1898-13 Southampton County Chancery- Everett, Joseph J. (Gdn.) etal vs Crichton, M. A. E. etals

Confirm sale of land made in behalf of infant and proceeds invested in interest of infant.

Crichton, E. W.
" , R. H.
" , Estelle
Everett, B. W.
" , Kate (his Wife)
" , M. A. M. infant
McLemore, James L. (G. A. L.)

Equity Civil &c

in { Bill & Exhibits
Circuit Ct of Ala

1895. 21. August. Filed,
L. A. Gray C.C.

W. J. SEBRELL,
ATTORNEY-AT-LAW,
COURTLAND, VA.

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

To Hon R.R. Prentis, Judge of the Circuit Court of Southampton County:

In Chancery:

Humbly complaining sheweth unto your Honor your orator Jno. J. Ervell Gdn of M. A. M. Ervell an infant under 14 yrs of age and the same J.J. Ervell in his own right, that Elizabeth Lillie, late of the County of Southampton, was in her life time seized and possessed of considerable property, among which was a certain tract or parcel of land, lying in said county, containing 1159 acres more or less, and adjoining the lands of W.B. Westbrook, & J.R. Westbrook and others, and being so thereof seized and possessed, departed this life in or about the year 1857, leaving a last will and testament whereby she directed that the said plantation be kept up during the natural life of her daughter M. A. E. Crichton, and that at the death of the said M. A. E. Crichton the same be sold & the proceeds equally divided between the lawful issues of the said M. A. E. Crichton; all which will more fully appear from a copy of said last will & testament herewith filed

as an exhibit, Marked A & prayed to be read as a part of this bill; that the said M. A. E. Crichton is still alive and has the following children still alive, to wit: E. W. Crichton, A. H. Crichton, Estelle Crichton and Kate Ennett, the wife of B. W. Ennett; that in or about the year 1881, your orator was united in marriage with Margaret M— Crichton, also a daughter of the said M. A. E. Crichton, who bore to him one child, namely, the said ward, M A. M. Ennett, and then departed this life; that in or about the year 1894 Sallie Crichton, after having arrived at lawful age, departed this life intestate, without issue, leaving the following heirs at law, to wit: M. A. E. Crichton, E. W. Crichton, A. H. Crichton, Estelle Crichton, and Kate Ennett, the wife of B. W. Ennett, and the said ward M. A. M. Ennett. That the said ward M. A. M Ennett has very little, if any, personal estate, and she has no real estate except her vested interest as heir at law of the said Sallie Crichton, deceased, which said vested right [illegible] in possession at the

death of the said M. A. E. Crichton that your orator has conditionally sold the said interest of his said ward M. A. M. Everett in the interest of the said Callie Crichton, deceased, at the time of her death in the said tract of land, to E. W. Crichton in the sum of one hundred dollars, provided the said sale be confirmed by this court. That in the opinion of your orator the sale is a good one and would be greatly to the interest of the said infant, because the proceeds which would be derived from the said sale properly invested would yield an annual profit to the said infant, whereas she now receives nothing whatever from her interest in said land. That in the event of the death of the said infant, M. A. E. Crichton, E. W. C. Crichton, E. A. Crichton, Estelle Crichton, and Kate Everett formerly Crichton, would be the heirs-at-law of her said estate. That the rights of no person would be violated by the said sale. In tender consideration whereof and inasmuch as your

orator is without remedy save in a court of Equity - where such matters are properly cognizable, to the end therefore that justice may be done, your orator prays that M. A. E. Leichton E. W. Leichton, R. H. Leichton Estelle Leichton, B. W. Everett and Kate Everett, his wife, and M. A. M. Everett, be made parties defendant to this bill and required to answer the same, though answer under oath is expressly waived; that a proper guardian ad litem may be appointed to defend the rights of said infant; that the said sale may be confirmed and the proceeds arising therefrom properly invested for the benefit of the said infant; that all proper orders and decrees be made, and for such other relief as the nature of this case may require or to Equity shall seem meet. And your orator will ever pray &c.

May it please the Court &c.

J. D. Everett.

Solicitor for Complt

W. J. Pickell Sol.

Virginia;
Southampton County, to wit:
I, B.F. McLemore, Comr. in Chancery for the Circuit Court
of the county aforesaid, do hereby
certify that J.S. Everett, g'dn'r. whose
name is signed to the foregoing bill
in chancery, this day made oath, before
me in my county & state aforesaid,
that the statements contained therein
are true to the best of his knowledge
and belief. Given under my
hand this 16 day of Sept 1892.

B.F. McLemore
Comr in Chy

In the name of God, Amen; I Elizabeth A. Little of the County of Southampton & State of Virginia. being feeble of body, but of sound mind do publish this my last Will and Testament in manner and form as follows. To wit:

Item 1st. It is my Will and desire that all of my just debts be paid out of my estate by my Executor who I shall hereafter proceed to appoint as soon as convenient after my decease.

Item 2. It is my Will and desire furthermore that my said Executor proceed to pay out of money arising from the proceeds of my estate the following sums as memorials of regard & friendship, To Wit: to my niece Virginia Bilbro, the sum of twenty dollars. to my esteemed friend Phebe Rollings the sum of twenty five dollars. also to Polin Ann Pelham the sum of Seventy dollars and to my relative M.A.M. Pelham the sum of ten dollars to them and their heirs forever.

Item 3: It is further my Will and desire that my plantation be kept up during the natural life of beloved daughter, Margaret A.E. Crichton, that all of my slaves a sufficiency of Stock and every thing necessary to keep up the plantation be reserved for that purpose and further that such things as shall not be necessary for the keeping up the plantation shall be sold by my said

Executor as soon as he may think best after my decease.

Item 4th. It is further my will and desire that the money arising from sale of such surplus of my estate with all due me after the payment of my just debts the settlement of my estate and the legacies given in Item 2nd be loaned out at interest or placed in some safe Savings Bank at interest by my said Exor. and the annual interest arising therefrom with the annual net proceeds of my plantation, the one half of which I give to the sole support and special benefit of my beloved daughter Margaret A. E. Brichton & family and the other one half of annual interest and net proceeds be expended annually on the education of the lawful issues of body of my beloved daughter M. A. E. Brichton during her natural life or until the youngest of said lawful issues shall be educated, then and in that event it is my wish that said interest and proceeds be added to the general deposit.

Item 5th. It is further my will and desire that in event of the death of my beloved daughter Margaret A. E. Brichton, that all my negro slaves with their increase be equally divided between her said lawful issues and

furthermore that my plantation with all of further estate of every kind be sold and the proceeds arising from said sale with the entire amount of interest be also equally divided between the said lawful issues, and in the event of the death of either of said lawful issues before arriving at lawful age or marriage, them and in that case I give and bequeath his or her part to be equally divided between the surviving ones of them and their heirs forever.

Item 6. I appoint lastly my esteemed friend Wm B. Westbrook the Executor to this my last Will & Testament and furthermore request that the duties of Agent or Executor as the case may be, may devolve upon him.

Given under my hand and seal this the 27th. day of December (Anno) One thousand eight hundred and fifty five.

Witness
Wm B. Westbrook
Jimmy Pettway
Wm his X mark Markes

Elizabeth A. Lit Lillis
mark

At a Circuit Court held for the County of Southampton, the 3rd day of May 1856.
The last Will and Testament of Elizabeth A. Lillis deceased was proved according to law

by the oaths of R. B. Heathcock and Wm Markes two of the subscribing Witnesses thereto and is ordered to be recorded. And Wm B. Heathcock the Executor named in the said Will having appeared in Court and refused to take upon himself the Execution thereof: On the motion of James E. Brickell who made oath and together with Robt. R. Jones. Thomas J. Hicks and John S. Harris his securities (The said securities severally by Littleton R. Edwards their attorney acting under a power of attorney under the hands and seals of the said securities) entered into and acknowledged a bond in the penalty of twenty five thousand Dollars - Conditioned as the Law directs,

Certificate is granted the said James E. Brickell for obtaining letters of administration on the said decedents estate with the Will aforesaid annexed in due form.

Test:

L. R. Edwards C.C.

A Copy.

Test: L. R. Gay C.C.

Estate of Wm. Pr.
vs
Ex. "R."
Brickell et als

1895. 20. August Filed

Dir. Bk. Will Book F 57

Everett Gdn. &c.

V.S. } Statement of Facts

Derichton et als.

J. S. Everett. Gdn. of M. A. M. Everett, and the same
J. S. Everett in his own right, Plaintiffs.
vs. In Chancery
M. A. E. Brichton, E. W. Brichton, R. H. Brichton,
Estelle Brichton, B. H. Everett), Kate Everett, and
M. A. M. Everett, the last-named an infant
by J. L. McLemore Gdn. ad litem, Defendants
1895. 13th Aug. Process Iss'd. to 2nd Aug. Rules.
1895. 2nd Aug. Rules, Process returned executed,
Bill and exhibits filed, J. L. McLemore
appointed Gdn. ad litem to infant-defendants.
Decree Nisi vs. adult-defendants.
1895. 1. Sept. Rules, Bill taken for confessed as to
adult-defendants and Cause set for hearing
as to them,

Everett Gdn &c.

VS } Sum. In Chy.

Brichton et als.

1895. 2. August. Rules

Lein. Ct.

17

Recvd
Executed Aug. 17th
1895 by delivering
a copy of this Summ
to each of the within
named Portis defend
ants

A. G. Heves Dept
for J. W. Williams
Shff

W. J. Sibrell p. q.

(7)

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON M. A. E. Brichton, E. W. Brichton[2], R. H. Brichton[3], Estelle Brichton[4], B. W. Everett[5], Kate Everett[6], and M. A. M. Everett, the last named an infant by Jos. L. McLemore[7], 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 3rd Monday in August 1895 next, to answer a Bill in Chancery exhibited against them in our said Court by J. D. Everett Gdn. of M. A. M. Everett, and the same J. D. Everett in his own right.

And this thou L. A. Gay 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 13th day of August, 1895, in the 120th year of the Commonwealth.

TESTE: L. A. Gay, C. C.

Everitts Guardean
W. } Statement of Costs
Creighton et als.

Everitt's Guardian

vs. } Statement of Costs

Brechton et als.

Summons 25, 7 Copies 91. receipt 18, atty, 10, Docket, 18= 1.62

Rule 50, entering return 35, Fil, bill 15, Dr. Ex 15 = 1.15

Copy Ex. 1.20, Fil, Answer 15, Rule 50 replication 15. fil. Depositions 15= 2.15

2 Decrees 1,44, Taking Comr's bond 1,40 Dr. Ord. .95 = 3.79

Fil. Comr's report, 25. Lay Costs 40, 2 Continuances 50 = 1.15

Further Costs, 1 decree 72= Decree to remove 36 } 1.08

Filing away papers 25 }

Apr. 1896 Paid Jany 17th 1896 by Ed. Brechton, L. A. Gray Clerk $11.19

" March 5th 1898 J.W. Williamp Sheff 3.50

Paid W.D. Abell, p.q. Lawyer. 6.50

$21.19

Paid W.B. McLemore, Fee of Comr, J.L. McLemore 3.50

Witnesses Red payment Nov 21st Wm J. Gillette Wm J. Gillette 50

B.W. Everett Paid B.W. Everett 74

Marshal's Exs

Payed March 21st 1898 Byrd Gray Byrd Gray 74

Recd Jany Mch 14th 1898. Robt. H. Brechton R. H. Brechton 4

$27,41

Everitt's Gdn.
vs. Decree.
Crichton et al.

This day this cause came on to be heard upon complainants bill and exhibits therewith filed, taken for confessed as to the adult defendants, the answer of the infant defendant by Jas. L. McLemore ~~his~~ duly appointed at rules 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 the interest of the infant defendant will be promoted by the sale of the property in the bill mentioned and the investment of the proceeds of sale under the order of the Court. 2nd Whether the rights of any person will be violated by such sale 3rd The value of the interest of the infant in the property referred to in the bill which requires the said Commissioner will make and report to the Court, together with any matters specially stated, deemed pertinent by himself or required to be so stated by any interested party.

Everetts Gdn.

vs. Decree.

Crichton et als.

Sept. Term 1895.

To be entered

Sept. 25, 1895.

W. Bolt C. Ct. Clerks

Entered
page 30

Everill &c.

vs.

Crichton et als.

The answer of J. L. McLemore guardian ad litem to the infant defendant M. A. M. Everill, and the answer of the said infant defendant M. A. M. Everill by the said J. L. McLemore her guardian ad litem to a bill in equity exhibited against the said M. A. M. Everill and others in the Circuit Court of Southampton County by Jos. S. Everill guardian of the said M. A. M. Everill.

For answer to the said bill the said guardian ad litem answers and says that he does not know whether the interests of the said infant defendant would be promoted by a sale of the property as prayed for in the said bill or not: and the said infant defendant by her said guardian ad litem answers and says that being an infant of tender years she knows nothing of the matters mentioned in the said bill & commits her interests to the protection of the court. And now having answered they pray hence to be dismissed &c.

Jas. L. McLemore
Guardian ad litem

Southampton County, to wit

This day personally appeared before me the undersigned, a Comr in Chancery for the Circuit Court of Southampton County J. F. McLemore, guardian ad litem of Wm. M. Ennett, and made oath that he believes the several statements made in the foregoing answer to be true.

Given under my hand this ... day of September 1895

B. F. McLemore
Comr in Chancery

Ennett Gibbs &c.
vs.
Thomas
Ennett et als.

Gibbs et litem

Everitt's Gdn.
vs. Notice.
Crichton et al.

I acknowledge legal service of the within notice.
M. H. & A. Crichton
Per H. H. Carleton
Atty. for Everett
State of Iowa
Dennis Estell & Co
Per W. Crichton
By attorney, atty.

Commissioner's Office,

~~Jerusalem~~ Courtland, Va., Feb 3 1896

To M. A. E. Creighton. E. W. Creighton. R. N. Creighton. Estelle Creighton. B. W. Eversello. Kate Eversello. and M. A. M. Eversello, the last named an infant. by J. L. McLemore, Gdn ad litem.

You are hereby notified that I have fixed upon the 17th *day of* February *next, if fair, if not, the next fair day thereafter (Sunday excepted), to take and settle, at my office, the following accounts, to wit:*

1- Whether the interest of the infant defendants will be promoted by the sale of the property in the bill mentioned, and the investment of the proceeds of sale under the order of the Court.

2- Whether the rights of any person will be prejudiced by such sale.

3- The value of the interest of the infant defendants in the property referred to in the bill.

required to be taken by a decree of Southampton Circuit Court, rendered at the September *term, 1895, 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.

J. L. McLemore

Commissioner.

To the Sheriff of Southampton County to execute.

In the Circuit Court of Southampton County.
September Term 1895.

Everett Guardian
vs. } Decree
Brichton et als.

This day this cause came on to be heard upon complainants bill and exhibits therewith filed, taken for confessed as to the adult defendants, the answer of the infant defendants by Jos. L. McLemore guardian ad litem duly appointed at rules, 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 the interest of the infant defendants will be promoted by the sale of the property in the bill mentioned and the investment of the proceeds of sale under the order of the Court.

2nd. Whether the rights of any person will be violated by such sale.

3rd. The value of the interest of the infant defendants in the property referred to in the bill.

Which enquiries the said Commissioner

will make and report to the Court,
together with any matter specially stated,
deemed pertinent by himself or required
to be so stated by any interested party.

A Copy.

Test: L. A. Gay C.C.

Ennalls &c.
vs.
Adam
Bidleman et als.

Entered
Page 30.

Everitt's G.M.

vs. Sum.

Crichton et als

1896. Febry 17.

Coms Office

Executed this 15th day of Feb 1896 by delivering a copy of this ops to each of the within named parties

A. G. News Dept Sheriff

for J. W. Williams

Sheriff

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON R. H. Crichton, W. J. Gillette, Bird Gray & B. W. Everett

to appear before ~~the Judge~~ L. W. McLemore Com. of our Circuit Court of Southampton County, at the Courthouse thereof, on the 17th day of February ~~Term~~, 1896, to testify and the truth to speak on behalf of Crichton et als

in a certain matter of controversy in our said Court depending and undetermined between Everett's Gdn., plaintiff, and Crichton et als., defendant.

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

Witness, ~~T. M. HOWARD, Clerk~~ L. W. McLemore Com. of our said Court, at the Courthouse, this 3rd day of February, 1896, in the 120th year of the Commonwealth.

TESTE: Jas. L. W. McLemore, C. C.

Evidence taken in the case of Everetts, Gdn. Vs. Crichton et als. taken by Jas. L. McLemore, Commissioner of the Circuit Court on the 17th. day of February 1896. Present J. L. McLemore, Gdn ad litem.

The witness, W.J.Gillette, being first duly sworn deposes and says:

Q. 1. What is your age, residence and do you know the parties to this suit?

Ans. I am 40, years, live near the prem ses in question, and know the p rties to this suit.

Q. 2. Do you know the land in the bill and proceedings mentioned?

Ans. I do.

Q. 3. Do you consider the price proposed to be paid for the interest of the infant in the bill mention d a fair and reasonable one, and do you think it would be to the interest of the infant for the sale to be confirmed?

Ans. I think it is a fair and reasonable price, and think it would be to the in erest of the infant that the sale be confirmed.

Q. Would the rights of any party be violate by such sale?

Ans. Not that I know of.

And further this deponent saith not.

Wm. J. Gillette

We, B.W.Everett, Byrd Gray, and R.H.Crichton having heard and read the evidence of W.J.Gillette, do testify that we concur in all that he has said.

B. W. Everett
Byrd. Gray
Robt. H. Crichton

Entire Witness:
1 day. 13 miles
" "

State of Virginia
County of Southampton to wit:

I hereby certify that the above evidence was taken, subscribed and sworn to before me by W.J.Gillette, B.W.Everett, Byrd Gray and Robert H. Crichton, on February 17th 1896.

Given under my hand this 17th day of February 1896.

Jas. L. McLemore, Commissioner in Chancery Cir. Ct.

Witness all claim for attendance & mileage 13 miles.

Everetts Guardn.
v } Report.
Crichton, et: al:

1896. Mch 11. filed.

L. A. Gay C.C.

J. B. LIPPINCOTT COMPANY,
Booksellers and Stationers,
Philadelphia, Pa.

Courtland Va.
March 9th 1896.

To the Hon. Robert R. Prentis, Judge Circuit Court for Southampton County.

The undersigned to whom was referred the taking of the several accounts required in the decree entered at the September term 1895, in the Chancery cause of Everitt's Adm. vs. Crichton et als. begs to submit the follow.:

As to the first inquiry he reports that from the evidence of the four gentlemen familiar with the land in the bill mentioned, (which evidence is herewith returned) he is of the opinion that it would be to the interest of the infant, M. A. Mrs Everitt to sell the interest which she owns in the real estate mentioned in the bill for the sum of $100- as set forth in the plaintiff bill.

Your Commissioner knows of no rights that will be violated by the proposed sale of the infants interest-

The assessed value of the entire farm of which the infant has a n- interest, is $2500. and from the information obtained by the Commissioner he would say the infants interest worth certainly not more than $100-

Respectfully Submitted,
Jas L. McLemore
Commissioner in Ch-

Comm's fee $3.50
Ch'g to plaintiff.

Everett's Gdn.
vs. 33 Decree.
Crichton et als.

March term 1896.
24th
Jy be entered—
Robert P. Dennis

Entered
Page 67—

W. J. Schell, P.A.

Everett's Gdn. vs. Crichton et al. } Decree.

This day this cause came on to be further heard upon the papers formerly read, and upon the report of Comr: J. L. McLemore, filed March 11th 1896, to which report there is no exception, and was argued by Counsel. On consideration whereof, the Court doth approve and confirm the said report; and, it appearing to the Court that the interest of the infant, M. A. M. Everett, would be promoted by the sale of her interest in the real estate in the bill mentioned, as therein set forth, the Court doth adjudge, order and decree that the said sale be and the same is hereby confirmed and declared to be valid and binding between the parties. And, in order to carry this decree more fully into effect, the Court doth appoint W. J. Sibrill, a special Commissioner to receive the purchase-money, to pay over same to the lawful guardian of said infant and take his receipt for same, and to execute to the purchaser a deed, with special warranty, for the interest of the infant in the real estate in the bill mentioned, to-wit, all the interest

of the infant, M.A.M. Everett, in the interest of Sallie Crichton, deceased, at the time of her death, in that certain tract or parcel of land formerly belonging to Elizabeth Little, dec'd., lying in Southampton County, Va., containing 1159 acres, more or less, and adjoining the lands of W.B. Westbrook & S.R. Westbrook and others.

But the said Commissioner will not proceed to execute this decree until he shall have entered into bond, with approved security, before the Clerk of this Court, in the penalty of $150.-, conditioned for the faithful discharge of his duties under this, or any subsequent decree in this cause.

And the said Commissioner will make report to this Court.

Before the said Commissioner shall pay any money to the said Guardian he the said Guardian is required to execute a bond before the Clerk of this Court with good security in the penalty of $200.- conditioned for the faithful application of the fund, and for the

management and preservation of any property or securities in which the same may be invested, and for the protection of the rights of all persons interested therein, whether such rights be vested or contingent. -

Everetts Guardian

vs. } Gdn. Bond

Crichton et als

1896. 25th Sept. Filed

L. A. Gay b.b.

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Bond.

Know all Men by these Presents, That we J. S. Everett and John R. Everett

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of Two 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, hereby waive the benefit of our homestead exemption as to this obligation, and also waive any claim, right or privilege to discharge any liability 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 25th day of September A. D. 1896

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound J. S. Everett guardian of M A M Everett who is entitled to receive the sum of $100.00 for his said ward under a decree of the Circuit Court of Southampton County entered on the 14th day of March 1896 in the Chancery Cause of Everett's Guardian Vs. Brichton et als. Shall make faithful application of the said funds, and for the management and preservation of any property or securities in which they may be invested, and for the protection of the rights of all persons interested therein, whether such rights be vested or contingent, as required by said decree

~~shall faithfully discharge the duties of 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. S. Everett [SEAL.]

J. R. Everett [SEAL.]

[SEAL.]

[SEAL.]

In the Clerk's office of the Circuit Court of the County of Southampton This day J. R. Everett made oath to the above bond, made oath before me L. A. Gay Clerk of the Circuit Court of the County of Southampton that his estate of his is worth the payment of all his just debts, and the sum for which he is bound as security for others, and expects to have to pay is worth the sum of $200.00. Whereupon the said bond is admitted to record according to law.

Given under my hand this 25th day of Sept. 1896

Test: L. A. Gay Clerk.

Form No. 809.

Everell's Guardian
vs
Crichton et als.

W. J. Sibert

to { COMMISSIONER'S BOND.

Commonwealth.

1896. 8th Sept. Filed
L. A. Gay b.c.

Everett Waddey, Stationer and Printer, Richmond, Va. } Form No. 309.

Know all Men by these Presents, That we W. J. Sebrell and J. E. Sebrell are held and firmly bound unto the Commonwealth of Virginia, in the sum of One Hundred and Fifty 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 8th day of September one thousand eight hundred and ninety six.

The condition of the above Obligation is such, That if the above bound W. J. Sebrell 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 24th day of March, 1896, in the suit therein depending under the name and style of Everett's guardian, Vs. Brichton et als,

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

Signed, sealed and acknowledged in the presence of

W. J. Sebrell. SEAL.

James E. Sebrell SEAL.

SEAL.

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

This day James E. Sebrell surety on the above bond, made oath before me L. A. 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 securit for others, and expect to have to pay is worth the sum of One Hundred & Fifty dollars; whereupon the said bond is admitted to record according to law.

Given under my hand this 8th day of September 1896.

Teste: L. A. Gay Clerk.

Everette's Adm.

to

Reef.

Sibell, Comr.

Received Sept. 25th 1896 of W.J. Sibrill, special Commissioner in the Chancery suit of Everett's Gdn. vs. Crichton et als., the sum of One hundred dollars ($100.00) it being the amount collected by him from E.W. Crichton in payment of purchase-price for the interest in the real estate mentioned and described in the bill & proceedings in said suit, and ordered to be paid to me by said Commissioner by decree entered in said suit on the 24th day of March 1896.

J.S. Everett

Gdn of M.A. McEverett

Everitt's Exr.
vs.
Crichton et al.

Report of
Comr. W. J. Sebrell.

Everett's Gdn. vs. Crichton et al. } Report of Comr. W. J. Sebrell.

In this cause the commissioner would most respectfully report that, pursuant to decree herein entered on the 24th day of March 1896, he has collected the purchase-price of $100.00 for the interest of the infant, M. A. M. Everett, in real estate in the bill & proceedings mentioned, and paid over the same to J. S. Everett, the lawful guardian of the infant, M. A. M. Everett, as will appear from the receipt of the said guardian herewith filed and prayed to be read as a part of this report. Your Commissioner has executed to the purchaser a deed, with special warranty, for the interest of said infant in the real estate in the bill and proceedings mentioned.

All which is respectfully submitted,

W. J. Sebrell,
Special Com'r.

Everitt's Adm.
vs. Decree.
Crichton et als.

Sept. Term 1896
~~29th~~.
To be entered
Robert R. Prentis

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W. J. Sebree, D.C.

Everitt's Gdn. } Decree.
vs.
Crichton et als.

This day this cause came on to be further heard upon the papers formerly read and upon the report of W. J. Sibell, Special Commissioner, showing collection of the purchase price of $100.00 for the interest of the infant, M. A. M. Everitt, in the real estate in the bill and proceedings mentioned, and proper disbursement of the same, and execution to the purchaser of a deed, with special warranty, for said interest in said real estate, to which report there is no exception, and was argued by counsel. On consideration whereof, the Court doth adjudge, order and decree that the said report be, and the same is hereby confirmed.

Everett's Gdn.
vs. } Decree.
Crichton et als.

1898 - april 5th -

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W. J. Tebbetts.

Everitt's Gdn.
vs.
Crichton et als.

Decree.

This day this cause came on to be further heard upon the papers formerly read, and was argued by counsel.

On consideration whereof, and it appearing to the Court that there is nothing further to be done in this cause, on motion of the complainant it is ordered that the same be removed from the docket.