

1881-16

Southampton County - Chancery

Gallings v. m. H. et al. vs

Allen, Dora
vs

To divide Lands of
Gregory Gallings

Gallings, Samuel J
Brantley, Ann E
Allen, Andrew
Allen, Aurelius
Allen, Benjamin
Murdell, George
Murdell, Alice

Rollings
Bill
as 3 ⁱⁿ chancery
Quore

7
1877 March Rules

To the Honorable Judge Bloor judge
of the Circuit Court of Southampton County
in chancery sitting

Humbly complaining your orators Mrs
H. Rollins, Samuel T. Rollins, Ann E.
Brantly, Andrew Owen, Aurelius Owen,
Benjamin Owen, George Muddell and Alice
his wife show unto your Honor that
in the year 1855 Gregory Rollins of
Southampton County departed this life
possessed of considerable estate real and
personal and that his estate has been
long since settled up, that he left Mrs
H. Rollins a son, Samuel T. Rollins
a son, Ann E. Brantly a daughter and
Benjamin Owen, Andrew Owen, Aurelius
Owen, Alice Owen married to George Muddell
and Dora Owen an infant the last five
children of Sylvia a daughter of the
said Gregory Rollins his heirs at law

They show further unto your Honor
that there is a tract of land containing
one hundred acres lying in Southampton
county near Westbrooks old mill now
held in co-parcenary by the said heirs
at law which they wish sold as it
cannot be well divided but it cannot
be done without the decree of this
court as one of the heirs is an infant

In tender consideration of the above and
inasmuch as your Orators are without
relief at Law and only entitled to relief

in a court of equity where such cases
are peculiarly cognizable They therefore
pray that Dora Brown who is an infant
of tender years by some fit and proper
person her guardian ad litem appointed
for that purpose may be made a party
defendant to this bill and that the court
would compel her as full and perfect
answer make to the allegations therein
contained as if she had been thence
non fully and specially interrogated
and that the court would either have
the said land divided according to their
rights among the heirs of George Rolings
or if partition cannot be well made then
direct the sale of the same and
divide the purchase money among them
and that the court would grant such
other and general relief the premises
considered and the equity of this case
may demand and as in duty bound
your Orators will ever pray &c
Charles P. G.

In Southampton Circuit Court.

Mrs H Rollings, Samuel T Rollings, Ann E Brantley, Andrew
Owen, Aurelius Owen, Benjamin Owen, George Muddell Justice
his wife
against
Dora Owen

1877 Jan'y 23 Summons issued
" Feby R. Sum's returned - New sum awarded
" Mar. " Sum's ret' Executed. Bill filed. L.R. Edwards assigned
" ad litem to Defs Ans' of Infant. Genl Rep. thereon.
" Apr. " Cause set for hearing &
" May Decree.
" Oct. 13 Report.
" Nov T. Decree for sale

1880 Nov Report and decree to make deed.

1881 May. Report confirmed & Cause removed from the Docket

111 5-
1/20

Rollings &
to { Sums Chy.

Owen

1847 February Rules
Shands p. 9

Came to hand too
late to execute -
S. S. Thompson
Shth

Subs.

The Commonwealth of Virginia,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON *Dora Owen an infant*

if *she* be found within your bailiwick, 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 *February next* to answer *a bill* in Chancery exhibited against her in our said Court by *Wm. N. Rollings, Samuel T. Rollings, Annie E. Branley & others*

And have then there this writ.

WITNESS, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this *23^d*
day of *January*, 187*9*, in the *10th* year of the Commonwealth.

L. R. Edwards Clk

Rollins
as 73
Down

Answer of the
infant Dora Down

1897 March Rules

The answer of Dora Owen an infant of tender years by L. R. Edwards her guardian ad litem appointed for that purpose to a bill in chancery in the circuit court of Southampton by Wm B. Rollins and others against her.

This defendant for answer to the said bill or as much thereof as it is material for him to answer, answering says that he knows nothing of the allegations of the plaintiffs bill but submits the interests of his ward to the care of this court where peculiar duty it is to protect the rights of infants and leaving fully answered pray hence to be dismissed with his costs &c

Rec'd by consent

Shanes
for plaintiffs

Rollings of
v } Sums. Chy.

Oren

1877 March Rules

Shands p. 4

Executed Feb 22 1877
by delivering a copy of the
within to Dora Oren
L P Wagoner
Sheriff

Subscr

The Commonwealth of Virginia, *Subsec*
TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

WE COMMAND YOU TO SUMMON

Dora ~~Langston~~ ^{Wren} an infant

if *she* be found within your bailiwick, 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 *March* next - to answer *a bill*
in Chancery exhibited against her in our said Court by Wm H. Rollings
Samuel T Rollings, Annie E Brantley & others

And have then there this writ.

WITNESS, LITTLETON R. EDWARDS, Clerk of our said Court, at the Court House, this *8th*
day of *February*, 187*7*, in the *101st* year of the Commonwealth.

L R Edwards

Wm H Rollings & als

vs.

Dea Owen

Plffs
Defts

In obedience to a decree of the court
Court of Southampton pronounced at its
November term 1877 the Commissioner
has been to submit the following report
after giving reasonable notice
of the time & place offered for sale
to the highest bidder the land
mentioned in said decree on 21st
day of January 1878, Anne E Brantley became
the purchaser for the sum of one
hundred and three dollars (103.)

To paid Clerks fees	\$10.54	
To " Taxes 1876	2.05	
" " " 1877 & ch	12.78	
" " " 1875	3.08	
" " Wm B Shend (Att)	10.00	
" " E W Davis auction	1.00	
" " Commission	5.15	
" " C F Rice		
of land for delinquent taxes	8.85	
" " A E Brantley	1.50	
" " Geo R Tyle	5.00	\$59.25
Am't to be distributed amongst the distributees		43.05

To Anne E Brantley	\$10.26	pd
" Wm H Rollings	10.76	
" Saml T Rollings	10.76	pd
" Benj Owen	2.15	pd
" Geo Muddell & Shreeves	2.15	pd
" Sarah Owen	2.16	pd

amt to be divided brought forward

\$283.05

Dara Owens balance \$2.16 72
amt to be distributed 43.05
and as the report with the receipts filed
shows has been distributed according to
the decree, except Wm H Rollins who's share
has been deposited in clerk office ~~and~~
~~Roll + share in wife who's share has been~~
~~forwarded but not handed forward~~

Respectfully Submitted
J H Applegate Comr

Rollins

203

Owens

Continuance Report

Nov 1870

Wm H Rollins share has
not been deposited in the City
Office as reported by Comr

63

Rollins

vs 3
Crown

Companion Report

Nov 11th 1880

Rollings

as 3

Oron

The undersigned commissioner
Reports that in obedience to the
decree of the November term 1880 of this court
he has made a deed to Allen E. Brautley
for the one hundred acres of land therein
named with special warranty all of which
is respectfully submitted by

J. H. Applewhite
Commissioner

Mr. W. H. Rawlings

1877.

To JAMES E. SEBRELL, Treasurer of Southampton County, Dr.

SUBJECTS OF TAXATION.	STATE TAX, 50c. on \$100.		COUNTY LEVY, 30c. on \$100.		SCHOOL TAXES.				TOTAL TAX.	
					COUNTY, 2½c. on \$100.	DISTRICT, 2½c. on \$100.				
To 100 acres of Land value \$ 200	1	00		60		05		05	1	70
" Personal Property, value . . \$										
" Capitation Taxes, ...										
Total, ...										
Fee Bills, . 2.									10	54
2 per cent. rebate, ...									12	24
5 per cent. additional, ...									9	
Total, ...									12	33

Received payment 6 day of Feb 1878 G. W. Sebrell, Jr. Treasurer.

Wm H Rollings

1877 Wm James R Tyler, Com in Chancery To

Chas Bth " Report in the Chancery Suit of

Rollings against Owen &c \$ 5.00

James R Tyler

Com in Chancery

Jan'y 21st 1878 Received from
Thomas G. Appleton
Commissioner in the case
of Rolling, vs Rolling \$10
in full of fee

Wm B. Shaw
attorney

Mr. ~~W. H. Rawlings~~ : A. M. Brantley

Dr.

1875.

To J. E. SEBRELL, Treasurer Southampton County,

To 100 Acres of Land, value \$ 300

“ Property, &c., value . . . \$

"Capitation Taxes, ...

" Tickets, ...

Five per cent for collection, ...

Received payment, 22 day of Nov 1876

Jas. E. Sebec Treasurer.

Pr.

1876.

To J. E. SEBRELL, Treasurer Southampton County.

To 100 Acres of Land, value \$200.

"Property, &c., value : . . . \$

"Capitation Taxes

“ Tickets

Five per cent. for collection

Five per cent. for collection
of *H. E. Brant*
Received payment, *1* day of *July*

1877

10
Lynch, Jy. Treas. 00-

Memorandum of Real Estate within the County of Southampton, Va.

Sold this 18th day of January, Eighteen Hundred and Seventy five, for the non-payment of Taxes thereon for the year 187

Name of the person charged with Taxes.	Quantity of Land charged.	Local Description of Land.	Amount of Taxes due.		Amount of Levies due.		Quantity of Land sold.	Name of Purchaser.	Amount of Purchase Money.	
W. H. Rollins	700	Drumysville	5	33	5	75	100	E. F. Reese	5	75
W. H. Rollins	700	Three Creeks.	1	68	1	75	100	E. F. Reese	1	75
									7	50

Received of E. F. Reese the above sum of Seven Dollars and fifty Cents, it being the amount of purchase money for the land mentioned in the above Memorandum.

~~\$1000.00 interest~~ Jan. E. Sebell Co. Treasurer.

April 15th 1879 Received of J. A. Applewhite
Cash \$10.76 my share of proceeds of sale of
land witness my hand & seal & Brantley
by C. M. Brantley

Dec 1st 1878 Received of J. W. Applewhite
Cash \$1076 my portion of proceeds of land
of Wm. A. Rollins & also

Saml J Rollins

Rec^d of J. H. Applewhite Court the
Amounts opposite our names this 1st
day of May 1880.

Benjamin Owen	\$2. ¹⁵	B. H. Owen
Andrew Owen	\$2. ¹⁵	A. J. Owen
Aurilia Owen	\$2. ¹⁶	A. F. Owen
Dora Owen	\$2. ¹⁶	Mrs. A. B. Owen neph

Jan'y 15th 1877. A. M. Brantley, has this
day paid me \$1.50 at court for
Chancery suit of Rollings vs Rollings which
must be paid in cost of suit.

Wm B Sherman
att'y for Brantley

Jan 21st - Received of L^d Applewhite Commis-
sioner in case Pawling vs Pawling
one dollar in full and discharged
Eli H Davis

Rec^d of J H Applewhite Comr. Two dollars
and fifteen cents (\$2.¹⁵) Given this 1st
day of May 1880.

George D. Mondell,
Alice L. Mondell.

Wm H Rollings, Samuel T Rollings, Amy E. Brantley, Andrew
Orren, Aurelius Orren, Benj. Orren & Geo. Muddell Hildes
1877 To Clerk Southampton Circuit Ct Dr.

Jan. Issuing Summons &c. v Orren 43 Copy 12. postage 12.
return 35 docketing 18. Attorney 10. Rule 50. } 1.80

Febr. Alias Summons &c 43 Copy 12. postage 12. return 35
filing bill 15 papers 25. filing answer of infant Def^t 15.
Attorney for infant 10. replication 15. Rules 1.00. } 2.82

May. Decree Copy 56 Continuance 36.

L. R. Edwards cc

9.2
5.54

Rollings

is 3 June

June

Nov 1880

To be entered

Geo. W. Rollings

Rollings
on 3 Decr
Ordn

This came This day
This came came on
again to be heard on
the paper formerly

made and the report of Thomas Applin
commissioner of his sale of land, collection
of land of the money and payments to the
parties entitled and to which report no exception
have been filed and was agreed by counsel
on consideration whereof the court doth
adjudge order and decree that the said
report be confirmed and that Thomas
Applin the commissioner make to Amos
E. Brantley a deed to the hundred acres
of land purchased by him and report to
court in order to a further decree

Rollings

is 3

Quinn

Quinn of Jora Quinn

The answer of Dora Brown to a bill
by L. R. Edwards her guardian ad litem
to a bill in chancery by Wm O. Kelling
and others against her

This defendant for answer to the said
bill or as much thereof as he is
advised it is material for him to
answer answering says he knows nothing
of the facts set forth in the plaintiffs
but submits the interests of his ward
to the care of this court whose peculiar
duty it is to protect the rights of
infants and having fully answered
prays hence to be dismissed with his costs

L. R. Edwards Guardian ad litem

But the said Thomas Applewhite shall
not act under this decree until he
shall have given a bond in the
sum of \$200 with good security
in the clerk's office of this court
for a faithful performance of this
decree

Rollings

vs B Deane

Deane

Nov. Term 1877

To be entered

Geo. T. Deane.

Rollings
vs 3 Decem
Oron

This day this cause came
on again to be heard on
the papers formerly read
and the report of Commissioner Tyler made
pursuant to a decree of the court entered
at the May Term 1877 and to which report
no exceptions have been filed and was
argued by counsel. On consideration ^{confirming the said report} whereof
the court doth assign order and decree
That Thomas Applewhite who is hereby
appointed special commissioner for that
purpose shall after reasonable notice
at the court house and the vicinity of
the land proposed to sell at Jerusalem
on some court day at public
auction to the highest bidder for cash
the tract of land containing one hundred
acres whereof Gregory Rollings dies seized
and possessed and after paying the costs of this
suit divide the purchase money into four
equal shares and allot one share to Mrs
J. B. Rollings one share to Samuel T. Rollings
one share to Anne E. Brantley and
 $\frac{1}{5}$ of $\frac{1}{4}$ to Benjamin Oron $\frac{1}{5}$ of $\frac{1}{4}$
to Andrew Oron $\frac{1}{5}$ of $\frac{1}{4}$ to Amelius
Oron $\frac{1}{5}$ of $\frac{1}{4}$ to George Mordell and
Alice his wife and $\frac{1}{5}$ of $\frac{1}{4}$ to the
lawful guardian of Dora Oron

Rollins

as 3 Decm

Clarus

May Term 1877

to be entered

Geo. S. Low.

Rollins
vs 3 Decm
Qwen

This day this cause
came on to be
heard on the
plaintiff's bill

answer of the infant defendant Dora^{own}
by L. R. Edwards her guardian ad litem
and general replication thereto and
was argued by counsel. On consideration
whereof the court doth adjudge, order
and decree that one of the commissioners
of this court enquire into and report
whether partition can be conveniently made
of a tract of land lying in Southampton
county containing one hundred acres near
Westbrook's old mill and now held in
co-parcenary by the heirs of Gregory
Rollins decd and if not whether the
interests of the heirs will be promoted
by the sale of the whole tract or allotment
of part and sale of residue and report
the said facts to court together with any
matters specially stated deemed pertinent
by himself or which may be required
to be stated by any of the parties
interested.

Rollings way

107 3 affidavits

Quinn

August 20th 1877 This day George
Richardson, Carter Everts and
Benjamin Everts personally
appeared before me and made
oath that they are well acquainted
with the tract of land held in
joint tenancy by Simeon J. Robbins
Dora Powers and others containing
about One hundred acres and
that they think the interests of
all the parties interested would
be promoted by a sale as
it cannot be divided in their
opinion among the parties
given under my hand

G. M. Phelps JP

Commissioner's Office,
Jacobson, Va.
October 13th 1877.

To the Circuit Court of Southampton County,

Pursuant to a
decree of the Circuit Court of Southampton County entered at
the May Term 1877, in a Suit in Chancery depending in
the said Court between Wm. H. Rollings & also Plaintiffs of
Jera Coker, Defendants, the undersigned, One of the Commis-
sioners of the said Court, to whom was referred for settlement,
by said decree, "That One of the Commissioners of this Court
inquire into & report whether partition can be conveniently
made of a tract of land lying in Southampton County,
containing One hundred acres, near Whittaker's Old
Mill & now held in Coparcenary by the heirs of Gregory
Rollings dec'd. & if not, whether the interests of the heirs
will be promoted by the sale of the whole tract or
allotment of part of said land & the residue." & Reports to the
Court that in his Opinion from the testimony of George
Richardson, Carter Cornett & Benjamin Everett, herewith
filed, that partition cannot be conveniently made, of
the land aforesaid, & that a sale of the same will
be to the interests of the heirs &c.

Commissioner's fee for
this Report \$5.00
Charged to Wm. H.
Rollings.)

Respectfully Submitted,
James R. Tyler,
Commissioner &c

Rolling
24
Quint

Commissioner Tyler's
Report &c

1877 October 13th

Durham County Court, May Term 1877.

Wm H Rollings & al
against
Dora Owen
Plaintiff
Defendant
In Chancery

This day this Cause came on to be heard on the Plaintiffs bill, answer of the Infant Defendant Dora Owen by SR Edwards her Guardian ad litem & general replication thereto & was argued by Counsel, on consideration whereof the Court doth adjudge, order and decree, that one of the Commissioners of this Court inquire into and report whether partition can be conveniently made of a tract of Land lying in Durham County containing one hundred acres, near Quakrook's Old Mill, & now held in coparcenary by the heirs of Gregory Rollins dec'd & if not whether the interests of the heirs will be promoted by the sale of the whole tract in allotment of part and sale of residue, & report the said facts to Court together with any matters specially stated, deemed pertinent by himself or which may be required to be so stated, by any of the parties interested.

A Copy
of the

J R Tyler J.C.

near Wrecked by fire but original growth
the building

Rolling L. L. L.
in
Quinn

Parliament Circuit Court, November Term 1877.

Wm. H. Rottingschall

Left

against
L. O. O. O.

Left

Salmon

This day this Cause came on again to be heard on the papers for
writ of Habeas Corpus. The Report of the Court of Appeals, made pursuant to
a decree of the Court made at the May Term 1877, of the
which Report no exceptions have been filed & was argued
by Counsel, On Consideration whereof, the Court, ^{confirming} said report
adjudged, Order & decreed, That Thomas Applewhite, who is
heretofore appointed a Special Commissioner for that purpose,
shall after reasonable notice at the Courtroom & in the vicinity
of the land, proceed to sell at Auction, in said County,
said ~~land~~ public auction, to the highest bidder, for
Cash, the tract of Land containing One hundred acres, whereof
George Robbins died seized & possessed, & after paying the
Costs of this Suit, divide the purchased money into four
equal shares & that One share be to W^m. H. Robbins, One share
to James H. Robbins, One share to Ann E. Bradley &
1/5 of 1/4 to Benjamin Owen, 1/5 of 1/4 to Andrew Owen, 1/5 of
1/4 to Alexander Owen, 1/5 of 1/4 to George Applegate & his
wife, & 1/5 of 1/4 to the lawful Guardian of John
Owen, But the said Thomas Applewhite shall not
sell under this decree until he shall have given a
bond in the penalty of Two hundred dollars, with good
Security, in the Clerk's Office of this Court, for the
faithful performance of this decree.

Alfred

Yours J. R. Taylor & Co

WK J. 11 26

Sh 50

~~Cont. Type 5.00~~

Law 1st 10.00

26 74

Rollings ac

or 3 Decm

Chm

May Term 1881

To be returned

Geo. B. Lord,

Rollings vs
vs 3 Decm
Crown

This day this cause came on again to be heard on the papers formerly made and the report of special Commissioner J. H. Applewhite of his making a decree to Anne C. Brantley made pursuant to a decree of this court entered at the Nov term 1880 and to which report no exceptions have been filed and was argued by counsel on consideration whereof the court doth advise order and decree that the said Report be confirmed and it appearing to the court that there is nothing further to be done in this cause it is ordered that the same be removed from the docket