

1895-05

Southampton County Chancery - Camp, Romine J. vs Sebrell, James E.
et als

Sues for money held by
Guardian to buy land for home

Camp, S. V.
Sebrell, Jas. E.
(Guardian)

Briggs, Sue
" { Sebrell, Lucy B.
" { " , B. W. M.
" {
McLemore, James L.
(G. A. L.)

To Hon. C. W. Hill, Judge of the Circuit Court
of Southampton — In Chancery.

Romaine D. Camp, an infant under
21 years of age, by J. V. Camp, her next friend,
humbly complaining represents to Your Honor
as follows: — That her father is dead, and
she has recently intermarried with J. V. Camp;
that she is 19 years of age, and that Jas.
E. Sebrill is her guardian; that her said
guardian has \$789.⁶⁴ in hand for her;
that this is all the property she has ex-
cept an undivided one-third interest in
the tract of land left by her father, con-
taining ~~250~~ acres, upon which her father's
widow, her mother, M. Sue Briggs, now resides,
and in which the said M. Sue Briggs has
a dower interest; that excepting the 'Mansion
house on said tract of land, which is
occupied by her mother and family, there
are no other buildings in which your Com-
plainant and her husband could reside as
a home, and that they, therefore, have no
home of their own in which to live; your
Complainant is, therefore, anxious to provide
and procure a home for herself and
family in which to live. That the said
Jas. E. Sebrill owns a certain tract of land,
containing, by estimation 250 acres, more or

lives, with good dwelling-house and all necessary out-buildings thereon, same being known as the "Fagan Tract", which is adjacent to the said tract of land upon which her mother and family now reside, and in which your Complainant has an undivided one-third interest, which said tract of land the said Dr. E. Schell is willing to sell and convey to your Complainant, if she will now pay him the sum of \$830.⁰⁰ therefor; that with the \$789.⁶⁴, now in the hands of said guardian belonging to your Complainant, together with the rents that will soon come into the hands of said guardian on account of your Complainant, there will be sufficient funds in the hands of said guardian to pay said sum of \$830.⁰⁰ and your Complainant is anxious that this sum of \$830.⁰⁰ of her money be invested in the purchase of said tract of land, being fully satisfied that it would be to her interest so to do, for the following reasons, among others, to-wit:—

- 1st Because it is a good investment.
- 2nd Because said tract is situated in the midst of complainant's relatives and friends, and is adjacent to the tract of land in which she already has an undivided interest as aforesaid;

3rd Because she wants it as a home for herself & family upon which to live, and being contiguous to the land, in which she already has an interest, and having upon it all necessary buildings it is cheaper for her to buy this farm, and cultivate her other land in connection with it than to build on her other land, as necessary buildings would cost more than she will have to pay for this farm with buildings already upon it.

Your complainant has advised with friends as to the advisability of this investment and they all concur that it would be to her best interest. In the event of the death of yr. Complainant, her mother, the said M. Sue Briggs and her sister, Lucy B. Schell, and her brother, B. W. M. Schell, would be her heirs-at-law.

In consideration whereof & in as much as your complainant is without remedy save in a Court of Equity where such matters are properly cognizable, she prays that Jas. E. Schell, in his own right & as guardian of your complainant, M. Sue Briggs, Lucy B. Schell and B. W. M. Schell, the last two infants, be made parties defendant to this bill & required to answer the same, though answer under oath is waived; that a guardian ad litem be appointed to represent the infant defendant; that said tract of land may be sold and conveyed

to your complainant; that said Jas. E. Schell,
Guardian of your complainant as aforesaid,
out of any money in his hand belonging to
your complainant be authorized to pay to him-
self, the said Jas. E. Schell, the sum of \$830.⁰⁰
as and for the purchase price of said tract
of land, upon the execution by said Jas. E. Se-
bell of a good and sufficient deed, with
general warranty, conveying said tract of land,
free from all encumbrance, to your complain-
ant, the said Romine D. Camp, in fee-simple,
and that your Honor will grant all such
other further relief as the nature of the case
may require or to Equity shall seem meet.

And your complainant will ever pray, &c.

W. J. Schell, p. q. }
}

Camp, by next friend,
vs. } Bill &c.
Schell, Guardian ad litem.

filed Oct 19th

Southampton Circuit Court Nov Term 1894

Jos Esbrell
in his or

Camp, by next friend

vs

} Decree.

Esbrell, Edw. et al

This day this cause came on to be heard upon Complainants bill, the answer of M. Sue Briggs, filed during the term by leave of the Court, taken for confessed as to the other adult defendants the answer of the infant defendants by guardian ad litem, and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that it be referred to one of the Commissioners of this Court to ascertain and report to the Court.

1st Whether it would be to the interest of the said Camille D. Camp, to invest the sum of \$830⁰⁰, of her money, in the purchase of the tract of land in the bill mentioned.

2nd Whether the rights of any person would be violated by the said investment, which inquiries the said Commissioner will make and report to the Court, together with any other matters specially stated, deemed pertinent by himself,

or required to be so stated by any
interested party.

A. Capry

Teste: T. M. Howard L.S.

Warrant by next friend

Wm. Dacre

De Brul, Redn et al

A. Capry

Commissioner's Office,
Court and
Jerusalem, Pa., Meh 1 1895

To J. E. Sebrell in his own right & as Gdn of said
Romie J. Camp. M. Sue Briggs, Lucy B. Sebrell and
B. W. M. Sebrell the last two infants by J. L. M. Lemoore
Gdn ad litem

You are hereby notified that I have fixed upon the 16th day of March
next, if fair, if not, the next fair day thereafter (Sunday excepted), to take and settle, at my office,
the following accounts, to wit:

- 1st. Whether it would be to the interest of said
Romie J. Camp to invest the sum of \$830.⁰⁰ of her money
in the purchase of the tract of land in the bill
mentioned.
- 2nd. Whether the rights of any person would be violated
by the said investment. which enquiry the said
Commissioner will make and report to the Court together
with any other matter specially stated, deemed pertinent
by himself or required to be so stated by any interested
party

required to be taken by a decree of Southampton Circuit Court, rendered at the November
term, 1894, in a suit in chancery depending in said Court, in which you are parties, plaintiffs and
defendants; at which time and place you are required to attend.

Given under my hand, as Commissioner in Chancery of said Court, the day and year first
aforesaid.

B. L. M. Lemoore

Commissioner.

To the Sheriff of Southampton County to execute.

We acknowledge legal service of this notice
March 16. 1895

~~W. J. Sebell~~ ~~Esq.~~
J. L. McQuinn Esq. ad litem
for infants

Camp, by J.
r } Report

Sibrelli Gdn + als:

1895 Mch 19 "filed
J.M.W. C.C.

Camp by next find &c.
vs.
Sebrell & Son &c.

The depositions of C. A. Bell & others taken in the above mentioned cause on March 16th 1895. before B. F. W. Leamore Commissioner in chancery of the Circuit Court for Southampton County. pursuant to decree entered in the said cause on the day of 1894.

Present:

W. J. Sebrell Counsel for Plaintiff
J. L. W. Leamore Esq. ad litem for Defendant.

The witness C. A. Bell being first duly sworn deposes & says -

I am 28 years of age reside in this County & know the parties to this suit.

Q. Do you know the Fagan track & place in the bill & proceedings mentioned?

A. I do.

Q. Would or not it be to the interest of Rommie Camp to invest the sum of \$830.⁰⁰ in the said track & place?

A. Indeed I consider the farm worth \$1200.

Q. Would any persons rights be violated by the proposed investment?

A. None that I know of.

And further this Deposition says it not.
C. A. Bell

J. A. Coker being next duly sworn
deposes says-

I am 36 years of age reside in the County
of Southampton & know the parties to this suit
and also know the land mentioned in the bill.

Q. You have read the evidence of C. A. Bell, do
you think his answers to the inquiries correct
and do you agree with him?

A. I do. At least I would say the property
well worth \$1000.

And further this deponent says the next

J. A. Coker

The witnesses S. V. Camp being first
duly sworn deposes says.

I am 23 years of age, reside in the County of
Southampton and am husband of J. R. Romine & Camp.

Q. Do you know the land in the bill mentioned?
A. I do. Lie upon it.

Q. Would it or not be to the interest of Romine &
Camp to invest the sum of \$830.⁰⁰ in the tract
of land above mentioned?

A. I think it would be to her interest that the
investment be made.

Q. Do you as husband of Romine & Camp, in view
of the relationship you bear to her & of any rights you
may have with respect to the investment in the
bill mentioned be made?

A. I do.

And further this deponent says the next

S. V. Camp

Sworn to and subscribed this 16th day of March
1894

D. F. McLennan
Clerk in Charge

Commissioner's Office.
Courtland, Va.

March 16, 1895

To the Circuit Court of Southampton Co.
In obedience to a decree of the Circuit Court,
for the County aforesaid, entered at the Novem-
ber Term 1894 in the cause of Camp, by &c. vs.
Sebrell, Guardian, the undersigned Commis-
sioner of said Court, to whom said decree has
been referred, reports to Court, that on the
first day of March 1895, he issued Notice
against the parties requiring them to
appear before him at his Office in Court-
land, on the 16th day of March 1895, at which
time and place he should proceed to make
the inquiries ~~and take and report the~~ ~~re-~~
~~quired~~ required by the decree above referred to.,
that legal service of said Notice has been
acknowledged. Whereupon Your Commissioner
proceeded to make the following inquiries, viz:
1st. Whether it would be to the interest of Mrs
Romine J. Camp to invest the sum of \$830.⁰⁰
of her money in the purchase of the tract of
land in the bill mentioned?
2^d. Whether the rights of any party would be
violated by such investment. &c. &c., And having
taken the depositions of Mr L. A. Bell & others -
he submits the following report:
That it will be to the interest of ~~the parties~~ Mrs
Romine J. Camp to allow her Guardian, Jas. E. Se-
brell, to invest the sum of \$830.⁰⁰ of her money in
the tract of land in the bill and proceedings men-
tioned; And that the rights of no person will

be violated thereby. The Notice of the time
and place of hearing, and the definitions of the
words upon which, this report is based, are
herewith filed. to which the attention of the
Court is specially directed.

Respectfully Submitted.

D. F. McLeary

Clerk in Charge

Clerk's fee \$5.00
Charge to Pettr

Camp, by next friend -
vs. 3 In Ch'g.

Sebrill, Edu. et al.

Answer of M. Sue
Briggs -

The answer of M. Sue Briggs, defendant, to the bill of Complaint exhibited against her and others in the Circuit Court of Jackson County by Romine J. Camp, who was by J. V. Camp her next friend.

This defendant, saving and reserving to herself the benefit of all just exceptions, for answer to said bill, or to so much thereof as she is advised it is material for her to answer, answering, says -

That the allegations in said bill she believes to be true; that she considers the price ~~offered~~ to be paid for the said tract of land by the said Romine J. Camp reasonable and fair, and she regards it as a good investment for the said Romine J. Camp, who is her daughter, and in whom she feels a deep and abiding interest - She, therefore, prays that the investment sought in said bill on the part of her said daughter may be ordered by this Honorable Court.

And now having answered the Complainant's bill, and denying all unlawful combinations and confederacy, this respondent prays hence to be dismissed with her reasonable costs in this behalf expended, and she will ever pray &c.

M. S. Briggs.

The answer of J. L. McLenore, guardian
ad litem of Lucy B. Sebrice and B. W. M.
Sebrice, to a bill in equity - exhibited in
the Circuit Court of Southampton County, Va.,
by Rosine J. Leamp, who was by her next friend,
against the said Lucy B. Sebrice and
B. W. M. Sebrice and others.

This respondent saving to himself the benefit
of all just exceptions to said bill, for answer
thereto, or to so much as he is advised it is
material that he should answer, answers
and says; That he does not know whether
the interests of the infants defendants would
be affected by the investment as prayed for
in the said bill or not, but that he submits,
as he thinks he ought to do, their interests
to the protection of the court.

And having fully answered he prays
hence to be dismissed &c.

J. L. McLenore
Cdn ad litem

Camp, by next friends
vs. 3 Answer &c.
Debris, Gen. & etc.

Answer of Gen. & etc.

Camp by etc
4" } Sum

Sevells Edw et al
1894 2" Oct Rules
bin. let.

Executed Oct. 10th 1894
by delivering a copy of
this Sum³ to each
of the within named
parties defendant

W. Williams
Shff
4 parts
for 2nd

Sevells W. J. Jr.

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON

*James E. Sebrall in his own
right & as Gdn of said Romine J. Camp, M.
Jue Briggs, Lucy B. Sebrall and B.W. M.
Sebrall, the last two infants, by J.L.
McLennan Gdn ad litem.*

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 *3^d* Monday in *October 1894* next, to answer a Bill in Chancery
exhibited against *them* in our said Court by *Romine J. Camp who
sues by S. V. Camp her next friend.*

And this *they* shall in no wise omit under penalty of law. And have then there this writ.

WITNESS, T. M. HOWARD, Clerk of our said Court, at the Courthouse, this *10th* day of
October, 189*4*, in the 11*th* year of the Commonwealth.

TESTE:

T. M. Howard., C. C.

Camp by the

W.

} written opinion
of Dr. Price, atty.

Price, Edw. et al.

I, J. B. Prince, an attorney at law,
practising in the Circuit Court of
Southampton County, do hereby certify
that I have made an examination
of the title to the land mentioned
in the bill in the chancery cause
now depending in said court, styled
Camp, by next friend v. Debrue, &c. &c.,
and that I find the title of J. E.
Debrue, thereto, clear, complete, and
free from incumbrance, and I am
of opinion that the said Romine
I. Camp will, by the deed required
by a decree in said chancery
cause to be made the said Romine
I. Camp by the said J. E. Debrue
and A. M. Debrue, his wife, acquire
a good and indefeasible fee simple
title to the said land.

Sept 20. 1895

J. B. Prince
Atto

Camp, by H.
H. } Dieren
} Sibree, gold shoes

Enter Mar. 29, 1893.
Robert R. Prentiss.

Camp, by Jo

25.

Sebrall, Esq. et al.

This day this cause came on to be further heard on the papers formerly read and the report of Commissioner M. Lemoore filed 19th day of March 1895 ~~the~~ which report there is no exception, and on the examination of witnesses returned with the said report, and was argued by counsel: On consideration whereof the Court doth approve and confirm the said report, and it appearing that the investment in the bill mentioned, would be to the interest of the infant Romine I. Camp and that the rights of no person would be violated thereby, the Court doth adjudge, order and decree that the sum of \$830.⁰⁰ of the said Romine I. Camp's money be invested in the purchase of the tract of land in the bill mentioned. And in order to effectuate the said investment, the Court doth decree that Jas. E. Sebrall, guardian of said Romine I. Camp, pay to himself the sum of \$789.⁶⁴ which amount he now has in his hands as guardian of the said Romine I. Camp, and that he pay to himself the balance of the said purchase price of \$830.⁰⁰ out of any funds that may hereafter come into his

his hands as guardian of the said Romine
J. Camp. But before the said
J. E. Sebrill shall pay to himself any
of the money directed to be paid by this
decree, the said Jas. E. Sebrill and A.
M. Sebrill his wife are required to make
and deliver to the said Romine J. Camp
a ^{good and sufficient} deed of bargain and sale, with general
and ~~the usual~~ covenants
warranty of title, for the said tract of
land in the bill mentioned, and shall
also ~~be~~ cause an examination of
the title to the said land to
be made by some competent
and discreet attorney at law
practising in this Court, and
file the written opinion
of such attorney with the
papers ^{of this cause} showing that the
said Romine J. Camp will
by the said deed acquire
a good and indefeasible
fee simple title to the said
land. -

Camp, by next friend, }
vs. } Decree.
Schell, Gdn. et al.

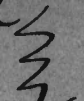
This day this cause came on to be heard upon Complainant's bill, the answer of M. Sue Briggs, filed during the term by leave of the Court, taken for confessed as to the other adult defendant, the answer of the infant defendants by guardian ad litem, and was argued by Counsel. On consideration whereof, the Court doth adjudge, order and decree that it be referred to one of the Commissioners of this Court to ascertain and report to the Court, ^{1st} Whether it would be to the interest of the said Romine J. Camp to invest the sum of \$830⁰⁰, of her money, in the purchase of the tract of land in the bill mentioned; 2nd Whether the rights of any person would be violated by the said investment, which inquiries the said Commissioner will make and report to the Court, together with any other matter specially stated, deemed pertinent by himself, or required to be so stated by any interested party.

Camp, by night friends,
vs. $\frac{3}{3}$ Deane.
Sebrill, Gov. et al.

14 Nov. Tenn 1894.

To be entered -
CMA -

10 J. Sebrill, N.Y.
Ent 698.

Camp, by re.,
vs.  Statement of W. J. Sebrell, Esq.
Sebrell, Exor. et al.

W. B. Price, a competent and discreet attorney at law, practising in this Court, having made an examination of the title to the land in the bill and proceedings mentioned, and having filed a written opinion with the papers of this cause, showing that Romina D. ~~Camp~~, will, by deed from James E. Sebrell and A. M. Sebrell, his wife, acquire a good and indefeasible fee simple title to said land; the said Jas. E. Sebrell and A. M. Sebrell, his wife, have made and delivered to said Romina D. Camp a good and sufficient deed of bargain and sale, with general warranty, and the usual covenants of title, for the tract of land in the bill and proceedings mentioned, and, thereupon, said Jas. E. Sebrell, guardian of Romina D. Camp paid himself the purchase price of \$830⁰⁰, as directed by decree herein entered on the 29th day of March 1845, and there is nothing further remaining to be done in this cause.

Respectfully submitted,
W. J. Sebrell, Esq.

Camp, by re.,
vs.  Diereu.

Subill, Gdn. et al.

Sept. term 1895.

To be entered -
Sept. 24, 1895.

~~Wm. K. Dennis~~

Entered

page 31

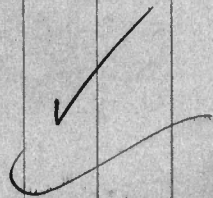
Camp, G. & Co.,
vs. $\left\{ \begin{array}{l} \text{Deeree.} \end{array} \right.$

Subell, Gdn. et al.

This day this cause came on to be further heard upon the papers formerly read and upon the statement and the written opinion of J. D. Prince attorney appearing for W. J. Subell, attorney, showing that the purposes of this suit have been ^{to the full} fully accomplished, and was argued by counsel. On consideration whereof, and it appearing that nothing further remains to be done in this suit, it is ordered that the same be removed from the docket.

Camp by oc
Dr" } Stobi Rules
Sebreu Sedu et als

2 Act Rules



Ramine I. Camp who
sues by S.V. Camp her
next friend.
(Dr)

James E. Sebrell in his
own right & as fiduciary of
said Ramine I. Camp
M. S. Briggs, Lucy
B. Sebrell & B.W.M.
Sebrell the last two
infants by J.L. Mc-
Lemore Ad litem.

1894. Oct. 10 Process up to 2nd Oct Rules.

" 2 Oct Rules. Process rets executed

+ Bill & Ex filed & answer

of Edm ad litem of Infants filed with genl
replication thereto. Decree

J.L. McLemore ^{decreased} ~~decreased~~ Adult deft.

1894 / Nov Rules Bill taken for
confessed as to adult

defendant & cause set
for hearing as to them