

1887-009

Nansemond Co. (Suffolk)

Chancery Causes: S. March & Co.] vs William H. Bloxson & wife et al

Bonnewell, Portlock, White, Culley

Costs

clerk	\$10.00
atto. Wray	14.50
Shiff	1.00
Printer	8.00
	\$33.50

Carls

VIRGINIA:—

At Rules held in the Clerk's Office of the Circuit court of Nansemond County, on Wednesday, the 6th day of September, 1876.

S. R. White, surviving partner of S. March, and said White doing business under the name of S. March & Co.,
Plaintiffs.

Against } IN CHANCERY AND
ATTACHMENT.

Wm. H. Bloxson and S. A. Bloxson,
Henry R. Culley, adm'r of James E. Bonnewell, dec'd, Wm. Eley, Trustee,
and Virginia P. D. Portlock,
Defendants.

The object of this suit is to recover against the defendants, Wm. H. Bloxson and S. A. Bloxson, the sum of \$322.70, with interest at the rate of 9 per cent. per annum, from the 13th day of June, 1871, till paid, and to attach the real estate of the defendant, S. A. Bloxson, in the county of Nansemond, and to subject the same to the payment of said sum, after satisfying the lien thereon, in favor of the Defendant, Virginia P. D. Portlock.

Affidavit having been made that the defendants Wm. H. Bloxson and S. A. Bloxson are non residents of the State of Virginia, they are hereby required to appear in the said Clerk's office, within one month after due publication hereof, and do what may be necessary to protect their interest.

A Copy. Tester:—

PETER B. PRENTIS, Clerk.
Kilby & Son, p. q. s el3-4t

Office of the Suffolk Herald,

Suffolk, Va., Nov 8th 1876

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 four successive weeks.

Hathaway
ELAM & ~~CAMPBELL~~, Eds. Herald.

\$8.00

S. March Ho.

to { Certif. of Pub.

Blossom Lal.

from 8th Nov: 7th
Feb

Virginia:—

At Rules held in the Clerk's Office of the Circuit Court of
Hanover County, on Wednesday the 6th: day of
September, 1876.

S. R. White, surviving partner of S. March, and
said White, doing business, under the name of S.
March & Co: Plaintiff.

Against { In Chancery and Attachment
Com: W. B. Blyson and S. A. Blyson, Henry R.
Culley, Adm'r of James E. Bannwell, dec'd, Com:
Ely Trustee, and Virginia P. D. Patlock. Defendants.

The Object of this Suit is to recover against the Defendants, Com: W.
Blyson and S. A. Blyson, the sum of \$322.70, with interest, at the
rate of 9 per cent per annum, from the 13th: day of June, 1871, to the
said, and to attach the real estate of the defendant, S. A. Blyson,
in the County of Hanover and to subject the same to the payment
of said sum, after satisfying the lien thereon, in favor of the defendant,
Virginia P. D. Patlock. Affidavits having been made that the defend-
ants, Com: W. Blyson and S. A. Blyson are non-residents of the State
of Virginia, they are hereby required to appear in the said Clerk's
Office, within one month after due publication hereof, and do what
may be necessary to protect their interests.

Teste:

Peter B. Prentiss, Clerk.

Kelly & Son, p. g.

S. P. White, sup: partide

25 { Or: Pub:

Wm: H. Blyssum Kali

CHANCERY SUMMONS.

The Commonwealth of Virginia,

To the SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON *Wm. H. Blyson and*
S. A. Blyson, Henry R. Culley, Administrator of James
E. Bonnewell dec'd. William Eley, Trustee; and
Virginia P. D. Patlock,

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 *S. R. White, surviving partner of S. March & Co.*

and have then and there this Summons. Witness, *Peter B. Prentiss*, Clerk of our said Court, at
his office, this *26th* day of *August* 1876, in the *101st*
year of the Commonwealth.

Teste:

Peter B. Prentiss Clerk of the Court.

Memo.

The Sheriff is directed to attach the lot of land and house
thereon, on the North side of Kelly Street, in Suffolk, Hanover
County, Va. and adjoining the Lot of Jos: Little, late Exam Constable,
Jno: J. Nerney, late M. E. Blyson, and Mary Brinkley.
Teste, Peter B. Prentiss, Clerk.

29th: August, 1876. Executed and a copy hereof delivered to Henry
R. Culley, administrator of James E. Bennet (well dec'd); and the lot
of land and house thereon, attached, as directed -
The said Wm. Blyson and S. A. Blyson are not residents of
this Commonwealth.

F. H. Rawls Dy for
J. L. Gulyham Shff

Kelly & Son. p. 9

S. R. White, Surviving
partner of S. March & Co.

Wm. J. Surin, Chy: &c

Wm. H. Blyson &
S. A. Blyson Adm.

To: Sept. 1st, 1876

Service of this Process
acknowledged by us.
William E. Clay Justice
Virginia P. O. Partick
1876. Aug: 29th.

Pro: 13. No: 1. Page 92
C. C. Co.

The Clerk of Fauquier Co. Va.

will open same, in ch. a.
p. 100.

S. R. while surviving partner of
S. March & Co

vs.

Wm H. Blossom & S. A. Blossom

& H. R. Kelly adms of Kelly Prop.

Jas. E. Bonnewell, ~~Shasta~~ William Ely,
Juster, and Virginia R. D. Pollock
Aug 26 1876

The Clerk will return on the
same. The Sheriff is directed to attach the lot of land
shown therein on north side of Kelly, or in Suffolk
Fauquier Co. Va., and adjoining the lot of Dr. Little
late Esq. East of the Kelly, late in E. Blossom
Shady Branch.

John R. Kelly p. v.
26 Aug 1876

Fauquier Co. to wit.

This day John R. Kelly, attorney for
the plaintiff in above entitled suit, made
oath before me that he believes the plaintiff's
claim is just, amounting to three hundred &
twenty two dollars & seventy cents, with interest
from the 13th Decr 1871, at 9 per cent per annum.

That the claim is just; that there is present
cause of action therefor, and that both defendants
are as he has been informed non residents
of Virginia, and that S. A. Blossom has
estate in Fauquier Co. Va. when the
above suit is pending.

my hand 26 Aug 1876

Given under
William J. Kelly
Notary Public

S. R. White, srg: part. L

vs { affixate L

(Wm) Blossom Lal:

1876.
Aug. 24th: Filed.

In dub

1. March 16th

m.

Wm H. Blossom, Sarah A. Blossom

vs. The ...

... This day John P. Kelly
Atty for plaintiff made oath
before me that Wm H. Blossom (and
Sarah A. Blossom, 2 of the above
defendants are non residents of
the state of Virginia as he is informed
& believes,

6 Sep. 1876 .

Peter B. Prentiss. Clerk

S. March Ho.

v^u { affiant

Bloxson Jan.

1876

Sept. 6th 1876
Wrote & filed

affiant

S. R. White etc.

vs.

Blossom & al.

It appearing that for more than seven years there has been no order or proceeding in this cause but to continue it, the Court doth order that it be struck from the docket and discontinued.

S. March Hoo.

vs. } In Chy.

Blossom Tal.

In the Circuit Court
of Chaussemond County
June 3d, 1887

Order

To be entered

C. W. Allen

Enter on 20 p. 137

March 560

v

Blossom wife

This cause in which it appears that the plaintiffs have proceeded in the mode prescribed by law as to the said Wm Blossom & his wife the said S.A. Blossom ^{who are out of this Commonwealth} came on to be heard on the Bill of the complainants taken for confessed as to Henry R. Cully admr of James E. Bonnewell decd., William Elzy & Virginia R. & Patrick, on whom process has been duly executed & they still failing to appear & make defence, on exhibits filed with said bill and was argued by counsel. On consideration whereof the Court with adjournment have seen that the said Wm. Blossom & S.A. Blossom his wife pay to the plaintiffs the sum of \$322.70 the amount of their writing obligatory filed with the Complainants Bill as Exhibit Ath, with interest thereon at the rate of ~~5~~ ^{seven} per centum per annum from the 13th day of June 1876 till paid, & the costs of this suit: and the Court with further adjournment have seen that a Commissioner of this Court ascertain the value ^(as near as possible) of the separate estate held by said S.A. Blossom & how long so held, ^{and a description thereof} and whether she is entitled to a Homestead therein under the Law of Virginia, and make a report to Court of his proceedings hereunder.

March 160

7

Blossom tribe

1877
11/15/
Apr 14

1st series

To be entered

Geo. Blow.

This judgment
is decided

Entered O.B. Nov. p. 339-

S. R. White etc.

vs.

Blossom & al.

On the motion of the Complainant by Counsel it is ordered that this cause be removed from the docket, - it appearing that the purposes for which this cause was instituted, will be accomplished by another suit now on the docket.

S. March Hco.

vs. } In Chy.

Blossom & al.

In the Circuit Court
of Claiborne County.
June 1887

Final decree
To be entered

Whereas on the 31st day of October 1867 there was conveyed by ^{Nancy} ~~Nancy~~ Helms, by Deed duly recorded, to James E. Bonnewell, as trustee for Mrs. Sarah A. Bloxson, for her sole and separate estate a lot of land with the improvements thereon, situated in the Town of Suffolk, Hansemond County - Virginia, on the North side of King Street and adjoining the lots of Exum Carstaphen Mary Brinkley and M. E. Bloxson, with power to the said James E. Bonnewell or his personal representative whenever requested by the said Sarah A. Bloxson to sell and to convey the same: and whereas the said James E. Bonnewell trustee as aforesaid has died and Henry R. Cully has been his personal Representative: And whereas W. H. Bloxson and Sarah A. Bloxson have borrowed of Virginia P. D. Portlock the sum of Seven hundred and fifty dollars (\$750.) which is evidenced by note signed by W. H. Bloxson and Sarah A. Bloxson and payable to the said Virginia P. D. Portlock, bearing date on the 3rd day of March 1875, and payable on demand with interest thereon payable semi-annually without default, which note the said W. H. Bloxson and Sarah A. Bloxson desires to secure by a lien on said house and lot. The said Sarah A. Bloxson does therefore hereby direct the said Henry R. Cully personal Representative of the said James E. Bonnewell the trustee aforesaid to execute a deed of trust on the said lot of land and all buildings and improvements thereon

1.
to William Eley of the County of Hansemond and
State of Virginia, Trustee for Virginia P. D. Portlock,
to secure to her the payment of the said debt; and
in order that the interest of all parties whatsoever
may be hereby conveyed this deed is executed al-
so by Sarah A. Bloxson as feme sole and also by
W. H. Bloxson and Sarah A. his wife. Therefore
this deed made this 3rd day of March 1875, between
the said Sarah A. Bloxson as feme sole and the
said Henry R. Cully as personal Representative
of the said James E. Bonnewell trustee as afore-
said and W. H. Bloxson and Sarah A. his wife
of the one part, and William Eley trustee of the
other part, Witnesseth: That the said parties of
the first named part. do grant with general
and Special warranty unto the said William Eley
the said home and lot of land with all the im-
provements and appurtenances thereon. In Trust
to secure to Virginia P. D. Portlock the payment of
a note signed by W. H. Bloxson and Sarah A.
Bloxson, and payable on demand to the said
Virginia P. D. Portlock being for the sum of Seven
hundred and fifty Dollars and bearing date on
the 3rd day of March 1875 with interest payable semi-
annually with power to said William Eley to
sell and give good title to the said property hereby
conveyed and after paying all costs and ex-
penses of sale, the residue of the purchase

money to be applied as the law directs - to the payment of the said note and interest.

The said parties of the first part covenant to pay all charges assessments, taxes and damages on the said property as long as they shall retain possession and the said parties of the first part and the said Sarah A. Bloxson further covenants to keep the house and lot and all improvements thereon aforesaid fully insured for the benefit of the said trustee. In testimony whereof we have hereunto set our hands and seals the day and year aforesaid.

S. A. Bloxson (Seal) as feme sole

H. R. Cully (Seal) per rep. of J. E. B.

W. H. Bloxson (Seal)

S. A. Bloxson (Seal)

County of Hanover

State of Virginia

to wit:

J. R. H. Rawls, a Notary

Public for the County aforesaid in the State of Virginia do certify that Sarah A. Bloxson and Henry R. Cully and W. H. Bloxson whose names are signed to the within deed bearing date on the — day of March 1875. have this day personally appeared before me in my County aforesaid and acknowledged the same and I do further certify that Sarah A. Bloxson the wife of W. H. Bloxson whose names are signed to the

writing within bearing date on the 3rd day of
March 1875. here this day personally appeared
before me in my county aforesaid and being
examined by me privily and apart from her
husband, and hearing the said writing fully ex-
plained to her. she the said Sarah A. Bloom
acknowledged the said act to be her deed and de-
clared that she had willingly executed the same
writing and does not wish to retract it-

Given under my hand this 3rd day of March 1875.

R. H. Rawls

Notary Public.

In the Clerk's Office of Hammond County Court 3^d day
of March 1875.

This deed was received duly certified and thereupon
admitted to record.

Teste

Willis E. Cochran, clerk-

A Copy:

Teste,

Peter B. Pentis. Clerk

Bloom

to

Anteck's Quarters

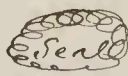
'C'

This Deed, made the 31st. day of October, A.D. 1867, between Nancy Nelson, of the one part, and James E. Bonnewell, Trustee for Sarah A. Blexson, wife of William H. Blexson, of the other part, Witnesseth, that in consideration of the sum of Four hundred and twenty-five dollars (\$425), the said Nancy Nelson doth grant with general warranty unto the said James E. Bonnewell, Trustee, for the said Sarah A. Blexson, to be held and used as hereinafter mentioned, the following Real Estate, to wit: a Lot of land with the improvements thereon, situated in the Town of Suffolk, on Gallilee or Kilby Street, and adjoins the lots of Enoch Carstarphen, Mary Brinkley (late Rachel Willis) and Mary E. Blexson. and which said Real Estate hereby sold and conveyed is to be held by the said James E. Bonnewell, Trustee (or his personal representative) for the said Sarah A. Blexson, for her sole and separate use, benefit and advantage, free from the debts, contracts and control of said William H. Blexson, her husband, and with power to said James E. Bonnewell, Trustee as aforesaid or his personal representative, whenever requested by said Sarah A. Blexson to sell and convey the same, and with power and authority also to said Sarah A. Blexson, by Will duly made and executed, to dispose of the same in any manner she may deem proper. And the said Nancy Nelson covenants with the other parties hereto, that she will make and execute all further assurances to said Real Estate, which may be requisite and proper. Witness the following signatures and seals.

Executed in our presence

Peter B. Prentiss, Whitnill ^{his} James (J.E.) _{mark}

John J. Murray

Nancy ^{her} Nelson  _{mark}

Jas. E. Bonnewell, (Trustee) 

In the Clerk's Office of Nausemond County Court, the 6th: day
of November, 1867.

This Deed was acknowledged by James E. Bonnewell, Trustee:-
and on the 8th: day of said month and year, the same was
proved by the oaths of Whitwell Jones (of E) and John J.
Hurvey, two of the subscribing Witnesses hereto, and to Nancy
Nelms, and thereupon admitted to record (the requisite
stamps of 50¢ having been affixed and cancelled).

Teste,

Peter B. Pentis: Clerk

A Copy:

Teste,

Peter B. Pentis: Clerk

Xnd

Nancy Nelms

In Copy Deed

James E. Bonnewell, Trustee for
Sarah A. Blosom.

" B "

*



\$ 342⁹⁰

Also Twelve months after date, we — promise to pay to
S. MARCH, order, or Assigns, *Three hundred and twenty-two* —
Dollars and *seventy* — Cents, for value received: for which payment, well and truly to be made, *we*
bind *ourselves, ours* — Heirs, Executors and Administrators, jointly and severally, firmly by these presents;
as witness *ours* hand & seals this *thirtieth* — day of *June* — 18*91*.
with interest at the rate of 9 per cent, per annum.

TESTE:

Wm. A. Blossom



S. A. Blossom



Day Book print

"A"

Feb 11, 1873.

Pay to Sec. R. Kirby Esq
for collection

~~of March 1873~~

(1366)

L. March 160

17

Blommem Saal

3 Exhibits
with Bee

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

Complaining, shew unto the
Court, you, Complainant, S. R. White,
surviving partner of S. March & said White doing
business under the name of S. March & Co.

your Complainant, respectfully represents
to the Court and says that on the 13th day of June
1871, one W^m H. Blossom, together with his wife
Sarah A. Blossom (who signs her name S. A. Blossom)
executed their writing obliging & said S. March & Co.
for ^{the payment of} three hundred and twenty two dollars seventy
cents, for value received, with interest at the rate
of nine per cent per annum, as will be seen
by said writing herewith filed & marked "A",
which is prayed to be taken as part of this Bill,

That the said W^m H. Blossom is Instructed,
That the said S. A. Blossom, is the owner as her sep-
arate estate of a lot of Land with the improvements
thereon, situated in the Town of Suffolk, on Kelly street
and adjoining the Lots of Truman Carstarphen, Mary
Brinkley and M. E. Blossom, and ~~was~~ purchased
of Nancy Adams by deed dated 31st Oct. 1867
and duly recorded in the Clerk's Office of Hancock
County on the 6th Nov. 1867, as may be seen by a
a duly certified copy of said deed filed herewith
as part of this bill & marked "B," That by the
said deed James E. Bannance was appointed

Trustee for the sole & separate use aforesaid.
with power to the said Trustee or his personal
representative, whenever requested by the said
Sarah A. Blossom, to sell and convey the same, &
with power and authority also to the said Sarah
A. Blossom by, or by duly made and executed to
dispose of the same in any manner she may
deem proper -

That the said James E. Bonnewell
has died, and Henry R. Bully has duly qualified
in Hanseman's County Court as his administrator.

That on the 3rd day of March 1875, the said
Sarah A. Blossom by her deed in which said
Henry R. Bully personal representative of James E.
Bonnewell was, and said W^m H. Blossom, all
joined conveyed the said Land & appurtenances
to H^m Eley Trustee for Virginia P. O. Putlock
to secure a note for \$750, executed by said W^m
H. Blossom & said Sarah A. Blossom, as
may be seen by a copy of said deed filed
herewith marked "C", and prayed to be taken
as part of this Bill.

Your Complainant is advised that the
said real estate may be held subject to and
liable for the contracts and obligations of
said Sarah A. Blossom - That the said
W^m H. Blossom and Sarah A. Blossom are
non residents of Virginia, that the debt to said

plaintiffs is just and now due (and that they have present demand therefor, and that said Sarah A. Blossom has estate in this (Harrison) County -

In Consideration whereof and as this Court has jurisdiction to grant all adequate relief, To the End your Complainants pray That W^m H. Blossom and Sarah A. Blossom, Heirs, R. Kelly personal Representatives of James E. Bonnarce dec^d, late Elcy, Indiana & Virginia D. D. Pottock, may be made defendants herein & answer the allegations herein, That the amount of the Lien on said Land under the deed of Trust aforesaid or any other Lien may be ascertained, That the said Land may be sold (and after paying any such Liens, then pay your Complainants demand and costs, (and your Complainants so, that they shall ask the Court to pay the costs of this suit & including their attorneys fee of fifty dollars, in the same,

(and your Complainants will ever pray &c.

J. March 16th

The foregoing Bill was this day sworn to by John R. Kelly, Atty,
before me, in my Office, by John R. Kelly
Atty: for Plff.
Peter B. Prentiss, Clerk
September 6th 1876

S. March 160

Killy
p 9

Mr. { Bee

Blossom & al.

Trans^d Cir. cl.

S. R. White, org; partners &c

25th { Chg: notes

Wm: H. Blexson & al:

18th Aug: 2nd Ch: Same Ch: &c, ignored, retble: to Sept: Rule 5, 1876.

" " " Affidavit of non-residence made filed, of Debt, Wm: H. Blexson & al: P. D. Patlock

Sept: 6th: Biled 1st filed - Conditional Decree to Sept: Henry R. Colley,
admt: of Jas: E. Bonnewell debt, ~~to~~ to, Wm: Eley
Truster, & Wm: P. D. Patlock

" " " Proper affidavit having been made filed on orig Pub.
& awarded to debt: Wm: H. & al: Blexson.

Oct: 2nd: Conditional Decree to Sept: Colley, admt: L. Wm: Eley
Truster & Wm: P. D. Patlock, Confirmed & Cause set for hearing
on to them.

Nov: 8. Certif: of Pub: filed & orig Pub: having been
published & posted according to law &
no apper: Cause set for hearing on 20th.
& P. D. Patlock Counsel.

1877. Apr: 11th: Decree for money & for costs.

Chy: Notes