

1875-009
Nansemond Co. (Suffolk)

Chancery Causes: Wilbur J. Kilby asgn. in bankruptcy of Exum B. Britt vs John H. Harrison etz

Pinner, Coleburn

Oversized
Box 2
- 1 Broadside

The Commonwealth of Virginia,

To the Sheriff of Nansemond County--Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON *John H Harrison*

Might Pinna and Exum B Butt

to appear at the Clerk's office of the *Circuit* Court of Nansemond county, at Rules to be holden for the said Court, on the first Monday in *July* next, to answer a _____ Bill in Chancery, exhibited against *them* in the said Court, by *Dillon J. Kilby* *opague in Bankruptcy* of *Exum B Butt*.

and have, then and there this Summons. Witness, WILLIS E. COHOON, Clerk of our said Court, at his office, this *26* day of *June* 187*3*, in the *97* year of the Commonwealth.

Willis E. Cohoon Clerk of the Court.

Executed July 4th 1873, by delivering a copy to Mrs Harrison
Wright Kinnear, & Exam B Brill each!

W H Day
J H

Kelly & Co P.S. car et

William J. Kelly of firm of
E B Brill

v. } Shu choy

John H Harrison sub

205 July Rules 1873

Know all Men by these Presents, That we _____

John R. Kilby and Wilbur J. Kilby

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA, in the sum of _____

three 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*.

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 Nansentond County as~~

John R. Kilby, who has been appointed by a decree of the Circuit Court of Wausseauand County, pronounced at the May Term thereof 1874, a special Commissioner to see, subject to the estate therein of Mrs. Ann Harrison for her own life time, the one fourth interest of John H. Harrison in an undivided tract of land containing 6 acres, situated in the town of Suffolk, fronting on Kilby Street, and bounded by the property of J. T. Sumner & others,

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

John R. Kilby

{ SEAL. }

Wilbur J. Kilby

{ SEAL. }

{ SEAL. }

{ SEAL. }

Wilbur J. Kilby assignee^{fe}

v.

John H. Hamison fals.

Com^{rs} Bond.

Filed 8th, Oct. 1874

Oversized Box 2
1 broadside

LAND FOR SALE.

As directed by 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 said county,

ON 12TH DAY OF OCTOBER, 1874,

(that being court day) subject to the estate therein of Mrs. Ana Harrison for her own life-time, the one-fourth interest of John H. Harrison in an undivided tract of land,

CONTAINING SIX ACRES,

fronting on Kilby street, and situated west of Pine street, in the town of Suffolk, and bounded on the east by the property of John T. Nurney and others, on the west by the property of Joshua Medina, on the north by the B. & O. railroad, and on the south by the said Kilby street.

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 said interest in said land will be given when the last payment shall have been made. Should the purchaser elect to do so, he may pay the full amount of the purchase money in cash and take a deed at once for the interest in said land purchased.

1874-11

JOHN R. KILBY,
Special Commissioner.

Suffolk, Va., Oct 2^d 1874

Mr Jno R. Hilby

To Suffolk Herald, Dr.

PRINTER AND JOB PRINTING OFFICE,

Washington Square, over Commercial Bank.

From the office of the Herald
 written by * * *
 three weeks ago
 300 shares
 railroad

apparent consultation between
 Carlo commenced operations
 in Dick's neck, occasionally
 press his tongue against it.
 Then continued to do all one day and
 noon of the next day. Then
 seen, his whole body quiver-
 excitement, trying to catch
 with his teeth in which he

Aug 21	To 30 th Sheet Hand Bills			
	"2 ^d St Harrison"		200	
Sept 23	Pub Card in Herald			
	Land for Sale "2 ^d St Harrison"			
	1 1/2 Inches Times		788	
	Paia J. G. Elam		988	

At a Circuit Court held for Hanseman and County May Term
1874. Walter J. Kelly of. in Bankruptcy of E. B. Davis vs John H. Harrison and Ughto Pinner & Co

This cause came on this day to be again heard on the papers formerly read
herein and on the report of Commissioner Peter B. Curtis made in pursuance of
the decree entered herein at the October term of this Court - 1873 and accepted and filed
in his office the 30th December 1873 and was argued by counsel: On consideration
whereof the Court doth confirm the said report - to which no objection has been filed
and doth adjudge order and decree that John D. Kelly (who is hereby appointed a
Special Commissioner for that purpose) proceed to sell before the Court & case soon
of Hanseman and County on some Court day subject to the estate of Miss Ann
Harrison for her own life the one fourth interest of John H. Harrison in the an
undivided tract of land described in account No 2 of said report as contain-
ing six acres situated on the North side of Kelly Street in the town of Suffolk
Virginia, and bounded on the East by the property of Mrs J. Murray, on the West by the
property of Joshua Matthias and on the North by the railroad and Common
Rail Road, after having first given the notice of said sale at the Court House door
of said County and by advertisement once a week for three successive weeks in
the "Suffolk Herald" News Paper published in the town of Suffolk, Virginia
said sale, at the Court House door of said County to be made on a credit of One,
two and three years (an amount sufficient to pay the cost of this suit excepted)
which shall be in Cash) and the purchaser to give three separate bonds with good
security for the deferred payments being lawful interest from the day of sale
payable to said Commissioner who will retain the title to said interest
in said land until the further order of the Court. But should the pur-
chaser elect to pay the full amount of the purchase money in Cash the
said Commissioner is hereby authorized to receive the same and make to him
a deed with special warranty in the usual form for the interest in said
land sold hereunder, and out of said sale, to pay first the costs of this
suit and then to the plaintiff the sum of One hundred and nine dollars
and twelve cents post-thereof from the 30th day of December 1873 till paid,
and the residue if any, to Ughto Pinner of the said John H.
Harrison. But no sale shall be made hereunder until the said
Commissioner shall execute before the Clerk of this Court in his Office

found in the purity of three hundred dollars with great accuracy by all
to the Commencement of Virginia, and considered for the faithful performance
of the terms of this case, and other services that he may be required to
perform in this case, and the said commission will make report to Court
of his proceedings hereunder.

City

Waco

Wain & Bohm atty

W. J. Hilby ofen in Bond
witness of E. B. Smith

vs

John H. Harrison Sub

1874

May term court

2.06
1.08
3.14

57 31

53 01

6 35

\$ 110.29

1857
12 Oct 1874
cont

W. J. Kilby appt. in Bankruptcy of E. B. Brill
 against }
 John H. Harrison & others } Chancery, Cir. Ct.
 Nausumond

The undersigned reports to the Circuit Court of Nausumond County, that pursuant to the decree of said court, made at the May Term 1874, of said court, in the cause aforesaid, therein pending he proceeded to advertise the real estate named in said decree as directed and did on Monday the 12th day of October 1874, before the Court House door of said County, sell at auction on the terms named in the said decree the land aforesaid, to wit: One fourth part of 6 acres more or less, to which Jno. H. Harrison was entitled, after the death of Mrs. Ann Harrison.

— which $\frac{1}{4}$ was purchased by W^m. B. Whitehead for \$150.00 which he has paid in cash —

Cost of which has been paid entry & expenses, to wit: 5 per cent Com. \$ 7.50	
To paid Geo. T. Parker Com. 2.50	
" " Atty fee & Day 16.00	
" " Clerk's fees 6.00	
" " advertising sale & recd. 9.88	
" " Sheriff's fee. 1.50	
" " W. J. Kilby Com fee 5.00	
" " for deed &c. 3.50 =	\$ 51.88
	<hr/>
	\$ 98:12

To paid plaintiff in part of his demand for recd. } 98:12

A deed has been made to the purchaser as authorized by said decree. Respectfully submitted

John B. Kilby, Com

1874 Nov 10th Rec^d. of John R. Kilby Com^r.
Ninty eight dollars and twelve cents as
set forth in the foregoing report.

(#98:12.)

Wilbur J. Kilby, Assignee

Britt's apen

m

Harrison Sal;

Report of sale

and

payments.

Filed 18th Nov 1874

Virginia in the Circuit Court of Handerson County October Term
1873

Wilbur J Kelly of paper & Bondsman of E B Butt Petter
vs

John H Harrison, Mgr of the Parish & E B Butt.

} In Chancery
Duffs

This cause came on this day to be heard on the bill of the complainants to sell for confessed, as to the defendants on whom process had been duly executed and they show failing to appear and make defence and on the affidavits 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 take and state the following accounts 1st an account of the judgment lien of the said E B Butt on the real estate of the defendant John H Harrison and of all other judgments 2^d an account of the real estate subject to said lien, and its full simple and assessed value, and report to Court with any matters specially stated deemed pertinent by himself or that any of the parties may require to be so stated

Copy

Teste

Willis & Bohm Clerk

W Kelly of. E B Buito 40

23 } cep brand
} art 2m 1873

John W. Hanson

on at +

Commissioner's Office,

SUFFOLK, NANSEMOND COUNTY, VA.

24 November 1873

To

Wilbur J. Kilby, assignee in Bank =
trustee of Exum B. Britt, Bankrupt, *Plaintiff*

and

John H. Harrison, Wright Primer and
Exum B. Britt

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 judgment lien of said Exum B. Britt on the real estate of the defendant, John H. Harrison and of all other judgment liens on said estate.
2. An account of the real estate subject to said lien or liens, 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.

Peter B. Prutis
Cour.

Service of the within notice is hereby acknowl-
edged

Wilbur J. Kilby, Asser.

On the 28th day of Apr 1873. I delivered a copy of
the within notice to each of the defendants, John
H. Harrison, and Wright Primer.

W H Elyshoff

Commissioner's Office
Suffolk, Virginia,
20 December 1873.

In pursuance of a decretal order of the Circuit Court of Accomack County, pronounced at the October term thereof in a cause in chancery in the said Court depending between Wilbur J. Kilby, assignee in Bankruptcy of Exum B. Bmtt., Bankrupt, Plaintiff and John H. Harrison, Wright Partner, and Exum B. Bmtt., Defendants, a copy of said decree being herewith annexed, the undersigned, having given notice to the parties as will appear by the endorsements on the notice herewith returned, proceeded on the 18th. day of December instant to execute the said decretal order. The proceedings having been at length completed, the result is herewith respectfully submitted.

1. An account of the judgment lien of said Exum B. Bmtt. on the real estate of the defendant, John H. Harrison, and of all other judgment liens on the said real estate, to wit:

E. B. Britt v. John H. Harrison,
 Judgment obtained 13th, June
 1867 in Hanswired County Court for \$ 51,31
 Intend from 2 March 1857 to 20th,
 December 1873, - 16 yrs. 9 m. 18 ds. - 51 56
 Costs of suit 6,38
\$109,25

This is the only lien on the property
 of the defendant, John H. Harrison.

2. An account of the real estate
 subject to said lien and its fee-simple
 and annual values, to wit:

One fourth ($\frac{1}{4}$) of an undivided
 tract of land containing six (6)
 acres, situated on the north side
 of Kilby Street in the town of Suffolk
 and bounded on the East by the
 property of John T. Hursey, on the west
 by the property of Joshua Matthias and on the
 north by the Seaboard & Roanoke Rail Road;
 Mrs. Ann Harrison, the mother of said John H.
 Harrison and now living, being possessed of
 said land for her life-time, the value of
 the same being in fee-simple - \$600.00
 and its annual value \$40.00
 the fee-simple value of said John
 H. Harrison's share being - \$150.00
 and the annual value of the same \$00.00.

Fee \$5.00

Peter B. Prentiss
 Court.

Wilbur J. Kilby, Assoc. J.

v. } Court Report

John H. Harrison et al.

Completed & filed
in my office 20th,
December 1873.

P. B. Prentiss
Clerk.

Wilbur J. Kilby, Assignee etc.,
v.
John H. Harrison and others.

This cause came on this day to be again heard on the papers formerly read herein and on the report of Commissioner, Peter B. Prentiss, 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 20th. day of December 1873, and was argued by counsel.

On consideration whereof the Court doth confirm said report, to which no exception has been filed, and doth adjudge, order, and decree, that John R. Kilby, (who is hereby appointed a special Commissioner for that purpose) proceed to sell, before the Court House door of Staunmund County, on some Court day, subject to the estate therein of Mrs. Ann Harrison for her own life, the one fourth ^{interest} of John H. Harrison in an undivided tract of land, described in account, number two, of said report as containing six acres situated on the North side of Kilby Street in the Town of Suffolk, Virginia, and bounded on the East by the property of John T. Sumney, on the West by the property of Joshua Matthias, and on the North by the seaboard and Roanoke Rail Road, - after having first given due notice of said sale at the Court house door of said County and by advertisement, once a week for three successive weeks in the "Suffolk Herald", a newspaper published in the Town of Suffolk, Virginia; -

said sale to be made on a credit of one and 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 interest in said land until the further order of the Court. But, should the purchaser elect to pay the full amount of the purchase money in cash, the said Commissioner is hereby authorized to receive the same and make to him a deed with special warranty, in the usual form, for the interest in said land sold hereunder, and out of the proceeds of said sale to pay, first the costs of this suit and then to the plaintiff, the sum of \$109.12 with interest on \$51.31, part thereof, from the 20th. day of December 1873 till paid, and the residue, if any, to Wright Primer, assignee of the said John H. Harrison.

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 \$300, 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.

Wilbur J. Kilby, Assignee^{tr}

v.

John H. Harrison & al.

May Circuit Court 1874.

Decree for sale etc.

To be entered.

Geo: B. Lusk.

Entered

Kelby opm in Bankruptcy of E. B. Brill

vs

Ino. N. Harrison & al.

This cause on this day to be heard on the Bill of the Complainant taken for confessed as to the Defendants, on whom process had been duly executed and they still failing to appear & make defence, & on the Exhibits filed with the said Bill, was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that a Commissioners of this Court, take and state the following accounts - 1st an account of the Judgment Lien of said E. B. Brill on the real estate of the Defendant John N. Harrison, ^{& of all other judgments} 2^d an account of the real estate subject to said Lien, and its fee simple & annual value; and report to Court with any matters specially stated deemed pertinent by himself, or that any of the parties may require to be so stated.

Kilby apm &c.

7

Harrison Sal.

1873

Oct. Cir. et.

Receipts for accty.

To be entered

Geo B Low

Oct Term 1873.

Subscribed

Assignment of Bankrupts Effects

In the District Court of the United States.
For the Eastern District of Virginia

In the matter

Exum B. Britt
Bankrupt

In Bankruptcy

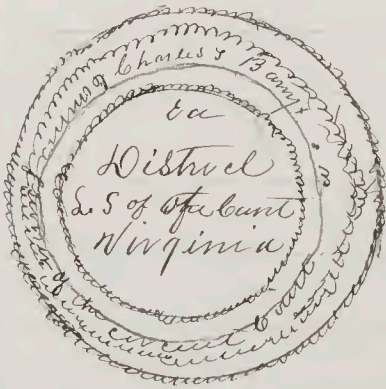
Eastern District of Virginia ss

Know all men by these presents, that
Melbur J. Kilby, of Suffolk
Virginia has been appointed Assignee of the Estate
of Exum B. Britt of Suffolk in the County
of Hanover and State of Virginia who has
been adjudged Bankrupt by decree of this
Court. Now therefore I, Benj. B. Foster
by virtue of the authority vested in me by the
fourteenth section of the Act of Congress, entitled
"An act to Establish a Uniform System of
Bankruptcy throughout the United States,"
approved March 2^d 1867, do hereby convey, and
assign to the Said Melbur J. Kilby Assignee
as aforesaid, all the Estate, Real and Personal
of the Said Exum B. Britt Bankrupt,
including all property, of whatever
kind, of which he is possessed, or in

which he was interested, or entitled to have,
on the Seventh day of March A.D. One
thousand Eight hundred and Seventy three
together with all his Deeds, Books, and
papers relating thereto, Saving and excepting
Such property as is exempted from the opera-
tion of this Assignment by the provisions of
said Tenth Section of said act: To have
and to hold the foregoing premises to the said
Melior J. Kilby and to his heirs forever.

In Trust nevertheless for the use of and pur-
poses, and with the powers and subject to the
conditions and limitations prescribed and
set forth in said act

In witness whereof. J. Bay B. Foster



Register in Bankruptcy have
hunto set my hand, and
caused the seal of said
District Court to be affixed
this first day of April Anno Domini
One thousand eight hundred
and Seventy three

Bay B. Foster
Register in Bankruptcy of

In the Clerk's office of Anderson and County
Court the 7th day of April 1873

The foregoing assignment in Bankruptcy was
received duly certified and thereupon admitted
to record

Teste

Wells & Cochran clerk


copy

Teste Wells & Cochran clerk

" 1 "

This Deed made this 21st day of September 1869
between John H Harrison and Martha E his wife of
the one part, and Wright Pinner of the other part:
Witnesseth: that the said John H Harrison and
Martha E his wife, in consideration of the sum of one
hundred and seven Dollars and thirty one cents, do
grant with general warranty unto the said Wright
Pinner and to his heirs and assigns forever, one
undivided fourth in a parcel of land on the west
of Suffolk and near the Town limits, containing
Six acres more or less, and bounded South by the South
Dixey Road (Kelbys Street) west by the lot of Joshua
Matthews and the lands of Tom R Brothers, North by the
Seaboard & Roanoke Rail Road & East by lot formerly
Duellows and now owned by various parties, which
land was by the last will and Testament of Jas.
Caulburn dec'd given to his daughter Nancy
Harrison wife of Stephen P Harrison for her life
& to her children at her death (four in number) the
said John H Harrison being one of them, and the
interest now sold being subject to the life right
of said Nancy Harrison, and the said John
H. Harrison covenants, that he will execute all
further assurances of said land necessary,
Witness the following signatures and seals

John H Harrison 

Martha E. ^{his} Harrison 
mark

State of Virginia }
Randolph County } *record*

I Peter B. Prentiss Clerk of the County Court of Said County in the State of Virginia do certify that John H. Hamilton, a party to the foregoing deed, dated the 21st day of September 1867 personally came before me in my office in Said County and acknowledged the same to be his act and deed, and I further certify that Martha E. Hamilton the wife the wife of Said John H. Hamilton also a party to the said deed personally came before me in my office in my said County, and being examined by me privately and apart from her said husband and having the deed aforesaid fully explained to her, she the said Martha E. Hamilton acknowledged the same to be her act and deed, and declared that she had willingly executed the same and that she did not wish to retract it.

Given under my hand at my office this 7th day of January 1868.

Peter B. Prentiss Clerk of
Randolph County Court

In the Clerk's office of Randolph County Court the 10th day of April 1868

This Deed was received and with the Certificate written thereon admitted to record (the requisite ~~tax~~ Stamp of 50^c having been affixed and cancelled

Teste Peter B. Prentiss

Copy

Teste

Willis E. Cochran. Clerk

John H. Harnden trustee
of Deed
Wright Pomeroy

"C"

THE COMMONWEALTH OF VIRGINIA,

To the **SHERIFF OF NANSEMOND COUNTY**—Greeting:

WE COMMAND YOU, that of the Goods and Chattels of *John A. Harrison*

in your bailiwick, you cause to be made *Fifty one dollars and thirty one cents*
(*\$51.31*) with legal interest thereon from the *2nd* day of *March*
1857 in hand
which *E. B. Brill*

lately in our *County* Court of Nansemond county, recovered against *him* for debt

Also, *Seven* Dollars, and *Twenty three* Cents, which the
said *E. B. Brill*

in the same court were adjudged for *his* costs, by *him* about *his* suit
in that behalf expended; whereof of the said *E. B. Brill* is

convict, as appears to us of record, and that you have the same at the Clerk's office of our *County*
Court, at Rules directed by the law to be holden in and for Nansemond County, on the first Monday in
January next, to render unto the said *E. B. Brill*

of the *Debt* and costs aforesaid. And have then and there this writ.

Witness, *E. J. Williamson*
WILLIS E. COHON, Clerk of our said Court, at his office, this *22^o* day of
October in the year of our Lord, 18*69*, and in the *94* year of our independence.

CLERK..... *\$ 3 23*
ATTORNEY..... *3 50*
SHERIFF..... *50*
WITNESS.....
W. T.....

E. J. Williamson clerk

#7. 23

copy

list

Willis E. Cohon

C. C.

E B Brett

vs. J. J. u

John H. Harrison

To
July Rules. 1870

1870 July 5th

Returned. By record

= Peter B. Parmenter V.C.

"B"

I can find nothing to satisfy the within the return or any
part thereof,

Wm. S. King
V.C.

At a Court held for Hansberrand County June
June 1867.

Costs.
clerk # 2.38
atto 3.50
shff $\frac{52}{76.38}$

E. B. Britt } Plaintiff
against } In Debt
John H. Hanson } Defendant

The judgement obtained at Rules not
having been set aside and the plaintiff being now
entitled to a final judgement, it is therefore consid-
ered that the plaintiff recover against the defendant
Twenty one dollars and thirty one cents, the debt in
the declaration mentioned with legal interest, thence
from the 2^d day of March 1857 till paid and his
costs by him, about his suit in this behalf expended
and the said defendant in money &c.

Copy

Testo

Willis E. Bohm clerk

E. B. Ball
vs Judgment.

John H. Harrison

June Term 1867

doctid June 17th 1867

"A"

Kelly, apu of Bull

7

Harrison & Co

Exhibits filed
with the Bell

Co. et

Britt's Assignee

v.

Harrison & als.

This cause came on this day to be again heard on the papers formerly read herein, and on the report of Commissioner, John R. Kilby, made in pursuance of a decree of the Circuit Court of Chautauque County at the May Term thereof 1874, 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.

Britt's Assignee
v.

Harrison & als.
Haustrund County
Circuit Court.

February term 1875.

Final decree
To be entered,

Geo. B. Sloan.

Entered

To the Hon: Geo. Blow, Judge of the Circuit
Court of Hansemond County, Virginia

Complaining, shew unto the Court, your
Complainant, Wilbur J. Kelly, assignee in
Bankruptcy of Esau B. Brill.

Your Complainant respectfully
represents to the Court, and says,

That the said Esau B. Brill, at the
June term 1867 of Hansemond County Court,
obtained a judgment against John H.
Harrison for \$51.31. with interest thereon
from the 2^d. day of March 1857 & costs \$6.38
which judgment was duly docketed in the
judgment docket Book of Hansemond County
Court on the 17th. day of June 1867 - a duly
certified copy of said judgment &c. is filed
hereunto as part of this Bill & is marked
"A" -

That an Execution on said judgment
was duly issued & placed in the hands of
the Sheriff of Hansemond County, & by
him returned, that he could find nothing
to satisfy the same - a duly certified
copy of said Execution & Sheriff's return are
filed hereunto & marked "B."

Your Complainant says that at the
date of said judgment, the said John H.
Harrison was the owner in fee of an un-
divided one sixth part of about six acres of

Land, then near snow within, the Limits
of the Town of Suffolk, and which is on
the North side of Kelly Street, and is
bounded North by the Seaboard & Roanoke
Rail Road; East by the old Duellm St.,
and various other lots; South by said
Kelly Street, and West by Wm. R. Brothers
and others, and which said land was devised
by James Leclercum to his daughter Nancy
Harrison wife of Stephen P. Harrison &
mother of said Mrs. H. Harrison full age &
then to her children, of whom there are six,
the said Mrs. H. Harrison being one.

That the judgment aforesaid became
a Lien in yet a Lien on said Mrs. H.
Harrison's one sixth Interest in said Land,

That on the 21st day of Sep. 1869, the
said Mrs. H. Harrison with her wife, by deed
sold and conveyed his Interest in said
Land to Wright Pinner, as may be seen
by a copy of said deed filed herewith
marked "C" —

That the said Wright Pinner had
legal and also actual notice of the
Lien of said judgment, & purchased
the said Mrs. H. Harrison's Interest
in said Land, with full knowledge
of said Lien, & was to have paid said

sett, but has never done so —

Your Complainant further says that the said Exm B. Britt has been adjudged a Bankrupt on his own petition in the United States District Court for the Eastern District of Virginia, and that your Complainant has been appointed his assignee, & that all the estate of said Britt has been assigned to your Complainant, who alone has the legal right to collect the same — a copy of said assignment (only recorded) is filed herewith marked "D" —

That the said Land is unimproved and that the rents of said Mr. H. Harrison's share will not in five years pay your Complainants' demand, and that the same should be sold for that purpose.

In consideration whereof and as a Court of Equity can grant all adequate Relief, To the End your Complainant pray that the said John H. Harrison & ^{& Exm B. Britt} wife Pinnet, may be made parties hereto & answer the allegations herein on oath — That the Interest of said John H. Harrison in said Land may be sold & the proceeds applied to pay your Complainants' demand — that the deed from the said Mrs. H. Harrison wife to said wife

Kilby p. 4

Kilby open in Banks
of E. B. Butt

of E. B. Butt

Inv. N. Harrison tal

Cir. et.

Primer may be all over, and that
and then can further relief may be
practised, consistent with Equity, to
John D. Kilby p. 5.

In the Circuit Court of Newbern County

W. J. Kilby assignee r

Deft

v

In Chancery

Geo W Harrison et al

Deft

Chancery notes

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1873 June 26. Process issued to July Rules.

1873 July Rules. Process executed, Bill filed & decree nisi

1873 Aug Rules. Bill p.c. & cause set for hearing

1874 May Term. Decree for sale etc

*Notes*

Kelby p. v.

Costs

Wilbur J. Kelby agent  
in Bankruptcy of  
Ernest B. Brill

W. J. Kelby

John N. Harris et al.

|      |        |
|------|--------|
| Clk  | \$5.04 |
| Shff | 1.50   |
| ally | 15.00  |
| Tax  | 1.00   |
| Advt | 9.88   |
| Cer  | 5.00   |

\$37.42

37.42

To my Dec 1874

1875. July Term  
Final decree

Cer. Ct.

# LAND FOR SALE.

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As directed by 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 said county,

ON THE 12<sup>th</sup> DAY OF OCTOBER, 1874,

(that being Court day) subject to the estate therein of Mrs. Ann Harrison for own life-time, the one-fourth interest of John H. Harrison in an undivided tract of land,

**CONTAINING 6 ACRES,**

fronting on Kilby street, and situated west of Pine street, in the town of Suffolk, and bounded on the east by the property of John T. Nurney and others, on the west by the property of Joshua Matthias, on the north by the S. & R. railroad, and on the south by the said Kilby street.

**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 said interest in said land will be given when the last payment shall have been made. Or should the purchaser elect so to do, he may pay the full amount of the purchase money in cash and take a deed at once for the interest in said land purchased.

**JOHN R. KILBY,**  
Special Commissioner.