1909-79 Southampton County Chancery Pope, Chas W. & Gaudin vs Bailey, J. E. & Als

Real & personal property to be Marshalled and properly distributed among those entitled

Prince, J. E. Edw

Howard R. & als.

Bailey Adelaide

vs

Bailey, Henry E.

To the Hon C.O. Hill Judge of the Circuit Court of Southampton. In Chancery
Complaining sheweth unto your Honor L.B. Bevin, Comr of Abner S. Pope of Jerusalem.
That during the year 1896 J.R. Bailey departed this life intestate, seized of some personal Estate and of two or three parcels of land, one of which is situated in Southampton County, near Boykins. one in Sussex County and perhaps other parcels in North Carolina. That at the term of the County Court of Southampton Richard Howard qualified as the admr of said Bailey. as will more fully appear from a certified Copy of his qualification herewith filed marked "A" as an Exhibit in this Cause. That the said Bailey left as his heirs at law and distributees his widow, Mrs Adelaide Bailey, and one child, Henry E. Bailey, an infant of tender Years. That the said Richd Howard by virtue of his qualification has possessed himself of all the personal property of his intestate and is willing to render proper account of the same when-ever he shall be required by this Court; but he is satisfied there will not be enough of the same to pay the debts of his intestate and it will

be necessary to see the lands. That the said Bailey was legally indebted to your Complainant at the time of her death. or was after from bond hereinbefore filed.

That your Complainant has no way of getting at the real and personal assets of said intestate except by the aid of a Court of Equity.

In tender consideration whereof and inasmuch as your Complainant is without remedy except in a Court of Equity where such matters are properly cognizable, to the end therefore that justice may be done, he prays that R. Howard admr. of J. R. Bailey, Mrs Adelaide Bailey and Henry E. Bailey, the last named an infant of tender years, may be made parties defendant to this bill and compelled to answer the allegations thereof - that some fit and proper person may be assigned guardian ad litem to the infant defdt. that all necessary and proper accounts may be ordered and that the real and personal assets of said Bailey may be marshalled and properly distributed among those who are entitled thereto & that your

Hon will grant such other, further,
general and special relief as to Equity
may seem meet, or the nature of this
Cake may demand-
and as in duty bound &c. May it please
the Court &c.-

I. B. Spence f.c.

The answer of Henry E. Bailey an
infant by J. L. McLemore, his Son as
Litem to a Bill of Complaint exhibited
in the Circuit Court of Anderson by
I. B. Spence Sor of A. S. Toke against
him as follows-.

His respondent, saving and reserving &c.
for answer to said Bill Says- that
he is an infant and knows nothing
of his rights- and being such he
submits the same to the protection of this
Honorable Court- and having answered
prays hence to be dismissed &c.-

Jas. L. McLemore
Son as Litem

Papers Guardian

" } Summons

Bailey's Admr &als:

1892. 2 Sept. Rules

Cir: Ct.

Executed by delivering
a copy of this Summons
R. Hobard Admr of
J. E. Bailey dec'd and
Adelaide Howard

J. W. Williams
Sheff.

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON R. Howard, Admr of J. E. Bailey, decd.- Mrs Adelaide Bailey, and Henry E. Bailey - an infant.

to appear at the Clerk's Office of our Circuit Court of Southampton county, at the Rules to be holden for the said Court on the 3d Monday in September 1892 ~~next~~, to answer a Bill in Chancery exhibited against them in our said Court by J. B. Pinner, Guardn of A. A. Pope -

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

WITNESS, B. F. McLEMORE, Clerk of our said Court, at the Courthouse, this 10th day of September, 1892, in the 117th year of the Commonwealth.

Teste: B. F. McLemore C. C.

Popis Guardian

vs. } Statement of Claim

Bailey's Admr et als

Papin Guardian

vs. } Statement of costs

1892 Bailey's Admr et als.

Sept X. 10th Summons 25¢ 3 affs. 39. Receipt 18. Atty. 10, Book. 18 = 1.10

Rules 1.00. Entering Return 35, Fil. bill 15 = 1.50

Do. Ent. 15. Copy Ent. 25. Drawing & Copy 72 = 1.12

1895 July 1 1 Continuance on the docket 25 = 25

B.F.M. $3.97

1895 Apr. 4 Continuances on the docket $1.00 }

Filing Comr's report 25 } J.M.N. 1.25

Filing vouchers for R. Howard 15, D. Bailey petition 15 = 30

Filing Comr's report 25, 2 drawings & Copies 1.44 = 1.69

Taking Special Comr's bond 1.40, Tax costs 40 = 1.80

Filing and any papers 25 = 25

1900. Apr. 6 8 Continuances on the docket 2.00 = 2.00

Tax costs 6½ years at 10 cts 65

Future costs about $2.00 = 2.00

B.F.M 3.97 Clerk $13.91

J.M.N. 1.25 Sheff. 1.50

L.A.G 8.69 11/16/1900 Paid by L.B.P L.A.Gay Jurors 16.50

$13.91 $31.91

Fee of Comr B.F. McLemore 5.00

" " " William Shands 5.00

Witnesses D.N. Kindred 50

" A.E. Edwards 50

" William Jordan 50 = 1.50

$43.41

May 29th 1900 Teste: L.A. Gay C.C.

Pope's Gdn &c.,
vs. Petition of
C. L. Barden.

Bailey's adm's &c.

1895. Sept. Issued
L. A. Bagley Clk

Pope's Gdn &c.,
vs. } Petition of C. L. Barden.

Bailey's admr. chalr.

In this cause, your petitioner, C. L. Barden respectfully represents to Your Honor that sometime during the Fall of 1888 he purchased from J. E. Bailey the tract or parcel of land mentioned and described in Comr. McLemore's Report, filed among the papers in this cause, to-wit, that certain tract or parcel of land, lying near Boykins, in Southampton County, containing 15 acres, more or less, and bounded on the North Reuben Chambliss and the lands of C. L. Barden; on the South by the Beley Kindred land, and on the East and West by the lands of the said C. L. Barden - in the sum of $200.00, to be paid as follows, that is to say, your petitioner was to pay $5.00 in cash, and was to let said J. E. Bailey have in part payment of the balance of the purchase price one bbl. of apple brandy at $2.00 per gallon, when the said J. E. Bailey should call for same, and upon payment by your petitioner of the balance of the purchase price then still remaining due and unpaid, the said J. E. Bailey was to execute to your petitioner a deed conveying to your petitioner a good and sufficient title in fee simple for said land; that your petitioner paid to said J. E. Bailey the said sum of $5.00 in cash, and was put in

possession of the said land by said J.E. Bailey on the 1st January 1889, and has been in possession of same ever since that time, using the land as his own and paying all taxes thereon; that, about the last of the year 1890 or the 1st of 1891, your petitioner in accordance with his agreement with said J.E. Bailey delivered to him, at his request, the said bbl. of apple brandy, containing 35 Gallons at $2.00 per gallon in part payment of said purchase price, and on or about the 10th day of September 1890, your petitioner, also, paid him the sum of $25.25 in part payment of said purchase price, and your petitioner has long been, and still is, ready and willing to pay the balance of said purchase price still remaining unpaid, whenever a deed shall be given him conveying to him a good and sufficient title in fee simple for said land. That having purchased said land, and having been put in possession of the same as aforesaid, and having paid a considerable part of the purchase price, and being ready and willing to pay the balance of the said purchase price remaining due and unpaid, your petitioner is advised that upon the payment of the said

balance of the purchase price now remaining due and unpaid, he is entitled to have a deed executed to him conveying to him a good and sufficient title for said land. In tender consideration whereof, your petitioner prays that he may be made a party defendant in this suit, and that his rights and interest may be protected therein; that your Honor will appoint a special Commissioner to receive from your petitioner the balance of the purchase price now remaining due for said land, and to execute to your petitioner a deed for same, and for all such other further relief, as the nature of the case may require or to Equity shall seem meet.

And your petitioner will ever pray &c.

C. L. Barden,

W. J. Sebrell,
Atty. for Barden.

Southampton County Court May Term 1891

Adelaide D. Bailey - having relinquished her right of Administration on the Estate of of her late husband, J. E Bailey dec'd, in favor of Richard Howard, who made oath according to law - and together with Jas D. Darden as his security, who justified on oath as to his sufficiency - entered into and acknowledged a bond in the penalty of Three thousand dollars conditioned according to law - which bond is ordered to be recorded - Certificate is granted him for obtaining letters of Administration on the chattel Estate of the ~~late~~ said J. E. Bailey dec'd in due form. And J. N. Sebrell, J. M. Howard + W. A Bell are hereby appointed appraisers - who, being duly qualified, will appraise the chattel Estate of said decedent - and return the same under their hands as the law directs.

A Copy
Teste:

Papers Guards
F" 3 3 3 Stat: Rules
Bailey's Admr & als:

2 Sep

J. B. Prince, Guardn of
A. S. Pope. — Pltff
Against
R. Howard, Admr of
J. E. Bailey, decd.
Mrs Adelaide D. Bailey
and Henry E. Bailey
an infant. — Defts

1892. Sept 10th. Proc ifs to 2nd Sept. Rules.

" 2nd Sept. Rules., Proc Executed. Bill & Exs filed. W. J. Sebrell apptd Gdn ad litem to infant defts. decree nisi v adults.

" 1 Oct. Rules. Bill taken for Confessed as to adults and Cause set for hearing as to them.

We acknowledge the legacy
this Notice. Oct 17. 1893.

Richard Howard Admr

Papers Enclosed for Pr
Bill
Notice
Bailey & Admr
1893. Oct 17.

Commissioner's Office,

~~Jerusalem~~ Courtland, Va., Oct 2" 1893.

To R. Howard Admr of J. E. Bailey dec'd.
A. D. Bailey &c.

You are hereby notified that I have fixed upon the 17" *day of* October *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. R. Howard's transactions as Admr of J. E. Bailey dec'd.

2d. Account of debts against the Estate of J. E. Bailey dec'd. this friendless &c.

3d. An account of the real Estate of which J. E. Bailey died seized and possessed its actual and Annual Value.

required to be taken by a decree of Southampton Circuit Court, rendered at the Nov Term *term, 1892, 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. McLemore

Commissioner.

To the Sheriff of Southampton County to execute.

COMMISSIONER'S OFFICE,

~~JERUSALEM,~~ Courtland Va. Sept 27th 1893.

To the *Creditors* of the Estate of
J. E. Bailey
deceased, and all others concerned.

You are hereby notified, that ~~at the request of~~ pursuant to decree of the Circuit ~~Administrator of the estate of the said~~ Court of Southampton Co. ~~deceased,~~ I have appointed the 17 day of October 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 Court of Southampton County, the day and year first aforesaid.

B. F. McLemore *Commissioner*

Southampton Circuit Court,
Nov. Term 1892.
Pape Gdw &c
v. Decree
Baileys Admrs &c

This day this cause came on to be heard on the complainants bill taken for confessed as to the adult defendants, the answer of the infant defendant by J.L. McLemore his guardian ad litem, with general replication thereto, the Exhibits filed and was argued by counsel. And consideration whereof the Court doth adjudge order and decree that one of the Comrs of this court take the following accounts.

1st An account of the transactions of R. Howard as Admr of J.E. Bailey.

2nd An account of the Complainants demands and all other debts outstanding against the said J.E. Bailey, & stating & their priority.

3rd An account of the real

Estate of which J. E. Bailey died seized with its absolute and annual value, which account the said Court will audit and report to court with such other matters as he may deem pertinent or which may be required to be so stated by any interested party.

A Copy
Teste. T. M. Howard D.C.

Papers Relative
to
Dower
of
Bailey's Widow

A Copy

For Lawn
B. J. McLemore

Pope's Guardian
No 332 Report
Bailey's Admr to
1893. Oct. 18. Filed.

The Estate of J. E. Bailey, dec'd -
In Acct with Rich'd Howard, his Admr.

1891				
June	15	To Said Taxes for 1890	4 71	
July	15	" " " on Personalty	2 10	
Augt	12	" " Chas. Smith for Casket	75.00	
"	"	By amo: rec'd from E. T. Darden		20
Oct	28	" " " " J. N. Pope		9.40
Nov	24	" " " " Sam Smith for Rent		75.00
Dec	8	" " rec'd from Harrison Freeman		900
1892				
Jany	18	" " " " J. E. Edwards		800
Feb.	17	" " " " G. A. Bailey for rent		1200
"	25	" " " " from J. W. Smith for Rent		5068
May	31	" " rec'd from N. L. Hill		1500
		" " " " W. B. Duke		68 35
		" " " " Wiley Pope		52 16
		" " " " John Scott		1800
		To Cash on $312.74 @ 5%	15.63	
1891				
Dec	21	" Paid Tax on land for 1890	51.65	
1892				
Febry	12	" " Dr J. E. Sebrell. Med: bill	43.55	
"	"	" " " " " "	2 15	
July	14	" " Taxes for 1891	38.96	
		" Clerk's fees, retained	2 45	
		" " " For recording this acct, retained	1 25	
		" Cash for this acct. retained	2 50	
Dec		" Paid Dr W. B. Barham, Med: bill. last illness	6 45	
		Balance	66.34	

The Estate of J. E. Bailey dec'd.
In Acct with Rich'd Howard, his Admr.

1891					
June	15	To Said Taxes for 1890		4 71	
July	15	" " " " on Dog penalty		2 10	
Augt	12	" " Chas. Smith: for Casket		75 00	
"	"	By amo: rec'd from E. J. Darden			20
Oct	28	" " " " J. N. Pope			9 40
Nov	24	" " " " Sam Smith for Rent			75 00
Dec	8	" " rec'd from Harrison Freman			9 00
1892					
Jany	18	" " " " J. E. Edwards			8 00
Feb.	17	" " " " S. A. Bailey for rent			12 00
"	25	" " " " from J. W. Smith for Rent			50 63
May	31	" " rec'd from N. L. Hill			15 00
		" " " " W. B. Duke			68 35
		" " " " Wiley Pope			52 16
		" " " " John Scott			18 00
		To Cost on $312.74 @ 5%		15 63	
1891					
Dec	21	" Paid tax on land for 1890		51 65	
1892					
Febry	12	" " Dr J. E. Sebrell: Med: bill		43 55	
"	"	" " " " " "		2 15	
July	14	" " Taxes for 1891		38 96	
		" Clerk's fees, retained		2 45	
		" " " for recording this acct, retained		1 25	
		" Commissioner for this acct. retained		2 50	
Dec		" Paid Dr H. B. Barham, Med: bill. last illness		6 45	
		Balanced		66 34	
			$312.74	$312.74	

1893.

Jany 1 By bal: due Estate with interest thereon from this day till paid. $66 34

Respectfully Submitted.
B. F. McLemore
Comr in Chancery

An Account of debts outstanding against the Estate of J. E. Bailey, dec'd, with their priorities &c. Taken by B. F. McLemore, Commissioner in Chancery, on the 17th day of October 1893. pursuant to a decree of the Circuit Court of Southampton County. Entered the Nov: Term 1892

1	Bond due J.B. Prince, Exr J.B. Pope	1000 00	
	Int: from Mch 28/81. to Nov 1/93.	755 00	
		1755 00	
	By Cash	159 82	1595 18
2	Bond due J.B. Prince Exr. J.B. Pope	625 00	
	Int: from Augt 1/82 to Nov 1/93.	479 87	1046 87
3	Bond due J.B. Prince, Exr J.B. Pope	2000 00	
	Int: from Sept 14/82 to Nov 1/93	1390 00	3390 00
4	Bond due J.B. Prince, Exr J.B. Pope	2000 00	
	Int: from Oct 1/83 to Dec 1/84	140 00	
		2140 00	
	By Cash	1000 00	
	Int: from Oct 1/84 to Augt. 6/87	1140 00	
		194 25	
		1334 25	
	By Cash	450 00	
	Int: from Augt 6/87 to Jany 1/89	884 25	
		18 41	
		902 66	
	By Cash	294 35	
	Int: from Jany 1/89 to May 22/90	608 31	
		51 70	
		660 01	
	By Cash	372 95	
	Int: from May 22/90 to Dec 22/90	287 66	
		10 04	
		297 10	
	By Cash	100 00	
	Int: from Dec 22/90 to Jany 1/92	197 10	
		26	
		197 36	
	By Cash	100 00	
	Int: from Jany 1/92 to Jany 1/93	97 36	
		5 84	
		103 20	
	By Cash	100 00	
	Int: from Jany 1/93 to Nov 1/93	3 20	
		16	3 36
	Amt carried forward		6035 41

	Amt brot Forward			$6035.41
5	Bond due J.B. Pence, Exr J.B. Pope	$1500	00	
	By 1/2 Int: in personal Property on farm	559	90	
		940	10	
	Int: from Feb 26/85 to July 20/85	22	56	
		962	66	
	By Cash	600	00	
		362	66	
	Int: from July 20/85 to Nov 1/93	177	70	540.36
	Acct due B.F. McLemore	235	00	
	Int: from Jany 1/91 to Nov 1/93.	39	95	274.95
	Total amo debts			$6850.72

Respectfully Submitted.
B.F. McLemore
Comr in Chy

An Account of the real Estate whereof J. E. Bailey died seized and possessed. showing the Annual and absolute value of the same taken and reported on the 17th day of Oct. 1893. by B. F. McLemore. Comr in Chancery.

	Absolute.	Annual
~~1 Acre, near Branchville. valued~~	~~$ 100.00~~	
15 Acres, near Boykins - valued at	$ 150.00	$ 15.00
1/3 interest in a tract of land, situated in Sussex County. Quantity and value unknown.		

Respectfully Submitted.
B. F. McLemore
Comr in Chancery

Commissioner's Office.
Courtland, Va.
Oct 17th 1893.

To the Circuit Court of Southampton Co.
In obedience to a decree of the Circuit Court, aforesaid. entered at the Nov: Term 1892, and pursuant to Notice herewith filed. (Legal service of which has been acknowledged) the undersigned Commissioner reports to Court: That he has this Audited the account of Richard Howard, Admr of J. E. Bailey, dec'd. and finds a balance of $66.34 in the hands of the said Admr., due to said Estate with interest thereon from the 1st day of January 1893 till paid.

2nd. The Commissioner has also taken an account of debts outstanding against the Estate of said decedent. (having first duly advertised the time and place by posting a Notice at the front door of the Court-house as required by law) and reports debt against the said decedent or his Estate amounting to $6850.72 inclusive of interest to Nov 1. 1893. which has been arranged according to priority.

The Commissioner has taken an account

of the absolute and annual value of the real Estate whereof J. E. Bailey died seized. from which it appears that at the time of the death of the said Bailey, he was seized of a small tract of land, situated near Boydton, in this County. Containing 15 acres. valued at $150.00. the annual value of this land, is estimated at $15.00 The Commissioner is informed that, at the time of the death of decedent, he was seized of a one-third undivided interest in a tract of land in Surry Co, Va. but has not been able to ascertain the quantity a value thereof.

Respectfully Submitted.

B. F. McLemore

Comr in Chancy

Comrs fee $5.00

ch Pltff

[Receipt to be used under section 9, chapter 548, Acts 1883-4.]

Office of the Treasurer of the County **of** Southampton Va

LIST OF REAL ESTATE within the County of Southampton sold in the month of December, eighteen hundred and ~~eighty-six~~ Ninety one, for the non-payment of taxes thereon for the years 1890

Sold Dec 21, 1891.

NAME OF THE PERSON CHARGED WITH TAXES.	QUANTITY OF LAND CHARGED.	LOCAL DESCRIPTION OF LAND.	Amount of State Taxes due with interest and commissions.	Amount of County Levies due for all purposes with interest and commissions.	QUANTITY OF LAND SOLD.	DESCRIPTION OF LAND	NAME OF PURCHASER.	AMOUNT OF PURCHASE MONEY.	REMARKS.
J E Bailey	625 1/4	Near Branchville	20 55	31 10	625 1/4	SW 18 & 20 miles from Courtland	Thos Howard	51 65	

Received of Thos Howard the above sum of Fifty one 65/100 Dollars, it being the amount of purchase money for the land mentioned in the above list.

Jas J Darden Treasurer

Mr. Jos. E. Bailey No. 84

1890. To JAS. J. DARDEN, Treasurer of Southampton County, Dr.

SUBJECTS OF TAXATION.	STATE TAX, 30c. ON $100.		SCHOOL TAXES. STATE, 10c. ON $100.		COUNTY, 5c. ON $100.		DISTRICT, 10c. ON $100.		COUNTY LEVY 45 cents on $100.		TOTAL TAX.	
To ____ acres Land, value ___ $												
" Personal Property, value ___ $ 298.		89		30		15		30		134	2	98
" Capitation Taxes				1	00		50				1	50
" Income ___ $												
Total											4	48
Fee Bills. 4												
per cent. additional												23
Total											4	71

Received payment 13 day of June 1891 J. N. Johnson Jr. Treasurer.

HARRELL'S PRINT, WELDON, N. C.

Courtland, Va. June 1st 1891

Mr J. E. Bailey, decd.:

Bought of DR. J. EMMETT SEBRELL,

Dealer in

DRUGS, CHEMICALS, TOILET ARTICLES, PAINTS, BRUSHES,

VARNISHES, OILS, ETC.,

Terms: **Prescriptions Carefully Compounded.**

1890				
Dec:	12	Pres: filled	.40	
"	18	To Blistering oint:	.50	
1891				
Feby	10	2 Bots F. M. oil	.50	
McK	14	1 " Elaterium Pills	.75	$2.15

J. E. Bailey.

$54.00

1891 J. E. Bailey Esq.
J. Emmett Gibbell M.D. Dr

Janj	2	Visit & c to self	2	00
"	4	" "	2	00
"	7	" "	2	00
"	12	" "	2	00
"	16	" "	2	00
"	18	" "	2	00
Apl	6	" "	2	00
"	7	" "	2	00
"	9	" "	2	00
"	10	" "	2	00
"	11	Visit "	2	00
"	"	Night "	3	00
"	12	" "	2	00
"	13	2 "	4	00
"	14	" "	2	00
"	15	" "	2	00
"	16	" "	2	00
"	17	" "	2	00
"	18	2 "	4	00
"	19	" "	2	00
"	21	" "	2	00
"	22	" "	2	00
"	23	" "	2	00
"	"	Night "	3	00 $54.00

Franklin, Va., 189

Mr. J. E. Bailey Est.

Bought of **CHARLES SMITH,**

Cabinet Maker and Undertaker,

ALWAYS ON HAND A No. 1 ASSORTMENT OF

READY-MADE FURNITURE, MATTRESSES, WINDOW SHADES, &C.

1891

SPECIAL FREIGHT RATES SECURED.

April 25	Walnut Casket, Case (6) Gold Plated Handels, Plate full Satin Lining, Hearse & Horses for Det.	£75	00
	Rec'd Pay't of R. Howard Aug 18/91	Dr.	
	Chas. Smith		

Rec't this & return

Estate of J. L. Bailey

To W. B. Basham Dr,

April 1891. To 1 visit & consultation with Dr. Sibrell 5.00

To 1 visit 3.00

$8.00

Mr. J. E. Bailey No.

1890. To JAS. J. DARDEN, Treasurer of Southampton County, Dr.

SUBJECTS OF TAXATION.	STATE TAX, 30c. ON $100.		SCHOOL TAXES. STATE, 10c. ON $100.		COUNTY, 5c ON $100.		DISTRICT, 10c. ON $100.		COUNTY LEVY 45 cents on $100.		TOTAL TAX.	
To ____ acres Land, value ___ $												
" Personal Property, value ___ $ 200		60		20		10		20		90	2	00
" Capitation Taxes												
" Income ___ $												
Total												
Fee Bills												
5 per cent. additional												10
Total											2	10

Received payment 16 day of July 1891 W. B. Stephenson Treasurer.

HARRELL'S PRINT, WELDON, N. C

Feby 12th 1892

Received from Richard Howard Adm

Forty Three & 55/100 Dollars,

on J. E. Baileys Medical A/c.

$43.55

J. Emmett. Sebrell. M.D.

Mr. J. E Bailey Est. R Howard No. 87

To JAMES J. DARDEN, Treasurer of Southampton County, Va., Dr.

1891.

SUBJECTS OF TAXATION.	State Tax, 30c. on $100.	School Taxes. State, 10c. on $100.	School Taxes. County, 5c. on $100.	School Taxes. District, 10c. on $100.	County Levy, 35c. on $100.	Total Tax.
To 62½ Acres Land, value $ 412.0	12 36	4 12	2 07	4 12	14 43	37 10
" Personal Property, value $						
" Capitation Taxes						
" Income $						
Total						1 86
Fee Bills						35 96
5 per cent. additional						
Total						

Received payment 14 day of July 1892 W. K. Stephenson Jr. Treasurer.

Collected

June 23	E. Dacum		2a	✓
Dec 26	J. N. Pope		9 40	✓
Nov 24	Adm Smith Rent		75 00	✓
Dec 8	Harrison Freeman		9 00	✓
Jan 18 92	J. E. Edwards		3 00	✓
Feb 17	A. A. Bailey for Rent		12 00	✓
25	J. W. Smith "		50 63	✓
May 31	H. L. Hill		15 00	✓
	W. B. Duke for Rent		68 35	252 58
Jan 1	Wiley Pope " "			52 16
				294 74
	Jno Scott Rent in 91			18 00
				3027 X
91				
June 15	To paid Taxes		4 71	✓
Aug 12	Chas Smith		75 00	✓
9	Taxes		2 10	✓
Feb 12	J. S. Schull & Bill		2 10	
" "	" Mid "		43 55	
" "	Taxes		51 65	
July 14	"		38 96	
	Dr Barham		6 45	
			2245	7

Oct 25" 1893

Received from R Howard Adm
of J. L. Bailey dec'd
Forty five 00/100 Dollars
on Medical Bill
$6 45/100

W. B. Barham

Poses Gon

vs Z Conv Notice

Bailey adm se

The hereby acknowledge due and legal service of the within summons

I R Powell Gon
A. S. Pope

W. J. Lobell,
atty. for Barbe, pltfs

Richard Howard Adm
J. E. Bailey Decd

Adelaide D. Bailey
by R Howard

J L McLemore
Gon adlitem,

COMMISSIONER'S OFFICE,

Courtland ~~Jerusalem, Va.~~ Sept 2nd 1897

TO J. B. Prince Guardian of A S Pope } Pltff
vs
R Howard Admr of J. B. Bailey decd
Mrs Adelinde D Bailey. J L McSemore
Son of Henry E. Bailey and L S } Dfdts
Borden

You are hereby notified that I have fixed upon the 13th **day of** ~~Sept 1897~~ **next, if fair, if not, the next fair day thereafter (Sunday excepted) to take and settle, at my office, the following accounts, to wit:**

whether or not the land in the bill and proceedings mentioned was sold to L. L. Borden as alleged in said petition; and if so for what sum and what amount, if any of the purchase price has been paid, and what amount is now still due. which inquiries said Commissioner will make and report to Court together with any other matter specially stated, deemed pertinent by himself or required to be so stated by any interested party

required to be taken by a decree of Southampton Circuit Court, rendered at the Sept **term, 1895, 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 the said Court, the day and year first aforesaid.

W. S. Shands

~~JAMES R. TYLER,~~ **Commissioner.**

To the Sheriff of Southampton County to execute.

Porpis Guardian &c

vs 3 Return of Com. W. Church

Bailey's Admr &c

1897. 16 Sept. Died of

L. A. Hay b.b.

Commissioner's Office
Courtland Va Sept 13th 1897

To the Circuit Court of Southampton Co Va

In obedience to a decree of the Circuit Court aforesaid entered at the Sept Term 1896 and pursuant to notice heretofore filed, (legal service of which has been acknowledged), the undersigned commissioner reports to court. That he proceeded to make the inquiries called for in said decree and that he finds that sometime in 1889 J. B. Bailey sold the real estate in question to B. L. Borden for $700. receiving at the time $50 as part of the purchase price and put said Borden in possession of said real estate and that on or about Sept 15th 1890. Borden paid him $25.25 more and on or about Dec 15th 1890 he paid him $70 by the delivery of a barrel of brandy and wanted to pay him all the purchase money but Bailey could not then give a clear title to the said property. but promised to clear up the title. Borden promising him to pay him the balance whenever he did so. In the meantime Bailey died. The amount

(over)

paid and due as as follows

Jany 1 1889	Purchase Price	$200.00
" " "	By Cash paid in part	5.00
" " "	Balance	.195 00
	Interest Thereon from Jany 1/89 to Sept 15/90	19.95
		.214.95
Sept 15 1890	By part payment (cash)	.25.25
" " "	Balance	.189.70
	Interest Thereon from Sept 15/89 to Dec 15/90	2.83
		.192.53
Dec 15 1890	By part payment (by bonds of town)	70 00
" " "	Balance	.122.53
	Interest Thereon to Sept 15/97	.49.61
Sept 15th 1897	Balance due	$172.14

Thus showing a balance of $192 due by said D & L Borden for said land. The evidence on which this report is based is returned herewith all of which is

Respectfully submitted by

Wm Shanks

Comr in chancery

Comrs fee	$5.00
Witnesses fee	"
D H Kinsman	.50
A E Edwards	.50
Wm Jordan	.50
Total	$6.50

The evidence of P. H. Kinnard taken before Wm Shands Comr in chancery at his office in Bousland Fla on Sept 13th 1897. pursuant to notice duly given. To be used as a basis in making his report in the chancery cause of Potter Son & Co vs Bailey's admr &c

The witness P. H. Kinnard being duly sworn deposes and says as follows

I am 53 years old. reside in this county, am farmer and school teacher, and know the parties to this suit. Sometime either in 1888 or 1889, I cant now remember the exact time, Mr C L Borden bought the land referred to in these proceedings from Mr J. S. Bailey. agreeing to pay him $200 for it. Mr Bailey himself told me so. and told me that Mr Borden had paid him a barrel of brandy worth about $70.00 and had also made some other payments. and that at that time Mr Borden owed him about $100. This Mr Borden then wished to

for and get a deed for said land. I drew a deed for the same but upon examining the records in the clerks office in Southampton Co, Va, we found out there were some judgements against Mr Bailey so he could not give a clear deed for said land and Mr Borden did not pay him the said Boland. Mr Bailey promising to clear the title and Mr Borden telling him he would pay him the balance whenever he cleared the title to the same. Mr Borden was put in possession of the land by Mr Bailey in pursuance of said sale to him and has been in possession of it ever since exercising all rights of control and ownership over it, paying taxes on it, and improving the land &c, and further this deponent saith not

Signed David H. Kindred

The witness A. E. Edwards being duly sworn deposes and says as follows. I am forty six years old. live in this county & know the parties to this suit. I lived on this place in 1888 & had bargained to buy this place for $150. but Mr Bailey told me Mr Borden would give him $200 for it and I give it up and Mr Bailey told me he had sold it to Mr Borden for $200. I left there end of 1888 and Mr Bailey put Mr Borden in possession early part of 1889 and Mr Borden has been in possession of it ever since. and further this deponent sayeth not

Signed A. E. Edwards

This witness Wm Jordon being duly sworn deposes and says as follows I am 56 years old. reside in this county. am laborer and know the parties to this suit. and know that sometime in Dec 1890 I rented for Mr Borden to Mr. x

x Bailey

the barrel of brandy Mr Borden was to pay him on account of the land sold him by Mr Bailey, and it certainly was good brandy and further this deponent sayeth not

Signed Wm X his mark Jordan

The above depositions of D H Kendrick A E Edwards and Wm Jordan were this day duly sworn and subscribed to before me in my said county by said parties. Given under my hand this 13th day of Sept 1897

Jno Shands

Comm in chancery for Ct. Ct. of Southampton Co. Va.

RICHARD HOWARD. JAMES D. DARDEN.

R. HOWARD & CO.,

DEALERS IN GENERAL MERCHANDISE.

Newsoms, Va., Oct 6" 1897

Judge J. B. Prince
Courtland
Va.

Dear Sir:

In reply to yours of 5" inst. In regard to order of the Circuit Court. I enclose you Ck for $85.34 Being the amt $66.34 & int 1 yr 9 mo 5 Days. Please take proper entry and file with the papers in the suit.

Yours
R Howard

COMMISSIONER'S BOND.

Popis Gdn

vs.

Boeing Adms.

E.B. Prince

to

Commonwealth.

1898. 2nd July filed

L. A. Gay

Know All Men by These Presents, That we, J. B. Prince

and J. L. McLemore

are held and firmly bound unto the Commonwealth of Virginia in the sum of $350.00

Three Hundred & Fifty & no/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 15th day of July one thousand eight hundred and ninety-Eight

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound J. B. Prince

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 29th day of September, 1897, in the suit therein depending under the name and style of Pope's Gdn. vs Bailey's Adm'r or any subsequent 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

J. B. Prince SEAL

Jas. L. McLemore SEAL

SEAL

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

This day Jas. L McLemore

surety on the above bond, made oath before me, L. A. Gay Clerk of the Circuit Court of the county of Southampton, and State of Virginia, 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 Three Hundred Fifty Dollars.

Given under my hand this 2nd day of July, 1898

Teste: L. A. Gay, Clerk.

Roger Conf for 9th
on 4th Decree
Bailey adm't

1892 Nov Term

To be entered.

C M A

Exalted

Proper Gdn for Pl.

Vs 3 Decree.

Bailey's Adm. &c.

This day this Cause came on to be heard on the complainants bill, taken for confessed as to the absent defendants, the answer of the infant defendant by J. L. McLemore his guardian ad litem, with general replication thereto, the exhibits filed and was argued by Counsel. On consideration whereof the Court doth adjudge order and decree that one of the Masters of this Court take the following accounts.

1st An account of the transactions of R. Howard as Adm. of J. E. Bailey

2nd An account of the complainants demand and all other debts outstanding against the said J. E. Bailey distinguishing their priority

3 An account of the real Estate of the said J. E. Bailey dec'd, with its absolute and annual Value which accounts the said Master will audit and report to Court with such other matters as he may deem pertinent or which may be required to be stated by any interested party.

Popis Gdov.

N. [illegible]

Bailey's Ann. [illegible]

Enter Sept. 26 1895

Robert [illegible]

~~as Doctr. [illegible]~~

~~post 10 years~~

Desmond

Jan 1900

Entered

page 40

Pope's Gdn. &c., }
vs. } Decree.
Bailey's admr &c.

This day this cause came on to be heard upon the papers formerly read and upon the petition of C. L. Barden, filed during the term by leave of the Court, 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 ascertain and report to the Court whether or not the land in the bill and proceedings mentioned was sold to C. L. Barden as alleged in said petition; and, if so, for what sum, and what amount, if any, of the purchase price has been paid, and what amount is now still due, which inquiries said Commissioner will make and report to the Court, together with any other matter specially stated, deemed pertinent by himself, or required to be so stated by any interested party.

Popis 1908 Gen. &c.,
vs. Decree.
Bailey's admr. &c.

Agreement to this
accn.

I B Prince atty
for plffs.

Wm. Schnell
atty. for C. & B. Rwy.

To be entered —

Robert R. Prentis

Sept. 29' 1897.

Entd Page — 180 —

Pope's Gdn. &c., }
vs. } Decree.
Bailey's admr. &c., }

This day this cause came on to be further heard upon the papers formerly read, and upon the report of Comr. Wm. Shands, filed September 16th 1897, to which report there is no exception, and was argued by Counsel.

On consideration whereof, The Court, approving and confirming the said report, doth adjudge, order and decree that D.B. Price be and he is hereby appointed a special commissioner to collect from C.L. Barden the amount of balance shown to be due by said report, to-wit, the sum of $172.14, with interest from the 15th day of September 1897, and execute to him a deed with special warranty for the land in the proceedings mentioned, to-wit, that certain tract or parcel of land lying near Boykin's in Southampton county, containing 15 acres more or less and bounded on the North by Reuben Chambliss, and the lands of C.L. Barden; on the South by the "Bailey" Kindred land, and on the East and West by the lands of the said C.L. Barden. And in case the said C.L. Barden should fail to pay to the said D.B. Price, Commissioner, the said sum of money within 90 days from the date of this

then and in that event, the said D.B. Prince, special Commissioner, will expose the said land to sale, by public auction, to the highest bidder, for cash, after having given twenty days notice of the time and place of sale, by notices posted at three or more public places in said County. But the said D.B. Prince will not proceed to act under this decree until he shall have entered into bond, with approved security, before the Clerk of this Court, in the penalty of $350.—, conditioned for the faithful discharge of his duties under this or any subsequent decree in this cause. And the said Commissioner will make report to Court. And it appearing from the report of Comr. B.F. McLemore, filed among the papers in this cause on the 18th day of October 1895, that there is a balance of $66.32, with interest from Jany 1st 1895, in the hands of Richard Howard, administrator, the Court doth adjudge, order and decree that the said Richard Howard admr. pay out the same to the creditors of the said J.E. Bailey decd., whose claims were proved before Comr. McLemore and reported in his said Report filed among

the papers in this cause on the 18th day of October 1897.