

1897-28

Santhampton County Chancery

Sledge, A. R. vs. Bunn, Sarah J. et al

"Partition of premises,
if not sold, and proceeds
be divided among parties
entitled."

Harwood, J. M.

Sledge
vs { Bice,
Dunn + others,

1896. 14" Jan. filed
L. A. Gay 66.

J. B. Prince +
JAMES L. MCLEMORE,

Attorney-at-Law.

COURTLAND, VIRGINIA.

Everett Wadley Co., Stationers and Printers, Richmond, Va.

In the Circuit Court for the County of Southampton, Virginia.

To the Honorable Robert R. Prentiss, Judge.

In Chancery.

Your Complainant, A.R. Sledge of the County of Sussex, respectfully represents that she is by virtue and effect of the statute law in such cases made and provided, seized in fee of a one third undivided interest in the real estate of which Mrs. Rebecca Rowland died seized lying in the County of Southampton, containing 562 acres more or less, and bounded by the lands of F.P. Grizzard, Geo. Dunn, N.T. Ridley and J. Jesse Seaborne's place; that the remaining two thirds is owned by Sarah J. Dunn, also of the County of Sussex, and J.M. Harwood of the State of Miss. That at the death of the said Mrs. Rebecca Rowland your oratrix, her niece, and the only child of *Mary* Underwood who was her sister, but who is now also dead, and Mrs. Sarah J. Dunn and J.M. Harwood, were the nearest kin of the said decedent, Rowland; the last two being sister and brother, the three representing the entire estate of the said Mrs. Rowland, she having died intestate, and leaving no mother or father. That the said decedent departed this life intestate some time in the year 1894,

Your oratrix further states, that the said real estate is, as she believes, susceptible of partition in kind among the parties entitled thereto; but if the same be not, then your complainant desires the same to be sold, and the proceeds divided among the parties entitled according to their respective rights. Should the property not be divisible in kind, your complainant believes, and here states, that the interest of those entitled to the said real estate, or its proceeds will be promoted by a sale of the whole of the said real estate, or by allotment of part and sale of the residue.

In tender consideration whereof, and forasmuch as your complainant is remediless in the premises save by the aid of a Court of equity, where matters of this kind are alone and properly cogniza-

ble to the end, your complainant prays that the said Mrs. Sarah J. Dunw
and J.M. Harwood may be made parties defendants to this bill and re-
quired on their oaths to answer the same; that the said real estate b
be divided between the several parties entitled thereto, and your com-
plainant's portion allotted to her, and in case the said real estate c
cannot be partitioned in kind, that the same be exposed to sale, and
the proceeds of such sale be divided among the parties entitled there-
to; that all proper orders and decrees may be made, and proper enqui-
ries be directed, and that all such other, further and general relief
may be afforded your Oratrix as the nature of her case may require, or
to equity may seem meet. Notice is hereby given that the Court will
will be asked to allow to plaintiff's counsel reasonable fees out
of any funds coming under the control of the Court. And Your Oratrix
will ever pray &c.

A. R. Sledge

Prince & Clemons
P. J.

A. R. Sledge

vs. } Deere

Sarah J. Deane & J. M. Harwood

Entered

Page 55

①

A. R. Sledge.

vs.

} Decree.

Sarah J. Dunn & J. M. Harwood.

This day this cause, which has regularly matured at rules, came on to be heard, upon the bill & exhibits filed, order of publication against the non-resident defendant duly published and posted according to law, the bill taken for confessed as to all of the defendants, and was argued by Counsel—On consideration whereof, the Court doth adjudge, order, and decree that this cause be referred to one of the Commissioners of this Court, who will enquire and report the following:

- 1st Whether or not the land in the bill of proceedings mentioned, is susceptible of partition in kind among the parties entitled thereto
- 2nd. Whether any two of the parties, are willing to have their shares laid off together, & if so, could partition then be made in kind
- 3rd. Whether or not any of the parties will accept the entire subject matter by paying to the other parties such sums of money as their interest therein may entitle them to.
- 4th. Whether or not the interest 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; together with any other matter specially stated deemed pertinent by himself, or required to be stated by any interested party.

A Copy.

Teste: L. A. Gay C. C.

Mr. J. D. McLenore

I understand
through Mr. Harris. You were
asking whether I wished the
land, belonging to Mrs. R. L.
Rowland, to be divided, or sold,
all together. I wish it to be sold,
at public auction, & not
divided.

Very Respectfully,
Mr. Sarah J. Quinn

Sept-18-1896

We acknowledge the receipt and
of this notice.

Sept. 1. 96.

A. B. B. B. B.
H. B. B. B. B.
H. B. B. B. B.
B. B. B. B. B.

Sledge
v.
Rowland's Adm.

Commissioner's Office,
Courtland
Jerusalem, Va., Sept 1st 1896

To A. R. Sledge,
Sarah J. Drum + J. M. Howard

You are hereby notified that I have fixed upon the 12th day of September
¹⁸⁹⁶~~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 or not the land in the bill and proceedings mentioned is susceptible of partition in kind among the parties entitled thereto.
- 2nd. Whether any two of the parties are willing to have their shares cut off together, & if so, could partition then be made in kind.
- 3rd. Whether or not any of the parties will accept the entire subject matter by paying to the other parties such sums of money as their interest therein may entitle them to.
- 4th. Whether or not the interest of those who are entitled to the subject or its proceeds, could be promoted by a sale of the entire subject matter - or by allotment of part and sale of residue.
- 5th. Any other matter specially stated deemed pertinent &c.

required to be taken by a decree of Southampton Circuit Court, rendered at the March
term, 1896, 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. F. McLenore

Commissioner.

To the Sheriff of Southampton County to execute.

Sledge
& } Report.

Dunn & Starwood
1896. Sept. 12. final.

L. A. Gay l.b.

✓

Commissioner's Office.
Courtland, Va.

Sept. 12th 1896.

To the Circuit Court of Southampton Co.

Pursuant to a decree of said Court, entered at the March Term 1896. in the Chancery Cause of A.R. Sledge & Dunn & Howard, the undersigned Commissioner reports to Court, that on the 1st day of Sept. 1896. he issued Notice against the parties - requiring them to appear before him, at his Office, Courtland Va. on the 12th day of September 1896. at which time he should proceed to take the accounts required by the aforesaid decree. That legal Service of said Notice has been acknowledged by Counsel for Parties, and is herewith filed.

Whereupon the Commissioner proceeded to enquire, -

- 1st - Whether or not the Land in the bill and proceedings, mentioned, is susceptible of partition in kind.
- 2nd - Whether or not any two of the parties are willing to have their shares cut off together. & if so, could partition then be made in kind? 3rd - Will any party accept the entire subject matter - and therefore to the other parties such sums of money as their interest therein may entitle them to. & 4th - Whether or not the interest of all parties would be promoted by a sale of the entire subject. &c. &c. &c. And submits the following report: That from conversations had with and enquiries made of parties living near the land in the bill and proceedings mentioned. he is of opinion that it is not susceptible of partition in kind. The Commissioner reports further: that all the interested parties are Adults. ~~and~~ opposed to partition, and desire a sale of the whole tract. and division of the proceeds

according to their respective rights. For reasons so
stated, the Commissioner respectfully recommends
a sale of the entire subject matter, and that the
proceeds be divided among the Heirs at Law and
distributors of decedent, as their rights may appear.

Respectfully Submitted.

B. F. McFadden

Clerk in Chancery.

Comptroller
\$5.00.

To.

Sarah J. Dunn + J. R. Harrop.

Take notice, that we shall through our Counsel, apply
to the Judge of the Circuit Court of Southampton County, at his Office,
in Suffolk, Va., in Vacation, on the 28th day of Octo. 1896, for a de-
gree to be entered in the said Chancery cause of *A. R. Sledge*
vs. *Dunn + Harwood* now pending in the said court, prepara-
tory to a final decree.

Octo. 24/1896

Respectfully,

*A. R. Sledge by
Counsel.*

We acknowledge due legal
service of this notice, Oct. 24, 1896

J. R. Harrop

Sarah J. Harrop by
Counsel.

Sledge

V.S. } Sum: in chg:

Sum & others

1896. 2. Feby. Rules.

lev: let:

The within sum-
mons was exe-
cuted on the 7th
day of Feby. 1896
by delivering a
copy thereof, in
writing, to Sarah
D. Dunn in
person, at her
usual place of
abode in Sussex
County Virginia,
J. M. Harwood is
a nonresident.

Geo. Blow, Deputy
Shiff for Geo. P. Harwood
Prince & Harwood
Shiff of Sussex
Co.

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ^{Sussex} SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON *Sarah J. Sumner* *Ans*

J. M. Harwood

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 *1st* Monday in *February* next, to answer a Bill in Chancery exhibited against *them* in our said Court by *A. R. Sledge*

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

WITNESS, *L. A. Gay* ~~T. M. HOWARD~~, Clerk of our said Court, at the Courthouse, this *14th* day of *January*, 189*6*, in the *17th* year of the Commonwealth.

TESTE:

L. A. Gay, C. C.

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON *J. M. Harwood*

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 *3rd* Monday in *February* next, to answer a Bill in Chancery exhibited against *her et als*, in our said Court by *A. N. Sledge*

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

WITNESS, *L. A. Gay* T. M. HOWARD, Clerk of our said Court, at the Courthouse, this *14th* day of *January*, 189*6*, in the 1*2th* year of the Commonwealth.

TESTE:

L. A. Gay, C. C.

Sledge

vs } Dr: Pub:

Summ et als.

1896. 14" Jany. filed
L. R. Gay L. L.

Virginia:

In the Clerk's Office of The Circuit Court
of Southampton County, Jan'y. 14th. 1896

A. R. Sledge Plaintiff

Against

Mrs. Sarah J. Dunn ^{et al}

J. M. Harwood } Defendants

In Chancery

The object of this suit is to divide the
real estate of which Mrs. Rebecca ^{L.} Rowland
died seized, lying in Southampton County
Va., and if it be impracticable to partition
same in kind; then to sell said real
estate and divide the proceeds among the
parties entitled thereto.

And affidavit having been made and filed
that J. M. Harwood one of the defendants
to this suit is a non-resident of this
Commonwealth, the said J. M. Harwood is
required to appear within fifteen days after
due publication of this order, in the Clerk's
Office of our said Court at rules to be
holden therefor and do what is necessary
to protect his interest, and it is ordered
that a copy of this order be forthwith published
once a week for four successive weeks, in the
Black Hair banner, a newspaper printed and
published in the town of Franklin, in the County of
Southampton Va., and be posted as the law directs. Inw: L. A. Gay C. C.

Filed Jan'y 31. 1896

Times & M. L. p. 9.

Sledge

vs. } Allis Affidavit

Deane & others

1896. 14. Jan. Filed

L. A. Gay L. b.

Virginia: Southampton County to wit:

I, J. L. McLenore, do solemnly swear that
J. M. Harwood one of the defendants against whom
I, as one of the attorneys for the plaintiff - A. R.
Sledge, is about to enter suit in the Circuit Court
of Southampton County, is a non-resident of
this Commonwealth.

J. L. McLenore
att. for A. R. Sledge

Subscribed and sworn to before me this
14th day of January 1896.

L. A. Gay, C. C.

Sledge

vs. } Statement of Rules

Summinals

A. R. Sledge

Plaintiff

vs. } In Chancery

Sarah J. Dunn and J. M. Harwood

Defendants

1896. 14th January. Process Sps. to 2nd Feby Rules.

Order Pub. Sps. affidavit filed.

1896. 2nd Feby. Rules. Process returned executed on

Sarah J. Dunn. Bill filed, Deceit nisi

1896 1st March Rules. Or. Pub. Compl. to, Bill taken

for confessed and cause set for hearing

Weekly
One Year, \$1.00.

—OFFICE OF—
R. I. LEARY,
—Publisher of—

Weekly
Six Months, 50c.

THE BLACKWATER COURIER,

Lock-Box No. 42.

FRANKLIN, VA.

Office: Main St.

—{ THE COURIER is the cheapest and best advertising medium in the State of Virginia. }—

Franklin, Va., *Feb'y 28th 1896.*

VIRGINIA:
In the Clerk's Office of
the Circuit Court of Southampton
County, January 18, 1896.
vs. *In Chancery.*
Plaintiff.
vs. *In Chancery.*
Defendants.

Mrs. Sarah J. Dunn }
and J. M. Harwood. }
The object of this suit is to divide the
real estate of which Mrs. Rebecca L.
Rowland dec'd seized, lying in South-
ampton County, Va., and if it be imprac-
ticable to partition same in kind; then to
sell said real estate and divide the pro-
ceeds among the parties entitled there-
to.

An affidavit having been made and
filed that J. M. Harwood, one of the
defendants to this suit, is a non-resident
of this commonwealth, the said J. M.
Harwood is required to appear within
fifteen days after due publication of this
order, in the Clerk's Office of our said
Court at rules to be holden therefor and
do what is necessary to protect his
interest, and it is ordered that a copy of
this order be forthwith published once
a week for four successive weeks, in the
Blackwater Courier, a newspaper printed
and published in the town of Franklin,
in the County of Southampton Va., and
be posted as the law directs.

A copy.—Tenn: L. A. Gay C. C.
Brace & McLemore p. q.

*This is to certify
that the notice herunto
attached has been
published in the
Blackwater Courier
a weekly paper
published in
Franklin Va for
four successive
weeks*

R. I. Leary Pub

2/29/96

Virginia:

*In the Clerk's Office of the Circuit Court for South-
ampton County. March 3rd 1896.*

*I, L. A. Gay Clerk of aforesaid Court, do certify that I
posted a copy of the foregoing order at the front door of the
Court House on Jan'y 31. 1896.*

L. A. Gay C. C.

Shady AR
77 Report of
396
Anna & Harwood
1896 Oct. 28th field.

To the Honorable Robert R. Prentiss, Judge &C.,

The undersigned Commissioner appointed at the September term 1896, of this Court, in the Chancery cause of Sledge Vs. Dunn & Harwood, to make sale of the tract of land lately owned by Mrs. Rebecca Rowland, lying in the County of Southampton, containing 562 acres more or less and bounded by the lands of F.F. Grizzard Geo. Dunn and others and lying near the Sussex line, begs to report that after duly advertising the time place and terms of the sale in accordance with the decree aforesaid, he exposed to public sale on Monday the 19th. day of October at Courtland Va., the tract of land aforesaid, at which sale so made, J.R. Harrop became the purchaser by bidding therefor the sum of \$730. that being the highest bid made therefor, and is now ready to pay for the same in cash and take a deed upon the confirmation of the sale by the Court. The family burial ground as at present located and bounded, was reserved in the sale, also the right of ingress to, and egress from the same.

Your Commissioner thinks the sale a fair one and that it should be confirmed,

October 26, 1896.

Respectfully Submitted,

J. M. Lenoir
Special Commissioner

S Ldge.
vs.
Dunn et als,

Jas. L. McLemore

to } COMMISSIONER'S
BOND.

Commonwealth.

Date:

Clerk

Given under my hand this

day of

18

whereupon the said bond is admitted to record according to law.

and expect to have to pay

within the sum of

dollars

of all just debts and dues for which

bond has been

for officers

of the Circuit Court of the County of

Clerk

and on the above bond made and returned

Clerk

This day

In the Clerk's Office of the Circuit Court of the County of

Know all Men by these Presents, That we J. L. M. Leunroe
& J. B. Prince

are held and firmly bound unto the Commonwealth of Virginia, in the sum of

Two Thousand Dollars,
to the payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind
ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally,
firmly by these presents, hereby waiving the benefit of our Homestead Exemptions as to this obligaiton,
and any claim or right to discharge any liability to the Commonwealth arising under this bond, or by
virtue of said office, post or trust, with coupons detached from bonds of this State. Sealed with our
seals, and dated this 29th day of Sept one thousand eight
hundred and twenty six

The condition of the above Obligation is such, That if the above bound

J. L. M. Leunroe
shall faithfully perform the duties of his office or trust, as Special

Commissioner
under a decree of the Circuit Court of the County of Southampton, pronounced on the 28th

day of Sept, 1896, in the suit therein depending under the name and

style of Slidgr vs. Dunn & Harwood

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in
the presence of

J. L. M. Leunroe
J. B. Prince

SEAL.

SEAL.

SEAL.

In the Clerk's Office of the Circuit Court of the County of Southampton:

This day J. B. Prince

surety on the above bond, made oath before me L. R. Gay, Clerk
of the Circuit Court of the County of Southampton, that his estate after the payment
of all his just debts, and those for which he is bound as security for others,
and expect to have to pay is worth the sum of Two Thousand dollars;
whereupon the said bond is admitted to record according to law.

Given under my hand this 29th day of September 1896.

Teste: L. R. Gay Clerk.

—MONTHLY STATEMENT.—

Franklin, Va., Feb. 28, 1896.

W) Primer & McLane

TO BLACKWATER COURIER Dr.,

R. I. Leary, Publisher.

FINE JOB WORK, QUICKLY EXECUTED.

To Court Notice \$5⁰⁰
In case Sledge vs. Dunn &
others—

paid R. I. Leary Per

Oct. 31/96

Sledge,
W. } Statement of costs
Linn & Harwood

Sledge

vs

} Statement of Costs.

Dunn & others

Serv., 25, 2 copies 26, rect, 18, ally, 10, Dock, 18 = 97
3 Rules 150, entering return 35, fil. Bice 15, Dr. Ex 15 = 21.5
oath as to non residence 15, fil. affidavit 15, Copy or. Pub, 20 = 50
Dr. 15 post, 20, filing printers certificate 15 = 35
Comm's bond 140, 2 Decrees copy 140, Jan costs 40 = 324
filing away papers 25. (future costs about 150) = 25

Paid Oct. 30th 1896 L. A. Gay book \$7.46

pt by John Shiff. of Survey 150

Paid, Pruit & McLeone Lawl. 16.50

\$25.96

Paid B. F. McLeone Fee of Comm B, F, McLeone

5.00

Black water Comm's acct.

5.00

\$35.96

\$50.⁰⁰ Recd off. L. W. Lemore, Special Comm. Sledge vs.
Drum & Starwood, the sum of Fifty Dollars, fee
allowed by Court. Acto. 30, 1896.

Prince & L. W. Lemore
Atty.

20

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22

23

24

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Recd. of J. L. Moore, Spec. Comm. in case
Hedge v. Denny & Starwood, the sum of Five Dollars
for selling land of J. L. Rowland.

Octo. 19. 1896.

R. L. Moore

Postage \$ 1.50

JAS. L. MCLEMORE,

Attorney at Law,

COURTLAND, VA.

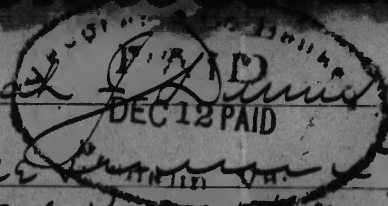
No 130

Franklin, Va., Octo. 30 1896

Vaughan & Co. Bankers.

Pay to the
order of

Mrs Sarah ~~Davis~~



Two Hundred + One ³¹/₁₀₀ Dollars

In settlement your share from sale of part of the Mrs Rebecca Rowland died.

\$201. ³¹/₁₀₀

Jas. L. McLemore

Statement of Amount collected by Jas. L. McLemore, Special Commissioner under decree of Court in case of Sledge Vs. Dunn & Harwood, from sale of Rebecca Rowland land. sold October 19, 1896.

Total purchase price,		\$730.00
Dr.		
To Comms, on sales,	\$23.60	
" paid for posters, &c,	1.50	
" paid Auctioneer,	5.	
" paid for Spec. Commr. deed,	10.	
" paid Costs, of the suit, Court cost,	35.96	
" paid Prince & McLemore, fee allowed by the Court,	50.	
	-----	126.06

To be distributed among the heirs, \$ 603.94

To J. M. Harwood,	I/3 of \$ 603.94	\$ 201.31 ³	
" Mrs. A.R. Sledge,	" "	201.31 ¹	
" Mrs. Sarah J. Dunn,	" "	201.31 ¹	

		\$ 603.94	\$603.94

Received of Jas. L. McLemore special Commissioner in the Chancery cause of ~~John W. Sledge~~ Sledge Vs. Dunn & Harwood, pending in the Circuit Court of Southampton, the sum of Two Hundred and One & 31/100 Dollars in settlement of the amount in his hands as said Commissioner, ^{due to me} as shown by the above statement, October 31, 1896.

(Sign return)

J. M. Harwood

Statement Collection from J.R.
Harrop from sale of Rowland Land.
- Octo 19/1896.

Total Purchase Price		\$730.
Paid Cash on Sale.	23.60	
" for posters	1.50	
" Auctioneer	5.00	
" for Writing Splice Pair Dec.	10.00	
" Paid Costs, of the suit	35.96	
" " " " " " " " " "	50.00	\$126.06
Ans. to be distributed		\$603.94
One third to Mrs A.R. Sledge		\$201.31.

Recd of Jas. L. McLenon Splice Pair in case of
Sledge v. Dunn & Harwood the sum of Two hundred & One &
³¹/₁₀₀ Dollars in settlement of account due me from sale of
Mrs Rebecca Rawlands land as shown by the above statement.
Octo. 31. 1896.

At Re Sledge by J. J. Sledge

To the Hon. Robert R. Prentiss, Judge Circuit Court.

The undersigned, begs to report that pursuant to a decree entered herein October 29th. 1896, he collected from the purchaser of the land, J.R. Harrup, the said sum of \$730. and executed to him a deed with special warranty for the tract of land described in the plaintiff's bill, and containing 562 acres more or less, and has disposed of the funds in his hands as follows:

Total amount received from sale of land,		\$ 730.00
To Commissions on same,	\$ 23.60	
" Paid for posters &c.	1.50	
" paid Auctioneer,	5.	
" paid for writing Commr. deed,	10.	
" paid Costs. of suit,	35.96	
" paid Prince & McLemore fee allowed by Court,	50.	
	-----	126.06
To be distributed,	\$	603.94
To Paid J. M. Harwood, 1/3 of \$603.94	\$201.31 ³	
To Paid Mrs. A.R. Sledge, "	201.31 ³	
" paid Mrs. Sarah J. Dunn, "	201.31 ³	

	\$603.94	\$603.94

Vouchers returned with this report.

Respectfully Submitted,

Geo. L. McLeary
Special Commissioner

October 30, 1896.

Slidgr A.R.
vs. ~~3~~ Deere
Dunn & Harwood

1896. March, 2nd
To be entered.

Robert E. Deere.

Entered

Page 55

A. R. Sledge.

vs.

Decree,

Sarah J. Dunn & J. M. Harwood.

This day this cause, which has regularly matured at rules, came on to be heard, upon the bill & exhibits filed, order of publication against the non-resident defendant ~~published and posted~~ ^{according to} ~~the bill taken~~, the bill taken, for confessed as to all of the defendants, and was argued by counsel. On consideration whereof, the Court doth adjudge, order, and decree that this cause be referred to one of the Commissioners of this Court, who will enquire and report the following:

- 1st. Whether or not the land in the bill & proceedings mentioned, is susceptible of partition in kind among the parties entitled thereto.
- 2nd. Whether any two of the parties, are willing to have their shares laid off together, & if so, could partition then be made in kind.
- 3rd. Whether or not any of the parties will accept the entire subject matter by paying to the other parties such sums of money as their interest therein may entitle them to.
- 4th. Whether or not the interest 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; together with any other matter specially stated deemed pertinent by himself, or required to be stated by any interested party.

Sledge,

vs. Decree.

Dunn & Harwood,

Enter 28, September 1898.

Robert H. Deantis

Entered Page 98-

A. R. Sledge,

A. R. Sledge,

Vernis,

Lunn & Hargood,

This day this cause came on again to be heard upon the papers formerly read, and upon the report of commissioner R. B. McLeMore, filed September 12th. 1896, to which no exceptions have been taken, and was argued by Counsel. On consideration whereof, and it appearing from the said report that partition cannot be made of the land in the bill mentioned, in any of the modes prescribed by law, doth the judge order and decree that J. B. Prince and Jas. L. McLeMore, be and they are hereby appointed special commissioners, (either of whom may act) who are hereby authorized after duly advertising the time place and terms of the sale for 20 days, by posters to expose to sale at Courtland or such other place as to them may seem best, the tract of land mentioned and described in the plaintiff's bill, upon the following terms: One third cash, the remainder in two equal installments of one and two years purchaser to give bonds for the deferred payments, carrying interest from day of sale, with option to the purchaser to pay all the purchase money in cash and take a deed upon the confirmation of the sale by the Court. But before the said Commissioners or either of them shall proceed to act hereunder, they or one of them shall enter into a bond before the Clerk of this Court in the penalty of \$2000, conditioned for the faithful performance of this or any future decree that may be entered herein, and with security approved by the said Clerk.

Sludge
v. ~~Seave~~ Seave

Dunn & Harwood

ordered that the same be removed from the cockpit.
and nothing further remaining to be done in this cause it is
on consideration thereof the said report is hereby confirmed
no exceptions have been taken, and was argued by Counsel.
misjoined, and argued by proper vouchers, and to which report
disbursement of the funds coming into his hands as such Com-
missioner, filed November 7th. 1898, reporting receipt and
upon the papers formerly read, upon the report of Commissioner.

1899
R. J. Smith
J. E. Smith
J. E. Smith

Ent'd Page-131-

Dunn & Harwood,
vs.
This day this cause came on again to be heard
Sludge

Sledge

Vs.

Dunn & Harwood,

This day this cause came on again to be heard upon the papers formerly read, upon the report of Commissioner J.L. McLemore, filed November 7th. 1896, reporting receipt and disbursement of the funds coming into his hands as such Commissioner, supported by proper vouchers, and to which report no exceptions have been taken, and was argued by Counsel.

On consideration whereof the said report is hereby Confirmed, and nothing further remaining to be done in this cause it is ordered that the same be removed from the docket.

Sledge,

Vs. Decree.

Dunn & Harwood,

Enter this October 29th 1896.

Robert H. Huntis

Ref

WILLIAM (16) JENCKS

Virginia:

In Vacation, in the Circuit Court of Southampton County,

October 28, 1896.

Sledge A. R. Vs., Dunn & Harwood,

This day this cause came on again to be heard in vacation, upon the papers formerly read, upon the report of Special Commissioner J. L. McLemore, reporting sale of the real estate in the bill and proceedings mentioned, filed this day, to which no exceptions have been taken, upon due and legal notice to the defendant Sarah J. Dunn, the non resident defendant J. M. Harwood, having been previously proceeded ^{against} ~~with~~ in the made prescribed by law ^{as to} ~~for~~ non-resident defendants, and was argued by Counsel. On consideration whereof the Court doth adjudge, order and decree that the sale to the said J. R. Harrop, of the tract of land as reported in the said Commissioners report of October 26th 1896, be and the same is hereby confirmed, and said J. L. McLemore, is also directed, upon the receipt of the said sum of \$730. the purchase price of the land ~~at~~ ^{as} aforesaid, to execute to the purchaser a deed with special warranty for the land purchased by him and report to Court. And said Special Commissioner, out of the funds coming into his hands, after paying the costs of this suit, including a fee to Messrs Prince & McLemore, plaintiff's attorney of \$50 ^{to} ~~as~~ distribute the remainder in his hands equally among the three parties to this suit, to-wit: Mrs. A. R. Sledge, Mrs. Sarah J. Dunn, and J. M. Harwood, and report to Court.

To the Clerk of the Circuit Court
of Southampton County.

Robert R. Thomas