1898_20 Southampton County Chancery Sebull, James E vs. Seaborne, Jordan et als

"Partition if possible,
if not sell, and proceeds
divided between several parties
entitled thereto"

Seaborne, William
McGhee, Emma
McGhee, Geo. M.
Blair, Elizabeth
Blair, Sandy
Chapman, Mary
Chapman, Austin

Debrell

vs. Brief & Exhibits

Seaborne et als

1896. 20. February Filed

L. A. Gay C.C.

To Hon R. R. Prentis Judge of the Circuit court of Southampton County: In Chancery:

Humbly complaining sheweth unto your Hon'r your complainant James E. Ridley, that Jesse Seaborne Sr. was in his lifetime seized and possessed of certain real estate lying in the County of Southampton, containing 286 acres more or less, and adjoining the lands of N. T. Ridley, the "Rowland" tract and others. and being so thereof seized and possessed, sometime in the year 1889 the said Jesse Seaborne Sr. departed this life intestate, leaving a widow Mary Seaborne, who shortly afterwards to wit: in the year 1894 also departed this life, and leaving the following heirs at law viz: Thomas Seaborne, William Seaborne, Augustus Seaborne, Jesse Seaborne Jr. Joseph Seaborne, Emma McGhee (nee Seaborne) the wife of George McGhee, Mary Chapman (nee Seaborne) the wife of ~~Benton~~ Chapman, Elizabeth Blow (nee Seaborne) the wife of Sandy Blow, and Maria Turner (nee Seaborne) the wife of John H. Turner.

That on the 9th day of April 1889

sure in a court of equity where all such matter are pleadable & properly cognizable, your complainant prays that the said Tom Seaborne, William Seaborne, Emma McGhee and Geo McGhee, her husband, Elizabeth Blow and Sandy Blow, her husband, Mary Chapman and Austin Chapman, her husband may be made parties defendants to this bill, and required to answer the same though answer under oath is hereby waived, that proper process issue, that the said real estate be divided between the several parties entitled thereto, and your complainants portion thereof be allotted to him, and in case the said real estate cannot be partitioned and divided in kind, that the same be exposed to sale, and the proceeds of such sale be divided among the parties entitled thereto; that all proper orders & decrees may be made, and proper injunction taken, and that all such other, further general and special relief may be given your complainant as the nature of his case may require or to equity shall seem meet and your complainant will ever pray &c.

James E. Sebrell

J. M. Sebrell Jr. J.P.

Notice is hereby given that the Court will be asked to allow a reasonable fee to the plaintiffs attorney constituting this suit.

Sibrell

Vs. } Dwelling House from Augustus Seaborn et al

Seaborn et als.

1896. 19. February. filed

L. A. Gay Clk.

This Deed made the 9th. day of April 1889. between Augustus Seaborn and Ambrett Seaborn his wife of the one part and W.J. Sebrell of the other part. Witnesseth: that the said Augustus Seaborn and Ambrett Seaborn his wife do grant unto the said W.J. Sebrell the following property to wit: their entire undividing interest in the real and personal property belonging to the estate of Jesse Seaborn deceased, In trust to secure the payment of a note drawn for one hundred and forty eight & 20/100 dollars by Joseph Seaborn, Johny Seaborn, A.J. Chapman and Augustus Seaborn, payable to James E. Sebrell Admr of Jesse Seaborn deceased. Six months after date with interest from date, and bearing date December the 28th. 1887. also a note drawn for one hundred dollars by Joseph Seaborn, Johny Seaborn, A.J. Chapman and Augustus Seaborn, payable to Jas. E. Sebrell Admr of Jesse Seaborn deceased, on the 25th. day of December 1888. and bearing date the 28th. day of December 1887; also a note drawn for ninety six & 17/100 dollars by Johny Seaborn, A.J. Chapman, Joseph Seaborn and Augustus Seaborn, payable to Jas. E. Sebrell, Admr of Jesse Seaborn deceased. Six months after date, with interest from date and bearing date December 28th. 1887. Witness the following signatures and seals

Augustus Seaborn (Seal)

Ambrett Seaborn (Seal)

County of Southampton to wit:

I, John I. Turner, a justice of the peace for the County aforesaid in the State of Virginia, do certify that Augustus Seaborn and Ambrett Seaborn whose names are signed to writing above, bearing date April 9th. 1889. acknowledged the same before me in my County aforesaid.

Given under my hand this the 9th. day of April 1889.

John I. Turner J.P.

Southampton County: In the Clerks Office May 11. 1889. The foregoing Deed of Trust from Augustus Seaborn & wife to J.E. Sebrell's Trustee was this day received and with the Certificate annexed admitted to record.

Teste: B.F. McLemore D.C.

A Copy.

Teste: B. F. McLemore C.C.

Sebrell

Vs. } Copy Deed Trust
from Jesse Seaborn Jr.

Seaborn Hale Ex. B.

1896. 19. Feby: Filed

L. A. Gay D.C.

This Deed made the 9th. day of April 1889.
between Jesse Seaborn Jr. of the one part, and
W. J. Sebrell of the other part, Witnesseth, that the
said Jesse Seaborn Jr. doth grant unto the said
W. J. Sebrell, the following property. to wit; his
entire undivided interest in the real and personal
property belonging to the Estate of Jesse Seaborn Sr.
deceased. In Trust to secure the payment of note
drawn for One hundred and forty eight & $\frac{90}{100}$ dollars
by Joseph Seaborn, Johny Seaborn, A.J. Chapman
and Augustus Seaborn, payable to Jos. E. Sebrell.
Admr of Jesse Seaborn deceased. Six months after
date. with interest ~~with interest~~ from date and
bearing date December the 28th. 1887. also a note
drawn for One hundred dollars by Joseph Seaborn,
Johny Seaborn, A.J. Chapman and Augustus Seaborn,
payable to Jos. E. Sebrell Admr. of Jesse Seaborn
deceased. on the 25th. day of December, 1888. and
bearing date the 28th. day of December 1887. Also
a note drawn for Ninety six & $\frac{07}{100}$ Dollars by
Johny Seaborn, A.J. Chapman, Joseph Seaborn
and Augustus Seaborn, payable to Jos. E. Sebrell Admr.
of Jesse Seaborn deceased. Six months after date
With interest from date and bearing date
December the 28th. 1887.
Witness the following signatures & seals.

Jesse Seaborn Jr. (Seal)

County of Southampton to wit:

I. John I. Turner. a Justice of the peace for the County aforesaid in the State of Virginia, do certify that Jesse Seaborn Jr. whose name is signed to the writing above bearing date April 9th. 1889. acknowledged the same before me in my County aforesaid.

Given under my hand this the 9th. day of April 1889

John I. Turner J.P.

Southampton County. in the Clerks Office May 11. 1889.

The foregoing deed of Trust from Jesse Seaborn Jr. to Jas. E. Sebrell. Trustee was this day received and with the certificate annexed admitted to record.

Teste: B. F. McLemore D.C.

A Copy.

Teste: B. F. McLemore C.C.

Sebrell

V S. } Copy of Dec'd Instr from Joseph Seaborn

Seaborn et als. Ex. "b."

1896. 19. Feby: Filed

L.A. Gay b.b.

This Deed made the 9th. of April 1889. between Joseph Seaborn of the one part, and W.J. Sebrell of the other part, Witnesseth: that the said Joseph Seaborn doth grant unto the said W.J. Sebrell, the following property, to wit, his entire undivided interest in the real and personal property belonging to the Estate of Jesse Seaborn, deceased. In Trust to secure the payment of a note drawn for One hundred and forty eight & 9/100 dollars by Joseph Seaborn, Johny Seaborn, A.J. Chapman and Augustus Seaborn, payable to Jas. E. Sebrell Adms. of Jesse Seaborn deceased, six months after date, with interest from date, and bearing date December the 28th. 1887. also a note drawn for one hundred dollars by Joseph Seaborn, Johny Seaborn, A.J. Chapman and Augustus Seaborn, payable to Jas. E. Sebrell. Adms. of Jesse Seaborn deceased, on the 25th. day of December 1888. and bearing date the 28th. day of December 1887. also a note drawn for Ninety six & 67/100 dollars by Johny Seaborn A.J. Chapman, Joseph Seaborn and Augustus Seaborn, payable to Jas. E. Sebrell Adms. of Jesse Seaborn deceased, six months after date, with interest from date, and bearing date December the 28th. 1887.

Witness the following signature & seal.

Joseph Seaborn {Seal}

County of Southampton, to wit:

I, John I. Turner, a Justice of the peace for the County aforesaid, in the State of Virginia, do certify that Joseph Seaborn, whose name is signed to the writing above, bearing date on the 9th. day of April, 1889. has acknowledged the same before me in my County aforesaid.

Given under my hand this the 9th day of April 1889

John I. Turner J.P.

Southampton County: In the Clerk's Office May 11. 1889. The foregoing Deed Trust from Joseph Seaborn to J. E. Sebrell's Trustee was this day received and with the Certificate annexed admitted to record.

Teste: B. F. McLemore C.C.

A Copy.

Teste: B. F. McLemore C.C.

Sebrell

vs. } Copy of Dep of Jas S from W.J. Sebrell Estate

Seaborne et als. Ex. "D"

Whereas by three several deeds of trust executed on the 9th. day of April 1889. and of record in the Clerks Office of the County Court of Southampton County, Augustus Seaborne and Ambrett Seaborne, his Wife, Joseph Seaborne and Jesse Seaborne Jr. in order to secure certain indebtedness therein mentioned, did convey in trust to W. J. Sebrell, Trustee all their interests (said interests amounting in the aggregate to an undivided one third part) in and to that certain tract of Land of which the late Jesse Seaborne Sr. died seized and possessed, containing 286 acres, more or less, and adjoining the Lands of N. J. Nicholson, the Rowland Tract, and others; and whereas default having been made in the payment of the debt thereby secured the said W. J. Sebrell, trustee as aforesaid, at the request of the beneficiary named in said Trust deed, after having duly advertised the time & place, did expose to sale, by public auction, at Courtland, Va. on the 20th. day of January 1896 (Court day) the said interest of the said Augustus Seaborne and Ambrett Seaborne, his Wife, Joseph Seaborne and Jesse Seaborne Jr. in & to the said Tract of Land herein before mentioned and described, at which said sale James E. Sebrell became the purchaser in the sum of one hundred and fifteen dollars. that being the highest bid - and whereas the said James E. Sebrell has fully paid the said purchase price of One hundred and fifteen dollars and is-

entitled to a deed for said property - Now therefore this deed made this 21st day of January 1896 between W.J. Sebrell, trustee of the one part and James E. Sebrell of the other part, witnesseth, that for and in consideration of the premises and the said sum of one hundred and fifteen dollars, the said W.J. Sebrell trustee as aforesaid, doth grant bargain, sell and convey, with special warranty, unto the said James E. Sebrell, the said interests in the said tract of land herein-before mentioned and described.

Witness the following signature and seal this 21st. day of January 1896.

W.J. Sebrell (Seal)
Trustee

Virginia:

In the Clerks Office of County Court for Southampton County, January 21st. 1896. This Deed was presented, acknowledged by W.J. Sebrell to be his act and deed and admitted to record.

Test: B.F. McLemore C.C.

A Copy.

Test: B.F. McLemore C.C.

This Deed Made this 2nd day of January 1896.
between John H. Turner and Annie M. Turner his
wife. of the first part and James E. Sebrell of the
second part. Witnesseth: That for and in Consideration
of the sum of Thirty five Dollars, the receipt of
which is hereby acknowledged. the said John H.
Turner and Annie M. Turner his wife. parties of
the first part as aforesaid. do grant. bargain, sell
and Convey with general warranty. unto James E.
Sebrell party of the second part. as aforesaid & his
heirs forever. All their right title and interest in
and to the real property belonging to the Estate of
Jesse Seaborne Sr. deceased lying in Southampton
County, The same being an undivided one ninth
part of the real property belonging to the said estate
Witness. The following signatures & seals the year
and day first above Written.

John H. Turner (Seal)
Annie M. Turner (Seal)

State of Virginia.
Norfolk County to Wit:
I. J. W. Reston a Notary Public for the County
aforesaid in the State of Virginia, do Certify that
John H. Turner and Annie M. Turner his wife whose
names are Signed to the Writing annexed. bearing
date of the 2nd day of January 1896. has acknowledged
the same before me in My County aforesaid
Given under my hand this 6th day of January 1896

J. N. Butler
Notary Public.

Virginia:

In the Clerks Office of the County Court for Southampton County, January 6th. 1896. This Day was presented and with the Certificate annexed admitted to record,

Teste: B. F. McLemore C.C.

A Copy.

Teste: B. F. McLemore C.C.

S. Wade
Vs
Copy of Deed of Trust from Jas. N. Summerlin
Sea Board Air Line Ry. &c.

1896. 19. Feby: filed
B.F. McLemore C.C.

Peoborne et al

ad 2 3 answrs

Dobell

1896. 25th March filed

L.A. Gay & Co

The joint answer of the defendants Thomas Seaborne. William Seaborne. Emma McGhee & George McGhee her husband Elizabeth Blow and Dandy Blow her husband. Mary Chapman and Austin Chapman her husband to a bill in chancery filed in the Circuit court of Southampton Co Va by James E. Pebell against them

These respondents for answer to the said bill or so much thereof as they are advised it is material for them to answer answering say. That it is true as stated in the plaintiffs bill That Thomas & William Seaborne. Emma McGhee. Elizabeth Blow and Mary Chapman are children of said Jesse Seaborne dec'd and entitled each to a one ninth undivided interest in the land which is stated in the plaintiffs bill the said Jesse Seaborne died seized and possessed of. And they state that they believe the same can be divided in kind among them assigning to the plaintiff

likewise the shares to which he is entitled. and if it be so that their said shares cant be laid off and set aside to them of their seperately then they are willing for their said shares to be laid off to them jointly such being the case your respondents beg the Court to appoint Commissioners to lay off and allot to them their shares according to their rights allotting them to each one seperately by meets and bounds if the same can be done. if not allotting and laying off their said shares severally and to them jointly. and that the Court would make all necessary orders and decrees and direct all necessary inquiries to be made and such other further and general relief as the nature of the case may require to equity seem

meet. Notice is hereby given that four respondents will at the court be allowed reasonable attorney fees & their Counsel in the cause

Thos Deaborne
William Deaborne
Emma McGhee
Geo McGhee
Elizabeth Blow
Sandy Blow
Mary Chapman
Austin Chapman

By Shands & Sun p.d.

Schell

No. 3 Report of Coroner.

Dearborne Co Ala

1897. April 27th filed

L. A. Gay Clk

To the Honorable Robert P. Prentis,
Judge of the Circuit Court of Southampton
County, Virginia.

The undersigned, appointed commissioners by a decree entered in the Chancery cause of Sibrell vs. Seaborne & als. pending in said Court, to divide the lands mentioned in the said bill, and if partition in kind were impracticable, to report same to Court, would most respectfully report, that they have been upon the lands in the bill mentioned with a view to the partition thereof, and that they find it impracticable to divide said land among the parties entitled thereto, and that they are also of the opinion that the interest of the parties would be most promoted by a sale of the same, on account of the size of the land, its location and situation and the relative position on said land of the timbered and clear land and the scarcity of buildings thereon, there being but one dwelling on said land, and a part of such small

farm without any buildings & moved be worth but little, and the interest of the parties who draw the same would be worth very little.

They would respectfully report further that in their opinion, $500.00 is a fair fee-simple value of the said land.

Respectfully Submitted,
A P Grizzard
B. W. Everett
A. G. Nivens
Comrs.

To Thomas Seaborne, William Seaborne, Emma McGhee and George McGhee, her husband, Elizabeth Blow and Sandy Blow, her husband, Mary Chapman and Austin Chapman, her husband.

Take notice that on the 12th day of June 1897 at the office of Hon. R.R.Prentis, in Suffolk, Va., I shall ask the Judge of the Circuit Court of Southampton County for a decree in the chancery cause of Sebrell vs. Seaborne et als. pending in said court, wherein you are defendants and I am plaintiff, ordering a sale of the land in the bill mentioned, as recommended by Commissioners Gwizzard, Everett and Neves in their report filed April 27th 1897.

Very respectfully,

Jas. E. Sebrell

By Counsel

Decree

vs. 3 Report

Dearborne et al

Sebrell J.R.

vs.

Seaborne et als.

The undersigned, your commissioners in the above style cause, appointed by a decree entered therein on the 12th day of June 1897 to sell the land in the proceedings mentioned, would most respectfully report to Court that in pursuance of the said decree they proceeded to sell said land by public auction at Courtland Virginia on the 19th day of June 1897 as will appear from a copy of the notice of sale herewith filed as a part of this report; that at said sale Austin Chapman became the purchaser thereof in the sum of six hundred dollars, that being the highest bid; that the said purchaser has fully complied with the terms of sale by paying to your commissioners the said purchase price of six hundred dollars.

Your commissioners think the sale a good one and would therefore recommend its confirmation.

Respectfully submitted,

Wm. Sl and

Jno. T. Brice Jr.

Special Com'rs.

Form No. 309.

Debrell.
vs.
Seaborne et als.

Jno. N. Debrell Jr.
vs.
Wm Shands

to { COMMISSIONER'S BOND.

Commonwealth.

1897. 28th June Filed
L. A. Gay, C.C.

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

Know all Men by these Presents, That we John N Sebree Jr. and James E. Sebree & William L Shands & W B Shands are held and firmly bound unto the Commonwealth of Virginia, in the sum of ($1000.00) One 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 28th day of June one thousand eight hundred and Ninety Seven.

The condition of the above Obligation is such, That if the above bound John N Sebree Jr. 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 12th day of June, 1897, in the suit therein depending under the name and style of Sebree Vs. Seaborne & als. or any subsequent decree which may be entered in this cause

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

Signed, sealed and acknowledged in the presence of

Jno N Sebree Jr. SEAL.
James E Sebrell SEAL.
Wm L Shands SEAL.
Wm B Shands SEAL.

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

This day James E Sebree & W B Shands suretys on the above bond, made oath before me L. A. Gay, Clerk of the Circuit Court of the County of Southampton, that their estates after the payment of all their just debts, and those for which they are bound as securityp for others, and expect to have to pay is worth the sum of One Thousand dollars; whereupon the said bond is admitted to record according to law.

Given under my hand this 28th day of June 1897.

Teste: L. A. Gay Clerk.

Sebrell Jas. E.
Vs. } Summ: In chy:
Seaborne et. als.

1896. 2. Feby: Rules
6 in 6t

Geo Mc Ghee and Emma
Mc Ghee not found
Wm Jor Smith sgt City
of Portsmouth Va

Mr L. A. Gay Esq
Dear Sir
Enclosed find
$1.00 sent for fees, please
return it to the proper
person & oblige
yours truly Wm Jor Smith

J. E. Sebrell Jr. p. q.

Geo. McGhee home visit J. M. Hurt - Co. Supt +
Assistant Stills Pertsmouth Va

THE COMMONWEALTH OF VIRGINIA, Sergt. of Portsmouth Va.

TO THE ~~SHERIFF OF SOUTHAMPTON COUNTY~~, GREETING:

WE COMMAND YOU TO SUMMON Thomas Seaborne William Seaborne Emma McGhee & George McGhee her husband, Elizabeth Blow Ed Sandy Blow her husband, Mary Chapman Ed Anderson Chapman her husband

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 1896 next, to answer a Bill in Chancery exhibited against them in our said Court by James E. Sebrell

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

WITNESS, ~~T. M. HOWARD~~ L. A. Gay, Clerk of our said Court, at the Courthouse, this 3rd day of February, 189 6, in the 120th year of the Commonwealth.

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

THE COMMONWEALTH OF VIRGINIA, Sergt. of Portsmouth Va.

TO THE ~~SHERIFF OF SOUTHAMPTON COUNTY~~, GREETING:

WE COMMAND YOU TO SUMMON George McGhee

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 1896 ~~next~~, to answer a Bill in Chancery exhibited against him & als in our said Court by James E. Bebrell

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

WITNESS, ~~T. M. HOWARD~~ L. A. Gay, Clerk of our said Court, at the Courthouse, this 3rd day of February, 1896, in the 120th year of the Commonwealth.

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

A Copy Teste: L. A. Gay b.b.

THE COMMONWEALTH OF VIRGINIA, Sergt. of Portsmouth Va.

TO THE ~~SHERIFF OF SOUTHAMPTON COUNTY~~, GREETING:

WE COMMAND YOU TO SUMMON Emma McClure

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 1896 ~~next~~, to answer a Bill in Chancery exhibited against Marshall in our said Court by James Sebrell

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

WITNESS, ~~T. M. HOWARD~~ L. A. Gay, Clerk of our said Court, at the Courthouse, this 3rd day of February, 1896, in the 120th year of the Commonwealth.

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

A copy- Teste: L. A. Gay b.b.

Sibrell Jos. E.

vs. } Alias Summ:

Seaborne et als

1896. 1. March Rules

Lis. Pet.

Service accepted
this 22nd day of February
1896 Emma Magee.

Executed this 22nd day
of February 1896 by
delivering a copy hereof
to George Mc Glue in
person Wm Jon Smith
Sergt of City of Portsmouth

Rec'd $1,00 fee for service
Wm Jon Smith Sergt

J. N. Sibrell Jr. p. q.

THE COMMONWEALTH OF VIRGINIA, Sergt. of the City of Portsmouth Va.

TO THE ~~SHERIFF OF SOUTHAMPTON COUNTY~~, GREETING:

WE COMMAND YOU, ~~TO SUMMON~~ ~~as~~ ~~at~~ ~~another~~ ~~time~~ ~~now~~ ~~herein~~ ~~Commanded~~ you, that you summon Thomas Seaborne, William Seaborne, Emma McGhee & George McGhee her husband, Elizabeth Bland Exy Sandy Bland her husband, Mary Chapman Exy Austin Chapman her husband

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 March next, to answer a Bill in Chancery exhibited against them in our said Court by James E. Seaborne

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

WITNESS, ~~T. M. HOWARD~~ L. A. Gay, Clerk of our said Court, at the Courthouse, this 20th day of February, 1896, in the 120th year of the Commonwealth.

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

In Seaborne

Sibrell Jas. E. } Summ. In Chy:
vs.
Seaborne et.als.

1896. 2. Feby: Rules.

Sir

Executed in the City of Norfolk in the 10th day of Febry a.D. 1896. by serving a copy hereof on William Seaborne,
(Sergt's fees not paid)
J.B. Burke Sergt
City of Norfolk Va
by L.L. Quinn
Deputy

J. N. Sibrell Jr. p.q.

THE COMMONWEALTH OF VIRGINIA, Sergt. of Norfolk Va,

TO THE ~~SHERIFF OF SOUTHAMPTON COUNTY~~, GREETING:

WE COMMAND YOU TO SUMMON Thomas Seaborne, William Seaborne, Emma McGhee, & George McGhee, her husband, Elizabeth Blow Ed Sandy Blow, her husband, Mary Chapman Ed Austin Chapman her husband

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 1896 ~~next,~~ to answer a Bill in Chancery exhibited against them in our said Court by James E Sebrell

And this 1st day shall in no wise omit under penalty of law. And have then there this writ.

WITNESS, ~~T. M. HOWARD~~ L. A. Gay, Clerk of our said Court, at the Courthouse, this 3rd day of February, 1896, in the 120th year of the Commonwealth.

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

Sebrell Jas. E.

V.S. } Summ: In chy:

Seaborns et als.

1896. 2. Feby: Rules,

Cir. Ct.

Executed this 5th day of Feby 1896 by Serving a true Copy of the within Summons upon Thomas Seborn in the City of Manchester where he resides

H Fitzgerald Sergt

by J. H. Fisher Dep Sergt

Fee 50cts paid

J. N. Sebrell Jr. p. q.

THE COMMONWEALTH OF VIRGINIA, The Sergt. of Manchester Va.

TO ~~THE SHERIFF OF SOUTHAMPTON COUNTY~~, ~~GREETING~~:

WE COMMAND YOU TO SUMMON Thomas Seaborne, William Seaborne, Emma McGhee & George McGhee her husband, Elizabeth Blow & Sandy Blow her husband, Mary Chapman & Austin Chapman her husband,

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 Feby. 1896 next, to answer a Bill in Chancery exhibited against them in our said Court by James E. Sebrell

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

WITNESS, ~~T. M. HOWARD~~ L. A. Gay, Clerk of our said Court, at the Courthouse, this ~~3rd~~ day of February, 1896., in the 120th year of the Commonwealth.

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

Sebrell Jas. E.

Vs. } Summ: In Chy:

Seaborne et als.

1896. 2. Feby: Rules.

Lis. Pt.

Executed this 14th May
of Feb 1896 by Sheriff
a copy of this Summons to
Edith Willis, Bloss. Sandy
Bloss Mary Chapman
& Alatha Chapman

A. G. Sims Clerk

J. W. Williams
Sol.

4

J. N. Sebrell Jr. p. q.

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON Thomas Seabourne, William Seabourne, Emma McClenny[3] & George McClenny[4] her husband, Elizabeth Blow[5] & Sandy Blow her husband, Mary Chapman[7] & Austin Chapman[8] her husband

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 1896 next, to answer a Bill in Chancery exhibited against them in our said Court by James E. Sebrell

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

WITNESS, ~~T. M. HOWARD~~ L. A. Gay, Clerk of our said Court, at the Courthouse, this 3rd day of February, 1896., in the 120th year of the Commonwealth.

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

Sebrell
vs. } Statement of Rules
Seaborne et als.

James E. Sibell, Plaintiff

vs. } In Chancery.

Thomas Seaborne William Seaborne, Emma McGhee & George McGhee her husband, Elizabeth Blow & Sandy Blow her husband, Mary Chapman & Austen Chapman her husband } Defendants

1896. 3rd Feby. Process Issd. to 2nd Feby. Rules

" 2nd Feby. Rules. Process returned executed as to all defendants except Emma & George McGhee, alias Issd. as to them to 1st March Rules, Bill & Exhibits filed & decree nisi as to defendants upon whom process served.

1896. 1st March Rules, Bill taken for confessed as to Thos. Seaborne, Wm Seaborne, Elizabeth Blow, Sandy Blow, Mary Chapman, & Austen Chapman and cause set for hearing as to them, process returned executed as to Emma & Geo. McGhee & decree nisi as to them.

1896. 2nd March Rules. Bill taken for confessed as to Emma & Geo. McGhee & cause set for hearing as to them,

Sebree
vs
Seaborne et als.

Memo.
for
Exhibits

Memorandum of Exhibits to be filed in suit of Sibrell vs. Osborne et als.

Ex. "A" Deed of ~~Trust~~ from Augustus Osborne & wife to W. J. Sibrell, Trustee, dated Apr. 9th 1889

Ex. "B" Deed of ~~Trust~~ from Jesse Osborne Jr. to W. J. Sibrell, Trustee, dated Apr. 9th 1889.

Ex. "C" Deed of ~~Trust~~ from Joseph Osborne to W. J. Sibrell, Trustee, dated Apr. 9th 1889

Ex. "D" Deed of ~~B.T.~~ from W. J. Sibrell Trustee, to J. E. Sibrell, dated Jany. 21st 1896

Ex "E" Deed of ~~B.T.~~ from Jno. H. Turner & Maria his wife to J. E. Sibrell dated Jany 2nd 1896.

Seabrell ..... Plaintiff...

AGAINST

Seaborne et als. ..... Defendant...

} In Chancery.

L. A. Gay

I, ~~T. M. HOWARD~~, Clerk of the Circuit Court of Southampton County, Virginia, do certify that bond as required under a decree of sale in the above style cause, entered on the 12th day of June 1897, has been executed with security deemed sufficient by me.

Given under my hand this 28th day of June 1897.

L. A. Gay C. C.

Debrett.

vs. } Statement of Costs.

Seaborne Davey.

Debree Jas. E.
W. } Statement of costs.
Seaborne et als.

Sumn. 25¢ 4 Copies 62¢ another Sumn. 25¢ = 1.12
1 Copy 15¢ another Sumn. 25¢ 1 Copy 15¢ another Sumn. 25¢ = .76
2 Copies 26¢ alias Sumn. 25¢ 2 Copies 26¢ . — 77
Receipt for all 5 Sumn. 90¢; affy. 10¢ Docketing 18¢ = 1.18
Rules $1.50, entering return 35¢, filing bill 15¢ = 2.00
Do. Exhibits 25¢, Copy Exhibits $2,00 fil. notice 15¢ = 2.40
filing joint answer of defendants 15¢, replication 15¢ = 30
fil. Comrs report 25¢, 3 days @ $2.50 Tax costs 40¢ = 2.81
fil. affy. papers 25¢, Future Costs $1.50 = 1.75

July 13th. 1897 Oct. 6th. /97. Paid L. A. Gay & costs $ 13.09
Paid J. W. Williams Stff. 2.00
Sergt of Portsmouth 1.00
" " Norfolk .50
" " Manchester .50
Land & L. 16.50
$33.59
Fees of Commissioners not ascertained 4.00
37.59

To William Shands and John N. Sebrell Jr., special commissioners in the suit of Sebrell vs. Seaborne at als. pending in the Circuit Court of Southampton County, Virginia,

Please make deed for the land purchased by me at the sale of the same made by you under decree entered in the above style cause on the I2th day of June I897 to Lizzie Blow and C.C.Claud, and this shall be your authority for so doing.

Witness my hand and seal this 23rd day of September I897

A. J. LeHapman (seal)

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

Form No. 17.

Sebrell

Comm. Report

against

Vaughan

Seaborne et als.

To _____ Rules, 189_____

JOHN N. SEBRELL, JR.,
ATTORNEY AT LAW,
COURTLAND, VA.

Drewryville Va August 16. 1897

J. W. Sebrell, Jr. & William Edwards

Commissioners

under decree of the Circuit Court of Southampton County in suit of Sebrell vs. Seaborn & others.

You please pay amount of net proceeds due me, from sale of land of which Jesse Seaborn died seized to R. A. Thomas, who is hereby authorized, by me, to receipt for same.

61 26

Witnesses

M. L. Chapman. Mary (her X mark) Chapman.

R. A. Pope.

To Messrs J.N. Sebell Jr & Wm Shands Special Comrs
in the chancery case of Sebell vs. Seboorn
and others

Gentlemen

You will pay over to
Suzzie Blow all money coming to us
from said suit. and this shall be
your authority for so doing. Given
under our hands and seals this
day of July 1897

Witness
A.T. Pate
Jno. P. Leigh
Virginia

William Seaborn (Seal)
Emma A. Mingee (Seal)

City of Norfolk To wit

I, _____ in and for
the city aforesaid hereby certify that
William Seaborn and Emma A. Mingee
whose names are signed to the
above writing dated July 1897

have acknowledged the same before me
in my city aforesaid. Given under
my hand this day of 1897

Received September the 15th 1897
of William Shands and John N.
Sebrell Special Commissioners
in the suit of Sebrell vs. Seaboard
et als pending in the Circuit
Court of Southampton County
Virginia fifty eight & 93/100
dollars in full payment of
Mary J. Chapman's share of
proceeds from sale of Land.

P. L. Shands

Received September the 15. 1897
of William Shands and John W.
Sebrell special commissioners
in the suit of Sebrell vs Seaborn
et als pending in the Circuit
Court of Southampton County
Virginia fifty eight and 99/100
dollars in full payment of
William Seaborn's share of
proceeds from sale of Land.

x Lizzie Blow.

Received September the 15. 1897
of Wilbur Shands and John
N. Sebrell Special Commissioners
in the suit of Sebrell vs
Seabron et als pending in
the Circuit Court of Southampton
County Virginia fifty eight
& 93/100 dollars in full payment
of Emma McGhee's share of
proceeds from sale of said
Lizzie Blow.

$301.65

Received Oct. 6th 1897 of Joel Tabb Jr., one of the Commissioners in the Chancery suit of Debree vs. Seabourne, the sum of Three Hundred and One & 65/100 Dollars, of which amount, the sum of $294.65 is the amount directed by decree of Sept. 29th 1897, to be paid to me, the sum of $5.00 is the amount directed by the said decree R.D. Moore, to be paid to me, and the balance of $2.00 is for fees of Sergts. of Portsmouth Norfolk & Nansemond Courts before paid by me.

James E. Debrell

Statement showing receipts and disbursements of the funds derived from the sale of the land sold under decree entered in suit of Sebrell vs. Seaborne et als, by Commissioners William Shands and John N. Sebrell Jr.,

Amount received as purchase price.....		$600.00
Paid cost as per statement of Clerk in papers.....	37.59	
" R.D.Moore Auctioneer.....	5.00	
" Attorney for preparing deed to purchaser	5.00	
" for posters.....	I.00	
" Commissions on $600.00.....	2I.00	
Balance after paying cost.....	530.4I	
	$600.00	$600.00
Balance to be distributed brought down.....		$530.4I
Paid J.E.Sebrell (five-ninths)	294.65	
" William Seaborne's order (one-ninth)	59.93	
" Emma McGhee's order (one-ninth)	58.93	
" Elizabeth Blow "	58.93	
" Mary Chapman's order "	58.93	
" Postage	.04	
	$530.4I	$530.4I

TO Honorable Robert R. Prentis, Judge of the Circuit Court of the County of Southampton, Virginia,

The undersigned your commissioners ~~appointed~~ Revised by a decree entered in the chancery cause of Sebrell vs. Seaborne, pending in the Circuit Court of Southampton, Virginia, on the 29th day of September 1897 to perform certain duties mentioned in said decree, would most respectfully report to your Honor, that in pursuance of the said decree they have executed to Lizzie Blow and C.C.Claud, a deed for the land in the bill and proceedings mentioned, Austin Chapman having directing ~~###~~ your said commissioners, in writing, to make said deed to the said Lizzie Blow and C.C.Claud as will appear from said writing ~~herewith filed as a part of this report~~

Your commissioners would report further that they have paid the costs of this suit and the sale of the said land, amounting in the aggregate to the sum of $69.59, including the commissions ~~###~~ of your commissioners; that they have paid five-ninths of the balance of $530.41, towit the sum of $294.65 to J.R.Sebrell; one-ninth of the said balance of $530.41, towit, the sum of $58.93, to order of William Seaborne; one-ninth of said balance, towit the sum of $58.93 to the order of Emma McGhee; one-ninth of said balance, towit, the sum of $58.93 to Elizabeth Blow, and the remaining one-ninth of said balance, towit, the sum of $58.93 to the order of Mary Chapman. The orders and receipts of the said parties being filed herewith and prayed to be read as a part hereof. A more particular account of the receipts and disbursements will appear from an account here to attached.

Respectfully submitted,

) Special
) Com'rs.
)

Patrick
vs.
Pierce
Seaborne et al

March 25th 1846

Entered this

Robert S. Patrick

Entered
Page 76—

We consent to the
Decree

Jas. Strudwick Jr. Sol.
Chancellor p.d.

Sebrell
vs.
Seaborne et als

This day this cause came on to be heard on the bill of the complainant and the exhibits therewith filed, the answer of the defendants this day filed by leave of court with replication thereto, and was argued by counsel. On consideration whereof, the Court doth adjudge, order and decree that P. A. Thomas, Burr E. Worrell, Frank Grizzard, B. W. Ennett and A. G. Rives, who are hereby appointed commissioners for the purpose, any three of whom may act, having been first duly sworn, do proceed to lay off and divide the real estate of which Jesse Seaborne dies seized and possessed, in the bill mentioned, into nine equal parts, having regard to quality and quantity, and assign four of said parts to Jas. E. Sebrell, one of said parts to Thomas Seaborne, one of said parts to William Seaborne, one of said parts to Emma McGhee,

one of said parts to Elizabeth Blow and one of said parts to Mary Chapman, If partition cannot be conveniently made as above, any two or more of the parties, if they so elect may have their shares laid off together, and the said J.E. Detrue, if he should so elect may have his share laid off together. And the aforesaid commissioners shall have the power if they find it necessary, to employ a surveyor and the cost attending survey to be paid with the general cost of this suit.

But if the said commissioners should find it impracticable to divide said lands among the parties aforesaid or should be of opinion that the interests of the said parties would be more promoted by a sale of the same, in such case they are required to report the facts upon which their opinion is based, to the court, and also what, in their opinion, is the fee simple value of the whole of the said real estate in the bill mentioned; and in either case they are required to

to report this proceedings under this order to the Court.

Schenck
vs.
Seaborne et al

Order

Entd Sept. 29, 1859

Robert C. Weems

Entered Orig. 105

Sibrell

vs.

Osborne et als.

By consent of parties plaintiff and defendant, by counsel in this cause, here entered of record, this cause is submitted to the Judge for such decision and decree therein in vacation as might be made in Term.

In Vacation: Circuit Court of Southampton County on the 12th. day of June 1897.

Debrell.

vs. } Decree.

Disborne et als.

This day this cause came on in vacation to be further heard on the papers formerly read and on the report of F.H. Grizzard, B.W. Ewell Esq & A.G. Neves, Commissioners, reporting that the land in the bill mentioned cannot be conveniently divided in kind and that a sale of the entire subject matter would promote the interests of all the parties, to which report there is no exception, and was argued by Counsel. On consideration whereof The Court doth adjudge order and decree that William B Hands and John N. Debrell jr. who are hereby appointed Special Commissioners for the purpose, either one of whom may act, do proceed to sell by public auction, to the highest bidder, after having given due notice of time, terms and place of sale, the tract of land in the bill mentioned, upon the following terms, To wit: One-half Cash, and the balance on a credit of twelve months from day of sale, the purchaser to give bond with approved security carrying interest from date for the deferred payment, title to be retained till the purchase price is fully paid, with the option to the purchaser to pay the

Entire purchase price in cash and take a deed upon confirmation of the sale by the Court.

But before the said Commissioners shall proceed to perform their duties hereunder, they shall enter into bond with approved security before the Clerk of this Court, in the penalty of $1000.- conditioned for the faithful performance of their duties under this or any subsequent decree which may be entered in this Cause.

And the said Commissioners will report to Court.

A Copy.

Teste: L. A. Gay Clk.

Entered June 12th 1877

Page 150.

Lebrun.
vs.
Lebrun et als.

Schreck
vs. 3 Decree
Osborne et al

Entered this decree Sept. 29, 1917.
Robert S. Lewis

Entd Page 181

Sebrell

vs.

Seaborne et als.

This day this cause came on to be further heard on the papers formerly read and the report of William Shands and John N.Sebrell Jr., special commissioners, to which report there is no exception; and was argued by counsel. On consideration whereof the Court, confirming the said report, doth adjudge, order and decree that the said sale be confirmed. And it appearing to the Court that the purchase price has been paid to the said commissioners by the said purchaser, the Court doth adjudge, order and decree that the said commissioners, William Shands and John N. Sebrell Jr., execute to the said purchaser, Austin Chapman, or to such person as he shall direct, a good and sufficient deed for the said land with special warranty of title.

And the Court doth further adjudge, order and decree that the said commissioners, after paying the cost of this suit and the sale of the said land, do pay five-ninths of the balance (it appearing to the Court that J.E.Sebrell has purchased the share of Thomas Seaborne in the said land during the progress of this suit) to J.E.Sebrell; one-ninth to William Seaborne, his order or attorney; one-ninth of said balance to Emma McGhee, her order or attorney; one-ninth of said balance to Elizabeth Blow, her order or attorney; and the remaining one-ninth of said balance to Mary Chapman, her order or attorney, taking the receipts of the parties to be returned to Court. And the said commissioners will report to Court.

Debrue

vs

Decree

Seabourne et al.

This day this cause came on to be heard on the petition of F.H.Dezendorf, Receiver of the Peoples Savings Bank, and on the report of the Commissioners, reporting that the land in said petition mentioned could be conveniently divided in kind and that the interests of all the parties would be promoted by such division, and the Court having heard the evidence and argument of counsel, and being sufficiently advised in the premises, finds that the allegations of said petition are true, and that the land described therein should be sold, and that the interests of the parties will be promoted by such sale, and that the following described land, to-wit:

The East half of the Northeast quarter of Section Twenty-three (23) in Township Twenty-two (22) North of Range Two (2) East of the Indian Meridian, in Logan County, Oklahoma, should be sold by the Master Commissioner of this Court, at the Court House door in Guthrie, Oklahoma, at public auction to the highest bidder for cash, after having given notice of said sale by publication for three consecutive weeks in the Guthrie Daily Leader, a daily newspaper published in Guthrie, Logan County, Oklahoma, the first publication of which shall be not less than twenty days before the day of said sale, and after having given notice of said sale by posting a written notice thereof in three public places in said County of Logan, for twenty days before the day of said sale, and that said sale be made subject to the approval of this Court, and that upon the confirmation of said sale by the Court, the Master Commissioner shall execute to the purchaser a deed conveying to him the land so sold, and that the proceeds of said sale be applied as follows, to-wit:

First, to the payment of the costs of this action, including the fees of the Master Commissioner and the attorneys for the plaintiff;

Second, to the payment of the plaintiff's judgment herein for $1,000.00 and interest thereon at the rate of six per cent per annum from the 1st day of June, 1928, to the date of sale, and the balance, if any, to be paid into Court to abide the further order of the Court.

It is further ordered that the Master Commissioner shall, upon the confirmation of said sale, execute to the purchaser a deed conveying to him the land so sold, and that the purchaser be let into possession of said land upon the production of said deed.

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This day this cause came on to be heard on the petition of F.H.Dezendorf, Receiver of the Peoples Savings Bank, and on the report of the Commissioners, reporting that the land in said petition mentioned could be conveniently divided in kind and that the interests of all the parties would be promoted by such division, and the Court having heard the evidence and argument of counsel, and being sufficiently advised in the premises, finds that the allegations of said petition are true, and that the land described therein should be sold, and that the interests of the parties will be promoted by such sale, and that the following described land, to-wit:

The East half of the Northeast quarter of Section Twenty-three (23) in Township Twenty-two (22) North of Range Two (2) East of the Indian Meridian, in Logan County, Oklahoma, should be sold by the Master Commissioner of this Court, at the Court House door in Guthrie, Oklahoma, at public auction to the highest bidder for cash, after having given notice of said sale by publication for three consecutive weeks in the Guthrie Daily Leader, a daily newspaper published in Guthrie, Logan County, Oklahoma, the first publication of which shall be not less than twenty days before the day of said sale, and after having given notice of said sale by posting a written notice thereof in three public places in said County of Logan, for twenty days before the day of said sale, and that said sale be made subject to the approval of this Court, and that upon the confirmation of said sale by the Court, the Master Commissioner shall execute to the purchaser a deed conveying to him the land so sold, and that the purchaser be let into possession of said land upon the production of said deed.

It is further ordered that the Master Commissioner will retain out of the proceeds of said sale the sum of $ [illegible] to pay his fee for making said sale, and that he pay into Court the balance of the proceeds of said sale, after deducting the costs of this action, including the fees of the Master Commissioner and the attorneys for the plaintiff.

It is further ordered that the Master Commissioner will retain out of the proceeds of said sale the sum of $ [illegible] to pay his fee for making said sale, and that he pay into Court the balance of the proceeds of said sale, after deducting the costs of this action, including the fees of the Master Commissioner and the attorneys for the plaintiff.

Dated June 23, 1928.

Robert L. Bailey
Judge

Debrue

vs.

Seabourne et al.

Decree

Filed June 23 1928

[illegible]
Court Clerk

By [illegible]
Deputy

Entered

In Vacation. Circuit Court of Southampton County on the 12th. day of June 1897.

Sebrell

vs. Decree

Seaborne et als.

This day this cause came on ~~~~ in vacation to be further heard on the papers formerly read and on the report of F.H.Grizzard, B. W.Everett and A.G.Neves, commissioners, reporting that the land in the bill mentioned cannot be conveniently divided in kind and that a sale of the entire subject matter would promote the interests of all the parties, to which report there is no exception, and was argued by counsel. On consideration whereof the Court doth adjudge order and decree that William Shands and John N.Sebrell Jr., who either one of whom may act are hereby appointed special commissioners for the purpose, do proceed to sell by public auction, to the highest bidder, after having given due notice of time, terms and place of sale, the tract of land in the bill mentioned, upon the following terms, towit: one-half cash, and the balance on a credit of twelve months from day of sale, the purchaser to give bond with approved security carrying interest from date, for the deferred payment, title to be retained till the purchase price is fully paid, with the option to the purchaser to pay the entire purchase price in cash and take a deed upon confirmation of the sale by the Court.

But before the said commissioners shall proceed to perform ~~ their duties hereunder, they shall enter into bond with approved security before the Clerk of this Court, in the penalty of $1000— conditioned for the faithful performance of their duties under this or any subsequent decree which may be entered in this cause.

And the said commissioners will report to Court.

Robert D. Watts

To the Clerk of the Circuit Court of Southampton County

Sabrill

1st. 3 Lieut Dragoons

Dearborne et al

Enlisted this Apr. 5 1848

Robert S. Ellis

Enld 201

Sebrell

vs. ~~[illegible]~~

Seaborne et als.

This day this cause came on to be further heard on the papers formerly read, and on the report of Special Commissioners William Shands and John N. Sebrell Jr., filed this day by leave of the Court, showing proper disbursements of the funds in the Hands of said commissioners, in this cause, with the receipts for the same, 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 that nothing furt remains to be done in this cause it is ordered that the same be removed from the docket. ~~with leave to any interested party to reinstate same by motion.~~