1873-08 Southampton County Chancery - Harris, William H. etals vs Harris. Ann Mary

petition for sale

Harris - Joseph
" - Eliza J.
Gwaltney - Joseph J.
(Wife) - Elizabeth
Have - Christiana

Pretlow, Wm. H.
(Special Comm.)

~~255~~ 20

Harris & } Bill
vs } Answer
Harris } & Decree

To be Entered

W R Parker P.Q.

1868 Nov. Decree as filed

#

1870 Jany. Report & decree

" May 17. Report

Received by Clerk Circuit
Court Aug: 13th 1873.

To the worshipful County Court of Southampton County. In Chancery sitting -

Humbly complaining sheweth unto your worships your orator William Henry Harris. Joseph J Harris. Eliza J Harris, Joseph J Swoltney and Elizabeth his wife formerly Harris and Christiana Barr (formerly Harris) That your orator Father William Harris departed this life sometime in the year and possessed at the time of certain real estate lying in the County of Southampton said to contain about 300 acres, and bounded by the lands of Jonathan Turner, Zachariah Dogal and others, and having by his last will and testament his said real estate duly devised unto your orator and Ann Mary Harris and to their children - your orator further states that said real estate is not susceptible of division, and they suppose therein that the same may be sold and the proceeds of sale divided amongst the parties entitled, that said lands are worth about the sum of $300 dollars - Your orator & Co the said Ann Mary Harris & their dependants in this bill and Thomas Barr guardian ad litem of this court appointed, a proper answer to this bill make, that your worships will appoint a Commissioner to sell the real estate of Father William Harris deceased and report

and divide the proceeds of sale amongst the parties entitled, and grant such other and further relief as equity may dictate or the nature of this case may require, and as in duty bound your orator will ever pray &c

Fulton J. S.

The answer of Mary Harris an infant under the age of 21 yrs by L. R. Edwards her guardian ad litem to the foregoing bill

This defendant, being &c. for answer to said bill or so much thereof as is advised is material for her to answer, answering says that being an infant she submits her rights in this cause to the jurisdiction of this court and having answered prays hence to be dismissed -

L. R. Edwards

Harris &c
vs
Harris } Decree

This day this cause came on to be heard on the bill of the plaintiffs, answers of the infant defendant by L. R. Edwards her guardian ad litem, and was argued by counsel. On consideration whereof, the court doth adjudge order and decree that Wm. H. Fulton who is hereby appointed a special Commissioner for that purpose proceed to sell at public auction to the highest bidder, after giving at least twenty days notice of time and place of sale by advertising at two or more public places, on the premises, the real estate in the bill mentioned. Of which William Harris died seized and ~~and that out of~~ on the following terms, to wit, on payment in cash to defray expenses of said sale, and that for the balance he take from the purchaser bond with good personal security, payable six months after date carrying interest from date, which bond is to be returned to this court together with a report of his proceedings under this decree. But the said Comm'r is not to execute the provisions of this decree until he shall have given bond with good security in the penalty of $1000.00 in the Clerks Office of this court payable to the Commonwealth of Va. conditioned for the faithful performance of duties herein assigned him, or of any other subsequent decree that may be entered in this cause

Harris &c
vs
Harris &c } Decree

1870 January 6th

Harris &c
vs
Harris &c
Decree

This cause this day
came on again to be heard on the
papers formerly read and on the
report of Comm. Bradburn made
pursuant to a decretal order
entered in this cause at the Nov.
Term of the Court 1868, and the
Court confirming said report.
doth adjudge order and decree
that Wm H Bellows who is hereby
appointed a special Commissioner
for that purpose proceed to collect
the bond filed in this cause (which
the clerk is directed to hand to him)
of $933.81 as from J Harris, Ch to
Bradburn, & Wm H Bradburn and
out of the amount so collected first
pay any expenses thereof remaining

I am been incurred in this cause since the entering of the last decree and the balance so is directed to distributed amongst the parties entitled according to their respective rights, and all matters of this acting & doings under this decree is leave

Hamisde
Hamisde
Refar

Harris
vs
Harris } Report

Pursuant to a decree entered in this cause at the November Term of the Court 1868. the undersigned commissioner after having given twenty days notice of time and place of sale, proceeded to sell on the premises, the 10th of Dec. 1868, the real estate of which William Harris died seized & possessed. & that John J Harris became the purchaser of both tracts of land for the sum of $1025.00. and that after deducting expenses of suit & taxes, for the balance he took from the purchaser bond with M H Bradshaw and

Wm H Braddaw as his executor
the bond being $933.81 payable six
months after date carrying interest
from date, which bond is returned in
& done with this report, a list of
which will more fully appear by the
following statement - to wit

By sale of land		$1025:00
To commission	$29.50	
" paid Clerk of Ct	5:00	
" " Sheriff	5:00	
" " Clerk at sale	1:00	
" " Atty	15:00	
" " Taxes	35:69	
" " for Clerk on bond	5:0	
To bond returned herewith	$933.81	
	$1025:00	$1025:00

Respectfully submitted
Wm H Braddaw Comr

1870 Received of the Clerk of the County Ct.
Southampton County the bond returned with this report

Wm H Braddaw

Harris
&
Harris
Deceased

1875

May 21.

Mrs. Minnie Deceased

~~To be settled~~

Geo. Bland.

Harris &
vs
Harris &c } Decree

This cause this day came on again to be heard on the papers formerly read and on the Report of Comr. Fullerton made on May 17th 1870, and the Court confirming said Report and it appearing that there is nothing further to be done in this cause, doth adjudge order and decree that the cause be removed from the docket