1893-05 Southampton County - Chancery Barden, Mallie A. et al vs- Barden, Wm. D's Admr

"D. Hare Homestead of Barden's estate set aside for Complainants".

Barden, William D.
Barham, Nancie
Barden, Andrew J.
Barden, Roger L.
Barden, Anis
} defts

Daughtery, Wm D.
Admr

Bandini vs
No 333 Bill
Exhibit
Bandini admr

To The Honorable Judge of The
Circuit Court of Southampton in chancery sitting

Humbly complaining your orators
Mollie. A. Barden, and William D Barden
Nonie E Barden, Andrew J Barden, Rogn L
Barden and Anie C Barden The last five
infants of tender years who sue by Mollie
A Barden their mother and next friend
shew unto your Honor That sometime in
November 1881 Wm D Barden departed this
life intestate and leaving considerable estate
real and personal and leaving Mollie A
Barden his widow and the five infant
children aforenamed his distributees and
heirs at law and that at the November
Term 1881 Wm H Daughtrey qualified as
his administrator giving bond and security
according to law all of which will more
fully appear by a certified copy of the
said order of the court herewith filed
marked exhibit A and prayed to be taken
as a part of this bill, Your Orators shew
further unto your Honor That their intestate
left a tract of land containing one
hundred and seventy acres valued at some
$1.500 and considerable personal estate which
the administrator has recently sold, Your Orators

state further that the said Wm. D. Barden died considerably in debt and they have every reason to believe that unless they upon their claim to the Homestead exemption the whole estate will be absorbed to pay debts and they so lose all, they state further that the intestate Wm D Barden husband and father of your Orators never by deed duly recorded in his lifetime set aside a homestead to be held for the benefit of himself and family And your Orators have now instituted this suit to have the homestead in his estate set aside for them

For Tender consideration solemnity and reasonable as your Orators are without adequate relief at law and only entitled to relief in a court of equity where such matters are peculiarly cognizable they therefore pray that Wm B Daughtry administrator of Wm D Barden died may be made a party defendant to this bill and that the court would compel him as full and perfect answer make to the allegations herein contained as if he had been thereunto more fully and specially interrogated That the court would direct all the necessary accounts to be taken and that if this should be that

amount left after paying the debts waiving the homestead the court would set aside two thousand dollars in value of the property left by Wm D Barden should there be so much to be held as homestead for the use and benefit of your Orator, And that the court would grant such other and general relief the premises considered as equity may dictate and the nature of this case may require and as in duty bound your Orator will ever pray &c

Shands & Son p.q.

To The Honorable C. W. Hill judge of the circuit court of Southampton County in chancery sitting

Humbly complaining your Orators Mollie A Barden, and William D Barden Nonie E Barden, Authur J Barden Roger L Barden, and Annie C Barden fine infants who sue by Mollie A Barden That your orators first amended and supplemental bill ~~shows~~ ~~to~~ ~~your~~ ~~Honor~~ that at the February rules 1884 they filed their original bill in this court against Wm H Daughtry as administrator of Wm D Barden dec'd setting forth the facts that the said Wm D Barden died seized and possessed of a tract of land containing 170 acres and considerable personal estate and asking that the said Wm H Daughtry should settle his administration account and if there should be so much that after paying all debts in which there was a creation of the homestead $2000 in value should be set aside as a homestead for your Orators

That one of the commissioners to

This court acting under a decree of this court
ordered at the May term 1884 reports that
the tract of 170¾ acres of land was worth
$1203 and the annual value $100 that
there was in the hands of the administrator
$477.73cts and the amount debts outstanding
against the state was $1380.18cts all of
the fourth class and that of these there
were debts amounting to $1255.41cts on
which the Homestead had been waived
which report was confirmed and the
court at its November term 1884 ordered
the administrator N. H. Daughtry, to
distribute the said sum of $477.73cts
after paying all costs of the suit
among the creditors who had a waiver
of the Homestead, Your Orator shows
further that the said administrator
after paying the costs aforesaid paid
out all the residue of the fund
to the creditors ordered to be paid as
will appear by his report and receipts
filed March 21st 1887 with the papers in
the cause

Your Orator states that there is now
nothing in the hands of the said
administrator now belonging to the
estate he having paid out all the

money he has received all of which more fully appear by the papers in the cause

Your Orators show further by way of supplement and amendment to their Original bill that Wm D Barden in his lifetime made a deed of trust on the 17th of December 1879 conveying the said tract of 170¼ acres to Wm A Myrick as Trustee to secure a bond of $422.82 cts due Wm E Myrick bearing date the same day with the deed and that his wife Mollie A Barden joined in the said deed all of which will more fully appear by a certified copy of the said deed herewith filed marked A and prayed to be taken as a part of this amended bill Your Orators further show unto Your Honor that the said Trustee Wm A Myrick on the 2d of February 1887 sold the said tract of land for $1300 cash to Mollie A Barden and settled his account before one of the commissioners of this court by which he shows that after paying the costs of the sale and debts secured there was a balance in his hands for distribution according to law of the sum $401.13 cts, All of which will fully appear by a copy of the said account herewith filed marked B and prayed to be taken as a part of this amended bill

Your Orators charge and aver that
this sum of $401.13cts which Wm A
Myrick reports as a residue is liable
first to pay to Mollie A Barden one
third thereof for life as dower or such a
sum as she may recive in fee simple
in lieu thereof and the balance to
be distributed among the creditors
who have proved their debts

In Tender consideration whereof
and inasmuch as your Orators are
without adiquate relief at Law and
only entitled to relief before such matters
as peculiarly cognizable in a court of equity
your Orators pray that Wm H Daughtry admr of
Wm D Barden and Wm A Myrick
may be made parties defendant to
this amended and supplimental bill
and also the original bill and that
the court would compel them as full
and perfect answers made to the allegations
therein contained as if they had
been thereunto duly and
specially interrogated that the court
would order all necessary accounts
to be taken if any and that the court
would decree that that one third
of the amount due from Wm A

Myrick shall be paid to Mollie A Bandy
or else pursue it so much absolutely as she
is entitled to by the life tables in lieu of one
third for life, she now being twenty seven years old
and that the balance of the
said sum of money may be paid out pro
rata among the creditors who have
proved their debts and that the court
more effectually to carry out this purpose
would direct Wm A Myrick to pay over
the amount in his hands to W. H. Daughtry
administrator as aforesaid who shall
distribute it as asked and that the court
would grant such other and general relief
the premises considered as equity may dictate
and the nature of this case may require
and as in duty bound your orators will
ever pray, and the said plaintiffs hereby
give notice to all parties interested that
they shall ask the court to allow their
attorneys Messrs Wm B Shaw & Son a reasonable
fee for their services rendered in this cause

Shaw & Son p.q.

Bardens Ad.

" v

Bardens Admr

"

Distributees Acc.

1887. Mch 21 filed

An account distributing balance in the hands of Dr W. H. Daughtry Admr of W. D. Barden dec'd. among the creditors of W. D. Barden who hold Notes or Bonds against said decedent containing Waiver of Homestead whose debts are mentioned and described in the decree of the Circuit Court of Southampton County entered at the December term 1886 in the Chancery Cause of "Barden &c vs Barden's Admr."

1886.

Nov 20 By amt to be distributed $428.84

		Amo: Debt	Share
To J. L. Barham	Bond	$ 28 19	$ 9.59
Received of W. H. Daughtry, Admr $9.59 in full.			J. L. Barham
" Martha D. Vick	"	146 53	49 92
Received of W. H. Daughtry, Admr 49.92 in full.			M. D. Vick
" R. E. Darden	"	29 18	9 93
Received of W. H. Daughtry, Admr $9.93 in full.			R. E. Darden
" Jas. J. Darden	"	108 42	36 96
Received of W. H. Daughtry, Admr $36.96 in full.			Jas J Darden
" W. A. Myrick	"	43 19	14 69
Received of W. H. Daughtry Admr $14.69 in full.			W. A. Myrick
" Pope & Darden	"	38 27	13 02
Received of W. H. Daughtry Admr $13.02 in full.			Pope & Darden
" Saml Vick	"	123 50	42 09
Received of W. H. Daughtry, Admr $42.09 in full			Saml Vick
" Ann M. Ferguson	"	153 76	52 38
Received of W. H. Daughtry Admr $52.38 in full			Ann M. Ferguson
" Saml. Vick	"	97 17	33 14
Received of W. H. Daughtry, Admr $33.14 in full			Saml Vick
" G. D. Cutler	"	38 73	13 18
Received of W. H. Daughtry, Admr $13.18 in full			G. D Cutler
" G. D. Cutler	"	427 50	145 60
Received of W. H. Daughtry, Admr $145.60 in full			G. D Cutler
" Upshur Guano Co.	"	20 21	6 88
Received of W. H. Daughtry Admr $6.88 in full			W. B. Myrick
" Rebecca Ferguson - (Labor		4 30	1 46
Received of W. H. Daughtry Admr $1.46 in full		Rebecca Ferguson by J. C. Ferguson	
		$ 1258 95	$ 428.84

Respectfully Submitted.

Estate pays $34\frac{7970}{125895}$ %.

W. H. W. Lemon
Comr in Chy.

This deed of trust made this 17th day of Decbr 1879 between Wm. D. Barden and Mollie A. his wife parties of one part & Wm. A. Myrick trustee of second part Witnesseth that in consideration of the sum of five dollars in hand paid the said parties of the first part do grant & convey with general warrants unto the said Wm. A. Myrick trustee the following real estate to wit a certain track of land situated in Southampton County containing 170 3/4 acres be the same more or less bounded by the lands of Jos. Ferguson's estate Caroline Thorp, Caleb Everett & others same being track of land this day conveyed by deed of bargain & sale by J. B. Prince trustee to Wm D. Barden. In trust to secure the payment of a bond for six hundred and twenty two dollars & Eighty two cents due by Wm D. Barden to Wm E. Myrick the bond of

even date with this deed, & on demand. And it is agreed by the parties hereto that whenever the said Wm. E. Myrick shall desire by notifying the trustee verbally or in writing this deed shall be enforced after twenty days notice of time & place and upon such terms as the said Wm E. Myrick may desire — and in the event of a sale by virtue of this deed the trustee shall be entitled to a commission of five per cent on gross amount of sales. Witness the following signatures and seals

Wm L. Barden (Seal)
Mollie A. Barden (Seal)

Southampton County to wit
I J. B. Prince a Notary Public for the County aforesaid in the State of Virginia do certify that Wm L. Barden whose name is signed to the writing above dated Decbr 17th 1879 has acknowledged

the same before me in my County aforesaid and I do further certify that Mollie A. Barden the wife of Wm L. Barden whose names are signed to the said writing dated as aforesaid personally appeared before me in my County aforesaid and being examined by me privily and apart from her said husband & having the said writing fully explained to her, she the said Mollie A. Barden acknowledged the said writing to be her act & declared that she had willingly executed the same & does not wish to retract it. Given under my hand & Dec. 17th 1879.

J. B. Prince N. P.

Southampton County
In the Clerk's Office Jan. 22nd 1880.
This Deed of trust from Wm L. Barden & wife to Wm A. Myrick Trustee for benefit of Wm E. Myrick was this day received

and with the certificate annexed admitted to record.

Teste

L R Edwards, C.C.

" " " "

A copy Teste: J.B. Prince C.C.

Warden Drift
No 3 D.T.
Magnetic Quartz

Myrick - Dunstan

To Trustee account.

Barden trust

Hon A Myrick Trustee in a deed of
Trust from W. L. Barden & wife for the ben-
efit of W. E. Myrick.

1887					
Feb 26"	By amt. sales of the tract of				
	land conveyed by Trust deed			$	1300.00
	To Com'rs on $1300.00 5%		65	00	
	" paid for writing deed		5.	00	
	" " Com'rs fee for this a/c		2.	50	
	" " clerks fee for recording same		1.	25	
	" " Taxes for		8.	30	
	" " W. E. Myrick bond & interest				
	secured by Trust deed		816.	82	
	Balance		401.	13	
		$	1300.	00	$ 1300.00
1887					
Mch 1st	By balance due Barden & wife			$	401 13

Respectfully Submitted.
B. F. McLemore
Com'r. Accts.
" "

Barham &c

vs Summons

Barham Adm &c

1887. Alb Rules
Cir: Ct.

Executed April 1/87
by delivering a true
Copy of within
to H. A. Morriett &
M. H. Daughtry

J. L. Barham
Sheriff

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON Wm. H. Daughtrey, Adm'r. D. B. Barrow and Wm A Myrick

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 an amended and supplemental bill in chancery exhibited against them in our said Court by Mollie A. Barden, Wm. D. Barden, Nonie E. Barden, Andrew J. Barden, Roger L. Barden and Annie C. Barden, last five infants by Mollie A. Barden their next friend

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

Witness, J. B. PRINCE, Clerk of our said Court, this 29 day of March 1887, in the 111 year of the Commonwealth.

Teste J. B. Prince C. C.

In Southampton County Court.
November Term 1885.

Mollie A. Barden, widow of William D. Barden deceased relinquished her right to the administration of the said deceased's Estate in favor of Wm H. Daughtery and on the motion of said Wm H. Daughtery, who made oath, and together with E. R. Freeman as his security who justified on oath as to his sufficiency, entered into and acknowledged a bond in the penalty of one thousand dollars, (which is ordered to be recorded) conditioned according to law, certificate is granted him for obtaining letters of administration on the Estate of the said deceased in due form.

Attest:

Test

J. B. Pruden C.C.

Barden &c.

vs

Barden's Admr.

1886. Feby Rules.

Sheriff's Office

Executed January 18th 1886 by delivering to Wm H Daughtry a copy of this summons

G W Vicks Shff

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County—Greeting:

WE COMMAND YOU TO SUMMON Wm H. Daughtery Administrator of Wm D. Barden decd

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 February next, to answer a bill in Chancery exhibited against him in our said Court by Mollie A. Barden, Wm D. Barden, Nonie E. Barden, Andrew J. Barden, Roger L. Barden, A. C. Barden, five infants who sue by Mollie A. Barden their next friend—

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

WITNESS, J. B. PRINCE, Clerk of our said Court, this 9th day of January, 1886, in the 110 year of the Commonwealth. Teste. J B Prince C.C.

134

Baden Jf.

vs Jstat: Rules

Baden i Aarw.

In Southampton Circuit Court.

Mollie A. Barden, Wm. D. Barden
Jennie E. Anders J. Roger L. & a. b.
Barden last five infants. Ptffs.
against
Wm. H. Daughtery admr of Wm. D. Barden decd. Deft.

} In Chancery.

1886
January 9. Summons to Feby Rules.
Feby Rules. Summons Rtd. Bill & Exhibits filed.
Decree nisi vs Deft.
March " Bill taken for confessed and Cause set for hearing.
May 7. Decree
Nov 7. Decree.
1887.
March 29. Summons vs Wm. H. Daughtery Admr & W. A. Myrick to answer amended bill to Apl Rules.
Apl Rules. Summons ret'd Exec'd. amended bill filed with Exhibits. & Decree nisi vs Defts.
May " Amended bill taken for confessed and Cause set for hearing.

Copying Exhibits 1.00. Filing do- 10- Taking Reports .25=
decree & Copy 72. Taking Costs .40.

Report of H. H. Daughtery
Admr H. D. Borden decd

To the Honorable Circuit Court of Southampton County:

In obedience to Decree rendered at November Term 1886, in the Chancery cause of Barden &c. vs. Barden's Adm't and als., I have the honor to report, that after paying all costs of suit ($48.89), I have distributed pro rata, the remaining amount $428.84, in hand, as follows: (receipts for which, I herewith return).

J. L. Barham	$9.59
Martha D. Vick	49.92
R. E. Darden	9.93
Jas. J. Darden	36.96
W. A. Myrick	14.69
Pope & Darden	13.02
Saml. Vick	42.09
Ann M. Ferguson	52.38
Saml. Vick	33.14
G. D. Cutler	13.18
G. D. Cutler	145.60
Upshur Guano Company	6.88
Rebecca Ferguson	1.46
	$428.84

All of which is respectfully submitted,

W. H. Daughtry,

Adm't W. D. Barden, Dec'd.

Barden &: ~~77~~ ~~73~~ 77

Ex. Report 69

Mch 18, E G

Bardens Admr

1889. Mch 18. filed.

To the Honorable Circuit Court of Southampton County:

In obedience to Decree rendered at May Term 1887 in Chancery cause of Barden & als. vs. Barden's Adm'r & als. I have the honor to report that after paying the costs of the suit and to the widow the commuted value of her dower, there being a balance of $249.10 to be paid to the creditors, I proceeded to distribute the same pro rata, as follows: to Jos. L. Barham on bond $4.46, to same on account .06, to Martha D. Vick on bond $23.18, to R. E. Darden on bond $4.74, to same on account $15.81, to Ja's J. Darden on bond $17.15, to same on account $6.56, to Wm. A. Myrick on bond $6.84, to same on account $2.30, to Pope & Darden on bond $6.06, to same on account $3.01, to Saml. Vick on bond $19.52, to same on bond $15.36, to Ann M. Ferguson on bond $24.32, to G. D. Cutlin on bond $67.63, to same on bond $6.12, to Upshur Evans Co., on bond $3.20, to Jmes, Lee & Co. on account $1.21, to Rebecca Ferguson on account .68, to R. T. Sims on account $11.35 and to Jos. G. Williams on bond $9.54 – receipts for which I herewith return.

All of which is respectfully submitted.

W. H. Daughtry, Adm'r W. D. Barden Dec'd.

The Estate of W. D. Barden Dec'd

In account with W. H. Daughtry, his Administrator

		Dr.		Cr.	
1887	By amount received from W. A. Myrick			401	13
	To Commissions on $401.13 @ 5 per cent	20	05		
	" costs of suit retained as taxed by Clerk	4	97		
	" paid R. L. Bryant J. P. for swearing appraisers to estate (previously omitted)		75		
	" taking and recording bond (omitted in previous acct)	1	74		
	" order for appraisers " " " "		50		
	" fees in suit vs. M. A. Barden	4	02		
	" fee paid Shands & Son	30	00		
	" Balance	339	10		
		401	13	401	13
	By amount for distribution			339	10
	To be paid Mollie A. Barden commuted value of her dower in the said sum of $339.10 she being 27 years old	90	00		
	To balance	249	10		
		339	10	339	10
	By balance for distribution among creditors			249	10

			$	c	$	c
Whole amount for distribution					249	10
Pay to J. L. Barham	on	bond	4	46		
" " J. L. Barham	"	account		06		
" " Martha D. Vick	"	bond	23	18		
" " R. E. Darden	"	bond	4	74		
" " R. E. Darden	"	account	15	81		
" " James J. Darden	"	bond	17	15		
" " James J. Darden	"	account	6	56		
" " W. A. Myrick	"	bond	6	84		
" " W. A. Myrick	"	account	2	30		
" " Pope & Darden	"	bond	6	06		
" " Pope & Darden	"	account	3	01		
" " Samuel Vick	"	bond	19	52		
" " Samuel Vick	"	bond	15	36		
" " Ann M. Ferguson	"	bond	24	32		
" " G. D. Cutlin	"	bond	67	63		
" " G. D. Cutlin	"	bond	6	12		
" " Upshur Grano Co	"	bond	3	20		
" " Jones, Lee & Co.	"	account	1	21		
" " Rebecca Ferguson	"	account		68		
" " R. T. Sims	"	account	11	35		
" " Jos. G. Williams	"	bond	9	54		
			249	10	249	10

1887				
Aug.	29	Received of W. H. Daughtry, Admr.	$4.46	J L Barham
"	"	Received of W. H. Daughtry, Admr.	.06	J. L. Barham
Nov.	4	Received of W. H. Daughtry, Admr.	23.18	Mrs M D Vick
Aug.	29	Received of W. H. Daughtry, Admr.	4.74	R E Darden per Channing
"	29	Received of W. H. Daughtry, Admr.	15.81	R E Darden per Channing
"	29	Received of W. H. Daughtry Admr.	17.15	Jas J Darden
"	29	Received of W. H. Daughtry, Admr.	6.56	Jas J Darden
Sept.		Received of W H Daughtry, Admr.	6.84	Wm A Myrick
"		Received of W. H. Daughtry, Admr.	2.30	Wm A Myrick
Aug	29	Received of W. H. Daughtry, Admr.	6.06	Pope & Darden
"	29	Received of W. H. Daughtry, Admr.	3.01	Pope & Darden
Sept.	6	Received of W. H. Daughtry, Admr.	19.52	Saml Vick
"	6	Received of W. H. Daughtry Admr.	15.36	Saml Vick
Sept.	13	Received of W. H. Daughtry, Admr.	24.32	Ann M. Ferguson
Aug.	20	Received of W. H. Daughtry, Admr.	67.63	G D Cutlin
"	20	Received of W. H. Daughtry, Admr.	6.12	G D Cutlin
"	22	Received of W. H. Daughtry, Admr.	3.20	W. B. Myrick
Aug.	23	Received of W. H. Daughtry, Admr.	1.21	Jones Lee & Co.
"	23	Received of W. H. Daughtry, Admr.	.68	R P Ferguson by J C Ferguson
Aug.	19	Received of W. H. Daughtry, Admr.	11.35	R T Sims
Sept.	19	Received of W. H. Daughtry, Admr.	9.54	J G Williams

Barden &c
vs. 3 Deeds
Bardens admrs

Aug 14/86

✓

(1)

Southampton Circuit Court. May Term 1886.

Barden &c. Pltf:
vs. In Chancery
Bardens Admrs. Deft.

This day this Cause came on to be heard on the plaintiffs bill taken as confessed as to Wm H. Daughtry administrator of Wm D. Barden dec'd. and exhibit filed therewith & was argued by Counsel. On Consideration whereof the Court doth adjudge, Order and decree, that One of the Commissioners of this Court proceed to take the following accounts. An account of Wm H. Daughtry's transactions as administrator of Wm D. Barden dec'd. An account of outstanding debts against said Barden, distinguishing their dignities and priorities, and especially stating those in which the Executor is waived, also an account of the actual and annual Value of all real Estate of which said Wm D. Barden died Seized & possessed, & report same to Court, together with any other matter deemed pertinent by himself, or which he may be required so to state, by any person interested.

A Copy.
Teste,
J. B. Prince, Clk



Commissioner's Office,

Jerusalem, June 18th 1886

TO THE CREDITORS OF THE ESTATE OF

Wm D. Barden dec'd

AND ALL OTHERS CONCERNED.

You are hereby notified, that, by a decree of the Circuit *Court of Southampton County, I have appointed the* 14th *day of* August *next, at my Office, for receiving proof of all the debts, or demands, against the said decedent, or his estate; at which time and place you are required to attend.*

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

B. F. McLemore *Commissioner.*

BELL'S POTOMAC PRESS, ALEXANDRIA, VA.

Barden Jr.

Notice.

Barden's Admr

1886. Augt 14

Executes aug 2nd by delivering a copy of within to W. S. Dewity

J. L. Barham
Sheriff

Commissioner's Office,

Jerusalem, Va., July 24" 1886

To Mollie A. Barden & Wm. D., Nonie E., Andrew J. Roger L. and A.C. Barden, last five infants. & W. W. Daughtrey Admr of Wm. D. Barden dec'd.-

You are hereby notified that I have fixed upon the 14" day of August 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 W. W. Daughtrey's transactions as Admr of Wm. D. Barden dec'd.-

2". An account of the debts outstanding against said decedent or his Estate - distinguishing their priorities and dignities - stating those in which the Homestead is waived -

3d. An account of the annual and actual value of the real Estate of which said Barden died seized and possessed.

With any other matter, specially stated, deemed pertinent &c. &c.

required to be taken by a decree of Southampton Circuit Court, rendered at the May term, 1886, in a suit in chancery depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.

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

B. F. McLemore

Commissioner.

To the Sheriff of Southampton County to execute.

The Estate of W. D. Barden dec'd
In A/c with Dr W. H. Daughtrey, Sup. Admr.

1885			
Nov	To paid Tax on Admr bond	$ 1 00	
"	" " C. Smith for Coffin	35 00	
Dec 22	By amo: Sales Chattel property		649 32
	To Com's on $649.32 5%	32 49	
	" paid for housing Crop	28 70	
	" " J. W. Bealon Auctioneer	5 00	
	" " Appraisers	3 00	
	" " Clerk at Sale	1 00	
	" " D. H. Sharp, services at Sale	1 00	
1886 Feb 16	" " Dr. E. C. Barrett, Med: bill	20 00	
" "	" " for picking Cotton, Pea Nuts & for digging Grave	23 40	
"	" " A. B. Sharp, for hauling produce to Newsoms	6 60	
June 2	" " Taxes for 1885	9 21	
	" " for Pea Nut Bags	6 60	
	" " Com'r of Accts. for certifying Inventory & A/c Sales	1 75	
	" " Sam'l Vick for services of Son on the farm	4 50	
Nov 1	By Int: on $470.07 6 Mos:		14.10
	To Com's on $14.10 5%	70	
	Balance	483 47	
1886		$ 663.42	$ 663 42
Nov 1	By balance due Estate brot down		$ 483.47
	To amo: retained to pay Clerk, for bills	5 74	
	Balance	477.73	
1886.		$ 483 47	$ 483.47.
Nov 1	By balance due Est: this day with interest thereon till paid.		$ 477.73

Respectfully Submitted.
B. F. McLemore
Com'r in Eq'y

An Account of the debts outstanding against the Estate of W. D. Barden dec'd, proved before B. F. McLemore, Comr in Chancery of the Circuit Court for Southampton County, on the 14th day of Augt: 1886, pursuant to a decree of the Court aforesaid, entered at the May term 1886. in the Chancery Cause of "Barden &c. Vs Barden's Admr"—

— 4th Class —

A Note due J. L. Barham	26	60	
Int: from Nov 1/85 to Nov 1/86	1	50	28.10
(Homestead waived)			
A/c due J. L. Barham		25	
Int: from Jan 1/86 to Nov 1/86		01	26
Note due Mrs Martha D. Vick	140	00	
Int: from Dec 21/85 to Nov 1/86	6	53	146.53
(Homestead waived)			
Note due R. E. Darden	28	00	
Int: from Nov 1/85 to Nov 1/86	1	68	29.68
(Homestead waived)			
A/c due R. E. Darden	66	05	
Int from Jan 1/86 to Nov 1/86	2	83	68.88
Note due J. J. Darden	130	40	
Int: from July 1/85 to Apl 21/86	1	95	
	132	35	
By Cash	32	96	
	99	39	
Int: from Apl 21/85 to Nov 1/86	9	03	108.42
(Homestead waived)			
A/c due J. J. Darden	26	06	
Int: from Jan 1/86 to Nov 1/86	1	30	27.36
Note due W. A. Myrick	39	00	
Int: from Feb 1/85 to Nov 1/86	4	19	43.19
(Homestead waived)			

(1)

					249	57
	A/c due W. A. Myrick	9	15	L		
	Int: from Jany 1/86 to Nov 1/86		45		9	60
L	Note due Pope & Darden	32	71			
	Int: from Jan 1/84 to Nov 1/86	5	56		38	27
	(Homestead waived)					
	A/c due Pope & Darden	11	96			
	Int: from Jan 1/86 to Nov 1/86		59		12	56
L	Note due Sam. Vick	100	00			
	Int: from Dec 23/83 to Nov 1/86	23	50		123	50
	(Homestead waived)					
L	Note due Ann M. Ferguson	100	00			
	Int: from Dec 15/77 to Nov 1/86	53	76		153	76
	(Homestead waived)					
L	Note due Sam. Vick	150	00			
	Int: from Jan 26/84 to May 31/84		3	12		
		153	12			
	By Cash	70	00			
		83	12			
	Int: from May 31/84 to Nov 1/86	12	05		97	17
	(Homestead waived)					
L	Note due G. D. Cutler	151	32			
	Int: from Oct 1/77 to Dec 21/77	2	01			
		153	33			
	By Cash	60	00			
		93	33			
	Int: from Dec 21/77 to Feb: 4/82	22	86			
		216	19			
	By Cash	39	00			
		77	19			
	Int: from Feb 4/82 to Jany 19/83	4	43			
		81	62			
	By Cash	30	00			
		51	62			
	Int from Jan 19/83 to Nov 1/86	7	11		38	73
	(Homestead waived)					
L	Note due G. D. Cutler	300	00			
	Int: from Oct 1/79 to Nov 1/86	127	50		427	50
	(Homestead waived)					
					1350	60

Amount brot over			$1350 60
Note due Upshur Guano Co	22 50		
Int: from Nov 1/85 to Nov 1/86	1 35		
	23 85		
By Cash	3 64		20 21
(Homestead waived)			
A/c due Jones Lee & Co	4 74		
Int: from Sept 1/85 to Nov 1/86	33		5 07
A/c due Rebecca Ferguson	4 00		
Int: from Augt 1/85 to Nov 1/86	30		4 30
(Labor debt)			$1380 18
			29 58
Total amount of Notes waiving Homestead	1259 45		
Total amount Open Accts.	120 73		1380 18
Aggregate amount of debts			$1380 18

All of the above debts are of the 4th Class.

Respectfully Submitted.
B. F. McLemore
Comr in Chy

An Account showing the annual and absolute value of the real Estate of which Wm. D. Barden died siezed and possessed. to wit:

	Actual value	Annual value
To 170 3/4 Acres of land, valued at	$1200.00	$ 100.00

Respectfully Submitted
B. F. McLemore
Comr in Chancery

Barden
vs Report 67
Bardens Admr
1886. Oct. 22 filed

Commissioner's Office
Jerusalem Va
September 1st 1886

To the Hon: Geo. Blow Judge of
the Circuit Court of Southampton Co.

In Obedience to a decree of the Circuit Court of Southampton County, rendered at the May Term 1886 in the Chancery Cause of Barden &c. v. Barden's Adm'r., the undersigned one of the Commissioners of said Court to whom was referred for settlement by said decree, the Account of Wm H. Daughtrey as Adm'r of Wm D. Barden dec'd.; An Account of the Actual and Annual value of the real Estate whereof Wm D. Barden died seized and An Account of the debts outstanding against said decedent, reports to Court that on the 24th day of July 1886, he issued Notices against the parties to this suit, requiring them to attend the settlement of said accounts before him at his Office in Jerusalem on the 14 day of Augt 1886; That said Notice has been returned to your Commissioner duly Executed, that said parties appeared in obedience to said Notice and that on said 14th day of

Augt 1886, he proceeded to Examine the vouchers, State and settle an Account of the transactions of Wm H. Daughtrey, Admr of Wm D. Barden dec'd; and finds a balance due the said Estate by said Administrator as of the 1st day of Novr 1886, of $477.73

2nd An Account of the actual and annual value of the real Estate of which W. D. Barden died seized and possessed, and finds, that at the time of the death of said Barden, he was charged on the Land Books of this County with 170 3/4 Acres of land - the actual value of which the Comr has fixed at $1200.00 and the Annual value at $100.00,

3rd An account of the debts outstanding against said decedent or his Estate - and finds debt amounting to $1380.18 inclusive of interest, to Nov 1st 1886.; That of said amount $1259.45 are debts waiving Homestead - and that $120.73 or the residue, are open accounts. That all of said debts are of the 4th Class.

Respectfully Submitted.
B. F. McLemore
Comr in Chancery

Commissioner's fee
$10 - Chg to Plff

Borden vc
vs } Decree
Borden's Admr

To be entered
May Term 1884

Geo. Bloss,

✓

Barden &c
vs } Decree
Barden's Adm'r

This day this cause came on to be heard on the plaintiffs' bill taken as confessed as to Wm. H. Daughtrey administrator of Wm. D. Barden dec'd and exhibit filed therewith and was argued by counsel. On consideration whereof the court doth adjudge order and decree that one of the Commissioners of this court proceed to take the following accounts. an account of Wm. H. Daughtrey's transactions as administrator of Wm. D. Barden dec'd. an account of outstanding debts against said Barden. designating their dignities and priorities and especially stating those in which the homestead is waived. also an account of the actual and annual value of all real estate of which said W. D. Barden died seized and possessed and report same to court together with any other matter deemed pertinent by himself or which he may be required so to state by any person interested

Bardens Ad

Decree

Bardens Admrs et als:

-Copy-

Southampton circuit court Nov 3rd 1886

Barden &c

vs 3 Decree

Barden's admr & als.

This day this cause came on again to be heard on the papers formerly read and the report of Commissioner McLemore, on the transactions of W. H. Daughtry as administrator of W. D. Barden dec'd, a report of the debts outstanding against the estate of the said W. D. Barden and an account of the actual and annual value of all the real estate whereof the said W. D. Barden died seized and possessed, and to which reports no exceptions have been filed, and was argued by counsel. On consideration whereof the court doth adjudge, order, and decree that the said reports be confirmed, and it appearing to the court from an examination of the said accounts, that there is a labor debt of $4.30 cts, Debts on which the homestead have been waived amounting to $125.9.45 cts, and debts amounting to $120.73 cts on which

the homestead has not been waived, and only the sum of $477.73 cts in the hands of the administrator to pay the same. The court doth further adjudge order and decree that the administrator, W. H. Daughtry, after paying all the costs of this suit, pay out the balance of the money in his hands pro rata among the following debts on which the homestead has been waived to wit: a debt of $28.19 cts to J. L. Barham, a debt of $146.53 cts to Martha D. Vick, a debt of $29.18 cts due R. E. Darden, a debt of $108.42 cts due J. J. Darden, a debt of $43.19 cts due W. A. Mayrick, a debt of 38.27 cts due Pope & Darden, a debt of $123.30 cts due Samual Vick, a debt of $153.76 cts due Ann Mc Ferguson, a debt of $97.17 cts due Samual Vick, a debt of $38.73 cts due Grodwin D. Cutler, a debt of $427.50 cts due Grodwin D. Cutler, a debt of $20.21 cts due the Dipshur guano Company and a debt of $4.30 cts due Rebecca Ferguson for labor and return all his receipts along with his reports to court in order to a further decree.

A copy -

Testo: J. B. Prince C.C.

Clk.	$8.39	Paid J. B. Prince C.C.
Sheff	4.00	Paid J. S. Vick (Selma)
Comr. McLemore	10.00	Paid - B. F. McLemore
Law $c.	16.50	Paid H. B. Shands Son Jany 17th 1887
	$38.89	
Atty.	5.00	H. B. Shands Paid H. B. Shands Son Jany 17th 1887
Comr.	5.00	B. F. M. Paid B. F. McLemore
	$48.89	

Barden &c

vs 3 Decree

Bardens admr & als

This day this cause came on again to be heard on the papers formerly made and the report of Commissioner McLemore on the transactions of W. H. C. Daughtry as administrator of W. D Barden dec'd a report of the debts outstanding against the estate of the said W. D. Barden and an account of the actual and annual value of all the real estate whereof the said W. D. Barden died seized and possessed and to which reports no exceptions have been filed and was argued by Counsel On consideration whereof the court doth adjudge, order, and decree that the said reports be confirmed and it appearing to the court from an examination of the said accounts that there is a labor debt of $4.30 cts Debts on which the homestead have waived amounting to $1259.45 cts and debts amounting to $120.73 cts on which the homestead has not been waived and only the sum of $477.73 cts in the hands of the administrator to pay the same The court doth further adjudge

order and decree that the administrator
W. H. Daughtry after paying all
the costs of this suit pay out the
balance of the money in his hands
pro rata among the following debts
on which the homestead has been
waived to wit a debt of $28.19 cts
to J. L. Barham a debt of $146.33 cts
to Martha D Vick a debt of $29.18 cts
due R. E Darden, a debt of $108.42 cts
due J. J. Darden, a debt of $43.19 cts
due W. A. Wynick, a debt of 38.27 cts
due Pyron Darden, a debt of $123.80 cts
due Sammie Vick, a debt of $153.76 cts
due Anne M. Ferguson, a debt of $97.17 cts
due Sammie Vick, a debt of $38.73 cts
due Govdion D Cutlin, a debt of $427.80 cts
due Govdion D. Cutlin, a debt of $20.21 cts
due the [illegible] Insurance Company
and a debt of $4.30 cts due Rebecca
Ferguson for labor and return all
his receipts along with his report
to court in order to a further
decree

~~87 87 8.44~~

78

Bandum vals

& Z. Deum

Z.

Bandum adum vals

To be entered

May 6th 1887

C Watts

Bardin v als

vs Z Decree

Bardins admr v als

This day this cause came on again to be heard on the papers formerly read, the report of the administrator W. H. Daughtry of payments made by him under a decree of this court made at the November term 1884 of this court the amended bill of Martin & Bardin and exhibits filed and taken as confessed as to all the defendants Wm H Daughtrey administrator of Wm D Bardin and Wm A Myrick and was argued by counsel On consideration whereof the court doth adjudge order and decree that Wm A Myrick pay to Wm H Daughtry administrator of Wm D Bardin the sum of $401.13cts who will accept to him for the same and the court doth adjudge order and decree that the report of Wm H Daughtry of payments made by him be confirmed and that the said W. H. Daughtry after paying the costs of this and that have arisen since the last

order in this cause including a fee of thirty dollars to be paid to Wm B Shands & son Mollie A Barden attorney pay first to Mollie A Barden the ~~commuted~~ value of her dower ~~one third of the residue to be paid~~ she being willing to secure the same by lien for life to pay to her the ~~fee simple value of the said~~ third of the annuity calculating the said value of her life from the age of twenty seven years and the other two thirds of the money pay pro rata among the creditors of Wm D Barden who have proved their debts by the report of the commissioner returned October 22nd 1881 and the said commissioner will return his receipts along with his report to court in order to a further decree

Costs.

Clerk $2.47.

2.50 retained for future Costs.

$4.97