1845021 SOUTHAMPTON COUNTY CHANCERY PAPERS

LANE'S ADM'R. VS. LAIN/LANE et al

S/1845

See also: Wellons Guardian v Lain et al, 1845-50; 1846-34

other surnames: Judkins, Stephenson, Branch, Davis, Willons, Homes, Holmes, Wellons, Everett

Febry 45

Clk — ℔ 3.63
Shff — 1.50
Dan — 16.61
Tax — 75
2 2 54

1845 May

Pelsp. Corte — 1
Clk. — ℔ 4.63
Shff. — 1 50
Dan & Tax 17 41
$ 23 58

19.

Dane adm^r

vs. } Papers

Dane &c

Lanes adv. Jas

v. Stat: Rules

Lane Y

James A Judkins adm. Catharine Lane dec^d and the said James A Judkins & Martha his wife who was Lane. Allen T Stephenson & Lucy L his wife who was Lane. William W Branch & Sarah his wife who was Lane. Eli W Davis & Emma his wife who was Lane & Mary A Wellons who was Lane

v.

Shugars Lane. Wm J. Everett Sheriff of Southampton County & adm: de bonis non of Lewis N Branch dec^d & Samuel A Holmes.

1844 July 20: Subp^a. issued retble. to August Rules.
" Aug: Rules - Subp^a. ret^d Executed - Bill filed
" Oct " - Cause set for hearing.
" Nov. T. Cont^d.
1845 May " Decree & Dft Lain.

Lain
Jenkins & Hall
vs
Lain & Thos
Bill.

Lains adr.

v Bill.

Lain &c.

1824 Aug. Rules.

To the Hon.R. Richard H Baker Judge. 1st
Judicial District. 1st Circuit

Southampton County.

Humbly complaining sheweth unto your
hnor. your Complainants. James H. Judkins
admr of Catherine Lane decd and the sd James H Judkins
and Martha his wife who was Lane, Allen T Stephenson & Lucy L. his wife who was Lane, William Brantley and Sarah his wife who was Lane. Elisha Davis & Emma his wife who was Lane, and Mary R Williams who was Lane, that at the March Term 1835. Sugars Lain, with Lewis N Branch and Samuel T Homes as his securities qualified as the Committee of Catherine Lain an idiot and in that character took possession of the estate of the said Catherine Lain and continued the management thereof up to the period of her (the sd C Lains) death. that since the death of sd Catherine Lain her estate has been committed to your Complainant James H Judkins for administration, who with a view to a settlement with the sd Sugars Lain caused an account of the sd Lains actings to be settled by a Commissioner of the Court which by agreement was confirmed by the County Court, By reference to which (an attested copy whereof is herewith filed and prayed to be taken as a part of this bill) it will appear that a balance is reported against the said Lain Committee as aforesaid of $ 5-25: 5-8, with interest from 1st April 1843 - which your Complainants have endeavoured to collect, but have failed so to do. Your Complts now beg leave to state that they are the heirs at Law of Catherine Lain and as such are entitled to sd balance

as aforesaid by the account heretofore filed — Thy
therefore pray that the sd Susan's Lain, and
and admor: de bonis non with the will annexed
William L Everett late Sheriff of Southampton County ~~and~~ of Louis N
Branch and Samuel H Homes may be made
parties defts hereto and be required to answer
this bill: and thy further pray your honor to
direct the payment of sd sum of $5-25-5-8
with interest as aforesaid to your Complainant
directly or to the sd James H Eidkins atty of
Catherine Lain — And praying the Commonwealth's writ of &c directed to Commanding
&c — and praying that other general and
special relief in the premises as may be
consonant to justice and the rules of this
Court thy Orator may &c —

Ridley & Goodwyn p.q.
Complts

Laing adm.

vs } Decree

Laing &c

May Term. 1845

Lains adm: &c.
v
Lains & others

Circ. Sup. Court. May Term 1845

Decree

It appearing to the court that more than two months have elapsed as well since the filing of the plaintiffs bill as the service of the subp: on the defendants, who still fail to appear and answer, on motion of the plaintiffs the bill is taken for confessed, and the cause coming on to be heard on the bill and exhibits filed was argued by counsel, On consideration whereof the court doth adjudge, order and decree that the said defendants Shugan Lains, Samuel H Holmes and William L Everett adm: de bonis non with the will annexed of Lewis S Branch do pay to James N. Justices adm: of Catherine Lains decd: the sum of five hundred and twenty five dollars and fifty cents, with Int thereon from the 1st day of April 1843 till paid, and that said defendants Lains pay the costs of this suit.

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Lain's adm: &c

v Sp. Co. in Chy

Lain &c

1844 August Rules

Executor Shugars Lain

and Samuel B Holmes

William A Bell Deputy

Samuel B Hines Sheriff

Executors on Wm L Everitt

Benjamin W Goodwyn

Deputy of Samuel B Hines

Sheriff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County, Greeting:

We command you that you summon Shugars Sam. William D Everett late Sheriff of Southampton County & admor: de bonis non with the will annexed of Lewis N Branch dec'. & Samuel A Holmes

to appear at the Clerk's Office of our Circuit Superior Court of Law and Chancery for the County of Southampton, at the Rules to be holden for the said Court on the first Monday in August next, to answer a Bill in Chancery exhibited against them in the said Court by James A Jenkins admor: of Catharin Sam dec'. and the said James A Jenkins & Martha his wife who was Sam. Allen T Stephenson & Lucy D his wife who was Sam. William W Branch & Sarah his wife who was Sam. Eli W Davis & Emma his wife who was Sam & Mary A Wellons who was Sam

And unless they shall answer the said Bill within ~~four~~ Two months thereafter, the Court will take the same for confessed, and decree accordingly. And this they shall in no wise omit, under the penalty of £100. And have then there this writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-house, the 20th day of July 1844, in the 69th year of the Commonwealth.

L R Edwards Clk

[*One Copy to be delivered each Defendant.*]

Lanes ads Jas

v } Exr with Bill

Lane &c

Know all Men by these presents that we Shugars Lain Lewis N. Branch & Samuel Holmes are held and firmly bound unto Benjamin Griffin Robert J. Musgrave N. M. Sorrell and William A Sparks Gentlemen Justices of the Court of Southampton County Now sitting in the sum of fifteen hundred dollars for the true payment whereof well and truly to be Made to the said Justices and their successors we bind ourselves our heirs Executors and administrators jointly & severally firmly by these presents sealed with our seals and dated this the 17 day of March 1835

The Condition of the above obligation is such that whereas the above bound Shugars Lain hath been by the Court of Southampton County appointed a committee into whose hands the Estate and person of Catharine Lain an idiot is committed Now if the said Shugars Lain shall take the Estate of the said Catharine Lain into his hands and safely keep and Manage the same according to law and therewith pay the debts of the said Catharine Lain and shall keep the said Estate without waste or destruction and the same to deliver up to the said Catharine Lain when she shall come to right Mind or when required by the County Court aforesaid and in all things truly and faithfully perform the trust reposed in him the said Shugars Lain as committee aforesaid then the above obligation to be void or else to remain in full force

Signed sealed & delivered
in open Court

Shugars Lain (Seal)
Lewis N. Branch (Seal)
Saml N. Holmes (Seal)

A Copy

Teste. L R Edwards CC

Account Current of

Catharine Lains Ex.

Lanes acr of A Copy.

v } Ex: with Bill

Lane of

At the request of Shugars Swire late Curator of Catharine Lanes dec^{d} and James H Seahorn admr of the said Catharine Lanes. I have made up the following statement in conformity to the annexed agreement and award

1835						
Jany	1	By this amt due in the division of Negroes	..	..	93	00
		To Cons on ditto	4	75		
		.. paid L Lanes 1 sixteen your board	66	00		
		By Your part rent Land	..	..	6	00
		To Cons on ditto		30		
					101	00
					71	05
Dec^{r}	31	By Balance due the Estate	℔ ..	..	29	95
1836		To paid Your board this year &c	78			
		By Rent Land	..	..	8	00
		.. Your proportion of Your Fathers Estate	..	..	106	86
		To Cons on ℔ 114.85	3	74		
		.. paid the Clerk	1	00		
			84	74	144	80
		By interest on the balance of 1835	1	79	82	95
Dec	31	By balance due the Estate	℔ ..	..	61	85
1837		To paid E Davis for Expenses Negroes	18	21		
		.. Your board this year	141	00		
		By Rent Land this year	..	..	13	25
		To Cons on ditto		66		
			159	87	75	10
		By interest on the bal of 1836	3	71	154	16
Dec^{r} 1837	31	To balance due the Curator	℔ 81	06		
Dec	31	To amt brought forward	81	06		
1838		.. paid Clks tickets 1.68 A Sandiver 1.50	3	18		
		.. your board this year	141	00		
		By Rent Land do	..	..	13	25
Dec	3	By sale of Negroes due this day	..	..	1170	25
		To Cons on ℔ 1183.50	59	17		
		.. interest on the balance of 1837	4	86		
					1183	50
					288	27
..	31	By balance due the Estate	℔ ..	..	894	23

1839		By Your board this year			141	00	
		By Rent Land			"	"	13 35
		To Corn on dills				66	
					141	66	907 48
		By interest on the balance of 1838			53	65	88 01
Dec	31	By Balance due the Estate			"	"	819 47
1840		To Your board this year			141	00	
		By Rent Land do			"	"	13 35
		To Corn on dills				66	
					141	66	832 82
		By Interest on the balance of 1839			49	14	92 58
Dec	31	By Balance due the Estate			"	"	740 24
1841		To paid Clk 88 J M Holland acct			2	07	
		" " Doct Burgess 6-75 S L Williams 2-25			8	60	
		" " To Gardner acct			10	00	
		By rent Land this yr			"	"	21 50
		To Corn on dills			1	32	
		amounts carrd forwarded			21	39	766 72
1841		amounts brought forward			21	39	766 72
		To your board this year			141	00	
					162	39	766 72
		By Interest on the bal of 1840			46	00	116 39
Dec	31	By Balance due the Estate			"	"	650 33
1842		To Your board this year			141	00	
		By rent Land do			"	"	21 50
		To Corn on dills			1	32	
					142	32	671 83
		By interest on the balance of 1841			19	01	103 31
Dec	31	By Balance due the Estate			"	"	575 52
1843		By Rent Land 3 Months					6 62
		To Corn on dills				33	
		" board 3 Months			33	33	
		" funeral Expences			10	00	
		" Corn for retained			17	50	
		" paid sundry years land tax			5	08	
		" Clothing from 1837 to 1843			30	00	
					93	16	580 14
		By 3 Mos interest on the bal of 1842			8	60	84 56
							495 58
april	1	By Balance due the Estate					
		with interest thereon from this date till paid					
		Respectfully Submitted					
1843							Jere Cobb Com
april	1	By Balance brought forward					495 58
		To the Clothing account which is the last item in the					
		account off Added as directed by Shugars Law Curator					30 00
"	"	By Balance due the Estate					525 58
		with interest from this date till paid instead of the above balance					

Jere Cobb

We the jury sworn to decide the case pending between James Hudkins and others plaintiffs and Shugars Law Deft do agree that Shugars Law shal pay to the plaintiff $ 21.50 per year for the rent of Catharine Sans land and that the plaintiffs pay to Shugars Law $ 141 00 per year for the said C. Sans board Given under our hands this 26 day of Feby 1844.

Francis P. Butts
Arrington Vick
Arthur A. Drewry
Robert G. Griffin
C. S. Stephenson
P. H. Rollings
Alford J. Stephenson
Jesse H. Rollings
William H. Bell umpire

Know all Men by these presents that I Shugars Sans of Southampton County Va are held and firmly bound unto James H Hudkins Allen Stephenson William W. Branch Eli W. Davis & Mary A. Wellons of Southampton Co Va in the sum of one Thousand Dollars of lawful Money of Va to be paid to the said James H Hudkins Allen Stephenson William W. Branch Eli W. Davis and Mary A. Wellons or to their heirs certain attorneys his heirs Executors admrs or assigns to which payment well and truly to be made I bind myself my heirs Executors and admrs firmly by these presents sealed with my seal and dated this 26 day of Feby in the year of our Lord one Thousand Eight hundred and Forty Four

The Condition of the above obligation is such that if the above bound Shugars Lain his heirs Executors and admrs on his or their parts and behalfs do and shall well and truly stand to obey abide by perform observe fulfil and keep the award, order arbitrament and final determination of Francis P. Butts Arthur A Drewry Robert G. Griffin Armistead Vick Jesse H Rawlings Alfred J. Stephenson Calvin J. Stephenson Patrick H Rawlings of the County of Southampton County Va arbitrators indifferently named elected and chosen as well for and on the part and behalf of the above bound Shugars Lain as the above named James H Sudduth: Allen Stephenson William W. Branch Eli W. Davis and Mary R. Wellons to arbitrate award order adjudge and determine of and concerning all and all Manner of action and actions cause and causes of action and controversy between the above named parties respectively of and account current made up by Master Commissioner Cobb upon the Curatorship of Shugars Lain upon the Estate of Catharine Lain dec or pending by or between the said parties so that the said award be made in writing under the hands and seal of the said arbitrators and ready to be delivered to the said parties on or before the 14 day of Feb 1844: then this obligation to be void or else to remain in full force; and the above named parties agree and desire that this his submission may be made a rule of the Court of Southampton County Given under My hand and seal this 14 day of February 1844

Shugars Lain (Seal)

Francis P. Butts
Arthur A. Drewry
Robert G. Griffin
Armistead Vick
Jesse H Rawlings
Alfred J. Stephenson
P H Rawlings
C J. Stephenson

Agreable to the above award:

Know Ye that I William A Bell umpire indifferently chosen by the above arbitrators having deliberately heard and understood the griefs and allegations & proofs of both the s[aid] parties and willing to set the said parties at unity and good accord do by these presents arbitrate award order decree & adjudge agreeable to the above award

William A Bell (Seal)

Know all Men by these presents that we James H Sudduth Allen Stephenson Eli W Davis William W Branch and Mary R. Wellons of the County of Southampton are held and firmly bound unto Shugars Lain of said County in the sum of one thousand dollars lawful Money of Virginia to be paid to the said Shugars Lain or to his certain attorney his Executors administrators or assigns to which payment

well and truly to be made we bind ourselves our heirs Executors & administrators firmly by these presents sealed with our seals and dated this 24 day of February in the year 1844.

The Condition of the above obligation is such that if the above bound James H Judkins Allen Stephenson Eby Davis William W. Branch and Mary H Wellons their heirs Executors and administrators on their or their parts and behalfs do and shall well and truly stand to obey abide by perform observe fulfil and keep the award order arbitrament and final determination of Francis P Bulls Arthur A Drewry Robert G Griffin Arrington Vicks Jesse Rollings Alfred J Stephenson Calvin J. Stephenson and Patrick H Rollings of the county of Southampton arbitrators indifferently named elected and chosen as well for and on the part and behalf of the above named James H Judkins Allen Stephenson Eby Davis William W. Branch and Mary H Wellons as the above named Shugars Lain to arbitrate award order adjudge and determine the controversy between the above named parties respecting of an account Current Made up by Master Commissioner Cobb upon the Curatorship of Shugars Lain upon the Estate of Catharine Lain dec^d or pending by or between the said parties so that the said award be made in writing under the hands and seals of the said arbitrators and ready to be delivered to the said parties on or before the 24 day of February 1844 then this obligation to be void or else to remain in full force and the above named parties agree and desire that this their submission may be made a rule of the Court of Southampton County: Given under our hands and seals the 24 day of February 1844

Francis P Bulls
Arthur A Drewry
Robert G Griffin
Arrington Vicks
Jesse H Rollings
Alfred J. Stephenson
P H Rollings
C J. Stephenson

James H Judkins (Seal)
Allen J. Stephenson (Seal)
Wm W Branch (Seal)
Eb W Davis (Seal)

Agreeably to the above award

Know Ye that I William A Beel umpire indifferently chosen by the above arbitrators having deliberately heard and understood the parties allegations and proofs of both the said parties and willing to set the said parties at unity and good accord do by these presents arbitrate award order direct and judge agreably to the above award

William A Beel (Seal)

At a Court held for this County of Southampton on the 18 day of March 1844
This account Current and Commissioners Report of Shugars Lains curratorship
on the Estate of Catharine Lain dec was returned and ordered to be Recorded

Test W R Edwards Clk