

1881-07

Southampton County Chancery -

Garris, E. vs Worrell, Judith J. + George T.
(infants)

sale of land

by:

Edwards. L.R.
GAL

Garris

vs 3 Bill, Answer

Worrell &

3 Decret

3

To be entered.

Willis Bookhan ID

Garris

Bill &

Worrell

1870 Feb. Decree as filed of

1871 Feb. Decree to Collect

1872 Mar. Report of Decree in
deposit.

1881 May. Removed

Received by Clerk Circuit

Court Aug. 13th 1873

7 years

To The Worshipful County Court of Southampton
County. In Chancery.

Humbly Complaining sheweth unto your worships,
your orator E. Garrie, that in the year - James G.
Warrell died, intestate, and that H. G. T. Warrell his
son qualified as his Administrator, as will appear more
fully from a copy of the order of Administration
herewith filed, marked (A) & prayed to be taken as
part of this bill. That by an order of the County
Court of Southampton County made at the -

Term 1866, Commissioners were appointed to divide
the real estate of which the said James G. Warrell
died seized; that the said Commissioners divided the
said real estate & allotted to his two infant children
Judith J. & George T. Warrell $\frac{1}{2}$ of the mill & land
attached thereto, which formerly belonged to Miles &
the said James G. Warrell. That by a decree of this
Court entered at the Term 1866, ~~John Brown~~

~~That your orator purchased $\frac{1}{2}$ of said property from~~
~~was appointed special Commissioner to make sale~~
~~Miles & Warrell jointly, as will appear from a copy of said~~
~~order of said Court & property that belonged to~~
~~the said Miles & Warrell.~~ That at the said sale your orator
became the purchaser & has paid the whole of
the purchase money, all of which before recited facts
will more fully appear from copies of the record here-
with filed, marked (B. C. & D) & prayed to be taken as parts
of this bill. That the said mill is rapidly becoming
valueless and the said children of James G. Warrell, who
own $\frac{1}{2}$, are unable to contribute any thing towards
repairing the same. That their shares, if sold, would
not exceed three hundred dollars, and it would be
greatly to their advantage to have it sold. That the said
property, if allowed to remain in its present condition
will very soon become of no value. In tender consideration

of all which, and inasmuch as your orator is without
remedy in the premises, save in a Court of Chancery
where matters of this kind are peculiarly cognizable
to the end therefore that justice may be done, he
prays that Judith & George T. Worrell, infants under
age of 21, may be made parties defendants to this
bill, that some fit & proper person may be
assigned Guardian ad litem to defend their
interests in this suit, that an order may be entered
directing the sale of $\frac{1}{2}$ of the property more
particularly described in the bill, and that your
Worships will grant such other & general relief,
as Equity may dictate, and the nature of the case
may demand, and as in duty bound, your orator
will ever pray &c. May it please the Court &c.

Prayer p.c.

The Joint & several Answer of Judith & George
T. Worrell, infants, by J. H. Edwards, their guardian
ad litem, to a bill of Complaint exhibited against
them by E. Davis.

These defendants, saving & reserving to themselves
all just ground of Exception &c., for answer thereto
or to so much thereof as it is material to answer,
rejoice & say, that they are infants, and
so, submit their rights to the protection of this
Court. Having answered, they pray hence to
be dismissed with their Costs &c.

J. H. Edwards
Guardian ad
litem.

Prayer p.d.

Gorris
vs 3 Decree.
Worrell &c.

This day this Cause came on to be
heard on the bill, answer of the infant defendants
Judith J. & George T. Worrell; by J. H. Edwards, who
is assigned their Guardian ad litem, General
replication thereto sworn upon by Counsel. On
consideration whereof the Court doth adjudge
order & decree that Wm. W. Briggs be & he is hereby
appointed a special Commissioner to sell the
real & personal property in the proceedings mentioned,
which belong to the infants Judith J. & Geo. T. Worrell,
that he advertise the same for at least twenty
days previous to the sale thereof; that he sell
the same on a credit of 12 months, demanding
trump in cash to pay the expenses of sale & this
suit, taking from the purchase a bond with
approved personal security, carrying interest from
date, & reserve the title until the whole of the
purchase money is paid.

But the effect of this order is to be suspended
until the said Wm. W. Briggs shall enter into bond
conditional according to law, in the penalty
of several hundred dollars, with good & sufficient
security, and he is further directed to report his
proceedings under this order to this Court,
in order to a final decree.

Garrison

vs $\frac{3}{3}$ Deane

Thorelli ~~Deane~~

Feb'y Term 1891.

To be entered.

J. W. W. G. Hart Judge

Garrig
vs 4th Decem.

Marvelli Heintz

This day this Cause came on to be further heard on the paper formerly read and the report of Commissioner Briggs made in pursuance of an order entered at the July Term 1890 of this Court. And no exceptions having been filed to said report, the Court doth hereby confirm the same and doth further adjudge, order, and decree that W. H. Briggs, after receipting to the Clerk for the bond returned with his report, take the same from the office and proceed to collect it when due. And the said W. H. Briggs is ordered to make report to this Court as soon as he shall have collected said bond in order to a further decree.

Garrison
vs 3 Commis^{rs} Rpt.
Thornell's A

1870 Nov 19

Rec^d January 19th 1852 of the
Clerk of the County Court a bond
against Enoch Garrison & Charles
Beale for \$280.50 dated the
18th day of April 1850 carry
ing interest from date

W. W. Briggs

In obedience to a Decree of the County Court of Southampton County, made at February Term 1870, in the suit of Garviss against Worrell & Davis, I did sell on the 18th day of April 1870, at the Court house of said County, one halfth & Land belonging to Indict^{ed} & Geo. F. Worrell, and at the sale so made, Exum Garviss became the purchaser, by bidding therefor the sum of Three Hundred & Twenty five dollars, which was the highest bid made. I received from the purchaser thirty five $\frac{25}{100}$ dollars in cash to pay expenses of Decree & took a bond from said purchaser for two hundred & Eighty nine $\frac{50}{100}$ dollars payable twelve months after date, with indent from date, with Charles Beaw as security, which bond is herewith returned, as a part of the Report.

Respectfully Submitted

W. W. Driggs Clerk

To Paid Expenses as follows.

April 18th 1870

J. B. Prusey Atty - \$10 =

P. Carmon Auctioneer 5

Comm^{rs} - Cornsman 15.50

Clk of Court 5

\$35.50

W. W. Driggs Clerk

Garriss

or $\frac{1}{3}$ Decree

Horrells

March Term 1872.

To be entered.
J. W. Merchant Judge

Garriss
on 3 Decem-
Wanells

This day this cause came on to be further heard on the paper formerly read, and the report of Commissioner Biggs, reporting collection of bonds heretofore returned, and the execution of a deed to J. M. Corbitt for the Real Estate in the proceedings mentioned, and was argued by Counsel. On consideration whereof, and there being no exceptions to said report, the Court doth Ratify and confirm the same. And the Court doth further order & decree, that W. W. Biggs, deposit in some Savings institution, to his Credit as Commissioner in the above styled suit, the balance reported in his hands, to wit the sum of \$296.08. take a certificate of deposit therefor, and make report to Court.

Received Jan'y 20. 1872 of W^m Briggs
Commis^r - in suit of Garriss vs Warren
Ten dollars, fee for deesd for
collecting bonds & making deesd.
L. B. Prince Atty.

Rec^d April 18th 1830 of W W Briggs
commissioner Five dollars for services
as Auctioneer in selling Land belonging
to Margaret Worrell Stearns.

P Carson

Mrs Margaret Morrell -
Ac with
Wm Garrison

Mrs Margaret Morrell -

1870 In ac With Emma Harris

March 7 To 3 months Tithing
for her two children

Geo^d &
Indaith. L. Morrell

Interest for 18 months

\$ 9. 00
81
9. 81

Receive Tithing in full
of William W Briggs

January the 20
Emma Harris

Garrig
u S Report
Worrell

1872. Mar. 18

In Obedience to a Decree of the County Court
of Southampton in the Chancery suit of E. Harris
against Worrell &c. I collected from James M.
Corbitt the bond due by Exr Harris and Charles
Beale to me as Commissioner in said suit, for
\$289.50/100 on the 18th day of January 1872,
which amounted to \$319.89; and paid out
of that amount to J. D. Prince Atty. Gen. \$10.00
Clerk of the Court \$2.00 and Exr Harris for
tution of Margaret Worrell's Children \$9.81 +
\$2.00 for stamps on Deed Making in all \$23.81
leaving a balance in my hands of \$296.08
subject to the future order of the Court, I
have executed to James M. Corbitt a deed for
said real Estate mentioned in the proceedings
of said suit, with special warranty.

Nov 15th 1872

W. C. Driggs Comd

325
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 151
 8

325
 155
 151
 8

325
 155
 151
 8

Garris
 es
 Warrick & Co
 2 Secured

(Copy)

Southampton County Court, February Term 1870,

Garris

Sept.

In Chancery

Worrell &c.

Sept.

This day this Cause came on to be heard on the Bill answer of the Infants
Sept. Gaudin & Geo. S. Worrell by S. R. Edwards who is assigned their Guardian
ad litem, general replication thereto, and was argued by counsel, and consid-
eration thereof the Court doth. adjudge, Order and decree, that Wm. W. Briggs
be and he is hereby appointed a Special Commissioner to sell the 1/2 of
the Mill and property in the proceedings mentioned, which belong to the
Infants Gaudin & Geo. S. Worrell, that he advertise the same for at least
twenty days previous to the sale thereof, that he sell the same on a credit
of twelve months, demanding enough in cash to pay the expenses of sale
and this suit - taking from the purchaser a Bond with approved personal
Security carrying interest from date ~~and~~ reserve the title until the whole of
the purchase money is paid. But the effect of this Order is to be suspended
until the said W. W. Briggs shall enter into such conditions according to law,
in the penalty of Seven Hundred dollars, with good and sufficient Security,
and he is further directed to report his proceedings under this Order to
this Court, in order to a final decree.

Attest
Jesse.

James H. Tyler, J.C.

325
 15.50
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 35.58

325
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325
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Garis
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 Warral & Co

(Copy)

Garrig 3
in. Deere -
Winnipeg

Sussex County Court, February Term 1871—

E. Garrip—

vs.

Wm. Briggs—

Def.

Plt.

Subsisting

This day this Cause came on to be further heard on the papers
formerly heard and the Report of Commissioner Briggs made
in pursuance of an Order entered at the February Term 1870,
of this Court, and no Exceptions having been filed to said
Report the Court doth hereby confirm the same, and
doth further adjudge, Order and decree, that Wm. W.
Briggs after receiving to the Clerk for the Bond returned
with his Report take the same from the Office and
proceed to collect it when due; and the said Wm.
W. Briggs is ordered to make Report to this Court
as soon as he shall have collected said Bond
in order to a further decree.

Copy

Clerk's fee \$2.00 p^r

Teste,

James A. Taylor J. C.