1899. 15 Southampton County Chancery Herrin, Addie D. Vs Herrin, Jas. W. et als wife

"Receiver to be appointed
and rents be properly
divided among three entitled"

Stephenson, A. J. Comr.
Jones, James B.,
Britt, J. P.
Ritter, G. Ed

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

Your complainant, Addie P. Hewins, complaining, showeth unto the Court that your complainant's grandfather, James G. James, was in his lifetime seized & possessed of certain real estate, lying in the County of Southampton, in Berlin & Ivor District, & bounded by the lands of J. E. Stephenson, Robin Hart's Estate, the county road from Tucker Swamp to Cusack Bridge, Nathan Jaynes and others, and being so possessed of said real estate, sometime in the year 1873, the said James G. James, departed this life, leaving a will which was duly admitted to probate & recorded in the County Court of Southampton County on the 16th day of December 1873, a copy of which will is herewith filed marked Exhibit "A" & prayed to be read as a part of this bill. That by said will, said James G. James left said real estate about

described. to his daughter. Martha J. Herrin (the mother of your complainant) for the period of her natural life. & at her death. to go to her, the said Martha J. Herrin's, children if any. That in the year 1880. the first husband of the said Martha J. Herrin. the father of your complainant. died leaving her with two children, your complainant & her brother Jas. W. Herrin. an infant. That in the year 1881. the said Martha J. Herrin married G. W. Ritter: that sometime in the years 1884 or 1885: the said Martha J. Ritter had a baby by the said Ritter soon thereafter died. leaving children surviving her your complainant. her brother the said Jas. W. Herrin an infant. & the infant child by Ritter. whose name is not known to your complainant: that in the said year 1885: & soon after its mother's death. the said infant by Ritter died at the age of about three months. Thus. as your complainant claims. leaving your complainant & her brother the said Jas. W. Herrin

as sole heirs in fee simple of said real estate.

That since the death of said Martha J. Riley up to the present year 1890. the said real estate has been rented out by A. J. Stiffleman admr of said James G. James. & the rents applied to the payment of a certain charge upon said real estate imposed by the said will of James G. James: that this charge was fully paid & discharged in the year 1889 & a balance left in the hands of said A. J Stiffleman. the amount of which your complainant does not know: that said G. W. Riley rented one half of the said real estate for the year 1889. but has paid no rent therefor. claiming, as your complainant is informed. a share of the rent for each year on account of a supposed interest in said real estate. about which interest your complainant has no knowledge. that J. P. Bell has rented the said real estate

for the fiscal year 1890. but has as yet paid no rent therefor: that said G.W. Pitts has since the death of said Martha J. Herrin, committed waste upon said real estate, by cutting down a large orchard thereon, & cutting timber & other things to the great damage of the said ~~heirs~~ estate.

In tender consideration whereof, & forasmuch as your Complainant is remediless in the premises save in a court of equity, your complainant prays that the said Jas. W. Herrin, infant, & A. J. Stephenson Admr of James G. Jones, J. P. Bell & G. W. Pitts, be made parties defendant to this bill required to answer the same, though your complainant waives an answer unto oath. That a proper guardian ad litem be assigned the infant defendant, who also shall answer this bill: that

proper process issue: that a Receiver be appointed by the Court who shall collect the rent due on said real estate by A. T. Stephenson Admr. G. A. Ritter, & J. P. Bird, & hold the same subject to the order of this Court: that an account be taken as to who is entitled to said real estate & to said rents, & that the rents be properly divided among those entitled thereto: that the said Receiver be directed to rent said land for the year 1871: that all proper orders & decrees may be made, & enquiries be directed, & that all such other further & general relief may be granted your Complainant as the nature of his case may require, or to equity shall seem meet.

and your Complainant will ever pray, &c

J. A. Parker & Co.

Addie P. Herrin

Addie P. Herrin

Sussex County

Virginia. ~~Southampton County~~, to-wit:

This day personally appeared before me, a Justice of Peace for the county aforesaid, Addie P. Herrin, & made oath that the beleives that the statements made in the foregoing bill are true -

Given under my hand this 21st day of October 1890.

J. A. Pursell J.P.

Herrin
vs
Herrin et als:
Bill &c.
Filed 21 Oct 1890
Ben. Ct.

Hennie

vs } Bell &
Exhibits

Hennie et als

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

Your complainant Addie P. Herring complaining showeth unto the court that your complainants grandfather, James G. James, was in his lifetime seized & possessed of certain real estate lying in the county of Southampton Va. consisting of a farm in Berlin & Law district in said county, & bounded by the lands of J. E. Sleetman, Robin Hart's Est. Mathews Jagues & the county road leading from Snakes Swamp to Peacock Bridge, and being so seized & possessed of the said real estate, some time in the year 1873. the said James G. James. departed this life, leaving a will, whereby he bequeathed said land for her life to Martha J. Herring, his daughter & the mother of your complainant, which will was duly admitted to record in the County Court of said County on the 16th day of

December 1873. as is shown by a certified copy of said will which is herewith filed. marked exhibit "A" & prayed to be read as a part of this bill. That said will directed that said Martha J. Henin should pay a sum to be ascertained to the children of James G. James. & that at the death of Martha J. Henin. said property should go to the children of Martha J. Henin. That during the year 1880. the husband of Martha J. Henin died: that in 1881 said Martha J. Henin married G. W. Rilles: that in 1886 said Martha J. Rilles. (nee) Henin. died leaving children your orator. James W. Henin an infant & one baby child by Henin: that a few weeks or months after the death of Martha J. Rilles. the said baby child by Rilles died. it being under twenty one years of age & without issue at the time of its death. That since the death of said Martha J. Rilles. the said land has been. up to the

yer 1889. rented out by A. J. Sleffleman to pay off the aforesaid charge upon said land imposed by the said B James G. Jones. That said A. J. Sleffleman has a balance in his hands on said rent. after paying off said charge: that G. W. Rillis rented a part of said farm for the yer 1889. & owes the rent for said part still; that J. P. Bill has rented the farm for the yer 1890. but has not paid the rent for the same; that said G. W. Rillis has. since the death of said Martha J. Rillis. cut down a large orchard on said farm & otherwise committed waste thereon. to the great damage of the farm. Your complainant has been informed that said G. W. Rillis claims an interest in said farm. Your complainant knows nothing of any such interest. but Prays that under said will of James G. Jones. she is entitled to one half the said farm & her brother Jas. W. Hesin to the other half.

that said A. J. Shepherson Admr. has refused to distribute the nuts in his hands until the question of who it belongs to is settled: that Riley refused to pay the rent due by him.. claiming a set off. Your complainant says that so long as the title thus remains in dispute, it will be difficult to properly rent out said farm & collect said rents.

In tender consideration whereof & forasmuch as your complainant is remediless in the premises save in a court of equity. Your complainant prays that the said James W. Hemin. A. J. Shepherson, Admr & James G. James. G. W. Riley & J. P. Bill. be made parties to this bill. though your complainant waives an answer under oath: that a proper guardian ad litem be assigned said infant defendant to defend his interest in this suit. who shall also answer this bill: that proper process issue: that a Commissioner be

appointed who shall rent out said farm under the direction of the Court. for the year 1891. That an account be taken of the amount due by said A. J. Shepherson. Addie. G. W. Sellers. & J. P. Bell. for rent of said farm: that that amount & the rent of the farm for the coming year 1891. be divided between those entitled thereto: that all proper orders & decrees may be made. & proper inquiries be directed. & that all such other further & general relief be afforded your complainant as the nature of her case may require. or to equity shall seem meet. And your complainant will ever pray. &c.

J. C. Parker Atty
for Addie P. Hemm.

Hequis
vs Will & J. G.
Daniels
Helm et al

I James G Jones of the County of Southampton and State of Virginia being in sound mind and memory do make and constitute this my last will and testament to wit.

Act 1 It is my will that all my just debts shall be paid

Act. 2. I give to my daughter Sarah Branch $500 Dollars out of my polacey in the Piedmont and arlington in Surance company to her in fee simple.

Act 3. I give to my daughter Nancy Council 100 dollars of My polacey in the above named Company in fee simple all-so I give to her too children Nined Ada Bowden and James Richard Bowden 400 Dallors out of my polacey in the same Company To Be equelley divided Between them if either of them shoed dy before that are of age Then the other surveving on is to have the hole amount and in the event tha Both dy then thare mother named Nancy Council is to have the hole amount in fee simple.

Act 4. I give to my daughter Nined Lenzar Branch 500 dollars of my life

Pallacay in the above named Peademount
Farlington in Surance Company in
fee Simple.
Act 5. I give to my daughter Martha
James Herrin 500 Dallars of My fol
lacay - In the above name folacay to
Be paid to her and use at her disposal
in fee simple.
Act 6. I give to my grandaughter Almeday
E. B. Jones 500 Dallars of My folacy In
the above name folicay 1 feather Bead Stead
and covering 1 Beauru and 1 Sherray
table in the event she dies and leave no
chied from her Bodday then the hoal amaunt
to return to my estate and to be equallay
divided between my then living airs all-
so I leave to my daughter Martha J Herrin
the plantation wherein I now reside or
liven during her life all my vald tracks
lying on the West side of the gate nearest
to the road together with the Avenue to the
road to a State line from Thomas Drewray
line north to Johnsons line South also
18 acres Bought of Thomas Drewray lying
North of my house and a joining Mathis
Joyners land. the grand yard excepted

for the use of all the family and the plantation to be valid By the same men that values the rest of my estate of the death of Vinia L Herrin I give the above name land to her children If

any no chied to return my estate and Be equally divided Between my then living children Should the land Should over run in value M. J. Herrin fourtion of my estate equal with the other airs namely S. Branch N. L Branch and Councel and her Bowden children The land to Be rented out to pay the deficiency on the other airs is to wait three year for the money without interest and Martha J Herrin have profession of the plantation. Martha J Herrin shall not have the power to sell or dispose of the land in any way other than to rent to pay her deficiency in equal shares I also give to my daughter Martha J Herrin 1 feather Bed with the usual furniture 1 Marble top Beaurow 1 cherry table 1 common dining table 1 tin safe 1 cooking stove that we have in use 6 leddy Bottom chairs 1 clock now in

used 4 sheape 1 Buggay and harnes in
fee simple all the remainder of my
estate Both real and personal leave
to Be sold and equally divided
Between my children namely. Sarah
Branch, Nancy Council Wimea L.
Branch and Martha J Herrin shee and
shear alike and the money To Be paid
in to no other hand to But to the above
legatees this clause I wish observed allso
I leave A.F. Stephenson my sole Executor
of this my last will and testament with
full powar to sell and convay all right
title and claim to all my land not other-
wise disposed of and not to get no
order of court for the sale of such land
and the title maid By A.F. Stephenson
shal be as good as tho I maid it or
conveyed it myself and I pay to A.F. Stephen
son Fifty Dollars for his services ritten
By my own hand and I wish it to be
sufficient evadence. Given under my
hand and Seal wherunto I have affix my
seal this 23rd day of March 1872

James G. Jones Seal

At a Court held for the County of Southampton
on the 16 day of December 1873.

This writing bearing date the 23d day of
March 1872 purporting to be the last
will and testament of James G. Jones
deceased
was produced in Court by A. F. Stephen-
son the executor therein named and
there being no subscribing witnesses thereto
Littleton R Edwards and M. E. Stephenson
were sworn and severally deposed they are
well acquainted with the testators hand
writing and verily believe the said writing
and the name thereto subscribed to be the
testators proper hand writing, whereupon
the said writing is ordered to be recorded
as the true last will and testament of the
said James G. Jones deceased, And on the
motion of the said A. F. Stephenson the
executor who made oath according to law
and together with Willis Bradshaw Miles
E Stephenson M. M. Clayton & R. H. Clayton
his securities (who justified on oath as to
their sufficiency) entered into and acknowledged
a bond in the penalty of Six thousand Dollars
conditioned according to law, certificate is
granted them for obtaining a probate of the
said will in due form

Teste L R Edwards C.C.

Acopy Teste B. D. McLemore C.C.

Hennepin

Vol 3

Hennepin

Annex of J. W. Ritchie

The answer of G. W. Ritter to a bill in chancery
in the circuit court of Southampton by
Addie F. Herring &c
Chas and others

This defendant for answer to the
said bill or as much thereof as he is advised
it is material for him to answer answering
says that James G. Jones by his will dated
the 23rd of March 1872 which has been proved
and a copy of which the plaintiff has filed
with his bill gave a tract of land containing
about 134 acres lying in Southampton to
his daughter Martha J. Herring who at
that time was married and living with
her first husband B. W. Herring who since
that time has departed this life she left
two children by ~~the~~ Martha J. Herring
who are named in the plaintiffs bill
after the death of B. W. Herring his
widow Martha J. Herring in the month
of April 1882 intermarried with this
defendant G. W. Ritter that she had by
her second husband G. W. Ritter three
children the two oldest children died in
the lifetime of their mother, but the
youngest child a boy who was born
in March 1884 lived to be four months
old that his mother Martha J. Ritter who
was Jones then Herring, by marriage

dies on the second day after the birth
of his child and that the said child
survives its mother upwards of three months
and then dies and that by item of the
will G. W. Rollins intends the intent
of his child in the said tract of
land is fee simple by the law of
descent of Virginia. By section 2.5.5.4
of the code of Virginia of 1877 when an
infant dies without issue having title to real estate
devised by gift devise or descent from one of
its parents, the whole of it shall descend
and pass to his kindred on the side of
that parent from whom it was so devised
if any such kindred be living, at the
death of the infant, if there be none
such then it shall descend and pass to
his kindred on the side of the other
parent" The court will perceive at once
from this statement that claim of the
Herring children to G. W. Rollins' interest
in this land must fail through. For the
plain and simple reason that this child
of G. W. Rollins did not derive his title
either by gift devise or descent from his
mother Martha A. Herring but by devise
from its grandfather James G Jones and
this is not one of the excepted cases under

under section 2554 of the code of Virginia but that G. W. Keller claims and holds one third of the said tract of land under the general law of descents, This defendant denies that he has committed any waste on the said tract of land it is true he did cut down the remnant of an old orchard most of the trees of which were dead and unproductive and clearing up this old orchard made the land more productive that he did cut down and use some of the timber for the purpose of repairing and improving the houses which were going down that it was his duty to keep the farm up as life tenant and the repairs and improvement more than absorbed the value of the timber cut, it is true he rented half of the land for the year 1884 for $45 and has agreed to pay the other heirs as he claims one third of the rent of the whole tract to wit one third of $132 or $44 G. T. Bell has rented the land this year for $82 one third of this $27.33 cts would make him owe on the rent question and leave a small balance due him, This defendant states further that A. T. Stephenson acting under a decree of the court in a suit to construe the will of James

G. Jones owns this land out to the
year 1884 in order to pay the amount
which by the will Martha J Fleming
was directed to pay to the other devisees
of James G. Jones. This defendant
indebted from some small balance
in hands due to him and the
Fleming children which Mr
Stephenson is ready to pay over to
the parties interested at any time
and he sees no reason for ordering long
and expensive accounts between the
parties but that this land should now
be divided between him and the
Fleming children according to their
rights and he now ask the court to
appoint commissioners to divide this
land according to the rights of the
parties and should the commissioners
report a sale impracticable then a
sale for a division and this defendant
having answered prays to be hence
dismissed with his costs

signed G. W. Ritter

Thanks to Sam p. c.

Herrin

vs

Roberts.

Herrin

1891. Aug 21. Filed.

B. F. McC.

We the undersigned Commissioners appointed by a decree of the Circuit Court of Southampton County, in the Case of Herrin & Herrin et als; entered on the 22nd day of June 1891, to divide a certain tract of land containing 139 acres, among the parties therein named beg leave to report that after having given due notice to the parties interested, they being present we proceeded to act, and after carefully looking at the land and buildings and hearing the parties as to their several interests, came to the conclusion that partition in kind cannot be made satisfactorily; and we recommend to the Court a sale of the whole tract of land and a division of the proceeds of sale among the parties interested according to their several rights. All of which is respectfully submitted

Aug 19th 1891

R. S. Boykin
B. R. Pulley
J. J. Slaughter
A. J. Branch

} Commissioners

Know all men by these presents
that I. John Pittard Jr. of Southamp-
ton County, Va. hereby make,
constitute, & appoint A. B.
Urquhart Jr. my true & lawful
Attorney in fact. for me & in
my name, to execute, together
with J.C. Parker, a bond in
the penalty of $2000 (Two
Thousand Dollars) payable to the
Commonwealth of Virginia, and
conditioned for the faithful
discharge by the said J.C.
Parker of his duties as Special
Commissioner in the Chancery
suit pending in the Circuit
Court of said County, styled
Kenion vs. Kenion &c. &c.
And I hereby waive my home-
stead exemption as to this debt.
And I hereby give full faith
& credence to the actions of the
said A. B. Urquhart Jr. in ex-
ecuting said bond,
Witness my hand seal
this 16" day of November 1891.

John Pittard Jr. (Seal)

Virginia, Southampton County, to wit:
I, L. R. Edwards, a notary public in & for the county aforesaid, hereby certify that John Butler Jr. whose name is signed to the writing above bearing date the 16th day of November 1891, has acknowledged the same before me in my county. & made oath that he was worth after paying his just debts, & security debts that he is responsible for & which he expects to have to pay, the sum of Five Thousand dollars.

Given under my hand this 16th day of November 1891.

L. R. Edwards N.P.

Recorded 05 Dec 1891
Recorded &c also

Form No. 809.

J. B. Parker

to { COMMISSIONER'S BOND.

Commonwealth.

1891. Nov. 16. filed

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

Know all Men by these Presents, That we J. E. Parker and John Pretlow Jr

are held and firmly bound unto the Commonwealth of Virginia, in the sum of Two thousand 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 16th day of November one thousand eight hundred and ninety one.

The condition of the above Obligation is such, That if the above bound J. E. Parker 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 in vacation on the 23d day of September, 1891, in the suit therein depending under the name and style of Herrin &c Herrin et. als.

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

Signed, sealed and acknowledged in the presence of

J. E. Parker SEAL.

John Pretlow Jr SEAL.

by A. B. Mazyck Jr. his Attorney in fact SEAL.

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

This day ..... suret ..... on the above bond, made oath before me ....., Clerk of the Circuit Court of the County of Southampton, that ..... estate after the payment of all ..... just debts, and those for which ..... bound as securit ..... for others, and expect to have to pay ..... worth the sum of ..... dollars; whereupon the said bond is admitted to record according to law.

Given under my hand this ..... day of ..... 18.....

Teste: ..... Clerk.

Kennin

vs. } Decree

Kennin et als

June 1894

To be entered

C.J.D.

Entered

Herrin
vs.
Herrin,et als.

This day this cause came on again to be heard upon the papers formerly read and upon the report of Special Comr.J.C.Parker to which report no exceptions have been filed,and was argued by counsel.

Upon consideration whereof the court doth confirm said report,and doth further adjudge,order,and decree that the said J.C. Parker,special comr.,withdraw from the papers in this cause the bonds of the purchaser of the land sold as they become due,and distribute the same when collected,a mong those entitled thereto, to wit,G.W.Ritter 1/3,Addie P.Brittle 1/3,and Jas.W.Herrin 1/3. And said comr.shall report to this court what he has done after he shall have collected all said honds and distributed the same, or sooner if he deem it neccessary.

Herrin 169

" Stat: Rules.

Herrin et als:

2 Oct.

Addie P. Herrin Pltff

against

James W. Herrin, an infant.

by J. L. McLeod, Gdn ad litem.

A. T. Stephenson Admr of Jas. G. Jones

dec'd - Y. P. Britt & G. W. Ritter - Dfts.

In Chancery

1890. Oct. 9. Proc ispt. to 2d Oct. Rules.

" 2d Oct: Rules: Proc ret'd Executed. Bill & Ex: filed. J. L. McLeod appt. Gdn ad litem. deft nisi &c adult.

" 1 Nov: Rules: Bill taken for confessed as to adult. answer of Gdn ad litem filed. Genl repl: & Cause set for hearing.

Stevens

vs

Sum:

Stevens & als:

1890. 2 Oct: Rules

Cir: Ct:

J. C. Parker Y.G.

Executed Oct 15th 1890 by delivering a copy of this Sum to each of the within named parties

N. H. Cobb Dep Sh

for J. W. Williams Sh

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON Jas. W. Harrin, an infant, by J. L. McLemore, Gdn ad litem, A. T. Stephenson Admr of James G. Jones, Y. P. Britt & G. W. Riller:

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 3d Monday in October 1890 ~~next~~, to answer a Bill in Chancery exhibited against them in our said Court by Addie P. Herrin

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

WITNESS, B. F. McLEMORE, Clerk of our said Court, at the Courthouse, this 9th day of Oct, 1890, in the 115th year of the Commonwealth.

B. F. McLemore C. C.

The answer of James W. Kenion, an infant, but over fourteen years of age, to a bill in equity exhibited against him & others in the Circuit Court of Southampton Co. Va. by Addie P. Kenion.

For answer to said bill, the said infant answers & says that so far as he is able to ascertain & is capable of judging, Geo. W. Riles has no interest in the land in the bill & proceedings mentioned, but the same belongs in fee simple to this respondent & the plaintiff in said suit. & this respondent desires that the said suits shall be equally divided between the two. But this respondent, being of tender years, confides the protection of his interests in said suit to the ~~Court~~ Court. & prays that no decree detrimental to his interest may be entered.

And now having fully answered, this respondent

Prays to be hence dismissed &c.
&c.

James W. Herring Sen

Virginia Isle of Wight County Court.
This day personally appeared before
me, a Justice of the peace in for
the said county, James W. Herring,
& made oath that the statements
made in the foregoing answer
are to the best of his knowledge
& belief, true.

Given under my hand
this 1st day of November 1870.

A. D. Bell J. P.

Herring, Addie P.
vs
Herring, J. W.
Herring, Eliza

Hennis

vs } Answer &
Gibson ad Cilum

Hennis et als

The answer of J. L. McLemore guardian ad litem to the infant defendant Jas. W. Herring, to a bill in equity exhibited against him & others in the Circuit Court of Southampton County, Va by Addie P. Herring.

The said Guardian ad litem answers says that he knows nothing as to the truth or falsity of the statements in the bill contained, but prays full protection for the said infant defendant.

And now, having fully answered, this defendants pray to be hence dismissed with their costs in this behalf expended.

Jas. L. McLemore
Gdn ad litem.

Harris
vs.
Harris et al.

Canv. Report.

1894 Apl 24 filed
P.M. 26.66.

Herrin,

VS. Report of Commissioner.

Herrin,et als.

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

The undersigned,your special Commissioner in the above suit begs leave to report that since the last decree in the said cause he has collected the sum of $471.45 from Y.P.Britt as the final payment by him on the land bought by him in the said suit,and have given said Britt a good and sufficient deed for the said land,and has paid out the said sum as follows.

Amount collected from Britt,		$471.45
To paid for writing deed,	5.00	
" reserved for future costs,	10.00	
" paid G.W.Ritter,	152.15	
" " Addie P.Brittle,	152.15	
" " Guardian for J.W.Herrin,	152.15	
	$471.45	$471.45

Vouchers are herewith filed for the above amounts paid out.

Respectf lly submitted,

J.C.Parker
Special Comm.

$152.15 - December 2nd, 1893.

Received of J.C.Parker, Special Comr., in the suit of Herrin vs. Herrin, et als., the sum of One Hundred and fifty-two & 15/100 Dollars in full of ~~the~~ my share, 1/3, of the third and last payment on the land sold by said Commissioner in said suit to Y.P.Britt. J.W. Herrin

J.G. Herrin

Please sign this receipt as Executor for J.W. Herrin & return

No. 770 Franklin, Va, Dec. 2nd 1893

Vaughan & Co. Bankers.

Pay to the order of G.W. Parker

One Hundred & fifty-two 15/100 Dollars

PAID DEC 8 1893 Franklin Va.

Have in Herrin money

$152.15

J.C. Parker, atty

Wm. Mann Co., Philadelphia.

$152.15 December 2nd, 1893.

Received of J.C.Parker, Special Comr., in the suit of Herrin vs. Herrin, et als., the sum of One Hundred and fifty-two & 15/100 Dollars in full of ~~the~~ my share, 1/3, of the third and last payment on the land sold by said Commissioner in said suit to Y.P.Britt.

Addie P. Britt

estate mentioned in the bill &c and if so by whom and amount of waste; also report any other matter deemed pertinent by him or which he may be required or to state by any party interested.

Respy.

Test: B. A. McLemore C.C.

Clerk	$10.88
Sheff	2.00
Lewis	16.50
Comr Bym	5.00
	$34.38

Service
& Mileage
Service Sheriff

Southampton Circuit Court: In Vacation, March 11th 1892

Herring
vs } Decree
Herring et als

This day this cause came on again to be heard on the papers formerly ~~and~~ read and upon the report of Special Commissioner J. B. Parker of the sale of real estate in the bill and papers mentioned and of the payment by the purchaser of one third the purchase money cash and giving of his bonds for the deferred payments as directed and was argued by Counsel. On consideration whereof the Court being satisfied that the sale is a very fair and advantageous one, the court doth hereby adjudge order and decree that the same be and is hereby confirmed and that the said Commissioner after first paying out of the proceeds in his hand all costs in this suit, then pay the balance in his hand out to the parties entitled thereto according to their respective rights and return his receipts along with his report to Court. And the Court doth further order and decree that one of the Commissioners proceed to enquire and report to court whether any waste has been committed on the real

May 11th 1892

Received of J. C. Perkins, Special Comr
in suit of Henin vs. Henin et als.
the sum of Eighty-one & 51/100 Dollars
it being the balance due me
out of funds in his hands in
said suit ordered to be paid by
decree entered herein March
11th 1892.

G. W. Ritter

G. W. Ritter

To 3 orders

Shands to Lon

$45-

Mr J. C. Parker commissioner in the case of Fleming vs Fleming et als will pay to Wm B Shands or Son the sum of forty five dollars out of any moneys he may receive for me in this case and this shall be my receipt for the same

November 15th 1891 G. W. Ritter

March 22nd 1892 Received payment in full of the above of J. C. Parker Special Com'r

Wm B. Shands Son

May 16th 1892

Received of J. C. Parker, Special Comm.
in said Cause Herrin vs. Herrin the
sum of One Hundred Twenty-six
& 50/100 Dollars, it being the share
of my ward J. W. Herrin, in funds
in hands of said Comm. in said cause
ordered to be paid by decree entered
in said cause March 11th 1892

J. G. Herrin Guar.

for J. W. Herrin

#1126. 5-7

May 11th 1892

Received of J.C. Porter, Special Comr
in suit of Hennin vs. Hennin the sum
of One Hundred eleventy-six
& 52/100 dollars, it being my share of
the funds in his hands in said suit
ordered to be distributed by decree
entered in said suit March 11th
1892.

Adolphe P. Brillie

Witness -
E.E. Griffin.

Herin

vs.

Herin, et als.

Report of Special Comm. filed at Nov. Term 1892

J. C. PARKER,
ATTORNEY-AT-LAW,
Main St., Franklin, Va.

Herrin
vs.
Herrin et als.

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

The undersigned,a sepcial comr.appointed in the above case, respectfully reports to the court that in accordance with a decree of said court in said cause entered in vacation on the 11th day of March 1892,your commissioner has paid out the amount in his hands to the parties entltled thereto(the costs having been paid by A.T.Stephenson,Admr),as is more fully shown by the following statement.

Amount in hand for distribution,		$379.55
To paid G.W.Ritter 1/3,	$126.51	
" " Addie P.Herrin(now Brittle) 1/3	126.52	
" " J.G.Herrin,Guardian for Jas.W.Herrin 1/3	126.52	
	$379.55	$379.55

The receipts of the parties to whom this money was paid are herewith filed and prayed to be inspected in support of this report.

Respectfully submitted,

J C Parker

Special Comr.

Hamm

vs. } Additional costs

Hamm et als.

Norris

vs. } Additional Statement of Costs

1894 Norris et als.

April 24th	Filing Comr's report 25; 1 Decree 36 =	61
1895. Mch.	2 Continuances on the docket 50 =	50
	T. M. N.	$1.11
1900. Apr. 6th	10 Continuances on the docket 2.50 =	2.50
	Tax costs 6 years at 10th. 60. Fil. away papers 25 =	85
	Future costs about 1.00 =	1.00
		$5.46

Teste: T. A. Gay Clk.

[Receipt to be used under section 9, chapter 548, Acts 1883-4.]

Office of the Treasurer of the County of Southampton

Dec. 15th, 1890.

LIST OF REAL ESTATE within the County of Southampton sold in the month of December, eighteen hundred and ~~eighty-six~~ ninety, for the non-payment of taxes thereon for the years ~~1885~~ 1889.

NAME OF THE PERSON CHARGED WITH TAXES.	QUANTITY OF LAND CHARGED.	LOCAL DESCRIPTION OF LAND.	Amount of State Taxes due with interest and commissions.	Amount of County Levies due for all purposes with interest and commissions.	QUANTITY OF LAND SOLD.	DESCRIPTION OF LAND	NAME OF PURCHASER.	AMOUNT OF PURCHASE MONEY.	REMARKS.
Martha J. Herrin	139	Seacock	290	499	139		Jno. T. Branch	789	

Rec'd the above amount
Seven 89/100 Dollars Bonn
A. J. Cliffman Cash'r.
J. T. Branch

Received of Jno. T. Branch the above sum of Seven Dollars and Eighty-nine cents, it being the amount of purchase money for the land mentioned in the above list.

Jas. J. Darden Treas.
By D.

Mr. Martha J. Herrin

No. 358

1890.

To JAS. J. DARDEN, Treasurer of Southampton County, Dr.

SUBJECTS OF TAXATION.	STATE TAX, 30c. ON $100.	SCHOOL TAXES. STATE, 10c. ON $100.	SCHOOL TAXES. COUNTY, 5c ON $100.	SCHOOL TAXES. DISTRICT, 5c. ON $100.	COUNTY LEVY. 45 cents on $100.	TOTAL TAX.
To 139 acres Land, value $ 556	1 67	56	28	28	2 51	5 30
" Personal Property, value $ 1						
" Capitation Taxes						
" Income $						
Total						
Fee Bills						
5 per cent. additional						2 1
						5 57

Received payment 18th day of April 1891 A. Webb Dy Treasurer.

HARRELL'S PRINT, WELDON, N. C.

A. G. Herrin Guardian
for James W Herrin &
1889 To Yancy P. Britt Dr
To Repair of Mill shutter
One half $7.50

January 1st 1890
rec'd payment in full of
A. G. Stephenson by P Britt

John T. Branch Guar.
for Addie A. Herrin
1889 To Yancy P Britt Dr
To Repairs of Mill Shutter
One half $7.50

January 1st 1890
rec'd payment in full of
A. G. Stephenson by P. Britt

Received of A. J. Stephenson as special
commissioner $7.50
Clerks fees upto date.

As Comr. in Chancery $5.00
Oct. 19. 1891. $12.62

B. F. McLemore
Clk & Comr

Rec'd. Oclo. 19th 1891 of A. J.
Stephenson Sprint Const. in Chan-
cery of Herrin vs. Herrin et als Dec'd
dollars Shff fee for Srvis in Ques
Rent.

J. H. Williams
Shff

Received of A. T. Clephane
Special Comm on suit of Heuin
vs. Heuin et. als. Citation & 5-25/100
Dollars. Taxed for record Cay.
J. D. Parker. Atty

Mr. ~~M~~ Martha J Henin No. 553

1891. To JAMES J. DARDEN, Treasurer of Southampton County, Va., Dr.

SUBJECTS OF TAXATION.	State Tax, 30c. on $100.	School Taxes. State, 10c. on $100.	School Taxes. County, 5c. on $100.	School Taxes. District, 5c. on $100.	County Levy, 35c. on $100.	Total Tax.
To 139 Acres Land, value $ 556.	1 67	56	28	28	1 95	4 74
" Personal Property, value $						
" Capitation Taxes						
" Income $						
Total						
Fee Bills						
5 per cent. additional						
Total						2 24

Received payment 12th day of Jan 1892 A T Cobb D/T Treasurer.

Mr. A. T. Stephenson - Com in suit of Henin No. 562

vs- Henin

1891. To JAMES J. DARDEN, Treasurer of Southampton County, Va., Dr.

S, H,

SUBJECTS OF TAXATION.	State Tax, 30c. on $100.	School Taxes. State, 10c. on $100.	School Taxes. County, 5c. on $100.	School Taxes. District, 5c. on $100.	County Levy, 35c. on $100.	Total Tax.
To Acres Land, value $						
" Personal Property, value $ 110	33	11	6	6	39	95
" Capitation Taxes						
" Income $						
Total						
Fee Bills						
5 per cent. additional						1 80
Total						

Received payment 12th day of Jan 1892 A T Cobb D/T Treasurer.

Herrin

vs

Herrin et al

Report of A. J. Stephenson
Special Commissioner
in suit

Herrin
vs
Herrin

1892. April 18. Filed.

A. D. Stephenson report as special Commissioner in suit of Horrin vs Horrin — Feb 12/92 — Dr Cr.

Jan 1st 1889	To Amt in hand	40.00				
Jan 1/1890	" Rent of Land	132.00				
Jan 1/1891	" " "	86.00				
Jan 1/1892	" " "	86.00	342	00		
	— Cr —					
	By Commissions on $302.00 @5% —	$15.10				
	" Amt P. Taxes 1889	7.89	✓			
	" " " " 1890	5.57	✓			
	" " " " 1891	5.98	✓			
	" " " Com. of Accts.	5.00	✓			
	" " " Clerk	7.52	✓			
	" " " Sheriff	2.00	✓			
	" " " J.C. Parker Atty.	16.50	✓			
	" " " Y.P. Britt	15.00	✓		80	56
			342	00	80	56
	To Amt in hand		261	44		
	By 1/3 Amt Pd Geo. W Reitz	$87.14				
	" 1/3 " " J.L. Horrin Guard for Jos. W Horrin	87.15				
	" 1/3 Amt Addie P Britt formally Horrin	87.15			261	44
		$261.44	$261	44	$261	44

Respectfully submitted

A. D. Stephenson Com

Received Jan. 12 1892 of A. J. Stephenson Commissioner in suit of Herring vs Herring, the sum of $87.12 being (1/3) (one third) for rent of land for the years 1889, 1890 & 1891) including one third (1/3) of $140.00 bal. in hand for rent of 1888—

G. W. Ritter

Received Jan. 12th 1892 of A. J. Stephenson Commissioner in suit of Herring vs Herring the sum of $87.15/100 being (1/3) for rent of land for the year 1889, 1890, & 1891, including one third (1/3) of $140.00 bal. in hand for rent of 1888.—

J. G. Herring paid
by J. W. Herring

Received Jan. 12 1892 of A. J. Stephenson Commissioner in suit of Herring vs Herring the sum of $87.15/100 being (1/3) (one third) for rent of land for the year 1889, 1890, & 1891, including one third (1/3) of $140.00 bal. on hand for rent of 1888.—

Addie P. Britt formerly Herring
John V. Britt.

1650
2033
36183

Clerk Paid $ 7.52

County Atty Paid 5.00

Sheriff Paid 2.00

Lawyer Paid 16.50

Jas.

$ 31.02

Please sign this receipt
& return
J. C. Parker

Received of J. C. Parker, Special Commissioner in the suit of Herring vs. Herring et als. the sum of One Hundred & forty nine 32/100 Dollars it being the full payment of my share of the second payment on land sold by him in said suit.

January 9th 1893

Addie P. Britte

Please regain this & return
To Clerk
J. G. Parker

Received of J. G. Parker, Special Commissioner in the suit of Heinn vs. Heinn et als, the sum of One Hundred Forty. nine & 32/100 Dollars it being in full payment of any share Peter or land payment on land sold by him in said suit.

J. G. Heinn
Gardian for
Jas. W. Heinn

January 9th 1873

Please return this receipt
to J. C. Parker

Received of J. C. Parker, Special Commissioner in the suit of Herring as Herring et als the sum of One Hundred & forty nine & 32/100 Dollars it being the full payment of my share of the second payment on land sold by him in said suit

G. W. Killen

January 9th 1893

Kunin

vs

Kunin,

~~Report of Master~~

~~Draft~~,

Report of Special

Cases.

1893. Oct 28 filed

To the Hon. C. W. Hill. Judge Circuit Court
Bienville Parish.

Your Special Comm. in this suit reports that he has collected Paid out as follows and files report.

Amt received from J. P. Bill		447.96
To paid G. W. Pitts	149.32	
" " Addie P. Bill	149.32	
" " J. G. Heinsohn	149.32	
	$447.96	$447.96

Your Comm. states that this report is supported by vouchers hereto attached.

Respectfully submitted.

J. C. Parker
Special Comm.

(8)

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

The undersigned,your special commissioner,appointed by your Honor in the case of Herrin vs.Herrin et als.by decree in vacation entered on the 23'rd day of September,1891,respectfully reports that pursuant to said decree,your commissioner, on the 16'th day of November 1891,after advertising said sale according to the terms of the said decree,sold the land in the bill and proceedings mentioned at public auction,at which sale J.W.Spivey became the purchaser for the sum of $1260.he being the highest bidder.That afterwards said Spivey sold his interest to Y.P.Britt as is shown by an agreement entered into between said parties and filed with this report,and said Y.P.Britt complied with the terms of said sale by paying $420.in cash and giving notes or bonds with J.W.Spivey for the defered payments,which bonds are herewith filed.Your commissioner has in hand for distribution by order of the court $379.55 as is shown by the following account;

By cash received from Y.P.Britt,		$420.00
To commissions to Commissioner at 5 o/o on $300.and 2 o/o on balance,	$34.20	
" paid for advertising,	1.25	
" " auctioneer,	5.00	
Balance,	379.55	
	$420.00	$420.00

Balance on hand, $379.55

Your commissioner reports that the sale is a very fair one and reccommends that the same be confirmed.

Respectfully submitted,

J.C.Parker

Special Commissioner.

Franklin, Va., Nov 2 1887

Mr. Leo Parker Counr. for Hewin vs. Hewin

To Southampton Democrat, Dr.

W. H. Stroud, Proprietor.

JOB PRINTING DONE WITH NEATNESS AT LOW PRICES.

Oct 22	20	150 lbs Cells salty land	125

Paid
W. H. Stroud
Jan 24 88

Received Dec. 19th 1891 of J. C. Parker
Comr. in Sale of Land of B. W. Herron Est.
the Sum of Five dollars ($5.00) pay ment in
full for Services as Crier at Said Sale.

L. A. Gay Crier

SALE OF VALUABLE LAND!

Pursuant to a decree of the Circuit Court of Southampton County entered in vacation on the 23d day of Sept., 1891, in the chancery suit therein pending styled Herrin vs. Herrin et als, I shall on the

16th Day of Nov., 1891,

(COURTDAY)

at 1 o'clock P. M., in front of the Courthouse at Courtland, Va., offer for sale at

Public Auction

that certain tract of land in Southampton county, in the bill and proceedings mentioned, lying in Hercin and Ivor Districts of said county, formerly belonging to James G. Joyner and sold as the property of his daughter Martha J. Herrin, since Ritter, deceased, and now owned by her children and husband, C. W. Ritter, and bounded by the lands of J. E. Stephenson, Robbin Hart's estate, Martin Joyner and others, and by the county road from Tucker's Swamp to Seacock Bridge. Has good dwelling-house and outbuildings, and is in good condition.

TERMS---One-third cash; balance one and two years from day of sale, purchaser to give bond with security for deferred payments; title reserved until all paid, with privilege to pay all and take deed as soon as sale is confirmed.

J. C. PARKER,
Special Commissioner.

This Agreement, entered into this 16th day of November 1891. between J. W. Spivey of Isle of Wight County Va. of the first part. & J. P. Bill. of Southampton County. of the second part. Witness. said Spivey has this day bought from J. C. Parker. Special Commissioner in suit of Hemin vs. Hemin et als. pending in the Circuit Court of Southampton County. a tract of land described in the bill & proceedings mentioned. & has fully complied with the terms of sale by paying Four Hundred & twenty Dollars each & giving two notes with said Bill as security. for Four Hundred & twenty Dollars each. payable one & two years from the date hereof. And whereas said Spivey has sold his interest in said land to said Bill. and is desirous that the Court shall make a deed for same when the terms of sale shall have been fully complied with. Now therefore this agreement witnesseth. that the said Spivey. in consideration of the sum of Four Hundred & twenty Dollars to him in hand paid at & before the signing. sealing. & delivery

of these presents. the receipt whereof is hereby acknowledged, & also the assumption by said Bill of the notes given for deferred payments, hereby grants, bargains, & sells unto said J. P. Bill. all his right. title & interest in & to the said tract of land in the bill & proceedings, mentioned formerly belonging to James G. James & held for his life by Martha J. Ribbs, reference being made to the bill & proceedings for a further description of said land. And said Bill agrees to assume & does assume the payment of the notes given for the deferred payments on said land. & said Spivey hereby petitions the court in which said suit is pending, to allow this to be placed with, & made one of the papers in said suit, and be considered as a petition to said court that when said bonds shall have been fully paid by said Bill & the terms of sale fully complied with. that the court direct a deed for said land to be made

to said Bill instead of said Shivey.

Witness the following signatures & seals this 16th day of November 1891.

Joseph W. Shivey (Seal)
Y. P. Britt (Seal)

Virginia Southampton County, to wit:

I. L. R. Edwards, a notary public in & for the county & state aforesaid, hereby certify that J. W. Shivey & Y. P. Britt, whose names are signed to the writing above bearing date the 16th day of November 1891, have this day acknowledged said writing before me in my county.

Given under my hand this 19th day of December 1891.

L. R. Edwards N.P.

Hemin.

vs. { Refort &
Special Comm's

Hemin. et als.

1892 Mch 10. filed
B 7 Mc
C.L.

420
5711 64
471 64

J. C. PARKER,
ATTORNEY-AT-LAW,
Main St., Franklin, Va.

Southampton Circuit Court: Nov. Term 1890

Herrin

v.

Herrin & als:

This day this Cause came on to be heard, upon the bill and exhibits filed the answers of Geo. W. Ritter, Jas. W. Herrin, infant & J. L. McLemore, Gdn ad litem to infant defendant & taken for confessed as to the other adult defendants & was argued by Counsel. Upon Whereof the Court doth adjudge, order and decree that A. J. Stephenson, who is hereby appointed a Special Commissioner for that purpose, proceed to collect the amount of rent for the real Estate in the bill & Exhibits mentioned. deed by Y. P. Britt. & hold the same subject to the further order of this Court. And it is further ordered that said Special Commissioner shall proceed at once to rent out said real Estate in the bill and proceedings mentioned, for the year 1891. at public auction or privately as shall seem to him best.

And it is further ordered that one of the Commissioners of this Court

shall proceed to take an account of the balance due by A. J. Stephenson Admr. on account of said land.

A copy - Teste:

B. F. McLemore

COMMISSIONER'S OFFICE,

COURTLAND, VA., March 11 1891

To A. T. Stephenson, Admr of Jas. G. Jones-
Addie P. Herrin & others.

You are hereby notified that I have fixed upon the 14th day of April 1891 next, if fair, if not, the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to wit:

An account showing balance due by A. T. Stephenson, Admr. on account of the rent of the land in the bill and proceedings mentioned.

required to be taken by a decree of Southampton Circuit Court, rendered at the November term, 1890, 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.

B. F. McLemore Commissioner.

To the Sheriff of Southampton county to execute.

Account showing the balance in the hands of A. J. Stephenson, Admr of Jas. G. Jones dec'd on account of rent of the land of said decedent.

1889				
Dec	31	By Rent for the year 1889.		$132.00
		To Com's on $132.00 @ 5%	6.60	
		" Amt due by G. W. Riller	66.00	
		" Paid Y. P. Britt - for repairing shelter	15.00	
		" Paid taxes for 1889	7.89	
1890				
Dec	31	By Rent for the year 1890		85.00
		To Com's on $85.00 @ 5%	4.25	
		" Paid taxes for 1890	5.57	
		" " Gdn of A. P. Herrin	20.00	
		" " " " Jas. W. Herrin	20.00	
		Balance	71.69	
			$217.00	$217.00
1890				
Dec	31.	By balance due Estate		$71.69

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

Herrin

R" Report

Herrin et al

1891. Ape 14 file.

Atty	10.00
Sheff	2.00
Sheff	10.50
Sheff	5.00
Atty	32.50

Commissioner's Office.
Courtland, Va.
April 14th. 1891.

To the Circuit Court of Southampton Co.—

Pursuant to a decree of said Court entered at the November Term 1890. in the Cause of Herrin &c Herrin &als: the undersigned Commissioner reports to Court, that on the 11th day of March 1891. he issued Notice against the parties to the said suit requiring them to appear at his Office on the 14th day of April 1891. at which time and place he should proceed to take "an account showing balance due by A. T. Stephenson, Admr. on account of rent of the land in the bill and proceedings mentioned", That A. T. Stephenson appeared before your Commissioner in obedience to said Notice with his vouchers. Whereupon the Commissioner proceeded to take the account aforesaid. and finds a balance in the hands of the said A. T. Stephenson of $71.69 as of the 31st day of Dec. 1890.

The Commissioner states further, that the land has been rented out for 1891.

for the sum of $85.00. but that said sum will not be due until the end of the year - and is not included in this report. that G.W. Ritter owes $66.00 on the rent of 1889 which he has never paid.

Respectfully Submitted.

B. F. McLemore

Comr in Chancery

Comr's fee $5.00
charged to

Received of J. L. Parker Special Comr in suit of Herrin vs Herrin et als. the sum of $4.25 it being payment in full for additional Clerk's Fees. including $1.00 for future costs in said suit.

Sept. 28th. 1900 T. A. Hay C.C.

Herrrin,
VS.) Decree.
Herrin,et als,

This day this cause came on again to be heard upon the papers formerly read and upon the report of Comr.J.C.Parker,and was argued by counsel.

Upon consideration where of,it appearing that no exceptions have been filed to said report,it is ordered that the same be confirmed,and the court doth further adjudge,order and decree that as soon as all of the purchase price is paid that the said J.C.Parker,who is hereby appointed a Special Comr.for that purpose,make,execute and deliver to Y.P.Britt a good and sufficient deed,with special warranty,for the land sold him in the bill and proceedings mentioned.

Kenin
vs
Kenin et als

This day this cause came on to be heard upon the bill & exhibits filed, the answers of Geo. W. Ritter, Jas. W. Kenin infant & J. L. McLemore Gdn ad litem to infant defendant & taken for confessed as to the other adult defendants, & was argued by counsel.

Upon whereof, the court doth adjudge order & decree that A. J. Clifton who is hereby appointed a special Commissioner for that purpose, proceed to collect the amount of rent for the real estate in the bill & exhibits mentioned due by ~~the said Geo. W. Ritter, et als, & by~~ J. P. Bills & hold the same subject to the further order of this court, and it is further ordered that said Special Comm'r shall proceed at once to visit and

said real estate in the bill and proceedings mentioned, for the year 1891, at public auction or privately as shall seem to him best.

And it is further ordered that one of the Commissioners of this court shall proceed to ~~examine into the title to said real estate, and into the claim of each person who is entitled to said real estate, and between whom the sums already due should be divided~~ take an account of the balance due by A. J. Chapman on account of said land.

To be entered
Mar 8. 1892

Entered to this
day
W. B. Shands for
Wm. H. Reid

Alexander
vs
Chapman et als

Heroin

vs } 2nd Degree

Heroin & als

To be entered
June 22
~~May~~ ~~June~~ 1891

C W D

Herrin
vs 3 Decree
Herrin et als

This day this cause came on to be heard on the papers formerly read and upon the report of Commissioner McLemore to which report no exceptions have been filed and was argued by Counsel. On Consideration whereof the Court doth confirm the said report. And the Court having fully considered the will of Jos S. Jones and being of the opinion that G. H. Riley inherits from his deceased child a one third interest in the land mentioned in the plaintiffs bill and that the said A. P. Herrin and Jos. H. Herrin are entitled to the other two thirds doth further decree that R. S. Boykin F. P. Pulley. N. T. Stephenson A. J. Branch who are hereby appointed special Commissioners for the purpose, any three of whom may act. shall after having first given due notice thereof to the parties interested. proceed to divide the lands mentioned in the plaintiffs bill into three equal parts having regard to quantity and

quality and allot one share to G. W. Riller one share to A. P. Herrin and one share to Jas. W. Herrin. but if the division cannot be conveniently made then the Commissioners are further to report whether any of the interested parties will take the whole land and pay to the other parties such amount as their interest therein may entitle them or whether the interest of all parties will be best promoted by an allotment of a part and a sale of the residue or a sale of the entire property. and the said Commissioners are hereby authorized to employ if necessary a competent surveyor to assist them in making the said partition.

And the court further decrees that A. J. Stephenson out of the funds in his hands first pay all cost in this cause. and then taking into account amounts which he has already paid to the Guardian of A. P. Herrin and Jas. W. Herrin and amount of rent retained by G. W. Riller. (and if the said Riller has retained more than his share (1/3) then that he refund the excess to A. J. Stephenson)

pay the some to said G. W. Riller and Wm of
A. P. Horain and Jos. W. Horain so that
each shall have one third of net amount
of rent and return his receipts along
with his report to court. and by
consent of all parties by their
attorneys given in open court
the further hearing of this cause
may be in Vacation

Herrin

vs 3 3rd Decree

Herrin et als

We agree to this decree & that it be entered in vacation.

J. C. Parker
Atty for Plaintiffs

W. B. Shands Son
Attys for defendants

To be entered
September 23/91

C. M. Pike

Entered

Hearn
vs } Decree
Hearn et als

By consent of parties by their attorneys in term entered of record in the last decree in this cause, this day this cause come on in vacation to be again heard on the papers formerly read the report of commissioners recommending sale of the land in the bill and proceedings mentioned and division of the proceeds among the parties entitled Thereto which report no exceptions have been filed and was argued by counsel. On consideration whereof the court doth order and decree that the said report be confirmed and the court doth further order and decree that J. B. Parker who is hereby appointed a special commissioner for the purpose; shall after having given twenty days notice of the place time and terms of sale proceed to sell at public auction on some county court-day in the town of Courtland Va to the highest bidder the real

estate in the bill and proceedings mentioned on the following terms, to wit; one third of the purchase money cash. balance in equal instalments on a credit of one and two years from day of sale. purchaser giving bonds with approved security for the same bearing interest from day of sale till paid. title to land retained till all the purchase money is paid. with option to the purchaser upon approval of sale by the court to pay all the purchase money cash and take a deed with special warranty for said land. ~~and upon approval of sale by court the said Commissioner from out of the proceeds of sale shall first pay all costs in this cause then divide the balance into three equal shares and pay one share to Addie A. Herring one share to the lawful guardian of Jas H. Herring and one share to G. H. Riley take receipts for all said payments and return the same along with his report to court.~~ and if the

purchaser only pays one third of the purchase money cash and gives his bonds for the balance then return also said bonds along with his report R. Bue. said Commissioner shall not proceed to act under this decree until he shall have first entered into a bond before the clerk of this court in penalty of $2000.00 with approved security conditioned for a faithful performance of his duties as such under this and any further decree that may be entered in this cause

C.M.Pic

Herrin
vs 3 Decree
Herrin et ux

This day this cause
come on again to be heard on the
papers formerly read and upon the
report of Special Commissioner J.B.
Parker of the sale of real estate in
the bill and papers mentioned and
of the payment by the purchaser
of one third the purchase money and
and giving of his bonds for the
deferred payments as directed, and
was argued by counsel. On consid-
eration whereof the court being satisfied
that the sale is a very fair and
advantageous one. the court doth
hereby adjudge order and decree
that the same be and is hereby
confirmed and that the said Com
missioner after first paying out
of the proceeds in his hands all
costs in this suit. then pay
the balance in his hands out to the
parties entitled thereto according
to their respective rights and return
his receipts along with his report
to court. and the court doth further
order and decree that one of

the commissioners proceed to enquire and report to court whether any waste has been committed on the real estate mentioned in the bill or and if so by whom and amount of waste: also report any other matter deemed pertinent by him or which he may be required so to state by any party interested

C Watts

Norman
vs
Norman et al

In Vacation
To the clerk of the circuit
Court of Southampton Co Va

Ex parte

C W Watts
Filed 11/16/97

Ex Lord 4 pages 514.

HERRIN

VS. DECREE.

HERRIN, ET ALS.

May term 1894.

To be entered.

O mol

Entered 652

HERRIN,

VS. DECREE.

HERRIN, ET ALS.

This day this cause came on again to be heard upon the papers formerly read and upon the report of Special Comr. J.C. Parker, filed ten days before term, to which report no exceptions have been filed, and was arguedby counsel.

Upon consideration whereof the court doth confirm said report.

Kennie
vs } Final decree
Kennie, il als

To be entered,
Oct. 2, 1900.
Robert R. Dennis

Entered 324

Herrin

vs

Herrin. et als.

This day this cause came on again to be heard and was argued by counsel -

It appearing that there is nothing further to be done in this cause, it is on the motion of the complainant, ordered that the same be removed from the docket.