1869- 01 Southampton County - Chancery Urquhart, Kenneth M vs Urquhart, A. B's Estate

(Partition Suit)

William C. Urquhart
et als

66. (534)

H. M. Urquhart

vs.

H. C. Urquhart & others.

Bill

1865 Oct. Decree as per decree filed

1866 July Report & Decree

To the worshipful, the Justices of the county court of Southampton in Chancery sitting

The bill of complaint of your Orator Kenneth M. Urquhart respectfully represents. that on the 28th day of September 1863. A. B. Urquhart departed this life intestate, leaving surviving him his widow Martha E. Urquhart and the following children his heirs at Law, Henry B. Urquhart, your Orator, William C. Urquhart, Nannie Urquhart, Richard A. Urquhart, John Urquhart, James B. Urquhart and Frank Urquhart the last five of whom are infants under the age of 21 years, that the said Martha E. Urquhart died on the 24th of October and the said Henry B. on the 19th of October 1863 * before there had been any assignment of dower or distribution of the estate of the said A. B. Urquhart dec'd. Your Orator further represents that the said A. B. Urquhart died seized and possessed of two large tracts of land situate in this County consisting in the aggregate of — acres and he is advised that a Court of Equity will compel the parties holding the said lands as ~~tenants in common~~ Coparceners to make partition of the same. To the end therefore, that justice may be ~~done~~ and inasmuch as your

* unmarried & without issue.

and leaving as their heirs at Law, said Wm C— Nannie, Richard A— John, Jas B; & Frank Urquhart

Orator is without remedy in a Court of Law and relievable only in a Court of Equity where such matters are properly cognizable. he prays that the said William C. Urquhart. Nannie Urquhart. Richard A. Urquhart John Urquhart. James B. Urquhart and Frank Urquhart may by proper process be made parties Defendant to this Bill and compelled to answer its allegations. The adults in proper person and the infants by Guardian ad litem appointed by the Court. That your Worships will make a decree compelling a partition of the lands among the said A. B Urquhart died seized and possessed among those entitled according to their respective rights. Grant the Commonwealths writ of subpoena Commanding &c and all such other aid and relief as Equity and good Conscience may dictate and the nature of the Case require and as in duty bound he will ever pray &c

Goode P. Q.

Account of

W. C. Urquhart

1865 Oct 6th

The separate answer of William C Urquhart to a bill of complaint exhibited against him and others in the County Court of Southampton by Kenneth M Urquhart.

And the said Respondent saving and reserving to himself the benefit of all proper exceptions to said bill for answer thereunto or unto so much thereof as he is advised it is material for him to answer, answers and says. That he admits all the allegations of the Plaintiffs bill to be true and is willing that the Court should decree a partition of the Lands mentioned. And having fully answered he prays to be hence dismissed with his costs in this behalf expended.

W C Urquhart

To the Hon R. C. Pitts Judge of the Circuit Court of Southampton County.

The undersigned Special Commissioner in the suit of "Kennett M Urquhart as William C. Urquhart & others" begs leave to report that in obedience to the decree pronounced in this cause at the May Term 1869 he has paid to Kennette M Urquhart the sum of $326.33. To William C Urquhart the sum of $1626.33. To Francis Urquhart the sum of $1544.94, to the Guardian of Richard A. Urquhart the sum of $1544.94. to the Guardian of J. B. Urquhart for the sum of $1544.94 and to the Guardian of Frank M Urquhart the sum of $1544.94 and returns herewith vouchers for the said payments. He has also collected from Joseph W Urquhart the sum of $700 in part payment of the balance of the purchase money due from him which your Commissioner now holds subject to the order of the Court

Respectfully submitted.

Nov 8th 1869

John Goode Jr.

Sp. Com.

Kenneth M Urquhart

vs

William C Urquhart &c

Report of Com Good &c

Apr Term 1869.

Rec'd from John Goodrich Commissioner in the
suit of Kenneth M Urquhart vs William C Urquhart
& others $1544.94 the amount directed to be
paid to me as Guardian of Francis M Urquhart
by the decree of the Circuit Court of Southampton
pronounced in said suit at the May term 1869
May 21. 1869

John Goodrich
Guardian

May 6th 1869. Received from John Goode Jr Commissioner in the suit of "Urquhart vs Urquhart & others" one thousand six hundred and twenty six dollars and thirty three cents the amount directed to be paid to me by the decree of the Circuit Court of Southampton pronounced at the May Term 1869

H.E. Urquhart.

Receipt of John Goode Jr Commissioner
in the suit of "Urquhart vs Urquhart & others"
three hundred and twenty six dollars and thirty
three cents the amount directed to be paid
to me by decree of Circuit Court of Loudoun
ton at the May Term 1865
May 20th 1865.

E. M. Urquhart

Hon Jno. Goode,

You will please, at sight, pay to James B. Urquhart or order the amount fifteen hundred and forty four dollars and ninety-four cents $1544.94—

Stanley Urquhart—

Received from John Goode Jr Commissioner in the
suit of William B Urquhart vs Kenneth M Urquhart
& others three thousand and eighty nine dollars and
eighty eight cents ($3089.88) the amount directed
to be paid to me as Guardian of R. A. Urquhart and
I. B. Urquhart Jr by the decree of the Circuit Court
of Southampton pronounced in said suit at the
May term 1869.
May 21st 1869.

Jas B. Urquhart Guardn

Thomas the Argument

vs

W. G. Urquhart &c.

Decree for. Term 1869.

To be Entered

E. P. Fitts

Kenneth M Urquhart

vs In Chy.

William C Urquhart & others.

This day this cause came on to be again heard upon the papers formerly read and upon the report of Commissioner Goode showing that he has in his hands for distribution at this time the sum of seven hundred dollars to which report there are no exceptions and was argued by Counsel Upon Consideration whereof the Court doth confirm the said report and doth adjudge order and decree that John Goode Jr Commissioner as aforesaid do pay out and distribute the said sum of seven hundred dollars as follows: to Kenneth M Urquhart the sum of $116.66. to William C Urquhart the sum of $116.66. to Frances Urquhart the sum of $116.66. to the proper guardian of Richard H Urquhart the sum of $116.66. to the proper guardian of James B. Urquhart Jr the sum of $116.66. and to the proper guardian of Francis M Urquhart the sum of $116.66 That he take proper vouchers for the said payments and make report to Court.

K. M

Geo. E. Urquhart

vs

Kenneth R. Urquhart, et al

Report of Comr. Goode

May term 69

To the Hon E. P. Pitts Judge of the Circuit Court of Southampton County.

The undersigned Special Commissioner in the suit of "Kenneth M Urquhart &c &c W. B Urquhart & others" begs leave to submit the following report. That in obedience to the Decree pronounced in this cause at the May Term 1868 he has paid to the legally qualified Guardian of Stannie Urquhart the sum of $1385.43. to the legally qualified Guardian of Richard A Urquhart the sum of $1385.43. to the legally qualified Guardian of John Urquhart the sum of $1385.43. to the legally qualified Guardian of James B Urquhart for the sum of $1385.43 and to the legally qualified Guardian of Frank M Urquhart the sum of $1385.43.

Vouchers for the said payments are herewith returned. Your Commissioner has also made the following collections from the purchasers of the several tracts of land since the last decree was rendered in this cause. He has collected from T. L. H Young $739.20 in full payment of the balance due from him. from the Norfolk and Petersburg Railroad Company $2852.43 in full payment of the balance due from them. from R. G. Tibbett $500.25 in full payment of the balance due from him. from W. H Prellow

$1348.77 in full payment of the balance due from him. from James B Urquhart $693.12 in full payment of the balance due from him, from W. W Cobb $1094.40 in full payment of the balance due from him and from Kenneth McUrquhart $1631.42 in part payment of the balance due from him. making an aggregate of $6859.39 collected since the last distribution. After deducting $640.67 the amount paid to Joseph W Urquhart Exor of C. F. Urquhart dec'd on account of the interest of the said C. F Urquhart dec'd in the "Iron tract" and $76.50 cost of deeds to the purchasers of the several tracts of land including the Revenue stamps upon the same there remains the sum of $8142.42 to be distributed among those entitled.

Respectfully

John Goode Jr

Comr

May 2nd 1869.

Receipt of I. B
Urquhart. Guardian.

$5341.73

Received of John Goode Jr Commissioner in the suit of H. M. Urquhart & W. C. Urquhart & others five thousand five hundred and forty one dollars and seventy three cents, that being the amount ordered by the Circuit Court of Southampton at the May Term 1868 to be paid to me as Guardian of Francis Urquhart. R. A. Urquhart. John Urquhart and L. B. Urquhart Jrs.

May 15th 1868.

Jas B Urquhart Guard

Receipt of John
Goodrich Guardian.

Received from John Goode Commissioner in the suit of "Kenneth M Urquhart vs William B Urquhart & others" One thousand three hundred and eighty five dollars and forty three cents. the amount ordered to be paid to the guardian of Frank M Urquhart by the Circuit Court of Southampton at the May term 1868.

May 15th 1868.

John Goode Jr
Guardian of
F. M Urquhart

Received of John Goode Jr Comr in the suit of R. M. Urquhart &c. vs C. C. Urquhart &c. Two one hundred and eighteen dollars and twenty eight cents the amount directed to be paid to me as Guardian of R. M. Urquhart by the decree of the Circuit Court of Southampton pronounced in said suit at the May Term 1870

May 18th 1870

John Goode Jr
Guardian

Received of John Goode Jr Commissioner in the suit of "Th. H. Urquhart & W. C. Urquhart & others" one hundred and eighteen dollars and twenty eight cents the amount directed to be paid to me by the decree of the Circuit Court of Southampton pronounced in the said suit at the May term 1870.

May 18th 1870 W. C. Urquhart

116.66
233.37

Received of John Goode Jr Comr in the suit of "W. M. Urquhart &c W. C. Urquhart & others" two hundred and thirty three dollars The amount directed to be paid to me as Guardian of W. M. Urquhart and W. C. Urquhart by the decree of Circuit Court of Southampton in said suit at the November Term 1809.

Jas B. Urquhart Guard

Received of John Goode Jr Commissioner in the suit of "Kenneth M Urquhart vs William C Urquhart & others" Seven hundred and ninety five dollars and ninety six cents ($795.96) that being the amount directed to be paid to me as Guardian of Sarah Urquhart by a decree of the Circuit Court Southampton pronounced on the 4th day of May 1867. Given under my hand this 18th of June 1867.

Sarah B. Urquhart Guard

Received of John Goode Jr Commissioner in the suit of "Kenneth M Urquhart vs William C Urquhart & others" Seven hundred and ninety five dollars and ninety six cents ($795.96) that being the amount directed to be paid to me as Guardian of Richard A. Urquhart decree of the Circuit Court of Southampton pronounced on the 4th day of May 1867. Given under my hand this 18th day of June 1867.

Sarah B. Urquhart Guard

Received of John Goode Jr Commissioner in the Suit of "Kenneth M Urquhart vs William C Urquhart & others" Seven hundred and ninety five dollars and ninety six cents ($795.96) That being the amount directed to be paid to me as Guardian of James B. Urquhart Jr by a decree of the Circuit Court of Southampton pronounced on the 4th day of May 1867. Given under my hand this 18th day of June 1867.

Jas B Urquhart Guard

$306.40

$300.00

May 6th 67

At sight pay to the order of J.W. Urquhart Three Hundred ~~&~~ Dollars, my portion of cash payment for the Ivor property

Respectfully yours
C.F. Urquhart

To
Jno Goode Jr Esq
Norfolk Va

Received of John Goode & Commissioner in the suit of "William C Urquhart vs Kenneth M Urquhart & others" Seven hundred and ninety five dollars and ninety six cents. it being the amount directed to be paid to me as Guardian of John Urquhart by a decree of the Circuit Court of Southampton pronounced in said suit at the May term 1867.

Aug 12th 1867

Jas B Urquhart Guard'n

In the Clerk's Office of the Circuit Court of Southampton County the 17th day of June 1867

This bond was acknowledged by the obligors thereto and Charles T. Urquhart John Godwin & Wm Urquhart the Sureties made oath that their joint estates after the payment of all their just debts are worth the sum of five thousand dollars, respectively & the said bond as they verily believe.

J. B. Edwards Clk

Recorded Book [illegible] pg. [illegible]

J. B. Edwards Clk

Commonwealth

Know all Men by these presents: that we James B. Urquhart, Charles F. Urquhart and John Goode Jr.
are held and firmly bound unto the Commonwealth of Virginia, in the just and full Sum of Five Thousand Dollars, Current Money of Virginia, to the payment whereof well and truly to be made, We bind ourselves, our heirs executors and Administrators, jointly and Severally firmly by these presents. Sealed with our Seales and dated this 17th day of June, A.D. 1867.

The Condition of the above obligation is Such, that if the above bound James B. Urquhart as Guardian of Richard A. Urquhart Orphan of Anselm B. Urquhart Decd. has received under the decree of the Circuit Court of Southampton County rendered on the 4th day of May 1867. in the Suit of Kenneth M. Urquhart against Wm C. Urquhart and Others of John Goode Commd. the Sum of Seven Hundred Ninety five 96/100 Dollars Now if the Said James B. Urquhart, Guardian as aforesaid, Shall faithfully appropriate and use the Said funds as also any other Moneys that he may receive from the proceeds of the Sales of the real Estate Sold under the proceedings in Said Cause, and Shall faithfully discharge the duties of his Said Office or trust according to Law, then the above Obligation to be Void, or else to remain in full force and Virtue. Signed, Sealed and delivered
in the presence of the Court.

Jas B Urquhart (Seal)
C F Urquhart (Seal)
John Goode Jr. (Seal)
Wm Urquhart? (Seal)

In the Clerks Office of the Circuit Court of Southampton County the 15th day of July 1867

This bond was acknowledged by the obligors thereto, and Jas B. Urquhart & Kenneth M Urquhart the Securities made oath that their joint estates after the payment of all their just debts are worth the sum of Five thousand dollars, the penalty of said bond, as they verily believe.

L R Edwards Clk

Urquhart et Trads. Ex.
to
Bond
Commonwealth

Know all men by these presents that we John Goode jr. Jas. B. Urquhart & Kenneth M Urquhart are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of Five thousand dollars, current money of Virginia, to the payment whereof well and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly and severally firmly by these presents. Sealed with our Seals and dated this 15 day of July A.D. 1867

The Condition of the above obligation is such that whereas the above bound John Goode jr. as guardian of Frank Urquhart orphan of Andrew B. Urquhart dec'd under a decree of the Circuit Court of Southampton County rendered on the 2d day of May 1867 in a Suit therein pending between Kenneth M Urquhart plaintiff and Wm. C. Urquhart & others Defts. has received from John Goode jr. Comm'r. the sum of Seven hundred & ninety five 96/100 Dollars. Now if the said John Goode jr. guardian as aforesaid shall faithfully use and appropriate the said funds as also any other moneys that he may receive from the proceeds of the sales of the real estate sold under the proceedings in said cause and shall faithfully discharge the duties of his said office or trust according to law, then the above obligation to be void, or else to remain in full force and virtue.

Signed Sealed and delivered in the presence of }

John Goode jr (Seal)
Jas B. Urquhart (Seal)
K M. Urquhart (Seal)
(Seal)

In the Clerks Office of the Circuit Court of Southampton County the 17th day of June 1867.

This bond was acknowledged in the clerks office and Charles Sp. Vincent & John Goode & Wm Vincent the securities made oath that their joint estates after the payment of all their just debts are worth the sum of five thousand dollars each & that of the said Wm they only claim

A R Edwards

Vincent Sp. & Co to B Bank
Commercial

Know all Men by these presents that we Jas B. Urquhart, Charles F. Urquhart and John Goode Jr. are held and firmly bound unto the Commonwealth of Virginia, in the just and full Sum of Five Thousand Dollars, Current Money of Virginia, to the payment whereof well and truly to be made, we bind ourselves, our heirs, executors and administrators jointly and severally firmly by these presents. Sealed with our Seales and dated this 17th day of June A.D. 1867.

The Condition of the above obligation is such that the above bound, James B. Urquhart as Guardian of Jas B. Urquhart ——— orphan of Anselm B. Urquhart, decd. has received under the decree of the Circuit Court of Southampton County rendered at the 4th day of May 1867. in the Suit of Ernest M. Urquhart against Wm C. Urquhart & others of John Goode Commr. the Sum of, Seven hundred twenty one 76/100 Dollars Now if the said Jas B. Urquhart, Guardian as aforesaid, shall faithfully appropriate and use the said funds as also any other Money that he may receive from the proceeds of the Sales of the real Estate, Sold under the proceedings of said Cause, and shall faithfully discharge the duties of his said Office or trust according to Law, then the above obligation to be Void, or else to remain in full force and Virtue.

Signed Sealed and delivered
in the presence of the Court.

Jas B Urquhart (Seal)
C F Urquhart (Seal)
John Goode Jr (Seal)
Wm Urquhart (Seal)

In the Clerks Office of the Circuit Court of Southampton County the
17 day of June 1867

This bond was acknowledged by the obligors thereto and
Charles F. Urquhart, John Goode & Wm Urquhart the securities thereto made oath
that their estate after the payment of all their just debts are worth the sum of five
thousand dollars each beside the penalty of the said bond as they verily believe

J.R. Edwards Clk

Know all Men by these presents that we Jas. B. Urquhart, Charles E. Urquhart and John Goode jr. are held and firmly bound unto the Commonwealth of Virginia, in the just and full Sum of Five thousand Dollars, Current Money of Virginia, to the payment whereof Well and truly to be maid we bind ourselves our heirs executors and administrators jointly and severally firmly by these presents. Sealed with our Seals and dated this 17th day of June A.D. 1867

The Condition of the above obligation is such that if the above bound James B. Urquhart as Guardian of Maurice Urquhart Orphan of Anselm B. Urquhart decd. has received Under the decree of the Circuit Court of Southampton County rendered on the 4th day of May 1867. in the Suit of Kenneth M. Urquhart against Wm C. Urquhart & others; of John Goode Commr. the Sum of Seven hundred & ninety five 95/100 Dollars

Now if the said Jas B. Urquhart Guardian as aforesaid, shall faithfully appropriate and use the said funds as also any other Money that he may receive from the proceeds of the Sales of the real estate sold Under the proceedings of said Court, & shall faithfully discharge the duties of his said Office & Court according to law, then the above Obligation to be void, or else to remain in full force and Virtue

Signed Sealed and delivered in the presence of the Court.

Jas B Urquhart (Seal)
C. E. Urquhart (Seal)
John Goode Jr. (Seal)
Wm Urquhart (Seal)

Urquhart

1

v. Comb bond

Urquharts

Know all men by these presents, that we John Goode Jas. B. Urquhart & Kenneth M Urquhart

are held and firmly bound unto the Commonwealth of Virginia, in the just and full Sum of Twenty thousand dollars, to the payment whereof well and truly to be made we bind ourselves, our heirs, executors and administrators jointly and severally firmly by these presents. Sealed with our Seals and dated this 2d day of May A D 1867

The Condition of the above obligation is such that whereas at a Circuit Court held for the County of Southampton on the 10th day of November 1866, by a decree of the said Court entered in a suit in Chancery therein pending in which Kenneth M Urquhart was plaintiff, and Wm C Urquhart, Nannie Urquhart & others were Defendants, the above bound John Goode was appointed a Commissioner to make sale of certain lands in the said decree referred to - Now if the said John Goode shall faithfully discharge the duties of said Commissioner under the said decree and under any other decree or order that may be made in the said suit, then the above obligation to be void, or else to remain in full force and virtue-

Jno Goode Jr. (Seal)
Jas B. Urquhart (Seal)
K. M. Urquhart (Seal)

In the Clerks Office of the Circuit Court of Southampton County, the 2d day of May 1867

The above bond was acknowledged by the obligors thereto and James B Urquhart & Kenneth M Urquhart the securities thereto made oath that their estates after the payment of their just debts are worth the Sum of $20.000. the penalty of the said bond as they verily believe-

[illegible]

In the Clerks Office of the Circuit Court of Southampton County the 15th day of July 1867.

This bond was acknowledged by the obligors thereto and Chs. F. Urquhart John Goode Jr & Wm. Urquhart the securities made oath that their joint estates after the payment of all their just debts are worth the sum of five thousand dollars as they verily believe.

T. W. Edwards Clk

Urquhart John Exr
1
2
3
Bond
Commonwealth

Know all men by these presents that we Jas. B. Urquhart. Charles F. Urquhart. John Goode Jr & Wm. Urquhart.

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of five thousand dollars. Current money of Virginia. to the payment whereof well and truly to be made, we bind ourselves, our heirs, executors and administrators jointly and severally firmly by these presents. Sealed with our Seals and dated this 15 day of July A.D. 1867

The Condition of the above obligation is such that whereas the above bound James B Urquhart as guardian of John Urquhart orphan of Anselm B. Urquhart dec'd under a decree of the Circuit Court of Southampton County rendered on the 2d day of May 1867. in a suit therein pending between Kenneth M Urquhart plaintiff & Wm C. Urquhart & others Defts, has received from John Goode jr Comm'r. the sum of Seven hundred & ninety five 96/100 Dollars. If now if the said James B Urquhart guardian as aforesaid shall faithfully appropriate and use the said funds as also any other moneys that he may receive from the proceeds of the sales of the real estate, sold under the proceedings in said cause. and shall faithfully discharge the duties of his said office or trust according to law, then the above obligation to be void, or else to remain in full force and virtue.

Signed Sealed and delivered in the presence of }

Jas B Urquhart (Seal)
C F Urquhart (Seal)
John Goode jr (Seal)
Wm Urquhart (Seal)

Urquhart-

vs

Urquhart & others

Coms report-

1867 Nov 8

To The Hon R. H Baker Judge of the Circuit Court of Southampton County.

The undersigned Commissioner in the suit of Kenneth M Urquhart &c William C Urquhart & others begs leave to report. That in pursuance of the decree pronounced in this Cause on the ___ day of May 1867 he has paid the sum of three thousand nine hundred and seventy nine dollars and eighty one cents the amount appearing from his former report to be in his hands as follows to wit. one fifth part thereof to the Guardian of Fannie Urquhart, one fifth part thereof to the Guardian of Richard Urquhart. one fifth part thereof to the Guardian of John Urquhart. one fifth part thereof to the Guardian of James B Urquhart and one fifth part thereof to the Guardian of Frank Urquhart. The bonds taken by your Commissioner for the deferred payments of the purchase money of the real estate sold by him have been returned with the report heretofore made.

Respectfully submitted

John Goode jr

Comr

Apr 8th 1867.

Urquhart

v

Urquhart & others.

Commissioners Report

May Term 1868.

1868 May

To the Hon R. H. Baker Judge of the Circuit Court of Southampton County

The undersigned Commissioner in the suit of Kenneth M Urquhart &c William C Urquhart & others begs leave to report. That in pursuance of the decree pronounced in this cause at the November term 1867. he received from the Clerk of this Court the bonds for the deferred payments of the purchase money of the real estate sold by him as such Commissioner and proceeded to collect those which had fallen due as follows.

J S H Young bond, Principal and interest,		701.22
R Nibletts bond " " " "		469.80
S & P. R. R Co. bond " " " "		2718.02
W. W Cobb bond " " " "		1036.78
J B Urquhart " " " " "		648.00
J. B. Urquhart " " " " "		8.64
W. H Pretlow's bond for Iron property one half of which belonged to C. F. Urquhart - Principal and interest collected one half of which $639.35 has been paid to C. F. Urquhart - the other half to be distributed in this suit		639.35
K. M Urquhart's bond - portion of the Principal.		705.36
Amount on hand to be distributed.		$6927.17

The foregoing statement embraces all the bonds which have fallen due except the bond of J H Longurhart for $1840.00 which is still outstanding. no part thereof having been collected

Respectfully submitted

May 2nd 1868.

John Goode jr

Sp. Com

W. M. Hargrave

vs

W. C. Hargrave

& others

Correspondence

Reports &c

from 1870

To the Hon Geo Blow Jr. Judge of the Circuit Court of Southampton

The undersigned Commissioner in the suit of "Kenneth McUrquhart vs William C Urquhart & others" begs leave to report. That in obedience to the decree and manner in this cause at the May Term 1870. he has paid to Kenneth McUrquhart the sum of one hundred and eighteen dollars and twenty eight cents. To William C Urquhart the sum of one hundred and eighteen dollars and twenty eight cents to Miss Nannie Urquhart the sum of one hundred and eighteen dollars and twenty eight cents, to the Guardian of Richard A Urquhart the sum of one hundred and eighteen dollars and twenty eight cents. to the Guardian of James B. Urquhart the sum of one hundred and eighteen dollars and twenty eight cents and to the Guardian of E M Urquhart the sum of one hundred and eighteen dollars and twenty eight cents. Vouchers for which payments are herewith returned. He has also executed and delivered deeds with special warranty to the purchasers of the several tracts of land sold by him as Commissioner in this suit.

Nov 9th 1870.

John Goode Jr
Com.

Received of John Goode Jr. Commissioner in the suit of "Urquhart vs Urquhart & others" $233.33 the amount directed to be paid to me as Guardian of R. A. Urquhart and James B Urquhart Jr by Decree of the Circuit Court of Southampton pronounced at the Nov term 1869.

Dec 6th 1869

Jas B. Urquhart Guard

Received of John Goode Jr Commissioner in the suit of Th. M. Urquhart vs W. C. Urquhart & others two hundred and thirty six dollars and fifty six cents the amount directed to be paid to me as Guardian of R. A. Urquhart and I. B. Urquhart by the decree of the Circuit Court of Southampton pronounced in the said suit at the May term 1870.
May 13th 1870.

Sal B. Urquhart Guard'n

Received of John Goode Jr Commissioner in the suit of Th. M. Urquhart vs W. C. Urquhart & others one hundred and eighteen dollars and twenty eight cents the amount directed to be paid to me by the decree of the Circuit Court of Southampton pronounced in the said suit at the May term 1870.
may 13th 1870

Sal B. Urquhart
for
Miss Nancy Urquhart

Received of John Goode p. Commissioner in the suit of "K. M. Urquhart &c W. C. Urquhart & others" one hundred and eighteen dollars and twenty eight cents the amount directed to be paid to me by the decree of the Circuit Court of Southampton pronounced in said suit at the May Term 1870.

K. M. Urquhart

Received of John Goode Jr Commissioner in the suit of "Kenneth M Urquhart vs W. B. Urquhart & others" $116.66 2/3 the amount directed to be paid to me by the decree of the Circuit Court of Southampton at the November term 1869
Nov 19th 1869.

Jno Goode & Son of
F. M Urquhart

Received of John Goode Jr Commissioner in the suit of Kenneth M Urquhart vs W. B Urquhart & others three hundred and sixty four dollars and seventy two cents the amount to which I am entitled of the sum of two thousand one hundred and eighty eight dollars and thirty seven cents recently paid to said Goode Commissioner by Joseph M Urquhart
March 17th 1870

John Goode Jr
Son of F M Urquhart

Received of Jno Goode Jr Commissioner in the suit of "Kenneth M Urquhart vs W.B Urquhart & others" two hundred and forty three dollars and twenty cents my proportion of the amount paid to said Goode by J. M Urquhart as the balance of his first bond
Dec 24th 1869

John Goode Jr
Son of F M Urquhart

$243.20

Received of John Goode Jr Commissioner in the suit of "Kenneth M Urquhart vs William B Urquhart & others" two hundred and forty three dollars & 20 cents my proportion of the amount paid to said Goode by I. W. Urquhart as the balance of his first bond given for the purchase money of the Appomattox tract of land in Southampton County.

Dec 24th 1869.

K. M. Urquhart

W. M. Urquhart

vs

W. C. Urquhart & others

Report of Case &

Vouchers.

May Term 1870

Fk. M. Urquhart

vs In Chancery.

W. C. Urquhart & others

To the Hon George Blow jr. Judge of the Circuit Court of Southampton County.

The undersigned Special Commissioner begs leave to report that since the last Term of this Court to wit on the 24th of December 1869 he collected from Joseph W Urquhart $1459.24/100 the balance due on his first bond and paid out the same to the parties entitled as follows: To Fk. M. Urquhart the sum of $243.20/100 to W. C. Urquhart the sum of $243.20/100 to the Legal Guardian of R. A. Urquhart the sum of $243.20. to the Legal Guardian of James B Urquhart the sum of $243.20 and to the Legal Guardian of Frank M. Urquhart the sum of $243.21 the Vouchers for the said payments are herewith returned. On the 24th of Feb 1870 he collected from Joseph W Urquhart $2188.37 the amount of his second and last bond and has paid out the same to the parties entitled as follows: To Fk. M. Urquhart the sum of $364.72. to W. C. Urquhart the sum of $364.72. to Lavinia Urquhart the sum of $364.72. to the Legal Guardian of R. A. Urquhart the sum of $364.72. to the Legal Guardian of James B Urquhart the sum of $364.72 and to the Legal Guardian of Frank

To Amount Urquhart Com Com $1459.24

Mr. Urquhart the sum of $364.72. the Vouchers for which payments are herewith returned as also the Vouchers for the payments directed to be made by the last decree rendered in this Cause at the November Term 1869. Your Commissioner further reports that he has collected from Mr. Mr Urquhart the sum of $817.28 the balance due on his Cost bond which he has now in his hands for distribution and to which the parties above named are entitled in equal proportions.

May 2nd 1870

Respectfully submitted

John Goode Jr.

H. Com.

Received of John Goode Jr Commissioner
in the suit of "K. M. Urquhart vs W. B. Urquhart
& others" three hundred and sixty four dollars
and seventy two cents her proportion of Cost.
Payment made by R. M Urquhart.
Apl 6th 1870.

Lab B. Urquhart for
Nancy Urquhart

Received of John Goode Jr Commissioner in the suit of Kenneth M Urquhart vs William B Urquhart & others three hundred and sixty four dollars and seventy two cents the proportion to which I am entitled out of the sum of two thousand one hundred and eighty eight dollars and thirty seven cents recently paid to said Goode Commissioner by Joseph W. Urquhart

March 16th 1870

K. M. Urquhart

Received of John Goode jr Commissioner in the suit of "Kenneth M. Urquhart vs W. C. Urquhart & others" Three hundred and sixty four dollars and seventy two cents the amount to which I am entitled of the sum of two thousand one hundred and eighty eight dollars and thirty seven cents recently paid to said Goode Commissioner by Joseph W. Urquhart. W. C. Urquhart

March 17th 1870

$486.41

Received of John Goode jr Commissioner in the suit of "Kenneth M Urquhart vs William C. Urquhart & others" four hundred and eighty six dollars and forty one cents the proportion to which I am entitled as Guardian of R. A. Urquhart and James B Urquhart jr in the amount paid to said Goode by L. W Urquhart as the balance of his first bond given for the purchase money of the Appomattox Tract.

Dec 24th 1869.

Jas B. Urquhart Guard
R. A & J. B. Urquhart

Nov 19th 1869

Received of John Goode Jr Commissioner in the suit of Kenneth M Urquhart vs W. C. Urquhart & others $116.66 2/3 the amt directed to be paid to me by the decree of the Circuit Court of Southampton at the November term 1869.

K. M. Urquhart

Nov 19th 1869

Received of John Goode Jr Commissioner in the suit of Kenneth M Urquhart vs W. C Urquhart & others $116.66 2/3 the amount directed to be paid to me by the decree of the Circuit Court of Southampton at the November term 1869.

W. C. Urquhart.

Nov 19th 1869

Received of John Goode Jr Commissioner in the suit of Kenneth M Urquhart vs W. C Urquhart & others $116.66 2/3 the amount directed to be paid to me by the decree of the Circuit Court of Southampton at the November term 1869

N. Urquhart

$729.44

Receive of John Goode Jr Commissioner in the suit of "Henrietta M. Urquhart &c William C Urquhart & others" Seven hundred and twenty nine dollars and forty four cents. the amount to which I am entitled as Guardian of R. A Urquhart and James B. Urquharts in the sum of two thousand one hundred and eighty eight dollars and thirty seven cents paid to the said Goode Commissioner by Joseph W. Urquhart.

March 15th 1870.

Jas B. Urquhart Guardian of
R. A. & Jas B. Urquhart jr.

Daily, Tri-Weekly and Weekly

DAY BOOK.

Published at 15 Roanoke Sqr.

Norfolk, Va., Nov 26th 1866

John Goode Jr Esqr Comm'r.

To John R. Hathaway, Dr.,

To Advtg Sale Real Estate in

Southampton Co - Urquhart vs Urquhart & ags 2 ax 11 cs $ 20.-

500 Large Hand Bills do $ 5.-

$ 45.-

Received Payment,

Jno. R. Hathaway

I received this account this
morning by mail
Please give it your attention
Ruby

Jan 12th 1867

PETERSBURG, VA., Nov 29 1866

Mr John Goode Jr

To DAILY INDEX, Dr.

KEILEY & BRANCH, PROPRIETORS.

TERMS CASH! No. 60 SYCAMORE STREET.

To adv. Real Estate Sale Dec 29.
of A.B. Urquhart. dec'd. in South
ampton County
7¼ Lines 2 a week. (9 Insertions) $5 | 80

Rec'd Payment

Rec'd Jan 12th 67 Keiley & Branch

Received of L R Edwards Clerk of the Circuit Court of Southampton The bonds executed to me as Commissioner in the suit of Kenneth M Urquhart &c William C Urquhart & others and returned to Court with the within report

Jan 4th 1868

John Goode Jr
Ch. Com.

Urquhart &c
vs
Urquhart
Circuit Court
of Sale

1867 May 4

To the Hon R. H Baker Judge of the Circuit Court of Southampton County.

The undersigned Special Commissioner appointed under a decree pronounced on the day of November 1866 in the suit of "Kenneth M. Urquhart vs William B Urquhart & others" to make Sale of the real estate in the Bill and proceedings mentioned whereof the late A. B. Urquhart died seized and possessed begs leave to submit the following report. That after having advertised the time and place of sale as directed by the said decree he proceeded on Saturday the 29th of December 1866 to sell on the premises the tract known as the "Apamoosick" tract containing 2097 acres in two parcels. That W. W Cobb being the highest bidder became the purchaser of one parcel containing 925 acres for the sum of two thousand four hundred dollars and Joseph W Urquhart being the highest bidder became the purchaser of the other parcel containing 1272 acres for the sum of four thousand six hundred dollars. That on Monday the 31st of December 1866 he sold at Oak Grove the late residence of the Decedent the residue of the lands mentioned in said decree as follows:

The Cemetery with three acres attached to James B Urquhart for twenty dollars.

The Home tract containing 522 acres to Kenneth M. Urquhart for three thousand five hundred dollars.

Tract No 2 known as the Johnson tract containing 238 acres to T. S. H. Young for one thousand six hundred and fifty dollars

Tract no 3 a part of the Britt tract containing 235 acres to James B Urquhart for one thousand five hundred dollars.

Tract no 4 balance of the Britt tract containing 681½ acres to the Norfolk & Petersburg Railroad Company for Six thousand Three hundred and twenty dollars for Thomas Britt.

Tract no 5 containing 86 acres to Bartholomew Bowers for one hundred dollars

Tract no 6 known as the Brown tract containing 350 acres to R Niblett for one thousand one hundred and five dollars

Tract no 7 known as the Iron tract owned jointly by C F Urquhart and the Decedent and containing by estimation 125 acres to William H Pellow for three thousand dollars. It was deemed advisable to sell this tract without attempting to separate the interests of the joint owners but Mr C F. Urquhart is entitled to receive one half of the proceeds of the sale ~~thereof~~.

Mr Bartholomew Bowers the purchaser of the small tract known as the "Sally Britt" tract containing 86 acres was very desirous to pay the whole of the purchase money at once so that he might not be required to give bond and security for any deferred payments and your Commissioner agreed to receive and did receive the same from him to wit the sum of one hundred dollars. All the other purchasers have complied with the terms of the sale and have paid one fifth of the purchase money in cash and executed their bonds with good security for the deferred payments which are herewith returned. A statement is exhibited herewith showing the amount of sales &. from which it will be seen that your Commissioner has now in his hands subject to the order of the Court the sum of Three Thousand three hundred and seventy nine dollars and eighty cents.

Respectfully submitted

Jno Goode Jr

Sp Commissioner

Statement of the sale of Lands belonging to estate of A B Urquhart by Goode Jr Com

825 acres to Walter W Cobb for	2400.00
1272 acres to J. W. Urquhart for	4600.00
Cemetery with 3 acres to J. B. Urquhart for	20.00
Home tract 522 acres to H. M. Urquhart for	3300.00
Johnson tract 238 acres to J. L. H. Young for	1650.00
Rest of Britt tract 295 to J. B. Urquhart for	1500.00
Balance of Britt tract 681½ acres to N & P. R. R Co	6320.00
86 acres to Bartholomew Bowers for	100.00
Brown tract 350 acres to R Niblett	1105.00
One half of Iron tract	1500.00
	$22695.00

Amt of cash receipts	$4619.00	
Deduct Costs of suit &	166.29	
" Sus & Com's	472.90	
	639.19	639.19
Balance on hand.		$3979.81

Jno Goode Jr

Com.

Wm C Urquhart

vs

Kenneth M Urquhart &c &c

In pursuance of the decree of the Circuit Court of Southampton pronounced at the May term 1869 in the suit of "W.C. Urquhart vs Kenneth M Urquhart & others" directing one of the Commissioners of this Court to take an account and ascertain to what parties and in what proportions the proceeds of the sales of the lands belonging to the estate of A.B Urquhart dec'd should be paid out and distributed, the undersigned one of the Commissioners of this Court begs leave to report. That John Urquhart one of the Defendants having departed this life under the age of twenty one years unmarried and without issue the following named parties are now entitled to participate in the distribution of the said fund to wit Kenneth M Urquhart, William C Urquhart Jannie Urquhart Richard A Urquhart J.B. Urquhart jr and Frank M Urquhart the last three of whom are infants. That the said Jannie Urquhart Richard A Urquhart J.B. Urquhart jr and Frank M Urquhart having each received under former decrees in this cause the sum of $2181.39. and the said Kenneth M Urquhart having had allotted to him a tract of land valued at $3400 and the said William C Urquhart having had allotted to him a tract of land valued at $2100 he finds that the sum of $8142.42 reported by John Goode jr Commissioner or being in his hands after deducting Ten Dollars the fee of your Commissioner should be paid out and distributed as follows to wit: to Kenneth M Urquhart $326.33. to W.C. Urquhart $1626.33 to Jannie Urquhart $1574.94. to the legally qualified Gua

sion of Richard A Urquhart $1544.94 to the legally qualified guardian of James A Urquhart $1544.94 and to the legally qualified Guardian of Frank M Urquharts $1544.94.

Respectfully submitted
Jno J. Kindred
Comr

May [illegible] 1869.

Ex parte
In re
Richard A Urquhart
James A Urquhart et al
Comr's Report
May Term 69

$243.20

Received of John Goode Jr Commissioner in the suit of "Reuben M Urquhart &c William C Urquhart & others" two hundred and forty three dollars and twenty cents the proportion to which I am entitled in the amount paid to said Goode by J. G. Urquhart as the balance of his first bond given for the purchase money of the Afsamon sick tract of land in Southampton County Dec 24th 1869.

Nannie Urquhart.

$ 243.20

Received of John Goode & Com in the suit of "Kenneth M Urquhart vs William C Urquhart & others" two hundred and forty three dollars & 20 cents the proportion to which I am entitled in the amount paid to said Goode by E. W Urquhart as the balance of his ~~Legacy~~ fiscal Court Judgment for the purchase money of two Hammonds tract of land in Southampton County

Dec 24th 1869

W. C. Urquhart

Answer of
Infant Defendants.

1865 Oct 6th

The answer of Samuel Urquhart. Richard A. Urquhart. John Urquhart. James B. Urquhart and Frank Urquhart infants under the age of 21 years by their Guardian ad litem to a bill of complaint exhibited against them in the County Court of Southampton by Kenneth M Urquhart. And the said Respondents for answer thereunto answer and say that they are infants under the age of 21 years and by reason of their tender age cannot be presumed to know their rights in the premises. They therefore submit them to the protection of the Court.

Samuel Urquhart.
Richd. A. Urquhart
John Urquhart
Jas. B. Urquhart
Frank Urquhart

by
[redacted] R. Edwards.
Guardian ad litem

The undersigned three of the Commissioners appointed by the County Court of Southampton in the suit of "Urquhart vs Urquhart & others" to make partition of the lands whereof A. B. Urquhart died seized and possessed among the parties entitled thereto, beg leave to report. That after the said lands had been surveyed as shown by the accompanying plats, they endeavored to divide the same into seven equal parts as directed by the decree under which they were appointed, but found it impracticable to do so without serious injury to the parties interested. The lands of the Decedent consist of the "Home Tract" containing sixteen hundred and four acres the Johnson tract lying north of the public road leading to Blackwater containing two hundred and thirty eight acres. the Brown tract lying south of the Railroad containing three hundred and fifty acres. the Britt tract containing nine hundred and sixteen acres and five tenths and the "Assamoosick" tract containing two thousand and ninety seven acres. Your

commissioners were of opinion that the "Aspamoosick" tract could not be divided without doing great injustice to those interested because it is principally valuable on account of the orchard. If it had been divided into two or three parts, those parts without the orchard would have been comparatively value less. As to the residue of the lands, your Commissioners found it impossible to make the division so as to do justice to the parties on account of the location, and the difficulty of determining what particular value should be placed upon the several small tracts herein before mentioned. One of the small tracts mentioned has very valuable and expensive buildings located upon it while the others are without buildings. Upon a portion of the lands, there is very excellent timber, and upon other portions there is no timber of any value. As four of the children are yet minors, your Commissioners were of opinion that the lands could not be laid off and allotted to them so as to insure their maintenance and support. They believe that the interests of the minors would be promoted by a sale of the lands and distribution of the money, as they are satisfied they would realize more than they could possibly do from a division of the lands in kind. As two of the children Kenneth and William have attained the age of twenty one years, your Commissioners thought it advisable to allot a portion of the lands to each of them and to recommend the sale of the residue and the distribution of the money among the minor children. They accordingly divided that portion of the "home tract" lying south of the public road consisting of nine hundred and ninety nine acres by estimate and eighty acres by estimate lying on the same side of the road making one thousand and seventy nine acres between Kenneth Longhurst and William B Longhurst. They laid off and allotted to Kenneth Longhurst six hundred and thirteen acres and to William B Longhurst four hundred and sixty six acres. The dividing line between them is marked on the accompanying plat. Commencing at a large oak in the road at the Blacksmith Shop and running S 23° E 53 chains and then S 30 W to Boykins line. The lands on

the South of the road east of the said line were allotted to Kennith Urquhart and the lands west of the said line were allotted to William C. Urquhart.

Your Commissioners estimated the land allotted to Kennith Urquhart to be worth three thousand four hundred dollars and the land allotted to William C Urquhart to be ~~worth two thousand one hundred~~ dollars. All of which is respectfully submitted.

J. P. Boyken
P. J. Holmes
Wm. W. Cobb
Com

Wm Urquhart
C. S. Rep. ext.
Wm Urquhart
1861 July 6

K. M.

Mrs. E. Urquhart

vs

K. A. Urquhart et al

Decree

To be Entered

E. J. Pitts

William C Urquhart

vs

In Chy

Kenneth M Urquhart & Others

This Day This cause came on to be again heard upon the papers formerly read and upon the report of John Goode Jr Special Commissioner showing that he has in his hands for distribution the sum of $8142.42 and upon the report of Commissioner Kendred showing how the said sum should be distributed to which reports no exceptions have been filed and not argued by Counsel: Upon consideration whereof the Court doth confirm the said reports and doth adjudge, order and decree that John Goode Jr Special Commissioner do pay out and distribute the sum of $8132.42 appearing to be in his hands for distribution after paying the Commissioners fee of $10. as follows to wit: to Kenneth M Urquhart the sum of $326.33. to W C. Urquhart the sum of $1626.33. to Francis Urquhart the sum of $1544.94. to the proper Guardian of Richard A Urquhart the sum of $1544.94. to the proper Guardian of J. B. Urquhart Jr the sum of $1544.94 and to the proper Guardian of Frank M Urquhart the sum of $1544.94. That he take vouchers for the said payments and make report to Court. And it is further ordered that the said John Goode Jr Commissioner do execute deeds with special warranty to the purchasers named in his report who have paid the whole purchase money for the several tracts of Land bought by them respectively

W. M. Longhurst

v

Wm. C. Longhurst &

Others.

~~Ackn~~.

Nov term 1870

Final decree.

To be entered

Geo. Blow Jr.

Kenneth M Urquhart
W. C Urquhart & others
1

In Chy.

This day this cause came on to be again heard upon the papers formerly read and upon the report of John Goode Jr Commissioner of his disbursements under the decree of May Term 1840 to which report no exceptions have been filed and was argued by Counsel. Upon consideration whereof the Court doth adjudge, order and decree that said ~~decree~~ report be confirmed. And it appearing that the objects of this suit have been accomplished and nothing further remains to be done. it is ordered to be removed from the docket.

Urquhart &

Urquhart &

1866

Nov. Court

decree

to be entered

R. H. Baker.

Urquhart &c. vs. Urquhart &c

This cause came on this day to be heard on the papers formerly read, & on the decree of Southampton County Court, made in said cause at July Term 1866 — this cause having by said decree been transferred to this Court — and was argued by Counsel. On Consideration whereof the Court doth adjudge, order and decree that John Lyon, who is hereby appointed a Commissioner for that purpose proceed to sell at the late residence of A. B. Urquhart dec'd in said County, after having given thirty days notice of the said sale by advertisement at the Court House door of said County and various other public places in said County and also twice a week for three weeks in one or more newspapers published in Norfolk City & in the City of Petersburg, the Lands referred to in said proceedings and which are recommended by the Commissioners to whom the same was referred for partition, to be sold, to wit (1st) The Home tract North of the Public Road containing by estimation 527 acres more or less —

2°. The Johnson tract lying North of the public road leading to Blackwater, containing 238 acres

3°. The Brown tract lying South of the Rail road containing 350 acres.

4th. The Britt tract containing 916 5/10 acres,

5th The "Casanovich" tract containing 209 7 acres

That in making such sale the said

Commissioner is authorized to sell the said Lands in such parcels as may be best for all parties, and shall sell on the following terms, to wit: One fifth cash, and the Balance on one, and two years credit with Interest from date, the Interest to be paid annually and the purchaser to give Bond with good personal security and the title to said Lands to be retained till the further order of Court, and out of the cash sales to pay costs of suit expenses of sale & make report & return said bond to Court,

and it is further ordered that a Comr of this Court as soon as such sales shall have been made, to ascertain the share of each party entitled, of the value of said Lands, including that allotted to Kenneth Urquhart and Wm C. Urquhart and of that sold under this decree -

But no sale is to be made under this decree until the said Johnlyons shall execute before the Clerk of this Court in his office, a Bond in the penalty of $20.000 payable to the Comth of Va & conditioned for the faithful discharge of the duties of said Comr, under this decree and under any other decree or order that may be made in this cause.

Urquhart &c

M

Urquhart &c

1867
May 1st
Decree —
To be entered
R. H. Baker

Kenneth M Urquhart

vs

William C Urquhart & others.

This cause came on this day to be again heard upon the papers formerly read & upon the report of John Goode Commissioner made pursuant to the decree of November Term 1866; to which report there is no exception and was argued by Counsel. Upon Consideration whereof the Court doth confirm the said report and doth adjudge, order and decree that John Goode Commissioner as aforesaid pay the sum of three thousand nine hundred and seventy nine dollars and eight one cents which appears by said report to be in his hands in cash as follows to wit: one fifth part thereof to the each of legally qualified Guardian of the said Jannie Urquhart, Richard A Urquhart, John Urquhart, James B Urquhart and Frank Urquhart to be by the said Guardians accounted for according to law. And it is further ordered that the said John Goode Commissioner do execute to Thomas Britt a deed with special warranty in the usual

former for 86 acres of land reported to in said report. But before the said John Goode Commissioner shall make any payment under this decree to any Guardian aforesaid, the said Guardians shall execute before the Clerk of this Court in his office bond for each of said wards in the penalty of five thousand dollars payable to the Commonwealth of Virginia conditioned for the faithful use and appropriation of the said fund as also any other moneys that they may receive from the proceeds of the sales of the real estate sold under proceedings in this cause

40.

W. M. Urquhart

vs

W. C. Urquhart & others

May 6th 1870.

To be entered.

Geo. P. Blow. Jr.

Sh. M. Urquhart
W. C. M. Urquhart & others.

This day this cause come on to be again heard upon the papers formerly read and upon the report of Commissioner Goode to which report no exceptions have been filed and was argued by Counsel. Upon Consideration whereof the Court doth Confirm the said report and doth adjudge, order and decree that John Goode Jr. Commissioner do pay out of the sum of $817.28 now in his hands, the remaining Costs of this Cause, including ~~the~~ the attorneys fee of $100, and distribute the residue thereof in equal proportions among the parties entitled to wit: W. M. Urquhart, W. C. Urquhart, Francis Urquhart, the Legal Guardian of R. A. Urquhart, the Legal Guardian of J. B. Urquhart and the Legal Guardian of F. M. Urquhart. The said Commissioner is directed to return to Court vouchers for the payments herein directed to be made.

Urquhart
v
Urquhart & others.

May term 1868

Decree

To be entered

R. H Baker

Kenneth M Urquhart

v

William C Urquhart & others

In Chancery

This cause came on this day to be again heard upon the papers formerly read and upon the report of John Goode jr Commissioner made pursuant to the decree of November term 1867 to which report there is no exception and was argued by Counsel. Upon Consideration whereof the Court doth Confirm the said report and doth adjudge, order and decree that John Goode jr Commissioner as aforesaid pay the sum of Six thousand nine hundred and twenty seven dollars and seventeen cents ($6927.17) which appears by said report to be in his hands in cash as follows, to wit: One fifth part thereof to the legally qualified guardian of the said Francis Urquhart, one fifth part thereof to the legally qualified Guardian of Richard A Urquhart, one fifth part thereof to the legally qualified Guardian of John Urquhart, one fifth part thereof to the legally qualified Guardian of James B Urquhart & one fifth part thereof to the legally qualified Guardian of Frank Urquhart to be by said Guardians accounted for according to law. And that he make report to Court of his proceedings herein, and return with his report the receipts of the said Guardians.

Urquhart
vs
Urquhart & others

Decree
Nov 6t 1867
To be entered
R. H. Baker

Kenneth M Urquhart

vs In Chy

William C Urquhart & others

This day this cause came on to be again heard upon the papers formerly read and the report of John Goode Jr Commissioner appointed under a former decree to make sale of the lands whereof A B Urquhart died seized and possessed and now argued by Counsel. Upon consideration whereof the Court doth ~~adjudge~~ confirm the said report and doth adjudge, order and decree that the said John Goode Jr Commissioner as aforesaid do receive from the Clerk of this Court the bonds for the deferred payments of the purchase money of the real estate sold by him as such Commissioner which were returned with his former report and that he do collect the same as they fall due respectively and make report to Court. and the Court doth further adjudge, order and decree that a Commissioner of this Court do take an account and ascertain thereby to what parties and in what proportions the proceeds of the said bonds shoned be paid and make report to Court.

Lenguhart

vs

Lenguhart &c. Note for decree

The Plaintiff this day filed his bill against the Defendants and on motion of the Plaintiff the Court doth appoint S.R. Edmonds Guardian ad litem to the infant Defendants Samuel Lenguhart. Richard H. Lenguhart. John Lenguhart. James B. Lenguhart and Frank Lenguhart to defend their rights in this suit. And thereupon the Defendant William B. Lenguhart by his Counsel and the said infant Defendants by their Guardian ad litem filed their answers to said bill and by consent of parties the adult by Counsel, and the infants by their said Guardian ad litem. This cause is set down for hearing and by the like consent the same came on this day to be heard on the bill of the Plaintiff and the answers of the Defendants and was argued by Counsel. Upon Consideration whereof the Court doth adjudge, order and decree that Peter Holmes. John Pretlow. W. P. Boykin W. H. [illegible]. Walter Cobb and William Lenguhart who are hereby appointed Commissioners for the purpose

(any three of whom may act) do go upon the Lands in the Bill mentioned whereof A.B Urquhart died seized and possessed and lay off and allot one seventh part thereof to the Plaintiff. one seventh to the Defendant William L. Urquhart. one seventh to the proper Guardian of Lavinia Urquhart. one seventh to the proper Guardian of Richard A. Urquhart. one seventh to the proper Guardian of John Urquhart. one seventh to the proper Guardian of Laines B Urquhart and one seventh to the proper Guardian of Frank Urquhart. In making partition as aforesaid. no difference is to be made between the shares of the parties. but the share of each is to be laid off as nearly equal as possible. quantity and quality being taken into Consideration. And the Court doth further adjudge order and decree that if the said Commissioners shall be of opinion upon an examination and survey of the said lands that partition thereof cannot be conveniently made or that the interests of the parties would be promoted by a sale of the entire subject or allotment of part and sale of the residue, they are hereby directed to report their opinion to the Court with all the facts thereto pertinent. And the said Commissioners are authorized to employ the County or some competent Surveyor to survey and plat the said lands. They are also directed to report their proceedings to this Court and to return with their report the plat or plats aforesaid.

Decree.

Enter this Decree

Clain Register

18th July 61

Kenneth M Urquhart
vs
William C Urquhart & others. } In Chancery.

This day this cause came on again to be heard upon the papers formerly read and the report of J. P. Boykin, P. I. Holmes and John Bellamy three of the Commissioners appointed by a decree rendered in this cause on the [illegible] day of [illegible] A.D. 1865 to make partition of the lands in the bill and proceedings mentioned whereof A. B. Urquhart died seized and possessed among the several parties entitled thereto to which report there is no exception and was argued by Counsel. Upon Consideration whereof the Court approving said report doth confirm the same. And it appearing from said report that the said Commissioners have divided that portion of the home tract lying South of the public road Consisting of nine hundred and ninety nine acres by survey and eighty acres by estimate lying on the same side of the said road making one thousand and seventy nine acres between the Plaintiff Kenneth M Urquhart and the Defendant William C Urquhart. That in making said division they laid off and allotted to

the Plaintiff Kenneth M Urquhart Six hundred and Thirteen acres valued at three thousand four hundred dollars and to the defendant William G. Urquhart four hundred and Sixty six acres valued at two thousand one hundred dollars - the dividing line between them being marked on the Surveyors plat) the Court doth adjudge, order and decree that the said report of the said Commissioners so far as it relates to the allotment made to the said plaintiff and the said Defendant be confirmed and that the allotment in manner and form as aforesaid made be held firm and stable. And it further appearing that a sale of the residue of said lands would be proper and the Court being of opinion that the dividend of each of the other parties would exceed the value of three hundred dollars. it is ordered that this cause for further proceedings to be had therein be removed to the Circuit Court of Southampton County.