1896-12 Southampton County Chancery - Pretlow & Co. etals vs Blythe, Robert (dec-) etals

estate sale to settle debts

Pretlow & Co.
- Pretlow, John, Jr.
- " , S.B
- " , J.D.
- Moore, M.H.
- Pretlow, R.H.
- Vaughan, C.C.

- Blythe, Rebecca
- " , Mitchell
- " , Flournoy
- " , Alice L.
- " , Nellie, J.

Minors
- " , Mary E.
- " , Lillie
- " , Jessie
- " , Jimmy

Williams, T.W. sheriff (+ admin)

Sebrell, T.N. (G.A.L.)

Pretton & Co et als.
vs. Amended Bill
Blythe's Admrs.

1895. 11. Sept. filed

T. C. Lemon P.Q.

To
The Hon Robert R. Prentis, Judge of the Court
for Southampton County.
-In Chancery-

Complaining upon oration, Jno Pretlow Jr.
S. B. Pretlow, J. D. Pretlow, W. H. Moore and R. A.
Pretlow merchants & partners trading as Pretlow
& Co., and C. E. Vaughan, showeth unto the Court, that
Robert J Blythe departed this life, intestate some time
during the year , leaving a track of land
containing 70 3/4 acres, and leaving as their heirs
and distributees at law Rebecca Blythe, his wife
and Mitchell, Flournoy, Alice L., Nellie J., Mary
E., Lillie, Jessie & Jennie Blythe, the last four in-
fants, that at the term of the County Court
of Southampton County, to J. W. Williams Sheriff was
committed the estate of Robert Blythe died as will
appear by reference to a certified copy of the order
committing the said estate, herewith filed marked Exhibit
"A" as a part of this bill; that the decedent left but
little, if any, personalty, what was left has been consumed
in the use, exchanged and destroyed and the track of
land aforementioned, which is located in Franklin District
and adjoining the lands of John Pretlow Sr. & others, is all the
property liable to be subjected to the payment of the de-
cedents debts.

That at the time of the said decedents death
he was indebted to Pretlow & Co on of your orators
in the sum of $24.24 due by open account and also
in the sum of $88.64 due by bond as of August 21st
1886. all of which will appear by reference to the
said account and bond herewith filed marked respect-
ively "X" & "Y" as exhibits in this cause; that said

Decedent is also indebted to your complainant C. C. Vaughan in the sum of $9.30 as of January 1st. 1886. all of which will appear by reference to the said bond herewith filed marked "Z" as a part of this bill.

Your complainants aver & charge that there is no personalty out of which they can make their debts and that such being the case they are entitled to have the real estate of the deceased sold (subject to the widows dower interest therein) and your orators debts paid to them

In tender consideration whereof, and for as much as your orators are remediless in the premises save in a court of Equity where all such matters are alone properly cognizable to the end, therefore that justice may be done, they pray that J. H. Williams Sheriff and as such Admr. of Robert Blythe dec'd. Rebecca Blythe, Mitchell Blythe, Flourney Blythe, Alice L. Blythe, Nellie J. Blythe, Lillie Blythe, Jesse Blythe & Jamie Blythe, (am'd) their last four infants be made parties defendants to this bill and required to answer the same. that your orators debts may be established, that the real estate of the deceased may be sold to satisfy your orators debts and such others as may be proved against the estate, that all such accounts may be taken, enquiries directed & decrees and orders entered, and that all such general and special relief may be granted as the nature of the case may require or to equity may seem meet that reasonable fees may be allowed Plaintiffs Counsel conducting this cause, and your orators will ever pray &c.

J. L. McLemore Sol'r

Prudlow & Vaughan Cl.

vs. { Bill & Exhibits

Blythe Heirs.

1875 Mch Rutherfield

P.M. & C.

JAMES L. McLEMORE,
Attorney-at-Law,
COURTLAND, VIRGINIA.

Ernest Woolley Co, Stationers and Printers, Richmond, Va.

To The Hon. Robt. Hunter Judge of the Circuit Court for Southampton County.
—In Chancery—

Complaining, your orator Jno. Prettlow Jr. S. B. Prettlow J. D. Prettlow, M. H. Moore & R. N. Prettlow & C. C. Vaughan merchants and partners trading as Prettlow & Co. shewet to unto the Court, that Robert Blythe departed this life, intestate sometime during the year , leaving a track of land containing 70 3/4 acres, and leaving as his heirs and distributees at law Rebecca Blythe his wife, and Mitchell, Flournay, Alice L., Nellie J., Mary E., Lillie, Jessie & Jennie Blythe the last four infants, that what little of personalty the decedent may have left at his demise, has long since been consumed in the use, exchanged and destroyed, and the track of land as aforesaid which is located in Franklin District and adjoins the lands of Jno Prettlow Sr. & others, is all the property liable to be subjected to the payment of the decedents debts.

That at the time of the said decedents death as aforesaid he was indebted to Prettlow & Co one of your orators in the sum of $24.21, due by open account and also in the sum of $88.69 due by bond as of any 21st 1886. all of which will appear by reference to the said account and bond herewith filed marked respectively "X" & "Y" as exhibits in this cause; that said decedent is also indebted to your Complainant C. C. Vaughan in the sum of $9.30 as of January 1st. 1886. all of which appear by reference to the said bond herewith filed marked "Z" as a

part of this bill.

Your complainants aver and charge that there is no personalty out of which they can make their debts, and that such being the case they are entitled to have the real estate of the decedent sold, (subject to the widows dower interest therein) and your orators debts paid to them.

In tender consideration whereof and for as much as your orators are remidiless in the premises save in a court of equity where all such matters are alone properly cognizable to the end therefore that justice may be done they pray that Rebecca Blythe, Mitchell Blythe Flournoy Blythe, Alice L. Blythe, Nellie J. Blythe, Mary E. Blythe, Lillie Blythe, Jesse Blythe & Jennie Blythe, the last four infants, be made parties defendants to this bill and required to answer the same; that your orators debts may be established, that the real estate of the decedent may be sold to satisfy your orators debts and such others as may be proved against the estate, that such accounts may be taken, enquiries directed & decrees & orders entered, and that all such general and special relief may be granted as the nature of the case may require or to equity may seem meet, that reasonable fees may be allowed Plaintiffs Counsel conducting this cause. And Your orators will ever pray &c.

J. L. McLemore Counsel
for Plaintiffs.

Prattow & et al
v.
Statice

Blythe's adm & al

1895. August 3rd

Specification

J. W. Williams
Sept

Removed
Sept 1896.

To. J. W. Williams Sheriff & as such. Admr. of Robert Blythe dcsd, Rebicca Blythe, Mitchell Blythe, Flournoy Blythe, Alice L. Blythe, Nellie J. Blythe, Lillie Blythe, Jesse Blythe & Jimmie S. Blythe the last four infants by J. N. Sabrede jr. Gdn ad litem.

Take notice that we shall through our counsel apply to Hon. Robert R. Prentis, Judge of the Circuit Court for Southampton County, in Vacation. at his office in Suffolk Va. on the 3rd day of August 1895. for an interlocutory decree to be entered in the Chancery cause of Prentiss & Co etals. vs. Blythe's Admr. etals. to the following effect, to wit:

That the cause be referred to one of the Commissioners of the Circuit Court who will enquire and report,

1st An account of the annual & fee simple value of the real estate of which Robert Blythe died seized.

2nd. An account of the debts outstanding against the estate of the decedent with their priorities.

3rd. Whether or not the rents & profits arising from the real estate will in four years pay the debts outstanding against the same.

4th Any other matter specially stated deemed pertinent by the Commissioner or required to be stated by any party in interest.

5th. An account of J. W. Williams' transactions as admr. of the estate of said decedent.

Your obedient servants.
Prentiss & Co. & C. C. Vaughan by
Counsel.

July 15. 95

We acknowledge due & legal service of this notice, May 4th 1896.

-all sign here- (Mrs B.) Rebecca E Blythe

(Mitchell B) Mitchell L Blythe

(Honora B) Honora Blythe

(Alice B) Alice L. Blythe.

Nellie J.B. Nellie J. Blythe

J. M. Sibrell Jr.

Gdn ad litem.

Prelim No. 33 Notice Blythe Adm. vs. 1896. essay

To, J.W. Willaims, Sheriff and as such Administrator of Robert Blythe decd. Rebecca Blythe, Mitchell Blythe, Flournoy Blythe, Alice Blythe, Nellie J. Blythe, Mary E., Lillie, Jesse and ~~Jennie~~ Jennie S. Blythe, last four infants, by J.N. Sebrell Guardian ad litem.

Take notice, that we shall apply to the Judge of the Circuit Court of Southampton County at his office in Suffolk, Va., on the 14th day of May 1896, for a decree to be entered therein in the chancery cause of Pretlow & Co., Versus. Blythe's Administrator et als. preparatory to a final decree therein to be entered.

May 4. 1896.

Respectfully,

Pretlow & Co.

By Counsel.

Prettow & Co. & als

&c } Summ.

Blythe et als

1895 F. 1st Mch. Ruled

Cir. Ct.

Ep'cad Feb. 26th 95

by delivering a copy

of this Summ's to each

of the def'ts within

named personally

in def'ts

R. J. Williams D.S.C.

for J. J. Williams

Sh'ff.

McLemore p.q.

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON Rebecca Blythe, Mitchell Blythe, Flowray Blythe, Allice L. Blythe, Nellie J. Blythe, Mary E. Lillie, Jesse & Jeannie S. Blythe the last four infants by J. T. Sebrell Jr. their next friend 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 March 1895 ~~next~~, to answer a Bill in Chancery exhibited against them in our said Court by Jno. Prettlow Jr. S. B. Prettlow, J. D. Prettlow, W. H. Moore & A. A. Prettlow merchants trading as Prettlow Bro and C. C. Vaughan

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

WITNESS, T. M. HOWARD, Clerk of our said Court, at the Courthouse, this 23rd day of February, 1895, in the 119th year of the Commonwealth.

TESTE: T. M. Howard, C. C.

Pillow & Leadle

(D" } Sum

Blythe et als

1895. 1st Mch Rules

bin. lib.

Executed this 2

day of March

A 1895 by serving

a copy hereof on

Alice L. Blythe

Sept fee 50 cts paid

C. L. Quinn Deputy

for J. E. Burke Sheriff

Caleb Norfolk

J. L. McLemore p. q.

THE COMMONWEALTH OF VIRGINIA,

TO THE ~~SHERIFF OF SOUTHAMPTON COUNTY~~ Sergt Cert of Norfolk, GREETING:

WE COMMAND YOU TO SUMMON Rebecca A Blythe, Mitchell Blythe, Flournoy Blythe, Allie D. Blythe, Nellie J Blythe, Mary E. Lillie, Jessie & Jimmie S Blythe the last four infants by J. T. Sebrell Jr Esqr 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 March 1895 ~~next~~, to answer a Bill in Chancery exhibited against them in our said Court by Jno Pretlow Jr. S. B. Pretlow J. D. Pretlow, M. N. Murdaugh & A. A. Pretlow merchants trading as Pretlow & Co vs C. C. Vaughan

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

WITNESS, T. M. HOWARD, Clerk of our said Court, at the Courthouse, this 23rd day of February, 1895, in the 119th year of the Commonwealth.

TESTE: T. M. Howard, C. C.

11

Preston & Co. et als
vs } Statement of Rules
Beyer this Admr. et als.

John Poullon Jr. S. B. Poullon, J. S. Poullon, M. H. Moore & R. A. Poullon Merchants & partners trading as Poullon & Co. & L. L. Vaughan Plaintiffs

vs } In Chancery

J. W. Williams Sheriff & as such Adms. of Robert Blythe dec'd, Rebecca Blythe, Mitchell Blythe, Flannoy Blythe, Alice L. Blythe, Nellie J. Blythe, Mary E., Lillie Jesse & Jennie S Blythe the last four infants by J. N. Sebrell Jr. Guardian ad litem Defendants

1895. 9th May. Process Issd. to answer amended Bill to 1st June Rules.

1895. 1st June Rules. Process returned executed, Amended Bill filed, J. N. Sebrell Jr. appointed G'd. ad litem to infant defendants, Dicm nisi vs adult defendants

1895. 2nd June Rules. Bill taken for confessed as to adult defendants and cause set for hearing as to them,

Bradley & Co et al.
v. Answer of Defendants
Blythe Astin et al.
1895. 11. Sept. filed

The joint & several answer of Mary E. Lillie Isaac & Jimmie S. Blythe infants by Jno. N. Sibrell Jr. their guardian ad litem to certain amended bill of complaint exhibited against them & others in the Circuit Court of Southampton County by Prentiss Co & C. C. Vaughan -

These respondents reserving to themselves the benefit of all just exceptions &c. Answering their said guardian ad litem says: That being infants of tender years they are incapable of understanding or of caring for their rights & interests and they therefore commit the same to the protection of this Court. And having fully answered they pray hence to be dismissed with their reasonable costs &c

J. N. Sibrell Jr.
Guardian ad litem for infants defts

Prettow & Co. v. Co. of Pl.
2d } Stat. Rules
Blythe et als

1895 1st Mot. Rules

PRETTOW & CO. V. CO. OF PL.
2D STAT. RULES
BLYTHE ET ALS
1895 1ST MOT. RULES

Jno. Poettow Jr, S. B.
Poettow, J. D. Poettow,
M. H. Moore & R. A. Poettow, Pltffs.
merchants trading as
Poettow & Co., & C. C. Vaughan.

vs

Rebecca Blythe, Mitchell
Blythe, Mourning Blythe,
Alice L. Blythe, Willie J.
Blythe, Mary E., Lillie,
Jessie & Jimmie S. Blythe
the last four infants
by J. A. Sebrell & Gdn
Ad litem
Defts.

In Chancery.

1895 July 23. Proceip issd to 1st Mch Rules.
" 1st Mch. Rules. Proceip retd Executed
Bill & Ex filed J. A. Sebrell for
Apt Gdn ad litem. Scire
fieri & adulte.
1895 - 2 Mch Rules. Bill taken for con-
fessed as to adults & cause
set for hearing as to
infants.

Pritlow v Et al.

vs

Notice

Blythe v al.

1895. aug. 3rd. office
J. L. McLemore. atty.
Courtland Va

Executed in the city of Norfolk Va on the 28th day of July A D 1895 by delivering a copy hereof to Alice D. Blythe.

J. E. Burke Sergt
city of Norfolk
by L. L. Quinn
Deputy

To J.W.Williams Sheriff and as such, Admr. of Robert Blythe decd., Rebecca Blythe, Mitchell Blythe, Flournoy Blythe, Alice L. Blythe, Nellie J. Blythe, Lillie Blythe, Jessie Blythe and ~~Jimmie~~ S. Blythe, the last four infants by J.N. Sebrell, Jr., Gdn. ad litem.

To Alice L. Blythe:-

Take notice, that we shall through our Counsel apply to Hon. Robert R. Prentis, Judge of the Circuit Court for Southampton County, in vacation, at his office in Suffolk, Va., on the 3rd day of August 1895, for an interlocutory decree to be entered in the chancery cause of Pretlow & Co. et als. vs. Blythe's Admr. et als. to the following effect, to-wit:- That the cause be referred to one of the Commissioners of the Circuit Court who will enquire and report;

1st.---An account of the annual and fee-simple value of the real estate of which Robert Blythe died seized.

2nd.---An account of the debts outstanding against the estate of the ~~decedent~~ decedent with their priorities.

3rd.---Whether or not the rents and profits arising from the real estate will in five years pay the debts outstanding against the same.

4th.---Any other mater specially stated deemed pertinent by the Commissioner or required to be stated by any party in interest.

5th.---An account of J.W.Williams' transactions as Admr. of the said estate.

Your obedient servants,

Pretlow & Co. & C.C.Vaughan

by Counsel.

July 20/95

To Sergeant City of Norfolk to execute

Prellow & Co. &c

Vs. } Summ:

Blythe's Admr Et. als.

1895 1. June Rules.

Clerk Ct.

Executed May 29th 95
by delivering a copy of
this Summ: to each
of the within named
parties of exct Alice
L. Blythe who is not
a resident of My
County

R. D. Williams Dept
for J. W. Williams
Shff.

J. L. McLemore D. C.

Issued on 6 = $3.00

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON J. W. Williams Sheriff & as such Adm's of Robert Blythe dec'd, Rebecca Blythe, Mitchell Blythe, Flournoy Blythe, Alice L. Blythe, Willie J. Blythe, Mary E. Lillie Jesse & Jennie S. Blythe, the last four infants by J. N. Sebrell jr. 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 1st Monday in January next, to answer an amended ~~a~~ Bill in Chancery exhibited against them in our said Court by John Poullon jr. & B. B. Poullon & J. D. Poullon, M. H. Moore, & R. A. Poullon Merchants and partners trading as Poullon & Co, & Leslie Vaughan

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

WITNESS, ~~T. M. HOWARD~~ L. A. Gay, Clerk of our said Court, at the Courthouse, this 9th day of May, 1895., in the 119th year of the Commonwealth.

TESTE: L. A. Gay, C. C.

Pruitt & Co. &c.

vs. } Summ:

Blythe's Admr &c. als.

1895 1. June Rules.

Sheriff's Office

118 York

Alice L Blythe

Executed in the
City of Yorkville on
the 22nd day of
May A 1895 by
delivering a copy
hereof to Alice L.
Blythe
Sheriff's fee $ 1.50 paid

J. B. Burke Sheriff
City of Yorkville
by C. L. Quinn
Deputy

Fee 50 ps

THE COMMONWEALTH OF VIRGINIA,

TO THE ~~SHERIFF OF SOUTHAMPTON COUNTY~~ Sergt. of the City of Norfolk, GREETING:

WE COMMAND YOU TO SUMMON J. W. Williams Sheriff & as such Adm'r of Robert Blythe dec'd, Rebecca Blythe, Michael Blythe, Flournoy Blythe, Alice L. Blythe, Nellie J. Blythe, Mary E. Lillie Jesse & Jennie S. Blythe, the last four infants by Jno. N. Sebrell jr. Guardian 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 1st Monday in June next, to answer an amended Bill in Chancery exhibited against them in our said Court by John Pretlow jr. S. B. Pretlow, J. D. Pretlow, M. H. Moore & R. A. Pretlow merchants and partners trading as Pretlow & Co. & be, &c, Vaughan

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

WITNESS, ~~T. M. HOWARD~~ L. A. Gay, Clerk of our said Court, at the Courthouse, this 9th day of May, 189[illegible], in the 119th year of the Commonwealth.

TESTE: L. A. Gay, C. C.

Pretlow & Co et al.

v. Answer & Cr addition.

Blythe et als.

1895. 11. Sept. filed

The joint & several answer of Mary E. Lillie, Jesse and Jimmie S. Blythe infants by Jno. S. Sebrell Jr. their guardian ad litem, to a certain bill of complaint exhibited against them & others in the Circuit Court of Southampton County, by Pretlow & Co. & C. C. Vaughan.

These respondents reserving to themselves the benefit of all just exceptions &c. through their said Guardian ad litem say:-

That being infants of tender years they are incapable of understanding or of taking care of their rights and interest, and they therefore commend the same to the protection of this Court. And having fully answered they pray hence to be dismissed with their reasonable costs &c.

July 29. 1895

J. S. Sebrell Jr.
Gdn ad litem for infant defts.

Perlow + Co et al.
v.
Duree
Blythe et al.

~~1895. Sept. 26.~~

To be entered.
Sept. 23, 1895
Wolsall & Ellis

Mch 10/96.

Entered
page 24

Portlow & al. et als.

vs. Decree

Blythe et als.

This day this cause came on to be heard upon the original & amended bills & exhibits files, bills taken for confessed as to the adult defendants & answers of the infant defendants by Jas. Lebrell their guardian ad litem regularly appointed at rules, general replication thereto and was argued by counsel, On consideration whereof the Court doth adjudge order and decree that this cause be referred to one of the Commissioners of this Court who will take & report to Court the following accounts:

1st. An account of the annual & fee simple value of the real estate of which Robert Blythe died seized and possessed. and in giving the annual value thereof, the Commissioner will report the same exclusive of the dower interest.

2nd. An account of the debts outstanding against the estate of the decedent with their priorities.

3rd. Report whether or not the rents & profits arising from the real estate will in four years pay the debts outstanding against the same.

4th. An account of the transactions of Jas. Williams late Sheriff & Administrator of Robt. Blythe dec'd

5th. Any other matter specially stated deemed pertinent by the Commissioner or required to be stated by any interested party.

Form No. 309.

Preston & Co.
vs.
Beyth's Adm. et als.

Jas. L. McLemore

to { COMMISSIONER'S BOND.

Commonwealth.

1896. 9th April Filed
L. A. Gay b.c.

Everett Waddey, Stationer and Printer, Richmond, Va. } Form No. 309.

Know all Men by these Presents, That we James L. McLemore and B. F. McLemore

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

Eight Hundred Dollars,

to the payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our Homestead Exemptions as to this obligaiton, and any claim or right to discharge any liability to the Commonwealth arising under this bond, or by virtue of said office, post or trust, with coupons detached from bonds of this State. Sealed with our seals, and dated this 9th day of April one thousand eight hundred and Ninety Six.

The condition of the above Obligation is such, That if the above bound James L. McLemore shall faithfully perform the duties of his office or trust, as Special Commissioner under a decree of the Circuit Court of the County of Southampton, pronounced on the 24th day of March, 1896, in the suit therein depending under the name and style of Pruden & Co. Vs. Blythe's Administrator et als.

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in the presence of

Jas L McLemore SEAL.

B. F. McLemore SEAL.

SEAL.

In the Clerk's Office of the Circuit Court of the County of Southampton:

This day B. F. McLemore surety on the above bond, made oath before me L. A. Gay, Clerk of the Circuit Court of the County of Southampton, that his estate after the payment of all his just debts, and those for which he is bound as security for others, and expect to have to pay is worth the sum of Eight Hundred dollars; whereupon the said bond is admitted to record according to law.

Given under my hand this 9th day of April 1896.

Teste: L. A. Gay Clerk.

Pretlow & Co.

No. 3111 Report of Sale

By this Admr.

1896. 13th. May Filed

L. A. Gay C.C.

To the Honorable Robert R. Prentis, Judge of the Circuit Court for Southampton County. Virginia.

Pretlow & Co.,

Vs. Special Commissioner's Report of sale of land.

Blythe's Admr. et als.

The undersigned begs to report, that pursuant to a decree entered in the above named cause on the 24th. day of March 1896 he sold at public auction at Franklin Va, on the 2nd. of May 1896. the land in the bill and proceedings mentioned, containing 70 acres more or less, subject, however to the dower interest in the same of the widow of the said Robert Blythe decd, and also subject to the interest of Caroline F. Joyner, one of the sisters of the said decedent, which is a one seventh i interest in the said farm, the same having arisen from her failure to ## sign the deed conveying the interest of the several heirs to the said Robert Blythe decd. (wherein it was intended that all of the heirs should join), at which sale so made Mitchell C. Blythe, one of the children of the said decedent became the purchaser by bidding therefor the sum of $125. that being the highest bid made therefor, and is now willing to pay for the same and take a deed upon the confirmation of the said sale.

Your commissioner thinks that under the circumstances, the sale is one that should be confirmed, and he most respectfully recommends that the same be done.

May 4. 1896

Respectfully submitted.

Jas. L. McLemore

Special Commissioner.

In the Circuit Court of Southampton County.
September Term 1895.

Preston & Co. et als.

vs } Decree

Blythe et als.

This day this Cause Came on to be heard upon the original & amended bills & exhibits filed, bills Taken for Confessed as to the adult defendants answer of the infant defendants by J. N. Sebrell Jr. their guardian ad litem, regularly appointed as rules, general replication thereto and was argued by Counsel.

On Consideration whereof the Court doth adjudge order and decree that this Cause be referred to one of the Commissioners of this Court who will Take & report to Court the following accounts:

1st. An account of the annual & simple value of the real estate of which Robert Blythe died seized and possessed, and in giving the annual value thereof, the Commissioner will report the same exclusive of the dower interest.

2nd. An account of the debts outstanding against the estate of the decedent with their priorities.

3d. Report whether or not the rents & profits arising from the real estate will in five years pay the debts outstanding against the same.

4th. An account of the transactions of J. H. Williams Sheriff, Administrator of Robt Blythe dec'd,
5th. Any other matter specially stated deemed pertinent by the Commissioners or required to be stated by any interested party.

A Copy.

Test: L. A. Gay D.C.

Williams
vs.
Blythe et als.

Decree.

Enrolled

Page 24

COMMISSIONER'S OFFICE,

~~JERUSALEM,~~ Courtland Va. Feb 10 1896.

To the *Creditors* of the Estate of
Robt: Blythe, dec'd
deceased, and all others concerned.

You are hereby notified, that ~~at the request of~~ pursuant to a decree of the Circuit ~~Administrator of the estate of the said~~ Court of Southampton Co. entered at the Sept. Term 1895, ~~deceased~~, I have appointed the 10th day of March 1896. next, at my Office, for receiving proof of 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 a Commissioner of the County Court of Southampton County, the day and year first aforesaid.

B. F. McLemore *Commissioner*

Preston & Co.

v } Notice

Blyth &c

1896. March 10.

Executed by delivering a copy of this notice to each of the within named parties defendant

March 5th 96 W.E. Pordenbop
for J.H. Hilliard
Shff

I acknowledge legal service of this notice for myself.

J.N. Schreck
Ex'or ad litem.

Commissioner's Office,

Capt and Jerusalem, Va., Feb 10" 1896

To Pullen & Co.

J. W. Williams Shff & Admr of Robert Blythe, decd.
Rebecca Blythe. Mitchell Blythe. Flannery
Blythe. Alice L. Blythe. Nellie J. Blythe.
Mary E. Lillie. Jesse & Jennie D. Blythe - the
last four infants.

You are hereby notified that I have fixed upon the 10" day of March 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 fee Simple and annual Value of the real Estate of which Robt. Blythe died seized. And in giving the Annual Value of the Commissioner will report the same exclusive of the dower interest.

2nd - An account of outstanding debts against the Estate of said decedent. with their priorities.

3rd - Whether or not the rents and profits arising from the real Estate will, in five years. pay the debts outstanding against the same.

4th - An account of J. W. Williams' transactions as Sheriff & Admr of Robt. Blythe, decd.

required to be taken by a decree of Southampton Circuit Court, rendered at the September term, 1895, 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.

An Account of the debts outstanding against the Estate of Robt. Blythe, dec'd.- Arranged according to priorities. Reported under a decree of the Circuit Court of Southampton County. entered at the September Term 1895. in the Chancery Cause of "Prellow & Co. & Blythe & als": March 10. 1896. pursuant to Notice herewith filed.

	-First Class-				
	Fee bill due Clerk County Court. including tax on Administrator				1 50
	-Fourth Class-				
1st.	Bond due C. C. Vaughan		9 30		
	Int: from Jany 1/86. To Mch 1/96		5 67	14	97
	-Homestead waived-				
2.	Balance on Bond due Prellow & Co. indorsed of Int: f. less payments indorsed thereon 3/1/96			142	79
	-Homestead waived-				
3.	Open Acct: due Prellow & Co		24 24		
	Int: from Jany 1/92 To Mch 1/96.		4 06	28	30
	(Barred by Statute)	Total		$ 187	56

Respectfully Submitted
B. F. McLemore
Com'r in Chancy

Spellman & Co.
vs } Report.
Blythe & als
1856. March 10. filed.

An Account of the fee simple and Annual value of the real Estate whereof Robt Blythe died seized - reported by virtue of a decree of the Circuit Court of Southampton County - rendered at the September Term 1895, in the Chancery Cause of — Pretlow & Co. &c Blythe's Adm'r & als: - Mch 10. 1896.

1 tract of land containing 70 3/4 acres. valued at - (including buildings) $400.00
Annual Value, Estimated at. $40.00
Annual Value exclusive of widow's dower. $25.00

Respectfully Submitted.
B. F. McLemore
Com'r in Chancery.

The Commissioner States Specially that $400.00, the Estimated value of the above described tract of land, includes the widow's dower. who is, Comparatively, a young woman, and the 1/3 interest of Mrs Caroline F. Joyner, the actual value of the land exclusive of the dower right and interest of Mrs Joyner. would not be more than $200.00.

Respectfully Submitted.
B. F. McLemore
Comm in Chancy

Commissioner's Office.
Courtland. Va.
March 10th. 1896.

To the Circuit Court of Southampton County.

Pursuant to a decree of said Court rendered at the Sept. Term 1895. in the Chancery Cause of Spellow & Co. & Blythe & als: The undersigned, Commissioner, having issued notices against the several parties to the suit. (which has been returned executed) requiring them to appear before him, at his Office in Courtland, on the 10th day of March 1896. to attend the taking of the accounts mentioned in the aforesaid decree:- he proceeded on the said 10th day of March 1896. to take, state and report the following accounts. viz:

1st An account of the fee simple and annual value of the real Estate of which Robt. Blythe died seized. showing the Annual value exclusive of the widows dower:

At the time of decedents death he was seized of a small tract of land. in Franklin Magesterial District. Containing 70 3/4 Acres. valued, in fee simple, at $400.00 - the Annual value exclusive of the dower interest. is estimated at $25.00.

2nd An account of debts outstanding against said decedent or his Estate:- And reports debts Amounting to $183.12 . inclusive of interest to March 1. 1896.

J. H. Williams, Sheriff and Administrator of Robt. Blythe, dec'd. has informed the Commissioner that he has not received any funds from the said Estate

and has not disbursed anything. that at the time said Estate was committed to his hands. there was no personal Estate. what was left by decedent at his death, had been consumed in support of the family.

The Notices of the time and place of taking the accounts herein referred to are, together with the accounts. filed herewith. to which the attention of the Court is directed.

The rents and profits ~~arising from the land, exclusive~~ of the dower interest ~~will not pay the debts~~ reported, in five years.

Comr in Chancery

Respectfully Submitted.

B. F. McLemore

Comr in Chancery

Comis fee
$5.00 charged
to Plaintiffs

The Commissioner States Specially that Caroline F Joyner who was Blythe. and owned 1/7 part of the tract of land herein referred to as the lands of Robt Blythe, deceased, has never conveyed her interest in said land to the said Robt. Blythe. and Consequently the said Robt Blythe does not own but 6/7 of the aforesaid tract of 70 3/4 Acres.

Respectfully Submitted.

B. F. McLemore,

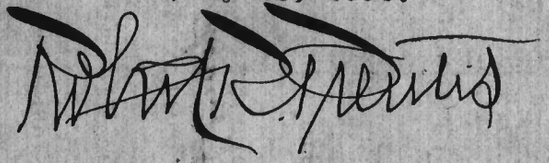
Comr in Chy

Pretlow & Co.,

Vs. Decree.

Blythe's Admr. et als.

Enter this, May 15, 1896.



Virginia.

In Vacation, in the Circuit Court of Southampton County, May 15, 1896.

Pretlow & Co.,

Versus.

Blythe's Administrator et als.

This day this cause came on again to be heard, in Vacation, upon the papers formerly read, upon the report of J.L.McLemore, special Commissioner, filed May 13th. 1896, reporting sale of the real estate in the bill mentioned to Mitchell C. Blythe; subject however, to the dower therein of Robert Blythe's Widow, and to the interest of Corinne F. Joyner therein; to which report no exceptions have been taken, and was argued by Counsel. On consideration whereof, and it appearing to the Court that due and legal notice has been given, to all parties in interest, of plaintiff's intention to apply for this decree, including the purchaser at the said sale, doth adjudge, order and decree, that the said sale be and the same is hereby confirmed, and made binding upon all parties in interest, and doth further order, that said special Commissioner, upon receipt of the purchase price for the real estate in the bill and proceedings mentioned, make to the purchaser a deed for the same with special warranty, and out of the funds in his hands so collected, pay first the cost of this suit, and the debts reported by Commissioner B.F.McLemore, filed March 10, 1896, except the open account therein reported, and marked "Barred by the Statute" (due to Pretlow & Co., for the sum of $28.30), and said Commissioner will report to Court.

Robert Davis

To the Clerk of the Circuit Court of Southampton County.

Pretlow & Co., et als.

Vs. Decree.

Blythe's Adm'r. et als.

Enter this, Sept. 28, 1896.

Robert D. Reuter

Entered Page 92

R.

Pretlow & Co., et als.

Vs.

Blythe's Adm'r. et als.

This day this cause came on to be again heard upon the papers formerly read, and upon the report of Special Commissioner James L. McLemore, dated January 1, 1896, to which no exceptions have been taken, reporting the collection of the purchase price for the lands in the bill mentioned, disbursement of proceeds, supported by vouchers, filed 4th. day of June, 1896, to which no exceptions have been taken, and was argued by Counsel. On consideration whereof, the Court doth adjudge, order and decree that the said report be and the same is hereby confirmed, and nothing further remaining to be done in this cause, it is ordered that the same be removed from the docket.

Estimated
Case 67

1896 March

Blythe et al.

vs.

Pretlow et al.

Decree.

Filed and entered.

Robert D. Stubbs

Clerk.

Pretlow & Co.,

VS. Decree.

Blythe's Administrater et als.

This day this cause came on again to be heard upon the papers formerly read, and upon the report of Commissioner B. McLemore, filed March 10th. 1896, to which report no exceptions have been taken, and was argued by Counsel. On consideration whereof and it appearing from the said report, that the personal estate of the decedent, Robert Blythe decd., has been exhausted, and that there is still unpaid debts proved against the estate amounting to $185.12, and ~~that the rents and profits arising from the real estate will not in five years pay the debts reported against the same,~~ the Court doth adjudge order and decree that Jas. L. McLemore, who is hereby appointed a special commissioner for the purpose do proceed to sell the real estate of which the said Robert Blythe died seized and possessed, subject to the widow's dower therein, after having given twenty days public notice of the time and place of sale, at Franklin, and two other places in the vicinity of the land, sell at Franklin, and for cash sufficient to pay the cost of this suit, ~~including a fee of $ to plaintiff's~~ counsel, the remainder upon credit of three and six months, the title to be retained till all of the purchase money is paid, with option to purchase to pay all of the purchase money in cash, and take a deed upon the ~~confirmation of the sale by the Court.~~ But before the said commissioner shall proceed to act hereunder, he shall enter into bond before the Clerk of this Court in the penalty of $200, with good security, conditioned for the faithful performance of this or any future decree that may be entered herein.

PEANUT BUYERS.

CHEAPEST
Flour House
IN THE COUNTRY.

Franklin, Va., 189

Mr Robt Peete

BOUGHT OF PRETLOW & CO.,

DEALERS IN

HAY, GRAIN, FEED, FLOUR, MEATS, LIME, COAL,
FERTILIZERS, LAND PLASTER, &c.

1891
TERMS

March	1	To 1 Bbl Flour 6.50	53½ lbs Va Shds .10 6.35	1	85
		30 lbs Va Scs	.11	3	30
April	10	1 Bbl Flour 6.75	1/2 bus Potatoes 1.00	7	75
		31 lbs Va Scs .11	3.41 2½ lbs Shds .10 2.50	5	91
	15	1 Bg Guano 3.60	1/2 bus Potatoes 1.00	3	60
	25	1 Bbl Potatoes Chinceas		3	00
June	13	1/4 bus B. Eye Peas			40
			Cr		
April	10	By Cash			
1892					
Feby	22	To Jas L Co's			

		37 81
		1 36 97
		24 32
		4 80
		29 04

PRETLOW & CO.

$ 88 69/100

Franklin, Va., Aug 21st 1886.

On demand, November 1, 1886, or either of us promise to pay unto **PRETLOW & CO** or order, the just and full sum of Eighty-Eight & 69/100 Dollars, for valve received, and it is agreed that the interest shall be at the rate of 6 per centum per annum, and I hereby waive the benefit of my Homestead Exemption as to this debt, obligation or contract. As witness my hand and seal this 21st day of Aug 1886

Robt T Blythe (SEAL.)

Witness: M M Moore

(SEAL.)

Jany 28/87 Paid
Seventy-Six Dollars.
$26.00 Pulow & Co m

Jany 7/88 Paid Fifteen
$15.00 Dollars.
#15 Pulow & Co

Jany 28/88 Paid Nine
$9.00 Dollars.
#9 Pulow & Co m

March 3/88 Paid Nine
$9.00 Dollars.
#9.00 Pulow & Co m

March 11/91 Paid
Nine $9.00 Dollars
9.60 Pulow & Co
20824

Due May 2.96 $42.79

$2 in cac.
"4"

$ 92.50 On demand I owe and promise to pay unto C. C. Vaughan, his Heirs, Executors, Administrators or Assigns, the just and full sum of Ninety Dollars and Fifty Cents, current money of the United States, for value received, with interest from date; for the payment of which I bind myself, my Heirs, Executors and Administrators firmly by these presents; and I hereby waive the benefit of all Homestead Exemption as to this debt, obligation or contract.

As witness my hand & seal this 12th day of January in the year of our Lord one thousand eight hundred and eighty six

Robert Blythe (Seal.)

Witness C. C. Lewis

(Seal.)

Recd. June 4. 1896 of Jas. L. McLemore
Spec'l Comm'r in Kalfus' cause of Pittlow
& Co. vs Blythe et als the sum of
Fifteen 18/100 Dollars in settlement of claim
against estate of Robert Blythe, proved in said
cause.

C. C. Vaughan

Rec'd June 4th 1896 of Jas L. McLemore Spec'l Commissioner in the cause of Pleasants & Co. vs. Blythe et als the sum of Forty Three 43/100 Dollars in settlement of State against Estate of Robert Blythe, proved in said cause.

Treasurer

Prellow [illegible] et als

Vs. } Statement of Costs

Beythen Admr. [illegible]

Sumn. 25. 6 copies 78. another Sumn. 25. copy 13. = 1.41

Receipt for both 36. atty. 10. Docket. 18. Rule 5. = 1.14

Entering return 35. fil. bill 15. Dr. Ex. 15. Rule 5. = 1.15

Tot. 3.70

Another Sumn. 25. 6 copies 78. another Sumn. 25. copy 13 = 1.41

Receipt for both 36. atty. 10. Docket. 18. Rule 5. En. return 35 = 1.49

fil. amended bill 15. Dr. Ex. 15. Rule 5. fil. 2 answers 30 = 1.10

filing Commissioner L.F.M. Lemmon report 15
2 decrees 8 copies 1.44, Entering Lemmon bond etc. 1.40. Tax Costs 40 = 3.24

Taxing Costs. 2 drms 75. fil 2 reports 30. fil. away papers 25 = 1.27

$10.00 paid L. A. Gay Paid in full L.A. Gayle & Co $12.36

Sheriff. 6.00

Supt Newspaper 1.00

Law fee. 16.50

paid - B.F.M. Fee of Comr. B.F.M. Lemmon 5.00

$42.88

Pretlow & Co. et als.
vs. } Final Report
Blythe & Adm. et als.

1896. June. 4th filed.

To the Honorable Robert R. Prentis, Judge of the Circuit Court of Southampton County.

Pretlow & Co., et als.

Vs. Report of Special Commissioner J.L.McLemore,

Blythe's Adm'r. et als.

The undersigned who was appointed at the March term I896, to make sale of the tract of land in the bill mentioned, and who sold the same to Mitchell C. Blythe, on May 2nd. I896, which sale was reported to and confirmed by the Circuit Court, in vacation May I5, I896, begs to report that he has collected from said purchaser the entire purchase price for the land purchased by him, and has executed to him a deed with special warranty, pursuant to a decree of the I5th. May I896. That the funds in his hands he has disposed of as follows:

Amount received from sale,		$I25.00
TO Commissions,	$ 6.25	
" paid for writing deed,	I0.	
" paid Auctioneer,	I.	
" paid for posters	II.	
" paid cost of suit,	42.88	
" paid Pretlow & Co., their debt,	43.42	
" Paid C. C. Vaughan debt,	I5.I8	
Future cost,	2.50	
Retained to pay taxes, to June Ist. 96.	2.77	
	$ I25.00	$ I25.00

Vouchers returned.

June, I, I896.

Respectfully Submitted,

J. L. McLemore

Special Commissioner.

WHEN YOU WANT A

BRIDGE

. . OR INFORMATION IN THIS LINE . .
WRITE TO

NELSON & BUCHANAN,
CHAMBERSBURG, PA.

Washington inaugurated as President, 1789.

Sun Rise.	Sun Set.	Moon Rise.	Day of Year.
4.59	6.55	11.08 P. M.	121

Thurs:— APRIL 30

WHEN YOU WANT A

BRIDGE

. . OR INFORMATION IN THIS LINE . .
WRITE TO

NELSON & BUCHANAN,
CHAMBERSBURG, PA.

Avoid the bizness end of a bee.

—JOSH BILLINGS.

Marquis de Lafayette died, 1834.

SUN RISE.	SUN SET.	MOON SET.	DAY OF YEAR.
5.39	7.14	0.25 A. M.	140

Tues:— MAY 19

Rec'd 4 day 2. 1896. of J. L. McLemore
Spec Deut J. Blythe ad. Pritchard & Co.
The sum of $1.00
for selling land May 2/96.
T. D. Gibson