1933-171 Chancery Causes: T.E. Trotman 199

Nansemond County (Suffolk) vs

B.C. Wilroy & c by

* All old chancery cases dismissed in this year Folder 1 of 2

Williamson, Cartwright, Wagner, Jones,
Harrell, Warrington, Jordan, Darden,
Driver, Heffington, Old, Rives, Bowser,
White, Elliott, Hale, Ricks, Pinner,
Watkins, Beaman, Jacob Keeling & Co I,
Keeling, Sumner, Gary, Woodward,
Minton, King, Hatton, Hargrove,
Murdaugh, Beoman, Vincent, Kirn,
Kern

15
15
2
46
15
36
15
15
18
10
18
50
3
50
3.06
20
20
25
36
11.86

J E Trotman
-vs-
B.C. Wilson

TO THE CLERK OF THE CIRCUIT COURT OF NANSEMOND COUNTY.

T. E. Trotman

vs.

S. Adelia Williamson and Reps Williamson, her husband, B. C. Wilroy, John Cartwright, Sr., James Wagner, M. E. Jones and F. L. Jones, her husband, Henrietta Harrell and W. N. Harrell, her husband, C. M. Warrington and S. F. Warrington, her husband, Jerry Jones, John W. Jones, Annie L. Jones, W. T. Jordan, J. W. Darden, Annie J. Darden, A. G. Darden, E. J. Driver, Rebecca J. Heffington and W. L. Heffington, her husband, R. H. Beaman, , and Walter Jordan Trustees of the Asbury Episcopal Church, W. T. Jordan, W. R. Old and J. P. Rives, Trustees of the poor for the Lower Parish of the County of Nansemond, Thomas Bowser, W. A. Bowser, Lizzie White, Nancy Elliott, Mary Hale, Henry Elliott, C. C. Elliott, Mary Ricks, Emma Pinner, John Watkins, William Watkins, and Joseph Watkins, the last seven infants under the age of twenty-one years.

Issue summons to Rules on the third Monday in January, 1908.

E. E. Hazard

D.C.

T E Trotman
vs } Memorandum
B & Ulibury & others

1

John and Jauch — Boundaries — Alex Savage, B.b. Wilroy, Present owners — Remarks

2.

John Haygrove, B.b. Wilroy, Present owner — Remarks.

3

Parson Jacob Keating — Glebe Property — Trustees. Walter Jordan and R.H. Beaman ✓

4

John Woodward — John W. Jones; Annie Jones; Jerry Jones ✓

5.

Martha D. Gary; Sarah S. Gary; Mrs. Sumner, wife Edward B. Sumner. — W.T. Jordan & Amanda C. Jordan — Martha Jones, wife of Jerry Jones; James C. Jordan ✓; Rhoda A. Willis, wife of Edwd H.; Arthur D. Jordan

Jacob W. D & Albert T. D are now owners—
Title came as follows
Subdivided 1/6 each one
2 sisters convey their
Their interest to these one
they had partition—
Delanette J. D & Husband
To
Same to W D
Date 25 Jan 1884
DB 18 p 283

Maggie B Jones & Husband
To
Jacob W D
Date 25 Jan 1884
DB 18 p 286

Same
To
Albert T D
Date 17 Dec 1884
DB 17 p 48 2

Ex P J & Eden H. Lindsey
To
Albert T D

Patent 17 Dec 1890
DB 17 p 484

Partition Deed
25 April, 1887
DB 18 p 386

Note of this Document
Heirs interest in Cross
Timber
Each Heir of Joseph W Brown
owns 1/5 in Cross Timber

Wm Darden & Jacob Darden
John Woodward
C. K. Brown, Trustee of Poor

River Va-
Dec- 5th. 07

Mr- Holland

Dear Sir-

Rec'd- your note asking the names of- Claimants of- the Crosswamps property, Well, in my opinion, there are several who claim a right- that have none- I will Commence up the road towards Suffolk- The Murdaugh Farm formerly Col A. Savages, now owned by Jno. C. Wilroy's Est; The Hargroves Farm formerly Danny's- now owned by Jno. C. Wilroy's Est; The Frank Capps farm now owned by Mrs. B. C. Wilroy- The Jas. Phelps farm now owned by Reps Williamson- The Bowser farm, Now owned by heirs of Jno. Bowser (a negro) The J. E. Kelly farm now owned by J. E. Inglis- A part of the E. P. Kelly farm now owned by J. E. Inglis The Keeling farm now owned by T. P. Mc C Jones, I am not sure, but- I think the Glebe farm is mentioned in the record- A part- of the of the Sleepy Hole Farm now owned by Jno. Cartwright and another part- owned by Jas Wagner- Just- there are several negroes (in Griffin town) who claim a right- The Gary Farm now owned by W. N. Reynolds Harrell and D. L Warrington- The Woodward farm now owned by Jno. & Annie L. Jones. The Dr

Jordan farm, now owned by the heirs of Mrs- A. C. Jordan. The Darden farm, now owned by L. W. Darden and A. G. Darden The Sam'l Williams, Sarah Gary farms now owned by C. L. Driver - and I think the B. Heffington farm, now owned by W. L. Heffington is mentioned in the record, but has never paid any tax since I have been interested in the swamps and that has been 47 years. I can tell you if necessary, who owned these different farms when the suit took place between Powell and these land owners — Any other information I may have that you need I will be pleased to give you — Hoping this will be satisfactory — I am

Very truly

Yours &c

W. J. Jordan

A. C. Jordan's heirs

vs Wm. T. Jordan —

— vs Brewer heirs &

James Brewer
Wm
Thomas
Nancy White
Mary Hale

T E Trotman
vs } In Chancery
B C McIlroy & others

1908 January 11th. Process issued returnable January Rules Third Monday

" " 20. Process returned executed on all the defendants except Joseph Watkins who cannot be found.

" " " Bill filed and decree nisi against known defends.

" Feby 3rd Decree nisi confirmed and cause set for hearing as to known defendants.

Chancery Notes.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

T. E. TROTMAN

vs.

B. C. WILROY AND OTHERS

The separate answers of Henry Elliott, C. C. Elliott, Mary Ricks, Emma Pinner, John Watkins, William Watkins and Joseph Watkins, infants under the age of twenty-one years, by John P. Lee, their guardian ad litem, assigned to defend their interests in this suit, and of the said John P. Lee, guardian ad litem as aforesaid, to a bill of complaint exhibited against them and others in the Circuit Court of the County of Nansemond by T. E. Trotman.

The respondents, reserving to themselves the benefit of all just exceptions to said bill, for answer thereto or to so much thereof as they are advised that it is material for them to answer, by their said guardian ad litem, answer and say:

That they are infants of tender age, and, by reason of their infancy, are incapable of understanding or of taking care of their rights and interests. They, therefore, by their said guardian, commend themselves and their rights and interests to the protection of the Court and pray that no decree may be pronounced which will tend to their prejudice.

And the said guardian ad litem answers and says: that he knows nothing about the matter stated in the said bill and commits the interests of said infants to the protection of the Court.

And, having fully answered, the said respondents pray to be hence dismissed with their reasonable costs in this behalf expended.

John P. Lee
Guardian ad litem for
infant defendants and
said infants defendants
guardian ad litem

Commissioner's Office,

Suffolk, Va.

To T. E. Trotman — Complainant.

and

B.C. Wilroy, S. Adelia Williamson, Reps Williamson, her husband, John Cartwright, Sr., James Wagner, N.E. Jones, F.L. Jones, her husband, Henrietta Harrell, W.N. Harrell, her husband, C.M. Harrington, S.F. Harrington, her husband, Jere Jones, John T. Jones, Annie L. Jones, W.T. Jordan, J.W. Jordan, Annie J. Darden, A.G. Darden, E.J. Driver, Rebecca J. Heffington, W.L. Heffington, her husband, R.H. Beaman and Walter Jordan, Trustees of the Glebe Episcopal Church, W.T. Jordan, W.R. Old, and J.P. Rives, Trustees of the Poor of the Lower Parish of the County of Nansemond, Thomas Bowser, W.A. Bowser, Lizzie White, Nancy Elliott, Mary Hale, Henry Elliott, C.C. Elliott, Mary Ricks, Emma Pinner, John Watkins, William Watkins, and Joseph Watkins, the last seven infants under the age of twenty-one years.

Defendants.

You are hereby notified that on the 10th. day of September, 1908, at my office in Suffolk, Va., (at which place and time, you are required to attend), I shall take state and settle the following accounts which are to be taken, stated and settled and reported to Court in pursuance of the decree of the Circuit Court of Nansemond County, Va., rendered on the 16th day of May 1908, in the suit in chancery pending in said court to which you are parties plaintiff and defendant, to-wit:

1. Whether the real property in the bill mentioned can be conveniently divided in kind among the several parties entitled to share therein.

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

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

4. What liens, if any, there are on the said property, and what unpaid taxes are now due thereon.

5. The names of the parties who are entitled to share in the proceeds of sale of said property, if sold, or among whom said property should be divided, if divided in kind, and the extent of their respective interests, which several inquiries the commissioner shall make and to court report, together with any matter specially stated deemed pertinent by himself, or required by any party to be so stated.

Given under my hand, as Commissioner in Chancery of said court the 28th. day of August 1908.

Bradford Kilby

Commissioner in Chancery.

Original

J E Jrahman

vs

B C Wilroy + others

Make your return
on the back hereof

Executed this the 7th day of Septr
1908 by delivering a true copy to the
within named Parties in Person.

A. H. Baker Sheriff
By E. Jordan Deputy

B. C. Wilroy. S. Adcia Williamson
Rips Williamson John Cartwright Sr
C. W. Coleman Administrator for estate
of James Wagner deceased N. E. Jones
T. L. Jones Henrietta Harris W. N. Harris
C. M. Warrington N. T. Warrington
Jno Jones John W. Jones Annie L.
Jones W. J. Jordan D. W. Jordan
Annie D. Jordan A. L. Jordan
Dr. W. E. Dixon administrator for estate
of E. D. Dixon deceased Rebecca D.
Heffington W. L. Heffington R. H. Beamon
and Wallin Jordan trustees of Episcopal
Church W. J. Jordan and J. P. Rives
trustees of the poor of the Lower Parish
of the County of Nansemond
Thomas Bowser W. A. Bowser Liggie White
Nancy Elliott Mary Hale Henry Elliott
C. C. Elliott Mary Rives Emma Skinner
John Watkins William Watkins and
Joseph Watkins.

(7) (5) ~~John~~ Edward Mary } ~~Hatton~~ / P. L. Jones. Ex W. of D.

(8) Cartwright Farm
(6) Jacob Keeling to Jno. Cartwright Ex

(9) Jacob Keeling to James Wagner Ex

(10) Wm. Gary to { Wm. H. Harrell Ex. / S. F. Warrington Ex. } Ex. Ex

(11) John Woodward { Jno. W. Jones / Jere Jones } Ex. Ex

(12) ~~Dr. W. T. Jordan~~
Gary - Martha D
Gary - Sarah D. } sisters } Dr. W. T. Jordan { See name of Executors Jordan } Ex

13 Jacob / William } Darden { J. W. Darden / Albert G. Darden } Ex. Ex

14 (5) ~~Edward~~ ~~Mary~~ John } Hatton / E. J. Driver Ex

15) See who owns Samuel Brown's estate.

BRADFORD KILBY, Mayor. SIMON M. LAWRENCE, Clerk of Council. JAMES U. BURGES, Town Attorney.

OFFICE OF THE MAYOR

Suffolk, Va.,

(16) See who owns Brumnagen Heffington's interest.

Owned by Rebecca J. Heffington (wife of W. L. Heffington) grand-son of Caveator.

C.C. W.J.

BRADFORD KILBY, Mayor. SIMON M. LAWRENCE, Clerk of Council. JAMES U. BURGES, Town Attorney.

OFFICE OF THE MAYOR

Suffolk, Va.,

(1) Qtz.

John Murdaugh James — Alex. Savage X — Wilroy (present owner) Footage up Ex

(2) Qtz

John Hargroves X — Wilroy (present owner) Ex.

(3) Thomas King Mary — to — Reps Williamson — Bowser

(4) Jacob H. Keeling / Henry Kirn / T. E. Protman Ex

(5) King / Strickee / Protman Footage up. Ex.

Parcel on Jacob Keeling

(6) Glebe property Qtz. Qtz. Ex

3

BRADFORD KILBY, Mayor. SIMON M. LAWRENCE, Clerk of Council. JAMES U. BURGES, Town Attorney.

OFFICE OF THE MAYOR

Suffolk, Va.,

Virginia, Circuit Court for the County of Nansemond, to-wit:

T. E. Trotman.....Complainant,

vs. In Chancery.

B. C. Wilroy and others.....Defendants.

Commissioner's Office, Suffolk,

Virginia, September 10th, 1908.

To Honorable James L. McLemore, Judge of the Circuit Court for the County of Nansemond.

In pursuance of the decree of the Circuit Court for the County of Nansemond pronounced May 16th, 1908, in the suit in Chancery pending in said court between T. E. Trotman, complainant, and B. C. Wilroy and others, defendants, the undersigned Bradford Kilby, one of the Commissioners in Chancery of said court, respectfully reports as follows:

That on the 28th day of August, 1908, your Commissioner gave notice to the parties to the said suit that he would proceed on the 10th day of September, 1908, at his office in Suffolk, Virginia, to make the several inquiries required by said decree to be made by one of the Commissioner in Chancery of said court.

That sufficient and legal service of the said notice was served on the parties, as will appear by the endorsations made by the sheriff on the original returned herewith.

That from the testimony of witnesses and from information otherwise obtained, your commissioner reports as follows:

First. There is a tract of land containing Seven Hundred and Fifty (750) acres, known as the Cross Swamp, situated near Drivers, in the County of Nansemond, State of Virginia, and has been used for time in memorial

as a common, and that said land was on the 23rd day of April, 1829, granted by the Commonwelath unto the following persons, as will be shown by a land grant from the Commonwealth of Virginia, and by a copy of an order of the Circuit Superior Court of Law and Chancery for Elizabeth City County, both filed herewith, and said order being recorded in the Clerk's Office of the Circuit Court of Nansemond County, in Deed Book No. 1, page 158: Jacob Keeling, Edward B. Sumner, William Cary, John Woodward, William Darden, Jacob Darden, John Minton, Guardian to the heirs of Samuel Brown, Thomas King, Mary King, Edward Hatton, Mary Hatton, John Hatton, John Hargrove, Sarah T. Cary, Matthew T. D. Cary, Brummagan Hiffington, E. K. Brown for the Trustees of the poor datum, James Murdaugh, and John W. Murdaugh.

Second. The above parties were the original owners of the farms adjoining said Cross Swamp, which was to be used as the common for said farms for farm timber and fire wood, under a deed or will which is believed to have been destroyed by fire with other records during the Revolutionary War.

Third. The said farms are now owned by the following people:

I. Maggie E. Jones now owns what is known as the Bush farm, and was represented in the suit of Keeling and others Vs. Ezekial Powell, by the Hattons, and said title to said tract of land runs as follows:

M. Jennie Lee and husband

Deed dated 14th day of January, 1899,

To

and recorded in Deed Book No. 42, page 320.

Maggie E. Jones.

Mary E. Everett and husband,

Deed dated 12th day of January, 1899,

To

and recorded in Deed Book No. 42, page 197.

M. Jennie Lee.

David F. S. Forshay's Executors,

Deed dated 4th day of January, 1899,

To

and recorded in Deed Book No. 42, page 194.

Mary E. Everett.

John Bush,

Deed dated 17th day of December, 1888,

To

and recorded in Deed Book No. 21, page 38.

David F. S. Farshay,

David F. S. Farshay and wife,

Deed dated 23rd day of December, 1867,

To

and recorded in Deed Book No. 1, page 376.

John Bush.

William E. Jordan,

Deed dated 7th day of December, 1859, this deed is referred to in some other deed, but is not of record as the Clerk's Office was burned in 1866.

To

David F. S. Farshay.

II. Rebecca C. Wilroy now owns what is known as the Alexander Savage farm, which was originally owned by John and James Murdaugh, and said title runs as follows:

Alexander Savage and wife,

and was conveyed by the Murdaughs to W. L.

To

D. Capps, the 16th day of January, 1841,

afterwards conveyed to Alexander Savage.

Rebecca C. Wilroy.

III. T. E. Trotman now owns what is known as the King farm, and was also known as the Frisbee farm and also the Kern farm, which was a part of the Jacob H. Kelly farm, and the title of the Frisbee farm runs as follows:

Junius T. Parker, Trustee for George A. Frisbee and William F. Frisbee,
To
T. E. Trotman.
Deed dated 15th day of April, 1897,
and recorded in Deed Book No. 38, page 496.

James H. Fletcher,
To
George A. and William F. Frisbee.
Deed dated 26th day of June, 1823,
and recorded in Deed Book No. 11, page 671.

The said tract of land was conveyed to the said James H. Fletcher by two deeds, to-wit:

Robert S. Fletcher,
To
James H. Fletcher.
Deed recorded in Deed Book No. 4, page 676.

George Fletcher,
To
James H. Fletcher.
Deed recorded in Deed Book No. 8, page 405.

Henry Kern,
To
T. E. Trotman.
Deed dated 19th day of April, 1905,
and recorded in Deed Book No. 58, page 273.

W. M. Armstead, Special Commissioner,
To
Henry Kern.
Deed dated 15th day of September, 1890,
and recorded in Deed Book No. 24, page 161.

Said land was sold in suit of T. W. Artman and Son vs. Jacob E. Kelly, and known as Jacob E. Kelly farm.

James G. VanAlstyne,

To

Deed dated 2nd day of August, 1897,
and recorded in Deed Book No. 38, page 625.

Thomas E. Trotman.

John H. Wright, Trustee,

To

Deed dated 14th day of December, 1885,
and recorded in Deed Book No. 15, page 605.

James G. VanAlstyne.

D. J. Godwin, Trustee,

To

Deed dated 25th day of September, 1866,
and recorded in Deed Book No. 2, page 347.

Henry G. Dowia, Robert S. Fletcher, and James G. VanAlstyne.

E. P. Kelly,

To

Deed dated 25th day of September, 1866.

D. J. Godwin, Trustee.

Henry G. Dowia,

To

Deed dated 17th day of July, 1880,
and recorded in Deed Book No. 8, page 486.

Mary S. VanAlstyne and wife, and J. G. VanAlstyne.
The VanAlstyne land is what is known as a part of the farm, and was once owned by Ezekial Powell, who had no interest in the Cross Swamp.

IV. (A) This is what is known as the Jacob W. M. Keeling farm and is now owned by W. Norfleet Harrell or his wife and S. M. Warrington or his wife, and the title runs as follows:

Wilbur J. Kilby, Special Commissioner in suit of Harrell vs. Felts, To. W. N. Harrell. Deed dated 9th day of May, 1888, and recorded in Deed Book No. 20, page 158.

Jacob W. M. Keeling To James A. Felts. Deed dated 3rd day of January, 1874, and recorded in Deed Book No. 4, page 161.

William W. Wright, To Jacob W. M. Keeling, Deed dated 4th day of March, 1867, and and recorded in Deed Book No. 1, page 423.

(B)
Jacob W. M. Keeling, To W. W. Warrington. Deed dated December, 1884, and recorded in Deed Book No. 13, page 713. The same being conveyed to the said Jacob W. M. Keeling as stated above in the Harrell title.

V. John W. Jones, Jeremiah Jones, and Annie Jones now own what is known as the John Woodward tract of land, who was an original coveator. John Woodward was the grandfather of John W. Jones and others. John Woodward had two children, one Virginia Woodward, who married Jeremiah Jones, and one son, Franklin Woodward. Franklin Woodward's interest was bought by Jeremiah Jones, Sr. making Jeremiah Jones Sr. and his wife, Virginia Jones, who was a Woodward, owning the entire tract of John Woodward, and John W. Jones, Jeremiah Jones and Annie Jones are the children of Jeremiah Jones, Sr., and are now the owners of the John Woodward tract of land.

VI. Jacob W. Darden and Albert G. Darden own what is known as the Jacob and William Darden tract of land,

and who were coveators. William Darden died intestate and Jacob, his brother, inherited his portion, and Jacob Darden had ~~six~~ four children, two boys and ~~four~~ two girls, and the four girls sold their interest to Jacob W. Darden and Albert G. Darden. Also see Deed Book No. 3, page ~~131~~ (and page 171.)

VII. The Glebe property has never changed hands and belongs to the Episcopal Church, which has one interest in the Cross Swamp.

VIII. Rebecca J. Heffington, wife of W. L. Heffington, who is a grand-son of Brummagan Heffington, who was one of the coveators, owns the land known as the Brummagan Heffington tract.

IX. Dr. W. T. Jordan, or his wife, who is now dead, owns the land known as the land owned by Martha D. Gary, Sarah S. Gary, and sister Mrs. Sumner, who were original coveators, Margaret D. Gary being the mother of the said Dr. W. T. Jordan.

X. Rebecca C. Wilroy owns the land that was originally owned by John Hargrove, who was one of the coveators, this making two shares belonging to Mrs. Rebecca C. Wilroy, one derived through the farm of Alexander Savage and the other through the John Hargrove tract.

XI. Mrs. Reps Williamson and the James Boswer heris owned what was known as the King land, and all the heirs of James Bowser, deceased, and Mrs. Reps Williamson owned this interest jointly. The James Bowser heirs can be found in Deed Book No. 4, page 176, which is recorded a partition deed among the heirs of James Bowser.

XII. John Cartwright and the James Wagner estate own the Sleepy Hole farm. There are also some colored people that own small tracts of this farm sold

To them by John Cartwright and wife. The original Cartwright farm and the James Bowser farm have one interest in said Cross Swamp,,and the title to the Cartwright part runs as follows:

Marmaduke Cartwright,

To

By deed recorded in Deed Book No. 12, page 115.

John Cartwright.

W. J. K. and John H. Wright, Commissioners,

To

By deed recorded in Deed Book No. 7, page 340.

Marmaduke Cartwright, Chancery suit of Reps Williamson vs. Ed F. Williamson and others.

John H. Maclin and wife,

To

By deed dated 24th day of March, 1871, and recorded in Deed Book No. 2, page 496.

Ed F. Williamson.

James Cheeves and Edmond H. Ashborne,

To

By deed February 18th, 1868, and recorded in Deed Book No. 1, page 436.

John H. Maclin.

Thomas J. Kilby, Trustee,

To

By deed recorded in Deed Book No. 1, page 61.

James Cheeves.

Elisha Murray and wife,

To

Deed of trust recorded in Deed Book No. O, page 99.

Trustee for John R. Kilby.

John H. Maclin,

To

Austin J. Maclin.

By deed recorded in Deed Book No. 3, page 522.

Austin J. Maclin,

To

John G. Peak.

By deed recorded in Deed Book No. 8, page 650.

John G. Peak,

To

James Wagner.

By deed recorded in Deed Book No. 14, page 593.

The Wagner farm and the Cartwright farm having one interest in said Cross Swamp.

XIII. E. J. Driver and wife owned what is known as the Samuel Brown estate, the heirs being represented by John Minton, their guardian, and the said Driver estate has one interest in the said Cross Swamp.

T. E. Trotman	)	
vs.	)	In Chancery.
B. C. Wilroy, et als	)	
	)	

To the Honorable James L. McLemore, Judge of the Circuit Court of Nansemond County:

Your petitioner, John E. Vincent, of Nansemond County, respectfully presents this, his petition, which he prays may be filed in the cause now pending in the said Circuit Court of Nansemond County, under the style of T. E. Trotman vs. B. C. Wilroy, and others, and thereupon your petitioner states to your honor that the real estate situated in Nansemond County, and known generally as the "Cross Swamp" is indebted to him in the sum of One Hundred and Ten Dollars, with interest from the first day of January, 1908, for taxes which, from year to year, he has paid on the said land. He further says that the said land known as the "Cross Swamp" has been repeatedly sold for delinquent taxes, especially in the years 1903, 1904 and 1906. Your petitioner herewith files receipts from the Treasurer of Nansemond County, which show these delinquent sales of said land, and which show the taxes paid by him on said land. Your petitioner further prays that in case the land is sold by order of this court for a partition or division among those entitled to the same, that out of the proceeds of sale he shall first be paid and reimbursed for the amount due him as above set forth; and he further prays that in case a partition be made of said land among those entitled to receive the same, that unless those entitled to the said land shall first pay into court the amount due your petitioner, then that enough of the said land shall be sold at public auction to fully pay and reimburse him for the taxes so paid by him and for his cost

John E. Vincent by Counsel.

and trouble in collecting the same. And your petitioner further prays for all other, further and general relief which his case may require or which to equity may seem meet, and he will ever pray, etc.

Notice is hereby given that the court will be asked to allow a reasonable counsel fee for your petitioner's counsel for prosecuting this claim.

John E Vincent by
Counsel

A. P. A. 128.

(Receipt to be given by County or City Treasurer when Delinquent Land Taxes are paid before sale.)

$36.74

Office of the Treasurer of the County of Hausmond

, 1906

RECEIVED OF J. E. Vincent for Kelly Capps and Others

Thirty Six Dollars and Seventy four Cents,

in payment of Delinquent Taxes due on 769 acres of land for the year 1905, as follows:

State Taxes	$11.31
County Levies for all purposes	23.58
Interest	1.40
Proportionate expense of advertising	.45
Total	$36.74

W. A. King Clerk

Treasurer.

1908
Jan. 1. The Real Estate known as the "Cross Swamp" in Laurens County Dr

To John E. Vincent

To taxes & delinquent taxes paid on said land $110.00

Interest from Jan. 1. 1908

Mr. Kelly Capps & Others Dr.

1903

To S. T. ELLIS, Treasurer of Nansemond County, Virginia.

No. 160

	STATE TAXES.									
	State Tax Support Gov. 20c. on $100. R. E. and P. P. Schedule B.	State Tax Support Gov. 25c. on $200. P. P. Sched. C	State School Tax 10c. on $100. R. E. & P. P. Sched. B. & C	State Tax for Pensions 5c. on $100. R. E. & P. P. Schedule B.	County Levy. 20c. on $100	County Road Tax, 15c. on $100.	County School Tax, 5c. on $100.	District School Tax. 5c. on $100.	Parish Levy, 8c. on $100.	TOTAL TAX.
Real Estate, acres 769 valued $ 3076	6 16		3 08	1 54	6 16	4 62	1 50	1 53		24 62
Personal Property, schedule B. val. $										
Personal Property, schedule C. val. $										
Value $										
Poll-Tax for State and County										~~1~~ 50
Total										24 62
5 per cent. penalty										
Total										

Received payment 17th day of Dec 1903

Paid by J. E. Vincent

W. A. King Dep'y Treasurer.

[Receipt to be used under Section 641, Code 1887.]

OFFICE OF THE TREASURER OF THE County OF Nansemond

December 14th, 1903

LIST OF REAL ESTATE within the County *of* Nansemond *sold in the month of* December, *nineteen hundred and* three *for the non-payment of taxes thereon for the year* 1902

NAME OF THE PERSON CHARGED WITH TAXES	QUANTITY OF LAND CHARGED	LOCAL DESCRIPTION OF LAND	Amount of State Taxes due with Interest, commissions and expenses of sale.	Amount of County Levies due for all purposes with interests, [illegible] and expenses of sale.	QUANTITY OF LAND SOLD	DESCRIPTION OF LAND	NAME OF PURCHASER	AMOUNT OF PURCHASE MONEY	REMARKS
Mills Bailey's Estate	15 acres	Hare & Holland	40	52	15 acres	Hare & Holland	John E. Vincent	92	This tract in Holy neck Dist
Albert Copeland Est	30 "	Holland & Faulk's	72	96	30 "	Holland & Faulk's	John E. Vincent Paid by	1 67	W. G. Copeland 1-23-1904
Exum L. Holland	2 3/4 "	Holland & Lee's Estate	26	35	2 2/3 "	Holland & Lee's Est	John E. Vincent	6 1	Paid by R. H. Holland 3-3-1905
Kelly, Capps & Others	769 "	Cross Swamp	10 53	15 23	769 "	Cross Swamp	John E. Vincent	28 76	" " Sleepy Hole Dist
								31 96	

Received of John E. Vincent the above sum of Thirty one & 96/100 dollars, it being the amount of purchase-money for the land mentioned in the above list.

W. A. King Dep'y Co. Treas.

Copies Delivered

Petition of
John E. Vincent

1908 Feby 19th Filed
A.P.G. D.C
Rawles Jr.

Commissioner's Office,

Suffolk, Virginia,

Sept. 26, 1902 .

W. T. JORDAN being duly sworn deposeth and says as follows:

QUES. Please state your name, age, residence and occupation ?

ANS. W. T. Jordan, age sixty-seven, residence, Nansemond County, and am a physician.

QUES. Are you acquainted with the parties to this suit ?

ANS. I am.

QUES. Please state all that you may known in connection with a tract of land in Sleepy Hole Magisterial District, in Nansemond County, Virginia, designated as a "Common" and known as "Cross Swamp", giving the names of the former owners as well as the parties now interested in the same.

ANS. As far back as I have heard, my father, in 1831, as well as I remember, paid my mother's interests in the expense of the suit, she being one of the caveators, and he was perfectly conservative with the suit between Ezekiel Powell and these different caveators. I have forgotten the name of all of them, but Jacob Keeling and others. The nature of that Powell suit was this: Powell filed an injunction against these parties from using out of this"common" , he never having paid a cent of tax on it, while these other parties had been paying taxes yearly and had used it as they saw fit,for the benefit of their farms. The suit was moved from Nansemond County to Elizabeth City County. Judge Bale r, I think it was Judge Baker, refused to hear it, and it was decided in Elizabeth City County in favor of these caveators and Ezekiel Powell was considered, at that time, as having no right, whatever, in the use of

the land. The Powell lands consists in the following tracts:

FIRST. The lands that James D. Taylor now owns. Next tract is where R. H. Williamson lives and belongs to J. Peek's estate. Next tract was what was known as the Beamon tract, originally belonging to a man by the name of Shepherd, a portion of which is now owned by John Willis Bidgood and Elisha Everett's Sr. heirs, and there is a small portion belonging to Mrs. Mary E. Gray. There was a tract of woodland on the old stage road near the junction. I don't know who that belongs to at this time. E. L. Everett is now making use of the "common",also John L. Bond who lives on John Willis Bidgood's tract, also the tenant of Mrs. Mary E. Gray,also another tenant Mr. J. T. Morris who lives on a portion of the Everett tract, but neither one has ever paid any taxes, has never had any interest in the "Cross Swamp" since that memorable suit has been settled. None of these people who own the Powell land have an interest in this "Cross Swamp". As far as I can tell you I will now name the parties at present interested in the "Cross Swamp".

Col. A. Savage's farm. A farm that formerly belonged to John and James Murder, two of the original caveators. The next,John Wilroy's two farms, or Mrs. Rebecca C. Wilroy. Two farms that originally belonged to John Hargrove who was one of the original caveators. The next is Reps Williamson's farm that was a part of the King property. King was an original caveator. The next is the Bowser tract that formerly belonged to the King tract. Henry Kirn comes next and that was the Jacob H.Keelingfarm which originally belonged to the Kings. The next, T. E. Trotman. A portion of the T. E. Trotman farm originally belonged to the Kings, another portion of that belonged to Wells Cooper, who would not take any interest in the suit. Then we come to the Glebe property that was defended by Parson Jacob Keling that has an interest in it but has never paid any part of the taxes. The next is the place F. L. Jones now owns, which place was defended in the suit by John Hatton. The next place then is a portion of the Sleepy Hole farm owned by John Cartwright, which was also defended by Jacob Keeling and owned by him at that time. A portion of the Sleepy Hole farm which was also defended by Jacob W.Keeling is now owned by James

Wagner.. The next place is the farm owned by W. N. Harrell and S.F. Warrington that was defended by William Gary. The next place is where John W. and Jerry Jones now live,(that has been divided) that was defended by John Woodward,their grand father. The next place is where I live, that was defended by my mother Martha D. Gary, Sarah S. Gary and her sister, Mrs. Sumner. The next place is the place owned by J. W. and Albert G. Darden now, and was defended in said suit by Jacob and John W. Darden. The next place belongs to E. J. Driver and was defended by Joseph Saunders. The next place is where Mr. Driver owns and was defended by John Hatton. I don't remember anything accurately about the BROW NS.

QUES. In the decree of the Circuit Superior Court of Law and Chancery for Elizabeth City County, pronounced on the 15th day of September, 1835, there is granted ,by the Commonwealth of Virginia, unto Jacob Keeling, Etc. a certain tract or parcel of land containing seven hundred and fifty (750) acres, situate in Nansemond County, in the Lower Parish thereof. Do you know whether or not Jacob Keeling recognized the rights of any other parties to the interest in said tract on 750 acres ? If so, plase state the same.

ANS. He recognized all the defendants of that suit as being interested.

QUES. There were several co-defendants to the suit, some of whose names I have given in my testimony above and Mr. Keeling recognized their joint ownership with him of the property.

QUES . It is claimed that John Reed, Henry Hughes, Mariah Townes, Joe Godwin, Joshua Ricks, Ben Council, William Council, Lee Roberts, Susan Wiggins, Joe White, Harrison Smith and Ann Patt might have an interest in the " Cross Swamp . Please state, if you know, by and through whom they claim such interests and whether or not they are entitled to same, and,if so, how ?

ANS. John Reed , Henry Hughes, Mariah Towns, Joe Godwin and Booker Hale, they are on land purchased from T. W. Smith which was sold from the original tract of the "Cross Swamp" a great many years ago for taxes and bought by Thomas Cohoon who gave this little tract to Jonathan Jussley, whose heirs sold to Thomas W. Smith. Josiah Ricks, and others named, purchased their land from a man by

the name of Lord and this land was a portion of the original Hargroves tract, who was a caveator.

QUES. It is claimed that Booker Hale and Jacob Hide and their wives have an interest in this Cross Swamp, please state, if you know, by and through whom they claim such interests and whether or not they are entitled to same, and, if so, how ?

ANS. Their land is a portion of the Jussley tract, afterwards owned by James Phelps Sr., afterwards James Phelps, Jr. and afterwards his heirs and sold to Charles Reed, of Norfolk, from whom these negroes purchased their right.

QUES . It is claimed that Tom Hale, Sr., Tom Hale, Jr. John Southall, Daniel and Charles Gary, Annias Gwyan, Ned Griffin, Jim Rodman, the colored Baptist Church and hall have an interest in the Cross Swamp, please state what you know about it ?

ANS. They claim it because it was a portion of the original tract that was defended by Parson Kelling ~~farm~~ but they bought from John Cartwright who still claims a right in the Cross Swamp and lives on the original Parson Keeling farm.

QUES. Does F. L. Jones claim an interest in this land, if so, how ?

I have heafd that he purchased it of E. L. Everett, and E. L. Everett purchased it from a man named Forshay, son of David Forshay, who purchased it from my father, and my father purchased it from the King estate, and the King estate purchased it from an original caveator. This was called the Bush farm.

QUES. Please state, if you can, the character of the several interests of the various parties claiming interest in the so called Cross Swamp.

ANS. The original owners had an equal interest.

QUES. Please state, in your judgment, whether it is to the interests of the parties in interest for the division of the property in kind among the various interests or a sale of the property in its entirety and a division of its proceeds arising from such sale among such interests ?

ANS. I think a division would be better, provided it can be divided in kind.

QUES. Would such interests be promoted by a sale of the property and a division of the proceeds rather than allow the property to remain in its present shape. If so, please give your reasons therefor ?

ANS. It had better remain as it is, from the fact that a good many of the present owners are dependant on it for their fire-wood, etc.

Further this deponent sayeth not.

Signature waived by consent.

W. N. HARRELL being duly sworn deposeth and say as follows:

QUES. Please state your name, age, residence occupation and do you know the parties to this suit ?

ANS. W. N. HARRELL, 50 years old, Nansemond County, farmer, and I know the parties to this suit.?

QUES. Are you acquainted with the land in the bill and proceedings mentioned.? If so, please state character of same ?

ANS. I know the land, it is all wood land.

QUES. Please state the nature of the information concerning th this land ?

ANS. I served as a member of a committee which superintended the survey of this land. The survey was made by B. P. Baker, the County surveyor of Nansemond County.

QUES. Please state, in your knowledge, whether or not the interest of the parties in interest would be promoted by a sale of the land in question and a division of the proceeds among the parties entitled to share therein or a division of the property in kind in proportion to the various interests as established in these proceedings ?

ANS. I would rather it would remain just as it is.to-day.

QUES. Please state, whether or not, in your judgment, the interests of the owners are suffering under the present conditions

under which the land in question is used ?

ANS. They are suffering.

QUES. Please state why they are suffering.

ANS. From the fact that we pay the taxes and they are pillaging the land.

QUES. Who do you mean by "they" ?

ANS. Parties who have no interest in it.

Further this deponent sayeth not.

Sinature waived by consent.

Suffolk, Virginia, Oct. 4, 1902.

MR. HERNTY KIRN being first duly sworn deposeth and says as follows:

QUES. Please state your name, age, residence, occupation, and are you acquainted with the parties to this suit ?

ANS. HENRY KIRN, sixty-eight (68) years old, Norfolk County, truck farmer and I know nearly all the parties to this suit.

QUES. Do you know anything in connection with the original holdings of a certain "common", located in Nansemond County, and known as the "Cross Swamp" ?

ANS. I know from the parties that claim a right to the "Cross Swamp" and I am informed that the records of Nansemond County disclose the names of practically all parties who are entitled to share in said Swamp.

QUES. In your judgment, would it be to the best interest of the parties interested in said Swamp to have a sale of the same and a division of the proceeds among the parties entitled to share therein, or to allow it to remain in its present shape ?

ANS. I would say that I would prefer ~~it~~ to have it sold and the proceeds divided among the parties entitled to share therein, but I would prefer to have the Swamp divided among the various persons entitled to share therein and their respective proportions allotted to them, but if impracticable to divide into lots it would, in my judgment, be to the best interests of all parties concerned to have a sale of the same and a division of the proceeds among the parties entitled to share therein.

I desire to state that if depredations continue, from time to time, in the future as they have in the past few years, it will only be a very short time before the Swamp will be rendered practically worthless for the uses and purposes for which it was originally intended.

QUES. State, if you know, whether the original boundaries of the "Cross Swamp" are definitely defined, or whether or not there is an old survey showing the several courses and distances around said "Swamp" ?

ANS. The boundaries, at present, are not definitely defined, but there is in existence a plat and survey of the property made in 1825 by one Benjamine A. Gary who was Dept. Surveyor of Norfolk County. I have the original plat and I am informed there is a copy of the same on record in the Clerk's Office of Nansemond County Court. According to this plat the area of said swamp was seven hundred and sixty-nine (769) acres, three (3) rods and twenty-five (25) poles.

Further this deponent sayeth not.

Signature waived.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

T. E. TROTMAN

vs.

B. C. WILROY AND OTHERS.

This cause came on this day to be heard upon the bill taken for confessed as to the adult defendants, on whom process has been duly served, they still failing to appear and plead, answer or demur to the said bill, upon the answer, this day filed, of John P. Lee, an attorney at law, who is assigned guardian ad litem to the infant defendants to defend their interests in this suit, and his own answer to said bill, with replication thereto, and upon the exhibits filed, and was argued by counsel.

On consideration whereof, the court doth adjudge, order and decree that the papers in this cause be referred to one of the commissioners of this court, who is directed to inquire into and report to the court,

1st. Whether the real property in the bill mentioned can be conveniently divided in kind among the several parties entitled to share therein.

2nd. If the same cannot be conveniently divided in kind, whether any party will take the entire property and pay therefor to the other parties such sums of money as their interests therein may entitle them to.

3rd. And if the same cannot be conveniently divided in kind, and if no party will take the entire property and pay the others for their shares, whether the interests of those who are entitled to the said property or its proceeds will be promoted by a sale of the entire property or by the allotment of part and sale of the residue.

4th. What liens, if any, there are on the said pro-

perty and what unpaid taxes are now due thereon.

5th. The names of the parties who are entitled to share in the proceeds of sale of the said property, if sold, or among whom said property should be divided, if divided in kind, and the extent of their respective interests.

Which several inquiries the said commissioner shall make and to the court report, together with any matter specially stated deemed pertinent by himself or required by any party to be so stated.

Nov 16th 1908

Date Entered

J. Allen S. M. Dismore

Entered in Chancery
Order Book No. 4.
Page 248.

TO THE HONORABLE JAMES L. McLEMORE, JUDGE OF THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

Your complainant, T. E. Trotman, respectfully complaining, shows unto the Court the following case:

That your complainant is jointly interested with others in a large tract of land in Sleepy Hole Magisterial District, in Nansemond County, Virginia, known as the "Cross Swamp"; that the same contains seven hundred and fifty (750) acres, more or less, and that a survey and plat thereof is on record in the Clerk's Office of the Circuit Court of Nansemond County in D. B. 1, page 159, a copy of which is herewith filed, marked "Exhibit A" and asked to be read as a part hereof; that the said"Cross Swamp" was regularly granted to Jacob Keeling and Company by grant also on record in said Clerk's Office in D. B. 1, page 162, a copy of which is herewith filed,marked "Exhibit B", and asked to be read as a part hereof; that the original owners of said "Cross Swamp", under said grant, were Jacob Keeling, Edward B. Sumner, William Gary, John Woodward, William Darden, Jacob Darden, John Minton, Thomas King, Mary King, Edward Hatton, Mary Hatton, John Hatton, John Hargrove, Sarah T. Gary, Math I. D. Gary, Brummagon Heffington, James Murdaugh, John W. Murdaugh and the Trustees of the poor for the Lower Parish of Nansemond County; that the said property now belongs to the heirs at law of the aforesaid owners, or their assignees, and the following are believed to be all of the parties who are now interested therein: S. Adelia Williamson and Reps Williamson, her husband, B. C. Wilroy, John Cartwright, Sr., James Wagner, M. E. Jones and F. L. Jones, her husband, Henrietta Harrell and W. N. Harrell, her husband, C. M. Warrington and S. F. Warrington, her husband, Jerry Jones, John W. Jones, Annie L. Jones, W. T. Jordan, J. W. Darden, Annie J. Darden, A. G.

Darden, E. J. Driver, Rebecca J Heffington and W. L. Heffington, her husband, R. H. Beaman, and Walter Jordan Trustees of the Glebe Episcopal Church, W. T. Jordan, W. R. Old and J. P. Rives, Trustees of the poor for the Lower Parish of the County of Nansemond, Thomas Bowser, W. A. Bowser, Lizzie White, Nancy Elliott, Mary Hale, Henry Elliott, C. C. Elliott, Mary Ricks, Emma Pinner, John Watkins, William Watkins and Joseph Watkins, the last seven infants under the age of twenty-one years.

There are now so many parties interested in said tract of land that it is practically impossible to collect from each his proportionate part of the annual taxes thereon, and, as a consequence, the burden of paying same falls annually on only a few of the parties.

There are also now, by reason of the death of many of the original owners and by reason of subsequent alienations, so many parties interested in said tract of land that it is exceedingly difficult to ascertain the respective interests of the present owners thereof, and your complainant is advised that the respective interests of the present parties therein can only be determined and adjusted by suit.

The said real-estate is not, as your complainant believes, susceptible of partition among the parties thereto and it will be necessary, as your complainat verily believes, that said real-estate shall be sold and the proceeds of sale divided among the parties respectively entitled thereto, and your complainant here states that the interests of those who are entitled to said real-estate, or its proceeds, will be promoted by a sale of the whole of the same or by an allotment of part and the sale of the residue.

Before there can be any division of the proceeds of sale thereof, if said property is sold, it will be necessary to

determine in this suit the ~~names of the~~ parties interested in said property and their respective interests therein.

In consideration whereof, and for as much as your complainant is remediless in the premises save by the aid of a court of equity, he prays that the said B. C. Wilroy, S. Adelia Williamson and Reps Williamson, her husband, John Cartwright, Sr., James Wagner, M. E. Jones and F. L. Jones, her husband, Henrietta Harrell and W. N. Harrell, her husband, C. M. Warrington and S. F. Warrington, her husband, Jerry Jones, John W. Jones, Annie L. Jones, W. T. Jordan, J. W. Darden, Annie J. Darden, A. T. Darden, E. J. Driver, Rebecca J. Heffington and W. L. Heffington, her husband, Walter Rhodes, and Richard Beaman, Trustees of the Glebe Episcopal Church, W. T. Jordan, W. R. Old, and J. P. Rives, Trustees of the poor for the Lower Parish of Nansemond County, Thomas Bowser, W. A. Bowser, Lizzie White, Nancy Elliott, Mary Hale, Henry Elliott, C. C. Elliott, Mary Ricks, Emma Pinner, John Watkins, William Watkins and Joseph Watkins, the last seven infants under the age of twenty-one years, may be made parties defendant to this bill and required, but not on their oaths, to answer the same, the oaths being hereby waived, the said adult parties in their own proper persons and the infants by a guardian ad litem; that a proper guardian ad litem be appointed in this case for the infant defendants, who shall also answer this bill; that proper process issue; that the parties who are interested in said real-estate and the extent and nature of their respective interests may be determined; that the said real-estate be divided among the parties entitled thereto, or, if it cannot be divided, that it may be sold, and the proceeds thereof divided among all the adult and infant parties according to their respective rights, the shares of the infants to be held as

directed by statute for such cases made and provided; that all proper orders and decrees may be made, all proper accounts taken and all proper inquiries directed; and that your complainant may have all such further and other and general relief in the premises as the nature of his case may require or to equity shall seem meet.

And he will ever pray, etc.

E. E. Hazard

I. E. Foteman
By E. E. Hazard Atty

L. S.

E. E. Holland 1897

T. E. Totman
vs
Bil
B & Mckoy Sisters

(1)

At a Quarterly Court held for Nansemond County, the 12th. day of November 1866.

This day there were presented to Court by Jeremiah Jones and others the following copies of papers from the Land Office of Virginia at Richmond, relative to the title to the Cross Swamp Lands, and which on motion of Jones and others, were ordered to be recorded - to wit:-

1st A Copy of a Survey made for Ezekiel Powell.

2nd A Caveat filed thereto by Jacob Keeling and others.

3rd The decision of the Circuit Superior Court of Law & Equity for Elizabeth City County Va.

4th. A Grant, or patent, to Jacob Keeling & others for said Lands, and which papers are as follows.

Surveyor's Office Nansemond County
Apl. 23rd. 1829.

Surveyed this day for Ezekiel Powell by my deputy Benjamin A. Garey (agreeable to an entry made in my office) & by by virtue of a land office Treasury warrant Number 10,250 Seven Hundred and fifty acres of Land lying in the lower parish of Nansemond County, the boundaries of which are as follows viz: Beginning at a white oak on the line of James King deceased at the letter A. thence from A. to B. South 35° East 63 poles to a gum a corner on the line of said James King from B. to C. North 81° East 6 poles 30 links to a White Oak along said Kings line, from C. to D. due East 22 poles 10 links to a White Oak, from D. to E. South 49° East 66 poles to a Gum, from E. to F. South 65° East 5 poles. 22 links to a dead Cheathing ingramine at which I marked a small maple touching said Cheathingramine, from F. to G. South 28° East 132 poles to a beech on said James Kings line, from G. to H. South 63° East 68 poles along a part of this parcel of land at

off to the line of John Hargroves of Senr. from H. to I. North 88° East 18 poles along said Hargroves line, from I. to J. North 81° East 72 poles 5 links to a gum a corner on the land of Saml. Brown deceased, from J. to K. North 6° East 92 poles to a Gum a corner on said Brown deceased from K. to L. North 84° East 8 poles to a beech, from L. to M. South 86° East 78 poles 19 links to a large pine on the Stage Road, a corner on said Brown & a running line on the Poor's land, from M. to N. North 9° West 24 poles to a Gum along the line of the land belonging to the Poor from N. to O. North 25° West 84 poles to a large Gum on said line from O. to P. North 9° East 49 poles 15 links to a large White oak, a corner between the Poor's land and the land of Edward Watton, from P. to Q. North 37° West 10 poles to a gum, from Q. to R. North 28° West 16 poles to a Cheathingquamine at the head of a ditch, a corner between said Watton & the land of Thos. Saunders deceased from R. to S. North 43° West 40 poles

to a pine stump a corner between said Saunders deceased and the land of Joseph Saunders still on 14 poles to a white oak a corner between said Joseph Saunders and the land of John Darden Sen? deceased from S. to T. North 30° West 14 poles 17 links to a beech, from T. to U. North 15° West 16 poles to a Sour-wood a corner between said John Darden and the land of Gary deceased from U. to V. North 30° West 108 poles to a Cheathingnamine post a corner between said John Gary and the land of Ezekiel Powell, from V. to W. South 43° West 21 poles to a Gum on said Powell's line from W. to X South 65° West 76 poles to a large pine on said line from X to Y. South 84° West 12 poles 20 links to a gum Y to South 84° West 42 poles 20 links, from Y to Z. North 87° West 42 poles to a large pine on said Powell's line, from Z. to a South 83° West 12 poles 20 links to a gum, from a to B. North 83° West 93 poles 10 links to a Cheathingnamine post a corner on Ezekiel Powell to the beginning

South 15° West 145 poles along a part of this parcel of land cut off containing Seven hundred and fifty acres of which the above is a true plat.

Edward Branch Sur.
of Nansemond County.

The foregoing is a true copy of the original plat & certificate of Survey on file in the Virginia Land Office.

R.E. Nash
Reg. Va. Land Office.

LAND OFFICE VIRGINIA

No. 2

The Register of the Land Office will issue take special care that no grant to Ezekiel Bowell his heirs or assigns on a survey of Seven hundred and fifty acres of land made between the first and twentieth of April 1829 by Edward Branch Surveyor of Nansemond County, and a plat of the same has been returned to your office which said land (usually called the Cross Swamp) in the lower part of Nansemond County

is bounded by the lands of James King deceased, John Hargrove, Samuel Browns dec'd. the Poors land, Edward Hatton dec'd. John Gary dec'd. E. Powell, Jacob Keeling & part of the said Cross Swamp & containing according to the said survey Seven hundred and fifty acres.

First, because the said land is not waste & unappropriated, it having been held time immemorial by the ancestors and lessors of the present caveators as a common of farm Timber and fire wood under a Deed or Will duly executed by the former proprietor thereof which Deed or Will is believed to have been destroyed by fire with other records, during the Revolutionary war.

Secondly, because the said land has been in the possession of the said caveators, their ancestors or lessors for more than thirty years, in which time considerable amount of taxes has been paid for the same, whereby the Commonwealth's right & title thereto as waste and unappropriated land has been annulled

Thirdly, because the said Caveators & others claiming title to the said land were in actual bona fide possession of the same at the time of the said Survey. and

Fourthly, because the said Survey and plat and the record & return thereof irregular, improper and contrary to law. By reason whereof the undersigned Caveators pray that such proceedings may be had in the premises as may be consistent with Law and the nature of their case.

Signed — Jacob Keeling
Edward B. Sumner
Wm. Gary
John Woodward
Wm. Darden
Jacob Darden
John Minton
Guardian to the heirs of Saml. Brown
Thomas King
Mary King
Edward Hatton
Mary Hatton
John Hatton
John Hargrove
Sarah J. Gary
Math & D. Gary
Brummagan Hiffington

E.K. Brown for
The Trustees of the
Poor datum

James Murdaugh
John W. Murdaugh

Nansemond County to wit:-

This day Jacob Keeling & James Murdaugh who have signed the annext caveat appeared before the subscriber a Justice of the peace for the County aforesaid & severally made oath that the said annext Caveat is really made & bona fide made with an intention of procuring the lands in question for the persons in whose names such caveat is entered & not in trust for the benefit of the person against whom such Caveat is entered.

Given under my hand this 22nd. day September Eighteen hundred and twenty nine.

J. W. Jones.

The foregoing is a true copy of the orginal on file in this office.-

R.E. Nash
Reg. Va. Land Office.

VIRGINIA LAND OFFICE

No. 3.

At a Circuit Superior Court of law and Chancery for Elizabeth City

County begun and held at the Court house on Monday the 5th Oct. 1835.

Jacob Keeling & others Plaintiffs
vs } Caveat
Ezekiel Powell Defendant.

This day came the parties by their attornies at the Court having maturely considered the matters of law arising upon the special verdict in this cause, and the arguments of counsel thereupon is of opinion that the plaintiffs have the better right to the said lands, therefore it is considered by the Court that the plaintiffs have a grant for the same, upon their complying with the law in such cases made and that they recover against the Defendant their costs by them in this behalf expended.

A Copy Teste:
W. S. Armistead Clk.

The foregoing is a true copy of the orginal on file in the Va. Land Office.

R. E. Nash
Reg. Va. L. Office.

VIRGINIA LAND OFFICE

No. 4.

Littleton W. Tazewell Esquire Governor of the Commonwealth of Virginia, To all to whom these presents shall come, Greeting: Know ye that in conformity with a survey made on the 23r day of April 1829 by virtue of Land Office Treasury Warrant No. 10,250 & in pursuance of a decree of the Circuit Superior Court of Law & Chancery for Elizabeth City County, pronounced on the 5th. day of October 1835, there is granted by the said Commonwealth unto Jacob Keeling &c. a certain tract or parcel of land containing Seven hundred and fifty acres situate in Nansemond County in the lower parish & Bounded as follows: Beginning at a white oak on the line of James King deceased at the letter A. thence from A. to B. S. 35° E. 63 pls. to a gum a corner on the line of said James King, from B. to C. N. 81 E. 6 poles 20 links to a White Oak along said King's line, from C. to D. do East 22 poles 10 lks. to a white Oak, from D. to E. S.

49° E. 60 pls. to a gum, from E. to F. S. 65 E. 5 pls. 22 lks. to a dead Cheathnignamine at which I marked a small maple touching said Cheathnignamine, from F. to G. S. 28 E. 132 pls to a Beech on said James King's line, from G. to H. S. 65° E. 68 poles along a part of this parcel of land cut off to the line of John Hargroves of Senr. from H. to I. N. 88 E. 18 pls. along said Hargroves line, from I. to J. N. 81 E. 72 poles 5 lks. to a gum, a corner on the land of Saml. Browne deceased, from J. to K. N. 6° E. 92 pls. to a gum, a corner on said Browne decd. from K. to L. N. 84° E. 8 pls. to a Beech, from L. to M. S. 86° E. 78 poles 19 lks. to a large pine on the Stage Road, a corner on said Browne & a running line on the Poors land, from M. to N. N. 9° W. 24 poles to a gum along the line of the land belonging to the poor, from N. to O. N. 25 W. 84 poles to a large gum on said line, from O. to P. N. 9° E. 49 poles 15 lks. to a large white oak, a corner between the poors land & the land of Edward

Hatton from P. to Q. N. 37° W. 10 poles to a gum, from Q. to R. N. 28. W. 16 poles to a Cheathingnamine at the head of a Ditch, a corner between said Hatton & the land of Thomas Saunders dec'd. from R. to S. N. 43° W. 40 poles to a pine stump, a corner between said Saunders decd. & the land of Joseph Saunders still on 14 poles to a white oak, a corner between said Joseph Saunders & the land of John Darden Senr. decd. from S. to T. N. 30 W. 14 poles 17 lks. to a Beech, from T. to U. N. 15 W. 16 poles to a sour-wood a corner between said John Darden & the land of John Gary decd. from U. to V. N. 30° W. 168 poles to a Cheathingnamine post a corner between said John Gary and the land of Ezekiel Powell from V. to W. S. 43 W. 21 poles to a gum on said Powell's line, from W. to X. S. 65 W. 76 poles to a large pine on said line from X. to Y. S. 84 W. 12 pls. 20 lks. to a gum, from Y. to Z. N. 87 W. 42 poles to a large pine on said Powell's line, from Z. to a S. 83°

W. 12 poles 20 lks. to a gum, from a to b N. 83 W. 93 poles 10 lks. to a Cheathingaming post a corner on Ezekiel Bowell from b. to the beginning S. 15 W. 143 poles along a part of this parcel of land cut off, with its appurtenances.

To Have & to hold the said tract or parcel of land with its appurtenances, to the said Jacob Keeling & Co. & their heirs forever. In witness whereof the said Littleton W. Tazewell Esquire Governor of the Commonwealth of Virginia hath hereunto set his hand & caused the lesser seal of the said Commonwealth to be affixed at Richmond on the 14th. day of December in the year of our Lord one thousand eight hundred and thirty-five and of the Commonwealth the Sixtieth.

Littn. W. Tazewell

A true Copy from the records of the Va. Land Office Richmond Octo. 19th. 1866.

R.E. Nash
Reg. Va. Land Office.

VIRGINIA LAND OFFICE

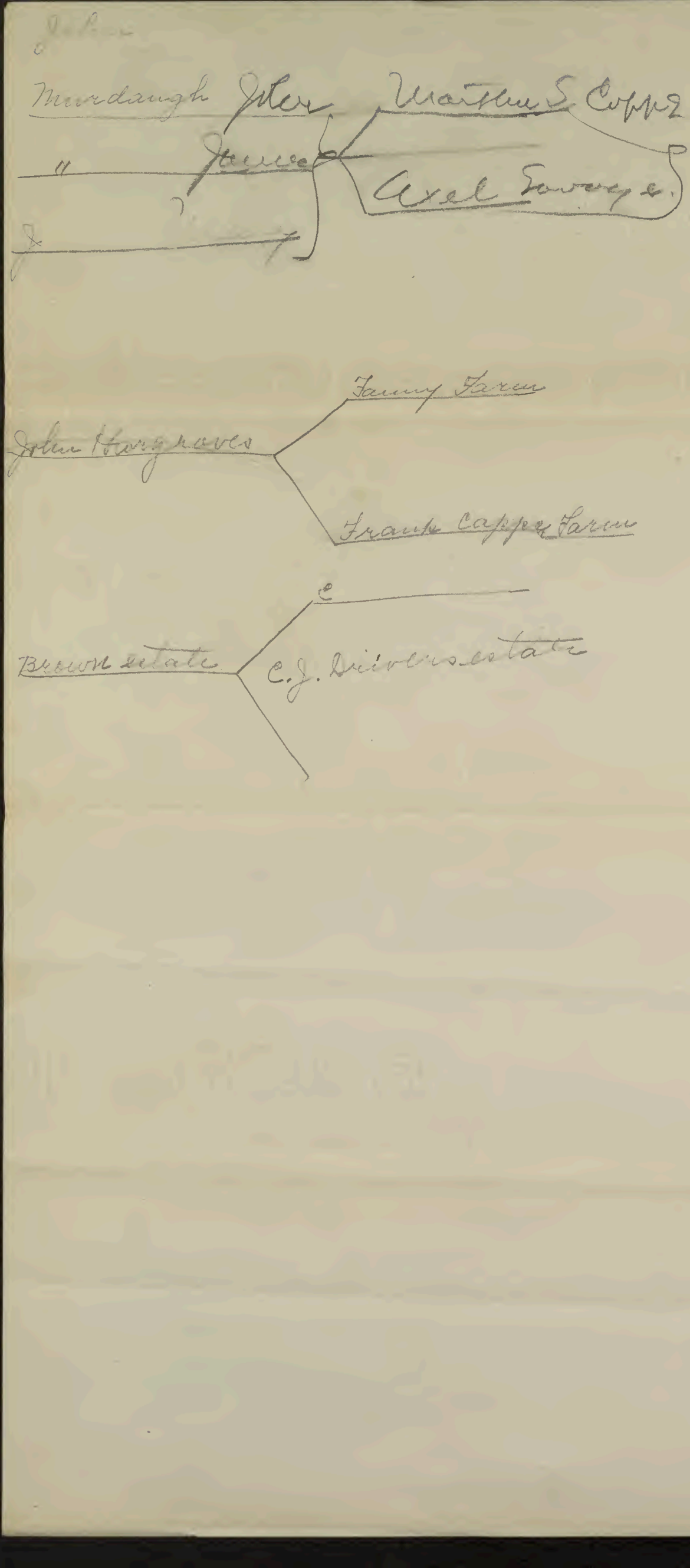
Teste: Peter B. Rentis Clerk

A Copy) (Made Oct. 11th. 1902)
Teste:
R R Smith Clerk
By S B Lawrence D.C.

Writings pertaining to Cross Swamp.

Recorded in D.B. No. 1, page 158.

"A Copy"


Murdaugh
John
Martha S. Coppe
James
Axel Savory
Fanny Farm
John Hargraves
Frank Cappe Farm
Brown estate
C. J. Divers estate

(Coons) Lord Land
2.

DB. 4. 101.

(not transfer) Eli H. Lord to Harry Wiggins (col)
4 July 1893. (no consideration)
1 acres. with C. S. Int.

No transfer { Same to Josiah White (col)
2 acres, + with C. S. Int ($2 5.)

No transfer { Same to Stephen Lewis (col)
3 acres, together with C. S. Int. ($5 v.)

No transfer { ~~Same to Benj. Coonrell~~ (no consideration) (col)
one acre, with C. S. Int.

{ Same to Saml. Holloway ($15 v) (col)
5 1/4 acres. with C. S. Int. // 18. 73. small lot to Trustees of Shore Charity Lodge No. 28 No mention of C. S.

Same to Lucinda Copeland ($5 0). (col)
4 1/2 acres. with C. S. Int. // To Harrison Smith Jr. with C. S. Int. DB. 26. 627.

Same to Ruben Beaman (col)
29 Oct. 1873. $125: (5 acres) with C. S. Int.
Eli Lord.

Same to Philip Frew
12 June 1874. (250 acres) with C. S. Int.
Main farm.

All Available Text Successfully Captured

(Coons)

18. 24
Reuben Beamon 1/4 acre. to Trustees of Israelite Lodge No. 2. No mention of C. S.

34. 143.
Reuben Beamon to Trustees of Israelite Lodge No 2. (no mention of C. S.) former piece owned by Lodge to Chowan Southern Ry. (Norfolk & Carolina)

36, 104
Reuben Beamon to Ann Patt;
5 acres, less the two pieces above, together with C. S. interest.

4. 241

Bowser Land
Partition.

D.B. 4. 176. 25 June 1873.

Sarah Bowser, wife of James Bowser, decd., Joshua Ricks who married Emeline Bowser, decd., Nathaniel Watkins, husband of Susan Maria B., decd.

Alex Boone " " Ann Eliza Bowser's

Josiah White " Sarah Elizabeth

Jno. H. Elliott " Nancy

James Bowser " Nancy Ann

Thomas Hale " Martha

Thomas Bowser " Sarah Cordelia

Wm. H. Elliott " Lucy Ann

Wm. Augustus Bowser "

heirs of James Bowser.

Lord Land.

H. 241.
29 Oct. 1873.
Eli H. Lord & Lucy A. Homer of N. Y.
to
Ruben Beamon, (Col.)
int. in Cross Swamp

D. B. 1. 442
Henry C. Capps
to
Eli H. Lord
} 23 Mar. 1868
250 acres.

Int in Cross Swamp, same land conveyed by James Murdaugh Comr. to Wm. L. D. Capps father of said Henry C. Capps. by deed 23 Dec. 1836.

D B. 3. 670
Eli Lord + Emma Winter.
to
Mrs Harriett Bainum.
} 29 Oct. 1873
Cross.

5. 61
6. 52
6. 83
6. 374

for Philip Drew.

5, 61. P. B. Prentis, Trustee, to Theo. A. Carter 250 acres

6.52 Theo. A. Carter, to Dexter H. Marsh
175 acres of Capps farm.

6. 83.
Theo. A. Carter & Dexter Marsh to Wm. A Phelps 2½ acres of Capps farm.

6. 374,
Theo. A. Carter to Dexter Marsh one undivided ½ int. in 250 acre Capps farm.

38, 659 10. 576.
40, 396. Dexter H. Marsh to Robert Fanny.
165 acres, Capps Farm

25. 428
W. J. K. Spl. Comr. (Allen's Sons v Fanny) to Wm. R. Barham 165 acres, Capps farm.

25, 432
Wm. R. Barham to Rebecca C. Wilroy
165 acres, Capps farm.

E. J. Driver

D.B. 3. 96.
Willis S. Riddick to E. J. Driver
29 Jan. 1872.
30 acres. "also all the interest connected with the said lands, in the Cross Swamp, adjoining

This was maiden land of Margaret E. Riddick. ~~Was she a Bacon~~? Who was a Sumner.

Cartwright Land
Sleepy Hole Farm

D.B. 12, 775:
Marmaduke Cartwright to John. Sleepy Hole Farm 92 acres, together with an interest in Cross Swamp attached to it, in common with other lands in the neighborhood thereof, said interest being a fee-simple interest

D.B. 7. 340
W. J.K. + Jno. H. Wright, Comrs. to M. Cartwright in Chancery suit. (same language as to Cross Swamp.) Reps Williamson v. Ed. F. Williamson et als. (92 acres)

D.B. 2, 496.
John H. Maclin wife to Ed. F. Williamson 24 March 1871 (100 acres) being a portion of Sleepy Hole Farm. (remainder being on East owned by Austin J Maclin) No mention of Cross Swamp

James Cheeves + Edmund H. Osboone
13 Feb. 1868 ~~portion of Sleepy Hole Farm~~
D.B. 1, 436. to John H. Maclin:
239 ~~295~~ acres. N. by River, E. by lands of Jackson Powell's Heirs, S + E. by Nathaniel Beamon, together with all the rights + privileges connected with said Sleepy Hole Farm in the Cross Swamp Lands

2

Sleepy Hole Farm

situated in neighborhood thereof.

D.B. 1, 61.

~~Edward Peace~~ } to James Cheeves.
Thomas J. Kilby, Trustee } Cross swamp mentioned.
1800, Confed. money.

~~Thos J. Kilby~~

D.B. O, 99. Elisha Murray + wife to Trustee for J.R.K. 239 acres ~~Sleepy Hole~~ Farm.
Cross swamp mentioned.

Edward Peace married Elisha Murray's widow.

D.B. 3. 522
John H. Machin to Austin J. Machin 150 acres, part of Sleepy Hole farm -
Cross swamp Rights.

D.B. 8. 650.
Austin J. Machin to John L. Peak
125 acres more or less,
No mention of C.S.

Sleepy Hole 3

14,093
Inols. Peak to James Wagner
No mention of C.S.

Protman Land.

38, 625, 2nd Aug. 1897
James L. Van Alstyne to Thos. E. Protman
Together with all and singular the appurtenances belonging to the same or in anywise appertaining thereto.

75, 605, 14 Dec, 1885
Jno. H. Wright, Trustee to Jas. G. Van Alstyne
appurtenances etc.

D. J Godwin, trustee to Henry G. Dowie, Robt. S. Fletcher & Jas. G. Van. Alstyne. 497 4/10 acres, "Riddick Farm"
No appurtenances &c.

E. P. Kelley to D. J Godwin trustee
Riddick farm 600 acres + 50 acres derived from estate of his grand-father Ezekiel Powell.
25 Sept. 1866

8. 486, 17 July 1880
Henry G. Dowie to Mary S. Van. Alstyne, wife of J. G. Van.
inherited by E. P. Kelley from estate of his father
1/3 Riddick Farm.
Nothing about Cross Swamp.

All Available Text Successfully Captured

W. Norfleet Harrell.

D.B. 20, 158.
9 May 1888.
Wilbur J. Kilby, Spl. Comr. in suit Harrell v. Phelps
to W.N. Harrell.
"together with an interest in common with others in land known as "Cross Swamp"
66 1/2 acres.

D.B. 4, 161.
3 Jan. 1874.
Jacob W. M. Keeling to Jas. A. Phelps.
65 acres.
"together with one-half of the right, title and interest of said Jacob W. M. Keeling in and to a certain common located in the Lower Parish of said county, known as the Cross Swamp

D.B. 1, 423.
Wm. W. Wright to Jacob W. M. Keeling
4th March 1867
100 acres.
together with all and singular the rights & privileges connected with the said land in the Cross Swamp lands nearby.

John W. & Jane Jones.

D.B. 3. 671
Jno. R. Kilby, Comr, in suit P. D. Holladay, Exor
vs. Jeremiah Jones, to Virginia Jones
8 Dec. 1873.
land of which Jeremiah Jones died seized &
possessed,
portion purchased by Jeremiah Jones of
Franklin Woodward.
80 acres.
No mention of Cross Swamp.

Va. Jones was wife of Jeremiah Jones &
daughter of Jno. Woodward, & mother of
Jeremiah Jr. & Jno. Jones, & Anna Franklin Wood
ward was her brother.
Present owners Jno. Jones, Jeremiah Jones Jr.
& Anna Jones.

Albert & Jacob Darden

Wm. Darden died intestate, & Jacob, his brother, inherited his portion, & children of Jacob, 6, four girls sold to Albert & Jake.

58. 273

2 5
2
3 2 N
2
39

Protman Land.

15, 605
2, 347.
4, 470
8, 486.

4, 676 Robt. S. Fletcher to Jas. H. Fletcher. (2 deeds)
11, 671. Jas. H. Fletcher to Geo. Wm. Frisbee
Juneius Parker, Trustee for Frisbee to T.E. Protman.

Protman Land.

Henry Kirn to T.E. Protman, apl. 19. 1905
58. 273

W. M. Amsted Spl. Comr. to Henry Kirn Sept. 15, 1890. D.B. 24, 161.

Sold in suit of T. W. Artman Son v. Jacob E. Kelley + known as Jacob E. Kelley farm.

12 7

Thomas King

Mary King

Rep: Williams

Barnes Tract

Henry Ware
Jacob H Kisling farm

J. E. Fortune

½ ½ will go there

8 7

John Hatton | Maggie E Jones

8 9 8

Edward Hatton

Henry Hatton

E. Driver (See who owns this land.

9
E. 10

Brumagan Hoffington | Rebecca J Hoffington Wife

10 10

John Lundaugh and James Lundaugh } Alex Savage | W. B. Shaffer

11

John Winston Sr. of Brownsburg } E J Driver et al.

12

Edward Mary Hatton John } Maggie E Jones

To His Excellency,

GOVERNOR WM. HODGES MANN,

Richmond, Virginia.

DEAR GOVERNOR:

We, the undersigned citizens of Suffolk and Nansemond County, without bias or prejudice, recommend to your mercy Samuel Hardy, who is under sentence of death by electrocution on May 20, 1910, and pray you to exercise your authority in his behalf and save him from death.

Executive clemency is a sacred privilege as a last resort for the exercise of mercy, hence we petition you, in Samuel Hardy's behalf, to commute his sentence from death to that of imprisonment.

Very respectfully

3 13

B Heffington | Rebecca J Heffington

Thomas King
Mary King } Rep's Wm Zan Blaer

John Hargrove

To His Excellency,

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Very respectfully

Thos not certain

~~1 John Hunton~~

2 Thomas E King and Mary King

3 John Hargrove.
now owned by assignee of Lord
and possibly the Capps farm.

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Very respectfully

3

Thomas Kirg Mary

Rep's Wm Sam

Bowers tract.

Henry Kerns
or Jacob H Keller Farm

W. H. 8

J E Hartman
a part of this farm
comes from Wells Cooper

5-

Edward Mary John

Father

Maggie E Jones

Ed Driver Jr

Where he lives and
where J. E. Jordan
now lives

6

Jacob Keller

John Cartwright

James Wagner

HOW THE THEOPHILUS SPIVEY TRACT OF LAND PASSED FROM HIS HEIRS, WHO WERE MISSOURI, MARRIED A. J. HENDERSON, ELLEN SPIVEY, PEGGY ANN AND EDWIN SPIVEY.

Peggy Ann Spivey died, possibly, during the war without heirs, therefore the tract of land belongs to the three remaining. Missouri Henderson and husband, and Ellen Spivey, sold their interest to Alexander Mack, See deed dated 13th day of April, 1886, and recorded in Deed Book No. 16, page 303.

Alexander Mack conveyed the same to Matthew Munn, See deed dated 7th day of July, 1887, in Deed Book No. 18, page 489.

Matthew Munn conveyed the same to J. W. Rabey, See deed January 15th, 1894, in Deed Book No. 34, page No. 36.

1

John Woodward — John Woodward / Jeremiah Jones / Annie Jones — (See if annie has married)

2

Wm Dowden — Dowden — Jacob Dowden

Jacob Dowden — Jacob W Dowden — Albert G Dowden

3

Walter Jordan

Hebe — Parson Jacob Keeling — Jordan — R. H. Beamon

No change of hands

4 W H Harris

Wm Harry — Jacob Wm Keeling — Wm Warrington

See where name it is in.

5

Martha D Harry

Sarah S Harry

Edward B Emmons husband of Sister of Harry Bros

W Jordan & Emmons (deed)

Martha J Jones — Jeremiah Jones

James C Jordan

Rhoda A Williams

Arthur D Jordan

To His Excellency,

GOVERNOR WM. HODGES MANN,

Richmond, Virginia.

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Very respectfully

Littn. W. Tazewell ------, *Esquire, Governor of the Commonwealth of Virginia*

To All to Whom These Presents Shall Come, Greeting:

Know Ye, *That* in conformity with a survey made on the 23rd day of April 1829 by virtue of Land Office Treasury Warrant No. 10.250 and in pursuance of a decree of of the Circuit superior Court of Law and Chancery for Elizabeth City County pronounced on the 5th day of October 1835, there is granted by the said Commonwealth, unto Jacob Keeling &c a certain tract or parcel of land containg 750 acres, situate in Nansemond County, in the lower parish and bounded as follows:-

Beginning at a white oak on the line of James King deceased at the letter A. thence from A to B. S. 35° E. 63 poles to a gum a corner on the line of said James King from B. to C. N. 81° E. 6 poles 20 links to a white oak along said King's line from C. to D. due E. 22 poles 10 links to a white oak from D. to E. S. 49 E. 66 poles to a gum from E. to F. S. 65 E. 5 poles 22 links to a dead Cheathinquamine at which I marked a small maple touching said Cheathinquemine from F. to G. S. 23 E. 132 poles to a beech on said James King's line from G. H. S. 65 E. 68 poles along a point of this parcel of land cutt off to the line of John Hargroves Senr from H. to I. N. 83 E. 18 poles along said Hargroves line from from I. to J. N. 81 E. 72 poles 5 links to a gum a corner on the land of Samuel Brown deceased from J. to K. N. 6 E. 92 poles to a gum, a corner on said Browne deceased from K. to L. N. 84 E. 8 poles to a beech from L. to M. S. 86 E. 78 poles 19 links to a large pine on the stage road a corner on said Browne & a running line on the Poors land from from M. to N. N. 9 W. 24 poles to a gum along the line of the land belonging to the Poor from N. to O. N. 25 W. 84 poles to a large gum on said line from O. to P. N. 9 E. 49 poles, 15 links to a large white oak , a corner between the Poor's land and the land of Edward Hatton from P. to Q. N. 37 W. 10 poles to a gum from Q. to R. N. 23 W. 16 poles to a Cheathinquemine at the head of a dicth , a corner betwen said Hatton and the land of Thos. Sanders dec'd from R. to S. N. 43 W. 40 poles to a pine stump a corner between said Sanders dec'd and the land of Joseph Snders ~~and~~ still on 14 poles to a white oak a corner between said Joseph Sanders and the land of John Darden Senr dec'd from S. to Y. N. 30 W. 14 poles, 17 links to a beech from Y. to W. N. 15 W. 16 poles to a sourwood a corner between said John Darden and the land of John Gary deceased from W. to V. N. 30 W. 108 poles to a Cheathin quemine post a corner between said John Gary and the land of Ezekiel Powell from V. to W. S. 43 W. 21 poles to a gum on said Powell's line ~~line~~ from W. to X. S. 65 W. 76 poles to a large pine on said line from X. to Y. S. 84 W. 12 poles 20 links to a gum from Y. to Z. N. 87 W. 42 poles to a large pine on said Powell's line from Z. to A. S. 38 W. 12 20 links to a gum from A. To B. N. 83 W. 83 poles 10 links to a cheathinquemine post a corner on Ezekiel Powell's from B. to the beginning S. 15 W. 130 poles along a part of this parcel of land cut off with the appurtenances.

To Have and to Hold *the said Tract or Parcel of Land, with its appurtenances, to the said*

Jacob Keeling &c ---------- *and their heirs forever.*

In Witness Whereof, *The said* Littn W. Tazewell *, Esquire, Governor of the Commonwealth of Virginia, hath hereunto set his hand and caused the Lesser Seal of the said Commonwealth to be affixed at Richmond on the* --- 4th --*day of* ------ December ---------- *in the year of our Lord one thousand* eight hundred and thirty five, *and of the Commonwealth the* 60th,

Littn. W. Tazewell.

LAND OFFICE, RICHMOND, VA.

I hereby certify that the foregoing is a true copy from the records of this office. Witness my hand and seal of office, this ------- 13th ---- *day of* ------- May ----------, *19* 00.

Register of the Land Office.

Commissioner's Office,
Suffolk, Va.

To T.E. Trotman, Complainant.

and

E.C. Wilroy, S. Adelia Williamson, Jeps Williamson, her husband, John Cartwright, Sr., James Wagner, N.J. Jones, P.L. Jones, her husband, Henrietta Harrell, T.N. Harrell, her husband, C.W. Harrington, E.F. Harrington, her husband, Jere Jones, John T. Jones, Annie L. Jones, W.I. Jordan, J.F. Jordan, Annie J. Darden A.G. Darden, E.J. Driver, Rebecca J. Boffington, E.L. Boffington, her husband, R.H. Beamon and Walter Jordan, Trustees of the Glebe Episcopal Church, W.T. Jordan, E.C. Old, and J.F. Rives, Trustees of the Poor for the Lower parish of Nansemond County, Thomas Bowser, W.A. Bowser, Lizzie White, Nancy Elliott, Mary Hale Henry Elliott, C.C. Elliott, Mary Ricks, Emma Pinner, John Watkins, William Watkins, and Joseph Watkins, the last seven infants under the age of twenty-one years.

Defendants.

You are hereby notified that on the 10th. day of September 1908, at my office in Suffolk, Va., (at which time and place you are required to attend), I shall state, take and settle the following accounts which are to be taken, stated and settled and reported to court in pursuance of the decree of the Circuit Court of Nansemond County, rendered on the 16th. day of May 1908, in the suit in chancery pending in said court to which you are parties plaintiff and defendant, to-wit:

1. Whether the real property in the bill mentioned can be conveniently divided in kind among the several parties entitled to share therein.

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

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

4. What liens, if any, there are on said property, and what unpaid taxes are now due thereon.

5. The names of the parties who are entitled to share in the proceeds of the sale of said property, if sold or among whom said property should be divided, if divided in kind, and the extent of their respective interests, which several inquiries the commissioner shall make and to court report, together with any matter specially stated deemed pertinent by himself or required by any party to be so stated.

Given under my hand the 28th. day of August 1908, a Commissioner in Chancery of said Court.

Bradford Kilby

Commissioner in Chancery.

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON B. C. Wilroy, S. Adelia Williamson and REps Williamson, her husband, John Cartwright, Sr., James Wagner, M. E. Jones and F. L. Jones, her husband, Henrietta Harrell and W. N. Harrell, her husband, C. M. Warrington and S. F. Warrington, her husband, Jerry Jones, John W. Jones, Annie L. Jones, W. T. Jordan, J. W. Darden, Annie J. Darden, A. G. Darden, E. J. Driver, Rebecca J. Heffington and W. L. Heffington, her husband, R. H. Beamon and Walter Jordan, Trustees of the Glebe Episcopal Church, W. T. Jordan, W. R. Old and J. P. Rives, Trustees of the poor for the Lower parish of the County of Nansemond, Thomas Bowser, W. A. Bowser, Lizzie White, Nancy Elliott, Mary Hale, Henry Elliott, C. C. Elliott, Mary Ricks, Emma Pinner, John Watkins William Watkins, and Joseph Watkins, the last seven infants under the age of twenty one years.

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the third Monday in January, 1908, to answer a Bill in Chancery, exhibited against them in the said Court by T. E. Trotman

And have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this 11th day of January, 1908, in the 132nd year of the Commonwealth.

A copy—Teste:
R. R. Smith, CLERK.
By A. D. Gomey D.C.

Teste:
R. R. Smith, CLERK.
By A. D. Gomey D.C.

E E Holland, p. q.

Joseph Watkins

vs. } In Chancery.

1905

January Rules.

Third Monday.

NANSEMOND CIRCUIT COURT.

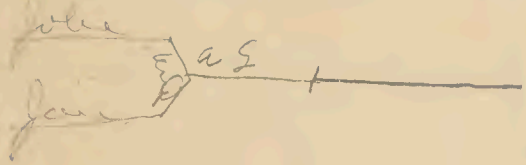
Process Book No. 3

Page 43

Dec 16 - 07

[illegible] Bowers there are
the names of the old ones
Thos. Bowers
V. A. Bowers
Sissie White
Nancy Elliott
Mary Hale
These are the old ones with names
Henry Elliott
C. C. [illegible]
[illegible]
[illegible]
John Watkins
William Watkins

Joseph Watkins
Ethel Lyons are the sons
of [illegible]
Agnes Pratt
James Bowers



Cross Account

E. J. Driver from Wills S. Ruddick

Sec D. S. Laurel Co. Clk Office.

W. T. Jordan from Richard Griffin

151

267

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON B L Wilson, S Adelia Williamson and Reps Williamson, her husband, John Cartwright, Sr. James Wagner, W E Jones and F L Jones her husband, Nennetta Narrell and W N Narrell her husband C M Warrington and S F Warrington her husband, Jerry Jones, John W Jones Annie L Jones W T Jordan, J W Darden, Annie J Darden A G Darden E J Driver Rebecca J Neffington and W L Neffington her husband R N Beamon and Walter Jordan Trustees of the Glebe Episcopal Church, W T Jordan, W R Old and J Rives Trustees of the Poor for the Lower Parish of the County of Nansemond Thomas Bowser W A Bowser Lizzie White, Nancy Elliott, Mary Hale, Henry Elliott C C Elliott, Mary Ricks, Emma Pinner, John Walkins William Walkins and Joseph Walkins, the last seven infants under the age of twenty-one years.

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the Third Monday in January 1908, to answer a Bill in Chancery, exhibited against them in the said Court by T E Trotman

And have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this 11th day of January, 1908, in the 132nd year of the Commonwealth.

A copy—Teste:

_____, CLERK.

Teste:

R R Smith, CLERK.

By A B Gomer D.C.

Executed this 17th day of Jan-1908 by delivering a true copy of the within process to B.C. Wilson except Ripley Williamson Johnson Negroes N.E. Davis N.E. Davis Jr. Bankright Dr. Davis N.N. Warrington Hannibal Horace N.N. Warrington N.J. Warrington Dr. W. Davis Annie D.W. Sanders Annis Sanders Rebecca D. Hathaway D.L. Hathaway R.H. Bowman Allen Jordan Church W.J. Jordan Heirs of Expenpe D.L. Hathaway R.H. Bowman Heirs of Thos Pierce W.R. Bowman and D.J. Rountree the town Sheriff of Nansemond County.

Names Bowman Sign is White. Elect. Mace. Wm. J. Elect. Mary Elect. Emma J. Johnson E.C. Elect. Mary Ricks. Watkins Doe Watkins Heirs known in County.

A.H. Baker Sheriff.
By D.E. Jordan Dep.

E E Holland, p. q.

vs. } In Chancery.

B C Wilcox & others

1905

January Rules.

Third Monday.

Nansemond Circuit Court.

Process Book No. 23

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Executed this 17th day of Jan-1908 by delivering a true copy of the within process to B.C. Wilcox except Dauph Watkins who cannot be found

A.H. Baker Sheriff.
By D.E. Jordan Deputy