

1910-017
Nansemond Co (Suffolk)

Chancery Causes: Susie V Darden vs R. G. Allmond et al

Dennis, Camp, Murray, Bangley, Hosier

Lien	156.00
Clark	12.82
Hosier	5.00
Brinkley	6.90
Killy	15.00
Herald	6.25
Jones	8.33
Side walk	6.42
Fee	75.00

291.72

Almond	13.22
Dunn	38.58

343.52

Bond

10.00

353.52

800.00

343.52

3 $\overline{) 456.48}$
152.16

800.00

353.52

3 $\overline{) 446.48}$
148.82

1910

ADD TO YOUR SAVINGS

Always remember that every little added
to what you have makes just a little bit more

National Bank of Suffolk

Suffolk, Va.

In account with
R. H. Rawles, Spl. Com'r.

Warden vs. Almond

Suffolk Va.



Bank Pass Book

No. 801

NOTICE

Always bring this book with your deposit.

See that your entries agree with your ticket.

Book should be left monthly for balancing.

NATIONAL BANK OF SUFFOLK

Dr.

In account with

1910

July 22 Sept

791.67

791.67

4/4/10 Balance 450
Sept 22 Sept 182

R. H. Rawles, Spl. Com'r.

Darden vs. Almond

Cr.

4/4 Checks

782.17

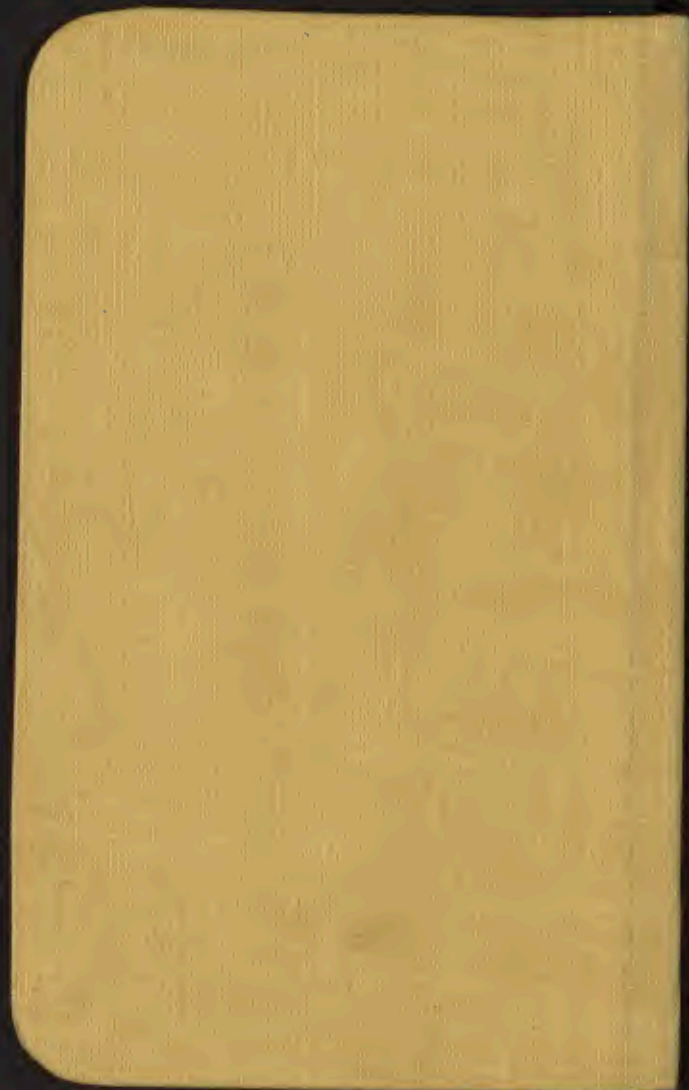
4/4 Balance

950

791.67

**Blank Pages
Not
Scanned**

Mam E. Alexander	38.58
Sam V. Darden	152.16
R H. Randles	75.00
May Dennis	148.82
R. H. Allmond	318.04
Horner	5.00
Bunkley	6.90
Horne	8.25
~~Ball, Dyer~~	~~8.33~~
Lickwood	6.42
W. E. Lane	10.00
	775.50
	8.33
	767.17



\$200.⁰⁰ Two years after the date hereof with interest
thereon payable semi-annually from the date hereof
I hereby promise to pay unto Wilbur J. Kirby
his Heirs, Executors, Administrators or Assigns,
the just and full sum of Two hundred Dollars
and no Cents, for value received; for the payment of which
I bind myself, my Heirs, Executors and Administrators firmly
by these presents; and I hereby waive the benefit of My Homestead
Exemption as to this debt and obligation.

As witness my hand and seal this 17th day of May
in the year of our Lord one thousand eight hundred and eighty-nine

Witnesses:

J. B. Pinner

William X. J. Atwood
mark
Seal
Seal
Seal
Seal

\$157.⁰⁰ Received
of Wilbur J. Kirby
the sum of One hundred and fifty
dollars for rent
on the 17th day of May
1889

Interest paid hereon to 1 Jan. 1890
 Interest paid hereon to 1 July 1890
 Interest paid hereon to 1 Jan. 1891
 Interest paid hereon to 1 July 1891
 Interest paid hereon to 1 July 1892
 Interest paid hereon to 1 Jan. 1893
 Interest paid hereon to 1 July 1893
 Interest paid hereon to 1 Jan. 1894
 Interest paid hereon to 1 July 1894
 Interest paid hereon to 1 Jan. 1895
 Interest paid hereon to 1 July 1895
 Interest paid hereon to 1 Jan. 1896

Interest paid hereon to 1 July 1896
 Interest paid hereon to 1 Jan. 1897
 Interest paid hereon to 1 July 1897
 Interest paid hereon to 1 Jan. 1898
 Interest paid hereon to 1 July 1898
 Interest paid hereon to 1 Jan. 1899
 Interest paid hereon to 1 July 1899
 Interest paid hereon to 11 Dec. 1899
 and fifty dollars in part of the
 Principal hereof paid 11th Dec. 1899
 Interest paid hereon to Jan 1st 1900
 " " " " " 1901
 " " " " " 1902.

1899 Dec. 11th. For and in consideration of
 the sum of one hundred and fifty dollars
 the balance due as of this date on this bond by the
 assign and transfer to this bond, the debt of which it is here-
 by due and good the deed of
 and with Robert H. Edmund
 although recourse to me.

Wm J Edmund
 \$200.
 Wilbur J Kelly

Copy of Costs

Taxed in the Suit of:

R. H. Rawles

p. q.

Susie V. Darden + al.

vs.

R. G. Almond + als.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

Writ Tax

Paid Apr 12/10 -

150

Clerk

88¹/₂

Sheriff

250 \$ 12 82

Attorney

1500

Commissioner

1500

Printer, for Order of Publication, etc.

\$42.82

\$12.82 Recd of R. H. Rawles Special Commissioner
in Susie V. Darden v. R. G. Almond et al.

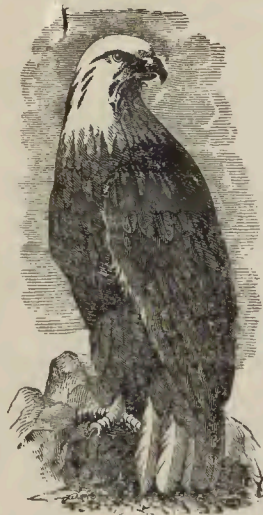
twelve ⁸²/₁₀₀ dollars in payment of Clerk & Sheriff fees
and writ tax in said suit. Off 22/1910.

Date of Judgment or Final Decree

191

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

Attest: M. M. Watkins D.C.



Sept. 12, 1900
Received of R H Rader, special Comair
Five Dollars.

In selling Almond Real estate on
auction in suit Susan V. Darden vs R.H.
Almond et al.

J. Wells Price

\$ 5 ⁰⁰/₁₀₀

LINEN

Received Sept. 19th 1910.
from R. H. Carter, Special Collector
Fifteen Dollars
In receipt in June V. Gordon is
R. H. Allmond clerk in Circuit Court.

\$ 15 00

Bradford Kilbys, Comm. in Charge,



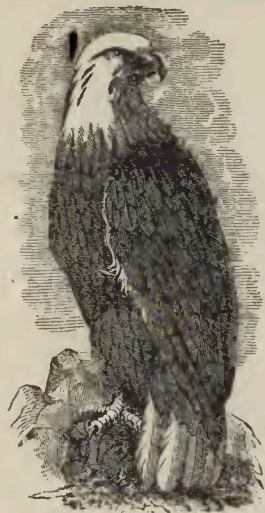
Sept 16" 1906
of B. R. Carter special collector
Twenty - $\frac{22}{100}$ - Dollars.

in full payment of balance due me as a collector
of W. J. Allmoner estate on a subscription made
on March 4 report of Bradford Kelly senior

R. G. Allmoner

\$13 $\frac{22}{100}$

LINEN



Sept - 12."

1900

PA Rader Special Collector

Ten

Dollars.

premium on bond in case of Louis V.
Harden is R. G. Allmond et al.

Woodward & Coan

\$10 -

LINEN



Aug 26" 1900

of R. H. Rander, special Comar

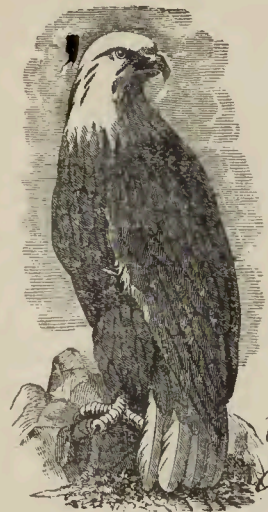
Thirty Eight - $\frac{58}{100}$ - Dollars

in full of amt due me for accumulation of
my share interest in the estate of my late husband
W. J. Almond in suit of Susan v. Dorden vs R. H. Almond et al

\$38 $\frac{58}{100}$

LINEN

Witness: Maria E. Almond
Lin. G. Taylor.



Sept. 16th 1900

of R H Rouben special Comair

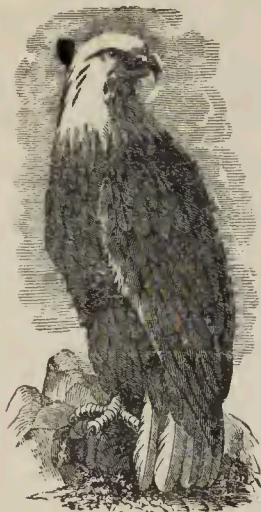
One hundred and forty eight $\frac{82}{100}$ Dollars.

in full payment of account due me on one of the
best of Law. of W. J. Almond due from 20th of
red note in suit of Susan V. Rouben vs R H
Almond et al. and in full release of said Comair.

\$148 $\frac{82}{100}$

LINEN

R. G. Allmon



Aug. 26th

1900

of R H Carter special Carewair

One Hundred + fifty two $\frac{16}{100}$ Dollars.

in full payment of my share of the estate of W. J.
Almond, due me in the sum of Susan V. Darden vs.
R. G. Almond et al.

\$152 $\frac{16}{100}$

LINEN

Witness: Mrs Susie V Darden
L. G. Taylor

1
Suffolk, Va., Aug. 25th. 1910. 19

Mr T. A. Barbee.

Suffolk, Va.

To R. H. Brinkley Dr.

All bills payable first of each month.

To making survey of lot of the Almond Est.

\$6.20

Recd from R H Brinkley special
Census in suit of Susan V. Gordon vs
R. G. Almond et al. Sept 14. 1910.

R. H. Brinkley J. E.

Per. David Nunnery Jr

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

Suffolk, Va., *Aug. 25* 1910

M *R. H. Rawles Special Commissioner*

TO SUFFOLK HERALD CORPORATION, Dr.

:: Newspaper and Job Printing ::

No. 912 WASHINGTON STREET

TERMS OF THIS BILL — NET CASH

BOTH PHONES

<i>April 11</i>	<i>100 Bills Sale of R. G. Allmond Property</i>	<i>225</i>	
<i>June 17</i>	<i>Pub. 2 Times "</i>	<i>400</i>	<i>625</i>
	PAID		

Sept 13/10

THE SUFFOLK HERALD CORPORATION

By *K*

Received

June 30th 1910

from R H Rander special Commis

Erighth $\frac{33}{100}$ -

Dollars

being one half of the town and state taxes due

on real estate of W. J. Almond died Jan 8/1910 -

$\frac{1}{2}$ \$ 2.59 State tax per 1910
\$ 5.74 town " "
\$ 8.33

J. H. Rander

Suffolk, Va., Aug. 25th. 1910. 19

W. J.
M. Almond Estate,

Suffolk, Va.

To the Corporation of Suffolk, Va., Dr.

All bills payable first of each month.

To one third cost of brick sidewalk on

Pinner street

\$6.42

Recd from R. H. Rader special
Commissioner in aid of Susie V.
Borden is R. J. Almond Jr.
Sept. 12. 1910.

R. S. Bingham
Treasurer

Sept 13th 1910

HARRY A. BRINKLEY,
ATTORNEY-AT-LAW
408 COURT ST., PORTSMOUTH, VA.



Judge R. H. Rawles,
Suffolk,
Va.

Venches.



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

Suffolk, Va., *Aug* 1910

M *R H Rawles Spl Commissioner*

TO SUFFOLK HERALD CORPORATION, Br.

:: Newspaper and Job Printing ::

No. 912 WASHINGTON STREET

TERMS OF THIS BILL — NET CASH

BOTH PHONES

<i>June 11</i>	<i>100 Bills Sale</i>	<i>blum and property</i>	<i>225</i>	
<i>" 30</i>	<i>Pch. 2 times</i>	<i>" "</i>	<i>400</i>	<i>625</i>

R. R. Smith, Clerk of the Circuit
Court of Macon County:

Susie V. Darden
R. B. Darden

Plffs

vs

R. G. Allmond
Mary Dennis
Edward L. Dennis
Maria E. Allmond
W. W. Murray, Trustee.

Defts.

Issued summons for plaintiffs against
defendants to first April rules 1910 to
answer a Bill in chancery.

R. H. Rauler Secy.

Copied from
W. N. Caffrey's
W. J. Allmond

D.B. 21 page 584.
put in paper.

Memo. for Clerk

1. To the Clerk of the Court
of the County of [illegible]
State of [illegible]

I, [illegible]
do hereby certify that [illegible]
[illegible] [illegible] [illegible]

Witness my hand and seal
this [illegible] day of [illegible]
[illegible] [illegible] [illegible]

Attest
[illegible] [illegible] [illegible]

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF NANSEMOND COUNTY—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON R. G. Allmond, Mary Dennis,
Edward L. Dennis, Maria E. Allmond, W. W. Murray, Trustee,

to appear at the Clerk's Office of the Circuit Court of Nansemond County, at the Rules to be
held for the said Court, on the First Monday in April, 1910, to answer

a Bill in Chancery, exhibited against them
in the said Court by Susie V. Darden, R. B. Darden

And have then and there this summons.

Witness. R. R. SMITH, Clerk of our said Court. at his office, this 23rd day of
March, 1910, in the 13 4th year of the Commonwealth.

~~A copy~~ Teste:

Teste:

CLERK

CLERK.

R. R. Smith
By M. M. Harrison D.C.

1910 March 23rd Expended the moneys
for my delinquent or sum Copy Sheet
To R. G. Almond Mary Dennis Richmond
L. Dennis Maria E. Almond and
W. W. Murray Trustee

By A. A. Baker Supp
G. C. Shippin Wt

R. G. Almond
p. q.

L. Dennis

R. G. Almond

vs.

IN CHANCERY.

R. G. Almond vs. others

1910

April Rules.

April Monday.

NANSEMOND CIRCUIT COURT.

PROCESS BOOK, No. 3

PAGE 83

Know All Men by These Presents, That we, R. H. Rawles and The
United States Fidelity & Guaranty Company

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of
Fourteen 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~~ 10th day of June ~~in the year~~
~~of our Lord one thousand nine hundred and~~ 1910, and in the 34th year of
~~the Commonwealth.~~

In Testimony Whereof, the said R. H. Rawles has
hereto set his hand and seal, and the said The United States Fidelity & Guaranty
Company has caused its corporate name to be hereto signed, and its
corporate seal to be hereto affixed, this 10th day of June in the year of our
Lord, one thousand nine hundred and ten, and in the 34th year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound
R. H. Rawles, who was, by a decree of the Circuit Court of Nansemond
County, entered on the 6th day of June, 1910 in the Chancery cause pending
in said Court between Susie V. Darden & al. Complainants and R. G. Allmond
& als., defendants, appointed special Commissioner, to sell the real estate
mentioned in the bill and proceedings in said cause, shall faithfully dis-
charge and perform his duties under said decree and all other decrees he
may be required to execute in said cause, then the above obligation is to be
void, otherwise to remain in full force and effect.



R. H. Rawles

The United States Fidelity & Guaranty Co.

by W. G. Elam, its atty in fact

VIRGINIA :

W. G. Elam.

In the Clerk's Office of the Circuit Court of Nansemond County, on the 10th day
of June, 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 - Just

Teste: R. R. Smith, Clerk.

By M. M. Watkins, D. C.

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

R. H. Rawles

To Special Court's Bond

The Commonwealth.

1910

June 10.

Recorded in Official
Bond Book No. 2, Pg. 145.

Copy

R. H. RAWLES
Attorney at Law and Notary Public

Administrator of the Estate of
Z. T. Holland

SUFFOLK, VA., _____, 1908.

DEAR SIR:

As Administrator of the estate of the late Z. T. Holland I hold a bond against you secured by deed of trust on your land. The heirs are demanding that I shall proceed to collect all indebtedness at once, so that a settlement may be made. Therefore, I will not be able to continue the loan for you any longer, and you must make arrangements to take up the same.

Come right down to see me and bring enough to pay the interest to date and as much as you can on the principal. The whole must be fully paid up by the Fall of the year. I would suggest that you look around and see if you cannot get some one to take it up for you.

I am always at home on Saturday.

Very truly,

R. H. RAWLES, Administrator.

R. H. Roeder Esq:

person being authorized
to collect from W. & others the
out of rent due by him to the
estate of W. J. Allmond dead, and
to compromise the same if in your
judgment it is best to do so.

Apr. 16. 1910.

R. J. Allmond

TO THE HONORABLE JAMES L. McLEMORE,

Judge of the Circuit Court of Nansemond County:

The undersigned special commissioner in the Chancery Cause of Susie V. Darden et al, vs. R. G. Allmond et als, now pending in said court, respectfully begs leave to report that pursuant to a decree entered in said cause, on the 11th day of July, 1910, confirming the sale of real estate heretofore made by said Special Commissioner and ordering that the said Special Commissioner shall collect the purchase price of eight (\$800.00) dollars from the purchaser T. A. Barbee, that the said Special Commissioner has collected the whole of the purchase price, eight hundred (\$800.00) dollars; ^{and made the purchaser a deed for same} that he has paid the lien of deed of trust on said real estate, the taxes thereon, and all other liens thereon; that he has paid to the widow her dower interest in said real estate, which she by consent commuted and agreed to receive her interest in cash; that the remainder of the purchase money has been divided and paid to the heirs-at-law of W. J. Allmond, deceased; and that he has taken vouchers for all of said disbursements, which are herewith filed, as a part of this report, and he herewith appends as a part of this report a statement showing receipt of the said fund and disbursements of the same, all of which is respectfully submitted.

R. H. R. Carter
Special Commissioner.

See Statement appended.

S T A T E M E N T :

Amount received of T. A. Barbee, purchase price of real estate
sold by R. H. Rawles, Special Commissioner. \$800.00

Paid Out.

R. G. Allmond, assignee of W. J. Kilby, balance due on
bond, secured by deed of trust, on said real estate. \$156.00 ✓

Paid R. R. Smith, Clerk of the Court, Clerk's fee, writ
tax, and sheriff's fee in said cause. 12.82 ✓

J. Walter Hosier, crier at sale. 5.00 ✓

R. H. Brinkley, City Engineer, for making survey of said
real estate by order of court. 6.90 ✓

Bradford Kilby, Commissioner in Chancery. 15.00 ✓

Suffolk Herald Corporation, advertising. 6.25 ✓

T. A. Barbee, one-half of the city, state, and county
taxes on said real estate for 1910. 8.33 ✓

Corporation of Suffolk, for paving sidewalk 6.42 ✓

Woodward & Elam, premium on bond. 10.00 ✓

R. G. Allmond, amount due him from estate of W. J.
Allmond. 13.22 ✓

Maria E. Allmond, widow's dower. 38.58 ✓

R. H. Rawles, tax fee. 15.00 ✓

R. H. Rawles, writing deed to purchaser. 10.00 ✓

R. H. Rawles, commissions on sale. 25.00 ✓

R. H. Rawles, fee allowed by court. 25.00 ✓

Total \$353.52

R. G. Allmond, heir-at-law, one-third. 148.82 ✓

Susie V. Darden, heir-at-law, one-third. + 148.84 ✓

Mary E. Dennis, heir-at-law, one-third. 148.82 ✓

Total \$800.00

*Vouchers herewith filed for all the above
disbursements.*

R. H. Rawles, Special Commissioner

Ward v. Almond

Report of
Collection for the
Disbursements.

Filed Sept. 22. 1910.
JLM.

R. H. RAWLES,
ATTORNEY - AT - LAW,
SUFFOLK, VA.

SUFFOLK HERALD-PRINTERS, PUBLISHERS, STATIONERS

Auction Sale

of Valuable Residence in Suffolk.

By virtue of a decree of the Circuit Court of Nansemond County, entered on the 6th day of June, 1910, in the Chancery Cause therein pending, under the style of Susie V. Darden, et al vs R. G. Allmond, et als, I shall offer for sale, at public auction, to the highest bidder, before the Post Office, in Suffolk, Virginia, at 12 o'clock, M., on

Saturday, June 25th, 1910,

the following valuable real estate, to-wit:

A lot of land with the residence thereon, in Suffolk, Virginia, fronting forty-three feet and nine inches (43-9) on Pinner street, and running back therefrom one hundred and ten (110) feet to land which formerly belonged to W. N. Camp; thence running along said land forty-three feet and nine inches (43-9); thence one hundred and ten (110) feet to the point of beginning, and bounded on the north by land formerly belonging to W. N. Camp; on the east by land formerly belonging to W. N. Camp; on the south by land belonging to Georgia and Lonnie Costen; and on the west by Pinner street: it being the same land which was conveyed to W. J. Allmond, by W. N. Camp and wife by deed dated the 27th day of February, 1889, and recorded in D. B. 21 page 584, in the Clerk's Office of Nansemond County, less a strip running fifteen inches (15) in width on Pinner Street, and running back one hundred and ten feet (110) which has heretofore been sold off from said lot. This is the lot of which W. J. Allmond died seized and possessed.

TERMS: One half cash, and the balance in twelve months time, bond to be given for the deferred payment, bearing interest from date until paid, and title reserved until further order of the Court. But, with the option to the purchaser to pay the whole in cash if it be so desired.

R. H. RAWLES,

June 10, 1910.

Special Commissioner.

Purchaser may borrow one-half of the purchase money if desired.

I, R. R. Smith, Clerk of the Circuit Court of Nansemond County, certify that, R. H. Rawles, Special Commissioner in the above entitled Chancery Cause of Susie V. Darden et al vs R. G. Allmond, et als has given the bond required by decree in said cause, with security deemed sufficient by me.

Given under my hand this 10th day of June, 1910.

R. R. SMITH, Clerk,

By M. M. WATKINS, D. C.

TO Susie V. Darden and R. E. Darden

Complainants.

vs.

In Chancery.

E. G. Almond, Mary Dennis, Edward L.
Dennis, Maria E. Almond, and W. W.
Murray, Trustee.

Defendants.

You are hereby notified that on the 11st. day of May 1910 at my office in Suffolk, (at which time and place you are required to attend), I shall take, state and settle the following accounts which are to be taken, stated and settled and reported to Court in pursuance of the decree of the Circuit Court of Hanson County, Va. rendered on the 9th. day of May 1910, in the suit in chancery pending in said court to which you are parties plaintiff and defendant, to-wit:

- (1) The real estate of which E. J. Almond, died seised and possessed, together with its annual and fee-simple value.
- (2) The liens thereon, if any, together with their amounts, dignities and priorities.
- (3) Whether the real estate mentioned in the bill can be conveniently divided in kind between the several parties entitled to share therein.
- (4) 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 respective interests therein may entitle them to.
- (5) 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, whether the interests of those entitled to the property or its proceeds, will be promoted by a sale of the entire property, or by the allotment of part and a sale of the residue.
- (6) The amount now due on the said property, on the bond secured by deed of trust, in which W. W. Murray is Trustee.
- (7) The amount of revenue that has been derived from said property since the death of the said E. J. Almond either as rent, or otherwise; by whom collected; and what disposition has been made of the same.
- (8) Any other matter deemed pertinent by said commissioner or which may be required to be stated by any party in interest.
- (9) Whether or not there are any taxes properly chargeable against the said land.

Given under my hand as Commissioner in Chancery of said Court the 17th. day of May 1910.

Bradford Kilby

Commissioner in Chancery.

Auction Sale

of Valuable Residence in Suffolk.

By virtue of a decree of the Circuit Court of Nansemond County, entered on the 6th day of June, 1910, in the Chancery Cause therein pending, under the style of Susie V. Darden, et al vs R. G. Allmond, et als, I shall offer for sale, at public auction, to the highest bidder, before the Post Office, in Suffolk, Virginia, at 12 o'clock, M., on

Saturday, June 25th, 1910,

the following valuable real estate, to-wit:

A lot of land with the residence thereon, in Suffolk, Virginia, fronting forty-three feet and nine inches (43-9) on Pinner street, and running back therefrom one hundred and ten (110) feet to land which formerly belonged to W. N. Camp; thence running along said land forty-three feet and nine inches (43-9); thence one hundred and ten (110) feet to the point of beginning, and bounded on the north by land formerly belonging to W. N. Camp; on the east by land formerly belonging to W. N. Camp; on the south by land belonging to Georgia and Lonnie Costen; and on the west by Pinner street: it being the same land which was conveyed to W. J. Allmond, by W. N. Camp and wife by deed dated the 27th day of February, 1889, and recorded in D. B. 21 page 584, in the Clerk's Office of Nansemond County, less a strip running fifteen inches (15) in width on Pinner Street, and running back one hundred and ten feet (110) which has heretofore been sold off from said lot. This is the lot of which W. J. Allmond died seized and possessed.

TERMS: One half cash, and the balance in twelve months time, bond to be given for the deferred payment, bearing interest from date until paid, and title reserved until further order of the Court. But, with the option to the purchaser to pay the whole in cash if it be so desired.

R. H. RAWLES,

June 10, 1910.

Special Commissioner.

Purchaser may borrow one-half of the purchase money if desired.

I, R. R. Smith, Clerk of the Circuit Court of Nansemond County, certify that, R. H. Rawles, Special Commissioner in the above entitled Chancery Cause of Susie V. Darden et al vs R. G. Allmond, et als has given the bond required by decree in said cause, with security deemed sufficient by me.

Given under my hand this 10th day of June, 1910.

R. R. SMITH, Clerk,

By M. M. WATKINS, D. C.

IN THE CIRCUIT COURT OF THE COUNTY OF NASEBOND.

Susie V. Darden

vs.

R. G. Allmond and others.

On motion of T. A. Barbee, he is allowed to file his petition in this cause, which is accordingly done, and this cause, coming on to be further heard on the papers formerly read and on the petition of the said T. A. Barbee, was argued by counsel.

On consideration whereof, R. H. Brinkley, City Engineer of Suffolk, Virginia, is hereby named and directed to proceed, on some date to be selected by him, after having first given ten days notice to the adjoining land owners of the time at which he will proceed to do said work, to make a survey and plat of the lot in the bill and proceedings mentioned.

And the said R. H. Brinkley shall make a report to court of his proceedings hereunder and with said report shall return a survey and plat of said property as aforesaid.

And this cause is continued.

Enter July 12, 1910

James L. Moore †

Entered in Chancery
Order Book No. 4. Page 426

-----#
Susie V. Darden et al #

vs. #

R. G. Allmond, et als. #
-----#

In Chancery.

This cause came on this day to be again heard on the papers formerly read as well as on the report of R. H. Rawles, Special commissioner, appointed as such by a decree in said cause, entered on the 6th day of June, 1910, and required to sell the real estate in the bill and proceedings mentioned in said cause, of which W. J. Allmond died seized and possessed, which said report was filed on the 27th day of June, 1910, and to which no exception has been filed, and was argued by counsel.

On consideration whereof, it appearing from said report that the said commissioner having first given bond with security as required by said decree, in said cause, and having fully complied with all the terms and conditions of said decree, he sold the land in the bill and proceedings mentioned, at public auction before the Post Office, in Suffolk, Virginia, to T. A. Barbee, for the price and sum of eight hundred (\$800.00) dollars, and it appearing that the said purchaser had elected to pay the whole of the purchase money, in cash, for said land, and that he has done so, and the court being of opinion that the sale and price obtained for said property was a just and fair one, doth confirm the said report, and the said sale mentioned therein, and doth further order, adjudge, and decree, that out of the proceeds of the ^{sale} ~~purchase money~~, the said special commissioner shall first pay off and discharge all the cost and expenses of said suit and sale, including a fee of \$^{25.00}-----to said R. H. Rawles, for his services and counsel in conducting said cause; that he shall pay off the taxes if any are due on the said property, including one-half of the tax due for the year 1910; that he shall pay off all paving bills due on said real estate to the Town of Suffolk; that he shall pay off and discharge the lien of record on the said real estate; that he shall pay to the widow the sum of money to which she may be entitled as

commutation for her dower interest in said property; and that the remainder he shall divide and pay to the parties entitled to receive the same according to their respective interest in said real estate, and the said special commissioner is required to report all his actions under this decree to this court, and this cause is continued.

Decree Confirming Sale.

Enter. July 14. 1910.
James L. L. Moore

Entered in Chancery Order
Book No. 4 - Page 425

-----#
Susie V. Darden, et al. #

vs. #

R. G. Allmond, et als. #
-----#

In chancery.

This cause came on this day to be again heard on the papers formerly read as well as on the report of Bradford Kilby, one of the commissioners of this Court, to whom the papers in said cause had been referred, which said report was filed on the 23 d day of May, 1910, and to which no exception, has been filed, and was argued by counsel.

On consideration whereof the court doth confirm the said report, and doth order, adjudge and decree that R. H. Rawles, who is hereby appointed Special Commissioner for that purpose, shall, after having first given ----- *30* ----- days notice of the time, place, and terms of sale, proceed to sell, at public auction, before the Post Office, in Suffolk, Virginia, the real estate mentioned in the bill and proceedings mentioned in this cause, of which W. J. Allmond died seized and possessed, to the highest bidder, on the following terms to-wit: One-half cash, and the balance of the purchase money on twelve months time, the purchaser to give bond for the deferred payment, which is to draw interest from the day of sale until paid, but with the option to the purchaser to pay the whole of the purchase money in cash if it be so desired. But before the said commissioner shall act under this decree, he shall first enter into a bond before the Clerk of this Court, in the sum of \$ *1400* ----- with security deemed sufficient by said clerk, and conditioned for the faithful performance of his duties under this and all other decrees which may hereafter be rendered in this cause. And the said commissioner is required to report his actions under this decree, to this court, and this cause is continued.

Sticks for Sale.

Entered June 6th 1910.
James L. Linnare,

Entered in Chancery
Order Book No. 4- Page 422

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

-----#
Susie V. Darden, et al. #

vs. #

R. G. Allmond, et als. #
-----#

In Chancery.

This cause came on this day to be heard on the bill of the complainants, and the exhibit filed, and the answer of Maria E. Allmond, *with answer replication thereto* and the other defendants, who appear to have been regularly proceeded against, failing to plead, answer, or demurr, the said bill was taken for confessed as to them, and was argued by counsel.

On consideration whereof, the court doth order, adjudge, and decree that the papers in this cause be referred to one of the commissioners of this court, to ascertain and report to the court;

First: The real estate of which W. J. Allmond, died seized and possessed, together with its annual and fee simple value.

Second: The liens thereon, if any, together with their amounts, dignities, and priorities.

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

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

Fifth: 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 interest of those who are entitled to the property or its proceeds, will be promoted, by a sale, of the entire property, or by the allotment of a part, and a sale of the residue.

Sixth: The amount now due on the said property, on the bond secured by deed of trust, in which W. W. Murray is Trustee.

Seventh: The amount of revenue that has been derived from said property since the death of the said W. J. Allmond either as rent, or otherwise; by whom collected; and what disposition has been made of the same.

Eighth: Any other matter deemed pertinent by said commissioners or which may be required to be stated by any party in interest. *And whether or not there are any taxes properly chargeable against the said land.*

And the said commissioner shall report his actions, under this decree, to this court, and this cause is continued.

Decree in Accounts.

Enter, May 9. 1910.
James Lee Moore,

Entered in Chancery
Order Book No. 4.
Pages 416.

THIS DEED, Made the 27th day of February, in the year of our Lord one thousand eight hundred and eighty-nine, between Wm. N. Camp and Texanna, his wife, of the county of Nansemond, in the State of Virginia, of the one part, and Wm. J. Allmond of the same place, of the other part-

WITNESSETH: That in consideration of the sum of One Hundred dollars the said William N. Camp and Texanna, his wife, do grant, with general warranty, unto the said Wm. J. Allmond and to his heirs and assigns, forever, the following real estate, to-wit: A lot of land in the town of Suffolk, fronting forty-five (45) feet on Pinner Street, and running back one hundred & ten feet to other land of said William N. Camp- then running along said land forty five (45) feet & then one hundred and ten feet to the first named street- bounded North by land of said Camp- East by said Camp's land- South by the lot of Mrs. Georgea & Lonna Costen and West by said street first named, and is a part of the land purchased by said Camp from Frank Werdenfeld by deed duly recorded in the Clerk's Office of Nansemond County Court, together with all and singular the appurtenances belonging to the same.

And the said William N. Camp covenants that he has the right to convey the said land to the grantee; that the said grantee shall have quiet possession of the said land; that he has done no act to encumber the said land; and that he will execute such further assurances of the said land as may be requisite.

Witness the following signatures and seals:

Witness:)
)

W. N. Camp (Seal).

Texanna Camp. (Seal).

VIRGINIA,
County of Nansemond, To-wit:

I, C. H. Causey, a Notary Public in and for the said County, in the State of Virginia, do certify that William N. Camp and Texanna, his wife whose names are signed to the writing above, bearing date the 27th day of February, 1889, have acknowledged the same before me in my county aforesaid.

Given under my hand this 27th day of February, 1889.

C. H. Causey, Notary Public.

In the Clerk's Office of Nansemond County Court the 27th day of April, 1889,

This Deed was presented, with the certificate annexed and admitted to record.

Teste:

C. H. Causey, Jr., D. C.

A Copy, Teste:

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

W No Camp xux

z. { Seed of
B & A

Wm J. Allmond

A Copy

Fee. 75⁶

IN THE CIRCUIT COURT OF THE COUNTY OF HANSEMOND .

Susie B. Darden

vs.

R. G. Allmond and others.

Your petitioner, T. A. Barbeem respectfully represents unto the court as follows:

That the real estate in the bill and proceedings mentioned was advertised for sale under a decree of this court on June 25th, 1910, by R. H. Rawles, special commissioner appointed for said purpose, and that at said sale your petitioner became the purchaser thereof; that since said time the said sale of said land to your petitioner has been reported to the court and the same has been confirmed.

Your petitioner, since his purchase of said property, has found that the lines of said property are not well defined and that there is some dispute with reference thereto, and is advised that, as said sale was made under a decree of this court, he is entitled to have the boundaries of the property purchased by him clearly defined in the deed to be made to him by the commissioner of this court in order that he may know that he is securing a deed for the actual property purchased by him and that there is no deficiency for which he might be entitled to a rebate of the purchase price.

Your petitioner, therefore, prays that he may be allowed to file this, his petition in the above entitled cause, and that a survey and plat may be made of the above property by some competent surveyor appointed by this court for that purpose; that said plat and survey shall be returned by said surveyor to this court, and that R. H. Rawles, special commissioner appointed by a decree of this court to make him a deed for said property, shall make said deed in accordance therewith.

And your petitioner will ever pray, etc.

E. E. Keesand
R. G.

T. A. Barbeem
By Counsel

1910. July 12th. Fri.
Jm

TO THE HONORABLE JAMES L. McLEMORE,

JUDGE OF THE CIRCUIT COURT OF HANSEMOND COUNTY:

The undersigned special commissioner, duly appointed as such by a decree entered on the 6th day of June, 1910, in the chancery cause depending in said court under the style of Susie V. Darden et als, vs. R. G. Allmond et als, and required by said decree to sell the land in the bill and proceedings mentioned, of which W. J. Allmond died seized and possessed, respectfully begs leave to report that after having given bond as required by said decree, and after having advertised the same in accordance with said decree, and having in all other respects fully complied with all the requirements and conditions of said decree, he offered the said real estate for sale at public auction, before the Post Office in Suffolk, Virginia, on Saturday, June, 25th, 1910, on the terms and conditions named in said decree; at which said sale T. A. Barbee made the last and highest bid for said property, at the price and sum of eight hundred (\$800.00) dollars, and the same was struck off to him for that sum, and after after the said sale the purchaser elected to pay the whole of the purchase money, in cash, and has done so. Your commissioner respectfully reports that the sale was a fair one; that there was competitive bidding, and that the price he believes is a fair and just one for said property, and he respectfully asks that the said sale be confirmed. All of which is respectfully submitted.

R. H. Rawls
Special Commissioner

Report of Sole.

Filed June 27, 1910.
W. M. Watkins & Co.

Virginia,

Circuit Court for the County of Nansemond, to-wit:

Susie V. Darden et al.

Complainants.

vs.

In Chancery

R. G. Allmond et als.

Defendants.

Commissioner's Office,

Suffolk, Va. May 21, 1910.

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

In pursuance of the decree of the Circuit Court for the County of Nansemond pronounced on the 9th. day of May 1910, in the suit in chancery pending in said court between Susie V. Darden and other, Complainants and R. G. Allmond and others, Defendants, the undersigned, Eradford Kilby, one of the Commissioners on Chancery of said Court, respectfully reports as follows:

That on the 17th. day of May 1910, your commissioner gave notice to the parties to the said suit that he would proceed on the 21st. day of May 1910, at his office in Suffolk, Va. to make the several inquiries required by said decree to be made by one of the commissioners in chancery of said court.

That sufficient and legal service of said notice was duly accepted by the parties to said suit as will appear by the endorsements on the notice herewith returned.

That on the 21st. day of May 1910, your commissioner took the depositions of J. L. Bangley, J. W. Hosier, Mary Dennis, Susie V. Darden, and R. G. Allmond, touching said inquiries, which depositions are herewith returned and made a part of this report.

That from the testimony of said witnesses and from information otherwise obtained, your commissioner reports as follows:

(1)

The real estate of which W. J. Almond died seised and possessed is as follows: "All that certain lot of land fronting on the East side of Pinner Street in the Town of Suffolk, Va. forty-five feet and running back ^{between parallel lines} therefrom one hundred and ten feet to the land formerly belonging to W. N. Camp, and bounded on the North by the land formerly belonging to W. N. Camp; on the East by the land formerly belonging to W. N. Camp; on the South by the land to Georgia and Lonnie Costen, and on the West by said Pinner Street," from which a strip 15 inches in width on the South was sold to Georgia and Lonnie Costen by W. J. Almond by deed dated 19th. of March 1890.

The annual value of this real estate is about \$84. and the fee-simple value about \$800.

(2)

There are no liens on this real estate except one deed of trust executed by W. J. Almond and Maria E., his wife, on May 17, 1889, and recorded in deed-book No. 21, page 643 in Nansemond County Clerk's office, conveying said real estate to W. W. Murray, Trustee to secure to Wilbur J. Kilby the payment of a bond for \$200., dated the 17th. day of May 1889 and payable two years after date. \$50. of the principal of said bond was paid by W. J. Almond on Dec. 11, 1899, and the said bond assigned to the present holder, Robt. G. Almond. The interest has been paid on said \$150. due, up to January 1, 1910.

(3)

The real estate above mentioned can not be conveniently divided in kind, inasmuch as it is a small town lot and there are three heirs of W. J. Almond who have an undivided interest ~~###~~ therein.

(4)

No party in interest will take the entire property and pay the others what their respective interests may entitle them to.

(5)

The interests of those entitled to the property will be promoted by a sale of the entire property, and not by an allotment of a part and the sale of the residue.

(6)

The amount due on the bond secured by a deed of trust on said property is \$150. with interest from the 1st. of January 1910., as reported above under caption No. 2.

(7)

The amount of revenue collected by Robt. G. Almond, as Admr. of his father, W. J. Almond, including rents of the said property, and all debts due to said W. J. Almond, and the moneys disbursed by him as such Admr. are shown in the statement below:

Amounts paid out by Robt. G. Almond, Admr.	559.34	~~559.34~~
Amounts collected by Robt. G. Almond, Admr.	546.12	~~546.12~~
Balance due Robt. G. Almond	\$13.22	~~13.22~~

(8)

There are no taxes chargeable against the said land, and there are no matters deemed pertinent by your commissioner or required by any party in interest to be stated.

Respectfully submitted,

Bradford Kilby
Commissioner in Chancery.

Comr's fee: \$15.

TO Susie V. Darden and R. B. Darden

Complainants.

vs.

In Chancery.

R. G. Almond, Mary Dennis, Edward L.
Dennis, Maria E. Almond, and W. W.
Murray, Trustee.

Defendants.

You are hereby notified that on the 21st. day of May 1910 at my office in Suffolk, (at which time and place you are required to attend), I shall take, state and settle the following accounts which are to be taken, stated and settled and reported to Court in pursuance of the decree of the Circuit Court of Nansemond County, Va. rendered on the 9th. day of May 1910, in the suit in chancery pending in said court to which you are parties plaintiff and defendant, to-wit:

- (1) The real estate of which W. J. Almond, died seised and possessed, together with its annual and fee-simple value.
- (2) The liens thereon, if any, together with their amounts, dignities and priorities.
- (3) Whether the real estate mentioned in the bill can be conveniently divided in kind between the several parties entitled to share therein.
- (4) 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 respective interests therein may entitle them to.
- (5) 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, whether the interests of those entitled to the property or its proceeds, will be promoted by a sale of the entire property, or by the allotment of part and a sale of the residue.
- (6) The amount now due on the said property, on the bond secured by deed of trust, in which W. W. Murray is Trustee.
- (7) The amount of revenue that has been derived from said property since the death of the said W. J. Almond either as rent, or otherwise; by whom collected; and what disposition has been made of the same.
- (8) Any other matter deemed pertinent by said commissioner or which may be required to be stated by any party in interest,
- (9) Whether or not there are any taxes properly chargeable against the said land.

Given under my hand as Commissioner in Chancery of said Court the 17th. day of May 1910.

Bradford Kilby

Commissioner in Chancery.

*We accept service of this notice.
May 17, 1910.*

*Susie V. Darden
R B Darden
Maria Almond
E R H Naylor
Carrum*

*Edward Dennis
Mary P. Dennis*

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



[Illegible text]

TO Susie V. Darden and W. B. Darden

Complainants.

vs.

In Chancery.

B. G. Almond, Mary Dennis, Edward L.
Dennis, Maria E. Almond, and T. W.
Murray, Trustee.

Defendants.

You are hereby notified that on the 21st. day of May 1910 at my office in Suffolk, (at which time and place you are required to attend), I shall take, state and settle the following accounts which are to be taken, stated and settled and reported to Court in pursuance of the decree of the Circuit Court of Hanover County, Va. rendered on the 2th. day of May 1910, in the suit in chancery pending in said court to which you are parties plaintiff and defendant, to-wit:

- (1) The real estate of which W. J. Almond, died seized and possessed, together with its annual and fee-simple value.
- (2) The liens thereon, if any, together with their amounts, dignities and priorities.
- (3) Whether the real estate mentioned in the bill can be conveniently divided in kind between the several parties entitled to share therein.
- (4) 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 respective interests therein may entitle them to.
- (5) 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, whether the interests of those entitled to the property or its proceeds, will be promoted by a sale of the entire property, or by the allotment of part and a sale of the residue.
- (6) The amount now due on the said property, on the bond secured by deed of trust, in which T. W. Murray is Trustee.
- (7) The amount of revenue that has been derived from said property since the death of the said W. J. Almond either as rent, or otherwise; by whom collected; and what disposition has been made of the same.
- (8) Any other matter deemed pertinent by said commissioner or which may be required to be stated by any party in interest.
- (9) Whether or not there are any taxes properly chargeable against the said land.

Given under my hand as Commissioner in Chancery of said Court the 17th. day of May 1910.

Bradford Kilby
Commissioner in Chancery.

I have on the 18th day of May 1910 served the within
process by delivering a true copy in writing, to
H. G. Allmand in person. The return of it is process
to be at Judge E. H. Rayles Office.

Fees \$00.50

W. B. Brinkley Sglt

TO Susie V. Darden and R. B. Darden

Complainants.

vs.

In Chancery.

R. G. Almond, Mary Dennis, Edward L.
Dennis, Maria E. Almond, and W. W.
Murray, Trustee.

Defendants.

You are hereby notified that on the 21st. day of May 1910 at my office in Suffolk, (at which time and place you are required to attend), I shall take, state and settle the following accounts which are to be taken, stated and settled and reported to Court in pursuance of the decree of the Circuit Court of Hansemond County, Va. rendered on the 9th. day of May 1910, in the suit in chancery pending in said court to which you are parties plaintiff and defendant, to-wit:

- (1) The real estate of which W. J. Almond, died seised and possessed, together with its annual and fee-simple value.
- (2) The liens thereon, if any, together with their amounts, dignities and priorities.
- (3) Whether the real estate mentioned in the bill can be conveniently divided in kind between the several parties entitled to share therein.
- (4) 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 respective interests therein may entitle them to.
- (5) 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, whether the interests of those entitled to the property or its proceeds, will be promoted by a sale of the entire property, or by the allotment of part and a sale of the residue.
- (6) The amount now due on the said property, on the bond secured by deed of trust, in which W. W. Murray is Trustee.
- (7) The amount of revenue that has been derived from said property since the death of the said W. J. Almond either as rent, or otherwise; by whom collected; and what disposition has been made of the same.
- (8) Any other matter deemed pertinent by said commissioner or which may be required to be stated by any party in interest.
- (9) Whether or not there are any taxes properly chargeable against the said land.

Given under my hand as Commissioner in Chancery of said Court the 17th. day of May 1910.

Bradford Kilbary

Commissioner in Chancery.

*I accept service of this notice.
May 17, 1910. W. W. Murray, Trustee*

Mr. R. G. Allmond being duly sworn deposes and says as follows:

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

A. R. G. Allmond, 43 years, Suffolk, Virginia, merchant, one of the defendants to the suit.

Q. When did your father W. J. Allmond die?

A. In 1893, I think sir.

Q. How much do you think the Allmond lot belonging to his estate on Finner Street is worth?

A. About \$800.00 to \$1,000.00

Q. What is its annual value?

A. It rents for \$7.00 per month now, heretofore it has rented for \$6.00.

Q. At the death of your father did you qualify on his estate?

A. Yes sir.

Q. Have you had the management of the estate and the property since that time?

A. I have.

Q. Are you now the holder of the deed of trust on that property in which W. W. Murray is Trustee?

A. I am.

Q. How much was due on that bond at the death of your father?

A. \$150.00 with the interest for the year he died in.

Q. Did he pay you anything on it after it came into your hands?

A. Not a cent, except the interest.

Q. How much is due on that bond now?

A. It is still \$150.00 with interest from his death.

Q. At the death of your father you paid his burial expenses and his other debts?

A. Yes sir.

Q. Can you give us a statement of the amount paid out by you on his account?

A. Will file a book which will show that.

Q. Could you give a rough guess at it?

A. I could not.

Q. Has the property been rented out most of the time since his death?

A. Well I suppose about $2/3$ two-thirds of the time as well as I can guess at it.

Q. Does that book show the statement of the account?

A. Yes both sides.

Q. Do you know about how much rent you have collected since his death?

A. I do not.

Q. Will the book show that?

A. Yes sir:

Q. How much have you now on hand as Administrator?

A. Nothing sir, about \$75.00 or \$100.00 in a hole yet.

Q. Were not the rents sufficient to pay up this indebtedness and leave a balance?

A. It might have been provided the house had been rented out regularly all the time.

Q. Will your books show the different tenants, and when their tenancy began and ended?

A. Yes sir, there have been only three tenants since my father's death Mr. John Reid, Mrs. Polsen, and Mr. White.

Q. Could you not undertake from memory to say what the expenses have been?

A. No sir.

Q. Your book will show the cash payment of the \$25.00 that the town paid your father after his death?

A. Yes.

And further this deponent saith not.

Signature waived.

J. L. Bangley, being duly sworn deposes and says as follows:

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

A. J. L. Bangley, 53 years, residence Suffolk, Virginia, tinsmith, and I know the parties to this suit.

Q. Are you acquainted with the property known as the Allmond lot, situated on the east side of Pinner Street, in Suffolk, Virginia?

A. Yes, I am acquainted with it, I have known of it for about nine years, I live just opposite from it.

Q. Is that property susceptible of a division in kind among three different heirs?

A. No, it is not as it is only one lot, and not a very large one.

Q. In your judgment what is about the fee simple value of that property?

A. Well I would imagine according to the valuation of other property along therethat for a home the lot would be cheap at \$800.00, but as for renting property would be real cheap at \$700.00.

Q. Do you know what its annual value is?

A. I think the annual value is about \$80.00 or \$84.00 a year.

Q. Do you know whether any of the parties are willing to take the lot and pay the others for their interest in the same?

A. I do not.

Q. If the lot cannot be divided in kind, do you think the interest of all parties would be promoted by a sale of the lot and division of the money?

A. I do, that is about the only way it can be divided.

And further this deponent saith not.

Signature waived.

J. W. Hosier being duly sworn deposes and says as follows:

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

A. J. W. Hosier, age 48 years, Suffolk, Virginia, real estate dealer, and I know the parties to this suit.

Q. Have you had occasion to look over the property known as the Allmond lot, situated on the east side of Pinner Street, in Suffolk?

A. Yes.

Q. What in your opinion do you think is its fee simple value?

A. Between \$750.00 and \$800.00.

Q. What do you think is its annual value?

A. About \$75.00 per year.

Q. In your opinion can that lot be divided into three different shares in kind?

A. No.

Q. Then in order to have a division among the three heirs, and the widow, do you think it would be best to sell the property and divide the proceeds?

A. Yes.

Q. Do you know of any of the parties who are willing to take the lot and pay to the other heirs for their respective interest therein?

A. I do not.

And further this deponent saith not.

Signature waived.

Mary Dennis, being duly sworn deposes and says as follows:

Q. State your name, age, residence, and if you know the parties to this suit?

A. Mary Dennis, age 49, Suffolk, Virginia, housewife, and I know the parties, I am one of the defendants.

Q. How much do you consider the Allmond lot on Pinner Street worth?

A. About \$800.00.

Q. How much does it rent for per month?

A. I do not know.

Q. Who has had charge of that lot since the death of your father, W.

J. Allmond?

A. R. G. Allmond.

Q. How long has your father, Mr. W. J. Allmond been dead?

A. Six years last December.

Q. Do you know who has collected the rents from that property since that time?

A. My brother, R. G. Allmond was supposed to have done so.

Q. Do you know of what disposition he has made of the rents which he has collected?

A. I do not.

Q. Has he ever paid over to you any part of it?

A. No, not one penny.

Q. Do you know how much is due on the deed of trust on that property?

A. I do not.

Q. Do you know whether any of the parties are willing to take that lot, and pay to the others for their respective interest therein?

A. I do not.

Q. Can that lot be divided into three different parts to any advantage?

A. No sir.

Q. Then do you think it is best to sell it and divide the money?

A. Yes sir, I do.

And further this deponent saith not.

Signature waived.

Mrs. Susie V. Darden being duly sworn deposes and says as follows:

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

A. Susie V. Darden, 43 years, residence Norfolk, Virginia, housewife, I am the plaintiff in the suit.

Q. How much do you consider the Allmond property worth?

A. About \$800.00.

Q. How much is its annual value?

A. About \$84.00.

Q. Can it be conveniently divided into three separate parts?

A. No.

Q. Then do you think it is best to have it sold, and divide the money?

A. Yes.

Q. Do you know any one of the parties that is willing to take it, and pay to the other heirs for their interest therein?

A. No, I do not.

Q. Do you know how much that property has been renting for per month?

A. The last tenant pays \$7.00 per month.

Q. Has it been occupied all the time since your father's death.?

A. No sir, not all the time.

Q. About how much of the time has it been vacant?

A. I do not think it has been vacant over six months.

Q. How long has your father Mr. W. J. Allmond been dead?

A. About six years.

Q. Who has had that property in charge since his death?

A. R. G. Allmond.

Q. Has he looked after the collection of the rents?

A. So far as I know he has.

Q. Do you know of what disposition he has made of the rents collected?

A. No sir, I do not.

Q. Has he ever paid any part of it over to you?

A. No he has not.

Q. Do you know how much is due on the deed of trust on that lot?

A. I do not know now, it was \$150.00 when my father died.
And further this deponent saith not. Signature waived.

Susie V. Darden et al.

v. } In Chancery
R. G. Almond et als.

Report of Bradford Kilby
Comr. in Chancery
under decree of 9th
of May 1910.

Filed May 23. 1910.
N. M. Watkins D.C.

-----#
Susie V. Darden, et al

vs.

R. G. Allmond, et als.
-----#

In Chancery.

This cause came on this day to be again heard on the papers formerly read, as well as on the report of R. H. Rawles, Special Commissioner, which said report was filed on the 22d day of September, 1910, and to which no exception has been filed and was argued by counsel.

On consideration whereof, it appearing from said report that the said R. H. Rawles, Special Commissioner has collected the whole of the purchase money, for the property heretofore ordered to be sold by him, and has made to the purchaser a deed for the same with the covenants of title usual in such cases; that he has paid off the lien on said real estate by deed of trust to secure a certain debt therein mentioned; that he has paid all the taxes on said property and all the other liens thereon; that he has paid all of the cost and expenses of this suit, and the said sale; and that he has paid the widow of W. J. Allmond her dower interest in said real estate which she consented to receive as commutation of her said interest; and that the remainder of said purchase money he has paid to the three heirs at law of the said W. J. Allmond, deceased, according to their respective interest in said fund; and that he has filed vouchers herewith showing all of the above payments, the court doth confirm the said report, and it appearing that nothing further remains to be done in this cause, it is ordered that the same be stricken from the docket.

Final Decree.

Entr. Octo. 10. 1910

James L. W. Moore

Entered in Chancery
Order Book No. 4. Page 430.

Answer of
Maria E. Allmond

Filed Apr 6th 1910
M. M. Watkins DC

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Susie V. Darden, et al. #

vs. #

R. G. Allmond, et als. #
-----#

In Chancery.

TO THE HONORABLE JAMES L. McLEMORE,

Judge of the Circuit Court of Nansemond County:

Humbly complaining sheweth unto the court your oratrix
Susie V. Darden the following case:

Your oratrix says that her father, W. J. Allmond, of Suffolk, Virginia, departed this life, in the month of December, 1903, in said town; that he died intestate; that he left his widow, Maria E. Allmond who is now about eighty-two years of age, and who is the mother of your oratrix, and the following as his heirs at law, to-wit: Susie V. Darden, who married R. B. Darden, Mary Dennis who married Edward L. Dennis, and one son R. G. Allmond, all of whom are now living adults:

Your oratrix further says that at the time of the death of her father he was seized and possessed of a house and lot in the town of Suffolk, Virginia, which is bounded and described as follows: A lot of land in Suffolk, Virginia, fronting forty-five (45) feet on Pinner Street, and running back therefrom one hundred and ten (110) feet to land which formerly belonged to W. N. Camp; thence running along said land forty-five (45) feet; thence one hundred and ten (110) feet to the point of beginning, and bounded on the north by land formerly belonging to W. N. Camp; on the east by land formerly belonging to W. N. Camp; on the south by land belonging to Georgia and Lonnie Costen; on the west by said Pinner Street; which said land was conveyed to him by W. N. Camp and wife, by deed dated the 27th day of February, 1889, and recorded in D. B. 21 page 584; but from said land her said father had sold a strip running fifteen inches in width on

Pinner Street and running back, one hundred and ten (110) feet to Georgia M. and Lonnie J. Costen, by deed dated the 19th day of March, 1890, and recorded in D. B. 23 page 490 in said Clerk's Office.

She further says that by deed dated the 17th day of May, 1889, and recorded in D. B. No. 21 page 645 her said father and mother conveyed the said land in trust to W. W. Murray Trustee, to secure to the holder thereof a certain bond for the sum of two hundred ~~and~~ ~~four~~ (\$200.00) dollars, which said bond she is informed is now held by R. G. Allmond, but that large payments have been made on the same. Your oratrix further says that the lot being a very small one is not susceptible of a partition or division in kind, among the three heirs entitled to the same, without a sacrifice of interest, and it is especially true because it is subject to the dower right of her said mother Maria E. Allmond. She therefore desires the said lot be sold and the proceeds, after the payment of the expenses of the suit and sale, divided among the heirs entitled to receive the same.

In tender consideration whereof, and forasmuch as your oratrix is without remedy in the premises, save by the aid of a court of equity, where matters of this kind are alone and properly cognizable, your oratrix prays that the said R. G. Allmond, Mary Dennis, Edward L. Dennis, Maria E. Allmond, and W. W. Murray, Trustee, may be made parties, defendant to this bill, and required to answer the same, though an answer under oath is hereby waived; that proper process may issue; that all proper accounts and depositions may be taken; and that the said lot of land may be partitioned and divided among those entitled to the same, if such partition be practicable, without a sacrifice of interest, and that if such is not the case, then that the same may be sold and the proceeds, after paying the cost and expenses of this suit, and sale, may be divided among those entitled to the same, according to their respective interest, in the same; and for all such other further and general relief as this case may require, or which to equity may seem meet, and your oratrix will ever pray, etc.

She further says that her husband, R. B. Darden joins with her as plaintiff in this bill.

Notice is hereby given that the court will be asked to allow proper counsel fees to counsel for services rendered in prosecuting this cause.

Susie V. Darden
by R. H. Rawles Counsel.

VIRGINIA, NANSEMOND COUNTY, to-wit:

I, R. H. Rawles, a Notary Public for the county aforesaid in the State of Virginia, certify that Susie V. Darden, whose name is signed to the foregoing writing, has this day personally appeared before me, in my county aforesaid, and being duly sworn, made oath that the statements contained in the above bill as coming of her own knowledge are true, and that all other statements there in contained as coming from knowledge or information derived from others she believes to be true.

My term of office expires on the 30th day of January, 1911.
Given under my hand this 31st, day of March, 1910.

R. H. Rawles.

Bill.

Lucia V. Dorden

$\frac{2}{10}$

R. G. Allmond.

R. H. RAWLES
ATTORNEY AT LAW
SUFFOLK, VA.

ALVAN BUSHNELL CO., LAW STATIONERS, 342 MARKET ST., PHILADELPHIA, PA.

Filed Apr 6th 1910
M. M. Watkins & Co.

Susie V. Darden & al.

vs Chancery-

R. G. Allmond & al

1910 March 23: Process issued returnable

1st April Rules - Executed

1st Apl Rules: Bill filed - Answer of Maria E Allmon
filed, and Decree nisi

2nd Apl Rules: Decree nisi confirmed and cause
set for hearing

Notes

Tests:

Tax	1.50
Clerk	8.82
Sheriff	2.50
Atty	15.00
Com'r	15.00

\$42.82

R. H. Rivalles p. 97

Susie V. Tarden & al.

v. Chancery

R. G. Allmond & al.

1910. Oct 10.

Final Decree