1866-06 Southampton County - Chancery Kello, Samuel vs Scarborough, Miles (Estate of)

Others-
Kello, Andrew J. (admin.)

Scarborough, Elizabeth - Widow
Scarborough, Calvin
Atkinsm, James
Atkinsm. Margaret
Jones. G. S.
Jones, Harriett
Scarborough, Tempy
Scarborough, Miles
Scarborough, James
Scarborough, Georgeanna
Scarborough, Lewis S.

Reno

v. } Papers.

Scarboroughs admr &c

Kello
vs
Scarborough &c } Report

In obedience to a decree of the Circuit Court of Southampton County entered at its May Term 1861. Your Commissioner proceeded to collect the bond vs Wm R Stephenson, which amounted to $143.77, out of which he first paid the expenses of this suit which was $8.18, and then the balance he equally distributed pro rata amongst the creditors of Miles Scarborough dec'd, as will appear by reference to account distributing the amount amongst the creditors, and their several receipts for the amounts allowed each of them, which account & receipts, marked "D" are made part of this report, and also he executed a deed to Ada Stephenson in pursuance of Wm R Stephenson to a tract of land in the proceedings mentioned, unto Ada Stephenson widow of Wm R Stephenson in dower right

Wm H Tadlow
Commissioner

Kelly
vs
Scarborough } Report

Kells Bill

vs

Scarborough, Admor

1859 July Rules

To the Hon. Richard H Baker judge of the Cir-
-cuit Court of Southampton County.- in Chancery
sitting -

Humbly complaining sheweth unto
your honor, your orator Samuel Thello, who sues
on behalf of himself, and all other creditors of the
estate of Miles Scarborough dec'd who shall come
and contribute to the expenses of this suit - That the said
Miles Scarborough departed this life some time during
the year 1856, intestate, and was at the time of his
death, justly and truly indebted to the plaintiff in the
sum of $118.07 with interest on $100.00 part thereof from 15th June
1856, and on $10.71 from 1st January 1856, and with interest on
$4.17 from 21 January 1857, and on $2.75 from January 30th 1857
as will appear by reference to the bonds and accounts which
cannot now be produced but which will be in due time -

That the said Miles Scarborough was in his lifetime
and at the time of his death, possessed of a very considerable
personal estate, but insufficient to pay and satisfy
all his just debts, and was also entitled and seized
of considerable real estate, particularly of a tract of
land lying in this county, containing about [illegible] acres
and worth about $600 -

That the said Scarborough being so
seized and possessed departed this life in the year 185[illegible] intestate
leaving a widow Elizabeth Scarborough, and eight or
nine children, Calvin H Scarborough, Margaret
who married James Atkinson who lives in Ohio
Harriet who married G. J. Jones, Jeremy, Miles, James
J. Georganna and Lewis C Scarborough minors
who are entitled to such of his estate as may remain
after the payment of all his just debts and demands
and the administration of his estate was granted
by the county court of Southampton County at
the term 1856 of said to Andrew J Thello, who

has become possessed, of the personal estate of his intestate by virtue of his said Administration, That the said Andrew J Wells his admr. aforesaid has prayed to settle his account as admr before a Commissioner of the County Court of Southampton County, and has paid out to the several creditors of the said estate the several amounts apportioned to them. That there still remains a large balance due to the said creditors, and your Complainant avers that the real estate of which the said Miles Scarborough died seized and possessed, shall be sold, and the proceeds applied to their payment; That he was seized of a tract of land lying in Southampton County containing about 200 acres, worth about $[illegible]0. or $600 — In tender consideration of the premises, and inasmuch as your orator is without remedy, save in this honorable Court where matters of this kind are peculiarly cognizable and relievable, To the end therefore that justice may be done, your orator prays that Andrew J Wells Admr of Miles Scarborough, Elizabeth Scarborough widow of Miles Scarborough dec'd Calvin H Scarborough, James Atherton and Margaret his wife, G T Jones and Harriett his wife Temp. Scarborough, Miles Scarborough James S Scarborough, Jackson Scarborough & Georgianna Scarborough Lewis C Scarborough infants) be made parties defendants to this bill — that a guardian ad litem be appointed for the infant defendants who together with the other defendants, shall make true and correct answers to this bill — That your honor will direct a sale of the real estate of which Miles Scarborough died seized and possessed, and direct the proceeds of said sale to be applied to the payment of the debts of the your honor will direct all proper accounts to be taken, and that such further and general relief may be given as equity may dictate and the nature of his case may require, and as in duty bound he will ever pray &c

Pretlow P. Q.

X.

It being suggested to the Court that Wm R Slifer
since
died, became the Purchaser of the land in the
proceedings mentioned, under the a decree herein-
for entered in this cause, has departed this life
having first executed his bond with sufficient
security for the purchase money, leaving a widow
surviving and an infant child surviving

This this day at bar, by consent of parties it
is ordered that this suit be revived against the
said widow and infant child; whereupon this
cause coming again on to be heard on the papers formerly
read

Hollo &c
vs
Clarborough adm's } Decree

Aug Term 1861

To be entered

P. H. Baker

Kellogg
vs
Scarborough's adm.

Decree

~~This day this cause came on again to be heard on the papers formerly read~~ and on the report of Commissioner Pullom who was appointed to sell the real estate in the proceedings mentioned, said report made in pursuance of a decretal order entered in this cause at the May term of this court 1861. and was argued by Counsel - On consideration whereof the Court approving and confirming said report doth adjudge order and decree that Wm H Pullom who is appointed a special Commissioner for that purpose proceed to collect the bond of Wm R Slaughter - which said bond the clerk of this court is directed to deliver him given for $140.55 filed in this cause, and upon payment to him of said bond to execute to the said Wm R Slaughter a deed subject to the same rights of the ~~parties~~ infant heirs of the said ~~Wm R Slaughter~~ and deceased and upon the same trusts as are declared in the deed of trust executed by the said Wm R Slaughter to secure the payment of said bond. and the Court doth further adjudge order and decree that out of the money so collected by him first the expenses of this decree and the balance the Commissioner is directed to distribute pro rata amongst the creditors of Miles Scarborough dec'd, on account of whom debts is filed in this cause, and the Commissioner is directed to report his proceedings under this decree to Court

Thelle etals
vs
Scarborough etals

Answer
of
defendants

1859 August Rules

The joint and separate answer of Georgianna and Lewis C Scarborough by their guardian ad litem Littleton R Edwards appointed to defend them in a suit by Samuel Hollo and others in the Circuit Court of Southampton County &c.

These respondents by Littleton R Edwards their Guardian ad Litem, saving and excepting &c for their answer to so much of said bill as they are advised it is material for them to answer, answering, say, that they believe the facts stated in the complainants bill are true, but as they are minors under the age of twenty one, they beg leave to submit their interests in the premises to the protection of this Hon. court and having answered pray to be dismissed

L. R. Edwards Gdn. p. l.

Kellogg
vs
Scarborough adm^r

Decree

May term 1860
To be entered
R. H. B

Kello &c
vs
Scarborough's adm'x &c } Decree

This day this cause came on again to be heard on the papers formerly read and on the report of Commissioner Sutton made pursuant to an order of November term 1859 and was argued by Counsel - On consideration whereof the court confirming said report doth adjudge order and decree that Joseph Sutton, Jesse H Rolling and William Pond who are appointed Commissioners for that purpose, allot to Elizabeth Scarborough during her natural life, one third part of the real estate (having regard to quality and quantity) of which her late husband died seized and possessed, and make report to this court - that the court doth further adjudge order and decree, that unless the heirs at law of Miles Scarborough dec'd or some one for them, shall in sixty days from this date pay to James T Butler $5.80. to Samuel B Kello $9.62. to J B Kello $3.20. to Jesse B Vick $1.95. to Jesse B Vick $11.45. to William D Butler $15.31. to M D Butler $13.16. to W R Stephenson $38.35. to Kello & Stephenson $8.79. to M J Davis $4.20. to Charles Morris $6.47 to A J & H Briggs $31.36. to Samuel Kello $3.85. to Samuel Kello $87.42 to A H Coker $28.70. to A H Coker $4.81. to Calvin Scarborough $73.96. with interest on each of the amounts from April 1st 1860 and the costs of this suit, that Wm H Sutton who is appointed a Commissioner for that purpose, shall after having given at least twenty days notice of the time and place of sale, sell the land in the bill mentioned, whereof the said Miles Scarborough died seized and possessed, subject to the dower right of the widow Elizabeth Scarborough, for cash, to the highest bidder at public auction, and after having a sum in cash as may be necessary to

defray expenses of sale and costs of this suit, that for balance of proceeds of sale thereof he take from the purchaser bond with good security payable in twelve months with interest from date and return the same with a report of his proceedings under this decree to court. But the said W H Pilcher is not to execute this decree until he shall have given bond, with surety, in the Clerk's Office of this court, in the penalty of $500.00 payable to the Commonwealth of Virginia and conditioned for the faithful performance the duties herein assigned him, and other duties as he may be hereafter required to perform in this cause, under any further decree which may be entered in this cause.

Pollock &c
vs
Cleaborough &c } Decree

May term 1860
To be entered
R. H. B

Thello
v
Searboroughs admrs
Decree

November Term 1859
To be entered
R. H. Baker

1859 November Term

Fkells
vs
Searboroughs admr &c } Decree

This cause, in which the plaintiffs have proceeded against James Searborough, Jackson C Searborough James Atkinson and wife in the mode prescribed by law against absent defendants, came on this day to be heard on the bill taken for confessed as to the defendants Andrew J Fkells Admr of Miles Searborough decd, Elizabeth Searborough widow of Miles Searborough decd, Calvin Searborough, G S Jones and Harriet his wife, Temply Searborough, and Miles Searborough, on whom proces has been duly served, on the answers of infant defendants Lewis C Searborough and Georgianna Searborough by their guardian ad litem assigned to defend them in this suit, with general replications thereto, on exhibits, and was argued by Counsel - On consideration whereof the Court doth adjudge order and decree that Andrew J Fkells do render an account of his transactions as Admr of Miles Searborough before one of the Commissioners of this Court. Taking the account filed with these papers marked "A" as prima facie correct liable to be surcharged and falsified - also an account of the plaintiffs demands, and of all the outstanding debts against the estate of Miles Searborough decd, Taking the account marked "A" filed with these papers as prima facie correct also an account showing the annual and absolute value of the real estate of which the said Miles Searborough died seized and possessed, - also an account showing whether the said Elizabeth Searborough is willing to surrender by deed for a sum of money to be named by the Commissioner, what sum in gross will be sufficient to compensate Elizabeth Searborough widow of Miles Searborough for her dower, which said accounts the Commissioner is directed to examine state and settle, and make report thereof to this Court, with any matter specially stated, deemed pertinent by himself, or which may be required by any of the parties to be stated

Kellock
as
Scarborough's admr &c

Comp. Report -

1860 March 30th.

"A"

The estate of Miles Scarborough dec'd.
In account with Andrew J Kello his Administrator

185-8			Dr		Cr	
January	5th	To paid Eli W Davis exer	3	00		
"	"	" " Nimi Brandt for coffin	5	00		
"	"	" " Clerk tickets	4	25		
July	5th	By amount sales due this day			137	00
		To Commissions on $137.00	6	85		
Oct.	5th	" Commissioners fee for this account	1	50		
		" Clerks fee for recording same	1	25		
		Balance due estate	115	15		
			137	00	137	00
185-8						
Oct.	5th	By Balance due estate brought down with interest thereon from this date till paid			$ 115	15

Account apportioning the amount in the hands of Andrew J Kello Admr of Miles Scarborough dec'd amongst the several creditors of said Scarborough who have proved their debts according to law -

185-8			Dr		Cr	
Oct.	5th	By amount in hands of Admr this day			115	15
		To paid Tax account for 1857	5	31		
		" amount retained to pay Comp. for making my account, taking proof of Debts & demands &c	10	00		
		To amount retained to pay Clerk for recording same	2	00		
		" " retained to pay Comp. for apportioning amt in hands of Admr and making my account	3	50		
		To amt. retained to pay Clerk for recording same	2	00		
		" paid J T Betts	2	24		
		" " S B Hello	3	70		
		" " Same	1	24		
		" " Jesse B Vick		76		
		amounts carried forward	30	75	115	15

1858	Amount brought forward	30 75	115 15		Amount brought forward		9874
	To paid Jesse B Wick	4 40			Bond due Wells & Stephenson October 5th 1858	807	
	" " Milton D Butler	5 91			Interest thereon to April 5th 1860	72	879
	" " Same	5 03			Judgement due M J Davis October 5th 1858	386	
	" " Wm R Stephenson	14 78			Interest thereon to April 5th 1860	34	420
	" " Wells & Stephenson	3 38			Judgement due Chesly Morris October 5th 1858	594	
	" " M J Davis	1 62			Interest thereon to April 5th 1860	53	647
	" " Chesly Morris	2 49			Judgement due A D & Burgess October 5th 1858	2786	
	" " A D & Burgess	11 69			Interest thereon to April 5th 1860	250	3036
	" " Samuel Wells	1 48			Bond due Samuel Wells October 5th 1858	354	
	" " Same	33 62			Interest thereon to April 5th 1860	31	385
Oct	5 Balance	115 15	115 15		Bond due Samuel Wells October 5th 1858	8021	
					Interest thereon to April 5th 1860	721	8742
					Bond due A W Coker January 11th 1857	2401	
					Interest thereon to April 5th 1860	469	2870
					Account due A W Coker January 1st 1858	425	
					Interest thereon to April 5th 1860	56	481
					Bond due Calvin Scarborough May 15th 1843	7500	
					Interest thereon to December 21st 1846	1625	
					Amount due Dec 21st 1846	9125	
					By credit Dec. 21st 1846	5000	
					Balance due Dec 21st 1846	4125	
					Interest thereon to April 5th 1860	3271	7396
					Total amount of Debts inclusive of interest up to April 5th 1860		$ 34930

Respectfully submitted
Wm H Pretlow Commissioner

"B"

An account of all outstanding debts against the estate of Miles Scarborough and distinguishing their dignity -

Account due James T Butler Oct 5th 1858	533		
Interest thereon to April 5th 1860	47	580	
Account due Samuel B Wells Oct. 5th 1858	883		
Interest thereon to April 5th 1860	79	962	
Bond due S B Wells October 5 1858	294		
Interest thereon to April 8th 1860	26	320	
Account due Jesse B Wick October 5th 1858	179		
Interest thereon to April 5th 1860	16	195	
Account due Jesse B Wick October 5th 1858	1051		
Interest thereon to April 5th 1860	94	1146	
Bond due Milton D Butler October 5 1858	1405		
Interest thereon to April 5th 1860	126	1531	
Account due Milton D Butler Oct 5th 1858	1195		
Interest thereon to April 5th 1860	107	1306	
Bond due Wm R Stephenson October 5 1858	3519		
Interest thereon to April 5 1860	316	3835	
Amount carried forward		9874	

Commissioners Office
Jerusalem March 24th 1860

To the Circuit Court of Southampton County -

Pursuant to a decree of the Circuit Court of Southampton

"C"

An account showing the annual and absolute value of the real estate of which Miles Scarborough died seized and possessed -

Upon examination on oath of Jesse H Rollings, William Pond and John Barnes, Your Commissioner reports, the quantity of land to be about two hundred and fifty acres, and worth absolutely about two hundred and fifty dollars, and its annual value to be about twenty dollars, that the widows dower deducted, that its annual value is worth nothing

Respectfully submitted
Wm H Pretlow Comr

"D"

An account showing whether the widow Elizabeth Scarborough is willing to surrender her dower in the real estate of her late husband, and if so, what sum in prop would be sufficient to compensate her -

Your Commissioner would state that he received a note from the widow, stating that she declined accepting a sum in grop for her dower in the real estate of her late husband, but prefers that her dower should be allotted her in metes and bounds by Commissioners appointed by this Court -

Respectfully submitted
Wm H Pretlow Comr

Commissioners Office
Jerusalem March 24th 1860

To the Circuit Court of Southampton County -

Pursuant to a decree of the Circuit Court of Southampton County, rendered at the November Term 1859 in a suit in Chancery depending in said Court between Kello &c plaintiffs and Scarborough Admr &c defendants, the undersigned one of the Commissioners of said Court, to whom was referred for settlement by said decree, the account of Andrew J Kello as administrator of Miles Scarborough dec'd an account of the plaintiffs demands and of all outstanding debts against the estate of Miles Scarborough dec'd, also an account of the real estate of the said Scarborough died seized and possessed, showing its annual and absolute value, and an account showing whether the widow Elizabeth Scarborough is willing to surrender her dower in the real estate of her late husband and if so what sum in prop will be sufficient to compensate her, reports to the Court, that on the 16th day of January 1860, he issued notice against the several parties aforesaid, requiring them to attend the settlement and taking of the said several accounts, before him at his office, on the 8th day of March 1860, which were returned duly executed on all the parties residing in the County, and that he published a notice in the Petersburg Intelligencer for four weeks, over a week for the absent parties, and he posted a copy of said notice at the Court House door of this County on the day of issuing the same - at which time he examined the vouchers, stated and settled the foregoing account marked "A" of the said Andrew J Kello Administration on the estate of Miles Scarborough dec'd up to October 6th 1858, and on that day finds the accounts balanced nothing due from the Admr to the estate nor from the estate to him. your Commissioner would specially state, that he took the account as made out by a Commissioner in the County Court as correct that the Comr in the County Court had made out his Administration account and apportioned the amount in his hands amongst the

the several creditors who had proved their claims before him a copy of which account is filed with this report. He also made up and completed the foregoing account marked "B" of the Debts against the estate of Miles Scarborough deceased, which were proved before him, and which including interest up to April 5th 1860 amounts to $345.31. which Debts are all of the same or fourth class of Debts - Your Comp. would state in reference to this account that most of the debts in this account were proved upon the Comp. in the County Court, who made out an account of the debts, and that your Commissioner subtracted the amount apportioned to each of the creditors, and reported the balance still due in his account - He also examined Jesse H Rollings, William Pond, and John Barrot, as to the annual and absolute value of the real estate of which Miles Scarborough died seized and possessed, and they being well acquainted with the same, and from their testimony, reports the foregoing account marked "C". He also received a note from the widow from which he reports the foregoing account marked "D"

The Commissioner further states to the Court that after the completion of the said accounts, he retained them in his office ten days for the examination of the parties, which accounts, with the deeds, and notices are herewith returned -

Given under my hand as Commissioner aforesaid the day and year first aforesaid

W H Pettus Comp.

Comp. Fee $20.00
chgd to Plaintiffs

Witness attendance - Jesse H Rollings, William Pond, and John Barrot, one day each -

W H Pettus Comp.

Kellso

No 3

Scarborough no 1

Filed with Coroner Report March
30th 1860

The Estate of Miles Scarborough dec.

In account with Andrew J Kello his administrator

			Dr		Cr	
1858	Jany	5	To paid Eli W Davis Cryer	3	00		
"	"	"	" " Newit Branch for Coffin	5	00		
"	"	"	" " Clerks ticket	1	25		
"	July	5	By amount Sales due this day			137	00
			To Commissioners on $137.00	6	85		
"	Oct	5	" Commissioners fee for making up this account	1	50		
"	"	"	" Clerks fee for recording Same	1	25		
"	"	"	" balance due Estate	115	15		
				137	15	137	15
"	"	"	By balance due estate brought down with interest thereon from this day			115	15

Respectfully Submitted

Henry L Howard Com

Commissioners Office

Jerusalem September 12th 1858

To the County Court of Southampton County.

Your Commissioner reports to Court that Andrew J Kello the administrator of Miles Scarborough has exhibited before him a Statement of all moneys received by the said administrator or with which he had become chargeable or had disbursed during the periods embraced in the foregoing account together with the vouchers in support of the disbursements — That he finds a balance of $115. 15 to be due by the said administrator to the said estate on the 5th day of October 1858 with interest from that day .. That the said account is supported by satisfactory vouchers and that the said administrator has given such bond as the law requires the penalty whereof and the securities thereto are sufficient in the opinion of the Commissioner — That the said administrator was embraced in the list of Fiduciaries posted up at the front door of the Courthouse of Southampton County on the first day of July Court last and now on this day (ten days having elapsed since the same was thus posted up) the foregoing account is made up and completed — Given under my hand

as Commissioner aforesaid the day and year first aforesaid

Henry S. Howard Commissioner

An account of all debts or demands against Miles Scarborough deceased or his estate proved before Henry S Howard one of the Commissioners in Chancery of the County Court of Southampton pursuant to the annexed notice and according to law.

An account due I. J. Butts 1st January 1856	6 50		
Interest thereon to October 5th 1858	1 07	7	57
An account due Saml. B Kello 1st Jany 1856	10 75		
Interest thereon to October 5th 1858	1 78	12	53
A bond due Saml B Kello 30 Jany 1850	2 75		
Interest thereon to October 5th 1858.	1 43	4	18
An account due Jesse B Vick 1st Jany 1858	2-44		
Interest to October 5th 1858.	11	2	55
An account due Jesse B Vick 1st Jany 1857	13 49		
Interest thereon to October 5th 1858	1 42	14	91
A bond due Milton D Butler 17th May 1856	17 47		
Interest thereon to October 5th 1858.	2 49	19	96
An account due Milton D Butler 1st Jany 1858.	16 28		
Interest to October 5th 1858.	74	17	02
A bond due Wm R. Stephenson 12th Jany 1855	40 83		
Interest to October 5th 1858.	9 11	49	97
A bond due Kello & Stephenson 12th Jany 1855	9 36		
Interest to October 5th 1858	2 09	11	45
Amount carried forward		140	14

Amount brought forward			140 14
Judgment due M D. Butler 1st Jany 1855	$ 29 87		
Interest thereon to 18 June 1856	2.62		
Costs	40		
	32. 89		
By Cash Credit	28 07		
Balance due		4 82	
Interest thereon to 5th October 1858		66	5 48
Judgment due Chesley Morris 29th August 1852	$ 14.70		
Interest to 1st Feby 1854	1.24		
Costs	30		
Total amount due 1st Feby 1854	16.24		
By Credit	4.75		
Balance	11.49		
Interest to 6th May 1854	18		
Total amount	11 67		
By Credit	5.00		
Balance due		6 67	
Interest to 5th October 1858		1 76	
			8 43
Judgment due A S H Burges 21st Apl 1842		19 75	
Interest to October 5th 1858		19 50	
Costs		30	39 25
A bond due Saml Kello 21st Jany 1857		4 57	
Interest thereon to October 5th 1858.		45	5 02
A bond due Saml Kello 15th June 1856		100 00	
Interest thereon to Octber 5th 1858		13 83	
			113 83
Total amount of Debts or demands proved inclusive of interest up to the 5th October 1858.			312 45

Respectfully Submitted

Henry S Howard Comr

Commissioners Office
Jerusalem July 15th 1858

To the Creditors of the estate of Miles Scarborough deceased & all others concerned.

You are hereby notified that at the request of Andrew J Kello administrator of the estate of Miles Scarborough deceased I have appointed the 18th day of August next at my office for receiving proofs of debts or demands against the said decedant or his estate, at which time and place you are required to attend - Given under my hand as a Commissioner of the County Court of Southampton County the day and year last aforesaid

Henry S Howard Commissioner

Account apportioning the amount in the hands of Andrew J Kello administrator of Miles Scarborough dec'd amongst the several creditors of the said Scarborough who have proved their debts according to law.

1858			Dr		Cr	
October	5	By amount in hands of adm'r this day			115	15
		To paid tax account for 1857	3	31		
		" amount retained to pay Commissioner for making up account & taking proof of debts or demands &c.	10	00		
		" amount retained to pay Clerk for recording same	2	00		
		" Amount retained to pay Commissioner for apportioning amount in hands of adm'r and making up account	3	50		
		" amount retained to pay Clerk for recording same	2	00		
		" balance in hands of adm'r	92	34		
			115	15	115	15
		By balance in hands of adm'r to be apportioned amongst the Creditors			92	34

The following is a list of the Creditors who have proved their debts or demands according to law with the amounts inclusive of interest to the 5 October 1858.

To J. T. Butts	7	57
" Samuel B Kello	12	53
" Same	4	18
" Jesse B Vick	2	55
Amount Carried forward	26	83
Amount brought forward	26	83
To Jesse B Vick	14	91
" Alston D Butler	19	96
" Same	17	02
" Wm R Stephenson	49	97
" Kello & Stephenson	11	45
" M. J. Davis	5	48
" Chesley Morris	8	43
" A. E. A Burges	34	55
" Samuel Kello	5	02
" Same	113	83
Total Amount	312	45

The following account shows the amount apportioned to each of the creditors.

To J. T. Butts	2	24
" Samuel B. Kello	3	70
" Same	1	24

To Jesse B Vick			76
" Same		4	20
"	Amount Carried forward	12	34
	Amount brought forward	12	34
To Milton D Butler		5	91
" Same		5	03
" Wm R Stephenson		14	78
" Kello & Stephenson		3	38
" M J Davis		1	62
" Ichisling Morris		2	49
" A S H Burges		11	69
" Same Kello		1	48
" Same		33	62
	Total amount	$	92 34

Respectfully Submitted

Henry S Howard Comr

Commissioners Office

Jerusalem September 1st 1858

To the County Court of Southampton County.

At the request of Andrew J Kello adm of Miles Scarborough dec'd your Commissioner has apportioned the amount in his hands amongst the several creditors of the said decedent who have proved their account debts which account is herewith returned. Given under my hand as Commissioner aforesaid the day and year first aforesaid

Henry S Howard Comr

At a Court held for the County of Southampton October 18th 1858.

An account of Andrew J Kello's administration on the estate of Miles Scarborough dec'd an account of the debts or demands against the said Miles Scarborough or his estate and an account apportioning the amount in the hands of Andrew J Kello admr of Miles Scarborough amongst the several creditors who have proved their several demands or debts having several... ally [illegible] one month and upwards in the Clerks office and there being no exceptions thereto were examined confirmed and severally ordered to be recorded. And the Court adjudge order and decree that Andrew J Kello administrator of Miles Scarborough dec'd pay to J. T Butts $2.24/100 to Sam'l B Kello $3.70/100 to Sam'l B Kello $1.24/100 to Jesse B Vick 76 cts to Jesse B Vick $4.40/100 to Milton D Butler $5.91/100 to Milton D Butler $5.03/100 to Wm R Stephenson $14.78/100 to Kello & Stephenson $3.38/100 to M J Davis $1.62/100 To Ichisling Morris $2.40/100 to A S H Burges $11.69/100 to Sam'l Kello $1.48/100 & $33.62/100 being their ascertained proportions of the amount in the hands of the said Andrew J Kello as administrator aforesaid with interest on each of said amounts from the 5th day of October 1858 till paid

Teste S R Edwards Cc

A Copy

Teste S R Edwards Cc

Hell.

2 Bombs

Scarborough &c

Know all men by these presents that we Wm H Pretlow &
Tho J. Pretlow ——— are held and firmly bound unto the
Commonwealth of Virginia in the just and full Sum of five hundred
dollars good and lawful money of Virginia, to the payment where of well
and truly to be made we bind ourselves, our heirs Executors and administrators
jointly and severally firmly by these presents Sealed with our Seals and
dated this 31st Day of July. 1860

The Condition of the above Obligation is such that whereas in a Suit
in Chancery depending in the Circuit Court of Southampton County between
Samuel Kello who sues &c Peff and Andrew J Kello admrs. of Miles
Scarborough dec'd & others Defts. by a decree entered in the said Suit on the
3rd day of May 1860 the above bound Wm H. Pretlow was appointed
a Commissioner for certain purposes therein expressed. Now if the said
Wm H Pretlow shall faithfully discharge the duties of his trust under said
decree and such other decrees as may be appointed him under any further
decrees which may be entered in the cause then the above obligation to be
void or else to remain in full force and virtue.

Signed Sealed & acknowledged
before me } Wm H Pretlow (Seal)
J. J. Pretlow (Seal)

Kello 1°

v Z affidavit.

Scarborough nor 1°

1859 Aug. Rules.

Kello & c :

vs

Scarborough Adm'r &c &c

This day appeared before me a Commissioner in Chancery, Andrew J Wells, and made oath, That Jackson Scarborough, James Scarborough James Atkinson and wife defendants, in this suit are not residents of this Commonwealth, To the best of his belief

Given under my hand as a Commissioner in Chancery of Southampton County, this 27th day of July 1859

W H Bretlow Com'r

Kills

v } Or. Pub.

Scarbroughs 40 d°

Copy posted at front door Ct House
Aug 6. 1859.

At Rules held in the Clerks Office of the Circuit Court of Southampton County on the first Monday in August 1859.

Samuel Kello who sues on behalf of himself and all other creditors of the estate of Miles Scarborough

Pff

against

In Chancery

Andrew J. Kello admr. of Miles Scarborough dec'd. Elizabeth Scarborough widow of Miles Scarborough dec'd Calvin H. Scarborough. James Atkinson and Margaret his wife G. S. Jones and Harriet his wife, Simpy Scarborough. Miles Scarborough, James S Scarborough, Georgiana Scarborough & Lewis C. Scarborough Dfts:

The object of this suit is to subject the real estate of which the said Miles Scarborough dec'd died seized and possessed to the payment of his debts - and affidavit being made that the defendants Jackson & James Scarborough & James Atkinson and wife are not residents of this Commonwealth, on the motion of the plaintiff by his Counsel it is ordered that the said defendants do appear within one month after due publication of this order and do what is necessary to protect their interest - and that a copy of this order be published in the Petersburg Intelligencer a news paper published in the City of Petersburg once a week for four weeks successively, and posted at the front door of the Court-houses of this County on the first day of the next County Court thereof.

A Copy

Teste. L.R. Edwards clk

COMMISSIONER'S OFFICE,
JERUSALEM, Va, January 16, 1860.

TO SAMUEL KELLO, who sues on behalf of himself and all other creditors of the estate of Miles Scarborough, dec'd, who shall come in and contribute to the expenses of this suit, plaintiffs, and Andrew J. Kello, Administrator of Miles Scarborough, dec'd, Elizabeth Scarborough, widow of Miles Scarborough, dec'd, Calvin J. Scarborough, James Atkinson, and Margaret his wife, G. W. Jones, and Harriet his wife, Tempy Scarborough, Miles Scarborough, James S. Scarborough, Jacob Scarborough, Georgianna Scarborough and Lewis C. Scarborough, defendants:

You are hereby notified that I have fixed upon the 8th day of March, 1860, at my office to execute a decree of the Circuit Court of Southampton county, rendered at its November term 1859, in a suit in chancery depending in said court, in which you are parties plaintiffs and defendants.

The decree aforesaid directs one of the Commissioners of that Court to take the following accounts: 1st. An account of Andrew J. Kello's transactions as Administrator of Miles Scarborough dec'd; 2d. An account of the plaintiffs demands and of all outstanding debts against the estate of Miles Scarborough dec'd; 3d. An account showing the annual and absolute value of the real estate of which Miles Scarborough died seized and possessed; 4th. An account showing whether the defendant, Elizabeth Scarborough, is willing to surrender her dower for a sum in gross, and what sum in gross will be sufficient to compensate her for her dower; at which time and place you are required to attend with the necessary evidences to enable me to execute the said decree.

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

WM. H. PRETLOW,
Commissioner.

ja 19—w4w

CITY OF PETERSBURG, To Wit:

Personally appeared before me, an Alderman of said city, John D. Hammond Clerk of the ~~Intelligencer~~ Office, and made oath that the annexed Order of Publication has been published weekly for four weeks successively. Given under my hand, this 27th day of March 1860.

Sam'l Pebley JP

"A"

Rolls

No. 3

Scarborough's adm.r D.

Filed 6 Pltff Nov. 3. 1859

Rolls fee $1.50

The Estate of Miles Scarborough dec'd

In account with Andrew J Kello his administrator

			Dr		Cr	
1858 Jany	5	To paid Eli W Davis Dyer	3	00		
"	"	" " Newit Branch for Coffin	5	00		
"	"	" " Clerks Ticket	4	25		
"	July	5 By Amount Sales due this day			137	00
"		To Commissions on $ 137. 00	6	85		
"	Oct.	5 " Commissioners fee for making up this account	1	50		
"	"	" Clerks fee for recording Same	1	25		
"	"	" balance due estate	115	15		
			137	15	137	15
"	"	" By balance due Estate brought down			115	15

with interest thereon from this day, to be paid

Respectfully Submitted

Henry S. Howard Comr

Commissioners Office

Jerusalem September 1st 1858

To the County Court of Southampton County.

Your Commissioner reports to Court that Andrew J Kello the administrator of Miles Scarborough has exhibited before him a Statement of all moneys received by the said Administrator or with which he had become chargeable or had disbursed during the periods embraced in the foregoing account together with the vouchers in support of the disbursements. That he finds a balance of $ 115. 15 to be due by the said administrator to the said estate on the 5th day of October 1858 with interest from that day. That the said account is supported by satisfactory vouchers and that the said administrator has given such bond as the law requires, the penalty whereof and the Securities thereto are sufficient in the opinion of the Commissioner. That the said Administrator was embraced in the list of Fiduciaries posted up at the front door of the Courthouse of Southampton County on the first day of July Court last, and now on this day (ten days having elapsed since the same was thus posted up) the foregoing account is made up and Completed.

Given under my hand as Commissioner aforesaid, the day and year first aforesaid

Henry S Howard Commissioner

An Account of all debts or demands against Miles Scarborough deceased or his estate proved before Henry S. Howard, one of the Commissioners in Chancery of the County Court of Southampton County (pursuant to the annexed notice) and according to Law.

An Account due J. T. Butts 1st January 1856	6 50		
Interest thereon to October 5th 1858.	1 07	7 57	
An Account due Sam'l B Kello 1st Jany 1856	10 75		
Interest thereon to October 5th 1858.	1 78	12 53	
A bond due Sam'l B Kello 30th Jany 1850	2 75		
Interest thereon to October 5th 1858	1 43	4 18	
An Account due Jesse B. Vick 1st Jany 1858	2 44		
Interest thereon to October 5th 1858	11	2 55	
An Account due Jesse B Vick 1st Jany 1857	13 49		
Interest thereon to October 5th 1858.	1 42	14 91	
A bond due Milton D. Butler 17th May 1856	17 47		
Interest thereon to October 5th 1858	2 49	19 96	
An Account due Milton D Butler 1st Jany 1858	16 28		
Interest thereon to October 5th 1858	74	17 02	
A bond due Wm R Stephenson 12th Jany 1855	40 83		
Interest thereon to October 5th 1858	9 14	49 97	
A bond due Kello & Stephenson 12th Jany 1855	9 36		
Interest thereon to October 5th 1858.	2 09	11 45	
Amounts carried forward		$ 140 14	
Amount brought forward		140 14	
Judgment due M D. Butler 1st Jany 1855	$ 29.87		
Interest thereon to 18th June 1856.	2.52		
Costs.	40		
Total amount 18th June 1856	$ 32.89		
By Credit " " "	28.07		
Balance due " " "		4 82	
Interest thereon to 5th October 1858		66	
			5 48
Judgment due Chisling Morris 29th Augt 1852.	$ 14.70		
Interest to 1st Feby 1854	1.24		
Costs	30		
Total amount due 1st Feby 1854	$ 16.24		
By Credit " " "	4.75		
Balance " " "	11.49		
Interest to 6th May 1854	.18		
Total amount " " "	11.67		
By Credit " "	5 01		
Balance due " "		6 67	
Interest to 5th October 1858		1 76	
			8 43
Judgment due A. S. H. Burges 21st April 1842	19 75		
Interest to 5th October 1858	19 50		
Costs	30	39	55
A bond due Sam'l Kello 21st June 1857	4 57		
Interest thereon to October 5th 1858	45	5 02	
A bond due Samuel Kello 15 June 1856	100 00		
Interest thereon to October 5th 1858.	13 83		
		113 83	
Total amount of Debts or Demands proved inclusive of interest upto the 5th October 1858.		312 45	

Respectfully Submitted

Henry S. Howard Comr.

Commissioners Office
Jerusalem July 13th 1858.

To the Creditors of the Estate of Miles Scarborough deceased and all others concerned.

You are hereby notified that at the request of Andrew J Kello Administrator of the Estate of Miles Dearborough deceased I have appointed the 18th day of August court at my Office for receiving proofs of debts or demands against the said decedent or his estate, at which time and place you are required to attend. Given under my hand as a Commissioner of the County Court of Southampton County, the day and year first aforesaid

Henry F Howard Commissioner

Account apportioning the amount in the hands of Andrew J Kello Administrator of Miles Dearborough dec'd amongst the several creditors of the said Dearborough who have proved their debts according to law.

1858			Dr		Cr	
October 5	By amount in hands of admr. this day				115	15
	To paid tax account for 1857.		5	31		
	" Amount retained to pay Commissioner for making up account & taking proofs of debts or demands &c.	3	10	00		
	" Amount retained to pay Clerk for recording Same		2	00		
	" Amount retained to pay Commissioner for apportioning amount in hands of admr. and making up account	3	3	50		
	" Amount retained to pay Clerk for recording Same		2	00		
	" Balance in hands of admr		92	34		
			115	15	115	15
	By balance in hands of admr. to be apportioned amongst the Creditors	3			92	34

The following is a list of the Creditors who have proved their debts or demands according to law, with the amounts inclusive of interest to the 5th October 1858.

To J. T. Butts		7	57
" Samuel B. Kello		12	53
" Same		4	18
" Jesse B. Vick		2	55
	Amount Carried forward	26	83
	Amount brought forward	26	83
To Jesse B. Vick		14	91
" Milton D Butler		19	96
" Same		1	02
" Wm R Stephenson		49	97
" Kello & Stephenson		11	45
" M. J. Davis		3	48
" Chesley Morris		8	43
" A. D. A. Vergas		30	55
" Samuel Kello.		5	02
" Same		113	83
	Total Amount	312	45

The following Account shows the amount apportioned to each of the creditors.

To J. T. Butts		2	24
" Sam'l B Kello		3	70
" Same		1	24
" Jesse B Vick			76
" Same		4	40
	Amount Carried forward	12	34

	Amount brought forward	$	12 34
To	Milton D Butler		5 91
"	Same		5 03
"	Wm R Stephenson		14 78
"	Kello & Stephenson		3 38
"	M J Davis		1 62
"	Ebeling Morris		2 49
"	A S K Burgess		11 69
"	Sam[l] Kello.		1 48
"	Same		33 62
	Total amount	$	92 34

Respectfully Submitted

Henry B Howard Comr

Commissioners Office
Jerusalem September 1st 1858.

To the County Court of Southampton County.

At the request of Andrew J Kello admr of Miles Scarborough dec[d] Your Commissioner has apportioned the amount in hands amongst the several Creditors of the said decedent, who have proved their debts, which account is herewith returned

Given under my hand as Commissioner aforesaid the day and year first aforesaid

Henry B Howard Comr

At a Court held for the County of Southampton. October 18th 1858.

An account of Andrew J Kello's administration on the estate of Miles Scarborough dec[d] an account of the debts or demands against the said Miles Scarborough or his estate and an account apportioning the amount in the hands of Andrew J Kello admr of Miles Scarborough amongst the several creditors who have proved their several demands or debts having severally been one month and upwards in the Clerks Office and there being no exceptions thereto were examined confirmed and severally ordered to be recorded. And the Court doth adjudge, order and decree that Andrew J Kello administrator of Miles Scarborough dec[d] pay to J. F. Butts $2.24/100 to Sam[l] B. Kello 3.7/100 to Sam[l] B. Kello $1.24/100 to Jesse B Vicks 76 Cts to Jesse B. Vicks $21.45/100 to Milton D Butler 5.9/100 to Milton D Butler $5.03/100 to Wm R. Stephenson $14.78/100 to Kello & Stephenson $3.38/100 to M. J. Davis $1.62/100 to Ebeling Morris $2.49/100 to A. S. K. Burgess $11.69/100 to Sam[l] Kello $1.48/100 & 33.62/100 being their ascertained Proportions of the amount in the hands of the said Andrew J Kello as administrator aforesaid with interest on each of said amounts from the 5th day of October 1858 till paid.

Teste

D R Edwards Clk

A Copy

Teste. D R Edwards Clk

Kello

Scarborough

1859 July Rules

To be executed on Jackson B. Scar
Cordingly

The Commonwealth of Virginia,

TO THE ~~SHERIFF OF SOUTHAMPTON COUNTY~~ GREETING:

WE COMMAND YOU TO SUMMON Andrew J Kello & wife Miles Scarborough C. J. Scarborough Jackson C. Scarborough Miles Scarborough James F. & Lewis C. Scarborough infants Elizabeth Scarborough widow James A Atkinson & wife Margaret G. S. Jones & wife Hewlett Temply Scarborough & Georgiana Scarborough

to appear at the Clerk's office of our Circuit Court of Southampton County, at the Rules to be holden for the said Court, on the first Monday in July next —, to answer a bill in chancery exhibited against them — in our said Court by

Samuel Kello for himself and all other creditors of Miles Scarborough dec

and have then and there this writ. *Witness*, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this 13 day of May 1859, in the 83 year of the Commonwealth.

L R Edwards Clk

Executed June 2d 1839 on A J Hollo
b J Searborough, Miles Searborough ~~& Co~~ &
~~&~~ Lewis b Searborough, Elizabeth Searborough
G. G. Jones & Harriett his wife, Temp Searbo-
-rough, Georgeanna Searborough. by delivering
Each of them a copy. G Wick Dpty
~~Sheff~~

Hall
v
Searboroughs &c.
1839 January Rules

Execution Searborough
James Searborough
~~& Wm Stinson & wife~~
~~not found~~
G Wick Dpty
~~Sheff~~

The Commonwealth of Virginia to

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON Andrew J. Kells admr. of Miles Scarborough, C. J. Scarborough, Jackson C Scarborough, Miles Scarborough, James S. & Lewis C. J. Scarborough, infants, Elizabeth Scarborough widow, James H Atkinson & his wife Margaret, G. S. Jones & his wife Harriett, Temply Scarborough & Georgiana Scarborough

to appear at the Clerk's office of our Circuit Court of Southampton County, at the Rules to be holden for the said Court, on the first Monday in July next, to answer a bill in chancery exhibited against them in our said Court by Samuel Kells for himself & all other creditors of Miles Scarborough dec'd

and have then and there this writ. *Witness*, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this 13 day of May 1859, in the 83 year of the Commonwealth.

L R Edwards dobb

A TRULES HELD IN THE CLERKS Office of the Circuit Court of Southampton County, on the FIRST MONDAY IN AUGUST, 1859:

Samuel Kello, on behalf of himself and all other creditors of the estate of Miles Scarborough, dec'd. Plffs.

against

Andrew J. Kello, adm'r of Miles Scarborough, dec'd, Elizabeth Scarborough, widow of Miles Scarborough, dec'd, Calvin Scarborough, James Atkinson, and Margaret, his wife, G. S. Jones, and Harriet, his wife, Tempy Scarborough, Miles Scarborough, James S. Scarborough, Jackson Scarborough, Georgiana Scarborough, and Lewis C. Scarborough, Defts.

IN CHANCERY.

The object of this suit is to subject the real estate of which the said Miles Scarborough, dec'd, died seized and possessed, to the payment of his debts, and affidavit being made that the Defendants, Jackson Scarborough, James Scarborough, and James Atkinson and wife, are not residents of this Commonwealth. On the motion of the Plaintiff, by his Counsel, it is ordered that they do appear within one month after due publication of this order, and do what is necessary to protect their interest; and that a copy of this order be published once a week for four weeks successively in the Petersburg Intelligencer, a newspaper published in the City of Petersburg; and posted at the front door of the Courthouse of this County, on the first day of the next County Court thereof.

A Copy—Teste, L. R. EDWARDS, Cl

au 9-w4w—Wm. H. Pretlow, P. Q.

CITY OF PETERSBURG, To Wit:

Notary Public

Personally appeared before me, an ~~Alderman~~ of said city O. D. Hamwood, Clerk of the Intelligencer Office, and made oath that the annexed Order of Publication has been published weekly for four weeks successively. Given under my hand, this 21st day of Sept— 1859.

James M. Dorman

Notary Public

Kello

Or. Pub

Scarbroughs act

1839 Sept. 28

Kellogg & als.
vs
Scarborough, Admr & als } Respts

1861 March 30

1861 May 11. Recd & fld bond with the report

Mr Le Roy

Kello & others
vs
Scarborough, Admr &c } Report

In obedience to a decree of the Circuit Court of Southampton County, rendered at its May Term 1860 in this cause, Your Commissioner reports, that after having given twenty days notice of time and place of sale, he exposed for sale the land in the proceedings mentioned to the highest bidder, upon the terms directed by the decree, that Wm R Stephenson became the purchaser for the sum of $251.00, and that after deducting the costs of suit and sale, which was $107.50 he took from the purchaser bond with S B Kello security for the sum of $140.95 payable twelve months after date carrying interest from date, and returned to the Court with this report the balance of $2.5.5 now in the hands of the Commissioner accruing by his mistake in the costs, subject to order of the Court, all which will more fully appear by the following statement

Amt of sale		$251.00
Clerks costs	$16.95	
Sheriff "	9.50	
2 ords of Pub.	14.00	
Comp. for Surveyor	20.00	
Commissioners	12.55	
Orger	1.50	
Witnesses	1 50	
Atty fee	31.50	
Amt in hand by mistake	2.55	
Amt of bond vs Stephenson	140.95	
	$251.00	$251.00

All of which is respectfully submitted
Wm H Prettlow Commissioner

said deces —

Given under my hand as Commissioner in Chancery of said Court the day and year aforesaid

Wm H Pettus Comr

Filed
in
Clearfork Chancy

Wm Pettus

Copied
Nov 20. 1860

Gloss Nov 6

D Pettus

Commissioner's Office
Jerusalem Va January 16th 1860

To Samuel Hello who sues on behalf of himself and all other creditors of the estate of Miles Scarborough decd who shall come in and contribute to the expenses of this suit- Plaintiffs

and

Andrew J Hello Admr of Miles Scarborough decd Elizabeth Scarborough widow of Miles Scarborough decd Calvin J Scarborough James Atkinson and Margaret his wife, G S Jones and Harriet his wife, Temply Scarborough, Miles Scarborough, James S Scarborough, Jackson Scarborough, Georgiadma Scarborough and Lewis C Scarborough- Defendants

You are hereby notified that I have fixed upon the 8th day of March 1860, at my office, to execute a decree of the Circuit Court of Southampton County, rendered at its November Term 1859, in a suit in Chancery depending in said court, in which you are parties, plaintiffs and defendants-

The decree aforesaid directs one of the Commissioners of that Court to take and state the following accounts- 1st An account of Andrew J Hello's transactions as Admr of Miles Scarborough decd.- 2nd An account of the plaintiffs demands and of all outstanding debts against the estate of Miles Scarborough decd.- 3d An account showing the annual and absolute value of the real estate of which Miles Scarborough died seized and possessed- 4th An account showing whether the defendant Elizabeth Scarborough is willing to surrender her dower for a sum in gross, and what sum in gross will be sufficient to compensate her for her dower; at which time and place you are required to attend with the necessary evidence to enable me to execute

An account distributing the proceeds of Sale of the real estate of Miles Scarborough dec'd in the hands of Wm H. Pretlow Commissioner amongst the creditors of the said Scarborough agreeably to the decree of the Circuit Court of Southampton County at the May Term 1861 in the suit of Kello &c. Scarborough's adm's.

	Amount to be distributed $143.77				
	To paid $3.18				
	" Com for this acct. 5.00	8.18			
	Nett amt. to be distributed	$ 135.59	amt of Debts		Their propr.		
James T Butts			5	80	2	25	Paid Wm H Pretlow Adm
Sam'l B Kello			9	62	3	76	Dec'r 27th 1861 Pd S. B. Kello
Sam'l B Kello			3	20	1	22	Do. — — P. S. B. Kello
Jos. B Vick			1	95		77	Paid J. B. Vick
Jos. B Vick			11	45	4	47	Paid J. B. Vick
M D Butler			15	31	5	99	Paid Wm H Pretlow Adm,
M D Butler			13	06	5	09	Paid Wm H Pretlow Adm,
W R Stephenson			38	35	15	09	Decm'r 28th 1861 Pd W R Stephenson admr W R Stephenson
Kello & Stephenson			8	79	3	45	Do Do do Do do do Do
M J Davis			4	20	1	64	Paid Wm H Pretlow Adm,
Charles Morriss			6	47	2	55	Paid Wm H Pretlow Adm,
A. S. H. Burgess			30	36	11	85	Paid Wm H Pretlow Adm,
Samuel Kello			3	85	1	50	Sam'l Kello paid
			152	41	59	54	

Amount brought forward		152	41	59	54
Samuel Kello		87	42	34	08
A.W. Coker		28	70	11	29
A.W. Coker		4	81	1	97
Calvin Scarborough	Rece Calvin Scarborough	73	96	28	86
		£ 347	30	135	59

Samel Kello Rec.d

Paid. but accept mistaken

Sam

Wells
vs
Scarborough } Decree

April Co. 1866
To be entered
R. H. B.

Kello
vs
Scarborough

Decree

This cause this day come on again to be heard on the papers formerly read, and on Report of Commissioner Bellows made in pursuance of a Chancellor's order entered at the May Term of this Court 1861, and was argued by Counsel. On Consideration whereof the Court confirming said report, and the plaintiff not wishing further to prosecute this suit, order that it be ~~dismissed~~ discontinued from the docket

Kello

Stat. Rules.

Scarboroughs adv[t]

1860 May

Clk		// 10.79
Shff —		9.50
2 Ord. Pub.		14.00
Com. Dict		20.00
Jos. H. Rollings	Mer.	.50
Wm Pond.	"	50
John Barrett	"	50
Law. fee 1[o]		31.50
		// 87.29
Jos Butler	56	
J B Kello	56	
M. D. Butler	56	
W R. Stephenson	56	
Kello Stephenson	56	
M. J. Davis	56	
Chs Harris	56	
A. J. H. Burgess	56	
A W Coker	56	
Calvin Scarborough	56	
Jos B. Vick	56	
Chs. Morris	56	6.72
		// 94.01

1861 May

Clk	3.18
Paid by W H Rollins Com.	// 3.18

In Southampton Circuit Court.

Samuel Kello who sues on behalf of himself and all other creditors of the estate of Miles Scarborough dec^{d} who shall come in and contribute to the expenses of this suit against

Andrew J Kello admr: of Miles Scarborough dec^{d} Elizabeth Scarborough, widow of Miles Scarborough dec^{d} Calvin H. Scarborough, James Atkinson & Margaret his wife, G. S. Jones & Harriet his wife, Jempsy Scarborough, Miles Scarborough, James L. Scarborough Jackson Scarborough, Georgiana Scarborough & Lewis C. Scarborough

1859. May 13th Summons issued &c

" July R. Sum^{s} ret^{d} Executed on Kello adm^{r} C. J. Scarborough, Miles Scarborough, Lewis C Scarborough, Elizabeth Scarborough, G. S. Jones & wife, Jempsy Scarborough, Georgiana Scarborough, Jackson Scarborough, Jas. Scarborough & Jas. H. Atkinson & wife not found.

Bill filed D. Nisi v Defts. Kello adm^{r} Elizabeth, Calvin H, & Miles, Scarborough, G. S. Jones & wife Harriet & Jempsy Scarborough, Jas. L. Scarborough.

" Aug. R. LR Edwards assigned G^{d} ad litem to Infant Defts. Georgiana & Lewis C Scarborough. Ans: of Infants. G. Rep:. Cr: Pub: v. Defts. Jackson Scarborough, James Scarborough & James Atkinson & wife. Bill taken for confessed as to Defts. Kello adm^{r} Elizabeth Scarborough, Calvin H. & Miles, Scarborough G. S. Jones & wife & Jempsy Scarborough.

" Sept. R. Cause set for hearing as to Defts. Kello adm^{r} Elizabeth Scarborough, Calvin H. & Miles Scarborough, G. S. Jones & wife & Jempsy Scarborough on bill taken for confs^{d} &c and as to Infant Defts. on their ans^{r} &c

" Nov. T. Decree for account &c

1860 Mar. 30th Report

" May T. Decree &c

1861 May " Decree &c

1866 May " Discontinued from the docket