

1903-21

Southampton County Chancery - Trustees of the Church
of Our Savior - Ivor, Va. VS Ex parte - Southampton
County Court

asks permission to sell land
on which Church stood.

Trustees { Urganhart, S. N.
Boykin, R. S.
Urganhart, K. M.

In the Circuit Court of the County of Southampton, Virginia:

In vacation on the 20th day of May, 1902.

In the matter of the petition of the surviving trustees of the Church of Our Savior, a protestant Episcopal Church at Ivor, Southampton County, Virginia, for leave to sell real estate.

matter
This ~~cause~~ came on this day to be again heard on the papers formerly read and upon the report of sale made by S. N. Urquhart, R. S. Boykin and K. M. Urquhart, Surviving Trustees of the sale of the land in the bill and proceedings mentioned, and was argued by counsel:

On consideration whereof the court doth approve, ratify and confirm said report and said sale, and doth adjudge, order and decree that said surviving trustees shall pay the costs of this ~~suit~~ *proceeding*, including a fee of \$ 25 to the counsel who instituted the same and to pay over the balance to the "Trustees of the Funds of the Protestant Episcopal Church in the Diocese of Southern Virginia", taking from them proper receipts therefor and filing the same in these papers.

And the said surviving trustees are directed to report their proceedings hereunder to court.

Robert R. Prentiss

To the Clerk of the Circuit Court of Southampton County:

Trustees of the church of
Our Savior, Iowa

Ex parte

Report of Sale

1902 May 1st

Received of

Respectfully submitted,

Notary for County, Iowa:

To the Hon. Robert H. Brown, Judge of the District Court of

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

The undersigned surviving trustees of the Church of Our
Savior, A Protestant Episcopal Church at Iver, Southampton County,
Virginia, beg to report that pursuant to a decree entered in the
matter of their petition to sell real estate belonging to said
church that they have sold the real estate in the bill and pro-
ceedings mentioned to Frank P. Pulley for the sum of Two Hundred
and Fifty Dollars (\$250.00), and that as authorized by said de-
cree they have conveyed said lot to the purchaser by a good and
sufficient deed.

Respectfully submitted,

J. A. Longstreet }
R. S. Boykin } Trustees
K. M. Longstreet }

By
J. A. Boykin
Attorney

OFFICE OF
J. U. BURGESS,
ATTORNEY AT LAW.

CITY ATTORNEY.
—
ROOMS NOS. 3 AND 4 BREWER BUILDING.

SUFFOLK, VA., Aug. 6th. 1902.

Mr. L. A. Gay, Clerk of Circuit Court,
Courtland, Va.,

My dear Sir:--

-:In re Application of the Trustees of the Church of Our
Savior for permission to sell real estate:-

I send you herewith all papers, except copy of church law
filed as an exhibit, so that you may make out cost bill. I find
in papers statement of costs amounting to \$1.31, so I send you
herewith check for \$1.81, in settlement of costs to that time and
50cts. loaned me yesterday to make change.

Yours very truly,

J. U. Burgess

M-M.

Enc. C-~~XIX~~-934. &P.

OFFICE OF
J. U. BURGESS,
ATTORNEY AT LAW.

CITY ATTORNEY.
ROOMS NOS. 3 AND 4 BREWER BUILDING.

SUFFOLK, VA. Feb. 6, 1903.

Mr. L. A. Gay,
Clerk of Southampton County,
Courtland, Va.

My dear Sir:

I hand you herewith decree and report with vouchers in the matter of the petition of the surviving trustees of the Church of Our Savior. Will you kindly enter same and send me a statement of the additional costs so that I may close the matter up. I enclose you herewith the last statement of costs that you sent me. The other papers in this case I will send you in the next few days or bring them in person.

Yours very truly,

Dic. J. U. B.

J. U. Burgess

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

Your petitioners R. S. Baykin, K. M. Urquhart and S. H. Urquhart, show unto the Court the following case:

That as the only surviving trustees of the Church of Our Savior, A Protestant Episcopal Church at Iver, Southampton County, Virginia, they are seized and possessed of a small parcel of land for the use and benefit of the members of said Church.

That the said land is bounded and described as follows:- a certain lot of land at Iver, Southampton County, Virginia commencing at a large Sycamore tree on the corner of the lot formerly owned by W. H. Pretlow, but now owned by Mrs Mattie Delk, fronting seventy feet on the Berlin and Iver road, running back to the land of the Norfolk and Western Railway Company and adjeing the said lot of Mrs Mattie Delk on the North East and the land of L. F. Bain on the South East.

That S. B. Kelle, R. U. Burges, J. E. L. Delk, P. J. Holmes and S. H. Marshall who were also trustees are now dead.

That the cengregation has become extinct, that the property has not been occupied for over five years and is considered abandoned property.

The church building was recently destroyed by fire and there is now no building of any description upon the said land.

Your petitioners therefore, pray that the said lot be sold and that such order as may be proper may be made providing for the sale thereof, and that the proceeds thereof be disposed of according to the laws of the said Protestant Episcopal Church, to wit: the payment of the same to "the Trustees of the Funds of the Protestant Episcopal Church in the Diocese of Southern Virginia". A copy of said laws is herewith filed marked "Exhibit B". And that a reasonable fee may be allowed and paid to the counsel for your petitioners and such order may be made as to the costs of the proceedings in pursuance of this petition as may seem proper. And your petitioners will ever pray etc.

R. S. Baykin
K. M. Urquhart
S. H. Urquhart
By J. U. Burges
their Counsel -

	Trustees of the Church of Our		
1900	Savior, Ivor, Va. Exposed.	} Cash	
Sept 17	Filing Exhibit 15. Do. petition 16-		30
	1 Decree 36. Tax Court 40. fil. away paper 25-		101
			\$131
1902. May	Filing Trustees report of sale of land 20		20
	Do. receipt of Treasurer for 12. for money 15-		15
	another Decree 36 further Court about 75-		111
			\$277
8/6/1902	Paid by J. H. Mangis		131
		Bal.	\$146
	Total: L. A. Gay 4.4		

CLERK'S OFFICE
OF THE
CIRCUIT COURT OF SOUTHAMPTON COUNTY.

COURTLAND, VA., Aug. 7th 1902

J. W. Burgess Esq.
Attorney at Law.

Suffolk, Virginia,

Dear Sir:

Your favor of the 6th inst. together with the papers in the matter of "Trustees of the Church of our Savior, Iovv. Va. Ex parte" and your check for \$1.81 ^{and} to ^{be} loaned to you on the 5th inst. and \$1.21 in part of costs in said matter of "Trustees of the Church of our Savior, Iovv. Va. Ex parte," has been duly received, for which you will please accept my thanks.

You will find herewith enclosed, a statement of costs which explains itself; the future costs mentioned in said statement includes filing the report of Trustees, final decree &c.

Respectfully &c.

L. A. Gay

Hampton VA

June 26. 1902

My dear Mr Burges

I received the
inclosed receipt this
morning, & forward
it at once.

With best regards
Yours very truly
C. B. Bryan

To the Clerk of the Circuit Court for Southampton County.

Robert B. Williams

Incumbent thereof by a Good and sufficient deed and to report to court.
such terms as they may deem best, and to convey the said lot to the
on the South West for the best price they can obtain for the same and on
Hettle Delf on the North West and the land formerly owned by L. V. Davis
the Norfolk and Western Railway Company, and adjoining the land of the
seventy feet on the South and Ivoir road, running back to the land of
owned by W. H. Presler but now owned by Mrs Hettle Delf, fronting
measuring at a large square more or less on the corner of the lot formerly
located in Ivoir, Southampton County, Virginia bounded as follows:- com-
are hereby authorized and empowered to sell and convey lot of land

Ex parte. Trustees of The Church
that the above named trustees of the Church of Our Savior be and they
thence described has become abandoned property, therefore, it is ordered
declared that the congregation be and become extinct and that the lot here-
of consideration whereof the said property be established from the evidence
with the estate in such case made and provided.
Ivoir, Southampton County, Virginia, used their petition in accordance
trustees of the Church of Our Savior, a Protestant Episcopal Church at
this day came H. G. Davis, K. L. Davis and G. H. Upshurst, answering
Virginia, for leave to sell the said property.
of Our Savior, a Protestant Episcopal Church at Ivoir, Southampton County

In the matter of the petition of the said trustees of the Church

In Session September 7, 1900

In the Circuit Court of the County of Southampton, Virginia.

In the Circuit Court of the County of Southampton, Virginia.

In Vacation September 5th 1900

In the matter of the petition of the surviving trustees of the Church of Our Savior, a Protestant Episcopal Church at Iver, Southampton County Virginia, for leave to sell real estate.

This day came R. S. Beykin, K. M. Urquhart and S. N. Urquhart, surviving trustees of the Church of Our Savior, a Protestant Episcopal Church at Iver, Southampton County, Virginia, and filed their petition in accordance with the statute in such case made and provided.

On consideration whereof, the court being satisfied from the evidence produced that the congregation has become extinct and that the lot hereinafter described has become abandoned property, therefore, it is ordered that the above named trustees of the Church of Our Savior be and they are hereby authorized and empowered to sell that certain lot of land located in Iver, Southampton County, Virginia bounded as follows:- commencing at a large Sycamore tree on the corner of the lot formerly owned by W. H. Pretlow but now owned by Mrs Mattie Delk, fronting seventy feet on the Berlin and Iver road, running back to the land of the Norfolk and Western Railway Company, and adjoining the land of Mrs Mattie Delk on the North East and the land formerly owned by L. F. Bain on the South East. for the best price they can obtain for the same and on such terms as they may deem best, and to convey the said lot to the purchaser thereof by a good and sufficient deed and to report to court.

Robert R. Hunt

To the Clerk of the Circuit Court for Southampton County.

Respectfully submitted

money to the Guardian, the same being under \$200.00
Your Commissioner deemed the security sufficient and hence paid the
\$4000.00, which is the amount of the said bond.

are represented as owning real estate, unencumbered, worth at least
Aldie Beamon are John B. Norfleet, R. J. Norfleet and Walter W. Balford, who
dian of the infant defendants. The sureties on the bond of the said
Hansaemond County Court, showing that Aldie Beamon has qualified as Guar-

your Commissioner returns herewith a certificate of R. R. Smith, Clerk of

By amt. paid Aldie Beamon Gdn. of S. K. Beamon	\$1002.00	\$1002.00
By amt. paid Aldie Beamon, Gdn. of W. S. Beamon		284.72
By amt. Aldie Beamon		284.72
By fee for deed and revenue stamps		6.50
By commissions retained		29.10
By fee allowed by decree		22.00
By amt. paid for taxes		14.38
By amt. paid J. R. Hooker for advertising		6.00

By amt. paid J. W. Foster, Auctioneer	10.00
By amt. paid J. T. Kilby, Commissioner	20.00
By amt. paid R. H. Baker, Sheriff	1.00
By amt. paid R. R. Smith, Clerk of Co. Court.	5.00
By amt. paid J. P. Comer, Clerk	10.21
By amt. paid and taxed atty's fee	\$16.20

To proceeds of sale of real estate

\$1002.00

the following account of distribution:

deeds of sale among the parties entitled thereto, and returns herewith
deed to the purchaser of said real estate, and has distributed the pro-

purchase price of the real estate sold in this suit, has executed a

by the last decree entered in this cause he has collected the entire

The undersigned Special Commissioner begs to report that as authorized

to the Honorable Robert R. Prentiss, Judge of said Court:

Beamon vs. Beamon et al.

In the Circuit Court of the County of Hansaemond:

In the Circuit Court of the County of Nansemond:

Beamon Vs. Beamon et al.

To the Honorable Robert R. Prentis, Judge of said Court:

The undersigned Special Commissioner begs to report that as authorized by the last decree entered in this cause he has collected the entire purchase price of the real estate sold in this suit, has executed a deed to the purchaser of said real estate, and has distributed the proceeds of sale among the parties entitled thereto, and returns herewith the following account of distribution:

To proceeds of sale of real estate	\$1005.00	
By writ tax and taxed atty's fee		\$16.50
By amt. paid A.P. Gomer, Clerk		~~10.21~~
By amt. paid R.R. Smith, Clerk of Co. Court.		~~2.97~~ 2.00
By amt. paid A.H. Baker, Sheriff	✓	1.00
By amt. paid W.J. Kilby, Commissioner	✓	20.00
By amt. paid J.W. Hosier, Auctioneer	✓	10.00
By amt. paid J.E. Booker for advertising	✓	6.00
By amt paid for taxes	✓	14.38
By fee allowed by decree	✓	35.00
By commissions retained	✓	29.10
By fee for deed and revenue stamps		~~10.24~~ 2.00
By amt. ^{paid} Alida Beamon		284.77
By amt. paid Alida Beamon, Gdn. of W.S. Beamon		284.77
By amt. paid Alida Beamon Gdn. of S.K. Beamon		~~1284.77~~
	\$1005.00	\$1005.00

Your Commissioner returns herewith a certificate of R.R. Smith, Clerk of Nansemond County Court, showing that Alida Beamon has qualified as guardian of the infant defendants. The sureties on the bond of the said Alida Beamon are John B. Norfleet, R.J. Norfleet and Walter W. Ballard, who are represented as owning real estate, unencumbered, worth at least \$4000.00, which is the amount of the said bond.

Your Commissioner deemed the security sufficient and hence paid the money to the guardian, the same being under \$300.00

Respectfully submitted

J. H. Denny
Special Commissioner

In the Circuit Court of the County of Southampton, Virginia, in vacation on the 6th day of February, 1903.

In the matter of the petition of the surviving trustees of the Church of Our Savior, a Protestant Episcopal Church at Ivor, Southampton County, Virginia, for leave to sell real estate.

The undersigned surviving trustees beg to report that, pursuant to a decree entered in the matter of their petition to sell real estate belonging to the Church of Our Savior, a Protestant Episcopal Church at Ivor, Southampton County, Virginia, that they have distributed the proceeds of sale as directed by said decree and return herewith the following account of distribution:

To proceeds of sale of real estate,	\$250.00	
By cash paid to the "Trustees of the funds of the Protestant Episcopal Church in the Diocese of Southern Virginia,		\$217.50
By cash paid J. U. Burges, counsel for said trustees,		25.00
By cash paid J. U. Burges for drawing deed to the said land and expenses,		5.00
By cash paid costs of Court,		2.50
	\$250.00	\$250.00

Proper receipts for these ^{disbursements} distributions were taken and are filed in the papers in this matter.

Respectfully submitted,

P. S. Royle
H. M. Ingraham
S. H. Ingraham } Surviving Trustees
J. U. Burges
J. U. Burges } their attorney

6th July. Filed
L. A. Gay L. L.

Now with reference to the purchase.

and of the 3rd expenses in the preparation and execution of the good
of 1900. Also the payment of the sum of £140 dollars in red-

of 1900. Also the payment of the sum of £140 dollars in red-
dollars in payment in full of counsel fees in the matter of the

and the payment of the sum of £140 dollars in red-

Received of R. E. Bolkin, G. H. Underhill and K. H. W. Wright.

Supp'd 11 Feb. 5th 1903

Received of R. S. Boykin, S. N. Urquhart and K. M. Urquhart,
Surviving Trustees of the Church of Our Savior, the sum of twenty-five
dollars in payment in full of counsel fees in the matter of their
petition to sell the real estate belonging to the Church of Our Savior,
at Ivor, Virginia, also the payment of the sum of five dollars in pay-
ment of fee and expenses in the preparation and execution of the deed
from said trustees to the purchaser.

\$25⁰⁰
5⁰⁰

\$30⁰⁰

J. H. Burgess
Attorney for Surviving
Trustees

In the Circuit Court of the County of Southampton, Virginia, in vacation on the 6th day of February, 1903.

In the matter of the petition of the surviving trustees of the Church of Our Savior, a Protestant Episcopal Church, at Ivor, Southampton County, Virginia, for leave to sell real estate.

This matter came on this day to be again heard on the papers formerly read and upon the report made by R. S. Boykin, S. N. Urquhart and K. M. Urquhart, Surviving Trustees, of the distribution of the sum of two hundred and fifty dollars, the proceeds of the sale of the land sold in this matter together with proper vouchers for each item of disbursement, this day filed, to which report there are no exceptions and was argued by counsel:

On consideration whereof the Court doth ratify, approve and confirm said report in all respects, and, it appearing from said report ^{that} there is nothing further to be disposed of in this matter, doth adjudge, order and decree that this matter be removed from the docket.



To the Clerk of the Circuit Court of Southampton County:

Trustees of the Church of
Our Savior, Iuv. Va.

Ex parte

Receipt for money paid
to Treasurer for va.

1902. May filed

of a record of the Circuit Court for the County of
the sale of the church property sold under the direction
of the trustees and with same (\$217.50) received by
the Southern Baptist Church, Virginia, the sum of two hun-

of the Church in the Diocese of Southern Virginia.

Received of the Treasurer of the Church of Our Savior, Iuv. Va. the sum of two hundred and seventeen and 50/100 dollars for the sale of the church property.

1902 May 1st

OFFICE OF
J. U. BURGESS,
ATTORNEY AT LAW.

CITY ATTORNEY.
ROOMS Nos. 3 AND 4 BREWER BUILDING.

SUFFOLK, VA.. May 16 1902.

\$217.50

Received of S. N. Urquhart, R. S. Boykin and K. M. Urquhart, Surviving Trustees of the Church of Our Savior, a Protestant Episcopal Church at Ivor, Southampton County, Virginia, the sum of Two Hundred and Seventeen Dollars and Fifty Cents (\$217.50) received by them from the sale of the church property sold under the direction and by virtue of a decree of the Circuit Court for the County of Southampton, Virginia.

W. H. Taylor
Treasurer for

Trustees of the Funds of the Protestant Episcopal Church in the Diocese of Southern Virginia.

*Original check for \$217⁵⁰
turned over by order of the
Council to the Church in
Nettamy County.*