1877-05 Southampton County - Chancery Burbage, J. L. vs Burbage, Annie L. et al

Is still in ante about 7 Estate

Annie L Burbage
John W. Burbage
Thomas J. Burbage infts

Thomas J Butler
their guardian

Burbage
v
Bill

Burbage

1873 March Rules

To the Hon George Blair Judge of the Circuit Court of Southampton County Virginia.

Humbly Complaining sheweth unto your Hon Your Complainant I I Burbage of the County of Southampton and State of Virginia. That on the 1st day of January 1866 your Complainant was seized of of a tract of land lying in the County of Southampton Containing 700 acres more or less and bounded by the lands of Thomas Crafs on the west and Richard Barrett and on the north and East by Blackwater river and on the South by the lands of Laurence Gardner. That on the 20th day of February 1866 your Complainant made a deed Conveying the real estate above described to John W Halstead in trust for the following uses and purposes, as will be seen by a copy of the deed filed herewith as an exhibit and marked "A" The said trustee John W Halstead was to hold the property aforesaid during the joint lives of your Complainant I I Burbage and Annie O Burbage his wife for the sole and separate use and support of the said Annie O Burbage and the issue of their marriage free from the debts and control of the said I I Burbage. At the death of the said I I Burbage should his wife be then living then for the use and support of the said Annie O Burbage and the Children issue of the marriage aforesaid during her widowhood should she marry then to the use and support of the Children issue of the marriage.

x 2

That on the day of 18 to more fully & fully and meet the needs and necessities of the beneficiaries under the trust deed aforesaid, as well as for the better care and protection of their interest, a decree was rendered by the Circuit Court of South Carolina County directing a sale of the real Estate embraced in said deed and a Commissioner appointed to carry out said decree.

x 1 That previous to the Execution of the deed aforesaid there were three Children issue of the said marriage to wit- Annie L Burbage Thomas J Burbage and John W Burbage.

That the land sold for the sum of $5500, and that after paying the just debts of your Complainant- Cost of suit and Expenses of sale there was a net balance of $3884.22/100 as will be seen by a copy of Guardians account- filed herewith as an Exhibit- and marked "3". That at the term of the Circuit Court in the year 18 an order was made by said Court appointing Thomas J Purlow Jr Guardian of the said Annie L Burbage Thomas J Burbage and John W Burbage issue of the marriage of your Complainant and the said Annie O Burbage as will be seen by a copy of said order filed herewith as an Exhibit- and marked "6". That the said Annie L Burbage Thomas J Burbage and John W Burbage are indebted to your Complainant. each in the sum of $200 (making for the three Children the sum of $600-) for board, Schooling, Clothing &c for the year Commencing the 28th day of August 1871 and Ending the 28th day of August 1872 as will be seen by the accounts filed herewith and Exhibits marked 1, 2, 5 3. That Thomas J Purlow the guardian of the said Annie L Burbage Thomas J Burbage and John W Burbage refuses to expend more than the annual accruing interest on the said sum of $3884.22/100 in his hands for the use and support of said wards which is not sufficient to

board. Cloathe. & School and properly support them in their station of life and thereby defeats the uses and purposes for which the deed afore said was executed

That your Complainant (having the custody of said wards) is greatly embarrassed by the refusal of the said guardian to expend more than the actual interest on the said sum of $3884.00 rendering him in his present circumstances in life totally unable to maintain and Educate his children in accordance with their position in society. Your Complainant therefore in consideration of the premises pray this honorable Court will order the said Thomas J Rutlow guardian of the wards aforesaid to expend a portion of the principal of his wards money to pay the accounts hereinbefore described & filed herewith in order that your Complainant may support and Educate his Children as becomes their station in life; And for as much as your Complainant is remediless in the premises save in a Court of Equity where matters of this kind are peculiarly Cognizable. it is prayed that Annis L Burbage, John W Burbage and Thomas J Burbage, infants under 21 years of age, and Thomas J Rutlow for their guardian may be made parties defendants to this bill, and that a proper guardian ad litem may be appointed to defend the interest of the said Annis L Burbage, John W Burbage and Thomas J Burbage in this suit- And that this honorable Court will decree such other and further relief as the nature of the case may require or to Equity may seem just- And your Complainant will ever pray &c

Cliffford

P.Q.

105

Burbage
v
Bill

Burbage et al.

Cir. Ct. Southn

Annie E. Burbage – a minor

In account with Thos. S. Pretlow Sr: her Guardian

1869							
Dec	31	By amount of balance due ward per last report			1049	10
1870							
Octo	20	To paid Thos. S. Burbage for Board Tuition Clothing of ward from Aug: 28th 1869 to Aug 28th 1870 –	200	00		
Dec	31	By interest on $849.10 12 months,			50	94
		To Commissions on 50.94 5 pr ct:	2	55		
		" balance due ward	897	49		
			$1100	04	$1100	04
1871						
Jany	1	By amount of balance due ward, brot down.			897	49
Sept	22	To amount paid Thos. S Burbage for Board Tuition Clothing of ward from Aug. 28th 1870 to Aug 28 1871.	200	00		
		" paid Taxes 1871	9	17		
		" " Wm B. Shands, Atty's Fee	5	00		
Dec:	31	By interest on $697.49 12 months,			41	84
		To Commissions on $41.84 5 pr ct	2	09		
		" Commissioner's Fee for this acct & Copy	5	00		
		" Clerks Fee for recording this acct	1	00		
		" Balance due ward	717	07		
			$939	33	$939	33
1871						
Dec	31	By balance due ward with interest from date till paid –			$717.07.	

The Commissioner states specially at the request of the Guardian that the above amounts for Board & Tuition & Clothing were paid out by order of County Court.

Respectfully Submitted
Jno. J. Kindred
Comr of Accts

Southampton County, to the Clerk's office May 28th 1872.
This account of Thos J. Pretlow's Guardianship of Annie L. Burbage
was this day returned and filed for exceptions. And at a Court held for the
said County on the 15th day of July 1872, the said account having
lain one month and upwards in the Clerk's Office, and no exceptions
being filed thereto, it was examined confirmed & ordered to be recorded.

Teste

L. R. Edwards Clk

A Copy

Teste L R Edwards Clk

Annie E. Burbage, a minor
In Account with Thomas J. Pretlow Sr. her Guardian

			$	ct	$	ct
1869.						
May	5	By cash received from Thos. J. Pretlow Jr.			123	39
July	1	" " " " Norfolk Trust Company			1171	35
		To Commissions on $1294.74 @ pr ct	64	73		
		" paid Wm. B. Shands atty fee	5	00		
		" " Thomas J. Burbage for board, tuition				
		and clothing of Annie E. Burbage	200	00		
		To Clerks fee for recording this account				
		retained	1	00		
		To Commissioners fee for making up this account				
		and Copy retained	2	00		
		By Interest on $123.39, 6 mos. 25 days			4	23
		" " " $971.35, 5 months			24	28
		To Commissions on $28.51 @ 5 pr ct	1	42		
		" Balance due ward	1049	10		
			1323	25	1323	25
1869.						
Dec	31.	By Balance due the ward brought down with interest			$	1049.10
		thereon from this day till paid.				

The Commissioner would state specially, that Thos. J. Pretlow Sr. qualified as Guardian at the November term 1868, of the County Court of Southampton County, and there was an order entered at that term of the Court allowing him to expend one hundred and fifty dollars out of the principal of his wards Estate, for her education and support for the year 1868. All of which is respectfully Submitted.

Alvin White,
Commissioner

Southampton County: In the Clerk's office November 27th 1869
This account of Thomas J. Pretlow Guardianship of Annie L. Burbage was this day returned and filed for exceptions. And at a Court held for the said County on the 17th day of January 1870, the said account having been one month and upwards in the Clerk's office, and no exceptions being filed — it was examined, confirmed, and ordered to be recorded.

Teste

Alvin White Clk

A Copy

Test, J.R. Edwards Clk

Copy

Annie L. Burbages

Guardian Account.

Burbage
To
Burbage

Cr. with Clk

.13-

1.75

J. B. Lippincott & Co.
Wholesale Stationers,
Philadelphia.

To the Hon. Judge of the Circuit Court of Southampton.

The answer of Thos. J. Pulliam, to a bill of Complaint exhibited against him & others, in this Court by J. J. Burbage.

This respondent saving &c. for answer says, that in the Examination of Annie L. Wm M, and Thos. J. Burbage, and &c. as part thereof the sum of $3804.21 as stated in the bill. That he has settled his accounts as such Guar. as stated, copies of which are filed by the Plff. with his bill. That he has expended, more than the annual income of his Wards estate, and was of the County Court of Southampton, has with prior, That there is no other property, judicially and properly for the support of his said Wards.

That your respondent is very willing, and ready to pay the claim, against his Wards. filed by the Plff. with his bill, if the Court shall decide that under the law he can legally do so. He does not desire to embarrass the Plaintiff nor to withhold from his Wards, the use of any funds, belonging to them, under his control; but only wishes to be protected, from trap and loss in his expenditures for his said Wards.

That he is ready to pay any Money, belonging to his Wards, under the Order, of this Court, which he may be required to do.

This Respondent, is not advised whether the Plaintiff is able to furnish, board and Clothe his Children, according to their station in life

by his own means. without the assistance of the estate of his Children but believes he is not. and having an need, he prays the aid prayed.

May it please the Court &c.

T J Prettlow

Thomas Chandler & Robertson p.q.

Southampton Circuit Court Clerks Office May 7 1873.

Thomas J Prettlow this day made oath before me Clerk of the said Court that the facts stated in the foregoing answer are true to the best of Knowledge & belief

Given under my hand the day and year aforesaid

E R Edwards Clk

120

Bunkruptcy.

Pet.

Burlington &c.

Answer of T J Prettlow.

1873. May.

Southampton County Court November 15 1869

On the motion of Thomas J Prettlow Sr. and for reasons appearing to the Court It is ordered that he be allowed to expend the sum of One hundred & fifty dollars for the maintenance and education of his Ward Annie E Burbage, the sum of One hundred and fifty dollars for his Ward John W Burbage and the sum of One hundred and fifty dollars for his ward Thomas J Burbage for the year 1869 and of the principal of their estate

A Copy

Teste E R Edwards Cc

Southampton County Court June 19. 1871

On the motion of Thomas J Prettlow Jr. It is ordered that he be allowed to expend $150 out of the principal of his Ward Annie E Burbages estate for the year 1871, the sum of $100 out of the principal of his Ward Thomas J Burbages estate for the year 1871 and the sum of $100 out of the principal of his Ward John Burbages estate for the year 1871. all for their maintenance & support for the year 1871

A Copy

Teste E R. Edwards Cc

Southampton County Court November 16. 1868

On the motion of Thomas J Prettlow guardian of Anna L, Thomas J & John W Burbage the order entered at this Term is set aside, and the Court doth order in the place thereof, that he be allowed to expend the sum of $150 each out of the principal of their estates for their education support for the year 1868

A Copy

Teste S.R. Edwards Clk

Burbage

vs Sums Chy

Burbage &c

1873 March Rules

Executed

W W Driggs Shff

The Commonwealth of Virginia

To the Sheriff of Southampton County--Greeting:

WE COMMAND YOU to summon Annie L Burbage. John W Burbage & Thomas J Burbage infants under 21 years of age & Thomas J Prettlow their guardian

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 March next to answer a bill in Chancery exhibited against them in our said Court by J J Burbage

And have then there this writ. Witness LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-house, this 24 day of February A. D. 1873, in the 97 year of the Commonwealth.

L R Edwards Clk

Sun Job Print, Suffolk, Va.

Annie L Bumbage

In a/c with T. L Bumbage

1872

Aug 28 To Board Clothes Schooling and Doctor bill from 28 Aug 1871 to 28 Aug 1872 $200

Southampton County Court November 16 1868

The Court doth assign Thomas J Prettlow Gr. Guardian of Anne L, Thomas J & John W Burbage infant Children of Thomas J Burbage and thereupon he together with Jordan D Prettlow his Security who justified on oath as to his Sufficiency, entered into and acknowledged a bond in the Penalty of Six thousand dollars, Conditioned according to law - a Stamp of the Internal Revenue of the U. States to the amount of One dollar being thereto and duly Cancelled - the said bond is ordered to be recorded

A Copy

Teste L. D. Edwards Clk

John H. Burbage - @ Minor
In Account with J. J. Prettow Sr: his Guardian

			$	cts	$	cts
1869						
Dec:	31	By amount of balance due ward per las report			1100	28
1870						
Octo:	20	To paid J. J. Burbage, for Board Tuition and clothing of ward from Aug: 28th 1869 to Aug: 28th " 1870	150	00		
Dec:	31	By interest on $950.28, 12 months			57	01
		To Commissions on $57.01 " 5 per ct:	2	85		
		" Balance due ward	1004	44		
			$1157	29	$1157	29
1871						
Janu	1	By balance due ward brot down			1004	44
June	22	To paid J. J. Burbage for Board Tuition & clothing of ward from Aug: 28th " 1870 to Aug 28th " 1871.	150	00		
		" paid Taxes 1871,	9	17		
		" " W.m B. Shands atty's fee	5	00		
		By interest on $854.44 12 months			51	26
		To Commissions on $51.26 5 per: ct	2	56		
		" Commissioner's fee for this a/c & copy	5	00		
		" Clerk's fee for recording this a/c	1	00		
		" Balance due ward	882	97		
			$1055	70	$1055	70.
1871						
Dec:	31	By balance due ward with interest from date till paid			882.	97

At the request of the Guardian the Commissioner States that the above amounts for Board, Tuition & clothing of ward, was paid out, in pursuance of an order of the County Court.

Respectfully Submitted
Jno: D. Kendrick
Com'r of Accts.

Southampton County, In the Clerks office May the 28th 1872.
This Account of Thos. J. Prettlow's Guardianship of John H. Burbage, was this day returned and filed for exceptions. And at a Court held for the said County on the 15th day of July 1872, the said account having lain one month and upwards in the Clerks office, and no exceptions being filed thereto, it was examined, confirmed & ordered to be recorded.

Teste,

L.R. Edwards Clk

"

A Copy

Teste L.R. Edwards Clk

John W. Burbage, a minor
In Account with Thomas J. Prettow Jun: his Guardian –

			$	ct	$	ct
1869						
May	5	By cash received of Thos. J. Prettow Jr:			123	39
July	1	" " " " Norfolk Trust Company			1171	89
		To Commissions on $1294. 74 @ 5 p/c	64	73		
		" paid Wm. B. Shands atty fee	5	00		
		" " Thomas S. Burbage for board Tuition and clothing of John W. Burbage –	150	00		
		To Clerks fee for recording this account retained –	1	00		
		" Commissioners fee for making up this account and copy retained –	2	00		
		By Interest on $123. 39. 6 mos. 25 days			4	23
		" " " $1021. 35. 5 months			25	53
		To Commissions on $29. 76 @ 5 p/c	1	49		
		" Balance due ward –	1100	28		
			1324	50	1324	50
1869.						
Dec:	31	By Balance due ward brought down with interest thereon from this day till paid			$	1100. 28

The Commissioner would state specially, that Thomas J. Prettow Jun: qualified as Guardian at the November term 1868, of the County Court of Southampton County, and there was an order entered at that term of the Court, allowing him to expend one hundred and fifty dollars, out of the principal of his wards Estate for his education and support for the year 1869. all of which is – Respectfully Submitted,

Alvin White, Commissioner

Southampton County In the Clerks Office November 27 1869
This account of Thomas J. Pretlow Guardianship of John W. Burbage was this day returned and filed for exceptions And at a Court held for the said County on the 17th day of January 1870. the said account having lain one month and upwards in the Clerks Office and no exceptions being filed it was examined, confirmed and ordered to be recorded.

Teste,

Edwin White Clk

A Copy

Teste S R. Edwards Clk

(Copy)

John W Burbages
Guardian Account

Burbage
vs
Burbage

Ex. with bill

13-

1 Q.ps

John W Burbage
In Acct with T L Burbage
1872
Aug 28 To Board Clothes & Schooling
and Doctors bills from Aug 28. 1871
to 28 Aug 1872 $200

Thomas J Burbage
In acct with T J Burbage

1872

Aug 28. To Board, Clothes, Schooling
And Doctors bills from Aug 28. 1871
to Aug 28 1872 $200

Rec'd. Franklin Depot Va. April 5th 1877 of
Jno Pretlow jr. (one) of the admrs of Thos Pretlow
decd., who was the Guardian of Annie L
Burbage, Thos. I. Burbage and Jno W Burbage
to wit —

For Annie L Burbage	$649.08	
" Thos. I. Burbage	874.59	
" Jno. W. Burbage	874.59	$2398.26

Which said three sums amount to Twenty Three
hundred & Ninety Eight & 26/100 Dolls — and are
shown to be due said wards by last Report
made by Commissioner Tyler up to Dec. 31. 1876.

Jno. A. Bryant
Guardian

Bunbage &c

Bunbage &c.

1877
May Ct.

Report of Payments
of Mr. J. Sutton's
Dec. ~~of~~

Filed May Ct. 1877

To The Circuit Court of Southampton County Va.

The undersigned report to the Court that after Comr. Tyler had made up his report under the decree of this Court made at the November Term of said Court 1876., they proceeded to pay over the several Balances as per forms on the several bonds of Mrs. J. Pretlow, guardian as set forth in the cause, to Jno. H. Bogart who has been their legally qualified guardian, to wit

To Jno. H. Bogart guardian of
Annie L. Bunbage per ret $649:08
To same guardian of Mrs. J. Bunbage " 874.59
To same guardian of Jno. W. Bunbage " 874.59
Total $2398:26

Respectfully submitted
John Pretlow Jr.
for himself & Thos. L. Pretlow
Agents of Thos. L. Pretlow dec'd

May 8th 877

Recd. Franklin Depot Va April 5th 1877. of Jno. Pretlow Jr. one of the admrs of Thos J Pretlow dec'd. who was the Guardian of Annie L Burbage, Thos J Burbage and Jno. W. Burbage to wit

For Annie L Burbage	$ 649.08
" Thos J Burbage	874.59
" Jno. W Burbage	874.59
	$ 2398.26

which said three sums amount to Twenty three hundred & ninety eight & 26/100 Dolls. and are shown to be due said Wards by last report made by Commissioner Tyler up to Decr. 31st 1876.

Jno. H. Bogart
Guardian

Received this day of 1877 of the Clerk of the Circuit Court of Southampton County, the original receipt of which the above is a true Copy. recently filed in the suit in Chancery of Burbage against Burbages.

COMMISSIONER'S OFFICE,

Jerusalem, Va., Nov 21st 1874

To

Thos J. Pretlow Jr. and John Pretlow Jr. Admrs of Thomas J. Pretlow dec'd. and Thos. J. Barbage

You are hereby notified that I have fixed upon the 1st day of December next, if fair, if not, the next fair day thereafter (Sunday excepted) to take and settle, at my office, the following accounts, to-wit:

"That a Commissioner of this Court state and settle the account of Thos J. Pretlow Jr, as Guardian of Annie L. John M and Thos J. Barbage, Infants, taking as prima facie Correct any account of said Thos J. Pretlow Jr, as Guardian aforesaid, heretofore returned to Court and Confirmed, and make report to Court &c."

required to be taken by a decree of Southampton ~~County~~ Circuit Court, rendered at the Nov. ~~on the day of~~ Term 1874, 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.

JAMES R. TYLER, COMMISSIONER.

To the Sheriff of Southampton County to execute.

Southampton Circuit Court, November Term 1876.

J. J. Burbage Pltff;
against
Annie, John H. and Thomas Burbage, Infants, Under 21 years of age, and Thomas J. Pretlow Sr. This Guardian Defts;

In Chancery

It appearing to the Court that Thos. J. Pretlow Sr, one of the Defendants in this Cause has departed this life and that John Pretlow Jr and Dr Thos. J. Pretlow Jr, have duly qualified as the Administrators of said Thos. J. Pretlow Sr, dec. it is by the Court Ordered that this Cause be procedid in against said John Pretlow Jr, and Dr. Thos. J. Pretlow Jr, as such Administrators, and this Cause Coming on to be heard on the papers formerly read, was argued by Counsel, On Consideration whereof, the Court doth adjudge, Order and decree, that a Commissioner of this Court, State and settle the accounts of said Thos. J. Pretlow Sr, as Guardian of said Annie J. Burbage, John H. Burbage and Thos J. Burbage, Infants, taking (ex parte) prima facie Correct, any accounts of said Thos. J. Pretlow Sr, as Guardian aforesaid, heretofore returned to Court and Confirmed, and Make report to Court with any Matter Specially Stated, deemed pertinent by himself, or that any of the parties, may require to be so Stated.

A Copy,
Teste, [illegible] D.C.

Anna L. Burbage & Minor

In account with Thos. L. Preston, her Guardian.

			Dr.		Cr.	
1871			$	cts	$	cts
Dec.	31	By amount of balance due Ward per last report			717	07
1872						
Nov.	30	To paid your part of Clerks Tickets	1	27		
"	"	" " " " " Sunshine Tax for 1872		80		
Dec.	31	By Interest on $715. 12 Months			42	90
"	"	To Balance due Ward	737	90		
1873			$759	97	$759	97
Jany.	1	By Balance due Ward brought down			737	90
March	31	To paid your part of Taxes for 1872	4	40		
Dec.	31	By Interest on $751.30. 12 Months			45	07
"	"	To Balance due Ward	794	37		
1874			$802	77	$802	77
Jany.	1	By Balance due Ward brought down			794	37
April	23	To paid your part of Taxes for 1873	7	42		
"	"	" " " " " Wm. B. Shands, atty. fee	8	34		
Nov.	12	" " Thos. L. Burbage, for Board, Tuition and Clothing of Annie L. Burbage, in Conformity with a decree of the Circuit Court of Southampton County, rendered at the November Term 1873.	200	00		
"	14	To paid your part of Jno. R. Chamblin, atty. fee,	14	67		
Dec.	31	By Interest on $513.71 12 Months			33	82
"	"	To Balance due Ward	577	54		
1875			$830	19	$830	19
Jany.	1	By Balance due Ward brought down			577	54
May	5	To paid your part of Taxes for 1874,	10	84		
Dec.	31	By Interest on $587.20 12 Months			35	23
"	"	To Balance due Ward	622	43		
1876			$632	77	$632	77
Jany.	1	By Balance due Ward brought down			622	43
Dec.	1	To amount retained to pay your part of Taxes for the years 1875 & 1876.	18	00		
"	"	To amount retained to pay your part of Commissioner's fee for this Report.	5	00		
Dec.	31	By Interest on $579.43 12 Months			35	76
"	"	To Balance due Ward,	635	37		
1876			$658	37	$658	37
Dec.	31	By Balance due Ward, with interest from date till paid.			635	37

Respectfully Submitted, James R. Tyler, Commissioner.

John A. Burbage, & Minor,

In account with Thos J. Pritchard Jr. his Guardian.

			$	cts	$	cts
1871						
Dec	31	By amount of balance due ward per last report			882	97
1872						
Nov	30	To paid your part of Clerk's Fees &	1	27		
"	"	" " " " " Township tax for 1872		80		
Dec	31	By Interest on $880.90 12 Months			52	85
"	"	To Balance due ward	933	75		
			$935	82	$935	82
1873						
Jany	1	By Balance due ward brought down			933	75
March	31	To paid your part of Taxes for 1872	1	60		
Dec	31	By Interest on $927.15 12 Months			55	62
"	"	To Balance due ward	982	77		
			$989	37	$989	37
1874						
Jany	1	By Balance due ward brought down			982	77
April	24	To paid your part of Taxes for 1873	1	62		
"	"	" " " " " " Wm B. Shands atty fee	8	34		
Nov	12	" " Thos J. Burbage for Board, Tuition and Clothing of Geo: A. Burbage, in Conformity with a decree of the Circuit Court of Southampton County rendered at the Nov Term 1873.	200	00		
"	16	To paid your part of John R. Chambliss atty fee	1	47		
Dec	31	By Interest on $795.14 12 Months			45	00
"	"	To Balance due ward	795	14		
			$1027	77	$1027	77
1875						
Jany	1	By Balance due ward brought down			795	14
May	5	To paid your part of Taxes for 1874	10	34		
Dec	31	By Interest on $784.78 12 Months			47	08
"	"	To Balance due ward	831	82		
			$842	22	$842	22
1876						
Jany	1	By Balance due ward brought down			831	82
Dec	1	To amount retained to pay your part of Taxes for the years 1875 & 1876	18	00		
"	"	To amount retained to pay your part of Commissioners fee for this Rept &c	5	00		
Dec	31	By Interest on $808.82 12 Months			48	57
"	"	To Balance due ward.	857	39		
			$880	39	$880	39
Dec	31	By Balance due ward, with Interest from date, till paid.			$857	39

Respectfully Submitted,

James M Tyler, Commissioner

Thomas J. Burbage, a minor

In account with Thos J. Trotter Sr. his Guardian

			D.		Cr.	
1871			$	cts	$	cts
Dec.	31	By amount of Balance due Ward per last report			882	97
1872						
Nov	30	To paid your part of Clerks Dockets	1	25		
"	"	" " " " " " Tonnship tax for 1872		80		
Dec	31	By Interest on $880.72 12 Months			52	85
"	"	To Balance due ward	935	75		
1873			$935	82	$935	82
January	1	By Balance due ward brought down			935	75
March	31	To paid your part of Taxes for 1872	1	40		
Dec	31	By Interest on $927.15 12 Months			55	42
"	"	To Balance due ward,	982	77		
1874			$989	37	$989	37
Jan	1	By Balance due ward brought down,			982	77
April	28	To paid your part of Taxes for 1873	7	42		
"	"	" " " " " " " " Wm B. Shands atty fee	8	34		
Nov	12	" " Thos J. Burbage for Board, Tuition and Clothing of Thos J. Burbage, in Conformity with a decree of the Circuit Court of Pendleton County rendered at the Nov. Term 1873.	300	00		
"	14	To paid your part of John K Chamblin atty fee	14	47		
Dec.	31	By Interest on $750.14 12 Months			45	00
"	"	To Balance due ward	795	14		
1875			$1027	77	1027	77
January	1	By Balance due ward brought down			795	14
May	5	To paid your part of Taxes for 1874	10	36		
Dec.	31	By Interest on $784.78 12 Months			47	08
"	"	To Balance due ward,	831	86		
1876			$842	22	$842	22
January	1	By Balance due ward brought down			831	86
Dec.	1	To amount retained to pay your part of Taxes for the years 1875 & 1876	18	00		
"	"	To amount retained to pay your part of Commissioners fee for this Report &c	5	00		
Dec.	31	By Interest on $808.86 12 Months			48	53
"	"	To Balance due ward,	857	39		
1876			$880	39	$880	39
Dec.	31	By Balance due ward, with interest from date till paid,			$857	39

Respectfully Submitted,

James K. Taylor, Commissioner

Spartago

Des. 3 Comm. Sylvain Reynal

Spartago 8vo

Lb	Vve Ann. Bambagi 31 dec. 1876		635.5
Dem.	Jno W. Bambagi	857	39
Lb	Ped J. Bambagi	857	39
		2	350 15

Commissioners Office,
Jerusalem, Va.
December 27th 1876.

To the Circuit Court of Southampton County.

Pursuant to a decree of the Circuit Court of Southampton County, rendered at the November Term 1876, in a Suit in Chancery, depending in the said Court, wherein J. B. Burbage, Plaintiff and Annie L. John W. and Thos. J. Burbage, Infants Under 21 years, and Thomas J. Pretlow Sr. their Guardian, Defendants, the Undersigned One of the Commissioners in Chancery of the said Court, to whom was referred for Settlement by said decree, that a Commissioner of this Court, State and Settle the account of said Thos. J. Pretlow Sr. as Guardian of said Annie L. John W. and Thos J. Burbage, Infants, taking as prima facie Correct, any account of said Thos J. Pretlow Sr. as Guardian aforesaid, heretofore returned to Court and Confirmed & report to the first or the 21st day of the next Court, he issued Notice against the several parties aforesaid, requiring them to attend the Settlement of the said account before him at his said Office, on the 1st day of December last, which was duly acknowledged by the parties. That the parties aforesaid duly appeared before the Commissioner in Obedience to the said Notice, and he thereupon examined the Vouchers, Stated and Settled the foregoing account of Thos J. Pretlow Sr's Guardianship of Annie L. John W. and Thos J Burbage, up to the 31st day of December, 1876, and on that day finds a balance due Annie L. Burbage of $436.39 and $857.39 due John W. Burbage and Thos J Burbage, each, from the said Guardian, with interest thereon from that date till paid. The Commissioner further reports to the Court that after the Completion of the said account he returned the same in his Office ten days for the Examination of the parties, which with the depositions and Notices aforesaid, are herewith returned.

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

James R. Tyler, Commissioner

The Depositions of J. J. Bustage & James W. Sale
taken before me Jas R Tyler one of the Commissioners in Chancery
of the Circuit Court of Southampton County pursuant to the
notice hereto annexed, at my Office, in the Town of Jerusalem,
on the 31st day of May A. D. 1873. to be read as Evidence
on behalf of J. J. Bustage in a certain Suit in Chancery
pending in the said Court wherein J. J. Bustage is
Plaintiff and T. J. Pretlow &c others are Defendants-
Present R R Griffin, Counsel for Plaintiff and
Wm B. Shands Counsel for Defendants-
J. J. Bustage ——— being duly Sworn on the
Holy Evangelists of Almighty God deposeth and
saith as follows;
Ques. State whether you are the Father of Annie L. John
W. and Thos J. Bustage Defendants in this Suit, also your
age and whether your Circumstances are such as to
enable you to feed Clothe and ~~Educ~~ School said Children
in accordance with their position in Society?
Answer;
I am the father of the said Children, I am
45 years of age, and I am not able to feed
and Clothe & Educate my Children properly
without recourse to the funds Settled on my Children
for their Support and Maintenance-
My daughter Annie Bustage is now Sixteen years
of age and I desire to keep her at home because
I know not the means to send her from
home to school.

Question

State whether your accounts against Annie L Burbage. John W Burbage & Thomas L Burbage, each in the sum of $200. Commencing August 28th 1871 and Ending August 28. 1872. which you have filed with your Bill as Exhibits, are just: and whether it is a reasonable allowance for their maintenance & support: And how to be usefully allowed?

Answer.

The accounts filed with my Bill as Exhibits against my Children are just: I think the Amount will not meet Expenses, but believe if that amount: (Six Hundred dollars) be allowed I can manage to Continue their Education ~~after they are prepared~~. The $600 asked for in my bill will be used in defraying their necessary Expences. such as Schooling. board. clothing doctors bills &c.

T. T. Burbage

Josephine being Sworn deposeth and saith as follows.

I Know Capt T. T. Burbage well. and do not think, as far as my Knowledge of his circumstances

in life goes, that he is able to board Educate and clothe his children without means other than those now under his control.

And further the deponent saith not-

J. W. Keeler

State of Virginia, County of Southampton, to wit;
I, James R Tyler, one of the Commissioners in Chancery of the Circuit Court of said County, do hereby certify that the foregoing Deposition was duly Sworn to and Subscribed before me, at the time & place Mentioned therein- Given under my hand this 31st day of May 1873.

James R Tyler
Commissioner

Burbage

v } Comm Tyler's Report

Burbage

1873 June 6th

An account of the claims filed by T. J. Burtaz with his Bill in the Chancery Suit of Burtaz against Burtaz &c.

John W. Burtaz

In act with T. J. Burtaz Sr. Dr.

1872
Aug. 28. To Board, Clothes & Schooling and Doctors bills from Aug. 28th 1871, to Aug. 28th 1872. $200.00

Thomas J. Burtaz Jr.

In account with T. J. Burtaz Sr. Dr.

1872
Aug 28. To Board Clothes, Schooling and Doctors bills from Aug. 28th 1871 to Aug. 28th 1872. $200.00

Annie L. Burtaz

In act with T. J. Burtaz Sr. Dr.

1872
Aug 28. To Board, Clothes Schooling and Doctors bills from Aug. 28th 1871 to Aug 28th 1872. $200.00

$1,00.00

Respectfully Submitted
James R Tyler
Commissioner

Commissioner's Office,
Jerusalem, June 7th 1873.

To the Circuit Court of Southampton County,

Pursuant to a decree of the Circuit Court of Southampton County rendered at the May Term 1873, in a Suit in Chancery depending in the said Court between J. J. Burbage and Annie L. Burbage and others, the Undersigned one of the Commissioners of the said Court to whom was referred for Settlement the following account, to wit; "That a Commissioner of this Court take an account of the claims filed by the Plaintiff with his Bill, and report to Court whether the Expenditures sought to be paid out of the principal of the Infants Estate are necessary, judicious and proper, and report his Opinion as well as the evidence to Court."
Your Commissioner reports to the Court that he issued Notices against the several parties requiring them to attend the Settlement of the said account, before him at his said Office, on the 30th day of May 1873. That the parties appeared before the Commissioner in obedience to said Notice, and he thereupon examined, Stated and Settled the foregoing account. Your Commissioner States, Specially that in his Opinion the Expenditures sought to be paid out of the principal of the Infants Estate, are necessary, judicious and proper, and he herewith returns the Evidence upon which his Opinion is based to the Court. 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 Oaths & Notices aforesaid are herewith returned.
Given Under my hand as Commissioner aforesaid, the day and year first aforesaid.

James R Tyler,
Commissioner

Comm's fee $10.00
Chg to Plaintiff

Burbage

v } Copy Deeree

Burbage

Southampton Circuit Court May Term 1873.

J. J. Burtage Plaintiff

against

Annie S. Burtage, John H. Burtage, & Thomas J. Burtage Infants under 21 years of age and Thomas J. Pretlow Sr., their Guardian Defendants

In Chancery

This day this cause came on to be heard on the Bill of the Complainant and answer of the Defendant, replication thereto, Exhibits filed and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree, that a Commissioner of this Court take an account of the claims filed by the Plaintiff with his Bill, and report to Court whether the Expenditures sought to be paid out of the principal of the Infants Estate are necessary, judicious and proper, and report his opinion as well as the evidence to Court.

A Copy

Teste. S R Edwards Clk

Service of the within notice acknowledged

L. R. Edwards Gdn ad litem
of Infant Defts

T. J. Burbage

J. W. Venable

Burbage
v
Burbage &c

Com. Notice

COMMISSIONER'S OFFICE,

Jerusalem May 20 1873

TO T. S. Burbage. T. J. Prettlow & James W Duke & L. R. Edwards guard. ad litem

You are hereby notified that I have fixed upon the 31st day of May 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 a commissioner of this court take an account of the claims filed by the plaintiff with his bill and report to court whether the expenditures sought to be paid out of the principal of the infants Estate are necessary. Judicious and proper and report his opinion as well as the evidence to court."

3

required to be taken by a decree of Southampton Circuit Court, rendered on the _____ day of May Term 1873, 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.

To the Sheriff of Southampton County to execute.

James R Tyler *Commissioner.*

Burbeye
vs
Burbeyoe

Answer of Anna
L Burbeye. John W
Burbeye & Thomas
L Burbeye. Infants by
L R Edwards their
guid cum ad litem

1873 April Rules

The answer of Emis L Barbage, John W Barbage and Thomas J Barbage by L R Edwards their guardian ad litem, assigned them by the Court to defend their interest in this suit of the foregoing bill.

The defendants saving and reserving to themselves all benefit of just exception to said bill, Answer to say that being respectively under 21 years of age and ignorant of the law, they submit their interest to the care and protection of the Court; And having answered pray to be dismissed &c

L. R. Edwards Gn Ad

This deed made this 25th day of February 1966 between Thomas J. Burbage of the first part, John W. Halstead trustee of the second part and Annie O. Burbage wife of the said T. J. Burbage of the third part.

Whereas Thomas J. Burbage has received the sum of $5400 by his wife it being her estate which she has inherited from her father and brother and whereas the said Burbage is anxious and willing to Settle on the said Annie O. Burbage his wife other property of equal value in Consideration of the estate of the estate which he has received by her for the support of herself and children born now and such as may hereafter born the issue of their marriage, Now therefore This deed witnesseth that in consideration of the premises and the further sum of one dollar in hands paid the said Thomas J. Burbage doth grant unto the said John W. Halstead trustee the following property real and personal to wit; all the said Thomas J. Burbage's right title and interest to a certain tract of land lying in Southampton Co: known as the Littlebow tract containing by estimate 700 acres more or less bounded on the west by the lands of Thomas Crosk and Richard Barrett North and east by the Black water river and South by the lands of Lawrence Gardner and others, The boundaries more fully to be ascertained by reference to a deed from Connels and Beans to Joshua Pretlow and Joseph G. Crumpler from whom the said Burbage purchased the said tract of land Three horses, two Cows, thirty hogs, twenty four Sheep, and the future increase of the Stock, and all the farming implements on the said plantation, On trust for the following uses and purposes to wit, The said trustee is to hold the property aforesaid during the joint lives of the said Burbage and Annie his wife for the sole and seperate use and support of the said Annie O. Burbage and the issue of their marriage free from the debts and control of the said Thomas J. Burbage, at the death of the said Thomas J. Burbage should his wife be then living then for the use and support of the said Annie O. Burbage and the children issue of the marriage during her widowhood should she marry then to the use and support of the children issue their marriage,

Witness the following signatures and Seals

Witness

Thomas J. Burbage (Seal)

(Seal)

Southampton County, In the Clerk's Office the 26th day of February 1866.

This deed between Thomas J. Burbage of the first part, John N. Halstead of the second part and Annie O Burbage of the third part was acknowledged by the said Thomas J. Burbage to be his act and deed, and the same having Stamps of the United States internal revenue to the amount of fifty cents affixed thereto, is admitted to record.

Teste

L. R. Edwards Clk

A Copy.

Teste. L. R. Edwards Clk

Bunbage

vs

Bunbage &c.

On the motion of J I Bunbage this day made in the suit of J I Bunbage vs Dr J J Butler Sr. Guardian and John W Bunbage, Thos J Bunbage and Annie L Bunbage his wards it is adjudged, ordered and decreed that the said J J Butler Guardian pay into the said J I Bunbage the sum of $600 as an allowance made by this Court of the funds now in the hands of the said Guardian to the said Bunbage for the Clothing, Education and maintenance of the said John W Bunbage, Thos J Bunbage and Annie L Bunbage for the year 1845-

Barbarosa

v

Barbarosa

Order

Southampton County, In the Clerk's Office November 27th 1869
This account of Thomas J. Britton's Guardianship of Thomas D. Burbage was this returned and filed for exceptions. And at a Court held for the said County on the 17th day of January 1870, the said account having lain one month and upwards in the Clerk's Office, and no exceptions being filed, it was examined, confirmed and ordered to be recorded.

Teste,

Edwin White Clk

A Copy

Teste L.R. Edwards Clk

Copy
Thomas. D. Burbages
Guardian Account

Burbage
vs
Burbage
Exr. with bill

B.

10 pp

Thos J. Burbage, Jr. - a Minor
In account with J. J. Pretlow Sr. his Guardian

			Dr		Cr	
1869						
Dec	31	By amount due ward per last report			1100	28
1870						
Octo	20	To paid Thos J. Burbage Sr. for Board Tuition & clothing from Aug: 28th 1869 to Aug: 28th 1870	150	00		
Dec:	31	By interest on $950.28 12 months			57	01
		To Commissions on $57.01 5 per ct:	2	85		
		" Balance due ward	1004	44		
			$1157	29	$1157	29
1871.						
Jany	1	By balance due ward brot down			1004	44
June	22	To paid J. J. Burbage Sr. for Board Tuition and clothing of ward from 28th 1870 to Aug: 28th 1871.	150	00		
		" paid Taxes 1871	9	17		
		" " Wm B. Shands atty's fee	5	00		
		By interest on $854.44 12 months			51	26
		To Commissions on $51.26 5 pr: ct:	2	56		
		" Commissioner's Fee for this ase & oders	5	00		
		" Clerk's Fee for this recording this ase	1	00		
		" Balance due ward	882	97		
			$1055	70	$1055	70
1871						
Dec:	31	By balance due ward with interest from date till paid			$882	97

At the request of the Guardian, the Commissioner states that the amounts for Board, Tuition & clothing of ward, above reported, were paid out in pursuance of an order of County Court.

Respectfully Submitted
Jno D Kindred
Com'r of accts

Southampton County; In the Clerk's Office, May the 28th 1872.
This Account of Thos. J. Burbage Partlow's Guardianship of Thomas J. Burbage jr. was this day returned and filed for exceptions - And at a Court held for the said County on the 15th day of July 1872, the said account having lain one month and upwards in the Clerks office, and no exceptions being filed thereto, it was examined, confirmed & ordered to be recorded.

Teste,

L.R. Edwards Clk

A Copy

Test. L.R. Edwards Clk

Thos J. Burtage, a minor
In Account with Thomas J. Prettow Gur: his Guardian.

			Dr.		Cr.	
			$	cts	$	cts
1869						
May	5	By cash received of Thos. J. Prettow Gr.			123	39
July	1	" " " " Norfolk Trust Company			1171	39
		To Commissions on $1294.74 @ 5 p/c	64	73		
		" paid Wm B. Shands atty fee	5	00		
		" " Thomas J. Burtage for board,				
		Tuition and clothing of Thomas J. Burtage	150	00		
		To Clerks fee for recording this Account				
		retained	1	00		
		To Commissioners fee for making up this account				
		and Copy retained	2	00		
		By Interest on $123.39, 6 mos. 25 days			4	23
		" " " $1021.35, 5 months			25	53
		To Commissions on $29.76 @ 5 p/c	1	49		
		" Balance due ward	1100	28		
			1324	50	1324	50
1869						
Dec:	31	By Balance due ward brought down			$ 1100	28
		with interest thereon from this day till paid				

The Commissioner would state Specially, that Thomas J. Prettow Gur: qualified as Guardian at the November Term 1868, of the County Court of Southampton County, and there was an order entered at that term of the Court allowing him to expend one hundred and fifty dollars, out of the principal of his wards Estate for his Education and support for the year 1868, all which is,

Respectfully Submitted,
Clerks Master Commissioner

V

Southampton County, In the Clerks Office November 27th 1869
This account of Thomas J. Pretlow's Guardianship of Thomas D. Burbage was this returned and filed for exceptions. Also at a Court held for the said County on the 17th day of January 1870, the said account having lain one month and upwards in the Clerks Office, and no exceptions being filed, it was examined, confirmed and ordered to be recorded.

Teste,

Oswin White Clk

A Copy

Teste L.R. Edwards Clk

Copy
Thomas J. Burbages
Guardian Account

Burbage
Ex: with bills
Burbage

B.

No 95

Burbeys
vs
Burbeys } Decree

May Ct 1873

To be Entered

Ewd Bates

Burbeys
vs
Burbeys &c

This day this Cause Comes on to be heard on the bill of the Complainant and answer of the Defendant Exceptions thereto Exhibits filed and are argued by Counsel on Consideration whereof the Court doth adjudge order and decree that a Commission of this Court take an account of the Claims filed by the plaintiff with his bill and report to Court whether the Expenditures ought to be paid out of the principal of the property Estate are necessary judicious and proper and report his opinion as well as the evidence to Court

Burbage
vs
Burbage &c } Decree.

Chan Cl- 1873

To be Entered

Geo. Reed.

We consent to the
within decree

R. R. Griffin
for J. J. Burbage
Wm B. Shands
for T. J. Pallow Sen

This day this Cause Came on again to be heard on the papers formerly read and the report of Commissioner Tyler to which no exceptions have been filed and was argued by Counsel ~~Court~~ the Court Confirms said report. On Consideration whereof ~~the Court~~ doth adjudge ordain and decree that T J Purtlow do pay to T J Burbage the sum of $600 with interest thereon from the 28th day of August 1872 out of the funds in his hands as guardian for Annie L Burbage, John W Burbage, and Thomas J Burbage But the said T. J. Purtlow shall have until the 1st of February 1874 to pay the above sum of money

Bubaque

Bubaque, Sal,

1876

Nov. 1st.

Decree

To be entered

Geo. Bees

Burbage &c

v.

Burbage &c

It appearing to the Court that Mrs. J. Pretlow Sr. one of the defendants in this cause has departed this life, and that John Pretlow Jr. & Sr. Mrs. J. Pretlow Jr have only qualified as the administrators of said Mrs. J. Pretlow Sr. dec'd. It is by the Court ordered that this cause be proceeded in against said John Pretlow Jr & Sr. Mrs. J. Pretlow Jr. as such administrators, and this cause coming on to be heard on the papers formerly read, and argued by Counsel. On consideration whereof. the Court doth adjudge, order & decree that a Commissioner of this Court, state & settle the accounts of said Mrs. J. Pretlow Sr. as guardian of said Annie L. Burbage, John W. Burbage, & Mrs. J. Burbage infants, taking as prima facie correct any accounts of said Mrs. J. Pretlow Sr. as guardian aforesaid heretofore returned to Court & confirmed, and make report to Court with any matters specially stated deemed pertinent by himself, or that any of the parties may require to be so stated.

Burbage &

vs

Burbage &

1877

May 24

Final decree

& be entered

Geo. Bleon

Burbage &
v
Burbage &.

This cause came on this day to be
again heard on the papers formerly read & on
the report of Com. Tyler made pursuant to the
decree of the 7th November Term 1876, of this court,
and on the report of Mrs. Pattison Jr. & Mrs. J. Pattison Jr Admrs. of
made herein — to which reports there is no ex-
ceptions, and were argued by counsel. On
consideration whereof, the Court doth confirm
the said reports, and, as it appears by the report
of said Mrs. J. Pattisons' admrs. that they have
paid over to John H. Bogart the present legally
qualified guardian of said Anne L. Burbage
the sum of $649.08 & to the said Bogart
guardian aforesaid Mrs. J Burbage (infant) the
sum of $874.59 & to the said Bogart guardian
of said Jno. A. Burbage the sum of $874.59, the
several balances found due by said Com.
Tyler's report, it is by the Court ordered that
the said payments be approved & confirmed,

and it is ordered that the clerk of this
Court deliver the original receipt of said John
H. Bogart, as guardian aforesaid to the
said Mrs. J. Pattisons' admrs. first taking a
copy thereof & filing the same in this cause,

and it appearing to the court that there
remains nothing more to be done in this cause it
is ordered that the same be removed from the docket