1889-006
Nansemond Co (Suffolk)

Chancery Causes: Iradell Cahoon, gdn vs Iradell Cahoon, Jr & infant et al

Moore, Addison, Crittenden, Phillips, Key

Rawles J. C.

Cost
Clk. $18.00
Atty Gen 31.50
Sh'ff 4.50
Comm. Clk. 14.00
$68.00

Iradell Cahoon, Guardian
of Iradell Cahoon Jr. and

Honoras Cahoon Infants

vs

M Chaveny

Iradell Cahoon Jr and Honoras Cahoon infants under the age of twenty-one years et-al.

1889

April Term

Final Decree

Iradell Cahoon gave bond in this Cou on Jan 4 1884 as guardian of his infant children

Recognizance Cir. Ct.

Iredell Cohoon, Gdn: &c Iredell Cohoon Jr, and Henderson Cohoon, infants

20th Ch: Notes.

Iredell Cohoon, Jr and Henderson Cohoon, infants & Al -

1886. July 29th: Summons in Chy issued to Aug: Rules, 1886

" Aug: 2nd - Bill & exhibit filed - Peter B. Perkins appointed
guardian ad litem to infant defendants, who filed their
answer - to which there was a repl: repln

" " Peter B. Perkins, as guardian ad litem for his answer
to which there was a repl: replication & Cause set for
hearing, as to them

" " Decree Nisi as to adult defendants

" Septr: 6th: Decree Nisi confirmed and Cause set for hearing

" " 20th Commrs: Report filed

" Octo: 11th: Decree for Sale

" " 13th: Commrs: of Sale bond executed & filed

Chy: Notes

Cahoon Guardian &c Cahoon et als.
This cause come on this day to be again
heard upon the papers formerly read
as well as upon the report of special
Commissioner R H Rawles, and there being
no exception, the same was confirmed.
Whereupon the Court doth order adjudge
and decree that the purchase money
due to the Guardian Isabell Cahoon
as appears by the said report be paid over
to him as such guardian and that his
receipt be taken and filed herewith.
and ~~it appearing that nothing further~~
~~remains to be done in this suit it~~
~~is ordered to be dismissed from the~~
~~docket.~~ the said Commissioner will
make a report of his proceedings un-
der this decree to this court.

Cochran Gosnell &
Cochran et al -

Decree

To be entered
Apl 11 1888.

C Nathan

Entered Chy Order Book
No 2. P 194

Cahoon Guardian &c
vs
Cahoon et al } In Chancery

This cause come on this day to be heard upon the Bill the answer of the Guardian ad Litem the answer of the infant over fourteen years of age in his own proper person and the report of Commissioner C. H. Causey ~~exhibited~~ to which report this was no exception and was argued by Counsel. The default defendants failing to plead, answer or demur the Bill is taken for confessed as to them.

On Consideration whereof the Court doth order adjudge and decree, that R. H. Rawles who is hereby appointed a special Commissioner for that purpose, after having first given twenty days notice of sale, by notice posted at the Courthouse door of this County and at least ten conspicuous places in the neighborhood where the said land in the Bill and proceedings mentioned is situated, do proceed to sell at public auction to the highest bidder before the courthouse door

of Transylvania County on some
Court day, the land in the Bill
and proceedings mentioned, on the
following terms to wit:- one third
cash, one third in six months
and one third in twelve months
with the option to the purchaser
after sale to pay the whole in cash
if he so desires, in which event the
said Commissioner after having rec'd
the whole of the purchase money
may make to the purchaser a deed
with the usual covenants of title
in such case. After having rec'd said
purchase money in full the said
Commissioner shall proceed to pay
out and distribute the same as
follows:-
1st The expenses of this suit.
2nd The remainder to the Guardian
of the infant children to whom
the land belongs.))
(But the said Commissioner shall not
act under this decree until he shall
have first given a bond in the
penalty of $800 with security approved
by the Clerk of this Court for the
faithful performance of his duties

hereunder, and under all other decrees rendered in this cause.
And the said Commissioner shall report all his acts under this decree to this Court.

Cochran Guardian vs
Ex Parte

Cochran et al.

Memo for Sale

Enter

October 11 1886.

Geo. R. Wood,

Entered OB. No 2 Page 89.

Oct 11 1886.

Cahoon Guardian Guardian

11
21

Cahoon deals:

This cause come on this day upon the papers formerly read, and the report of Special Commissioner showing that he had collected and disbursed the money properly, and nothing else appearing necessary to be done it is ordered that this cause be removed from the docket. and the said report is confirmed by the Court

Decree

April 4 1887

To be entered.

C Nott

J.

Entered Chancery
Order Book No
page 53.

Isabell Cahoon Guardian &c
vs
Isabell Cahoon Jr et als. } In Chy

The answer of Peter B. Prentis Guardian ad litem, for Isabell Cahoon Jr and Hindman Cahoon infants, but who now answers in his own proper person.

This defendant in his own proper person answering saith that the statements in the Bill are true so far as he believes or can discover. That from all the evidence brought to his mind he is of opinion that a sale of the land as prayed for would be for the best interest of the infant children, and that the Bill contains nothing which it would be improper for the Court to grant. He would respectfully recommend a sale. And having answered he prays to be hence dismissed.

Peter B. Prentis Guardian ad litem, but
who answers in his own proper person.

Sworn to before me this 25th day of August 1886.

R A Rawles
Notary Public

Answer of Guardian
ad Litem in

His own Proper Person

Cahoon &c Cahoon et als:-

The answer of Iradell Cahoon Jr an infant above the age of fourteen years to the Bill in Chancery filed in the Circuit Court of Nansemond against him and others by Iradell Cahoon Guardian &c.

This Defendant answering saith, that so far as he is informed the allegations in the Bill are true. That the said Bill had been read to him: that he lives within one mile of the land asked to be sold and is in possession with it: that it brings in no income whatever and is not enhancing in value and that he believes that it would be best to sell it and invest the proceeds of sale some other way: that he is not yet 21 years old and leaves the matter in the hands of the Court, but cannot respectfully join in the prayer of the Complainants and ask the Court to decree a sale.

Iradell Cahoon Jr

Virginia Nansemond Co; to wit:-

The above answer was this day sworn to before me in the County aforesaid by Iradell Cahoon Jr after the Bill ~~had been~~ had been duly read and explained to him. Given under my hand this 5th day of August 1856.

R H Rawles

Notary Public

The Answer of

Rachel Cochran for

her infant children

of Fourteen years.

The joint and separate answer of Iradell Cohoon jr and Honduras Cohoon, infants under the age of twenty one years, by Peter B Prentis their guardian ad litem assigned to defend them in this suit, to a bill of complaint exhibited against them and others in the Circuit Court of Nansemond County by Iradell Cohoon, Guardian of Iradell Cohoon jr and Honduras Cohoon, infants

These respondents reserving to themselves the benefit of all just exceptions to the said bill, for answer thereto, or so much thereof as they are advised that it is material they should answer, by their guardian ad litem answer and say

That they are infants of tender years, and by reason of their infancy, are incapable of understanding, or of taking care of their rights and interests - They therefore by their said guardian ad litem, commend themselves and their rights and interests to the protection of the Court, and pray that no decree may be pronounced which will tend to their prejudice. And having fully answered, the said respondents pray to be hence dismissed with their reasonable costs in this behalf expended, and they will ever pray &c.

Peter B. Prentis, Gdn ad litem

State of Virginia
County of Nansemond, to wit:

This day Peter B. Prentis personally appeared before me and made oath that the statements contained in the foregoing answer so far as made of his own knowledge are true, and so far as made upon knowledge or information derived from others he believes them to be true. Given under my hand the 2nd day of August. 1886.

C H Cleaves
Notary Public

Iradell Cahoon, Gdn: &c
vs
Answer of Defendants by
Peter B. Breaux. their Gdn
ad litem

Iradell Cahoon, Jr: and
Honduras Cahoon. infants by
&c

The separate answer of Peter B Prentis the Guardian ad litem of Tradell Cohoon and Henderson Cohoon, infants under the age of years, assigned to defend them in this suit, to a bill of complaint exhibited against them and others in the Circuit Court of Nansemond County by Tradell Cohoon Guardian of Tradell Cohoon jr and Henderson Cohoon, infants.

This respondent reserving to himself the benefit of all just exceptions to the said bill, for answer thereto, or so much thereof as he is advised that it is material he should answer, answers and says.

That the said Tradell Cohoon jr and Henderson Cohoon are infants of tender years being now only years of age respectively, and by reason of their infancy they are incapable of understanding or taking care of their rights and interests - He therefore commends the said Tradell Cohoon jr and Henderson Cohoon and their rights and interests to the protection of the Court. and says that no decree may be pronounced which will tend to their prejudice

And having fully answered the said respondent prays to be hence dismissed with his reasonable costs in this behalf expended. - And he will ever pray &c.

Peter B. Prentis. Clerk.

State of Virginia
County of Nansemond, to wit:
This day personally appeared before me and made oath that the statements contained in the foregoing

answer so far as made of his own knowledge are true, and so far as made upon knowledge or information derived from others he believes them to be true.

Given under my hand this 2nd day of August 1886

C. H. Causey
Notary Public

At a Monthly Court held for Jasper County
the 9th. day of June. 1884.

The Court appoint Gradell Cahoon and Saunderus
Cahoon, his children: And thereupon the said Gradell
Cahoon entered into a Bond in the penalty of One
thousand dollars, conditioned according to law with
Thomas L Gilliam his surety therein, who qualified
on oath as to his sufficiency, which said Bond being
acknowledged by the obligors therein, is ordered to be
recorded

A Copy
Teste

Peter B. Prentiss. Clerk

Copy Order of Qualification
of Gradell Coleman, as guar-
dian of Gradell Coleman, Jr. Infant

Ex "A"

To the Hon. Geo. Blow, Judge of the Circuit Court of Nansemond County, Nansemond County to wit:-

Humbly complaining sheweth unto your Honor your Orator Iridell Cahoon, guardian of Iridell Cahoon Jr and Hindmas Cahoon his own infant children, that a few years since he married Annie Moore daughter of Amos Moore deceased, who bore him the two children above mentioned: that his wife Annie Moore received from her father at his death Eleven acres of land near Ebenezer Church in Nansemond County Virginia: that his said wife had no other property either real or personal: that she has since died leaving the two infants Iridell and Hindmas who have no property of a chattel nature whatever, and nothing but this Eleven acres of land: that your Orator qualified as guardian of the said infants on the 9th day of June 1884 in the County Court of Nansemond County, giving bond in the penalty of $1000 with good security, as appears from Exhibit "A" herewith filed. And your orator says that he has now for several years been paying Taxes on the said land, which is very poor and covered only with a second growth pine thicket which has no value.

that the said land lies near the forks of two County roads and has been trespassed on greatly by the public travelling through or across it in order to make near cuts or passes, that it has now no less than seven cart paths across it. And your orator further says that the said land produces nothing and yields no revenue whatever, not even to pay the taxes on it, and hence is in its present state worth absolutely nothing to the infants aforesaid. Your orator therefore as guardian aforesaid under the Statute Law of Virginia believes and charges that the interest of his wards aforesaid will be promoted by a sale of the said land, and files this Bill in Equity stating plainly all the facts connected with the case. In case of the death of both the infants before they arrive at the age of twenty one years, the parties falling heirs to this land named in Wm. A. Moore and John H. Moore, brothers of their deceased Mother and Mary E. Addison the wife of John W. Addison a sister of the same who have all been made parties hereto and duly summoned to answer this Bill, Forasmuch therefore as your orator is remediless in the premises save by the aid of a Court of Equity where matters of this kind are alone and properly cognizable, Your orator prays that Richd Eakin Jr. and Honduras Eakin infants,

Wm A. Moore, John H. Moore, John W. Addison and Mary E. his wife be made parties defendant to this suit and be required to answer the allegations of this Bill on oath, except the two infants defendants, who shall answer by a guardian ad litem appointed by your Hon'rs Court, that such depositions may be taken in the cause as will clearly show independent of any admissions that the interests of the infants will be promoted by a sale of said land: that the said land may be sold according to the laws referred to above, and the proceeds invested for the infants in the manner deemed best to the Court and that such other and further general ~~relief~~ relief may be afford your orator as the case requires or to equity may seem meet and your orator will ever pray &c.

Riddell Cahoon Guardian &c
By Counsel

Virginia
Nansemond County to wit:-
This day personally appeared before me in the County & State aforesaid Riddell Cahoon who made oath that the allegations contained in the said Bill are true.
Given under my hand this 30th day of July 1886.

R. H. Rawles
Notary Public.

Randolph Co

Cahoon qtn vs Cahoon

Bill.

Plaintiff's Co: Co

VALUABLE LAND

For Sale at Auction!

By virtue of a decree of the Circuit court of Nansemond county, entered on the 11th day of October, 1886, in the chancery cause of Iradell Cohoon, guardian, &c., vs. Iradell Cohoon, Jr., et als, the undersigned, special commissioner appointed thereby, will sell at public auction before the Courthouse door of Nansemond county,

On Monday, November 8, 1886,

(that being court day), the following real estate, to wit: A VALUABLE TRACT OF LAND situated in Barrett's Neck, in the Lower Parish of Nansemond county,

NEAR EBENEZER CHURCH,

containing eleven acres, more or less, and being the same land that Iradell Cohoon, Jr., and Honduras Cohoon, two infants, inherited from their deceased mother, Annie Cohoon, formerly Annie Moore.

TERMS.—One-third cash, the balance in six and twelve months, with option to purchaser, after sale, to pay the whole in cash, if he so desire.

R. H. RAWLES, Special Commissioner.

I, PETER B. PRENTIS, Clerk of said court, do hereby certify that the bond required of the Special Commissioner by the decree in said cause has been duly given.

Given under my hand this 13th day of October, 1886.

PETER B. PRENTIS, CLERK.

VALUABLE LAND

For Sale at Auction!

By virtue of a decree of the Circuit court of Nansemond county, entered on the 11th day of October, 1886, in the chancery cause of Iradell Cohoon, guardian, &c., vs. Iradell Cohoon, Jr., et als, the undersigned, special commissioner appointed thereby, will sell at public auction before the Courthouse door of Nansemond county,

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On Monday, November 8, 1886,

(that being court day), the following real estate, to wit: A VALUABLE TRACT OF LAND situated in Barrett's Neck, in the Lower Parish of Nansemond county,

NEAR EBENEZER CHURCH,

containing eleven acres, more or less, and being the same land that Iradell Cohoon, Jr., and Honduras Cohoon, two infants, inherited from their deceased mother, Annie Cohoon, formerly Annie Moore.

TERMS.—One-third cash, the balance in six and twelve months, with option to purchaser, after sale, to pay the whole in cash, if he so desire.

R. H. RAWLES, Special Commissioner.

I, PETER B. PRENTIS, Clerk of said court, do hereby certify that the bond required of the Special Commissioner by the decree in said cause has been duly given.

Given under my hand this 13th day of October, 1886.

PETER B. PRENTIS, CLERK.

VALUABLE LAND
FOR SALE AT AUCTION!

On Monday, November 8, 1886,

NEAR KEENESBURG, COLO.

S. H. PAYNE, Special Commissioner.

Certificate of Purchase to [illegible]
69

$242.60

Suffolk, Va., Nov. 8 1886

Mr. R. H. Rawles, Commissioner,

To Suffolk Herald, Dr.

TERMS:
Transient Advertisements and Subscriptions, Payable in Advance.
Annual Advertisers are Required to Settle Quarterly.
Job Work, Cash on Delivery.

Fine Job Work a Specialty.

To printing 50 Bills — Sale of Gradell Cohoon's land,	$1 25

Rec'd payment.
J. E. Booker,
M. C.

$5.00

Recd of R. H. Rawles Special Commr in the case of Cahoon & Cahoon et als Five dollars for court fee. Nov. 8th 1886.

J. T. Cox Crier

DEPOSITED WITH

FARMERS BANK OF NANSEMOND,

BY

R. H. Rawles & Bro. Comm.

Cahoon vs Cahoon Dec. 19, 1886

as follows:

	Dollars.	Cents
Currency, = = =	110	00
Gold, = = = =		
Silver, = = = =		
Checks and Drafts, = = (ENTER SEPARATELY)		
One hundred & ten & 10/100 Dollars		
W. H. James Jr. Cy		
Total, = = =	110	00

$15.
1.50
16.50

Recd of R. H. Rawles Special Commissioner
the sum of Fifteen dollars my fees in full
to dismissal in the Chancery cause of
Isadell Cabiness Gen'l vs Isadell Cabiness et als
and one dollar and fifty cents mil tax
in same

Peter B. Pruitt Clerk
Nov. 15/86

OFFICE OF RICHARD H. RAWLES,

ATTORNEY AT LAW

COURTS:
NANSEMOND, ISLE OF WIGHT AND SOUTHAMPTON COUNTIES,
AND UNITED STATES DISTRICT COURT
AT NORFOLK, VA.

Suffolk, Va., April 28th 1888.

Recd of R. H. Rawles the sum of Six Hundred and Thirty dollars in full of the whole amount for which the land in the cause of Isadell Cahoon Guardian vs Isadell Cahoon et als, sold for, as per the report filed in this cause.

$630 00/100.

Witness.

J. T. Johnson

Isadell Cahoon
Guardian.

Know All Men by These Presents,

THAT WE, Iradell Cahoon and Thomas D. Gilliam

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of One Thousand (1000) 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 9th day of June in the year one thousand eight hundred and Eighty Four, and in the 108th 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 Iradell Cahoon

who has this day qualified before the County Court of Nansemond County, as the guardian of Iradell Cahoon and Saundurses Cahoon his children

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.

Iradell Cahoon (SEAL.)
T. D. Gilliam (SEAL.)
(SEAL.)
(SEAL.)
(SEAL.)

At a Monthly Court held for Nansemond County, the 9th day of June 1884, this bond was executed and acknowledged in open Court by the obligors to the same, the security justifying, and ordered to be recorded.

Teste:

Peter B. Prentis Clerk
a copy Teste C. H. Causey Jr. DC

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Iradell Cahoon Jr and Honduras Cahoon, infants, under the age of twenty-one years; Mary E. Addison and John W. Addison, her husband; William A. Moore and John H. Moore,

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 August *next to answer a Bill in Chancery, exhibited against them in the said Court by* Iradell Cahoon, Guardian of Iradell Cahoon Jr. and Honduras Cahoon, infants.

and have then and there this Summons. Witness, PETER B. PRENTIS, Clerk of our said Court, at his office, this 27th *day of* July *1886, in the* 111th *year of the Commonwealth.*

Teste: Peter B. Prentis *Clerk.*

Rawles, D.Q.

Iradell Cahoon Guardian
of Iradell Cahoon, Jr. and
Henderson Cahoon, infants

vs } Summons in Ch.

Iradell Cahoon, Jr and Henderson
Cahoon infants, under the age
of twenty-one years &c.

To August Rawles, 1886

Pro. B. No 1
Cir Co

Executed on this day by leaving
with Nathaniel Vs Henry E. Nelson sr.
and Joshua W. Nelson, two grown
white persons of the
and John H. Money each.

John B. Vaughan D.S.F.C.
John T. Fahy Com. Sheff
By Hamilton Court, Va

Virginia:

At Rules in the Clerk's Office of the Circuit Court of Nansemond County, on Monday, the 2nd: day of August, 1886.

Iradell Cahoon, Guardian of Iradell Cahoon Jr. and Honduras Cahoon, infants. . . . Complainants

Against } In Chancery

Iradell Cahoon Jr: and Honduras Cahoon, infants: under the Age of Twenty-one years, Mary E. Addison and John W. Addison, her husband, William A. Moore and John H. Moore Defendants

On the motion of the Complainant, by Counsel, Peter B. Prentis, is appointed guardian ad litem to the infant defendants, 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

1886. August 2nd: I hereby acknowledge service of the foregoing order, and that I have received a copy thereof.

Peter B. Prentis,
Guardian ad litem

Iredell Cahoon Esqr &c

25th Order abstg: pltfs: and Peters

Iredell Cahoon, Jr: & Henderson

Cahoon, Peters, & als

Virginia:

At Rules, in the Clerk's Office of the Circuit Court of Nansemond County, on Monday, the 2nd day of August, 1886

Iradell Cahoon, Guardian of Iradell Cahoon, Jr. and Honduras Cahoon, infants. . . . . Complainants.

against } In Chancery

Iradell Cahoon, Jr. and Honduras Cahoon, infants, under the age of twenty-one years; Mary E. Addison and John W. Addison, her husband; William A. Moore and John H. Moore. . . Defendants.

On the motion of the Complainant, by Counsel, Peter B. Prentis, is appointed guardian ad litem to the infant defendants, in this suit; and it is ordered that the said guardian be notified of his appointment, by service upon him a Copy of this order.

Teste

Peter B. Prentis, Clerk

1886. August 2nd. I hereby acknowledge service of the foregoing order, and that I have received a Copy thereof.

Lohoon v Ethoon

1889
Apl

Know All Men by These Presents, That we, Richard H. Rawles and Charles H. Causey

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of Eight Hundred (800) 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 13th day of October in the year one thousand eight hundred and eighty-six, and in the 111th year of the Commonwealth. The obligors herein hereby waive all benefit of the homestead exemption as to the obligation of this bond, and also waive any claim, right or privilege to discharge any liability arising under said bond in any currency, funds, counter claims or offsets other than legal tender currency of the United States.

THE CONDITION OF THIS OBLIGATION IS SUCH, That if the above bound Richard H. Rawles

who ~~has this day qualified before~~ was by a Decree of the Circuit Court of Nansemond County, pronounced on the 11th day of October 1886, in the Chancery Cause of Isabella Cahoon, guardian of Isabella Cahoon, Jr. &al: Complainants against Isabella Cahoon, Jr. &al: infants, Defendants, appointed a Commissioner to make Sale of certain Real Estate in said Cause described, & shall faithfully discharge his duties as such Commissioner under said Decree and all other Decrees entered 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.

R H Rawles SEAL

C H Causey SEAL

SEAL

Richard H. Rawles

Comm'r:

To

J. S. Bard

Commonwealth

Octo: 13th. 1886

Cahoon Guardian &c

" "

Cahoon et als

Your Commissioner respectfully reports that he has collected the purchase money arising from sale of land as per last report and has paid same over to guardian, and herewith files the guardian's receipt for same and that he has made the purchaser account with the cause as his voucher. And nothing else appearing to be done it is ordered that this cause be removed from the docket.

All of which is respectfully submitted.

R H Rawles

Special Commissioner

Final Report

of

Special Commr.

Cahoon Guardian vs Cahoon et als

The undersigned special commissioner appointed by this court on the 11th day of October 1886 to sell the land in the Bill and proceedings mentioned begs leave to submit the following report:-

That on Monday the 8th day of November 1886, that being court day he put the land up at public auction before the court house door after having given due and legal notice of the sale, having given bond and otherwise complied with the terms of the decree; and the land was sold to Thos. Hayhurst for E. G. ~~Abbott~~ L. Johnson for $630 that being the highest bid which has been paid in full. Your commissioner ask leave of the court to pay over the money due the guardian and to make the usual deed to the purchaser.

Respectfully submitted

R. A. Rawles

Special Comm

Commissioners Rept.

To John W. Addison and Mary E. his wife
Wm A. Moore. John H. Moore and
Isadell Cahoon :-

Take notice that on Saturday the 18th of
September 1886 at my office in Suffolk
I shall take testimony in the case of
Isadell Cahoon Guardian &c vs Isadell Cahoon
&c et als ~~to~~ on the following points :-
1st Whether a sale of the land in the Bill
and proceedings mentioned will promote
the interests of the infant defendants.
2nd The Real Estate of which the said
infants are seized and possessed with
its annual and fee simple values.
3rd Whether they have other property, if so how
much and of what it consists ?
4th Any other matter deemed pertinent.

R H Rawles
Atty for Plaintiff.

Executed by serving a copy of the within on all the within named parties. August 17th 1886.

J. B. Vaughan Dy for
J. L. Terhune Sheff

Notice to take testimony

Aug 19

1

The deposition of James H. Cutlenden
& E. D. Phillips and others taken before
me C. H. Causey a Notary Public in and
for the County of Nansemond in the
State of Virginia, pursuant to notice
hereto annexed at the office of R. H.
Rawles Attorney for the Plaintiff in
the Town of Suffolk on the 18th day
of September 1882 between the
hours of 9 A.M. and 6 P.M. to be
read as evidence on behalf of Isabel
Cahoon Guardian in a certain Suit
in Equity depending in the Circuit
Court of Nansemond County wherein
Isabel Cahoon Guardian is plaintiffs and
John W. Addison and Mary E. his wife,
Wm A. Moore, John H. Moore and
Isabel Cahoon are defendants.

Present

R. H. Rawles Esq Attorney for
Plaintiff. Peter B. Prentis Esq. Eden and Talcott
for the infant defendants.

James H. Cutlenden being duly sworn
deposeth and saith as follows

1st Q. What is your age name & occupation
Ans James H. Cutlenden 57 years of age and by
occupation a merchant

2 Q. Where do you reside and where have you lived the most of the time since you moved to the county

Ans I now reside in Suffolk, but for thirty two years I lived in Bennetts Neck

3 Q. Do you know the parties to this suit

Ans I know them all

4 Q. Have you ever been a practicing farmer

Ans Yes — for twenty seven (27) years

5 Q. Are you acquainted with the land (11 acres) in the bill mentioned and if so how long have you known it —

Ans Yes I have known it — for about thirty five (35) years

6 Q. Have you heard the bill in this cause read

Ans Yes I have just heard it — this morning

7 Q. Now it — in your opinion correctly state the facts

Ans It does

8 Q. Does the land in question now yield any revenue

Ans. Not that I know of

9 Q. Do you think that the interest of the infants to whom it belongs would be promoted by a sale of the land and a judicious investment of the

Proceeds

Ans I do -

10-2 Would it be better to sell the land then
To let it remain in its present condition provided a fair and honest
price could be had for it -?

Ans Yes I think it would. It is doing no good
now and has not done any for them

11

11-2. Is the land being trespassed on by the
public

Ans It is thru on many roads and by-
paths crossing it - in different ways
the land being wholly unenclosed.

And further this deponent saith not -

Jas. H. Entwistle

Dr. Edward D. Phillips being duly sworn
deposeth and saith as follows

1st 2- What is your name age occupation
and where do you reside

Edward D. Phillips - fifty six years old
a practicing physician and now reside
in Suffolk

2d 2. Have you ever resided near the land
in the bill mentioned

Ans I - for twenty-five years

2. Have you ever been a practical farmer

Ans I have

Q. 2. Are you well acquainted with the land

Ans Yes I have known it - for thirty-Six years and treated patients who lived on it -

Q 2. Have you heard the bill in this case read

Ans I have

Q 2. Does it correctly state the facts

Ans Yes fully

Q 2. Does the land now yield any revenue ~~& has not since I have~~

Ans It does not, and has not for thirty years

Q 2. Do you think the interest of the infant defendants would be promoted by a wise and judicious sale and a proper investment of the proceeds

Ans I do - as the land is now worth nothing in the way of revenue

Q 2. Would it - better to sell the land at a fair price than to let it remain as it - now is

Ans Yes

Q 2 Is the land being trespassed on by the public

Ans Yes - And I would advise a sale

of the land as I have known it for
thirty-six years and have never heard
of it yielding any revenue
And further this deponent saith
not.

E. D. Phillips

John W. Kay having been duly sworn
deposeth and saith as follows
Q. 1. What is your name, age, occupation
and residence
A. John W. Kay, thirty-eight years old;
a merchant and resides in Barnett
Beach near the Bohoon Island
Q. 2. Do you know the property described
I do: it produces nothing and
therefore yields no revenue and
as it is being trespassed on
it would be better to sell it
and I think the infants interest
would be benefitted by a
sale of the land
And further this deponent saith not

John Kay

Indeed Bohoon, having been duly
sworn deposeth and saith as follows
having heard the testimony of the
other witnesses acquiesces fully in

their statements and say they fully and correctly state the facts and as guardian recommend the sale of the land as beneficial to the interest of the infant defendants

And further this deponent saith not

Isabella Carter

The foregoing depositions were taken and subscribed before me before the persons, at the place and between the parties named in the foregoing caption

E. H. Causey Comr
in Chancery Cir. Ct.
Hancock Co.

To the Honorable Judge of the Cir. Ct. for said County -

Your Commissioner reports that from the statements of all the deponents whose testimony is given above there can be no doubt as to the propriety of a Sale of the land in the Bill, and proceedings mentioned. And other facts sustain the statements of the witnesses

Your Commissioner is therefore constrained to report that if a fair price

Can be obtained for said land it will be to the interest of the parties to have the same sold
In the decree of this Honorable Court
Given under my hand this 20th
day of September 1886

C. H. Causey
Comm'r in Chancery
Gm Ct. Hancock Co.

Commr fee $10.00

Isadell Cahoon & Edw. R. Cahoon

vs

In Chancery

Isadell Cahoon Jr. et al

Comm's Report

1886. Septr. 20th. Filed

I hereby certify that when I sold the Cahoon Land I was instructed to state by the ~~H~~ Special Commissioner R. H. Rankes that the land had neither house or timber on it and that I so stated publicly before sale. Aug 8th 1886.

J. W. Cox Crier

Know all men by these presents that
I. J. T. Johnson do hereby agree to
sign an official bond for Mr.
Rachel Eatmon Guardian in the case
of Rachel Eatmon Guardian vs Rachel
Eatmon heirs in the Chancery Court
of Hammond County, provided
he will also give Mr. T. D. Gilliam
or some other good man on said
bond as surety, for the nominal
sum of $800. I do this in consider-
ation of the fact that R. H. Rawls
Special Commissioner this day settles
with Mr. Rachel Eatmon. Witness my
hand and seal this 28th of April
1888.

J. T. Johnson Seal