1887 ~ 16 Southampton County Chancery - Ezell, Luther A. (vendee) et al vs Norfleet, J.W. et als

divide land, either by partition or sale if necessary

Grizzard, F.P.
" , Mary
Harris, Wm. D.
Prince, James D.
" , Susanna
Bailey, Wm.
Harris, Jno. F.
Rawls, Henry A.
" , Sarah
M.a Cobb, Richard H.
Briggs, W.W. (Guardian)
Holland, A.T.
" , Ann L.
Bailey, Leyton

Harris, F.L.
Minors { Norfleet, Wm.
Cobb, Carrie
Merrell, Jesse
Harris, Nettie
" , Laura

Edwards, L.R. GAL

To the Hon Geo Blow, Judge of the Circuit Court of Southampton. In Chancery. Complaining Showeth unto Your Honor, your complainants Luther A. Eyella, (heirs of F. A. Gizzard Mary A. his wife of Wm D. Harris and James D. Prince and Susanna V. his wife, of Wm Bailey and Jno F. Harris, of Henry A. Rawls and Sarah E. his wife.) Richard H. Cobb, a minor, by Wm Biggs, his next friend, A. J. Holland and Annie L. his wife, & Leyton Bailey, as follows that during the year 185-, Joel Harris departed this life intestate, leaving the following heirs at law. 1st Wm P. Harris, who has since died, leaving four children, to wit Wm D. Harris, Mary A. Susanna V. & Caroline Harris (2) Caroline Harris, who intermarried with Leyton Baily, but who is now dead, leaving one son Wm Baily - (3) Jno. F. Harris - (4) Jos H. Harris, who sold his interest in his fathers land to H. V. Cobb. (5) Francis N. Harris, who intermarried with H. V. Cobb, but who is dead, leaving following children, Cora A, who married I. Wallen Norfleet - but who is now dead leaving one child, named W. H. Norfleet - Richd H. Cobb. Annie L. who has married A. J. Holland & Carrie F. Cobb. (6) Emma J Harris, who intermarried with P. H. Eyella, and who sold their interests to H. V. Cobb - who is now dead - (7) Ada V. Harris, who married N. L. Wilkins and sold

their interests to H.V. Cobb. (8) P. A. Harris, who first intermarried with Jesse Murrell and then with F. L. Harris - and who with her first husband is now dead, leaving by her first husband the latter a minor two children Ino & Jesse F. Murrell - Ino having recently died - and by her last husband, who is still living, two children, Nellie & Lana Harris, both minors - and (9) Sarah E. Harris who first intermarried with — Eyle, and then after his death with Henry A Rawls. That at the time of his death the said Harris was seized in fee of a tract of land in Southampton County - out of which his widow has been assigned her dower. That Complainant Lucian A. Eyle has purchased the interests of the children of Wm P. Harris dec'd, of Wm Bailey, and Ino F. Harris, and of Henry A. Rawls and Sarah E. his wife, as will appear from their deeds of bargain & sale herewith filed as Exhibits in this Cause - That complainants believe that the said real Estate is not susceptible of partition amongst the parties entitled thereto; but if it be then they desire it to be divided, but if not, to be sold and the money arising from the sale to be properly divided - In consideration of all which, and forasmuch as your

Complainants are without remedy in the premises Except in a Court of Equity, where such matters are properly to be heard; to the end therefore that justice may be done, your complainants pray that J.W. Norfleet, F.L. Harris, W.H. Norfleet, Carrie F. Cobb, Jesse F. Murrell, Nettie Harris & Laura Harris, the last five minors, may be made parties defendants to this bill and compelled to answer its allegations - That some fit and proper person may be assigned for ad litem to defend the interests of the infant defts - That the said real estate may be divided if practicable, but if not that the same may be sold and the proceeds of sale distributed according to the rights of the parties - And that your Honor will grant such other, further, general & special relief as to Equity may seem meet or the nature of this case may require - And as in duty bound, your Complainants will ever pray &c. May it please the Court &c. -,

I.B. Parker p.c.

The joint and several answer of W.H. Norfleet Carrie F. Cobb, Jesse F. Murrell, Nettie & Laura Harris, all minors, by L.R. Edwards their Gdn ad litem to a bill of complaint Exhibited against themselves & others in the Circuit Court of Southampton, by Sutton & Eppes & others.

These respondents, [illegible] saving reserving all

first ground of Exception to said bill, for answer thereto say- That they are infants, and know nothing of the facts set forth in said bill, and being such, they submit their right to the protection of this Honorable Court. and having answered, they pray hence to be dismissed &c

L. R. Edwards, Jonas

J. B. Rucker p.q. Litem.

Exhibit
No 3 Bill & Exhibits
Northcutt vs Northcutt

1882 Oct. 1st Rules

J. B. Rucker p.q.

Excell & Co.

v. Spy Chy

Norfolk &c

1882 October Rules

Equity

Thos. H. Olivier

Sp. P.

Executed by deliv-
ering a Walter Hopkins
H. Stanley each a
Copy of this Summons
on the 28th day of
September 1882.

W. W. Morrison Shff

By J. W. Olivier Dy Sh

The Commonwealth of Virginia,

To the Sheriff of Southampton County---Greeting:

WE COMMAND YOU TO SUMMON J. Walter Norfleet, W. H. Norfleet a minor Carrie F. Cobb a minor F. L. Harris, Jesse F. Murrell, Nettie Harris & Laura Harris last three: minors

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 Luther A. Ezell vendee of F. P. Grizzard & Mary his wife Wm. D. Harris & James D. Prince & Susanna V. his wife of Wm. Bailey & Jno. F. Harris & Henry A. Rawls & Sarah his wife, Richd. H. Cobb a minor by W. W. Briggs his next friend, A. T. Holland & Annie L. his wife & Leyton Bailey

And this they shall in no wise omit; and have then there this writ.

Witness, LITTLETON R EDWARDS, Clerk of our said Court this 19 day of September 188 2, in the 107 year of the Commonwealth.

L R Edwards cc

Nine Original Shares.

(11) L. A. Ezell is entitled to five whole shares
viz- Sarah E. Harris - now Rawls -
J. F. Harris -
Wm Bailey -
Wm Harris -
R. H. Cobbs - Dft - in his father's shares -
Jesse Murrell Dft - who inherited from his
whole brother J. Edd Murrell --

$= \frac{4\,3}{72}$

18) 1100 (57
90
200

Nettie & Laura Harris } Daughters of F. L. Harris ~~#8~~
$\frac{1}{36} + \frac{1}{36} + \frac{1}{72}$

Walter McPhet - 1/9 -
Jno Rector Jr - Son Carrie Cobb 1/9 -
A. T. Holland Grantee 1/9

$\frac{2}{36}\ \frac{4}{72}\ \frac{5}{72}$ 72) 1130 (15- $\frac{2}{3}$
72
410
366
8 50 = 25 = 4 = 2/3
72 36 6

15
7 75

4 3
5
24
72 =
72

Ezeee &c
vs. Ez Rent.
Norfleet &c

Ezell &c
vs
Norfleet &c

Report of Comrs.

In this cause your Comrs were required submit the following report. In our judgment the land in the proceedings mentioned is not subject to partition - for the following reasons. There were said to be nine shares and this showed require the value of each share. Some shares were said be arable and some as wood-land and none were said be of much value. No one of the parties has expressed a willingness to take the whole subject matter and pay to the others a fair compensation. The fee simple value of the land is in our judgment ($1800^{xx}_{00}) one thousand eight hundred dollars. Respectfully submitted -

To Judge Ct &c
Sampson &c

Wm Faison
F. S. Thomas
J. D. Smith
Comrs

Ezell
v Zebulon
Moffett

1885. Oct 30.
Filed.
L.B.P.C.

Ezell Pl.
vs
Mosfleet.

Report of L B Prince Comr.

In this cause your Comr. submits the following further report.

Luther A. Ezell the purchaser of the land in the proceedings mentioned has executed his two bonds each for $151.78 - due in one & two years - with sufficient surety. He has also paid me his rest for $673.66 to which amt he claims he is entitled from the purchase money. He paid in cash one hundred & fifty-one & 78/100 dollars, and he now owes me $7.00 which he is ready to pay. He has complied with terms of sale - and I recommend confirmation.

Oct 30. 1885.

Respt submitted.
L B Prince
Comr.

To Judge Cir. Ct.
Southampton

Sale of land in Southampton County

By virtue of a decree of the Circuit Court of Southampton Co. entered at the November Term 1884, in a Chancery suit therein depending Styled Ezell &c vs Northcutt &c I will sell to the highest bidder at Jerusalem Monday Decr. 15th 1884. the tract of land of which Jack Harris died seized - This land is situated near Drewryville - containing about 650 acres, and adjoins the lands of Thos A Applewhite, J. D. Smith, Wm Price & others - It is a good farm - Terms of Sale. 1/3 Cash - balance on a credit of one and two years Equal amounts purchaser to give bond with approved security carrying interest from day of sale & title retained for deferred payments

Nov. 24th 1884.

J. B. Price
Commissioner

I certify that the bonds required to be executed by the Comr has been given

J. B. Price C.C.

Ezell &c.
vs
Report of Comr. I. B. Lewis -
Moffett &c.

In this cause Your Comr. submits the following Report - That pursuant to decree Entered in this Cause at [redacted] Term 1884 of this Court. I advertised the land of which Joel Harris died seized for sale at Jerusalem Decr 15 - 1884 - at which time I Exposed said land to sale at public Auction and Luther R. Ezell became the purchaser by bidding therefor the sum of $12.00 - This farm Contains 650 75/100 acres - ~~It is assessed at $1252.~~

Expenses -

To Auctioneer	$5.00
" Poster.	1.50
" Commissioner	33.00
" Costs of suit -	21.50
" Deed to Purchaser.	10.00
	$71.00
Clk. 5.00 Sawt. 16.50 21.50	
Dues of purchaser	95.00
	$24.00

leaving in my hands $24.

The terms of sale were 1/3 Cash but the purchaser declined to pay mine before the sale was confirmed -

He assured me however that as soon as the sale is confirmed he will comply. I recommend the sale be confirmed. Respectfully submitted.

May 2. 1885.

L. R. Pruett
Comm

To Judge Ct. Ct.

63

Eyster
vs
Campbell &c

Report of Sales

Mar 2. 1885 - Filed
L.R.P. c.

This Deed made this 3rd day of April in the year 1880
between James W Bailey and Lucy A. his wife of
the County of Sussex of the first and Luther A
Ezell of the County of Southampton of the
second part (all of the state of Virginia) Wit-
ness that for and in Consideration of the
sum of one hundred and fifty dollars to
him in hand paid by the said Luther A Ezell
the receipt whereof is hereby acknowledged
he the said James W Bailey doth bargain
sell and convey and by these presents
hath bargained sold and conveyed unto the
said Luther A Ezell all of his right title and
interest either at law or in equity in the
lands belonging to the late of Joel Davis
deceased lying in the County of Southampton
and State of Virginia, and bounded as follows,
On the North by the lands of D. M. Prince, on
the South by the "Three brooks" on the East
by the lands of J. D. Smith and on the West
by the lands of Thos H Gillenwater. The said
interest of the said James W Bailey being his
undivided share in the lands of Joel Davis
deceased to have and to hold the said right
title and interest in the aforesaid Joel Davis
tract of land to him the said Luther A Ezell
his heirs and assigns forever. Witness the
following signatures and Seals

James W Bailey Seal
Lucy A. Bailey Seal

Southampton County to wit:

I, R. R. Griffin a Notary Public for the County aforesaid in the State of Virginia do certify that James D. Bailey whose name is signed to the foregoing writing bearing date on the 3rd day of April 1880 Acknowledged the same to be his deed before me in my County aforesaid And do further certify that Lucy P. Bailey the wife of James D. Bailey whose name are signed to the foregoing writing bearing date on the 3rd day of April 1880 personally appeared before me in my county aforesaid and being examined by me privily and apart from her husband, And having the writing aforesaid fully explained to her, she the said Lucy P. Bailey acknowledged the said writing to be her act and declared that she had willingly executed the same and does not wish to retract it. Given under my hand this 19th day of April 1880

R. R. Griffin N.P.

Southampton County Clerks Office April 19th 1880. This Deed of Bargain and Sale from James D. Bailey and wife to Luther A. Esell, was this day received and together with the certificate thereto annexed admitted to record.

Test

T. K. Edwards C.C.

This Deed made this 3rd day of April in the year 1880 between F. F. Grizzard and Mary A his wife and J. C. Richardson and Susana C his wife and L. L. Harris and L. J. Harris of the County of Southampton of the first part (all of the State of Virginia) Witnesseth that for and in consideration of the sum of One hundred and fifty dollars to them in hand paid by the said Luther A Edell the receipt whereof is hereby acknowledged by the said parties of the first part doth bargain sell and convey and by these presents, hath bargained sold and conveyed unto the said Luther A. Edell all of their right title and interest either at law or equity in the lands belonging to the estate of Joel Harris Deceased lying in the County of Southampton and State of Virginia, and bounded as follows; On the North by the lands of Wm Pruden on the South by the three Creek On the East by the lands of J. D Smith. And on the West by the lands of Thos D Apple-White. The said interest of the parties of the first part being their undivided share in the lands of Joel Harris deceased to have and to hold the said right title and interest in the aforesaid Joel Harris tract of land to him the said Luther A Edell his heirs and assigns forever. Witness the following Signatures and Seals this 3rd day of April 1880

Franklin F Grizzard (Seal)

Mary A Grizzard (Seal)

John L. Richardson Seal
Susana V. Richardson Seal
Caroline J. Harris Seal
William L. Harris Seal

State of Virginia
Southampton County to wit
We. R. B. C. Everett and G. M. Hughes Justices
for the County aforesaid in the state of
Virginia, do certify that Franklin P.
Gizzard whose name is signed to the
writing hereto annexed bearing date
on the 3rd day of April A.D. 1880 has acknowl-
-edged the same before us in our County
aforesaid State of Virginia, and we do
hereby further certify That Mary A. Gizzard
the wife of the said Franklin P. Gizzard
whose name is likewise signed to the writing
hereto annexed bearing date as aforesaid
personally appeared before us in our County
aforesaid and being examined by us privily
and apart from her husband and having
the writing aforesaid fully explained
to her, she the said Mary A. Gizzard
acknowledged the writing to be her act
and declared that she had willingly executed
the same, and does not wish to retract it
Given under our hands and seals this the
3rd day of April A.D. 1880

R. B. C. Everett J.P. L.S. Seal
G. M. Hughes J.P. L.S. Seal

State of Virginia
Southampton County, to wit:
We B. C. Everett and G. W. Hughes justices
for the County of Southampton in the
State of Virginia do certify that Susanna
V. Richardson the wife of John L.
Richardson whose names are signed
to the writing here to annexed bearing
date on the 3rd day of April A.D. 1880
personally appeared before us in our
County aforesaid and being examined
by us privily and apart from her husband
and having the writing aforesaid fully
explained to her she the said Susanna
V. Richardson acknowledged the said
writing to be her act and deed and that
she had willingly executed the same
and does not wish to retract it.
Given under our hands and seals this
3rd day of April A.D. 1880

B. C. Everett J.P. L.S.
G. W. Hughes J.P. L.S.

State of Virginia
Southampton County, to wit:
We B.C. Everett and Geo M. Hughes Justices
for the County of Southampton in the State
of Virginia do certify that Mary A. Grizzard
the wife of Franklin P. Grizzard whose
names are signed to the writing hereto
annexed bearing date on the 3rd day of April
AD 1880 personally appeared before us in
our County aforesaid and being examin-
ed by us privily and apart from her
husband and having the writing afore-
said fully explained to her she the
said Mary A. Grizzard acknowledged
the said writing to be her act and
declared that she had willingly
executed the same and does not
wish to retract it. Given under our
hands and seals this 3rd day of April
AD 1880

B.C. Everett J.P.S.S. Seal
G.M. Hughes J.P. S.S. Seal

State of Virginia
Southampton County, to wit:
We B. C. Everett and Geo M. Hughes Justices
for the County aforesaid in the state of Virgin-
-ia do certify that John D. Richardson whose
name is signed to the writing hereto an-
-nexed, bearing date on the 3rd day of April
A D 1880 has acknowledged and signed
the same before us in our County
aforesaid State of Virginia, and we do
hereby further certify that Susanna V. Richard-
-son the wife of the said John D. Richardson
Likewise
whose names are signed to the writing
hereto annexed bearing date as aforesaid
and being examined by us privily and
apart from her husband and having
the writing aforesaid fully explained to
her she the said Susanna V. Richardson
acknowledged the writing to be her act
and deed and that she had willingly
executed the same and does not wish
to retract it. Given under our hands
and seals this 3rd day of April A D 1880

B. C. Everett J.P. L.S. (Seal)
G. M. Hughes J.P. L.S. (Seal)

Southampton County: In the Clerks Office
June 19th 1880 This Deed of Bargain and Sale
from Franklin P Grizzard and wife
J. H. Richardson and wife W. D. Harris
and L. J. Harris to Luther A Ezell was
this day received and with the Cer-
tificate annexed admitted to record

Teste L. T. Edwards C. C.

This Deed Made this 16th day of February in the year 1880 between J. F. Harris in the County of Southampton of the first part and Luther A Ezell of said County of the second part (all of the State of Virginia) Witnesseth: That for and in Consideration of the sum of one hundred and fifty Dollars to him in hand paid by the said Luther A. Ezell the receipt whereof is hereby acknowledged he the said J. F. Harris doth bargain sell and convey and by these presents hath bargained sold and conveyed unto the said Luther A. Ezell all of his right title and interest either at law or in equity in the lands belonging to the estate of Jack Harris deceased lying in the County of Southampton and State of Virginia and bounded as follows: on the North by the lands of William Prince, on the South by the "Three Creeks" on the East by the lands of J. D. Smith, and on the West by the lands of T. H. Applewhite (the said interest of the said J. F. Harris being his undivided share in the lands of his father the said Joel Harris deceased) to have and to hold the said right title and interest in the aforesaid Joel Harris tract of land to him the said Luther A. Ezell his heirs and assigns forever. Witness the following signature and seal this 16th day of February 1880

J. F. Harris (Seal)

Southampton County, to wit:

I R. D. Griffin, a Notary public for the County aforesaid in the State of Virginia do certify that J. T. Harris whose name is signed to the writing above bearing date on the 16th day of February 1880 acknowledged the same before me in my County aforesaid. Given under my hand this 16th day of February 1880

R. D. Griffin N. P.

Southampton County: In the Clerks Office February 16th 1880. This Deed of Bargain and Sale from J. T. Harris to Luther A. Ezell was this day received and together with the Certificate thereto annexed Admitted to record

Teste S. R. Edwards

C. C.

This Deed made this 20th day of September in the year 1852 between Henry A Rawls and Sarah E Rawls his wife of the County of Southampton and State of Virginia of the first part and Luther A Ezell of said County and state of the second part. Witnesseth: That for and in Consideration of the sum of one hundred dollars and also in Consideration of the natural love and affection which the said Henry A and Sarah E Rawls have for the said Luther A Ezell the receipt of the said one hundred dollars being hereby acknowledged they the said parties of the first part do grant bargain sell and convey unto the said party of the second part all of their right title and interest either at law or in Equity in and to that certain tract or parcel of land belonging to the Estate of Joel Harris deceased, situate and lying in the County and State aforesaid and bounded as follows: On the North by the land of William Vaiues, on the South by the "Three Creeks", on the East by the lands of J D Smith, and on the West by the lands of J La Fleur White, the said interest herein conveyed being the undivided share of the said Sarah E Rawls, formerly Sarah E Harris, of the lands belonging to the Estate of her father the said Joel Harris deceased, to have and to hold the said right title and interest of the said parties of the first part in and to the aforesaid Joel Harris tract of land to him the said Luther A Ezell his heirs and assigns forever. Witness the following signatures and seals the

day and year first above written.

Henry A Rawls Seal
Sarah E Rawls Seal

Southampton County, to wit:

I L K Griffin a Notary Public for the County aforesaid in the State of Virginia do certify that Henry A Rawls whose name is signed to the foregoing writing bearing date on the 20th day of September 1882 acknowledged the same before me in my County aforesaid. And I do further certify that Sarah E Rawls the wife of Henry A Rawls whose names are signed to the said writing bearing date on the said 20th day of September 1882 personally appeared before me in my County aforesaid and being examined by me privily and apart from her husband, and having the writing aforesaid fully explained to her, the said Sarah E Rawls acknowledged the said writing to be her act and deed and that she had willingly executed the same and does not wish to retract it.

Given under my hand this 20th day of September 1882

L K Griffin N.P.

In Southampton County Court Clerks Office Sept 21 1882. This Deed of Bargain & Sale from Henry A Rawls & wife to Luther A Ezell was this day recd & together with the Certificate thereto annexed admitted to record

Teste
L T Edwards C.C.C.

Ezell to Use
Exhibits
No
Mayfield & als

$ 3.40

68 ~~#6~~ 84

Ezelle Pe

v } Stat: Rules

Norfleet et al:

In Southampton Circuit Court.

Luther A Ezelle (vendee of J P Grizzard Mary A his wife, of Wm D Harris and James D Prince & Susanna his wife, of Wm Bailey & Jno: F. Harris, of Henry A Rawls & Sarah E his wife) Richard H Cobb, a minor, by W W Briggs his next friend, A T Holland & Anne L his wife, & Leyton Bailey Plaintiffs

against

J W Norfleet, F L Harris, W H Norfleet, Carrie F Cobb, Jesse F Murrell, Nettie Harris & Laura Harris last five minors Defendants

In Chancery

1882 Sept 19th Summons issued

" Oct: R Summons returned "Executed" on adult Defts Bill & filed. S R Edwards assigned Guar ad litem to infant Defts. Answer of infants. Gen'l Repg: thereto. D. Nisi against adult Defts.

" Nov: R. Bill taken for confessed as to adult Defts and cause set for hearing

" Nov. T. decree for partition

Excelsior
vs 33 Trivial Rebels
Northfleet 1st

1887. May 5.
Fields. 6 B. P. C.

Bowlers
visits

Ezell
vs Report of Comr. Price
Norfleet &c

In this cause your Comr. submits the following report; that pursuant to decree of Nov: Term 1885, he has collected all the purchase money in this suit and distributed it as follows.

To L. Lenter A Ezell.		$673.66.
" " I.W. Norfleet Exr.	$41.81	
" " D.P. Rawls wife	41.81.	
" " A.T. Holland wife	41.81.	125.43
		799.09
" " J.W. Norfleet Exr	$42.62	
" " D.P. Rawls wife	42.62	
" " A.T. Holland "	42.62	127.86
		926.95
" J.W. Norfleet Exr	44.61	
" " D.P. Rawls wife	44.61	
" " A.T. Holland "	44.61	133.83
" " F.L. Harrison		1060.78
for his children		68.22
		$1129.00

Whole amt of purchase money
was $1129.00.

I have executed a deed to the purchaser L.A. Ezell. and nothing further remains to be done in this suit.

Respectfully Submitted.

Nov. 20. 1887.
To Judge
Superior Ct.

L.B. Price Comr.

Eggle &c.
vs. } Decree.
Norfleet &c

This day this cause came on again to be heard upon the papers formerly read, and upon the report of Wm. Price, P.S. Thomas & D. D. Smith three of the Commissioners appointed at the Nov. Term 1882 of the Circuit Court of Southampton, to which report there is no exception, and was argued by counsel - On consideration whereof, the Court, confirming the said report, both adjudge, order and decree that D.B. Price who is hereby appointed a Commissioner for the purpose, do proceed after having advertised the time, place & terms of sale by notices posted at five or more public places in the County of Southampton, to sell the real estate in the bill and proceedings mentioned, of which the said Joel Harris died seized & possessed, consisting of a tract or parcel of land of about 650 acres and adjoining the lands of Thos. H. Applewhite, Jos. D. Smith, Wm. Price and the Three Creeks - upon the following terms, to-wit, one third cash; one third on a credit of twelve months and the residue on a credit of two years from the day

Ezell &c
vs. Ezell &c
Norfleet &c

Nov. Term 1881.

To be entered

Geo. Brown

Entered

of sale, the credit instalments to bear interest from the day of sale; taking from the purchaser bond with good personal security for the deferred payments & the title to be retained till the further order of this Court. But the said Commissioner will not proceed to act under this decree until he shall have entered into bond with sufficient security in the Clerk's Office of this Court in the penalty of $3600.00, and conditioned for the faithful discharge of his duties hereunder. And the said Commissioner shall report his proceedings hereunder to Court; and a copy of the certificate from the Clerk of this Court that the bond required by this decree has been given shall be appended to the advertisement of sale, and the certificate shall be returned with his report to Court.

Egelle &c
vs
Decree
Norfleet &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 defendants, by L. R. Edwards, their 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 partition be made of the tract of land in the bill mentioned, and that the same be divided into Eight Equal Shares - and of those Eight Shares that ~~four~~ three be assigned to Luther A Egelle, that four be assigned to the heirs of H. V. Cobb decd - and that one be assigned to the heirs of P. A. Harris decd - And for the purpose of effecting such partition the Court doth decree that J. D. Smith, Wm Pierce, and P. S. Thomas, who are hereby appointed Commissioners for that purpose do assign and allot to the aforesaid parties the respective shares by metes and bounds; or the entire subject matter may be allotted to any party who will accept it and pay therefor to the other parties such sums as their interests therein may entitle them to, but if the Commissioners shall be of opinion that partition of the said land cannot be made

in Kind without loss or injury to the parties they will so report, and give the reasons upon which their opinion is based, together with the real value of the lands. And the said Commissioners will report to Court.

Nov Term 1882
To be sealed.
Geo. P. Bloss.

Ophelia V. 61
vs
Jno. Blackwood
Nathaniel Hooker

Ezell
vs 33 Decree
Norfleet &c.

May Term
1887.

To be entered.
C Mobley

Ezell
vs Z Deuce.

Norfleet J.:
This day this cause came on to be further heard on the papers formerly read, the report of Comr. L. B. Lewis, filed May 5. 1887. showing Collection of purchase money for the land in the proceedings mentioned, disbursement of same, supported by proper vouchers, and was signed by Counsel. On consideration whereof, and no exceptions being filed to said report, the same is hereby confirmed. And nothing further appearing necessary to be done in this cause, the same is ordered to be removed from the docket.

Ezell
vs
Decree
Norfleet &c

This day this cause came on to be heard on the papers formerly read, and the two reports of Comr. D.B. Lanier filed May 2. 1885. and Oct 30. 1885. reporting sale of land in proceedings mentioned, disbursement of part of the cash paid - returning bond of L.A. Ezell this day filed for his portion of purchase money - and recommending confirmation of the sale reported by him - to which reports there are no exceptions. On consideration whereof, the Court doth confirm both of said reports, and doth declare the sale therein reported to be firm & binding between the parties - And the Court doth further adjudge order & decree that the said Comr. D.B. Lanier withdraw from the papers in this cause the two said bonds of L.A. Ezell - by receipting to the Clerk of this Court for same, collect them as they become due, or if the purchasers shall so desire, that he be allowed to anticipate their payment - and when all the purchase money is fully paid, that he execute a deed with special warranty to the purchasers - And the Court doth further

decree that the said Comm. Prince distribute the purchase money among the parties according to their respective rights and make report to Court.

Exceptions 3 Pages Plaintiff

Nov Term 1878

To be entered

Gastons.

Jerusalem, Va., Sept 13 1885

Mr. L. A. Ezell & Co. Norfolk Dr.

To J. B. Prince

Clerk of the Circuit Court of Southampton County.

1884 Nov.		Letters in Suit		2	99

Received March 11. 1887 of L.B. Lewis
Comr. in Equity for Northampt Co. Forty four
36/100 dollars in full of amt due
from last payment in said suit
for sale of land.

A. J. Holland
Annie L. Holland

Received March 11. 1887 of L.B. Sims
Comr. in Equity vs Moffett & forty four 46/100
dollars in full of amt due from
last payment in said suit for
sale of land.. D. D. Rawls
Guardian

L. A. Eyelle
to 3 Regts
L. B. Prince Comm

Received May 18. 1885 of L.B. Prince
Comr. in Chancery suit of Egell & Norfleet. Six hundred Seventy three
$66/100 dollars - in full of my
Share of Purchase of land sold
in Egell & Norfleet. this receipt is given
upon the condition that L.A. Egell
owns 43/72 of the purchase money
and that the sale shall be confirmed - The Comr has not received
this money, but has allowed it
to Mr Egell in settlement.

Luther A. Egell

Received Apl 1886 of I B Bruce
Comr in Chy suit Eyles & Wofford &c forth
the $81/100 dollars in full of amt due from
Cash payment in said suit for sale of
lands.

J. W. Scoggett
Guardian

Received apl 1886 of I B Prince
Comr in Chancery suit Ezell & Norfleet
the forty two & 62/100 dollars in full of
cost due from first payment in
said suit For sale of land
J W Norfleet Geardian

Received apl 1886 of L B Prince
Comr in chy suit Ezell & Norfleet
&c forty two & 62/100 dollars in full
of amt due from first payment
in said suit for sale of land.

D. P. Kauls

Carrie F. Kauls

Received apl 1886 of I B Prince Comr
in Chancery suit Ezell & Norfleet &c
forty two & 67/100 dollars in full of amt
due from first payment in said suit
for sale of land.

A. J. Holland
Annie L. Holland

Received March 11. 1887 of L. B. Prince
Comr in Exec vs Norfleet &c forty four
$61/100 dollars in full of amt due
from last payment in said suit
for sale of land -.

J. W. Norfleet Guard
for W. H. Norfleet

Received apl 1886 of L B Prince, Comr
in Chy suit Ezell & Norfleet Vs. forty one
& 81/100 dollars in full of amt due
from each payment in said suit
for sale of lands.

D. P. Rawls
Callie F. Rawls

Received June 25. 1886 of L B Spencer
Comr. in Chancery suit Ezell &
Norfleet forthwith $81/100 dollars in full
of amt due my office from said payment
in said suit for sale of land.

A. J. Holland
Annie Lee Holland

Received May 5th 1887 of L. B. Prince Spec. Comr. in Ch. Suit of Ezell vs. Norfleet. Sixty Eight & 12½/100 acres in Bruce & part one mile as Dow of my daughters Nettie & Laura from sale of land formerly belonging to Joel Harris dec'd.

Wm H. Parker, Atty.
F. L. Harris, G'd'n &c.