1909-103 Southampton County Chancery- Vaughan, M.T. & Co. vs Hill's(admist). et als

asks that an account be taken of all real estate and personal property of Geo. E. Hill(decd) and sell with proceeds applied to debt" in order of priority-

Vaughan, F. H.

Williams, J.W.(Sheriff)
Pope, F.P.(trustee)
Worrell, B.E.
Barham, W.B.(trustee)
" , J.L.
Hill, Mary L.
" , Ulah J.
" , Osca A.
" , Purla A.
" , Leo A.
Minors
McLemore, J.L.

M. J. Vaughan & Co. vs.

vs. { Bill dismissed
Bill dismissed as to

W. J. SEBRELL,
ATTORNEY-AT-LAW,
COURTLAND, VA.

Enquirer Publishing Co., Steam Power and Printing, Petersburg, Va.

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

Humbly complaining sheweth unto Your Honor, by way of amended bill, Your Complainant, F. H. Vaughan, trading as M. D. Vaughan & Co., who sues for the benefit of himself & all other creditors of Geo. E. Hill, dec'd., who will come in and bear their share of the cost of this suit, that on or about the day of April 1892, Geo. E. Hill of said County departed this life, intestate, leaving as his heirs-at-law his wife, Mary L. Hill and his four children, Ulah J. Hill, Osea A. Hill, Purla A. Hill and Leo. A. Hill, all said children being infants of tender years. That at the time of his death, the said Geo. E. Hill was possessed of some personal property, and was also seized of a certain tract or parcel of land lying in said County, containing acres, more or less, adjoining the lands of

subject, however, to the dower interest therein of his mother, Elizabeth P. Hill. That at a County Court held in & for said County on the day of June 1892 an order was entered, appointing J. W. Williams, Sheriff, as administrator of

said Geo. E. Hill, decd., as will more fully appear from a copy of said order herewith filed as exhibit "A" and prayed to be read as a part of this bill. That the said Geo. E. Hill, in his life-time, executed two certain deeds of trust on his said Real Estate, to-wit: one to F. P. Pope, trustee, to secure a debt therein named in favor of B. E. Worrell, and the other to W. B. Barham, trustee, to secure a debt therein named in favor J. L. Barham, all which will more fully appear from copies of said deeds of trust herewith filed as exhibits "B" and "C", & prayed to be read as part of this bill; that said deeds of trust are apparently unsatisfied. That at the time of the death of said Geo. E. Hill he was indebted to your complainant, the said F. H. Vaughan, trading as M. J. Vaughan & Co., in the sum of $150.88 with interest thereon from the 1st day of January 1892, as evidenced by Homestead waiver note herewith filed as exhibit "X" & prayed to be read as a part of this bill. That no part of said note or debt has ever been paid to your complainant, and he is informed that

there are not sufficient assets, if indeed any at all, in the hands of said administrator with which to pay the same. Your complainant is, therefore, advised that he should bring his suit in Chancery, and convene the creditors of the said deceased, and have the assets belonging to his estate properly distributed among the same under the order of the Court.

In consideration whereof, inasmuch as your complainant is without remedy save in a Court of Equity, where such matters are properly cognizable, your complainant prays that the said J.W. Williams, sheriff &c as such administrator of Geo. E. Hill, dec'd, H.P. Pope, Master, B.E. Worrell, W.B. Barham Master, J.L. Barham, Elizabeth P. Hill, Mary L. Hill, Ulah J. Hill, Osca A. Hill, Purla A. Hill, & Leo A. Hill be made parties defendant to this suit required to answer the same, but answer under oath is hereby expressly waived; that a proper guardian ad litem be appointed for the infant defendants; that proper process issue & all proper orders & decrees be directed and taken; that an account of the debts outstanding against the estate of the said Geo. E. Hill be taken, with their order of priority and dignity;

that the said J.W. Williams, sheriff & as such
admin. of said Geo. E. Hill decd., settle his account
as such before one of the Commissioners of this Court;
that an account be taken of the fee-simple
& the annual value of all the real estate
of the said Geo. E. Hill, decd., and of the
amount of his personal estate; that all
the estate — real & personal — so far as neces-
sary, be properly applied to the payment
of the debts of the said decedent, in the
order of their priorities and dignities;
that proper fee be allowed the attorney for
the plaintiff in this cause, and your
Complainant here states that he will
ask for the same in the progress of
this suit; and that all such other,
further relief may be granted as the
nature of this cause may require or to
Equity shall seem meet.

And your Complainant will ever pray &c.

W.D. Tebell, p.q.

Vaughan & C.

vs. { Bill Ex hibit

Hill's admr et al.

Oat Rice

W. J. SEBRELL,
ATTORNEY-AT-LAW,
COURTLAND, VA.

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

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

Humbly complaining sheweth unto your Honor, your complainant, F. H. Vaughan, trading as W. F. Vaughan & Co., who sues for the benefit of himself and all other creditors of Geo. E. Hill, decd., who will come in and bear their share of the cost of this suit, that on or about the day of April 1892 Geo. E. Hill, of said County departed this life, intestate, and seized of certain real and personal property, and leaving as his heirs-at-law, his wife, Mary L. Hill and his four children, Elah J. Hill, Osca A. Hill, Purla A. Hill and Leo A. Hill, the last four infants. That at a County Court held in and for said County on the day of June 1892, an order was entered, appointing J. W. Williams, Sheff., as administrator of said Geo. E. Hill, decd., as will more fully appear from a copy of said order, herewith filed as exhibit "A", & prayed to be read as a part of this bill. That the said Geo. E. Hill, in his life-time, executed two certain deeds of trust on his said Real Estate, to-wit, one to F. P. Pope, trustee, to secure a debt therein named in favor of B. E. Worrell,

and the other to W.B. Barham, trustee, to secure a debt therein named in favor of J.L. Barham, all which will more fully appear from copies of said deeds of trust herewith filed as exhibits "B" & "C", & prayed to be read as parts of this bill, that said deeds of trust are apparently unsatisfied.

That at the time of the death of the said Geo. E. Hill, he was indebted to your Complainant, the said F. H. Vaughan, trading as M. F. Vaughan & Co., in the sum of One Hundred and Fifty & 88/100 Dollars, with interest thereon from the 1st day of January 1892, as evidenced by Homestead-waiver note herewith filed as Exhibit "X", & prayed to be read as a part of this bill. That said note or debt has never been paid, nor has any part thereof ever been paid, to your said Complainant, and he is informed that there are not sufficient assets, if indeed any at all, in the hands of said administrator, with which to pay the same. Your Complainant is, therefor, advised that he should bring his suit in Chancery, and convene the creditors of the said decedent, and have the assets belonging to his estate properly distributed among the same under the order of the Court. In consideration whereof,

and inasmuch as your complainant is without remedy save in a Court of Equity, where such matters are properly cognizable, your Complainant prays that the said J.W. Williams Sheriff, as such admr: of Geo. E. Hill, decd., F.P. Pope, trustee, B.E. Worrell, W.B. Barham, trustee, J.L. Barham, Mary L. Hill, Mah J. Hill, Osca A. Hill, Burla A. Hill, and Les A. Hill be made parties defendants to this suit and required to answer the same; but answer on oath is hereby expressly waived; that a Proper Gdn. ad litem be appointed for the infant defendants; that proper process issue, and all proper orders and accounts be directed and taken; that an account of the debts outstanding against the estate of the said Geo. E. Hill be taken, with their order of priority and dignity; that said J.W. Williams, Shff. as such administrator of said Geo. E. Hill decd, settle his account as such before one of the Commissioners of this Court; that an account be taken of the fee-simple and the annual value of all the real estate of the said Geo. E. Hill, decd., and of the amount of his personal estate; that all the estate - real & personal - so far as necessary, be properly applied to the payment of the debts of the said decedent, in the order of their priorities and dignities; that proper fees be allowed the attorney or attorneys for the plaintiff in this cause, & your Complainant, his etc.

that he will ask for the same in the progress of this suit; and that all such other, further relief may be granted as the nature of this cause may require or to Equity may seem meet.

And your Complainant will ever pray &c.

C. J. Sebrell, S.Q.

This deed made this 17th day of February A.D. 1891, between George E. Hill and Mollie L. Hill his wife of the first part, and W.B. Barham, Truste. party of the second part and J.L. Barham party of the third part, Witnesseth: That in consideration of the indebtedness hereinafter mentioned, and the sum of one dollar cash in hand paid the receipt of which is hereby acknowledged the said George E. Hill and Mollie L. Hill his wife parties of the first part, doth grant bargain & sell and by these presents doth convey unto W.B. Barham Truste and party of the second part, the following real estate situated and lying in the County of Southampton & State of Virginia and containing Five hundred acres more or less. it being all of that certain tract of land on which the said G.E. Hill now resides and known as the Jack Pope tract, and bounded as follows: on the North by road leading from Courtland to Cross Keys Va and land of A.S. Pope's Estate on East by B.F. Knight, on South by W.P. Popes Estate & on West by W.J. Winchlow, To have and to hold the said real estate with all appurtenances thereto belonging unto the said Grantee his heirs and assigns forever. In Trust however, to secure one bond on demand with even date of this deed for Eight Hundred Dollars due and payable to J.L. Barham party of the third part. Now in case of default in payment of said bond and interest upon applica-

tion of the holder thereof, and by order of said beneficary the said H.B. Barham Trustee as aforesaid shall proceed to sell said track of land at public auction for cash by giving twenty days notice of time and place, after paying off said bond with interest with 5% commison Esqr and of sale and all legal costs in conveying said real estate, pay the ballance if any to the said G.E. Hill or his heirs

As witness the following signatures & seals

G.E. Hell (Seal)

Mollie L. Hill (Seal)

H.B. Barham (Seal)

Virginia

Southampton County } to wit

I, B.F. Knight, a Justice of the Peace in and for the County aforesaid, do certify that Georg E. Hill and Mollie L Hill his wife whose names are signed to the foregoing writing bearing date on the 17th day of February 1891, acknowledged the same before me in my County aforesaid.

Given under my hand this 17th day of Feby 1891

The above erasures and interlinations were made before signing of this deed

B.F. Knight J.P.

B.F. Knight J.P.

Southampton County: In the Clerk's Office Feby. 18th 1891

The foregoing Deed of Trust from G.E. Hill to J.L. Barham's Trustee was this day received and with certificate annexed admitted to record

Teste B.F. McLemore C.C.

A Copy Teste

B.F. McLemore C.C.

Ex Libris "C"

P 295-2

This deed made this 22nd day of March one thousand and eight hundred and Eighty nine, between Geo. E. Hill and Mollie L. Hill his wife of the first part, and F.P. Pope Truste of the 2nd part, all of the County of Southampton and State of Virginia. Witnesseth: That for and in consideration of the sum of Five Dollars in hand paid by the said F.P. Pope Truste, to the said George E. Hill the receipt of which is hereby fully acknowledged by the said George E. Hill. the said George E. Hill and Mallie L Hill his wife doth bargain and sell and by this deed doth convey with general warranty that certain tract or parcel of land on which he now lives. Known as the Jack Pope place containing five hundred acres more or less. bounded on the North by the County road from Courtland to Boykins, on the east by the lands of Amos S Pope Est. on the South by the County Road and the lands of H.P. Popes Est. and is the same tract bought by James Hill of H.P. Pope Truste. In trust however, to secure the payment of one bond for one thousand dollars due by the said George E. Hill to Benjamine E. Worrell bearing even date with this deed. And it is mutually agreed by the Parties to this deed that if default is made in the payment of the above named bond, the said Benjamine E. Worrell may instruct the said F.P. Pope Truste, to sell the

Exhibit 13 #1 Page 594

said tract of land after giving twenty days notice at five public places in said County and pay off the said Bond of One Thousand Dollars and after paying the cost of said trust and commissions of five percent, pay over the remainder to the said George E. Hill or his legal representative. Witness the following signatures and seals this 22nd day of March 1889.

George E. Hill (seal)
Mollie L. Hill (seal)

Virginia,
Southampton County, to wit:

I, R.E. Darden, a Notary Public for the County aforesaid, in the State of Virginia do certify that George E. Hill and Mollie L. Hill his wife whose names are signed to the within writing bearing date on the 22nd day of March 1889, has acknowledged the same before me in my County aforesaid.

Given under my hand this 22nd day of March A.D. 1889.

R. E. Darden N.P.

Southampton Co. In the Clerk's office March 25th 1889
The foregoing Deed of Trust from Geo. E. Hill wife to B.E. Worrells, Trustee was this day received and with the certificate annexed was admitted to record.

Teste B.F. McLemore C.C.

A Copy:

Teste: B. F. McLemore C.C.

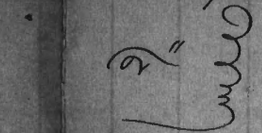
3

M. P. Vaughan & Co.
vs } Stat: Rules
Hills Admr & als:

F. H. Vaughan trading as
M. T. Vaughan & Co. who sues for
himself and all other creditors of
Geo. E. Hill, dec'd, who will come
in and bear their share of the
costs of this suit
Pltff
Agnick
J. H. Williams Sheriff and as such
Admr of Geo. E. Hill, dec'd - A. P. Pope
Trustee. B. E. Worrell. W. B. Barham
Trustee, J. L. Barham, Mary L. Hill,
Utah J. Hill, Osca A. Hill. Purla
A. Hill and Les. A. Hill - the last
four infants, by J. L. McLemore, their
Gdn ad litem.
Defts
1892. Sept 30. Process issd to 1st Oct: Rules
" 1st Oct: Rules. Process Executed. Bill & Ans
filed. J. L. McLemore appt
Gdn ad litem to infants.
decree nisi v adults
" 2nd Oct: Rules: ~~Bill~~ taken for Confessed
as to adults and Cause
set for hearing as to
them.

9

Vaughan 13 & Lea 211 &c



Stat: Rules.

Hills Admr et als

E & cut

F. H. Vaughan trading
as M. P. Vaughan & Len who
sues for himself & all other
creditors of Len. E. Hill Pltffs.
decd who will come in &
bear their share of the
costs of this suit.
Against
J. W. Williams Shff & as
such admr of Len E.
Hill decd, F. P. Pope
Trustee, B. E. Worrell, W. B.
Barham Trustee, J. E. Barham,
Elizabeth P. Hill, Mary Defts.
L. Hill, Ulah J. Hill
Asca A. Hill Purla A.
Hill & Len A. Hill the last
4 infants by J. E. McLemore,
Gdn ad litem.

In Chancery

1893. Sept 28. Proof ifsd to 1st Oct Rules
" 1st Oct. Rules. Proof Rtd. Executed, Bill
& Ex filed. J. E. McLemore appt
Gdn ad litem to infants,
decree nisi as to adults.
1893. 2nd Oct Rules. Bill taken for con-
fessed as to adults
& cause set for hearing
as to them.

8

Vaughan M'S. & Co.
vs. } In Chancery.
Hill's admr &c.

Answer of Gdn.
ad litem.

The answer of J. L. McLemore, guardian ad litem to the infant defendants, Ulah J. Hill, Osca A. Hill, Pearla A. Hill and Leo A. Hill, and the answer of the said infant defendants by the said J. L. McLemore, their g'dn. ad litem, to a bill in Equity exhibited against them and others in the Circuit Court of Southampton County by M. T. Vaughan & Co.

For answer to said bill, the said infants by their g'dn. ad litem answer and say that they are infants of tender years and, therefore, know nothing as to the matters referred to in the plaintiffs' bill. They, therefore, commit the protection of their interests to the Court.

And now having answered they pray to be hence dismissed &c.

J. L. McLemore
G'dn ad litem.

Southampton County Court June Term 1892

Geo. E. Hill having departed this life more than thirty days ago and no party having applied for Administration of his good and chattels: On motion of Mrs C. R. Pope, a creditor. it is ordered that the Estate of said decedent be committed to the hands of J. H. Williams Sheriff of this County. to be by him administered according to law. And B. F. Knight, A. J. Pope J. J. Pope and H. F. Gillette are hereby appointed appraisers, who being duly qualified, will appraise the chattel estate of said decedent, and return the same under their hands as the law directs.

A Copy:

Teste B. F. McLemore C C

By A B. Urquhart Jr D C.

Vaughan & Co. } Decree.
vs.
Neill's adm'r: et als.

This day this cause came on to be further heard upon the papers formerly read, and upon the report of Com'r: McLemore, filed April 24th 1894, and was argued by counsel. On consideration whereof, the Court, by consent of counsel, without hearing or passing upon any other question in this cause. doth adjudge, order and decree that unless the sum of $75.44 be paid to M. J. Vaughan & Co.; or their attorney, on or before the 1st day of November 1894, in settlement, by way of compromise agreed upon between the parties, of the claim of the said M. J. Vaughan & Co. in the bill & proceedings mentioned, then and in that event J. W. Williams sheriff, who is hereby appointed special commissioner for the purpose, will proceed to rent out for the year 1895, either privately or publicly and upon such terms as he may deem best for the interest of the parties concerned, the tract of land of which Geo. E. Neill died seized and possessed; and the said J. W. Williams sheriff & commissioner, will, also, collect the said rent when it shall have become due, and out of the same he will pay to M. J. Vaughan & Co., or their attorney, the said sum of $75.44 in settlement of their

said claim by way of compromise as aforesaid, and the balance, if any, he will pay over to Messrs. W.B. Shaw & Son, attorneys for the widow and children of the said Geo. E. Heile deceased. And the said Commissioner will make report to this Court.

Vaughan &c
vs. 3 Brown.
Heile admr. &c.

May Term 1894.

To be entered.

Use consent & this
Goldsboro, N.C.

13

Hill's admr to ab

ads B

M. T. Vaughan to Co

Demurrer

Hills admr &c als
ads
M. T. Vaughan &c Co

Demurrer

The defendants
say the plaintiffs Bill is not
sufficient in law

Thanks to Lomax &c.

Southampton Circuit Court Nov Term 1893

Vaughan & Co &c
Pl'ts
vs
Hills Adm'r &c
Def'ts

This day this Cause came on to be heard upon Complainants bill the Amended bill & exhibits therewith filed taken for confessed as to the adult defendants the answer of the infant defendants by Gdn ad litem and was argued by Counsel. On Consideration whereof the Court doth adjudge order and decree that it be referred to one of the Commissioners of this Court to ascertain and report to this Court 1st on account of the transactions of J. H. Williams Shff & as such Adm'r of Geo. E. Hill decd, 2nd an account of the outstanding debts against the decedant, with their priorities and dignities: 3rd an account of the Annual and fee simple value of the Real Estate of which the decedant died seized and possessed, and whether the rents and profits of the same will satisfy

years, pay the debts outstanding against the said Geo. E. Hill's estate, all which inquiries the Commissioners will make and report, together with any other matter specially stated deemed pertinent by himself or required to be so stated by any interested party.

A. Casey

Teste: T. M. Howard, C.C.

COMMISSIONER'S OFFICE,

~~JERUSALEM,~~ Courtland Va. March 16 1894.

To the *Creditors* of the Estate of
Geo. C. Hill
deceased, and all others concerned.

You are hereby notified, that ~~at the request of~~ by order of this court Bank entered in the
~~Administrator of the estate of the said~~ Chy cause of M. Vaughan & ads. Hills Admrs. vs Hill &c. Nov. Term 1893.
deceased,
I have appointed the 20 day of April 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 Court of Southampton County, the day and year first aforesaid.

Jas. L. McLemore
Commissioner

Vaughan & Co.

v. { Report

Hill, Adm. etals

1894. Apl 24 filed

T. M. 26. 6. 6.

JAMES L. McLEMORE,

Attorney-at-Law,

COURTLAND, VIRGINIA.

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

M. J. Vaughan et al

vs. Notice.

Hill adm. et al.

1894. April 20.

Executed April 18th/94
by delivering a copy of this
Notice to each of the
within named Defts

R. D. Moore Deft.
for J. W. Williams
Shff

Commissioner's Office,

Circuit Court

Jerusalem, Va., March 15 1894.

To F. H. Vaughan trading as M. T. Vaughan & Co. J. W. Williams Sheriff & adm. Geo. E. Hill dec'd. F. P. Pope Trustee. B. E. Worrell, W. B. Barham. trustee J. L. Barham. Elizabeth P. Hill Mary L. Hill, Ula J. Hill, Ora A. Hill, Pearla A. Hill & Lia. A. Hill the last four infants by J. C. McLemore Guardian.

You are hereby notified that I have fixed upon the 20 *day of* April *next, if fair, if not, the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to wit:*

1st. An account of the transactions of J. W. Williams Sheriff & as such Admr. of Geo E. Hill dec'd. 2nd. An account of the outstanding debts against the decedent with their priorities & dignities.

3rd. An account of the annual & fee simple value of the real Estate of which the decedent died seized and possessed, and whether the rents & profits of the same will, in five years pay the debts outstanding against the said Geo E. Hill's estate

4th Any other matter deemed pertinent by the Comr. or required to be stated by any interested party.

required to be taken by a decree of Southampton Circuit Court, rendered at the 2nd *term, 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

To the Sheriff of Southampton County to execute. *Commissioner.*

An account of the debt outstanding and unpaid against the estate of Geo. E. Hill died at taken before J. L. McVicar Lemore Comr. in Chy to decide of the Circuit Court entered at in the Chancery Cause of Vaughan M. T. & C. v. Hill Admr. &c.

Chr. Ct. pursuant November Term 1893

1st

A debt due by bond to J. L. Barham Assignee of B. E. Worrell dated Mch 22. 1889 & secured by Deed of Trust on the real estate of G. E. Hill $1000.

2nd.

A debt due by bond to J. L. Barham dated Febry 4th 1891 secured by bond on the aforesaid real estate. 800.

3rd.

A Judgment in favor of Mrs. Mary L. Hill Assignee of Mrs. O. R. Pope, who was the assignee of R. E. Darden. Docketed Apl. 20. 1891

	183 30	
Int. on same from Jany. 1. 1891 to Jany 30/92	11 91	
	195 21	
Cr		
By Cash Paid Jany 30. 1892	39 41	
	155 80	
Int. on same from Jany 30/92 to May 1. 1894	21 03	$176.83

4th

An open Account due Mrs. Mary L. Hill for Coffin, for Jan. 1892 & Mrs. bill during last illness. 63.28

2039 31

5th.

A Judgment in favor of Mrs Elizabeth P. Hill as per Decree Nov. Term Cir. Ct. 1893 in the Chancery Cause of Hill v. Hill Adm. 333.33

Int on same from Nov. 5. 1893 to May 5/94 9.99

(See special report as to this claim) $343.32

6th.

A note due to M. T. Vaughan & Co Plaintiffs in this Cause 150.88

Int. on same from Jany. 1. 1893 to May 5/1894. 21.02 $171.90

Total indebtedness $

Respectfully Submitted.

J. L. McLemore

Comr. in Chy Cir. Ct.

An account showing the annual and fee simple value of the real estate of which the decedent Geo. E. Hill died seized and possessed.

	Fee simple	annual
A tract of land containing 547. acres situated near Newroms Virginia	$2500.	$275.

Respectfully Submitted
J. L. McLemore
Comr. of in Chy Cir Ct

Commissioners Office
April 20. 1894

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

Pursuant to a decree of the Circuit Court rendered in the Chancery Cause of W.T. Vaughan & Co. v. Hill's Admr &c. at the Nov. Term 1893, the taking of the several accounts therein called for was referred to the undersigned. to report thereon. & in obedience thereto, your Comr. advertised for the debts and served notices on the parties in interest requiring them to appear on the 20th of April 1894, at his office, where the several accounts were taken:-

As the result of his inquiries your Comr. begs to report that J.W. Williams Sheriff & as such admr of Geo. C. Hill, has neither received nor paid out anything, and therefore he has made no statement of his transactions as Administrator. There was but little personal property left by the decedent, and Mrs Hill had what there was set aside as a Homestead after decedents death.

The account of the debts herewith annexed shows all the claims proved before the Comr. and are placed as your Comr.

believes in the order of their priorities. Debt Nos. 1 & 2 secured by Deeds of Trust have not had the interest added to them, because your Commissioner was undecided as to what amount was due.

The total indebtedness will amount to about $2800. with the interest on the aforesaid bonds added. and the annual income from the property is $375.00, it is therefore unquestionably true that the rents & profits will not in five years pay the debts outstanding against the same.

Your Com. will state specially, also at the request of Counsel for Mrs. Mary L. Hill that the point was raised before him as to her sanity at the time the two Deeds of Trust were executed by the deceased & herself, but your Com. declined to pass upon the same, because as he believes, the question is not properly before him.

The debt of $333.33 due Mrs E. F. Heile your Com. does not think is a judgment binding the real estate of the deceased, but only binds any personal assets that may come into the Administrators hands, that part of the decree establishing the same is as follows:- ... "The Court being of opinion &c --- doth adjudge & order

Vaughan & Co. M. P.

v" } Summ:

Hills Admr & als:

1892. 1 Oct. Rules

Cir. Ct.

Executed Oct 3rd
1892 by delivering
a copy of this Summ
to each of the within
named Defts.

D. W. Williams
Shff.

Served on 7 parties

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON J. N. Williams Shff. and as such Admr of Geo. E. Hill dec'd - A. P. Pope Trustee. B. E. Worrell, W. B. Barham, Trustee, J. L. Barham, Mary L. Hill. Ulah J. Hill, Ocea A. Hill. Purld A. Hill. and Led A. Hill. the last four infants, by J. L. McLemore, their Gdn ad litem.

to appear at the Clerk's Office of our Circuit Court of Southampton county, at the Rules to be holden for the said Court on the 1st Monday in October 1892, ~~next~~, to answer a Bill in Chancery exhibited against them in our said Court by F. H. Vaughan, trading as M. F. Vaughan & Co. who sues for himself and all other Creditors of Geo. E. Hill, dec'd - who will come in and bear their share of the costs of this suit -

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 30 day of September, 1892, in the 117th year of the Commonwealth.

Testo: B. F. McLemore C. C.

1909

Vaughan M. I. & C.

vs. Deane.

Hills admr etals

Nov. Term 1893.

To be entered.

C M S

Acct

Entered

Vaughan & Co. &c.,
vs
Hill's admr et al.

This day this cause came on to be heard upon complainants bill, the amended bill & exhibits therewith filed, taken for confessed as to the adult defendants, the answer of the infant defendant by Wm. as guardian ad litem and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that it be referred to one of the Commissioners of this Court to ascertain and report to this Court, 1st An account of the transactions of J.W. Williams Shff. & as such admr. of Geo. E. Hill dec'd, 2nd An account of the outstanding debts against the decedent, with their priorities and dignities; 3rd An account of the annual and fee simple value of the Real Estate of which the decedent died seized and possessed, and whether the rents and profits of the same will, in five years, pay the debts outstanding against the said Geo. E. Hill's estate, all which inquiries the Commissioner will make and report, together with any other matter specially stated, deemed pertinent by him or required to be so stated by any interested party.

Vaughan v Case

Cir Ct
Sum

Wells Admr et als

1893 / Act Rules

Cir Ct.

Executed by delivering a copy of this Sum.s to each of the within named parties defendant

Sept 30 1893

J. H. Williams
Shff

Sibrell p.q.

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON J. W. Williams Shff & as such Admr of Geo. E. Hill dec'd, T. P. Pope trustee B. E. Worrell, W. B. Barham trustee, J. L. Barham, Elizabeth P. Hill, Mary L. Hill, Mah J Hill Edna A. Hill, Purla A. Hill & Lea A. Hill the last 4 infants by J. L. McLemore Gdn ad litem.

to appear at the Clerk's Office of our Circuit Court of Southampton county, at the Rules to be holden for the said Court on the First Monday in October next, to answer a Bill in Chancery exhibited against them in our said Court by D. H. Vaughan trading as M. T. Vaughan & Co who sues for himself & all other creditors of Geo E. Hill dec'd who will come in & upon their sharing the

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

WITNESS, T. M. HOWARD, Clerk of our said Court, at the Courthouse, this 28 day of Sept, 189[illegible], in the 118th year of the Commonwealth.

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