

1871 - 04

Southampton County - Chancery

Stephenson, Allens Estate vs

Baykin, Jno P. et al

"Settlement of Estate"

Samuel Kella, Adm
Estate of Allen Stephenson

John O Baykin
W W Cobb Adm
Estate of J Stephenson
James L Bristow
Jesse O. Bays
A. U. Burgess Adm
A. S. H. Burgess
died

~~97~~ ~~94~~ ~~86~~ 80 ~~75~~ 60 57

Stephinsons adm.

π } Papers

Boykin &

1841 November

Stephenson, John
or
Boydman } Bill

1864 October Rules

By the Court

To the Hon. Richard H. Baker, Judge of the Circuit Court
of Southampton County. In Equity, etc. -
Humbly
Complaining, etc. to your Honor, your
Orator Daniel H. Stephens, and as such admin-
istrator of Allen Stephens dec'd. That
at the time of the Court of Southampton
County, the will of Allen Stephens dec'd. was
committed to the hands of your Orator as admin-
istrator. That at the time of the Court
of said County of June 1861, together
with one A. J. Stephens now dec'd. qualified
as administrator of Allen Stephens, and entered
into bond in the sum of \$1000 with
Thomas J. Butler, Josiah B. Gay and Chas. H. Burgess
as their securities, conditioned as is con-
tained in the order fully appear by a certified
copy of said bond and order of qualification
herewith filed and marked "B" and prayed to be taken
as a part of this Bill. That A. J. Stephens one of
the administrators, has since deposited his
will, and W. W. Cobb has qualified as his admin-
istrator in the County Court of Sussex County as is
shown by the return 1861 as will appear by a certified
copy of said order of qualification herewith filed
and marked "C" and asked to be taken as a part of
this Bill. That Chas. H. Burgess one of the securities
has since died, and B. H. Burgess as is the case
of the County Court of Southampton County
qualified as administrator of the estate as will more
fully appear by a certified copy of said order of
qualification herewith filed and marked "D" and
asked to be taken as a part of this Bill. That
at the time of the Court of Southampton

don Court 1866. the powers of Geo P Boykin
the surviving executor on motion of Levi W. Stephens
-son one of the heirs of Allen Stephens decd. were
annulled and revoked and an order committing
the same to the hands of your Honor. That Geo P Boykin
has attested before a Commissioner of the Court
County of Harrison County an account of his
transactions as executor of the said Allen Stephens
his estate of \$1000.00 now retained in his
hands for the purpose of satisfying any demands
outstanding against the estate of Allen Stephens
decd. the balance of the said Geo P Boykin
having distributed and paid to the heirs of the said
Allen Stephens as well as to the said Geo P Boykin
as will appear by a certified copy of said
account returned filed marked "A" and
referred to in the bill as a part of the bill.
Your Honor now asks that the said
Honorable Court do compel Geo P Boykin
to pay over to the said Allen Stephens
now in his hands with legal interest thereon
from day of 1866, in which he
is entitled by virtue of an order committing
said estate of Allen Stephens to his hands.
For under consideration of the premises
and in answer to your Honor's said order
and in this Honorable Court the said
are functioning as parties and answer, it is
is proposed that Geo P Boykin, W. W. Cobb, Adm.
of A. J. Stephens, Thomas J. Beister, John P
Gay, and B. M. Burgess Adm. of A. S. Burgess
be made parties, defendants to this bill
and required to answer the allegations thereof
that your Honor will grant a decree Com-

pellet Geo P Boykin to pay over to your Honor
the sum of \$1000.00 with legal interest thereon
from day of 1866 is being the amount
retained in his hands on account of his Administration
the account of Allen Stephens estate, and now
due to your Honor by virtue of the order committing
said estate to his hands. That your Honor will
order all proper accounts to be taken, and pass
and other further and general relief as the
nature of his case may require, or as he may
may deem meet; And as in duty bound
your Honor will ever pray &

Richard J. S.

#

63 54

Stephensons adm

n } Stat. Rules.

Boykin & ad

In Southampton Circuit Court.

Samuel Kello Sheriff & as such admor. de bonis non of Allen Stephenson dec^d.

^{against.}
John P. Boykin, W. W. Cobb admor. of A. J. Stephenson. Thomas J. Bristol
Josiah P. Gay & R. U. Burges admor. of A. S. H. Burges dec^d.

1867 Sep. 24th Summons issued
Oct. Rules. Summons ret^d ^{except on Josiah P. Gay} Executed. Bill filed. Deere nisi in
Deft^s on process executed
Nov. " Bill taken for confessed & cause set for hearing & as to Defts on
whom process executed - another process v. Dft. Gay.
Dec. " Sum. v. Gay ret^d Executed & D. Nisi v. him
1868 Jan. Bill taken for confessed as to Dft. Gay.
Feb. Cause set for hearing as to Dft. Gay.
May 1. Deere for act.

1871 Nov. Dismissed

An Account distributing the amount in the hands of John S. Boykin, Administrator of Allen Stephenson, amongst the parties entitled.—

1854.

Dec.

1 Amount in the hands of the Administrator to be distributed—

\$1040.32

A. J. Stephenson, distributee

In account with John S. Boykin, Adminr.

By your share retained in Adminr. account 488 69

By your share of your Father's Estate 1/6 173 38 1/3 662.07

David W. Stephenson, distributee

In account with John S. Boykin, Adminr.

By your share of your Father's Estate 1/6 173 38 1/3

Harrison S. Stephenson, a distributee

In account with John S. Boykin, Adminr.

By your share of your Father's Estate 1/6 173 38 1/3

Murdock S. Stephenson, a distributee

In account with John S. Boykin, Adminr.

By your share of your Father's Estate 1/6 173 38 1/3

John W. Stephenson, a distributee

In account with John S. Boykin, Adminr.

By your share of your Father's Estate 1/6 173 38 1/3

Lebanus J. Stephenson a distributee

In account with John S. Boykin Adminr.

By your share of your Father's Estate 1/6 173 38 1/3

Respectfully Submitted
Wm. H. Dublin, Adminr.

12

[Faint, mostly illegible handwriting in the left margin, appearing to be bleed-through from the reverse side of the page.]

Stephensons adm

2 } Eahl^{ts} with bill

Boykini f^r

B. N. E.

120 cles for

[Faint, mostly illegible handwriting in the right margin, appearing to be bleed-through from the reverse side of the page.]

July 19

1870

120 cles for

"D"

At a Court held for the County of Southampton the 18th September 1865
A writing bearing date the 17th March 1861 purporting to be the last will & Testament
of A. S. H. Burges dec^d together with a codicil thereto bearing date the 30th May 1863
was this day presented to the Court and there being no subscribing witnesses thereto. James
B. Urquhart being sworn and examined as a witness for the Court after hearing the
testimony are of opinion that the said writing bearing date the 17th March 1861 and
the signature thereto and the codicil bearing date the 30th May 1863, and the
signature thereto are wholly in the hand writing of the said A. S. H. Burges dec^d.
therefore it is ordered that the said writings be recorded as the last Will and
Testament and Codicil thereto of the said A. S. H. Burges dec^d. and on the motion
of Richard W. Burges (no executor being named in the said will or Codicil thereto)
who made oath and together with Sam^l. B. Kello. and M. D. Butler his sureties
(who justified on oath as to their sufficiency), entered into and acknowledged a bond
in the penalty of five thousand dollars conditioned according to law. Certificate
is granted him for obtaining letters of administration with the Will and Codicil
attached in due form

Copy

Teste

J R Edwards Ck

"E"

Southampton County Court. May 21st 1866

On the motion of Levi H. Stephenson against John P. Boykin adm^r. of Allen
Stephenson dec^d for a new bond with security. This day came the parties by their attorneys
who being fully heard. It is ordered that the said John P. Boykin execute a new bond
with security for his faithful administration of the estate of the said Allen Stephenson
and the said Boykin here in Court declared he would not give the said bond & security.
Whereupon it is ordered that the powers & duties of the said Boykin as administrator
as aforesaid be revoked and annulled and that the said Boykin pay the costs of this
motion.

Ordered that Samuel Kello Sheriff of this County take into his hands the unadminis-
tered estate of Allen Stephenson dec^d and administer the same according to law.

Copies

Teste

J R Edwards Ck

Know all men by these presents that we John P. Boykin, Augustus Stephenson, A. S. H. Burges, Josiah Gay, Tho. J. Bister are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of Twenty four thousand dollars, current money of Virginia, to the payment whereof well and truly to be made we bind ourselves, our heirs, Executors and administrators, jointly and severally firmly these presents. Sealed with our seals and dated this 21st day of February A. D. 1859.

The condition of the above obligation is such that if the above bound John P. Boykin & Augustus J. Stephenson as administrators of Allen Stephenson dec^d shall faithfully discharge the duties of his said office or trust according to law then the above obligation to be void or else to remain in full force and virtue.

Signed sealed and delivered
in the presence of the Court }

John P. Boykin (Seal)
A. J. Stephenson (Seal)
A. S. H. Burges (Seal)
Josiah P. Gay (Seal)
Tho. J. Bister (Seal)

At a Court held for the County of Southampton the 21st February 1859.
On the motion of John P. Boykin & Augustus J. Stephenson who made oath and together with A. S. H. Burges, Josiah Gay and Tho. J. Bister his securities (who justified on oath as to their sufficiency) entered into and acknowledged a bond in the penalty of twenty four thousand dollars, conditioned according to law, certificate is granted them for obtaining letters of administration on the estate of Allen Stephenson dec^d in due form

Copy Teste L. R. Edwards Clk

Stephenson, ad.

Ex. with bill

Boyle in d

(J.)

91.10 + clk, fw

The Estate of Allen Stephenson dec'd

In Account with John P Boykin his administrator

		Dr	Cr	Int.
Dec. 1	By Balance due Estate as per last report in principal and interest.		929 51	335-50
" "	To paid Clerk tickets	6 21		
" "	" " W ^m W. Briggs acct.	2 00		
" "	To error in former report arising from a Mistake of Commission in examining bond paid James H. Juddins assignee.	100 00		
" "	To one years int. on same	6 00		
" "	To paid taxes for 1861.	13 35		
" "	" " Clerk tickets	1 97		
1862	" " Taxes for 1861	6 68		
Dec. 1	By One years interest on last years balance Principal,			55-77
" "	By Balance due Est. in principal	793 30		
		<u>929 51</u>	<u>929 51</u>	<u>381 27</u>
1862				
Dec. 1	By Balance due Estate in principal and interest brought down		793 30	381 27
1863	To paid E. C. Thomas, acct.	2 00		
" "	" " Taxes for 1863.	20 89		
" "	" " " " 1863.	31 37		
" "	" " Clayton's Executors	11 89		
" "	By Cash recd. of S. W. Stephenson		127 27	
" "	To Commissions on same	6 36		
" "	Amounts carried forward	72 51	920 57	381 27
1863	Amounts brought forward	72 51	920 57	381 27
" "	By amt. of bond and int. vs. A. J. Stephenson		927 50	
" "	" " " " " " " " Levi W. Stephenson		927 50	
" "	" " " " " " " " N. L. Stephenson for rent of Land.		95-40	
" "	By amt. of bond & int. vs. N. L. Stephenson			

1863	Dec.	1	To Commis. for rent of land By one years interest on last years balance principal.	99 10.	31 63				
								47 59	
			By Balance due estate in principal	2730 99					
1863				2902 60	2902 60	438 86			
Dec.		1	By Balance due estate in principal and interest brought down		2730 99	438 86			
1864			To paid taxes for 1863	68 00					
			" amt. retained to pay A. J. Stephenson, & the estate of Tibinius J. Stephenson. It being a portion of their distributable share which has already been paid the other distributed -	977 38					
			To amount retained in hands of Admr. to settle outstanding debt -	1000 00					
1864			Amounts carried forward	2043 38	2730 99	438 86			
			Amounts brought forward	2043 38	2730 99	438 86			
			To amount retained to pay Wm. H. Preble, Atty.	150 00					
			To Commis. for for this account and for distribute accounts and copies retained	75 00					
			To amount retained to pay Clerk fees for recording these accounts -	15 00					
Dec		1	By one years interest on last years balance					163 85	
			By Balance due estate in principal	447 61					
1864				2730 99	2730 99	592 71			
Dec.		1	By Balance due Estate in principal & interest brought down -		447 61				
			Interest brought in		592 71				
			Balance due in prin & int		1040 32				
			Respectfully Submitted Wm. H. Preble, Comr.						

Your Commissioner would report that the papers of this Estate came into
his hands March Term 1863.

Wm. H. Preble, Comr.

Senthampton County. In the Clerk's Office the 21st of April 1866.
This account of John S. Baykins administration on the estate of
Allen Stephenson dec'd and the Legatee account was returned and filed
for exceptions. And at a Court held for the said County on the 21st of
May 1866, the said accounts having lain on the Clerk's Office
and there being no exception thereto, were examined, compared and ordered
to be recorded.

Teste,

J. R. Edwards, C. C.

Execute by delivering a
true copy of the within
to Josiah T Gay on Mond
=ay the 18th of Novr 1869
Wm E Powell
for E L Eley Shff

Stephens ad.

or { Sum. Chy

Weykin J^r
1869 December Rules -

S O Wright

THE COMMONWEALTH OF VIRGINIA, *Jake of Wright*
TO THE SHERIFF OF ~~SOUTHAMPTON~~ COUNTY--GREETING:

WE COMMAND YOU to summon

Josiah P. Gay

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

*December next to answer a bill in Chancery
exhibited against him and others in our said Court by Samuel Kello Sheriff and as
such a return do concern of Allen Stephenson dec.*

and have then there this writ. Witness LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-
house, this *4th* day of *November* 1867, in the *92^o*
year of the Commonwealth.

L. R. Edwards

Executed by delivering a true
copy of the within to Jos.
D. Gay on the 9th day of Oct.
1867 / Thinking that it was for
Nov court, and Mr Gay found
out it was too late and would
not except
Mills. E. Jewell vs
for E. L. Eley Sheriff

Stephens vs.

to E. Sam. Chy.

Stephens vs. P

1867 October Rides

J. O. Wright.

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ~~SOUTHAMPTON~~ COUNTY—GREETING:

WE COMMAND YOU to summon

Josiah I. Gay

to appear at the Clerk's office of our

Locust

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 him & others in our said Court by Samuel Kello Sheriff & as
such admor. de bonis non of Allen Stephenson de?.*

and have then there this writ. Witness LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-
house, this *24th* day of *September* 186 *7*, in the *92^d*
year of the Commonwealth.

L.R. Edwards

Stephensons ad.
Dr. Keller

to { Sum. Chy.

Stephenson's ad. p.

1867 October Rules

Executed Oct. 4th. 1867
on Wm. H. Cobb and Geo.
~~P. Dagfin~~ and Oct. 5th
on R. W. Burgess & Thos.
J. Bristol by delivering to
each one of them a copy.
Josiah P. Gay is no inhab-
itant of any county.

E. L. Story dep't

for S. Kells Chiff

Executed Oct. 4th. 1867 on
Geo. P. Dagfin by leaving a copy
at his house with a white person
over 16 years old & explaining the
purpose of the being from hand.
E. L. Story dep't for S. Kells Chiff

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU to summon

*Jno. P. Boykin Wm. W. Cobb admor. A. J. Stephenson decd
Thomas J. Bristol. Josiah D. Gay & R. U. Burges admor. of A. & W. Burges decd.*

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 Samuel Wells Sheriff & as such
admor. de bonis non of Allen Stephenson decd*

and have then there this writ. Witness LITTLETON R. EDWARDS, Clerk of our said Court, at the Court-
house, this *24th* day of *September* 1867, in the *92^d*
year of the Commonwealth.

L R Edwards Clk

Darkeu

vs

Darke & Co

Knight.
7/29/25

Stephen ¹⁴ ¹⁵ ¹⁶ ¹⁷ ¹⁸ ¹⁹ ²⁰ ²¹ ²² ²³ ²⁴ ²⁵ ²⁶ ²⁷ ²⁸ ²⁹ ³⁰ ³¹ ³² ³³ ³⁴ ³⁵ ³⁶ ³⁷ ³⁸ ³⁹ ⁴⁰ ⁴¹ ⁴² ⁴³ ⁴⁴ ⁴⁵ ⁴⁶ ⁴⁷ ⁴⁸ ⁴⁹ ⁵⁰ ⁵¹ ⁵² ⁵³ ⁵⁴ ⁵⁵ ⁵⁶ ⁵⁷ ⁵⁸ ⁵⁹ ⁶⁰ ⁶¹ ⁶² ⁶³ ⁶⁴ ⁶⁵ ⁶⁶ ⁶⁷ ⁶⁸ ⁶⁹ ⁷⁰ ⁷¹ ⁷² ⁷³ ⁷⁴ ⁷⁵ ⁷⁶ ⁷⁷ ⁷⁸ ⁷⁹ ⁸⁰ ⁸¹ ⁸² ⁸³ ⁸⁴ ⁸⁵ ⁸⁶ ⁸⁷ ⁸⁸ ⁸⁹ ⁹⁰ ⁹¹ ⁹² ⁹³ ⁹⁴ ⁹⁵ ⁹⁶ ⁹⁷ ⁹⁸ ⁹⁹ ¹⁰⁰ ¹⁰¹ ¹⁰² ¹⁰³ ¹⁰⁴ ¹⁰⁵ ¹⁰⁶ ¹⁰⁷ ¹⁰⁸ ¹⁰⁹ ¹¹⁰ ¹¹¹ ¹¹² ¹¹³ ¹¹⁴ ¹¹⁵ ¹¹⁶ ¹¹⁷ ¹¹⁸ ¹¹⁹ ¹²⁰ ¹²¹ ¹²² ¹²³ ¹²⁴ ¹²⁵ ¹²⁶ ¹²⁷ ¹²⁸ ¹²⁹ ¹³⁰ ¹³¹ ¹³² ¹³³ ¹³⁴ ¹³⁵ ¹³⁶ ¹³⁷ ¹³⁸ ¹³⁹ ¹⁴⁰ ¹⁴¹ ¹⁴² ¹⁴³ ¹⁴⁴ ¹⁴⁵ ¹⁴⁶ ¹⁴⁷ ¹⁴⁸ ¹⁴⁹ ¹⁵⁰ ¹⁵¹ ¹⁵² ¹⁵³ ¹⁵⁴ ¹⁵⁵ ¹⁵⁶ ¹⁵⁷ ¹⁵⁸ ¹⁵⁹ ¹⁶⁰ ¹⁶¹ ¹⁶² ¹⁶³ ¹⁶⁴ ¹⁶⁵ ¹⁶⁶ ¹⁶⁷ ¹⁶⁸ ¹⁶⁹ ¹⁷⁰ ¹⁷¹ ¹⁷² ¹⁷³ ¹⁷⁴ ¹⁷⁵ ¹⁷⁶ ¹⁷⁷ ¹⁷⁸ ¹⁷⁹ ¹⁸⁰ ¹⁸¹ ¹⁸² ¹⁸³ ¹⁸⁴ ¹⁸⁵ ¹⁸⁶ ¹⁸⁷ ¹⁸⁸ ¹⁸⁹ ¹⁹⁰ ¹⁹¹ ¹⁹² ¹⁹³ ¹⁹⁴ ¹⁹⁵ ¹⁹⁶ ¹⁹⁷ ¹⁹⁸ ¹⁹⁹ ²⁰⁰ ²⁰¹ ²⁰² ²⁰³ ²⁰⁴ ²⁰⁵ ²⁰⁶ ²⁰⁷ ²⁰⁸ ²⁰⁹ ²¹⁰ ²¹¹ ²¹² ²¹³ ²¹⁴ ²¹⁵ ²¹⁶ ²¹⁷ ²¹⁸ ²¹⁹ ²²⁰ ²²¹ ²²² ²²³ ²²⁴ ²²⁵ ²²⁶ ²²⁷ ²²⁸ ²²⁹ ²³⁰ ²³¹ ²³² ²³³ ²³⁴ ²³⁵ ²³⁶ ²³⁷ ²³⁸ ²³⁹ ²⁴⁰ ²⁴¹ ²⁴² ²⁴³ ²⁴⁴ ²⁴⁵ ²⁴⁶ ²⁴⁷ ²⁴⁸ ²⁴⁹ ²⁵⁰ ²⁵¹ ²⁵² ²⁵³ ²⁵⁴ ²⁵⁵ ²⁵⁶ ²⁵⁷ ²⁵⁸ ²⁵⁹ ²⁶⁰ ²⁶¹ ²⁶² ²⁶³ ²⁶⁴ ²⁶⁵ ²⁶⁶ ²⁶⁷ ²⁶⁸ ²⁶⁹ ²⁷⁰ ²⁷¹ ²⁷² ²⁷³ ²⁷⁴ ²⁷⁵ ²⁷⁶ ²⁷⁷ ²⁷⁸ ²⁷⁹ ²⁸⁰ ²⁸¹ ²⁸² 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Stephenus Adm^y

Decm

Bozmin 20

This came this day came

on to be heard on the bill of the Plaintiff
taken for confessed as to the defendants, upon
all of whom process has been duly served, on
exhibits, with general replication thereto
and was argued by counsel - on considera-
tion whereof the Court doth adjudge, order
and decree that one of the Commissioners
of this Court take and make the following
accounts. To wit; An account of John P Boy.

Rings transactions as one of its former Ad-
and it cannot be further explained, and it is a common
"normalization" of Miss Stephens' work.
Like some of W.W. Cobb's transactions, it admits of a "stipulation" and
taking its account made over and returned.

in the County Court as prima facie correct
liable to be overcharged and falsified, which
said account he is directed to examine, state
correct and make report thereof to this
Court, with any matter specially stated deemed
pertinent by himself, on which may be required
by any of the parties to be so stated

Stephenson Adm

¹¹
Baykin L.

Order
Nov Term 1871

To be entered

Geo. B. Low.
