

1886-05

Sauclompton County - Chancery

Booth, Sarah E.

vs Turner, Geo. W.

"To obtain a
Special Warranty Deed"

Turner, Geo. W. Com
Estate of

Turner, J. E.

Agers, Virginia +
Agers, Lelia, her wife

Claud, B.B. +
Claud, Margaret K. wife

Turner, G. W.

Turner, Jas. J.

Boothe
is $\frac{2}{3}$ Done.

Turners Adm. taken

May Term 1887-

to be entered.

C. M. Hill

✓

Boothe

vs

$\frac{5}{3}$

Deerue,

Turner's Adm'r & others

This day this cause came on to be further heard on the papers formerly read, on the report of Special Commissioner, Geo. H. Turner, showing payment of balance of money due on note or bond executed by Sarah E. Boothe to J. E. P. Turner, in his life-time, for the purchase price of a certain tract of land mentioned and described in the proceedings of this cause, and showing also, the execution and delivery of a Deed, with Special warranty, to the said Sarah E. Boothe for said land, 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 appearing to the Court that there is nothing further to be done in this cause it is ordered that the same be removed from the docket.

Bonhe 128

vs $\frac{4}{3}$ Decree,

Turner's Adm'r &c.

Novi Term 1886.

To be entered,

Geo. Blow.

✓

Boothe

vs $\frac{3}{3}$ Decree,
Turner's Adm^r & others

This day this cause came on to be further heard on the papers formerly read, and on the report of Comm^r M^r Demore, filed Octo: 6, 1886, showing the amount of the bond or note executed by Sarah E. Boothe to J. E. P. Turner, in his life-time, and the Consideration for which the same was executed, the amount paid on said note or bond and the balance now due, to which said report there is no exception, and was argued by Counsel.

On Consideration whereof, the Court approving and confirming the said report, doth order and decree that, upon the payment of the balance due on said note or bond by the said Sarah E. Boothe, the Complainant in this cause, Geo: W. Turner be and he is hereby appointed a special Commissioner to execute to the said Sarah E. Boothe a deed with special warranty for the land in the proceedings mentioned, and make report to Court.

Brooke

vs

3

Decree,

Turner's Adm'r & others

This day this cause came on to be heard on the Complainant's bill taken for confessed as to the defendants, Virginius Rogers and Lelia, his wife, B. B. Elaud and Margaret, his wife, the answer of Geo. W. Turner Adm'r of J. E. P. Turner, dec'd, filed during the term, the answer of the infant defendants by J. B. Prince their guardian ad litem, 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 accounts, to wit: First, An Account of the amount of the bond or note executed by Sarah E. Brooke to J. E. P. Turner, in his life-time, and the consideration for which the same was executed. 2nd An Account of the payments, if any, made on said bond or note, and of the balance now due thereon, which said accounts the said Commissioner will report to Court, together with any other matters specially stated deemed

pertinent by himself, or which may
be required by any ~~other~~ of the
parties to be so stated.

Brother
To 5 Decree
Surveys & Admin
Others

May Term 1886.

To be entered.

Wm. B. Blount.



✓

✓
Booch
vs $\frac{1}{3}$ Rehab
Turner's adm. &

May 5. 1887.

Filed. J.B.P.
cc

Brother
Report of Geo: Turner Ceru
Turner Adm'r &

In this Cause Geo: Ceru respect-
fully submits the following report.
That he has been paid the balance
of the amt due on bond Geo: P.
Turner in his life time by Mrs Broth,
and has executed to him a deed
with special warranty for the land
in the proceedings mentioned. There
is nothing further to be done in this
Cause.

May 5. 1887-

Respectfully submitted.

Geo: Turner
Ceru

To Judge Cir: Ct-
So: ampt. tm

Commissioner's Office
Jerusalem N.Y.

Oct 5th 1886.

To the Circuit Court of Southampton Co:
The undersigned Commissioner of the Circuit Court of Southampton County, to whom was referred for the settlement, by decree of said Court, entered at the May Term 1886 in the Chancery Cause of "Booth v Turner &c", the following accounts, to wit: An account of the amount of the bond or note executed by Sarah E. Booth to J. E. P. Turner in his lifetime - and the consideration for which the same was executed - the amount paid on said note or bond and the balance now due, reports to Court, that on the 22^d day of Sept: 1886 he issued notices against the parties hereto, requiring them to appear at his Office, in Jerusalem, on the 5th day of October 1886. That said notices have been returned Executed: that the parties aforesaid appeared in obedience thereto, at which time he proceeded to ^{state} the aforesaid account, and submits the following: to wit: That during the lifetime of Jas. E. P. Turner he sold to Sarah E. Booth a certain parcel or lot of land - to secure a part of the purchase price of which

the said Booth executed her Bond for the sum of \$187.⁵⁰; that J. E. P. Turner departed this life soon after said Note or Bond was Executed, and that said Bond passed into the hands of Geo. W. Turner as Admin^r of the said J. E. P. Turner dec^d, that on the ~~same~~ 3^d day of Feb: 1885. Sarah E. Booth paid to Geo. W. Turner Admin^r as aforesaid, the sum of \$187.⁵⁰ (as shown by the Credit endorsed on the Bond.) leaving a balance, including interest to that day, of \$46.⁰². The Com^r has computed the interest on \$46.⁰² from Feb: 3^d 1885 to Nov 1st 1886, and finds the balance due on said Bond to be \$50.⁸⁰

Respectfully Submitted.

B. F. M. Lemond

Com^r in Chancery

Commissioner's fee
\$5. —

An account of the amount of the bonds executed by Sarah E. Booth to J. E. P. Turner in his lifetime. and the amount paid on the same. & showing the balance due on said note. To wit:

To 1 Bond for \$187. ⁵⁰	\$ 187.50	
Int: to Feb: 3 rd 1885	46.02	
	233.52	
By Cash paid Geo. W. Turner Adm'r	187.50	
Balance due	46.02	
Int: from Feb: 3/85 to Nov 1/86.	4.78	50.80
<u>Balance due Nov 1/86.</u>		<u>\$ 50.80</u>

Respectfully Submitted.

B. F. McLemore

Clerk in Chancery

Booths

3rd Notice

Turner's Adm & als:

1886. Oct. 5

Executed by delivering
a copy of within to
the within named persons

J. L. Barclay
Oct 4/86 Sheriff

1
Commissioner's Office,

Jerusalem, Va., Sept 22 1886

To Mrs Sarah E. Boocho - Plaintiff

and
Geo. W. Turner, Admin of J. E. P. Turner,
and others - Defts

You are hereby notified that I have fixed upon the 5th day of October
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 amount of the bond or note
Executed by Sarah E. Boocho to J. E. P. Turner, in his
lifetime, and the considerations for which the same
was Executed.

2nd - An account of the payments, if any, made on
said bond or note, and of the balances now due
thereon.

With any other matter specially stated deemed per-
tinent by himself, or which he may be required to
state by any party interested.

required to be taken by a decree of Southampton Circuit Court, rendered at the May
term, 1886, 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 said Court, the day and year first
aforesaid.

B. F. McLeure

Commissioner.

To the Sheriff of Southampton County to execute.

Booth & Deere
20. 21
Turner's Admrs. H^c.

Oct 5

①

Durhampton Circuit Court, May Term 1886.

Boothe

Plff. }
Defts. } Subby

Turner's Admin^r + others

This day John Canoe Canoe and to be heard, on the Complainant's Bill, taken for Confessed as to the Defendants, Virginus Rogers + Felix, his wife, B. B.eland + Margaret, his wife, the answer of Geo. W. Turner Admin^r of J. E. P. Turner, dec^d. filed during the term, the answer of the Infants defendants of J. B. Prince, their Guardian ad litem, 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 accounts, to wit; First: An account of the amount of the bond or note executed by Sarah E. Boothe to J. E. P. Turner, in his lifetime, & the Consideration for which the same was executed; Second: An account of the payments, if any, made on said bond, or note, & if the balance was due thereon, which said accounts, the said Commissioners will report to Court, together with any other matters specially stated, deemed pertinent by himself, or which may be required by any of the parties, to be so stated.

A Copy Teste, J. B. Prince, Clk

Boothe

vs Summers

Jurassic Adm. J.

1886. Apr Rules
less 60

Entered March 15th 1886
by delivering to G. H. Tanner
and B. B. Clark & wife
a copy of this summo

G. H. Vicks
5 hfb

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU TO SUMMON

Geo W. Turner Adm'r J. B. Turner
died, Virginia's Rogers & Selia, his wife. B. B.
Claird and Margaret his wife Ruth and Jas.
J. Turner, lost two infants—

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 *Apr* next, to answer a bill in Chancery exhibited against *them*
in our said Court by *Sarah E. Bonte*

And this

you

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

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

8

day of

March

, 188

6

in the

110

year of the Commonwealth.

Teste. J. B. Prince C. C.

1886. March. - We acknowledge legal service
of this summons.

J. V. Rogers

Julia Rogers

Brother

on $\frac{2}{3}$ summons

Turner's Adm. J.

1886. Apr Rules

Crit: at

—

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU TO SUMMON

Virginia Rogers & Leticia his wife

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

the

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

in our said Court by

Sarah E. Booth

And this

They

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

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

8

day of

March

, 188

in the

110

year of the Commonwealth.

Teste

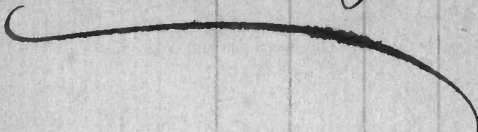
J. B. Prince C. C.

a copy.

Teste J. B. Prince C. C.

146

Boothe
vs. of Stat Rules
Turner Admr J.C.



In Southampton Circuit Court.

Sarah E. Boothe

Plff

against

In Chancery,

G. W. Turner, Adm. J. E. P. Turner, Virginia
Rogers, Helia his wife. B. B. Bland and
Mary, his wife. Ruth and Jos. J. Turner, last
two infants.

1886.

Defts

Dec 8. Summons to Aple Ruler.

Aple Ruler. " 2nd Dec filed. L. B. Spruce app^t for ad
litem to infant depts. Answer of infants
by Spruce ad litem filed. Gene Replikation
+ Decree nisi or admet depts.

May ..

Dec taken for confessed and Cause set
for hearing -

Journals & Admin. &c
as }
Book } Answer

Filed May 3rd 1886.

The answer of George W. Turner, adm^r: of J. E. P. Turner dec'd., to a bill of complaint exhibited against him and others in the Circuit Court for the County of Southampton by Sarah E. Booth:-

The respondent reserving to himself the benefit of all just exceptions to said bill, for answer thereto; or to so much thereof as she is advised it is material that he should answer, answers & says, That true it is, as alleged in said bill, that in the life-time of the said J. E. P. Turner, the said Sarah E. Booth purchased from him the tract or parcel of land mentioned and described in complainant's bill in the sum of \$1500; and that in or about the year 1881 the said J. E. P. Turner departed this life without having executed to the said Sarah E. Booth a deed for the said tract or parcel of land; That true it is, also, as alleged in the bill, that the said Sarah E. Booth has paid the greater portion of the purchase price of said land, and is willing and ready to

pay the balance whenever she can
get a good and sufficient deed
for said land. Your respondent is
therefore advised and here asks the Court
to appoint a Special Commissioner to
receive from the said Sarah E. Booth
the balance of the purchase money now
due, and to execute to the said
Sarah E. Booth a deed for said land
with special warranty.

And now having fully answered,
your respondent prays hence to be
dismissed &c.

(Sign here) Geo. W. Turner

Virginia,

County of Southampton, to-wit:

This day personally appeared before
me George E. Beaton, a J.P., for the County
& State aforesaid, Geo. W. Turner, adm^r,
whose answer is above-written, & made
oath that the statements in said
answer, so far as made of his own
knowledge, are true, and so far as
made from knowledge or information
derived from others, he believes to be
true. Given under my hand this
1st day of May 1886.

George E. Beaton J.P.

Brook

no 3 Bill

Turner's Admin. Frickers

1886 April Ruess

Wm. H. Parker, Jr.

20/

The Hon: Geo: W. W. Judge of the
Circuit Court for the County of Southampton.
In Chancery.

Humbly complaining, sheweth unto your
Honor, your complainant, Sarah E. Booth,
that, in the year 1881, J. E. P. Turner de-
parted this life, leaving Selia Turner,
who intermarried with Virginus Rogers,
Margaret Turner, who intermarried with
B. W. Leland, and Ruth and Jas: J. Turner,
infants under 21 years of age, as his heirs
and distributees at law; that at the
October Term 1882 of the County Court
for the County of Southampton, Geo: W.
Turner qualified as his administrator, as
will fully appear from an Office Copy of
the order of qualification herewith filed as
a part of this cause; that the said J. E.
P. Turner, in his lifetime, sold to your
complainant for the sum of \$1500. a cer-
tain tract or parcel of land, situated in
Southampton County, near Branchville, con-
taining, 283 acres, bounded by the lands
formerly owned by Wm. A. and Jas: B. Jones,
by the land of Virginus Rogers, and
known as the Geo: J. James Place, that the
said J. E. P. Turner, in his life-time, failed
and neglected to make to your complain-

ant a deed for the said land, nor has any
one done so for him since his death;
That your Complainant has paid nearly
all the purchase money and is ready
to pay the balance whenever she can
get a proper deed; That she claims
and is advised that the Court should
appoint a Special Commissioner to exe-
cute to ^{her} a deed with special warranty
for the said land.

In tender Consideration whereof, and foras-
much as your Complainant is without remedy
at law and only entitled to relief in
equity, To the end therefore that justice
may be done, she prays that Geo. W.
Turner Adm^r of J. E. P. Turner, decd;
Virginia Rogers and Lelia, his wife,
J. B. Leland and Margaret, his wife,
and Ruth and Jas. S. Turner, may be
made parties defendants to this bill,
and be required to answer its allega-
tions; That J. B. Prince be appointed
guardian ad litem to defend the in-
terests of the infant defendants; That
a Commissioner be appointed to exe-
cute a deed with special warranty
to your Complainant for the land
mentioned and described in this bill;

and that, your honor will grant
such other, further, general and
special relief as to equity may
seem meet and the nature of the case
require. And as in duty bound.

Your Complainant will pray &c.
May it please the Court, &c.
Wm. H. Parker f.c.
— " —

The joint and several answer of
Muth and Jos. T. Muner infants, by L. B. Paine
their Guardian, to bill of complaint
exhibited in Circuit Court of Northampton
by Sarah E. Boothe against them & others.
These respondents, saving preserving &c.
for answer to said bill say, they are
infants, and know nothing of the
facts set forth in said bill and
being such, submit their rights to the
protection of this Court. And having
answered, pray hence to be dismissed
&c.

L. B. Paine Guardian
litem —