

1910-008
Norfolk Co (Suffolk)

Chancery Causes: Clara V. Boyette et al vs Corena Boyette et al

Keller, Vaughan, Wallis, Shackelford, Babb, Hollend, Rawles



$$\begin{array}{r} 194.76 \\ 186.60 \\ \hline 285.30 \end{array}$$

$$\begin{array}{r} 7 \overline{) 132.35} \quad 18.90 \\ \underline{7} \\ 62 \\ \underline{50} \\ 62 \end{array}$$

$$\begin{array}{r} 65.0 \\ 285.30 \end{array}$$

$$\begin{array}{r} 9 \overline{) 264.70} \\ \underline{29.41} \end{array}$$

Grand total



$$\begin{array}{r} 2 \overline{) 132.35} \\ \underline{61.17} \end{array}$$

$$\begin{array}{r} 264.70 \\ 191.19 \end{array}$$

$$\begin{array}{r} 5 \overline{) 73.51} \\ \underline{1470\frac{1}{5}} \end{array}$$

$$\begin{array}{r} 29.42 \\ \underline{2} \end{array}$$

$$\begin{array}{r} 5-884 \\ 132.35 \\ \hline 49119 \end{array}$$

Boat hire

| |

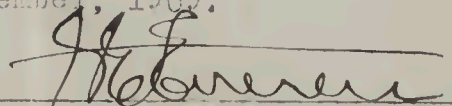
TO THE CLERK OF THE CIRCUIT COURT OF
MANSEMOND COUNTY.

Clara V. Boyette and Mary Alice Keller,.....Complainants.
vs. In Chancery.

Corena Boyette, Nancy Essie Vaughan, William H.
Vaughan, her husband, Rosa Ethel Walls, Elsie
Thomas Walls, her husband, Allen Thurman Boyette,
Mary V. Shackelford, Howard G. Shackelford, her
husband, Joseph Wood Keller, Rosa F. Keller,
Carrie I. Boyette, and Robert Harper Boyette,
the last four being infants under the age of
twenty-one,.....Defendants.

To Second Rules (Third Monday) in December, 1909.

Tax \$1.50


P. Q.

Memorandum

Boyette et al

32 Du Chauxy

Boyette et al.

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON Corena Boyette, Nancy Essie
 Vaughan, William H. Vaughan, her husband, Rosa Ethel Walls, Elsie Thomas
 Walls, her husband, Allen Thurman Boyette, Mary V. Shackelford, Howard
 G. Shackelford, her husband, Joseph Wood Keller, Rosa F. Keller, Carrie
 I. Boyette, and Robert Harper Boyette, the last four being infants under
 the age of twenty-one

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 December, 1909, to answer

a Bill in Chancery, exhibited against them
 in the said Court by Clara V. Boyette and Mary Alice Keller

And have then and there this summons.

Witness. R. R. SMITH, Clerk of our said Court, at his office, this 16th day of
 December, 1909, in the 13 4th year of the Commonwealth.

A copy—Teste:

CLERK.

Teste:

CLERK.

Legal and sufficient survice is hereby accepted this 17th day of
December, 1909.

Corona Boyette
Nannie Essie Vaughan
William H. Vaughan
Mary Virginia Shackelford
Howard E. Shackelford
Allen Thurman Boyette
Rosa Ellen Wall
Elizabeth Wall
Clara Ida Boyette
Robert Harper Boyette

Rosa F. Keller.

Joseph W. Keller.

S. E. Everett p. q.

Clara V. Boyette & others.

vs.

IN CHANCERY.

Corona Boyette & others.

1909-

December Rules.

Third Monday.

NANSEMOND CIRCUIT COURT.

PROCESS BOOK, No. 3

PAGE 78.

Clara V. Boyette, and Mary Alice Keller,

vs. In Chancery.

Corena Boyette and others.

It appearing to the clerk that Joseph Wood Keller, Rosa E. Keller, Carrie I. Boyette, and Robert Harper Boyette, four of the defendants are infants, on motion of S. E. Everett, attorney for plaintiffs, the clerk doth appoint W. H. Crumpler, a discreet and competent attorney at law, as guardian ad litem.

In vacation, the 16th day of December, 1909.

R. R. Smith, Clerk
By M. M. Watkins S.C.

225-S-C-111

Know All Men by These Presents, That we, S. E. Everett and
Fidelity & Deposit Company of Maryland

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of
FIFteen Hundred DOLLARS,

to the payment whereof, well and truly to be made to the Commonwealth of Virginia, we bind our-
selves, 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 Commonwealth arising under this bond, or by virtue of the
office, post or trust herein mentioned, with coupons detached from bonds of said State.

Sealed with our seals, and dated this ----- day of ----- in the year
of our Lord one thousand nine hundred and -----, and in the ----- year of ---
the Commonwealth -----

In Testimony Whereof, the said S. E. Everett has
hereto set his hand and seal, and the said Fidelity & Deposit Company of Maryland
----- has caused its corporate name to be hereto signed, and its
corporate seal to be hereto affixed, this 24th day of January in the year of our
Lord, one thousand nine hundred and ten, and in the 134th year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That ~~if the above bound~~
Whereas by a decree of the Circuit Court for the County of Nansemond entered
on January 24th, 1910, in the Chancery Cause pending in said Court between
Clara V. Boyette and other complainants and Corena Boyette & others defendants
it was decreed that the property mentioned in the proceedings be sold at pub-
lic auction and the proceeds of sale invested & etc and S. E. Everett was ap-
pointed by said decree Commissioner for that purpose.

Now, Therefore, if the said S. E. Everett, as Commissioner aforesaid shall
faithfully discharge and perform his duties as Commissioner aforesaid under
this 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.



S. E. Everett



Fidelity & Deposit Co. of Md.



By J. T. Withers, Atty in fact.



VIRGINIA :

In the Clerk's Office of the Circuit Court of Nansemond County, on the 24th day
of January, 1910 :

The above bond was executed and acknowledged before me by the obligors to the same
(the security ^{approved} justifying), and ordered to be recorded.

A Copy - True;
R. R. Smith, Clerk Teste :
By M. M. Watkins, D. C.

R. R. Smith, Clerk,
By M. M. Watkins, D. C.

S. C. Everett

To { Spec. Contr. Bond.

The Commonwealth.

1910.

Jan. 24th.

A Copy

Clara V. Boyette, and Mary Alice Keller,.....Complainants
vs.

Corena Boyette and others,.....Defendants.

\$244.40

June 17, 1910.

Received of S. E. Everett, Special Commissioner,
in the above case, the following amounts: My dower
interest commuted at the age of fifty-nine years,
One Hundred and Eighty-five Dollars and Sixty cents,
the interest of my two infant children, Robert Harper
Boyette and Carrie I. Boyette, Fifty-eight Dollars and
Eighty cents, Total, Two Hundred and Forty-four
Dollars and Forty cents.

Mrs. Clara V. Boyette.

\$332.08

June 17, 1910.

Clara V. Boyette and Mary A. Keller, ...Complainants.

vs.

Corena Boyette and others, ...Defendants.

Received of S. E. Everett, Special Commissioner in the
above case, my dower interest commuted at the age of Fifty-three
years, One Hundred and Ninety-nine Dollars and Seventy-six, the
interest of my two infant children, Joseph Wood Keller and Rosa
E. Keller, One Hundred and Thirty-two Dollars and Thirty-two
cents, Total, Three Hundred and Thirty-two Dollars and eight
cents.

Mrs Mary A. Keller

Clara V. Boyette and Mary A. Keller,.....Complainants.

vs

Corena Boyette and others,.....Defendants.

\$14.70

June 17, 1910.

Received of S. E. Everett, Special Commissioner in
the above case, Fourteen Dollars and Seventy cents, my share
of the proceeds of sale in the above suit.

Witness:
M. Larsen. Mrs. Ethel Waffar.
mark

Clara V. Boyette and Mary Keller,.....Complainants.
vs.
Corena Boyette and others,.....Defendants.

\$14.70

June 17, 1910.

Received of S. E. Everett, Special Commissioner in the
above case, Fourteen Dollars and Seventy cents, my share of
the proceeds of sale in the above suit.

Mrs Harvey Essie Vaughan

Clara V. Boyette and Mary A. Keller,.....Complainants.
vs.
Corena Boyette and others,.....Defendants.

\$14.72

June 17, 1910.

Received of S. E. Everett, Special Commissioner in the
above case, Fourteen Dollars and Seventy cents, my share of
the proceeds of sale in the above suit.

Corena Boyett

"Corena Boyett"

Clara V. Boyette and Mary A. Keller,.....Complainants.

vs.

Corena Boyette and others,.....Defendants.

\$14.70

June 17, 1910.

Received of S. E. Everett, Special Commissioner in the
above case, Fourteen Dollars and Seventy cents, my share of
the proceeds of sale in the above suit.

Mary V. Bhackelford

Clara V. Boyette and Mary A. Keller, ... Complainants.
vs.
Corena Boyette and others, ... Defendants.

\$14.70

June 17, 1910.

Received of S. E. Everett, Special Commissioner in the
above case, Fourteen Dollars and Seventy cents, my share of
the proceeds of sale in the above suit.

Allen Thurman Boyett.

Clara V. Boyette and Mary A. Keller,.....Complainants.

vs.

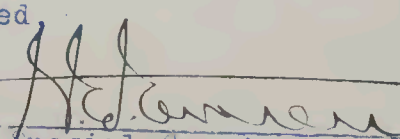
Corena Boyette and others,.....Defendants.

The undersigned S. E. Everett, Special Commissioner, submits the following report: Your Commissioner withdrew from the National Bank of Suffolk the Six Hundred and Fifty (\$650.00) Dollars deposited in said bank to the credit of this cause, and paid out the same as follows, as directed by Decree entered the 30th day of May, 1910:

By amount deposited in said bank,	\$650.00
Paid to Clara V. Boyette, her dower interest commuted at the age of fifty-nine years,	\$185.60 ✓
Paid to Mary Alice Keller, her dower interest commuted at the age of fifty-three years,	199.76 ✓
Paid to Mary A. Keller, mother of Joseph Wood Keller and Rosa E. Keller, \$66.16 for each one of said children for their education, maintenance and support,	132.32 ✓
Paid to Clara V. Boyette, mother of Robert Harper Boyette and Carrie I. Boyette, \$29.40 for each one of said children for their education, maintenance and support,	58.80 ✓
Paid to Nancy Essie Vaughan,	14.70 ✓
" " Corena Boyette,	14.72 ✓
" " Rosa Ethel Walls,	14.70 ✓
" " Mary Virginia Shackelford,	14.70 ✓
" " Allen Thurman Boyette,	14.70 ✓
	\$ 650.00 \$ 650.00

There remaining nothing further to be done in this cause, your Commissioner asks that a Decree be entered confirming this report and having said cause stricken from the docket.

Respectfully submitted,


Special Commissioner.

July 14th, 1910.

Boyette
vs

Boyette

Final report:

1910 July 14, filed
J.D.D.

at side

March 8, 1910.

\$5.000

Received of S. E. Everett, Special Commissioner,
Five Dollars, for bond in the cause of Clara v.
Boyette and others vs. Corena Boyette and others.

Wm. H. Wetters agent

March 8, 1910.

\$3.00

Received of S. E. Everett, Special Commissioner,
Three Dollars, Auctioneer fee in the cause of Clara V.
Boyette and others vs. Corena Boyette and others.

John J. Boyette
Clerk

March 8, 1910.

\$3.00

Received of S. E. Everett, Special Commissioner,
Three Dollars, Notary fee in the cause of Clara V.
Boyette and others vs. Corena Boyette and others.

Bradford Kilby

1909
Mr. A. E. Everett Atty & Special Commr.

TO R. R. SMITH, CLERK CIRCUIT COURT

OF NANSEMOND COUNTY,

SUFFOLK, VA.

1909 Clara V. Boyette & als vs. Correna Boyette & als

Dec

16

To Writ Tax

" Clerk's Fees

150

621

\$7.71

Paid Mch 8th 1910 M. M. Watkins Depy Clerk.

BANK OF SUFFOLK

DEPOSITED BY

H. C. Everett spec. Comr
Bayett vs. Bayett
Suffolk, Va., 3/8-1910

ALL PAPERS CREDITED SUBJECT TO PAYMENT.
 ENDORSE ALL PAPERS AND LIST SEPARATELY.

Bills

Silver

Gold

CHECKS AS FOLLOWS:

65000

H. C. Everett
Cash of Suffolk

Total,

W. J. KENDRICK, President and Editor
J. C. ROLLADAY, Secretary and Treasurer

Suffolk, Va., *March 1* 1910

M. *S. E. Everett Spl. Comr.*

TO SUFFOLK HERALD CORPORATION, Dr.

:: Newspaper and Job Printing ::

No. 912 WASHINGTON STREET

TERMS OF THIS BILL — NET CASH

BOTH PHONES

*Jan 22 50 Handbills Bayette
Reprinting same*

*Paid 3/12/10
Suffolk Herald Corp
K*

*175
50*

225

TO THE HONORABLE JAMES L. McLEMORE, JUDGE OF
THE CIRCUIT COURT OF NANTSEMOND COUNTY.

Clara V. Boyette et al,.....Complainants.

vs. In Chancery.

Corena Boyette et als,..... Defendants.

Your Special Commissioner, S. E. Everett, submits the
following report:

Sale of land to John A. Wiggins
and Joseph Langston, purchasers
of land mentioned in said cause, \$ 700.00

Disbursements as follows:

Writ tax and Clerk,	\$ 7.71
West & Withers, bond,	5.00
Bradford Wilby, Notary Public,	3.00
John J. S. Brandh, Auctioneer,	3.00
S. E. Everett, Commissioner and Attorney,	31.29

Deposited in the Bank of Suffolk,

Suffolk, Virginia, to the credit of this cause	650.00	
	<u>\$ 700.00</u>	<u>\$ 700.00</u>

Made 14 - 1910 -

Respectfully submitted,

H. J. Johnson
Special Commr.

Clara V. Boyette et al,

vs. In Chancery.

Corena Boyette et als.

Special Commissioner's
Report.

Vouchers.

1900. March 14. Filed
JLM

Honorable James L. McLemore, Judge of the Circuit Court
of Nansemond County.

Clara V. Boyette and Mary Alice Keller,.....Complainants.

vs. In Chancery.

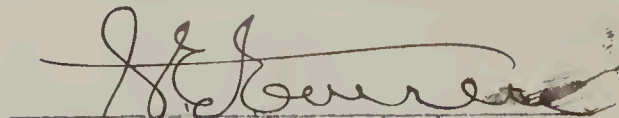
Corena Boyette and others,.....Defendants.

Your Special Commissioner, S. E. Everett, makes the following report: That in accordance with the Decree entered on January 24th. 1910, your Special Commissioner executed bond and advertised the property mentioned in the bill in this cause, to be sold in front of the Post Office door in Suffolk, Virginia, on Monday, February 14th. 1910, at Twelve O'clock, M. at which date and hour the said property was put up for sale and struck off to John A. Wiggins and Joseph Langston, their bid being Seven Hundred Dollars, and the highest bid for the same.

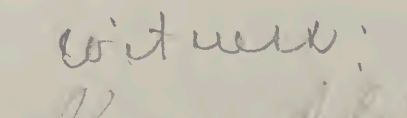
The said purchasers desire to pay the purchase price in cash as soon as said sale is confirmed and the Deed is executed and ready for delivery.

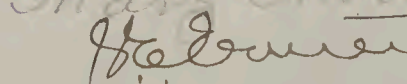
Your said Special Commissioner, S. E. Everett recommends the confirmation of this sale and further states that the said parties to this cause recommend sale if the cost does not exceed Fifty Dollars thus netting Six Hundred and Fifty Dollars to the parties interested in this cause. Your Commissioner ask that the sale be confirmed and that he be allowed to take Fifty Dollars and pay all cost including Attorney's fee.

Respectfully submitted.


Special Commissioner.

We approve the above report of S. E. Everett, Special Commissioner.

Witness:



(Reserve your yard)

Report of
Sale, by Spec. Comm.
H. C. Curran

1910 March 1st filed
J. M.

COMMISSIONER'S SALE OF VALUABLE REAL ESTATE NEAR
HOLY NECK CHURCH.

In pursuance of a decree entered in the Circuit Court of Nansemond County on the 24th day of January, 1910, in a chancery cause of Clara V. Boyette and Mary Alice Keller against Corena Boyette and others, pending in said Court, I shall, as Commissioner appointed thereby, proceed to sell at Public Auction,

IN FRONT OF THE POST OFFICE DOOR, IN SUFFOLK, VA.

ON MONDAY, JANUARY 14th, 1910,

AT TWELVE O'CLOCK M., THE FOLLOWING REAL ESTATE, TO-WIT:

All that certain piece or parcel of land lying near Holy ^{Church} Neck ~~Registerial District~~, in the County of Nansemond, near Holy Neck Church, known as the Rozilla Babb tract of land, and containing One Hundred (100) acres, more or less, and bounded by the lands of John Wiggins, Thomas Miles and others. And being the same land devise to the said complainants in this suit by Rozilla Babb's Will, recorded in the Clerk's Office of the Circuit Court of Nansemond County.

TERMS--One-half cash, and the remainder in two equal installments of six and twelve months, and the title to be retained until the purchase money is paid.

S. E. EVERETT,

January 24th, 1910.

Special Commissioner.

I, M. M. Watkins, Clerk of the Circuit Court of Nansemond County, Virginia, do certify that the bond required of S. E. Everett, a Special Commissioner, under the decree of said Court, made on the 24th day of January, 1910, in the chancery cause pending in said Court between Clara V. Boyette and Mary A. Keller against Corena Boyette and others, has been executed with security deemed sufficient by me.

Given under my hand this 24th day of January, 1910.

R. R. Smith, Clerk
M. M. Watkins *P.C.*

VALUABLE
COMMISSIONERS SALE OF VALUABLE PROPERTY

COMMISSIONER'S SALE

Of Valuable Real Estate Near Holy Neck Church.

In pursuance of a decree entered in the Circuit Court of Nansemond County on the 24th day of January, 1910, in a chancery cause of Clara V. Boyette and Mary Alice Keller against Corena Boyette and others, pending in said Court, I shall, as Commissioner appointed thereby proceed to sell at Public Auction,

In Front of the Post Office Door, In
SUFFOLK, VA.

On Monday, February 14, 1910

AT 12 O'CLOCK M., THE FOLLOWING REAL ESTATE
TO-WIT:

All that certain piece or parcel of land lying near Holy Neck Church, in the county of Nansemond, known as the Rozilla Babb tract of land and containing one hundred (100) acres, more or less, and bounded by the lands of John Wiggins, Thomas Miles and others, and being the same land devise to the said complainants in this suit by Rozilla Babb's will, recorded in the Clerk's Office of the Circuit Court of Nansemond county.

TERMS:—One-half Cash, and the remainder in two equal installments of six and twelve months, and the title to be retained until the purchase money is paid.

S. E. EVERETT, Special Commissioner

January 24, 1910.

I, M. M. Watkins, Clerk of the Circuit Court of Nansemond County, Virginia, do certify that the bond required of S. E. Everett, a Special Commissioner, under the decree of said Court, made on the 24th day of January, 1910, in the chancery cause pending in said Court between Clara V. Boyette and Mary A. Keller against Corena Boyette and others, has been executed with security deemed sufficient by me.

Given under my hand this 24th day of January, 1910.

R. R. SMITH, Clerk,

By M. M. WATKINS, D. C.

*Sold to John A. Wiggins and Joseph Langston
for \$700.00 J. A. Wiggins
over*

Clara V. Boyette, et al,.....Plaintiffs.
vs. In Chancery.
Corena Boyette et als,.....Defendants.

By mutual consent of the plaintiffs and the defendants, it is hereby agreed that the chancery cause now pending in the Circuit Court of Nansemond County, wherein Clara V. Boyette et al, are plaintiffs, and Corena Boyette et als, are Defendants, shall be made a vacation cause and the same shall be submitted to the judge of said court for such orders and decrees therein in vacation as might be made in term.

Witness:
Rosa Effer Walls
H. Effer

Mrs. Corena V. Boyette
Mary Alice Keller
William M. Crumpler
Attorney at Law for:
Joseph Wood Keller
Rosa F. Keller
Carrie J. Boyett
and
Robert Harper Boyett
Mrs. Mary E. Vaughan
W. L. Vaughan
Mary V. Shackelford
Howard G. Shackelford
Rosa Effer Walls
Elgie T. Walls

Agreement for
Vacation Camp

Clara V. Boyette and Mary Alice Keller,.....Complainants.
vs.

Corena Boyette and others,.....Defendants.

This cause came on again to be heard on the papers formerly read, and on the petition of all parties to this suit, and William M. Crumpler, Guardian ad litem for the infant defendants, and was argued by counsel:

On consideration whereof, the Court, being of the opinion that it is to the interest of all parties concerned to have the proceeds of sale distributed among the parties entitled thereto, doth adjudge, order and decree that S. E. Everett, Special Commissioner, withdraw the Six Hundred and Fifty Dollars, deposited in Bank of Suffolk to the credit of this suit, from said bank, and by the consent of all the adult parties to this decree in writing, the said Special Commissioner, is directed to distribute the said proceeds as follows:

By amount deposited in said bank,	\$650.00
Pay to Clara V. Boyette, her dower interest	
commuted at the age of fifty-nine years,	\$185.60
Pay to Mary Alice Keller, her dower interest	
commuted at the age of fifty-three years,	199.76
Pay to Mary A. Keller, mother of Joseph	
Wood Keller and Rosa E. Keller, \$66.16 for	
each one of said children for their edu-	
cation, maintenance and support,	132.52
Pay to Clara V. Boyette, mother of Robert	
Harper Boyette and Carrie I. Boyette, \$29.40	
for each one of said children for their edu-	
cation, maintenance and support,	58.80
Pay to Nancy Essie Vaughan,	14.70
" " Corena Boyette,	14.72
" " Rosa Ethel walls,	14.70
" " Mary Virginia Shackelford,	14.70
" " Allen Thurman Boyette,	14.70
	\$ 650.00 \$650.00

By the above distribution, the Keller heirs take per stirpes, and a sufficient amount is deducted from the shares of the adult defendants, by their consent, and added to the two infant defendants, Carrie Ida Boyette and Robert Harper Boyette, so as to give them the same amount as if all parties took per capita.

Clara V. Boyette et al,

vs.

Corena Boyette et als.

Enter 30th May 1910.

James S. Moore

Entered in Chancery Order

Book No. 4, page 420.

we consent.

Mary A. Keller.

Clara V. Boyette.

Allen. Thurman. Boyett.

Corena Boyette

Effer Wallis

Mary W. Shackelford

Nancy E. Vaughan.

McQuinn's atty for
adults parties.

Clara v. Boyette et al,.....Complainants.
vs. In Chancery.
Corena Boyette et als,.....Defendants.

This cause came on again to be heard on the papers formerly read, and on the report of S. E. Everett, Special Commissioner, this day filed, which report with vouchers, shows that S. E. Everett, Special Commissioner, deposited in the Bank of Suffolk, Suffolk, Virginia, Six Hundred and Fifty Dollars to the credit of this cause, and paid all cost amounting to Fifty Dollars, to which report there is no exception, and was argued by counsel.

On Consideration whereof, the Court doth approve and confirm said report.

Clara V. Boyette et al,

Vs. In Chanc ry.

Corena Boyette et als.

Enter March 14th 1910.

James L. McIsmore

Entered in Chancery Order

Book No. 4, page 405.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, IN VACATION THE 15th
DAY OF MARCH, 1910.

Clara V. Boyette et al,.....Plaintiffs.

vs. In Chancery.

Corena Boyette et als,.....Defendants.

This cause, by consent of both plaintiffs and defendants, entered of record, came on again this day to be heard on the papers formerly read, and on the report of S. E. Everett, Special Commissioner, this day filed, to which report there is no exception, and was argued by counsel. On consideration whereof, the Court, approving and confirming said report, doth adjudge, order and decree that upon the payment by the said John A. Wiggins and Joseph Langston, of the full purchase money, in the report mentioned for the said property, the said S. E. Everett, Special Commissioner, do convey to the said John A. Wiggins and Joseph Langston, with special warranty, the said land which is described in the bill and proceedings mentioned, for the sum of Seven Hundred Dollars, it being the amount for which it was struck off to the said John A. Wiggins and Joseph Langston.

It is further ordered that the said S. E. Everett, Special Commissioner deduct Fifty Dollars from the Seven Hundred Dollars and pay all cost in said cause, including Attorney's fees, and deposit the remainder, six Hundred and Fifty Dollars, in one of the banks in the town of Suffolk, Virginia, to the credit of this cause. And it is further ordered that the said Special Commissioner make report of his proceedings hereunder to this Court.

By ~~mutual~~ ^{in writing} consent of the Plaintiffs and the Defendants ^{including the guardian ad litem for the} the Court doth further adjudge, order and decree that this cause be ~~made a~~ ^{of this court} ~~vacation cause, and the same~~ submitted to the Judge for such orders and decrees therein in vacation, as might be made in term.

All which is hereby certified to the Clerk of this Court to be entered in the chancery order book.

James L. B. Moore

Clara V. Boyette and Mary
A. Keller,

VS.

Corena Boyette and others.

Enter March 1st, 1910.

Entered March 1910, 1910.
James L. L. L. L.

Entered in Chancery Order

Book No. 4, page 401.

Clara V. Boyette and Mary Alice Keller,.....Complainants.
vs. In Chancery.

Corena Boyette; Nancy Essie Vaughan, William H. Vaughan,
her husband, Rosa Ethel Walls, Elsie Thomas Walls, her
husband, Allen Thurman Boyette, Mary V. Shackelford,
Howard G. Shackelford, her husband, Joseph Wood Keller,
Rosa F. Keller, Carrie I. Boyette, and Robert Harper
Boyette, the last four being infants under the age of
twenty-one,.....Defendants.

This cause, which has been regularly matured, came on this day to be heard on the bill and exhibit, the answers on oath of all the adult defendants, and of Joseph Wood Keller, Rosa F. Keller, and Carrie I. Boyette, infants over fourteen years of age, also the answers on oath of W. M. Crumpler, who was regularly assigned to Rules, guardian ad litem of Robert H. Boyette, infant under fourteen years of age, and Joseph Wood Keller, Rosa F. Keller, and Carrie I. Boyette, infants, all of said answers being duly sworn to, with general replication thereto, upon depositions of witnesses taken after reasonable notice to all parties, and was argued by counsel.

On consideration whereof, the Court being of the opinion from the evidence furnished in this cause, that it would be to the advantage of all parties interested, to have the said property, mentioned in said bill, sold and the proceeds of sale invested, doth adjudge, order and decree that S. E. Everett, who is hereby appointed a Special Commissioner for the purpose, do after advertising the place, time and terms of sale for fifteen days by post bills, posted at numerous places in the Community and over the County, proceed to sell at Public Auction in front of the Post Office door, Suffolk, Virginia, the tract of land in the bill and proceedings mentioned, upon the following terms, to-wit: One-third cash and the residue in two equal instalments, payable respectively six and twelve months after date from the day of sale;

the credit instalments carrying interest from the date of sale and the purchaser executing bonds therefor, payable at said respective dates, and the title of the property retained until the whole purchase money is paid, and a conveyance directed by the Court. And the said Commissioner is directed to deposit the cash instalment in one of the banks of the town of Suffolk before paying any of the expenses in said suit, and to report his proceedings thereunder to the Court, returning therewith a certificate of such deposit and the bonds given for the credit instalments. But the said Commissioner, S. E. Everett, shall not advertise said property 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 \$ 1500, and conditioned for the faithful discharge of his duty hereunder.

Clara W. Boyette and Mary
A. Keller,

vs.

Corena Boyette and others,

Enter January 24, 1910.

John L. G. Moore,

Entered in Chancery Order

Book No. 4, page 395.

TO CORENA BOYETTE, NANCY ESSIE VAUGHAN, WILLIAM H.
VAUGHAN, HER HUSBAND, ROSA ETHEL WALLS, ELSIE THOMAS WALLS,
HER HUSBAND, ALLEN THURMAN BOYETTE, MARY V. SHACKELFORD?
HOWARD G. SHACKELFORD, HER HUSBAND, JOSEPH WOOD KELLER,
ROSA F. KELLER, CARRIE I. BOYETTE, AND ROBERT HARPER BOYETTE.

Take notice that on the 17th day of January, 1910, at the
office of S. E. Everett, of Suffolk, Virginia, between the
hours of nine A. M. and six P.M. of that day we shall proceed
to take depositions of A. T. Holland and others, to be read
as evidence in my behalf in a certain suit in equity, depending
in the Circuit Court of Nansemond County, wherein we are plain-
tiffs and you are defendants, and if from any cause the taking
of the said depositions be not commenced, or, if commenced, be
not concluded, on that day, the taking thereof will be adjourned
from day to day, at the same place, and between the same hours,
until the same shall be completed.

Given under my hand this 17th day of January, 1910.

Mary Alice Keller

Carra V Boyette

Allen Thurman Boyette

Notice to take depositions

We accept notice
Joseph Wood Keller.
Rosa Fannie Keller.
Corena Boyett
Mary Virginia Shackelford
Howard Graham Shackelford
Nancy Essie Vaughan
William H. Vaughan
Rosa Ethel Walls.
Eulzie Thomas Walls.
Allen Thurman Boyett
Carrie Ida Boyett
Robert Harper Boyett.
Wm. M. Crumpton Guardian
Ad. Litter of Infants

Folio ✓40
Terms ✓ Cash

Suffolk, Va., April 27th 1912

Mr. S. E. Everett, Special Comm. Bayett vs Bayett,
City

To WEST & WITHERS, Dr.

(Successors to HARPER & WEST)

Fire, Life, Marine, Accident, Health, Employers' Liability,
AND STEAM BOILER INSURANCE AND SURETY BONDS

1910 P. O. Box 103

OFFICE, No. 936 WASHINGTON STREET.

Both Phones

Date	Policy No.	Company	Property Insured	Amount	Premium
Jan. 24 1910 Mar. 7	618175	L & D	Bond	1500	1000
	check				500
					500

*Rev
Copy*

CARBON COPY

Baltimore, Md., May 29, 1912

Messrs. West & Withers,
General Agents,
Suffolk, Va.

Gentlemen:

IN RE #618175

Your favor of the 25th addressed to our Agency Department with reference to premium on bond of S. E. Everett, Special Commissioner in the case of Boyette vs. Boyette, has been turned over to the writer, and in reply I have to inform you that according to our records no agreement was made with Mr. Everett for a return premium, provided this matter was closed promptly. Mr. Everett is more than likely laboring under a misapprehension. Our Premium on this bond is earned just as soon as the same is filed and it is immaterial to us whether the sale is made within one month, two months or twelve months. We have had just as much liability on a bond of this character during a short period as we would have during the bond year, and I am sorry that we cannot credit your account with a return premium.

Very truly yours,

W. R. BISHOP

Superintendent.

*Everett; they will not allow
to take or kindly send
Check for \$260.00 as premium*

TO THE HONORABLE JAMES L. McLEMORE, JUDGE
OF THE CIRCUIT COURT OF NANSEMOND COUNTY.

Your petitioners respectfully submit to you^{How} the following case:
That in December, 1909, there was a suit filed in the style of Clara
V. Boyette and Mary A. Keller, vs. Corena Boyette and others, to
have sold a certain tract of land containing One Hundred acres, which
was owned by Rozilla Babb, and which was willed to your complainants.
The said land was sold under said suit by the directions of the court
in front of the Post Office, Suffolk, Virginia, to John A. Wiggins
and Joseph Langston, for the amount of Seven Hundred (\$700.00) Dollars,
it being the highest bid for said land at public auction, and S. E.
Everett, special commissioner, after paying the cost of said suit, de-
posited in the Bank of Suffolk on the eighth day of March, 1910, Six
Hundred and Fifty (\$ 650.00) Dollars to the credit of the court in
this cause.

That your petitioners, Clara V. Boyette and Mary A. Keller, had
all life interest in said property and therefore are entitled to the in-
terest on said money deposited in said bank, but your petitioners,
Clara V. Boyette and Mary A. Keller are now getting old; Clara V.
Boyette fifty-nine years old, and Mary A. Keller fifty-three years old,
and are becoming unable to care for themselves, and have some children
now under age, and all of the parties interested in this suit believe
it to the interest of all concerned to have it distributed among those
entitled to same in accordance with the law. Your petitioners, Clara
V. Boyette and Mary A. Keller, pray that their share may be commuted;
and their portion paid to them; that the shares of their children under
age may be paid to them to be used for the education and support of
their minor children; and that the shares of the others, all the adult
children, be paid to them.

Believing it to be to the interest of all concerned, your petition-
ers pray that said sum may be distributed as ask for above, and that all

7-99.76
785-60

such farther and general relief may be afforded your petitioners as their case may require, or to equity shall seem meet. And your complainants will ever pray, etc.

Mary A. Keller
Clara V. Boyette
Robert H. Boyette

Corena Boyette
Carrie Boyette
Rosa Ethel Walls
Rosa F. Keller
Noddie J. Keller

Nancy Essie Vaughan
STATE OF VIRGINIA,
CITY OF RICHMOND,

to-wit:

Howard G. Shackelford
Mary Virginia Shackelford
Allen Thurman Boyette

This day personally appeared before me the undersigned, a Notary public, for the said City, Nancy Essie Vaughan and William H. Vaughan, her husband, and made oath that they believe the several statements made in the foregoing petition to be true.

Given under my hand this 24 day of May, 1910

Seal of Notary Public
Notary Public.

My commission expires the 18th day of June, 1911.

STATE OF VIRGINIA,

to-wit:

COUNTY OF NANSEMOND,

This day personally appeared before me, the undersigned, a Notary Public for the said County, the above signed petitioners: Clara V. Boyette, Mary A. Keller, Joseph Wood Keller, Rosa Fannie Keller, Corena Boyette, Mary Virginia Shackelford, Howard Graham Shackelford, Rosa Ethel Walls, Elzie Thomas Walls, Allen Thurman Boyette, *Carrie Ida Boyette*, Robert Harper Boyette, and made oath that they believe the several statements made in the foregoing petition to be true.

Given under my hand this 19 day of May, 1910.

Notary Public
Notary Public.

My term of office expires the 31st day of July, 1911.

1910. May 26th. Field
J.M.

In the name of God , Amen. I Rozilla Babb, of the county of Nansemond, and state of Virginia, being of sound and disposing mind, doth make this to be my last will and testament, in manner and form as follows:

First. I desire that my body be decently buried.

Second. I wish all of my just debts be paid.

Third. I bequeath unto my daughters, Clara V. Boyett and Mary Alice Kelley all of my real estate during their natural lives and after their deaths, to their respective children.

Fourth. I give unto my daughter Mary Alice Kelley One Black horse, One cart and wheels and One single gun, and the remainder of my personal property, I give unto William B. F. Babb, Clara V. Boyett and Mary Alice Kelley.

In witness whereof the said Rozilla Babb has set her hand and seal this the 5th. day of November 1898.

Rozilla (her x mark) Babb (seal)

Signed & sealed in the presence of.

Witness I. A. Luke

A. T. Holland

VIRGINIA:

At a County Court continued and held for the
County of Nansemond at the Courthouse in the Town
of Suffolk on Tuesday the 10th. day of February, 1903.

The last will and testament of Rosella Babb late of this
County deceased, was this day produced in court and proved according to law by the oaths of I. A. Luke and A. T. Holland the two subscribing witnesses thereto and is ordered to be recorded.

TESTE: A. P. Gomer, D. C.

A Copy, Teste:

S. M. Lawrence *DB*

Rozilla Babb's
Will -

A Copy

to be charged for in rent

151

107

TO THE HONORABLE JAMES L. MOLEMORE, JUDGE
OF THE CIRCUIT COURT OF NANSEMOND COUNTY.

Your petitioners respectfully submit to you the following case: That in December, 1909, there was a suit filed in the style of Clara V. Boyette and Mary A. Keller, vs. Corena Boyette and others, to have sold a certain tract of land containing One Hundred acres, which was owned by Rozilla Babb, and which was willed to your complainants. The said land was sold under said suit by the directions of the Court in front of the Post Office, Suffolk, Virginia, to John A. Wiggins and Joseph Langston, for the amount of Seven Hundred (\$700.00) Dollars. It being the highest bid for said land at public auction, and S. E. Everett, special Commissioner, after paying the cost of said suit, deposited in the Bank of Suffolk on the eighth day of March, 1910, Six Hundred and Fifty (\$ 650.00) Dollars to the credit of the court in this cause.

That your petitioners, Clara V. Boyette and Mary A. Keller, had a life interest in said property and therefore are intitled to the interest on said money deposited in said Bank, but your petitioners, Clara V. Boyette and Mary A. Keller are now getting old; Clara V. Boyette fifty-nine years old, and Mary A. Keller fifty-three years old, and are becoming unable to care for themselves, and have some children now under age, and all of the parties interested in this suit believe it to the interest of all concerned to have it distributed among those entitled to same in accordance with the law. Your petitioners, Clara V. Boyette and Mary A. Keller, pray that their share may be commuted; and their portion paid to them; that the shares of their children under age may be paid to them to be used for the education and support of their minor children; and that the shares of the others, all the adult children, be paid to them.

Believing it to be to the interest of all concerned, your petitioners pray that said sum may be distributed as ask for above, and that all

such farther and general relief may be afforded your petitioners as their case may require them, or to equity shall seem meet. And your complainants will ever pray, etc.

STATE OF VIRGINIA,
CITY OF RICHMOND, to-wit:

This day personally appeared before me the undersigned, a Notary public, for the said City, Nancy Essie Vaughan and William H. Vaughan, her husband, and made oath that they believe the several statements made in the foregoing petition to be true.

Given under my hand this _____ day of _____, 1910

Notary public.

My commission expires the _____ day of _____, 191 .

STATE OF VIRGINIA,
COUNTY OF NANSEMOND, to-wit:

This day personally appeared before me, the undersigned, a Notary public for the said County, the above signed petitioners: Clara V. Boyette, Mary A. Keller, Joseph wood Keller, Rosa Fannie Keller, Corena Boyette, Mary Virginia Shackelfore, Howard Graham Shackelfore, Rosa Ethel Walls, Elzie Thomas Walls, Allen Thurman Boyette, ^{Carrix Ida Boyette} Robert Harper Boyette, and made oath that they believe the several statements made in the foregoing petition to be true.

Given under my hand this _____ day of _____, 1910.

Notary public.

My term of office expires the 31st day of July, 1911.

Peterson &
all parties to suit

The depositions of A. T. Holland and D. L. Rawles, taken before me, Bradford Kilby, a Notary Public, for the ^{County} ~~Circuit~~ Court of Nansemond County, pursuant to notice hereto annexed, at the office of S. E. Everett, in the city of Suffolk, on the 17th day of January, 1910, between the hours of nine o'clock A. M. and six o'clock P. M., to be read in evidence in behalf of the plaintiffs in a certain suit depending in the Circuit Court of Nansemond County, wherein Clara V. Boyette and Mary A. Keller are complainants and Corena Boyette and others are defendants.

Present, S. E. Everett.
Counsel for complainants.

W. M. Crumpler. *Wm. M. Crumpler*
Guardian ad litem of Robert H. Boyette.

Mr. A. T. Holland being duly sworn, deposes as follows:

Q. Give your name, age, residence and occupation?

A. I am a Commission-Merchant, live at Suffolk, and am forty-nine years of age.

Q. Do you know the parties to this suit?

A. Yes.

Q. Are you familiar with the Rozilla Babb farm near Holy Neck Church?

A. I know the location of it.

Q. What condition is it now in?

A. Very bad condition.

Q. The life tenants, Mrs. Alice M. Keller and Mrs. Clara V. Boyette have instituted a suit asking the Court to have this farm sold because they believe that it would be to their advantage to have it sold and the proceeds of sale invested for their benefit. What do you think about this, Mr. Holland?

A. I think it would be to the advantage of all the parties to have it sold. It is depreciated in value a great deal for the last few years.

Q. What do you think, Mr. Holland, would be a fair value?

A. I think there is about One Hundred acres, more or less, and it is worth about Seven or Eight Hundred Dollars. The buildings have all gone down.

Q. Do you think that six per-cent on Seven or Eight Hundred Dollars would be more than they could get out of the farm if they would rent it?

A. It would be a great deal more unless they were able to improve the farm and put some more buildings on it, and they are not able to do that.

And further this deponent saith not.

A T Holland

Dr. D. ^L. Rawles being duly sworn deposes as follows:

Q. Give your name, age, residence and occupation?

A. I am a physician, live in Suffolk and am thirty years of age.

Q. Do you know the Rozilla Babb tract of land near Holy Neck Church?

A. Yes.

Q. Mrs. Keller and Mrs. Boyette, life tenants, have brought a suit to have said property sold and the proceeds of sale invested for their benefit, believing that it would be to their advantage to do this, as the property has been greatly abused and they are unable to rent the same out to any advantage.

Will you please state whether you think it to the advantage of these people to have said farm sold and the proceeds ^{invested} or not?

A. I think the farm might bring some where about One Thousand Dollars; that invested would be an income to Mrs. Boyette and Mrs. Keller of about Sixty Dollars.. Now, if the place was in good shape and fence around it, it would rent for as much, possibly, as Sixty Dollars, but it has gone down so much it could not be rented to any advantage at the time.

Q. Do you think then, it would be to the advantage of the parties interested, to have the property sold and the proceeds of sale invested for the benefit of the life tenants?

A. I should think it would be to their advantage to have it sold.

Q. Do you know any thing about the needs, etc. of the people connected with this suit?

A. I lived all my life in one mile and a quarter of them, I know the farm well and think they need all they can get at this time, and all ought to be done, that possibly can be done, for them. They are absolutely unable to keep the premises up, the result of which, it means that it is almost worthless to them as the matter stands. It is a real good farm, if it could

be attended to and worked properly.

Q. MrsL Rozilla Babb was the mother of the complainants,
was she not?

A. Yes, she was the mother of Mrs. Keller and Mrs. Boyette,
the complainants in this suit.

And further this deponent saith not.

D. L. Rawls M.D.

I am familiar with the Rozilla Babb tract of land, situated near Holy Neck Church, and containing about One Hundred acres. It is good high land, but is all run down. There is now no fence on it and no buildings to amount to any thing, which makes it undesirable to rent. As it stands, it is not worth any thing to Mrs. Mary A. Keller and Mrs. Clara V. Boyette. I understand from the will that they have a life-right in the property. I think it would be to the advantage of both of them to sell this farm and have the Court to invest the money and allow them to receive the interest on the money. The farm will sell some where between Five Hundred and One Thousand Dollars. It is hard to fix any certain price on it as it is in such a bad condition at the time. As it stands it is not worth any thing to any one.

Given under my hand this 17th day of January, 1910.

J. E. Rawles

STATE OF VIRGINIA,

COUNTY OF NANSEMOND, to-wit:

Personally appeared before me the undersigned Notary Public Dr. J. E. Rawles, and made oath to the above statement.

H. E. Rawles
Notary Public

I, Bradford Kilby, a Notary Public for the County of Nansemond, in the State of Virginia, do hereby certify that the foregoing depositions of A. T. Holland and D. L. Rawles, were duly taken, sworn to and subscribed before me at the said office aforesaid and time mentioned therein, and in the caption thereto, pursuant to the annexed notice. In witness whereof, I have hereto set my hand on this 17th day of January, 1910, at the city of Suffolk aforesaid.

Bradford Kilby
Notary Public.

Bayette
or

Bayette

Deposition

Clara V. Boyette, and Mary A. Keller,.....Complainants.

vs.

Corena Boyette and others,.....Defendants.

This cause come on again to be heard on the papers formerly read, and on the report of S. E. Everett, Special Commissioner, which report, this day filed, shows that S. E. Everett, Special Commissioner, withdrew the Six Hundred and Fifty (\$650.00) Dollars, deposited in the National Bank of Suffolk to the credit of this cause, and distributed the same as directed in the decree entered in this cause on the 30th day of May, 1910, to which report there is no exception, and was argued by counsel.

On consideration whereof, the Court doth confirm said report, and there remaining nothing further to be done in this cause, it is adjudged, ordered and decreed that the same be stricken from the docket.

Clara V. Boyette and Mary A.
Keller,.....Complainants

vs.

Corena Boyette et als, Defendant

Enter July 14th, 1910.

James L. L. Moore

Entered in Chancery Order
Book No. 4, page 427.

Clara V. Boyette, and Mary A. Keller,.....Complainants.

vs. In Chancery.

Corena Boyette and others,.....Defendants.

The answer of the defendants to the above styled suit, infants over the age of fourteen years, except Robert Harper Boyette, to the bill in equity, exhibited against them in the Circuit Court of Hansemond County by Clara V. Boyette and Mary A. Keller.

For answer to the said bill, the said defendants answer and say that they understand these proceedings and are familiar with the trouble that their parents have had in trying to rent this property out, and believe that it is going to waste; they believe the statements in said bill are true, and that it will be to the advantage of all parties to sell the land as therein prayed for, and invest the proceeds of sale. And now having answered the pray , etc.

Nancy Essie Vaughan
William H. Vaughan

STATE OF VIRGINIA,
City OF Richmond, TO-WIT:

This day personally appeared before me the undersigned, a Notary Public for the said City, Nancy Essie Vaughan and William H. Vaughan, her husband, and made oath that they believe the several statements made in the foregoing answer to be true.

Given under my hand this 19th day of January, 1910.

Seal and Signature
Notary Public

My Commission Expires June 16, 1912

Clara V. Boyette and Mary A. Keller,.....Complainants.

vs. In Chancery.

Corena Boyette and others,.....Defendants.

The answer of W. M. Crumpler, guardian ad litem to the infant defendants, Joseph Wood Keller, Rosa F. Keller, Carrie I. Boyette, and Robert Harper Boyette, and the answers of the said infant defendants by the said William¹³ Crumpler, their guardian ad litem to the bill in equity exhibited against the said infant defendants and others in the Circuit Court of Nansemond County, by Clara V. Boyette and Mary A. Keller.

For answer to the said bill, the said guardian ad litem answers and says that he does not know whether the interest of the infant defendants would be promoted by the sale of the property, as prayed for in the said bill, or not, and the said infant defendants by their said guardian ad litem, answer and say that being infants of tender years, they know nothing of the matters mentioned in the bill and ~~commit~~ the protection of their interest to the Court. And now having answered, they pray, etc.

Guardian ad litem to Joseph Wood Keller, Rosa F. Keller, Carrie I. Boyette, and Robert Harper Boyette, and the said infant defendants, by the said W. M. Crumpler, their guardian ad litem.

STATE OF VIRGINIA, COUNTY OF NANSEMOND, to-wit:

This day personally appeared before me the undersigned Notary public for the said County, W. M. Crumpler, guardian ad litem of Joseph Wood Keller, Rosa F. Keller, Carrie I. Boyette, and Robert Harper Boyette, and made oath that he believes the several statements made in the foregoing answer, to be true.

Given under my hand this 17th day of January, 1910.

My commission expires Aug. 7, 1910,

Bradford Kilby,
Notary Public.

Answer to
Guardian of
Literary World

Joseph Wood Keller, Rosa Fannie Keller, Corena Boyette, Mary Virginia Shackelford and
Howard Graham Shackelford, Rosa Ethel Walle, E. L. Walle, Allen S. Boyette, Carrie Ida
Boyette, Robert Harper Boyette

Clara V. Boyette, and Mary A. Keller,.....Complainants.
vs. In Chancery.
Corena Boyette and others,.....Defendants.

The answer of the defendants to the above styled suit,
infants over the age of fourteen years, except Robert Harper
Boyette, to the bill in equity, exhibited against them in the
Circuit Court of Nansemond County by Clara V. Boyette and Mary
A. Keller.

For answer to the said bill, the said defendants answer
and say that they understand these proceedings and are famaliar
with the trouble that their parents have had in trying to rent
this property out, and believe that it is going to waste; they
believe the statements in said bill are true, and that it will be
to the advantage of all parties to sell the land as therein prayed
for, and invest the proceeds of sale. And now having answered
they pray, etc.

Joseph Wood Keller
Rosa Fannie Keller
Corena Boyette
Mary Virginia Shackelford
Howard Graham Shackelford

Rosa Ethel Walle
Erlzie Thomas Walle
Allen Thurman Boyette
Carrie Ida Boyette
Robert Harper Boyette

STATE OF VIRGINIA,
COUNTY OF NANSEMOND, TO-WIT:

This day personally appeared before me, the undersigned, a Notary Public
for the said County, the above signed defendants* and made oath that they
believe the several statements made in the foregoing answer to be true.
Given under my hand this 17 day of January, 1910.

Notary Public.

My term of office expires 21 day of July, 1911.

TO THE HONORABLE JAMES L. McLEMORE, JUDGE OF THE CIRCUIT COURT
OF NANSEMOND COUNTY.

SECOND RULES (THIRD MONDAY) IN DECEMBER, 1909.

Clara V. Boyette and Mary Alice Keller,.....Complainants.
vs. In Chancery.

Corena Boyette and others,.....Defendants:

Your complainants show unto the Court the following case:
That Rozilla Babb was the mother of your complainants, and owned a tract of land near Holy Neck Church, Nansemond County, Virginia, situated on the road leading from Holy Neck Church to the old Howell Mill-pond, containing One Hundred (100) acres, more or less, and the said Rozilla Babb died, in the year One Thousand Nine Hundred and Three, leaving a Will, a copy of which is herewith filed, marked exhibit "A", and under the third clause of Will is the following language: "I bequeath unto my daughters, Clara V. Boyette and Mary Alice Keller, all of my Real Estate, during their natural lives and after their death, to their respective children." The following are all of the children now living of the said Clara V. Boyette and Mary Alice Keller: Corena Boyette, Nancy Essie Vaughan, Rosa Ethel Walls, Allen Thurman Boyette, Mary V. Shackelford, Joseph Wood Keller Rosa F. Keller, Carrie I. Boyette, and Robert Harper Boyette, the last four being infants under the age of twenty-one.

Your complainants further state that since this time, to-wit: 1903, the farm has been rented out until it has become almost impossible to rent it, your complainants and all of the defendants being away from the place, tenants have damaged the buildings, and almost totally burned up the fence around the cultivated land, and as it now stands it is almost worthless to your complainants or their children.

Property now, is reasonably high in this community, and your complainants are fully satisfied that it would be to their advantage to have this property sold and the proceeds of sale invested for the

benefit of your complainants, and that the corpus of the estate be held by the Court subject to the limitations of the said Will of Rozilla Babb, deceased.

In the progress of this suit, the Court will be ask to decree that the proper counsel fees be allowed and paid for the preparation of this bill and the conduct of the proceedings.

In tender consideration, whereof, the complainants pray that the said Corena Boyette, Nancy Essie Vaughan, Rosa Ethel Walls, Allen Thurman Boyette, Mary V. Shackelford, Joseph Wood Keller, Rosa F. Keller, Carrie I. Boyette, and Robert Boyette, the last four being infants under the age of Twenty-one, be made parties-defendant to this bill; that a guardian ad litem be assigned the said infant defendants, Joseph Wood Keller, Rosa F. Keller, Carrie I. Boyette, and Robert Harper Boyette, to defend their interest in this suit, who shall answer this bill; that the said land be decreed to be sold and the proceeds invested as the Court shall require; that all proper allowances of counsel fees may be made in this suit; that proper process issue and all proper orders and decrees may be made and inquiries may 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, etc.

W. J. Wood
Mabel Borden
H. J. Wood
Counsel.

Clara V. Boyette
Mary A. Keller
Mary A. Keller

STATE OF VIRGINIA, COUNTY OF NANSEMOND, to-wit:

This day, personally appeared before me the undersigned Notary Public for the said County aforesaid, Clara V. Boyette and Mary A. Keller, and made oath that they believe the several statements made in the foregoing bill to be true.

Given under my hand this 20th day of December, 1909.

H. J. Wood
Notary Public

Boysen
or Bill
Boysen

Clara V. Boyette vals

vs.

Corena Boyette vals.

1909

December 16 Process issued returnable second
December Rules - Executed
" 20 Bill filed and decree nisi as to all
adults

" " W.M. Crumpler appointed guardian ad litem
to Joseph Wood Keller, Rosa F. Keller, Carrie
J. Boyette and Robert Harper Boyette

1910
Jan

3 Answer filed W.M. Crumpler guardian ad litem
and cause set for hearing

Notes

