

1872 - 24

Southampton County

Ortlow, J. B. et al

vs.

Stephenson, G. J. et al

"Creditors' Suit"

J. B. Ortlow for
himself & Creditors of
Wm. B. Stephenson
dec'd

G. J. Stephenson, Adm'r
Wm. B. Stephenson dec'd &
Nancy B. Stephenson &
Ada Stephenson

~~75 76 77 78 79 80~~
48

Pacton

2 } Papers

Stephinsons ad H^o

1872 May

Pettou 97 98.
 As
 Stephens, adm. } Bill

1867 October Rules

125

To The Hon. Richard H. Baker, Judge of the Circuit Court
of Southampton County - In Chancery sitting -

Humbly
Complaining sheweth to your Honor, your
Orator J. D. Parlow who comes on behalf of him-
self and all other creditors of Wm. R. Stephens dec'd
who shall come in and contribute to the expenses of
this suit: That at the May term of this Court 1867, Wm.
Lanahan for the benefit of your Orator obtained a
judgment against A. Stephens Adm'r of Wm.
R. Stephens for the sum of \$96.00 with legal
interest thereon from the 22nd day of November
1860 till paid and costs of \$6.57 incurred in
obtaining said judgment, as will more fully appear
by a certified copy of said judgment herewith filed
marked "A" and proposed to be taken as a part of this bill.
That the said Wm. R. Stephens departed this life some
time in the year 1860, and was at the time
of his death jointly indebted to Wm. Lanahan who now
comes for the benefit of your Orator, in the sum of \$96.00
with interest thereon from the 22nd day of November
1860, upon which amount judgment was obtained
at the May term of the Circuit Court of this County
1867, as will appear by a copy of said judgment above referred
to and annexed a part of this bill - That the said Wm.
R. Stephens was in his disposition and at the time of his
death possessed of a considerable personal estate, but
insufficient to pay and satisfy all his just debts, and
was also seized and possessed of considerable real estate,
particularly of two tracts of land lying in this County, one
called the "Rolling tract" containing 300 acres more or
less, and a lot at Berlin called the "Stone House tract"
containing five acres more or less, and more or less \$1500.00.
That the said Wm. R. Stephens being so seized and

deceased, departed this life in the year 1841, leaving a widow Mary Stephen, and one child Ada Stephen as his only heir and distributee at law, who are entitled to and of his estate as may remain after the payment of all his just debts. The administration of his estate was granted by the County Court of Southampton County at its term 1842, to the undersigned, who has become possessed of his personal estate by virtue of his said administration. That the said administration has proceeded to distribute the amount of the personal assets coming to his hands amongst the creditors, which have been totally insufficient to pay the demands against his estate. That there still remains a large balance due the creditors, of which your Oration is one, and your Oration now desires that the real estate of which Wm R Stephen died seized and possessed shall be sold, and the proceeds of sale applied to the payment of your Oration's aforsaid debt.

In tender consideration of the premises, and inasmuch as your Oration is without remedy, save in this Honorable Court, when matters of this kind are pending expeditious and reliable, to it and therefore that justice may be done, it is prayed that Alfred S Stephen claimant of Wm R Stephen Mary Stephen widow of Wm R Stephen and Ada Stephen be made parties defendants to this bill and required to answer the allegations thereof, as fully and completely as if they had themselves more specially been interrogated.

That your Honor will direct a sale of the real estate of which Wm R Stephen died seized and possessed, and direct the proceeds of sale to be applied to the payment of your Oration's

aforsaid debt. That your Honor will direct all proper accounts to be taken, and grant such other, further, and general relief as in justice of his Honor may require, or as the Equity may seem meet, and as is duly bound your Oration will ever pray &c

Patience J. S.

Indt. low

to } Ex. with bill

Stephenson's ad.

B

Southampton County Court February 18 1864

On the motion of Alfred T Stephenson who made oath and together with John P. Boykin, M. M. Clayton & Hordear Bradshaw his Sureties, who justified on oath as to their sufficiency, entered into and acknowledged a bond in the penalty of twenty thousand dollars conditioned according to law. Certificate is granted him for obtaining letters of administration on the estate of Wm R Stephenson dec'd in due form

Attest.

Teste. L R Edwards Clk

T. H. H. H.

{ Sum. Chy

Stephensons ad. p.

1867 October Rules

Executed Oct-4th-1867 on
Nancy R. Stephenson &
Ada Stephenson & on
A. J. Stephenson Oct-
5th-1867 by delivering
a copy to each one of
them. E. L. Story
for S. Kello staff

THE COMMONWEALTH OF VIRGINIA,

WE COMMAND YOU to summon *A. I. Stephenson adma. Wm R. Stephenson dec. Nancy*
R. Stephenson & Ada Stephenson

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

to appear at the Clerk's office of our *Circuit* Court of Southampton County, at the Rules
to be holden for the said Court on the first Monday in *October next to answer a bill in Chancery*
exhibited against them in the said Court by J. D. Proctor who sues for the
benefit of himself & all other Creditors of Wm. R. Stephenson dec.

and have then there this writ. Witness LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-
house, this *21st* day of *September* 1867, in the *92^d*
year of the Commonwealth.

L. R. Edwards

Prattown

Stephenson, Adm.

Comf. notice

18 March

Executed on Nancy Stephen-
son and Ada Stephenson March
10th 1868 and on A. P. Stephen-
son March 14th 1868 by de-
livering to each of them copies
W. G. Holmes Deft
for S. Wells Siff

Executed Mar 15th 1868 on J. D.
Prattown by leaving a copy with his
wife at his house & explaining the
purpose he being from home.
E. J. Story Deft
for S. Wells Siff

COMMISSIONER'S OFFICE,

Jerusalem, January 15 1868

To J^d Patton who comes on behalf of him-
self and all other creditors of Wm R Supten-
son decd.

or
Alfred Suptenson Adm: of Wm R Suptenson
decd, Mary Suptenson and Abba Suptenson

You are hereby notified that I have fixed upon the 18th day of March next, if fair,
if not, on the next fair day thereafter, (Sunday excepted,) to take and settle, at my office, the follow-
ing accounts, to wit:

An account of Alfred Suptenson
transactions as adm: of Wm R Suptenson
decd; 2nd An account of the Plaintiff's de-
mands and of all outstanding debts against
the estate of Wm R Suptenson decd 3^d
An account showing the annual and abso-
lute value of the real estate of which
Wm R Suptenson decd seized and possessed

required to be taken by a decree of Southampton Circuit Court, rendered on the 7th day of
November 1867, in a suit in Chancery, depending in said Court, in which you are
parties, plaintiffs, 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.

J^d H Patton

Commissioner.

To the Sheriff of Southampton County to execute.

Graham for 1st

or Zephyr Judge.

Stephensons or

"A"

Southampton Circuit Court. May 2^d 1867.

William Lancham who sues for the benefit of J. D. Pustlow. Plff

} In case

against
Alfred J. Stephenson administrator of Wm R Stephenson Dft.

The judgment obtained in the office not having been set aside and the plaintiff being now entitled to a final judgment it is therefore considered that the plaintiff recover against the Defendant ninety six dollars, the amount of the account upon which this action is brought, with legal interest thereon from the 22^d day of November 1860 till paid, and his costs by him about his suit in this behalf expended. To be levied of the goods & chattels of the decedent in or which may come to the hands of the defendant to be administered.

Plff's costs \$6.97

Copy

Teste

L R Edwards Clk

Pauline

in

Stephenson Admin?

Comp. Report

1868 April 2

Commissaries office

Jerusalem April 2nd 1868

To the Circuit Court of Southampton County.

Pursuant

To a decree of the Circuit Court of Southampton County
rendered on the day of November 1867 in a suit
in Chancery depending in the said Court between
J. Whitson plaintiff and A. T. Stephenson Adm^r
of Wm. R. Stephenson dec^d. Mary and Ada Stephenson,
defendants, the undersigned one of the Commissaries
of said Court, to whom was referred for settlement
said decree, 1st the account of A. T. Stephenson
transactions as Adm^r of Wm. R. Stephenson 2nd
the account of the plaintiff's demands and of all
outstanding debts against Wm. R. Stephenson estate,
3^d the account showing the annual and absolute
value of the real estate of which Wm. R. Stephenson
died seized and possessed, reports to the Court, this
on the 18th day of June 1868. He also notified against the
several parties aforesaid, requiring them to attend
the settlement of said account, before him, at his
sant office on the 18th day of March 1868, which were
returned to your Commissary duly executed. That
the parties aforesaid appeared before your Commissary
in obedience to said notices, and he thereupon
stated and entered the foregoing account marked
"A" of A. T. Stephenson transactions, as Adm^r of Wm.
R. Stephenson died up to the 18th May 1867 and on
that day finds a balance of \$260.07 due to estate
with interest on \$44.13 from that day till paid, and
he also states the foregoing account of debts
or demands on Wm. R. Stephenson estate, marked
"B" and finds the total amount of debts in -

claim of interest in going 24/1868 to be \$214.88
and the Comptroller also made up an
account showing the absolute and annual
value of the real estate of which Wm. H. Stephens
- was died seized and hoped marked "C."

The Comptroller further reports that he has
thus after the completion of said accounts, he
retained the same in his office ten days
for examination of parties, which with
the documents are herewith returned.

Given under my hand as Comptroller
aforesaid, at day and year first aforesaid.

Comptroller \$25.00,
Chgo. in Paris }

Wm. H. Watson
Comptroller

The Estate of Wmth Hth Stephenson dec'd In ac-
count with Alfred T Stephenson his Administrator

1862		Dr	Cr	
Feb 17	By amount of receipts during the year preceding to this day		5529 53	
" "	To Commissions on receipts \$5529.53 at 5 per cent	276 47		
" "	To paid Debts & disburse- ments to this day	3986 84		
" "	To balance due estate	1266 22		
		5529 53	5529 53	
" "	By Bal. due estate brot down		1266 22	
Feb 17	" Amount of receipts during the year preceding to this day		2647 36	
" "	To paid Debts & disbursements to this day	1708 14		
" "	By Interest on \$1266 22 12 mos. to this day			75 97
" "	To balance due estate	2205 44		
		3913 58	3913 58	75 97
" "	By balance due estate		2205 44	75 97
Feb 17	" Amount of receipts during the year preceding to this day		1284 83	
" "	To Commissions on \$1284.83 at 5 per cent	64 24		
" "	To paid Debts & disbursements to this day	1511 98		
" "	By Interest on \$2205.44 at 5 per cent 1 year			132 32
" "	To balance due estate	1914 05		
		3490 27	3490 27	208 29
" "	By balance due estate Carried forward		1914 05	208 29

1865		1914 05		208 29	
Feb 17	Amount brought forward				
"	By amt. of receipts to this day		862 55		
"	To Commissions on \$862.55 at 5 per cent	43 12			
"	" paid Debts & disbursements to this day	2819 04			
"	By balance due admsr.		85 56		
		2862 16	2862 16	208 29	
"	To balance due admsr.	85 56		208 29	
Feb 17	By amt. of receipts to date		275 00		
"	To Commissions on same	13 75			
"	" paid Debts & disbursements to this day	73 69			
"	" balance due estate	102 00			
		275 00	275 00	208 29	
"	By balance due estate		102 00	208 29	
May 18	" amt. of receipts to this day		204 99		
"	To Commissions on same	10 24			
"	" paid Debts & disbursements to this day	252 62			
"	By Interest on \$102.00 to this day 15 months				7 65
"	To balance due estate	44 13			
		306 99	306 99	215 94	
"	By balance due estate		44 13	215 94	
"	" balance of Int. brot in		215 94		
"	" Balance due estate with interest on \$44.13 paid thereof from this day till paid		260 07		
Respectfully Submitted					
Wm. A. Fulton Compt.					

"13"

Problem

2 } Stat. Rules

Stephensons at 8³

In Southampton Circuit Court.

J. N. Pottler who sues on behalf of himself and all other creditors of W^m R. Stephenson dec^d who shall come in and contribute to the expenses of this suit.

against
Alfred T. Stephenson adm^r of W^m R. Stephenson, Nancy Stephenson widow
of W^m R. Stephenson & Ada Stephenson

1867 Sep. 24th Summons issued

" Oct. Rules. Summons ret^d? Executed - Bill filed - Decree nisi & Off^r.

" Nov. " Bill taken for confessed & cause set for hearing.

" " T. Decree for account.

1869 Apr. 2. Report

1872 May Dismissed

202 - 1

Rev'd L. R. Edwards Clerk of the Circuit
Court for the County of Southampton the
Chancery papers of Price & vs Sumner
also the Chancery papers of Price vs
Clements &c. March 20th 1882 -

W. Samuel Goddard

Prisoners.

Stipenson admr. } Decree

This cause this day came on to be heard on the bill taken for compend as to the defendants, on exhibits, general application and was argued by counsel. On consideration whereof the Court doth adjudge, order and decree that one of the Commissioners of this Court take the following accounts - 1st the account of Alfred T. Stipenson's transactions as admr. of Wm R Stipenson decd, taking the accounts made and returned in the County Court of Southampton County, as prima facie correct. 2^d An account of the plaintiffs demands, and of all outstanding debts against the estate of Wm R Stipenson decd. 3^d An account showing the annual and ~~absolute~~ ^{net} value of the real estate of which Wm R Stipenson died seized and possessed, which said accounts the Commissioner is directed to examine, state and settle, and make report thereof to this Court, with any matter specially stated deemed pertinent by himself or which may be required to be stated by any of the parties.

Partlow 2

in

Stephens adu²

Deane

Nov. 10. 1867

To be entered

R. H. Baker

Pretlow
v

Stephensons

1872

may et.

order

to be returned

Geo. V. Blod.

apud to.

CD - Harrison

Settle

N

Septimus's adu

On motion of the
plaintiff by his attorney it is
ordered that this cause be
dismissed