

1870-015
Nansemond Co. (Suffolk)

Chancery Causes: Augustus H. Holland etc vs Edward B. Hunter Exr etc

Barnes, Copeland, Prentiss, Dillard, Cross,
Kellogg, Hall, Baker, Gardner, Gregory

Plat
and
Oversized:
Box -
- 1 Plat

Box 5

Peter B. Prentiss, comr

1868 To "Christian Sun" Suffolk Dr.
June 19th. To adv. legal notice - A. A.
Holland vs. E. R. Hunter. 34 l. 41. \$ 8.50

Rec Payment of J. R. Kilby
J. M. Whitley
For "Sun"

August H.
Holland
78

Ed. B. Hunter
Adm.

For names of
Fur. Carib
7-11-19

The Commonwealth of Virginia,

To the Sheriff of Nansemond County---Greeting:
YOU ARE HEREBY COMMANDED TO SUMMON *Edward R. Hunter, Executor*
of Edward R. Hunter deceased, and in his own right.

to appear at the Clerk's Office of our *Circuit* Court, for the County of Nansemond, on the
first Monday in *December* next, 1867, being rule day, to answer a bill in
chancery, exhibited against *him* by
Augustus H. Holland, who sues for himself and all other creditors
of Edward R. Hunter deceased.

and unless *he* shall answer the said bill by the next rule day
thereafter, the Court will take said bill for confessed, and decree accordingly.

And have then and there this writ. Witness, PETER B. PRENTIS, Clerk of our said Court, at his
Office, this *21st* day of *November* 1867, and in the *92nd* year of
the Commonwealth.

Peter B. Prentis. Clerk.

Ps The Sheriff will, in his return, note the day on which this process is executed on each Defendant.

Executed Nov: 29th. 1867. and a true copy hereof - delivered
to Edward B. Hunter, Executor of Edward R. Hunter deceased,
and in his own right.

Wm Aug 21/67

Atty. Gen.
Augustus W. Wickham, etc
Sues Vc.

to { Sum^s in Vch.

Edward R. Hunter, Exor:
of Edward R. Hunter dead
in his own right.

do Dec: 2nd 1867

Nov: 3. 11:15. page 29.
C. C.

KNOW ALL MEN BY THESE PRESENTS, That we *John R. Kelly, John R. Copeland, William Eley, Thomas J. Kelly and Peter B. Prentiss*

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA, in the just and full sum of *Six Thousand* dollars, to the payment whereof well and truly to be made to the said Commonwealth, we bind ourselves, and each of us, our, and each of our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this *9th* day of *November* in the year one thousand eight hundred and *sixty-eight*, and in the *93rd* year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound *John R. Kelly and John R. Copeland*, who were by a Decree of the Circuit Court of Hanover County, pronounced on the *12th* day of *October 1868* in the Cause of *Augustus H. Holland*, who sues for himself *vs* *Edward B. Hunter*, Executor of *Edward R. Hunter* deceased, and in his own right, appointed Commissioners to make sale of certain Real Estate in said Cause described shall faithfully discharge their duties, as such Commissioners under said Decree, and ~~shall faithfully discharge the duties of his said trust~~ *other future decree that they may in said Cause be required to make* then the above obligation to be void, or else to remain in full force and virtue.

Executed in presence)

of)

John R. Kelly SEAL.
John R. Copeland SEAL.
Wm. Eley SEAL.
Thos. J. Kelly SEAL.
Peter B. Prentiss SEAL.

John R Kelly Cal: Commth

To { Bond

Commonwealth

1868
New York: Secut^{ry} of State

S. HODGES & CO., PROP'R'S.

VIRGINIAN NEWSPAPER & JOB PRINTING OFFICE.

JOB PRINTING NEATLY AND
PROMPTLY EXECUTED.

Norfolk, Va., Nov 14th 1868

Messrs Hook Kelly & Hook Coburn Com^{rs}

Co NORFOLK VIRGINIAN, Dr.

For ady Sale of S. Hunter's East of Land
3cws 2nd 105. \$15.75

RECEIVED PAYMENT,

S. H. S. 16

John R. Copeland & John R. Kilby, Comrs
1868. To "Christian Sun" Suffolk, Va. Dr.
Nov. 14th To adv sale of W. E. R. Hunter's land
33 lines 3-times \$10.90
Rec Payment of Mr Kilby
J. J. Whitley
For "Sun"

W. B. Willm,

#10.90

At a Circuit Court held for Nansmond County
the 12th day of October 1868.

Augustus H. Hollans, who sues for himself
and all other Creditors of Edward R. Hunter de-
ceased Complainant.

against & In Chancery
Edward B. Hunter Executor of Edward R.

Hunter deceased and in his own right . . . Defendant
This Cause came on this day to be again heard on the papers
formerly read and on the report of Commissioners Printed,
made pursuant to the Decree of the 20th of April 1868,
to which report there is no exception; and was argued by
Counsel: On consideration whereof the Court doth
confirm the said report, and doth adjudge, order and
decree that John R. Kelly and John R. Copeland (who are
herely appointed Commissioners for that purpose) proceed
to make sale of the lands which W^r. Edward R. Hunter
died seized and possessed and describes as a tract of
land in Nansmond County containing by estimation
One thousand and Eighty three acres, more or less, and
bounded by the lands of Arthur E. Hall Asaphus H.
Jones and others (reserving the burying ground) at public
sale, before the Court House door of Nansmond County,
on some Court day having first advertised the same
by notice at the Court house door of Nansmond County
on some Court day and once a week for four weeks
in the "Christian Sun" a news paper published at Suf-
folk, and also by advertisement at other public places
and in some news paper published in Norfolk City.

for at least once a week. In three weeks, and that said
~~and that said~~ Sale be made on Twelve months Credit
 Except for a sum sufficient to pay the Costs of Suit,
 and Expenses of Sale, which will be in Cash and paid
 to those entitled, the purchaser to give bond and good
 security for the deferred payment with interest from
 date, and the title to be withheld till the order of Court
 that the said Commissioners may in their discretion,
 sell the said land in one or more parcels, and may
 have the aid of a Surveyor if desired by them and make
 report to Court. But no Sale is to be made under this
 Decree, until the said John R. Kelly and John R. Caplan
 Commissioners as aforesaid shall have executed before
 the Clerk of this Court in his office, a Bond in the penalty
 of \$6000. payable to the Commonwealth of Virginia,
 conditioned faithfully to execute this decree, and any
 other future decree that they may in this cause be re-
 quired to make

Costs:
 Clk. \$15.00
 Atty. 30.50
 Shff. 50
 Comm. in Ch. 25.00
 Printer 8.50
 \$79.50

Hopk:

Iste.

Peter B. Prentiss. Clerk

Augustus H. Holland,
 who sues &c

Co. Decree

Edward B. Hunter, Esq.
 Edward R. Hunter Esq.

In the Circuit Court of Nausummed
County.

The undersigned respectfully report to
Court that pursuant to the decree of said
Court, made on the 12th day of October 1868, in
the cause therein pending wherein Augustus
W. Holland &c. is plaintiff and Edward B.
Hunter &c. Defendants, they proceeded to advertise
the Lands therein referred to, of which D. Edward
B. Hunter did seize, by notice in the "Christian
Sun" a newspaper published at Suffolk, and
by Handbills extensively circulated, and did on
Monday the 14th day of December 1868, (being
County Court day) before the Court-house door in
Suffolk, sell at auction ~~several tracts of land~~
on the terms named in said Decree the said Lands,
— having previously had the Land surveyed and selling
the same in several parcels, when the same
were purchased as follows.

The dwelling house & 627 acres, as
indicated on the annexed map
as No. 1— was purchased by Edward B. Hunter for \$2375.00
The two parcels No. 2 of 193 acres,
& No. 3 of 171 acres, were sold
together & purchased by Arthur E. Hae for \$1675.00
The tract No. 4. of 226 acres,
was purchased by the same for 620.00
Total sales \$4670.00
Car. on

Recd. fifteen dollars for my services
as Crisis.

• McGuire D. B. Bailey

am. brought in \$4670:00
to paid D. D. Fiske for

Printing handbills	\$2:00	pd
" paid postage	.75	pd
" " "Christian Sun", add.	10.90	pd
" " Norfolk Virginian do.	15.75	
" " R. H. Brinkley Crier	15.00	pd
" 5 per Cent Com. on \$300.	15.00	pd
" 2 1/2 per Cent on \$4370.	87:40	pd
" paid P. B. Prentiss, clk.	15.00	pd
" " Mr. R. Kilby, Atty.	30.50	pd
" " Wm. Eley, Shff.	.50	pd
" " Com.	25.00	pd
" " Surveyor Printer	85.50	pd
" "	15.00	pd

\$231.30 = \$231:30

Balance

\$4438.70

For which we have taken Ed. B. Humble's

Bond with Mr. R. Copeland security.

at 12 months for \$2233:70

and Arthur E. Hace, Jas. Sileman

& Thos. W. Cress at same time for \$2205:00 \$4438.70
all bearing int. from date of sale

The title is withheld till further of
Court.

Respectfully submitted

John R. Kilby } Comrs
John R. Copeland }

my fees as Clerk & Comrs. have been paid \$40.00

Peter B. Prentiss

1869 Sep. 15 Recd. of The clerk of this
 Court the Bond of Arthur E. Hall. For Ireland
 & Mrs. D. Corp for \$2205. also the Bond
 of E. B. Hunter John R. Capeland for \$2233.76
 referred to within & delivered by Deem of
~~Appl.~~ cl. 1869.

John R. Kelly Com
 Insech & Co. Comd

Holland Jr
 n 3 Report of Sale

Hunter Jr.

1869
 Jan. 27th. Filed
 cl.

At a Circuit Court held for Nassau County
the 20th day of April 1868

Augustus H. Hall and, who sues for him self
and all other Creditors of Edward R. Hunter deceased Complainant.

against $\frac{2}{3}$ In Chancery

Edward B. Hunter Executor of Edward R. Hunter

deceased and in his own right Defendant

This Cause came on this day to be heard on the Bill of the
Complainant, taken for confessed as to the defendant on
whom process had been duly executed, and he still failing
to appear and make defence, and on the Exhibit filed with the
said Bill and was argued by Counsel, on consideration whereof
the Court doth adjudge order and decree that a Commissioner
of this Court proceed to state and report the following accounts.
1st. An account of the transactions of Edward B. Hunter, as
Executor of Edward R. Hunter deceased
2nd An account of all Debts and demands due by said Edward
R. Hunter deceased or his Estate.
3rd An account, showing the fee simple and annual
value of the Lands, of which said Edward R. Hunter died
seized, and make report to Court, with any matters specially
stated deemed pertinent by himself or that any of the parties
may require to be so stated, and that notice of the time and
place of taking such accounts be advertised on some
Court day at the Court House door of said County, and
published once a week for four successive weeks in the
"Christian Sun", a News paper published at Suffolk,
and whose publication, shall be in lieu of personal

Service of such notice on the parties.

Attest.

Teste.

Peter B. Prentiss. Clerk.

COMMISSIONER'S OFFICE,
 SUFFOLK, Va., June 6th, 1868.

THO AUGUSTUS H. HOLLAND, WHO SUES
 for himself and all other creditors of Ed-
 ward R. Hunter, deceased.

Complainant.

And to
 Edward B. Hunter, Executor of Edward R. Hun-
 ter, deceased and in his own right.

Defendant.

You are hereby notified that I have fixed upon
 Tuesday, the 21st day of July next, to take and
 settle at my office the following accounts:

1st.—An account of the transactions of Ed-
 ward B. Hunter, as Executor of Edward R. Hun-
 ter, deceased.

2nd.—An account of all Debts and demands
 due by said Edward R. Hunter, deceased, or his
 Estate.

3rd.—An account showing the fee simple and
 annual value of the Lands, of which said Edward
 R. Hunter died seized.

Which accounts, are required to be taken by
 the Decree of the Circuit Court of the County of
 Nansemond, rendered on the 20th day of April
 1868, in a suit in Chancery depending in said
 Court, in which you are parties Complainant and
 Defendant; at which time and place you are re-
 quired to attend. Given under my hand as Com-
 missioner in Chancery of the Circuit Court of
 Nansemond County the day and year, first herein
 aforesaid.

ju19-4t

PETER B. PRENTIS,
 Commissioner.

I do hereby certify that the
 annexed notice has been pub-
 lished in the "Christian Sun"
 once a week for four successive
 weeks and that the price
 charged is according to our
 regular advertising rates.

Given under my hand this
 11th day of July 1868
 W. B. Wellons,
 Ed. & Proprietor

Price of adv. \$ 8.50

Accs: No: 1

An account of the transactions of Edward B. Hunter, as
Executor of Edward R. Hunter, deceased

S^r. The Executor reports, that he has done nothing
in the administration of the affairs of
his Testator -

Acco: No: 2

An Account of all Debts and Demands, due by Edward
R. Hunter deceased or his Estate.

First Class None

Second Class None

Third Class None

Fourth Class

Creditors Atty:

Kelly

To Augustus H. Holland. Sen: Judgment \$ 348 21

" int: fm: 24th April 1861 to 12th Octo: 1868 13 5 10

Costs

9 22 \$ 492 31

Kelly

To J. W. Duck, Trustee for Martha Barnes. Bond \$ 40 69

" int: fm: 15th Decr: 1858 to 12th Octo: 1868 23 58 \$ 64 27

To John R. Copeland, Exor: of John Cope-

land dec'd Bond \$ 381 71

" int: fm: 9th Apr: 1861 to 12th Octo: 1868 171 95 \$ 553 66

To Peter B. Prentis, Admott: of Joseph

Prentis dec'd Bond \$ 27 87

" int: fm: 19th Jan: 1852 to 12th Octo: 1868 28 05 \$ 55 92

To John R. Copeland Bond \$ 40 00

" int: fm: 15th Apr: 1838 to 12th Octo: 1868 73 22 \$ 113 22

Kelly

To Richard Willard Bond, signed by E. R.

Hunter and E. R. Hunter \$ 641 08

" int: fm: 1st Aug: 1853 to 12th Octo: 1868 584 66 \$ 1225 74

Kelly

To Martha W. Crofs. Bond signed by Rich

H. Baker and Edw R. Hunter \$ 1500 00

" int: fm: 1st Jan: 1857 to 12th Octo: 1868 1060 50 \$ 2560 50

Kelly

To Martin Kellogg Bond \$ 94 27

" int: fm: 3rd Octo: 1861 to 12th Octo: 1868 39 73 \$ 134 00

Am't: carried forward

\$ 5199 62

	Amt. Brought Forward				\$5199 62
Kelly	To A. E. Hall	Bond			
	Signed by Edw R. Hunter & Isaac Lee		\$	50 00	
	" int: fm: 1st. Jan: 1861 to 12th. Octo: 1868			23 35	\$ 73 35
	Richard H. Baker Jr.	Bond	\$	134 59	
	" int: fm: 1st. Jan: 1861 to 12th. Octo: 1868			62 86	\$ 197 45
Kelly	To James Willard	Bond. signed by E. R. Hunter & E. B. Hunter		\$ 2306 95	
	" int: fm: 1st. Aug: 1853 to 12th. Octo: 1868			2103 93	\$ 4410 88
Kelly	To Same	Bond signed by Rich H. Baker, Isaac Lee & E. R. Hunter		\$ 400 00	
	" int: fm: 1st. Jan: 1862 to 12th. Octo: 1868			162 80	\$ 562 80
Kelly	To Calvin L. Gardner	Judgt: on Bond signed by Edw R. Hunter, Jas: Cutchens and James H. Daughtry		\$ 800 00	
	" int: fm: 1st. Jan: 1861 to 19th. Feb: 1867		\$	294 53	
	cr.		\$	1094 53	
		Bal:	\$	400 00	
			\$	694 53	
	" int: fm: 19th. Feb: 1867 to 12th. Octo: 1868			68 64	
	Costs			7 77	\$ 770 94
	To Mrs. Lilly. Gardner	Judgt: on bond signed by Edw R. Hunter, E. B. Hunter & Jas: Cutchens		\$ 490 60	
	" int: fm: 1st. Jan: 1863 to 12th. Octo: 1868			405 72	
	Costs			6 38	\$ 902 70
Kelly	To Thomas H. Cross	Judgt: on bond signed by James H. Daughtry, W. R. Lawrence, W. E. Rauls, E. B. Hunter, Edw R. Hunter and Jos: J. Lawrence		\$ 700 00	
	" int: fm: 1st. Jan: 1855 to 12th. Octo: 1868			578 90	
	Costs			9 42	\$ 1288 32
	Amt. carried Forward				\$ 13406 06

Kelly

Am't: Bro't: Forward	"	"	\$13,406 06
To Joseph L Gregory	Bnd.	\$	215 00
" int: fr 13 th Feby: 1861 to 12 th Octo: 1868		21	46 ~~\$~~ 236 46
Total 4 th Claps Balts	"	"	\$13,642 52

Acco: No: 3

An Account shewing the fee-simple and annual value
of the lands of which Edward R. Hunter died seized
One thousand and Eighty-Three (1083) acres of
Land, more or less, adjoining the lands of Arthur
E. Hall, Adolphus H. Jones and others.

The fee-simple value of which is \$4000:00
And the annual value of which is \$100:00

(see Wm: Eley's Deposition
filed herewith)

Commissioner's Office.

Suffolk Co: July 21st: 1868

Augustus H. Holland, who sues vs

Edward B. Hunter, Executor of
Edward R. Hunter dec'd

This day Wm. Eley being duly sworn, says, that he
is well acquainted with the Real Estate whereof Edward R.
Hunter died seized and possessed, and that he considered
the same to be worth, in fee-simple \$4000:00

and that the annual value or rental thereof, he considers
to be worth \$100:00

(Signed) Wm Eley

Sworn to before me, in my
Office, the day and date
above.

Peter B. Prentiss. Comm'r.

Commissioner's Office.

Suffolk Va: August 1st: 1868 }

To The Circuit Court of Nansemond County:

Pursuant to a Decree of the Circuit Court of Nansemond County, rendered on the 20th: day of April 1868, in a suit in Chancery depending in the said Court, between Augustus H. Holland, who sues for himself and all other creditors of Edward R. Hunter deceased, Complainants, and Edward B. Hunter, Executor of Edward R. Hunter deceased and in his own right, Defendant, the undersigned one of the Commissioners of said Court to whom was referred for Settlement, by said Decree, the following Accounts, viz:

1st: An Account of the Transactions of Edward B. Hunter as Executor of Edward R. Hunter deceased.

2nd: An Account of all debts and demands due by said Edward R. Hunter deceased or his Estate.

3rd: An Account shewing the fee-simple and annual value of the lands of which said Edward R. Hunter died seized, reports to the Court, that on the 6th: day of June 1868, he issued notices against the several parties aforesaid, requiring them to attend the settlement of the said accounts before him, at his said Office on the 21st: day of July 1868, which said notices were published once a week for four successive weeks in the "Christian Sun" a newspaper published at Suffolk, Virginia, as directed by said Decree, (Certificate of which publication is hereto appended) and also advertised, at the Court House Door of Nansemond County, on July Court day last (1868) - That the parties aforesaid appeared before the Commissioner on the day aforesaid

in obedience to said notice, and the taking of said accounts
was commenced, and adjourned from day to day and from
time to time until completed:

That he reports by "Acco: No: 1" That the Executor has done
nothing in the administration of the affairs of his Testator.

That he reports by "Acco: No: 2," the amount of all debts
and demands due by Edward R. Hunter deceased, or his Estate,
with interest computed up to the 12th day of October 1868
to be \$13,642.52

That he reports by "Acco: No: 3," that the fee-simple value of the
lands of which Edward R. Hunter died seized, is \$4000:00
and that the annual value of the same is \$100:00

The Commissioner farther reports to the Court, that after
the completion of the said accounts he retained the same
in his Office ^{ten days} for the examination of parties, during which
no exceptions were filed thereto, and now the same with the
decrees and notices aforesaid and the evidence relating thereto
are herewith returned.

Given under my hand as Commissioner aforesaid
the day and year last aforesaid.

Peter B. Prentiss.

Commissioner

Commissioner's Fee \$25:00

Printer's do 8:50

\$33:50

Augustus H. Holland,
vs. sves &c.

[#] J. Commis's Report

Edward B. Hunter, Exor. of
Edward R. Hunter dec'd &c.

1868. Aug. 15. th Filed
clx.

1870 Mar. 1st Rec^d. of John R. Kelly (and
John R. Cabeland Commrs. the sum of
sixty seven dollars (and sixty six cents
from the distribution of the proceeds of D. R.
Hunter's Land, sold under decree of the
Circuit Court of ~~Newbern~~ County of Orleans
W. Hunter Jr



H. N. Baker Jr

at a Court held for Nassau County the 19th day
of April 1869.

Augustus H. Holland, who sues for himself
and all other Creditors of Edward R. Hunter
deceased Complainant
against & In Chancery.

Edward B. Hunter Executor of Edward R.

Hunter deceased, and in his own right. Defendant.

This Cause came on this day to be again heard on the papers
formerly read and on the Report of John R. Kelly and John
R. Copeland, made pursuant to the Decree of the 12th day
of October 1868, to which report there is no exception and was
argued by Counsel. On Consideration whereof the Court doth
Confirm the said report, and doth adjudge order and
decree, that the said Kelly and Copeland receive of the Clerk
of this Court, who will deliver the same to them on leaving
a Receipt therefor the Bond of Arthur E. Hall James Willard
and Thos. H. Croft, for \$2205 and the Bond of E. B. Hunter and
Jno. R. Copeland of \$2233.70 and that the said Kelly and
Copeland, proceed to Collect the same when due, and out of the
proceeds thereof pay any Costs that may remain, ratably to
the several Creditors named in account no 2 of Commissioner
Prentiss Report of 21st July 1868, and make to the several
Purchasers of the real estate sold by them, deeds, with special
warranty in the usual form and make report to Court.

A. Copy:

Teste.

Peter B. Prentiss. D.C.

Holland &c.

is } Co. Secrecy.

Hunter, adm &c

An account of all Debts and Demands, due by Edward R. Hunter deceased or his Estate.

First Class - None

Second Class - None

Third Class - None

Creditor's Atty:

Fourth Class.

Kelly	To Augustus H. Holland. sew. Judgment	\$ 348	21	
	" int: fm: 24 th April 1861 to 12 th Octo: 1868	135	10	
	Costs	9	00	\$ 492 31
Kelly	To J. W. Duck, Trustee for Martha Barnes. Bond	\$ 40	69	
	" int: fm: 15 th Decr: 1858 to 12 th Octo: 1868	23	58	\$ 64 27
	To John R. Copeland, Exor ^t of John Copeland dec'd	\$ 1300	71	
	" int: fm: 9 th April 1861 to 12 th Octo: 1868	171	95	\$ 553 66
	To Peter B. Prentiss, Adm ^r : of Joseph Prentiss, dec'd	\$ 27	87	
	" int: fm: 19 th Janu: 1852 to 12 th Octo: 1868	28	05	\$ 55 92
	To John R. Copeland	\$ 40	00	
	" int: fm: 15 th Apr: 1858 to 12 th Octo: 1868	73	22	\$ 113 22
Kelly	To Richard Hellard. Bond. Signed by E. R. Hunter and E. R. Hunter	\$ 641	08	
	" int: fm: 1 st : Aug: 1853 to 12 th Octo: 1868	584	66	\$ 1225 74
Kelly	To Martha N. Crofs. Bond signed by Rich ^d H. Baker and Edw ^d R. Hunter	\$ 1500	00	
	" int: fm: 1 st : Janu: 1857 to 12 th Octo: 1868	1060	50	\$ 2560 50
Kelly	To Martin Kellogg	\$ 94	27	
	" int: fm: 3 rd : Octo: 1861 to 12 th Octo: 1868	39	73	\$ 134 00
	Am't: Carried forward.			\$ 5199 62

	Amt. Bnd. Forward			\$5199	62
Kelly	To A. E. Hall Bond				
	Signed by Edw R. Hunter & Isaac Lee	\$	50	00	
	" int: fm: 1st Jan: 1861 to 12th: Octo: 1868		23	35	73 35
	To Richard H. Baker Jr. Bond	\$	134	59	
	" int: fm: 1st: Jan: 1861 to 12 th : Octo: 1868		62	86	\$197 45
Kelly	To James Willard. Bond. Signed by E.R.				
	Hunter & E. B. Hunter	\$	2306	95	
	" int: fm: 1st: Aug: 1853 to 12 th : Octo: 1868		2103	93	\$4410 88
Kelly	To Same. Bond Signed by Rich H. Baker				
	Isaac Lee & E. R. Hunter	\$	400	00	
	" int: fm 1st: Jan: 1862 to 12 th : Octo: 1868		162	80	\$562 80
Kelly	To Calvin L. Gardner. Judgt: on Bond				
	Signed by Edw R. Hunter, Jas: Catchens				
	and James H. Baughley	\$	800	00	
	" int: fm: 1st: Jan: 1861 to 19th: Feby: 1867		294	53	
	Cr:	\$	1094	53	
	Bal:	\$	400	00	
	" int: fm: 19th: Feby: 1867 to 12 th : Octo: 1868		694	53	
			68	64	
	Costs		7	74	\$770 94
	To Mrs. Lilly Gardner. Judgt: on Bond				
	Signed by Edw R Hunter, E. B. Hunter & Jas: Catchens	\$	490	60	
	" int: fm: 1st: Jan: 1863 to 12th: Octo: 1868		405	72	
	Costs		6	38	\$902 70
Kelly	To Thomas H. Crofs, Judgt: on Bond Signed				
	by James H. Baughley, Wm R. Lawrence, Wm E.				
	Rauls, E. B. Hunter, Edw R. Hunter & Jos: Lawrence	\$	700	00	
	" int: fm: 1st: Jan: 1855 to 12 th : Octo: 1868		578	90	
	Costs		9	42	\$1288 32
	Amt: Carried Forward				\$13406 06

Kelly

Am't: Prot: Forward	"	"	\$13406	86
To Joseph Gregory	Bond	\$	215	00
" int: fr: 13th: Feby: 1867 to 12 th : Octo: 1868			21	46
Total 4th: Clafs Colls			\$13642	52

The foregoing is an Extract from 'Commt: Prentiss' Report, filed in the Chancery Cause depending in the Circuit Court of Wandsworth County, wherein Augustus H. Holland, who sues, is Complainant and Edward B. Hunter, Ex^{or}: of Edw^d R. Hunter dec'd he, is Defendant.

Teste,
Peter B. Prentiss. Clerk.

Debts against
Dr. E. R. Hunter's Est.

In the Circuit Court of Hannuond County.

The Undersigned report to Court that pursuant to the Decree of the 19th day of April 1869 made in the cause pending in the said Court wherein Augustus H. Steele and Co. is plaintiff and Edward R. Hunter's Ex. &c. defendant, They have received of the Clerk of said the Bonds named in said decree and have collected the same, and proceeded to pay the same out to the parties entitled thereto as directed by said Decree, as the following statement and receipts will show — Deeds, have been made to the purchasers of the real estate sold as directed by said Decree

Statement

By amount of E. B. Hunter Jr. Bonds \$2233.70

" Interest from 14th December 1868

to 14th Dec 1869 — 1 year

} $\frac{134.02}{\$2367.72}$

By amts. of Bonds due by Arthur E. Hale

Jon. Steele, & Thos. H. Culp \$2205.00

1 year's Int. as above

$132.30 = 2337.30$

Total

$\$4675.02$

To charges for 2 Deeds (stamps)

to purchasers

\$15.00

" Charge for making up a

Report & statement scaling doth

$\frac{15.02 = 30.02$

To be distributed

$\$4675.00$

By amo. bro. on

* \$4675. 00

giving each creditor $34 \frac{26}{100}$ per cent.
of debts per list annexed.

to and Augustus H. Steele and his share

of \$492.31 per cent. \$168 75

" " J. W. Duck, trustee for Martha Barney \$22 02

" " Mrs. R. Copeland and Exor. per cent 189 75

" " Peter B. Paintis " 19 16

" " John R. Copeland " 38 80

" " Richard Dileard " 420 10

" " Matthew A. Croft " 877. 50

" " Martin Kellogg " 45 92

" " A. E. Hall " 25 13

" " Rich^d. H. Baker Jr " 67. 66

" " James Dileard " 1511 36

" " same " 192 85

" " Calvin L. Gardner " 264 18

" " Mrs. Lilly Gardner " 309 33

" " Mr. H. Croft " 441. 47

" " Joseph Gregory " 81 02 \$4675. 00

all of which is respectfully submitted

John R. Kilby } Commrs.
John R. Copeland }

1869 Dec. 15 Rec^d of John R. Kilby and
John R. Cepeland, the Comrs. in the above case
the several sums set opposite our names.

John R. Cepeland Exor.	189	75
John R. Cepeland	38	80
John R. Kilby atty for Augustus H. Holcomb	168	75
John R. Kilby " J. W. Ouch for M. Barnes	22	02
John R. Kilby for Rich ^d Dileand	420	10
John R. Kilby for Martha A. Culp	877	50
John R. Kilby for Martin Kellogg	45	92
John R. Kilby for A. E. Halse	25	13
John R. Kilby for Jas. Dileand	1571	36
John R. Kilby for same	192	85
John R. Kilby for Calvin L. Gardner	264	18
John R. Kilby for John H. Culp	441	47
John R. Kilby for Dr. Gregory	81	02
Calvin L. Gardner for Sillic Gardner		
Peter B. Prentiss, Adm ^r of Joseph Prentiss dec ^d	19	16
Paid R. H. Baker by check for rec ^d amount —	67	66

Holland & Co
N } Report of
 } Payments &c.

Hunters Exor. &c.

1870
March 24th: Filed
 ck.

Hollander &c.

⁷
Huntley & Adams &c.

This cause came on this day to be again heard on the paper, formerly read for the report of John R. Kilby and John R. Copeland, made pursuant to the decree of the 12th day of October 1868; to which report there is no exception, and was argued by counsel. On consideration whereof the Court doth confirm the said Report and doth adjudge, order & decree that the said Kilby & Copeland, receive of the Clerk of this Court (who will deliver the same to them on leaving a Receipt therefor) the Bond of Arthur E. Hall, Jas. Dillan & Mr. H. Cuy for \$1205. & the Bond of E. B. Huntley & Mrs. R. Copeland for \$2233.70 and that the said Kilby & Copeland proceed to collect the same when due, and out of the proceeds ~~thereof~~ thereof, pay any debts that may remain unpaid, and then pay what remains ratably to the several creditors named in account No. 2, of Cow Printis report of 21st July 1868, & make to the several purchasers of the real estate sold by them, deeds with special warranty in the usual form and make report to Court.

Holland &

N.

Hunter &

1869

apric bomb

decree.

John Hunter

E. J. Hunter

Entom

Holland Jr.

vs.

Hunter &c.

This cause came on this day to be again heard on the papers formerly read and on the report of Com^r. Prentiss, made pursuant to the decree of the 20th of April 1868; to which report there is no exception, and was argued by counsel: On Consideration whereof the Court doth confirm the said report, and doth adjudge, order and decree that John R. Kilby, ^{and John R. Doane} (who are hereby appointed commissioners for that purpose) proceed to make sale of the Lands whereof Dr. Edw^d. R. Hunter died seized and possessed, and described, as a tract of Land in Nausumond County, containing by estimation One thousand and eighty three acres, more or less & bounded by the Lands of Arthur E. Hall, (reserving the burying ground) Adolphus H. Jones, and others, at public sale before the Court house door of Nausumond County, on some Court day, having first advertised the same, by notice at the Court house door of Nausumond County on some ^{once a week for four weeks} Court day, and, in the "Christian Sun" a newspaper published at Suffolk, and also by advertisement at other public places, and in some newspaper published

in Norfolk City for, at least once a week for
three weeks - and that said sale be made
on twelve months credit, except for a sum
sufficient to pay the costs of suit and
~~charges~~^{expenses} of sale, which will be in cash & paid
to those entitled - the purchaser to give bond &
good security, for the deferred payment, with
interest from date, and the title to be
withheld till the order of Court - That
thesaid Commissioner may in his discretion
sell the said Land in one or more parcels,
and may have the aid of a surveyor if
desired by him - and make report to Court.

But no sale is to be made under
this decree, until the said ^{John R. Corbitt} John R. Kilby
Comm^r as aforesaid, shall have executed
before the Clerk of this Court in his office
a Bond in the penalty of \$6000.00 payable
to the Comth: of Virginia, Conditioned, ^{faithfully} to
execute ~~faithfully~~, this decree, and any
other future decree, that he may in this
cause be required to execute.

Holland Jr

7.

Hunter Jale

1868

Oct: Cont. Dec:

To be entered

R. H. Baker

Ent 5

Holland &c.

17

Hunter's Ex'r

This cause came on this day to be heard on the Bill of the Complainant taken for confessed as to the defendant, on whom process had been duly executed and he still failing to appear and make defence, and on the exhibit ~~filed~~ filed with the said bill; and was argued by Counsel on consideration whereof the Court doth adjudge order and decree that a Commr. of this Court proceed to state & report the following accounts;

- 1st an account of the transactions of Edw^d. B. Hunter as Executor of Edw^d. R. Hunter decd.
- 2^d. An account of all debts and demands due by said Edward R. Hunter decd or his Estate.
- 3^d. A n account shewing the fee simple and annual value of the lands of which said Edward R. Hunter died seized, and make report to Court with any matters specially stated deemed pertinent by himself, or that any of the parties may require to be so stated; and that notice of the time and place of taking such accounts be advertised on some court day at the Court house door of said County, and published once a week for four successive weeks in the

Holland &c

27

Strout's Son &c

1868

April Court, Decree

To be entered

R. W. B.

Entered

"Christian Sun" a newspaper published
at Suffolk, and which publication
shall be in lieu of ^{service of such} personal notice on
the parties

\$40.69

On Demand we promise to pay to Jacob
H Duesch or order the sum of Forty dollars
and Sixty nine cents — Current
Money of Virginia for value received
for which payment well and truly to
be made we bind ourselves heirs Executors
I as witness our hands and seal This 15th
day of December 1858.

Josh

Joseph H Duesch

Edwin Hunter (Seal)
(Seal)

Edward W. Hunter
To Dr. D. C. C.

Note \$40.69

Pay to Mr. D. C. C. Hunter for Martha
Harris 3 Mar 1864

W. D. C.

At a Quarterly Court, held for Nansemond County,
the 12th day of March 1866.

Augustus H. Holland Senr. Plaintiff.
against ^{my} In Debt.

Edu^d. B. Hunter surviving obligor
of Edu^d. R. Hunter and himself. Defendant.
It appearing to the Court by affidavit duly made,
that at the November Term of this Court 1865,
a judgment was granted to said plaintiff
against the said defendant, for the sum
dred and forty eight dollars and twenty
one cents, with legal interest thereon from
the 24th day of April 1861 till paid and costs
and that said judgment, was duly docket-
ed, and that on the 7th day of February
1866, the record in said cause and the origi-
-nal papers therein were destroyed by fire,
and the facts set forth in said affidavit
and its contents, being fully proven before
this Court, it is ordered, that the said cause
be docketed again, as a judgment of said
November Court last.

Costs

Clerk. \$5.00

Attor. fe 3.50

Shlf. 30

\$9.00

A Copy:
1st Test.

Peter B. Pentis. Clerk

Augustus H. Holland ^{Y^{mo}} Senr.

²⁵ } Co: Judgt:

Edw B. Hunter. Sec: B. C.

Exhibit

(A)

Holland Jr.

N.

Hunt Jr.

This cause came on this day to be again heard on the papers formally read and on the report of John R. Kelly and John R. Copeland, made pursuant to the decree of the 19th day of April 1869 — to which report there is no exception & was argued by Counsel, on consideration whereof the Court doth confirm the said Report and doth approve, order & decree that the proceedings had in this cause be confirmed and made final and binding between the parties, & that the cause be removed from the docket.

Holland Jr
Sr.

Hunter Jr

1870

Apr. 1st.

Final dinner

To be entered

Geot Blow Jr

Apr. 18th 1870

entered

v

To the Hon: Richard H. Baker, Judge
of the Circuit Court of Nansemond County.

Complaining, shew unto the Court
your Complainant Augustus H. Holland^{Senr.}
who sues for himself and all other Creditors
of Dr. Edward R. Hunter deceased, who
may come in and make themselves parties
to this suit on the usual terms.

Your Complainants respectfully represent to the Court and say, That the said Dr. Edward R. Hunter died in said County on the day of November 1861, having first made and published his last will and Testament which was duly proved and recorded in the ~~and~~ ~~affirmed~~ County Court of Nansemond County soon thereafter — That the Testator gave a watch to Edward R. Daughtry and \$60 to the children of B. B. B. Hunter, and then gave all the Balance of his Estate to his son Edward Beverly Hunter, and by said will appointed the said Edward Beverly Hunter his Executor, requiring no security of him, and he duly qualified as such Executor in Nansemond County Court — That the said will & the records of the County Court of Nansemond were destroyed by fire on the 7th day of February

1866, and hence your Complainant is unable to furnish a copy thereof.

That the said Edward R. Hunter in his life time was indebted to your Complainant (and which is yet unpaid) in the sum of Three hundred and forty eight dollars and twenty one cents, with Interest from the 24th day of April 1861 \$49. cents due by Bond to which is security, & as will appear by copy of a judgment of Nansemond County Court filed herewith marked (A)

That the said Edward R. Hunter was greatly indebted at the time of his death and that his Chattle estate was & is insufficient to pay his debts, and that his real estate will be required to be sold for that purpose. That the said Edward B. Hunter as such Executor took charge of the Chattle estate, but has never had any sale thereof -

That the Testator died seized of a Large tract of Land in the Upper Parish of Nansemond County, containing by estimation One thousand and Eighty Three (1083) acres, more or less, and adjoining the Lands of Arthur E. Hall, A. H. Jones,

and others —

In consideration whereof and as this Court has jurisdiction to grant all proper and adequate relief — In the End therefore, your Complainant prays that Edward B. Hunter as Executor of Dr. Edward R. Hunter decd, and in his own right, may be made defendant hereto, and be compelled to answer the allegations herein, that the accounts of said Edward B. Hunter as Executor as aforesaid may be duly settled — that the debts due by said deceased may be ascertained; that the real estate aforesaid may be sold, and that the proceeds of such sale may be applied to pay the deceased's debts — and that all further and proper relief may be granted —

and your Complainant will so

John R. Kilby p. p.

Killy p. 9.

Augustus H. Holland
Jr.

W. S. Rice

Edward B. Hunter Esq.
of Edw. R. Hunter decd
Jr.

Circuit, Nausetmond Co.

Augustus H. Holland, who sued for

25th & Chy. Notes

Edward B. Hunter, Exor. of Edw. R. Hunter dec'd &

1867. Mar: 21st: Summ. in Chy: issued to Decr: Ruled 18th

" Decr: 2nd: Bill &c filed. & conditional Decree is defendant

1868. Jan: 6th: Conditional Decree confirmed, & cause set
for hearing, in mo: of Plff's Counsel

" Apr: 20th: Decree for Accos:

" Aug: 15th: Report filed.

" Octo: 12th: Decree for Sale &c

" Nov: 9th: Commis: Bond executed and filed

1869. Jan: 27th: Report of Sale filed

" April 19th: Decree to collect & distribute &c

" Octo: 14th: Continued

1870. March 24th: Report of Payments filed

" April 18th: Final Decree.

Chy: Notes

Don't forget to have the return
of the record 2nd

