

1874-016

Chancery Causes: George W. Ely, assignee of A. J. Vallines, for &c vs Sinn Banks
Isle of Wight County Roberts' admr &c

Petition of Joseph H. Duck + James B. Norfleet

other surnames: Jordan
URghart, Young, Joyner,
Watkins, Darden

Hayden p. 9.

Cley Geo. W. apw.

45
vs. 3 Cley. paps.

L. B. Roberts adm. & als.

1866.

Sept. rules - Bill & filed.

Sum. exp. to the adult def.
and decern vice v. them.

Ch. P. Young apqd. gdw. ad-
litum to the infant defts.
their an. filed & apw.

Octo. rules, Bill taken for
confessed as to adult defts.
& set for hearing.

Octo. terms 1866. Decern for ads.

Apr. 14. 1867 com. sept. filed.

May 1867. Cond.

Acto - " Cond.

May 1868 - cond.

Octo " cond.

May 1869. Decern for
sale & further ad. defts.

Octo. 1869 - cond.

May 1870 - cond.

Apr. 1871 - Decern for
further ads.

Octo. 1871 - Decern to collect
& distribute stock decd. &

Apr. & Acto. / 72 - cond.

Apr. / 73 - Rept. of collection
f. filed & decern for further
collection & decd.

May 1874 - Final Ac.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Isle of Wight County, Greeting:

WHEREAS by the judgment of a Justice
of the Peace for the County of Isle of Wight, ha lately recovered against

with interest thereon, to be computed after the rate of six per centum per annum, from the
day of 18 , till payment, and also costs by in that behalf
expended; and the Constable to whom execution upon the said judgment was directed by a Justice of
the Peace, not being able to find goods and chattels to satisfy the same, has made return thereof to the
Clerk of our said County, who has docketed the same according to law: Therefore, at the instance of
the said we command you that you take the said

if be found within your bailiwick, and
safely keep, so that you have bod before the Justices of our said County
at the Courthouse, on Monday in to satisfy the said

the sum of
with interest thereon as aforesaid, and for costs
aforesaid; and also dollars and cents, the costs of this execution. And have then there
this Writ. Witness, NATHANIEL P. YOUNG, Clerk of our said Court, at the Courthouse, this
day of 18 , and in the year of the Commonwealth.

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this Writ. Witness, NATHANIEL P. YOUNG, Clerk of our said Court, at the Courthouse, this
day of 18 , and in the year of the Commonwealth.

accounts may be taken & that such other & further
relief may be granted in the premises as to the
Court may seem meet I may say the equity
of the case your complainant will ever
prayer.

Hayden jr

Hayden jr

Wm. a few.
to: 3 Rice St.

Roberts' address: 1st.

Sept. 2nd, 1866. Filed

default of the personal assets of said estate
that the real estate aforesaid may be charged
with the payment of the same - that your complain-
ants are without remedy at law & can only be reliev-
ed by the aid of this Honorable court of chancery
where matters of this sort are cognizable, to this end
& that justice may be done in the premises, your
complainant prays that the said George H Jordan
as administrator of the said Levin B Roberts, the
said Elizabeth B C Roberts widow of said Levin B
Roberts, & his infant child aforesaid Samuel
P Roberts, Margaret A Roberts, Eugenia S Roberts
Elizabeth B Roberts, Joshua B Roberts, & John T
Roberts by some one appointed their guardian ad
litem to defend them in this suit, may be made
parties defendant to this bill & be required to answer
the same - that an account may be taken of your
complainants demand against the estate of said
decedent & that of all other creditors who may
choose to contribute to the cost of the same - that
the value in currency of the personal assets
in said administrators hands may be ascertained,
& the same applied to the payment of the
outstanding debts of said decedent so far as
the same may be sufficient for that pur-
pose & that should the personal assets
be insufficient that said real estate or the
assets thereof may be made liable for the
payment of said debts - that all necessary

lying adjacent to the lands of

that one George H Jordan qualified in the
Court of said county as administrator
of the personal estate of said decedent & has
taken the same in possession for administration
that said administrator has paid off many
debts due of said administrator, but your
complainants & several other debts are still
due unpaid - that said administrator
has returned an account of his transactions
on said estate, showing a balance due
of him to said estate on the 20th of August 1864
of \$1422.92, which sum it is presumed is due in
Confederate currency - that said decedent left a
widow, Elizabeth B C Roberts, & six infant children,
as his heirs & law to wit Samuel J, Margaret A,
Eugenia J, Elizabeth B, Joshua C & John J Roberts.
that an official copy of the transactions of said
administrator showing the balance of said
due of him is herewith filed marked B & agreed
to be taken as a part of this bill - that said ad-
ministrator has rendered no further account of his
transactions, that said personal assets of still
undisposed of of said administrator are liable
to your complainants & the other creditors of said
decedent for the payment of their debts & in

Exhibit
B

To the Honorable Richard W Baker Judge of the (Circuit
Court of Law & Chancery for the County of Ill of
Right in Chancery sitting, humbly complaining there-
of to the Court your complainant George H Eley
(assignee of A J Bellines) who sues on his own behalf
& that of the other creditors of Linn B Roberts dead
late of the County of said who shall come in & contribute
to the expense of this suit - That the said Linn B Rob-
erts departed this life on or about the day of 1861,
that said Linn B Roberts in his lifetime, to wit on the
25th day of March 1860, made his writing obligatory, the
date whereof is the day year last aforesaid & sealed
the same with his seal, the date whereof is the day
year last aforesaid whereby he promised to pay on
Demand to the said A J Bellines the sum of \$15.00
That on the 8th day of January 1861 the said A J
Bellines for value received made an assignment
thereof to your said complainant as will appear
from said assignment endorsed on said bond &
subscribed with the name of said A J Bellines
by inspection of said bond marked A & herewith filed
That subject to a payment of \$20.00 made on said
Bond on the 7th day of January 1861, the said Bond
was wholly owing to your complainant by the
said Linn B Roberts at the time of his death -
That at the time of his death the said intestate
was possessed of a considerable personal estate
To wit & in fee simple of a tract of land in said
County containing 800 or thereabouts acres -

Ely after Dr. Kitch p. 5

in
Linn. Bank, Rotterdam
to

Petition of
Mr. H. Duck
(and)
Jas. B. Wafler

In the Circuit Court of Isle of Wight County
The undersigned respectfully ask to be
allowed to participate in the distribution of
the estate of Linn Banks Roberts, decd, under
Chy. sent now pending in this Court between
Hts. & Roberts' ad &c. &c. -

There is due to the undersigned M. H. Duck
the sum of \$104.33 with Int. from the 3^d of
Jan'y 1860 as well as appears Bond filed herewith
and there is due to the undersigned James B.
Anflees \$6.38 with Int. from 1st Jan. 1861 as
per sworn account filed herewith.

Respectfully
M. H. Duck
James B. Anflees } By
John R. Kelly atty

Eley
as
Roberts
Schmidt
Labs -

} In
Chamney

Infants Answer

To the Honorable Richard H Baker Judge of the
Circuit Court of Law & Chancery for the County of
Isle of Wight in Chancery sitting -

The joint & several answers of Lemuel P Roberts,
Margaret A Roberts, Eugenia P Roberts, Elizabeth
B Roberts, Joshua B Roberts & John T Roberts in-
fant orphans of Linn B Roberts by S P Young their
guardian ad litem to the bill of complaints in
said court exhibited by George W Eley against them
& others -

These defendants jointly & severally answering
say that they ~~know~~ nothing of the allegations
in said bill contained & being infants under
twenty one years of age submit their interests
in the premises to the protection of this ~~honor-~~
able court, & having answered for of hence to
be dismissed with their costs in this be-
half most unreasonably expended &c.

Signed -

Geo. W. Eley apud.

4th } Sent in
v. } by.

S. B. Roberts' cont.
Sale.

To Sept. rules 1866.
C. C. C.
Hayden & Co.

Received by delivery of a true copy of the last
to Geo. W. Eley and the City of New York
28th. August 1866.

W. H. Chapman Dy.
for S. B. Roberts & Co.



The Commonwealth of Virginia,

To the Sheriff of the County of Isle of Wight, Greeting:

We command you to summon *George H. Jordan admor. of*
Simon B. Roberts, Elizabeth V. B. Roberts, & Samuel P.
Margaret A., Eugene S., Elizabeth B., Joshua D., & John P.
Roberts (the last six infants)

to appear on the first Monday in September
next, (being Rule day), at the Clerk's office, of the Circuit Court for
the County of Isle of Wight, directed to be holden at the Courthouse thereof,
to answer the Bill in chancery of *George W. Eley,*
assignee of A. J. Vellies suing for himself & the other
creditors of Simon B. Roberts

and have them and there this writ.

Witness, *Nathaniel D. Young,* Clerk of our said Court, this 11th
day of August 1864, and in the 91st
year of the Commonwealth.

[A copy to be delivered to each defendant.]

N. D. Young

Rec'd this the seventh day of March 1861 the sum
of thirty one dollar and eight cents in part of
the within note like he pays

Rec'd this the 3 day of Sept ¹⁸⁶⁰ the sum of
one hundred and forty two and fifty
cents in part of the within like he pays

Rec'd this the 7 day of March 1861 the sum
of one hundred and twenty dollar

#431.18

On demand I promise to pay or cause to
be paid unto Charles M. Boyner the sum of
Four hundred and thirty one dollars and
Eighteen cents good and lawful money of
Virginia for the payment of which I bind
myself my heirs or assigns given under my
hand and sealed this the 7th day of March
1859 List

Linn Banks Robert
David Roberts

A. B. Roberts Esq.

Marguerite, Canada

St. John's N.B.

Dear Sir

I have the honor to acknowledge the receipt of your letter of the 10th inst.

✓

Bond of Symm. B Roberts to J. B Angerhart
Exec of R. A. Angerhart.

Principal due 10th of Feb 1860. \$50.00

Sum B Roberts

acct 2 to

Mason Tins,

\$10-27

Based by
statute of
limitations
&

not proved
cont.

Lin B Roberts

1857 To Marmaritz

June 3 to 423 bundles fodder = 25 bundles wt. 31 pounds @ 6¢ \$3.27

to 500 \$

25 \$

23 \$

3.00

\$10.27

Sam B Roberts

file in day.

Rev.

Not found.

Mr Linn B Roberts
1861 To A. J. Darden Jr

July	30	To 10 yds	Black Alpaca 3/9	6 25	
		4 1/2 "	Old Cottons 14	" 63	
		2 1/2 "	Brilliant 40	1 00	
		2 doz	blind catches 7/6	2 50	
		2 doz	screws 1/10 e	" 62	11 00

Ch. M. Joyner

v

Vine Banks

Roberts

See at Eliza

v

See if Ind. and a few
Vine Banks Roberts

See ch. nat.
of cr. if any

and Banks & Co

Charles M. Snyder. (Zuni)

v

Sim Banks Roberts & David Roberts

D: Jordan adw of Sim Banks Roberts
qual? —

adw. of David Roberts

Land of Sim Banks —

acres, joins Kena K. Chapman's estate
others —

David Roberts adjoin

Sim Banks Roberts died —

now named &

Children

— David Roberts has

Children —

Geo. W. Clay appt.

⁴/₅ } Comd. report.

Geo. H. Jordan adm. of
S. B. Roberts dec. 1867.

apl. 3rd. 1867 filed in comd.
offin.

apl. 14th. 1867 filed in the
cann.

Commissioner's Office, Isle of Wight County.
April 3rd 1867.

To the Circuit Court of Isle of Wight County.

Pursuant to a decree of the said Circuit Court, rendered on the 18th day of October 1867, in the suit of George W. Clay assignee of A. J. Wellins, complainant, and George H. Jordan administrator of Sim B. Roberts *decd*; Elizabeth V. C. Roberts, widow, and Samuel P. Roberts & others, infants, defendants, directing a commissioner of the said court to take the following accounts &c. 1st. An account of the transactions of George H. Jordan as administrator of Sim B. Roberts *decd*, taking the accounts of said administrator, filed with the bill, as prima facie correct, subject to be surcharged & falsified by either party. 2nd: An account of the plaintiff's demand against the said Sim B. Roberts and that of all other creditors of the said Roberts, who may choose to contribute to the costs of this suit, with their respective dignities. 3rd: An account of the real estate of which the said Sim B. Roberts *decd* seized and possessed, with the furniture and annual value thereof; and also directing the commissioner, in the event of the personal assets of the said Sim B. Roberts, proving insufficient for the payment of his debts, to inquire whether the adult parties interested in his real estate, consent to a sale of the same for the payment of his debts, and whether such sale would be for the interest of the infant parties interested, Your commissioner, to whom was referred the said accounts, reports to the court that, on the 28th day of January last, he issued notices to the several parties, informing them that he had appointed the 15th day of March 1867 for taking the several accounts aforesaid; & also posted notice to the creditors of said S. B. Roberts, that he would, on said 15th of March 1867, take at his office, the account of debts referred to. Which notice to the parties was duly served; & which notice to the creditors was posted at the courthouse door on the first days of February and March terms of the County Court last. That the administrator of said S. B. Roberts

adms. acct.

*Acct. of
debts*

appeared before your commissioner according to notice, and stated that he had neither received nor disbursed any amount for said estate, since the settlement of his transactions reported to the County Court and referred to in the proceedings, which account not having been surcharged or falsified, shows, as will be seen by account *A.* annexed to this report, a balance of \$1422.92 arising from sales of the decedent's chattel estate, which was sold with reference to Confederate States Treasury notes as a standard of value, and is now in the hands of the administrator in such Treasury notes, and decreed by your commissioner, worth \$1.00, and the further taking of said accounts was continued until the date of this report, when the creditors named in the annexed account, *B.* proved their respective claims showing the total amount of debts to be \$493.86 all of the same dignity.

Your commissioner having ascertained that the personal assets of the estate, are insufficient for the payment of the debts of the said S. B. Roberts, has made inquiry and reports that, the adult party interested in his real estate, to wit: his widow, Elizabeth V. C. Roberts, is willing that a sale of his real estate should be made for the payment of his debts, ^{provided she is allowed a sum equivalent to her dower therein} and that the interests of the infants interested therein, will be promoted by such sale.

Account C. shows that the Decedent S. B. Roberts *decd* seized of two tracts of land, of 13.4 & 21.8 acres, fee simple value \$1500.00 and annual value thereof \$75.00.

Comm. fee \$7.75
fee for delug. notice 2.00
\$9.75

Given under my hand as a commissioner of said Circuit Court, the day & year first aforesaid
A. P. Young Comm.

A.

Dr The Estate of Lim B. Roberts decd.

In account with George H. Jordan his administrator.

1864

Aug. 20 By balance due the estate this day
as per account returned to and
recorded in the county Court of
Isle of Wight County, wholly in
Confederate States ~~the~~ ^{the} notes \$1422 92

B.

An account of the plaintiffs demand against the
said Lim B. Roberts, and that of all other creditors
of said Lim B. Roberts decd.

Kelley	Balance on bond due to the ptiff:			
	George W. Cley, assignee of A. J. Vellins,			
	due the 7th. Jan. 1861, of	58	50	
	Interest thereon to 15th May 1867	22	32	8 0 8 2
	Bond due to Jas. B. Urquhart Esq.			
	of R. A. Urquhart, 10th July 1860 for	50	00	
	Interest thereon to 15th May 1867	21	80	71 8 0
	Bond due N. C. Young 25th July 1861 for	13	95	
	Interest thereon to 15th May 1867	4	86	1 8 8 1
	Balance on bond due to Charles W.			
Joyner - 7th. March 1861 - of	112	30		
Interest thereon to 15th May 1867	41	73	1 5 4 0 3	
Account due J. B. Noftlet Dec. 10. 1860	6	38		
Interest thereon to 15th May 1867	2	46	8 8 4	
Bond to J. P. Young, balance due 2nd Feb. 1863	130	56		
Interest thereon to 15th May 1867	29	00	1 5 9 5 6	
			\$493 86	

B.

An account of the real estate of which Lim B. Roberts died
seized & possessed, with the purchase & annual value thereof.

A tract of 134 acres of land adjoining the lands of Robert Payson, Madison Edwards & valued in purchase at	900	00
A tract of 218 acres same " " " "	650	00
Annual value of said two tracts	\$7500	\$1550 00

last, But before this account was completed at the request of the Administrator the same was continued to enable him to lay before your Commissioner the vouchers comprised in the items in said acct. embraced in the period from the 7th December 1863. to the 20th August 1864. That your Commissioner again embraced said Administrator, in the list of fiduciaries, posted by him at the Court house door at last Court, and on the date of this report, ten days having elapsed since this acct. was last posted, made up and completed the foregoing acct. and on the 20th day of August 1864. finds a balance of fourteen hundred and twenty two dollars and Ninety Two Cents due from the Administrator to the estate, It will be seen by the acct. that the estate is chargeable with \$117.90 retained by the Administrator in the 2nd December 1863, to be paid to Sally Ann, & Jane E Roberts being the balance, including interest to that day, due them on settlement of the acct. of Simon B Roberts (the decedent) as their late guardian, which sum, the adminr. has not been able to pay over because the said Sally Ann & Jane Eliza have had no guardian since the death of said Simon B Roberts The Administrator has given such a bond as the law requires, in a penalty and with security ample & sufficient. Given under my hand as a Commissioner of the said County Court the day and year first aforesaid.

N. P. Young Comr.

In the County Court of Isletwright Dec. 5th 1864. the foregoing acct. having been filed one month and no exceptions filed thereto was confirmed & ordered to be recorded.

Teste

N. P. Young Clk.

a. Copy Teste

N. P. Young Clk.

Novr.	To Paid Geo. T. Clark atty's fee	\$ 20 00	
"	" B. J. Gray acct.	1 00	
"	" Hyman & Port Cole	21 50	
"	" William Haele "	5 32	
Decr. 2	" " Nathan Merrittford	2 00	
"	" Taxes for year 1862.	41 66	
"	" Clerk's fees	5 75	
"	" Thomas H. Saunders acct.	5 00	
"	" Rich? Clements "	5 00	
"	" Sally Roberts acct. for board of S. A. & J. B. Roberts for board	86 00	
"	" this sum retained to pay Sally Ann and Jane Eliza Roberts the balance due them on the settlement of the accts of L. B. Roberts decd. their late guardian as per Report of Commissioners returned & recorded including interest to this date	117 90	
"	" Amount Commissioners on \$5295.77 rec'd	164 78	
1863	7 Bal. due estate per Contra Cr.	1364 39	
Feby. 13	By Amount pr. J. B. Cawcill on bill	16 87	
"	" " J. B. Edwards acct.	3 50	
"	" " S. G. Dando's acct. bill	5 75	
"	" " Mrs. Sally Roberts acct.	120 30	
"	" " Mrs. Martha Villins "	10 00	
"	" " Willis Spring "	12 90	
"	" " Davis Edwards "	7 75	
"	" " B. W. Gale "	6 00	
"	" " Jno. C. Underwood "	10 00	
"	" " Francis Edwards acct. "	18 00	
"	" " Cash rec'd of G. F. Haele	32 52	
"	" " do " of C. Patton	5 00	
" 27	" Annot. of D. B. Roberts bond & int.	143 80	
"	" " Cash found in the house	1550 00	
June 22	" met afc sales of Charles estate	1353 40	
		<u>\$3295 77</u>	<u>\$3295 77</u>

1864	Aug. 20	To Paid N. P. Young Exec of D. Roberts decd? bond and interest due exec	133 09	
"	"	" " N. P. Young acct. & interest	9 05	
"	"	" Retained to pay Comr. for this acct & report	12 00	
"	"	" " " " Clk. for recording acct. of sales (to be recorded Copy acct. sales & findings, & recording this acct. & orders to invest &c estimated at,	19 90	
1864	Aug. 20	" fees W. decd? guardian of S. & J. B. Roberts	5 50	
"	"	To Commis. on \$164.42 Receipts	8 22	
"	"	" Balance pr. Contra due acct. Cr.	1422 92	
1863	Decr. 7	By this sum due on last years acct.	1364 39	
1864	Aug. 20	" " " of N. P. Young Exec of David Roberts decd? who was father of decedent, being decedent's distributable share of his father's acct. as per report of Comr. May due on settlement of said Young's executorial acct. which is of record, including interest from 2 ^d Sept. 1863 to this date.	164 42	
"	"	" interest on \$1364.39 one year	81 86	
			<u>\$1610 67</u>	<u>\$1610 67</u>

Commissioners Office Islesworth County
Sept. 31st 1864.

To the County Court of Islesworth County.
Your Commissioner reports to the Court that on
the 4th day of May last, Geo. H. Jordan admr. Linn B
Roberts decd? exhibited before your Commissioner a
statement of all the money he had received become chargeable
with or had disbursed during the fiduciary year, ending
on the 7th day of December 1863. together with the
Vouchers for the disbursements, that your Commissioner
embraced the said administrator in the list of
fiduciaries whose acts were ~~completed~~ before
him for settlement, which was posted at the
Court house door on the 12th day June Court

The Estate of Simon B Roberts

In account with George H Jordan his administrator

1862

Decr. To Paid Tax on Administration \$ 1 50

1863 " " Ro: J. Marshall as clk 10 00

Jan 26 " " Ro: Watkins due bill & int. 13 68

" " " do ditto Bond " " 160 20

Feb " " George F Hall " " " 139 20

" " " " do " " " 104 88

" " " " " acct. 26 78

" " " Ashburn & Watkins 2 acct. 19 77

" 13 " " John T Council 2 bonds & int. 192 57

" " " M. H. Watkins acct. 20 00

" " " R. F. Chapman for buying at sale 5 00

Mar. " " Sally Roberts Bond & int 75 76

" " " Dr Geo. H. Jordan i/s for 1859, '60, '61, & '62 68 75

" " " Editor of R. C. Advocate acct 2 00

" " " Miles Edwards 2 bonds & int 43 50

" " " Harry Chapman appraiser 1 00

" " " John R Holliman acct. 27 00

" " " Thomas, Adams H^c 20 69

" " " Jno. G. Wemble bond & int. 50 00

" " " Harry Chapman bond & int 111 63

" " " Thomas, Adams H^c " " 51 47

April " " L B. Edwards acct. 13 41

" " " S. G. Jordan " 13 48

" " " W. H. Watkins 2 due bills 61 17

" " " Eliza Chapman acct. 40 70

May " " H. P. Howse for Coffin 35 00

Sept. " " John C Underwood agt for M Briggs 51 62

Oct. " " John C Thomas Bond & int 31 66

" " " Shad sack Bracy " " 17 56

" " " ditto ditto acct. 17 04

" " " John C Thomas " 4 00

" " " J. W. Dreck 2 bonds & acct (less due bill in hands of decessed Whinn for \$40.27 } 24 25

If Mr. Chapman can make it, say to
it will be a help to Mr. Chapman. The
desires to go on with the same
I would like to see at the next
the case the best to do so.

J. P. Vane

Whereas, at a sale made by C. B. Hayden
commissioner, under decree of Isle of Wight circuit
court, in the suit of Ely S. & Robert, adms. sal.
directing said commission to sell the lands of S. B.
Roberts decd: the said lands were purchased
by Leonard H. Whitley at the price of \$800.00
and whereas an agreement has been made by
and between said Whitley & said Mary E. Edwards
that the said land shall be divided between
them so that the said Whitley shall retain that part
of the tract lying east of the road opposite the Alz. S.
Thomas land between the lands of J. Vick Swift & James
H. Whitley on the east and the field belonging to the Roberts
land called the "Chapman field" on the west, supposed
to be about 25 acres - Now therefore, we the said
L. H. Whitley and Mary E. Edwards do hereby request
the said Commissioner Hayden to make his report in
such manner as to cover this agreement, so that the
said Whitley shall pay \$100.00 for his portion of said
land & said M. E. Edwards shall pay \$650.00 for
her portion of said lands. Witness our hands & seal, this
day of Decr. 18th 1860.

(L. H.)

(M. E.)

L. B. Roberts
Land

repeared water

Jan 25 P

In the year, 1870, there was charged on the land
book of Isle of Wight County to S. B. Robert, Esq.
252 acres of land, valued at \$1056.⁰⁰/₁₀₀

Teste

J. P. Young, Clerk. &c.

Ely & others, V. Roberts &
for Antislavery fee of
five dollars.
T. J. Churchill
cc

Received of N. P. Young clerk of court the two
 bonds of Mary E. Edwards for \$287.^{25/100} each, and
 the bond of S. H. Whitley for \$66.^{80/100}, the latter pay-
 able one year from 7. Nov. 1890 - which were filed
 with this report & ordered to be collected by
 decree of C. Nov. 1891. C. B. Hayden per

Received of N. P. Young clerk of the Circuit
 Court of Geofwright County, the bond of S. H.
 Whitley & Geo. T. Whitley for \$66.^{80/100} due two years
 from Nov. 7th 1890, which was ordered to be
 collected by decree of Cir. Ct. of April 21st 1893,
 May 5th 93. C. B. Hayden per

Elvey & Co. v. Robertson & Co.

Report
 of

Commissioner of Sale

June 5th 1891. filed.

The Cash Payments aforesaid were applied to the payment of the costs & sent & sale as far

Statement B.

Cash Payment by L. H. Whitley	16.39	
Do by Mary E. Edwards	75.53	= 91.92
Attorneys Fee & Tax	50.50	
Clks Fee $\$8.17$ Shiffs do $\$1.00$	9.17	
Commissioners Fee	9.75	
$\frac{1}{2}$ Commission on $\$300$ @ $2\frac{1}{2}\%$ percent	7.50	
$\frac{1}{2}$ Do. on $\$500$ @ $2\frac{1}{2}\%$ percent	5.00	
Auctioneers Fee	5.00	
Printer (2 sets of Hand Bills)	5.00	<u>$\\$91.92$</u>

The receipts of the parties for said judgments & the Bonds aforesaid are herewith filed.

All of which is respectfully submitted
(Signed) C. B. Hayden

N. B. The date of this Decree (May 17th 1869) was prior to the Act of July 11th 1870 requiring land to sell for not less than $\frac{3}{4}$ of its assessed value. Yet your Commissioner refused to take less than the amount required said Act. Eight Hundred Dollars being a little more than $\frac{3}{4}$ of $\$1056.00$ its assessment at the last valuation as appears by the annexed Certificate.

C. B. Hayden

411056
264
3
 $\$792$

the field belonging to the Roberts Land called "The Chapman Field" on the West estimated to be '25 Acres" more or less for which the said L. H. Whitley was to pay \$150⁰⁰ of the purchase money, & for the balance of the land mentioned in said Decree the said Mary E. Edwards was to pay the balance of the said purchase money \$650⁰⁰. That of the said \$150⁰⁰ the said Leonard H. Whitley paid \$16³⁹ in cash for the balance with George S. Whitley as his Surety executed two Bonds for \$66^{80 1/2} each payable respectively 1 & 2 years from the day of sale with interest from that date.

That of the said sum of \$650⁰⁰ the said Mary E. Edwards paid \$75⁵³ in cash & for the balance with George S. Hallas her Surety executed two Bonds for \$287^{23 1/2} each payable respectively 1 & 2 years from the day of sale with interest from that date.

The said cash payments & Bonds amount to \$800⁰⁰ the amount of sale as far

Statement A

Cash Payment by L. H. Whitley	16.39	
Bond of Do. at One year for	66.80 1/2	
Do. of Do. a Two " "	66.80 1/2	150.00
Cash Payment by Mary E. Edwards	75.53	
Bond of Do. at One year for	287.23 1/2	
Do of Do. " Two " "	287.23 1/2	650.00
		<u>\$800.00</u>

(Over)

To the Circuit Court of Isle of Wight County
The undersigned
Special Commissioner of Sale
under the annexed Decree of
said Court of May Term 1871 in the
suit of George W. Eley vs. Linn B. Roberts
Admr. vs. reports to the Court that in
pursuance of said Decree he repeatedly
offered the land in said Decree mentioned
for sale at Isle of Wight Court House
on a court day after the notice & on the
terms mentioned in said Decree, but
was unable to make the sale for the
want of bidders. That on the 7th day of
November 1871 being court day he for
the fourth time offered the said land
for sale at Public Auction at Isle of
Wight Court House after ^{having} given the notice
required by said Decree, when
Leonard N. Whitley being the highest
bidder became the purchaser of the
whole tract for himself & Mary E.
Edwards for the sum of \$800.00.
By the arrangement between the said parties
the said Leonard N. Whitley takes that portion
of the land mentioned in said Decree
lying across the road & opposite to the
Algenon S. Thomas land, between the lands
J. Dick wife & James F. Whitley on the East, &

ively in one & two years from date with interest from
 date. payable to himself as comr and return the same to
 Court with his report of his proceedings under this decree
 But the effect of this decree shall be suspended until the
 said C.B. Hayden shall execute in the Clerk's office of this
 Court a Bond with sufficient security payable to the
 Commonwealth of Virginia in a penalty of \$1800.00, condi-
 tioned for the faithful performance of this or any
 future decree herein. And that a Comr of this Court
 take and report to the Court a further account of
 out standing debts and demands against the said
 Linn Banks Roberts or his estate.

Atto. fee & tax - 50.50 A copy.
 clk. " " " 8.17
 shff. " " " 1.00
 Comm. " " " 9.75
 Cont. 5 May 1869 - \$69.42

Teste J. D. Gentry Clk.

Copy taken.

3 Copy taken
 for sale &
 atty.

Obtained as usual. tak.

3/ 21592.00
 5305.00
 10600.00

4/ 105.00
 399.00

3/ 113.50
 35.00
 148.50

2/ 64.00
 17.00
 81.00

4/ 105.00
 17.00
 122.00

992

Received of C. B. Hayden
 Attorney & Clerk of the Court
 for his services as
 Clerk fees 8.17
 Sheriff's fee 1.00
 Comm. &c. 9.75
 \$18.92

Received of C. B. Hayden
 Attorney & Clerk of the Court
 for his services as
 Clerk fees 8.17
 Sheriff's fee 1.00
 Comm. &c. 9.75
 \$18.92

See Mr. Bly

In the Circuit Court of Isle of Wight County. May 17th 1869.
George W. Eley, assignee of A. J. Wellnes suing for himself and
the other creditors of Linn. B. Roberts. Plaintiffs:

vs.
George. H. Jordan admr. of Linn. B. Roberts, Elizabeth. V. C. Roberts and
others Defendants:

This cause came on this day to be again heard on the papers
formerly read & on the petition of Joseph H. Duck & L. B. Norfleet
and on the report of Comr. Young under a decree herein of
Oct term 1866, and was argued by counsel on consideration
whereof the Court confirming said report to which no excep-
tions were filed doth adjudge order & decree that unless
within sixty days from the date of this report, Samuel P.
Margaret A. Eugenie S. Elizabeth B. Joshua D. and John T. Roberts
or either of them or some one for them pay the several
creditors of L. B. Roberts named in said report and said
petition the several sums thereby shown to be due them,
that C. B. Hayden who is hereby appointed special Comr. for
that purpose proceed to sell at public auction at the
Courthouse door of this County on some Court day after
having given at least thirty days notice of the time
and place of sale by advertisement at the Courthouse
door of said County on some Court day previous to the
day of sale, and at other public places in said County
on a credit of one & two years in two equal payments
with interest from date, (except so much for cash as will
pay the costs of this suit and said sale including an
Attorneys fee to C. B. Hayden of \$50. for his services in
this suit;) the land in these proceedings mentioned, whereof
L. B. Roberts died seized in the County of Isle of Wight
Consisting of one Tract of 134 acres adjoining the lands of
Robert. Presson & Madison. Edwards and one tract of 218
acres adjoining the former, taking for the credit-portion
of said sale two Bonds in equal amount payable respect

Chas. S. Fugate
Companions
Report
Richard S. Fugate

Octo. 16th - 1891 (filed)

Commissaries Office Southfield
September 8th 1871

To the Circuit Court of Isle of Wight County

Pursuant to a decree of the Circuit Court of Isle of Wight County rendered on the day of April 1871 in a suit on chancery depending therein between George H. Ely as assignee of A. J. Williams his wife and George H. Jordan as executor of Lewis B. Roberts, Elizabeth H. Roberts, and Samuel Roberts and others defendants, by which decree it was ordered that George H. Jordan as such administrator, as shown by the report therein of Commissioner H. P. Sprague filed in the said cause April 14th 1871, answer, and whether the same includes any bonds due to him as such administrator, the undersigned one of the commissioners of said court do hereby refer for settlement by said court. The said decree refers to the report filed on the 21st day of May 1871 his said report against the several parties aforesaid requiring them to attend the settlement of the said accounts at his office aforesaid on the 29th day of June last, which notice was returned to your commissaries duly executed except as to Elizabeth H. Roberts who is dead. That the parties aforesaid appeared before your commissaries and the said George H. Jordan as executor of Lewis B. Roberts being duly sworn declared that the balance due to him as shown by report of Commissioner H. P. Sprague filed in the said cause on the 14th day of April 1871, was wholly Confederate money received by him for bonds credited in his account as such administrator, and for the sales of the chattel property, and that he held no money to him as such administrator, and no evidence to the contrary having been exhibited before your commissaries, he finds the facts to be as stated by the said administrator. Given under my hand as Commissioner of said court this 8th day of September 1871.

James K. Williams

Therein charged not by them \$350

Elly and others
as } notice for accounts;

Robert's Admrs & also.

On the 24th day of June
1871 I delivered true copies
of this notice to George St.
London & George H. Elly, Mrs.
Robert's place of abode is
unknown.

E. J. Chapman S^{ff}

I acknowledge service of the within notice for Elmer P. Margaret A. George
of August 18, Arthur P. and John W. Robert, the infant defendants.

George H Ely a person of A Vileins suing for himself and the other and others of
Linn B Roberts Plaintiffs

Against

George H Jordan admr of Linn B Roberts, Elizabeth P Roberts, Lemuel P Roberts, Margaret
A Roberts, Eugenia S Roberts, Elizabeth B Roberts, Joshua B Roberts and John T Roberts,
(the last six infants) Defendants

In the Circuit Court of Isle of Wight County in Chancery
The following is an extract from the decree rendered in the cause on the 20th day of April 1871
"That the defendant George H Jordan admr of L B Roberts, show before a Commissioner of this
court of what the balance due by him as such admr as shown by the report of his admr of
Commissioner A P Young filed in this cause, April 14th 1867, consists; and whether the
same includes any bonds due to him as such administrator; which accounts the said
commissioner shall take and report to court, with any matters specially stated
deemed pertinent by himself or by the parties to be so stated"

Commissioners Office

Smithfield May 24th 1871

The parties interested are hereby notified that I have filed upon Thursday the 29th
day of June next, at the time and my office in Smithfield as the place to execute the
going decree. Given under my hand as Commissioner of said court

Gro R Atkinson

Geo. W. Eley vs.

{ Copy of
Decree

Geo. H. Jordan admr
of L. B. Roberts vs.

Apl. Cir. Ct. 1871.

Notice given 5 29th June

In Suffolk Circuit Court, Apr: 20th 1871,

Geo. W. Eley, spec: &c.

Plff:

vs.

} In Lohy:

Geo. H. Jordan adm^r of L. B. Roberts, & also Defes:

This Cause this day came on to be again heard on the papers formerly read, & on the motion of the plaintiffs it is ordered that the said defendant Geo. H. Jordan adm^r of L. B. Roberts show before a com^r of this Court of what the balance due by him as such adm^r, as shown by the Report herein of com^r N. P. Young filed in this Cause, April 14th 1867 consists, and whether the same includes any Bonds due ^{to} him as such adm^r, which accounts the said com^r shall take settle & report to Court, with any matters specially stated deemed pertinent by himself, or required by the parties to be so stated.

A Copy

N. P. Young, Clk:

Eley apsee, &c,

vs. { Copy of
Decree

Roberts' admn

Octo. Cir. Ct. 1877.

S. R. A.

Recd of C. B. Hayden Commissioner "Due
above suit "One Dollar" Sheriff's fee in said
cause

E. J. Chapman Shff

in the petition of Joseph H. Duck, according to the
amounts respectively shown to be due them by
said account of debts and petition, taking
the receipts of the said parties therefor return
the same with his Report to Court of his proceed-
ings under this decree, & that on the payment
by the said Mary E. Edwards of the bonds aforesaid the said
J. M. Hayden who is hereby appointed Special Comm'r
for that purpose shall execute & deliver to the
said Mary E. Edwards, a good & sufficient deed in
fee simple, with special warranty for the tract
of land in these proceedings mentioned purchased
by her containing by estimation 327 acres, being
all the land of which the said L. B. Roberts died
seized & possessed in the County of Salisburgh
adjoining the lands of Madison Edwards, Robt.
Presson & also, less the portion thereof estimated
at 25 acres, more or less sold Leonard H. Whit-
ley lying across the road, & opposite to the
Algernon W. Thomas land, between the lands of
H. Vick & wife & of H. Whitley on the east & the
field belonging to the Roberts' land called
the Chapman field on the west,

C. Hooper
Clerk

J. M. Hayden, Clerk

In Sale, Wright Circuit Court, Octo. 20th, 1871,

Geo. W. Eley apud: LC — Petts,

225

In Chancery

Geo. H. Jordan adm^r of L. B. Roberts dec^d
+ others. Defts

+ others,

This Cause in which the death of Elizabeth H. Roberts widow of S.B. Roberts is suggested, it is ordered that this suit be dismissed as to her, this day came on to be again heard on the papers formerly read, & on the Report of Sale of Com^{ty} Hayden under the decree herein of May term 1869, & was argued by Counsel; on consideration whereof the Court confirming said Report of Sale to which no exceptions were filed, doth adjudge, order & decree, that the Clerk of this Court deliver to C.B. Hayden on his filing his receipt therefor the two Bonds of Mary E. Edwards & Geo. F. Hall for \$287.23 1/2 each, payable respectively one & two years from the 7th of Nov^r 1870, with interest from said date (both of which bonds it is suggested the said Mary E. Edwards is desirous to pay) & the bond of C.H. Whitley & Geo. J. Whitley for \$66.80 1/2 payable one year from Nov^r 7th 1870, with interest from that date, returned with the Report of Sale aforesaid, which bonds the said C.B. Hayden is authorized & required to collect, & out of the proceeds first pay the unpaid Costs of this Suit, & the balance thereof distribute ratably among the creditors named in the account of Debts heretofore made in this Cause

Jan 29th 1872. Received of C. R. Hayden Commissioner
in suit of Ely Assignee vs Roberts Adm. &c "Fifty cents. Notarial
fee for certifying deed to Mrs Edmonds

R. K. Chapman
Notary Public

\$1⁰⁰ Stamp

We the undersigned have respectively received of
 C B Hayden Commissioner in Ceylon & B Roberts Accountant
 the amounts opposite our names—

Geo W Eley—	paid	Geo W Eley	84 42
R & W Richards Esq	paid	Geo W Eley	74 48
J P Young	paid	J P Young	19 90
C M Joyner—	paid	C M Joyner	16 10
J P Young	paid	J P Young	170 83
J B Kinflect—	paid	John R. Kelly atty	9 31
J H Duck—	paid	John R. Kelly atty.	153 90
			<u>573 94</u>

G. W. Eley
to
L. B. Roberts
Adm'd.

Commissions
& Hayden's Report
Collection & Distribution

March 3^d 1893
filed

Statement D.

Geo. W. Eley -	84.42.
B. A. Merguarts & Co. -	74.48
N. P. Young -	119.90
do	170.83
E. M. Joyner -	161.10
J. B. Norfleet -	9.31
Jos. H. Duck -	<u>153.90</u>
Total Amt paid creditors -	<u>\$673.94</u>

Your Commissioner further reports to the court that in obedience to said decree he executed & delivered to the said Mary E. Edwards a good & sufficient Deed for the land purchased by her on her payment of said Bonds

All of which is respectfully submitted.

Signed C. B. Hayden

The foregoing sum of \$673-94 was paid out pro-rata among the creditors named in the former report of debts due by L B Roberts dec'd as directed by said decree. The annexed statement C shows the amount due said creditors in full with interest to Dec 11th 1872. and statement D shows the amount paid to each creditor in discharge of his pro-rata share, based on statement C. The receipts of said creditors for said pro-rata amounts are herewith attached marked E.

<u>Statement C.</u>			
George W Eley Bond for	58.50.		
Int to May 15 th 1867	22.32		
from May 15 th 1867 to Dec 11 th 72	19.55	100.37	
Sp A Longphart's Ex'c	50.00.		
Int to do	21.80.		
Int to Dec 11 th 72	16.71.	88.51	
N P Young Bond + int to May 15 th 67	18.81		
Int to Dec 11 th 72	4.64	23.45	
do Bond + int to May 15 th 67	159.56.		
Int. to Dec 11 th 72	43.64.	203.20	
Chas Mc Coyner Bond + int to May 15 th 67	154.03.		
Int To Dec 11 th 72	37.54.	191.57	
J. B. Norfleet Ac't + int to May 15 th 67	8.84		
Int from do to Dec 11 th 72	2.12	10.96	
Jos H Duck Bond	104.33		
Int from Jan 3 rd 60	78.72	183.05	
		<u>\$ 801.11</u>	

To The Circuit Court of Isle of Wight County;

The undersigned Special Commissioner under the annexed decree of said court of Oct' term 1871 in the suit of Eley Assignee vs L B Roberts administrator and als, reports to the court that pursuant to said decree he received from the clerk of said court the Bonds of Mary E Edwards & the Bond of L H Whitley named in said decree, -
Your commissioner collected said Bonds in full amounting to \$691.84 - per,

Statement A.

Amount of Mary E Edwards's two Bonds with interest to January 29th 1872 when paid \$616.78

Amount of L H Whitley's Bond with int' to December 2nd 1872 when paid - - 75.08

Total Amt recd - - \$ 691.84

out of which sum of \$691.84 he paid costs amting to \$17.92, leaving the sum of \$673.94 for distribution among the creditors as per,

Statement B.

Fee for drawing Deed - - - 5.00

Stamp on do 1.00 - Notary's fee 50 - - 1.50

1/2 commissions at 5 per cent on 300. - 7.50

1/2 commissions at 2 per cent on 391.84 - 3.92

Amt of costs - \$ 17.92

Balance for distribution among credit-

-ors

\$ 673.94
\$ 691.84

Elley assignee
of
S. P. Roberts & associates

Sam Hayden Report
of Collection & distribution
under date of April
Term 1873

To the Circuit Court of Cass of Michigan County:

The undersigned special commissioner under the annexed decree of said court of April term 1873, in the suit of George W. Day, assignee v J. D. Roberts and others, reports to the court that pursuant to said decree, he, on the 22^d of December 1873, collected the bond of J. H. Whitley, amounting at that date to \$79.33, and paid thereout the costs of this suit amounting to \$18.29, leaving a balance in his hands for distribution among creditors of \$60.54 as per

Statement (A)

By amt of J. H. Whitley note in full		79.33
To drawing and Notaries fee	5.50	
" Coms	1.87	
" G. B. Atkinson Emro fee	3.50	
" E. J. Chapman Sheriff fee	1.00	
" Said Plaintiff Clerk fees	6.87	
" Bal for distribution	60.54	
	<u>\$79.33</u>	<u>\$79.33</u>

The above balance of \$60.54 was distributed among the creditors pro rata as per statement & thereunto annexed containing the receipts of the parties therefor. The receipts of the parties for the payment of said costs are herewith filed, on the payment of said fund your com^r receipt & due to J. H. Whitley as directed by said decree. All of which is respectfully submitted.

C. B. Hayden Com.

And return the same to Court, with his report of
his proceedings, under this decree, and the
Court doth further approve, order & decree
that on the payment of said bond by the said S. H.
Whitley, C. B. Hayden who is hereby appointed
Special Commissioner for that purpose,
shall deliver to the said S. H. Whitley
a good and sufficient Deed in fee simple
with Special warranty for the tract of land
heretofore purchased by him at the decretal
sale made under the decree herein
of May Term 1869, for the sum of \$150.⁰⁰.
Containing by estimation 25 acres, more
or less, being that portion of the land whereof
S. J. Roberts died seized in the County of
Isle of Wight; being across the road and
opposite to the Argamon W. Thomas land, be-
tween the lands of H. Vick wife of James H.
Whitley on the East, and the field belonging
to the Roberts' land, called the Chapman field
on the west, Attest, Teste,

C. B. Hayden

W. C. Caley after;

C. B. Hayden
C. B. Hayden, Secy. 1870

S. J. Roberts & Son

Hayden

In Sale of Wight Circuit Court. April 21st 1873,

Geo: W. Eley, appe: vs. Jals, Plffs.

vs. J. Sulby:

Geo. H. Jordan, Adm^r of L. B. Roberts decd,
others Defts,

This cause this day came on to be again heard on the papers formerly read, on the report of Commissioner G. R. Atkinson under the decree herein of April Term 1871, & on the report of Collection & Distribution of Court C. B. Hayden under the decree herein of October Term 1871, & was argued by counsel; on consideration whereof the Court, confirming said reports to which no exceptions were filed, doth adjudge, order & decree that the clerk of this Court deliver to C. B. Hayden on his filing his receipt therefor the Bond of L. M. Whitley & Geo. F. Whitley for \$66:80 $\frac{1}{2}$. pay able two years from November 7th 1870, with interest from that date, returned with the report of sale herein of said L. B. Hayden, which bond the said C. B. Hayden is authorized and required to collect. & out of the proceeds thereof first pay the unpaid costs of this suit, and the balance thereof pay pro rata among the creditors named in the account of debts heretofore made in this cause, & in the petition of Joseph B. Duck according to the amounts shown by said account and petition to be respectively due them taking the receipts of said parties therefor.

Statement of assets due creditors after
auditing payments. Eley assigner L.B. Roke
admirals

G. H. Bell	13	95	7	77
John H. Urquhart Esq	11	68	5	39
J. F. Young	3	55	1	75
" " "	80	37	15	77
W. M. Dwyer	30	47	14	84
J. B. Harcourt	1	68		82
J. F. Duck	29	15	14	20
	<u>124</u>	<u>176</u>	<u>54</u>	

We the undersigned have received from L.
B. Roke the sums of money on our respective
names

G. H. Bell	Geo. M. Eley	7	77
John H. Urquhart Esq	John Goode Jr atty	5	39
J. F. Young	A. P. Young	1	75
" " "	A. P. Young	15	77
W. M. Dwyer	John R. Kelly atty	14	84
J. B. Harcourt	John R. Kelly atty		82
J. F. Duck	John R. Kelly	14	20
		<u>60</u>	<u>54</u>

Eley & Roberts - Certs since Rept. under decree
of June 1848.

Certs fees unpaid £1.08

Total

11.29
1.08

12.37

A. D. Young, atty.

Amount paid me -
for W. C. Eley

$$\begin{array}{r} 1.577 \\ 1.75- \\ \hline 1.7.52 \end{array}$$

Received December 23rd 1873 of L B Hayden ~~cash~~ ^{on acct} of Ely and B Roberts and
Fifty cents for certifying deed

Wm L. Peterson

G. W. Eley

v.

$\frac{3}{4}$ Cots since Raymond has cont. of
Rohiti's admt. sold.

Clerk's for Rent one Geo W. Eley 5. 79

Ans. Atkinson for 1st W. R. Atkinson 3. 50

Shff. Chapman 1. 00

Total

\$ 11. 29

A. P. Young

Pay 4th 1861 Rec^d. Twenty Dollars
in part of the within

E. H. Kelley

Jan 8th 1861 Pay the
within to Geo W Kelley
& H. O myself returning
- twelve month
J. B. Bellinger

J. B. Bellinger

To Note

~~\$75.00~~

Understand I promise to pay
to A. B. Vellins the sum of seventy
five dollars. it being for value received
for the true performance of the above. I bind
myself my heirs assigns &c. firmly by these
presents as witness my hand and seals
This 26th day of March 1866.
Linn B. Roberts

& the court doth further adjudge and
 decree that in the event of the personal
 assets of the said Genl B Roberts pro-
 ving insufficient for the payment of his
 debts that such commissioner inquire
 whether the adult parties interested
 in his ^{real} estate consent to a sale of the
 same for the payment of his debts
 whether such sale would be for the
 interest of the infant parties interested
 which accounts the said commissioner
 shall take, settle & report to court with any
 matters specially stated deemed perti-
 nent of himself or required of the parties to
 be so stated —

Clerks
 In
 Roberts —
 Chancery
 Adams —
 Lads —

Rough decree
 Oct Term 1866
 To be entered —
 R. W. Barker

Eley assigner

Robert Adams
Lali ———

This cause came on this day to be heard on the bill taken for confessed as to the defendants George & Sadan administrators of Lem B Roberts, & Elizabeth O C Roberts, on whom process has been duly served they still failing to appear plead answer or demur to said bill, on the answers of the infant defendants Samuel P, Margaret A, Eugenia G, Elizabeth B, Joshua C & John T Roberts by N P Young their guardian ad litem general replications thereto & exhibits filed & was argued by counsel; on consideration whereof the court doth adjudge order & decree that a commission of this court take the following accounts

1st

An account of the transactions of George & Sadan as administrators of Lem B Roberts taking the account of said administrator filed with the bill as prima facie correct subject to be surcharged & satisfied by ~~either~~ party -

2nd

An account of the Plaintiffs demand against the said Lem B Roberts & that of all other credits against the said L B Roberts who may chuse to contribute to the costs of this suit with their respective dignities -

3rd

An account of the real estate of ^{which} the said Lem B Roberts died seized & possessed with the fee simple & annual value thereof -

that in the event of the personal assets of the said Simon B. Roberts proving insufficient for the payment of his debts that such Commissioners inquire whether the Adult parties interested in his real estate consent to a sale of the same for the payment of his debts and whether such sale would be for the interest of the infants parties interested which accounts the said Commissioners shall take, settle & report to Court with any matters, specially stated deemed pertinent by himself or required by the parties to be so stated.

Teste N. P. Young C. C. B.

George W. Coley als.

copy decrees
is

George H. Johnson admt.

of L. B. Roberts & als.

Noted in 28 Jan. 1867

To 15 March 1867,

a. J. debts 9. Mar.

In the Circuit Court held for the County of Isle of Wight
October 18th 1866.

George M Eley, Assignee of A. J. Vellies suing for himself and
the other Creditors of Simon B Roberts. Compl't.

Against.

In Chancery
George H. Jordan Adm. of Simon B Roberts, Elizabeth V. B.
Roberts, Samuel P Roberts, Margaret A. Eugenia S. Elizabeth B.
Joshua D. and John T Roberts the last six infants Def'ts.

This Cause came on this day to be heard on the bill taken
for Compels as to the defendants George H. Jordan, Administrator
of Simon B Roberts, Elizabeth V. B. Roberts, on whom process has
been duly served they still failing to appear plead answer or answer
to said bill, On the answers of the infants defendants Samuel
P. Margaret A. Eugenia S. Elizabeth B. Joshua D. and John
T. Roberts. by N. P. Young guardian ad litem, general Replications
there to & exhibits filed & was argued by counsel, On Consideration
whereof the Court doth adjudge Order & decree that a Commissioner
of this Court take the following Accounts:

1st An account of the transactions of George H. Jordan as Administrator
of Simon B Roberts taking the Accounts of said Adm. filed with the bill as
prima facie correct Subject to be discharged and falsified by either party

2nd An Account of the Plaintiffs, demand against the said Simon B
Roberts and that of all other Creditors against the said S. B. Roberts
~~and that of all other Creditors against the said S. B. Roberts~~
who may choose to contribute to the Costs of this suit, with
their respective dignities.

3rd An Account of the real estate of which the said Simon B. Roberts
died. Seized and possessed with the fee simple & annual Value
thereof, and the Court doth further adjudge, Order & decree

taking for the credit portion of said sale, two Bonds
in equal amount payable respectively one and two years
from date, with interest from date ~~for~~ to himself
as Commissioner. Return the same to court with
his report of his proceedings under this decree. But the effect
of this decree shall be suspended until the said
C B Hayden shall execute in the clerk's office of
this court a Bond with sufficient security
payable to the Commonwealth of Virginia
in a penalty of \$ 18000.00 conditioned for the
faithful performance of this or any future
decree herein - and that a commissioner of this
Court take and report to the court, a further account
of outstanding debts and demands against the said
Levin Banks Roberts or his estate.

G. W. Elery
G. B. Nichols
Admitted 1869

Rough Decree
May Term 1869

To be entered

E. S. Fitch

Done

10

G. W. Eley

L. B. Roberts Adm'r & al.

This cause came

on this day to be again heard on the papers
^{on the Petition of Joseph H. Buck & L. B. Roberts}
formerly read, on the report of Commis-
sioner J. J. Young under a decree herein of
October Term 1866 was argued by

Cornel, on consideration whereof the court
confirming said report, to which no exceptions
were filed doth adjudge order & decree
that unless within 60 days from the
date of this report Lemuel P., Margaret-
A, Eugenia T, Elizabeth B, Joshua & John
J Roberts or either of them or some one for them
pay the several creditors of L. B. Roberts
named in said report ^{& said Petition} the several sums
thereby shown to be due them, that

C. B. Hayden who is hereby appointed special
commissioner for that purpose proceed to sell
at public auction at the C. H. town of this County
on some court day after having given at least 30 days
notice of the time & place of sale by advertisement
at the C. H. town of said County on some court-
day previous to the day of sale & at other public
places in said County on a credit of one & two
years in two equal payments with interest from
date, the land in these proceedings mentioned
whereof L. B. Roberts died seized in the County of
Hill of Right, consisting of one tract of 134 acres
adjoining the lands of Robert Benson, Madison
Edwards & one tract of 218 acres adjoining the former

except so much pay cash as
will pay the cost of said sale &
said sale, which one of our attorneys
pay to C. B. Hayden \$50.00 for
his services in this suit.

G. W. Elz Aspirin &c

U

Geo H Gordon

Schm of L B Roberts

Rough theans

April Term 1871

To be entered -

Geo. H. Gordon

1
End 7

Geo W Eley Appearer

11

Geo H Taden Adm

of L B Roberts & Co

This Cause this
day came on to be again heard on the
papers formerly read & on motion of
the Plaintiff's it is ordered that the said
Defendant - Geo H Taden Adm of L B
Roberts & Co be before a commission of this
Court of what the balance due by them
as such administrators as shown by the
Report therein of Commissioner S P
Jones filed in this cause April 14 - 1867
consists & whether the same includes any
Bonds due to him as such adminis-
trator, which account the said Commis-
sioner shall take settle & report to Court
with any matters specially stated, deemed
pertinent & himself as required of the parties
to be so stated -

Eleg Apce xals.

or

Robert's Admural

Rough Deere
of

October Term

1871

To be entered.

Geor. B. B. B.

Entered 31.

22

with special warranty
for the ^{tract of} land in these proceedings
containing by estimation 32 1/2 acres
mentioned; ~~phrased by last~~
being all the land of which the
said L. B. Roberts died seized &
possessed in the County of
Suffolk adjoining the lands
of Mathias Edwards, Robert Presson &c.
less ~~the~~ portion ~~whereof~~ ^{whereof} estimated
at 25 Acres more or less sold Leonard
H. Whitley lying across the
road opposite to the Algenon St.
Thomas land, between the lands of
F. Vick wife & James F. Whitley
on the East & the Field belonging
to the Roberts land called the
Chapman Field on the West

one year from November the 7th
1870 with interest from that
date returned with the Report of
Sale aforesaid, which Bonds
the said C.B. Hayden is author-
ized & required to collect out of the
proceeds first pay the unpaid
costs of this suit & the balance
thereof distribute ratably among
the Creditors named in the
account of Debts heretofore made
in this cause, & in the Petition of
Joseph H. Duck according to the
amounts respectively shown
to be due them by said Account
of Debts & Petition, taking the
receipt of said parties therefor
& return the same, with his
report to Court of his proceeding
under this Decree & that on the
payment by the said Mary E.
Edwards, of the Bonds aforesaid
the said C.B. Hayden, who is hereby
appointed special commis-
sioner for that purpose, shall
execute & deliver to the said
Mary E. Edwards, a good &
sufficient Deed in fee simple

Geo. W. Eley, apu.

v.

Geo. H. Jordan admr. of S.B. Roberts dec'd. & al.
in which the death of Eliza H. Roberts widow
of S.B. Roberts is suggested, it is ordered that
on to be again heard on the papers
this suit be dismissed as to her.
formerly read on the Report of Sale of
Commissioner Hayden under the
Decree herein of May Term 1869 & on
~~the report of Commissioner W.B.
Atkinson under the decree
herein of April Term 1871.~~

was argued by counsel on
consideration whereof the
Court confirming said Report
of Sale, to which no exceptions were
filed doth adjudge, order & decree
that the Clerk of this Court deliver
to C.B. Hayden on his filing his
receipt therefor the two Bonds of
Mary E. Edwards & Geo. F. Hall for
\$287.²³/₁₀₀ each, payable respec-
tively one & two years from the
7th of November 1870, with
interest from said date (both
of which Bonds it is suggested the
said Mary E. Edwards is desirous
to pay) & the Bond of S. Whitley
& Geo. J. Whitley for \$6.⁸⁰/₁₀₀ payable

Eley Assignee

7

J. B. Root et als

Rough decree May term 1874
To be entered
Geo. W. Wood

Entered

13

City assignee

J. B. Roberts admr et als

This cause this day came on to be again heard on the papers formerly read and on the report of collection and distribution of amts & B. Sayden under the decree therein of April term 1873, and was argued by counsel. On consideration whereof the court with adjudge order and decree that said report to which no exceptions were filed be confirmed and that this cause be removed from the docket, nothing further remaining to be done therein.

them, taking the receipt of said parties there-
 for return the same to Court, with his re-
 port of his proceedings under this decree -
 & the Court doth further adjudge order &
 decree that on the payment of said
 Bond by the said L. H. Whitley, C B Hay-
 den who is hereby appointed special
 Commissioner for that purpose
 execute & deliver to the said L. H.
 Whitley a good & sufficient deed
 in fee simple with special
 warranty for the tract of Land
 heretofore purchased by him at
 the decretal sale made under the
 decree herein of May Term 1869, for the
 sum of \$150.00 - containing by estima-
 tion 25 acres, more or less, being that
 portion of the land whereof L. B. Roberts
 died seized in the County of Isle of
 Wight, lying across the road & opposite
 to the Algernon & Thomas land, between
 the lands of F Dick Snipe & James F
 Whitley on the east - & the field belonging
 to the Roberts Land, called the Chapp-
 Man field on the west -

Eley Appimer
 as
 Robert Robt
 - - - - -

Rough Recd
 April Term 1873
 to be entered

Geo. B. Lox.

Entered

Eley & als

vs

Roberts & als

This cause this day came on to be again heard on the papers formerly read ^{on} the report of collection & distribution of Commissioner C B Hayden under the decree herein of October Term 1871. & was argued by counsel, on consideration whereof the court confirming said reports to which no exceptions were filed doth adjudge order and decree that the clerk of this court deliver to C B Hayden on his filing his receipt therefor the Bond of L H Whitley & George T Whitley for \$55.80 $\frac{1}{2}$ payable two years from Nov 1st 1870 - with interest from that date, Returned with the report of said herein of said C B Hayden, which found the said C B Hayden is authorized & required to collect & out of the proceeds thereof first pay the unpaid costs of this suit & the balance thereof pay pro rata among the creditors named in the account of Robt Heretofore made in this cause & in the Petition of Joseph H Buck according to the amounts therein by said Ac & Petition to be respectively due

on the report of Commissioner
L. R. Atkinson under the decree
herein of April Term 1871

Mr Linbank & Roberts

Mr. Silant, I Robert,

1860 Port of I B. for flat

Decr 10 6 yds wht flannel 56" 3.38

Small shawl 3 00 of 6.38

for 1st July 1861

Given by Wilson for flat 4 Sep. 1861

John R. Kelly

A. P.

Memorandum

2. The

2. The

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2 27.

104.33
On demand we promise to pay or
cause to be paid unto Joseph H. Bush
or order This Sum of one hundred
and four dollars and thirty three
cents for value received as witness
our hands and Seal This 3^d day
of January 1860 which we will pay
Lit.

Edgar Rauts-

Wm B Robert Seal

Eley

v.

Com. Nota

Roberts' adm. tal.

To the 15th March 1867.

Commissioner's Office, Isle of Wight Court House,

Jan'y. 28th

1867

To Geo. W. Eley agent of W. J. Villiers, Geo. H. Jordan agent of L. B. Roberts, Eliz. T. C. Roberts, and Geo. P. Morgan & Co., Agents of L. B. Roberts, Geo. T. Roberts (last 24 inst.)

You are hereby notified that I have fixed upon the 15th day of March next, if fair, if not, the next fair day thereafter, (Sunday excepted), to take and settle, at my office, the following accounts:

- 1st. An account of the transactions of George H. Jordan as agent of L. B. Roberts.
- 2nd. An account of the plaintiff's demand against the said L. B. Roberts, and that of all other creditors of said L. B. Roberts, who may choose to contribute to the costs of this suit, with their respective signatures.
- 3rd. An account of the real estate of which the said L. B. Roberts died seized & possessed with the fee simple & annuity value thereof. And the court will report, in the event of the personal assets of the said L. B. Roberts proving insufficient for the payment of his debts, whether the said parties interested in his real estate, consent to a sale of the same for the payment of his debts, and whether such sale would be for the interest of the infant parties interested.

required to be taken by decree of Isle of Wight Circuit Court, rendered on the 18th day of Octo., 1866, in a suit in Chancery depending in said Court, between

~~said Geo. W. Eley agent~~, plaintiffs - and ~~said Geo. H. Jordan~~
agent of L. B. Roberts, Eliz. T. C. Roberts, and the infants of ~~said~~ L. B. Roberts
Defendants.

at which time and place you are required to attend.

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

L. J. Young

Com'r.

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455 N. 5TH ST. NEW YORK, N. Y.
1900

1900

1900

1900

Elly apu. t.

Com. Bond

Roberts' adm. tal.



Know all Men by these Presents, That we C. B. Hayden and
John E. Adams

are held and firmly bound unto the Commonwealth of Virginia in the sum of One Thousand
Eight Hundred Dollars to the payment whereof, well and truly
to be made, we bind ourselves, our Heirs, Executors and Administrators, jointly and severally, firmly
by these presents. As witness our Hands and Seals, this 4th day of October
in the year of our Lord, one thousand eight hundred and nifty nine

The Condition of the above Obligation is such, That whereas, by a Decree of
the Circuit Court of Isle of Wight County, pronounced on the 17th day of May 1869,
in a cause depending in the said Court, in which George W. Clay assignee of
a J. Villiers, suing for himself & all other creditors
of S. B. Roberts dec'd. is Plaintiff, and
Geo. H. Ordan ad'm of S. B. Roberts, Eliza
V. B. Roberts & others are Defendants, the
above bound C. B. Hayden was appointed a special
Commissioner to sell the land in the proceedings mentioned
whereof S. B. Roberts dec'd. seized in the County
of Isle of Wight, consisting in tract of 134 acres,
adjoining the land of Mr. Pappas & Co. & on tract of
318 acres, adjoining the former, and make
report together with the land for sale &c.
to Court.

Now, if the above bound C. B. Hayden shall faithfully discharge
or any future decree in the case
his duties as Commissioner under the said Decree, then the above Obligation to be void, otherwise
to remain in full force and virtue.

Signed, Sealed and Delivered }
in the presence of }

C. B. Hayden 

John E. Adams 

