1887 - 29 Southampton County Chancery Scarbaraugh, William et als vs Scarbaraugh, Colin et als

Partition, decreed, but if cannot be, land be sold and money divided according to the rights of the parties

Heptan, John +
Heptan, Patsey his wife

Knight, John H. +
Knight, Frances, his wife

Scarbaraugh, Jasie
Scarbaraugh, John
Scarbaraugh, Jesse

Jaynes, Cinque +
Jaynes, Mary his wife

Scarborough & others

vs

Bill

Scarborough & others

Hilary Term 1887

To the Honorable Geo. Blow judge of the circuit court of Southampton County in chancery sitting

Humbly complaining your orators William Scarborough, John Hopkins and Patsy Hopkins his wife formerly Scarborough, John H. Knight and Francis Knight his wife formerly Scarborough, Joice Scarborough John Scarborough and James Scarborough show unto your Honor that John Scarborough departed this life intestate in the year 1866 having considerable estate both real and personal and leaving a widow Nancy Scarborough long since dead and William Scarborough a son Patsy Hopkins a daughter, Francis Knight a daughter Joice Scarborough a daughter John Scarborough, James Scarborough Phoebe Scarborough long since dead who died under age, unmarried and intestate Collin Scarborough and Mary Scarborough since married to Eugene Joyner his distributees and heirs at law, That he left a tract of fifty acres of land in Southampton County near Jonesville bounded by the lands of George Bryant on the north South by the lands of Thomas J Pitman

East by the lands of James Bass and the west by the lands of Wm Whitehead and J. B. Davis, Your Orator states that Thos Jeffries has been long dead and that his estate owes no debts and that the said lands has long been held by his said children in coparcenary and your orator now desire partition of the same and if that cannot be made that the same may be sold and the money divided according to the rights of the parties

In Tender consideration whereof and inasmuch as your orators are without relief at law and only entitled to the same in a court of equity where such matters are peculiarly cognizable they Thompson pray that Eugene Joyner and Mary Joyner his wife and Colin Scarborough may be made parties defendant to this bill and that the court would compel them as full and perfect answer make to the allegations therein contained as if they had been thereunto more fully and specially interrogated and that the court would decree as

partition of the said tract of land
among the parties entitled and if
the same cannot be divided that
the same be sold and the money
distributed according to their rights
and that the court would grant such
other and general relief the premises
considered as equity may dictate
and the nature of their case may
require and as in duty bound
your orator will ever pray &c

Thomas & Lamb. p.q

90

Scarborough

vs. State Ruler

Joyner & Wise & Ts.

In Southampton Circuit Court.

William Scarborough. John Hefton and Patsey Hefton his wife. Jno N. Knight and Frances Knight his wife. Josie Scarborough and James Scarborough. Pltfs.

against

Eugene Joyner and Mary Joyner his wife and Collin Scarborough Defts

In Chancery.

1884

Feby 20 Summons to Mch Rules.

Mch Rules. " returned Exec'd on Joyner & wife - and not found on Collin Scarborough. Als as to Scarborough to Apl Rules. Bill filed - Decree Nisi vs Joyner & wife

Apl " Als vs Scarborough not ret'd. Bill taken for confessed as to Joyner & wife - and Cause set for hearing as to them.

Scarborough &c

vs

Scarborough &c

Report of G. H. Vick. Shff & Special bail

Scarborough &c
vs
Report
Scarborough &c

To the honorable Judge of the Circuit Court of Southampton County

The undersigned commissioner begs leave to report that in obedience to a decree entered in this cause at the Nov" term 1885 of this court. That he paid costs and taxes and then divided the balance of $330.64 in his hands into eight shares of $41.33 each and made the following payments of them to the following parties. One to William. Scarborough, one to James. Scarborough; one to Martha. Heffron or Heflon; one to Francis. Knight, one to Josephine. Scarborough; one to Collin, Scarborough; one to John. T. Scarborough; and one to G. T. Bryant assignee of Cinque Joyner and wife; those being the parties entitled shares and to whom he was directed to pay said shares that he herewith files their receipts for said payments. That there remains nothing further for him to do in this cause. all of which is

Respectfully submitted by

July 6th 1886

G. W. Vick. Sheff and Special Comr

Joyner to Deed
To
Bryant

Exhibit No 8

Abstract

This Deed of Bargain & Sale made this 24th day of December 1884 between D. L. Joynes and M. J. Joynes his wife parties of the first part and J. T. Bryant party of the second part. Witnesseth that for and in consideration of the sum of forty dollars to parties of the first part in hand paid by the party of the second part the receipt of which is hereby acknowledged the said D. L. Joynes and M. J. Joynes his wife do hereby grant bargain sell and convey with general warranty unto the said J. T. Bryant all their interest right and title which is an undivided one eight share in a certain tract or parcel of land situated near Jerusalem Va and bounded on the North by the lands of Jos Davis, Bryants & others on the West by lands of Wm Whitehead, on the East by the Jerusalem and Petersburg road, same said lot contains some fifty acres more or less, together with all the appurtenances thereunto belonging or in any wise appertaining As Witness the following signatures and Seals the day and year first above mentioned.

lands of John Babb on the South by

C. J. Joyner her mark [seal]

D. L. Joyner his mark [seal]

State of Virginia
Southampton County to wit:

I W. Shands a Commissioner in Chancery for the Circuit Court of the aforesaid County and State do certify that this day personally appeared before me C. J. Joyner whose name is signed to the above instrument dated Dec 24th 1884 and acknowledged that same to be her act and deed, I also certify that C. J. Joyner wife of said D. L. Joyner whose name is also signed to above and said deed dated Dec 24th 1884 this day personally appeared before me and after being examined privily and apart from her said husband and having the aforesaid writing fully explained to her she said that she had willingly executed the same and did not wish to retract it.

Given under my hand this 24th day of Dec A.D. 1884

W. Shands
Com'r in Chancery

Southampton County, In the Clerks Office
Jany 10th 1885.
This Deed of Bargain & Sale from
R. C. Joyner & wife to J. T. Bryant
was this day received and together with
the certificate thereto annexed admitted
to record

Test. J. B. Prince C.C.

Scarborough

v 3 Spa

Scarborough &c

1885. April 17th

Executed April 10th 1885 by delivering to each a copy of the within notice

G W Veitch
Sheriff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU TO SUMMON G. T. Bryant, Geo. H. Williams and Jos. Davis -

to appear before B. F. McLEMORE, a Commissioner in Chancery for the Circuit Court of Southampton county, at his office, in Jerusalem, Va., on the 17th day of April 1885, to testify and the truth to speak on behalf of William Scarborough & others -

in a certain chancery suit in our said court depending and undetermined between

William Scarborough & others Plaintiff

and

Cinque Joyner & others Defendant

and this they shall in no wise omit under penalty of law. And have then there this writ.

Witness, B. F. McLEMORE, Commissioner of our said Court, at his said office, this 9th day of April 1885, in the 109th year of the Commonwealth.

Teste: B. F. McLemore

Comr

Scarborough Vs.

vs Z. D. Pub

Joynerville

Jul 8. 1881

Southampton Circuit Court.
In the Clerks Office of Southampton
County. July 8th 1884.

William Scarborough, John Hefton and
Patsey Hefton, his wife, Jno. H. Knight and
Frances Knight his wife, Josie Scarborough
and James Scarborough. Pltffs

against.

Eugene Joyner and Mary Joyner } In
his wife & Collin Scarborough. Defts. } Chancery.

The object of this suit is to obtain partition of the land whereof John Scarborough died seized and possessed in Southampton County, containing about 50 acres, among the heirs at law. And affidavit having been made and filed that due diligence has been made on behalf of the plaintiffs to ascertain in what County or Corporation Collin Scarborough resides without Effect, and that process has been twice delivered to the Sergeant of the City of Norfolk for more than ten days before the return day thereof, the supposed residence of the said Collin Scarborough and returned "not found" It is ordered that he appear here within one month from the publication hereof, and do what is necessary to protect his interests—

Teste. J. B. Bruce C.C.

Scarborough
vs
Affidavit

Scarborough Jr.

Southampton County To wit

This day Wm B Shands an attorney for the plaintiffs in the case of Scarborough &c vs Scarborough &c personally appeared before me and made oath that due diligence has been made on behalf of the plaintiffs to ascertain in what county or corporation Collin Scarborough resides within this State and also that process has been issued directed to the Sergeant of Norfolk City for more than ten days before the return day thereof the supposed residence of the said Collin Scarborough and returned "not found" Thereupon an order of publication is awarded. Given under my hand July 7th 1884.

J B Pruden C C

Scarborough

vs

Joyce et vir

Order of Publication

SOUTHAMPTON CIRCUIT COURT.
In the Clerk's office of Southampton county, July 8th, 1884.

William Scarborough, [illegible] Hefton and Patsey Hefton his wife, John N. Knight and Francis Knight his wife, Josie Scarborough and James Scarborough,

Plaintiff,

against

Cinque Joyner and Mary Joyner his wife, and Collin Scarborough,

Defendants.

IN CHANCERY.

The object of this suit is to obtain partition of the land whereof John Scarborough died seized and possessed in Southampton county, containing about 50 acres, among the heirs at law. And affidavit having been made and filed that diligence has been made on behalf of the plaintiffs to ascertain in what county or corporation Collin Scarborough resides without effect, and that process has been twice delivered to the Sergeant of the city of Norfolk, the supposed residence of the said Collin Scarborough, and returned "not found" for more than ten days before the return day hereof: It is ordered that he appear here within one month from the publication hereof, and do what is necessary to protect his interests.

A Copy—Teste:

J. B. PRINCE, C. C.

SHANDS & SON, p.q.

I certify this has been published once a week for four weeks in The Franklin Gazette. Aug 7 28/84

M. E. Daughtry
Editor & Manager

Scarborough J^{r}

vs. } Pl^{ts}. Summons

Scarborough J^{r}

1884. July Rules

Not found

N. Dickson Deputy for
F. L. Slade, Sergeant
Norfolk City

THE COMMONWEALTH OF VIRGINIA,

To the ~~Sheriff of Southampton County~~ Sergeant of the City of Norfolk. —Greeting:

WE COMMAND YOU, TO SUMMON as at other times we have Collier Scarborough

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 July next, to answer a bill in Chancery exhibited against him & others in our said Court by William Scarborough, John Hefton & Patsey, his wife Jno. N. Knight & Frances, his wife, Josie, John & James Scarborough.

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

WITNESS, J. B. PRINCE, Clerk of our said Court, this 14 day of May, 1884, in the 108th year of the Commonwealth.

Teste. J B Prince C. C.

THE COMMONWEALTH OF VIRGINIA,

To the ~~Sheriff of Southampton County~~ Sergeant of the City of Norfolk. —Greeting:

WE COMMAND YOU TO SUMMON Collin Scarborough

to appear at the Clerk's Office of our Circuit Court of Southampton county, at the Rules to be holden for the said Court on the first Monday in March next, to answer a bill in Chancery exhibited against him in our said Court by William Scarborough. John Hefton and Patsey Hefton his wife, John N. Knight & Frances Knight his wife. Josie Scarborough. John Scarborough. and James Scarborough.

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

WITNESS, J. B. PRINCE, Clerk of our said Court, this 20 day of Feby, 188 4,

in the 108th year of the Commonwealth.

Teste. J B Prince c. c

Scarborough ve }
vs } Decree }
Scarborough ve }

To honorable Geo Blow judge of the Circuit court of Southampton county
In Chancery

Humbly petitioning your petitioner G.T Bryant begs leave to show unto your honor that since the last order in this case he has purchased of Linzie Joyner and his wife Mary parties defendant in this case their interest in the lands of John Scarborough deceased. and that they gave him a deed for the same. (but by mistake in said deed his name J.T instead of G.T. Bryant in said deed) that said deed has been duly recorded all of which will more fully appear from a copy of said deed herewith filed marked No 8 and prayed to be taken as a part of this petition. That the aforesaid suit is going on for division of said land or sale of same And your petitioner prays that he may be made party defendant in said suit in place of Linzie Joyner and Mary his wife and that the land may be sold or divided as and

the share or portion of the aforesaid parties given to your petitioner. And that court would grant your petitioner such other and general relief as his case may demand or to equity seem meet. as in duty bound your petitioner will ever pray. &c May it so please the court &c

G. T. Bryant
per his counsel
Shands & Son

Scarborough &c
vs
G. T. Bryant &c
Petition of

Scarborough &c

vs Summons.

Joyner &c

1884. Mch Rules

Not found

N. Dickson

Deputy

T. L. Slade Sergt

THE COMMONWEALTH OF VIRGINIA,

To the ~~Sheriff of Southampton County~~ Sergeant of the City of Norfolk City—Greeting:

WE COMMAND YOU TO SUMMON Collin Scarborough

to appear at the Clerk's Office of our Circuit Court of Southampton county, at the Rules to be holden for the said Court on the first Monday in March next, to answer a bill in Chancery exhibited against him in our said Court by William Scarborough. John Hefton and Patsey Hefton his wife. John A. Knight & Frances Knight his wife. Josie Scarborough. John Scarborough and James Scarborough.

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

WITNESS, J. B. PRINCE, Clerk of our said Court, this 20 day of Feby, 188 7,

in the 108th year of the Commonwealth. Teste: J. B. Prince C. C

The Depositions of J. B. Davis and others, taken before B. F. McLemore a Commissioner in Chancery for the Circuit Court of Southampton County to be read as evidence in the Chancery suit of "Seaborough v Seaborough &c." depending in the Circuit Court of said County. April 17th 1885.—

The Witness: J. B. Davis, being duly sworn deposes as following:

Q: What is your age, where do you reside, do you know the parties to the suit and the lands in the proceedings mentioned?

A: My age is 70 years - reside in Southampton County - know the land mentioned, know the land well, and the parties to the suit.

Q: Do you think the said land can be conveniently ~~divided~~ among the parties, and if not, will you please state your reasons why?

A: The land might possibly be divided, but knowing the land well. I am satisfied that the interest of the parties would be materially promoted by a sale of the land and division of the proceeds. The tract contains only fifty acres, which would have to be divided into Eight shares - and would be only Six - & one (6 1/2)

acres each - the shares would be too small to be of any value to any one party - not enough to build upon - and therefore I would recommend a sale of the land and division of the money - believing the parties interested would derive more benifit by this means than any other.

Q: What would you think a fair price for the land?

A: About five dollars per acre -
And further this deponent sayeth not.

S B Davis

The Witness, Geo. W. Williams, being duly sworn, deposed as follows: -

Q: What is your age, where do you reside and do you know the tract of land in the proceedings mentioned?

A: My age is 42 years - reside in Southampton County - near the land mentioned and know the tract of land -

Q: Which would you recommend as the better plan - a division of the land, or a sale of the same and division of the proceeds?

A: There being only 50 acres of land and eighteen parties entitled - the shares would be 6 1/9 acres each - the shares would be too small to be of any value to

any one party - and would have to be sold at a sacrifice - I therefore recommend a sale of the land and division of the money - believing the interest of all parties would be promoted thereby -

Q: What in your opinion would be a fair price for said land?

A: about five dollars per acre -

And further this deponent saith not -

Geo. W. Williams

The witness Geo. T. Bryant being duly sworn deposes as follows -

Q What is your age, where do you reside and do you know the land in the proceedings mentioned?

A. I am 30 years of age, reside in Southampton County, and upon the lands in the proceedings mentioned,

Q Do you know the parties to this suit?

A. I do.

Q How many are they,

A Eight.

Q The papers in this cause show only seven who is the owner of the other eighth?

A John D. Corbett

Q Do you think the lands in the proceedings mentioned can be conveniently divided among the parties entitled?

A I do not

Q Will you please give your reasons?

A There is only one building on the place, some of the portion would get all open land, some would get all wood land, and some would get all branch land, and for the above reason the shares would be worth nothing to either party, if divided,

And moreover the deponent says he is not

E. B. Butler

I, B. F. McLemore, a Commissioner in Chancery for the Circuit Court of the County of Southampton, do certify that the foregoing depositions of J. B. Davis & others were duly taken, sworn and subscribed before me, at the place and time and for purposes therein specified. Given under my hand this 17th day of April 1885.

B. F. McLemore

Com'r in Chancery

Southampton Circuit Court: Nov Term 1884

William Scarborough. John Heflin
& Patsey Heflin, his wife. Jno. N. Knight
& Frances Knight, his wife. Josiah and
John Scarborough & James Scarborough. Pltffs.

against

Cinquo Joyner & Mary Joyner
his wife & Collin Scarborough. Defts.

In Chancery

This day this cause came on to be heard on the Plaintiffs bill, taken for confessed as to the Defendants Cinquo Joyner and Mary Joyner, his wife. and it appearing to the Court that the Plaintiffs have proceeded in the mode prescribed by law against Collin Scarborough, who could not be found. the Plaintiffs bill is taken for confessed as to the said Collin Scarborough. And was argued by Counsel: On Consideration whereof the Court doth adjudge, order and decree, that one of the Comrs of this Court enquire into and report to Court, whether partition can be conveniently made of a tract of 60 acres of land whereof John Scarborough died seized and possessed, in the said County. and if that cannot be done

of the interest of those entitled to the said land or its proceeds, will be promoted by a sale of the entire subject or allotment of part and sale of the residue, and report to Court together with any ~~other~~ matter specially stated deemed pertinent by himself or which he may be required to state by any party interested.

Attest.

J. B. Prince C.C.

Sandersville
vs
Sandersville &c.

Order

Scarborough
v
Report

Scarborough &c.

1885 April 17 Filed
HB

Commissioner's Office
April 17th 1885.

To the Hon: Geo. Blow, Judge of the Circuit Court of Southampton County -

The undersigned, one of the Commissioners of said Court, begs leave to state, that in obedience to a decree of the Circuit Court of said County, in the Chancery cause of "Scarborough v Scarborough, entered at the November Term 1884, after having made diligent enquiry, and having examined sundry witnesses, is of opinion that the tract of land of which John Scarborough died seized, cannot be conveniently divided among the parties entitled thereto - and for the following reasons! viz: The tract of land contains only fifty acres there are Eight parties interested - the shares would contain little more than six Acres each - which would be too small to build upon, - some of the parties would get all Wood land, some all open land - and would have to dispose of their respective shares at such prices as the parties owning the adjoining lands might feel disposed to pay for same - No one

party could subsist on his or her share in the said land - The Commissioner would therefore, recommend a sale of the entire tract - having good cause to believe that if the same should be sold as a whole, it will command a good price - and the interest of all parties concerned will be promoted thereby - The foregoing opinions of the Commissioner are based upon the evidence of Witnesses, which have been reduced to writing, in the form of depositions, and are herewith filed, to which the attention of the Court is specially directed.

Respectfully submitted
B. F. McLemore
Comr in Chancery

Commissioner's fee $5.00

Witness fees -

J. S. Davis	.50
G. H. Williams	.50
Geo. T. Bryant	.50
	$6.50

Pay to Plaintiff

Scarborough Als

B 3

Scarborough Als

Report of G. W. Rich
Commissioner and
conclusion enclosed

Oct 23rd 1885.

The undersigned commissioner begs leave to report that in obedience to a decree of this court entered at the May term 1885 - after having given the notice prescribed in the said decree he did on October the 19th 1885 - at Jerusalem on court day sell at public auction to the highest on the terms prescribed the tract of fifty acres of land whereof John Scarborough died seized and possessed and George T Bryant became the purchaser for the sum of $400 and electing to do so under the decree he paid the whole of the purchase money in cash and the commissioner as directed in that court made him a deed with special warranty and he makes the following statement of the money in hand after paying costs

	$	cts
Amount of sale of land	400.	00
Commissions on $400 at 5 per cent	17.	00
paid Clerks fee	1.	42
" Sheriffs fee	4.	00
" Commissioner McLemore	5.	00
" Order of Publication in N. Sentinel	3.	00
" attys fee	20.	00
" for writing deed	5.	00
" Auctioneer	5.	00
amount of costs	57.	42

Costs deducted from amount of sales 57.42

Leaves the sum of for distribution $ 342.58

among the parties entitled and he herewith returns his receipts along with his report

Respectfully submitted by

G. W. Wicks Sheriff and ex Officio Commr

Your commissioner recommends a confirmation of the sale

45

Rec'd Oct. 19. 1863 of G. W. Rick Sheriff
& Commissioners of Scarborough &
Scarborough five dollars as Auctioneer
for sales done.

Watkins & Williams

Rec'd Oct 20th 1885 of G W Vick Sheff &
Comr in suit of Goarbrough v Goarbrough
$5.00 fee for making report in said
suit.

B. F McLemore
Comr

October 20th 1885 - Rec'd from F. W. Vick the
sum of $25 in full of fee for chancery suit
in case of
of Scarborough et als vs Scarborough et als

Wm B Shands et Lon

October 25th 1885 - Received from J. W. Lisenby
Commissioner the sum of five
dollars for order of publication in the
Franklin Gazette in the case of
Seaborn Mitchals & Seaborn Mitchals
Wm B Shaw

October 20th 1885 Rec'd from J. W. Brick
Sheriff and commissions in the case
of Scarborough et als vs Scarborough et
als The sum of five dollars for
writing deed D Jordan J. T. Bryant
Wm B Thane

Received Oct 27. 1885 of Geo Rich. Corner
in Scarborough or Scarborough — Six and
47/100 dollars in full of Rent to date

L B Lewis & Co

Jerusalem, Va., March, 188 5-

Mr John Scarborough Esq

In Account with G. W. VICK,

SHERIFF OF SOUTHAMPTON COUNTY, VIRGINIA.

To Summ & writ			60

Boo + borough stocks
5
7 3 3 Lane
Acco + borough stocks

Copy

Southampton Circuit Court May
Term 1885

Scarborough et als:
vs
Power

Scarborough et als:

This day this cause came on again to be heard on the papers formerly read and on the petition of G. T. Bryant and upon the report of Commissioner B. F. McLemore made in pursuance to a decree entered in this cause at the
term 1884 and to which report no
exceptions were filed and was
argued by Counsel, On consideration whereof the Court doth adjudge
order and decree that G. T. Bryant
be made a party defendant in this
suit in place of Cinjun Jayne and
Mary Jayne his wife. That the report of
Commissioner B. F. McLemore be
confirmed and it appearing unto
the Court from the said report
& depositions therewith filed and
that the lands therein mentioned
will have to be sold for a division
The Court doth further adjudge
order and decree that G. W. Peck

Sheriff of Rockbridge County
and as such who is hereby appointed
Special Commissioner for that
purpose shall after having given
at least twenty days notice of
time & place and terms of sale
by advertisement at Jerusalem and
in vicinity of land proceed to sell
at public Auction in the town
of Jerusalem on some County
Court day to the highest bidder
the fifty acres of land more or
less which John Doolittle sought
did devise and possessed said land
being about 2½ miles north of Jerusalem
on the Jerusalem & Petersburg
plank road and adjoining the
lands of Dr. T. J. Preston et als:
On the following terms to wit
One half of the purchase money
cash & deferred on a credit
of twelve months purchaser
giving bond with approved security
for same with option to purchaser
to pay all purchase money
cash and take a deed for land
& and at the paying costs of
this suit the said Commissioner

shall divide the premises into eight equal shares and pay one share to William Scarborough one share to Patsey Hoffman one share to Francis Knight one share to Jesse Scarborough one share to John Scarborough one share to James Scarborough one share to Collin Scarborough and one share to G. T. Bryant, and return his receipt along with his report to Court in order for a further decree

A Copy Test J. B. Prince C.C.

Clk	6.42	pd
Sheff. Wm B.	1.00	
" Geo. V.	1.50	pd
Comr. B.F.M.	5.00	Paid
Witness L.B. Bass	.50	
" G.W. Williams	.50	
" G.T. Bryant	.50	
Or. Pub.	5.00	Franklin Gazette. pd
Sheff.	16.50	pd
	36.92	

~~25.00~~ paid

This day personally appeared before me Claudius Moore and made oath before me that he delivered Mary Joyner & Syngue Joyner each a copy of this Summons on the 1st. day of March 1884

W. J. Debnam,
Com'r in Chancery.

Plaintiffs
vs
Defendants
Joyner &c.

1884. March Rules

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU TO SUMMON Lenique Joyner & Mary Joyner his wife & Collin Scarborough

to appear at the Clerk's Office of our Circuit Court of Southampton county, at the Rules to be holden for the said Court on the first Monday in March next, to answer a bill in Chancery exhibited against them in our said Court by William Scarborough. John Heffton and Patsey Heffton his wife. John S. Knight & Frances Knight his wife. Josie Scarborough. John Scarbrough and James Scarborough —

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

WITNESS, J. B. PRINCE, Clerk of our said Court, this 20th day of Feby, 1884, in the 108th year of the Commonwealth.

Teste. J. B. Prince C. C.

himself or which he may be so
required to state by any of the
parties interested

Scarborough
A. J. Dean
Scarborough NC

Rent Jan 1864.
To Columbia
Yest Bears

Evans
89

Scarboroughs
vs
Scarboroughs

This day this cause came on to be heard on the plaintiffs bill Taken for confessed as to the defendants Cinque Joynes and Mary Joynes his wife and it appearing to the court that the plaintiffs have proceeded in the mode prescribed by law against Collin Scarborough who cannot be found the plaintiffs bill is Taken for confessed as to the said Collin Scarborough And was argued by counsel On consideration whereof the court doth adjudge order and decree that one of the commissioners of this court enquire into and report to court whether partition can be conveniently made of a tract of 50 acres of land whereof John Scarborough died seized and possessed in the said county and if that cannot be done if the interests of those entitled to the said land or its proceeds will be promoted by a sale of the entire subject or an allotment of part and sale of the residue And report to court together with any matter specially stated deemed pertinent by

Scarborough &c.

v. } Copy Decree

Scarborough &c.

72 ch for copy above

In Southampton Circuit Court
November Term 1885.

Scarborough &c
vs
Scarborough &c } Decree

This day this cause came on again to be heard on the papers formerly read, and the report of G. W. Vicks Special commissioner of the sale of the fifty acre tract of land belonging to the Estate of John Scarborough dec'd made in pursuance of a decree of this court entered at the May Term 1885, and to which report no exceptions have been filed and was argued by counsel. On consideration whereof this Court doth adjudge, order and decree, that the said report be confirmed and that Geo. W. Vicks divide the sum of $332 58 in his hands from the sale of land into eight parts, and pay one eighth to William Scarborough, one eighth to Patsy Heston wife of John Heston, one eighth to James Knight wife of John R. Knight, one eighth of Isaac Scarborough, one eighth to James Scarbrough, one eighth to Collin Scarborough, one eighth to John Scarborough and one eighth to Geo. T. Bryant assignee of Enoch Joyner and Mary Joyner his wife and return his receipts to court along with report in order to act on this decree.

A Copy
Teste J. B. Powell C. C.

Office of G. W. Vick

Sheriff of Southampton County.

Jerusalem, Va., _____ 188

Recd. January 7th 1886 of G. W. Vick Sheriff and Commissioner the sum of Forty one dollars & 55/100 Each of our distributive shares of Sale of John Scarbrow Land in Southampton County Virginia Sold Dec. 21st 1885 after paying Cost of Suit, Sale &c. The Style of said suit is Scarbrow & Scarbrow

Wm. Scarbrow
James S. Scarbrow
Martha Hefrow
Francis Knight

P.S you all can sign the Receipt above and send the Money

G. W. Vick
Sh'ff

(Form 14.) **DOMESTIC BILL OF LADING.**

SOUTHERN EXPRESS COMPANY,

EXPRESS FORWARDERS.

$165.32 Franklin Va 1-15-1886

Received from G. H. Vick esq

one Pel Money Sealed and said to contain

one hundred & Sixty five dollars & Thirty two cts

Addressed William Seabrau

Norfolk Va

Upon the special acceptance and agreement that this Company is to forward the same to its agent nearest or most convenient to destination only, and there to deliver the same to other parties to complete the transportation—such delivery to terminate all liability of this Company for such package; and also, that this Company are not to be liable in any manner, or to any extent for any loss, damage or detention of such package, or of its contents, or of any portion thereof, occasioned by the acts of God, or by any person or persons acting or claiming to act in any military or other capacity in hostility to the Government of the United States, or occasioned by civil or military authority, or by the acts of any armed or other mob or riotous assemblage, piracy or the dangers incident to a time of war, nor when occasioned by the dangers of railroad transportation, or ocean or river navigation, or by fire or steam, unless specially insured by this Company, and so specified in this receipt. In no event is this Company to be liable for a greater sum than that above-mentioned, nor shall it be liable for any such loss unless the claim therefor shall be made in writing, at this office, within thirty days from this date, in a statement to which this receipt shall be annexed, (and the shipper and owner hereby severally agree that all the stipulations and conditions in this receipt contained shall extend to, and enure to the benefit of, each and every Company, or person to whom the SOUTHERN EXPRESS COMPANY may entrust or deliver the above described property for transportation, and shall define and limit the liability therefor of such other Company or person.)

For the Company,

A. L. Gardner

B

FREIGHT, not Paid

Berlin & Jones Envelope Co., N. Y.

Insured by SOUTHERN EXPRESS COMPANY, for ____ to ____ only, except against loss occasioned by the public enemy. For the Company,

Insurance, $ ____

Recd. 9th December 10th 1885 of G. H. Vicks Sheriff & Commissioner in Case of Searbrough v. Searborough the sum of Forty one dollars & 33/100 $41.33. Each of our distributive shares, making one hundred & twenty four dollars from sale of John Searborough's Land after paying cost of Suit, Sale &c

Josephene Searbrough. "Collin Searbrough

"John. J. Searbrough

Mary J. Searbrough. Witness — R. C. Edwards

No. 2

Mr. John Scarborough Est.

1885. To JAMES E. SEBRELL, Treasurer of Southampton County, Dr.

Subjects of Taxation.	State Tax, 30c. on $100		County Levy, 50c. on $100		School Taxes. State, 10c. on $100		County, 5c. on $100		District, 7½c. on $100		TOTAL TAX.	
To 45 acres Land, value $	1	15	3	5	5	8	1	2	0	6	0	9	1	70
" Personal Property, value...$														
" Capitation Taxes														
" Income.....$														
Total														
Fee Bills														
5 per cent. additional														
Total														

Received payment 20 day of Nov., 1885. J. E. Sebrell Treasurer.

October 20th 1885- Received from Geo
W Vick Sheriff and commissioner
in the case of Scarborough ads vs
Scarborough ads the sum of
$1961.85-7½ (my distributive share)
from Eugene Joyner widow
sale of Scarborough lands after paying
costs of suit, sale &c. L J Bryant

Scarborough Ala

Vs Z Dean

Scarborough Ala

To be united
Nov Term 1885

Geo N Blow.

Scarborough et als

vs

Scarborough et als

Decree

This day this cause came on again to be heard on the papers formerly made and the report of G. W. Vick Special Commissioner of the sale of the fifth acre tract of land belonging to the estate of John Scarborough dec'd made in pursuance to a decree of this court entered at the May Term 1885 - and to which report no exceptions have been filed and was argued by counsel On consideration whereof the court doth adjudge, order and decree, That the said report be confirmed and that Geo W Vick divide the sum of $332.58 cts in his hands from the sale of land into eight parts, and pay one eighth to William Scarborough one eighth to Patsy Hefton wife of John Hefton, one eighth to Frances Knight wife of John N Knight, one eighth to Josie Scarborough, one eighth to James Scarborough one eighth to John Scarborough one eighth to Collen Scarborough and one eighth to Geo T Bryan and apignee of Bingus Joyner and Mary Joyner his wife and return his receipts to court along with report in order to a further decree

Scarborough et als
vs } Decree
Scarborough et als

Trin Term 1886
To be entered
Geo. A Bloss,

Entered !!!

Scarborough et als
vs } Decree
Scarborough et als

This day this cause came on again to be heard on the papers formerly read and on the petition of G. T. Bryant and upon the report of Commissioner B. F. McLemore made in pursuance to a decree entered in this cause at Nov Term 1884 and to which report no exceptions were filed and was argued by counsel on consideration whereof the court doth adjudge, order and decree that G. T. Bryant be made a party defendant in this suit in place of Cinque Joyner and Mary Joyner his wife. That the report of Commissioner McLemore be confirmed. And it appearing unto the court from the said report and depositions therewith filed that the land therein mentioned will have to be sold for a division. The court doth further adjudge, order and decree that Geo. W. Vick Sheriff of Southampton county and as such who is hereby appointed special commissioner for that purpose, shall; after having given at least twenty days notice of time, place and terms of sale

by advertisement at Jerusalem and in vicinity of land. proceed to sell at public auction in the Town of Jerusalem on some County court day to the highest bidder the fifty acres of land more or less whereof John Scarborough died seized and possessed. said land being about 2 1/2 miles north of Jerusalem on the Jerusalem and Petersburg plank road and adjoining lands of Dr T.J. Pretlow et als. On the following terms to wit. one half of purchase money cash. balance on a credit of twelve months purchaser giving bond with approved security for same with option to purchaser to pay all purchase money cash and take a deed for land &c and after paying costs of this suit. the said Commissioner shall divide the residue into eight equal shares and pay one share to William Scarborough. one share to Patsey Hefton; one share to Francis Knight; one share to Josie Scarborough; one share to John Scarborough; one share to James Scarborough. one share to Robin

Scarborough and one shoe to G.T. Bryant. and return this receipt along with this report we to court in order for a further ~~dpcree~~

Scarborough vc als

vs } Deeds

Scarborough vc als

May Term 1887

To be entered

C M Kell

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Scarborough &c als
vs } Decree
Scarborough &c als

This day this cause come on again to be heard on the Papers formerly read and upon the report of G. W. Vick Shiff & Special Commissioner to which report no exceptions were filed and was argued by counsel On consideration whereof the court doth adjudge. order and decree that the said report be confirmed. and it appearing to the court from said report that there is nothing further to be done in this cause. The court doth further adjudge: order and decree that the same be removed from the docket