

1891-011 Chancery Causes
Isle of Wight County

James M. Pierce, executor of Jiney Stephenson & al vs Mary J. Beale
& al

other surnames: TURNER,
MUNFORD, Gay, Bradshaw,
Lewis, Carr, White,
COX, Johnson

In the Circuit Court of Isle of Wight County:

J.M.Pierce, executor of Jincy Stephenson dec'd., Martha Turner
wife of J.J.Turner and J.J.Turner her husband, Stephen J.Pierce
Jincy A.Munford, Georgia O.Gay, wife of John L.Gay and John L.Gay
her husband, and Eva J.Pierce, Complainants:
vs.

Mary J.Beale, Julia Turner, wife of Geo.W.Turner and Geo.W.Turner
her husband, Octavia Bradshaw, and Mills W.Bradshaw her husband,
Indiana Lewis and Jerry Lewis her husband, Martha S.Turner and L.
C.Turner her husband, George F.Stephenson, Mary L.Gay and Elisha
Gay her husband, Mamie D.Carr, the last named an infant under the
age of twenty-one years, Defendants:

Said complainants respectfully shew to the
Court that in March in the year 1888 Jincy Stephenson departed
this life leaving her last will and testament which has been duly
admitted to record, a copy of which is herewith filed marked "A"
and prayed to be taken and read as a part of this bill, that the
executor therein named has been duly qualified as will appear by
reference to a copy of the records of the county Court of Isle of
Wight County herewith filed as an exhibit marked "B" and prayed to
be taken and read as a part of this bill, that afterwards to wit,
on the 23rd day of June 1888 the said executor being duly quali-
fied and having properly, legally and sufficiently advertised the
time, place and terms of sale, sold at public auction on the prem-
ises the entire estate of said testator, consisting of a very small
personalty and a tract of about one hundred acres of land lying,
being and situate in said Isle of Wight County adjoining the lands
of Dr.J.J.Duck, J.E.Johnson and others.

No.

J. M. Pier a Ex. & at ag.

vs

Beale and others

Bill of Complaint

1st. Apl. Res. 1891, Bill for
filed, served, expd. on adults,
Jde: nisi - R. E. Beykin, affide
gden, ad return to inf.

2nd. apl. Res. Bill taken for
comps. as to adult debts & for
hearing as to the same

June 20, 1891. decreed
to make good &c

Oct. term 1891

Final Decree

This tract of land was sold on credits of six and twelve months with interest from date for the sum of nine hundred and fifty(\$950) dollars at which sale said J.M.Pierce became the highest bidder and purchaser at the price and sum aforesaid, the said sale was very spirited among the different devisees and their respective friends and the land sold for a very high price indeed, much more than its market value on account of some feeling exhibited by the parties in interest. Soon after said ~~sale~~ sale your complainant J. M.Pierce was advised that he could not become a purchaser at his ~~own~~ own sale and therefore declined to pay for the land, he offered through his attorney, to let any of the parties take the land, but they declined. The said J.M.Pierce is now anxious to have the whole matter settled, he is willing to pay for the land and have a deed at the price he bid it off at and all accrued interest to date or he is willing that the land should be resold and he pay a reasonable rent for the time he has occupied it, he is willing to do anything this honorable Court may order to the end that the matter of the sale of the land may be settled.

Your complainants say that by said will it is provided that one of the devisees takes only a life estate with remainder to her heirs, in another instance one sixth part after paying debts &c. is "loaned" to Julia Turner. Your complainant J.M.Pierce executor is not informed as to what disposition he should make of the balance in his hands after paying debts &c. and would respectfully invoke the aid of the Court in that respect.

The heirs of the said W.G.Stephenson are said Indiana Lewis, wife of Jerry Lewis, Martha S.Turner, wife of J.C.Turne George F.Stephenson, Mary L.Gay, wife of Elisha Gay:

3 sheet.

The daughter Mary J.Beale is alive and one of said defendants.

The said Martha Turner, wife of J.J.Turner, Stephen J.Pierce, Gincy A.Munford, now herself a widow, Georgia O.Gay and Eva J.Pierce are the heirs at law of the daughter Sarah Pierce. The said Sarah Pierce having died before her mother died.

Said Julia Turner wife of G.W.

Turner is the daughter of that name in said will.

The only child and heir at law of the daughter Elizabeth White (now dead) is said defendant Octavia Bradshaw.

The only child and heir at law of the daughter Emily Carr is her child Mamie D.Carr.

In-as-much as your complainants are remediless save in a court of equity where matters of this sort are alone and properly cognizable they pray that said Mary J.Beale, Julia Turner wife of George W.Turner, and George W.Turner her husband, Octavia Bradshaw and Mills W.Bradshaw her husband, Indiana Lewis and Jerry Lewis her husband, Martha S.Turner and L.C.Turner her husband, Geo. F.Stephenson, Mary L.Gay and Elisha Gay her husband, and Mamie D. Carr, the last named being an infant under the age of twenty-one years be made a parties defendants to this bill and required to answer the same, an answer on oath is hereby expressly waived as provided by statute, they pray that said J.M.Pierce be allowed to take said land and pay for it or that some one else be allowed to take it, that said will be construed, that the court will decide to whom the money in hand after paying debts &c. shall be paid or how invested if it be advisable to invest, that a reasonable attorney' fee be allowed the attorney bringing said prosecuting this suit,

4 sheet.

that all such orders may be made, enquiries directed, accounts taken as may be needful and proper, that all such other, further and general relief may be afforded your complainants as to equity and good conscience may seem meet and proper. And they will ever pray.

W. S. Holloway / 11. 21.

The answer of Momin E. Barr an infant under the age of 21 years by B. E. Baykin her Guardian ad Litem to a bill in chancery exhibited by J. M. Pierce Executor of James Stephenson dec'd. and others against herself. Mary J. Beale and others in the Cir. Court of Dist. of Wight Co. Va.

The said infant defendant by her said Guardian ad Litem for answer to said bill or to so much thereof as she is advised it is material and proper to answer, Answering saith:

That said defendant Momin E. Barr is an infant of tender years and therefore incapable of understanding and properly appreciating her rights in the premises and therefore she prays that the Court will protect her interest and that no decree may be entered to the prejudice of her said rights and interests in the premises and she commits her interest to the protection of the Court and she will ever pray &c.

Guardian ad
Litem of M. E. Barr
infant defd.

Subscribed and sworn to before me this 20th day of June
1891

W. S. H. Alcock
Clerk, in chancery

J. M. Preme ex parte re,

vs } In chancery

May J. Beale et al.

Answer of M. S. Car
infant - Defendant by
R. S. By him attorney
at Law.

The Commonwealth of Virginia,

To the Sheriff of the County of Isle of Wight, Greeting:

WE COMMAND YOU, that you summon *Mary Beale, Julia Turner, wife*
of George W. Turner, and George W. Turner her husband; Octavia
Bradshaw, wife of Miles W. Bradshaw, and Miles W.
Bradshaw her husband; Indiana Lewis, wife of Jerry
Lewis and Jerry Lewis her husband; Martha S. Turner,
wife of L. C. Turner, and L. C. Turner her husband;
George F. Stephenson; Mary L. Gay, wife of Elisha Gay,
Elisha Gay her husband, and Mamie D. Carr, the last
named an infant under the age of twenty one
years of age.

to appear at the Clerk's Office of the *Circuit* Court of the County of Isle of Wight,
at the rules to be held for the said Court on the *first* Monday in *April*, 1891,
to answer a bill in Chancery, exhibited against *them* in our said court by *J. W.*

Pierce, Executor of Jincy Stephenson, decd.,
Martha Turner wife of J. J. Turner, and J. J.
Turner her husband; Stephen J. Pierce, Quincy
A. Mansford, Georgia O. Gay, wife of John L.
Gay, and John L. Gay her husband, and
Eva J. Pierce

And have then there this writ. Witness, N. P. YOUNG, Clerk of our said Court, at the court-house, the
4th day of *April* 1891, and in the *115th* year of the Commonwealth.

N. P. Young *clerk*

Executed by delivering to the within named
 Mary J. Hale Julia Turner Geo. W. Turner Theodore
 Lewis Jesse Martha Lewis Turner L. C. Turner
 Geo. F. Stephenson Mary L. Goy. Elsie Goy.
 Mamie D. Cam. each a true copy of the
 within instrument April 6th 1891.

J. B. Pitt Deft for
 Ro. A. Edwards Soff.

The within named Octavia Marshaw &
 Willis W. Marshaw not found & no in-
 cobitance of my County.

J. B. Pitt Deft
 Soff.

FORM NO. 300

Stephenson & Jones
 Exors. et als.

SUBPENA
 IN
 CHANCERY.

Beale & Co. et als.

W. J. Holland & B. G.

To 1st April
 1891- Circuit Court.

The Commonwealth of Virginia,

To the Sheriff of the County of Isle of Wight, Greeting:

WE COMMAND YOU, that you summon

Mary J. Beale, Julia Turner wife of George W. Turner and George W. Turner her husband, Octavia Bradshaw, wife of Wm. H. Bradshaw and Wm. H. Bradshaw her husband, Indiana Lewis wife of Jerry Lewis and Jerry Lewis her husband, Martha J. Turner wife of L. C. Turner and L. C. Turner her husband, George F. Stephenson, Mary L. Gay wife of Elisha Gay her husband and Mamie D. Carr the last named an infant under the age of twenty one years.

to appear at the Clerk's Office of the

Circuit

Court of the County of Isle of Wight,

at the rules to be held for the said Court on the

first

Monday in

April

, 18 *91*,

to answer a bill in Chancery, exhibited against

them

in our said court by

J. M.

Prize executor of Jerry Stephenson decd: Martha Turner wife of J. J. Turner and J. J. Turner her husband Stephen J. Price, George A. Mumford, Georgia C. Gay wife of John L. Gay and John L. Gay her husband and Eva J. Price

And have then there this writ. Witness, N. P. Young, Clerk of our said Court, at the court-house, the

4th day of *April*

18 *91*, and in the

115th year of the Commonwealth.

N. P. Young clk

A copy. Teste, N. P. Young clk

Wm. W. Bradshaw
twif

U.S. SUBPENA
IN
CHANCERY.

p. q.

To

Rules.

Court.

then file in papers

we hereby accept service of the within and waive all
legal service of the same and consent per decree as
if present in person or by attorney
Octavio Bradshaw x
Mills W. Bradshaw x

Clerks' office, Isle of Wight Co.
Court, July 31, 1891.

1890
may 7. J. N. P. Young, Clerk of the said
Court, do certify that upon the
settlement of the accounts of James
M. Pierce as the executor of the
Stephenson decd: there was retained
by and allowed to him, to be paid
to various persons, to wit:

To Isaac Duck digging grave	1.00
" John Duck appraiser	1.00
" James E. Johnson "	1.00
" Corcoran & Co. fees for that act.	4.50
" Dr. J. J. Duck 1 st class claim	56.00
" " 5 th " (bal.)	14.90
" Jas. M. Pierce " " "	616.00
	<u>\$694.40</u>

Teste,

J. N. P. Young clk.

We have received the debts above allowed
and all accrued interest

June 23rd 1891

witness

Koske Hall

John G. Quate

Isaac ^{his} Duck ^{mark}

John ^{his} Duck ^{mark}

James M. Pierce

J. E. Johnson

Recd. of J. M. Pierce Executor of Jincy Stephenson
dec'd. (each of us) a check for twelve
dollars and forty cents in full of
our interests respecting in the estate real
and personal of Jincy Stephenson dec'd.

witness J. J. Duchs

Mary L. Hay by
E. E. ^{his} ~~Hay~~ _{mk}

witness J. J. Duchs

Indiona Lewis by
J. M. ^{his} ~~X~~ Lewis
_{mk}

Martha Turner by
L. C. Turner

Distributed account of James W. Pierce as
the Executor of Jincey Stephenson's decd.

1889				
May 7	By balance due the estate, Pierce			244 02
"	Do. Do. Int.			56 31
"	Int. on \$244.02 from March 7 th			
	1889 to Aug. 7. 1891			33 91
1891				
Aug. 7	To retained to pay court. fees this at.	4 50		
"	" " " Costs of Chy in			
	suit for settlement	3	31 76	
	Balance for distribution		241 58	
			297 62	
			\$333 88	\$333 88

1891				
Aug. 7	Balance for distribution hith. due			297 62
	To Indiana Lewis Shan 1/6 of 1/6	8 26 2/3	12 40	
"	Martha Turner " " "	8 26 2/3	12 40	
"	Mary S. Gay " " "	8 26 2/3	12 40	
"	Geo. F. Stephenson " " "	8 26 2/3	12 40	
"	Wm. V. Stephenson decd. " " "	8 26 2/3		
"	James Stephenson " " "	8 26 2/3		
"	Mary J. Beale " 1/6	49 60 2/3		
"	Jincey A. Mumford " 1/6 of 1/6	8 26 2/3	9 92	
"	Georgia O. Gay " " " "	8 26 2/3	9 92	
"	Martha D. Turner " " " "	8 26 2/3	9 92	
"	Stephen J. Pierce " " " "	8 26 2/3	9 92	
"	Mary Estelle Pierce Est. " " " "	8 26 2/3		
"	Eva Pierce " " " "	8 26 2/3	9 92	
"	Julia Turner of. of Geo. W. 1/6	49 60 2/3		
"	Octavid Bradshaw W. H. " " "	49 60 2/3		
"	Marion D. Carr " " "	49 60 2/3		
			\$297 62	\$297 62

Commissaries Office, Isle of Wight
County July 31. 1891.

The undersigned, as commissaries ^{of fact} of the
county court of Isle of Wight county, at the
request of, and from information obtained
of Jas. M. Pierce Executor of Jincy Stephenson
dec'd; and other information, has made the
foregoing statement of the manner in
which said Pierce should distribute the
asset in his hands for distribution un-
der his testator will & by decree of the
Circuit Court in his suit vs. the heirs &c.
Given under my hand this day and
wherefore written.

A. P. Young Comr.

Recd. by checks on the Farmers & Merchants Savings
Bank of Smithfield the sums due us respectively
as the devisees and legatees of Jincy Stephenson dec'd.
as shown by this report on the other side of this paper

Octavia Bradshaw by
M. W. Bradshaw

James A. Manford
George O. Gay

Martha J. Turner

by James J. Turner

Stephen J. Sience

By James M. Sience

J. M. Pierce, Adm. of Eve Pierce

J. M. Pierce Exor.
of
Jincy Stephenson

Statement

her
Mary L Gay
mr

his
E C Gay
mr

~~Wm~~ Mrs C. E. News

John Quincy

CREDIT
The Farmers Bank of Norfolk and
SUFFOLK, VA.
W. H. JONES, Jr. Cashier.

Smithfield, Va. August 7th 1891 No. 3

Farmers and Merchants Savings Bank

PAY TO THE ORDER OF

Mary L. Ray

\$ 12.40

Twelve and 40 Dollars.
In full of her int. in the real & personal estate of Jincy
Stephenson ad.

J. M. Pierce Executor of
Jincy Stephenson decd.

Smithfield, Va. August 7th 1891 No. 6

Farmers and Merchants Savings Bank

PAY TO THE ORDER OF

Jincy A. Wrenford

\$9.92

Nine and

92 Dollars.

In full of her int. in the estate real & personal ¹⁰⁰ of Jincy

Stephens as decd.

J. M. Pierce Executor of

Jincy Stephens

Ginnie A. Munford

Johnnie

CREDIT

• The Farmers Bank of Nanssmond
SUFFOLK, VA.
W. H. JONES, JR., Cashier.

Martha Turner

John King

CREDIT

The Farmers Bank of Nanssmond
SUFFOLK, VA.
W. H. JONES, JR., Cashier

Smithfield, Va. August 7th 1891 No. 2

Farmers and Merchants Savings Bank

PAY TO THE ORDER OF

Morsha Turner

\$ 12. 40

Twelve &
in full of her share in the real & personal estate of
Jincy Stephenson.

40 Dollars.

J. C. B. Pierce Executor of
Jincy Stephenson's estate

Stephen J. Pierce
James, M. Pierce

John King

CREDIT

The Farmers Bank of Nansemond
SUFFOLK, VA.,
W. H. JONES, JR., Cashier.

Smithfield, Va. August 1891 No. 9

Farmers and Merchants Savings Bank

PAY TO THE ORDER OF

Stephen J. Pierce

\$ 9.92

nine and

92 Dollars.

In full of his share of the estate real & personal
of Jincy Stephenson dec'd.

I am H. Pierce Executor of
Jincy Stephenson d.c.d.

Gargie O. Gay
John L. Gay

CREDIT
The Farmers Bank of Portsmouth
ROSEFOLK, VA.
W. H. JONES, JR., Cashier.

Smithfield, Va. August 7th 1891 No. 7

Farmers and Merchants Savings Bank

PAY TO THE ORDER OF

Georgia O. Ray

\$9.92

Five and

92 Dollars.

In full of her share in the estate of James Stephen
son dead.

J. M. Pierce executor of
James Stephen dead

James O. Pierce
guard

for E. V. Pierce

John King

CREDIT
The Farmers Bank of Nansentown
SUFFOLK, VA.
W. H. JONES, JR., Cashier

Smithfield, Va. Aug. 7th 1891 No. 10

Farmers and Merchants Savings Bank

PAY TO THE ORDER OF

J. M. Pierce John, of Eva Pierce

\$9.92

Nine and
in full of her share in the estate of Henry Ste-
phens d'd.

92 Dollars.

J. M. Pierce
Secretary of
Henry Stephens d'd.

Martha D. Turner

John King

CREDIT

The Farmers Bank of Nanssmond
SUFFOLK, VA
W. H. JONES JR., Cashier

Smithfield, Va. August 189 No. 8

Farmers and Merchants Savings Bank

PAY TO THE ORDER OF

Martha D. Turner \$9.92

Nine and 92 Dollars.
100
I am full of her int. in the estate real & personal of Jincy
Stephensan decd.
J. M. Pierce Executor of
Jincy Stephensan decd.

Indiana ^{lv} ~~x~~ Lewis
mk

James ^{lv} ~~x~~ Lewis
mk

Wm

L. G. News

John King

CREDIT

The Farmers Bank of Nansemond

SUFFOLK, VA.

W. H. JONES, JR., Cashier

Smithfield, Va. August 1891 No. 1

Farmers and Merchants Savings Bank

PAY TO THE ORDER OF

Indianna Lewis \$12.40

Twelve and 40 Dollars.

In full of her int. in the real & personal estate of Jincy
Stephenson dec'd.

J. M. Pierce Executor of
Jincy Stephenson

Smithfield, Va. August 7th 1891 No. 11

Farmers and Merchants Savings Bank

PAY TO THE ORDER OF

B. T. Camplin, Wm. W. S. Camplin \$49.60

Forty-nine and 60 Dollars.
In full of the int. of said Wm. W. S. Camplin in the
est. of Jincy Stephens and Adm.

J. M. Brier Executor of
Jincy Stephens, Adm.

40.26

Pay to W. S. Holland
Sept. 10th 1891

B. L. Lasson
of Merrie. E. Lass

W. S. Holland

The Farmers Bank of Merrie, Mo.
W. H. JONES, Jr. Cashier

credit my a/c,
W. S. H.

A. P. Young

Smithfield, Va. August 7th 1891 No. 13

Farmers and Merchants Savings Bank

PAY TO THE ORDER OF

N. P. Yarnes \$31.76

Thirty one and 76 Dollars.
In full of costs in suit of Stephens' Ex'or
et. al. vs. Beale et. al.

J. M. Pierce Executor of
J. M. Stephens, et. al.

her
Octavia^x Brodhead
ma
Titus Leggett
M. W. Brodhead

John King

CREDIT

The Farmers Bank of Massachusetts
SUFFOLK, V. A.
W. H. JONES, JR., Cashier

Smithfield, Va. August. 1891 No. 5

Farmers and Merchants Savings Bank

PAY TO THE ORDER OF

Octavia Brads Law \$49.60

Forty nine and 60 Dollars.
in full of her share in the lot of Jincy Stephens an
ad.

J. M. Dineen Executor of
Jincy Stephens ad.

A. P. Vancey Com.

Smithfield, Va. Aug. 4th 1891 No. 12

Farmers and Merchants Savings Bank

PAY TO THE ORDER OF

A. P. Young & Son.

\$4 ⁵⁰/₁₀₀

Four and
no being a fee as charged by him on a ¹⁰⁰ statement
of distribution of the estate of Jincy Stephens decd.
Y. M. Sizer executor of
Jincy Stephens decd.

Pay to W. S. Hallam
George F. Thompson
W. S. Hallam

Pay C Hardy Cash
or order Taylor & Peck

Pay R. K. Chapman Cash
Per Order of August 12
THE FIDELITY NATIONAL BANK
205 FULTON ST. N.Y.
C. Hardy, Cashier.

Smithfield, Va. August 7th 1891 No. 4

Farmers and Merchants Savings Bank

PAY TO THE ORDER OF

Rev. F. Stephenson

\$12.40

Twelve and 40 Dollars.
In full of his int. in the estate of Jincy Stephenson
decd.

J. M. Pierce Executor of
Jincy Stephenson's estate

On and at the death of Mary J. Beale
we jointly and severally promise and bind
ourselves to pay to the heirs of said
M. J. Beale the just and full
sum of Forty ~~nine~~ and 26/100 dollars
for value recd. And we hereby waive
the benefit to our Homestead Exemption
as to this debt, contract and
obligation. Witness the following
signatures and seals this 7th day
August 1891

The condition of the above obligation
is such that if the heirs of said Mary J.
Beale shall well and truly receive without
costs or expense the sum of Forty ~~nine~~
and 26/100 dollars, it being the amount
loaned to said Mary J. Beale and at
her death to her heirs as provided by
the last will and testament of James Ste-
phenson decd. then this obligation to
be null and void, otherwise to
remain in full force and effect.

Mary J. Beale

R. J. Beale

A. B. Beale

J. E. Beale

~~W. H. Johnson~~

W. H. Johnson

Witness

E. C. Robinson

Stephenson Rex

vs,

Beale

In Dennis flying Band

On and at the death of Julia A. Turner we jointly and severally
promise and bind ourselves to pay to the heirs of said Julia A.
Turner the just and full sum of \$^{40.26}~~40.00~~, for value received. And
we hereby waive the benefit of our Homestead Exemption as to this
debt, contract and obligation. Witness the following signatures
and seals this 16 day of October 1891.

The condition of the above obligation is such that if the
heirs of said Julia A. Turner shall well and truly receive without
costs or expense the sum of \$^{40.26}~~40.00~~, it being the amount loaned to
said Julia A. Turner and at her death to her heirs as provided by
the last will and testament of Jincy Stephenson dec'd. then this
obligation to be null and void, otherwise to remain in full force
and effect.

Witness

G. H. Hunt

Julia A. Hunt (seal)

Geo. W. Turner (seal)

(seal)

(seal)

(seal)

(seal)

sale and conveyance to Dr.J.J.Duck at the next regular term of
this court if any legatee or other party in interest shall come in
and show the court that said sale is not a good one, or that the
price is not the full value of the land, or that any injustice has

been done thereby, and it is ordered that a copy
of this decree be served on ^{each of} the defendants
in this cause

J. H. Pierce Executor &c

vs.

Mary J. Beal et al.

De cur

To be entered

C. M. B.
June 20th 1891

Entered.

look down this way.

price is not the full value of the land, or that any objection has
and show the court that said sale is not a good one, or that the
this court if any objection or other party in interest shall come in
also and conveyance to Mr. J. H. Pierce of the next term of court of

J.M.Pierce, executor &c.et.als.

vs.

Mary J.Beale, et.als.

This cause came on this day to be heard on the bill of complaint taken for confessed as to the adult defendants and on the answer of the infant defendant Mamie ~~T.~~^{A.} Carr and was argued by counsel, on consideration whereof the court doth adjudge, order and dec ree that Dr.J.J.Duck on his motion by attorney in open court be permitted to take the lands in the bill and proceedings mentioned at the price and bid offered and made by J. M.Pierce and that upon the payment of the sums of \$950 with interest thereon from the 23rd day of June 1888 till payment by said Duck to James M.Pierce executor of Jincy Stephenson, deceased, then that said executor do make, execute and deliver to him the said Duck a good and sufficient deed with special warrenty in accordance with the last will and testament of said Jincy Stephenson, deceased; and the court doth further adjudge, order and decree that in the distribution by said executor to be made to the legatees named in said last will and testament of Jincy Stephenson the said executor shall deposit in the Farmer's & Merchants ~~Bank~~ Savings Bank of Smithfield Va. to his own credit the respective shares of Mary J.Beale and Julia Turner and file certificate of deposite in the papers.

And it is further adjudged, ordered and decreed that said executor pay out of any funds in his hands the costs of this suit; and that J.M.Pierce executor of Jincy Stephenson, deceased, make full report to court of his doings under this decree.

The court doth specially reserve the right to revoke and annull so much of this decree as directs a

~~xxix~~

Stepnenson's Ex. et. als.

vs.

Beale et. als.

.....

Report of J.M.Pierce Ex. &c.

years old, that she is an old lady about sixty years old is a widow and that her sureties therefore are the parties entitled to the money in case she was sead, besides he considers the surety absolutely ample, and in the case of Julia Turner some of whose children are infants her surety is good, worth at least three thousand dollars in unincumbered property.

The undersigned recommends that the request of these parties be granted if in the opinion of the court it is legal and proper so to do.

The undersigned has settled the whole estate real and personal and he prays that the suit for settlement may be dismissed whenever this report is confirmed.

Respectfully submitted,

James H. G. Jones

Stephenson's Executor et. als.

vs.

Beale et. als.

The undersigned begs to report that pursuant to a decree herein of June 20th 1881 a copy of which is filed herewith, he conveyed the land therein mentioned to Dr. J.J.Duck as directed, and collected the purchase price thereof and has paid out all money in his hands. That soon after said decree and collection he applied to N.P.Young commissioner in chancery of this court and asked him to make for him a statement by which to distribute the funds of the personal and real estate of his testator which he afterwards did and which statement is herewith filed, by which it appeared that after paying all debts and the costs of this suit there was in his hands for distribution the sum of \$297.62 out of which he retained \$56.05 his commissions at five per cent on gross sales leaving for distribution to the six legatees named in the will of his testator the sum of \$241.57 or \$40.26 ^{each} all ^{of} which he has paid by ^{drawing} check on the Farmer's and Merchants Bank of Smithfield, Va. except two, to wit: Julia Turner and Mary J.Beale and their shares have been deposited in the said bank and is now there. He files herewith said checks as his vouchers because the receipts given him were for checks and he says the checks will show that they have been paid.

He says that said Mary J.Beale and Julia Turner desire to have the use of their money now, and to that end have each made, executed and filed in these papers their bonds conditioned at their death respectively to pay said sum of \$40.26 to their heirs as by said will directed. He says that the bond of said Mary J. Beale is signed by all her children all of whom are twenty one

Stephenson's Ex. et. als.

vs.

Beale et. als.

This cause came on this day to be again heard on the ~~papers~~ papers formerly read and on the report of J.M.Pierce executor of Jincy Stephenson decd. and was argued by counsel, on consideration whereof the ~~Court~~ doth adjudge, order and decree that said report of J.M.Pierce Ex. &c. be, and the same is hereby ratified and confirmed, and it appearing to the court from the report of said executor that Julia Turner and Mary J.Beale have each filed an indemnifying bond in this cause conditioned according to the will of Jincy Stephenson dec'd. and with good security, it is ordered that said executor pay at once out of the fund in bank or otherwise to said Julia Turner and Mary J.Beale each the sum of \$40.26 as and for their own and the interest of their heirs in said estate; and it appearing to the court by vouchers filed with said report that said J.M.Pierce Executor as aforesaid has settled the estate of his testatrix and has paid out all the money in his hands, and has paid the costs of this suit, and has conveyed the lands in the bill and proceedings mentioned to Dr. J.J.Duck as ordered, it is adjudged, ordered and decreed that said sale be, and the same is hereby ratified and confirmed and that all matters herein be made final and binding between all parties hereto and that this cause be dismissed and removed from the docket.

Stephenson's Ex. et. als.

vs.

Beale et. als.

.....

D E C R E E .

To be entered.

cmh

Oct 24, 1891

I, Jincy Stephenson being weak in body but of sound mind, do ordain this my last will and testament, revoking all other wills hereto made by me, in manner and form as follows:

Item 1st I desire that my just debts together with my funeral expenses be paid first.

" 2^d I give to my daughter Mary J. Beal my gold specks.

" 3^d I give to my grand daughter Virginia Mumfords one large trunk.

" 4th It is my will and desire that the balance of my property both real and personal, save the bed in the big room be sold at public auction by my executor herein after named and divided in six equal parts, and give as follows, one sixth part to the heirs of my son Wm. G. Stephenson. I leave one sixth part to my daughter Mary J. Beal and at her death I give it to her heirs. One sixth part to the heirs of my daughter Sarah Pierce. I leave one sixth part to my daughter Julia ~~Pierce~~ ^{Tierney}. One sixth part to the heirs of my daughter Elizabeth White, and one sixth part to the heirs of my daughter Emily Carr.

" 5th I do ordain and appoint my son-in-law James W. Pierce my sole and sole executor to this my last will and testament and give him 1 bed in big room.

Given under my hand and seal this 1. day of August 1884.

Teste,

Jincy ^{her} Stephenson (seal)
mark

L. W. Duck
J. J. Duck
J. E. Johnson

In the County Court of Isle of Wight County, the ^{7th} day
of May 1888, The last will and testament of
Jimmie Stephenson deceased was proved by the
oaths of Edwin W. Duck and J. J. Duck, two of the
subscribing witnesses thereto, and ordered to be
recorded.

a copy.

Teste, N. P. Young clk.

Teste, N. P. Young clk.

Pured Ecor. of
Stephenson et al.
vs. $\frac{3}{4}$ Dr. Chap.

Beale et al.

Ecl. "A" filed with
the Bill.

Copy will.

In the County Court of Isle of Wight
County, the 14th day of May, 1888,

On the motion of James M. Peirce, the
executor named in the last will and
testament of Jincy Stephenson deceased,
who made oath according to law, and
together with J. J. Duck, Wm. A. Peirce and
W. S. Hollace his secretaries, who justified
as to their sufficiency, entered into and
acknowledged a bond in the penalty of
one thousand dollars, with condition
according to law, Certificate of probate
is granted him on said will of Jincy
Stephenson decd. in due form of law.

A copy.

Teste, N. P. Young clk

Pierced Eggs of
Stephenson
w. $\frac{3}{4}$ in clay.

Beale et al.

Eggs B filled with
the Rice.

certf. of probate

"An account of sales of the property of
Jincy Stephenson et al: sold by J. M. Pierce
executor on the 23rd day of June, 1888, for
cash, except the land, which was on
a credit of six and twelve months with
interest from the day of sale."

"Tract of land to J. M. Pierce. \$950.00"
Extract from the account of
sales of Jincy Stephenson property,
of record

Teste, A. P. Young clk.

Pinned Exam. of
Stephenson, et al.

vs. $\frac{3}{3}$ In Chap.

Beale et al.

Exh. filed with
the Bill

Extract from
act. of sales,

J. M. P. A. A. A.
et al

vs.

Beal et al

Stephens on's exor.

vs

Beal et al.

Re J. April

13th 1900

Wm S. Hall

~~St. George~~

~~St.~~

~~St. George~~

~~St. George~~

~~St. George~~

~~St. George~~

~~St. George~~

~~St. George~~

~~St. George~~