1887-005
Nansemond Co. (Suffolk) Chancery Causes: Thomas H. Barnes vs Admr of Jonathan Edney Sr et al

Howell, Darden

Will: 1872, Wilson Spence, Nansemond Co.
(also recorded in Pasquotank Co., NC)

Mr. Johnathan Edney, Sr. Dr.

1882. **To H. E. SMITH, Treasurer of Nansemond County, Virginia.**

No. 325 70 1/2 acres	State Tax, 40 cents on the $100.	County Levy 20c. on the $100.	Parish Levy, 12½c. on the $100.	Co. School Tax, 3⅛c. on the $100.	Dis. School Tax, 3⅛c. on the $100.	Total Amount of Taxes.
To Real Estate, value $ 483.75	1 93	97	60	15	15	3 80
" Personal Property, value $ 189	76	38	24	06	06	1 50
" Income, &c., value $						
" Poll Taxes	1 00	50				1 50
Total						6 80
Five per cent. additional	Credit for Taxes Comp					34
Total						$7 14

Received Payment. H E Smith, Treasurer.

19 Apl 1883

Karl Benesch
Ly 14

R.S.V.P. 14 Jan 85

Jonathan Corey

1882 To Thos. H. Barnes Dr

Dec 24	To visit to see a physician		$ 2.00
" 26	Do. " "		3.00
" 28	" "		3.00
			$ 8.00

Rec'd Payt.

Thos. H. Barnes.

19 April 1883

Estate of Jonathan Eno

Med. bill for
last sickness

R.I.P. 14 Jan 85

Estate of Jonathan Edney

To Turner Howell

To digging grave $ 5.00

Dec. 1883.

Rec'd. May 4th. 1883 of Sheriff Bass $20.00 Jonathan Edney dec'd. fifty cents in full of above acct.

Turner Howell

6 May 1883

Rob. Ludwig
Paris

50 –

R.S.V.P. 14. Jan. 83.

Dr. J. N. Barnes - Admr of the
Estate of Jonathan Colvin deed
To C. A Canuse Comr of Accts. Dr.

1883 Sept. 10

To certifying and returning
Inventory & Appraisment and
Acct of Sales $1.00 each — $2.00

~~To making out Audit of~~
~~the Administrator~~ — — ~~$1.00~~

$

Rec'd March 28th
Rec'd pay't
C. A Canuse
Comr of Accts

G. H. Kearney Comp[an]y
fee $2.00 pd
1884 March 28th

28 Mar 1884

R.R.T. 14 Jan. 85.

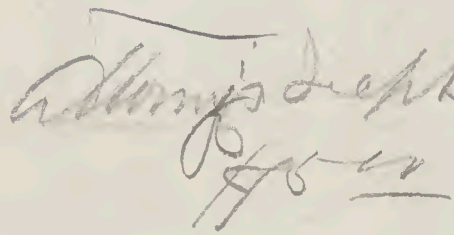
$5.00 Received of Dr. Thos. H. Barnes

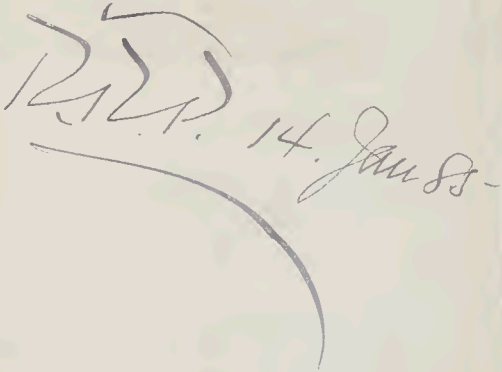
the sum of five and ——— 00/100 Dollars

for services rendered him as Admr. of Jonathan Edney in the matter of motion before the County Court of Transcript County to allow him to qualify as said Admr.

12 May 1884. Wilbur J. Kilby, atty.

12 May 1884





1884. March 28th: Received of Thomas H. Barnes, Admr: of Jonathan Edney, deceased, the Sum of Eight (8) dollars, in full for 2nd Yr: State Tax on 2nd Lot: order & levy for Appraisers Fees: Deeds: Surv: & Appraisement and Acco: of Sales.

$8.00

Peter B. Pruden: Clerk

of Nansemond Co: Ct:

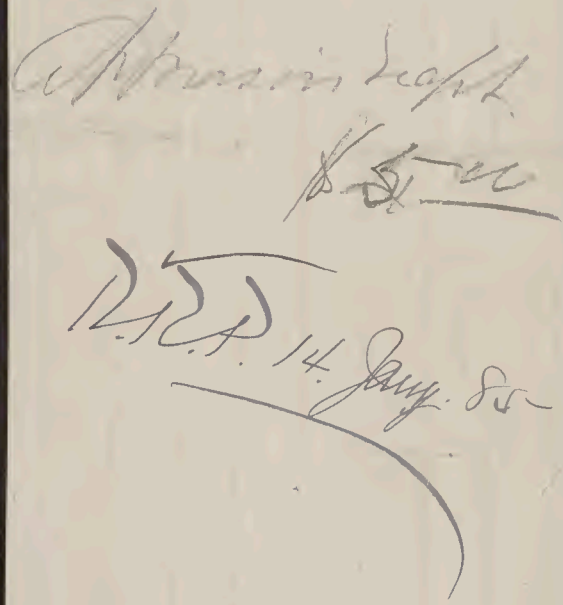
28 Mar. 1884

R.R.P. 14 Jany. 85.

Rec'd. Sept. 8th 1838. of Thos. H. Barnes, Com.
of Jonathan Edmonds, dec'd. One dollar ($1.00) cash
in full in expenses of the State of said
deceased.

R. E. Hall
L. J. Johnson
B. F. Langston.
J. B. Vaughan
L. H. Saunders

8 Aug 1883



14. Jany. 85

1883 Est of Jonathan Edney

December To R. E. Hall Dr.

29. To glassface coffin case lining
name plate handels &c
for decease $35.00

Rec'd. June 10th, 1883. of Mrs. N. Jones, admr. of
Jonathan Edney, dec'd. thirty five dollars ($35-00) in full
of above account.

R. E. Hall

10 June 1583

Estate of
Jonathan Sam,
to Jacob, 1583

W.V.F. 14 Jan. 85.

Inventory and Appraisement dated 19 Apl. 1883 — 179 49

Acco. of Sales dated 19 Apl. 1883 — 209 02

See will book No. 3 p.p. 599 & 600

9 Apl. 1883 Dr. Barnes qualified as Admr. of Jonathan Edney Sr.

Dr. The Estate of Jonathan Edney Sr. deceased
In Account with Thos. H. Barnes. Administrator. Cr

1883				
April 9	The Administrator qualified			
19	By Proceeds of sales of the chattel estate of the deceased, as per Account of sales recorded.			$ 209 02
	To paid Taxes on property of the deceased for the year 1882, per rect.	$	7 14	
	" " Bill for medicine and professional services of doctor for deceased during his last illness, per rect		9 00	
May 6	" " Turner Howell for digging grave for deceased, per rect		50	
June 10	" " R. C. Hall for coffin &c. " "		35 00	
Aug. 8	" " R. C. Hall, R. J. Johnson and others, appraisers, each $1.00 per rect		5 00	
1884 Mar 28	" " P. B. Prentis, Clerk of Court, in full of his fees, per rect		8 00	
	" " Chas. H. Causey Comr. of Accounts, his fees, per rect		2 00	
May 12	" " Wilbur J. Kelly Atty. for professional services rendered the Admr. per rect.		5 00	
	" 5 per cent Comrs. on $ 209.02		10 45	
	" Balance due the estate		126 93	
		$	209 02	$ 209 02
1884				
May 12	By Balance due the estate brought on			$ 126 93

Vouchers returned
with Report in

Barnes
v.
Estey's Admor. &c.
14 Jany. 1885.

Robt. D. Pleasants.
Comm.

Costs

Clerk	$15.00
Attn. Gen	31.50
Sheriff	4.00
Coroner (R.R.P)	10.00
Printer	8.00
	$68.50

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY · GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Thomas H. Barnes, Administrator of the Estate of Jonathan Edney Sr: deceased, Harriet Ann widow of said Jonathan Edney, Sr: deceased, Jonathan Edney, Jr: Mills E. Howell and Cenith C. his wife, and John W. Darden and Margaret J. his wife, and William Thomas Edney and Herschel B. Edney, - the said Herschel B. Edney, being under the age of twenty-one years.

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the first Monday in September *next to answer a Bill in Chancery, exhibited against them in the said Court by* Thomas H. Barnes as Creditor of Jonathan Edney, Sr: deceased, suing for the benefit of himself and all Creditors of said Jonathan Edney, Sr: deceased

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this 18th: *day of* August *1884, in the* 109th: *year of the Commonwealth.*

Teste: Peter B. Prentis *Clerk.*

Killby. p. 9

Thomas H. Barnes, a
Creditor of Jonathan Edney, Sr.
decd, Summons &c

4
20 Summons Chy:

Thomas H. Barnes, admr.
of Jonathan Edney, Sr. decd &al

To September Rules, 1884.

Pro: B. No: 1. Page
Cir: Co.

Issued August 30 1884 and a copy sent
delivered to each of the defendants
in person.

J. T. Cox Sh'ff Hr
J. L. Hillyham Sh'ff

Know All Men by These Presents,

THAT WE, Thomas H. Barnes and Mills H. Holland

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of Six hundred (600) 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 22nd day of May in the year one thousand eight hundred and eighty five, and in the 109th year of the Commonwealth. And we hereby waive our homestead exemption as to this obligation.

THE CONDITION OF THIS OBLIGATON IS SUCH, That if the above bound

Thomas H. Barnes

who ~~ha~~ was, by a decree ~~this day qualified before~~ the Circuit Court Court of Nansemond County, pronounced on the 28th day of April, 1885, in the Chancery Cause of Thomas H. Barnes, a creditor of Jonathan Edney, sr. dec'd, suing &c Plaintiff, and Thomas H. Barnes, Administrator of the Estate of Jonathan Edney sr, dec'd & al: Defendants, appointed a Commissioner 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.

Thos. H. Barnes (SEAL.)

Mills H Holland (SEAL.)

(SEAL.)

(SEAL.)

(SEAL.)

Thomas H. Barnes

Comm^t.

To

Bond

Commonwealth

1885

May 22 nd. Executed & filed

Virginia

At Rules in the Clerk's Office of the Circuit Court of Nansemond County, on Monday the 1st day of September 1884.

Thomas H Barnes, a creditor of Jonathan Edney Sr. deceased, suing for the benefit of himself and all creditors of said Jonathan Edney, Sr: deceased . . . Complainant

Against

In Chancery.

Thomas H Barnes, administrator of the Estate of Jonathan Edney Sr, deceased, Harriet Ann, widow of said Jonathan Edney, Sr. deceased, Jonathan Edney, Jr, Willis E Howell and Sarah E. his wife and John W Darden and Margaret J his wife and William Thomas Edney and Hershel B Edney, the said Hershel B Edney, being under the age of twenty one years. Defendants.

On the motion of the complainant by Counsel Peter B Prentis is appointed Guardian ad litem of the infant defendant 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.

Teste:

Peter B. Prentis. Clerk

1884. September 1st: I hereby acknowledge service of the foregoing order: and that I have received a copy thereof.

Peter B. Prentis.

Guardian ad litem

Thomas H. Barnes, a
Creditor &c
vs
In Chy:
Thomas H. Barnes, Executor &c
of Matthew Edney Sr: decd &al

Upstroke: of 9 dr: ad
Item to inform clerk:

The Estate of Jonathan Edny, Decd ---

1882.	To G. W. Daughtry		
Dec 20	To Bala on Settlement	2 40	
" 24 "	MDse for wife	82	
			3.22

Rec'd Dec 24th 1884 of Thos A. Bass adm. of Jonathan Edny dec'd three Dollars & twenty two cents in full of above account

Geo. W. Daughtry.

The Estate of

Jonathan, Edwy. dec

£ 3.22

Received of Dr. Thos H. Barnes Commissioner fifty cents for taking acknowledgment to deed to Mrs. Annie M. Jones.

A. McF. Jones.

Nov. 2/02.

$ 8 69/100

Franklin July 26 1878

One Day after date I promise to pay to Gardner & Lee, or order, the sum of Eight Dollars & Sixty nine 69/100 Dollars, without offset, value received, I hereby waive the benefit of the homestead exemption as to this debt.

Teste:

Jonathan Edney

Printed at Harrell's Cheap Job Office, Franklin, Va.

Rec'd. Dec 1st 1884 of
Thos. H. Bass, Administrator &c. —
dollars & sixty nine
cents ($8 69) in full
of the within note —

Gordon & Lee
per A. L. Gordon

Co. of Jonathan Edwards

To Turner Howell Dr

1883.

November - To 4 days work 5 Oct - @2.00

1882

Dec The Estate of Jonathan Edwy Dec'd Dr

To Wm H Coppersmith

" 1 Month Services $7.50

Rec'd Dec 10th 1882 of Mrs A. Edwy, Admx of the Estate of Jonathan Edwy Dec'd. seven dollars & fifty cents, $7.50 in full of account.

W. H. Coppersmith

At a Monthly Court held for Hancock County
the 10th. day of January. 1887.

On the Motion of Mollie E. Edney. It is ordered that the
Estate of Jonathon Edney Jr deceased be committed to the hands
of John L. Fulgham, Sheriff of this County, for Administration
according to law. it appearing that the said Jonathon Edney Jr
has been dead more than three Months, and no person having
applied for Administration on his estate.

A. Copy

Testes

Peter B. Prentis. Clerk

At a Monthly Court held for Hanover County
the 14th day of March. 1887

The Court doth appoint Harriet A Edney Guardian of Hershel B. Edney orphan of Jonathan Edney deceased, and thereupon the said Harriet A Edney entered into a bond, in the penalty of One hundred dollars, conditioned according to law, with Nevers Howell, and Solomon B. R. Howell her securities thereon (who justified on oath as to their suffiency, and which said bond being acknowledged by the obligors therein is ordered to be recorded)

A Copy

Teste:

Peter B. Prentis. Clerk

FIAT JUSTITIA
JOHN MURPHY
BALTO

To the Circuit Court of Hanse=
mond County;

In pursuance of the decree of said Court pronounced the 13th. day of October 1885 in the suit in Chan=cery in said Court depending be=tween Thomas H. Barnes, suing etc. Plaintiff and the Administrator of Jonathan Edney Sr. deceased and others. Defendants. a copy of which decree is hereto attached: the undersigned, Thomas H. Barnes, Special Commissioner, respect=fully reports to Court that, af=ter he had received of the Clerk of said Court the two Bonds of Ann M. Jones, mentioned in said decree, one for the sum of $165.^{18} and the other for the sum of $165.^{17} and had given said Clerk a receipt for the bonds. he proceeded to collect the money for the bonds and did collect the money and after he had collected the Money. he proceeded to disburse and did disburse and pay out the same to the parties and in the manner specified in said decree

along with the sum of $13.71 in his hands in cash as specified in his Report filed in said suit on the 12th. day of September 1885 and along with the balance of the sum of $126.93 left in his hands as administrator of said Jonathan Edney Sr. with interest after he had deducted certain small claims ~~paid~~ by him out of said sum of $126.93 ~~since~~ his administration account was settled, as will appear from the statements and receipts hereto annexed and the following statement, to wit:

Statement.

By Amount of said Bonds of Ann M. Jones - one for $165.18 and the other for $165.17. Total =			$354	08
By Interest on said Bonds.			23	73
" Amount in hand as Comr. as above stated.			13	71
" Amount in hand as Admr. aforesaid. as per statement hereto annexed			122	39
To paid A. McF. Jones J. P. per rect.	$	50		
" " Wilbur J. Kilby. Atto. "		5 00		
" Amount to Balance	508	41		
	513	91	513	91

By Amount brought on			$	508	41
To paid Thomas H. Barnes the sums of $31.03 and $10.97 and interest thereon, as per statement and receipt annexed & per decree.	$	44	28		
To paid Wm. T. Edney the sum of $170. with interest as per said statement, his receipt & decree.		176	26		
To Amount to Balance		287	87		
		508	41	508	41
By Balance brought on.				$ 287	87
To paid John L. Fulgham, Administrator of Jonathan Edney Jr. 1/5 of $287.87 per decree & rect	$	57	57 3/5		
To paid Cenath C. wife of Mills E. Howell 1/5 of $287.87 per rect.		57	57 3/5		
" " Margaret J. wife of John W. Darden 1/5 of $287.87 per rect		57	57 3/5		
" " Wm. T. Edney 1/5 of $287.87 "		57	57 3/5		
" " Harriet A. Edney, duly appointed and qualified guardian of Hershel B. Edney for said Hershel B. Edney 1/5 of $287.87 per rect.		57	57 3/5		
	$	287	87	$ 287	87

A deed with special warranty in the usual form, as directed by said

decree, has been made to said Ann M. Jones conveying to her the real estate purchased by her under proceedings in said suit.

Respectfully submitted this first day of December, 1886

Thos. H. Barnes, Comr.

1886 Dec. 1st, Received of Thomas H. Barnes, Special Comr. the respective sums of money charged in the above report as paid to us and set opposite our names as follows:

Wilbur J. Kilby for writing said deed,	$5.00
Thos. H. Barnes	44.28
William T. Edney	176.26
J. L. Fulgham & Wife and Johnson Edney	57.57 2/5
Lena M. C. Howell	57.57 2/5
Margaret J. Darden	57.57 2/5
William T. Edney Distributee	57.57 2/5
Harriet A. Edney, Guardian for Herschel B. Edney	57.57 2/5

A statement of the debts against Jonathan Edney deceased or his estate to be paid by Thomas H. Barnes. Special Commissioner as directed by the decree pronounced the 13th. day of October 1885 in the suit in Chancery in the Circuit Court of Caswell County depending between Thomas H. Barnes suing etc. Plaintiff, and said Jonathan Edney's Administrator and others. Defendants, to wit;

To Thomas H. Barnes $31.03 & $10.97 =			$ 43 00
Interest on $25. and $9. parts of $43. from 15 April 1885 to 1 Dec. 1886 – 7m. 16ds.			1 28
			$ 44 28
To Wm. T. Edney	$ 170 63		
Interest on $150. part of $170.63 from 15 April 1885 to 1 Dec. 1886 – 7m. 16ds.		5 63	176 26
Total			$ 220 54

A further Account of the transactions of Thomas H. Barnes as Administrator of the estate of Jonathan Edney Sr. deceased.

1884					
May 12	By Balance due the Estate brought on from the last Account returned, to wit:			$ 126	93
Dec. 10	To paid W. H. Coppersmith bill for wages, per rect.	$	7 50		
1886 Feb. 15	" " Turner Howell bill for wages, per bill & rect.		2 00		
Dec. 1	" " Geo. W. Daughtrey, balance on bill for Mdse. per rect.		3 22		
	" " Gardner & Lee, per note rect.		8 69		
	By Interest on $126.93 from 12 May 1884 to this date.			16	87
	To Balance due the estate	122	39		
		143	80	143	80
1886					
Dec. 1	By Balance due the estate			$ 122	39

At a Circuit Court continued and held for Nansemond County the 13th: day of October 1885.

Barnes. Thos. N. Etc.

vs.

Jonathan Edney's Admr. Etal.

This cause came on this day to be again heard on the papers formerly read and on the Report of Special Commissioner, Thomas N. Barnes, filed the 2th: day of September 1885, being a Report of the sale of the real estate of which Jonathan Edney Sr. did seized and possessed made in pursuance of the decree entered herein on the 28th: day of April 1885 and was argued by counsel.

On consideration whereof the Court doth approve and confirm said Report and sale to which no exception has been filed and doth adjudge, order and decree that the said Commissioner, Thomas N. Barnes, receive of the Clerk of this Court and give him a receipt to be filed with the papers in this cause for the two Bonds of Ann W. Jones with D. B. Jones, W. H. Jones and James J. Holland security thereto filed with said Report one for the sum of $165.18 and the other for the

Sum of $165.17, both bearing interest from the 13th day of July, 1885, and proceed to collect the money therefor at the maturity thereof, with interest thereon, or receive the money before the maturity with interest to the day of payment thereof, if the obligors should desire to pay the money before the maturity of said Bonds and out of the money so collected or received together with the sum of $13.71 cash in his hands as shown by said Report and the sum of $126.23 in his hands as Administrator of Jonathan Edney Sr. deceased with interest thereon from the 19th day of May 1884, pay first in full all the unpaid costs of this suit and then pay the following debts of said Jonathan Edney Sr. deceased as shown by the Report of Commissioner, Robert R. Prentis filed in this cause on the 14th day of January 1885, to wit:

To Thomas H. Barnes the sums of $32.03 and $10.97, with interest on the sums of $25. and $9.00 parts thereof from the 15th day of April 1885 till paid and to Wm J. Edney the sum of $170.63 with interest on the sum of $150.00 part thereof from the 15th day of April 1885 till paid, and then pay and

distribute all the surplus money then remaining in his hands to the heirs at law and distributees of said Jonathan Edney Sr. deceased as follows:

To Jonathan Edney Jr one fifth part, to Cenath C. wife of Wiles E. Howell a like part, to Margaret C. the wife of John W. Darden a like part, to Wm J. Edney a like part, and to the duly appointed and qualified guardian of Hershel B. Edney, a like part, being the said Hershel B Edney's share.

And the Court doth further adjudge order and decree that the said Special Commissioner, Thomas H. Barnes, make to said Ann M Jones a deed with special warranty in the usual form conveying to her the real estate purchased by her under proceedings in this cause, whenever she or some one for her shall have paid said Bonds and all interest thereon as above specified in full and make report to Court of his transactions under this decree.

A Copy
Teste:

Barnesdale
vs { Inchy.
Edney's Admr. &c

a Copy

Thos. H. Barnes, Surrg &c
vs
In Chy.
Jonathan Edney's Admrs: &c

Report of Allowances
and Disbursements

Confirmed 13th.
April 1887

1887. March 22nd: Filed
CMS

VALUABLE REAL ESTATE and MILL PROPERTY

FOR SALE!

Pursuant to a decree of the Circuit Court of Nansemond county, pronounced on the 28th day of April, 1885, in the chancery suit of Thos. H. Barnes and others (creditors) vs. Jonathan Edney's administrator et als., I shall offer for sale by public auction, subject to the widow's dower, before the Courthouse door in Suffolk, Va.,

On Monday, July 13, 1885,

(court day), the lands of which Jonathan Edney died seized and possessed, situated in Nansemond county, near South Quay, including one-half undivided interest in the FACTORY HILL MILL PROPERTY and all its appurtenances—Grist and Saw-Mill, Dwelling House and other valuable buildings.

This is considered very valuable property, commanding, as it does, the finest water-power in the county and easy access to well-timbered lands.

Persons inclined to purchase will do well to communicate with the undersigned.

TERMS.—Enough in cash to pay the costs of the suit and the expenses of the sale, and the balance on a credit of six and twelve months, with interest from date, bonds with good personal security being required for deferred payments and title retained till purchase money is all paid.

THOS. H. BARNES, Special Commissioner.

I hereby certify that THOS. H. BARNES, Special Commissioner, has given the bond required by the above mentioned decree. Given under my hand this the 22d day of May, 1885.

PETER B. PRENTIS,
Clerk of the Circuit Court of Nansemond County.

N. B.—The half undivided interest in the mill property belonging to the widow (Mrs. H. A. EDNEY) can be bought on reasonable terms.

Rec'd. August 7th 1886 of Thos. H. Barnes Adm.
(or Commissioner) of Jonathan Edney dec'd., sixteen dollars
and seventy two cents ($16.72) amount due for taxes on
Estate of said deceased for the year 1883 & 1884.

W E Smith County Treasurer
By J. B. Vaughan Deputy "

Suffolk Va Aug 10th 1885

Recvd of Dr Thos H Barnes Special Commissioner Six dollars Fee for crying and selling the J. Edwin Real Estate.

Geo D Parker, Com.

Suffolk Va. 10. August 1886.

Received of Thos. H. Barnes Special Commissioner Ten Dollars fee for report in chancery cause of Barnes v. Edwards &c.

$10.00

Rob. R. Preston
Comm. in Chancery

COMMISSIONER'S OFFICE,
SUFFOLK, NANSEMOND COUNTY, VA.,
16 December, 1884.

TO THOMAS H. BARNES, A creditor of Jonathan Eduey, Sr., deceased, suing for the benefit of himself and all other creditors of said Jonathan Edney Sr., deceased.....Plaintiff.

AND

Thomas H. Barnes, administrator of the estate of Jonathan Edney, Sr., deceased; Harriet Ann, widow of said Jonathan Edney, Sr., deceased; Jonathan Edney, Jr.; Mills E. Howell and Cenath C., his wife; John W. Darden and Margaret J., his wife; William Thomas Edney and Herschel B. Edney (the said Herschel B. Edney being under the age of twenty-one years).....Defendants.

IN CHANCERY.

You are hereby notified that I have fixed upon the 14th day of January (1885) next, to take and settle, at my office, the following accounts, to wit:

1. An account of the transactions of Thomas H. Barnes as administrator of the estate of Jonathan Edney, Sr., deceased.

2. An account of the real estate of which the said Jonathan Edney, Sr., died seised and possessed, together with its fee simple and annual value.

3. An account of all the debts due by said Jonathan Edney, Sr., deceased, or his estate, according to their dignity, including the debt due to the complainant, specifying their priorities, if any, and which of them waive the benefit of the homestead exemption; and

4. An account of any matters specially stated deemed pertinent by myself, or which may be required by any of the parties to be so stated, required to be taken by the decree of Nansemond Circuit court, rendered on the 10th day of October, 1884, in a suit in chancery depending in said court, in which you are parties, plaintiff and defendants; at which time you are required to attend.

Given under my hand as Commissioner in Chancery of the said court, the day and year first aforesaid.

ROB. R. PRENTIS,
Commissioner in Chancery.

KILBY, p. q.—dc17-4w

J. E. Booker, Manager.

1885.

Mr. Thos H. Barnes Spec Corr

To SUFFOLK HERALD, Dr.

BOOK AND JOB PRINTING A SPECIALTY

1885.

Dec 17 To Pub Notice
5 in 4 Weeks 800

Paid
J E Booker

Aug 10 '85

All Available Text Successfully Captured

VALUABLE REAL ESTATE AND MILL PROPERTY FOR SALE.

Pursuant to a decree of the Circuit Court of Nansemond county, pronounced on the 28th day of April, 1885, in the chancery suit of Thomas H. Barnes and others (creditors) vs. Jonathan Edney's administrator et als., I shall offer for sale by public auction, subject to the widow's dower, before the Courthouse door in Suffolk, Va.,

ON MONDAY, JULY 13, 1885,

(court day), the lands of which Jonathan Edney died seized and possessed, situated in Nansemond county, near South Quay, including one-half undivided interest in the FACTORY HILL MILL PROPERTY and all its appurtenances—Grist and Saw-Mill, Dwelling House and other valuable buildings.

This is considered very valuable property, commanding, as it does, the finest water-power in the county and easy access to well-timbered lands.

Persons inclined to purchase will do well to communicate with the undersigned.

TERMS.—Enough in cash to pay the costs of the suit and the expenses of the sale, and the balance on a credit of six and twelve months, with interest from date, bonds with good personal security being required for deferred payments and title retained till purchase money is all paid.

THOMAS H. BARNES,
Special Commissioner.

I hereby certify that THOMAS H. BARNES, Special Commissioner, has given the bond required by the above mentioned decree. Given under my hand this the 22d day of May, 1885.

PETER B. PRENTIS,
Clerk of the Circuit Court of Nansemond county.

N. B.—The half undivided interest in the mill property belonging to the widow (Mrs. H. A. EDNEY) can be bought on reasonable terms.

je26-3t

All Available Text Successfully Captured

physiognomy a round head denotes foolishness.

The old epicures of Greece and Rome used on high occassions to revel in a dish of nightingales' brains.

Suffolk, Va., July 1885

Mr Thos H Barnes Comr

To The Suffolk Herald, Dr.

Fine Book and Job Printing at Moderate Prices.

July 11	To Adv Sale of J Edwyn Land in Herald 5 insertions 3 weeks	6.00
	" 100 8th Sheet Bills Notice of Sale of Same	1.50
		$ 7.50

Paid Aug 10 85

J E Booker

Manager

All Available Text Successfully Captured

VALUABLE REAL ESTATE AND MILL PROPERTY FOR SALE.

Pursuant to a decree of the Circuit Court of Nansemond county, pronounced on the 28th day of April, 1885, in the chancery suit of Thomas H. Barnes and others (creditors) vs. Jonathan Edney's administrator et als., I shall offer for sale by public auction, subject to the widow's dower, before the Courthouse door in Suffolk, Va.,

ON MONDAY, JULY 13, 1885,

(court day), the lands of which Jonathan Edney died seized and possessed, situated in Nansemond county, near South Quay, including one-half undivided interest in the FACTORY HILL MILL PROPERTY and all its appurtenances—Grist and Saw-Mill, Dwelling House and other valuable buildings.

This is considered very valuable property, commanding, as it does, the finest water-power in the county and easy access to well-timbered lands.

Persons inclined to purchase will do well to communicate with the undersigned.

TERMS.—Enough in cash to pay the costs of the suit and the expenses of the sale, and the balance on a credit of six and twelve months, with interest from date, bonds with good personal security being required for deferred payments and title retained till purchase money is all paid.

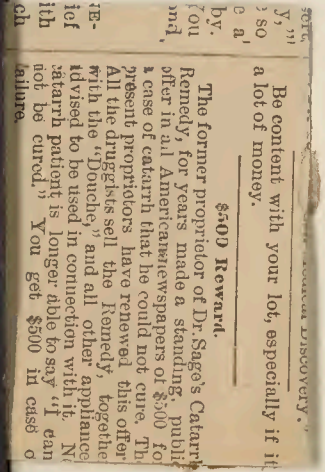
THOMAS H. BARNES,
Special Commissioner.

I hereby certify that THOMAS H. BARNES, Special Commissioner, has given the bond required by the above mentioned decree. Given under my hand this the 22d day of May, 1885.

PETER B. PRENTIS,
Clerk of the Circuit Court of Nansemond county.

N. B.—The half undivided interest in the mill property belonging to the widow (Mrs. H. A. EDNEY) can be bought on reasonable terms. je26-3t

All Available Text Successfully Captured



Be content with your lot, especially if it
a lot of money.

$500 Reward.

The former proprietor of Dr. Sage's Catarrh
Remedy, for years made a standing, publi
offer in all American newspapers of $500 fo
case of catarrh that he could not cure. Th
present proprietors have renewed this offer
All the druggists sell the Remedy, togethe
with the "Douche," and all other appliance
advised to be used in connection with it. N
catarrh patient is longer able to say "I can
not be cured." You get $500 in case o
failure.

Office of the Suffolk Herald,

Suffolk, Va., July 11 1885

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

Thos. G. ELAM & CAMPBELL, Eds. Herald.

At a Circuit Court continued and held for the County of Nansemond on the 28th day of April A.D. 1885.

Thomas H Barnes a Creditor of Jonathan Edney Sr. dec'd, suing for the benefit of himself and all creditors of said Jonathan Edney Sr. deceased. Plaintiff.

Against } In Chancery

Thomas H Barnes, Administrator of the Estate of Jonathan Edney Sr, deceased, Harriet Ann, Widow of said Jonathan Edney Sr, deceased, Jonathan Edney Jr, Mills E Howell, and Lemuth L. his wife, and John W Darden and Margaret J his wife, and William Thomas Edney and Hershel B Edney, the said Hershel B Edney being under the age of twenty one years. Defendants

This cause came on this day, to be again heard on the papers formerly read, and on the Report of Commissioner Robert R Prentis, filed the 14th day of January 1885, (being a report of the debts due by Jonathan Edney Sr deceased, or his estate, and of the real estate of which he died seized and possessed etc, made in pursuance of the decree entered in this cause the 10th day of October 1884), 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 real estate aforesaid, mentioned and described in said report, and in the bill in this cause of which said Jonathan Edney Sr died seized and possessed situated in this County, be sold subject to the dower therein of his widow, Harriet Ann, and that Thomas H Barnes, who is hereby appointed a special Commissioner for that purpose, do proceed to sell the same, subject to said dower, by public auction to the highest bidder, before the Courthouse door of this County, on some County Court day on a credit of six and twelve months, (except as to enough of the purchase money to pay the costs of this suit and the expenses of the sale, which he will require to be paid in cash), — taking of the purchaser bonds for the deferred payments in equal sums with good personal security payable to himself as Commissioner aforesaid, and make report to Court of his proceedings under this decree, and file said Bonds therewith and retain the title to said real estate until the further order of Court.

But before proceeding to make said sale, the said Commissioner will advertise the same, and the time, place and terms thereof by Notice to be published in a newspaper published in the Town of Scottsville in said County for a reasonable time, and by printed notices to be posted at said Court House

door and at various public places in said County and in the neighborhood of said real estate for at least twenty days prior to the day of sale, and will execute before the Clerk of this Court a Bond, in the penalty of $600.00 with good personal security, waiving the benefit of the homestead exemption, and payable to the Commonwealth of Virginia and conditioned for the faithful discharge of his duties under this decree, and all other decrees he may be required to execute in this cause, and will obtain of the Clerk of this Court, a certificate that the bond required as above, has been executed, and will append such certificate or a copy thereof to the advertisement of said sale.

A Copy

Teste:

Peter B. Prentis. Clerk

XIIId

Thomas H. Barnes, Creditor &c

vs } Copy Decree. 28th April, 1885

Jonathan Edney & Admr &c

FIAT JUSTITIA
JOHN MURPHY
BALTO

To the Circuit Court of Nansemond County, Va.

In pursuance of the decree of said Court pronounced the 28th. day of April A.D. 1885 in the Cause in Chancery in said Court depending between Thos. H. Barnes, Plaintiff, and Jonathan Edney's Admr. and others. Defendants, a copy of which decree is hereto attached: the undersigned, Thos. H. Barnes who was appointed by the said decree a Special Commissioner for the purpose therein specified, respectfully reports to Court that, having first advertised the sale and the time place and terms thereof in the manner specified in said decree (a copy of the advertisement being hereto attached), and having executed the Bond required by said decree and obtained the certificate of the Clerk of said Court as to its due execution he proceeded to sell and on the 13th. day of July 1885 on the terms and conditions named in said decree, did sell the real estate of which Jonathan Edney Sr. died seised and possessed, mentioned

and described in the bill in said cause and situated in said County subject to the dower therein of his widow, Harriet Ann Edney; the sale having been made by public auction before the Court House door of said County and the day of sale being County Court day of said County.

That at said sale Ann M. the wife of Dempsey B. Jones, as the highest bidder became the purchaser of all said real estate as and for her sole and separate estate for her sole and separate use and benefit for the sum of $461.00

and paid in cash on account thereof the sum of - 130.65

and for the balance of - $330.35 executed her two Bonds with D. B. Jones, W. H. Jones and Jas. J. Holland, securities thereto as follows:

1. Bond dated 13 July 1885 and payable 6 months after date with interest from date for - $165.18

and 1 Bond dated 13 July 1885 and payable 12 months after date with interest from date for - $165.17

Total $330.35

which said Bonds are herewith filed.

That the said sum of $130.65 was paid in cash to meet the costs of said Cause and the expenses of said sale and has been expended on that account as will appear by the receipts hereto attached and the following statement:

By Cash paid as aforesaid				$130.65
To 5 per cent Comrs. retained by Comr. on $300.	$15.	00		
" 2 " " " on $161.	3.	22		
" paid Wilbur J. Kilby, Atto. per rect.	31	50		
" " Peter B. Prentis, Clerk. "	15	00		
" " Ro. R. Prentis. Comr. "	10	00		
" " Suffolk Herald "	8	00		
" " Same "	7	50		
" " John L. Fulgham, Shff "	4	00		
" " Geo. T. Parker, Crier "	6	00		
" " Taxes for 1883-84 "	16	72		
" Balance in hands of Comr.	13	71		
	$130	65	$130	65
By Balance in hands of the Comr.			$13	71

The title to said real estate was retained until the further order of Court.

Respectfully submitted this 10 day of Augt. 1885.

Thos. H. Barnes. Comr.

(over)

1885 Augt. 10th. Received of Thos. H. Barnes Comr. the respective sums of money charged in the foregoing Report as paid to us and set opposite our names as follows:

Wilbur J. Kilby, Atto. &c.	$31.50
Peter B. Prentis. Clerk	$ 15.00
J L Lapham Sheriff	$ 4.00

1886 Jan. 6th. In pursuance of the decree entered on the 13th. day of October 1885 in the suit in which this Report was filed, I have this day received of the Clerk of the Circuit Court of Nansemond County, the two Bonds herein mentioned.

Thos. H. Barnes Commissioner.

Barnes etc.
vs. } In Eqy.
Edney's Admr. &c.

Report of Sale,

Confirmed 13 Oct. 1885;

1885: Sept. 12. Filed.

COMMISSIONER'S OFFICE,
SUFFOLK, NANSEMOND COUNTY, VA.,
16 December, 1884.

TO THOMAS H. BARNES, A creditor of Jonathan Edney, Sr., deceased, suing for the benefit of himself and all other creditors of said Jonathan Edney, Sr., deceased.....Plaintiff

AND

Thomas H. Barnes, administrator of the estate of Jonathan Edney, Sr., deceased; Harriet Ann, widow of said Jonathan Edney, Sr., deceased; Jonathan Edney, Jr.; Mills E. Howell and Cenath C., his wife; John W. Darden and Margaret J., his wife; William Thomas Edney and Herschel B. Edney (the said Herschel B. Edney being under the age of twenty-one years).....Defendants.

IN CHANCERY.

You are hereby notified that I have fixed upon the 14th day of January (1885) next, to take and settle, at my office, the following accounts, to wit:

1. An account of the transactions of Thomas H. Barnes as administrator of the estate of Jonathan Edney, Sr., deceased.

2. An account of the real estate of which the said Jonathan Edney, Sr., died seised and possessed, together with its fee simple and annual value.

3. An account of all the debts due by said Jonathan Edney, Sr., deceased, or his estate, according to their dignity, including the debt due to the complainant, specifying their priorities, if any, and which of them waive the benefit of the homestead exemption; and

4. An account of any matters specially stated deemed pertinent by myself, or which may be required by any of the parties to be so stated, required to be taken by the decree of Nansemond Circuit court, rendered on the 10th day of October, 1884, in a suit in chancery depending in said court, in which you are parties, plaintiff and defendants; at which time you are required to attend.

Given under my hand as Commissioner in Chancery of the said court, the day and year first aforesaid.

ROB. R. PRENTIS,
Commissioner in Chancery.

KILBY, p. q —de17-4w

Fine Jewelry,
Silverware,
Eye-Glasses,
Spectacles,
Clocks, &c.

The styles never were so nice or the prices so low as now. It will pay you to give us a trial.

Office of the Suffolk Herald,

Suffolk, Va., Jan 14 1885

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

Thos. G. ELAM ~~G. CAMPBELL~~, Ed. Herald.

Advg Bill 8.00

for J. E. Booker Manager

Estate of John Edney

To W. T. Edney Dr.

1882

	75 Days work on Flour Sales	
	at $1.50 per Day	112.50
	Amt. pd. S. M. Gardner	4.00
	" " W. H. Coppersmith	9.50
1883.	3 mos. Services as Miller $8	24.00
		$150.00

State of Virginia
County of Nansemond Court:

This day W. T. Edney personally appeared before me Merritt Briggs a Notary Public in and for the County of Nansemond in the State of Virginia and made oath that the above account is correct and that no part of it has ever been paid.

Given under my hand this 3rd Day of October 1884.

Merritt Briggs
N-P.

At a Circuit Court held for Nansemond County
on Friday the 10th day of October 1884

Thomas H Barnes Exrs &c Plaintiff

Against } In Chancery

Jonathan Edney's Admr &c &c Defendants

This cause came on this day to be heard on the Bill of the complainant taken for confessed as to all the adult defendants, on whom process had been duely served, they still failing to appear and demur, plead and Answer, and upon the exhibits filed with said bill, and the Answer of the infant defendants Herschel B Edney, by Peter B Franks his guardian ad litem, with general replication to said Answer, and was argued by Counsel.

On Consideration whereof the Court doth adjudge, Order and decree, that the papers in this cause be referred to one of the Commissioners of this Court, who will take, state and settle the following Accounts and make report thereof to Court, to wit.

1. An Account of the transactions of Thomas H Barnes as administrator of the estate of Jonathan Edney Sr deceased

2. An Account of the real estate of which the said Jonathan Edney Sr died seized and possessed together with its fee simple and Annual Value.

3 An Account of all the debts due by said

Jonathan Edney Sr deceased or his estate according to their dignity, incluedeng the debt due to the Complainant, specifying their priorities, if any, and which of them waive the benefit of the Homestead Exemption and.

4 An Account of any Matters specially stated deemed pertinent by himself, or which may be required by any of the parties to be so stated And the Court doth direct that Notice of the time and place of taking said Accounts be published once a week for four successive weeks in the "Suffolk Herald", a convenient Newspaper in the Town of Suffolk. in this County and that said publication shall be equivalent to personal service of said Notice on the parties to this cause.

A Copy

Teste:

Peter B. Prentis. Clerk

Commissioner's Office,
Suffolk Va 14 January 1885.

Thomas H. Barnes, suing &c
vs
Jonathan Edney's Admr &c

To the Circuit Court of Nansemond County:

Pursuant to the decree pronounced in the above entitled cause on the 10. day of October 1884, (an extract of which is hereto annexed) the undersigned one of the Commissioners in Chancery of the Circuit Court of Nansemond County, after having first given the notice required by the said decree, (a copy of which is hereto annexed) proceeded on this day to take the accounts and make the enquiries thereby directed: and herewith returns the results of his labors.

I.

An account of the transactions of Thomas H. Barnes as administrator of the estate of Jonathan Edney Sr. deceased:

Dr. The Estate of Jonathan Edney Sr. dec'd
In account with Thos H. Barnes, Administrator. Cr.

1883 Apl.	9	The Administrator qualified.			
	19	By proceeds of sale of chattels estate per a/c sales rendered			209 02
		To Cash said taxes on property of dec'd for 1882		7 14	
		" " " for medicines and medical services during last illness of deceased		9	
May	6	" " " Turner Howell for digging grave for dec'd		50	
June	10	" " " R. C. Hall for coffin for deceased		35	
Augt	8	" " " R. C. Hall, R. J. Johnson & 3 others Appraisers		5	
1884 Mar.	28	" " " P. B. Prentis, Clerk, tax on qualification & fees		8	
		" " " C. H. Causey, Commr. of A/cs his fees		2	
May	12	" " " W. J. Kilby, attorney for legal services		5	
		" 5 per cent commissions on $209.02, retained		10 45	
		" Balance due the estate		126 93	
				209 02	209 02
1884 May	12	By Balance due the estate			126 93

The disbursements allowed in the foregoing account are all supported by satisfactory vouchers which are herewith returned. —

II

An Account of the real estate of which the said Jonathan Edney Sr died seised and possessed, together with its fee simple and annual value.

1. A one-half undivided interest in all that certain Mill property called the Factory Hill Mill, including all that part of the land called the "Brooks Field" on each side of the walnut cut. Which land lies in Bogue Webb Magisterial District, Nansemond County, near Black water River.
2. An undivided one-half interest in a small parcel of land called the Holland land, containing a few acres (number unknown) near the said Factory Hill Mill, adjoining the lands of Marion Marsh & others.
3. Two or three acres of land, more or less lying on the East side of the main road leading to the said Mill, bounded by the mill pond, and the lands of Sarah Cobb and Harriet Ann Edney.
4. A small parcel of land near said Mill, known as the "Dicks Field," bounded by the lands of Wm. P. Everett and John Gardner.
5. The residue of the "Brooks Field," number of acres unknown, bounded by said Mill and the "Dicks Field" (all of "Brooks Field" except that part on each side of the Walnut cut). —

Fee Simple value, say: $600.

Annual value, say: $60

Subject to taxes and charges for repairs. —

An account of the debts due by said Jonathan Edney dec'd or his estate according to their dignity specifying their priorities if any and which of them waive the benefit of the homestead exemption.

The following debts of equal dignity have been proved:

1. A debt due to Thomas A. Barnes:

Bond dated 7. August 1880.	$25.	
Int. to 15. April 1885- 4y. 8m. 8d.	7.03	
Prin. & Interest due 15- April 1885-		32 03

The bond contains a waiver of the homestead exemption. –

2. A debt due to the same:

Open account for medical services	9.	
Int from 18. August 1881 to the 15- April 1885-	1.97	
Prin. & Interest due 15- April 1885-		1097

No waiver of homestead.

3. A debt due to Wm. J. Edney:

Open account for labor &c	150.	
Int. from 1. January 1883 to the 15- April 1885. 2y. 3m. 15-d.	20.63	
Prin. & Interest due 15- April 1885-		170 63

$136.50 of this debt being for labor, as to that amount with interest, the homestead does not apply. –

1885- April 15- Total $213 63

Respectfully submitted.

Comms fee $10.
Printers bill 8

Robt. N. Peebles
Commissioner.

Thos. A. Barnes Pl.

vs. Comm's Report
Dated 14 Jany. 1885

Jonathan Edwards Adm. Def.

Confirmed 28 Apl.
1885

confirmed 25 Apl.
1885

1885 Janry 14th Filed
clk

Barnes Thos. H. etc.

vs.

Jonathan Edney's Admr. etal.

This Cause came on this day to be again heard on the papers formerly read and on the Report of Special Commissioner, Thomas H. Barnes, filed the 12th. day of September 1885, being a Report of the sale of the real estate of which Jonathan Edney Sr. died seised and possessed, made in pursuance of the decree entered herein on the 28th. day of April 1885 and was argued by counsel.

On consideration whereof, the Court doth approve and confirm said Report and sale to which no exception has been filed and doth adjudge, order and decree that the said Commissioner, Thomas H. Barnes, receive of the Clerk of this Court and give him a receipt to be filed with the papers in this Cause for the two Bonds of Ann M. Jones with D. B. Jones W. H. Jones and James J. Holland security thereto filed with said Report, one for the sum of $165.18 and the other

for the sum of $165.17, both bearing interest from the 13th. day of July 1885, and proceed to collect the money therefor at the maturity thereof, with interest thereon, or receive the money before the maturity thereof, with interest ~~from~~ to the day of payment thereof, if the obligors should desire to pay the money before the maturity of said Bonds and, out of the money so collected or received together with the sum of $13.- cash in his hands as shown by said Report and the sum of $126.93 in his hands as Administrator of Jonathan Edney Sr. deceased ~~and~~ with interest thereon from the 12th. day of May 1884, pay first in full all the unpaid costs of this suit and then pay the following debts of said Jonathan Edney Sr. deceased as shown by the Report of Commissioner, Robert R. Prentis filed in this cause on the 14th. day of January 1885, to wit: To Thomas H. Barnes the sums of $32.03 and $10.97, with interest on the sums of $25. and $9.00 parts thereof from the 15th. day of April 1885 till paid, and to Wm. T Edney the sum of $170.6⅔ with interest ~~thereon~~ on the sum of

$150.00 part thereof from the 15th. day of April 1885 till paid, and then pay and distribute all the surplus money then remaining in his hands to the heirs at law and distributees of said Jonathan Edney Sr. deceased as follows: To Jonathan Edney Jr. one-fifth part, to Cenath C. wife of Mills E. Howell a like part, to Margaret J. the wife of John W. Darden a like part, to Wm. T. Edney a like part, and to the duly appointed and qualified Guardian of Hershel B. Edney, a like part, being the said Hershel B. Edney's share,

And the Court doth further adjudge order and decree that the said Special Commissioner, Thomas H. Barnes, make to said Ann M. Jones a deed with special warranty in the usual form conveying to her the real estate purchased by her under proceedings in this cause, whenever she or some one for her shall have paid said Bonds and all interest thereon as above specified in full, and ~~this~~ make report to Court of his transactions under this decree.

Barnes etc.

vs. } In. Chy

Edney's Admr. & al.

In the Circuit Court
of Nansemond County
October 13th. 1885

Decree
To be entered

Geo. T. Bloxom.

Barnes etc
vs.
Edney's Admr. etal.

This Cause came on this day to be again heard on the papers formerly read and on the Report of Commissioner, Robt. R. Prentis, filed the 14th. day of January 1885, (being a report of the debts due by Jonathan Edney Sr. deceased or his estate and of the real estate of which he died seised and possessed etc. made in pursuance of the decree entered in this cause the 10th. day of October 1884), 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 real estate aforesaid, mentioned and described in said Repat and in the bill in this cause of which said Jonathan Edney Sr. died seised and possessed be sold subject to the dower therein of his widow Harriet Ann, situated in this County, and that Thos. H. Barnes who is hereby appointed a Special Commissioner

for that purpose, do proceed to sell ~~said~~ the same, subject to said dower, by public auction, to the highest bidder, before the Courthouse door of this County on some County Court day on a credit of six and twelve months, (except as to enough of the purchase-money to pay the costs of this suit and the expenses of the sale, which he will require to be paid in cash), ~~and~~ taking of the purchaser bonds for the ~~def~~ deferred payments in equal sums with good personal security payable to himself as Commissioner aforesaid, and make report to Court of his proceedings under this decree and file said Bonds therewith and retain the title to said real estate until the further order of Court.

But before proceeding to make said sale, the said Commissioner will ~~make~~ advertise the same and the time, place and terms thereof by notice to be published in a newspaper published in the Town of Suffolk in said County for a reasonable time and by printed

notices to be posted at said Courthouse door, and at various public places in said County and in the neighborhood of said real estate for at least twenty days prior to the day of sale, and will execute before the Clerk of this Court a Bond in the penalty of $1600.00, with good personal security waiving the benefit of the homestead exemption and payable to the Commonwealth of Virginia and conditioned for the faithful discharge of his duties under this decree and all other decrees he may be required to execute in this cause, and will obtain of the clerk of this Court a certificate that the bond required as above, has been executed and will append such certificate or a copy thereof to the advertisement of said sale

Barnes etc.

vs. } In Chy

Edney's Admr. &al.

In Nansemond
County Circuit
Court. — Special
Term 28 April
1885.

Decree
To be entered

Geo. W. Bloxom.
J.C.C.

Ord. Bk 67 Bk 2 pag- 34

Barnes etc

vs.

Edney's Admr. & al.

This Cause came on this day to be heard on the Bill of the Complainant taken for confessed as to all the adult defendants, ~~the except Harriet Ann Edney~~, on whom process had been duly served they still failing to appear and demur, ~~answer~~ plead and answer and upon the exhibits filed with said Bill, ~~and the answer of said Harriet Ann Edney~~ and the answer of the infant defendant, Herschel B. Edney, by Peter B. Prentis his guardian ad litem, with general replication to said answer and was argued by Counsel.

On consideration whereof the Court doth adjudge, order and decree that the papers in this cause be referred to one of the Commissioners of this Court who will take, state and settle the following accounts and make report thereof to Court to wit:

1. An Account of the transactions of Thomas H. Barnes as Administrator of the estate of Jonathan Edney Sr. de-

ceased.
2. An Account of the real estate of which the said Jonathan Edney Sr. ~~deceased~~ died seised and possessed together with its fee-simple and annual value.
3. An Account of all the debts due by said Jonathan Edney Sr. deceased or his estate, according to their dignity including the debt due to the Complainant, specifying their priorities if any, and which of them waive the benefit of the homestead exemption; and
4. An Account of any matters specially stated deemed pertinent by himself, or which may be required by any of the parties to be so stated.

And the Court doth direct that notice of the time and place of taking said Accounts be published once a week for four successive weeks in the "Suffolk Herald" a convenient newspaper in the Town of Suffolk ~~in Sussex~~ * in this County and that said publication shall be equivalent to personal service of said notice on the parties to this cause.

Barnes &c

vs. } In Chy.

Edney's Admr. &al

Nansemond County
Circuit Court
Octo. 10th 1884

Decree
To be entered

Geo. T. Bloxom.

Entered O.B. No 2 p. 6

Copied.

Thomas H. Barnes etc.

vs.

Jonathan Edney's Admr. & al.

This cause came on this day to be again heard on the papers formerly read and on the Report of Thomas H. Barnes, Special Commissioner, filed the 22nd. day of March 1887. the same being a Report of collections and disbursements in pursuance of the decree entered herein on the 13th. day of October 1885, and was argued by counsel.

On consideration whereof the Court doth ~~confirm~~ approve and confirm said Report to which no exceptions have been taken, and doth adjudge, order and decree that the proceedings had herein be final and binding between the parties. ~~And nothing more remaining~~ and that this cause be removed from the docket

Barnes etc.

vs. } In Chy.

Edney & al

In the Circuit Court
of Hausemond County.
April 13th 1887

Final
Decree
To be entered

Entered DB No 2 f 126

In the Circuit Court of Nansemond County, Va.
Thos. H. Barnes, suing &c. Complainant

vs. } In Chancery.

Jonathan Edney's Admr. & others, Defendants

The answer of Herschel B. Edney, an infant under the age of twenty-one years by Peter B. Prentis, his guardian ad litem, assigned to defend him in this suit, to the Bill of Complaint, exhibited against him and others in the Circuit Court of Nansemond County by Thomas H. Barnes, suing for the benefit of himself and all creditors of Jonathan Edney Sr. deceased, Complainant:

This Respondent reserving to himself the benefit of all just exceptions to the said Bill, for answer thereto, by his said guardian ad litem, says.

That he is an infant of tender years and by reason of his infancy is incapable of understanding or taking care of his rights and interests in said suit. He, therefore, by his said guardian ad litem, commends himself and all his rights and interests in said suit to the protection of the Court and prays that no decree may be pronounced therein which will tend to his prejudice.

Barnes etc.

vs. } In Chy.

Edney's Admr. etal

Answer of the infant defendant Herschel B. Edney

And having fully answered, This respondent says the bill is misjoined with the bill in this behalf exhibited, and the matters therein contained, and the same ever fully

etc.

Peter B. Prentis
Solr. for Petrs

Mr. [illegible]

1880

Sept 26. To visit to [illegible] £2.0

Feb 26. Do. Do £2.0

Aug 18 " " £2.0

£6.0.

Int. from 18 Aug. 1881

Exhibit E.

State of Virginia }
Nansemond County } to wit:

This 13th. day of August 1884
Thomas H. Barnes, personally appeared before me a Notary Public in and for Nansemond County in the State of Virginia, and made oath that the within account was correct and that no part thereof had been paid.
Given under my hand the day and year above written

Wilbur J. Kilby
Notary Public

For value received I promise to pay, with interest, to Thos. H. Ramsey twenty five dollars; & I hereby waive the benefit of an homestead exemption as to this debt & obligation. Witness my hand & seal this 7th of August. 1880.

Jonathan Edney Seal

Exhibit D.

Jonathan Bowne
& Co Bond
$25.00

At a Monthly Court held for Nansemond County, the 9th day of April, 1883.

On the motion of Thomas H. Barnes, who made oath as the law directs, and entered into a bond in the penalty of Four hundred dollars, conditioned according to law, with William E. Barnes, John B. Vaughan and James M. Lesler, his sureties 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 administration on the estate of Jonathan Edney, deceased, in due form are granted him.

A Copy:

Teste:

Peter B. Prentis, Clerk.

Jonathan Edney's Estate

Copy order of qualifi-
cation of Admr

"Exhibit C"

This Deed made and executed this 7th day of January in the year Eighteen hundred and seventy five between Joseph A Spence and Lucy I his wife, of the county of Nansemond and State of Virginia, of the one part, and Jonathan Edney of the county and State aforesaid of the other part, Witnesseth: That the said Joseph A Spence, and Lucy I his wife, for and in consideration of the sum of Fifteen hundred dollars, current money of the United States, to them in hand paid by the said Jonathan Edney, at or before the ensealing and delivery of these presents, (the receipt whereof is hereby acknowledged) they the said Joseph A Spence, and Lucy I his wife, have granted, bargained, and sold, released and confirmed unto the said Jonathan Edney and to his heirs and assigns, all their right, title and interest, in the Mill and its appurtenances, called and known as "Factory Hole Mill" also a tract of land lying on the East side of the road leading to said mill, bounded by the Mill pond and the lands of Sarah Cobb, and the lands devised by the last will and testament of Wilson Spence to H. Ann Spence, containing three acres, more or less, also the piece of land known as the "Dicky Field", also the Brooks House and field, also one half the land called the "Holland" adjoining the lands of Marion March and others, And the said Joseph A Spence and Lucy I his wife doth hereby convey all their right, title and interest, so far as is vested in them, unto the said Jonathan Edney and to his heirs and assigns forever. In witness whereof the said Joseph A Spence and Lucy I, his wife have hereunto set their hands and seals the day and year as first herein written

Signed sealed and delivered in presence of

A N Jones
Thos. J Miles

Joseph A Spence (Seal)
Lucy I Spence (Seal)

State of Virginia }
County of Nansemond } To wit:

I Arthur E Hall a Notary Public in and for the County of Nansemond in the State of Virginia, do certify that Lucy A Spence the wife of Joseph H Spence, whose names are signed to the writing above, bearing date the 9th day of January 1875, personally appeared before me in the County aforesaid, and being duly examined by me privily and apart from her husband, and having the writing aforesaid fully explained to her, she the said Lucy A Spence acknowledged the said writing to be her act, and declared that she had willingly executed the same, and does not wish to retract it. Given under my hand this 22d day of February Eighteen hundred and seventy four.

Arthur E Hall Notary Public

State of Virginia }
County of Nansemond } To wit:

I Arthur E Hall, a Notary Public in and for the County of Nansemond in the State of Virginia, do certify that Joseph H Spence whose name is signed to the writing above, bearing date the 9th day of January 1875, has acknowledged the same before me in the county aforesaid Given under my hand the 22d day of February Eighteen hundred and Seventy four

Arthur E Hall, Notary Public

In the Clerks Office of Nansemond County Court the 21st day of March 1883

This Deed was received, and with the certificates annexed, admitted to record

Teste

Peter B. Prentis Clerk.

A Copy.
Teste:

Peter B. Prentis. Clerk

xiii

Joseph N. Shearer & wife
To } Copy Deed
Jonathan Edney.

"Exhibit B."

In the Name of God! Amen.

I, Wilson Spence, of the County of Hanover and State of Virginia being of sound Mind and Memory; but knowing the uncertainty of life, and the certainty of death, do make and declare this to be my last will and Testament in Matter and form as follows; that is to say; Item 1st. I give unto my wife Harriet Ann, two beds and necessary covering (first choice) One Borough, (first choice) one centre Table, One Rocking Chair, (first choice) nine Setting Chairs, (first choice) two looking glasses, (first choice) one pair of Lamps, (first choice) two tables (first choice) six cups and Saucers, One dozen plates, (first choice) two covered dishes, six tea Spoons, (first choice) One set of Knives and forks, three dishes (first choice) One sugar Dish, one Milk Pot, One wash bowl and Pitcher, one Pitcher (first choice) two Chambers, (first choice) one set of Castors, one Coffee Pot, One glass dish, One dozen glass cans, two Stone jars, One butter Churn, one Safe, One wash stand, one pair of flat Irons, one pair of dog Irons, one pair of tongs and shovel, One clock, one Candlestick One half of my books (except my family Bible) One Cooking Stove and all the Cooking apparatus thereunto belonging, one tray, one cup-tin, one wash tub, one half bushel measure, two buckets (first choice) one Brass Kettle, one lard stand, One small Kitchen table, one small noggin, one Pot, next to the largest size, two milk pans, Fifty pounds of lard, all the Bacon Hams that may be on hand, one half of the Poultry, One Cow named Jane, all the Coffee that may be on hand Also I give unto my wife A. Ann Spence a Certain piece of land beginning at Sarah Cobbs and Captain Edwards corner, at

a white Oak, thence binding said Sarah Cobb's land South Eighty four and a half East, to the Main Road, thence binding the West side of the main road to the Mill around by the Mill Various Courses to the first station embracing what may be known the high land, Houses, Garden and the lot back of the Garden, containing by estimation about six acres more or less; Also one half of the land known as the Holland land, adjoining Marcin Marsh and others, all the foregoing property I give unto my wife and her heirs forever, also I give unto my wife N Ann One Half of the Interest in my Mill property of every description unto her and her heirs forever,

Item 2nd I give and bequeath unto my son Joseph N Spence the other half of my mill property together with the piece of land and houses lying on the East side of the main Road adjoining the piece of land that I give to my wife N Ann, Sarah Cobb and the mill pond containing about two or three acres more or less. Also the piece of land known as the Dicky field, also the piece called the Brook house and field, except the enclosed part on each side of the walnut Cart, that I leave for the benefit of keeping up the Mill dam, also I give unto the said Joseph N Spence the other half of the Holland land adjoining Marcin Marsh and others, also I give unto the said Joseph N Spence one gun, one watch, and gold chain, one washing Machine and the balance of my household and Kitchen furniture that I have not given to my wife N Ann Except the family Bible which I leave to be kept in the family, the oldest member to have the Keeping of it.

also I leave in the hands of Joseph N. Spence

Seven hundred dollars, together with two notes against Jonathan Edney to finish building the the saw Mill, and if any should be left, to spend the balance on repairing the said Mill properly.
I give unto the said Joseph N Spence one note against Elisha Harris payable January 1873, principal and interest will be about Three hundred Dollars, and the said Joseph N Spence is to be responsible for and pay all my just debts that may come against my estate, after my decease, I also give Jos N Spence my Riding bridle and saddle and one half of the poultry. I leave two yoke of oxen, one carry log and all the chains, also the ballance and bell to go for the use of the mill.
Item 3rd. I give unto John Henry Pool my gray filly, named Susan together with one half of my Chattel estate that I shall not dispose of otherwise, also one set of buggy harness, also Four hundred dollars, to be paid over to him the said J H Pool by Elsbury R Albertson who is indebted to me for the purchase of land &c, also a piece of swamp land lying over the River, twenty acres, Item 4th I give unto Elsbury R Albertson One Bureau, also the Jadmon land, which I sold him but failed to give him a deed, upon the condition that he pays over to John H Pool the sum of Four hundred dollars, which will leave a balance with the amount said Albertson has paid me on the land of Five hundred dollars, which five hundred dollars, I give unto the said E R Albertson his heirs forever,
Item 5th I give the other half of my Chattel Estate, not disposed of to My son Jos N Spence, he and

J H Pool may divid said Chattels in any way they may agree on.
Item 6th I give unto Carolina Mitchell the wife of Wm Mitchell of Pasquotank a certain piece of land adjoining the lands of W G Perry and others known as the land formerly belonging to Britain Jones, containing twelve acres more or less.
I give unto John H Pool my pool one piece of swamp land lying over the River formerly belonging to Britain Jones.
I leave my son Jos H Spence Executor to this my last will and Testament this May 19th 1872.

Wilson Spence (Seal)

North Carolina } In the
Pasquotank County } Probate County June 15th 1872.
The foregoing paper writing purporting to be the last will and Testament of Wilson Spence dec'd, was this day offered for probate as a holograph will by Joseph H Spence the Executor therein named, and thereupon the following credible witnesses were introduced, to wit: William F Martin & R Etheridge and M W Burfkin who being duly sworn, testified as follows, to wit: that they were well acquainted with the handwriting of Wilson Spence, dec'd, and they verily believe that the paper writing propounded as his last will and Testament and every part thereof, including the signature of the said Wilson Spence, is in the own proper hand writing of said Wilson Spence and it did further appear by the oath and Examination of Dr J H Pool a credible witness that said

paper writing so propounded as the last will and Testament of Wilson Spence dec'd, was after his death found among the Valuable papers and effects of deceased,

Thereupon said paper writing so pro=pounded is admitted to probate as the last will and testament of Wilson Spence dec'd. sufficient in law to pass both real and person=al estate, and he same with this certificate will be recorded.

Wm E Vaughan
Probate Judge
of Pasquotank County N.C.

North Carolina } In the
Pasquotank County } Probate Court June 18th 1872

I Wm E Vaughan Judge of aforesaid Court do hereby certify that the foregoing is a True and perfect Copy of the will of Wilson Spence and the proceedings had on this Court as appears of record, Given at Office in Elizabeth City N C. the date aforewritten

Wm E Vaughan
Probate Judge

Pasquotank County, In the Probate Court,
State of North Carolina

To all whom these presents shall come Greeting
It being satisfactorily proven to the undersigned, Judge of Probate for Pasquotank County, that Wilson ... Spence, late of said County is dead, having made his last Will and Testament, which has been admitted to Probate (a true Copy.

(whereof is hereunto annexed,) and Joseph R Spence,
the Executor therein named, having qualified as
such according to law.
Now these are therefore to empower the said
Executor, to enter in and upon all and singular
the goods and chattels, rights and credits of the
said deceased, and the same to take into possession,
wheresoever to be found, and all the just debts of
the said deceased to pay and satisfy, and the
residue of said estate to distribute according
to the directions of said will.
Witness My Hand, and the seal of
said Court, this 18th day of June 1872
Wm Ed Vaughan
Probate Judge.

At a Court for Nansemond County at the Court-
house on Monday the 8th day of July 1872.
This Copy of the last will and Testament of Wilson
Spence late of this County deceased having been fully
proved by credible witnesses in the Probate Court
of of the County of Pasquotank, State of North Carolina
on the 18th day of June 1872, as appears by the
certificate thereto annexed, of William E Vaughan
the Probate for said County and State and was
thereupon admitted to record, The Court doth order
the said Copy and Certificates thereto annexed, to be
recorded here; And on the Motion of Joseph R Spence
the only Executor therein named in the said Copy
of the said will, made oath as the law directs and
entered into a bond in the penalty of Two Thousand
Dollars conditioned according to law with Timothy
E Langston his surety thereon, who justified on

such as to his sufficiency waiving all Homestead
act or acts and which said bond being acknowledged
by the obligors therein is ordered to be recorded. A
certificate is granted the said Joseph N Spence
for obtaining a probat of the said will in due form

Teste

Willis L Cohorn Clerk

A Copy

Teste

Nansemond County Court Clerks Office
Aug: 6th: 1884

Peter B. Prentis. Clerk.

xmd

Wilson Spence
— Will —
(a Copy)

"Exhibit A"

In the Circuit Court of Nansemond County. Va.

Thomas H. Barnes etc. Complainant

Against } In Chancery

Jonathan Edney's Admr. & al. Defendants

To the Honorable George Blow, Circuit Court Judge in and for the County of Nansemond, State of Virginia;

Humbly complaining respectfully represents and shows unto Your Honor Your Complainant, Thomas H. Barnes a creditor of Jonathan Edney Sr. deceased, suing for the benefit of himself and all creditors of said Jonathan Edney Sr. deceased,

That Wilson Spence of said County departed this life testate in May or June 1872, leaving a widow, Harriet Ann, and a son, Joseph A. Spence surviving him and seised and possessed of certain real estate in said County.

That by his last will and testament, which was admitted to record in the office of the Clerk of the County Court of said County on the 8th. day of July 1872, a duly authenticated copy of which will is herewith filed as

part of this Bill and marked, "Exhibit A", the said Wilson Spence devised the following, along with other property, to his widow, Harriet Ann, as may be seen by reference to said will, to wit: 1. A one-half undivided interest in all that certain mill property, called the Factory Hill mill including all that part of the land called the "Brook's Field" on each side of the walnut cut to keep the mill dam up, ~~situated in Holly~~, and all the appurtenances and franchises and privileges belonging to said mill, situated in Holly Creek Magisterial District in said County near Blackwater River, and bounded at the present time by the land of James J. Cross and the remainder of said "Brook's Field" outside of the land on each side of said walnut cut, which belongs at the present time to the estate of said Jonathan Edney Sr. deceased. 2. A one-half undivided interest in a small parcel of land, called the Holland land, containing only a few acres (the number of acres being unknown), situated near said mill property and bounded by the lands of Marion March and others.

That by his said will, the said Wilson Spence devised to his son, Joseph N. Spence, the other one-half undivided interest in said mill property and Holland land, thus making

said Harriet Ann, the widow, and said Joseph N. Spence, the son, joint and equal owners thereof.

That the said Wilson Spence also devised to his said son, Joseph N. Spence, the following property, to wit:
1. All that parcel of land situated on the east side of the Main road leading to said mill and in said District and County and containing two or three acres more or less, and bounded by the pond of said mill, the land of Sarah Cobb, and a parcel of six acres of land belonging to said Harriet Ann.
2. A small parcel of land situated near said mill in said District and County and known as the "Dicky Field" and containing only a few acres (the number of acres being unknown) and bounded by the lands of Wm. P. Everett and John Gardner.
3. A small parcel of land, situated in said District and County and called the "Brook's Field" and containing only a few acres (the number of acres being unknown), and bounded by said mill and "Dicky Field", the same being all of said "Brook's Field" except that part on each side of said walnut cut.

That on the 28th. day of January 1873 the said Harriet Ann, married Jonathan Edney Sr.

That by a deed of bargain and sale dated the 9th. day of January 1875 and recorded the 21st. day of March 1883 in the office of the Clerk of said County Court, the said Joseph A. Spence and wife sold and convey= ed all his one half undivided interest in said mill property and Holland land and the three parcels of land, which his father had de= vised to him as aforesaid, unto the said Jonathan Edney Sr. as will ap= pear by a duly authenticated copy of said deed filed herewith as part of this Bill and marked "Exhibit B."

That on the 28th. day of December 1882. the said Jonathan Edney Sr. departed this life intestate seized and possessed of said three parcels of land and one-half interest in said mill property and Holland land, which had been sold to him as aforesaid by Joseph A. Spence and wife, and leaving surviving him, his widow, said Harriet Ann, and the following children and heirs at law, who are now all living, to wit; Jonathan Edney Jr. Wm. Thomas Edney, Senath C. wife of Mills E. Howell, Margaret J. wife of John W. Darden and Herschel B. Ed= ney, the said Herschel B. being under the age of twenty-one years.

That on the 9th. day of April 1883, Thomas H. Barnes in the County Court of said County, ~~qualified and~~ in due Course of law, became the duly qualified Administrator of the personal estate of said Jonathan Edney Sr. deceased, as will appear by "Exhibit C" herewith filed as part of this Bill.

That the said Jonathan Edney Sr. died indebted to Your Complainant in the sum of thirty-four dollars, of which the sum of $25. bears interest from the 7th. day of August 1880 and the sum of $9. bears interest from the 18th. day of August 1881, as will appear by Exhibits D and E. herewith filed as parts of this Bill.

That according to the appraisement thereof, the chattel estate of said Jonathan Edney Sr. amounted in value to the sum of $179.49 and sold for the sum of $209.02 only.

That the proceeds of the sale of said chattel estate have all been consumed in the administration of the estate and settlement of claims against it, leaving the claim aforesaid of your Complainant unsatisfied.

Your Complainant is informed and so charges that upon a settlement of said administrator's account there will be a large balance due

the administrator
~~Exors~~, by the estate and that besides the personal indebtedness aforesaid to your Complainant, and the large balance due to said administrator. there is a large outstanding in=debtedness against said Jonathan Edney Sr. or his estate, and that for the satisfaction or settlement of the same and all claims against the estate, a sale of said land and interest in land of which said Jonathan Edney Sr. died seised and possessed, will be necessary.

That the income to said estate from said mill property is only one-half the annual rent of $120. to wit $60. all of which is annually absorbed in repairs and expenses and pay=ment of taxes, while the remainder of said land of which said Edney died seised and possessed, is poor and barren, producing no income whatever, as no one will rent it.

The said Administrator has refused to pay the claim aforesaid of Your Complainant and the claims of others against said Edney or his estate because he says he has no funds in hand with which to pay the same.

The said Harriet Ann, widow of said Jonathan Edney Sr. is entitled to dower in and the aforesaid lands of which he died seised and pos=

sessed.

In consideration whereof Your Complainant being without remedy save in a Court of Equity, prays that the said Thomas H. Baines, administrator of the estate of said Jonathan Edney Sr. deceased. Harriet Ann widow of said Jonathan Edney Sr. deceased, Jonathan Edney Jr Mills E. Howell and Lenath C. his wife and John W. Darden and Margaret J. his wife and William Thomas Edney and Herschee B. Edney, the said Herschee B. Edney being under the age of twenty-one years, may be made parties defendant to this Bill and be required to answer the same and all the allegations thereof on oath, the adults in their proper persons and the infant by his guardian ad litem to be appointed for him to defend his interests in this suit; that the said administrator may be required to render before one of the Commissioners of this Court an account of his transactions as administrator aforesaid; that an account of the debts due by said Jonathan Edney Sr. deceased or his estate together with the necessary proof of the same and an account of the real estate of which said Edney died seised and pos-

sessed together with its fee-simple and annual value may be taken and report thereof made to Court; that the said real estate may be sold ~~and the~~ if necessary and the proceeds thereof, as well as the proceeds of the sale of the personal estate of said Edney, applied in payment of said debts according to their priorities; that all proper orders and decrees in the premises may be made and inquiries directed; that the said Harriet Ann may be required to say in her answer whether she prefers to have her dower in said lands sold along with the lands and to accept a gross sum of money equivalent to ~~the~~ its present value in lieu thereof, or to have said lands sold subject to her dower; and that all such other, further and general relief may be granted Your Complainant as the nature of his case may require or to Equity shall seem meet, and as in duty bound, Your Complainant will ever pray etc.

Wilbur J. Kilby p.q.

16 Augt. 1884

Thos. H. Barnes etc.

vs. } In Chy.

Jonathan Edney's Admr.
and others.

Bill

Thomas H. Bamm, a Creditor &c
vs
Chy: Order

1884 Aug: 18th: Summs in Chy: issued to Septr: Rules, 1884

" Septr: 1st Bill &c filed - Decree nisi vs adult defts

" " " Peter B. Pendleton appointed g.m. ad litem to infant deft; who filed his answer to which there was a repl: & cause set for hearing as to him.

" Octo: 6th: Decree nisi confirmed & cause set for hearing on mo: of Pltffs Counsel

" " 10th: Decree for account,

1885 Jany: 14th: Report filed

" April 28th: Decree for sale

" May 22nd: Bond of Commissioner executed & filed

" Septr: 12th: Report of sale filed

Chy: Notes

Chancery Papers

Thos. H. Barnes, suing &c.

Against

Jonathan Edney's Admr. &al

Wilbur J. Kilby. h. q.

1887.
April Term
Final Decree.

Nansemond Cir. Ct.

No. 2
F. S. HASBROUCK & CO., 66 & 6
APPER.
W YORK SOLE MANUFACTURERS.