

1879-01

Southampton County - Chancery

Bradshaw, Mardicau's Est. vs Stephenson, Alfred J.
Adm. etc

"Creditors Suit"
vs estate of Mardicau

M. H. Bradshaw
Exor Est Mardicau Bradshaw

Alfred J. Stephenson
Adm. Thomas C. Johnson
+
Wm. J. Johnson, agent

3 7 110

Bradshaws Exor

v { Papers

Johnsons admor

1879 May. Removed from
Booklet.

72.
 Buchanan & }
 or }
 Johnson, Adams }

1866 August Rules

To the Hon Richard H Baker Judge of the Circuit Court of
Southampton County in Chancery sitting -

Humbly
by complaining submit unto your Honor, Your
Orator M H Bradshaw Esq of Mendocino Bradshaw, who
sues on behalf of himself and all other creditors
of Thomas C Johnson decd, who will come in and
contribute to the expenses of this suit. That the
said Thomas C Johnson departed this life some
time in the year 1859, intestate, and leaving at
the time of his death justly indebted to your Orator
in the sum of twenty five dollars, with interest from 30th day May 1859,
as will more fully appear by reference to bond return
filed as part of this bill. That the said Thomas C Johnson
lived in his lifetime, and at the time of his death, possessed of
some little personal estate, wholly insufficient
for the payment of his just debts, he was also seized
and possessed of a small tract or parcel of land lying
in the County of Southampton, said to contain about
6 or 7 acres, and worth about \$200. That the said
Thomas C Johnson departed this life some time in
the year 1859, leaving Wm J Johnson his
only child and heir at law, and the administra-
tion of his estate was granted by the County Court
of Southampton to Alfred J Stephens as Adm-
istrator, who by virtue of his administration has
become possessed of the personal estate of his in-
testate, which was even accounted by the Admin-
istrator of debts against the estate, as will

more fully appear by a copy of an account of the
transactions of the estate, as held by one of the
Commissioners of the Court, and prayed
to be taken as a part of this bill. That there are
still debts outstanding against the estate and
you^{or} and others, and nothing with which to satisfy
them save the real estate - Your Oration therefore
shows, that the real estate of which Thomas
& John died seized and possessed, may be
sold and the proceeds of sale applied to the pay-
ment of his debt. That he was seized and
possessed of that of land lying in Southampton County
known as the school house tract containing 600
acres and more about \$2000 - In England, Con-
sideration of the premises, and in as much as your
Oration is without remedy save in this Honorable
Court, when such matters are pending before
the Chancellor, to it and therefore that justice
may be done your Oration prays that before
7 September next of Thomas C Johnson and
and Wm J Johnson respondents, may be made
jointly defendants to this bill, that a proper
guardian ad litem be appointed for the infants
defendants, who together with the other defendants
shall make true & correct answer to this
bill. That your Honor will decree a sale of the
real estate of which Thomas & John died seized
and possessed, and the proceeds of sale to be applied
to the payment of your Oration's approved debt.
That your Honor will decree all proper ac-

counts to be taken, and that such further and general
relief may be given as equity may dictate on the
motion of his said equity assignee, and as is duly
bound your Oration will ever pray
P. R. Edwards Esq.

The Answer of Wm J Johnson by L R Edwards his guardian
ad litem appointed to defend his interest in a suit by
M W. Andrews Esq. of Maryland Plaintiff vs
M. J. Stephens Adm^r of Thomas C Johnson in the Circuit
Court of Southampton County

This respondent of L R Edwards
his guardian ad litem, having and existing for this
answer to so much of said bill as he is advised is
material for him to answer, answering, says, that
the facts stated in the plaintiff's bill, to be true, but as
he is a minor under the age of twenty one years, he
begs leave to submit his interests in the premises to
the protection of this Honorable Court, and having
answered prays leave to be dismissed

L R Edwards Esq.

Bradshaw's Expt.

u { Ex. with bill

Johnson's ad.

The Estate of Thomas C Johnson dec^d

In account with Alfred T. Stephenson his administrator.

1863				
Decr	31	By balance due Estate as per last report		276 40
1864		" rent of land for 1864		10 00
		" hire of negroes for 1864		80 00
		" One years int: on last years balance		16 38
		To Commissions out \$106 38	5 34	
		" paid Caroline Vaughan for board & clothing & nursing the children as per order of Court.	364 40	
		To paid Clerk tickets	8 00	
Decr	31	By balance due Estate	5 07	
1864			382 78	382 78
Decr	31	By balance due Estate with int: thereon from this date		5 07

Respectfully Submitted

Wm H Preckler Comr

Comm^r fee \$ 5.00 }
Chg^s to adm. } 5

Southampton County In the Clerks Office the 2^d day of November 1865.
This account of Alfred T. Stephensons administration on the Estate of Thomas C Johnson dec^d was this day returned and filed for exceptions. And at a Court held for the said County on the 18th day of December 1865, the said account having lain one month and upwards in the Clerks Office and there being no exception thereto, was examined, confirmed and ordered to be recorded

Teste

L R Edwards Clk

Attest

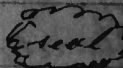
Teste

L R Edwards Clk

May 30th 1858

Cretman I promise to pay or cause to be paid unto
modiciak brashaw the Just and full sum of twenty
five dollars good and Lawful money of Virginia
its being Just Value reserved of him as witness my
hand and seal this 30th day of may
Test

Hardy S. Johnson

Thomas H. Johnson 

The Estate of Thomas C Johnson died in December
with Alfred T. Stephenson his Administrator

1863	12	By cash from sale of chattel estate	838-53	
1863	08	" " J E Stephenson	50 00	
1863	21	" " J H Lewis Bond	65-00	
1863	02	" " L L Leister acc	1 20	
To Commissions on \$951.73 at				
at 5 percent			47 58	
To paid on Dues and bills			157 50	
" " J McHenry due bill			15 00	
" " J W Duck Bond			54 77	16 00
1863	28	" " J W Duck	27 36	16 00
1863	21	" " W H Bond	25 00	16 00
1863	21	" " for Coffee	15 00	
1863	02	" " W H Bond Bond	30 50	16 00
1863	12	" " W H Bond acc	4 00	
1863	01	" " J W Duck Bond	17 65	
1863	01	" " Appraisers	33 00	
1863	01	" " Stamps & tickets	35 45	16 00
1863	25	" " A T Stephenson Bond	93 70	16 00
1863	25	" " A T Stephenson	15 75	16 00
1863	05	" " C H Bailey	13 32	
1863	01	" " C H Bailey acc	6 00	16 00
1863	01	" " Elias Bowden	12 00	
1863	01	" " W Brackley due bill	2 34	
1863	01	" " S H Gardner	4 62	
1863	28	" " C S Tax	6 78	16 00
1863	05	" " S H Thom Bond	29 11	16 00
1863	05	" " R H Deles	20 00	16 00
1863	05	" " Jordan Johnson due bill	5 00	
1863	05	" " W S McHenry acc	2 50	
1863	01	" " Clark Riches acc	4 00	
To Commissions for for				
this account & copy retained			20 00	
Amount carried over			655-53	931 73

1866 in suit in Chancery depending in said Court between
Mordcai Bradshaw Administrator Plaintiff and
Alfred J. Stimpson Adm^r of Thomas C. Johnson decd.
Defendant, One of the Commissioners of said Court, to whom
was referred for settlement of said decd. the account of A
J Stimpson's administration of the estate of Thomas
C. Johnson decd. An account of the Plaintiff's demands of all
outstanding debts against the estate Thomas C. Johnson decd.
and an account showing the annual and absolute value
of the real estate of which Thomas C. Johnson decd. owned and Joseph
reports in the Court that on the 30th day of January last, he issued no-
tices against the parties aforesaid, requiring them to attend the
settlement of said accounts, before him, at his said office, on
the 19th day of March which were returned executed to your
Commissioner. That the parties aforesaid appeared before him
in obedience to the notices, and he thereupon examined the vouchers
and taking the accounts made out in the Court's Court as prima
facie correct, stated and settled the foregoing accounts marked
A of A J Stimpson's administration of the estate of Thomas C. Johnson decd.
up to the 31st day of December 1865 and on that day finds a balance
due the estate from the Adm^r aforesaid of \$14.87, all of which
is interest and \$5.00 of Ohio Confederate currency, he also
made up the foregoing accounts marked B of the debts out-
standing against the estate of T. C. Johnson decd. and finds the
total amount of debts inclusive of interest - and Dec^r 31 1865
to be \$73.24, he also made up the account showing the annual
and absolute value of the real estate of which Thomas
C. Johnson decd. owned and Joseph marked C. The Commissioner
will further report, after the completion of said accounts,
he stated the same in his office ten days for the examination of both
parties and having been filed, the said accounts, marked A
are returned to Court. Given under my hand as Commissioner
aforesaid this day and year first aforesaid and in presence of
Comptroller \$10.00 - D. W. Smith Clerk

Brach Lany Adm^r de

as

Gonzales Adm^r de

Compt^r Report

1867 March 28th

11-11-60

[illegible]

[Faint, illegible handwriting visible through the paper.]

Bradshaw adm^r

25 } Confirmation

Johnson, admi.

Executed on M. A. Brad-
shaw & T. Stephenson
15th Feb^{ry} 1867 by delivering
a copy to each

W. G. Holmes & Co.

Ans. S. Kells Shff

COMMISSIONER'S OFFICE

COMMISSIONER'S OFFICE,

JERUSALEM,

January 30th

1867

To Mr H Bradshaw Esq of Mendai Bradshaw dec ~~and~~
~~the~~ ~~creditor~~ ~~and~~ on behalf of himself and all
other creditors of Thomas C Johnson dec who will
come in and contribute to the expenses of this
suit — Plaintiffs

vs Alfred T Stephenson Adm^r of Thomas C Johnson
dec and W^m T Johnson an infant by L R Edwards
his guardian ad litem —

You are hereby notified that I have fixed upon the 19th day of March 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:

- 1st An account of Alfred T Stephenson's transactions
as Adm^r of Thomas C Johnson dec.
- 2nd An account of the Plaintiffs demands, and of
all outstanding debts against the estate of
Thomas C Johnson dec.
- 3^d An account showing the annual and
absolute value of the real estate of which
Thomas C Johnson dec died seized and possessed

required to be taken by a decree of Southampton Circuit Court, rendered on the 7th day of November
1866, 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 afore said.

Wm H Bailow

Commissioner.

To the Sheriff of Southampton County to execute.

Bradshaw's Expt:

v. } Stat. Rules

Johnson's adm

In Southampton Circuit Court

M. M. Bradshaw Exor. of Mordecai Bradshaw dec^d. who sues on behalf of himself and all other creditors of Thomas C Johnson dec^d. who will come in & contribute to the expenses of this suit.

against
Alfred T Stephenson adm^r. of Thomas C Johnson & Wm T Johnson an infant by L. R. Edwards his Guardian ad litem

1866 July 19th Summons issued &

" Aug. R Summons ret^d Executed - Bill filed - L. R. Edwards assigned guardian ad litem to infant's Deft. Ans: Infant's Deft. Am. Rep. Chanc^y - Decree Nisi v Deft A T Stephenson adm^r.

" Sept. R. Bill taken for confessed as to Deft A. T. Stephenson adm^r.

" Oct " Cause set for hearing &c

" Nov 3 - Decree for account

1867 Mar. 28 Report.

1878 Nov. Decree reinstating suit & for sale &c

1879 May Rept & decree &c Cause removed from Docket.

Bradshaw's

24 3

Johnson's Adams

Report & Distribution

of

Wm. A. Bradshaw

Comr

Distribution of money collected by Wm. H. Bradshaw
= Shaw Court, in full of decree entered in
Chancery suit. Bradshaw Exr vs Johnson's Admrs.
Nov Term 1848. Circuit Court. Southampton -

By amt collected -

\$70.00

To pd Costs of Suit - \$41.50 ✓

" 5% Comd 3.50 ✓

45.00

amt for distribution:

\$25.00

Total amt of Debt without

Interest.

\$53.53

Percentage. 46 1/2 %

To Wm. H. Bradshaw, Admr 12.62

" A. T. Stephenson 2.70

" Wm. G. Stephenson Exr 9.68

\$25.00

Received Jan'y 25th 1849 of Wm. H. Bradshaw
Cmr the amounts opposite our names
as above.

Wm. H. Bradshaw Admr

A. T. Stephenson

W. G. Stephenson Admr

The costs of the suit had been paid formerly
by M. Bradshaw relate except Lawyers fee,
which I have paid.

amt recd as Admr \$37.62.

THE COMMONWEALTH OF VIRGINIA

Bradshaw's Env.

OF THE COUNTY OF SOUTHERN VIRGINIA

Value of said land \$1000.00

Sam!

Johnson's adv

1866 Aug. Ruley

Executed, July 1866
1866 on A. J. Stephens
son by delivering him
a copy. W. J. Johnson

in full and in satisfaction

E. L. Story Dept

for S. Kells Shff



THE COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF SOUTHAMPTON COUNTY---GREETING.

WE COMMAND YOU to summon

Alfred T. Stephenson admr. Thomas C Johnson
Wm. T Johnson an infant

to appear at the Clerk's office of our

Superior Court of Southampton County, at
the Rules to be holden for the said Court on the first Monday in *August next* to answer a bill in
Chancery exhibited against them in our said Court by *M. H. Bradshaw*
Exor. of Mordecai Bradshaw who sides on behalf of himself and all other
creditors of Thomas C Johnson dec'd who will come in & contribute to the
expenses of this suit

and have then there this writ. Witness LITTLETON R. EDWARDS, Clerk of our said Court, at the

Courthouse this

19

day of

July

1866, in the

91

year of the Commonwealth.

L R Edwards

Brachlanus Sp^s
as
Johnson's edn^s } Deane

Nov. term '1866

To be entered

R. H. B.

Brackburn Esq

or

Johnsons Administrators } Deem

This cause this day came on
in the hands on the bills taken for conveyed as to
the defendant at 7 September Administration
of Thomas & Johnson died, on the answer of the
infant defendants Wm & Johnson by his guardian
ad litem assigned him to defend his interests
in this suit with general replication on
liberty 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 account -
1st the account of Alfred 7 September
transactions as administrators of Thomas & Johnson
died, taking the account made out and returned
to the Court, Court of Southampton as prima
facie correct. 2nd the account of the Plaintiffs
demands, and of all outstanding debts
against the estate of Thomas & Johnson died,
3rd the account showing the annual and
absolute value of the real estate of which
Thomas & Johnson died seized and possessed,
which said account the Commissioners
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 by any of the parties to be stated -

And please upon the following terms -
 Enough cash to pay costs & expenses of sale
 the balance on a credit of one, two & three
 years, the purchaser to give bond with
 approved security, carrying interest from
 day of sale and title retained for deferred
 payments: but this decree shall be suspended
 until the said Wm. H. Broadshaw shall enter
 into bond before the clerk of this court
 with approved security in the penalty of
 \$200 - conditioned to faithfully execute

clerk \$12.50
 Shff 150
 Prob. Com. 10.00
 Lfe 16.50
 \$ 41.50

This and any further decree in this cause.

And said Broadshaw will report to Court.

and a copy of this decree is ordered to

be served said Wm. J. Johnson -

Attest

Note: V. B. Edwards Clk

Broadshaw's Exor
 vs
 Johnson's Adm
 Decree

Copy

\$41.50

For John H. E. Johnson Recd

And please upon the following terms -
 Enough cash to pay costs & expenses of sale
 the balance on a credit of one, two & three
 years, the purchaser to give bond with
 approved security, carrying interest from
 day of sale and title retained for deferred
 payments; but this decree shall be suspended
 until the said Wm. H. Bradshaw shall enter
 into bond before the clerk of this court
 with approved security in the penalty of
 \$200 - conditioned to faithfully execute

Clk \$12.50

Shff 1.50

Prob. Com. Com 10.00

Lfe 16.50

\$41.50

This and any further decree in this cause

And said Bradshaw will report to Court.

and a copy of this decree is ordered to

be served said Wm. J. Johnson

Beary

Note: V. R. Edwards Clk

Bradshaw's Exor

vs Deane

vs

Johnson's Adm

Copy

\$41.50

Let. of Wm. J. Johnson Recd

Bradshaw's Exp^r
vs { Deere
Johnson & Adams

May Term 1879

To be entered

Geo. B. Blount.

Bradshaw Exr.

in $\frac{3}{3}$ Decree.

Johnson Admr.

This day this Cause came on to be further heard on the papers formerly read & the report of Comr. Patterson filed March 28. 1867. and was argued by Counsel. on consideration whereof, no exceptions being filed to said Report, the same is hereby confirmed. And it appearing to the Court that ~~Wm. H.~~ Bradshaw, has realized as the Admr. de bonis mori of M. Bradshaw's estate, it is ordered that this Cause be proceeded with hereafter in his name. It appearing further to the Court, that the rents & profits of the land formerly belonging to Thos. B. Johnson will not pay his debts in five years. The Court doth further decree that unless Wm. J. Johnson or some one for him shall within 30 days from the date of this decree pay to ~~Wm. H.~~ Bradshaw Admr. de bonis mori of M. Bradshaw, decd. \$25. with interest from May 30. 1859. to A. J. Stephenson. the sum of \$5. 80 with interest from 3rd Dec 1861. and to Wm. G. Stephenson \$22. 73 with interest from Jan'y 1. 1861. and the costs of this suit. then that ~~Wm. H.~~ Bradshaw who is hereby appointed a special Comr. for the purpose sell the real estate in the proceedings mentioned after 20 days public notice of time & place, upon the following terms. To wit: each

to pay costs & expense, of sale - the balance on a
credit of one, two & three years - the purchaser to
give bonds with approved security carrying
interest from day of sale - and title retained
for deferred payments; but this decree shall be
suspended until the said Wm^t Bradshaw
shall enter into bond before the Clerk of this
Court with approved security, in the penalty
of \$200 - conditioned to faithfully execute
this & any further decree in this cause.
And said Bradshaw will report to Court - and
a copy of this decree is ordered to be served on
said Wm J. Johnson.

Bradshaw Advers

vs 3 Decree

Johnson Advers

Nov Term 1878

To be entered.

Geo. B. Brown

Bradshaw's Ex'or
vs. Decree
Johnson's Adm'r

This cause this day
came on again to be heard, on the pa-
pers formerly read, and the report of
Wm N Bradshaw, showing the Collection
of \$70.⁰⁰ in full of Decree enter-
ed in this cause Nov. Term 1878
and the distribution of same with
proper vouchers, and was argued
by Counsel, on Consideration
whereof the Court doth adjudge
order & decree that said report
be confirmed, no exceptions be-
ing filed to same & nothing fur-
ther remaining to be done in this
cause it is ordered to be removed
from docket.