1909-48 Southampton County Chancery Hines, Benjamin's Adm'r et als vs Stephenson, W. H

To carry out Contract

Hines, Anderson
Hines, Charles
Jordan, Cecie
Perry, Molly
Hines, Samuel L.
Ricks, Georgie
Ricks, Molly
Ricks, John
Ricks, Sarah

TO THE HONORABLE ROBERT R. PRENTIS, JUDGE OF THE CIRCUIT COURT OF SOUTHAMPTON COUNTY, VIRGINIA:

Humbly complaining, your complainants, James Jordan, Administrator of Benjamine Hines, deceased, Anderson Hines, Charles Hines, Cecie Jordan, Molly Perry, Samuel L. Hines, Ganzie Ricks, Molly Ricks, John Ricks and Sarah Ricks, the last four infants, who sue by their next friend, the said James Jordan, showeth unto your Honor the following cause of complaint:

That sometime during the year 1898 the said Benjamine Hines, deceased, made and entered into a contract with one W. H. Stephenson for the purchase of a certain tract or parcel of land lying situate and being in Berlin & Ivor Magisterial District in Southampton County, Virginia, adjoining the lands of J. W. Gardner, the Surry Lumber Company the Brown Road and others, containing by actual survey 57 acres, all of which will more fully appear from a survey and platt of said land herewith filed and prayed to be read as a part of this bill, marked Exhibit "A".: that the purchase price agreed on between said parties was One Hundred and Seventy-one ($171.) Dollars, and that the said Hines, prior to his death, made sundry payments thereon as shown by receipts, filed herewith, together with a statement made by the said Stephenson, showing the balance due on the said land by the said Hines as of September 1st. 1902 of Seventy-seven & 42/100 ($77.42) Dollars, marked "Exhibit B" and prayed to be read as a part of this bill.

Your complainants further showeth unto the Court that the said Benjamine Hines departed this life intestate and without issue sometime during the month of December 1902, leaving a father, Anderson Hines, four brothers and sisters, namely, Charles Hines, Cecie Jordan, Molly Perry and Samuel Hines, also four infants, the children of a deceased sister, namely, Ganzie

Ricks, Molly Ricks, John Ricks and Sarah Ricks, all of whom are parties plaintiff in this suit.

Your complainants are informed and so allege that the said W. H. Stephenson is ready and anxious to carry out his part of the alleged contract and to this end is ready and willing to obey any order or decree the Court may direct, provided, of course, his interest is protected as to the balance due him on the said contract.

Your complainants further state that the Surry Lumber Company are now the fee-simple owners of practically all of the property adjacent to the said land, and that it, the said Surry Lumber Company is willing to pay the sum of Three Hundred ($300) Dollars for the land in question, and your complainants are decidedly of the opinion that a sale of the said land at the said price would be to the best interest of all parties concerned.

In tender consideration whereof and inasmuch as your complainants are without remedy save in a court of equity, where such matters are heard and determined, your complainants pray that the said W. H. Stephenson may be made a party defendant to this bill and required to answer same, though answer under oath is hereby expressly waived: that it be referred to one of the commissioners of this Court to ascertain and report the amount due on the said land and such other facts as the Court may direct; that all proper orders may be made and accounts taken; and that all such other, further, general and special relief may be granted your complainants as the nature of their case may require or to equity shall seem meet.

NOTICE is hereby given that the Court will be asked to allow reasonable attorneys fees to be paid to plaintiffs counsel out of any funds coming under the control of the Court.

And your complainants will ever pray &c.

P. q.

Form No. 309.

Hiram Nichols.

vs.

Stephenson

to } COMMISSIONER'S BOND.

Commonwealth.

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 309.

Know all men by these Presents, That we, E. Francis Story and The United States Fidelity & Guaranty Co. are held and firmly bound unto the Commonwealth of Virginia, in the sum of ($500.00) Five Hundred and ~~~~~ 00/100 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 7th day of October one thousand ~~eight hundred and ninety~~ 903.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound E. Francis Story 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 6th day of October 1903, ~~189~~, in the suit therein depending under the name and style of "Hines' Admr. &c. Pltf. vs. Stephenson &c. Defts." or any future decree in this cause

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

Signed, sealed and acknowledged in the presence of

The United States Fidelity & Guaranty Co. SEAL.
By E. Francis Story, its Atty-in-fact SEAL.

In the Clerk's Office of the ..... *Court of the* ..... *of* .....

This day .....

suret... on the above bond, made oath before me, ... Clerk of the ..... Court of the ..... of .....

that ..... estate..., after the payment of all ..... just debts, and those for which ..... bound as securit... for others and expect to have to pay, ... worth the sum of ..... dollars.

Given under my hand this ..... day of ....., 189....

Teste: ..... Clerk.

Vance, Admr. et als.

vs. Vouchers of Fee. Comr.

Stephenson, H. H.

Jany. 1909: Filed:

"Exhibit X":

E. FRANK STORY
ATTORNEY AT LAW
COURTLAND, VIRGINIA

June 17th, 1908. 190

Received from E. Frank Story, Special Commissioner in suit of Hines' Admr. et als. vs. Stephenson, W. H.

ONE & 64/100,.....Dollars,

Same being in full of amount due me out of funds in said suit, as an heir and distributee of Benj. Hines, deceased.

$1.64 John Ricks.

EVERETT WADDEY CO. RICHMOND, VA.

June 17th, 1908. 190

Received from E. Frank Story, Special Commissioner in suit of Hines' Admr. et als. vs. Stephenson, W. H

ONE & 64/100,.....Dollars,

Same being in full of amount due me out of funds in said suit, as an heir and distributee of Benj. Hines, deceased.

$1.64: Sarah Ricks

EVERETT WADDEY CO. RICHMOND, VA.

June 17th, 1908. 190

Received from E. Frank Story, Special Commissioner in suit of Hines' Admr. et als. vs. Stephenson, W. H.

ONE & 64/100,.....Dollars,

Same being in full of amount due me out of funds in said suit, as an heir and distributee of Benj. Hines, deceased.

$1.64: Georgie Ricks

EVERETT WADDEY CO. RICHMOND, VA.

June 2nd, 1908

Received from E. Frank Story, Spec. Comr.

SIX & 58/100,.....Dollars,

In full of amount due me from the estate of Benj. Hines. deceased, as an heir and distributee of said estate.

$6.58: Mrs Mallie Perry

EVERETT WADDEY CO. RICHMOND, VA.

June 17th, 1908. 190

Received from E. Frank Story, Special Commissioner in suit of Hines' Admr. et als. vs. Stephenson, W. H.

SIX & 58/100,.....Dollars,

Same being in full of amount due me out of funds in said suit, as an heir and distributee of Benj. Hines, deceased.

$6.58: Lucy L Hines

Received from June 17th, 1908. 190

E. Frank Story, Special Commissioner in suit of Hines' Admr. et als. vs. Stephenson, W. H.

ONE & 64/100,..... *Dollars*

Same being in full of amount due me out of funds in said ~~suit, as an heir and distributee of Benj. Hines, deceased.~~

$ 1.64: *Mollie Rick's*

EVERETT WADDEY CO. RICHMOND, VA

$6.58:

Received of E. Frank Story, Special Commissioner, in the suit of Hines' Administrator et als., vs. Stephenson, W. H., the sum of SIX & 58/100 ($6.58) DOLLARS; same being in full of my distributive share of the funds in the hands of the said Special Commissioner, arising out of said suit, as an heir at law of Benj. Hines, deceased.

May 19th, 1908.

his
Charlie x Nuies
mark

Witness:
W B Holloway:

_____

$6.58:

_____

Received of E. Frank Story, Special Commissioner in the suit of Hines' Administrator et als., vs. Stephenson. W. H., the sum of SIX & 58/100 ($6.58) DOLLARS: same being in full of my distributive share of the funds in the hands of the said Special Commissioner, arising out of said suit, as an heir at law of Benj. Hines, deceased.

May 19th, 1908.

Ocie her X mark Jordan

Witness:
Ruth M Owens :

Courtland, Va., May 19 1908

Mr. E. Frank Story, Atty.

To B. F. McLEMORE, Dr.,

Clerk of The Circuit Court of Southampton County.

To Fee for recording administration account, inventory and appraisement of the estate of Benj. Pines, deceased.	$3.50
Paid B F McLemore	

E. FRANK STORY,
ATTORNEY AND COUNSELOR AT LAW,
FRANKLIN AND COURTLAND, VA.

Merchants & Farmers Bank

No. 697

Franklin, Va. March 23rd 1901

Pay to the order of W. A. Rawls & Bro $ 5.00

Five and 00/100 Dollars

For Sum against Wm Stims' Est

Merchants & Farmers Bank
MAR 23 1901
FRANKLIN, VA.

Attorney

THE FALCONER COMPANY, BALTO

Ben Hinke to W a Rollinger + Bro
to mde 13.15- thirteen dollars &
fifteen cts for 1899

March 17 1899 } Allch. 23" 1906. Principal $13.15
Dnt

2.36

$16.51

STATEMENT OF ACCOUNT.

Courtland, Va., 3/17 1903

M. Benj Hines-Est.

To Dr. William Thos. McLemore, Dr.

Professional Services
(to Mother) $30.00

Rec'd Payment of Atty
for Attorney for Benj. Hines'
Admr.
January 2nd 1904.

W. T. McLemore.

FRANK STORY,
ATTORNEY AND COUNSELOR AT LAW,
FRANKLIN AND COURTLAND, VA.

Merchants & Farmers Bank. No. 212

Franklin, Va. January 2nd 1903

Pay to the order of W. T. McLemore Attorney $30.00/100 Dollars

For Est. of Benj. Hines' Est.

Merchants & Farmers Bank
JAN 5 1904
FRANKLIN VA

Attorney

THE FALCONER COMPANY, BALTO

Benjamin Rives

Ann Ricks Est: [redacted] Dick Ricks

1902 To A.M Adkins Dr.

May	16	To visit & Consultation at Consultation with Drs Thos McLemore	8	50
"	21	To visit & pm: Consultation	3	50
June	4	" " " " "	3	50
				16 50

I hereby certify that the above account is true and correct: for services rendered the said Ann Ricks in her final illness as Consulting physician to Dr Thos McLemore her regular attending physician -

A M Adkins M.D.

Subscribed and Sworn to before me this 20th Day of April 1903.

W. S. Briggs. J.P.

FRANK STORY,
ORNEY AND COUNSELOR AT LAW,
FRANKLIN AND COURTLAND, VA.

Merchants & Farmers Bank. No. 897

Franklin, Va July 16, 1906

Pay to the order of Dr. Adkins

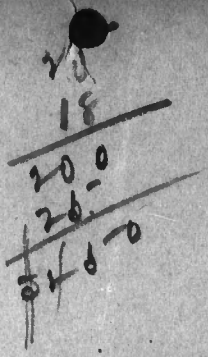
Fifteen and 50/100 Dollars

For Ann Ricks account.

Merchants & Farmers Bank JUL 16 1906 VA. FRANKLIN

Frank Story Attorney

THE FALCONER COMPANY, BALTO



RECEIVED, January 15th, 1906, of E. Frank Story

TWENTY-NINE & 50/100 ($29.50) DOLLARS IN FULL

Payment of my account against the estate of Benj. Hines, deceased.

R. J. Williams.

A SURE FATTENER and REGULATOR for HORSES COWS SHEEP AND HOGS

PRATTS IMPROVED FOOD TRADE MARK

USE PRATTS POULTRY FOOD

A Sure Egg Producer, Fattener and Regulator

COURTLAND, Va., Jan 17 1902

Mr R J Williams

Bought of **E. WHITFIELD & CO.,**

Dealers in

Dry Goods, Notions, Clothing, Shoes, Hats

AND GENERAL MERCHANDISE.

1902

Jan	6	To 1 Coffin for Ben Hunn	25-00	
"	17	By Cash Mother		25-00

Paid Jan 17/03

E E W

March 18th 1907.

Received from E. Frank Story, Spec. Comm. in suit of Sims, Admr. et al. vs Stephenson, &c. &c. Two and 00/100 Dollars,

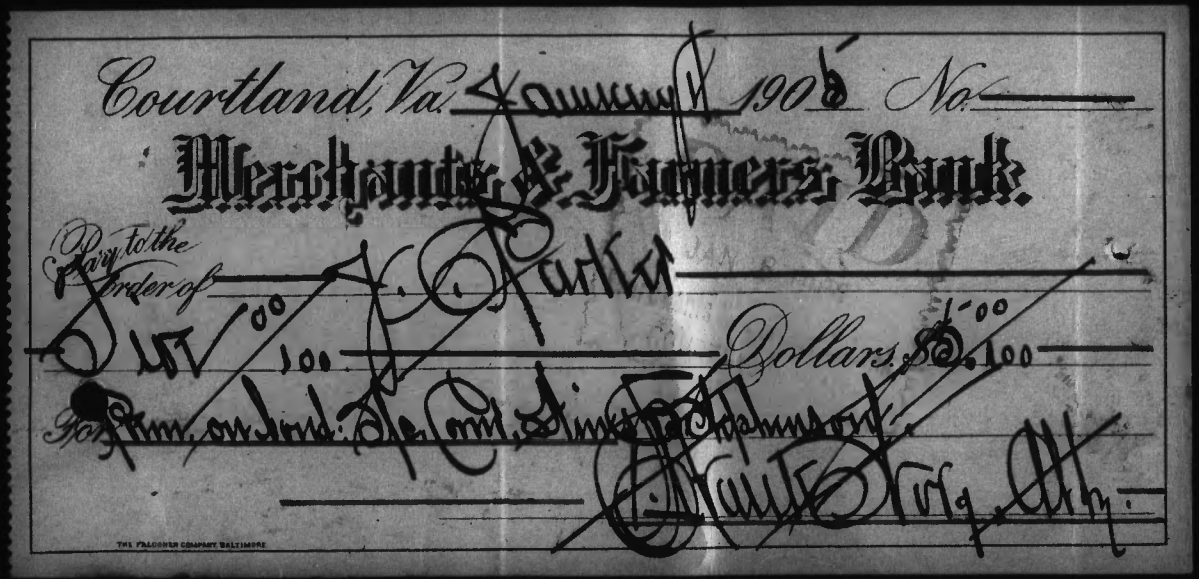
In full of account against estate of Benj. Sims, deceased.

$2.00/100

James X his Jordan
mark

Witness: Rich M. Owens

CO. RICHMOND VA.


Courtland, Va. January 1 1906 No.

Merchants & Farmers Bank.

Pay to the Order of J. C. Parker

57 00/100 Dollars $57.00/100

For Rent on land for Com, Since Jan 1 1906

J. C. Parker

THE FALCONER COMPANY BALTIMORE

NOT TO BE DETACHED UNTIL PREMIUM IS PAID.

No. J. 78723 Baltimore, Oct. 7th 1907

Mr. E. Frank Story - Sfl Louis in re Story, il als vs. Stephenson et al

To THE UNITED STATES FIDELITY AND GUARANTY CO., Dr.

HOME OFFICE.

		Bond	
To 6th	year premium on - - - No. J. 78723		5.00

Paid -

J. C. Parker, agent

NOT TO BE DETACHED UNTIL PREMIUM IS PAID.

No. J. 78723 Baltimore, Oct. 7" 1906

Mr. E. Frank Story - Sfl Louis in re Story, il als vs. Stephenson et al

To THE UNITED STATES FIDELITY AND GUARANTY CO., Dr.

HOME OFFICE.

		Bond	
To 4th	year premium on - - - No. J. 78,723		5.00

Paid -

J. C. Parker, agent

NOT TO BE DETACHED UNTIL PREMIUM IS PAID.

No. J 78723 Baltimore, Oct. 7th 1905

Mr. E. Frank Story, Sfl Louis in re Story il als vs Stephenson, il al

To THE UNITED STATES FIDELITY AND GUARANTY CO., Dr.

HOME OFFICE.

		Bond	
To 3rd	year premium on - - - No. J. 78723		5.00

Paid -

J. C. Parker, agent

NOT TO BE DETACHED UNTIL PREMIUM IS PAID.

No. J. 78723 Baltimore, Oct. 7th 1904

Mr. E. Frank Story. Special Agent in said Story Co. Shipherdstown

To THE UNITED STATES FIDELITY AND GUARANTY CO., Dr.

HOME OFFICE.

		Bond	
To 2nd	year premium on - - -	No. J. 78723	5.00

Paid 4/6/05 -

J. C. Porter agent

NOT TO BE DETACHED UNTIL PREMIUM IS PAID.

No. J. 78724 Baltimore, 190

Mr. E. Frank Story

To THE UNITED STATES FIDELITY AND GUARANTY CO., Dr.

HOME OFFICE.

		Bond	
To 2nd	year premium on - - -	No. J. 78724	5.00

Paid -

J. C. Porter Atty

FRANKLIN DISTRICT.

Mr. E. Frank Story Comr. Hines Va. Stephenson No. 671

1907. To L. R. EDWARDS, Treasurer of Southampton County, Virginia.

	STATE TAXES, Rate on $100.														TOTAL TAX.	
	Support Gov. R. E. and P. P. Schedule B 20c. P. P. Sched. C 25c		School Tax. 10c R. E & P. P. Sched. B & C.		For Pensions 5c. R. E. & P. P. Schedule B.		County Levy, 40c. on $100.		County School Tax, 10c. on $100.		District School Tax, 2c. on $100.			
Capitation Tax															1	50
To ..... acres, value $																
" ..... acres, value $																
" ..... acres, value $																
" ..... acres, value $																
Personal Property, Schedule B. val. $																
Personal Property, Schedule C. val. $ 75			19		8				30		8		14		81	
Income 1 per cent. ..... $																
Total ..... 1 .5 0																
5 per cent. penalty																
Fee Bill																
Total																
Interest from Dec. 15, 1907																

RECEIVED PAYMENT 30 day of Nov 1907 L R Edwards Treasurer.

BERLIN & IVOR DISTRICT.

No.

Mr. E. Frank Story, Comr. Hines Va. Stephenson

1906. To L. R. EDWARDS, Treasurer of Southampton County, Virginia.

	STATE TAXES, Rate on $100.														TOTAL TAX.	
	Support Gov. R. E and P. P. Schedule B 20c. P.P.Sched. C 25c.		School Tax. 10c R. E. & P. P Sched. B. & C.		For Pensions 5c. R. E. & P. P. Schedule B.		County Levy, 40c. on $100.		County School Tax. 10c. on $100.		District School Tax. 20c. on $100.			
Capitation Tax ..... 1 .5 0															1	50
To ..... acres, value $																
" ..... acres, value $																
" ..... acres, value $																
" ..... acres, value $																
Personal Property, schedule B. val. $																
Personal Property, Schedule C. val. $ 70			17		7				28		7		14		73	
Income 1 per cent. ..... $																
Total ..... 1 .5 0																
5 per cent penalty																
Fee Bill																
Total																
Interest from Dec. 15, 1906																

RECEIVED PAYMENT 30 day of Nov 1906 L R Edwards Treasurer.

E Frank Story Com Hines Va [illegible] Stephenson No. 466

1905. To L. R. EDWARDS, Treasurer of Southampton County, Virginia.

	STATE TAXES.														TOTAL TAX	
	State Tax Support Gov. 20c. on $100. R. E. and P. P. Schedule B.		State Tax Support Gov. 25c. on $100. P. P. Sched. C		State School Tax 10c. on $100. R. E. & P. P. Sched. B. & C		State Tax for Pensions 5c. on $100. R. E. & P. P. Schedule B.		County Levy, 40c. on $100.		County School Tax. 5c. on $100.		District School Tax. 10c. on $100			
Capitation Tax															1	50
To ..... acres, value $																
" ..... acres, value $																
" ..... acres, value $																
" ..... acres, value $																
Personal Property, schedule B. val. $																
Personal Property, schedule C. val. $ 100			25		10				40		8		16		90	
Value ..... $																
Total																
5 per cent. penalty																
Fee Bill																
Total																
Interest from Dec. 15, 1905																

RECEIVED PAYMENT 1st day of Jan 1906 L R Edwards Treasurer.

FRANKLIN DISTRICT. No. 214

E. Francis Story Com. Hunter W. Stephenson

1904. To L. R. EDWARDS, Treasurer of Southampton County, Virginia.

	STATE TAXES.														TOTAL TAX.	
	State Tax Support Gov. 20c. on $100. R. E. and P. P. Schedule B.		State Tax Sup. Gov. 25c. on $100. P. P. Sched. C		State School Tax, 10c. on $100. R. E. & P. P. Sched. B. & C		State Tax, for Pensions 5c. on $100. R. E. & P. P. Schedule B.		County Levy, 40c. on $100		County School Tax, 5c. on $100.		District School Tax, 10c. on $100.			
Capitation															1	50
To ____ acres, value $																
To ____ acres, value $																
To ____ acres, valne $																
To ____ acres, value $																
Personal Property, schedule B. val. $															2	40
Personal Property, schedule C. val. $ 300				75		20				120		15		30	2	90
Value $																
Total																
5 per cent. penalty																14
Fee Bill																
Interest from Dec. 15, 1904																
Total															3	04

Paid payment 15 day of Apr 1905. L R Edwards Treasurer.

FRANK STORY,
ATTORNEY AND COUNSELOR AT LAW,
FRANKLIN AND COURTLAND, VA.

Merchants & Farmers Bank.

No. 369

Franklin, Va. May 16th 1904

Pay to the order of Frank Story $96.98/100

Ninety-six 98/100 Dollars

For Bal due him on Fines Lunt Tract

Merchants & Farmers Bank
MAY 17 1904
FRANKLIN, VA.

Frank Story Attorney

THE FALCONER COMPANY, BALTO

RECEIVED, May 16th, 1904, of E. Frank Story, Special Commissioner, NINETY-SIX & 98/100 ($96.98) DOLLARS, amount ordered paid me by a decree entered on the 24th, day of March 1904, in the chancery cause of Hines' Admr. et als. vs. Stephenson et als., pending in the circuit court of Southampton County, Virginia; for the following:-

Balance due on land as per report of Commissioner....	$77.48.
Interest thereon from the 1st, day of Sept.1902.....	15.50.
Platt of land.....	2.50.
Taxes, one year,.....	1.50.
Total.....	$96.98.

W. H. Stephenson :

Vines' Admr. et als.

vs. } Stat: of Contis date

Stephenson W. N.

Hines' Admrs. et als.

vs. Stat: of costs to date

Stephenson

Sum. 25, 1 cop. 13. Receipt 18, Atty. 10. Book. 18= 84

Rules 1.00. Entering return 35. fil. bill 15= 1.50

Do Exhibits 15. Do report of Comr. in chy 25= 40

2 decrees @ 1 copy 1.08. Special Comrs bond 1.40= 2.48

Tax costs 40= 40

1903 Dec. 5th 1903 Paid by S. T. Stone L. A. Gay Clerk $5.62

Nov. 7th Paid - Shff. 90

Comrs. 16.50

$23.07

Fee of J. B. Power Comr. in chy- 5.00

" " W. H. Stephenson Witness 82

" " J. E. Hines " 82

" " J. W. Gardner " 74= 2.38

$30.40

Paid Atty Gen

Test: L. A. Gay C.C.

Tinnie's Adm'r. et als.

— vs — Report of Spec. Comm.

Stephenson, A. K.

1909: Jany. 21. Filed.

Julius L. McSmoke

E. FRANK STORY
ATTORNEY AT LAW
COURTLAND, VIRGINIA

Hines' Admr. et als.
vs.
Stephenson, W. H.

TO THE HONORABLE JAMES L. McLEMORE, JUDGE OF THE CIRCUIT COURT OF SOUTHAMPTON COUNTY, VIRGINIA:

The undersigned, the Special Commissioner in the above styled suit, would respectfully report to Court:

That he has distributed the funds in his hands arising out of this suit, amounting to $333.65, in accordance with an itemized account attached to this report, and prayed to be read as a part of same; that the Commissioner files with this, his report, his vouchers supporting the said disbursements under separate cover, marked "Exhibit Z", which he prays to be read as a part of this report.

The Commissioner having completed all of the matters necessary and incident to this suit, he respectfully requests that the Court will enter a decree, confirming his said report, and removing this cause from the docket.

Respectfully submitted,

SPECIAL COMMISSIONER.

Hines' Admr. et als.,

vs.

Stephenson, W. H.

STATEMENT OF SPEC. COMR:

	DISB'MTS:	RECEIPTS:
By amount of Surry Lumber Company for sale of land,.....		$300.00
" amount paid over to me by Jas. Jordan, Administrator,.....		33.65
To-Legal cost of suit as taxed by Clerk of the Circuit Court,.....	$30.40	
" Commissions of Special Commissioner...	9.00	
" Writing deed to purchaser,.....	5.00	
" Fee allowed by Court, (see decree entered March 24th, 1904),.....	25.00	
" Cash paid W. H. Stephenson, balance of purchase price of land,.....	96.98	
" Paid taxes for 1904-05-06 &'07.....	5.35	
" Reserved to pay taxes for 1908,.....	1.00	
" Paid first year premium on bond,.....	5.00	
" " subsequent premiums on bond as per vouchers,.....	20.00	
" Paid Jas. Jordan account for his services,.....	2.00	
" Paid R. J. Williams for coffin and interest on same,.....	29.50	
" Paid Dr. A. M. Adkins, for professional services,.....	15.50	
" Paid Dr. W. T. McLemore, for professional services,.....	30.00	
" Paid W. A. Rollings & Bro. account,...	15.51	
" Reserved to pay Commissioner of Accounts for stating Administration account and other services,.....	5.00	
" Reserved to pay Clerk for recording estate papers,.....	3.50	
" Reserved to pay future cost in this suit,.....	2.00	
" Balance in hands of Special Commissioner to be divided among the heirs of Benj. Hines, deceased,.....	32.91	
	$333.65	$333.65

BALANCE IN HANDS OF SPECIAL COMMISSIONER, DUE HEIRS OF BENJ. HINES, DECEASED,..... $32.91

Paid out above balance to the heirs of Benj. Hines, deceased, as follows:

Chas. Hines,.....	$6.58	
Cecie Jordan,.....	6.58	
Sam L. Hines,.....	6.58	
Mollie Perry,.....	6.58	
Mollie Ricks,.....	1.64	
Ganzie Ricks,.....	1.64	
Sarah Ricks,.....	1.64	
John Ricks,.....	1.64	
Paid postage,.....	.03	
	$32.91	$32.91

Hines' Admr. et als.,

vs.

3rd. Nat'l.

Stephenson, T. et.

For this March 24 1904.

Probate Mentis

Entered.

O. O. B. p. 74.

JOHN O. PARKER. E. FRANK STORY.

Parker & Story

Attorneys and Counselors at Law

Franklin and Courtland, Virginia

Hines' Administrator et als.,

vs.

Stephenson,W. H.

This day this cause came on to be further heard on the papers formerly read and upon the report of E. Frank Story, special commissioner, this day filed by leave of Court, to which report there is no exception, and was argued by counsel.

On consideration whereof, the Court doth approve and confirm the said report, and doth adjudge, order and decree that the said special commissioner proceed to pay our the funds in his hands as follows:

FIRST: The costs of this suit, including a fee of $25— to be paid to Parker and Story, for their services for 1904 in this cause. Also any taxes assessed against the said funds in his hands as special commissioner.

SECOND:The balance due W. H. Stephenson on the purchase price of the land in question, as set forth in the report of Commissioner Joseph B. Prince, filed in this cause on the 26th day of September, 1903.

And it appearing from representation of plaintiffs' counsel that there will probably not be sufficient funds arising from the proceeds of the sale of the personal estate of the decedent, Benjamin Hines, to pay the creditors of the said estate, the said special commissioner will hold the remainder of the said funds, subject to the future order of this Court.

And the commissioner will report to Court.

Sims' Adm. trals.

—To—

2nd. Accm.

Johnson, M. A.

Entered on page 37.

Filed this Oct. 6, 1903.

Robert R. Ellis

JOHN C. PARKER. E. FRANK STORY.

Parker & Story

Attorneys and Counselors at Law

Franklin and Courtland, Virginia

Hines' Administrator et als.
vs.
Stephenson, W. H.

This day this cause came on to be further heard on the papers formerly read and upon the the report of Commissioner Joseph B. Prince, filed on the 26th. day of September 1903, to which report there is no exception, and was argued by counsel.

On consideration whereof, the Court doth approve and confirm the said report, and the Court being of the opinion that the offer of the Surry Lumber Company to pay Three Hundred ($300) Dollars, in cash, for the land in the bill and proceedings in this cause mentioned and described is a fair and good one, by consent of all adult parties interested, doth adjudge, order and decree that E. Frank Story be, and is hereby appointed a Special Commissioner to receive from the said Surry Lumber Company the said sum of $300., and when the same is fully paid that he execute to it a deed with special warranty of title for the said property.

But before the said E. Frank Story shall proceed to act under this decree he will execute a bond before the Clerk of this Court, with security to be approved by him, in the penalty of $300.-, conditioned to faithfully execute this or any future decree in this cause.

And the Commissioner will report to Court.

Hines' Administrator et als.,

vs.

Stephenson, W. H.

TO THE HONORABLE ROBERT R. PRENTIS, JUDGE OF THE CIRCUIT COURT OF SOUTHAMPTON COUNTY, VIRGINIA:

The undersigned, your commissioner, appointed by a decree in the above styled cause, entered on the 6th day of October, 1903, to receive from the Surry Lumber Company the sum of Three Hundred ($300.00) Dollars and execute to it a deed, with special warranty of title, for the land in the bill and proceedings in this cause mentioned and described, would respectfully report that in obedience to said decree, he has received the said sum of Three Hundred ($300.00) Dollars from the said Surry Lumber Company and executed to it a deed, with special warranty of title, as directed by said decree, and now holds the said fund subject to order of the Court.

Respectfully submitted,

SPECIAL COMMISSIONER.

Hines' Admr., &c. vs.

To: Chest of Special Coms".

Johnson, Jr. H.

Hines, Administrator etals —

vs. } Report of Commissioner.

Stephenson - Deft.

Sept. 26th, 1903, Filed —

L. A. Gay C. C.

J. B. PRINCE J. B. PRINCE, JR.

J. B. PRINCE & SON,
Attorneys & Counsellors at Law,
Courtland, Va.

Haines, Edwin. et al

v. { Spec.

Stephenson -

Executed Sept 24th 1903
by delivering a copy of
the within writ to J. W.
Gardner & J. E. Haines
B. P. Pulley Shff

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON J. W. Gardner and J. E. Hines

J. B. Prince, Comr. in Chancery of the Circuit Court

to appear ~~before the Judge of our County Court~~ of Southampton County, at the Courthouse thereof on the 26th day of September, 1903, to testify and the truth to speak on behalf of James Jordan, Admr. &c. et als

in a certain matter of controversy in our said Court depending and undetermined between James Jordan, Admr. &c. et als, plaintiffs, and Stephenson, Wm. H., defendant.

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

Witness, J. B. Prince, Comr. in Chy of our said Court, at the Courthouse, this 23 day of September, 1903, in the 128 year of the Commonwealth.

TESTE: J. B. Prince, Comr. in Chy D.C.

Form A—60 Ja22-'08

Administrator et als,

vs. Commissioners Notice.

Stephenson, W.H.

We hereby acknowledge due and le-

gal service of the within notice.

Attys. for Plaintiff.

W. H. Stephenson

Attys. for Defendant.

OFFICE OF JOS. B. PRINCE, JR.,

Commissioner in Chancery for the Circuit Court of Southampton County, Virginia.

Courtland, Va., June 16, 1903.

To James Jordan, Admr. of Benjamine Hines, decd., Anderson Hines, Charlie Hines, Cecie Jordan, Mollie Perry, Saml. L.Hines, Ganzie Ricks, Mollie Ricks, John Ricks, and Sarah Ricks, the last four infants who sue by their next friend, Plaintiffs.

vs.

W.H.Stephenson, Defendant.

You are hereby notified that I have fixed upon the 26th day of September June, 1903 if fair, if not the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to-wit:

1st:-The provisions of the contract referred to in the bill of the complainants, and whether it can be enforced,

2nd:-The amount of money due the defendant by reason of the contract,

3rd:-The annual and fee simple value of the land in question,

4th:-Whether there are any liens thereon for delinquent taxes or otherwise,

5th:- Whether the offer of the Surry Lumber Company to pay $300 for the land in question would be a fair price for the same, and if the interests of the parties plaintiff to this cause would be promoted by a consummation of said sale,

6th:- And any other matters deemed pertinent by the commissioner, or required to be stated by any parties in interest.

required to be taken by a decree of Southampton Circuit Court, rendered Apl. 7th, 1903, 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.

J B Prince Jr, Commissioner.

To the Sheriff of Southampton County to execute.

Virginia: In the Circuit Court of Southampton County. April Term 1903.

James Jordan, Administrator of Benjamine-Nines. deceased, Anderson Nines, Charles Nines. Lucie Jordan, Molly Perry, Samuel L. Nines. Fanzie Ricks, Molly Ricks. John Ricks, and Sarah Ricks, the last four infants, who sue by their next friend, James Jordan:

vs.

W. N. Stephenson

This day this cause came on to be heard on the bill of the complainants and the exhibits therewith filed, the said bill being taken for confessed, the defendant on whom process has been duly served, still failing to appear, answer, plead or demur thereto, and it was argued by counsel.

On consideration whereof, the Court doth adjudge, order and decree that it be referred to one of the Commissioners of this Court to inquire and report,-

First: The provisions of the Contract referred to in the bill of the complainants and whether it can be enforced:

Second: The amount of money due the defendant by reason of the said Contract:

Third: The annual and fee-simple value of the land in question:

Fourth: Whether there are any liens thereon for delinquent taxes or otherwise:

Fifth: Whether the offer of the Surry Lumber Company to pay $300. for the land in question would be a fair price for same, and if the interest of the parties plaintiff to this cause would be promoted by a consummation of said sale.

Sixth: Any other matter deemed pertinent by the Commissioner, or required to be stated by any party in interest.

A Copy.

Teste: L. A. Gary C.C.

Wms' Admr &c ats.

vs. { Copy 1st Interr

Stephenson

Commissioner's Office. Courtland, VA.

September 26th,1903.

To the Circuit Court of Southampton County:-

Pursuant to a decree of the Circuit Court of the aforesaid county, entered on the 7th of April.1903, in the chancery suit therein depending, styled Hines'Administrater et als vs. W.H.Stephenson, the undersigned, a commissioner of the said court begs to report: That on the June 16th,1903, he issued notice against the several parties to the said suit, requiring them to attend the taking of the account of the said decree of Apl. 7th,1903, at his office in the town of Courtland, Va., on the 26th day of September,1903, which notices were duly acknowledged by the attorneys for the plaintiffs and by the defendant himself, and that in pursuance to said notice, your commissioner proceeded on the day named to take the said account.

Your commissioner also issued subpoenas for three witnesses living in the vicinity of the land in question in the said suit, well acquainted with the said land, and at the time of the taking of the said account, he took the depositions of the said witnesses, which depositions are filed herewith as a part of this report.

Your commissioner begs to report:-

1st:-That he finds the contract between W.H.Stephenson and Benjaman Hines, now deceased, to be as stated in the bill of the complainants.

2nd:- That the amount of money now due from the estate of Benjamin Hines to W.H.Stephenson, as a part of the purchase money for the said tract of land, to be seventy-seven and 48/100 Dollars, with interest from September 1st,1902, till paid.

3rd:-There are no liens for delinquent taxes or otherwise.

4th:-That the offer of the Surry Lumber Company of $300.00 would be a fair and reasonable price for the said land, and the interest of no party would be violated by a sale to the

the said Surry Lumber Company,but on the contrary the interest of all the parties would be promoted.

5th:-The fee simple value of the said tract of land is $300.00 and the annual value about $15.00.

Respectfully submitted,

Joseph R. Prince Jr.
Commissioner.

Commissioner's fee for making report.....$5.00

Witness fees.....$2.38
See depositions.

$7.38

The depositions of W.H.Stephenson and others taken before me, J.B.Prince,jr., a commissioner in chancery of the Circuit Court of Southampton County, to assist said commissioner in making a report in the chancery suit Hines' Admr. et als vs. Stephenson, W.H., said depositions being taken according to the notice hereto annexed of the time and place of taking the account ~~has~~ called for by decree entered at the April term,1903, of the Circuit Court of Southamptoon County.

Present:- E.Frank Story, Atty. for plaintiffs.

Witness W.H.Stephenson, after being duly sworn, deposes as follows:

Q.1. Please state your name, age, residence, occupation, and do you know the parties to this suit ?

Ans. W.H.Stephenson, 72 years of age, Southampton county, farmer, and I know the parties to the suit.

Q.2. Please state if you have not heretofore entered into an agreement with one Benjaman Hines for the sale of a certain parcel of land containing 57 acres for the sum of $171.00 ?

Ans. Yes, sir.

Q.3. About what time was this agreement made ?

Ans. In the year 1896.

Q.4. Did he between that time and the time of his death make sundry payments on the said ?

Ans. Yes. The receipts show that.

Q.5. Please state if this statement signed by you(witness is shewn the statement filed in Exhibit B referred to in the bill of complainant) showing a balance due you on September 1st,1902, of $77.48 is correct ?

Ans. Yes, I believe it to be correct.

Q.6. If the said $77.48 is paid you, with interest thereon from the first day of September,1902, until paid will you be willing to relinquish all right to the said land ?

Ans. Yes.

And further this deponent saith not.

W.H.Stephenson

Witness J.E.Hines after being first duly sworn deposes as follows:

Q.1. Please state you name, age residence, occupation, and do you know the parties tot this suit ?

Ans. J.E.Hines, 42 year of age, Southampton county, farmer, and I know a part of the parties.

Q.2. Do you know a piece of land Benjaman Hines bargained to purchase from Capt. W.H.Stephenson ?

Ans. Yes.

Q. 3. What do you think its fee simple value?
Ans. I think it worth about $300.00

Q.4. Would you regard a sale of the said land at $300.00 a good one ?
Ans. Yes.

Q5. What do you think this land will rent for per annum ?
Ans. I should say about $10.00 or $15.00 with no more cleared than there is.

And furtherc this deponent saith not.

J. E. Hines

Witness J.W.Gardner after being first duly sworn deposes as follwes.

Q.1. Please state your name, age, residence, occupation, and do you know the parties to this suit ?
Ans. J.W.Gardner, 50 years of age, Southampton county, farmer, yes, I know Ben Hines, and Capt. W.H.Stephenson.

Q.2. Are you familiar with the piece of land on which Ben Hines resided at the time of his death, and which he had bargained to purchase from Capt W.H.Stephenson ?
Ans. Yes.

Q.3. What do you think it is worth ?
Ans. About $300.00 in fee simple, and annual value of about $15.00

Q.4. The Surry Lumber Company has offered to pay $300.00 for this property, state whether you think a sale for this amount would be a fair one ?
Ans. Yes, I think so.

And further this deponent saith not.

J W Gardner

W.H.Stephenson. Attendance.....50
Mileage 14.....32
82

J.E. Hines..... Attendance.... 50
Mileage..... 14..... 32
82

J.W.Gardner.....Attendance..... 50
Mileage.....15..... 24
74

Paid June 20" 1904
W.H. Stephenson

Hines Admr. et als.
vs
1st Nat'l.
Johnson

Entered this April 7, 1913
Robt R. Prentis

Entered
Page No. 5.

J.C. PARKER, FRANKLIN, VA. E.F. STORY, COURTLAND, VA.
PARKER & STORY,
ATTORNEYS AT LAW,
COURTLAND, VIRGINIA.

1 cy.

James Jordan, Administrator of Benjamine Hines, deceased, Anderson Hines, Charles Hines, Cecie Jordan, Molly Perry, Samuel L. Hines, Ganzie Ricks, Molly Ricks, John Ricks and Sarah Ricks, the last four infants, who sue by their next friend , James Jordan:

vs.

W. H. Stephenson:

- - - - - - - 0 - - - - - - -

This day this cause came on to be heard on the bill of the complainants and the exhibits therewith filed, the said bill being taken for confessed, the defendant, on whom process has been duly served, still failing to appear, answer, plead or demur thereto, and was argued by counsel. On consideration whereof, the Court doth adjudge, order and decree that it be referred to one of the Commissioners of this Court to inquire and report,-

FIRST: The provisions of the contract referred to in the bill of the complainants and whether it can be enforced:

SECOND: The amount of money due the defendant by reason of the said contract:

THIRD: the annual and fee-simple value of the land in question:

FOURTH: Whether there are any liens thereon for delinquent taxes or otherwise:

FIFTH: Whether the offer of the Surry Lumber Company to pay $300. for the land in question would be a fair price for same, and if the interest of the parties plaintiff to this cause would be promoted by a consummation of said sale.

SIXTH: Any other matter deemed pertinent by the commissioner, or required to be stated by any party in interest.

Haskins, Guardian,

vs. } Statement of Rules

Ricks et als.

Thomas J. Haskins Guardian Plaintiff.

Vs.

Helen L. Ricks by Robert A. Ricks, infants by J. N. Debruce Jr. their Gdn, ad litem by Lucie A. Ricks, F. T. Ricks, and Lucie A. Reag and Mrs. L. W. Vaughan } Defendants

1897. February 23rd. Process issued to 1st. Mch. Rules

1897. 1st. Mch. Rules. Process returned executed.

Bill and exhibits filed.

J. N. Debruce Jr. appointed Gdn. ad litem to infants.

Decree Nisi vs. adult defendants

1897. 2nd. Mch. Rules. Bill taken for confessed as to adult defendants and Cause set for hearing as to them.

Haskins. Guardian.

vs. } Summ. In chy

Ricks et als.

1897. 1st. Mch. Rules
Leis. let.

Executed 5 Feb. 26 1897
by delivering a copy of
this Summons to Jno. Goodridge
and Adeline and a copy
hereof to Mrs L. W. Vaughan

J. W. Williams
Sh'ff

(2)

J. G. Parker Esq.

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON Helen L. Ricks & Robert A. Ricks infants by J. N. Debree Jr. their guardian ad litem & Lucie H. Ricks, F. T. Ricks and Lillie A. Reas; and Mrs. L. N. Vaughan

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 Mch. 1897 ~~next~~, to answer a Bill in Chancery exhibited against them in our said Court by Thomas J. Hoskins Gdn.

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 27th day of February, 1897, in the 121 year of the Commonwealth.

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

Hines' Adm. et als

vs. } Stat: of Rules

Stephenson W. N.

James Jordan, Administrator of Benjamine Hines, deceased, Anderson Hines, Charles Hines, Lucie-Jordan, Molley Perry, Samuel L. Hines, Ganzie-Ricks, Molly Ricks, John Ricks, and Sarah Ricks, the last four infants, who sue by their next friend Plaintiffs

vs. In Chancery

W. N. Stephenson Defendant

1903. 13th. March. Process issued to 2nd March Rules.

1903. 2nd. March Rules. Process returned Executed

Bill and Exhibits filed.

Decree Nisi

1903. 3rd March Rules. Bill taken for confessed and cause set for hearing

Sims' Adm. trs.

vs. Exhibit "B".

Stephenson,

Benton Ia

Ben. A. Hines

Sir yours received
To balance Due on Land
January 1st 1902 $65.45/100
Interest for 6 months 2.63
Taxes for six years @ 1.50 per year 9.00
$77.48

Yours truly
W. H. Stephenson

Up to Sept. 1st 1902.

Received December 28th 1900 of
B. A. Hines fifty Dollars in part
Payment on Land
W. H. Stephenson

Received dec 30. 1901 of B. A. Hines
twenty five dollars in part payment
Land
W. H. Stephenson

Received dec 30/99 of
B. A. Hines forty dollars
in part payment on Land
W. H. Stephenson

Received december 26th 1898 of B. A. Hines Twenty three
dollars in part payment on Land I have sold him
W. H. Stephenson

Received May 20. 1899 of Ben Hines
five dollars in part payment on Land
I have sold him
W. H. Stephenson

Hines' Admx, et al.

vs. } Spa: In chancery

Stephenson W. H.

1903. 2nd March Rules
Lis. Ex.

Executed Mch. 14
1903 by delivering a
copy of this notice
to Col. Stephenson
the dft.
W. H. Joynes
Dept for J. R. Williams
Esq

(1)

Parker & Story p.q.

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON W. N. Stephenson

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 3rd Monday in March 1903 ~~next~~, to answer a Bill in Chancery exhibited against him in our said Court by James Jordan Administrator of Benjamine Hines, deceased, Anderson Hines, Charles Hines, Lewis Jordan, Molly Pinney, Samuel L. Hines, Gaynie Ricks, Mary Ricks, John Ricks and Sarah Ricks, the last four infants, who sue by their next friend, James Jordan.

And this he 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 12th day of March, 1903, in the 127th year of the Commonwealth

TESTE:

L. A. Gay, C. C.

Form B—250—Ju29'03

-1909-

Annie Ridgway et als

—vs.— Final Decree

Stephenson, H. H.

Enter this Jany. 21, 1909.

James L. McDermore

C. A. B.

Page 1-

E. FRANK STORY
ATTORNEY AT LAW
COURTLAND, VIRGINIA

Hines' Admr. et als.
vs.
Stephenson, W. H.

This day this cause came on to be further heard on the papers formerly read, and upon the report of the Special Commissioner, E. Frank Story, this day filed by leave of Court, showing that he has properly disbursed all of the funds received by him, as Special Commissioner in this cause, together with his vouchers supporting said disbursements, to which said report there is no exception, and was argued by counsel:

On consideration whereof, the Court doth approve and confirm the said report of the Special Commissioner, same be supported by the proper vouchers, and it appearing that nothing further remains to be done in this cause, it is ordered that same be removed from the docket.