

1900-06

Southampton County - Chancery

Gordon, Laura v. Williams, Anna
et al

To pay for land,
or sell and funds divided

Williams Galt W.

Gordon, Geo. J.

Gordon, Jno. A.

Gordon, Wilson C

Gardner's Under

vs. { Price & Schmitt

Williamson & others

1896, 3d March filed
L. A. Gay 66.

McLennan

J. B. PRINCE,
ATTORNEY AT LAW,
COURTLAND, VA.

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

To the Hon R. R. Punter, Judge of the Circuit Court
of Southampton County. In Chancery.
Complaining Shanteau to your Honor, your
Complainant Louisa Gardner, as follows.
That in the year 18, her husband
Arrington Gardner departed this life
in testate leaving your complainant and
the following children as his heirs at law
and distributees viz - Anna Williams, formerly
Gardner, who has intermarried with
Robt N. Williams, Geo T. Gardner, Jno A.
Gardner, and Wilson C. Gardner - all adults.
That although a number of years have
elapsed since the death of her husband
no dower has been assigned to your
Complainant, though her husband
died seized of a farm in Southampton
County, out of which she was entitled to be
indowered. That the sons of her late hus-
band have paid her some compensation
for what they thought her dower interest
was worth at rent from time to time,
but now they pay nothing and your
Complainant is left in a very poor
and almost destitute condition. Your
Complainant has tried to have her
dower assigned by Consent of parties,
but so far to no avail - and the parties
who have been in possession of the
farm out of which your Complainant
is entitled to dower will do nothing for
her relief. That she thinks she is

Entitled to have damages for the detention
of her dower for at least five years -
and she wishes to have her dower
laid off in kind.

In consideration whereof and foras-
much as your complainant is without
remedy in the premises except in a Court
of Equity, where matters of this kind
are properly cognizable; to the end
therefore that justice may be done,
she prays that Anna Williams and
Robt M. Williams, her husband, Geo. J. Gard-
ner, Jno. A. Gardner, and Wilson B. Gardner
be made parties defendant to this bill
and compelled to answer the same.

Answers under oath being waived -
That your Honor will appoint Commissioners
to assign her dower in the land of
which her husband died seized - and
that an account may be ordered to
show what her dower interest has
been worth for the last five years -
and the same may be ordered to be paid
to her by the parties who have been in
possession of the land. That all necessary
proper accounts may be directed.
and that your Honor will grant all
such other, further, general and
special relief as to your Honor seem meet
on the nature of her case may require and
as in duty bound, she will ever pray &c.
May it please the Court &c.

Amie Williams

Gardner, Widow,

vs. } Statement of Butler

Williams et als.

Louisa Gardner Widow

Plaintiff

vs. } In chancery.

Anna Williams, & R. N. Williams
her husband, Geo. J. Gardner, John-
A. Gardner & Nelson & Gardner }

Defendants

1896. 20. Feby. Process Sd. to 1. st March Rules.

" 1. st March Rules. Process returned accordingly.

" 2nd March Rules. Bill taken for confessed
and Cause set for hearing.

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON *Orris Charles W. L. Williams*

and Willie Jayson

to appear before the Judge of our *Circuit* Court of Southampton County, at the Courthouse,

on the first day of *March* Term next, to *show cause if any*

they can show why they have not assigned dower
to Louisa Gardner, Widow of Arrington Gardner decd.
as directed under a decree entered at the March Term 1896
of said Court

And have then there this writ.

WITNESS, *L. A. Gay* ~~B. F. McLEMORE~~, Clerk of our said Court, at the Courthouse, this *10th* day
of *November*, 18*96*, in the *17th* year of the Commonwealth.

TESTE:

L. A. Gay, C. C.

Acopy. Teste: L. A. Gay C.C.

Gardner Louisa

vs.

} Sum: In chg:

Williams et als.

1896, 1. March Rules

low lot.

Executed Feb'y 25th 1896
by delivering to each of
the parties named for
the defendant

W. E. Gardner
for J. Williams
Shiff

(4)

Prince & M. L. Moore p. 9.

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON

Anna Williams & R. N. Williams
her husband, George J. Gardner, John A. Gardner and
Wilson B. Gardner,

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 *Louisa Gardner*

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 *20th* day of
February, 189*6*, in the 1*2th* year of the Commonwealth.

TESTE:

L. A. Gay, C. C.

Gardner

W. } Spa

Williams et als.

1897. 1st day March term

6th 6th

Mrs Lattie C. Jaynes

Mrs Ida Williams

~~Recorded~~ Dec.
1896 by delivering
a copy of the 'Spa' to
each of the within
named parties except
or vis Charles

H. E. Gardner
keeper for J. Williams
Mr. Charles A. kept in
his book

Trainer & M. L. p. 9.

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF SOUTHAMPTON COUNTY—Greeting:

WE COMMAND YOU TO SUMMON *Orvis Charles M. L. Williams*

and Misses Jayne

to appear before the Judge of our *Circuit* Court of Southampton County, at the Courthouse,
on the first day of *March* Term next, to *show Cause if any they*
can show why they have not assigned dower to
Louisa Gardner, Widow of Arlington Gardner decd,
as directed under a decree entered at the March Term 1896
of said Court.

And have then there this writ.

L. A. Gay

WITNESS, ~~B. F. McLEMORE~~, Clerk of our said Court, at the Courthouse, this *10th* day
of *Nov*, 18*96*, in the *17th* year of the Commonwealth.

TESTE:

L. A. Gay, C. C.

W. T. Joyner fee one dollar
W. G. Williams fee one dollar
Aggravation fee fifty cents

March 15 1897

we the commissioners appointed
did set aside Louisa Gardner her
dower of arington Gardner estate
line starting at walnut tree
at the line of W. G. Williams
running east to peacon tree,
to the lands of James McLenney,
line running on south side
of dwelling and the wood land
free to both parties

W. T. Joyner
W. G. Williams

And we also ascertain the
rent of her dower for the last
five years at twenty dollars per
year

W. T. Joyner
W. G. Williams

Gordon
vs. } Report of Commissioners
to assign bonds.
Fiduciary acts.

1897. March 15th. 1897

L. A. Goyner J. C.

County of Southampton &c. wit
I A. Goyner a Justice of the Peace in and
for the county aforesaid state of Virginia
do certify that W. J. Goyner & W. L. Williams
whose names are signed to the writings
within has affirmed to the correctness of
the same in my County aforesaid
Given under my hand this 15th day of March 1897

A. Goyner J. P.

Gardner

v } Spia

Williams

1896. Sept. 12.

by depositing \$10^{to}
1896 by delivering
a copy of this Spia
to each of the built
= in round letter

W. C. Gardner Dkt
for J. W. Williams
supp

(2)

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF SOUTHAMPTON COUNTY, GREETING:

WE COMMAND YOU TO SUMMON

H. L. Williams and S. H. Davis

B. F. McLemore, Clerk in Chancery, Grand
to appear before the ~~Judge of our County Court~~ of Southampton County, at the Courthouse thereof
on the *12th* day of *September*, 189*6*, to testify and the truth to speak
on behalf of *Louisa Gardner*

in a certain matter of controversy in our said Court depending and undetermined between

Louisa Gardner, plaintiff, and
Williams & others, defendant,

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

Witness, B. F. McLEMORE, Clerk of our said Court, at the Courthouse, this *9th* day
of *September*, 189*6*, in the 12/*th* year of the Commonwealth.

TESTE:

B. F. McLemore, C. C.

Gardner

& } Notice

Williams & co

1896. Sept. 12

Sept - 10/96th
Specimen Sept. 10
1896 by delivering a
copy of this notice to
each of the within
named parties

W. E. Gardner
for J. W. Williams
Supt

(6)

Commissioner's Office,

Southampton, Va., September 1st 1896

To Anna Williams & R. N. Williams her husband -
Geo. T. Gardner. John A. Gardner and Wilson C. Gardner.
and Louisa Gardner.

You are hereby notified that I have fixed upon the 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} An Account showing what the value of the dower
interest of Louisa Gardner was worth for the last five
years. With such other matters as may be deemed
pertinent by himself, or which may be required to be
stated by any interested party.

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. M. Linn

Commissioner.

To the Sheriff of Southampton County to execute.

Lanisa Gardner,
vs. } Deane,
Williams others.

Entered
page 59

Southampton Circuit Court, March Term, 1896.

Gardner Louisa,

vs.

Decree.

Williams & others.

This day this Cause came on to be heard on the bill of the Complainant, taken for confessed as to the defendants, all of whom are adults, and was argued by Counsel - On Consideration whereof the Court doth adjudge order and decree that Orris Charles, W. L. Williams and Willie Joyner be and they are hereby appointed Commissioners, after being ^{first} duly sworn, to assign to Louisa Gardner Widow of Arrington Gardner died, her dower in the lands whereof the said Arrington Gardner died seized - and in making said assignment, they will allot to her one third in value thereof, having regard to quantity and quality - and they will report to Court. It is further decreed that one of the Commissioners of this Court take an account showing what the value of the dower interest of said Louisa Gardner was worth for the last five years - which account the said Commissioner will audit and report to Court, together with such other matters as may be deemed pertinent by himself or which may be required to be so stated by any interested party.

A copy.

Teste: L. A. Gay C. C.

Gardner
r } Report.

Williams & Co.

1896. Sept. 12. filed.

L. A. Gay b.b.

Commissioner's Office.
Courtland Va.

Sept: 12th 1896.

To the Circuit Court of Southampton County:

Pursuant to a decree of the Circuit Court of Southampton County, entered at the March Term 1896. in the Cause of Gardner & Williams & al: the undersigned, one of the Commissioners of said Court. to whom the aforesaid decree has been referred, reports to Court: that on the day of 1896. he issued Notice against the parties hereto, requiring them to appear before him, at his Office, in Courtland, on the 12th day of September 1896. at which time and place he should proceed to take and report the account agreed for by the aforesaid decree. The Commissioner also issued Notice against S. H. Davis & H. L. Williams, requiring them to appear before him at the time and place aforesaid, as witnesses - and they having been sworn and examined, he submits the following: That sixty dollars per year is a fair rental value of the tract of land in the proceeding mentioned - which would make the value of the dower interest of the widow, Louisa Gardner, twenty dollars. (\$20.00) per year, or \$100.00 for the last five years. The witnesses above referred to live near the farm. are farmers, men of good judgment. and know the land well.

The Notice of the time and place of taking and reporting the aforesaid account, having been duly executed, and returned by the Sheriff, is herewith filed.

Witness fees:
S. H. Davis .66
H. L. Williams .50

Respectfully Submitted.

B. F. McLenor
Clerk in Chancery.

Com's fee \$5.00

Gardner

or $\frac{1}{3}$ Deer

Williamson's

2

Feb 25. 1897

Inter this -

Gardner

vs E. Beebe

William Porter

This day, this cause came on to be again heard on the paper formerly read, and the report of Censors assigning same to the widow of Arrington Gardner. filed Feb 15. 1897, to which there is no exception and was agreed by Counsel, on consideration whereof the Court doth confirm the said report, so far as the assignment of same is concerned. And as to all other matters this cause is continued.

Louisa Gardner
or 3 Decem
William J. J. J.

1896 Mah Jan
24th.

Robert R. Reutis.

Entered

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Made 2 copies

Gardner - Louisa -

vs 3 Dece

Williams & others

This day this cause came on to be heard on the bill of the Complainant, taken for Confessed as to the defendants, all of whom are adults, and was argued by Counsel. On consideration whereof the Court doth advise, order and decree that Orris Charles, W. S. Williams and Willie Jones be and they are hereby appointed ^{after being first duly sworn} Commissioners to assign to Louisa Gardner widow of Arrington Gardner died her dower in the land whereof the said Arrington Gardner died seized - and in making said assignment, they will select to her one third in value thereof - having regard to quantity and quality - And they will report to Court, It is further decreed that one of the Clerks of this Court take an account showing what the value of the dower interest of said Louisa Gardner was worth for the last four years - which account the said Commissioner will audit and report to Court, together with such other matters as may be deemed pertinent by himself or which ^{may} be required to be so stated by any interested party.

Gardner,

Vs.

Williams et als.

This day this cause came on again to be heard upon the papers formerly read and upon the report of Commissioner B. F. Mc. Lemore, filed September 12th. 1896, to which no exceptions have been taken, and was argued by Counsel. On consideration whereof the Court, without passing upon the report of the said Commissioner, doth adjudge order and decree that Orris Charles, W. S. Williams and Willie Joyner, who were appointed at the March term 1896, of this Court to assign dower to the widow of Arrington Gardner, Decd. be summoned to the next term of this Court, to show cause if any they can show why they have not assigned the dower to the said widow, in accordance with the directions of the aforesaid decree.

Gardner

v. DECREE.

Williams.

Apr. 3, 1900.

Enter this

Robert R. Hunt

Entered Page 299

Gardner

v. DECREE.

Williams.

~~This day this cause~~ It being suggested to the court
that the plaintiff in this suit is dead and the object of
the suit having ended with her death, and nothing further
appearing necessary to be done it is ordered that this
cause be removed from the docket.