1909-86 Southampton County Chancery Darrell, R. H. Commissioner et als Vs Darrell, Anna V. et als

Darrell, Bettie A

Darrell R.H.
Darrell, W. A.
Darrell, Joshua H
Darrell, George E.
Darrell, J. J.
Darrell, A. L.
Darrell, Mary E.
Darrell, Joseph B.
Darrell, J. M.
Darrell, Thomas J.
Darrell, N. Lee
Barham, Vernie W.
Barham, C. R.

to sell farm. funds arising may be invested under the direction of this Court, income paid to Widow, Bettie V Darrell, for life and at her death divided among Complainants according to their respective interest.

TO THE HONORABLE ROBERT R. PRENTIS, JUDGE OF THE

CIRCUIT COURT OF SOUTHAMPTON

COUNTY.

R. H. Powell, Committee of Anna V. Powell, insane, and the same R. H. Powell in his own right W. A. Powell, Joshua H. Powell, George E. Powell, J. J. Powell, A. L. Powell, Mary G. Powell and Joseph B. Powell, her husband, F. M. Powell Thomas J. Powell, N. Lee Powell, Vernie W. Barham and C. R. Barham, her husband,

v.

Anna V. Powell, insane, and Mrs. Bettie A. Powell, widow of Littleton G. Powell, deceased.

---I N C H A N C E R Y.---

Humbly complaining showeth unto the court your complainants, R. H. Powell, Committee of Anna V. Powell, insane, and the same R. H. Powell in his own right, W. A. Powell, Joshua H. Powell, George E. Powell, J. J. Powell, A. L. Powell, Mary G. Powell, F. M. Powell, Thomas J. Powell, N. Lee Powell and Anna V. Powell, insane, (children of Littleton G. Powell, deceased, and Bettie A. Powell, widow,) and Vernie W. Barham, who was before her marriage with C. R. Barham, Vernie O. Wheeler, the only child of Sarah Powell, deceased, daughter of Littleton G. Powell and Bettie A. Powell, who intermarried with one M. C. Wheeler, that they are seized of a vested estate in remainder in all that certain tract of land lying in the county of Southampton, Virginia, about 2 miles northwest of Boykins, bounded by the lands of J. C. Sykes on the North, by the Tarara Creek on the West, Thomas J. Powell on the South, and R. H. Powell on the East, which tract of land is the dower property of the said Mrs. Bettie A. Powell, widow of Littleton G. Powell, deceased; that the said Mrs. Bettie

A. Powell is now 68 years of age, and lives in the town of Boykins, Virginia.

Your complainant R. H. Powell, Committee of Anna V. Powell, insane, respectfully represents to the court that the said Anna V. Powell has no property or means of support: that she is now, and has for some time, been in the Western State Hospital at Staunton, Virginia, and is a charge upon her mother, Mrs. Bettie A. Powell, and her brothers; that the farm hereinabove described is in a condition which calls for repairs, and the income from the same uncertain and out of proportion to the amount represented in the value of said farm: that the said widow is unable to look after the same and give it that attention which must needs be given in order to successfully conduct the farm and collect the rents, and upon the whole your complainants believe that it would be greatly to the advantage of the widow, and the insane defendant as well, to have the property sold and the money invested in real estate under the direction of this court, the interest to be applied to the said widow during her life, and at her death equally divided among the parties according to their several interests: that they have an opportunity at this time of selling the farm for the sum of Four Thousand ($4000.) Dollars to one A. C. Ferguson, who is ready to pay for same in cash as soon as a deed can be made to him by this court: they believe that to accept this proposition will be advantageous to their mother, Mrs. Bettie A. Powell, widow, and advantageous to them, as they think the price is a good one and the money can be invested to a better advantage and at a good deal less expense than is incident to the keeping up of repairs on the farm, and renting and collecting the revenue therefrom. In this view all of your complainants join, a

and ask that the proposition of purchasing same as made by the said A. C. Ferguson and filed with this bill as exhibit "A", may be approved and confirmed, and that the funds arising therefrom may be invested in accordance with the statute in such cases made and provided.

In tender consideration whereof, and for-as-much as your complainants are remediless in the premises save by the aid of a court of equity where all such matters are alone and properly cognizable, they pray that Anna V. Powell, insane, and Mrs. Bettie V. Powell, widow of Littleton G. Powell, deceased, may be made parties defendants to this bill, and required to answer the same, but answers under oath are hereby waived; that a proper guardian ad litem may be assigned to the insane defendant, who shall also answer the said bill; that the said farm may be sold; that the offer of purchase made by A. C. Ferguson may be accepted and a deed directed by the commissioner of this court to be executed to him, and that the funds arising therefrom may be invested under the direction of this court, and the income applied or paid to the widow, Mrs. Bettie V. Powell, during her life, and at her death divided among your complainants according to their respective interests; that all such orders and decrees may be entered, accounts and inquiries directed, and all such other further, general and special relief may be granted your complainants as the nature of their case may require or to equity shall seem meet.

And notice is hereby given that that the court will be asked to allow reasonable attorneys fees to the plaintiffs' counsel conducting this cause. And your complainants will ever pray, &c.

Sign. R. H. Powell Committee

W. Simon Corbett
P.Q.

Powell Committee.

H. R. 333 Bill Rec'd

Powell Hrs

1903. 2nd March Rules filed

Library.

STATE OF VIRGINIA,
To-wit:
COUNTY OF SOUTHAMPTON,

This day personally appeared before me, the undersigned, a Notary Public in and for the State and County aforesaid, R. H. Powell, Committee of Anna V. Powell, insane, whose name is signed to the writing hereto annexed, and made oath that the statements therein contained, in so far as made of his own knowledge, are true, and in so far as made upon information derived from others, he believes them to be true.

Given under my hand this 10 day of April, 1903.

E. B. Beaton. Notary Public

My commission expires 17 day of March ~~1903.~~ 1906

To Mrs. Bettie A. Powell,

Boydton, Virginia.

Dear Madam:-

This is to say to you that I agree to purchase the farm which you hold an option, and pay you the purchase ($4000.00) Dollars for same, together with interest from January 1st., 1905, this money to be paid as soon as I get a good and valid deed and have title to the land.

Yours very respectfully.

(a.c.s.) A. S. Flournoy

I hereby agree and willingly that the said farm shall be sold for the amount above mentioned.

Mrs. Mrs. Bettie A. Powell

Contract with
A. & J. Ferguson

COMMISSIONER'S BOND.

Powell's Commissioner's vs.

vs.

Powell's Admr's vs.

to

Commonwealth.

Know All Men by These Presents, That we, Thomas J. Powell

and J. J. Powell

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

Six Thousand and ~~~~~ 00/100 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 obligation, 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 27th day of April one thousand ~~eight hundred and ninety~~ 1903

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound

Thomas J. Powell

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 17th day of April, 1903, ~~189~~, in the suit therein depending under the name and style of "R. H. Powell, Commissioner, &c. vs. Powell, Thomas J. et als" and all further decrees that may be made therein

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

Signed, sealed and acknowledged in the presence of

Thos. J. Powell SEAL

J. J. Powell SEAL

SEAL

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

This day J. J. Powell

surety on the above bond, made oath before me, B. F. Lemon D.C. Clerk of the Circuit Court of the county of Southampton, and State of Virginia, that his estate, after the payment of all his just debts and those for which he is bound as security for others and expect to have to pay, is worth the sum of Six Thousand and "/100 dollars.

Given under my hand this 27th day of April, 1903, ~~189~~

Teste: L. A. Gay, Clerk.

By B. F. Lemon D.C.

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 404.

To Anna V. Powell, insane and Miss Bettie A. Powell widow of Littleton G. Powell deceased

Take notice that we shall, on the 10th day of April 1903 189, at Boykins Va. in the County of Southampton, between the hours of 10 A. M. and 5 P. M., on that day, proceed to take the depositions of E. R. Bryant Jun and others, to be read in evidence in our behalf, in a certain Chancery Cause depending in the Circuit court for the County of Southampton wherein you are defendants and ; and if, from any cause, the taking of the said depositions be not commenced on that day, or, if commenced, be not concluded on that day, the taking of the same will be adjourned and continued from day to day, or from time to time, at the same place and between the same hours, until the same shall be completed.

Respectfully yours,

April 2. 1903.

R. N. Powell, Committee &c & others plaintiffs by Jas. L. McGrmond, their Attorney.

Depositions

Powell's Committee

v.

Powell's Heirs

Deposition of Miss Mary Powell, taken at the residence of Mrs. Powell, in Alexandria, on the 3rd day of April, 1908, pursuant to notice.

Present: Counsel for Committee and Heirs.

Miss Mary Powell, being duly sworn, deposes as follows:

Direct examination by Mr. Bryant.

Question: What is your name, age, residence, and occupation?

Answer: Mary Powell, 28, Alexandria, Va., I am twenty-five years of age, reside in Southampton County, and am a teacher.

Question: What is your relationship to the parties to this suit?

Answer: I am the daughter of Mrs. Powell, the widow of the late Dr. Powell, and the sister of the Powell heirs.

Question: Were you present at the time of the execution of the deed from your father to your mother?

Answer: I was present at the time.

Question: Was it read over to him?

Answer: It was.

Question: Was he in his right mind at the time?

Answer: He was.

Question: Was he under the influence of any drug?

Answer: No.

Question: Was he competent to transact business?

Answer: He was.

Question: Was he under the influence of any one?

Answer: No one.

Question: Was he acting of his own free will?

Answer: He was.

Question: Was he under the influence of fear?

Answer: No fear.

Question: Was he acting under the influence of any one?

Answer: No one.

Question: Was he competent to understand the nature of the transaction?

Answer: He was.

Question: Was he competent to understand the effect of the deed?

Answer: He was.

Question: Was he competent to understand the property he was conveying?

Answer: He was.

Question: Was he competent to understand the persons to whom he was conveying?

Answer: He was.

Question: Was he competent to understand the consideration?

Answer: He was.

Question: Was he competent to understand the terms of the deed

The depositions of E. R. Bryant and R. M. Knight taken before me, E. B. Beaton, a Notary Public for the county of Southampton, and State of Virginia, pursuant to the notice of the time, and place of taking same, hereto attached, taken at Boykins, Virginia, on April 10th., 1903.

The witness, E. R. Bryant, being duly sworn, deposes and says, as follows:

Question: What is your name, age, residence, and do you know the parties to this suit?

Answer: E. R. Bryant, Boykins, Va., I am thirty years of age, reside in Southampton County, Va., and know the parties to this suit.

Q: Are you acquainted with the tract of land in the bill and proceedings mentioned, now held by Mrs. Bettie A. Powell as dower, lying about three miles from Boykins, bounded by the lands of J. C. Sykes on the North, Tarara Creek on the West, Thomas J. Powell on the South and R. H. Powell on the East?

A: Yes, I know this property: have seen it a great many times.

Q: What would you consider a fair cash value for same?

A: Four Thousand Dollars.

Q: Do you consider it advisable from the standpoint of Anna V. Powell, and looking to her interest, to have this property sold if the proceeds are protected as the real estate would have been had it not been sold?

A: I do, for the following reasons: This young lady is in one of the insane hospitals in the State, where she has been for a number of years, and the property is in that condition that it will require continuous repairs on the buildings, else they will very much depreciate in value. I think that the price which has been offered for the property will be more advantageous to her than were she to hold her small interest in same, and it is also a fact that she has no other means upon which to live. I believe that the farm under the tenant system, and with the difficulty of getting good tenants, will gradually depreciate in value.

And further this deponent saith not

E. R. Bryant

The witness, R. M. Knight, being duly sworn, deposes and says as follows:

Question: What is your name, age, residence, and do you know the parties to this suit ?

Answer: R. M. Knight, Boykins, Va., I am twenty-five years of age, reside in Southampton County, and know the parties to this suit.

Q: Are you acquainted with the tract of land in the bill and proceedings mentioned, now held by Mrs. Bettie A. Powell as dower, lying about three miles from Boykins, bounded by the lands of J. C. Sykes on the North, Tarara Creek on the West, Thomas J. Powell on the South and R. H. Powell on theEast?

A: Yes, I know this property; have seen it a great many times.

Q: What would you consider a fair case value for same

A: Four Thousand Dollars.

Q: Do you consider it advisable from the standpoint of Anna V. Powell, and looking to her interest, to have this property sold if the proceeds are protected as the real estate would have been had it not been sold?

A: I do for the following reasons: This young lady is in one of the insane hospitals in the State, where she has been for a number of years, and the property is in that condition that it will require continuous repairs on the buildings, else they will very much depreciate in value. I think that the price which has been offered for the property will be more advantageous to her than were she to hold ~~xxxx~~ her small interest therein, and it is also a fact that she has no other means upon which to live. I believe that the farm under the tenant system, and with the difficulty of getting good tenants, will gradually depreciate in value.

And further this deponent saith not.

R. M. Knight

STATE OF VIRGINIA,

To-wit:

COUNTY OF SOUTHAMPTON,

The foregoing depositions of E. R. Bryant and R. M. Knight were taken, subscribed and sworn to before me in accordance with the annexed notice this the day and date first above mentioned.

E. B. Beaton Notary Public

My term of office expires March 17th., 1906.

Powell's Committee
v. Report.
Powell's Heirs

TO THE HONORABLE ROBERT E. PEARTIS, JUDGE OF THE CIR-
CUIT COURT OF SOUTHAMPTON COUNTY.

The undersigned, widow of Littleton O. Powell, de-
ceased, who by the terms of the decree rendered in the suit and
cause, who by the terms of this cause on the 2nd day of May, 1905,
was appointed by the Court to allot and set apart to her dower in her hus-
band's estate, hereby relinquishes and releases unto the
heirs of the said Littleton O. Powell, all of her right,
title and interest in and to the proceeds arising from
the sale of the said farm, and now in the hands of Thomas
C. Powell, Special Commissioner, and requests that the
funds be distributed among the said heirs in accordance
with their respective rights.

Given under my hand this 15th. day of May, 1905.

WITNESS:

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

———o———

Powell's Heirs

v.

Powell's Heirs.

———o———

The undersigned Special Commissioner, appointed by decree of the Circuit Court of Southampton County on the day of , 1903, to collect from the purch-aser of the land in the proceedings mentioned the Four Thousand ($4000.00) Dollars, purchase price, and execute to him a deed for same, begs to report that he has collected the said $4000.00 and that Mrs. Bettie A. Powell, who owns a life right in said property, has waived the same, and requested that it be distributed to the heirs of Littleton G. Powell deceased; that he has paid out the same as follows:

Amount in hand from sale of land----------$4000.00

To commissions on same----------$89.00

To paid for writing deed---------- 2.00

" " Notary's fee---------- .50

" " Court costs----------23.92

" " Attorney's fee----------50.00

" " W. A. Powell's 1/12 interest---318.29 1/2

" " Joshua H. Powell's interest----333.33 1/3

" " Geo.E.Powell's 1/12 " ----318.29 1/2

" " Vernie W.Barham's 1/12 " ----318.29 1/2

" " J. J. Powell's 1/12 " ----318.29 1/2

" " R. H. Powell's 1/12 " ----318.29 1/2

" " A. L. Powell's 1/12 " ----318.29 1/2

" "

To paid F. M. Powell's 1/12 interest------$318.29 1/2

" " Mary G.Powell's 1/12 " ------318.29 1/2

" " Thos.J.Powell's 1/12 " ------318.29 1/2

" " R. E. Powell, Guardian for Anna V. Powell----------318.29 1/2

" " N. Lee Powell's 1/12 interest------318.29 1/2

$4000.00 $4000.00

Your commissioner also begs to refer to the appended statement from his mother, Mrs. Bettie A. Powell, showing her relinquishment of all right, title and interest into the funds coming to his hands as commissioner from the sale aforesaid.

Respectfully submitted,

Wm. L. Powell,

Special Commissioner.

July 27th., 1903.

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

=====0=====

The undersigned, widow of Littleton G. Powell, deceased, who held the property described in the bill and proceedings of this cause, as and for her dower in her husband's estate, hereby relinquishes and releases unto the heirs of the said Littleton G. Powell, all of her right, title and interest in and to the proceeds arising from the sale of the said farm, and now in the hands of Thomas J. Powell, Special Commissioner, and requests that the funds be distributed among the said heirs in accordance with their respective rights.

Given under my hand this 15th. day of May, 1903.

Mrs. Bettie A. Powell.

WITNESS:

Mrs. Pearle A. Powell.

Boykins, Va., ... 190

M .....

IN ACCOUNT WITH **MEHERRIN VALLEY BANK**
BOYKINS, VA.

DR. PLEASE EXAMINE AND REPORT AT YOUR EARLIEST CONVENIENCE. CR.

Statement showing disbursement of proceeds from Sale of Mrs. Billie M. Powell's Dower Lands,

Amt Land sold for 4000 00

N.A. Powell 1/12 interest	318 29½	
Joshua H. Powell "	333 33⅓	
Geo. C. Powell 1/12 "	318 29½	
Jennie W Barham 1/12 "	318 29½	
J.J. Powell 1/12 "	318 29½	
R.H. Powell 1/12 "	318 29½	
A.L. Powell 1/12 "	318 29½	
F.M. Powell 1/12 "	318 29½	
Mary G. Powell 1/12 "	318 29½	
Thos. J. Powell 1/12 "	318 29½	
Anna V. Powell 1/12 "		
Paid to R.H. Powell Gdn	318 29½	
H. Lee Powell 1/12 interest	318 29½	
Attorney's Fee	5-000	
Writing Deed	200	
Notary Fee	50	
Special Commissioners Fee	89 00	
Court Cost	2391	
	$4000 00	$4000 00

Received of Thos. L. Powell, Special Comr.,
Two Dollars in payment for writing
Deed conveying Chr. Mrs. B. A. Powell
Dower Jane Lewis to A. C. Ferguson,
$2.00
May 5th. 1908. E. D. Priddy

JAMES L. McLEMORE. JAMES H. CORBITT.
McLEMORE & CORBITT,
ATTORNEYS AT LAW,
SUFFOLK, VA.

May 7, 1903.

Mr. Thomas J. Powell,
Boykins, Virginia.

Dear Tom:-

I beg to acknowledge receipt of your letter of recent date enclosing check for $50.00, being in settlement of our fee in re sale of property Mrs. Bettie A. Powell to A. C. Ferguson, for which please accept thanks.

Yours very truly,

Jas. L. McLemore,

Dic. J.L.M.

$318 29½ Received of Thos. J. Powell, Special Commissioner, Three Hundred and Eighteen Dollars and Twenty Nine & one half cents, Payment in full, for my One Fourth interest in the Mrs. Bettie A. Powell Dower lands, said lands having been sold to A.C. Ferguson for the sum of Four Thousand Dollars.

Given under my hand this 5th day of May 1903.

W. Lee Powell

$318 29½

Received of Thos. J. Powell Special Commissioner Three Hundred and Eighteen Dollars & Twenty Nine & one Half cents, same being Anna V. Powell's entire one Fifth interest in the Mrs Billie A Powell Dower lands, said lands having been sold to A.C. Ferguson for the sum of Four Thousand Dollars Given under my hand this 7th day of May 1903,

R. H. Powell

Guardian for Anna V. Powell.

318 29 1/2

Received of Thos. J. Powell, Special Commissioner, Three Hundred Eighteen Dollars and Twenty-Nine & one half cents, payment in full for my One Twelfth interest in the Mrs. Bettie A. Powell Dower lands, said lands having been sold, by order of the Court, to A. C. Ferguson for the sum of Four Thousand Dollars.

Given under my hand this 4th day of May 1903.

Thos. J. Powell.

3/8 29½

Received of Hon. J. Powell, Special Commissioner, Three Hundred and Eighteen and Twenty Nine and One Half cents, Payment in full, for my One Twelfth interest in the Mrs. Billie A. Powell Dawes lands, said lands having been sold to A. C. Ferguson for the sum of Two Thousand Dollars

Given under my hand this 4th. day May 1903. J. M. Powell.

Mrs. J. M. Powell

$318 29½

Recd of Thos. J. Powell, Special Commissioner, Three Hundred and Eighteen Dollars and Twenty Nine and One half cents, Payment; in Full, for our one Fourth interest in the Mrs. Belle A Powell Dower lands, said lands having been sold to A.C. Ferguson for the sum of Four Thousand Dollars,

Given under our Hands, this 5th day of May 1903.

Mary E. Powell.

Joseph. B Powell.

$318.29½

Received of Thos. J. Powell Special Commissioner, Three Hundred and Eighteen Dollars and Twenty nine & one half cents, Payment, In Full, For my One Twelfth interest in the Mrs Bettie A. Powell Dower lands, said lands having been sold to A.C. Ferguson for the Sum of Four (4) Thousand Dollars.

Given under my hand
This 5th day of May 1903.

A L Powell

$318.29½

Received of Thos. J. Powell Special Commissioner, Three Hundred and Eighteen Dollars and Twenty nine & one half cents. Payment. In full for My one Twelfth interest in the Mrs Billie A. Powell Dower lands. Said lands having been sold to A. C. Ferguson for the sum of Four (4) Thousand Dollars.

Given under my hand this 5th day of May 1902

R. A. Powell

X

318 29½

Received of Thos. J. Powell, Special Commissioner, Three Hundred and Eighteen Dollars and Twenty-Nine and one half cents, Payment, in full, for our One Twelfth interest in Mrs. Bettie A. Powell's Dower lands, said lands having been sold to A. C. Ferguson for the sum of Four Hundred Dollars.

Given under my hand this 5th day of May 1903.

Vernie Thelma Barham

C. R. Barham

$318 29½

Received of Thos. J. Powell Special Commissioner, Three Hundred and Eighteen Dollars and Twenty nine & one half cents, Payment, In Full, for my One Twelfth interest in the Mrs Bettie A. Powell Dower Lands, Said Lands having been Sold to A.C. Ferguson for the Sum of Four (4) Thousand Dollars.

Given under my hand this 5th day of May 1903.

J. J. Powell

$318 29½

Recieved of Thos. J. Powell Special Commissioner, Three Hundred and Eighteen Dollars and Twenty nine & one half cents. Payment. In Full for My one Twelfth interest in the Mrs Bettie A. Powell Dower lands, Said Lands having been Sold to A.C. Ferguson for the Sum of Four (4) Thousand Dollars.

Given under my Hand this 5th day of May 1902.

Geo. E. Powell

#318 29½

Received of Thos. J. Powell special commissioner, Three Hundred and Eighteen dollars and twenty nine & one half cents, Payment, In Full, for my one twelfth interest in the Mrs Bettie A. Powell Dower lands, said lands having been Sold to A.C. Ferguson for the Sum of Four (4.) Thousand Dollars.

Given under my hand this 5th day of May 1902.

W. A. Powell

Powell Committee

vs. } Stat: of Ords

Powell's Heirs

Powell Committee

vs. } Stat: of Costs

Powell's Heirs

Sent. 25. Copy. 13. receipt 18. attorney 10. Docket 18. 84

Docket 1.00. Entering return 35. file. bill 15= 1.50

Do. Ans. of Gdn. additional to insane defendant 15= 15

Do. Depositions 15. Do. vacation agreement 15= 30

Do. Contract with A.G. Ferguson 15 = 15

1 Decree 42, Taking Special Comrs time 1,40= 1.82

tax Costs 70. 40. filing away papers 25= 65

Future Costs about $2.00= 2.00

Clerk $7.41

Shff. 0,00

Comrs. 16.50

$23.91

Yours

L. A. Gay C.C.

Powells Committee

vs. } Stat: of Rules

Powells Heirs

R. N. Powell, Committee of Anna V. Powell, insane, and the same R. N. Powell in his own right, W. A. Powell, Joshua N. Powell, George E. Powell, J. J. Powell, N. L. Powell, Mary G. Powell, and Joseph B. Powell, her husband, F. M. Powell, Thomas J. Powell, N. Lee Powell, Vernie, Wd. - Barham and L. R. Barham, her husband, Pltffs.

vs.

Anna V. Powell, insane, and Mrs Bettie A. - Powell, Widow of Littleton G. Powell, deceased

Defendants

1903. 13th. March. Process issued to 2nd March Rules

1903, 2nd March Rules. Process returned executed.

Bill and exhibit filed.

J. B. Prince Jr. appointed Gdn. ad litem to insane defendant,

Decree Nisi

1903. 1st. April Rules. Bill taken for confessed, and cause set for hearing.

Powell Committee

vs. } Copy Stat: of Costs.

Powell's Heirs

Powell Committee

vs. } Copy Stat: of Costs.

Powell's Heirs

Sum. 2s. 1 Cop. 13. Receipt 18. Atty. 10. Docket 18=	84
Notes 1.00. entering return 35. fil. bill 15=	150
Do. ans. of Gn. ad litem 75 insane defendant 15=	15
Do. Depositions 15. Do. Vacation agreement 15=	30
Do. Contract with A.B. Ferguson 15 =	15
one Deeren yr. Taking Special Comrs bond 1.4°=	182
tax costs No. 40. filing away papers 25=	65
Sentence Costs about $2.00 =	2.00
Clerk	$7.41
Sheff.	0.00
Sawyer.	16.50
	$23.91

A copy.

Test: W. A. Gay Cl. Cl.

How delayed the above statement on account of not having papers in this cause until to day when I received them from D.L. McLemore.

L. A. Gay

Vacation
agreement

Powell Committee
v.
Powell Heirs

All parties sign this

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

We, the parties plaintiffs and defendants in the chancery cause of R. H. Powell, Committee, et als. v. Anna V. Powell et als., hereby consent that this cause may be submitted to the judge of the Circuit court of Southampton County for such decisions and decrees therein in vacation as might be made in term.

Given under our hands this 10th. day of March, 1903.

Mrs. Bettie A. Powell.
R. H. Powell
Geo. E. Powell
Thos. J. Powell
J. S. Powell
Mrs. A. H. Powell.
W. A. Powell
J. B. Powell.
C. R. Barham
Mrs. C. R. Barham
E. M. Powell
W. H. Powell
A. L. Powell
Mary G. Powell
J. Pierce Jr. Gdn. & Litem for Anna V. Powell
Joshua A. Powell
by Jas. L. McLemore his atty

Boykins, Virginia, March 20th., 1903.

Mr. James L. McLemore,

Attorney at Law,

Suffolk, Virginia.

Dear Sir:-

You are hereby authorized, as my attorney, to act for me in any matter pertaining to the chancery cause of Powell, Guardian, v. Powell et als., brought for the purpose of confirming the sale of the dower interest of my mother, Mrs. B. A. Powell, made to A. C. Ferguson for $4000.00.

Whatever you may consider necessary or expedient to be done in the premises, I authorize you to do.

Yours very truly,

Joshua H. Powell

Powell Committee
v. 3 Answer of
Mrs. B. A. Powell
Powell's Heirs
Answer to Bill
to be signed by Mrs Powell

IN THE CIRCUIT COURT OF THE COUNTY OF SOUTHAMPTON.

Anna V. Powell & Others

ads.

R. H. Powell, Committee, & Others.

This respondent for answer to the bill of complaint against her and others, filed in the Circuit Court of Southampton County, responding to so much thereof as it is necessary to be answered, begs to say, that it is true as stated therein that she owns the tract of land for her life, allotted to her as and for her dower in the estate of her husband, Littleton G. Powell, deceased.

It is also true that the property is depreciating in its present condition, is expensive to keep up and to care for and superintend, and she is very willing and desirous that this honorable court will accept this offer made by Mr. A. C. Ferguson of Four Thousand ($4000.00) Dollars for the property, and allow the money to be invested, giving her the proceeds therefrom for her life.

It is also true that her unfortunate daughter, Anna V. Powell, is now, and has for some time, been in the Western State Hospital at Staunton, Virginia: that she has no funds with which to pay her necessary expenses, and that same are being largely borne by this respondent and her brothers.

It is also true that the net proceeds from the property are considerably less than the income which would be derived from the Four Thousand Dollars invested at 6%, and she believes that the interest of the said Anna V. Powell, as well as that of the other heirs, and herself, would be promoted

by a sale of the property, or acceptance of the offer made by the said A. C. Ferguson; that she is now years of age.

And now having fully answered, she prays hence to be dismissed with her reasonable costs in this behalf expended.

Mrs. Bettie A. Powell.

Powell Committee vols
v. 3 Answers of Gen. Slaton

Powell's Heirs &c

The answer of J. B. Prince,Jr., Guardian ad litem to the insane defendant, Anna V. Powell, and the answer of the said insane defendant by her guardian ad litem, to the bill in equity exhibited against her, the said Anna V. Powell, insane, and others, in the Circuit Court of Southampton County, by R. H. Powell, Committee of the said insane defendant and others.

For answer to the said bill the said guardian ad litem answers and says, that he does not know whether the interest of the insane defendant would be promoted by the sale of the property,as prayed for in said bill, or not; and the said insane defendant, by her said guardian ad litem, answers and and says, that being insane she knows nothing of the matters mentioned in the bill, and commits the protection of her interest to the court. And now having answered they pray,&c.

Anna V. Powell,

By J B Prince Jr, her guardian ad litem,

and J B Prince Jr, Guardian ad litem to the said Anna V. Powell —.

VIRGINIA, SOUTHAMPTON COUNTY, To-wit:

This day personally appeared before me, the undersigned, ~~a Notary Public~~ Clerk of the Circuit Court for the State and County aforesaid, J B Prince Jr., guardian ad litem of Anna V. Powell insane, and made oath that he believes the several statements made in the foregoing answer to be true.

Given under my hand this 16th day of April, 1903. My commission expires ____ day of ____, 190____

E. A. Gay,
~~Notary Public~~ Clerk of the Circuit Court.

I acknowledge legal & sufficient service of this Summons
March 13. 1903

Mrs. B. A. Powell

Powell
vs.
Powell's Exr.

Powell's Exr. Answer -
1903. 2nd March Rules
Lim. Ex.

M'Lemore & Bridges
P.Q.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County--Greeting:

WE COMMAND YOU THAT YOU SUMMON Anna V. Powell, insane, and Mrs. Bettie A. Powell, widow of Littleton G. Powell, deceased.

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 3rd Monday in March 1903 ~~next~~, to answer a Bill in Chancery exhibited against them in our said Court by R. N. Powell committee of Anna V. Powell insane, and the said R. N. Powell in his own right, W. A. Powell, Joshua N. Powell, George E. Powell, J. J. Powell, N. L. Powell, Mary G. Powell and Joseph B. Powell, her husband, F. M. Powell, Thomas J. Powell, R. Lee Powell, Vernie W. Barham and L. R. Barham her husband.

And this they 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 12th day of March 1903, 189—, in the 127th year of the Commonwealth.

Teste: L. A. Gay C. C.

-1909-

R. A. Powell, Committee ofc.

v.

1st Decree

Powell Anna V. vol.

1903 April 17th

Entered

Robert A. Ellis

Entd. page 171

VIRGINIA, IN VACATION, IN THE CIRCUIT COURT OF SOUTHAMPTON COUNTY, APRIL 17th.,1903.

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R. H. Powell, Committee of Anna V. Powell- insane, and the same R. H. Powell in his own right, W. A. Powell, Joshua H. Powell, George E. Powell, J. J. Powell, A. L. Powell, Mary G. Powell and Joseph B. Powell, her husband, F. M. Powell, Thomas J. Powell, N. Lee Powell, Vernie W. Barham and C. R. Barham, her husband,

vs.

Anna V. Powell, insane, and Mrs. Bettie A. Powell, widow of Littleton G. Powell, deceased,

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This day this cause, which has regularly matured at rules, came on to be heard, by consent of parties in vacation, given in writing, upon the complainants' bill, and J. B. Prince, Jr., who was duly assigned guardian ad litem at rules to the insane defendant, Anna V. Powell, to defend her interest in this suit, filed his answer duly sworn to, and the adult defendant, Mrs. Bettie A. Powell, filed her answer to the said bill, to which several answers the plaintiffs, by counsel, replied generally, and upon the deposition of witnesses filed April 11th.,1903, and was argued by counsel.

On consideration whereof, the court being satisfied that it would be to the interest of the insane defendant, Anna V. Powell, that the offer of purchase of the farm in the bill and proceedings mentioned, for the sum of Four Thousand ($4000.00) Dollars, with interest from January 1st.,1903, as made by A.C.Ferguson, be accepted, doth adjudge, order and decree that the said offer be and the same is hereby approved; that Thomas J. Powell, who is hereby appointed a special commis-

sioner for the purpose, is directed to collect from the said A. C. Ferguson the said sum of $4000.00, executing to him a deed with special warranty for the said property described in complainants' bill, and out of the funds coming into his hands he shall pay the costs of this suit, including a fee of $75.— to plaintiffs' counsel, and report to court. But before the said special commissioner shall proceed to act hereunder he shall enter into bond before the Clerk of this Court in the penalty of $6000.00 with approved security, conditioned for the faithful performance of this and all future decrees that may be made herein.

Robt R Saunders

To the Clerk of the Circuit
Court of Southampton County.