1872-30 Southampton County - Chancery - Vick, Jesse B. Vs Newton, Jesse B. Estate

"J. Sale Estate"

J B Newton Will
Enclosed

Mary A Newton Widow Executrix
(Julia B Vick
Mary E Newton Children
Josephine Newton
William Newton ugt

~~35 65 75 77 68 69 54 49~~
~~+~~ 36

Vick

Ver. } Papers

Nuestions asr

Fiske Bill
vs 3 Exhibits
Newton Aldermen

1866 September Rules

To the Honorable Richard E. Baker judge of the circuit Court of Southampton County in Chancery sitting

Humbly complaining your orator Jesse B. Vick showeth unto your Honor that in the year 1856 Jesse B. Newton of Southampton County did having first made his last will and testament a copy of which is herewith filed marked A and prayed to be taken as a part of this bill and his wife Mary A. Newton the executrix therein named qualified as his executrix without security, he left his wife Mary A. Newton and four children to wit Richard B. Vick wife of Jesse B. Vick, Mary E. Newton Josephine A. Newton a minor and Wm. I. Newton a Minor his devisees and legatees. That the said Jesse B. Newton by his said will directed first his debts to be paid. Then all his estate real and personal to his wife for life and at her death his plantation in Southampton on which he resided containing 300 acres and to his son Wm. I. Newton in fee simple, the residue of his estate to Julia B. Vick, Mary E. Newton and Josephine A. Newton, The only real estate which he left was the 300 acres devised to his son Wm. I. Newton, Your Orator states further, that at the May Term 1862 of the circuit court of Southampton he obtained a judgment on a bond for $89.4.105 executed by Jesse B. Newton and Howel Harris to Solomon Drewry against Mary E. Newton executrix of Jesse B. Newton which

judgement is now outstanding and unsatisfied
and a copy of which is herewith filed marked
B and prayed to be taken as a part of this bill
besides judgements on annual other bonds
against him same amounting in all to
$600 or $800 none of which have been satisfied
Your orator states further that Mary E
Newton after her qualification took possession
of all Jesse B Newtons estate and held it until
her death that she never returned any
inventory or appraisement or settled any
account before her death which account
is 1864. That at the September court 1864
Fortunatus Dunn qualified as administrator
of Mary E Newton and up to this time
he has not settled any account of his estate or
of his transactions as executrix of Jesse B
Newton. Your Orator has been informed
by Fortunatus Dunn administrator of Mary
E Newton died that fully with all the personal
estate of Jesse B Newton has been lost by the
result of the late war that he has a little
worthless confederate states currency on hand
and from the best information your Orator
can gather there is now nothing left to
pay Jesse B Newtons debts but the land
above to his infant son Wm I Newton
For Tender consideration whereof and
inasmuch as your orator is without remedy
at law and only entitled to relief in a court of
equity where such matters are peculiarly
cognizable he therefore prays that Fortunatus
Dunn administrator of Mary E Newton
died and Wm I Newton and infant by com
fit and proper person his guardian ad litem
appointed for that purpose may be made parties
defendant to this bill and compelled thereto as full
and perfect answer make to the allegations
therein contained as if they had been thereto
more fully and specially interrogated, That the
court would decree that Fortunatus Dunn
settle an account of his transactions as
administrator of Mary E Newtons estate and also
an account of Mary E Newtons transactions as
executrix of Jesse B Newton dec'd before one of
the commissioners of this court, and that it would
also have the actual and annual value of
the tract of land devised to Wm I Newtons
ascertained, and also an account of the debts now
outstanding against the estate of Jesse B Newton
dec'd and in the event there should not be
sufficient personalty to pay them, then
decree the sale of the land devised to Wm I
Newton for that purpose, and that the court
would grant such other and general relief
the premises considered as equity may dictate
and the nature of this case may require
and as in duty bound your orator will ever
pray &c

Shands J. c

Vicki

vs Z Amanda Bice

Newton admrs

1866 December 31st

To The Honorable Richard H Baker Judge of the circuit court of Southampton County in chancery sitting

Humbly complaining your orator Jesse B Vick Executor and by way of amendment to his original bill and your Honor that at the September rules 1866 he filed his original bill against Fortunatus Dunn administrator of Mary E Newton dec'd and Wm I Newton an infant for a settlement of both Mary E Newtons and her deceased husband Jesse B Newtons estate and the payment of his debt and in the event there should be no assets in the hands of the said Administrator then that the land devised by Jesse B Newton to his son Wm I Newton should be sold for that purpose and it being suggested that the estate of Jesse B Newton should be represented in this suit it was continued and at the term 1866 of the county court of Southampton the estate of Jesse B Newton was committed to Samuel Kello sheriff of Southampton for administration as will appear by a copy of the said order herewith filed & and prayed to be made a part of this amended bill

In Tender consideration whereof and inasmuch as your orator is without remedy except in a court of equity he therefore prays that Fortunatus Dunn administrator of Mary E Newton dec'd Samuel Kello sheriff and administrator of Jesse B Newton

died and Wm J Newton an infant by some
fit and proper person his guardian ad
litum appointed for that purpose may be
made parties defendant to this bill and
compelled them on true and perfect answer
make to the allegations therein contained as
if they had been thereto more fully and
specially interrogated Samuel Kells being required to answer
both the original and amended bill
And that the court would by its decree direct
Fortunatus Dunn to settle an account of
his transactions as administrator of Mary
E Newtons estate also Mary E Newtons
account as executrix of Jesse B Newtons
estate, for Samuel Kells to settle an account
of transactions as administrator de bonis
non with the will annexed of Jesse B
Newtons estate, also to take an account
of the debts outstanding against the estate
of Jesse B Newton and an account of
the annual and actual value of the land
devised to Wm J Newton by his father Jesse B Newton
and in the event there should not be
sufficient personalty to pay the debts, then
and in that event decree the sale of the
land devised to Wm J Newton, And that
the court would grant such other and
general relief the premises considered as
equity may dictate and the nature of his
case may require and as in duty bound
your complainant will ever pray &c.

Shands p.q.

Vicks
vs Hammelsville
Newton's administrator

1868 January 17 filed
Sum. issued

To the Honorable Richard H Baker judge of the circuit court of Southampton County in chancery sitting

Humbly complaining your Orator Jesse B. Vick by way of amendment to his former original bill and amended bill filed in this cause sheweth unto your Honor, that at the May term 1867 there was a decree entered in this cause for Fortunatus Dunn to settle an account of his transactions as administrator of Mary E Newton decd also Mary E Newtons transactions as executrix of Jesse B Newton decd and for Samuel Kello sheriff to settle his administration account of Jesse B Newton as administrator de bonis non with the will annexed also directing the commissioner to take an account of the debts outstanding against the estate of Mary E Newton and Jesse B Newton and account of the actual and annual value of the land given by Jesse B Newton to his son Wm I Newton, that Henry J Howard one of the commissioners of this court in September 1867 returned the said accounts by which it appears Mary I Newton never settled any account as executrix of Jesse B Newton nor has any assets come to the hands of Samuel Kello from that source that there is a balance of $33.78 cents due from Fortunatus Dunn as administrator of Mary E Newton on the 1st of August 1865, that there are debts amounting to $476.55 cents outstanding against the estate of Jesse B Newton all due to your orator, and that the actual value of the land given by Jesse B Newton to his son Wm I Newton is $600 and the annual value $50, that these accounts show plainly 1st that there are not sufficient assets in the hands of the administrator of Jesse B Newton to pay the debts outstanding against his estate and that

the rent of the land ($30 a year) devises to Wm J Newton
with out Jay Hem in five years and a sale of the said
land will be necessary for that purpose. Your Orator
states further that since the decree last made in this
cause William J Newton has departed this life under
age, unmarried, and intestate, and having his sister
Julia B Vick your orators wife, Mary E Newton and Josephine
Newton an infant his heirs at law

In Tender consideration whereof and inasmuch as your
orator is without remedy at law and only entitled to relief
in a court of equity where such matters are peculiarly
cognizable he therefore prays that Fortunatus Dunn administrator
of Mary E Newton, Samuel Kills Sheriff and as such administrator
de bonis non with the will annexed of Jesse B Newton
Julia B Vick, Mary E Newton, and Josephine Newton an
infant by some fit and proper person her guardian ad
litem appointed for that purpose may be made parties
defendant hereto to the original and amended bills filed in
this cause and compelled thereto as full and perfect answer
make to the allegations therein contained as if they had been
thereunto again fully and specially interrogated that the
sum of $33.78 cents due from Fortunatus Dunn admr of
Mary E Newton be paid to your orator and unless
the heirs of Wm J Newton should in some reasonable
time fixed by the court should pay this amount due
your Orator from Jesse B Newtons estate, then that
the court would declare the sale of the said land for
that purpose and that the court would grant such
other and general relief the premises considered as equity
may dictate and the nature of his case requires and
as in duty bound your orator will ever pray &c

Eland p.q.

Vick
vs
Newton's admrs &c

Answer of Wm. L. Newton
by guardian ad litem

1866 September Rules

The answer of Wm. J. Newton an infant by L. R. Edwards his guardian ad litem appointed pursuant to a bill in chancery by Peyton B. Vick vs him and others

This defendant for answer to the said bill or as much thereof as he is advised it is material for him to answer answering says that he knows nothing of the allegations of the plaintiffs bill but submits the interest of his ward to the care of this court whose peculiar duty it is to protect the rights of infants and having fully answered prays hence to be dismissed with his costs &c

Rec'd by consent

Wm B Chambers atty
For plaintiff

Julia B

The answer of ~~Caroline~~ Vick to the original and supplemental bill of complaint filed in the above cause by Joseph B Vick as her next friend and others

This defendant for answer to the said bills or as much thereof as she is advised it is material for her to answer says she has no objection to this court decreeing a decree according to the prayer of the bills as filed and having fully answered prays hence to be dismissed with her costs

Rec'd by consent

Wm B Shands Comm for Plffs

Vick

vs

Newton's admrs

Julia B.

Admrs of Caroline

Vick

1868 February Rules

Vick

vs 3

Newton Ackm vs als

Answer of Wm J Newton

by gn ad litem to

Amended bill

1867 January Saturday Rules

The answer of Wm I Newton an infant by G. R. Edwards his guardian ad litem appointed for that purpose to an amended bill in chancery by Jesse B Vicks & Wm & others

This defendant for answer to the said amended bill or as much thereof as he is advised it is material for him to answer, answering says that he knows nothing of the allegations of the Plaintiffs bill but submits the interests of his ward to the care of this court whose guardian duty it is to protect the rights of infants and having fully answered prays hence to be dismissed with his costs &c

Rec'd by consent.

Wm B Shands atty
for Plaintiff

Vicks

v. } Co. Dues

Newtons adm ys

At a Circuit Court held for the County of Southampton, at the Court House thereof, on Thursday, the 2nd day of May, 1867.

Jesse B. Vick Pltff.

against

Fortunatus Dunn, Admr. of Mary E. Newton, dec'd, Saml. Kells, Shff. & Admr. of Jesse B. Newton, dec'd, & Wm I. Newton, an infant by L. R. Edwards his Guard. ad litem appointed to defend him in this suit Defts.

This cause came on this day to be heard both on the plaintiffs original & amended bills taken for confessed as to the defendants Fortunatus Dunn, Admr. of Mary E. Newton, dec'd, & Saml. Kells, Shff. of Southampton & as such Admr. de bonis non with the will annexed of Jesse B. Newton, & they still failing to appear & plead answer & demur to the said bills, or the answer of the infant defendant Wm I. Newton by L. R. Edwards his Guard. ad litem assigned to defend him in this suit, both to the original & amended bills, general replication thereto & on the exhibits filed, & was argued by Counsel — On consideration whereof the Court doth adjudge order & decree that Fortunatus Dunn settle an account of his transactions as Admr. of Mary E. Newton, dec'd, also an account of Mary E. Newtons transactions as Executrix of Jesse B. Newton, dec'd, before one of the Commissioners of this Court. That Saml. Kells, Admr. de bonis non with the will annexed of Jesse B. Newton, dec'd, also settle his account before one of the Commissioners of this Court who is also to take accounts of the debts outstanding against the estates of Mary E. Newton & Jesse B. Newton, and also an account of the annual & actual value of the land devised by Jesse B. Newton to his son Wm I. Newton, who is directed to examine, state and settle the same, and make report thereof to this Court, together with any matters specially stated deemed pertinent by himself or which may be required by any of the parties to be so stated.

A Copy

Test L. R. Edwards Clk

Vicks

v } Ex. with amended bill

Newton's adm'r

Southampton County Court November 19th 1866.

Ordered that Sam'l Kello Sheriff of this County take into his hands the estate of Jesse B. Newton dec'd to be administered according to law.

A Copy

Teste D R Edwards Clk

J. B. Newtons will

Vick
v. } Ex^rs with bill
Newton 1st } A. & B.

487 & 404

In the name of God. Amen: I Jesse B Newton of the County of Southampton & State of Virginia being feeble of body, yet of sound mind & reason, & being desirous to make some disposition of my estate do publish this my last Will & Testament in manner & form as follows to wit.

Item 1st. It is my will & desire that a sufficiency of the surplus of my estate be sold to pay my just debts as soon as convenient after my decease.

Item 2d. I loan to my beloved Wife Mary Ann Newton the entire remainder of my estate during her natural life to be kept together by her for the support of herself & those of our children that may remain with her. & I father require my beloved wife to expend such amount annually as she may be able to spare after the support of the family, on the education of our two youngest children Wm J & Josephine A Newton. & in event of the death of my beloved wife before said children shall receive a common practical education or shall have been sent to school two or more years, then and in that event. It is my will & desire that they receive from my estate each the sum of two hundred & fifty dollars for that purpose.

Item 4: At the death of my beloved wife I give & bequeath to my Son Wm J. Newton the plantation on which I now reside with the choice of all my shooting irons to him and his heirs forever.

Item 5: It is farther more my will & desire at the death of my beloved wife Mary Ann Newton that the remainder of my estate then found in her possession not disposed of, be equally divided between my heirs to wit Julia B Vick or her Lawful issues, Mary E Newton or hers. Josephine A Newton to them and their heirs forever.

Item 6: I appoint my beloved wife Mary Ann Newton Executrix to this my last will & testament & request that the Court permit her to qualify as such without Security. Given under my hand & Seal this 30: day of September ano. one thousand eight hundred & fifty six.

Jesse B. Newton (Seal)

Signed in the Presence of.
Wm B. Westbrook
Sam[c] A Barham
William A. Whitehead.

At a Court held for the County of Southampton the 15: day of December 1856
This last Will and testament of Jesse B Newton dec[d] was proved by the oaths of Wm B. Westbrook and Wm A Whitehead two of the Subscribing Witnesses thereto and ordered to be recorded And on the motion of Mary Ann Newton the executrix

therein named who made oath and entered into bond in the penalty of three thousand dollars conditioned according to law (but without security the Will directing that none should be required of her) certificate is granted her for obtaining a probat of the said Will in due form.

Teste

D R Edwards Clk

A Copy

Teste D R Edwards Clk

Southampton Circuit Court - May 3d 1862

Samuel Drewry who sues for the benefit of Jesse B Vick Pff

against

Mary A Newton Executrix of Jesse B Newton Dft

} In Debt.

The judgment obtained at the Rules not having been set aside and the plaintiff being now entitled to a final judgment it is therefore considered that the plaintiff recover against the Defendant Eighty nine dollars forty one cents, the debt in the declaration mentioned with legal interest thereon from the 1st day of January 1850 till paid and his Costs by him about his Suit in this behalf expended - To be levied of the goods & chattels of the deceased in or which may hereafter come to the hands of the Defendant to be administered.

Pffs Costs $6.37.

A Copy

Teste D R Edwards Clk

Vick

vs

Newlands admr.

Executed July 15 Tu. 1867
on S. Kello & L. K. Edwards
by delivering to each a copy.
E. L. Story dept
for S. Kello shff

Executed on Fortunatus Dunn
July 18 Th. 1867 by delivering
him a copy.
P. Varoon Dept
for S. Kello shff

COMMISSIONER'S OFFICE,

Jerusalem, July 8th 1867

To Jesse B. Tick Plff

against

Fortunatus Dunn admr of Mary C. Newton dec'd & Saml Hills Shff & admr of Jesse B Newton dec'd & Wm J Newton an infant by L. R. Edwards his guardian ad litem appointed to defend him in this suit Defts

You are hereby notified that I have fixed upon the 23d day of August next, if fair, if not, on the next fair day thereafter, (Sunday excepted,) to take and settle, at my office, the following accounts, to wit:

That Fortunatus Dunn Settle an account of his transaction as admr of Mary C Newton dec'd, also an account of Mary C Newton's transactions as Executrix of Jesse B. Newton dec'd before one of the Commissioners of this Court, That Saml Hills admr de bonis non with the will annexed of Jesse B. Newton dec'd also Settle his account before one of the Commissioners of this Court who is also to take accounts of debts outstanding against the estates of Mary C. Newton & Jesse B Newton, and also an account of the annual & actual value of the lands devised by Jesse B. Newton to his son Wm J Newton, who is directed to examine, settle and state the same and make report to Court together with any matters specially stated, deemed pertinent by himself or which may be required by any of the parties to be so stated

required to be taken by a decree of Southampton Circuit Court, rendered on the 2nd day of May 1867, in a suit in Chancery, depending in said Court, in which you are parties, plaintiffs, and defendants; at which time and place you are required to attend.

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

Henry J. Howard Commissioner.

To the Sheriff of Southampton County to execute.

21st

Vicks

vs.

Newton's adr & al

1868 February Rules

Executed on Saml Kello and Julia B. Vicks Jany 21. 1868 by delivering them copies. on Josephine Newton Jany 21st 1868 by leaving a copy with a member of the family in which she resides, over 16 years of age and explaining its purport, she being from home & on Mary E. Newton Jany 31st 1868. by delivering a copy.

W. G. Holmes Deputy
for S. Kello Shff

Executed Jany 21st. 1868 on F. Dunn by delivering him a copy.

P. Carson Dept
for S. Kello Shff

Printed at the office of Old Dominion, No. 18 Roanoke Avenue, Norfolk.

THE COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF SOUTHAMPTON COUNTY--GREETING.

WE COMMAND YOU to summon Fortunatus Dunn admr. of Mary E. Newton, Samuel Vick, Sheriff and adm. de bonis non with the Will annexed of Jesse B. Newton, Julia B. Vick, Mary E. Newton & Josephine Newton an infant

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 February next to answer amended Bill in Chancery exhibited against them in our said Court by Jesse B. Vick.

and have then there this writ. Witness LITTLETON R. EDWARDS, Clerk of our said Court, at the Courthouse this 17th day of January 1868, in the 92d year of the Commonwealth.

L R Edwards, Cl

Vick

vs 3

Newton's adm'rs &c

Answer of Johnson

Newton

1868 February Rules

The answer of Josephine Newton an infant by
L. R. Edwards her guardian ad litem appointed
for that purpose to file and amended bills
in chancery in the circuit court of Southampton
as her and others

This defendant for answer to the said bills
or as much thereof as he is advised it is material
for him to answer answering says, that he submits
the intents of his said to the care of this court
whose guardian duty it is to protect the rights
of infants and having fully answered prays
hence to be dismissed with his costs &c

Filed by consent

Wm B Shands Counsel for Plaintiffs

Vick

v. } Summ. Chy

Newtons adm'r &c

1866 September Rules

Execution by delivering Fortescue to Dunn a Copy August 20/1866.

Peley Carow D.S.

for S. Kello D.S.

Augusta

Printed at the Office of the Day Book, 15 Roanoke Square, Norfolk, Va.

THE COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF SOUTHAMPTON COUNTY---GREETING.

WE COMMAND YOU to summon Fortunatus Dunn admor of Mary A. Newton dec.

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 September next to answer a bill in chancery exhibited against her and another in our said Court by Jesse B Vick

and have then there this writ. Witness LITTLETON R. EDWARDS, Clerk of our said Court, at the Courthouse this 13 day of August 1866, in the 91st year of the Commonwealth.

L R Edwards 66

Vick

v. } Sum Chy

Newtons admor &c

1867 February Rules.

Executed on S. Kello
and Wm. L. Newton Jan
1. 1867 by delivering to
each a copy.

E. L. Story Dept
for S. Kello shff

Executed on H. Dunn
June 14th. 1867 by de-
livering him a copy.

P Carrow Dept
for Sam'l Kello Shff

16

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU to summon Fortunatus Dunn admr. of Mary E Newton dec^{d}. Samuel Kello Sheriff and admr. de bonis now with the will annexed of Jesse B Newton dec^{d}, & Wm J Newton

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 February next to answer an amended bill in Chancery exhibited against them in our said Court by Jesse B. Vick

and have then there this writ. Witness LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-house, this 31st day of December 1866, in the 91st year of the Commonwealth.

L R Edwards Clk

Vick
vs
Newton Cohn

Commissioners Report

1869 May 2d

In obedience to a decree of the Circuit Court of Southampton County made at the May Session thereof 1868 in case of

Jesse B. Vick — Pltff
against
Fortunatus Drum Admr. of Mary E. Newton decd & others — Defts

} In Chancery

I proceeded to sell after giving due notice at Jerusalem at public auction on the 15th day of February 1869 being Court day, the tract of land mentioned in said decree which was purchased by Jesse B. Vick for the sum of One hundred Dollars. The costs of said sale &c. amounts to $43.00 which was paid by said Jesse B. Vick and inasmuch as said Jesse B. Vick is the only person who has proved in debts and consequently the only creditor I have taken no bond from the purchaser for the remainder which is $57.00. All of which is respectfully submitted.

S. Kello Shff & Comm.

Amt. sold for		$100.00
Law & Comm	30.00	
Clk	5.00	
Crier	3.00	
Shff. & Comm	5.00	43.00
		$57.00

The Estate of Mary A. Newton

In account with Fortunatus Dunn, her Administrator

				Dr	Cr
1864					
Aug	25	To paid Wm D Taylor	a/c	40 00	
Nov	1	" " Wm B. Westbrook for bacon for estate		120 00	
"	"	" " Wm N Bliss	a/c	35 25	
"	5	" " Rob Rouland clerk at sale		25 00	
Dec	1	" " R J. Henderson for bacon for estate		85 00	
	23	" " S. C. Hood for hire of negro man		100 00	
	26	" " Joseph A. Dewey for making Coffin		250 00	
1865					
Jany	9	" " Rob Altman for making shoes		10 00	
"	12	" " Wm D Taylor	Store acct	15 00	
Feb	2	" " R H Hammond. Cryer at sale		50 00	
"	"	" " Same Crying negroes		6 60	
		" " Taxes for 1864		30 15	
"	"	" " " " 1863		30 07	
		" " Comm Accounts		472 97	
Aug	1	By Amt of Account of Sales due this day			3947 02
		To Commissions on same		198 35	
		" Balance due estate		2458 63	
				3947 02	3947 02
1865					
Augt	1	By Balance due estate brought down $2458.63¢			
		Sealed under act of Assembly at $40. for one. Makes			61 46
		To paid Wm H Pretlow Attr		17 68	
		" Commissions fee for this acct & Copy retained		5 00	
		" Clerks fees for recording this acct taking bond, &			
		recording Inventory & Appraisement		5 00	
		Balance due estate		33 78	
				61 46	61 46
		By Balance brought down due estate			33 78

with interest thereon from the 1st day of August 1865 the Confederate money being sealed.

Respectfully Submitted

Henry S. Howard Comr.

The Estate of Jesse B. Nenton Decd

In account with Mary E Nenton his Extrix

No account was ever settled by the Extrix of her transactions during her life, and her admr. has never been able to find any papers to enable him to settle an account.

Respectfully Submitted

Henry S Howard

Commsr.

The Estate of Jesse B. Nenton Decd

In account with Sam'l Kello Shff & admr de bonis non with the will annexed

No money or funds have ever come to the hand of the administrator, for administration, and he has therefore never paid any debts due by the estate.

Respectfully Submitted

Henry S Howard

Commsr

Account of the outstanding debts against the estate of Mary E. Nenton

4th Class				
Judgement in favor of Jesse B. Vicke Vs Mary E Nenton for	18	98		
Int from Oct 19th 1857 to the 7th Nov 1867	41	58		
Cost	6	95	117	51
Judgement in favor of Nicholas C Williams who sues for the benefit of Jesse B. Vicke Vs Mary E Nenton for	212	00		
Int from 22nd March 1859 to the 7th Nov. 1867	96	99		
Cost	6	37	315	36
Total Amt due with interest to the 7th Nov. 1867.			$432	87

Respectfully Submitted

Henry S Howard

Commsn

Account of the outstanding debts against the estate of Jesse B. Newton

4th Class				
Judgement in favor of Jesse B. Vicke Vs Mary E Newton Extrx of Jesse B Newton	66	68		
Int from 27th April 1861. to the 7th Nov 1867	22	11		
Cost	6	37	95	16
Judgement in favor Saml Drewry Extor of Jno Drewry who sues for the benefit of Jesse B. Vicke Vs Same for	68	58		
Int from 19th Jany 1849 to 27th May 1856	29	90		
Amt due	98	48		
Credit May 27th 1856	6	73		
Amt due	91	73		
Int on same from 27 May 1856 to the 7th Nov 1867	57	33		
Cost	6	37	155	43
Judgement in favor of Saml Drewry Extor of Jno Drewry who sues for the benefit of Jesse B. Vicke Vs Same for	89	41		
Int from Jany 1st 1850 to the 7th Nov 1867	90	34		
Cost	6	37	186	12
Jesse B. Vicke Assignee of Saml Drewry Extor of Jno Drewry Bond	19	25		
Int from 25th Dec 1849 to 7th Nov 1867	20	59	39	84
Total Amt due with interest to the 7 day November 1867.			$476	55

Respectfully Submitted
Henry G. Howard
Commr.

An Account of the annual & actual value of the land devised by Jesse B. Newton to his son Wm Newton

	Annual Value	Actual Value
One Hundred & Ninety eight acres of Land in Southampton County Va	$ 50 00	$ 600 00

Respectfully Submitted
Henry G. Howard
Commr.

Commissioners Office
Jerusalem Sept. 1st 1867

Pursuant to a decree of the circuit court of Southampton County rendered on the 2nd day of May 1867. in a suit in chancery depending in the said court between Jesse B Vick Plff and Newtons admr & Others Defts. the undersigned, one of the Commissioners of said court, to whom was referred for settlement, by said decree the following accounts. That Fortunatus Dunn settle an account of his transactions as admr. of Mary E Newton dec'd. also an account of Mary E Newtons transactions as Executrix of Jesse B Newton dec'd before one of the Commissioners of this court. That Saml Kello admr de bonis now with the will annexed of Jesse B Newton dec'd. also settle his account before one of the commissioners of this court, who is also to take accounts of debts outstanding against the estate of Mary E Newton & Jesse B. Newton. And also an account of the annual & actual value of the land devised by Jesse B Newton to his son Wm J Newton who is directed to examine, settle, and state the same and make report to court together with any matters specially stated, deemed pertinent by himself or which may be required by any of the parties to be so stated. reports to the court that on the 8th day of July last he issued notices against the several parties aforesaid requiring them to attend the settlements of said accounts on the 23rd day of August 1867 which were returned to your commissioner duly executed, that the parties aforesaid appeared in obedience to the notices when your commissioner made up and completed the foregoing accounts. The Commissioner further reports to court that after the completion of the said accounts he retained the same in his office ten days for the examination of the parties and no exception being filed thereto, the said accounts with the decree and notices aforesaid, I herewith return

Given under my hand as commissioner aforesaid the day and year first aforesaid.

Com's fee $25.00 Henry J Howard

Commis'

This deed made this 1st. day of November 1869 pursuant to a decree of the county Court

In obedience to a decree of the Circuit-Court of Southampton County, made at the May Term thereof 1869 in case of Jesse B. Vick Pltff

vs

J. Drum admr of Mary E. Newton dcd & Wm. J. Newton an infant by L. R. Edwards Guard ad litem Defts

I beg leave to report that I have made the deed to Jesse B. Vick as therein directed.

Danl. E. Kello Sh'ff & Com'r

Vick

v. } Copy Decree

Newton's admr &c

Southampton Circuit Court. May Term 1869.

Jesse B. Vick Pltff.

against In Chancery

Fortunatus Vaughan admr. of Mary E. Vaughan dec'd.
& Wm. G. Vaughan an Infant by L. R. Edwards his Gdn ad litem. Defts.

This day this Cause came on again to be heard on the papers formerly read & on the report of Samuel Kello Sheriff & Commissioner made in pursuance to a decree entered at the May Term 1868, & to which no exceptions have been filed, & was argued by Counsel, on the hearing whereof the Court doth adjudge, Order & decree, that the said report be Confirmed, & it appearing from the said report that Jesse B. Vick is the only Creditor & that he has paid all the Costs of this Suit, the Court doth Order that the said Samuel Kello do upon execution & Deed to the said Jesse B. Vick, to the said One hundred & Ninety Eight acres of Land wherein Jesse B. Vaughan died Seized & possessed, and report his further proceedings to the Court in Order to a further decree.

A Copy

Test. L. R. Edwards D.C.

states deemed pertinent by himself or which may be required by any of the parties to be stated

Richard Dunn
vs
Thomas Allen
Mary Co. 1867.
To be entered
R. N. B.

Vick
vs 3 Decree
Newton's admr &c

This cause came on this day to be heard both on the Complainttiffs original and amended bills taken for confessed as to the defendants Fortunatus Dunn Admr of Mary E Newton decd and Samuel Kello sheriff of Southampton and as such administrator de bonis non with the will annexed of Jesse B Newton decd and they also failing to appear and plead answer and demur to the said bills on the answers of the infant defendant Wm J Newton by L R Edwards his guardian ad litem assigned to defend him in this suit to both the original and amended bills general replication thereto and on the exhibits filed and was argued by counsel on the hearing whereupon the court doth adjudge, order and decree, that Fortunatus Dunn settle an account of his transactions as administrator of Mary E Newton decd also an account of Mary E Newton's transactions as executrix of Jesse B Newton decd before one of the commissioners of this court. That Samuel Kello administrator de bonis non with the will annexed of Jesse B Newton decd also settle his account before one the commissioners of this court, who is also to take accounts of the debts outstanding against the estates of Mary E Newton and Jesse B Newton, and also an account of the annual and actual value of the land given by Jesse B Newton to his son Wm J Newton who is directed to examine, state and settle the same, and make report thereof to this court, together with any matter especially

the plaintiffs counsel, and the balance of the purchase money on a credit of twelve months taking from the purchaser a bond with approved security and retaining the title until the purchase money shall have been paid, and return the said bond with a report of his proceedings in order to a further decree But this decree is entire subject to the provisions of an act passed the 2nd of March 1866 entitled an "act to stay the collection of debts for a limited period" and the acts amendatory thereof.

Price
$3 Dollars
Thomas Robertson

May Court 1868
To be entered
P. H. Burton

Vick
vs
Dunn
Newton's admr &als

This cause came on this day again to be heard on the papers formerly read on the plaintiffs amended bill on the bill taken for confessed as to the defendants Fortunatus Dunn administrator of Mary E Newton dec'd Samuel Kello administrator of Jesse B Newton dec'd and Mary E Newton, on the answers of Julia B Vick and Josephine Newton an infant by L. R. Edwards her guardian ad litem appointed for that purpose with general replication thereto by the plaintiff, and was argued by counsel, On the consideration whereof the court doth adjudge order and decree that the said report be confirmed and that Fortunatus Dunn administrator of Mary E Newton pay to Jesse B Vick the sum of $33.78 cts with interest thereon from the 1st day of August 1865 - and that unless Julia B Vick, Mary E Newton and Josephine Newton or some one for them shall in ninety days pay to Jesse B Vick the sum of $476.55 cts then that the Sheriff of Southampton after having given at least twenty days notice by public advertisement at the court house and the immediate vicinity of land mentioned shall proceed to sell at the court house of Southampton County on some county court day at public auction to the highest bidder the tract of land containing one hundred and ninety eight acres of land whereof Jesse B Newton died seized and possessed on the following terms to wit, sufficient cash to defray the costs of this suit and expenses of sale including a fee of thirty dollars to

the plaintiffs counsel, and the balance of the purchase money on a credit of twelve months taking from the purchaser a bond with approved security and retaining the title until the purchase money shall have been paid, and return the said bond with a report of his proceedings in order to a final decree But this decree is ultimo subject to the provisions of an act passed the 2nd of March 1866 intitled an "act to stay the collection of debts for a limited period" and the acts amendatory thereof

Price
$3 3 Cents
Plaintiffs Solicitors

May Court 1868
To be entered
P. H. Dalton

Vick
vs 3 Dem
Newton Schenck

To be Entered
E. S. Pitts

1869 May Term

Vick
vs B Deem
Newton admrs

This day this cause came on again to be heard on the papers formerly read and the report of Samuel Hills Commiss and commissioner made in pursuance to a decree entered at the May term 1808 and to which no exceptions have been filed and was argued by counsel on the hearing whereupon the court doth adjudge order and decree that the said report be confirmed and it appearing from the said report that Jesse B. Vick is the only creditor and that he has paid all the costs of this suit the court doth order that the said Samuel Hills do now execute a deed to the said Jesse B Vick to the said one hundred and ninety eight acres of land whereof Jesse B Newton died seized and possessed and report his further proceedings to court in order to a further decree

Southampton Circuit Court, May term, 1868.

Jesse B. Vick ... Pltff.

against

Nathaniel Dunn, adm't of Mary E. Newton, dec'd, & Wm L. Newton, an infant, by L. R. Edwards, his Guard. ad litem ... Defts.

In Chancery

This cause came on this day again to be heard on the papers formerly read, on the Pltffs. amended bill, on the bill taken for confessed as to the Defendants Nathaniel Dunn, adm't of Mary E. Newton, dec'd, Saml. Vick, adm't of Jesse B. Newton, dec'd, & Mary E. Newton, on the answers of Julia B. Vick & Josephine Newton, an infant, by L. R. Edwards, her Guardian ad litem, assigned for that purpose, with general replications thereto by the Plaintiff, & the report of Comm'r. Howard and was argued by Counsel. On the consideration whereof the Court doth adjudge, order & decree, that the said report be confirmed, & that Nathaniel Dunn, adm't of Mary E. Newton, pay to Jesse B. Vick the sum of thirty three dollars and seventy eight cents, with interest thereon from the 1st day of August, 1863, & that unless Julia B. Vick, Mary E. Newton & Josephine Newton, or some one for them, shall in ninety days pay to Jesse B. Vick the sum of four hundred & seventy six dollars and fifty five cents, then that the Sheriff of Southampton, after having given at least twenty days notice, by public advertisement, at the Court House & two other public places in the vicinity of the land mentioned, shall proceed to sell at the Court House of Southampton County, on some County Court day, at public auction, to the highest bidder, the tract of land, containing one hundred & ninety eight acres of land, whereof Jesse B. Newton died seized & possessed, on the following terms, to wit: Sufficient cash to defray the cost of this suit & expenses of sale, including a fee of thirty dollars to the Plaintiffs Counsel, & the balance of the purchase money on a credit of twelve months, taking from the purchaser a bond with approved security

and retaining the title until the said said money shall have been paid and return the said bond with a report of this proceeding in order to a further decree.

But this decree is entered subject to the provisions of an act passed the 2nd of March, 1861, entitled an "act to stay the collection of debts for a limited period," and the acts amendatory thereof.

A Copy

L.R. Edwards Clk

Virginia

Lee County, to wit:

I, A. Fenwick, Clerk of the County Court of Lee County, in the State aforesaid, do certify that the foregoing is a true copy of a decree entered in the Chancery cause of Thomas Hickman's Executors against Thomas Hickman's Heirs, on the 18th day of May, 1861, as appears of record in my office.

Given under my hand this 18th day of May, 1861.

A. Fenwick, Clerk

Fick

Ueber Z Dessen

Newtons schwarze

Mag Ber v 1872

b. d. entnd

Geo. Fick

Vick

vs 3 Decm

Newlons admrs

This day this cause came on again to be heard on the papers formerly read and the report of Samuel Kells sheriff and as such acting commissioner made pursuant to a decree entered at the November Term 1819 and to which no exceptions have been filed and was argued by counsel on consideration whereof the court doth adjudge order and decree that the said report be confirmed and it appearing that there is nothing further to be done in this cause the court doth order the same to be removed from the docket

Vick

∞ 3 Stat: Rules

Newtons adm

1872 May

In Southampton Circuit Court

Jesse B Vick

against

Fortunatus Dunn administrator of Mary E. Newton dec'd & Wm J Newton an infant by L. R. Edwards his guardian ad litem

1866 Augst. 13 Summons issued

" Sept R. Sum's ret'd Ex'd on Deft Dunn - Bill filed - L R Edwards assigned guardian ad litem to infant Deft - answ. of infant. Gen. Rep. thereto. - Decree nisi vs Dft Dunn adm.

Oct " Bill taken for confessed as to Deft Dunn -

Nov " Cause set for hearing &c

" " D - Leave to amend bill & cause remanded to rules

" Decr 31st Amended bill & process issued vs other Dfts.

1867 ~~Feby~~ R. Sum's Rt'd Ex'd. D. Nisi vs Dfts ~~except infant Dfts~~

~~March~~ ~~Leave granted to Rep~~

~~April~~ " " Bill taken for confessed &c as to the other Dfts. than infant

" ~~April~~ " Cause set for hearing &c

" May 7. Decree for acct &c

" Oct. 4. Report

1868. Jany. Amended bill filed & Sum's awarded &c

" Feby R. Sum's ret'd Executed - L R Edwards assigned Gen ad litem to Infant Deft. Josephine Newton - Answ. of Julius B. Vick & infant Dft. Josephine Newton & Rep. to ans. infant. D. Nisi vs the other Dfts - named in amended bill

Mar: Bill taken for confessed as to Dfts. Dunn adm. Kello Skiff & adm. & Mary E Newton

Apl - Cause set for hearing

1869 - May - Decree to execute deed

1872 " Removed from Docket.