1909-98 Southampton County Chancery Stephenson, Catherine et al vs Stephenson, Maud et al

Land is be sold and proceds
be divided among parties
in accordance with their rights"

Dardin, Martha A.

(Stephenson, Ewell P.
Stephenson, Blanton
supt

W. S. Holland & J.

Stephenson et. al.

vs } In Chancy

Stephenson et. al.

Bill of Complaint

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

Your complainants Catherine Stephenson and Martha A. Bordeu respectfully represent: that in July 1888 S.W. Stephenson departed this life seized and possessed in fee of a certain tract of land lying and being in Southampton County in the State of Virginia said to contain three hundred acres more or less adjacent the lands of Mrs. Lizzie Boles, A.A. Clayton and others; and leaving your complainants, said Catherine, a maiden sister, and said Martha A, a widowed sister and two nieces, Maud Stephenson and Eula P. Stephenson and one nephew, Beauton Stephenson daughters and son of the late Lafayette Stephenson who was a brother to said S.W. Stephenson and a brother to your complainants as well, as his next of kin and only heirs at law. Your complainants say that they are each entitled to an equal third part of said tract of land and that said nephew and nieces are entitled to the other third or each to one ninth of the whole. They represent that the longer portion of said land is not arable, and that one third or one fourth thereof is swamp-Land, that the merchantable timber on said land has been sold and carried off

and for these and other reasons your complainants say the said tract of land cannot be portioned in kind. They represent that a sale of the whole tract of land and a division of the proceeds would be very advantageous to all the parties:

Notice is hereby given that the court will asked to allow counsel conducting this suit a reasonable fee for his services.

In as much as your complainants are without remedy save in this Hon. Court of Chancery where such matters are alone and properly cognizable they pray that said Maud Stephenson, Eula P. Stephenson and Blanton Stephenson all of whom are infants under the age of twenty one years be made parties defendants to this bill and that a proper guardian ad litem be appointed to represent and defend their interest in this cause, that said tract of land be sold and the proceeds of sale be divided among the parties hereto in accordance with their rights, or if in the opinion of this Hon. court said tract of land can be partitioned in kind among the said parties then they pray that the same be done and that your complainants be allotted their shares separately by Metes and bounds,

that all orders be made, enquiries directed, decrees entered and Commissioners be appointed as the nature of this case may require. And they pray that all such other and further general relief may be afforded your complainants as the nature of the case may require or to equity shall seem meet. And they will ever pray.
Let a subpoena go.

W. S. Hall and Sty

This day personally appeared before me. B. F. McLemore, a Com'r in Chancery of the Circuit Court for Southampton County, Mrs. W. Parker. who made oath that the statement contained in the within Answer are, so far as of his own knowledge, true, and so far as the same relates to information received from others, he believes to be true

Given under my hand Oct 12. 1888.

B. F. McLemore

Com'r in Chancery

Stephenson &c - adg

vs

Stephenson &c - adg

Supplemental Answer of W. H. Parker Executor and Trustee ad litem

Affidavit made

The joint and separate answer of Maud Stephenson, Emily P. Stephenson and Blanton Stephenson infants under the age of twenty years by W. H. Parker their guardian ad litem to a bill in Chancery exhibited against them by Catherine Stephenson and Martha A. Sanders who Stephenson in the circuit Court of Southampton County, Virginia.

The said defendants reserving to themselves the benefit of all just exception to the said bill of complaint, for answer thereto or to so much thereof as they are advised it is material and proper they should answer by their said guardian ad litem answer and say:

That they are infants of tender years and are not competent to fully determine their rights and interests in the premises and therefore they crave their said guardian ad litem may recommend their rights and interests touching the matters arising in this suit to the protection of the Court, and having thus fully answered they pray to be hence dismissed with their costs in this behalf expended. And they will ever pray &c.

Wm H. Parker, Gdn
ad litem.

Form No. 309.

J. M. Darden

to { COMMISSIONER'S BOND.

Commonwealth.

1889. Sept. 16. filed.

Recorded page 15.

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

Know all Men by these Presents, That we J.M. Darden W.S. Holland and R.S. Brittain are held and firmly bound unto the Commonwealth of Virginia, in the sum of Two thousand Dollars, to the payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our Homestead Exemptions as to this obligaiton, and any claim or right to discharge any liability to the Commonwealth arising under this bond, or by virtue of said office, post or trust, with coupons detached from bonds of this State. Sealed with our seals, and dated this 16 day of September one thousand eight hundred and Eighty nine.

The condition of the above Obligation is such, That if the above bound J.M. Darden, Special Commissioner shall faithfully perform the duties of his office or trust, as indicated under a decree of the Circuit Court of the County of Southampton, pronounced on the 5th day of July, 1889, in the suit therein depending under the name and style of Stephenson et: als: V Stephenson et: als: to sell the real Estate of which Stephenson died seized and possessed and perform any and all duties required under said decree or any other decree in said Cause

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

Signed, sealed and acknowledged in the presence of

J.M. Darden SEAL.

W.S. Holland SEAL.

R.S. Brittain SEAL.

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

This day W.S. Holland and R.S. Brittain surety on the above bond, made oath before me B.F. McLemore, 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 are worth the sum of Two thousand dollars; whereupon the said bond is admitted to record according to law.

Given under my hand this 16 day of Sept 1889.

Teste: B.F. McLemore Clerk.

Stephenson

X Notice

Stephenson

1888. Nov. 20. —

I acknowledge legal service of the within notice.

Commissioner's Office,

Jerusalem, Va. Nov 26 1888

To M and Stephenson, Eula P. Stephenson P. Stephenson and Blanton Stephenson, Infants - by W. V. Parker their Gdn ad litem

You are hereby notified that I have fixed upon the 30 day of Nov 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 - Whether the land in the bill mentioned can be partitioned, in kind, among the parties entitled thereto and if not, whether a sale of the entire tract will be advantageous to the infant Defendants -

2d - Whether there are any liens on said land - or on any share therein

3d - If any party entitled will take the entire subject and pay to the others a reasonable price therefor.

4th - The Annual & fee simple value of said land.

required to be taken by a decree of Southampton Circuit Court rendered at the Nov term, 1888, in a suit in Chancery depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.

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

B. A. McLemore

Commissioner.

To the Sheriff of Southampton County to Execute.

Southampton Circuit Court: Nov. Term 1888.

Stephenson et als.

vs

Stephenson et als

This cause came on this day to be heard on the bill and on the answer of the defendants by W. A. Parker atty. at law their guardian ad litem and was argued by counsel. On consideration whereof the court doth adjudge order and decree that one of the commissioners of this court take and report the following enquiries and accounts—

(1) Enquire and report whether the lands in the bill mentioned can be partitioned in kind among the parties entitled thereto and if not whether a sale of the same will be advantageous to the infant defendants

(2) Whether there are any liens on the lands in the bill mentioned or on any share therein

(3) Whether one or more of the parties will take the whole tract

of land, and pay the other parties a fair price for their shares.
(4) The annual and fee simple value of said land.
(5) Any other matters deemed proper by any party or by the said commissioner.

A Copy - Teste:

B. F. McLemore C.C.

Stephenson &c.
vs
Report
Stephenson et al:
1888. Nov. 30. Filed.

Commissioners Office.
Courtland Va Nov 30. 1888.

To the Circuit Court of Southampton County.

The undersigned, one of the Commissioners of said ~~Court~~ reports: that in obedience to a decree of the Circuit Court aforesaid, entered at the November Term 1888, in the Chancery Cause of Stephenson &c. vs. Stephenson & als: he issued Notice against the Defendants in said Cause requiring them to appear before him at his Office, on the 30th day of Nov: 1888. to attend the settlement of the several accounts and enquiries specified in said decree. that said parties were represented by W. H. Parker. their Guardian ad litem. they being minors.

At which which time your Commissioner proceeded to take the following accounts, to wit:

1st "Whether the lands in the Bill mentioned can be partitioned in kind among the parties entitled thereto, and if not, whether a sale of the same will be advantageous to the infant Defendants?"

After diligent enquiry, Your Commissioner is of opinion that the land

in question, cannot be divided in kind with any advantage to the parties interested. And that it will be to the interest of the Infants to sell the entire tract and divide the proceeds. The Defendants are, as your Commissioner is informed, sadly in need of funds to support and educate them. Besides, if the land should be divided, the Defendants would ~~get only~~ about 40 acres, each, without improvements, they have no money with which to build, and, if they had, the quantity of land would not be sufficient to justify the expence.

2d "Whether there are any liens against the said land &c?

The Commissioner has Examined the records and finds no liens against the land.

3d "Whether one or more of the parties will take the whole tract and pay the other parties a fair price for their shares?"

None of the parties to the suit have offered to buy the land.

4th "The fee simple and annual value of said land".

The tract of land above referred to

is that of which S. W. Stephenson died seized - containing 376 acres - the actual value of which is believed to be $1000.— and the annual value $75.00.

Respectfully Submitted.
B. F. McLemore
Comr in Chancery

Commissioners fee
$5.00 Paid

Stephenson et. als:
vs. Stat: Rules.
Stephenson et. als:
1 Sept. Rules

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Catharine Stephenson
& Martha A. Darden.
(formerly Stephenson) Pltffs.
against
Rand Stephenson.
Eula P. Stephenson &
Blanton Stephenson. all
three infants. - Defts.

In Chancery

1888. Aug: 25. Sum: to 1st Sept: Rules.

" 1st Sept: Rules: Bill filed - decree ni si.
W.A. Parker appointed Edr ad litem.

" 2 " " Answer of infant Defendants
filed. Cause set for hearing.

Stephenson et als.

vs. } Additional Cook

Stephenson et als.

Stephenson et als. (W.S. Holland Esq)
vs. } Additional costs (J. M. Dawson Comr)
Stephenson et als.

1893. July 1st	2 continuances on docket	B. F. M.	.50
1895 Apr.	4 continuances on the docket	J. M. N.	1.00
1900 Apr. 6th	10 continuances on the Docket	2.50 =	2.50
	Copy evid. 8 pages at 10 cts.	80 =	80
	Filing copy Rep. 25. Future Costs about £1 0 =		1.75
			£6.55

Instr: L. A. Gay C.C.

Mr. B. F. McLean P.O.
Courtland
Va

2619

Mr. B. F. McLean Q.C.

Dear Sir,

Enclosed herewith please find Memo. for writ, bill, summons &c. By reference to sec. 3255 Code 1887. you will see that a radical change is made in the appointment of Guardian ad Litem - Please appoint Mr. W.H. Porter in this instance. Heretofore I have always made the Clerk of the Court G.S. W.S. as a matter of course, but under this sec I reckon Clerk could not act except by an order of Court entered of record.

Yours truly
W.S. Holland

L. H. WHITLEY. J. M. DARDEN.

WHITLEY AND DARDEN

DEALERS IN GENERAL MERCHANDISE.

FINE LIQUORS AND PURE APPLE BRANDY

—A SPECIALTY—

Tuni, Ga., Sept 8 1890

Mr. B. F. Mc Lemore

Dear Sir

You will please see the bonds of J. M. Darden also authorizing me to conduct same the decree will instruct you to do same. Yours Very Truly

~~J. M. Darden~~

J. M. Darden

Com.

Stephenson et. al.

vs.

Stephenson et

Report J. M. Der
den Spe. Comm.
June 1892

120.00
504.00
477.00
1001.00

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

The undersigned your special commissioner begs leave to report that pursuant to a decree a copy of which is herewith filed, he has collected the whole purchase price for the lands sold to Mr. J.W.Bowden at different times, to wit: one hundred and twenty dollars on the 18th of December 1889; four hundred and seventy seven dollars January 1st, 1891; five hundred and four dollars January 1st, 1892 and he further reports that he has paid a small portion of said money for taxes, costs &c. and has the balance in hand.

Your commissioner also reports that he has given a deed to Mr. J.W.Bowden for the land purchased as aforesaid and he asks that a decree for distribution may be entered and he will distribute said money and return all his vouchers.

Respectfully submitted,

J. M. Borden Spc. Comr.
by W. S. Holland his atty.

Stephenson et: als:

Receipt of J. M.
Dardn. Comr.

Stephenson et: als:
1840. Dec 16. —

Rec'd Dec 16. 1890 of B. F. McLemore Clerk of the Circuit Court of Southampton County - the two Bonds of J. W. Bowden, dated January 1. 1890. for ~~four~~ hundred & fifty dollars each. and payable to J. M. Darden, Special Commissioner. in the Chancery Cause of Stephenson et. als: & Stephenson et. als: as directed by decree in said Cause, rendered on the 6th day of June 1890.

J. M. Darden - Spec Comr.

NOTICE!

Pursuant to a decree of the Circuit Court of Southampton Co., Va., entered in the Chancery Cause of STEPHENSON, et als., vs. STEPHENSON, et als., I shall offer

FOR SALE AT PUBLIC AUCTION

At Courtland, Southampton, Co., Va.,

On Monday, Nov. 18, '89.,

AT 12 O'CLOCK M.

(it being County Court day), all that tract of land in the proceedings of said suit mentioned, of which S. W. Stephenson died, seized and possessed, adjoining the lands of G W. Ritter, M. J. Powell, and others, in said Southampton County, said to contain

376 Acres

more or less, sold in gross and not by the acre.

TERMS: CASH to pay Costs of Suit and Sale, the balance in two equal installments, one and two years after date. Bond and Security required; title retained 'till the further order of Court.

Sept. 20th, 1889. *J. M. DARDEN, Special Commissioner.*

STEPHENSON, et als.
vs.
STEPHENSON, et als. } In Chancery.

I, B. F. McLemore, Clerk of the Circuit Court of Southampton County, Virginia, do certify that the Bond required of Special Commissioner J. M. Darden, under a decree in the above styled cause, has been given, with security deemed sufficient.

Given under my hand this 20th day of September, 1889.

B. F. McLEMORE, C. C.

West, Johnston & Co., Print., Richmond.

Nov. 8th 1889.

Dear Sir:

We beg leave to acknowledge receipt of your favor of the 8th inst. enclosing remittance by check of $2.35 which we place to your credit; with our respectful compliments and thanks.

Soliciting a continuance of your kind favors, we are

Yours very truly,

WEST, JOHNSTON & CO.

To J.M. Darden Esq
Franklin Va

Rec'd Nov. 18th 1889 of J.M. Darden Special Com. Seven 50/100 dollars for selling land of A.H. Stephenson dec'd under decree of Cir. Ct of Southampton Co. Va.

J.W. Williams
Com'r

Statement of Costs in suit of Stephenson
v Stephenson.

Clerk $7.91. Paid B.F.M.

Crier 6.00 " B.F.M.

Lewis 16.50

$29.41

No costs for Sheriff.

[Receipt to be given where land is redeemed under Act of February 26, 1886, for annual sale of Delinquent Lands.]

OFFICE OF THE TREASURER OF THE

$ 15.93 County of Southampton

Dec. 16", 1889.

Received of Jno W Bowden ~~D. A. Stephenson~~ for J M Stephenson Est

Fifteen ——— Dollars Ninety three — Cents.

on account of the redemption of 376. land returned delinquent for the non-payment of Taxes and County Levies by the Treasurer of County of Southampton, for the year Eighteen Hundred and eighty-eight.

376. ——— Acres, as follows, to-wit:

State Tax,	$ 5.46
County Levies for all purposes,	8.19
Commissions,	1.37
Expenses of sale,	.91
Total,	$ 15.93

Jas. J. Darden D., Treasurer.

Stephenson et. als.

vs.

Stephenson et. als.

The undersigned your special commissioner appointed by a decree entered in this cause, a copy of which is hereto with filed, begs to report that after advertising as by said decree

Stephenson et al.

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Filed Nov. 15th, 1883, it being Court day, at public auction, at the Court House door in Lee County, Virginia, the following described land, to-wit:

Beginning at a stone on the Powell Mountain, corner to the lands of the said J. M. Gordon and running thence with the lines of the same S. 45 E. 80 poles to a stone, corner to the said J. M. Gordon and Stephenson et. al.; thence N. 45 E. 80 poles to a stone, corner to the said Stephenson et. al.; thence N. 45 W. 80 poles to a stone, corner to the said Stephenson et. al.; thence S. 45 W. 80 poles to the beginning, containing forty acres, more or less, and being the same land conveyed to the said J. M. Gordon by W. S. Hollard and wife by deed dated January 1st, 1881, and recorded in the Clerk's office of Lee County, Virginia, in Deed Book No. 19, page 338, to which reference is hereby made for a more particular description of said land.

I executed said decree by advertising the sale of said land for thirty days prior to the day of sale, by posting notices at three public places in Lee County, Virginia, one of which was at the Court House door, one at the post office at Jonesville, Va., and one at the store of W. S. Hollard & Co., at Rose Hill, Va., and by publishing a notice of said sale for four successive weeks in the Lee County Democrat, a newspaper published in Lee County, Virginia, the first publication being on the 1st day of December, 1883, and the last publication being on the 29th day of December, 1883, as will more fully appear from the affidavits of the publishers of said newspaper, which are filed herewith and made a part of this report.

I executed said decree on the 1st day of January, 1884, at the Court House door in Lee County, Virginia, between the hours of 10 A.M. and 4 P.M. of said day, after having given notice of the time, place and terms of said sale as required by said decree, by crying the same for half an hour before the time of sale, at which time and place I offered the said land for sale at public auction to the highest bidder for cash, and Jno. M. Gordon became the highest bidder and purchaser at the price and sum of one thousand and twenty ($1020) dollars which amount he agrees to pay as follows:

One fourth in cash, and the balance in one, two and three years from the day of sale, with interest from date at the rate of six per cent per annum, payable annually, and secured by the bonds of the purchaser, and the lien reserved in the decree of sale.

I report that I received from the said J. M. Gordon the sum of $1020.00 making in all $1020.00

I report that he has disposed of the said as follows:

Retained for his commissions $30.40

Paid W. S. Hollard & Co. as directed by said decree 30.00

Paid taxable costs 23.41

Paid clerk 7.00

Paid for land plats 8.38

Paid Deed Book 19 page 338 ..... 1.00

Balance now in hand 30.41

Making in all $1020.00

Herewith are filed bonds and vouchers for each and every item.

All which is respectfully submitted.

Dec. 1884.

Stephenson et. als.

Vs.

Stephenson et. als.

The undersigned your special commissioner appointed by a decree entered in this cause, a copy of which is herewith filed, begs to report that after advertising as by said decree required, he sold the lands in the bill and proceedings mentioned, at Courtland Nov. I8th, I889, it being Court day, at public auction; at which sale J.W.Bowden became the highest bidder and purchaser at the price and sum of one thousand and twenty ($I020) dollars which your commissioner says is a good sale, and he heartily recommends the confirmation thereof. Your commissioner says he took from the purchaser two bonds, one for $425 and the other $450, making $875, payable January Ist, I89I and January Ist. I892 respectively, with surety deemed sufficient, and collected in cash $I45.00

making in all $I020.00

He reports that he has disposed of the cash as directed by said decree as follows:

Retained for his commissions $29.40

Paid W.S.Holland atto. as directed by said decree .....30.00 Paid W.S. Holland

Paid taxable costs 29.4I

Paid crier 7.50

Paid for hand bills 2.35

Paid back taxes on the land I5.93

Balance now in hand 30.4I

Making in all I45.00

Herewith are filed said bonds and vouchers for each and every item.

All which is respectfully submitted.

J. M. Darden

Spe. Com'r.

Stephens an et. al. ag.
Vs
Jno Chaney
Stephens an et. al. ag. 121

In vacation July 5th
1889

Ans. cir. Court of Southampton County will enter this decree:

J C Stuart

Stephenson &c.
vs.
Stephenson et. als.

This cause come on this day to be again heard on the papers formerly read, on the report of Commissioner McLemore filed Nov. 28th 1888 and by consent of parties 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 that Sr. Julian Dales and John R. Dales who are hereby appointed Special Commissioners, either of whom may act for that purpose proceed to sell, after first giving notice by printed hand bills posted at sundry public places in the County of Southampton for at least thirty days, the lands in the bill and proceedings mentioned, on the following terms, cash enough to pay costs of suit and sale including a fee of thirty dollars in addition to the taxable fee to W. S. Hall and others conducting this cause, the rest in two equal installments payable one and two years after date, taking from the purchaser his bonds therefor with good personal security with interest from date or from the date when possession is given the purchaser till payment and re-

tain title till the further order of Court and that said Commissioner report to Court, but the said Dr. Julian Doles, Nor John R. Doles shall not enter upon his duties under this decree till he first enter into bond before the clerk of this Court in the penalty of two thousand dollars, with surety deemed to be good and sufficient by said clerk payable to the Commonwealth of Virginia and Conditioned for the faithful performance of duty under this and all subsequent decrees herein.

C W Hill

Stephenson &c.

7"  Sum

Stephensons

1888. 1st Monday -
Sept: Rules.

and co A.F. Cobb
Berlin Oa

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON Maud Stephenson, Eula P. Stephenson and Blanton Stephenson, all three infants under the age of 21 years.

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 September next, to answer a bill in chancery exhibited against them in our said Court by Catharine Stephenson and Martha A. Darden, who was Stephenson.

And this Sheriff shall in no wise omit; and have then there this writ.

Witness, ~~J. B. Prince,~~ B. F. McLemore Clerk of our said Court, this 25 day of August 1888, in the 113th year of the Commonwealth.

Teste: B. F. McLemore C. C.

Stephenson et al
vs
Stephenson et al

Decree

To be entered
this 9th day of
Nov. 1888.

C Nott

Stephenson et al.
vs
Stephenson et al

This cause come on this day to be heard on the bill and on the answer of the defendants by W. H. Parker Atto. at law their guardian ad litem and was argued by Counsel; on consideration whereof the court doth adjudge, order and decree that one of the Commissioners of this court take and report the following enquiries and accounts

(1) Enquire and report whether the lands in the bill mentioned can be portioned in kind among the parties entitled thereto and if not whether a sale of the same will be advantageous to the infant defendants

(2) Whether there are any liens on the lands in the bill mentioned or on any share therein.

(3) Whether one or more of the parties will take the whole tract of land and pay the other parties a fair price for their shares.

(4) The annual and fee simple value of said lands

(5) Any other matters deemed proper by any party or by the said Commissioner.

Stephenson et. als:
vs
Coby Deeree
Stephenson et. als:

Decree

To be entered vacation
this 10th day of Sept.
1889.

Southampton Circuit Court: In vacation:
the 5th day of July 1889.

Stephenson & als:
v.
Stephenson & als. } Decree

This cause came on ~~this day to be~~ again heard on the papers formerly read - on the report of Commissioner McLemore filed Nov: 30. 1888, and by consent of parties 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 that ~~D~~ ~~D~~ ~~D~~

in the bill and proceedings mentioned, on the following terms, cash enough to pay cost of suit and sale including a fee of thirty dollars ~~in addition to the taxable~~ fee to W. S. Holland attorney conducting this cause, the rest in two equal installments payable one and two years after date, taking from the purchaser his bonds therefor with good personal security with interest from date or from the date when possession is given the purchaser till payment and retain title till the further order of court and that said Commissioner report to court but the said D. ~~Jackson~~ ~~Does not~~ John R. Doles, Jr. Sheriff shall not enter upon his duties under this decree till he first enter into bond before the clerk of this

court in the penalty of two thousand dollars with surety deemed to be good and sufficient by said clerk payable to the commonwealth of Virginia and conditioned for the faithful performance of duty under this and all subsequent decrees herein

[illegible]

To the clerk of the circuit court of the [illegible] Southampton County, Va:

Stephenson &c. et. als.

vs

Stephenson &c. et. als.

Decree

In vacation this 10th day of Sept. 1889.

To the clerk of the Cir. Court of Southampton County

To be entered

C W Bell

Sept 10, 1889

Costs paid to date.

Entered, D. O. B. p. 409.

Stephenson &c. et. als.

vs.

Stephenson &c. et. als.

This cause come on this day on the papers formerly read and on the motion of plaintiffs and defendants to substitute J. M. Dorden as Special Commissioner in the room and stead of Dr. Julian Boles and Jno. R. Boles in vacation by consent of parties and was argued by Counsel: on consideration whereof, it appearing to the court that said Julian and Jno. R. Boles decline to act as Special Commissioners and have declined to give bond, the court doth adjudge, order and decree that J. M. Dorden be and he is hereby substituted in the place of said Dr. Julian Boles and Jno. R. Boles as Special Commissioners appointed by a decree herein of July 5th 1889 and that said J. M. Dorden is appointed subject to the conditions and requirements of said decree of July 5th 1889 and that he execute said decree, enter into bond therein required and make report to court

To the clerk of the cir. court of Southampton County: In vacation.

C. W. Hill Judge &c

Stephens et al
vs
Stephens et. al.

Decree

To be entered

C W S -

June 14, 1892 -

Stephenson et al
vs. }
Stephenson et al

This cause coming on this day to be again heard on the papers formerly read and on the report of J. M. Dorden Special Commissioner and was argued by counsel on consideration whereof the court doth adjudge, order adjudge and decree that said report of J. M. Dorden Spe. Comr. be and the same is hereby ratified and confirmed and the court doth further order adjudge and decree that said J. M. Dorden Speial Comr. pay out the money in his hands ~~one~~ as follows, first the unpaid costs and taxes and pay the balance one third to Catherine A. Stephenson, one third to Martha A. Dorden and the other third to the children of Lafayette Stephenson dec'd. or to the legally qualified guardian of said children who are under the age of 21 years of age and make report to court ~~showing~~ filed them with his vouchers therefor

- 1909 -

Stephenson et. als.

Vs.

Stephenson et. als.

June 6

May 20, 1890

ORDER

To be entered.

C Nobel

Entered

121

and make report to court:

Stephenson et. als.

Vs.

Stephenson et. als.

This cause came on this day to be again heard on the papers formerly read and on the report of I.M.Bowden, Special Commissioner with copies of decrees and vouchers for disburse-

Stephenson et. als.

Vs.

Stephenson et. als.

This cause came on this day to be again heard on the papers formerly read and on the report of J.M.Darden, special commissioner with copies of decrees and vouchers for disbursements, and was argued by counsel, on consideration whereof the court doth adjudge, order and decree, that said report to which no exceptions are filed (and it appearing that there is a voucher for each item in said report mentioned) be and the same is hereby ratified and confirmed. And the court doth further adjudge, order and decree that the sale in said report named to J.W.Bowden be and the same is hereby ratified and confirmed:

And the court doth further adjudge, order and decree, that said special commissioner J.M.Darden withdraw from the papers the bonds filed in this cause with said report when they become due, leaving with the clerk of this court his receipt for same, and collect the same, collecting both when the first becomes due if the purchaser so elects and upon the payment of all the purchase price then the court doth adjudge, order and decree that the said J.M.Darden who is hereby appointed a special commissioner for that purpose, make, execute and deliver to said J.W.Bowden a good and sufficient deed with special warrenty, conveying to him the lands in the bill and proceedings mentioned, and make report to court: