

1899-004

Nansemond Co (Suffolk)

Chancery Causes: Admro of Maggie E Butler vs Exro of James Vaughan et al

Cross, Johnson, Holland, Persons

To the Hon: R. R. Prentiss,
Judge of the Circuit Court of Nansemond Co., Va.

The undersigned pursuant to a decree of the Circuit Court of Nansemond County, Va., entered on the 10th day of December, 1897, in the Chancery cause of Butler's Administrator vs. Leross and others pending in said Court, after due notice proceeded on the 5th day of January, 1898, to sell by public auction the Homestead including 150 acres of James L. Vaughan, decd., and J. A. Leitchins, being the highest bidder, became the purchaser of the said property for the sum of twelve hundred and sixty nine dollars (\$1269⁰⁰) and in conformity to said decree paid one third of the purchase money, to wit: \$423⁰⁰, in cash and executed his two bonds, each for the sum of \$423⁰⁰, with Hilary Catochin, whom I regard as good personal security, for the deferred payments; and I have deposited the cash payment less 5% commissions on the sum $\begin{matrix} \$423.00 \\ \$21.15 \\ \hline \$401.85 \end{matrix}$ that is, \$401⁸⁵, to my credit as Executor of James L. Vaughan, decd. in the Farmers Bank of Nansemond.

Respectfully Submitted.

Wm. H. Barnes, Executor of
James L. Vaughan, decd.

Butlers Admir
vs } In Chancery
Cross v others

Report of Tho^{rs} H Barnes
Exr of Jas^{ts} Vaughan
under decree of the
10th Decr 1897

1898 Jan'y 5th Filed
S^{rs} Gormey Clerk

*still failing to appear and plead, answer or
demur,

Butter's Adm'r. &c.

r-s.

Excep et. als.

This cause came on this day to
be again heard on the papers, for namely
the bill being taken for confessed as to the defendants John B. Vaughan
and Virginia C. Vaughan, on whom process has been duly served and they have
read, and on the report of Commissioner
W. J. Kilby filed herein March 8th
1898 and on the report of sale by
Thomas H. Barnes executor of James
B. Vaughan deceased filed herein
January 5th 1898, and was argued by
Counsel:

On consideration whereof the court
doth adjudge, order and decree that
said reports of Kilby Commissioner and
Barnes executor, to which no exception
has been filed, be, and they are, each
heavily confirmed.

And the court doth further adjudge
order and decree that said Thomas H.
Barnes executor of James B. Vaughan
out of the money in his hands pay the
costs of this suit including a fee
to E. E. Hallam of \$50.^X and Wm S.
Hallam a fee of \$50.^X; and that
he pay the balance in hand and to
come in hand, less costs of sale and commissions,
equally to the ^{five} following parties or to
their attorneys; namely, Pattie L. Brooks
who was Vaughan; Annie E. Johnson who

was Vaughan; Addie E. Hall and who was Vaughan;
Mary Jane Persons who was Vaughan and
to Robert H. Butler sole distributee of
Maggie E. Butler nee Vaughan decedent,
and said executor shall make report to court
of his doings hereunder.

And the court doth further
adjudge order and decree that said
executor collect the deferred payments for
said bond as fast as due and payable
and distribute the same as hereinbefore
ordered.

And the court doth further adjudge
order and decree that the clerk of this court
record the account of the settlement of
the transactions of R. H. Butler administra-
tor of Maggie E. Butler decedent as required
by Section 2681 of the Code of Virginia.

Butler admr. &c

25.

croff st. sh.

Deceit

April 12th 1898.

To be entered.

Robert H. Butler

Entered in

Chancery
VB 2 Page 136

In the circuit court of Nansemond County,
Virginia, in vacation, this 10th day of ~~November~~
December 1897.

Butter's admr.

vs.

Wright et. al.

original and amended This cause come on this day to be heard
on the bills of complaint taken for confessed
as to all the defendants ^{on whom process has been duly served} except Jno B.
Vauvhan and Virginia B. Vauvhan wife of
Jno. B. Vauvhan, ~~on~~ on reasonable notice of the
application for this decree to all the defendants
except said Jno. B. Vauvhan and Virginia B. Vauvhan,
and was argued by counsel.

On consideration whereof the Court,
being of opinion that the complainant
R. H. Butter is entitled, as the distributee of his
deceased wife, ^{in her estate} in the proceeds of the sale of
"The Homestead including 150 acres of land", do
adjudge, order and decree that Thomas H. Barnes
executor of James B. Vauvhan deceased
do proceed at once to complete the execution
of the trust in him reposed by ~~the said~~ the last
will and testament of said James B. Vauvhan
deceased, by selling said "Homestead including
150 acres" and doing such ^{other} acts as may be his
duty, that said tract of land be sold at public

auction, for cash, one third, and the balance
in six and twelve months, ^{with interest from day of sale} looking from the purchaser
bonds with good personal surety for the deferred
payments, and make report to court, returning in hand
any money by him collected.

On motion of the complainant he
is allowed to amend his bill in court by adding to the list
of defendants the names of Jno. B. Vauvhan and Virginia
B. Vauvhan, his wife, who shall be summoned to answer at Rules.

And the Court doth further adjudge, order and
decree, that one of the commissioners of this Court
take, state and report to the next term of this
Court:

- (1) an account of the doings & transactions of Robert
H. Butter administrator of Maggie E. Butler
deceased
- (2) An account of the debts & outstanding and
unpaid against the estate of said Maggie
E. Butler deceased.
- (3) Any matter deemed pertinent by said court
or any party in interest.

Robert D. Davis
To the Clerk of the
Circuit Court of
Harrison and County

Enter Dec 10, 1894
Robert D. Davis

Entered in Chancery
Order Book No 3 Page 119.

Robt N Butler Admin	
Wm Ingham	
Pastor L Crosswaters	
Asst Homer Clerk & Recs Ape	\$ 8.77
Asst Baker Sheriff Naud	9.00
R A Edwards " JofW	1.00
Writ Tax	1.50
Attorney	15.00
	\$ 35.27

Commissioners Fee	\$ 10.00
R A Edwards Shff	
of Jof Wright Co	1.00
Asst Baker Shff	
Naud Co	4.00
	15.00
	\$ 50.27

Mr. A. P. Homer etc. Esq. Court:

My Dear Sir:

I send you by this mail under some
cover the bill in Butter's adm^r. &c vs Vaughan's Executors
et al. Please acknowledge the receipt of the same on the
enclosed card.

Yours very truly
Wm S. Hall and

Courts:
Isle of Wight, Nansemond
and Southampton.

LAW OFFICE
—OF—
W. S. MOLLAND.

Windsor Station, Va., Oct 30th 1897.

To the Clerk of the Circuit Court of Nansemond county, Virginia:

Robert H. Butler, administrator of Maggie E. Butler deceased, and in his own right vs Pattie L. Cross, nee Vaughan, and James I. Cross her husband; Annie E. Johnson, nee Vaughan, and K. E. Johnson her husband; Addie E. Holland, nee Vaughan, and F. L. Holland her husband; Mary Jane Persons, nee Vaughan, and T. A. Persons her husband; and Thomas H. Barnes executor of the estate of James G. Vaughan deceased. Surmon in chancery to second November Rules 1897.

Pay \$150 paid

Wm S. Holland P.Q.

P.S. Please send me the summons for the two Johnsons addressed to sheriff of Nansemond, and the summons for the two Persons addressed to the sheriff of Isle of Wight county. I send you my check for the tax.

*Yours &c
W. S. Holland*

Courts:
Isle of Wight, Nansemond
and Southampton.

LAW OFFICE
—OF—
W. S. MOLLAND.

Windsor Station, Va., Nov. 20th 1897.

Mr. A.P.Gomer, Clerk.

Dear Sir:-

I send you enclosed the process on which service is acknowledged by K.E.J and wife, also the notice accepted. Please file. This letter to me went to Windsor N.C . and that is why I did not get it sooner. Please set the suit for hearing as to all, as I suppose the others have been duly summoned.

Yours Truly,

Wm.S.Holland.

To Mary Jane Persons and T.A. Persons:

Please take notice that on the 10th day of December 1897, I shall apply to the Hon. Robert R. Prentiss, Judge of the Circuit Court of the county of Nansenond, Virginia, at his office in the town of Suffolk, for a decree in the suit pending in the said court, wherein you and others are the defendants, and, I am plaintiff, for accounts, and for the renting for one year or the sale of the tract of land in the will of James C. Vaughan deceased described as " The Homestead including the 150 acres of land.

Robert H. Butler Administrator of Maggie
E. Butler deceased, and, in his own right
by *Wm S. Hall and* his attorney.

Executed by delivering to the within
named Mary Jane Persons & S. A.
Persons each a true copy of this
matter Nov 6th 1897.

Ro, A. E. Evans
Shelf

Copy Bullincher

as

Virginia ch

To K.E.Johnson and Annie E. Johnson:-

Please take notice that on the 10th day of December 1897, I shall apply to the Hon. Robert R. Prentis, Judge of the Circuit Court of Nansemond county, Virginia, at his office in the town of Suffolk, for a decree in the suit pending in the said said court wherein you and others are defendants, and, I am the plaintiff, for accounts, and for the renting ~~XXXXXXXXXX~~ for one year or the sale of the tract of land in the will of James O. Vaughan described as " The Homestead including the 150 acres of land".

Robert H. Butler Administrator of Maggie
E. Butler deceased, and, in his own right
by *Wm S. Hall and* his attorney.

We each hereby acknowledge the receipt of a
copy of this notice and acknowledge service
hereof.
Mr. 3rd 1897

R. E. Johnson

Anna S. Johnson

Tand.

by

his attorney.

E. Butler deceased, and in his own right

Robert H. Butler Administrator of Estate

VanRyhan described as "The Homestead including the 150 acres of
land or the site of the tract of land in the will of James O.
Plaintiff, for accounts, and for the renting ~~XXXXXXXXXX~~ for one
said court wherein you and others are defendants, and I am the
the town of Suffolk, for a decree in the suit pending in the said
Circuit Court of Henric county, Virginia, at his office in
1897. I shall apply to the Hon. Robert R. Prentiss, Judge of the
Please take notice that on the 10th day of December
To R. E. Johnson and Anna S. Johnson:-

Received
my invoice
papers all
right,

Colonie N. C.
Nov 6 1897

W. S. Holland:-

Dear Sir,

In-
close you will find those
papers. Signed as you request-
ed; I have wrote the other
parties concerning the suit
But unhappily they will be
unable to meet him so
far as our selves; it is
impossible to come any
can ^{be} settle with out us,
satisfactory to all parties

Yours Respect-
R. E. Johnson

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *Pattie L. Cross nee*
Vaughan and James D. Cross her husband
Annie E. Johnson nee Vaughan and H. E.
Johnson her husband; Adair E. Hall and
nee Vaughan and F. L. Hall and her
husband; Mary Jane Persons nee
Vaughan and H. A. Persons her husband
and Thomas H. Barnes executor of the
estate of James C. Vaughan deceased

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
for the said Court, on the *third* Monday in *November 1897*, to answer

a Bill in Chancery, exhibited against *them*
in the said Court by *Robert H. Butler administrator*
of Maggie E. Butler deceased
and in his own right

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this *1st* day of
November, 189*7*, in the 12*th* year of the Commonwealth.

A copy—Teste: *A. P. Gomer*, CLERK. } Teste: *A. P. Gomer*, CLERK.

W. S. Holland p. q.

A copy for
K. E. Johnson

vs. } In Chancery.

husband of
Annie E. Johnson

1897--

November Rules.

Third Monday.

Nansemond Circuit Court.

Process Book No. 2

Page 157

sign + return this.

we each hereby acknowledge that we have received
a copy of this summons or process and acknowledge
service hereof
K. E. Johnson
Nov. 3rd 1897

sign on these
lines.

K. E. Johnson
Annie E. Johnson

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

Pattie L Cross nee
Vaughan and James I Cross her husband:
Annie Johnson nee Vaughan and R E
Johnson her husband; Addie E Halland
nee Vaughan and F L Halland her husband
Mary Jane Persons nee Vaughan and T A
Persons her husband; and Thomas H Barnes
executor of the estate of James L Vaughan
deceased John B Vaughan and Virginia
Le Vaughan his wife

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
for the said Court, on the *Third* Monday in *December 1897* to answer

a Bill in Chancery, exhibited against *them*
in the said Court by *Robert A Butter administrator*
of Maggie C Butter deceased and in
his own right.

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this *11th* day of
December, 189*7*, in the 12^{*one*}~~11~~ year of the Commonwealth.

A copy—Teste:

Teste:

CLERK.

CLERK.

Recd. this 13 day of Dec
1877 by delivery at your
copy of the within process
for J. B. Vaughan and
Virginia L. Vaughan in
Nashua v. J. B. Vaughan
et al.

W. S. Hallam p. q.
Robert H. Butler
Admr.

vs. } In Chancery.

Pattie L. Cross
and others

18-----

-----Rules.

-----Monday.

Nansemond Circuit Court.

Process Book No.-----

Page-----

8100

To Pattie L. Cross, nee Vaughan, and James I. Cross her husband;
Annie E. Johnson, nee Vaughan, and K.E. Johnson her husband; Addie
E. Holland, nee Vaughan, and F.L. Holland her husband; Mary Jane
Persons, nee Vaughan, and T.A. Persons her husband; and Thomas
H. Barnes, Executor of James C. Vaughan deceased:

Please take notice that on the 10th day of December
1897, I shall apply to the Hon. Robert R. Prentiss, Judge of the
Circuit Court of the county of Hanson, Virginia, at his of-
fice in the town of Suffolk, for a dec^r in the suit pending in
the said court wherein you are defendants, and, I am plaintiff,
for accounts and for the renting or the sale of the tract of
land in the will of James C. Vaughan deceased, described as
"The Homestead including the 150 acres of land.

Robert H. Butler, Administrator of Maggie E.
Butler deceased, and in his own right by
James H. Allen his attorney.

84,50

Eye entered this 8th day of Nov 1897
by delivering a true copy of
the within notice to each
of the within named defendants
in person.

W H Baker
Sheriff

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

Pattie L. Cross nee
Vaughan, and James I. Cross her husband;
Annie E. Johnson nee Vaughan, and R. E.
Johnson her husband; Addie E. Holland
nee Vaughan, and F. L. Holland her
husband; Mary Jane Persons nee Vaughan
and T. A. Persons her husband; and
Thomas H. Barnes executor of the estate
of James C. Vaughan deceased.

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
for the said Court, on the *Third* Monday in *November 1897*, to answer

a Bill in Chancery, exhibited against *them*
in the said Court by *Robert H. Butler administrator*
of Maggie E. Butler deceased, and
in his
own right

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this *1st* day of
November, 189*7*, in the *and* 12*2*th year of the Commonwealth.

A copy—Teste:

Teste:

CLERK.

CLERK.

Executed this 8th day of Nov-1897
by ordering a true copy of the
Within for ~~each~~ to each of the
Within married defendants in
this case & self - Mary Jane Persons
and J. A. Persons of Albany
Sheriff

U.S. Holland p. q.

Robert N. Butler
Administrator &c

v.s. } In Chancery.

Pattie L. Cross
her husband &c

1897--

November Rules.

Third Monday.

Nansemond Circuit Court.

Process Book No. 2

Page 157

\$3.50

CHANCERY SUMMONS.

The Commonwealth of Virginia, *Isle of Wright*

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *Pattie L Cross nee*
Vaughan and James I Cross her hus-
band, Anne E. Johnson nee Vaughan
and K E Johnson her husband and
E Halsewood and nee Vaughan
and F L Halsewood her husband
Mary Jane Persons nee Vaughan
and J A Persons her husband and
Thomas H Barnes Executor of the
estate of James L Vaughan deceased

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held
 for the said Court, on the *third* Monday in *November 1897*, to answer

a Bill in Chancery, exhibited against *them*
 in the said Court by *Robert H Butler administrator*
of Maggie E. Butler deceased and
in his own right

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this *10th* day of
November, 189*7*, in the 12^{*th*} year of the Commonwealth.

A copy—Teste:

Teste:

, CLERK. }

A. P. Gomer, CLERK.

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Excellent by delivery to the critic
 Men's success for persons & of a
 persons each a true copy of the
 position. When, Oct 89 74
 No. 2. Editor
 J. H. A.

Received of ^D Thos. H. Barnes Executor of Jas. C. Vaughan, deceased, the sum of
Two dollars and 50 fifty cents for preparing deed to purchaser, &c.

W. H. Anderson

Janney, 10th 1899. — Recd. of Chas. N. Barnes,
Exectr. of Jas. L. Vaughan, decd., the sum of
Two hundred and sixteen and $\frac{23}{100}$ dollars, it
being the amount in full of my Distributive share
of the net proceeds of sale of the homestead of
said deceased.

Anna S Johnson,

Pay to the order of
Anna S Johnson

Janney 10th 1899 — Received of Geo. H. Barnes,
Executor of Jas. C. Daughen, decd., the sum of
two hundred and sixteen + $\frac{23}{100}$ dollars, it being
the amount in full of my distributive share of
the net proceeds of sale of the Homestead
of said deceased.

Pattie L. Cross,

Jan'y. 10th. 1899 — Received of Chas. H. Barnes,
Executor of Jas. C. Baughan, decd., the sum
of two hundred and sixteen & $\frac{23}{100}$ dollars, it
being the amount in full of my distributive share
of the net proceeds of sale of the homestead of
said deceased.

Mary J. Parsons

January 10th, 1899. Received of Chas. H. Barnes
Executor of J. C. Vaughan, decd., the sum
of two hundred and sixteen and $\frac{23}{100}$ dollars
it being the full amount of my distributive
share of the ^{net} proceeds of sale of the homestead
of said deceased.

Addie E. Holland,

Jan'y 10th, 1899 - Recd. of Chas. H. Benson,
Executor of Jas. C. Daughen, died, Two hundred
sixteen & $\frac{23}{100}$ dollars (\$216 $\frac{23}{100}$) - the same being
in amount in full of my distribution share of the
proceeds of sale of Jas. Daughen homestead -

R. H. Butler

Recd. Jan'y. 14th 1899. of Chas. H. Barnes, Executor
of J. B. Taupken, decd. fifty cents for taking his
acknowledgment of deed conveying the homestead of
said deceased to James A. Cutler

R. C. Daugherty J. P.

Expt 7

Mr *Thos H. Barnes*, (*Exec J. C. Vaughan*) Dr.

1898.

To S. T. ELLIS, Treasurer of Nansemond County, Va.

Paid by Thos H. Barnes

No. <u>112</u>	State Tax 30c. on \$100.	State School Tax, 10c. on \$100.	County Levy, 20c. on \$100.	Parish Levy, 8c. on \$100.	County School Tax, 5c. on \$100.	District School Tax, 5c. on \$100.	County Road Tax, 10c. on \$100.	TOTAL TAX.
No. of Acres _____								
To Real Estate, value \$ _____								
" Personal Property, value \$ <u>1200</u>	<u>360</u>	<u>120</u>	<u>240</u>	<u>96</u>	<u>60</u>	<u>60</u>	<u>120</u>	<u>1056</u>
" Merchandise, value \$ _____								
" Poll Taxes _____		<u>100</u>					<u>50</u>	<u>1056</u>
Total _____								
5 per cent. additional _____								
Total _____								

Received payment *30* day of *November* 189*8*

J. E. Ellis Treasurer,
Per *W. A. King*

Mr. James C. Vaughan Est Dr.
1897.

Dr. J. H. Barnette

To S. T. ELLIS, Treasurer of Nansemond County, Va.

No. <u>883</u>	State Tax, 30c. on \$100.	State School Tax, 10c. on \$100.	County Levy, 20c. on \$100.	Parish Levy, 8c. on \$100.	County School Tax, 5c. on \$100.	District School Tax, 5c. on \$100.	County Road Tax, 10c. on \$100.	TOTAL TAX,
No. of Acres <u>222</u>								
To Real Estate, value \$ <u>888</u>	<u>266</u>	<u>89</u>	<u>178</u>	<u>71</u>	<u>45</u>	<u>44</u>	<u>89</u>	<u>7.83</u>
" Personal Property, value \$								
" Come, &c., value \$								
" Poll Taxes		1 0 0					5 0	
Total								<u>39</u>
5 per cent. additional								<u>8.24</u>
Total								

Received payment 29th day of July 1898

Sydney T. Ellis Treasurer,
Per _____

Suffolk, Va., May 6, 1898

Mr. Thos. H. Barnes, Executor Dr. J. C. Vaughan

TO SUFFOLK HERALD

Newspaper, Book AND Job Printing Establishment.

J. E. BOOKER, Proprietor.

TERMS CASH.

No. 9 WASHINGTON SQUARE.

1897

Dec 24 To Advg Sale J. C. Vaughan
Land for Sale
50 Bills Note of Sale

1.25

75

2.00

Per Payment J. E. Booker

Recd, Augt, 8th / 84 8 of Dr J. N.
Barney Esq, of J C Vaughn dead,
Two (200⁰⁰) Dollars Due in Such.
R. N. Button adven vs P L Cross ch
Als. For serving Process on T. A. Person
& wife - twice

accept thanks,

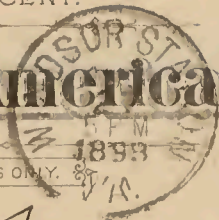


Robt. A. Edwards
Shff. of
J. C. Wright Co.

POSTAL CARD - ONE CENT.

United States of America.

THIS SIDE IS FOR THE ADDRESS ONLY.



Dr. J. A. Barnes
Elwood Va
Naussemond Co.



Suffolk Va May 11th 1898

Received of Thos H Barnes Esq of
Jas C Vaughan Decd
Thirteen Dollars

In full of all fees and Sheriff's cost in
Case of R H Butler Admr VS P L Cross & others.

A H Baker Sheriff

\$13.00

Suffolk Va June 4th 1898
Received of Dr Thomas H Barnes Exor.
of James C Vaughan deceased Eight Dollars
and Seventy Seven Cents my fees as Clerk in
the Chancy Suit of Butler Admr &c vs Patton
L Cross & others

A H Barnes Clerk

Circuit Court Naus Co 2nd

1898 May 2 Received of Thos. H. Barnes, Exor. of Jas.
C. Vaughan Ten dollars for report made by
me and filed in the chancery cause
of Butters Admr. etc. against Cross & al.
\$10.

Wilbur J. Kilby
Cmr. in Chancery.

1898, May 6th-Received of Thos. H. Barnes Executor of Jas. C. Vaughan's estate
the sum of Fifty dollars in payment of fee allowed in the chancery cause
of Butler vs Cross and others.

E. E. Kalland
Atty

No. _____

SUFFOLK, VA.

Jan 7th

189 *8*

FARMERS BANK OF NANSEMOND

PAY TO THE ORDER OF

Mr. S. Holland, Attorney.

One and

(Tax to address in unit of ten dollars)

50 DOLLARS
100

\$ 1 50

Chas. H. Barnes, Cashr. J. C. Vaughan, Treasr.

Wm S. Hall and
attorney

Wm S. Hall and

PAY TO THE ORDER OF
CITIZENS EXCHANGE BANK

OF RICHMOND, VA.

OVER \$1000.00
BANK OF WADDEY CO. ER

ENDORSEMENT GUARANTEED.

JUN 10 1898

CITIZENS EXCHANGE BANK
RICHMOND, VA.

S. G. WALLACE, Cashier

Rec'd. May 16th 1898 of Jos. H. Barnes exor. of Jones Van, Lam
decd. a check for fifty (50) dollars which when paid is to be
applied by me in full of the fee allowed in a decree rendered
at April Term 1898 Cir. Court of St. Lawrence County in the
suit of Butler's admr. vs. L. & S. et al.

Wm S. Hollond.

Wm. A. L. & Co. January 18th 1899.

To the Circuit Court of the County
of Harmond: The undersigned respectfully
submits the following report of his doings
in pursuance of the decree of the Circuit
Court of Harmond County, State of Ga.,
promulgated on the 12th day of April, 1898,
in the Chancery cause pending in said
Court between Wm. H. Butler, Defendant, versus
as Petitioner, Cross and others.

Whitcomb,
Quartermaster, 1st Regt. Inf., 1st Div.,
1st Army Corps.

Estate of Jas. E. Thompson, Decd.
 In Account with Wm. H. Farmer, Executor.

1898	In Account with W. H. Harvey, Executor.
Dr	
5	By amount bal. of 1 st December
	" interest on Bonds for unpaid payments
	\$ 1269. 00
	38 07
	1307. 07

	\$	65	35
to Commencement on \$1307.04			
" cash paid Mrs L. Holland, Attorney		50	00
" do. C. E. Holland, Attorney		50	00
" " Wm. F. Kelly, Commissioner		10	00
" " R. P. Kerner, Clerk		8	77
" " A. M. Parker, Sheriff		13	00
" " H. A. Edwards, Sheriff & J. M.		2	00
" " J. C. Rooster, Advertising.		2	00
" " (H. S. H.) Print Exp		1	50
" " V. T. Eli's, Bureau, Taxes		8	24
" " J. T. Eli's Bureau, Taxes		10	56
" " J. E. Holland for Training dead.		2	50
" " H. R. Daugherty, Justice fee.			50
" " Bureau stamps for dead		1	50
	\$	225.	92
By Balance			
To cash paid Robt. H. Butler	\$	216	23
" do. " Patrick J. Graves		216	23
" " " Thomas B. Johnson		216	23
" " " Catharine E. Holland		216	23
" " " Henry Jane Parsons		216	23
	\$	1081.	15

The Lord has been arranged to be purchased by proper deed executed and returned by me as
Governor of S. R. Thompson, dead.
Wm. H. Adams, Secy -

Virginia:

In the Circuit Court for the
County of Chaussemond.

Butler's Admr etc.

Against } In Chancery
Cross & als }

To the Circuit Court for the County
of Chaussemond:

In pursuance of the decree
pronounced by Hon. Robert R.
Prentiss, Judge of the Circuit Court
for the County of Chaussemond, in
vacation, on the 10th. day of De-
cember 1897, in the Cause in Chan-
cery in said Court depending
between Robert H. Butler, Ad-
ministrator of Maggie E. Butler
deceased etc, Complainant,
and Pattie, L. Cross, James J.
Cross, her husband, and others,
Defendants, the undersigned,
one of the Commissioners in Chan-
cery of said Court, respectfully
reports to Court as follows:

That on the 31st. day of Jan-

May 1898, after the papers in
said cause had been refer-
red to him and he had been request-
ed to execute said decree,
he gave notice to the parties
to said cause that he would
proceed on this 19th day of Feb-
ruary 1898 at his office in
Suffolk, Virginia to take,
state, settle and report to
Court the several accounts
required by said decree to be
so taken, stated, settled and
reported, as will appear by
the endorsements on the origi-
nal of said notice and the
copies thereof herewith returned.

That the proceedings in the
premises having been com-
pleted, the result thereof is
respectfully submitted as
follows:

Account Ch. 1

An Account of the doings
and transactions of Robert
H. Butler, Administrator of
Maggie E. Butler deceased

Under this head the following

account is stated showing all the money or estate of said Maggie E. Butler deceased, received by said Administrator, and with which he became chargeable, and the disbursements made by him during the period covered by said account, showing no balance to be due by said Administrator to said estate and none by it to him on this day, to wit:

Dr. The Estate of Maggie E. Butler deceased,
In Account with Robert H. Butler,
Administrator. Cr.

1897					
Oct.					
27	The Administrator qualified. By cash found deposited in Bank to the credit of the deceased. principal Interest.			185 50 5 54	
	To Cash paid A. P. Gomer, clerk, his fee and the State tax on the qualification of the Admr. per rect.	3 50			
	" " paid Harper and West for security furnished the Admr. on his bond. per rect.	7 50			
		11 00	191 04		

1897		Brought on	11 00	191 04
Oct.				
27				
Nov.				
6		So paid Dr. C. J. Bradshaw for professional services rendered the deceased during her last illness and for medicine furnished her. per rec't.	46	
24	" "	Eley, Howell Hco. for coffin etc. for deceased, "	35	
	" "	J. R. Howell for shroud for deceased, "	3 75	
	" "	Ballard and Smith in full of their bill for dry-goods "	2 33	
1898				
Feb.				
19	" "	Mary J. Persons for nursing the deceased, "	4 50	
	" "	Wm. S. Holland, Atty. for services rendered the Administrator, "	15	
	"	5 per cent commissions on \$191.04	9 55	
	"	cash paid Robt. H. Butler, the sole distributee of the deceased. per rec't.	63 91	
			191 04	191 04

The said account is supported by satisfactory vouchers and the bond of said Administrator is in a penalty and with surety deemed sufficient.

Account No. 2

An Account of the debts outstanding and unpaid against the estate of said Maggie E. Butler, deceased.

Under this head, the Commissioner reports that all the debts due by said Maggie E. Butler, or her estate have been paid by her said Administrator, leaving no account of any to be stated and reported to Court.

Account No. 3

An Account of any matter deemed pertinent by the undersigned or any party in interest.

Under this head the Commissioner reports that he has no knowledge of any matter deemed pertinent other than such as has already been stated and that no party in interest has given him any

information as to any such matter.

Respectfully submitted this
19th. day of February 1898

Wilbur J. Kilby,
Coun. in Chancery.

Commissioner's fee \$10.00

Rob. A. Edwards, Shff. of Isle of Wight County	}	1.00
Alex. H. Baker, Shff. of Gloucester County.		
	}	4.00

To Robert H. Butler, Administrator of Maggie E. Butler deceased and in his own right, Complainant,
and
Pattie L. Cross and James I. Cross, her husband, Anna E. Johnson and K. E. Johnson, her husband, Addie E. Holland and A. L. Holland, her husband, Mary Jane Persons and J. A. Persons, her husband, John B. Vaughan and Virginia C. Vaughan, his wife, and Thomas H. Bances, executor of James C. Vaughan, deceased, Defendants.

You are hereby notified that on the 19th day of February 1898 at my office, in Suffolk, Va., (at which time and place you are required to attend), I shall take, state and settle the following accounts which are to be taken, stated and settled and reported to Court in pursuance of the decree of the Judge of the Circuit Court of Hansemond County, Va., rendered the 10th day of December 1897 in the suit in chancery pending in said Court to which you are parties, plaintiff and defendant S, to wit:

1. An Account of the doings and transactions of Robert H. Butler, Administrator of Maggie E. Butler deceased.
2. An Account of the debts outstanding and unpaid against the estate of said Maggie E. Butler deceased.
3. An Account of any matter deemed pertinent by the undersigned, or any party in interest.

Given under my hand, as Commissioner in Chancery of said Court, this 31st day of January 1898

WILBUR J. KILBY,
Commissioner in Chancery.

1898 Feby. 8th, I have served this notice
on the within-named Robert H. Butler,
Pattie L. Cross, James I. Cross, Addie
E. Holland, F. L. Holland, John B. Vaughan,
Virginia C. Vaughan and Thos. H. Barnes,
Executor of James C. Vaughan, by delivering
a copy hereof in writing to each of them
in person

J. F. Herring Deputy
For A. H. Baker Sheriff of Randolph County

To
Robert H. Butler, Administrator of Maggie E. Butler
deceased and in his own right, Complainant,

and
Pattie L. Cross and James I. Cross, her husband, Anna
S. Johnson and H. E. Johnson, her husband, Addie E.
Holland and P. L. Holland, her husband, Mary Jane
Persous and P. A. Persous, her husband, John B.
Vaughan and Virginia C. Vaughan, his wife, and
Thomas H. Barnes, executor of James C. Vaughan,
deceased, Defendants.

You are hereby notified that on the 19th day of February 1898
at my office, in Suffolk, Va., (at which time and place you are required to attend), I shall take, state and
settle the following accounts which are to be taken, stated and settled and reported to Court in pursuance of the
decree of the Judge of the Circuit Court of Nansemond County, Va., rendered the 10th,
day of December 1897 in the suit in chancery pending in said Court to which you
are parties, plaintiff and defendant S, to wit:

1. An Account of the doings and trans-
actions of Robert H. Butler, Administrator of
Maggie E. Butler deceased.
2. An Account of the debts outstanding
and unpaid against the estate of said
Maggie E. Butler deceased.
3. An Account of any matter deemed
pertinent by the undersigned, or any
party in interest.

Given under my hand, as Commissioner in Chancery of said Court, this 31st day of
January 1898

WILBUR J. KILBY,
Commissioner in Chancery.

Executed by delivering to the warden
named many James Persons & D. A.
Persons each a copy of the warden
Notice: July 12th 1898

Ro A. Edwards
Shgl

Butler's Adm.

vs. } In Chy.

Cross tal. 4-19

To the Sheriff of
Isle of Wight
County, Virginia,
to be executed,

To

Robert H. Butler, Administrator of Maggie E. Butler
deceased, and in his own right, Complainant.

and

Pattie L. Cross, and James I. Cross, her husband, Anna S.
Johnson and K. E. Johnson, her husband, Addie E. Holland
and H. L. Holland, her husband, Mary Jane Persons and
J. A. Persons, her husband, John B. Vaughan, and Virginia
E. Vaughan, his wife, and Thomas H. Barnes executor of
James E. Vaughan, deceased. Defendants.

You are hereby notified that on the 19th day of February 1898
at my office, in Suffolk, Va., (at which time and place you are required to attend), I shall take, state and
settle the following accounts which are to be taken, stated and settled and reported to Court in pursuance of the
decree of the Judge of the Circuit Court of Hanseman's County, Va., rendered the 10th
day of December 1897 in the suit in chancery pending in said Court to which you
are parties, plaintiff and defendant, to wit:

1. An account of the doings and transactions of
Robert H. Butler, Administrator of Maggie E.
Butler, deceased.
2. An account of the debts outstanding
and unpaid against the estate of said
Maggie E. Butler, deceased.
3. An account of any matter deemed
pertinent by the undersigned, or any party
in interest.

Given under my hand, as Commissioner in Chancery of said Court, this 31st day of
January 1898

WILBUR J. KILBY,
Commissioner in Chancery.

Sufficient and legal service of
this notice is hereby accepted by
each of us this 8 day of February
1898

K.E.J. K.E. Johnson

A.S.J. A.S. Johnson,

Butler's Admr. etc.

vs. } In chy.

Loross & al.

Report of debts etc.

under decree of 10

Dec. 1897

Recorded in Will

Book No 1 Page 81.

1898 March 31st Filed

A. P. Gomer Clerk

Virginia:

At a Circuit Court Continued
and held for the County of Nan-
smond at the Courthouse in
the Town of Suffolk on Fri-
day the 22nd day of October
1897.

On the motion of Robert H. Butler
who made oath as the law directs and
together with the Fidelity and Deposit
Company of Maryland his surety en-
tered into a bond in the penalty of
Six hundred Dollars Conditioned
according to law (the said Company
having complied with all the requirements
of the law regulating its admission to
transact business in this state and
having produced evidence of its solvency
credit and sufficiency satisfactory to
the Court) Certificate is granted him
the said Robert H. Butler for obtaining
letters of administration on the estate
of Maggie E. Butler deceased in due
form.

And it is ordered that said bond
be recorded as prescribed by law.

A Copy Teste:

A. P. Gomez Clerk

Exhibit "A"

Exhibit "B"

Know by these present that I James
C. Vaughan do will bequeath and give
unto my three living and single
Daughters Lucy L. Vaughan Maggie
E. Vaughan and Addie E. Vaughan
to have to hold during their un-
married life the homestead where I
now live including one hundred
and fifty acres of land and
personal property of two horses three
cows all the hogs the farming utensils
one bed sack and supplies for one year
and one cow and calf to my daughter
Patience L. Cross.

To my son John B. Vaughan I give
unto his wife Virginia C. Vaughan
and children all the notes and
accounts which I now have and hold
against my son John B. Vaughan
and I give five dollars in cash to
my said son John B. Vaughan.

After the survey of the one hundred
and fifty acres land before men-
tioned has been made the remain-
der of my land shall be sold and
all my property including cash notes
and open accounts have been collected
and my debts all paid the remain-
der shall be equally divided among

my six (6) daughters Mary Jane Pearson
Lucy L. Vaughan Maggie E. Vaughan
Pattie L. Cross Annie E. Johnson and
Addie E. Vaughan.

after all my three single daughters
are married or dead then my home-
stead including the one hundred &
fifty acres of land shall be sold
and equally divided among all
of my daughters.

also it is my request and desire
that Doctor Thomas H. Barnes shall be
my executor without security.

In witness whereof I have to this my
last will set my hand and seal this
6th day of May in the year of 1893.

James C. Vaughan 

witness

John A. Gunn

W. J. Bradshaw

Marcella A. Holland.

Virginia

At a County Court Continued
and held for the County of Nam-
semond at the Court house in
the Town of Suffolk on
Tuesday the 9th day of May
A D 1893.

81 Va 1073
14 Nov 3693

The last will and testament of James
C. Vaughan late of this County deceased
was this day produced in Court
and proved according to law by the
oaths of John A. Gurn and W. J. Bradshaw
two of the subscribing witnesses thereto
and is ordered to be recorded. And on
the motion of Thomas H. Barnes the
Executor named in said last will
and testament who made oath accor-
ding to law and entered into and
acknowledged a bond in the penalty
of six thousand dollars conditioned
as the law directs (but without security
said last will and testament direct-
ing that none should be required) certifi-
cate is granted him the said Thomas
H. Barnes for obtaining a probate of
said last will and testament in due
form.

And it is ordered that said bond be
recorded as prescribed by law.

Teste: R. R. Smith Clerk

By A. P. Gomer D.C.

A Copy

Teste: R. R. Smith Clerk

Jno. B. Vaughan, a son

~~Mr~~ Mary Jane Persons wife of J. A. Persons I of W. Co

Pattie L Crofs wife of James I. Crofs hard co

Annie E. Johnson wife of K. E. Johnson M. C.

Addie E. Vaughan " " F. L. Holland Mrs.

Robt. H. Butler admr. of Maggie E. Butler.
decd. who was Vaughan

Lucie I. Died in Aug 18th 1897
and was never married.

Mr Butler died 13 yrs after his
sister Lucie

James C. Vaughan

Wife

A Copy

Wife Book
W S Page 52

In the Circuit Court of Nansemond County:

Robert H. Butler, Admr and others vs Pattie L. Cross and others

This cause came on this day to be again heard upon the papers formerly read, and upon the report of Thomas H. Barnes, Executor of James C. Vaughan, deceased, showing a distribution of the funds realized by him from the sale of the real estate in the proceedings mentioned, and returning with said report proper vouchers for each disbursement, this day filed, to which report there are no exceptions, and was argued by counsel:

On consideration whereof the court doth approve and confirm said report in all respects.

And it appearing that there is nothing further to dispose of in this suit it is ordered that the same be removed from the docket.

Robt. H. Butler, Admr

vs-Final Decree

Cross and others

April

11

1899

To be entered

Robert H. Butler

Entered in

Chy ORD 3 Page 201

In the Circuit Court of Maryland County:

Robert H. Butler, Admr, and others vs. Estate of James O. Butler, deceased, executor of the last will and testament of James O. Butler, deceased.

To the Hon. Robert R. Prentiss, Judge of the Circuit Court of the county of Nansemond, Virginia:-

Your orator, Robert H. Butler administrator of Maggie E. Butler deceased, and in his own right, humbly complaining, represents to the court:

That said deceased, Maggie E. Butler, the wife of your orator, and the daughter of James C. Vaughan deceased, died intestate in September 1897, and that your orator was granted letters of administration on her estate in the Circuit Court of Nansemond county on the 22nd. day of October 1897, as will more fully appear by reference to an office copy of the order of said court herewith filed as exhibit, marked "A" and prayed to be taken and read as a part of this bill of complaint.

That said intestate's father left a will, an office copy of which is herewith filed as an exhibit marked "B" and is prayed to be taken and read as a part of this bill of complaint, that Thomas H. Barnes, the executor in the said last will and testament named, qualified as such, and, as your orator is informed, has partially executed the trust in him reposed by the said will by selling and converting the chattel estate and a part of the land into money, paying out the money thus collected as required by the said will, but he has not sold the land described as "The Homestead including the 150 acres of land" Your orator says that all said three single daughters of the said testator, James C. Vaughan, are married or dead, that one of them, Addie E. Vaughan married F. L. Holland in *July* 1893; and, that another, Maggie E. Vaughan married your orator in *December* 1896; and that the third and last, Lucy L. Vaughan died intestate, and, without ever having been married on the *29th* day of August 1897, and, about three weeks later, to wit on *//* th day of September 1897, said Maggie E. Buttler nee Vaughan, said wife and intestate, died leaving your orator, her husband, as her sole distributee.

It will be seen that the said James C. Vaughan deceased directs the "Homestead including 150 acres of land to be sold

upon the happening of a certain event, namely, the marriage or death of his three single daughters. And that the said three single daughters having died or married in the lifetime of your orator's said wife, he advised that her interest in the said "Homestead" was and is personal estate, a mere chose in action, a right to have a sale of the said property and to receive her share of the proceeds of sale, on the principle that equity will consider or regard what ought to have been done or might have been done, as having been actually done.

There is another question in regard to who may share in the proceeds of the sale of the Homestead, in the solution of which the aid of this court is invoked. Your orator submits that from the face of the whole will, the words, "and equally divided among all my daughters", must be construed to mean all his daughters surviving at the time of the death or marriage of the last of three said single daughters.

Your orator says that in addition to the said chose in action, his said wife and intestate, died possessed of about \$175 in bank, and a few other articles of personal property.

Your orator says that a contention has arisen among the brother and sisters of his said wife and himself concerning the proper construction of the said last will and testament of the said James C. Vaughan deceased, and therefore; he is advised that he should ask the aid of this court in the premises.

Forasmuch as your orator is remediless save in this court where such matters are alone and properly cognizable, he prays that said Thomas H. Barnes executor of the last will and testament of James C. Vaughan deceased, Pattie L. Cross nee Vaughan and James I. Cross her husband; Annie E. Johnson nee Vaughan and K.E. Johnson her husband; Addie E. Holland nee Vaughan, and F.L. Holland her husband; Mary Jane Persons nee Vaughan, and T.A. Persons her husband, be made parties defendants to this bill of complaint, and be required to answer the same, an answer on oath is hereby waived expressly as provided by statute, that the

said last will and testament of the said James C. Vaughan deceased may be construed, that the land known as the "Homestead including the 150 acres, may be sold, and pending litigation, if necessary, rented for one year, that one fifth of the proceeds of the sale thereof be decreed to be paid to your orator, that an account showing the transactions of your orator as the administrator of the estate of said Maggie E. Butler may be taken, stated and reported to court, that an account of the debts outstanding and unpaid against the estate of the said intestate may be likewise taken, stated and reported to court, that her said estate may be fully and finally settled in this court, that all proper enquiries and accounts may be directed, taken, stated and reported to the court, that all such other, farther and general relief as to equity and good conscience may seem meet may be afforded your orator, and he will ever pray &c.

Robert H. Butler Administrator of
Maggie E. Butler deceased and in his own
right. by Wm S. Hall and his atty.

Wm S. Hall and p.q.

Robert H. Butler

Butler's Adm. &c

rs { Bill of Complaint.

Yang Lan's Executor

Robert N Butler Admr

vs In Chancery

Pattie L Cross others

Chancery Notes

1897 Nov 1st. Process issued returnable to
Nov Rules third Monday

" " 22. Process returned executed on
all defendants except N & Johnson
and Anna S Johnson and service
accepted by them.

" Dec 11th, Process ordered as John B Vaughan
and Virginia C Vaughan returnable
to Dec Rules third Monday

" " 20. Process returned executed on
both depts

Bill filed and decree nisi
vs all defendants.

1898 Jan 3rd Decree Nisi Confirmed and
Cause set for hearing

Butler Admin
VS In Chancery
Cross Index
Chancery Notes,

Costs
Clerk 8.77
Shffn 9.00
"Dofw 1.00
Tax 1.50
city 15.00

\$35.27

R. H. Butterfield & Co. Boston

W. S. Holland Jr.
Robt H Butterfield Adm
of In Chancery
Pattie L. Cross,
husband & others.

1899
April 11th
Final Decree