

1878-006 Chancery Causes: Fannie Hart, by v.c vs Charles W. Casey & ut
Isle of Wight County Fannie Hart, by v.c vs Levi Hart & adm'r & al

other surnames: Crumpler,
CARR, CARR, Watkins,
Johnson, Eley, Edwards,
Kilby

+ That the estate of Levi Hart has been by order of the
 County Court of Isle of Wight, made on the 2 day of
 1877, committed to the hands of L. B. Edwards, Shff.
 of Isle of Wight County for administration (see copy of
 said order filed herewith marked A. 91.)

Virginia

County of Isle of Wight.

To the Hon. Geo. Blow, Circuit Court Judge
 of the County of Isle of Wight &
 Complainant, shew unto the Court, your Complainant
 Dannie Hart, an Infant, suing by Chas. B. Crumpler
 her next friend:

Your Complainant respectfully says shew
 to the Court, ^{that} Levi Hart of said County, died on the
 day of 1876, Intestate, possessor of no personal
 estate but possessor of a small tract of land in
 said County containing one hundred acres, more or less,
 and adjoining the lands of S. J. Lear, Elizabeth Barnett,
 & Matthew H. Lear; being about three miles & a half
 from Zuni on the Norfolk & Petersburg rail road —
 (the rail road running through the said land);

That about one half of said Land is cleared &
 very poor, & the residue is in wood, The whole value
 being not more than \$300 — That the buildings on
 said Land are very common, &c.

That the said Levi Hart did leaving
 a widow named Frances, who has since married
 to his now the wife of Chas. W. Carey —

That the said Intestate left only one child
 to wit. Your Complainant —

That your Complainant is now about 13 years
 of age & without any estate except the said Land,
 & that produces no income — That she is without
 schooling & with no means to get bread or clothes &

has to depend on friends for a home & something to
subsist on -

Your Complainant is advised that a Court of
Equity has power to sell & expend the small part
of said land towards her support & education,

That said Frances, (the wife of Chas. W. Carey
and late widow of said Levi Hart, now living in
said land, which your Complainant is advised
she is willing to surrender & have sold with the
said land for your Complainant's benefit,

In consideration whereof and as a Court of
Equity has power & authority to grant all adequate
relief. In the end your Complainant prays that
the said Charles W. Carey & Frances his wife may
be made defendants hereto & be compelled to
answer the allegations herein. That the said land
may be sold for your Complainant's benefit,
and that such other & further relief may be granted
consistent with equity.

and your Complainant will ever
pray &c.

Dannie Hart Jr

Chas B. Crumpler nott

By John R. Kilby atty.

3 J. R. Kilby, atty

Joannie Hart, an infant
by Chas. B. Crumpler next
friend

n. } Bill

Chas. W. Leary & wife

Sept. Re. 1877 - Bill & fil.
Sum. & ex. D. on Hart's adm. &
Cony & wife - Ans. of the
latter filed & gr. Repl. &
De. nisi n. a. d. of Hart.

Octo. Re. 1877 - Bill to Rem
for cons. as to Hart's adm.
& set for hearing

Octo. 1877. De. for sale of procs
"Apr. 1878. De. cont. g. repts. of
Comm. Young & Kilby, to collect
unrec. paym'ts to more deos
" Cir. Ct. De. of Wt. Co.

Octo. Ct. 1878. Final Deem
"

The Joint & separate answer of Chas. W. Carey and
Frances, his wife, to a Bill in Chancery, exhibited
in the Circuit Court of the County of Isle of Wight
against them by, Fannie Hart an infant by
Chas. B. Crumpler her next friend

These respondents say that the facts
and statements set forth and contained in the
said Bill are all true - That the respondent
(Frances,) has, never in the land referred to in
said bill, and that she is willing to relinquish
it & suffer it to be sold, for the benefit of the said
said plaintiff, who is the child of the said respondent
(Frances, Carey, late Frances, Hart, widow of said Lewis Hart
decd.

Signed

Charles W Carey
Frances E Carey

⁴
Hartford.
vs. $\frac{3}{3}$ In clus.

Harts adms. sales,

Answer of Defts.
Cary & wife.

Filed Sept. Re.
1877.

filed as
an appendix
to the

The Commonwealth of Virginia,

To the Sheriff of ^{Warrassee and} Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON *J. B. Edwards Sheriff of Isle of Wight county and as such personal representative of Lira Hart decd; and Charles W. Carey & Frances his wife*

to appear at the Clerk's Office of the Circuit Court of Isle of Wight County, at Rules to be holden for the said Court, on the first Monday in *September* next to answer *the Bill in Chancery of Fannie Hart, an infant suing by Chas. B. Crumpler her next friend.*

of a plea of *respondeat* for \$ *1000* Damages \$ *1000* And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Court House, the *1st* day of

August 187*7*, in the *102nd* year of the Commonwealth.

N. P. Young CLK.

Entered & copy delivered to C. W. Henry & Wife

August-28th-77

J. L. Trulaghan Shff

²
Jannie Hart
per J. L. Trulaghan

vs. 3 Surcs. in
Chf.

Rev. Charles Geo. Rep.
et als.

To Sept. Rules 18th 77
Killing Henry

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON *N. B. Edwards Sheriff of Isle of Wight County* and as such personal representation of *John Hart dec'd And Charles W. Carey & Frances his wife* to appear at the Clerk's Office of the Circuit Court of Isle of Wight County, at Rules to be holden for the said Court, on the first Monday in *September* next to answer *the Bill in Chancery of Francis Hart, an infant suing by Chas. B. Crumpler her next friend*

of a plea of *_____* for \$ *_____* Damages \$ *_____* And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Court House, the *17th* day of

August 187*7*, in the *10th* year of the Commonwealth.

N. P. Young clk.

Accepted for legal service of this document
Sept. 19th. 1894

J. B. Edwards
Attorney of David Shaw and

1
Hattie Hartford

vs. James
B in Chf.

Levi Hart Per.
Sept. 1894.

To Sept. Rules 1894.
Killey & Son, Secy.

Deposition of James John Mathews, et al.
 Matthew Mathews & Stephen A. Day, taken at
 Windsor, County of Isle of Wight, State of Virginia
 taken on the 24th day of September 1877, to be read as
 evidence on behalf of the plaintiff in certain
 suit in chancery, depending in the Circuit Court of
 the County of Isle of Wight vs. a house named
 Levi Hart an infant by Chas. B. Crumpler his next friend
 complainant and Chas. W. Cary and Drancey his wife
 as defendants - taken between the hours of 8 A.M.
 and 6 P.M. of that day, pursuant to the annexed notice

The said Matthew Mathews, being duly sworn says, he
 is nearly forty eight years of age (will be in next
 Oct 1877) that he resides in the County of Isle
 of Wight, vs. about midway between Juni &
 Windsor in said County, and near the Lane of which
 Levi Hart died seised. That he knows the plaintiff
 named Hart, infant, only child of Levi Hart dead,
 That he knows Drancey, being the late widow of
 said Levi Hart & she is now the wife of Chas. W. Cary &
 like the defendants in said case -

That the said Levi Hart died without will & left
 no chattel of any moment & had a tract of land
 in said County, containing about one hundred acres,
 which adjoins the lands of S. Junius Carr, Elizabeth
 Barrell, Stephen A. Day; and the Norfolk & Petersburg
 Rail road runs through the same. It is also about
 fifty acres from the Land of Jas. Belmon. That the

said Harts land lie about midway between
Lemmon & Yankton affirmed - That about one half
of said land was opened & cleared, but now one
half of that, that was cleared is grown up in
brush, select pine - That the pines are
~~poor~~ very much belapidated & prone to decay,
and a considerable portion has been burnt up.

It has a dwelling house, but very old, over seventy
five ^{years} old, & is ~~in~~ ⁱⁿ ~~poor~~ ^{much} out of repair - There
is a small smoke house & a barn of little value.

That there is no saw mill timber on the place
of any particular value and possibly two or three
hundred cords of pine and (of some growth) may
be cut on the place. That the place is worth
about three hundred dollars, and will not rent
for more than twenty five dollars per year.

That the said plaintiff has no estate or income
except her interest in said land & will support her
signed.

C. H. H. Carr

That Matthew H. Watkins being duly sworn says, he is
now over seventy two years old, & live within two &
half miles of the said Harts land, and freely
endorses & sustains all said by Matthew H. Carr as
affirmed

Signed

M. H. Watkins

As John, aforesaid being duly sworn says
he is now sixty five years of age & lives on a
farm which adjoins the said State Land within
fifty yards. That he has been acquainted with
said Saml State Runn. it for many years;
that he fully concurs with Matthew H Carr
in all he says as above.

Subscribed

James F. Johnson
witness

J. B. Hastings

Stephen S. Eley, aforesaid being duly sworn says
that he is ~~now~~ forty four (44) years of age &
has known said State Land for many years, that
he lives adjoining the place and has had the
evidence of Matthew H Carr above and that he fully
concurs in all that is said by said Carr.

S. S. Eley

County of Isle of Wight

State of Virginia

J. B. C. Roberts do certify that
the foregoing depositions were taken at the place
between the hours & on the day named in the Caption
hereto. Pursuant to annexed notice

Given under my hand Sep. 26 1877

Benj. C. Roberts J. P.

5

Hart. p. friend

m } Lepr.

Leary surfe
//

Octo. 1st 1874.

Came to land under
seal and filed.

Teste J. P. Young clerk

Service of this notice acknowledged

Apr 24 1877

To Chas. W. Carey & his wife Frances Carey

Take notice that I shall on the 24th day of Sep 1887, next, at
 Windsor of the County of Lee of Virginia in

between the hours of 8 a. m. and 6 p. m. of that day, proceed to
take the Depositions of Jas. Johnson, Matthew H. Carr, Mabel Watkins, &
S. A. Elley and others, to be read as evidence in my behalf, in a certain suit
in chancery, depending in the Circuit Court of Nausumund
County, wherein

am ~~are~~ plaintiff, and

Jm

are defendants; and if from any cause the taking of the said Depositions be
not commenced on that day, or if commenced be not concluded on that day, the taking of the same will
be adjourned and continued from day to day or from time to time, at the same place and between the
same hours, until the same shall be completed,

Respectfully,

To the Sheriff of
County to execute.

}

Jamie Hart infant
by Chas. B. Crumpler her
next friend

1
Commissioner's Office,

Isle of Wight C. H. Va. ^{ref} ~~Sept~~ ²¹ 1- 1878

To ^{ref} ~~James~~ ^{James} Hart an infant suing by
Charles W. Crumpler her next friend

Plaintiffs.

and to

~~L. B. Edwards Sheriff and administrator of~~
~~James Hart decd and Charles Crumpler~~
~~Frances his wife~~

Defendants.

You are hereby notified that I have fixed upon the ²¹~~21~~th day of

~~March~~ 1878 to take and settle, at my office aforesaid, the

following accounts to wit: 1st. An account of the

transactions of ~~L. B. Edwards as Sheriff~~
~~of Isle of Wight County and as such the~~
~~administrator of James Hart decd.~~

2nd. An account of all debts against
said Hart or his estate.

Required to be taken by a Decree of the Circuit Court of Isle of Wight County, rendered
on the ²¹~~21~~th day of ~~October~~ ²⁷ 1877 in a suit in Chancery depending
in the 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 a Commissioner in Chancery of said Court the day and year
first aforesaid.

~~L. B. Edwards~~ Commissioner.

Hart per fd.

✓ Encl.
✓ Note

m.

Hart admt. tall.

10th of March 1848

Executed March
4th 1848

A. B. Edwards
Shff

I acknowledge receipt of this notice.
A. B. Edwards admt. 4th 1848

39.41
 7.88

 \$ 47.29
 25.00

 22.29

Hart per f^o

or $\frac{3}{8}$ Chgs

Harts adad. at 24,

Report under de.
 of Octo. 18th of,

Filed 18th March 1898.

60.00
 27.26

 12.74
 16.26

 29.00

Town acc
 Recorded in W.B.
 No. 81. P. 30.

Commissary office, Isle of Wight Co. Va.
March 7th. 1848.

To the Circuit Court of said County.

Pursuant to a decree of the said Court,
rendered on the 20th. of October, 1844, in a
suit therein depending between James Hart,
perfd. Btth. and S. B. Edwards adms. of
said Hart's est., depts. directing a Commr.
of the Court to take report an account of
the transactions of S. B. Edwards shff. & admr.
of said Hart's est. And an account of all
debts against said Hart or his estate,
Your Commissioner reports to the Court that he
issued notices to the parties which were duly
served & returned; and that he posted
at the Court house door on a Court day, notice
to the Creditors of the time & place of taking the
said accounts, & required the said parties to
appear & the Creditors to prove their demands.
That the said S. B. Edwards shff. & admr. appeared
and stated that he had neither received nor
disbursed any thing as the admr. of said
Hart's est. And that no claim or
demand was proved against said Hart
or his estate. Given under my hand as a
Commissioner of said Court the day and year
aforesaid.

J. S. Young commr.

Commr. fee \$4.00
Shff. 1.00
\$5.00

Mr. Levi Harlow, Hardy Magisterial District,

TO J. C. Garden, Tr. Isle of Wight Co., Va., Dr.

1877.

LAND.				
No acres	Value.			
		To State Capitation Tax.....	1.00	
		To State Revenue on 100 acres Land, value \$ 300 at 50c per \$100.....	1.50	
		To State Rev. on Pers'l Property, Bonds, &c., value " " per \$100.....		
		Amount of State Taxes.....		1.50
		To County Capitation Tax,.....	.50	
		To County Levy on 100 acres Land, value \$ 300 at 25c per \$100.....	.75	
		To Co. Levy on Pers'l Property, Bonds, &c., " \$ at 25c per \$100.....		
		To Co. School Tax on Real and Pers'l Prop'ty, " \$ 300 at 10c per \$100.....	.30	
		To District " " " " " " " \$ 300 at 5c per \$100.....	.15	
		Amount of County Taxes,.....		\$ 1.20
		Total amount of State and County Taxes		2.70
		December 1st, 5 per cent. added, ...		.07
				2.77

Received Payment,

J. C. Garden Treasurer.
John G. Grant Deputy Tr.

Hart Levi's cat,

This is to certify that I will pay Mr John Killy
or pay S. A. Eley the amt he has to pay on
my account. I ~~do not~~ ~~allow~~ myself to pay S. A. Eley
twenty dollars if he pays Mr Killy
Witness
Levi D. East

J. J. Ames W. D. A.

Aug 15th 1871

1871 Mar 6. Rec^d. of S. A. Ely Exp. Twenty
dollars, fee in injunction case in case
with Levi Hart in Circuit Court of Ore of
right &c.

John R. Kilby

Thank for
free paper

~~~~~

The action done  
is according to the  
statute & not  
all ready

the program

Mr. Young to  
take acts.

To the Circuit Court of Isle of Wight County,  
Virginia:

In pursuance of a decree of said Court pronounced at the April Term thereof in the year 1878 in a cause in Chancery in said Court depending between Fannie Hart, her friend &c. Plaintiff, and Levi Hart's Administrator and others. Defendants, a copy of said decree being herewith annexed: the undersigned respectfully reports to Court that he has received of the Clerk of said Court the Bond of C. B. Crumpler for \$355 filed with the papers in said cause and dated 3d. day of December 1877 and payable six months after date with interest from date, and that he has collected the same and, after paying all unpaid costs of said cause and the sum of \$7.55 due to the undersigned, has paid the residue of said \$355 to Charles W. Carey, the guardian of Fannie Hart, an infant under twenty-one years of age, - as will more fully appear by the following statement:

1878  
June 3

|                                                              |                 |
|--------------------------------------------------------------|-----------------|
| By amount of Charles B. Crumpler's Bond aforesaid.           | \$ 355 00       |
| " Interest on same from 3 Dec. 1877 to 3 June 1878. - 6 m.   | 10 65           |
|                                                              | <hr/> \$ 365 65 |
| To amount due John R. Kilby Commissioner, as per said decree | 7 55            |
| " paid A. P. Young, Clerk, costs, per acct.                  | 2 85            |
| " " A. P. Young, Comr.                                       | 4 00            |
| " " L. B. Edwards, Sheriff "                                 | 1 00            |
| carried on                                                   | <hr/> \$ 15 40  |
|                                                              | <hr/> \$ 350 25 |

1878  
June 12 By Balance brought on  
To paid Charles W. Carey, guar-  
dian of Fannie Hart, an  
infant under twenty  
one years of age, as  
per said decree & per sect.

\$ 350 25

\$ 350 25

Your Commissioner further reports to Court  
that he has made to Charles B. Conrader  
a deed with special warranty in the  
usual form conveying to him the  
real estate purchased by him under  
proceedings had in said cause.

Respectfully submitted

12 June 1878

John R. Kilby, Comr.

1878 June 12 Received of John R. Kilby, Comr.  
the respective sums charged as paid to  
us in the foregoing report and set  
opposite our names as follows:

A. P. Young clk et al \$ 2 85  
A. P. Young comr. 4 00  
A. B. Edwards & Shiff \$ 1.00

Hart her<sup>11</sup> fd. } chy.  
vs. }  
Hart's Admr. & als.

Commissioner's Report  
of collections & payments

12 June 1878

July 1st. 1878. Filed

Isobrycon circuit leucost.

April 22<sup>d</sup> 1878.

Start. pr. fd.

Peoff

against Bro. Chy

Hauts adour. et als.

Defts.

This cause came on this day to be again heard on the papers formerly read therein, and on the reports of special Commrs. John P. Kilbey and Commr. M.D. Young both made in pursuance of a decree pronounced in this cause at the October term 1877. and was argued by Counsel on consideration whereof the Court doth confirm the said reports to which no exception has been filed, and doth adjudge, order and decree that said Jno. P. Kilbey special Commr. as aforesaid, receive of the Clerk of this Court (who will deliver to him and take a receipt from him for the bonds of Charles F. Ammer for \$355.<sup>00</sup> filed with said Kilbey's report dated 5<sup>th</sup> day of December 1877. and payable to said Commr. Kilbey six months after date with interest from date, and that said Commr. John P. Kilbey proceed to collect the

principal and interest of said bond when the same shall have become due & payable, & receive the same before due and payable should said Charles F. Cumpler desire to pay the same before maturity, and that said Commr. pay with said Money, when collected or paid - first - all unpaid costs of this suit, and then sum of \$7.<sup>50</sup> to him-self said Commr. John R. Kilby due to him as appears by his said report filed in this cause and then pay the residue to the executor appointed and duly qualified guardian of Fannie Hart an infant under the age of 21 years. And said Commr. John R. Kilby will make to said Charles F. Cumpler after he shall have paid the principal and interest of said bonds in full, a deed with special warranties in the usual form conveying to him the real estate purchased by him under proceedings had

in this cause. and make  
report to Court of his proceedings  
under this decree.

Acopy  
Teste.

W. A. Edwards *debm*  
M. O. Young *c.c.*

Further costs.

Clerk fees . . \$2.85

Court. Clery. 1.00

Steff. . . 1.00

\$4.85

Start no. 10. <sup>Kelly</sup>

or {see Aug. copy of  
ape. cit. cr. 1878

Notes. admin. et res.

For.

Mr. Kirby

Fee for copy 40¢

1878 June 15th. Received of John R. Kilby Comr. three hundred and fifty and <sup>25</sup>/<sub>100</sub> dollars, being net amount of a Bond due by C. B. Emmsler to said Comr. for the land of Leni Hart sold to said Emmsler under proceedings had in a chancery cause in Isle of Wight County Circuit Court between Hart her fd. and Hart's Admr., - said sum of \$350.25 being paid to me as guardian of Fannie Hart in pursuance of a decree of April term of said Court in the year 1878.

\$350.25

Charles W. Casey

Guardian of Fannie Hart.

Witness

Wilbur J. Kilby

To the Circuit Court of Isle of Wight County.

We undersigned reports to the Court that pursuant to the decree of said Court made at the said term 1899 in the case of Hunt v. Phipps against Henry Smith we advertised the lands referred to in said decree being Isle of Wight County land and I did on Monday the 3<sup>d</sup> day of December 1899, offer the said lands for sale on the terms of said decree,

when the same (containing 100 acres more or less) & described as named in said decree <sup>no power reserved the same being given up to the purchaser</sup> was purchased

by Chas. B. Crumpler for \$415.00

|     |                                                                     |         |          |
|-----|---------------------------------------------------------------------|---------|----------|
| 100 | To 5 Percent Commission                                             | \$15.00 |          |
| 100 | " 2 do on \$115.00                                                  | 2.80    |          |
| 100 | " Taxes cut, per decree                                             | 39.41   |          |
| 100 | " L.B. Edwards auctioneer                                           | 3.00    |          |
| 100 | " Printer                                                           | 2.00    |          |
|     | Fees per report                                                     | \$61.71 |          |
|     |                                                                     | 2.84    |          |
|     | 100 fees to purchaser                                               | 3.00    |          |
|     |                                                                     | \$67.55 | \$67.55  |
|     | To amt. due Court, Jas. R. Kelly, & included in the following Bond. |         | \$347.45 |
|     | By C. B. Crumpler's Bond at 6 mos.                                  |         | \$355.00 |
|     |                                                                     |         | \$355.00 |

Respy, submitted

John R. Kelly com

8

Hart p. 10

m.

Hart adm. sal.

Report of  
date.Filed July 4<sup>th</sup> 1878.

See Receipt within

Mr. Young as Comm. will  
 take the accounts in  
 this case I let me know.  
 I have claim to send  
 him

W. J. Kelly

1878 May 6<sup>th</sup> Received of A. P. Young Clerk,  
 the Bond of C. B. Crumpler for \$355 filed  
 with and described in this Report dated  
 3d. December 1877 & payable 6 months  
 after date with interest from date,  
 John R. Kelly. Comm.  
 per W. J. K.

# LAND FOR SALE!

---

By virtue of a decree of the Circuit Court of Isle of Wight county, Va., made Oct. 22nd, 1877, in the cause of Fannie Hart per Charles B. Crumpler, next friend, against Levi Hart's adm'r, and Charles W. Carey and wife, I will offer for sale at Auction before the Court-house door of said county,

ON MONDAY, 3RD DAY OF DECEMBER, 1877,

(being county Court-day,) the land of which Levi Hart, died, seised and possessed, said to contain

## 100 ACRES,

more or less, and adjoining the lands of S. Junius Carr, Elizabeth Barrett Stephen A. Eley and others, and through which the Norfolk and Petersburg Railroad runs. This land lies almost midway between Zuni and Windsor, in said county, and has considerable wood on the same, and ordinary buildings.

**TERMS:** Costs of suit and expenses of sale, cash, and the residue on 6 months credit; the purchaser to give bond and good security, waiving Homestead, and the title to be retained till ordered to be made by the Court.

Nov. 12th, 1877,

JOHN R. KILBY, Commissioner.  
L. B. EDWARDS, Auct'r.



In the Cir-cuit Court of Isle of Wight County, Oct. 22<sup>nd</sup> 77

Fannie Stark an infant, suing by Charles F.  
Crumpler her next friend Plffs.

Against J. N. Chauvenet.

L. F. Edwards Esq. of Isle of Wight County, & as such  
personal representative of Levi Stark decd: and  
Charles W. Carey & Francis his wife. Defts.

This cause came on this day & he heard on  
the bill of the complainant, taken for confes-  
ed: as W. L. F. Edwards Esq. & admr. of Levi  
Stark decd. on whom process has been  
duly executed, & he failing to make defense, &  
an the answer of the defendants Carey & wif.  
with general replication to said answer, & on  
evidence taken and filed in the cause, &  
was argued by counsel; on consideration  
whereof, the Court doth adjudge, order, and  
decree that John R. Kilby who is hereby  
appointed a Commysr. for that purpose,  
proceed to sell before the Cts. doo: of  
Isle of Wight County, on some court day,  
the land of which Levi Stark died, seized &  
possessed, situate lying and being in  
said County, and containing 100  
acres more or less, adjoining the lands  
of S. Junius Barr, Elizabeth Garrett and  
Stephen A. Eley, with N. & R. Road passing through it

having first given at least 20 days notice thereof by advertisement at the Co. Clk. door, & at June & Windsor in said County; the Sale to be made on six months credit (except for a sum sufficient to pay expenses of sale costs of Suit which will be cash) the purchaser to give bond and good security for the deferred payments, and retain the title until the same is ordered to be made by the Court; and the Court doth further advise, order and decree that a Comr. of this Court take the following accounts.

- 1<sup>st</sup> An acct. of said Edwards' transactions, as such Shff. and Administrator.
- 2<sup>d</sup> An acct. of all debts or said Obit or his Estate and report to Court. But before the said John J. Kilby shall make Sale of the land hereunder, he shall execute a bond in the penalty of \$500.<sup>00</sup> before the Clerk of this Court, in his office, and should faithfully & execute this decree, or any other decree he may be required to execute in this cause. A Copy Teste.

M. A. Edwards D. C.

also first tax for pub. pd. 16. 50

also " for dists. " 15. 00

also " for " " 6 48

also " " " 1 50

also " " " 39. 41

pd. by J. H. Kilby, A. P. Henry  
L. 13. Colored paid

March for. Feb.  
J. H. Kilby Copy  
of Dec. Dec. 1877.

Carey over the case.

" " " Copy

J. H. Kilby

5177

5177

+ and the Court doth further order & decree

that a Comr. of this Court take the following  
account - viz an account of said Edward's having taken  
said land and Sheriff's return & so on account of said

that or his estate & return  
to Court

Joannia Hart. p p d

n

Harts adw sr

This cause came on this day to be ~~again~~

heard in the ~~papers formerly read~~ ~~from the report of~~  
~~taken confessed~~ ~~as to L. B. Edwards, Sheriff & owner of Levi Hart dead in~~  
~~wherein~~ ~~which~~ ~~had been~~ ~~of the~~ ~~the~~ ~~plaintiff to make~~ ~~reference~~ ~~and on this~~  
Bills of the ~~complaint~~, ~~which~~ ~~these~~ ~~divisions~~

of the defendants with Replication & said answer  
and an evidence taken <sup>and the petition of</sup> filed in the cause & may

argued by Counsel; On consideration whereof the  
Court doth approve order & decree that John Kilby  
who is hereby appointed a Commissioner for that  
purpose, proceeds to see before the Court house  
door of Isle of Wight County on some Court day the  
Land of which Levi Hart did seized & possessed  
situate & being in said County & containing  
100 Acres more or less, adjoining the land  
of S. Junior Carr, Elizabeth Barret & Stephen A. Eley  
with the Norfolk & Petersburg Rail road passing through  
it - having first given at least 20 days notice thereof  
by advertisement at the Court house door & at Juni  
swinor in said County; the sale to be made on six  
months credit (except for a sum sufficient to  
pay expenses of <sup>sale</sup> & costs of suit, which will be cash)  
the purchaser to give bond & good security for the  
deferred payment, and retain the title till the same  
is or will be made by the Court. &c

But before the said John R. Kilby shall make  
sale of the Land hereunder he shall execute a Bond  
in the penalty of \$500, before the Clerk of this Court

his office conditioned faithfully to execute this  
decree or any other decree he may be required to  
execute in this cause. ~~and it is ordered that a term~~  
~~of this court take~~

5  
Hart p/pd

n

Hart, adm k

1877

Oct ch

Learn

He entered

Geor. Blom.

(Ents. 20)

Hart, per friend

vs.

Hart's Admr. & als.

This cause came on this day to be again heard on the papers formerly read therein and on the Reports of Special Commissioner, John R. Kilby, and Commissioner, A. P. Young, both made in pursuance of a decree pronounced in this cause at the October Term of this Court in the year 1877, and was argued by counsel.

On consideration whereof the Court doth confirm the said Reports to which no exception has been filed and doth adjudge, order and decree that <sup>said</sup> John R. Kilby, Special Commissioner as aforesaid, receive of the Clerk of this Court (who will deliver to him and take a receipt from him for) the Bond of Chas. B. Conmifer for \$355, filed with said Kilby's Report, dated the 3d. day of December 1877 and payable to said Commissioner Kilby, six months after date with interest from date, and that said Commissioner John R. Kilby, proceed to collect the principal and interest of said Bond when the

to him as  
appears by  
his said  
Refut filed  
in this cause

same shall have become due and payable,  
or receive the same before due and paya-  
ble, should said Chas. B. Conrader de-  
sire to pay the same before maturity,  
and that said Commissioner pay  
with said money, when collected or  
paid, first all unpaid costs of this  
and the sum of \$7.55 to himself said Commissioner, John R. Kelly due  
sent, and then pay the residue  
to the lawfully appointed and duly  
qualified guardian of Fannie Hart  
an infant under the age of twenty  
one years.

And said Commissioner, John R. Kelly  
to said Chas. B. Conrader, after he  
shall have paid the principal and  
interest of said Bond in full, a  
deed with special warranty in the  
usual form conveying to him the  
real estate purchased by him un-  
der proceedings had in this cause,  
and make refut to Court of his  
proceedings under this decree

Hart per fd.

vs.

Hart's Adm. Jals.

Isle of Wight County  
Circuit Court

April Term 1898

Decree

To be entered

Geo. B. S. W.

Entered 14

Hart per fd.

vs.

Hart's Admr. & als.

This cause came on this day to be again heard on the papers formerly read therein and on the Report of Commissioner John R. Kilby, being a Report of collection and payment of money made in pursuance of a decree of this Court pronounced at the April Term thereof in the year 1878 in this cause and was argued by counsel.

On consideration whereof the Court doth confirm the said Report to which no exception has been filed and doth adjudge, order and decree that Charles W. Learey the guardian of <sup>said</sup> Fannie Hart, the plaintiff, be and he is hereby required to appear ~~before~~ at the Clerk's Office of Isle of Wight County, Virginia, and execute before the Clerk of this Court in his office, a <sup>further</sup> Bond ~~in~~ <sup>the</sup> as said guardian, in the penalty of \$500 with good personal security payable to the Commonwealth of Virginia and conditioned for the faithful ~~execution~~ discharge

Hart per fd.

vs.

Hart's Adm'r. vs. Ch.

Isle of Wight Co. Cir. Ct.

October Term 1878

Final decree

To be entered

Geo. H. Blair

(Entered 7)

of his duties as said guardian,  
and that ~~a cert~~ ~~the~~ the Clerk  
of this Court make and file  
a certified copy of said Bond  
with the papers in this cause.

And the Court doth further  
adjudge order and decree  
that the proceedings had in this  
cause be, and they are hereby de-  
clared to be final and binding  
between the parties to this cause,  
and nothing more remaining to  
be done in this cause, the Court  
doth further order that the same  
be removed from the docket.

Know all Men by these Presents, That we John R. Kilby and  
Wilbur J. Kilby  
are held and firmly bound unto the Commonwealth of Virginia in the sum of Five hun.  
dred 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 3<sup>d</sup> day of December  
in the year of our Lord, one thousand eight hundred and seventy seven

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 22<sup>d</sup> day of October 1877  
in a cause depending in the said Court, in which Fannie Hart an infant  
per friend is \_\_\_\_\_ Plaintiff and

S.B. Edwards admr. of Levi Hart decd: & ors  
and wife are \_\_\_\_\_ Defendant, & the  
above bound John R. Kilby was appointed a special  
Commissioner to see the land whereof Levi Hart  
died seized & possessed in the County  
of Isle of Wight

Now, if the above bound John R. Kilby shall faithfully discharge  
his duties as Commissioner under the said Decree, or any future Decree in said cause, then the above  
Obligation to be void, otherwise to remain in full force and virtue.

Signed, Sealed and Delivered }  
in the presence of }

John R. Kilby [SEAL.]

Wilbur J. Kilby [SEAL.]

[SEAL.]

A Copy  
Teste.

W.A. Edwards De for  
M.D. Young c.c.

<sup>M</sup>  
Hart per fd.

or. } Copy of Ann.  
Bond.

Hous admr. et al

"

In chancery office  
of Isle of Wight Cir  
Ch. Ct. Decr. 3<sup>d</sup> 1877.

This bond was  
received and  
admitted to record.

Teste.

W. B. Young cc

a copy