1898-23 Southampton County - Chancery - Warrill, B. E. et als vs Gillette, J. L. et als

Warrill
Gillette
Everett
Pope
Bryant
Mahand
Seary
Bishop
Barrett
Sirs
Darrell
Harris

To sell land and
procede distributed among
parties entitled.

Everett, Bettie
Everett, Caleb
Pope, B. A.
Bryant, Lucy J.
Bryant, B. J.
Mahand, W. A.
Mahand, H. R.
Seary, O. D.
Seary, N. L.
Seary, L. V.
Seary, J. B.
Seary, L. E.
Bishop, O. J
Bishop, J. A.
Barrett, N. L
Barrett, L.
Sirs, E. R.
Darrell, N. J.
Darrell J. R.
Harris, Emma J.
Harris, J.
Warrell, Emeline
Warrell, Matilda
Warrell, Nancy

Gillette, R. F
Gillette, W. P.

In Chancery

Warren vs ole

vs } Bill

Stevens vs ole

1896 1st Sept Com filed

Exhibited

SHANDS & SON, P.Q.

ATTORNEYS-AT-LAW,

COURTLAND, VA.

Everett Waddey Co., Steam Book and Job Printers, Richmond, Va.

To the Hon R R Prentis Judge of the Circuit
Court of Southampton Co Va

In Chancery

Humbly complaining pray orators
B E Worrell. Billie Everett & Caleb Everett
her husband. B A Pope. Lucy T Bryant &
B J Bryant her husband. W a Mohorn
H R Mohorn. P D Story. N L Story & L V Story
his wife. J B Story & L E Story his wife.
D J Bishop & T a Bishop her husband
N L Worrell & L Worrell her husband, E
R Tiers. M J Powell & Emma M Harris & J
Harris her husband. M Powell that
four brothers and sisters to wit;
B E Worrell. Emmeline Worrell. Matilda
Worrell. and Nancy Worrell were seized
and possessed jointly of a tract of
land containing 248 acres more or
less situated near Mt Zion Church
Southampton Co Va adjoining the
lands of E R. Tiers. Sam Worrell's est
Dick Barnes. that Emmeline Worrell
married first Gillette and after
his death she married Amos Pope
who as well as herself is now
dead, that she left as her heirs
the following children to wit; J. L.

Gillette whose wife is named R.F. Gillette. W.P. Gillette. B a Pope and Bettie Everett wife of Caleb Everett all over 21 yers old. Nancy Powell married Geo W. Powell both long since dead. leaving as their heirs a daughter Mary J Powell who married J B Powell and a son - Jeptha Powell who married and died leaving as his heirs a ~~widow~~ M.J. Powell. a daughter Emma M now married to J Harris and a daughter M. Powell That Matilda Powell married R S Barnes & both of them long since dead. that they had following children. to wit, Benj L Barnes. R. McKenzie Barnes. Lucy Barnes now married to B J Bryant. M L Barnes who married W.H.B. Mahood. Sophronia Barnes who married P.D. Story. That long ago Benj L Barnes. R. McKenzie Barnes. Lucy Barnes. & M L Mahood & her husband sold their interest (an undivided 4/5 of 1/4) in 69 acres of the above land to E R Fies. as will appear by copies of deeds from them to the same herewith filed marked exhibits 1 & 2 and prayed to be read as a part of this bill That said Benj L & R McKenzie Barnes died long ago & left their aforesaid ~~brothers~~ sisters & children heirs. That M L Mahood & her husband are also dead & their heirs & their children W.A. Mahood & H.R. Mahood

that Sophronia wife of P.D. Story is also dead and left her husband P.D Story and following children her heirs to wit. N. Lee Story (and whose wife is C V Story) J B Story (and whose wife is L C Story) D J Story (now married to J A Bishop) N L Story now married to L Barnett. That the said land is daily depreciating in value and can now be sold for a fair price. That owing to the large number of parties having interests in the said land a division thereof in kind among the said parties entitled thereto cannot in any way conveniently be made. and that the parties interested wish the same sold and the proceeds divided among the parties entitled thereto according to their rights. That all parties interested in said land are made parties plaintiff in this suit except J L Gillette and his wife N F Gillette and N P Gillette* To tender consideration whereof and in so much as your orator can without relief have in a court of equity where such matters are properly cognizable they pray that J L Gillette & his wife N F Gillette and N P Gillette

*all parties to the suit are adults

may be made parties defendant to this
bill and compelled to answer the allega-
tions therein contained but an
answer under oath is specially
waived. That the court would direct
one of its commissioners to report who
are the parties entitled to said land
stating their interests therein, and
the annual value thereof, whether the
same can be divided in kind among
said parties, or whether it would [struck: for] [inserted: that it may] be
sold for a division of so that
same may be sold and proceeds
distributed among the parties entitled
thereto according to their rights
And notice is hereby given that
the court will be asked to allow
a reasonable attorneys fee to Shands Son
attorneys for their services in this cause
and that the court would grant all
such other further general & special
relief as to equity may seem meet
or the nature of the case may require
And as in duty bound your orator
will ever pray. May it so please
the court &

Shands Son p.q.

The said land consists of 248 acres more or less
69 acres on side joining E.R. Fies land and are acres good and should be sold in two parcels 69 in one tract & balance in the other whole land worth about $8000 all together

~~Mr B.G. Norrell~~
The same proceeds of sold to be divided in four shares and
B.G. Norrell has one share W.P. Gillette. J.L. Gillette. Bettie Crowell (wife of Caleb Crowell) and B.A. Pope have one share between them or 1/4 of one share each
Mr E.R. Fies has 1/5 of one share in the 69 acres. adjoining his land and Mrs Lucy Bryant has 1/5 of one share except as to the 69 acres she having sold out her interest thereon to Mr Fies and Willie Mahood and his brother, H.B. Mahood have 1/3 of one share (except on the 69 acres & Fies another having long ago sold out his interest

248
69
179

Heirs to Mr Finis and
P. D. Ely's children to wit
N Lee Ely. J. B. Ely. D. J. Bishop
& N L Borrell have between them
1/3 of one share.

and

Geo W Powell
Mark T Powell
Mrs Nancy Thomas
David N Powell
Joseph N Powell
Mrs Sarah V McMahon
" Martha M Bowen
" Mary E McMahon

children of Mary J. Powell dec'd

1/2 of one share between

These parties live in Jasper & Texas

and

Mrs Emma N Harris to the other half of said share

This one in Washington State & is only child of Jepitha Powell dec'd

Said well have to be sold. by Ely Heirs. Grantees to P. D. Ely. B E Borrell et

In the Circuit Court for Southampton County. September Term 1896.

Worrell et als.
vs. } Decree.
Gillette et als.

This day this cause came on to be heard on the plaintiffs bill taken for confessed as to all the defendants and the exhibits therewith filed and was argued by Counsel. On consideration whereof the Court doth adjudge order and decree that one of the Commissioners of this Court enquire into and report to Court whether partition can conveniently be made of the tract of land containing 248 acres lying near Mt. Horeb Church in Southampton County and adjoining the lands of E.R. Ivins and others and whereof B.E. Worrell, Emmeline Worrell, Matilda Worrell, and Nancy Worrell are and were seized and possessed and if partition cannot be conveniently made if the interests of those who are entitled to the land or its proceeds will be promoted by the sale of the entire tract of land or allotment of part and sale of the residue and the Court doth further adjudge order and decree that the said Commissioners report the actual and annual value of the said tract of land that the said Commissioner also enquire into and report to Court the parties who are respectively entitled to this land and their several shares and interests in the same and the said Commissioner shall report the said accounts and facts together with any matter specially stated deemed pertinent by himself or which he may be required so to

State by any of the parties interested. By consent of parties entered of record it is ordered that this Cause may be submitted to the Judge of this Court for such decision or decree therein in Vacation as might be made in Term.

A Copy.

Teste: L. A. Gay C.C.

Horace et als.
vs.
Gieseke et als.

Entered page 107

Worrell et others

vs. } Notice

Gillette & others

1897. March 6th.

Executed by delivering a copy to the following parties defendant to wit Lucy T. Bryant, B. J. Bryant, P. D. Story, J. B. Story, E. Story, A. L. Story, S. V. Story, D. J. Bishop, T. A. Bishop & W. P. Eckert

J. W. Williams

March 3rd 1897

The other parties plaintiff & defendant acknowledge legal service of within notice by

N. B. Grand for the rest of them

W. P. G.
N. L. Story
B. J. Bryant
J. B. Story

Commissioner's Office,

Courtland Va.
Jerusalem, Va., Feb 27 1897.

To T. D. Elwood, E. R. Tiers, Bettie Everett and Caleb Everett her husband, B. A. Pope, Lucy J. Bryant and B. J. Bryant her husband W. A. Mahood, H. R. Mahood, P. D. Story & J. B. Story, and E. Story his wife, N. L. Story and L. V. Story his wife, D. J. Bishop & J. A. Bishop her husband, N. S. Barnett and L. Barnett her husband, Mary J. Powell and J. B. Powell her husband, M. J. Powell, Emma M. Harris and J. Harris her husband & all Powell, and J. L. Gillette & R. F. Gillette his wife & W. P. Gillette

You are hereby notified that I have fixed upon the 6th *day of* March *next, if fair, if not, the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to wit:*

1. Whether Partition can be conveniently made of the tract of land containing 248 acres, lying near Mt. Hard Church or not?
2. If it cannot be conveniently made, whether the interest of those who are entitled to the land or its proceeds will be promoted by the sale of the entire tract of land, or allotment & part and sale of the residue.
3. The actual & annual value of the said tract of land.
4. Who are the parties interested in the land & what are their several shares and interests, together with any other matter deemed pertinent or required to be stated by any party in interest

required to be taken by a decree of Southampton Circuit Court, rendered at the September *term, 1896, in a suit in chancery depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.*

Given under my hand, as Commissioner in Chancery of said Court, the day and year first aforesaid.

J. L. McLemore
Commissioner.

To the Sheriff of Southampton County to execute.

An account showing who are the parties interested in the land mentioned in the Bill in the Chancery Cause of "Worrell & als. & Gillette & als.", pending in the Circuit Court of Southampton County: the names and number of said parties, and their respective Shares: Viz: The land in the Bill and proceedings mentioned, or the proceeds arising from the sale of the same, will have to be divided into four shares: and distributed as follows:

B. E. Worrell.		1 Share.
H. P. Gillette	1/4 Share	
J. L. Gillette	1/4 "	
Bettie Everette	1/4 "	1 Share
B. A. Pope	1/4 "	
E. R. Fiers	4/5 of 1 Share in the 69 acres more or less tract.	
Mrs Lucy Bryant	1/3 of 1 Share in 179 " more or less "	
Willis Mahoord	1/6 of 1 " " " " " "	
H. R. Mahoord	1/6 of 1 " " " " " "	
N. Lee Story		
J. B. Story	1/3 of 1 Share in the 179 acre tract.	
D. J. Bishop	1/5 " 1 " " " 69 " "	
N. L. Barrett		
Children of Mary J Powell, dec'd.	Geo. H. Powell. Mark P. Powell. Mrs Nancy Thomas. David H. Powell. Jos. N. Powell. Mrs Sarah V. McMahon Martha M. Bowen & Mary E. McMahon	1/2 of 1 Share

Mrs. Emma N. Harris 1/2 of 1 Share

Worrell
" } Reporter
Gillette et. als.

1897. March 12. T. Fiery
L. A. Gay Co.

Commissioners Office.
Courtland Va.
March 6th 1897.

To the Circuit Court of Southampton Co.

In obedience to a decree of the Court aforesaid, entered at the September Term 1896. in the cause of "Worrell & Gillette &als: the undersigned Commissioner reports to Court that, on the 27th day of February 1897 he issued Notices against the parties to this cause, requiring them to appear before him, at his Office, in Courtland, on the 6th day of March 1897. at which time and place he should proceed to take the accounts called for in the aforesaid decree; that said Notice has been returned "Executed" and is herewith filed; that a number of the parties appeared in obedience to said Notice. And thereupon your Commissioner proceeded to take the following accounts, to wit:

1st Whether partition can conveniently be made of the tract of land containing 248 acres, lying near Mt. Sterb Church - or not?

The tract of 248 acres, above mentioned, is composed of two small tracts. one containing 69 acres and the other containing 179 acres. it cannot be divided in kind among the parties - it would have to be divided

into nineteen parcels or lots. varying in quantity and value from one-fourth to one-twenty-fourth part. and as no party has offered to take the entire matter or any part thereof. and pay a reasonable price therefor to the parties entitled thereto. the Commissioner recommends a sale of the entire subject matter. and division of the proceeds arising therefrom according to the respective rights of the parties entitled to share therein.

The Fee Simple Value of the land is estimated at $1000.00. and the annual value at $75.00.

The Commissioner has prepared a statement, showing the names and number of the parties entitled to the land or its proceeds. and the amount or quantity to which each party is entitled. Said statement is filed herewith.

Respectfully Submitted
Jas. L. McLemore
Commissioner.

Fee $5.00 Chg.
to Plaintiff.

Form No. 309.

Worrell et als
vs.
Gillis et als.

William Shands

to { COMMISSIONER'S BOND.

Commonwealth.

1897. April 13th. Filed
L. A. Gay C.C.

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

Know all Men by these Presents, That we William B Lands

and William B. Lands

are held and firmly bound unto the Commonwealth of Virginia, in the sum of

Two Thousand Dollars,

to the payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our Homestead Exemptions as to this obligaiton, and any claim or right to discharge any liability to the Commonwealth arising under this bond, or by virtue of said office, post or trust, with coupons detached from bonds of this State. Sealed with our seals, and dated this 13th day of April one thousand eight hundred and 97.

The condition of the above Obligation is such, That if the above bound

William B Lands

shall faithfully perform the duties of his office or trust, as Special Commissioner

under a decree of the Circuit Court of the County of Southampton, pronounced on the 22nd day of March, 1897, in the suit therein depending under the name and style of Worrell et als. vs Gillette et als.

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

Signed, sealed and acknowledged in the presence of

William B Lands SEAL.

Wm B Lands SEAL.

SEAL.

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

This day William B Lands

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

Given under my hand this 13th day of April 1897.

Teste: L. A. Gay Clerk.

This Deed made on the 4th day of April in the year of our lord Eighteen hundred and Sixty Seventy. between Robert S Barnes, Parker D Story and Sophronia A Story his wife, Lucy T Barnes and Benjamin L Barnes of the County of Southampton and State of Virginia and William H B Mahood and Mary L. Mahood his wife of the city of Petersburg All of the one part and Edwin R Fries of the said County of Southampton of the other part, Witnesseth: That the said Robert S Barnes Parker D Story Sophronia A his wife Lucy T Barnes and Benjamin L Barnes, William H B Mahood and Mary L his wife for and in consideration of the sum of two hundred and forty three dollars & 25 cts to them in hand paid by the said Edwin R Fries, the receipt whereof is hereby acknowledged, have granted bargained and sold and by these presents do grant bargain & sell unto him the said Edwin R Fries his heirs and assigns forever all their respective rights, titles and interests in and to one certain tract or parcel of land, situate, lying and being in the aforesaid County of Southampton and parish of containing sixty nine and half acres be the same more or less: it being part of the tract of land which was assigned as dower to Amanda M Worrell Widow of Richard E Worrell died about the year 1836, the whole of which dower right was subsequently purchased by said Robert S Barnes

four of the grantors, namely Sophronia A Story, Lilly T. Barnes Benjamin L Barnes and Mary L. Mahood are possessed of a fee simple title to four fifths of one fourth part of the said tract of land, which is bounded by the lands of said Edwin R Fries, Harrison T. Pope and others, and by the road leading from Mount Hope Church to Joyner's Store, to have and to hold, all the right, title, and interest of them the said Robert S. Barnes, Parker D Story Sophronia A his wife, Lucy T. Barnes Benjamin L. Barnes, William H B Mahood and Mary L his wife in and to the above described tract of parcel of land and its appurtenances, unto him the said Edwin R Fries his heirs and assigns forever and the said Robert S. Barnes Parker D Story Sophronia A his wife Lucy T. Barnes Benjamin L Barnes William H B Mahood and Mary L his wife for themselves, their heirs, Executors and administrators, do hereby covenant and agree with the said Edwin R. Fries his heirs Executors administrators and assigns, that they will by the presents Warrant and forever defend all their said rights titles and interests in and to the aforesaid tract or parcel of land and its

appurtenances against the Claims or demands of all and every other person or persons whatsoever.
In Witness Whereof they have hereunto set their hands and affixed their Seals the day and year first above written
Signed sealed & delivered in the presence of
Davis Barrett Witness as to Lucy J and Benj J Barnes
Robert S. Barnes Seal
Lucy J. Barnes Seal
Benj J. Barnes Seal
Edwin R Story Witness as to Lucy J Barnes and Benj J Barnes
W H B Mahood Seal
Mary L Mahood Seal
State of Virginia City of Petersburg to wit:
I Robert H Jones Jr. a Notary Public for the City State aforesaid, do hereby certify that this day personally appeared before me W H B Mahood whose name is signed to the writing hereto annexed, who acknowledged the said writing bearing date the 2 day of to be his act and deed. I do further certify that Mrs Mary L Mahood the Wife of W H B Mahood whose name is signed to the annexed writing bearing date the day of this day personally appeared before me in my City aforesaid and after having had the above writing fully explained to her and being examined by me privily and apart from her husband acknowledged the same to be her act and deed and declared that she had willingly

Executed the same and did not wish
to retract it.
Given under my hand this 11th day of April 1867
Robt H Jones Jr Notary Public
At a Court held for the County of
Southampton on the 16th of March 1868
This Deed of Bargain and Sale, dated the 4th
day of April 1867 from Robt S Barnes
Lucy J. Barnes Benj L Barnes & Wm H B.
Mahood & wife to Elvin R Freis was
proved by the oath of Edwin R Story a
Witness thereto as to Lucy J and Benj L.
Barnes and R. Robert S Barnes one
of the parties being dead Thomas B Worrell
and Benj E Worrell being Sworn severally
deposed and said they are well acquainted
with the hand writing of the said Robert
S Barnes and verily believe that the
name of the said Robert S Barnes to the said
deed subscribed is in his own proper hand
writing. Whereupon it is ordered that
the said deed be recorded as to the said
Robert S Barnes. And on the 19th day of
March 1868 The said deed was proved by
the oath of Davis Barrett a Witness
thereto as to Lucy J. and Benj L. Barnes and
together with the certificate thereto
annexed of the acknowledgement of
Wm H B. Mahood and of the prior examination
and acknowledgment of Mary L Mahood his
wife, before a Notary Public admitted to

record Stamps of the Internal revenue of the United States to the amount of Fifty Cents being affixed thereto and duly cancelled.

Testi:

L. R. Edwards K.C.

Norvell et als.
vs } Eq. "2".
Gaines et als.
1896. 1st. Sept. Rules filed
L. A. Gay Clk.

Deed Book 30
Page 593

This Deed made the 15th day of December
in the year of our Lord Eighteen hundred and
Sixty nine, between Robert McKendree
Barnes of the County of Southampton
and State of Virginia of the one part
and Elvin R Fiers of the same County
and State of the other part. Witnesseth:
That the said Robert McKendree Barnes
for and in consideration of the sum of Two
hundred and forty three Dollars and twenty
five cents, paid by said Elvin R Fiers to
Robert S Barnes Lucy F Barnes Benjamin
L Barnes, W N B Mabrey and Mary
L Mabrey on the 4th day of April 1867,
as will appear by their Deed of that date
to said Elvin R Fiers for their interest
in a certain tract or parcel of land therein
described, and for the further consid-
eration of the sum of One Dollar to
him in hand paid by the said Elvin
R. Fiers, the receipt whereof is hereby
acknowledged, he the said Robert
McKendree Barnes hath granted bargain-
ed and sold, and by these presents, doth
~~grant bargain sell and~~ convey unto him the said
Elvin R Fiers and his heirs forever all
his right title and interest in and
to the above mentioned tract or parcel
of land and will (by these presents
warrant and forever defend the same
against the claims or demands of all
and every other person or persons
whatsoever. In Witness whereof I

the said Robert M Kindree Barnes
hath hereunto set his hand and affixed
his seal the day and year first above
written

Signed sealed & delivered } R M Kindree Barnes Seal
in presence of }
Jas R Williams }

Southampton County to wit: Clerks
Office January the 17th 1870
This Deed of Bargain & Sale from R M Kindree
Barnes to Elwyn R Fiers was this day
received and acknowledged by the
R M Kindree Barnes to be his act
and deed and admitted to record.
A Stamp of the Int Rev. of the United
States to the amount of fifty cents
being affixed thereto and duly cancelled

Teste

Jas R Tyler D.C.

Howell et al
vs
Gillis et al

~~Declaration~~
Bill

to E. R. Fiske

for deed Goode to
Doe Pg 563 and mark them
as exhibits 1 & 2.

Stands adm. f.s.

clerk

Norvell et als

vs

Gullett et os

clerk will copy deed from
Robt L Bowes. Lucy T Bowes. Benj L Bowes
M L Mohoods H H B Mohood to E R Fears
see Deed Book No 30 Pg 360.
and deed from R. McKenzie to Bowes

Norrell et als.

vs. } Statement of Rights

Gillette et als.

B. E. Horrell. E. R. Finn. Billie Everett
and Caleb Everett her husband.
B. R. Pope. Lucy T. Bryant and
B. J. Bryant her husband. W. A. Mahony.
A. R. Mahony. P. D. Story. J. B. Story and
E. Story his wife. N. L. Story and L. V. Story
his wife. D. J. Bishop & T. A. Bishop her
husband. N. L. Barrett and L. Barrett
her husband. Mary J. Powell & J. B.
Powell her husband. M. J. Powell
Emma M. Harris & J. Harris her
husband. M Powell,
} Plaintiffs

VS.

J. L. Gillette & R. F. Gillette his wife)
and W. P. Gillette
} Defendants

1896. 27th August Process Issued to 1st Sept. Rules.
1896. 1st Sept. Rules. Process returned Executed.
Bill and Exhibits filed. Decree nisi.
1896 2nd Sept. Rules. Bill taken for confessed
and Cause set for hearing

Commissioners Sale of Two tracts of Land

By virtue of a decree of the circuit Court of Southampton rendered at the March term 1897, I shall on the 19th day of April 1897 at Courtland proceed to sell at public auction two tracts of land lying near Mt Zion church one containing sixty nine acres more or less and the other one hundred and seventy nine more or less selling the same separately

Terms of sale One half the purchase money cash Balance on a credit of twelve months, Purchaser giving bonds with approved security carrying interest from the day of sale with option to the purchaser to pay all the purchase money on the confirmation of the report of sale by the Commissioner by the court and take a deed

William Shands
Commissioner

B E Rowell et als . Plaintiffs

vs In Chancery

J L Gillette et als Defendants

I L.A. Goy, clerk of the circuit court of Southampton Co Va do certify that bond as required under a decree in above styled cause, entered on March 22 1897. Has been executed with security deemed sufficient by me. Given under my hand this 13th day of April 1897

L.A. Goy C.C.

Howell et als.

vs. } Sum. In chy.

Gillette et als.

1896. 1st Sept. Rules

Sum et.

The body of the above
service of this writ
I J Gillette & A F Gillette
two of the
by Shands Son
attys

Shands Son & Gf

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON J. L. Gillette & R. F. Gillette his wife, and W. J. Gillette

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 September next, to answer a Bill in Chancery exhibited against them in our said Court by B. E. Warren, E. R. Fiers, Bettie Everett and Caleb Everett her husband, B. A. Pope, Lucy J. Bryant & B. J. Bryant her husband, W. A. Mahood, H. R. Mahood, P. D. Story, J. B. Story & E. Story his wife, N. L. Story and L. V. Story his wife, D. J. Bishop and J. A. Bishop her husband, N. L. Barrett and L. Barrett her husband, Mary J. Powell and J. B. Powell her husband, M. J. Powell, Emma M. Harris and J. Harris her husband, M. Powell

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

WITNESS, ~~T. M. HOWARD~~ L. A. Gay, Clerk of our said Court, at the Courthouse, this 27th day of August, 1896, in the 121th year of the Commonwealth.

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

B. E. Worrell &c ads
vs 3
J. L. Gillette &c ads

To the Hon Robt R Powell Judge of the Circuit Court of Southampton Co Va

your undersigned Commissioner begs leave to report that pursuant to a decree entered in above cause at the March Term 1897 of this Court. after having first duly advertised. place and terms of sale he proceeded to sell the real estate in the bill and proceedings mentioned (selling it in two parcels or lots one of 69 acres more or less and the other of 179 acres more or less) at public auction in Courtland Va on April 19 1897 County court-day. and E. R. Fiers being the highest bidder for the 69 acre parcel became the purchaser of the same for the sum of $402.00
and W. P. Gillette being the highest bidder for the 179 acre parcel became the purchaser of the same for the sum of $650.00. These sales are good ones - satisfactory to the parties interested. The purchasers wish to pay all the purchase money cash and take deeds such

special warranty for said land and your Commissioner recommends confirmation of said sales all of which is

Respectfully submitted by

W. S. Landes

Special Commissioner

April 20th 1897

U. S. Patent to
Trustees of Methodist
Episcopal Church
South
Dated April 23rd 1897
Recorded May 6th

Norvell et al.

vs. } Statement of costs

Gillette et al.

Sum. 25c. 3 copies 75c. recd 12th Aug. 10c.

Docket. 18c. Recd $1.00. Entering return 35c. = 1.53

file bill 15c. Dr. Ex 15c. Copy Ext. $1.40, replication 15c = 1.85

file. Comis-report 25c. taking Com's testimony 1.40 = 1.65

2 Decrees 1 Copies. $1.40 Tax Costs 1 Copy 40c = 1.84

Filing and copies 25c. Future Costs about $2.00 = 2.25

Paid May 17th/97 L.A. Clay Clerk $10.00

Sheff. 3.00

Lawyer. 15.00

$28.04

May 18/97 Rec'd Paid J.L. McLennan 5.00

$33.04

Received May 17th 1897 of Wm Sloan & Special Comr in above cause $5.00 on payment in full of fees due

J.L. Gillette Comr

To Hon R. R. Prentiss Judge of Circuit Court for Southampton Co Va

Your undersigned commissioner reports as follows in above case

Recd from sale of 179 acres land of W. P. Gillette		$650.00
" " " " 69 " " " S. R. Fiers		402.00
Total		1052.00
Paid Cms on $1052 @ 4%	30.04	
" clerks fees	10.00	
" sheriffs "	5.00	
" Crier for selling land	5.00	
" W B Shands on atty fee	50.00	
" Cmr J L McSemore's fee	5.00	
	105.04	
Balance in hand		$946.96
amt from Foyes		54.00
		$1000.96

To paid	Total amt	B. E Norfleet	$250.23
" "		W. P. Gillette	62.56
" "		J. L. Gillette	62.56
" "		Mrs Bettie Everett	62.56
" "		B. A Pope	62.56
" "		Mrs Lucy T Bryant	52.26
" "		J. B. Story	17.84
" "		M. L. Story	17.84
" "		Mrs P. J Bishop	17.84
" "		Mrs M L Barrett	17.84
" "		W. A Mahood	26.63
" "		H. B Mahood	26.63
" "		S. R Fiers	72.37
" "		Mrs Emma Harris	125.12

Paid

paid	Geo W Powell	$15.64
"	Mrs Nancy T Adams	15.64
"	David W Powell	15.64
"	Jos N Powell	15.64
"	Mrs Sarah V McMahon	15.64
"	Mrs Martha M Bowen	15.64
"	Mary E McMahon	15.64
"	Mark T Powell	15.64
		$1000.96 $1000.96

Receipts for all of which payments are herewith filed. Said payments being made to parties according to their said interests. That no funds remain in the hands of your Exrs and Exrs is nothing further to be done by him. all of which is respectfully

Submitted by

Wm Shands Special Comr

Newton Texas April 26th 1898.

We Geo W Powell. Nancy J Adams, David W. Powell. Jos W. Powell, Sarah V Mc Mahon, Martha M. Bowen. Mary E Mc Mahon and Mark. J. Powell hereby certify that we have received from Wm Shands special Commissioner in the chancery suit of Powell et. als vs Gillett et als. each the sum of fifteen dollors and sixty four cents ($15.64) or in all the sum of one hundred and twenty five dollors and twelve cents, as payment in full of the amounts in his hands due us from rental and sale of the real estate in said cause described & mentioned

G. W. Powell.

Sarah V. Mc Mahon

Lucy Matilda Bowen

D. W. Powell.

Nancy J. Adams.

Mark J. Powell

Jos W. Powell

Mary Ella Mc Mahon.

Received April 25 1898 of Wm Shands Special Commissioner in the chancery cause of Worrell against Gilette it is the sum of one hundred and twenty five dollars and twelve cents ($125.12) in payment in full of all amounts in his hand belonging to me from rent and sale of the real estate in the in aforesaid cause

Witness } Mrs Emma M. Harris

We the undersigned hereby certify that we have received from Wm Shands Special Commissioner in the Chancery Cause of Norvell et als vs Sparkman et als the amounts opposite our names as payment in full of all amounts in his hands belonging to us from the sale of the real estate by him in aforesaid cause

May 12th 1897	Wilcox & Co. by H. R. Fiers	$ 72.37
July 19th 1897	Benj. Norvell	" 250.00 (40)
" " "	W. P. Gillette.	" 62.56 56
" " "	B. A. Pope. by W. P. Gillette	62.56 56
" " "	J. L. Gillette	" 62.56 56
" " "	N. Lindsey.	" 17.84
" " "	J. B. Story	" 17.84
" " "	W. J. Bishop by T. A. Bishop	" 17.84
" " "	W. L. Norvell by R. D. Story	" 17.84
" 23rd "	Mrs Bettie Everett by Caleb Everett	" 62.60 56
	Lucy T. Bryant, by W. H. Daughtry	53.26
	Hugh Mahood	26.[illegible]
	N. B. Mahood per Hugh Mahood	26.[illegible]

The following rent was read and paid out as follows $54.00

B.E. Powell 1/4	13.50	$1350
J.L. Gillette 1/4 of $13,61		3.37½
W.P. Gillette " " "		3.37½
Mrs Bettie Evatt " "		3.37½
B.A Pope " " " "	13.50	3.37½
Mrs Lucy J Bryant 1/3 " "		4.50
J.B. Story 1/12 " " "		1.12½
N.L. Story " " "		1.12½
D.J. Bishop " " "		1.12½
N.L. Boswell " " "		1.12½
W.A. Mahood 1/6 " "		2.25
H.B. Mahood 1/6 " "	13.50	2.25
Mrs Emma Harris 1/2 " "		6.75
Geo W Powell 1/16 " " "		.84 3/8
Mrs Nancy J. Adams		.84 3/8
David N. Powell " "		.84 3/8
Jas N. Powell " "		.84 3/8
Mrs Sarah V. McMahon		.84 3/8
Mrs Martha M. Bowers "		.84 3/8
Mrs Mary E McMahon		.84 3/8
Mark T. Powell "	13.50	.84 3/8
		$54.00 $54.00

Total amounts to be paid out and paid out as follows

Bill out of Sales		$ 946.96
" " of rent		$ 54.00
Total amount		$ 1000.96
To paid B E Norsell	$ 250.24	
" " W. P. Gillette	62.56	
" " J. L. Gillette	62.56	
" " Mrs Bettie Norsell	62.56	
" " B. A. Poke	62.56	
" " Mrs Lucy T. Bryant	53.26	
" " J. B. Story	17.84	
" " N. L. Story	17.84	
" " Mrs D. J. Bishop	17.84	
" " Mrs N. L. Norsell	17.84	
" " W. A. Mohood	26.63	
" " H. B. Mohood	26.63	
" " E. R. Iles	72.37	
" " Emma. Harris	125.12	
" " Geo. W. Powell	15 64	
" " Mrs Nancy T. Adams	15.64	
" " David W. Powell	15.64	
" " Jas. W. Powell	15.64	
" " Mrs Sarah V McMahon	15.64	
" " " Martha M Bowen	15.64	
" " " Mary E McMahon	15.64	
" " Mark T Powell	15 64	
	$ 1000 96	$ 1000.96

Sale of Stock to E.R. Jeffs 402.00
" " " " W.P. Gillette 650.00

Total amt of Sales $1052.00

Costs in Pond $30.04
Atty's fee 50.00
Clerks " 10.00
Sheff " 5.00
Costs " 5.00
Costs " 5.00
Total costs 105.04

Nett Balance $946.96

Amt of sales from portion sold E.R. Jeffs $402.00
Portion of costs to be borne by said fund 40.16
Nett amt from said fund $361.84
and dist. paid the following parties as follows

B.S. Worrell 1/4	90.46	$ 90.46
E.R. Jeffs 4/5 of $90.46		72.37
J.B. Story 1/20 "		4.52/4
N.L. Story " " "		4.52/4
Mrs D.J. Bishop " "		4.52/4
" N.L. Worrell " "	90.46	4.52/4
W.P. Gillette 1/4 of 90.46		22.61/2
J.L. Gillette " "		22.61/2
Belle Worrell " "		22.61/2
B.A. Pope	90.46	22.61/2
Emma Morris 1/2 of $90.46		45.23
Geo. W. Powell Jr "		5.65 3/8
Mrs Nancy J. Adams "		5.65 3/8
David W. Powell " "		5.65 3/8
Jos. W. Powell " "		5.65 3/8
Mrs Sarah V. McMahon "		5.65 3/8
Mrs Martha M. Bowen "		5.65 3/8
" Mary E. McMahon		5.65 3/8
" Mark T. Powell	90.46	5.65 3/8
		361.84 $361.84

amt from sale of portion sold W. P. Gillette		$650.00
Portion of costs to be borne by said fund		$64.88
nett amt from said fund		$585.12
Due and paid following parties as follows		
B. E. Powell 1/4		$ 146.28
Mrs Lucy J Bryant 1/3 of $146.28		48.76
J. B. Story 1/12 "		12.19
N. L. Story " " "		12.19
D. J. Bishop " " "		12.19
N. L. Bowne " " "		12.19
W. A. Mohood 1/6 "		24.38
H. B. Mohood 1/6 " "	146.28	24.38
J. L. Gillette 1/4 " "		36.57
W. P. Gillette " " "		36.57
Mrs Belle Everette " "		36.57
B a Pope " " "	146.28	36.57
Mrs Emma Harris 1/2 of "		73.14
Geo W. Powell 1/16 " "		9.14 1/4
Mrs Nancy J. Adams " "		9.14 1/4
David W. Powell " " "		9.14 1/4
Jas N. Powell " " "		9.14 1/4
Miss Sarah V. McMahon " "		9.14 1/4
" Martha M. Bowers " " "		9.14 1/4
" Mary E McMahon " " "		9.14 1/4
Frank E. Powell " " "	$146.28	9.14 1/4
		$585.12 $585.12

GEN. W. B. SHANDS.

COURTS: SOUTHAMPTON, NANSEMOND, ISLE OF WIGHT, SURRY, SUSSEX AND GRENSVILLE COUNTIES, AND STATE AND FEDERAL COURTS AT NORFOLK AND PORTSMOUTH, VA.

W. B. SHANDS & SON,

ATTORNEYS-AT-LAW,

WILLIAM SHANDS,
COMMISSIONER IN CHANCERY.

COLLECTION OF CLAIMS A SPECIALTY.

In Re Q V vs.

Courtland, Va., July 14, 1898.

Mrs Emma. M. Harris
North Yolumia
Washington

Dear Madam

I have in hand for your
from rent and sale of the land in the suit
of Sillette et als as Howell states the
sum of $125.12 Shall I send the same
to you by P. O. Money order or by express
awaiting your reply I am

Very Truly
W. B. Shands

Return Receipt
Paid
Ans. Oct

North Yakima Wash
Feb 21 1898

Dear Sir

Yours of Feb 19 to hand this morning. Send the money by Post Office money order or Express Money order as may be most convenient to you.

Very Respectfully Yours
(Mrs) Emma M. Harris.

x Special Cover in suit of
Howell ads Gillett et al ds

Mr Wm Shands
Courtland Va

Dear Sir

You will please pay
for Mr C. Eyrich all the money
in your hands for me.

Very Respectfully
July 23rd 1897 Mrs [redacted] Everett.

Wm Shands Esq

You Can pay the money that is to Come to me for the Land you Sold to T. A. Bishop and his receipt for the Same Shall be good

July 19th 1859

Delia J. Bishop

Sunbeam
July 7th 1897

Mr Shands

Dear Sir

You will please send the amt due one from "the Amanda Brett" estate, by Dr W. H. Daughtry who will receit for the same.

Very Respectfully
(Mrs) Lucy T. Bryant

July 18th 1899

Wm Shands Special Commissioner in Chancery Court of Worrell et als vs Greville et als

Dear Sir

You will please pay to P. D. Story all amounts in your hands coming to me from said Court and this shall be your authority for so doing

Yours

$17.85

Nannie L. Barrett
Lucius Barrett

Mr Willis Shands

Dear Sir

Please Send me $10 of the land money by Son McKendree, I thought the land was Sold for our part Cash, I have Waited near 20 days and our Team Suffering for Corn & hay & no money yet So please let me have $10 on it & I will wait a while for the balance

Very Respectfully

Delia J. Bishop

May 26th 1897

May 26 1897 Rec'd ten dollars of Mr Shands Agent Cows in care of Newell Todd on Hillsville st old on part payment of order in his hands from me Delia J. Bishop

per T M Bishop

Pleasant Shade, Virg'a.
Sept. 20th 1897.

Rec'd. of William Shands Esq.
Treas'r Co Lands of W.A. Mahood
Twenty-six 55/100 Dollars.
being the amount due me on
the Amanda Britt estate.

W.A. Mahood.

$26.55

261

Powell for Pltf

vs. { Final Report
Mrs Chandler
Special Com

Bullitt Chds

1898. 4th. Oct Filed

L. A. Gray

SHANDS & SON,
ATTORNEYS-AT-LAW,
COURTLAND, VA.

Everett Waddey Co., Printers and Binders, Richmond, Va.

In Vacation: Circuit Court of Southampton County on the 24th. day of April 1897.-

B. E. Worrell, Admr
vs 3 3rd Decree
J. L. Gillette & Als

This day this cause by consent come on to be heard on the papers formerly read, and upon the report of Special Commissioner Wm Shands, of the sale of the real estate in the bill and proceedings mentioned; to which report no exceptions have been filed, and was argued by counsel.- On consideration whereof, the court doth adjudge, order and decree, that the said report and sales therein reported, be and are, hereby confirmed; and that the said commissioner proceed to collect the purchase money and upon receipt thereof execute to the purchasers deeds, with special warranty, for the property sold them, and out of the proceeds, pay all cost of sale, and of this suit, including an attorneys fee to Messrs Shands in lieu of the taxed fee, sum of $50.- and then pay the balance and to the parties entitled to the same, taking care if there are any liens on the interests of any of the parties, to pay the fund to the holders of such liens as shown by the report of Comr J. L. McLemore, filed in this cause on March 12th 1897

and return his receipts along with his report to court

Robert S. Ellis.

To the Clerk of the
Circuit Court of
Southampton County.

Entered April 23rd 1867
Robert S. Ellis.

D. F. Wrenn ex
M. J. 3rd Dunn
J. L. Hicks ex

Entered Page 146

Warranty Deed

Wm. J. Pierce et ux

to

Gideon et als

Entd Sept. 29, 1896

Robert R. Prentis.

Entried page 107-

Wornell &c als
vs
Gillett &c als

Decree

This day this cause came on to be heard on the plaintiffs bill taken for confessed as to all the defendants and the exhibits therewith filed and was argued by counsel on consideration whereof the court doth adjudge order and decree that one of the commissioners of this court inquire and report to court whether partition can conveniently be made of the tract of land containing 248 acres lying near Mt Pleasant Church in Southampton County and adjoining the lands of E.R. Vick and others and whose R.E. Wornell, Emmeline Wornell, Matilda Wornell and Nancy Wornell are and were seized and possessed and if partition cannot be conveniently made if the interests of those who are entitled to the land or its proceeds will be promoted by the sale of the entire tract of land or allotment of part and sale of the residue and the court doth further

adjudge ordain and decree that the said Commissioner report the actual and annual value of the said tract of land that the said commissioner also enquire into and report to court the parties who are really entitled to this land and their annual shares and interests in the same and the said commissioner shall report the said accounts and facts together with any matter specially stated deemed pertinent by himself or which he may be required so to state by any of the parties interested. By consent of parties entered of record It is ordered that this cause may be submitted to the Judge of this court for such decision or decree therein as ought to be made in the

Worrell et al

vs

2nd Decree

Gilmore et al

March Term 1897

To be entered

Mar. 22, 1897.

Robert C. Dennis

cost

Entd Page-124-

(X) It appearing that one of the complainants Mary E. Powell has departed this life, on the motion of Geo. H. Powell Mark G. Powell & Mary Powell, Heirs, David W. Powell & Sarah V. McMahon, Heirs, and H. Powell, Sarah V. McMahon, Heirs of Mary E. Powell, the heirs at law of said Mary E. McMahon, it is ordered that this cause be revived and proceed with in their names of complainants and thereafter

Worrell et als

vs Decree

Gillette et als

This day this cause came on again to be heard on the papers formerly read and upon the report of Comr J. L. McLemore Jr filed March 12th 1897 which report no exceptions have been filed. and was argued by Counsel on consideration whereof the court doth adjudge order and decree that the said report be and is hereby confirmed. and the court doth further adjudge order and decree that Wm Sands who is hereby appointed a special Commissioner for the purpose shall after having duly advertised the place. time and terms of sale proceed to sell at public auction to the highest bidder The real estate in the bill and proceedings mentioned. Consisting of one tract containing sixty nine acres more or less. and another tract containing one hundred and seventy nine acres more or less. selling the same separately

and one half of the purchase money to be paid cash on day of sale and residue thereof payable in twelve months from day of sale. purchaser or purchasers giving bond & bonds for the same carrying interest from day of sale till paid; with option to purchaser or purchasers upon confirmation of sale by court, to pay all the purchase money cash and take a deed with special warranty for said property. Title to the said property in any event to remain retained till all the purchase money therefor is fully paid.

But the said Commissioner shall not proceed to act under this decree until he shall have first entered into a bond with approved security before the clerk of this court in the penalty of $2000.- conditioned for a faithful discharge of his duties as said Commissioner according to law

Howell for pl
vs Z Final Decree
Gillette et al

Jobe entered
Oct 24th 1898
Robert R. Lewis

Entered Page # 225

Norell for pl
vs 3 Final Decree
Gillette et al

This day this cause
come on again to be heard upon the
papers formerly read, and upon the
report of Special Commissioner Wm.
Shands of the disbursement of the
funds in his hands supported by
proper vouchers, this day filed, to which report no
exceptions have been filed; and was
argued by counsel, on consideration
whereof the court doth adjudge
order and decree that said report
be and is hereby confirmed. and
it appearing to the court that
there is nothing further to be done
in this cause, it is ordered that
it be removed from the docket.