

At a Court of Quarterly Sessions Continued and held for the County of Fauquier the 30<sup>th</sup> day of August 1820.

Ann Peyton formerly Ann Hoose. Robert H. Hoose  
Harrison Hoose. John Wallace and Elizabeth his  
wife, late Elizabeth Hoose, Mary Wallace late  
Mary Hoose. Darc Hoose, John Brooke & Charlotte  
his wife late Charlotte Hoose. Peter P. Coker &  
Alice his wife late Alice Hoose, John Mitchell  
& Mary his wife late Mary Hoose, Levi Singer and  
Jane his wife late Jane Hoose, Henry D. Hoose. Eliza  
- both Hoose and Daniel F. Hoose  
Compt.  
In Chancery  
against.

Harrison Hoose Jr. Lucy F. Hoose and William F. Hoose } Deft.  
Infants of Henry D. Hoose dec. . . . . }

This day came the Complainants by their Attorney, and filed their bill. Francis W. Brooke was assigned the Guardian of the infant Defendants to defend them in this suit. And thereupon, the said Defendants by their said Guardian filed their Answer and this Cause came on by Consent to be heard on the Bill and Answer and was argued by Counsel. Upon Consideration whereof the Court doth adjudge Order and Decree, that the Real Estate of John Hoose dec. in the bill mentioned be sold at public Auction by the Commissioner hereafter named upon a Credit upon one third of the purchase Money for twelve Months, on one other third thereof for two Years and on the remaining third for three years from the time of Sale with Interest on the whole amount thereof from the said time of Sale - the Interest to be Discounted if the payments are made punctually - the purchaser or purchasers giving Bond or Bonds with satisfactory Security and a Deed of Trust on the Land to secure the payment of the purchase Money - And that the time and place of such Sale be advertised in some Newspaper printed in the town of Fredericksburg, in the Palladium of Liberty printed in Warrenton, and at one or more public places in the vicinity of the Land in the bill mentioned. Alexander D. Kelly is appointed Commissioner to carry this Decree into effect. It is Ordered that he make

report of his proceedings in Order to a final Decree.

A Copy.  
Teste.

Daniel Withers C<sup>l</sup>

Payton Withers  
W. Copy.  
W. Decree.

830

W. Copy.  
W. Decree.

20<sup>th</sup> May 1821 Act  
and confirmed by  
the Court in entry

276.66<sup>2</sup>/<sub>3</sub>  

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30 00 0

for  
Alex<sup>r</sup>. D. Kelly Esq<sup>r</sup>

In obedience to the annexed decree, the undersigned  
 proceeded on the 11<sup>th</sup> day of December, <sup>1820,</sup> to sell to the  
 highest bidder, the land in the said Decree referred to,  
 lying and being in the County of Fauquier called  
 Berry Hill, on the terms and conditions, in the said  
 decree directed, after having publicly advertised the  
 time and place of sale, more than two months, in  
 the Calladium of Liberty, printed in the town of  
 Warrenton, in the Virginia Herald, printed in the  
 town of Fredericksburg and at one or more publick  
 places in the vicinity of the Lands: When Frederick  
 A Chapman became the purchaser at fifteen  
 Dollars. P. Aew, to whom the undersigned con-  
 veyed the same by Deed, now of record in Fauq:  
 County Court Office.

Frederick A Chapman Esq: D<sup>r</sup>

To the Representatives of John Hood dec<sup>d</sup>.

1820

Dec: 11<sup>th</sup> To 770 Acres of Land @ \$5 per acre is  $\frac{\$11,550}{\$3,850}$

To secure the payment of which sum, the under-  
 signed took a Deed of Trust on the <sup>said</sup> Lands which is  
 duly recorded in the Office of Fauquier County  
 Court; and the said Frederick A Chapman three

several Bonds with Sidney F. Chapman security thereto, each, for the sum of three thousand eight hundred and fifty dollars, conditioned to be paid as in the said decree directed and are herewith reported.

And on the 13<sup>th</sup> day of December 1820, the undersigned, proceeded to sell to the highest bidder, the Land in the said decree referred to, lying and being in the County of Stafford called, Cliffton, on the terms and conditions in the said decree, mentioned, after having advertised the time and place of sale, more than two months in the Palladium of Liberty printed in the town of Warrenton, in the Va. Herald printed in the town of Fredericksburg and at one or more public places in the vicinity of the Land: When Rouse Peyton, became the purchaser at two Dollars per Acre, to whom the undersigned conveyed the same, by Deed now of record in Stafford County Court office.

Capt. Rouse Peyton

Dr.

To the Representatives of John A. Coe dec<sup>d</sup>.

1820.

Dec. 13<sup>th</sup> To 415 acres of Land @ 12 1/2 / p. acre is  $\frac{1}{2}$  \$ 5187.50

To secure the payment of which sum, the undersigned took a Deed of Trust on the said Land which is duly recorded in the office of the County Court of Stafford and the said Rouse Peyton's three <sup>several</sup> Bonds with John Garrison security thereto, each for the sum \$ 276.67

conditioned to be paid as in the said Decree directed  
and are herewith reported.

Recapitulation.

To amount	of real Estate in Fauquier	\$11,550
" do	do do Stafford	\$ 830
		<hr/>
		\$ 12,380

Commission of 5 p.c. on \$12,380 is \$619. 619

Due the Representatives of  
the late Mr. John Good \$11,761

All which is respectfully reported

Alexander D Kelly

Commissioner

Lewis

THE COMMONWEALTH OF VIRGINIA, TO THE SHERIFF OF ~~FAUQUIER~~ COUNTY—

GREETING:

YOU are hereby commanded to summon *Hewson Hooe Jr. Lucy F. Hooe and William F. Hooe. infant children of Henry Dade Hooe dec'd.*

to appear before the Justices of our County Court of Fauquier at the Court House thereof, on the *1<sup>st</sup>* day of *August* Count . . . ~~Count~~

next, to testify and ~~the truth to speak on behalf of~~ answer a Bill in Chancery of *habere a quibusdam*

*them by Ann Peyton formerly Ann* in ~~the County Court of Fauquier~~ *in the County Court of Fauquier*

*County Court, depending and undetermined between Hooe, Robert. H. Hooe, Hewson Hooe*

*John Wallace and Elizabeth his wife late Elizabeth Hooe, Mary Wallace late Mary Hooe, Dade Hooe, John Brooke & Charlotte his wife late Charlotte Hooe, Peter P. Coker & Alice his wife late Alice Hooe, John Mitchell and Mary his wife late Mary Hooe Lewis Long and Lane his wife late Lane Hooe, Henry D. Hooe, Elizabeth Hooe and Daniel F. Hooe and shew cause if any they have or can shew, why the Real Estate of John Hooe dec'd late of Fauquier County in the said Bill mentioned should not be sold for the purpose of Distribution as is by the said Bill required.*

and this *they* shall in no wise omit, under the penalty of 100<sup>l</sup>. *each* and have then there

this writ. Witness, DANIEL WITHERS, Clerk of our said Court at the Court House aforesaid, the *27<sup>th</sup>* day of *June* 1820 and in the

*44<sup>th</sup>* year of the Commonwealth.

*D. W. Withers, C.*

Payton Gathers  
subpoena  
in Chancery  
The 1<sup>st</sup>

7 Aug. 6. 1820.

I acknowledge the service of the  
within subpoena,

Wm. P. Gathers  
Darius H. Gathers  
Wm. H. Gathers  
Wm. Gathers

C. A. Gathers

Prince William

THE COMMONWEALTH OF VIRGINIA, TO THE SHERIFF OF ~~KANAWHA~~ COUNTY—

GREETING;

YOU are hereby commanded to summon *Hewson Rose Jr. Lucy J. Rose and William F. Rose infant children of Henry Dade Rose dec.*

to appear before the Justices of our County Court of Fauquier  
at the Court House thereof, on the *1st* day of *August* . . . . . Court

next, to testify and the truth to speak in behalf of *Answer a Bill in Chancery exhibited*  
*against them* . . . . . in a certain matter of controversy in our said  
County Court, depending and undetermined between *Robert M. Rose, & George Rose*  
*by Ann Poyton formerly Ann Rose*

*John Wallace and Elizabeth his wife late Elizabeth Rose, Mary Wallace late Mary Rose, Dade Rose, John Brooke & Charlotte his wife late Charlotte Rose, Peter P. Coepe & Alice his wife late Alice Rose, John Mitchell & Mary his wife late Mary Rose, down Singu and Jane his wife late Jane Rose, Henry D. Rose, Elizabeth Rose and Daniel F. Rose and to show Cause if any they have or can show why the Real Estate of John Rose late of Fauquier County, in the said Bill mentioned should not be sold for the purpose of Distribution as is by the said Bill required.*

and this they shall in no wise omit, under the penalty of 100l. each and have then there  
this writ. Witness, DANIEL WITHERS, Clerk of our said Court at the Court House

aforsaid, the *27th* day of *June* 1820 and in the

*44th* year of the Commonwealth.

*D. M. Withers*



Poyton & others  
vs Subp<sup>n</sup> in  
Proc. of Chancery

To Aug. Court 1820.

I do hereby acknowledge the filing of  
the within Subpoena,

William F. Hoove  
July 3<sup>rd</sup> 1820.

Geo H. p. c.

THE COMMONWEALTH OF VIRGINIA, TO THE SHERIFF OF FAUQUIER COUNTY—  
GREETING:

YOU are hereby commanded to summon *Houison Hooe Junr, Lucy S. Hooe and  
William F. Hooe, Infant Children of Henry Dade Hooe decd.*

to appear before the Justices of our County Court of Fauquier  
at the Court House thereof, on the *first* day of *August* Court  
next, to testify and the truth to speak in behalf of *Averfe a Bill in Chancery exhibited*

*against them by Ann Peyton formerly in a certain matter of controversy in our said*  
~~County Court, depending and undetermined between~~ *Robert H. Hooe, Houison Hooe, John  
Wallace and Elizabeth his Wife late Elizabeth Hooe, Mary Wallace late Mary Hooe  
Dade Hooe, John Brooke & Charlotte his Wife late Charlotte Hooe, Peter P. Locke and  
Alice his Wife late Alice Hooe, John Mitchell & Mary his Wife late Mary Hooe, Lewis  
Luzen and Jane his Wife late Jane Hooe Henry D. Hooe, Elizabeth Hooe and David F. Hooe*  
*and to their cause if any thing they have or can shew why the Real Estate of John Hooe late of  
Fauquier County in the said Bill mentioned should not be sold for the purpose of Distribution as*  
and this they shall in no wise omit, under the penalty of 100l. each and have then there

this writ. Witness, DANIEL WITHERS, Clerk of our said Court at the Court House  
aforesaid, the

*28th* day of *June* 1870 and in the  
year of the Commonwealth.

*Daniel Withers*

*By the said  
Bill is  
Required*

Scott # 9.

Pyton & others  
Taf-3 Supra in  
& Cl 4  
Hooe & others  
So August 1890

I do hereby acknowledge the  
service of the within Subpoena,  
Houson Hooe Jun  
June 30<sup>th</sup> 1890.

To the worshipfull Court of Fauquier County in Chancery  
sitting hereby complaining sheweth to your worship your  
orator and oratrix Ann Peyton formerly Ann Hoar  
Robert H Hoar Thomas Hoar John Wallace  
& Elizabeth his wife late Elizabeth Hoar  
Mary Wallace late Mary Hoar Dade Hoar  
John Brooke & Charlotte his wife late Charlotte  
Hoar Peter P. Coche & Alice his wife late Alice  
Hoar John Mitchell & Mary his wife late Mary  
Hoar Lewis Singer and Jane his wife late Jane  
Hoar Henry D Hoar Elizabeth Hoar Daniel F.  
Hoar ~~Thomas Hoar~~ That John Hoar

late of the County of Fauquier departed this life  
without children  
- or or about the day of October 1814 Interstate leaving  
your orator and oratrix Ann Peyton Robert H  
Hoar Thomas Hoar Elizabeth Wallace Mary  
Wallace & Dade Hoar ~~his only surviving~~  
~~and sister~~ and brother with Henry Dade Hoar  
who died before the said John his only brother &  
sisters that the said Henry Dade Hoar as before  
stated having died before the said John left your  
orator & oratrix Charlotte Brooke Alice Coche  
Mary Mitchell Jane Singer Henry D Hoar  
Elizabeth Hoar Daniel F. Hoar and Thomas

Hoose Jr Lucy F Hoose William F Hoose who  
his only children That the said John Hoose  
took & did seized a tract of land in the  
County of Fauquier containing about seven  
hundred and seventy acres and also one other  
tract in the County of Stafford containing about  
five hundred acres which was all the real  
estate of which the said John Hoose did seized or  
possessed or was in any manner entitled to. your  
orators and oratrix further shew that the value  
of each of the Disturbances of the said John Hoose  
dec. does not ~~amount in value~~ exceed in value  
the sum of three hundred dollars and the  
Interest of the several claimants requires that the  
same should be sold but an impediment occurs  
to the sale from the Infancy of Howson Hoose Jr Lucy  
F Hoose William F Hoose Children of Henry Dade  
Hoose dec. one of the brothers of the said John  
Hoose dec. In consideration whereof  
and for as much as your orators and oratrix are  
without redress in the premises at Common Law  
The end that the said Howson Hoose Jr Lucy Hoose  
William F Hoose may be made Defendants to a writ

and may by a guardian to be appointed then  
by this Court true and perfect answer make  
to the premises and that the said lands should  
may be sold by Commissioners to be appointed by  
this Court and the proceeds thereof divided  
between your orators & oratorines and the Defendants  
according to their several rights and that they may  
have such other relief in the premises as the  
Court may seem Equitable may it please the  
Court to grant the writ of Habeas

The answer of Rowson Hooper Lucy F. Hooper  
& William F. Hooper Infants of Henry Hooper dec.  
by <sup>Francis W. Brooke</sup> ~~Guardian~~ ~~Shelly~~ appointed this guardian to a  
bill of Complaint exhibited against them by Ann  
Paylor & thus the Defendants say that they consider  
sale of the real estate of their decedent John Hooper dec.  
with regard to their favour that they admit the share  
of each heir will not exceed three hundred Dollars  
& are willing that the same be paid for the same be deemed

Scott

1868

Sept 28 - Dropped from Docket.

Payton & others  
Payton & others

19 } Billed amount } Bill amount  
to one of them }

More others

26 - June 1820 Mr. Sulphur  
awarded to these cause why  
a Distribution should not  
be had &c

Aug. 30<sup>th</sup> 1820, Sale & Distribution  
decreed, & report directed.

Sept - 1820 Court for Rep.

Oct - do

Nov - do

Dec - do

Jan - do

July do

Mar do

Apr - do

June - do

Sept - do

1823.

Dec: 12 - Set for hearing on file

1832 mo.

July 25 - cont.

*[Faint, mostly illegible handwritten notes and bleed-through from the reverse side of the page.]*