

1877-29

Southampton County Chancery - Worrell, George Thomas vs Worrell, Erma

Sale of Real Estate
(Settlement)

Worrell, Judith Jane

Worrell, James

Worrell, Margaret

and

Worrell, John B.
(infants -)

Edwards, L. R.
Guardian Ad -

To the Honorable Court of South
ampton County. In Chancery sitting.

Humly
Complaining sheweth unto your worships
your Orators George Thomas Warrell and
Judith Gore worrell; That your Orators Father
James G. Worrell died some time in a
year ~~and~~ ^{and} ~~passed~~ ^{passed} at the time of his
death of certain real estate lying in this County;
which said tract was allotted to his widow
Margaret Warrell ^{who is now dead} for her dowry leaving as
his heir and distributee at law, your
orators his children, and his two grand
children, James and John B. Warrell. That
the said James & John B. Warrell are infants
under twenty one years of age. And your
Orators further shew that said real estate
is not consistant of ~~divisions~~ ^{divisions} amongst
the parties interested. They therefore shew
that same may be sold and proceeds of sale
divided amongst the parties interested
according to their respective rights. For
under consideration of the premises, and in
as much as your orators pray that James
and John B. Warrell infants under twenty one
years of age may be made parties defendant
in this bill, and full & perfect answers made
to the allegations of the same, that same be
and proper person be appointed to defend the

interests in this suit, that your worship will
have a sale of the real estate of which James
G. Worrell died seized & proposed now known
as the "Margaret Worrell Lower Tract" and
direct the proceeds of sale to be divided amongst
the parties entitled according to their
respective rights, and grant such other and
further relief as Equity may dictate
or the nature of their case may require
and as in duty bound your orator, will
ever pray &c.

Attorney J. G.

The Answer given & filed by B. Worrell in part
under twenty commissions of age by L. R. Edwards
their Guardian ad Litem in the foregoing
Bill of Complaint.

These Defendants by L. R. Edwards their
Guardian ad Litem for answer to said bill
or to its merits thereof as they are advised
it is material for them to answer, answering
that they have no objection to the
decrees prayed for, but being infants they
have to submit their interests in this
suit to the protection of the Court, and
having answered they have to be dismissed

L. R. Edwards &c.

Worrell & {
v {
Worrell & { Deane

This cause this day came
on to be heard on the Bill of the Plaintiffs,
Answer of the infant Defendants by their
Guardian ad Litem and was argued by
Counsel on consideration whereof the
Court doth adjudge, order and decree that
E. C. Ferguson and W. W. Briggs who are
hereby appointed Special Commissioners
for that purpose, proceed to sell (after
having given at least twenty days notice
of time and place of sale at public
auction the real estate in the Bill mentioned
of which James G. Worrell died seized and
proposed, and known as the Lower Tract, and
containing about 75 acres, after the
following terms, sufficient in cash
to defray expenses of suit & sale, the
balance on a credit of six months, taking
from purchaser bond with good security
carrying interest from date, which bond
together with a report of their proceedings
under this decree, they are directed to return in
Court, in order to a further decree. Bail and
Commissioners are also directed to execute this decree
until they shall have paid bond with
good & sufficient security in the Clerk's office of this

[illegible]

Worrell

2 { Rept

Worrell

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We the Undersigned Commissioners, appointed by the Annexed Decree. Respectfully Report, that in pursuance of the directions of said Decree, they did advertise and sell to the highest bidder at Newson's Report on the 15th day of January 1850, ^{the tract of Land described in said Decree} and at the sale so made Elizabeth Seal wife of Sewall P. Seal became the Purchaser by bidding therefor the sum of Seven Hundred Dollars, which sum was received by us in cash, the Purchaser being unable to execute a satisfactory bond, and upon the receipt of said sum of Seven Hundred Dollars, we executed to said Elizabeth Seal a deed. We paid out of said sum of Seven Hundred Dollars an expense in obtaining and executing said Decree the sum of Forty eight Dollars, which leaves in our hands the sum of Six Hundred and fifty ^{six} Dollars. which we ask the Court, to make an order directing us how to dispose of.

Respectfully Submitted.

W. W. Briggs, Comr
E. C. Ferguson, Comr

Warrant

21

Warrant

That day this case came on
again to be heard on the paper formerly read and
on report of Commissioners Briggs & Ferguson
made pursuant to decree in this case entered
in June 1869. And the said Commissioners
instead of selling on terms as directed by the decree
the purchase Elizabeth Seal papering, and to
pay cash instead of executing bond, and in Court
confirming said report, with adjudge order
and decree, that the Commissioners, out of
the amount of \$652.00 in their hands, first
pay any expenses they may have incurred
since the entering of the said decree in this
case, and then distribute the balance
amongst the parties entitled according to
their respective rights.

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Warrant }
is } ~~Decree~~
Warrant }

This cause this day came
on again to be heard on the papers formerly
read and on the Report of Compt. Briggs made
on this day. ... and the Court doth approve
and confirm said report and nothing further
to be in this cause it is ordered that the
same be removed from the docket

Know all men by these presents that we E. C. Ferguson
W. W. Briggs

are held and firmly bound unto the Commonwealth of Virginia
in the just and full sum of three hundred Dollars
good and lawful money of the Commonwealth of Virginia, to the payment
whereof well and truly to be made we bind ourselves, our heirs, executors
and administrators jointly and severally firmly by these presents—

Sealed with our Seals and dated this 20th day of December A.D. 1869

The Condition of the above obligation is such that if the above
bound E. C. Ferguson & W. W. Briggs Commissioners appointed by the order of the
County Court of Southampton County entered the 20th day of December 1869 in the suit of
Horrell v. Horrell & for sale of certain real estate

Now if the said E. C. Ferguson & W. W. Briggs Commissioners as aforesaid
shall faithfully discharge the duties of his said Office or trust according
under said Order to law then the above obligation to be void or else to remain in full force
and virtue—

Signed, Sealed and delivered
in the presence of the Court }

E. C. Ferguson

(Seal)

(Seal)

(Seal)

(Seal)

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Worrell & (Bill. An-
n Cross & Dean
Worrell &)

To be entered

~~Worrell & Dean I P~~

1869 Deer. Dime as filed

1870 Feby. Repat. of Deer

1877 May. Removed from
the Docket

Received by Clerk Circuit
Court Aug. 13th 1873.

Clk's fee paid