

1920-030

Nansemond Co (Suffolk)

Chancery Causes: Petition of Trustees
of the School Board of
Cypress District No 1

Arthur, Doughtie, Rodgers, Eley,
Seunders, Smith, Meck

Copy of Costs

Taxed in the Suit of:

L.P. Holland, p. q.

vs.

Trustees of Cypress District School Board

Authority to sell School property.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA

Writ Tax

Clerk

1.50

Sheriff

Attorney

Commissioner

Printer, for Order of Publication, etc.

Date of Judgment or Final Decree

191

Paid

10-9-1920
H. E. Armstrong

Clerk

*Handy receipt
and return
L.P.H.*

STATEMENT

All Bills Due First of Month Following Date of Purchase

C. R. WALLACE & COMPANY**PRINTERS AND STATIONERS**524
Main
Street**SUFFOLK, VIRGINIA**

Mr.

E. E. L. P. Holland

Printing
Engraving
Lithographing
Blank Books
Loose Leaf
Devices
Office Supplies
Equipment

TERMS CASH--NO DISCOUNT

Date	Item	Amount	Total
7/22	100 Sales Notices	7 95	
<i>Quickly receipt and return L. P. H. and Oct 2, 1912 C. R. Wallace</i> <i>FOR DEPOSIT ONLY BANK OF VIRGINIA SUFFOLK, VIRGINIA C. R. WALLACE & COMPANY</i>			

September 29, 1920.

School Board of Cypress District No. 1, of Nansmond County,
To A. L. Harrell.

August 4, To auctioning School property....\$10.00

Received payment,

A. L. Harrell
September 29, 1920. Auctioneer

\$10.00

September 30, 1920.

Received of the School Board of Cypress District
No. 1 of Nansemond County, Virginia, the payment of the
sum of TEN AND NO/100.....DOLLARS
in full settlement, satisfaction and discharge for fee
for writing deed from the School Board of Cypress District
No. 1 to J. W. Raby.

L. P. Holland

\$30.00

September 30, 1920.

Received of the School Board of Cypress District No. 1
of Nansemond County, Virginia, the payment of the sum of
THIRTY.....DOLLARS
in full settlement, satisfaction and discharge of legal services
rendered for preparing petition and obtaining decree for the
sale of the property in these proceedings fully described.

L. M. Holland

\$342.55

October 2, 1920.

Received of L. P. Holland the payment of the sum
of THREE HUNDRED AND FORTY-TWO AND 55/100.....DOLLARS
being the balance due after the payment of costs and ex-
penses from the sale of a piece of school property adjoin-
ing the property of J. W. Raby, and which property was sold
to the said J. W. Raby for \$402.50.

SCHOOL BOARD OF CYPRESS DISTRICT
NO. 1

by

B. H. Daugherty

IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND, VIRGINIA.

In the Matter of the Application of
the Trustees of the School Board of
Cypress District No. 1 of Nansemond
County, Virginia, for Authority to
Sell School Property.

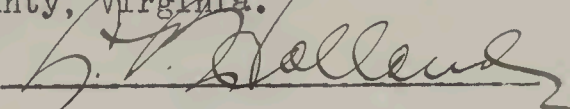
The undersigned, School Board of Cypress District
No. 1 of Nansemond County, Virginia, beg leave to report that
in execution of the decree entered in this matter on the 7th
day of September, 1920, it has executed a proper deed to J.
W. Raby, the purchaser of the parcel of land fully described
in these proceedings, it has received the purchase money for
the said property aggregating \$402.50, and that out of the
said purchase price it has paid the following expenses:

Proceeds of sale.....	\$402.50	
To fee allowed L. P. Holland by the Court.....	\$30.00	
To fee for writing deed.....	10.00	
To Court Costs.....	1.50	
To C. R. Wallace for sale notices..	7.95	
To A. L. Harrell, Auctioneer, for auctioning property.....	10.00	
To Revenue Stamps on deed.....	.50	
Total.....	\$59.95	<u>59.95</u>
Balance.....		\$342.55

which amount is to be applied to the District School Fund
for district school purposes.

Trustees of the School Board of
Cypress District No. 1, of Nansemond
County, Virginia.

By



Attorney.

FINAL REPORT

In the Matter of the Application of the Trustees of the School Board of Cypress District No. 1 of Nansemond County, Virginia, for Authority to sell School Property.

Filed on the 25 day of
October, 1920. *J. L. M.*

IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND, VIRGINIA.

In the Matter of the Application of
the Trustees of the School Board of
Cypress District No. 1 of Nansemond
County, Virginia, for Authority to
Sell School Property.

TO THE HONORABLE JAMES L. McLEMORE, JUDGE OF THE SAID COURT:

The undersigned, Trustees of the School Board of
Cypress District No. 1 of Nansemond County, Virginia, authoriz-
ed by a certain decree entered in this cause on the 15th day
of July, 1920, to sell certain school property therein de-
scribed and fully set forth, respectfully submits the following
report of its acts under the said decree:

That on Wednesday, the 4th day of August, 1920, at
12 o'clock M. in front of the Post Office in Whaleyville,
in Cypress Magisterial District, in the County of Nansemond
and State of Virginia, the said Trustees, pursuant to authority
of said decree and in accordance therewith, put up for sale,
at public auction, the tract of land described in said decree,
at which sale the said tract of land was bid off and disposed of
to J. W. Raby, the highest bidder therefor, for the price of
FOUR HUNDRED AND TWO DOLLARS AND FIFTY CENTS (\$402.50).

The undersigned, Trustees of the School Board of Cy-
press District No. 1 of Nansemond County, Virginia, report further
that the said property was fully advertised in accordance with the
said decree, and that the price obtained, as a result of said ad-
vertisement and sale, is an unusually good price for the said
property, and they, therefore, ask that the said sale be con-
firmed, and that the said Trustees of said School Board be au-
thorized to convey to said purchaser the said parcel of land
purchased by him at said sale, in accordance with this report,
upon the payment of the said purchase price as stated.

R. S. Holland having been appointed Trustee in the place of R. E. Rodgers since the last decree in this cause was entered, he, therefore, signs this report instead of the said R. E. Rodgers.

Respectfully submitted,

W. Arthur, clerk

R. H. Doughty

R. S. Holland

TRUSTEES OF THE SCHOOL BOARD OF
CYPRESS DISTRICT NO. 1 OF NANSE-
MOND COUNTY, VIRGINIA.

R E P O R T

Trustees of the School
Board of Cypress District
No. 1 of Nansemond County,
Virginia.

Filed on the 7th day of
September, 1920.

J L M

HOLLAND & HOLLAND
SUFFOLK, VA.

IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND, VIRGINIA.

In the Matter of the Application of
the School Board of Cypress District
No. 1 of Nansemond County, Virginia,
for Authority to Sell School property.

This day came the School Board of Cypress District No. 1 of Nansemond County, Virginia, and filed its report in the above matter, which report shows that the property fully described in the decree entered in this cause on the 15th day of July, 1920, was sold on August 4th, 1920, to J. W. Raby for the sum of FOUR HUNDRED AND TWO DOLLARS AND FIFTY CENTS (\$402.50).

To which report there ~~was~~ no exception, and was argued by counsel.

On consideration whereof, it appearing to the court from the report of the Trustees of said School Board that the said sale was made in accordance with the decree aforesaid, and that the price obtained for said property was fair and reasonable, the court doth approve and confirm the said sale, and doth hereby order the said School Board of Cypress District No. 1 of Nansemond County, Virginia, on receipt of said purchase price set out in said report, to execute a good and sufficient deed for the said property, with Special Warranty, to J. W. Raby.

And the court doth hereby further order that, out of the proceeds of said sale, the said School Board pay the costs and expenses of these proceedings, including a fee of \$30 to L. P. Holland, Attorney, for his legal services in conducting these proceedings, and apply the remainder of the proceeds of sale to the District School fund to be used for District School purposes such as building new school houses, the up-keep of old school houses, and to other worthy school purposes within the discretion of the School Board.

The Court doth further order that the said School Board

of Cypress District No. 1 of Nansemond County, Virginia, make
report of its proceedings hereunder to the Court.

DECREE NO. 2

Entered on the 7th day of
September, 1920.

Las. M. G. Moore

#5-78-290

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IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND, VIRGINIA.

In the Matter of the Application of
the Trustees of the School Board of
Cypress District No. 1 of Nansemond
County, Virginia, for Authority to
Sell School Property.

This cause came on this day to be again heard on
the papers formerly read, and on the report of the School
Board of Cypress District No. 1 of Nansemond County, Vir-
ginia, dated the 25 day of October, 1920, and filed on
this date, to which report there is no exception and was
argued by counsel.

On consideration whereof, the court doth approve
and confirm said report.

There being nothing further to be done in this
cause, the same is hereby ordered to be stricken from
the docket.

FINAL DECREE

In the Matter of the Application of the Trustees of the School Board of Cypress District No. 1 of Nansemond County, Virginia, for Authority to Sell School Property.

Entered on the 25. day of
October, 1920.

Jas. L. McNamee.

#5-7g 305-

In the Circuit Court of Nansemond County, Virginia-
In the Matter of the Application of the Trustees of
School Board of Cypress District No. 1 of Nansemond
County for Authority to Sell School Property-

This cause came on this day to be heard on the petition of the Trustees of the School Board of Cypress District No. 1 of Nansemond County, Virginia, which petition is this day filed, and was argued by counsel.

On consideration whereof, it appearing to the Court from the petition that the land and building described therein have been abandoned for school purposes; that because of the location of the said property it is impractical to use it further for the purpose for which the land was obtained and the school house built thereon, and that it is the judgment and desire of the said Trustees of the School Board to sell the said school property, and apply the proceeds from the sale thereof to the District School fund to be used for District School purposes such as building school houses, the upkeep of old school houses and to other worthy school purposes within the discretion of ^{the} ~~your~~ petitioners, as alleged in said petition, the Court doth adjudge, order and decree that the said Trustees of the School Board of Cypress District No. 1 of Nansemond County do sell, at public auction, to the highest bidder for cash, in Cypress Magisterial District, in Nansemond County, Virginia, after first advertising the time, place and terms of sale by circulars or hand bills posted in seven, or more, public places in said district, the school property described as follows:

All that certain tract, piece or parcel of land in Cypress Magisterial District, Nansemond County, Virginia, beginning at a point on said road in the line of the lands of

Theophilus Spivey, deceased, and running thence Northeast along said line forty-five (45) yards to a corner (pine tree marked); thence Northwest fifty-five (55) yards; thence Southwest forty-five (45) yards distant from first station or starting point, thence along said road to first station, being forty-five (45) yards wide by fifty-five (55) yards long, tape-line measurement, and containing two roods, one pole and twenty-four and three-quarter ($24\frac{3}{4}$) yards (shape oblong), and bounded by the lands of the said Theophilus Spivey, deceased, and the lands of Alexander Mack, and being the same tract of land conveyed to W. H. Eley, James R. Saunders, and W. B. Smith, the former trustees of Cypress School District by deed of gift of Alexander Mack, the said deed being dated December 1, 1884, and recorded in Nansemond County Clerk's Office on May 2, 1890.

The Court doth further order, adjudge and decree that the said Trustees of said School Board shall make report to the Court of their acts in the execution of this decree.

TO THE HONORABLE JAMES L. MCLEMORE, JUDGE OF THE
CIRCUIT COURT OF NANSEMOND COUNTY:

Your petitioners, T. V. Arthur, B. H. Doughtie, and R. E. Rodgers, represent that they are and that they constitute the trustees of the School Board of Cypress District No. 1 of Nansemond County, Virginia, and that they have been duly appointed according to law, as will appear by reference to the records of said court, that the vested legal title of the said School District to the property hereinafter bounded and described is held by them, to wit:

All that certain tract, piece or parcel of land in Cypress Magisterial District, Nansemond County, Virginia, beginning at a point on said road in the line of the lands of Theophilus Spivey, deceased, and running thence Northeast along said line forty-five (45) yards to a corner (pine tree marked); thence Northwest fifty-five (55) yards; thence Southwest forty-five (45) yards distant from first station or starting point, thence along said road to first station, being forty-five (45) yards wide by fifty-five (55) yards long, tape-line measurement, and containing two roods, one pole and twenty-four and three-quarter ($24\frac{3}{4}$) yards (shape oblong), and bounded by the lands of the said Theophilus Spivey, deceased, and the lands of Alexander Mack, and being the same tract of land conveyed to W. H. Eley, James R. Saunders, and W. B. Smith, the former trustees of Cypress School District by deed of gift of Alexander Mack, the said deed being dated December 1, 1884, and recorded in Nansemond County Clerk's Office on May 2, 1890.

Your petitioners do further show unto the court that there is located on this property a small single story school building 28 X 18 feet, and that the property above described, together with the building thereon, was formerly

held by them for use as a school, but that its use as a school has been discontinued, and that it is no longer rented out or used for any purpose whatsoever, nor is it practicable to use it so that any benefit whatsoever may be received by the School Board for the purposes of education or otherwise.

Your petitioners, therefore, desire to sell the property hereinabove described, according to the mode prescribed by law, and to apply the proceeds from the sale thereof to the District School fund to be used for District School purposes, such as building school-houses, the upkeep of old school-houses, and to other worthy school purposes within the discretion of your petitioners.

And your petitioners pray that an order may be entered, authorizing the sale of the said property in accordance with the law, and that the proceeds from the sale thereof be applied to the school purposes hereinbefore set forth within the discretion of your petitioners.

And your petitioners will ever pray, etc.

W. Arthur

R. N. Doughty

R. E. Rogers

TRUSTEES OF SCHOOL BOARD OF
CYPRESS DISTRICT NO. 1 OF
NANSEMOND COUNTY, VIRGINIA.

STATE OF VIRGINIA,)
) To wit:
County of Nansemond,)

This day personally appeared before the undersigned, a Notary Public for the county aforesaid, in the State of Virginia, whose term of office expires on the 6th day of July, 1921, T. V. Arthur, B. H. Doughtie and R. E. Rodgers, Trustees of the School Board of Cypress District No. 1 of Nansemond County, Virginia, whose names are signed to the above petition, and made oath before me that the facts contained in the said petition as above set forth are true, and the affiants further make oath that the sale of the said property and the investment of the proceeds from the sale thereof for District School purposes as hereinabove set forth is they verily believe to the best interests of the School Board and for the best purposes of education.

Given under my hand this 2^d day of July, 1920.

J. C. Knight No.
NOTARY PUBLIC.

P E T I T I O N

T. V. Arthur et als,
Trustees of School Board
of Cypress District No. 1.

1920 July 15. filed
JAM

E. E. AND L. P. HOLLAND
SUFFOLK, VA.