

1906-022
Nansemond Co (Suffolk) Chancery Causes: L.A. Powell et al vs Sarah A. Powell et al

Campbell, Gregory, Berry, James E. Etheridge & Co I, Santos

Norfolk. Va. Octo. 20th 1896,

Received of H. B. Banton, Special Commissioner
in the Suit of L. A. Powell, et al, vs. Sarah A.
Powell, et al, the sum of fifty ~~Eight~~ ^{Eight} dollars and
thirty three cent, as my portion of the fund in said
Cause + now depending in the Circuit Court of
Hanover County,

L. A. Powell

Norfolk. Va. Octo. 21. 1896.

Received of W.B. Barton, Special Commissioner,
in the suit of E. A. Powell, et al, vs. Sarah A.
Powell, et al, ~~the~~ ^{the} ~~proceeding~~ in the Circuit Court
of Hansemond County, the sum of seventy four
dollars and 45 Cents in lieu of her dower interest
in the Estate sold in the aforesaid suit.

Sarah A. Powell
~~paid~~

Norfolk, Va. Octo. 21. 1896.

Received of W. B. Barton, Special Commissioner in the Suit of L. A. Powell, et al.,
vs. Sarah A. Powell, et al., depending in
the Circuit Court of Hansewood County,
the sum of nineteen dollars and 44 cents
out of the fund in said cause. as an heir thereto,

Mr. Rosa Gregory.
~~Mr. W. H. Gregory.~~



\$10⁰⁰

October 21st. 1896.

from W. E. Barton, Atty
Ten Dollars

Commissioner's fee for report in the Chancery
Cause of "L. A. Powell et al vs Sarah A. Powell et al"
in Circuit Court of Henric County, Va.
John P. Penner
Commissioner in Chancery

Norfolk, Va. Octo. 21. 1896,

Recd. of W. B. Barton, Special Commissioner
in the Trust of L. A. Powell et al, W. Sarah A
Powell, et al, repending in the Circuit Court of
Hansemond County, the sum of one hundred
and ~~sixty~~ ^{six} dollars and 66 Cents as the portions
of Pearl Powell, Bessie Berry, Earnest Berry and
Linwood Berry, Infants in said Trust

Sarah A Powell

\$116.66

Guardian for Pearl Powell,
Bessie Berry, Earnest Berry and Linwood Berry,

Norfolk, Va. Octo. 20th 1896,

Received of W. B. Barton, Special
Commissioner in the suit of L. A. Powell, et al,
vs. Sarah A. Powell, et al, depending in the Circuit
Court of Hanrenmond County, the sum of fifty
eight dollars and thirty three cents as my portion
of the fund in said cause as an heir at law.

W. W. Powell

COUNTY OFFICERS.

HON. ROBERT R. PRENTIS.....Judge of Circuit Court
HON. WILBUR J. KILBY.....Judge of County Court
A. P. GOMER.....Clerk of Circuit Court
R. R. SMITH.....Clerk of County Court
E. E. HOLLAND.....Commonwealth's Attorney
A. H. BAKER.....Sheriff
SYDNEY T. ELLIS.....County Treasurer

Clerk's Office

Wansemond County.

Suffolk, Va., 189

L. A. Powell & others
vs In Chancery
Sarah A Powell & others

costs

Clerk \$ 7.71

Sheriff pd 1.00

Commissioner's Accts 10.00

Day pd 1.50

Attorney 15.00

\$ 34.21

A. B. Gazner Clerk

Norfolk. Va. Oct. 22nd. 1896.

Received of W. B. Barton
Special Commissioner in the Suit of
L. A. Powell, et al, vs. Sarah A.
Powell, et al, depending in the
Circuit Court of Hansemond
County, the sum of nineteen
dollar and 45 Cent as one of
the parties to said Suit and an
heir to the fund in the same.

Mrs Lelia - Gommoyer Lowrey.

Norfolk, Va. Octo. 21. 1896.

Received of W. B. Barton Special
Commissioner in the suit of L. A. Powell, et
als, depending in the Circuit Court of Nause-
mond County, the sum of Ninety
dollar and 44 cents.

Mrs C. S. Campbell

The receipt of Laura Campbell, who signed the above
but in name of her husband - was not noticed by me
at the time.

W. B. Barton

Spec - Comm.

Norfolk, Va. Octo. 20. 1896.

Received of W. B. Burton, Special
Commissioner in the Suit of R. A. Powell
et al, vs. Sarah A. Powell, et al, depending
in the Circuit Court of Hansemond County
the Sum of Seventy one dollar and 20 cts
the amount allowed me on my petition
filed in said Cause -

James E. Etheridge & Co

Octo 24th

Norfolk, Va, Octo. 20th 1896,

Received of W. B. Barton, Special
Commissioner in the Suit of L. A. Powell, et al,
vs. Sarah A. Powell, et al, depending in
the ~~Cas~~ Circuit Court of Hansemond County,
the sum of fifty eight dollars and thirty
three Cent as my portion of the fund in
said Cause.

Virginia W. Powell

W. B. BARTON,
ATTORNEY AND COUNSELLOR AT LAW,
108 MAIN STREET,
BANK OF COMMERCE BUILDING.
COMMISSIONER IN CHANCERY.

VS.

Octo. 7th. 1896

NORFOLK, VA.

Mr. A. P. Gomer, Clerk, etc.
Suffolk, Va.

Dear Sir;

Will you please file the inclosed papers in the suit of
L. A. Powell, et als, vs. S. A. Powell, et als, and oblige.
Please return the report of myself to me ~~so~~ I can present the same to
the judge with a decree.

Very truly yours,

W. B. Barton

P. S.
Please send me a statement
of the cost of court—
W. B. B.

1896 Oct-8/12 Report returned.

W. B. BARTON,
Attorney-at-Law and Proctor in Admiralty,
OVER BANK OF COMMERCE.

Special attention given to Maritime and Admiralty Practice.

NORFOLK, VA. June, 18th. 1899

Judge Robt. R. Prentis,

Suffolk, Va.

Dear Sir:

I inclose herein vouchers in the suit of Powell, et
et. als., vs. Powell, et. als., and decree which I would be glad if you
would have entered. You will find my report has been filed some time
over the statute period.

Very truly yours



Special commissioner.

W. B. BARTON,
ATTORNEY AND COUNSELLOR AT LAW,
108 MAIN STREET,
BANK OF COMMERCE BUILDING.
COMMISSIONER IN CHANCERY.

Powell, et al.

vs.

Powell, et al. &c.

NORFOLK, VA.

June 29, 1896.

To Clerk of Circuit Court.

Suffolk, Va.

Dear Sir--

Please send summons for
infant defendant to me, and oblige.
With receipt for writ tax, for which please
find \$1.50 inclosed.

Very truly yours,

W. B. Barton.

Private
 no
 Private

25-	
52	Cum
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25-	

771
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 1000 Cum.
 1500 Day
 1500 acty.

189---

To R. R. SMITH, Clerk of Nansemond County Court, Dr.

Tax and Recording Fee-----\$

Clerk.

NOTICE.

In pursuance of a decree entered in the Circuit Court of the county of Nansemond on the 22d day of September, 1896, in the suit of L. A. Powell et als. vs. Sarah A. Powell et als., I shall proceed, of the 6th DAY OF OCTOBER, 1896, at the hour of 1 o'clock p. m., at the front door of the courthouse of said county, in the town of Suffolk, to sell at public auction, to the highest bidder, all that certain lot or parcel of land, with the improvements thereon, situate in Barrett's Neck, in the village of Crittendens, bounded and described as follows: Beginning at the line of J. J. Lewis, at the north corner of lot owned by Wm. Howard, in a southwesterly course one hundred and seventy feet, and running from thence along the land of J. W. Kay in a northwesterly direction eighty-two feet, and from thence along the land of said J. W. Kay one hundred and seventy feet in a northeasterly direction to the land of James J. Lewis, and from thence nearly southeast along the land of said J. J. Lewis fifty-five feet and ten inches to the place of beginning.

TERMS OF SALE.—One-third of purchase money cash, the balance secured by the purchaser's notes 6 and 12 months after date, but the purchaser may pay all in cash.

W. B. BARTON,
Special Commissioner.

I certify that bond in the above case has been given.
se25-tds A. P. GOMER, Clerk.

I, *S. S. Nottingham, Jr.* Editor

of the NORFOLK LANDMARK, a newspaper published in the City of Norfolk, in the State of Virginia, do certify that the ^{advertisement} ~~order of publication~~ ^{ten} a copy of which is hereto annexed, has been published ^{days} ~~once a week for four~~ successive weeks, in said newspaper, commencing on the *25th* day of *September* 1896 and ending on the *6th* day of *October* 1896.

Given under my hand this *7th* day of *October* 1896.
S. S. Nottingham, Jr. Editor

L A Powell & others vs S A Powell & others W B Barton p.g

189-6

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

~~For~~ ~~and~~ Clerk Fees in suit as above named -----

Octo 21st paid by W B Barton atty ----- \$ 7.71

A. P. Gomer

-----, Clerk.

Norfolk, Va., Oct 7th 1896

W. B. Barton

To The Norfolk Landmark Publishing Company, Dr.

Sept 25

To Advertising Rich Poore & Poore

\$

5 sep 10 6-

1902

Received Payment,

Oct. 19/96.

S. S. Wmington Jr

FOR NORFOLK LANDMARK.

IN THE CIRCUIT COURT OF HANSEMOND COUNTY:-

L. A. Powell, William W. Powell, Virginias W.

Powell, Laura Campbell, ~~and~~ Rosa Gregory, and
Lelia Powell

VS

Plaintiffs.

Sarah A. Powell, ~~L. A. Powell~~, and Pearl

A. Powell, Lindwood Berry; Bessie Berry;

and Earnest Berry, infants

Defendants.

-IN CHANCERY-

The clerk will please issue summons to next rules.

Pay \$150 paid

W. B. Barton
P. G.

*Sarah A. Powell, and Pearl Powell, reside at Crittenden,
Hansemond Co.*

Craut Court -
Nausemond Co.

Powell, et al -
N -

Powell, et al, &c -

Memo, ---

The Commonwealth of Virginia,

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

Sarah A Powell
and Pearl A Powell Linwood Berry
Bessie Berry and Earnest Berry infants

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 *Tuesday* Monday in *July 1896*, to answer

a Bill in Chancery, exhibited against *them*
 in the said Court by *L. A Powell, William W Powell*
Virginus W Powell Laura Campbell
Rose Gregory and Lelia Powell

and have then and there this summons.

Witness, A. P. GOMER, Clerk of our said Court, at his office, this *30th* day of
June 189*6*, in the 12*0*th year of the Commonwealth.

A copy—Teste:

Teste:

CLERK.

CLERK.

Executed this 4th day of
 July 1896 by Almer J. A
 True Copy of the Within
 proved to Sarah & Powell
 and Pearl Lee Powell in person
 Sheriff Geo Powell at W. B. A. Sheriff

W B Barton p. q.

L. A. Powell Williams
 W Powell & others

vs. } In Chancery.

Sarah & Powell,
 Pearl & Powell & others

1896

July Rules.

First Monday.

Nansemond Circuit Court.

Process Book No. 2

Page 135

Sarah & Powell
 Geo. J. Powell

There by credit service on account of
 this 11th day of July 1896

In the Circuit Court of
Hanseman & County;

L. A. Powell, William W. Powell,
Virginus W. Powell, Laura
Campbell, Rosa Gregory
and Lelia Powell. } Complainants

against } In Chancery.

Sarah A. Powell and
Pearl A. Powell, Linwood
Berry, Bessie Berry and
Earnest Berry, infants } Defendants.

At Rules held on the first Monday
in July 1896.

On the motion of the Complainants
by counsel A. B. Seldner, an Attorney
at Law is hereby appointed and assigned
guardian ad litem to the infant defend-
ants, ^{Pearl Powell} Pearl Powell, ^{Bessie Berry} Bessie Berry ^{and Earnest Berry} and Earnest Berry, to
defend their interests in this suit.

A. J. Gomez Clerk

Mr. Gomez

Will you please appoint
Mr. Seldner guardian ad litem
in all the infants - Pearl Powell,
Linwood Berry, Bessie Berry
and Earnest Berry - and also
Jesse H. B. Barton

Appointment of
Guardian ad litem

Know All Men by These Presents, That we, *W B Barton*
and the *Fidelity and Deposit Company of*
Maryland by *R R Smith* its Attorney in
fact

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full
sum of *Two thousand and three hundred* 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 *24th* day of *September* in the year
of our Lord one thousand eight hundred and *ninety six*, and in the *121st* year
of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas *by a*
decree of the Circuit Court of Nansemond County Virginia
pronounced on the 22nd day of September 1896 in the
Chancery cause pending in said Court between L A Powell
and others Complainants and Sarah A Powell and others
defendants it was decreed that the real estate mentioned
in the Bill be sold and the said W B Barton was appointed
Special Commissioner to sell the same and was required
before proceeding to sell to execute a bond in the penalty of
Twenty three hundred dollars conditioned for the faithful
discharge of duty under said decree and all other decrees
he may be required to execute in said cause. Now if the said
W B Barton shall faithfully discharge his duties as Spec-
ial Commissioner aforesaid then the above obligation is to be
void, otherwise it is to remain in full force and virtue.

W B Barton (SEAL)
Special Commissioner
Fidelity and Deposit Company (SEAL)
of Maryland (SEAL)
By *R R Smith* (SEAL)
Attorney in Fact (SEAL)

In the office of the Clerk of the *Circuit* Court of Nansemond County, on the
24th day of *September* 189*6*

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

Teste:

A copy Besto

A J Gomer Clerk

A J Gomer

CLERK.

W B Barton
To Spec. Bond

The Commonwealth.

1896

September 24th

Recorded in Official

Bond Book

No 1 Page

A Copy

In the Circuit court of the County of Nansemond.

L. A. Powell, et als,

v.

Sarah A. Powell, et als.,

To the Hon. Robt. R. Prentis, Judge of the court aforesaid.

~~Here~~ In pursuance of a decree entered in this cause your commissioner made a distribution of the fund in ^{the same} ~~this cause~~ as follows:

To notice of sale in Norfolk "Landmark"	\$ 19.02
To Sarah A. Powell, guardian for the infant defendants,	116.68
"W. W. Powell, his portion,	58.33
" L. A. Powell, " "	58.33
" Sarah A. Powell, in lieu of dower,	74.45
"Rosa Gregory, her portion,	19.44
" costs of court,	34.21
"Lelia Lowery, formerly Lelia Ironmonger,	19.45
" Laura Campbell, " <i>Lama</i> "	19.44
"Jas. E. Etheridge,	71.20
" V irginus W. Powell, his portion,	58.33
"Deed etc. for purchaser,	10.50
Commissions to commissioner,	21.72
Attorney fee,	50.00
	631.08

" Amount of purchase price,

832.00
631.08
.92

Vouchers for the above items are herewith submitted and filed.

Your commissioner observes that there is a bal

Your commissioner observes that a small balance is undivided, which occurred by miscalculation, but which he will distribute as soon as the parties can be found, as some of them are not residents of Norfolk.

Respectfully submitted,

W. B. Barton

Special commissioner.

L. A. Powell, et al.
vs.
Sarah A. Powell, et al.

Report of Spe. Comm.
W. B. Barton,

No. 1000
Memorandum
on the
10/20/97
Spe. Comm.

1897 May 27th
Report Filed
A. P. Gomer Clerk

In the Circuit Court of Nansemond County, In vacation.

L. A. Powell, et als,

vs.

Sarah A. Powell, et als,

To the Hon. Robert R. Prentiss, Judge of the court aforesaid.
Your commissioner in pursuance of a decree entered in this cause on
the 22nd. day of September, 1896, proceeded to execute the duties ~~in-~~
enjoined upon him.

After advertising the property mentioned
in the papers in this cause in the "Norfolk Landmark," for a period of
ten days, and posting a copy of said advertisement at the front door of
~~deeded Court House of said~~ ~~for the aforesaid period of time, I pro-~~
the Court House of said county for the said period of time, I proceeded
on the 6th. day of October, at the hour of one o'clock, p. m. at the
Court House door aforesaid, to sell the aforesaid ^{property} at public auction to
the highest bidder, in accordance with the advertisements aforesaid.

Mr. Garratt Haughwort of said county became the highest bidder, ~~for~~
for the sum of Six hundred and thirty-two dollars, which he desired to
pay in cash, and which he has paid to your commissioner.

Respectfully submitted,

W. D. Barton
Special Commissioner.

L. A. Powell, et als.

vs.

Sarah A. Powell, et als,

Report of commissioner Bar

ton

Och 8th 1896. Filed

A. P. Lamer clerk

In the Circuit court of the County of Nansemond, In vacation, *on*
the 2nd day of July 1897. -
L. A. Powell, et als,

v s.

Sarsh A. Powell, et als.

on the papers formerly read, and
This cause came on this day to be again heard on the report of Special
filed May 27, 1897,
Commissioner, W. B. Barton, to which report no exceptions have been
filed, and was argued by counsel. On consideration whereof the court
doth adjudge, order and decree that the said report be confirmed.

Wm. H. H. H. H.

*To the Clerk of the
Circuit Court of
Nansemond County -*

L. A. Powell, et al,
vs,

Sarah A. Powell

Order confirming
report.

Enter July 2, 1897
Robert R. Dentis.

1897 July Ind
Entered in Chancery
Order Book No 3
Page 90.

In the Circuit Court of the County of Nansemond, In vacation.

L. A. Powell, et als,

vs.

Sarah A. Powell, et als,

This cause came on this day to be again heard on the papers formerly read and on the report of sale made by Commissioner W. B. Barton, to and on the petition of Jas. E. Etheridge & Co., and the answer thereto of L. A. Powell and Sarah A. Powell, which report no objections have been filed, and was argued by counsel, on consideration whereof the court doth approve and confirm the said report and the sale made to Garrett Haughwout, and the court doth order, adjudge and decree that the said commissioner W. B. Barton shall convey by good and sufficient deed, with special warranty, unto the said Garrett Haughwout the property mentioned in the bill.

And the court doth further adjudge, order and decree that the said

~~W. B. Barton, Commissioner as aforesaid, shall then pay out of the fund in this cause, the following sums of money:~~
~~To the complainants counsel; the sum of \$71.20~~
~~To James E. Etheridge & Co., the amount due to Sarah A. Powell widow of Thomas Powell, as the commuted value of her dower in the land described in these proceedings, and the residue thereof he shall distribute to the parties entitled thereto, the~~
~~residue of the infants to be paid to their legally qualified guardians~~
~~To Mrs. Sarah A. Powell, widow of Thos.~~

~~Powell, deceased, a gross sum in lieu of her dower interest in said property, the sum of~~
~~To Jas. E. Etheridge & Co. the sum of~~
~~To L. A. Powell, the sum of~~
~~To William W. Powell the sum of~~
~~To Virginius W. Powell the sum of~~
~~To Pearl L. Powell's legal guardian,~~
~~To the legal guardian of of Linwood Berry,~~
~~Bessie Berry and Earnest Berry, infants.~~
~~To Laura Campbell, the sum of~~
~~To Rosa Gregory, the sum of~~
~~To Helia Lowery the sum of~~

Commissioner as aforesaid

And the said W. B. Barton shall then report his proceedings hereunder, and file his vouchers for the above amounts with the same, to this court.

Sarah A. Powell, Administratrix.

Wecount to this degree
W.B. Barton, P. q. —

Small & Pencil

A.B. Feeder
Guardian at Home

Entered Octo. 15, 1896

Robert R. Hunt

Entered in
Chaucer

OD 3 Page 49

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, TO-WIT: IN VACATION.

on the 22nd day of September 1896

L. A. Powell et als, plaintiffs,

v.

Sarah A. Powell, et als. defendants

THIS CAUSE came on this day to be again heard on

the papers formerly read, and the report of John B. Pinner, Commissioner, filed since ~~the last hearing~~ *September 2nd 1896*, to which report there

is no exception, and on the examination of witnesses returned with the said report, and was argued by counsel: On consideration whereof the Court doth approve and confirm the said report, and doth adjudge, order and decree that Wm. B. Barton, who is hereby appointed a Special Commissioner for the purpose, do, after having advertised the time, place and terms of sale, ten days in a newspaper published in the City of ~~Suffolk~~ *Norfolk*, and posting a copy of said advertisement on the front door of the Court House of this County, proceed to sell at public auction, at the front door of the Court House of this County, the property mentioned in the bill and proceedings in this cause, to the highest bidder.

The said Commissioner, W. B. Barton, shall ~~receive no~~ *not advertise the said property,* ~~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 \$2,300.00, and conditioned for the faithful discharge of his duties hereunder.

The said property shall be sold on the following terms: one third cash, and the balance in six and twelve month, evidenced by the purchaser's bonds, payable with interest at the rate of six per cent - per annum or the purchaser may pay the entire amount of purchase money in cash - the title in said property to be retained until all

and have a copy of this decree filed in the Clerk's office of the Circuit Court of Nansemond County

the purchase money is paid.

Robert W. Hunt
To the Clerk of the
Circuit Court of
~~the~~ Henderson County.

L. A. Powell, et al -

D. A. Powell, et al -

Deed confirming
Commissioner's return
report re -

We consent to this
deed -

W. B. Baitor - p. g. -

and others
Gentlemen and Men

Enter Sept. 22, 1896

Robert W. Hunt.

Entered in
Chancery

DB 3 Page 41

In the Circuit Court of Nausetucket
County, ~~to wit~~ on the 23rd day of
July 1896. - In Vacation.

L. A. Lowell, et al.,

v.

Sarah A. Lowell, et al.,

This cause came on this day on
the bill and answers of the infant defendant
A. B. Seldner ^{duly assigned at rules according to law,}
by their guardian ad litem, and by the
said guardian ad litem, and the answer
of Sarah A. Lowell, a party defendant,
and was argued by counsel, on con-
sideration whereof the Court doth adjudge,
order and decree that the papers in
this cause be referred to one of the
Commissioners of this Court who is
directed to inquire into and report
to this Court,

1st Whether the real property in the
bill mentioned can be divided in kind
between the several parties entitled to
share therein - 2nd If

the same can not 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 interests 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 the 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. What are the interests of those ^{the said real estate or} who are entitled to receive the proceeds of said Estate, and the age of the Widow of the said Thomas Lowell, deceased, mentioned in the bill in this Cause together with the fee simple value of the said land:-

Which several inquiries, the said Commissioner shall make and to the Court report together with any matter specially stated deemed pertinent by himself or required by any party to be so stated.

To the Clerk of the Circuit
Court of Massachusetts County.

1 Wm. J. Davis

Massachusetts Co. Ct.

Lowell, et al.,

vs-

Lowell, et al. -

Deceit of ref.

Enter July 23, 1896.

Robert J. Davis.

Entered in

Chancery

OV 3 Page 39

In the Circuit Court of Wansboro County, to wit:

In Vacation.

L. A. Powell, et als.,

Sarah A. Powell, et als., &c.

Consent
We hereby ~~consent~~ that the above cause be submitted to the
Judge of the aforesaid Court in Vacation for any decree or decision
therein as might be made in term.

W. B. Barton - P. g. -

A. M. Jones,
Guardian ad litem

Sarah A. Powell

Widow of Thos. Powell, decd.

In Vacation:
Circuit Court of Hansonwood County on
the 20th. day of July 1896.

By consent of parties it is
ordered that this cause be sub-
mitted to the judge of this Court
^{in vacation} for such decision or decree therein
as might be made in term. -

Robert T. Hunt.

John Clerk of
the Circuit Court
of Hansonwood County.

1896 July 20th
Entered in Chancery
Order Book
No 3 Page 37.

Between et al -
n. -
Dowse, et al -
vacation there.

W. B. BARTON,
ATTORNEY AND COUNSELLOR AT LAW,
108 MAIN STREET,
BANK OF COMMERCE BUILDING.
COMMISSIONER IN CHANCERY.

L. A. Lowell, et al.
vs.
Arch A. Lowell, et al.

NORFOLK, VA. *Sept. 22, 1896.*

Mr A. P. Homer.

*Clerk re -
Suffolk. Va.*

Dear Sir.

*Judge Prentiss has signed a decree
Confirming Commr. Primer's report in above case,
and appointing me Special Commr. to sell the
land mentioned in said report. I write to
inform you that I will offer as security the
Fidelity & Deposit Co - of Balto. Maryland -*

*P.S. I will go to Suffolk
in a day or two and bring deed
and money -*

*Very truly yours,
W. B. Barton.*

W. B. BARTON,
ATTORNEY AND COUNSELLOR AT LAW.
NORFOLK, VA.



Mr A. P. Gomer -
Clerk of Court.
Suffolk,
Va.



W. B. BARTON,
ATTORNEY AND COUNSELLOR AT LAW,
108 MAIN STREET,
BANK OF COMMERCE BUILDING.
COMMISSIONER IN CHANCERY.

VS.

NORFOLK, VA.

Sept. 5th 1896.

Mr A. P. Gomer. Clerk re -
Suffolk. Va.

Dear Sir:

I return herin bill in Powell, vs.
Powell. The Commissioners report I have
sent to Judge Prentiss, with deere.

Very truly yours.

W. B. Barton.

1896 Sept 3rd. Report of Prisoner Comr.
of Acc't, Bill sent this day in
Registered Letter in response to this
letter.

W. B. BARTON,
ATTORNEY AND COUNSELLOR AT LAW,
108 MAIN STREET,
BANK OF COMMERCE BUILDING.
COMMISSIONER IN CHANCERY.

A. P. Gomer Clerk

L. A. Powell, et al -
vs.
Sarah A. Powell, et al,

NORFOLK, VA.

Sept. 2nd 1896,

Mr A. P. Gomer -

Clerk. Circuit Court,

Suffolk - Va -

Dear Sir:

Will you please send me the Commissioner
Prisoner's report, and the bill in the above Cause -
I want to prepare a decree, and will return them
when I get it prepared - and oblige -

Very truly Yours,

W. B. Barton

W. B. BARTON,
ATTORNEY AND COUNSELLOR AT LAW,
108 MAIN STREET,
BANK OF COMMERCE BUILDING,
COMMISSIONER IN CHANCERY.

VS.

NORFOLK, VA. July 7. 1896.

Mr A.P. Gormer.
Clerk Circuit Court,
Suffolk. Va.

Dear Sir:

I send you herewith Bill in Plancoy Cause
of Powell, et als. ~~and~~ H. Powell, et als. Which please
file in suit - and oblige.

Will you please appoint Mr H. B. Selder of
Norfolk - Guardian ad litem to defend the interests
of the infant defendants in said cause, and
oblige. Mr Selder is a lawyer.

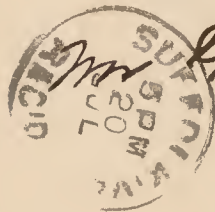
Very truly yours, W.B. Barton

Appt - mailed to W.B. Barton
June 10/96

POSTAL CARD - ONE CENT.

United States of America

THIS SIDE IS FOR THE ADDRESS ONLY.



Mr. Gomer - Clerk Circuit Court,
Suffolk,
Virginia.

July 20 - 1896.

106 Main St., Norfolk City.

L. A. Powell, et al.

vs.

S. A. Powell, et al.

Mr Homer, Clerk &c -

Dear Sir: Will you please
inform me whether or not Judge Prentiss
has entered a vacation order in above case -

Very truly yours.

W. B. Barton

P. 9 -

W. B. BARTON,

L. A. Powell
ATTORNEY AT LAW AND PROCTOR IN ADMIRALTY,

THE ADMIRALTY AND MARITIME PRACTICE GIVEN
SPECIAL ATTENTION.

Sarah A. Powell } 242 MAIN STREET.

NORFOLK, VA., Dec. 5th 1905.

Mr. A. C. Gower. D. C. - Circuit Court.
Suffolk. Va.

Dear Sir:

I had entirely overlooked the above suit
pending in your Court and thank you for
calling my attention to it. I have in no case
order for striking case from the docket, and
will thank you if you will get the Court
to enter it.

Very truly yours.

W. B. Barton

James E. Etheridge.

Walter T. Santos.

MANUFACTURERS OF
Flooring, Ceiling,
Weather Boarding,
Moulded Casing,
Scroll Work,
Brackets & Mouldings,
DEALERS IN
Yellow Pine,
White Pine,
Cypress and
Oak Lumber,
Lime, Cement, Lath,
Shingles, Posts, &c.

NORFOLK, VA.
1893.

Mr. Thomas Powell

Bought of James E. Etheridge & Co.,

ESTABLISHED 1877.

Wholesale and Retail Dealers In

Lumber and Building Material,

Saw, Planing, Moulding and Bracket Mills,

Mills and Yards: On the Norfolk & Western Terminal R. R., bet. Lovett & Highland Aves.

All Sizes of Lumber
Cut to Order.

TERMS CASH.

Main Office, 513 Brambleton Avenue.

Jan'y	4	2	fs	6 x 6 - 12 - H.R.	72	180	1	30		
		8	"	2 x 8 - 12 - m.R.	128	110	1	40		
		45	"	2 x 4 - 16 - "	495	"	5	45		
		425	fr	no 3 Flooring		1 1/4	5	31		
		200	"	Board		1 00	2	00		
		700	"	no 2 8" w.R.d.		1 1/4	8	75		
		12	fs	1 x 4 - 16 - m.R.	60	2	1	20		
		3	"	5/4 x 4 - 16 - "	21	"		42		
		2	"	2 x 4 - 16 - "	22	"		44	26	27
	6	125	fr	no 1 ceiling		2 1/4	2	81		
		6	fs	1 x 12 - 16 - m.R.	96	2	1	92		
		17	"	1 x 8 - 16 - "	187	"	3	74		
		1	"	6 x 6 - 10 - H.R.	30	2 1/2		75		
		1	"	3 x 12 - 5 - m.R.				70	9	42
	12	2	"	1 x 6 - 16 - m.R.	16	2		32		
		1	"	1 x 8 - 16 - "	11	"		22		
		3	"	1 x 7 - 16 - "	30	"		60		
		2	"	1 x 5 - 16 - "	14	"		28		
		1	"	1 x 10 - 16 - "	14	"		28		
		2	"	2 x 12 - 24 - H.R.	96	"	1	92		
		4	"	5/4 x 10 - 16 - "Duc	68	3	2	04		
		2	"	4 x 4 - 20 - m.R.	54	1 1/2		59		
		50	fr	no 1 5/4 H.R. Flooring		3	1	50		
		32	"	5/4 Bed mould		50		16	7	91
	28	200	"	Board m.R.		1 00	2	00	6	70
		3	fs	1 x 10 - 16 - m.R.	42	2		84	2	84
Feb'y	1	6	"	2 x 4 - 12 - m.R.		1 1/2		53		
		2	"	1 x 15 - 12 - m.R.	30	2 1/2		75		
		48	fr	5/4 Bed mould		50		24	1	52
	2	77	"	no 2 8" w.R.d.		1 1/4			96	
	6	175	"	3 Flooring		"	2	19		
		4	fs	1 x 6 - 16 - m.R.	32	2		64		
		1	"	1 x 12 - 16 - "	16	"		32		
		1	"	5/4 x 2 - 16 - nosing				16	3	31
	15	3	"	4 x 4 - 12 - H.R.	48	2 1/2	1	20		
		4	"	2 x 4 - 14 - "	36	"		90		
		2	"	2 x 4 - 16 - "	22	"		55		
		1	"	1 x 10 - 12 - m.R.	10	1 1/2		11		
		1	"	1 x 10 - 14 - "	12	"		13	2	89
	24	2	"	1 x 15 - 16 - m.R.		2 1/4		90		
		2	"	1 x 10 - 16 - "	28	2		56		
		1	"	4 x 4 - 12 - "	16	"		32	1	78
		4	"	1/2 x 6 - 14 - "	28	"			56	
July 94	12	4	"			"				
Nov	26	1000	fr	Board m.R.		1 00	10	00		
		5	fs	2 x 8 - 20 - "	135	"	1	35		
		20	"	Brackets 10 x 12 - 4		25	5	00		
		11	"	" 10 x 12 - 4 - Rake		"	2	75		
		8	"	" 8 x 10 - 4		20	1	60		
		208	fr	4" Drapery		4	8	32	29	02
	28	11	"	Brackets 10 x 12 - 4		25			2	75
Dec	1	50	"	4 x 6 - 4		8	4	00		
		77	fr	4" Drapery		4	3	08		
		100	"	5/4 O.B. Bed mould		50		50		
Mar 1895	100	"	"	4" Crown		1 60	1	60	9	18
	2	fs	"	6 x 6 - 16 - H.R.	96	"	1	53		
	2	"	"	6 x 6 - 12 - "	72	"	1	15		
	4	"	"	2 x 6 - 12 - m.R.	48	1 00		48		
	1	"	"	4 x 4 - 20 - "	27	"		27		
	25	"	"	2 x 4 - 20 - "	325	"	3	25		
	12	"	"	8" w.R.d. Sup no 2	132	1 60	2	18		
	3000	"	"	Sap Shingles		5 50	16	50		
	32	fs	"	8" w.R.d. Sup no 3	352	1 1/4	4	40	29	69
									128	10
May	14	By	Credit				16	90		
June	25	"	Cash				20	00	36	90
									91	20

91 20
20 20
41

Powell, et al.

vs-

Powell, et al.

Bill of Exchange

Recd

1896 Oct 8th Filed

W. G. Gomer Clerk

Suffolk, Va.

Commissioner's Office

August 29th 1896.

10. A. M.

Powell }
vs } In Chanery
Powell }

No witness appearing the taking of
depositions in accordance with the annexed
notice is postponed to Monday August 31
1896, at the same place

John P. Pinner Com'r in Chy.
Suffolk, Va.

Commissioner's Office

August 31st 1896

10. A. M.

The depositions of L. A. Powell and Sarah
A. Powell, taken before me a Commissioner
in Chanery for the Circuit-Court of Nan-
sement County, pursuant to notice and adjourn-
ment hereto annexed, in Suffolk, Va. in the
Commissioner's Office, on the 31st day of Au-
gust 1896, between the hours of 10 A.M. and 12 M.
to be read as evidence in a certain suit
in equity depending in the Circuit-Court
of Nansement County wherein L. A.
Powell and others are plaintiffs and
Sarah A. Powell and others are de-
fendants.

In the Circuit Court of Harrowood
County. In Vacation.

L. A. Powell, et al. plaintiffs,
vs.

Sarah A. Powell, et al. Defendants -

^{Joint and several}
The answer of L. A. Powell, and Sarah
A. Powell, to the petition of Jas.
E. Etheridge & Co., filed in this cause.
The said L. A. Powell answers and
says that the matters set forth in
said petition are true, and that
it is the only unsettled claim against
the Estate of Thomas Powell, deceased.
For answer to said petition the said
Sarah A. Powell, answers and says
that ~~she is~~ ^{she is} the duly and legally qualified
Administratrix of the Estate of Thomas
Powell, dec., that all the claims against
the said Estate, with the exception
of the claim of Jas. E. Etheridge & Co.,
have been paid, and that she has
exhausted ~~the~~ ^{the} personal estate of
said Thos. Powell, dec. - in the payment
of his debts - that the claim of
Jas. E. Etheridge & Co. is just and
ought to be paid -

Sarah A. Powell. J. M. Powell

L. A. Powell, et al
vs -
Sarah A. Powell et al.

Answer to petition
of Jas. E. Etheridge
et al -

Sept 24 1896
1896 Sept-24th Filed
A. J. Lomeny Clerk

In the Circuit Court of Nausemond County.

L. A. Powell, et al. v. Plaintiffs,

vs.
Sarah A. Powell, et al. Defendants.

The Hon. Robt. R. Prentiss, Judge of the Court
aforesaid -

The petition of James E. Etheridge and Walter
J. Santos, doing business in the City of Norfolk
as Jas. E. Etheridge & Co - respectfully repre-
sent that Thomas Powell, late of the County of
Nausemond, who departed this life on the
day of 1896 - was at the time of his death
justly indebted to your petitioners for Lumber and
building material in the sum of ninety one dollars
and 20 cents, and that no part of said sum
has been paid to them -

That the above entitled cause has been brought
to partition the property he died seized and
possessed of, or to sell the same and divide
the proceeds among those entitled to receive
them -

Now your petitioners pray that they may have
such remedy and relief as is consistent
with Equity, and the case may require, and
your petitioners will ever pray -

W. B. Bator -
Att. G.

Jas. E. Etheridge & Co.
for Jas. E. Etheridge

Virginia. City of Norfolk. to wit;

Sworn and subscribed to before me, the undersigned, this 22nd day of September, 1896.

W. B. Barton

COMMISSIONER IN CHANCERY OF THE COURT OF THE CITY OF NORFOLK, inquit

L. A. Powell, et al.,
vs.
Sarah A. Powell, et al.

Petition of
Jas. E. [unclear] Co.

1896 Sept 24th Filed
J. G. [unclear]

To the Circuit Court of Nansemond
County, Virginia,

In pursuance of the Decree of the
Circuit Court of Nansemond County, Vir-
ginia, pronounced on the 23^d day of July
1896 in the cause in chancery in said
Court depending between L. A. Powell, William
M. Powell, Virginus W. Powell, Laura
Campbell, Rose Gregory, and Leticia Powell
Complainants, and Sarah A. Powell
and Pearl A. Powell, Linwood Perry, Bessie
Perry, and Ernest Perry, infants, and A.
B. Seldner, Guardian ad Litem, Defendants
The undersigned, one of the Commissioners
in Chancery of said Court respectfully re-
ports to Court.

That on the 13th day of August 1896,
after the papers in said cause had been
referred to him for the purpose specified in
said Decree, he gave notice to the parties to
said cause, that on the 29th day of Au-
gust 1896 he would proceed at his office in
Suffolk, Va. to take the several inter-
rogatories required by the said Decree;
that no witnesses appearing on that day
he continued the same to the 31st day
of August 1896, at which time at
his office he proceeded to ascertain
1st Whether the real property named in

The bill in the said cause could be divided in kind between the ^{several} parties entitled to share therein,

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

3^d If the same could not be conveniently divided in kind, and if no party would take the entire property and pay the others for their shares whether the interests of those, who are entitled to the 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 residue.

4th. What were the interests of those who are entitled to receive the said real estate, or the proceeds of said estate, and the age of the widow of Thomas Powell Scares, mentioned in the said bill, together with the fee simple value of the said land; together with any matter specially stated deemed pertinent to the undersigned or required by any party to be so stated, which several enquiries were required by the said decree. The original of the said notice with the endorsements thereon are herewith filed,

That on the 31st day of August he proceeded to examine L. A. Powell and Sarah A. Powell, (who are of the number of parties plaintiff and defendant respectively) as witnesses to enable him to ascertain what said decree directs should be ascertained and reported to Court, the depositions of which witnesses are herewith filed as part of this report,

That the following facts have been ascertained to be true,

The said real estate consists of about an acre of land situated in Manassas County, Virginia at Crutten's, upon which is situated a dwelling house and a store house and that the said improvements were erected about two years ago. The interests in said property are held by six children of Thomas Powell deceased, or their heirs at law, subject to the interest therein of his widow Sarah A. Powell who is fifty-eight years of age. Partition of said land in kind cannot be conveniently made, and through financial inability, no one of the parties can take it as a whole or in part and pay therefore to the other parties such sums of money as their interests therein may entitle them to. The fee simple value of said land and

the improvements thereon is ^{about} Eleven Hundred and Fifty Dollars.

The interests of those who are entitled to said land or its proceeds will be promoted by a sale of the entire subject or tract of land and distribution of the proceeds of sale according to the respective rights of those entitled and in ^{this} view the undersigned is sustained by the annexed depositions and information obtained by oral inquiries made by him of those having information on the subject as former residents at Crillensens.

Respectfully submitted This 31st day
of August 1896.

John D. Pinney
Commissioner in Chancery

Comr's Fee
\$10⁰⁰

Commissioner's Office,

Suffolk, Va. Aug. 13th 1896

To L. A. Powell, William H. Powell Virginians
H. Powell, Laura Campbell Rose Gregory
and Leticia Powell Plaintiffs and
Sarah A. Powell and Pearl A. Powell Linwood
Berry, Bessie Berry and Ernest Berry infants
and A. B. Selmer Guardian ad litem. Defendants

You are hereby notified that I have fixed upon the 29 day of August 1896 next,

following

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

1st Whether the real property named in the bill in the cause named below can be divided in kind between the several parties entitled to share therein,

2^d If the same can not 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 interests therein may entitle them thereto.

3^d If the same can not be conveniently divided in kind and if no party will take the entire property and pay the others for their share whether the interests of those who are entitled to the 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 What are the interests of those who are entitled to receive the said real estate or the proceeds of said real estate and the age of the widow of Thomas Powell deceased mentioned in the said bill, together with the per centage value of the said land together with any matter specially stated deemed pertinent to the undersigned Commissioner or required by any party to be so stated.

required to be taken by a decree of the Circuit Court of the County of Hanover

rendered on the 23^d day of July 1896, in a suit in chancery depending in said

court, between wherein you are parties plaintiff and
Defendant.

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. Pissner
Comr in Chy.

Sufficient and legal service of this notice
is hereby accepted by us this 13th day of
August 1896

W.B. Barton; P. 9
A.R. Leander, Infanteria addition.
S. Ed. Russell

The witness L.A.Powell being duly sworn deposes as follows in answer to interrogatories.

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

Ans. Norfolk, Va. 31 years, merchant. I know all the parties. I am one of the plaintiffs.

Q. 2. Please state whether the real ~~estate~~ named in the bill in this cause is known by you and whether it can be divided in kind.

Ans. I know here it is. It is about one acre and has on it a dwelling house and store. The store is separate from the dwelling. No, sir it can not be divided in kind.

Q. 3. Will any party entitled to a share of the property take the entire property and pay the others for their interests therein.

Ans. No sir. They are not able to do so.

Q 4. If the same can not be conveniently divided in kind and if no party will take the entire property and pay the others for their shares state whether the interests of who are entitled to the said property or its proceeds would be promoted by a sale of the entire property or by allotment of part and sale of the residue.

Ans. I think the interests of all concerned would be promoted by a sale of the entire property and a division of the proceeds.

Q. 5. What are the interests of those entitled to receive the proceeds of the sale of the said real estate?

Ans. After my mother's interest ^{is} are deducted, there are six shares in the property.

Q 6.

What is the age of the widow of Thomas Powell?

Ans. 58 years.

Q. 7. What is the fee simple value of the property and what is its annual rental value and state any additional facts you may know about the property which you may desire to state.

Ans. It cost about \$1150 about two years ago. It is worth that amount now I think. It ought to rent for about \$150 per year. I know of nothing I desire to especially state.

And further this deponent saith not.

L. A. Powell

The witness, Sarah A. Powell, being duly sworn deposes as follows in answer to interrogatories.

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

Ans. 40 High St. Norfolk, Va. 58 years, housekeeper and store keeper. I know all the parties to the suit and am one of the defendants.

Q. 2. Please state whether the real estate named in the bill in this cause can be conveniently divided in kind.

Ans. No sir it can not be divided in kind. There is not enough of it. It consists of a dwelling and storehouse on about an acre in Crittenden's in Nansemond County.

Q. 3. Will any party entitled to share in the property take the entire property and pay the others for their interests therein? Ans. No sir They are not able to do so.

Q. 4. If the same can not be conveniently divided in kind and if no party will take the entire property and pay the others for their shares, state whether the interests of those who are entitled to the said property or its proceeds would be promoted by a sale of the entire property or by allotment of part and sale of the residue.

Ans. It would be best to sell it and divide the proceeds.

Q. 5. What are the interests of those entitled to the property .?

Ans. My own as the widow of the Thomas Powell and there were six children.

Q. 6. What is your age?

Ans. 58 years.

Q. 7. What is the fee simple value of the property?

Ans. I think it is worth about \$1150. It is a new house and

store and cost that two years ago.

Q. 7. What is its rental value per annum?

Ans. About \$150 per year I think it ought to bring.

Q. 8. If there is any other matter you desire to state, please do so.

Ans. No sir, nothing else.

And further this deponent saith not.

J. A. Paull

State of Virginia

County of Nansemond, W. wit,

I, John D. Pinney, a Commissioner in Chancery of the Circuit Court of Nansemond County do certify that the foregoing depositions of L. R. Powell and Sarah A. Powell were taken, sworn to and subscribed before me at the time and place mentioned in the caption hereto Given under my hand this 31st day of August 1896

John D. Pinney
Commissioner in Chancery

Powell vs Powell
In Chancery
Commissioner's Report.

1896 September 2nd
Filed
A. P. Gomez Clerk

In the Circuit Court of Nansemond County.

Lorenzo A. Ppwell, et. als.,

V.

Sarah A. Powell.

This cause came on this day to be heard upon the papers formerly read in this cause for further consideration; and it appearing to the court that there is nothing more to be done in this cause *on motion of complainant* the court doth adjudge, order and decree that this suit be struck from the docket.

W B Banton p. 97.

L. A. Powell
W. J. Inghamery
Sarah A. Powell

Decree to be entered

Enter July 9, '906
Robert H. H. H.

Entered in Chy. Order
Book No. 4 Page 30.

In the Circuit Court of Wm. & Mary County, Va. - It:-

T. A. Powell, et al., plaintiffs,

vs.

Sarah A. Powell, et al., defendants.

The answer of Sarah A. Powell, one of the above named defendants to the bill of complaint of the above named plaintiffs.

In answer to the said bill, I, Sarah A. Powell, say as follows:

1st. That the statements contained in said bill are true.

2nd. That I consent to a gross sum of money being allotted me in lieu of my dower interest in the real estate described in said bill.

*Sarah A. Powell
Widow of Thos. Powell, dec.*

Circuit Court of
Hampden County,

Poussé, et al,

v-

Louise et al.

Answer - Indorsed

Plaintiff -

1896 July 20th Filed

IN THE CIRCUIT COURT OF WASHINGTON COUNTY:

L. A. Powell, et al., Plaintiffs.

vs.

Pearl A. Powell, et al., as Defendants

The joint and several answers of Pearl Powell, Linwood Berry, Beulah Berry and Forrest Berry, infants under the age of twenty-one years, by A. B. Selinger, their guardian ad litem, assigned to defend them in this suit, and the answer ^{of} said A. B. Selinger, guardian ad litem to the said infant defendants, Pearl Powell, Linwood Berry, Beulah Berry and Forrest Berry, to a bill in Equity exhibited against the said infant defendants and others, in the Circuit Court of Washington County, by L. A. Powell and others.

For answer to the said bill the said infant defendants, by their said guardian ad litem answers and says, that being true
of tender years they do not know what their interests are in relation to the subject matter of the said bill, nor do they know whether the statements therein contained are true or not.

They confide the protection of their interests to the protection of the Court.

And the said guardian ad litem by the said infant defendants, for answer to the said bill answers and says: That he knows nothing as to the truth and falsity of the statements in the bill contained. He prays full protection for the said infant defendants. And now saying fully answered the defendants pray *hence*

to be distributed with the costs.

Pearl Powell, Linwood Berry, Bonnie
Berry and Ernest Berry
By A.B. Jeldness guardian ad
litem.

A.B. Jeldness, guardian ad litem
to Pearl Powell, Linwood Berry, Bonnie
Berry and Ernest Berry.

Nauvoo Circuit Ct.

Powell, et al -

Powell, et al -

Amesbury of Quondian
ad Luther -

IN THE CIRCUIT COURT OF HANSEBOND COUNTY, to wit:-

To

Hon. Robert Prentiss, Judge of the Circuit Court of the
County of Hansebond:

Complainant sheweth unto the Court, your complainants, L. A. Powell, William W. Powell, Virginus W. Powell, Laura Campbell, Ross Gregory and Belia Powell, that your complainants' father, Thomas Powell, was in his life time seized and possessed of certain real estate, lying in the County of Hansebond, as follows, the said real estate is situated in Barrett's Neck, at or near the town or post office known as Crittenton's, bounded and described as follows: Beginning at the line of J. J. Lewis at the north corner of the lot owned by William Howard, and running from thence along the land of William Howard in a south westerly course, one hundred and seventy (170) feet; and from thence along the land of J. W. Key in a north westerly direction eighty two (82) feet; and from thence along the land of said J. W. Key one hundred and seventy two (172) feet in a north easterly direction to the land of James J. Lewis, and from thence nearly so to east along the land of said J. J. Lewis fifty five feet and ten inches (55ft. 10in.) to the place of beginning; and being so seized and possessed of the said real estate, some time in the year 1896, the said Thomas Powell departed this life intestate, leaving your orators, and, Sarah A. Powell, his widow, and Pearl A. Powell, an infant daughter, and Linwood Berry, Bessie Berry, and Earnest Berry, grand children, and heirs at law.

That said Linwood Berry, Bessie Berry and Earnest Berry, are infants under the age of 21 years. And your orators further state, that the said real estate, is as they believe, sus-

ceptible of partition among the parties thereto; but if it be not, then your complainants desire the same to be sold, and the proceeds divided among the adult and infant parties, and the widow's dower in said real estate assigned ^{or a gross sum of money be paid her in lieu thereof,} ~~her or committed for her use~~, according to their respective rights, the share of the infants to be held as directed by the Statute in such case made and provided. Should the property not be divisible in kind, your complainants believe, and here state, that the interest of those who are entitled to the real estate, or its proceeds, will be promoted by a sale of the whole of said real estate.

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 Sarah A. Powell, Pearl Powell, Linwood Berry, Bessie Berry and Earnest Berry, may be made parties defendant to the bill, and required to answer the same, without oath, that a proper guardian ad litem be assigned the infant defendants to defend ^{their} interest in this suit, who shall also answer this bill, that proper process may issue, that the said real estate be divided between the several parties entitled thereto, and your complainants portion thereof be allotted to them, and that a gross sum ^{of money} may be allowed the widow of the said Thomas Powell, deceased, in lieu of her dower interest in said real estate, and in case the said real estate can not be partitioned and divided in kind, that the same be exposed for sale, and the proceeds from such sale be divided among the parties entitled thereto - that all proper orders and decrees may be made, and proper inquiries be directed, and that all such other and further 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. *Plaintiffs Counsel will ask for
a fee out of the fund in this cause.*

W. B. Barton

P. g. -

Circuit Court House -
Mund.

L. A. Powell, et al.,
vs.
Sarah A. Powell, et al.

Bill.

L. A. Powell & others
vs In Chancery
Sarah A. Powell & others

1896. June 30th. Process issued returnable to
July Rules first Monday.

" July 6th. Process returned executed on
Sarah A. Powell and Pearl Lee
Powell and decree nisi against
them.

AB Seldner an Attorney at Law
appointed Guardian ad litem
for all infant defendants.

Bill filed and decree nisi
against all defendants.

" " 20th. Decree nisi confirmed and
cause set for hearing.

L A Powell tocher
W Chancery Notes
Sarah A Powell tocher.

W B Barton p. 9.

L. A. Powell & others.

vs In Chancery

Sarah A. Powell & others.

1906

January 9th

Final Decree

Powell & others vs Powell & others

Costs.

Clerk---	7.71 ¹⁰ / ₁₀₀
Shff.---	1.00 ¹⁰ / ₁₀₀
Comm---	10.00
Jay	1.50 ¹⁰ / ₁₀₀
Atty---	15.00
	\$34.21