

1875-003
Nansemond Co. (Suffolk)

Chancery Causes: J.R. King & Co. etc vs Admr of John B. March

Clark, Hunter, Clarke, Babb

Legal Notices.

COUNTY OF NANSEMOND—To wit:
In the clerk's office of the County court for the said county, on the 28th day of July, 1873, in vacation.

Joshua B. King, late merchant under the name of J. R. King & Co., suing for the benefit of F. W. Hunter and all other creditors of Jno. B. March, dec'd, who may make themselves parties on the usual terms..... Plff's.,
against

Walter H. Eley, admr. of Jno. B. March, dec'd; Geo. W. Clarke and Margaret E., his wife; Wm. H. March, Mary A. March and Jno. March, (the last two being infants)..... Defts.

IN CHANCERY.

The object of this suit is to recover of the estate of the said Jno. B. March, dec'd, \$39.65 with interest thereon from the 1st January, 1861, and to subject the real estate whereof the said Jno. B. March died seized and possessed to the payment of the same.

Affidavit having been made that defendants Geo. W. Clarke and Margaret E., his wife, are not residents of the State of Virginia, they are hereby required to appear in the said clerk's office, within one month after due publication hereof, and do what may be necessary to protect their interest.

A copy—teste:

W. E. COHOON, Clerk.
KILBY & SON, p. q. au8-4w

Whittenden, Va., farmer secures the
of taking a newspaper at two
dollars a year, and posts a notice
school-house that "3 horses
or bin store."

natism, Scrofula, and all diseases
from impurities of the blood,
the paramount excellence of this
[Com. and justify us in recommend-
ing it.

Office of the Suffolk Herald,

Suffolk, Va., Aug 23 1877

I hereby certify that the order, of which the annexed is a copy, has been published in the SUFFOLK HERALD in the manner prescribed by law, once a week for four successive weeks.

115.

Jessie A. Coleman Editor Herald.

order pub.

Household County to wit.

I, John R. Kelly, being duly sworn
say that I believe that Geo. W. Clark & Margaret E.
his wife, and Wm H. March, defendants as above
are non residents of Virginia.

John R. Kelly

Sworn to before me

26 July 1873

Willis E. Bohannan clerk

affidavit

The Commonwealth of Virginia,

To the Sheriff of Nansemond County--Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON

Walter H. Eley personal

representation of John B. March deceased, George W. Clarke and Margaret E. his wife, William H. March, Mary ^{Columbus March} St. March and John March the lost two infants

to appear at the Clerk's office of the *Quaint* Court of Nansemond county, at Rules to be holden for the said Court, on the first Monday in *August* next, to answer Bill in Chancery, exhibited against *them* in the said Court, by

Joshua R. King late merchant during business under the name of J. R. King & Co who sues for the benefit of J. W. Hunter and all other creditors of John B. March deceased who may make themselves parties on the usual terms

and have then and there this Summons. Witness, WILLIS E. COHOON, Clerk of our said Court, at his office, this *28* day of *July* 1873, in the *98* year of the Commonwealth.

Teste *W.E. Cohoon*

Clerk of the Court.

August 2nd 1873. I acknowledge legal summons of with
process for W. H. M. A. & Jno March-

W. H. Elyshiff &
personal representation
of John B March
Deo &c,

George W. Clark & Margaret E. his wife.
not found and no inhabitant.

W. H. Elyshiff,
Att'y,

in Co.

July 1873

J. B. March & Co for

W. H. Elyshiff

Geo W. Clark & Margaret E. his wife

Home Aug 1873

P. 1873

Know all Men by these Presents, That we _____

Wilbur J. Kilby and John R. 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. Sealed with our Seals, and dated this *8th*, day of *October* one thousand eight hundred and *seventy four*.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the said

~~who has this day qualified before the County Court of Nansemond County as~~

Wilbur J. Kilby, who has been appointed by a decree of the Circuit Court of Nansemond County pronounced at the May Term thereof 1874, a special Commissioner to sell, subject to the due interest therein of Margant E. Clarke, formerly the wife of John B. March deceased, the land of which the said March died seized and possessed, containing 125 acres, situated in Nansemond County and bounded by Somerton Creek and the State line,

shall faithfully discharge the duties of his said office, then this obligation is to be void or else to remain in full force.

Signed, Sealed, acknowledged and delivered }
in the presence of }

Wilbur J. Kilby

{ SEAL. }

John R. Kilby

{ SEAL. }

{ SEAL. }

{ SEAL. }

Joshua R. King &^e -

v.

J. B. March's Ref. & als.

Com^{rs} Bond.

Filed 8th, Oct. 1874

Joshua B. King &c

vs

Plt

W H Ely Personal Rep^t of John B. Marchbanks by

Proby

This cause came on this day to be again heard on the papers formerly read herein and on the report of Commissioner William Kelly made on the 23^d day of Nov. 1874 in pursuance of a decree of the Circuit Court of Hanson County pronounced at the May term thereof 1871 in this cause and was argued by counsel. On consideration whereof the Court doth confirm the said report, to which no exception has been filed, and doth adjudge, order and decree that the said William Kelly Commissioner aforesaid receive of the Clerk of this Court the three Bonds of J. W. Hunter and Samuel R. Hamblee each for the sum of \$46.08 $\frac{7}{8}$ dated the 12th day of October 1874 and by each respectively twelve months and two and three years after date with interest from date which the said Clerk will deliver to the said Commissioner or his having a receipt thereof and that the said Commissioner proceed to collect the principal thereof when due and all interest thereon or receive the same of the said J. W. Hunter and Samuel R. Hamblee before due if they shall offer to pay the sum in which last case interest is to be charged to the day of payment only; and that the said Commissioner proceed to pay first all cost as yet unpaid in this cause and then debts due by John B. Marchbanks deceased as mentioned in Commissioner William Kelly report of the 18th December 1873 in this cause and the residue, if any remain will the further order of Court, and the Court doth further adjudge, order and decree that the said Commissioner make to the said

J. W. Hunter, Subject to the down interest therein
of Margaret E. Clarke formerly the wife of said
John B. Mack deceased a deed with Special
warranty in the usual form for the real estate purchased
under proceedings had herein when he shall have
made the payment of said. And the said
commissioner will make report to court of his
proceedings in pursuance hereof.

Deleg
Joshua R. King

25

W. E. R. P. S. J. M. M. C. K.

Feb. 1875

Statement of debts due by
Juv. B. March deceased, or his
estate, as mentioned in Com=
missioner, Wilbur J. Kilby's Report
of 18th. December 1873, filed in
this cause:

To F. W. Hunter, assignee of
Nathaniel Babt

\$ 54 50

" Interest on \$30. part thereof
from 12 Apl. 1874 to 12th.
March 1875. - 11 ms.

1 65
\$ 56.15

To F. W. Hunter, assignee of
Joshua R. King Leo

\$ 71 11

" Interest on \$39.65, part thereof,
from 12 Apl. 1874 to 12th.
March 1875 - 11 ms.

2 17 = 73 28
\$ 129.43

Commissioner's Office
Suffolk, Virginia,
19th. March 1875.

To The Circuit Court of Hansemond
County, State of Virginia.

In pursuance of a decretal
order of The said Court, pronounced at
the February Term thereof 1875 in a
cause in Chancery in the said Court
defunding between Joshua
R. King Heo. suing for the benefit of
F. W. Hunter etc, as plaintiffs, and
the Personal Representative of John B.
March deceased and others, as defend-
ants, - a copy of said decretal order
being herewith annexed; Your Com-
missioner reports to Court that he re-
ceived of the clerk of said Court (hav-
ing left with him a receipt therefor),
the three Bonds of F. W. Hunter and
Lemuel R. Hunter, each for the sum
of \$46.08 $\frac{2}{3}$, dated the 12th. day of Octo-
ber 1874, and payable respectively twelve
months, and two and three years after
date, with interest from date, and pro-
ceeded to collect, and did collect,
the principal and interest thereof,
and did pay out the same as the
said order directs and as the following

report and annexed voucher will shew:		
By principal of Three Bonds of F. W.		
Hunter and Lemuel R. Hunter, each		
for the sum of \$46.08 $\frac{2}{3}$.	\$138	26
" interest from 12 Oct. 1874 (date of		
Bonds) to 12 Mar. 1875. - 5 ms.		3 46
	\$141.	72
To amount to pay unpaid costs, retained	12	29
	\$129	43
To paid F. W. Hunter in full of debts		
due to him by Jno. B. March		
deceased, or his estate, as per		
annexed statement, and recd.	\$129	43.

Your Commissioner further reports to Court that in pursuance of said decretal order, he has made to the said F. W. Hunter a deed with special warranty in the usual form for the land of which Jno. B. March died seized and possessed containing one hundred and twenty five acres, and purchased under proceedings had in this cause, subject to the dower interest therein of Margaret E. Clarke, formerly the wife of said March.

Respectfully submitted
 Wilbur J. Kilby.
 Commissioner.

1875 March 12th. Received of Wilbur J. Kilby
Commissioner, one hundred and twenty
nine and $\frac{43}{100}$ dollars in full of
claims against the estate of Geo. B.
March deceased, as set forth in the
above report

\$129, $\frac{43}{100}$

Fred. N. Hunter

King Geo. for Hunter & Co.
v.

March's Per. Ref. & als.

Commissioner's Report of
Collections & Payments.

Completed and filed in
my office 19th. March
1875.

Wilbur J. Kilby
Cour.

Filed 12 Apr 1875-

\$50.

One day after date with interest
from date I promise to pay to
Nathaniel Babb thirty dollars for
value received of him as witness my
hand and seal this the 1st of Sept. 1860

John B Morel (seal)

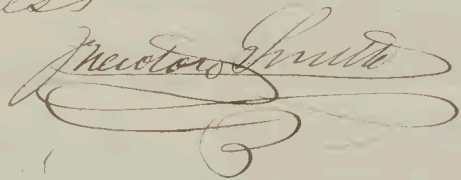
Witness

N. B. Babb

Pay the within to
F. W. Hunter.
Dec 7th 1893. Nathaniel ^{his} Babbs
mark

3965 One day after date
I promise to pay to J R King & Co
the just and full value of
Thirty-nine dollars and 65 cts for
Salve Reed as witnessed my hand
this day 1st 1861

Witness



 ^{Recd}
John B. March

Jan 18 1870. Don't the within 10
2. 10. 10. 10. 10. 10. 10. 10. 10. 10.
10. 10. 10. 10. 10. 10. 10. 10. 10. 10.

V. N. King

"A"

John B. Harsh
Note
\$39.65

2476

Cont Oct 28 1870
\$67.76

2476 (15)
3037

13010
132

103 14
88 14
15 25
3209
6

Exhibits filed
with
Course Report

Virginia In the Circuit Court - Hanover County, October term
1878

Joshua R King &c

vs

Wm Ely Rep. of John B March &c

Plffs
Defts
} probate

This cause in which the plaintiffs
have proceeded in the mode prescribed by law against absent defendants
as to Geo W Clarke and Margaret & his wife, come on to be heard on
the plaintiffs bill taken for confessed as to them and also as to the
other adult defendants on whom process had been duly executed and
they still failing to appear and make answer defense and on the
answer of the infant defendants by their guardian ad litem and
application to said answer and exhibits filed with the said bill and
was argued by Counsel: On Consideration whereof the Court doth
adjudge order and decree thus Commencing of this Court proceed to take
and state the following accounts to wit, 1st On account of the transactions
of Walter Ely as personal representative of John B March decd, 2nd
on account of the debts and demands due by the said John B March
or his Estate, and their dignity and 3rd On account of the real Estate
of which the said John B March decd seized and possessed and its per
sonal and personal value and make report to Court with any
matters specially stated deemed pertinent by himself or that any
one of the parties may require to be so stated

Cvby

rest

Wm Ely & Co Shum clerk

Joshua B. King

2.

W. Abley Rep. 113 March 24

cor at Oct-Dec 1873

10th H. March 7

Wm. at March

Colom get out letter

2 notes, covered by staff.

Commissioner's Office,
SUFFOLK, NANSEMOND COUNTY, VA.

24 November 1873

To

Joshua R. King etc. for H. W. Hunter &c.

Plaintiffs.

and to W. H. Eley, representative of John B. March deceased, Wm H. March, and Mary A. March & W. E. Coburn guardian ad litem Defendants.

You are hereby notified that I have fixed upon the 18 day of December next, to take and settle, at my office, the following accounts, to-wit:

1. An account of the transactions of W. H. Eley as personal representative of John B. March, deceased.
2. An account of all debts and demands due by the said John B. March or his estate and their dignity.
3. An account of the real estate of which the said John B. March died seized and possessed and its fee-simple and annual values.

required to be taken by the decree of Nansemond Circuit Court, rendered on the 12 day of October 1873 in a suit in Chancery depending in 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 in Chancery of the said Court, the day and year first aforesaid.

Wilbur J. Kilby
Comm.

Service of the within notice is hereby acknowledged
for the Plaintiff. John R Kilby p[er]s. att[or]

Service acknowledged for the infant defendants.
U. E. Cochran Geo. ad litem

On the 28 day of Nov—1873, I delivered a copy
of the within notice to Wm A. March and Mary
A. March and do hereby acknowledge service
of the same.

W H Eley
Shff

Office of Commissioner
Suffolk, Virginia
18th. Dec. 1873.

In pursuance of a decretal order of The Circuit Court of Hanover County pronounced at the October term thereof 1873, in a cause in chancery in the said Court depending between Joshua R. King Heo., suing for the benefit of F. W. Hunter etc., and the personal representative of John B. March, deceased and others, a copy of said order being herewith annexed; The undersigned, Your Commissioner, having given notice to the parties as will appear by the endorsements on the notice herewith returned, proceeded, this day, to execute the said order. The proceedings having been at length completed, the result is herewith respectfully submitted:

Account No. 1.

Dr. The estate of John B. March, deceased,
in account with W. H. Eley, Sheriff and
Committee of said estate.

Cr.

There have been no receipts and
no disbursements.

Account No. 2.

Of the debts and demands due by the said John B. March deceased, or his estate and their dignity, to wit:

1. A Bond dated The 1st. Sept. 1860 and executed by said March to Nathaniel Babb and payable one day after date with interest from date, and by indorsation thereon, assigned to F. W. Hunter; the principal amounting to	30	00		
and the interest, from 1st. Sept. 1860 to 12 April 1874; - 13y. 7m. 11ds. -	24	50	54	50
2. Another Bond dated 1st. Jan. 1861 and executed by said March to Joshua R. King Geo., and payable one day after date, and by indorsation thereon assigned to F. W. Hunter; the principal of the same amounting to -	39	65		
and the interest from 2. Jan. 1861 to 12 April 1874 - 13y. 3m. 11ds. -	31	46	71	11
Total amt. of debts =			125	61

Your Commissioner has no knowledge of any other debts or demands due by the said John B. March deceased or his estate

(see over)

Account No. 3.

Of the real estate of which the said John B. March died seized and possessed and its fee-simple and annual values, to wit:

125 acres, situated in Holy Neck Township in Fauquier County, Virginia, and bounded by Sawerton Creek and the State line; its fee-simple value being, -	\$280 00
and its annual value -	\$25.00.

Respectfully submitted.

Wilbur J. Kilby.

Commissioner.

Fee \$10.

J. R. King Sec. for etc
v. } Comr's Report

Per. Rep. of J. B. March
deceased & others.

Completed & filed
in my office 18th.
December 1873.

Wilbur J. Kilby
Comr.

King Geo. the.

v.

March's Per. Rep. & als.

This cause came on this day to be again heard on the papers formerly read herein and on the report of Commissioner Wilbur J. Kilby, made on the 23d. day of November 1874 in pursuance of a decree of the Circuit Court of Chautauque County pronounced at the May Term thereof 1874 in this cause, and was argued by counsel.

On consideration whereof the Court doth confirm the said report, to which no exception has been filed, and doth adjudge, order and decree that the said Wilbur J. Kilby, Commissioner aforesaid, receive of the clerk of this Court the three Bonds of ^{and Lemuel R. Hunter,} F. W. Hunter, each for the sum of \$46, 08 $\frac{2}{3}$, dated the 12th. day of October 1874, and payable respectively twelve months, and two and three years after date with interest from date - which the said clerk will deliver to the said Commissioner on his leaving a receipt therefor; and that the said Commissioner proceed to collect the principal thereof, when due, and all interest thereon, or receive the same of the said F. W. Hunter, ^{and Lemuel R. Hunter} before due, if they shall offer to pay the same. - in which last case, interest is to be charged to the day of payment only; and that the said Commissioner proceed to pay, first, all costs as yet unpaid in this cause, and then the debts due by John B. March deceased as mentioned in Commissioner W. J. Kilby's report of the 18th. December 1873, in this cause ~~mentioned in said report~~ and the residue, if

King Geo. 3^d.

v.

March's Rep. & Co.

Household County Circuit
Court.

February term 1875.

Decree for collection

To be entered,

Geo. J. B. 1875.

Continued

547

any, retain till the further order of Court.

And the Court doth further adjudge, order and decree that the said Commissioner make to the said H. W. Hunter, subject to the dower interest therein of Margaret E. Clarke, formerly the wife of said John B. March deceased, a deed, with special warranty in the usual form, for the real estate purchased under proceedings had herein when he shall have made the payment aforesaid. And the said Commissioner will make report to Court of his proceedings in pursuance hereof.

J. R. King Secy. for etc.

v.

J. B. March's Personal Representative & al.

This cause came on This day to be again heard on the papers formerly read herein and on the report of Commissioner, Wilbur J. Kilby, made in pursuance of the decree entered herein at the October term of this Court 1873, and completed and filed in his office on the 18th, day of December 1873, and was argued by counsel.

On consideration whereof the Court doth confirm the said report, to which no exception has been filed, and doth adjudge, order, and decree, that Wilbur J. Kilby, (who is hereby appointed a special Commissioner for that purpose) proceed to sell before the Court house door of Staunund County, on some court day, subject to the dower interest therein of Margaret E. Clark, formerly the wife of said John B. March, deceased, the land of which said March died seized and possessed, described in account number Three of said report, as containing one hundred and twenty five acres, situated in Holy Neck Township, in Staunund County, Virginia, and bounded by Sawentm Creek and the State line, - said sale to be made after due notice thereof shall have been given at the Court house door of said county, ^{& other places for twenty days} and by advertisement, once a week for three successive weeks in the "Suffolk Herald", a newspaper published in the Town of Suffolk, Virginia, and on

a credit of one, two and three years (an amount sufficient to pay the costs of this suit excepted, which shall be paid in cash), and the purchaser to give three separate Bonds, with good security for the deferred payments, bearing lawful interest from the day of sale, payable to said Commissioner, who will retain the title to said land until the further order of the Court.

But no sale shall be made hereunder until the said Commissioner shall have executed before the clerk of this Court, in his office, a Bond in the penalty of \$500. with good security, payable to the Commonwealth of Virginia and conditioned for the faithful performance of the terms of this decree and all other decrees that he may be required to execute in this cause. And the said Commissioner will make report to court of his proceedings hereunder.

J. R. King Heo. for ite.

v.

J. B. March's Per. Rep. & al.

May Circuit Court 1874.

Decree for sale.

To be entered.

~~Wm. S. D.~~

Entered

~~I think the land is~~
~~be ...~~

King H^c. for Hunter &c.

n.

Mrs. B. March admd tal.

This cause, in which the plaintiffs have proceeded in the mode prescribed by Law against absent Defendants, as to Geo. W. Clarke and Margaret E. his wife, came on to be heard on the plaintiffs Bice taken for confesors as to them, and also as to the other absent Defendants, on whom process had been duly executed and they still failing to appear and make defence, on the answer of the default Defendants by their guardian ad litem, replication & said answer; and exhibit filed with the said Bice, and was argued by Counsel: on consideration whereof the Court doth adjudge, order and decree that a Commissioner of this Court proceed to take & state the following accounts: to wit: 1st an account of the transactions of Walter H. Eley as Personal Representative of John B. March dec'd; 2^d. an account of the Debts & Demands due by the said John B. March or his estate and their disburse, & 3^d, an account of the Real estate of which said John B. March died seized and possessed, Fifty five square & annual value, & make report to Court with any matters specially stated deemed pertinent by himself, or that any one of the parties may require to be so stated.

King Geo. for Hunter &

M.

March, above &

1873

Oct. Cir. et.

decreased for account &

to be entered.

Geo. B. 1873.

Patent

LAND FOR SALE.

In pursuance of the terms of a decree of the County Court of Nausemond county, pronounced at the May term thereof, 1874, I shall proceed to sell before the Court-house door of Nausemond county, ON THE 12TH DAY OF OCTOBER, 1874, (that being Court day), subject to the dower interest therein, of Margaret E. Clarke, formerly the wife of John B. March, deceased, the land of which the said John B. March died, seized, and possessed, CONTAINING ~~125~~ ACRES, situated in Holly Neck township, in said county, and bounded by Somerton creek and the State line.

TERMS—The sale will be made on a credit of one, two, and three years, (an amount sufficient to pay all costs excepted which shall be paid in cash.) The purchaser will be required to give three separate bonds, with good security for the deferred payments, to bear lawful interest from the day of sale, and the title to the land will be given when the last payment shall have been made.

WILBUR J. KILBY,

sep16-4t

Special Commissioner.

Suffolk, Va., Oct 2nd 1874

Mr Wilbur J. Kelley

To Suffolk Herald, Dr.

NEWSPAPER AND JOB PRINTING OFFICE,

Washington Square, over Commercial Bank.

Aug	3	To 28 8th Sheet Hand Bills	2 00	
		"Land for Sale Margaret E. Clarke"		
Sept	16	Pub. Land for Sale		
		3 Inches 4 times	6 00	
		Paid To	Clarke	\$ 8 00

Suffolk, Va., Augt 8th 1873

My Mr R Kilgus Son.

TO T. G. ELAM,

Proprietor "Suffolk Herald," Dr.

Pub. order
King vs Mr T G Elam

\$5.00

Paia

T G Elam

Proprietor.

At a Circuit Court held for Hanseman County May Term
1874.

Joshua B King late merchant doing business under the
firm of J B King & Co who dies for the benefit of J W Hunter
and all other creditors of John B March deceased who
may make themselves parties on the usual terms. *Plffs*

vs

Walter H Oley personal representative of John B March
decd, Geo W Clark and Margaret & his wife; William H.
March, May A March, Columbus March & Jno March
(last two infants) *Defts.*

Inchman

This cause came on this day to be again heard on the papers.

Formerly read herein and on the report of Commissioner William J Kelly made
in pursuance of the decree entered herein, at the October term of this
Court 1873 and confirmed and filed in his office on the 18th day of December
1873 and was agreed by counsel. On consideration whereof the Court doth
confirm said report to which no exceptions have been filed and doth adjudged
order and decree that William J Kelly who is hereby appointed a special
commissioner for that purpose proceed to sell before the Court House door of
Hanseman County on some Court day subject to the decree entered therein
of Margaret & Clarke formerly the wife of said John B March decd: the
land of which said March died seized and possessed described in account
No 3 of said report as containing one hundred and twenty five acres
situated in Holy Neck township Hanseman County Virginia and
bounded by Sumner Creek and the State line, said sale to be made after
due notice thereof has been given at the Court House door of said County and other
places for twenty days and by advertisement once a week for four weeks in
the Suffolk Herald a news paper published in the town of Suffolk
Virginia and on a credit of one, two, and three years (an amount sufficient
to pay the cost of this suit, excepted which shall be paid in cash) and the
purchaser to give three separate bonds with good security for the deferred
payment bearing lawful interest from the day of sale payable to said
Commissioner who will retain the title to the said land until the

Further order of the Court. But no sale shall be made hereunder until the said Commissioners shall have executed before the Clerk of this Court in his office a bond in the penalty of \$500.00 with good security payable to the Commonwealth of Virginia, and conditioned for the faithful performance of the terms of the decree, and all other decrees that he may be required to execute in this cause. And the said Commissioners will report to Court of his proceedings hereunto.

copy

Teste

Willis E Boham Clerk

Joshua R. King Treasr

"

Wm. H. Wiley Secy of the Court
of the March term.

1874

My Treasr en ent-

Costs

clerk — \$8.24

shff — 2.00

atly & tax 16.00

ord. pub 5.00

comr — 10.00

\$41.24

advt 8.00

\$49.24

as per 1874

20

E. B. Stanton

\$200.00

LAND FOR SALE!

In pursuance of the terms of a decree of the Circuit Court of Nansemond county, pronounced at the May term thereof, 1874, I shall proceed to sell before the Court-house door of Nansemond county,

ON THE 12th DAY OF OCTOBER, 1874,
(that being Court day) subject to the dower interest therein, of Margaret E. Clarke, formerly the wife of John B. March, deceased, the land, of which the said John B. March died, seized, and possessed,

CONTAINING 125 ACRES,

situated in Holy Neck township, in said county, and bounded by Somerton creek and the State line.

TERMS---The sale will be made on a credit of one, two and three years, (an amount sufficient to pay all costs excepted, which shall be paid in cash.) The purchaser will be required to give three separate bonds, with good security, for the deferred payments, to bear lawful interest from the day of sale, and the title to the land will be given when the last payment shall have been made.

WILBUR J. KILBY,

Special Commissioner.

Commissioner's Office
Suffolk, Va. 23d. Nov. 1874

To the Circuit Court of Hansemond County:

The Undersigned, Your Commis-
sioner, reports to the Court that in pursuance
of the terms of a decree of the said Court pro-
nounced at the May Term thereof 1874 in a
cause in Chancery in the said Court defend-
ing between J. R. King Heir, suing for the
benefit of F. W. Hunter and others as plain-
tiffs, and the Administrator of the estate of
John B. March deceased, and others as
defendants, he proceeded to advertise the
land of which the said March died seized
and possessed for sale; the same being
described in the proceedings in said cause
as containing 125 acres, situated in Holy
Beck Township in said County and
bounded by Smerton Creek and the State
line; and in pursuance of the said ad-
vertisement did offer the said land for
sale at public auction before the Court
House door of said County on the 12th. day
of October 1874 on the terms named in
the said decree, when the same was pur-
chased by Fred. W. Hunter for the sum of
\$200. that amount being more than two

Thirds of the assessed value of the said land.

The following is the account which, your Commissioner renders:

By proceeds of the sale of the said land as above. —			\$200 00
Of this amount, your Commissioner received in cash \$61.74. — which he paid out as follows:			
To paid attorney Tax. per rect.	\$16 00		
" " Commissioner. "	10 00		
" " Clerk's costs. "	8 24		
" " Sheriff "	2 00		
" " for order of publication "	5 00		
" " for advertising "	8 00		
" " Crier at sale "	2 50		
" 5 per cent Commissions on \$200.	10 00	\$61 74	
		~~\$138 26~~	
To first Bond of F. W. Hunter, dated 12th, day of October 1874, payable 12 months after date, with interest from date, and filed with this report. —	\$46 08 $\frac{2}{3}$		
" second Bond of same party, and same date, payable two years after date with in- terest as above. filed with this report —	46 08 $\frac{2}{3}$		
" third Bond of same party and same date, payable three years after date, with in- terest as above. filed with this report.	46 08 $\frac{2}{3}$	\$138 26	

Respectfully submitted

Wilbur J. Kilby, Comr.

1874 Oct. 14th. Received of Wilbur J. Kilby
Commr. The amounts set opposite to our names
as follows, and charged by him in the
following account:

John R. Kilby, atty.	\$16.00	
For clerk, ^{\$2.21} Shff.	^{\$2.00}	}
+ Cris	^{\$2.50}	
		12.74
W. J. Kilby Commr.		}
fee & Commissions	^{\$10.00}	
		20.00

1875 March, 2, Received of the clerk of the Circuit Court
of Saukumond County for collection, as per decree of
said Court at February Term 1875, The Three Bonds
of F. W. and Lemuel R. Hunter, filed with this
report, dated 12th, October 1874 and payable respect-
ively twelve months, and two and three years after
date, with interest from date, each for the sum of
\$46.08 $\frac{2}{3}$

Wilbur J. Kilby
Clerk.

J. R. King Secy. etc.,

W.

Juw. B. Marek's Per. Rep.
and others.

Report of Sale

Filed 4 Dec 1874

King Geo. 7th
v.

March's Per. Rep. & als.

This cause came on this day to be again heard on the papers formerly read herein, and on the report of Commissioner, Wilbur J. Kilby, made in pursuance of a decree of the Circuit Court of Chautauque County pronounced at the February Term thereof 1875, and was argued by counsel.

On consideration whereof the Court doth confirm the said report to which no exception has been filed, and, nothing more remaining to be done in this cause, doth order that the same be removed from the docket of this court,

King Geo. for t^e
v.
March's Per. Rep. & als.

Hanseman County
Circuit Court,
June term 1875

Final decree
To be entered

Geo. B. Snow.

Entered

Hunter &c.

17

March.

The answer of Mary A. March, ^{Columbus March} & John March
Infants by W. E. Cochran, their guardian to a Bill
submitted against others & themselves in the County
Court of Staunton County by J. R. King H^c &c.

These Respondents say, that so far as
they know, the facts set forth in the said Bill
are true, but being Infants & Incapable
of defending themselves, they submit their
rights in the premises to the Court.

Signed

Willis E Cochran. Guardian

King Geo. 6

27

March 1873

Answer of
Gifts.

filed Aug. 1873

the said Land descend to the children of said John B. March dec'd -

Your Complainant says, that the said John B. March on the 1st day of January 1861 executed his ~~Deed~~^{note} to your Complainant for the sum of thirty nine dollars and 65^{cts} payable one day after date, as will be seen by the said note filed hereinto marked "A", and which is yet due unpaid. That the estate of the said John B. March was by order of the County Court of Stanswold County Va. at the July Term 1873, committed to the hands of Walter H. Eley, Sheriff of Stanswold County for administration -

Your Complainant says, that the rent from said Land will not pay your complainant's demand in five years, (and that the Land should be sold to pay the same.

In consideration whereof and as this Court has jurisdiction to grant a adequate Relief - To the end your Complainant prays that the said George W. Clark, & Margaret E. his wife, and William H. March, Mary A. March ^{Columbia March} (and) John March, the last two infants, may be made defendants hereto, & be required to answer the allegations herein - That the accounts of said Walter H. Eley Sheriff & Committee of said John B. March dec'd. may be duly settled: That all moneys that may be in the hands of said Eley

as such Representative, may be paid to your Complainant;

That the said aforesaid may be over subject to the and the proceeds paid to your Complainant
Dower therein of Mrs. Margaret E. Clark, and that

such other (and) further relief may be granted consistent with Equity &c.

and your Complainant will ever pray &c.

John R. Kelly Com. p. p.

Kelly son

J. R. King to. for
J. W. Hunter to

is } Bill

Mrs. B. March's per.
Rep. & others

Nam? Cir. et

In the Circuit Court of Hancock County

J.R. King & Co for r

v

Petrs

Drfs

} In Chancery

Jno B March's admr et al

Chancery Notes

- 1873 Aug Rules, Bill ^{re exhibits raw of infant debts filed} filed & decree nisi ^{grph}
- v all debts except Clark wife
& cent per pub. as to them
- 1873 Sept Rules Bill p c as to all debt except
Clark wife, cty of pub filed & decree
nisi as to them
ord pub executed
- 1873 Octo Rules Bill p c. as to Clark wife &
Cause set for hearing
- 1874 May Term Decree for sale
- 1875 Feby Term Decree for collection

Notes

Costs

clk . . . 78.24
Shff . . . 2.00
ally May. 16. 00
ord. Pub 5. 00
curr 10. 00
adot 8. 00
70 May 1874 24
2-1874

July 1874

J. R. King 160. 00

J. W. Hunter 5.

7 } chg.

John B. March's adms

Sac.

1875 from term

Final Decr

Cir. et. Naus. Co.