

1909-27

Southampton County Chancery.

Darden, James T.

vs Ferguson, Maggie B. (adm^r)
et al^s

that a Commissioner require and
report debts outstanding & unpaid
against estate of E. C. Ferguson. Assess
the value of his real estate & timber,
then rent or sell enough timber
or real estate to settle debts.

Ferguson, E. C. (kid)
" , D. B.
" , H. D.
W. J. Sebrell

by

Sebrell, W. J. (G. A. L.)

for J. Darden who owes for
" Bill in chancery,
Ferguson's 9 days 1802

1892 1 ch. Mich. Ruler filed
L. A. Gay 66.

SHANDS & SON, 79
ATTORNEYS-AT-LAW,
COVINGTON, VA.

To the Hon. R. R. Prentiss Judge of the Circuit
Court for Southampton Co Va. In Chancery

Humbly complaining your orator J. J.
Dorcen who sues for the benefit of
himself and all other creditors of
E. C. Ferguson ^{deceased} who will come in and
bear their share of the costs of
this suit. Sheweth unto your
honor that E. C. Ferguson departed
this life intestate during the month
of 1896. leaving as his
heirs his wife Maggie B Ferguson,
and two infant children to wit
O B Ferguson, and H. D. Ferguson
both under fourteen years old
That at the Oct Term 1896 of the
County Court of Southampton Va
his said widow duly qualified
as his administratrix, as well
duly appear by a certified copy
of her said qualification her-
ewith filed marked exhibit A
and prayed to be read as
a part of this bill. That said
E. C. Ferguson owed your orator
the following bonds, notes and

one bond for \$17.58 with interest thereon from
Jan'y 1st 1892 and with a credit thereon
of \$3.00 on April 5th 1893. one note for
\$15.58 with interest thereon from Jan'y 1st 1894
one note for \$32.42 with interest thereon
from Jan'y 1st 1896 and one open account
of \$11.88. The whole ^{exclusive of interest} amounting
to \$75.78 and all of which is
due and unpaid as aforesaid
as will appear by the said bonds
~~notes~~ and account herewith filed
marked exhibit B and prayed
to be read as a part of this bill.
That he left virtually no personal
estate. but died seized and possess-
ed of a tract of land situated in
this County adjoining the land
of A. D. Bryant et als containing
122 acres more or less. That there
some how considerable timber
thereon which if sold soon
will bring a good price (as
several saw mills are now located
near it, but will soon cut out
and move away.) possibly for
enough to pay off all the debts.

the said decedent owes. Your
order wishes his money paid
him and that said timber
may be sold and if ^{there}
some does not sell for enough to
pay said debts, then that the said
land may be sent out if the
rents and profits will pay the ^{balance}
of debts against the said decedent in
5 years and if not that the same may
be sold to do so

In tender consideration whereof
and in as much as your
order is without relief. Done
in a court of equity where such
matters are alone & properly cog-
nizable. he prays that the
said Maggie B. Ferguson both
in her own right and as administratrix
of said E. B. Ferguson do and
the said infants by some fit
and proper party their Guardian
ad litem duly appointed
for the purpose; may be made
parties defendant to this
bill and compelled to
answer the allegations herein
contained, but an answer

under oath is hereby expressly
waived. That the Court would
direct one of its Commissioners
to enquire and report. The debts
outstanding & unpaid against the estate
of E. C. Ferguson, dec'd stating their dig-
nities & priorities. & The actual & annual
value of the land whereof he
did seized & possessed. stating
whether or not there is any saleable
timber thereon & fair market value
thereof. Together with any other matters
which said commissioners may deem
pertinent or be required to specially state
by any party interested. And if it
should appear from the said report that
the rents and profits from the said
real estate will not pay ^{in five years} the debts
due by E. C. Ferguson dec'd. Then ~~that~~
if the said timber will bring enough
to pay them that it may be sold to do so
and if it will not do so then that
both it and the land may be sold to do
so. and that the Court would grant
all such other, further, general, and
special relief as the nature of the case
may require or its equity seem meet
and your orator hereby gives notice
to all interested parties that he will
ask the Court to allow his attorneys
in this case - Messrs Shands & Son - a rea-
sonable attys fee for their services herein
may it so please the Court. J. D. Doree
By Shands & Son his attys

Gas. J. Darden

vs. { Statement of Rules

Ferguson's Adm. & als.

J. J. Darden, who sues for the benefit
of himself and all other Creditors of
E. L. Ferguson decd, who will come
in and bear this share of the costs
of this suit

Plaintiff

vs.

Maggie D. Ferguson, both in her own
right and as administratrix of E. L. Fer-
guson decd, and O. D. Ferguson and
H. D. Ferguson two minors by W. J. Sebrule
their Exr. ad litem

Defendants

1897. February 22nd. Process Issd. to 1st. March Rules.

1897. 1st. Mch. Rules. Process returned & executed as to
adult defendants.

Bill & Exhibits filed.

W. J. Sebrule appointed Exr. ad litem
to infant defendants.

Decree nisi vs adult defendants

1897. 2nd. Mch. Rules. Bill taken for confessing as to

adult defendants and cause

set for hearing as to her

In Vacation: Circuit Court of
Southampton County on the
31st. day of May 1897.

Dorden for vs
vs 3 2nd Deene
Ferguson's admors ad.

This day this cause
come on again to be heard on the
papers formerly read, and upon the report
of Commissioner B. F. McSweeney, filed May 21st
1897, and to which report no exceptions
have been filed, and upon the offer
^{in writing} of L. V. Howell to purchase the Pine
Gum and Poplar ^{timber}, measuring 12 inches
and upward in diameter, across
the stump, 18 inches from the ground,
on the lands of E. B. Ferguson dec'd, near
Newsome, Southampton Co., Va., and upon
the answer of Maggie B. Ferguson
widow of E. B. Ferguson dec'd consenting
to said sale, and asking the court to
^{also to} sell ~~the~~ fifteen acres of land, and
^{in addition} to allow her out of proceeds of
said sales such sum of money
as she is entitled to in lieu
of her dower therein. and was
argued by counsel. on consider-
ation whereof, the court doth
adjudge, order and decree that
the said report be confirmed,
and it appearing to the court

that the rents and profits of the
real estate will not pay in five
years the debts due by the said
decedent and that the offer of
L.V. Howell for the said timber is
a good one, The court doth further
adjudge, order and decree that
J.H. Porter who is hereby appointed
a special Commissioner for the pur-
pose shall proceed to ^{sell the said timber and} collect the
said purchase money of \$550^{xx}
from L.V. Howell, for all the Pine
Lum and Poplar timber, measuring
12 inches and upwards, in diameter,
across the stump, eighteen inches
from the ground, upon the lands
of E.B. Ferguson decd, near Newsoms,
Southampton Co., Va., and upon
receipt of the same make L.V. Howell a
deed with special warranty, conveying
the same, and also ^{the right to use such} ~~small~~ small
timber, as may be necessary, to
construct a tany road across
said land, and ^{have} all necessary
rights of way across said land
to move this, and any other
timber said L.V. Howell may

wish to move over said land, and
the right to put stables and such
^{not to occupy with such buildings more than one half}
other ^{any acre of woods land} buildings on said land or ~~at~~

L. V. Howell may wish with right to
remove the same at any time said
L. V. Howell ^{within five years from this date.} may wish - living

to said L. V. Howell five years
from the date of this decree
in which to cut and remove

said timber and hove and
exercise ^{all of} the oforsaid privileges
The said frame road ~~and buildings~~
not to be put upon the cleared land
if the same can be ~~well~~ avoided

And the oforsaid J. R. Pater special
Commissioner is also directed ^{offer for} to ~~sell~~
^{sale} publicly or privately, as to him
may seem best, the ~~said~~ fifteen

^{acres of land mentioned in the}
depositions filed with the
Commissioner's report and for one
half cash balance on a credit of
six months with option to the pur-
chaser to pay all the purchase
cash upon confirmation of sale and
take a deed with special war-
ranty for the same. And the
said Commissioner shall make

report to Court showing distinctly the description of the fifteen acres of land referred to, and its relative location with reference to the residue of the farm. -

But before the said Commissioner shall have authority to act under this decree he shall first give bond with security to be approved by the clerk of this Court in the penalty of \$1200. Conditioned for a faithful discharge of his duties under this and any future decree that may be entered in this cause. -

Robert R. Huntis

To the Clerk of the
Circuit Court of
Southampton County. -

Entered May 31, 1897
Robert R. Huntis.

Entered Page 148

Decree for it

u 3 2nd Decree

Fraser's Decree 1897

Darden for 20
vs. } Exhibit "A."
Ferguson's Adm. & als.

In Southampton County Court October
Term 1896.

On motion of Maggio B. Ferguson who
made oath according to law and together
with John R. Porter as his security who
justified on oath as to his sufficiency,
entered into and acknowledged a bond in
the penalty of one hundred dollars, con-
ditioned as the law directs, which bond is
ordered to be recorded. Certificate is grant-
ed the said Maggio B. Ferguson, for
obtaining letters of Administration on the
chattel Estate of E. B. Ferguson died in
due form.

Attest: B. F. McLenore *clerk*

Ferguson's adv. et do
Answer of inform. ①
add 3 B. & H. D. Ferguson
W. J. Schell then formal
Darden for or Silver

The joint answer of O. B. Ferguson
r H. D. Ferguson two infants under
twenty one years old by W. J.
Sebrall their Gdn ad Item to
a bill in Equity filed in the
Circuit Court of Southampton
Co Va by Jas. J. Dorden against
them and others

This defendant
for answer to the said bill or as
much thereof as he is advised
it is material for him to answer,
answering says That he knows
nothing of the allegations contained
in said bill, that his words re
small children and he places
their interests under the care
and protection of this court
whose peculiar duty it is to
care for the rights of infants
and having fully answered
prays hence to be dismissed
with his costs

Signed by W. J. Sebrall,
Gdn ad literae.

Ordered for re
1st Report of J. R. Potter
re 3 Special Cover

Ferguson's Journal etc

1897
Sept. 3. Filed.

To The Hon R. R. Prentiss Judge of the
circuit court for Southampton Co Va

Your undersigned commissaries beg
leave to report that in obedience to the
decree entered in this cause on May
31st 1897 he proceed to sell the timber
or therein mentioned to L V Howell for
the said sum of five hundred and fifty
dollars, collected the same and made
her a deed with special warranty
for said property as directed by said
decree

Your commissaries also had surveyed the
piece of land belonging to C. C. Ferguson's
estate which he was directed to offer
for sale by aforesaid decree. That the
same lies in one corner of said land
and is bounded and described as follows
"Beginning at a stake near two small
sourwood and post oak trees, a new
corner for E. C. Ferguson in A. D. Bryant's line
thence S 75° W 2 1/2 poles to a large pine,
thence along a line of marked trees,
A. D. Bryant's line 50 poles to a stake near
a burnt pine, a corner for A. D. Bryant
and James Border's estate, thence S 71° W
13 poles and is linked to a post on

West edge of path, a corner for E. B. Ferguson
in Jos. Borders line, thence along the
path S $48^{\circ}8'$ $4\frac{1}{2}$ poles to a dead pine,
same course 14 poles, S $45^{\circ}6'$ 18 poles, S
 $51^{\circ}8'$ 15 poles to a stake in a flat land
a new corner for E. B. Ferguson, ^{W. B. Byrnie} thence along
a new line of marked trees N $2^{\circ}W$ $8\frac{1}{2}$
poles to the first station, containing by
survey fifteen and one half acres. The
notes of survey and plot of same
is filed with this report. That sale
of this part of the land does not
injure the residue of said tract. That
he sold the same privately to W. B.
Byrnie for the sum of sixty (\$60.00)
dollars which was the very best
sale he could make of it and which
as the timber had already been sold
off said land he considers it a
very good sale. That the widow
of E. B. Ferguson is satisfied with said
sale. That said Byrnie wishes to
pay all said purchase money
cash and take a deed with
special warranty for said land
and your commission recommends
that the said sale be confirmed

all of which is $\frac{1}{2}$

Respectfully submitted by
Special Commissioner

J. R. Porter
July 20th 1897

The answer of Maggie B. Ferguson both in her own right and as dower of E. B. Ferguson died to a bill in chancery filed in the circuit court of Southampton Co Va by Jas. J. Dorden who sues for & against her as aforesaid it als

This defendant for answer to the said bill or as much thereof as she is advised it is material for her to answer. Answering says the facts as set forth in the said bill are correct. That the offer made by L. V. Howell for the timber on the lands of E. B. Ferguson died is a very good one and she wishes the same accepted. That she also thinks it necessary to sell the fifteen acres of land reported by Thomas B. F. McSennel, that is so situated that it will not impair the value of the balance of the farm to sell it. That I wish said sales to be had and out of the proceeds such sum of money paid me in lieu of my dower therein as I may

be entitled to, and after so doing, that will leave about enough funds to pay the costs of sale, suit and the debts reported against the said estate, and having fully answered, she prays hence to be dismissed with her costs &c

Maggie B Fergusson both
in her own right and
as Adm of E.C. Fergusson ^{decd}

By her attys }
Shando Son } The above answer is correct. I
am 26 years old.

Thus Maggie B Fergusson
Both in her own right & as Adm of E.C. Fergusson ^{decd}

Subscribed & sworn to before
me this 17th day of July 1897.
in my County & State

Wm. J. Strickland
J. P.

Daden for &

W. J.

Fergusson adm of E.C.

Answer of Maggie B
Fergusson both in her
own right and as
Adm of E.C. Fergusson ^{decd}

Darden Jas. J. for de
vs 3 Deese
Ferguson's admors als

This day this
cause came on to be heard on the
plaintiff's bill & exhibits therewith filed
same taken as for confessed as to the
adult defendant Maggie B Ferguson
both in her own right and as Admin-
istratrix of E. B. Ferguson decd. The
answer of the infant defendants O B &
H. D. Ferguson by W. J. Sebell their Gen ad
Litm, with general replication thereto
and was argued by counsel. On
consideration whereof the court doth
adjudge order and decree that one of
the Commissioners of this court proceed
to enquire take and report to court
the following accounts.

1st an account showing Maggie B.
Ferguson's transactions as Administratrix
of E. B. Ferguson decd

2nd An account showing what real estate
the said E. B. Ferguson died seized and
possessed of, stating its actual &
annual value. also stating whether there
is any saleable timber thereon & if
so its value

3rd

an account showing what debts there
 are outstanding & unpaid ^{against} the estate of
 said E. B. Ferguson dec'd, stating their dignity
 and priority. Together with any
 other matters specially stated, deemed
 pertinent by said Court or which
 he may be required so to state by
 any interested party. And by consent
 of the adult defendant by his
 counsel and the consent of the
 infant defendants by their Guardian
 ad Litem, said consents given
 in open Court. ordered That the
 further hearing of this cause may
 be had in vacation and such
 decree rendered therein then, or might
 be rendered in term

for J. D. order for

123 12th Decree

Ferguson's adm'r v. id.

Enter Mar. 22, 1897
 W. H. P. James

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Ans -

Order for 12

25. } Statement of Credit

Ferguson's Adm'r et al.

Darden for &c.

vs. } Statement of costs

Ferguson's Adm^r & als.

Sum. 25, 3 copies 39, receipt 18, atty. 10 = 92

Dock. 18, Rules 1st entering return 35 = 1.53

fil. bill 15, Dr. Ex. 15, Copy Ex. 25, replication 15 = 70

fil. 2 answers 30, fil. Comr's report 25 = 55

fil. report of Special Comr 15, fil. survey 15 = 30

fil. offer of L. V. Hawsee 15, taking Comr's bond 1st = 1.55

3 Deacons & copy 2.50, Lay Costs &c. 40 = 2.56

Filing away papers 25, future costs about 1.50 = 1.75

to clerk 9.86

shff. 1.50

Writ Tax 1.50

22.86

Fee of Comr. B. F. McLawrence 5.00

27.86

A copy.

Test: L. A. Gay b.b.

Order for &c.

vs. } Statement of Cases.

Ferguson's "Admiral" &c.

Sum, 25, 3 Copies 39, receipt 18, atty. 10 = .92

Dock, 18, Rules 1.00, entering return 35 = 1.53

fil. bills 15, D. 24, 15, copy 24, 25, replication 15 = .70

fil. 2 answers 30, fil. Comm's report 25 = .55

fil. report of special Comm' 15, fil. Survey 15 = .30

fil. offer of L. V. Howice 15, taking Comm's bond, 12 = 1.55

3 Deacons & copy, 2.16, last Court copy 40 = 2.56

Filing away papers, 25, future costs 1.50 = 1.75

Paid Sept. 23rd, 1897 L. A. Gay Clerk \$9.86

Paid J. H. Williams Shff. 1.50

Paid writ cost 1.50

\$22.86

Paid. R. F. McLeod Fee of Comm. 10, J. H. Williams

5.00

" " fee bills of \$2.45

\$27.86

Teste L. A. Gay Clerk

Additional bills &c.

1898. Apr. 6th 1 Deacons 36, incl. 21, fil Comm's report 25 = .61

1904. Jan. 30 10 Continuations 2.50 Tax costs of years \$50 = 5.00

\$5.61

Teste L. A. Gay CC

In Vacation, Circuit Court of Southampton County
Va. on the 3rd day of Sept. 1897.

Darden for VC.

vs. } Darden

Ferguson's Adm^r ex als.

This day this Cause came on again
to be heard on the papers formerly read and upon
the report of Special Commissioner J. R. Porter
this day filed, reporting the Collection from L. V.
Howell of the purchase money of \$550. for the
property sold her by him and the executing to
her of a deed, with special warranty, for the
same, also first having surveyed the portion
of the E. B. Ferguson Tract of land which he was
directed to offer for sale by the decree entered
in this Cause on May 31st. 1897. (the said survey
showing the same to contain fifteen and one
half acres) & that he sold the same privately
to W. B. Bryant for the sum of sixty dollars,
to which report no exceptions have been filed,
and was argued by Counsel. On consideration
whereof, the Court doth adjudge, order and decree
that the said report be confirmed, and that the
said Commissioner proceed to collect from said
W. B. Bryant the said purchase money, and
execute to said purchaser a deed, with special
warranty, for said land as per the said report

and survey, and that out of the proceeds of said
sum together with the said sum of \$550. already
in his hands, he first proceed to pay the costs
of this suit, including a fee of \$30.- to Shand-
son, which shall be in lieu of all taxed
fee in this cause, and that he then pay
unto Maggie B. Ferguson out of the residue
her amount she is entitled to in lieu of her
dower therein, and then out of the balance pay
the debts reported by Comr D. F. McLenore of
May 21st. 1897 and return his receipts along
with his report to Court.

Attest,

Teste: L. A. Gay G. G.

To Mrs. Maggie B Ferguson Both in her own right and as Adm^r of E. B. Ferguson dec'd I hereby agree to pay \$550 - one half cash. balance in sixty days - for all pine gum and poplar timber on the lands of E. B. Ferguson dec'd near Newsoms Depot Southampton Co, Va, measuring 12 inches and upward in diameter over ^{standing} 18 inches from the ground. and also to have sufficient small timber to construct tram road over said land to have all necessary right of way over said land to move this timber and any other timber which I may wish to move over it. also to have right to put stables and such other building as I may wish on said land and to remove at any time all material. buildings or machinery put by me on said land. I to have five years in which to cut and remove said timber and have and exercise the other rights and privileges herein set forth. I also agree to furnish you free of charge sufficient timber to build a dwelling house on the aforesaid land as per your bill and order for the same already filed

with more of said timber to be
cut until all the aforesaid
purchase money is paid
L. V. Howell

Darden H

23

For more advice it ok

offer of L. V. Howell
for the timber etc

Virginia: In the Circuit Court of Southampton
County, March Term 1897.

Darden Jas. J. For et.
vs. } Decey,
Ferguson's Admr. et als.

This day this cause came on to be
heard on the plaintiffs bill & exhibits therewith filed
some taken as for confessed as to the admt defendant
Maggie B. Ferguson both in her own right and as
Administratrix of E. B. Ferguson decd. The answer of
the infant defendants O. B. & H. B. Ferguson by W. J. Decey
their Gdn. addition, with general replication thereto by
was argued by Counsel. On consideration whereof
the Court doth adjudge, order and decree that one
of the Commissioners of this Court proceed to enquire,
take, and report to Court the following accounts:

- 1st. An account showing Maggie B. Ferguson's transac-
tions as Administratrix of E. B. Ferguson decd.
- 2nd. An account showing what real estate the said E. B.
Ferguson decd. owned and possessed of, stating its
actual & annual value, also stating whether there is
any saleable timber thereon & if so its value.
- 3rd. An account showing what debts there are outstanding
& unpaid against the estate of said E. B. Ferguson
decd. stating their dignity and priority, together with
any other matter specially stated, deemed pertinent by
said Court or which he may be required as to state
by any interested party, and by consent of the admt

defendant by her Counsel and the consent of the
infant defendants by their ^{of} Dr. ^{ad} litem, said
consents given in open Court, ordered that the further
hearing of this cause may be had in vacation and
such decree rendered therein then, as might be
rendered in term.

Acce^{pt}

Test: L. A. Gay C. J.

Jas. J. Gordon for Pl.

vs. } 1st. Deane,

Ferguson's Adm^r & als.

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COMMISSIONER'S OFFICE,

Southampton, Apr 1st
SOUTHAMPTON,

1897

To the Creditors of the Estate of
E. L. Ferguson, dec'd
deceased, and all others concerned.

You are hereby notified, that ~~in pursuance of the request of~~ *pursuant to a decree of the Circuit Court*
~~Administrator of the estate of the said~~ *of Southampton County.* ~~deceased,~~
I have appointed the *18th* day of *May* next, at my Office, for receiving
proof of debts or demands, against the said decedent or his estate, at which time and place you are
required to attend.

Given under my hand; as a Commissioner of the ~~County~~ *deceased* Court of Southampton County, the day and
year first aforesaid.

B. F. M. Leonard

Commissioner.

Commissioner's Office,

Longland
Jerusalem, Pa., May 1st 1887

To Jas. J. Darden.

Maggie B. Ferguson. in her own right
and as Admt of E. B. Ferguson, dec.^d,
C. B. Ferguson and M. D. Ferguson,
minors, by W. J. Sebree. *Adm ad litem*.

You are hereby notified that I have fixed upon the 18 day of May
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 the transactions of Maggie B. Ferguson
Admt of E. B. Ferguson, dec.^d.
- 2nd An account of the fee simple and annual value of
the real estate whereof E. B. Ferguson died seized.
- 3rd An account of the debts outstanding and unpaid against
the estate of said E. B. Ferguson. Their dignity and priority.
With any other matter deemed pertinent &c. &c.

required to be taken by a decree of Southampton Circuit Court, rendered at the March
term, 1887, 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.

B. F. McJannet

Commissioner.

To the Sheriff of Southampton County to execute.

We acknowledge legal service of the within Notice
this 8th day of May 1897. Shands & Son attys for plaintiff & for
Maggie B. Ferguson both in her
own right & as adms.

W. J. Sebrill, Gdn ad litem
for infant

The evidence of J. R. Porter & others, taken
by B. F. McLenore, Clerk in Chancery of
the Circuit Court for Southampton Co.
April 6. 1897:

The witness J. R. Porter, being duly sworn
deposes and says:-

The fee simple value of the real estate of
which E. B. Ferguson died, seized. Containing
122 acres. is \$800.00. - and the Annual
value \$48.00. There is merchantable

Timber on said land, which I consider
worth about \$500.00. There is a small
piece of land, containing about 15 acres -
which can be sold to advantage. and I
am of opinion that it would be to the interest
of all parties for it to be sold. The Adm't
has received nor disbursed nothing. The decen-
dent left no personal Estate, other than the
\$1000 debt to Hampton.

J. R. Porter

The witnesses J. L. Barkham and N. L. Story,
being duly sworn, say: We have read
the above statement of J. R. Porter. and fully
concur in what he states, so far as to value
of Land & Timber.

J. L. Barkham
N. L. Story

110.02
R.

An Account of the debts outstanding
against the Estate of E. C. Ferguson, dec'd reported
by B. F. McLenore, Commissioner in Chancery of the
Circuit Court of Southampton County - May 18. 1897.
under a decree of the Circuit Court of said County,
rendered at the March Term 1897. in the Chancery
Cause of Darden, for H. v Ferguson's Adm't, et al.

Fee due Clerk of County Court.	2.45	^{A. F. M.} Paid: 2.45
--------------------------------	------	-----------------------------------

Acct due A. D. Bryant. for Coffin &c.	17.26	
Int: from Sept. 1/96. to June 1. 1997.	77	18.03

Acct. due Dr. W. B. Barham. Med: due in last illness	20.00	
Int: from Jan'y 1/97 to June 1/97.	60	20.60

A debt due the Estate of Jas. H. Babb. by E. C. Ferguson Exor of said Babb	110.02	
Int: from Jan'y 1. 1885 to June 1. 1997.	81.96	191.98

Bond due E. R. Fiers. (dated May 23/78)	155.00	
Int: paid to Jan'y 1/80. & p'd on principal	5.00	
	150.00	

Int: from Jan'y 1/85 to Dec. 19. 1888.	24.47	
By Cash	174.47	
	100.00	
Int: from Jan'y 1/88 to June 1/97.	42.07	116.54

Note due Jas. J. Darden	17.58	
Int: from Jan'y 1/92 to Apr 5/93.	1.31	
By Cash	18.89	
	3.00	
Int: from Apr 5/93 to June 1/97.	15.89	
	3.97	19.87

Note due Jas. J. Darden	15.58	
Int: from Jan'y 1/94 to June 1/97.	3.19	18.77

over

388.24

Amk brok forward

388.24

Note due Jas. J. Darden

32.42

Int: from Jan 1/96. to June 1/97.

2.76

35.18

Open Acct. due Jas. J. Darden

11.88

Int: from Jan 1/97. to June 1/97

30

12.18

Open Acct. due G. H. Whitley

2.17

Int: from Jan 1/96. to June 1/97

05

2.22

Open Acct due Knight & Channing

7.45

Int: from Jan 1/97 to June 1/97

41

7.86

445.68

Respectfully Submitted.

B. F. McLenore

Owner in Chancery

Commissioner's Office.
Courtland, Va.

May 18. 1897.

To the Circuit Court of Southampton County.
Pursuant to a decree of the Circuit Court of
the County aforesaid. entered at the March
Term 1897. in the Chancery Cause of
Darden, for &c. vs. Ferguson's Admt. et. al. the
undersigned Commissioner reports to Court.
that having issued Notice against the parties
to this Cause. (Legal service of which has
been acknowledged, and is herewith filed) he
proceeded on the 18th day of May 1897. to take
the accounts required by the aforesaid decree.
and submits the following:

- 1st: E. B. Ferguson died seized of a tract of land
containing 122 acres. the fee simple value of
which is estimated at \$800.00. and the annu-
al value at \$48.00.
- 2nd: Maggie B. Ferguson, Administratrix of E. B. Fer-
guson, dec'd. has, as your Commissioner is informed.
neither received nor disbursed any thing, as Admt.
the decedent having left no person ally. other than
what is owed by or included in the poor debtors
of anything.
- 3rd: An Account of the debts outstanding against
the said decedent or his estate. showing debts
amounting to \$445.⁶⁸ inclusive of interest.

The Commissioner is advised that the timber on the land herein reported is worth about \$500.00.

In making up this report, the Commissioner has relied upon the evidence of J. R. Porter, J. L. Barham and N. L. Story. Three reliable gentlemen, of good judgment, and know the land well. The deposition of the aforesaid witnesses, the Notice of the time and place ~~then~~ of making this report and listing the account of debts are filed herewith.

Respectfully Submitted.

B. F. McDermott,
Comr in Chancery.

Comr's fee \$5.00.

The Commissioner states specially - that the debt reported in favor of Jno. W. Babb, dec'd, was devised by said decedent, by his last will and testament, to C. F. Babb, Corilla Babb and Cora Ann M. Gray. and your Commissioner is advised that Corilla Babb has been paid her part of said estate, in full - and that C. F. Babb has been paid \$25.00 on the legacy devised to her. The will of Jno. W. Babb gave the ~~the~~ above named parties a specific legacy of \$50.00 each, but after paying his debts to, there

only remained the sum of \$110.⁰², which is
insufficient to pay the legacies in full.

This statement is made at the request of Council.

Respectfully Submitted.

B. F. McLenon

Clerk in Charge

Order for 12
12 3rd Decree

Ferguson's Admiralty

Enter Sept. 3, 1897
Robert R. Dentis

Entered Page 15-3

In Vacation Circuit Court of Southampton
County Va on the 3rd day of Sept 1897
Dorcen for re
vs 3 Deene
Fergusons Adverses

This day this cause
came on again to be heard on the
papers formerly read and upon the
report of Special Commissioner J. R. Porter
^{this day filed} reporting the collection from L. V. Howell
of the purchase money of \$550. for the property
sold her by him and the executing
to her of a deed, with special war-
ranty, for the same, also first having
surveyed the portion of the E. C. Ferguson
tract of land which he was directed
to offer for sale by the decree entered
in this cause on May 31st 1897.
The said survey showing the same
to contain fifteen and one half acres,
that he sold the same privately to W. B.
Bryant for the sum of sixty dollars,
to which report no exceptions have
been filed. and was argued by
counsel. on consideration whereof,
the Court doth adjudge, order
and decree that the said report
be confirmed, and that the said
Commissioner proceed to collect
from said W. B. Bryant the said
purchase money, and execute
to said purchaser a deed, with
special warranty, for said land

as per the said report and survey, and
that out of the proceeds of said
sum together with the said sum
of \$550- already in his hands he
first proceed to pay the costs of
this suit including a fee of
\$30.^x to Shands Son, which
shall be in lieu of all taxed
fee in this cause. And that
he then pay unto Maggie B
Ferguson out of the residue the
amount she is entitled to in lieu
of her dower therein. And then
out of the balance pay the debts
reported by Comr B. F. McSore
of May 21st 1897 and return his receipts
along with his report to Court.

To the Clerk of the Circuit Court of
Southampton County.
Robert R. Dentis

Darden for &c.

vs.

Ferguson's Admrs. et al

J. R. Porter

to

}

COMMISSIONER'S
BOND.

Commonwealth.

1897. 10th. June filed
L. A. Gay to be

Know all Men by these Presents, That we J. R. Porter
by Watson Howse

are held and firmly bound unto the Commonwealth of Virginia, in the sum of (1200.00)

Twelve Hundred 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 obligation,
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 June one thousand eight
hundred and Ninety Seven.

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

J. R. Porter
shall faithfully perform the duties of his office or trust, as Special
Commissioner

under a decree of the Circuit Court of the County of Southampton, pronounced on the 31st

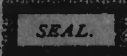
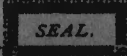
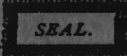
day of May, 1897, in the suit therein depending under the name and

style of Darden for re. vs Ferguson's Adm ex el. or

any future decree that may be entered in this case.

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

Signed, sealed and acknowledged in
the presence of

J. R. Porter 
his
Watson + Howse 
mark 

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

This day Watson Howse

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

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

Teste: L. A. Gay Clerk.

Order for. re.

vs } Survey of part of
E. L. Ferguson's land -
Ferguson's Admrs. et als

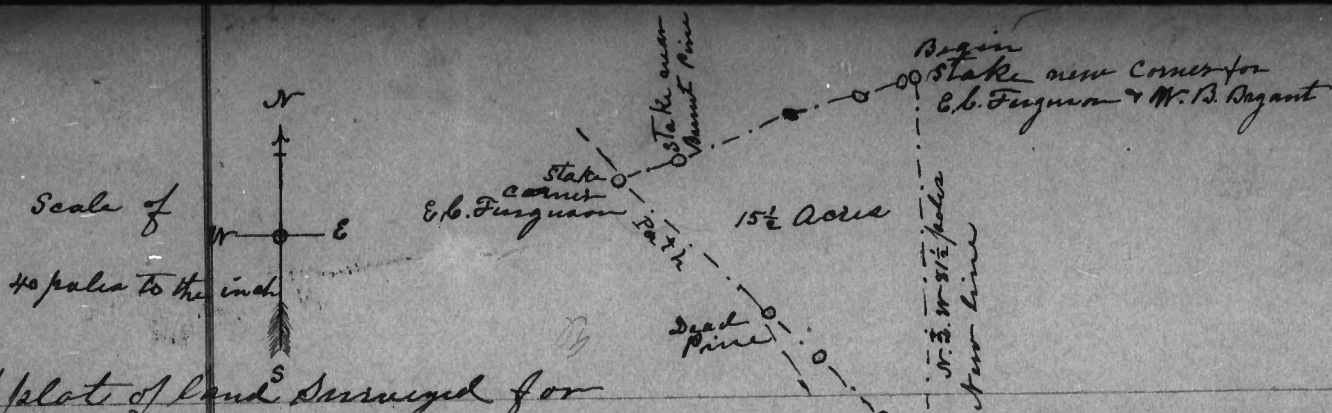
1897
Sept 3, Filed.

Southampton to June 12 1897

Survey of a tract of land directed
to be sold by decree of the circuit
court of ^{X. Y. merged in May 31st 1897} Southampton to satisfy the
chancery suit of Dorden for ~~sett~~
Ferguson's admr et als. Some being
a portion of the lands of E. B. Ferguson
died and Bounded and described
as follows. Beginning at a stake near
two small sourwood and post oak
trees, a new corner for E. B. Ferguson
in a D. Bryant's line. Thence $S 75^{\circ} W 2\frac{1}{2}$
poles to a large pine, thence along a
line of marked trees, A. D. Bryant's
line 56 poles to a stake near a burnt
pine. a corner for A. D. Bryant and
James Borden's estate. Thence $S 71^{\circ} W$
13 poles and 4 links to a post
on West edge of path. a corner for
E. B. Ferguson in Jos Borden's line
thence along the path $S 48^{\circ} E 4\frac{1}{2}$ poles
to a dead pine, some course
14 poles. $S 45\frac{1}{2}^{\circ} E$ 18 poles. $S 51^{\circ} E$ 15 poles
to a stake in a flat land a
new corner for E. B. Ferguson and
W. B. Bryant. thence along a new
line of marked trees $S 92^{\circ} W$
 $8\frac{1}{2}$ poles to the first station

containing by survey fifteen and one
half acres. Some being part corner
of land of said E. C. Ferguson and
some will not hurt value
of residue of tract on the contrary
will leave it in better shape than
it is an old field without any
merchantable lumber. the above
description will be shown by reference
to the annexed plat.

R. T. Barnes Surveyor.



A plot of land surveyed for
 W.B. Bryant being a part of the
 E.C. Ferguson lands. R.T. Barnes Rev.

Donated for re-1909

No 3 Donated

Fergusson's adrian rats

To be entered
June 6th Term 1898

Robert R. Fergusson

Entd. -208-

Dorden for re

23 Decr

Ferguson's adms

This day this cause
came on ~~this day~~ to be heard on the
papers formerly read and upon the
report of Special Comr J.R. Porter of the
collection of the purchase money (\$6000)
for the land sold & execution of the
deed with special warranty for the
property sold him and disbursement
of that amount & the other amount
in his hands as directed by prior
decrees in this cause supported by
proper vouchers. To which report no
exceptions have been filed and
was argued by Counsel. On
consideration whereof the court doth
adjudge order and decree that the
said report and disbursements
therein reported be and are hereby
confirmed and the court doth
further adjudge order and decree
that ~~that~~ the said Comr pay
over to the said ~~and~~ ~~in his hands~~ ~~and~~ ~~make~~
~~depository~~ of B.C. Ferguson, decd,
~~the said sum of \$12.90 in his hands~~
~~and~~ ~~the balance in his hands~~
~~for their support & maintenance~~ ~~the~~
~~and make report to court~~
~~balance of \$12.90 in his hands. & take~~
~~his receipt for the same~~

Darden

vs. { Sum. En chy.

Ferguson's Adm. et als.

1897. 1st. Mch. Rules

lev. let.

Executed Feb. 25th 1897 by delivering a copy of ^{the} Sum. to Maggie B. Ferguson in her own right and as Adm. also a copy to Wm. Robert Gurd. at Linn.

R. D. Moore Lef.

for Wm. Williams

(3)

Wm. Williams

Executed by giving copy in person Feb. 26, 1897

Shands & Son R. D. Moore

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON *Maggie B. Ferguson both in her own right and as administrator of E. L. Ferguson decd. and A. B. Ferguson & H. D. Ferguson two minors by W. D. Selous their guardian ad litem*

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 *March* 1897 next, to answer a Bill in Chancery exhibited against *them* in our said Court by

J. J. Darden who sues for the benefit of himself and all other creditors of E. L. Ferguson decd. who will come in and bear their share of the costs of this suit

And this *thing* 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 *22nd* day of *February*, 1897, in the 12th year of the Commonwealth.

TESTE:

L. A. Gay, C. C.

Newson's 7th July 19th 1881 Rec^d
of Ben^g E. F. Gray the sum of
One Hundred and fifteen dollars
it being one half of the
purchase money for the Ben
Horrill place. R. E. Darden for
Y^{rs} A. Myrick

Newson's 7th July 19th 1881 Rec^d
of Ben E. F. Gray One Hundred
and fifteen dollars it being
one half of the purchase
money for the Ben Horrill
place, which place I have
late^{ly} gotten an interest in
by judgment of the last Term
of the circuit court of Sandham-
-ton County - His
Witnes John X Baby
R. E. Darden mark

\$ 17.58

On Demand, I promise to pay unto **JAS. J. DARDEN,**
his heirs, executors, administrators, or assigns, the just and full sum of Seventeen
Dollars and Fifty eight Cents.

current money of the United States, for value received, for the true payment of which I
bind my self my heirs, executors and administrators, firmly by these presents; and
I hereby waive the benefit of The Homestead Exemption as to this debt, obligation,
or contract, with interest from 1st day of Jan'y 1892

As witness my hand and seal this 13 day of Feby in the
year of our Lord one thousand eight hundred and ~~eighty~~ Ninety Two

Witness:

E. C. Ferguson (Seal.)
(Seal.)

April 5th 1893 Paid Three Dollars in part of this
note
J. J. Garden

Mr E. L. Ferguson

note \$

\$17.58

15-59

On Demand, I promise to pay unto JAS. J. DARDEN,
his heirs, executors administrators, or assigns, the just and full Sum of Fifteen
Dollars and Fifty eight Cents,
current money of the United States, for value received, for the true payment
of which I bind myself my heirs, executors and administrators, firmly
by these presents, and I hereby waive the benefit of my Homestead
Exemption as to this debt, obligation, or contract with interest from First
day of January 1894

As witness my hand and seal this 14th day of March
in the year of our Lord one thousand, eight hundred and ninety Four
Witness:

E. C. Ferguson (Seal.)
(Seal.)

32.42

On Demand, I promise to pay unto JAS. J. DARDEN,
his heirs, executors, administrators, or assigns, the just and full Sum of Thirty
Two Dollars and Forty Two Cents,
current money of the United States, for value received, for the true payment
of which I bind my self my heirs, executors and administrators, firmly
by these presents; and I hereby waive the benefit of the Homestead
Exemption as to this debt, obligation, or contract with interest from First
day of January 1896

As witness my hand and seal this 12th day of May
in the year of our Lord one thousand, eight hundred and ninety Five

Witness:

E. C. Ferguson (Seal.)
(Seal.)

R. A. Wynne

Mr E. C. Ferguson
1896 To W. W. Barker Dr

Jan 8	To	1 Lot Coffee	08	
"	"	1 1/2 lbs. Sugar	100	
"	"	1 " Tobacco	30	13 8
31	"	2 yds. pants goods	50	
"	"	1 " Lard	12	
"	"	1 lbs. Soap	30	92
Feb 21	"	1 " "		30
Mar 14	"	1 " "		35-
May 12	"	1 plug "	10	
"	"	2 3/4 lbs. Cheese	39	
"	"	1 wash pan	15	
"	"	1 paper bucket	05-	69
June 30	"	4 yds. Domestic	32	
"	"	6 " Jeans	30	
"	"	7 " Shirts	88	
"	"	1 Sport Cotton	05-	
"	"	1 sack flour	70	245-
July 29	"	10 1/4 lbs. Sugar		82
Aug 14	"	10 " "	80	
"	"	1 " Coffee	25	
"	"	3 yds. Jeans	30	
"	"	4 " " Jeans	32	
"	"	1 Sport Cotton	05-	172
May 29	"	1 lb. Coffee	25-	
"	"	1 " Tobacco	30	
"	"	1 water bucket	25-	
"	"	1 straw hat	15-	
"	"	1 pair shoes	125-	
"	"	2 yds. Denims	25	
"	"	1 " Ch. man shirt	10	
"	"	1 sack flour	70	325
				1188

鐵

Ms. C. 6. 1896
Ends with
J. Ward
41182

Virginia
Olmstead & Co. Wex
I Richa

I Richard H. Ward a Notary Public
for the County aforesaid in the State of Virginia do
certify that R. A. Wynns Salesman for
J. J. Warden appeared before me in my County
aforesaid and made oath as to the
Correctness of the within acct
Given under my hand this 26th day of
February 1897

Richard Knudsen N.S.

Newtons Va

July 30th 1897

M^r Shands

Dear Sir

I have the
money for the land and
sign the Report- and
return to you I have not
seen Mrs Brewer & grandma
yet- but will see them
soon and let you hear
from me

yours truly
J. R. Porter

Received Sept 23rd 1897 of J. R. Porter special
Commissioner in the chancery, out of Dorden
for &c vs Fergusson's admr. it also the sum
of thirty dollars as payment in full
of attys fee in said cause.
H. B. Leland's Son

Sept. 27th 1897 Recd of J. R. Porter
Special commissioner this sum of
one hundred & forty three dollars
in full of my Part of the Proceeds
from the Sale of Timber & land
sold by said Porter belonging to
the Est of E. C. Ferguson Decd

Maggie B
Ferguson

Paid Oct 2nd 1897 of J R
Porter com eighteen + $\frac{3}{100}$
dollars in full of account
against E C Ferguson's
estate A L Bryant

Recd. Sept 27th 1897 of John R.
Perkins ~~Commissioner~~ of 2. C. Ferguson dead.
Twenty and 60/100 dollars being payment
in full to 2. C. Ferguson for medical
service to 2. C. Ferguson.

W. B. Barkham

Received Sept 25 1897 of
J. R. Porter special Comr in the
Chancery suit of Dorden for
vs Ferguson's admt of the
the sum of \$116.54 (less
the sum of \$11.05 paid by
Mr Porter to Mr W. H. Hand
for me) as payment in
full of amount due
me by E. L. Ferguson & Co.

Witness

Nannie L. Fiers

^{his}
E. R. Fiers
mark

$\$77.40 + \$8.60 = \$86.00$

Sept 27th 1877 Received of Mr Jas
R. Porter Commissioner for E. L.

Ferguson Decd the sum of Seventy
Seven Dollars and forty cents
for my claims against E. L.
Ferguson Est as reported by the
Commissioner of apts

Jas J Darden

and Recd from J R Porter Comr
for J J Darden on above of
 $\$86.00$ amt due mby J J Darden
as fed & some being in full of
amount in hands of said J. R.
Porter for said Darden
Oct 15/97

Ansland

Received Oct. 18th. 1897 of
Jno. R. Potts Special Comr
in the chancery suit of Dornan
for the 22 & 1/2 of Potts admors
two $\frac{22}{1.00}$ dollars as pay-
ment in full of all
amount due my said
Fergusons Estate

Witness J. R. ^{my} Shultz
J. R. Shultz
J. R. Shultz

Recd of Jno R Porter (Special Comm)
\$1000 + 800.00 bal in full of A/C
against the Est of E C Ferguson vic
(Principal and interest - included)

Knight & Co. running

Sept 7 5th 97

Received Sept 25th. 1897 of J.R. Porter special
Commissioner in the chancery cause of Dorden
for vs Ferguson's adms et al the sum
of twenty five dollars as payment in
full of the amount in his hands coming
to me from said Ferguson's estate on account
of the amount due thereby to Jas W Bott's
estate. I being entitled to same by will
of said Bott

Carol Lee ^{her} Gardner
mark

Witness J.A. Cherry

Received Sept 25th 1897 of J. R. Pater special
Commissions in the chancery cause of Dorden
for or vs Ferguson's admt et al the sum of
of twenty five dollars as payment in
full of the amount in his hands coming
to me from said Ferguson's Estate on
recoune of the amount due thereby
to Jas W Bobb's estate, I being entitled
to same by will of said Bobb.

Witness Maria L. Lewis, 4 th L. J. Brewer
made

Mr E. C. Fergnson

1896

In ac with J. L. Banham

W

Jan 17 To 2, lb meat @ 8

168

Recd of Mr. J. B. Porter

Payment for this ac

March 7/98

J. L. Banham

Mr. *E. C. Ferguson*

No. *88*

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 <i>12.2</i> acres Land, value \$ <i>488</i>	<i>146</i>	<i>49</i>	<i>220</i>	<i>24</i>	<i>25</i>	<i>464</i>
" _____ acres Land, value \$ _____						
" _____ acres Land, value \$ _____						
" _____ acres Land, value \$ _____						
" Personal Property, value \$ <i>75</i>	<i>23</i>	<i>8</i>	<i>34</i>	<i>4</i>	<i>4</i>	<i>73</i>
" Capitation Taxes _____						
" Income _____ \$ _____						
Total _____	<i>169</i>	<i>57</i>	<i>254</i>	<i>28</i>	<i>29</i>	<i>537</i>
5 per cent. additional _____						<i>27</i>
Fee Bills _____						
Total _____						<i>564</i>

Received payment

30 day of *July*

189*7*

R. D. Moore

Treasurer.

Mr. E. C. Ferguson

No. 168

1895.

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, 30c. on \$100.		County School Tax, 5c. on \$100.		District School Tax, 2 1-2c. on \$100		TOTAL TAX.	
To <u>125</u> acres Land, value \$ <u>1188</u>	1	46		49	1	86		25		12	4	18
" Personal Property, value <u>\$ 63.00</u>		19		6		24		3		2		5-4
" Capitation Taxes				1 00		25		25			1	50
" Dog Tax								1 00			1	00
" Income												
Total	1	65	1	55	2	35	1	53		14	7	22
Fee Bills												
5 per cent. additional												56
Total											7	58

Received payment

21 day of June

189

L. R. Edwards

Treasurer.

Received of J. B. Porter
Special Commissioner
of E. C. Ferguson Deed.
Fifty & as witness
Lee. A. Lee Story,
Mch - 21 - 1898

Received Sept 23rd 1897 of J.R. Porter
Special Commissioner in the Chancery
Court of Darden for & as Ferguson
advers it the sum of sixty five
dollars as payment in full of the
amount coming to me from said
Ferguson's Estate or 1/2 of the amount
due thereby to Geo H. Bott's Estate I being
entitled to same by will of said Bott
J.R. Botts
Per H. Shands atty for

\$ 446.20 \$ 5740.00

Paid Lora. Hobbs

65.00 ✓

" J. L. Boham

1.68 ✓

" Taxes for year 1895. 1896

13.22

" N. L. Story

.50 ✓

Balance in hand

\$ 527.10 \$ 540.00

12.90

\$ 540.00 \$ 540.00

receipts for all of which
payments are herewith filed
Your recommend that he be directed to pay
the small balance over to the widow &
mother of the infants in this case. To which
he board and maintain them as they
are very poor & much in need of it. all
of which is

Respectfully submitted by

March 21. 1898

J. L. Parker

Special Comm

(P. W. S.)

Order for the
Report of J. L. Parker
N. 3 Special Comm

Transmitted to the