1899_14 Southampton County - Chancery Hayes, J. E. vs Johnson, Johnnie, Mrs. et al

"To sell land etc"
suit debts

Hayes, Ada O.
Johnson, Andia

J. E. Hayes Admr.
vs. } Bill of Ex.
Mrs. Johnnie Johnson, et als

1896. 1st Sept. Rules, filed.
L. A. Gay & b.

To the Hon Robert. R. Prentis Judge of the Circuit Court of Southampton County.

Complaining Showeth unto the Court your Complainant J. E. Hayes.

(1) That on the 12th. day of November 1894 K. R. Johnson died seized and possessed of a certain lot or parcel of land in the town of Franklin Southampton County Virginia, upon which there two dwelling houses, And personal property appraised at $ as a copy of which (appraisement) is hereto annexed with a copy of the Commissioner's record marked exhibit "A" and prayed to be read as a part of this bill.

(2) That on the 22d day of November 1894 your Complainant qualified and received letters of Administration from the County Court of Southampton County as is shown by the record of said Court, a copy of which is hereto annexed and marked exhibit "B" and prayed to be read as a part of this bill.

(3) That immediately after his qualification, your Complainant proceeded to advertise, and sell at Public Auction all of the chattle property of the decedent, and to settle the indebtedness of the estate, and from the sale of said chattle property he realized the sum of forty one dollars and ninety one cents ($41.91) and that the indebtedness as far as he is informed, and as is shown by the record of the Commissioner of accounts, a copy of which is hereto annexed marked exhibit "A"

amounts to Two Hundred and thirty nine dollars and Seventy seven cents ($239.77) a difference of one Hundred and Ninety seven dollars and eighty six cents ($197.86) which amount was advanced by your complainant in order to prevent several lawsuits and to save to the estate expense that might be incurred by litigations.

(4) That the estate of K. R. Johnson is indebted to your complainant in the sum of one Hundred and Ninety Seven dollars and eighty six cents for money loaned as shown in Allegation 3.

(5) That a widow, Mrs Johnnie Johnson, and two Children Ada D. Hayes and India A. Johnson survive the decedent and are his only heirs at law and the said India A. Johnson is an infant under 21 years of age.

In tender consideration whereof and in as much as your complainant is remedless, in the premises, save in a court of equity he prays that the said Mrs Johnnie Johnson, Ada D. Hayes and India A. Johnson be made parties to this suit and required to answer the same (though answer on oath is hereby waived) that a proper guardian Ad Litem be assigned the infant defendant to defend her interest in this suit, who shall also answer this Bill.

that a decree of Sale for the aforesaid real estate be entered, and that the matter be referred to one of the Commissioners of this court to take all proper accounts and report as to whether or not the rents and profits, for a period of 5 years, of said real estate will be sufficient to discharge this debt and that all and such farther and general relief may be afforded your Complainant as the nature of his case may require or to equity shall seem meet. And Your Complainant will ever pray &c.

J. E. Hays

R. E. D. Mathis.

Subscribed and sworn to before me by J. E. Hayes, this 5th day of September 1896.

J. A. Porter
Notary Public.

J. C. Humphrey Atty's

vs. } Return of Cert. N. Bond

Johnson et ux

Filed March 11th 1897

R. A. Lamb Clk

SHANDS & SON,

ATTORNEYS-AT-LAW,

COUDERSPORT, PA.

J. E. Hoyt et ux
#23 Lewis Notice
Mrs Johnnie Johnson et al

We thereby acknowledge
legal service of the
within notice

J. C. Parker atty for
Mrs. Johnnie Johnson &
Ed Ed Eileen for
Sadie Johnson. infant
W. E. Watkins atty
for J. E. Hoyet &
Ada Hoyet.

Commissioner's Office,

Courtland, ~~Jerusalem~~, Va., March 3rd 1897

To J. E. Hoyt & ors. & K. R. Johnson dec'd Pltff

vs

Mrs Johnnie Johnson. Mrs Ada D. Hoyt; and India Johnson an infant by J. B. Porter her Guardian ad litem Defendants

You are hereby notified that I have fixed upon the 9th *day of* March 1897 (at 10 a.m.) *next, if fair, if not, the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to wit:*

1st An account of Jos. E. Hoyt transactions as administrator of K. R. Johnson dec'd.

2nd An account of the debts outstanding against the said decedent, with their dignities and priorities

3rd An account of the annual & fee simple values of the real estate of which the said decedent died seized and possessed; inclusive and exclusive of the widow's dower

4th Any other matters specially stated & deemed pertinent by the commissioner or required to be stated by any interested party

required to be taken by a decree of Southampton Circuit Court, rendered at the September *term, 18*96*, in a suit in chancery depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.*

Given under my hand, as Commissioner in Chancery of said Court, the day and year first aforesaid.

Wm Saunders

Commissioner.

To the Sheriff of Southampton County to execute.

Hayes. Admr.
W. } Decree
Johnson et als.

Entered Page 97—

In the Circuit Court for Southampton County,
September term 1896.

Hayes J. E. Admr.
vs. } Decree.
Johnson et als.

This day this Cause which has regularly matured at rules came on to be heard upon the bill and exhibits filed, answer by the infant defendant by J. C. Parker guardian ad litem, regularly appointed at rules, with general replication thereto, the bill taken for confessed as to adult defendants and was argued by Counsel, On Consideration whereof the Court doth adjudge, order and decree that this Cause be referred to one of the Commissioners of this Court who will take, state and report to the Court as follows!

1st An account of Jno. E. Hayes' transactions as Administrator of K. R. Johnson decd,

2nd An account of the debts outstanding against the said decedent with their dignities and priorities,

3rd. An account of the annual & fee simple value of the real estate of which the decedent died seized and possessed inclusive and exclusive of the widows dower,

4th Any other matter specially stated deemed pertinent by the Commissioner, or required to be stated by any interested party,

A Copy,

Teste: L. A. Gay C. C.

The Estate of K. R. Johnson decd
In a/c with J. E. Hayes Admr

			Dr		Cr	
1894			℔	ct	℔	ct
Dec	15	By cash received as per a/c of Sales			41	91
"	15	To paid W. H. Gray on a/c	1	10		
"	"	" " L. A. Gay Com's fee	2	50		
"	"	" " C. C. Vaughan house rent	3	00		
1895 June	30	" " taxes for 1894	7	96		
Jany	24	" " J. A. Jackson for bidding goods	50	00		
"	15	" " Dr Gavin Rawls medical a/c	75	00		
1896 "	12	" " Eley. Howell & Co for coffin &c	73	00		
		" Com's on ℔41.91 @ 5 %	2	10		
		" Balance due the Administrator (with interest from thereon from June 1/95			173	05
			℔214	96	℔214	96
1896 Jany	12	Balance due the administrator + Pome to carry interest thereon from June 1/95	℔173	05		

The above a/c. was taken after due notice given to the parties and the said administrator produced vouchers duly supporting aforesaid expenditures.

Respectfully submitted by
Wm Shands
Com'r in chancery for Circuit Court
of Southampton Co Va.

account showing actual and annual value of Real estate whereof K. R. Johnson died seized and possessed

Actual value one lot @	500 00	
" " " "	300 00	
Total actual value =	$800 00	
Annual " " "		50 00
" " " "		30 00
Total annual value =		$80.00

The above actual and annual values are exclusive of the widows dower therein. No dower has as yet been assigned her. but suppose should she have it assigned she would get as her dower the said lot @ valued at $500.00 so that the only annual value to be realized from said property would be such as could be derived from the lot @ valued at $300. The said widow is 45 yrs old. and your Com^r is informed that she wishes the whole real estate sold & take so much (that allowed by law) of the proceeds of sale in fee in lieu of her dower. all of which is

Respectfully submitted by
Wm Shands
Com^r In chancery of Ct. Ct. Southampton Co Va

Commissioners Office
Courtland Va March 10th 1897

To the Hon R. R. Prentis Judge of the Circuit Court
of Southampton Co Va

Your undersigned Commissioner reports to
court that pursuant to a decree entered
at the Sept Term 1896 of aforesaid court
in the chancery cause of Hayes'
adm'r vs Johnson et als. he on March
3rd 1897 issued notices to all parties
interested to appear at his office in
Courtland Va on March 9th 1897 (which
notices were duly executed) when
he proceed to take the accounts called
for by said decree, to wit;

1st an account of Jas. E. Hayes transactions
as administrator of K.R. Johnson decd

2nd an account of the debts outstanding
against the said decedent with
their dignities & priorities

3rd an account of the annual & fee
simple value of the real estate of
which the decedent died seized
and possessed, inclusive and
exclusive of the widow's dower

4th any other matters specially stated
deemed pertinent by the Commissioner
or required to be stated by any
interested party

That it said time the said administratrix made a full exhibit of his said transactions. that he has only received the sum of $41.25 from the estate and has paid off all the indebtness against the estate amounting to $214.75 leaving the estate owing him a balance of $173.50 with interest thereon from June 1st 1895

That the actual value of said decedents real estate is $800.00
Annual value " " " $. 80.00
That so far dower has not been assigned the said widow. but should it be done in kind in said real estate; then the would your Comr think get the lot valued at $500. which would only leave out the other lot valued; actual value at $300- annual value at $30.00; To sell out and pay said debt and that same would not do it in five years. Your Commissioner further states that the said Jos. E. Hayes married a daughter of said K. R. Johnson dec'd & the said widow. and that his

wife & so does the said minor who is nearly 21 yrs old & also the said widow. wish the said real estate sold. the said widow who is 45 years old taking in fee in the proceeds from said sale in lieu of dower such part as the law allows her. and the balance to pay the paid debts & costs of this suit; and remainder to be divided among the said interested parties according to their respective rights. That the said widow & her minor child now live with her said deceased husband. the said real estate in question not being advisable to obtain (her husband and three (or three) children dying there in a short time of each other) & some would have to be kept repaired & hard to get a tenant. Hence they think it best to sell said property. selling same in two lots or parcels as indicated by their report. all of which is

Respectfully submitted by

Wm Shands Comr in Chancery of Circuit Court of Southampton Co. Va.

Comr's fee $5.00

CLERK'S RECEIPT.

No. 8

DELINQUENT LANDS.

Name of owner K. R. Johnson Est.

Quantity and description 1/6 acre

Years 1895 Tax, $

Principal, - - - - - $6.96

Interest, 2 Cents - - - $1.00

When paid clerk Augt 26 1897 7.96

By whom J. L. Parker, Atty.

Received (date) Augt 26 1897

B. F. McLemore Clerk.

Hays. Admr.

vs. } Summ. In chy.

Johnson et als.

1896. 1st Sept. Rules

bis. 61.

Executed Sept 1st
1896 by delivering
a copy of this Summ
to Mrs Fahnnie Johnson
& als to Mrs Ada Hays

J. W. Williams
Sheff.

(2)

R. E. L. Watkins p. q.

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON Mrs. Johnnie Johnson. Mrs Ada D. Hays and India Johnson (Infant)

to appear at the Clerk's Office of our Circuit Court of Southampton County, at the Rules to be holden for the said Court on the 1st Monday in Sept 1896 ~~next~~, to answer a Bill in Chancery exhibited against them in our said Court by J. E. Hays. Admr.

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

Witness, L. A. GAY, Clerk of our said Court, at the Courthouse, this 10th day of Sept., 1896, in the 121 year of the Commonwealth.

TESTE: L. A. Gay, C. C.

Form No. 309.

Hayes, Administrator
vs.
Johnson ⁊ als.

Watkins & Porter

to { COMMISSIONER'S BOND.

Commonwealth.

1897. May 10" Filed
L. A. Gay b.c.

Everett Waddey, Stationer and Printer, Richmond, Va. } Form No. 309.

Know all Men by these Presents, That we R. E. L. Watkins

& J. B. Parker & Rebecca Watkins & W. T. Pace

are held and firmly bound unto the Commonwealth of Virginia, in the sum of ($2000.00)

Two Thousand Dollars,

to the payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our Homestead Exemptions as to this obligaiton, and any claim or right to discharge any liability to the Commonwealth arising under this bond, or by virtue of said office, post or trust, with coupons detached from bonds of this State. Sealed with our seals, and dated this 10th day of May one thousand eight hundred and Ninety Seven.

The condition of the above Obligation is such, That if the above bound

R. E. L. Watkins & J. B. Parker

shall faithfully perform the duties of their office or trust, as Special

Commissioner

under a decree of the Circuit Court of the County of Southampton, pronounced on the 25th. day of March, 1897, in the suit therein depending under the name and style of Hayes, Administrator vs. Johnson exc'ts and any & any future decree that may be entered herein

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in the presence of

R. E. L. Watkins SEAL.

J. C. Parker SEAL.

Mrs Rebecca Watkins SEAL.

W. T. Pace

In the Clerk's Office of the Circuit Court of the County of Southampton:

This day Mrs Rebecca Watkins & W. T. Pace

sureties on the above bond, made oath before me L. A. Gay, Clerk of the Circuit Court of the County of Southampton, that their estate, after the payment of all their just debts, and those for which they are bound as security for others, and expect to have to pay, is worth the sum of Two Thousand dollars; whereupon the said bond is admitted to record according to law.

Given under my hand this 10th day of May 1897.

Teste: L. A. Gay Clerk.

J. E. Hays Admr.

vs. } Statement of Rules

Mrs. Johnnie Johnson et al.

J. E. Hays, Administrator Plaintiff

vs.

Mrs Johnnie Johnson, Mrs. Ada D. Hays and India Johnson (Infant) Defendants

1896. 1st Sept. Process Issd. to 1st Sept. Rules.

1896. 1st Sept. Rules. Process returned executed as to adult defendants.

Bill and Exhibits filed. Decree Nisi as to adult defendants.

J. B. Parker appointed guardian ad litem to infant defendant.

1896. 2nd Sept. Rules. Bill taken for confessed as to adult defendants and Cause set for hearing as to them

J. E. Hays Admr. "A"
vs. } Exhibit "A"
Mrs. Johnnie Johnson et als

1896. 1st Sept Rules Filed
L. A. Gay C.C.

An account of the sale of the Chattle property belonging to the estate of Kenneth R. Johnson Dec'd. Made the 15th day of December 1894

Article	Purchaser	Price	
1 Washstand #1	J. D. Lankford	40	40
1 washstand #2	Henry Tilman	40	40
6 Chairs	J. T. Haynes	35-	2.10
1 Bureau	J. C. Hayes		3.00
1 Rocking Chair	Jas. Hill		25
1 Bedstead #1	J. C. Hayes		1.50
1 Bedstead #2	J. C. Hayes		1.60
1 small bedstead #3	A. J. Leiter		50
1 Stove	J. T. Lankford		75-
6 Bee hives	J. P. Holland		50
9 stands bees	W. M. Cobb	35-	3.15-
1 Hand saw	G. A. Johnson		55-
1 Sand saw	Nathan Rogers		1.00
1 Square	L. L. Banks		10
1 Spirit level	W. H. Gray		20
1 Grindstone	N Rogers		26
1 Jackplane	W. M. Cobb		12
2 Augurs	J. H. Gray		15
1 Chisel & drawing knife	N. Rogers		16
1 Wedge & Cart bedpins	J. W. Laughon		16
1 Hoe & file	J. T. Littlefield		12
1 lot Plastering tools	B. Snow		10
1 lot Rope	Jas. Hill		14
1 lot twine	N Rogers		85
1 Cot Rope	J. W. Laughon		15-
1 saw Clamp	N. Rogers		02
1 Basket	J. A. Jackson		25-
1 Desk	G. Lanier		25-
Amt forward		18	00

1 Spade	Cary Clark			35
1 Grub hoe + pitchfork	J. Slobb			10
1 Portable house (also shot)	W. N. Gray		8	25
1 Lot Shoemakers tools	J. T. Harcum		6	50
17 lbs Sole leather	J. T. Harcum	18c	3	06
1 Trowel + plumb	C. G. Parker			25
1 Pr. Spurs	J. H. Gray			50
1 Pr Shoes	Mitchell Holland			05
1 Pr Shoes	J. H. Gray			10
1 Pr Shoes	J. E. Hays			25
1 Pr Lady Shoes	J. E. Hayes			50
4 Cultivator heels	J. H. Gray	12		48
53 Cultivator heels	C. G. Parker	6	3	18
3 Plow heels	W. M. Cobb	10		30
1 Pitch fork	T. D. Gibson			05
1 Plow	J. T. Harcum			25
	J. E. Hays		$41	91

Administrator of S. R. Johnson dec'd.

Office of Comr. of Accts
Courtland Va. Feby 18th 1895.

Examined approved and certified for record.
Comr. fee $1.00
Chgd to Admr

Wm. H. Pretlow
Comr. of Accts.

Virginia
In the Clerks office of the County Court for Southampton County
Feby 20th 1895. The foregoing Account of sales of the Chattle
property of S. R. Johnson dec'd was this day returned to
with the certificate of approval of Comr. of Accts. thereto an-
nexed admitted to record

Teste B. F. McLemore C.C.

Ex "B"

1896. 1st. Sept. Rules Filed

L. N. Ry Co.

Mrs Johnnie Johnson Widow of R R Johnson
Ded. Having Dilinguished her right to admin is-
tration on the Estate of he deceased husband
and requested the Court to allow J C Hayes
to qualify on said Estate: On motion of
J C Hayes who made oath according
to law and together with F K Vaughan
as his security who justified on oath as
to his sufficiency, entered into and
acknowledged a bond in the penalty of
One Hundred dollars, conditioned as the
law directs which bond is ordered to be
recorded, certificate is granted the said
J C Hayes for obtaining Letters of Admin-
istration on the Estate of R R Johnson ded
in due form And on the further motion
of said Administrator. R D Brown J A
Edwards and L A Gay are appointed
appraisers who being duly qualified will
appraise the Chattel Estate of the said
decedent and return the same under
their hands as the law directs

Ass't appraisement of Chattle property of Kenneth R. Johnson deceased. Made the 15 day of December 1894. By Jesse A. Edwards. L. A. Gay and R. H. Brown appraisers appointed by the County Court of Southampton County at the November term thereof.

1 washstand #1			50
1 washstand #2.			30
6 Chairs			2 00
1 Bureau			3 00
1 Rocking chair			2 25-
1 Bedstead #1			1 50
1 Bedstead #2			1.50
1 Bedstead #3			50-
1 Stove			50
6 Hyhives			50-
9 Stands bees	25-		2.25-
1 Handsaw			50
1 Handsaw			1.00
1 Square			10
1 Spirit level			25-
1 Grindstone			25-
1 Jackplane			25-
2 Augurs &c			10
1 Chisel & drawing knife			15-
1 wedge & cant bed pine			15-
1 Axe & file			15-
1 set planing tools			10
1 Lot saws			10
1 do do			15-
1 Lot twine			05-
1 saw clamp			05-
1 Basket			10
		16	25-

Amt forwards	16	25-
1 Duck		25-
1 Spade		25-
1 Grubhoe & pitch fork		10
1 Portable Forge (Shoe shop)	5-	00
1 Lot Shoemakers tools	5.	00
17 lbs Sole leather	2	00
1 Trowell & plumb		25-
1 Pr Shoes		25-
1 pr Shoes		10
1 pr Shoes		10
1 pr Shoes		25-
1 pr Ladies Shoes		25-
4 Cultivator heels		25-
5-3 Cultivator heels	2	65-
2 Plow heels		50
1 Pitch fork		05-
1 Plane		25-
	$	33.55-

J. A. Edwards
L. A. Gay
R. D. Brown
} appraisers

Southampton County to wit.
This day personally appeared Jesse A. Edwards L. A. Gay & R. D. Brown before me L. R. Edwards a Notary Public in & for said County, and made oath to the correctness of the above appraisement of the Estate of Kenneth R. Johnson deceased to the best of their knowledge & belief. Given under my hand this 19th day of January 1895.

L. R. Edwards N.P.

Office of Com'r of Accts
Courtland Va
Feby 11th 1895.
Exam'd. Appr'd certified for record
Com. fee $1.00 Chdg to Adm: Wm. H. Butlow Com'r of Accts.

Answer of
India A. Johnson
by
J. C. Pasken - guardian ad litem

The Answer of India A. Johnson, an infant under the age of 21 years by J. C. Parker her Guardian ad litem assigned to defend her in this suit, and the Answer of the said J. C. Parker guardian ad litem to the said infant defendant, India A. Hayes, to a bill in equity exhibited against the said India A. Hayes and others in the Circuit Court of Southampton County by J. E. Hayes. Adm.

For answer to the said bill the said infant defendant by her said guardian ad litem answers and says, that being of tender years she does not know what her true interests are in relation to the subject matter of said bill, nor does she know whether the statements therein contained are true or not. She confides the protection of her interests to the care of the Court. And the said Guardian ad litem to the said infant defendant for answer to the said bill answers and says that he knows nothing as to the truth or falsity of the statements in the bill contained. He prays full protection for the said infant defendant. And now having fully answered, these defendants pray hence to be dismissed with their costs &c.

J. C. Parker Gdn ad litem

Hayes. admr.

vs.

Johnson. et als

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answer of Defendant
Mrs. Johnnie Johnson

1897. march 25th. Filed

L. A. Gay C.C.

Hayes,Admr.
vs.
Johnson,et als.

The answer of ~~XXXX~~ Mrs.Johnnie Johnson,one of the defendants to a bill of complaint filed against her and others in the Circuit Court of the County of Southampton,by J.E.Hayes,complainant.

This respondent,reserving to herself the benefit of all just exceptions to the said bill,for answer thereto,or to so much thereof as she is advised it is material that she should answer, answers and says that the allegations of the bill are true and that complainant ought to be paid his money paid out by him on be-half of the said estate.Your respondent beleives that the interests of all parties would be promoted by a sale of the real es-tate belonging to the said estate and a division of the proceeds ,after paying just debts,among those entitled thereto,after taking out her dower interest.Your respondent says that she is 46 years of age and that she is desirous that all said realty be sold and that she be paid the commuted cash value of her dower in said realty as ascertained by the method prescribed by section 2281 & 2282 of the Code of Virginia.Your respondent says that dower has never been assigned her in said realty,but that she and her children have been living along on said realty and collecting what rent they could from the portion they did not occupy and using the same,all as one family and having a common interest,but that now her daughter and her husband,the complainant in said bill have moved from the town in which this property is located and gone to the country to live,your respondent beleives it to the best interest of all to sell the property.

And this respondent denies all fraud,unlawful combination or con-federacy ; and having fully answered the complainant's bill, prays to be hence dismissed with her reasonable costs in this behalf expended,and she will ever pray,etc.

J.C.Parker. p.d. Mrs Johnnie Johnson

there are some back taxes due on the said property, amounting, as we are informed by the Assessor, to the sum of $ which taxes should be paid out of the funds in this suit. A copy of the handbill advertising said sale is herewith filed as a part hereof.

Respectfully submitted,

J. C. Parker
R. E. S. Mullins
} Special Counsel

Morgan Adams
vs
Lorman Lots

Report of Sale

1897. May 2 Filed.
L. A. Gray C.C.

To
The Hon R.R. Prentis, Judge of the Circuit
Court of Southampton County, Va

The undersigned, Special Commissioners
appointed by your Honor in the suit of
Hayes, Admr vs. Johnson, &c &c, pending
in said Court, beg leave to report that
in accordance with the decree entered
in said cause March 25th 1897 we advertised
the property ordered to be sold by said decree
for sale at public auction upon the terms named in
the decree on Saturday 29th 1897, that at
the said sale Mrs. Johnnie Johnson became
the purchaser of the said lot at the
price of Three Hundred Dollars that being
the highest bid made therefor. Your Com-
missioners report that this is a fair sale
& recommend that the same be confirmed.
Your Com'rs report that the purchaser
has paid us part of the said purchase
money but expects & desires to pay
the same in full as soon as the
said sale is confirmed. Your Com'rs
report the expenses of sale to be as follows

5% Commissions	15.00
Crier's fee	2.50
Handbills advertising sale	1.25
	$18.75

Your Commissioners further report that

Hayes, Admr.

vs. } Statement of Cost

Johnson et als.

Hayes. Adms.

W. } Statement of Costs

Johnson et als.

Sum. 25¢. 3 copies 3¢. receipt 18¢. atty. 10¢. Deck. 18¢ = 1.08

Rules $1.00, Entering Return 35¢. file. bill 15¢. D°. Ex. 15¢ = 1.65

file. 2 answers 30¢. Copying Ex $1.25. file. Comrs report 25¢. 1.80

& specification 15 answers 15¢. Taking bonds &c. $1.40 = 1.55

3 Decrees & Copy $2.21 file. Comrs refund 25¢ = 2.46

June 12-97 Decree & copy .75

Total & including Aug. 25-L Clerk 9.29

Sheff. 1.50

Lawr. 16.50

$27.29

Comr William Shands Jr 5.00

$32.29

3 4 6 4
5

Hayes. Admr.
vs } 4th Decree
Johnson. et als.

Entered July 12th 1847

page 150

In Vacation:

Circuit Court of Southampton County
on the 12th. day of July 1897.

Hayes, Administrator
vs. } 4th. Decree.
Johnson, et als.

This day this Cause came on again to be heard, in vacation, upon the papers formerly read and upon the report of sale by J. L. Parker and R. E. L. Watkins, filed May 28th. 1897, to which report no exceptions have been filed, and was argued by Counsel.

Upon Consideration whereof the Court doth Confirm said report and the sale reported therein, and doth further adjudge, order and decree that the said J. L. Parker and R. E. L. Watkins, who are hereby appointed Special Commissioners for that purpose, receive from the said purchaser, Mrs. Johnnie Johnson, of the said Lot, the purchase price, $300. bid therefor as shown by the said report and give the said purchaser a good and sufficient deed therefor, with special Warranty. Out of the proceeds of the sale the said Commissioners shall pay first all the expenses of this suit, including a fee of fifteen dollars to J. L. Parker attorney

for defendant & guardian ad litem for infant defendant and $15.48 due for taxes on the said property; second to Mrs. Johnnie Johnson the Community Cash value of her dower in the said lot, after first deducting from the purchase price thereof, the costs of this suit and sale; and third the balance to J.C. Hayes, or his assigns, on the debt due by the estate of K.R. Johnson deceased to him as shown by Comr. Shands' report in this cause. And it appearing to the Court that there will not be sufficient funds in hand to pay the said debt in full. The Court doth further adjudge, order and decree that the said Special Commissioners proceed as soon as may be to rent the remaining lot belonging to the said estate, as shown by Comr. Shands' report in such manner and upon such terms as they may deem expedient and report the result of said renting to this Court. And the said Commissioners shall report to this Court as soon as possible what they have done under this decree.

A Copy.

Test: L. A. Gay C.C.

Franklin, Va. May 1897

M. J. C. Parker v. R. E. Williams Special Cons

* Cheap Job Printing. *
Under the Management
-OF-
W. A. Magee
* Work Done Well. *
Satisfaction Guaranteed.

☞ IN ACCOUNT WITH

BLACKWATER COURIER JOB DEPARTMENT.

TERMS CASH.

Orders Promptly Attended to

2o 500 posters for
Case of
Hayes down
vs
Mrs Johnnie Johnson chalo. 1 25.

Rec'd Pay

Mr. K. R. Johnson's est. No. 215

1896. To L. R. EDWARDS, Treasurer of Southampton County, Va., Dr.

SUBJECTS OF TAXATION.	State Tax, 30c. on $100.	State School Tax, 10c. on $100.	County Levy, 45c. on $100.	County School Tax, 5c. on $100.	District School Tax, 5c. on $100.	TOTAL TAX
To 1/6 acres Land, value $ 766.66	2 30	77	3 46	39	38	7 30
" acres Land, value $						
" acres Land, value $						
" acres Land, value $						
" Personal Property, value $						
" Capitation Taxes						
" Income $						
Total						
5 per cent. additional						37
Fee Bills						
Total						7 67

Received payment 25 day of Aug 1897 L. R. Edwards Treasurer.

$55.12

Received of J.C.Parker and R.E.L.Watkins,Special Comrs.the sum of Fifty-five dollars and 12/100 ~~$~~ being the commuted cash value of my dower interest in the lot sold by the said Comrs.in the suit of Hayes,Admr. vs.Johnson,et als.on the 29th day of May 1897 ,the same being paid me by decree in said cause in the Circuit Court of Southampton county entered July 12th 1897.

Mrs Johnnie Johnson.

~~$2.50~~ $.2.50

Received of J.C. Parker and R.E.L. Watkins Special Comrs Two and 50/100 dollars for selling land in suit Hayes. Admr vs. Johnson. et als. May. 29th 1897.

T.D.G. Mason. Clerk

Received of J.C.Parker and R.E.L.Watkins,Special Comrs.in suit of Hayes,Admr. vs.Johnson,et als.,the amounts placed opposite our names below ~~paid~~ being the taxed costs in said suit.

Paid L.A. Gay.....Clerk. $9.29

J.W. Williams.....Sheriff. 1.50

R.E.L. Watkins..... Attorney for tax & fee. 16.50

Paid Wm Shands.....Comr.in Chancery. 5.00

$5.

Received of J.C.Parker and R.E.L.Watkins,Special Comrs. Five dollars for writing deed for land to Mrs.Johnnie Johnson in suit Hayes,Admr.vs.Johnson,et als.,Aug.25th 1897.

R.E.L. Watkins
J.C. Parker

$15.

Received of J.C.Parker and R.E.L.Watkins,Special Comrs.in suit of Hayes,Admr. vs.Johnson,et als.,fifteen dollars attorney's fee allowed by decree of July 12th 1897.

J.C. Parker. atty

$158.36

Received of J.C.Parker and R.E.L.Watkins,Special Comrs.,One hundred and fifty-eight dollars and thirty-six cents in part payment of the debt due to J.E.Hayes,Admr. as proved in suit of Hayes Admr. vs Johnson,et als.,which debt has been assigned by the said J.E.Hayes,Admr. to me as shown by assignment filed with this receipt,this 25th day of August,1897.

J.C. Parker
Assignee of J.E. Hayes

For value received I hereby assign, sell transfer and deliver to J.C. Parker, my account against the estate of R.R. Johnson, deceased, and all amounts due me by said estate, the amount being One Hundred and twenty three and 85/100 Dollars with interest from June 1st 1895. as shown by the report of Commr Shands in the suit of Hayes Admr. vs. Johnson. &c. &c. pending in the Circuit Court of Southampton County, Va. the claim I hereby assign being the one reported therein. And I represent and guarantee that there are no judgements or executions against me to bind said amount or be a lien thereon, or that I have written assigned or given a lien upon said debt due me or any part thereof, and that the said entire amount is now due me and free from any incumbrance. And I further bind myself that no part of same shall be subject to any fee to my attorney. R.E.L. Walker in said suit. This claim is due me as Admr and I assign the same both as Admr & an individual. Witness my hand this 24th day of May 1897

J.E. Hays & J.E. Hays Admr

I agree to ask for no fee out of above described claim.

R.E.L. Walker

I hereby instruct R. E. L. Watkins & J. G. Parker. Special Counsels in said suit to pay J. G. Parker all sums coming to me in said suit.

J. E. Hayes Adams

VAUGHAN AND COMPANY, BANKERS.

DEPOSITED BY

J. L. Parker & R. E. L. Watkins
Agts Peanuts

Franklin, Va., 8/25 *1897*

PLEASE LIST EACH CHECK SEPARATELY.

Currency	
Silver	
Gold	$ 24 88

Checks as Follows:

Duplicate

Vaughan & Co

Total, $	$ 24 88

See that all Checks and Drafts are Endorsed.

Hayes. admr
vs. }
Johnson. et als.

Account of Special
Comrs.

Filed Sept: 28th/1897.

L. A. Gay b.k.

Continued

J.C. Porter and R.E.L. Watkins, Special Comm's.
Acct with suit Hayes Admr vs. Johnson, et als.

1897					
Aug	20	By amt. received from sale			300.00
"	"	To 5% Comm. on same	15.00	✓	
"	"	" writing deed for lot	5.00	✓	
"	"	" paid for printing advertisements	1.25	✓	
"	"	" " auctioneer	2.50	✓	
"	"	" " Clerk	9.29	✓	
"	"	" " Sheriff	1.50	✓	
"	"	" " writ tax & taxed fee	16.50	✓	
"	"	" " Comm's Wm Shands	5.00	✓	
"	"	" " taxes for 1896	7.67	✓	
"	"	" " " " " 1895	7.81		
"	"	" " J.C. Porter atty fee	15.00	✓	
"	"	" " Mrs. Johnson's dower interest	50.12	✓	
"	"	" " J.C. Porter, assignee of J.E. Hayes admr	188.36	✓	
			300.00		300.00

To the Hon. R.R. Prentis, Judge of the Circuit Court of Southampton County, Va.

The undersigned your Special Comm's in the suit of Hayes, Admr. vs. Johnson, et als, beg leave to report that in accordance with the terms of the decree entered in said cause on the 12th day of July 1897, they collected the sum of $300. from Mrs. Johnnie Johnson for the lot sold her as shown by our last report, and gave her a good and sufficient deed, with Special warranty, for the said lot, and have paid out the whole of the $300. as is shown by the above statement which is supported by vouchers. Your Comm's further beg to report that they have sold the remaining lot belonging to estate of K.R. Johnson, deceased, to Mrs. Johnnie Johnson for the sum of $15.00 per month for such time as shall be necessary to pay the balance of the debt due by estate of K.R. Johnson, under the decree to us under said premises rendered.

Respectfully submitted,

J.C. Porter. } Special
R.E.L. Watkins } Comm's

Hayes. Admr

vs } S. C. Decree

Johnson. et als.

Entered Sept. 29th/97

Page 167

Hayes. Admr
vs } 5th Decree
Johnson. et als.

This day this cause came on to be again heard upon the papers formerly read, and upon the report of J.b. Parker and R.E.L Hawkins, Special Commissioners filed during term, Sept. 28th, 1897. to which report no exceptions have been filed, and was signed by Counsel. Upon consideration whereof the Court doth confirm said report, and doth further adjudge, order and decree that J.b. Parker and R.E.L Hawkins. Special Comm's, shall collect said rent from said lot until they have collected a sufficient sum to pay the balance of the debts due by K.R. Johnson's Estate, including final costs, when they shall pay said balance report as soon thereafter as practicable to this Court.

A Copy.

Test: L. A. Gay C.C.

Franklin, Va., Oct. 26 1898

M. R. Johnson Esq.

TO J. C. PARKER & CO., DR.,

Fire and Life Insurance Agents.

OFFICE: MAIN STREET.

DATE.	POLICY NO.	COMPANY.	PROPERTY INSURED.	AMOUNT.	PREMIUMS.
10/26/97	1274	Ham. Bran	Dwelling	400	4 00

Paid by J. C. Parker. Special Agt.

J. C. Parker Treas

Franklin, Va., Oct. 26 1898

M K. R. Johnson Esq.

TO J. C. PARKER & CO., DR.,

Fire and Life Insurance Agents.

OFFICE: MAIN STREET.

DATE.	POLICY NO.	COMPANY.	PROPERTY INSURED.	AMOUNT.	PREMIUMS.
10/26/98	1308	Hamburg	Dwelling	400	4 00
		Paid by J C Parker Special Agent			
		J C Parker Res			

Mr. K. R. Johnson Est. No. 1101

1897. To L. R. EDWARDS, Treasurer of Southampton County, Va., Dr.

Subjects of Taxation.	State Tax, 30c. on $100.	State School Tax, 10c. on $100.	County Levy, 40c. on $100.	County School Tax, 5c. on $100.	District School Tax, 7½c. on $100.	TOTAL TAX.
To 1/6 acres Land, value $ 766.66	2 29	77	3 06	39	59	7 10
" acres Land, value $						
" acres Land, value $						
" acres Land, value $						
" Personal Property, value $						
" Capitation Taxes						
" Income $						
Total						
5 per cent. additional						36
Fee Bills						
Total						7 46

Received payment 21 day of July 01 1898 [illegible] Treasurer.

C. B. Barker Asst.

Mr K. R. Johnson Est.

18 97

To TOWN OF FRANKLIN, Dr.

1st JULY, 189 7, to 1st JULY, 189 8—To Tax on $ 7665.66 Real Estate at 50 cents per $100 value. for Town purposes	$	3 83
To tax on $ ..... Personal Estate, at ..... per 100 value, for Town purposes		
To Capitation		
	$	3 83

Received payment, J. W. Magee Sergeant.

$6.50

Franklin Va. May 19th 99

Recd of J.C. Porter. Special Comm. Five and 50/100 Dollars in full payment of Cox account against K.R. Johnson's Est. Cox on land.

J.W. Arrington

INSURE IN THE

Imperial

OF LONDON

Received June 16th
1899. Two & 5-2/100
($2.5.2) Francis J. Baker
Special Agent. Loss
Lost from July 1898
to July 1899 on K.R.
Johnson's Est.

F. W. Hodges

$21.40

Oct. 1st 1899

Received of J. C. Porter. Special Comr. Twenty one & 40/100 dollars, it being 1/3. widow's share. of the suit collected by him from K. R. Johnson's Exr.

Mrs. Johnnie Johnson

per J. C. Porter. Atty.

$42.81

Oct. 1st 1899

Received of J. C. Porter. Special Comr. in suit of Hayes, Admr. vs. Johnson. the sum of Forty-two & 81/100 dollars in full of balance due me as assignee of J. E. Hayes Admr. by K. R. Johnson's Exr.

J. C. Porter

Assignee of J. E. Hayes Admr

remaining house belonging to K. K. Johnson's Est. & collected sufficient rent to liquidate the remaining indebtedness due by said Est & said rent the same as shown by the above report supported by vouchers.

Respectfully submitted
J C Dokes
Special Comm

Hayes, admr
vs
Johnson, &c &c

Report & Special Comm filed Oct. 3rd 1879

J. C. Porter. Special Comm. In acct with suit of Hayes, admr, vs. Johnson et-als.

1899-

Oct 1. By cash received from
Mrs. Johnnie Johnson 94.93

" " To 5% Commission 4.74

1897
Oct. 26 " paid for Insurance 4.00

1898
July 21 " " taxes for 1897 7.46

Aug. 5. " " Coton taxes 1897 2.50

Oct 26 " " for Insurance 4.00

1899
May 19 " " taxes for 1898 5.50

June 16 " " Coton taxes 2.52

Oct. 1 " " widow dower share rent 21.40

" " " " paid J. C. Porter, assignee
of J. L. Hayes, admr bal. 42.81

$94.93 $94.93

To the Hon. R. R. Prentis.
Judge of Circuit Court of Southampton Co

The undersigned begs leave to report that in accordance with the last decree in this cause he has rented out the

J. B. Lippincott Company,
Booksellers and Stationers,
Philadelphia, Pa.

Noyes J. E. Adm
vs
Johnson et als.
} Decree

This day this cause which has regularly matured ah rules came on to be heard upon the bill and exhibits filed. Answers by the infant defendants by J. B. Parsons Guardian ad litem, regularly appointed ah rule, with general replication thereto. the bill ~~was~~ taken for confessed as to ~~adult~~ adult defendants and was argued by counsel. On consideration whereof the court doth adjudge, order and decree that this cause be referred to one of the late, Clerk Commissioners of this court who will ~~report~~ state and report to the court as follows;

1st An account of J. E. Noyes' transactions as Administrator of K. E. Johnson deed

2d An account of the debts outstanding against the said decedent with their dignities and priorities

3d An account of the annual & fair simple value of the real estate of which the decedent died seized and possessed inclusive and exclusive of the widow's dower

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

Hayes Adm
vs
Johnson et ale } Decree

Entered Sept. 28, 1896
Robert E. Stevens

Entered Page 97-

Hayes. Admr
vs 3rd Decr
Johnson. Ills

To be entered.
March 25th 1891
Robert Ellis

Entd Page 134
Cop

Hayes admr.
vs.
Johnson. et als.

This day this cause came on again to be heard upon the petition formerly read & upon the motion of Mrs. Johnnie Johnson asking leave to file an answer to the plaintiffs bill, and was argued by Counsel.

Upon consideration whereof leave is hereby granted her to file said answer in said cause, and the same is accordingly this day filed and the complainant replied thereto generally. —

Hayes. Admr.

vs. } 4th Decree.

Johnson. et als

To be entered.

July 12, 897.

W. H. R. Lewis.

We consent to this decree.

J. C. Parker atty for defendant Mrs. Johnnie Johnson & Eldridge for infant defendant.

R. E. Watkins atty for Plaintiff and Ada Hayes.

Entered on page 150

(cp.)

In Vacation:
Circuit Court of Southampton County on the 12th day of July 1897.

Hayes, Administrator,

VS.) 4th decree.

Johnson, et als.

This day this cause came on again to be heard, in vacation, upon the papers formerly read and upon the report of sale by J.C.Parker and R.E.L.Watkins, filed May 28th 1897, to which report no exceptions have been filed, and was argued by counsel.

Upon consideration whereof the court doth confirm said report and the sale reported therein, and doth further adjudge, order and decree that the said J.C.Parker and R.E.L.Watkins, who are hereby appointed special commissioners for that purpose, receive from the said purchaser, Mrs. Johnnie Johnson, of the said lot, the purchase price, $500., bid therefor as shown by the said report and give the said purchaser a good and sufficient deed therefor, with special warranty. Out of the proceeds of the sale the said commissioners shall pay first all the expenses of this suit, including a fee of ~~twenty-five dollars to R.E.L.Watkins, attorney for the plaintiff in this cause~~ and fifteen dollars ~~fee~~ to J.C.Parker attorney for defendant & guardian adlitem for infant defendant; second and $13.45 due for taxes on the said property; second ~~$55.55~~ to Mrs. Johnnie Johnson the commuted cash value of her dower in the said lot, after first deducting from the purchase price thereof, the costs of this suit and taxes; and third the balance to J.E.Hayes, or his assigns, on the debt due by the estate of K.R.Johnson deceased to him as shown by Comr.Shands' report in this cause. And it appearing to the Court that there will not be sufficient funds in hand to pay the said debt in full, the court doth further adjudge, order and decree that the said Special Commissioners proceed as soon as may be to sell the remaining lot belonging to the said estate, as shown by Comr.Shands' report, in the same manner that the other lot was sold and upon the same terms, and report the result of said sale to this court. And the said Commissioners shall report to this court as soon as possible what they have done under this decree.

To the Clerk of the Circuit Court of Southampton County.

Robt. W. Shands

Hayes adm.
vs- Decree
Johnson Johnnie et uxor.

To be entered.
March 28th 1897
Robert D. Davis.

We consent to this decree
R E Devaney
For Plaintiff & Ada Hayes
J C Parker for Mrs Johnnie
Johnson & India Johnnie
infant

Entd Page — 128 —
cop —

By consent of parties
it is ordered that this cause may be
submitted to the judge
decision & decree
be made in term
time.

Hayes, Admr
vs.
Johnson, et als.

This day this Cause came on to be heard upon the papers formerly read and upon the report of Commissioner William Shands, filed March 11th, 1897, to which no exceptions have been taken, and was argued by Counsel. On consideration whereof, and it appearing from the report aforesaid, that the outstanding debts as found against the estate are largely in excess of the amount in the hands of the Administrator, the Court doth adjudge, order and decree that J. C. Parker and A. L. Watkins, be and they are hereby appointed Special Commissioners, either of whom may act, to make Sale of the real estate of which Kenneth R. Johnson died seized, known as the "Johnson property" situated in or near the Corporate limits of the town of Franklin, the two and containing about 1/2 acre, after advertising the time place and terms thereof for 20 days all said property at Public Auction at Franklin or Court House as to the Commissioners may seem best and upon the following terms: One fourth Cash and the remainder in two equal installments, payable in one and two years, bonds to carry interest from day of sale, with option to the purchaser to pay all the purchase money in Cash and take a deed upon the confirmation of the sale by the Court, title to be retained until all the purchase money is paid.

But before the said Commissioners shall proceed to act hereunder they shall enter into a bond before the Clerk of the Circuit Court in the penalty of $200.00, conditioned for the faithful performance of this or any future decree that may be entered herein, and such bond to be approved by the said Clerk.

Hayes. admrs.
vs. } Def'ts Decree
Johnson. et als.

To be entered
Sept. 29th 1897.

Robert V. Dennis

Entd Page - 167 -

Hayes. Admr.

vs. } Sd. Decree.

Johnson. et als.

This day this cause came on to be again heard upon the papers formerly read, and upon the report of J. C. Perkins and R. E. L. Watkins, Special Commissioners filed during term, Sept. 28th 1897. to which report no exceptions have been filed, and was argued by counsel.

Upon consideration whereof the Court doth confirm said report, and doth further adjudge, order and decree that J. C. Perkins and R. E. L. Watkins Special Commrs. shall collect said rent from said lot until they have collected a sufficient sum to pay the balance of the debts due by K. R. Johnson's Estate and the balance of the costs of this suit, including final costs, when they shall pay said balances report as soon thereafter as practicable to this Court

Hayes' Admr. Hobbs

vs } Trial Decree

Johnson et al Obs

To be entered

Oct. 2nd 1899

Robert R Lewis

HAYES, ADMINISTRATOR,

vs.

JOHNSON, et als.

This day this cause came on again to be heard upon the papers formerly read and upon the report of J.C.Parker, special commissioner, filed on the 3rd day of October 1899. to which report no exceptions have been filed and was argued by counsel. Upon consideration whereof the court doth confirm the said report. And it appearing that there is nothing further to be done in this cause, it is ordered that the same be removed ~~dismissed~~ from the docket.