

1873-023 SOUTHAMPTON COUNTY  
CHANCERY PAPERS

WORRELL + al vs. WORRELL + al

7/1873

other surnames: BARNOS

Novells  
 vs 3 Bill  
 Novells &  
 Answer

1870 Nov. Deere as filed &

1871 July 17. Report

1873. July. Removed from the  
 Docket

Parice J.C.

To the Honorable Judge of the County Court  
of Southampton County. In Chancery.

Humbly complaining sheweth unto your  
Honor your complainants Mary Worrell,  
widow of Matthew Worrell decd, Lemuel  
J. Samuel Worrell, Marthaella Worrell, Mary  
J. James Baums & Sarah, his wife, formerly  
Worrell, Hester Worrell & William Worrell  
that Matthew Worrell was in his life time  
seised & possessed of certain real estate lying  
in the County of Southampton, containing  
about 250 acres, and being so thereof seised  
& possessed, sometime during the year 1870  
departed this life intestate, leaving your  
complainants & Robt: Worrell & Susanna  
Worrell his only children & heirs at law.  
That the said Robt: & Susanna Worrell are  
infants under the age of 21. And your  
complainants further state that the said real  
estate is not susceptible of division amongst  
the parties entitled thereto; and if it is not  
then your complainants desire the same  
to be sold & the proceeds distributed amongst  
the parties entitled thereto. That the said  
Mary Worrell has never had any dower  
assigned to her; In tender consideration  
of all which and inasmuch as your  
complainants are remediless in the  
premises, save in a Court of Equity where  
matters of this kind are properly cognizable,  
to the end therefore that Justice may be done  
they pray that Robt: Worrell & Susanna Worrell

be made parties defendant to this bill & compelled  
to answer the allegations thereof: that some  
fit & proper person be assigned their Guardian  
ad litem to defend their interests in this  
suit; that the said real estate be divided  
between the parties aforementioned entitled  
thereto & your complainants share allotted  
to them, if a partition be practicable; but  
in case the said real estate be indivisible  
in kind, that the same may be exposed to  
sale, and the proceeds thereof be distributed  
among the parties entitled thereto: and  
that your Honor will grant such other  
further & special relief as the nature of  
their case may require & to Equity may  
seem meet. And as in duty bound  
your Complainants will ever pray.  
May it please the Court &c.

Prinice p.c.

The answer of Robt & Susanna Thonell  
infants, by J. H. Edwards their Guardian  
ad litem, to a bill of complaint filed  
against them by May Wornall & others in  
the County Court of Southampton County.

These respondents, saving & reserving &c. for  
answer to the said bill, or unto so much  
thereof as they are advised it is material to  
answer, answering say, that they are infants,  
& being so, submit their rights to the protection  
of this Court. & having answered, they pray  
hence to be dismissed &c.

J. H. Edwards  
Edm ad litem

Harrells  
vs 3 Pierce  
Harrells

Nov Term 1870

To be entered.  
J.W. Wyndhart Judge

Worrells vs

vs  $\frac{1}{3}$  Decree

Worrells

This day this cause was docketed by leave of the Court & consent of parties, and the complainants filed their bill & on their motion L. R. Edwards is assigned *Edm* ad litem to defend the infants Robt: & Susanna Worrell, who thereupon filed their answer, to which the complainants replied generally, and this cause coming on to be heard on the Complainants' bill, the answer of the infant defendants, general replication thereto, was argued by Counsel, on consideration whereof the Court doth adjudge order & decree that John Davis, Arvington Gardner & Edwin Brack have be & they are hereby appointed special Commissioners for the purpose; that they allot or assign to Mary Worrell, widow of Matthew Worrell one third in value of the real estate of which Matthew Worrell died seized; to be held by the said Mary Worrell for & during her natural life, as her dower, out of the estate of her husband. And the said Commissioners are directed to report to this Court, their proceedings under this order. And the Court doth further adjudge order & decree that W. W. Briggs, who is hereby appointed a Commissioner for the purpose proceed to allot & assign to the parties entitled thereto the respective shares of the land, whereof Matthew Worrell died seized; but if partition

of the real estate cannot be made in kind without loss or injury to the parties, then the Court doth order, adjudge & decree that W. W. Briggs be & he is hereby appointed a special Commissioner for the purpose; that he sell the real estate in the proceedings mentioned, subject to the widow's right of dower, after having advertised the time, place & terms of sale, for twenty days at three or more public places in the County, that the sale be made upon the following terms. Enough in cash to defray expenses of suit & sale, including a fee of \$25 to J. B. Plummer attorney, balance on a credit of twelve months, bond with approved security to be taken, carrying interest from day of sale & the title to be retained until the further order of this Court. But the said

W. W. Briggs will not proceed to execute this order until he shall have entered into bond in the Clerk's office of this County, in the penalty of three hundred dollars, conditioned to faithfully execute this decree. And in either case, the said Commissioner is directed to report his proceedings to this Court under this order.

Warrell

vs { Pierce

Warrell

July Term 1873.

To be entered:

J. W. Myndar

Warrell  
<sup>vs</sup> & Pierce.  
Warrell

This day this cause came on to be further heard on the papers formerly read and the report of Commissioner Briggs of date Jan'y 30. 1893, and was argued by counsel on consideration whereof, the Court confirming said report, to which no exceptions have been filed, doth advise order & decree that this cause be removed from the docket.

Womell

vs 3 Commissioners Report  
Womell's Adm

The undersigned commissioner  
begs leave to report that in obedience to a  
decree entered at the Nov Term 1870 after  
having advertised in the noon paper  
presented he sold a tract of land belonging  
to Matthew Womell's estate containing  
acres for the sum of \$285 - on the 13<sup>th</sup> of  
December 1870 to John L Williams who has  
paid for the same and after deducting  
commissions \$14.25 as left \$270.75 - out  
of which he paid to J. H Vick the sum of  
\$132.84 as secured by deed of trust on the said  
land and the following docketed judgments  
which were liens on the said land to wit  
to Baign F Vick a judgment for \$70.00 cts  
to Jeph B Vick a judgment for \$24.11 cts  
to the same a judgment for \$22.07 cts and to  
Joseph B Prince attorney for \$25 - (Your  
commissioner was not directed to pay either  
the debts secured by the deed of trust ~~or~~ <sup>or</sup> the  
judgments but did it as he thought it would  
save the necessity for an order for that purpose  
and he herewith returns his vouchers with this  
report All of which is Respectfully Submitted by  
Dec 30<sup>th</sup> 1873  
Wm W Baign  
Clerk

Com<sup>rs</sup> } Report  
Dower of }  
Mary Worrell }

1871 July 17 -

In obedience to a decree of the County Court of  
Southampton County pronounced at the November  
term 1870 in the said Mary Worrell widow of Matthew  
Worrell dec'd Lem. J. Worrell Saml. Worrell Martha Ellen  
Worrell Mary J. Worrell James Barnes & Sarah his wife  
formily Worrell Hester Worrell & Wm. Worrell

against

Peffs  
in Chancery

Robert & Susan Worrell infants by L. R. Edwards  
in g<sup>d</sup> attiturn Defts

Your Commissioners therein named have as therein  
directed allotted to the said Mary Worrell her dower  
in the real Est. of the said Matthew Worrell dec'd  
designated as follows it is all that proportion  
of the said Matthew Worrells Lands that he  
purchased of John Vick containing 65 acres as  
will be fully appear by reference to said deed  
which is duly recorded in the Clerks office of  
said County. given under our hands this 15<sup>th</sup>  
day of July 1871

John H. Davis  
Arrington Gardner  
Edwin Bradshaw

Worrell & Co

1/2 } Cont. Bond

Worrell & Co

Know all men by these presents that we Wm W Briggs  
Geo W Vick

are held and firmly bound unto the Commonwealth of Virginia in the just and  
full sum of Three hundred \_\_\_\_\_ Dollars  
to the payment whereof well and truly to be made to the said Commonwealth we bind  
ourselves our heirs, executors and administrators jointly and severally firmly by these  
presents. Sealed with our Seals and dated this 21<sup>st</sup> day of March  
A D 1871

The Condition of the above obligation is such that whereas by a decree  
of the County Court of Southampton County rendered on the 22<sup>nd</sup> day of  
November 1870 in a suit in Chancery therein pending between  
Worrell J<sup>r</sup> \_\_\_\_\_ Plaintiff and  
Worrell J<sup>r</sup> \_\_\_\_\_ Defendant

the abovebound Wm W Briggs was appointed Commissioner to make  
Sale of certain real estate in the said described.  
Now if the said Wm W Briggs shall faithfully discharge  
the duties of his said office or trust as Commissioner under the said decree and under  
any other decree which may be rendered in the said suit then the above obligation to  
be void or else to remain in full force and virtue.

W W Briggs (Seal)  
G W Vick (Seal)  
(Seal)  
(Seal)

-CHANCERY CAUSES  
DECIDED

1873

A TO H

Chancery Causes

Decided 1873

A to A included

Chancery Causes

Decided

1873

J to W

Chancery Causes

Decided 1873

J to W