

1872-26

Southampton County Chancery

Prince, Tom et al vs

Clements, W. G. et al

To. Seale Estate"

Tom Prince

Maria T. Guggard

Gaspar Henderson

W. G. Clements

W. G. Clements +

Mary Ann his wife

Leitching W. Mason +

Leitching W. Mason

Andrew J. Prince

Primer. Hayford et al.

ss. } Bill.

Soliments. Kenon et al.

1868 March Rules

Chamberlay

To the Hon^{le} Judge of the Circuit Court
of Southampton County, in Chancery, setting
before you complaining show unto Honor your
Complainants Wm Prince, Martha V. Griggard and
Rosa J. Henderson, that - their infant - brother,
Andrew S. Prince, has departed this life, leaving
age, intestate, we named without issue, leaving
you, Complainants, and many other heirs, of
S. W. T. Clements his distributees, and entitled
to his whole estate.

That at the Term of the County
Court of Southampton, S. W. T. Clements
was appointed Guardian, to the said infant -
Andrew S. Prince, and paid a large amount
of money & other property, belonging to his
ward, & for which he has not yet ac-
counted. That Clements entered into Bond
according to Law, as such Guardian with
S. W. Mason his security, a copy of which
bond is here with files - as a part of this
bill.

That the estate of Andrew S. Prince has
been committed to the hands of Saml. Riles
Shiff of Southampton for admⁿ. but as
the intestate left no debts outstanding, it
is not necessary that the estate should
pass into the hands of the admⁿ. ~~person~~ might -
& should pass ~~directly~~ ~~to those en-~~
titled to the estate.

That your Complainants have applied to
Clemente to settle his accounts as Guardian
& paid them, whatever may be due to
them - yet he has declined to accede
to their demand, although reasonable.

and just

In Under consideration of all which, and
in as much as your Compts. are without
error in the premises, except in a count of
Equity. To the End That adequate
relief may be afforded and justice fully ad-
ministered. Your Compts. pray that
\$ Mr. T. Clements as late Genl. of Andrew
J. Davis, and said Clements & Mary Ann
his wife, Littlebury, W. Mason, and Samuel
Rello. sons of Andrew J. Davis. May be made
deft to this bill and compelled to answer its
allegations fully and sincerely.

That \$ Mr. T. Clements, be compelled to
render an account of his transactions, as the
late Genl. of Andrew J. Davis, before a Court
of this County and that your Honor will
assess the amounts which he is entitled
to be paid to your Compts respecting what
paid to them and grant such other
and general relief as the premises as
Equity may require and the nature of
the case may require.

(May It please the Court &c.)

Chambers p. p.

50.

P.
Prince

"

Clemente

}
} Low Report

1868 October 7

Andrew J. Prince a Minor

In account with William G. T. Clements his Guardian

		Dr	Cr
1858			
July	31	By amount recd from William Prince former Guardian	989 70
		To paid L. W. Mason attorney	5 00
		" " Clerk fee	50
		" Commissions on \$989.70	49 48
1859	July 31	By interest on \$934.72	51 40
"	"	To Commissions on \$51.40	2 57
"	"	" Commissions fee for making up this account + copy retained	1 50
"	"	" Clerk fee for recording the same ret ^d	1 00
"	"	" Balance due ward	981 05
		1041 10	1041 10
		By Balance due ward brot down	981 05
1860	July 31	" Interest on \$981.05 One year	58 86
"	"	To Commissions on \$58.86 @ 5%	2 94
"	"	" Balance due ward	1036 97
		1039 91	1039 91
		By Balance due ward brot down	1036 97
1861	July 31	" Interest on \$1036.97 One year	62 21
"	"	To Commissions on \$62.21	3 11
"	"	" Balance due ward	1096 07
		1099 18	1099 18
		By Balance due ward brot down	1096 07
1862	July 31	" Int. on \$1096.07 One year	65 76
"	"	To Commissions on \$65.76	3 28
"	"	" Balance due ward	1158 55
		1161 83	1161 83
		By Balance due ward brot down	1158 55
1863	July 31	To paid for ward board to this date	330 00
"	"	By amt recd from Saml. Kello adm ward & father	165 00
"	"	" Interest on \$1158.55 One year	69 51
"	"	To Commissions on \$234.51	11 72
"	"	amt card for "	341 73
		1393 06	1393 06

1863		Am'ts brot from	361 72	1393 06
July	31	To Balance due ward	1031 34	
			1393 06	1393 06
		By Balance due ward brot down		1031 34
1864	July	31	To Paid bond &c. for ward to time of death	184 72
"	"	By interest on \$1031.34 one year		61 88
"	"	To Commissioners on \$61.88 @ 5% p.c.	3 09	
"	"	Balance due ward	905 41	
			1093 22	1093 22
"	"	By Balance due ward brot down on his Est.		905 41
		With interest thereon from this day till paid		

Respectfully Submitted
 Henry S. Howard
 Comr

Commissioners Office
 Jerusalem Oct 6th 68

To The Circuit Court of Southampton County

Pursuant to a decree of the circuit court of Southampton County rendered at the May term last in a suit in chancery depending in the said court between William Prince, Martha V. Prigg and F. Rosa J. Henderson Plffs and Wm. G. I. Clements & Mary Ann his wife L. H. Mason & Samuel Killo adm of Andrew J. Prince Defts. the undersigned one of the commissioners of the said court to whom was referred for settlement by said decree the account to wit That W. G. I. Clements render an account of his transactions as late guardian of Andrew J. Prince before a commissioner of this Court, who is directed to audit state and report to court with any matters specially stated deemed pertinent by himself or required by either party to be so stated, reports to the court that on the 14 day of May last, he issued notices against the several parties aforesaid requiring them to attend the settlement of the said account before him at his said office on the 19th day of June which were returned to your commissioners duly executed. That the parties aforesaid appeared before the commissioner in obedience to the said notices, and he there upon examined the vouchers stated and settled the foregoing account. The commissioner further reports to the court that after the completion of the said account he retained the same in his office ten days for the examination of the parties, which with the decree and notices aforesaid are here with returned.

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

Commissioner for \$15.

Henry S. Howard
 Comr

Prince
to } Ex. with bill

Clements & Co

Know all men by these presents that we William G. T. Clements Littleberry
W. Mason are held and firmly bound unto the Commonwealth of Virginia in the just and
full sum of Two thousand 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
19th day of July A.D. 1858

The condition of the above obligation is such that if the above bound William G. T.
Clements as guardian of ~~Andrew~~ ^{Andrew} Prince orphan of William Prince dec^d. 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

Wm. G. T. Clements

L. W. Mason

(Seal)

(Seal)

Southampton County Court July 19. 1858

On the motion of Littleberry Mason who is bound in this Court as the security of William
Prince guardian of Andrew J. Prince. It is ordered that the said Wm. Prince be summoned
to appear here instantly to show cause, if any he can, why he should not be required to give a
new bond as guardian aforesaid. Whereupon he appeared in Court and acknowledged notice
of this motion, and the parties being fully heard. It is ordered that the said Prince
execute a new bond with security in the penalty of two thousand dollars conditioned as the
law directs. And the said Prince refusing to give the said bond as required it is ordered
that the powers of the said Prince be revoked and annulled, and that he pay the costs of
this motion. And the Court doth assign William G. T. Clements guardian of Andrew
J. Prince orphan of William Prince dec^d. Whereupon he together with Littleberry Mason,
his security, (who justified on oath as to his sufficiency) entered into and acknowledged a
bond in the penalty of two thousand dollars conditioned according to law.

Attest

Teste L. R. Edwards Ck

Princed

as } note for
recd

Comments

May 27: 1869

to his son

E. P. Pitts

Primer &c.

vs.

Colman &c.

This day this cause came on to be heard on the papers previously read. On the report of leave. Now on made under the order of May Term 1868. and on statement filed marked B. and was argued by counsel; on consideration whereof the court adjudge on an and decree that W. H. Y. Colman pay to the Plff. William Primer \$226.²⁵ with interest thereon from 1st day of August 1864 till. To the Plff. Martha W. Griffen the like sum with like int: and to the Plff. Rosa W. Henderson the like sum with like interest, and that he retains the same amount in his hands in right of his wife. And the court further decree that the debt pay to the Plffs. then owed by them in this suit & previously admitted is assigned to the Plffs. to work for further relief, if the answer in their answer should prove to be incorrect.

Primer

as.

}

Clement.

Ipom. E. e. cutis.

as. Clement.

Chr.

Statement.

HC.

Statement. 2C.

Balance due from H. T. Clements. on July 31. 1864 ~~905.41~~
To be raised

1/4. To Melvin Dineen	~~226.35-~~
1/4. To Martha V. Gregg and	226.35-
1/4. To Rosa J. Henderson.	226.35-
1/4. To Sept. Clements wife	<u>226.35-</u>
	~~905.40~~

Prince of Wales
vs
Prince of Wales
} Cont Notice

Executed by delivering a copy to
L. H. Mason July 6th 1868
E J Thornton Esq
for R L Dobie Esq

COMMISSIONER'S OFFICE,

Jerusalem, May 14th

1868

To *Wm Prince Martha V. Grizzard & Rosa I Henderson*

Plffs

Against

W. J. Clements & Mary Ann his wife L. W. Mason & Samuel

Hells adm of Andrew I. Prince

Defts

You are hereby notified that I have fixed upon the 19 day of June next, if fair, if not, on the next fair day thereafter, (Sunday excepted,) to take and settle, at my office, the following accounts, to wit:

That W. J. Clements render an account of his transactions as late guardian of Andrew I. Prince before a Commissioner of this court who is directed to audit & report to court with any matters specially stated, deemed pertinent by himself or requested by either party to be so stated

required to be taken by a decree of Southampton Circuit Court, rendered on the day of May Term 1868, 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.

Super

H. S. Howard

Commissioner.

To the Sheriff of ~~Southampton~~ County to execute.

Price of 2
as } Cont. Notice
Prince George

Executed on S. Wells
June 15th. 1868 by de-
livering him a copy.
Wm. Henderson not
found. J. L. Story Dept
for S. Wells Cliff

Executed on Wm. Prince
June 13th. 1868 on altar
V. Grizzard Wm. S. J.
bluminto & Mary Ann
his wife.
W. L. Smith Dept
for S. Wells Cliff

COMMISSIONER'S OFFICE,

Jerusalem, May 14th

1868

To Wm Prince. Martha V. Gizzard & Rosa J Henderson

Plffs

Against

W. G. T. Clements & Mary Ann his wife Littlebury W. Mason

& Samuel Kells adm of Andrew J Prince

Def

You are hereby notified that I have fixed upon the 19 day of June next, if fair, if not, on the next fair day thereafter, (Sunday excepted,) to take and settle, at my office, the following accounts, to wit:

That W. G. T. Clements render an account of his transactions as late guardian of Andrew J Prince, before a commissioner of this court who is directed to audit, state and report the same to court, with any matters specially stated deemed pertinent by himself or requested by either party to be so stated

required to be taken by a decree of Southampton Circuit Court, rendered on the day of May Term 1868, 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.

H. S. Howard

Commissioner.

To the Sheriff of Southampton County to execute.

Printed

M.

Clement.

Memo. for C.R.

Little Henry M. Mason is dead. Robt. H. Mason
his adw, scie facies, to mine sent as. Masons.
adw. send proof to super. Chum big for Pat.

— Has been done —

Virginia.

In Superior County Court
September Term 1869

On motion of Robert H. Mason, he is permitted to qualify as administrator of L. W. Mason dec'd. and thereupon he entered into bond in the sum of Five Thousand dollars with William N. Garrett, Richard G. Grigg, and John R. Chambliss, his sureties. Sureties sworn according to law.

Attest
Teste -

J. D. Thornton Clk

Prince of
Sci. fa.
Clement's of

1870 March Rules

Superior

Enclosed by return a copy of the constitution No 14
Museum on Friday the 18 Feb 1870.
Mr. E. M. Thompson
Mr. J. Mitchell

The Commonwealth of Virginia-

To the Sheriff of Sussex County. Greeting-

Whereas in a suit in Chancery lately depending in our Circuit Court of the County of Southampton between William Prince, Martha V Grogg and Rosa J Henderson Plaintiffs and W. G. J. Clements, W. G. J. Clements & Mary Ann his wife, Littleberry W Mason & Samuel Kello Sheriff & Adm^r: of Andrew J Prince dec^d Defendants, sundry proceedings were had as appears from the records and files of the said Court, but before a final decree was rendered therein Littleberry W Mason one of the defendants in the said suit departed this life intestate as it is said, and administration of all and singular his goods chattels and credits has been in due form committed to Robert Mason Therefore we command you that you make known according to law to the said Robert Mason that he appear at the Clerks Office of our said Circuit Court of Southampton County at the Rules to be holden for the said Court on the first Monday in March next to shew if any thing for himself he have or know to say, why the suit should not be proceeded in to a final decree against him in his character aforesaid and be in all things in the same plight and condition as it was at the time of the decease of the said Littleberry W Mason and further to do and receive what our said Court shall in that part consider. And have there this Writ.

Witness Oswin White Clerk of our said Court at the Courthouse this 8th day of February 1870 in the 94th year of the Commonwealth

O White cl^k

Prince of
 in } State Rules.

Elements of

1869 May

belk	10.20
bow	15.00
Shiff	5.50
Law	15.50
May 72	46.20
bel	5.78

VE

In Southampton Circuit Court.

William Prince, Martha V. Briggard & Rosa J. Henderson.

against
W. G. T. Clements. W. B. T. Clements & Mary Ann his wife, Littlebury W. Mason &
Samuel Kells admors; Andrew J. Prince.

1868 January 25 Summons issued.

" March R. Summons Ret? Granted. Bill filed of D. Kisi vs. Defts.

" April Bill taken for Confessed.

" May Cause set for hearing

" T Decree for account

" Oct. 7 Report.

1869 May Decree in favor of Defts.

1870 R. Febr. aft. L. H. Mason being dead Sci fa ip. to revive this suit. R. H. Mason
his adm. settle to March Rules

March R. Sci fa Ret. Ex? & Cause revived accordingly &

1872 May Judge's Mason as of Prince et al

Primer

v. { Affr

Glenm

State of Virginia, County of Southampton, to wit:

I, L R Edwards Depty clk _____ for the county

aforesaid, do hereby certify that Wm Prince _____ this day personally appeared

before me in my county aforesaid, and made oath that W. G. B. Clement _____

against whom a judgment ^{or decree} was rendered, in the Circuit _____ Court of the County of _____

Southampton County _____ in favor of the said Wm Prince _____ at ~~on~~ the

May day of Term _____ 1869 for \$ 226 35 _____ principal with interest

and costs, ha not paid, subsequent to January 1, 1869, and before ~~August 1~~ Sep 30, 1869, "one year's interest upon the

principal sum due," as required by General Orders No. 80, current series from Headquarters First Military District,

State of Virginia, "to entitle him _____ to the stay of execution therein specified."

Given under my hand this 17 _____ day of January _____ 1870

L R Edwards De

NOTE—This form has been approved at Headquarters First Military District, Virginia. The foregoing affidavit may be made by the plaintiff or his attorney, and before the Clerk, a Justice of the Peace, or Notary Public.

Presented on L N. Mason by delivering a copy
July 6. 1868. Clements, Wells & Prince nob
Inhabitants,

E J Thornton Esq
& R L Wobie Esq

James J
Sum. Chy

Clements J
1868 March Rules

Superior

THE COMMONWEALTH OF VIRGINIA,

Super
To the Sheriff of the County of ~~Southampton~~ — GREETING:

We command you to summon *J. W. F. Clements & J. W. F. Clements & Mary Ann his wife*
Littlebury W. Massey & Sarah Wells admrs. Andrew J. Prince

Deem
if *they* be found within your bailiwick, to appear at the Clerk's office of our court of Southampton County,
at the Rules to be holden for the said court, on the first Monday in *March next* to answer a bill in
Chancery exhibitd against them in our said County William Prince. Martha
& Griggard & Rosd J. Henderson

And have then there this writ.

Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the courthouse, this *25th* day of
January A. D., 186*8*, in the *92^d* year of the Commonwealth.

L R Edwards, Clk

Primer of

v { Summ chg.

Clumant's of

1868 March Rules

Executed Feb. 11th. 1868
on W. S. J. Clumant & Mary
Ann his wife by delivering
a copy to each. Littlebury
W. Mason is not a resident
of my county.

P. Caroon dep't
for S. Kells chff

Executed on S. Kells Feb.
10th. 1868 by delivering
to him a copy.

E. L. Story dep't
for S. Kells chff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of the County of Southampton—GREETING:

We command you to summon

*E. W. Clements & E. W. I. Clements & Mary Ann his wife
Littleberry W. Mason & Saml. Kello admors. Andrew J. Primes*

if *they* be found within your bailiwick, to appear at the Clerk's office of our court of Southampton County, at the Rules to be holden for the said court, on the first Monday in *March next to answer a bill in* ^{chancery} *chancery exhibited against them in our said Court by William Primes, Martha V. Buzzard & Rosa J. Henderson*

And have then there this writ.

Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at the courthouse, this 25th day of

January

A. D., 1868, in the 92^d year of the Commonwealth.

L. R. Edwardsble

Southampton Circuit Court, May term, 1868.

Wm. Prime, Martha V. Grizzard & Rosa S. Henderson, Plffs.

against

W. L. J. Clements, W. L. J. Clements & Mary Ann
his wife, Littlebury W. Mason & Saml. Kells, Admrs.
Andrew J. Prime

In
Chancery

The bill having been taken for confessed at Rules as to all
the Defts. this day this cause came on for hearing on the bill.
Exhibit filed and was argued by Counsel. On consideration
whereof the Court doth adjudge, order and decree that W.
L. J. Clements render an account of his transactions as late
Administrator of Andrew J. Prime before a Commissioner of this
Court, who is directed to audit, state and report the same to
Court, with any matters specially stated deemed pertinent by
himself or requested by either party to be so stated.

Attest

John

LCR de ar 25 66

Prinw & c.

as. } across

Clements & c.

May 21. 1868.

to be sent?

R. H. Baker

Prima Lotter.

as.

Second Lotter.

The bill having been taken for Confession
at Rules as to all the facts, this may this
cause cause an order made on the bill, or
subit-billed and was reviewed by Council.

On consideration whereof the Court with
advice of an new order that G. N. T.
to submit, since an account of his Trans-
actions as to the Court of Andrew J. Prime
before a Court of this Court. who is ordered
to audit state and report the same to Court
with any matter specially stated account
pertinent by himself or anyone either
party who so stated.

Price
no. } Decem.
Elements of

May Ct. 1872.

To be entered
Geo. T. Blod.

Prima &c.

no.

Clement &c.

This day. This cause came on
for again heard on the papers formerly read.
~~and~~ it appearing that the claims have been
opened. So Mr J Clements, read the decree
of May Term 1869. which have been returned
and are here with file. - "No property"
and liberty having been reserved in the
decree of May Term 1869. To ask for further
relief; should said decree prove erroneous.
and was argued by Counsel. On con-
sideration whereof the Court costs agreed
and decree that - Robt. H. Mason son of
S. W. Mason out of the op'ts of his intestate,
and Saml. Kella, son of Andrew J. Paine
out of the op'ts of his intestate. pay to
William Paine, To Martha B. Gregford
and to Rosa J. Henderson, each the
sum of \$226.³⁵ with int: Thence from 1st.
August 1864. till paid. and that the
s^d sum be paid by the Defts. This order by
them in this suit expended.

~~100~~ 47 74. 73 65
53

Prince of
Papers.

Clement's

1872 May 12