1879- 22 Southampton County Chancery - Stephenson, Catherine et al vs Stephenson, William (Exec.) et als

Wants Executor to settle the Executor accounts and pay the legal heirs "their due". Also home land "valued" and settle on the seasonal amt. due to certain heirs as "Home Support".

Eley, Sally or Sarah

Stephenson, Wilborn (dec'd)
Dardew, Charles H.
" , Martha A. (wife)
Stephenson, Jethro

To the Hon. Geo. Blow, Judge of
the Circuit Court of Southampton Co. Va

Complaining shew unto Court—

Your Complainants Catharine Stephenson and Sally (or Sarah) Eley.

Your Complainants respectfully represent to the Court and say: that Wilborne Stephenson the father of your Complainants, died in said County, where he resided, on or about the 17th day of December 1866, having first made his last will & Testament with a Codicil annexed, which were duly proved in & ordered to be recorded by the County Court of said County on the 17th Day of December 1866 — a duly certified Copy of said will & Codicil & of the order of said Court is filed herewith as a part of this Bill marked "A".

That William L. Stephenson is by said will appointed Executor thereof, and as such possessed himself of the real & personal estate of the dec'd.

That the Testator by the 1st clause of said Will says "I give unto my son William L. Stephenson all my Land on the South side of Seacock Swamp including my home tract, Jerry tract, Johnson tract & Lowe tracts (reserving a home and support for my two single daughters Catherine Stephenson & Sally A. Eley during their single lives) also one feather bed, and furniture, one mahogany writing desk, one two horse stile, and apple mill & one mule to him & his heirs forever—

And the said Testator in the 6th clause of his

said Will, says "at my death it is my wish that the rest of my property not heretofore named be sold and the proceeds, arising from the sale thereof, as well as money, that may be on hand or be collected from bonds or accounts & after paying my just debts be equally divided between my three daughters Catharine Stephenson, Sally A. Eley Martha A. Larson and grand daughter Almeda E. B. Imes, should my grand daughter have a living heir lawfully begotten of her body, but should she die without leaving a heir, I give that portion of my estate left to her to my three daughters namely Catharine Stephenson, Sally A. Eley, Martha A. Larson to be equally divided, It is my wish that the Legacy I leave unto my daughter Catharine remain in my son William L. Stephenson hands to be given her as she may want or need it.

That by the Codicil to said Will, the said Testator, says "I give unto my son Sethus W. Stephenson, Sarah A. Eley, Catharine Stephenson and Almeda E. B. Imes, jointly forty barrels Indian corn, three thousand lbs. blade fodder and one thousand lbs. bacon. It is also my will that my daughter Sarah A. Eley, divide to each of the Legatees named in my will, their bed furniture —

Your Complainants further say, that Sarah A Eley aforesaid was at the time the Testator made his ~~wife~~ will a widow, and has remained so ever since — your Complainants further

Complainants pray that the said Wm L. Stephenson as Executor of said dec'd may be compelled to state his Executorial account, and pay to your Complainants whatever may be found due them —

That the Lands named in the first clause of said Will may be valued, and a reasonable amount ascertained, what is due to your Complainants for a "Home support" as provided for in said Will and that the said Lands may be held responsible therefor unless otherwise paid.

To the End your Complainants pray that as this Court has power to grant adequate relief, that the said Wm L. Stephenson Executor of said William Stephenson dec'd, & in his own right, and Mr. H. Landon & Martha A his wife & Sallie W. Stephenson, may be made Defendants hereto & be compelled to answer on oath the allegations herein, That the prayers of your Complainants may be granted and that such other & further relief may be granted, consistent with Equity &c.

And your Complainants will ever &c.

R. A. Clayton

Catherine Stephenson per [illegible]

Sallie A Eley

Dallas Co Wright

County to wit:

I, Chas B. Cumpton a Justice of the peace for said County do certify that Catherine Stephenson & Sallie A. Eley have personally appeared before me & made oath that the facts contained in the foregoing bill are true to the best of their knowledge. Given under my hand this 16th day of June 1877.

Chas B Cumpton J.P.

Stephenson &c

v } Bill

Stephensons Exor &c

1877 July Rules

Stephenson &c

v } Sum. Chy

Stephensons adm &c

1877. June Rules

Executed by delivering
to Mrs. Martha Ann
Darden a true copy
of the within Summons
April 23rd 1877

R. A. Edwards Deputy

For L. B. Edwards Shff

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON Chs. H Darden & Marcha A his wife

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 June next — to answer a bill in Chancery exhibited against them & others in our said Court by Catharine Stephenson & Sally, or Sarah, A Ely —

And have then there this writ.

WITNESS, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this 17 day of April, 1877, in the 101 — year of the Commonwealth.

L R Edwards cc

Executed by delivering W. L. Stephenson a copy of
this Summons on the 6th day of May 1877

A. T. Cobb Jr for
W. W. Briggs Shff

W. L. Stephenson Esq
vs
Ervin Coy
Stephenson & Bro
1877 June Rules

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON Wm L Stephenson Exor: of Wilborne Stephenson dec'. & in his own right & Jethro W Stephenson

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 June next — to answer a bill in Chancery exhibited against them and others in our said Court by Catharine Stephenson & Sally, or Sarah, A. Eley

And have then there this writ.

WITNESS, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this 17th day of April, 1877, in the 101st year of the Commonwealth.

L R Edwards cc

The within named C. A. Darden is dead
Aug 20. 1877. A B Edwards Shff

The within named John. W Stephenson
not found Aug. 20. 1877.

A B Edwards Shff

J. Stephenson Jr.
vs
Ab Sumd chy
Stephenson Exr &c
Sept Rule
1877

Nelly D.C.

Executed by delivering
to the within named
Martha A. Darden
a true copy of the
within Summons
August 20th 1877

A B Edwards Shff

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON as heretofore we have Charles H. Darden and Martha A. his wife & Jethro W. Stephenson

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 September next to answer a bill in Chancery exhibited against them and others in our said Court by Catharine Stephenson & Sally or Sarah A. Eley

And have then there this writ.

WITNESS, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this 13th day of August — , 1877, in the 102d year of the Commonwealth.

L. R. Edwards cc

L. R. Edwards Clk.

Be pleased to docket the judgments in the chancery case of Stephenson vs. Stephenson's Ex'or &al. as of the day after the last day of Court. It is important to have these judgments docketed as soon as possible. Hence I want them docketed on the first day after Court adjourns. You will notice that one of the judgments is for the costs of the suit, ~~[illegible]~~ I desire to have execution on this judgment for costs put in the sheriff's hands as soon as possible that he may make the money at once.

Also issue execution at once on the judgment Nr. 444 of Catharine Stephenson, Sally A. Edley & Martha Darden vs. Wm L. Stephenson which was docketed on 3 Dec. 1878, for $42.11. There were other judgments vs. same party docketed at same time, but it is only that mentioned above that I now want execution

Respect.
Wilbur J. Kelly

7 Nov. 1879

(Copy)

Wilborn Stephenson's

Will

(Ex)

"A"

fld. as Ex.

(56 cts)

I Wilbond Stephenson of the County of Southampton and State of Va, do make, constitute and ordain this writing as and for my last will and testament in manner and form as follows.

Item 1st I give unto my son William L. Stephenson all my land lying on the South side of Seasock Swamp including my home tract, Joyner tract, Johnson Tract Baister & Cowin tracts (reserving a home and support for my two single daughters Catharine Stephenson and Sally A. Eley during their single lives,) also and feather bed and furniture, and mahogany writing desk, One two barrell Still, and apple mill and one mule to him and his heirs forever.

Item 2nd. I give unto my son Silthes W. Stephenson my tract of land lying on the North side of Seasock swamp, known as the Brumbill tract; also, and feather bed and furniture, one walnut desk that sits in the Chamber to him and his heirs forever.

Item 3rd I give unto my daughter Martha A. Darden the bond I hold against her husband Charles W. Darden and interest according thereon; also, and feather bed and furniture She has in possession to her and her heirs forever.

Item 4th I gave unto my two daughters Catharine Stephenson and Sally A. Eley each five hundred dollars and and feather bed & furniture to them and their heirs forever.

Item 5th I give unto my grand-daughter Almeda E. P. Jones five hundred dollars, and feather bed and furniture that I loan to her mother.

Item 6th At my death it is my wish that the rest of my property not heretofore named be sold and the proceeds arising from the Sale thereof, as well as monies that may be on hand or be collected from bonds or accounts &c after paying my just debts be equally divided between my three daughters Catharine Stephenson, Sally A. Eley, Martha A. Darden and grand daughter Almeda E. P. Jones, should my grand daughter have a living heir lawfully begotten of her body, but should she die without having a heir as specified, I give that portion of my estate left to her

to my three daughters namely- Catharine Stephenson, Sally A. Eley, Mariah A. Darden to be equally divided, It is my wish that the legacy I leave with my daughter Catharine remain in my son William L. Stephenson hands to be given her as she may want or need it.

Lastly, I do nominate and appoint my son William L. Stephenson whole and sole Executor of this my last will and testament revoking all other wills heretofore made by me from the confidence I have in my executor named I wish the court to permit him to qualify without requiring any security.

In witness whereof I have hereunto set my hand and affixed my seal this 15th day September 1866.

Signed, sealed & published in the presents of us. Wilbord Stephenson (Seal)

Alfred T. Stephenson

Henry H. Drewry

I, Wilbord Stephenson do make the following additions to my foregoing will namely: I give unto my son Silas N. Stephenson, Wm L. Stephenson, Sarah A Eley, Catharine Stephenson and Almedia E. P. Jones jointly forty barrells Ing corn, three thousand lbs blade fodder and one thousand lbs bacon. It is also my will that my daughter Sarah A. Eley allot to each of the legatees named in my will, their bed and furniture.

In witness whereof I have hereunto set my hand and affixed my seal this 23rd day of October 1866.

Signed, sealed in presents of us Wilbord Stephenson (Seal)

Alfred T. Stephenson

Henry H. Drewry

At a Court held for the County of Southampton on the 17th day of December 1866.

This day will and testament of Wilbord Stephenson dec'd together with the codicil thereto annexed, was this day proved by the oath of Alfred T. Stephenson and Henry H. Drewry the

subscribing witnesses thereto and ordered to be recorded.
And on the motion of William S. Stephenson the executor
therein named, who made oath (but without security the
will directing that none should be required of him) entered
into and acknowledged a bond in the penalty of eight
thousand dollars, conditioned according to law, which bond
having a Stamp of the Internal revenue of the amount of one
dollar affixed thereto is ordered to be recorded. Certificate is
granted the said Wm S. Stephenson for obtaining a probat
of the said will in due form. Stamps of the internal revenue
of United States of the amount of two dollars being affixed
thereto and duly cancelled.

Teste, J.M. Edwards C.C.

A Copy,

Teste, J.M. Edwards C.C.

~~70~~ ~~52~~ ~~44~~ 29

Stephenson

v. } Stat. Rules

Stephensons Exors Pl

1878 Nov

Collt	//	13.02
Shff		150
Com Tyler		15.00
Lewis		1650
W J Jenkins Clk		114
C M Joyner		114
G W Spivey	"	114
		4744

In Southampton Circuit Court.

Catharine Stephenson & Sally or Sarah Eley. Plaintiffs

against

Wm L Stephenson Executor of Willoughby Stephenson dec'd and in his own right & Charles H Darden & Martha A his wife & Jethro W Stephenson Defendants

1877 April 17th Summons issued

" June 18 Summons ret'd Executed on W L Stephenson -

" July . Bill filed - D. Nisi v Defts W.L. Stephenson in his own right & as Ex'or - Al. Sums v Defts Jethro W Stephenson & Darden wife

" Aug. " Sums ret'd Ex'd on Martha A. Darden - C H Darden dec'd & Jethro W Stephenson Darden not found - Bill taken for Confessed as to Defts W.L. Stephenson in his own right & as Ex'or:- D. Nisi v. Defts Martha A Darden. Suit abates as to C H Darden

" Sep . Bill taken for Confessed as to Dft Martha A Darden & cause set for hearing as to Dfts. W.L. Stephenson & Martha Ann Darden -

" Nov. T. Decree for Acct & Suit dismissed as to Jethro W Stephenson

1878

" Nov T. Report & Decree for Plffs

1879 Nov Decree for to rent out.

A

The Est. of Wilborne Stephenson dec'd
In account with Wm L. Stephenson Ex'r

			Dr		Cr	
1868						
Jany	1	By balance due Est from last report			2410	34
Dec	31	" Int: on 2410 34 for 1 year			1411	62
		To Commissions on $144.62 @ 5%	7	23		
		" Bal: due Est	2547	73		
			$2554	96	$2554	96
1869						
Jany	1	By Bal: due Est brot down			$2547	73
July	5	" amt of Jno E Adams Bond & Int			192	00
Dec	31	" Int: on $2410 34 1 year			144	62
		To Commissions on $336.62 @ 5%	16	83		
		" bal: due Est	2867	52		
			2884	35	$2884	35
1870						
Jany	1	By bal: due Est brot down			$2867	52
Dec	31	" Int: on $2702 34 1 yr			162	12
		To Commissions on $162 12 @ 5%	8	16		
		" Bal: due Est	3021	48		
1871						
Jany	1	By bal due Est brot down			$3021	48
		" Int: on $2702 34 12 month			162	12
		To Commissions on $162 12/100 @ 5%	8	16		
		" bal: due Est	3175	34		
			3183	50	$3183	50
1872						
Jany	1	By bal: due Est brot down			$3175	34
		" amt of M. D Butler part bond			65	00
		" Int on $2702 34 12 mos			162	12
		To Commissions on $227 12 @ 5%	11	36		
Dec	31	" Commissions for this A/c & 4 Legacies A/c	15	00		
		" Bal: due Est	3376	10		
			$3402	46	$3402	46
1873						
Jany	1	By bal: due Est Prin: & Int.			$3376	10

Respectfully Submitted
Jas. R Tyler, Comr in Chancery

A

1

1873 Sarah A Eley Legatee

Jany 1 In Ac with W L Stephenson adm of Wilborne Stephenson

By 1/4 of Amo due Est per Comrs report of Jany 1st 1873		$844	02½
To Amo paid Legatee 18th Apl 1868 Specie	83 00		
Int on $83.00 to this day from 18th Apl 1868	23 49		
" Amo paid Legatee 18th Apl 1868	500 00		
Int on $500.00 from Apl 18th 1868	141 66		
" paid Legatee 5th Feby 1869	48 00		
" Int on $48.00 2 yrs	5 76		
" Bal due Legatee	42 11½		
	$844 02½	$844	02½

1873 Jany 1 By bal due Legatee last Down with int from date 42 11½

Respectfully Submitted
Jas R Tyler Comr in Chancery

Catharine Stephenson a Legatee

1873 In Ac with Wm L Stephenson Adm Wilborn Stephenson

Jany 1 By 1/4 of Amo due Est per Report of Comrs Jany 1st 1873 $844 02½

To Amo paid Legatee Apl 18th 1868	500 00	
" Int on $500.00 from Apl 18th 1868	141 66	
" paid Legatee in Specie Apl 18th 1868	83 00	
" Int on $83.00 to date	23 49	
" Bal due Legatee	90 78½	
	$844 02½	$844 02½

1873 Jany 1 By bal due Legatee with Int from date till paid $90 78½

Respectfully Submitted
Jas R Tyler
Comr in Chancery

A

Martha A Darden a Legatee

1873 In Ac with Wm L Stephenson adm of Wilborne Stephenson dec'd

Jany 1 By 1/4 of Amo of bal due Est per Report of Comrs		$844	02½
To paid C H Darden her husband 9th June 1868	$602 58		
" Int on $602.58 4 yrs 6 mos & 21 days	164 68		
" paid same in Specie 9th June 1868	83 00		
" Int on $83.00 4 yrs 6 mos & 21 days	22 68		
" paid Feby 5th 1859 to Legatee	48 00		
" Int on $48.00 2 years	5 76		
By bal due adm		82 68	
	$926 70	$926	70

1873 Jany 1 To bal due adm with Int from date till paid $82 68

Respectfully Submitted
Jas R Tyler Comr in Chancery

A

Alexander E B Jones a Legatee

1873 In Ac with W L Stephenson adm of Wilborne Stephenson

Jany 1 By 1/4 Amo due Legatee per Commrs report Jany 1st 1873 844 02½

To paid J G Jones Com in Specie	83 00	
Apl 18th 1868	33 88 49	
" Int on $83.00 to date	23 49	
" paid Feby 5th 1869 to J G Jones	48 00	
" Int on $48.00 2 yrs	5 76	
" paid J G Jones Guard=	500 00	
" Int on $500 from Apl 18/68	141 66	
" Bal due Legatee	42 11	
	$844 02½	$844 02½

" " By bal due Legatee with Int from date till paid $42 11

Respectfully Submitted
Jas R Tyler
Comr in Chancery

B

An account showing the amount due Catharine Stephenson for her support & Home under the will of Wilborne Stephenson out of the lands devised by the testator to the said Wm L. Stephenson

1870						
Dec	31	To this years support & Home for 1870	50	00		
		To Interest to Oct 1st 1878 — 7 yrs 9 mos	23	25		
"	"	To support & Home for year 1871	50	00		
		Interest to Octo 1st 78 6 - 9 mos	20	25		
		To Support & Home for year 1872	50	00		
		" Int on same to Oct 1st 1878. (5 - 9 mos	17	25		
"	"	To Support & Home for year 1873	50	00		
		" Int on same to Oct 1st 1878 — 4 yrs & 9 mos	14	25		
"	"	To Support & Home for year 1874	50	00		
		" Int to October 1st 1878 — 3 yrs & 9 mos	11	25		
"	"	To Support & Home for year 1875 —	50	00		
		" Int to Oct 1st 1878 — 2 yrs & 9 mos	8	25		
"	"	To Support & Home for year 1876	50	00		
		Int to Oct 1st 1878. 1 yr & 9 mos	5	25		
1878 Dec	31	To Support & Home for year 1877	50	00		
	"	Int to October 1st 1878. — 9 mos	2	25		
1878		To Support & Home for part of year 1878 Say to October 1st 1878. — 9 mos	37	50	1878 Oct 1	
		amt due C. Stephenson				$539 50
		1st October 1878				

Respectfully Submitted,
Jas R Sykes
Recr. in Chancery.

B

An Account Showing the Amount due Sally A Ceby (formerly Stephenson) for her Support & Home under the will of Wilborne Stephenson, out of the Lands devised by the testator to the said Wm L. Stephenson

1870						
Decr	31	To Support & Home for year 1870	50	00		
		" Int: on same to October 1st 1878 — 7 yrs & 9 mos	23	25		
"	"	To Support & Home for year 1871	50	00		
		" Int. to Octobr 1st 1878 — 6 yrs & 9 mos	20	25		
"	"	" Support & Home for year 1872	50	00		
		" Int to October 1st 1878 — 5 yrs & 9 mos	17	25		
"	"	" Support & Home for year 1873	50	00		
		Int: to Octo 1st 1878 — 4 yrs & 9 mos	14	25		
"	"	" Support & Home for year 1874	50	00		
		Int to Octo 1st 1878. — 3 yrs & 9 mos	11	25		
"	"	" Support & Home for year 1875	50	00		
		" Int: to Octo 1st 1878. — 2 yrs & 9 mos	8	25		
"	"	" Support & Home for year 1876	50	00		
		Int: to Octo 1st 1878 — 1 yr & 9 mos	5	25		
"	"	" Support & Home for year 1877	50	00		
		" Int: to Octo 1st 1878 — 9 mos	2	25		
		" Support & Home for part year 1878 Say to Octo 1st 1878 — 9 mos	37	50	1878 Oct 1	
		amt due S. A Ceby				$539 50
		1st October 1878.				

Respectfully Submitted,
James R Sykes,
Recr. in Chancery.

C

An account of the Value of Lands belonging to Wilborne Stephenson at the time of his death.

Tract of Land devised to Wm L Stephenson. valued at $ 2000 00

Respectfully Submitted,

James R Sykes
Comm. in Chancery

Commissioners Office
Jerusalem October 18 7878

To the Circuit Court of Southampton County

Pursuant to a decree of the Circuit Court of Southampton County rendered at the November Term 1877. in a suit in chancery depending in said Court between Catharine Stephenson & Sarah A Eley Complts & Wm L Stephenson Exr of Wilborne Stephenson dec'd & others Defts the undersigned one of the commissioners of the said Court to whom was referred for settlement the following acct to wit.

1st An account of Wm L Stephenson as Exr of Wilborne Stephenson dec'd showing the balance in the hands of the Executor & how much thereof the said Catharine Stephenson Sarah A Eley & Martha A Darden are entitled to of said balance;

2nd What amount is due to said Catharine Stephenson & Sarah A Eley for their support & Home under the testators will, out of the Lands devised by the testator to the said Wm L Stephenson,

3rd What was the value of the said Land as devised by the Testator to said W L Stephenson at the death of said devisor

reports to the Court that on the 9th day of August 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 17th day of September which notice returned by your Commissioner duly executed, that the parties by attys & c aforesaid appeared before him the Commissioner in obedience to said notices, and he thereupon stated & settled the foregoing account up to the 1st day of October 1878. The account of the administrator was made up to January 1st 1873 & also the Legatees account; which leaves small balances due the Legatees. which is marked A. he also made up an account of Catharine Stephenson & Sally A Eley for their support & home. which amounts to $539.50 each. with Interest added, in said account up to October 1 1878. marked B

and the account of the value of the land at the death of the testator, is valued at $2000.00 marked C. The Commissioner further reports to the Court that after the completion of the said accts he retained the same in his office ten days for the examination of the parties, which with the decree & notices aforesaid Depositions are herewith returned

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

James K Tyler,
Comr in Chancery

Commissioner's fee for this Report, taking Depositions issuing Notices &c $15.00
Charged to Catharine Stephenson & Sally A. Eley

The Commissioner States Specially that Wm L Stephenson claims the act of limitations as to this account.

J. K. Tyler,
Comr in Chancery

COMMISSIONER'S OFFICE,

Jerusalem, Va., Aug 9th 1878

To Wm L. Stephenson Exr. of Wilson Stephenson dec'd.
Charles H. Darden & Martha A. his wife, &
Jethro W. Stephenson.

You are hereby notified that I have fixed upon the 17th day of September next, if fair, if not, the next fair day thereafter (Sunday excepted) to take and settle, at my office, the following accounts, to-wit:

1st The Account of Wm L. Stephenson as Exr. of Wilson Stephenson dec'd. Showing the balance in the hands of the Executor & how much thereof the said Catharine Stephenson, Sarah A. Eley & Martha A. Darden are entitled to of said balance.

2nd What amount is due to said Catharine Stephenson & Sarah A. Eley for their Support & Home, under the Testators will, out of the lands devised by the Testator to the said Wm L. Stephenson.

3rd What was the value of the slaves devised by the Testator to said W. L. Stephenson at the date of said deed?

required to be taken by a decree of Southampton ~~County~~ Court, rendered ~~on~~ the Ceresit at the Nov ~~day of~~ Term 1877, 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.

1878 Aug. 9th. Service of the within notice is hereby acknowledged.

Wilbur J. Killey atty; for the parties.

[redacted]

Stephenson
vs
Stephensons Exor

3

Court's Report

Filed
1878 October 23d

Wilmington
Wm. H. Jenkins Esq.
Clk. of Supreme Ct.
Eighth Circt.

Sir

Please copy each of the decisions
in the Stephenson case
for the Commissioners.

Yours Truly
Jas. A. Taylor
Commissioner.

The depositions of Wm H. Jenkins. Geo. W. Spivey, and C. M. Joyner taken before me Jas. R. Tyler, Commissioner in Chancery of the Circuit Court of Southampton County Va. pursuant to notice hereto annexed at the Clerk's office of said County on the 17th. day of September 1878 in a certain suit in Equity depending in the said Court, wherein Catharine Stephenson and others are plaintiffs and Wilson Stephenson's Executor, and others are defendants;

Present. Wilbur J. Kelly, Atty.

Geo. W. Spivey being duly sworn on the Holy Evangelists of Almighty God deposeth and saith as follows:

Question: How old are you and where do you reside and do you know the parties to this suit?

Ans. I am 60 years old, reside in Southampton County, Va. I know the parties to this suit.

Question: Do Catharine Stephenson and Sally A. Eley now reside with said Wm L. Stephenson on the land lately owned by Wilson Stephenson and devised by his will to his son Wm L. Stephenson aforesaid, said land being on the South side of Peacock Swamp including the home tract, Joyner tract, the Johnson tract and Brister & Lowe tracts, and if not, state why not, and how

long they have not resided thereon.

Ans. They (said Catharine Stephenson & Sally S. Eley) do not reside on said farm or land, but why not, I do not know. They have not resided on said land since the year 1869, but have been living with their brother J. W. Stephenson, on the other side or north side of said swamp given them by his father, called the Connie land.

Quest. What do you estimate and think is the fair value of "a home and support" for said Catharine Stephenson & Sally S. Eley for each year in and out of said land devised to said Wm. L. Stephenson?

Ans. I think that "a home and support" for per year is worth at least $50 to each of said Catharine Stephenson & Sally S. Eley, and I think so, because I am sure, they could not each get a home and support any where in the County for less than $50 per year. At the death of said William Stephenson said land devised to said Wm. L. Stephenson was worth $2000.

And further this deponent sayeth not

George W Spivey

Wm. H. Jenkins being duly sworn and C. W. Joyner being duly sworn depose and say as follows:

That they have each heard the foregoing deposition of Geo. W. Spivey

as given in our presence and have
read the same, and we concur in
all he has said, and know that
said Catharine Stephenson & Sally
A. Eley have not resided on said
land devised to said Wm. L. Stephen-
son since the year 1869, but for what
cause we know not, and we agree
with said Spicy that "a home and
support" in said land of said Wm. L.
Stephenson is fairly valued at and
is worth at least $50, per year to
each of said Catharine Stephenson &
Sally A. Eley, and believe they could
not get a Home "a home & support"
in the County for less than $50, a year,
and that said liquor sales worth at the death of William Stephenson $200.
And I the said C. M. Joyner am
46 years old, live in Nas. (Southamp-
ton) County, Va. I know the parties
to this suit. And I, the said
Wm. H. Jenkins am 59 years old,
and reside in said County and
know the parties to this suit,
And further these deponents say not.

William H. Jenkins

Chas M Joyner

I hereby Certify that the foregoing Depositions were
taken at the time & place mentioned in the Caption
Given under my hand as Commissioner in Chancery
the day & year first aforesaid.

James K Tyler,
Comr in Chancery

Stephenson
v.
Stephensons Estate

Court Report

Filed
1874 October 23d

Wilkinson
Wm H. Jenkins Atty
Chs A. Ingram Atty
Ed. W. Price Atty

Law Reporting
Commissioner.

Stephenson

to

Stephenson's Exrs &c

(Sept. 17th)

Pendleton Circuit Court, November Term 1877.

Catharine Stephenson & Sally A. Eley, Pltfs.
against
Wm. L. Stephenson Exr of Wm. Stephenson dec'd
& Charles M. Darden & Martha A. his wife
& Luther H. Stephenson Defts. } In Chancery

This Cause Came on this day to be heard on the bill of the Complainants taken for Confessed as to the Defendants Wm. L. Stephenson Exr of Wilborn Stephenson dec'd & in his own right, & Martha A. Darden & whom proof had been duly Executed & they Still failing to Make defence, & on Exhibit filed with the said bill & was argued by Counsel, On Consideration whereof the Court doth adjudge, Order & decree, that a Commissioner of this Court proceed to take & Settle the account of Wm. L. Stephenson as Exr of Wilborn Stephenson dec'd Shewing the balance in the hands of said Exr of said Wilborn Stephenson the said Catharine Stephenson, Sarah A. Eley & Martha A. Darden, are entitled to of said balance & Report what amount is due to said Catharine Stephenson & Sarah A. Eley for their Support & Some under the Testator's will, out of the Land devised by the Testator to the said Wm. L. Stephenson, and 3rd Do What was the Value of said Land as devised by the Testator to said Wm. L. Stephenson at the date of said devise, & make report of his proceedings & Recommendations to the Court, With any Matter Specially stated deemed pertinent by himself or that any of the parties may require to be so Stated. And it is Ordered that this Suit, on the Motion of Complainants by their attorneys, be dismissed as to Luther H. Stephenson. A Copy,

Teste, J. R. Lyon, D.C

Stephenson

vs.

Stephenson et ux.

Southampton Circuit Court, May Term 1879.

Catharine Stephenson & Sally vs Sarah Eley Jeffs.

In Chancery

against

Wm L. Stephenson Exr of Wilborn Stephenson dec'd & als;

Defts.

This Cause Came on this day to be again heard on the papers formerly read, and was argued by Counsel. On Consideration whereof the Court doth Order that a Commissioner of this Court ascertain the annual Value of the real Estate of said Wm L. Stephenson devised to him by said Wilborn Stephenson dec'd as set forth in the first Clause of the will of said deceased, a Copy of which is filed in this Cause & marked Exhibit "A" and make report to Court thereof filing with his said Report such evidence as he may take in Support of his Conclusions.

A Copy,

Test,

J. R. Tyler, D.C.

COMMISSIONER'S OFFICE,

Jerusalem, Va., August 7th 1879

To

Wm L. Stephenson Exr of Wilbern Stephenson dec'd
and in his own right and Charles H. Darden
& Martha his wife & Silvia W. Stephenson.

You are hereby notified that I have fixed upon the 9th day of September 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 ascertain the annual Value of the real Estate of said Wm L. Stephenson devised to him by Wilbern Stephenson dec'd as set forth in the first clause of the will of said deceased."

required to be taken by a decree of Southampton ~~County~~ Circuit Court, rendered ~~on~~ at the May ~~day of~~ Term 1879, 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.

Stephenson &c
vs.
Stephenson's Exrs.

1879. September 9th

Executed
A. Abbott Dy
for W. W. Briggs

Printed and for sale at the Monitor Job Office, Franklin, Va.

The Commonwealth of Virginia,

To the Sheriff of Southampton County---*Greeting:*

We Command You *that you summon* Geo. W. Spivey, Wm. H. Jenkins and Charles M. Jones, J. R. Tyler a Commissioner in Chancery of the Circuit *to appear before ~~the Judge of our~~* Court of Southampton County, *at the Court House, on the* 9th *day of* September ~~Term~~, next *to testify and the truth to say on behalf of* Catharine Stephenson and others *in a certain matter of controversy in our said Court, before the said Judge, depending and undetermined between* Catharine Stephenson & als *Plaintiff and* Wm. L. Stephenson Exr. Wilson Stephenson *Defendant. And this* They *shall in no wise omit under the penalty of the law, and have then and there this writ.*

Witness, ~~**LITTLETON R. EDWARDS, Clerk**~~ J. R. Tyler Commissioner *of our said Court, at the Court House, this* 29th *day of* Aug. 1879, *in the* 104th **year of the Commonwealth.**

Clerk J. R. Tyler, Comm.

The Depositions of C. M. Joyner, Geo. W. Spivey, and Wm H. Jenkins, taken before me James R. Tyler, a Commissioner in Chancery for the Circuit Court of Southampton County, pursuant to a Notice hereto annexed, at the Clerk's Office of said County on the ~~Eighth~~ Ninth day of September 1879, in a Certain Suit in Equity depending in the said Court, wherein Catharine Stephenson & others and Plaintiffs and Wilborne Stephenson Exr. & others and Defendants.

Present,
James R Tyler,
Commissioner.

Charles M. Joyner being duly Sworn on the Holy Evangelists of Almighty God, deposeth and Saith as followeth;

Ques: How Old are you, and where do you reside, and do you Know the parties to this Suit?

Ans: I am 48 years of age, reside in Southampton County, Va. & Know the parties to this Suit?

Ques: What in your Opinion is a fair yearly rent for the Stephenson Land, out of which the two Sisters are to have a "Home and Support,"? Commencing on the first of January 1870, down to the present time?

Ans: I think One hundred and fifty dollars per year, would be a fair yearly rent, for the Land out of which the two Sisters are to have a "Home & Support," Commencing on the ~~1st~~ 1st of January 1870, down to the present time? And further this Deponent Saveth not.

Charles M Joyner

George W. Spivey being duly Sworn on the Holy Evangelists of Almighty God, deposeth and Saith as follows:

Ques: How Old are you & Where do you reside, and do you Know the parties to this Suit?

Ans: I am 61 years Old, reside in Southampton County, Va. & Know the parties to this Suit.

Ques: What is your Opinion is a fair yearly rent for the Stephenson Land, Out of Which the two Sisters are to have a "Home & Support" Commencing on the 1st day of January 1870, down to the present time?

Ans: I think One hundred and fifty dollars per year, Would be a fair yearly rent for the Land out of Which the two Sisters are to have a "Home & Support," Commencing on the 1st day of January 1870, down to the present time.

And further this Deponent Sayeth not.

George W Spivey

Wm. H. Jenkins being duly Sworn, deposeth and Saith as follows, That he is 40 years of age & resides in Southampton County, State of Virginia, has heard the foregoing deposition of Geo. W. Spivey as given in his presence, and has read the Deposition of Charles M. Joyner, and Concurs in all they have said, and agree with them in Saying "One hundred & fifty dollars per year, Would be a fair yearly rent for the Land out of Which the two Sisters are to have a "Home & Support," Commencing on the first day of January 1870, down to the present time. And further this Deponent Sayeth not.

William H Jenkins

I, hereby Certify that the foregoing Depositions were taken and Subscribed at the time & place Mentioned in the Caption. Given Under my hand as Commissioner in Chancery, the day & year first aforesaid.

James K Tyler,
Commissioner.

Witnesses
Wm H. Jenkins, $1.14 One day each
Chas M. Joyner, $1.14 and for travelling
Geo: W. Spivey, $1.14 Eight miles.

Commissioners Office,
Jerusalem, Va.
September 10th 1879.

To the Circuit Court of Southampton County:
Pursuant to a decree of the Circuit Court of Southampton County, rendered at the May Term 1879, in a Suit in Chancery depending in said Court between Catharine Stephenson & als Plaintiffs and W. L. Stephenson Exr of Wilbur Stephenson dcd. and als Defendants, the undersigned One of the Commissioners of the said Court to whom was referred for Settlement by said decree "That a Commissioner of this Court ascertain the annual Value of the real Estate of said W. L. Stephenson, devised to him by said Wilbur Stephenson dcd. as set forth in the first clause of the will of said dcd." Reports to the Court that on the 7th day of August last he issued Notices to the

Several parties aforesaid requiring of them to attend the Settlement of the said account before him at his said Office, on the 9th day of September 1879, which was returned to your Commissioner duly executed. Your Commissioner also reports that he issued a Summons against Geo. W. Spivey, Wm. H. Jenkins & Charles M. Joyner to appear before him at his said Office on the 9th day of September, & took their Depositions to ascertain the annual Value of the real Estate of said W. L. Stephenson, devised to him by said Wilburn Stephenson dec'd. as set forth in the first clause of the will of said deceased, out of which the two Sisters were to have a "Home & Support", Commencing on the first day of January 1870, down to the present time." That the annual Value of said Land is One hundred and fifty dollars, & that your Commissioner bases his Opinion from the Depositions of said Geo. W. Spivey, Wm. H. Jenkins & Charles M. Joyner, herewith filed as a part of this Report.

That the said Geo. W. Spivey, Wm. H. Jenkins and Charles M. Joyner are Near Neighbors and well acquainted with said Land, therefore their Opinion as regard to the rent should be relied on. All of which is respectfully Submitted to the Court by

James R Tyler,
Commissioner.

An Account Shewing the amount due Catharine Stephenson, for her Support and Same, under the Will of Winborne Stephenson, from the rent of the Lands devised by the Testator to Wm. L. Stephenson.

1870		$	cts	$	cts
Decr. 31	To your part of rent of Land for 1870,	50	00		
1871	Int on Same to Oct. 1st 1879	25	50	75	50
Decr. 31	To your part for rent of Land for 1871	50	00		
1872	Int to Oct. 1st 1879	22	50	72	50
Decr. 31	To your part for rent of Land for 1872	50	00		
1873	Int to Oct. 1st 1879	19	50	69	50
Decr. 31	To your part for rent of Land for 1873	50	00		
1874	Int to Oct 1st 1879	16	50	66	50
Decr. 31	To your part for rent of Land for 1874	50	00		
1875	Int to Oct 1st 1879	13	50	63	50
Decr. 31	To your part for rent of Land for 1875	50	00		
1876	Int to Oct. 1st 1879	10	50	60	50
Decr. 31	To your part for rent of Land for 1876	50	00		
1877	Int to Oct 1st 1879	7	50	57	50
Decr. 31	To your part for rent of Land for 1877	50	00		
1878	Int to Oct 1st 1879	4	50	54	50
Decr. 31	To your part for rent of Land for 1878	50	00		
	Int to Oct 1st 1879	2	25	52	25
		$ 572	25	$ 572	25

Respectfully Submitted,
James R Tyler,
Commissioner.

(over)

Recapitulation of the foregoing Statement

Principal sum due Catharine Stephenson	$450.00
Add amt. due from 1 January 1879 to 1 Oct. 1879 — 9 ms.	37.50
Total principal due =	$487.50
Int. due to 1 Oct. 1879	122.25
Total due 1 Oct. 1879 =	$609.75

James R Taylor
Commissioner

An Account Showing the amount due Sally A. Eley (formerly Stephenson) for her Support & Schooling, under the Will of Winborne Stephenson from the rent of the Lands devised by the Testator to William L. Stephenson.

		$	ct	$	ct
1870					
Dec. 31st	To yrs part of rent of Land for 1870	50	00		
1871	Int. on Same to Oct. 1st 1879	25	50	75	50
Dec. 31	To yrs part for rent of Land for 1871	50	00		
1872	Int to Oct 1st 1879	22	50	72	50
Dec. 31	To yrs part of rent of Land for 1872	50	00		
1873	Int to Oct. 1st 1879	19	50	69	50
Dec. 31	To yrs part of rent of Land for 1873	50	00		
1874	Int to Oct. 1st 1879	16	50	66	50
Dec 31	To yrs part of rent of Land for 1874	50	00		
1875	Int to Oct 1st 1879	13	50	63	50
Dec 31	To yrs part of rent of Land for 1875	50	00		
1876	Int to Oct 1st 1879	10	50	60	50
Dec 31	To yrs part of rent of Land for 1876	50	00		
1877	Int to Oct 1st 1879	7	50	57	50
Dec 31	To yrs part of rent of Land for 1877	50	00		
1878	Int to Oct 1st 1879	4	50	54	50
Dec. 31	To yrs part of rent of Land for 1878	50	00		
	Int to Oct 1st 1879	2	25	52	25
	Amount due Sally A. Eley Oct. 1st 1879	$572	25	$572	25

Respectfully,

James R Taylor,
Commissioner.

Commissioner's fee for this Report, taking Depositions, Entering Witness attendance &c $10.00 Charged to Plaintiffs.

(OVER)

Recapitulation of the foregoing Statement

Principal sum due Sally A. Exley	$450.00
Add amt. due from 1 January 1879 to 1 Oct. 1879 – 9 mos. –	37.50
Total Principal due 1 Oct. 1879	$487.50
Int. due to 1 Oct. 1879 –	122.25
Total due 1 Oct. 1879	$609 75

James R Tyler
Commissioner

Stephenson
vs
Comm's Report
Stephenson's Exr's

Filed
1879 October 1st

To the clerk of the Circuit Court of Southampton County.

You are hereby notified that a special term of said court will be held on the 22d inst for the trial of such cases as may be lawfully tried at a special term of said court; and you are hereby notified that a jury will not be required to attend on this day—

You are also directed to take such steps as may be necessary for the holding of said term—

Given under my hand as judge of said court this 6th day of May 1891—

[illegible]

No 19 ~~Hoagland~~ vs Magruder —

91 ~~Harfleet~~ vs Cobb's &c

~~103 Bryant Keiser vs Bardage~~

104 Benham's Com^rs vs Simmons &c

139 Goodman vs Dillon

Thos J. Kinsella Atty

May 5th 83

I have the following Chancery papers

22 ~~Cobb & Cobb v. Dobbs~~

98- ~~Jacobs v. Harrison~~ v.

107- ~~Worrell v. Long~~ to ~~Complainant's Att'y~~ v.

103 ~~Bryan & Wife v. Bunkley~~

25 ~~Bryan v. Bunkley~~

103 ~~Bryan & Wife v. Bunkley~~

112 ~~Edwards v. Cobb & Adams~~

110 ~~Gibson & Harris~~

113 ~~Lasher v. Cobb~~ v.

125- ~~Handley v. Handley~~

130 ~~James v. Boyer~~

Davis & Wife v. Lamb

133 ~~Canaday v. Hart~~ v.

Worrell v. Williams

135 ~~Dowdy v. Jackson~~

Butler for v. vs. Freeman's Adm't.

136 ~~Seamans v. Barbour~~ Cont.

137 ~~Reed v. Reed's Adm'r~~ v.

111 ~~Jenkins v. Barbour~~ Cont.

May 7, '83

J. B. Pence

Recvd from the clerk the
Chancery court the cause of
Saunders &c vs Cobb &c and
Dangerfield &c vs Edwards &c

Wm B Thames
Atty at Law

~~May 7th 1883~~
May 22nd 1883

Record The following papers chancery for decree

132 ~~Vick vs Hicks admr~~

131 ~~Cobb vs Cobb admr~~

129 ~~Lobb vs Lobb~~

128 ~~Drake vs Drakes admr~~

127 ~~Knight vs Neil's exr et al~~

126 ~~Vick vs O'Donnell's admr~~

117 ~~Donnelson vs Williams et al~~

108 ~~Williams vs Williams~~

92 ~~Buchanon vs Buchanon &c~~

24 ~~Arnold vs Gwathmey~~

23 ~~Gwathmey vs Arnold's admr &c~~

10 ~~Buford & wife vs Downs admr &c~~

9 ~~Buford & wife vs Downs admr~~

4 ~~Dandridge vs Gillelen's admr~~

Shands & Son
attorneys

85 Atkinson vs vs Bowers

84 Atkinson vs vs Councille

Shands & Son

D[illegible] Honorable Esq. B[illegible]

15_00

16.00

Stephenson
v
Stephenson Ex

Stat: Costs.

Clks	26.23
Sheff Seton	1.50
" J.O.W	.50
W H Jenkins Asst	2.28
C St. Joyner "	2.28
G. W. Spivey "	2.28
2 Sheriffs	16.50
	$51.77
Comr Tyler	25.00
	$76.57

Stephenson

vs. 3 Chy.

Stephenson

November Term 1878

Decree to be entered

Geo. Bloom.

Stephenson

vs

Stephenson's Ex'or. &c.

This cause came on this day to be again heard on the papers formerly read therein and on the Report of Commissioner James R. Tyler, made in pursuance of a decree of this Court pronounced at the November Term thereof in the year 1877 in this cause and was argued by counsel.

On consideration whereof the Court doth confirm the said Report, except as to the estimate and valuation of the "home and support" of said Catharine Stephenson and Sally A. Eley in the real estate devised to Wm. L. Stephenson by Wilborne Stephenson, as set forth in said Report.

And it appearing to the Court by said Report that said Wm. L. Stephenson as Executor of said Wilborne Stephenson deceased, is indebted to said Catharine Stephenson, legatee of said Wilborne Stephenson in the sum of $90.78 and to said Sally A. Eley another legatee in the sum of $42.11, the Court doth adjudge, order and decree that said Catharine Stephenson recover of said Wm. L. Stephenson

said sum of $90.78, with interest thereon from the first day of January 1873 till paid and that said Sally A. Eley recover of said Wm. L. Stephenson said sum of $42.11 with like interest till paid.

And it further appearing to the Court by said Report that said Wm. L. Stephenson as said Executor is indebted to Almeda E. B. Jones legatee of said Wilborne Stephenson in the sum of $42.11 and that said Jones has departed this life leaving as living heir lawfully begotten of her body and that in that event under the last will and testament of said Wilborne Stephenson, the legacy bequeathed to said Jones is given to said Catharine Stephenson and Sally A. Eley and to Martha A. Darden jointly the Court doth decide that said Catharine Stephenson, Sally A. Eley and Martha A. Darden are entitled to said sum of $42.11 and doth adjudge, order and decree that they recover of said Wm. L. Stephenson said sum of $42.11 with interest thereon from the first day of January 1873 till paid.

Stephenson

vs

Stephenson's Exr

1877

Nov 21.

1st Decree

To be entered.

Geo. Bliss.

Stephenson

vs.

Stephenson's Exr &c

This cause came on this day to be heard on the Bill of the Complainants taken for confessed as to the Defendants Wm L. Stephenson Exr of Wilborne Stephenson dec'd & in his own right & Martha A. Warden on whom ~~the~~ process had been duly executed & they still failing to make defence, & an Exhibit filed with the said bill and was argued by Counsel: On consideration whereof the Court doth adjudge order & decree that a Commissioner of this Court proceed to take & settle the account of Wm L. Stephenson as Exr of Wilborne Stephenson dec'd, shewing the Balance in the hands of said Executor and how much thereof the said Catharine Stephenson, Sarah A. Eley & Martha A. Warden are entitled to of said Balance & to report what amount is due to said Catherine Stephenson & Sally A. Eley for their support shown upon the Testators will, out of the Land devised by the Testator to the said Wm L. Stephenson & 3rd. what was the value of said Land as devised by the Testator to said Wm L. Stephenson at the date of said devise.

and make report of this proceeding hereunder to the Court with any matter especially stated deemed pertinent by him, or that any of the parties may require to be so stated.

And it is ordered that this suit on the motion of the Complainants by their Attorney be dismissed as to Edith W. Stephenson

Stephenson

vs. } In Chy.

Stephenson's Exor &c.

Southampton County

Circuit Court

May Term 1879

Decree

To be entered

Geo. P Scott.

Stephenson

vs.

Stephenson's Exr. &c.

This cause came on this day to be again heard on the papers formerly read therein and was argued by counsel. On consideration whereof the Court doth order that a commissioner of this Court ascertain ~~and report to Court~~ the annual value of the real estate of said Wm. L. Stephenson devised to him by said Wilborne Stephenson deceased as set forth in the first clause of ~~his~~ the will of said deceased, a copy of which is filed in this cause and marked exhibit "A" and make report to Court thereof filing with his said Report such evidence as he may take in support of his ~~said Report~~ conclusions

Stephenson &c.
vs
Copy decree

Stephensons Exor

Executed by
delivering to W. S.
Stephenson a copy of
the within decree
on the 22d. day of
September A.D. 1880.
W. O. Briggs Shff
"

Southampton Circuit Court. November Term 1879.

Catharine Stephenson & Sally or Sarah Ealey Plaintiffs } In Chancery.

against

Wm L Stephenson Executor of Wilborne Stephenson dec'd. & Defts }

and in his own right & Martha Ann Darden }

This cause came on this day to be again heard on the papers formerly read therein, and on report of Commissioner James R Tyler filed on the first day of October 1879 and was argued by Counsel. On consideration whereof the Court doth confirm the said report to which no exception has been filed and doth adjudge, order and decree that the land devised to said Wm. L Stephenson by Wilborne Stephenson deceased as set forth in the first Clause of the Will of said deceased duly proved and admitted to record in the Clerks Office of Southampton County Virginia on the 17th day of December A D 1866. is by said Will charged with a home and support" for said Catharine Stephenson and Sally A Ealey daughters of said Testator during their single lives and that said land must furnish and supply said "home and support." and that the estimate and valuation thereof at fifty dollars a year as ascertained by said Commissioner in his said report based upon the examination of witnesses for said Catharine Stephenson and Sally A Ealey respectively is ~~fair~~ a proper, adequate and just estimate and doth adopt, confirm and allow the same.

And it appearing to the Court by said report that said "home and support" at the valuation fixed as above amounts for said Catharine Stephenson to the sum of $609.75 and a like sum to said Sally A Ealey from the time the same accrued in the year 1870 to the first day of October 1879, the Court doth adjudge, order and decree that the said Catharine Stephenson recover of said Wm L. Stephenson the said sum of $609.75 with interest on $487.50 part thereof from the first day of October 1879 till paid. and that the said Sally A Ealey recover a like sum of money of said Wm L. Stephenson with like interest on $487.50 part thereof till paid. and that said Catharine Stephenson and Sally A Ealey recover jointly of said Wm L Stephenson their costs (to be taxed by the Clerk of this Court) in this behalf expended. And the Court doth further adjudge, order and

decree that said Wm. L Stephenson pay to said Catharine Stephenson and Sally A Eley each the sum of $50.00 on the first day October of each car commencing with the first day of October ~~of each year~~ 1880 and continue to pay the same so long as said Catharine Stephenson and Sally A Eley shall remain single and unmarried the same being for their said "home and support" annually out of said Land And in case of a failure of said Wm. L Stephenson so to do the Court doth further adjudge, order and decree that the Sheriff of Southampton County take charge of and rent out said land, annually until the further order of Court at Public auction before the Court-house door of said County on the third monday in November of each year commencing with the third monday in November 1880 (that being County Court day of said County) to the highest bidder, taking of the rented bond for the rent with good Personal Security and payable to himself twelve months after date and make report to Court thereof annually filing said bond with this report - Said land being a tract of land situated in said County about six miles from Zuni Station on the A M & O Railroad and near Deacock Swamp and containing three hundred and fifty six acres more or less and bounded by the lands of M. M. Clayton A. T. Stephenson and others -

And the Court doth further order that a Copy of this decree be served upon said Wm L Stephenson by the Sheriff of said County

A Copy

Teste S R. Edwards cc

Stephenson

vs.

Stephenson's Exr. etal.

This cause came on this day to be again heard on the papers formerly read therein and on the Report of Commissioner James R. Tyler filed on the first day of October 1879, and was argued by counsel.

On consideration whereof the Court doth confirm the said Report to which no exception has been filed and doth adjudge, order and decree that the land devised to said Wm. L. Stephenson by Wilborne Stephenson deceased as set forth in the first clause of the will of said deceased duly proved and admitted to record in the Clerk's office of Southampton County, Virginia, on the 17th. day of December A.D. 1866, is by said will charged with a "home and support" for said Catharine Stephenson and Sally A. Eley daughters of said Testator during their single lives and that said land must furnish and supply said "home and support" and that the estimate and valuation thereof at fifty dollars a year as ascertained by said Commissioner in his said Report based upon the

thereof annually filing said Bond with his Report.— said land being a tract of land situated in said County about six miles from Yznaga Station on the A. M. & O. Railroad and near Peacock Swamp and containing three hundred and fifty six acres more or less. and bounded by the lands of M. M. Clayton, A. P. Stephenson and others. And the Court doth further order that a copy of this decree be served upon said Wm L. Stephenson by the Sheriff of said County.

Stephenson
vs.
Stephenson's Ex'or &c.

Nov. Term 1879
Decree 6th Nov.
1879. To be entered
Scott Bloss.

Stephenson

vs.

Stephenson's Exr. &c.

This cause came on this day to be again heard on the papers formerly read therein and on the Report of Commissioner James R. Tyler filed on the first day of October 1879, and was argued by Counsel.

On consideration whereof the Court doth confirm the said Report to which no exception has been filed and doth adjudge, order and decree that the land devised to said Wm. G. Stephenson by Wilborne Stephenson deceased as set forth in the first clause of the will of said deceased duly proved and admitted to record in the Clerk's Office of Southampton County, Virginia, on the 17th. day of December A.D. 1866, is by said will charged with a "home and support" for said Catharine Stephenson and Sally A. Eley daughters of said Testator during their single lives and that said land must furnish and supply said "home and support" and that the estimate and valuation thereof at fifty dollars a year as ascertained by said Commissioner in his said Report based upon the

examinations of witnesses for said Catharine Stephenson and Sally A. Eley respectively is a proper, adequate and just ~~allowance~~ estimate and doth adopt, confirm and allow the same.

And it appearing to the Court by said report that said "home and support" at the valuation fixed as above amounts for said Catharine Stephenson to the sum of $609.75 and to a like sum for said Sally A. Eley from the time the same accrued in the year 1870 to the first day of October 1879 the Court doth adjudge order and decree that said Catharine Stephenson recover of said Wm. L. Stephenson said sum of $609.75 with interest on $487.50 part thereof from the first day of October 1879 till paid and that said Sally A. Eley recover a like sum of money of said Wm. L. Stephenson with like interest on $487.50 part thereof till paid. And that said Catharine Stephenson and Sally A. Eley recover jointly of said Wm. L. Stephenson their costs (to be taxed by the Clerk of this Court), in this behalf expended.

And the Court doth further adjudge order and decree that said Wm. L. Stephenson pay to said Catharine Stephenson and Sally A. Edey each the sum of $50.00 on the first day of October of each year commencing with the first day of October 1880 and continuing so to pay the same so long as said Catharine Stephenson and Sally A. Edey shall remain single and unmarried, the same being for their said "home and support" annually out of said land. And in case of a failure of said Wm. L. Stephenson so to do, the Court doth further adjudge, order and decree that the Sheriff of ~~said~~ Southampton County take charge of and rent out said land annually until the further order of Court at public auction before the Courthouse door of said County on the third Monday in November of each year commencing with the third Monday in November 1880 (that day being County Court day of said County), to the highest bidder, taking of the rentee, Bond for the rent with good personal security and payable to himself twelve months after date and make report to Court,

thereof annually filing said Bond with his Report.— said land being a tract of land situated in said County about six miles from Yazoo Station on the A. M. & O. Railroad and near Peasock Swamp and containing three hundred and fifty six acres more or less. and bounded by the lands of M. M. Clayton, A. P. Stephenson and others. And the Court doth further order that a copy of this decree be served upon said Wm. L. Stephenson by the Sheriff of said County.

Stephenson
vs.
Stephenson's Ex'or Etal.

Nov. Term 1879
Decree 6th Nov.
1879. To be entered
Scott Bloss.