

1899-003

Chancery Cause: Mary A. J. Burton & al vs Claudia K. Hardy, H. B. Hardy & al

Isle of Wight County

Other surnames: Jordan, Edwards,
White, Boykin, Motley, Folk,
Holloway

Buxton ^a M^r. et al
v. Bell

Hardy Claudia K et al

3^d Feb^y rules 1898. Bill testifies
W. L. Holland afft. gen. admission. Infts
answ^r filed, order publication re Claudia
K. Hardy. H. B. Hardy, J. B. Mullins. service
acknowledged R. Edwards, shff, re. de
nisi.

2^d March rules 1898. bill taken
for confes as to all debts & cause
set for hearing

April 25th 1898.
Re for am. lodiceds if not can be
divided in kind

July 26th 1898 vacation
to sell re

Oct. 24th 1898 to sell
and pay out

April Term 1899
Final Decree

To the Hon R. R. Pontis Judge of
the Circuit-Court of Isle of Wight
County in Chancery sitting:

Com-
-plaining & heretofore into the Court-
your Orators ^{A.} many, J. Buxton,
Lucy J. Jordan, Douglas A. Jordan
and R. A. Edwards Sheriff of the
County of Isle of Wight and admin-
istrator in the Estate of Alexandra Mott
That John A. Jordan of the County
of Smithfield married Rebecca G.
Firth of the City of Norfolk, Virginia
prior to November 1st, 1853.

2 That on that day the said John A.
Jordan and Rebecca G. his wife enter-
-ed into covenants and agreements that
the proceeds of the sale of a house and
lot in the City of Norfolk should after
discharging a small lien upon it be
paid over to Sampson White as Trust-
tee for the said Rebecca Jordan who was
to hold it for her sole, separate and exclu-
sive use during her ~~life~~ ^{lifetime} and
was to invest it, or any portion of it, in
personal or real estate as she might di-
-rect and order which she could dispose
of by will" duly executed in the mode

prescribed by law" and which in default
of such appointment - was to go to the
^{surviving} children of the said Rebecca G. Jordan
and to the children of any deceased child
which were to take the share of the de-
ceased parent - which will more fully
and at large appear by the Covenant
and Agreement of the parties, a
copy of which is herewith filed as
Exhibit "A" & prayed to be taken as
a part of this bill.

2

That a part of the proceeds
of the sale of the house and lot in the city of
Norfolk, was under the covenants
and agreements of Exhibit "A" in-
vested in a certain house and lot or por-
cel of land ~~in and~~ near the town of Smith-
field and County aforesaid containing
by estimation two thirds of an acre
being the house and lot formerly
owned and occupied by Isaac W. Jordan
as will more fully appear by reference
to a Deed of Trust from Isaac W.
Jordan and wife to S. James Wilson
Trustee for Francis M. Boykin bear-
ing date on March 10th 1847 and by
Deed of Bargain & Sale from F. M.
Boykin & wife to Sampson White Trust

1
the as aforesaid bearing date on the 16
day of December 1853 duly recorded in
the Clerk's office of the County Court of Jan
y Wright - County copies of which ~~pages~~ as
exhibits 'B' & 'C' are herewith filed
and prayed to be taken as a part of
this bill

3 That since the date of the above
Deeds the Corporate limits of the town
of Smithfield have been greatly ex
- tended and the said lot of the said
Josiah W. Jordan, Francis M. Boykin
and Sampson White Trust of Kelurah
G. Jordan is now wholly and entire
- ly within the town of Smithfield
and the then adjoining owners having
died, the lot of James Chalmer being
now owned and occupied by Vincent W.
Jynner, and the lot of S. Junius Wilson
being now owned and occupied by W. W. Cofer
the present boundaries of the said lot
of the said Kelurah G. Jordan are as
follows: viz: that certain piece and
parcel of land lying and being in the town
of Smithfield, Virginia, about two thirds
of an acre which is bounded on the north
by Main Street of the said town of Smithfield
on the South by Cedar Street on the East
by the lot now owned and occupied by

W. W. Coffer and on the West by the lot
now occupied by V. W. Ayner

- 4 That the said Keturah G. Jordan died in
the town of Smithfield on the 12th of January
1873 ^{in testate} in the ownership of the above lot and
left surviving her, her husband the
said John A. Jordan and the following
children, viz, Mary A. Alexina,
Lucy J., Fannie, Claudia K.
and Douglas A. Jordan.

- 5 That the said John A. Jordan departed
this life on the day of 18

- 6 That on the 11th day of February 1864
the said Mary A. ~~Jordan~~ Jordan married
W. J. Blyston who died on the 21st day
of January 1892;

- 7 That Alexina Jordan married John
B. Motley, ^{a citizen of North Carolina} on the 24th day of April 1867
and died ^{in testate} on the 10th of June
1892 leaving surviving her her
daughter Keturah ^{said husband who has not been heard from for more than seven years} Suth Motley and her

- 8 Lucy J. Jordan is unmarried

- 9 Fannie Jordan died October 12th 1878 in
testate and unmarried.

- 10 Claudia K. Jordan married H. B. Hardy
on November 28th 1878 and they now live
at in the state of North Carolina

- 11 That the said John B. Motley has not-

has been heard from for many years and if living is, probably somewhere in the State of North Carolina in some locality unknown to your orators

12

That partition can not be conveniently made of the aforesaid Kehring & Jordan lot - between the parties entitled thereto and there can not be an allotment of a part and a sale of the residue for in the first place the lot is not susceptible of it; and if it were all of the parties interested live out of the town of Smithfield, County of Isler of North Carolina, some of them in Portsmouth Virginia and others in North Carolina and their condition is such that they can not take either the entire subject, or any part of it and pay to the parties entitled the amount to which they would be respectively entitled: so, the lot must be sold and the proceeds distributed between the parties as they are respectively entitled.

13

That there are no debts due by the estate of Alexina Matley that are known to your orators. Her estate has been committed to R. A. Edwards, Sheriff of the County of Isler of North Carolina - as will appear by a copy of the order herewith filed as exhibit - "B" & prayed to be taken as a part of

my date December 7th 1897 occurring a bond
of that date for money loaned to discharge
an indebtedness to J. W. Hallaway.

14

this bill.

That there are no liens upon the said
property of any kind or upon any
of the interests of the several parties en-
except the lien by deed of gift in favor of R. B. Hardy bear-
titled thereto as will be seen by the cer-
tificate of the clerk of the County Court
of DeKalb County herewith filed
as exhibit "2" ^{the date itself mentioned in the} & prayed to be taken
as a part of this bill.

In under consid-
eration whereof and for as much as your
relatives are without remedy save in a
Court of Chancery where matters of this
sort are alone and properly cognizable
to the end that justice may be done your
relatives pray that Claudia K. Hardy,
H. B. Hardy and John B. Motley
and Rebecca F. Motley an infant
under the age of twenty one years may
be made parties defendant to this bill
and be required to answer the same;
an answer under oath being waived;
that a proper guardian ad litem may
be assigned to the infant defendant
to defend her interests in this suit, who
shall answer this bill, his answer
under oath being waived; that
proper process may issue; that the

the said Keturah G. Jordan lot in
the town of Smithfield may be sold
and the proceeds of sale be divided
amongst the parties ^{entitled} thereto as they
are severally & respectively entitled;
that all proper orders & decrees may be
made, and that they may have all
such other, further and general relief
as the nature of their case may require
or to equity shall seem meet. And
your orators will ever pray &c
R. S. Thomas

p. 9.

Buxton M. J
v

Hardy C. K et al

Answer of
Infant Defendants

Filed Feby. 15th 1898

-sworn and says that he knows nothing
-ing as to the truth or falsity of the state-
-ments in the bill contained. He
-prays full protection for the said in-
-fant-defendant. And now having
fully answered these defendants pray
here to be dismissed with their reason-
able costs in this behalf expended, and
they will ever pray &c

Rebecca Frith Motley

by Wm S. Hall and her guardian
Deane ad litem

and Wm S. Hall and her guardian
ad litem to Rebecca Frith Motley

The answer of Keturah Frick Motley
an infant under the age of twenty one
years by W. S. Holland her guardian
ad litem assigned to defend her in
this suit and the answer of the said
W. S. Holland guardian ad litem to
the said infant Defendant Keturah
Frick Motley to a bill in Equity exhibit-
ed against the said Keturah Frick
Motley and others in the Circuit Court
of DeKalb County by Mary J.
Buxton, Lucy J. Jordan, Douglas
A. Jordan and R. A. Edwards Sheriff
of the County of DeKalb and as
such administrator of the estate of
Alexina Motley

For answer to the
said bill the infant Defendant by her
said guardian ad litem answers and
says, that being of under years she
does not know what her true interests
are in relation to the subject matter
of the said bill, nor does she know
whether the statements therein contain-
ed are true, or not. And the said guar-
dian ad litem to the said infant Defen-
dant for answer to the said bill an-

Buxton M. A. J.
v.

Hardy C. Ketel

Answer of H. B.

Hardy & wife

Filed March 22 1898

of them live in Portsmouth Virginia
and your respondents live in Wake
County North Carolina and wish
the property mentioned in the Com-
-plamant's bill to be sold and the
proceeds distributed to the parties entitled
thereto. And having answered
those defendants pray hence to be
dismissed with their reasonable
costs in this behalf expended and they
will ever pray &c

H.B. Hardy & Mary
Claudia. R. ~~James~~

Corporation of the City of Portsmouth, Court:-

I, Lewis C. Phillips, a Notary Public
for the Corporation aforesaid, in the State of
Virginia, do certify that H.B. Hardy and Claudia
H. Hardy his wife, whose names are signed to
the writing above, have acknowledged the same
before me in my Corporation aforesaid.

Given under my hand this 19th day of March 1898.

Lewis C. Phillips
Notary Public.

The joint answer of H. B. Hardy and
of Claudia R. Hardy, his wife to
the bill of Complaint exhibited against
him and others in the Circuit Court
of Soling Wright County by Mary A. J.
Buxton, Lucy J. Judson, Douglas
A. Judson and R. A. Edwards Sheriff
of the County of Soling Wright; and as
such administrators of the Estate of Al-
exandra Motley.

These Defendants, for answer to the said
bill, or to so much thereof as they are ad-
vised it is material for them to answer,
answering say: that all of the allega-
-tions of the bill, are, so far as they ^{believe and} are
informed true and correct; that the
Sale of the said house and ^{lot} in the town
of Smithfield in the bill mentioned
is necessary and for the best interests
of all parties: that it is not suscep-
-tible of partition between the parties en-
-titled to it: that there can not be
an allotment of part and sale of the
residue: that all of the parties entitled
live out of the County of Soling Wright
and town of Smithfield: that some

vs.

}

SUBPOENA
IN CHANCERY.

p. q.

To Rules.

Court.

The Commonwealth of Virginia,

To the Sheriff of the County of Isle of Wight - Greeting:

WE COMMAND YOU, That you summon Clandia K. Hardy, A. B. Hardy,
John B. Motley who are non residents of the State and Keturah
Freah Motley our infant under the age of twenty one
years

to appear at the Clerk's office of the Chancery Court of the County of Isle of Wight
at the rules to be held for the said court on the third Monday in February
1898, to answer a bill in chancery exhibited against them in our said court by
Mary J. Baylton, Lucy J. Jordan, Douglas A. Jordan and R. A.
Edwards sheriff of the county of Isle of Wight and as such administrator of the
estate of Alephina Motley

And have then there this writ. Witness, N. J. Young, Clerk of our said Court,
at the court-house, the 15th day of February 1898, and in the 122 year of the
Commonwealth.

A copy Teste N. J. Young c.c.
N. J. Young c.c.

Barton et als

vs.

}

SUBPOENA
IN CHANCERY.

Hardy et als

A. S. Thomas p. q.

To *✓ 35 February* Rules.

Circuit Court.

1898

*I acknowledge receipt of the
copy of the subpoena of the
Court of the 16th 1898
Do W. C. Thomas
per*

The Commonwealth of Virginia,

To the Shriff of the County of Isle of Wight Greeting:

WE COMMAND YOU, That you summon Blandia A. Sandy. N. B. Sandy
and John B. Motley who are non residents of this
state and Rebecca Fred Motley an infant under the
age of twenty one years.

to appear at the Clerk's office of the District Court of the County of Isle of Wight
at the rules to be held for the said court on the third Monday in February

1898, to answer a bill in chancery exhibited against them in our said court by
Mary J. Burton Lucy J. Jordan Douglas A. Jordan and
A. S. Edwards Shriff of Isle of Wight County and as such admini-
strator of the estate of Rebecca Motley

And have then there this writ. Witness, N. J. Young, Clerk of our said Court,
at the court-house, the 15th day of February 1898, and in the 122 year of the
Commonwealth.

N. J. Young c.c.

Burton et als

vs. }

SUBPOENA
IN CHANCERY.*Hardy et als**R. S. Thomas* p. q.To *30 February* Rules. *Circuit* Court.

1898

Not finding Petitioner with
 her at her usual place of
 abode, & executed this 16th day
 of February 1898, by delivering a
 copy hereof to Mary J. Burton
 your her son being then and being
 a member of her family over sixteen
 years of age and explained to her
 its purport. Wm. Smith 296
 of the City of Portsmouth Va.

Recd 50^{cts} fee for service
 Wm. Smith

The Commonwealth of Virginia,

To the Sergeant of the City of Portsmouth Greeting:

WE COMMAND YOU, That you summon Clandia K. Hardy, N. B. Hardy
and John B. Motley who are non residents of this State and
Keturah Fresh Motley an infant under the age of twenty
one years

to appear at the Clerk's office of the Superior Court of the County of Isle of Wight
at the rules to be held for the said court on the this Monday in February
1898, to answer a bill in chancery exhibited against them in our said court by

Mary J. Buxton Lucy J. Jordan Douglas A. Jinton and R. A.
Edwards sheriff of the county of Isle of Wight and as such admin-
istrator of the estate of Alexina Motley

And have then there this writ. Witness, N. F. Young, Clerk of our said Court,
at the court-house, the 15th day of February 1898, and in the 129 year of the
Commonwealth.

N. F. Young & Co.

Brytson etals

vs.

{ AFFIDAVIT FOR ORDER
OF
PUBLICATION.

Hardy etals

R. S. Thomas p. q.

In the Clerk's Office of the Circuit Court of the County of
Isle of Wight

Mary J. Burton, Lucy J. Jordan, Douglas A. Jordan ^{2nd} R. A.
Edward Sheriff of the county of Isle of Wight and as such common
brother of the estate of Alephina Motley Plaintiff
against

Clauvia K. Hardy, A. B. Hardy & John B.
Motley who are non residents of the State and Kenneth French
Motley an infant under the age of twenty one years Defendant

This day A. S. Thomas attorney for the plaintiffs personally appeared
before me, M. F. Young Clerk of the said Court,

and being duly sworn, made oath that Clauvia K. Hardy, A. B. Hardy and
John B. Motley

defendants in the said suit are not residents of the State of Virginia,

R. S. Thomas

Subscribed and sworn to before by R. S. Thomas atts.

Given under my hand as Clerk of the said Court, this 15th day of February

1898.

Stamps for Power of atty 25-

Stamps for notice of sale .10

Sentinel notice of sale 1 25

Postage
Paying at C.H. turn, and in house .50

Recording Deed of Trust 250

Procep to Port's month 50

" To Suffolk &c 50

Expres in Paper to Judge for vacation Decu 54

Die Suffolk Herald (notice)

Taxes 8.93

to clerk

Com missioner at Ry. En

over

R. S. THOMAS,
ATTORNEY AT LAW.

PRACTICES IN THE COURTS OF
ISLE OF WIGHT, SURRY,
SOUTHAMPTON
AND
NANSEMOND COUNTIES

Blaxton v. Handy.

SMITHFIELD, VA.

	Postage,	W. S. Rev. S
J. W. Roberts	2	2
A. R. Whitehead		2
G. R. A.		2
H. F. Gentry		2
R. A. Edwards		2
J. E. Booker	<u>2</u>	<u>2</u>
	4-	12

Duplex & Thru

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

Duplex & Thru

Report of

Byrne Anderson
under license of
April 28th 1898

Filed July 4th 1898

except a bid of final of W. J. Brinson, being paid in money to
 A. Jordan and Charles K. A. way to a sum of \$1000 to R. J. Thomas
 for \$1000 with interest from December 7th 1897

1 The said lot can not be partitioned in kind among the parties nor
 2 of an allotment of part and sale of the residue; that none of the
 3 said parties are willing to take the entire subject or any part
 4 of it and pay to the other parties the amounts to which they
 5 are respectively entitled. That all the said parties except John
 6 B. Mooley and the infant defendant Keturah J. Mooley have expres-
 7 sed their desire to sell the said ^{lot} and that it will be to the interest
 8 of all parties that the same shall be sold and the proceeds be
 9 divided among the parties entitled thereto; that there are no
 10 liens on the said lot or any part thereof or interest therein; *
 11 that the said lot has not been sold for delinquent taxes and
 12 the assessed per cent value of the said lot is \$1000.
 13 Hence under my hand as a commissioner in chancery
 14 of the said court the day and year first aforesaid
 15 Geo. R. Dickinson

16 Two employed clerks
 17 Commissioners fee \$7.50
 18 Staff of hundred 50 cents.

19
 20
 21
 22
 23
 24
 25
 26
 27
 28
 29
 30
 31
 32

Commissioner's Office

Smithfield Va July 2nd 1898.

To the General Court of Isle of Wight County.

The undersigned a Commissioner in chancery of the said court to whom has been referred by a decree of the said court rendered on the 25th day of April 1898 in said in chancery pending there in between Mary A J Bishop and others, plaintiffs, and Gladie H Hardy and others, defendants the making and reporting of the following inquiries To wit whether or not the house and lot in the bill mentioned, commonly called the Melrose garden or the John H Jordan lot, bounded on the South by the Main Street of the town of Smithfield, on the South by Cedar street, on the East by the lot now owned and occupied by W W Cooper, and on the West by the lot now owned and occupied by W W Foyner can be conveniently partitioned among the parties entitled thereto. 2nd Whether there can be an allotment of part and sale of the residue. 3rd Whether any one of the parties can or will take the entire subject or any part of it and pay the other parties the several amounts to which they are severally entitled and 4th whether the interests of all parties would be promoted by a sale of the lot and the distribution of the proceeds among the parties respectively entitled thereto. * Reports that on the 9th day of May 1898 he issued notices against the said parties requiring them to attend the making of the said inquiries at his said office on the 26th day of May 1898, which were returned to your commission. Since duly served or acknowledged by the said parties or their attorneys, and the taking of the said inquiries not being completed on that day the same was continued from time to time and from day to day until the date of this report when he completed the said inquiries and facts from his personal knowledge of the said lot and of the parties and from the examinations of witnesses herewith returned and finds that

* the house known of any or an any interest there which it has been for sharing need lines and the

Executed this 23rd day of May 1878 by delivering a true Copy
of the within process to Jno B Motley in person

J. F. DeBarnes Sd.
for A. H. Baker Sheriff

Service of process accepted from all parties except John B
Motley and W. S. Holland, guardian ad litem of Keturah
F. Motley

R. S. Thomas atty.
W. S. Holland, Guardian ad
litem for Keturah F. Motley

James J. Jones
J. F. DeBarnes
J. F. DeBarnes

Quinn & Co.

23
18
08
23
33
27
27
26
24
23
22
21
20
19
18
17
16
15
14
13
12
11
10
9
8
7
6
5
4
3
2
1

San Marcos Court Office

Smithfield May 9th 1898.

To Mary J. Burston, Lucy Jordan Douglas A. Jordan and P. H. Edwards Sheriff
of Isle of Wight County and as such administrators of the estate of those
now deceased

and to

Isaac R. Hardy, A. B. Hardy, John B. Wiley and W. G. Hall and
guardian ad litem of Rebecca B. Wiley an infant under the
age of twenty ^{one} years

Defendants

I do hereby certify that I have perused upon the 9th day
of May 1898 at my Court Office to enquire and report to court whether
or not the house and lot in the bill mentioned commonly called
the Rebecca Jordan and the John A. Jordan lot, bounded on the North
by the Main Street of the town of Smithfield, on the South by Cedar
Street on the East by the lot now owned and occupied by W. W. Cooper
and on the West by the lot now owned and occupied by H. W. Rogers can
be conveniently partitioned among the parties entitled thereto,
whether there can be an allotment of part and sale of the rest
thereof; whether any one of the said parties can or will take the
entire subject or any part of it and pay the other parties the
several amounts to which they are respectively entitled and whether
the interests of all parties would be promoted by a sale of the lot
and the distribution of the proceeds among the parties respective
ly entitled thereto; the time thereon of any or any interest therein
whether it has been sold for delinquent taxes, and its fair market
value; required to be done by a decree of the Circuit Court of Isle
of Wight County, rendered on the 23rd day of April 1898 in a suit
in chancery pending therein in which you are the parties plain
tiff and defendants; at which time and place you are required to
attend

hence under my hand as a Commissioner in chancery of the
said court the day and year first aforesaid

Wm. R. Atkinson

1 The Depositions of William D Folk and Joseph W Holloway
2 taken before me, George P Atkinson a Commissioner in chancery
3 of the Superior court of Idaho Wright county to be read as
4 evidence on the behalf of the plaintiffs in a certain suit pending
5 in the said court wherein Mary H of Boston and others are
6 plaintiffs and Blenden K Hardy and others are defendants.

7
8 Proved R S Thomas attorney for plaintiffs

9
10 William D Folk having been duly sworn deposeth and saith
11 that I am sixty (60) years old, have been living in Pullman as
12 my life and am well acquainted with the John H Jordan or Keturah
13 John Jordan lot, and with the parties to this suit. I do not think
14 the said lot can be partitioned in kind because it is chiefly valuable
15 for the house that is on it which is of brick and has two stories, a base
16 ment and a attic or garret with a hall or passage on each floor with
17 one room on the basement one on the first floor two on the second and
18 being a hall room, and the person who got the house would get the
19 most valuable part and have to pay the others part of their shares in no
20 way and the shares of the others in the remainder in the lot would
21 be too small for any available purpose, nor would it be to their
22 interest to so divide it as none of them ~~has~~ has has and have
23 not for many years, and could not make any share as beneficial to its
24 owner as it would be if the lot was sold and the proceeds divided.
25 And further this deponent saith not.

26 W D Folk

27 J W Holloway having been duly sworn deposeth and saith, I am 31
28 years old and am well acquainted with the John H or Keturah Jordan
29 lot and was present and heard the foregoing deposition of William
30 D Folk and fully understand the same, and further this deponent saith not

31 J W Holloway

32 Taken sworn and subscribed to before me, July 2nd 1898

Geo P Atkinson Comm

W. H. K. Co.

Buxton, m. a. J.

✓

Hardy

Certificate of
J. W. Roberts
Tr-

1
Ileg Wight C. H.

April 25th 1898

I, John W. Roberts, Treasurer of the county
of Ileg Wight do certify that the lot
in the Town of Smithfield, standing in the
name of Sampson White Trustee ~~land~~
for Lucy W. Jordan and others, being $\frac{2}{3}$ of
an Acre has not been sold for delin-
quent taxes; that the assessed value
of the house and lot is (\$1000.⁰⁰/₁₀₀) One
Thousand dollars. Witness my hand
this 25th day of April A. D. 1898.

John W. Roberts

Benton et al

10. }

Harvey et al

I hereby certify that I find no liens on the
house and lot situated in the town of
Smithfield standing on the land book of Isle
of Wight in the name of Sampson White trustee
for Atterah G. Jordan. except the deed of trust
from M. A. J. Buxton et al to J. P. Andersons. trustee
to name R. S. Thomas \$125.00 Dec. 7th 1899

Teste

A. J. Young & Co.

Buxton, m. a. l.

v

Handy C. K. et al

Report of Sale by
R. S. Thomas
SHE BANK

Filed Oct. 3rd 1898

Received October 1898 of R. S. Thomas Clerk of
Court - the bond of W. W. Johnson & W. W. Johnson
for \$927.50) three hundred and twenty seven dollars
and fifty cents paid Sep. 28th 1898 pursuant
to 12 months purchase with interest from date
and paid with this report

R. S. Thomas

SHE BANK

had that fact to be ~~concerned~~ reported to
Court.

Respectfully submitted
R. S. Thomas
Special Com^r

September 24th 1894.

with a waiver of exceptions and with in-
terest from date when it was bid off by
and knocked down to V. W. Joyner
at and for the sum of \$1853.00
who paid in cash the sum of 927.50
and gave his bond for 927.50 1853.00
with W. W. Joyner as his
surety as required by the terms of sale.

Out of the Cash Sum of 927.50
paid in as aforesaid the under-
signed has paid out the sum of 100.49
as per statement "A" here- 827 01
-with filed as will be shown
by the checks and receipts of the several par-
ties except for very small sums paid mostly
in postage when it was not convenient
or practicable to get the receipts of the
parties.

The Eight-hundred and twenty seven dollars
and one cent - was ^{the Bank of Smithfield} deposited in bank
to the credit of your Commissioner
in this cause as will be shown by the
receipt of the Cashier of the said Bank
here with filed as Exhibit "B"

The Bond of the purchaser for \$927.50
is also herewith returned as Exhibit "C"

He is anxious to pay off the said bond
before it matures and specially requests

Buxton et-al

v

Harvey et-al

To the Hon Robert R. Prentiss
Judge of the Circuit-Court of Seely Wright
County in Chancery sitting:

The undersigned, Special Com-missioner of Sale begs leave most-respectfully to report, that after having executed the said as special Com-missioner of sale as required by the Decree in Vacation of July 23^d 1898 he advertised the sale of the Kelurah Jordan, or John A. Jordan lot - by printed handbills to occur in the town of Smithfield in the premises of the said lot - at - public auction on the 20th of September and at - 12 M. of that day: that the said printed notices of sale were conspicuously posted in the town of Smithfield on the said lot - and at many other places in the said town; at - and before the door of the Court-house of the said County and at - various other public places in the said County: that the said lot - was exposed to public sale ^{in the premises} in the said town of Smithfield on the day named in the terms of the said Decree: viz, one half cash and the balance in twelve months for which bond & good security was required

Secy of Wagon County to certify that the
bond required of R. S. Thomas, as special
Commissioner by the Deem in Vacation
on July 23^d 1898 in this cause has been
Duly executed.

Given under my hand as Clerk of
the said Court this 1st day of August
A. D. 1898.

A. D. Young C. C.



Sale of House and Lot in the Town of Smithfield

Under and by Virtue of the Decree of the Circuit-Court
of the County of John of Wright in the suit in Chan-
-cery between Mary A. J. Buxton and others
against Blandia K. Hardy and others rendered
in Vacation upon the 23^d day of July 1898 and
duly recorded I shall offer for Sale at Public
Auction On Tuesday the 20th of September
1898 at 12 M. on the premises to the
highest bidder all of that certain lot of land
in the town of Smithfield in the bill and proceed-
-ings mentioned and described "as the lot com-
-monly called the Keturah Jordan, or the John
Jordan lot, bounded on the North by Main
Street of that town the said town of Smithfield,
on the South by Cedar Street; on the East by the
lot now owned and occupied by W. W. Cofer;
and on the West by the lot now owned and
occupied by W. W. Cofer. Dwyer

Terms of Sale: One half Cash, and the bal-
ance in twelve months from the day of Sale, with inter-
est from ^{date of sale} ~~date~~ for which bond and good security, with
a waiver of exemption, will be required, and title re-
-tained until the purchase money is paid, and convey-
-ance issued by the Court.

R. S. Thomas,
Special Commissioner
John of Wright County

In the clerk's office of the Circuit-Court of
Baptist M. A. J. V. Hardy C. K. et al

L. N. F. Zenger, Clerk of the Circuit-Court of

Statement "A"

Buxton M. A. J et al

v

Hardy G. K et al.

Bill of Costs as Taxed by the Clerk

Paid R. S. Thomas

Attorneys fee

15.00

see check

Commissioner Atkinson

7.50

" "

Clerk

17.57

" "

Sheriff of Isingworth

1.00

Paid by R. S. J. in Stamps

Sergeant of Portsmouth

.50

Costs to September 22^d 1896

31.57

To which add

see Receipt -

Notice sent to non residents by

Publication in Suffolk Herald

6.00

Paid by R. S. J. in Stamps

Sheriff of Hantsford (Court A's Report)

.50

~~Stamps~~

Smithfield Sentinel notices of Sale

1.25

Paid in Small Stamps

Postage on, & posting, & fee by at sale

.50

Express on Papers to Judge for vacation

Part in Stamps for return of papers
see check

Deer & their return

.54

Taxes Due on lot -

8.93

see check

Order at Sale

5.00

see notice

Tax on notice of sale

10

Paid R. S. Thomas

Commission on Sales of A 1853

46.10

100.49

little
1 5.8
1 5.8
28.25

Mr. Sampson, White, True, Smithfield, 24 St. B. Thomas No. 1
Subd. at for L. B. Jordan

1897.

To JOHN W. ROBERTS, Treasurer of Isle of Wight County, Va., Dr.

97/27

SUBJECTS OF TAXATION.	State Tax 30c. on \$100.	State School Tax, 10c. on \$100.	County Levy, 40c. on \$100.	County School Tax, 5c. on \$100.	District School Tax, 5c. on \$100.	County Road Tax, 5c. on \$100.	TOTAL TAX.
To <u>1/8 a. 24</u> acres Land, value \$ <u>10.00</u>	<u>3 00</u>	<u>1 00</u>	<u>4 00</u>			<u>5 00</u>	
" _____ acres Land, value \$ _____							
" _____ acres Land, value \$ _____							
" _____ acres Land, value \$ _____							
" Personal Property, value \$ _____							
" Capitation Taxes _____	<u>1 00</u>		<u>50</u>				
" Income _____ \$ _____							
Total _____							<u>\$ 8 50</u>
5 per cent. additional _____							<u>43</u>
Total _____							<u>8 93</u>

Received payment _____ day of Sept 1897

John W. Roberts Treasurer,
 Per _____

R S Thorne

ESTABLISHED 1873.

Suffolk, Va.,

July 30 1898

Mr R S Thomas

TO SUFFOLK HERALD, Dr.
Newspaper and Job Printing Establishment,
No. 9 WASHINGTON SQUARE.

Terms of this Bill

1898

July 25 To Pub Notes Buxton &c
W. Hardy et al

3 1/2 in 469 cts

6.00

Recd Payment
Sep 26/98 J E Cook

Thanks,

Pro, A, Edwards
Bills & Deek



R. S. THOMAS,

ATTORNEY
AT LAW.

No. 5642



Pay to the
order of

R. A. Edwards

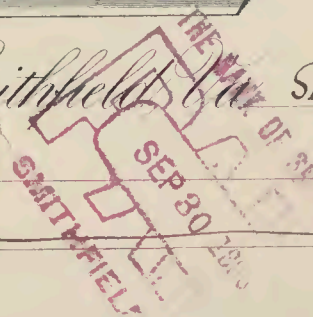
One

Smithfield, Va. Sep: 24

1898

\$ 1⁰⁰

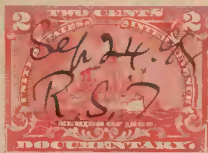
Dollars



For fees in *Burke v. Hardy*
To The Bank of Smithfield,
SMITHFIELD, VA.

R. S. Thomas

N. J. Young clk.



R. S. THOMAS,

ATTORNEY
AT LAW.

No. 5641



Pay to the
order of

N. F. Young clerk

Seventeen $57/100$

Smithfield, Va. Sept 24th 1898

\$ 17 $57/100$
Dollars

For bluesfern Buxton et al v. Handy et al

To The Bank of Smithfield,
SMITHFIELD, VA.

R. S. Thomas

—
George Robinson Jones



R. S. THOMAS, ATTORNEY
AT LAW.

No. **5640**

Pay to the
order of

Smithfield, Va. Sept^r 24 1898
George R. Alkins

\$ *7⁵⁰/₁₀₀*
Dollars

Seven⁵⁰/₁₀₀

For Ref^d in *Benton v. Harney*
to **The Bank of Smithfield,**
SMITHFIELD, VA.

R. S. Thomas

J. R. Whitwell
Crier

Pay The Bank of Springfield
Subscribed by, or order,
V. W. JOYNER,



R. S. THOMAS, ATTORNEY
AT LAW.

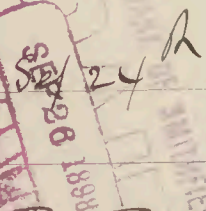
No. 5645

Pay to the
order of

A. R. Whitehead, Cashier

Five

Smithfield, Va.



1898

\$ *5⁰⁰/₁₀₀*
Dollars

For Services as brier, at Sale of The Kehune Jordan lot -

To The Bank of Smithfield,
SMITHFIELD, VA.

R. S. Thomas

Gold. To V. W. Joyner
for \$1855 eight hundred
& fifty-five dollars

at R. Whittemore
Clerk

SALE OF HOUSE AND LOT

in the Town of Smithfield.

Under and by virtue of the decree of the Circuit Court of the county of Isle of Wight in the suit in chancery between Mary A. J. Buxton and others against Claudia K. Hardy and others, rendered in vacation upon the 23d day of July, 1898, and duly recorded, I shall offer for sale at Public Auction

ON TUESDAY,
the 20th of September, 1898,

AT 12 M., ON THE PREMISES,

to the highest bidder, all of that certain lot of land in the town of Smithfield, in the bill and proceedings mentioned and described "as the lot commonly called the Keturah Jordan, or the John Jordan lot, bounded on the north by Main street of the said town of Smithfield; on the south by Cedar street; on the east by the lot now owned and occupied by W. W. Cofer, and on the west by the lot now owned and occupied by V. W. Joyner.

TERMS OF SALE—One-half cash, and the balance in twelve months from the day of sale, with interest from day of sale, for which bond and good security, with a waiver of exemptions, will be required, and title retained until the purchase money is paid, and conveyance ordered by the court.

R. S. THOMAS,

Special Commissioner.

In the Clerk's Office of the Circuit Court of Isle of Wight County,
Buxton, M. A. J., et al, against Hardy, C. K., et al.
I, N. F. Young, Clerk of the said Court, do certify that the bond required of R. S. Thomas, as Special Commissioner, by the decree in Vacation, on July 23, 1898, has been duly executed.
Given under my hand as Clerk of said Court this 1st day of August, A. D., 1898.
N. F. YOUNG, Clerk.

Sentinel Printing Co., Printers.

1898

Smithfield, Va., Aug 1st 1898.

Mr R. P. Thomas, Esq., Commissioner
TO SENTINEL PRINTING COMPANY, Dr.,

PUBLISHERS OF

THE SMITHFIELD SENTINEL,
AND COMMERCIAL PRINTERS.

TERMS: Job Printing, Cash; Advertising, payable Monthly.

Prompt Service Rendered.

To 100 Date bills in case
of Buxton vs Hardy 1.25
Rec'd Payment
W. W. Lumpkin

Suffolk, Va., March 12, 1898
Mr R S Thomas & Co Dr

TO SUFFOLK HERALD

Newspaper, Book and Job Printing Establishment.

J. E. BOOKER, Proprietor.

TERMS CASH.

No. 9 WASHINGTON SQUARE.

1898

Feb 20 To Pub Notice Buxton vs
vs Hardy et al
3 1/2 weeks 4 weeks

\$ 6.00

IN THE CLERK'S OFFICE OF THE
Circuit Court of the county of Isle of
Wight, on the 15th day of February, 1898:
Mary J. Buxton, Lucy J. Jordan, Douglas
A. Jordan, and R. A. Edwards, sheriff of
the county of Isle of Wight, and as such
administrator of the estate of Alexandria
Motley, Plaintiffs,

AGAINST

Claudia K. Hardy, H. B. Hardy and John
B. Motley (who are non-residents of this
State), and Keturah Fredh Motley, an
infant under the age of twenty-one
years, Defendants.

The object of this suit is to sell the house
and lot in the town of Smithfield known
as the Keturah G. Jordan lot, and divide
proceeds between the parties entitled.

And an affidavit having been made and
filed that the defendants Claudia K. Hardy,
H. B. Hardy and John B. Motley are not
residents of the State of Virginia, it is or-
dered that they do appear here within fif-
teen days after due publication thereof and
do what may be necessary to protect their
interest in this suit. And it is further
ordered that a copy hereof be published
once a week for four weeks in the SUFFOLK
HERALD, and that a copy be posted at the
front door of the Courthouse of this coun-
ty on the first day of the next term of the
County Court.

A copy--Teste:

R. S. THOMAS, p. c. N. F. YOUNG, Clerk.
fe25-4t

IN THE CLERK'S OFFICE OF THE
Circuit Court of the county of Isle of
Wight, on the 15th day of February, 1898:

Mary J. Buxton, Lucy J. Jordan, Douglas
A. Jordan, and R. A. Edwards, sheriff of
the county of Isle of Wight, and as such
administrator of the estate of Alexina
Motley.....Plaintiffs,

AGAINST

Claudia K. Hardy, H. B. Hardy and John
B. Motley (who are non-residents of this
State), and Keturah Freth Motley, an
infant under the age of twenty-one
years.....Defendants.

The object of this suit is to sell the house
and lot in the town of Smithfield known
as the Keturah G. Jordan lot, and divide
proceeds between the parties entitled.

And an affidavit having been made and
filed that the defendants Claudia K. Hardy,
H. B. Hardy and John B. Motley are not
residents of the State of Virginia, it is or-
dered that they do appear here within fif-
teen days after due publication hereof and
do what may be necessary to protect their
interest in this suit. And it is further
ordered that a copy hereof be published
once a week for four weeks in the SUFFOLK
HERALD, and that a copy be posted at the
front door of the Courthouse of this county
on the first day of the next term of the
County Court.

A copy—Teste:

N. F. YOUNG, Clerk.

R. S. THOMAS, p. q.

fe25-4t

Office of The Herald.

Suffolk, Va., March 21 1898

*I hereby certify that the order of which the annexed is a
copy has been published in THE SUFFOLK HERALD in the
manner prescribed by law==once a week for four successive
weeks.*

J. E. Doolittle
Owner & Editor, Herald.

Mr R G Thomas

Special Commissioner
in the suit in chancery between
Buxton & others vs Hardy & others

To J. R. Whitaker Esq

For services as cert in sale of
John & Jordan Lot \$5.00
Sept 20, 1898

L. B. Jordan
 Mr. *Sampson White Trustee for*, *Hardy* District. *Smithfield*
 No.

1897.

To JOHN W. ROBERTS, Treasurer of Isle of Wight County, Va., Dr.

SUBJECTS OF TAXATION.	State Tax 30c. on \$100.	State * School Tax, 10c. on \$100.	County Levy, 40c. on \$100.	County School Tax, 5c. on \$100.	District School Tax, 5c. on \$100.	County Road Tax, 5c. on \$100.	TOTAL TAX.
To <i>1/2</i> <i>lot</i> acres Land, value \$ <i>1200</i>	<i>3</i>	<i>1</i>	<i>4</i>	<i>+</i>	<i>-</i>	<i>50</i>	<i>8.50</i>
" acres Land, value \$							
" acres Land, value \$							
" acres Land, value \$							
" Personal Property, value \$							
" Capitation Taxes	<i>1 00</i>			<i>50</i>			
" Income							
Total							<i>8.50</i>
5 per cent. additional							<i>43</i>
Total							<i>8.93</i>

Received payment day of 1897 Treasurer,

Per

Burton M. J.

vs.



Hardy C. K. et al

Bill of costs

Attor fee

15 00

Comm. "

7 50

Chick "

17 57

Shuff "

1 00

Serjt of Portsmouth

50

Cost to Sep 22/98

2^d Bond

B mgt forward

20 paid the bond of the same parties to

R. S. Thunes, March 22^d 97

Interest - on same to Nov 7th 97. 7. 15

21 paid bond of the same to R. S. Thunes

October 8th 1898 to Nov 7th 98

Interest - on same to Nov. 7th 1898

134 60 1357 72

50 00

1 88

100 00

50

286.98 286 98

1064.74

21st 4 due M. A. J. Buxton

266 19

" " Lucy J. Judan

266 19

" " Douglas A. Judan

266 18

" " Bland-a R. Hardy

266 18

1064.74

" " "

Balance Due as per last Report, and Deposited in the Bank of Smithfield		827 01	
Balance Due on Bond of Purchaser ^{927.50} Interest ⁶⁹⁶		<u>934 46</u>	
To paid to clerk Chesapeake & J. Young & Co.	2 85		1761.47
" paid County & State Tax	7 83		
" " Town Tax (Smithfield)	2 80		
" " Stamp on Bond of Gov't to sell ^{Smithfield}		50	
" " " on Power of Atty from same ^{Smithfield}		25	
" " for Deed to M. G. Joyner, purchaser	5 00		
" " U. S. Revenue Tax on same	2 00		
" " Notary		<u>50</u>	21 73
			1739.64
To for per Suit by agreement of the parties.		<u>50 00</u>	
			1689.64
1/3 of Same to be paid over to Guardian of Release Trust Money or Deposited in Bank		337.93	
1/3 to M. A. J. Buxton	337 93		
1/3 to Lucy J. Jordan	337 93		
1/3 to Douglas A. Jordan	337 93		
1/3 to Blandia K. Hardy	<u>337 93</u>		1689.65
Out of 4/5 of M. A. J. Buxton, Lucy J. Jordan, Douglas A. Jordan, Blandia K. Hardy ^{per} paid			1357 72
To R. S. Shuman on the J. W. Hallway bond	112 75		
" Writing the Deed of Trust to secure the	5 00		
" Recording the S	<u>2 50</u>		
	120.25		
Interest on \$120.25 from December 7 th 1897 to November 7 th 1898		6.60	
To drawing the Release Deed on Property sold	5 00		
Notary (2 parties)	1 00		
Recording the same	<u>1 75</u>		
			13460

Received, November 10th 1898 of R. S. Thomas
Special Commissioner in the Suit in Chancery
in the Circuit Court of Shelby Wright County of
M. A. J. Buxton et al v. Claudia K. Hardy et al
the sum of (\$ 337.93) Three Hundred and thirty
Seven dollars and ninety three cents in payment
in full of my one fifth share of the proceeds of the
Sale of our lot in the town of Smithfield as per
the Decree of the Court in the said Cause, and of the state-
ment - rendered to us by the said R. S. Thomas
D. A. Jordan

Received, November 10th 1898 of R. S. Thomas
Special Commissioner in the Suit in Chancery
in the Circuit Court of Shelby Wright County of
M. A. J. Buxton v. Claudia K. Hardy et al the
sum of (\$ 337.93) Three Hundred and thirty seven
dollars and ninety three cents in payment in
full of my one fifth share of the proceeds of the
Sale of our lot in the town of Smithfield as per the
Decree of the Court in the said Cause, and of the
statement - rendered to us by the said R. S. Thomas
M. A. J. Buxton.

Receipts & Checks

Received November 10th 1898 of R. S. Thomas special
commissioner in the suit in Chancery in the
Circuit Court of the County of W. Va. County of M. A. J.
Buxton v. Claudia R. Hardy et al the sum of
(\$337.93) Three Hundred and Thirty Seven Dollars
and ninety three cents in payment in full of
my one fifth share of the proceeds of the sale
of one lot in the town of Smithfield as per the
Decree of the Court in the said Cause and the
Statement rendered up by the said R. S. Thomas
Lucy J. Jordan.

~~Claudia R. Hardy~~

Received November 10th 1898 of R. S. Thomas special
commissioner in the suit in Chancery in the Cir-
cuit Court of the County of W. Va. County of M. A. J.
Buxton v. Claudia R. Hardy et al the sum of
(\$337.93) Three Hundred and Thirty Seven Dollars
and ninety three cents in payment in full
of my one fifth share of the proceeds of the sale of
one lot in the town of Smithfield as per the Decree
of the Court, and the Statement rendered to us
by the said R. S. Thomas

Claudia R. Hardy

JOHN T. GRIFFIN,
President.

W. G. MAUPIN, Jr.
Ass't Cashier.

J. H. TOOMER,
Cashier.

Merchants and Farmers Bank,

Portsmouth, Va. 1/5 1897

R. S. Thomas, Esq.
Smithfield, Va.

Dear Sir,

As I told you, in my letter acknowledging the receipt of yours of Dec. 28, this Bank some time ago ceased taking deposits on interest, but as the one you sent was directed by the Court to be placed with us, our Board has consented to receive it at Three per cent interest and we this day place it to your credit as Spl. Comr.

In your letter you speak of Miss Motley attaining her majority January 25 1901 in one place and in another as December 25 1901. Kindly let us know which is correct so I can enter it upon the receipt which I will send you.

Very truly yours,



Cashier

by the above and Decem^r of October 1898.
A. Statement - "A" hereto annexed will
show the amount to which the parties are en-
titled, ^{with} on title, and then several receipts
and the certificate of the said Bank,
all of which is respectfully entitled

R. S. Thomas

Shewal Com^r

June 30 / 1899.

Buxton M. A. J. et al.

v.

Hardy C. K. et al

Report of R. S. Thomas
Shewal Com^r
of Payments, & Deeds, under
the Decree of October 1898

Buxton, M. A. J et al

v

Hardy C. K. et al

To the Hon R. R. Prentiss

Judge of the Circuit Court of Shelby County
County in Chancery sitting

The undersigned has the honor most respectfully to report that under the Decree of the Court of October 24th 98, he collected of V. W. J. J. his purchase and for \$927.50 before its maturity and made him a deed as by the Decree directed, and \$6.96 of interest thereon which being added to the sum of \$827.01 in bank to the credit of the undersigned made a total sum of \$1761.47.

for Distribution: that after paying all costs out of the same there was left for distribution the net sum of \$1689.64: which being divided into 5 parts left due to each the sum of \$337.93. The adult parties owed you commission by deed of Trust reported in these proceedings and otherwise during the progress of this suit the sum of \$286.98 - advanced to them which on being deducted from their ^{pro rata} ~~separately~~ left due each of them the sum of \$266.19.

As no one qualified as guardian to the infant Defendant Keturah Faith Motley it was on the 5th of January A.D. 1899 deposited in the ~~Shelby~~ ^{Portland} Merchants and Farmers Bank of ~~Knox~~ ^{Portland} as directed

189 4

M Sampson White Treas for Lucy J Jordan.

TO CORPORATION OF SMITHEFIELD.

To Street Capitation Tax,

To Corporation Tax on \$ 1000 at 8 cts. per \$100.

To Dog Tax,

To Amount of Corporation Tax,

To School Capitation Tax,

To " " on \$ 1000 at 20 cts. per \$100.

To Amount of School Tax,

To Total amount of Corporation and School Tax,

	80		
	80		80
	200		200

Received Payment,

John D. Calkins

S'gt.

Mr. Sampson White Trustee for L. S. Jordan Smithfield, Newport Dist
Hardy District. No. _____

1898

To JOHN W. ROBERTS, Treasurer of Isle of Wight County, Va., Dr.

SUBJECTS OF TAXATION.	State Tax 30c. on \$100.	State School Tax, 10c. on \$100.	County Levy, 40c. on \$100.	County School Tax, 5c. on \$100.	District School Tax, 5c. on \$100.	County Road Tax, 5c. on \$100.	TOTAL TAX.
To <u>2 1/2</u> ~~acre~~ ^{lot} ~~Land~~ , value \$ <u>1000.00</u>	<u>3.00</u>	<u>1.00</u>	<u>3.33</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>7.83</u>
" _____ acres Land, value \$ _____							
" _____ acrs Land, value \$ _____							
" _____ acres Land, value \$ _____							
" Personal Property, value \$ _____							
" Capitation Taxes _____	<u>1.00</u>		<u>50</u>				
" Income _____ \$ _____							
Total _____							
5 per cent. additional _____							
Total _____							<u>\$7.83</u>

Received payment 24th day of October 1898

John W. Roberts Treasurer,

Per _____

JOHN T. GRIFFIN,
President.

W. G. MAUPIN, Jr.
Ass't Cashier.

J. H. TOOMER,
Cashier.

Merchants and Farmers Bank,

Portsmouth, Va. Dec 30 1898

R. S. Thomas, Esq.
Smithfield, Va.

Dear Sir,

Yours of December 28, enclosing check for \$337.93 to be placed to your credit as Spl. Comr. in this bank at interest, is received. Sometime ago we ceased altogether receiving accounts on interest, but as this bank was named by the Court in which to deposit the funds, I will refer it to the Board of Directors which meets next Thursday and advise you if they allow it to be received on interest.

Very truly yours,



Cashier

Merchants & Farmers Bank.

Portsmouth, Va., *Jan'y 5* 189*9*

R. S. Thomas

Shl. Cash

has this day deposited in this Bank.....

Three hundred & thirty seven

93
/100

DOLLARS,

U. S. Currency under a decree of the.....

.....Court of.....

in a suit therein depending between.....

Buxton et al

Plaintiffs, and.....

C. R. Hardy et al

Defendants, subject to the order of ~~said Court~~.

Molloy on her majority Jan'y 25 1901

\$ *337*

93

Cash

Mary J. Burton etals
vs. }

Hardy etals

Deem of April 25th 1898

A copy.

luna thereon if any or on any
interest therein whether it has been
sold for delinquent taxes and its
full simple value.

A copy

Test N. J. Young & Co.

infant defendant with general
replication to the said Answer and
exhibits filed and was argued by
Counsel: On consideration whereof the
Court doth adjudge order and
decree that.

One of the Commissioners of this
Court submit to this Court whether or
not the house and lot in the bill
mentioned commonly called the
Keturah Jordan and the Jordan
lot, bounded on the north by Main
Street of the said town of Smithfield,
on the south by Cedar Street the East
by the lot now owned and occupied
by St. St. Cofer and on the West by
the lot now owned and occupied by
N. St. Lyster can be conveniently parti-
tioned between the parties entitled
thereto: whether there can be an
allotment of part and sale of the
residue: Whether any one of the
said parties can or will take the
entire subject or any part of it and
pay the other parties the several
amounts to which they are respectively
entitled and whether the interest of
all parties would be promoted by
a sale of the lot and the distribution
of the proceeds among the parties
respectively entitled thereto the

In the Circuit Court of Isle of Wright
County April 25th 1898

Mary J. Buxton, Lucy J. Jordan, Dangler
A. Jordan. An R. A. Edwards Sheriff of
the County of Isle of Wright And as
such Administrator of the Estate of
Alvina Mathey.

vs

Claudia K. Hardy, H. B. Hardy, John
B. Mathey who are non residents of
the State and Keturah Smith Mathey
an infant under the age of twenty
one years.

This cause in which the Plaintiffs
have proceeded against Claudia K.
Hardy, H. B. Hardy and John B.
Mathey in the mode prescribed by
law. Against absent defendants and
against Keturah Smith Mathey an
infant under the age of twenty one
years. Came ^{on} this day to be heard on the
bill. the order of publication. as to the
said Claudia K. Hardy, H. B. Hardy and
John B. Mathey, duly issued, published
and posted according to law, the
answer of the said Claudia K. Hardy
and H. B. Hardy the answer of Keturah
Smith Mathey by her guardian ad litem.
J. S. Holland assigned to defend her
in this suit on the answer of the
said guardian ad litem to the said

Burton M. A. J. et al

v Decm & Co
(October 1898)

Hardy L. K. et al

Report of collections and
payments by R. S. Thomas
special commissioner under
the Decm & Co October 1898

Filed April 8 1899

Buxton et al
vs.
Hardy et al

Unpaid cost to disburse of case

Ch fee 2.85'

Sum 50

v. R.S. Thomas Special Commissioner
as aforesaid shall deposit the share
in the interest department of the
Merchants and Farmers Bank
of Portsmouth Va to his credit
as such Commissioner taking the
receipt of the Cashier of the said
Bank for same with liberty to the
said Veterans with Mathey to draw
the same on the maturity which
it is represented to the Court as occur-
ring on the 20th day of January
1906. And make report to Court of
his proceedings under this decree.
But before any money shall be paid
to the Guardian of Veterans with
Mathey he shall execute before the
Clerk of this Court a bond in the
penalty of \$600 with surety deemed
sufficient by said Clerk conditioned
for the faithful application of the
fund and for the management
and preservation of any property or
security in which the same may
be invested and for the protection of
the rights of all persons interested
therein whether such rights be
vested or contingent.

Attest Teste A. J. Young et al.

M. A. J. Burton, Lucy J. Jordan
Douglas A. Jordan, and Claudia
K. Hardy. Pay to R. S. Thomas the
sum of One Hundred and twenty-
five dollars. And all interest
thereon from the 7th day of Decem-
ber 1897 till paid due by virtue
of their deed of trust of that date.
Filed with bill as exhibits and
reported with Commissioner
Atkinson's report, and then pay
to the said M. A. J. Burton, Lucy
J. Jordan, Douglas A. Jordan,
Claudia K. Hardy. And to the
legally qualified Guardian of
Keturah Smith Matley or to their
Attorney each one fifth part
of the sum to which they may be
entitled taking from each of the
parties aforesaid a receipt for
the sum of money paid to him
or to her and file the same with
a report of his proceedings under
this decree to a future term of
this Court. And if no Guardian
shall qualify upon the estate of
Keturah Smith Matley within a
reasonable time, the Court doth
adjudge order and decree that

sheets to pay it before maturity
leaving with the Clerk of this Court
his receipt for the same. On its
payment to make to him a good
and sufficient deed in fee simple
with special warranty for all of
that certain lot and parcel of
land lying and being in the town
of Smithfield commonly called
the Keturah or the John A. Jordan
lot bounded on the North by main
Street of the said town of Smithfield
On the South by Cedar Street. On
the East by the lot now owned and
occupied by W. W. Coker. And on
the West by the lot now owned by
W. W. Coker. And the Court doth
further adjudge Order and decree
that the said R. S. Thomas Special
Commissioner as aforesaid shall
out of the Cash in hand and
out of any further Cash that
may come in hand. pay first
any unpaid costs of this suit.
and any tax accrued or accruing
on the said Jordan lot. due to
the State County or town of Smith
field. And out of the shares of

In the Circuit Court of Isleg
Wigat County October 24th 1898

Buxton M. A. J. et al

vs

Hardy C. K. et al

This Cause
Came on this day to be again
heard on the report of sale of
Special Commissioner R. S. Thomas
made under the decretal Order
herein of July 26th 1898 bearing
date on September 24th 1898,
and filed herein on the 6th day
of October 1898. which no exceptions
are filed. and was argued by
counsel. On consideration where
of the Court doth confirm the
said report. And doth adjudge
Order and decree that the said
R. S. Thomas Special Commissioner
Commissioner as aforesaid do
collect the bond of R. D. Fayner
the purchaser of the Jordan Lot
in the bill and proceedings
mentioned and described for
\$927⁵⁰ Nine hundred and twenty
seven dollars and 50¹⁰⁰ cents
at maturity or before if the

Buxton M. J.

v. Deane

Handy Glendon R.

Mar

Enter April 25-88
Robert R. Deuts

Enter #1

bounded on the North by Main Street of the
Land Wm of Smithfield, on the South
by Cedar Street, on the East by the lot now
owned and occupied by W. W. Coffey and on the
West by the lot now owned and occupied by
V. W. Joyner can be conveniently
partitioned between the parties enti-
tled thereto; whether there can be an
allotment of part and sale of the resi-
due: whether any one of the said parties
can or will take the entire subject, or any
part of it and pay the other parties the
several amounts to which they are respec-
tively entitled and whether the interests
of all parties would be promoted by
a sale of the lot and the distribution of
the proceeds among the parties respectively
entitled thereto; the liens thereon if
any or on any interest therein;
whether it has been sold for
delinquent taxes; and its fee
simple value. -

Buxton v. J

v

Hardy, Claudia K. et al

This cause in which the plaintiffs have proceeded against Claudia K. Hardy, H. B. Hardy, and John B. Motley in the mode prescribed by law against absent Defendants, and against Keturah Frith Motley an infant under the age of twenty one years came on this day to be heard on the bill, the order of publication, as to the said Claudia K. Hardy, H. B. Hardy, and John B. Motley ^{duly issued, published and posted according to law,} ~~by~~ ⁱⁿ the answer of the said Claudia K. Hardy and H. B. Hardy ~~and~~ the answer of Keturah Frith Motley by her guardian ad litem, W. S. Holland assigned to defend her in this suit, on the answer of the said guardian ad litem to the said infant Defendant, several replications to the said answers and exhibits filed, and was argued by Counsel: On consideration whereof the Court doth adjudge order and Decree that

One of the Commissioners of this Court report to this Court ~~report to this Court~~ whether or not the house and lot in the last mentioned commodity called the Keturah Jordan and the John Jordan lot-

Burton et al

v

Hardy et al

Rough Decm

Enter July 23, 1898
Robert R. Dentis.

July 20th 1898

Received by Entus of Record

(\$2000.) dollars, and continued for the
faithful discharge of his duties as such
Commissioner.

Wm. H. Drutis.

To the Clerk of the
Circuit Court of
Isle of Wight County.

now owned and occupied by W. M. Coffey
and in the West ^{by the lot} now owned and occupied
by V. W. Jyner "after first advertising
the time, place and terms of sale for
at least thirty days prior to the day
of sale by printed handbills posted
in the town of Emattfield and at
other public places in the County of
Jell of Wright, upon the following
terms, viz. one half cash and the
balance in twelve months with
interest on the same from the day of
sale, for which bond with good secu-
rity with interest from day of sale will
be required, the title ^{to the property} to be returned
until the full purchase money is paid
and a conveyance is directed by the Court.
And the said ^{Special} Commissioner R. S.
Thomas is directed to report his pro-
ceedings hereunder to the Court.

But the said Special Com-
missioner R. S. Thomas shall not
make any ^{advertisement or} sale of the lot above
mentioned until he shall enter into
bond with sufficient security in
the Clerk's office of this Court paya-
ble to the Commonwealth of Virginia
in the penalty of Two thousand

Circuit Court of Isle of Wight County, in vacation,
on the 23rd day of July 1898. -

Buxton et al

v

Hardy et al

This cause came on this day to be again heard, in vacation, on the papers formerly read, and on the notice of the motion of the plaintiffs in this suit to be made before the Judge of this Court in Chambers on the 23^d of July 1898, for the sale of the lot of land in the town of Smithfield in the Bill and proceedings mentioned, on the report of Commissioner George R. Atkin dated July 2, 1898 and filed July 4, 1898, to which no exceptions have been taken, and the depositions filed therewith, and was argued by Counsel; On consideration whereof, the Court doth adjudge, order and decree, that R. S. Thomas, who is hereby appointed a special Commissioner for the purpose, do expose to sale in the town of Smithfield, at public auction, to the highest bidder on the premises that certain lot of land in the town of Smithfield, in the bill and proceedings mentioned and described as the lot commonly called the Returnak Jordan or the John Jordan lot bounded on the North by Main Street of the said town of Smithfield, on the South by Cedar Street, on the East by the lot

Mr R. S. Thomas

Dear Sir

Enclosed bond, will go to
Smithfield, as soon as
I get the check from
you, want to have a
talk with you in regard
to Miss Matilda's portion
of the Estate, she will be
19 years old the 25 day of
January 1899. Very respectfully.

Oct-14th 1898. Lucy J. Jordan

218 Glasgow street-

Portsmouth Va

arm

My dear Sir,

I send by special
delivery, so you can answer by return
mail, which you will, please do,
if you possibly can as it will be
a great favor to me.

Yours truly

Douglas Jordan

Buxton M. A. J. et al
v.

Hardy C. R. et al
Rough Decree

Enter Octo. 24, 1898
Robert R. Dennis

proceedings under this Decree to a future term of this Court. And if no guardian shall qualify upon the estate of Rebecca Frank Motley within a reasonable time, the Court doth adjudge, order and Decree that R. S. Thomas, Special Commissioner as aforesaid shall deposit her share in the interest-Department of the Merchants and Farmers Bank of Portsmouth New Hampshire as such Commissioner taking the receipt of the Cashier of the said Bank for the same with liberty to the said Rebecca Frank Motley to draw the same on her maturity which it is represented to the Court as occurring on the 25th day of January 1901, and make a report to Court of his said proceedings under this Decree. —

But before any money shall be paid to the Guardian of Rebecca Frank Motley, he shall execute before the Clerk of this Court a bond in the penalty of \$600. with surety deemed sufficient by said Clerk conditioned for the faithful application of the ~~fund~~ fund and for the management and preservation of any property or securities in which the same may be invested, and for the protection of the rights of all persons interested therein whether such rights be vested or contingent

And the Court doth further adjudge, order
and Decree that the said R. S. Thomas special
commissioner as aforesaid shall out of the
Cash in hand, and out of any further Cash
that may come in hand, pay first any
unpaid costs of this suit, and any Tax ac-
crued, or accruing on the said Jordan lot-
Due to the State, County, or town of Smithfield
and out of the Shares of M. A. J. Buxton
Lucy J. Jordan, Douglas A. Jordan, and
Claudia K. Hardy, ^{pay to R. S. Thomas} the sum of One Hun-
dred and Twenty Five Dollars and all inter-
est thereon from the 7th day of December 1897
till paid due by virtue of their Deed of Trust
of that date, filed with the Bill as an exhibit
and repaid with Commissioner Atkinson's
report ~~together with any further monies ad-
vanced to them since that date with in-
terest thereon till paid~~ and then pay to
the said M. A. J. Buxton, Lucy J. Jordan
Douglas A. Jordan Claudia K. Hardy
and to the legally qualified guardian
of Kemrah Firth Morley, or to their
attorney each one fifth part of ~~the~~ the
sum to which they may be entitled taking
from each of the parties ~~as~~ aforesaid a receipt
for the sum of money paid to him or to her
and fill the same with a report of his

Burton M. A. J. et al

v

Hardy G. R. et al

This cause came on this day to be again heard on the report of Sale of Special Commissioner R. S. Thomas made under the decretal order herein of July 23^d 1898 bearing date on September 24th 1898 and filed herein on the 3^d day of October 1898, to which no exceptions are filed and was argued by Counsel: On consideration whereof the Court doth con from the said report and doth adjudge order and decree that the said R. S. Thomas Special Commissioner as aforesaid doth collect the sum of ~~nine hundred and twenty seven dollars and fifty cents~~ ^{nine hundred and twenty seven dollars and fifty cents} the bond of V. W. Joyner, the purchaser of the Jordan lot in the bill and proceedings for \$927.50 ^{nine hundred and twenty seven dollars and fifty cents} mentioned and described at maturity, or before if he elects to pay it before maturity, at its payment to make to him a good and sufficient deed in fee simple with special warranty for all of that certain lot and parcel of land lying and being in the town of Smithfield "An acre or more called the Keturah, or the John A. Jordan lot bounded on the North by Main Street of the said town of Smithfield: on the South by Cedar Street: on the East by the lot now owned and occupied by W. W. Boger: and on the West by the lot now owned by V. W. Joyner

Buxton M. A. J. et al.

v. Rough Deere

Hardy, C. K. et al.

Enter

April 24, 1899

Robert R. Hendricks

Buxton, M. A. J. et al

v

Harvey C. K. et al

This cause came on
this day to be again heard, and on the report
of R. S. Thomas, Special Commissioner of
Collections and Payments under the decree of
the October Term 1898 filed on the ~~21~~ 3rd day of
April A.D. 1899, to which no exceptions are
filed, and was confirmed by the Court; On
consideration whereof, nothing further re-
maining to be done herein, it is ordered that
this Cause be removed from the Docket.

Buxton M. J

v

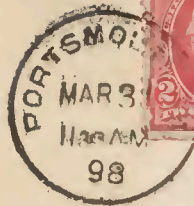
Hardy C. R. et al

In hands of

R. S. Thomas

THE NEWS AND OBSERVER,

RALEIGH, N. C.



Mr R. L. Thomas
Smithfield
Va

Portsmouth Va
March 8.

M^r R. S. Thammac

Dear Sir.

I herewith agree to
having the terms of
the sale, and half cash
the balance payable
in twelve months.

Respectfully
Chandrai R. Hardy

Please let Danghae
know five or six days
before the sale takes
place.

THE NEWS AND OBSERVER.

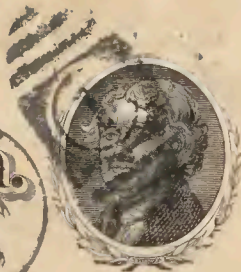
BUSINESS DEPARTMENT.

RALEIGH, N. C.,

POSTAL CARD - ONE CENT.

United States America

THIS SIDE IS FOR THE ADDRESS ONLY.



Mr R S Thomas
Smithfield
Ga

Dear Sir,

Suffolk Va July 18th 1888

Process Executed and returned to the
Clerk's Office of your County several days
ago.

Very Respectfully yours
A. W. Baker Chff

Executed this 14th day of July 1898
by delivering a true copy of the within
papers to J. S. Matley in person

J. W. Benson D.S.
for W. B. Baker Sheriff

Boston M. A. J. et al
vs
20 3 Notice
Handy, Blandia K. et
al

To Blandia K. Hardy, A. B. Hardy
John B. Motley, and W. S. Holland
guardian ad litem to Rebecca Frick
Motley.

Take notice that we shall apply to the
Hon Robert R. Prentiss Judge of the Circuit
Court of Isle of Wight County in Chancery
sitting on the 23^d of July, 1898 at his of-
-fice in the town of Suffolk, Virginia
for a decree to sell the lot of land in the
bill and proceedings mentioned in the
term of Smithfield, Virginia called the
John A. Jordan, or the Rebecca F. Jordan
lot - in the suit in Chancery styled
Buxton, M. A. J. et al v. Hardy, Bland
dia K et al in which you are Defendants
and we are plaintiffs

Buxton M. A. J. et al

by

R. S. Thomas

their atty

Smithfield Va
July 12th 1898

Buxton M. A. J. et al

2.

Hardy, Claudia K. et al

We accept legal service
of this notice.

Claudia K. Hardy &

H. B. Hardy

by R. S. Thomas
Their atty.

To Claudia K. Hardy, H.B. Hardy
John B. Motley, and W. S. Holland
guardian ad litem to Retnah

Frith Motley ^{vs}

Take notice that I shall ap-
-ply to the Hon Robt R. Poenter Judge
of the Circuit Court of the County of
County in Chancery sitting on the 23^d
of July 1898 at his office in the
town of Suffolk Virginia for a De-
cre to see the lot of land in the bill
and proceedings mentioned in the town
of Smithfield Virginia called the Jno.
A. Jordan or the Retnah G. Jordan
lot - in the suit - in Chancery styled
Buxton M. A. J. ^{et al} v. Hardy, Claudia
K et al in which you are Defen-
dants & we are plaintiffs

Buxton M. A. J. et al

by R. S. Thomas, atty

Smithfield, Va.

July 12th 1898.

I hereby accept service of this notice and
waive service hereby by an officer this 11th
day of July 1898

W. S. Holland Guardian
ad litem of Retnah
Frith Motley

Virginia, Lexington County & Unit-

d. W. F. Jack

a Notary Public for the County

appeared in the State of Virginia to certify that
J. O. Thomas whose name is signed to the
writing above bearing date on the 26th day
of July has acknowledged the same before
me in my County aforesaid;

and I do from this City, that he made
oath to the Statement - that he was worth more
Two thousand Dollars after his first death
last year.

Given under my hand this 28th day
of July A. D. 1898

W. F. Jack

Notary Public

Thomas J. O

To J. P. P. & Alty.
Yonkers, N. Y.

August 1st 1898
Admitted to record.



Know all men by these presents, that
I, J. O. Thomas, of the town of
Smithfield, County of Isle of Wight
and State of Virginia do hereby and
herein nominate, constitute and
appoint, M. F. Goring & my true
and lawful agent - for me, and in
my name place and stead to sign
my name as the surety of R. S. Thom-
as in the bond that he is required
to give as Special Commissioner
~~was then~~ by the Deem of the Circuit
Court of Isle of Wight County in the
Suit in Chancery of Buxton M.A. of
et al N. Hardy, C.R. et al as pronounced
by the said Court in Vacation on the
23^d day of July A.D. 1898, ordering
the Sale of the Keturah Jordan, or the John
A. Jordan Est. as it is usually called. Here
by ratifying and confirming all things that
may be done by my agent in the premises.

And I the said J. O. Thomas, do
Solemnly swear that I am worth more
than Two thousand (\$2000.) Dollars after all
my just debts & liabilities are paid.
Witness the following, signature & seal this 26th
day of July A.D. 1898

J. O. Thomas (Seal)

Jordan et al
To
Jordan et al.

We Lucy J. Jordan and M J
Burton, are perfectly willing that
Dorothy A Jordan shall act for us
and in our interest, regarding the
sale of the property in Smithfield
Virginia.

Lucy J. Jordan.

Mary Jordan Burton

Sept 20th, 1898

Lucy J. Jordan

Wm B. S. Thomas
Dear Sir.

Can you
advise any way that
Miss Keturah F. Wholly
can have the use of her
share of the property
recently sold in the
Town of Smithfield.
I sent her to school with
the expectation of paying
the tuition with her
money, she needs it now
more than she ever will
as she is entirely depend-
ent on her relatives for
a support - or if there is

any possible arrange-
ment - you can make
so she can use the
principal you will
greatly oblige me by
answering this soon.

Very respectfully,

Lacy J. Jordan

Sep 30th 1898.

218 Glasgow street.

Portsmouth. Va