

Culpeper County, As Mt

This day personally  
appeared before me Thomas Hill, a justice  
of the peace <sup>of said County</sup> Wm B. E. Lynn one of the  
Editors of the Culpeper Gazette, and made  
oath, that an above Chancery Order has  
been published in said Gazette for upwards  
of one month, given under my hand  
this 8<sup>th</sup> day of June 1835 - Wm P. Hill

next, for the purpose of organizing a society.  
3d. Resolved, That Doct. A. Curtis,

Returned with *Leomniscus*  
Report 4th. June 1835.



**I**N Culpeper Circuit Superior Court of  
Law and Chancery, 18th day of Novem-  
ber, 1834.

John M. Hume, Newton Hume, Azriel Simpson,  
and Polly his wife, Hugh B. Stanard, and Maria L.  
his wife, formerly Maria L. Taylor, Eliza Taylor,  
Franklin Hume, Macomet, and Elizabeth, his  
wife, formerly Elizabeth Hume, and others,  
plaintiffs, against

Linn Banks and James Hume, executors of Charles  
Hume, deceased, and the said James Hume in his  
own right, Alfred Hume, Robert C. Hill, and Jane  
his wife, Hamil Hume and William B. Taylor,  
defendants.

### IN CHANCERY.

The defendant Alfred Hume, who is absent from  
the Commonwealth of Virginia, and against whom  
the plaintiffs appear to have proceeded in the mode  
prescribed by law in relation to absent defendants,  
still failing to appear and answer, and the subpoena  
awarded in this cause being returned, executed on  
the defendants Hamil Hume and William B. Tay-  
lor, and four months having elapsed as well since  
the return day thereof, as the filing of the bill, and  
these defendants also failing to appear and an-  
swer; on motion of the plaintiffs, the bill is taken  
for confessed as to them; and this cause coming on  
to be heard by consent of the other parties on the  
bill the answers of the defendant's Linn Banks and  
James Hume, executors of Charles Hume, deceased;  
and the said James Hume in his own right, and Ro-  
bert C. Hill, and Jane, his wife, the exhibits an ex-  
amination of witnesses was argued by counsel, on  
consideration whereof, the court is of opinion, and  
doth decide that in the division and distribution of  
the estate of the testator, the defendant Alfred  
Hume is entitled to the negro boy called Thornton,  
the defendant Robert C. Hill, in right of his wife  
Jane, to the two negroes named Mary and Hannah,  
and the increase thereof, if any, from the date of the  
will, and the defendant Hamet Hume, to the two  
negroes named Anna and Delia, and the increase  
thereof, if any born after the date of the will, with-  
out accounting for the value thereof. But that the  
defendant James Hume is to account for the value  
of the negro given to him by his father during his  
last illness at the price of \$425; and that the ad-  
vancements made by the testator to Newton Hume  
and others, which are entered in the memorandum  
book of the testator, and filed as an exhibit with the  
answer of the defendant Banks, are to be accounted  
for in the same way as if they had been annexed to  
the will or entered upon a memorandum endorsed  
thereon; and the court doth further adjudge, order,  
and decree, that the defendant Linn Banks and  
James Hume, as executors of Charles Hume, de-  
ceased, render before William Walker, Esq., Mas-  
ter Commissioner of the Circuit Superior Court of  
Law and Chancery, of the county of Madison, an  
account of their administration of the estate of their  
testator; which account the said commissioner is to  
state and settle, and is not therein to charge either  
of the said defendants with interest upon any mo-  
ney belonging to the estate of their testator, and  
which they have held in hand without using the  
same until the contest about the value of the ne-  
groes herein before mentioned should be settled by  
this court; the said commissioner is also directed to  
settle an account between the legatees respectively  
of the testator, and the said executors sharing the  
balance in money and profits that may be due to  
each one, of the assets in the hands of the execu-  
tors which they are now ready to divide and distri-  
bute, allowing the said executors to return in their  
hands a sum amply sufficient for paying all the legal  
costs of this suit, as well those of the plaintiffs, as  
those of the several defendants, the court being of  
opinion that the costs heretofore expended, and the  
costs of taking the above mentioned accounts, and  
of the final decree therein, should be paid out of  
the assets of the testator. And intending so to de-  
cide hereafter, which said accounts the said com-  
missioner is directed to state settle, and to the court  
report with any matter deemed pertinent by him, or  
which either party may require.

A Copy.—Teste.

F. T. LIGHTFOOT, C. C.

The parties entrusted in the foregoing decree are  
hereby notified that the commissioner Wm. Walker  
therein named, will proceed at Madison Court House  
on Saturday the 30th day of May next, between the  
hours of 9 o'clock in the morning and six o'clock in  
the evening of the same day, to state, settle, and ad-  
just the accounts of the executors therein named,  
and to do and perform all things prescribed and di-  
rected in said decree, at the time and place afore-  
said, the plaintiffs and defendants are required to at-  
tend with their accounts and vouchers prepared for  
the said settlement.