

1879-007
Nansemond Co. (Suffolk)

Chancery Causes: Henry C. & Alma S. Eure vs Admx of Richard B. Freeman et al

Will: 1862, Caleb Savage, Gates Co., NC

Costs

Mr. R.A.P.	\$15.00
(J.R.K.) " Gates Co. Rec.	4.65
(do.) att. Long	30.50

Staff

B.R. Smith Comm	1.00
E.R. Smith "	1.00
L.R. Hunter "	1.00

W.J. Kelly, Comm. Ch.	15.00
	<u>\$69.65</u>

P. B. Prentiss, Comm.	10.00
	<u>\$79.65</u>

Costs

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY. GREETING :

YOU ARE HEREBY COMMANDED TO SUMMON *Margaret A. Freeman, Administratrix*
of Richard B. Freeman, deceased, and in her own right; Alexander
(or John A) Freeman, Robert S. Freeman, and Richard H. Freeman:
(the last three being under twenty-one years of age)

to appear at the Clerk's office of our *Circuit* Court for the County of Nansemond, on the
first Monday in *March* next, 1877, being rule day, to answer a bill in chancery,
exhibited against *them* by

Henry C. Eme and Alma S. his wife, suing for themselves
and all other creditors of Richard B. Freeman deceased;

and unless *they* shall answer the said bill by the
next rule day thereafter, the Court will take said bill for confessed, and decree accordingly. And
have then and there this writ. Witness, PETER B. PRENTIS, Clerk of our said Court at his office, this
16th day of *February* 1877, and in the *101st* year of the Commonwealth.

Peter B. Prentis Clerk,

~~For~~ The Sheriff will, in his return, note the day on which this process is executed on each defendant.

Specimen & copy delivered to Margaret Freeman
J. S. Lullman Sth

1914
J. R. Mills. b. 9
Henry C. Fine & wife of
17 { Sum. in Chy
Margaret A. Freeman,
Adm^r of Richard B. Freeman
dec'd & ad.
To March 1917

Pro: B. No: 1. Aug. 27
C. J. Co.

Virginia:

At Rules in the Clerk's Office of the Circuit
Court of Newsumond County, on Monday, The
5th day of March, 1877.

Henry C. Eme and Alina S. his wife, suing
for themselves and all other creditors of
Richard B. Freeman, deceased. Complainants.

Against { In Chancery

Margaret A. Freeman, Administratrix of
Richard B. Freeman, deceased, and in her own
right; Alexander (or John A) Freeman, Robert
S. Freeman and Richard H. Freeman (the last
three being under twenty-one years of age). . . . Defendants.

On the motion of the Complainants, by Counsel, Peter B. Prentiss
is appointed guardian ad litem, to defend the infant defend-
ants in this suit; and it is ordered, that the said guardian be
notified of his appointment, by serving upon him a copy of
this order.

Dated,

Peter B. Prentiss, Clerk.

1877. March 5th: I hereby acknowledge service of the foregoing
order, and that I have received a copy thereof.

Peter B. Prentiss.

Guardian ad litem

Henry C. Eare & wife L

to { Order of ptg: g. m. ad litem

Margaret A. Freeman, admx:
of Richard B. Freeman, decd
L Lali

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 just and full sum of
Fifteen Hundred Dollars, to the payment
whereof, well and truly to be made to the said Commonwealth, we bind ourselves, and each of us, our, and
each of our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with
our seals, and dated this *10th* day of *November* in the year one thousand
eight hundred and *Seventy - Seven*, and in the *102nd* year of the Commonwealth.
And we hereby waive our Homestead exemption, as to this obligation.

The Condition of this Obligation is such, That if the above bound *John R. Kilby*

who has ~~this day qualified before the~~ by a Decree of the Circuit Court of Nansemond County, pronounced
on the *11th* day of *October*, *1877*, in the Chancery Cause of *Henry C. Euse and*
Alma S. his wife ~~Suing~~ *Plaintiffs*, against *Margaret A. Freeman, admx.*
of Richard B. Freeman ~~Occid~~ *Lathers*, Defendants, been appointed Special Com-
missioner to sell certain Real Estate, in said Cause described shall faithfully
discharge his duties as such Commissioner, under said Decree, and all other Decrees he
may be required to execute in said Cause
~~shall faithfully discharge the duties of his said trust,~~ then the above obligation to be void, or else to remain in
full force and virtue.

Executed in
presence of
~~the Court.~~

Peter B. Prentiss

John R. Kilby

Wilbur J. Kilby

{ Seal. }

{ Seal. }

{ Seal. }

{ Seal. }

{ Seal. }

John R. Kilby, Spl. Commr

To Bend

Commonwealth

Nov: 10th: 1877 Executed & Filed

Euse case

Know all Men by these Presents,

That we, *Wilbur J. Kilby and Wallace Kilby,*

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA, in the just and full sum of *Fifteen Hundred (1500)* Dollars, to the payment whereof, well and truly to be made to the said Commonwealth, we bind ourselves, and each of us, our, and each of our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this *17th* day of *October* in the year one thousand eight hundred and *seventy-eight*, and in the *103rd* year of the Commonwealth. And we hereby waive our Homestead exemption, as to this obligation.

THE CONDITION OF THIS OBLIGATION IS SUCH, That if the above bound *Wilbur J. Kilby,*

who has, ~~this day qualified before me~~ by a Decree of the Circuit Court of Nansemond County, pronounced on the *12th* day of *October* 1878, in the Chancery Cause of *Henry C. Euse & wife suing &c. Plaintiffs* against *Margaret A. Freeman, Administratrix of Richard B. Freeman, deceased, and in her own right Lettens, Defendants* been appointed Special Commissioner to collect and run over the proceeds of certain bonds in said Cause described, shall faithfully discharge his duties, as such Commissioner, under said Decree, and all other Decrees he may be required to execute in said Cause ~~shall faithfully discharge the duties of his said trust~~, then the above obligation to be void, or else to remain in full force and virtue.

Executed in
presence of
the Court,
Robert S. Pender

Wilbur J. Kilby (Seal.)
W. K. Wallace Kilby (Seal.)
(Seal.)
(Seal.)
(Seal.)

Wilbur J. Kilby, Comm^r.

To } Bond

Commonwealth

Octo: 17th: 1878 Executed & filed

At a Circuit Court, continued and held for Nantuxent County, the 12th day of October, 1878.

Henry C. Enre and Alma S. his wife,
suing for themselves and all other creditors
of Richard B. Freeman, deceased. . . . Plaintiffs.

Against { In Chancery
Margaret A. Freeman, Administratrix
of Richard B. Freeman, deceased, and in
her own right; Alexander (or John A.) Freeman,
Robert S. Freeman, and Richard H. Freeman:
(the last three being under twenty-one years of age. . . Defendants.

This Cause came on this day to be again heard on the papers formerly read therein, and on the Report of Commissioner Peter B. Prentiss, being a Report of debts, made in pursuance of a Decree of this Court, pronounced at the April Term thereof, in the year, 1878, 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, Wilbur J. Kilby, who is hereby appointed Special Commissioner for that purpose, in place of John R. Kilby, receive of the Clerk of this Court (who will deliver to him and take a receipt from him for) the two bonds of Margaret A. Freeman, filed with, and described in his, said Commissioner, John R. Kilby's Report of sale made in this Cause, in pursuance of a Decree of this Court, pronounced at the October Term thereof, in the year, 1877, in this Cause, each bond being for the sum of \$469:66½, and dated the 12th day of

November, 1877, and payable, respectively, one and two years after date with interest from date, and that said Commissioner Wilbur J. Kilby proceed to collect the principal of said bonds, and all interest due thereon.

And it appearing to the Court, that said Alma S. Eme, wife of H. Clay Eme is indebted to said Margaret A. Freeman in the sum of \$576:16 with interest on \$530:16, part thereof from the 9th day of December, 1876; and that said John A. Freeman is indebted to said Margaret Freeman in the sum of \$437:27 with interest on \$412:52, part thereof, from the 9th day of December, 1876; and the Court deciding, that said Alma S. Eme and John A. Freeman are entitled to the principal and interest of said bonds in equal sums, in part payment of a debt of \$3002:64 due to them jointly, by said Richard B. Freeman, their late guardian, or his Estate, as determined by a Decree of this Court, pronounced at the October Term thereof in the year, 1877, in this Cause: the Court doth further adjudge, order and decree, that said Commissioner Wilbur J. Kilby, after paying all unpaid costs and expenses of this Cause, out of the principal and interest of said bonds, when collected, pay, with one half of the residue thereof to said Margaret A. Freeman, said debt of \$576:16 and interest thereon, or such part thereof as said one half of said bonds will pay, due to her by said Alma S. Eme, and the surplus, if any, pay to said Alma S. Eme, and with the other half of said bonds pay to said Margaret A. Freeman, said debt of \$437:27 and interest thereon, or such part thereof as said

one half of said bonds will pay, due by said John A. Freeman, and the surplus, if any, pay to said John A. Freeman.

And the Court doth further adjudge, order and decree, that the Estate of said Richard B. Freeman be allowed a credit to the extent of the net principal and interest of said bonds, left after payment of said costs, in part satisfaction of said debt of \$3002.64, due by his estate to said Alma S. Ene and John A. Freeman. And said Commissioner, Wilbur J. Kilby will make to said Margaret A. Freeman, after said bonds and all interest shall have been paid in full, a deed, with special warranty, in the usual form, conveying to her the Real Estate purchased by her, under proceedings had in this cause, and will make Report to Court, of his proceedings under this Decree.

And the said Wilbur J. Kilby, Special Commissioner, before proceeding to execute this Decree, will execute before the Clerk of this Court, in his Office, a bond with good personal security in the penalty of \$1500, payable to the Commonwealth of Virginia, and conditioned for the faithful execution of this Decree and all other decrees in this Cause.

A Copy:

Unpaid Costs \$10⁰⁰

Teste,

Peter B. Prentiss, Clerk

xm^o

One & wife, &c

75th { Copy Decree

Freeman's Adm^o: &c

To the Circuit Court of Nausemond
County. Virginia

In pursuance of a decree
of said Court pronounced at the October
Term thereof in the year 1878 in a cause
in Chancery in said Court depending
between H. Lelay Eure and wife and
others. Plaintiffs, and Richard B. Freeman's
Administratrix and others. Defendants. a
copy of said decree being herewith an-
nexed: the undersigned, appointed Special
Commissioner for the purposes named in
said decree respectfully reports to Court
that he has received of the Clerk of said
Court the two Bonds of Margaret A.
Freeman filed with the Report of Com-
missioner, John R. Kilby made in said Cause
in pursuance of a decree of said Court
pronounced at the October Term thereof in
the year 1877, said Bonds being each for the
sum of \$469.66¹/₂, and dated the 12th. day
of November 1877 and payable one and two
years after date with interest from date,
and said Margaret A. Freeman preferring
to pay the same before maturity, your
Commissioner has received of her the
principal and interest thereof, and, after
paying all unpaid costs of said cause,
has paid one-half the residue to said Marga-
ret A. Freeman in part of the sum of \$576.16
due to her by Alma S. Eure, and with the
other half has paid to said Margaret A.
Freeman the sum of \$437.27 and all
interest due thereon in full, the same being
due to her by John A. Freeman, and that
the estate of said Richard B. Freeman
deceased has been allowed a credit

to the extent of the net amount of the principal and interest of said Bonds of Margaret A. Freeman left after payment of the said costs, in part satisfaction of the debt of \$3002.64 due by his estate to said Alma S. Cure and John A. Freeman. Your Commissioner further reports that all of the foregoing will more fully appear by the following statements and annexed vouchers:

Statement No. 1

Shewing the debts due to said Margaret A. Freeman by Alma S. Cure and John A. Freeman as set forth in the Report of Commissioner, P. B. Prentiss, made in said cause in pursuance of a decree of said Court at the April Term thereof 1878 in said cause.

Debt due by said Alma S. Cure, per said Report.	\$ 576 16
Interest on \$530.16 part thereof from 9 Dec. 1876 to 9 Nov. 1878 - 1 y. 11 m.	60 95

\$ 637 11

Debt due by said John A. Freeman, per said Report	\$ 437 27
Interest from 9 December 1876 to 9 November 1878 - 1 y. 11 m.	50 28 =

\$ 487 55
\$ 1124 66

Statement No. 2.

Shewing the amount of the principal and interest of said Bonds of Margaret A. Freeman as received and paid out by the undersigned, Commissioner.

By principal of the said two Bonds of Margaret A. Freeman, each for \$469.66 1/2 =	\$ 939 33
" Interest on same.	45 77
	\$ 985 10

To paid P. B. Prentiss, Comr. for his said Report, being unpaid costs, per recd.	\$ 10 00
Net Balance =	\$ 975 10

To paid Margaret A. Freeman 1/2 of \$975.10 in part of said sum of \$637.11. due to her by said Alma S. Ewre as above, per decree tract. \$ 487 55

To paid Margaret A. Freeman 1/2 of \$975.10 in full of said sum of \$487.55 due to her by said John A. Freeman as above, per decree tract. =	487 55 = \$ 975 10
--	--------------------

(over)

Statement No. 3

Dr. Alma S. Eure (late Freeman) and John A. Freeman, children of Margaret A. Freeman and legatees of Lealeb Savage deceased. In account with the Estate of Richard B. Freeman deceased, their father and late Guardian, Cr.

By Balance due the said Alma S. Eure and John A. Freeman by said late Guardian, brought on from account No. 2 of the Report of Court. Wilbur J. Kilby made in said cause in pursuance of decree of April Term of said Court 1877. =

\$ 3002 64

By Interest from 18 Feb. 1877 to 9th. Nov. 1878 - 1y. 8m. 21ds. =

310 73

\$ 3313 37

By credit of net amount of said Bonds of Margaret A. Freeman in part satisfaction of this sum of \$3313.37 =

\$ 975 10

\$ 2338 27

Your Commissioner further reports to Court that he has made to said Margaret A. Freeman a deed with special warranty in the usual form conveying to her the real estate purchased by her under proceedings had in said cause.

Respectfully submitted this 9th. day of November 1878

Wilbur J. Kilby
Special Commissioner

1878 Apr. 9th. Received of Wilbur J. Kilby
Special Commissioner the sum of \$487.55
in part of my claim of \$637.11 against
Alma S. Cure and the sum of \$487.55 in
full of my claim of that amount a-
gainst John A. Freeman, as charged in
the foregoing Report and Statement No. 2.
Witness:
Mary Wapping Margaret A. Freeman

1878 Apr. 9th. Received of Wilbur J. Kilby,
Special Commissioner, ten dollars as
charged paid to me in the foregoing
Report.
\$10.

Peter B. Prentiss.
Comptroller in Chg

Euse & wife &c
vs. } Chy.
Freeman's Admrx. & als

Final Report of
collections & payments
9 Nov. 1878

1878. Nov. 19th. Filed.
cek

At a Circuit Court, continued and held for Nausemound County, the 15th. day of April, 1878.

Henry C. Eme and Alma S. his wife, suing
for themselves and all other creditors of Richard
B. Freeman, deceased. Plaintiffs.

Against { In Chancery
Margaret A. Freeman, Administratrix of
Richard B. Freeman, deceased, and in her
own right; Alexander (or John A.) Freeman,
Robert S. Freeman and Richard H. Freeman:

(the last three being under twenty-one years of age). . . Defendants.

This Cause came on this day to be again heard on the papers
formerly read therein, and on the Report of Special Commis-
sioner, John R. Kilby, made in this cause, in pursuance of a
Decree of this Court, pronounced at the October Term thereof,
in the year, 1877, and on the Petition of Margaret A. Freeman
filed in this Cause on the 6th. day of February, 1878, and in the
Exhibit filed with said Petition, 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 a Commissioner of this Court, ascertain
and make Report to Court, whether the facts and statements, set
forth in said Petition, be correct or not, together with
such evidence and reasons on which his Report may be
based.

A Copy:

Teste,

Peter B. Prentiss, Clerk

Xind

Henry C. Erue & wife &c.

to { Copy Decree

Margaret A. Freeman, Adm^{or} of
Rich^d B. Freeman dec'd &c &c

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

June the 5th 1878.

To Henry C. Eme and Alma S. his wife: suing for themselves
and all other creditors of Richard B. Freeman, deceased;

and Margareh W. Freeman, Adm^r: of Richard B. Freeman deceased, and in her own right;
Alexander (John A) Freeman, Robert S. Freeman and
Richard J. Freeman: the last three being infants,
under twenty-one years of age

Plaintiffs,

Defendants.

You are hereby notified that I have fixed upon the 5th day of July
next, ~~to take and settle~~, at my office, the following accounts, to wit: to ascertain whether
the facts and statements, as set forth in the Petition of said
Margareh A. Freeman, filed in the above cause, be correct
or not.

required to be taken by the decree of Nansemond County Circuit Court, rendered on the 15th
day of April 1878 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. Prentiss
Commissioner in Chancery

1878. June 5th: Service of the within Notice is hereby acknowledged

John A. Kilby, atty.
for the Plaintiffs

William J. Kilby, atty.
for Margaret M. Freeman.

Peter B. Acostas, Adm: ad litem
for infant Defendants.

To The Circuit Court of Hanseman County, Virginia:

In pursuance of a Decree of the said Court, pronounced at the April Term thereof, in the year, 1878, in a Cause in Chancery, in said Court, depending between H. Clay Eme and Alma S. his wife, Plaintiffs, and Margaret A. Freeman, Adm^{or} of Richard B. Freeman, deceased, and in her own right, and others, Defendants - a copy of said Decree being herewith annexed, The undersigned, Commissioner in Chancery of said Court, having given notice to the parties to said Cause, as will appear by the endorsements on the notice herewith returned, proceeded on the 5th day of July, 1878, to ascertain, as required by said Decree, whether the facts and statements, as set forth in the Petition of said Margaret A. Freeman filed in the above cause on the 6th day of February, 1878, are correct or not, and now respectfully reports the result of his proceedings, as follows:

Your Commissioner respectfully reports to Court, that after a careful examination of the papers of said Cause, together with the Exhibits filed therein, and after a careful perusal of said Petition of Margaret A. Freeman, and the Exhibit filed therewith, and for reasons stated therein, and as shown by the Record evidence in said Cause, he is satisfied that the statements and facts set forth in said Petition are true and correct, and that said Alma S. Eme and John A. Freeman are indebted to said Margaret A. Freeman as alleged in said Petition, and as the following statements will show:

over

Statement No: 1

Dr. Almira S. Eme (late Freeman) wife of H. Clay Eme,
and distributee of the Estate of Richard B. Freeman, deceased,

In Account with Margueret A. Freeman, Cr.

To Balance due said Margueret A. Freeman,
as per distributee account, attached to said
Margueret A. Freeman's Account as Adm^r.
of said Richard B. Freeman, deceased,
recorded on the 10th. day of July, 1876, in
the Clerk's Office of Nausemond County Court,
and as per copy of said Account filed
as "Exhibit A", with said Petition, to wit } \$544.36
" Interest on \$530 ¹⁶ paid thereon, from
9th. December, 1875 to 9th. December, 1876. (1 year) } 31.89
\$576.25

Statement No: 2

Dr. John A. Freeman, distributee of the Estate
of Richard B. Freeman, deceased

In Account with Margueret A. Freeman, Cr.

To Balance due said Margueret A. Freeman,
as per distributee account attached to her
account aforesaid, as said Adm^r.
and as per said "Exhibit A" } \$412.52
" Interest from 9th. December, 1875 to 9th.
December, 1876. (1. year) } 24.75
\$437.27

Respectfully submitted, this 13th. day of July, 1878.

Comms: Fee \$10⁰⁰ }

Peter B. Prentiss. Comm^r in Ch.

In addition to the foregoing Report, the undersigned
Attorney for said H. Clay Eme and Alina S. his wife, and
John A. Freeman, would respectfully say, that the indebtedness
of said Alina S. Eme and John A. Freeman to said
Margaret A. Freeman, as set forth in the foregoing
Report, is just and correct, and unpaid, and should
be paid, out of any funds under the Control of the Court
in the Chancery Cause aforesaid - and, such being the
case, no objection is raised to the payment thereof
out of said funds.

1878. Aug: 8th }

John R. Kilby — Att'y
for said H. Clay Eme & Alina
S. his wife and John A.
Freeman.

One & wife &c

20 { Commr's Refers

Freeman's Adm. Ld.

1878. July 13th

1878. Aug. 1. ^{or} Filed.
clt

Rec^d of J. R. Kilby Commissioner
Ten Dollars for selling the Richard
Frumman Land Nov 10th 1877.

Geo G Parker Crier

Book and Job Printing, Plain or Colored, Neatly and Cheaply Executed.

Suffolk, Va., Oct 26 1877.

Mr John R Kilby

TO DUNBAR & WHITLEY, Jr.

PUBLISHERS OF

THE CHRISTIAN SUN.

Oct 26

To "ad"

B. B. Freeman's Farm 4th St \$5 00

Rec'd Paid -
Dunbar & Whitley

Clerk's Office of Harseman Co. Co.

Nov: 1st 1877

I, hereby certify, that the Estate of Richard
B. Freeman dec'd, is charged with 295 acres
of land, assessed at the sum of \$1770 - this
appears, by the Land Book, for the year, 1877,
in District, No. 1. of said County.

Peter B. Prentiss, Clerk.

LAND MI
ROMULEON

FOR SALE

1720
642.50
1250.00
642.50
1892.50
1150.00

LAND NEAR SOMERTON FOR SALE !

By virtue of a decree of the Circuit Court of Nansemond county, Va., entered at the October Term thereof, 1877, in a cause in said Court pending between H. Clay Eure and wife Plaintiffs, and Margaret A. Freeman and others Defendants, I shall sell at Public Auction before the Court-house door of said county

ON THE 12th DAY OF NOVEMBER, 1877,

(being Court-day,) the real estate of which Richard B. Freeman, died, seised and possessed, being 295 acres of land, more or less, in said county, near Somerton, bounded by the lands of Jas. R. King, John Oberry, Jason Butler and others.

This place has on it good houses, necessary on a farm, including an

Excellent Dwelling,

and is a productive farm of good soil. The dwelling and other houses and a small part of the farm attached thereto, have been assigned to said Margaret A. Freeman as her dower and will be sold subject thereto, but the residue of the farm will be sold free thereof, and the purchaser can take possession at once.

TERMS:

Enough of the purchase money will be required in cash to pay costs of suit and expenses of sale and the residue at the end of 1 and 2 years, the purchaser to give Bonds with good security, bearing interest from day of sale, and title to said land will be retained until further order of Court.

GEO. T. PARKER, Auct'r.

JOHN R. KILBY,
SPECIAL COMMISSIONER.

At a Circuit Court, continued and held for Nauset and
County, the 11th day of October, 1877.

Henry C. Ene and Alma S. his wife, suing for
themselves and all other creditors of Richard
B. Freeman, deceased. Plaintiffs.

Against } In Chancery

Margaret A. Freeman, Administratrix of
Richard B. Freeman, deceased, and in her own
right, Alexander (or John A.) Freeman, Robert
S. Freeman and Richard H. Freeman (the last
three being under twenty-one years of age). . . Defendants.

This Cause came on this day to be again heard on the papers
^{Commissioner, Wilbur J. Kilby, and the Report of}
formerly read therein, and on the Report of Special Commissioners,
B. R. Smith, E. R. Smith and Samuel R. Hunter, both Reports
made in this Cause, in pursuance of a Decree of this Court, pro-
nounced at the April Term thereof, in year, 1877, and was
argued by Counsel. On Consideration whereof the Court doth
confirm said two Reports, to which no exception has been filed,
and doth decide that Alma S. Ene, the Plaintiff, and
John A. Freeman, one of the Defendants, the two children
of ^{said} Margaret A. Freeman, who were alive at the time of
the death of Caleb Savage (their grandfather) the Testator
named in the papers ⁱⁿ of this Cause, are exclusively, entitled
to the sum of \$3002.64, with interest thereon from the 18th
day of February, 1877, till paid, as appears by Account No: 2
of said Report of said Commissioner, Wilbur J. Kilby.

And the Court doth order that John R. Kilby, who is hereby
appointed a Special Commissioner for that purpose, proceed

to sell, at Public Auction, before the Court House door of
Nausamund County, Virginia, on some County Court day, on a
credit of one and two years, the following Real Estate of
which Richard B. Freeman died seized and possessed, to-
wit: two hundred and ninety-five (295) acres of land, more
or less, in Nausamund County, Virginia, about two miles
from Somerton, and bounded by the lands of James R. King,
John Oberry, Jason Butler and others: and that said Com-
missioner, John R. Kelby, sell said land, subject to the
Dower of said Margaret A. Freeman, as laid off and
assigned to her by said Commissioners, B. R. Smith, E. R. Smith
and Samuel R. Hunter, according to their said Report filed
in this Cause; and that said Commissioner, John R. Kelby
receive of the purchaser of said land, a sufficient part of the
purchase money, in cash, to pay the costs of this suit and
the expenses of the sale; and take from the purchaser,
bonds, with good personal security, in evidence of the
deferred payments to be made according to the credit given,
one and two years after date, with interest from the
day of sale, and that said Commissioner advertise the
time and place of said sale ^{for three successive weeks} once a week, in some
Newspaper published in the Town of Suffolk, Virginia, and
by printed notices, posted in the neighborhood of said land,
and at said Court House Door, and that said Com-
missioner before proceeding to sell said land, execute before
the Clerk of this Court, in his Office, a Bond with good
security, in the penalty of \$1500, payable to the Commu-
wealth of Virginia, and conditioned for the faithful ex-

ction of this Decree, and all other Decrees he may
be required to execute in this Cause, and that said
Commissioner make report to Court of his proceedings
under this decree.

a Copy,
Teste,

Peter B. Prentiss. Clerk.

Cmts.

Chk. P.B.P.	\$15.00	Paid Peter B. Prentiss. Clerk
" Enter Com. U.C.	4.65	Paid John R. Kilby Hon Attys.
Atto. H. H. A.	31.50	Paid John R. Kilby Hon Attys.
Sh. H.	50	Paid Wilbur J. Kilby for Sheriff
Comm. " in Chy	15.00	Paid Wilbur J. Kilby Comr.
E. R. Smith Comr	1.00	
B. R. Smith "	1.00	
L. R. Hunter "	1.00	
		<u>\$67.65-</u>

xind

Henry C. Eme & wife &c

2nd Copy Decree

Margaret A. Freeman,
adm^{tr}: of Richard B. Freeman
decd. de Ld.

Mr Freeman \$1101.

Wages	69.65
Board	7.00
Laundry	2.00
Carriage	5.00
Travelling	20.00
Gifts	
to Mr. Eme	2.00
to Mr. Eme	2.00
<u>Total</u>	<u>108.65</u>

for papers

To the Circuit Court of Transylvania County Va.
 The undersigned reports to the Court, that
 pursuant to the decree of said Court made on the
 11th day of October 1877 in the cause of Henry C.
 Eure & Alma S. his wife ~~vs~~ plaintiffs and
 Margaret A. Freeman administratrix of Richard
 B. Freeman dec'd, & others defendants, he proceeded
 to advertise the Land referred to in said decree
 being a tract of 295 acres more or less in said
 County bounded as named in said decree (sub-
 ject to the claims of said Mrs. Margaret A. Freeman
 in said Land, as laid off under proceedings in said
 suit,) and after due notice, proceeded to sell
 said Land before the Court house door of said
 County on Monday the 12th December 1877 (being
 County Court day) when the said Land was
 purchased (subject as aforesaid), by said
 Margaret A. Freeman at the price of \$1101.00
 over $\frac{3}{4}$ its appraised value (when the
 claims is deducted)

To 5 percent Com. on \$300.	\$15.00
" 2 do " on \$801.60	16.02
" Geo. J. Parker, auctioneer's fee	10.00
" paid for advertising in Sun "	5.00
" " " Dr. Huald Shandels	9.00
" " Wm. Eley, Deput. Secy, fee	15.00
" " rent of Court	5.75
" " fees to purchaser	3.00
" " Clerk & Com. for ^{recording} ~~abstract~~ deed	5.00

Cash over \$92.02 \$1101.00

Amounts brought in	\$92.02	\$1101.00
To ~~paid costs~~ ^{of suit} as taxed	69.65	161.67
Residue & for which said Margaret A. Freeman executed Bonds - to wit:		\$939.33
1 Bond for one half, carrying int. from date & payable one year after date, waiving homestead with deed of trust on land as security	\$469.66 1/2	
1 other Bond as above at two years:	469.66 1/2	\$939.33
said Bonds being herewith filed.		

Respectfully submitted
John R. Kilby, Com.

16 Jan. 1878.

1878 Oct, 18th, Received of Peter B. Prentiss Clerk of the Circuit Court of Casseward County, Va. in pursuance of a decree of the October Term of said Court in the year 1878 in this cause, the two Bonds of Margaret A. Freeman each for \$469.66 1/2 filed with this report, dated the 12th. day of November 1877 & payable one and two years after date with interest from date. received for collection under said last named decree

Wilbur J. Kilby
Comm.

Eure wife

n.

Freeman, art.

Report of sale

1878. July: 16th: Filed
ellg

At a Circuit Court continued and held for Hanscombed
County the 14th day of April, 1877.

Henry C. Cure and Alma S. his wife: suing
for themselves and all other creditors of Rich-
ard B. Freeman deceased. Plaintiffs

Against In Chancery
Margaret A. Freeman Administratrix of
Richard B. Freeman, deceased and in her
own right: Alexander (or John A) Freeman,
Robert S. Freeman, and Richard H. Freeman.

(The last three being under twenty-one years of age) Defendants
This cause came on this day to be heard on the Bill of the Com-
plainants and exhibits filed therein and on answer of
adult defendant, and on the answer of infant defend-
ants by their guardian ad litem, and on replication to said
answers and was argued by counsel: On consideration
whereof the Court without deciding any question in the
cause doth adjudge, order and decree that a commis-
sioner of this Court proceed to state the following accounts
1st: An account of the transactions of said Margaret A. Free-
man as admin^x of Richard B. Freeman dec'd. taking any such
account heretofore returned to a Court having jurisdiction over
the same and confirmed as prima facie correct: subject to be
surcharged and falsified. 2nd An account of the trans-
actions of Richard B. Freeman as guardian of said Alma S.
Cure late Freeman and Jas. A. or Alexander Freeman with like
directions. 3rd An account of the debts due and un-
paid by the said Richard B. Freeman dec'd, or his estate, and
their dignity. 4th: The fee simple and annual value of the

lands of which said Richard B. Freeman died seized and possessed, subject to the dower of said Margaret A. Freeman (widow) of said deceased, therein, and make a description of said land. And the said Commissioners will report to Court with any matters specially stated, deemed pertinent by said Commissioners or that any one of the parties may require to be so stated.

And the Court doth further adjudge, order and decree that Lemuel R. Hunter, Esq. R. Smith, F. E. Langston and Bunwell R. Smith (any three of whom may act) proceed to set apart and assign to said Margaret A. Freeman, one full third in value of the lands of which her husband the said Richard B. Freeman died seized and possessed, as and for her dower therein, having regard to quantity and quality - and make report to Court with a map or diagram of the same, and may if necessary call to their aid a competent surveyor.

A copy,

Teste.

Peter B. Pentecost. Clerk

Curie & wife

4 3 Copies Decree

Freeman ad litem

1 Aug 7 1860

notice & attachment

Commissioner's Office,

SUFFOLK, NANSEMOND COUNTY, Va.

8 June 1877

To Henry L. Eure and Alma S. his wife, suing for themselves and all other creditors of Richard B. Freeman deceased.

and Margaret A. Freeman, as Administrator of said ^{Plaintiffs,} Richard B. Freeman deceased and in her own right, Alexander (or John A.) Freeman, Robert S. and Richard H. Freeman, the last three being infants under twenty-one years of age by Peter B. Prentiss, their guardian ad litem ^{Defendants.}

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

1. An Account of the transactions of said Margaret A. Freeman, as Administratrix of Richard B. Freeman deceased, taking into consideration any such account heretofore made or returned.
2. An Account of the transactions of Richard B. Freeman as guardian of said Alma S. Eure late Freeman, and John A. or Alexander Freeman taking into consideration any such account heretofore made or returned.
3. An Account of the debts due and unpaid by the said Richard B. Freeman deceased or his estate and their dignity.
4. An Account of the fee-simple and annual value of the lands of which said Richard B. Freeman died seized and possessed, subject to the dower of said Margaret A. Freeman, widow, therein.

required to be taken by the decree of Nansemond County Circuit Court, rendered on the 14th day of April 1877 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
Commissioner.

1877 June 8th. Service of the within notice is hereby
acknowledged for Henry C. Cure and Alma A.
his wife, plaintiffs. John R. Kilby atty

1877 June 8. I hereby acknowledge service of the within
notice. Margaret A. Freeman.

1877 June 8th I hereby acknowledge service of the within notice
Peter B. Prentiss
Gen. ad litem for the
infant Defendants

Commissioner's Office
Suffolk, Nansemond County, Va.,
29th. September 1877

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

In pursuance of a decree of
said Circuit Court, pronounced at
the April Term thereof in the year 1877
in a cause in Chancery in said Court
depending between Henry C. Cure
and Alma S. his wife as plaintiffs
and Margaret A. Freeman and
others as defendants, a copy of
said decree being herewith annexed;
having given notice to the parties to said
cause, as a copy of said notice
herewith returned will shew and,
having, in pursuance of said notice,
taken, settled and stated at his
office the various accounts required
by said decree to be taken, and
settled, the undersigned, Com=
missioner of said Court, herewith
respectfully submits the following
result of the proceedings in the
premises:

(over)

Account No. 1

An Account of the Transactions of said Margaret A. Freeman, as Administratrix of Richard B. Freeman deceased, taking into consideration any such account heretofore made or returned.

Under this head, Your Commissioner reports that on the 4th. day of May 1876, an ex parte settlement of her account was made by said Margaret A. Freeman as Administratrix aforesaid before the Undersigned Wilbur J. Kilby, Commissioner of accounts, and that said account was the first and last of said Administratrix and that the same was duly admitted to record in the Clerk's Office of Chancery Court on the 10th. day of July 1876: That by said account it appears that said Administratrix had properly disposed of all moneys received by her as said Administratrix, leaving no balance due either to her by said estate or to said estate by her.

The distributive accounts attached to said administration account, however, shew that on the 9th. day of

December 1875 there was due to said Administratrix by _____

Alma S. Euse, wife of H. Clay Euse \$544.36
with interest on \$530.16 part thereof,

by John A. Freeman \$412.52

" Robert S. Freeman \$321.44

" Richard H. Freeman \$327.06

" Walter W. Freeman \$282.97

all children of said Margaret A. Freeman;
that Interest is to be added on said
sums of money from 9th. December
1875, and that so far as your Commission-
er knows said sums of money are yet
due and unpaid.

Out-side of the above, your Com-
missioner has no report of any other
transactions of said Administratrix to
make, there having been no further
transactions.

Account No. 2

An Account of the transactions of
Richard B. Freeman, as guardian of said
Alma S. Euse, late Freeman, and John A.
or Alexander Freeman, taking into consid-
eration any such account heretofore
made or returned.

(over)

Under this head, your Commissioner reports that he finds that on the 13th. day of May 1867 an account of Richard B. Freeman as guardian of not only Alma S. Cure, late Freeman, and John A. Freeman, but also of Robert A., and Richard H. Freeman, children of said Margaret A. Freeman was admitted to record in the Clerk's Office of House and County Court; that a balance of \$4199.44 is reported by said account to be due by said guardian to all of said wards jointly with interest thereon from the 18th. day of February 1867 till ^{paid}; that no further account has ever been rendered by said guardian and that said balance still stands against him or his estate; that the property had by said guardian for said wards consisted originally of money and ^{North Carolina State} bonds of which the above sum of \$4199.44 is balance as of above date; that said property was derived from the estate of Caleb Savage deceased who by his will dated 31st. March 1862 and recorded in Gates County, North Carolina in August 1862, gave the same to "the child or children of said Margaret A. Freeman"; that said Caleb Savage died in June 1862, and that at that time said Margaret A. Freeman had only two children, said Alma S. Cure and John A. Freeman and that her other children, the said Robert A. and Richard H. Freeman were born after the death of said Caleb Savage.

Upon the supposition, then, that ~~said will~~
~~took effect~~ at the time of the death of
 said Caleb Savage, and that, in that event
 the two first named children of said Mar-
 garet A. Freeman, then living, to wit, said
 Alma S. Cure and John A. Freeman, only
~~are~~ ^{were} entitled to said property, said Richard
 B. Freeman's guardian account should be
 as follows:

Dr. Alma S. Cure, (late Freeman) and John A.
 Freeman, children of Margaret A. Freeman, and
 Legatees of Caleb Savage deceased,
 In account with Richard B. Freeman their father
 and guardian

1867 Feb. 18	By balance in hands of said guardian this day, brought on from last account recorded.				\$ 4199 44
	To principal of two North Carolina State Bonds, part of the above bal- ance of \$4199.44, now wholly worthless, and in hands of Admin- istratrix of said guardian, now dead.				\$ 2000 00
	" Interest on same from 1 January 1862 to 18 February 1867, charged to said guardian during that period and forming part of above balance of \$4199.44. to wit				615 67
	By 5 per cent commissions on \$2615.67, (last two items), which had been allowed guardian earned on				130 78
					\$ 2615 67 \$ 4330 22

1867 Feb. 18

Amounts brought on

2615 67 / 4330 22

To Balance due the wards, Alma
S. Eure and John A. Freeman.

1714 55

~~4330 22~~ / ~~4330 22~~

1867 Feb. 18

By Balance due the wards brought on.

1714 55

By Interest on \$1714,55 compounded
at the rate of 6 per cent per an-
num from 18 February 1867 to
18 February 1877 - 10 years.

1355 89

To 5 per cent commissions on \$1355,89

67 80

1877 Feb. 18

Balance due the wards

3002 64

~~3070,44~~ / ~~3070,44~~

1877 Feb. 18

By Balance due wards brought on.

3002 64

Upon which interest is due
from 18 February 1877, to day
of payment.

Upon the supposition that not only
the children living at the time of the
death of said Caleb Savage, of said
Margaret A. Freeman, but also those
born after that event, were entitled
to said property, then the above bal-
ance of \$3002,64 is due not exclu-
sively to said Alma S. Eure and John A.
Freeman, but to them and said Robert A.
and Richard H. Freeman jointly.

Your Commissioner adds that interest is compounded in the foregoing statement because all of said children of said Margaret A. Freeman are yet under the age of twenty-one years.

Account No. 3.

An Account of the debts due and unpaid by said Richard B. Freeman deceased, or his estate and their dignity.

Under this head, Your Commissioner reports that he has no knowledge of any debts due by said Richard B. Freeman or his estate, except the foregoing debt \$3002.64 due as above set forth.

(over)

Account No. 4

An Account of the fee-simple and annual values of the lands of which said Richard B. Freeman died seised and possessed subject to the dower therein of said Margaret A. Freeman, widow.

Your Commissioner reports that said Richard B. Freeman died seised and possessed of 295 acres of land, more or less, in Hansemond County, Va, about two miles from Amertin and bounded by the lands of James R. King, John Oberly, Jason Butler and others. - its fee-simple value being \$1500.00
and its annual value \$100.00

And that a small part of said land and the dwelling house and other houses thereon, have been assign as dower to said Margaret A. Freeman, widow, by commissioners appointed for that purpose, see their report of 26th. September 1877 filed in this case.

Respectfully submitted this 29th. day of September 1877.

Wilbur J. Kilby
Cmr.

Cmr's fee \$15.

Eure & wife

vs.

Freeman's Admox. fals.

Commissioner's Report

29 Sept. 1877

1877. Sept. 29th Filed.

At a Circuit Court continued and held for Nantuxum County, The 14th day of April, 1877.

Henry C. Eme and Alma S. his wife:
suing for themselves and all other creditors
of Richard B. Freeman deceased. Plaintiffs.

Against { In Chancery

Margaret A. Freeman, Administratrix of
Richard B. Freeman deceased, and in her
own right: Alexander (or John A) Freeman;
Robert S. Freeman and Richard H. Freeman.

(The last three being under Twenty-one years of age) . Defendants.

This Cause came on this day to be heard on the Bill of the Com-
plainants and Exhibits filed therewith, and on answer of adult
defendant, and on the answer of infant defendants, by their guard-
ian ad litem, and on replications to said answers, and was ar-
gued by Counsel. On consideration whereof, the Court, without deciding
any question in the Cause, doth adjudge, order and decree, that a
Commissioner of this Court, proceed to state the following accounts:

1st. An Account of the transactions of the said Margaret A. Freeman,
as Adm^x: of Richard B. Freeman, deceased, taking any such ac-
count heretofore returned to a Court having jurisdiction over the
same and confirmed, as prima facie correct, subject to be sur-
charged and falsified.

2nd. An Account of the transactions of Richard B. Freeman, as
guardian of said Alma S. Eme, late Freeman and John A or
Alexander Freeman, with like directions.

3rd. An Account of the debts due and unpaid by the said Richard
B. Freeman dec'd or his Estate and their dignity.

4th. The Fee-simple and annual value of the Lands of which said

Richard B. Freeman died seized and possessed, subject to the Dower of the said Margaret A. Freeman (widow of said deceased) therein, and make a description of said land. And the said Commissioner will report to Court, with any matters specially stated deemed pertinent by said Commissioner, or that any one of the parties may require to be so stated.

And the Court doth further adjudge, order and decree, that Lemuel R. Hunter, Edw. R. Smith, J. E. Langston and Benwell R. Smith (any three of whom may act) proceed to set apart and assign to said Margaret A. Freeman, one full third in value of the lands of which her husband, the said Richard B. Freeman died seized and possessed, as and for her Dower therein, having regard to quantity and quality; and make report to Court with a Map or diagram of the same: and may, if necessary, call to their aid a Competent Surveyor.

A Copy:

Teste,

Peter B. Pentis. Clerk

Eme & wife

vs { Co. Decree

Freeman's Admrs: & al's

In the Circuit Court of Hanseman Co. Va.

The undersigned, appointed by the decree of said Court of April Term 1877, made in the cause therein pending in favor of Henry C. Euse Turfe &c. against Margaret A. Freeman ad^t of Richard B. Freeman dec^d & others to set apart & assign to said Margaret A. Freeman, One full third in value of the Land of which her husband the said Richard B. Freeman dec^d seized & possessed, as and for her dower therein having regard to quantity & quality, have met in the premises, and proceeded to discharge the duties required of us.

We find the Land of which said Richard B. Freeman dec^d seized & possessed, consists of a tract of Land in Hanseman County Va. containing 298 acres, more or less, situated about two miles from Summit in said County and adjoins the lands of James R. King, John Cherry, Jason Butler, and others.

We value the whole farm & Land with the improvements at \$1500. one third of which is \$500, we set apart and assign to said Margaret A. Freeman as and for her dower therein that part included in the following bounds, from Muckle Swamp down the road to an oak post twenty or thirty rods past the house, thence nearly west a straight line to the run of the Swamp passing two pines, one on a ledge, the other on the edge of the Swamp, thence following the Swamp to starting point, ~~and then~~ including the

Eure wife &c

vs.

Freeman's Admr. & als

Commissioners' Report
of assignment of
dower.

26 Sept. 1877

1877. Sept. 26th: Filed

At a Circuit Court continued and held for Mansfield
County, the 12th day of October, 1878.

Henry C. Eme and Alma S. his wife: suing for themselves,
and all other creditors of Richard B. Freeman, deceased. Plaintiffs.

against } In Chancery

Margaret A. Freeman, Administratrix of Richard
B. Freeman, deceased, and in her own right; Alexander
(or John A.) Freeman, Robert S. Freeman and Richard
H. Freeman: (the last three being under twenty-one years
of age) Defendants.

This Cause came on this day to be again heard on the papers
formerly read therein, and on the Report of Commissioner
Peter B. Prentiss, being a Report of Debts, made in pursuance
of a Decree of this Court pronounced at the April Term thereof,
in the year, 1878, 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 ad-
judge, order and decree, that Wilbur J. Kelly, who is hereby
appointed Special Commissioner for that purpose, in place
of John R. Kelly, receive of the Clerk of this Court (who will
deliver to him and take a receipt from him for) the
two bonds of Margaret A. Freeman, filed with and described
in his said Commissioner. John R. Kelly's Report of sale,
made in this Cause, in pursuance of a Decree of this Court,
pronounced at the October Term thereof, in the year, 1877, in
this Cause, each bond being for the sum of \$469.66 $\frac{1}{2}$, and dated
the 12th day of November, 1877, and payable, respectively, one
and two years after date, with interest from date, and that

said Commissioner Wilbur J. Kelly proceed to collect the principal of said Bonds, and all interest due thereon.

And it appearing to the Court, that said Alma S. Eme, wife of H. Clay Eme is indebted to said Margaret A. Freeman in the sum of \$576:16 with interest on \$530:16, part thereof from the 9th day of December, 1876, and that said John A. Freeman is indebted to said Margaret A. Freeman in the sum of \$437:27 with interest on \$412:52 part thereof, from the 9th day of December, 1876; and the Court deciding that said Alma S. Eme and John A. Freeman are entitled to the principal and interest of said bonds, in equal sums, in part payment of a debt of \$3002:64, due to them, jointly, by said Richard B. Freeman, their late guardian, or his estate, as determined by a decree of this Court, pronounced at the October Term thereof, in the year 1877, in this cause; the Court doth further adjudge order and decree that said Commissioner, Wilbur J. Kelly, after paying all unpaid costs and expenses of this cause, out of the principal and interest of said Bonds, when collected, pay with one half of the residue thereof to said Margaret A. Freeman, said debt of \$576:16 and interest thereon, or such part thereof as said one half of said bonds will pay, due to her by said Alma S. Eme, and the surplus, if any, pay to said Alma S. Eme; and, with the other half of said bonds, pay to said Margaret A. Freeman said debt of \$437:27, and interest thereon, or such part thereof as said one half of said Bonds will pay, due by said John A. Freeman, and the surplus, if any, pay to said John A. Freeman. And the Court doth further adjudge, order

and decree, that the Estate of said Richard B. Freeman, be allowed a credit to the extent of the net principal and interest of said Bonds, left after payment of said costs in part satisfaction of said Debt of ~~\$~~ 3002.44, due by his Estate to said Alma S. Eme and John A. Freeman. And said Commissioner, Wilbur J. Kelby will make to said Margaret A. Freeman, after said Bonds and all interest due thereon, shall have been paid in full, a deed, with special warranty, in the usual form, conveying to her, the Real Estate purchased by her, under proceedings had in this Cause, and will make report to Court of his proceedings under this decree.

And said Wilbur J. Kelby, Special Commissioner, before proceeding to execute this decree, will execute before the Clerk of this Court, in his office, a bond with good personal security, in the penalty of \$1500, payable to the Commonwealth of Virginia, and conditioned for the faithful execution of this decree, and all other decrees in this Cause.

A Copy:
Teste,

Peter B. Prentiss, Clerk

Eme Lux: to
wth Copy Recd.
Freeman's Admox: Vol.

Eme & wife

vs { Chy.

Freeman's adms: & als:

This Cause came on this day to be again heard on the papers formerly read thereon, and on the Report of Special Commissioner John R. Kelly, made in this Cause, in pursuance of an Order of this Court, pronounced at the October Term thereof, in the year 1877, and on the Petition of Margaret A. Freeman, filed in this Cause, on the 6th day of February, 1878, and on the Exhibit filed with ^{said} Petition, 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 a Commissioner of this Court, ~~not~~ ascertain and make report to Court whether the facts and statements as set forth in said Petition be correct or not, together with such ~~best~~ evidence and reasons on which his report may be based:-

Eme & Wife

11
25

Freeman's Admop. Lat

Nassau County -
Circuit Court
1878

April Term, 1878

Declar

To be entered

Geo. J. Blow

Entered O.B. No 1 - p 398

Eure & wife

vs.

Freeman's Adm^x, & al^s.

This cause came on this day to be again heard on the papers formerly read therein and on the Report of Commissioner, Wilbur J. Kilby, and the Report of Special Commissioners B. R. Smith, E. R. Smith and Lemuel R. Hunter, both Reports made in this cause in pursuance of a decree of this Court pronounced at the April Term thereof in the year 1877, and was argued by counsel.

On consideration whereof the Court doth confirm said two Reports to which no exception has been filed and doth decide that Alma S. Eure ~~(late Free~~ the Plaintiff and John A. Freeman one of the Defendants, the two children of said Margaret A. Freeman, who were alive at the time of the death of Caleb Savage, (their grandfather) the Testator named in the papers in this cause, are exclusively entitled to the sum of \$3002.64, with interest thereon from the 18th. day of February 1877 till paid, as appears by Account No. 2 of said Report of

said Commissioner, Wilbur J. Kilby.
And the Court doth order that John
R. Kilby, who is hereby appointed a spe-
cial Commissioner for that purpose pro-
ceed to sell at public auction before
the Courthouse door of Chausemond
County, Virginia, on some county Court
day, on a credit of one and two years
the following real estate of which Rich-
ard B. Freeman died seized and
possessed, to wit: two hundred and
ninety five (295) acres of land, more or
less in Chausemond County, Virginia
about two miles from Somerton and
bounded by the lands of James R. King,
John Abern, Jason Butler and others; And
that said Commissioner, John R. Kilby,
sell said land, subject to the dower
of said Margaret A. Freeman as laid
off and assigned to her by said
Commissioners, B. R. Smith, E. R. Smith
and Lemuel R. Hunter, according to
their said Report filed in this cause,
and that said Commissioner, John R.
Kilby, receive of the purchaser of said
land, a sufficient part of ~~said~~ the
purchase-money ^{in cash} to pay the costs of this
suit and the expenses of the sale and
take from the purchaser Bonds with

good personal security in evidence, of
the deferred payments ~~for residue of said purchase money~~ to be made, ac-
cording to the credit given, one and two
years after date, with interest from the
day of sale, and that said Commissioner
advertise the time and place of said
sale once a week for three successive weeks
in some newspaper published in the Town
of Suffolk, Virginia and by printed no-
tices posted in the neighborhood of said
land and at said Courthouse door, and
that said Commissioner, before proceeding to
sell said land, execute before the Clerk of
this Court in his office, a Bond with good
security in the penalty of \$1500, payable
to the Commonwealth of Virginia and en-
dorsed for the faithful execution of this
decree and all other decrees he may be
required to execute in this cause, and
that said Commissioner make report to
Court of his proceedings under this de-
cree.

Eure & wife

vs.

Freeman's Admrx. & als,

Hansen and County
Circuit Court

October Term 1877

Decree /

To be entered

Geo. B. No. 1

Attest

Clerk

Entered O. B. No. 1

p 365

+ his ordered from said Court Marguerite, as was ordered
at the death of said Marguerite, to wit: said deceased, said late
Marguerite & John A. & Alexander Freeman & others,

+ without deciding any
question in the case

Eure wife

17.

Freeman's adv. fac.

This cause came on this day to be
heard on the Bill of the Complainant & Exhibits
filed therewith in answer of adult defendants, & on
the answer of Infant defendants by their guardian
ad litem, in replication to said answer, and
was argued by counsel: On consideration thereof
~~deciding that only such children of said Martha A. Freeman
as might be so disposed, as entitled to the estate, referred to the said
the Court, both adjudge, order & decree that a Commissioner~~
of this Court proceed to state the following accounts—

1st An account of the transactions of said Marguerite
A. Freeman as administratrix of Richard B. Freeman deceased,
taking any such act: heretofore & returned to a Court having
jurisdiction on the same & confirmed as prima facie
correct, subject to be surcharged & falsified

2^d An account of the transactions of Richard B.
Freeman as guardian of said Almas, Eure (late
Freeman & Mrs. A. or Alexander Freeman, with like
devotions—

3^d An account of the debts due & unpaid by the
said Richard B. Freeman deceased or his estate &
their heirs, & 4th. The fee simple and annual
value of the lands of which said Richard B. Freeman
did seize & possess, subject to the same & paid
Martha A. Freeman (widow of said deceased) therein, &
make a description of said land—

And the said Commissioners will report to Court
on the any matters specially stated & heard previously

by said Commissioners or that any one of
the parties may require to be so stated —

Now the Court doth further adjudge, order &
decree that Lewis R. Hunter, Ed, R. Smith, J. E.
Langston & Burwell R. Smith (any three of whom
may act) proceed to set apart and assign to
said Martha A. Freeman, one full third in
value of the Land, of which her husband the said
Richard B. Freeman did ^{as far as ever therein} seized & possessed, having
regard to quantity & quality & make report to Court with
a map or diagram of the same, & ma, if necessary, call
to their aid a Competent Surveyor.

Eure wife

7

McCormack art sal

1877

ape 04

seine fracht

To be entered

Geo. B. Lord.

14th

Entered O.B. No. 1- p. 352-

Eure & wife

vs.

Freeman's Admox. & als.

This cause came on this day to be again heard on the papers formerly read therein and on the Report of Commissioner, Peter B. Prentiss, being a Report of debts, made in pursuance of a decree of this Court pronounced at the April Term thereof in the year 1878 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, ^{William J. Kelly who is specially appointed} order and decree ^{for that purpose William J. Kelly in place of said John R. Kelly} that Special Commissioner, ~~John R. Kelly~~ ^{William J. Kelly} receive of the Clerk of this Court (who will deliver to him and take a receipt from him for) the two Bonds of Margaret A. Freeman filed with, and described in, his, said Commissioner, ^{John R.} Kelly's Report of sale made in this cause in pursuance of a decree of this Court pronounced at the October Term thereof in the year 1877 in this cause, each Bond being for the sum of \$469.66 $\frac{1}{2}$, and dated the 12th day

of November 1877 and payable respec-
tively one and two years after date
with interest from date, and that
said Commissioner ^{William J.} Kilby, proceed to
collect the principal of said Bonds
and all interest due thereon.

And it appearing to the Court that
said Alma S. Eure, wife of H. Clay Eure,
is indebted to ~~the~~ said Margaret A.
Freeman in the sum of \$576.16 with
interest on \$536.16 part thereof from the
9th day of December 1876, and that
said John A. Freeman is indebted to
said Margaret A. Freeman in the sum
of \$437.27 with interest on ^{part thereof} \$412.52,
from the 9th day of December 1876; and,
the Court, deciding that said Alma
S. Eure and John A. Freeman are
entitled to the principal and interest
of said Bonds in equal sums in
part payment of a debt of \$3002.64
due to them jointly by ^{said} Richard B. Free-
man, their late guardian, or his estate,
as determined by a decree of this Court
pronounced at the October Term thereof
in the year 1877 in this cause: the
Court doth further adjudge, order and
decree that said Commissioner, ~~John~~

William J.

R. Kilby, after paying all unpaid costs and expenses of this cause out of the principal and interest of said Bonds when collected, pay with one-half of the residue thereof, to said Margaret A. Freeman said debt of \$576.16 and interest thereon, or such part thereof as said one-half of said Bonds will pay, due to her by said Alma S. Euse, and the surplus, if any, pay to said Alma S. Euse, and with the other half of said Bonds, ^{to said Margaret A. Freeman} pay said debt of \$437.27 and interest thereon, or such part thereof, as said one-half of said Bonds will pay, due by said John A. Freeman, and the surplus, if any, pay to said John A. Freeman.

And the Court doth further adjudge order and decree that the estate of said Richard B. Freeman be allowed a credit to the extent of the net principal and interest of said Bonds, left after payment of said costs, in full satisfaction of the said debt of \$3002.64 due by his estate to said Alma S. Euse and John A. Freeman ^{William J.}

And said Commissioner, ~~John R.~~ Kilby will make to said Margaret A. Free-

Euse & wife & c^{ts}

vs.

} Chy.

Freeman's Adm^r. & al

Lawson & County

Circuit Court

October Term 1878

Decree

To be entered

Geo. B. Brown

checked -

Entered O. B. No. 1440

p 410

man, after said Bonds and all interest due thereon shall have been paid in full, a deed with special warranty in the usual form conveying to her the real estate purchased by her under proceedings had in this cause, and will make report to Court of his proceedings under this decree.

And said William J. Kelly Special Commissioner before proceeding to execute this decree will execute before the Clerk of this Court in his office a Bond with good personal security in the penalty of \$1500. payable to the Commonwealth of Virginia and conditioned for the faithful execution of this decree and all other decrees in this cause

Eure & wife

~~vs.~~
Freeman's Adm^r & al.

This cause came on this day to be again heard on the papers formerly read therein and on the Report of Special Commissioner, Wilbur J. Kilby being a report of collections and payments, made in pursuance of a decree of this Court pronounced at the October Term thereof in the year 1878 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 proceedings had in this cause be and they are hereby declared to be final and binding between the parties thereto, and nothing more remaining to be done in this cause the Court doth order that the same be removed from the docket of this Court.

Euse wife
vs. } In chy.
Freeman &c

Nausumud County
Circuit Court
April Term 1879
Final decree
To be entered

Geo. B. Cook,

Entered O.B. No. 1-
p. 426

In the Circuit of Hansemond County Va.

The answer of Margaret A. Freeman
as administratrix of Richard B. Freeman decd and in
her own right, to a Bill in chancery Exhibited in
the Circuit Court of said County by H. C. Euse &
wife, against this Respondent and others,

This Respondent says that the facts set
forth in said Bill, she believes to be true, but
she submits to the Court whether the conclusions
of Law as contained in said Bill are true.

She claims that the estate given by the will
of her father (Caleb Savap decd) to her & her
children, included all her children then
(at the death of said Testator) alive, to wit, the
said Alma S. Euse one of the Complainants &
Alexander (sometimes called John A.) Freeman
and those born thereafter, ^{whose names are properly} set forth in said Bill.

Your Respondent asks, that her share in ^{her} ~~said~~
Land of said Richard B. Freeman decd (her
late husband) may be set apart to her,
and that the Court will see to it that justice
is done to all parties,

Margaret A. Freeman
R. K.,

Eme Scribe

W.

Thurnan's ad. 4.

answer of
Margaret A. Thurnan
ad. 4.

The Joint and separate answer of Alexander
(Sometimes called John A), Robert J. & Richard
H. Freeman, Infants by Peter B. Prentiss their
guardian ad litem, to a Bill in Chancery filed in
the Circuit Court of Washington County vs against
them filed by Henry C. Lane & Almira his wife.

These Respondents, say that being all infants
and ignorant of their rights in the premises, sub-
mit all their interests to the Court and pray that
no order or decree may be made in the premises,
inconsistent with their rights, and

Signed,

Peter B. Prentiss

Guard ad Litem

Eum. swifo

4

Freeman's adm.

fac.

Ans. of

Inpt. lefts

Dr. The Estate of Richard B. Freeman, deceased.

In account with Margaret A. Freeman, Administratrix, &c.

1868

Dec.	9	By Balance due the Estate brought on from last account.		\$ 851	55-
		To Clerk's fee retained	\$ 3	00	
		" Commissioners fee retained	5	00	8 00
				\$ 843	55-
		To $\frac{1}{3}$ of \$843.55 retained by the Administratrix due to her as the widow of the deceased.		\$ 281	20
				\$ 562	35-
		To $\frac{1}{5}$ of \$562.35 due to Alma S. Eme a child of the deceased and wife of H. Clay Eme	\$ 112	47	
		" do. due John G. Freeman a child of the deceased	112	47	
		" do. due Robert S. Freeman a child of the deceased	112	47	
		" do. due Richard H. Freeman a child of the deceased	112	47	
		" do. due Walter W. Freeman a child of the deceased	112	47	
				<u>112 47</u>	\$ 562 35-

No. 1.

Distributee Accounts.

1868. Dec	9	Dr. Alma S. wife of H. Clay Eme.			
		By amount due her brought on from the foregoing account.		\$ 112	47
		" $\frac{1}{5}$ of two-thirds of rent for land, 1868		8	00
		To amount charged for board, clothing and schooling for the year, 1868	\$ 60	00	
		" Balance due Alma S. Eme	60	47	
			\$ 120	47	\$ 120 47
1868 Dec	9	By Balance due Alma S. Eme brought on	\$ 60	47	
		" $\frac{1}{5}$ of two-thirds of rent for land, 1869		8	00
		" Interest for one year on \$60.47		3	62
		To amount charged for board, clothing, and schooling for the year, 1869	\$ 70	00	
		Leamed forward	\$ " " " " " "		

		Brought forward		\$ " " " \$ " " "	
	To	5 per cent commissions on \$11.62	58		
	"	do on \$8. omitted in last account	40		
	"	Balance due Alma S. Eme	1 11		
			<u>\$ 72 09</u>	<u>\$ 72 09</u>	
1869 Dec. 9	By	Balance due Alma S. Eme brought on	\$ 1 11		
1870 Dec 9	"	1/3 of two thirds of rent for land, 1870	8 00		
	"	Interest for one year on \$1.11	06		
	To	amount charged for board, clothing and schooling for the year 1870	\$ 80 00		
	"	5 per cent commissions on \$8.06	40		
	By	Balance due The Administration	71 23		
			<u>\$ 80 40</u>	<u>\$ 80 40</u>	
1870 Dec. 9	To	Balance due the Colony brought on	\$ 71 23		
1871 Dec 9	"	Interest for one year on \$71.23	4 27		
	"	amount charged for Board, clothing and schooling for the year 1871	120 00		
	By	1/3 of two thirds of rent for land, 1871	8 00		
	To	5 per cent commissions on \$8.	40		
	By	Balance due The Colony	187 90		
			<u>\$ 195 90</u>	<u>\$ 195 90</u>	
1871 Dec 9	To	Balance due the Colony brought on	\$ 187 90		
1872 Dec 9	"	Interest on \$187.90 for one year	11 27		
	"	amount charged for board, clothing and schooling for the year 1872	120 00		
	By	1/3 of two thirds of rent for land, 1872	8 08		
	To	5 per cent commissions on \$8.	40		
	By	Balance due The Colony	311 57		
			<u>\$ 319 57</u>	<u>\$ 319 57</u>	
1872 Dec 9	To	Balance due The Colony brought on	\$ 311 57		
1873 Dec 9	"	Interest for one year on \$311.57	18 69		
	"	amount charged for board &c. from 9th Dec. 1872 to 15th June 1873, the date of Alma's marriage	67 50		
		Carried forward	\$ " " " \$ " " "		

		Carried forward		\$ " " " \$ " " "	
	To	amount charged for board of Alma S. and her husband, H. Clay Eme, and horse from 15 June 1873 to 31 October 1873 - 4 m 7 1/2	140 00		
	By	1/3 of two thirds of rent for the year 1873	8 00		
	To	5 per cent commissions on \$8.	40		
	By	Balance due the Colony	530 16		
			<u>\$ 538 16</u>	<u>\$ 538 16</u>	
1873 Dec. 9	To	Balance due the Colony brought on	\$ 530 16		
1875 Dec 9	"	Interest for two years on \$530.16	63 60		
	By	1/3 of two thirds of rent for land 1874, 1875	16 00		
	"	1/3 of cash received of Thos. Savage Admin of Moses Smith of Halifax N. C. less \$4. expenses to wit	36 00		
	To	5 per cent commissions on \$52	2 60		
	By	Balance due the Colony	544 36		
			<u>\$ 596 36</u>	<u>\$ 596 36</u>	
1875 Dec 9	To	Balance due the Colony brought on	\$ 544 36		
<u>No. 2</u>					
<u>Dr. John A. Freeman.</u>					
1868 Dec 9	By	amount due him brought on from the foregoing Administration Account	\$ 112 47		
	"	1/3 of two thirds of rent for land, 1868	8 00		
	To	amount charged for board, clothing and schooling for the year 1868	\$ 50 00		
	"	5 per cent commissions on \$8.	40		
	"	Balance due John A. Freeman	70 07		
			<u>\$ 120 47</u>	<u>\$ 120 47</u>	
1868 Dec 9	By	Balance due John A. Freeman brought on	\$ 70 07		
1869 Dec 9	"	1/3 of two thirds of rent for land, 1869	8 00		
	"	Interest for one year on \$70.07	4 20		
	To	amount charged for board clothing &c for the year 1869	\$ 45 00		
		Carried forward	\$ " " " \$ " " "		

1868 Dec.	9	By	Balance due Robert S. Freeman brought on	\$ 30 07	
1869 Dec	9	"	1/5 of two-thirds of rent for land 1869	8 00	
		"	Interest for one year on \$80.07	4 80	
	To		amount charged for board and clothing for the year 1869	45 00	
	"		5 per cent commissions on \$12.80	64	
	"		Balance due Robert S. Freeman	47 23	
				<u>\$ 92 87</u>	<u>\$ 92 87</u>
1869 Dec.	9	By	Balance due Robert S. Freeman brought on	\$ 47 23	
1870 Dec.	9	"	1/5 of two-thirds of rent for land 1870	8 00	
	"	"	Interest for one year on \$47.23	2 83	
	To		amount charged for board and clothing &c for the year 1870.	\$ 50 00	
	"		5 per cent commissions on \$10.83	54	
	"		Balance due Robert S. Freeman	7 52	
				<u>\$ 58 06</u>	<u>\$ 58 06</u>
1870 Dec	9	By	Balance due Robert S. Freeman brought on	\$ 7 52	
1871 Dec.	9	"	1/5 of two-thirds of rent for land, 1871	8 00	
	"	"	Interest for one year on \$7.52	45	
	To		amount charged for board, clothing and schooling for the year 1871	\$ 65 00	
	"		5 per cent commissions on \$8.45	42	
	By		Balance due the Colony	49 45	
				<u>\$ 65 42</u>	<u>\$ 65 42</u>
1871 Dec	9	To	Balance due the Colony brought on	\$ 49 45	
1872 Dec	9	"	Interest for one year on \$49.45	2 96	
	"		amount charged for board and clothes for the year, 1872	65 00	
	By		1/5 of two-thirds of rent for land, 1872	8 00	
	To		5 per cent commissions on \$8.	40	
	By		Balance due the Colony.	109 81	
				<u>\$ 117 81</u>	<u>\$ 117 81</u>
1872 Dec.	9	To	Balance due the Colony, brought on	\$ 109 81	
1873 Dec.	9	"	Interest for one year on \$109.81	6 58	
			Carried on	\$ " " " " " "	

			Brought on	\$ " " " " " "	
	To		amount charged for board and clothing &c. for the year 1873.	75 00	
	By		1/5 of two-thirds of rent for land 1873	8 00	
	To		5 per cent commissions on \$8.	40	
	By		Balance due the Colony	183 77	
				<u>\$ 191 79</u>	<u>\$ 191 79</u>
1873 Dec.	9	To	Balance due the Colony brought on	\$ 183 77	
1874 Dec	9	"	Interest for one year on \$183.77	11 02	
	"		amount charged for Board and clothing &c for the year, 1874	80 00	
	By		1/5 of two-thirds of rent for land, 1874	8 00	
	To		5 per cent commissions on \$8.	40	
	By		Balance due the Colony	267 21	
				<u>\$ 275 21</u>	<u>\$ 275 21</u>
1874 Dec	9	To	Balance due the Colony brought on	\$ 267 21	
1875 Dec	9	"	Interest for one year on \$267.21	16 03	
	"		amount charged for board, clothing &c for the year, 1875	80 00	
	By		1/5 of two-thirds of rent for land, 1875.	8 00	
	"		1/5 of cash received of Moses Smiths Coln ^t , Thos. Savage less \$4. expenses &c. To wit	\$6 00	
	To		5 per cent commissions on \$44	2 20	
	By		Balance due the Colony	321 44	
				<u>\$ 365 44</u>	<u>\$ 365 44</u>
1875 Dec	9	To	Balance due the Colony brought on	\$ 321 44	
			<u>No. 4</u>		
			<u>Dr. Richard H. Freeman</u>		
1868 Dec	9	By	amount due him brought on from the foregoing Administration Account.	\$ 112 47	
	"	"	1/5 of two-thirds of rent for land 1868	8 00	
	To		amount charged for Board and clothing for the year 1868	\$ 40 00	
			Carried on	\$ " " " " " "	

1868 Dec	9	By	Balance due Walter W. Freeman brought on	\$	80	07	
1869 Dec	9	"	Interest for one year on \$80.07		4	80	
		"	1/5 of two-thirds of rent for land 1869		8	00	
		To	amount charged for board and clothing for the year 1869	\$	45	00	
		"	5 per cent commission on \$12.80		64		
		"	Balance due Walter W. Freeman		47	23	
				\$	92	87	\$ 92 87
1869 Dec	9	By	Balance due Walter W. Freeman brought on	\$	47	23	
1870 Dec	9	"	1/5 of two-thirds of rent for land, 1870		8	00	
		"	Interest for one year on \$47.23		2	83	
		To	amount charged for board and clothing for the year 1870	\$	30	00	
		"	5 per cent commission on \$10.83		54		
		"	Balance due Walter W. Freeman		7	32	
				\$	58	06	\$ 58 06
1870 Dec	9	By	Balance due Walter W. Freeman brought on	\$	7	32	
1871 Dec	9	"	1/5 of two-thirds of rent for land, 1871		8	00	
		"	Interest for one year on \$7.32		45		
		To	amount charged for board and clothing for the year 1871		60	00	
		"	5 per cent commission on \$8.45		42		
		By	Balance due the Colony.		44	45	
				\$	60	42	\$ 60 42
1871 Dec	9	To	Balance due the Colony brought on	\$	44	45	
1872 Dec	9	"	Interest for one year on \$44.45		2	66	
		"	amount charged for board and clothing for the year 1872		60	00	
		By	1/5 of two-thirds of rent for land, 1872		8	00	
		To	5 per cent commission on \$8.		40		
		By	Balance due the Colony		99	51	
				\$	107	51	\$ 107 51
1872 Dec	9	To	Balance due the Colony brought on	\$	99	51	
1873 Dec	9	"	Interest for one year on \$99.51		5	97	
		"	amount charged for board and clothing for the year 1873		70	00	
			Brought on	\$			\$

			Brought on	\$			\$
		By	1/5 of two-thirds of rent for land, 1873			8	00
		To	5 per cent commission on \$8.		40		
		By	Balance due the Colony		167	88	
				\$	175	88	\$ 175 88
1873 Dec	9	To	Balance due the Colony brought on	\$	167	88	
1874 Dec	9	"	Interest for one year on \$167.88		10	07	
		"	amount charged for board and clothing for the year 1874		70	00	
		By	1/5 of two-thirds of rent for land, 1874			8	00
		To	5 per cent commission on \$8.		40		
		By	Balance due the Colony		240	35	
				\$	248	35	\$ 248 35
1874 Dec	9	To	Balance due the Colony brought on	\$	240	35	
1875 Dec	9	"	Interest for one year on \$240.35		14	42	
		"	amount charged for board and clothing for the year 1875		70	00	
		By	1/5 of two-thirds of rent for land, 1875			8	00
		"	1/5 of cash received of Thos. Savage Adm'r of Moses Smith of Halifax, N.C. less \$4. expenses, to wit-			36	00
		To	5 per cent commission on \$44		2	20	
		By	Balance due the Colony		282	97	
				\$	326	97	\$ 326 97
1875 Dec	9	To	Balance due the Colony brought on	\$	282	97	

Commissioner's Office,
Suffolk, Va., 4th. May, 1876.
To Hanscom County Court:

Your Commissioner reports to Court that Margaret A. Freeman, Administratrix of the Estate of Richard B. Freeman deceased has exhibited before him a statement of all moneys received by the said Administratrix, or with which she had become chargeable or had disbursed, during the periods embraced in the foregoing accounts, together with the vouchers in support of the disbursements. That he finds a balance of \$544.36 to be due by Ulma S. Eare wife of H. Clay Eare and child of said deceased and a distributrix of said

Estate to said Administratrix, on the 9th day of December 1875, with interest on \$530¹⁶ paid thereof from that day. That the said account is supported by satisfactory vouchers, and that the said Administratrix has given such bond as the law requires, the penalty whereof and the security thereto being sufficient. That balances of \$412.⁵², \$321.⁴⁴, \$327.⁰⁶ and \$282.²⁷ are found to be due respectively by John A., Robert S., Richard N. and Walter W. Freeman, infants and children of said deceased and distributees of said Estate to said Administratrix, with interest on each sum from the 9th day of December 1875, as the foregoing distributive accounts will show. That the said Administratrix was embraced in the list of Fiduciaries posted up at the front door of the Court house of Hanover County, on the first day of April term last, and now on this day (ten days having elapsed since the same was then posted up) the foregoing account was made up and completed.

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

Walter J. Kelly
Commissioner of Accounts

Virginia:

In the County Court of Hanover County, the 10th day of July, 1876
This, the foregoing account, which was filed in the Clerk's office of this Court, on the 9th day of June, 1876, by Walter J. Kelly, Commissioner of Accounts, having remained therein one month, was this day examined by the Court, no exceptions having been filed thereto and no error appearing on the face thereof, the Court doth confirm and order the same to be recorded.

Teste,

Peter B. Prentiss, clerk

a copy.

Teste:

Peter B. Prentiss, Clerk

^{x ind}
Richard B. Freeman's Estate

with { Copy Acct

Margaret A. Freeman, Adm^r:

"Exhibit A." filed
with the Petition of
Margaret A. Freeman

To Honorable George Blow Circuit
Court Judge, in and for Staunton
County, Virginia

Respectfully represents and shews
unto Your Honor, Your Petitioner, Marg-
aret A. Freeman

That in pursuance of a decree of
the Circuit Court of Staunton County
Virginia, pronounced on the 14th. day of
April 1877 in a Cause in said Court in Chan-
cery depending between H. Clay Euse and
Alma S. his wife, Plaintiffs, and Mar-
garet A. Freeman Administratrix of
Richard B. Freeman and others, De-
fendants, Wilbur J. Kilby, a Commis-
sioner of said Court made a Report
on the 29th. day of September 1877, which
was duly filed in said Cause on that
day, shewing among other things that
said Richard B. Freeman deceased,
or his estate, is indebted either to said
Alma S. Euse and to John A. Freeman
alone jointly, or to said Alma S. Euse
and John A. Freeman and other children
of said Richard B. Freeman deceased
jointly in the sum of \$3002.64 as of
the 18th. day of February 1877, with interest
thereon from that date; that said

sum of \$3002.64 is the only debt as-
certained by said Commissioner, Wilbur
J. Kilby, to be due by said Richard B.
Freeman, or his estate, as will appear
by said Report: That by a decree
of said Court on the 11th. day of Octo-
ber 1877 in said Cause, said Report
was confirmed, and it was decided
by said Court, as said last named de-
cree will shew, that said sum of
\$3002.64 is due exclusively and jointly
to said Alma S. Euse and John A.
Freeman; that by said last named
decree John R. Kilby was appointed
a Special Commissioner to sell the real
estate of which said Richard B. Freeman
died seized and possessed and that
he proceeded to sell and did sell
the same on the 12th. day of November
1877 for the sum of \$1101.00, of which
after payment of costs of said cause
and expenses of said sale, there is
left a surplus of \$939.33 of the pro-
ceeds of said sale, as will appear by
said Court, John R. Kilby's Report of the 16th.
day of January 1878 filed in said cause
on that day.

Your Petitioner believes that said sum

of \$939.33 is subject to payment of the debt aforesaid of \$3002.64 due as aforesaid to said Alma S. Euse and John A. Freeman by said Richard B. Freeman or his estate and will and should be applied in payment thereof.

Your Petitioner respectfully represents and shews unto Your Honor that said Alma S. Euse is indebted in the sum of \$544.36 with interest on \$530.16 part thereof from the 9th. day of December 1875, and said John A. Freeman in the sum of \$412.52 with interest thereon from the 9th. day of December 1875 till paid, to Your Petitioner, as will appear by said Commissioner, Wilbur J. Kilby's Report of the 29th. day of September 1877, and also by the distributee accounts attached to Your Petitioner's Administration account, as Administratrix of said Richard B. Freeman deceased, audited on the 4th. day of May 1876 and duly recorded on the 10th. day of July 1876 in the Clerk's Office of Hausmann County Court, - a duly certified copy of which account is herewith filed as a part of this Petition and marked "Exhibit A."

Your Petitioner says that said sums

of \$544.36 and \$412.52 and all interest due thereon should be paid to her by said Alma S. Euse and John A. Freeman, out of any funds to which they may be entitled, and prays, therefore, that said Richard B. Freeman, or his estate may have credit for said sum of \$939.33 in part payment of the sum of \$3002.64 due said Alma S. Euse and John A. Freeman, that the same ^{nevertheless,} may, not be paid to said Alma S. Euse and John A. Freeman, but that the same may be paid to Your Petitioner, in equal parts, in account of, and in satisfaction of, the said sums of \$544.36 and \$412.52 due respectively by said Alma S. Euse and John A. Freeman as aforesaid to Your Petitioner

And Your Petitioner will ever pray &c,
Margaret A. Freeman
By Attorney.

Eure & wife.
vs. } chy.
Freeman's Admox. & als.

Petition of
Margaret A. Freeman

1878. Feby. 6th. Filed.
C.K.

At a Monthly Court held for Nausemond County, the 11th.
day of February, 1867.

The Court appoint Richard B. Freeman guardian to
Alma S. John A. Robert S. and Richard H. Freeman,
his Children: And thereupon the said Richard B. Freeman
entered into a bond in the penalty of Six Thousand Dollars,
conditioned according to law, with Robert M. Savage,
his surety therein, who justified on oath, as to his sufficien-
cy: which bond being acknowledged by the obligors therein,
is ordered to be recorded.

A Copy:

Teste,

Peter B. Prentiss. Clerk

^{Copy}
Order of Identification of
Richard B. Freeman, as
gr. of Anna S. John A. Roth: 5
and Rich^d H. Freeman

" " X "

At a Monthly Court held for Nausemond County, the 9th.
day of December, 1867.

Sp. 21.5. Int: Rev.
Stamp
Cancelled

On the motion of Margaret Ann Freeman, who made oath as
the law directs, and entered into a bond in the penalty of Three
Thousand Dollars, conditioned according to law, with John
Obery, Robert M. Savage, Edwin Smith and William F.
Melteer, her securities therein, who justified on oath, as to their
sufficiency, and which said bond, being acknowledged by the
obligors therein is ordered to be recorded: Letters of Administra-
tion on the Estate of Richard B. Freeman deceased, in due
form, are granted her.

A Copy:

Jesse, Peter B. Prentiss. Clerk

Order of ^{Application of}
Marguerite A. Freeman,
as admx: of Richard B.
Freeman, dec'd

"H"

Dr. Alma S; John A; Robert S; and Richard H. Freeman,
 Children of Margaret Ann Freeman & Legatees of Caleb
 Savage dec'd — In Account with Richard B. Freeman, their Father and guardian.

1867. Feb. 11	The guardian qualified		
Feb 18	By Balance due wards on the 31st December 1865, on account recorded in Gates County Court, in North Carolina, where the guardian originally qualified, & now transferred to Virginia, under an order of said Gates County Court made at February Court. 1867. (including as former acct. shews \$500 of Confederate Money)		\$5202 25
	By Interest on \$5202.25 less the \$500 of Confederate Money — 1 year. 1 mo 18 ds		319 74
	To Paid Clerk of Gates County for Recording last acct.		73
	" " Court Charges, for notices &c		2 82
	" 5 per cent Com ^d on \$319.74		15 98
	To Am ^t lost in depreciation of \$2000 of North Carolina State Bonds, part of the above Balance		800 00
	" entire loss of the above Confederate money		500 00
	" Comm ^r 's fee for this acct: & copy		3 00
	" Balance due the wards.		4199 44
			\$5321 99 \$5321 99
1867. Feb. 18	By Balance due the wards brot. on		\$4199 44

Commissioner's Office
 Suffolk, Va., March 23^d 1867

To Nauseland County Court:

Your Commissioner reports to Court, That Richard B. Freeman, guardian of Alma S; John A; Robert S; & Richard H. Freeman, his children, has exhibited before him a statement of all moneys received by the said guardian or with which he had become chargeable or had disbursed, during the periods embraced in the foregoing account, together with the vouchers in support of the disbursements. That he finds a balance of \$4199:44 to be due

by the said guardian to the said wards on the 18th day of February 1867, with interest thereon from that day. That the said account is supported by satisfactory vouchers, and that the said guardian has given such bond as the law requires, the penalty whereof and the security thereto being considered sufficient. That the said Guardian was embraced in the list of Fiduciaries posted up at the Front Door of the Court House of Nausemud County, on the first day of March Court last, and now on this day, (ten days having elapsed since the same was thus posted up) the foregoing account is made up and completed.

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

John R. Kilby.
Commissioner



At a Monthly Court held for Nausemud County, the 13th day of May 1867.

This Account of Richard B. Freeman, Father and Guardian of Alma S. John A. Robert S. and Richard W. Freeman, Legatees of Calab Savage dec'd, which was filed in the Clerk's Office of this Court on the 4th day of April, 1867, by John R. Kilby, Commissioner, was this day examined by the Court, and no exceptions having been filed thereto and no errors appearing on the face thereof is confirmed by the Court and ordered to be recorded.

Teste,
Peter B. Prentiss, Clerk

A Copy:
Teste,
Peter B. Prentiss, Clerk

Alma S. Freeman & al:

with 3 Copy acct:

Richard B. Freeman, qdr:

(G, 1)

North Carolina } Court of Pleas & Quarter Sessions
Gates County } February Term 1867.

"It appearing to the satisfaction of the Court that R. B. Freeman who was heretofore appointed by this Court as guardian to his own Children, has been appointed guardian to his said Children, by the Court of Hanseman County, Virginia, and has executed his bond for the faithful performance of his duties with R. M. Savage as surety which bond was accepted by said Court. It is therefore ordered by this Court that the said R. B. Freeman be allowed to remove the funds belonging to his said wards to the State of Virginia, where he will make his returns in future."

North Carolina } Office of Clerk of
Gates County } Superior Court
J. R. B. Bowyer, Probate
Judge of said County, do hereby certify that
the foregoing is a true copy of an order
made by the late Court of Pleas & Quarter
Sessions of Gates County, as appears of record.
In testimony of which I do
hereunto set my hand and
affix my seal of Office, at
Gatesville, this the 29th day
of April 1876.
R. B. Bowyer,
Probate Judge.

189
Order for
Removal of funds.

Fee 60 cents



Alma S., John A., Ro. S. & Richard H. Freeman,
Children of Margt Ann Freeman & Legatees
of Caleb Savage, dec'd.

In Acc't with R.B. Freeman, their
Father and Guardian

1863

Feb. 4th

By this sum received from
Edwin Smith Executor
of Caleb Savage, dec'd
being one fourth of the
balance in said Smith's
hands as Executor -

\$3721.68

" this sum rec'd from said
Smith - Specific Legacy -

\$1000 00

" interest on the above sum
\$4721.68 from Feb. 4th 1863
to Dec. 31st 1863 -

\$257 33

" hire of Negro man Sam for
1863 due Dec. 31st -

75 00

\$5054 01

Dec. 31 To Cash paid Dr. Thos. Savage
of Halifax for keeping negro
woman Harriet and three

Children for 1863 -

\$100 00

" 5 per Cent. Com'n on \$5,054.01

amt of receipts & expenditures 257 70

" this sum due Ward to balance 4696 31

\$5,054 01

Bal. due Ward Dec. 31st

1863 brought down

\$4,696.31

(Signed)

R.B. Freeman,
Guardian.

Alma S., John S., Ro. S. & Richard H. Freeman
Children of Margt Ann Freeman & Legatee of
Caleb Savage, dec'd.

1864 In Acc't with R.B. Freeman, their
Father and Guard.

By this sum due on acc't
Closed Dec. 31st 1863 - - - \$4696 31
" int. on above to Dec. 31st 1864 281 77
" hire of man Sam for 1864 40 00
\$5018.08

To Cash paid Jas. Norfleet
for bringing negro woman
Harriet & Children from Halifax ^{N.C.} 75 00

" paid Clerk for last year's acc't 75

" Expenses of keeping Harriet
and Children in Halifax not
yet ascertained - - -

" 5 per cent. Com's on \$397.52
receipts and expenditures - 19 87

This sum due Ward to balance 4922.46 \$5018.08

Balance due Ward
Dec. 31st 1864 brought down - - \$4922.46

(Signed)
R.B. Freeman, G'd'n.

Alma S., John S., Robert S. & Richard Freeman
Children of Margaret Ann Freeman, Legatee
of Caleb Savage, dec'd.

In Acc't with R.B. Freeman their
Father & Guardian.

By this sum due Ward
on acc't closed Dec. 31st 1864
including \$500 in Con-
federate money - - - \$4922.46
" interest on the above to
Dec. 31st 1865 - 1 year - - - 295.34
\$5217.80

To paid Clerk on returning
acc't for last year - - 75

" 5 per cent. Com's on \$296.19 14 80

" this sum due Ward to bal. 5202.25
\$5217.80

Balance due Ward Dec.
31st 1865 (including \$500
in Confederate money
brought down - - - - \$

(Signed)
R.B. Freeman, Guard.

North Carolina,
Watauga County,

I, R.B. Stowper, Probate
Judge of said County, do hereby certify that the
foregoing are true copies of account on
record in my Office.

In testimony of which I
do hereunto set my hand and affix
my seal of Office, April 29th 1876.
R.B. Stowper, Probate Judge.

"20"

Guardian Returns

Fee \$1.00

The Estate of Caleb Savage, dec'd.			
1862	In Acc't with Edwin Smith, Ex'r.		
Aug.	By Cash on hand found among Testator's papers	- - -	\$330 00
" 18	To Cash paid Clerk on qual- ifying and probate of will	2 00	
" 30	" Cash paid Oliver Harrell for Coffin and burial expenses	75 00	
Oct. 1 st	" Cash paid Dr. Lee Med. acc't	24 00	
Nov. 15	By " Rec'd from Dunsen & Co. for Charles & Allen's work		30 00
" 17	To paid Shiff of Gates Co. taxes for 1861	115 11	
" "	" " Dr. C. B. Savage Med. acc't	20 00	
" "	" " Thos. Parker "	7 50	
" 29	" " W. W. Savage "	40 00	
" "	" " Clerk of Court for Inventory	75	
Dec 4	" " Harrison Baker acc't	8 50	
" "	" " Commissioners for dividing Estate	3 00	
" 23	" " James Green acc't	56 05	
1863 Jan'y 2 nd	" " S. Parker for J. T. Parker "	10 85	
" "	" " Wm. H. Austin "	7 00	
" "	By Cash rec'd from Oliver Harrell in payment of acc't	- -	56 75
" "	" " rec'd from Alex. Rogers in payment of acc't	- -	18 00
" "	" " " from Jordan Parker in payment of note	- -	478 12
" "	" " Arit of Acc't Sales	- - -	5426 85
" "	" " " Lot Langerman's note & int		13 08
" "	" " " R. F. Harrell's "		55 20
" "	" " " M. H. Eure's note Jan 1 st 1862		1298 50
" "	" " " " " " May 30 "		1552 50
		\$364 76	7692 59 00
Carried forward			

By amt of receipts brought forward \$9259 00
To " " disbursements \$364 76

By " " three N. Carolina
State bonds carrying interest
from January 1862 } - - - 3180 00

By amt of three N. Carolina
State bonds carrying interest
from Octo. 1st 1861 - } - - - 3,225 00

To amt retained to pay costs
of suit for the division of
negroes - - - - - 10 00

" Retained to pay for recording
acct sales and settlement 1 50

" 2 1/2 per cent. Com's on \$16,040²⁶
Amt of receipts & disbursements 401 00

" This sum due the Estate to balance 14,886 84
\$15,664 00 \$15,664 00

By balance due the Estate
brought down - - - - - \$14,886 84

To Amt pd R. M. Savage one fourth \$3,721 68 1/2

" " " R. B. Freeman, Guard \$3,721 68 1/2

" " " M. H. Cure, Guard \$3,721 68 1/2

" " " R. J. Savage - - - \$3,721 68 1/2
\$14,886 84

Pursuant to a provision
in the last Will and Testament
of said dec'd, I have rec'd from
R. M. Savage one of the
heirs This sum - - - - - \$2,000 00

To pd 1/2 of this sum to Rich'd
B. Freeman, guard for his
own children - - - - - \$1000 00

To pd M. H. Cure 1/2 guard to his children \$1000 00
\$2,000 00 \$2,000 00

Respectfully submitted Edwin Smith, Executor

North Carolina, } Office of Superior Court
Gates County: } Clerk, April 29th 1876.

I, R. B. Blalock, Probate Judge of said
County, do hereby certify that the foregoing
is a true copy of the Final Settlement
of Edwin Smith as Executor of Caleb
Savage, dec'd, as appears of record in my Office.

In testimony of which I
do hereunto set my hand and
affix my seal of Office, the
date above written.

R. B. Blalock,
Probate Judge.

Final Settlement

'C'

Fee 95 cents

North Carolina, } Court of Pleas & Quarter Ses-
Gates County. } sions, Aug. Term 1862.

" Ordered that Richard Freeman
be appointed guardian to his children Al-
ma Smith Freeman and Alexander Freeman
upon his entering into bond in the sum
of Fifteen thousand dollars with Mills
H. Eure, R. P. Savage and Samuel E. Smith
as sureties. "

North Carolina, }
Gates County. }

J. R. B. Cowper, Probate
Judge of said County, do hereby certify that
the foregoing is a true copy of an order
of the late Court of Pleas and Quarter Sessions
as appears of record in my office.

I also further certify that that at the said
Term of Court R. B. Freeman executed his bond
as guardian to Alma Smith Freeman and
John A. Freeman in the sum of fifteen
thousand dollars with M. H. Eure, Samuel E.
Smith and Robt M. Savage as his sureties,
and that the following certificate is made
on said bond, viz: " J. Henry L. Eure Clerk
of Gates County Court, do hereby certify that the following
justices of the Peace, viz: Riddick Catling, Sr., David Parker,
and Henry Willey were present and assisted to the
order appointing Richard B. Freeman Guardian
to his heirs of the said R. B. Freeman and "

Signed H. L. Eure, Clerk. "

Test— R. B. Cowper,
Probate Judge.

"B."

Order of the Court
of Pleas and Quarter
Sessions -
appointing

R. B. Freeman
Guard to two of his
Children.

A. R. I suppose there was
a mistake made by the Court
in not naming all the
Children in the ^{order} R. B. C.

Fee 60 cents

I Caleb Savage of the County of Gates & State of N. Carolina do make and ordain this my last will and testament in manner and form following, that is to say 1st I give unto my Daughter Margaret Ann Freeman the wife of Richd. B. Freeman, my negro slave, Isaac (sometimes called yellow Isaac) and Caroline with the increase of the said Caroline since the 1st day of January 1859, to her and her heirs.

2nd I give unto my son Robert M. Savage my negro slave Ben, Abram and Georgianna with the increase of the same after this date, to him and his heirs

3rd I give unto my grand daughter Sarah E. Eure the daughter of Mills H. Eure my negro boy Jerry to her and her heirs provided she attains to lawful age or marries, if not, I give the said Jerry to her own brothers and sisters or brother and sister then living, to them and their heirs.

4th I give unto my grand son Caleb M. Eure the son of Mills H. Eure my negro man Charles and all my Carpenter tools provided he attains to lawful age or has issue, but in event of his death before attaining to lawful age or without issue, I give the same to his sister or sisters then living to them and their heirs

5th I give unto son Robt. M. Savage the land and plantation I purchased of Mills H. Eure, lying and being in the County of Gates State of North Carolina called the Pipskin Farm, with the distinct understanding that if my death should occur after the first day of March of any given year, that my son William Jesse, who is now living upon the said Farm, shall remain in quiet possession of the same until such time as his crop for the said

year shall be housed or otherwise disposed of for his own benefit - and upon condition that he my said son, Robt M. shall pay into my estate the sum of Two thousand dollars; one half of which sum, I give to the Child or Children of my Daughter Margaret Ann Freeman, and the remaining half to the Child or Children of my Daughter Sarah L. Cure; to them and their heirs, and upon this condition, I give the said Pipkin Farm to my said son Robt M. Savage to him his heirs.

6th I give unto my son Wm Jesse the Land and Plantation on which I now live including the land I purchased of Thos. Barnes, John Wm R. Peal, Thomas Parker and Seth Benton in the whole containing six hundred and eighty acres: possession to be given at the expiration of the year during which my death may take place, or earlier if my death should take place prior to the first day of March of said year; also the following negro slaves, namely, Mingo, Ben, Alfred, Armistead, Edward, Drew, Randolph, Harrison, Lewis, Ansell, Esther and two Children, Dealier and Amanda, Anascha, Margauit and two Children, Lucy and one Child, Emaline, Pettiglow, Roxana and Amis with all the increase of the same since the 1st day of Jan'y 1859 to him and his heirs forever.

7th After the payment of all my just debts funeral expenses and so on I give one equal fourth part of the entire balance of my estate of every description wherever found to the Child or Children of my Daughter Margaret Ann Freeman,

one equal fourth part, to my son Robt M. Savage, one equal fourth part to the Children of my Daughter Sarah L. Cure, and the remaining fourth part to my son Wm Jesse, to them and their heirs forever.

Lastly I do hereby appoint my son Robt M. Savage and friend Edwin Smith and my son William J. Savage executors of this my last Will and Testament - hereby revoking all other and former Will, Testaments by me heretofore made.

In testimony whereof I have hereunto set my hand and affixed my seal this 31st day of March in the year our Lord 1862. (Signed)

Signed, sealed and acknowledged in presence of
Isaac Williams.
Robert Rogers.

Caleb Savage, 

North Carolina³ Court of Pleas and Quarter
Salisbury County Sessions, Dec. Term, 1862.

The foregoing paper writing purporting to be the last Will and Testament of Caleb Savage dec^d was exhibited in open Court by Edwin Smith one of the Executors therein named and the due execution of the same by the said Caleb Savage was proved by the oath and examination of Isaac Williams and Robert Rogers the subscribing witnesses thereto. Whereupon it is considered by the Court that the said paper writing

2
Mar 1876

is the last will and Testament of the said
Caleb Savage and it is ordered that the
same be recorded and filed, And on
motion it is ordered by the Court that
Edwin Smith one of the Executors therein
named be allowed to qualify by his en-
tering into bond in the sum of Fifty
thousand dollars with Miles H. Eune, Wm.
J. Savage and Henry Wiley as securities
which bond has been duly executed
and the said Edwin Smith appeared
and duly qualified, as such.

(Signed) Test

Henry L. Eune, C. C. Clerk.

State of North Carolina, }
Gates County: }

I, R. B. Bowper, Clerk
of the Superior Court and Judge of Probate for the
County of Gates, do hereby certify that the
foregoing is a true Copy of the Will of
Caleb Savage, dec'd and the Probate thereof,
as appears of record in my office.

In testimony of which I do
hereunto set my hand and affix
my seal of office, at Gatesville,
this the 29th day of April 1876.

R. B. Bowper,
Probate Judge.

Eure Surber

h

Freeman, not Lee

8 Exhibits filed with
the Bill

75-
1.00
40
40
1.50

4.65

Gatesville N. C.

April 21st 1874.

To John R. Kelly Son
attys at Law
Suffolk Va.

You are hereby authorized
to bring the necessary steps to take such legal
steps as may be necessary to come up the
guardian accounts of the Estate Richard
B. Freeman dec'd.

Signed

Almar S. Emre.

H. C. Emre

To the Hon. Geo. Blow, Circuit Court Judge of
Hanseman County Va.

Complaining then unto your Complainants
Henry C. Pure and Alma S. his wife, suing for
themselves & ~~see other~~ creditors of Richard B. Freeman and
Your Complainants respectfully represent
to the Court and say:

That Caleb Savage, died in Gates County &
State of North Carolina in June 1862, having
first made his Last will and Testament, dated
the 31st March 1862, and duly proved & ordered to be
recorded by the Court of Pleas & Quarter Sessions at
the August Term 1862 of Gates County in the State
of North Carolina.

That by the 5th clause of said will, among
other things he says his son Robert is to pay
into his estate \$2000 for the reasons ^{in said will} stated; "one
half of which sum I give to the child or children
of my daughter Margaret Ann Freeman" &c.

and in the 7th clause of said will The Testator
says "after the payment of all my ^{just} debts funeral
expenses and soon I give one equal fourth part of
the entire Balance of my estate of every description
wherever found to the child or children of my
daughter Margaret Ann Freeman" &c. and
that Edwin Smith one of the Executors named
in said will qualified as such according to Law
in said Gates County Court at the August Term
1862 — all of which will appear by

reference to a copy of said will order of court
therein, filed herewith marked A^o, and
asked to be considered as a part of this Bill,

That at the death of said Leabt Savage
and at the time his will was, proved recorded
the said daughter of the Testator, Margaret S.
Greenman, was the wife of Richard B. Greenman
of Nausmond Co. Va. and she then had only two
children, your Complainant 'Alma S. Eme (late
Greenman) & also named Alexander Greenman (sometimes
called John A. Greenman) _____
and that the said Richard B. Greenman at
the said Aug^t Term 1862 of the Court of pleas
and Quarter sessions for Gates Co. North Carolina
duly qualified as guardian of said Alma S. &
Alexander Greenman (his children), as will be
seen by a copy of the order of said court filed
herewith as part of this Bill marked "B."

That the said Edwin Smith as such Ex-
ecutor of said Leabt Savage proceeded to settle
up said estate and did so when Confederate
money was almost the only currency, &
which he took for the property sold by him, and
paid over to Richard B. Greenman guardian of his
children the sum of \$1000, to which they were
entitled under the 5th clause of said Testator's
will, & also \$3721.68 1/2 from the general assets
of said Estate, as will be seen by a copy of

his ~~administration~~ account as Executor of said
local savings deed, filed herewith as part of this
Bill marked 'C'.

That the said Richard B. Freeman
acting under the belief that the devise & bequest
of the Testator to the "child or children of his
wife" was intended to include any child
that might be born after the Testator's death
returned his first three accounts as guardian
so as to include said Almas, Alex. (called John
A. or Alexander,) & Robt. S. Freeman (the last
born after the death of the Testator aforesaid,
as will be seen by a copy of said accounts
filed herewith as part of this Bill marked "D".

That the said Richard B. Freeman was
qualified as guardian of said Robt. S. Freeman
in said Gates County Court.

That among the assets received by said
Richard B. Freeman as such guardian of
Almas. & Alexander (sometimes, called John A.
Freeman) were \$500. in Confederate money
and four Bonds of the State of North Carolina
each for \$1000.

That the said Richard B. Freeman
being a resident of Nausummet County
Va. did on the 11th day of February 1867 qual-
ify as guardian of his children, to wit: Almas,
John A. (or Alexander,) Robert S. and Richard H.

(see copy of order of court filed herewith marked "F")
Freeman, and applied to said Gates County Court
for permission to remove the ^{said} apels from the
State of North Carolina to Virginia, which was at
the July Term thereof 1867 granted as may be
seen by a copy of said order filed herewith as part
of this Bill marked "E".

That the Balance in the hands of said
Richard B. Freeman in the kind of apels as
aforesaid, he, by virtue of said permission
transferred to Nausemon Co. Va. and the
said Richard B. Freeman, sold two of said
North Carolina State Bonds of \$1000 each for \$600,
each, which your complainants admit, was,
a fortunate event. That said Richard B.
Freeman rendered a grand account to the
County Court of Nausemon Co. Va. of which a
copy is filed herewith as part of this Bill marked
"H." - in which account, he brings forward from
his account rendered in North Carolina \$520.25
consisting of the apels aforesaid, and charges a loss
\$500 Confederate money received by him & \$800. loss
on 2 of said State Bonds, leaving a Balance
due his ward of \$4199.44 on the 18 Feb 1867, as
may be seen by a copy of said account filed herewith
as part of this Bill marked "H."

That of this \$4199.44 there are two of the
North Carolina Bonds of \$1000 each, and now

2
on hand worthless -

That the said Richard B. Freeman
departed this life intestate on the day of
leaving a widow Margaret A. Freeman,
and said children, to wit: Alma S. (now wife &
one of your complainants) John A. (called Alexander),
Robert S. & Richard H. Freeman, surviving him,
the said John A. (or Alexander) Robert S. & Richard
H. Freeman all being under twenty one years of
age, and his heirs at law & distributees

That said Margaret A. Freeman qualified
as administratrix of said Richard B. Freeman and
in Nauset County Court on the 9th day of Decr: 1867
as will be seen by a copy of the order of said Court
filed herewith marked "A". & asked to be
considered as part of this Bill

That the said Richard B. Freeman
did possess of chattel estate which duly
went into the hands of his said Admin. &
that she has settled said estate & there remains
none of it left.

That the said Richard B. Freeman
did seized & possess of the following land
in Nauset County Va to wit. The Home place
containing 275 acres adjoining Jason^{J.} Butler late
W. W. Rawls, and 20 acres adjoining J. R. King &
others

Value \$1770

Your Complainants pray this Hon. Court, that the guardian accounts of said Richard B. Freeman aforesaid may be settled, and that one of his children or some others, that may be entitled to the fund in his hands may have the same paid to them.

Your Complainants say that only those children of said Margaret A. Freeman who were alive at the death of the Testator are entitled to said assets, to wit: Your Complainant Alma & the said Alexander (or John) Freeman.

That all persons who have debts or demands against said Richard B. Freeman dead or his estate may be required to establish the same,

that money in said fund may be assigned to said Margaret A. Freeman ~~in the~~ ^{Said money} ~~and~~ and that the said, ^{Said money} subject to said money to pay your Complainants demand, that the rest of said fund

will not in five years pay the same. That a fee of \$50. will be asked of the court to be paid ~~for~~ ^{out of the fund} ~~under the control of the court.~~ ^{In consideration whereof, and presumed as this}

court has jurisdiction to grant all proper relief,

To the End your Complainants pray that the said Margaret A. Freeman as administratrix of the said Richard B. Freeman dead, and in her own right, John A. (called Alexander) Freeman, Robert S. and Richard H. Freeman, the last three being under 21 years of age) may be made defendants hereto; That the accounts of said

Margaret A. Freeman as adm^r of said Richard B. Freeman dec^d, may be duly settled; that the accounts of said Richard B. Freeman as provision of your complainant almas. & said John A. (or Alexander) Freeman may be duly settled: that the debts due by said Richard B. Freeman dec^d or his estate may be ascertained & their dignity: that the fee simple and annual value of said lands (subject to said dower) may be ascertained, and that the same may be sold to pay your Complainants demand: that the construction claimed by your Complainants, as to the clauses referred to in said last ~~parag~~ will, may be decided on, and that all proper relief may be granted, consistent with Equity, and your Complainants will &c.

Henry C. Euse

Almas. Euse

by John R. Kilby, Atty.

S. R. K. p. 41

Henry C. Eme & Alma S.
his wife

n. } Bille

Rich? B. Freeman's adm. tal.

Civ. Ct. Nausaund Co

Kenny C. Eme & wife Lr

vs E. Chas. Mads

Margaret A. Freeman, Adm'x of Richard B. Freeman dec'd Sal

1877. Feb'y: 16th: Sum' in Chy: jgd to March Rules, 1877.

" March 5th: Bill & Ex'rs. filed - Conditional Decree to admit debt.

" " " Peter B. Pontis, aff'd to go: to return to infant defendants, who filed their answer to which there was a genl. reply: & cause set for hearing as to them.

" April 2nd: answer of Adm't debt: filed, genl. reply & cause set for hearing in mo. of Plff's Counsel.

" " 14th: Decree for accus: to assign Dower.

" Sept'r: 26th: Report of assignment of Dower.

" " 29th: Commis's Report filed

" Octo: 11th: Decree ^{caution under d} for sale.

" Nov: 10th: Commis's Bond executed & filed

1878. Jan'y: 16th: Report of Sale filed

" Feb'y 6th: Petition of Marg't. A. Freeman filed

" Apr'l: 15th: Decree for accus: (Aug. 1) Report filed

" Octo: 12th: Decree to collect the same - (17) Bond executed & ~~filed~~

1878. Nov: 19th: Report of Collection Payments. filed

1879. Apl: 10th: Final Securi

Orig. Notes