

1899 - 30

Southampton County Chancery

Searcy, Edwin F. vs Williams, Joseph G's
et al. Estate

To settle guardian
Accounts, pay infant
whatever the balance may be.

Searcy, Robert B.
Searcy, William S.

Bishop, Thomas A.
Adm
Ferguson, Henry

Suit no 2.

Stamps

07

3

Bill

~~is~~ ^{is} ~~subito~~

Bishop Adams & Co

1890. 2 July R. fl.

To The Honorable C. W. Bill Judge of The circuit
court of Southampton County in chancery
sitting

Humbly complaining your Orator
Edwin F. Story, Robert B. Story and William
J. Story. The last two infants of tender
years who are by their next friend and
brother Edwin F. Story shew unto your
Honor that on the 19th of May 1884 their
uncle Joseph J. Williams qualified as their
guardian in the county court of Southampton
giving a bond in the penalty of fifty
hundred dollars with Henry Ferguson as
his security all of which will more
fully appear by a copy of the certificate of
his qualification and the guardian's bond
herewith filed marked exhibit A and prays
to be taken as a part of this bill and that
on the 7th of February 1890 their guardian
and uncle Joseph J. Williams departs this
life intestate and leaving considerable
estate both real and ^{personal} that at the September
1890 of the county court ^{of Southampton} Thomas A.
Bishop qualified as ^{his} administrator
giving bond in the penalty of two
thousand dollars with Edwin F. Story
his security all of which will more

fully appear by a copy of the certificate
of his qualification and administration
now on file marked exhibit B
and prayed to be taken as a part of this bill
Your ^{Orator} shew further and state unto your
Honor that this guardian took possession
of all this estate both real and personal
and held the same up to the time of
his death which occurred in February
1890 and that during all the time of
his guardianship running through
nearly six years he has never settled
any account of his transactions as this
guardian, that they live on a farm
owned by them, this said male and
guardian and grandmother Mrs Martha
Williams each being entitled to one third
thereof, Your Orator shew further
unto your Honor that this mother
Mrs Mother Stoy was this guardian
up to the time of her death and was
a lady of means and on her death
Joseph G Williams became ^{guardian} this, Your
Orator do not know what personal
estate of this Joseph G Williams
received from this mother on her
death but they know that since he
has been guardian he received from

Joseph B. Prince the sum of \$334.35 on
the 20th of June 1884 and that he has
received the sum of \$1875 - from rent
of this land from the time of his
qualification up to the time of his
death. Your Orators do not know
what he has expended for them as
he left no papers or vouchers showing
either any receipts of money or any
expenditures for their support. They
state that they live on the farm owned
by them, their uncle and grandmother
that they looked on their grandmother
as the head of the family though old
and infirm that a part of the time they
lived on the farm that their services
were worth their board during that
time and a part of the time some of
them were off at school and others
engaged in business elsewhere and their
uncle had no means of his own to
support them and they are satisfied that
on a proper settlement of their guardian
accounts it will be found that the
estate of Joseph G. Williams will be
found largely indebted to them and
they have instituted this suit for a
settlement on the said guardian

accounts the recovery of the balance due
from his estate and if that cannot pay
them for Henry Ferguson to pay as security
for tender consideration ^{whereof} and inasmuch
as your Orators are ^{out} with relief at law
and only entitled to relief in a court of
equity where such matters are peculiarly
congruous they therefore humbly pray that
Thomas A Bishop administrator of Joseph
G Williams died and Henry Ferguson may
be made parties defendant to this bill
and that court would compel them as free
and perfect answer make to the allegations
therein contained as if they had been themselves
more fully and specially interrogated that
the court would direct Thomas A
Bishop administrator of Joseph G
Williams to settle their guardian
^{for Joseph G Williams} accounts and that the court would direct
him to pay them whatever balance may
be found due them out of Joseph G
Williams estate and if he should not
have assets sufficient then that the
security Henry Ferguson should pay at
least to the extent of his bond and that
the court would grant such other and
general relief the premises considered as
equity may dictate and the nature of
this case may require and as in duty
bound your Orators will ever pray so

Thomas A Bishop

1891 Apr 7. Unacknowledged legal service of
the within.

W. A. Myrick Adm.
d.b.m. - 6

Primer Shreve
attos

Story & also:
Sci: 7a:
or "mm"
William & Adm. J.
1891: 1 ap's Rules
Sci: 7a:
Sci: 7a:

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY--GREETING:

WHEREAS Edwin F. Story and Robt. B. & Wm. J. Story - the last two infants - by Edwin F. Story their next friend

heretofore exhibited to our *Circuit* Court of Southampton County, sitting in chancery, a bill of complaint against *Thomas A. Bishop, Administrator of Joseph G. Williams dec'd - and Henry Ferguson*

whereupon sundry proceedings have been had, as appears from the records and files of the said court, but before a final decree could be pronounced in the cause, the said *Thomas A. Bishop* departed this life *was removed by order of the County Court of said County. and Administration de bonis non of the Goods and chattels of the Estate of said decedent has. as we are informed. been granted to William A. Myrick*

And the said *Story and others* having supplicated us for a proper remedy in this behalf, and we being willing that what is right and just should be done: Therefore, we command you that you make known according to law to the said *William A. Myrick*

that *he* be at the Clerk's office of our said *Circuit* Court, at the rules to be holden for the said court on the first Monday in *April 1891, next*, to shew cause, if anything, for *himself* have or know to say why the said suit should not be proceeded into a final decree *and stand and be revived against the said Wm. A. Myrick, Administrator as aforesaid.*

and be in all things in the same plight and condition as it was at the time of the ~~of decease the said~~ *removal of the said Thomas A. Bishop*

and further to do and receive what our said Court shall in that part consider. And have then there this writ.

Witness, *B. F. McLeary* ~~OSWIN WHITE~~, Clerk of our said Court, at the Courthouse, this *3^d* day of *April* 1891, in the *115* year of the Commonwealth.

Testo: B. F. McLeary clg.

Story

is

}

Decree

Williams admiral

copy

Southampton Circuit Court Nov Term 1890.

Story

vs

} Decree

Williams' Adminr vs

This day this cause came on to be heard on the plaintiffs bill taken for confessed as to ~~both~~ the defendants Thomas A. Bishop Administrator of Joseph & Williams decd and Henry Ferguson, and exhibits filed with the bill and was argued by Counsel, ON Consideration whereof the Court hath adjudged order and decree, that Thomas A. Bishop administrator of Joseph & Williams decd settle before one of the commissioners of this court, Joseph & Williams guardian account of Edwin & Story Robert B. Story and William J. Story taking any accounts of the said wards heretofore settled by Joseph & Williams as prima facie correct liable to be surcharged and falsified by any of the parties interested, who will report the said accounts to Court together with any matter specially stated deemed pertinent by himself or which he may be so required as to state by any of the parties interested.

A Copy

Teste B. F. McLenore C. C.

We acknowledge service of the written notice for
Edition of Story Robert B. Story William J. Story and
Thos A Bishop adms of Jos G Williams de.

March 11 - 1891

Shan ds is done
step for the account
parties

We acknowledge service for
Henry Ferguson. Premier Scherer

Story
as } Notice of
Accounts
Williams' Admin.

Commissioner's Office,

Franklin,

~~Franklin~~ Va.,

March, 14.

1881

To Edwin F. Story, Robert B. Story, & William G. Story, Thos. A. Bishop,
Adm'r. of Jos. G. Williams, deceased. & Henry Ferguson.

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

1st. An account of the transactions of Jos. G. Williams, deceased, as
Guardian for Edwin F. Story, Robert B. Story, & William G. Story.

2nd. An account of any other matter by me deemed pertinent ~~by me~~,
or which I may be specially requested to state.

required to be taken by a decree of Southampton Circuit Court, rendered at the November,
term, 1880, 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.

J. C. Parker

Commissioner.

To the Sheriff of Southampton County to execute.

An account of the transactions of
 Jas. G. Williams, Guardian of Edwin
 F. Story, an infant

1884

June 20	By $\frac{1}{3}$ of amount received from J. B. Prince		112.12
Dec 31	" $\frac{1}{3}$ of amt of Womell place		118.33
"	" To 5% Cam on 230. ⁴⁶	11.62	
"	" $\frac{1}{3}$ taxes on place 1884	10.56	
	<u>Balance</u>	207.37	
		230.46	230.46

1885

Jan 1	By balance due word		\$207.37
Dec 31	" $\frac{1}{3}$ amt of Womell farm		96.66
"	" interest on 207. ³⁷ , year.		12.44
"	" To 5% Cam on 109. ¹⁰	5.46	
"	" $\frac{1}{3}$ taxes on place 1885	8.81	
	<u>Balance</u>	302.21	
		316.47	316.47

1886

Jan 1	By balance due word		302.21
June 1	To paid 9 months & clearing board etc. 16. ⁰⁰	186.00	
Dec 31	By interest on 302. ²¹ , year		18.13
"	" $\frac{1}{3}$ amt of Womell place		96.66
"	" To 5% on 114. ²²	6.73	
"	" $\frac{1}{3}$ taxes on place 1886	7.97	
	<u>Balance</u>	268.30	
		407.20	417.00

1887

Jan 1	By balance due word		268.30
Dec 31	" interest on 268. ³⁰ , year		16.09
"	" $\frac{1}{3}$ amt of Womell place		96.66
"	" To 5% Cam on 112. ²¹	5.63	
"	" $\frac{1}{3}$ taxes on place 1887	6.46	
	<u>Balance</u>	368.96	
		381.06	381.06

1888

Jan	1	By balance due word		368 ⁷⁶
Dec	31	" interest on 368 ⁷⁶ , year		22.13
"	"	" 1/3 int of Worrell place		84.16
"	"	To 5% ann on 106 ²⁹	5.31	
"	"	" 1/3 taxes on place 1888	8.18	
		<u>Balance</u>	461.76	
			<u>475.251</u>	<u>475.251</u>

1889

Jan	1	By balance due word		461.76
Dec	31	" interest on 461 ⁷⁶ , year.		27.70
"	"	" 1/3 int of Worrell place		84.16
"	"	To 5% ann. on 111 ⁸⁶	5.59	
"	"	" 1/3 taxes on place 1889	11.73	
		<u>Balance</u>	556.30	
			<u>\$573.62</u>	<u>\$573.62</u>

1890

Jan	1	By balance due word		556.30
1891				
April	9	" interest on 556. ³⁰ , 15 3/4 mths		42.64
"	"	To 5% ann. on 42 ⁶⁴	2.13	
		<u>Balance</u>	596.81	
			<u>598.94</u>	<u>598.94</u>

1891

April	9	By balance due word with interest from date		<u>\$596.81</u>
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Respectfully submitted,
J. C. Parker
Clerk in Charge.

An account of the transactions of
 Jas. G. Williams, Guardian of Robert
 B. Story an infant.

1884

June 20	By "3 of amount received from J.B. Prince		112.12
Dec 31	" "3 of amt of Worrell place		118.33
" "	To 5% Cam. on 230 ⁴⁵¹	11.52	
" "	" "3 taxes on place 1884	10.56	
	<u>Balance</u>	207.37	
		230.45 ¹	230.45 ¹

1885

Jan 1	By balance due word		207.37
Dec 31	" "3 amt of Worrell place		96.66
" "	" interest on 207. ³⁷ 1 year		12.44
" "	To 5% Cam. on 109 ¹⁰	5.45 ¹	
" "	" "3 taxes on place 1885	8.81	
	<u>Balance</u>	302.21	
		316.47	316.47

1886

Jan 1	By balance due word		302.21
Dec 31	" interest on 302 ²¹ 1 year		18.18
" "	" "3 amt of Worrell place		96.66
" "	To 5% Cam. on 114. ⁷⁹	5.73	
" "	" "3 taxes on place 1886	7.97	
	<u>Balance</u>	403.30	
		417.00	417.00

1887

Jan 1	By balance due word		403.30
Dec 31	" interest on 403. ³⁰ 1 year		24.19
" "	" "3 amt Worrell place		96.66
" "	To 5% Cam. on 120 ⁸⁵¹	6.04	
" "	" "3 taxes on place 1887	6.46	
	<u>Balance</u>	511.65 ¹	
		524.15 ¹	524.15 ¹

1888			
Jan 1	By balance due word		611 681
Dec 31	" interest on 571 ⁶⁵ 1 year.		30 69
" "	" 1/3 rent Worrell place		84 16
" "	To 5% Cam on 114 ⁸⁵¹	5.94	
" "	" 1/3 Taxes on place 1888	8.18	
	<u>Balance</u>	612 38	
		626 50	626 50

1889			
Jan 1	By balance due word		612 38
June 1	To paid for nine months schooling, board & clothes @ \$1.00 per month	135 00	
Dec 31	By interest 612 ³⁸ 1 year		36 74
" "	" 1/3 of rent of Worrell place		84 16
" "	To 5% Cam. on 120 ⁹⁰	6 04	
" "	" 1/3 Taxes on place 1889	11 73	
	<u>Balance</u>	680.67	
		733 34	733 34

1890			
Jan 1	By balance due word		680.67
1891			
April 9	" interest on 680 ⁶⁷ 15 1/3 months		44.50
" 9	To 5% Cam. on 44 ⁵⁰	2 22	
	<u>Balance</u>	622 861	
		625.07	625.07

1891			
April 9	By balance due word with interest from date		622 861

Respectfully submitted,
J. C. Porter
Carrington, Clancy.

An account of the transactions
of Jos. G. Williams, Guardian of
William G. Story, an infant.

1884				
June	20	By $\frac{1}{3}$ of amount received from J.B. Prince		112 12
Dec	31	" $\frac{1}{3}$ of rent of Worrell place		118, 33
"	"	To 5% on 230 ⁴⁵⁻	11 52	
"	"	" $\frac{1}{3}$ taxes on place 1884	10 56	
		<u>Balance</u>	207, 37	
			230, 45	230, 45
1885				
Jan	1	By balance due word		207, 37
Dec	31	" $\frac{1}{3}$ rent of Worrell place		96, 66
"	"	" interest on 207 ³⁷ , 1 year		12, 44
"	"	To 5% loan, on 109 ¹⁰	5, 45	
"	"	" $\frac{1}{3}$ taxes on place 1885	8 81	
		<u>Balance</u>	302 21	
			316 47	316 47
1886				
Jan	1	By balance due word		302 21
Dec	31	" interest on 302 ²¹ , 1 year		18 13
"	"	" $\frac{1}{3}$ rent of Worrell place		96, 66
"	"	To 5% loan, on 114 ²⁹	5, 73	
"	"	" $\frac{1}{3}$ taxes on place 1886	7, 97	
		<u>Balance</u>	403 30	
			417 00	417, 00
1887				
Jan	1	By balance due word		403, 30
Dec	31	" interest on 403 ³⁰ , 1 year		24 19
"	"	" $\frac{1}{3}$ rent of Worrell place		96 66
"	"	To 5% loan on 120 ⁸⁵¹	6, 04	
"	"	" $\frac{1}{3}$ taxes on place 1887	6, 46	
		<u>Balance</u>	511, 65	
			524, 15	524, 15

1888

Jan 1	By balance due word		\$11,651
"	" interest on 5-11 ⁶⁵ 1 year		3069
"	" 1/3 rent of Worrell place		8416
	To 5% Com. on 114 ⁸⁵	594	
"	" 1/3 taxes on place 1888	818	
	<u>Balance</u>	61238	
		62650	62650

1889

Jan 1	By balance due word		61238
June 1	To paid for five months schooling at Wm Ridley's clothes. Dec. @ 16 ⁰⁰	75.00	
Dec 31	By interest on 612 ³⁸ 1 year		3674
"	" " 1/3 rent of Worrell place		8416
"	To 5% Com. on 120 ⁹⁰	6.04	
"	" " 1/3 taxes on place 1889	11.73	
	<u>Balance</u>	640.57	
		73334	733.34

1890

Jan 1	By balance due word		64057
1891			
April 9	By interest on 640 ⁵⁷ 16 ¹⁸ mos		49.11
"	To 5% Com. on	24.81	
	<u>Balance</u>	687.28	
		687.68	687.68

1891

April 9	By balance due word with interest until paid.		687.28
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Respectfully submitted,
J. C. Parker
Clerk in Charge

Story, et al.,
as

Williams' Admin's,

Exam's Report,

1891. Apr 23. filed.

B. J. M.

To the Circuit Court of Southampton County:-

Pursuant to a decree of the said court entered at the Nov. term
in the chancery suit of Story et als. vs. William
term thereof 1890, the undersigned, one of the commissioners of
the said court, reports to the court that on the ~~1st~~^{2nd} day of
~~April~~^{March} 1891, he issued notices to the parties to the said suit
requiring them to attend the settlement of the accounts di-
rected to be taken by the said ~~court~~ decree, at his office in
Courtland, on the 2'nd day of April 1891, which notices were
duly acknowledged and returned to your commissioner. That the
parties aforesaid appeared before the said commissioner in
obedience to the said notice, and he thereupon examined the
witness who were present, stated and settled the said account
of Jos. G. Williams, as guardian of Edwin F., Robert B., & William
J. Story, and that on the 9'th day of April 1891, he finds that
there is due to the said Edwin F. Story, the sum of \$596.81 ;
that there is due to Robert B. Story the sum of \$622.85 ;
and that there was due to William G. Story \$687.23, all of
which appears from accounts filed herewith.

Given under my hand as commissioner aforesaid, the 9'th
day of April 1891.

Respectfully submitted
J. C. Parker
Com'r. in Chancery.

Commissioners fee, _____ \$25.00

Southampton County Court June Term 1890
On motion of Thomas A Bishop who made
oath according to law, and together with E.
F. Story as his security, who justified on
oath as to his sufficiency entered into and
acknowledged a bond in the penalty of two
thousand dollars - conditioned according
to law - which bond is ordered to be recorded -
certificate is granted the said Thos A Bishop
for obtaining letters of Administration on
the Estate of Joseph G Williams decd in
due form - And on the further motion of
said administrator F. F. Hill J H Ridley
and J. R. Dickens are hereby appointed
appraisers who being duly qualified will
appraise the Chattel Estate of said
decedent and return the same under their
hands as the law directs

A copy Teste

B. F. McLenore C. C.

Know all men by these Presents, That we

Henry Ferguson

Jos. G. Williams and

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

Fifteen hundred

Dollars, to the payment whereof, well and truly to be

made, we bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents. And we, the obligors herein, hereby waive the benefit of our homestead exemption as to this obligation, ~~and also waive any claim, right or privilege to discharge any liability arising under said bond in any currency, funds, counter-claims or offsets other than legal tender currency of the United States.~~

Sealed with our seals and dated this *19th* day of *May*.

A. D. 18 *84*.

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

*Jos G Williams who is this day appointed Guardian
of Edwin F. Robert B & William J Story orphans
of E. P. Story - decd.*

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

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

Jos. G. Williams.
Henry Ferguson.



A copy Teste B. F. McLenore C. C.

Story + als:

Dr" Sum:

Williams's Admin
+ 2:

1890. 1 July Rules

Cir: Ct:

I + enclosed by deliv
:ing a copy of this
sum to each of the
within named parties

July 7th 1890

J. Williams
Shp.

I acknowledge the service of the
within sum; Henry Johnson
July 1st 1890

July 2nd 1890

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON

Thomas A. Bishop Adm'r =
Trator of Joseph G. Williams dec^d and Henry
Longfellow

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 *July 1890* next, to answer a bill in Chancery exhibited against *them* in our said Court by

Edwin F. Story and
Robt. B. Story + William G. Story - the last two
infants, who sue by Edwin F. Story, their next
friend

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 *20* day of *June*, 1890, in the *114th* year of the Commonwealth.

Sute:

B. F. McLemore

C. C.

Sauthampton County Court May Term 1884

Joseph G. Williams is this day appointed Guardian for Edwin F. Robt B and William J. Story - orphans of E. B. Story dead, under the age of fourteen years - who together with Henry Ferguson as his security, who justified on oath as to his sufficiency - entered into and acknowledged a bond in the penalty of fifteen hundred dollars - conditioned as the law directs, which bond is ordered to be recorded.

Attest
Teste B. F. McLenroe C. C.

Memoranda for the
Clerk

The clerk will copy the following papers and
file with the bill

A copy of certificate of Joseph J. Williams
qualification as guardian of Edwin F.
Robert F. & Mrs. J. Story and the guardian
bond exhibit A

a copy of the certificate of Thomas A.
Bishop's qualification as Administrator of
Joseph J. Williams to Admin^r bond.

Shanda is Ins p. 5.

Stamps
on 3 June

Williamus adler 16

To be entered

1704

Nov 5. 1890.

Emt

2

Story

vs 3

Decree

Williams' adm &c

This day This cause came on to be heard on the plaintiffs bill taken for copy as to both the defendants Thomas A. Bishop administrator of Joseph G. Williams dec'd and Henry Ferguson and exhibits filed with the bill and was argued by counsel On consideration whereof the court doth adjudge order and decree that Thomas A. Bishop administrator of Joseph G. Williams dec'd settle before one of the commissioners of this court Joseph G. Williams guardian accounts of Edwin F. Story, Robert B. Story and William F. Story taking any accounts of the said wards brought for audit by Joseph G. Williams as prima facie correct liable to be surcharged and falsified by any of the parties interested who will report the said accounts to court together with any matters specially stated deemed pertinent by himself or which he may be so required as to state by any of the parties interested

Story is also
on 3 Decree
William Adams

To be entered
Oct
May 22, 1891

Ent Page 472

Story & als

vs J

Decree

William's admin-^{or} vs

This day this cause came on again to be heard on the papers formerly made and a scin facias issued against Mr A Myrick administrator de bonis non of Jos. G. Williams to show cause if any why he should not be made a party defendant in this ^{suit} ~~suit~~ in place of Thomas A Bishop dec^d. The report of Commissioner Parker of Joseph G. Williams guardianship accounts of Robert B Story, Edwin F. Story and William G. Story made pursuant to a decree of this court entered at the Nov Term 1871 and to which report no exceptions have been filed and was argued by counsel. On consideration whereof the court doth adjudge order and decree that W. A. Myrick administrator de bonis non of Jos. G. Williams dec^d be made a party defendant to this suit and the ~~the~~ report of Commissioner Parker of the guardianship accounts of Edwin F. Story, Robert B Story and William G. Story be confirmed and as to all other matters this cause be continued until the next term of this court.