

1882-08

Southampton County Chancery - Corbitt, Wm. H. & Emma. vs Raiford, Wm. B.

division of real estate

Raiford - Wm. B.
(infant)
and
Stephenson, A. T.
Guardian

by:
Edwards, L. R.
Guardian

^{55-58 34}
Corbett & wife &c (Bie
M
Raiford &c) consine
& Deem

Shugan Land

1866 Nov. Decease filed

1867. Feb. Refd.

Dec. Decease as filed

1871 March. Rule & Commr?

1875 a Nov. Decease remaining
Cause from Docket

Received by Clerk Circuit

County Aug. 13th 1873.

To the Worshipful County Court of Southampton
empanelled in Chancery sitting -

Heard

complaining sheweth unto your Worships,
your Orators, Wm H. Corbett & Emma his
wife joining Raiford, Giles Raiford, Miss
Raiford and estate of Raiford: That the father
of your Orators, Allen Raiford was in his
lifetime, seized and possessed of certain real
estate lying in the County of Southampton,
bounded by the lands of Richd & Edward and
others, said to contain 167 acres more or
less, and being thereof so seized and possessed,
some time in the year 1840 departed this
life intestate, leaving your Orators and
Wm H. Raiford his only children and heirs
at law. That the said Wm H. Raiford is an
infant under the age of twenty-one years,
and that A. J. Stephenson is his legal
guardian. And that your Orators further
shew, that the said real estate is not sus-
ceptible of division in kind amongst
the parties entitled, and that your
Orators desire that the same may be
sold and the proceeds of sale equally
divided amongst the parties entitled.
your Orators further shew that the said
real estate is worth much less than
three hundred dollars a year. In
under consideration of the premises
and inasmuch as your Orators is
without remedy save in a court of Equity
where such matters are frequently cognizable

and relievable. Your Orators pray that Wm
B Raiford be made a party defendant
in this bill, and answer its allegations
thereof, and that he being an infant, a
proper guardian ad litem be appointed
to defend his interests in this suit.
That the said real estate may be sold and
the proceeds of sale equally divided among
the parties entitled, and grant another
and general ruling on the nature of their
case may require, or in doing may
seem meet. and in duty bound your
Orators will ever pray &c

Richard J. S.

The answer of Wm B Raiford an in-
fant under twenty one year of age by
J R Edwards his guardian ad litem, filed
to defend his interests in this suit to a bill
exhibited on him by W H Corbin & others

This respondent saving and reserving
&c. for his answer to a bill of said bill
as he is advised it is material for him to
answer. for his answer says that he is
an infant under the age of twenty one
years, he begs leave to submit his interests
in this suit to the protection of this Court
& having answered prayer same to be
discharged

J R Edwards Esq. for and behalf of

Raiford
or
Raiford } Decree

This cause this day came on to be
heard on the bill of the plaintiff, answer of
the infant defendant by J R Edwards his
guardian ad litem, general replication there-
to, and was argued by Counsel. On considera-
tion whereof the Court doth adjudge, order
and decree that Alfred T. Stephenson who
is hereby appointed a special Commissioner
for that purpose, proceed to sell, after giving
at least twenty days notice of time and place
of sale, to the highest bidder at public auction,
the real estate in the proceedings mentioned, of which
Robert Raiford died seized and possessed, and the
said Commissioner is empowered to sell
it in such manner as he thinks will best
promote the interests of the parties entitled,
and that he sell on the following terms, to
wit: sufficient in cash to defray expenses of suit and sale,
the balance on a credit of six months, taking from
the purchaser bond or bond with good & sufficient ac-
cruing, title to be retained until the purchase money
is paid, which bond or bonds together with a report of
his proceedings under this decree is to be returned
to this Court. But the said Commissioner is not to
execute the provisions of this decree, until he shall have
entered into a bond with good & sufficient security
in the Clerk's Office of this Court, in the sum of
\$1000 - payable to the Commonwealth of the
conditioned for the faithful performance of the duties
herein specified and of any future orders of this
Court in this cause.

The acknowledge service of
the within —

Wm H Corbitt

Emily J Corbitt

To Wm. H. & Emily F. Corbitt —

Take notice that I will move
the Circuit Court of Southampton County, at
its May Term 1881, to reinstate, upon its docket,
the case of Corbitt & wife vs Raiford & Tins —

~~Excelsior J. Corbitt~~
~~yourself Corbitt~~

Giles Raiford

- 528
- 5
- 101

Corbett H. H. H.

Rule v. Com.

Railford H.

1871 June Court

Specimen

A. D. Cobb Esq
for W. W. Briggs
shfh

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

We command you to summon *A. T. Stephenson*

if *he* be found within your bailiwick, to appear before the Judge of our *County* —
Court of Southampton County, at the Court house, on the first day of *June* — term
next — to make his report under the decree in the suit of *Corbitt Hulse v. Rarford*
H. appointing him Commissioner to collect & distribute the moneys arising from the sales of the land of Allen Rarford do

And have then there this writ. Witness, OSWIN WHITE, Clerk of our said Court, at the Court-House, this *14* day of *May* 187*1*, in the *95* year of the Commonwealth.

O. White Clk

Know all men by these presents that we A. J. Stephenson &
James G. Jones

are held and firmly bound unto the Commonwealth of Virginia in the just and
full sum of One 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
by these presents. Sealed with our Seals and dated this 19th day of
November A. D. 1866

The Condition of the above obligation is such that if the above bound
A. J. Stephenson a Commissioner appointed by a decree of the County Court of
Southampton County entered on the 19th November 1866 in the suit of Corbett
Wife v. Rufford &c. for certain purposes in said decree expressed

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 }

A. J. Stephenson
James G. Jones

(Seal)

(Seal)

(Seal)

(Seal)

Corbitt & wife

vs

Raiford & others

Commis^{rs} Report
May Term 1882

Cortitt & wife }
v. }
Raiford et al }

Your commissioner, in accordance with a decree rendered, at the Nov. Term 1881, of this Court, begs leave to report that he has made a deed in the usual form to said Giles Raiford, one of the purchasers of the real estate in the proceedings mentioned - And he would further report, that, Levi Turner, the other one of the purchasers, having paid the whole amount of the purchase money, for the tract sold to him, as appears by your commissioner's report made at the Nov. Term 1881, & ~~that~~ he has made him a deed, in the usual form, for the land purchased by him. All of which is respectfully submitted by

A. T. Stephenson

Commissioner

La Motte
Reichard
Reichard
Reichard
Reichard

1867 July Count

Received Jan. 21 1867 the two bonds returned with the other report.

Afford I. Stephenson
by William L. Stephenson

Corbett & wife }
 as } Report
 Corbett &

In obedience to an
 order of the County Court of Santa Fe
 County at its November term 1866
 in this case, your Commissioner
 proceeded after giving 20 days notice
 of time and place of sale to sell
 the real estate in the proceedings
 mentioned, and was filed, Raiford
 purchased one tract (Honey) for \$1135
 and Levi Turner purchased the other
 tract Johnson for \$400.00, and then
 after deducting expenses of sale and
 costs which was \$65.71, for the balance he
 took from file, Raiford with Lewis
 & Raiford & Wm A Corbett as security
 bond for \$1086.47, and he took from
 Levi Turner with Edwin W Dush
 as security bond for \$384.32, which with
 this report is returned to Court, all of
 which will appear by the following state-
 ment

By amount of sales		\$1536.50
To clerk's fee	\$5.00	
To clerk's fee	20.00	
To paid copy	1.00	
To Commissioner	35.73	
To bond Raiford	1086.47	
" " Turner	384.32	
	1536.52	\$1536.50

Respectfully submitted
 Alfred T. Stephenson Comr.

Contatto M

M

Ranford M

1878

Nw. Cir. Ct.

Final decree

To be entered

Geo. B. Co. D.

Leahett v

v

Rayford v

S

This cause, which was transferred from the County Court of Southampton, came onto be heard on the papers formerly read & was argued by Counsel in consideration whereof it is ordered that the proceedings had in this cause be confirmed, & that the cause be removed from the Docket, and leave is given any party aggrieved by this order to have the same re-instated on the Docket for further proceedings on giving two days notice to the opposite party.

Corbett & wife
ms }

Giles Railroad to them
May Term 1882
Deere

May Term 1882

To be entered

Geo. Brown,

Corbett & wife
vs
Raiford et al }

This cause came on this day to be
again heard, on the papers formerly read &
the report of A. J. Stephenson Spec^l Com^r
& was argued by counsel, on consider-
ation whereof the Court, confirming said
report, with adjudge, order & decree, that,
nothing further appearing to be done in
this cause, the same be removed from
the docket —

1868 January 20th Rec^d of L. R. Edwards
County Clerk ~~to~~ Southampton two bonds
in favour of the heirs of Robt Raiford dec^d
one against Levi Turner & others and
one against Giles Raiford & others to
collect as Commissioner.

A. T. Stephenson

Giles Raiford⁵

Receipt

\$303,22

1868 Feby 22 Rec^d of Alfred J. Stephenson
Com^r the sum of three hundred and three
dollars & 22 cents in full of my portion
of the proceeds of the sale of my farther
lands

\$303.22

Giles R. ~~Rand~~

Wm H Corbitt
& Emily F Corbitt^s

Receipt

\$303.22

1868 Feby 22 Received of Alfred J Stephenson
Commissioner the sum of Three hundred and three
dollars & 22 in full of Our portion of the
proceeds of the sale of the lands of Robt
Raiford dec'd

\$303.22

William H. Corbitt.
Emily J. Corbitt

Nathan S. Ransom

Receipt

\$303,22

Nathan

1868 Feby 22nd R. C. of Alfred J. Heston
as Comr the sum of three hundred and
three dollars & 22 Cents in full of my
portion of the proceeds of the sale of
my farther's ~~lands~~

Wm. H. G. Heston
his
mark

M L Raiford

Receipt

#303 22

1868 Feby 22 Rec^d of Alfred J. Stephens
as Com^r the sum of three hundred and
three dollars & 22 cents in full of
my portion of ~~the proceeds~~ of the
sale of my father's lands

Merriell ^{John} X J. Raiford
mark

Receipt
from B Raifon
To
A. T. Stephen
\$380,57

AB Rec^d December 30th 1871 of Alfred T. Stephenson my former Guardian the sum of three hundred and Eighty dollars & 57 cents in full of my portion of my father's estate and hereby release him from any further obligation as said Guardian

\$380.57

Wm^{his} B. Raiford
mark

Witness
Giles Raiford
Meritt S. Raiford

Corbett & wife
vs

Raiford & Thers

Com^{rs} Report

Nov
~~May~~ June 1881

Corbett & wife
50
Raiford & }
}

Your commissioner appointed
at the Term of the County Court 1866
has leave to report that, pursuant to
a decree of said Court at its ^{Dec.} Term 1867
he received, from the Clerk of said Court,
one bond payable by Giles Raiford, M. L. Rai-
ford & ^{Wm A. Corbett} for the sum of \$1086.42, & one
for \$384 ³²/₁₀₀, due from Levi Turner &
L. H. Duck, & proceeded to collect the
same, amounting, principal & interest, to \$1576.10
of which he paid to Giles Raiford \$303 ²²/₁₀₀,
to Wm A. Corbett & wife \$303 ²²/₁₀₀, to Nathan
G. Raiford \$303 ²²/₁₀₀, to M. L. Raiford \$303 ²²/₁₀₀
& has reserved, as Guardian of Wm D. Rai-
ford, the like sum of \$303 ²²/₁₀₀, making
in all, the sum of \$1576.10
All of which is respectfully submit-
-ed -

A. T. Stephenson Comr.

120
Corbitt & wife

vs
Rauford &c

Decree -
not to be entered

~~Wright & Co~~

Geo Brown

Lambert wife &
v
Raiford et al }

On the motion of the defendant
Giles Raiford, and for good Cause shown,
it is ordered that this Cause, which
was removed from the docket by a
decree entered at the November Term
1875, be reinstated on the Docket.

~~proper notice having been given as required~~
And thereupon A. T. Stephenson Special
Commr. filed his report and account
of the payments made by him under
a former decree in this Cause, and the
said report and account, which is
supported by proper vouchers, is confirmed

And it appearing to the Court that
the said Giles Raiford has paid the whole
of the purchase money for the land pur-
chased by him in this Cause, but that
he has never received any conveyance
of the same, the Court doth adjudge, order
and decree that the said A. T. Stephenson
Special Commissioner do convey to the
said Giles Raiford by deed with special
warranty the ~~land~~ purchased by
the said defendant Raiford which is
described in the proceedings in this Cause

And the further consideration of this Cause
is adjourned

Col. Wm. H. Smith
at
Hempstead

Dear Sir

1867 Decr 1st

Corbit & wife.

^{vs}
Raiford } Deans

This day this cause came on again to be heard on the papers forthcoming and on the report of the said 7 Justices Commissioners made pursuant to a devisor order entered in this cause at the Nov. term of the Court 1866, and the Court confirming said report, doth adjudge, order and decree, that the said 7 Justices Commissioners be and they are appointed a special Commissioners for that purpose, to view and collect the two bonds in this cause mentioned, one of \$1086.47 due from Giles Raiford, Lewis & Raiford and Wm. H. Corbit, the other of \$384.32 due from Levi Turner and Levi W. Dineen, which said bonds the clerk of the Court is directed to hand to him, and the said collection of the same be first paid to the clerk of the Court, and that the balance be distributed equally between Wm. H. Corbit & Emma his wife, Giles Raiford, Lewis Raiford & Ellen Raiford and Wm. B. Raiford and make report thereof to this Court.