1874-002
Nansemond Co. (Suffolk)

Chancery Causes: Dorathy J. Copeland vs William M. Hodges etc

Freeman

Costs—

| | |
|---|---|
| Clerk | $10:00 |
| Atty: Gen | 16:00 |
| Sheff | 1.00 |
| Printer | 9.00 |
| | $36:00 |

Cook

NORFOLK, VA., Sept 24 1866

Wm J. M. Kelly Esq.

To THE NORFOLK VIRGINIAN, Dr.

| | | |
|---|---|---|
| Sept 4 | To ad 4 sqs 10 4 w | 9 00 |
| | Dorothy Copeland in Chancery | |
| | v. Hodges &c | |
| | Received payment | |
| | J. Rutherfoord Semmes & Co | |

Suffolk

J. R. Libby

9.00

Copeland

vs

Hodges.

This claim has been fully paid.
John R. Kelly P.C.

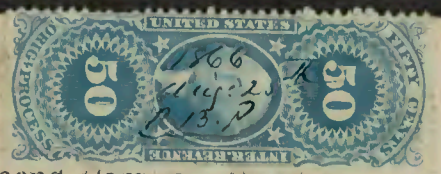
Sept. 29 1874

Copeland

v.

Rodgers

Certificate of
Pets. atty.




# The Commonwealth of Virginia,

To the Sheriff of Nansemond County---Greeting.

YOU ARE HEREBY COMMANDED TO SUMMON Wm. M. Hodges and Walton Freeman. _____

to appear at the Clerk's Office of our Circuit Court for the County of Nansemond, on the first Monday in September. next, 1866, being rule day, to answer a bill in chancery, exhibited against _____ them. _____ by _____ Dorathy J. Copeland _____

and unless _____ they _____ 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 25th. day of August. 1866, and in the 91st. year of the Commonwealth.

Peter B. Prentis. Clerk.

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

Dorothy J. Copeland

Sum's in Chy. &c

Wm. M. Hodges &
Walter Freeman.

To Septr. Rules 1866

Pro: & No: 1. Page 12

Cir: Co

Memo:

The Sheriff is hereby directed to attach the Estate of the defendant Wm. M. Hodges, & particularly the Hundred & twenty-five acres, more or less, mentioned & described in the Bond filed in this cause.

Sept. 1, 1866.

By virtue of this process, I did, on the 25th: day of August 1866 attach the tract of land in Nansemond County belonging to the defendant Wm. M. Hodges, adjoining the lands of Jacob K. Haughley, Henry N. Hodges & others.

I also executed this process on Walter Freeman, on the 1st day of Septr. 1866, and delivered him a true copy hereof. The defendant Wm M. Hodges is not a resident of this Commonwealth.

Elag Sheriff

Virginia:

At Rules, held in the Clerk's office of the Circuit Court of Nansemond County, on Monday the 3rd day of September 1866.

Dorathy J. Copeland . . . . . Complainant.

against } In Chancery.

William M. Hodges and Walton Freeman. Defendants.

The object of this suit, is to recover of the defendants, $569:25 with interest from the 19th: day of February 1861, due by bond; and of the defendant. Wm: M. Hodges, the further sum of $143:73 with interest from the 1st day of June 1861. subject to a credit of $38.65 on the 1st day of October 1865; and to subject the estate of the defendant. Wm: M. Hodges, and especially, his tract of land in Nansemond County containing Two hundred and twenty five acres, more or less, adjoining the lands of Jacob K. Daughtrey, Henry H. Hodges and others, to the payment of the same. The plaintiff, having filed her Bill, and the defendant Wm: M. Hodges, not having been served with the summons in this suit, or with the attachment thereon, and it appearing by affidavit filed that the defendant, Wm: M. Hodges, is not a resident of this State, it is ordered that the said Wm: M. Hodges, do appear here within one month after due publication hereof, and do what is necessary to protect his interest, and that a copy of this order, be published once a week, for four successive weeks in the "Norfolk Virginian", a news-paper, published in the City of Norfolk, and posted at the front door of the Court House of Nansemond County, on the first day of the next. County Court.

Teste:

Peter B. Prentis: Clerk

Dorothy J. Copeland

To Sor. Pub:

Wm. M. Hodges Dec

I, J. Richd Lewellen, editer of The Virginian, a newspaper printed in the City of Norfolk, in the State of Virginia, do hereby certify that the order hereto annexed has been published once a week for four successive weeks in the newspaper aforesaid.

Given under my hand this 4th day of October A. D. 186 6

J. Richd Lewellen

Cost of executing the said order, paid by the above-named plaintiff, ~~$2.50~~ 9.00

CHANCERY NOTICES.

VIRGINIA:—At Rules held in the Clerk's Office of the [illegible] Court of Nansemond County, on Monday, the 3d day of September, 1866:

Dorothy J. Copeland, Complainant,
against
William M. Hodges and Wilson Freeman, Defendants.

IN CHANCERY.

The object of this suit is the recovery of the defendant's bond for $368.25, with interest from the 19th day of February, 1862, due by bond, and of the defendant, Wm. M. Hodges, the further sum of $143.73, with interest from the 1st day of June, 1861, subject to a credit of $36.65 on the 1st day of October, 1860, and to subject the estate of the defendant, Wm. M. Hodges, and especially his tract of land in Nansemond County, containing two hundred and twenty-five acres, more or less, adjoining the lands of Jacob K. Daughtrey, Henry Hodges and others, to the payment of the same. The plaintiff having filed her bill, and the defendant, Wm. M. Hodges, not having been served with the summons in this suit, or with the [illegible] thereof, and not appearing by affidavit filed that the defendant, Wm. M. Hodges, is not a resident of this State, it is ordered that the said Wm. M. Hodges do appear here within one month after the publication hereof, and do what is necessary to protect his interest, and that a copy of this order be published once a week, for four successive weeks, in the "Norfolk Virginian," a newspaper published in the city of Norfolk, and posted at the front door of the Court House of Nansemond County on the first day of the next County Court.

A Copy, Teste:

PETER B. PRENTIS, Clerk.

John R. Kilby, p. q.

Dorothy J. Cleland

To Faculty of Pub:

Wm. M. Hodges Lib:

KNOW ALL MEN BY THESE PRESENTS, That we Dorothy J. Copeland and Walton Freeman

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA, in the just and full sum of One 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 17th day of November in the year one thousand eight hundred and Sixty-six, and in the 91st year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That ~~if the above bound~~ Whereas, by a Decree of the Circuit Court of Hanover and County, pronounced on the 12th day of October 1866, in the cause of Dorothy J. Copeland, Plaintiff against Wm. M. Hodges and Walton Freeman, Defendants, it was directed that the Real Estate of the defendant Wm. M. Hodges be Sold, and out of the proceeds of said sale, to pay the debts of the Plaintiff: Now if the said Dorothy J. Copeland shall perform such future order as may be made in said cause, upon the appearance of the said Wm. M. Hodges, one of the said defendants, and his making defence, ~~shall faithfully discharge the duties of his said trust~~, then the above obligation to be void, or else to remain in full force and virtue.

Executed in presence of P. B. Trently

Dorothy J Copeland SEAL.
Walton Freeman SEAL.
SEAL.
SEAL.
SEAL.

Dorothy J. Copeland

To } Bond

Commonwealth.

---

1866
Nov: 17th: Executed & filed.

To John R. Kirby Atty &c.

You will suspend the sale of Wm M. Hodges' Land under Decree of Nansemond Circuit Court in my name v. Wm M. Hodges &c., and as the Debt due me of $569.25 and all Interest, now amounting to $768.48, has been cancelled & satisfactorily arranged, you will so entry on the Decree — Leaving only the small Debt of $143.73 due me.

Witness

Dorothy J Copeland

Der Clerk

Dorathy J. Copeland
against
Wm M. Hodges and Walton Freeman
} In chancery suit now pending in Nansemond Circuit Court -

This day Dorathy J. Copeland personally appeared before me in said County & being duly sworn, declares that the said Wm M. Hodges and Walton Freeman are justly indebted & bin the sum of five hundred and sixty nine dollars and twenty five cents with Interest from the 19th day of February 1861., due by Bond executed by said Defendants to John R. Copeland Executor of John Copeland and by him assigned to said Dorathy J. Copeland -

That the said Wm M. Hodges is also indebted & bin the sum of One hundred and forty three dollars and seventy three cents with Interest from the 1st day of June 1861 - subject to a credit of thirty eight dollars and sixty five cents on the 1st day of Oct. 1865. - That the said sums of money are justly due, and that there is present cause of action therefor, that the said Wm M. Hodges is a non resident of Virginia, and that said Walton Freeman resides in Nansemond County aforesaid; and that she believes that the said Wm M. Hodges has estate in Nansemond County aforesaid, where the above entitled suit is now pending, to wit: a tract of land in Nansemond County Containing Two Hundred & fifty - five acres more or less, and adjoining the lands of David K. Daughtrey, Henry H. Hodges & others - That this affidavit is made to obtain the benefit of the attachment Law against non resident Defendants, and

is made this 29th day of August 1866.

signed

Dorothy J Copeland

Sworn to before me on
the day & date above
John R. Copeland J.P.

Copeland
vs
Copeland
Stamps &c.
Aug: 29th 1866
Filed

Copeland

vs

Hodges &c

This cause, in which the Plaintiff has proceeded against the said Wm. M. Hodges in the mode prescribed by law against absent Defendants, ~~on this day to be heard on the Bill, and the Affidavit thereto~~, and he also failing to appear and answer, came on this day to be heard on the Bill which has been taken for confessed as to the other Defendant (Walton Freeman), came on to be heard on the said Bill taken for confessed as to the said Defendants, & on the exhibits filed with said ~~Bill~~ Bill, and was argued by Counsel on Consideration whereof the Court doth adjudge, order and decree that the plaintiff recover of the said Wm. M. Hodges and Walton Freeman the sum of $569.25, with interest thereon from the 19th day of February 1861 till paid: and that the said plaintiff recover of the said Wm. M. Hodges, the sum of one hundred and forty three dollars and seventy three cents, with interest thereon from the 1st day of June 1861 till paid, and the costs of this suit: And the Court doth further adjudge, order & decree that Wm. Eley, Sheriff of Nansemond County proceed to sell before the Court house door of said County, on some County Court day, the land belonging to the said Wm. M. Hodges described as a tract of land in Nansemond County, containing Two Hundred and fifty-four acres more or less, and adjoining the lands of Jacob K. Daughtry, Henry H. Hodges and others ~~on a credit of Twelve months~~, with interest from date on a credit of Twelve months, (except for a sum sufficient to pay costs of said sale which he is required in cash) taking Bond & good

security for the deferred payment & retain the title
to said Lands — first having given at least 25 days
notice of such sale by advertisement at the Court
house door of said County & at six other public
places in said County & once a week for 3 weeks
in some newspaper published in Norfolk City,
and make report to Court.

But the plaintiff shall not have the
benefit of this or any other decree to be hereafter
made in this cause, until she shall give
Bond, with sufficient security in the Clerks
office of this Court & before the Clerk thereof, payable
to the Comth. of Virginia in the penalty of $1000.
with condition to perform such future order as
may be made upon the appearance of the said
Defendant and his making defence —

Copeland

P

Stroyer

1866

Act of Congress

To be entered

R. M. 13

Entered

$143.73c bud demand I promise to pay unto Dorothy Copeland the just and full sum of one hundred and forty three dollars and seventy three cents for value received as given under my hand and seal this the twenty first day of June one thousand eight hundred and sixty one

Test
Henry Hodges

Wm M. Hodges (Seal)

(B.

Wm. H. Hodges
note $143.73.

Received on
the within
note $38,65
(Oct. 1. 1865)

$569.25 c

On demand we promise to pay or cause to be paid unto John R. Copeland executor of John Copeland dec? or order, the just and full sum of five hundred and sixty nine dollars and twenty five cents, for Value received, for the payment of which well and truly to be made we bind our selves our heirs, executors and administrators jointly severally firmly by these presents; as witness our hands and seal, this 19th day of February 1861.

Witness
Hiamson King

Wm M. Hodges (seal)
" Walton Freeman (seal)

Pay the within to Dorothy J. Copeland
without recourse to me.
January 11th 1862 John R. Copeland

(P.A.)

Wm. M. Hodges
Bond
$569.25
19 July 1861

Copeland

v

Hodges &c.

2 Exhibits filed

with Bill

Copeland
vs
Hodges

It appearing to the Court by the certificate of plaintiffs' atto. that this cause has been settled, It is, on the motion of the plaintiffs' Atty. ordered to be dismissed

Copeland
v

Hodges

1874
Sept 21
Order.
To be entered.
Geo. Sloan

Entered

To the Hon. Richard D. Baker, Judge of the Circuit Court of Nansemond County — in Chancery sitting —

Complaining shew unto the Court your Complainant Dorathy J. Copeland —

Your Complainant respectfully represents, to the Court and says, That Wm. M. Hodges & Walton Freeman, are justly indebted to her the sum of five hundred and sixty nine dollars and twenty five cents, with interest from the 19th day of February 1861 till paid, as will be seen by reference to this Bond filed herewith & marked (A.) — That the said Wm. M. Hodges is also indebted to your Complainant the sum of one hundred and forty three dollars and seventy three cents with interest from the 21st day of June 1861 till paid — subject to a credit of $38.65 on 1st Octo. 1865 — as will be seen by reference to his Bond filed herewith & marked (B.).

That the said debts are just, and that there is present cause of action therefor. That the said Wm. M. Hodges is a non resident of the State of Virginia and that Walton Freeman the other Defendant resides in Nansemond County Virginia. That your Complainant believes and charges that the said Wm. M. Hodges has estate in the said County, where this suit is pending, to wit: a tract of Land in the (283)
County of Nansemond, containing Two Hundred & fifty-five acres more or less, and adjoining the Lands of Jacob-

K. Daugherty, Henry H. Hodges and others.
your Complainant pray that the said Land may
be made subject to her said demands and that the
same may be sold to pay the same, and that the
same may be attached for that purpose.

In Consideration whereof and as this court has
power to grant due adequate relief — To the end your
Complainant pray, That Wm. M. Hodges (non resident
of Virginia as aforesaid) and Wallin Duncan may
be made Defendants hereto & be compelled to
answer the allegations herein — That the said
Land may be attached & held liable to pay your
Complainant's demand, and that such other and
further relief may be granted, as may be con-
sistent with Equity. &c

John R. Kilby

p. q.

Kilby p. v.

Dorothy J. Copeland

v. } Bill

Wm. M. Hodges &c

Code ch. 650, sec. 23

Hanc. Cir. Ct.

Copeland

vs

Hodges et al:

1866. Aug: 25th. Summons Chy: with attachment issd
" " 27th. Affidavit filed
" Sep: 3. Bill & Exhibits filed – Continued decree vs Defts. Brennan
" " " Or: of Pub: awarded vs Defts: Hodges
" " 5 Continued decree vs defts. Brennan confirmed & order of Publication having been published & posted according to law, cause set for hearing
" Oct 4th. certificate of Pub: filed
" " 12th. Decree for Sale &c
" Nov: 17th. Bond of Deft: executed filed

1867. Apl: 19th. Continued Octo: 15th. Continued (1868. Apl: 22) Continued.
1868. Octo: 14th. Continued (1869. April 21st. Continued (Octo: 14) Continued
1870. Apl: 20th. Continued (Octo: 13th) Continued. 1871. Apl: 19th. Continued. 1871 Oct Contd
1872. Apl 12 Contd

Clay: Notes:

(241) (28) (28)

Kirby P. O.

Dorothy J. Copeland

n. 2/3 Chancey

Wm M. Hodges Jr

1874 Sept Term

Final Term

Name? Circ. Ct.