

1879-21

Southampton County Chancery - Worrell, Joseph K. + Richard, vs Gray, John L. +
Eavline

Division of Real Estate

Worrell, Fannie

Warren's notes
vs $\frac{1}{3}$ Rice & Exhibits.
Gray's notes

J. B. Pomeroy.

To the Hon. George Blount, Judge of the Circuit
Court of Southampton. In Chancery -

Humbly Complaining Sheweth unto
Your Honor, Your Complainants, Wm.
E. Joseph N. John H. & Richard L. Warrell
that during the year 1849 Wm. H. Warrell
departed this life after having made &
published his last will & testament, which
was admitted to probate at the Term
of the County Court of Southampton 1849;
as will more fully appear from a copy of
said will, with the order of probate, herewith
filed marked A - and inclosed thereto
taken as a part of this bill -

That ~~the said~~ Testator left the following
issue - to wit Your Complain-
ants & Valine Gray, formerly Warrell,
who has intermarried with Jno. L. Gray,
& Fannie R. Warrell an infant -

That the said Warrell also left a widow,
Peggy Warrell, who has renounced
the provisions of his will and her
dower has been assigned to her -

That the said Testator was at the
time of his death seized & possessed
of large Real Estate in this County,
and by his will, he directed the same
to be divided among his devisees
Equally - That Your Complainants

desire the said land should be divided
and their shares allotted to them.
In consideration whereof and inas-
much as Your Complainants are without
remedy in the premises except in a
Court of Equity where such matters
are properly cognizable, to the end therefore
that justice may be done, Your Com-
plainants pray that the said Jwd.
Goy & Evaline his wife, ~~Indigent~~
R. Warrell, may be made parties
defendant to this bill & compelled to
answer the same. That some fit
& proper party may be assigned you
at leisure to defend the infant
defot. That Commissioners may be
appointed to divide the said land
equally among the parties thereto
entitled, and your Complainants
shares allotted to them, and
that Your Honor will grant such
other, further, general & special
relief as to Equity may seem meet,
and the nature of this case may
require - and as in duty bound,
Your Complainants will ever pray
H. May it please the Court &c.
J. B. Price Jz.

The answer of Fannie R. Worrell ~~an~~
infant under 21. by L. R. Edwards,
her *ad litem*, to a bill of Complaint
exhibited in the Circuit Court of South-
ampton against herself & others by
Wm E. Worrell & others.

This respondent having reserved
for answer to said bill say, - That
she is an infant and knows
nothing of the facts in said bill.
and being such. she submits her
rights to the protection of this Court,
and having answered, prays hence
the dismissal &c.

L. R. Edwards,
ad litem -

J. B. Prince *fd.*

Worrell & Co
or } Exhibit.

Gray & others
Will of Wm. R. Worrell

March 12th 1879.

I William R. Worrell being feeble and lowe
in health but of a sound & disposing mind
do make and ordaine this my last Will and
Testament hereby canceling all other wills.

Art. 1 I give my wife all the land inside
of the fence ground where my house stands
one horse name Jim all my Catel & hogs
Twenty head sheep one cart & wheels & plow
gear 2 weed hoes one axe one grub hoe &c
together with all my house hold & Kitchen
furniture during her life and at her death
to be divided between my children.

Art 2

I give to my Daughter Fanny R. Worrell one
Bay colt title Baston to her and her heirs
forever.

Art. 3 I will and Direct that all the Balance
of my estate both real & personal not
before disposed of be equally Divided between
all of my children and if either die without
a lawful heir then in that event their portion
is to revert back to the Survivor or Survivors to
be equally divided between them.

Art 4.

I Farther more will & Direct that one Acre
of land known as the grave yard be held
as common property for the Worrell Family.

I Farther more will & Direct that my two
Sons William E. & John W. Worrell be allowed

to qualify as my executors without
any security
in presents of { acknowledged & Signed
T. J. Fox { William R. Worrell
Thos. Vaughan }

A Court held for the County of Southampton
on the 21st day of April 1879. This last Will
and Testament of William R. Worrell deed.
was proved by the Oaths of T. J. Fox and Thomas
Vaughan the two subscribing witnesses there-
to & Ordered to be recorded. John H. Worrell,
One of the Executors ~~therein named~~ ^{therein} appeared
in Court and refused to take upon himself
any part of the Burthen of the Execution
thereof. Thereupon on the motion of Wm. E. Worrell
the other executor therein named, who made
Oath according to law, entered into and
acknowledged a bond in the penalty of
Nine hundred dollars, Conditioned as the
law directs, (but without Security, the will
directing that no Security should be requir-
ed, and the Court requiring none) Which
bond is Ordered to be recorded. Certific-
ate is granted the said Wm. E. Worrell for
Obtaining a probat of the said Will in due
form.

Teste - L. R. Edwards C. C.

To the Hon Judge of the Circuit Court of
Southampton County 3

Pursuant to a decree entered
in this court for a division of the real Estate
of William P. Morrell and among his children
we the undersigned Commissioners appointed for
the purpose submit the following Report,

That we have had the said land surveyed
and division lines run the plat of said land
is herewith returned showing the several lots,
Lot No 1 containing ^{160. David's Purchase tract} ~~155~~ acres To John K. Morrell
Lot No 2 containing 241 acres To Richard L. Morrell
Lot No 3 containing 234 acres To Mr E. Morrell
Lot No 4 containing 172 acres To R. Famine Morrell
Lot No 5 containing in two Tracts as shown by
by the Plat herewith returned 196 acres To
Joseph K. Morrell

Lot No 6 containing 210 acres To Mrs E. Gray
all of which ^{we} most respectfully beg leave to Report

Commissioners fees-

To Thos Vaughan - 5.00

.. Jas R. Scarborough 5.00

.. J. J. Fox 5.00

.. Thos R. Pond 5.00

\$ 20.00
"

Thos. Vaughan

Jas. R. Scarborough

Thos R. Pond

Thos. J. Fox

Commissioners

Warrell ²sorters
vs $\frac{3}{3}$ Deere.
Gray Swift 9.

Nov Tenn 1879

To be entered.

²
Geo Blow.

Warrell v. others

vs $\frac{3}{4}$ Decree.

Gray trustee &c.

This day this cause came on to be further heard on the papers formerly read, the report of commissioners Thos. Bayham Jas. R. Scarborough, Thos R. Pond & Thos. J. Fox making partition of the real estate of which Wm R. Warrell died seized & possessed, with the plot, showing division lines &c. and was agreed by counsel. On consideration whereof, no exceptions being filed to said report, the same is hereby confirmed and the partition as therein reported ordered to be held firm & stable between the parties. And nothing further appearing necessary to be done in this suit, it is ordered to be removed from the docket, at the costs of all the parties equally.

Worcester
as 3 Dec.

Gray's wife - 4.

Nov: Term 1879

To be entered.

Gray's
Blond.

Warrell v. others

as 3 Decree.

Gray wife

This day this Cause came on to be heard on the bill of the Complainants, taken for answered as to the facts, Mrs. Gray wife, the answer of ~~H. R. Edwards~~ Dr. Fannie R. Warrell by H. R. Edwards, her Guardian ad litem, the exhibits filed and was argued by Counsel. On consideration whereof, the Court doth adjudge order & decree that Thos. Vaughan, Jas R. Scarborough, Thos J. Fox & Thos R. Pond, any three of whom may act, be and they are hereby appointed Commissioners for the purpose. That they proceed to ascertain & divide the real estate of which Thos R. Warrell died seized among his devisees according to the provisions of his will. Excepting from said division, the clover lands, that have been assigned to his widow; and in order to effectually carry out this order, the said Commissioners are authorized; if they deem it necessary, to employ the services of a competent Surveyor and the said Commissioners will make report to Court.

Worrell & als.
75 — { sums.
in "Gray"
Gray and wife

1879. Oct- Rules

Executed Sept 27. 1879 by delivering
a copy of the within to Jas. S. Gray
and Evelina his wife.
a receipt handed
for it to Briggs & Co

The Commonwealth of Virginia:

To the Sheriff of Southampton County Greeting:

We command you to summon Jos. E. Gray & Caroline his wife

if ~~they~~ be found within your bailiwick to appear at the Clerks office of our Circuit Court of Southampton County at the Rules to be holden for said Court on the first monday in October next to answer Wm. E. Worrell, Joseph H. & Richard E. Worrell a bill in chancery exhibited against them in our said Court by Wm. E. Worrell, Joseph H. Jos. H. & Richard E. Worrell.

and have then there this writ. Witness, Littleton R. Edwards Clerk of our said Court at the Courthouse this 16 day of September 1879 in the 10th year of the Commonwealth. L R Edwards Cl

Worrell Wife

& } Stat. Rules

Gray Wife do

1879 Nov. Decree paid to

In Southampton Circuit Court

Wm E Joseph K & Richard S Worrell Plaintiffs
against
John S Gray & Evaline his wife & Fannie R Worrell Defendants
an infant. } In Chancery

1879 Sept. 16. Summons issued -

" Oct. R. " returned Executed. Bill filed. L. R. Edwards
assigned Geo. ad litem to infant Dft. Answer of infant. Genl Ref.
thereto - D. Nisi re Dfts Gray & Wife -

" Nov. R. Bill taken for confessed as to Gray & Wife. Cause set for hearing

" " J. Deere to Rpt

" " Deere final

W. E. J.

little Branch; thence down said Branch to another Branch; thence
down this Branch to a Blk gum (40) in the Run of the Swamp;
(a Cor. for Lot Nos 1-3; thence down the Swamp to a Maple
(12) E side of Run a Cor. in R.E. Pope's line; thence leaving Swamp
S 63° E 127 to Pine (40); S 63½° E 316 to Wh.O. (30) el.; S 68½° E 161 to Dead
top P.O. + Cedar (40) side of Mill Path; thence S 30° E 71 to Walnut (8) el.;
S 82½° E 307 to Pine (36) el.; Same S 62°; N 75½° E 300 to Shrub (12) el.;
S 32½° E 625; S 18½° E to a Point near Mill Lane at High Water
thence along High Water Lane to a Pine (24) Cor.
for Lot Nos 1-2; thence High Water to a Maple (20) Cor. for
Lot 1 & 2; thence said line N 1½° E 330 to Pine (20); +
N 66° 260 to Pine (21) el.; Same 280 Pine (21); Same 533 to Pine in
lane; Same 208 Pine (21); Same 530 to the Center of Road;
thence along Road N 40° W 600; N 20° W 502; N 13½° W 320;
N 38° W 615 to a Point at Pine (36) el. a Cor. for Lot Nos 2-3;
thence N 28½° W 894; N 16½° W 777; N 17½° E 365 to the Swamp;
thence down the Run of Swamp to Blk gum (21) side of Run;
thence leaving Swamp N 54½° W 121 Pine (30) el.; N 49½° W 330
Pine (21) el.; Same 430 Pine (36) el.; Same 330 to Lightwood Stubble
(21); Same 107 Pine (40); N 57½° W 202 Blk gum (2) el.;
N 49½° W 390 Pine (20) el.; N 57½° W 500 P.O. (20) el.; N 47½° W
469 to Persimmon B. (21) Cor. at Cor. of Nathan Pope's thence
a Cor. for this Pope in S. Knight's line; thence K's line
S 71½° W 130 to the Center of Road (the line originally went
across the Road at this Point to a stake in hill and crossed back
to the other side a little lower down - cutting off from K's line
about as much as is added to it at the other end see Plat
dotted line); thence the Road N 40½° W 260 to Cor. of Sower
Lot 2 & 3; thence Same 1193 to Mouth of Lane; thence along
lane S 65½° W 870; N 77½° W 146; S 66½° W 268; S 63° W 187
to the Beginning;

Containing eleven hundred & seventeen Acres,
Surveyed & C. B. 1879-

The within Plat represents the Division of the land of
Wm. R. Morrell, decd. known as the Home Place - Situated
in Southampton Co. Va. adjoining the lands of S. Knight,
C. Alley, J. C. Prince and Others; Bounded as follows:
Beginning at a Cedar (4 inches in diameter) near the gate
a Cor. for S. Knight in this land, thence said K's line N 9° W
633 Chains. to Oak Shrub & Mulberry (20-1); thence N 17½° W
453 to Wh.O. (16); N 15½° W 295 to Broken top P.O. (10) Cor. to road
tract & C. Alley in K's line; thence A's line S 76° W 082 to Pine (21)
thence S 79½° W to a Pine (20); S 80½° W 188 to Pine (30); S 67° W
263 Pine (24); N 87° W 145 to Blk gum (8) Cor. to this tract
& C. Alley in the line of J. C. Prince (on the Run of Rose
Swamp); thence down the Run of said Swamp to the
Point where Mill Path crosses 30 links beyond the
Millstream Spring; thence continue down Swamp
to the mouth of a little Branch at a Laurel Maple (6)
N side of Swamp a Cor. for Lot Nos 4 & 5; thence down
Swamp to the mouth of a little Branch at Blk gum (10) Cor.
for this land & D. H. Dwyer's Est. in J. C. Prince's line (near the Road)
thence the line of said Est. along the Run of Branch to
a Hollow Maple (10) Cor.; thence leaving Branch N 52½° E
590 to 2 P. Oaks (12-8); Same Course 648 to 2 Pines (12-12) el.;
Same 118 to a Point in Path; thence N 59½° E 570 to Pine (40);
Same 300 to R. (16) Cor. for Lot Nos 4 & 5; Same 688 to 2
Dead trees (6-4); Same 735 to Run Pine (21) el.; Same 10.09
to Maple (21) Cor. in land; thence S 66½° E 363 to R.O. (10) el.; S 67½° E
190 to a Point in Mill Path Cor. for Lot No 4 & the Sower;
thence same 208 to Pine (24) el.; Same 231 to Wh.O. (40);
S 54° E 277 to Dead Pine (30) el.; S 52½° E 457 to Pine (21) Cor.

Surveyed & C. B. 1879-

34th 50th P.O. (60) 747¹/₂ 70
 E Cor of Naptun paper since
 to line; thence Neline
 (The line originally went
 N. side of field and across a back
 - Cutting off from Keline
 at the other end see Plat
 40th 70 260 to Cor of lower
 mouth of Lane; thence along
 6; S 66¹/₂ W 268; S 63 W 187

mountain across

R. D. Kindred
 Dr.

N. side of Swamp a Cor for Lot No. 4
 Swamp to the mouth of a little branch
 for the same & S. & S. & S. & S. & S.
 thence the line of said Est. along the 10
 a hollow Maple (10) Cor; thence leaving
 590 to 2 P. oaks (12-8); Same Course 648 to
 Same 118 to a Pond in Path; thence 715
 Same 300 to R.O. (6) Cor for Lot No. 4
 D. side (6-4); Same 735 to Rose Pine
 to Maple (2) Cor in land; thence S 66¹/₂ E
 195 to a Pond in Mill Path Cor for Lot
 thence Same 208 to Pine (24) sl; Same
 S 54 E 277 to Dead Pine (34) sl; S 52¹/₂ E
 in land and also Cor for lower in
 thence S 37¹/₂ W 139 to Pine (10); Same 4
 head of a little drain; thence N 5 W 163

(over)

Division line No. 4 - Between Lower Lot No. 4.

Beginning at point where the Swamp crosses Mill Path
 30 link S of Mineral Spring thence along Path S 77¹/₂ E 446.
 308 E 310; S 48 E 601; S 15³/₄ E 760 to gate. Same 1203; S 108
 530; S 17 W 289; S 13 W 723 S 6³/₄ E 503 to a Pond in out-
 side line 195 from R.O. (10) sl; a Cor for lower Lot No. 4.

Division line No. 5 - Between Lots Nos. 4-5

Beginning at R.O. (6) a Cor for Lot No. 4-5 in the outside line.
 thence N 5-2 W 1230 to Cedar (4) on N side of the Run of a
 branch; thence down the branch to a Leaved Maple (5) on
 N side of Rose Swamp a Cor for Lot No. 4-5.

Division Line

Lot No 2 = 241 Acres.

Richd. L. Worrell.

Division Line

Lot No. = 155 Acres,

John H. Norrell.

Maple (12) Cor.
Cedar River
Pine (12) Cor.
for lower

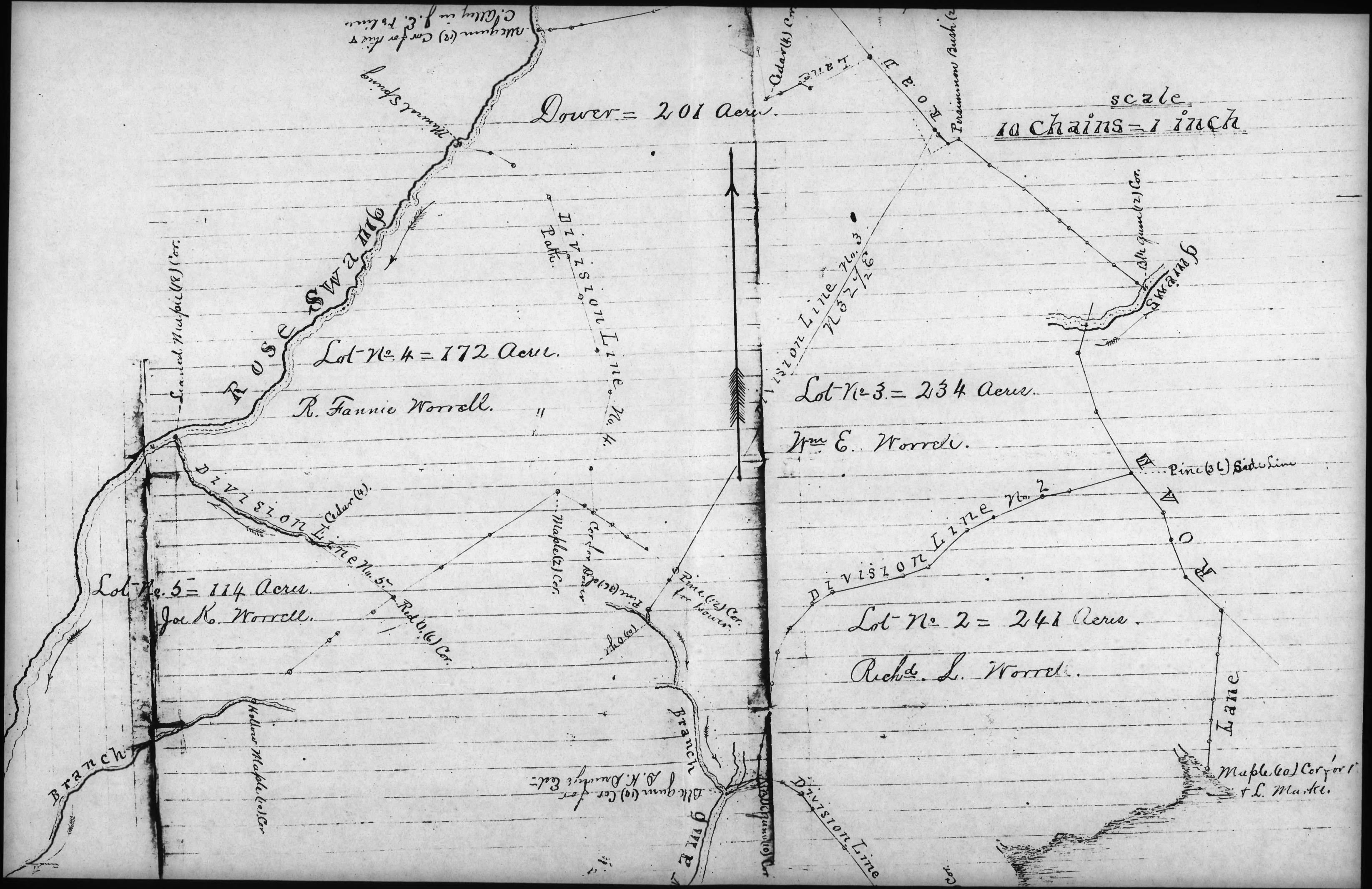
Branch
All gum (10) Cor for
A. K. Knudsen's Cor

Maple (4) Cor

Maple (12) Cor.

172 172

+



Lower = 201 Acres.

scale
10 chains = 1 inch

Lot No. 4 = 172 Acres.

R. Fannie Worrell.

Lot No. 3 = 234 Acres.

Wm E. Worrell.

Lot No. 5 = 114 Acres.

Joe K. Worrell.

Lot No. 2 = 241 Acres.

Richd. L. Worrell.

Branch

Maple (60) Cor

Branch

Lane

Maple (60) Cor for L. Mark.

Maple (2) Cor for R. K. Worrell.

Maple (2) Cor

Division Line

Division Line No. 5

Division Line No. 5

Division Line No. 4

Division Line No. 3

Maple (60) Cor for R. K. Worrell.

Maple (60) Cor for R. K. Worrell.

Maple (60) Cor

Swamp

Pine (6) Side Line

O

R

R

R

R

R

R

R

R

R

R

R

R

Division of the Land of John K. Worrell dead.

"Home Place"

Lower		201 Acres
Lot No. 1.	John K. Worrell	155 "
" " 2.	Richard L. Worrell	241 "
" " 3.	Mrs E. Worrell	234 "
" " 4.	R. Fannie Worrell	172 "
" " 5.	John K. Worrell	114 "
		1117 "

"Atkins Place"

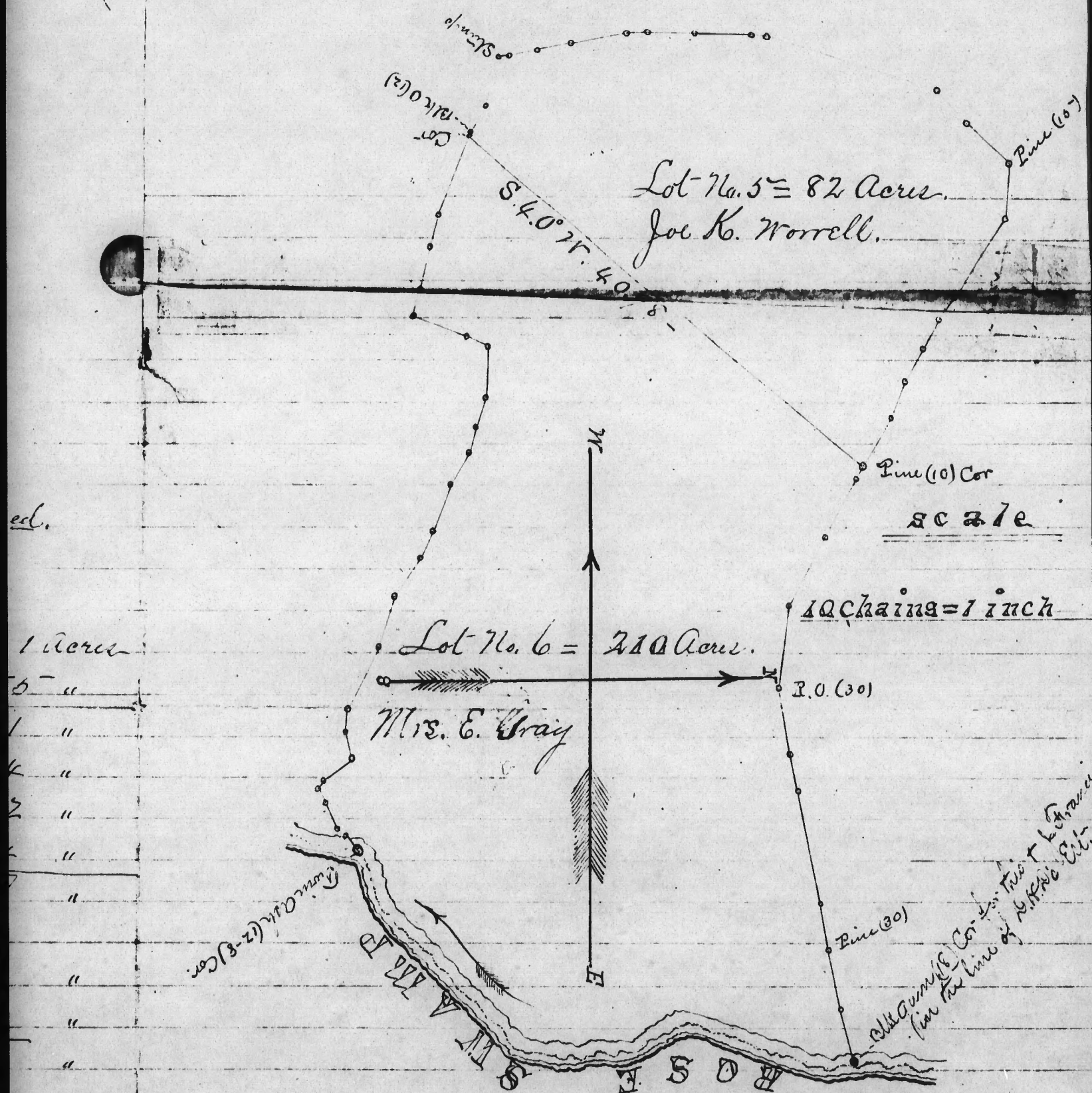
Lot No. 6.	Mrs. E. Gray	210 "
" " 5.	John K. Worrell	82 "
		292 "

"L. Linnmont Place"

John K. Worrell	5 Acres
	144 "

Sept. 1879.

R. B. Kindred
Secy.



The above plat represents the land of Wm R. Worrell
 decd. known as the "Atkins Place" - situated in Southampton
 Co. Virginia - adjoining the lands of Wm S. Francis,
 A. J. Francis & others - Bounded as follows:
 Beginning at a Pine tree (12-8) on the W.
 side of Run of Rose Swamp - a Cor. or Sta. tract of Wm S.
 Francis in the line of A. J. Francis & others; thence S. line
 S 57° W 120 Chains to Black gum (20 inches in diameter);
 S 41° W 110 to Black gum (12) S 73° W 218 to Wm A (20) S 63° W

298. Pine (21) S 79° W 230 Pine (30) S 78° W 182 to Point
 in Path; thence N 63° W 528; N 73° W 407; N 65° W 361
 N 62° W 225; N 6° W 396 to P. T. N 58° W 290 - N 100 (21);
 N 75° W 200 - a Pine (81) N 70° W 245 - R O (21) S 66° W 410
 to Subdiv. N 10° S same (12-2) Cor; S 20° W 200 to Pine (21) S
 S 20° W 428 to end Pine line W (40) Cor in Francis; thence
 N 79° W 245 Pine (40); N 78° W 350 to Black gum (21) same
 line between Lot Nos. 5-6; thence same Course S 55° W
 to Black O (21); N 57° W 243 Pine (20); N 75° W 402 to a little
 lighted stump in Francis' field (Supposed Cor); N 1° E
 080 Pine (15-1); N 13° W 230 Pine (21); same 248 Pine (10) S 61°
 N 11° W 460 to Square (41) S 61° W 168 to R O (10) on Path;
 N 18° 37' to P O (21); N 1° E 457 to Black O (12) S 61° W 113 to
 Stake Cor 20 ft - E of Path; thence N 22° E 14.29 Pine (21) Cor
 for Wm S. & A. J. Francis in this line; thence A. J. Francis line
 N 49° E 345 to P O (10); N 45° E 425 - Pine (15-1) Cor on Branch;
 S 88° E 415; thence 707 to Pine (18) S 63° E 246 Pine (16) S 61°
 S 62° E 275 to Black gum (30) on Branch; S 61° E 297 P O (21) S 61°
 S 64° E 303 Pine (21); S 61° E to Pine (10) at Cor of Francis - a Cor
 for the Division line; thence same to a Pine (18); S 61° E
 570 to R O (1); same 606 to a blown up dead Pine tree; S 88° E
 645 to R O (30); N 80° E 520 R O (30); same 294 P O (10-1); N 77° E
 882 to P O (30); N 77° E 367 Pine (30); N 79° E 468 R O (24);
 N 77° E 410 - Black gum (18) Cor near Run of Rose Swamp
 a Cor. for the line of A. J. Francis in the line of A. J. Francis & others
 thence down the Run of said Swamp to the Beginning
 Containing West of Division line 82. acres
 " East " " " 210 "
 " in all Two hundred & ninety two acres
 Surveyed Sept. 1879 -
 O. B. Kindred
 Dr.

Plat of the Land