

1902. 04

Southampton County - Chancery

Eroutt, Frank E. vs Myrick, Eunice ^{right et al}

Special Warranty
Shall to be prepared
pursuant to agreement

Myrick, Samuel S. ^{right}

Erwith.
R. J. Rice
Myrick & others

Your compensations will ever be paid etc.
out of my funds coming under its control.

To the Honorable Robert R. Prentiss, Judge of the Circuit Court of Southampton County.

--IN CHANCERY--

Complaining sheweth unto the Court your complainant Frank E. Everett, a resident of Southampton County, that on or about the 1st day of January 1898, at which time your complainant was under the age of twenty-one years, he with the assistance of his father, purchased a certain tract of land in Southampton County known as the Amos Pope place upon which W. P. Gillette resided, lying about three miles North of Newsoms, and containing *Three hundred* acres more or less and that the price agree to be paid for said land was \$2000⁰⁰.

That your complainant did not then have the money to pay for same, but that Mrs. Nannie P. Myrick, his aunt, agreed to loan him the money with which to make the purchase of the farm; but when the time came to arrange the papers to secure said Mrs. Nannie P. Myrick for the purchase price of the land aforesaid, they were advised that your complainant, being under twenty years of age, he could not make any conveyance securing same, and thereupon by mutual consent of all parties, and with the avowed purpose of acquiring this farm for your complainant as a home, the deed for same was made direct to the said Mrs. Nannie P. Myrick with the understanding and agreement that when your complainant became twenty-one years of age, she would make to him a deed and take a deed of trust, or if he should desire to pay for same, that she would then make to him a deed for the property.

Your complainant states that in pursuance of said understanding he immediately moved to said premises and has since lived thereon and made important and valuable improvements thereon with the full understanding that the property

was to be his upon the payment of the purchase price with interest; that on October 21st 1898, he became twenty-one years of age and had about perfected his arrangements to pay the money over for the farm and take a deed in pursuance of their original agreement when his aunt, Mrs. Nannie P. Myrick, departed this life intestate, leaving two infant children, Samuel S. and Eunice D. as her only heirs and distributees at law.

Your complainant avers that he is now ready to pay over the money advanced by the said Mrs. Nannie P. Myrick, and take a deed for the same, and that he is advised and believes that he has the right so to do; that the interest of no party will be violated thereby, and that the contract and agreement with his aunt will be thereby carried out.

In tender consideration whereof and for as much as your complainant is without remedy save ^{aid of} by a court of equity where all such matters are alone and properly cognizable, to the end therefore, that justice may be done, your complainant prays that the said Eunice D. and Samuel S. Myrick, infants, may be made parties defendants to defend their interest in this suit who shall answer this bill; that a commissioner may be appointed to make to your orators, a deed with special warranty for the tract of land in the bill mentioned, upon the payment to him of the money advanced by the decedent Mrs. Nannie P. Myrick, together with the interest due thereon if any; that all proper accounts may be taken, inquiries directed and such other further general and special relief granted to your complainant as the nature of his case may require, or to equity shall seem meet.

Notice is hereby given that the Court will be asked to allow reasonable fees to plaintiff's Counsel conducting this

--3--

out of any funds coming under its control.

Your complainants will ever pray etc.

Prince & Wilmore
pg

10/10/10

Everett
v. } Justice
Myrick's Heirs.

We acknowledge due
and legal service of
this summons -

Frank E. Everett
by J. H. McLaughlin - Atty.

J. B. Prince, Jr.
J. G. M. ad. L. H. H.

OFFICE OF JOS. B. FENCE, JR.,

Commissioner in Chancery for the Circuit Court of Southampton County, Virginia.

Courtland, Va., Dec. 13, 1899. 189

To

Frank E. Everett,

(plaintiff)

and Eunice D. and Samuel S. Myrick.

(defendants)

You are hereby notified that I have fixed upon the 21st, day of December, 1899
~~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:-The fee simple value of the land mentioned in the Complainant's
Bill in the suit, Everett v. Myrick's Heirs.

2nd:-Whether or not the said tract of land was purchased by Mrs. Nannie
P. Myrick for her own use and benefit, or for the use and benefit of
the plaintiff, Frank E. Everett, and whether or not it was the intention
of said decedent to make to the said plaintiff a deed ^{for} the property
aforesaid when he arrived at the age of twenty one years upon the
payment, or security to her of the purchase of same.

3rd:-Any matter specially stated deemed pertinent by the commission-
er or required to be so stated by any interested party.

required to be taken by a decree of Southampton Circuit Court, rendered ~~on~~ October, 3rd.,
term, 1899, 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. McLean, Commissioner.

To the Sheriff of Southampton County to execute.

In the Circuit Court of Southampton County
October Term 1899.

Everett

vs.

Myrick's Heirs et al.

This day, this cause which has regularly matured at rules, came on to be heard upon the bill and exhibits, and J. B. Prince Jr. is assigned guardian ad litem to the infant defendants Eunice S. and Samuel S. Myrick to defend their interest in this suit, and thereupon the said guardian ad litem filed the answer of the said infant defendants and his own answer to the bill of the plaintiff to which answers the plaintiff replied generally, and was argued by counsel.

On consideration whereof, the Court doth adjudge, order and decree that the papers in this cause be referred to one of the Commissioners of this Court who is directed to enquire into and report to Court; first, the true simple value of the tract of land in the bill and proceedings mentioned; second, whether or not the said tract of land was purchased by Mrs. Nannie S. Myrick for her own use and benefit or for the use and benefit of the plaintiff Frank Everett,

and whether or not it was the intention of the said decedent to make to the said plaintiff a deed for the property aforesaid when he arrived at the age of twenty-one years, upon the payment, or security to her, of the purchase price of same, all of which he will report to Court together with the evidence upon which he bases his report, together with any other matter specially stated deemed pertinent by the Commissioner or required to be stated by any interested party.

At copy.

Teste: L. A. Gay C. C.

Everett

vs } Copy of Decree

Myraet's Heirs

Enter Oct. 3. 1899.

Robert R. Farnham

Entered page 277

1
Courtland, Va. Jan. 22, 1900.

To the Circuit Court of Southampton County:-

Pursuant to a decree of the circuit court of Southampton county, entered October 3rd., 1899, in the cause of Everett***v. Myrick's Heirs, the undersigned, one of the commissioners of said court, to whom was referred the aforesaid decree, reports to court : That on the 13th day of December in the year 1899, he issued notices against the parties hereto, requiring them to attend the the taking of the account called for by said decree ^{before} ~~at~~ him, at his office in Courtland, Va., on the 21st, day of December, in the year 1899.

Upon the evidence given by the parties the commissioner reports the following to the court:-

That the fee simple value of the land mentioned in the complainant's bill is about \$2000.

That the tract of land mentioned in the complainant's bill was purchased for the use and benefit of Frank E. Everett, and that it was Mrs. Nannie P. Myrick's intention to make a deed to him, conveying said land when he arrived at the age of twenty one, ^{year} upon the payment or security to her of the purchase price of same.

Respectfully submitted,

B. F. McLeod..... Comr. in Chy.

Court. fee \$3.00

"A"
11

Suffolk, Va, Feb. 7, 1898.

Dear Buddie,

I received your letter Sat. night. will reply this morning. Do Dr. sent me a check for \$500⁰⁰ last week. So I send you an order on him for \$1700⁰⁰ and a check for \$100⁰⁰. I shall be real sorry to lose Frank, but you know best how much you need him. He and Lina feel almost like they belong to me. Give love to Bettie and all. Come soon.

Hastily,

Hannie Myrick.

Suffolk, Va. Feb. 8, 1898.

Dr. W. H. Laughton,
Sunbeam, Va.

Dear Sir

Pay to the
order of C. Everett \$1700⁰⁰
(seventeen hundred dollars)
and oblige yours respectfully,
Hannie P. Myrick.

Suffolk, Jan. 7, 1898.

Dear Biddie, —

I have just received your letter. Yes, certainly I will let Tom have the money. I heard of his trouble through Lina, & thought I would write and offer assistance. But decided he would write if he needed it. & I am willing to let you have money on the Pope farm if I have enough. I don't know how much Dr Daughton.

has for me now.
Mr McDermore was
here this afternoon
he spoke of the
Maddrey farm. What
have they all done
about it? Say to settle
it without going in
law. Tom Bennett
is here to night, Sambo
has enjoyed Percie's
visit, wish he could
stay longer. I would
write more but
have promised to
sit up with a sick
lady who is thought
to be dying, & it is
time for me to go.
Tom & Beniah will
stay here. All are
well except colds

Come when you
can. Give love
to all. Hastily
Hannid Myrick

Witness J.T. Knight being duly sworn deposes as follows.

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

A. 31, Courtland, Va. Merchant - ~~I am married~~ ^{yes -}

Q. 2 Did C. Everett buy a tract of land from you about Feby. in the year 1898. If so state to whom you made the deed and all you know concerning the transaction.

A... yes the deed was made to Mrs M. B. Myrick. The land was bought for Frank Everett. He came to look at the place some time before it was bought, and he had money in Frank Everett's estate and not being able to reach it - Mrs Myrick advanced the money for him and took a deed to same so as to secure herself.

The transaction was made in Mr McGee's office and his attention was called to the fact - that while the deed was made for the land to Mrs Myrick, it was understood & agreed that at the time Frank Everett became of age - he should either pay for same or give Mrs Myrick a deed of trust - & take a deed to property in his own name -

Q. 3. What in your opinion is the value of this land?

A. I think I sold it for about what it is worth - \$2000.

And further this deponent saith not.

J. T. Knight

The depositions of C. Everett and others taken before me,
N. F. M. Lemoine, a commissioner in chancery for the circuit
court of Southampton County, at Courtland, Va., on the 21st of
December in the year 1899, ~~as~~ evidence in a certain suit
in Equity, depending in the circuit court of Southampton Co.
wherein Frank E. Everett is plaintiff and Eunice D. and Saml.
Myrick are defendants.

Present:—J. B. Prince, Jr., gdn. ad litem for the infant
defendants.

Witness C. Everett, being duly sworn deposes as follows.

Q. State your age, residence, occupation and do you know the parties to this suit?

A. Fifty one—Southampton County, Farmer, Yes.

2) Q. The complainant in this suit alleges that he with the assistance of his father purchased a tract of land from J. T. Knight about the first of January, 1898, that not having money in his possession sufficient to pay for the same, he agreed with Mrs. Nannie P. Myrick to have her pay for the land and take a deed of trust, but being advised he could not make or execute a deed binding upon himself, being under the age of 21 years, she took a deed to same, and it was mutually agreed and understood that she should make to him a deed and take a deed of trust upon his attaining 21, or if he desired to pay for same at that age, she would make him a deed of bargain and sale. That ~~about~~ *on 29 August* the 21st of September in the year 1898 Mrs. Nannie P. Myrick departed this life, not having made said deed and having made no will directing it to be done.

State what you know in regard to this, and especially whether or not the land was purchased with this intention.

A. She intended for Frank to have the land. *Mr* Jim Knight had the farm for sale, and seeing it was a good farm, and knowing that Nannie, my sister, had the money, I asked her to let ~~him~~ *Frank* have the money to pay for same. She agreed to let me have the money for Frank. I bought the land and had the deed made to her, so as to secure her until Frank became of age. I told her as I had had the deed made to her it would be well for her to make a will, stating how Frank ~~was~~ to have this land in case of her death, and she could also state how the payments ~~were~~ to be made. He was to pay the interest annually, and all he could over, and the \$1000 which he ~~had~~ coming from Capt. Everett's estate, which is to be paid to him at cousin Julia P. Everett's death, in case the land should not be paid for at that time, was to be applied in payment for the land, or so much as was necessary to make a full payment.

She died before Frank became of age, soon after we bought this land and left no will.

I also have letters stating that Mrs. Myrick intended for Frank to have this land upon the above arrangement. *filed here with*

3) Q. Have you any interest in this matter except for your son's *"a"* benefit?

A. None at all.

And further this deponent saith not.

.....Caleb Everett.....

Witness Dr. W.H Daughtry being duly sworn deposes as follows.

1)Q. State your age , residence , occupation and do you know the parties to this suit.

A. 64 , Southampton county, farmer ,yes.

2)Q. You have heard the questions asked Mr. Everett concerning Mrs Myrick's intention in making over the land to Frank Everett , state what you know in regard to this matter.

A. Having some of Mrs.Myrick's money in hand as admr. of W.E. Myrick, decd. Mr Everett came to me for money to pay for this land for Frank Everett, showing me letters from Mrs. Nannie P. Myrick, agreeing to let him have the money for this purpose.

Mr.Everett stated to me that there could be no risk in using her funds, as the deed would be made to her.

I am satisfied that the land was purchased for Frank Everett.

3)Q. Are you guardian for the infants ~~the~~ defendants in this suit?
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~*not.

A. Yes.....

And further this deponent saith not.

.....W.H. Daughtry.....

Esmerall

os } Spa: In chry.

Myrick's

1899. 2" Sept. Rules
Giv. let.

Prince & M.L. p. 9.

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Southampton County--Greeting:

We command you to summon Emilee D. and Samuel S. Myrick

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 2nd Monday in Sept 1899 next, to answer a bill in Chancery exhibited against them in our said Court by Francis E. Everett

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

WITNESS, L. A. GAY, Clerk of our said Court, at the Courthouse, this 13th day of September, 1899, in the 12th year of the Commonwealth.

Teste: L. A. Gay C. C.

A Copy—Teste: _____ C. C.

Everett

vs. Statement of Rufus

Myrick et al.

Frank E. Everett

Plaintiff

vs.

Emmie D. and Samuel J.

S. Myrick

Defendants

1899. 13th. Sept. Process issued to 2nd. Sept. Rules '99

1899. 2nd. Sept. Rules Process returned executed

Bills filed.

Jos. N. Sebrall Jr. appointed

Guardian ad litem to infant

defendants

1899. 2nd. Sept. Rules Answer of infant

defendants by their Gdn.

admitted filed and cause

set for hearing.

Errett

n. { Answer of
{ gdu. ad li lura

Myrick et al -

1900. 22nd Jan. Filed

May 6.6.

N. Y. Resolutions passed Dec.

And not having answered they may hence to be dismissed.

1900. In the complaint's bill. They therefore commit all the
 years of tender years and know nothing of the matter con-
 sidered they should answer and say: that they are in-

These respondents, having and receiving no, for and to
be said will, or so as much thereof as they are advised
and can convey by hand themselves.

boldly exhibited against them in the original copies of Southey's, or J. B. Prince Jr.'s, letter forwarded at New York will in the answer of June 10 and 2nd 1841. J. M. Wythe's influence of course

The answer of Eunice D. and Saml. S. Myrick, infants of tender years, by J. B. Prince jr., their guardian ad litem to a bill in equity exhibited against them in the circuit court of Southampton county by Frank E. Everett.

These respondents, saving and reserving &c, for answer to the said bill, or to so much thereof as they are advised it is material they should answer, answer and say; that they are infants of tender years and know nothing of the matter contained in the complainant's bill. They therefore commit all their interests to the protection of the court.

And now having answered they pray hence to be dismissed with their reasonable costs &c.

Eunice D. and Saml. S. Myrick,

by *J. B. Prince Jr. Guardian ad litem*

Know All Men by These Presents, That we, J. L. McLemore
vs

are held and firmly bound unto the Commonwealth of Virginia in the sum of (3,000.00)
Three Thousand 00/100 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 obligation, 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 _____ day of _____ one thousand
eight hundred and ninety_____

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound_____

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

under a decree of the County Court of the County of Southampton
pronounced on the 3rd day of April 1900, 189____, in the suit therein depending
under the name and style of Everett vs Myrick's Heirs or any
future decree that may be entered in this case.

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

Signed, sealed and acknowledged in the
presence of

SEAL

SEAL

SEAL

In the Clerk's Office of the _____ Court of the County of Southampton.

This day _____

suret _____ on the above bond, made oath before me, _____ Clerk
of the _____ Court of the county of Southampton, and State of Virginia, that
estate _____, after the payment of all _____ just debts and those for which _____ bound
as securit _____ for others and expect to have to pay, _____ worth the sum of _____
dollars.

Given under my hand this _____ day of _____, 189____

Teste: _____, Clerk.

Currell

vs. } Statement of costs

Myra's

E. M. Will

vs. } Statement of Costs

1899

Myrick's

Sept 13 -	Sum. 25. receipt 18. atty. 10. Docket 18 =	71
	Rules 1.00 return 35. fil. bill 15.	150
	D. answer of 4th, ad litem 15. 2 depositions copy 1.36 =	151
	Giving Comr's report 25. Tax costs 40 =	65
	1 Decees 36, 1 continuation 25. file away papers 25 =	86
	Special Comr's bond 1,40. In Time costs 2,00 =	3,40
		to left 8.63
		Shff 0.00
	Paid J. L. M.	Law re. 16.50
		25.13
	Fee of Lewis B. F. M. L. more paid - J. L. M.	8.00
		33.13

Teste: L. A. Gay Jr. S.

Received April 15th, 1902 of Jas. L. McIlmure
Special Comr. in suit of Frank Everett vs. Myrick's
the sum of Eight $8^{63/100}$ Dollars, on account of
Clerk's fees in said suit. Thanks

L. A. Gay Jr.

Recd of J. L. McSmore, Special Agent
in case of Everett v. Myrick's Infants. One
Hundred & Twenty Dollars. Interest received
from F. E. Everett for year 1899.
Dec. 18. 1900 C. Everett admn

I sign & enclose as requested

Recd. of J. L. McNamee, Spec. Comm.
The sum of one hundred & twenty
five dollars in his hand from Frank
Everett of c Gillitts farm -
226.00
50
\$176.00 April 10 1902 C. Everett admr

\$50.00 fee should be deducted from above as it was improperly included in the
receipt - L.M.

Received of J. L. McLeMore, Special Commissioner in the chancery cause of Frank Everett v. Myrick's Infants, the sum of \$1800.00 on account of money collected by him from Frank Everett in the above mentioned cause in pursuance of decree of April 3rd., 1900.

C. Everett Adams A.P.M.

April 1st., 1902.

\$88.⁰⁰ amt paid by C. Everett & Frank as interest
to, Mrs N.P. Myrick on \$2000.00 loaned to Frank Everett
to buy Pope farm. C. Everett

Above amt was paid for year 1898 or the 1st years interest

This amt was collected & paid to Mrs Myrick before her death.

Frank E. Corbett
V. 3 Final
V. 3 Report.

Myrick Infants.

1902 Sept. 30th. filed.

To the Hon Robert R Drentis, Judge of
the Circuit Court of Southampton County.

Frank Everett

v.

Myrick Infants-

The undersigned Special Comm. begs
to report that in this case he has, in pursuance of
decree of Apr. 3. 1900, collected from Frank Everett
the sum of \$2356.²⁵ principal interest due on
the purchase price of the farm in the bill mentioned
that he has made to the purchaser a deed for the land
with special warranty, and has disposed of the funds
in his hands as follows:

Total Amos. received

\$2356.²⁵

To Comm on \$2356.⁰⁰

56.12

" paid costs of suit.

33.13

" " McLuskey & Corbit attys. fee.

75.00

" Amos. paid by F. E. Everett before
death of Mr. P. Myrick on above debt
as per vouchers attached

88.00

" paid for writing out

10.00

260.25

\$2096.00

1900

Dec. 18.

To paid C. Everett, Admin. of
N. P. Myrick, as per voucher-

\$120.00

1902

Apr. 1.

To paid C. Everett, Admin. as aforesaid

1800.

" 10,

" paid " " " "

176.

2096.00

Vouchers attached.

Respectfully Submitted
Jas L. Smore,
Special Comm.

or or required to be stated by any interested party.

or master specially stated deemed pertinent by the commission
ence upon which the basis is reported together with any op-
all of which he will report to Court together with the evi-

ment to or security to pay of the purchase price of same
when he arrived at the age of twenty-one years. upon the
make to the said plaintiff a deed for the property aforesaid
whether or not it was the intention of the said decedent to
the use and benefit of the plaintiff Frank Everett and
by Mrs. Annie E. Walker for her own use and benefit or for
second, whether or not the said tract of land was purchased
of the tract of land in the bill and proceedings mentioned;
duire into and report to Court; first, the fee simple value

of the commission of this Court who is directed to in-
and decrees that the matters in this cause be referred to one
of counsel, and whereof, the Court doth adjudge, order

Everett
vs. ³ Deane

plaintiff and defendant
answer to the bill of the plaintiff to which answers the
listed the answer of the said infant defendants and his own
test in this bill, and thereupon the said Guardian ad litem
defendants Prince and Samuel E. Walker to defend their in-
plaintiff and defendant
Everett
vs. Deane
Guardian ad litem
Prince and Samuel E. Walker

J. D. Prince Jr. is assigned Guardian ad litem to the infant
rules' came on to be heard upon the bill and exhibits; and
This day, this cause which has regularly matured at

JURICK & HEIRS ET AL'S.

AS.

EVERETT

EVERETT

vs.

MYRICK'S HEIRS ET ALS.

This day, this cause which has regularly matured at rules, came on to be heard upon the bill and exhibits, and J. B. Prince Jr. is assigned guardian ad litem to the infant defendants Eunice D. and Samuel S. Myrick to defend their interest in this suit, and thereupon the said guardian ad litem filed the answer of the said infant defendants and his own answer to the bill of the plaintiff to which answers the plaintiff ~~by counsel~~, replied generally, and was argued by Counsel.

On consideration whereof, the Court doth adjudge, order and decree that the papers in this cause be referred to one of the commissioners of this Court who is directed to inquire into and report to Court; first, the fee simple value of the tract of land in the bill and proceedings mentioned; second, whether or not the said tract of land was purchased by Mrs. Nannie E. Myrick for her own use and benefit or for the use and benefit of the plaintiff Frank Everett, and whether or not it was the intention of the said decedent to make to the said plaintiff a deed for the property aforesaid when he arrived at the age of twenty-one years, upon the payment, to or security to her, of the purchase price of same, all of which he will report to Court together with the evidence upon which the basis is reported, together with any other matter specially stated deemed pertinent by the commissioner or required to be stated by any interested party.

Frank E. Everett,

v. Decree.

Myrick's Infants.

Enter, April 3, 1900.

Robert R. Harris

Entered 304

Everett

V.

Myrick's Infants ,

This day this cause came on again to be heard upon the papers formerly read, upon the report of Commissioner B.F. McLe-
more, filed January 26th. 1900, to which no exceptions have been
taken, and was argued by Counsel.

On consideration whereof, and it appearing from the said
report that Nannie P. Myrick, now deceased, purchased the tract of
land in the bill mentioned for the complainant Frank E. Everett, and
had agreed and intended to make to him a deed for same upon his ar-
riving at the age of twenty one years, and it further appearing that
the said complainant has reached his majority, and is entitled to
a deed for the said tract of land upon the payment of the purchase
price of \$2000. with interest from January 1st. 1898, the Court doth
adjudge, order and decree that Jas. L. McLe-
more who is hereby appointed
a special commissioner for the purpose, shall upon the payment of the
sum of \$2000. with interest from January 1st. 1898, execute to the
said Frank E. Everett a deed with special warranty for the tract of
land in the proceedings mentioned, and report to Court.

But before the said Commissioner shall proceed to act hereun-
der he shall enter into bond before the Clerk of this Court in the
penalty of \$3000. with security to be approved by said Clerk, con-
ditioned to faithfully perform this or any future decree that may
be entered in this cause, and he will report to Court.

Frank B. Everett

v.

Myrick's Infants.

Enter

day of Oct. 1901

Robert R. Smith

Entered
page 220 449

It is ordered that the same be removed from the books of the court. And nothing further remaining to be done in this case and George Smith be released to and the same be put in the hands of the court. On consideration whereof the court doth adjudge order

Myrick's Infants.
v.
Frank B. Everett

Frank E. Everett

v.

Myrick's Infants.

This day this cause came on to be heard upon the papers formerly read and upon the report of Special Commissioner, James L. McLemore, ^{September 30th 1902} filed ~~this day~~ by leave of court reporting collection of the purchase money and execution to Frank E. Everett of a deed with special warranty for the real estate in the bill and proceedings mentioned, and also reporting the payment of \$2076.00 in his hands over to C. Everett, Administrator of Nannie P. Myrick, which report is supported by proper vouchers and to which no exceptions have been taken, 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. And nothing further remaining to be done in this cause it is ordered that the same be removed from the docket.