1896-003
Nansemond Co (Suffolk) Chancery Causes: Moses Darden vs Elizabeth Darden et al

To the Clerk of the Cir. Ct. Of Nansemond Co. Va.

Moses Darden

vs.

Elizabeth Darden; James E. Holland administrator of Robert Riddick Darden deceased; and A.H. Baker sheriff and administrator of Pattie Darden deceased: Summon in chancery ; To Ist September Rules 1893

W.S. Holland p/q.

Mr. Comer,

Please find enclosed my check to pay tax. Please refer to records of Co Ct. and see if I have the correct name of the administrator of Riddick Darden. My client says Ned. Holland is all the name he knows. I know the man personally but do not know his initials. Please let me know his name on the enclosed card so I may get my bill correct in that respect.

Tax $1.50 paid

Yours Truly

W.S. Holland

Moses Darden
vs
Elizabeth Darden
and others.

J. E. HOLLAND & BROTHER,

(SUCCESSORS TO J. E. HOLLAND),

Dealers in Groceries, Hardware, Farm Implements,

BUGGIES, CARTS, WAGONS AND HARNESS.

Repair Work Promptly Done at Lowest Prices.

Holland, Va., march 19 1894

amount of acount sales of
R R. Darden chattle Propy
$91.41

amount of Depts against
the Eastate $46.64

I have Paid out $9.12

Balance cash on hand
42.29

J. E. Holland adm

91 41
9 12
42 29

List of Taxes

W. Duffy, Deceased Estate

1882	$ 1.26
1883	1.19
1884	1.43
1885	1.44
1886	1.48
1887	1.56
1888	1.56
1889	1.51
1890	1.44
1891	1.44
1892	1.44
	$ 15.74

15
3
4 (4 1
11.25

EARLY SETTLEMENTS REQUESTED.

Holland, Va., Mar. 6th 1894

Miss Pattie Darden Dec.

To Dr. Job G. Holland, Dr.

Last illness

For	Medical attendance	
to self	from Sept. 24th	
1890	to Nov. 3rd. 1890.	$26 00
Dec. 20	Cr. By 5 Gal. Wine	5 00

Paid

State of Va. County of Stafford
This day, Dr. J. G. Holland came
personally before me and made
oath to the correctness of
the ~~above~~ acct hereto annexed
Given under my hand
this 7th day of March 1894.

Wm. T. Holland
Notary Public

Dr

Miss Pattie Darden Dec
To. Miss Elizebeth Darden for
nursing prior to death- from
Aug. 26th to Nov. 9th 1891. @
$12.00 per month. $.36.00

March 3rd 1894. This day Elizab
eth Came personally before me and made
oath to the correctness of the above acct.
Given under my hand the day and date
Wm. T. Hocaday N Pub
public for Nans Co Va

Holland, Va., March 9th 1894

Miss Pattie Darden Dec —

To S. W. HOLLAND, Dr.

Undertaker and Dealer in Furniture.

Nov 16th 1891	To one coffin for Self	$15.00

March 9th 1894, This day Sol. W. Holland Came personally before me and made affirmation to the Correctness of the above acct. of fifteen dollars

Given under my hand this day and date above written.

Wm. T. Holland
Notary Public for
Nans Caudy Va

Acts
vs
Pattie Hooker

E. Rawls Adm for
Tennyt of Mann a
Daughtry admrs
of E. R. Daughtry
vs
Moses Darden
Judgment for
$113 52 cents from
Jany 5, 1861 & costs
$7 60.
Dunkerton Apl
Dec 5, 1877 Ri Court

Moses Darden
W. J. M. Chauncey
Elizabeth Darden & others
Costs

A. P. Gomer Clerk	6.69
A. J. Baker Sheriff	2.00
Tax	1.50
Attorney	15.00
	25.19
Lee Britt, Coun.	12.50
J. E. Booker, printer	2.00
	39.69

Casts

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Elizabeth Darden James E Holland Administrator of Robert Riddick Darden deceased; and A.T. Baker Sheriff and administrator of Pattie Darden deceased

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 1893, to answer a Bill in Chancery, exhibited against them in the said Court by Moses Darden

and have then and there this summons.

WITNESS, A. P. GOMER, Clerk of our said Court, at his office, this 22nd day of August 1893, in the 118th year of the Commonwealth.

Teste:

A. P. Gomer Clerk.

Executed This 8th day of Aug 1893 by
the Sheriff of Nansemond County
Returning a True Copy
Teste
W. T. Wright D.C.
By A. B. Holland D.C.

Executed This 8th day of Aug 1893 by
the Sheriff of Nansemond County
Returning a True Copy
Teste
W. T. Wright D.C.
By A. B. Holland D.C.

W. S. Holland p.q.

Moses Darden
vs
In Chancery
Elizabeth Darden,
James E. Holland
Admr. & others

1893
September Rules
First Monday

Nansemond
Circuit Court
Process Book
No 2 Page 84.

Know All Men by These Presents, That we Wilbur J Kilby and Maggie P Kilby

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of Three hundred DOLLARS, to the payment whereof, well and truly to be made to the said Commonwealth, we bind ourselves, and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

And we waive the benefit of our exempton as to this obligation, and also waive any claim or right to discharge any liability to the said Commonwealth arising under this bond, or by virtue of the office, post or trust herein mentioned, with coupons detached from bonds of said Commonwealth.

Sealed with our seals, and dated this 18th day of April in the year of our Lord one thousand eight hundred and ninety-four, and in the 118th year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas by a decree of the Circuit Court of Nansemond County Virginia, pronounced on the 11th day of April 1894 in the Chancery cause pending in said Court between Moses Darden Complainant and Elizabeth Darden and others, Defendants it was decreed that the interest of Pattie Darden, Moses Darden and Robert Riddick Darden in the real estate mentioned and described in the papers in said cause be sold and the said Wilbur J Kilby was appointed Special Commissioner to sell the same: Now therefore if the said Wilbur J Kilby shall faithfully discharge his duties as Special Commissioner aforesaid under said decree and all other decrees he may be required to execute in said cause then the above obligation is to be void: otherwise it is to remain in full force and virtue.

Wilbur J Kilby SEAL

M P Kilby SEAL

SEAL

SEAL

SEAL

In the office of the Clerk of the Circuit Court of Nansemond County, on the 18th day of April 1894

The above bond was executed and acknowledged by the obligors (the surety ---justifying on oath as to Yes sufficiency) and recorded.

Teste:

A Copy Teste: A P Gomey Clerk

A P Gomey CLERK.

Wilbur J Killy
Pd Spec Com Bond
The Commonwealth

1894
April 18th

A copy

Recorded in Circuit
Court Bond Book
No 1 Page 71

Moses Darden Jr Elizabeth
Darden

Received of Hilbert
J. Kilby, special Comr.
fifteen cents being
4 per cent dividend
on my claim for
$3.67 against Rob.
Reddick Dorsey

Job G. Holland.

THE GLOBE LEGAL WRAPPER. Patented
DIRECTIONS.—Elevate the metal points—attach the manuscript—then bend the points down flat—damped

All Available Text Successfully Captured

POSTAL CARD - ONE CENT.

nited States of America.

THIS SIDE IS FOR THE ADDRESS ONLY.

MAR
16
1896

Judge H. A. Hilby
Suffolk, Va.

All Available Text Successfully Captured

1896 March 26, Received of Wilbur J. Kilby, Special Comr. one and 09/100 dollars being four per cent dividend on our claim against Rob. Riddick Darden for $27.28.

P. H. Leary Jr

1896 March 19th Received of
Wilbur J. Silby. Special Comr.
Two and 30/100 dollars being
four per cent dividend on the
claim of Patapsco Guano Co.
for $57.65 against Rob. Rid-
dick Darden.

A. V. Ely

Received of Wilbur J. Kilby Special Comr. forty-one cents. being four per cent of my claim for $10.22 against Rob. Riddick Darden.

Witness:

her
Martha x Barnes
mark

witness E G Powell

THE GLOBE LEGAL WRAPPER. Patented Feb. 11, 1890. First Quality

DIRECTIONS.—Elevate the metal points—attach the manuscript—then bend the points down flat—dampen the gummed flap and stick it down—this fastens the papers and hides the metal.

[illegible] Sheriff, Collector of Wilkinson County, Miss.

No. 1078 No. of Acres 20	State Tax, 30c. on $100.	State School Tax, 10c. on $100.	County Levy, 20c. on $100.	Parish Levy 5c. on $100	County School Tax, 5c. on $100.	District School Tax, 5c. on $100.	County Road Tax, 10c. on $100.	Total Amount of Taxes.
To Real Estate, value $ 150	45	15	30	8	8	8	15	1 29
" Personal Property, value $								
" Income, &c., value $								
" Poll Taxes								
Total								
5 per cent. additional								07
Total								1 36

Jan 31/95 Received Payment. [illegible] H. E. Smith, Treasurer.

All Available Text Successfully Captured

Received of Wilbur J. Kilby Special Coun. Seventeen and 75/100 dollars in full of my bill for coffin furnished for burial of Pattie Darden, to wit $15.00 and interest thereon.
$17.75.

Lw. Holland.

Rec'd of Wiebur J Kirby Special Commissioner in Chancery Cause of Moses Harden vs Elizabeth Harden Walters the sum of Twelve & 50/100 Dollars for making up the report filed in said cause. filed March 31, 1894

Jany 26, 1895

Lee Britt
Commissioner in Chancery

Received of Wilbur J. Kilby, Six-
teen and 50/100 dollars in full
of fee and writ tax in the
Chancery cause of Moses Darden
against Elizabeth Darden & als.
in the Circuit Court of Jonesmond
County.
$16.50

W. S. Holland

TRANSIENT ADVERTISEMENTS and SUBSCRIPTIONS PAYABLE in *Advance*.
ANNUAL ADVERTISERS Required to Settle *Quarterly*.
JOB WORK, *Cash on Delivery*.

Suffolk, Va., Jan 26 1895

THE SUFFOLK HERALD

BOOK AND JOB PRINTING ESTABLISHMENT

J. E. BOOKER, Proprietor

1894 **Printed for** W. J. Kilby & Co Lessee

Apl 20 To Printing 50 Bills
Notice of Sale of
Emy Darden Land $ 1.25

Rec'd Payment
J. E. Booker

TRANSIENT ADVERTISEMENTS and SUBSCRIPTIONS PAYABLE in *Advance.*
ANNUAL ADVERTISERS Required to Settle *Quarterly.*
JOB WORK, *Cash on Delivery.*

Suffolk, Va., Jan 26 1895

THE SUFFOLK HERALD

BOOK AND JOB PRINTING ESTABLISHMENT

J. E. BOOKER, Proprietor

Printed for Lee Bottle Comr in Chancy

1894

Mar 4 To Publ Notice to Cred of Patten Darden in Chancy Suit of Mary Darden Vs Elizabeth Darden et als ... 2 00

Rec'd Payment
J E Booker

To the Circuit Court of the County of Nansemond:

In pursuance of the decree of the Circuit Court of the County of Nansemond, Virginia, pronounced on the 12th day of October 1894 in the Chancery cause pending in said Court between Moses Darden, Complainant, and Elizabeth Darden and others, Defendants, the undersigned, Wilbur J. Killy, Special Commissioner, respectfully reports to Court that as directed by said decree he has received of Elizabeth Darden the sum of one hundred and twenty dollars due by her for the real estate purchased by her as stated in said decree and made a deed with Special warranty in the usual form conveying said real estate to her; that out of said sum of money he has first paid in full all the costs of said cause and the expenses of the sale mentioned in said decree; and that he has paid out and distributed the remainder of said money in the manner specified in said decree, as

the following Statement and annexed Vouchers will show, to wit:

Statement.

By Cash received as above-stated			$ 120	00
" Interest collected			4	80
To paid Wm. S. Holland, Atty. for the Plaintiff, taxed fee and State tax.	16	50		
" " A. P. Joyner, Clerk's fees.	6	69		
" " Alex. H. Baker, Shff. fees.	2	00		
" " Lee Britt, Comr. in Chy. his fee	12	50		
" " Wilbur J. Kilby for Wm. S. Holland. the fee allowed the latter by decree in said Cause dated 11 April 1894.	15	00		
" " J. E. Booker for printing the notices of sale of said real estate	1	25		
" " Geo. T. Parker, Crier. for services at said sale.	3	00		
" " H. E. Smith, Treas. State and County taxes on said real estate for 1894	1	36		
" " J. E. Booker for publishing Comr. Lee Britt's notice in the "Suffolk Herald"	2	00		
" " Wilbur J. Kilby, Atty. for writing deed conveying said real estate to the purchaser thereof.	5	00		
" 5 per cent Commissions on $124.80	6	25		
" Amount to Balance	53	25		
	124	80	124	80

By Balance brought on.			53	25
To 1/3 due Moses Darden.	17	75		
" 1/3 due Rob. Riddick Darden.	17	75		
" 1/3 due Pattie Darden.	17	75		
	53	25	53	25

Distributee Accounts.

I

By Amount due Moses Darden brought on from above.			17	75
To paid Wilbur J. Kilby, Atty. for Mary A. Daughtrey, Admx. of E. R. Daughtrey in part of the judgment in her favor for $113.52 against said Moses Darden, as per said decree.	17	75		
	17	75	17	75

II

By Amount due Pattie Darden brought on from above.			17	75
To paid Sol. W. Holland in full of bill for coffin furnished for burial of said Pattie Darden and interest thereon, as follows:				
Principal $15.00				
Interest in part. 2.75	17	75		
	17	75	17	75

By Amount due Rob. Riddick Darden brought on from above.				17	75
To paid the creditors of Rob. Riddick Darden 4 per cent of their claims as follows:					
To P. H. Lee & Son 4 per cent of	$27.28	1	09		
" M. H. Holland Co. " of	37.48	1	50		
" Patapsco Guano Co. " "	57.65	2	30		
" J. T. Holland " "	84.30	3	37		
" Same " "	15.26		61		
" Same " "	30.55	1	22		
" Martha Barnes " "	10.22		41		
" Elizabeth Darden " "	17.03		68		
" Dr. J. G. Holland " "	3.67		15		
" M. H. Holland Co. " "	78.98	3	16		
" Same " "	31.95	1	28		
" Same " "	4.81		19		
" J. T. Holland Co. " "	9.75		39		
" Same " "	35.00	1	40		
	443.93	17	75	17	75

Respectfully submitted this 28th. day of March 1896.

Wilbur J. Kilby.
Speciel Comr.

Received of Wilbur J. Kilby, Special 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, for W. S. Holland.	$15.00
Wilbur J. Kilby. Atty.	$5.00
Wilbur J. Kilby. Atty. for Mary A. Daughtrey, Admx. etc.	$17.75
Wilbur J. Kilby, Atty. for Eliz. Darden.	.68¢
A P Gomer, Clerk,	$6.69
A S Baker, Sheriff	$2.08
G T Carter, Crier	3.00
Chas. H. Barnes for D. T. Holland & Co.	$1.40 & .39¢

Wilbur J. Kilby atty. for M. N. Holland & Co. $1.50 $3.16 $1.28 $\frac{19}{100}$ = $6.13

Wilbur J. Kilby, atty. for Z. T. Holland $3.37 $\frac{61}{100}$ $1.22 = $5.20

Moses Darden

vs. } In Chy.

Darden & als.

Report of collections and disbursements under decree of 12 Octo. 1894

Confirmed 15 April 1896

1896 March 31st Filed
A. D. Gomey Clerk

/

THE GLOBE LEGAL WRAPPER. Patented Feb. 11, 1890. First Quality.
DIRECTIONS.—Elevate the metal points—attach the manuscript—then bend the points down flat—dampen the gummed flap and stick it down—this fastens the papers and hides the metal.

To Moses Darden, Complainant

and Elizabeth Darden, James E. Holland, administrator of Robert Riddick Darden deceased and A. H. Baker, Sheriff and administrator of Pattie Darden deceased Defendants

You are hereby notified that on the 31st day of March 1896 at my office, in Suffolk, Va., (at which time and place you are required to attend), I shall take, state and settle the following account which ~~is are~~ to be taken, stated and settled and reported to Court in pursuance of the decree of the Circuit Court of Nansemond County, Va., rendered the 12th, day of October 1894 in the suit in chancery pending in said Court to which you are parties plaintiff and defendants, to wit:

A further account of the transactions of said James E. Holland, administrator of the estate of Robert Riddick Darden deceased.

Given under my hand, as Commissioner in Chancery of said Court, this 2nd, day of March 1896

John B. Sinnott
~~WILBUR J. KILBY~~,
Commissioner in Chancery.

Sufficient and legal service of this notice is hereby accepted and acknowledged by me this 2nd. day of March 1896

James. E. Holland

Admr of Rob Reddick Darden

To the Circuit Court of the
County of Nansemond:

In pursuance of the decree
of the Circuit Court of the County
of Nansemond, in the State of Vir-
ginia, pronounced on the 12th. day
of October 1894 in the Cause in
Chancery in said Court depend-
ing between Moses Darden, Com-
plainant and Elizabeth Darden
and others, Defendants, the un-
dersigned, John B. Pinner, one of
the Commissioners in Chancery of
said Court, respectfully reports to
Court as follows;

That after the papers in said
cause had been referred to him
Your Commissioner gave notice
~~as required by said decree~~ that
he would proceed on this 31st.
day of March 1896 at his office
in Suffolk, Virginia to take, state,
settle and report to court the ac-
count required by said decree to
be taken, stated, settled and so
reported; that said notice was
issued on the second day of March
1896; that sufficient and legal
service of said notice was duly
accepted and acknowledged by James
E. Holland the administrator of the
estate of Robert Riddick Darden de-

ceased (the only party to said cause upon whom said decree directed notice to be served), as will appear by the endorsation on said notice herewith returned; and that the proceedings before Your Commissioner have been completed with the following result, to wit:

A further account of the transactions of said James E. Holland administrator of the estate of Robert Riddick Darden deceased,

Dr. The Estate of Robert Riddick Darden deceased.

In Account with James E. Holland Administrator.

					Cr.	
1892						
July 1	By Balance due the estate brought on from last account.				39	72
1896 Mar. 1	" Interest on $39.72 from 1 July 1892 to this date.				8	75
	To Cash paid the creditors of said Robert Riddick Darden 10 per cent of their claims as follows:					
9	To P. H. Lee & Son 10 per cent of	$27.28	2	73		
	" Z. T. Holland " " "	84.30	8	43		
	" Same " " "	15.26	1	53		
	" Same " " "	30.55	3	05		
10	" Martha Barnes " " "	10.22	1	02		
	carried on	$167.61	16	76	48	47

1896							
Mar. 10	Brought on	167.61	16	76	48	47	
	To Wilbur J. Kilby, atty. for Elizabeth Darden 10 per cent of	17.03	1	70			
	" J. F. Eley for Patapsco Guano Co. ditto of	57.65	5	75			
11	" M. H. Holland Co. ditto of	37.48	3	75			
	" Same " of	78.98	7	90			
	" Same " of	31.95	3	20			
	" Same " of	4.81		48			
	" Job G. Holland " of	3.67		37			
	" Thos. H. Barnes for S. T. Holland Co. ditto of	9.75		98			
	" Same " "	35.00	3	50			
	" paid Wilbur J. Kilby, atty. for services rendered the Admin= istrator, per rec't.		1	58			
21	" " John B. Pinner, Comr. for audit= ing this account and making report thereof to court, per rec't.		2	50			
		443.93	48	47	48	47	

Respectfully submitted this 31st. day of March 1896

John B. Pinner
Commissioner in Chancery

Moses Darden

vs. } In Chy.

Darden & als

Report under decree
of 12 Octo. 1894 of fur=
ther Account of trans=
actions of Jas. E. Holland
Admr. of Rob. R. Darden
Confirmed 15 April 1896

1896 March 31st Filed

A P Gomon Clerk

COMMISSIONER'S SALE
OF
Land in Holy Neck Magisterial District!

By authority of a decree of the Circuit Court of Nansemond county, Va., pronounced on the 11th day of April, 1894, in the chancery cause pending in said court between Moses Darden, complainant, and Elizabeth Darden and others, defendants, I shall offer for sale by public auction, to the highest bidder, before the Courthouse door of said county, on County Court day,

MONDAY, MAY 14, '94,

all the undivided ~~three fourths~~ fee-simple interests of Moses Darden, Pattie Darden and Robert Riddick Darden and of all other persons except the interest of Elizabeth Darden in all that certain tract or parcel of land which formerly belonged to Benjamin Darden and upon which Elizabeth Darden now lives, situated near Holland, in Holy Neck Magisterial district, in said county, containing thirty acres, more or less, and bounded by the lands of Jasper Daughtrey, Robert C. Daughtrey, Dr. Thomas H. Barnes, Jesse Vaughan and others.

TERMS OF SALE.—Enough of the purchase-money is to be paid in cash to cover the costs of said cause and the expenses of the sale, and the remainder at the end of six months, with interest from the day of sale; the purchaser to execute a bond in evidence of the deferred payment with good personal security, and the title to the said interests in said land to be retained until the further order of Court.

WILBUR J. KILBY, Special Commissioner.

GEORGE T. PARKER, CRIER. APRIL 18, 1894.

I, Azra P. Gomer, Clerk of the Circuit Court of Nansemond county, Va., do certify that the bond required of Wilbur J. Kilby as special commissioner under the decree of said Court made on the 11th day of April, 1894, in the chancery cause pending in said court between Moses Darden, complainant, and Elizabeth Darden and others, defendants, has been executed with security deemed sufficient by me.

Given under my hand this 18th day of April, 1894. A. P. GOMER, Clerk.

Sold to Miss Elizabeth Darden for $120.00

I Azra P. Gomer, Clerk of the Circuit Court of Nansemond County Va. do certify that the bond required of Wilbur J. Kilby, as special Commissioner under the decree of said Court made on the 11th. day of April 1894 in the chancery cause pending in said court between Moses Darden, complainant, and Elizabeth Darden and others, defendants, has been executed with security deemed sufficient by me.

Given under my hand this 18th. day of April 1894.

A P Gomer Clerk

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

In pursuance of the decree of the Circuit Court of the County of Nansemond in the State of Virginia, pronounced on the 11th. day of April 1894 in the Cause in Chancery in said Court depending between Moses Darden, Complainant, and James E. Holland, administrator of the estate of Robert Riddick Darden, Elizabeth Darden and others, defendants, the undersigned, Wilbur J. Kilby, Special Commissioner appointed for the purposes specified in said decree, respectfully reports to Court as follows:

That, as directed by said decree, he has sold ~~the undivided fee-simple~~ all the interests ~~(the same being the undivided three-fourths interest)~~ of Moses Darden, Pattie Darden and Robert Riddick Darden and of all other persons, except the interest of Elizabeth Darden, in the real estate mentioned and described in the papers in said cause and that the sale was made by public auction before the courthouse door of said County on County-Court day, Monday, the 14th. day of May 1894 on the terms and conditions and in the manner directed by

said decree:

That the said interests in said real estate were purchased by Elizabeth Darden as the highest bidder for the sum of one hundred and twenty (120) dollars;

That instead of complying with the terms of said sale, the said Elizabeth Darden proposes and is prepared to pay the said sum of one hundred and twenty dollars in cash upon the execution and delivery to her of a deed conveying said interests to her;

That before proceeding to make said sale your commissioner gave notice of the time, place and terms of the sale by printed notices, posted several weeks in the neighborhood of said real estate, at the courthouse door, and at several public places in said County, and executed before ~~before~~ the Clerk of said Circuit Court the bond required of him by said decree and obtained of said clerk, a certificate of the due execution of said bond and appended a copy of said certificate to the advertisement of the sale.

A copy of said bond has been filed with the papers in said cause and a copy of said advertisement is herewith returned.

The said certificate is also herewith returned.

Respectfully submitted this 31st. day of August 1894.

Wilbur J. Kilby,
Special Comr.

Moses Darden

vs. } In Chy.

Elizabeth Darden & als.

Report of sale of real estate under decree of 11th. Apl. 1894

Confirmed 12 Octo. 1894

1894 August 31st Filed
A P Gorney Clerk

THE GLOBE LABEL & WRAPPER. Patented Feb. 11, 1890. SIZE 10x4.
DIRECTIONS.—Elevate the metal points—attach the manuscript—then bend the points down flat—dampen the gummed flap and stick it down—this fastens the papers and hides the metal.

Moses Darden

VS In Chancery.

Elizabeth Darden et als.

To the Honorable C.W.Hill, Judge of the Circuit Court of the County of Nansemond:-

Pursuant to decree made in this cause on the IIth day of October I893, upon reference to me as one of the Commissioners in Chancery of said Court, and after and in accordance with due notice to parties, which notice is herewith returned, I proceeded on the I4th day of March I894, and on subsequent days by adjournment, to make the inquiries and examination, and to state the accounts and matters, required by said decree, and now report to the Court as follows:-

(I) "Whether, or not, the tract of land in the bill and proceedings mentioned can be partitioned in kind among the parties entitled."

Your Commissioner is advised by the witnesses who have testified before him that the said land is divisible in kind, but that a division into more than two parts will be greatly against the interests of those entitled thereto, ~~and in view of said testimony he is of the opinion that the said land can be advantageously divided into two parts~~, and that the interests of the heirs, ~~because~~, in such two parts can be sold to better advantage, ~~of such interests, equally as well as~~ than in any other way.

(2) "Enquire if there is any lien on the interest of any party".

Your Commissioner is advised that ~~that~~ the judgment docket of the County Court of the County of Nansemond shows ~~thereupon~~ a judgment in favor of E.Rawls&Co.for benefit of Mary A.Daughtrey Adm'r of E.R.Daughtrey,deceased, vs Moses Darden,plaintiff in this cause ,for the sum of $II3.52,with interest thereon from the 5th day of January I86I till paid and $7.60 costs, which judgment was docketed on the 25th day of April I877,and that the same is a subsisting lien on the interest of the said Moses Darden in the land mentioned in the bill in this cause.He is not informed of any other specific liens on the interests of the parties , but ~~there~~ there are debts due by some of the said parties, to which reference is hereinafter made.

(3) "An account of the debts against the estate of Pattie Darden,deceased."

The debts which have been proven before your Commissioner against the estate of said Pattie Darden,deceased, with their priorities and degrees are as follows:-

Ist Class-Account in favor of S.W.Holland for ~~the sum of~~ Coffin, ... $I5.00

with interest from Nov.I6,I89I, ~~for coffin~~.

2nd Class-Account in favor of Dr.J.C.Holland

for ~~the sum of~~ medical attendance = 2I.00

with interest from Dec.20,I890, ~~for medical attendance~~.

3rd Class-Account in favor of Miss Elizabeth

Darden for the sum of 36.00

with interest from Jany I,I892,for nursing said Pattie Darden in her last illness.

All Available Text Successfully Captured

(4) whether, or not, the said Robert Riddick died seized of any personal estate, and, if so, then to take an account of the doings and transactions of her administrator. "Your Commissioner is informed that the said Pattie Darden, deceased, did not leave any personal estate.

(5) "Enquire and report the annual and fee simple value of the said land."

From the testimony before him your Commissioner is advised that the fee simple value of the said land is estimated to be $200.00, and the annual value thereof to be about $20.00.

(6) "Any matter deemed pertinent by the Commissioner, or any party in interest."

The decree of reference is silent on the subject but the bill in this cause contemplates the taking and reporting of an account of the doings and transactions of the administrator of Robert Riddick, Robert Riddick deceased, in view of which your Commissioner deems it proper to state that in response to summons from him James E. Holland, administrator of the estate of said Robert Riddick Darden, deceased, appeared before him and made a report thereof as follows, to wit:-

+ Dr. The Estate of Robert Riddick Darden, deceased,

In Acc't with James E. Holland, administrator. Cr.

1891

Dec. 14. The administrator qualified.

-over-

	Dec.26.	By amount of proceeds of sale of the chattel estate of the deceased, as per account of sales returned.			$91.41
	To	amount paid	W.D.Holland, appraiser	$1.00	
	"	"	S.R.B.Howell, "	" 1.00	
	"	"	R.C.Daughtrey, "	" 1.00	
	"	"	W.T.Holland, N.P., for swearing appraisers	.75	
	"	"	R.R.Smith, clerk, his fees and State tax on qualification, per recpt	2.50	
Dec	28 "	"	S.W.Holland&Co. for coffin, per recpt	15.00	
1892					
Feb.	23 "	"	"Rawls, Holland&Co. for burial clothing for deceased, per receipt	2.87	
Mar.	16 "	"	"W.H.Darden, wages for saving the crops of deceased per receipt	3.00	
	"	"	"Dr. Job G.Holland, for professional services and medicine during the last illness of deceased per receipt	10.00	
July	1 "	"	"Cash retained to pay the Clerk of Court for ~~recording acct of sales and inventory and appraisement, and~~ copying and recording this account and future costs.	10.00	
			5 per cent commissions on $91.41	4.57	
			Amount to balance	39.72	
				$91.41	$91.41
1892 July	1,	By balance due the estate brought on bearing interest from July 1, 1892.			$39.72

Darden, deceased, or his estate, according to their priorities and dignities.

Your Commissioner reports the following debts as of the fifth class and same dignity:-

I	To P.H.Lee&Son, a bond for	$20.74	
	Interest from Jan.I, I889 to April I, I894, 5 y.3m.	6.54	$27.28
2	To M.H.Holland&Co, a neg.note for	3I.83	
	Interest from April I7, I89I to April I, I894, 2y.II m.I4 days	5.65	37.48
3	To Patapsco Guano Co., a promissory note for	47.84	
	Interest from Nov.I, I890 to April I, I894, 3 y. 5 m.	9.8I	57.65
4	To Z.T.Holland, a bond for	52.27	
	Interest from Jan.I5, I884 to April I, I894, IOy.2m.I6days.	32.03	84.30
5	To Z.T.Holland, a bond for	I3.00	
	Interest from May 7, I89I to April I, I894, 2y.IOm.24days.	2.26	I5.26.
6	To Z.T.Holland, an account for	26.92	
	Interest from Jan.I, I892 to April I, I894, 2y.3m.	3.63	30.55
7	To Martha Barnes, an account for	9.00	
	Interest from Jan.I, I892 to April I, I894, 2y.3m.	I.22	I0.22
8	To Elizabeth Darden, an account for	I5.00	
	Interest from Jan.I, I892 to April I, I894, 2y.3m.	2.03	I7.03
9	To Dr.J.G.Holland, an account for	3.00	
	Interest from July I, I890 to April I, I894, 3y.9m.	..67	3.67
I0	To M.H.Holland&Co., a note for	58.29	
	Interest from April 28, I888 to April I, I894, 5y.IIm.3days.	20.69	78.98
	To amount carried forward.		$362.42

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	To amount brought forward		$362.42
II	To M.H.Holland&Co.,an account for Interest from July I,I89I to April I,I894,2y.9m.	27.43 4.52	3I.95
I2	To H.H.Holland&Co.,a note for Interest from Jan.I,I888 to April I,I894,6y.3m.	3.50 I.3I	4.8I
	making a total of		$399.I8

A retail store account in favor of P.H.Lee&Son for $5.II due in I889,and an account in favor of H.H.Holland,Sr.,for $4.00 due in I885,against Robert Riddick Darden,deceased,were presented,but are not reported because,in the opinion of your Commissioner,these debts are barred by the statute of limitations.

The plaintiff,in the said bill,alleges that the said Elizabeth Darden has occupied said land for the years I892 and I893,and should pay a reasonable compensation for the use and occupation thereof for that time,relative to which your Commissioner has taken testimony which shows that the said Elizabeth Darden did occupy the house situate on the said land,and,perhaps,cultivated a small part of the said land,but in view of the uncontroverted fact that she has paid the taxes on the said land for the years from I882 to I892, inclusive, mounting to $I5.74,as shown by the tax receipts presented,and oath made to the payment of the said taxes by the said Elizabeth Darden,he is of the opinion that the claim for some sum to be paid by her for the use and occu-

with the set-off claim of taxes paid, therefore he does not report in favor either as a debt to be included in this report.

Your Commissioner has not been apprised of any other matter requiring his attention.

Respectfully submitted

~~Fee for this report $12.50~~.

March 31, 1894

Lee Pitt
Chancery
Commissioner

Coun's fee $12.50
Shff. " 1.00
J. C. Booker " 2.00

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Commissioner's Office,

Suffolk Va, Feby 28. 1894

To Moses Warden Plaintiff

and Elizabeth Warden, James E. Holland, Administrator of Robert Riddick Warden, deceased, and A.A. Baker, Sheriff and Administrator of Pattie Warden, deceased. Defendants

You are hereby notified that I have fixed upon the 14th day of March at 10 o'clock a.m. next, in Suffolk, Va., if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle at my office, the account

of "(1) Whether or not the tract of land in the bill and proceedings mentioned can be partitioned in kind among the parties entitled.
(2) Enquire if there is any lien on the interest of any party.
(3) An account of the debts against the estate of Pattie Warden, deceased.
Whether, or not, the said Pattie Warden has any personal estate, and if so, then
(4) To take an account of the doings and transactions of her Administrator.
(5) Enquire and report the annual and fee simple value of the said land.
(6) Any matter deemed pertinent by the Commissioner or any party in interest"

required to be taken by a decree of the Circuit Court of the County of Nansemond rendered on the 11th day of October 1893, in a suit in chancery depending in said court, between you, as above named. —

at which time and place you are required to attend.

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

Lee Pitt

Commissioner

sufficient service of the within notice
A. S. C. Baker Att'ys of
Pallie Norden Plaintiff
W. S. Holland for Moses
Norden Plaintiff

Moses Norden

vs. } COMMISSIONER'S NOTICE.

Elizabeth Warden et al

Executed by delivering a true copy of the within to Elizabeth Norden & James E. Holland Administrator of Robt. Riddick Norden deceased, each this person this 23rd of Feby 1894.

A. S. C. Baker
Att'ys for Plff

All Available Text Successfully Captured

take and settle an account of all debts of demands against the said decedent or her estate, and that at that time and place you are required to attend and file your claims and proof in support thereof according to law.

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

LEE BRITT,
Commissioner.

mh2-2t

Suffolk, Va., Sept 12 1894

I 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~~ two successive weeks.

J. H. Booth

Editor Herald.

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THE SUFFOLK HERALD

BOOK AND JOB PRINTING ESTABLISHMENT

J. E. BOOKER, Proprietor

Printed for Lee Circuit Court

94

Com'w'th vs Jr Pubg Notice attached
to Cm Pallie Darden
2 in Dft # 2.00

Moses Darden

v. } In Chy.

Darden & als

Report under decree of 11 Octo. 1893

Confirmed 12 Octo. 1894.

1894 March 31st Filed

A O Gomey Clerk

COMMISSIONER'S SALE

OF

Land in Holy Neck Magisterial District!

By authority of a decree of the Circuit Court of Nansemond county, Va., pronounced on the 11th day of April, 1894, in the chancery cause pending in said court between Moses Darden, complainant, and Elizabeth Darden and others, defendants, I shall offer for sale by public auction, to the highest bidder, before the Courthouse door of said county, on County Court day,

MONDAY, MAY 14, '94,

all the undivided three-fourths fee-simple interest of Moses Darden, Pattie Darden and Robert Riddick Darden in all that certain tract or parcel of land which formerly belonged to Benjamin Darden and upon which Elizabeth Darden now lives, situated near Holland, in Holy Neck Magisterial district, in said county, containing thirty acres, more or less, and bounded by the lands of Jasper Daughtrey, Robert C. Daughtrey, Dr. Thomas H. Barnes, Jesse Vaughan and others.

TERMS OF SALE.—Enough of the purchase-money is to be paid in cash to cover the costs of said cause and the expenses of the sale, and the remainder at the end of six months, with interest from the day of sale; the purchaser to execute a bond in evidence of the deferred payment with good personal security, and the title to the said interest in said land to be retained until the further order of Court.

WILBUR J. KILBY, Special Commissioner.

GEORGE T. PARKER, CRIER. APRIL 18, 1894.

I, Azra P. Gomer, Clerk of the Circuit Court of Nansemond county, Va., do certify that the bond required of Wilbur J. Kilby as special commissioner under the decree of said Court made on the 11th day of April, 1894, in the chancery cause pending in said court between Moses Darden, complainant, and Elizabeth Darden and others, defendants, has been executed with security deemed sufficient by me.

Given under my hand this 18th day of April, 1894. A. P. GOMER, Clerk.

Moses Darden

vs.

Elizabeth Darden Sals.

This cause came on this day to be again heard on the papers formerly read and on the Report of Commissioner, Lee Britt, filed on the 31st. day of March 1894 (the same being a Report of the real estate of which Benjamin Darden died seised and possessed, the liens thereon, ~~and of~~ the debts due by those interested in said real estate, ~~in pursuance~~ etc, in pursuance of the decree entered herein on the 11th. day of October 1893) and on the Report of Special Commissioner, Wilbur J. Kilby, filed on the 31st. day of August 1894 (the same being a Report of the sale of the undivided ~~three fourths~~ fee-simple interests of Moses Darden, Pattie Darden and Robert Riddick Darden (and of all other persons, except the interest of Elizabeth Darden) in said real estate, in pursuance of the decree entered herein on the 11th. day of April 1894), and was argued by Counsel.

On consideration whereof the Court doth approve, ratify and confirm the said sale and the said

reports to which no exception has been taken and doth adjudge order and decree that said Special Commissioner, Wilbur J. Kilby, collect and receive of Elizabeth Darden the sum of one hundred and twenty dollars due by her for the ~~the~~ said ~~three fourths~~ interests in said real estate purchased by her together with the interest due thereon, and upon the payment thereof make a deed with special warranty in the usual form conveying said interests in said real estate to her.

And the Court doth further adjudge order and decree that the defendant, James E. Holland, administrator of the estate of Robert Riddick Darden pay out and distribute the sum of thirty-nine and 72/100 dollars in his hands with the interest due thereon, pro rata to the ~~creditors of said~~ said Robert Riddick Darden's creditors, ~~whose claims~~ whose claims have been stated and reported in this cause, and that the said Special Commissioner, Wilbur J. Kilby, pay out of said sum of one hundred and twenty dollars and interest thereon, first in full all the costs ~~and expenses~~ of this suit

and the expenses of said sale and then pay one-third of the remainder, (being said Moses Darden's share), to Mary A. ~~Daw~~ Daughtrey, administratrix of E. R. Daughtrey deceased on account of the judgment in her favor against said Moses Darden for one hundred and thirteen and 57/100 dollars as stated in said Report of Commissioner, Lee Britt, one-third ~~pro rata to the said creditors of said Robert Riddick Darden, and one third to the~~ (being said Robert Riddick Darden's share), ~~&~~ pro rata to his said creditors, and one-third (being Pattie Darden's share), to her creditors, according to the dignities and priorities of their claims as stated in said Report of Commissioner, Lee Britt.

And the Court doth further adjudge order and decree that one of the Commissioners of this Court do take, state and report to Court, a further account of the transactions of said James E. Holland, administrator as aforesaid of the said Robert Riddick Darden's estate and that notice of the time and place of taking such account need be given only to said James E. Holland. And the said Commissioner,

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Moses Darden

vs. } In Chy.

Darden Sals.

In the Circuit Court of Chause-mond County October 12 1894

Decree

To be entered C nos-

Entered in Chancery Order Book No 2 Page 585.

Milton J. Kelly, will make report to Court of his ~~proceedings~~ transactions under this decree.

Moses Darden

vs.

Elizabeth Darden et al.

This cause came on this day to be again heard on the papers formerly read and on the report of Commissioner, Lee Britt, filed herein on the 31st. day of March 1894 (the same being a report of debts, real estate ~~etc~~ etc. in pursuance of the decree entered herein on the 11th. day of October 1893) and was argued by counsel.

On consideration whereof the Court doth approve and confirm the said report to which no exception has been taken and doth adjudge, order and decree that ~~Wilbur J. Kilby, who is hereby appointed Special Commissioner for the purpose~~ undivided fee-simple the interests of Moses Darden, Pattie Darden and Robert Riddick Darden and of all other persons except the interest of Elizabeth Darden in the real estate, mentioned and described in the papers in this cause, be sold and that Wilbur J. Kilby, who is hereby appointed Special Commissioner for the pur-

pose, proceed to sell the same by public auction before the courthouse door of this county on some county-court day on the terms of payment by the purchaser of enough of the purchase-money in cash to cover the costs of this cause and the expenses of the sale, including a fee of $15 to ~~$25~~ Second Atty. and the remainder ~~in equal sums~~ at the end of six months with interest from the day of sale; the purchaser to execute a bond in evidence of the deferred payment with good personal security and the title to the ~~land~~ said interests in said real estate to be retained until the further order of Court.

But before proceeding to sell said interests in said real estate, said Special Commissioner will give reasonable notice of the time, place and terms of the sale by printed notices and otherwise as he may deem best and will execute before the clerk of this Court a bond in the penalty of ~~$~~ three hundred dollars with good personal security payable to the Commonwealth of Virginia and conditioned for the faithful dis-

charge of his duties under this decree and all other decrees he may be required to execute in this cause and will obtain of the said clerk a certificate of the due execution of said bond and append the same or a copy thereof to the advertisement of the sale and make report to Court of his transactions under this decree, ~~of his transactions under this decree~~.

Moses Darden

vs. } In Chy.

Elizabeth Darden et als

In the Circuit Court
of Nansemond County
Va.
April 11th. 1894

Decree

To be entered
C M H

Entered in Chancery
Order Book
No. 2 Page 550.-

Moses Darden

vs.

Elizabeth Darden and others.

This cause came on this day to be heard on the bill and ehibits tqken for confessed , the defendants who have been duly summoned failing to plead, answer or demur, and was argued by counsel: On consideration whereof the court doth adjudge order and decree that one of the commissioners of this court take, state and report to court the following enquiries and accounts:

(I) Whether or not the tract of land in the bill and proceedings mentioned can be partioned in kind among the parties entitled?

(2) Enquire if there is any lien on the interest of any party?

(3) An account of the debts against the estate of Pattie Darden deceased.

(4) Whether or not the said Pattie Daren has any persomal estate, and if so then to take an account of the doings and transactions of her administrator.

(5) Enquire and report the annual and fesimple value of the said land

(6) Any matter deemed pertinent by the commissioner or any party in interest.

Moses Darden

vs.

Elizabeth Darden et als

Decree

To be entered

C M D

Oct 10, 1895

Entered in Chancery
Order Book
No. 2 Page 516.

Moses Darden

vs.

Darden & als.

This cause came on this day to be again heard on the papers formerly read ~~and~~ on the Report of Special Commissioner. Wilbur J. Silby, filed on the 31st. day of March 1896 (the same being a Report of the collection and disbursement of money in pursuance of the decree entered herein on the 12th. day of October 1894) and on the Report ~~the Report~~ of John B. Pijnier, one of the Commissioners in Chancery of this Court, also filed on the 31st. day of March 1896 (the same being a Report of a further account of the transactions of James E. Holland, Administrator of the estate of Robert Riddick Darden deceased in pursuance of said decree), and was argued by counsel.

On consideration whereof the Court doth ratify, approve and confirm the said Reports to which no exception has been

taken and doth adjudge, order and decree that the clerk of this Court certify to the clerk of the county-court of this county copies of the accounts of the transactions of said Administrator as stated and reported in this cause with a memorandum at the foot of each copy, stating the style of this suit and the date of the decree or decrees confirming the ~~reports on~~ said accounts and the Reports thereof, to be recorded by the clerk of said county-court in the book in which the accounts of the transactions of administrators of estates are required to be recorded in his office.

And the court doth further adjudge, order and decree that the proceedings had in this cause be final and binding between the parties thereto, and that the cause be removed from the docket, it appearing that nothing further remains to be done therein.

Moses Darden

vs. } In Chy.

Darden Dal.

In the Circuit
Court of Nansemond
County.
April 15, 1896

Final decree
To be entered

Robert R. Prentis

Entered in
Chancery
O B 5 Page 201

THE GLOBE LEGAL WRAPPER. SIZE NO. 1
Patented Feb. 11, 1890.
DIRECTIONS,—Elevate the metal points—attach the manuscript—then bend the points down flat—dampen the gummed flap and stick it down—this fastens the papers and hides the metal.

To the, Hon. C.W.Hill judge of the Circuit Court of Nansemond Co.

Moses Darden

Vs.

Elizabeth Darden, ~~Ned.~~ James E Holland administrator of Robert Riddick Dardem deceased, and A.H.Baker sheriff and administrator of Pattie Darden deceased:

Your orator the above named Moses Darden respectfully represents to the court that his father Benj. Darden died intestate in the year 184- leaving a widow Pennie Darden, who died in the year ~~1893~~ 1880 and leaving six children, Your orator, Benj. Darden, Elizabeth Darden, Pattie Darden, Nancy Darden, Robert Darden all of whom are now dead except your orator and said Elizabeth Darden, said Robert left one son named Robert Riddick Darden who is also dead leaving no heir at law, except your orator and said Elizabeth and your orator further represents that said father died seized and ~~peased~~ possessed of a small tract of land lying, being and situate in the county of Nansemond in the state of Virginia containing 30 acres more or less adjoining the lands of Jasper Daughtrey, Robert Daughtrey, Dr T.H.Barnes, Mrs Beverly Daughtrey and Jesse Vaughan.

Your orator says that said Elizabeth and himself are the only heirs now surving of said father bothers and sisters, and that he is informed that said Pattie and Robert Riddick owed some debts and he is also informed and believes that said Pattie left no estate at all except her interest in the said tract of land. He further represents that Mr. James E. Holland is the duly qualified adminis trator of said Robert Riddick Darden and that the estate of said Pattie Darden has been commited to the hands of ~~the said~~ A.H.Baker sheriff of Nansemond county.

Your orator says that said Elizabeth Darden has occupied said land for the years 1892 and 1893 and ought to pay a reasonable

sum for the use and occupation thereof for that time.

Your orators says that said tract of land is not susceptible of being divided into two parts, and the said Elizabeth will not consent to sell and divide, nor will she agree to any sort of a proposition in reference to a division of the same.

For as much as your orator is remediless in the premises save in this court where matters of this sort are alone ~~an~~ and properly cognizable, ~~and~~ he prays that said Elizabeth Darden, James E. Holland administrator of all and singular the goods and chattels of Robert Riddick Darden deceased, and A.H.Baker sheriff of Nansemond county and ~~as such~~ administrator of the estate of said Pattie Darden deceased be made parties defendants to this suit and required to answer this bill, but ~~an~~ answer on oath ~~is~~ are hereby waived, that said tract of land be sold and the proceeds of sale be distributed, to those entitled to same that all such enquiries and accounts be taken and reported as the nature of this case may require, that an an account of the debts outstanding and unpaid against the estate of said Pattie may be taken and reported, that an account of the doings and transactions of the administrator of said Robert Riddick Darden ~~be~~ taken and reported, that all such other, further and general relief be afforded your orator as the nature of his case may require or ~~as~~ to equity and good conscience may seem meet, And your orator will ever pray & C.

W. S. Holland p. q.

W.S. Holland Esq.

Dorden Moses

25 } In Chancery

Dorden Elizabeth et. als.

Bill of Complaint

Moses Darden

vs } Wm Chauncy

Elizabeth Darden & others

1893 August 22nd. Process issued returnable to September Rules first Monday.

Sept. 4th. Process returned executed on all the defendants Bill filed and decree Nisi as said defendants.

" 18th " Decree Nisi confirmed and Cause set for hearing

Darden
V&J Chaucer Notes
Darden to Chess

W. S. Holland pq.

Moses Darden

vs } In Chancery

Elizabeth Darden & others

1896

April 15th

Final Decree

Costs

Clerk —	6.69
Sheff	2.00
Jay	1.50
Attorney	15.00
	$25.19
Coun.	12.50
Printer	2.00
	39.69

Moses Darden

vs

Elizabeth Dar