

1890-20

Southampton County - Chancery

Whitehead, Effie V vs Southampton Circuit Court
Ex Parte -

"
Estate Committed to"
Quicquid

Ex Lote

Effie. J. Whitehead

Deer

To be Entered

C W H.

Dec 22, 1880

Ent

Ex parte Effie J. Whitehead
Decree

This day this cause
came on again to be heard on the
papers formerly read and upon
the report of Mr. Shands Receiver
showing disbursement of funds
received by him supported by
proper vouchers. 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 and
is hereby confirmed. And it
appearing to the Court that there
is nothing further to be done
in this cause it is ordered
that the same be removed
from the docket

On petition of Effie J. Whitehead (wife of Jesse T. Whitehead) a married woman under the age of twenty one years by John T. Whitehead her next friend, ordered that her estate be committed to Hm. Shands as receiver thereof, who shall deposit all money received by him as such in the Bank of Vaughan Co of Franklin Va + take a certificate of deposit therefor and hold the same subject to the order of this court and it appearing to the court that said Effie J. Whitehead and her husband wish as much of her money as will be necessary therefor, taken to purchase for her a certain farm now owned by J. F. Latimer wife and situated in this County near Vicksville. The court directs that one of the Commissioners in chancery of this court proceed to inquire and report to court the actual value of said farm and whether the purchase thereof would be a judicious investment for said minor & also whether the persons who would be her heirs in case of her death approve of said investment. Together with any

other matters deemed pertinent by
himself or which he may be required to
state by any party interested
But the said Wm Shands shall not
proceed to act as receiver under
this order until he shall have first
entered into a bond with approved
security before the clerk of this
Court in the penalty of \$2000.⁰⁰
Conditioned for a faithful per-
formance of his duties as such
receiver

Ex. parte

Eliza J. Whitcomb

To be returned

C. M. H. C.

Wm W. H. V

Nov 27

Ex parte Effie J. Whitehead

This day this cause came on to be heard again upon the papers formerly read and upon the letter of W. R. L. Cobb father and heir of Effie J. Whitehead approving of the investment of enough of her money to buy the place of Jos. F. Latimer and wife and upon the report of Boris McGemoe to which report no exceptions have been filed and was argued by counsel. On consideration whereof the court doth confirm said report and decrees that Husband receive after paying all cost in this case including a Commissioner of five per cent to the said receiver upon all funds received by him for Effie J. Whitehead and do pay to him the sum of ten dollars to pay him for attending and drawing papers in this cause. Then out of the funds in his hands he shall take the sum of nine hundred and twenty five dollars. pay the same to J. F. Latimer and wife upon their making good deed for and putting the said Effie J. Whitehead in possession

Mo. Wm. Shands, Receiver for Effie J. Whitehead -

To B. F. McLemore, Clerk Southampton County Court.

1890

Aug	27	To Costs in Exparte suit of Effie J. Whitehead: to wit: Filing Petition 25: Docket 18. atty 10 Filing Comrs Report 25 - Rules 1.00. Laying & recording Receiver Bond 7.74 2 deacons & Copies - 1.44 - ~~Latimer Bond~~ Paid B. F. M. Clerk 4.96 Law 6.50 Paid B. F. M. Comr 5.00 Pd J. W. Williams Shff 1.50 Fee & tax on deed from Latimer to wife Pd 2.25 13.81					
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Received July 29. 1890 of Wm Shanks
Receiver for Mrs Effie J. Whitehead
eighty five dollars as payment
in full of balance due me by
Mrs Effie J. Whitehead for a farm
near vicksville Va sold her by me.
The total amount; interest included
paid me by her said Receiver
for said farm being the sum
of nine hundred and forty two
dollars

Witness

Clara Salinger

1889
Apr 8

Wm Shands
To B. F. M. Leonard, clk Co. Ct.
" Fee & tax on Agreement between
Latimer & Whitehead. \$ 2.55
Paid by Wm Shands -
B. F. M. Leonard cler

No. 744
 Mr. Clara L. Lottimer This is the Land That was
 1889. Lottimer sold To Effie J. Whitehead To JAS. J. DARDEN, Treasurer of Southampton County, Dr.

SUBJECTS OF TAXATION.	STATE TAX		SCHOOL TAXES			COUNTY LEVY		TOTAL TAX.
	30c. on \$100.	STATE, 10c. on \$100	COUNTY, 5c. on \$100.	DISTRICT, 15c. on \$100.		50 cents on \$100.		
To 69 acres Land, value \$ 379 ⁰⁰	1 13	3 8	1 9	5 7		1 40		3 67
" Personal Property, value \$								
" Capitation Taxes								
" Income								
Total								
Fee Bills								
5 per cent. additional								1 4
Total								3 86

Received payment 18 day of Aug-1889 A. F. Cobb Dr. Treasurer.

HARRELL'S PRINT, WELDON, N. C.

No. 143
 Miss Effie Cobb
 1887. To JAS. J. DARDEN, Treasurer of Southampton County, Dr.

SUBJECTS OF TAXATION.	State Tax		County Levy, 10 c. on \$100	SCHOOL TAXES.			TOTAL TAX.
	30 c. on \$100			State 10 c. on \$100	County 5 c. on \$100	District, 5 c. on \$100	
To acres Land, value \$							
" Personal Property, value.....\$ 1000-	3 00	1 00	1 00		50	50	6 00
" Capitation Taxes							
" Income							
Total							
Fee Bills							30
5 per cent. additional							6 30
Total							

Received payment 21 day of May 1888 E. P. Land Dr. Treasurer.

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

No. 955-
 Mrs. Effie S. Whitehead
 1888. To JAS. J. DARDEN, Treasurer of Southampton County, Dr.

SUBJECTS OF TAXATION.	State Tax,		County Levy, 40c. on \$100.	SCHOOL TAXES.			TOTAL TAX.
	30c. on \$100.			State, 10c. on \$100.	County, 5c. on \$100.	District, 10c. on \$100.	
To acres Land, value \$							
" Personal Property, value.....\$ 1000.	3 00	4 00	1 00	50	1 50		10 00
" Capitation Taxes							
" Income							
Total							
Fee Bills							
5 per cent. additional							
Total							10 50

Received payment 29 day of Apr. 1889 for Effie J. Whitehead W. P. Land Dr. Treasurer.

Mr Shand

you can send me the
825-cholera and more if
you can by Jerral.

Effie J. Whitehead

Jan 26th 1889 Received of Mr Shand receive twenty
five dollars

Effie J. Whitehead
per Jesse J. Whitehead
mark

E. J. Whitehead

To J. J. Pottow M.D.

To Med. acct- for 1888-

June 29th Recd. payment of Wm Shand Recd.
J. J. Pottow M.D.

Dr-

\$6.36

Received Dec 15. 1890 of Mr Shands my
receiver \$15.²⁶ as payment in full of
the amount which he has collected
from me from whatever source over
Witness Effie J. Whitehead
A. F. Gardner Pr J. L. Whitehead

Received Aug 27. 1890 of Mr Shands Receiver
fifty dollars as part payment of the
amount due me by him
Effie J. Whitehead

Received July 5th 1890 of Wm Shands Receiver in con
of Effie J. Whithead twenty five dollars

Effie J. Whithead

Witness

Mattie Halcornbe

Received March 28th 1889 of Wm Shands
Receiver to thirty dollars

Signed

Effie J. Whithead

\$120 00

Vicksburg, Miss 20th 1889

at eight

Pay to the

Order of

E. W. Davis

Twenty

¹⁰⁰ Dollars

Value received and charge the same to account of

To Wm Shands

No.

Effie J. Whithead

Expte. Effie. J. Whitehead

Report of Wm. Shands
Receives

1890. Dec 19. filed.

To the Hon B. W. Hill Judge of the Circuit Court
for Southampton County Va

Your undersigned receiver in the case
Ex parte Effie J. Whitehead begs leave to
report that in obedience to an order entered
in this cause by this court on Jan'y 4.
1889. after much and diligent work he
at last succeeded in saving and col-
lecting the money due Effie J. Whitehead
amounting in all to the sum of twelve
hundred and twenty two dollars and
twenty six cents. that as directed he
paid Galtimer & wife (principal & interest)
nine hundred and forty two dollars for
the farm sold by them to Effie J.
Whitehead. they having placed her in
possession and made her a good
title and deed therefor. which deed
your receiver had duly recorded. your
receiver then paid all costs of these
proceedings and then paid the
residue of the money to the said
Effie J. Whitehead at such times and
in such sums as was necessary
for her support. The amounts
received and expended are
as follows

whole amount received		\$1222.26
To Cons on \$1222 ²⁶	\$61.12	
" paid attys fee	10.00	
" " for bond	942.00	
" " Court Mc Lemore	5.00	
" " Clerk's fees	9.76	
" " Sheriffs "	1.60	
" " Taxes for 1887+1888+1889	20.66	
" " Medical bill for E. J. Whitehead	6 36	
" " E. W. Davis for " " "	20.00	
" " Effie J. Whitehead	145.76	
	<u>\$1222.26</u>	<u>\$1222.26</u>

Receipts for all of which payments are herewith filed. There remains no funds in the hands of your receiver and nothing further to be done by him. The said Effie J. Whitehead & her husband are living upon her farm & cultivating it and receiving the rents and profits thereof which are applied to her support &c. all of which is respectfully submitted by

-ch- Husbands Receiver

Decr 16th 1890

Ext. part to

Effie J. Whitehead.

~~1886~~
Receiver's Bond ¹²⁵

1889. Feb. 9. filed

Recorded Page 20.

Know all men by these Presents, That we
B. Shands

Wm Shands and Wm

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of

Two thousand

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

8th

day of

February

A D. 1889

THE CONDITION of the above obligation is such that if the above bound

Wm Shands. who

was, on the 10th day of November 1888. appointed receiver for Effie J. Whitehead, by decree of the Circuit Court of Southampton County. in the Ex parte matter of "Effie J. Whitehead." shall faithfully discharge the duties required of him by the aforesaid decree, and those of any other decree which may be entered in said Cause

~~shall faithfully discharge the duties of~~
or else to remain in full force and virtue.

~~office or trust~~ according to law, then the above obligation to be void,

Signed, sealed and delivered }
in presence of the Court.

Wm Shands

Wm B Shands



Ex parte

Effie J. Whitehead

1888. Nov. 27.

Executive Nov.
19th 1888

A. H. Webb Supr
for J. M. Williams Supr

2 { also = 1.00

Commissioner's Office,

Leggitts
Jerusalem, Va. Nov 13 1888

To Effie J. Whitehead - (wife of Jesse P. Whitehead)
by John P. Whitehead, her next friend - And
H. R. L. Cobb.

You are hereby notified that I have fixed upon the 27 day of November next, if
fair, if not, the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts,
to wit:

- 1st The actual value of the farm near Vicks-
ville - now owned by J. F. Latimer wife - and
whether the purchase thereof would be a
judicious investment for said Effie J.
Whitehead - and also whether or not, the persons
who would be her heirs, in case of her death,
approved of said investment.
With any other matter stated specially deemed
pertinent &c.

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

W. F. M. Lemmon

Commis

To the Sheriff of Southampton County to Execute.

Ex parte

Effie J. Whitehead

1888. Nov: 27.

Executed Nov.
1947888

H Cobb dep't
for J. W. Williams
Shiff

3 unit, (ced)

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON

J. A. Latimer v. E. H. Davis
A. F. Gardner & Geo. A. Whitefield

B. F. McLemore Com'r in Chancery of the
to appear before the Judge of our ~~Circuit~~ Court of Southampton County, at the Courthouse
thereof, on the *27* day of *November* Term, *1888*, to testify and the truth to
speak on behalf of *Effie J. Whitehead*

in a certain matter of controversy in our said Court depending and undetermined between ~~in~~
the Ex parte matter of Effie J. Whitehead - , plaintiff , and
- , defendant

And this ~~day~~ shall in no wise omit under the penalty of the law. And have then there this writ.

WITNESS, B. F. McLEMORE, Clerk of our said Court, at the Courthouse, this *13* day
of *Nov*, 188*8*, in the *113*th year of the Commonwealth.

TESTE:

B. F. McLemore, Com'r

Ex parte 119

Ellie J. Whitehead

Gen's Report

1888. Nov. 27. filed.

Commissioner's Office.

Cambridge 27th Nov 27. 1888.

To the Circuit Court of Southampton Co.
Pursuant to a decree of the Court
aforesaid. entered at the November Term
1888. in the Ex parte matter of Effie
J. Whitehead, the undersigned, one of
the Commissioners of said Court. reports:
That on the 13th day of November 1888
he issued Notices against the parties
to this cause. and Subpoenas against
Geo. T. Whitfield. and A. F. Gardner, as
Witnesses. requiring them to appear
before your Commissioner, at his Of-
fice, on the 27th day of November 1888.
That said Notices and Subpoena have
been returned Executed: That the parties
(except W. R. L. Leob) appeared in obedience
thereto: And that on the said 27th day of
Nov: 1888. he proceeded to take the deposi-
tions of the witnesses, and thereupon
submits the following report:

That the farm of J. F. Latimer says con-
tains 69 Acres. valued by them, at \$1000.
the annual value of which, is about
\$60.⁰⁰ - the above figures are, in the
opinion of the Commissioner, too high.
(See depositions of Witnesses)

In the opinion of your Commissioner, the best disposition that can possibly be made of Mrs Effie Whitehead's money is, to invest it in real Estate, at reasonable figures. Special reference is hereby made to the letter of W. R. L. Cobb. the father of the Complainant. Effie J. Whitehead. filed with this report.

The farm of Mr + Mrs Latimer has upon it a comfortable dwelling, and necessary out buildings and, though very small ^{is} a very desirable one.

The depositions of the witnesses. Notice &c. are filed herewith.

No party, who would, in any manner, be affected ^{by the death of said Effie J. Whitehead}, should the Court order the purchase of the Latimer farm, has offered any objection to the investment of the money of the minor, Effie J. Whitehead, in that direction.

The appraised value of the said farm is \$379.50. as shown by the Land Books of this County. According to the deposition of the witnesses, G. T. Whitfield + A. F. Gardner. farmers, and gentlemen of sound judgment. who know the place well, it is worth \$800. or \$900.00.

Respectfully Submitted

B. F. McLeod

Comr in Charge

Amount \$5.00

The witness Geo. T. Whitfield, being duly sworn, deposes as follows:

Q: What is your age, where do you reside - what is your occupation, and do you know the parties to this suit?

A: My age is 47 years. reside in this County. Am a farmer by occupation. and know the parties.

Q: Do you know the farm of J. F. Latimer & wife?

A: I live very near the farm. and know the place.

Q: What, in your opinion, is the actual value of said farm.

A: About \$800. or \$900.⁰⁰. is all I would be willing to pay for it.

Q: Do you think it would be a judicious investment to purchase the above farm for Mrs Effie Whitehead?

A: I do, provided it can be purchased at a reasonable price.

Q: Would you think \$1000. an unreasonable price?

A: I don't know, it is more than I would be willing to pay for it.

And more this deponent sayeth not.

G. T. Whitfield

The Witness. A. F. Gardner - being duly sworn deposes as follows:

Q: What is your occupation, where do you reside, and do you know the farm upon which J. F. Latimer and wife reside?

A: I am a farmer by occupation - reside near Vickerville, in this County, and know the farm very well.

Q: What, in your opinion, is the actual value of said farm?

A: About \$850. or \$900.⁰⁰.

Q: Do you think it would be to the interest of Mrs Whitehead to have her money invested in this farm?

A: I do, at above figures.

A. F. Gardner

The Witness. J. F. Latimer, deposes as follows:

Q: Mr Latimer, you and wife are the owners of the farm referred to in the foregoing depositions, are you not?

A: We are.

Q: What price do you hold the farm at?

A: \$1000.

Q: Would you not be willing to take \$800. or \$900. for it?

A: I think not. Am offered \$1000. for it.

Q: How many acres are in the tract?

A: My deed calls for 69 acres.

Jas. F. Latimer

Mrs Effie Whitehead, on being asked who are her next of kin. answers, and says - I have a father. half brothers & sisters. two Aunts. and two Uncles, on my mother's side.

The foregoing depositions were taken, subscribed and sworn to before me, this 27th day of November 1888.

B. A. McLeod

Clerk in Chancery

Southampton Circuit Court. Nov. Term 1888.
On petition of Effie J. Whitehead, (wife of
Jesse P. Whitehead) a married woman, under
the age of twenty one year, by Jas. P. Whitehead
her next friend. Ordered that her Estate be
committed to Wm Shands as receiver thereof,
who shall deposit all money received by
him as such in the bank of Vaughan &
Co. of Franklin Va. & take a certificate
of deposit therefor and hold the same sub-
ject to the Order of this Court.

And it appearing to the Court that said
Effie J. Whitehead and her husband, wish
as much of her money as will be neces-
sary therefor, taken to purchase for her
a certain farm now owned by J. A. Lat-
imer wife. and situate in this County,
near Vicksville - the Court directs that
one of the Commissioners in Chancery
of this Court proceed to enquire and
report to Court, the actual value of
said farm, and whether the purchase
thereof would be a judicious invest-
ment for said minor &c. Also whether
the persons who would be her heirs in
case of her death, approve of said in-
vestment. together with any other
matter deemed pertinent by himself

or which he may be required so to state
by any parties interested.

But the said Wm Shands shall not proceed
to act ~~under~~ as receiver, under this order
until he shall have first entered into
a bond with approved security, before
the Clerk of this Court. in the penalty
of \$2000. — Conditioned for the faith-
ful performance of his duties as such
receiver.

Attest. Testo: B. A. McLeim d.c.

To the Hon. C. W. Hill Judge of the
Circuit Court of Southampton Co Va

I W. R. L. Cobb father of Effie
Whitehead think that the best thing
that possibly can be done with
her money is to take it; or as
much of it as may be necessary
and buy a farm for her & take
the deed in her name. and I
heartily give my hearty consent
and approval to any action
the Court and her Whish and
her receiver; may take in buying
her a farm. feel confident her
interest will be fully looked
after and protected. I think the
farm of Lainer near Dicksville
is worth \$850. or \$900. Given
under my hand this 7th day
of Decr 1888

W. R. L. Cobb

Judge C. W. Hill
Courtland

Southampton Co
Va.