1875-012
Nansemond Co. (Suffolk)

Chancery Causes: David J. Laurence vs Richard A. Laurence, infant etc

# The Commonwealth of Virginia,

**To the Sheriff of Nansemond County--Greeting:**

YOU ARE HEREBY COMMANDED TO SUMMON Richard A. Laurence Mills E. Laurence, Theodore Laurence Lucy A. Laurence & Wallis Laurence all infants

to appear at the Clerk's office of the County Court of Nansemond county, at Rules to be holden for tbe said Court, on the first Monday in November next, to answer a Bill in Chancery, exhibited against them in the said Court, by David P. Laurence

and have then and there this Summons. Witness, WILLIS E. COHOON, Clerk of our said Court, at his office, this 1st day of November 1872 in the 97th year of the Commonwealth.

Willis E. Cohoon

*Clerk of the Court.*

Kelly Co Co

D. J. Lawrence

v Spa in Cly

R. St. Lawrence et al

To Nov Rules 1872

Pro. Book No 1. page 101

I acknowledge legal service of the within Petition this 8th day of November 1872

Wyllis & Otterson

**Know all Men by these Presents,** That we

Wilbur J. Kilby and Jno. R. Kilby

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

thousand dollars

~~Dollars~~; for the payment thereof, 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 eighth day of February 1873, in the 97th year of the Commonwealth.

**THE CONDITION OF THIS OBLIGATION IS,** That if the said

Wilbur J. Kilby, who ~~was~~ by a decree of Nansemond County Court, entered in the case of Lawrence &c. against Lawrence &c. at the February term thereof, 1873, was appointed a special commissioner to sell the lands in said decree mentioned

shall faithfully discharge the duties of the said ~~trust~~, commission aforesaid, then this Obligation to be void, else to remain in full force.

*Acknowledged in presence of*

Wilbur J. Kilby [SEAL.]

John R. Kilby (SEAL.)

(SEAL.)

(SEAL.)

(SEAL.)

(SEAL.)

(SEAL.)

(SEAL.)

Laurence &c
v Commissioners
Bond.
Laurence &c

1874 December 21st. Received of Wilbur F. Kilby, Special Commissioner of Hausemund County Circuit Court in the case of Lawrence against Lawrence and others, eighty eight dollars and sixty two cents; that amount being my share (1/6) of the residue of the proceeds of the sale of the real estate of which Richard Lawrence died seized and possessed after the payment of necessary expenses.

$88.62/100

D. J. Lawrence

1874 Dec. 21st. Received of Wilbur J. Kilby, Special Commissioner of Nansemond County Circuit Court in the case of Lawrence against Lawrence and others, eighty eight and 62/100 dollars; that amount being my share (1/6) of the residue of the proceeds of the sale of the real estate of which Richard Lawrence died seised and possessed, after the payment of necessary expenses.

$88.62/100

R A Lawrence

1874 Dec. 21st. Received of Wilbur F. Kilby Special Commissioner of Nansemond County Circuit Court in the case of Lawrence against Lawrence and others, eighty eight and 67/100 dollars; being my share (1/6) of the residue of the proceeds of the sale of the real estate of which Richard Lawrence died seised and possessed, after the payment of necessary expenses.

$88 67/100.

Mills E. Lawrence

1874 Dec. 21st. Received of Wilbur J. Kilby Special Commissioner of Sansemond County Circuit Court in the case of Lawrence against Lawrence and others, eighty-eight and 62/100 dollars; being Theodore Lawrence's share (1/6) of the residue of the proceeds of the sale of the real estate of which Richard Lawrence died seised and possessed, after the payment of necessary expenses.

$88. 62/100. R A Lawrence

Guardian for

Theodore Lawrence

1874 Dec. 21st. Received of Wilbur F. Kilby Special Commissioner of Sansamond County Circuit Court in the case of Lawrence against Lawrence and others, eighty eight and 62/100 dollars; that amount being Lucy A. Lawrence's share (1/6) of the residue of the proceeds of the sale of the real estate of which Richard Lawrence died seised and possessed after the payment of necessary expenses.
$88.62/100

David J. Lawrence
Guardian of Lucy A Lawrence

1874 Dec. 21st. Received of Wilbur J. Kilby Special Commissioner of Nansemond County Circuit Court in the case of Lawrence against Lawrence and others, eighty eight and 62/100 dollars; that amount being Walter Lawrence's share (1/6) of the residue of the proceeds of the sale of the real estate of which Richard Lawrence died seised and possessed, after the payment of necessary expenses.

$88.62/100

F. J. Lawrence
Guardian of Walter Lawrence

In the Circuit Court of Hancock County
Sept Term 1874

David I. Lamme Plff

vs

Richard A. Lamme, Miles E Lamme Theodore Lamme Lucy A Lamme and Willis Lamme all infants. Defts

} In Chancery

This cause came on this day to be again heard on the papers formerly read herein and on the report of Commissioner Wilbur I Kelly, made pursuant to the decree entered herein at the May term of this Court 1874 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 I Kelly Commissioner aforesaid remit to the Clerk of this Court (who is directed the same to him on his leaving a receipt therefor) the Bond of William Williams for two hundred and fifty dollars dated the 8th day of July 1873 and payable two years after date thereof and filed with the papers in this cause, and when the said Williams shall offer to pay the same to receive, or when the same shall become due, if not paid before that time to proceed to collect the same and with the proceeds of the other Bond of said Williams already in the hands of the said Commissioner, when collected proceed to pay and the whole amount thereof after paying all costs that may remain unpaid as follows to wit One Sixth: to the plaintiff David I Lamme and

One sixth to each of the defendants to be paid to the adults, in their proper person, and to the Guardians of the infants lawfully qualified. and make report to Court and file therewith the evidence of the payments made in pursuance hereof. And the said Commissioner is hereby directed to make to the said William Williams a release deed (relinquishing the lien retained by deed of trust upon the land sold and purchased by said Williams under proceedings had herein) when the said Williams shall have paid both of his said bonds.

Atty

Test

W E Cohen

D. J. Lawrence
v
Richd A Lawrence &c

Exhibit — Cause No 1917

239

To the Circuit Court of Nansemond County, State of Virginia.

The Undersigned reports to the Court that in pursuance of a decree of the Circuit Court of Nansemond County, Virginia, pronounced at the September Term thereof 1874 in the cause in Chancery therein depending between David J. Lawrence, as plaintiff, and Richard A. Lawrence and others, as defendants, having first received the same from the Clerk of said Court, he proceeded on the 21st. day of December 1874, to collect of William Williams the principal and interest of the two Bonds of said Williams, referred to in said decree (a copy of which is hereunto annexed), and after paying all costs unpaid, then proceeded to pay out the amount so collected as set forth in the account following, and as the accompanying receipts will show:

| | | | | | |
|---|---|---|---|---|---|
| 1874 Dec. 21. | By principal of Wm. Williams' Bond dated 8th. July 1873 & due 8 July 1874. | | | $ 250 | 00 |
| " " " | " principal of said Williams' Bond dated 8th. July 1873 & due 8th. July 1875. | | | 250 | 00 |
| | | | | $ 500 | 00 |
| | By interest on $500 from 8th. July 1873, to 21st. December 1874, - 1 y. 5 m. 13 ds. | | | 43 | 50 |
| | | Carried on | | $ 543. | 50 |

| | | | | |
|---|---|---|---|---|
| Brought on | | | 543 | 50 |
| To paid taxes due before the pur= chase by said Williams of the land sold under proceedings had in this cause, per rect. | 6 | 78 | | |
| " amount reserved to pay future costs | 5 | 00 | 11 | 78 |
| | | | 531. | 72 |
| To paid David J. Lawrence 1/6 per rect. | 88 | 62 | | |
| " " Richard A. Lawrence " " | 88 | 62 | | |
| " " Mills E. Lawrence " " | 88 | 62 | | |
| " " Richard A. Lawrence, guardian of Theodore Lawrence 1/6. per rect. | 88 | 62 | | |
| " " David J. Lawrence, guardian of Lucy A., and Walter Law= rence, 1/6 for each, per rects. | 177 | 24 | 531. | 72 |

Your Commissioner further reports to Court that after the payment of the principal of said Bonds and all interest due thereon at the time of payment as above, a release deed was made to said Williams, relinquishing the lien retained by a deed of trust upon the land sold and purchased by said Williams under proceedings had in this cause; said deed of trust having been executed by said Williams to secure the payments above made.

Wilbur J. Kilby, Commissioner.

Lawrence

v.

Lawrence & als.

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Commissioner's Report of collections & payments.

Completed and filed in my office 28th. day of December 1874.

Wilbur J. Kilby
Court.

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

David J. Lawrence Plff.

vs

Richd A Lawrence, Mills E Lawrence, Theodore Lawrence, Lucy A Lawrence and Walter Lawrence infants Defts } In Chancery

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 pursuant to the decree entered herein at the July Term of the County Court of Nansemond County 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 commissioner as aforesaid receive of the Clerk of this Court (who will deliver the same to him on his leaving a receipt therefor) the bond of Williams Williams for $2 55 payable on the 8th day of July 1874 and filed with the papers in this cause, and when the same shall become due proceed to collect the same and after paying all costs that may be unpaid pay the proceeds out as follows to wit: One sixth to the plaintiff David J. Lawrence, and one sixth to each of the defendants, to be paid to the adult in their proper persons and to the guardian of the infants lawfully qualified, and make report to Court and file therewith evidence of the payments made in pursuance hereof

Copy

Test

Willis E Cohoon clk

Lawrence

v.

Lawrence et al

Commissioner's Office,
Suffolk, Virginia,
20th. September 1874

To the Circuit Court of Nansemond County.

In pursuance of a decretal order of this Court, pronounced at the May Term 1874, a copy of the said order being hereunto annexed, Your Commissioner reports to the Court that, having left a receipt therefor with the clerk of this court, he received from the said clerk the Bond of William Williams for $250 filed with the papers in this cause and payable on the 8th. day of July 1874; that he called upon the said Williams to collect of him the amount of the said Bond in accordance with the said order; that the said Williams desired to pay not only the said Bond but also, at the same time, his other Bond for $250 filed with the papers in this cause and payable on the 8th. day of July 1875; and that, therefore, Your Commissioner did not collect the said Bond first above-mentioned, as directed, as a further order of this Court is necessary to enable a Commissioner to collect, at the same time, the said second Bond.

Your Commissioner, therefore, recommends to the Court, the entering of an order, in this cause directing ~~a~~ a Commissioner to ~~proceed to~~ receive of the clerk of this Court the said second Bond and to proceed to collect it as well as the said first

Lawrence

v.

Lawrence & als.

Comrs. Report.

Completed and filed in my office 20th. September 1874.

Wilbur J. Kilby
Comr.

Bond of the said William Williams and To
kay The proceeds as directed by the decree, a
copy of which is hereunto annexed.

Respectfully submitted
Wilbur J. Kilby,
Commissioner.

At a Court held for Nansemond County July term 1878

David J. Lawrence Plff

vs

Richard Lawrence, Miller Lawrence Theodore Lawrence Lucy A Lawrence & Walter Lawrence all infants Defts } heirs

This cause came on this day to be again heard on the papers formerly read & on the report of Wilbur J. Kelly Comr made pursuant to the decree of this Court made in this cause on the 13th day of January 1878 - to which report there is no exception, and was argued by Counsel, & on Consideration the said Report and Sale of the real estate therein named and doth adjudge, and it appears that the said Wilbur J Kelly Comr as aforesaid executed to William Williams, the purchaser of said Real estate a deed with special warranty in the usual form, and took from the said Williams a deed of trust, as said deed to secure the deferred payments & made report to Court & filed said deed of trust therewith, after having the same recorded, and the Court doth further adjudge & decree that the said Wilbur J Kelly Comr as aforesaid pay out - the sum of $381.67 as follows - to wit One sixth to the plaintiff David J Lawrence, and one sixth to each of the defendants, to be paid to such of said parties as are twenty one years of age & the share of such as are under that age to be deposited to their respective credit, in the Commercial Bank of Suffolk, at Suffolk Virginia, & which Bank will pay the same to them respectively on arriving to twenty one years of

ofe, or to their legally qualified guardian, and the said Wilbur J Kelly come as aforesaid and make report of his proceedings hereunder & file with his report the vouchers for payments, & subjoined is the amount deposited in said Bank

Test

Willis E Cohen clerk

Lawrence
v
Lawrence

Order
decree
July 2nd 1873

20th. August 1873. Received of Wilbur F. Kilby, Special commissioner of Sarasota County Court in the case of Lawrence against Lawrence and others, the sum of sixty three dollars and sixty one cents, that amount being my share (1/6) of the cash proceeds of the sale of the real estate of which Richard Lawrence died seized and possessed, after the necessary expenses of suit were paid.

$63.61

R F Lawrence

20th. August, 1873. Received of Wilbur L. Kilby, special commissioner of Saratoga County Court in the case of Lawrence against Lawrence and others, the sum of sixty three dollars and sixty one cents, that amount being my share (1/6) of the cash proceeds of the sale of the real estate of which Richard Lawrence died seized and possessed, after the necessary expenses of suit were paid.

$63.61

David J. Lawrence

# DEPOSITED

IN

# The Commercial Bank

OF SUFFOLK, VA.—AS FOLLOWS:

| | DOLLARS. | CENTS. |
|---|---|---|
| Currency, = = = | | |
| Fractional Currency, = | 63 | 61 |
| Checks or Drafts, = = | | |

Pr Order of Walter Lawrence (Indorsed)

T. G. Elam Cashr

By Wilbur G Kelly Teller

Augt 20th 1873

1

# DEPOSITED

IN

# The Commercial Bank

OF SUFFOLK, VA.—AS FOLLOWS:

| | DOLLARS. | CENTS. |
|---|---|---|
| Currency, = = = | | |
| Fractional Currency, = | | |
| Checks or Drafts, = = | 63 | 61 |

Toler: of Theodore Laurence Infant

T. G. Edwards
Cashr

By Wilbur J. Killyleon's

August 20th 1873

1

# DEPOSITED

IN

# The Commercial Bank

OF SUFFOLK, VA.—AS FOLLOWS:

| | DOLLARS. | CENTS. |
|---|---|---|
| Currency, = = = | | |
| Fractional Currency, = | | |
| Checks or Drafts, = = | 63 | 61 |

To Ter of Lucy
A Lawrence Infant
T. T. Eelam
Cashr
By Wilbur J Killy Comr
augst 20th 1873

# DEPOSITED

IN

# The Commercial Bank

OF SUFFOLK, VA.—AS FOLLOWS:

| | DOLLARS. | CENTS. |
|---|---|---|
| Currency, = = = | | |
| Fractional Currency, = | | |
| Checks or Drafts, = = | 63. | 61 |

To bal: of Mills Lawrence Infant -

T. T. Edwards
Cash.

By Wilbur J. Kilby. Com'r

August 20th 1873

To the ~~County~~ circuit Court of Hancock County.

The Undersigned reports to the Court that pursuant to the decree made at the July term 1873 of said Court in the cause therein pending wherein David J. Lawrence is plaintiff and Richard A. Lawrence and others are defendants, he has executed to William Williams, the purchaser of the real estate sold under proceedings in said cause, a deed with special warranty in the usual form, and that he has taken from the said Williams a deed of trust on said land to secure the deffered payments, and that the same has been recorded and is herewith filed as said decree directs, — John R. Kilby being the trustee therein chosen.

And the Undersigned further reports to the Court that of the sum of $381.67 mentioned in said decree, he has paid, as said decree directs, one sixth thereof to the said Plaintiff, David J. Lawrence, and one sixth to Richard A. Lawrence, one of the defendants in said cause, they being the only two of said parties who twenty one years of

age; and that he has deposited one sixth of said sum of $381.67 in the Commercial Bank of Suffolk, at Suffolk, Virginia, to the credit respectively of Mills Lawrence, Theodore Lawrence, Lucy A. Lawrence and Walter Lawrence, they being of the six parties to said cause, the four infant parties not yet twenty one years of age, - In evidence of all which, the undersigned files herewith, as said decree directs, the receipts of the two adults, and the certificates of the amounts deposited in said Bank to the credit respectively of the infants aforesaid, showing that he has disposed of the entire sum of $381.67 as said decree directs, each party receiving $63.61 1/6.

Respectfully submitted
Wilbur J. Kilby
Comr.

Recapitulation:

| | | |
|---|---|---|
| Paid David J. Lawrence | per ref. | $63.61 1/6 |
| " Richard A. Lawrence | " | 63.61 1/6 |
| Deposited in Commercial Bank of Suffolk | | |
| To credit of Mills Lawrence | per certificate | 63.61 1/6 |
| " " " Theodore Lawrence | " | 63.61 1/6 |
| " " " Lucy A. Lawrence | " | 63.61 1/6 |
| " " " Walter Lawrence | " | 63.61 1/6 |
| Total = | | $381.67 |

Lawrence

v.

Lawrence & al.

Report of
Collections & Payments

Filed 11 Oct 1873

# FOR SALE!

## VALUABLE

# LAND!

## Near Suffolk, Va.

In accordance with the terms of a decree of the County Court of Nansemond County, I shall sell

# AT AUCTION

Before the Court-house door of said County, on the 10th day of February next, (that being Court-day) the FARM belonging to the heirs of Rich'd Lawrence, deceased, containing 110 acres, more or less, and bounded by the lands of James E. Barnewell's estate, the Ramisch farm, and Jericho Creek.

This place has on it a small but excellent orchard of choice fruit trees, a small dwelling and the necessary out-houses. The land is good and the farm desirable.

TERMS—Costs and expenses, Cash; the residue to be paid on a credit of six and twelve months, with interest from day of sale, the purchaser to give bond and good security, and the title to be retained until the further order of the Court.

**WILBUR J. KILBY,**
**SPECIAL COMMISSIONER.**

January 17th, 1873.

HERALD PRINT, SUFFOLK.

All Available Text Successfully Captured

# FOR SALE!

## VALUABLE

# LAND!

## Near Suffolk, Va.

In accordance with the terms of a decree of the County Court of Nansemond County, I shall sell

# AT AUCTION

before the Court-house door of said County, on the 10th day of February next, (that being Court-day) the P. M. belonging to the heirs of Sidney Lawrence deceased, containing [illegible] more or less, and bounded by the lands of James F. Brinson's [illegible] the Suffolk and Jericho road.

This valuable property is small but a selection ordered of choice land. Is a small dwelling and the necessary out-houses. The land is good and the farm desirable.

TERMS:—One-third cash; the residue to be paid on a credit of six and twelve months, with interest from day of sale, the purchaser to give bond and good security, and the title to be retained until the purchase money is paid.

WILBUR J. RILEY,

January 17th, 1873. SPECIAL COMMISSIONER.

Terms---Cash on Delivery. ORDERS SOLICITED AND PROMPTLY FILLED.

Mr. Wilbur J Kilby To T G Elam Dr

1875.

Jany. 24 To ad: 3 Squares 3. Ins: $ 4 80

T G Elam 6 30

Broker

Mr Wilbur J Kelly To T G Elam Dr.

1875

Jany. 24 To 30 Hand Bills Laurence Doc $ 1.50

Paid

T G Elam

Propr

At a Court held for Tansemond County the 13th day of January 1873.

David J. Laurence Pltff

vs

Richard A Laurence, Mills Laurence
Theodin Laurence Lucy A Laurence
and Walter Laurence all
Infants Defts } In Chancery

This cause came on this day to be again heard on the papers formerly read and on the Report of Commissioners Willis S. Riddick Willis E. Cohoon John F. Pinner made pursuant to the decree of the 14th day of October 1872 herein entered - to which Report there was no exception and was argued by Counsel.

On consideration whereof the Court confirming said Report doth adjudge, ordr, and decree that Wilbur J Kelly (who is hereby appointed a Commissioner for that purpose) proceed to sell before the Court House of Tansemond County on Some Court day, after having advertised the Same at the Court House door, and Several other public places and in Some Newspaper in said County for at least 21 days, the real estate of Richard Laurence died,

Seized and possessed, Situated in Augusta County containing 110 acres more or less and bounded by the Lands of James E Bonnewells estate, the Ramisch land and Jericho Run which Sale Shall be made on a credit of Six and twelve months (the costs and expenses excepted which Shall be paid in Cash) the purchaser to give Bond and good Security for the deferred payments which Shall bear interest from the day of Sale, the title to be retained until the further order of the Court, and Said Commissioner to make report to Court

But no Sale Shall be made hereunder until the Said Wilbur J Kelley Shall have executed before the Clerk of this Court, in his office a Bond in the penalty of One thousand dollars payable to the Commonwealth of Virginia and conditioned faithfully to execute this deed, and all other deeds he may be required to execute hereof

Copy

Teste

Willis E. Coiner clerk

Laumm

v

Laumm

Jany Court 1873

Dem

Costs.

Clk comm $8.03

Jas comm 1.00

atty comm 15.00

$24.03

To the County Court of Nansemond County.

The Undersigned Reports to the Court that pursuant to the decree made at the ~~February~~ January term 1873 of said Court in the cause therein pending wherein W and J. Lawrence is plaintiff & Richard A Lawrence & others defendants; he proceeded to advertise the land therein named of which Richard Lawrence died seized and possessed, containing 110 acres, more or less, & described in said decree, and offered the same for sale at auction before the Courthouse door of said County on the 10th day of July. 1873, on the terms named in the said decree, when no purchaser could be found for the same. Not since then a sale has been agreed on by the Commissioner & one William Williams for $1000.00 one half cash & the Residue on 1 year & 2 years credit with Interest from date, to be secured by Deed of Trust on the land.

That the cash payment has been made & is $500.00

Your Commissioner Paid Wilkins & Riddick, Land agents for Services $50.00

" paid D. G. Elam for advertising &c. 4.80 1.50 6.30

Cash on $56.30 $500.00 $1000.00

| | | | |
|---|---|---|---|
| amt. brt. on | ₰ 56.30 | ₰ 500.00 | ₰ 1000.00 |
| To paid clerks cts | 8.03 | | |
| " " atto. & Jay | 21.00 | | |
| " 5 per cent Com. on ₰ 300. | 15.00 | | |
| " 2 dr. on ₰ 650. | 18.00 | | |
| " retained for deed &c. | 5.00 = 118.33 | | = ₰ 118.33 |
| Balance of cash | | ₰ 381.67 | ₰ 881.67 |
| 1 Bond at 12 mos. } Int. from date | 250.00 | | |
| 1 Bond at 2 years } Int. from date | 250.00 | | |
| | | ₰ 881.67 | ₰ 881.67 |

The Undersigned in making the sale of said Land on the above terms, which vary from those named in the decree is satisfied that the parties are benefited — The Land has been purchased by an Englishman, who could not comply with the terms of said decree as to security, hence he has paid a large amount in cash & proposes a deed of Trust on the premises to secure the Residue, all which gives Commissioners asks may be ratified

Respectfully submitted

Wilbur J. Kilby Com.

1873 July 9. Rec'd our cert as above

John R. Kelly $21.00

John R Kelly Jr Clerk 8.03

Willis S Riddick $50.00

1874 Nov. 10. Received of the clerk of the Circuit Court of Nansemond County for collection under decree of the September Term of said Court 1874, the Bond of William Williams filed with the within report, and dated 8th, July 1873, and payable two years after date.

Wilbur J. Kilby, Comr.

Samuel
vs
Samuel Sale.

Report of Sale

Filed July 14 1873

1874 June 10. Received of the Clerk of the Circuit Court of Nansemond County the Bond of Wm Williams filed with this report, dated 8th July 1873. and payable 12 months after date, for collection under decree of May Term 1874. Wilbur J. Kilby Comr.

At a Court held in Transylvania County Oct 14th 1872

David L Lawrence — Complainants

against

Richard A Lawrence, Mills E Lawrence
Theodosia Lawrence Lucy A Lawrence
& Hattie Lawrence — Defendants

This cause came on this day to be heard on the Bill of the Complainant & on the answer of the Defendants by their Guardian ad Litem, with general replication thereto & was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that John F Rumer, Willis G Riddick W. E Cohen, & R R Smith (any three of whom may act) proceed to make, division of the Lands whereof Richard Lawrence died seized and possessed & assign one Eighth part to the plaintiff & a like Share to each of the Defendants if practicable and convenient & if to the interest of the parties entitled thereto, or allot the Same to any one of the parties who will accept the Same & pay to the other parties their Share of the proceeds; or if a Sale of the Said Land be in the Opinion of the Said Commissioners best for the interest of all parties, then to report to Court, with their reasons therefor, and what is a fair Value of the Said Land, which Land is described as a tract of land in Transylvania County adjoining Jerusho Creek the Lands of Robertson Grant the Ramsey Land & the Landed Estate

of James E Bennewell deed of one hundred
five acres more or less

Teste

Willis E Cohoon

Laurence

N S

Laurental

1972

Oct Co Ct

Lucie

To the County Court of Nansemond County

The undersigned report to the Court, that pursuant to the decree of said Court made on the 14th day of October 1872, in the cause therein pending wherein, David J. Lawrence is plaintiff and Richard A. Lawrence & others Defendants, they proceed to ascertain if division in kind could be conveniently made of the land whereof Richard Lawrence died seized and possessed, among his heirs at law, as directed by said Decree, & we agree & so report that such a partition could be injurious to the rights of the parties and inconvenient to be made.

We further report that none of the heirs was willing to have the same allotted to him or her, and to pay to the other heirs their respective shares of the proceeds, We therefore conclude and so report that a sale of the entire tract of land, and division of the proceeds among the several heirs is best for all parties; We therefore recommend a sale for the reasons stated (and further, because it is a small parcel of land, & to divide the same into six parts would render each part almost useless to its owner, and because one of the heirs is now of age, and another soon will be also) do not wish to engage in farming, if the place was large enough for them (when divided) &

they prefer to pursue other trades & callings

The tract of Land contains one hundred and ten acres more or less, with ordinary improvements thereon, and adjoins the Lands of Jas. E. Bonnevelle's estate, the Ramsick Land & Jericho Creek, and is worth sold on reasonable Credit, in our opinion the sum of One thousand Dollars.

Respectfully submitted

Willis S. Nicholls } Comrs.
Willis E. Osborn }
John H. Pinner

Lawrence

v

Lawrence Sal

Report of Comrs.

Filed 18 December 1872

Lawrence

v.

Lawrence & 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 pursuant to the decree entered herein at the May term of this Court 1874, 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, Commissioner as aforesaid, receive of the clerk of this Court (who will deliver the same to him on his leaving a receipt therefor), the Bond of William Williams for $250. dated the 8th. day of July 1873 and payable ~~twelve months~~ two years after the date thereof and filed with the papers in this cause and, when the said Williams shall offer to pay the same, to receive, or when the same shall become due, if not paid before that time, to proceed to collect, the same, and with the proceeds of the other Bond of said Williams already in the hands of the said Commissioner, when collected, proceed to pay out the whole amount received, after paying all costs that may remain unpaid, as follows:

One sixth to the plaintiff, David J. Lawrence,

and one sixth to each of the defendants, to be paid to the adults in their proper persons and to the guardians of the infants lawfully qualified, And make report to Court and file therewith the evidences of the payments made in pursuance hereof.

And the said Commissioner is hereby directed to make to the said William Williams a release deed, (relinquishing the lien retained by deed of trust upon the land sold and purchased by the said Williams under proceedings had herein), when the said Williams shall have paid both of his said Bonds.

Lawrence
v.
Lawrence Exrs.

Jefferson Circuit Court 1874
Decree
To be entered

Endorsed

David J. Lawrence

v.

Richard A. Lawrence and others.

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 pursuant to the decree entered herein at the July term of the County Court of Hancock County 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 Wilbur J. Kilby, commissioner as aforesaid, receive of the clerk of this court (who will deliver the same to him, ~~who will~~ on his leaving a receipt therefor) ~~with the said clerk~~), the Bond of William Williams for the sum of $250 payable on the 8th. day of July 1874, and filed with the papers in this cause, and, when the same shall become due, proceed to collect the same and, after paying all costs that may be unpaid, pay the proceeds out as follows, to wit: one sixth to the plaintiff, David J. Lawrence, and one sixth to each of the defendants; to be paid to the adults in their proper persons and to the guardians of the infants, lawfully qualified, and make report to court and file therewith the evidences of the payments made in pursuance hereof.

David L. Lawrence

v.

Richard A. Lawrence & al.

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May Circuit Court 1874

Decree to collect and pay out.

To be entered.

Geo. V. Blow.

Entered

Lamme

vs.

Lamme &c.

This cause came on this day to be again heard on the papers formerly read on the report of Wilbur J. Kelly Comr. made pursuant to the decree of this Court made in this cause on the 13th. Day of January 1873 — to which report there is no exception and was argued by Counsel. On consideration whereof the Court doth confirm the said Report and sale of the real estate therein named, and doth adjudge, order decree that the said Wilbur J. Kelly Comr as aforesaid execute to William Williams the purchaser of said Real estate a deed with special warranty in the usual form; and take from the said Williams a deed of Trust on said Land to secure the deferred payments & make report to Court, & file said deed of Trust therewith after having the same recorded: And the Court doth further adjudge, order and decree that the said Wilbur J. Kelly, Comr as aforesaid pay out the sum of $381.67 as follows — to wit: one sixth to the plaintiff Sarah Lamme, and one sixth to each of the defendants, to keep and to such of said parties as are twenty one years of age & the shares of such as are

under that age. to be deposited to their respective Credit, in the Commercial Bank of Suffolk, in Suffolk Virginia, which Bank will pay the same to them respectively on arriving to twenty one years of age, or to their legally qualified Guardian. , and the said Wilbur J. Kelly Court as aforesaid will make report of this proceedings hereunder, & file with his report the receipts for payments & certificates of the amounts deposited in said Bank

Lawrence
v

Lawrence et al.,
Decree
July Court 1873.

A Copy Teste
Peter B. Parker
July 14th 1873

Ordered Page 290

Lawrence

v.

Lawrence et al,

This cause came on this day to be again heard on the papers formerly read and on the Report of Commissioners Willis S. Riddick, Willis E. Cohoon and John F. Pinner, made pursuant to the decree of the 14. day of October 1872, herein entered — to which Report, there was no exception, —, and was argued by counsel.

On consideration whereof, the Court, confirming said Report doth adjudge, order, and decree, that Wilbur J. Kilby, (who is hereby appointed a commissioner for that purpose), proceed to sell before the Court house door of Nansemond County, on some Court day, after having advertised the same at the Court house door, and at several other public places, and in some newspaper in said County, for at least 21 days, the real estate of which Richard Lawrence died seised and possessed, situated in Nansemond County, containing 110 acres, more or less, and bounded by the lands of James E.

Bonnewell's estate, the Kamisch land, and Jericho creek, — which sale shall be made on a credit of six and twelve months (the costs and expenses excepted, which shall be paid in cash), the purchaser to give Bond and good security for the deferred payments, which shall bear interest from the day of sale, the title to be retained until the further order of the Court, and said Commissioner to make report to Court.

But no sale shall be made hereunder until the said Wilbur J. Kilby shall have executed before the clerk of this Court, in his office, a Bond in the penalty of one thousand dollars, payable to the Commonwealth of Virginia and conditioned faithfully to execute this decree, and all other decrees he may be required to execute herein.

Lawrence
v.
Lawrence et al.

Feb'y Court 1873
Decree
to be entered.
Meredine & Garnett p.

David J Lamme

v.

Richard A. Lamme, Milly E Lamme
Theodore Lamme, Lucy A. Lamme, &
Walter Lamme. Defts

This cause came on this day to be again heard on the Bill of the Complainant & on the answer of the defendants by their guardian ad litem, with general application thereto & was argued by Counsel. On consideration whereof the Court & the aforesaid, now here that John F. Pinner, Willis S. Riddick W. E. Coburn & Ro. R Smith (any three of whom may act) proceed to make division of the Lands whereof Richard Lamme died seized (and possessed, & assign one sixth part to the plaintiff & a like share each of the Defendants, if practicable (and convenient & if to the interests of the parties entitled thereto, or allot the same to any one of the parties who will accept the same & pay to the other parties their share of the proceeds; or if a sale of the ~~premises~~ said Land be, in the opinion of the said Commissioners best for the interests of all parties, then to report to Court, with their reasons therefor, and make report to Court

and what is a fair value of the said Land. Which Land is described as a tract of Land in Sacramento County, adjoining Sericho Creek; the Lands of Robertson Grant, the Ramirez Land & the Landed estate of Jas E. Bonnell dec'd, & contains one hundred & ten acres more or less.

Lawrence
vs

Lawrence &c
1872
Oct. Co. Ct
Decree &c
To be entered
Hardin S. Garnett Jr.
Ex Officio

**This Deed,** made the 20th, day of August one thousand eight hundred and seventy three between William Williams and Harriet — ~~and~~ ——— his wife, of the county of Nansemond and State of Virginia, of the one part, and John R. Kilby chosen as trustee for the purposes herein named, of the other part, WITNESSETH: That the said William Williams and Harriet ——— his wife, do grant, with general warranty, unto the said John R. Kilby chosen as trustee as aforesaid, the following property, to wit: A tract of land situated in Nansemond County, Virginia, and lately purchased by said Williams of Wilbur J. Kilby, who sold it as a Special Commissioner of Nansemond County Court under proceedings therein had in the case of David J. Lawrence against Richard A. Lawrence and others, the same containing 110 acres, more or less, and bounded by the lands of James E. Bonnewell's estate the Ramsich farm and Jericho Creek.

together with all and singular the appurtenances belonging to the same.

In trust to secure to Wilbur J. Kilby as Commissioner in said case, yet pending in said Court, the payment of five hundred dollars part of the purchase money to be paid by said Williams for said land, as evidenced by two Bonds dated the 8th. July 1873, each for $250 payable respectively twelve months and two years after date with interest from date at the rate of six per cent per annum,

Witness the following signatures and seals:

William Williams [SEAL.]

Harriet Williams [SEAL.]

**STATE OF VIRGINIA,**

COUNTY OF Hanover } To Wit:

I A. C. Withers Commissioner In Chancery for Circuit Court in and for the county aforesaid, in the State of Virginia, do certify that Harriet Williams the wife of William Williams whose names are signed to the writing above, bearing date the 20th day of August 187 3, personally appeared before me in the county aforesaid, and being duly examined by me privily and apart from her husband, and having the writing aforesaid fully explained to her, she the said Harriet Williams acknowledged the said writing to be her act, and declared that she had willingly executed the same, and does not wish to retract it.

Given under my hand this 10th day of October eighteen hundred and seventy Three

A. C. Withers
Com. In Chy

VIRGINIA:

COUNTY OF Hanover } To Wit:

I, A. C. Withers Com. In Chy in and for the said county, in the State of Virginia, do certify that William Williams whose name is signed to the writing above, bearing date the 20 day of August 1873, has acknowledged the same before me in the county aforesaid.

Given under my hand this 10th day of October 1873

A. C. Withers
Com. In Chy

Wm. Williams & wife

to } Deed

Jno. R. Kilby. Trustee
for Wilbur L. Kilby
Conv.

Deed Book No 3
page 620

Fees Ack. 2.25

By the Clerk's Office of Haralson County Court
May 4th October 1875
The foregoing deed was received duly Exd Fees and
Exemption administered to wit
Date
Wm Ellis & Coffman Clerk

Lawrence

v.

Lawrence & 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 Nansemond County pronounced at the May term thereof 1874, and completed and filed in said Commissioner's Office on the 28th day of December 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.

Lawrence

v.

Lawrence & als.

Nansemond County
Circuit Court.

February Term 1875.

Final decree.
To be entered.

Geo. Isham.

Entered

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The joint and several answer of Richard A. Lawrence, Mills E. Lawrence, Theodore Lawrence, Lucy A. Lawrence, and Walter Lawrence, infants, by Willis & Colvin, their guardian ad litem, to the Bill of Complaint exhibited against them in the County Court of Nansemond County, by David J. Lawrence.

These respondents answer and say that so far as they know, the facts and statements contained in the said Bill of complaint, may be true; but that, being infants and ignorant of their rights in the premises, they submit the same to the court, and pray that no order or decree may be made herein inconsistent with their rights.

Laurence

v

Laurence Sal

answer of

Infant defts;

To the Honorable, Theodore S. Garnett, Judge of the County Court of Nansemond County, Virginia.

Complaining sheweth unto your Honor, your complainant, David J. Lawrence; that Richard Lawrence died intestate in the Month of August, of the year 1869, leaving heirs at law, your complainant, David J. Lawrence, now twenty-one years of age, and five other children, all under the age of twenty-one years, to-wit, Richard A. Lawrence, Mills E. Lawrence, Theodore Lawrence, Lucy A. Lawrence, and Walter Lawrence.

And your Complainant further sheweth that the said Richard Lawrence died seised and possessed of a tract of land, in the County of Nansemond, adjoining Jericho Creek, the lands of Robertson Grant, the Ramsey land, and the landed estate of Jas. E. Bonnewell, deceased, and containing one hundred and ten acres, more or less.

And your complainant further sheweth that the said tract of land is now subject to a division among the said heirs at law, of the said intestate, Rich-

and Laurence, deceased, and that the said division ought now to be made.

In consideration whereof, your complainant, being without remedy save in a Court of equity, prays that the said Richard A. Laurence, Mills E. Laurence, Theodore Laurence, Lucy A. Laurence, and Walter Laurence, all infants, may be made parties defendant hereto and be required to answer, on oath, all the allegations herein contained, by a guardian ad litem to be appointed for them; that the said tract of land may be divided among the parties entitled, if such partition can be conveniently made, or that the same may be allotted to any one party, willing to accept it and pay therefor to the other parties, such sums of money as their interest therein may entitle them to, or that the same may be sold, if it shall, (as your complainant says it will), be to the interest of the parties to do so, and the proceeds divided among those entitled; and that all and further relief may be granted, consistent with equity.

And, as in duty bound, your complainant will ever pray etc.-

John R. Kilby p. q.

Kilby J. Q.

David J. Laurence

vs. Bill

Rich? A. Laurence Sal:

Virg$^{a}$: In The County Court of Nansemond County

David J Lawrence Plff
v
Richd. A. Lawrence et al. Defts
} In Chancery

Notes of Proceedings

1872 Nov 4th. Bill and exhibits filed, Miles E. Cochran appointed G.C. and Notice for Defts Draft and Comm issd set for hearing

1872 Nov Term, Decree for division

1873 Jany 13, Decree to sell land

1873 July 14, Report of sale confirmed & decree to distribut funds & mandate,

1874 May Term, Decree to collect & pay out

" Sept Term Decree to collect bonds

Chancery Rules