

1909-74

Southampton County Chancery - Myrick's (adm.) H. (adm.) vs Myrick, Nancy P. et al

Plaintiff makes proposal to pay
debt owed the estate of Wm. A.
Myrick and asks the court to
rule it a fair & decent
proposal.

Myrick, Wm. E. (decd)
Daughtrey (adm.)
W. H.

Myrick, A. R.
" , Wm. A.
" , C. C. (wife)
" , Joseph H.
Moore, Bettie A.
" , H. A. (husband)
Myrick, Julian D.
" , Herbert H.
Barn, Ella J.
" , Joseph T.
" , Walter E.
" , John.
" , Eunice D.
" , Samuel
By
Sebrell, W. J.
(G. A. D.)

To The Honorable C. W. Bill judge of The
circuit Court of Southampton County in
chancery sitting

Humbly complaining your
Orator W. B. Daughtrey administrator of
Mr. E. Myrick dec'd. sheweth unto your
Honor that his intestate W. E. Myrick
departs this life ^{The year 1892} leaving
considerable estate both personal and real
and the following named persons his
distributees and heirs at law to wit Nancy
P. Myrick his widow, Mr. A. Myrick a son
married to C. C. Musgrave and Myrick
Joseph H. Myrick a son, Bettie A.
Myrick a daughter married to G. A. Moore
Julian D. Myrick a son, Herbert G.
Myrick a son, Ella J. Myrick a daughter
married to Joseph T. Barnes, Alexander P.
Myrick, a son, and John Myrick infant
son, Eunice Myrick infant daughter and
Samuel Myrick an infant son and that
your Orator qualifies as his administrator
in the county court of Southampton giving
bond with security in the penalty of
\$10,000 all of which will more fully
appear ^{by} a copy of his certificate of
qualification herewith filed marked exhibit
A and prayed to be taken as a part of this bill

Your Honor sheweth further unto your Honor that the widow Nancy P. Myrick has already been allotted her dower on the motion of some of the children and heirs at law in the county court of Southampton and that the report of the commissioners has been confirmed, Your Honor sheweth further that his intestate has due time by bonds and accounts some \$40,000 or thereabouts most of which is solvent He states further that Mr. A. Myrick a son of his intestate who for a long time manages his fathers estate, his fathers health not permitting him to manage his own estate is now indebted to the state some \$6,588, that the said Mr. A. Myrick is at that time wholly unable to pay off this indebtedness but is ~~very~~ exceedingly anxious as far as he can do so and for that purpose has offered to pay over to him bonds and accounts amounting to \$90242.14cts and all his interest in ~~the~~ ^{estate} the real and personal of his father Mr. E. Myrick which he values at \$3959.22 and makes up the balance in cash say \$347.13cts, he estimating his indebtedness to the state at \$6588.99cts he offers to hand over to him at once all the bonds

All of which will more fully appear by the said agreement
in which the said parties are named and joined as a
part of this bill

and accounts of which he has handed
him a schedule and to convey to him
by the proper deeds and assurances all
his interest in his father's estate both
The ~~real and personal~~ real and
personal upon your Orator giving him
a receipt in full and discharge for
all his indebtedness to his father's
estate, Your Orator Thinking no fairer
or better offer could be made by a debtor
than to give up his whole estate
especially as The amount offered
seemingly paid The whole ^{and} under The
advice of his counsel appointed The
offer to The him at Law ~~under the~~
~~advice of his counsel~~ and all of them
who are of age except one by an
instrument in writing under their hands
and seals addressed to your Honor accepts
The offer advises The administrator to
accept and asked your Honor to
confirm The agreement. Your Orator states
further that there are three of The
children who are under age which
makes it more necessary for The court
to ratify and approve this bargain
and agreement

Your Orator states further
that after he had submitted this offer

to all the him at law who could
speak for themselves and all whom
except one advised the acceptance of the
offer supposing that they knew more
of the condition of the estate than
any one else and believing that he could
make no better arrangement to secure
this debt the probabilities being that the
guaranties offered would pay the larger
portion of the said Mrs A Myrick's
debt properly all of it & he has accepted
the said offer and now asks the court
to ratify and approve this agreement

In tender consideration of all
which and inasmuch as this
matter is only cognizable in a court
of equity & he therefore prays that
Nancy P Myrick, Mrs A Myrick and his
wife C. C. Myrick, Joseph B. Myrick, Butler
A. Moore and her husband C. A. Moore
Julian D. Myrick, Herbert B. Myrick
Alexander R. Myrick, Ella J. Barnes
and her husband Joseph T. Barnes, Walter
E. Myrick, and John Myrick, Emilee
E. Myrick, and Lawrence Myrick the
three last infants by some fit and
proper person their guardians ad litem
appointed for that purpose may be made

Myrick's Adm.

is 3 Bill

3 Content

Myrick's Adm.

1st Unit Rules 4/3

parties defendant to this bill and that the
court would compel them as free and
perfect answer make the allegations
therein contained as if they had been
themselves more fully and specially
interrogated but answer under oath to
the said bill is hereby waived and that
the court would ratify and approve the
bargain and agreement he has made with
Mr A Myrick in regard to his indebtedness
to his intestate estate and that the
court would grant such other and general
relief the premises considered as equity
may dictate and the nature of his case
may require and as in duty bound your
complainant does ever pray and your
Orator hereby gives notice to all parties
interested that he will ask the court to allow
him to pay to his attorney Messrs
Mr B Shandas is son a reasonable fee
for their services in this cause

Shandas & Son

Weyrick's Admir²⁰⁴

or } Stat. Rules.

Weyrick's heirs

Ex Cat

Wm. H. Raughter Adm'r Deft
of Wm. E. Myrick decd.

Against,

In Chancery

Nancy P. Myrick A. R.
Myrick, Wm. A. Myrick
and his wife L. L. Myrick,
Joseph H. Myrick, Bettie
A. Moore and her husband
H. A. Moore, Julian D.
Myrick, Herbert H.
Myrick, Ella J. Barnes Defts.
and her husband Joseph
P. Barnes, Walter E. Myrick,
and John Myrick, Eunice
D. Myrick & Samuel Myrick
The last three infants by
W. J. Selvell their guardian
ad litem.

1893. Sept 25. Process filed for 1st Act Rules.

" 1st Act Rules Process Ret'd Executed

Bill & Ex filed - W. J. Selvell

appt. ad litem, answer

of ad litem filed, sent

Rep. & decree nisi.

1893 2 Act Rules. Bill taken for con-

ferred cause set for
hearing.

Myrick's adum
m 3. d. d. d.
Myrick's lins

to be entered
Cm 24
Nov 9, 1853

Entered Page 679

Myrick's Adm'r
vs
Myrick et al
Decree

This day this cause came on again to be heard on the papers formerly read and the decree entered this day and was argued by counsel on consideration whereof the court doth adjudge and decree that one of the commissioners of this court enquire into and report to the court whether it would be to the interest of the three infant defendants John Myrick, Eunice D Myrick and Samuel Myrick to ratify the compromise made by W. H. Daugherty and Wm A Myrick and report to court by Monday next

Weyrick's Admin

or } Sum

Weyrick et al

1893. 1 Oct Rules

in let.

Executed Sept. 30. 93
by delivering a copy
of this (Print) to each
of the within named parties
Dudant as apt H. &
son and wife who
acknowledged legal
servant.

J. W. Williams Sg

R D Moon Sg

for J. W. Williams Sg

Shanderson & Co.

We acknowledge legal service of this notice
H. C. Moore Sg

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON Nancy D. Myrick, A.D.
Myrick, Wm. A. Myrick and his wife to be
Myrick, Joseph H. Myrick, Bettie A. Moore
and her husband H. A. Moore, Julian D. Myrick
Herbert H. Myrick, Ella J. Barnes and her
husband Joseph T. Barnes, Walter E. Myrick
and John Myrick, Eunice D. Myrick
+ Samuel Myrick the last three infants
by W. J. Selmer 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 First Monday in October next, to answer a Bill in Chancery
exhibited against them in our said Court by Wm. H. Raughtrey
Adm'n of Wm. E. Myrick dec'd

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

WITNESS, T. M. HOWARD, Clerk of our said Court, at the Courthouse, this 25 day of
Sept, 1893, in the 11th year of the Commonwealth.

TESTE:

T. M. Howard, C. C.

-1909-

Myrick's column

by 3 degrees

Myrick's line

Tobacco

COAT

Nov 14, 1893 -

Entered 693

Myricks admin

vs 3

Decree

Myricks heirs

This day this cause came on again to be heard on the papers formerly made and the report of Commr. B. F. McLenon made pursuant to a decree of this court entered at this term and was argued by counsel. On consideration whereof the court doth adjudge, order and decree that the said report be confirmed and doth further adjudge, order, and decree that when Mr. A. Myrick a son and one of the heirs at law of Mr. E. Myrick and also a large debtor to his father's estate shall deliver to Mr. B. C. Daughtery admin of Mr. E. Myrick due certain bonds and accounts amounting to \$10242.14cts of which he has filed a schedule in the papers in this cause marked A and conveyed to the said Mr. B. C. Daughtery by proper deeds and assurances all his interest in the personal and real estate of Mr. E. Myrick died ultimately by him at \$5969.72cts and paid the sum of \$347.13cts in cash making up the sum of \$16358.99cts the amount of his indebtedness to his father's estate. Thus the court hereby

authorizes and directs The said W. H.
Daughtry as administrator of W. E.
Myrick, ~~to give and to execute to~~ The
said W. A. Myrick a receipt in full
of all demands which he holds against
him as such administrator The court
hereby ratifying and approving the
compromise made by The said administrator
with The said ~~administrator~~ W. A. Myrick
and The court doth further adjudge, order,
and decree that each of the parties to this
suit pay the costs incurred by them
severally in its prosecution

Myrick's Linn

ads 3

Myrick's codine

Answer to infant left
by you ads Titus

The answer of John Myrick, Esquire &
Myrick and Samuel Myrick Thru infants
by W. J. Sebrill Thru guardian ad litem
to a bill in chancery in the circuit
court of Southampton vs them and thurs

This defendant for answer to the
said bill or as much thereof as he is
advised it is material for them to answer
says he knows of the facts set forth
in the plaintiffs bill but submits the
interests of his wards to the care
of this court whose peculiar duty it
is to protect the rights of infants and
having fully answered prays them to be
discharged with his costs

signed by

W. J. Sebrill,

Gdu. ad litem.

Myrich

2 3

Myrichi Adm.

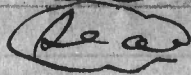
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hators

1893. May 27. filed

Whereas W. A. Myrick of one part and
W. E. Daugherty, administrator of W. E. Myrick
of the other part have entered into
an agreement, which was made
a rule of the Circuit Court of South
Carolina at its May Term 1893, to
the effect that all matters in
controversy between them shall be
submitted to the arbitration and deter-
mination of C. L. Vaughan & J. E. Schree-
arbitrators. Now know ye, that we the said
arbitrators, whose names are hereunto
subscribed having duly examined into
the cause of difference existing between
the said parties, by hearing the state-
ments, proofs and allegations do make
and publish this our award, in
manner following. We decide that
W. A. Myrick is entitled to receive
from the estate of W. E. Myrick dead
the sum of six hundred dollars
for Commission, and fourteen hun-
dred dollars for services rendered
the estate of said W. E. Myrick - and
these amounts are to be credited
on the bond due the estate of W. E.
Myrick due by W. A. Myrick as of this
date. We further decide that W. A.

Myrick shall deliver to said W. H.
Daughter all the bond and evidence
of debt he now has belonging to the
estate of W. E. Myrick decd. and
that the costs of this award amounting
to thirty dollars, he paid, one half
by the estate of W. E. Myrick and one
half by W. A. Myrick, as follows. Ten
dollars to C. C. Vaughan. Ten dollars
to J. E. Sebrell and Ten dollars to
W. Lawrence, who was selected as
umpire.

In testimony whereof, witness our
hand and seal May 25. 1893

C. C. Vaughan 
Jas. E. Sebrell 

To the Hon. E. W. Heill. Judge of the Circuit Court of Southampton Co.

Whereas W. A. Myrick one of the heirs and distributees of his father Wm. E. Myrick decd. is exceedingly anxious to make a full settlement of his indebtedness to his father's Estate by paying over to the administrator Dr. W. H. Daughtry, the following bonds and accounts:

Bal W. E. Myrick Acct Jan'y '93	1314 83		
dnt to May '93	26 50	1341 13	
Francis & Bro Jan'y 5/84	675 00		
dnt to May '93	377 54	1052 54	
Jas. D. Ferguson April '93	1500 00		
dnt to May '93	7 50	1507 50	
E. M. Dardur May '93		380 98	
J. D. Myrick May '93		197 96	
A. R. Myrick Sept 14/91	643 58		
dnt to May '93	62 96	706 54	
H. H. Myrick Jan'y '93	44 50		
dnt to May '93	89	45 39	
Walter E Myrick Jan'y '93	3 97		
dnt to May '93	08	4 05	
H. B. Parker Jan'y '93	90 77		
dnt to May '93	1 82	92 59	
H. B. Parker May '93		502 57	
Jas. R. Dardur Jan'y '93	75 11		
dnt to May '93	1 50	76 61	
Wm Parker Mch '93	292 08		
dnt to May '93	2 92	295 00	
Elias Vink Jan'y '93	195 15		
dnt to Mch 5/93	2 21		
for " " "	197 36		
dnt to May '93	20 20		
dnt to May '93	177 36	178 93	
Mrs. M. H. Barrett Feb'y '92	75 00		
dnt to May '93	5 63	80 63	
J. L. Worrell Dec 6/92	90 53		
dnt to May '93	7 17	97 70	
R. G. Fiers May '93		110 80	
Mrs Fannie Edwards Jan'y '92	34 59		
dnt to May '93	2 77	37 36	
J. M. Caroon Dec 8/92	53 75		
dnt to May '93	1 28	55 03	
		6763 26	

Am't. Bro't forward			6763 26
Leah's Everitt Nov 1/87	88	20	
dnt to Jan'y 1/92	22	05	
p'd	110	25	
" " "	36	96	
dnt to Mch 1/92	73	29	
p'd	74	02	
" " "	15	54	
dnt to Feb'y 25/93	58	48	
p'd	3	45	
" " "	61	93	
dnt to May 1/93	20	00	
p'd	41	93	
" " "	46		42 39
Jos. H. Whithead Jan'y 1/86	231	56	
dnt to May 1/93	101	88	333 44
Jos. H. Whithead Jan'y 1/88	117	09	
dnt to Jan'y 4/90	12	08	
p'd	129	17	
" " "	38	41	
dnt to July 28/91	90	76	
p'd	8	52	
" " "	99	28	
" " "	18	07	
dnt to May 1/93	81	23	92 74
Jos. H. Whithead Sept 18/88	150	00	
dnt to May 1/93	68	82	218 82
Jos. H. Whithead Sept 18/88	138	00	
dnt to May 1/93	63	05	201 05
R. S. Mapett Jan'y 1/93	25	34	
dnt to May 1/93	51		25 85
Wm E. Worrell Jan'y 1/92	10	44	
dnt to May 1/93	84		11 28
Wm E. Worrell Nov 1/89	30	00	
dnt to May 1/93	6	30	36 30
W. E. Worrell Jan'y 1/88	64	06	
dnt to May 1/93	20	50	84 56
Leutis Leutis Jan'y 1/93	209	87	
dnt to May 1/93	4	19	214 06
Mrs Overlin Springfield Jan'y 1/89	62	49	
dnt to May 1/93	16	25	78 74
Dr. W. B. Barham May 1/93			139 65
			8242 14
Am't allowed by referees			2000 00
			10242 14

which amounts to Ten thousand two hundred and forty two and 14/100 Dollars, and all his interest in both the real and personal estate of his father, as one of the distributees and heirs at law by proper deeds and assurances, valuing his interest in the real and personal estate at Five thousand two hundred and sixty nine and 72/100 Dollars.

and balance in cash say, Three hundred and forty seven and 13/100 Dollars, amounting in all to the sum of sixteen thousand five hundred and fifty eight Dollars and ninety nine cents, being amount due to said estate, and whereas we think it is to the interest of all parties concerned, this should be done, as speedily as possible, Now therefore, we the undersigned, a portion of the heirs, and distributees, of the said Wm E. Myrick, do hereby consent for Dr. W. H. Daugherty admr. of the said Wm E. Myrick, to accept the within offer made to him by Wm A. Myrick in full of the debt due by him to said estate, and ask and request, that the same be approved by your honorable Court. Witness our hands and seals this 12th day of September 1893.

Ella J. Barnes
 Geo. J. Barnes
 W. E. Myrick
 W. E. Myrick Jr.
 J. D. Myrick
 H. P. Myrick
 J. A. Moore
 J. C. Moore
 H. H. Myrick.

Seal
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Myrick

as 3 June

Myrick's adams

To be cut out

CMA

June 31/853

Entered
Page 594

Myrick

v 3

Myrick, admr

Declar

This day this cause came on again to be heard on the papers formerly made and the award of the Arbitrators C. C. Vaughan and James E. Sebel made pursuant to a submission of the parties made a rule of this court at the May Term 1893 and was argued by counsel. On consideration whereof the court doth adjudge order and decree that W. H. Daughtry admr of W. E. Myrick decd and Wm A Myrick be summoned to the next term of this court to show cause if any they can why the said award should not be affirmed as the judgement of this court

Southampton County Court Jan'y Term 1893.

Stanniel P. Myrick - Widow of Wm. E. Myrick, deceased, having relinquished her right of Administration on the Estate of her said husband, in favor of Wm. H. Daughtrey = On motion of Wm. H. Daughtrey, who made oath according to law and together with C. C. Vaughan, J. J. Woodard, Jas. D. Darden, J. D. Myrick, H. A. Moore & Stanniel P. Myrick and Jas. J. Darden as his securities, who justified on oath as to their sufficiency, entered into and acknowledged a bond in the penalty of Sixty thousand dollars, conditioned according to law, which bond is ordered to be recorded, Certificate is granted the said Wm. H. Daughtrey for attaining letters of Administration on the Chattel Estate of William E. Myrick dec'd in due form. And on further motion of said Administrator, W. H. Stephenson, A. P. Andrews, S. H. Hill, D. P. Worrell are hereby appointed appraisers and any three of whom may act who being duly qualified will appraise the Chattel Estate of said decedent, and return the same under their

Myrick's Admin
or $\frac{3}{2}$ Report.

Myrick, & also:

1843. Nov. 13. filed
J. M. H. C. C.

Commissioner's Office.
Coutland, Va.

Nov 11. 1893.

To the Circuit Court of Southampton
County:

In obedience to a decree of
the Circuit Court of Southampton
County. entered on the 9th day of
November 1893. in the Chancery
Cause of "Myrick's Adm^r &
Myrick et. als." dividing one of
the Commissioners of this Court to
enquire into and report to Court
whether it would be to the interest
of the three infant defendants,
John, Eunice D. and Saml. My-
rick. to ratify the compromise
agreed upon between W. H. Daugh-
try Adm^r of W. E. Myrick, and W. A.
Myrick. reports to Court, that,
having enquired into the matter
as well as the limited time allowed
him would admit, the undersigned
Commissioner reports to Court, that
the interest of the adults and that of
the infants, is the same. whatever is
to the interest of the adults is, naturally,
to the interest of the infants. that
W. A. Myrick has offered all the

to surrender all the property he has
in possession. that it would be
impossible to obtain, by litigation,
any more than he has offered,
that the parties interested are
brothers and Sisters, and equally
concerned. And, in as much
as the Adults are anxious to
avoid litigation, and that the
Compromise agreed upon should
be accepted. And the Commis-
sioner, being of opinion that the
interest of the infant defendants,
as well as that of the Adults will
be promoted thereby. he respectfully
recommends that the aforesaid
Compromise be confirmed.

Respectfully Submitted.
B. F. McLeann
Clerk in Chancery

Court fee \$3.00

C. C. Vaughan
Jas. E. Sebrell

Southampton Circuit Court: May Term 1893.
Whereas divers disputes and Controversies have
arisen and are now depending between
H. H. Daughtry, Administrator of W. E. Myrick
dec'd, of the one part. and Wm A. Myrick, of
the other part: Now for the ending and
deciding thereof it is hereby mutually
agreed between the above said parties that
all matters in Controversy and difference
between them shall be submitted to the
arbitrament, final end and determination
of L. B. Vaughan and Jas. E. Sebro, Arbitra-
tors selected by the said parties. and it is
further agreed that in the event the said
Arbitrators cannot agree, then they are
empowered to select some third party to
act as Umpire. and it is further stip-
ulated and agreed between the above said
parties that this submission is made
a rule of the Circuit Court of Southampton,
and after making their award in writing
it shall be returned to the Circuit Court
of Southampton and entered as the judg-
ment of the said Court.

A Copy - Teste:

B. F. McLenore C. G.

Myrick's Admin.

vs { statement of exors

Myrick et al.

Myrietta's Admin

vs

Myrietta's News

Sum. 25. 11 copies 1.40. Receipt 18. atty 10. Book 18 = 2.14

Receiv 1.00. Entering return 35. Fil bill 15 = 1.50

D. Est. 15. D. answer 15. Exp. 25. Fil. Com. 25 = 80

D. award of Arbitrators 15. 3 Decree 42. \$1.21 1.86

Paid by L. A. Gay R. H. May & Adam J. M. N. \$6.30

1899. Oct. Term Taxing costs copy 40. 9 continuances \$2.25 2.65

Fil. away papers 25. Future costs about 2.00 2.25

to L. A. Gay \$11.20

Paid J. W. Williams Shff 5.00

located Shands room Law re. 16.50

\$32.70

Fee of Louis B. F. McLenore Paid B. F. M. 3.00

11/21/99 PD by Dr. W. H. Dancy to L. A. Gay \$35.70

Inte: L. A. Gay to L.