

1874-36

Southampton County Chancery -

Pope, R. P.

vs

Story, Mollie, F. (adminx.)

Settle Real Estate

Story, Eddie F. }
" , Robert B. } under
" , Willie D. } 21

Edwards, L. R. (ADL)

Pope

a

Story

Papers

Ck

Sh

Law

84.44

2.00

16.00

 2244

Pohe

or $\frac{1}{3}$ Bill & $\frac{1}{3}$ history

Story & others

1874 February Rules

L. B. Knice p. q.

To the Hon. Geo: Blow, Judge of the Circuit
Court for Southampton County. In Chancery.
Humbly Complaining, sheweth unto
Your Honor, your Complainant, R. P. Pope,
that on the 21st day of April 1872, he
contracted with one E. K. Story for the purchase
from him of a certain tract of land
in the County of Southampton, upon the
following terms - to wit - One thousand dollars to
be paid Decr 25. 1872, and one thousand to be paid Decr 25. 1873

That in pursuance of said contract, your
Complainant executed his bonds to the
said Story & has paid in cash the sum
of \$2000 ^{as will more fully appear from the bonds}
of said Story ^{which were taken on part of this}
all the said contract, and before your complain-
ant had paid the whole of the purchase
money, the said E. K. Story departed this life,
intestate leaving the following parties his heirs
at law & distributees - viz - Mollie F.
Story his widow, and the following infants
Eddie F., Robt B. & Willie J. Story. That the
said Story has prepared no deed for
your complainant, when he shall pay
the whole of the purchase money, which
he is ready & willing to do at any time.
That the widow of the said E. K. Story is perfectly
willing that the contract of sale should be
fully executed, she being fully aware

of the terms of said contract. That your Complainant is advised that he is remediless in the premises without the aid of a Court of Chancery; wherefore he prays, in order that justice may be done that Mollie F. Story, widow of E. Story, Eddie F. Robt B. Willie J. Story, all infants under 21, may be made parties defendant to this bill & compelled to answer the allegations thereof. That some fit & proper person may be appointed Guardian ad litem to protect the interests of the infants, and that your Honor will appoint a Commissioner, who when the purchase money for the purchase of the Real Estate aforesaid shall have been fully paid, shall execute a deed with special warranty to your Complainant, for the same, and that your Honor will grant such other further & general relief in the premises as Equity may dictate & the nature of his case require. And as in duty bound your orator will ever pray &c. May it please the Court &c.

W. H. H. p. q.

The Joint General answer of Eddie F.,
Robt B. Skillie J. Story, by L. R. Edwards,
their Gdn ad litem, to a bill of
Complaint exhibited against them sother
by R. P. Pope, in the Circuit Court of
Southampton County.

These defendants, having reviewed
all just ground of exception to said
bill, for answer thereto, or unto so
much thereof as they are advised it
is material for them to answer,
answering say, that they are infants
and know nothing of the facts
alleged in said bill & being infants
they submit their rights to the protection
of this Honorable Court; and having
answered, they pray hence to be
dismissed with their costs.

L. R. Edwards
Gdn ad litem
by J. W. Price p.d.

Pope
vs $\frac{1}{3}$ Pierce
Story Ju

Feb'y Term 1874

To be entered.

Geo B. Lord

Pope
by 3 Deere.
Story & Co

This day this cause came on to be heard on the Complainants bill, the answer of Mollie F. Story, Adm^{rs} of E. F. Story decd, the answer of the infant defendants, Eddie F. Robt. B. & Willie J. Story, by L. R. Edwards, their Guardian ad litem, with several replication thereto, and exhibits filed, and was argued by Counsel. On consideration whereof, the Court, being of opinion that the Complainant has fully complied with the contract of sale on his part, and that he is now entitled to a deed of bargain & sale for the real estate in the proceedings mentioned, doth adjudge order & decree that L. R. Price be & he is hereby appointed a special Commissioner for the purpose, that he execute to R. F. Pope a deed with special warranty for the real estate in the proceedings mentioned and make report to Court, in order to a final decree.

Pope

in $\frac{1}{2}$ drive

Storrs

June Term 1874

To be entered.

Geo. Brown.

Pope

vs 3 Decree.

Storys

This day this cause came on to be further heard on the papers formerly read, and the report of Commissioner Prince filed during the term, and was argued by counsel. On consideration whereof the Court on perusing said report, no exceptions being filed thereto, doth advise and order that this cause be removed from the docket, nothing further appearing necessary to be done in the same.

Pope

in Answer of
Mollie F. Story

Story sothers

Mr. Story will please
send back
to me. £130

The answer of Mollie F. Story, widow of
E. R. Story to a bill of Complaint exhibited
against her sisters by R. R. Pope in the
Circuit Court of Southampton.

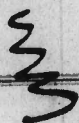
This respondent for answer to the
said bill says; that the facts or charges
in the said bill are to her own knowledge
all true, and that she is perfectly
willing, whenever all the purchase
money for the real estate mentioned
in the said bill is fully paid for a
Commissioner to execute a deed to said
R. R. Pope, in which deed, she will
willingly join. And having answered
she prays hence to be dismissed with
her costs.

Mollie F. Story,

Administratrix on

E. R. Story, Est.

Pope

vs 

Notes

Report of
Commis- Prince

June 16. 1844.

Pope vs Storys
Report of I. B. Prince - Commisr.

In this cause your Commissioner reports that pursuant to decree entered at July Term 1874, he has executed to R. R. Pope a deed of bargain & sale for the real estate purchased by said Pope from E. R. Story in his lifetime, in which deed Mollie F. Story, widow of said E. R. Story, joined.

Executed by delivering Moller to Story
agent of E. R. Story. Eddie R. Story. Robt.
Story Merill & Story each a copy of
this summons on the 18th day of January
1874

W. D. Driggs Siff

Copy { Sum. Chy.
to {
Story & {
1874 February Rides

The Commonwealth of Virginia

To the Sheriff of Southampton County--Greeting:

WE COMMAND YOU to summon *Mollie F. Story widow of E. R. Story dec'd. Eddie F. Story. Robt. B. Story & Willie I. Story infants*

if *they* be found within your bailiwick, 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 *February next* to answer a bill in Chancery exhibited ^{against} *them* in our said Court by
R. B. Pope

And have then there this writ. Witness LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-house, this *16th* day of *January* A. D. 1874, in the *98th* year of the Commonwealth.

L. R. Edwards

R. P. Pope
} Bond

Am 24th Dec

1872

\$1000

Recd 25th day Dec 1872
payment in full for
the within bond - for
which and I promise
to grant to him a
good and warrant
and to the said tract
of land.

(2)

Wm. F. Story
Adm'r of Story's est
of E. R. Story's est

On demand the 25th day of December 1873, I promise to
pay to E. B. Story the sum of (\$1000.) one thousand dollars
without interest to date above mentioned - and after
said time if not paid to bear 10 per cent, it
being the second and last payment for
the purchase of the tract of land on which
he now resides, and I hereby ~~waive~~ my homestead
exemption as to this debt. Witness my hand and seal
this 21st day of April 1874.

H. P. Pope 

On demand the 25th day of December next
I promise to pay to E. W. Hony the sum
of \$1000. one thousand dollars,
without interest to date above men-
tioned - and after said time if not paid
to carry 10 per cent. It being the first
payment for the purchase of the tract of
land on which he now resides - And
I hereby waive my homestead exemption
as to this bond - Witness my hand
and seal this day of April 1872
intentioned -

R. P. Pope (Seal)

Recd Decr 25-1873 payment of
the within bond in full for
which amt I promise to give
him a warrant deed to the said
tract of land.

Mollie L. Story

Administratrix

of E R Story's est

(1)

all 1000

Dec 25 1873

Wm L. Story

Pope
& } Stat. Rules

Story

In Southampton Circuit Court.

R. P. Pope

^{against}
Mollie F. Story, Eddie F. Story, Robt. B. & Willie J. Story

1874 Jan'y 16th Summons issued &c.

" Feb'y 10. Sum. Ret. Executed. Bill filed. L R Edwards
assigned Bro. ad litem to infant Dfts. Ans. of infants & Rep. &
Cause set for hearing &c.

" Feb'y 11. Decree to execute deed.

" June " Report & cause removed from Docket.