
(3) An inquiry as to whether the rents and profits arising from the said real estate will in five years satisfy the liens thereon.
(4) Which accounts the Commissioner shall take and report to Court together with any matters specially stated, deemed pertinent by himself, or required by any party interested to be stated.

Mrs. Virginia C. Rucks Plaintiff
vs 3 Jr Chancery.
Mrs. R.T. Gallion & als. Defendants

This cause came on this day to be heard on the bill filed and on the answer of B.J. Epes guardian ad litem for the infant defendant C.C. Rucks and cause being given for filing ~~said~~ answer, ~~which leave~~ on motion of B.J. Epes, guard. ad litem ~~which~~ and said answer was accordingly filed and was argued by counsel. On consideration whereof the Court doth adjudge order and decree:-
1st- That John T. Lewis, P.W. Thomas, J.C. Hawthorne, J.C. Chambers and D.H. Fisher be and they hereby appointed Commissioners for the purpose, any three of whom may act, having been first duly sworn and do proceed to lay off and divide the real estate mentioned in the bill belonging to the estate of J.B.D. Rucks dec'd, setting off first to Virginia C. Rucks, widow of J.B.D. Rucks, one third thereof in settlement of her dower and assign ~~and~~ to the said Virginia C. Rucks her land and her dower, the said Commissioners having due regard to quality and quantity. But if the said Commissioners shall find it impracticable to divide said land as as above ordered, or shall be of the opinion that the interests of the parties would be more promoted by a sale of the same, in such case, they are required to report the facts upon which their opinion is based to this Court and also what in their opinion is the fee simple Valu

of the whole of the real estate belonging to Virginia C. Rucks and the estate of J.B.D.B. Rucks dec'd, and in either case they are required to report their proceedings under this order to Court.
2nd. The Court doth further adjudge, order and decree that the papers in this cause be referred to one of the Commissioners of this Court, who is directed to enquire into and report to Court:
1st. An account of the liens if any upon the real estate of which J. D. B. Rucks died seized; and second whether the interest of the infant defendant will be promoted by the sale of the real estate belonging to the estate of J. D. B. Rucks, and thirdly whether the rights of any party will be violated by such Sale, which enquiries the said Commissioner shall state and report to Court together with any matters specially stated deemed pertinent by himself or required by any of the parties to be specially stated. And the said Commissioner shall also report whether there are any delinquent taxes on said property unpaid.

Clifton B. Michaud Plaintiff
vs
Michaud & als Defendants. } In Chancery

This cause came on this day to be finally heard on the papers formerly read and on the report and vouchers of George Mason, Special Commissioner, this day filed, and was argued by counsel. On consideration whereof the Court, approving the said report, to which there are no exceptions filed, doth confirm the same, and it appearing that said Special Commissioner has fully debursed the moneys found in this cause as directed by the Court, the Court doth discharge him from further liability as such. And nothing further remaining to be done in this cause, it is ordered that the same be removed from the docket.

The following having been entered by the Judge of this Court in vacation on the 4th day of September 1903 but the papers in the case not having been delivered to the Clerk until the commencement of this term, it is ordered that that the said decree of September 4th be now entered among the decrees of this term.

Christine E. Corrigan, Plaintiff
vs } In Chancery

Christine V. Cope, et als. Defendants.

This day came the plaintiff by Counsel, and upon her motion, David A. Lyon, a discreet and competent attorney at law, is assigned guardian ad litem to the infant defendants, Christine V. Cope, Augustus Hunton Gidmond, Helen Vere Gidmond, and Forest Earl Gidmond, to defend their interests in this suit, and the said David A. Lyon, as such guardian ad litem filed the answers of the said infants defendants, and his answer to the bill of the plaintiff, to which several answers the plaintiff by Counsel replied generally; and then upon this cause in which the plaintiff has proceeded by order of publication against the said Christine V. Cope, Augustus Hunton Gidmond, Helen Vere Gidmond, and Forest Earl Gidmond and Birt Cope, in the mode prescribed by law against absent defendants, the said Birt Cope not having appeared by motion, demurrer, plea or answer, was ordered to be docketed, and came on this day to be heard in Vacation on the bill, and the answer of David A. Lyon, Guardian ad litem of the infant defendants Christine V. Cope, Augustus Hunton Gidmond, Helen Vere Gidmond and Forest Earl Gidmond, and the said infant defendants by their said Guardian ad litem, David A. Lyon, assigned to defend them in this suit, the said infant defendants by their Guardian ad litem, and the said Guardian ad litem of the said infant defendants, consenting that this cause shall be heard in Vacation), and on the affidavits of J. C. Chambers and L. F. McKinney, and the offer of S. Y. Gilliam, under date of Aug. 13th. 1903, to purchase the tract of land hereinafter mentioned, this day filed and was argued by Counsel. On consideration whereof, it appearing to the Court that this cause has been matured by order of publication against the absent defendants, and that the said Birt Cope has not appeared by motion, demurrer, plea or answer; and it further appearing to the Court that partition of the real estate in the bill mentioned cannot be conveniently made between the parties; that no party interested is willing to accept the entire subject, and pay therefor to the other parties such sums of money as their interests would entitle them to; that partition to the said real estate cannot be made by

laying off of any two parties together and that the interests of all those who are entitled to the subject of its proceeds will be promotedby a sale of the entire subject; and it further appearing to the Court that the offer of the said S. Y. Gilliam, to purchase the said land in the bill mentioned for the sum of $650 in Cash, — he to pay the taxes for the year 1903, is fair and reasonable offer; the Court doth adjudge, order and decree, that the same be, and is hereby accepted, and that Richard H. Mann, who is hereby appointed Special Commissioner for the purpose, do, upon payment to him by the said S. Y. Gilliam, of the said sum of six hundred and fifty dollars ($650), execute, acknowledge and deliver a deed with Special Warranty to the said S. Y. Gilliam for the land in the said bill mentioned, of which the said James S. Corrigan died seized and possessed, making such description from the records as may be necessary to identify the same. But the said Commissioner shall not act in this decree until he shall have entered into and acknowledged a bond in the penalty of one thousand dollars ($1000.00), with Security to be approved by the Clerk of this Court for the faithful performance of his duties as Special Commissioner under this or any other decree that may be entered in this cause. And the said Commissioner is directed to make his report to the Court. And the consent given by the said David A. Lyon, Guardian ad litem of the said infant defendants, Christine V. Cope, Fount Earl Gidmond, Augustus Hunter Gidmond and Helen Vere Gidmond and by said infant defendants, by the said David A. Lyon, their Guardian ad litem, being given in Vacation, the Judge of this Court doth certify that fact to the Clerk of this Court, to be entered on the Chancery Order Book.

To the Clerk of the Circuit Court of Dinwiddie County, Va.

Beverly A. Hancock, Judge 22nd Judicial Circuit of Virginia. September 5. 1903.

Ordered, that Court be adjourned until to-morrow morning at 10. o'clock.

Beverly A. Hancock

Tuesday September 22nd. 1903.

Present: The Same Judge as on Yesterday.

V. O. Andrews' Committee, Plaintiff

vs

In Chancery

V. O. Andrews' Trustee et. als. Defendants.

This cause came on this day to be further heard on the papers formerly read and on the report of George Mason, Special Commissioner, filed August 28th, 1903, with evidence and letters therewith returned, and was argued by counsel.

Upon consideration whereof, the Court doth confirm and approve said report, save and except that the Court doth reserve for future adjudication the claim of P. H. Thomas to the amount of $92. or so claimed by him. And it appearing from said report that W. C. Rives, trustee is indebted to the trust fund in the sum of $18.33 in addition to the amount heretofore decreed by him, it is ordered that the said Rives, trustee, do pay this said sum of $18.33 to Bartlett Roper Jr. Committee of the said V. O. Andrews. And it further appearing from said report that the contingent right of dower of Mrs. V. O. Andrews is of the value of $30.84, which amount has been awarded her for the same by said Commissioner in his said report, and that there is due as appears from said report the sum of $92.68 to J. N. Whitaker, and to R. J. Charles the sum of $16.67, all three of which said amounts are charges upon the trust fund in this suit, the Court, doth adjudge order and decree that said Charles, trustee, deduct from the sum of $109.35, the amount due by him according to said report, the said sum of $16.67, and out of the residue thereof pay to the said Mrs. V. O. Andrews the said sum of $30.84 and to W. R. Perkins, attorney of rec'd for the said J. N. Whittaker the sum of $92.68, and the residue, to wit: the sum of $459.99 he shall pay over to the said Committee. And it further appearing that there is now deposited in The Petersburg Banking & Trust Company, Petersburg, Virginia, to the credit of the Court in this cause, the sum of $909.91, evidenced by a certain

Certificate of deposit of said bank, No. 1491, dated March 21st. 1903, the Court doth adjudge, order and decree that said Commissioner doth withdraw and collect said certificate and out of the proceeds thereof and the amounts due paid him by said Bias, trustee, and said Charles Trustee, he do pay the unpaid costs of this suit, including a fee of $30.00 to George Mason, Commissioner, for his services in making said Report, and out of the proceeds he do pay the note of Vaughan O. Andrews, now held by the Citizens Bank of Blackstone Virginia, amounting principal and interest to $675.

And it appearing to the Court proper to do, the Court doth hereby allow to W. R. Perkins, Attorney for said Charles, substituted Trustee, the sum of $40.00 as and for his services in representing said Trustee in this suit and to Bartlett Roper Jr., the sum of $40.00, as and for his services to said Commissioner in this suit; and doth order that said Commissioner pay said amounts respectively to said Perkins and said Roper respectively out of funds in his hands. And the said Commissioner shall make report to Court, showing Vouchers for all his disbursements therewith.

Ordered that Court be adjourned until to morrow morning at 10 o'clock

Beverly A. Hancock

Wednesday September 23rd 1903.

Present: The Same Judge as on Yesterday.

Petersburg Banking & Trust Company, Adm'r. with the will annexed of Frederick P. Yaxley, deceased } Plaintiff

against } In Chancery

Arthur J. Yaxley, Blanche L. Duff, and Belle L. Wilson; and Arthur J. Yaxley Jr., Minnie Belle Yaxley, Florence May Yaxley, Maud Yaxley, Edna Yaxley, Raymond Duff, Esthlyn M. Duff, Margaret Duff and Lelia Ford L. Wilson, the last nine infants under the age of Twenty one Years } Defendants.

This day came the plaintiff and filed it bill, which has been pending at Rules, and on to motion Richard D. Gilliam a discreet and competent attorney at Law, is assigned Guardian ad litem to the infant defendants Arthur J. Yaxley Jr., Mirinne Rees Yaxley, Florence May Yaxley, Maud Yaxley, Edna Yaxley, Raymond L. Duff, Ethlyn M. Duff, Margaret Duff and Clifford L. Wilson, to defend their interests in this suit, and thereupon by leave of the Court, the said Richard D. Gilliam, Guardian ad litem, filed the answer of the infant defendants and his own answer to said bill, and by like consent Blanche L. Duff, Bessie C. Wilson and Arthur J. Yaxley filed their answer to said bill, to which answers the plaintiff replied generally, and the cause was docketed by consent, and coming on this day to be heard by like consent, and coming on this day to be heard by like consent on the bill of the plaintiff and the exhibits filed therewith the answer of the said infants, by their Guardian ad litem, and the answer of the said Guardian ad litem, and on the answers of the said defendants Blanche L. Duff, Bessie C. Wilson and Arthur J. Yaxley, with general replication to all of said answers, was argued by Counsel. On consideration whereof, the Court without at this time passing upon any of the questions raised by the plaintiffs bill in relation to a construction of the will of Frederick G. Yaxley, deceased, doth, adjudge, order and decree that one of the Commissioners of this Court do take and state the following accounts:

First: An account of the estate, real and personal, left by the said Frederick G. Yaxley, with the fair cash and annual value of said real estate.

Second. An account of the debts outstanding against the estate of the said Frederick G. Yaxley, with their dignities and priorities and,

Third: An account of the transactions of the Petersburg Banking & Trust Company, as Administrator with the will annexed of the said Frederick G. Yaxley.

All of which said accounts said Commissioner shall report to Court, with any matter specially stated deemed pertinent by himself or required by any of the parties so to be stated.

Notice of the time and place for taking said accounts shall be published once a week for four successive weeks in the Daily

Progress a newspaper published in the City of Pikeville and such publication shall be equivalent to personal service on all the parties to this cause

Eckles Heirs
vs
Eckles Heirs.

Plaintiffs
In Chancery.
Defendants

This cause came on this day to be heard on the papers formerly read & the Report of Special Comr. Epes dated Sept. 22nd. 1903, to which there are no exceptions filed and was argued by counsel, On consideration whereof the Court doth doth adjudge, order and decree that the sale of the lot of 50 acres of land in said report mentioned to J. W. Hardin be held firm and stable between the parties & that said Report be confirmed and that said Spl. Comr. B. J. Epes out of the cash payment of $101.66⅔ pay the costs of this suit & sale & that he deposit the balance in some Bank paying interest subject to the order of the Court in this suit & file a certificate therefor in the papers in this cause. And when the purchase money is fully paid the said Spl. Comr. B. J. Epes on the request of the purchaser filed in the papers in this cause, execute a deed with special warranty to Mrs. Lewa L. Hardin.

Poole Guardian
vs
Poole & others

Plaintiff
In Chancery
Defendants

This cause came on this day to be heard on the papers formerly read and the report of Special Commissioner B. J. Epes dated Sept. 21st. 1903 and this day filed by by leave of the Court, to which Report no exceptions filed and was argued by Counsel. On consideration whereof the Court doth direct said special Commissioner B. J. Epes to grant to the purchasers of the timber on the Wm. Poole tract of land in the proceedings mentioned to wit: the Camp Manufacturing Co. their assigns or successors, the right to erect such outbuildings on said land as they shall see fit, and to build, operate and run railroads, tramways or boggy roads across said lands, for the purpose of running sand timber or any thing else which they now or may hereafter wish to carry over said roads, and to

new such material from said land along said roads as may be necessary or convenient to build and maintain said roads, and the right to remove said buildings said roads or tramways from the said land within one year after ceasing to use or operate the same, and to remove said timber from said land within ten years from the date of the said purchase and if they fail to remove it within ten years, the right to remove it within six years thereafter on the payment to the owner of the said land or their assigns interest at the rate of Six per cent per annum on the purchase price of said timber, from the expiration of said ten years until they remove the said timber. And the Court doth further adjudge, order & decree that said Spl. Commissioner B. J. Epes out of the funds received by him for said timber pay to Lillie A. Richardson Seventy six dollars for her dower interest in the said Wm. Poole land on her executing & delivering to him a deed with general warranty conveying the said dower interest to C. H. & H. M. Poole and that he pay for recording said deed, and pay whatever sum may be necessary not exceeding fifty dollars for medical & dental services for the infant H. M. Poole which appear to the Court to have been made necessary by an accident. And that said Special Comr. Epes deposit the balance of the $535.53 reported in his hands which may remain after paying the amounts ordered to be paid, in the Peoples Savings & Insurance Company subject to the order of the Court in this cause & that he enquire & report to Court what investment can be made of said funds.

M. A. Calvanis by T. E. Hudgins her next friend. Plaintiff

vs

A. C. Calvanis. Defendant

3 Dr Chancery.

This cause came on this day to be heard on the pleadings formerly read and was argued by counsel.

On consideration whereof it appearing to the Court that the object of this suit has been accomplished & that there is nothing further to be done in it, it is ordered that the cause be removed from the docket of this Court

A. G. Butterworth, Jr.,
vs
James E. Sims, Sam'l. et als.

Plaintiff
In Chancery
Defendants

This cause which has regularly matured at Rules came on this day to be heard upon the plaintiff's bill and exhibits, thereupon filed, the same taken for confessed as to the defendant Cora Lee Sims, on whom process has been duly served, she still failing to appear and answer, plead, or demur thereto, and the answer of Richard H. Mann, Administrator of James E. Sims, and the answers of Evelyn Annie Sims by Bartlett Roper Jr, her guardian ad litem and Bartlett Roper Jr. Guardian ad litem of the infant defendant Evelyn Annie Sims this day filed, with general replication thereto, 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 hereby directed to take the following accounts:

1. An account of the transactions of Richard H. Mann Administrator of the said James E. Sims.
2. An account of the debts binding upon the estate of the said James E. Sims, with their dignities and priorities.
3. An account of the delinquent taxes, if any, on the property of the late late James E. Sims.

And the said Commissioner is directed to state and settle the said accounts and make report thereof to the Court, together with any matters specially stated deemed pertinent by himself, or which may be required by any of the parties hereto so stated. Notice of the time and place of taking the aforesaid accounts, shall be published once a week for four successive weeks in some newspaper published in the City of Petersburg, Virginia, and this notice shall be deemed sufficient as to all the parties interested in lieu of personal service upon them except the defendant Cora Lee Sims, who shall have personal service.

Ada Chappell
vs
B. F. Chappell's Devisees

Plaintiff
In Chancery
Defendants

This cause came on this day to be further heard upon the papers formerly read and

upon the final Report of R. H. Mann, Special Commissioner, showing the proper distribution of the sum of $600.00, as authorized by the decree rendered herein in Vacation on the day of February, 1903, as well as the payment by W. R. McKinney, the purchaser of the lands in these proceedings mentioned, of all costs and expenses of the Suit and Sale, and was argued by Counsel. And it appearing to the Court that nothing further remains to be done in this cause, the object for which this suit was brought having been fully accomplished, On Consideration whereof the Court approving the said Report of Commissioner Mann, doth adjudge, order and decree that this cause be removed from the Docket.

B. F. Jones, et als. Plaintiffs
vs In Chancery.
M. C. Clardy's Heirs, et als. Defendants

This cause came on this day to be further heard upon the papers formerly read, and upon the Report of Special Commissioner Richard H. Mann, this day filed to which there is no exception, and was argued by Counsel.

On Consideration whereof, the Court approving the said report, doth confirm the same, and doth adjudge, order, and decree the said Richard H. Mann, Special Commissioner, after paying the costs and expenses of this suit, including the Auctioneer's fee to W. C. Kevan for his services as such, of twenty ~~dollars~~ dollars $20.00 a fee to the said Richard H. Mann for his services as Counsel in this cause of Seventy five dollars, and to pay the costs thereof except the Auctioneer's fee, and the taxes upon the land in the proceedings mentioned up to and including the year 1901, do proceed to divide the same into seven equal parts, one part of which he shall pay over to Martha J. Jones, another part to Mary Alice Jones, another part to Fannie E. Tucker another part to Sarah E. Jackson, another part to be divided according to law between Anna Davis, George Perkinson and Joseph Perkinson, another part to J. E. Talley, to be expended equally for the support, education, and maintenance of his infant Children, Earl Talley, Robert Talley, Carrie Talley, Bessie Talley and Linda Talley, and another part to be divided according to law between Lizzie Clardy, Grace Clardy, Kitty

Clardy and Edward C. Clardy.
And the said Commissioner is directed to make report to Court as to how he shall have executed this decree.

Ordered that Court do now adjourn until to morrow morning at 10, O, clock.

Beverly A. Hancock

Thursday September 24th 1903.

Present &c The Same Judge as on Yesterday.

Wright & others
vs
Davis & others
&c
Plaintiffs
In Chancery.
Defendants

This cause came on this day to be further heard upon the papers formerly read and upon the report of Special Commissioner John Y. Harris this day filed and was argued by counsel. On consideration whereof the Court approving said report, to which there is no exception filed, doth confirm the same: and it appearing to be nothing further to be done in this cause it is ordered that the same be removed from the docket.

Whites Heirs
vs
Whites Heirs
Plaintiffs
In Chancery
Defendants.

This cause came on to be further heard upon the papers formerly read and the report of Special Commissioner John Y. Harris, this day filed and was argued by counsel.

On Consideration whereof, the Court approving said report, to which there is no exception doth confirm the same, and it appearing that the said John Y. Harris Special Comm. has fully complied with the decree of March term 1901 and September Term 1901 and that there is nothing further to be done in this cause, it is ordered that the same be removed from the docket

R. Butterworth & Bro. Plaintiffs
vs In Chancery.
J. R. Lee and Mrs. Nannie Lee Defendants

It being represented to the Court that the matters in controversy in this cause have been settled, it is ordered that the same be removed from the docket.

J. M. Abernathy Gdn. Plaintiff
against In Chancery.
J. M. Abernathy & others Defendants.

This cause came on this day to be further heard upon the papers formerly read and the report of Special Commissioner John G. Harris, this day filed and was argued by Counsel.

On Consideration whereof the Court Approving said report, to which there is no exception filed doth confirm the same; and the Court being satisfied that said Commissioner Harris has fully complied with the decree of June 25th 1901 and that there is nothing further to be done in this cause, it is ordered that the same be removed from the docket.

Ordered that all causes not otherwise disposed of, be continued until the next term.

Ordered that Court do now adjourn until the first day of the next term.

Beverly A. Hancock

In Vacation. Circuit Court of Dinwiddie County this 13th. day of November. 1903.

Mary N. Field, Gdn.,
vs
John C. Field et. als.

It being brought to the attention of the Court that since the last decree entered in this cause the infant defendant, Mary P. Field (now Hill) has become of age

it is ordered that this cause henceforth proceed against her in her own right. And this cause came on this day to be further heard in Vacation, by consent of all parties, on the papers formerly read; on the report of Bernard Mann, Commissioner, this day filed showing a fair settlement with John L. Reed in accordance with the decree entered in this cause on May 21st., 1902, and on the petition of the said Mary P. Reid (formerly Reed) this day filed, and was argued by counsel.

On consideration whereof the Court approving the report of said Commissioner to which there is no exception, doth confirm the same, and doth adjudge order and decree that said Commissioner, after paying unpaid costs of this suit, shall pay to the said Mary P. Reid one half of the cash ($45-2.5-2 with 6% interest from May 30th, 1902) and certificate of Deposit ($58.13 dated March 7/02.) in his hands, and shall transfer to her one half of the Virginia Century Registered bonds under the control of this Court, that is to say, he shall transfer to her Virginia Century Registered bond No. 1373 for $100 and four Virginia Century Registered bonds Nos. 1593, 1594, 2266 and 2267 for $100 each. And said Special Commissioner is hereby empowered to sign all papers that may be necessary and proper to effect such transfer, including a power of attorney if such may be required. And ~~said Commissioner is hereby empowered to sign all papers that may be necessary and proper to effect such transfer, including a power of attorney if such may be required~~. And said Commissioner shall deposit the balance of cash in his hands in the Petersburg Savings & Insurance Company on certificate payable to the order of the Court in this cause.

And the said Commissioner shall take the proper receipt from said Mary P. Reid, and make report to the Court of his proceedings under this decree.

To the which Beverly A. Hancock Judge of the Seventeenth Judicial Circuit of Court of the County of Virginia

Virginia

Rolfe's Widow. Pltff

vs

Rolfe's Heirs et als Defts

} Ch Chancery

This cause came on this day to be further heard on the papers formerly read and upon the report of Thomas G. Watkins, Special Commissioner, this day filed, to which report there is no exception, was argued by Counsel. On Consideration whereof the Court approving said report to which there is no exception, doth confirm the same. Where appearing to the Court nothing further to be done in this suit, it is ordered that the same be stricken from the docket.

Beverly A Hancock
Judge 2nd Judicial Circuit of
Virginia Nov. 17th 1903.

To Clerk of Dinwiddie Circuit Court.