

1909-117

Southampton County Chancery

Williams, Q. T. No. 140
Ann.

Gordon, George J.

To execute deed to
by special Com. to
George J. Gordon.

Williams Anna's
Est.

\$200.-

On demand, for value received, with
interest from date I owe and promised to pay
unto Anna J. Williams, two hundred
dollars, it being for her interest in the real
estate of her deceased father - I reserve my
homestead Exemption as to this debt. Witness
my hand and seal Jan'y 19 1898.

George J. Gardner 

Witness:

W. J. Davis

W. D. Camp

Reuben Cobb

J. W. Vail

A Copy - Teste L. A. Gay &
by B. F. McQuinn

Received of Geo T. Gardner \$20.⁵⁸ interest
on bond to Feb. 3. 1901.

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

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

Humbly complaining, sheweth unto your honor, your complainant R.N. Williams, Administrator of Anna F. Williams, decd., who was formerly Gardner, as follows:- That during the year 1902 the said Anna F. Williams, who was the wife of your complainant R.N. Williams, departed this life, intestate, and without children. That she left at the time of her death a bond against George T. Gardner, who was her brother, for two hundred dollars, which was executed before she was married to your complainant, which was the purchase price for a small tract of land in Southampton county which she had sold to her brother, the said George T. Gardner.

The said bond is filed herewith as "Exhibit A" as a part of this bill. That she had put the said George T. Gardner in possession of the said tract of land and he has held it ever since and holds it now, but that she did not execute to him a deed for the same before her death. That your complainant has qualified as her administrator as will appear from a copy of the order of qualification made at the April term of the County Court of Southampton county, 1902, filed herewith as "Exhibit B" as a part of this bill.

That the said Anna F. Williams owes no debts of any kind and that said bond belongs to your complainant as the sole distributee of his deceased wife. That the said George T. Gardner is willing to pay the said bond provided he can get a good and sufficient deed for the said land, but your ~~complainant~~ complainant is advised that he cannot make the said deed without the aid of a court of chancery.

In tender consideration whereof, and inasmuch as your complainant is without remedy save in a court of Equity where all such matters are properly cognizable to the end, therefore, that, ^{justice} may be done he prays that George T. Gardner may be made a party defendant to this bill and compelled to answer the same, though answer under oath is hereby expressly waived. That some party may be appointed a special commissioner to execute to the said

Williams, Admr. &c.,

v.

Price + Exhibits

Gardner, Geo. L.

1902. 1st June Rules filed

L.A. Bay 4/4

George T. Gardner a good and sufficient deed for the said land when he shall have paid off the said bond which is the purchase price thereof.

That your honor will grant all such further, general and special relief as to equity may seem meet or the nature of the case may require . Notice is hereby given that the court will be asked to allow a reasonable attorney's fee to plaintiff's counsel conducting this cause.

And as in duty bound &c. May it please the Court &c.

J. B. Russell, Jr. p. q.

Williams, Admr. &c.

vs. { Stat: of Calif

Gardner H. Co. T.

Williams, Admr. re.

vs. { Stat. of Costs

1902 Gardner, Geo. J.

May 20th Dumb. 25, 1 copy 13. receipt 18. atty, 10. Doct 18. = 84

Rules 1.00, entering return 35, filing bill 15 = 150

D. Exhibits 15, D. And. of G. J. Gardner 15, = 30

replication 15, Copy 24, 25, 1 Decree 36 = 76

Special bond bonds 1.00, filing away papers 25 = 125

Tax Costs re, 40, future costs about 1.00 = 140

8/18/1902 pd. by R. N. Williams L. A. Gay Lark \$ 5.05

Sheriff 50

Law re. 17.00

\$ 22.05

Teste: L. A. Gay l.g.

Williams, Admr &c.

vs. } Stat. of Rules

Gardner Sec. T.

R. N. Williams, Admr of Rma-
Williams, decd. who was formerly
Gardner. Plaintiff } In chancery
vs.

George T. Gardner, Defendant }

1902, 20th May, Process issued to 1st June Rules

1902, 1st June Rules, Process returned executed.

Bill and exhibits filed

Decease nisi

1902, 2nd June Rules, Bill taken for confusio
and return set for hearing.

Williams Adm'r vs.
administrator

vs. { Copy Qualification of

Ex "B"

Gardner Geo. J.

1902. 1st June Rules filed

T.A. Gay b.b.

Southampton County Court April Term 1902.
On motion of R. N. Williams, who made oath
according to law, and together with
Geo. M. Williams as his security, who
justified as to his sufficiency, entered
into and acknowledged a bond in the
penalty of Three Hundred Dollars,
conditioned according to law, which
bond is ordered to be recorded, Certificate
is granted the said R. N. Williams for obtain-
ing letters of Administration on the estate
of Anna T. Williams deceased in due form.

A copy,

Teste: L. A. Gay D.C.

Gordon, Geo. J.

od - Answers

Williams, R. N. Adm. sc.

The Answer of George T. Gardner to a Bill of Complain Exhibited
against Him in the Circuit Court of Southampton County, Virgin-
ia, by ~~Robert N. Williams, Admr., of Anna Wil-~~
liams, Decd.

This respondent for answer to the said bill, says,
that the facts as alleged in said bill are true, and your res-
pondent is ready and willing to pay for the said tract of land
whenever he can get a deed for the same. That he is willing and
hereby consents ~~for any order or orders, therein, in vacation, as~~
that this cause be submitted in vacation to the Judge of this
Court, ~~to enter such~~ order, or orders, therein, in vacation, as
may be entered in term.

And having answered he prays hence to be dismissed &c.

George T. Gardner

Williams, Admr.

vs. }

SUBPENA
IN CHANCERY.

Gardner Geo. T.

J. B. Princeton p. q.

To 1st June Rules.

1902. Circuit Court.

Execution May 26th in
 1902 by delivering a
 copy of this notice to Geo. T.
 Gardner the deft in default
 Geo. T. Blount deft

for J. M. Williams

(11)



The Commonwealth of Virginia,

To the Sheriff of the County of Southampton Greeting:

WE COMMAND YOU, That you summon George T. Gardner, Defendant

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 1st Monday in June 1902, to answer a bill in chancery exhibited against him in our said court by R. N. Williams, Admr. of Alma Williams, deceased who was formerly Gardner, Plaintiff

And have then there this writ. Witness L. A. Gay, Clerk of our said court, at the courthouse, the 20th day of May 1902, and in the 126th year of the Commonwealth.

Teste: L. A. Gay by

-1909-

Williams, Admr. &c.,

vs. Decree.

Gardner, Geo. T.

In Vacation.

June 26, 1902.

Enter this

Robert H. Smith

Entered Page 442

We consent,

J. B. Pomeroy
Attys. for plaintiff.

George T. Gardner

Defendant.

In the Circuit Court of Southampton County, In Vacation, June 26th 1902.

Williams, R.N., Administrator *traced in*
vs. Decree. *copy of bill*
Gardner, G.T.,

By consent of parties entered of record, in vacation, it is hereby decreed that this cause be submitted to the Judge of this ~~Court~~ Circuit Court of Southampton County, in vacation, to enter *decisions and decrees,* such order, or orders, therein in vacation as may be entered in term.

And by the like consent this cause came on to be heard on the bill of the complainants, the exhibits filed and the answer of George T. Gardner, filed by leave of the court, June 26th 1902, with general replication thereto, and was argued by counsel.

On consideration whereof, the court doth adjudge, order and and decree that Robert N. Williams, be, and he is hereby appointed special commissioner for the following purpose:- That when the said George T. Gardner shall pay to him as administrator of Anna Williams, decd., the sum of \$200. ~~with interest thereon from the day of~~, same being the amount due by bond by said Gardner to Anna Williams, formerly Gardner, that he execute to him a deed, with special warranty, for the parcel of land sold by Anna Williams, formerly Gardner, to George T. Gardner in her life time, containing 50 acres and bounded by the lands

of *James McBlennie, Merritt Johnson*
J. D. Pretlow and G. L. Gordley

Robert Williams

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