

1886-07

Southampton County Chancery - Darden, James T. et al vs Pope, B. E. Tr. et al
Darden, E. M. admin.

Creditors suit

Kindred, Carrie C.
" H. B.
Sabre H, James S. (Guardian
Prince, Geo. W.
" , Annie M.
Darden, Georgia M.
Pope, John H.
in part { Pope, Joseph N.
" , George C.
Prince, J. B.
G. A. L.

Darden for &c.,

vs

3

Decree.

Popo's Admin & others

This day this cause came on to be further heard on the papers formerly read, and on the report of Commissioner M. L. Lemoore, filed March 25th 1885, in pursuance of a decree rendered at the November Term 1884 of this Court, to which report there is no exception, and was argued by Counsel. On consideration whereof, the Court doth approve and confirm the said report, and it appearing that there is a balance of \$2196.⁴⁹ due by James E. Sebrall as Guardian to the estate of D. C. Popo, Jr., the Court doth adjudge, order and decree that the said James E. Sebrall as Guardian aforesaid pay the said sum of \$2196.⁴⁹ with interest thereon from May 1st 1885, to E. M. Darden as Administrator of the said D. C. Popo, Jr. And the Court doth further adjudge order and decree that the said E. M. Darden as Administrator aforesaid out of the funds in his hands pay first the Costs and expenses of this suit, second the debts reported in Commissioner M. L. Lemoore's report, according to their priorities and dignities, and the balance distribute equally among the heirs at law and dis-

tributors of the said B. C. Pope, Sr. to wit: to
 Leavie L. Kindred one sixth; to Ann M.
 Kinner one sixth; to George M. Darden one
 sixth; to John H. Pope one sixth; And to the
 lawfully appointed Guardian of Jos: A.
 and Geo: L. Pope, infants under twenty one
 years of age, each one sixth, take receipts
 from the parties for their respective inter-
 ests, and render and account of his Trans-
 actions before one of the Commissioners in
 Chancery of this Court in order to a final
 decree.

Darden for &c.,
 vs M Decred

Pope's Adm^r &c.

1885 May Term.

To be entered.

Geo. H. Brown

[Signature]

Entered 11/24

11

waiting for report

waiting for report

Darden for &c.,
vs. } Decree,
Pope's Admin^r & others

This day this cause came on to be heard on the Complainant's bill taken for confessed as to the adult defendants, upon the answer of the infant defendants by J.B. Prince their guardian ad litem, upon the exhibits filed, and was argued by Counsel. On consideration whereof, the Court doth adjudge, order and decree that a Commissioner of this Court take and audit the followings accounts, to wit: 1st An Account of the transactions of E. M. Darden as Administrator of D. E. Pope, Dr., dec'd; 2nd An Account of the transactions of James E. Sebell as Guardian of the said D. E. Pope, Dr., dec'd; 3rd An Account of the Complainant's debt and all other debts outstanding against said Pope, ^{distinguishing their priorities, and appo.} setting forth what debts were for necessities and what were not; 4th An Account of the annual and absolute value of the real estate whereof the said Pope died seized, or to which at the time of his death he was entitled, including an account of the personal estate of the said Pope, which said accounts the said Commissioner

is directed to examine, state and settle, and report the same to the Court, with any matters specially stated deemed pertinent by himself, or which may be required by any of the parties to be so stated. And the Court doth further adjudge, order and decree that the said Comptroller also enquire whether the personal estate of the said Pope will be sufficient to satisfy the debts against him, or whether it will be necessary for that purpose to rent or subject his real estate, and report to Court the evidence upon which he bases his opinion.

136
Darden for 100

as 3 Decree

Pope's A. D. 1884

Nov: Term 1884

To be entered.

Est. 1884

Entered

75

Darden for &c.
Tr $\frac{1}{2}$ Decree
Pope's Adm^r &c.

Nov^r Term 1886.

To be entered.

Geo. Brown, J.

✓

Darden for &c-

vs $\frac{3}{3}$ Decree,

Pope's Adm'r &c-

This day this Cause came on to be further heard on the papers formerly read, and on the account of E. M. Darden, Adm'r of B. E. Pope, dec'd, rendered before Comm'r M. Lemoine and filed in this Cause September 1st. 1885, showing the amount in his hands to be distributed and the distribution of the same among the parties entitled thereto, together with the receipts of the parties therefor, to which there is no exception, and was argued by Counsel.

On Consideration whereof, the Court doth approve and confirm the said account, and nothing further remaining to be done in this Cause, it is ordered that the same be removed from the docket.

Southampton Circuit Court Nov.

Term 1884

Darden for &c.

Pltff

vs Deener, In Chy:
Popes Admin & others Deft

This day this cause came on to be heard on the complainants bills taken for confessed as to the adult defendants, upon the answer of the infant defendants by J. B. Price as their guardian ad litem, upon the exhibits filed, and was argued by Counsel on consideration whereof the Court doth adjudge, order and decree that a commissioner of this Court take and audit the following accounts to wit:

- 1st ^{an} Account of the transactions of E. M. Darden as Administrator of B. E. Popes deceased.
- 2nd Any Accounts of the transactions of J. M. Deener as Guardian of the said B. E. Popes deceased.
- 3rd An Account of the complainants debt and all other debts outstanding against said Popes, distinguishing their priorities & also setting forth what debts were for necessities and what were not.

of the accounts of the annuities and
absolute value of the real estate
whereof the said Pope died seized on
to which at the time of his death he
was entitled, including an account
of the personal estate of the said
Pope, which said account the said
Commissioner is directed to examine
state & settle and report the same
to the Court with any matter
specially stated deemed pertinent
by himself or which may be required
by any of the parties thereto
stated. And the Court doth further
adjudge order and decree that the
said Commissioner also inquire whether
in the personal estate of the said
Pope will be sufficient to satisfy
the debts against him, or whether it
will be necessary for that purpose
to sell or subject his real estate, &
report to Court the widings upon
which he basis his affixions.

Attest
Teste J. B. Trimmer

David W. Foster
v. J. B. Trimmer
Deputy Attorney

Copy



Commissioner's Office,

Jerusalem, *ga Jan 7* 1875

To THE CREDITORS OF THE ESTATE OF
B. E. Gehr Jr, dec? —

AND ALL OTHERS CONCERNED.

You are hereby notified, that, by a decree of the *Circuit* Court
of Southampton County, I have appointed the *21st* day of *February*
next, at my Office, for receiving proof of all the debts, or demands, against the said
decedent, or his estate ; at which time and place you are required to attend.

Given under my hand, as Commissioner in Chancery, the day and year first
aforesaid.

B. A. W. Leuore Commissioner

Dear Genl
" ³ Ref
Popes Admir

1885. Mch 25. " filed -

no plat in these -

To the Circuit Court of Southampton
County

In obedience to a decree
of the Circuit Court of Southampton
County, entered at the November
Term 1884 in the Chancery suit of
"Darden for &c. v. Pope's Adm'r" - for pur-
poses therein set forth and described -
the undersigned - one of the Commis-
sioners of said Court - to whom was
referred the taking of the several
accounts called for in said decree,
begs leave to report: That on the 7th
day of January 1885, he posted ^{notice} at the
Court-house door of this County, to the Cred-
itors of the Estate of Bm. E. Pope Jr. dec'd -
notifying them that on the 21st day of
February 1885, he would proceed to take
and settle an account of all debts
and demands outstanding against
said decedent or his Estate - At the
same time he issued Notice to the sev-
eral parties, Plaintiff and Defendants,
to this suit, requiring them to appear
at his Office on the said 21st February
1885, to attend the taking of the aforesaid
accounts - which Notice has been re-
turned duly executed and is herewith

filed - forming part of this report.
That on the said 21st day of February
1885. he proceeded to settle the following
accounts:- First: An Account of the trans-
actions of E. M. Darden. Administrator
of B. E. Pope Jr dec^d, and finds a
balanced due the Administrator of
\$4.⁸⁷ as of the 1st day of May 1885 -
with interest thereon till paid - the
decedent's estate. Consisting of money
and bonds - being in the hands of J. E.
Sebrell, Guardian - (decedent was a mi-
nor) none of which has been paid over
to the Administrator - which fact, ac-
counts for the Estate's being in debt to the
Administrator.. Second: An Account
of the transactions of J. E. Sebrell as
Guardian of B. M. E. Pope Jr - and
finds a balanced due the Estate of
the Ward of \$2196.⁴⁹ as of May the
1st 1885. Third:- An Account of all
debts and demands, outstanding against
the said decedent - which, with interest
added to May 1st 1885, amounts to
\$503.⁶³ - of this amount the claim
of Dr. J. N. M. Sykes, medical bill in de-
cedent's last illness, amounting to \$19.⁹⁵

the claim of Dr. E. C. Barrett, Med. bil
in last illness, amounting to \$8.⁴⁰ - the
claim of Henry Sykes, for labor, amount-
ing to \$3.²⁵ - and the claim of Archer
Turner, for labor, amounting to \$0.⁹¹ are
of the second class - the remainder are
of the fourth class -

No claim has been allowed against
the estate except such as were, in the
opinion of the Commissioner, for necessities.
All of the aforesaid accounts are filed
herewith, and made part of this report,
to which the attention of the Court is
specially directed.

The personal estate of said decedent
is more than sufficient to pay all
of the debts, without subjecting the
real estate.

Jerusalem
Feb. 28th 1885

Respectfully Submitted
B. J. M. Lumore

Clerk in Chancery

Court's fee \$15.⁰⁰
duy? to Plaintiffs -

The Estate of Rev. E. Pope Jr. dec'd.
In ac with E. M. Darden, his Adm'r

1884

Sept 15 To paid Clark County Court
~~for taking & recording tax~~
on Your Administration bond \$ 2.00
" " paid W. H. Parker, Atty's fee 10.00

1885

Feb 11 By amo: from W. L. Gray 7.50
To Com's on \$7.50 5% .37
Balance 4.87
12.37 12.37

1885

May 1 To Bal: due Adm'r, bro't down \$ 4.87
with interest thereon till paid.

Respectfully Submitted
W. F. McLeure
Com'r in Chg

Benj E. Pope, Jr a minor
 In ac with Jas. E. Sebrall his Guardian -

1884					
Nov	1	Pay bal: due Ward			
		as per last report			\$2135.63
1885					
May	1	Int: on \$2135. ⁶³	6 mos -		64.06
		To Com's on \$64. ⁰⁶	5 %	3.20	
		Balance			2196.49
					2199.69 2199.69
1885					
May	1	Pay bal: due Ward, bro't down			\$2196.49

Respectfully Submitted
 R. H. McLenore
 Com'r in Charge

An Account of the debts and demands outstanding against the estate of Ben E. Pope Jr. dec.
 proved before B. F. McLeunor, a Commissioner in Chancery
 for the Circuit Court of Southampton County.
 on the 21st day of February 1885. To wit:

An ac ^t due Dr. J. H. M. Sykes.	19.00	
Int: from Aug 1/84 to May 1/85	95	19.95
An ac ^t due Dr. E. C. Barrett	8.00	
Int: from Aug 1/84 to May 1/85	40	8.40
An ac ^t due J. B. Prince, fee bill		
An ac ^t due Henry Sykes	3.05	
Int: from May 1/84 to May 1/85	18	3.23
An ac ^t due Archer Turner	.87	
Int: from July 1/84 to May 1/85	04	.91
An ac ^t due Jas J. Darden	95.59	
Int: from Jan 1/83 to May 1/85	7.64	103.23
An ac ^t due G. H. Prince	26.43	
Int: from Jan 1/85 to May 1/85	66	27.09
An ac ^t due J. L. Bachman	68.69	
Int: from May 1/84 to May 1/85	4.12	72.81
An ac ^t due Musgrave & Pope	28.00	
Int: from Nov 1/83 to May 1/85	2.52	30.52
An ac ^t due H. A. Myrick	26.17	
Int: from Jan 1/84 to May 1/85	2.22	28.39
An ac ^t due Pope & Darden	24.68	
Int: from Jan 1/84 to May 1/85	2.09	26.77
An ac ^t due Geo. H. Prince	51.13	
Int: from Jan 1/84 to May 1/85	4.34	55.47
- over -		376.77

An ac due Geo. W. Prince 376 77
Int. from Jan 1/83 to May 1/85 77 49 11
4 64 82 13

An Ac due L. A. Simmons 1 90
Int. from Jan 1/84 to May 1/85 16 2 06

An Ac due J. E. Bailey 39 33
Int. from Jan 1/84 to May 1/85 3 34 42 67
Total amounts due 1509 63

1882

W B E Pope

Bot of Jas J Gardin

Jan	14	To	1/2 # H Leather	38	
		"	Belt and Rivets Burr	02	40
	19	"	6 Oz Sole Leather	14	14
	20	"	4 Celluloid Collars	120	
		"	1 # Tobacco	80	2 00
	26	"	Cash	2 00	2 00
	27	"	2 Boxes Sardines	80	80
	28	"	Cash	3 00	3 00
Feb	8	"	1 Box Cartridges	63	
		"	1 Shirt	1 50	2 13
	13	"	1 Dr At Myrick for Leather	63	63
Mar	7	"	Cash of Safe	5 00	5 00
	14	"	2 Ozs Canaburg	30	30
	25	"	1 Pr Shoes	3 75	
		"	1 Blacking Brush	25	
		"	Cash to You	5 00	9 00
Apr	6	"	1 White Vest	3 00	3 00
	20	"	1 Emerson Razor Drop	50	
		"	1 Pocket Knife	1 00	
		"	2 Box 1/2 Hose	50	2 00
	25	"	1 Suit Clothes	8 50	8 50
	26	"	1 Pr Shoes	4 00	4 00
May	2	"	1 # Tobacco	60	60
	4	"	Cash to J C Bunn	2 50	
		"	2 Box 1/2 Hose	50	
		"	1 Indelible Pencil	25	1 00
	18	"	4 # Tobacco	2 40	2 40
	19	"	Cash to You	3 00	
		"	1 Cravat	50	3 50
	29	"	Cash to You	5 00	5 00
June	2	"	1 Gardin Hat	50	50
	7	"	Cash to You	5 00	5 00
	14	"	1 Dog Chain	25	
		"	Cash to Hannah	1 00	12 50
May	2	"	Express on vest	40	40
June	23	"	Cash to J L Barham	3 00	3 00
		"	1/2 Yds Elastic	06	06
July	12	"	Cash to You	1 00	1 00
	21	"	2 Unlaundered Suits	2 50	2 50
	25	"	1 Pocket Knife	50	
		"	Cash to You	1 50	2 00
					\$ 69.11

1882	Dr	Amt	Brat Forward	\$	69.11
July 31	"	Cash to you	1 00	1 00	
Aug 5	"	" " "	3 00		
8	"	1 Collar Button	25-	3 25-	
8	"	Cash to you	1 50	1 50	
11	"	Do " "	1 00	1 00	
17	"	Cash " "	1 25-	1 25-	
Sept 1	"	1 Vest	2 00		
2	"	Cash to you	50	2 50	
7	"	2 Pr 1/2 Hose	50		
"	"	1 # Tobacco	80	1 30	
27	"	Cash to you	1 00		
29	"	1 Pr 1/2 Hose	25-	1 25-	
Oct 1	"	1 # Tobacco	80	80	
9	"	1 Box Cartridges	63	63	
25	"	1 Bat Sactofecture	1 00	1 00	
Nov 7	"	Cash to you	1 50	1 50	
21	"	1 Suit Clothes	9 50	9 50	
				\$	95.59
Due from 1st Jan'y 1883 till paid					

Personally appeared before
 me J. L. Bunn a Justice of the Peace
 A. L. Pope of the Rives and made oath
 to the correctness of this account
 Sept 22nd 1884
 John L. Bunn J.P.

Wm R. B. Pope
 Advocate
 Jas J. Handman
 1882 \$ 95.59

Hot. Post

Order et cetera

~~Hot~~

Pope Admin

Statement Books
 Chancery Cause of
 Darden for & v. Poppy Aspin
 & Alfred Stinebaugh

Spec 20. 11 Copies ^{1⁰⁰} not in return ³⁵	\$1.65
Atty 10. filing papers ²⁵ and: of infants ²⁵	.60
2 Decrees & copies ^{3.00} brochures ^{1.00}	3.00
Costs & copy ^{4.00} copying exhibits ^{1.00}	1.40
filing 4 exhibits ²⁰	.20
Shff Paid to Wick Stth	\$6.85
Law Fe.	5.50
	16.00
Filing Comrs report 25- Filing Distribution	28.85
cost. 25. Dismissal copy - .72	1.22
	\$30.17

Est: B. E. Pope Jr. ^{dec.}

In asc with
E. M. Darden

His Adm'r
Sep 1" 1885. filed -

The Estate of Ben E. Pope & dec^d
In A/c with E. M. Darden, his Administrator

1885	May 1	To balanced due Administrator as per report of Comr McLemore filed in Chancery papers of Darden & Pope's Admin ^r	4.87	
"	25	" Int: on \$4.87 15 days	02	
"	"	Pay amo: from J. E. Seabree, Exatt. of Decedent		\$2205.86
"	"	To Comr's on \$2205.86 5 of	110.24	
"	26	" Paid Dr J. M. Sykes. med. a/c	19.95	
"	"	" " G. W. Simmons "	2.06	
"	"	" " J. J. Darden "	103.28	
"	"	" " W. A. Myrick "	28.39	
"	"	" " Pope & Darden "	26.77	
"	"	" " J. L. Parkman "	72.81	
"	30	" " Clerk, County Court, fees	2.24	
June	2	" " Henry Sykes a/c	3.23	
"	"	" " Archer Turner "	91	
"	22	" " Dr. E. C. Barretto, med. "	8.40	
"	27	" " Musgrave & Pope "	30.52	
"	"	" " J. E. Bailey "	42.67	
"	"	" " Geo. H. Prince "	164.69	
"	"	" " H. H. Parker, Atty's fee	15.00	
"	"	" " B. F. McLemore, Comr's fee in Chancery suit of Darden & Pope's Admin ^r	15.00	
"	"	" " Amo: retained to pay costs in above suit	30.17	
"	"	" " retained to pay clerk fee bill	1.08	
"	"	" " Comr's fee for this acct & distributed a/c	5.00	
July	1	Balanced	1518.61	
1885			<u>\$2205.86</u>	<u>\$2205.86</u>
July	1	Pay bal: due Estate, bro't down	1518.61	
		Respectfully Submitted		
		B. F. McLemore		
		- Comr in Chancery		

An Account distributing balance
in the hands of E. M. Darden, Admin^r
of Ben E. Pope Jr. dec^d - among the
heirs at law and distributees of said dece-
dent. to wit:

By Am^t to be distributed \$1518.61

To Carrie L. Kindred	Share	
1/6 of \$1518.61	253 10/6	

To Annie M. Prince		
1/6 of \$1518.61	253 10/6	

To Georgio M. Darden		
1/6 of \$1518.61	253 10/6	

To John N. Pope		
1/6 of \$1518.61	253 10/6	

To the Guard ⁿ of Jos. N. Pope		
1/6 of \$1518.61	253 10/6	

To the Guard ⁿ of Geo. L. Pope		
1/6 of \$1518.61	253 10/6	

253 10/6	
<u>\$1518.61</u>	<u>\$1518.61</u>

Respectfully Submitted
B. F. McLemore
Clerk, in Chancery

Rec^d July 22nd 1885 of E. M. Darden
Administrator of Ben E. Pope Jr. dec^d the
sum of two hundred and fifty three & 10/100
dollars. being amount due us from the Estate
of said Ben E. Pope Jr. as shown by the annex-
ed Account of Com^r B. F. McLemore.

John N. Pope

Georgio M. Darden
E. M. Darden

Received of E. M. Darden Guardⁿ of ~~Ben E.~~ Ben E.
Pope dec^d the amt^s proportioned to Jos N. Pope and
Geo L. Pope by Commissioner B. F. McLemore say the
sum of five hundred and six dollars and twenty
cents for both

H. Sebrall, Guardian

Rec^d July 31st 1885 of E. M. Darden
Administrator of Ben E. Pope Jr. dec^d
the sum of two hundred and fifty three
and 10/100 dollars being amount
due us from the Estate of said Ben
E. Pope Jr. as shown by the annexed
account of Com^r B. F. McLemore

Annie M. Prince
A. M. Prince

Recd, Newson's - 9th July 29th 1885:
of E. M. Gardner Adm^r of B. E. Pope
decd the sum of Two hundred and
fifty three and $\frac{10}{100}$ ~~in~~ dollars ⁱⁿ payment of amt:
due me as Ligat^r of said B. E. Pope decd

Carrie C. Kindred
H. B. Kindred

Benjamin E. Pop, a minor
1882 In apt with James E. Sebreer his guardian

Apr 8	1	By bal due ward as per last apt		2225 34
May	5	To cash paid ward	5 00	
June	19	" " " "	8 00	
July	17	" " " "	10 00	
Oct	16	" " " "	5 00	
Nov	20	" " " "	5 00	
Dec	19	" " " "	10 00	
1883		" Taxes for 1882	20 90	
Jan	15	" paid G. W. Priner apt.	54 84	
Apr 8	1	By int. on \$2106 ⁶⁰ 12 mos		126 39
		To Coms. on \$126.39 5%	6 31	
		Balance due ward	2226 68	
1883			22351 73	22351 73
April	1	By bal. due ward brot down		2226 68
June	19	To cash paid ward	30 00	
Aug	22	" " " "	15 00	
Sept	17	" " " "	3 00	
Oct	15	" " " "	2 00	
Nov	19	" " " "	15 00	
Dec	17	" " " "	5 00	
1884		" Taxes for 1883	22 00	
Jan	21	" paid Clerk - for bills	2 00	
		" cash paid ward	3 00	
Feb	15	By int. on \$2129 ⁶⁸ 11 1/2 mos		122 45
		To Coms. on \$122 ⁴⁵ 5%	6 12	
		" " for this apt & } copy retained }	5 00	
		" Clerk fee for recording same retained.	1 25	
		Balance	2239 76	
1884			22349 13	22349 13

1884
Mch 15 By bal. due ward
brot down \$2239 76

Respectfully Submitted
W. Sebreer,
Counsel in Chancery

Southampton County Court
In the Clerk's Office Feb 26th 1884
This account of James E. Sebreer as
guardian of Benj. E. Pop was this day
returned and filed for exceptions
and at a County Court held for

A said County on the 21st day of July
1884. said acct having lain one month
and upwards in the Clerk's office and
no exception being filed thereto it
was examined confirmed and ordered
to be recorded -

A Copy Teste

J. B. Prince *clg*

Exhibit

"D"

Jos. Ben &
Sons

Dr. C. L. Linn

Mr. Geo. S. Pope.

1883

Bought of Mrs. J. B. Bland

Aug	20	To. Bot Shoes & Socks	13	
		" 1 Set. Cuff Buttons	1 00	
Sept	27	" 1 Razor	1 25	
Octo	6	" Pocket Knife	1 00	
Nov.	5	" Orange.	51	
	6	" fr. Shoes	2 00	
		" 1 Do. Socks	30	
			6 73	

I hereby acknowledge legal service of the
within summons, this 5th day of Octo: 1884.

John A. Pope

I hereby acknowledge legal service of the
within summons, this 5th day of Octo: 1884.

J. E. Sebrall

Darden &c

$\frac{1}{11}$ } Sum

Pope's Adm'r

1884. Oct. Rules

Or: Ct.

Executed by delivering
a copy of the within
summons to C. M. Dar-
den Adm'r, B. C. Pope, dec'd,
H. B. Kendrick & Carrie
K. his wife, Geo: W. Prince
and Annie K. his wife,
C. M. Darden and Georgie
K. his wife and John K.
Pope each, in person
in the 2nd day of Octo-
ber 1884.

W. C. Sebrall
att

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU TO SUMMON

*E. M. Darden Adm'r of B. E. Pope Jr. dec'd.
Jas E. Sebrell, Guardian of B. E. Pope Jr. dec'd. H. B. Kendrick & Carrie K. his wife.
Geo. W. Prince & Annie W. his wife. E. M. Darden & Georgie M. his wife.
John H. Pope and Joseph N. Pope & Geo. C. Pope, the last two in-
fants by J. B. Prince, Guardr. ad litem.*

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 *October* next, to answer a bill in Chancery exhibited against *them*

in our said Court by

*Jas J. Darden who sues for himself and all other creditors
of B. E. Pope Jr. dec'd. ~~and all the other or who will come in and~~
bear their share of the costs of this suit.*

And this *they* shall in no wise omit; and have then there this writ.

WITNESS, J. B. PRINCE, Clerk of our said Court, this

22nd day of *September*, 188*4*,

in the *109th* year of the Commonwealth.

Testo. *J. B. Prince C. C.*

I act on legs service of the with in
season on. Oct. 4th 1888.

J. E. Sebruce

Jas. E. Sebruce

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU TO SUMMON

James E. Sebrall

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 *October* next, to answer a bill in Chancery exhibited against *him*

in our said Court by

*Jas. J. Darden who sues for himself and
all other creditors of B. E. Pope Jr. dec'd. who will
come in and bear their share of the costs of this suit.*

And this

he

shall in no wise omit; and have then there this writ.

WITNESS, J. B. PRINCE, Clerk of our said Court, this

22nd

day of

September

, 188*4*

in the

109th

year of the Commonwealth.

Teste. J. B. Prince C. C.

Exhibit
C''

Southampton County Court. August Term 1880
The Court doth appoint James E. Sebrell, Guardian
of Georgio M. Pope. Row E. Pope. Joseph N. Pope
and George L. Pope, Orphan children of George
L. Pope dec'd, and thereupon the said James
E. Sebrell together with Wm. N. Sebrell. E. F. Reese.
Wm. P. Sebrell, W. W. Briggs, Jas. D. Wells and L. L.
Vanghan his securities, (who justified on oath
as to their sufficiency) entered into and acknowl-
edged a bond in the penalty of thirty two thousand
dollars, conditions as the law directs, which
bond is ordered to be recorded. -

Copy
Testo.

J. B. Prince C. G.

Exhibit
"A"

Southampton County Court. September Term 1884.
On the motion of E. M. Darden, who made
oath according to law. and together with
James J. Darden as his security (who justified
on oath as to his sufficiency) entered into &
acknowledged a bond in the penalty of
four thousand dollars. Conditioned as the law di-
rects. which bond is ordered to be recorded.
Certificate is granted the said E. M. Darden
for obtaining letters of Administration on the
Estate of Ben E. Pope Jr. dec'd, in due form.

Attest

J. B. Prince C. G.

Dar den & others -

73 Notice

Popes Adm'r

1885- Febry 21"

Executed

Jan 19-1885-

by delivering to each
of the within named
parties a copy

G W Vicks

By Sheriff

Commissioner's Office,

Jerusalem, Va. January 14 1885

To Jas. J. Darden & all other creditors of B. E. Pope Jr, dec.
who will come in and contribute their share of the costs
of this suit.

E. M. Darden Adm^r of Ben E. Pope Jr, dec.^d Jas. E.
Sebrell, Guardⁿ of Ben E. Pope Jr, dec.^d H. B. Stindred
& Carrie C. his wife - Geo. W. Prince & Annie M., his
wife - E. M. Darden & George M. his wife - John
H. Pope, and Jos. N. & George C. Pope, the last
two, infants, by J. B. Prince, their Guardian
ad litem.

- You are hereby notified that I have fixed upon the 21 day of February 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 An Account of the transactions of E. M. Darden, as Adm^r of B. E. Pope Jr, dec.^d -
2^d An Account of the transactions of Jas. E. Sebrell as Guardian of Ben E. Pope Jr, dec.^d -
3^d - An Account of all the debts outstanding against the Estate of the said B. E. Pope Jr, dec.^d distinguishing their priorities - Stating which of said debts were for necessities and which were not -
4th - An Account of the Annual and absolute value of his real Estate - and the amount of his personal Estate - Stating whether or not, his personal Estate will be sufficient to satisfy the debts outstanding against the said decedent - And if it will be necessary to rent or subject his real Estate - with any other matter specially stated, deemed pertinent &c. &c.

required to be taken by a decree of Southampton Circuit Court rendered at the November term, 1884, 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.

B. F. McLemore

Commissioner.

To the Sheriff of Southampton County to Execute.

Handen for J^r 97.

vs: 2 Stat: Rules

Pope's Arms J^r

In Southampton Circuit Court.

James J. Darden, who sues for
himself & all other creditors of B. E.

Pope Jr. decd, who will come in and
contribute their share of the costs

of this suit

Pltffs.

against.

vs.
Chancery.

E. M. Darden Adm'r B. E. Pope Jr. decd, J. E.

Abner Son of B. E. Pope Jr. decd H. B. Kinder

and Carrie C, his wife. Geo W. Priner & Annie

M. his wife, E. M. Darden & Georgie M. his wife

John H. Pope, Joseph N. & Geo C. Pope, the

last two infants.

Defts.

1884. Sept 22

Summons issued to Oct. Rules.

" Oct Rules

" ret'd Executed. Bill & Exhibits filed.

L. B. Priner assigned Geo ad litem to infant defts.

Answer of infants filed. Genl. Replication.

Decree nisi vs adult defts.

" Nov Rules

Cause set for hearing.

Darden for &c., vs Pope's Adm'r & others.
Copy order of qualification of G. M. Darden
as Adm'r of B. E. Pope, dec'd, mark it & ex-
hibit "A", the order of qualification of
James E. Sebrell as S'd'n of B. E. Pope, dec'd,
mark it "C", the last S'd'n acct of James
E. Sebrell, mark it "D." and the acct
of James J. Darden, mark it $\hat{D}$ and
file in paper of this cause.

Darden for re
vs $\frac{2}{3}$ Bill re
Pope's Admⁿ & others

1884 Octo: Rules.

Parter f.c.

The joint and separate answers of Joseph A. and Geo: L. Pope, infants under the age of twenty one years, by J.B. Prince their guardian ad litem, assigned to defend them in this suit, to a bill of Complaint exhibited against them and others, in the Circuit Court for Southampton County by James J. Darden, who sues for &c.

These respondents reserving to themselves the benefit of all just exceptions to said bill, for answer thereto, or to so much thereof as they are advised that it is material they should answer, by their said guardian ad litem answer and say: -

That they are infants of tender years, and by reason of their infancy, are incapable of understanding, or of taking care of their rights and interests. They, therefore, by their said guardian commend themselves and their rights and interests to the protection of the Court, and pray that no decree may be pronounced which will tend to their prejudice.

And having fully answered, the said respondents pray to be hence dismissed with their reasonable costs in this behalf expended, and they will ever pray, &c.

Wm. H. Parker & c.

J.B. Prince
ad litem.

To the Hon: Geo: Blaw, Judge of the
Circuit Court for Southampton County.
In Chancery.

Humbly complaining, sheweth unto your
Honor, your Complainant, James J. Darden,
of the said County of Southampton, who
sues for himself and all other Creditors of
D. C. Pope, Dr., dec'd, who will come in and
bear their share of the costs of this suit,

That D. C. Pope, Dr., some time dur-
ing the year A. D., 1884, departed this life
intestate, leaving Carrie K. Pope, who in-
termarried with A. B. Kindred, Annie M.
Pope, who intermarried with Geo. W. Prince,
Georgio M. Pope, who intermarried with
E. M. Darden, John M. Pope, and Joseph
K. and Geo: K. Pope, the last two infants,
his brothers and sisters, as his heirs and
distributors,

That, the said D. C. Pope, Dr.,
was, at the time of his death, seized and
possessed of or entitled to, personal and
real estate ^{in the County of Southampton} more than sufficient to have
paid all his just debts; That, at the
September Term 1884 of the County Court
for Southampton County, E. M. Darden
qualified, according to law, as his admin-
istrator, - a certified copy of the order of

qualification is herewith filed, marked Exhibit "A", and made a part of this cause; That, some time prior to the qualification of the said E. M. Darden as administrator, to wit: on the day of 1884, James E. Selrell, qualified, according to law, as his guardian, a certified copy of the order of qualification is herewith filed, marked "C", and made a part of this cause; That, it appears by the last guardian account rendered by the said J. E. Selrell and duly recorded in the Clerk's Office of Southampton County, on the 26th day of March 1884, that there was a balance in his hands of \$2239.⁷⁶/₁₀₀ due, with interest thereon, on March 15th 1884, to the said B. E. Pope, Dr., which now should be turned ^{over} to his administrator as assets to be administered, a certified copy of which said account is herewith filed, marked "D", and made a part of this cause;

That, the said B. E. Pope, Dr., was, at the time of his death, justly indebted to your Complainant for the price and value of goods, wares and merchandise sold and delivered to the said B. E. Pope Dr., in his life-time, in the sum of \$95.³⁹/₁₀₀, as

will appear by reference to his account herewith filed, marked "A", and made a part of this cause.

In Consideration whereof, and forasmuch as your Complainant is remediless save by the aid of a Court of equity, where matters of this kind are properly cognizable. To the end, therefore, that justice may be done in the premises, your Complainant prays that E. M. Darden, Administrator of the estate of the said B. E. Pope, Dr. dec'd, James E. Selvell, guardian of the said B. E. Pope, Dr. dec'd, A. B. Windred and Harriet E. his wife, Geo. W. Prince and Annie M. his wife, E. M. Darden and George M. his wife, John St. Pope, Joseph St. and Geo. E. Pope, the last two infants, be made parties defendants to this bill. That a proper guardian ad litem may be appointed for said infants; That the said parties and the said guardian ad litem may be required to answer this bill in court; That an account may be taken, under and by the decree of this Court, of the debt due your Complainant as aforesaid, and of all other debts which were owing by the said B. E. Pope, Dr., at the time of his death and which still remain

unpaid, distinguishing their priorities.
And that an account may also be taken
of the transactions of C. M. Darden, as
an administrator, and James E. Selvell, as
guardian, of the said B. E. Pope, Dr.,
And also, ^{an account of} the personal and real estate
of the said B. E. Pope, Dr., showing the
personal and absolute value of the said
real estate; That the personal estate of
the said B. E. Pope, Dr., if sufficient, be ap-
plied to the debts of your complainant
and to the debts of all other unsatisfied
creditors first; but, if not sufficient,
that an order may be entered directing
a sale of the said real estate or so much
thereof, as may be necessary for that
purpose.

And that your complainant
may have such other, further, general
and special relief in the premises as to
equity may seem meet and the nature
of the case require.

And as in duty bound your
complainant will ever pray, &c.

May it please the Court, &c.

Wm. J. Parker, f.c.