

1893. 81

Southampton County Chancery - Williams, Tunius et al vs Williford, Jacob F. et al
(indent) al

confirm sale of land with dower
interest, if not then partition or
sale for partition & division of money.

Williford, Lucinda (widow)

Hart, Thomas

" , E. D. (wife)

Hall, Allen

" , M. C. (wife)

Saunders, G. W.

" , L. C. (wife)

Williford, Walter R.

" , S. C.

Williford, Samuel B.

Tyler, James R.
G. A. L.

Williams et als
vs } Chancery Paper
Williford et als

Greeni bawt Southampton

Shands & Son Esq.

~~94~~ (~~1881~~) ~~113~~ ~~79~~
80 ~~94~~

Williams is also

Bill
is 3 exhibits

Williford

1881 April Rules

To the Honorable George Blom judge of the Circuit
Court of Southampton County in chambers sitting

Humbly complaining your orators
Jimmie W Williams, Lucinda F Williford, Thomas
Hart and E. D. Hart his wife, Allen Hall and
M. C. Hall his wife, J. W. Saunders and L. C. Saunders
his wife, Walter R Williford, and L. C. Williford
show unto your Honor that in the year 186—
Samuel B Williford of Jackson County state of
Florida departed this life intestate leaving a
tract of land lying in the county of Southampton
state of Virginia adjoining the lands of Jimmie
W Williams and others containing one hundred
and ninety four ^{acres} and leaving a widow Lucinda
F Williford, and the following children and
their descendants his heirs at law to wit
E. D. Hart a daughter, M. C. Hall a daughter
L. S. Saunders a daughter and Walter R Williford
a son and Jacob F Williford an infant only
child of J. F. Williford ^{a son} and L. C. Williford
widow of J. F. Williford

Your Orators show further that through their
attorney in fact they have all except the infant
Jacob F Williford sold the said tract of land
to Jimmie W. Williams for three hundred and
three dollars and sixty seven cents as will more
fully appear ^{by} the power of attorney from them to

W. R. Williford and the deed from W. R. Williford
to J. J. Williams both of which are herewith
filed marked exhibits A and B and prayed to be
taken as parts of this bill and the court is now
asked by your orators to confirm this sale conveying
various down and fee simple interests to J. J. Williams
and that the said Williams may pay
to the infant Jacob F. Williford the full value of
his share, or if the court be of opinion this
cannot be done, then to order a partition or a
sale for a division as the court may seem right
and then your orators ask that Jacob F. Williford an
infant of tender years by some fit and proper
person his guardian ad litem appointed for that
purpose may be made a party defendant to
this bill and that the court would compel him
as full and perfect answer make to the allegations
therein contained as if he had been thereto sworn
fully and specially interrogated and that the
court would confirm the sale aforesaid or if
that cannot be done then a partition or sale
for partition and division of the money
according to the rights of the parties, and that
the court would grant such other and general relief the
premises considered as equity may dictate and the
nature of this case may require and as in duty
bound your orators will now pray.

Shanes p. 9.

Know all men by these Presents, That we, Lucinda
 F. Willeford, widow of Samuel B. Willeford deceased
 E. D. Hart, & her husband Thos. Hart, M. C. Hall &
 her husband Allen Hall of Jackson County in the State
 of Florida, have made, constituted and appointed, and by these
 Presents do make constitute and appoint, and in our Places
 and stead put & substitute Watter R. Willeford of the County of
 Henry and State of Alabama, our true and lawful attorney,
 for us, and in our name, Place and stead, to grant bargain and sell
 all that tract Parcel or Piece of land lying or being in the County
 of Southampton and State of Virginia and bounded by the
 lands of James W. Williams, James H. Jenkins, Estate
 Richard Kalcorn, and others, containing one hundred & twenty
 four (124) acres, more or less, being the tract of land of which
 Samuel B. Willeford deceased and his heirs and assigns with the appurtenances
 thereto belonging, and all our Estate, right and title and interest
 therein unto each Person or Persons, and for such Price or Prices
 as we shall think proper, and also for us and in our steads names & Place
 and as our proper act and deed to sign seal and deliver and acknowledge
 all such deed or deeds of conveyance as shall be necessary for the
 absolute granting and conveying of the Premises unto the Purchaser
 or Purchasers in fee simple, giving and granting to our said attorney
 by these Presents our full and whole Power and authority in and
 about the Premises, to have use and take all lawful ways and
 means in our names for the Purpose aforesaid, and generally all and
 every other act and deed, thing or things in the Law whatsoever needful
 and necessary to be done in and about the Premises, for us and in our names
 to execute and perform as fully, largely and amply to all intents
 and Purposes, as we ourselves, might or could do if Personally Present
 hereby ratifying and allowing and holding for firm and effectual all and
 whatever our said attorney shall lawfully do in and about the Premises
 by virtue hereof - In witness whereof we have hereunto set our
 hands and seals this 10th day of July A.D. 1879

M. C. Hart

J. A. Robinson

Watter R.

L. F. Willeford

E. D. Hart

Thomas Hart

M. C. Hall

Allen Hall

Seal

Seal

Seal

Seal

Seal

Personally came before me L. F. Willeford E. D. Hart & Thomas
 Hart M. C. Hall & Allen Hall and signed the foregoing Instrument
 July 18 1879 J. A. Robinson J.P.

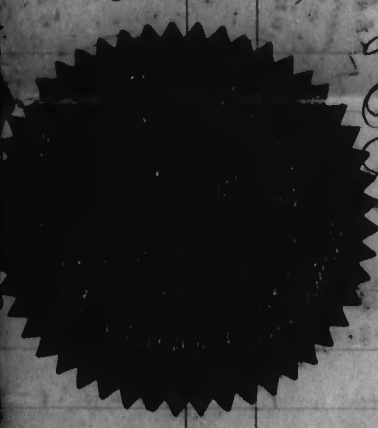
J. H. McLaughlin
to
Walter D. McLaughlin

Mr. Gordon
May 11 1878
10th - 11 - 12
Shicks

State of Florida } I Frank Philip Clerk of the Circuit
 Jackson County } Court in and for the County and State aforesaid
 do hereby certify that J. A. Robinson, who genuine
 signature appears to the foregoing certificate is and was at the
 time of signing and executing the same a Justice of the Peace
 in and for the County of Jackson in the State of Florida duly
 commissioned and qualified as such, and that fully faith and
 credit is to be given to his legal acts as such.

In testimony whereof I have hereunto set my hand and
 Seal of Office at Marianna in said County and
 State this 5th day of August AD 1899 and
 of the Independence of the United States of America
 the 104th year

Frank Philip
 Clerk Circuit Court



Know all men by these Presents, that we L. S. Sanders
 and G. W. Sanders her husband, L. C. Willeford wife
 of J. F. Willeford deceased, of Washington County in the
 State of Florida, have made, constituted and appointed
 and by these presents do make, constitute and
 appoint and in our places and stead put and
 deputy, Walter R. Willeford of the County of Henry
 and State of Alabama, our true and lawful attorney
 for us in our name place and stead, to grant bargain
 and sell all that tract parcel or piece of land lying
 or being in the County of Southampton and State of
 Virginia, and bounded by the lands of Jurinus W. Williams
 James H. Jenkins, Estate, Richard Halcorn and others
 containing 194 acres more or less, being the tract of land
 of which Samuel R. Willeford died seized and possessed with
 the appurtenances thereto belonging and all our estate, right
 title and interest therein with such person or persons and
 for such price or prices as he shall think proper, and also
 for us and in our stead name & places and as our proper
 act and deed to sign seal deliver and acknowledge all such
 deed or deeds of conveyance as shall be necessary for the absolute gran-
 ting and assuring of the premises unto the purchaser or pur-
 chasers in fee simple, giving and granting to our said attorney
 by these presents our full and whole power and authority in
 and about the premises, to have use and take all lawful ways
 and means in our name for the purposes aforesaid, and
 generally all and every other act and acts, thing or things in
 the said whatsoever needful and necessary to be done in and
 about the premises, for us and in our name to do execute and
 perform as fully largely and amply to all intents and pur-
 poses, as we ourselves might or could do if personally present.
 Hereby ratifying and allowing and holding for firm and effect,
 in all and whatsoever our said attorney shall lawfully do in
 and about the premises by virtue hereof, — in witness whereof
 we have hereunto set our hands & seals, this 10th July, 1879

T. J. Tayler } Witness
 P. L. Horn }

L. S. Sanders
 G. W. Sanders
 L. C. Willeford

P. L. Horn Justice of the Peace

State of Florida J. E. Skipper, Clerk
Washington County, do hereby certify that P. L. Horn
is a duly commissioned & qualified
Justice of the Peace for the County of
Washington & State of Florida, and that
all his acts as such are just & legal.

In testimony whereof I, J. E. Skipper,
Clerk Circuit Court in & for the
State & County aforesaid, have
hereunto set my hand & seal
of the said Circuit Court at Tallahassee,
Fla., this the 11th day of July
A.D. 1879

J. E. Skipper
Clerk

Petition
of
James W. Williams

Petition James W. Williams

Your Petitioner sheweth unto
your Honor by a decree entered in this
cause he was directed to pay to the
lawful guardian of Jacob F.
Williford the sum of fifty five
dollars and Thompson E. L. Story
was to make to him a deed for
the said Jacob F. Williford interest
in a tract of land lying in
Southampton county containing
containing 194 acres your petitioner
states that he has been unable to do
so because the said infant lives
in Florida and has no guardian
in Virginia and he therefore asks
that he may be permitted to pay
this money into court or deposit
it as the court may direct. The
said E. L. Story to make him a deed
for the said Jacob F. Williford interest
and as in duty bound your petitioner
will ever pray &c.

Shames for
petitioner

This deed, made the 10th. day of January in the year 1881
between Walter R. Williford as Attorney for Lucinda F.
Williford, E. D. Hart & her husband Thos. Hart, M. G. Hall
& her husband Allen Hall of Jackson County in the State of
Florida and L. V. Sanders and E. W. Sanders her husband, L.
C. Williford wife of J. F. Williford decd. of Washington County
in the State of Florida and said Walter R. Williford for himself
of the one part and Junius W. Williams of the other part,
witnesseth that in consideration of the sum of Three hundred and
three 7/100 Dollars the said Walter R. Williford as Attorney
and for himself doth grant unto the said Junius W. Williams
their several interests in a certain tract of land of which Saml.
R. Williford died seized and possessed lying in the county of
Southampton State of Virginia bounded by the lands of
said Junius W. Williams, Jas. W. Jenkins, Estate, Richard
Holcomb and others, containing 194 acres more or less, and
inasmuch as one of the parties to the above tract of land is
a minor and these powers of attorney under which said Walter
R. Williford is acting may be in some points defective, he the
said Walter R. Williford doth guarantee unto the said
Junius W. Williams this as a general warrant deed against
the claims of persons whatsoever or until he obtain a valid
deed by decree of Court which is to be obtained early as
possible. Witness the following signature and seal.

Witness
Jas. T. Moore
E. L. Story

W. R. Williford atty in law

Williams 1, ab

" 3

Williford

answ. of J. F. Williford
by Geo. W. Latham

The answer of Jacob F. Williford by James R
Tyler his guardian ad litem to a bill in chancery
in the circuit of Southampton by Sumner W. Williams
and others against him

This defendant for answer to the said bill
or as much thereof as it is material for him to
answer answering says that he submits the interests
of his ward in this suit to the care of the
court whose peculiar duty it is to protect the rights
of infants and having fully answered prays leave
to be dismissed

Signed James R Tyler
Guardian ad litem,
Chancery for
infant

of the Commonwealth

James M. Williams, Jr. of the County of Middlesex, State of New York, do hereby certify that the following is a true and correct copy of the original of the same as the same is now on file in the office of the County Clerk of the County of Middlesex, State of New York.

and have been there this 10th day of February, 1888.

Williams J.
to } Sum. Chy.

Williford
1887 February Rules
Shands p. 9

AND CERTIFY TO THE CLERK

The Confidentiality of J. M. Williams, Jr.

In the County of Middlesex, State of New York.

The Commonwealth of Virginia,

To the Sheriff of Southampton County—GREETING

WE COMMAND YOU TO SUMMON

Jacob T Williford an infant

to appear at the Clerks 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 *him* in our
said Court by *Junius W Williams, Thomas Hart & E D Hart*
his wife Lucind T Williford Allen Hall & M O Hall his wife
G W Saunders & L C Saunders his wife Walter R Williford
& S C Williford

and have then there this writ.

Witness, LITTLETON R. EDWARDS, Clerk of our said Court at the Court
House, this *22nd* day of *February* 188*7*, in the *105th* year
of the Commonwealth.

L R. Edwards

Depositions of
E. L. Story, Chris
Moon and Joseph
J. Moore

E. L. Story having been first duly sworn on
The Holy Evangelists of Almighty God Deposes
and says I see my name The tract of land
containing one hundred and ninety four
acres of land belonging to the estate of
Samuel B. Willford died it is all woodland
except some three or four acres of old field
it has no house on it and is not in my
opinion susceptible of division among the
 heirs at law as Mrs Lucretia F. Willford
has down in the whole tract of land
and Mrs L. C. Willford widow of S. F. Willford
has down in one fifth of the said tract of
land subject to her mother in laws down

Question by plaintiffs counsel

What is the value of the whole tract of
land

Answer About four hundred dollars

Question by the same

What is the value of the infant Jacob
F. Willford share subject to his mother's share
Answer

I think about fifty five dollars
And further this deponent saith not

E. L. Story

Orris Moore having been first duly sworn
deposes and says as follows
Question by Plaintiff, counsel

Are you acquainted with the lands of Saml
B Willford and what is it value

Answer

I am acquainted with the said land
being very near the same I think it
worth some \$2 an acre making the sum
of \$384

Question by The same

Do you think the said land capable
of Division among the heirs of Saml
Answer

I should think not

Question by The same

What is the value of Jacob F. Willford's
share

Answer

About fifty five dollars
And further This deponent saith not

Orris Moore

Joseph T. Moore having been first duly sworn deposes and says as follows

Question by plaintiff's counsel
Are you acquainted with land of Saml
B Willford ^{and} and what is its value
Answer

I am and I think it is worth
\$2 an acre

Question by the same

Is the said land capable of divisions
among the heirs

Answer

I think not

Question by the same

What is the value of Jacob F Willford's
share

Answer

About fifty five dollars
and further this deponent saith not

jos. T. Moore

Williams & al.

vs 3

Willeford

The undersigned commissioners
beg leave to report that in obedience to a show
of this court entered at this May Term &c
~~have to report~~ That the tract of land containing
124 acres belonging to Samuel B Willeford's
estate cannot be divided but that a sale will
be necessary unless some of the parties would
take the land and pay the value of the
shares of the other heirs at law to them
and your commissioners report further that
Samuel W Williams who has purchased the share
of all the heirs at law except Jacob &
Willeford is willing to take the said tract of
land and pay to the infant Jacob &
Willeford the sum \$55- which is the
amount which the witnesses E. S. Story
Oris Moon and Joseph T. Moon who were
examined before him say his interest is
worth and your commissioners herewith submit
the depositions of the said witnesses with his
report all of which is respectfully submitted by

J. S. Seabell
Clerk in Chancery

Court fees }
\$150 }

Attendance allowed E. S. Story, Oris Moon

each,
and Joseph T. Moore, for one days attendance
in taking depositions

J. Sebrall
Com'r. &c

108—

Williams & al

vs B

Willford

Commissary Report

Williamus nals
no 3 Decem
Willford

2
May June 1861
To be entered

Geo. B. Ward

Williams v. al

vs 3 Decm

Williford

This day cause came on again to be heard on the papers formerly made and the report of Commissioner Schell made pursuant to a decree of this court entered at this term and to which no report or exception has been filed and was argued by counsel on consideration whereof the court doth adjudge order and decree that the said report be confirmed. and it appearing to the court from the report of Commissioner Schell that the tract of land in the bill mentioned cannot be divided and that James W. Williams who has purchased the share of all the heirs at law except the infant Jacob F. Williford is willing to take the said land and pay to him the sum of fifty five dollars the value of his undivided interest as reported by the Commissioner and James W. Williams the purchaser and Lucinda F. Williford, Thomas Hart and E. D. Hart his wife, Allen Hall and M. C. Hall his wife, J. W. Saunders and L. C. Saunders his wife, Walter R. Williford, and S. C. Williford the vendors and heirs at law consenting thereto the court doth adjudge order and decree that E. L. Stong who is hereby appointed special commissioner for

that person shall convey with special
warranty to Innis Williams all the right title
and interests which Isaac F. Willford, Thomas
Hart and E. D. Hart his wife, Allen Hall and
M. C. Hall his wife, J. W. Saunders and S. C.
Saunders his wife, Walter R. Willford and S. C.
Willford have of, in, and to a certain tract of
land lying in Southampton within of Samuel
B. Willford dice signed and proposed containing
one hundred and ninety four acres. and the
court doth further adjudge, order, and decree that
upon Innis W. Williams paying to the
lawful guardian of Isaac F. Willford the
sum of fifty five dollars the value of his
interest in the said tract of land as
ascertained by the commissioners report the
said E. L. Story shall then convey with
special warranty the said Isaac F. Willford's
interest in the said land to Innis W. Williams
and the said E. L. Story will report his
proceedings to court in order to a further
decree

widow of J. F. Williford died down in one
fifth thereof it being the undivided share of
her deceased husband which descended to her
husband and now held by her and her ^{daughters}
Jacob F. Williford And the parties of the first
do warrant unto the said James W
Williams This said several interests and
shares in the said tract of land generally
as witness their hands and seals this day
and year above written

Lucinda F Williford

L S Sanders

L S Sanders

Witness:

J B Anderson

J B Williams

M L Hall

Allen Hall

Ezra H Hart

Tom Hunt

Seal

Seal

Seal

Seal

Seal

Seal

Seal

Seal

Seal

County of Jackson
State of Florida } To wit — I J B Williams Justice of the
Peace for the County of Jackson in the State of Florida do certify
that Lucinda F Williford whose name is signed to the foregoing
above bearing date the 29th of March 1881 has acknowledged
the same before me in my County aforesaid, given
under my hand this 29th March 1881

J B Williams J P

County of Jackson
State of Florida

To Wit - We J B Williams and J M Pittman Justices of the Peace for the County of Jackson & State of Florida, do Certify that L S Sanders wife of G M Sanders whose names are signed to the writing above (or hereto annexed) bearing date 29th March 1881, Personally appeared before us in the County & State aforesaid, & being examined by us Privately & apart from her husband & having the writing aforesaid fully explained to her, the said L S Sanders acknowledged the said writing to be her act, that she had willingly executed the same, & does not wish to retract or give under our hands this 29th day of March 1881.

Acknowledged before me
J M Pittman
Justice of the Peace
County of Jackson
1881

State of Florida

To Wit - We J B Williams and Jones M Pittman Justices of the Peace for the County of Jackson & State of Florida, do Certify that M C Hall, wife of Allen Hall, whose names are signed to the writing above (or hereto annexed) bearing date 29th day of March 1881, Personally appeared before us in the County & State aforesaid, and being examined by us Privately and apart from her husband & having the writing aforesaid fully explained to her she the said M C Hall acknowledged the said writing to be her act, that she had willingly executed the same & does not wish to retract or give under our hands this 29th day of March 1881.

Acknowledged before me

Jones M Pittman Justice
of the Peace April 16: 1881

J B Williams J P
Jones M Pittman J P

Certificate of Deposit.

\$ 55⁰⁰

Suffolk, Va., Jan'y. 23 1882

This is to Certify that Jacob F. Willeford (Infant)
has this day deposited Fifty five ¹⁰⁰ Dollars

in the **COMMERCIAL BANK OF SUFFOLK,** to be

withdrawn after 5 days' notice, upon surrender of this Certificate, and to bear
interest at the rate of 5 per cent. per annum, if allowed to remain 4 months,

and per cent. if sooner withdrawn. deposit made by Mr Williams & Co
in case of Willeford vs. Willeford & others

HERALD PRINT. *Thos. J. Claw* Cashier.

Williams val
in 2y Decem
Williford

S. be intus
Nov. 1881
Geo. B. B. B.

Williams v. al
vs. J. Deane
Williford.

This day this cause
came on again to be heard on the papers
formerly read and the petition of
Eunius W. Williams and was argued
by counsel on consideration whereof
the court doth adjudge order and
decree that upon Eunius W. Williams
depositing in the papers of this
cause a certificate of deposit of
the Commercial Bank of Suffolk for fifty
five dollars payable to Jacob F.
Williford that E. L. Story as commissioner
shall make to him a deed with
special warranty of Jacob F.
Williford's intent in a tract of
194 acres it being the land in
this suit mentioned and the
said E. L. Story shall report his
proceedings to court in order to
a further decree

Williams is also

on 3 Decem

Williford

1

May, June 1881

Tobaculens

Geo. W. Howard.

Williams vs als

vs } Deere

Williford

This day This cause
came on to be heard
on the plaintiffs
bill the answer

of the infant defendant Jacob F. Williford by his
guardian ad litem and general replication

Thence exhibits filed and was argued by counsel
on consideration whereof the court doth adjudge
order and decree that one of the commissioners
of this court, proceed to inquire into and report
to court whether partition can be conveniently made
among the parties of the tract of one hundred and
ninety four acres of land lying in Southampton
county whereof Samuel B. Williford died seized
and possessed and is not if the interests of those
who are entitled to the subject, or its proceeds will
be promoted by a sale of the entire subject or
allotment of part and sale of the residue or
whether any one of the parties interests will take
the whole and pay the others such sum of
money as their interest therein may entitle them to
together with any other matters specially stated deemed
pertinent by himself or which may be required to be
so stated by any of the parties interested