

1903-17

Southampton County Chancery

Markes, Rosa A
et al

vs

Lardon, Walter E. et al

To prepare Special
Comrs' deb, and Bryant
pay for land within
a reasonable time.

Lardon, J W.

Lardon, Robert A

Lardon, Walter E.

Lardon, Harry L

Lardon, Herman

Bryant, Baily

Lardon, Harry L

Lardon, Herman

Atkins et al

Exhib -

Gordon et al

~~~~~

J B Poirer Son  
f.c.

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

-----In Chancery-----

Humbly complaining sheweth unto Your Honor, your complainants, Rosa A. Marks, T. W. Darden and Robert A. Darden, as follows: that during the month of March of the present year Robert S. Pope died intestate leaving the following heirs at law:

Rosa A. Marks, T. W. Darden, Robert A. Darden, Walter E. Darden, Harry L. Darden and Hurman V. Darden, the last three minors, under the age of twenty-one. That during the life time of the said Pope it is claimed by one Bailey Bryant that he bought of the said Pope a parcel of land containing 100 acres for the sum of \$500.<sup>00</sup>, and the said Pope put the said Bryant in possession of the said land, which he has held for the last several years, and he is now in possession of the said land. That the said Bryant has paid to the said Pope during his life time, certain sums of money but not enough to pay the interest on the purchase price, that he refuses to give up the said land, that the heirs of the said Pope are willing for the purchase to stand provided the said Bryant will execute his bonds for the purchase price and secure them. That the said Bryant cannot get a good and sufficient deed for the said parcel of land from the heirs of said Pope even were he to pay the purchase price in cash, because three of those heirs are minors.

In consideration whereof and inasmuch as your complainants are without remedy save in a Court of Equity where such matters are properly cognizable, to the end, therefore, that justice may be done, they pray that Bailey Bryant, Walter E. Darden, Harry L. Darden and Hurman V. Darden may be made parties to this bill and compelled to answer the allegations thereof, though answers under oath are expressly waived. That some fit and proper person may be assigned guardian ad litem

to defend the interest of the infant defendants. That Your Honor will enter an order requiring the said Bryant to pay for the said tract of land within a reasonable time. That some party may be appointed a special commissioner to execute to the said Bryant a good and sufficient deed for the said tract of land when it is fully paid for. And that Your Honor will grant all such other, further, general and special relief as to equity shall seem meet or the nature of the case may require. And as in duty bound &c. May it please the Court &c.

*J.B. Prouett* f.c.

The Joint and Several Answer of Walter E. Darden, Harry L. Darden, and Hurman V. Darden, Minors under the Age of Twenty-one, by W. J. Sebrell, their Guardian ad Litem, to a Bill of Complaint Exhibited against Themselves and Others in the Circuit Court of Southampton County.

These respondents, saving and reserving &c., for and to the said bill, say, that they are minors and being such, submit their rights to the protection of this Court,

And having answered they pray hence to be dismissed &c. May it please the Court &c.

*W. J. Sebrell,*  
Guardian ad Litem.

Worke, Rosa A,

vs. { ~~the~~ Reports of  
Mugant et al. { ~~Almice, Jr.~~ Sp. Com.

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Marks, Rosa S.,

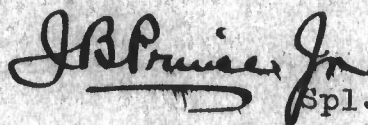
vs.

Report of Special Commissioner, J.B.Prince, jr

Bryant et als.

The undersigned, your commissioner, begs to report,  
That in pursuance of a decree of the Circuit Court of Southamp-  
ton county in the above styled cause, entered on the 7th day  
of October, 1902, directing him as special commissioner to ex-  
ecute to Bailey Bryant a deed of bargain and sale for 100 acres  
of land in the bill and proceedings mentioned in this case,  
when the said Bailey Bryant should execute to J.B.Prince and  
E.L.Marks his bond for \$500.00, the purchase price for the  
said land, ~~\*\*\*\*bond\*\*\*\*to\*\*\*\*be\*\*\*\*paid\*\*\*\*to\*\*\*\*~~, said Prince and  
Marks being administrators of R.S.Pope, decd., that on the  
day of                      , 1902, the said Bailey did execute to  
said Prince and Marks his bond for said purchase price, \$500.00,  
securing the payment of same by a deed of trust on the land  
conveyed, and on the 26th day of November, 1902, as special  
commissioner, I executed him a deed of bargain and sale for  
the said tract of land, said deed being with special warranty.

Respectfully,

  
Spl. Comr.

Marks & als

vs. { Statement of Rules

Boys and als.

Rosa S. Marks, T. W. Darden  
and Robert A. Darden Plaintiffs  
vs

Bailey Bryant, Walter E. Darden,  
Harry L. Darden and Herman  
V. Darden, last three infants  
under 21 years of age by W. J.  
Sebrall, Son, ad litem, Defendants

In Chancery

1902. 29th August. Process issued 10th Sept. Rules.

1902. 2nd Sept. Rules. Process returned executed.

Bill and exhibits filed.

W. J. Sebrall appointed Son.

ad litem to infant defendants.

Decree nisi

1902. 3rd. Sept. Rules. Bill taken for confounds.  
and cause set for hearing

Monroe et als.

vs. }

SUBPENA  
IN CHANCERY.

Bryant et als.

J. B. Prince tson p. q.

To 2nd, Sept. Rules.

Circuit Court.

Sept 4<sup>th</sup>  
Spec. Oct. 4<sup>th</sup> 1902  
By delivering a copy of this  
Notice to Bailey Bryant et als  
a copy to W. J. Culbert and ad  
Liber

J. H. Williams  
Clerk

The Commonwealth of Virginia,

To the Sheriff of the County of Southampton Greeting:

WE COMMAND YOU, That you summon Bailey Bryant, Walter E. Darden, Henry L. Darden and Herman V. Darden, Last three infants under 21 years of age by W. J. Sebell, gen. ad. litem

to appear at the Clerk's Office of the Circuit Court of the County of Southampton at the rules to be held for the said court on the 3rd. Monday in September 1902, to answer a bill in chancery exhibited against them in our said court by Rosa S. Marks, J. W. Darden, and Robert A. Darden, Plaintiffs

And have then there this writ. Witness L. A. Gay, Clerk of our said court, at the courthouse, the 29th day of August 1902, and in the 127th year of the Commonwealth.

Teste: L. A. Gay C. C.

~~of the Board of Commissioners~~

~~to the Board of Commissioners~~

ed, it is ordered that it be removed, and the report

of J.B. Prince, Jr., Sp. Comm.

On consideration whereof the Board of Commissioners

and was signed by committee

men, the following report of the Board of Commissioners

the Board of Commissioners, reporting on the report of J.B. Prince, Jr., special

1. B. Prince, Jr., Sp. Comm., and the report of J.B. Prince, Jr., special

Markes, Rosa D.,  
as Dean,  
Paymaster etc etc

capl. 7, 1903

Enter this  
**Robert R. Hunt**

Entered,  
Page No. 8.

This day this cause came on to be further heard on

Edward G. Galt.

as

James

Markes, Rosa D.,

Circuit Court of Northampton County, April 1903.

~~Circuit Court of Southampton County, April~~, 1903.

Marks, Rosa S.,

vs.

~~Decree.~~

Bryant etals.

This day this cause came on to be further heard on the papers formerly read and the report of J.B.Prince, jr., special commissioner, reporting that Bailey Bryant had executed his bond to J.B.Prince and E.L.Marks, Administrators of Robert S.Pope, decd., for the purchase price of the tract of land in the bill and proceedings mentioned, securing same by deed of trust on the said tract of land, and was argued by counsel.

On consideration whereof the court doth confirm the said report of J.B.Prince, jr., Spl. Comr.

And it appearing that the objects of this suit having been accomplished, it is ordered that it be removed from the docket.

~~To the Clerk of The Circuit Court~~  
~~of Southampton County, Va.~~

Marks

v. { Deane  
Dorden et als

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Oct 7, 1902

Enter this  
Robert R. Huntis

Entered,  
Page No. 450.

Rosa S.Marks, T.W.Darden and Robert A.Darden, Plaintiffs,

vs.

Decree.

Bailey Bryant, Walter E.Darden, Harry L.Darden, and Hurman V.Darden, last three infants, by W.J.Sebrell, their Guardian ad Litem. Defendants.

This day this cause came on to be heard on the bill of the complainants, taken for confessed as to the adult defendant, Bailey Bryant, the answer of the infant defendants by W.J.Sebrell, their guardian ad litem, duly appointed at rules, with general replication thereto, and was argued by counsel.

On consideration whereof the court doth adjudge, order and decree that unless Bailey Bryant shall execute his bond for the purchase price of the tract of land in the bill and proceedings mentioned, for the sum of \$500, payable to J.B.Prince and E.L.Marks, Administrators of R.S.Pope, decd., payable in such amounts as they shall deem satisfactory, the bond to be executed within thirty days from the adjournment of this court, that then J.B.Prince, jr., is hereby appointed a special commissioner to sell said tract of land. That ~~he sell~~ he sell the same after advertising the time and place for at least twenty days and upon the following terms: One half cash, the balance payable in twelve months from the date of sale, the purchaser executing his bond for the deferred payment with security deemed sufficient by the said commissioner. But before the said commissioner shall proceed to act under this decree he shall execute, before the Clerk of this court, a bond in the penalty of \$1000, with security to be approved by the said Clerk, conditioned to faithfully perform his duties under this or any subsequent decree in this cause. And the said commissioner will attach to the notices of sale a certificate from the Clerk of this court that the bond required hereunder has been executed with security deemed sufficient by him. But if the said Bryant shall execute his said bond to the said administrators, and shall pay the same, then the said J.B.Prince, jr., is hereby authorized to make him a deed with special warranty for said tract of land. And the said J.B.Prince, jr., will report his proceedings to court.