1900 - 011
Nansemond Co (Suffolk) Chancery Causes: Sallie C. Pickett et al vs Elizabeth M. Corbell, widow et al

Cotten, Eley, Kilby, Cowper, Cutchin, Pope, Pruden, Hubbard

Sallie C Pickett & others
against
In Chancery
Elizabeth M Corbell & others

Costs

A Glover Clerk		$9.40
Writ Tax		1.50
		$10.90
Attorney		15.00
Commissioner Accts		10.00
Witnesses		
E O Pope	.74	
A Pruden	.74	
A S Eley	.50	
L Stubbard	.50	2.48
		$38.38

John D Pinner Comr in Chy $10 Co

Costs

Proceeds of Sale- 6461.85

Expenses-

Court Expenses-	38.38	
Advertising	14.00 ✓	
Crier	10.00	
Taxes	53.06	
Fee allowed by Ct.	100.00	
Commns	137.22 ✓	
Deeds	7.50	
	362.16	362.16
		$6099.69
Net proceeds		661.72
Dower		$5437.97
Marcellus		906.33
Wm Eley		4531.64
		906.33
Mrs Cotton		3625.31
		906.33
Mrs. Pickett		2718.98
		906.33
D. Corbell		1812.65
		906.33
D. Corbell's heirs		906.32
		906.33

137.22
14.00

151.22
30.90

182.12
6296

245.08
107.48

352.56

DEPOSITED WITH

THE FARMERS BANK OF NANSEMOND

BY

E E Hazzard Adm
Comm Pickett vs. Corbell

NOV 17 1897

----------, 1897.

	Dollars.	Cents.
Currency, ...		
Gold, ...		
Silver, ...		
Checks and Drafts, . . (*Entered Separately.*)	$470	00
Total, ...	$470	00

W. H. Jones Jr C.C.

7-16-97—15m.

Suffolk, Va., Feb. 19, 1898.

Mr. E. E. Holland, Special Comr, Dr

To SUFFOLK HERALD

Newspaper, Book and Job Printing Establishment.

J. E. BOOKER, Proprietor.

TERMS CASH. No. 9 WASHINGTON SQUARE.

1897.

Oct.	9	To printing 100 Notices of Sale of John D. Corbell's Land,	1	50	
"	15	Advertising above Sale in Herald, 10 inches four weeks,	12	50	$14 00
1898.					
Feb.	19	Received payment. J. E. Booker, Mgr.			

March 15th 1898

of E. E. Hazard The Co. Comm

CTS. Ten 00 DOLLARS

Ticket vs Corbett and

$10 00

J. Walstrom
Auct.

E E Holland Atty

1898 — To A. P. GOMER, Clerk Circuit Court of Nansemond County, Dr.

Apl 23rd — Tax and Clerk Fees in suit of Sallie L Puckett & others
vs Elizabeth M Corbell & others $10,90

Paid — A P Gomer, Clerk.

Mr. John D Corbell. Sr. Est Dr.

1897. To S. T. ELLIS, Treasurer of Nansemond County, Va.

No. / No. of Acres 150	State Tax 30c. on $100.	State School Tax, 10c. on $100.	County Levy, 20c. on $100.	Parish Levy, 8c. on $100.	County School Tax, 5c. on $100.	District School Tax, 5c. on $100.	County Road Tax, 10c. on $100.	TOTAL TAX.
To Real Estate, value $ 450	1 35	45	90	X	23	22	45	3 60
" Personal Property, value $								
" Income, &c., value $								
" Poll Taxes		1 00					50	
Total								
5 per cent. additional								18
Total								3 78

Received payment 8" day of April 189 8

J. T. Ellis Treasurer,

Per King Depy

I898,April 25th-Received of E.E.Holland,Special Commissioner of the Circuit Court of Nansemond County,Virginia,in the chancery cause of Pickett vs Corbell and others the sum of Six hundred and sixty one dollars and seventy two cents in payment of my doer interest in the proceeds of sale of the lands sold in said suit as agreed in my answe in said suit .

E. M. Corbell

"28th, April, 1898-Received of E.E.Holland, Special Commissioner of the Circuit Court of Nansemond County in the chancery cause of Pickett vs Corbell and others the sum of Nine hundred and six dollars and thirty three cents in payment of my part of proceeds of sale of the lands sold in said suit by said Commissioner.

Mary Eda Eley

1898, May 3rd-Received of E.E.Holland, Special Commissioner in the chancery suit of Pickett vs Corbell and others the sum of Nine hundred and six dollars and thirty three cents on account of interest in the proceeds of land and sold in said suit.

E. F. Corbell

I 898,May 6th-Received of E.E.Holland,Special Commissioner of the Circuit Court of Nansemond County in the chancery cause of Pickett vs Corbell and others the sum of Nine hundred and six dollars and thirty three cent in payment of my part of proceeds of sale of the lands sold in said suit

Virginia A. Cotten

R. E. BOYKIN. R. M. LETT.

BOYKIN & LETT,
ATTORNEYS AND COUNSELORS AT LAW,
NEWPORT NEWS, VA.

May 12th 1898.

Mr E.E.Holland.

Suffolk.Va.

Dear Sir.

We are in receipt of yours of the 10th ints,enclosing check fo for $234.59,being the present value of the estate in dower of Mrs Corbel in the amount in your hands as Comr in Pickett Vs Corbell,belonging to the widow and heirs at law of J.T.Corbell decd. We note what you say as to the amount of the bond of Mrs Corbell,as Gdn of her infant childre en. We will have a new bond taken,and send you a certificate of the clerk to that effect. Of course if the Judge accepts the new bond,that will be the best evidence that the surety is sufficient. I dont think that the clerk here will give any certificate that the surety to any bond is sufficient,though there can be no doubt of the sufficientcy of Mr Derring.

Truly yours

Boykin & Lett

R. G. Bickford. Wm. C. Stuart.

Bickford & Stuart,
Counselors at Law,
Newport News, Virginia. May 10, 1898.

E. E. Holland, Esq., Atty-at-law, In re Corbell distribution.
Suffolk, Va.

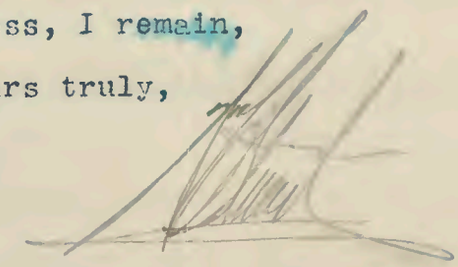
Dear Sir:

I beg to acknowledge receipt of your two checks, dated May 10, 1898, one in the sum of $134.34, payable to Wm. C. Stuart, Atty., in payment of interest of Daviette C. Ficklen out of proceeds of sale of lands in suit of Pickett vs Corbell; and the other in the sum of $134.35, payable to S. P. Ficklen, Guardian of Bettie N. Corbell, in settlement of her interest in proceeds of sale in said suit.

I will forward you the receipts you ask for as soon as I can obtain them.

Thanking you for your promptness, I remain,

Yours truly,



Dictated by W.C.S.

1898, May 10th-Received of E.E.Holland, Special Commissioner of the Circuit Court of Nansemond County in the chancery suit of Pickett vs Corbell and others the sum of Nine hundred and six dollars and thirty three cents being my proportionate part of the proceeds of sale of lands sold in said suit.

Sally Corbell Pickett

W.H. Mary Hawks.

R. E. BOYKIN. R. M. LETT.

BOYKIN & LETT,
ATTORNEYS AND COUNSELORS AT LAW,
NEWPORT NEWS, VA.

June 13th, 1898.

F. E. Holland, Esq.,
Suffolk, Va.

Dear Sir:-

We have received your check for Four Hundred and Three Dollars and five cents for Mrs. Corbell guardian.

Col. Boykin is in Windsor, engaged in a case probably with yourself, at least with some Mr. Holland and on his return his attention will be called to your letter. He conducted the suit .

Yours truly,

R. M. Lett

R. E. BOYKIN. R. M. LETT.

BOYKIN & LETT,
ATTORNEYS AND COUNSELORS AT LAW,
NEWPORT NEWS, VA.

April 28th, 1898.

Mr. E. E. Holland,

Suffolk, Va.,

Dear Sir:--

We are in receipt of yours of the 25th inst informing us that you are ready to distribute the money in your hands as Special Commissioner in the suit of Pickett against Corbell and others, and requesting us to inform you which parties we represent and to whom you should send the check. In reply we would say that we represent Mrs. Belia O. Corbell and her three infant children, to -wit: Sallie Pickett Corbell, Belia Corbell and John David Corbell. Messrs. Bickford and Stuart represent Mrs. Ficklin, whose husband qualified as her receiver but who has now attained the age of twenty one years, and Miss Bettie Corbell. We would suggest, if it meets with your approbation and your decree will permit, that you send a check for the entire amount made payable to Boykin & Lett and Bickford & Stuart attorneys for the parties, naming them, accompanying it with any receipt which you desire us to sign. We make this suggestion after conference with Messrs. Bickford & Stuart, as, unless in the suit in your County the value of the dower interest of Mrs. Corbell has been ascertained, you would have to do so in order to ascertain her proper proportion of the fund. If the amount is paid to us as a whole we representing the parties and having the information before us can distribute the amount among the parties. If, however, you desire we will send you a statement agreed upon by attorneys for all the parties as to the present value of Mrs. Corbell's interest in the said fund, I neglected to state that Mrs, Belia O. Corbell is

R. E. BOYKIN.

R. M. LETT.

BOYKIN & LETT,
ATTORNEYS AND COUNSELORS AT LAW,
NEWPORT NEWS, VA.

guardian of her infant children and MR. Ficklin is guardian of Miss Bettie Corbell. Let me hear from you at your earliest convenience.

Very truly yours,

Boykin Lett

R. G. Bickford. Wm. C. Stuart.

Bickford & Stuart,
Counselors at Law,
Newport News, Virginia. May 9, 1898.

E. E. Holland, Atty-at-law,

Suffolk, Va.

Dear Sir:

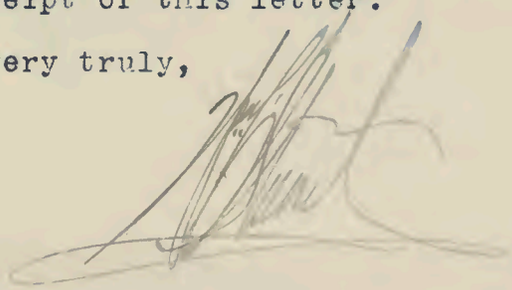
Col. R. E. Boykin has shown me your letters in reference to the amount now ready for distribution to the heirs of the late Dr. John T. Corbell, who are represented by Col. Boykin and myself. I beg to say that I have fully concurred in what Col.Boykin has done in the matter since the receipt of your letter informing him of the amounts for distribution, Col.Boykin having consulted me prior to answering your letter.

I have this day received a letter from my clients, who are Mrs. Daviette C. Ficklen and Miss Bettie N. Corbell through Mr.S.P.Ficklen, their representative,and the guardian of Miss Bettie, stating that they are very anxious to get the matter closed up at once, and that he has written you to make settlement through me. I, therefore, enclose this letter with the letter of Col.Boykin, and an agreed statement as to the amounts due respectively, out of the fund, to Mrs. Corbell, the widow, and each of the children; and also certificates of the Clerk showing the qualification of Mr.S.P.Ficklen as Guardian of Bettie N. Corbell. Mr.S.P.Ficklen also qualified as receiver of his wife, Mrs.Daviette C.,Ficklen, but she is now of age, and her receiver has filed his report, so that it is proper that her share should be paid directly to her.

I have full authority from Daviette C.Ficklen, and from Mr.S.P. Ficklen, guardian of Bettie N.Corbell, to collect and receipt for their distributive shares. You can, therefore, make out checks either payable to them respectively, or to me as their attorney. As my clients are in needy circumstances, and wish to get this money without delay, I will consider it a great favor if you will forward the checks immediately after the receipt of this letter.

I remain, sir,

Yours very truly,



Dictated by W.C.S.

R. E. BOYKIN.

. M. LETT.

BOYKIN & LETT,
ATTORNEYS AND COUNSELORS AT LAW,
NEWPORT NEWS, VA.

May 9th, 1898.

Mr. E. E. Holland,

Suffolk, Va.,

Dear Sir:--

We inclose you an agreed statement of the amounts respectively due the widow and heirs at law of J. T. Corbell, deceased, in the sum of Nine Hundred and Six Dollars and Thirty Three Cents ($906,33) in your hands to which they are entitled; which statement is signed by our firm and by Messrs. Bickford and Stuart attorneys for all the parties in interest. We also inclose certificate from the Clerk of the Corporation Court of this City showing the qualification of the respective guardians of the infants. As we informed you in our former letter, Mr. Ficklin qualified as the receiver of the estate of his wife, Mrs. Daviette C. Ficklin, but Mrs. Ficklin having arrived at the age of Twenty One years we did not think it necessary to send any certificate of the qualification of said receiver. You will please send check for the shares of Mrs. Ficklin and Miss Bettie N. Corbell to Messrs. Bickford and Stuart, and check for the shares of Mrs. Corbell, Sallie Pickett Corbell, John David Corbell, and Belia Derring Corbell to us as attorneys for Mrs. Corbell in her own right and as guardian of said last mentioned infants. You can prepare and send to us such receipts as you desire, and they will be signed and returned to you. As Mr. Stuart informs us that Mr. Ficklin is rather pressing for payment having heard from you that the money is ready for distribution, kindly remit at your earliest convenience.

Very truly yours,

R. E. Boykin

An agreed statement of the respective shares of the widow and heirs at law of J. T. Corbell, deceased, in the amount in the hands of E. E. Holland, Special Commissioner in the suit of **Pickett against Corbell**, belonging to the estate of the said J. T. Corbell, deceased. The dower estate of Belia O. Corbell, widow of the said J. T. Corbell deceased, being commuted and to be paid to her by consent of all parties in interest.

oooOooo

By amount in hands of Commissioner- - - - - - - - - - -		$ 906,33
Widows share commuted (age 31)- - - - -	$ 234,59	
Share of Mrs. Daviette C. Ficklin- - - -	$ 134,34 4/5	
" " Bettie N. Corbell- - - - - - -	$ 134,34 4/5	
" " Sallie Pickett Corbell- - - - -	$ 134,34 4/5	
" " John David Corbell- - - - - - -	$ 134,34 4/5	
" " Belia Derring Corbell- - - - -	$ 134,34 4/5	
	$ 906,33	$ 906,33

We agree that the above is a correct statement of the respective shares of the widow and heirs at law of the said J. T. Corbell in the sum of Nine Hundred and Six Dollars and Thirty Three Cents ($906,33) in the hands of the said Commissioner for distribution.

Boykin & Lee attys for Belia O. Corbell in her own right and as guardian of Sallie Pickett Corbell, John David Corbell and Belia Derring Corbell.

Richard Stuart

attys for Daviette C. Ficklen and S. P. Ficklen, Guardian of Bettie N. Corbell.

R. E. BOYKIN. P. M. LETT.

BOYKIN & LETT,
ATTORNEYS AND COUNSELORS AT LAW,
NEWPORT NEWS, VA.

May 31st, 1898.

Mr. E. E. Holland,
Suffolk, Va.

Dear Sir:-

After receiving your letter informing us that Judge Prentis was not satisfied with the amount of the bond given by Mrs. Corbell as guardian of her infant children; we had a new one given by Mrs. Corbell in the penalty of $3000 with security approved by the Court. On the same day that the bond was given we notified you of the fact, enclosed you a certificate of the Clerk of the execution of the bond, and requested you to send us a check for the amount due the children for whom Mrs. Corbell was guardian.

We have not received any reply to this communication written more than two weeks ago. Kindly let us have check for the amount or notify us of the reason.

yours truly, Boykin & Lett

R. E. BOYKIN.

R. M. LETT.

BOYKIN & LETT,

ATTORNEYS AND COUNSELORS AT LAW,

NEWPORT NEWS, VA.

June 7th, 1898.

Mr. E. E. Holland,

Suffolk, Va.

Dear Sir:-

We enclose herewith affidavits of prominent real estate agents in this city, who are fully acquainted with the real estate owned by Mr. Derring. You will perceive that his real estate alone is worth the penalty of the bond.

We have examined the records and find that there are no liens upon his property. Although we are not positive we are of the opinion that Mr. Derring owns some real estate in the County of Surry.

We suppose that these affidavits which are furnished by men of the highest standing in the city, will be sufficient to justify you in remitting us as attorney's for Mrs. Belia O. Corbell the amount in your hands as Commissioner to which she is entitled as guardian of her infant children.

Very truly yours,

Boykin & Lett

1 Enc

We T. W. Mulford & H. L. Edmunds
W Lee Powell

do solemnly swear that we are acquainted with J. H. Derring of the City of Newport News, in the State of Virginia, and with the real estate owned by him in said city, and are of the opinion that said real estate is worth the sum of Three Thousand Dollars. We are real estate agents in said city and acquainted with values therein.

Given under our hands this 7th day of June, 1898.

T. W. Mulford

H. L. Edmunds

W. Lee Powell

City of Newport News, to-wit:

I, R. M. Lett, a Notary Public for the City aforesaid, in the State of Virginia, do certify that T. W. Mulford H. L. Edmunds and W. Lee Powell whose names are signed to the foregoing affidavit, personally appeared before me in my said City and made oath that the statements therein contained are true.

Given under my hand this 7th day of June, 1898.

R. M. Lett

Notary Public.

R. E. BOYKIN.

R. M. LETT.

BOYKIN & LETT,

ATTORNEYS AND COUNSELORS AT LAW,

NEWPORT NEWS, VA.

May 12th, 1898.

MR. E. E. Holland,

Suffolk, Va.,

Dear Sir:--

Mrs. Corbell this day entered into a new bond in the penalty of Three Thousand Dollars ($3000) with surety deemed sufficient by the Court, and we herewith send certificate of Clerk of Court to that effect We,presume that this is all that will be required by Judge Prentiss and that the amount due to the children of Mhs. Corbell, for whom she is guardian, will be sent by you.

Very truly yours,

Boykin & Lett.

I, D. G. Smith, Clerk of the Corporation Court of the City of Newport News, do certify that Belia O. Corbell at the May term of the Corporation Court of the City of Newport News entered into a bond as guardian of Sallie Pickett Corbell, John David Corbell and Belia Derring Corbell, the infant orphans of J. T. Corbell, deceased, in the penalty of Three Thousand Dollars ($3000), conditioned according to law, with J. H. Derring as her surety. Who justified according to law, which bond was approved by the Judge of the Corporation Court of the said City.

Given under my hand this 12th day of May, 1898.

D. G. Smith

Clerk of the Corporation Court
of the City of Newport News, Va.

I, D. G. Smith, Clerk of the Corporation Court of the City of Newport News, do certify that at the March term of 1897 of the Corporation Court of the City of Newport News, Belia O. Corbell qualified as guardian of Sallie Pickett Corbell, John David Corbell, and Belia Derring Corbell, infant orphans of J. T. Corbell, deceased, and entered into a bond in the penalty of Five Hundred Dollars ($500), conditioned according to law, with J. H. Derring as her surety, who justified according to law as to his sufficiency. Which bond was duly approved by the Judge of the Corporation Court of the said City.

Given under my hand this 9th day of May, 1898.

D. G. Smith
.....
Clerk of the Corporation Court
of the City of Newport News, Va.

I, D. G. Smith, Clerk of the Corporation Court of the City of Newport News, do certify that at the April term of 1897 of the Corporation Court of the City of Newport News, S. P. Ficklin qualified as guardian of Bettie N. Corbell, infant orphan of J. T. Corbell deceased,, and entered into a bond in the penalty of Two Hundred and Fifty Dollars ($250), conditioned according to law, with the American Bonding and Trust Compahy of Baltimore City as his surety, who justified according to law as to its sufficiency. Which bond was duly approved by the Judge pf the Corporation Court of the City of Newport News

Given under my hand this 9th day of May,1898.

D. G. Smith

Clerk of the Corporation Court
of the City of Newport News, Va.

George E. Hamlin, President
Benjamin W. Franklin, Vice President
Earles F. Holmes, Secretary

The Inter-State Casualty Company
of New York.

S. P. FICKLEN, GENERAL AGENT,
605-13TH STREET N. W.,

Washington, D. C., April 28. 98

Mr. E. E. Holland
Suffolk Va

Dear Sir:

I have yours of 27th inst.
Mrs Daviette C. Fickle became of the legal age of 21 years last November, and at that time I filed my accounts with the Court and was discharged as receiver. I am however the guardian of Bettie N. Corbell with the American Bonding & Trust Co of Baltimore as Surety. I have written for the clerks certificate and will send it to you as soon as I get it. Under the circumstances stated above is it necessary for you to await this before sending checks to Mrs Fickle? At any rate I would

George E. Hamlin, President — Benjamin W. Franklin, Vice President — Earles F. Holmes, Secretary

The Inter-State Casualty Company

of New York.

S. P. FICKLEN, GENERAL AGENT,
605-13TH STREET N. W.,

Washington, D. C., _____

thank you to send one or both as soon as you can do so with proper safeguard to your self.

You may send both checks to me direct, made payable to the proper parties of course, & I will receipt as guardian and Mrs Ficklen for herself.

Yours truly

S. P. Ficklen

I n the Circuit Court of Nansemond County:-

Pickett and others vs Corbell and others-

The undersigned Special Commissioner appointed by decree entered in s aid cause begs to report as follo ws:

Ist.Mrs.Elizabeth M.Corbell,the purchaser of the "Home place" sold i n this suit has paid the entire purchase price,the sum of $300I.00,and your commissioner, as directed by decree entered herein, has mad= a deed t o her for said land conveying same with special warranty.

2nd.Mrs .Mary Ida Eley,the purchaser of the house and lot in Suffolk, s old in this suit,has paid the entire purchase price,the sum of $2000.00, and your commissioner has made a deed with special warranty to her for same.

3rd.Mess.Wilkinson and Martin,as heretofore reported,have paid the cash payment of the purchase price of the Cutchin farm sold i n this suit the sum of $470,and the bonds given by them for the deferred payments will fall due respectively on Nov.8th,I898,and Nov.8th,I899.The balance now due,not including in terest,is $906.33,and Mrs.Elizabeth M.Corbell, the Committe of Marcellus Corbell,has agreed that she would accept the amount due to her when these bonds are paid,including in the amount she is to receive the interest accruing on same from the time the other par- t ies were paid their respective parts.

4th.Your commissioner was directed by decree entered herein on the I8th day of February,I898,to proceed to distribute the funds in his hands among the parties entitled hereto,but directed before making payments to the infants,or their guardians or receivers,that said guardians and r eceivers should first satify this court that they had given bonds in sufficient penalties and with sureties sufficient ~~sufficient~~ for the securi- t y of same.Your Commissuoner returns with this report a certificate of D. Smith,Clerk of the corporation court of Newport News as to the bonds of Belia O.Corbell,guardian for three of the infant defendants,together with the affidavits of several citiz ens of said city as to the sufficiency of the sureties on said bonds,and also the letters of Mess.Boykin and Lett, a ttorneys,relative to said bond,its penalty and the sufficiency of the s ureties on same.

5th.Your Commissioner also returns herewith the certificate of the said Clerk of the corporation court of Newport News as to the qualification of S.P.Ficklen as guardian of Bettie N.Corbell,with the American Bonding ~~Bxxxdingx~~& Trust Company as his surety thereon.

6th.Your Commissioner was informed that Daviette C.Ficklen,one of the infants,had become of age,and files herewith a letter from her husband showing that fact.

7th.Your Commissioner also returns with this report an agreed statement made by Mess.Boykin & Lett and Mess.Bickford & Stuart,attorneys for the parties,showing the respective interests of the widow and heirs of J.T.Corbell,deceased,in the proceeds of sale payable to them.

8th.Your Commissioner reports also the following distribution,and returns herewith vouchers for the several items of disbursement:

Total cash sales received,with interest collected-	$5555.52
This includes the $3001.00 paid by Mrs.Eliz M.Corbell,	
$2000.paid by Mrs.M.Ida Eley,$470.,cash payment made	
by Wilkerson & Martin,and the interest collected on	
said amounts.Distributed as follows.	
By Comms on $6411.proceeds of sale	$137.22
By amt paid J.E.Booker,advertising	14.00
By amt paid J.W.Hosier,Crier	10.00
By amt paid J.B.Pinner,Commissioner	10.00
By amt paid A.P.Comer,Clerk	10.90
By fees for deeds retained	7.50
By taxes paid 1897	3.78
By amt retained for taxes 1898	51.28
By fee allowed by court	100.00
By taxed fee	15.00
By amt retained for witnesses(Commrs report)	2.48
By amt paid E.M.Corbell,widow	661.72
By amt paid M.Ida Eley(heir)	906.33
By amt paid E.F.Corbell(heir)	906.33
By amt paid V.A.Cotton	906.33
By amt paid B.O.Corbell,widow J.T.Corbell	234.59
By amt paid Daviette Ficklen	134.34
By amt paid S.P.Ficklen,guardian B.N.Corbell	134.35
By amt paid Sally C.Pickett	906.33
By amt paid Belia O.Corbell,guardian of Sallie C. Jno.D. & Belia O.Corbell	403.05
	5555.52

9th.The balance now due on account of the purchase price is $906.33,with i nterest payable f rom the date of the foregoing distribution.This a mount when collected will be paid to Mrs.Elizabeth M.Corbell,as Committee of Marcellus Corbell.She agrees to accept this as her part and to a llow it to be paid to her as collected with the accrued interest.

Respectfully submitted

E E Kassard

Special Commr

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

Form No. 17.

against

To *Rules, 189*

Filed Feb. 17 1895

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Elizabeth M Corbell Widow of Jno. D Corbell, Sr deceased, and the said Elizabeth M Corbell, committee of Leopold Marcellus Corbell, Alice V Cotten and W A Cotten her husband and Mary Ida Eley and W Walter Eley her husband and Leopold Marcellus Corbell

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be held for the said Court, on the Third Monday in June 1896, to answer a Bill in Chancery, exhibited against them in the said Court by Sallie C Puckett, J P Corbell and E F Corbell

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this Third day of June, 1896, in the 120th year of the Commonwealth.

A copy—Teste:

_____, CLERK.

Teste: A P Gomer, CLERK.

1896. June 4th. We hereby accept due, legal and suffi-
cient service of the within
Bill & Exhibits
E. M. Corbell Widow &c
by Counsel.
E. M. Corbell
Committee of Marcellus
Corbell
E. M. Corbell
V. A. Cotten
W. F. Cotten
M. Sola Eley
Com. W. Eley

E E Holland p. q.

Sallie C. Pickett
J. D. Corbell & others

vs. } *In Chancery.*

Elizabeth M. Corbell
Widow Comm't &c

1896

June ---- *Rules.*

Third ---- *Monday.*

Nansemond Circuit Court.

Process Book No. 21

Page 134

To the Clerk of the Circuit Court of Nansemond County:

Sallie C.Pickett,J.T.Corbell and E.F.Corbell-Complainants-

Against

Elizabeth M.Corbell,widow of Jno.D.Corbell,Sr,deceased,and the said Elizabeth M.Corbell,Committee of Marcellus Corbell,Alice C.Cotten and W.F Cotten,her husband,and Mary Ida Eley and W.Walter Eley,her husband,and Marcellus Corbell.

Issue summons in chancery to Rules on the 3rd Monday in June 1896.

Say $1,50

E. E. Holland

p.q.

1111111

Memorandum
Sallie B Prickett Withers
W J Shelbourne
Elizabeth M Corbell VC

In the Circuit Court of Nansemond County:

Sallie C.Pickett, J.T.Corbell and E.F.Corbell-Complainants

vs

Elizabeth M.Corbell,widow of Jno.D.Corbell,Sr,deceased,and others.Defts.

At Rules held on the 3rd Monday in June,I896.

On motion of the complainants,by counsel,S.E.Everett,an attorney at law, is hereby appointed and assigned guardian ad litem to the defendant Marcellus Corbell,a person of unsound mind,to defend his interests in this suit.

A. P. Gomey Clerk.

Appointment of Guardian ad litem

In the Circuit Court of Kanawha County:

Emily C. Pickens, I.C. Cottrell and E.W. Cottrell-Complainants

vs.

Elizabeth M. Cottrell, widow of Jno. D. Cottrell, Jr., deceased, and others, Defts.

At Rules held on the 3rd Monday in June, 1909

On motion of the complainants, by counsel, M.M. Havers, an attorney at law;

Ordered that unknown and absent defendant Mattie Cottrell be and hereby is appointed guardian ad litem to the defendant Mattie Cottrell's person and estate, to defend the interests in said cause.

Clerk.

Virginia

At a county court continued and held for the County of Nansemond at the Courthouse in the Town of Suffolk on Friday the 15th day of May A D 1896.

On her own motion Elizabeth M Corbell is by the Court appointed committee of Leopold Marcellus Corbell an orphan of John D Corbell deceased. And thereupon the said Elizabeth M Corbell as committee aforesaid entered into a bond in the penalty of Five thousand dollars conditioned according to law with Edwin T Corbell John. T. Corbell William W Eley and Mary A a Eley her sureties (who justified on oath as to their sufficiency) which bond being acknowledged by the obligors is ordered to be recorded.

A copy

Teste:

R. R. Smith Clerk

Elizabeth McCorbell
Committee
Copy of Order of
Court Appointing

50 ¢ Fee

Know All Men by These Presents, That we, Edward E Holland and William H Jones Jr

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of Nine Thousand DOLLARS, to the payment whereof, well and truly to be made to the said Commonwealth, we bind ourselves, and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

And we waive the benefit of our exemption as to this obligation, and also waive any claim or right to discharge any liability to the said Commonwealth arising under this bond, or by virtue of the office, post or trust herein mentioned, with coupons detached from bonds of said Commonwealth.

Sealed with our seals, and dated this 7th day of October in the year of our Lord one thousand eight hundred and ninety Seven, and in the 122nd year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas by a decree of the Circuit Court of the County of Nansemond Virginia pronounced on the 13th day of October 1896 in the Chancery cause pending in the said Circuit Court between Sallie C Pickett and others Complainants and Elizabeth M Corbell widow and others defendants it was decreed that the tract of land in the bill and proceedings in said cause mentioned be sold and the said Edward E Holland was thereby appointed Special Commissioner to sell the same.

Now therefore if the said Edward E Holland shall faithfully discharge the duties of his office, post or trust as Special Commissioner aforesaid under said decree and all other decrees he may be required to execute in said cause then the above obligation is to be void, otherwise to remain in full force and virtue.

Edwd E Holland SEAL

Wm H Jones Jr SEAL

SEAL

SEAL

SEAL

In the office of the Clerk of the Circuit Court of Nansemond County, on the 7th day of October 1897.

The above bond was executed and acknowledged by the obligors (the surety justifying on oath as to his sufficiency) and recorded.

Teste: A P Gomey CLERK.

A Copy Teste: A P Gomey Clerk

Edward E Holland

To } Spec. Comr Bond

The Commonwealth.

1897

Octo 7th "

Circuit-Court-Bond
Book No 1. Page 129

A Copy

Teste Jo Corbell D.C.

To Mrs.Sallie C.Pickett,E.F.Corbell,Elizabeth M.Corbell,in her own right and as Committee of Leopold Marcellus Corbell,S.E.Everett,Guardian ad litem of Leoplod Marcellus Corbell,Belia Corbell,widow of J.T.Corbell,deceased,Daviette Ficklen and Samuel P.Ficklen her husband,Bettie N.Corbell Sallie Corbell,Jno.T.Corbell,and Belia Corbell,infants and heirs at law of Jno.T.Corbell,deceased,and Samuel P.Ficklen named as next friend for said infants by decree entered on the 2Ist day of April,I897-

Please take notice that on the 18th day of Feby., I898,we shall apply to the Hon.R.R.Prentis,Judge of the Circuit Court for the County of Nansemond,Virginia,at his office in the Town of Suffolk,for a decree in the chancery cause of Pickett and others vs Corbell and others,pending in said court,and wherein you are,with us,the only parties plaintiff and defendant,to confirm the sales made of the real estate on the 8th day of November,I897,by the Special Commissioner appointed in said suit for that purpose,and to distribute the proceeds of sale among the parties entitled thereto according to their respective interests,and to pay the costs of said suit.

Mary Ida Eley and W.Walter Eley,her husband,and Alice V.Cotton and W.F.Cotten,her husband-by E E Rheard Attorney

We the undersigned hereby accept due,legal and sufficient service of the foregoing notice,and hereby consent that the said chancery cause of Pickett and others vs Corbell and others may be submitted to the said Judge of the Circuit Court of Nansemond County for such decision and decree therein in vacation as might be made in term.

W. W. Eley
Mary Ida Eley
E. M. Corbell
E. M. Corbell Committee
V. A. Cotten
W. F. Cotten.
E. F. Corbell
E. E. Everett Guardian ad Litem

Daviette C. Ficklen
Samuel P. Ficklen
Bettie N. Corbell, by Samuel P. Ficklen Guardian
Bettie N. Corbell, Sallie Corbell, John T. Corbell, Belia Corbell — Infants By Samuel P. Ficklen Their next friend
Belia O. Corbell in her own right and as admrx of J. T. Corbell dec'd By Boykin & Lite her attys
E. Florine Corbell

IAlso Received of E.E.Holland, Special Commissioner as aforesaid the sum of Nine hundred and six dollars and thirty three cents being the proportion o f the proceeds of sale of said lands due and owing and coming to Marcel l us Corbell in said suit.

Committee E.M. Corbell

Oct. 18th 1898.

TO THE HONORABLE ROBERT R. PRENTIS, JUDGE OF THE CIRCUIT COURT OF NANSEMOND COUNTY.

Pickett et als.

vs.

Corbell et als.

The undersigned Special Commissioner, appointed by a decree entered in this cause, begs to report the following: That he was directed by a decree entered in said cause on the 17th. day of October, 1898, to collect the bonds given by Wilkerson & Martin for the unpaid purchase price of the Cutchin farm, as the same respectively fell due, and to pay the proceeds thereof to Elizabeth M. Corbell, Committee of Marcellus Corbell, on account of the interest of said Marcellus Corbell in the proceeds of sale of the land sold in this suit, and in full thereof. The balance due on said bonds, amounting at that time, to the sum of $906.33, and being the entire amount of theproceeds of sale of the lands sold in said suit not distributed..Your commissioner, soon after the said decree was entered, collected the said bonds, paid the proceeds thereof to the said Elizabeth M. Corbell, and returned herewith her receipt therefor.

Your commissioner has executed to the said Wilkerson & Martin a deed for the property purchased by them with the usual covenants of title. The entire purchase price of the property sold in this suit has been collected, and your commissioner has executed to all the purchasers deeds for the property purchased by them. There is, so far as your commissioner knows, nothing further to be disposed of in this suit.

Respectfully submitted,

E. C. Hackett
Special Commr

Petitt rag
re Report Final
Distribution
Corbee

Fred Schutz 15 1900
A. Gimyek

To the Hon.Robert R.Prentis,Judge of the Circuit Court of the County of Nansemond:

The undersigned Special Commissioner appointed by decree entered in the chancery cause of Pickett and others vs Corbell and others,pending in said court,on the I3th day of October,I897,to make sale of the real estate mentioned in the proceedings in said cause,respectfully reports to Court as follows:

That after giving the bond required by said decree,a copy of which is filed in the papers in this cause,and after having advertised the time,terms and place of sale as directed by said decree,he proceeded on the 8th day of November,I897,before the court-house door of Nansemond County,to sell,at public auction,the said real estate. At said sale Mrs.Elizabeth M.Corbell made the highest bid for tract No.I, known as the "Home Place",and became the purchaser thereof at the price of $300I.00.Mrs.Corbell has complied with the terms of sale by paying the entire purchase price in cash.

For the tract No.2,known as the "Cutchin farm",R.L.Wilkerson and J.W.Martin made the highest bid and became the joint purchasers thereof at the price of $I4I0.00.They have paid the cash instalment of one third of the purchase price,and have executed their joint bonds for the deferred payments, which said bonds are returned herewith.

For the "House and Lot in Suffolk"Mrs.Mary Ida Eley made the highest bid and became the purchaser thereof at the price of $2000.00 .Mrs.Eley has paid $I500.00 on account of the purchase price of same, and is ready to pay the balance thereof in cash as soon as the sale is confirmed by the Court.

Your Commissioner has deposited the cash payments in the Farmers Bank of Nansemond,amounting to $497I.00,to his credit as Special Commissioner, and returns herewith certificates of deposit therefor.

Your Commissioner also returns herewith a ~~xxxxxxxxxx~~ copy of the advertisement of sale.

Respectfully Submitted,

E. E. Hazzard,

Spl Comm'r

Ricketts & others
vs
Corbett & others

Report of
Sale

THE GLOBE LEGAL WRAPPER. Patented Feb. 11, 1890. First Quality.
DIRECTIONS.—Elevate the metal points—attach the manuscript—then bend the points down flat—dampen the gummed flap and stick it down—this fastens the papers and hides the metal.

Pickett and others
vs
Corbell widow and others
} In Chancery.

To the Honorable Robert R. Prentis
Judge of the Circuit Court of the
County of Nansemond

In pursuance of the decree of the Circuit Court of Nansemond County, Virginia, pronounced on the 22d day of July 1896 in the cause in Chancery in said Court depending between Sallie C. Pickett J. T. Corbell and E. J. Corbell Complainants and Elizabeth M. Corbell widow of John D. Corbell Jr deceased and the said Elizabeth M. Corbell Committee of Leopold Marcellus Corbell, Alice V. Colton, W. F. Colton, Mary Ida Eley W. W. Eley and S. E. Everett Guardian ad Litem of Leopold Marcellus Corbell Defendants, the undersigned, one of the Commissioners in Chancery of said Court respectfully reports to Court,

That after the papers in said cause had been referred to him for the purpose specified in said decree (same being hereto attached) he gave notice to the parties to said cause that on the 18th day of September 1896 he would proceed at his office to take the interrogatories required in

said decree but no witnesses appearing on that day the further taking of depositions was postponed to September 26th 1896 at the same place,

That on the said September 26th 1896 at his office (the said Guardian ad litem consenting thereto and to any subsequent testimony to be taken) the Commissioner proceeded to ascertain (as required by the said decree,

1st Whether the real estate in the bill and proceedings mentioned could be conveniently divided in kind between the several parties entitled to share therein,

2d If the same could not be conveniently divided in kind, whether any party could take the entire property and pay therefor to the others such sums of money as their interests therein might entitle them to,

3d If the same could not conveniently be divided in kind, and if no party could take the entire property (and pay the others for their shares, whether the interests of those who are entitled to said property or the proceeds would be promoted by a sale of the entire property or by allotment of part and sale of the residue,

4th The fee-simple and annual value of each piece or parcel of said land or any other

matter seemed pertinent or requisite to be
Taken. And for said purpose examined E. O. Pope, & Henry
Pruden, and for the same purpose on the
28th day of September 1896 examined A. S.
Eley and H. H. Eley and on the 1st day of
October 1896 examined L. Hubbard, the depositions of which witnesses are herewith filed
as part of this report.

That the following facts have been ascertained to be true, that the land can
not be conveniently divided among so many
parties in interest in said because of its
situation and the diminishing of values if
so divided, that no party is willing to take
the entire property and pay the others for
their interests therein, that the interests of
all parties concerned would be promoted
by a sale of the entire property and a
division of the proceeds among the parties
and that the said property consists of
three separately known tracts called
the "Home Tract," the "Cutchin Tract" and
the "Suffolk property," and that the fee
simple values are as follows as stated
by the said witnesses, the maximum value
of the "Home Tract" $4000, minimum
value $2500, the maximum value of the
Cutchin Tract" $1200 minimum value
$600, the maximum value of the "Suf-

folk property $2500, all agreeing thereon, and the annual values of the same as follows, "Home Tract", maximum annual value $200, minimum value $150, the "Suffolk property" maximum annual value $180 minimum value $150. The "Cutchin Tract" has no annual value being wood-land.

Respectfully submitted this first day of October A. D. 1896.

John B. Tinnen
Commissioner in Chancery

Charges

John B. Tinnen	Comm'r's	Fee	$10.00
E. O. Pope	Witness	"	.75¢
Henry Pruden	"	"	75¢
A. B. Eley	"	"	50¢
L. Hubbard	"	"	50¢

Everett Waddey, Stationer and Printer, Richmond, Va. } Form No. 400.

Commissioner's Office,

Suffolk, Va. Sept 8th 1896

To Sallie C. Pickett, J. T. Corbell & F. Corbell and V. A. Cotten, W. F. Cotten, M. Ida Eley W. H. Eley Elizabeth M Corbell widow of John D Corbell, Senior, Deceased, Elizabeth M. Corbell Committee of Leopold Marcellus Corbell and D. E. Everett Guardian ad Litem for said Marcellus Corbell.

You are hereby notified that I have fixed upon the 18th day of September 1896 next, at 10. A. M. following

if fair, if not, on the next fair day thereafter (Sunday excepted), to take and settle at my office, the accounts

1st Whether the real estate in the bill and proceedings mentioned in the chancery cause below named can be conveniently divided in kind between the several parties entitled to share therein

2d If the same cannot be conveniently divided in kind whether any party will take the entire property, and pay therefor to the other parties such sums of money as their interest therein may entitle them to.

3d And if the same cannot be conveniently divided in kind and if no party will take the entire property and pay the others for their shares, whether the interests of those who are entitled to said property or its proceeds will be promoted by a sale of the entire property, or by the allotment of part and sale of the residue

4th The fee-simple and annual value of each piece or parcel of said land,

Or any other matter deemed pertinent by the undersigned or required by any party to be specially stated.

required to be taken by a decree of the Circuit Court of the County of Nansemond rendered on the 22d day of July 1896, in a suit in chancery depending in said court, ~~between~~ wherein 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 the said court, the day and year first aforesaid.

John B. Sumner
Commissioner in Chancery

Sufficient and legal service of the within notice is hereby accepted by us

E. E. Howard

Atty for Plaintiff

U. A. Cotten

Wm. F. Cotton

Mrs. Ida Edey

W. W. Edey

E. M. Corbell

E. M. Corbell Committee

J. E. Evers Guard ad litem

Form No. 400.

COMMISSIONER'S NOTICE.

vs.

AUCTION SALE

—OF—

Valuable Farm

ON NANSEMOND RIVER

AND A LOT IN SUFFOLK, VA.

By authority of a decree of the Circuit Court of Nansemond county entered on the 13th day of October, in the year 1896, in the chancery cause of Pickett and others vs. Corbell (widow) and others, pending in said court, I shall proceed to sell by public auction (free of dower), before the Courthouse door in said county, at Suffolk, Virginia,

On Monday, November 8, 1897,

(court day), at 12 o'clock M., the following valuable real estate, to wit:

1st. THE HOME PLACE, consisting of all those certain tracts of land in Barrett's Neck, in Nansemond county, Virginia, containing four hundred and sixty acres, more or less, on the south side of Chuckatuck creek, bounded by the said creek and the lands of Peter Houseman, the county road and others, and being the same lands conveyed to John D. Corbell, Sr., by John R. Kilby, special commissioner, by deed duly recorded in Nansemond County Clerk's office, in Book of Re-recorded Deeds No. 1, page 229, and by L. P. C. Cooper, trustee, by deed duly recorded in Nansemond County Clerk's office, in Book of Re-recorded Deeds No. 1, page 229.

2d. All that certain tract of land known as THE CUTCHIN FARM, in Nansemond county, Virginia, adjoining the lands above described, the lands of John Bush and others, and a small creek running from Nansemond river, and being the same lands conveyed to John D. Corbell, Sr., by B. F. Cutchin and wife and others, by deed duly recorded in Nansemond County Clerk's office in Deed Book No. 1, page 375.

3d. All that certain lot of land in the town of Suffolk, county of Nansemond, Virginia, bounded and described as follows: Beginning on Bank street, at the northwest corner of H. B. Phillips' lot, thence from said Bank street southwardly along said Phillips' line eighty-one feet to the lot of C. W. Wright, thence westwardly along Wright's line fifty and one-half feet to the line of D. C. Harrell's lot, thence southwardly along Wright's line sixty-five feet to the lands of E. L. Folk, thence westwardly along Folk's line ten feet to D. C. Harrell's line, thence northwardly one hundred and forty feet to said Bank street, and thence east along said Bank street sixty and one-half feet to the beginning, and being the same land conveyed to John D. Corbell, Sr., by D. C. Harrell and wife by deed duly recorded in Nansemond County Clerk's office, in Deed Book No. 26, on page 557.

All the above described land being the land of which the said John D. Corbell, Sr., died seized and possessed.

TERMS OF SALE

One-third cash, and the residue in two equal installments, payable at one and two years from the day of sale, the credit installments carrying interest from the day of sale, and the purchaser or purchasers executing bonds therefor, payable at said respective dates, and the title retained until the whole purchase money is paid and a conveyance directed by the Court. But the purchasers of the said real estate shall have the right, if desired, to anticipate the payments of said purchase price, and to pay the entire amount in cash.

OCTOBER 8, 1897. **E. E. HOLLAND, Special Commissioner.**

I, Azra P. Gomer, Clerk of the Circuit Court of Nansemond county, Virginia, do certify that the bond required of Edward E. Holland as special commissioner under the decree of said Court made on the 13th day of October, 1896, in the chancery cause pending in said court between Sallie C. Pickett, J. T. Corbell and others, complainants, and Elizabeth M. Corbell (widow) and others, defendants, has been executed with security deemed sufficient by me.

Given under my hand this 7th day of October, 1897.

A. P. GOMER, Clerk.

In the Circuit Court of Nansemond County:-

Pickett and others vs Corbell and others-

This cause came on this day to be again heard on the papers formerly read,and on the report of distribution made by E.E.Holland,Special Commissioner,this day filed,with which said report is returned receipts from all the parties interested in the proceeds of sale of the land sold in said suit for the amounts of their respective interests therein,save and except Elizabeth M.Corbell as Committee of Marcellus Corbell,and by which said report it appears that the bonds of Wilkerson & Martin,given for the deferred payments of the purchase price of the land purchased by them are unpaid, and that said Elizabeth M.Corbell as Committee of Marcellus Corbell has consented to accept the proceeds of same,when paid,in full of the amount due her as such Committee,and to which report no exceptions have been filed,and was argued by counsel:On consideration whereof the court doth ratify,approve and confirm said report in all respects,and doth order,adjudge and decree that the proceeds of the bonds given by Wilkerson & Martin as reported by said Commissioner be collected by said Commissioner as same respectively fall due,and the proceeds thereof paid over to said Elizabeth M.Corbell/Committee of Marcellus Corbell on account of the interest of said Marcellus Corbell in the proceeds of sale of the lands sold in this suit,and in full thereof,and her receipts for same taken therefor and filed in the papers in this cause.And this cause is continued.

Pickett and others

vs-Decree Confirming Report

Corbell and others

Oct. 17th, 1898

To be entered

Robert R. Prentis

Entered in Chancery
Order Book No 3 Page 175

I n the Circuit Court of Nansemond County-In Vacation, on the 18th day of Feb r uary, I898.

Pickett and others vs Corbell and others.

This cause came on this day to be again heard, with the consent of the par t ies thereto, and ~~after due notice of the application for~~ this decree had b een given to and accepted by all the parties, which said notice is filed this day ~~h e r e w i t h~~, upon the papers formerly read, and upon the report of sale made o f the real estate in the proceedings mentioned by Special Commissioner E .E.Holland, this day filed, to which report thereis no exception, and was a rgued by counsel. On consideration whereof the court doth ratify, approve a nd confirm said report and said sales. And it appearing to the court f rom the said report that Elizabeth M.Corbell has paid to said Special C ommissioner the entire purchase price for the lands purchased by her t he court doth adjudge, order and decree, that the said Special Commission- e r E.E.Holland, do convey unto her by good and sufficient deed, with speci- æl warranty, the real estate purchased by her as reported. And the court d o th further order, adjudge and decree that upon the payment by Mary Ida E ley and R.L.Wilkerson and J.W.Martin of the unpaid part of the purchase money for the lands purchased by them respectively that the said Special C ommissioner E.E.Holland do convey unto them by good and sufficient deeds, w ith special warranty, the real estate purchased by them as reported by s aid Special Commissioner. And it appearing to the court that there is n ow in the hands of said Special Commissioner, as shown by certificates of d eposit filed with his report, the sum of $497I.00, deposited to his credit a s Special Commissioner in this suit, the court doth further order, adjudge and decree that the said Special Commissioner do withdraw from the papers t he said certificates of deposit and collect the same, and after paying t he costs of this suit and the expenses of sale, including a fee of $/00. to the counsel who instituted and now prosecutes this suit, and after pay- i ng to Elizabeth M.Corbell, widow of J.D.Corbell, Sr, her proportionate and ~~c~~commuted part of the proceeds of sale, calculated according to the tables in such cases provided, which she has by her answer agreed to accept in l ieu of her dower in said lands, proceed to distribute the residue thereof among the several parties entitled thereto as shown by the proceedings in this cause, or to their legally qualified receivers or guardians, the amount coming to any one of the infants being less than the sum of Three

hundred dollars, as soon as they shall have first satisfied this court that they have given bond in sufficient penalties, and with sureties sufficient for the security of same.

And the court doth further order, adjudge and decree that the Special Commissioner proceed to collect the deferred payments for the real estate purchased by R.L. Wilkerson and J.W. Martin as evidenced by their bonds filed and returned with his report, with authority to allow them to anticipate payment of same, if desired; and also the balance due by Mary Ida Eley on account of the real estate purchased by her, and upon the collection thereof proceed to distribute the same among the parties entitled thereto. And the said Commissioner is directed to make report to court. ~~And this cause is continued.~~ And by consent of parties in writing here entered of record it is ordered that this cause may be submitted to the Judge of this Court for such decision or decree herein in vacation as might be entered in term.

Robert C. Ellis.

To the Clerk of the
Circuit Court of
Nansemond County.

Pickett rolles
vs
Deeres
Corbell rolles

Enter Feby. 18, 1898.
Robt S Lewis.

Entered in Chancery
Order Book
No 3 Page 126.

In the Circuit Court of Nansemond County:

Pickett and others

vs-In Chancery

Corbell and others

This cause came on this day to be again heard upon the papers formerly read,and upon the report of Commissioner John B.Pinner filed ~~since the last hearing~~ October 1, 1896, to which report there is no exception,and on the examinations of witnesses returned with said report,and was argued by counsel:On consideration whereof the court doth approve and confirm said report,and doth adjudge,order and decree that E.E.Holland,who is hereby appointed a special commissioner for the purpose,do,after having advertised the time, place and terms of sale once a week for three weeks in some newspaper published in the county of Nansemond,and posting notice of the same in two or more public places in the said county,proceed to sell,at public auction,to the highest bidder,in front of the court-house door of this county,on some court-day,the real estate in the bill and proceedings mentioned,in one or more parcels as to the commissioner shall seem fit,upon the following terms,towit:one third cash,and the residue in two equal instalments,payable at one and two years from the day of sale,the credit instalments carrying interest from the day of sale and the purchaser or purchasers executing bonds therefor payable at said respective dates,and the title retained until the whole purchase money is paid and a conveyance directed by the court.The said purchasers of said real estate shall have the right,if desired,to anticipate the payments of said purchase price,and to pay the entire purchae price in cash.The court doth further order,adjudge and decree that the said E.E.Holland,Special Commissioner, may,with the written consent of three or more of the adult parties plaintiff or defendant,sell any or all of the real estate above mentioned at private sale for such sum or sums as may be agreed upon,but such sales shall be subje ct to the future confirmation of same by this court. The said commissioner is directed to deposit the cash instalments in the Farmers Bank of Nansemond,in Suffolk,Virginia,to his credit as Special

Commissioner in this cause,and to report his proceedings hereunder to court,returning with such report a certificate of such deposit,and the bonds given for the credit instalments.But the said special commissioner E.E.Holland shall not advertise said real estate and shall receive no money under this decree until he shall enter into bond with sufficient security in the clerks office of this court,payable to the Commonwealth of Virginia,in the penalty of $9000.00 ,and conditioned for the faithful performance of his duties under this or any other decree entered in this cause.And the said commissioner is directed to append to his advertisement of sale a certificate showing that he has executed the bond required hereunder.And this cause is continued.

Pickett and others

vs-Decree for Sale

Corbell and others

October 13, 1896

To be entered

Robert R. Prentis.

Entered in
Chancery
O B 3 Page 451

In the Circuit Court of Nansemond County:

Pickett and others vs Corbell and others-

In vacation on the 22nd day of July I896-

This cause, with the consent of all parties plaintiff and defendant notice being expressly waived, came on this day to be ~~again~~ heard upon the bill of complaint taken for confessed as to the defendants V.A.Cotten and W .F.Cotten,M.Ida Eley and W.Walter Eley,they still failing to appear,plead ,answer or demur, on the answer of Elizabeth M.Corbell,widow of John D.Corbell,Senior,deceased and said Elizabeth M.Corbell, as Committee of Leopold Marcellus Corbell, upon the answer of Leopold Marcellus Corbell by S.E.Everett,his guardian ad litem duly appointed at Rules and of the said guardian ad litem,with general replications thereto,and exhibits filed and was argued by counsel.

On consideration whereof the Court doth order,adjudge 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 the following accounts:

Ist.Whether the real estate in the bill and proceedings mentioned can be conveniently divided in kind between the several parties entitled to share therein.

2nd.If the same cannot be conveniently divided in kind whether any party will take the entire property,and pay therefor to the other parties such sums of money as their interest therein may entitle them to.

3rd.And if the same cannot be conveniently divided in kind and if no party will take the entire property and pay the others for their shares, whether the interests of those who are entitled to said property or its proceeds will be promoted by a sale of the entire property,or by the allotment of part and sale of the residue.

4th.The fee-simple and annual value of each piece or parcel of said land.

Which several inquiries the said Commissioner shall report to court together with any matter specially stated deemed pertinent by himself or required by any party to be so stated.And this cause is continued.

Robt T Lewis

To the Clerk of the Circuit Court of Nansemond County -

Pickett and others

vs-Decree

Corbell and others

We consent that within decree may be entered:

E. M. Corbell

E. M. Corbell

Committee of L. M. Corbell

W. A. Cotten

H. F. Cotten

W. W. Eley

M. Ida Eley

E. H. Corbell

J. T. Corbell

Addie Corbell Pickett

J. C. Cowan

Andrew A. Lipscomb

Solicitor for Petitioners

Enter July 22, 1896

Robert T. Devlin

American Vis
Chancery
Dr 3 Page 37

Commissioner's Office
Sept 18,1896.

Sallie C.Pickett and others

vs. In Chancery
Circuit Court Of Nansemond County

Elizabeth M.Corbell widow &c and others.

No witness appearing in response to the notice hereto attached the further taking of depositions in the above entiled cause is postponed to Sept 26 at the same place .

John B Pinner
Commissioner in Chancery.

Commissioner's Office,

Suffolk, Va.

Sept. 26, 1896.

The depositions of E.O.Pope and others taken before me a Commissioner in Chancery for the Circuit Court of the County of Nansemond pursuant to notice and adjournment thereunder hereto annexed at the Office of the said Commissioner in Suffolk, Va. on the 26 day of September 1896 between the hours of 12.30 P.M. and 2.30 P.M. to be read as evidence in behalf of Sallie C.Pickett and others in a certain suit in equity depending in the Circuit Court for the County of Nansemond wherein Saliie C.Pickett and others are plaintiffs and E.M Cottrell &c and others are defendants.

The witness E.O.Pope being duly sworn, deposes as follows,

Q.1. State your name, age, residence and occupation if you know the parties to this suit.
A. E.O.Pope, 42 years, Nansemond County, Va. Farmer I know the parties.

Q. 2. Are you acquainted with the land named in this suit?
A. I am. I live adjoining it.

Q. 3. State whether the same can be conveniently divided in kind between the parties entitled to share therein.
A. It might be divided in kind among the parties. I think there are about 400 acres of land besides the lot in Suffolk. It could not be conveniently done however.

Q. 4. State whether you think the interests of all the parties entitled to share therein would be promoted by a division of the land, or sale of part and allotment of part or a sale of the entire property and a division of the proceeds of the sale among the parties.
A. In my opinion it would be best to sell it and divide the proceeds among the parties entitled to the same. My reasons are that there are so many parties in interest that if sold each one's share would be more valuable in that way.
I also think that upon a fair valuation of a part of the property taken by any of the parties and a sale of the remainder the interests might be as well promoted as by a sale of the entire property and a division of the entire proceeds.

Q. 5. Do you know whether any of the parties are willing to take the property as a whole, and pay the other parties

for their interests therein.
A. I do not know.

Q. 6. State the fee simple value of each of the tracts and their annual value in your opinion.
A. The Home tract, fee simple value $3000, annual value $200, The Cutchin tract, fee simple value $1000, annual value nothing becuase it is wood-land. The Suffolk property fee simple value $2500, annual value $150.

And further this deponent saith not.

E. O. Pope

The witness Henry Pruden being duly sworn deposes as follows.

Q.1. State your name age, residence, occupation and if you know the parties to this suit.
A. Henry Pruden, 41 years, Nansemond County, farmer and I know the parties to the suit.

Q.2. Are you familiar with the property named in the bill and if so state wether the same can be conveniently divided in kind among the parties entitled to share therein.
A. I know the property and I do not think it can be conveniently divided among the parties.

Q. 3. State whether any party will take the entire property and pay therefor to the other parties such sums of money therefor as their interests therein would entitle them to.
A. I do not know.

Q. 4. State whether the interests of those entitled to said property or its proceeds would be promoted by a sale of the entire property or by the allotment of part and sale of the remainder.
A. I think it would be best for them to sell th entire property and divide the proceeds.

Q. 5. Please state what the fee simple value and what the annual value of each of the tracts. is in your opinion
A. The Home tract $2500 fee simple value $150 annual value The Cutchin tract fee simple value $800 and it has no annual value being all wood-land. The Suffolk property $2500 fee simple value and $150 annual value.

And further this deponent saith not.

his
Henry X Pruden
mark

Witness:-
C. H. Pitt

1

Commissioner's Office Suffolk, Va.
Sept 28th 1896.

The witness A. S. Eley being duly sworn deposes as follows

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

A. A. S. Eley, 50 years, Suffolk, Va. Justice of the Peace, I do know the parties to the suit.

Q. State whether or not you are acquainted with the property in the bill named and if the same can be conveniently divided in kind between the several pa ties entitled to share therein and if the same cannot be conveniently divided in kind whether any party will take the entire property and pay the efor to the other parties such sums of money as their interest therein may entitle them to and if no party will take the entire property and pay the others for their shares whether the interests of those who are entitled to said property or its proceeds will be promoted by a sale of the entire property or by the allotment of the a part and sale of the remainder and what is the fee simple and annual value ot the property.
A. I do not know anything about the property except the house and lot in Suffolk with which I am familiarand can not answer any of the interrogatories except concerning the fee simple value and the annual value of the Suffolk property. I think the fee simple value of that is not to exceed $2500 and its annual value not to exceed $175 per year.

And further this deponent saith not.

A. S. Eley

~~The witness W. Walter Eley being duly sworn deposes as follows.~~

~~Q. 1. State your name, age, residence, occupation and whther you know the parties to the suit and~~

The witness W. Walter Eley being duly sworn deposes as follows.

Q. 1. State your name, age, residence, occupation and whether you know the parties to the suit.

A. W. Walter Eley, 42 years, Suffolk, Va. Merchant. I know the parties to the suit and am one of the parties defendant.

Q. 2. Are you familiar with the property named in the bill

A. Yes sir.

Q. 3. Can the same beconveniently divided in kind among the parties entitled to share therein?

A. I do not think so.

Q. 4. If the same cannot beconvenniently be divided in kind will any party take th entire property and pay there for to the others such sums of money as their interests may entitle them to.

A. No I do not think there is in fact I know there is not

Q. 5. Will the interests of those entitled to share therein or its proceeds be promoted by a sale of the entire property or by allotment of part of the property and sale of the remainder.

A. I think it best to sell the entire property and divide the proceeds among the parties.

Q. 6. Please state what is the fee simple value of each of the tracts named in the bill and their annual value.

A. In my opinionthe Home place is worth $3500 and its rental value per annum is $200. The Cutchin tract I think is worth $1200 and it has no rental value. The Suffolk house and lot is worth I think $2500 and its rental value per annum is about $180.

And further this deponent saith not.

W W Eley

1

Suffolk Va.
Commissioner's Office
Oct. 1-1896.

The witness L.Hubbard being duly sworn deposes as follows,

Q. 1. State your name age, residence, occupation and do you know the parties to this suit?
A. Lepron Hubbard, 58 years, Suffolk, Va. oyster dealer, and I know most of the parties to the suit.

Q. 2. Are you familiar with the land named in the bill?
A. I am. I lived adjoining it for six years.

Q. 3 Can the same be conveniently divided in kind among the parties entitled to share therein?
A. I should not think so. I do not see how it could. The land is so situated that I do not see how it could be conveniently divided.

Q. 4. If the same cannot be conveniently divided in kind will any party take the entire property and pay therefor to the others such sums of money as their interests may entitle them to?
A. That I do not know.

Q. 5. Will the interests of those entitled to share therein or its proceeds be promoted by a sale of the entire property or by allotment of part of the property and sale of the remainder?
A. I think it would sell to better advantage to sell the whole lot and I think it would be to the interests of all to sell it.

Q. 6. Please state the fee simple value of each of the tracts named in the bill and their annual value.
A. I think the Home place is certainly not worth more than $8.00 per acre. That would be a good price for it now. The Cutchin tract is not worth more than $6.00 per acre The Suffolk property is worth about $2500. The rental value value of the Home tract is about $150 and the Cutchin tract has no annual value while the Suffolk property ought to be worth $150 certainly.

And further this deponent saith not.

Lepron Hubbard

State of Virginia,
County of Nansemond,
I, John B. Pinner a Commissioner in Chancery of the Circuit Court of Nansemond County do certify that the foregoing depositions of F.O. Pope, Henry Pruden, A.S. Fley, W.W. Fley and Lepron Hubbard were taken, sworn to and subscribed at the times and place mentioned in the captions hereto.

Given under my hand this first day of October A.D. 1896.

John B. Pinner
Commissioner in Chancery

Rickett and others

vs. } In Chancery

Corbell, Widow &c and others

Report of
John B. Sumner
Comr in Chy.

1896 Octo 1st Filed
A. P. Gomez clerk

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Pickett et als.

vs.

Corbell et als.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of distribution made by Special Commissioner, E. E. Holland, of the remainder of the proceeds of sale in his hands for distribution, together with the receipt of Elizabeth M. Corbell, committee of Marcellus Corbell, therefor, filed herein on the 25th day of September, 1900, to which report there are no exceptions, and was argued by counsel.

On consideration whereof, the court doth ratify, approve and confirm said report; and it appearing that there is nothing further to be disposed of in this suit, it is ordered that same be removed from the docket.

Pickett et als
vs Imaldeeree
Corbell et als

Oct. 9th 1900

To be Entered

Robert Stevens

Entered in Chancery
Order Book No 3
Page 309

In the Circuit Court of Nansemond County:

Sallie C.Pickett and others

vs

Elizabeth M.Corbell,widow,&c,and others

The answer of S.E.Everett,an attorney at law,guardian ad litem to Marcellus Corbell,a person of unsound mind,and the answer of said Marcellus Corbellby the said S.E.Everett,his guardian ad litem,to a bill in equity exhibited against the said Marcellus Corbell and others in the Circuit Court of Nansemond County by Sallie C.Pickett and others.

For answer to said bill the said guardian ad litem answers and says that he does not know whether the interests of the said Marcellus Corbell would be promoted by a sale,allotment or partition of the real estate as prayed for in said bill or not,and asks the court to protect his interests;and the said Marcellus Corbell,by his said guardian ad litem, answers and says,that being of unsound mind,he knows nothing of the matters mentioned in said bill,and commits the protection of his interests to the Court.And now having answered,they pray,&c.

S. E. Everett

Guardian ad litem to Marcellus Corbell and the said Marcellus Corbell ,by the said S.E.Everett,his guardian ad litem.

Answer &c.

Filed June 15th day 1896.

In the District Court in and for Diamond County.

Martin O'Riordan and others

vs

Timothy O'Donnell and others

Comes now the defendant Timothy O'Donnell and for answer to plaintiffs' complaint herein admits that he is a resident of Diamond County, and that he is the owner of the S.E. ¼ of Section 14, Township 3 North of Range 2 East of the Mount Diablo Meridian, and that he has a right of way for a ditch over the land of the plaintiffs, and that he has constructed a ditch over the same, but denies that he has ever damaged the plaintiffs in the sum of $1,000.00 or any other sum, and denies that he has ever committed any trespass upon the lands of the plaintiffs, and denies that he has ever cut down any trees belonging to the plaintiffs, and denies that he has ever destroyed any fences belonging to the plaintiffs, and denies that he has ever committed any waste upon the lands of the plaintiffs, and denies that he has ever damaged the plaintiffs in the sum of $1,000.00 or any other sum, and denies that he has ever committed any trespass upon the lands of

In the Circuit Court of Nansemond County,Virginia.

The answer of Elizabeth M.Corbell,widow of Jno.D.Corbell,Sr,deceased and also as Committee of Marcellus Cor bell to a bill in equity exhibited against herself and others in the Circuit Court of Nansemond County,Virginia,by Sallie C.Pickett and others.

This defendant reserving to herself the benefit of all just exceptions to said bill,for answer thereto answrs and says:
That as widow of Jno.D.Corbell,Senior,deceased,she is willing to have her dower interest in the lands of which he died seized and possessed in the bill mentioned commuted,and to accept xxxx in lieu thereof her proportionate part of the proceeds of sale in money,and that she is now 70 years of age.
That as Committee of Marcellus Corbell, she believes that it would be to his interest to have the lands sold,partitoned or allotted as prayed for in said bill.
And now having fully answered this defendant prays to be hence dismissed with her reasonable costs in this behalf expended,&c.
Affidavit waived.

Elizabeth M. Corbell

Widow of Jno D. Corbell dec'd
& Committee of M. Corbell

Answer of
Elizabeth M. Corbin
Executrix & Committee &c

In the Circuit Court of Hampshire County, Virginia.

Elizabeth M. Corbin, Executrix of Lewis D. Campbell, dec'd, Complainant,

against

Lewis D. Campbell, Jr., Thomas Campbell, Jr., Mary Campbell, Jr., Elizabeth Campbell, Jr., Lewis Campbell, Jr., Jane Campbell, Jr., Sarah Campbell, Jr., Virginia Campbell, Jr., Lucy Campbell, Jr., Robert Campbell, Jr., Charles Campbell, Jr., Alexander

To the Hon.Robert R.Prentis,Judge of the Circuit Court of Nansemond County,Virginia.

Your complainants, Sallie C.Pickett,J.T.Corbell and E.F.Corbell,complaining,respectfully show unto the court the following case:

That your complainants father, John David Corbell,Senior,was in his life time seized and possessed, of certain real estate lying in the county of Nansemond,Virginia,towit:

Ist.A certain tract of land in Barretts Neck in Nansemond County,Virginia, containing three hundred and sixty acres,more or less,on the South side of Chuckatuck creek,bounded by said creek and the lands of Peter Houseman and others,and being same land conveyed to said Jno.D.Corbell,Sr,by John R.Kilby,Special Commissioner by deed duly recorded in Nansemond County Clerks office in Book of Rerecorded-Deeds No.I, on page 229.

2nd.All that certain other tract of land in said County and State,containing one hundred acres,more or less,and bounded by the County road leading from Chuckatuck to Gray's store,and the lands above described, and being same lands conveyed to said John D.Corbell,Sr,by L.C.P.Cowper, trustee, by deed duly recorded in Nansemond County Clerks Office in Book of Rerecorded-Deeds No.I, on page 229.

3rd.All that certain tract of land in Nansemond County,Virginia,adjoining the lands above described,the lands of John Bush and others,and a small creek running from Nansemond river and being same lands conveyed to said Jno.D.Corbell,Sr,by B.F.Cutchin and wife and others by deed duly recorded in said Clerks Office in Deed-Book No.I, on page 375.

4th.All that certain lot of land in the Town of Suffolk,County of Nansemond,Virginia,bounded and described as follows:Beginning on Bank Street at the North-West corner of H.B.Phillips' lot,thence from said Bank St. southwardly along said Phillips' line eighty one feet to the lot of C.W. Wright,thence Westwardly along Wright's line fifty and one half feet to the line of D.C.Harrell's lot,thenceSouthwardly along Wright's line sixty five feet to the lands of E.L.Folk,thence Westwardly along Folk's line ten feet, to D.C.Harrell's line,thence Northwardly one hundred and forty

six feet to said Bank Street,and thence East along Bank Street sixty and one half feet to the beginning,and being same lands conveyed to said John D.Corbell,Sr,by D.C.Harrell and wife by deed duly recorded in said Clerks Office in Deed-Book No.26 on page 557.

And being so seized and possessed of said real estate,sometime in the year 1895,the said John David Corbell,Senior,departed this life intestate, leaving a widow,Elizabeth M.Corbell,and your complainants, andAlice V.Cotten,the wife of W.F.Cotten,and Mary Ida Eley,the wife of W.Walter Eley, and Leofold Marcellus Corbell,his only children and heirs at law.

The said Leofold Marcellus Corbell has been adjudged non-compos mentis,and Elizabeth M.Corbell,his ~~wife~~ mother, has been appointed by the County Court of the County of Nansemond as his committee,and has duly qualified as such. Acopy of the order of said County Court of Nansemond County is herewith filed and asked to be read as a part of this bill.

Your complainants believe that said real estate is,as they believe,susceptible of partition or allotment,among the parties entitled thereto;but if it be not,then your complainants desire the same to be sold,and the proceeds of sale divided among the parties,according to their respective rights;the share of the said Leofold Marcellus Corbell therein to be held as directed by statute in such case made and provided.Should the property not be divisible in kind,your complainants believe and here state,that the interests of those who are entitled to said real estate,or its proceeds will be ~~xxxxxxxx~~ promoted by a sale of the whole of said real estate , or by an allotment of part and sale of the residue.

The said Elizabeth M.Corbell is willing to have her dower interest in said lands commuted,and to accept in lieu thereof,her proportionate part of the proceeds of sale.

In tender consideration whereof,and for as much as your complainants are remediless in the premises save by the aid of a Court of equity,where matters of this kind are alone and properly cognizable,your complainants pray,that the said Elizabeth M.Corbell,widow of John David Corbell,Senior,deceased,and the said Elizabeth M.Corbell as Committee of

Leofred Leofred

Marcellus Corbell,Marcellus Corbell,Alice V.Cotten and W.F.Cotten,her husband,and Mary Ida Eley and W.Walter Eley,her husband,may be made parties defendant to this bill,and required to answer the same(answers under oath being waived);that a proper guardian ad litem may be assigned the said Marcellus Corbell to defend his interests in this suit;who shall also answer the said bill;that proper process issue;that proper counsel fees be allowed;that if required,dower be assigned to the said Elizabeth M.Corbell in said real estate;that the said real estate be divided between the several parties entitled thereto,and your complainants portions thereof be allotted to them,or in case the said real estate cannot be partitioned and divided in kind,that the same be exposed to sale,and the proceeds of such sale divided among the parties entitled thereto;that all proper orders and decrees may be made,and proper enquiries be directed, and that all such other,farther and general relief may be afforded your complainants as the nature of their case may require,or to equity shall seem meet.And your complainants will ever pray,&c.

Sallie C.Pickett

J.T.Corbell

E.F.Corbell

By E. E. Hoccard
their Counsel

Barbell clothes
vs Bill
Ballew clothes

Sallie C Pickett &others
against } In Chancery
Elizabeth M Corbell &others.

1896 June 3rd. Process issued returnable June Rules
Third Monday.

" " 15th. Process returned accepted by all
the defendants.
S E Everett appointed Gdr ad litem
for Leopold Marcellus Corbell.
Answer of S E Everett Gdr ad litem
filed.
Bill filed and Decree Nisi
against all Defendants.

" July 6th. Decree Nisi confirmed and
Cause set for hearing.

Pickell Volume
95 In Chauncey
Corbell Volume
Chauncey Notes.

Pickett vs Corbell et others

E. E. Holland p.q.

Sallie C. Pickett et others

vs } In Chancery

Elizabeth M Corbell et others

1900 October 9th

Final Decree

Pickett vs Corbell et others

Costs
Clerk -- 9.40
Tax -- 1.50
10.90
atty 15.00
Com. 1000
witness 2.48
$38.38