

1908-020 Chancery Causes, William Carr + James Aris vs James Darden's admr & al
Dele of Wight County

other surnames: Edwards,
Young

Edw. Correll als

vs. { In Chanery

James Darden & admr. et als

Oct. 1883. Rpt. confut
De to collect, distribute
made deed etc -

Dismissed June 1, 1908

Complets. Bill

Sept. Rules, 1881.

Bill & filed & de. nisi
in adult depts.

Edw. ad litem appd.
infant depts & their
answ. filed.

Oct. Rules 1881.
Bill taken for conf.
as to adult depts. & set
for hearing.

Oct. 1881.
De. for ^{admt. of down} ~~penitence~~ &
anct. " "

Oct. 1881. De. for sale
Octo. " De. to collect
of property etc.

To the Circuit Court of Ill of Wright
County.

The joint and several answer of
Moses Darden, William Henry Darden &
Nancy Darden, by N. P. Young their guardian
ad litem, to the Bill of complaint
filed against them to them in this
court, by A. M. Carr & James Davis
complainants,

These defendants, for answer to the
said Bill, reserving all right
of exception to for answer say that
they are infants under the
age of twenty one years. That they
neither admit nor deny the
allegations in the plaintiffs bill
but being infants, submit
their interests to the protection
of the Honl. Court. And
having answered, pray leave
to be dismissed, with their
costs in this bill of complaint,
And will con. pray &c.

N. P. Young guardian
ad litem

And your complainants pray that in consideration of the fact that they by their counsel has been burdened with the trouble of committing the estate and assisting Commissioners to assign to Oliver in their words and in asking for the appointment of the same for the advantage of all parties that he be allowed a reasonable fee in addition to the fee taxed by the Statute. That your complainants pray for ^{such} other, further and general relief as is agreeable to equity and conscience. And your complainants will ever pray &c. Let a subpoena go.

W. S. Holcomb p. y.

Aug. 26th 1881.

annual profits & rents of said real estate excepting widows dower for the space of five years be insufficient to pay costs of this suit and aforsaid in debtredness the said real estate be sold at public auction and proceeds applied as above indicated. That the ofrsaid Commissioner report to this Court along with ofrsaid acc'ts the annual and fee simple value of said lands of which said James Borden died seized and possessed as well any other fact which the parties may require or by judgment meet to be reported.

And at the instance and request of said widow and for the better promotion of justice your Complainants pray that Commissioners be appointed to assign to said Widow as & for her dower by metes and bounds one ^{third} in value of the real estate of which said James Borden, ~~her~~ husband, died seized and possessed.

Equity where such matters are cog-
nizable your Complainants pray
that said L. B. Edwards Sheriff &
Admr. of said James Sorden's estate,
said Magdalene Sorden widow
of said James Sorden dec'd and
said infants, to wit:

and Mary Sorden be made par-
ties defendant to this bill and
be required to answer the same ac-
cording^{to} the best of their knowledge, in-
formation and belief and that a
guardian ad litem be appointed
for said infants to defend ~~them~~
in this suit;

And your Complainants also pray
that the said L. B. Edwards be re-
quired to make an account be-
fore a Master Commissioner of
this Court of his doings and
transactions as Admr. of said
estate, that account be taken
before said Commissioner of
the indebtedness of said estate
showing priorities and dignity of
several debts, That if said
personal estate together with the

That by a certain ^{writing} obligatory under seal dated on the 15th day of Septem in the year 1865 made and executed by said James Borden the said James Borden promised and bound himself to pay unto Halland Borden or order the sum of "seventy dollars and ninety five cents" good and lawful money of Virginia - that said note or bond is endorsed by Halland Borden.

Said note or bond is filed among these papers and asked to be read as a part of this bill;

That said William Corr is a bona fide holder and owner of said note or bond. That on the 14th day of January 1876 the sum of twenty (\$20) ^{dollars} was paid on said bond - that on the 27th day of April 1881 the sum of four dollars and fifty cents \$4.⁵⁰/₁₀₀ was also paid on said bond - that excepting these last two said payments the sum named in said bond nor any part thereof has never been paid and remains unpaid.

And whereas your complainants are remediless save in a Court of

ards, sheriff of said Isle of Wight
County as shown by order of said
Court, a copy of which "Worked
Exhibit A" is filed with these
papers and asked to be read as
a part of this bill;

That said James Sorden was the
duely qualified guardian of your
complainant James Avis and that
on the day of in the year
187 the said James Sorden
made an account before A. P.
Young, ^{the} Commissioner of Accts for the
said Isle of Wight County of his
doings and transaction with
the said word one of your complain
ants and his estate and that
by said acct he was indebted
to James Avis one of your complt.
in the sum of

 dollars which sum of money
nor any part thereof nor any interest
thereon has ever been paid to your
complainant. A copy of said
acct showing said amt due is
herewith filed and asked to be
read as a part of this bill. Worked
"Exhibit B." That the estate of said
James Sorden is further indebted to James Avis one
of your said complainants for work & labor done
at the instance and request of said James Sorden
by open account to the amount of one hundred
dollars

To the Honorable George Blow
Judge of the Circuit Court of
Isle of Wight County, Virginia:

Humbly complaining represent
to your Honor, your Orators, William
Carr and James Avis of the county
and state of aforesaid; that on or
about the day of in the year
1877 James Borden departed this
life leaving a widow Magda
lene Borden and three infant chil
dren, to wit: Mary + Abner and Ron
ey Borden his only heirs at Law

That said James Borden died
seized and possessed of a very small
personal estate and of a consider
able real estate lying in the coun
ty of aforesaid bounded by the lands
formerly belonging to Elom Rhodes
decd and others and that he
died intestate;

That there has been appointed
no administrator until on motion
of one of your complainants at the
August term of the county court
in the year 1881 the said estate of
James Borden decd. was commit
ted to the hands of L. B. Edw

Receipt given of the sum
of \$10.00 Edward adw

Wm. Carr & James
Adis

to, } Saml. in
Chm

Jas. Dardens adw,
et al.

To Sept. Rules 1881.

W. J. Holland per

Executed by delving
to the within name
May Delana Dardis
a lin Copy of the
within Decisions

Aug. 30th 1881

L. B. Edwards
Shiff

The Commonwealth of Virginia,

TO THE SHERIFF OF THE COUNTY OF ISLE OF WIGHT, GREETING;

We Command You, TO SUMMON *L. B. Edwards Sheriff & admor. of*
James Darden decd; Magdalen widow of said James Darden; and Moses
Darden, William Henry Darden and Nancy Darden, last three infants,

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 William Carr and James Avis who
are for themselves &c.

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 *23rd*

day of *August* 188*1*, in the *100th* year of the Commonwealth.

N. P. Young *clerk*

Paid to J. J.
 Rhodes.

all
 com.

$ \begin{array}{r} 51.59.68 \\ \hline 2928 \\ 4385 \\ \hline 4385 \\ 70160 \\ \hline 58121/2 \end{array} $	$ \begin{array}{r} 87.70 \\ \hline 58121/2 \\ 91112/3 \\ \hline 58121/2 \end{array} $
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Estate of James Gordon

To Jas. E. Avis Sr.

} To services as executor
for 12 months

\$100

Dec. 31. 1876

Carroll's.

m.  Copy
Garden for

Copy art. of
Rebbs.

An account of the debts outstanding and
unpaid against James Darden Dec.

Debts of 1st & 2^d Class - Now.

Debts of 3^d Class. To wit:

Holl?

Debt due to the self James Avis on
gov. act.

87 70

Int. from 1 July 1872 to 20. Apr. 1882

57 59 139 29

Debt due to John H. Avis by bond
executed by James Darden on 1st July 72
for advance due him on gov. act. and
transferred to James Avis. for

87 70

Int. thereon as above.

57 59 139 29

Debt due to Martha A. Avis by
bond for do. do.

87 70

Int. thereon as above

57 59 139 29

Total debts of 3^d Class & 1st dignity

\$ 417 87

Debts of 4th Class. To wit:

Debt due by bond to self W. Carr
of Holland Darden, dated
& due 15th of Sept. 1865. for

70 95

Int. thereon to 20th Apr. 1882, at

\$26²⁵ of int. paid on the bond

44 10 115 05

Debt due James C. Avis by act.

100

Int. thereon from the 31. Dec. /76 to do.

31 83 131 83

Total debts of 4th Class, 2^d dignity -

\$ 346 88

Debts of 1st dignity, but. down 5

417 87

do. " 2^d " " "

246 88

Total debts proved

\$ 664 75

Accepted Teste, J. P. Young, clk.

Carr et al.

on. $\frac{2}{3}$ In clu.
2
Dardenus admt.

Report of the
assignment of
debt to the order
of James Dardenus.

Filed, Feb. 10th
1887.

To the Hon. Jas. Brewster Judge of the
Circuit Court of Isle of Wight County
We the undersigned three of the
Commissioners appointed by a decree
rendered at the Oct. term 1885 in
the suit of Carr et al. vs. James Borden
Admr. et al., a copy of which is herewith
filed and asked to be read
as a part of this report, to assign
dower to Magdalene Borden
widow of said James Borden
one equal third, having reference
to quantity and quality of the
lands of which said James Borden
died seized and possessed, by leave
to report that after being first duly
sworn did on the 14th day of December
1891 view the said premises and
we do allot and assign to said
Magdalene Borden as and for her
dower to have and to hold for her
own natural life all the lands
south of the County Road leading
from Suffolk Va. to Copper's
Bridge ^{supposed to contain forty five acres} of the lands of which
said James Borden died seized
and possessed— Respectfully submitted—
J. S. Halloran, J. J. Rhoades,
J. J. Spivey.

Wm Carr et al.

vs. $\frac{2}{3}$ In ch.

Jas. Darden's adm. et al.

Concur. Hingst et al
under decr of
Cts. term 1887.

Filed 1st. March
1882.

said James Darden did seized and taken
with its in simple and annual value. Your
commissioner, on the 8th day of December last,
issued notices to the parties, plaintiffs and
defendants, and also posted notice at the Court
house door of said county, on two consecutive county
court days, to the creditors of said James Darden,
that he had filed upon the 9th day of February
1882, to take and settle at his office, the accounts
so required. That said notices were duly served
on the parties and returned to your commissioner.
That the said L. B. Edwards shff. and auditor,
appeared and stated that nothing had been
received nor disbursed by him, and hence
no account of his transactions is made.

That from the evidence before your commissioner
he has made up the foregoing accounts A & B.
Account A. shows the outstanding debts
against said James Darden to be \$664.⁷⁵ - of
which the debts due, respectively, ^{James Avis} to John H.
Avis and Martha H. Avis are of the first dig-
nity - and the remainder of the debts are
of the second dignity. Account B. shows
the value of the real estate of which said
James Darden did seized, in simple, to
be \$400. 00 and the annual value thereof \$50. 00

Given under my hand as a commissioner of
the said Court, the day and year first afore-
said.

Time employed in issuing
notices, taking evidence & making
and reporting acct. \$9.00

A. D. Young Comr.

costs before court shff. \$2.50
\$11.50

An account of the real estate of which
James Darden died seized and possessed,
with the fee simple and annual value thereof.
To wit:

A Tract of 17 1/2 acres lying in the
county of Isle of Wight, adjacent to
the lands of
which James Darden acquired by
purchase & comprised of one tract of 14 1/2 and 2 1/2 acres
Valued in fee simple at

\$ 400 00

Annual value thereof

\$ 50 00

Commissaries Office, Isle of Wight
Court House, February 9th 1889

To the circuit court of said county.

Your commissioner reports to the court that,
pursuant to a decree of said court rendered at
the October term last, in a suit in chancery then
pending between William Carr & Co. plaintiffs
and L. B. Edwards shff. & admor. of James Darden
died: and others defts: directing a commissioner
of the court to take, with respect the following
accounts. First: an account of the transactions
of L. B. Edwards shff. & admor. of said James Darden
died: Second - An account of the debts outstanding
and unpaid against said James Darden. and
Third - An account of the real estate of which the

An account of the debts outstanding and unpaid against James Darden decd.

Debts of 1st. & 2nd. Classes - None.
Debts of 3^d Class - To wit:

Debt due self James Avis on gov. acct. 87 40
Int. thereon from 1st. July 1842, to 20th April 1882 57 59 139 29

Debt due to John H. Avis by bond executed by James Darden on the 1st day of July, 1842, for a balance due to him on guardian account, for... 87 40
Interest thereon to 20th of April 1882 57 59 139 29

Debt due to Martha A. Avis by bond executed same day for same consideration 87 40
Interest thereon do. do. 57 59 139 29

Total debts of the 3^d Class - 1st. dignity - 417 87
Debts of the 4th Class. To wit:

Debt due by bond to the self J. D. Gann of Holland Darden. date & due the 15th Sept. 1865. 70 95

Interest thereon to 20. April 1882, @ 6% 26.50 of interest paid on the bond 44 10 115 05

Debt due to James C. Avis by acct. 100 00
Int. thereon from the 31st Dec. 1846 31 83 131 83
Total debts of 4. Class & 2^d dignity. 246 88

Debts of 1st. dignity but down 417 87
" " 2nd. do. " " 246 88
Total of debts proved 664 75

Comr. Holland, &c.

Refd

Oct. Term 1882

Filed Oct. 20, 1882.

Recd. of clerk of circuit court of Isl of W. & C.
with the two bonds of James E. Davis & others, due
six & eighteen months from 5th of Jan 1880, and
the first bond of Geo. J. Rhodes & others due six months
from same term which were returned with this
report & ordered to be collected by me, by virtue
of Dets. Term 1882, in this cause. *Filed 17/83.*

W. S. Holland
Att.
Comr. $\frac{11}{11}$

3rd class (Equiducary debts) debts to the
Amount of \$415.87 owned and controlled
by said James Avis against said
estate And also \$139.29 in 4th
class due to said James Avis for labor,
your ~~consideration~~ in consideration
thereof respectfully recommends that ~~said~~
he be allowed to make to said James
Avis a deed for his part of said
land and apply the purchase price
to pay said debts of the 4th class, and
enough of lost debt to make out
the said \$453.20 And that your
Comm^r be allowed to collect the
first bond made by said John J.
Rhodes And to pay out of the
same the debt of \$115.05 to said
plaintiff, ~~was~~ ^{was} Comm^r, and to pay rest
of said first bond of said John J. Rhode
to said James Avis on his lost
debt due him -

Very Respectfully
W. J. Holland

Spe. Comm^r V¹¹

Atts. fee & writ tax	\$16 50
Clerks fees	9 92
Shiff. ..	3 00
Commissions in Chan. - Journey	9 00
Commissions on \$595	17 85
" " \$500	~~21~~ 00
Common Crier	5 00
Printer, West, Johnson & Co	3 50
Total costs paid	\$85 77

Of which the said James Avis paid the sum of \$46.77 and the said John F. Rhodes paid \$39. leaving as deferred payments \$453.20 and \$178. to said Avis & Rhodes respectively for which the said James Avis tendered Thomas Borden and John F. Rhodes as surety on his bonds herewith filed and the said John F. Rhodes tendered James Avis and James E. Rhodes as his sureties on his bond herewith filed which sureties on each of said bonds given Commissions regard good and sufficient. And the said Court having sold for more than double the fees in fee value as shown by Comr. Young's report your com^{rs} respectfully recommends that said sale be confirmed, and whereas there are on Comr. Young report of debts in the

Corr & Avis

vs
Borden & Adams et al.

To the Hon. her. slow Judge of the
Circuit Court for Isle of Wight County:

The undersigned your special Commissioner appointed by a decree of this honorable court at the April term 1882 begs leave to make the following report:

That in pursuance to terms of said decree after advertising by printed posters as therein required on the day of June 1882 it being court day before said court some doer did proceed to sell ^{at public auction} on the terms and conditions of said decree the land in these proceedings mentioned in two separate tracts - that John F. Rhodes becoming the highest bidder for the piece on the "west side of the old mill run" it was put down to him for the sum of three hundred and ninety five dollars (\$395). And James Avis one of the plaintiffs in this suit becoming the highest bidder for the piece of said tract on the "East side of said old mill run" it was put down to him for five hundred dollars (\$500) - the following costs your Court^y required in cash which was paid:

Carr and Avis

Pltf.

vs.

boardman and wife et al Dft.

Residence Isle of Wight

Date 1881

Am't \$ -

Salient Points Chancery Cause

Report of Judge Boardman

IF NOT CALLED FOR IN TEN DAYS RETURN TO
W. S. HOLLAND,
ATTORNEY AT LAW,
WINDSOR,
ISLE OF WIGHT, COUNTY VA.

Red Payment of W. S. Howland
L. B. Edmunds

W. S. Howland
L. B. Edmunds

	M. William Carr. - Maria Carr
1851 Aug	To Dring School for the ga 7th Co. Ex. written. L. B. Brown adms. of Dr. Darden, and Mag. Licens. Darden
Decr	13th Co. Ex. Court Notice on James Carr William Carr. Magdalena Darden & L. B. Brown adms. of Dr. Darden
	\$ 1.00 \$ 2.00 \$ 3.00

Rec'd of W.S. Holland, Spe. Commr in
Carr & Co's W. Gorden's adm^r et al^s,
five dollars (\$5) for services as com-
mon Crier in selling Gorden
tract of land.

June 30th 1882

A. M. Eley
Common Crier

KRANICH & BACH PIANO AGENCY,

THE BEST, THE CHEAPEST, THE SWEETEST TONE, AND KEEP IN TUNE LONGER THAN ANY OTHER.

THOS. JOHNSTON, }
M. WEST, }
J. M. SKINNER, }

Richmond, Va., *April 26th 1882*

Mr W S Holland

Bought of WEST, JOHNSTON & CO.,

Booksellers, Stationers, Blank Book Manufacturers, Binders, and Printers.

☞ Orders Promptly, attended to.

We are not responsible for Goods Sent by mail.

NO. 911 MAIN STREET,
BETWEEN NINTH AND TENTH STS.

300 Land Advertisements - 2 forms. 3.00

Paid May 13/82
West Johnston & Co

Carriage stop.

no. 3 Incl.

Board stop.

Bill of costs.

Carr et al. vs. Darden et al. - In Chy.
Bill of costs to including Apr. term, 1887.

Atto. for writ tax 16.50

Clerks fees including extra copy costs - 9.92

Shff. " 3.00

Comm. in Chy. for - Term - 9.00

\$ 38.42

Test, A.D. Spruay clk

Com & vs
vs { In chancery
Jo. Gordon's admr, et al

To the Hon. Geo. Blow Judge of the
Circuit for Isle of Wight County.

Your Commissioner, the under
signed who was ordered by a decree
of this Court rendered at the October
Term 1882 to collect the bonds made
and by Geo. E. Vais one of the com-
plainants and one of purchasers of
one piece or parcel of land sold
under a former decree in this
cause, and the first bond for first
deferred payment for the other tract
of land sold under said former
decree in this cause and to pay the
proceeds to the parties or their attor-
ney; begs to submit the following
report.

On the 20th day of February A.D. 1883
your Commissioner in pursuance to the
terms of said decretal order of this hono-
rable court collected from said James
E. Vais the sum of four hundred and
seventy two dollars and forty six cents, it
being the amount of principal and
interest to date due by James E.
Vais on two bonds for \$226.60 each
dated on the 5th day of June 1882;
And from John F. Rhodes the purchaser of

the piece of land on the west side of the
old mill run' the sum of one hundred
and eighty six dollars and sixty one
cents, it being the amount of interest
& principal due from said John
J. Rhodes on a bond for \$179 dated
on the 5th day of June 1882, which
sums of money collected from said
Tvis and Rhodes as aforesaid, sum-
ming up \$659.01 was received by your
Commissioner as attorney for said Home,
Tvis and Williams Cor plaintiffs in
this cause and paid over to said
Cor & Tvis as shown by their
receipts herewith filed.

W.S. Halland
Clerk

Wm Luck

\$7.03

2.50

20.00

12.00

13 1.53

13.15

14 4.68

35-

6

2.10

24.50

3 7.10

Bill note -

Mule

More cart

8 bags

cart & wheels

Feb 20, 1883

Recd -

Recd -

Received of W.S. Holland five hundred and sixty seven dollars and eighty five cents (\$567.85) in full of all claims against Josnes Borden's estate due to me and as assignee of J.H. & W. T. Davis.

July 20th 1883

James E. Davis

Assignee of J.H. & W. T. Davis

118
27
91

76

Received of W.S. Holland ninety one dollars as assignee of a bond payable to Holland Borden and made by Josnes Borden as proved in an act of debts in court vis to Borden's Adm^r et al. in full payment of the same.

July 20th 1883.

William ^{his} Carr,
mark

Witness

John J. Rhodes,

91
15
76

472.46
60.39
35.00
5-679.85-

$$\begin{array}{r} 87.70 \\ \hline 263.10 \\ 100 \\ \hline 363.10 \\ \hline \end{array}$$
 Int. 10 mo. April 20 to July 20

$$\# 18.15750$$

$$\begin{array}{r} 453.20 \\ \hline 181280 \\ 11330 \\ \hline \end{array}$$
 Int 8 1/2 mo. June 1st 82 to July 2nd 1883 -

$$\# 19.2610$$

$$\begin{array}{r} 472.46 \\ 1866 \\ \hline 659.06 \end{array}$$

$$\begin{array}{r} 179- \\ \hline 44 \\ \hline 712 \\ 45 \\ \hline \end{array}$$

$$\# 7.61$$

$$\begin{array}{r} 179 \\ \hline 186 \end{array}$$

15th March 1884
 paid
 9/197.09

Statement showing amt due Jos. E. Avis
 And what he owes on bond also
 Amt due by John J. Rhodes on
 first bond to July 20th 1883

in Court

7.0 sept

"

"

Amt due J. E. Avis assignee of J. H. Avis \$139.29

" " " " " " " " M. A. " 139.29

" " " " " " " " Guardian a/c. 139.29

" " " " " " " " Open a/c. 131.83

" Int. on debts from 20 April 1882

to 20th July 1883

18.15

" Total Jos. E. Avis in all - \$567.85

" " by J. E. Avis to W. S. Holland 472.46

on two bonds 95.39

" Int on same to July 20th 1883 19.26

Total due W. S. Holland Court 472.46

\$567.85 - \$472.46 = \$95.39 - \$35 = 60.39.

567.85
 472.46
 95.39

Amt due from J. J. Rhodes to W. S. Holland Court

on bond with int. to July 20th 1883 \$185.61

118 Wm Court

95.39 Jos. E. Avis

213.39

185.61 due by J. J. Rhodes

27.78 due Wm Court

118
 27.78
 90.22

THE ESTATE OF WM. H. DARDEN DECEASED, IN ACCOUNT WITH WM. S. HOLLAND,
HIS EXECUTOR.

1899.

FebY/	To paying clerk taxon probat of will and quallification.	\$ 3.00
	Attorney's fee on probat.	10.00
Feb. 15th.	To paid for notices of sale	1.00
" 21st.	To paid R. A. Edwards, Auctioneer,	5.00
" 28th.	To paid for burial lot,	2.50
	To paid for digging grave,	2.50
	To paid for bricking same,	18.00
	To paid for casket and burial	75.00
March. 2nd.	To paid Dr. Butts for attendance in last illness	32.50
	To paid taxes for 1898	27.30
" 6th.	To paid insurance on house	8.00
November 11th.	To paid Rose Darden, legatee of Geo. W. Darden	5.00
Jan 14th.	To paid same " "	1.00
	To paid 5% commissions on \$242.14	12.11
	By proceeds of sale of chattel estate,	242.11
	To balance due the estate,	19.23
		<u>"242.11 \$242.14</u>

By balance due the estate,	\$19.23
To paid N. S. Darden,	\$16.66
To paid Harper, West & Dobie,	.26 .26
To paid R. T. Goodson, trustee,	2.26
To paid H. M. Campbell, trustee,	.05
	<u>\$19.23 \$19.23</u>

An abstract from the report of Commissioner George R. Atkinson in the
suit of Darden's Executor vs. Darden et als.

"He (the commissioner) has stated and returns herewith an account
of the transactions of Wm. S. Holland, Executor of Wm. H. Darden, de-
ceased, marked "A", and finds that the said executor is indebted to the
said estate on the 12th. day of March, 1901 in the sum of \$19.23, which
sum should be divided ratably among the creditors of the said Wm. H.
Darden, of the 5th. class."

A Copy, Teste A. B. [Signature] Secy. of [Signature]

Wm Con & Jos Ais
vs. } In chancery -
Jos. Gordon's admr
Decem
1881

Oct. Court

To be entered
Geo. T. Snow,
1

Executed 36

in lands where of the said James Borden
died seized and possessed as an estate
of inheritance, to have & to hold said
one third part for the term of her nat-
ural life as & for the dower of the
said Magdaline in said lands &
make report to this court;

And that a Commissioner of this
court took and report to this
court the following accounts—

First— an account of the ~~deeds~~
transactions of the said L. B. Edwards
as sheriff and admr. of the said James
Borden decd. Second. an acct. of
the debts outstanding and unpaid
against the said Geo. Borden, Third
an Acct. of the real estate estate
of which said Geo. Borden died seized
and possessed with the fee simple
and annual value thereof together
with any matters deemed pertinent by
himself or that any of the parties
may ask to be stated.

Wm. Carr and James Tris
vs { In Chancery
James Gordon's admr. et al

This cause come on this day to be heard on the bill of Complaint taken for confessed as to the Adult Defendants L. B. Edwards Sheriff And Adm^r of Jas Borden dec^d. and Magdalena Borden on whom process has been duly served, they failing to appear, answer or answer plead, and on the exhibits filed and on the answer of the infant defendants, Moses Borden, William Henry Borden and Nancy Borden by N. D. Young their Guardian ad litem and was argued by Counsel. On consideration whereof the Court doth order adjudge and decree that John J. Rhodes, Jas. J. Spriny, J. L. Freeman, Jas. T. Rolland and A. B. Johnson be appointed and they are hereby appointed commissioners who or any three of them, being first duly sworn shall well & truly allot and assign to the defendant Magdalena Borden, widow and relict of James Borden, dec^d. by meter ^{having due regard to quantity & quality} and bounds, one full and equal third part in quantity and quality

to am ~~for~~ of tabs.
v { in Aug.
abstract from
Deer

Darius adms. re

=

Acts. Ch. 1881

8th Oct. Notice to

to deliver to ship

For Am. of
Acts

In the direct court of Sale
of weight levies - Octo- 24th 1881.

Wm. Larr + Jas. Avis.

Comptrol

v³ Le Chic.

James Darden admr. et al.

Def-Is

And the court doth further
adjudge, order and decree that
a committee of this Court take
and report to this Court the
following accounts.

1st

An account of the transactions
of the said L. D. Edwards as shff.
and admr. of the said James
Darden decd.

2^d

An account of the debts outst-
anding and unpaid against
the said James Darden.

3^d

An account of the real estate
of which the said James
Darden, decd, seized & possessed
with the fee simple & annual value
thereof, together with any matters
deemed pertinent by him-self
or required by any party to be
so stated.

A copy

Teste. W. A. Edwards S. C.

Is an ~~found~~ lab.
v { in Chry.
abstract from
Deer

Darius adurr. re

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Acts. Ch. 1881

8th Dub. Notice to

delivered to ship.

Per Am. inf
Acts

Copy of all
15th In char. copy
3
London & Admrs
de cur

To be entered
April term 18th
Geo. Blow.



Entered to

Don et al
vs In slavery
Ordained & entered et al

Alfs

Alfs

This cause came on this day to be again heard on the report formerly read, on the report of Commissioners to assign dower, on the report of J. P. Young Comr stating an acct. of debts, if land be - and was argued by ^{a general replication thereto} counsel on consideration whereof the court doth order, adjudge and decree, there being no exceptions filed, confirm the said reports: that W. S. Toland who is hereby appointed a commissioner for that purpose after giving thirty days notice by hand bills printed and posted at sundry public places ^{to the highest bidder at the door of the C. House} sell ~~on~~ ^{on some court day} the land mentioned in the bill subject to the widow's dower as laid off, in said report in two tracts or parcels one, all the land on the west side of the old mill run, 2nd tract, all said land on the East or other side of said old mill run, on the following terms - To each a sum

sufficient to pay expenses of sale and
costs of suit including a fee to W.S.
Hall and of \$ in addition to
the statutory fee. the rest on a credit
of six and eighteen months taking
a bond and security for deferred
payments and reserving title till further
orders of this court. And the said
W.S. Hall and before selling said property
shall execute a bond payable to the
Commonwealth of Va in the penalty of
(\$1200) twelve hundred dollars condi-
tioned to faithful performance of
his duties as said Commissioner made
by this or any other made in this court.

and who is appointed a special commissioner
for that purpose make and execute
to said James Tois his heirs & assign-
ees forever a good and sufficient
deed with special warranty for the
lands in these proceedings mentioned
and described purchased by
him the said James Tois and
that the said W.S. Holland make
report to court of his doings
and transactions under this
decree.

Court Atty
203 1/2 m. from
Sunderland at 10.45

decrees

Oct. 11, 1882

To be entered -

James Tois.

Entered 11/11

Wmth Carr & James Avis. Pliffs.
vs.
James Jordan's adm^r, et al Defs.

This cause came on this day to be again heard on the papers formerly read and on W.S. Holland's ^{as filed herewith} report and was argued by Counsel on consideration whereof the Court doth order, adjudge and decree that said report be confirmed, that said be also confirmed - that said W.S. Holland special Commissioner be directed to collect the first payments on said bond from said James Avis and John F. Rhodes when due and if the said James Avis so desires; to collect both deferred payments from him and upon said payments being paid with all accrued interest by said James Avis, to pay some or a sufficient portion thereof to satisfy the debts named in 5th class of Court's report to J.H. Avis, Martha Avis, and James Avis. And after paying debts named in 5th class of said report to pay debts named in 4th class pro rata out of the amount paid by Avis & Rhodes,

And upon the payment by said James Avis of both deferred payments with all accrued ^{interest} it is ordered that W.S. Holl

Can & avis
25
Jensen

Secrecy

24 Oct. 1883

To be entered

Geo. Brown.

Entered No 26.

Corr & Avis
vs.
Birden & Am^r et al.

This court come on this
day on the papers formerly read
and on the report of W.S. Hollond
special Commissioner and was agreed
by court in consideration whereof the
court doth order, adjudge and decree
that said report be and the same is
hereby confirmed - That the clerk of
of this court deliver to W.S. Hollond
the bond of J.J. Rhodes due in
this cause, taking a receipt for the
same. That said W.S. Hollond
collect the same and pay therefrom
the balance due to William Corr on ac-
count of Hollond Birden ^{as shown by Corr & Am^r's Report} - That said
W.S. Hollond who is hereby appointed
a special Commissioner for that purpose
make and execute to said J.J.
Rhodes upon the payment of his said
bond a good and sufficient
deed with special warranty for the
lands in these proceedings mentioned
and make report to court.

W.S. Hollond

Wm. S. Holland Esq

Attor at Law

Windsor

St. Wright Co. N.Y.

For John Cox & Co

Carte D. etois

} In the

Carte D. etois

Martha A. Davis

Proved by J. J.
Rhodes to have
been given for
lot, due on the
acct. as given of
Davis. cont.

acc

\$ 87.70 .

Ordinance I promised to
pay, or cause to be paid, unto
Martha A. Avis, or order
Eighty seven Dollars, & seventy
cents. for value received, &
witness my hand & seal, This
1st day of July 1872

witness

John J. Rhoads James ^{his} ~~x~~ Darden Seal
mark

Prand leaf Jr.
Rhodes to have
him give for
bol. den reg. d.
act. of darden
as gov. of Ohio
cont.

allert ✓
H.
* 1811

\$ 87.70

Ordered and I promised to pay
unto John H. Avis, or order
Eighty seven Dollars, & seventy cents,
for value received, as witness
my hand & seal.

This 1st day of July / 72

Witness

John J. Rhoads James^{his} X Darden ^{Secy}
mark



Pay to order

Hollan & Darden

James Darden
my
To Cash
\$70.95-00

Paid on the 1st
of Jan 1882
January

Received as full pay
of within note \$14.50
of April 27: 1881.

Alfred Darden

87 0. 95-65

Ondemand I promise to pay or cause to be paid unto
Holland Darden or order the just and full sum of Seventy
Dollars and fifty five cents good and lawful money of
Virginia it being for value of him Recd as witness our
hands and seals this the 15th day of September 1865.

Witness

B. H. Spring

James ^{his} Darden Seal
mark Seal

Carrotale.

3 Com.
3 Notes

Darden's adm't.

To 9th Feby. 1881.

Executed by showing
to the creditor named
William. Can. James. Nois
Magdalena Darden
J. B. Edwards. 1 den
of James Darden
Dec 10 Dec 1881.

R. A. Edwards Dife.
L. B. Edwards Dife.

Touching for Clorin all
in act. debt delin
to W. H. Holland atty.
A. P. Gouzen

Commissioner's Office.

Isle of Wight Co. Va., Dec. 8th 1881.

To William Carr and James Avis

Plaintiffs,

and to L. B. Edwards ^{chf.} & adm. of James Darden
 dec.; Magdline Darden; and Moss Darden;
 Wm Henry Darden & Samy Darden by N. P. Young
 their gov. ad litem.

Defendants:

You are hereby notified that I have fixed upon the 9th day of February 1882
 to take and settle, at my office aforesaid, the following accounts, to-wit: 1st An account
 of the transaction of the said L. B. Edwards as ^{chf.}
 and administrator of the said James Darden dec.;
 2nd An account of the debts outstanding and
 unpaid against the said James Darden.
 3rd An account of the real estate of which
 the said James Darden died seized and
 possessed, with the *in* *simples* and annual
 value thereof.

Required to be taken by a decree of the Circuit Court of Isle of Wight County, rendered on
 the 24th day of October 1881, 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 re-
 quired to attend.

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

N. P. Young

Commissioner.

Barr
vs
Warden et al



Commons
Bond

A Copy

Know all Men by these Presents, That we William S. Holland
and W. P. Young
are held and firmly bound unto the Commonwealth of Virginia in the sum of Twelve
Hundred dollars to the payment whereof, well and truly to
be made, we bind ourselves, our Heirs, Executors and Administrators, jointly and
severally, firmly by these presents. As witness our Hands and Seals, this 1st day
of May in the year of our Lord, one thousand eight hundred and
Eighty two And we waive the benefit of homestead exemption as to the obligation

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 2^d day of April
1882, in a cause depending in the said Court, in which Wm. S. Holland
and James A. A. A.
are Plaintiff, and
L. B. Edwards adm^r of James Vanden d. et al.
are Defendant, the above bound Wm. S. Holland
was appointed a special Commissioner to sell the lands in
the proceedings mentioned and make reports to Court

Now, if the above bound Wm. S. Holland 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 vir-
tue.

Signed, Sealed and Delivered }
in the presence of }

W. S. Holland (SEAL.)
W. P. Young (SEAL.)
(SEAL.)

Phillips & Carter, Printers.

In the Circuit Court of Isle of Wight County
the 1st day of May 1882. This Bond was executed by the
obligors and admitted to record

Teste

W. P. Young, clk.