

1876-11

Southampton County - Chancery

Prince, Wm E.
et al

vs Miskell, Geo de
adms

"
Creditors Suit
vs various debts

Saml Kells Sh +
Adms Est of
Geo Miskell
Sarah S Miskell
Wm Miskell
Geo W. Richardson
+ Rebecca Geo
Edger

Parice

107 3

Miskell's Answer &c.

Bill & Exhibits filed

1870 March. Rules.

Exhibit 6 not filed

Parice

Bill

Miskell's answer

Parice pg

To the Honorable E. P. Pitts - Judge of the Circuit Court
of Southampton County. In Chancery.

Humbly complaining sheweth unto your Honor, your
orator, Wm E. Prince, who sues as well for himself as
for all other creditors of Geo: Mitchell dead, who will
come in & contribute their part of the costs of this suit.
That sometime during the year 186 Geo: Mitchell
departed this life intestate, seized & possessed of consider-
able real & personal estate, and that by an order
of the County Court of Southampton at the
Term thereof, his estate was committed to Saml Kello,
who was then Sheriff, for administration, as will
more fully appear from a copy of said order here-
with filed marked A, and prayed to be taken as a
part of this bill. That the said Geo: Mitchell left as
his heirs at Law & distributees, his widow, Sarah S. Mis-
kell, & two children viz; Wm Mitchell & Rebecca J. who
has since intermarried with Geo: A. Richardson. That
the said Saml Kello, by virtue of his office, possessed
himself of all the personal estate of the said Mis-
kell, and made sale thereof. That the said Saml Kello
has returned regularly his administrative accounts,
and has paid out to those entitled, their respective
pro rata shares of the funds arising from the
sale of the chattel estate. That a Comptroller has
reported upon the debts due by the said Geo: Mitchell
and from said report, a copy of which is herewith
filed, marked B, it appears that the assets are not
sufficient to pay the indebtedness. That there is
nothing else for your orator to charge, but the real
estate of which the said Geo: Mitchell died seized.
In tender consideration of all which and as much
as your orator is without remedy in the premises, save

in a Court of Equity, to the end, therefore that justice
may be done, he prays that Saml. Wells, late Sheriff
as such Adm^r of Geo: Mitchell decd, Sarah S. Mitchell,

Wm Mitchell & Geo A Richardson & Rebecca J. his wife
may be made parties defendant to this bill & com-
pelled to answer the allegations thereof; that an order
may be entered directing a Commissioner of this Court
to take a further account of the debts due by the
said Geo: Mitchell, with the amounts that have been
paid out by the said Saml. Wells. that he also take
an account of the annual & absolute value of
the land, of which the said Geo Mitchell died seized.
and that in case, it shall appear, that the rents
& profits of the said real estate will not pay the
indebtedness in five years, that there may be an
order of sale - and that your Honor will grant
such other & general relief as the nature of his case
may require & to Equity may seem meet; And as
in duty bound your orator will ever pray &c
May it please the Court &c.

Janice pg-

Southampton County Court March 19 1866

George Miskell having died more than three months ago and no person having applied for administration on his estate It is ordered that Samuel Kello Sheriff of this County take the estate of the said George Miskell de into his possession for administration according to law.

A. Coffey -

Teste L. R. Edwards Clk

Prince

to } Ex. with bill

Miskell's son

A

Price ✓

to Z. Affen

Miskells ad P.

Southampton Circuit Court Clerk's Office March 7. 1870

Jo^s. B. Prince this day made oath before me that W^m Miskell one of the Defendants in a
suit depending on this Court between W^m. E. Prince who sues W^m Piff & James Kello Shiff & adm^r of
Defts is not, as he is informed & believes, a resident of the State of Virginia

J. R. Edwards C. C.

Executed by delivering a copy to the wife
of G. F. Richardson on Monday the 7th March
1870 Mr Richardson being from home

W E M Thornton Deputy
Wm H. Mitchell Sth

Paired

{ Sum. Chy
5

Mickels am 4th

1870 March Rules

Supper

THE COMMONWEALTH OF VIRGINIA,

In force
To the Sheriff of the County of ~~Southampton~~--- Greeting:

We command you to summon

Geo. A. Richardson & Rebecca J. his wife

Direct
if ~~they~~ be found within your bailiwick, to appear at the Clerk's Office of our Court of Southampton County, at the Rules to be holden for the said Court, on the first Monday in *March next to answer a bill* in chancery exhibited against them & others in our said Court by *M^r. C. Prince* who does for the benefit of himself & all other creditors of *Geo. W. Minkell dec^d* who may come in and contribute their proportion of the costs of this suit

And have then there this writ.

Oliver White
Witness, ~~LITTLETON R. EDWARDS~~, Clerk of our said Court, at the Court-House, this *22nd* day of

February

A. D., 18*70*, in the *94th* year of the Commonwealth.

Oliver White

Prince

to } Sum. City

Miskell's adm^r

1870 March Rules

Executed March 2^d 1870
by deliver to S. Kello &
George S. Miskell a copy of
the within summons,
from Miskell not a
resident of this county

G. W. Vick Dr
Sheriff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of the County of Southampton---Greeting:

We command you to summon

*James L. Kello Sheriff & admor: Geo. Miskell de^d Wm.
Miskell & Mrs. Sarah J. Miskell (widow of Geo. Miskell)*

if *they* be found within your bailiwick, to appear at the Clerk's Office of our Court of Southampton County, at the Rules to be holden for the said Court, on the first Monday in *March* ^{*Oricuit*} next to answer a bill in chancery exhibited against them & others in our said Court by *Wm. E. Trince* who owes for himself and all other creditors of Geo. Miskell de^d who may come in & contribute their proportion of the costs of this suit

And have then there this writ.

Osmin White

Witness, ~~LITTLETON R. EDWARDS~~, Clerk of our said Court, at the Court-House, this 22nd day of

February

A. D., 18*70*, in the *94th* year of the Commonwealth.

Osmin White

W. C. Pinner

vs Kells Shopp
So ampton

Sept 23

Prince

~ { Ex. with bill

Miskell's adm

B

The Estate of George Miskell dec.

In account with Saml Nello. Shff and his Administrator.

1867		Dr	Cr
Jan 3	By amount of account of Sales of personal property due this day		544.69
	To Commissions on same	27 23	
	" Paid Taxes	6 00	
	" " for Coffin	25 00	
	" " Cryer at Sale	10 00	
	" " Appraisers	3 00	
	" " Atty for motion	5 00	
	" Amount retained to pay Wm. St. Prot low Atty. for Services rendered estate	20 00	
	To Commissioners fee for this account, account of debts & account apportioning same amongst creditors retained	25 00	
1868	To Clerks fee for recording same retained	6 00	
Jan 3	Balance due Estate	417 46	
		544 69	544 69
1868	To paid Clerk at Sale	10 00	
Jan 3	By balance due estate brought down with interest thereon from this day till paid	407 46	
	Respectfully Submitted		
	Wm. St. Prot low Comr.		

An account of the debts or demands against George Miskell dec^d or his Estate proved before me W^m H. Prichard one of the Commissioners in Chancery of the County Court of Southampton County pursuant to the annexed notice -

A Class

Account due Joseph H. Drury Jan^y 1 1866
Interest thereon to Jan^y 1 1868

18 73

2 24

20 97

Account due Saml. Drury's Est. Jan^y 1 1863.
Int. to Jan^y 1 1868.

6 72

2 00

8 72

Account Tho^s. B. Williams Jan^y 1. 1866.
Int. to Jan^y 1st 1868.

10 50

1 26

11 76

Bond due Mary A. Newton Adm Aug 1864
Int. to Jan^y 1. 1868

30 00

6 00

36 00

Bond due W^m D. Taylor Jan^y 16. 1863.
Int. to Jan^y 1. 1868

2 00

60

2 60

Account due W^m E. Prince Jan^y 1. 1866
Int. to Jan^y 1st 1868

38 00

4 56

42 56

Bond due M. P. Ryland Dec^r. 25 1858
Int. to Jan^y 1 1868

58 00

31 37

89 37

Bond due Robt Rowland 8 Jan^y 1862
Int. to Jan^y 1st 1868

27 00

9 65

36 65

Bond due Robt Rowland 11th June 1862
Int. to Jan^y 1st 1868

10 00

3 50

13 50

Amount Carried forward

262 13

Amount Brought forward

262 13

Bond due Ann O. McGlumy
Int. to Jan^y 1 1868

219 00

134 67

343 67

Account due Jas. E. Peters Jan^y 1st 1866
Int. to Jan^y 1. 1868

1 75

20

1 95

Account due W^m D. Taylor Jan^y 1 1865
Int. to Jan^y 1st 1868

50

9

59

Bond due A. J. Paul 29th Dec^r. 1860
Int. to Jan^y 1. 1868

46 97

25 40

72 07

Bond due A. J. Paul 25 Dec^r 1859
Int. to Jan^y 1 1868

100 00

48 50

148 50

Total amount of debts inclusive of interest to Jan^y 1st 1868
Respectfully Submitted

829 21

W^m H. Prichard Com^r

Comrs. Office
Jerusalem Jan^y 21st 1867

To the Creditors of the Estate of George Miskell dec^d & all others concerned

You are hereby notified that at the request of Sam^l. Kello & adm^r of the estate of the said George Miskell I have fixed upon the 19th day of Feb. next, at my Office for receiving proof of debts or demands against the estate of the said decedent at which time and place you are required to attend.

Given under my hand as a Commissioner of the County Court of Southampton County the day and year first aforesaid

Wm. H. Pottlow Com

A List of the Creditors who have proved their claims before me according to law and the amount due each of them

Joseph A Drewry	20	97
Sam ^l . Drewry's estate	8	72
Thomas B. Williams	11	76
Mary A Newtons ad ^r	36	00
Wm D Taylor	3	19
Wm. E Prince	42	56
M. P. Ryland	59	78
Robert Rowland	36	65
Robert Rowland	13	50
Ann O McGlamme assignee	343	67
James E Peters	1	95
A. J. Swill	220	87
Total Amount	829	21

The following is an account apportioning the amount in the hands of the Administrator amongst the several Creditors who have proved their claims.

To Joseph A Drewry.	10	27
" Sam ^l . Drewry's Est.	4	27
" Thomas B. Williams	5	75
" Mary A Newtons ad ^r	17	75
" Wm D Taylor	1	56
Carried forward	39	60
Brought forward	39	60
To Wm. E Prince	20	95
" M. P. Ryland	44	00
" Robert Rowland	18	05
" Robert Rowland	6	61
" Ann O McGlamme assignee	168	79
" James E Peters		95
" A. J. Swill	108	51
Total	407	46

Respectfully Submitted

Wm. H. Pottlow Com

Southampton County. In the Clerk's Office March the 30th 1868.
This account of Samuel Kello's administration on George Miskell's estate, an account of the debts and demands against the said estate, and the account apportioning the balance due from the administrator amongst the several Creditors, were this day returned and filed for exceptions. And at a Court held for the said County on the 18th day of May 1868. the said accounts having lain one month and upwards in the Clerk's Office and

no exception being filed thereto, they were examined, confirmed and ordered to be recorded.

Teste

L. R. Edwards & Co

A Copy

Teste

L. R. Edwards & Co

March 18. 1870.

Feb'y, 6th 1871

To William E. Prince who sues as well
for himself as for all other Creditors of
George Miskell dec'd. *Plffs*
Against

Samuel Kello late Sheriff and as such
Admr of George Miskell dec'd Sarah T. Miskell,
William Miskell & George A. Richardson
& Rebecca his wife — Defendants.

You are hereby notified that I have fixed upon the 18th day of March next,
if fair, if not, on the next fair day thereafter, (Sunday excepted,) to take and settle, at my
office, the following accounts, to-wit:

An account of the Administration of
Samuel Kello on the Estate of George Miskell dec'd.
An account distributing whatever balance may be found due
by the said Samuel Kello, amongst the several Creditors of
the said Miskell,
An account of all the outstanding debts against the said
Miskell's Estate.
An account of the Annual and absolute value of
the real Estate of which George Miskell died seized
All of which accounts the Commissioner will report to Court
together with any matter specially stated deemed pertinent
by himself or required by any of the parties interested
to be so stated,

required to be taken by a decree of Southampton Circuit Court, rendered on the 26th day
of November 1870, in a suit in Chancery, depending in said Court, in which
you are parties, plaintiffs, and defendants; 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.

J. Sebrell

Commissioner.

To the Sheriff of ~~Southampton~~ County to execute.

1868 The Estate of Geo. Mistell dec'd.
In Acct with Samuel Kells his Adm'r

		Dr	Cr
		\$	cts
Jan 3	By balance due Est. by last report with interest from date		407 46
	To amt paid Jos A. Drewry, in part,	10	27
"	" " Saml Drewry's Est. "	4	27
"	" " Thos B. Williams "	5	45
"	" " Mary A. Newtons Adm'r "	14	75
"	" " W. D. Taylor	1	56
"	" " Mr E. Prince "	20	95
"	" " Ell. Ryland "	44	00
"	" " Ro. Rowland "	18	05
"	" " " " " "	6	61
"	" " Ann C. McGleure "	16	84
"	" " James E. Peters "		95
"	" " A. J. Levee "	108	51
		407	46
		407	46

An Account of the Outstanding Debts against the Estate of George Mistell dec'd. —

1 st	Balance on Account due Saml Drewry	4	45	
	Interest from Jan 1 st 1868 to May 1 st 1871		89	
				5 34
2 nd	Balance on Account due Jos A. Drewry	10	67	
	Interest from Jan 1 st 1868 to May 1 st 1871	2	13	
				12 80
3	Balance on Account due T. B. Williams	6	11	
	Interest from Jan 1 st 1868 to May 1 st 1871	1	20	
				7 21
4	Balance on bond due Mary A. Newtons Adm'r	14	25	
	Interest from Jan 1 st 1868 to May 1 st 1871	3	45	
				20 70
	(Over)			46 05

		46 05
Balance on bond due W.D. Taylor	1 04	
Interest from Jan 1 st 1868 to May 1 st 1871	20	
		1 24
Balance on Acct due W.E. Prince	21 61	
Interest from Jan 1 st 1868 to May 1 st 1871	4 32	
		25 93
Balance on bond due Ch. Ryland	45 37	
Interest from Jan 1 st 1868 to May 1 st 1871	9 07	
		54 44
Balance on bond due Ro. Rowland	18 60	
Interest from Jan 1 st 1868 to May 1 st 1871	3 72	
		22 32
Balance on bond due Ro. Rowland	6 89	
Interest from Jan 1 st 1868 to May 1 st 1871	1 37	
		8 26
Balance on bond due Ann C. McGleime	144 88	
Interest from Jan 1 st 1868 to May 1 st 1871	34 97	
		209 85
Balance on Acct due J. E. Peters	1 00	
Interest from Jan 1 st 1868 to May 1 st 1871	20	
		1 20
Balance on bond due A. J. Sevell	112 36	
Interest from Jan 1 st 1868 to May 1 st 1871	22 47	
		134 83
Bond due F. Dunn Adm'r of Mary A. Newton		
\$246.73 - Nov. 2 nd 1864. Scales at \$27 th for \$1 st	9 14	
Interest from Nov 2 nd 1864 to May 1 st 1872	3 56	
		12 70
Bond due W.P. Harris, 1 st Jan 1862		
20.09. Scales at \$1.25 for \$1 st	16 09	
Interest from Jan 1 st 1862 to May 1 st 1871	8 96	
		24 96
Total amt of Debt		\$551 78

An Account of the Annual and
Absolute value of The Real Estate of which
George Miskell died seized -

300 Acres of Land lying in
Dewy'sville Township

Absolute, Annual
1000 00 100 00

Respectfully submitted
M. Sebrell,
Com'r in Chancery -

Commissioner's Office
Jerusalem Pa.
April 20th 1871

To The Circuit Court of Southampton County:
Pursuant to a decree of the Circuit Court of
Southampton County, rendered on 7th of November
1870 in a suit in Chancery depending in said Court
between W.E. Prince & other creditors of Geo. Miskell dec'd
and Sam'l Kello adm'r of Geo. Miskell dec'd, Sarah S. Mis-
kell, W^m Miskell and George A. Richardson and Rebecca
his wife, the undersigned, one of the Commissioners of
the said Court to whom was referred for settlement
by said decree, the account of Sam'l Kello's ad-
ministration on the Estate of Geo. Miskell dec'd, 2nd
An account distributing whatever balance
may be found due by said Sam'l Kello, amongst
the several creditors of the said Miskell, 3rd An
account of the outstanding debts against the
Estate of said Miskell - 4th An account

of the annual and absolute value of the real estate of which George Miskell died seized. Reports to the Court that on the 16th day of Feb^y last he issued notices against the several parties aforesaid, requiring them to attend the settlement of the aforesaid accounts, before him at his Office on 18th day of March which were returned to your Commissioner duly executed, that the parties aforesaid appeared before the Commissioner in obedience to the said notices & he thereupon examined the vouchers, stated and settled the foregoing accounts of Daniel Kello's administration of the Estate of Geo. Miskell dec'd Sep to April 1st 1871, and finds that in obedience to a former decree he has paid out all monies in hand belonging to the Estate of said Miskell to the several Creditors proportionately. The Commissioner further reports that he finds the amount of debts still due and outstanding against the Estate of George Miskell to be \$ 551.48 cts as will be seen by ~~adverse~~ accounts, that the annual and absolute value of the real Estate was arrived at by examination of the land book of the County, and the testimony of persons living in the vicinity of the real Estate. The Commissioner further reports to the Court that after the completion of the said accounts he retained the same in his Office ten days for the examination of the parties, which with the decrees & notices aforesaid are herewith returned.

Given under my hand as Commissioner aforesaid the day and year first aforesaid.

J. S. Schell

Commissioner's Fee,

\$25⁰⁰

Prince

W S Leaning Report
Mist Keller & Co

1871 May 3^d

Traced Y^p
to } Or. Pub

Miskells among Y^p

Copy posted at front door B. H. door.
March 6. 1870

1870 Aug 30 Copy sent to
Editor Courier

At Rules held in the Clerks Office of the Circuit Court of Southampton
County on Monday the 7th day of March 1870

Wm. E. Prince who sues for himself and all other creditors of Geo. Miskell dec^d. who may come
in and contribute their portion of the costs of this suit.

Beff

against

Sam^l. Kello Sheriff and administrator of Geo. Miskell dec^d. Wm. Miskell
and Sarahs Miskell & Geo. A. Richardson & Rebecca J his wife Defts.

} In Chancery

The object of this suit is to subject the real estate of the said Geo. Miskell dec^d to
the payment of his debts and it appearing by affidavit filed that the defendant
Wm. Miskell is not a resident of the State of Virginia it is ordered that he appear
within one month after due publication of this order and do what is necessary to
protect his interest in this suit.

Attest

L. R. Edwards D.C.

ISAAC H. SMITH,
GEO. W. CAMP,
T. JEFF. CLARK, }

PETERSBURG, VA., *Aug 23* 1870

Mr. H. M. E. Primer

Dr.

To **Smith, Camp & Co.,**

Proprietors of Daily and Weekly Courier,

No. 17 Bank Street, Petersburg, Va.

1870

<i>Aug 23</i>	<i>To adv. and Order publication vs Sound Kells Sheriff + Admrs of Geo. Inskell W & W Nov. 1870 Recd Payment of H 5 00 M J B Primer - Smith Camp & Co By H. H. Harris</i>				
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Received May 21st 1872 of J. B. Prince
Com^r Fifteen dollars (\$15⁰⁰) for publish-
ing notice in Daily Index, in Prince as
Muskelee.

J. N. Sebrall
for Daily Index.

Recd May 22nd 1892 of J.B. Prince
Comm. Twenty five dollars (\$25⁰⁰) fee
for preparing report in case of
Prince vs McKell.

W. Seabee

Comm

Received Oct 16. 1871 of L. B. Prinn,
Commissioner Five Dollars, fee for
copying land of Geo. S. Mitchell.
Eli W. Davis

Prince's Report--
 +
 Mitchell's Deed--

Justus came, Mr Com^r reports that he has
 received the three bonds of Geo: A. Richardson--
 for \$25.83 each-- and collected them.

Am't of three bonds-- 77.49

Int from Oct 19. 71 to Oct 19. 74-- 18.94

\$91.43

To p^d- Bal den Com^r. as per

Report- filed Jan'y 18. 1873.

46.86

Bal for distribution--

\$44.57

Acct apportioning same among creditors of
 Geo N. Mitchell decd-. at 5-cents to the dollar--

To Jos A. Drury- 1.04

" Saml Drury & sub-. .42

" Thos B. Williams- .55

" M. A. Newton . 1.80

" W. P. Taylor . 15

" W. Prince 2.10

" M. P. Ryland 4.40

" Robt Rowland .67

" " " 1.80

" Ann C. McGowan, ex. p^r 17.50

" J. B. Peters . 10

" A. Heavell 14.04

44.57

Apr. 15. 1875.

To Judge Cir - Ct. }
 To Sampson }

Rec^{ty} Submitted.

J. B. Prince
 Com^r.

I have made the purchase added for
 the Real Estate.

Ames

or 3

Miskell's Adm. R.

Report - distributing
money

1875 April 15

Price

to } Bond. Bond

Miskell's at 8¹/₂

KNOW ALL MEN BY THESE PRESENTS, That we

Joseph B Prince & Joseph H. Prince

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of One thousand dollars, good and lawful 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 18th day of September A.D. 1871.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bound *Joseph B Prince* as Commissioner appointed by a decree of the Circuit Court of Southampton County rendered on the 6th day of May 1871 in a suit in Chancery therein pending in which *Wm E Prince* who sue for himself & all other Creditors of Geo. Miskell dec^d & is Plff. and Samuel Kelli late Sheriff & as such admor. of Geo. Miskell dec^d & others are Deft^s—

shall faithfully discharge the duties of his said office or trust according to law, then the above obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and delivered }
in presence of ~~the Court~~.

Joseph B. Prince [SEAL.]

Joe H. Prince [SEAL.]

_____ [SEAL.]

_____ [SEAL.]

Price
or $\frac{1}{3}$

Mickell Adams

Report of
Committee of
Sale -

1873 Jan 18

Read order 21. 1874 of Clerk of the Court
the bonds filed in said this report.

J. P. Adams

Price ^{vs} ₃ Report of Commis of Sale -
Mickell's Adm^r to

In this Cause your
Commiss reports as follows - That pursuant
to annexed decree, he advertised
and exposed to sale at public auction
in the town of Jerusalem, Oct 19, 1871
the real estate in the decree mentioned
and at the sale thereof Geo: Richardson
became the purchaser by bidding therefor
the sum of one hundred and thirty
seven $50/100$ dollars. The land is very
poor, and the building all in bad
condition - and it was sold subject
to the downer interest of Mrs Mickell.
The following is an exhibit of the
Sale -

Oct 19. 1871-	By Cash pd me. by purchaser.	\$60.
" " "	To pd Auctioneer	\$5.00
Nov 18 1870 "	" Ppty Commis.	5.00
May 21. 1872 "	" " Index	15.00
" 22 " "	" " Mickell, Commis.	25.00
" " "	" Attor Fee ~~retained~~	50.00
	Commiss Commis.	<u>6.86</u>
		\$106.86

To bal due Commis \$46.86.

For the balance of the purchase money, the
purchaser has executed three bonds for \$25.83
each. payable in one two & three years. interest
from date. All of which is respectfully submitted
and prayed to be confirmed.

Respectfully Submitted

To Hon Judge of
Co. Ct. - Southampton.

J. B. Price
Commiss^r

James
Es. 30 June
Mickelly and Co -

1871 May Term -

J. B. P. mce

\$15 -

285

Durham County Court, May Term 1871.

Wm. E. Prince who says for himself and all other Creditors of
Geo. Mitchell did—

Plaintiff.

In Chancery

against
Same Wells late Sheriff and as such Adm of Geo. Mitchell
died. Sarah S. Mitchell, William Mitchell and Geo. F.
Richardson and Rebecca his wife Defendants.

This day this Cause came on to be further heard on the papers
formerly read and the Report of Commissioner Sebbs, made in pursuance
of an Order entered at the November Term 1870, of this Court and was
argued by Counsel, in consideration whereof the Court confirming said
Report, to which no exceptions have been filed, doth adjudge, order
and decree, that J. B. Prince be and he is hereby appointed a Special
Commissioner for the purpose, that he sell the real Estate of which
George Mitchell died Seign at public auction, after having given
thirty days public notice of the time, place and terms of sale,
by Notices posted at Wrayville, the County Court House and
other public places; upon the following terms to wit; Enough
in Cash to defray expenses of this suit and sale including
a fee of fifty dollars to J. B. Prince, as attorney, the balance
on a Credit of two, two and three years, equal annual
instalments; taking from the purchaser Bonds with approved
Security, Carrying interest from the day of sale, and retain
the title to said real Estate for the deferred payments—
But the said Commissioner will not proceed to execute this
Decree, Until he shall have entered into Bond in the Clerk's
Office of this Court in the penalty of one thousand dollars,
Conditioned to faithfully execute this decree And the said
Commissioner will make report, and return any Bonds he may
take to Court in order to a further decree

Attest, Test. James R. Tyler, D.C.

77 79

Prince

to } Stat. Rules:

Miskells adm of

In Southampton Circuit Court.

Wm. E. Prince who sues as well for himself as for all other creditors of Geo. Miskell dec^d. who will come in and contribute their part of the costs of this suit

against

Samuel Kello late Sheriff & assignee adm^r. of Geo. Miskell dec^d. Sarah S. Miskell W^m Miskell & Geo. A. Richardson & Rebecca his wife

1870 Feby. 22^d Summons issued

March Rules. Summons ret^d Ex^d. on all Dfts except W^m Miskell. Bill filed.

D. Miskell v Dfts Kello adm^r. S. S. Miskell & Richardson & wife. Or. Pub v. Dft W^m Miskell.

April. R. Bill taken for confessed v Dfts Kello ~~adm^r~~ ^{adm^r}, S. S. Miskell & Richardson & wife

May. Cause set for hearing as to Dfts Kello adm^r. S. S. Miskell & Richardson & wife

Nov. T. Decree for acct

1871 May. Decree for sale

Nov. Removed to County Court.

1875 May. Decree to distribute.

1876 May. Dismissed from the Docket

Durham Circuit Court, May Term 1875.

William E. Priner

Clk

against
Sancetella late Sheriff and as such Adm'r
of Geo. Mitchell dec'd and others Defts

This day this cause came on to be further heard
on the papers formerly read and the Reports of Court
Priner filed January 18th 1873 and April 15th 1876, and was
argued by Counsel, on consideration whereof the Court doth
confirm the said Reports in Exception being filed on
the same, and the Court adopting the Report of Court
Priner filed April 15th 1876 as the basis of this
decree doth adjudge order and decree, that J. B.
Priner out of the appts in his hands pay to the
following parties the following sum with
interest on each amount from March 15th 1875, to wit;

To Jas A. Drugg's Adm'r \$1.04 To Sane Drugg's Ex'r 42 cts
To Thos B. Williams 55 cts To M. A. Chilton \$1.80 To H. D.
Taylor 15 cts To W. E. Priner's Adm'r \$2.10 To M. J. Ryland
\$4.40 To Robert Rowland \$2.47 To Ann C. McGlennan
\$17.50 To J. E. Peters ten cents and to A. J. Seawell
\$14.04 cts take receipts from the several parties and
file with his Reports under this order.

Affy
Jas James R. Lyle D.C.

Received May 17, 1875 of J.B. Prince
Com^r Seventeen 50/100 dollars in full of
amt due Ann C. McElmer.

Ann C. McElmer

By J.B. Prince

Recd amt due M.A. Newton =

Adm^r of M.A. Newton.

Recd amt due A. J. Seavey.

J.B. Prince att^r for
Seavey.

Recd amt due Robt. Rowland, W.E. Prince, Adm^r
M.P. Ryland, W.D. Taylor's estate, & J.E. Peters.

J.B. Prince att^r.

Prince
to { copy done

McKills adm

Report
Receipts on
invoice fold-
J.B. Prince

May 5, 1876

will report to Court, together with any matter
specially stated deemed pertinent by himself
or required by any of the parties interested
to be so stated.

Prince George
Attest
Michael L. Brown

Nov. Term 1890

So be entered

Geo. D. Brown

Prince &c
vs 3 Decree.
Miskell, Adm'r &c.

This day this cause in which the Plaintiff appears to have proceeded against the Defendant W^m Miskell who is out of this Commonwealth, in the manner prescribed by Law against absent Defendants, and he still failing to appear and answer came on to be heard on the Plaintiff's bill which has been taken for Confessed as to all of the Defendants with general replication thereto, and the exhibits filed was argued by Counsel, on consideration whereof the Court doth adjudge, order and decree that a Commissioner of this Court take the following accounts viz -

An account of the Administration of Saml Kells on the Estate of George Miskell. An account distributing whatever balance may be found due by the said Saml Kells, amongst the several Creditors of the said Miskell.

An account of all the Outstanding debts against the Estate of said Miskell.

An account of the annual and absolute value of the real Estate of which George Miskell died seized; in auditing which accounts the Commissioner is ordered to take any & parts accounts as heretofore returned as prima facie correct, liable however to be surcharged and falsified.

All of which accounts the Commissioner

Prince

vs $\frac{3}{4}$ Merce.

Miskell & Schur &c

This day this Cause came on to be further heard on the papers formerly read, and the report of Commissioner Lebull made in pursuance of an order entered at the November Term 1870 of this Court. ^{and was argued by Counsel} On consideration whereof, the Court confirming said report, to which no exceptions have been filed, doth adjudge order & decree that J. B. Prince be and he is hereby appointed a special Commissioner for the purpose; that he sell the real estate of which the Miskell child seized, at public auction, after having given thirty days public notice of the time, place & terms of sale, ^{by notice posted at, Duncansville, this County, & at other public places,} upon the following terms: to wit: Enough in cash to defray expenses of this suit & sale, including a fee of fifty dollars to J. B. Prince as attorney, the balance on a credit of one, two & three years, Equal annual instalments, Taking from the purchase bonds with approved security, carrying interest

from the day of sale, and retain
the title to said real estate for
the deferred payments.

But the said Commisr will not
proceed to execute this decree
until he shall have entered
into bond in the Clerk's office
of this County, in the penalty
of ~~five hundred~~ ^{one thousand} dollars, conditioned
to faithfully execute this order.
And the said Commissioner will
make report & return any bonds
he may take, to Court, in order
to a further decree.

Prinice

in $\frac{2}{3}$ Decree

Wickell's Adm.

May Term 1871

To be entered.

G. W. B. B. B.

Prince

or 3/4 Secree

Miskelli Adams to

Nov June 1871.

To be entered.

George W.
by

Prince
vs $\frac{2}{3}$ Deane.
Miskell's Advers &c.

This day this Cause
came on to be heard on the paper
formerly read & was argued by
Counsel. On Consideration whereof
and on the motion of the Plaintiffs
and by Consent of parties, it is
ordered by the Court that this
Cause be removed to the County
Court.

No Court, together with any Matter specially stated, deemed pertinent by himself, or required by any of the parties, interested to be so stated.

Attest
J. D. Taylor

James D. Taylor, Esq.

Michaelson & Co.

James D. Taylor, Esq.

Dorchester Circuit Court, November Term 1870.

William E. Irvine, who says as well for himself
as for all other Creditors of Geo. Mitchell died.
against
Samuel Wells, late Sheriff and as such adm^r of
Geo. Mitchell died - Sarah S. Mitchell and
William Mitchell, and Geo. A. Richardson
and Between his wife - Defendants -
Plff.

This day this Cause in which the Plaintiff appears to have
proceeded against the Defendant William Mitchell, who is
out of this Commonwealth, in the manner prescribed by
law, against absent Defendants, and he still failing to
appear and answer, came on to be heard on the Plaintiff's
Bill which has been taken for confessed as to all of the
Defendants, with general replication thereto, and the exhibits
filed, was argued by Counsel; On Consideration whereof
the Court doth adjudge, Order and decree, That the
Commissaries of this Court, take the following account, to wit:
An account of the administration of Samuel Wells, on
the Estate of Geo. Mitchell died -
An account distributing whatever balance may be
found due by the said Saml Wells, amongst the several
Creditors of the said Mitchell.
An account of all the outstanding debts against the
Estate of said Mitchell.
An account of the annual and absolute value of the
real Estate of which Geo. Mitchell died Seized;
In auditing which accounts, the Commissaries is
Ordered to take any & parts accounts as heretofore
returned as prima facie correct, liable however to be
Surcharged and falsified.
All of which accounts the Commissaries will report to

Prince

vs F. Deane

Mitchell Adams

May Term 1875.

To be entered,

Geo. V. Brown.

Prince
vs 3 Deane
Miskell's Adm'r v. -

This day this Cause came on to be further heard on the papers formerly read, and the reports of Comr Prince filed July 18 1843 & Apr 15. 1845 and were agreed by Counsel. On consideration whereof, the Court doth confirm the said reports, no Exceptions being filed to the same; and the Court, adopting the report of Comr Prince filed Apr 15. 1845 as the basis of this decree doth adjudge order & decree that J.B. Prince, out of the assets in his hands pay to the following parties the following moneys - with interest on each amt. from March 15th 1845. viz - To Jos. A. Drury's Adm'r \$1.04. To Saml. Drury's Ex'r 0.42 Mrs B. Williams 0.55. M.A. Newton \$1.80. W.D. Taylor 0.15 W.B. Prince's Adm'r \$2.10 M.P. Ryland \$4.40 - Robt Rowland \$2.47. Ann C. McElmore \$17.50 - J.R. Piles 0.10. A.J. Leonard \$14.04 - Take receipts from the several parties & file with his report under this order.

Prize

in 3 Decree.

Miss Kelli Adams &c

May Term 1876

To be entered.

Geo. B. Lord.

Prince
vs. 3 Deane.

Chickell's Adm'r &c.

This day this cause came on to be
again heard on the papers formerly read
and the report of J. B. Prince, Counr.,
with receipts thereon, filed May 5.
1876, and was argued by counsel.
On consideration whereof, the Court
doth confirm said report. No excep-
tions being filed to same - and
nothing further appearing necessary
to be done in this cause, it is ordered
to be removed from the docket.

130 52.

Prince

v. } Papers

Miskells adm of

1876 May. Removed from
the Docket

Received by Clerk
Circuit Court Aug 13th 73