1881-06 Southampton County - Chancery Delostch, J. W. et als vs Kindred, D. H. et als

"To partition Real Estate"

J. W. Delastch + Bettie S. Delastch
W. W. Williams + Sally Williams his wife
E. C. Majett + Louisa J. Majett his wife
J. J. Kindred wife

D. H. Kindred Admr Est. B. B. Kindred
H. G. Kindred

Delvatch, wife Sorthes

vs 3/3 Bill.

Kindred &c

1877 October Rules

J B Bruce Esq.

To the Hon Geo Blow. Judge of the Circuit Court of Southampton. In Chancery.

Humbly complaining sheweth unto Your Honor your complainants J.M. Deloatch & Bettie S. his wife, formerly Kindred, N. N. Williams & Sallie V. his wife, formerly Kindred, E.C. Mayo & Louisa J. his wife, formerly Kindred & J.J. Kindred, that during the Year 1849 Henry Kindred departed this life after having made & published his last will & testament which was duly admitted to probat in the County Court of Southampton. as will more fully appear from a copy of the order of probat filed herewith & prayed to be taken as a part of this bill. That the following parties are now his only devisees & heirs - to wit Your Complainants Bettie S. who has intermarried with J.M. Deloatch. Sallie V. who has intermarried with N. N. Williams. Louisa J. who has intermarried with E.C. Mayo, J.J. Kindred. D.H. Kindred in his own right & as Admr. B.B. Kindred dec'd, & H.B. Kindred -. That at the time of his death the said Kindred was seized in fee of large landed estate, all of which except about 850 acres has been sold.

That your complainants believe that remaining 880 acres of land is susceptible of partition among the parties entitled, whilst the defendants or one of them at least thinks a division in kind impracticable. That it is necessary there should be some disposition made of this land and whilst the matter is in controversy, that some party to be appointed by the Court should rent the same out. That as there can be no agreement by the interested parties, all of whom are adults, the aid of a Court of Equity must be invoked. In consideration of all which - and for asmuch as the parties complainant are without remedy except in a Court of Chancery where matters of this kind are properly to be determined, your complainants ask that D H Kindred in his own right and as Admr B B Kindred ~~deceased~~ and H B Kindred be made defendants to this suit & compelled to answer the allegations thereof. That the Court will appoint Comrs to ascertain whether the said land can be divided in kind or not - and if partition is practicable

that the same may be properly divided;
but if partition is impracticable that
the same may be sold & the proceeds
of sale divided among the interested
parties. That the Court will appoint
a receiver to take charge of the lands
in controversy rent the same out for
one year. and that your Honor
will grant such other further, general
special relief as Equity may dictate
& the nature of this case require.
And as in duty bound your Complts
will ever pray &c. May it please the
Court &c.

J. B. Pomeroy Jr.

To the Hon George Blow
Judge of the Circuit Court of Southampton County -

Humbly Complaining, your Petitioners E. C. Maget and Louisa I. Maget his wife, and respectfully represent as follows:

That in the year 1851, the said Louisa I. Maget whose maiden name was Louisa I. Kindred, intermarried with the said E C Maget -

That at the time of the said marriage the said Louisa I Maget was entitled, as a Devisee under the will of her father Henry Kindred, to a portion of the reversionary interest in the real estate which was held by her mother Lucy W Kindred lately deceased as her dower, all of which is correctly stated in the papers in this cause in which your petitioners are parties defendant -

That the said real estate so held by the said Lucy W Kindred as her dower has since her death been sold in pursuance of a decree entered in the case of Delaware & others vs Kindred &c at the May term AD 1878, and the Report of the Commissioner who made the said sale, has been confirmed at this present Term of this Court -

Your Petitioners therefore humbly pray that the portion of the proceeds of the sale of the said real estate to which the said Louisa I Maget may be entitled may be declared to be the separate estate of the

said Louisa I. Maget and not in any manner or to any extent subject to the use control or liabilities of her said husband the said E. C. Maget but that the said sum may be ordered to be paid to the said Louisa I. Maget as if She were a feme sole And as in duty bound your petitioners will ever pray &c.

Jno I. Kindred
Atty for Petitioners

Delater Hotton
vs
Kindred & others

Petition of E C Maget
Filed —
Recorded Term 1878.
Law & Eq.
Testimony.

Deloach &c Wife &c

v } Exhibt

Hendreds admor &c

In the name of God Amen, I, Henry Kindred being in sound mind a disposing memory do make this my last Will and Testament.

1st Pay all my just debts.

2nd I give my wife Lucy P. Kindred the plantation wherein I now live including the Williams, the Vick and the McMeills tracts. I also give her one third of all my money and bonds due my estate, when after my estate being settled I also give her one third of my negro slaves during her natural life.

3rd I give my son David N. Sarah V. and Elizabeth S. Kindred, also to the Child which is not yet borned, one thousand, four hundred dollars to each one of them, making five thousand, six hundred dollars to be divided between the four Children.

4th I give my daughter Louisa J. Kindred four hundred dollars.

5th If there should not be money enough to the amount which I have given away to my Children my wish is for negroes to be valued to make that amount without selling them to make the amounts of money which I have given away to my Children.

6th My desire is that all the balance of my estate to be equally divided between John D. Louisa J. David N. Sarah V. and Elizabeth S. Kindred including the Child which is not borned

7th If either of my before named Children should die before they should arrive to the age of twenty one years, the portion of my estate which they would be entitled to should be equally divided between all of my surviving Children, except one should die having a lawfull issue of her body then my wish is that her issues should receive the mother portion of my estate which the mother would of got provi- that she had lived until twenty one years of age. The slave which I have loaned my wife, Lucy P. Kindred at her death is to be equally divided between John D. Louisa J. David N. Sarah V. and

Elizabeth Kindred and the Chile_ which is not yet borne, if either of the above named Children should die before the death of my wife my wish is that the portion which that Chile_ or Children would receive at her death to be equally divided betwen all of my surviving Children or there Lawfull issue of there bodys. In witness whereof I have hereunto set my hand and affix_ my seal in presence of —

Interlined befor I signed.

I leave my son John D. Kindred and Benjamin D. Kindred my Executors to this my last will and testament. Signed and sealed in presence of

Exum Bryant
Benjamin J. Pope
Richard his X mark Atkinson

Henry Kindred (seal)

(seal)

At a Court held for the County of Southampton on the 19th day of December 1849. This last will and Testament of Henry Kindred decd was proved by the oaths of Exum Bryant and Benjamin J. Pope, two of the subscribing witnesses thereto and ordered to be recorded: and on the motion of John J. & Benjamin D Kindred, the executors therein named who made oath and together with Richard Dardin, Peter Edwards and Harris and P. Pope their securities entered into and acknowledged a bond in the penalty of sixty thousand dollars, conditioned as the law directs. Certificate is granted them for obtaining a probat of said will in due form.

Teste, S.R. Edwards C.C.

A Copy.

Teste, S.R. Edwards C.C.

Deloatch vs Pfeiffer et al.

~~Kindred~~

v } Report

Kindred et al.

1878. January 21st

We, the undersigned Commissioners, appointed by a decree of Circuit Court of Southampton County, at the November Term 1877, to make, if practicable, a division of the land of which Henry Kindred died seized and possessed, among the legatees of said Estate, to Wit: to E. C. Nagett & Wife (1/6) one sixth to H. J. Deloatch & Wife (1/6) one sixth, to H. H. Williams & Wife (1/6) one sixth & to Henry B. Kindred (1/2) one half. Most respectfully report; That we have carefully examined the said land, and find it impracticable to make a division of the same, giving equal justice to all parties; in as much as the Homestead Tract containing two hundred and Eight acres (more or less) worth, in our Opinion, about Eight hundred and twenty five dollars, Cash, and the Phillips' Tract, containing seven hundred acres, (more or less) worth in our Opinion, about two thousand dollars, Cash- is so situated and contains such a diversity of soil, ~~and~~ interspersed with Swamps, Marshes &c. that we do not think the same can be divided with satisfaction to all parties concerned.

Respectfully submitted

B. F. McLemore

J. E. Bryant

C. L. Borden

By request of Legatees — J. D. Worthington

Commissioners

Delvatch, wife &c
vs 3 Report of Comr. J.B. Pomeé.
Kindred & Adms &c

In this cause your Comr. submits the following report. That pursuant to decree rendered at May Term 1878, Your Comr. sold the real estate in the proceedings mentioned at October County Court - and at the sale thereof H.B. Kindred became the purchaser of the Homestead tract containing 208 acres, more or less, by bidding therefor the sum of $1680-.
W.J. Delvatch became the purchaser of the Phillips tract by bidding therefor the sum of $3000-.
Both sales are very satisfactory and I recommend Confirmation.
W.J. Delvatch gave a draft payable Dec. 1. 1878. for $1000. and executed his two bonds for $1000- each due in one & two years from day of sale - without security.
H.B. Kindred executed his two bonds for $840- each with B.E. Worrell as surety, due in one & two years - The reason why I demanded no cash of H.B. Kindred is, that he is entitled to one half of the net proceeds of both farms - and his part of the cash to be realized from Delvatch will quite pay his own cash payment -. The bonds of Delvatch & Kindred are herewith

returned. all of which is respectfully
submitted.
Nov 4. 1878.

J. B. Price
Special Commissioner.

To the Judge of the Circuit
Court of Southampton

Deborah Wiggins
vs
Robert D. Hale
Richard A. Sheer

Nov 6. 1878

Delevatch & Wife
vs. Ejectment
Kinderhook Academy &c

Report of Comrs
J. B. Ponier

Pocahontas Circuit Court, November Term 1878.

Deloach & Wife &c. Pltfs

against In Chancery

Kendrick's adm & c Defts

This day this Cause came on to be further heard on the papers formerly read, the Report of Comr. J.B. Prince, filed during the Term & was argued by Counsel. On Consideration whereof no Exceptions being filed to said Report the Same is hereby Confirmed, & the Sale therein declared firm & binding between parties. And the Court doth further decree that J.B. Prince, Commissioner, out of the Cash to be realized from W.J. Deloach, after paying all Costs & expenses of this Suit, & the Sales, distribute the balance among the parties entitled, & make report to Court.

A Copy,

Clk's Costs paid. $9.[illegible] S.R.C. Test,

Shff " 100 pd W W B. J.K. Tyler, D.C

Law " 1650 pd 2.50

$26.87½

111 Fl

Deborah Louise Ff
vs
State. Rules

Kindred adm Ff

Costs $9.37
Sh 1.00

1881 May Removed from the Docket

In Southampton Circuit Court—

I W Deloach & Bettie S his wife, formerly Kindred, W. W. Williams & Sallie V his wife, formerly Kindred, E. C. Magett & Louisa J his wife formerly Kindred & J. J. Kindred — Plaintiffs

against

D. H. Kindred in her own right and as administrator of B. B. Kindred dec'd & H. B. Kindred — Defendants

1877 Sept. 15. Summons issued

" Oct 8. Summ. ret'd. Executed & Bill filed. D Nisi v Defts.

" Nov " Bill taken for confessed & Cause set for hearing

" " 7. Decree for partition

78 May 1878 May " R'ct'd Decree &c for Sale &c

1880 Feby 25 Report of Comm'r Price

" " Decree Confg report &c

1881 May Removed from the Docket

Dilocha's wife &c

vs

Kindreds

Answer of H. B. Kinard

The answer of H. B Tinder to a bill in chancery in the circuit Court of Southampton by Deloche's wife and others vs him and others

This defendant for answer to the said bill or so much thereof as he is advised it is material for him to answer, answering says he owns one half of the land in question in his own right and the shares of Benjamin B Tinder and David H Tinder by deed of bargain and sale of record in Southampton This defendant is satisfied the said lands two tracts one of 224 acres and the other some six or seven hundred acres cannot be well divided without injury to some of the lines and he thinks a sale of all and division of the purchase money and having fully answered prays timeto be dismissed with his costs &c

H. B Tinder by
Wm B Shands his attorney

Schedule Nos 1 & 3
Kindred Nations

Report of Comm
J. B. Prince-with
Receipts

May 5. 1879

In the Prob. Ct. for Circuit Court of Southampton

Delotch & wife &c
vs
Report of Comr. J. B. Ponier

Kindreds &c

In this cause the following report is submitted. I have collected the cash payments from both W. J. Delotch & H. B. Kindred and distributed the same as per statements below.

1878. Dec 1. By cash of W. J. Delotch $1000.

To pd costs of suit	$26.87 ✓	
" " Commissions	69.00 ✓	
" " for posters	3.00 ✓	
" " deed to purchaser	10.00 ✓	108.87
Net amt for distribution		$891.13
1/6 to W. W. Williams & wife	$148.52 1/6 ✓	
1/6 " E. B. Mayo & wife	148.52 1/6 ✓	
1/6 " W. J. Delotch & wife	148.52 1/6 ✓	
1/2 " H. B. Kindred	445.56 1/2 ✓	$891.13

By cash of H. B. Kindred $560

To pd Commissions	$42.60	
" " Auctioneer	20.00	62.60
Net amt for distribution		497.40
1/6 to W. Williams & wife	$82.90 ✓	
1/6 " E. B. Mayo & wife	82.90 ✓	
1/6 " W. J. Delotch & wife	82.90 ✓	
1/2 " H. B. Kindred	248.70 ✓	$497.40

I return along with this report proper vouchers from all the parties for the above collected funds. The bonds of W. J. Delotch & H. B. Kindred will be due before the next term. All of which is respectfully submitted.

May. 5. 1879.

J. B. Ponier Comr

Recieved Decbr 16. 1878 of J B Prince,
Commissioner in Chancery suit Delvalett
wife vs Knickerbocker &c &c, One hundred
& forty Eight 52/100 dollars. Same being in
full of amt due us from Each payment
on Phillips tract of land.

D W Williams & wife

Rec'd Feby 17. 1874
of J. B. Price Comm
One Hundred &
forty Eight 52/100 dollars
in full of money
collected of W. J. Belcher
and Twenty seven 77/100
in full of money collected
of H. B. Kendall on acct
of his cash payment

Geo. R. Magee

Geo. R. Magee
Att'y for Plaintiff
Feb'y 17th 1874

Mr Prince

Please send me by George Maget my portion of money from my Mother's Land sold for & oblige Yours &c.

Louisa J. Maget.

February 17th. 1879.

H. B. Rhinehart
to 3 Regt
J. B. Rhinehart Corp

Received Dec 23. 1878 of J. B. Prince
Comr in Chancery Suit Delozier & wife
vs Kindred &c. four hundred & forty
five 50/100 dollars. Same being in
full of net amt to which I am
Entitled from each payment on
Phillips land. and also the further
sum of two hundred & forty Eight
70/100 dollars. Same being in full
of amt to which I am entitled from
Each payment for Home place.

R. B. Kindred

Decoated knife
to J Nott
J M Munn Com

Received June 7th 1879 of J. B. Price
Commissioner in Chancery Suit Deboldt
Strife &c Rinder of One Hundred forty
Eight 52/100 dollars. Same being in full
of amt due us on Cash payment
for Phillips tract of land. and
also the sum of Eight two 90/100
dollars. in full of amt due us
on cash payment of The Horne
place.

W. L. Deboldt
Bettie S. Deboldt.

148.52
82.90
231.42.

Received June 1879 of J. B. Lancaster Commissioner, in Chancery for Dekalb County &c. the sum of Eighty-two 9/100 Dollars, in full of amt due myself & wife from Cash payment for tract of land bought by H. B. Shudde & known as "The Home Place".

W W Williams & Wife

Received Nov 9. 1818 of J. B. Prince Comr
in Chancery suit of Silvester Stiles
et Uxor &c Admr twenty dollars
in full of fee for selling lands.

T. de Bardenave

F. De Bordenave

Recpt

Hundred, Land

E. C. Mayo
Lou. J. Mayo
To } Receipt
$82.90/100

Rec'd Feby. 18th 1879. of Henry B. Kindred the sum of Eighty two & 90/100 Dollars in full for my part of his Cash payment on the "Kindred Home place"

Louis J. Maget
E. E. Maget

Delvatch suite 4.
vs 33
Rundied 4.

Juice report 10
Comr L B Prince
with Donahoe

1881 January 8th filed

Delvalett wife vs Thos
et als Final Report of Comrs
Kindred-

In this Cause I submit the following
report: I have collected the last
bonds of W J Delvalett & H B Kindred
and paid the proceeds to the parties
entitled, as per their receipts filed
herewith:

W. J. Delvalett's bond		1000.00
Int from 21 Oct '78 to 6 Dec '80		127.50
		$1127.50
H. B. Kindred's bond - $560		
Int as above -	71.40	
		631.40
		$1758.90
1/6 to W. J. Delvalett's wife	$293.15	
1/6 " W. W. Williams wife	293.15	
1/6 " Elmyatt wife	293.15	
1/2 to H. B. Kindred -	879.45	$1758.90

I have made a deed with special
warranty to W. J. Delvalett for the Phillips
tract & to H. B. Kindred for the Home tract.
There is nothing further to be done in this
Cause, and I recommend that it be removed
from the docket.

Respectfully submitted.

J. B. Prince
Comr.

January 3. 1881.
To Judge Circuit Ct.
Southampton

Received Decbr 11. 1880 of J. B. Pannill, Comr in Chancery suit Debatch wife &others vs Kindred Circuit Court Southampton: two hundred and ninety three 15/100 dollars in full of our shares from last bonds of W. J. Debatch & H. B. Kindred.

Wm J Debatch

Bettie S. Debatch.

Received Decbr 11. 1880. of J. B. Prince
Com'r in Chancery suit Delovatch &
Wife vs Thos W Kindred - Circuit
Court, Southampton - Eight Hundred
& Seventy Nine 4 5/100 dollars - in full
of my share from Lott bon of
D W. J. Delovatch & H. B. Kindred
filed in said suit.

H. B. Kindred

Received Decbr 1880 of J. B. Parrish
Comr. in Chancery suit Delovatch & wife
vs Heirs & Kindred. Circuit Court of
Southampton Two Hundred & ninety
three 15/100 dollars in full of our
shares of said bonds of W. J. Delovatch
& H. B. Kindred's.

W. W. Williams
Mrs W. W. Williams.

Mr J B Pierce

Will please pay George
H Maget the amount due me from my
Mothers Estate & oblige

L J. Maget

Dec 20th 1880.

Rec'd Dec 20. 1880
of I B Bruce Comr
Two Hundred ninety
three 15/100 dollars in
full of this order.
E C Maget
L J Maget
By G H Maget

Executed by delivering to D. B. Kendrick D.S. Kendrick each a copy of this Summons on the 22nd day of September 1877

W. W. Boggs Sh'ff

Beloach Ullah & Co
v
Kendrick & Co
1877 October Rules

Summ. Ch'y

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON H. B. Kindred, D. H. Kindred in his own right and as admr: of B. B. Kindred dec°

if they be found within your bailiwick, to appear at the Clerk's Office of our Circuit Court of Southampton County at the rules to be holden for the said Court, on the first Monday in October next — to answer a bill in chancery exhibited against them in our said Court by J. W. Deloach & Bettie his wife W W. Williams & Sallie V his wife, E. C. Mgee & Louisa J his wife & I. I Kindred

And have then there this writ.

WITNESS, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this 15th day of September, 1877, in the 102°. year of the Commonwealth.

L. R. Edwards c c

78

Delaware & Hudson Canal Co
vs
Kindred

Report of Comm
Pierce

Rec'd with report

July 25, 1880

Deloatch & wife &
vs. } Report of Comr. J. B. Pence
Kindred &c.

In this cause Your Comr. submits the following report. He has collected the second bond of W. J. Deloatch & distributed it as follows--

Amt of bond. Int from 21 Oct 78.	$1000	
Int to 11 Dec 1879.	68.33	
		1068.33
Amt H. B. Kindred 2nd bond.	$560	
Int as above	38.23	
		598.23
		$1666.56
1/6 to W. J. Deloatch wife	277.76	
1/6 " E. C. Mayo wife	277.76	
1/6 " Carrodeian wife	277.76	
1/2 to H. B. Kindred.	833.28	$1666.56

I did not actually collect H. B. Kindred 2nd bond, as there was no necessity therefor, out of his 1/2 of Deloatches bond, I paid the parts to which the others were entitled out of Kindreds bond, & paid the balance to J. B. Pope, as per his recpt on order from H. B. Kindred, filed with this report. The recpts from the parties are all filed - and do not exactly correspond with above amts, on acct of interest being added, to dept given by Deloatch at sixty days.

Respy submitted J. B. Pence
Comr

Feby 25. 1880.
To Judge Cloud Esq.

L. J. Mayo
to Scott
J. B. Runcie

Received July 16. 1880 of J. B. Pryce
Comr. in chancery suit Delvatch
& Hundley - Two Hundred & fifty-
two 83/100 dollars - in full of my
portion from 2nd payment of W. J.
Delvatch & H. B. Hundley on their
purchase of land belonging to
Henry Hundley Estate.

L. L. Nagel
for Geo.

Recd Feby 17. 1880 of J. B. Price Cour.
Twenty Seven 10/00 dollars. check
on Bain & Bro. for Twenty Seven
10/00 dollars in full of balance
due me on 2nd bond of H. B.
Kindred &c. J. Delvalet. purchaser
of real Estate in suit Delvalet
Wife vs Kindred &c.—.

Lou. J. Magee
Pltf H. B. Kindred

Rec'd Feby 1880 of J. B. Prince, Comr.
in the Chancery suit of Deloatch
Bros for two Hundred, Two hun-
dred Seventy Seven 75/100 dollars
same being the portion to which
we are entitled from the second
bond of W. J. Deloatch & H. B. Rhodes
for purchase of real Estate in
said suit.

178.05
99.70
277.75

Billie S. Deloatch.
Wm J. Deloatch

W. Williams
wife
to
Mr Reft
J. B. Rucker Comr

Statement of Money collected by
J B Prince Comr. in favor of
W W Williams wife, from second
bond of W J Delvalch & H B Kindred
for purchase of land belonging to
~~H~~ Kindred Estate.

W. J. Delvalch bond. $1000,
Int from 21 Oct 78 to 11 Dec 79. 68.33

$1068.33

H B. Kindred bond - $560.
Int as above 38.23

$598.23

1/6 to W W Williams wife 6)1666.56

277.76

Int to 11 Feby 1880. 2.78

$280.54

Received Feby 1880 of J B Prince
Comr in Chancery suit Delvalch,
&c &c &others vs Kindred &others,
two hundred & eight 54/100 dollars
in full of above Statement.

W. W. Williams
S. V. Williams

J. W. Deloach wife. M. W. Williams wife
E. E. Magett wife & J. J. Knivet
To Clerk Circuit Court Southampton Co.
Fees in suit vs Knivet &c. up
to November 78. $9.32
L. R. Edwards C.C.C.

Rec'd Feby 17. 1880 of D B Price
Comr Two hundred & thirty
Six 87/100 dollars. Same being
H B Kinder's share from
Second bonds for purchase
of Phillips land.

F. B. Byler

Jerusalem Va Jany 30th 1879

J. B. Prince Esqr.

Dr Sir:

You will please pay over to J. B. Pope the amounts which I am to receive through you as Commr. in the sale of the Phillips Place - after deducting enough to pay the two Bonds which you hold against me for the deferred payments on my place and this shall be your authority for the same

Very truly,

H. B. Kinder

Delvalch wife &c.
vs
Decree.
Kindred & Adms &c.

This day this Cause came on to be heard on the bill of the Complainants, taken pro confesso as to all the defendants, Except H.B. Kindred, the answer of H.B. Kindred and was argued by Counsel. On Consideration whereof, the Court doth adjudge order & decree that partition be made of the lands in the bill mentioned as follows. 1/6 to W. J. Delvalch wife - 1/6 to W. Wilkinson wife - 1/6 to Eliz. Mapt wife - 1/2 to H.B. Kindred who is the purchaser of D.H. Kindred & B.B. Kindred's shares. And for the purpose of effecting such partition the Court doth order that B. F. McLemore, Jonas Bryant, James Barden, & Henry D. Hill, who are hereby appointed Comrs for that purpose, any three of whom may act do assign & allot to the several persons before named the respective shares & proportions before-mentioned by metes & bounds. And if partition cannot be conveniently made then the said Comrs will report that fact to Court, and also whether the entire subject can be allotted to any interested

party, who is willing to accept it and pay therefor to the other parties such sums of money as their interest therein may entitle them to. The said Amos will also report the real value of the land - and in the event partition in kind cannot be effected, then Wilbur Huff Sheriff of Southampton will take possession of said lands & rent them out for year 1878 - taking bonds from renters with approved security & report to Court.

Nov Term 1877
To be entered.
Geo: Bliss
J.C.

Alvah Tarbox et ux
vs
Reuben Deese
Pinder & Atkinson

Deloatch, wife &c
vs 3 Deeds.
Kindred Adms &c.

Nov Term 1878

To be entered,

Geo. V. Blow.

Delvalch wife &c
vs Decree.
Kindred Adms &c

This day this cause came on to be further heard on the papers formerly read, the report of Comr. J.B. Prince, filed during the term and was argued by Counsel. On consideration whereof, no exceptions being filed to said report, the same is hereby confirmed and the sales therein reported declared firm & binding between the parties. And the Court doth further decree that J.B. Prince Comr. out of the cash to be realized from W. Delvalch, after paying all costs & expenses of this suit & the sales, distribute the balance among the parties entitled & make report to Court.

Delo Atchinson &c.
vs. 1/3 Decree.
Knight & Adm. &c.

This day this Cause came on to be further heard on the papers formerly read & the report of Comr. B. F. McLemore & others, filed Jany 21. 1878, reporting partition of the real estate in the proceedings mentioned impracticable & recommended by Counsel. On consideration whereof, the Court confirming said report, to which there is no Exception, doth adjudge & decree that J B Pence he & he is hereby appointed a Special Comr. for the purpose. That he sell the real estate whereof Henry Knight died seized, remaining unsold, viz. the Homestead Tract of 208 acres, & the Phillips Tract of about 825 acres, after 30 days public notice of time & place of sale, such notice to be posted at five or more public places in the County of Southampton, upon the following terms viz. one third Cash. the balance on a credit of one & two years. Equal annual instalments, the purchaser to give bond with approved security, carrying interest from day of sale. and the title to be retained

until the whole of the purchase money is paid. But this order is to be suspended until the said Comr. shall Enter into bond with approved security, before the Clerk of this Court, in the penalty of four thousand dollars, conditioned to Execute this and any further decree in this cause- and the said Comr. will make report of his proceedings to Court.

"

Albert Wife &c
vs
Same
Same & others

Albany June 1878
To be Entered.
Geo. T. Bedford

Deloatch wife &c
vs
Deree
Kinder & &c.

May Term
1879
To be entered.

Ent 3 cons.

Rec'd Dec 6. 1879 of Clerk Circuit Court Southampton. one bond of H.B. Kinder & B.E. Warren for $840. due 21 Oct 1879. Int from 21 Oct 1878. and one bond of W. Deloatch for $1000 due & dated as above.

J.B. Pruden
Comm

Rec'd Dec 1. 1880 of Clerk Circuit Court. Southampton - one bond of H.B. Kinder & B.E. Warren for $840 due 21 Oct 1880 - Int from 21 Oct 1878 - and one bond of W. Deloatch for $1000 - due & dated as above.

J.B. Pruden
Comm

Deloatch Heirs &c.
vs
Decree.
Kindred &c.

This day this cause came on to be further heard on the papers formerly read, the report of Comr. J.B. Prince, filed May 5. 1879. reporting collection of $1000 from W. J. Deloatch & $560- from H.B. Kindred- and distribution of same- and was argued by Counsel. On consideration whereof, the Court doth confirm the said report, no Exceptions having filed thereto- and it appearing to the Court that the 1st bonds of W.J. Deloatch & H.B. Kindred will be due before the next term of this Court, the Court doth adjudge order & decree that J.B. Prince, Comr. withdraw from the papers in this cause, the bonds of W.J. Deloatch & H.B. Kindred, after first receipting to the Clerk for the same, collect them as they become due & pay the proceeds to the parties entitled- and make report to Court- The said Comr. is also authorized to Execute deeds to said Deloatch and Kindred when they shall have fully paid all the purchase money due by them

Deboalch & wife &
al 3 Decree
Kindred

May Term 1880
To be Entered.

Geo. Blow.

Deloatch Wife &c.

vs

Decree.

Kindred-

This day this cause came on to be further heard on the papers formerly read and the report of Comr. J B Davies filed July 25. 1880- reporting collection & disbursement of bonds of W J Deloatch & H B Kindred, with proper vouchers for same now argued by Counsel. On consideration whereof and no Exceptions being filed to said report, the same is hereby confirmed-.

Deloatch wife
vs } Decree
Kindred &c

May Term 1881

To be entered —

Geo. V. Blow.
12

Deloatch &wife

Against &c Decree

Kindred &c.

This day this cause came on to be further heard on the papers formerly read and the Report of Comm'r J. B. Prince, filed Jany 3, 1881, shewing the collection of the last bond of W. J. Deloatch and A. B. Kindred for the "Phillips tract" and "Home place" respectively and the payment of the same to the parties thereto entitled with proper vouchers therefor, and was argued by Counsel. On consideration whereof and no exceptions being filed to said Report, the same is hereby confirmed; and nothing further appearing necessary to be done in this cause it is ordered that the same be removed from the docket.

Delostchoices &c..
on 33 decree
Kindred

May 7th 1881
To be entered.

Delvalch vs Pet^{r} et^{c}.
" 3 Decree
Kindred.

This day this cause came on to be further heard on the papers formerly read, the report of Comr. J. B. Prince, filed Jany 3. 1881. reporting collection and disbursement of the bond of W. J. Delvalch & H. B. Kindred, supported by proper vouchers, and the Execution of deed to W. J. Delvalch & H. B. Kindred. and conveyed by Counsel. On Consideration whereof, No Exceptions being filed to said report, the Court doth hereby approve and confirm the same - and nothing further appearing necessary to be done in this cause - the cause is ordered to be removed from the docket.