

1862-009

SOUTHAMPTON COUNTY
CHANCERY PAPERS

VICK

VS.

DENSON'S EXECUTOR et al
sliver

other surnames: Gardner
Kello, Stephenson, Pretlow,
[Briggs, Turner + Briggs],
Briggs, Turner, Bradshaw,
Burges, Joyner, Doles,
Davis

44 23. 17 15

Vick

r } Papers

Linsins Exor.

1862 May

Vickl

v } Stat: Rules

Denson's Exor. 8^o

Southampton Circuit Court.

Sept 13 Vicks who sues on behalf of himself and all other creditors of the estate of
William Denson dec^d

against

Arvington Gardner Exor. of William Denson dec^d ^{William Denson}
Gardner ^{Sarah A., Ann F. & William J.}

1857 Dec. 31 - Summons issued - retile: to February Rules.

1858 Feb. Rules. Summons ret^d. Executed

" ^{April} March. Bill filed - GR Edwards assigned gen: ad litem to infants. Ans.
of infants G. Rep. D. Wise - Gardner Exor. & William Denson

" April R. (Last Monday). Bill taken for confessed as to Dft Gardner & Denson &
Cause set for hearing 1st

" May 9. Decree for account. 1st

" Sep. 13. Rep^d

" Nov 5. Decree 1st

1859 May. 5. Decree 1st

1862 May. Report 1st

1858 Nov.

Blk 1/8.63

Shit 4.50

Gowd 25.00

Law r. 38.50 / 69.63

Wick

or

3

Bill

Wenson's Lion & others

1858 April Rules

To The Hon. Richard H. Baker judge of the Circuit
Court of Southampton County - In chancery, April
Rules, 1858,

Humbly complaining sheweth unto your
honor your complainant J. B. Wick who sues
on behalf of himself and all other creditors of the
estate of William Henson decd that William
Henson departed this life sometime in the year
1856 after having duly made and published
his last will and testament which has been
admitted to probate in the County Court of South-
ampton, and Arrington Gardner the executor
therein named qualified according to law.
A copy of which will is herewith filed as an exhibit.
That the said William Henson was indebted
to a considerable amount, and that his personal
estate has been wholly insufficient to discharge
his debts - That he was indebted to your complain-
ant in the sum of \$65.53 ¹⁰⁰ due by bond and bearing
interest from Jan'y 13th 1855, and also in the
sum of \$17.06 ¹⁰⁰ due by account on the 31st day
of Dec'r 1856, ^{That the said bond & account are herewith filed as}
an exhibit. That the said Arrington Gardner
his executor aforesaid has proceeded to settle
his account as executor before a Commissioner
of the County Court of Southampton County, and
has paid out to the several creditors of the
said estate the several amounts apportioned to
them - That there still remains a large balance

due to the said creditor, and your complainant desires that the real estate of which the said William Benson died seized and proposed shall be sold and the proceeds of sale applied to their payment. That he was seized of a tract of land lying in Southampton County containing one hundred and fifty nine acres and valued at \$700, thirteen acres of which tract was given by the will of the said William Benson to his father William Benson, and the balance to his widow Martha Benson during her life, and after her death to Sarah A. Gardner, Anna T. Gardner and William J. Gardner - That since his death his widow Martha Benson has departed this life. That Sarah A. Anna T. and William J. Gardner are infants of tender years.

In tender consideration of the premises and inasmuch as your complainant is without remedy save in this honorable court, it is prayed that Arrington Gardner executor of William Benson dec'd, William Benson, Sarah A. Anna T. and William J. Gardner be made parties defendants to this bill - That a guardian ad litem be appointed for the infant defendants who together with the other defendants shall make true and correct answers to this bill. That your honor will decree a sale of the real estate of which William Benson died

seized and proposed, and direct the proceeds of said sale to be applied to the payment of his debts - That your honor will direct all proper accounts to be taken, and that such further and general relief may be given as equity may dictate and the nature of his case may require and he will ever pray &c.

Cobb p. 7.

Bick

17 3 Answer of infant

Remon's Ex or I

1858 April Rules

To the Hon. Richard H. Baker Judge of the Circuit
Court of Southampton County. May Term 1888,

The ^{joint and several} Answer of Sarah, Anna and William
Gardner infants by L. R. Edwards their Guardian
ad litem to a bill of complaint exhibited against
them ^{dothers} in this honorable Court by Jose B. Vick.

These defendants having and coming to
themselves all benefit of just exception to said
bill, for answer thereto, say that they are infants
under the age of twenty one and therefore submit
their interests to the care and protection
of this honorable Court, and having answered
pray to be dismissed with costs &c.

L. R. Edwards Guardian &

By W. W. Cobb atty.

Vick
v 3 Meun
Henson & Co. 20th

May Court 1858
To be entered
R. H. Baker

Vick

N 3

Henson's Exor

The bill of the complainant having been taken for
compulsed at the rules as to the defendants Arrington Gardner
Exor of William Henson dec^d, ^{on whom process has been duly} and William Henson, ^{and}
^{seized} they still failing to appear and answer, the cause this day
came on ~~to be~~ heard on the bill of complainant, answer
of L. R. Cowan guardian ad litem to the infant defendants
Sarah A. Ann F. and William J. Gardner, general application
therein, and exhibits, and was argued by counsel, on con-
sideration whereof the court doth adjudge, order and decree
that a Commissioner of this Court take the following
accounts, viz, an account of the transactions of
Arrington Gardner Exceptor of William Henson dec^d.
An account of the real estate of which the said
William Henson died seized and proposed stating its
annual and fee-simple value, and also an account
of all debts due and outstanding against the estate
of the said William Henson dec^d, with their respective
priorities; which accounts the said Commissioner
is directed to report to this Court with any matters specially
stated deemed pertinent by himself, or which he may be
required to do by either of the parties. . . .

Pick

W 3 Decem
Klein on island

Nov. Co. 1858

To be entered

R. H. Baker

Orcl

v

Henson's admr

This day this cause came on to be again heard on the papers formerly read on the report of Commissioner Howard made in pursuance of a decree rendered in this cause at May term 1858, to which report no exceptions have been filed, and the Court confirming the same doth adjudge, order and decree that Arrington Gardner who is appointed a special Commissioner for the purpose, after having given at least twenty days public notice of the time and place of sale, proceed to sell on the premises on a credit of nine months, except so much as may be necessary to defray the expenses of this decree and said sale, all the real estate of which William Henson dec^d, died seized and possessed, in the County of Southampton, consisting of a tract of land containing one hundred and fifty nine acres ^{more or less} that he take bond from the purchaser with approved security ^{bearing interest from date} and retain the title until the purchase money is paid, and return said bond with his report to this Court in order to a final decree.

But the said Arrington Gardner shall not proceed to execute this decree until he shall execute bond in the clerk's office of this Court ^{with good security} in the penalty of \$1200. payable to the Commonwealth of Virginia and conditioned for the faithful performance of his trust under this decree.

Vick

vs } Copy Done

Dindon's Cash.

Southampton Circuit Court, November Term, 1858.

Josef B. Vick who sues for himself and all other creditors of the
estate of William Denson dec'd. Plaintiff

against
Arrington Gardner, executor of W^m Denson, W^m Denson, Sarah et.
Ans. of W^m J. Gardner by L. R. Edwards their guardian
as litm Defendants.

This day this cause came on to be again heard on the papers formerly
read in the report of Commissioner Howard made in pursuance of a decree
rendered in this cause at May term 1858, to which report no exceptions
have been filed and the Court confirming the same, doth adjudge order and
decree that Arrington Gardner who is appointed a special commis-
sioner for the purpose, after having given at least twenty days pub-
lic notice of the time and place of sale proceed to sell on the premises
on a credit of nine months except so much as may be necessary to
defray the expenses of this decree and the said sale, all the real
estate of which William Denson dec'd. died seized and possessed
in the County of Southampton consisting of a tract of Land containing
one hundred and fifty nine acres more or less, that he take bond from
the purchaser with approved security bearing interest from date and retain
the title until the purchase money is paid and return said bond with his
report to this Court in order to a final decree.

But the said Arrington Gardner, shall not proceed to execute this decree
until he shall execute bond in the Clerk's Office of this Court with
good security in the penalty of \$1200.00 payable to the Commonwealth
of Virginia, and conditioned for the faithful performance of his trust
under this decree.

Teste,

L. R. Edwards, C. C.

Clk's fees

|| 8 63

Shff "

4 50

Com.

25 00

Paid Henry S. Howard

Law 10.

31 50

|| 69 63

Oriskany

or 3 specimens
Hemionus Erythraeus

May Count 1859

To be entered

A. H. Baker

Or
Wenous adm t

This Cause came on this day to be again ~~kept~~
on the papers formerly ^{on Statement made at} read, and on the report of Commissioner
Arrington Gardner made in pursuance of a decree
rendered in this cause at October term 1858,
to which report no exceptions have been filed and the Court
confirming the same, doth adjudge, order and decree
that Arrington Gardner Executor of Wm. Henson decd.
pay to Samuel Wells the sum of \$13.75, to Wm. H.
Stephenson the sum of \$8.91, to Joseph Patton \$0.75
to Briggs, Turner & Briggs thirty cents, to Daniel Vick \$6.11
to Willis Broadhead \$1.25, to J. B. Vick \$6.50, to
A. S. H. Buzge eighty five cents, to Merrill Briggs seventy
cents, to Eley Joyner thirty cents, to Wm. B. Joyner
thirty one cents, to Hermanus Bales \$2.60 to Madison
J. Davis \$3.92, with interest on all of said sums from
the 7th day of Nov. 1858. - And the Court doth
further adjudge, order and decree that the clerk of
this Court deliver to Arrington Gardner the bond of
Daniel Vick and Irvin Triffin returned by him to this
Court, and that he collect the same when due
and after retaining the sum of \$41.20 to pay the costs
of this suit, pay to Samuel Wells \$40.22, to Wm. H.
Stephenson \$26.04, to Joseph Patton \$2.01, to Briggs, Turner
& Briggs eighty two cents, to Daniel Vick \$17.86, to
Willis Broadhead \$3.61, to J. B. Vick \$19.00, to A. S.
H. Buzge \$1.91, to Merrill Briggs \$2.11, to Eley Joyner
Eighty seven cents, Wm. B. Joyner ninety six cents, to
Hermanus Bales \$8.11, and to Madison J. Davis \$8.94,
with interest on all said sums from Nov. 7th 1858,
and out of the balance pay to Wm. Henson the
sum of \$46.30, and the balance to the guardian
at law when one shall qualify and file with the papers
in this suit the certificate of his qualification as
such ~~of~~ of Sarah A. Anna ? and William J. Gardner
and upon the payment of the said bond by Daniel Vick

the said Arrington Garmon is directed to execute to him a deed with special warranty for the tract of land of which William Benson died seized and possessed, and that he make a post to ~~call~~ his proceedings to this Court in order to a final decree -

But the said Arrington Garmon shall not proceed to execute the latter portion of this decree until he shall execute bond in the clerk's office of this Court in the penalty of ^{payable to the Commonwealth of Virginia} \$500 - and conditions for the faithful performance of his trust under this decree.

Nick

is 3 Copy Secrec.

Anderson's Admⁿ.

Southampton Circuit Court, May 5th 1857.
Jesse B. Vick who sues on behalf of himself and all other
creditors of the estate of William Denson dec^d. Plaintiff
against

Arrington Gardner Ex^r of William Denson dec^d. William Denson,
Sarah A. Ann F. & Wm J. Gardner Defts

This cause came on this day to be again heard on the papers formerly
read and on Statement A. and on the report of Commissioner Arrington
Gardner made in pursuance of advice rendered in this cause at a Perambulation
1858, to which report no exceptions have been filed and the Court confirm-
ing the same doth adjudge, order and decree that Arrington Gardner
Ex^r of William Denson dec^d. pay to Samuel Kells the sum of
thirteen dollars seventy five cents, to Wm R. Stephenson the sum
of \$5.71, to Joseph Bittow 70/100 to Briggs, Turner & Briggs
thirty cents, to Daniel Vick \$6.11 to Willis Bradshaw \$1.25
to J. B. Vick \$6.50, to A. S. H. Burgess sixty five cents, to
Mint Briggs seventy cents, to Ely Jayner thirty cents, to Ormarcus Dole
\$2.60/100 to Madison J. Davis \$3.72. with interest on all of said
sums from the 7th day of November 1858. And the Court doth
further adjudge, order and decree that the Clerk of this Court de-
liver to Arrington Gardner the bond of Daniel Vick and Irvin
Griffith returned by him to this Court and that he collect the same
when due and after retaining the sum of \$41.20 to pay the costs of
this suit pay to Samuel Kells \$40.22 to Wm R. Stephenson
\$26.01 to Joseph Bittow \$2.01 to Briggs, Turner & Briggs
eighty two cents, to Daniel Vick \$17.56 to Willis Bradshaw
\$3.61/100 to J. B. Vick \$14.00 to A. S. H. Burgess \$1.91 to Mint
Briggs \$2.14/100 to Ely Jayner eighty seven cents Wm B. Jayner
ninety six cents, to Ormarcus Dole \$5.11 and to Madison J. Davis
\$8.74 with interest on all said sums from a November 7th 1858.
and out of the balance pay to Wm Denson the sum of \$46.80
and the balance to the guardian at law when one shall qualify
and file with the papers in this suit the certificate of his quali-
fication as such of Sarah A., Anna F. and William J. Gardner.
And upon the payment of the said bond by Daniel Vick the said

Arrington Gardner is directed to execute to him a Decree with special
warranty for the tract of land of which William Denson died seized
and possessed. and that he make report of all his proceedings
to this Court in order to a final Decree. But the said Arrington
Gardner shall not proceed to execute the latter portion of this
decree until he shall execute bond in the Clerk's office of
this Court in the penalty of \$1500.00 payable to the common-
wealth of Virginia (and conditioned for the faithful performance
of his Trust under this decree.

Teste

Henry S. Howard, C.



Vick

R. F. Hemen

Hemen's corner

May term 1862

To be entered

R. H. Baker

Vick

v

Deamon admt &

This day this cause came on to be again heard on the papers formerly read and on the report of Commissioner Gordon made in pursuance of a decree rendered in this cause at May Term 1889, to which report no exceptions have been filed, and on consideration whereof the Court doth adjudge, order and decree that the said report be confirmed -

✓
Vick

v. } Sums. chq.

Densons Ex or P

1858 February Rules.

Ex certified Jany
25th 1858 by deliver-
ing them a copy

Geo W Hick Deputy
for W^m W Briggs Sth

THE COMMONWEALTH OF VIRGINIA :

To the Sheriff of Southampton County—GREETING :

We command you to summon *Arrington Gardner Exor of William Denson dec: Martha Denson. William Denson. Sarah A. Anna D. & William J Gardner* —

to appear at the Clerks office of our Circuit Court of Southampton county at the Rules, to be holden for the said Court on the first Monday in *February* — next, to answer a bill in Chancery, exhibited against *them* — in our said court by —

Jeffer B. Vick who sues in behalf of himself and all other creditors of the estate of William Denson dec^d —

And have then there this writ. WITNESS, LITTLETON R. EDWARDS, Clerk of our said Court at the Courthouse, the *31st* day of *Decr.* 1857 in the *82^o* year of the Commonwealth.

L R Edwards Clk

Commissioner's Office,

Jerusalem, June 10th 1858

To J. B. Vick, who sues for himself and all other creditors
of the estate of William Denson dec^d Plaintiff

against
Arrington Gardner executor of W^m Denson, W^m Denson,
Sarah A. Ann F. & W^m J. Gardner by L. R.
Edwards their guardian ad litem. Defendants.

YOU ARE HEREBY NOTIFIED, That I have fixed upon the 31st day of July
1858, to take and settle, at my Office, in the Town of JERUSALEM, the following accounts:

An Account of the transactions of Arrington Gardner Ex^r
of William Denson, dec^d.

An Account of the real estate of which the said William
Denson died seized and possessed - stating its annual
and fee simple value.

And also an account of all debts due and outstanding
against the estate of the said William Denson dec^d
with their respective dignities

Required to be taken by the decree of Southampton Circuit Court, rendered on the 1st
day of May 1858, in a Suit in Chancery depending in said Court, in which you are parties
Plaintiff and Defendants; at which time and place you are required to attend.

GIVEN UNDER MY HAND, as Commissioner in Chancery of the said Court, the day and year first aforesaid.

Henry S. Howard, COMMISSIONER.

To the SHERIFF of Southampton County to Execute.

Executed 22th June 1858 by delivering
each a copy of the within Notice.
Geo Wicks Deputy
for Wm W Briggs Esq

Vick for J.

18 } Lewis' Notice

Grand Juror of Devon & Cornwall

To July 21st 1858.

Executed.

Geo Wicks Esq
for Wm W Briggs Esq

Vick for y.

vs Jth Cornis Report.

Dennis Exor. y.

1858 Sept. 13th

The estate of William Denson dec'd.
In account with Arrington Gardner, his Executor.

1856			Dr	Cr	Int.
Aug		To paid funeral expenses	3 00		
"		" " for coffin	7 25		
Dec	5	" " Joseph Gardner, Clerk	1 50		
"	"	" " Eli W. Davis, buyer	2 00		
"	"	" " W ^m R Stephenson, Constable	47 74		
"	"	" " W ^m Meuser, Const. execution	43 70		
"	6	" " Jane Charity for work in crop	51 33		
"	13	" " Sheriff Tax account	9 80		
Feb 1857	27	" " Hzekiah Bradshaw acct	1 88		
March	1	By balance of sales due this day sent by		479 50	
"	"	" " rec'd. of Robt H. Vick		3 00	
"	"	" " Miles Washington		1 70	
"	"	" " Drew Holt		75	
"	23	To paid Collins Kitchen account	5 25		
April	30	" " W ^m W. Cobb attorney	10 00		
"	"	" " Mary Vick account	1 10		
"	"	" " Robt H Vick "	1 00		
May	30	" " David Vick "	8 12		
"	"	" " Jeph B. Vick "	10 81		
"	"	" " appraisers (2)	2 00		
"	"	" " Commissions on \$485.15	24 25		
"	"	" " paid Colaba ticket	5 05		
"	"	" " Henry S. Howard Const.	20 75		
"	"	" " Clerk.	6 00		
Sept.	1	" balance due estate	268 62		
			485 15	485 15	
"	"	By balance due estate brought down		268 62	
Nov	16	To paid Tax account	2 24		
1858	"	" " Samuel Kello on bond	22 59		
"	"	" " Same "	3 14		
"	"	" " Same "	3 81		
"	"	" " Same "	5 43		
"	"	" " Same "	6 75		
"	"	" " Same "	19 43		
"	"	" " Same "	11 41		
"	"	" " Same "	5 37		
"	"	" " Same on acct of Int	2 21		
"	"	" " Same " "	3 7		
"	"	" " W ^m R Stephenson on bond of	7 74		
"	"	" " Same acct	1 57		
Amounts Carried forward			92 76	268 62	

1858

Amounts brought forward

To paid W ^m R. Stephenson on acct	72	16	268	62
" " Same Curator of S. Booth	4	39		
" " Joseph Dutton on bond & Int.	39	13		
" " Briggs, Sumner & Briggs on judgment	4	07		
" " Daniel Vick on bond	1	68		
" " Same on acct	32	01		
" " Willis Bradshaw "	3	79		
" " Jesse B. Vick "	7	24		
" " Same "	3	99		
" " Madison J. Davis "	34	04		
" " A. L. H. Burges "	19	15		
" " Merit Briggs "	3	84		
" " E. Jeynes "	4	24		
" " W ^m B. Jeynes Judgment & "	1	76		
" " Dismisses L. Dole on bond & Int.	1	91		
" " Dismisses L. Dole on bond & Int.	15	96		

Sept 17 By Amount of amount of sales due this day 68 82

" " To paid W ^m W. Cobb, attorney	9	00		
" " " Commissions on \$68.82	3	44		
" " " balance due estate	45	64		
	337	44	337	44

" " By balance due brought down 45 64

Nov. 7 " Interest on \$45.64 to this day 36

" " To balance due estate 45 64

" " By balance due brought down 45 64 36

" " " Interest brought in 36

" " By balance due estate with 46 00

" " interest thereon from this day

" " except as 36 cents part thereof

" " Respectfully Submitted

" " Henry E. Howard Esq.

" " Curator of S. Booth

" " An Account of the real estate of which the said William

" " Denson died seized and proposed stating its annual and fee simple

" " value

" " 1 tract of Land, the fee simple value of the same, about \$750.00

" " 1 tract of Land, the annual value of the same about \$40.00

" " Respectfully Submitted

" " Henry E. Howard Esq.

" " Curator of S. Booth

" " An Account of all debts due and outstanding against the estate

" " of the said William Denson dec'd. with their respective dignities

" " To Samuel Kello due 1st Sept. 1857 balance 14 19

" " Interest thereon to November 7th 1858 74

" " To Samuel Kello due 1st Sept. 1857 balance 1 76

" " Interest thereon to November 7th 1858 12

An Account of all debts due and outstanding against the estate of the said William Denson dec'd. with their respective dignities

To Samuel Kello due 1 st Sept. 1857 balance	14	19		
Interest thereon to November 7 th 1858		74		15 13
To Samuel Kello due 1 st Sept. 1857 balance	1	76		
Interest thereon to November 7 th 1858		12		2 08
To Samuel Kello due 1 st Sept. 1857 balance	2	40		
Interest thereon to November 7 th 1858		16		2 56
To Samuel Kello due 1 st Sept. 1857 balance	3	40		
Interest thereon to November 7 th 1858		22		3 62
To Samuel Kello due 1 st Sept. 1857 balance	4	24		
Interest thereon to November 7 th 1858		28		4 52
To Samuel Kello due 1 st Sept. 1857 balance	12	19		
Interest thereon to November 7 th 1858		80		12 99
To Samuel Kello due 1 st Sept. 1857 balance	7	17		
Interest thereon to November 7 th 1858		47		7 64
To Samuel Kello due 1 st Sept. 1857 balance	3	48		
Interest thereon to November 7 th 1858		23		3 71
To Samuel Kello due 1 st Sept. 1857 balance	1	38		
Interest thereon to November 7 th 1858		8		1 46
To Samuel Kello due 1 st Sept. 1857 balance	2	4		
Interest thereon to November 7 th 1858		2		2 6
To W ^m R. Stephenson due 1 st Sept. 1857 balance	4	85		
Interest thereon to November 7 th 1858		32		5 17
To W ^m R. Stephenson due 1 st Sept. 1857 balance	9	4		
Interest thereon to November 7 th 1858		6		1 00
To W ^m R. Stephenson due 1 st Sept. 1857 balance	2	76		
Interest thereon to November 7 th 1858		17		2 93
To W ^m R. Stephenson Curator of S. Booth due Sept 1/57 bal	24	25		
Interest thereon to November 7 th 1858		160		25 85
Amount carried forward				88 92

Amount brought forward			88 92
To Joseph Bratton due Sept. 1 st 1857 balance	2 53		
Interest thereon to 7 th November 1858.	16		
To Briggs, James & Briggs due Sept. 1 st 1857 balance	1 05		2 71
Interest thereon to 7 th November 1858	7		
To Daniel Vick due 1 st Sept. 1857, balance	20 11		1 12
Interest thereon to 7 th November 1858	1 33		
To Daniel Vick due 1 st Sept. 1857 balance	2 38		21 44
Interest thereon to 7 th November 1858.	15		
To Willis Bradshaw due 1 st Sept. 1857 balance	4 56		2 53
Interest thereon to 7 th November 1858.	30		
To Jesse B. Vick due 1 st Sept. 1857 balance	21 42		4 86
Interest thereon to 7 th November 1858	1 41		
To Jesse B. Vick due 1 st Sept. 1857 balance	2 57		22 83
Interest thereon to 7 th November 1858.	16		
To A. S. H. Purges due 1 st Sept. 1857, balance	2 40		2 67
Interest thereon to 7 th November 1858.	16		
To Merit Briggs due Sept. 1 st 1857, balance	2 65		2 56
Interest thereon to 7 th November 1858	17		
To Eli Jayner due Sept. 1 st 1857 balance	1 10		2 82
Interest thereon to 7 th November 1858	7		
To W ^m B. Jayner due Sept. 1 st 1857, balance	1 19		1 17
Interest thereon to 7 th November 1858.	8		
To Demaree L. Dales due Sept. 1 st 1857 balance	10 04		1 27
Interest thereon to 7 th November 1858.	67		
To Madison J. Davis due Sept. 1 st 1857 balance	12 05		10 71
Interest thereon to 7 th November 1858	51		
Total Amount of Debt, inclusive of interest to November 7 th 1858		12 86	
			178 47

Respectfully Submitted
Henry S. Howard, Comm.

Commissioner's Office

Jerusalem, September 13th 1858.

To the Circuit Court of Southampton County.

Pursuant to a decree of the Circuit Court of Southampton County, rendered, on the 11th day of May 1858, in a suit in chancery depending in the said Court between Jesse B. Vick whose exors & agors W^m Denson's Exors & others, the undersigned one of the Commissioners of the said Court to whom was referred for settlement by said decree the account of the transactions of Arrington Gardner's executor of William Denson dec^d. "An account of the real estate of which the said William Denson died seized and possessed taking its annual and fee simple value". And also an account of all debts due and outstanding against the estate of the said William Denson dec^d. with their respective dignities, reports to the Court that on the 10th day of June 1858, he issued notices against the several parties requiring them to attend the settlement and taking the several accounts before him, at his office, on the 31st day of July 1858, which were returned to your Commissioner duly executed, and he also posted a notice at the front door of the Courthouse at the same time. That the parties aforesaid appeared before the Commissioner in obedience to the said notices and he thereupon examined the vouchers, stated and settled the foregoing account of the said Arrington Gardner's transactions as executor of William Denson dec^d. up to the 7th day of November 1858, and on that day finds a balance due the said estate of \$46.00 from the said Executor; of which amount thirty six cents is interest. The Commissioner also Examined Edwin Bradshaw & Willis Bradshaw, persons living near to the neighborhood of the land of which the said W^m Denson died seized and possessed and from their testimony ascertains the fee simple value of the land to be \$750.00 and the annual value of the same to be \$40.00. The Commissioner also made up and completed the foregoing account of all debts due and outstanding against the estate of the said William Denson dec^d. and on the 7th day of November 1858, ascertains the total amount to be \$178.47 inclusive of interest to that day.

Your Commissioner states specially that Arrington Gardner executor of William Denson dec^d. settled an account of his transactions as executor aforesaid before a Commissioner of the County Court of this County, and that the same Commissioner at his request took proof of and made up an account of all the debts or demands against the said W^m Denson dec^d. or his estate, and ascertained the amount

that in the Executor's hands amongst the several creditors
who proved their debts according to Law. and at about
half of the said County the 19th day of October, 1857
the said account were confirmed and ordered to be recorded
and the Executor was ordered to pay to the several
creditors the several amounts appertained to them, which
he has done.

The Commissioner further reports to the Court that on the
completion of the said account he retained the same in his office
for the examination of the parties, which with the
decrees and notices aforesaid are herewith returned.

Given under my hand, as Commissioner aforesaid, the day
and year first aforesaid.

Henry S. Howard, Com^r

Commissioner's fee \$25.00 }
Charg^e plaintiff }

Vick

v 3

Stenson's account

Commissioner's Report

1859. May 5

To the Circuit Court of Southampton County.

In obedience of a decree of the said court rendered at November term 1858, in the case of Rick v. Henson and others, the undersigned appointed a Commissioner for the purpose, after having given at least twenty days public notice of the time and place of sale, sold to the highest bidder on the premises on the credit of nine months the tract of land of which William Henson died seized and possessed containing one hundred and fifty nine acres, and that Daniel Dick became the purchaser at \$910 - That $\$63.63$ was paid in cash which was applied by your Commissioner to pay the expenses of the aforesaid decree - But your Commissioner has not received yet his commissions - That he took bond from the purchaser with approved security bearing interest from the day of sale for the balance to wit, the sum of $\$846.37$, which is herewith returned -

Your Commissioner further reports that there are thirteen acres in the tract of land given by William Henson to his father William Henson, and that the said land was not more valuable, if as much so, as the other part of the land, and that all of his said land was included in the sale above -

Arrington Gardner, Commr.

1859 July 18 Received the bond returned with this report.

A. Gardner

Orick

v

Henson's Ex'n

Statement A.

Am't in the hands of Arrington Governor
 Executor of Wm. Benson dec'd. per Report — \$46.00
 due Nov 7/1858 —

Am't of debt per Report \$178.47.

The following is the am't due to each

of the creditors — and am't apportioned and Bal. due			
S. Wells	\$53.97 —	am't apportioned 13.75	Bal due 40.22
Wm R. Stephens	34.95 —	8.91	26.04
Joseph Patten	2.71 —	.70	2.01
Briggs, Turner & Briggs	1.12 —	.30	.82
R. Vick	23.97	6.11	17.86
Willis Bradshaw	4.86 —	1.25	3.60
J. B. Vick	25.50 —	6.50	19.00
A. S. H. Bingham	2.56 —	.65	1.91
Merritt Briggs	2.82 —	.70	2.12
Eben Joyner	1.17	.30	.87
Wm. B. Joyner	1.27	.31	.96
R. Boler	10.71	2.60	8.11
M. J. Davis	12.86	3.92	8.94
	<u>\$178.47</u>	<u>\$46.00</u>	<u>\$132.47</u>

Am't of Bonds of Daniel Vick & John Guffin
 returned to court — \$846.37
 deduct costs & — 41.20

deduct Balance of debt —

\$805.17
132.47
\$672.70

William Benson's proportion of
 Balance —

\$46.80

Brick

v 3

Deus mi adu

Comms Report

1862 May 2^d

To the Hon Rich^d H. Baker, Judge of the
Circuit Court of Southampton County.

In obedience to a decree of the Circuit
Court of Southampton rendered at May Term
1859 in the suit of Vick & Benson against
the undersigned begs leave to report that he
has collected the bond of Daniel Vick and
Irvin Guffin therein directed, and that he
has paid all of the creditors of ~~Wm~~ Benson
required by said decree, and that he has
retained the balance for Guardian of
Law Sarah M. Ann T. and Wm. J.
Benson. The receipts for all which
are herewith filed.

Respectfully Submitted
Arrington Tucker

65-5-8

On demand I owe and promise to pay
J^r B^r Vicks The Just and full sum of Sept five
 $\frac{5-8}{100}$ Given under my hand and seal this

13th day of Jan'y 183-3-

W. Trufo J^r B^r Vicks

his
William^r Denson
mark

Seal
Seal

100
Recd January 13/1835
Seven dollars $7\frac{4}{100}$ in
Part of the within A. B. Vick

Recd Feb 26th 1835
Ten dollars in part of
the within A. B. Vick

Jm Lenson jr
Bond

+

on demand I promise to pay or cause to be paid
unto Henry Edwards the just and full sum -
of five dollars good and lawful money of
Virginia it being for value Recd as witness
my hand and seal this 18 day of February 1864

Witness
Mr G Stephenson

Wmth Henson Seal
mark.

Ref of A Gardner
specimen of ~~Wm~~ ~~Ben~~
estate ~~Th~~ ~~er~~ ~~thin~~
and =

Henry Enrich

Principal \$ 500
Interest $\frac{1.85}{6.85}$

W. J. Johnson

No 3806

\$ 5.00

Recd. of L. W. Vick by shift of
S. Anglin County Six Hundred
Dollars on Execution against
Paul. Vick & Lewis Griffie in
favor of Arrington Gardner
County

Arrington Gardner County

Jan'y 16th 1860

1860 April 16th Died of A Gardner
admin of Mrs. Dunsens died Ed - Thersdellay
it being the ann - due Mr Briggs of
Prim & Duns - out of sale of land

Ed Eley agent -
for Mr Briggs

Am't to pay A Gardner
July 16- 1860

March 1st 1860

Sept 17- 1860

\$9.16 00

6 00 00

3 16 00

16 5-

1 51.00

1 37

00

Esqr B. Vick

1857

To the Clerk Southampton County Co

P.

Oct.

Filing Exon returned by Constable v. Connell

10

Jan

Copy Wm Densons will for W Cobb 38 postage. 6

44

Filing Exon: ret^d to v. Swiney.

10

64

L R E due and by

Vick Apr 13.

64

Recd payment in
full

L. W. Vick Depy
Shiff

Shovels & Shovels

Sh

Arrington Gardner Exor: William Denson

1857

To the Clerk Southampton County Ct.

D.

Oct. Recording of our account & account of debts t.^d against Estate

7.50

Recd Decr 21/58

payment

Mr Vice Deputy Mfr

Jep^r B. Vick
1858

To Wm H. Briggs Shff. of So. Ampton

Jan^y To Ex Sums on Gardner, Martha, Wm^y
Sarah, A. Ann^y & Wm Harner.

3.00

Jesse B Vick

1858

To the Clerk Southampton Circuit Court Dr.

Feb. Issuing Summons J. v. Densons Exor: 43. Copies 62. return 35 docketing 18.
attorney 10. Continuances 10. } 1.84

Filing bill 15 exhibit 5. papers 25. Rule 50 answer 15 attorney 10
replication 15 - 2 Rules 100 } 2.35

May. Entering decree 36 Copy 20 Continuance 36 Copy papers for Court 100 } 1.92
S R Edwards Clk } 6.11

Vick Sept 13

6.11

Recd payment in full
for Vick Sept 9
WV

John B. Vick

1858

To W^m H Briggs Sheriff of Sampson

July To ext^y sum's on 4 parties

2.00

W^m H Briggs Shff

100

Recd payment in full
G. W. Vick depy
M. F.

Wm. B. Beck, depy

MS

11.95-

611

64

500

2.00

William Lenson Esq
2.24

Arvington Garden

Mr. William Denson Esq

To WM. W. BRIGGS, Sheriff of Southampton County, Dr.

1858										DOLS.	CTS.
To Tax on	<i>159 3/4</i>	Acres of Land,	-	-	-	-	-	-	-	-	<i>2.24</i>
" " "		County Levies,	-	-	-	-	-	-	-	-	
" " "		White Male over 21 years of age,	-	-	-	-	-	-	-	-	
" " "		Male Free Negro between 21 and 55 years of age,	-	-	-	-	-	-	-	-	
" " "		Slaves above 12 years of age,	-	-	-	-	-	-	-	-	
" " "\$		Personal Property, Moneys and Credits,	-	-	-	-	-	-	-	-	
" " "\$		Interest received,	-	-	-	-	-	-	-	-	
" " "\$		Income or fees of office,	-	-	-	-	-	-	-	-	

Received *9* day of *Feb* *1859* of *Arlington* *Esq*
in full of the above tax account. *Exor*
Dollars. *Wm Briggs*
Shff

Vick Sept 13

4.19

Arrington Gardner Com.
to pay.

Gal Vick

D Liff

Jesse B Vick.

1858

To the Clerk Southampton Circuit Cr

D.

Sept. Filing report 15 papers 25 n. Densons ~~not~~

40

No. Decr 36 copy 20. taxing costs & copy 40. bond 50 cont. 36

1.82

¹⁸⁵⁹ May Filing report 15. Decr 36, ^{copy 20} costs & copy 40. bond 50 cont. 36.

1.97

LR Edmunds & Co

4.19

Gardner Arlington

3.39.

224

8-68

73-0

419

17.82

2000
1782
2.68

2000
1782
37.82

1782

1158

2885-

20

48583-

A. Orrington Gardner Com W^d Denson

To WM. W. BRIGGS, Sheriff of Southampton County,

Dr.

1859.

DOLLS.

CTS.

To Tax on

Acres of Land,.....

" " "

County Levies,.....

" " "

White Male over 21 years of age,.....

" " "

Male Free Negro between 21 and 55 years of age,.....

" " "

Slaves above 12 years of age,.....

" " "\$

Personal Property, Moneys and Credits,.....

" " "\$

Interest received,.....

" " "\$

Income or Fees of Office,.....

3. 39

Received

27

in full of above tax account.

day of

Jan'y 1860 of A Gardner Com

Dollars,

Five and 3/4

Denson's Wm Est.
2.24

Garth Wright

M. Wm. Densons Estate.

To WM. W. BRIGGS, Sheriff of Southampton County,

Dr.

1859.

To Tax on	<i>159 3/4</i>	Acres of Land,.....
" " "		County Levies,.....
" " "		White Male over 21 years of age,.....
" " "		Male Free Negro between 21 and 55 years of age,.....
" " "		Slaves above 12 years of age,.....
" " "\$		Personal Property, Moneys and Credits,.....
" " "\$		Interest received, ...
" " "\$		Income or Fees of Office,.....

DOLLS.

CTS.

2 - 24

Received *27*
in full of above tax account.

day of

June 1860 of A Gardner Com

Dollars,

G. W. Vick
D. H. H.

Recd January 27th 1860 of Arrington Gardner
Commissioner appointed to sell the Land of Wm
Denson^s dec^d The sum of Eleven dollars ⁴/₁₀₀ which
was due me by the Commissioners report
Demaray & Dalg

Recd January 27th 1860 of Arrington Gardner
Commissioner appointed to sell the Land of Wm Denson
dec^d The sum of one dollar ³⁶/₁₀₀ which was due me by
the Commissioners report
William B. Lorge

Recd January 27th 1860 of Arrington Gardner Commissioner
appointed to sell the Land of William Denson dec^d
The sum Twenty two dollars which was due me by
the Commissioners Report
Jesse B. Vick

Recd January 27th 1860 of Arrington Gardner
Commissioner appointed to sell the Land of Wm
Denson dec^d The sum of Two dollars ⁹/₁₀₀ which
was due me by the Commissioners Report
Campitcher for
Joseph Prutton

Recd January 27th 1860 of Arrington Gardner Commissioner
appointed to sell the Land of Wm Denson dec^d
The sum of One dollar ¹⁹/₁₀₀ which was due me
by the Commissioners Report
Campitcher for Briggs
Dunn & Briggs

Recd. Jan^y. 27/1860 of Arrington Gardner Com^r (appointed
to sell the Lands of W^m Denoon dec^d as per decree) The sum
of Fifty seven Dollars & 81 cents, his pro. of the bal^d of his
acc^t as stated by Commissioners report.

57.81

Sam^l. Killo

Recd Feb 20/1860 of Arrington Gardner
Commissioner appointed to sell the Lands
of William Denoon dec^d as per decree the
sum of five dollars & 24 cts in pro of the
bal^d of his acc^t as stated by Com^r.
in report 5021.

Wm^l Breckin

Recd Feb^r 20th 1860 of Arrington Gardner Com^r appointed
to sell the Land of W^m Denoon dec^d the sum of twenty five
dollars & 72 cents it being the balance due me by the
Commissioners report.

Daniel Vick

Rec^d January 27th 1860 of Arrington Gardner
Commissioner appointed to sell the Land of Wm^m
Denson^d dec^d the sum of Fifty dollars $\frac{52}{100}$
which was due me by the Commissioners Report

William Denson

Rec^d January 27th 1860 of Arrington Gardner Commissioner
appointed to sell the Land of Wm^m Denson dec^d the sum
of Thirteen dollars and eighty cents which was due me
by the Commissioners report

Mason J. Davis

June 18th 1860 Rec^d of Arrington Gardner Comm^r
appointed to sell the Land of William Denson dec^d
the sum of two dollars & 58/100 being the balance due
me by report of the Commissioner.

Wm^r Stephenson
for A. F. Barger

April 15th 1861 Recd of Arrington Gardner Com.
appointed to sell the Land of William Denson & c^d
the sum of \$37.50⁰ which is William R Stephenson,
amount due out of the Sale of said Land by
report

A T Stephenson a d w of
Mr R Slope

William Denson's Hill

In the name of God, Amen. I William Denson of the County of Southampton and State of Virginia being in bodily health and of sound and disposing mind and memory and considering uncertainties of this transitory life, do make and declare this to be my last will and testament as follows. - first I recommend my soul to God who gave it and my body to the earth from whence it came, and as for my worldly estate. I first wish my chattel estate sold or enough of same to pay my just debts. the overplus of any with the plantation on which I now reside I leave to my dear and beloved wife Martha her widowhood or single life and then after her death or marriage to Arrington Gardeners children. Sarah Gardner Anna Gardner William Gardner. I furthermore, I give to my Father William Denson his heirs or assigns forever tracts of land known as the Bulls tracts. I also appoint Arrington Gardner my Executor to close and settle my estate after my death. In testimony I have hereunto affixed my name this 18th day of January 1856 -

Witness

William Denson
his mark

William B Joyner
Thomas O Joyner
William L Johnson.
mark

At a Court held for the County of Southampton the 18th day of August 1856
A Writing purporting to be the last Will and testament of William Denson dec^d. bearing date the 18th day of January 1856 was this day produced to the Court by Arrington Gardner the executor therein named in order to be proved and Martha Denson the wife of the said testator appeared and opposed the proof of the said Will. Whereupon W^m B Joyner Thomas Joyner & William Johnson the subscribing witnesses being sworn & examined and the parties being fully heard by Counsel. On consideration whereof it is the opinion of the Court that the said writing is the true last Will and testament of the said William Denson dec^d which is thereupon ordered to be recorded as the true last Will and Testament of the said William Denson dec^d. And on the motion of Arrington Gardner the executor therein named who made oath and together with Levi Hurdley, and Jesse B Vick his securities (who justified on oath as to their sufficiency) entered into and acknowledged a bond in the penalty of one thousand

dollars conditioned according to law, Certificate is granted him for obtaining a
probate of the said Will in due form.

Teste

L R Edwards Clk

A Copy

Teste

L R Edwards Clk

William Denson

\$ 17.00

1836 Mr William Denson jr

Bot of A.B. Vick

Jan	18 ^c	To	1/2 gal whiskey	st.	1/2 ^c Cracked i.	\$.38
"	28	"	2	"	" 3/4 1/4 gal brandy 6/-	1.50
"	30	"	2	"	"	1.25
Feb	9	"	1 1/2	"	"	.94
	11	"	1	"	" 1/4 gal brandy 6/-	.88
	14	"	2	"	"	1.25
	17	"			whiskey	.44
	25	"	1	Pl Point		.17
	28	"	1	Gal whiskey		.63
March	4	"	3/4	"	"	.47
May	29	"	1/2	"	brandy	.50
June	10	"	1/2	"	whiskey 3 ^a bro sugar 9	.69
	21	"	1/2	"	"	.31
	27	"	1/2	"	"	.31
	28	"			amt furnished Doc Boon	.75
"	"	"	1/4	Gal whiskey		.16
July	1	"	1/2	"	" 3/4 1 Pl Joba 9	.44
	4	"	1/4	"	"	.16
	12	"	1/2	"	"	.31
Aug	2	"	1/4	"	"	.16
	8	"	10 yds	Cambric for shroud 9	spool cot 4	1.31
	21	"	32 ^c	flour 4 ^c 6 ^c Coffee 4/-		3.
Oct	11	"	16 ^c	flour 2 ^c		1.
Nov	10	"	1	pr shoes		1.75
Dec	3	"	16 ^c	flour 4 ^c		1.

Contra

By Cash from R H Vick

To amt widow

\$19.76
 5.45
 \$14.31
 2.75
 \$17.06

Vick

→ } Com. land

Dennis & Co

Know all men by these presents that we Arrington Gardner & James H. Hurdley

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of
Twelve hundred _____ Dollars current money of Virginia, to the
payment whereof with and truly to be made we bind ourselves our heirs Executors and administra-
tors jointly and severally firmly by these presents. Sealed with our seals and dated the 6th
day of November A D 1858

The Condition of the above obligation is such that if the above bound Arrington Gardner
as Commissioner appointed by a decree of the Circuit Court of Southampton County entered on
the 9th day of November 1858 in the suit of Vick who Sues 1st v. Demons Executor 1st

Shall faithfully discharge the duties of his said Office or trust according to law then the
above obligation to be void or else to remain in full force and virtue -

Signed, Sealed and delivered
in the presence of ~~the Court~~ }

L R Edwards

Arrington Gardner
James Hurdley

(Seal)
(Seal)
(Seal)
(Seal)

Vick

S. } Coms. Bond

Ansoms Exor

Know all men by these presents that we Arrington Gardner Collins Kitchen
+ Geo. W. Vick
are held and firmly bound unto the Commonwealth of Virginia in the just and full sum
of fifteen hundred Dollars current money of Virginia,
to the payment whereof well and truly to be made we bind ourselves our heirs, Executors
and administrators, jointly and severally, firmly by these presents Sealed with our seals
and dated this 18th day of July A.D. 1859

The Condition of the above obligation is such that if the above bound Arrington
Gardner. Commissioner appointed by a decree of the Circuit Court of Southampton County
on the 5 day of May 1859 in a suit therein pending between Joseph D. Vick who
Sues t^o p^{ro}ff: Arrington Gardner Com: Wm. Denson vs t^o Defts. for certain purposes in
said Decree mentioned

shall faithfully discharge the duties of his said Office or Trust according to law then
the above obligation to be void, or else to remain in full force and virtue.

Signed Sealed and delivered
In the presence of the Court }

Arrington Gardner (Seal)
Collins Kitchen (Seal)
Geo. W. Vick (Seal)
" " (Seal)