1909-62 Southampton County Chancery Ketchen, William E et als Vs Ketchen, Isaac Carroll Adms

Ordered and real property is to be sold and proceeds to be disbursed in accordance direction of this Court

Ketchen, J. T.
Butler, Emma J.
Butler, James

Edwards, L. R., Comr
Camp, Paul
Ketchen, Margaret F.
Gray, Joseph H +
Gardner, A. L. Trustee

No. W. S. Hallett & al

Kitchen Wm E. et al.

vs

Kitchen adm'r et. al.

Bill for Chancery

1 Feb Rules

*

1/

THE GLOBE LEGAL WRAPPER. SIZE NO. 2
Patented Feb. 11, 1890
DIRECTIONS.—Elevate the metal points—attach the manuscript—then bend the points down flat—dampen the gummed flap and stick it down—this fastens the papers and hides the metal.

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

William E.Kitchen, J.T.Kitchen, Emma J.Butler nee Kitchen and James Butler her husband,

Complainant,

Vs.

L.R.Edwards, admr. Isaac Arnold Kitchen, dec'd. Paul Camp, Margaret F.Kitchen widow of said I.A.Kitchen dec'd. Joseph H.Gray and A.L.Gardner, trustee.

defendants.

The above named complainants, your orators, respectfully represent to the court: That in the year 1891 Isaac Arnold Kitchen a citizen of Southampton County in the state of Virginia departed this life intestate seized and possessed of condiderable personal and real estate, the latter consisting of a farm near Black water containing two hundred and forty-nine (249) acres assessed for taxation at the sum of two thousand five hundred fifty-two ($2552.) dollars and twenty-five (25) cents, two lots in Franklin Va. assessed at one hundred ($100) dollars and four hundred ($400) dollars respectively, and a lot of one acre near Black water assessed at three hundred and fifty ($350) dollars; and leaving a widow the said Margaret F.Kitchen and your orators (excepting James Butler) his brothers and sisters his next of kin and only distributees and heirs at law.

And your orators say that L.R.Edwards qualified in the County Court of said County as admr. of said estate with said Paul D. Camp and Margaret F.Kitchen as his sureties and your orators are informed has taken charge of said personal estate and has sold a part thereof, if not all.

Your orators represent that on said farm containing 249 acres, there is a deed of trust to said A.L.Gardner, trustee, to secure a debt to said Mr. Joseph H.Gray of one thousand three hundred ($1300) dollars. Whether any of said debt has been paid or not your orators do not know of their own knowledge, but they are informed that the interest thereon was paid up to a recent date. in which deed of trust the said Margaret F., wife of said Isaac Arnold Kitchen united as will appear by a certified copy of said deed of trust herewith filed as an exhibit marked "A" and prayed to be read as a part of this bill.

Your orators are advised that said widow is entitled to dower in all the lands of which her said husband was seised in fee during the coverture, but in said land included in said deed of trust she is only entitled to dower in the surplus after the payment of said deed of trust debt.

Your orators desire that all the property of their deceased brother be sold and the proceeds of sale after paying all debts be distributed under a decree of this court to those entitled. Your orators are fully satisfied that if the said farm is put on the market at an inopportune season and sold for cash, such a proceeding would very greatly damage their interest. If the beneficiary in said deed of trust will agree, they would prefer to have said land sold on reasonable credits, and in case his debt cannot be paid out of the personalty and the beneficiary should prefer to have all his money cash at once, then they respectfully ask that it be sold for cash enough to pay said debt and the balance on reasonable credits.

For-as-much as your orators are remediless save in this honorable court where such matters are alone and properly cognizable,

they pray that said L.R.Edwards, admr. of Isaac Arnold Kitchen, dec'd. Paul D.Camp, Margaret F.Kitchen, widow of said Isaac Arnold Kitchen, Joseph H. Gray and A.L.Gardner, trustee be made parties defendants to this bill of complaint, and that they be required to answer the same, but an answer on oath is hereby expressly waived as provided by statute in such cases; that the whole estate of said intestate, real, personal and mixed be sold and converted into money and that the same be disbursed ~~by~~ under the direction of this court, that said administrator be required to settle his transactions, that he return an appraisement of the property which came into his hands, an account of the sales and collections made by him, that an account of the debts outstanding and unpaid against said estate with their priorities and dignities be taken and reported to this court, that the personal estate be exhausted in the payment of all debts ratably, and that the remainder of the indebtedness, if any, be paid out of the proceeds of the real estate, that dower in kind or in money as provided by statute be allotted and allowed the said widow, that in case the said trustee should attempt to sell the said land in said deed of trust mentioned, he, his agents and attorneys be enjoined and restrained from selling thereunder until it can be ascertained whether or not the personal estate will pay off said debt, and if not all, what part thereof can be paid, that said land be sold on reasonable credits, that all such enquiries and accounts be taken, stated and reported to court as the nature of the case may require, that all such commissioners be appointed as may be necessary.

That all such other, further and general relief may be afforded your orators as to equity and good conscience may seem meet, and they will ever pray &c.

W. S. Holland p.q. J. I. Kitchen.

Virginia:

County of Isle of Wight, to wit:

I, W.S.Holland, a commissioner in chancery of the Circuit Court of said County and state do certify that J.T.Kitchen, xxx one of the complainants in the foregoing bill of complaint, signed his name under said bill and made solemn affirmation in due form of law that the statements contained in the foregoing bill in chancery are true to the best of his knowledge, information and belief.

Given under my hand this 22nd day of January 1892.

W.S. Holland

Com'r.in Chan.

1893

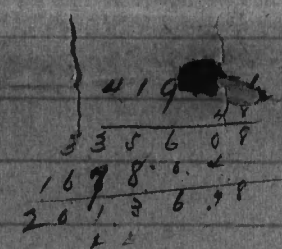
Mar 1 Cash rec'd from
30 Estate of L. Shaw
J. A. & M. Facey.

59 28
40 20
199 48

Debt

Allowed — Pritlow & Co.
Jno. Hodgpeth. 6mos.
Miss Elizabeth Joyner.

11 36



CHEAPEST

Flour ✣ House

IN THE COUNTRY.

PEANUT BUYERS.

Franklin, Va. 189

Mr J. A. Riddick Est

BOUGHT OF **PRETLOW & CO.,**

DEALERS IN

HAY, GRAIN, FEED, FLOUR, MEATS, LIME, COAL,

FERTILIZERS, LAND PLASTER, &C.

1891

TERMS

Feby	18	T. 1	By F. C. Guano	5 50
Mch	7	1/2	Bbl Flour	3 37
Mch	20	2	Bgs Feed Stuff	7 80
Apl	15	20	P/M Days	20 00
	18		Amt fm Dayley (Order)	7 20
May	2	5	Bgs Feed Stuff	13 00
	9	5	" "	13 00
	21	1	" "	2 50
	27	5	" Cham "	13 00
June	10	3	" " "	7 80
	11	3	" " "	7 80
	12	3	" " "	7 80
Aug	27	1	Car Sack	1 00
Sept	3	2290 lbs	Oats 60 p.	6 18
				115 68

£ 113 63

15 68

97 95

97.95

2

195.90

$100.00

On demand with interest from date I promise to pay to John Hogsett One hundred dollars for value received, and as to this Debt I waive my right to claim the benefit of the Homestead Exemption Given under my hand and seal this 1st day of January 1891.

Witness
M. H. Moore

D. A. Kitchen (Seal)

June 8-91 On note $38.00 Pd in full

100 1/2
280
13
263

400
13

Mr D. A Kitchen D

1892 To Bellin Jones

Janry 1- 12 Mo service at $3.00 $36.00

By store acct 1.03

Balance due $34.97

34.97
244.79
3497
594.4

Estate of J. A. Kitchen

1891 To John Hodgkirk Dr

Dec 31 To Services as Clerk in Store
at Franklin for year 1891 $150

Int for 2 yrs & 10 mos. 25.50

9	11	5	150.
9	1	1	17.
			165
			15.
	2	10	25.50

Stat of Clerk in Chancery suit of
Kitchen et als
vs
Kitchen admrs et als
Including 2 reports & 1 decree to be ent.

Clerk.	8.03
Sheff	2.00
Comm.	10.03

Statement of Costs
Kitchen et als v Kitchens Admrs

Clerk	17.25
Sheff	3.00
Clerk	16.50
J. S. M. Comm	15.00
	41.75
Nov 30/92	
Secs fee allowed in Report	15.00
	26.75

Stat of Cost in Lehy Suit of
Kitchen et al vs Kitchen Admrs.

Clk - .15 - .15 - .15 - .75 - .75 - .75 - .75 - 1.25 = 4.58
.75 - .15 - .75 108 - .75 - 40 - .25 = .75 = 4.79
1.25

1.25
10.63
6.50
17.13

Amt L.M.

Tested J.W. Howard Clk.
Nov 23 1894

Kitchen et als.

vs. } Stat; additional costs

Kitchen's Admrs

Kitchen et als.

vs. } Additional Stat. of Costs.

1896 Kitchen's Admr et als.

Mch. 25th	Re-entering on docket 25¢. 1 Decree Copy 72¢ =	97
July 20	Fil. report of Comr Parker 25¢ -	25
1899 Aug. 18th	6 Continuances on the docket $1.50 =	1.50
Oct. 6th.	1 Continuance on the docket 25¢ =	25
	Tax costs &c. 40, & future costs about 1.00 =	140
		$4.37

Teste: L. A. Gay C.C.

Kitchen;
vs. }
Kitchen's Admr. et als

Report D. J. C.
Parker Special
Comm.

Filed July 20 1896
L. S. Ivey C.C.

To the Hon R.R. Prentiss. Judge of the Circuit Court of Southampton County.

The undersigned, special Comr appointed by the Court in the suit of Kitchen vs Kitchen's Adm'r &c., now pending in said Court, begs leave to report that in accordance with the instructions contained in a decree entered in said suit March 25th 1896. he has given a good and sufficient deed to John T. Kitchen for the land purchased by him in said suit, as directed by said decree.

Respectfully submitted,

J. C. Parker

Franklin Va. 12/18/94

Received of J. C. Parker, Special Comm'r.
Forty + 91/100 Dollars in full of debt due me by I. A. Kitchen, deceased.

Miss Bettie Joyner
her
mark

94 Oct — J. C. Parker Spec. Comr. Kitchen vs. Kitchen
To Jas. L. McLemore Dr.
To making Report Chancery cause $6.53
Paid Dec. 22. 94
Jas. L. McLemore Comr

Received from J. C. Parker Spl Comr
Eight + 03/100 Dollars,
Costs in suit of Kitchen & als vs Kitchen's admr & als including 1 decree & 2 reports to be entered & filed.
$8.03
T. H. Howard, c.c.

$116.31 Franklin Va. 12/22/94

Received of J. C. Parker, Special Comr. in suit of Kitchen, et als. vs. Kitchen's Admr, et als. the sum of One Hundred & sixteen + 31/100 Dollars in full of amt. due us by I. A. Kitchen deceased as shown by report of Comr J. L. McLemore in said suit filed Oct. 20th 1894.

Teste T C

Recd of J. C. Parker, Special Comr in suit of Kitchen et als. vs. Kitchen's Admr. et als. the sum of Three Hundred ninety-eight + 81/100 dollars the balance in his hands in said suit. & am'd of said sum belonging each to Wm E. Kitchen, J. T. Kitchen & Emma J. Butler, whose Attorney I am.
[redacted] 14th 1895.

W. S. Holland

W. S.:
Please sign receipt & ret. J. C. P.

$264.66 Franklin. Va. 12/22/9x

Received of J. C. Parker, Special Comr., the sum of Two Hundred sixty-four & 66/100 Dollars in full payment of the amounts due me by the estate of J. A. Kitchen, deceased, on bond upon account, with interest & costs, as shown by report of Comr. J. L. McLemore in suit of Kitchen, &c. als. vs. Kitchen's Admr. &c. alg. filed October 28th 189x

J. C. Hedgpeth

Kitchen. et als.
vs.
Kitchen's Admr. et als.
Report of Special
Comr.
1895. Mch 25 filed
T. M. K. Clk.

J. B. Lippincott Company,
Booksellers and Stationers,
Philadelphia, Pa.

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

Your Commissioner, appointed at the last term of said Court in the suit of Kitchen, et als vs. Kitchen's Admin, et als, to do certain things directed by said decree, begs to report to the Court that in accordance with the instructions contained said decree he has given a deed to Mrs. M. F. Kitchen for the land bought by her in said suit; that he has collected the balance due by Jno. A. Hedgpeth on the tat he bought & has given him a deed therefor; and has collected the balance in the hands of L. R. Edwards, Admin, and has paid out the same, together with the balance in his hands & the amount collected from Jno. A. Hedgpeth, as directed by said decree & shown by the statement below supported by vouchers hereto attached.

By balance in hand per last report		$310.
" received from L. R. Edwards, Admin		197.01
" " " Jno. A. Hedgpeth		340.21
To said Bettie Jaynes	40.91 ✓	
" " J. L. McLemore Com'r	6.80 ✓	
" " Clerk's fee	8.03 ✓	
" " Sheriff's fee	2.00	
" " for writing deeds	10.00	
" " Jno. A. Hedgpeth	264.66 ✓	
" " Pittard Bro.	116.31 ✓	
" " W. S. Harland, atty. for Jno. J. & Wm E. Kitchen & Emma J. Butler	398.81 ✓	
	$847.22	$847.22

Respectfully submitted,
J. C. Porter
Special Comm.

Kitchen Wells

B. H. }

Kitchen adm

1894 30 July

Executed June 30th 1894 by delivering a copy of this Notice to Milton Wells, John H. Hedgepeth & Billie Joyner

J. H. Williams
Sheriff

By Daniel L. Bell D.S.

Kitchen's Admr.

vs

Kitchen et al

Before Lowery Ry Mgr and Bell D Comm.

This cause came on to be heard upon the petition of Kitchen's Admr. and the defendants having been duly served with process and failing to appear and answer or demur to said petition, it is ordered by the Court that the allegations of said petition be taken as confessed and that the plaintiff do recover of the defendants the sum of $215.00 with interest thereon from the 1st day of Jan 1893.

Commissioner's Office July 30th 1894.

Southampton Circuit Court: May Term 1893.

Kitchen et als,

vs

Kitchen,s Admr.

This day this cause came on to be heard upon the papers formerly read and was argued by Counsel.

Upon consideration whereof, it appearing to the Court from statements made by counsel that there are other debts due by said estate and not reported in the last account of debts, the Court doth adjudge, order and decree that one of the Commissioners of this Court take a further account of the debts outstanding and due by the said I.A.Kitchen, deceased or his estate, and report to this Court at the next term thereof.

A Copy:

Teste: P. M. Howard Clk.

Ketchem et al
vs
Katchem's Admrs
} Decree

This cause came on to be heard upon the bill of complaint, the answer thereto, the replication to the answer, the proofs taken in the cause, and upon the exhibits filed therein, and was argued by counsel for the complainants and by counsel for the defendants, and thereupon, upon consideration thereof, it is ordered, adjudged and decreed as follows, to wit:

That the complainants, Ketchem et al, are entitled to the relief prayed for in their bill of complaint, and that the defendants, Katchem's Admrs, are not entitled to any relief against the complainants.

That the defendants, Katchem's Admrs, pay to the complainants, Ketchem et al, the sum of $1,000.00 with interest thereon at the rate of 6% per annum from the 1st day of January 1865, until paid, and the costs of this suit, for which let execution issue.

And it is further ordered that the Clerk of this Court do forthwith issue a writ of fieri facias directed to the Sheriff of Kitchen County, Virginia, commanding him to make the said sum of $1,000.00 with interest thereon at the rate of 6% per annum from the 1st day of January 1865, until paid, and the costs of this suit, out of the goods and chattels, lands and tenements of the said Katchem's Admrs, deceased, in the hands of the said Katchem's Admrs, to be administered according to law

Southampton Circuit Court: November Term 1893.

Kitchen et als,

vs

Kitchen,s Admr.et als.

This cause came this day to be again heard on the report of John C.Parker Special Comr.to which there is no exceptions,and was argued by Counsel.

On consideration whereof,the Court doth adjudge,order and decreethat L.R.Edwards Admr.I.A.Kitchen deceased make before one the Commissioners of this Court a further account of his transactions as such Admr.,and that the Clerk of this Court make three copies of the decree herein of May term 1893 and deliver the same to the Sheriff of this County,and that he is hereby directed to serve a copy on Pretlow & Co.,on John A.Hedgepeth,and on Bettie Joyner.

And that said Sheriff make return on the original decree, and that said report of J.C.Parker Spe.Comr.be and the same is hereby confirmed.

A copy:

Teste: T. M. Howard clk

Commissioner's Office,

Courtland
Jerusalem, Va., Sept. 23. 1894

To Wm. C. Kitchen Jno. T. Kitchen Emma J. Butler
& James Butler her husband L. R. Edwards Adm.
of D. A. Kitchen Paul D. Camp, Margarett T. Kitchen
Jos. N. Gray & A. L. Gardner Trustee.

You are hereby notified that I have fixed upon the 5 *day of* Oct. *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 outstanding & still unpaid against the estate of the said D. A. Kitchen.

2nd. An account of the transactions of L. R. Edwards as admr of & of D. A. Kitchen dec'd.

required to be taken by a decree of Southampton Circuit Court, rendered at the May & Nov. *terms,* 1893, *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.

Jas. L. McLemore
Commissioner.

To the Sheriff of Southampton County to execute.

We acknowledge legal
service of this summons & notice
Octo 5. 1896

Counsel for pltffs.

For defendants.

The Estate of Isaac A Kitchen dcsd
In a/c with L. R Edwards his Admi

1893.				
Mch 1.	By amo. recd. outbound of			
				$ 159.28.
	To Comis. on $159.28 5%		7.96	
30	By amo. from Sale of two shares of stock of T.A.+M. Society			40.20
	To Comis. on $40.20 5%		2.01	
	Balance.		189.51	
			$ 199.48	$ 199.48
1894				
Nov 5.	By amo. to be distributed			$ 189.51

Respectfully Submitted.
J. L. McLemore
Comis. in Chancery

An account distributing balance in the hands of the Administrator among the creditors of said I. A Kitchen, pro rata: to wit:

By amo. to be distributed			189.51
To Putlow & Co. 45 7/8 % of $ 115.59	53.24		
" Jno. Hedspeth 45 7/8 % of $ 87.51	39.52		
" " " " " $ 176.50	79.27		
" Bettie Joyner " " $ 40.91	18.48		
	$ 189.51	$ 189.51	

Respectfully Submitted
Jas. L. McLemore
Comis

An account of the debts outstanding against the estate of I A. Kitchen deed required to be taken by a Decree of the Circuit Court of Southampton, in the Chancery Cause of Kitchen et als vs. Kitchens Admr. entered at the May Term 1893.-

An open account due to Pretlow & Co. for	$113 63	
Int. thereon to Nov. 5th 1894 on $97.99 Principal for 4 mos.	19 68	Pd $115.59
On bond due to Jno. Hedgepeth	100.00	
Int. from Jany. 1 1891 to June 8th 1891.	2 63	
	$102 63	
1891 June 8 By Cash	30	
	$72 63	
Int on $72.00 to Nov 5/94	14 88	Pd $87.51
An open account due to Jno. Hedgepeth	150.00	
To Int. on same from Jany. 1/92 to Nov. 5/94	25.50	Pd $175.50
An open account due to Bettie Joyner	34.97	Pd
Int. thereon from Jany 1/92 to Nov 5/94	5 94	40.91
Total of debts		$419.51

Kitchen et al.

vs. { Report

Kitchen Admr et al

1894 Oct 3 rd filed

T. M. H. C. C.

JAMES L. McLEMORE,

Attorney-at-Law,

COURTLAND, VIRGINIA.

Everett Waddey Co., Stationers and Printers, Richmond, Va.

J. B. LIPPINCOTT COMPANY,
Booksellers and Stationers,
Philadelphia, Pa.

Commissioners Office,
Octo, 4th 1894.

Kitchen et als.
versus. In Chancery.
Kitchen et als.

The undersigned Commissioner to whom was referred the taking of the accounts called for in the above named cause by Decree of May Term 1893 and also by Decree of November Term 1893 begs to submit the following:-

That after due legal notice by proper service of the Decree rather notice upon the parties therein required to be served with process, upon Comr. on the 4th day of October 1894 caused the parties plaintiffs and defendants to appear before him at which time he took a further account of the debts outstanding against I. A Kitchen, and returns herewith a statement of the said debts proved to be genuine to the satisfaction of your Comr which amounts to $419.51 as of Nov. 5. 1894.

At the same time & place he took an account of L. R. Edwards transactions as Administrator of said decedent I. A. Kitchen and finds in his hands for distribution a balance of $189.51 which being distributed among the debtors above reports pro-rata pays each of them 45+ o/o.

Your Comr. is advised that all of the debt against the estate of the decedent have been paid save those herein reported, and that there are now in the papers of the cause bonds payable to J. C. Parker Spcl. Comr. arising from the sale of the real estate more than sufficient to pay all of the debts in full.

Comr. Fee $6.50
Plaintiff 3.00

Respectfully Submitted
Jas. L. Oglesby
Comr. in Chy

(over)



Incorporated 1890.

Franklin Academy

W. H. HARRISON, M. A.
Principal.

Franklin, Va., Nov 3rd 1894

J. L. McLemore Esq
Cashier
&
My dear Sir.

Herewith
find enclosed certificate of Deposit #197. on Acct of
I Aitchison - Who sent a Draft
for below #196 & #197. which
I trust will be duly received.

Yours truly
L. R. Edwards

0308

VAUGHAN & CO., BANKERS.

DEPOSITED BY

L R Edwards Admr
Jct Kitchen

Franklin, Va Nov 3 1894

LIST EACH CHECK SEPARATELY

Currency $97 01

Silver .....

CHECKS AS FOLLOWS:

Duplicate
Vaughan & Co

Total, $97 01

ALL BILLS, CHECKS AND DRAFTS RECEIVED

VAUGHAN & CO., BANKERS.

DEPOSITED BY

L R Edwards Admr
Jct Kitchen

Franklin, Va. Oct 27 1894

LIST EACH CHECK SEPARATELY

Currency .....

Silver .....

CHECKS AS FOLLOWS:

$100 00

Duplicate
Vaughan & Co

Total, $100 00

ALL BILLS, CHECKS AND DRAFTS RECEIVED

$1300 Ten

On demand with interest from date for value received I promise to pay unto Joseph N. Gay or order One thousand three hundred dollars. And as to this debt which is secured by deed of trust on real property I hereby waive my right to claim the homestead exemption herein given under my hand and seal this 20th day of August 1889

Witness
L R Edwards

S. A. Kitchen (Seal)

Franklin Va. May 4th 1893

Received of J. C. Parker, Special Comm. in the suit of Kitchen's etc. vs. Kitchen's Admr. the sum of Five Hundred sixty-nine Dollars in full payment of the cash value of my dower interest in the lands of my deceased husband S. A. Kitchen, as directed to be paid me by decree in said suit entered on the 5th day of January 1893.

M. F. Kitchen

OFFICE OF

Wholesale Grocers. M. L. T. Davis & Co. Water & Commerce Sts.

SIC SEMPER TYRANNIS.

Norfolk, Va. May 22 1893

Received of J C Parker Spec Comm

Forty six 30/100 Dollars,

(46) on a/c S A Kitchen dcd

M L T Davis & Co

$46 30

T. A. WEST & SON, PRS.

RECEIVED

June 19th 1893

from J C Parker Special Comm

Twenty-one and 53/100 Dollars

in full & balance due one by the Estate of S A Kitchen Deceased

H W Peachen

KELLY & BORUM

Office of ADDINGTON, KELLY & BORUM,

SUCCESSORS TO

20 and 22 Commerce Street,

Norfolk, Va., MAY 9 1893 189

Received of J. C. Parker, special Comm.

Fifty four 70/100 in full of our claim

against the Est of S A Kitchen

$54 70

KELLY & BORUM

ADDINGTON, KELLY & BORUM,

By Kelly

Portsmouth Va, May 20, 1893

Received from J. C. Parker, Esq

One Hundred and forty-Eight 90/100 Dollars

in settlement in full of E. A. Kitchen's a/c

J. T. & E. Mc Lemore

$148.90

No. 9 Franklin, Va., May 20th 1893

Vaughan & Co., Bankers

Pay to the order of Emma J. Butler

Two Hundred & Thirty-seven 22/100 DOLLARS.

Amt. due under 1st distribution in re Kitchen vs. Kitchen's adm.

$237.22

J. C. Parker, Special Comm.

No. 7 Franklin, Va., May 20th 1893

Vaughan & Co., Bankers

Pay to the order of J. T. Kitchen

Two Hundred & thirty-seven 22/100 DOLLARS.

~~Amt.~~ Amt. due under 1st distribution in re. Kitchen vs. Kitchens adm.

$237.22

J. C. Parker, Special Comm.

No. 8 Franklin, Va., May 20 1893

Vaughan & Co., Bankers

Pay to the order of W. E. Kitchen

Seventy-seven 94/100 DOLLARS.

Amt. due under 1st distribution in re Kitchen vs. Kitchen's adm.

$77.94

J. C. Parker, Special Comm.

JUN 3 1893

1

Statement filed with J. C. Parker

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

The undersigned, Administrator of
I. A. Kitchen deceased respectfully
reports to your Court that in obedience
to order made at November term 1892 of
same he has the honor of reporting
as follows

Bal in his hands Sept. 1. 1892. 1042 61
Int to July 15th 1893 26 56

Pd Jno. C. Parker Atty	$50.00
" " Clerk	7 25
" " Sheriff	3 00
" " Atty fee & tax	16 50
" " N. W. Machin	31 42
" " Gillam & Pace	1 00
" " H. B. Hendrix	5 50
" " M. L. T. Doar & Co	46.00
" " Addington Kelly & Bro	53.50
" " J & E. Mahone	147.78
" " Jno. N. Gray	717.22
	$1069 17. $1069.17

He also reports that it has come to his knowledge that there are additional debts outstanding due by said I. A. Kitchen viz Jno. G. Hedgepeth $220.

Bettie Jno
Pendleton

33
$253

amt forum $1253.

Pillow & Co $96.68

Aggregate $1349.68

Village inputs add in hand from copy of T. A. & M. Stock $40.20

There debts have not been formally reported to, or were overlooked by the Administrator in his former report, but he is informed, and he believes them to be true & correct.

Very respectfully
L. R. Edwards
Administrator of
I. A. Belcher deceased.

Killebrew et als
vs.
Killebrew Adams.

Report of Adams.

KITCHEN,ET ALS.
VS.) Report of Comr.
KITCHEN'S ADMR. ET ALS.

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

The undersigned, your Special Comr. in the suit above mentioned now pending in the said court, repsectfully reports to the court that in accordance with the direction of the decree entered in said cause in vacation on the 5th day of January 1893, he has collected the balance due by Mrs. M.F. Kitchen on the farm bought by her from your Comr. as reported, and has paid out that amount, together with the balance in his hands at the last report, as is shown by the following account supported by vouchers in the shape of receipts from the parties to whom the money has been paid; filed herewith:-

1893. Jany. 5th,	By bal. in hand per last report,		$973.80
" Feb. 9	To paid balance due J.H. Gray,	$697.39	
" May 4,	By rec'd balance due by Mrs. M.F. Kitchen on farm,		1275.
" "	To paid bal. due H.W. Mechum	21.55	
" "	" " " " " M.L.T. Davis & Co.	46.30	
" "	" " " " " Addington, Kelly and Borum,	54.00	
" "	" " " " " J. & E. Mahoney	148.90	
" "	" " " Mrs. M.F. Kitchen widow's dower,	569.	
" "	" " " J.T. Kitchen 1/5 of balance,	237.22	
" "	" " " Wm. E. Kitchen "	237.22	
" "	" " " Emma J. Butler "	237.22	
		$2248.80	$2248.80

Your commissioner further reports that before he paid out the above amounts he was assured by L.R. Edwards, Admr., thathe, the said Edwards, had paid the creditors of I.A. Kitchen's estate their prorata shares of the fund in his hands, showing me a statement of the amounts he had paid each which statement I herewith file. Your Comr, then paid the balances due these creditors and took their receipts showing balance paid in full, which the court will perceive by inspecting the receipts herewith filed.

Your Comr. further reports that since the above distribution, to-wit, on the 23rd day of October 1893, C.G. Parker, one of the purchasers of part of the land sold in this suit by your Comr., has paid the balance, to-wit, Three Hundred and fifteen Dollars, due on the land bought by him, and your Comr. has given him a deed for the said land; and your Comr. now has that amount, less $5. paid for writing daid deed, to-wit, the sum of $310., now in his hands subject to the further order of the court.

Respectfully submitted.

J.C. Parker
Special Comr.

Kitchen, ll als
os, 3
Kitchen's admr, ll as

Report of Special
Cases,

1893 Cch 28 filed

MEMO:

IN RE.....

VS.

.....

OFFICE OF
J. C. PARKER,
ATTORNEY-AT-LAW.

COURTS:
SOUTHAMPTON,
ISLE OF WIGHT, NANSEMOND,
AND ADJOINING COUNTIES.

Franklin, Va., Aug. 31st, *189* 4.

Mr. T. M. Howard, C. C.

Courtland, Va.

Dear Tom:-

I herewith enclose certificate of deposit for $510., deposited in Vaughan & Co's Bank to the credit of the suit of Kitchen vs. Kitchen et als., in accordance with the direction of the court. Please place the certificate securely in the papers and acknowledge receipt to me so that I may know you have safely received it. The suit was brought by W. S. Holland & I think the last decree in it was written by him.

Yours very truly,

J. C. Parker

IF NOT DELIVERED IN 5 DAYS RETURN TO
J. C. PARKER,
ATTORNEY-AT-LAW,
FRANKLIN, VA.

Kitchen et als
C. C. 3 Certificate
of Deposit
Kitchen et al Adm.
1894. Sept 1 Filed

FRANKLIN
AUG
31
E
1894
V.

Mr. T. M. Howard, C. C.

Courtland,

Va.

VAUGHAN & CO., BANKERS.

DEPOSITED BY

J. C. Parker Special Comr
in suit Kilchen vs Kilchen &c

Franklin, Va. Sept 1 1894

LEVEY, IND'PLS 194

PLEASE LIST EACH CHECK SEPARATELY

Currency	
Silver	
CHECKS AS FOLLOWS:	
Duplicate	$310 00
M B Co	
Total,	

SEE THAT ALL CHECKS AND DRAFTS ARE INDORSED

VAUGHAN & CO., BANKERS.

DEPOSITED BY

J. C. Parker Spec Comr

Franklin, Va. 12/20" 1894

LEVEY, IND'PLS 194

PLEASE LIST EACH CHECK SEPARATELY

Currency	
Silver	$197 01
CHECKS AS FOLLOWS:	
Duplicate	
Vaughan & Co	
Total,	$197 01

SEE THAT ALL CHECKS AND DRAFTS ARE INDORSED

VAUGHAN & CO., BANKERS.

DEPOSITED BY

J. C. Parker Spl Comr

Franklin, Va. Dec 27 1894

LEVEY, IND'PLS 194

PLEASE LIST EACH CHECK SEPARATELY

Currency	$75 55
Silver	
CHECKS AS FOLLOWS:	
Duplicate	
M B Co	
Total,	

SEE THAT ALL CHECKS AND DRAFTS ARE INDORSED

Southampton Circuit Court: May 9th 1894.

Kitchen et als,

vs

Kitchen,s Admr.et als.

This cause came on to be again heard on the papers formerly read and on the motion of the complainants for a rule againts L.R.Edwards Administrator of I.A.Kitchen decd. and was argued by counsel on both sides.

On consideration whereof,the Court doth adjudge,order and decree that the decree herein of Nov.17th 1893 be executed, that the Clerk of this Court issue a rule against L.R.Edwards Administrator of I.A.Kitchen,decd.requiring him to appear before this Court on the first day of the next term and show cause if any he can why he should not be attached for contempt of Court in not obeying the orders of this Court in rendering a further account of his transactions.

And the Court doth further adjudge,order and decree that any funds in the hands of any party in this cause or to come in such hands,be deposited forth-with in the bank of Vaughan & Co Bankers of Franklin Va.to the credit of this cause and file certificate in these papers

A Copy:

Teste: J. M. Howard, Clk.

Kitchen utensils

Kitchen's admrs

1894 June 3

H. Jan 30 Tue / 894.
by delivering a copy of
this Notice to L. K.
Edwards Admr

J. W. Williams
S.M.C.

Acct taken
June 3. 94

72

Franklin, Va., Dec. 23rd 189 2

M. a. J. C. Parker, Special Comr.
Kitchen vs. Kitchen's admr. et als

To BLACKWATER COURIER Dr.

R. D. Leary

~~(BRIEFS & BELL, Publishers.~~

NEAT JOB WORK.

Dec. 4 92	To Poster		1	25
	ad 6 times.		6	00
			$ 7	25

Paid
R. D. Leary
Per Ricks.

Received of J. C. Parker, Special Comm. Six Dollars for selling I. A. Kitchen's realty in the suit of Kitchen vs. Kitchen's admr.

L. A. Gay.

Kilclem et ors

vs.

Kilclem's Admrs et ors

Report & Calc
by J. C. Parkes
Special Comm.

Kitchen et als.
vs
Kitchens Admrs. et als

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

The undersigned, your Special Comm. respectfully reports that pursuant to a decree entered in said cause on the 11th day of Nov. 1892. he duly advertised the land in the bill & proceedings mentioned in accordance with the directions of said decree, a copy of said advertisement being herewith filed. That on the 22nd day of December 1892. pursuant to said advertisement, your comm. sold said property, & it was bid off by the following parties & at the following prices.

1st	Tract.	Mrs M. F. Kitchen	$2000.
2nd	"	Jno. T. Kitchen	105.
3rd	"	Jno. A. Hedgepeth	405.
4th	"	C. G. Parker	400.
		Total - - - -	$2910.

Your Comm. further reports that he has collected $750. in cash from Mrs M. F. Kitchen, $105. in cash from Jno. T. Kitchen, $101.25 from Jno. A. Hedgepeth & $100. from C. G. Parker, that

He has taken bonds of the respective parties for balance with security, which he herewith files. He further reports that he has paid out of the cash collected the following amounts supported by vouchers.

Com on $2910.	69.20
Paid for advertising	7.25
" Auctioneer	6.00
Total ---	$82.45

leaving a balance in Com. Com's hands of $2973.80

Jno. Com. states that in his opinion each of the said sales is good & recommends that same be confirmed.

Respectfully,

J. C. Parker

Special Com.

Form No. 309.

Parker

to } COMMISSIONER'S BOND.

Commonwealth.

1892. Nov 30. Filed.

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

Know all men by these Presents, That we, J. C. Parker and C. C. Vaughan

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

Six 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 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 30th day of November one thousand eight hundred and ninety two.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound J. C. 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 11th day of November, 1892, in the suit therein depending under the name and style of Kitchen et. als: & Kitchens Administrator et. als:

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

Signed, sealed and acknowledged in the presence of

J. C. Parker SEAL.

C. C. Vaughan SEAL.

by A B Urquhart Jr his Atty in fact. SEAL.

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

This day C. C. Vaughan

surety on the above bond, made oath before me, Clerk of the Circuit Court of the County of Southampton that his estate, after the payment of all his just debts, and those for which bound as security for others and expect to have to pay, worth the sum of six Thousand dollars.

Given under my hand this 30 day of Nov, 1892.

Teste: B. F. McLemore Clerk.

KNOW ALL MEN BY THESE PRESENTS that I, C. C. Vaughan of the Countyof Southampton, hereby make, constitute, and appoint A.B.Urquhart Jr., of Courtland, Va., my true and lawful attorney in fact, for me and in my name, to sign and execute, together with J.C.Parker, a bond in the penalty of Six Thousand Dollars, payable to the Commonwealth of Virginia, andconditioned for the faithful discharge by the said J.C.Parker of his duties as Special Commissioner in the chancery suit styled Kitchen vs. Kitchen et als.now pending in the Circuit Court of Southampton County, Va., he having beenappointed as such commissioner in said suit by decree entered therein on the day of November 1892. And I hereby givefull faith and credence to the action of the said A.B.Urquhart, Jr. in executing said bond as if I were present in person and signed and executed the same. And I hereby waive the benefit of my homestead exemption as to said bond.

Given under my hand and seal this 28'th day of November 1892,

C. C. Vaughan (Seal.)

Virginia, Southampton County, to-wit:-

I, L.R.Edwards, a notary public in and for the county and state aforesaid, hereby certify that C. C Vaughan whose name is signed to the writing above bearing date the 28'th day of November 1892, has acknowledged the said writing before me in my county, and at the same time made oath before me that his estate, after the payment of his just debts, and those debts that he is security for and expects to have to pay, is worth the sum of Six Thousand Dollars.

Given under my hand this 28'th day of November 1892.

L. R. Edwards Notary Public

interest. And by consent of parties in open court, it is ordered that this be made a vacation order.

Eidchen et al
vs
Eidchen's Admrs et al

Southampton Circuit Court May Term 1892

Kitchen et. als.

vs

Kitchens Admr et als

This cause came on this day to be heard on the bill of complaint to answer which the defendant have been duly summoned, on the motion of counsel for defendants for leave to file answers, and was argued by Counsel. On consideration whereof the Court doth adjudge order and decree that the defendants are allowed ninety days to file their answers, that one of the Commissioners of this Court enquire, take, state and report to Court the following (1) an account of the debts outstanding and unpaid against the estate of Isaac A. Kitchen dec'd with their priority of dignity (2) An account of the doings and transactions of L. R. Edwards admr of Isaac A Kitchen dec'd. (3) Enquire and report what personal property belongs to said estate still remains unsold which did or should have come into the hands of said Administrator. (4) What is the annual and fee simple value of the real estate of which said Isaac A. Kitchen died seized and possessed. (5) Whether there are any liens on said real estate, and if so, state their nature, how created together with their priorities, and 6" Any matter deemed pertinent by said Commissioner or any party in

interest. And by consent of parties in open court, it is ordered that this be made a vacation order.

Kitchens et als
vs
Kitchens Admrs et als

Ketchen

v. Mathieu

Ketchen's admr rolls

1892. Sept. 30.

We acknowledge
legal service of this
Notice.

J C Perkins. atty
for defendants
W.S. Holmes by V.

COMMISSIONER'S OFFICE,

COURTLAND, VA., Aug. 2 1892

To Wm. C. Kitchen, John T. Kitchen, Emma J Butler James Butler L. R Edwards Admr. I. A. Kitchen Paul D. Camp. Margaret F. Kitchen, Margaret F. Kitchen widow of I. A Kitchen Jas. H. Gray and A. L. Gardner Trustee.

You are hereby notified that I have fixed upon the ---------- *day of* Septembr *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 outstanding and unpaid against the estate of Isaac A. Kitchen decd with their priority & dignity.

2nd. An account of the doings & transactions of L. R. Edwards Admr. of said Isaac A. Kitchen decd.

3rd. Enquire and report what personal property belonging to said estate still remains unsold which did or should have come into the hands of said Administrator.

4th. What is the Annual & fee simple value of the real estate of which said Isaac Arnold Kitchen died seized and possessed.

5th. Whether there are any liens on said real estate, and if so state their nature, how created together with their priorities

6th. Any matter deemed pertinent by said commissioner or any party interested -

required to be taken by a decree of Southampton Circuit Court, rendered at the May *term, 1892, 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.

Jas. L. McLemore *Commissioner.*

To the Sheriff of Southampton county to execute.

COMMISSIONER'S OFFICE,

Courtland Va.

~~JERUSALEM~~, July 20, 1892.

To the *Creditors* of the Estate of

F. A. Kitchen

deceased, and all others concerned.

You are hereby notified, that ~~at the request of~~ by decree of the circuit Court entered at the May Term 1892. in the chancery cause of Kitchen ~~Administrator of the estate of the said~~ deceased, + others vs. Kitchen's admr. + als.

I have appointed the 23 day of Sept. next, at my Office, for receiving proof of debts or demands, against the said decedent or his estate, at which time and place you are required to attend.

Given under my hand, as a Commissioner of the ~~County~~ Circuit Court of Southampton County, the day and year first aforesaid.

Jas. L. McLemore

Commissioner.

An account of the debts outstanding against the Estate of J. A. Kitchen dec'd distinguishing their dignities and priorities - as proven before me on the 22 day of Sept 1892.

An account due Henry W. Machen	4000	
Int. on same from Jany 12th 1892 to Nov. 15 1892	200	4200
An account due Gillian & Ford	80	
Int from Jany. 1. 91. to Nov. 15. 92	18	98
An Acct. due H.B. Kindred	475	
Int for 2 yrs & 5 mos.	69	544
An Acct. due W.L.J. Davis & Co	8501	
Int. on same for 12 mos. to Nov. 15/92	510	9011
An Acct. due Addington K & Bonner.	9908	
Int on same for 12 mos. to Nov. 15/92	594	10502
An Account due J.E. Mahoney:	27210	
Int on same for 12 mos. to Nov. 15/92	1768	28978
Total debts,		$58333

Respectfully Submitted.
Jas. L. McLemore
Comr. in Chy.

An account of the Annual and fee Simple value of the real estate of which the said I. A. Kitchen died seized.

	Annual	Fee Simple.
A tract of land near Franklin known as the Home Place. 249 acres	$ 300	$ 3000.
A lot containing 1/4 acre in the town of Franklin	10 00	150 00
A lot containing 1/20 acre in said town of Franklin	70 00	500
A lot of 1 acre near Blk. Water	35 00	350 00
	$ 415 00	$ 3900 00

Respectfully Submitted.
Jas. L. McSpeare
Comm'r in Eq

The Estate of J. A. Kitchen dcd
In acct with
L. R. Edwards Admin.

1891.					
Nov.	25	To pd. for 50. P/nut bags	11	5 50	
Decr	8	" " " 10# Tobacco,	30	3 00	
"	10	" " " 50 P/nut bags	11	5 50	
"	22	" " " 50 P/nut "	10	5 00	
	24	" " " taking widows in collecting Life Insurance		1 25	
		" " " Postage on Posters of Sale		32	
		" " " for picking off P/nuts.		41 48	
1892 Jany	2	" " " Stationary at Sale.		45	
"	9	" " " 30 P/nut bags	10	3 00	
"		" By amt. of account Sales			1363 54
		To Comn on $1363.54 5%		68 17	
	11	" pd. Blk. Water Carrier for poster		2 00	
	23	" " Henry W. Machen Clerk		2 00	
	26	" " Jas. Butler Due Bill for apples		7 86	
Febry	6	" " for horse hire, ending for Minister to preach funeral		1 00	
Mch	5	" " L. A. Gay for Services as Appraiser & Clerk.		39 00	
Apl	5	" " J. L. Gillette Auctioneer 3 days		15 00	
		" " Tax on Brandy		81 90	
	29	" " J. J. Dardus Distillers Tax		10 00	
June	3	" " Town Tax, Franklin.		1 50	
"	15	" " Dr. J. F. Bryant. Fmd. Bill		29 00	
July	21	" " Jno A. Jackson for Bricking Grave.		20 00	
		" By amo. from Sale of wood			20
		" " " Insurance Policy			79 00
		To Comn on $79.00 5%		3 95	
		" " pd. Appraisers		2 00	
Aug	30	" " Eley Howell & Co bal. on Casket		34 00	
		" " Comm accts. for certifying Inventory & Appraisement			
				382 81	1442 54

1892

Aug	30	Amounts brot. forward.	382	88	1442 74
"	"	To Amt. retained to pay Clerk for recording appr. & sale bills.			
		To retained to pay Commr. J.L. McLemore for Stating this report	15	00	
		To retained to pay Clerk for recording this admr. acct.	2	25	
		By balance	1042	61	
			$1442	74	$1442 74
1892					
Sept	1.	By balance due Estate brot down with interest thereon till paid.			$1042 61

Respectfully Submitted
Jas. A. McLemore
Commr. in Chy.

An account of the Liens on the Real Estate of which I. A. Kitchen died seized and possessed.

Your Commissioner begs to report here that he find only one lien of record against the real estate of the deceased, and that is in the nature of a Deed of Trust executed by I. A. Kitchen & wife on the 28th day of Oct. 1889. to A. L. Gardner Trustee to secure debt due to Jos. H. Gray of $1300.00 and conveys only the Home-house tract.

J. L. [illegible] Lenoir
Commissioner

Your Comr. would state speciacly that he has been unable to discover or ascertain any property that should have come into the administrators hands but did not. on the contrary, he is convinced that all of the property that should have come to the admistrator has been sold by him and accounted for. and he therefore reports in accordance with the above facts.

Respectfully Submitted
J. L. [illegible] Lenoir
Comr in said Co. Ct.

Commissioners Office.
Courtland Va. Octo 10. 1892

Pursuant to a decree of the Circuit Court of Southampton County rendered in the Chancery Cause of Kitchen vals. vs. Kitchens Admrs. &c. the day From 1892. Your Commissioner to whom was referred the taking of the several accounts therein called for. begs to report that he has made up an account of the transactions of L. R. Edwards Admr. and finds in his hands a balance of $, due the estate as of the 1st day of Sept. 1892. and that he has also endeavored to answer the several other inquiries called for in the aforesaid decree.

He would also state, that at the request of several of the parties in interest he has personally conversed with Mr. Jos H. Gray (who holds a deed of Trust on the Home place of the decedent) as to the terms of the sale. and Mr. Gray desires that it be sold for enough cash to pay his debt in full. Your Commissioner is advised that the parties in interest are anxious that the remainder of the purchase price after paying off the deed of Trust, be upon a credit of one

Kitchin et als.
v. Report
Kitchen's Admr et als.

1892: Oct 17th filed.

+94 11/5
93 8
1. ⊙

Kitchum et als

vs

Kitchum's Admrs. et als

Answer of L. R.

Edwards, Admrs.

The answer of L.R.Edwards, Administrator of Isaac Arnold Kitchen, deceased, one of the defendants to a bill of complaint filed against him and others in the Circuit Court of Southampton County, Va., by William E.Kitchen and others.

The respondent, reserving to himself the benefit of all just exceptions to the said bill, for answer thereto, or to so much thereof that he is advised that it is material he should answer, answers and says, that he admits the statement made in the bill concerning the death of the said I.A.Kitchen, and that he left a widow and certain brothers and sisters as stated, and that this respondent qualified as stated as the administrator of the said I.A.Kitchen. And this respondent states that in accordance with authority vested in him by such qualification, he possessed himself of all the personal estate, goods, chattels, and effects of the said testator that he could find, or knew anything about, to a considerable amount; that out the funds thus derived he has paid all the burial expenses &c etc., and all administration expenses, and that he has a balance in his hands as shown by his report to the Commissioner ordered to take his account by this court; that he is informed and believes that there are more just debts against the said estate than the money in his hands will pay; that he is willing and desirous and hereby offers to pay the same as this honorable court shall direct.

And now, having fully answered, the said respondent prays to be hence dismissed with his reasonable costs in this behalf expended, including a fee to his attorney, and he will ever pray, etc.

J.C.Parker p.q. L.R Edwards adm

Kitchen ill ads
os
Kitchens Advs. ill ds

Answers By A. L.
Gordon Grister

The answer of A.L.Gardner Trustee, one of the defendants to a bill of complaint filed against him and others in the Circuit Court of Southampton County, Va., by William E. Kitchen and others.

The respondent, reserving to himself the benefit of all just exceptions to the said bill, for answer thereto, or to so the roof as he is advised it is material for him to answer, answers and says that he knows nothing as to the law or the facts stated in said bill, except that he is the trustee named in the deed of trust therein mentioned to secure a debt to Jos. H. Gray, but that he has never been requested by the said Gray to sell under the said deed and therefore he has never sold under it; he prays the court that it will do whatever is right in the premises, and he is ready to perform any command that the court may legally order him to do.

And now having fully answered, the said respondent prays to be // hence dismissed with his reasonable costs in this behalf expended, including a fee to his attorney, and he will ever pray, etc.

A. L. Gardner Trustee

J. C. Parker & d.

Kilduff et als

vs. { answer &
M. F. Kilduff

Kilduff's adm. et als

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

The answer of Margaret F.Kitchen,one of the defendants to a bill of compliant filed against her and others in the Circuit Court of Southampton County,Va.,by William E.Kitchen and others.

The respondent,reserving to herself the benefit of all just exceptions to the said bill,for answer thereto,or to so much thereof as she is advised that it is material she should answer, answers and says,that the statement of facts contained in said bill she beleives to be true,but that she is not advised as to the proper distribution or disposition of the said estate required by law,but prays that the Court will make whatever order is legal in order that the said estate may be legally disposed of and distributed to those entitled.She is advised that in case dower in her husbands hands cannot be assigned her in kind,that she may demand that a gross sum be paid her in lieu of interest on such a sum as she would be entitled to as dower,and she therefore prays the court that ti may allot her dower to her in kind,but that if this be found impractical,then that she be paid a gross sum of money out of the proceeds of the sale of the property in lieu of her dower as provided by law.

And now having fully answered,this respondent prays to be hence dismissed with her reasonable costs in this behalf expended ,and she will ever pray,etc.

Margarett F. Kitchen

J.C.Parker. p.q.

181

Kitchen et. als:

vs } Stat: Rules.

Kitchens Admr et. als.

1 Feb

237.22
594
1591.28

7.

William E. Kitchen - John T. Kitchen
Emma J. Butler - nee Kitchen - and
James Butler, her husband - Pltffs

Against
L. R. Edwards - Administrator of
Isaac Arnold Kitchen, dec'd. -
Paul D. Camp - Margaret F.
Kitchen - Margaret F. Kitchen
widow of Isaac Arnold Kitchen
dec'd. - Jos. S. Gray and A. L.
Gardner, Trustee. Defts.

In Chancery

1892. Jany 22. Process isd. to 1st Febry Rules.
" 1st Febry Rules: Process Executed: Bill & Exs
filed. decree nisi
" 2 " " Bill taken for Confessed
& Cause set for hearing.

Kitchen et: als:

Pl^ff

Sum:

Kitchens Admr &c:

1892. 1 Feb: Rules

Ent: Ent:

Executed by delivering
a copy of this Summons
each of the within
named Defts
Jan. 28th 1892

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

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON L. R. Edwards- Administrater of Isaac Arnold Kitchen, dec'd-, Paul D. Camp- Margret F. Kitchen- Margaret F. Kitchen, widow of Isaac Arnold Kitchen dec'd-, Jos. N. Gray and A. L. Gardner, Jas. Lee-

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 February 1892 next, to answer a Bill in Chancery exhibited against them in our said Court by William E. Kitchen, John T. Kitchen, Emma J. Butler- nee Kitchen and James Butler, her husband-

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 22nd day of January, 1892, in the 116th year of the Commonwealth.

Teste: B. F. McLemore C. C.

This Deed made this 28th day of October. 1889 between J. A. Kitchin and Maggie his wife of the County of Southampton, State of Virginia of the first part grantors and A. L. Gardner of said County and State of the second part, chosen as trustee witnesseth that the said grantors do hereby grant & convey unto the said A. L. Gardner the following real property to wit: that certain parcel or tract of land on which the said grantors reside in said County and bounded as follows: on the North by the land of Scott, East and South by the land of S. H. Griffin, West by the Franklin & Jerusalem road & by the lands of A. A. Holland & Elisha J. Joyner and containing by estimation two hundred and fifty acres, more or less together with all appurtenances and improvements thereto belonging and is conveyed in trust to secure the payment of a certain bond for One Thousand Three hundred dollars bearing date the 20th day of August 1889 and due on demand with interest from date by J. A. Kitchen unto Joseph H. Gray or order. And should the said Kitchen make default in payment of said bond, then on instruction from said Jos. H. Gray or his legal representative, the said trustee shall sell said land for cash and apply the proceeds of sale as the law directs. The said grantors grantors make this conveyance with general warranty, and it is further agreed that the said trustee shall have a commission of five percentum on any sale made under

this deed

Witness the following signatures and seals

J.A. Kitchen (Seal)

Maggie F Kitchen (Seal)

State of Virginia,
Southampton County; to wit:

I, L.R. Edwards, A, Notary Public in and for said County and State, do hereby certify that J.A. Kitchen and Maggie F Kitchen, his wife. whose names are signed to the writing above bearing date the 28th day of October 1889, have personally acknowledged the same before me in my said County

Given under my hand this 4th day of November 1889.

L.R. Edwards N.P.

Southampton County- In the Clerks Office Nov.-18-1889
The foregoing Deed of Trust from J.A. Kitchen & wife to Joseph H. Gray's Trustee was this day received and with certificate annexed admitted to record.

Test B.F. McLemore C.C.;

A Copy - Test: B.F. McLemore CC

Kitchen Co. Ala.

to

Kitchens admr. Co. Ala.

Deed

March 25th 1896

To be entered.

Robert E. Steele

Entered

Page 73—

Deed given 22nd

May 1896

J. T. Kitchen Butler + another

25

J. A. Kitchens admr. et, als.

On the motion of the plaintiffs and defendants it is ordered that this cause be reinstated on the docket and this being so reinstated came on this day to be again heard on the papers formerly read and was argued by counsel:

On consideration whereof the court doth adjudge order and decree that J. C. Parker who is here appointed a special Commissioner for that purpose do make, execute and deliver to J. T. Kitchen a good and sufficient deed with special warranty conveying to him the piece or parcel of land bought and paid for by said J. T. Kitchen as shown by the reports of said J. C. Parker in this cause.

Kitchen et. al -1909-

vs

Kitchen's admr. et al.

Decree

To be entered

Sept. 25, 1895

Robert E. Harris

Entered
page 30.

Kitchen et. als.

vs

Kitchens adm. et. als.

This cause came on this day to be again heard on the papers formerly read and on the report of J.C. Porter special Commissioner filed herein on the 25th day of March 1895. to which no exception has been made or filed, and was argued by Counsel.

In Consideration whereof the court doth adjudge order and decree that said report of special Commissioner Porter be, and the same is confirmed, And nothing further appearing to be done in this cause it ordered that it be removed from the docket.

Kitchen et al
vs
Kitchen et. al.

13th Nov. Term 1874

Decree

To be entered

CMS

Ent 700

Kitchen et. al.

vs

Kitchens Admr. et. al.

This Cause Came on this day to be again heard on the papers formerly read and on the report of Comr. McLemore filed herein on the th day of 1894 to which there was no exception and was argued by Counsel.

On Consideration whereof the Court doth adjudge, order and decree that said report of Comr. McLemore be amended so as to find $197.01 in the hands of the Admrs. L.K. Edwards instead of $185.15 as the said report as amended for confirmed.

And the Court doth further adjudge order and decree that Commissioner J.C. Porter pay out of the funds in his hands the debts reported by said Commissioner McLemore and collect from Jno. Hedspeth the three bonds due by him and when all are paid Jno. C. Porter who is hereby appointed a Special Commissioner for that purpose make execute and deliver to said Hedspeth a good and sufficient deed with special warranty for the lands by him purchased and that said Porter pay the unpaid costs of this suit

and that he has said administrator for the above cause in their hands to the three heirs at law, or their attorney and make report to Court.

And the Court doth further adjudge order and decree that Jno. C. Parker who is hereby appointed as special Commissioner for that purpose do make, execute and deliver to Mrs I. A. Kitchen a good and sufficient deed with special warranty for the lands bought by her and paid for by her.

Kitchen set. ad.

2

Kitchen's adver. set. ad

Decree

Dd the enters.

CDD

April 17, 1893

1 copy

Entered

Kitchen et. al,
vs
Kitchen's adm. et. al.

This cause came on this day to be again heard on the report of Jno. L. Porter Special Comr. to which there is no exception, and was argued by Counsel, on consideration whereof the court doth adjudge order and decree that L. R. Edwards adm. I. A. Kitchen deceased make before one the Commissioners of this court a further account of his transactions as such adm. and that the clerk of this court make three copies of the decree herein of May Term 1843 and deliver the same to the Sheriff of this County and that he be is hereby directed to serve a copy on Pollard & Co, on John A. Hedgepeth, and on Billie Jeffers.
and that said Sheriff make return on the said original decree, and that said report of J.L. Porter Spc. Comr be & the same is hereby confirmed.

Kitchen et. al.

vs

Kitchen's adm'r et al.

This cause came on to be again heard on the papers formerly read, and on the motion of the complainants for a rule against L. R. Edwards admin'r of I. N. Kitchen dec'd and was argued by counsel on both sides.

On consideration whereof the court doth adjudge order and decree that the decree herein of Nov. 17th 1893 be executed, that the clerk of this court issue a rule against L. R. Edwards admin'r of I. N. Kitchen dec'd. requiring him to appear before this court on the first day of its next term and show cause if any he can why he should not be attached for contempt of court in not obeying the orders of this court in rendering a further account of his transactions.

And the court doth further

adjudge order & decree that any funds
in the hands of any party in this
cause or to come in such hands
be deposited forthwith in the bank
of Vaughan & Co, Bankers &
Hamilton Va to the credit of
this cause & file certificate
in these papers

Ret'd Clerks
27
Kitchen's Adm.

Ex. Fee.
Sec. Clerk
Com. Witness
Comr

2 copies

108

Executed 6/9

Kitchens et als

vs. } 3rd Dem

Kitchens Adm. et als

In vacation
To the Clerk of the
Circuit Court of
Southampton Co.
Enter this June
January 5th 1893

Enter this
C W B
Jany 5th 1893

Kitchum et als
as
Kitchum's Admr. et als

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

Upon consideration whereof, & in accordance with the consent of counsel, the Court doth confirm said report & the sales reported therein, and doth further adjudge order & decree that the said J.C. Parker, Special Comr. proceed at once to pay out of the funds in his hands or that may come into his hands under this decree, as follows: 1st all balances due the orators of D.A. Kitchum, mentioned in the report of Comr. McLemore, after they shall have first received their pro rata share of the funds in the hands of L.R. Edwards Admr. as directed by decree in this cause now.

11th 1892. 2nd Pay Mrs. M. F. Kilduff widow of the deceased I. A. Kilduff, the cash value of the dower interest in the real estate of her deceased husband, as provided by ~~[illegible]~~ ~~2202~~ the Code of Virginia. 3rd Pay the remainder equally to J. T. Kilduff, Wm E. Kilduff & Emma J. Butler wife of James Butler.

And the court doth further order that said Comm'r withdraw from the papers order herein filed with his report & call the same at any time that the parties giving said bond may desire to pay them, & that when any of said purchasers shall have paid the whole of the purchase price of the land bought by him or her, the said Comm'r. J. C. Parker, Special Comm'r. who is hereby appointed for that purpose, make, execute & deliver to such purchaser such a good & sufficient deed with special warranty, conveying to him or her the property so purchased & paid for, and that said Comm'r. report to Court.

C. M. Stiles
Jany 5th 1893

Kitchens. et ux.
vs. } 4th Dem
Kitchens Admrs;

May Term 1893
To be noted
CWH

4 copies

Entered

180

Kitchen et als.

vs.

Kitchens Adm.

This day this cause came on to be heard upon the petition formerly read & was argued by counsel.

Upon consideration whereof, & it appearing to the Court from statements made by counsel that there are other debts due by said estate & not reported in the last account of debts. The Court doth adjudge, order & decree that one of the Commissioners of this Court take a further account of the debts outstanding & due by the said ~~estate of~~ D. A. Kitchens deceased or his estate, & report to this Court at the next term thereof.

said Commissioner or commissioners shall deposite any and all
Moneys collected under this decree in Vaughan & Co's
bank to the credit of this cause till the further order
of this court.

Kitchen et. als.

Vs.

Kitchen, s admr. et als.

Decree

To be entered

Aug 1892

Entered

Kitchen et. als.

Vs.

Kitchen,s administrator et. als.

This cause came on this day to be again heard on the papers formerly read and on the report of Commissioner Mc,Lemore filed herein on the I7th day of October I892, and was argued by counsel; on consideration whereof the court doth adjudge, order and decree that said report to which no exceptions have been filed be, and the same is hereby ratified and confirmed.

And the court doth further adjudge, order and decree that L. R. Edwards adm,r. of I.A.Kitchen deceased do forthwith pay out the fund in his hands as shown by said Commisioner,s report to the creditors whose debts are reported as proved in said report of Commissioner Mc,Lemore and pay the balance afterpaying the costs of this suit to J.H.Gray on his lien debt and make report to court filing therewith his vouchers.

And the court doth further adjudge order and decree that J.C.Parker and W.S.Holland who are hereby appointed special commissioners for that purpose, either of whom may act, do proceed to sell the the lands in the bill and proceedings mentioned of which said I.A.Kitchen died seized and possed after first having advertized said sale for twenty days by printed hand bills and by advertiment in some news-paper published in the county on the following terms: cash to pay balance on the debt due J.H.Gray and secusred by deed of trust on a portion of said real estate and the balance in three equal instalments payable one two and three years, except as to so much of said real estate as is not embraced in the deed of trust aforesaid which shall be sold for one fourth cash and the balance in three equal instalments payale as in the first case, but before said commissioners or either of them shall rpoceed to act under this decree he or they shall enter into bond before the clerk of this court in the penalty of $6000 with surety by said clerk deemed sufficient, and shall report to court, and that

pertinent by said Commissioners or any party in interest. And by consent of parties in open Court, it is ordered that this be made a vacation order

Kitchen et. al
vs
Kitchen et. al

Decree

To be entered

Order

May 6, 1872

Entered

Kitchen et. als.
vs.
Kitchens admr. et. als.

This cause come on this day to be heard on the bill of complaint to answer which the defendants have been duly summoned, on the motion of Counsel for defendants for leave to file answers and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that the defendants are allowed ~~thirty~~ Ninety days to file their answers, that one of the Commissioners of this Court enquire, take, state and report to Court the following: (1) an account of the debts outstanding and unpaid against the estate of Isaac A. Kitchen dec'd. with interest penalty or dquity; (2) an account of the doings and transactions of L. R. Edwards admr. of said Isaac A. Kitchen dec'd.; (3) enquire and report what personal property belonging to said estate still remains unsold which did or should have come into the hands of said Administrator, (4) what is the annual and fee simple value of the real estate of which said Isaac A. Kitchen died seized and possessed, (5) whether there are any liens on said real estate, and if so, state their nature, how created together with their priorities, and 6 Any matter deemed