

1903-015
Nansemond Co (Suffolk) Chancery Causes: Fletcher W. Archer vs Solomon A. Archer, infant et al

Bennett

Edward Archer
vs In Chancery
Bernard Bennett & others

1903
April 16th
Final Decree

F. W. Archer vs Bennett & others

Costs
Clerk \$7.03
Tax 1.50
Shff 50
Atty 15.00

\$24.03

Received of E. E. Holland the sum of five dollars (\$5.00) for
selling land in the suit of Archer v. Archer.

Feb. 13, 1903.

J. Walter Lewis
Audt

E. E. HOLLAND,

ATTORNEY AT LAW.

COMMONWEALTH'S ATTORNEY FOR HANSEMOND COUNTY.

OFFICES IN ROOTHE BUILDING,

SUFFOLK, VA.

Received of E. E. Holland, Special Commissioner in the suit
of Archer v. Archer, the sum of fifty cents (.50) on account of
fees in said cause.

AW Baker
Shuff

E. E. HOLLAND,

ATTORNEY AT LAW.

COMMONWEALTH'S ATTORNEY FOR NANSEMOND COUNTY.

OFFICES IN BOOTHE BUILDING,

SUFFOLK, VA.

received of E. E. Holland, Special Commissioner, in the
suit of Archer v. Archer, the sum of seven dollars and three cents
(\$7.03) on account of cost and also one dollar and fifty cents
(\$1.50) on account of writ tax in said cause.

A. G. Gomey Clerk

E. E. HOLLAND,

ATTORNEY AT LAW.

COMMONWEALTH'S ATTORNEY FOR NANSEMOND COUNTY.

OFFICES IN BOOTHE BUILDING.

SUFFOLK, VA.

Received of E.E.Holland, Special Commissioner in the chancery suit of
Archer vs Archer and others the sum of Two hundred and fifty seven
dollars and thirty two cents in payment in full of the interest of
Ethel M. Bonnett in the proceeds of sale of lands sold in said suit.

Mar 10 th/1903

E. E. Wagner
Adm. for Ethel Bennett

Received of E.E.Holland, Comr in suit of Archer vs Archer and others
the sum of One hundred dollars in part payment of my ditributive
share of the proceeds of sale of land sold in said suit.

Dec. 24th, 1902.

F. W. Archer

E. E. HOLLAND,

ATTORNEY AT LAW.

COMMONWEALTH'S ATTORNEY FOR NANSEMOND COUNTY.

OFFICES IN BOOTHE BUILDING.

SUFFOLK, VA.

Received of E. E. Holland, Special Commissioner in the chancery cause of Archer v. Archer, the sum of one hundred and fifty seven dollars and thirty-two cents (\$157.32) being the balance due Fletcher W. Archer in the proceeds of sale of land sold in said suit.

March 10, 1903.

G. W. Archer by
P. J. Saunders

Norfolk V^C
12-24-21

Col. E. E. Halland

Suffolk V^C

Dear Sir.

Yours of 23rd

to hand please find
enclosed receipt signed
for one hundred dollars
May thank you for
prompt remittance.

Yours truly

J. W. Acker

E. E. HOLLAND,

ATTORNEY AT LAW.

COMMONWEALTH'S ATTORNEY FOR NANSEMOND COUNTY.

OFFICES IN BOOTHE BUILDING.

SUFFOLK, VA.

Received of E. E. Holland, Special Commissioner in the Chancery cause of Archer v. Archer, the sum of two hundred and fifty seven dollars and thirty-two cents (\$~~2~~57.32) being the portion of Solomon A. Archer in the proceeds of sale of land sold in said suit.

March 10, 1903.

J J Saunders Guardian

ESTABLISHED 1873.

SUFFOLK, VA.

Mar 4

1903

M. E. E. Holland Spe Com

TO SUFFOLK HERALD, DR.
NEWSPAPER AND JOB PRINTING ESTABLISHMENT.

No. 9 WASHINGTON SQUARE.

TERMS OF THIS BILL, NET CASH.

Nov	22	50. Bills in case Archer vs Archer
Dec	4	4 in. adv. return " "

Paid 3/4/03

Suffolk Herald

75-
2/25
3.00

A. P. Goner, Clerk of the Circuit Court of Nansemond County.

Fletcher W. Archer,

Plaintiff,

v.

Bernard Bennett, Solomon A. Archer, and Ethel Bennett, the last two
of whom are infants under the age of twenty-one years. DEFENDANTS.

Issue summons in Chancery to first September Rules, 1902.

Pay \$1.50

E. E. Hancock

p. g.

Fletcher W Archer
vs { Memorandum
Bernard Bennett &c

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

*Bernard Bennett
Solomon A Archer and Ethel Bennett
the last two of whom are infants under
the age of twenty one years*

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 *First* Monday in *September 1902*, to answer

a Bill in Chancery, exhibited against *them*

in the said Court by *Fletcher W Archer*

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this *27th* day of

August, 1902, in the 127th year of the Commonwealth.

A copy—Teste:

A. P. Gomer, CLERK.

Teste:

A. P. Gomer, CLERK.

E E Holland p. q.

*A copy for
Ethel Bennett*

vs.

In Chancery.

Infant

1902

Sept

Rules.

Frist

Monday.

Nansemond Circuit Court.

Process Book No. *21*

Page *230*

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

*Bernard Bennett
Solomon A Archer and Ethel Bennett
the last two of whom are infants under
the age of twenty-one years*

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 *First* Monday in *September 1902*, to answer

a Bill in Chancery, exhibited against *them*
in the said Court by *Fletcher W Archer*

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this *27th* day of
August, 1902, in the 127th year of the Commonwealth.

A copy—Teste:

Teste:

, CLERK.

, CLERK.

Executed this 28 Aug 1902
by delivering a true copy of the
Within process to Bernard Bennett
in person at W Baker
Thru

E E Holland p. 9.

Attchell & Archer

vs.

In Chancery.

Bernard Bennett
and others

1902

Sept Rules.

Sept Monday.

Nansemond Circuit Court.

Process Book No. 21

Page 220,

CHANCERY SUMMONS.

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON *Bernard Bennett*
Solomon A Archer and Ethel Bennett
the last two of whom are infants under
the age of twenty-one years.

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 *First* Monday in *September 1902*, to answer
a Bill in Chancery, exhibited against *them*
in the said Court by *Fletcher W Archer*

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this *27th* day of
August, 1902, in the 127th year of the Commonwealth.

A copy—Teste: *A. P. Gomer*, CLERK. } Teste: *A. P. Gomer*, CLERK.

E E Halland p. q.

A copy for
Solomon S. Archer

vs.

In Chancery.

Infant

1902

Sept

Rules.

First

Monday.

Nansemond Circuit Court.

Process Book No. 2--

Page 230

F. W. Archer
vs
Solomon A. Archer to heirs

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

At Rules on the 1st Monday in September, 1902.

On the motion of the Complainant, by Counsel, John P. Lee, an Attorney at Law, is assigned Guardian ad litem for the infant defendants in this cause.

A. P. Gomer Clerk

Order Appointing
Gdr ad letem

ORDER OF THE
MAGISTRATES OF THE DISTRICT OF COLUMBIA
IN THE MATTER OF THE ESTATE OF
JAMES M. SMITH, DECEASED
VS.
THE DISTRICT OF COLUMBIA
AND
THE DISTRICT OF COLUMBIA
VS.
THE DISTRICT OF COLUMBIA

Know All Men by These Presents, That we E. E. Holland
and W. H. Jones Jr.

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full
sum of One Thousand (\$1000⁰⁰) 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 Common-
wealth.

Sealed with our seals, and dated this 29th day of October in the year
of our Lord one thousand ~~eight~~ ^{nine} hundred and ~~ninety~~ ^{two}, and in the 127th year
of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas
E. E. Holland was by a decree made by the
Circuit Court of Nansemond County, in the
Chancery cause of Fletcher W. Archer against
Solomon Archer and others now pending in
said court, on the 14th day of October 1902,
appointed a Commissioner to sell the real
estate in the proceedings mentioned in said
cause. Now, therefore if the said E. E. Holland,
Commissioner, shall faithfully discharge
his duties under the said decree or any
other decree entered in said cause, then
this obligation shall be void, otherwise shall
remain in full force and effect.

E. E. Holland



Wm H. Jones Jr.



In the office of the Clerk of the Circuit Court of Nansemond County, on
the 29th day of October 1902.

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

Teste:

Copy
Teste: A. P. Gomer

A. P. Gomer CLERK.

E. E. Holland

To} Spec Commr Bond.
The Commonwealth

1902

Oct 29th

Recorded in Bond
Book No 1- page 289.

Circuit Court

A copy.

Wm. W. W. W.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

ARCHER,

v.

ARCHER AND OTHERS.

The undersigned Commissioner appointed under a decree entered in this cause, begs to report that he has collected of Mary E. Taylor the purchase price of the tract of land purchased by her and has executed to her a deed therefor.

Your Commissioner also reports that S. J. Saunders has qualified in the County Court of Nansemond County as guardian for Solomon A. Archer, one of the infant defendants, and has given bond in a penalty of five hundred dollars (\$500.00) and with securities which are believed amply sufficient.

Your Commissioner also reports that E. F. Wagner has qualified in the County Court of Nansemond County as guardian for Ethel Bennett, another infant defendant, and has given bond in a penalty of five hundred dollars (\$500.00) and with securities sufficient for the security of the same.

Your Commissioner further reports that the said purchase price has been distributed as follows;

To proceeds of sale,	\$850.00	
By amount paid Clerk,		\$7.03 ✓
By amount paid Sheriff,		.50
By writ tax and taxed fee,		16.50
By amt. paid S. Herald for advertising,		3.00 ✓
By amt. paid J. W. Hosier, Auctioneer,		5.00 ✓
By taxes retained,		
By deed to purchaser,		5.00
By commissions retained,		26.00
By fee allowed by court,		25.00
By amount paid Fletcher W. Archer,		257.32
By amount paid S. J. Saunders, Gdn. S. A. Archer,		257.32

4 602.67

By amount paid E. E. Wagner Gdn. for Ethel Bennett,

602.67
\$257.32
\$859.99

This covers the entire purchase price of the property, and
there is nothing further to be done in the suit.

Respectfully submitted,

E. E. Halland
Commissioner

Recd 12th 1903

Archer
20 Report of Queen^m
Archer and Archer

Filed Oct 31^m 1903
A. P. Homer ck

COMMISSIONER'S SALE —OF— Valuable Land!

In pursuance of a decree made by the Circuit Court of Nansemond county, Va., on the 14th day of October, 1902, in the chancery cause of Fletcher W. Archer vs. Solomon A. Archer and others, I shall, as Commissioner appointed thereby, proceed to sell at public auction, at the front door of the Courthouse of Nansemond county,

On Monday, December 8th, 1902,
(COURT DAY), AT 12 O'CLOCK M.

The following valuable real estate, to wit: "All that certain tract of land in Chuckatuck Magisterial district, in Nansemond county, Virginia, containing sixty-one acres, more or less, and adjoining the lands of Richard Peel, Sarah C. F. Garris and others."

TERMS OF SALE—One-third cash and the residue in two equal installments, payable respectively at one and two years from day of sale, the purchaser executing bonds for the credit installments, bearing interest from date, and the title to the property to be retained until the full purchase price is paid and a conveyance directed by the Court. But the purchaser of said property, if he so desires, may pay the entire purchase price in cash.

E. E. HOLLAND,
Special Commissioner.

In the Circuit Court of Nansemond County—Fletcher W. Archer v. Solomon A. Archer and others.

I, A. P. Gomer, Clerk of the Circuit Court of the County of Nansemond, Virginia, do certify that the bond required of the Special Commissioner in this cause has been given with security approved by me. A. P. GOMER, Clerk.

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

The undersigned Commissioner, appointed by a decree in the Chancery Cause of Fletcher W. Archer v. Bennett and others, on the 14th day of October, 1902, begs to report, as directed thereby, that he proceeded, on Monday the 8th day of December, 1902, court day, in front of the courthouse door of Nansemond County, after having advertised the same in accordance with the requirements of said decree, and upon the terms therein mentioned, to sell the real estate described in the proceedings in this cause, ^{at the sale} the same was knocked off to *Mary E. Taylor* at the price of eight hundred and fifty dollars (\$850.00). Your Commissioner is advised that this is a good price for the property and begs to recommend that the sale be confirmed. Your Commissioner has executed the bond required by the decree entered in this cause, and begs to return herewith a copy of the advertisement of sale.

Respectfully submitted,

December 9, 1902.

E. E. Haccard,
Commissioner

Archer
to Report of Sale
Bennett

IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

In Vacation on the 19th day of September, 1902.

FLETCHER W. ARCHER,

v.

SOLOMON A. ARCHER, ETHEL BENNETT and BERNARD BENNETT.

This cause came on this day, by consent of the parties, by Counsel, and by Guardian ad Litem, duly assigned at rules to defend the interests of the infant defendants in this suit, to be heard on Complainant's bill, the answer of Bernard Bennett, the only adult defendant, this day filed, in which he disclaims all right, title and interest in and to the said land in the bill and proceedings mentioned, or the proceeds of the sale thereof and every part thereof, the answer of the infant defendants by their Guardian ad litem, John P. Lee, and of the said Guardian ad litem, with general replications thereto, and was argued by counsel.

On consideration whereof the court doth adjudge, order and decree that S. J. Saunders, Richard Peel, Morgan J. Underwood, J. Robert Wright, and M. G. Williams, who are hereby appointed commissioners for the purpose, any three or more of whom may act, having been first duly sworn, do proceed to lay off and divide the real estate of which Katharine Archer died, seised and possessed in the bill mentioned, into three equal parts, having regard to quality and quantity, and assign one of said equal parts to each of the heirs of the said Katharine Archer, deceased, to-wit; to Fletcher W. Archer, on a third part, to Solomon A. Archer, one third part and to Ethel Bennett one third part. But if the said Commissioners shall find it impracticable to divide the said land among the aforesaid parties or shall be of opinion that the interests of the said parties would be promoted ^{more} by a sale of the same, in such case they are required to report the facts, upon which their opinion is based, to the court, and also, what, in their opinion, is the fee-simple value of the whole of the real estate of which Mrs. Katharine Archer, died, seised and possessed; and in either case they are required to report their proceedings under this order to the court.

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

We, the undersigned, Commissioners, duly appointed by a decree entered in the Chancery suit of FLETCHER W. ARCHER v. BERNARD BENNETT and Others, on the *19th* day of September, 1902, as Commissioners to lay off and divide the real estate of which Katharine Archer died, *seized* and possessed in the bill mentioned, into three equal parts, having regard to quality and quantity, and assign one of said parts to Fletcher W. Archer, one to Solomon A. Archer, and the other to Ethel Bennett, the heirs at law of Katharine Archer, deceased, beg to report that we went upon the premises on the *24th* day of September, 1902, and after being first duly sworn, proceeded to discharge the duties imposed upon us by said decree.

We beg to report that we find it impracticable to divide said land among the aforesaid parties. The farm is so situated and is so small that to divide it into three equal parts would be disadvantageous to the interests of all the parties interested. The farm is now being rented out and if this is continued it is likely to depreciate in value.

For the above reasons we are of the opinion that the interests of the parties entitled to share in the proceeds of sale would be promoted by a sale of the entire property. No one of the parties is willing to take the property and pay to the others a reasonable price therefor. In our opinion the fee-simple value of the whole of the said real estate of which Katharine Archer died, seized and possessed is *Six hundred* dollars (\$ *600.00*).

Respectfully submitted.

D. J. Saunders
J. R. Wright
M. S. Williams

Commissioners

VIRGINIA, NANSEMOND COUNTY, To-wit:

This day personally appeared before me, *G. E. Bunting*
a, *Justice of the Peace* for the County of Nansemond,
in the State of Virginia, S. J. Saunders, ~~Richard Pool, Morgan L.~~
~~Edmond~~, J. Robert Wright and M. G. Williams, the above named
Commissioners, and made oath that they would discharge, to the best
of their ability, the duties imposed upon them by a decree of the
Circuit Court of the County of Nansemond, on the *19th* day of
September, 1902, in the Chancery cause pending in said Court be-
tween Fletcher W. Archer, Complainant, and Bernard Bennett and
others, defendants.

Witness our hands this *24th* day of September, 1902.

S. J. Saunders
J. R. Wright
M. G. Williams

Commissioners

Subscribed and sworn to before me this *24th* day of September,
1902.

G. E. Bunting

J. P.

1808.

inscribed and sworn to before me this

20th of September,

before me, Judge of the

City of New York, 1808.

John, of the County of

New York, do hereby certify that the within and

above signed and sworn to by the County Clerk of the

County of New York, is a true and correct copy of the

original of the same, as the same is now on file in the

County Clerk's Office, and that the same is a true and

correct copy of the original of the same, as the same is

now on file in the County Clerk's Office, and that the

same is a true and correct copy of the original of the

same, as the same is now on file in the County Clerk's

Office, and that the same is a true and correct copy of

the original of the same, as the same is now on file in

Archer
is Report of Samuel
Bennett

Filed Sept 20 1902

L. L. Gormey, Clerk

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

IN VACATION ON THE *12th* DAY OF DECEMBER, 1902.

FLETCHER W. ARCHER,

v.

BENNETT and Others.

This cause, with the consent of the parties heretofore entered of record, came on this day to be again heard on the papers formerly read and on the report of E. E. Holland, Commissioner, reporting the sale of the property in the bill and proceedings mentioned to *Mary E. Taylor*, at the price of eight hundred and fifty dollars (\$850.00), this day filed, to which report there is no exception, and was argued by counsel.

Confirm On consideration whereof, the court doth ratify ~~and approve~~ *and* said report and said sale, and doth order, adjudge and decree that when and so soon as the said *Mary E. Taylor* shall pay the entire purchase price for the tract of land purchased as aforesaid, that the said E. E. Holland, who is hereby appointed a Special Commissioner for the purpose, shall convey to the said *Mary E. Taylor*, by good and sufficient deed, with SPECIAL WARRANTY, the property heretofore described in these proceedings; and upon the collection of the said purchase price the said E. E. Holland, after first deducting therefrom the costs and expenses of this suit and of the sale, including a fee of *twenty-five* dollars to the Counsel who instituted this suit, shall pay the adult parties the amount of their respective interests in the proceeds of sale, and shall pay to the guardian or guardians of the infant defendants (the shares of such infant defendants being less than three hundred dollars (\$300.00) each,) the respective amounts to which said infant defendants ~~may be~~ *are* respectively entitled, after this court shall have been first satisfied that said guardian or guardians ~~has~~ given bond, in sufficient penalty, and with securities sufficient for the security of the same.

And the said Commissioner is directed to report his proceedings
hereunder to the court. And this cause is continued.

Robert R. Mentis

To the Clerk of the
Circuit Court of
Hausemond County: -

F. W. Archer
vs Decease Confusing Sale &c
Bennett & Others

Entered Dec. 12, 1902
Robert R. Huntis

Entered in
Chancery Order
Book No 3 Page 484.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

FLETCHER W. ARCHER,

v.

SOLOMON A. ARCHER and OTHERS.

This cause came on this day to be again heard on the papers *S. J. Saunders, J. Robert Wright, and M. G. Williams* three of formerly read and on the report of the Commissioners appointed by a decree entered herein in vacation, on the 19th day of September, 1902, filed on the *30th* day of September, 1902, to which report there is no exception, and was argued by counsel.

On consideration whereof, the court doth approve and confirm the said report, and doth adjudge, order and decree that E. F. Holland, who is hereby appointed a Commissioner for the purpose, do proceed, after having advertised the time, place and terms of sale in the "SUFFOLK HERALD", a newspaper published in the town of Suffolk, Virginia, for two consecutive weeks, and also ~~posted~~ notices thereof at one or more public places, near the said premises, to sell the real estate, in the bill and proceedings mentioned, *of* which Katharine Archer died, seized and possessed, at public auction, in front of the courthouse of Nansemond County on some court day, upon the following terms to-wit; one third ($1/3$) cash, one third ($1/3$) on a credit of twelve months, and the residue on a credit of two years from the date of sale; the credit installments to bear interest from the date of sale, taking from the purchaser bonds for the deferred payments and the title to be retained until further order of this court. But the purchaser of said property shall have the option of paying the entire purchase price in cash. But the said Commissioner shall not advertise said property for sale and shall receive no money under this decree until he shall enter into bond with sufficient security in the Clerk's Office of this Court, payable to the Commonwealth of Virginia, in the penalty of *One thousand* dollars (\$/1000.-) and conditioned for the faithful discharge of his duties under this or any other decree entered in this cause.

Archer
20 Decree for Sale
Remuner

Oct. 14, 1902

To be Sealed

Wm R. Phillips

Entered in Chancery
Order Book No. 3,
page 456

IN THE CIRCUIT COURT OF NANSEMOND COUNTY,

In Vacation on the *19th* day of September, 1902.

FLETCHER W. ARCHER,

v.

SOLOMON A. ARCHER, ETHEL BENNETT and BERNARD BENNETT.

This cause came on this day, by consent of the parties, by Counsel, and by Guardian ad litem, duly assigned at rules to defend the interests of the infant defendants in this suit, to be heard on Complainant's bill, the answer of Bernard Bennett, the only adult defendant, this day filed, in which he disclaims all right, title and interest in and to the land in the bill and proceedings mentioned, or the proceeds of sale thereof, and every part thereof, the answer of the infant defendants by their Guardian ad litem, John P. Lee, and of the said Guardian ad litem, with general replications thereto, and was argued by counsel.

On consideration whereof, the court doth adjudge, order and decree that S. J. Saunders, Richard Peel, Morgan L. Underwood, J. Robert Wright and M. G. Williams, who are hereby appointed commissioners for the purpose, any three or more of whom may act, having been first duly sworn, do proceed to lay off and divide the real estate of which Katharine Archer died, seised and possessed in the bill mentioned, into three equal parts, having regard to quality and quantity, and assign one of said equal parts to each of the heirs of the said Katharine Archer, deceased, ^{to wit:} to Fletcher W. Archer, one third part, to Solomon A. Archer, one third part, and to Ethel Bennett one third part. But if the said Commissioners shall find it impracticable to divide the said land among the aforesaid parties or shall be of opinion that the interests of the said parties would be more promoted by a sale of the same, in such case they are required to report the facts, upon which their opinion is based, to the court, and also, what, in their opinion, is the fee-simple value of the whole of the real estate of which Mrs. Katharine Archer, died, seised and possessed; and in either case they are required to report their proceedings under this order to the court.

To the Clerk of the Circuit Court of Nansemond County: Robert R. Smith

五

448,

100

IN ASSISTANCE OF THE 48th OF NOVEMBER 1905

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, *in vacation on*
the 19th day of September 1902
FLETCHER W. ARCHER,

v.

BERNARD BENNETT, SOLOMON ARCHER and ETHEL BENNETT, the last two of
whom are infants under the age of twenty-one years.

We, the undersigned, hereby consent that this cause may be sub-
mitted to the Judge of the Circuit Court of Nansemond County, for such de-
cisions and decrees therein, in Vacation, as might be made in term.

E. E. Hassard

Att. for Plaintiff

John P. Lee, Guardian ad litem
for infant defendants
W. S. Huggins att. for Bernard
Bennett

With the consent of the undersigned of record, it is ordered
that this cause be submitted to the Judge of this Court for such
decisions and decrees therein, in Vacation, as might be made in
term.

Robert R. Huntis

To the Clerk of the
Circuit Court of Nansemond County:

After Six

~~I order to be sure I have authority I sign with
the understanding that come will come
up on his claim & suffer that will be
all satisfactory.~~

~~*W. S. Huggins*~~

WILLIAM W. VIGGERS,
IN THE CIRCUIT COURT OF WINDFORD COUNTY.

Enter Sept. 19, 1902
Robert R. Heintz

Entered in Chancery
Order Book No 3 Page
448.

Solomon Archer et als.

Ads.

Fletcher Archer.

The disclaimer of Bernard Bennett to a bill in equity exhibited against himself and others in the Circuit Court of Nansemond county by Fletcher Archer.

This defendant for answer and disclaimer to the said bill says that for reasons well known to him, he does not believe that he is entitled to any part of the land in the bill and proceedings mention^d, nor to any part of the proceeds arising from a sale thereof.

This defendant says it is true as he verily believes as alleged that the infant " Ethell Bennett" is the child of the said Mamie Lee Archer and should have her full share, to wit; one equal third part thereof.

And the said defendant doth disclaim all right, title and interest in and to the said land or the proceeds of the sale thereof, and every part thereof; and prays to be hence dismissed with his costs &c.

Bernard Bennett

State of Virginia;

County of Isle of Wight, to wit:

I, Wm.S.Holland, a Notary Public in and for the county of Isle Wight in the said state of Virginia, do certify that Bernard Bennett whose name is signed to the foregoing disclaimer or answer in chance^{ry} came before me in my said county of Isle of Wight and made oath in due form of law that the statements contained in the said disclaimer or answer are true to the best of his knowledge, information and belief.

Given under my hand this 13th day of September 1902.

Wm S. Holland N.P.

Solomon Archer et als

Ads

Fletcher Archer

#####

Disclaimer of
Bernard Benett.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

ARCHER,

v.

ARCHER AND OTHERS.

This cause came on this day to be again heard upon the papers ~~formerly~~ read and upon the report of E. E. Holland, Special Commissioner, showing that he has collected of Mary E. Taylor the purchase price of the land sold in these proceedings and has executed to her a deed therefor, and also that he has distributed the proceeds of said sale under the directions of this court and has produced a proper voucher for each item of disbursement, which report was filed on the 31st day of March, 1903, and to which there is no exception, and was argued by counsel.

On consideration whereof, the Court doth ratify, approve and confirm said report and the distribution made by the said Commissioner as therein reported.

And, it appearing to the court from the report of said Commissioner that there is nothing further to be done in this cause, it is ordered that the same be removed from the docket.

ANCHER

v. FINAL DECREE.

ANCHER

April 16, 1903, to be entered

Robert H. Hentis

Entered in Chancery
Order Book No 3.
Page 505.

The joint and separate answers of Solomon A. Archer and Ethel Bennett, infants under the age of twenty-one years, by John P. Lee, their Guardian ad litem, assigned to defend them in a certain suit in equity exhibited against them and others in the Circuit Court of Nansemond County by Fletcher W. Archer, ^{and of the said John P. Lee, Guardian ad litem}

"These respondents, reserving to themselves the benefit of all just exceptions to said bill, for answer thereto, or to so much thereof as they are advised that it is material for them to answer, by their said Guardian ad litem, answer and say:"

"That they are infants of tender years, and by reason of their infancy, are incapable of understanding, or of taking care of their rights and interests. They, therefore, by their said Guardian ad litem, commend themselves and their rights and interests to the protection of the court, and pray that no decree may be pronounced which will tend to their prejudice."

"And having fully answered, the said respondents pray to be hence dismissed with their reasonable costs in this behalf expended, and they will ever pray, etc..

*J. P. Lee Guardian ad litem
for Solomon A. Archer and
Ethel Bennett, infant
defendants.*

Answer of Gerard Adeline

The first and foremost consideration in the
 construction of a building is the selection of the
 site. The site should be well drained, free from
 water, and should be in a healthy position.
 The building should be constructed on a firm
 foundation, and should be well ventilated.
 The building should be constructed of fire-
 proof material, and should be well protected
 from fire. The building should be well
 protected from the elements, and should be
 well protected from the sun. The building
 should be well protected from the wind, and
 should be well protected from the rain. The
 building should be well protected from the
 heat, and should be well protected from the
 cold. The building should be well protected
 from the noise, and should be well protected
 from the dust. The building should be well
 protected from the light, and should be well
 protected from the darkness. The building
 should be well protected from the fire, and
 should be well protected from the theft. The
 building should be well protected from the
 flood, and should be well protected from the
 earthquake. The building should be well
 protected from the pest, and should be well
 protected from the disease. The building
 should be well protected from the war, and
 should be well protected from the peace.

In Circuit Court of Nansmond County;

YOUR COMPLAINANT, FLETCHER W. ARCHER, respectfully shows unto the Court the following case;

That some time in the year 1877 your Complainant's mother, Catharine Archer, departed this life intestate, leaving a husband, John R. Archer, and your Complainant, and Solomon A. Archer and Mamie Lee Archer as her only children and heirs at law. That the said John R. Archer has since departed this life and that the said Mamie Lee Archer has since married *Bennett* Bennett, and afterwards died leaving one child, Ethel Bennett. The said Solomon A. Archer and Ethel Bennett are both infants under the age of twenty-one years. During the life time of the said Catharine Archer and at her death she was seised and possessed of a certain tract of land in Chuckatuck Magisterial District, in Nansmond County, Virginia, containing sixty-one (61) acres, more or less, and adjoining the lands of Richard Peel, Sarah C. F. Garris and others, which said land she obtained as an heir at law of Solomon Archer, deceased.

Your Complainant states that the said real estate is not, as he believes, susceptible of partition among the parties entitled thereto, and if it cannot be so divided, then your Complainant desires that the same may be sold and the proceeds divided among the adult and infant parties according to their respective interests; the shares of the infants to be held as directed by the statute in such case made and provided. Should the property be not divisible in kind, your Complainant believes, and here states, that the interests of those who are entitled to the said real estate, or its proceeds, will be promoted by a sale of the whole of said real estate, or by an allotment of part and sale of the residue. For as much, therefore, as your Complainant is remediless, save by the aid of the court of equity, he prays that the said Solomon A. Archer *Bennett* Bennett, husband of Mamie Lee Archer, deceased, and Ethel Bennett, the only child of Mamie Lee Bennett, deceased, may be made parties defendant to this bill and required, but not on their oaths, to answer the same, the oath being hereby waived; that a proper guardian ad litem be appointed

in this cause for said infant defendant who shall also answer this bill; that proper process issue; that proper counsel fees be allowed; that the said real estate be divided between the parties entitled thereto, or else that it be sold and the proceeds divided, in case it be indivisible in kind; that all proper orders and decrees may be made, accounts taken and inquiries be directed; and that all such other, further and general relief as in the premises may be just and right may be granted. And your Complainant will ever pray, etc.

E. E. Howard
h. h.

J. W. Asher

Archives

to Rice

Archives

E. E. HOLLAND,
ATTORNEY AT LAW
SUFFOLK, VA.

JEWELL & COMPANY, PHILADELPHIA.

Fletcher M. Archer
vs In Chancery
Bernard Bennett & others

1902

Aug 27th. Process issued returnable to
Sept Rules First Monday.

Sept 1st. Process returned executed on
adult defendants.

In P Lee App't Guardian
ad litem

Bill filed and decree nisi vs
adult defendants.

Answer of guardian ad
litem and decree nisi vs
defendants.

" 15, 12 Decree nisi Confirmed and
Cause set for hearing.