1901_11 Southampton County Chancery Fat, John O etal vs. Fat, J J, Admr etal

Real Estate to be
divided if possible if
not sold, and proceeds
divided between those entitled

Fat, Silas H.
Parker, Fannie B.
Parker, E. L.

Parker, E. L., Admr.
Fat, Annie C
Fat, Mary C.
Fat, Franklin
Fat, Leroy B.
Fat, Henry T.

Forge, Jno. C. Ill. also,

Rail in Clearing

Forge, Annie C. Ill. also

1895 1st Mach Rail Ill.

J. E. FARRER,

ATTORNEY-AT-LAW,

Main St., Franklin, N. C.

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

Your complainants,John F.Fox,Delia E.Fox,and Fannie B. Marks and E.L.Marks her husband,complaining sheweth unto the court that B.F.Fox,the father of the first three of your complain-ants,was in his lifetime seised and possessed of certain real estate lying situate and being in Drewryville District,in Southampton County,Virginia,it being the farm on which he resided, containing 575 acres,more or less,and bounded by the lands of R.J.Webb,J.S.Musgrave,Emmet Murphy and S.B.Drewry ;and being so possessed of said real estate the said B.F.Fox,in March 1894, departed this life intestate,leaving the first named three of your complainants and Annie C.Fox,Mary G.Fox,Franklin Fox,Leroy B.Fox,and Henry T.Fox his only children and heirs at law,the five last named being infants under the age of twenty-one years. Your complainants further show that at the November term 1894 of the County Court of Southampton County,T.J.Fox and E.L.Marks qualified as Administrators of the said B.F.Fox ; that the deceased left a lot of personal property which has come into the hands of said administrators and that the deceased owed very little at the time of his death and that said personal property will far more than pay said debts. Your complainants further state that they do not beleive the said real estate is susceptible of division in kind to the best advantage among the parties entitled thereto,and if it be ascertained that it be not so divisible in kind,then your complainants desire that the same may be sold and the proceeds divided among the parties entitled thereto according to their respective rights,and the shares of said infants be held according to law.Should the property be not di-

visible in kind your complainants believe,and here state,that the interest of said infants and of all of those who are entitled to said real estate,or its proceeds,will be promoted by a sale of the whole of said real estate and a division of the proceeds.

In tender consideration whereof,and forasmuch as your complainants are remediless in the premises save in a court of equity,where matters of this kind are alone and properly cognizable, your complainants pray that the said T.J.Fox and E.L.Marks,as Administrators,and the said Annie C.,Mary G.,Franklin,Leroy B., and Henry T.Fox may be made parties defendant to this bill, though an answer on oath is waived ; that a proper guardian ad litem be assigned the infant defendants to this bill to defend their interests in this suit,who shall answer this bill;that proper process issue ; that an account of the debts due by said B.F.Fox or his estate be taken ; that an account of the transactions of said administrators be taken ; that the said real estate be divided in kind if practical and if not that it be sold and the proceeds divided between those entitled thereto ; that all proper orders and decrees may be made and proper enquiries be directed,and that all such other further and general relief may be afforded your complainants as the nature of their case may require,or to equity may seem meet. And your complainants will ever pray,etc.

J.C.Parker S.C.

Fox, Il ols

vs.

Fox, Il ols

Answer, Demurrer
& Fox, Jr.
Defendant's Demurrer

[illegible] Defendant [illegible] the bill [illegible] the [illegible]

[illegible] Defendant [illegible] the matters referred to in the said bill;

[illegible] the advantage to the said bill are true and that

[illegible] to be true to the said bill as to [illegible]

[illegible] for answer to the bill of complaint of the said plaintiff and now

[illegible] the said bill of complaint, etc.

The answer of Annie C.Fox,an infant defendant over the age of

fourteen years,to said bill of equity exhibited against her and

others in the Circuit Court of Southampton County by Jno.P.

Fox and others.

Filed in the clerk's office of Southampton County the [illegible] day

of [illegible] 1911.

Teste: [illegible] C.C.

Fox, Il ols

vs.

Fox, Il ols

Answer, Demurrer
& Fox, Jr.
Defendant's Demurrer

[illegible] Defendant [illegible] the bill [illegible] the [illegible]

[illegible] Defendant [illegible] the matters referred to in the said bill;

[illegible] the advantage to the said bill are true and that

[illegible] to be true to the said bill as to [illegible]

[illegible] for answer to the bill of complaint of the said plaintiff and now

[illegible] the said bill of complaint, etc.

The answer of Annie C.Fox,an infant defendant over the age of

fourteen years,to said bill of equity exhibited against her and

others in the Circuit Court of Southampton County by Jno.P.

Fox and others.

Filed in the clerk's office of Southampton County the [illegible] day

of [illegible] 1911.

Teste: [illegible] C.C.

The answer of Annie C.Fox,an infant defendant over the age of fourteen years,to a bill in equity exhibited against her and others in the Circuit Court of Southampton County by Jno.P. Fox and others.

For answer to the said bill the said Annie C.Fox answers and says that although under full age she beleives she knows what are her interests in the matters refered to in the said bill; she beleives the statements in the said bill are true and that it will be to her advantage to sell the land as therein prayed for,and invest the proceeds of sale inother property. And now having fully answered she prays to be hence dismissed,etc.

Annie C. Fox.

Lax. il ols.
or. }
[redacted] Adnis. il ols

Auscultes Bolldin
ad Cilitan.

The answer of J. L. McLemore, Gdn ad litem for the infant defendants Annie C. Fox, Mary G Fox, Franklin Fox, Leroy B. Fox and Henry T. Fox in a suit in Chancery pending in the Circuit Court of Southampton County styled Fox et als. vs. Fox's Admrs. et als.

These defendants, by & through their Gdn ad litem, for answer to the said bill or so much thereof as they are advised they ought to answer, answering say- that being infants they know nothing of the matters rights in the premises. But trust & confide the same to the protection of this Court, and having fully answered, they pray hence to be dismissed with their costs. &c,

J. L. McLemore
Gdn ad litem

1895- March Term.

Fox et als

vs } Summ

Fox's Admrs et als

1895, 1 Mch Rules

Cir. Ct.

Executed Feb. 25th
1895 by delivering
a Copy of this Summ
& Compl. to the Defts
Defendants

J. W. Williams
Sheff
(1)

Parker Co.

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON D. J. Fax & E. L. Marks Administrator of B. G. Fax deceased and Annie L. Fax Mary G. Fax, Franklin Fax Leroy B. Fax & Henry G. Fax all infants by J. L. McLemore their 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 first Monday in March 1895, to answer a Bill in Chancery exhibited against them in our said Court by Jos. W. P. Fax, Delia A. Fax and Fannie B. Marks & E. L. Marks her husband

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 18th day of February, 1895, in the 119th year of the Commonwealth.

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

Foxietales
Dr } Stat Rules
Pat's Admns etales
1895. 1st Mch Rules.

John P. Fox, Delia H.
Fox and Fannie B. Marks
& E. L. Marks her husband, Pltffs

vs In Chancery.

P. J. Fox & E. L. Marks Admin-
istrators of B. F. Fox deceased
and Annie C. Fox Mary G. Fox
Franklin Fox Leroy B. Fox Deffts.
& Henry P. Fox all infants
by J. L. McLemore their
Gdn ad litem.

1895 Feby 18th Process issd to 1st Mch. Rules.

" 1st Mch Rules. Process ret'd Executed Bill
& Ex filed. J. L. McLemore Apptd
Gdn ad litem. decree
nisi vs Adults.

1895. 2 Mch. Rules. Bill taken for con-
fessed as to the Adults & cause
set for hearing.

Fox. 2 vols.

os.

Fox's Admr. 2 vols.

Report of Sale by Special Comr.

1896. 28th Sept. Filed

L. A. Gay C. C.

To the Hon. R. R. Prentiss, Judge of the Circuit Court of Lauchauplain County.

The undersigned, special Commissioner appointed by your Honor by decree entered Sept. 28th 1895 in the Chancery cause entitled Fox, et als. vs. Fox's Admrs. et als. pending in said court, by which decree he was ordered to sell certain lands in the bill and proceedings mentioned. begs to report to your Honor that in accordance with the instructions contained in said decree he advertised said land to be sold on Monday, September 21st 1896. as is shown by handbill herewith filed. That on that day he offered said land for sale and John P. Fox became the purchaser thereof at the price of Twenty-five Hundred Dollars ($2500.) That said Jno. P. Fox has not yet complied with the terms of sale, but says that if the sale is confirmed by the Court that he will, prior to the 1st day of December 1896. comply by paying the whole of the purchase money in cash. This your Commissioner believes he will do, and as the sale, though not what good, is fairly good, your Commissioner recommends that the sale be confirmed and that Jno. P. Fox be allowed until December 1st 1896. in which to comply with the terms of sale.

Respectfully submitted.

J. C. Parker
Special Comm.

The Estate of B F Fox dec'd
In a/c with T.J. Fox & E.L. Marks Admrs

1894			Dr		Cr	
			℔	cts	℔	cts
Dec	19	By amt received from sale of the chattel property			1192	08
		" " from sale of peanuts			292	71
		To Cons on $1484.22 @ 5 p.c.	74	23		
		" paid clerk of County Court Tax on Administration bond	1	00		
		" " " R.D. Moore as ass	3	00		
	20	" " E.B. Beaton clerk at sale 2 days & other services	7	00		
	21	" " J.P. Fox acct for advancement	4	30		
1895 Jany	17	" " E.B. Beaton for paper		10		
	21	" " Redd Mabry ½ for stock fodder	2	81		
	23	" " Jno P Fox for services of himself & hose 1894 on farm	69	62		
Feby	20	" " R F Barham for taking acknowledgements &c	1	00		
Mar	5	" " for taking of peanuts	2	66		
April	19	" " Dr F.E. Williams med a/c	10	00		
May		" " T.P. Wynne & Co a/c	88	00		
	10	" " Marks & Knight for peanut bags	5	63		
	11	" " For two telegrams		50		
		" " P.S. Thomas store a/c 1894	110	53		
	16	" " expressage on money from Pelahatchie		40		
	20	" " B F Fox Tax a/c 1894	21	91		
		" " Dr B.R. Bryant med bill	51	40		
June	17	" " Lewis Marks appraiser	1	00		
		" " W.J. Debell atty a/c	2	50		
Aug	1	" " B.F. McLemore fee bill for recording bond & of admr & Dr's appraisement & account of sales	8	55		
		To amt retained to pay Costs of accts satisfying acct of sales & Inventory	10	50		
			476	64	1484	79

1895		Dr	Cr
Aug 1	Amounts brought forward	$476.64	$1484.79
" "	To Balance Log Camps accounts for making out accounts	10 00	
	To Cash	998 15	
1895		$1484 79	$1484 79
Aug 1	By Cash due Estate brought down per Log Camps Journal 19th 1894 till paid		$998.15

Respectfully submitted
Wm Thompson
Owner in Charge

an account debt outstanding against the Estate of B. F. Fox dec'd proved before me. W. H. and R. a Master in Chancery in chancery for the circuit court for Southampton Co Va on aug 24/1895 (pursuant to an adjournment from aug 21st 1895) pursuant to a notice duly posted at the court-house for two terms of county court

all Debts of 5th Class

a Bond due Musgrove & Pope	143	20		
Int from Nov 1. 1887 To Aug 1st 1895	49	40	192	60
an open account due To the Estate of Dr G R Musgrove	160	00		
Int from Jany 1/94 To Aug 1st 1895	14	25	164	25
an open account due R S Pope	4	75		
Int from Jany 1/94 To Aug 1st/95		45	5	
an open account due F. P. Pope	25	37		
Int from Jany 1/95 To Aug 1/95		88	26	2
an open account due J. R. Ourt & Co	15	67		
Int on $8.00 from Nov 1/93 To Aug 1/95		80		
" " " 7.51 " " 94 " " "		30	16	6
an open account due J. B. Powell	11	10		
Int from Jany 1/95 To Aug 1/95		38	11	6
an open account due Jno P. Fox (Barred by statute limitations)	90	00		
Int from Mch 1/90 To Aug 1/92	7	65		
	97	65		
By cost Aug 1/92	50	00	56	
Int on $47.65 To Aug 1/95	47	65		
		87	472	

Amts brought foward		$472.56
an open a/c due Geo. A Turner (Barred by statute limitations)	$ 25	
Int from May 1/92 To Aug 1/95	96	6 41
Total Debt		$478.97

Respectfully submitted
Wm Shands
Comr In Chancery

An account of the actual and annual value of the real estate whereof B. F. Fox died seized and possessed

471 acres valued at $2500.00

" annual value of same $200.00

Respectfully submitted
W. Bland
Omer De Chancey

COMMISSIONER'S OFFICE.

Courtland ~~Jerusalem~~, Va., July 11th 1895

TO THE CREDITORS OF THE ESTATE OF

B. F. Fox dec'd

AND ALL OTHERS CONCERNED.

You are hereby notified that, by a decree of the Circuit Court of Southampton County, I have appointed the 21st day of August next, at my Office, for receiving proof of all the debts, or demands, against the said decedent, or his estate; at which time and place you are required to attend.

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

Wm. Shands, Commissioner.

COMMISSIONER'S OFFICE,

Courtland ~~Jerusalem~~, Va., July 11 1895.

TO F. J. Fox, E. L. Marks administrators of B. F. Fox deceased. Delia H. F. Fox. John P Fox. Fannie B. Marks and E. L. Marks her husband. Annie C. Fox Mary G. Fox. Franklin Fox. Leroy B Fox and Henry F. Fox the five last named infants by J. L. McLemore their Gdn ad litem

You are hereby notified that I have fixed upon the 21st day of August 1895 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 debts due by the decedent B F Fox
2nd an account of the transactions of F. J. Fox & E. L. Marks as admrs of B F Fox deceased
3rd what real estate was left by said decedent both its annual and fee simple value
4th whether or not it is practical to divide said real estate in kind between those entitled thereto
5th whether or not it would be to the interest of the infant defendants to have their interests in said lands sold
6th any other matters deemed pertinent by the Comr or on which he may be requested to report by any party in interest

required to be taken by a decree of Southampton Circuit Court, rendered at the March term, 1896, 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.

William Parker, **Commissioner.**

To the Sheriff of Southampton County to execute.

Ford et al

vs

Bowie Notice

Ford, admr et al

We acknowledge due &
legal service of this notice
This 11. 95
J. L. McLemore Sol
ad litem for infants
J. C. Perkins, atty for
adult plaintiffs.

Jr. D. Nelson

Fiscal Year
1893 Report
Fiscal Year Ending

1895. 10. Sept. filed
L. A. Gay Clk.

The evidence of J. D. Musgrove & Paul Ellis taken by W Shands Comr in chancery of the circuit court of Southampton Co Va to be used as evidence for the basis of a report under a decree of said court rendered at its March Term 1895 in the cause of Fox et als vs Fox's admrs &c

J. D. Musgrove being duly sworn deposes and says as follows

Q How old are you, where do you live and do you know the parties to this suit?

A am 31 years old. live near the real estate in question, and know the parties to this suit

Q State whether or not it is practical to make partition of the real estate in kind among the parties entitled thereto & whether any party interested will take the entire subject matter and pay to other parties such sum of money as their interest will entitle them to. Or whether any two or more will take their shares laid off together & then apart

the position or whether the same will have to be sold for a division

a There are eight of the heirs and I feel sure position cannot be conveniently and advantageously made in kind of the subject matter. None of the heirs wish their shares laid off together and I know of none of them who wish to [illegible] I know this farm well and consider that it is greatly to the advantage of all interested parties that the said real estate be sold and proceeds divided among the parties entitled thereto. That if they continue to rent the farm out it will come down and greatly depreciate in value each year I consider $2500 a fair valuation for the farm though it may sell for as much as $3000 or $3500. also that $200 is a fair annual value or rental of the same. And further this deponent saith not

Signed J. S. Musgrove

The deponent Jones Ellis being sworn & deposes and says as follows

Q How old are you & where do you live & do you know the parties to this suit?

A I am 45 years old. live near the place in question and know the parties to this suit.

Q You have heard the question about publication of the Bond from asked Mr J. Musgrove and his answer to the same do you agree with him about the matter and state that your views are the same

A I fully agree with Mr Musgrove and say that he states the matter correctly. The Bond will have to be used to effect a division. I also agree with him as to actual & annual value of the same &

and further this deponent sayeth not

Signed Danl Ellis

Subscribed and sworn to before me by J. D. Musgrove, Danl Ellis this 24th day of august 1895

W L Hamrick
Comr. Sup. Chancery

Commissioners office
Louisa Co Va Aug 21st 1895

To the Circuit Court for Southampton County Va

Pursuant to a decree of this court entered at its March Term 1895 in the chancery cause of Fox et als vs Fox admrs et als your undersigned Commissioner reports to court that on July 11th 1895 he issued notices to the parties to this suit requiring them to appear before ~~him~~ at his office on Aug 21st 1895 at which time and who should proceed to take the accounts required by the aforesaid decree. That said notices were duly executed. That he also posted at the Court House door for two terms of the said court a notice to the creditors of the estate of B F Fox decd and all others concerned stating that on that on Aug 21 1895 he would take an account of all debts & demands against the said decedent or his estate and that on July 21st 1895. The

taking of said accounts was
adjourned over till Aug 24 1895
whereupon the same were taken
and your Commissioner found
a balance of $998.44 due the Est
by the administrators with
interest thereon from Dec 11th
1894
That the outstanding debts
against the estate with
interest included up to
Aug 1st 1895 amount to
$478.95 of which amount
$62.63 is barred by the statute
of limitations
That the actual value of
the real estate is $2500.00
(although it is only assessed
at $1648.50) and its annual
value $200.00
That no division can be
made of the same in kind
and that it is to the advan-
tage of all interested
parties that it be sold and
proceeds divided among
the parties according to
their rights as will appear by

depositions of witnesses herein filed. The several accounts herein referred to together with the notices & summons and depositions as herewith filed

Respectfully submitted
Wm Chandler
Master in Chancery

Comrs fee $5.00
Dsgd Pltffs' 3

Form No. 309.

Fox et als.
vs
Fox Adms. et als.

J. L. Parker

to } COMMISSIONER'S BOND.

Commonwealth.

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 309.

Know all men by these Presents, That we, J. B. Parker
W. T. Pace and J. R. Knight
are held and firmly bound unto the Commonwealth of Virginia, in the sum of Five
Thousand 00/100 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 obligation, 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 26th day of September one thousand eight hundred and ninety six.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound
J. B. 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 on the 25th day of September, 1896, in the suit therein
depending under the name and style of Fort et als Vs. Fort's Admr 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. C. Parker SEAL.
W. T. Pace SEAL.
J. R. Knight SEAL.

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

This day W. T. Pace and J. R. Knight
sureties on the above bond, made oath before me, L. A. Gay Clerk
of the Circuit Court of the County of Southampton
that their estates, after the payment of all their just debts, and those for which they are bound as security for others and expect to have to pay, is worth the sum of Five Hundred
dollars.

Given under my hand this 26th day of September, 1896.

Teste: L. A. Gay Clerk.

Fox et als,
Vs } Statement of Costs
Fox's Admr's et als.

Fox et als
vs. } Statement of Costs
Fox's Admr, et als

Summons. 25, 3 Copies 39. Recd. 18. Atty, 10. Docket. 18 = 1.10
Rules 1.00, file Bill 15. Entering return 35 = 1.50
replication to answer 15. file, 2 answers 30, Docket 72 = 1.17

J. M. Howard $3.77

Filing depositions 15. filing 2 Reports 30. = 45
taking bond 1.40, 2 Deeds & Copies 1.44 = 2.84
Tax Costs. 40. file every papers 25 = 65
March 1896 future Costs about 1.00

Docket $8.71
Sheff. 1.50
Land Ct. 16.50
$26.71
Fee of Wm Shands Comr 5.00
$31.71

Received Clerks fees for above statement. Nov. 26th 1896.

L. A. Gay Cl. Cl.

Received with bill of taxed fee, $16.50, as stated above.

J. C. Parker, Atty.

Received Attorney's fee of Twenty Dollars as directed by Decree.

J. C. Parker Atty.

Received One and 50/100 Dollars Sheriffs fees for above statement.

J. H. Williams Shff

Franklin, Va. Sept 5 1896

Mr. J. C. Parker, Special Agt.

IN ACCOUNT WITH For Acct

* Cheap Job Printing. *
Under the Management
-OF-
W. A. Magee
* Work Done Well. *
Satisfaction Guaranteed.

BLACKWATER COURIER JOB DEPARTMENT.

TERMS CASH.

Orders Promptly Attended to

Aug 31	To 125 Posters		1.00

Received of J. C. Porter, Special Comm's. Five Dollars. fee as Comm'r in Chancery in suit of Fox. Tl al. vs. Fox's Adm'r. Tl als. pending in the Circuit Court of Southampton Co.

Wm Shands Jr
Comm'r

Franklin Va. Oct. 18/96

Received of J. C. Parker, Special Comr, Five Dollars
fee as auctioneer for selling land in Fax suit
Septtember Term 96. Comm 1896.

J. L. Gillette exor

Franklin. Va
11/26/96

$297.84.

Received this 26th day of November 1896, Two hundred and nine-ty-seven and 84/100 Dollars in full of my share of the purchase price of the farm sold in the chancery suit of Fox et als. vs. Fox, et als., the same being paid me by J.C. Parker, Special Commissioner, in accordance with decree in said cause of September 28th, 1896.

Witness: J. P. Fox

Delia H. Fox.

~~Amanda C. Fox~~

$297.84.

Received this 26th day of November 1896, Two hundred and nine-ty-seven and 84/100 Dollars in full of my share of the purchase price of the farm sold in the chancery suit of Fox et als. vs. Fox, et als., the same being paid me by J.C.Parker, Special Commissioner, in accordance with decree in said cause of September 28th, 1896.

Fannie B. Marks

Witness-
R. S. Pope

$297.85

Received of J.C.Parker, Special Comr., this 26th day of November 1896, Two Hundred and ninety-seven & 85/100 Dollars, in full of the share of Annie C. Fox in the farm sold in the chancerysuit of Fox et als. vs. Fox, et als. pending in the circuit court of Southampton County, same being paid in accordance with direction of decree in said cause Sept. 28th 1896.

J.C. Parker .....Gaurdian for

Annie C. .....Fox.

$297.85

Received of J.C.Parker,Special Comr.,this 26th day of November 1896,Two Hundred and ninety-seven & 85/100 Dollars, in full of the share of Mary G. Fox in the farm sold in the chancerysuit of Fox et als. vs. Fox,et als. pending in the circuit court of Southampton County,same being paid in accordance with direction of decree in said cause Sept. 28th 1896.

J C Parker .....Gaurdian for

Mary G. .....Fox.

$297.85

Received of J.C.Parker, Special Comr., this 28th day of November 1896, Two Hundred and ninety-seven & 85/100 Dollars, in full of the shars of L. B. Fox in the farm sold in the chancerysuit of Fox et als. vs. Fox, et als. pending in the circuit court of Southampton County, same being paid in accordance with direction of decree in said cause Sept. 28th 1896.

J C Parker ..... Gaurdian for

L. B. ..... Fox.

$297.88

Received of J.C.Parker,Special Comr.,this 26th day of Nov. 1896,Two hundred and ninety-seven and 88/100 Dollars,in full of the share of N. J. Fox in the farm sold in the chancery suit of Fox,et als. vs. Fox,et als.,pending in the Circuit Court of Southampton County,same being paid in accordance with direction of decree in said cause September 28th 1896.

J C Parker .....Guardian for

N. J. .....Fox.

$297.86

Received of J.C.Parker, Special Comr., this 26th day of Nov. 1896, Two hundred and ninety-seven and 85/100 Dollars, in full of the share of B. F. Fox in the farm sold in the chancery suit of Fox, et als. vs. Fox, et als., pending in the Circuit Court of Southampton County, same being paid in accordance with direction of decree in said cause September 28th 1896.

J C Parker .....Guardian for

B. F. .....Fox.

Received of J. C. Porter, Special Comr. in suit of Fox, &c. als. vs. Fox's Admrs &c. als. the sum of Two Hundred and Ninety-seven and 84/100 Dollars, in full of my share of purchase money of Farm sold in said suit, this being paid to me as directed by decree in said suit Sept. 28th 1896

Courtland - Va. Nov. 26th 1896. J. P. Fitt

Witness - R. A. Pope

Fox, Il als.
als. Z
Fox, El als.

Return of Canis Dist.
& proceeds of Sale.

Filed in Term March 1897

J. C. Parker, Special Comr's,
Statement of receipts & disbursements in
suit Fax, Il als. vs. Fax, Il als,

1896					
Nov.	26	By receed from sale of land			25.00.
"	"	To legal Comr's. on same		✓ 69.00	
"	"	" paid atty fee decreed by decree		✓ 20.00	
"	"	" " costs as follows.			
		Clerk	✓ 8.71		
		Sheriff	✓ 1.50		
		Fax, Taxed fee	✓ 16.50		
		Comr's in Chy. fee	✓ 5.00	31.71	
"	"	" " auctioneer		✓ 5.00	
"	"	" " for advertising posters		✓ 1.00	
"	"	" " taking acknowledgement & deed		✓ .50	
"	"	" " Jno. P. Fax 1/8 of balance		✓ 297.84	
"	"	" " Delia N. Fax's 1/8 "		✓ 297 84	
"	"	" " Fannie B. Runkle's 1/8 "		✓ 297.84	
"	"	" " Edw for Annie C. Fax 1/8 "		✓ 297 84	
"	"	" " " " Mary G. " 1/8 "		✓ 297 84	
"	"	" " " " L. B. " 1/8 "		✓ 297 84	
"	"	" " " " N. J. " 1/8 "		✓ 297 86	
"	"	" " " " B. F. " 1/8 "		✓ 297 86	
				2500 00	2500.00

To the Hon. Judge of the Circuit Court of Southampton County, Virginia.

The undersigned, your Special Comr's in the Chancery suit of Fax, Il als. vs. Fax, Il als. begs leave to report that since the last term of this Court he has collected the entire purchase price for the land sold Jno. P. Fax, $2500. and has given a deed therefor with special warranty. That he has paid out the said $2500. in accordance with the terms of the last decree in this cause as shown by the above statement of his transactions supported by vouchers filed herewith.

Respectfully submitted.

J. C. Parker
Special Comr's.

Fox, et als.

vs } Additional Defts. Bill

Fox, et als.

Fwd. et als.

Vs } Additional Circuit Ct.

Fwd. et als.

1901 8th Oct. To Docketing 1 copy opinion last Statement made up $1.25 = 1.25

" filing special Commissioners last report 15 = .15

" [illegible] = 2.00

" Fee each 4 years at 10 cts = .40 = .40

$3.99

Cr.

By amount of fee this cost paid .100

12/21/1901 Pd by J. L. Parker L. A. Gay Clerk $3.99

Test: L. A. Gay C.C.

Fox, et als
vs. } 2nd Decree
Fox's Admr. et als

Sept. Term 1895
To be retained.
Sept. 25, 1895
Robt R. Dunbar

Fox,et als.

VS.

Fox,et als.

This day this cause came on again to be heard upon the papers formerly read and upon the report of Comr.Shands,which report was filed on the 10th. day of September 1895, more than ten days before the beginning of this term,and to which 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 Administrator of the deceased B.F.Fox pay the debts proved against the said estate as shown by the report of Comr.Shands,and the balance in their hands they shall pay pro rata to the children of said B.F. Fox,or their legal representative. And the court doth further adjudge,order and decree that J.C.Parker,who is hereby appointed as a Special Commissioner for that purpose,proceed to sell the land in the bill and proceedings mentioned,at public auction to the highest bidder,at the Courthouse on some court day whenever seems to the Commissioner best,on the following terms,to-wit,one fourth cash,and the balance in one,two,and three years,bond with approved security to be given for the deferred payments and the title to the said land to be retained until all the purchase money is paid,with privilege to purchaser to pay all cash and take deed as soon as sale confirmed.The said Commissioner shall advertise the time,place and terms of sale for at least thirty days before selling,in some newspaper published in Southampton County, and by handbills posted at three or more public places in the county.But before entering upon the discharge of his duties under this decree the said commissioner shall enter into bond in the penalty of $5000. conditioned for the faithful discharge of his duties under this decree, with good security, to be approved by the Clerk of this Court.

Fax. il ols
os. } 1st [illegible]
Fax's above, il ols

Monday June 1895

To be returned,

Robert C. Stevens

Mar. 25, 1895.

Page 2

Fox. et als.
vs. } 1st Decree.
Fox's Admrs. et als.

This day this cause came on to be heard upon the bill ~~of~~ taken for confessed as to the adult defendants and the answer of J. L. McLemore Esq. ad litem for the infant defendants duly appointed & filed, and was argued by counsel.

Upon consideration whereof it is the Court doth adjudge, order & decree that one of the Commissioners of this Court take inquire & report to Court.

1st an account of the debts due by the decedent. B. F. Fox

2nd An account of the transactions of J. J. Fox & E. L. Marks as Admrs of said deceased B. F. Fox

3rd What real estate was left by said decedent, with its annual and fee simple value.

4th Whether or not it is practical to divide said real estate in kind between the entitled parties.

5th Whether or not it would be to the interest of the infant defendants to have their interests in said lands sold.

6th any other matter deemed pertinent by the Comm., or on which he may be required to report by any party in interest.

as soon as the purchase price of said land is paid, give the said Jno. P. Fox a good and sufficient deed therefor, such deed to be executed, &

Fox, et als.
vs. } 3rd Decree
Fox's Admrs. et als

To be filed
Sept. 28, 1896.
Robert T. Daniel

×

Entered Page 90.

Fox. et als

vs. } 3rd Decree

Fox's Admr's. et als

This day this cause came on again to be heard upon the papers formerly read, and upon the report of Special Comr's J.C. Porter, filed Sept. 28th 896, to which report no exceptions have been filed, and was argued by counsel

Upon consideration whereof the court doth confirm said report and the sale reported therein, and doth further adjudge, orde and decree that the purchaser of said land, Jno. P. Fox, be allowed until the 1st day of December, 1896, in which to comply with the terms of said sale. The court doth further adjudge, orde and decree that the said J.C. Porter, Special Comr's, collect from said Jno. P. Fox the purchase price of said property, and after paying the costs in this suit, including a fee of $20.00 to J.C. Porter, Attorney in this cause, shall divide the remainder into eight, not portions & pay one portion to each to the children of B.F. Fox, deceased, as shown by the bill and proceedings in this cause, or to their legal representative. And the court doth further adjudge, orde and decree that J.C. Porter, who is hereby appointed a special Commissioner for that purpose, shall

[illegible] et als.
vs. } 4th Decree
Fox, et als

To be entered,
March 22nd. 1897
Wm. H. Phillips.

Ent'd. Page 120.

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Fox,et als.

vs.) 4th decree.

Fox,et als.

This day this cause came on again to be heard upon the papers formerly read and upon the report of Special Comiissioner J.C.Parker, which report was filed ~~during term March 1897,~~ this day and to which report no exceptions have been filed,and was argued by counsel.

Upon consideration whereof the court doth confirm the said report of the said J.C.Parker,Special Commissioner.

Lax. il ols

S.

Lax. il ols

Entered Clerk's
Oct. 8th 1901
Robert K. Ellis

Entered

36 - 400

Fox, et ux
vs.
Fox, et ux

This cause came on this day again to be heard upon the papers formerly read and taken & ngwd by counsel -

Upon consideration whereof, it appearing that there is nothing further to be done in this cause, it is ordered that the same be removed from the docket.