1897-10 Southampton County - Chancery Camp, Rosiene L. Vs. Davis, Lucy B. et al

"To Partition Land, if cannot be done, to be sold and proceeds divided among parties entitled."

Camp, L.V.
Davis, E.W.

Schell, B.W.M.

Everett Waddey Co.,
Stationers and Printers,
Richmond, Va. Form No 17.

Camp et als.

against } Bill & 4.

Davis et al.

To 1st March Rules, 1897

1897. 1st Mch. Rules filed
L. A. Gay c.c.

JOHN N. SEBRELL, JR.,
ATTORNEY AT LAW,
COURTLAND, VA.

TO HONORABLE ROBERT R. PRENTIS, JUDGE OF THE CIRCUIT COURT OF THE COUNTY OF SOUTHAMPTON. IN CHANCERY:

Humbly complainingg show unto your Honor your complainants Romine I Camp, S. V. Camp, and E. W. Davis, of the county of Southampton, Va., that on the Ist day of December I879 B. W. Sebrell departed this life, seized and passessed of the following real estate, to-wit:

First, that tract of land commonly known as the "Brown Tract" containing 500 acres,more or less, and all that part of land adjacent to said tractpurchased by Wm. W. Cobb of the estate of J. T. Butts,deceased,lying west of the Indian Branch, bounded by what is known as the "Old Place" on the South and containing by estimation 40 acres.

SECOND,all that part of the Henry P. Briggs tract of land not sold to J. B. Davis, containing by estimation I50 acres and bounded and described as follows:- on the north by the lands purchased by J. B. Davis from W. W. Cobb; on the west by the Assamoosic Swamp; on the South by Butts Old Place, and on the East by the Cabin Point Road. As will more fully appear by a cppy of deed of bargain and sale from W. W. Cobbet ux to ## said B. W. Sebrell, herewith filed as Exhibit "A" and prayed to be read as a part of this bill.

Third, all that tract of land purchased of the estate of A. B. Urquhart deceased, by W. W. Cobb, except the part sold to Richd, H Rollings and Moody Hines, and containing by estimation 4I5 acres and bounded by the lands of J. W. Urquhart and others, as will more fully appear from a copy of deed from said W. W. Cobb and wife to said B. W. Sebrell, herewith filed as Exhibit "B"and prayed to be read as a part of this bill.

That the said B. W. Sebrellleft a widow, M. S. Sebrell, now M. S. Briggs, the wife of W. S. Briggs,and three children, who are his heirs at-law and the devisees under his will: towit: Romine I. Camp,formerly

Sebrell, the wife of S. V. Camp; Lucy B. Davis, formerly Sebrell, the wife of E. W. Davis; and B. W. M. Sebrell, by which name as well as the name of Wilmur Maynard Sebrell he is also sometimes known and called. That the said Lucy B. Davis, nee Sebrell and B. W. M. Sebrell are infants under the age of 2I years.

That the said B. W. Sebrell by his last will and testament directed that all his real and personal property should be kept together during the life of his widow the said M. S. Sebrell now M. S. Briggs, she being given one-third of the annual income arising therefrom, and that the other two-thirds should be equally divided among the said Romine I. Camp, Lucy B. Davis and B. W. M. Sebrell, and that after her death the property should be sold and the proceeds divided equally among his three children, Romine I. Camp, nee Sebrell, Lucy B. Davis, nee Sebrell, and B. W. M. Sebrell. All of which will more fully appear from a copy of said last will and testament herewith filed as Exhibit "C" and prayed to be read as a part of this bill.

That on the I5th day of May I880, the said M. S. Sebrell, widow of B. W. Sebrell, deceased, renounced the said will as will appear by a copy of said renunciation herewith filed as Exhibit "D" and prayed to be read as a part of this bill.

That commissioners duly appointed by the County Court of Southampton County have already laid off and allotted to the said M. S. Sebrell, the widow of said B. W. Sebrell (now M. S. Briggs), her dower in the said lands, as will more fully appear from a copy of the report of the said commissioners, herewith filed as Exhibit "E" and prayed to be read as a part of this bill.

Your complainants believe and here state that the said land is susceptible of partition among the parties entitled thereto, but if it be not they desire the same to be sold and the proceeds divided among the

parties entitled thereto. Should the property not be divisable in kind your complainants state that the interests of those interested will be promoted by a sale of the whole or an allotment of part and sale of the residue.

In tender consideration whereof and inasmuch as your complainants are without remedy in the premises save in a Court of Equity where all such matters are alone and peculiarly cognizable, they pray that the said Lucy B. Davis and B. W. M. Sebrell be made parties defendants to this bill and required to answer the same though answer under oath is hereby expressly waived, that a proper guardian ad litem be appointed to defend the interests of the said infant defendants in this suit, who shall also answer this bill; that proper process issue; that the said real-estate be divided among the several parties entitled thereto, and in case the said real-estate cannot be partitioned in kind, that the same be exposed to sale, and the proceeds of such sale be divided among the parties entitled thereto; that all proper orders and decrees may be made, and proper enquiries be directed, and that all such other farther and general relief may afforded your complainants as the nature of their case require or to Equity shall seem meet. And your complainants will ever pray ect.

Enoch Sebrell Jr. Sol.

Camp et als.

v. Report &c.

Davis et als.

1897. 16th Aug. Filed
L. A. Gay

Report of Comm'r.
dividing land mentioned
in proceedings

(1)

Hon: R. R. Prentis,
Judge Circuit Court Northampton County Va

We, the undersigned commissioners, appointed at the March term, 1897, of your Court by your honor, in the suit of Camp & als vs Davis & als, to divide out and apportion the lands of which B. W. Sebrell died seized and possessed, exclusive of the dower lands already set apart for M. S. Briggs between Romine S. Camp, the wife of S. V. Camp, Lucy B. Davis, the wife of E. W. Davis and B. W. M. Sebrell beg leave to report to your honor, that, in pursuance of your decretal order, concerning the same after being duly sworn, we did, on the 27th & 28th days of April 1897, go over and inspect the said lands, and appraise the same in its several localities with all buildings thereto attached; and that we did conclude that the said lands could be divided into three parts according to quantity and quality of a fair and equal valuation of each of the said three parcels; and in the further pursuance of your said decretal order we did divide the said lands into three parcels, each parcel containing the number of acres hereinafter stated, and assign a parcel to each one of said legatees as follows- to-wit,

1st To Remine I. Camp the wife of A. V. Camp all that parcel of land lying on the Northerly side of a thoroughfare beginning at the Cabin Point Road near Ruffins bridge and running in a south easterly direction to the corner of Richd H. Rollings lands containing 332½ acres and bounded on the east & north by the lands of Richd H Rollins, Mrs Lines' Est and others, and the west by the lands of Hon J.W. Urquhart and the Cabin Point road, and in addition to the above specified 332½ acres, 60 acres on the south side of the said thoroughfare adjacent to the 332½ acres and bounded as follows, beginning at an Iron stake on the Cabin Point road on the west by said road in a Northerly direction to the said thoroughfare into said road, thence along said thoroughfare in an easterly direction to an Iron stake, thence S 10 W. to a cross stake, dividing the lands allotted to B. & M. Sebrell on the east, from said 60 acres of land, thence from said cross stake in a westerly direction to the Iron stake on the Cabin Point road dividing a portion of the land alloted to Lucy B. Davis, the wife of E. W Davis, on the south from the said 60 acres, making in all 392½ acres of said land, together with all houses and tenements thereto attached allotted to the said Remine I. Camp and which we value at $870.83.

2nd To Lucy B. Doris the wife of E. W. Doris all that parcel of land lying on the west side of the Cabin Point Road containing 204½ acres, bounded on the North by the lands of S. V. Camp, on the west by the Assamoosic swamp, on the South by the lands of W. W. White and on the east by the Cabin Point Road, and in addition to the above specified 204½ acres, 65 acres lying on the east side of the Cabin Point road and bounded as follows- beginning at the corner of the down lands on Cabin Point Road, going N10 W. 30.50 chains, along said road to an iron stake, thence, East 24.25 chains to a stake in cross line dividing the 60 acres on the north side of said line, allotted to Romine I Camp, from the 65 acres, thence from said cross stake, S10 E, 30.50 chains, to corner pine on the down lands, said line dividing the lands allotted to B. W. M. Sebrell on the East, from said 65 acres, thence along said down land line to the corner on the Cabin Point Road, making 269½ acres in all of said land, together with all houses and tenements thereto attached, allotted to the said Lucy B. Doris and which we value at $870.83

3rd To B W M Sebrell all that parcel of land lying on the south side of the thoroughfare leading from Cabin Point road, containing 285 acres, beginning at an iron stake on said thoroughfare and extending in an easterly direction to the lands of John W Pittman, having fractional

ern boundary a portion of the 332½ acres of land already allotted to Romine I. Camp, and the lands of Richard H. Rollings, on the east by the lands of John W Pittman, on the south by the lands of David Williams, and Manson Harrison, to a Corner where the dower land line begins, thence along the said dower line, which form the western boundary of the said 285 acres, to a corner Pine on said dower line, thence from said corner Pine N 10 W to the said Iron stake on the west bank which said line divides and separates the lands allotted to Lucy B. Davis and Romine I. Camp from the said 285 acres allotted to B. W. M Sehell together with all houses and tenements thereto attached, and which we value at $ 870.83,

Your Commissioners beg leave to further state that we found it necessary to employ Col. N. H. Wood to lay off the 60 & 65 acres allotted to Romine I. Camp & Lucy B. Davis, respectively, the metes and bounds of which he has placed on the plot of the entire tract of land by him made, in assigning and laying off the widow's dower.

Respectfully submitted this 16th day of August 1897.

A. M. Adkins
Wm. O. White
W. R. L. Cobb
R. H. Rollings
J. W. Vaughan jr

Davis et als.

vs. } Deed of B & S from D. W. Lobb

Davis et als

Exhibit "A"

This Deed made this 20th day of January A.D. 1877, between Wm. H. Cobb and Mary Ann his wife, of the first part and Benjamin H. Sebrell of the second part, all of Southampton County, State of Virginia, witnesseth: that for and in consideration of the sum of Three Thousand Three Hundred and fifty Dollars ($3350.00) this day paid and the receipt of which is hereby acknowledged, the said parties of the first part do grant and convey unto the said Benjamin H. Sebrell, the following tracts or parcels of land situated in Southampton County, and bounded and described as follows Viz: First, the tract of land commonly known as the Broom Tract containing 500 acres, it being the tract of land purchased by Edwards Butts of Orris A. Broom, by Deed bearing date on 20th day of August A.D. 1832, and reference is hereby made to said Deed for a fuller description of said tract, and all that part of land lying adjacent to said tract purchased by said Wm. H. Cobb of the estate of J. T. Butts died lying west of the Indian Branch: bounded by what is known as the Old Place Tract on the South, containing by estimation 40 acres. Secondly: all that part of the Henry O. Briggs Tract of land not sold to Joseph B Davis, containing by estimation 150 acres and bounded and described as follows: on the north by the land purchased

by Joseph. B. Davis of said Wm. H. Cobb; on the west by the Assamoosic Swamp; on the Southampton by Butts Old Place; and on the east by the Cabin Point road. to him and his heirs forever. And the said W. H. Cobb, doth convey said tract of land with general warranty. Witness the following signatures and seals.

Wm. H. Cobb. {Seal.}

Mary A. Cobb. {Seal.}

State of Va.
County of Southampton, to wit:
I, John S. Sebrell, a Commissioner in Chancery for the County Court of the County of ~~Southampton~~ aforesaid, do certify that Wm. H. Cobb, whose name is signed to the above writing bearing date 20th day of January 1877. personally appeared before me in the County aforesaid and acknowledged the same. Given under my hand as Comr aforesaid this 20th day January A.D. 1877.

J. S. Sebrell.
Comr in Chancery.

State of Va
County of Southampton, to wit:
I, John S. Sebrell a Commissioner in Chancery for the County Court of the County aforesaid. do certify that Mary A. Cobb the wife of Wm. H. Cobb whose names are signed to the above writing bearing date 20th. January 1877. personally appeared before me and being examined by me privily

and apart from her said husband and having the said writing fully explained to her, she the said Mary F. Cobb acknowledged the same to be her act that she had willingly executed the same and does not wish to retract it. Given under my hand as Commissioner aforesaid this 20th day January A.D. 1877.

J. T. Sebrell.
Com'r in Chancery.

Southampton County: In the Clerks office January 20th 1877. This Deed of Bargain and Sale from Wm. F. Cobb & wife to B. F. Sebrell, was this day recived and with the certificates thereto annexed, admitted to record.

Test: L. R. Edwards, C.C.

A copy.

Test; B. F. McLeinard, C.C.

The Clerk of the Circuit Court will please file the following as exhibits in the suit of Camp et als. Vs. Davis at al.

Exhibit "A"---Deed B. & S. from W. W. Cobb & wife to B. W. Sebrell
(See Deed Book # 32 page 646)

Exhibit "B"---Deed B. & S. from W. W. Cobb & wife to B. W. Sebrell
(See D. B. #33 page 354)

Exhibit "C"---Will of B. W. Sebrell (See Will Book #20 page)

Exhibit "D"---Copy of remunciation of will by M. S. Sebrell.
(See Will Book #20 page 652)

Exhibit "E"--- Report og commissioners allotting dower to M. S. Sebrell
(See Deed Book # 35 page 312)

Very truly,

Sam'l Sebrell Jr.

Atty. for plaintiffs

The undersigned Commissioners appointed at the Septeber Term of the County Court of Southampton County, to assign to Martha S. Sebrell, her dower interest in the real estate of late husband, B. H. Sebrell, beg leave to report that having examined & valued all the lands belonging to the estate of said B. H. Sebrell, they have allotted & assigned, as the dower of said Martha S. Sebrell, all that tract lying on the East side of the Cabin Point road & bounded as follows beginning at the intersection of the first branch, north of the house, with said road, thence up said branch to its head, thence a direct north east line to forked pine near the Corner of the open land, thence a south easterly line to the head of branch in the Old field, thence due South to H. H. Whites line, thence along Whites line (Westerly Course) to the Cabin Point road, thence along side road to the Point of beginning thogether with the dwelling & all the out houses on said tract above assigned, they also assign the privilege of obtaining all necessary fire wood & rail timber, from the massigned portion of the said real estate, & further the right & privilege of running the Cross fence now running between the Brown & the Urquhart Tract, they also give Mrs Martha S. Sebrell, the right to Consent to the removal, of any house around the dwelling & lot that she may deem necessary for her horses, to any part of the massigned lands belonging to the Estate, for the benefit of said said

Estate. In assigning the dwelling house to Mrs Martha. S. Sebrell, it is understood by the Commissioners, that the shingles already gotten for the purpose, shall be used in repairing the dwelling, & the cost shall be paid out of the whole estate before any division.

Respectfully Submitted.
J. F. Urquhart,
Wm. R. Boyd.
G. T. Vick,
Wm. H. White.
R. K. Rollings.

At a Court held for the County of Southampton on the 20th day of ~~September~~ December 1880, this report of Commissioners appointed at the September Term last of this Court to assign to Mrs Martha. S. Sebrell, her Dower in the real estate in this County whereof her husband Benj. H. Sebrell died seized having lain no month and upwards in this Clerks office and no exceptions being filed thereto the said report is confirmed, and ordered to be recorded, and this Court doth establish the said assignment and order that the said Martha. S. Sebrell hold the land so assigned to her as and for her dower as aforesaid.

Teste L. R. Edwards, C.C.

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

Exhibit 'E'

Copy ex als.
Pl'ts Report of Commissioners allotting dower to Mrs S. H. Sebrell
Davis ex als.

Gamp et als.
vs } Wife of B. D. Sebree
Davis et als.

Exhibit "C"

In the name of God, Amen, I, Benjamin
H. Sebrell, being of sound and disposing mind
and memory, and considering the uncertainty
of this mortal life, do make and declare
this my last Will and Testament in man-
ner and form following: Item 1st I desire
all my real and chattle Estate to be kept
together as at present, and all necessary
repairs to houses to be done during the natural
life of my beloved Wife, Martha Susan
Sebrell, and my land to be rented or tenant-
ed out in such manner as my Executors
hereinafter to be named, shall deem best
for the interest of my Estate, and one third
of the nett annual proceeds to be given to
my beloved Wife, Martha Susan Sebrell,
and the remainder equally to my three child-
ren Ammie Ivey, Lucy Blanch, and Hilmer
Maynard Sebrell. Item 2nd I give bequeath
and devise to my beloved Wife, Martha Susan
Sebrell, One third of all my monied Estate
and the remainder of said monied Estate
equally to my three children Ammie Ivey,
Lucy Blanch, and Hilmer Maynard,
Sebrell. Item 3rd: At the death of my beloved
Wife, Martha Susan Sebrell, I desire that
all my real and chattle Estate wherever
found or whatever it may be, shall be
sold, and the proceeds arising therefrom,
equally divided among my three children
Ammie Ivey, Lucy Blanch, and Hilmer
Maynard Sebrell. Item 4th I hereby con-
stitute and appoint my brother James E.

Sebrell, as guardian of the persons and property of my three children Ammie Ivey Lucy Blanch, and Wilmer Maynard Sebrell. Item 5th I hereby constitute and appoint my beloved wife Martha Susan Sebrell and James E. Sebrell Executors of this my last will and testament, hereby revoking all others made by me. Witness my hand and seal this the 2nd day of June 1879.

B. H. Sebrell. {Seal.}

Signed, sealed and delivered as his last will & Testament in the Presence of us the subscribing witnesses, who subscribed our names hereto in the Presence of said testator (at his special instance and request) and in the Presence of each other this the 5th day of July 1879.

Wm. H. White.
R. H. Rollings.

At a Court held for the County of Southampton, on the 15th day of December 1879. This last will and testament of Benjamin H Sebrell dec'd was Proved by the oaths of Wm. H. White and R. H. Rollings the two subscribing witnesses thereto & ordered to be recorded. And at a Court held for the said County on Monday the 19th day of January 1880. On the Motion of James E.

Sebrell. one of the Executrix named in the last will and testament of Benjamin H Sebrell, which was proved and recorded at the last term of this Court, who made oath according to law. and together with Wm. H. Sebrell and Emmet F. Reese, his securities, who justified on oath as to their sufficiency, and entered into and acknowledged a bond in the penalty of Six Thousand Dollars, conditioned according to law, which bond is ordered to be recorded. Certificate is granted the said James E. Sebrell for obtaining a probate of the said will in due form. liberty being reserved to Martha ~~Swann~~ Sebrell, the other Executrix therein named, to be joined in the said probate when she thinks fit.

Testo: L.R. Edwards C.C

A copy.

Teste: B.F. McLemore, C.C

Lamp ex als,

vs. } Statement of Evds

Davis ex als.

Lyons ex als.

vs } Statement of Costs

Davis ex als.

Sum. 25. ~~Copy~~ 13. receipt 18. atty. 10. Docket 18= .84

Rules 1.00, entering return 35, filing bill 15= 1.50

Dr 24. 25. ~~Copy~~ Ex. 2.00, fil. answer of Wm Allen 15= 3.00

replication 15. fil. Comrs report 25. 3 Decrees pc. 2.50= 2.56

Tax costs pc. 40. filing subpoenas 25 .65

Paid L. A. Gay ~~Lyons~~ $8.55

Stiff. .50

Lawyer. 16.50

$25.05

Lyons A. M. Adkins 5.00

" Wm. White 5.00

" W.R. Hobby 5.00

" R. N. Rollings 5.00

" D.W. Urquhart 5.00

$50.05

1685

Gamp et als.

vs. } Sum. In chy.

Davis et als.

1897. 1st. Mch. Rules

Cir. Ct.

Executed Feb. 27th/1897
By delivering a copy of
this Summ's & J. L. Mc-
-Lemore and to him

J. W. Williams
Shff

27 —

(1)

J. M. Sibrell P.Q.

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON Lucy B. Davis v B. W. M. Debree the last two infants by J. L. M. Lemon guardian ad litem

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 1st Monday in March 1897 ~~next~~, to answer a Bill in Chancery exhibited against them in our said Court by Romine I. Gamp S. V. Gamp & E. W. Davis

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

Witness, L. A. GAY, Clerk of our said Court, at the Courthouse, this 23rd day of February, 1897, in the 121 year of the Commonwealth.

TESTE: L. A. Gay, C. C.

Camp et als.

vs. } Answer of Gdn. ad litem

Davis et al.

In the Circuit Court of Southampton Couhty. March Term 1897

Camp et als.

vs.

Davis et al.

To the Hon. Robert R. Prentis, Judge of the Circuit Court of Southampton County.

The answer of Lucy B.Davis and B.W.M.Sebrell,infants of tender years by James L.McLemore their guardian ad litem, to a bill in equity exhibited against them in the Circuit Court of Southampton County by Emmine I. Camp, S.V.Camp and E.W.Davis.

These respondents saving and reserving &c for answer to the said bill or so much thereof as they are advided it is material that they should answer answer and says: that being infants under the age of 21 years, they commit their interest in the premises to the protection of the Court.

And now having answered they pray hence to be dismissed &c.

James L. McLemore Gdn.
ad litem for Infant
defendants.

Lyons et als.

W } Statement of Rules

Davis et als.

Romine J. Camp, D. V. Camp and
E. M. Davis } Plaintiffs,

vs.

Lucy B. Davis, & B. W. M. Debree
the last two infants by J. L. McLemore } Defendants
Guardian ad litem,

1897. February 2nd. Process Issued 15 1st. Mch. Rules.

1897. 1st. Mch. Rules. Process returned Executed
Bill and Exhibits filed,
J. L. McLemore appointed
Gdn. ad litem 15 infants.

1897. 2nd. Mch. Rules. No answer of infants by
This Gdn. ad litem.

Kamp et als.
vs } Copy of renunciation of wife
by M.S. Sibrell.
Davis et als.

Exhibit "D"

To the Hon Judge of the County Court of Southampton County!
This is to certify that I hereby renounce the provisions made for me in this will of Benja H. Sebrell, my late husband. Witness my hand and seal this 15th day of May 1880.

Mattie S. Sebrell. (Seal.)

Southampton County, to wit:
I, Wm A. Bell, a Justice of the Peace for the County aforesaid, in the State of Virginia, do Certify that Martha S. Sebrell, whose name is signed to the writing above dated the 15th day of May 1880, has acknowledged the same before me in my County aforesaid. Given under my hand this 15th day of May 1880.

Wm. A. Bell, J.P.

Southampton County, In the Clerks office, September the 8th 1880. This writing from Mrs Martha S. Sebrell, renouncing the provisions made for her in the last will and testament of her late husband Benja H Sebrell dec'd, was this day returned, and together with the Certificate thereto annexed, of the acknowledgement of the said Martha S Sebrell, admitted to record.

Test: L. R. Edwards, C.C.

A Copy.

Test: B. F. McLemore C.C.

This Deed made this the 30th. day of April 1878, between Wm. H. Cobb and Mary Ann Cobb, his wife, of the first part, and Benjamin H. Sebrell of the second part, all of the State of Virginia, Witnesseth that for and in Consideration of the sum of four hundred and fifty dollars (the receipt whereof is hereby acknowledged) the said Wm. H. Cobb and Mary Ann, his wife, do bargain, sell and convey unto the said Benjamin H. Sebrell, all that tract of land purchased by the said Wm. H. Cobb from the estate of A. B. Urquhart, decd, except the parts sold to Richard H. Rollings and Moody Knives and Containing by estimation four hundred and fifteen acres and bounded by the land of Joseph H. Urquhart on the north and on the East land sold as aforesaid to Moody Knives and Richard H. Rollings, on the South by the land of Benja H. Sebrell, and on the West by the Cabin Point road. and also the small piece of land formerly to Henry P. Briggs decd, and lying immediately on the Cabin Point road, and adjoining the land above conveyed. And the said Wm. H. Cobb does hereby Warrant the title to the said land against the lawful claims of all persons whatsoever. Witness the following signatures and seals. Acknowledged in the presence of

Bettie B. Owens. Wm. H. Cobb. (Seal)

Moody his X mark Knives. Mary A. Cobb. (Seal)

Sussex County to wit:
We, Joseph J. Dillard and A. M. Adkins Justices of the Peace, for the County of Sussex, in the State of Virginia, do hereby Certify that Mary Ann, the wife of Wm. H. Cobb whose name are signed to the writing above bearing date on the 30th day of April 1878, personally appeared before us in the County aforesaid, and being examined by us privily and apart from her husband and hearing the writing aforesaid fully explained to her, she, the said Mary Ann Cobb 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 this 30th day of April 1878.

J. J. Dillard, J.P.
A. M. Adkins J.P.

Southampton County, In the Clerks office May 7th 1878. This Deed of Bargain and Sale from Wm. H. Cobb wife to Benj. H. Sebrill, was this day received and acknowledged by said Cobb to be his act and deed, and together with the Certificate thereto annexed, admitted to record.

Test: L. R. Edwards, C.C.

A copy.
Test: B. F. McLemore, C.C.

Exhibit 'B'.

Comp's ex als.
Def's Answer & Cross-bill
Davis ex als

Camp et als.
vs
Deere
&
Davis et als.

Entered Sept. 27th/97

Page 162

Gamp ex als.

vs.

Davis ex als.

This day this cause came on to be further heard on the papers formerly read and the report of A.M. Adkins, Wm. H. White, W.R.L. Cobb, R.H. Rollings and J.H. Urquhart Jr., the Commissioners appointed by the decree entered herein, on the 29th. day of March 1897, to divide the land in the proceedings mentioned among the parties entitled thereto, agreeably to the terms of the said decree, to which report there is no exception and was argued by Counsel. On Consideration whereof, it appearing to the Court that in the partition made by the said Commissioners, Lot No. 1 embracing all that parcel of land lying on the northerly side of a thoroughfare beginning at the Cabin Point Road near Ruffin's Bridge, and running in a Southeasterly direction to the Corner of Richd. H. Rollings lands containing 332½ acres, and bounded on the east and north by the lands of Richd. H. Rollings, Moody Hines, Estate, and others; and the West by the lands of J.H. Urquhart and the Cabin Point Road, and in addition to the above specified 332½ acres, 60 acres on the South side of the said thoroughfare adjacent to the said 332½ acres, and bounded as follows, beginning at an iron stake on the Cabin Point Road on the west by said road in a northerly direction to where said thoroughfare enters said Road, thence along said thoroughfare in an easterly direction to an iron stake, thence S 10 W. 10 a cross stake dividing the lands allotted to B.W.M. Sebrell on the east, from said 60 acres of land

thence from said cross stake in a Westerly direction to the iron stake on the Cabin Point Road dividing a portion of the land allotted to Lucy B. Davis, the wife of E. W. Davis, on the South from the said 60 acres. Making in all 392½ acres of said land, together with all houses and tenements attached thereto. Ace of which is valued at the sum of $870.83, fee to Lot of Romine J. Camp, the wife of D. V. Camp; Lot no. 2, embracing all that parcel of land lying on the west side of the Cabin Point Road, containing 204½ acres, bounded on the North by the lands of D. V. Camp, on the West by the Assamoosic swamp, on the South by the lands of W. W. White, and on the East by the Cabin Point Road, and in addition to the above specified 204½ acres, 65 acres lying on the East side of the Cabin Point Road and bounded as follows, beginning at the Corner of the dower lands on Cabin Point Road going N. 10 W. 30.50. chains along said road to an iron stake, thence East 24.25 chains to a stake on cross line, dividing the 60 acres on the North side of said line, allotted to Romine J. Camp, from the said 65 acres, thence from said cross stake S. 10 E. 30.50 chains to Corner pine on dower lands, said line dividing the lands allotted to B. W. M Sewell on the East from said 65 acres, thence along said dower line to the Corner on the Cabin Point Road, making 269½ acres in all of said land, together with all houses and tenements thereto attached, valued $870.83, fee to the share of Lucy B. Davis the wife of E. W. Davis, and Lot no. 3, embracing all that parcel of land lying on the South side of the thoroughfare leading from Cabin Point Road, Containing 285

acres. beginning at an iron stake on said thoroughfare and extending in an easterly direction to the lands of John H. Pillman, having for its Northern boundary a portion of the 332½ acres of land allotted to Romine I. Camp, and the lands of Richd. H. Rollings, on the East by the lands of J. H. Pillman, on the South by the lands of David Williams and Manson Harrison, to a corner Gum where the dower land line begins. thence along the said dower land line which forms the Western boundary of the said 285 acres to a corner pine on said dower line. thence from said corner pine N. 10 W. to the said iron stake on thoroughfare which said line divides and separates the lands allotted to Lucy B. Davis and Romine I. Camp from the said 285 acres in lot No. 3, together with all houses and tenements attached thereto, and of the value of $870.83. Due to the share of the defendant B. W. M. Debrell, it is adjudged, ordered and decreed that the said report of the said Commissioners be confirmed, and that the partition, in manner and form aforesaid made, be held firm and stable.

And the Court doth further adjudge, order and decree the cost of this suit be proportionately borne by the parties thereto and that the parties to this suit, plaintiffs and defendants, do pay to A. M. Adkins, W. W. White, W. R. L. Cobb, R. H. Rollings, and J. W. Engehart, the Commissioners aforesaid, each, the sum of five dollars for their services in making the partition aforesaid.

It appearing that nothing further remains to be done in this Cause it is ordered that the same be removed from the docket with leave to any interested party to reinstate same upon notice to the parties thereto.

A Copy. Test: L. A. Gay C.C.

In the Circuit Court of Southampton County. March Term 1897.

Camp et als.

vs. } Decree.

Davis et al.

This day this cause came on to be heard on the bill of the complainants and the exhibits therewith filed, the 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 one of the commissioners of this Court enquire, take, state and report to Court:

First, whether the lands in the bill mentioned can be conveniently divided in kind between the several parties entitled to share therein

Second, If the same cannot be conveniently divided in kind whether any party will take the entire property and pay therefor to the other parties such sums of money as their interest therein may entitle them to

Third, And if the same cannot be conveniently divided in kind, and no party will take the entire property and pay the others for their shares, whether the interests of those entitled to the said property or its proceeds will be promoted by a sale of the entire property or an allotment of part and sale of the residue.

All of which several inquiries the said commissioner will make and report to Court together with any other matter deemed pertinent by himself or required to be stated by any person interested.

Camp et als.
Decree
Davis et al.

Ent'd Mar 23, 1897

Robert T. [illegible]

Ent'd Page 128

Camp et als.

vs. Decree

Davis et als.

This day this cause came on to be again heard on the papers formerly read, and was argued by counsel. On consideration whereof the Court doth adjudge order and decree that the decree heretofore entered in this cause, towit: on the 23rd day of March 1897 be and the same is hereby set aside and annulled; and the Court doth further adjudge, order and decree that W.W.White, J.W.Urquhart,Jr., R.H.Rollings, W.R.L.Cobb and A.M.Adkins, who are hereby appointed commissioners for the purpose, any three of whom may act, having been first duly sworn, do proceed to lay off and divide the real-estate of which B.W.Sebrell died seized and possessed, exclusive of that part assigned M.S.Briggs,as dower, in the Bill mentioned,into three equal ~~Parts~~ Parts,having regard to quality and quantity, and to assign one of said parts to Romine I.Camp, the wife of S.V.Camp, one of said parts to Lucy B.Davis, the wife of E.W.Davis, and one of said parts to B.W.M.Sebrell. If partition cannot be conveniently made as above, any two of the parties, if they so elect, may have their parts laid off together. The said commissioners shall have the power if they find it necessary, to employ a surveyor, and the cost attending the survey to be paid with the general cost of this suit.

But if the said commissioners shall find it impracticable to divide the said land among the parties aforesaid or should be of opinion that the interests of the said parties would be more promoted by a sale of the same, in such case they are required to report the facts upon which their opinion is based, to the Court, and also what, in their opinion, is the fee-simple value of the whole of the real-estate in the bill mentioned; and in either case, they are required to report their proceedings under this order to Court.

In the Circuit Court of Southampton County. March Term 1897.

Camp et als.

vs. } Decree.

Davis et al.

This day this cause came on to be heard on the bill of the complainant and the exhibits therewith filed, the answer of the infant J. L. McLemore, this day filed, with general replication thereto, defendants by their guardian ad litem, and was argued by counsel.

On consideration whereof, the Court doth adjudge, order and decree that one of the commissioners of this Court enquire, take, state and report to Court :

First, whether the lands in the bill mentioned can be conveniently divided in kind between the several parties entitled to share therein

Second, If the same cannot be conveniently divided in kind whether any party will take the entire property and pay therefor to the other parties such sums of money as their interest therein may entitle them to

Third, And if the same cannot be conveniently divided in kind, and no party will take the entire property and pay the others for their shares, whether the interests of those entitled to the said property or its proceeds will be promoted by a sale of the entire property or an allotment of part and sale of the residue.

4th The several interests of the parties in said lands, its fee simple value and whether there are any liens thereon with their priorities.

All of which several inquiries the said commissioner will make and report to Court together with any other matter deemed pertinent by himself or required to be stated by any person interested.

Everett Waddey Co.,
Stationers and Printers,
Richmond, Va. Form No 17.

Camp et als

against Decree.

Davis et als

To ..... *Rules, 189*.....

Enter this decree Sept. 27, 1897

Robert R. Prentis.

Entd Page 162

JOHN N. SEBRELL, JR.,
ATTORNEY AT LAW,
COURTLAND, VA.

Camp et als.

vs.

Davis et als.

This day this cause came on to be further heard on the papers formerly read and the report of A.M.Adkins, Wm.W.White, W.R.L.Cobb, R.H.Rollings and J.W.Urquhart Jr., the commissioners appointed by the decree entered herein, on the 29th day of March 1897, to divide the land in the prodeedings mentioned among the parties entitled thereto, agreeably to the terms of the said decree, to which report thereis no exception and was argued by counsel. On consideration whereof, it appearing to the Court that in the partition made by the said commissioners, lot No.I embracing all that parcel of land lying on the northerly side of a thoroughfare beginning at the Cabin Point Road near Ruffin's Bridge, and running in a southeasterly direction to the corner of Richd.H.Rolling's lands containing 332 I/2 acres, and bounded, on the east and north by the lands of Richd.H.Rollings, Moody Hines' Estate, and others; and the west by the lands of J.W.Urquhart and the Cabin Point Road, and in addition to the above specified 332 I/2 acres, 60 acres on the south side of the said thoroughfare adjacent to the said 332 I/2 acres, and bounded as follows, beginning at an iron stake on the Cabin Point Road on the west by said road in a northerly direction to where said thoroughfare enters said Road, thence along said thoroughfare in an easterly direction to an iron stake, thence S IO W to a cross stake dividing the lands allotted to B.W.M.Sebrell on the east, from said 60 acres of land, thence from said cross stake in an westerly direction to the iron stake on the Cabin Point Road dividing a portion of the land allotted to Lucy B.Davis, the wife of E.W.Davis, on the south from the said 60 acres, making in all 392 I/2 acres of said land, together with all houses and tenemants attached thereto. All of which is valued at the sum of $870.83., fell to

lot of Romine I Camp, the wife of S.V.Camp; lot No.2, embracing all that parcel of land lying on the west side of the Cabin Point Road, containing 204 I/2 acres, bounded on the north by the lands of S.V.Camp, on the west by the Assamoosic swamp, on the south by the lands of W.W.White, and on the east by the Cabin Point Road, and in addition to the above specified 204 I/2 acres , 65 acres lying on the east side of the Cabin Point Road and bounded as follows, ## ### beginning at the corner of the dower lands on Cabin Point Road going N.IO W. 30.50 chains along said road to an iron stake, thence east 24.25 chains to a stake on cross line ,dividing the #### 60 acres on the notth side of said line,allotted to Romine I Camp, from the said 65 acres, thence from said cross stake#### S.IO E. 30.50 chains to corner pine on dower lands, said line dividing the land s allotted to B.W.M.Sebrell on the east from said 65 acres, thence along said dower line to the corner on the Cabin Point Road, making 269 I/2 acres in all of said land,together with all houses and teneements thereto attached, valued $870.83, fell to the share of Lucy B.Davis the wife of E.W.Davis, and lot No.3, embracing all that parcel of land lying on the southside of the thoroughfare leading from Cabin Point Road, containing 285 acres, beginning at an iron stake on said thoroughfare and extending in an easterly direction to the lands of John W.Pittman, having for its northern boundary a portion of the 332 I/2 acres of land allotted to Romine I Camp, and the lands of Richd.H.Rollings, on the east by the lands of J.W.Pittman, on the south by the lands of David Williams and Manson Harrison, to a corner Gum where the dower land line begins, thence along the said dower land line which forms the western boundary of the said 285 acres to a corner pine on said dower line, thence from said corner pine N.IOW. to the said iron stake on thoroughfare which said line divides and separates the lands allotted to Lucy B.Davis and Romine I Camp from the said 285 acres in lot No.3, together with all houses and tenements attached thereto, and of the value of

$870.83, fell to the share of the defendant R.W.M.Sebrell, it is adjudged, ordered and decreed that the said report of the said commissioners be confirmed, and that the partition, in manner and form aforesaid made, be held firm and stable.

And the Court doth further adjudge, order and decree that the cost of this suit be proportionally borne by the parties thereto and that the parties to this suit,plaintiffs and defendants, do pay to A.M.Adkins,W. W.White, W.R.L.Cobb, R.H.Rollings, and J.W.Urquhart, the commissioners aforesaid, each, the sum of five dollars for their services in making the partition aforesaid.

It appearing'that nothing further remains to be done in this cause it is ordered that the same be removed from the docket with leave to any interested party to reinstate same upon notice to the parties thereto.