1909-104 Southampton County Chancery Vick, Hester E. vs Story, Councill's Admr.

Land to be sold
subject to Widow's Dower
and proceeds be distributed
among those entitled

Drake, John H.
Gdn for Hester E.
Vick

Williams, J. W. Sheriff &
Admr.

Story, Lottie A.
Story, John H.
Cutchin, Catherine
Cutchin, Laura
Story, William Councill
infts Story, Toaler
Story, D. Thomas

W. S. Holland Sol.

Vick pro friend

vs

Storys admr. et al.

Bill of Complaint

1 Act. Rules

[illegible]

In the Circuit court of Southampton county:

Ist October Rulws I893

Hester E. Vick nee Story who sues by John H. Drake her guardian and next friend respectfully represents to the court that her father Councill Story departee this life intestate on the 9th day of August I89I leaving a small personal estate and a small tract of land lying, being and situate in the county of Southampton containing _ acres more or less adjoining the lands of A.D. Bryant, Richard Vick Mollie Vick and Thomas Vick about two miles from Newsome,s Depot, and leaving Lottie A. Story his widow and seven children as follows; your orator, John H. Story, Catherine Cutchin nee story the wife of James Cutchin, Laura A. Cuthhin nee Story the wife of William Cutchin, William Councill Story, Tooler Story, and D. Thomas Story.

Your oratbrix says that at the September term of the county court of Southampton county the estate of said Councill Story was committed to the hands of J.W. Williams sheriff.

Your oratrix says that her said father owed nothing and there are no d3bts against him except for the burial expenses and they have been paid out of his estate, that said tract of land cannot be divide in kind, but she wishes her share therein in money, and she wishes the personal estate sold and divided.

Forasmuch as your oratrix is remediless save in this honorable court where matters of this sort are alone and properly cognizable she prays that said J.W. Williams sheriff and adminiwtrator of Councill Story deceased, Lottie A. Story, John H. Story, Catherine Cutchin, Laura A. Cutchin, William Councill Story, Tooler Story and D. Thomas Story (the last three being infants under the age of 2Iyrs,) be made parties defendants to this suit and required to answer this bill, but an answer under oath is hereby waived as provided by statute in such cases, that said administrator take said personal estate in hand and proceed to administer the same according to law and that he be required to report his doings and transactions to this court, that said tract of land be sold subject to the widow,s dower therein, that said dower be assigned said widow, that the proceeds of the sale of said land be distributed to and amongst those entitled to the same, that all such orders may be entered, a all such accounts and enquiries be taken, stated and reported to this court as the nature of this case may require, that all such other, further and general relief may be afforded your orayrix as the nature of her case may require or as to equity and good conscicence may seem meet. And she will ever pray &C

W. S. Holland p.q.

Vick per friend

vs. } Additional costs

Story et als.

Vick par friend
vs.} Additional Costs. (W. S. Holland spl. Comr)
Story et als.

| | | |
|---|---|---|
| 1896. Mch. Term | 1 Decree and copy 72= | 72 |
| 1900 Apr. Term | 8 continuances on the Docket | 2.00 |
| | Tax Costs 4 years at 10cts = | .40 |
| | | $3.12 |
| Sept. 1895 | By cash for future costs in former Stat: | 1.25 |
| | | $1.87 |
| 1900. June 5th | Future Costs about $2.00 = | 2.00 |
| | Clerk | $3.87 |
| | unpaid Shff fees | 6.00 |
| | " spl. Comrs fee | 8.00 |
| | " Witness fees | 3.00 |
| | | $20.87 |

Teste: L. A. Gay C.C.

Southampton Circuit Court,
Nov. Term 1894.
Vick per Friend.
vs
Story's Admr. et als.

This cause came on this day to be heard on the bill taken for confessed as to the adult defendants, on the answer of infant defendants by their guardian ad litem, a discreet and competent Atty. with general replication thereto and was argued by Counsel.

On consideration whereof the Court doth adjudge, order and decree that one of the Commissioners of this Court enquire and report,

(1) Whether any personal estate came into the hands of the Administrator of Councill Story deceased or not, and if so then an account of his doings and transactions.

(2) Whether the lands in the bill mentioned can be partitioned.

(3) The annual and fee simple value of said land.

(4) Whether a sale of said land

will promote the interest of the infant defendants:

(5) Any matter deemed pertinent by said Commissioner or any Party in interest.

And the Court doth further adjudge order and decree that J.J. Darden, E.C. Ferguson, R. Howard, J.L. Barham & B.C. Bunn any three of whom may act, first being duly sworn, who are hereby appointed Commissioners for that purpose go on the land of which Council Story died seized and possessed and proceed to lay off and assign by metes and bounds to the widow of said deceased one equal third part, having reference to quantity and quality, of said lands as and for her dower therein to be held by her during her life.

A Copy

Teste: T.M. Howard C.C.

Veck, pr friend

vs Notice

Story & als

---

1894. Apr. 14"

Executed April 11th/94 by delivering a copy of this notice to each of the within named parties

R. T. Williams Depy

for J. W. Williams Shff

Commissioner's Office,

Jerusalem, Va., Apl 2d 1894

To Hester E. Vick - J. W. Williams, Shff and Admr of Council Story dec'd. - Lotta A. Story - J. H. Story - Catharine Cutchin - nee Story - Laura A. Cutchin, nee Story.

You are hereby notified that I have fixed upon the 14 day of April 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, Whether any Personal Estate came into the hand of the Admr - of Council Story - and if so an acct. of his doings and transaction.

2d - Can the land in the bill mentioned be partitioned in kind.

3 - The annual and fee simple value of said land.

4th - Whether the sale of said land will promote the interest of the infant defendants.

5th - Any other matter deemed pertinent &c.

required to be taken by a decree of Southampton Circuit Court, rendered at the Nov term, 1893, 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.

Veck. pr friend

&c. Report.

Story & als:

1894 Apl 24 filed
J. M. H.

Commissioner's Office.
Courtland Va.
April 14th 1894.

To the Circuit Court of Southampton Co.

Pursuant to a decree of the Circuit Court of the aforesaid County, entered at the Nov'r Term 1893, in the Chancery Cause of Vick, pr friend, v Story &als: the undersigned Commissioner, reports to Court, that on the 2nd day of April 1894, he issued Notices against the parties to this suit, requiring them to appear at his Office in Courtland, on the 14th day of April 1894, at which time and place he should proceed to take and report the accounts required by the aforesaid decree. that said Notice has been returned executed, and is herewith filed, that the adult parties appeared in obedience to said Notice, Whereupon he proceeded to enquire into and make the report, to wit:

1st No Personal Estate has come into the hands of J.W. Williams, as Shff and Admr of Council Story, decd.

2nd That the land in the bill and proceedings mentioned, of which Council Story died seized, cannot be divided in kind among the interested parties.

the tract, as a whole, Contains 172½ Acres- and is Composed of four small tracts- and is so situated as to make it impracticable to divide it among the parties with any degree of fairness. this land would have to be divided into Eight Shares- inclusive of the widow's dower.

3" The fee simple value of said land is $750.00 and the annual value of the same is about $60.00.

4"- Whether or not the sale of said land will promote the interest of the infant defendants? — Upon this point, the Commissioner reports, that the evidence before him, touching the sale of the land, is Conflicting-, the Plaintiff contending that the interest of the infants would be promoted by a sale- While the adult Defendants testify that it will not promote the interest, neither of Infants nor adults- to have the land sold now- under these Circumstances, the Commissioner is at a loss to know what to recommend in this behalf- and submits the matter to the Court. At the request of the Defendants, the Commissioner reports Specially- that they (the defendants) are opposed to the sale of the land. that they desire the said land to remain as it is. and that their Mother, (the widow) continue to live upon it and support the minors, until the youngest child becomes twenty one years of age., that the interest of the parties will not be promoted by a sale. and that they are willing to take the share of the Plaintiff. and pay her such a sum of money therefor as the Court may think reasonable and just, or that her interest therein may entitle her to.

Respectfully submitted.
B. F. McLemore
Com'r in Chancery

Commr's fee
$5.00 ch Pltff

Vick, &c.
vs } Notice
Story &c.

---

1894 Oct. 20"

Executed Octo. 12th /94 by delivering a copy of this Notice to each of within named parties defendant

Wm R. T. Williams
Dept. for
J. W. Williams
Shff.

# Commissioner's Office,

Courtland ~~Jerusalem~~, Va., Oct 8" 1894

To Hester E. Vick - J. W. Williams, Shff and Admr of Council Story dec'd - Lolla A. Story - J. H. Story, Catharine Cutchin - nee Story - Laura A. Cutchin, nee Story.

You are hereby notified that I have fixed upon the 20th 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. What is the fair value of the interest of the plaintiff in the land in the proceedings mentioned - and ascertain and report to Court what surety the parties will give for keeping their promise to pay what the Court may consider a fair price for the interest of the plaintiff.

required to be taken by a decree of Southampton Circuit Court, rendered at the May term, 1894, 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.

Southampton Circuit Court
May Term 1894.
Vick per friend
v. }
Story et als

This cause to be again heard on the papers formerly read & on the report of Comr McLemore and was argued by Counsel. On consideration whereof the Court doth adjudge order & decree that the matters in the decree herein of the Nov term 1893 filed with said report be referred and that in addition thereto the said Comr ascertain & report what is the fair value of the interest of the plaintiff in the land in the bill mentioned and to ascertain & report what surety the parties will give for keeping their promise to pay what the Court may consider a fair price for the interest of the plaintiff.

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

Vick, per friend.

Cor Report.

Story. et: als:

1894. Oct 22 filed

T.M.H. C.C.

Commissioner's Office -
Courtland, Va
October 20. 1894.

To the Circuit Court of Southampton Co.

Pursuant to a decree of said Court entered at the May Term 1894. in the Chancery Cause of "Vick, per friend, &c v Story & als:" .. the undersigned Commissioner reports to Court, that on the 8" day of Oct. 1894 he issued Notices against the parties to the suit, requiring them to appear before him at his office in Courtland, on Saturday the 20th day of October 1894 - at which time and place he would proceed to take and report the accounts mentioned in said decree. That said Notice was served upon the said parties, and is herewith filed, - that said parties appeared before the Commissioner, in obedience to said Notice: Whereupon the Commissioner proceeded to take the following account, to wit: "What is the fair value of the interest of the plaintiff in the land in the bill & proceedings mentioned - and ascertain and report to Court what security the parties will give for keeping their promise to pay what the Court may consider a fair price for the interest of said plaintiff"? -

The Commissioner is of opinion, from the evidence - that $70.00 is a fair price for

Plaintiffs interest, exclusive of her interest in the widow's dower. The Commissioner states further, that the Adult parties say; they have no money wherewith to purchase Plaintiffs' interest in the land. No means or property from which they can raise money - and cannot give security -, they also stated to the Commissioner, that they do not care to purchase Plaintiffs' interest at any price.

Respectfully Submitted.
B. F. McLemore,
Com'r in Chancery

Com's fee $3.00

Vick per Gnd

vs

Story & als

This cause came on to be again heard on the ~~report~~ papers formerly read & on the report of Comr. McLemore and was argued by counsel:

On consideration whereof the court doth adjudge order & decree that the matters in the decree herein of the Nov. term 1893 filed with said report be rereferred and that in addition thereto the said Commr. ascertain & report what is the fair value of the interest of the plaintiff in the lands in the bill mentioned and to ascertain & report what surety the parties will give for keeping their premises to pay what the court may consider a fair price for the interest of the plaintiff.

To be entered
CMH
May 10, 1894

Entered 664

13

Vick Per fd.

vs

Story et als.

Report of sale by W. S.

Holland, filed, Sept

25th 1895 by leave of court

1895. 25. Sept. filed

L. A. Gay C. C.

Rec'd of Mr. L. A, Clk Cir. Court this 20 January 1896 the bond mentioned in this report as allowed by the decree confirming this report

W. S. Holland

~~Atty for~~ spl com

Vick per friend

vs

Stor~~e~~y et als.

Your commissioner begs to report that pursurant to a decree here~~e~~in of November 28th 1894, he advertised the land for sale, a copy of one of the notices is herewith filed as apart of this report that at the time and place in said notice stated he offered the lands subject to the dower therein of the widow of Council Stor~~e~~y deceased. At which sale J. F. Vick became the last and highest bidder at the price and sum of six hundred and twenty four dollars and that on the 23rd day of September 1895 he met your commissioner at Courtland and paid to him the sum of two hundred and eight dollars and executed his bond with J. W. Vick and Thomas L. Vick as his sureties for four hundred and sixteen dollars which bond is herewith filed as apart of this report. Your commissioner is informed and believes that the sureties to said bond are good and that said sale is a very good one, and he, therefore, recomends a confirmation of this sale. Your commissioner has not deposited the money in bank for the reason that he received it since the commencement of this term of this court and has had no opportunity to do so.

Most respectfully submitted,

W. S. Holland, Spe. Comr

Comr's Assigning
Dower to Lattie A Stiny
Widow.

1894 Apl 27 filed
T.M. H.C.C.

To the Honorable Judge of the Circuit
Court of Southampton Co Va.
Three of the Commissioners appointed
at your November Term 1895
To meet upon the Lands of Council
Story Dec'd and endow to
Mrs Lottie A Story his widow
One Third of his real estate having
regard to quality and quantity
Whereof the said Council Story
died seized and possessed,
Beg to report we have endowed
Mrs Lottie A Story. The widow
of Council Story Dec'd. with
about Seventy and one half Acres
(70½) as follows. Beginning at
a big pine tree a corner between
A. D. Bryants land and the land
of Council Story dec'd running
a straight line nearly North to
a persimmon tree, thence nearly
East to a large sweet gum tree
thence down the old line nearly
East to a pine, an old line
between the 57½ Acre and the
75 Acre lots as they now stand
on the land books. thence out
to the lands of A. D. Bryant.

and around the old lines to the big pine at the corner between the lands of A. D. Bryant and Council Story dec'd above mentioned,

Which gives Mrs Lottie A Story the lot or parcel of land of 57½ acres and lot or parcel of 10 acres on lands books and about 3 acres, on which the Stables and Kitchen stand from the lot of 75 acres,

Which leaves about One Hundred and Two acres known as the Vick land of 30 acres, and about 72 acres of the 75 acre parcel near Cutlers, to his estate

Respectfully submitted

Jas J Darden }
B. C. Bunn } Commissioners
R Howard }

April 25" 1894

Order of
Qualification
of
Admr &c

Exhibit "A."

Ex all cup

Hester E. Vick by John
H. Drake her next friend Pltff.
and guardian.
Against. In Chancery
J. W. Williams Sheriff
and Administrator of Council
Story deceased, Lottie A.
Story, widow of said Council
Story deceased, John H. Story,
Catherine Cutchin nee Story Defts.
Laura A. Cutchin nee Story,
William C. Story; Tooler Story
and D. Thomas Story the last three
being infants under the age
of 21 years.

1893. Sept 26. Proceſs iſd to 1st Oct Rules

" 1st Oct Rules. Proceſs Retd Executed on all adult defendants Bill & Ex filed. decree nisi vs adults.

1893. 2 Oct Rules- Bill taken for confeſsed as to adults & cause set for hearing ~~as~~ as to them.

Southampton County Court. Sept. Term 1893.

Council Story having departed this life intestate more than three months ago, and no person having applied for, Administration of his goods and chattels: On motion of C. L. Vick, a creditor it is ordered that the estate of said decedent be committed to the hands of J. W. Williams Sheriff of this County to be by him, Administered according to law.

A Copy
Teste: B. F. McLemore C.C.

Vick &c per friend

vs.

Stury's admr et als

Infants Answer by

Guardian ad litem

The joint and seperate answer of William C. Story, Tooley Story and D. Thomas Story infants under the age of 21 years by W. J. Sebrell a competent and discreet attorney, to any bill in equity exhibited against themselves and others in the court of Southampton County by Hester E. Vick by her guardian & next friend by John H. Drake.

These respondents for answer to said bill, or to so much thereof as they are advised it is material for them to answer, by their said guardian ad litem, answering say:

That they are infants of tender years and by reason of said infancy are incapable of understanding or taking care of their interests. They by their said guardian ad litem commend to the protection of the court their interest in this matter, and they pray that no decree may be entered that will tend to their prejudice.

And having answered they pray to be hence dismissed with their costs in this behalf expended and they will ever pray &c.

W. J. Sebrell Guardian ad litem for William C., Tooley and D. Thomas Story.

W. J. Sebrell,
G'dn. ad litem

Form No. 309.

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Vick per friend, VS Story et als.

W. S. Holland

to { **COMMISSIONER'S BOND.**

Commonwealth.

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1895. 19. August filed

L. A. Gay C.C.

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

**Know all Men by these Presents,** That we W. S. Holland and J. L. McLemore, are held and firmly bound unto the Commonwealth of Virginia, in the sum of Fifteen Hundred Dollars, to the payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our Homestead Exemptions as to this obligaiton, and any claim or right to discharge any liability to the Commonwealth arising under this bond, or by virtue of said office, post or trust, with coupons detached from bonds of this State. Sealed with our seals, and dated this 19th day of August one thousand eight hundred and Ninety five.

**The condition of the above Obligation is such,** That if the above bound W. S. Holland shall faithfully perform the duties of his office or trust, as Commissioner under a decree of the Circuit Court of the County of Southampton, pronounced on the 28th day of November, 1894, in the suit therein depending under the name and style of Vick Pr. Friend VS Story et als

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

Signed, sealed and acknowledged in
the presence of

W. S. Holland SEAL.
J L McLemore SEAL.
SEAL.

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

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

Given under my hand this 19th day of August 1895

Teste: L. A. Gay Clerk.

Vick per Friend
Vs. } Statement of Costs
Story et als.

Vick pr Friend
Vs. } Statement of costs.
Story et als.

|  |  |  |
|---|---|---|
|  | Sum: 25- 6 Copies 78- receipt 18 = | 1.21 |
|  | atty: 10- Dock: 18- Rule 50- fil. bill 15 = | .93 |
|  | Do Exhibits 15- Enter. return 35- Rule 50 = | 1.00 |
|  | 4 decrees + Copy 2.88- fil 3 reports 45 = | 3.33 |
|  | Taking bond of Comr. 50-25-25-25- 15 = | 1.40 |
|  | fil. Comr's report 25 | .25 |
|  | Tax Costs 40- fil. away papers 25 = | .65 |
| 1895. Sept | Future costs about 1.25 | 1.25 |
|  | Paid by W. S. Holland L. A. Gay Clerk | $10.02 |
|  | Shff. | 6.00 |
|  | Paid W. S. Holland Lawre. | 16.50 |
|  |  | $32.52 |
|  | Comr B. F. McLemore's 2 accounts | 8.00 |
|  | Commissioners to assign dower |  |
|  | J. J. Darden 1.00 |  |
|  | R Howard 1.00 |  |
|  | B. C. Bonn 1.00 | 3.00 |
|  |  | $43.52 |

T. M. Howard $5.75 Pd RHoward Adm
L. A. Gay 4.27
$10.02

Vick per friend &c

vs } Sum

Storys Admr et als

1893. 1 Act Rules

Cir. Ct.

Executed Sept. 30th
1893 by delivering a
copy of this Sum
to each of the within
named parties defendants

[illegible]

R. D. Moore Dept.
for J. W. Williams
Shff.

for Moore

30th 5 X

Holland p.q.

## THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

**WE COMMAND YOU TO SUMMON** J. W. Williams Sheriff[1] and administrator of Councill Story deceased, Lattie A. Story widow of said Councill Story deceased,[2] John H. Story,[3] Catherine Cutchin nee Story,[4] Laura A. Cutchin nee Story,[5] William C. Story[6] Tooler Story[7] and D. Thomas[8] Story the last three living infants under the age of 21 years. 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 Hester E. Vick by John H Drake her next friend and guardian

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 26" day of Sept, 1893, in the 118th year of the Commonwealth.

TESTE: T. M. Howard, C. C.

off and assign by metes and bounds to the widow of said deceased one equal third part, having reference to quantity and quality, of the said lands as and for her dower therein to be held by her during her life.

Vick per friend.

vs.

Strong's admr. et al.

Decree

To be entered.

CMB

Apr 11 1893

7

Entered

Vick &c pr Friend

vs.

Story's admr. et al.

This cause came on this day to be heard on the bill taken pro confessed as to the adult defendants, on the answer of infant defendants by their guardian ad litem, a discreet and competent atty with general replication thereto, and was argued by counsel.

On consideration whereof the court doth adjudge, order and decree that one of the Commissioners of this court enquire and report:

(1). Whether any personal estate came into the hands of the administrator of Council Story deceased or not, and if so then an account of his disbursements ~~transactions~~.

(2). Whether the lands in the bill mentioned can be partitioned in kind.

(3). The annual & fee simple value of said land.

(4) Whether a sale of said land will promote the interest of the infant defendants.

5. Any matter deemed pertinent by said Commissioner or any party in interest

And the court doth further adjudge order and decree that J J Darden, E. C. Ferguson, R H Howard, J. L. Barham & B. C. Rivers or any three of whom may act, first being duly sworn, who are hereby appointed commissioners for that purpose go on the lands of which Council Story died seized & possessed and proceed to lay

Vick per Friend

vs.

Story et. als.

Decree to be entered

Sept 25, 1890

Robert S. Hennis

page 34

Vick per friend

vs.

Story et. als.

This cause came on this day to be again heard on the papers formerly read, and on the report of sale by W. S. Holland special commissioner, and was argued by counsel.

On consideration whereof the court doth adjudge, order and decree that the report of sale filed this day by W. S. Holland special commissioner, by leave of court and to which there is no exceptions made or filed, be, and the same is hereby confirmed.

And the court doth further adjudge, order and decree that said special commissioner W. S. Holland out of the sum of two hundred and eight dollars shown to be in his hands, he pay the costs and expense of said sale, and the costs of this sait including a fee of $50.— to W. S. Holland attorney and deposit the balance thereof in bank as required by a former decree in this cause.

And the court doth further adjudge, order and decree that at maturity of said bond, or as much sooner as the said purchaser of the property and maker of the bond may elect, the said W. S. Holland is hereby authorized and directed to with draw said bond from the papers in this cause, leaving with the clerk of this court his receipt therefor and proceed to collect the same, and deposit the same in bank as above required, and to pay out the same after first having paid any and all unpaid costs of this suit equally to the seven heirs at law of Council Story deceased or to the guardians of such heirs as may then be under the age of twenty one years.

And it being suggested to the court that the widow of Council story and one Charlie Vick have used each a part of the land belonging to said heirs and not embraced in the widow's dower for the year 1895, the court doth further adjudge, order and decree that said W. S. Holland collect for the use and occupation thereof for the year 1895 a reasonable sum of money and deposit the same as aforesaid, and that said W. S. Holland special commissioner make report to court of his doings under this decree.

-1909-

Vick per friend

vs }

Story et. als.

Decree

25th March 1896

To be entered.

Robert H. Prentis

Entered

Page 77—

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

Vick per friend
vs }
Story et. als.

This cause came on this day to be again heard on the papers formerly read and on the report of W. S. Holland special commissioner reporting that on the 20th day of January 1896 he received from the purchaser the sum of four hundred and seventeen dollars and thirty eight cents balance of purchase price and was argued by counsel.

On consideration whereof the court doth adjudge order and decree that W. S. Holland who is hereby appointed a special commissioner for that purpose do make, execute and deliver to J. F. Vick the purchaser of said land a good and sufficient deed with special warranty conveying to him, subject to the dower therein of Lottie A. Story the widow of Council Story deceased, the land in the bill and proceedings mentioned

And the court doth further adjudge order and decree that said W. S. Holland special commissioner of sale out of the money in his hands pay, first the unpaid costs of this suit, and pay the residue to the parties as directed by a decree herein of September 25th 1895 and make report to court.

Vick Per Friend

vs

Story et als.

---

Nov. 28th 1894

Decree to be entere

Ent 708

Vick per friend

vs

Story et als.

This cause came on this day to be again heard on the papers formerly read, on the two reports filed herein on the 24th day of April 1894 and on the 22ond day of Oct. 1894 and on the report of Howard and others commissioners to assign dower filed herein on the 27th day of April 1894, to which said several reports no exceptions have been filed, and was argued by counsel: On consideration whereof the court doth adjudge, order and decree that said reports be, and they are each confirmed, that W.S.Holland who is hereby appointed a special commissioner for that purpose , after first advertizing the time, place and terms of sale by printed hand bills for one month proceed to sell the lands in the bill and proceedings mentioned subject to the dower assigned by Commrs Howard et als. for cash, one third, and the balance one ~~ye ar~~ year after date, retaining title till the further order of court in this cause, but before the said commissioner shall proceed to sell under this decree he shall enter into bond before the clerk of this court in the penalty of $ 1500 — with surety by said clerk deemed sufficient, payable and conditioned accoring to law, that said commissioner deposit the said cash payment in the bank of Vaugahn & CO. Franklin Va., and that said commissioner make report to court.