1894-003 Chancery Causes - W. F. Allen & Company vs Henry S. Jones & als
Isle of Wight County

other SURNames: Allen, Borum
Hart, Chapman, Crocker, Turner
Thomas [Jacob Kull & Sons]
Kull, Crumpler, Cutchin

Allen Hoo.

vs. } In Chy.

Jones Sal.

Bill

Dord. Septr. Rules 1891.
Bill & exhts. filed, summ. issd. & ret'd. on all defts. & decree nisi to. them.

1st Octo. Rls. Bill taken for confsd. & set for hearing

Oct Term 1891
Dec. for accounts

April Term 1892
Dec Confg. report & to sell &c.

Oct. Term 1892.
Dec. Confg. report, withdraw bonds & collect, pay out & make deed

compensation may be allowed and paid to the Counsel of the Complainants as may be proper, out of such funds as may come under the control of the Court in this cause, for the preparation of this Bill and conducting the proceedings herein: that all proper orders and decrees may be made and inquiries directed; and that all such other, further and general relief may be given Your Complainants as the nature of their case may require, or to Equity shall seem meet. And Your Complainants will ever pray etc.

W. F. Allen Leo.
By Wilbur J. Kilby. Atto.

1 Sept. 1891

Ezekiel W Jones, Emanuel C. Croker, Andrew J. Turner, ~~Chas~~ Charles H. Hart (Charles H. Hart, W. R. Cox, Trustee) and Charles H. Hart, Administrator of John Jones, deceased, and ~~Trustee~~ agent and attorney for the heirs of John Jones, deceased may be made ~~Hart's defendant~~ parties, defendant to this Bill and be required to answer all the allegations thereof, but answers under oath are hereby waived; that an account of the liens upon the interest of said Henry L. Jones in said lands may be taken together with the names of the holders and the amounts thereof according to their priorities including the lien aforesaid of Your Complainants, and reported to Court: that an account of the real estate of said Henry L. Jones, or his interest in real estate, subject to said liens, together with its fee-simple and annual values, may also be taken and reported to Court: that the rents and profits of said real estate of said Henry L. Jones, if sufficient for the purpose in five years, may be applied to said judgment until the same shall be fully satisfied: that said real estate of said Henry L. Jones may be sold and the proceeds thereof applied to the satisfaction of said judgment, if it shall appear that said rents and profits will not be sufficient in five years to satisfy said judgment: that such fees or

as stated above from the 26th. day of September 1875 till paid; that Your Complainants are entitled to the benefit of the said lien of their judgment and have the right to enfore the same against the interest of said Henry L. Jones in said lands for the satisfaction of said judgment; that the rents and profits of the interest of said Henry L. Jones in said lands, will not satisfy said judgment in five years; and that, therefore, the interest of said Henry L. Jones in said lands should be sold and the proceeds of the sale applied to the discharge of said judgment.

Notice is hereby given that the Court will be asked to allow, and direct to be paid to, the Counsel of the Complainants out of such funds as may come under the control of the Court in this cause, such fees or compensation as may be just and proper for the preparation of this Bill and conducting the proceedings herein.

In Consideration whereof, Your Complainants pray that said Henry L. Jones and Keturah Jones, his wife,

That by a deed of trust dated the 29th. day of July 1890 and recorded in the office of said last-mentioned Clerk, the 19th. day of August 1890, said Henry L. Jones and Keturah his wife conveyed all their interest in said lands to W. R. Cox, Trustee to secure the payment of seven hundred and fifty dollars to Charles H. Hart together with divers other sums of money referred to, and mentioned in said last-named deed of trust, including all amounts that may be due him, not included in the above sum of $750, with interest thereon as per full statement to be rendered and to secure to Charles H. Hart as the Administrator of John Jones, deceased, and as the agent and attorney for the heirs of John Jones, deceased, and Roseanna Jones his wife, any and all amounts, which he has over-paid them, if any, with interest thereon and to secure and save said Charles H. Hart harmless from any loss or damage, as one of the securities on the bond of said Keturah Jones, as a distiller for $800 payable to the United States of America, as will appear by a copy of said last-mentioned deed of trust herewith filed as part of this Bill and marked Exhibit C.

Your Complainants charge that their said judgment was a lien on the interest of said Henry L. Jones in said lands, prior to the execution of said deed of gift and said two deeds of trust; that no part of said judgment has been paid, except as stated above; that the balance of said judgment still due and payable, is the said sum of $93 23/100 with interest thereon

possessed of a one-sixth interest, consists of the following land;

1. All that certain tract or parcel of land situated in Hardy Magisterial District in said County of Isle of Wight, containing by estimation 200 or 225 acres, more or less, and bounded by the lands of Emanuel C. Crocker, Jesse Key, Thomas Bailey and R. R. Turner,

2. All that certain tract or parcel of land situated in Surry County in the State of Virginia, containing by estimation 396 acres, more or less, and bounded by the lands of Jaw Davis deceased, W. T. Ferguson and others.

That by a deed of gift made on the 24th. day of October 1887 and recorded in the office of said Clerk of said County Court of Isle of Wight County on the 29th. day of October 1887, the said Henry L. Jones gave and conveyed all his interest in said lands to his wife, Keturah Jones, as will appear by a copy of the deed herewith filed as part of this Bill and marked Exhibit C.

That by a deed of trust dated the 10th. day of April 1890. and recorded the next day in the office of said last-mentioned Clerk, said Henry L. Jones and Keturah, his wife, conveyed all their interest in said lands to Charles H. Hart, Trustee, to secure the payment of a bond for $300. made by said Henry L. Jones and wife, payable to George D. Chapman on the 20th. day of December 1890, bearing interest from the 10th. day of April 1890 and endorsed by Ezekiel W. Jones, Emanuel C. Crocker, and Andrew J. Turner, as will appear by a copy of said deed of trust herewith filed as part of this Bill and marked Exhibit D.

in the office of the Clerk of ~~said~~ the County Court of said County on the 4th. day of June 1874 and in the office of the Clerk of the County Court of Surry County in the State of Virginia on the 22nd. day of May 1888.

A copy of said judgment and note is herewith filed as part of this Bill and marked Exhibit A.

A Statement showing the balance now due and payable on said judgment to be $93.23 with interest thereon from the 26th. day of September 1875, till paid, is herewith filed as part of this Bill and marked Exhibit B.

That subsequent to the date of said judgment the said Henry L. Jones became seised and possessed in fee-simple of an undivided one-sixth interest in certain real estate (part of) which his father, John Jones, and (the other part of which) his mother, Rosana Jones, died seised and possessed; the said John Jones and Rosana having died intestate leaving said Henry L. Jones as one of their six children and heirs at Law.

That the real estate in which the said Henry L. Jones thus became seised and

To the Honorable Chandler W. Hill
Circuit Court Judge for the County
of Isle of Wight, Va.:

Complaining respectfully represents
and shows unto Your Honor, Your Com=
plainants William F. Allen and James
T. Bowen, late merchants and partners
in trade doing business under the name
and style of W. F. Allen Bro. the fol=
lowing case:

That on the 29th. day of May A. D.
1874, Your Complainants recovered
a judgment against Henry L. Jones
in the Circuit Court of Isle of Wight
County, Va. for one hundred and three
and 25/100 dollars with interest there=
on from the 26th. day of March 1872
till paid and $7.40 costs.

That said judgment was based
upon a negotiable note which waives
the benefit of the homestead exemp=
tion of said Henry L. Jones.

That there has been paid on ac=
count of said judgment thirty-two
dollars as of the 10th. day of Septem=
ber 1875 and ten dollars as of the 22d.
day of September 1875

That said judgment was docketed

FORM No. 300

W. D. Allen & Co.

vs. | SUBPŒNA IN CHANCERY. Dft.
Two parties.

Jones H. L. et als.

W. J. Kilby p. q.

To 2nd. Sept. Rules.
1891, Circuit Court.

Executed on the within named
W. D. Cox by delivering to the within
a true copy of the within subpœna,
Sept 1891.

Also producing the copy
with receipt thereon endorsed.
Also of notice & account &
copy of two documents referred to in said notice &
Also, copy of the 2 exhibits
Forbes Clay Agt
1891.

W. D. Cox by delivering to the within
a true copy of the within subpœna,
Sept 1891.

Everett Waddey, Stationer and Printer, Richmond, Va. } Form No. 300.

The Commonwealth of Virginia,

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

WE COMMAND YOU, that you summon W. R. Cox trustee in a deed of trust from Kittrunk Jones & H. L. Jones for the benefit of C. Hart individually & as adm'r. of John Jones dec'd and the said C. H. Hart as surviving partner and as adm'r. of John Jones dec'd.

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight, at the rules to be held for the said Court on the third Monday in September, 1891, to answer a bill in Chancery, exhibited against them & others in our said court by W. T. Allen & James T. Brown, late merchants and partners in trade doing business under the name and style of W. T. Allen & Co.,

And have then there this writ. Witness, N. P. YOUNG, Clerk of our said Court, at the court-house, the 18th day of September 1891, and in the 116th year of the Commonwealth.

N. P. Young Clk

FORM No 300

Allen W. Ft. & Co.

vs. | SUBPŒNA IN CHANCERY.

Jones H. L. et als.

W. J. Kilby *p. q.*

To Second Sept. Rules.

1891. Circuit Court

✓

Received by clerk Circuit Court Sept. 1st 1891

Issued to the Sheriff of Warren County, Miss. Sept. 1st 1891

Executed by delivering a true copy of the within Subpœna to each of the within named defendants in Warren County, Miss. Sept. 1st 1891

W. W. Sellers Sheriff

Everett Waddey, Stationer and Printer, Richmond, Va. } Form No. 300.

The Commonwealth of Virginia,

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

WE COMMAND YOU, that you summon Henry L. Jones, and Keturah Jones his wife, Ezekiel W. Jones, Emanuel C. Crocker, Andrew J. Turner, and Charles H. Hart, Trustee

to appear at the Clerk's Office of the circuit Court of the County of Isle of Wight, at the rules to be held for the said Court on the third Monday in September, 1891, to answer a bill in Chancery, exhibited against them in our said court by William F. Allen and James T. Boone, late merchants and partners in trade, doing business under the name and style of W. F. Allen & Co.

And have then there this writ. Witness, N. P. YOUNG, Clerk of our said Court, at the court-house, the 2nd day of September 1891, and in the 116th year of the Commonwealth.

N. P. Young clk.

Wm. T. Allen & Bro.
vs. Do Chy.
H. L. Jones et als.

Report of Comm. Jones
under decree of
Oct. 20 1891.

Filed Jany. 30th
1892.

or servoodas shown by the returns thereon and that on the day so fixed upon, your Commissioner, for want of necessary evidence as to the value of said lands, continued said account until the date of this report, on which day he made up and completed the same, which are hereto annexed and marked respectively "A" and "B".

Account "A" is of the debts secured by liens, and shows the total amount thereof to be $1627.10, of which the judgment of John C. Thomas has first priority.

The judgment of the plaintiffs W. P. Allen & Co. has second priority.

The judgment of Jacob Kull & Sons has the third priority. The judgment of Jos. A. Critchie has the fourth priority. The deed of trust to C. N. Hart for the benefit of Geo. D. Chapman has the fifth priority, And the deed of trust to W. R. Coy trustee for benefit of C. N. Hart has the sixth priority on all the lands mentioned in account "B" which are valued in fee simple at $316.00 and annually at $29.14

Upon which order and as a Commissioner in Chancery of the said Court, the day and year first aforesaid).

N. P. Yancey Comm.

Commissioners fee	$12.00
Sheff. for notices	4.50
Clerk County Ct. sundry	.50
Costs before Comm.	$17.00

Commissioners office, Isle of Wight County,
January 29th 1892.

To the Circuit Court of Isle of Wight County.

Pursuant to a decree of the said Circuit Court, rendered on the 20th day of October 1891, in a suit in Chancery therein pending, in which W. W. Allen & Co. are plaintiffs, and Henry L. Jones and wife, and others are defendants, directing a commissioner of the said Court to take, state and report the following accounts. 1st. An account of the debts due by the defendant Henry L. Jones, and secured by judgment-lien or otherwise, on any real estate of which he may have been at any time, or may be now, seized and possessed, including the debt due to the plaintiffs as alleged in the Bill, and their priorities. 2nd. An account of such real estate as the said Henry L. Jones may have had at any time, or may be now seized and possessed subject to the liens of said debts, together with its fee simple and annual value. 3rd. An account of any matter deemed pertinent by the Commissioner, or which may be required by any of the parties to be so stated. Your commissioner reports to the Court that on the 5th day of Dec. 1891, he issued to the parties, plaintiffs and defendants, notice that he had fixed upon the 22nd. day of January 1892, to take and state said accounts. That that said notices were duly acknowledged

B.

On account of such real estate as Henry L. Jones may have been at any time, or may be now seized and possessed subject to the liens of the debts named in the foregoing account "A" together with its fee simple and annual values.

One sixth interest of Henry L. Jones, who is a son of John Jones and Roseanna his wife, in all the real estate of which they died seized and possessed, consisting of 190 acres as shown by land book, which is valued in fee simple at $1000.00 The one sixth interest of Henry L. Jones therein being . . $ 166.66
Annual value of said interest is $ 20 00

One sixth interest of said Henry L. Jones in a tract of 300 acres in the county of Surry of which John Jones died seized & possessed, and which he obtained by death of his brother Adam Jones deceased valued in fee simple at $900.00, one sixth interest of Henry L. Jones therein is $ 150.00
Annual value of soun interest is 8 33

$ 29 17 $ 316 66

	Amounts brought forw'd.			19309
3rd. priority	A judgment of the Circuit Court of Isle of Wight County rendered 9th of Octo. 1874, in favor of Jacob Hull, Eli Hull & Mark E. Hull partners under the style of Jacob Hull & Sons for	65	88	
	Interest thereon from the 16th of Feby. 1874, to the 20th of April 1892.	71	76	
	Costs of Suit	7	40	145 04
4th priority	A judgment rendered by C. B. Crumpler a justice of Isle of Wight County in favor of Joel H. Critchin on the 19th of October 1877, for	20	25	
	Interest thereon from the 16th day of August 1876, to 20th of April 1892	17	61	
	Costs on warrant	2	22	40 18
5th priority	A Deed of trust from Henry L. Jones & Keturah his wife to C. H. Hart trustee, dated the 10th and recorded on the 8th day of April 1890, to secure to George D. Chapman the payment of	351	00	
	Interest thereon from the 10th day of April 1890, to the 20th day of April 1892.	49	14	400 14
6th priority	A Deed of trust from Henry L. Jones & wife to W. R. Cox trustee dated 29th of July, and recorded the 4th of Augt. 1890 in Surry County, on the 19th of Augt. 1890, in Isle of Wight Co. to secure C. H. Hart	750	00	
	Interest thereon from 1st Feby. 1890, to 20. April. 1892	98	75	848 75
				$1627 10

A.

An account of the debts due by the defendant, Henry L. Jones and secured by judgment lien or otherwise, on any real estate of which ~~of which~~ he may have been at any time, or may be now, seized and possessed, including the debt due the Complainants, as alleged in the Bill, and their priorities.

1st in priority	A judgment in favor of John C Thomas in County Court of Isle of Wight County D. Apl. 18 7/2 for $150.00 Interest thereon to 2. May 1872 from 1. Jany 1872	3.00	
		153.00	
	Credit on fifa: 2. May 1872	153.00	00 00
	Costs of said		16 75 16 75
2nd in priority	A judgment in favor of W. T. Allen & James T. Borum merchants and partners under the firm name & style of W. T. Allen & Co. rendered in Isle of Wight Circuit court on the 29th of May 1874, for $103.25, with interest thereon from the 26. day of March 1872, till paid, subject to credits of $32.00 as of the 10th of Sept. 1875, and $10.00 as of the 22 Sept. 1875, leaving		
	abalance due on 22. " " of		83 23
	Interest thereon to 30. April 1892		82 81
	Costs of suit paid by pltff.		10 30 176 34
	Amt. carried forward		$192.09

W. F. Allen & Co.

vs. } In Chy.

Henry L. Jones & als.

Report of sale of land under decree of 26 April 1892

Filed Sept. 26th 1892.
Test, N. P. Gooding Clk.

Dated 15. 1892

We 2 boards of C. St. Board & J. O. Brown & for $85.00 each, that we furnished that report have been paid & Kelly for our services filed

J. O. Brown

a newspaper published in the Town of Suffolk in Nansemond County, Va. and executed the bond required of him by said decree and obtained of the Clerk of said Circuit Court of Isle of Wight County, a certificate of the due execution thereof and appended a copy of such certificate to the advertisement of the sale.

A copy of the bond executed by the undersigned as aforesaid is filed with the papers in said cause, and a copy of said advertisement is herewith returned. The said certificate is also herewith returned.

Respectfully submitted this 24th. day of September 1892.

Wilbur J. Kilby,
Special Commissioner.

REAL ESTATE AT AUCTION!—

By authority of a decree of the Circuit Court of Isle of Wight county, Va., pronounced on the 26th day of April, 1892, in the chancery cause pending in said court between W. F. Allen & Co., plaintiffs, and Henry L. Jones and others, defendants, I shall offer for sale by public auction, to the highest bidder, before the Courthouse door of said county, on County Court day,

MONDAY, SEPTEMBER 5, 1892,

the one-sixth undivided fee-simple interest or share of Henry L. Jones in the following real estate, to wit:

1. All that certain tract or parcel of land situated in Hardy Magisterial district, in said county, containing by estimation 200 or 225 acres, more or less, and bounded by the lands of Emanuel C. Crocker, Jesse Key, Thomas Bailey and R. R. Turner.

2. All that certain tract or parcel of land situated in Surry county, Va., containing by estimation 396 acres, more or less, and bounded by the lands of Taw Davis, deceased, W. T. Ferguson and others.

TERMS OF SALE.—Enough of the purchase-money to pay the costs of said cause and the expenses of the sale will be required in cash, and the remainder in equal sums at the end of six and twelve months; the purchaser to execute bonds in evidence of the deferred payments bearing interest from the day of sale, and the title to the land to be retained until the further order of Court.

WILBUR J. KILBY,
Special Commissioner.

ROB. A. EDWARDS, Crier.

I, N. P. Young, Clerk of the Circuit Court of the county of Isle of Wight, do certify that Wilbur J. Kilby, Commissioner appointed by decree of said Circuit Court rendered on the 26th day of April, 1892, in the suit in chancery therein depending between W. F. Allen & Co., plaintiffs, against Henry L. Jones et als., defendants, to sell the lands mentioned in said decree and proceedings, has given the bond required by said decree.

Given under my hand this 22d day of July, 1892.

N. P. YOUNG, Clerk.

part of said sum of $245. to wit, the sum of $75. in cash to Your Commissioner to cover the costs of said cause and the expenses of the sale, and for the remainder has executed his two bonds each for the sum of $85.00 with J. O. Branch as his surety, dated the 5th. day of September 1892 and payable to the undersigned six and twelve months respectively after date with interest from date. The said bonds are herewith returned and the money paid in cash as aforesaid is in the hands of the undersigned subject to the order of Court. The title to said interest in said land, has been retained until the further order of Court.

Before proceeding to make said sale Your Commissioner advertised the time place and terms of the sale by printed notices posted more than two weeks prior to the day of sale at the Courthouse door of said County and of Surry County and in the neighborhood of said land and at various other public places in said Counties and by publication of the notice once a week for two successive weeks prior to the sale in the Suffolk Herald

To the Circuit Court of Isle of Wight County. Va.

In pursuance of the decree of the Circuit Court of Isle of Wight County. Va. pronounced on the 26th. day of April 1892 in the Chancery Cause pending in said Court between W. F. Allen &c. Plaintiffs and Henry L. Jones and others, Defendants, the undersigned, Wilbur J. Kilby, Special Commissioner appointed for the purposes specified in said decree, respectfully reports to Court as follows:

That, as directed by said decree, he has sold the one-sixth undivided fee-simple interest or share of Henry L. Jones in the real estate mentioned in said decree. The sale was made on the terms and conditions and in the manner directed by said decree by public auction before the Courthouse door of said County on County Court day Monday, the 5th. day of September 1892 and Charles H. Hart became the purchaser, as the highest bidder, for the sum of Two hundred and forty-five (245.) dollars.

In compliance with the terms of the sale, the said Charles H. Hart has paid

REAL ESTATE AT AUCTION!

By authority of a decree of the Circuit Court of Isle of Wight county, Va., pronounced on the 26th day of April, 1892, in the chancery cause pending in said court between W. F. Allen & Co., plaintiffs, and Henry L. Jones and others, defendants, I shall offer for sale by public auction, to the highest bidder, before the Courthouse door of said county, on County Court day,

Monday, September 5, 1892,

the one-sixth undivided fee-simple interest or share of Henry L. Jones in the following real estate, to wit:

1. All that certain tract or parcel of land situated in Hardy Magisterial district, in said county, containing by estimation 200 or 225 acres, more or less, and bounded by the lands of Emanuel C. Crocker, Jesse Key, Thomas Bailey and R. R. Turner.

2. All that certain tract or parcel of land situated in Surry county, Va., containing by estimation 396 acres, more or less, and bounded by the lands of Taw Davis, deceased, W. T. Ferguson and others.

TERMS OF SALE

Enough of the purchase-money to pay the costs of said cause and the expenses of the sale will be required in cash, and the remainder in equal sums at the end of six and twelve months; the purchaser to execute bonds in evidence of the deferred payments bearing interest from the day of sale, and the title to the land to be retained until the further order of Court.

WILBUR J. KILBY, Special Commissioner.

ROB. A. EDWARDS, CRIER. AUGUST 1, 1892.

I, N. P. YOUNG, Clerk of the Circuit Court of the county of Isle of Wight, do certify that Wilbur J. Kilby, Commissioner appointed by decree of said Circuit Court rendered on the 26th day of April, 1892, in the suit in chancery therein depending between W. F. Allen & Co., plaintiffs, against Henry L. Jones et als, defendants, to sell the lands mentioned in said decree and proceedings, has given the bond required by said decree.

Given under my hand this 22d day of July, 1892. N. P. YOUNG, CLERK.

Sold to C. H. Hook for $2-45. Rec'd Pay. R. A. Edwards Crier

State of Virginia

County of Isle of Wight, To wit:

I, N. P. Young, Clerk of the Circuit Court of the county of Isle of Wight, do certify that Wilbur J. Kelly, commissioner appointed by decree of said circuit Court, rendered on the 26th day of April 1897, in the suit in Chancery therein depending between D. F. Allen & Co: plaintiffs, against Mary A. Jones et als: defendants, to sell the lands mentioned in said decree, & proceedings, has given the bond required by said decree.

Given under my hand this 22d. day of July 1897.

N. P. Young clk.

REAL ESTATE AT AUCTION!

By authority of a decree of the Circuit Court of Isle of Wight county, Va., pronounced on the 26th day of April, 1892, in the chancery cause pending in said court between W. F. Allen & Co., plaintiffs, and Henry L. Jones and others, defendants, I shall offer for sale by public auction, to the highest bidder, before the Courthouse door of said county, on County Court day,

Monday, September 5, 1892,

the one-sixth undivided fee-simple interest or share of Henry L. Jones in the following real estate, to wit:

1. All that certain tract or parcel of land situated in Hardy Magisterial district, in said county, containing by estimation 200 or 225 acres, more or less, and bounded by the lands of Emanuel C. Crocker, Jesse Key, Thomas Bailey and R. R. Turner.

2. All that certain tract or parcel of land situated in Surry county, Va., containing by estimation 396 acres, more or less, and bounded by the lands of Taw Davis, deceased, W. T. Ferguson and others.

TERMS OF SALE

Enough of the purchase-money to pay the costs of said cause and the expenses of the sale will be required in cash, and the remainder in equal sums at the end of six and twelve months; the purchaser to execute bonds in evidence of the deferred payments bearing interest from the day of sale, and the title to the land to be retained until the further order of Court.

WILBUR J. KILBY, Special Commissioner.

ROB. A. EDWARDS, CRIER. AUGUST 1, 1892.

I, N. P. YOUNG, Clerk of the Circuit Court of the county of Isle of Wight, do certify that Wilbur J. Kilby, Commissioner appointed by decree of said Circuit Court rendered on the 26th day of April, 1892, in the suit in chancery therein depending between W. F. Allen & Co., plaintiffs, against Henry L. Jones et als, defendants, to sell the lands mentioned in said decree and proceedings, has given the bond required by said decree.

Given under my hand this 22d day of July, 1892. N. P. YOUNG, CLERK.

Allen & Co.
vs. Mc Clay.
Jones et als.
Bill of costs.

Copy sent
Mr. Kelly

Allen Bro.

v. Bill of Costs to including
Jones N. L. et al. Nov. term 1892.

Atto. fee	$15.00
Tax on writ	1.50
Clk. of Cir. Ct.	10.37
Do. " Co. Ct. (Search Ct.)	.50
Clk. for copies for exhibits	2.40
Command. in Clay - Young -	12.00
Sheff. fees	8.50
	$50.27

Teste, A. P. Young Clk.

W. F. Allen & Co.

vs. } In Chy.

Henry L. Jones Sol.

Report of Collections and disbursements under decree of 1 Nov. 1892

Filed Octo. 1st 1894.

brought on	41	25	252	88
To paid Nathl. P. Young, clerk of said Circuit Court $8.14 $4.44 & 29¢ =	12	87		
" " Nathl. P. Young, clerk of the County Court of said County.	2	40		
" " Nathl. P. Young, Comr. in Chy.	12	50		
" " Rob. A. Edwards, shff. his fees.	7	50		
" " Wilbur J. Kilby, Atto. for preparing said deed.	5	00		
" " John C. Thomas in full of his claim.	16	75		
" " W. F. Allen & Co. in part of their claim for $176.34	154	61		
	252	88	252	88

Respectfully submitted this 15th. day of September 1894.

Wilbur J. Kilby,
Special Comr.

Received of Wilbur J. Kilby, Special Comr. the respective sums of money charged in the foregoing report as paid to us and set opposite our names as follows:

Wilbur J. Kilby, Atty. $16.50
Wilbur J. Kilby, Atty. $5.00
Wilbur J. Kilby Atty. for John C. Thomas $16.75
Wilbur J. Kilby, Atty. for W. F. Allen & Co. $154.61

the money for said bonds together with the interest due thereon; that he has made to said Charles H. Hart a deed with special warranty in the usual form conveying to him the interest purchased by him under proceedings in said cause in the real estate mentioned and described in the said papers: and that he has disbursed said money together with seventy-five dollars already in his hands in the manner directed by said decree as the vouchers herewith returned and the following statement will fully show, to wit:

Statement

By amount of said bonds each for $85.	=		170	00
" Interest on same.			7	88
" Cash in hand as stated above.			75	00
To 5 per cent Commissions on $245.	12	25		
" paid Rob. A. Edwards, Crier at sale.	5	00		
" " J. E. Booker for printing notices of the sale and publishing the notice in "The Suffolk Herald"	7	50		
" " Wilbur J. Kilby, Atty. Taxed fee and tax	16	50		
	41	25	252	88

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

In pursuance of the decree of the Circuit Court of the County of Isle of Wight, Virginia, pronounced on the first day of November 1892 in the Cause in Chancery in said Court depending between W. F. Allen & Co. Complainants and Henry L. Jones, Keturah Jones, his wife, and others, Defendants, the undersigned, Wilbur J. Kilby, Special Commissioner, respectfully reports to Court as follows:

Your Commissioner has received of the clerk of said Court the two bonds of Charles H. Hart mentioned in said decree with J. A. Branch his surety thereto, each for the sum of $85.00 dated the 5th day of September 1892 and payable six and twelve months respectively after their dates with interest from their dates; that he has given said clerk a receipt, which has been filed with the papers in said Cause, for said bonds; that he has collected

Suffolk, Va., 189

Mr W J Kirby Sh Court

To SUFFOLK HERALD, Dr.

J. E. BOOKER, Proprietor.

First-Class JOB PRINTING a Specialty.

92				
July	27	To 100 Bills — Notice of Sale of Land	A L Jones	1 50
Aug	19	" adv'g Sale of Land in Herald —		6 00
		Rec'd Payment		$ 7 50
			J E Booker	

Received of Wilbur J. Kilby. Special Comr. five dollars for services as crier at the sale of the land of Henry L. Jones under decree of Isle of Wight County Circuit Court

$5.00

Rc A. Edwards Crier

15. July 1893

See Ledger

7.50
5.00
12.50

W. F. Allen & Co

1891 To the Sheff. Jr. Ct of Wayne Co

Sept 4 To Ex writ vs H. L. Jones Kiturah Jones
E. W. Jones E. C. Crocker A. J. Turner
C. H. Hart. Cost 3 00

" 14 To Ex writ vs W. R. Cox Cost
& C. H. Hart 1 00

1892
Jany. 5 To Ex Costs Notice vs H. L. Jones
Kiturah Jones. E. W. Jones E. C. Crocker
A. J. Turner C. H. Hart & W. R. Cox 3 50
7.50

Rec'd payment Jan 19 1892 W. F. Allen

Ro. A Edwards Sheff.

Allen W. F. & Co.
vs. H. L. Jones Lab.

$12.50

Suit of W. F. Allen & Co. vs. H. L. Jones et als.
T. N. S. Young Comr. in Chy. of Circuit
Court Isle of Wight County . . A.
Jany 29 Time employed in issuing notices &
taking acts & report and order dense $12.00
Paid Clerk Co. Ct. for searches .50
T. N. S. Young Comr $12.50

Allen Wm F. Heo.
Norfolk –
$3.90

Messrs. Wm. F. Allen Heo. — Norfolk Co. Suffolk Attys. —

1891 To the Clerk of Isle of Wight Co. Ct.

Aug. 28 Copy deed from H. L. Jones to his wife, &
H. L. Jones to Hart, trustee, & postage 1.30

Sep. 19 Copy trust deed from said Jones to Cox, trustee
~~Post: 1.10 Copy Ellinor's trust deed to Barrett, &c.~~ 1.10
~~for R. S. Thornton 1.50~~ 2.40

N. P. Young, Clk —

$4.44

Received Sept. 14th 1894 of W. J. Kelly
Commissioner of W. T. Allen & Co.
N. Hampshire Stock, four dollars
and forty four, cash in full of
Clerk's fees in said suit

S. O. Hornyold

$4.44

$4.44
8.14
29
12.87

Allen Wm. F. Leo-

W. J. Kilby com-

$ 8.14

1891
Sept.

Wm. T. Allen & Co. (W. J. Kelby counsel)

To Clerk of Isle of Wight Cir: Court . . $5.

2 counsel, m. for an Inj: 50, 8 copies 1.00 noting 36,
entering return 35, entering attn. 11, filing bill
Sept. 40, Rule 50, Oct. another Rule 50, do 25, $3.96

Decree for accts. & copy & noting .83

Oct. 1892 Ch. Ct.

Filing Comm. report, 15, Decree for sale, copy & noting
1.25 Comm. Bond & filing 65, recording &
copy & filing: copy 1.05 Certf: of its execution 25 $3.35

N. P. Young Clk $ .14

Allen W. F. & Co -

.29

29
444
814
1287

1892

Suit of W. T. Allen & Co. vs. Jones et al, (Kirby)
To N. P. Young clk. Cir. Ct. Isle of Wright Co. Va.
Abstract from the bill in said
suit and postage .29

N. P. Young clk

to their proximities,
2. Ascertain the value of such real estate as the said Henry S. Jones, may have been at any time, or may be now, seized and possessed, subject to the lien of said debts together with the amount of annual values,
3. An account of any matters specially stated, deemed pertinent by himself or required by any of the parties to be stated, and make report to Court.

W. F. Allen Exr.

vs. } In Chy.

Jones Exls.

In the Circuit Court of Isle of Wight County October 20 1891

Decree

To be entered

Entered #2

W. F. Allen Ses.

vs.

Henry L. Jones Sals

This cause regularly matured and set for hearing at Rules came on this day to be heard on the Bill of the Complainants taken for confessed as to all the defendants, process having been duly executed on them and they still failing to appear and plead, answer or demur to the said Bill, on the exhibits filed with said Bill, and was argued by Counsel.

On consideration whereof the Court doth adjudge, order and decree that the papers in this cause be referred to one of the Commissioners of this Court who is directed to take, state and report to Court, the following accounts, to wit;

~~1. An Account of the real estate of~~

1. An Account of the debts due by the defendants, Henry L. Jones, and secured by judgment liens or otherwise, on any real estate of which he may have been at any time, or may be now, seised and possessed, including the debt due to the Complainants, as alleged in the said Bill, ~~together with the Annua~~ according

2d An account of such real estate as the said Henry L. Jones may have been at any time, or may now be seized and possessed subject to the liens of said debts, together with its fee simple and annual value.

3d An accounts of any matters specially stated, deemed pertinent by himself or required by any of the parties to be so stated and make report to court.

A copy

Teste N. P. Young clk
by N. P. Young Deputy

N. P. Allen Adm'r &c.
vs.
Ira Otey.
Henry L. Jones Sale

Decree of Oct term 1891

A copy

In the circuit court of Isle of Wight County. October term 1891

W. D. Allen & Co. Plaintiffs

vs.

Henry L. Jones & als Defendants

This cause regularly matured and set for hearing at rules, came on this day to be heard on the bill of the complainants, process having been duly executed on them and they still failing to plead, answer or demur to the said bill, on the exhibits filed with said bill, and was argued by counsell.

On consideration whereof the court doth adjudge, order and decree that the papers in this cause be referd to one of the commissioners of this court who is directed to take, state and report to court the following accounts, to wit:

1st. An account of the debts due by the defendant, Henry L. Jones, and secured by judgment liens, or otherwise, on any real estate of which he may have been at any time, or may be now, seized and possessed, including the debts due to the complainants, as alleged in the said bill according to their priorities

W. F. Allen Exrs.

vs. } In Chy.

Henry L. Jones Etal.

In the Circuit Court
of Isle of Wight
County.
April 26. 1892

Decree
To be entered
C W D

Entered #15

~~decree~~ he may be required to execute in this cause, and will obtain of the Clerk of this Court a certificate of the due execution of said bond and append the ~~sale~~ same or a copy thereof to the advertisement of said sale, And said Special Commissioner will make report to Court of his transactions under this decree.

and that Wilbur J. Kelly, who is hereby appointed Special Commissioner for the purpose, proceed to sell the same at some County Court day before the Courthouse door of this County by public auction to the highest bidder on the terms of payment by the purchaser of enough of the purchase-money to pay the costs of this cause and the expenses of the sale in cash and the remainder in equal sums at the end of six and twelve months; the purchaser to execute bonds in evidence of the deferred payments payable to said Special Commissioner and bearing interest from the day of sale and the title to the land to be retained until the further order of Court.

But before proceeding to ~~sell said interest~~ make said sale, said Special Commissioner will advertise the time, place and terms of the sale by printed notices to be posted at least two weeks prior to the day of sale at the Courthouse doors of this and Surry County and in the neighborhood of the property to be sold and by publication of the notice once a week for two weeks prior to the sale in the Suffolk Herald a newspaper published in the Town of Suffolk in Nansemond County, and will execute a Bond to be recorded in the office of the Clerk of this Court, in the penalty of five hundred dollars with good personal security payable to the Commonwealth of Virginia and conditioned for the faithful discharge of his duties under this decree and all other decrees ~~and all other~~

W. F. Allen Exc.

vs.

Henry L. Jones Exls.

This cause came on this day to be again heard on the papers formerly read and on the Report of Commissioner Nathl. P. Young, filed on the 30th. day of January 1892 (the same being a Report of debts due by the defendant, Henry L Jones, secured by judgment liens, and other liens on his interest in the real estate mentioned in said Report and also of the real estate subject to said liens, in pursuance of the decree entered herein on the 30th. day of October 1891), and was argued by Counsel.

On consideration whereof the Court doth approve and confirm said Report to which no exception has been taken and ~~doth adjudge, order and decree~~ it appearing from said Report that the Rents and Profits of ~~said real estate~~ the interest of said Henry L. Jones in said real estate subject to said liens will not satisfy the judgments mentioned in said Report in five years. The Court doth adjudge, order and decree that the interest of said Henry L. Jones (the same being a one-sixth undivided interest) in said real estate be sold to the end that the proceeds of the sale may be applied to the discharge of said judgments and liens

W. F. Allen & Co.

vs. } In Chy.

Henry L. Jones Sal.

In the Circuit Court
of Isle of Wight County
~~October~~ May 1892

Decree
To be entered
C.D.H

entered 7/14

of the money,
~~to the~~ remainder if any, until the fur-
ther order of Court.

And the Court doth further adjudge, order and decree that said Wilbur J. Kilby, as Special Commissioner aforesaid make to Charles H. Hart a deed with Special warranty in the usual form conveying to him the interest in said real estate purchased by him under proceedings herein and described in the Bill herein, and make report to Court of his transactions under this decree

clerk will deliver said bonds to said Special Commissioner and take of him a receipt for them and file the receipt with the papers in this cause, and the said Special Commissioner will proceed to collect the said bonds at their maturity or receive the money therefor, if the obligors should desire to pay the money before the maturity of the bonds, and out of the money thus collected or received together with the sum of seventy-five (75) dollars already in his hands, as appears by said Report, pay first in full all the costs of this cause and the expenses of said sale and then pay the ~~following~~ indebtedness of said Henry L. Jones as appears by the Report of Commissioner Nathl. P. Young, filed herein on the 30th. day of January A. D. 1892 as follows, to wit; The debt in favor of John C. Thomas amounting to six-teen and 75/100 dollars, first in full, and then ~~and~~ the debt of one hundred and seventy-six and 34/100 dollars due to the Plaintiffs W. F. Allen Sec. ~~or such part thereof as he may have money sufficient to pay,~~ together with interest on eighty-three and 23/100 dollars part thereof from the 20th. day of April A. D. 1892 till paid, ~~and re-~~ ~~turn~~ or such part thereof as he may have money sufficient to pay, and retain the

W. F. Allen & Co.

vs.

Henry L. Jones & als.

This cause came on this day to be again heard on the papers formerly read and on the Report of Special Commissioner, Wilbur J. Kilby, filed on the 26th. day of September A.D. 1892 (the same being a Report of the sale of the one-sixth undivided fee-simple interest or share of Henry L. Jones in the real estate mentioned and described in the Bill herein in pursuance of the decree entered herein on the 26th. day of April A.D. 1892) and was argued by Counsel.

On consideration whereof the Court doth ratify, approve and confirm the said Report and sale to which no exception has been taken and doth adjudge, order and decree that said Special Commissioner, Wilbur J. Kilby, receive of the Clerk of this Court ~~and~~ the two bonds of C. H. Hart filed with said Report with J. O. Branch his surety thereto, each for the sum of eighty-five dollars, dated the 5th. day of September A.D. 1892 and payable six and twelve months respectively after date with interest from date, and said

W. F. Allen & Co.

vs. } In Chy.

Henry L. Jones Sal.

In the Circuit Court of Isle of Wight County, Va. October 1894

Final decree To be entered C W K

Entered #6

W. F. Allen & Co.
vs.
Henry L. Jones & als.

This cause came on this day to be again heard on the papers formerly read and on the Report of Special Commissioner, Wilbur J. Kilby filed on the first day of October 1894 (the same being a report of the collection and disbursement of money in pursuance of the decree entered herein on the first day of November 1892) and was argued by counsel.

On consideration whereof the Court doth ratify, affirm and confirm the said report to which no exception has been taken and doth adjudge, order and decree that the proceedings had in this cause be final and binding between the parties thereto, and, nothing more remaining to be done herein, doth order that this cause be removed from the docket.

Wm F. Allen & Geo. or order at the Citizens' Bank of Smithfield Va One Hundred & three 25/100 dollars & thereby waive the benefit of the "Homestead" act as to this debt.

his
A x L. Jones "
mark

Test:
Wm F. Jordan.

I, A. P. Young Clerk of the Court of Isle of Wight County, certify that the foregoing are true abstracts & copies from the records of said Court.

Test, A. P. Young clk.

$1,50

Allen Geo.
1st. Jr Chy.
Jones Sal.

Exhibit A filed with the Bill.

Fe. 35 ¢

In the Circuit Court of Isle of Wight County, the 29th day of May 1874.

Wm F. Allen and Jas. T. Borum Merchants and partners doing business under the name and style of Wm F. Allen & Bro. Pltffs.

v. In Debt.

Henry L. Jones. Deft.

Judgment was granted the Plaintiffs against the Defendant for One Hundred and three Dollars and twenty five cents, with interest thereon from the 26th day of March 1872, till paid and $7.40 Costs.

The above Judgment was docketed in the Judgment docket of Isle of Wight County on the 4th day of June 1874. and June endorsements on said docket the said Judgment is subject to the following credits: to wit:

$32.10 as of the 10th day of Sept. 1875, and $10.00 as of the 22d day of Sept. 1876.

The following is a copy of the note upon which the above Judgment was rendered:

$103.35 Smithfield Va March 25th 1872.

One day after date I promise to pay to

Allen Leo.

vs. } In Chy.

Jones Sal.

Exhibit B.
filed with the
Bill

Henry L. Jones
To W. F. Allen Esq.

To Amount of judgment 29 May 1874 in Isle of Wight Circuit Court docketed 4 June 1874 for			$103 25
" Interest from 26 March 1872 to 26 Sept. 1875. - 3y. 6 mos.			21 68
" Costs of suit	7 40		
" additional costs paid by W. F. Allen Esq.	2 90	10 30	
Total			$135 23
By Cash paid 10 Sept. 1875	32 00		
" " " 22 " "	10 00	42 00	
Balance due			$ 93 23

with interest from 26th. Sept. 1875 till paid.

Allan Wm. T. & Co.
vs.
Jones H. L. et als.

Copy deed of Jones H. L. to Jones L.

Exhibit C. filed with the Bill

for the sum of Seven Hundred & Fifty Dollars, and whereas the said Henry L. Jones has departed this life intestate and without issue, leaving the said Lucinda Jones his widow and the said Elizabeth Jones his daughter, his only heirs at law, and whereas the said Lucinda Jones and Elizabeth Jones have applied to the Orphans Court of Prince George's County, Maryland, for the appointment of Trustees to sell the property of the said Henry L. Jones, deceased, and whereas the said Orphans Court of Prince George's County, Maryland, by its order passed on the 24th day of October A.D. 1859, appointed the undersigned Trustees for the purposes aforesaid, and whereas the said Trustees have given bond according to law and the order of the said Orphans Court, and have returned the inventory of the personal estate of the said Henry L. Jones, deceased, to the said Orphans Court, and have published notice of the time and place of sale of the property mentioned and described in the said deed, and have reported the proceedings had in the premises to the said Orphans Court, and have received the order of the said Court, ratifying and confirming the sale aforesaid, and directing the Trustees to convey the property sold to the purchaser thereof, upon the payment of the purchase money, and whereas the said Lucinda Jones has departed this life intestate and without issue, leaving the said Elizabeth Jones her only heir at law, and whereas the said Elizabeth Jones has applied to the Orphans Court of Prince George's County, Maryland, for the appointment of Trustees to sell the property of the said Lucinda Jones, deceased, and whereas the said Orphans Court of Prince George's County, Maryland, by its order passed on the 24th day of October A.D. 1859, appointed the undersigned Trustees for the purposes aforesaid, and whereas the said Trustees have given bond according to law and the order of the said Orphans Court, and have returned the inventory of the personal estate of the said Lucinda Jones, deceased, to the said Orphans Court, and have published notice of the time and place of sale of the property mentioned and described in the said deed, and have reported the proceedings had in the premises to the said Orphans Court, and have received the order of the said Court, ratifying and confirming the sale aforesaid, and directing the Trustees to convey the property sold to the purchaser thereof, upon the payment of the purchase money, and whereas the said Lucinda Jones has departed this life intestate and without issue, leaving the said Elizabeth Jones her only heir at law, and whereas the said Elizabeth Jones has applied to the Orphans Court of Prince George's County, Maryland, for the appointment of Trustees to sell the property of the said Lucinda Jones, deceased, and whereas the said Orphans Court of Prince George's County, Maryland, by its order passed on the 24th day of October A.D. 1859, appointed the undersigned Trustees for the purposes aforesaid, and whereas the said Trustees have given bond according to law and the order of the said Orphans Court, and have returned the inventory of the personal estate of the said Lucinda Jones, deceased, to the said Orphans Court, and have published notice of the time and place of sale of the property mentioned and described in the said deed, and have reported the proceedings had in the premises to the said Orphans Court, and have received the order of the said Court, ratifying and confirming the sale aforesaid, and directing the Trustees to convey the property sold to the purchaser thereof, upon the payment of the purchase money, &c.

Asap. Ent., Md.
Asap. Ent., Md.

A. B. Duvall, Esq.,
Geo. W. Brooke, Esq.,
Trustees &c.

60

This Deed, made this 24th day of October 1887 Between Henry L. Jones of the first part and Keturah Jones of the second part, witnesseth: That for and in consideration of the natural love and affection which I have for the party of the first part, who is my wife, I hereby give, grant and convey to her for her own use and benefit free from the future debts, liabilities, contracts and control of myself or any future husband, with the power and privilege to sell and convey the same by deed or will as if she were a single woman, all of my interest both at law and in equity in the estates of both my father & mother dec'd in all real & personal property, and also all my interest in all my real and personal property of all sorts and kinds, including all my crops now on hand, and all bonds and accounts now owing and due to me.

Given under my hand and seal the day and year aforesaid.

Witness
C. M. Hart N.P.

Henry L. x Jones (Seal)
mark

State of Virginia,
County of Isle of Wight, To wit:
I C. M. Hart, a Notary Public in and

Allen Wm F. Heo.
vs. Jn Clay,
Johes H. L. et al.

Copy trust deed
of Jones et ux to
Hart, Trustee.

Exhibit D. filed
with the Bill

61.50

be made payable at such time, and be secured in such manner as the said Keturah Jones may prescribe and direct, or in case of her failure to give such direction, in such manner as the said trustee may deem best.

Witness the following signatures and seals this 10th day of April 1890.

H. L. + Jones (Seal)
his mark
Keturah Jones (Seal)

Isle of Wight County, to wit:

I, R. E. Boykin a commissioner in Chancery for the Circuit Court for the County of Isle of Wight in the State of Virginia, do certify that H. L. Jones and Keturah Jones, whose names are signed to the writing hereto annexed bearing date April 10th 1890, have acknowledged the same before me in my said County.

Given under my hand this 10th day of April 1890.

R. E. Boykin Comm. in Chy.

In the Clerk's office of the County Court of Isle of Wight County, April 11th 1890, This deed was received and with the certificate annexed, admitted to record.

Teste, N. P. Young Clerk.
for N. P. Young Clk.

A Copy. Teste, N. P. Young clk

Jones, E. C. Crocker and A. J. Turner as sureties, and being for the payment of the sum of Three Hundred and fifty one dollars on the 20th day of Dec. 1890. and bearing date April 10th 1890, with interest from date.

And it is covenanted and agreed between the parties aforesaid, that in the event of default in the payment of said bond in whole or in part at maturity, sale may be made, and in case of sale, the same shall be made at Isle of Wight Courthouse on some court day, after giving at least thirty days notice of the time and place of sale, by hand bills posted at the front door of the court house of said County on some court day previous to sale, and at three or more public places in said County, and in the County of Surry, and upon the following terms, to wit: for cash sufficient to pay the costs of executing this trust, including a commission of five per cent to the said trustee, and to discharge the amount of money principal and interest thereon due on said bond, and if there be any residue, the same shall

This Deed Made this 11th day of April 1890.
between H. L. Jones and Keturah Jones
his wife, of the first part and Chas:-
Hart of the second part, all of the
County of Isle of Wight and State
of Virginia: Witnesseth, that the
said H. L. Jones and Keturah his
wife do grant unto the said
Chas. H. Hart the following real estate
To wit: First. All of their interest,
being an undivided 1/6 interest in
and to that certain tract or parcel
of land of which John Jones died
seized and possessed in the County
aforesaid containing by estimation
225 acres, be the same more or less,
adjoining the lands of Edmund
Crocker, Jake Key, Thomas Bailey
and R. R. Turner. Second all of
their interest, being an undivided
1/6 interest, in and to that certain
tract or parcel of land of which
John Jones died seized and possessed
in the County of Surry, containing
by estimation 396 acres, be the same
more or less, adjoining the lands of
Jas Davis dec'd, W. D. Turner et al.
In trust, to secure to George D.
Chapman the payment of the
sum of a certain bond executed
by the said H. L. Jones and Keturah
his wife as principals, and E. W.

Deed of Trust.

Keturah Jones & husband

To

H. R. Cox Exrs

Trustee for C. W. Hart

Admitted to record this 19th *day of*

August 1890

Recorded D. B. 55 *Page* 142

Examined and verified.

N. F. Young D.C. *Clerk.*

A copy $

TAX, - - - - - - $.....

FEE, - - - - - - - .....

$.....

PRINTED AND FOR SALE AT HERALD OFFICE, SUFFOLK, VA.

Allen Bro.

vs. } In Chy.

Jones &al.

Exhibit E.
filed with the Bill

#15

In the event that default shall be made in the payment of the above-mentioned debt, principal or any instalment of interest, when due and payable, then the Trustee, on being required so to do by the said C. H. Hall his heirs executors, administrators, or assigns, shall sell the property hereby conveyed.

And it is covenanted and agreed between the parties aforesaid, that in case of a sale, the same shall be made after first advertising the time, place, and terms thereof for 30 days in such manner as the said trustee may think best

and upon the following terms, to wit: for cash as to so much of the proceeds as may be necessary to defray the expenses of executing this trust, including a trustee's commission of five per centum, the fees for drawing and recording this deed, if then unpaid, and to discharge the amount of money then payable upon the said debt, and if there be any residue of said purchase money, the same shall be made payable at such time, and secured in such manner, as the said parties of the first part their executors, administrators or assigns shall prescribe and direct, or in case of their failure to give such direction, at such time and in such manner as the said Trustee shall think fit. The said parties of the first part covenant to pay all taxes, assessments, dues and charges upon the said property hereby conveyed so long as they or their heirs or assigns shall hold the same; and further covenant and agree to keep the buildings on the property hereby conveyed insured for the full amount of $ 500.00 for the further protection of the said C. H. Hall his heirs or assigns; and in the event of their failure to do so, then the Trustee, or the beneficiary under under this deed, may effect or renew such insurance from to time, so long as the said debt, or any part thereof, remains unpaid; and the insurance premiums shall constitute a part of the lien created by this deed, to be paid out of the proceeds of the property, if sold, or to be recoverable by all the remedies in law or equity by which the debt aforesaid may be recoverable.

If no default shall be made in the payment of the above mentioned debt or insurance premiums, then, upon the request of the parties of the first part, a good and sufficient deed of release shall be executed to them at their own proper costs and charges.

Witness the following signatures and seals:

Rebinah Jones SEAL

Henry L. Jones SEAL
his mark

SEAL

SEAL

STATE OF VIRGINIA,
COUNTY OF Isle of Wight } To wit:

I, J. R. Stott, a Justice of the Peace for the county aforesaid, in the State of Virginia, do certify that Rebinah Jones the wife of Henry L. Jones and the said Henry L. Jones whose names are signed to the writing hereto annexed, bearing date the 29th day of July, 1890, have acknowledged the same before me in my county aforesaid.

Given under my hand this 1st day of Aug^t, 1890

J. R. Stott J.P.

MEMO.—To be acknowledged before a Justice, Notary Public, or Commissioner in Chancery.

In Surry county court clerk's office Aug 4th 1890, This deed from Rebinah Jones and Henry L. Jones her husband to A. R. Cox trustee for C. H. Hall was this day rec'd in this office, and with the certificate attached admitted to record. Teste A. A. Edwards clk.

COUNTY OF Isle of Wight, To wit:

In the office of the Clerk of the County Court for the County of Isle of Wight the 4th day of August 1890, this deed was presented, and, with the certificate annexed, admitted to record.

Teste:

N. P. Young, CLERK.
by A. A. Edwards D. C.

A copy. Teste, N. P. Young clk

This Deed, Made this 29th day of July in the year one thousand eight hundred and ninety, between Keturah Jones the wife of H. L. Jones and the said Henry L. Jones of the county of Isle of Wight State of Virginia of the first part, and H. R. Copeland as trustee of the said county and State of the second part—

WITNESSETH: That said parties of the first part do grant unto the said party of the second part the following property, to wit: all that certain tract of land on which the parties of the first part now reside in the county and state aforesaid, containing 145 acres be the same more or less, adjoining A Benj Drew ad. C. H. Hart et als being the same land conveyed to the said parties of the first part by the said C. H. Hart by deed dated July 1st 1890, and duly recorded in the clerks office in Deed Book p. Reference to which may be had. And all the right, title & interest both at law and in equity and both present & prospective of the parties of the first part in and to all the real estate of the late John Jones and Roseanna Jones his wife in the county of Isle of Wight estimated to be 200 acres more or less and in the county of Surry in the state aforesaid estimated to contain 300 acres more or less, the said interest being an undivided one sixth in and to both the said tracts, the said Henry L. Jones being a son and heir at law of the said John & Roseanna Jones his wife dec'd; the said interest of the said Henry L. Jones was conveyed to the said Keturah Jones by deed dated day of 1889 and duly recorded. The land in Surry Co. Va belong wholey to the said John Jones and it is hereby intended to convey all the interest of both the parties of the first part in and to all of the said land.

IN TRUST, to secure to C. H. Hart his heirs or assigns of Isle of Wight county Va the payment of the sum of $750.00 evidenced by a bond dated July 1st 1890 & payable on demand with interest from date to be paid annually on the 1st of each January, executed by the said Keturah Jones & Henry L. for the said sum of $750.00 waiving the benefit of the home stead exemption, and to secure to the said C. H. Hart any and all amounts that may be due him not included in the above bond with interest thereon as per a full statement to be rendered. To secure to the said C. H. Hart as the adm'r of John Jones dec'd; & as the agent & atty. for the heirs of John Jones dec'd; & Roseanna Jones his wife any and all amounts which he has ever paid them (if any) on a full and final settlement of his accounts as such adm'r & agent & atty with all interest probably due thereon & to secure & save harmless from any loss or damage the said C. H. Hart on acct. of his being one of the securities on the distillers bond of the said K. Jones for the sum of $800.00 - of even date herewith signed by the said Keturah Jones. Chs. Henry Hart, and Ezekiel H. Jones, payable to the United States of America

Keturah Jones & H. L. Jones

To - - - Deed of Trust.

Wm. R. Cox, Trustee for C. H. [illegible]
Hart.

- - - - - - A Copy - - - - - - -

the wife of Henry L. Jones and the said Henry L. Jones whose names are signed to the writing hereto annexed, bearing date the 29th day of July, 1890, have acknowledged the same before me in my County aforesaid. Given under my hand this 1st day of August, 1890.

J. W. Stott, J. P.

In Surry County Court Clerk's Office, August 4th 1890.

This Deed, form Keturah Jones and Henry L. Jones her husband to WM. R. Cox Trustee for C. H. Hart, was this day received in this office, and with the certificate attached admitted to record.

A Copy,

Teste,

A. S. Edwards, Clk.

Teste,

A. S. Edwards, Clerk.

cured in such manner as the said parties of the first part their executors, administrators or assigns, shall presrcibe and idrect, or in case of their failure to give such direction, at such time and in such manner as the said trustee shall think fit. The said parties of the first part covenant to pay all taxes, assessments, dues and charges upon the said property hereby conveyed so long as they or their heris or assigns shall hold the same,; and further covenant and agree to keep the buildings on the property hereby conveyed insured for the full amount of $500.00 for the further pre tection of the said C. H. Hart his heirs or assigns, and in the event of their failure to do so, then the trustee, or the beneficiary under this deed, may effect or renew such insurance from time to time, so long as the said debt, or any part thereof, remains unpaid; and the insurance premiums shall constitute a part of the lien created by this deed, to be paid out of the proceeds of the property, if sold, or to be recoverable by all the remedies in law or equity by which the debt aforesaid may be recoverable. If no default shall be made in the payment of the above-mentioned debt or insurance premiums, then, upon the request of the part of the first part, a good and sufficient deed of release shall be executed to them at their own proper costs and charges.

Witness the following signatures and seals.

Witness — Keturah Jones (seal)

J. W. Stott. — Henry L. X Jones (seal)

State of Virginia

County of Isle of Wight, To-wit:

I, John W. Stott, a Justice of the Peace for the County aforesaid, in the State of Virginia, do certify that Keturah Jones

be paid annually on the 1st of each Jany. executed by the said Keturah Jones & Henry L. Jones for the said sum of $750.00 waiving the benefit of the homestead exemption, and to secure to the said C. H. Hart any & all amounts that may be due him not included in the above bond with interest thereon, as per a full settlement to be rendered. To secure to the said C. H. Hart as the admr. of John Jones decd: & as the agent & atto. for the heirs of John Jones & Roseanna Jones his wife, any & all amounts which he has over paid them (if any) on a full and final settlement of his accts. as such admr. &agent & atto: with all interest properly due thereon, and to secure and save harmless from any loss or damage the said C. H. Hart, on account of his being one of the sureties on the Distiller's bond of the said K. Jones for the sum of $800.00 of even date herewith signed by the said Keturah Jones, Charles Henry Hart and Ezekiel W. Jones payable to the United States States of America. In the event that default shall be made in the payment of the above-mentioned debt, principal or any instalment of interest, when due and payable, then the Trustee, on being required so to do by the said C. H. Hart his heirs executors administrators or assigns, shall sell the property hereby conveyed. And it is covenanted and agreed between the parties aforesaid, that in case of a sale, the same shall be made after first advertising the time, place, and terms thereof for 30 days in such manner as the said Trsutee may think best and upon the following terms, to-wit: for cash as to so much of the proceeds as may be necessary to defary the expenses of executing this trust, including a trustee's commission of five per centum, the fees for drawing and recording this deed if then unpaid, and to discharge the amount of money then payable upon the said debt, and if there be any residue of said purchase money, the same shall be made payable at such time, and se-

This Deed, made this 29th day of July in the year one thousand eight hun dred and ninety between Keturah Jones the wife of Henry L. Jones and the said Henry L. Jones of the County of Isle of Wight State of Virginia of the first part, and Wm. R. Cox, chosen as Trustee, of the said County and State of the second part. Witnesseth: That said parties of the first part do grant unto the said party of the second part the following property to wit: All that certain tract of land on which the parties of the first part now reside in the County and State aforesaid, containing 145 acres be the same more or less, adjoining A. Benja. Drew Col. C. H. Hart & others, being the same land conveyed to the parties of the first part by the said C. H. Hart by deed dated Feby 1st. 1890, & duly recorded in the Clerk's office in D. B. _____ p. ____, reference to which may be had. And all the right title and interest both at law and in equity & both present & prospective of the parties of the first part in and to all the real estate of the late John Jones & Roseanna Jones his wife, in the Co. of Isle of Wight, estimated to be 200 acres more or less, and in the Co. of Surry in the State aforesaid estimated to contain 300 acres, more or less, the said interest being anundivided one-sixth in and to both of the said tracts, the said Henry L. Jones being a son & heir at law of the said John and Roseanna Jones, his wife dec'd: the said interest of the said Henry L. Jones was conveyed to the said Keturah Jones by deed dated ____ day of _____ 1887, & duly recorded. The land in in Surry Co. Va. belonged wholly to the said John Jones, & it is hereby intended to vonvey all the interest of both the parties of the first part. in and to all of the said land. In Trust, to secure to C. H. Hart, his heairs or assigns of Isle of Wight County, Virginia, the payment of the sum of $750.00 eveidenced by a bond dated Feby. 1st 1890 & payable on demand with interest from date to

Sufficient and legal service of this notice is hereby acknowledged by us 21 Dec. 1891.

W. F. Allen & Co. Plaintiffs
by Wilbur J. Kilby, their Counsel.

Executed by delivering a copy of this Notice to Henry L. Jones, Kilbrook Jones his wife Ezikiel W Jones A. J. Turner E. C. Crocker C. H. Hook. and W. R. Cox Exct.
Jany. 4th 1892.

Ro. A. Edwards Shff.

W. F. Allen & Co
vs.
H. L. Jones et als.
No. 23 - Jany. 1892.

Commissioner's Office,

Isle of Wight Courthouse, Dec. 5th 1891.

To Wm. F. Allen and James T. Boraud, late merchants and partners in trade, doing business under the name and style of W. F. Allen & Co. Plaintiffs,

And to Henry L. Jones and Rebecah Jones his wife, Ezekiel W. Jones, Emanuel C. Crocker, Andrew J. Turner, Charles W. Hart, trustee, individually & as admr. of Jno. Jones decd; and W. R. Cox trustee. Defendants:

You are Hereby Notified that I have fixed upon the 22. day of January next, if fair, if not, the next fair day thereafter (Sunday excepted), to take and settle, at my office, aforesaid, the following accounts: 1st. An account of the debts due by the defendant Henry L. Jones and secured by judgment lien or otherwise, on any real estate of which he may have been at any time, or may be now, seized and possessed, including the debt due to the complainants as alleged in the Bill, and their priorities. 2nd. An account of such real estate as the said Henry L. Jones may have been at any time, or may be now seized and possessed, subject to the liens of said debts, together with its fee-simple and annual values. 3rd. An account of any matters deemed pertinent by the comm'r, or which may be required by any of the parties &c.

Required to be taken by decree of Isle of Wight Circuit Court, rendered on the 20th day of October, 1891, 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 Commissioner of the said Court, the day and year first aforesaid.

N. P. Young

Commissioner.

Form No. 309.

Kilby D. J. Comm'r,

to } COMMISSIONER'S BOND.

Commonwealth.

A copy,
Filed July 22, 1892

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 309.

Know all men by these Presents, That we Wilbur J. Kilby and L. Clay Kilby are held and firmly bound unto the Commonwealth of Virginia, in the sum of Five Hundred Dollars, to the payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our Homestead Exemptions as to this obligation, and any claim or right to discharge any liability to the Commonwealth arising under this bond, or by virtue of said office, post or trust, with coupons detached from bonds of this State. Sealed with our seals, and dated this 10th day of July one thousand eight hundred and ninety two.

The Condition of the above Obligation is such, That if the above bound Wilbur J. Kilby shall faithfully perform the duties of his office or trust, as Commissioner of sale under a decree of the Circuit Court of the County of Isle of Wight pronounced on the 20th day of April, 1892, in the suit therein depending under the name and style of W. T. Allen & Co. against Henry L. Jones et als. or any other decree in said suit

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in the presence of

Wilbur J. Kilby SEAL.
L. Clay Kilby SEAL.
SEAL.

City of Norfolk, to wit:

In the Clerk's Office of the ~~Court of the~~ Court of the ~~of~~.

This day L. Clay Kilby surety on the above bond, made oath before me, Thomas O. Hare Notary Public Clerk of the City ~~Court of the~~ of Norfolk that his estate, after the payment of all his just debts, and those for which he is bound as surety for others and expect to have to pay, is worth the sum of Five Hundred dollars. And he also acknowledged said bond to be his act and deed.

Given under my hand this 10th day of July, 1892.

Teste: Thomas O. Hare Clerk.

A Copy
Teste, T. O. Hare clk.

W. J. Kirby. Esq
Guilford
Vt.

Sorry Mr.
Rec'd 1 1891
Judgment of Nil Capias
& Co. against H. L. Jones
Docketed May 22 1888
Rec'd
A. J. Evans
Clk

WILBUR J. KILBY,
Attorney at Law.
Courts:
Nansemond, Isle of Wight and Southampton
Counties, and
United States Courts at Norfolk.

Suffolk, Va., 30 Nov. 1891

N. P. Young Esq.

Dear Sir:-

In the Chy. suit of Allen Heo. vs. Henry L. Jones Exrs. in your Circuit Court, I gave Judge Hill a decree which he said he would enter during his last term referring the case to a Comr. to take an account of debts etc. If the decree was entered, take charge of it and the papers, please, and in due time proceed to execute the decree, as Comr. I will acknowledge service of the notice for

the Plaintiffs

How stands the case of Pittman vs. Pinner? Has your report been filed? If not, I hope you will be able to file it soon. I leave it to you as Comr. to require Holland to conclude his side of the case. Please hurry him up.

Yours truly
Wilbur J. Kilby

WILBUR J. KILBY,
Attorney at Law.
Courts:
Nansemond, Isle of Wight and Southampton
Counties, and
United States Courts at Norfolk.

Suffolk, Va., 21 Dec. 1891

A. P. Young Esq.
Dear Sir:—

I enclose your notice in W. F. Allen Exo. vs. H. L. Jones Exrs, with service acknowledged for the Plaintiffs.

The judgment of Plaintiffs was docketed in Surry 22 May 1888, which gives it priority over C. H. Harts deed of trust on the land in that County. I enclose postal card from A. S. Edwards, showing date of the docketing. You can file it with your report.

Yours truly
W. J. Kilby

(over)

P. S. Judgments may be docketed vs. H. L. Jones in Surry, though I know of none, but it will be necessary for you to ascertain whether there are any there, or other liens in order to determine the order of liens on the land in that Co.

W. J. K.

Mr. Kelby's order
for board, which
was sent to him
by mail Nov 5, Nov,
1892
A. P. Tomyn

WILBUR J. KILBY,
Attorney at Law
—
Courts:
Nansemond, Isle of Wight and Southampton
Counties, and
United States Courts at Norfolk.

Suffolk, Va., 17 Nov. 1892

N. P. Young Esq.

Dear Sir:-

If Judge Hill entered the decree in the case of W. A. Allen Adm. vs. Henry L. Jones Exrs. which I left with you, send me a copy of it and also send me the bonds which the decree directs me to collect. I will send you a receipt for the bonds.

Yours truly
W. J. Kilby

them direct to you and take a single receipt therefor.

Yours truly
W. J. Kilby

WILBUR J. KILBY,
Attorney at Law.
Courts:
Nansemond, Isle of Wight and Southampton
Counties, and
United States Courts at Norfolk.

Suffolk, Va., 17 Nov. 1892

N. P. Young Esq.
Dear Sir:—

Yours of 15th. instant is at hand enclosing the bonds of C. H. Hart and J. O. Branch which were filed with my report of sale in the Chancery Cause of W. F. Allen Adm. vs. Henry L. Jones &als.—each of the bonds being for the sum of $85.00

I would be obliged to you if you will not send out your bills for fees in the Case for collection, but retain them in your office, as I much prefer to pay the money in settlement of

Return to WILBUR J. KILBY,
Lock Box 106, SUFFOLK, Va.,
If not delivered within 10 days.

Mr. Kilby
receipt for
bond, in
allowed by Mr. Young

L. P. Young Esq.
Isle of Wight C. H.
I. of W. Co.
Va.

VA.

Kolby

Kolby
Letter

Wilbur J. Kilby,
Attorney at Law.

Suffolk, Va., 28 Sept. 1894

Mr. N. P. Young.
My dear Sir:-
I enclose a report which please file on Monday (Octo. 1st.) in the suit of W. F. Allen Sec. vs. Henry L. Jones Sals. I also enclose a decree to be entered in the suit at next term of Court.
Will you be able to file your report in the Pittman-Pinner case in time to be considered at next term of your Circuit Courts.

Yours truly
W. J. Kilby