1882 - 19 Southampton County Chancery Darell, Jno's Exrs Vs Jones, James Robert's Exrs

"To sell real estate"
+ Divide proceeds

Darell, Wm.
Darell, Richard E
Claud, Margaret
Darell Burg. W.
Darell, Joseph B
Darell, Adolphus
Barnes, William
Barnes, Mary B

Jones, James Robert
Jones, Emmet
Jones, Franklin

17

Powell

Papers

Jones &c

May 1882

To the Hon Geo: Blow. judge of the Circuit Court of Southampton. In Chancery. Humbly complaining showeth unto your Honor, your Complainants Jno Powell, Thos Powell, Richard E Powell, Margaret W. Leland formerly Powell - Benj: W. Powell, Joseph B. Powell, Adolphus B. Powell, Barney Williams & Mary B. his wife, who was formerly Powell - that during the Year 1844. James Powell, the father of all the complainants, except Barney Williams, departed this life, after having made & published his last will & testament, which was duly admitted to probat at the Oct: Term 1844 of the County Court of Southampton - and Nath[l] Francis & Henry Kindred, the Exors therein named qualified, all of which will more fully appear from a copy of said will, & a copy of the qualification, hereunto filed marked (A) & prayed to be taken as part of this bill - That by Item 2 of said will, the said James Powell directed certain of his personal Estate to be sold & the proceeds, after payment of his debts, to be equally divided between his sons John &

Wm Powell - That in pursuance thereof the said Exrs sold the said property & from their assts current it will be seen that there was a balance due from Nath'l Francis of $371.06 and from Henry Kindred of $193.03 - Copies of said accts herewith filed marked B & C - as parts of this bill - That the sum of these two balances is $564.09 - and one of same John & Wm Powell were each entitled to $282.04 which has been paid to them - That by Item 3 of his will, the said James Powell directed that after the death of his widow, Nancy Powell, his land & other personal Estate should be sold & the proceeds equally divided among his children, first making them all equal in advancements received before by Wm & John, before Wm & John received any more - That the said Nancy Powell, widow of James Powell has died recently - That there was one other child of said James Powell, viz Lucy Powell, who intermarried with James Robt Jones - but who has

also died leaving two children Emmett & Franklin Jones - ; both infants - In consideration of all which and inasmuch as your Complainants are without remedy, save in a Court of Equity, where such matters are properly to be heard, your Complainants pray that James Robt Jones, Emmett & Franklin Jones, be made parties defendants to this bill & compelled to answer the allegations thereof - that some fit & proper person may be assigned Guardian ad litem to defend the interests of the infants - That your Honor would appoint Joseph B Bruce, a Special Commissioner to make sale of the real Estate, & divide the proceeds of such sale, among those properly entitled thereto - and that your Honor would grant such other, further & general & special relief as to Equity may seem meet & the nature of this Case may require - And as in duty bound, your Complainants will ever pray &c - May it please the Court &c

J B Bruce p.q.

The Joint & several answer of Emmett & Franklin Jones, infants, by L.R. Edwards their Gdn ad litem, to a bill of

Complainh Exhibited against themselves & J. R. Jones by Richard E. Powell & others, in the Circuit Court of Southampton.

These respondents, saving & reserving &c. for answer to said bill say. That they are infants & know nothing of the facts alleged in said bill. and being such they submit their interests to the protection of this Honorable Court. & having answered, they pray hence to be dismissed &c.

D. B. Pruden p.s.

L. R. Edwards
Gdn ad litem

Powell & others
vs
Jones & others

Bill & Exhibits

1878 October Rules

D. B. Pruden p.q.

Rec'd Jany 10th 1880 of Clk Circuit Court one bond vs. E. L. Fell from Beaton due Dec'r 16. 1879 for $202.

J. B. Price Com'r

Powell & others
vs
Power &c

Report of Comr

J. B. Price

Filed May 5. 1879

Powell &c
vs } Report of Comr. J. B. Pruden
Jones &c.

In this cause, your Comr. submits the following report - That according to decree rendered at the Nov. Term 1878 of this Court, I have sold the real estate whereof James Powell died seized in this County - and at the sale thereof E. L. Felts became the purchaser by bidding therefor the sum of $605. The sale was for partition among the heirs - I report it a good sale & recommend its confirmation.

By cash of purchaser.			$201.00
2o pd for posters.	$3.00		
" Costs of suit	22.60		
" Commissions -	21.10		
" " attorfee.	25.00		
1879 " " deed to purchaser	10.00		81.70
May 5. Balance in my hands.			$120.30

The purchaser has executed two bonds with approved security, due in 1 & 2 years each for $202. which are herewith returned - all of which is respectfully submitted -

May 5. 1879. J. B. Pruden Comr

To the Judge of the Circuit Court of Southampton

Powell &c

v } Sums Chy.

Jones

1878 October Rules

Executed Sept 2 & 3rd 1878 Cy delivered
Jas Robt. Jones a Copy of Pltfs
writtin.
Jas Robt. Jones
for Pltf

The Commonwealth of Virginia:

To the Sheriff of Southampton County:---*Greeting.*

We command you to summon James Robt. Jones, Emmett Jones & Franklin Jones two infant minors

if they *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* October next *to answer a bill in Chancery exhibited against them in our said Court by* Richard E. Powell & Margaret W. Cleland formerly Powell & others

and have then and there this writ. **Witness, LITTLETON R. EDWARDS,** *Clerk of our said Court at the Court House, this* 14th *day of* September *187x in the* 103 *year of the Commonwealth.*

L. R. Edwards Clk

Powell
vs 3
Jones Lorthen.

Report of Comr
J. B. Price

Nov. 5. 1879

Powell &c.
vs 3 Report of Com. Price.

Jones &c.

I herewith submit a further report.

By balance due per former report. $120.30

2d pd Auctioneer. $8.00

" " tax acct. 9.87 17.87

$102.43

Respectfully submitted.

J. B. Price Com.

Nov 5. 1879. 3.

2d Judge of Circuit Court.

Received June 4th 1879 J. B. Thurman
Com'r in Chancery suit Powell vs Jones
&c.- Eight dollars- fee for selling
real estate in said suit-.

S Barrow, Com'r

Mrs Nancy. Powell In Price

1878. **To JAMES E. SEBRELL, Treasurer of Southampton County, Dr.**

SUBJECTS OF TAXATION.	STATE TAX. 50c. on $100.	COUNTY LEVY. 30c. on $100.	SCHOOL TAXES. COUNTY, 5c. on $100.	SCHOOL TAXES. DISTRICT, 5c. on $100.	TOTAL TAX.
To 455 acres of Land, value $ 1046	5 23	3 13	52	52	9 40
" Personal Property, value . . $					
" Capitation Taxes, ...					
Total, ...					
Fee Bills, ...					
2 per cent. rebate, ...					
5 per cent. additional, ...					47
Total, ...					9 87

Received payment 19 *day of* May *1877.* W. K. Stephenson Jr. *Treasurer.*

Rowlestorken
to 33 Report of Com
Jones &c.

Rept inside

Powell & others
vs
Jones &c.

3d Report.

In this cause I submit the following further report. That I have paid to Wm Beaton attorney in fact for A. D. Powell & Mary E. B. Doy, formerly Powell, the shares to which they are entitled from the sales of real estate, as per receipts & statement herewith filed. There are still four more parties, who live in Texas, so I am informed, and I will settle with them as soon as I can definitely hear from them.

Respectfully submitted

Oct 20. 1882.

To Judge Cir. Ct. Cont. } J. B. Price
Comr.

The State of Texas } I, A. J. Rigsby
County of Jasper } Clerk of the
County Court
of Jasper County Texas do hereby
Certify that Mary Ann Powell, sur-
viving wife of R. E. Powell deceased
is the duly appointed and qualified
executrix of the last will and
testament of said R. E. Powell
deceased as shown by the records of
the probate Matter, for said Jasper
County.

Given under my hand
and seal of office this
25th day of January 1882.

A. J. Rigsby
Clerk J. C.
Texas

March 30. 1882 —

I presume I must
have cut this off the Power of Attorney
last Monday — instead of letter as I
~~made~~ intended — I enclose to you
soon as discovered Wm. S. —

The State of Texas } To all whom
Jasper County } it may concern
Know ye that I
Mary Ann Powell of the State
and County aforesaid being the
legal Executrix of the estate of
R. E. Powell deceased, and wife
of the said R E Powell deceased
do hereby constitute make and
appoint William Baton of
the County of Southampton State
of Virginia my legal and lawful
attorney to collect from
J. B. Prince of State of Virginia
& County of Southampton all
of my interest in the estate
of James Powell of Virginia
deceased the father of my deceased
husband Richard E. Powell and
to send the same to me by
check or draft and the power &
right is hereby vested in the
said William Baton to sign
my name to any and all papers
pertaining to the collection of my
interest in the estate of the
said James Powell from the
said J. B. Prince
In testimony whereof I hereunto
sign my name on this the

~~the~~ the 27th day of January 1882
Mary, A. Powell

Witness
R. W. Chapman
W. B. Powell

State of Texas }
County of Jasper } Before me W. W. Blake
County Judge J. C. Tex
on this day personally appeared
W. B. Powell known to me to be the person
whose name is Subscribed to the foregoing
instrument of writing as a witness and
after being duly Sworn by me, Stated
on oath that he saw Mary A. Powell
the grantor or person who executed Such
instrument of writing acknowledged
in his presence that She had executed
the same for the purposes and consid-
erations therein expressed, and that
he had signed the same as a witness
at the request of the person who executed
the same

Given under my hand
and Seal of office this the
2nd day of February 1882
W. W. Blake
Co Judge Jas Co, Tex

Statement of money collected by
J W Price Atty & Comr from E. L. Feltz
for purchase of land formerly
belonging to James Powell dec'd -

By net amt cash payment.	102.43
" amt two deferred bonds -	404.00
" Int for two years -	48.48
	554.91

1/7 to Mary A Powell -	$79.27
1/7 to B W Powell	79.27
1/7 to J B Powell	79.27
1/7 to Margaret W Bland	79.27
	317.08
Int for one year -	19.02
1/4 to each of above	336.10
	84.02

Received Mch 27. 1882 of J W Price
Atty & Comr three Hundred and thirty
Six 10/100 dollars - in full of above Statement.

By Wm Beaton
Attorney-in-fact
for all -

Mary A. Powell
B. W. Powell -
J. B. Powell -
Margaret W. Bland -

B. W. Powell

J. B. Powell

Margaretta Island

Mary A. Powell

to 3 Acres

J. B. Powell Cemetery

The State of Texas } Know all men by
County of Jasper } these presents that
We Benj. W. Powell,
Joseph B. Powell and Margaret
Eland, Children and Heirs at law
of James Powell, deceased, of the
County of Jasper in the State of
Texas, reposing full Confidence in
Wm Beaton of Southampton County
in the State of Virginia, do by these
presents make, Constitute and ap-
point, and have made, Constituted
and appointed him the said Wm
Beaton, to be our true and lawful
attorney in fact, for us and in our
name place and stead, to receive
and receipt for any and all moneys
that may be due and owing to us,
that we may be entitled to as Heirs
at law of our father, James Powell dec'd
and to do and perform any and all
other act or acts that may be necessary
and proper in the premises, and we
hereby ratify and confirm all and
every act that our said attorney may do
in the premises as fully and as
absolutely as we could or ought
to do if personally present,
Witness our hands this

26th day of January A.D. 1882

Witnesses

T. V. Swearingen

W. H. Bland

B. W. Powell

J. B. Powell,

Margarett W. Bland

The State of Texas } Before me A. J. Rigsby
County of Jasper } Clerk of the County
Court of Jasper County
on this day personally appeared B. W.
Powell and J. B. Powell known to
me to be the persons whose names are
subscribed to the foregoing instrument
and each acknowledged to me that
he executed the same for the purposes
and consideration therein expressed.
Given under my hand and
seal of office this 26th day of
January A.D. 1882

A. J. Rigsby
Clk C.C.

The State of Texas } I. Before me A. J. Rigsby
County of Jasper } Clerk of the County
Court of Jasper County
on this day personally appeared W. H.
Bland known to me to be the person
whose name is subscribed as a
witness to the foregoing instrument, and
having been duly sworn by me stated

on oath that he saw Margaret M.
Eland one of the grantors or persons who
executed the foregoing instrument subscribe
the same, and that he had
signed the same as witness at the
request of her the said Margaret M.
Eland,

Given under my hand and
Seal of office this 27th day of
January A.D. 1882.

ex J. Rigsby
Clk C. & J.P.

B/K Powell, 273
Powell and Mangum Co. Land
To J. Brown atty

Wm Baton.

75

Powell to others
vs 4/3 Report of Com
Jones &c

1882. March 27th
filed

Commissioners
vs
Report.

Jones et.

In this Case Jonas Coon states that he has paid off the remaining four parties, who receives the same through W. M. Beaton their atty in fact. as per their receipt and powers atty herewith filed. There is nothing further to be done in the Case, and it can be dismissed from the docket.

Feb 27. 1882.
To Judge Circ Ct.
Souciption.

Respectfully submitted
J. B. Runcie
Comr.

Mary E. B. Day

To

Power of Attorney

Wm. M. Beaton

~~Filed at 11 30 A. M.~~

~~June 4th, 1884.~~

~~J. A. Blackstock,~~

~~Clerk.~~

"

Be it Known, that I Mary E. B. Day formerly Mary E. B. Powell, at present a citizen of Hinds County State of Mississippi (last continuously prior thereto being a citizen of Yazoo County in said State) One of the Legatees of Jacob Powell late of Southampton County State of Virginia deceased — having full confidence in William M. Beaton of Baylis in said State of Virginia constitute him my attorney in fact, and give to him the following powers and directions — To demand and receive from whomsoever due my portion of the sale of the Real estate of said Jacob Powell deceased — And also to demand and receive from whomsoever due my portion of all money due and collected for my mother Nancy Powell, now deceased on account of rents of said lands, previous to the death of my said mother, which occured in October 1877 —

My said attorney is hereby empowered to act for me in the premises, in all respects, the same as I could or would do were I personally present acting for myself — Given under my hand and seal this the day of March A.D. 1881

Mary E B Day (Seal)

State of Mississippi }
Yazoo County } This day personally appeared before the undersigned Justice of the Peace for said County Mary E B Day who acknowledged she signed Sealed & delivered the foregoing instrument of writing on the day and date therein for the uses and purposes therein set forth as and for her Voluntary act & deed
In witness whereof I have hereunto set my hand & Seal this 28th day of May 1881
A N Montgomery J P

Herald Print, Yazoo City, Miss.

The State of Mississippi,

YAZOO COUNTY.

I, James A. Barksdale, *Clerk of the Chancery Court in and for the County and State aforesaid, do hereby certify that* A N Montgomery *whose genuine signature appears to the* Certificate of Acknowledgment *to the foregbing and annexed Instrument of writing, was, at the date of signing the same, an acting Justice of the Peace in and for said county, duly elected, commissioned and qualified, and that all of his official acts, as such Justice, are entitled to full faith and credit.*

GIVEN under my hand and the seal of said Court, at office, in Yazoo City, County and State aforesaid, this 2nd *day of* June 188[illegible]

J A Barksdale, *Clerk.*

D. C.

Southampton Sixty[illegible] Court. 2nd January 1879. This Bond was acknowledged by S.B. Prince & S.H. Prince by his attorney in fact the obligors therein and admitted to record

S.R. Edwards Clk

Powell
vs
Jo Lewis Bond
Dower &c.

Recorded
Page 63

Know all Men by these Presents, That we Joseph B Prince

Joseph A Prince

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of Fifteen Hundred Dollars, 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. And we, the obligors herein, bereby waive the benefit of our Homestead Exemption as to this obligation.

Sealed with our seals, and dated this 2 day of Janry A. D. 1879

The condition of the above obligation is such, that if the above bound Joseph B Prince who was on the 6th day of November 1878 by a decree of the Circuit Court of Southampton County appointed Special Commissioner in a Suit in Chancery depending in said Court in which Powell & others are Plaintiffs and Jones & others Defendants for certain purposes in said decree mentioned

shall faithfully discharge the duties of his said office or trust according to law, then the above obligation to be void, or else to remain in full force and virtue.

Signed, sealed and delivered in presence of ~~the Court~~.

J B Prince [SEAL.]

J A Prince By [SEAL.]

W O Bigge his atty in fact [SEAL.]

[SEAL.]

A. D. Powell
&
Mary E. B. Doz
to
Rucks

J. W. Prince

Statement of money collected by J.B. Preiss atty and Comr from E.L. Felts for purchase of land formerly belonging to James Powell dec'd.

By net amt from Cash payment.	102.43
" amt two deferred bonds.	404.00
" Int from May 5. 79 to June 15. '81	51.48
	$557.91

1/7 to A.D. Powell $79.70
1/7 to Mary E.B. Day. 79.70
$159.40

Received June 15th 1881 of J.B. Preiss atty & Comr One Hundred and fifty nine 40/100 dollars in full amts due A.D. Powell and Mary E.B. Day.

A.D. Powell by Wm Beaton Attorney in fact
Mary E.B. Day by Wm Beaton Attorney in fact

J. R. Jones & others
to
J. B. Price & Co.

Statement of money collected by J.B. Prince, atty & Comr. from E.L. Felt, for purchase of land formerly belonging to James Powell decd.

By amt in hand as per last rept	$102.43
" " of last two bonds.	404.00
" " interest to July 16. 1880.	28.28
1/7 to J.R. Jones & his children.	$534.71
	$76.45

Charges.

To 5% Comn.	3.87
	$72.58

Rec'd March 15. 1880. of J.B. Prince Atty & Comr. Seventy two 58/100 dollars in full of above statement.

Geo E Beaton
"

Brandside P.O.

Jany 17th 1880.

J B Prince Esqr

Dear Sir.

Pay Capt Geo E Beacon, whatever amount of Money Collected by you for me, on the Estate of Mrs Nancy Powell & this shall be my receipt for same.

J K Jones

We the undersigned hereby give our Consent, for whatever amount is in your hands Collected from the estate of Mrs Nancy Powell, to be paid to James K Jones.

To J B Prince Esqr.
Jany 17th 1880.

Emmitt Jones
Frank Jones

Be it Known that I. Adolphus D. Powell
at present a citizen of Yazoo Co. State of
Mississippi one of the legatees of James
Powell. Late of Southhampton County State
of Virginia deceased - having full confidence
in William M. Baston of Boston Dept.
in said State of Virginia constitute him
my Attorney in fact and give to him
the following powers ~~act~~ and directions
to demand and receive from whomsoever
due my portion of the sale of the real estate
of said James Powell deceased and also to
demand and receive from whomsoever due
my portion of all money due and collected
for my Mother Nancy Powell now deceased on
account of rent of said land previous to the
death of my said mother which occured
in October 1877
My said Attorney is hereby empowered to
act for me in the Premises in all respects
the same as I could or would do

vere I ~~fees~~ personaly presents acknowledg to
myself — Given under my hand and
seal this the 1 day of May A.D. 1881

A. D. Powell (Seal)

State of Mississippi }
Yazoo County }

This day Personally appeared before the
undersigned Justice of the Peace for said
County A D Powell who acknowledged that
he signed sealed & delivered the foregoing
instrument of writing on the day and date
there of for the uses and purposes therein set
forth as and for his voluntary act & deed
In witness whereof I have hereunto set
my hand & seal this 28th day of May 1881

A H Montgomery J P

A D Powell
to
Power of Atty.
Wm Beadon

Herald Print, Yazoo City, Miss.

The State of Mississippi,

YAZOO COUNTY.

I, James A. Barksdale, *Clerk of the Chancery Court in and for the County and State aforesaid, do hereby certify that* A H Montgomery *whose genuine signature appears to the* certificate of acknowledgment *to the foregoing and annexed Instrument of writing, was, at the date of signing the same, an acting Justice of the Peace in and for said county, duly elected, commissioned and qualified, and that all of his official acts, as such Justice, are entitled to full faith and credit.*

GIVEN under my hand and the seal of said Court, at office, in Yazoo City, County and State aforesaid, this 2nd *day of* June *1881*

J A Barksdale, *Clerk.*

D. C.

Powell

v } State Rules

Jones &c

In Southampton Circuit Court.

Jno. Powell, Wm. Powell Richard E Powell, Margaret W. Claud, formerly Powell, Benj. W Powell, Joseph B Powell, Adolphus B Powell Barney Williams and Mary B his wife who was formerly Powell

Plaintiffs

against

James Robert Jones, Emmett and Franklin Jones. Defendants

1878. Sept. 14th Summons issued

" Oct. R. Summons returned Executed on Deft. Jas. Robt. Jones Bill filed. L R. Edwards assigned Gdn ad litem to infant Defts. Ans. of infants. Gen. Repl. Decree Nisi v. Jas. Robt Jones

" Nov " Bill taken for confessed as to Deft. Jas. Robt. Jones and Cause set for hearing as to all Defts Xf.

" " 7 Decree for sale

1879 May Rept & decree to collect 1a

1882 May Decree removing cause from docket

James Powell's
Will.

A Copy.

(Fee. 46 cents)

In the name of God, amen.
I James Powell of the County of Southampton, being weak of body, but of a sound mind and disposing memory do make and ordain this my last will and testament hereby revoking all former wills or testaments heretofore made by me,
First. I lend to my beloved wife Nancy Powell during her natural life or widowhood all of my Land & the following negroes to wit: Sam and his wife, Rose, Matilda and her four children, Andrew, Charlotte, Pleasant, and Charles and their Increase likewise; Three Thousand pounds of pork. Sesty Barrels of corn Three Thousand pounds of Fodder, Two first choice of horses, Two first choice of sows and pigs, one single Stur and cart, Six head of cattle, one gig and harness, and all my household and Kitchen furniture, provided she the said Nancy Powell do keep my Five youngest children Free of charge
Item 2nd It is my desire that Caty and her children be sold with all the rest of my property except what I have loaned to my wife, and the monies arising therefrom It is my desire after my just debts are paid, the residue shall be equally divided between my two sons, John and William Powell
Item 3rd. At the death or marriage of my wife Nancy Powell, I wish all my property sold and equally divided among my surviving children or their heirs after deducting from John and William Powell the amount paid over to them by my executor, In case either of my children should die before arriving to the age of Twenty one yrs it is my will, It is my will and desire that their part of my estate shall be equally divided among my surviving children or their heirs. I leave my friends

Nathan'l Francis and Henry Kindred executors to this my last will and testament. Witness whereof I have hereunto set my hand and affixed my seal this Twelfth day of August, one thousand, Eight hundred and forty four,

James Powell (Seal)

In the presence of
C. C. Barham
M. T. Pete
A. Woodward

At a Court held for the County of Southampton on the 21st day of October 1844. This last will and testament of Jas. Powell dec'd was proved by the oaths of C. D. Barham & A. Woodward, two of the subscribing witnesses thereto and ordered to be recorded. And on the motion of Nathaniel Francis and Henry Kindred the executors therein named, who made oath and together with Richard Darden and John E. Beale their securities entered into and acknowledged a bond in the penalty of seven thousand dollars conditioned as the Law directs, Certificate is granted them for obtaining a probat of the said will in due form,

Teste. S. R. Edwards Cle

A Copy.

Teste: S. R. Edwards Cle

Powell Southern
vs Z Certificate
Jones &c

To J. B. Pannell Comr. in Chancery suit
of Powell &c vs Jones.
I hereby authorize and direct
you to make the deed for 34 2/12
acres of the land bought of you as
Comr. to J. M. Corbitt - he having
paid for that. Witness my hand
& seal July 16. 1888.

E. L. Hobbs (Seal)

of $1500 - with security to be approved by the Clerk of this Court, conditioned to faithfully execute this and any further decree in this cause, And the said Comr will report his procedings to court

A Copy:

Clk Paid $3.60 S.R. Teste:

Sh 50¢ W.B.O L. A. Edwards Clerk

Law J. pd 2.B.O 16.50 $22.60

Powell et vs
vs
Jones et vs

Copy

Southampton Circuit Court: Nov: Term: 1878

Joseph Powell, Wm Powell, Rich.d E. Powell, Margaret W. Cland formerly Powell, Benja. W. Powell, Jos. B. Powell, Adolphus B. Powell, Barney Williams and Mary B his wife who was formerly Powell

Plaintiffs

against

Jas. Robt. Jones, Emmett & Franklin Jones. Defendants

This day this cause came on to be heard on the bill of the complainants, taken for confessed as to the adult, defendant. Jas. R. Jones the answer of the infants Emmett & Franklin Jones, by T. R. Edwards their guardian ad litem, the exhibits filed with the bill, and was argued by Counsel. On consideration whereof, the court doth adjudge, order & decree that J. B. Prince be & he is hereby appointed a special commissioner for the purpose, That he sell to the highest bidder the real estate whereof Jas. Powell died seized & possessed, after twenty days public notice of time & place & terms of said sale upon the following terms to wit: One third cash — the balance in two equal annual instalments, the purchaser to give bond with security to be approved by the Comr carrying interest from day of sale — and the title to be retained for the deferred payments, But the said Prince will not proceed to execute this decree until he shall have entered into bond in the penalty

Powell
vs 3 Deeds.
Jones & others

Nov Term 1849.

To be entered.

Geo Blow.

Powell
vs Decree.
Jones & others

This day this cause came on to be further heard on the papers formerly read, & report of Comr. Prince filed during the term, reporting further disbursements, and was argued by Counsel. On consideration whereof, & no exceptions being filed to said report, the same is hereby confirmed.

Powell &c
vs
Deane
Jones &c

May Term 1879

To be entered —

Geo. W. Bloss.

Powell & others
vs
Decree.
Jones &c.

This day this cause came on to be further heard on the papers formerly read, the report of Comr. J. B. Pence filed May 5. 1879. reporting sale of land by which James Powell died seized. and was argued by Counsel. On consideration whereof, the Court doth confirm the said report, no exceptions being filed to the same. and doth further adjudge order and decree that the sale therein reported be held firm & binding between the parties. and the Court doth further decree that the said J. B. Pence, Comr. ~~distribute the balance in his hands among the parties thereto entitled~~ withdraw the bond of E. L. Felts, returned with his report, after having receipted to the Clerk for the same. collect them as they become due & distribute the proceeds among the parties to entitled. and the said Pence will pay the balance in his hands as per his report to the parties entitled and make report to Court.

Powell &others
vs Decree.
Jones &others

This day this Cause came on to be heard on the bill of the Complainants, taken for confessed as to the adult defendant, James R. Jones, the answer of the infants Emmett & Franklin Jones, by L.R. Edwards their Guardian ad litem, the exhibits filed with the bill, and was argued by Counsel.

On consideration whereof, the Court doth adjudge order & decree that J.B. Prince be & he is hereby appointed a special Commissioner for the purpose. That he sell to the highest bidder the real estate whereof James Powell died seized & possessed, after twenty days public notice of time & place & terms of said sale upon the following terms to wit. one third Cash. the balance in two Equal annual instalments, the purchaser to give bonds with security to be approved by the Comr, carrying interest from day of sale. and the title to be retained for the deferred payments.

But the said Prince will not proceed to execute this decree until he

shall have entered into bond in the penalty of $1500- with security to be approved by the Clerk of this Court, conditioned to faithfully execute this and any further decree in this cause- And the said Comr will report his proceedings to Court.

Powell & others
vs
Deneen & others

Nov: Term 1878

Dr Le Suéur.

Geo. Bloss,
C.

Powell Forbes
vs Z. Deane
Jones &
Nov Term 1881.
To be entered.
Geo. Blow,

Powell Sothers
vs 3 decrees
Jones-

This day this cause came on to be further heard on the papers formerly read & report of Comr. L.B. Jones - reporting payment to J.R. Jones & children A.D. Powell & Mary E.B. Day their respective shares of proceeds of real estate, with vouchers for the same & upon argument by Counsel. On Consideration whereof, and no exception being filed to the same, the said report is hereby confirmed. And as to all other matters this cause is continued.

Powell & others
vs 3 Deeds
Jones & others

May Term 1882
To be entered.

Geo. A. Bloss.

Powell et ux
vs 3 Decree.
Jokes &c.

This day this cause came on to be
again heard on the papers formerly read
and the report of Comr. D. B. Price filed
March 27, 1882, reporting payment to
Eliz Powell, J. B. Powell, Margaret Bland
& Lilly A Powell, the four remaining
heirs, of the balance due them, supported
by proper vouchers for the same and was
argued by Counsel. On consideration
whereof, and no Exceptions being filed to
said report, the same is hereby confirmed.
Nothing further appearing necessary to
be done in this cause it is ordered to
be removed from the docket.