1895-002 Chancery Cause: Nettie O. Simons & S. H. Simons, Laura F. Owens v A. C. Owens
Dale of Wright County v s J. Benjamin Owens & al

other SURNAMES: Hayes, Parker

W. S. Holland

Simons et als

vs } In Chancery.
}
Owens et als.

Bill of Complaint

Partition Suit

1st Assgt. Rules, 1894
Bill to be filed, and Sub. ord
on all adults except J. B.
Owens & dec: nisi, &c.

April term 1895
Dec. to be taken, collect fees out &
make deed, &c.

October 29th 1895
Final Decree

2d. Assgt. Rules, Bill taken
for confs, as to adults, & time
ext. nisi now extended Nov 4th
for hearing as to them.
R. E. Berry Com. dec. & R. ord
and directs sub. dec. this
answ. filed & qual. Refers
Decision to J. B. Owens
1st Sept. rules. Bill
taken for confs. as to J.
B. Owens & cause set
for hearing

Dec. 13, 94 ord. com
Dec. & rule to plead

In tender consideration whereof, and forasmuch as your complainants are remediless save in this court of equity, where, ~~where~~ matters of this sort are alone and properly cognizable, your complainants pray that said J.B.Owens, Katie O.Hayes, R. B.Hayes, Marietta Parker, C.G.Parker, and Oscar L.Owens the last being an infant under twenty one years, be made parties defendants to this bill, and required to answer the same, an answer on oath is her3by waived as provided by statute in such cases, that a proper guardian ad litem be appointed to defend the interest of said infant; that proper process issue, that said lot at Windsor be sold and the proceeds divided amongst the parties entitled thereto; that all proper orders be made, and proper enquiries be directed, that a reasonable fee be allowed counsel in this case, that all such other ffarther, and general relief be afforded your complainants as the nature of thei çase may require or to equity shall seem meet and proper. And your complainants will ever pray &c.

W.S. Holland p.q.

Nettie O Simons
O.H. Simons
L.F. Owen
A.C. Owens
by W.S Holland
their attorney

In the Cir. Court of Isle of Wight County:

First Aug. Rules 1894

To the Hon. C.W.Hill judge of the Cir Court of Isle of W.CO

Your complainants Nettie O.Simons and S.H.Simons her husband, L.F.owens and A.C.Owens her husband most respectfully represent; that in the year 1890 Rev. R.R.Ownens of the county of Nansemond departed this life intestate and seized and possessed of some real estate in the county of Nansemond and a certain lot of land at Windsor in the county of Isle of Wight in the state of Virginia frontinging on the N.& W. Railroad and the county road and bounded by the lands of C.G.Nelms, J.B.Brewer and Mrs Sarah J.Jordan and containing about one fifth of an acre on which there is a good dwelling, and leaving a widow M.F.owens and seven children as follows, Your complainant Nettie O.Simons who was Owens, J.B.Owens, Katie O.Hayes wife of R.B.Hayes, Marietta Parker wife of C.G.Parker A.C.Owens one of your complainants, R.W.Owens, and Oscar L.Owens the last named is an infant under the age of twenty one years, that said R.W. owens conveyed his interest in said lot of land to said C.G.Parker, his brother-in-law, that the interest of said A.C.Owens has been duly conveyed to said L.F.Owens, his wife.

Your complainants say that said widow M.F.Owens has had her dower in the lands of her said husband assigned to her in the lands of which lie in the county of Nansemond and that she neither owns nor claims any interest in the said lot, and that said lot is not, in the opinion of your complainants, susceptible of partition in kind, they say that the interest of all parties will be promoted by sale of the lot and division of the proceeds of sale.

J. B. Owens et al

vs

N. O. Simons et al

Answer of intervenor
Supt. Ry R. E. Ry.
Fine Sundries and
Liber & answer
& Guardian ad
Litem

Filed 2nd Sept.
Nov 1894.

J. B. Owens et. als.
and
N. O. Simons et. als.

The answer of Oscar L. Owens an infant defendant under the age of 21 years by R. E. Boykin (a discreet and competent attorney at Law) his guardian ad litem and the answer of said R. E. Boykin guardian ad litem, to a bill of complaint exhibited against him and others in the Cir. Court of Isle of wight County, Virginia.

For answer to said bill the said defendants by their guardian ad litem answer and say, that being an infant of tender years he does not know what his interest is in relation to the subject matter of said bill, nor does he know whether the statements therein contained are true or not. He submits the protection of his interest to the protection of the Court. And the said guardian ad litem of said infant defendant answers and says, that he knows nothing of the truth or falsity of the statements in the said bill contained. He prays that protection for the infant defendant aforesaid. And having fully answered this def. prays to be hence dismissed with his costs &c. R. E. Boykin
Guard ad litem

Simons N. O. et als.

vs. { SUBPŒNA IN CHANCERY.

Oeders J. B. et als,

W. S. Holland p. q.

To Joint Aug't, Rules,
1894, Circuit Court.

Aug 3rd

Directed to ...

Executed Aug. 3rd 1894 by delivering a copy of this notice to E. A. Porter, Manilla Arkansas & delivering a copy of this notice to her husband E. B. Parker the same being a member of her family over the age of sixteen years and explaining to them the purport thereof.

J. T. Williams Sh.

Everett Waddey Co,
Stationers and Printers,
Richmond, Va.
Form No. 300.

The Commonwealth of Virginia,

To the Sheriff of the County of Southampton, Greeting:

WE COMMAND YOU, That you summon J. B. Owens, Katie O. Hayes, R. B. Hayes, Manella Parker, C. G. Parker and Oscar L. Owens, the last an infant under the age of twenty one years

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court on the first Monday in August, 1894, to answer a bill in Chancery, exhibited against them in our said court by Nellie O. Simons, S. A. Simons, L. J. Owens and A. C. Owens

And have then there this writ. Witness, N. P. Young Clerk of our said Court, at the court-house, the 31st day of July, 1894, and in the 119 year of the Commonwealth.

N. P. Young Clk

A copy Teste,

N. P. Young Clk

Executed this the 6th day Aug 1894 by
delivering a true Copy of the within process
to B. Hargis in person
A. H. Barnes Sh
By R. L. Hargis Dep

Simons N. O. et als

vs. { SUBPŒNA IN CHANCERY.

Owens J. B. et als

W. S. Holland p. q.

To first August Rules,
1894, circuit Court.

Hazzard C.

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

Form No. 300.

The Commonwealth of Virginia,

To the Sheriff of the County of Nansemond, Greeting:

WE COMMAND YOU, That you summon J. B. Owens, Katie A. Hayes, R. B. Hayes, Marietta Parker, C. G. Parker and Oscar L. Owens, the last an infant under twenty one years of age,

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court on the first Monday in August, 1894, to answer a bill in Chancery, exhibited against them in our said court by Nellie E. Simmons, S. A. Simmons, L. T. Owens and A. E. Owens

And have then there this writ. Witness, N. P. Young Clerk of our said Court, at the court-house, the 31st day of July, 1894, and in the 119 year of the Commonwealth.

N. P. Young clk

Simmons, E. B. et al,

vs. { SUBPŒNA IN CHANCERY.

Reaves, J. B. et al,

W. S. Holland p. q.

To first August Rules,
1894, Circuit Court.
augst 4

an Executed Subpœna issued the 4th
day of August 1894
by serving a copy of the
Within Summons on
J B Reaves in person
A. Iverson D.S. Sheriff
Fee $2 Paid by
W S Holland

Everett Waddey Co,
Stationers and Printers,
Richmond, Va. } Form No. 300.

The Commonwealth of Virginia,

To the Sheriff of the County of Norfolk, Greeting:

WE COMMAND YOU, That you summon J. B. Owens, Katie O. Hayes, R. B. Hayes, Manilla Parker, C. G. Parker and Oscar L. Owens, the last an infant under the age of twenty one years,

to appear at the Clerk's Office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court on the first Monday in August, 1894, to answer a bill in Chancery, exhibited against them in our said court by Nellie O. Simons, L. V. Simons, L. J. Owens and A. C. Owens

And have then there this writ. Witness, M. P. Young Clerk of our said Court, at the court-house, the 31st day of July, 1894, and in the 119 year of the Commonwealth.

A Copy Teste M. P. Young Clk,

M. P. Young clk

A, E, Access to the
public from Main St.

dict: of R. W. Owens,

his own intd & dead A. L Owens

N. O. Simms - 1 share

J. B. Owens 1 "

Kate O. Hayes 1 "

Marietta Parker 1 "

A. F. Owens Exec. of A. C. Owens 1 "

C. G. Parker Exr of R. W. Owens 1 "

O. L. Owens - 1 "

R. W. Owen to Geo. W. Owen Trust date June 10th 1893 & recorded in D.B. 58 page 112. to secure $500.00 payable by notes drawn on Bank at Crewe Va

Hon. C. W. Hill, Judge of the Circuit Court of Isle of Wight Co.,

Dear Sir:

Having been informed that you will be requested to enter a decree for the sale of a certain House & lot at Windsor, Va, We whose names are hereto subscribed, heirs to the estate of the Rev. R. B. Owens deceased, Take this method of objecting to the sale of said property and do hereby petition Your Hon. not to grant an order of Court to have the said property sold.

J. B. Owens

Panacea Springs, N. C.
Aug 6th 1894

Hon. C. W. Hill
Judge Cir. Court of Isle of Wight Co.;
Dear Sir:

I most respectfully ask that you permit the Sale of the house & lot at Windsor, Va., belonging to the estate of the Rev. R. R. Owens, as there is a minor child which will be of age in about three years, when I think the property will then sell to better advantage - But get for sale now when there is such a stringency in money matters it would not sell for much - Hoping you will not grant the order to have it sold, I am,

Most respectfully
Marietta P Parker

Franklin, Va., Aug 14/94.

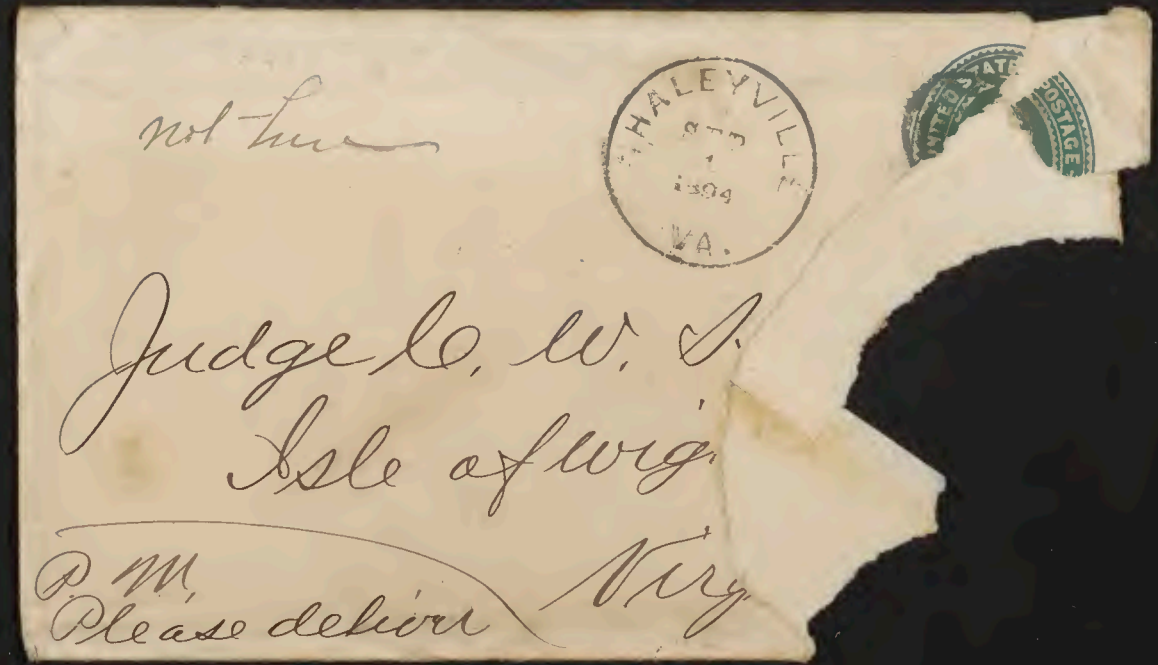
Hon. A. M. Hill,
Judge Cir. Court of Isle of Wight Co.,
Dear Sir:

Please do not grant an order of court to sell the house & lot at Windsor Va., belonging to the estate of Rev. R. R. Owens - There is one minor child, will be of age in about three years. There is such a tightness in money matters now I don't think it a good time to sell the property. Why not wait until the minor child is of age, then the heirs can dispose of it to suit themselves -

Your attention will greatly oblige

Yours truly

C. D. Parker


not Inn
HALEYVILLE
1904
VA.
UNITED STATES
POSTAGE
Judge C. W. S.
Isle of Wight
P. M.
Please deliver
Va.

Whaleyville Va
Sept. 4th 1894

Hon. C. W. Hill
Judge Circuit Court of Isle of Wight Co. Va.

Dear Sir.

I beg that you will not grant an order of court to sell the house & lot at Windsor Va. belonging to the estate of Rev. R. R. Owens. There is one minor child, which will be of age in about three (3) years, & I don't think we will be treating the minor with justice to have the property sold now, at a time, when we have every reason to believe that the property will sell for almost nothing, owing to the scarcity of money in the county.

By granting this request you will greatly oblige

Yours very respectfully
Kate O. Hayes

Whaleyville, Va
Sept. 4th 90.

Hon. C. W. Hill,
Judge Cir. Court of Isle of Wight Co.
Dear Sir,

I most respectfully beg that you will prevent the Sale of the house & lot at Windsor, Va. belonging to the estate of the Rev. R. R. Coburn. As there is a minor child that will be of age in about three years. When I think the present dull times & tight money will be over & the property would command a much better price.

Hoping you will not grant the order for the sale. I remain

Very Respectfully
R. B. Hayes - Guardian
for Oscar L. Coburn

POSTAL CARD - ONE CENT

United States of America.

THIS SIDE IS FOR THE ADDRESS ONLY.

Mr. A. P. Young
Clerk Cir. Court
Isle of Wight
Va

Winchester Va
Sept. 26 - 9 a

Dear Sir,

Please drop a postal
card to A.C. Owens at
this P.O. and tell
him
(1) The day set to take
acct v.c. under vaca
tion order in
Simons v Owens v s
Orders st. obs. 2.
(2) If the acct. has been
made or you have had
any evidence tell him
the fee simple & annl
value you have set.

Yrs very Truly
W.S. Holmes

Southern Stf. 1.00 Norm. — 1.00
2.00 " 1.00
1.00

Norfolk Coly .50
.50

Conv. in chy. 9.00
Pltf. atty. fees .12
clk, co. ct. .50

22
37
10
clk #10-72

Simons et als.

vs. Z Dr Chy.

Owens et als.

Rept. of Comm.
Young under
decree of Sept.
8th 1894.

Filed Octs. 2d
1894.

L. F. Owens assignee of A. L. Owens, L. G. Parker assignee of R. W. Owens, and Oscar L. Owens are, each, entitled to one seventh of the proceeds of sale of said lot.

Your Commissioner, deeming it pertinent, reports the possible value of said lot to be $700.00 -

Given under my hand as a Commissioner in Chancery of the said Circuit Court, the day and year first herein written.

S. P. Young
Comm'r

Commissioner for (?)
time employed $ 9.00
Steff: Hanson 1.00
" Southern 1.00
Off: Atty. for postage .12
11.12
Clk. Co. Court .30
Cost 6 for Court. $ 11.42

the 20th. day of Sept. 1894, to make and report the enquiries so required at his office, and requiring them to attend. That said notices were duly served or acknowledged, and are now with returned. That, from the evidence, your Commissioner reports that the lot aforesaid, lying at the village of Windsor in Isle of Wight, cannot be partitioned in kind without injuring the interest of the parties entitled to same. That no party in interest has expressed or evinced any desire to take the lot and pay to the others in interest as to their interests would entitle them to. That there is a lien on the interest in said lot, which was held by R. W. Owens, created by a deed of trust made by said R. W. Owens to Geo. W. Owen trustee on the 10th day of June 1893 & recorded in Isle of Wight County Court Clerk's office in deed book 58, page 112 to secure $500.00 due by notes held by the Bank of Smithfield that is the only lien shown.

That A. O. Simons, J. B. Owens, Kate A. Hayes, Marietta Parker,

Commissioners Office, Isle of Wight
Court House, September 20th 1894.

To the Circuit Court of Isle of Wight County.

Pursuant to a decree of the said Circuit Court of Isle of Wight County, rendered on the 8th: day of September 1894, in a suit in Chancery pending in said Court Between Nettie D. Saxon et. als. plaintiffs, and J. B. Owens et als: defendants, directing that one of the court engineers and report to the next term of the court, 1st. Whether the lot of land in the bill mentioned is susceptible of partition in kind?, 2nd: Whether any party in interest will take it and pay a fair price to others in interest? 3rd: Whether there is any lien on the interest of any party? 4th: Who and in what proportion, are entitled to share in the proceeds of sale? 5th: Any matter deemed pertinent by the Commissioner or any party in interest who may require the same to be made. Your Commissioner reports to the Court that, on the 11th day of September 1894, he issued notice to the parties, pltffs: and defendts; that he had fixed upon

NOTICE.

Pursuant to a decree of the Circuit Court of Isle of Wight county in the cause of Simons et al., vs. Owens et al., I shall offer for sale at public auction at 2 o'clock p. m.,

Saturday, Jan. 5th, 1895

at Windsor, Va., in front of the office of W. S. Holland, all that certain valuable lot belonging to the estate of Rev. R. R. Owens, deceased, in Windsor, on which Mr. W. H. Andrews now lives, and which adjoins the lands of Mrs. S. J. Jordan, C. G. Nelms, and fronts on East Main Street. This lot is most desirable, situate in a good neighborhood in the most fashionable portion of the town. Has on it a magnificent dwelling, almost new, with out-houses suitable to a town residence. Inspection of the premises is requested by those wishing a nice home, or willing to make a paying investment.

Terms:—One-fourth cash, balance in one and two years, purchaser to give bond and good security. Title retained till the further order of court.

A. C. OWENS, Special Commissioner.

W. S. HOLLAND, Attorney.

December 14, 1894.

In the Clerk's office of the Circuit Court of the county of Isle of Wight, Nettie Simons et al.. plaintiff, against J. B. Owens et al., defendant, I, N. P. Young, Clerk of the said Court, do certify that the bond required of the Special Commissioner by the decree rendered in said cause on the 13th day of December, 189[illegible], has been duly given.

Given under my hand as Clerk of the said court, this 13th day of December, 1894.

N. P. YOUNG, Clerk.

6.

Robert B. Hayes
Marietta Porter } Purchase
at $700

NOTICE.

Pursuant to a decree of the Circuit Court of Isle of Wight county in the cause of Simons et al., vs. Owens et al., I shall offer for sale at public auction at 2 o'clock p. m.,

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Terms:—One-fourth cash, balance in one and two years, purchaser to give bond and good security. Title retained till the further order of court.

A. C. OWENS, Special Commissioner.

W. S. HOLLAND, Attorney.

December 14, 1894.

In the Clerk's office of the Circuit Court of the county of Isle of Wight, Nettie Simons et al.. plaintiff, against J. B. Owens et al., defendant, I, N. P. Young, Clerk of the said Court, do certify that the bond required of the Special Commissioner by the decree rendered in said cause on the 13th day of December, 189[illegible], has been duly given.

Given under my hand as Clerk of the said court, this 13th day of December, 1894.

N. P. YOUNG, Clerk.

E. E. HOLLAND, President.
WM. H. JONES, Jr., Cashier.

Capital Stock, - $20,200.
Surplus and Profits, $156,000.

ESTABLISHED 1870

Farmers Bank of Nansemond.

Suffolk, Va., July 12 1895

W. T. Holland Esq
Holland Va.
Dear Sir:

I enclose a Certificate of Deposit to J. J. S. for $175. Coming due in one year from date.

Yours truly
W. H. Jones Jr

Mr. Parker has left the release deed here for record. It has been recorded in Rockwall Co.

Yours,

S. O. Spreen

May 10/915

Best in the World for the Money.

OFFICE OF

A. C. OWENS,

—DEALER IN—

STAPLE & FANCY GROCERIES.

Omaha, Ga., 5/14 1893

W. S. Holland Esq
Windsor, Va.

Dear Sir:-

Yours of the 11th to hand enclosing Statement &c. I have made a copy of statement and return the original. I suppose I understand it only I can't see how the cost coded be as much as it is. What is included in "Tax Cost" besides Yours & the Clerks fee? I suppose the Court allowed you more than $30. I am willing to do what ever is right about the commissions, but it look to me that I ought to be gulilled to the full amt. as I have to

Best in the World for the Money.

OFFICE OF

A. C. OWENS,

—DEALER IN—

STAPLE & FANCY GROCERIES.

Omaha, Ga., ... 189...

return half of it to S. H. Simons and if I divide with you it would leave scarcely anything for us. I don't think Simons will be willing to do you know I asked you if being away from Va. would interfere with him being Com. and you said it would not. I would much rather not have been Com. as being kept there occasioned me more loss than my Com. will and to. You know you promised to take the case for $30. and it looks to me like what you get in addition to that will be good pay. As we were the cause of you getting the case at all it looks like we ought to have that much. The cost was at last

Best In the World for the Money.

OFFICE OF

A. C. OWENS,

—DEALER IN—

STAPLE & FANCY GROCERIES.

Omaha, Ga., ... 189...

least $30. more than I have any idea it would be. Never thot it would be more than $75. Edwards is not entitled to but $3.00. He told me he wayed take it for that and I have a witness to it. I returned Chk. Signed. Hoping this is all right.

Yours truly
A. C. Owens.

If you will get Bunyan Owens Attorney before his Xpart and take his note. that I have to I'll give you all over $75.
The note is $33.

Z. T. Paid R. B. Hayes in cash $ 5.22
By rec'd from R. B. Hayes by check 85.00

COURTS:
Isle of Wight, Nansemond,
and Southampton

OFFICE OF
W. S. HOLLAND,
Attorney at Law and Commissioner in Chancery,
Windsor Station, Va,

262.52
5-25-04
2
2
2
20

Costs taxed	73 64
Estimated future costs	1.00
Cross on 710 50/100	23.21
Crier	5.00
Hud Hills	1.00
Deed	5.00
	108.85

710.50
108.85
7 | 601.65
85.95
4
343.80 each share

175.00
343.80
518.80

710.50
518.80
191.70

Simons et al
vs
Owen et. al.

Report of Sale

Simons et als.

vs

Owens et als.

The undersigned your special commissioner respectfully represents to the court that on the 5th day of January 1895 he sold the lot of land in Windsor pursuant to a decree a copy of which is herewith filed, at which sale Marietta Parker and Robert B. Hayes became the last and highest bidder at the price and sum of seven hundred dollars, and paid in cash one hundred and seventy-five dollars which was deposited in bank in accordance with said decree and the certificate of deposite is herewith filed , and executed two bonds with surety by your commissioner considered good which bonds are herewith filed.

Your commissioner says that the property sold at the price named by commissioner Young in his report as its value, and your commissioner says he thinks the price a fair and reasonable one and therefore recommends the confirmation of the sale.

Respectfully submitted,

A. C. Owens. Spe. Com.

To	Tax Cost	73.64	
"	Estimated Future Cost	1.00	
"	Commissions on 710.50	23.21	
"	Crier	5.00	
"	Hand-bills	1.00	
"	Deed	5.00	
By	Sale of Lot		700.00
"	Interest on Defered payments		10.50
To	Balance in Commissioners hands	601.65	
		$710.50	$710.50

Nettie O. Simons	1/7 of 601.65)	85.95
J. B. Owens	1/7 of 601.65)	85.95
Kate O. Hayes	1/7 of 601.65)	85.95
A. C. Owens	1/7 of 601.65)	85.95
R. W. Owens	1/7 of 601.65)	85.95
Marietta Parker	1/7 of 601.65)	85.95
Oscar L. Owens	1/7 of 601.65)	85.95
		$601.65 $601.65

J. B. Owens

Pay to the order of Cashier,
OR ORDER, FOR COLLECTION, FOR ACC'T OF
Merchants' and Farmers' Bank,
PORTSMOUTH, VA.
J. H. TOOMER, Cashier.

Wm. B. Holland,
Attorney.

Suffolk, Va., May 11th 1895 No. 145

The Farmers Bank of Nansemond

Pay to the order of

J. Berry an owens $53 80/100

Fifty-three & 80/100 Dollars

In full of my interest in proceeds sale owens lot at Windsor, I have this day received thirty two (32) dollers and fifteen (15) cents which W.S. Holland atty paid to my brother & sisters for me at my request making $85.95 received in all by me

W.S. Holland

SAM. W. BOWMAN, NORFOLK, VA.

Nettie Simons

Wm. S. Holland,
Attorney.

Suffolk, Va, May 23rd 1895 No. 148

The Farmers Bank of Nansemond

Pay to the order of

Nellie O. Simons $86 46/100

Eighty Six and 46/100 Dollars

In full of my share proceeds of sale of Owens lot at Windsor by A.C. Owens Spc. Com. under decree in suit of Simons et als vs Owens et als.

W.S. Holland

$86 46/100

SAM W BOWMAN, NORFOLK, VA

A. G.

L. F. Owens.

A. G. Owens.

Pay..... .....

Cashier, or Order for Collection

For Account of

Bank of Stewart County

LUMPKIN, GA.

W. L. Mardre, Cashier.

Wm. S. Holland,
Attorney.

Suffolk, Va., May 23rd 1895 No. 149

The Farmers Bank of Nansemond

Pay to the order of

A.C. & L.H. Owens $94.51

Ninety four & 51/100 Dollars

In full of Share in proceeds of sale of owens lot at Windsor sold by A.C. Owens Spc. Comr. and in full of balance of commissions due A.C. Owens as per agreement with S.H. Simons & W.S. Holland attys. The endorsing this check is a signing and ratification of this draft

W.S. Holland

SAM. W. ROWMAN, NORFOLK, VA

S. H. Simons

Wm. S. Holland,
Attorney.

Suffolk, Va. May 23 1895 No. 150

The Farmers Bank of Nansemond

Pay to the order of

S. H. Simms [redacted] $8 05/100

Eight & 05/100 Dollars

Amt. of Cms. on sale of dower lot as per agmt between A.C. Sykes, S.H. Simms & W.S. Holland atty.

W.S. Holland

SAM. W. BOWMAN, NORFOLK VA.

J. B. Owens

For Deposit Only in the
Merchants' & Farmers' Bank,
of Portsmouth, Va.,
to the Credit of
ALVAH H. MARTIN.

Pay W. H. Jones Jr. Cashier,
OR ORDER, FOR COLLECTION, FOR ACC'T OF
Merchants' and Farmers' Bank,
PORTSMOUTH, VA.
J. H. TOOMER, Cashier.

Wm. S. Holland,
Attorney.

Suffolk, Va., May 23rd 1891 No. 151

The Farmers Bank of Nansemond

Pay to the order of

J. B. Owens $0 5/100

Fifty one cents (5/100 Dollars)

Bal. in full of your interest in sale of lot of Bk. Owens at Whaleyville under deed of trust

W. S. Holland

SAM. W. BOWMAN, NORFOLK, VA

N. O. Young

W. J. Williams

For deposit to the credit of

N. S. Thomas & G. P. Tolk

Trustees

Pay to the order of
Cashier
THE BANK OF SMITHFIELD
A. S. BARRETT

Pay Farmers Bank of Nansemond.
SUFFOLK, VA.,
OR ORDER, FOR COLLECTION.
CITIZENS BANK OF NORFOLK, VA.,
Walter H. Doyle, Cashier.

Wm. S. Holland,
Attorney.

Suffolk, Va, May 23rd 1895 No. 154

The Farmers Bank of Nansemond

Pay to the order of

N.P. Young $21 02/100

Twenty one and 2/100 Dollars

This amt. fees due due as clk, as Comr. and for postage and one dollar - added for future costs. I have made this estimate by count of folios - Jun have cost 20.02 + one added makes 21.02

W.S. Holland

SAM. W. BOWMAN, NORFOLK, VA

Ro. A. Edwards

Wm. S. Holland,
Attorney.

Suffolk, Va, May 23rd 1895 No. 155

The Farmers Bank of Nansemond

Pay to the order of

R. A. Edwards Crier $3 00/100

Three and no/100 Dollars

Fee as crier for selling for C.C. Owens Comr. Lot at Windsor. This is amt. agreed upon by

W. S. Holland

SAM. W. BOWMAN, NORFOLK, VA

at Windsor 2nd Jany 1st 1895 at which sale Robt B. Hayes and Marietta Parker became purchasers and a deed bearing even date herewith has been made to them. This money was used in purchase price and settlement made as shown on the other side of this sheet.

Kate C. Hayes
R B Hayes Guardian for O Sc & L Owens

Marietta Parker
C G Parker assignee of R Owens

A statement of receipts & disbursements of money in the hands of A. C. Owens spec. Comr. arising from sale of Owens lot at Windsor under a decree entered in the suit of Simons et als Vs. Owens et als.

To	Ct. Costs	73.60	
"	Estimated future Costs	1.00	
"	Commissions on 710.50	23.71	
"	Crier	5.00	
"	Hand-bills	1.00	
"	Deed	5.00	
By	Sale of lot		700.00
"	Int. on defered payments		10.50
To	Balance in hands of Comr.	601.65	

Nettie O. Simons	1/7th of 601.65		85.95
J. B. Owens	1/7	" " "	85.95
Katie O. Hayes	1/7	" " "	85.95
A. C. Owens	1/7	" " "	85.95
R. W. Owens	1/7	" " "	85.95
Marietta Porter	1/7	" " "	85.95
Oscar L. Owens	1/7	" " "	85.95

Rec'd. May 5th 1895 of W. S. Hallum attorney for A. C. Owens special Commr. each the sum of eighty five dollars and ninety five cents ($85.95) in full of the interest in the proceeds of sale of lot

Simons et als

vs

Owens et als.

In vacation.

Decree

To be entered.

Sept. 1894

Received in the Clerk's office and entered, Sept. 10, 1894.

Test, N. P. Haney Jr.

Simons et als.

vs.

Owens et als.

This cause came on to be heard this day in vacation on the motion of the plaintiffs and on notice to the dendants, on the bill taken for confessed as to the adult defendants and on the answer of the infant defendant by his guardian ad litem and on the answer of the said guardiam ad litem to said infant defendant and was argued by counsel:

On consideration whereof the court doth adjudge order and decree that one of the commissioners of this court enquire and report to the next term (I) Whether the lot of land in the bill mentioned is susceptible of partition in kind? (2) whether any party in interest will take it and pay a fair price to others in interest? (3) Whether there is any lien on the interest of any party? (4) Who and in what proport ion are entitled to share in the proceeds of sale. (5) Any matter deemed pertinent by the commissioner or any party in interest who may require the same to be stated.

C. P. Stiles
September 8th 1894

faithful performance of duty under this or any subsequent decree herein and payable according to law with surety by said clerk deemed sufficient, and said Commissioner or Commissioners shall deposite all money collected by him in the "The Farmers Bank of Nansemond of Suffolk Va" and said Commissioner shall make report to Court.

Simmons et. als.
vs
Bowers et. als.

Simons et. al.

vs

owens et al

This cause come on again to be heard on the papers formerly read on the report of Comr. Young filed herein on 2nd day of Oct. 1894 to which there is no exception and was ~~[illegible]~~ argued by counsel:

On consideration whereof the court doth adjudge order and decree that said report of Commr Young is hereby confirmed; and the court doth further adjudge order and decree that A.G. owens and S. H. Simons who are hereby appointed special Commissioners for that purpose, either of whom may act, shall after first having advertised by printed hand bills sell the lot in the bill & proceedings mentioned at public auction for cash one fourth, the balance in one year, taking from the purchaser a bond with good security for deferred payments, title retained till the further order of court, but said Commissioners shall not enter upon their duties till they or the one acting shall enter into bond before the clerk of this court in the penalty of $1400 + 100 conditioned for the

Simons et als.

vs

Owens et als.

December 13th 1894

Decree

To be entered.

To be entered
Dec 13, 1894
Ormond #

Simons et als.

vs

Owens et als.

This cause came on this day to be again heard on the papers formerly read, on the report of commissioner Young filed herein on the second day of October 1894, to which no exceptions have been filed, and was argued by counsel, on consideration whereof the court doth adjudge order and decree that S.H.Simons and A.C.Owens who are hereby a ppointed special commissioners for that purpose (either of whom may act) after first having advertized the time, terms and place of sale, by hand bills for fifteen days proceed to sell the house and lot in the bill and proceedings mentioned for cash, one fourth, the balance in one and two years from date of sale purchaser to give bond and good personal security for deferred payments, title retained till the furthe order of court, but neither of said commissioners shall act under this decree till he or they shall enter into bond before the clerk of this court in the penalty of one thousand dollars with surety by said clerk deemed sufficient and payable and condition3d according to law, that said commissioners deposite in the The Farmers Bank of Nansemond, Suffolk Va. any money coming into their hands, and that they make report to court of their proceedings under this decree.

Bank of Commerce, Suffolk Va.
any money coming into their hands
and that they make report to court of
their proceedings under this decree.
A copy.
Teste. N. P. Young Clk.

Summons &c.
vs
Copy Decree
Decree &c.

Dec'r 18, 1894

In the Circuit Court of Isle of Wight
County Dec 13th 1894

Simons et als — Plaintiff

vs. } In Chy.

Owens et als — Defendant

This cause come on this day to be
again heard on the papers formerly read
on the report of commissioner Young
filed herein on the second day of October
1894 to which no exceptions have been
filed; and was argued by counsel, on
consideration whereof the court doth adjudge
order and decree that S. V. Simons and T. C.
Owens who are hereby appointed special
commissioners for that purpose (either of
whom may act) after first having adver-
tized the time terms and place of sale
by hand bills for fifteen days proceed to
sell the house and lot in the bill and proceedings
mentioned mentioned for cash, one fourth
the balance in one and two years from date
of sale, purchaser to give bond and good
personal security for deferred payments
title retained till the further order of court
but neither of said commissioners shall
act under this decree till he or they
shall enter into bond before the clerk of
this court in the penalty of one thousand
dollars with surety by said clerk deemed
sufficient and payable and conditioned
according to law. That said com-
missioners dispose in the The Terms

Simons et als.

vs.

Owens et als.

Decree

To be entered.--

Robert R. Reuls

April 22, 1895.--

Entered

K/L

Simons et als.

vs.

Owens et als.

This cause came on this day to be again heard on the papers formerly read, and on the report of special commissioner A. C. Owens filed this day by leave of court, to which there is no exception, and was argued by counsel:

On consideration whereof the court doth adjudge, order and decree that said report of special commissioner Owens and that the sale reported by him are confirmed; that as the bonds filed with said report become due, or as much sooner as the purchasers of the property may elect to pay, the said special commissioner is authorized to withdraw from the papers said bonds, leaving with the clerk of this court a receipt therefor, and that when said balance of purchase money is all paid with interest then W. S. Holland who is hereby appointed a special commissioner for that purpose make, execute and deliver to the purchasers a good and sufficent deed, with special warranty, conveying to them the lot of land in the bill and proceedings mentioned.

And the court doth further adjudge order and decree that said special commissioner Owens pay out the money is his hands as follows: First, pay the cost of this suit and sale including a fee to W. S. Holland attorney, of thirty ($30.) dollars in addition to the taxed fee, and pay the balance to the children and heirs at law of R. R. Owens deceased, their attorneys, or assignees by check, and make report to court, filing therewith his vouchers.

And the court doth further adjudge order and decree that whenever in the execution of this decree the signature of special commissioner Owens may be required it may be signed by W. S. Holland and his attorney, and countersigned by said W. S. Holland as attorney.

that said Special Commissioner deposit pay out the money in his hands as follows: First pay the cost of this suit & sale including a fee to W. S. Holland attorney of thirty ($30) dollars in addition to the taxed fee & pay the balance to the children & heirs at law of R. P. Owens deceased, their attorneys or agents on check and make report to Court filing therewith his vouchers.

A copy

Test N. T. Young clk

by A. J. Young Deputy

Atto. fee Plff . . . 10.00

Atto. " allow'd in addn. 30.00

Clerks fees circt Court 10.72

Do Co. Ct. .30

Carried Below $54.52

Dennis Apt et ux / Pltf's

Swanson et als

vs. Equity

Owens et als

Brought down $54.52

Sheff Southampton 8.00

" Southampton 8.00

" Norfolk City 1.00

Comm. in clerk's 9.00

Postage paid by Plf. atto. .12

Total costs $113.64

Test. N. T. Young cc

In the Circuit Court of Isle of Wight County, April Term 1895.

Simms &als Plaintiffs

vs.

Cross &als. Defendants.

This cause came on this day to be again heard on the pleas formerly read, & on the report of Special Commissioner A. L. Cross filed this day, by leave of Court, to which there is no exception, and was argued by Counsel. On consideration whereof the Court doth adjudge order & decree that said report of Special Commissioner Cross & that the sale reported by him be confirmed; that as the bonds filed with said report become due, or as much sooner as the purchaser of the property may elect to pay, the said Special Commissioner is authorized to withdraw from the papers said bonds, leaving with the Clerk of this Court a receipt therefor, & that when said balance of purchase money is all paid with interest, then W. S. Holland who is hereby appointed a Special Commissioner for that purpose make, execute & deliver to the purchaser a good & sufficient deed, with special warranty, conveying to them the lot of land in the bill & proceedings mentioned. And the Court doth further adjudge order & decree

Simons et als.

vs

Owens et als.

Decree

Oct 29th 1895

To be entered.

Robert E. Lewis

Entered #23

Simons et als.

vs Owens et als.

This cause came on this day to be
of distribution under decree herein of April 22
again heard on the papers formerly read and on the report of T.C.
Owens special commissioner this day filed by leave of court, and to
which no exceptions have been taken, and was argued by counsel:

On consideration whereof the court doth adjudge, order and decree
that said report be and same is hereby confirmed, it appearing to
the court by proper vouchers filed with the said report that said
special commissioner has paid out all the money arising from the s
sale of the said land and which from any source has come into his
hands, and nothing further appearing to be done in this cause it
is ordered that the same be ~~dismissed and~~ stricken from the
docket.

Executed this the 6th day of Aug 1894 by delivering a true Copy of this Notice to Katie Coffman & R. B. Hays in person

A. H. Baker Sh'ff
By R. E. Hoffner, Dep'y

To. J.B.Owens, Katie O.Hayes, R.B.Hayes, Marietta Parker, C.G. Parker

Please take notice that on the 6th day of Sept I894 at his residence in vacation we shall ask the Hon. C.W. Hill judge of the circuit court of Isle of Wight county to enter a decree for the usal accounts and enquiries in the suit of Simons et als vs Owens et als, it being a suit for the partition of the lot at Windsor owned by the late Rev. R. R.Owens

Very Resepectfully,

N. O. Simons & others
by W. S. Holland their
attorney.

Simons et als

vs

owens et als

Oct 29th 1895

Report of distribution & a/c, order &c, Conv -

Simons et als.

vs

Owens et als.

Your commissioner begs to report that by his attorney he has pursuant to a decree herein of the 22ond day of April 1895 he has distributed all the money in hand, all the money arising from the sale of the lot in the bill and proceedings mentioned, and files herewith his statement and vouchers. which he hopes may be found correct and that the said suit may be dismissed.

Respectfully,

A. C. Owens Sp. Com

by W. S. Hoke his atty

92

Maria F. owens

To } Deed of Bargain and Sale.

Laura F. owens

ADMITTED TO RECORD

July 30th 1894

Book No 34

Page 307

1894 August 1st Examined verified and mailed

A P Gamey Clerk. D.C

Tax, ... $ 50

Fee, ... $ 125

Total, Paid $ 175

Recorded in the Clerks office of Caroline County Va. Aug. 2nd 1894 and in Deed Book 34 page 307 and examined and mailed the same day as stated in the certificate of acknowledgment annexed thereto. Teste. A. P. Gamey Clk.

by C. F. Gamey D.C.

Recorded in the Clerks office of Caroline County Va. Aug. 2nd 1894 in Deed Book 69 page 24 Fee $1.25 Paid

A C Owens Windsor Va

West, Johnston & Co., Print., Richmond, Va.

STATE OF VIRGINIA,
COUNTY OF ISLE OF WIGHT, } To-wit :

I, W.S. Holland, a Commissioner in chancery of the Cir. Ct. ~~a Notary Public~~ for the County aforesaid,

in the State of Virginia, do certify that Marion F. Owens

whose name is signed to the writing above, bearing date on the

20th day of January in the year eighteen hundred and ~~eighty~~ 94 has

acknowledged the same before me, in my County aforesaid.

Given under my hand, this 20th day of January in the year 1894

W.S. Holland
Comr. In Chancery &c
~~Notary Public.~~

STATE OF VIRGINIA.
COUNTY OF ISLE OF WIGHT, } To-wit :

I, a Notary Public for the County of

Isle of Wight, in the State of Virginia. do certify that

the wife of whose names are signed

to the writing above, bearing date on the day of , in the year eighteen

hundred and eighty- , personally appeared before me, in the County aforesaid, and being

examined by me privily and apart from her husband, and having the writing aforesaid fully explained to her,

she, the said acknowledged the said writing to be her act,

and declared that she had willingly executed the same and does not wish to retract it.

Given under my hand this day of in the year 188 .

Notary Public.

In the Clerk's Office of Nansemond County Court the 30th day of July 1894.
This Deed was presented with the Certificate annexed and ~~with~~ admitted to record.

Teste:

R.R. Smith Clerk
By A.L. Gomey D.C

Rev. R. R. owens, the property hereby conveyed is the same property conveyed to said Maria F. owens by A. C. owens by deed duly recorded

The said grantor covenant that she ha the right to convey the said land to the grantee; that the grantee shall have quiet possession of the said land, free from all incumbrances; that she, the said part- of the first part, will execute such further assurances of the said land as may be requisite; that she ha done no act to incumber the said land.

WITNESS the following signature and seal.

Maria F. Owens. (SEAL.)

(SEAL.)

(SEAL.)

(SEAL.)

THIS DEED, made this, the 20th day of January, in the year eighteen hundred and ~~eighty~~ 94 between Maria F. Owens

of the County of Nansemond in the State of Virginia party of the first part, and Laura F. Owens of same county & state

party of the second part.

Witnesseth, THAT IN CONSIDERATION OF THE SUM OF three hundred dollars cash in hand paid ~~dollars~~, the said party of the first part do grant, with general warranty, unto the said party of the second part. the following property, to-wit: an undivided one sixth interest in the form of which Rev. R. R. Owens died seized and possessed said to contain 260 acres more or less adjoining the lands of the estate of Joshua Simons, Peter Ashburn, the est. of Sol. Butler, H. N. Persons, T. A. Persons, Simon Branch col, estate of Archer Hill col, lying partly in the County of Isle of Wight and partly in the county of Nansemond; also one undivided seventh part or interest in and to a certain lot in Windsor in the County of Isle of Wight in the State of Virginia of which said Rev. R. R. Owens died seized and possessed on which J. B. Owens now lives, adjoining the lands of Mrs Sarah J. Jordan, J. B. Brewer, N & W. R. R. Co. and others. The said Maria F. Owens expressly reserves all her dower interest in all said property and nothing herein contained shall be construed to affect her dower right as the widow of said

Executed Aug. 3rd
1894 by delivering a
copy of this Notice to
C. G. Parker. Marietta
Parker not being at home
I delivered a copy of this
Notice to her husband C.
G. Parker a member of
her family over the
age of sixteen years
& explained its purport
to him.

J. W. Williams
Sheff.

To J.E.Owens, Katie O.Hayes, R.E.Hayes Marietta Parker and C.C.Parker:

Please take notice that on the 5th day of Sept. 1894 at his residence in vacation we shall the Hon. C.W.Hill judge of the Cir. Court of Isle of Wight county to enter a decree for the usual accounts and enquiries in the suit of Simons et als vs Owens et als, it being a suit for the partition of the lot at Windsor owned by the late Rev R.R.Owens.

Very Respectfully

Executed this
4 day of August 1894
by serving a copy of
the within summons
on J B Lawson
personally
a Sweetser
S P Sheriff

Fee 50 cts
Paid by
W S Holland

To J.B.Owens, Katie O.Hayes, R.B.Hayes Marietta Parker and C.G.Parker:

Please take notice that on the 6th day of Sept 1894 at his residence in vacation we shall ask the Hon. C.W.Hill judge of the CIr. Court of Isle of Wigh county to enter a decree in the cause of Simons et als vs Owens et als for the ususla acounts and enquiries, it being a suit for partition of the lot at Windsor owned by the late Rev R.R.Owens.

Very Respectfully,
W.S. Holland
for R.B. Simons
and others

Executed This 15th day of
Sept 1894 by Alvenny a Due
copy of the Within Process to
Kate D Hayes and R B Hayes
in person

A H Baker
Sheriff

Please endorse & return to

Mr. W. T. P. FORM No. 400. January

Sale of wife &c.

Kittitas Co. Wash. Ter.

vs. COMMISSIONER'S NOTICE.

Caroline Clark

P. O. Fee, 1 Folio, 15 cts.

Sheriff's Office,
Kittitas Co.

Everett Waddey Co.,
Stationers and Printers,
Richmond, Va.
} Form No. 400.

Commissioner's Office,

Isle of Wight C.H. Sept. 11th 1894

To Kate A. Hayes and R. B. Hayes

You are hereby notified that I have fixed upon the 20th day of September 1894 ~~next~~, if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle at my office, the ~~account~~ of following enquiries & accounts 1st Whether the Lot of land in the Bill mentioned is susceptible of partition in kind? 2nd Whether any party in interest will take it and pay for the price to the other parties in interest? 3rd Whether there is any lien on the interest of any party? 4th Who and in what proportion are entitled to the proceeds? 5th Any other matters deemed pertinent & required to be taken by a decree of the Circuit Court of the County of Isle of Wight rendered on the 8th day of September 1894, in a suit in chancery depending in said Court between Mattie A. Parsons et als. plaintiffs, and J. B. Owens et als. defendants,

at which time and place you are required to attend.

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

N. P. Young Comm'r in Ch'y

Please execute & return
to Mrs A P Young

FORM No. 400.

Please take notice to

Simons et al

vs. } COMMISSIONER'S NOTICE.

Owens et als.

To 8th. Sept. 1894.

Executed by delivering
a copy of this Notice to
Martha Parker. C.G.
Parker not being found
at his usual place of
abode I delivered a copy
for him to Martha Parker
his wife she being a member
of his family of the age of
sixteen and explained
its purport to her

Sept 10th 1894 W. Williams
Deputy
Southampton Co. Sheriff.

Everett Waddey Co.,
Stationers and Printers,
Richmond, Va.
Form No. 400.

Commissioner's Office,

Isle of Wight C.H. Sept. 21st 1894

To Martha Parker and C. G. Parker

You are hereby notified that I have fixed upon the 26th day of September 1894 next, if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle at my office, the ~~account~~ following enquiries & account:- 1st Whether the lot of land in the bill mentioned is susceptible of partition in Kind? 2. Whether any party interested will take it and pay a fair price to the other parties in interest? 3rd Whether there are any liens on the interest of any party? 4th If so and in what proportion are entitled to share in the proceeds? 5th Any fact or circumstance deemed pertinent by me, or required to be taken by a decree of the Circuit Court of the County of Isle of Wight rendered on the 8th day of September 1894, in a suit in chancery depending in said Court between Mattie A. Simmons et als: plaintiffs and J. B. Owens et als defendants

at which time and place you are required to attend.

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

N. P. Young Comm. in Chy.

FORM No. 400.

Simons et als

vs. } COMMISSIONER'S NOTICE.

Owens et als

To 8. Sept. 1894

I hereby accept service of this notice & waive service by an Officer
Sept. 11-94

J. B. Owens
Norfolk Co. Sheff

Everett Waddey Co.,
Stationers and Printers,
Richmond, Va.
} Form No. 400.

Commissioner's Office,

Isle of Wight C. H. Sept 11, 1894

To J. B. Reeves

You are hereby notified that I have fixed upon the 20th day of September 1894 next, if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle at my office, the account following enquiries to wit 1st Whether the lot of land in the bill mentioned is susceptible of partition in kind? 2nd Whether any party in interest will take it and pay a fair price to others in interest? 3rd Which defendant or defendants in the interest of any party? 4th Who and in what proportion are entitled to share in the proceeds of sale? 5th any other matters deemed pertinent by me required to be taken by a decree of the Circuit Court of the County of Isle of Wight rendered on the 8th day of September 1894, in a suit in chancery depending in said Court between Nettie O. Sessoms et als Plaintiffs, And J. B. Reeves et als, defendants

at which time and place you are required to attend.

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

N. P. Moore Comm'r.
in Chy.

FORM No. 400.

Lucas M. D. et als,

vs. } COMMISSIONER'S NOTICE.

Deeds J. B. et als,

To 20. Sept. 1894
//

Everett Waddey Co.,
Stationers and Printers,
Richmond, Va.
} Form No. 400.

Commissioner's Office, Isle of Wight C. H.

Sept. 11th 189 4

To Nettie A. Simons S. A. Simons L. T. Owens and A. C. Owens heirs. And to J. B. Owens, Kate O. Hayes, R. B. Hayes, Martha Parker, C. G. Parker and R. C. Boykin guardian of Oscar L. Owens

You are hereby notified that I have fixed upon the 20th day of Sept. 1894 next, if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle at my office, the account of the following inquiries to-wit: 1st whether the tract of land in the bill mentioned is susceptible of partition in kind? 2nd whether any party has an interest in, and will take it and pay a fair price to others in interest? 3rd whether there are any liens on the interest of any party? 4th the value of said property? 5th any other matters deemed pertinent by me, to state in the progress of said cause, required to be taken by a decree of the Circuit Court of the County of Isle of Wight rendered on the 8th day of Sept. 1894, in a suit in chancery depending in said Court between the parties aforesaid, plaintiffs, and defendants.

at which time and place you are required to attend.

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

N. Florence Comm.
in Chy