

1859-010

SOUTHAMPTON COUNTY
CHANCERY PAPERS

SEBRELL

VS.

SEBRELL & a1

5/1859

100

24

23 R 14

Schull

~ } Papers

Schull

1859 May Term

Sebrill

r. } Stat: Rules

Sebrill

James E Sebrill

to:

William J. Sebrill, George W. Sebrill, William A Sebrill, Nicholas Sebrill & Virginus Sebrill

1855 Mar. 20th Sum. issued retble. to Approl Rules -

" Apt. R. Sum. ret. cick? by W. J. Sebrill. Bill filed. L.R. Edwards assigned gord ad litem to infant Defts. Ansr. filed. Gen. Rep. to anor. infants & Cause set for hearing &c.

" May. Deced. &c.

" Sept. 17th Report

" Nov. J. Decree for sale &c.

1856 Nov. " Deced. &c.

1857 Nov. Death of W J Sebrill suggested

1858 May. J. Report & Decree &c.

1859 " " Rep. & Decree final.

Nov. 1855

lks	\$ 5.37
Shff	40
Com	10 00
Law 1-	<u>30.75</u> \$ 46.52

November Term 1856

lks	\$ 3.99
Retain for future lks ent	<u>2.50</u>
	\$ 6.49

Sebull
by ^{my} Bill
Sebull et als.

1855 April Rules

To the Hon. Rich^d. H. Baker judge of the Circuit Court of
Southampton County— In Chancery, April Rules 1855.

Humbly Complaining sheweth unto your
Honor your complainant James E. Sebell that Nicholas M. Sebell
departed this life sometime in the year 1848 after having duly
made and published his last will and testament which was
duly admitted to record in the County Court of Southampton
at the April term 1848, (a copy of which is herewith filed and
prayed to be taken as a part of this bill) whereby after bequeathing
several legacies he gave all his real estate to his wife Margaret E.
Sebell during her widowhood, and on her marriage or death to
your complainant James E. Sebell, George W. Sebell, William S.
Sebell, children of William J. Sebell, and Nicholas Sebell and
Virginia Sebell, children of James H. Sebell. That the said
Margaret E. Sebell resoured the will of her said husband
according to law, and one third part of his real estate was
allotted to her as dower during her natural life by a decree
of the County Court of Southampton, and in the month of June
1854 she departed this life. Your complainant states that the
personal estate of the said Nicholas M. Sebell has been amply
sufficient to pay all his debts ^{& specific legacies.} That the said Nicholas M.
Sebell was seized and possessed at the time of his death severally
and jointly of the following real property, to wit, a Storehouse and
office of the value of \$700. situated in the Town of Jerusalem,
jointly and equally owned by him and William J. Sebell; of a
tract of land lying near the Town of Jerusalem containing
about five hundred acres valued at \$2500. with a convenient
and comfortable dwelling house together with other improvements
attached thereto. That the said William J. Sebell is entitled
to one fourth of the land occupied by the dwelling house and
other improvements, with four acres attached thereto.

Your complainant having arrived at the age of twenty one
years desires that the said real estate shall be divided
or sold as may appear best for the interests of all parties interested.

Yours complainant believes that the said real estate cannot be divided in kind amongst the parties entitled thereto, and that their interests will clearly be promoted by a sale of the entire property and a division of the proceeds. That it will of course be impossible to divide the Storehouse and Office in the town of Jerusalem owned by him and William J. Sebell, and they must of necessity be sold. That it would be impossible to divide the tract of land lying near Jerusalem without great injury to the interests of all the parties entitled, because the said land is valuable more on account of the improvements situated on it than the intrinsic value of the land. Your complainant further states it would be attended with great injury to the sale of the said land, to sell the dwelling house and improvements with the four acres attached in which William J. Sebell is interested as aforesaid, separate and apart from the rest of the said land. Your complainant believes therefore that it would be best to sell the entire tract in one body, and pay to William J. Sebell out of the proceeds of said sale whatever amount his interest in the said land may be ascertained to be worth. That the shares of the parties interested in the said land exceed \$300, and therefore this court alone has jurisdiction to decree a sale. That George W. William St. Nicholas and Benjamin are infants under the age of twenty one years.

In tender consideration of the premises and inasmuch as your complainant is without remedy save in this honorable court, it is prayed that William J. Sebell, George W. Sebell, William St. Sebell, Nicholas Sebell and Benjamin Sebell be made parties defendants to this bill. That a guardian ad litem be appointed for the said infants who together with the said William J. Sebell shall be compelled to answer all the allegations of this bill as fully and particularly as if they were specially interrogated thereto. That the real

estate of which Nicholas M. Sebell died seized severally and jointly with William J. Sebell shall be sold for a partition amongst the parties entitled thereto. That the shares of the infants may be invested under an order of this Court, and that your honor will decree such further and general relief in the premises as equity may dictate, and the nature of this case may require, and they will ever pray &c

Cobb p. g.

Schell
by { Answer of infants
Schell it also

Filed by consent
W W C M

1835 April Rules.

To the Hon: Rich^d. H. Baker judge of the Circuit
Court of Southampton County. In Chancery.

The answer of George W. William et. Nicholas and
Virginia Sebel by L. R. Edwards their guardian
ad litem to a bill exhibited in this honorable court by James E. Sebel
against them and William J. Sebel.

These defendants having & renewing to them, does all
benefit of just exception to said bill, answer and say,
that they are infants under ^{the} age of twenty one, and are
advised that their interests should be submitted to the
care and protection of this honorable court,
and having answered pray to be hence dismissed with
costs.

L. R. Edwards guardian
By W. W. Cobb atts,

Schull, answer of Wm.
or } J. Schull
Schull it also.

Filed by consent
W W Cott

1855 April Rules

To the Hon. Just. H. B. Baker judge of the Circuit Court
of Southampton County. In chancery.

The answer of William J. Sebell to a bill of Complaint
exhibited in this honorable court by James E. Sebell
against him & others.

This defendant saving & reserving to himself all benefit
of just exception to the said bill, answer and says, that
he believes the facts stated in the said bill are correct.
That he thinks it will be best that the tract of land
of which Nicholas M. Sebell died seized and possessed lying
near the town of Jerusalem, including the interest which
your respondent was entitled thereto, should be sold in
one entire parcel, and that such an amount should be paid
to him as his interest may be as estimated to be worth.
Your Respondent further says that he believes it
would be to the interest of all parties interested
that the whole real estate mentioned in complain-
ant's bill should be sold for a division amongst the
parties. And having answered says to be here
dismissed with costs &

Wm. J. Sebell by
W. W. Cobb attorney

[Faint, mostly illegible handwriting at the top of the page, possibly a letter or a list of names.]

[Faint handwriting, possibly a name or title.]

Sebrall

W. E. Deane

Sebrall Lottus

To be entered

R. H. B.

May, Co. 55.

1855 May Term

Sebrell

24

Sebrell & others

This day this cause came on to be heard on the bill of the complainants, answers of Wm. J. Sebrell and the infant defendants George W. William St. Nicholas and Virginia Sebrell by L. R. Edwards their guardian ad litem, replications thereto, and exhibits, and was argued by counsel, on consideration whereof the Court doth adjudge, order & decree that a Commissioner of this Court enquire into and report to this Court whether or not the interests of the infant defendants ~~of the infant defendants~~ would be promoted by a sale of the land in the proceedings mentioned, or by a division thereof in kind; and the Court doth further adjudge, order & decree that the same Commissioner proceed to ascertain the value of the interest of William J. Sebrell in the land in the proceedings mentioned, and make report to this Court with any matter specially stated, deemed pertinent by himself or which he may be required to do by either of the parties —

Sebrall

vs

Sebralls

Copy of Deane

notia given to 1st Monday
in September 1855-

Southampton Circuit Court, May Term, 1855.

James E. Sebrell

vs.

against

William J. Sebrell, Geo. W. Sebrell, William N. Sebrell, Nicholas Sebrell, & Virginia Sebrell, the said Geo. W., William N. Nicholas & Virginia Sebrell, by L. R. Edwards their guardian ad litem Defts

This day this cause came on to be heard on the bill of the Complainant, answers of William J. Sebrell, and the infant defendants, George W., William N. Nicholas and Virginia Sebrell, by L. R. Edwards their guardian ad litem, replications thereto and exhibit and was argued by counsel, On consideration whereof the Court doth (adjudge, order and decree that a Commissioner of this Court enquire into and report to this Court whether or not the interests of the infant defendants would be promoted by a sale of the land in the proceedings mentioned, or by a division thereof in kind, and the Court doth further (adjudge, order and decree that the same Commissioner proceed to ascertain the value of the interest of William J. Sebrell in the land in the proceedings mentioned and make report to this Court with any matter specially stated deemed pertinent by himself or which he may be required by either of the parties.

Teste,

Henry S. Howard, D.C.

Schull

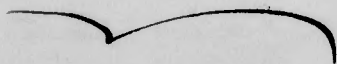
at 3 Decem

Schull &

To be entered

R. H. Baker

Nov. Court 1855.



Sebrell

vs

}

Nov. Term 1855.

Sebrells

This day this cause came on to be again heard on the papers formally read, and on the report of Commissioner Cobb made in pursuance of a decree rendered in this cause at May Term 1855; to which report no exceptions have been filed, and the court confirming the same doth adjudge, order and decree that William J. Sebrell who is appointed a Commissioner for the purpose, after giving at least twenty days notice of the time and place of sale, by public advertisement at the courthouse door of Southampton County and other public places in said County, sell to the highest bidder ^{on the premises} on a credit of one and two years, equal installments, (except so much as may be necessary to defray the expenses of this decree and said sale) the tract of land of which Nicholas M. Sebrell dec^d, died seized and possessed, lying near the town of Jerusalem, in the County of Southampton, and containing about five hundred acres, together with the interest which William J. Sebrell is entitled to in said land - That he take bonds from the purchaser, bearing interest from this date, with approved personal security and return them to this court with his report in order to a final decree ^{and} that he retain the title to the said land until the purchase money is paid. The court doth further adjudge, order and decree that the said William J. Sebrell, who is also appointed a Commissioner for the purpose, shall at the same time and place as before mentioned, and after giving the same notice as before required, sell to the highest bidder on a credit of twelve months, (except so much as

may be necessary to defray the expenses of said sale) Separately, the store house and office belonging jointly to William J. Sibrell and the said Nicholas M. Schell decd., situated in the Town of Jerusalem in the County aforesaid. That he take bonds from the purchasers with approved personal security, bearing interest from their date, and return them to this Court with his report in order to a final decree — And that he retain the title to them until the purchase money is paid.

But this decree is to be suspended until the said William J. Sibrell shall execute bond in the clerk's office of this Court in the penalty of \$4000. conditioned as the law directs —

Subell

is { Copy Donee

Subell

Southampton Circuit Court, November 9th 1855

James O. Sebrall

Deft

against

William J. Sebrall, George W. Sebrall, W^m H Sebrall
Nicholas Sebrall & Virginius Sebrall Defts

This day this cause came on to be again heard in the papers formerly read and on the report of Comm^r. Cobb made in pursuance of a decree rendered in this cause at May Term 1855, to which report no exceptions have been filed (and the Court confirming the same doth adjudge, order and decree that William J. Sebrall who is appointed a Commissioner for the purpose after giving at least twenty days notice of the time and place of sale by public advertisement at the Court house door of Southampton County and other public places in said County sell to the highest bidder on the premises on a credit of one and two years equal instalments (except so much as may be necessary to defray the expenses of this decree and said sale) the tract of land of which Nicholas W. Sebrall died seized and possessed lying near the town of Jerusalem in the County of Southampton, (and containing about five hundred acres together with the interest which William J. Sebrall is entitled to in said land. That he take bonds from the purchasers bearing interest from this date with approved personal security and return them to this Court with his report in order to a final decree and that he retain the title to the said land until the purchase money is paid. The Court doth further adjudge, order and decree that the said William J. Sebrall who is also appointed a Commissioner for the purpose shall

shall at the same time and place as before mentioned (and after giving the same notice as before required, sell to the highest bidder in a credit of twelve months (except so much as may be necessary to defray the expenses of said sale) separately the Store house (and office belonging jointly) to William J. Sebrall and the said Nicholas N. Sebrall dec'd. Situated in the town of Jerusalem in the County aforesaid. That he take bonds from the purchasers with approved personal security bearing interest from their date, and return them to this Court with his report, in order to a final decree. And that he retain the title to them until the purchase money is paid. But this decree is to be suspended until the said William J. Sebrall shall execute bond in the Clerk's Office of this Court in the penalty of \$4000. — conditioned according to Law.

Attest, Este,

Henry S. Howard, D.C.

Clerk's costs \$ 5.37

Shffp. 40

Comm. 10.00

Law &c. 30.75

\$ 46.52

Sebrell

v

Sebrell.

Decem Nov. Co. 1856

To be entered

R. H. B.

Nov 2581

Sebruce

vs

Sebruel

This day this cause came on to be again heard on the papers formerly read, and on the report of William J. Sebruel Commissioner, made in pursuance of a decree made in this cause at November term 1855 to which report no exceptions have been filed, and the Court confirming the same with adjudge, order and decree that the clerk of this Court deliver to Wm. J. Sebruel the bond of George W. Sebruel and Jas. E. Sebruel executed to the said Sebruel Commissioner for the sum of \$471. bearing date the 21st day of January 1856, and due twelve months after date; that the said Sebruel collect the same when due and pay one half to Wm. J. Sebruel, and one fifth of the balance to James E. Sebruel, one fifth to George W. Sebruel, and one fifth to Wm. J. Sebruel guardian to William St. Sebruel, and the remaining two fifths to the legally qualified guardian of Nicholas and Virginia Sebruel when one shall be appointed and file in this cause the proper evidence of his appointment and qualification. And the Court doth further adjudge, order and decree that the said clerk also deliver to the said William J. Sebruel the ^{two} bonds of Jas. H. Sebruel and C. W. Barkham executed to the said Sebruel Commissioner, each for the sum of \$1205. $\frac{80}{100}$ and bearing date the 21st day of January 1856, one of which bonds is due the 21st day of January 1857, and the other on the 21st day of January 1858; that the said Sebruel collect the same ^{when due or} ^{when the several obligors may choose to pay them} and after paying the expenses of this decree, pay in the first place to Wm. J. Sebruel the sum of \$300, and that he pay one fifth of the balance to James E. Sebruel, one fifth to George W. Sebruel, and one fifth to Wm. J. Sebruel guardian to William St. Sebruel, and the remaining two fifths to the legally qualified guardian of Nicholas and Virginia

Sebrell when one shall be appointed and file in this cause the proper evidence of his appointment and qualification.

That on the payment of the said bond of \$471. by the said George W. Sebrell that the said William J. Sebrell shall execute a deed to the said George W. Sebrell with special warranty for the store house and lot in the proceeding mentioned, and on the payment of the said bonds of \$1205.80 each, by the said James H. Sebrell that the said William J. Sebrell shall execute to the said James H. Sebrell a deed with special warranty for the tract of land in the proceeding mentioned of which stockholders Dr. Sebrell dec^d died seized and possessed lying nearing the town of Jerusalem, and containing about five hundred acres. But the said clerk shall not deliver to the said W^m J. Sebrell the said bonds beforementioned until he shall execute a bond ^{with sufficient security} in the clerk's office of this court and before the said clerk in the penalty of \$4000. payable to the Commonwealth of Virginia, conditioned for the faithful performance of his trust under this decree. And this decree shall be suspended as to the said Sebrell guardian to William H. Sebrell, and the guardian of Nicholas and Virginia Sebrell until each shall ^{payable to the Commonwealth of Virginia} execute a bond ^{with sufficient security} in the clerk's office of this court & before the clerk, the guardian of W^m H. Sebrell in the penalty of \$1000. and the guardian of Nicholas and Virginia in the penalty of \$2000. - conditioned for the faithful investment and application of the proceeds of said bonds, for the benefit of their respective wards.

Attest
J. H. Sebrell
J. H. Sebrell

Sebrall

or 3 Copy of Dune

Sebralls.

1328
6645
3145
2470

Southampton Circuit Court, November Term, 1836.

James E. Sebrell

Off } In Chancery

against

William J. Sebrell, Geo. W., W^m N. Nicholas & Virginia
Sebrell.

Defts.

This day this cause came on to be again heard on the papers formerly read and on the report of William J. Sebrell Commissioner made in pursuance of a decree made in this cause at November Term 1835, to which report no exceptions have been filed and the Court confirming the same doth adjudge, order and decree that the Clerk of this Court deliver to W^m J. Sebrell the bond of Geo. W. Sebrell and Jas. E. Sebrell executed to the said Sebrell Commissioner for the sum of \$471. and bearing date the 21st day of January 1836 and due twelve months after date; that the said Sebrell collect the same when due and pay one half to W^m J. Sebrell and one fifth of the balance to Jas. E. Sebrell one fifth to Geo. W. Sebrell and one fifth to William J. Sebrell guardian to William N. Sebrell and the remaining two fifths to the legally qualified guardian of Nicholas and Virginia Sebrell when one shall be appointed and file in this cause the proper evidence of his appointment and qualification and the Court doth further adjudge, order and decree that the said Clerk also deliver to the said William J. Sebrell the two bonds of Jas. H. Sebrell and O. D. Barham executed to the said Sebrell Commissioner each for the sum of \$1203.87/100 and bearing date the 21st day of January 1836, one of which bonds is due the 21st day of January 1837, and the other on the 21st day of January 1838, that the said Sebrell collect the same when due or when the several obligors may choose to pay them and after paying the expenses of this decree pay in the first place to W^m J. Sebrell the sum of \$300.00 and that he pay one fifth of the balance to James E. Sebrell one fifth to George W. Sebrell and one fifth to W^m J. Sebrell guardian to W^m N. Sebrell and the remaining two fifths to the legally qualified guardian of Nicholas & Virginia Sebrell

when one shall be appointed and file in this cause the proper
evidence of his appointment and qualification. That on the
payment of the said bond of \$171. by the said Geo. W. Sebrell
that the said W^m J. Sebrell shall execute a deed to the said
Geo. W. Sebrell with special warranty for the store house and lot
in the proceedings mentioned and on the payment of the said bonds
of \$1205.80 each by the said James H. Sebrell that the said
William J. Sebrell shall execute to the said James H. Sebrell
a deed with special warranty for the tract of land in the proceedings
mentioned of which Nicholas M. Sebrell died seized and possessed
lying near the town of Jerusalem and containing about five
hundred acres. But the said Clerk shall not deliver
to the said W^m J. Sebrell the said bonds before mentioned
until he shall execute bond with sufficient security in
the Clerk's office of this Court, and before the said
Clerk in the penalty of \$4000.00 payable to the
Commonwealth of Virginia, conditioned for the
faithful performance of his trust under this decree.
And this decree shall be suspended as to the said Sebrell
guardian to William N. Sebrell and the guardian of
Nicholas and Virginia Sebrell until each shall
execute bond payable to the Commonwealth of Virginia
with sufficient security in the Clerk's office of this
Court & before the Clerk, the guardian of W^m N.
Sebrell in the penalty of \$1000. and the guardian of
Nicholas and Virginia in the penalty of \$2000.00
conditioned for the faithful investment and application
of the proceeds of said bonds for the benefit of their
respective wards.

Teste

Wm. S. Howard, D.C.

Other costs since Nov. 55 \$ 3.99
Retain for future lites costs. 2.50
\$ 6.49

Sebull
v 3 Meenan
Sebull
May term 1848

To be entered
R. W. Baker

Sebrell

v

Sebrell

This day this cause came on to be again heard on the papers formerly read, and on the report of James E. Sebrell Executor of William J. Sebrell dec'd to which report no exceptions have been filed, and on consideration whereof the court doth adjudge, order the ~~above~~ report ^{to be confirmed} and that and decree that James E. Sebrell who is appointed a commissioner for the purpose execute to James H. Sebrell and George W. Sebrell dec'd with special ^{by them} warranty for the tract of land ^{which} purchased under a former decree of this Court

Sebull^x
v 3 Decem
Sebull

May court 1859.
To be entered
R. H. Baker

Sebull

v

Sebull & others

This cause came on this day to be again heard on the paper formerly read, and on the report of James E. Sebull made in pursuance of a decree rendered in this cause at May term 1858, to which report no exceptions have been filed, and on consideration whereof the Court doth adjudge, order and decree that the said report be confirmed.

The Commonwealth of Virginia :

To the Sheriff of Southampton County, Greeting :

We command you to summon *George W. Sebrall, Wm W Sebrall, Nicholas Sebrall,*
Virginias Sebrall & Mrs S Sebrall

to appear at the Clerk's Office of our Circuit Court of Southampton County, at the Rules to be
holden for the said Court, on the first Monday in *April next* ————— to answer
a bill in Chancery exhibited against *them* ————— in our said Court by

James G. Sebrall: 

and have then there this Writ. Witness, LITTLETON R. EDWARDS, Clerk of our said Court, at
the Courthouse, this *20th* day of *March* ————— 1855 in the *79th*
year of the Commonwealth.

L R E du ar ds ldy

I acknowledge service of the within spe.

Mr J Schull
March 28th 1855

Schull

to } Sp. King

Schull

1855 of John R. King

Commissioner's Office

August 15th 1855

To James E. Sebel, Wm. J. Sebel, Geo. W. Sebel,
Wm. N. Sebel, & Virginia Sebel, the last-
four by L. R. Edwards their guardian ad litem.

You are hereby notified that I have fixed
upon the 3^d day of September next, at my
Office, in the town of Jerusalem, to take the
account required to be taken by a decree
of the Circuit Court of Southern District
at May Term 1855, in the case of Sebel
vs Sebel &c.

Wm. L. Cobb, Clerk

I acknowledge service of the within notice
for James E. Sebrue -

W. W. Cobb
W. J. Sebrue

I acknowledge service for the infant
defendants -

L. R. Edwards for P.

Sebrue
vs
Sebrue &c

Subrec

or { Subpoena

Subrec & others.

Executed

A. J. Kello Deputy
for Sum. Kello Shff

102 money in Sept

The Commonwealth of Virginia,

To the Sheriff of Southampton County, Free ting.
You are hereby commanded to summon James H.
Bryant, and Jonathan Haden to appear before the
undersigned, one of the Commissioners in chancery
of the Circuit Court of Southampton County, at his
office at the Courthouse of said County, on the 3^d
day of September 1855, to testify and the truth to
say, in a certain matter referred to the said Comm.
-missioners by a decree of the said Court, in a suit
in chancery therein pending, between James H.
Sebrall Plaintiff, and Wm. J. Sebrall & others, defendants.
And this they shall in no wise omit, under the
penalty of £100, and have them this writ.
Given under my hand as Commissioner aforesaid
this the 17th day of August 1855.

Wm. W. Cobb Com

Sebrell } Common Report
by }
Sebrell & others

1855 Sept 17th

Sebrull

vs

Sebrull & others

3

Commissioner's office,

Sept. 15th 1855,

In obedience to a decree, of the Circuit Court of Southampton County, rendered in the above suit in Chancery therein depending, at May term 1855, the undersigned, Commissioner of said Court, begs leave to submit the following report. He gave notice to the parties to the said suit that he would proceed to inquire into the matters required by said decree at his office, in the town of Jerusalem, on Monday, the 3^d of September last. At which time and place he proceeded to take the evidence of James W. Bryant and Jonathan Warden as to the matters of inquiry directed by said decree, and reports that the tract of land of which Nicholas M. Sebrull dec^d died seized and possessed, lying near the town of Jerusalem, contains about five hundred acres, and is valued at \$2500. That the interests of the infant defendants would be clearly promoted by a sale of the said tract of land. That a division in kind could not be made without manifest injury to their interests. That the interest of William J. Sebrull in the said tract of land, that is to say, in the dwelling house with four acres attached thereto, is valued at \$300. That the Storehouse and office in the town of Jerusalem jointly owned by William J. Sebrull and the said Nicholas M. Sebrull dec^d could not ~~be~~ possibly be divided in kind, and the Commissioner therefore reports that it will be necessary that they should be sold.

Cornus fee \$10.00, charged to Debt^r

Respectfully Submitted
Wm. J. Sebrull

Schull

or

Schull & others

Report of Commissioner

1856 Nov. 3

James E. Sebel

vs

William J. Sebel & others.

In obedience to a decree of the Circuit Court of Southampton County rendered at November term 1855, the undersigned appointed a Commissioner by said decree begs leave to submit the following report.

He reports that after giving more than twenty days notice of the time and place of sale by public advertisement at the Court house doors of Southampton County and other public places in the neighborhood of said land he exposed to public sale on the premises on the 21st day of January 1856, to the highest bidder on a credit of one and two years equal instalments, except so much as was necessary to pay the expenses of sale, the tract of land of which Nicholas M. Sebel did sign & propose lying near the town of Jerusalem in the County aforesaid, and containing about five hundred acres together with the interest which William J. Sebel is entitled to in said land. That James H. Sebel became the purchaser at the sum of \$2470.

That he deducted the commissions on said sum amounting to \$58.40, and took bonds from the purchaser with approved personal security for the balance of the purchase money, payable in one and two years from the day of sale and bearing interest from their date which are herewith returned, and that he retained the title to the said land until the purchase money is paid.

He further reports that at the same time and place abovementioned, and after giving the same notice as beforementioned, he sold to the highest bidder on a credit of twelve months, except so much as was necessary to pay the expenses of said

sale, separately the store house and office belonging jointly to William J. Sebrill and the said Nicholas ~~Mr.~~ Sebrill dec^d, situated in the town of Jerusalem in the County aforesaid, and that George W. Sebrill became the purchaser of the store house at the sum of \$330.00, and of the office at the sum of \$201. That after deducting the expenses of said sale amounting to \$59.14, he took bond from the purchaser for the balance of the purchase money with approved personal security, to wit, for the sum of \$471.00, payable twelve months after date & bearing interest from its date, which is herewith returned. That he retained the title to the said store house and office until the purchase money is paid.

All of which is respectfully submitted.

Wm J Sebrill cord

Received under receipt acknowledged in this cause the day of November 1856
the books of George W. Sebrell of James C. Sebrell of James R. Sebrell. & D. T. Ashmun.
reimbursed with this report.

William I Sebrell by
Geo W Sebrell

Sebel

as {
Sebel & others

Agree

Carmm. Spencer's Report

1858 May 5th

Schell

v

Schell -

The undersigned executor of William J. Schell dec^d. beg leave to report that since the decree rendered in this cause at November term 1886 the said William J. Schell has departed his life and that he has qualified as his executor according to law. That previous to his death the said William J. Schell received from the clerk's office of this court the bonds directed by said decree to be paid to him, but did not collect them. Since his death the undersigned has collected them, and paid out the amount collected according to the directions of said decree. That he paid to George W. Schell the sum of \$522.89 it being his proportion, and to James H. Schell Guardian to Nicholas H. and Virginia C. Schell the sum of \$1050.89 and that he has retained as Guardian to Wm. J. Schell the sum of \$522.89, and that he has retained as the executor of the said Wm. J. Schell the sum of \$560.36, it being the amount directed by said decree to be paid to him. That since the death of Wm. J. Schell the undersigned has qualified as the guardian of Wm. J. Schell -

Respectfully Submitted

Jas. E. Schell

Sebrall

N

Sebrall

Cornuipennis Repet

1859 May 2^d

Sebell

or

Sebell & Thayer

The undersigned, in obedience to a decree rendered in this cause at May term 1858, begs leave to report to the Court that he has executed deed with special warranty to James H. Sebell and George W. Sebell for the lands respectively purchased by them under a former decree in this cause -

Respectfully submitted
James E. Sebell

Jas. A. Bruce's
Receipt

Received November 9 1857. of James E. Sebrell Exor. of Wm. J.
Sebrell dec'd. who was Commissioner in the suit of Sebrell v. Sebrell, ap-
pointed by the Circuit Court of Southampton County, the sum of one
thousand and fifty dollars fifty nine cents being the proportion of my
children & wards Nicholas B. & Virginus C. Sebrell of the sales of
the property sold under a decree in the said suit.

Jas. H. Sebrell Guardian

N. M. Sebrells

Will

Sebrell

~ }

Exh. with bill

Sebrells

The last Will and Testament of Mr. Nicholas M Sebrell in substance of form as follows made this day March 6th 1848.

1st. To my beloved wife Margaret C Sebrell I will & bequeath & leave all my estate during her widowhood, except my gold watch & silver spurs & I do not wish any sale either of my land or negroes nor of my chattel estate further than may be necessary for the payment of my just debts, or of such chattel property as will be of no service to my wife & which she may designate -

In the event of her marriage I wish her to have all the property which I got by her together with one third of my estate during her life -

2nd. To my brother William I give my gold watch during his life & at his death to his son James.

3rd. I give to my nephews James & Nicholas Dromgold five hundred dollars a piece & if both should die before their mother the above named amount goes to her their mother

4th. My estate is then to be divided into five equal parts and my brother James two sons are to have two fifths and my brother William's three sons are to have three fifths, each of them having equal parts -

5th. To my brother James Sebrell I give my silver spurs and if he owes me anything, it is my will that my Executor should not exact it of him -

I appoint my brother William J Sebrell my sole Executor without giving security -

Signed & Sealed

N. M. Sebrell (Seal)

In presence of }

Rob. Murray

Levi P. Nicholson

Is. Munn.

At a Court held for the County of Southampton on the 17th day of April 1848

This last Will and Testament of N. M. Sebrell dec^d was proved by the oath of Robert Murray and Josiah Munn two of the subscribing witnesses thereto and ordered to be recorded. And on the motion of William J. Sebrell the Executor therein named who made oath and acknowledged a bond in the penalty of thirty thousand dollars conditioned as the law directs Certificate is granted him for obtaining a probate thereof in due form. The will directing that the executor should give no security and the Court requiring none.

Teste. L. R. Edwards

Attest. Teste. L. R. Edwards

At a Court held for the County of Southampton the 15th January 1849
William J. Sebrell is assigned guardian to Caroline R., James E. & George R. Sebrell
infant children of the said William J. Sebrell. Whereupon he gave bond and security
according to law.

Attest

Teste L R Edwards Ck

At a Court held for the County of Southampton the 21st day of April 1856
The Court doth assign Wm J. Sebrell guardian to his infant son Wm. Nicholas
Sebrell, whereupon he gave bond & security according to law

Attest

Teste L R Edwards Ck

Sebrall

r {

Sebrall P

Filed 6th May 1858

Southampton County Court. March 16 1857

The Court doth assign James H Sebell guardian of his infant children Nicholas H & Virginia
L Sebell. Whereupon he together with Harrison D Moore & Gilbert D Burkham his Sureties
(who justified on oath as to their sufficiency) entered into and acknowledged a bond in the penalty of
five thousand Dollars conditioned according to law.

at Copy

Teste

JR Edwards Cly

Schrell

& } Comm. bond

Schrells

KNOW ALL MEN BY THESE PRESENTS, That we

William J Sebrill and Edwards Butts

are held and firmly bound unto the Commonwealth of Virginia, in the just and full sum of Four thousand Dollars, for the payment of which, well and truly to be made, we bind ourselves, our and each of our heirs, executors, and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 5th day of December, 1855

The Condition of the above Obligation is such, That whereas the above bound

William J Sebrill

has by a Decree of the Circuit Court of Southampton County pronounced on the 9th day of November 1855, in a cause therein pending wherein James E Sebrill Plaintiff and William J Sebrill & others Defendant, been appointed Commissioner to make sale of certain real Estate in the said cause described.—Now if the said William J Sebrill shall faithfully discharge the duties ~~as such~~ of his office as Trust ~~Commissioner under said decree~~, then this obligation to be void, else to remain in full force and virtue.

Signed, Sealed, and delivered }
in presence of }

W. J. Sebrill
E. Butts

L.S.

L.S.

L.S.

Southampton Circuit Court (Clerks Office the 17 day of December 1855.

This day Edwards Batts the security to the within bond made oath before me Clerk of the said Court that his estate after the payment of all his just & lawful debts is worth the sum of four thousand dollars the penalty of the within bond

SR Edwards *cl*

Sebrill

~ } Com. bond
Sebrill

Know all men by these presents that we William J Sebrell
are held and firmly bound unto the Commonwealth of
Virginia in the just and full sum of Four thousand dollars good and lawful money of
Virginia, to the payment whereof well and truly to be made we bind ourselves our heirs, Executors
and administrators jointly and severally firmly by these presents Sealed with our Seals and
dated this 15th day of November 1856

The Condition of the above obligation is such that whereas by a decree of the Circuit Court
of Southampton County entered on the 8th day of November 1856 in a suit in Chancery depend-
ing in the said Court between James E. Sebrell plff and William J Sebrell & others Defs.
the said William J Sebrell was appointed Commissioner for certain purposes in the said
decree mentioned Now if the said William J Sebrell shall faithfully discharge the duties
of his Office or trust according to law then the above obligation to be void or else to remain
in full force and virtue.

Signed, Sealed & delivered
In presence of }
James A. Little

William J Sebrell
by Geo W Sebrell his (Seal)
James E. Sebrell (Seal)
James A. Little (Seal)

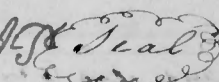
Know all men by these presents, that I Wm J. Sebell
of the County of Southampton, Va. do hereby constitute
and appoint George W. Sebell of the County of Southampton
Va, my true and lawful Attorney to sign my name as
~~Attorney~~ to a Bond to be executed by Wm J. Sebell as
Principal in the Clerk's Office of the Circuit Superior
Court of Law & Chancery for the County of Southampton
in the penalty of four thousand dollars and payable
to the Commonwealth of Virginia, and which the
said Wm J. Sebell as receives in a certain cause pending
in said Court in which Jas. E. Sebell in his own right
is plaintiff and Wm J. Sebell, Geo W. Sebell, W. W. Sebell,
Nicholas and Virginias Sebell are defendants, is required
to execute by a decree pronounced in the said Cause
and also to execute ~~by~~ bond in the penalty of \$1000, or as directed by the Decree
on the November 1856, with power to my said

Attorney to execute and deliver the said Bond so to be
signed by him as my Attorney in my name, as my act,
and deed to be as valid and obligatory upon me as
if executed by me in person, and to do whatever
else may be necessary in the premises, hereby
ratifying and confirming whatsoever my said Attorney
may lawfully do herein by virtue of these presents.
In witness whereof I have hereunto
set my hand and seal this 13th day of June 1857.

Wm J. Sebell (Seal)

Southampton County to wit;

I, John James, a Justice
of the Peace of the said County in the State of Virginia, do
hereby certify that William J. Sibell — party to the
within Power of Attorney bearing date the ~~13th~~ ^{13th} day
of June 1857, personally appeared before me in
my County aforesaid and acknowledged the same
to be his act and deed for the purposes therein
mentioned and also made oath that his estate after
the payment of his debts and liabilities is worth Four
Thousand dollars. Given under my hand and seal this
the 13th day of June 1857.

John James 

Know all men by these presents that we James H. Sebrill & Barthum
are held and firmly bound unto
the Commonwealth of Virginia in the just and full sum of Two thousand Dollars good
and lawful money of Virginia, to the payment whereof we bind ourselves our heirs, Ex-
ecutors and administrators jointly and severally, firmly by these presents. Sealed with
our seals and dated this 6th day of May 1858

The Conditions of the above obligation is such that whereas by a decree of the
Circuit Court of Southampton County pronounced on the 8th day of November 1856 in
the suit of James E. Sebrill against William J. Sebrill & others. It was among other
things decreed and ordered that the Clerk of the said Court deliver to Wm J. Sebrill the
bond of George W. Sebrill and James E. Sebrill executed to the said Sebrill Commis-
sioner for the sum of \$471. bearing date the 21st day of January 1856 and due
twelve months after date, that the said Sebrill collect the same when due and pay
one half to Wm J. Sebrill, and one fifth of the balance to James E. Sebrill, one fifth to
George W. Sebrill and one fifth to Wm J. Sebrill guardian to William W. Sebrill, and
the remaining two fifths to the legally qualified guardian of Nicholas and Virginus
Sebrill when one shall be appointed and file in this cause the proper evidence of his
appointment and qualification. And the Court further adjudged, ordered and decreed
that the said Clerk also deliver to the said William J. Sebrill the two bonds of Jas
H. Sebrill and C. D. Barthum executed to the said Sebrill Commissioner each for the
sum of \$1205.³⁰/₁₀₀ and bearing date the 21st day of January 1856, one of which bonds
is due the 21st day of January 1857 and the other on the 21st day of January 1858,
that the said Sebrill collect the same when due or when the several obligors may
choose to pay them and after paying the expenses of this deed pay in the first place to
Wm J. Sebrill the sum of \$300. and that he pay one fifth of the balance to James
E. Sebrill, one fifth to George W. Sebrill and one fifth to Wm J. Sebrill guardian
to William W. Sebrill and the remaining two fifths to the legally qualified guardian
of Nicholas and Virginus Sebrill when one shall be appointed and file in this
cause proper evidence of his appointment and qualification. But this said decree was
to be suspended as to the guardian of the said Nicholas and Virginus Sebrill until
he should ^{execute} bond payable to the Commonwealth of Virginia with sufficient security
in the Clerk's Office of the said Court & before the Clerk in the penalty of \$2,000
conditioned for the faithful investment and application of the proceeds of said bonds
for the benefit of this wardship.

Now if the above bound James H. Sebrill
guardian of Nicholas and Virginus Sebrill shall faithfully invest and apply

the proceeds of said bonds for the benefit of his said Wards. then the above obligation
to be void or else to remain in full force and virtue.

Signed & Sealed & delivered
In presence of }

Jas. H. Stoll
C. D. Barkham

(Seal)

(Seal)

Stoll

to J. Bond

Stoll

Feb 24

to } Bond

Feb 24 90

Know all men by these presents that we

are held and firmly bound unto the

Commonwealth of Virginia in the just and full sum of One thousand dollars good and lawful money of Virginia: to the payment whereof well and truly to be made we bind ourselves, our heirs Executors & administrators, jointly and severally firmly by these presents. Sealed with our seals and dated this _____ day of _____ 1856

The Condition of the above obligation is such that whereas by a decree of the Circuit Court of Southampton County pronounced on the 8th day of November 1856 in the suit of James E. Sebrell against William J. Sebrell & others, it was among other things adjudged, ordered and decreed that the Clerk of the said Court deliver to Wm J. Sebrell the bond of George W. Sebrell and James E. Sebrell executed to the said Sebrell Commissioner for the sum of \$471. bearing date the 21st day of January 1856 and due twelve months after date, that the said Sebrell collect the same when due and pay one half to Wm J. Sebrell, and one fifth of the balance to James E. Sebrell, one fifth to George W. Sebrell and one fifth to Wm J. Sebrell guardian of William N. Sebrell and the remaining two fifths to the legally qualified guardian of Nicholas and Virginias Sebrell when one shall be appointed and file in this cause the proper evidence of his appointment and qualification. And the Court further adjudged, ordered and decreed that the said Clerk also deliver to the said William J. Sebrell the two bonds of Jas. M. Sebrell and B. D. Washburn executed to the said Sebrell Commissioner each for the sum of \$1205. ^{80/100} and bearing date the 21st day of January 1856, one of which bonds is due the 21st day of January 1857 and the other on the 21st day of January 1858; that the said Sebrell collect the same when due or when the several obligors may choose to pay them and after the expenses of this decree pay, in the first place to Wm J. Sebrell the sum of \$500. and that he pay one fifth of the balance to James E. Sebrell, one fifth to George W. Sebrell and one fifth to Wm J. Sebrell guardian to William N. Sebrell and the remaining two fifths to the legally qualified guardian of Nicholas and Virginias Sebrell when one shall be appointed and file in this cause proper evidence of his appointment and qualification. But the said decree was to be suspended as to the said Sebrell guardian to William N. Sebrell until he should execute bond payable to the Commonwealth of Virginia with sufficient security in the Clerks Office of the said Court & before the Clerk in the penalty of \$1000 conditioned for the faithful investment and application of the proceeds of said bonds for the benefit of his ward.

Now if the said William J. Sebrell guardian of William N. Sebrell shall

faithfully invest and apply the proceeds of said bonds for the benefit of his said
ward, then the above obligation to be void, or else to remain in full force & virtue.

Signed, Sealed & delivered
In presence of

3

William I. Sebell (Seal)

by Geo W Sebell his (Seal)

James A. Sebell (Seal)

Geo. E. Sebell (Seal)