1889-03 Southampton County - Chancery Barham, J. L. et ale Vs Ferguson, Sam'l Estate

'Creditors Suit'
To sell land, and apply
proceeds to the payment of debts

Barham, J. L. Assee Est
Ferguson, Sam'l, Est

Ferguson, Martha A

Blanchard, W. N +
Blanchard, Rosa, his Wife

Ferguson, Emmett
Leary, D. D. Trustee
Cagdale, J. L.
Ferguson, Willard
Ferguson, Nettie
Ferguson, Clarence
Ferguson, Mamie
Ferguson, Nina
Ferguson, Daisy
Ferguson, Carlton

To Hon. A.V. Hill, Judge of the Circuit Court of Southampton - In Chancery.

Humbly complaining sheweth unto your Honor, your complainant D. L. Barham, who sues for the benefit of himself and all other creditors of Samuel Ferguson, dec'd., who will come in and bear their part of the costs of this suit - That in or about the year 1886, Samuel Ferguson departed this life, intestate, leaving a widow, Martha A. Ferguson and his children Rosa Blanchard, formerly Ferguson, the wife of W. N. Blanchard, Emmett Ferguson, William Ferguson, Nettie Ferguson, Clarence Ferguson, Marie Ferguson, Nina Ferguson, Daisy Ferguson, and Carlton Ferguson - the last seven, minors, as the heirs-at-law and distributees of his estate; that sometime after the death of the said Samuel Ferguson, to-wit, at a County Court held in and for said County on the 20th day of December 1886, D. L. Barham qualified as administrator of said Samuel Ferguson dec'd., a copy of his qualification being herewith filed

as an Exhibit, marked "A", & prayed to be read as a part of this bill; that at the time of his death, the said Samuel Ferguson was seized & possessed of some personal estate and a tract of land lying in said County, containing 320 acres, more or less, upon which said tract of land the said Samuel Ferguson had some time previous to his death, to-wit, on the 23rd day of January 1882 executed a trust-deed to P.D. Story Trustee, for the benefit of I.L. Cogsdale, a copy of said trust-deed being herewith filed as an exhibit, marked "B" & prayed to be read as a part of this bill; that the said I.L. Barham admr., by virtue of his office, has possessed himself of all the personal estate* that, at the time of his death, the said Samuel Ferguson was indebted to your complainant to the extent of five several notes — one for $50—; one for $100—; one for $112—; one for $20—; and one for $15.60, aggregating $297.60, as will more fully appear from the said notes, herewith filed as exhibits, marked respectively, "C", "D" "E", "F" & "G" & prayed to be read as part of this bill; that your complainant is

* and has failed his administration to account for showing what amount was in his hands for distribution, and has failed to distribute among the creditors & heirs as required by law.

advised that the only way he can collect the amount due him is to have a full settlement of the estate, and subject the land, if necessary, to the payment of the debts of the deceased; that the rents & profits of said land will not in five years pay the debts — & In consideration whereof, & inasmuch as your complainant is without remedy, save in a Court of Equity where matters of this sort are properly cognizable, to the end, therefore, that justice may be done, your complainant prays that D. L. Barham, admr. Dan'l. Ferguson dec'd., Martha A. Ferguson, W. N. Blanchard & Rosa, his wife, Emmett Ferguson, P. D. Story trustee, D. L. Cogsdale, Willard Ferguson, Nettie Ferguson, Clarence Ferguson, Maine Ferguson, Nina Ferguson, Daisy Ferguson & Carlton Ferguson be made parties defendant to this bill, and compelled to answer its allegations; that a proper guardian ad litem be assigned the infant defendants to protect their interests in this suit; that all necessary & proper accounts be ordered; and, if it should appear nec-

* Notice is hereby given that the Judge of the Circuit Court will be asked to appoint a commissioner to sell the Parish Asphalt, out of any funds that may be in the hands of the Clerk of the Court.

sary, that a decree may be entered directing the trustee in said deed of trust, in company with a Commissioner to be appointed by this Court, to make sale of the land hereinbefore mentioned and apply the proceeds thereof to the payment of the debts of the deceased; that your Complainant's debt be paid to him, and that your Honor will grant such other further general & special relief as, in the premises, is just and right.

And your Complainant will ever pray.

Prince & Sebrell, p.q.

Barham &c.
vs.
Bill Withdrawn
Injunction &c.

Prince & Sebrell, p.q.

Dec 14th 1888 Rec'd of P D Story Five
Dollar in full for my fee as Exr to
Sell Samuel Ferguson Land under
a Deed of Trust to Jas L Logsdale

R. Dickinson

Received Five Hundred & Forty Four Dollars (544) Dollars on the within Note

Jno 20th 1888 Peter V Bradburn

Received Ninety eight cents on the within Promissory Note

June 28-1888

Jane Ferguson

For Note $52.50

Vale $52.50

(8 3/4)

$52.50

$52.50

$52.50

NEWSOMS', VA. June 16th 1886

For and in consideration of One & 1/2 [illegible] Tons of Owl Brand Guano Delivered to me by POPE & DARDEN I hereby promise and agree to deliver to them at Newsoms Va on or before the first day of Nov 1886. Six Hundred pounds of Merchantable, Middling Cotton, well and securely baled, and in the event of failure so to deliver said cotton to pay to the said POPE & DARDEN the sum of Fifty Two and 50/100 Dollars, and I do hereby waive the benefit of my homestead exemption as to this debt.

Witness my hand and seal this the 16th day of June 1886.

Witness: Richard Howard

Samuel Ferguson (SEAL.)

(SEAL.)

Printed at Harrell's Printing House, Weldon, N. C.

1884. Decr. 24" Recd Fifty-five and 65/100 Dollars on the within Note
Jos. V. Darden
1885. Feby 5" Recd Nineteen and 60/100 Dollars on the within Note
Jos. V. Darden
$11.37 Recd Eleven & 34/100 Dollars on the within, prorated pork as per first Settlement
Jany. 23-1888.
P & D

Saml. Ferguson
Pltf
vs
Jos. V. Darden
Deft

Action to recover $63.00 Personal Property on the within Note. Converting of 13 Shoats the property of Plaintiff. Jos. V. Darden
Jan. 14-1886.

$62.81 Jno. Hurst 1/86.

$199 18/100

On demand I aver and promise to pay. Pope & Worden or order. with from January 1st 1884. The just and full sum of, One Hundred and Ninety Nine, and 18/100 Dollors for Value received. And I hereby waive the benefit of my homestead exemption as to this debt. Witness my hand and Seal this the day of 1884

Witness.

Samuel Ferguson (Seal)



On Demand *with interest from the* 22nd *day of*

Feby *188*3 *I promise to pay*

Jas D Darden *the just and full sum of*

Ninety ——— **Dollars**

for value received, and I *do hereby waive the benefit of* my *Homestead Exemption as to this debt.*

Witness my *hand and seal this* 23 *day of* Feby *A. D. 188*3

Witness,

Samuel Ferguson SEAL.

SEAL.

Dcr 10th 1884 Received on the within
Fifty Dollars (for 26 Hogs) J. D Darnell

Jan 25th 1888 Received of L Banks Adm
Eleven 02/100 Dollars J D Darnell

Sam. Ferguson
Note $90

90.00
Int 9.90
99.90
Paid 50.00
49.90
Int to Jy 10/87 6.23
$56.13

$7 39/100 Rec'd Seven & 39/100 Dollars on the within prorated work as per final Settlement.
Jany 23-1888. P O'D

Sam Ferguson
To
Mdse $35 00

35^{00} On demand I owe and promise to pay Pope & Darden or order the sum of Thirty Five and no/100 Dollars with int from Nov 1st 1885. for value recieved and I hereby waive the benefit of my homestead exemption as to this debt. Witness my hand and seal this the 25th day of Feby 1886.

Samuel Ferguson (Seal)

($100^{00}_{/100}$) On demand with Interest from date at the rate of Six per cent. per annum I owe and promise to pay unto Wm. A. Drake his Heirs, Executors, Administrators or assigns the just and full sum of one hundred dollars for value received for the payment of which I bind myself, my Heirs, Executors and Administrators firmly by these presents and I hereby waive the benifit of my homestead and all other Exemptions as to this debt and obligation.

As witness my hand and seal this first day of January "A.D." 1882.

Witness
W. A. Blanchard

Samuel Ferguson (Seal)

Received Dec 11 1883 in part of within
Note 1009 lbs Pork @ 7½ = Forty —
Five 68/100 Dollars.

his
Witness J D Vanclave W. H X Drake
mark

Recvd Jany 26 1888 of I L Bostwick
Adm of Saml Ferguson Dec'd Eight 38/100
Dollars it being the cent due me from
apportionment of Geo Debnam report
Witness

his
Robt B Story W H X Drake
mark

Received Jany 1. 1889 of D L Pruitt
Special Comm Thirty Eight 86/100
dollars in full of balance
due me.

his
Witness W H X Drake
mark

R. N. Musgrave

Cumb. Pleas & Q.S. 1883-84
Dec. Term

Received Dec 27. 1888 of I. B. Bruce Special Comr. One hundred and ninety six & 62/100 dollars. Same being in full of amt due me from surplus in his hands from sale of S. Ferguson's land.

Martha A. V. Ferguson

Received Dec 27. 1888 of I. B. Bruce Special Comr. Three nine & 32/100 dollars in full of my share of surplus in his hands from sale of S. Ferguson's land.

Witness
J. L. Barham

Emmet P. Ferguson
his
X
mark

Statement of debts ~~[illegible]~~ Expenses
decd

1	Debt due J. L. Barham	100	00	
pd	Int from Dec 7. 83 to Dec 17. 88	30.	17	
		130.	17	
	Paid by J. L. Barham admr	23.	34	106.83
pd	Debt due J. L. Barham	52.	00	
	Int from Nov 1. 84 to Dec 17. 88	12.	38	
		64	38	
	Paid by J. L. Barham admr	11.	15	51.23
pd	Bond due J. L. Barham	15.	00	
	Int from Jany 1. 86 to Dec 17. 88.	2	62	
		17.	62	
	Paid by J. L. B. admr	3	26	14.36
pd	Bond due J. L. Barham	20.	00	
	Int from Nov 1. 86 to Dec 17. 88	2	55	
		22.	55	
	Paid by J. L. B. admr	3	98	18.56
pd	Bond due J. L. Barham as admr of J. L. Cogdale	50	00	
	Int from Jany 16. 86 to Dec 17. 88	8.	75	
		58.	75	
	Paid by J. L. Baham admr	10.	66	48.09
pd	Bond due W. H. Drake	35	98	
	Int from Dec 11. 83 to Dec 17. 88	11.	01	
		46	99	
	Paid by J. L. B. Admr	8.	38	38.61
	1889. Jany 1. Paid W. H. Drake his mark.			
	Bond due J. D. Dandridge	49.	68	
	Int from Dec 10. 84 to Dec 17. 88	8.	97	
		58.	65	
	Paid by J. L. B. Admr	11.	02	47.63
	Paid J. D. Dandridge			
pd	Bond due Rose Dandridge	35.	00	
	Int from Nov 1. 85 to Dec 17. 88	6.	56	
		41.	56	
	Paid by J. L. B. Admr	7	39	34.17
				359.48

	Amts brot forwards.			359	48
pd	Bond dec Pope & Darden	4	90		
	Int from Nov 1. 86. to Dec 17. 88		62		
		5.	52		
	Paid by J.H.B. admr.		98	4.	54
pd	Bond dec Pope & Darden	56.	81		
	Int from Nov 24. 86. to Dec 17. 88	7.	00		
		63.	81		
	Paid by J.H.B. admr.	11.	34	52.	47
pd	Acct dec Pope & Darden	88.	02		
	Int from Dec 7. 86 to Dec 17. 88	10.	70		
		98.	72		
	Paid by J.H.B. admr.	17.	55		
			7	81.	17
pd	Acct dec C.R.Blow	14.	60		
	Int from Aug 11. 86 to Dec 17. 88	2	05		
		16.	65		
	Paid by J.H.B. admr.	2	95	13.	70
	Pd. Prince Hebert				
pd	Acct dec R.E. Darden	33	39		
	Int from Oct 1. 86 to Dec 17. 88	4.	42		
		37.	81		
	Paid by J.H.B. admr.	6.	72	31.	09
	Bal pd by I.B.Prince Comr R.E. Darden				
	Acct dec W.A. Myrick	1.	75		
	Int from Oct 11. 86 to Dec 17. 88		28		
		2.	03		
	Paid by J.H.B. admr.		35	1.	68
	Pd Prince Hebert				
pd	Acct dec B.R. Griffin	26	77		
	Int from Oct 20. 86 to Dec 17. 88	3	47	~~30. 24~~	
	Paid	30.	24		
	Paid by J.H.B. admr.	5.	37	24.	87
pd	Acct dec D.T. Warren 88	26.	64		
	Int from Dec 20. 86 to Dec 17.	3	21		
		29.	85		
	Paid by J.H.B. admr	4	70	25.	15
	Receipt of D.T. Warren			594	15

	Amts brot forwards			594.15
pd	Acct dec E.S. Brooks	46	71	
	Int from Dec 17. 86 to Dec 17. 88	5	60	
		52	31	
	Paid by J.H.B. admr	9	28	43.03
	Paid Prince Hebert			637.18
Bal	Debt dec J.L. Hogsdale			685.57
pd	including Comr-commission			1322.75
	Court cost			47.11
				1369.86
	Comr I.B.P. comr.			35.28
				1405.14
	Fee for dec'd.			5.00
				1410..14
	Amt of purchase			2000.00
	Surplus.			589.86
	Widow - 1/3 -			196.62
	To be divided between 10 children			393.24
	Each share			39.32

I.B. Prince
Comr

Spa 20. Copies 1.40 - receipt 18. Atty

.28
1.18
.50
.15
1.00
.25
.15
1.44
1.76
.25

8.36

Shff 7.00
Lew 16.50
Conn 15.00

46.86
.25

47.11

Dealer in Choice Liquors, Cigars, Tobacco, Snuff, Etc., Etc.

185-			
Dec 24	To 1 gal why		2.00
1886			
March 6	" 1 Pt Brandy & Bot		85
" 25	" 1 " why		60
" 27	" 1 gal "		4.00
April 16	" 1 Drinks		20
May 14	" 2 gal why Dlrs		3.50
July 17	" 1 Pt Brandy & Bot		1.10
" 23	" 1 gal why		2.25
Aug 18	" 1 Drink		20 $14.60

Southampton County To wit.

Personally appeared before me W. R. Blow. and made oath to the Correctness of the above account of Fourteen 60/100 Dols.

Given under my hand this 9th day of Dec 1887

R. E. Darden N.P.

Paid on This $2.95

No.

Newsom's Depot, Va., June 24 1884

On demand Nov. 1st next ~~after date~~ I promise to pay to the order of L. L. Barham

Fifty no/100 Dollars

for value received, I hereby waive the benefit of My homestead exemption as to this debt.

50 Cts

Samuel Pegram Seal

Exhibit "C."

Received Jan 30/88
Eleven 15/100 Dollars
as prorata apportionment
as per Louis Schell
report in Park of contin
Bond

J. L. Barham

Rec'd Jan 30/88 three
99/100 Dollars as
Pro-Rata apportionment
as per Comm Patrol
report, in part of the Bond
J. B. Barrhem

Exhibit "T"

(Sept.)

(Sept.)

(June)

one copy

Lithog. of Hyman's Cash Register House, Akron, O.



ON DEMAND, *Nov. 1st, next, with interest from that time, till paid I owe and promise to pay to* **J. L. BARHAM** *the sum of* Twenty No/100 Dollars *for value received and I do hereby waive the benefit of my Homestead exemptions as to this debt, as witness my hand and seal, this 6th day of April 1886.*

Samuel Ferguson (Seal.)

(Seal.)

Witness: _____

Printed at HARRELL'S CHEAP PRINTING HOUSE, Weldon, N. C.

Received Jany 30/88
Twenty three 34/100 Dollars
as pro rata apportionment
as per Comrs Schedule rejoicth
in part of within Bond

G. L. Barham



$100.00

Newsoms Va Dec. 7th 1883

On ~~or before~~ demand, I owe and promise to pay

L. L. Barham or order,

One hundred no/100 Dollars,

for value received, at the rate of ..... per cent. interest per annum, without offset; and as to this debt hereby waive the benefit of my Homestead and other Exemptions.

As witness my hand and seal

Witness:

Jas. A. Ferguson [Seal.]

[Seal.]

No. .....

HARRELL'S CHEAP PRINT, WELDON, N. C.

On Demand, I owe and promise to pay to **J. L. BARHAM**, the sum of Fifteen Dollars for value received, and I do hereby waive the benefit of my Homestead Exemptions as to this debt, as witness my hand and seal this 1st day of January 1886.

Witness: _____

Samuel Ferguson (Seal.)

_____ (Seal.)

Printed at Harrell's Cheap Printing House, Weldon, N. C.

Rec'd Jan 30/88
Three 76/100 Dollars
as protested assessment
as per Comm's Sebulba
Rpt of
within Bond

J. B. Barham

$ 1.12 cts

On demand with no interest until twelve months after date I owe and promise to pay unto Jas. L. Coggdale his Heirs, Executors or Administrators, the just and full sum of one hundred and twelve dollars & biling for Value received for the payment of which I bind myself my Heirs Executors & Administrators firmly by these presents and I hereby waive the benifit of my homestead and all other Exemptions as to this debt. witness my hand and seal this 12th day February 1884

Witness:
R. E. Darden

Jesse Seizgisor (seal)
(Seal)

Exhibit "B"

May 30th 1885. Recd Forty seven 57/100 dollars in part payment of the within Bond. Jas. L. Logsdale

Janry 16th 1886 Recd Twenty Five Dollars in part payment of the within Bond
Witness
B C Bunn

Jas L Logsdale

Pay within Bond to S. L. Barham with out recourse to me
March 19/87
Witness
J. R. Dickens

Jas. L. Logsdale
his
mark

Received Janr 30/88 Ten 66/100 Dollars as pro rata apportionment as per Commissioners report in part of within Bond

S. L. Barham

Received Dec 27. 1888 of L. B. Price
Special Comr. Two Hundred & Thirty
nine 07/100 dollars in full
of balance due me on debts
due by S. Ferguson dec'd.

J. L. Barham

Barham &c.

vs } In Chancery.

Ferguson's Adm'r &c.

I hereby certify that the Bond required of Com'r J.B. Pruden, in the above styled cause, has been executed with approved security.

Given under my hand November 14th 1888.

B. F. McLemore, Clerk

Cir: Ct: Southampton Co.

Received July 15. 1889 of I. B. Prince
Special Comr. Thirty nine & 32/100
dollars in full of my share
of surplus in his hands from
sale of S. Ferguson's land.

Witness.
A. H. Bryant

his
Willard F. + Ferguson
mark

Statement of amount due the Seven
Minor Children of Mrs M.A.V. Ferguson
by L.B. Prince Comr to Lease the Lands
of Sam Ferguson dec'd.
Seven Shares - Each $39.32 = $275.24

Received Sept 28. 1889 of L.B. Prince
Comr two hundred Seventy five 24/100
dollars in full of above Statement.

Witness
J.L. Barham

Martha A V Ferguson
Guardian

Mrs M. A. V. Free-
man. Edw
to 3 Reeth
W Price

1886 Mr Samuel Ferguson
Bot of Pope & Darden

March	12	To 53 yds Brn Cot	8	4 24		
"	"	" 3 1/2 " Domestic	9	2 84		
"	"	" 1 Pad Lock		50	7 58	
"	18	" 10 yds Ginghams	12	1 20		
"	"	" 1 Spool Cot		05	1 25	
"	20	" 1 Pr shoes			1 25	
"	24	" 10 yds bales For Mrs Ferguson	8	80		
"	"	" 1 Spool Cot		05	85	
"	29	" Bal on Jeans			22	
April	2	" 1 Bbl Flour			6 50	
"	8	" 53 Nails	4	2 12		
"	"	" 3 Mustard Plasters	5	15	2 27	
"	23	" 1 Pr Shoes		1 50		
"	"	" 1 Lamp & Globe		30		
"	"	" 1 Nutmeg		02	1 82	
May	22	" 1 Gal Molasses			40	
"	29	" Mdse to Jno Baptiest			3 00	
June	16	" 4 Pr Shoes 1 150 1 185 1 175		6 60		
"	"	" 1 lb Tobacco		50		
"	"	" 1 Pkg Matches		10		
"	"	" 6 yds Calico	6 1/4	37		
"	"	" 2 Spools Cot	5	10		
"	"	" 8 lbs Coffee	9 8	1 00		
"	"	" 12 1/2 lbs Sugar	8	1 00		
"	"	" 1 Bbl Flour		6 50	16 17	
July	6	" 1 Pr Shoes			1 35	
"	10	" Mdse to Jno Baptiest			5 00	
"	13	" 3 yds Pant Goods	20	60		
"	"	" 1 lb Cot Rope		25		
"	"	" 1 Keg Nickl		3 00	3 85	
"	24	" 2 Parasols		1 75		
"	"	" 1 Gal Cot		30		
"	"	" 1 Pr "		13		
"	"	" 1 Funnel		20	2 38	
"	26	" 1 Bbl Flour			6 50	
"	31	" 1 Stock Lock			1 00	
Aug	3	" Mdse to Jno Baptiest			1 75	
"	9	" 1 3/4 yds Oil Cloth	35	61		
"	"	" 6 " Pant Goods	25	1 50		
"	"	" 1 Spool Cot		05		
"	"	" 1 lb Blk Pepper		25		
"	"	" 12 1/2 lbs Sugar	8	1 00	3 41	
					$66 55	

Sent Ferguson
a/c

1886.		To Amt Brot Forward				$66 55
Decbr	30	" 12½ˣ Sugar	8	100		
"	.	. 8ˣ Coffee	12½	100	200	
Sept	13	. Indse to M Griffin			5 00	
Nov	1	" 25 Peanut Bags	9½		238	
"	20	. 2½ yds Pant Goods	45	112		
"	.	. 1 Hat		115	227	
"	23	. 2½ yds boot Lining	20	50		
"	.	. 1 Spool Cot		05	55	
"	24	. Bal on Cot Cloth			267	
Dec	11	. 10ˣ Gran Sugar	10	100		
"	.	. 2ˣ Crackers	10	20		
"	.	. 1 Pr Shoes		75	195	
"	6	" Bal on Sweet Oil			10	
"	7	" 1 Pr Shoes			150	
"	.	" 1 " Pants		300		
"	.	" 1 Hdkf		10	310	
					$88 07	

—Cr—

1888				
Jany	23	By Cash of J. L. Borham Atty for rated pork as per final Settlement		$17 55
		Due		$70 52

This is to certify that all business transactions, between the estate of Saml. Ferguson and myself, have been satisfactorily settled, and that Mrs. J.B. Prince has nothing to do with the matter.

W. B. Barbour.

Jany. 21. 89—

Franklin, Va., _____ 188

Mr. J. B. Privett Comr in care of Edmund Ferguson & wife

TO Southampton Democrat, DR.

W. H. STROUD, Proprietor.

Job Printing Done with Neatness and Dispatch at Low Prices.

Nov	17	To printing 50 ✱ posters and for Paid W H Stroud		1	25	-

Pope & Duncan
to § Dectt
L B. Price Com

Statement of accts due Pope & Bordeu by estate Sam Ferguson.

(1)	Bond due Nov 1. '85	35.	00	
	Int to Dec 17. 1888.	6	56	
		41.	56	
	Paid by J. L. Barham adm.	7.	39	34. 17
2	Bal due on Bond Nov 1. 86	4	90	
	Int to Dec 17. 1888.		62	
		5.	52	
	Paid by J. L. Barham adm.		98	4. 54
3	Bal due on Bond Nov 24. 86	56.	81	
	Int to Dec 17. '88	7	00	
		63.	81	
	Paid by J. L. Barham adm.	11.	39	52. 42
4	Acct due Dec 7. 86.	88	02	
	Int to Dec 17. 88	10	70	
		98.	72	
	Paid by J. L. Barham adm.	17.	55	81. 17
				132.38

Received July 26. 1889 of L. B. Price Special Commissioner One Hundred and Seventy two and 38/100 Dollars in full of above Statement.

Pope & Bordeu

Please sign and return this paper to me by mail

Received of J. B. Prince
Commissioner thirty nine
dollars and thirty two cents
this being our part of the
surplus of the sale of the
land of Saml Ferguson decd
Jan. 21st 1889.

Wm. N. Blanchard
Rosa C. Blanchard

J. L. Barham,

1858 To Wm. H. Parker, Dr.

Nov		To fee for Com'rs Report in suit Barham &c., vs Ferguson & Als-		15	00	
			Paid by J. B. Prince, Com'r			
			Wm. H. Parker.			

Barham &c.
v.
Stat: Rules
Ferguson &c.

J. L. Barham, who sues for the benefit of himself and all other creditors of Sam'l Ferguson dec'd. who will come in and bear their part of the costs of this suit. } Pltff

Against

Jos. L. Barham, Adm'r of Sam'l Ferguson dec'd - Martha A. Ferguson. W. R. Blanchard & Rosa his wife - Emmett Ferguson - P. D. Story, Trustee J. L. Ferguson & Co. - & Willard, Nellie, Clarence, Maine, Nina, Daisy and Carlton Ferguson - last seven infants, by B. F. McLemore, Gd'n ad litem. } Defts

1888 Mch 22. Summ: to April Rules -

" April Rules: Summ: ret'd Executed, bill & Exhibits filed. decree nisi vs Defts.

" May " bill taken for Confessed as to absent Defts - B. F. McLemore appointed Gd'n ad litem - Answer of infants by Gd'n ad litem, filed -

Cause set for hearing -

Account Sales of Saw Ferguson Land. Sold by P. D. Story Trustee, Monday Dec 17th 1888. to secure a Bond due Jas. L. Coggsdale

As per Rect		$656	65
" " from Crier		5	00
Commissions on $3000	5%	15.	00
" " " " 356.65	2½%	8.	92
		$684	57

Paid Five dollars on the within bond
July 9th 1884. Jas L Logsdale

Received of J. L. Barkam Admr of
Saml Ferguson Dec'd One hundred
and forty 75/100 Dollars as apportionment
of Comm. debt report in book of within
Bond. Nov. 5th 1887

his
J. L. x Logsdale
mark

Wilmus
J. R. Dickens

Received of O. D. Long Trustee
Six hundred fifty dollars and 00/100
Dollars in full
of the within
Bond
Nov 27th 1888
Test:
Wm E. Bunn

his
Jas L x Logsdale
mark

Sam Ferguson
by Nat
P.S.C.

$556.79

On demand with Interest from date I owe and promise to pay Jas. F. Cogsdale Five Hundred and Fifty Six Dollars and Seventy Nine Cents, with Interest at the rate of Six per Cent per annum for Value received, without defalcation or stay of Execution hereby waving the benefit of all laws Exempting real and personal property from levy or sale as to this debt as Witness my hand and seal, this the 23d. day of January, 1882.

Witness
Junius B. Story

Samuel Ferguson Seal

This Deed made this 23rd day of Jany. in the year 1882 Between Samuel Ferguson and wife Martha A. Ferguson of the one part and P. D. Story of the other part. Witnesseth. That the said Samuel Ferguson and wife Martha A. Ferguson doth grant unto the said P. D. Story with general warranty the following property to wit the tract of land and premises on which the said Samuel Ferguson now lives, containing by estimation Three Hundred and seventy acres to be the same more or less, and adjoining the lands of Benj Griffin Della Worrell Goodwin Worrell and Norfleet Blanchard In trust to secure the following debts one bond due Jas L. Cogdale for Five Hundred & Fifty Six Dollars and seventy nine cents on demand and bearing date with this indenture and it is hereby covenanted and agreed between the parties to this Deed that a sale under this Deed shall take place for

cash at the request of either one of the parties interested after giving at least Twenty days notice of the time and place of sale and the proceeds after paying or satisfying cost and expenses of this trust shall be applied in the following manner, First to the payment of the debt and interest due Jas L. Logsdale, after which the balance pay over to the said Samuel Ferguson, or his legal representatives Witness the following signatures and seals.

Samuel Ferguson Seal
Martha A. Ferguson Seal
Seal

State of Virginia. County of Southampton, To wit;
I, R. C. Darden, a Notary public for the County aforesaid in the State of Virginia do certify that Sam'l Ferguson, whose name is signed to the within writing bearing date on the 23rd day of January 1882, has acknowledged the same before me in my County aforesaid, And I, R. C. Darden, a Notary public for the County aforesaid in the State of Virginia do further certify that Martha A. Ferguson the wife of Sam'l Ferguson, whose names are signed to the within writing bearing date on the 23rd day of Janry 1882, personally appeared before me in my County aforesaid, and being examined by me privily and apart from her husband, and having the writing aforesaid fully explained to her, she, the said Martha A. Ferguson, acknowledged the said writing to be her act, and declared that

She had willingly executed the same and does not wish to retract it,
Given under my hand this 24th day of January A.D. 1882
R.C.G. Darden J.P.
Southampton County, In the Clerks Office January 27th 1882
This Deed of Trust from Samuel Ferguson & wife to P.D. Story trustee for the benefit of J.L. Cogsdale was this day received and with the certificate thereto annexed admitted to record.
Teste L.R. Edwards. C.C.

A copy - Teste: B.F. McLemore C.C.

Ferguson et als
to
P.D. Story
Cogsdale's Annuls

Exhibit
"B"

Barham &c

v

Ferguson's Adm'r et als

1888. Rules

Ci: Ct.

Ex'd March 29th 88
by delivering a copy of
this Summons to each
of the within named
parties

J. H. Williams
Sheriff

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON J. L. Barham Adm'r Sam'l Ferguson dec'd, Martha A. Ferguson, W. N. Blanchard & Rosa, his wife, Emmett Ferguson, R. D. Story Trustee. J. L. Cogsdale. Willard Ferguson. Nellie Ferguson. Clarence Ferguson, Maine Ferguson. Nina Ferguson, Daisy Ferguson and Carlton Ferguson. the last seven infants, by B. F. McLemore, Gdn 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 April next, to answer a bill in chancery exhibited against them in our said Court by J. L. Barham, who sues for the benefit of himself and all other creditors of Sam'l Ferguson dec'd. who will come in and bear their part of the costs of this suit.

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

Witness, ~~J. B. Prince,~~ B. F. McLemore Clerk of our said Court, this 22 day of March 1888, in the 112 year of the Commonwealth.

Teste: B. F. McLemore C. C.

This Deed made this 23 day of Jany in the year of 1882. Between Samuel Ferguson and wife (Martha A. Ferguson) of the one part and D. K. Story of the other part. Witnesseth that the said Samuel Ferguson and wife Martha A. Ferguson doth grant unto the said D. K. Story with Genral warranty the following property to wit the tract of land and premises on which the said Samuel Ferguson now lives containing by estimation Three Hundred and Seventy acres to be the same more or less and adjoining the lands of Benj Griffin Della Norrell Goodwin Norrell and Norfleet Blanchard In trust to secure the following debt one bond due Jas L. Cogsdale for Five Hundred & Fifty Six Dollars and Seventy nine cents on demand and bearing date with this indenture and it is hereby covenanted and agred between the parties to this Deed that a sale under this Deed shall take place for cash at the request of either one of the parties interested after giving at least Twenty days notice of the time and place of sale and the proceeds after paying or Satisfying the Cost and Expences of this trust shall be applied in the following manner, First to the payment of the debt and Interest due Jas. L. Cogsdale, after which the balance pay over to the said Samuel Ferguson or his legal representatives

Witness the following signatures and Seals

Samuel Ferguson Seal
Martha A Ferguson Seal
Seal

State of Virginia County of Southampton, To Wit;

I, R. E. Darden, a Notary public for the County aforesaid in the State of Virginia do certify that Saml Ferguson, whose name is Signed to the within writing bearing date on the 23rd day of January 1882, has acknowledged the same before me in my County aforesaid, And I, R E Darden, a Notary public for the County aforesaid in the State of Virginia do further Certify that Martha A. Ferguson, the wife of Saml Ferguson, whose names are signed to the within writing bearing date on the 23rd day of Jany 1882, personally appeared before me in my County aforesaid, and being Examined by me privily and apart from her husband, and having the writing aforesaid fully Explained to her, She, the said Martha A Ferguson, acknowledged the said writing to be her act, and declared that she had willingly Executed the same and does not wish to retract it,

Given under my hand this 24th day of January A. D. 1882

R E Darden N.P.

Southampton County. In the Clerks Office January 27th 1882. This Deed of Trust from Samuel Ferguson & wife to P D Story trustee for the benefit of J L Cogedale was this day received and with the certificate thereto annexed admitted to record.

Teste L R Edwards C.C.

Ferguson & wife
to
Deed of Trust
Cogedale trustee

1882 Jany 27th
Rec'd & admitted
to record

Recorded
Page 44

1 Tax 1.00

Barham for Pl.

vs

Cowie's Bond

&

Ferguson's Admr et al.

1888. Nov. 14 Filed

Know all men by these Presents, That we J. B. Prince. W. J. Sebrell and Thos. E. Sebrell

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of Eight hundred ——— Dollars, to the payment whereof, well and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents. And we, the obligors herein, hereby waive the benefit of our homestead exemption as to this obligation, and also waive any claim, right or privilege to discharge any liability arising under said bond in any currency, funds, counter-claims or offsets other than legal tender currency of the United States.

Sealed with our seals and dated this 14th day of November A. D. 1888

THE CONDITION of the above obligation is such that if the above bound J. B. Prince, who has been appointed a Special Commissioner, by decree of the Circuit Court of Southampton County entered at the November Term 1888, in the Chancery Cause of Barham &c &c vs Ferguson's Adm'r &c to sell the real Estate whereof Saml Ferguson died seized and possessed, shall faithfully discharge his duties under the aforesaid decree, and the duties which may be required of him under any subsequent decree entered in said Cause!

~~shall faithfully discharge the duties of office or trust~~ according to law, then the above obligation to be void, or else to remain in full force and virtue.

Signed, sealed and delivered in presence of the Court.

J. B. Prince SEAL

W. J. Sebrell SEAL

Thos. E. Sebrell SEAL

SEAL

An a/c apportioning balance in the hands of J. L. Barham, admr. of Samuel Ferguson, decd., among the creditors who have proved their debts against the Est. aforesaid Ferguson—

Amo. funds to be apportioned — $302.56

Amo. debts proved vs. Est. $1598.61

	Debt.	Share.
J. L. Barham —	21.16	3.99
J. L. Barham —	17.26	3.26
J. L. Barham —	58.91	11.15
J. L. Barham —	123.33	23.34
✓ C. R. Blow,	15.63	2.95
✓ J. L. Barham, assignee of J. L. Cogsdale,	56.34	10.66
✓ J. L. Cogsdale —	743.48	140.75
✓ Wm. H. Drake —	44.28	8.38
✓ R. E. Darden —	35.50	6.72
✓ Pope & Darden —	92.67	17.55
✓ Wm. A. Myrick —	1.85	.35
✓ Jas. D. Darden —	58.20	11.02
✓ B. R. Griffin —	28.37	5.37
Etheridge & Brooks —	49.08	9.28
✓ Pope & Darden —	39.08	7.39
✓ Pope & Darden —	5.18	.98
✓ Pope & Darden —	59.89	11.34
✓ D. J. Worrell —	24.86	4.70
✓ Dr. W. B. Barham —	123.54	23.38
	$1598.61	$302.56

Respectfully submitted,

D. J. Sebrell,
Comr. in Chancy.

4.89
2.95

Rec'd of J. L. Barham, admr. of Dan'l. Ferguson dec'd., the amounts due us respectively as per foregoing apportionment a/c of Comr. Co. J. Sebrell

Witness J. R. Dickens
A & to B R Rds

J. H. M. Sykes
B. R. Mc Gehee
Wm. A. Mynatt
R. E. Darden
W R Bass
Pettit & Darden for Edwards
W. B. Barham
W. D. Mc Gehee
J. D. Darden
J. L. Coggodale
J. Mc Barham
D. J. Worrell

Robt. B. Story as to W. D. McGehee

J. A. Dickens as to J. L. Coggodale

Ord. Sund. Ferguson
to recd suit
J. L. Barham
admr.

1888. Feb. 29. Filed.
" Apl. 16. Entd.
R.R.

Rounded
Page 210

Recvd Jany 21st 1888 of J. L. Barham
Admr of Saml Ferguson Decd Nine 28/100
Dollars in Cash and Prorata allowance
on the a/c vs. said Saml Ferguson Decd Estate
by Comrs Sale

Etheridge & Brooks

Estate of Samuel Ferguson, dec'd.,

1886 In a/c with D. L. Barham, admr.

Dec.	14	To paid for sale &c—	3. 75	
1887 Jan.	13	By amo. a/c sales of Chattel propty.		457. 12
		To com's on $457.12 5%	22. 85	
		" amo. paid Auctioneer—	5. 00	
		" " " Brandy tax—	88. 20	
		" " " appraisers—	3. 00	
		" " " Clerk of sales—	3. 00	
		" " " Mrs. Griffin for labor	8. 89	
M'ch	10	" " " taxes for 1886—	17. 12	
		" " " D. J. Worrell for bagging and ties	2. 50	
		By a/c sales 2 Bales Cotton—		91. 96
		" Cash from D. L. Barham		2. 00
		To com's. on $93.96 5%	4. 69	
Oct.	13	" paid B. J. Gray for coffin—	18. 00	
		" amo. retained to pay Dr. D. H. M. Sykes for professional services in last illness	20. 00	
		To amo. retained to pay Dr. W. B. Barham for professional services in last illness	33. 00	
		To amo. retained to pay Clerk fee— bills & tax on qualification—	3. 24	
		" amo. retained to pay Com'r. of a/cs. for certifying a/c sales &c.	3. 00	
		To amo. retained to pay Com'r. for Administration a/c., a/c of debts, and distributive a/c—	15. 00	
"	20	By int. on $374.08 8 mos.		14. 96
		To com's. on $14.96 5%	.74	
		" amo. retained to pay Clerk for recording administration a/c., a/c of debts, Distributive a/c, a/c sales &c.	11. 50	
		Balance—	302. 56	
			$566. 04	$566 04

(over)

1887
Oct. 20 By bal. due Est. brot. forward — $302.56

Respectfully Submitted,

W. J. Sebrell,
Comr. in Chancy.

An account of the outstanding debts against the Estate of Samuel Ferguson dec'd., proved before me, W.J. Sibbald, a Commissioner in Chancery of County Court for Bonchampion County on the 20th day of October 1887, pursuant to notice hereto annexed.

4th Class.

One bond, waiving Homestead exemption, due to I. L. Barham, and dated on 1st day Nov. 1886—		
Amo. of Principal ——	20.00	
Int. from Nov. 1/86 to Oct. 20/87—	1.16	$21.16
One bond, waiving Homestead exemption, due to I. L. Barham, dated Jany. 1st/86 & payable on demand.		
Amo. of Principal —	15.60	
Int. from Jany. 1st/86 to Oct. 20/87.	1.66	$17.26
One bond, waiving Homestead exemption, due to I. L. Barham, dated Nov. 1/84 & payable on demand—	50.00	
Int. from Nov. 1/84 to Oct. 20/87.	8.91	$58.91
One bond, waiving Homestead exemption, due to I. L. Barham, dated Dec. 7/83 & payable on demand—	100.00	
Int. from Dec. 7/83 to Oct. 20/87—	23.33	$123.33
One open a/c, due to W.R. Blow, on the 11th day of Aug. 1886 ——	14.60	
Int. from Aug. 11/86 to Oct. 20/87.	1.03	$15.63
Amo. carried forward —		$236.29

Amo. brot. forward —			236.29
One bond, waiving Homestead exemption, and due to J. L. Barham, assignee of J. L. Copsdale —			
amo. due on bond, Jany 16/86 —		50.97	
Int. from Jany 16/86 to Oct. 20/87 —		5.37	56.34
One bond, waiving Homestead exemption, & due to Jas. L. Copsdale,			
+ same being secured by Trust-deed —		556.79	
Int. from Jany. 23/82 to Oct. 20/87, less $5.00 paid on same —		186.69	743.48
One bond due to Wm. H. Drake —			
amo. due Dec. 11/83 —		35.98	
Int. from Dec. 11/83 to Oct 20/87 —		8.30	44.28
One open a/c due R. E. Darden —		33.39	
Int. from Oct. 1/86 to Oct. 20/87 —		2.11	35.50
One open a/c due Pope & Darden —		88.07	
Int. from Dec. 7/86 to Oct. 20/87 —		4.60	92.67
One open a/c due W. A. Myrick —		1.75	
Int from Oct 11/86 to Oct 20/87 —		.10	1.85
One bond, waiving Homestead exemption, due to Jas. D. Darden —			
Amo. due Dec. 10/84 —		49.68	
Int. from Dec. 10/84 to Oct. 20/87 —		8.52	58.20
One open a/c due to B. R. Griffin —		26.77	
Int. from Oct. 20/86 to Oct. 20/87 —		1.60	28.37
One open a/c due Etheridge & Brooks —		46.71	
Int. from Dec. 15/86 to Oct. 20/87 —		2.37	49.08
Amo. carried forward —			$1346.06

Amo. brot. forward —		1346.06
One bond, waiving Homestead Exemption, and due to Messrs. Pope & Darden —	35.00	
Int. from Nov. 1/85 to Oct. 20/87	4.08	39.08
One bond, waiving Homestead Exemption & due to Pope & Darden —	4.90	
Int. from Nov. 1/86 to Oct. 20/87	.28	5.18
One bond waiving Homestead exemption & due to Pope & Darden —		
Amo. due on bond Nov. 24/86 —	56.81	
Int. from Nov. 24/86 to Oct 20/87.	3.08	59.89
One open a/c due D. J. Worrell,	23.64	
Int. from Dec 10/86 to Oct 20/87.	1.22	24.86
One open a/c due Dr. W. B. Barham	116.00	
Int. from Sept. 21/86 to Oct 20/87 —	7.54	123.54
Total amo. debt proved —		$1598.61

Respectfully Submitted,

W. J. Jebell,

Comr. in Chy.

Southampton County. In the Clerks office Feby 27. 1888.

The foregoing account & a/c of Debts of J. L. Barham, Admr. of Saml. Ferguson was this day returned & filed for exceptions and at a County Court held for said County on the 16th day of April 1888 said account having lain in the Clerks office more than thirty days and no exceptions being filed thereto it was examined confirmed & order to be

recorded Teste B. F. McLemore C.C.

Administration a/c
&
a/c of Dower
vs.
Est. Dan'l Ferguson.

324
15.00
11.00
29.24

Barham &c.

v.

Ferguson &c.

Answer of Infants

by Gdn ad litem

The joint and several answers of Willard Ferguson - Nellie Ferguson - Clarence Ferguson - Maine Ferguson - Nina Ferguson - Daisy Ferguson and Carlton Ferguson - by B. F. McLemore their Guardian ad litem - to a bill of Complaint Exhibited against them & others by J. L. Barham, ~~Admr of Saml. Ferguson dec'd & others~~ in the Circuit Court of Southampton County.

These respondents, saving and reserving &c. for answer to said bill say: That they are infants, and therefore know nothing of the facts as set forth in said bill - and submit their rights to the protection of this Court. And having answered, pray hence to be dismissed &c.

B. F. McLemore
G'd'n ad litem

Southampton Circuit Court May Term 1888.

Barham &c.
vs.
Ferguson &c.

Decree.

This day this cause came on to be heard upon Complainants bill taken for confessed as to the adult defendants exhibits therewith filed, the answer of the infant defendants by their guardian ad litem and was argued by counsel. On consideration whereof the Court doth adjudge, order and decree that it be referred to one of the Commissioners of this Court to ascertain and report to this Court 1st an account of the transactions of J. L. Barham as administrator of Sam. Ferguson dec'd. - 2nd. An account of the outstanding debts against the estate of said Sam. Ferguson dec'd with their priorities and dignities. 3rd. An account of the annual and absolute value of the Real estate of which said Sam. Ferguson died seized and possessed and whether or not in his opinion the rents and profits thereof would in five years pay the outstanding debts proved against the said Estate - and which the Commissioner is directed to report

together with any matter specially stated deemed pertinent by himself, or which he may be required to so state by any interested party

A Copy. Teste, R. F. McLemore Cl.

Barham &c.
vs
Deeree
Fi. Fa. &c

A Copy.

Estate of Samuel Ferguson, dec'd

1886 In account with J. L. Barham, his Adm'r.

Dec.	14	To paid for salt &c.,		3	75	
1887 Jany	13	By amo: a/c sales of Chattel property				45 7 12
		To Com's on $45.7.12 5 o/o		22	85	
		" amo: paid Auctioneer		5	00	
		" " " Brandy &c		88	20	
		" " " a/c appraisers		3	00	
		" " " Clerk of Sales		3	00	
		" " " Mrs: Griffin for Cake		8	89	
Mch	10	" " " Taxes for 1886		17	12	
		" " " D. F. Murrell for bagging and ties		2	50	
		By a/c Sales 2 Bales Cotton.				91 96
		" Cash from L. L. Barden				2 00
		To Com's on $93.96 5 o/o		4	69	
Apl.	13	" paid B. J. Gray for Coffin		18	00	
		" amo. retained to pay Dr. J. H. M. Sykes for professional services in last illness		20	00	
		To amo. retained to pay Dr. W. B. Barham for professional services in last illness.		33	00	
		To amo. retained to pay Clerk for bill Stat on qualification.		3	24	
		" amo. retained to pay Com'r of a/c's for certifying a/c sales &c		3	00	
		To amo. retained to pay Com'r for administration a/c, a/c of debts, and distributee a/c.		15	00	
"	20	By int., on $374.08 8 Mos				14 96
		To Com's on $14.96 5 o/o			74	
		" amo. retained to pay Clerk for recording administration a/c, a/c of debts, Distributees a/c, a/c sales &c.		11	50	
		Balance		302	56	
			$	566	04	$ 566 04

(over)

1887
Oct. By bal. due Estb. brot forward. $302 56

Respectfully Submitted,

Wm. H. Parker,
Paymr in Chg.
"

An account of the debts outstanding against the Estate of Samuel Ferguson, decd. proved before me, Wm. H. Parker, a Commissioner in Chancery for the Circuit Court of Southampton County on the day of October 1888, pursuant to a decree of the said Court, entered at the May Term 1888, in the Chancery Cause of Barham &c. vs Barham, &c.

1st Class -

	One bond, waiving Homestead Exemption, and due to Jas: L. Cooksdale, same being secured by trust deed.			
✓	Int., from Jany 23/82 to Oct., 2/88	55	6 79	
	less $5. 50 paid on same -	218	5 6	$775 35
	One bond, waiving Homestead Exemption, due to J. L. Barham, dated Dec., 7/83 and payable on demand -	100	00	
✓	Int., from Dec., 7/83 to Oct., 2/88	28	91	$138 91
	One bond due to Wm: H. Drake -			
✓	Amo. due Dec., 11/83 -	35	98	
	Int., from Dec., 11/83 to Oct., 2/88	10	39	$46 37
✓	One bond, waiving Homestead Exemption, due to J. L. Barham, dated Nov: 1st: 84 and payable on demand	50	00	
	Int., from Nov: 1/84 to Oct., 2/88	11	83	$61 83
	One bond, waiving Homestead Exemption, due to Jas: D. Darden, due			
✓	Dec., 10/84 -	49	68	
	Int., from Dec., 10th: 84 to Oct., 2/88	11	36	$61 04
	Amo: Carried forward -			$1078 50

Amo: brot forward- $1078 50

One bond, waiving Homestead Exemption and due to Mesrs Pope and Darden-
Amo- 35 00
Int., from Nov: 1/85 to Oct., 2/88 6 12 41 12

One bond, waiving Homestead Exemption, due to D.L. Barham, dated Jany 1/86 and payable on demand. Amo. of principal- 15 60
Int., from Jany 1/86 to Oct., 2/88- 2 27 17 87

One bond, waiving Homestead Exemption, due to D.L. Barham, assignee of D.L. Georgedale-
Amo. due on bond, Jany 16/86- 50 97
Int., from Jany 16/86 to Oct., 2/88- 8 29 59 26

One open a/c, due to W.R. Bloor on the 11th: day of Aug: 1886- 14 60
Int., from Aug: 11/86 to Oct., 2/88- 1 90 16 50

One open a/c, due Dr W.R. Barham 116 00
Int., from Sept., 21/86 to Oct., 2/88- 14 43 130 15

One open a/c, due R.E. Darden- 33 39
Int., from Oct., 1/86 to Oct., 2/88 4 06 37 45

One open a/c, due W.A. Myrick- 1 75
Int., from Oct., 11/86 to Oct., 2/88- 20 1 95

One open a/c, due to B.R. Griffin 26 77
Int., from Oct., 20/86 to Oct., 2/88- 3 18 29 95

One bond, waiving Homestead Exemption, due to D.L. Barham, and dated on 1st: day Nov: 1886.
Amo- of principal- 20 00
Int., from Nov: 1/86 to Oct., 2/88- 2 30 22 30

Amo- Carried forward- $1435 03

Amo. brot forward- $1435 03

One bond, waiving Homestead Exemption, and due to Pope and Darden-
Amo- 4 90
Int., from Nov: 1/86 to Oct., 2/88- 57 55

One bond, waiving Homestead Exemption, and due to Pope and Darden- Amo- due on bond Nov: 24/86 56 81
Int., from Nov: 24/86 to Oct., 2/88- 6 32 63 13

One open a/c, due Pope and Darden- 88 07
Int., from Dec., 7/86 to Oct., 2/88- 9 61 97 68

One open a/c, due D.J. Worrell- 26 64
Int., from Dec., 10/86 to Oct., 2/88- 2 89 29 53

One open a/c- due Etheridge and Brooks 46 71
Int., from Dec., 15/86 to Oct., 2/88- 5 03

Total amo. debts proved- $1677 58

Respectfully Submitted,

Wm: H. Parker,
Commr in Chancery.

An account of the Real Estate of which Littleton Dwey died seized and possessed, showing the fee simple and annual value of the same, reported in obedience to a decree of the Circuit Court of Southampton County, entered at the May Term 1888, in the Chancery cause of Barham &c- vs Barham &c.

	Fee simple Value	Annual Value
A tract of land, containing 288 acres, more or less, and valued at	$1154 00	$66 24

Respectfully Submitted,

Wm H. Parker,
Comm'r in Chy.

"

Barham Sc. 125

Report

Ferguson Labo

1888. Oct. 26. filed

Commissioner's Office,
Jerusalem, Va.,
Oct., 1888.

The undersigned, in pursuance of a decretal order of the Circuit Court for the County of Southampton, pronounced at the May Term 1888 thereof, in a cause in Chancery in the said Court depending between J.L. Barham &c., Complainants, and J.L. Barham, Admr &c. & others, defendants, an office copy of which decree is hereto annexed, having given due notice to the parties concerned, as will appear by the notice herewith returned, proceeded on the 2nd. day of October 1888 to execute the said order and to settle the following accounts thereunder directed, to wit:

1st: An account of the transactions of J.L. Barham as administrator of Samuel Ferguson, decd;

2nd: An account of the outstanding debts against the Estate of the said Saml Ferguson, decd, with their priorities and dignities;

3rd: An account of the annual and absolute value of the Real Estate of which said Saml Ferguson died sized and possessed, and whether or not, the rents and profits thereof will in five years pay the out-

standing debts proved against the said Estate, together with any matter specially stated deemed pertinent by himself, or which he may be required to so state by any interested party-

The undersigned ascertains upon a settlement of the account of D.L. Barham as administrator of the Estate of Saml Ferguson, deceased, that there was a balance in his hands due the said Estate on the 20th: of October 1887, when an ex parte administration account, rendered in the County Court of Southampton was closed, amounting to $302.56, and that the administrator has exhibited before him, vouchers showing that he has paid out this said balance pro rata to the Creditors of the —— Estate of the said Saml Ferguson, decd, and that since this said ex parte account was closed on the 20th: of October 1887, the said administrator has received nothing to the Credit of the said Estate nor has he paid out any thing on behalf of the same, which said ex parte account is made the basis of this report and adopted as part thereof.

The debts reported, as outstanding and unpaid, against the Estate of the said

Saml Ferguson, decd, amount to $1677.58 cy inclusive of interest computed down to the 2nd: day of October 1888, the time of the settlement of the foregoing accounts, from which is to be deducted the sum of $302.56 cy already paid, which will leave a balance of $1375.02 cy now to be distributed among the Creditors of the said Ferguson's Estate. The fee simple value of the Real Estate of which the said Saml Ferguson died seized and possessed, from the best information that could be obtained, is $1154.00 cy and the annualey value is $66.24 cy. The rents and profits arising from the said Real Estate will not in five years discharge the debts proved against the said Estate of Saml Ferguson deceased; and, therefore, it will be necessary to order a sale and disbursement of the proceeds arising therefrom among the Creditors entitled to the same.

Respectfully Submitted,

Wm: H. Parker
Comr in Chancery.

Commissioner's fee $15.00 cy
Charged to Complainant.

Southampton County Court: Dec Term 1888.
On Motion of J. L. Barham, who made oath according to law. and together with R. E. Darden as his security, who justified on oath as to his sufficiency. entered into and acknowledged a bond in the penalty of one thousand dollars - conditioned as the law directs. which bond is ordered to be recorded. certificate is granted the said J. L. Barham for obtaining letters of Administration on the estate of Edmund Ferguson dec'd. in due form. And on his further motion, A. D. Bryant. W. N. Blanchard and B. R. Griffin are hereby appointed Appraisers. who, being first duly qualified, will appraise the chattel Estate of said decedent, and return the same, under their hands, as the law directs.

A Copy -

Teste: B. F. McLemore C.C.

Barham &c.

Cross Qualification

Ferguson &c.

Exhibit "A"

Barham v.
v. 3 Report
Jefferson's adm

Vouchers
inside

Barham &c

vs } Report of P.D. Story Trustee &
J.B. Pruner Comr.

Hargrave's Adm &c

In this cause your Comr & P.D. Story Trustee submits the following report - That pursuant to decree of Nov Term 1888. they have sold the land in the proceedings mentioned and at the sale Mrs M.A.V. Hargrave, widow of Saml Hargrave became the purchaser by bidding therefor the sum of $200 - The whole of the purchase money was paid in Cash - and it has all been disbursed to the creditors as will appear from receipts herewith filed. There was a surplus in my hands after paying off the debts, which I paid to the widow and children according to their respective interests - Receipts for all of which I file with this report. The sale was an excellent one and we recommend its confirmation and the confirmation of our subsequent acts. We made a deed to the purchaser.

Oct 23. 1889

Respectfully submitted.
P.D. Story Trustee
J.B. Pruner Comr

To Jno G. Cris Ct. }
Southampton }

Barham &c. }
vs. } Decree.
Ferguson &c. }

This day this cause came on to be heard upon complainants' bill, taken for confessed as to the adult defendants, exhibits thereunto filed, the answer of the infant defendants by their guardian ad litem, and was argued by counsel. On consideration whereof, the Court doth adjudge, order and decree that it be referred to one of the Commissioners of this Court to ascertain and report to this Court, 1st An account of the transactions of J. L. Barham as administrator of Saml Ferguson decd. 2nd An account of the outstanding debts against the Estate of said Saml. Ferguson decd., with their priorities and dignities. 3rd An account of the annual and absolute value of the Real Estate, of which said Saml. Ferguson died, seized and possessed, and whether or not, in his opinion, the rents & profits thereof will in five years pay the outstanding debts proved against the said Estate — all which the Commissioner is directed to report

together with any matter specially stated deemed pertinent by himself, or which he may be required to do state by any interested party.

Barkan &c.
vs.
Diver
Ferguson &c.

May Term 1888.

To be entered
C Mohr

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cop.

Brice & Lefevre
N.Y.

Barham for Pl.
vs
Decree.
Ferguson Admr Dft.
This day this Cause Came on to be
again heard on the Bill formerly
read, the report of Comr W.H. Parker
filed Oct 26. 1888. to which there is
no Exception, and was argued by
Counsel. On Consideration whereof
the Court doth Confirm the said report.
and doth adjudge order decree that
P.D. Story, the Trustee in the deed of
Trust from Saml Ferguson and wife
for benefit of James L. Cogdale,
and I.B. Prince, who is appointed a
Comr for the purpose, sell the land
wherein Saml Ferguson died seized
and possessed, upon the following
terms. Enough Cash to pay Costs of
this suit, Costs of sale and to satisfy
the balance due on bond to J.L.
Cogdale. The balance on a credit
of twelve months, the purchaser
to give bond with good security, payable
to I.B. Prince Comr, with interest
from day of sale, and the title
to be retained for the deferred
payment. But the said Prince shall
not proceed to act under this
decree until he shall have

given bond before the Clerk of this Court in the penalty of $800, with security to be approved by him, conditioned to execute this and any further decree in this Cause - And the said Story & Prince will report their proceedings to Court. The Clerk will furnish a certificate to the said Comr. Prince stating that bond with proper security has been given, when the same is done.

Barham
Cr 3 Days
Jacquin & Bruce Sol.

Nov Term 1884
Ordered
C.M.Shic
Nov 9, 1884

319

Barham

vs Z Deane

Perpetuis Adm.ts

This day this cause came on to be again heard on the papers formerly read, the report of Comrs I.B. Smith & P.D. Story, Master, reporting sale of lands belonging to S. Perpetuis dec'd to him made for $2000. the payment of one thirdone money in cash, the disbursement of same to creditors and of the surplus to the widow & children, supported by proper vouchers and the execution of a deed to the purchaser, to which report there is no exception, and was argued by Counsel. On consideration whereof, the Court doth adopt order and decree that the said report be and the same is hereby confirmed. And nothing further appearing necessary to be done in this cause, the same is ordered to be removed from the docket.

Buchanan Co.
vs
Dieus
Jefferson's Admr

Nov Term 1889
To be entered.
Crosier

Entered page 810

Barham &c-

vs Notice

Ferguson &c-

Executed Sept. 22d
1888.

R. D. Moon Sept
for J. H. Williams Sheff

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Commissioner's Office,

Jerusalem, Va., Sept., 5th, 1888,

To J. L. Barham, who sues for the benefit of himself and all other creditors of Saml Ferguson, decd, who will come in and bear their share of the costs of this suit, J. L. Barham, Admr of Saml Ferguson, decd, Martha A. Ferguson, W. N. Blanchard and Rosa, his wife, Emmett Ferguson, P. D. Story, Trustee, J. L. Heywood, and Willard, Nettie, Clarence, Maime, Nina, Daisy and Learetta Ferguson, last seven infants by B. F. McClenny, Jr. ad litem-

You are hereby notified that I have fixed upon the 2nd 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 transactions of J. L. Barham as administrator of Saml Ferguson, decd;

2nd: An Account of the outstanding debts against the Estate of said Saml Ferguson, decd, with their priorities and dignities;

3rd: An Account of the annual and absolute value of the Real Estate of which said Saml Ferguson died seized and possessed, and whether or not, in his opinion, the rents and profits thereof will in five years pay the outstanding debts proved against the said estate - all which the Commissioner is directed to report, together with any matter specially stated deemed pertinent by himself, or which he may be required to so state by any interested party.

required to be taken by a decree of Southampton Circuit Court, rendered at the May term, 1888, 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.

Wm. N. Parker,
Commissioner.

To the Sheriff of Southampton County to execute.