1912-010
Nansemond Co(Suffolk) Chancery Causes: Oscar W. Crittenden alias Oscar W. Hedden vs John Albin Crittenden alias Hedden et al

Powell, Hedden, Savage, Mayo, Fulgham, Hubbard

Received

April 20th 1912

from R H Rankes Special Commr

Thirteen 32/100 Dollars

in full payment of writ tax, Clerks fees and Sheriffs fees in cause of Oscar W. Culbreath vs J. A. Culbreath et als as follows: writ tax $1.50. clerk $9.32: Sheriff $2.50

$13 32/100

G. E. Bentley Jr. Clerk

Received

April 20th 1912

from R H Rawles Special Commr

Ten x x Dollars

on account in cause of Oscar W. Crittenden

vs J. A. Crittenden Adm'r.

$ 10-

Bradford Kilby, Comr. in Chancery.

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

Suffolk, Va., April 19 1912

M R. H. Rawls, Atty

Special Com. Cattenden

To SUFFOLK HERALD CORPORATION, Dr.

: : Newspaper and Job Printing : :

No. 912 WASHINGTON STREET

TERMS OF THIS BILL—NET CASH

BOTH PHONES

1912			
Mar 22	To 100 Handbills (Cattenden)		2 00

PAID
April-20-1912
THE SUFFOLK HERALD CORPORATION
By J. C. Holladay Mgr.

Received April 20" 1912

from R.H.K Cowles Special Commr

Five Dollars

for crying out Land at public Auction

in Case of Oscar W. Cullenden vs John A. Cullenden et al

$ 5-00/100

J. Ward Deering Asst Cl.

Received

April 20" 1912

from R H Rauber Special Commr

Five Dollars

premium on official bond in case

of Oscar V. Cutlenden vs John A. Cutlenden et al

$ 5.00 / 100

Woodward & Elam

Received

April 20" 1912

from R H Rankin special Commr

Sixty Seven Dollars

Fees and exps in the cause J Oscar W. Cutlenden vs John A. Cutlenden Sr &
also tax for 15.00 Commissioner as rule $15.00. writing
deeds to perform 10.00. for allowance decree $25.00

$ 65-00

R H Rankin atty

Mr. Henry B. Crittenden Est Dr.

1911 To ~~G. W. BUTTS~~, Treasurer of Nansemond County, Va.
C. R. FULGHAM,

No. 84	STATE TAXES.										
	State Tax Support Gov. 20c. on $100 R. E. and P. P. Schedule B.	State Tax Support Gov. 25c. on $100 P. P. Sched C	State School Tax 10c. on $100 R. E. & P. P. Sched. B. & C.	State Tax for Pensions 5c. on $100 R. E. & P. P. Schedule B.	County Levy 40c. on $100	County Road Tax 15c. on $100	County School Tax 20c. on $100	District School Tax 20c. on $100	Parish Levy 5c. on $100	TOTAL TAX
Real Estate, acres 3/4 valued $ 310	62		31	16	1 24	47	62	62		4 04
Personal Property, Schedule B, val. $										
Personal Property, Schedule C, val. $										
Value $										
Poll Tax for State and County										~~1 50~~
Total										4 04
5 Per Cent. Penalty										20
Total						1				4 24

Received payment APR 20, 1912 day of 191. R. M. Watkins D.T. Treasurer.

Paid by R. A. Rawles, Special Commissioner

Received

May 1st 1912.

from R. H. Rawles Special Commr

Fourteen 61/100 Dollars

in full payment of the amount due me from the sale of the real estate of H. B. & Sophia Cruikshank in the Chancery Cause of O. W. Cruikshank vs J. H. Cruikshank et als. and in full for all Special Commr fees or for the demands debt or tax.

$ 14 61/100

Mr Oscar W. Cruikshank

Received

May 1st 1912

from R H. Rawles Special Commr

Fourteen 61/100 Dollars

in full payment of the amount due to me from the sale of the real estate of H B. & Sophia Crittenden in the chancery cause of O. W. Crittenden vs J. A. Crittenden et al and in full discharge of said Special Commr from any further demands whatever.

$ 14 61/100

Victor E. Crittenden

Received

May 1st 1912.

from R H Rawles Special Commr

Fourteen 61/100 Dollars

in full payment of the amount due to me from the Estate of the Real estate of H.B. & Sophia Crittenden in the County Court of O.W. Crittenden vs J.A. Crittenden et al and in full discharge of said Special Commr from all further demands whatever.

$14 61/100

Mrs. J. A. Crittenden

Received May 1st 1912

from A.A. Rawles Special Collector

Fourteen 61/100 Dollars

in full payment of the amount due on Mrs. Sophia Crittenden in the collection of H.B. & Sophia Crittenden in the chancery cause of O.W. Crittenden vs J.A. Crittenden et als and in full release of said special commissioner from all further duties in relation

$ 14 61/100

Mr. Harry Emmett Crittenden

$167.00. Received of R. H. Rawles special commissioner in the chancery cause of Oscar W. Crittenden vs John Albin Crittenden et als one hundred and sixty seven dollars in full payment, principal and interest, of the bond of one hundred and twenty five dollars dated the 10th day of September 1906, and secuered by deed of trust on real estate of the same date, made by H. B. Crittenden and wife and recorded on D. B. 63 page 175 in the clerks office of Nansemond county court and payable to the said Mary A. Powell . April 20th 1912.

Sign here [illegible] Mrs Mary A. Powell

Enfield Va April 12 1912

Mr Rawls

Dear Sir

I have received your letter also the ~~Book~~ check for the money for which I thank you for sending it to me

Yours respectfully

Mrs M. A. Powell

After five days return to
FARMERS BANK OF NANSEMOND
SUFFOLK, VIRGINIA

Judge R. S. Rawls

City

Vouchers.

20.85-
258.50
31175

Va.

Crittenden P.O.

Apr. 15, 1912.

Mr. R. H. Rawles,

Suffolk. Va.

Dear Sir:-

Kindly find enclosed amount which I promised to send you Saturday. Please dont think hard of me for not sending it before, as, I tried my best to get it and couldn't.

Yours respectfully,

Mr. Oscar W. Crittenden

Mr. R. H. Rawles,

Suffolk,

Va.

G. E. Bunting, I, ~~EZRA P. COMER~~, Clerk of the Circuit Court of Nansemond County, Virginia, do certify that the bond required of R H Rawles as Special Commissioner under the decree of said Court made on the 11" day of March 1912, ~~188~~, in the Chancery cause pending in said court between Oscar W. Cuttenden vs John Albin Cuttenden et als, ~~complainant~~, ~~and~~ , ~~defendant~~, has been executed with security deemed sufficient by me.

Given under my hand this 11th day of March 1912.

G. E. Bunting, Clerk.

By A. L. Smith, D.C.

	Defendant	Plaintiff
Summons, 25; Copies, ; Receipt, 18; Attorney, 10;		
Decl. Bill, or Notice, 15; Rules, 50; Ord. of Pub.,		
Docketing, 18;		
Filing or entering (15c.),		
Clerks fee to Dec. 30, 1811, per statement of Jno. Walkins		4 69
~~Orders (30c.)~~, two decrees		72
Continuances (25c.),		25
~~Swearing witnesses, 20; Swearing jury and witnesses, 75;~~ Entering Com. Report		15
~~Witnesses attendance (30c.); Docketing judgment, 25;~~ Filing two Depositions		30
~~Execution, &c., 58 (Appeals, 93); Entering satisfaction.~~ two decrees in process book		36
Taxing costs, 20; Copy, 20; Filing ended papers, 20;		60
Bond of Special Com. $1.50 Recording 25 & Copy 25		2 00
Certificate as to Execution of Com. Bond		25
		$9.32

NANSEMOND CIRCUIT COURT

Oscar W. Crittenden & Wife Att'y R. H. Rawls

vs.

Jno Abbin Crittenden & Wife Att'y

Charged to or Paid by

Amount Deposit, $ 5.00

Suit begun December 11, 1911 Suit ended March Term No.

SUMMARY OF COST	PLAINTIFF	DEFENDANT	REMARKS	RECEIVED PAYMENT
Writ Tax	1.50			
Clerk	9.32			
Sergeant	2.50			
Attorney	15.00			
Witnesses				
Commissioners	10.00			
Notary Public				
Printing				
	$38.32			

Mr. R. H. Rawles, p.q.

TO R. R. SMITH, CLERK CIRCUIT COURT
OF NANSEMOND COUNTY
SUFFOLK, VA.

191 *vs.*

		TAX, $	TRANSFER, $	CLERK, $	
1911- Dec.30-	Writ Tax $1.50; Clerk's fees, including copies of two deeds, $4.69 in the chancery cause of Oscar W. Crittended & etc. vs. John Albin Crittended et. als.				6.19
1911-Dec.18-	By Deposit				5.00
				Balance due Clerk.	$1.19

Paid *191* *Clerk.*

59. 194	66,303	Word
61, 451	62,220	T. W. Smith
	62,471	C. A. Heagy
	60 34	John M. Heagy
		Bessie Roughton
		Elliott C. Gayle

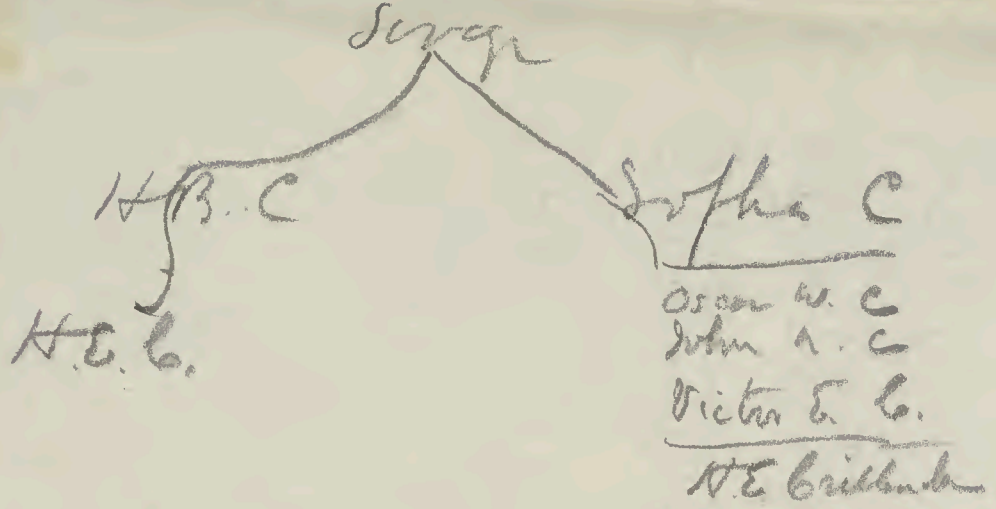
5 April 1902

/

63. 175

C. Read & Co.
vs.
H. B. Crittenden } $14.43 int from 22 Nov. 1906.
+$1.00 costs.
Rendered Oct. 11. 1907
Docketed Feb. 25. 1908

63. 175
10 Sept. 1906
N. B. Crittenden & Emma L. Crittenden to
R. H. Crittenden, Trustee
$125.00 bond
= N.B.C. & E.L.C. parties of first part and Mrs. Mary A. Powell of said county & state) R. H. Crittenden (chosen trustee) part of second part.
bounded on North by land of Oscar Forrest, E by land of Johns. S by Avenue or Street. W by J. N. Barcalow's land. being portion of land bought by N. B. C. from D. L. S. Sorage Lot is 64 ft. wide & 150 ft deep.
In trust to secure to Mrs. Mary A Powell & R. H. Crittenden (Trustee)
Recorded Nov. 1. 1907.



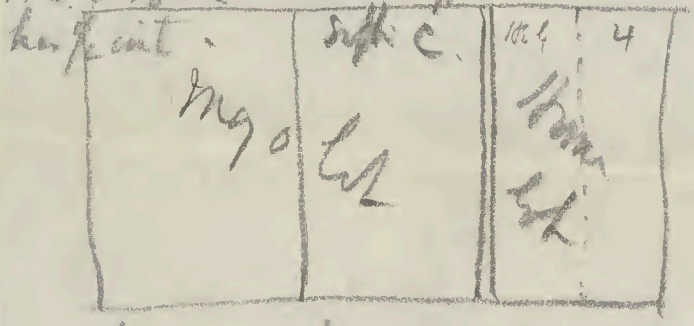
Cash 1 J U
9 3 2
2 5 0
10 0 0

2 3 . 3 2
5 . 0 0 .
3 . 0 0

3 1 . 3 2
5 0 . 0 0

8 1 . 3 2
1 5
2 5 0

1 5 . 0 0
1 5 0 0
1 0 0
4 0
1 0
5 0 .



1/2 of the proceeds money must pay the Mortgage debt: the H.E.C. 1/2.
Then he gets balance of that 1/2:

The other 1/2 is divided equally among 4 churches

This is a sample of our

"DIVIDEND BOND"

Price per ream in any quantity, 65c

We have this paper in blue ruled only.

This is a high grade loft dried parchment paper. After it is made it is put one sheet to each rack and left in the loft for years which toughens it and gives it that expensive look.

Price F. O. B. New York.

BOULEVARD ENGRAVING CO.
123 Liberty Street
New York

This paper is proper weight and quality as specified in section 796 of the code of civil procedure, State of New York.

136.96
124.02
122.04

330
96
234.
25
209.
105.

150
9.32
2.50
10.00
23.32
5.00
5.00
3.50
36.32
60.00
96

5 1/2

125.
6
750
5 1/2
375.0
37.5
412.5
125.
166

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

Oscar W. Crittenden, alias Oscar W. Hedden

Plaintiff

vs

John Albin Crittenden, alias John Albin Hedden, Victor Emmanuel Crittenden, alias Victor Emmanuel Hedden, Harry Emmett Crittenden, Emma L. Crittenden, J. E. Mayo, R. H. Crittenden Trustee, and Mary L. A. Powell

Defendants. In Chancery.

Issue summons for plaintiff against defendants to rules December rules 1911 (third Monday in December) to answer a Bill in chancery.

R. H Rawles p.q.

$5.00 Deposited
Dec 18/11
M. M Parrish D.C.

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON John Albin Crittenden, alias John Albin Hedden, Victor Emmanuel Crittenden, alias Victor Emmanuel Hedden, Harry Emmett Crittenden, Emma L. Crittenden, J. E. Mayo, R. H. Crittenden Trustee and Mary A. Powell.

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 3rd Monday in December, 1911, to answer a Bill in Chancery, exhibited against them in the said Court by Oscar W. Crittenden, alias Oscar W. Hedden.

And have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this 11th day of December, 1911, in the 136th year of the Commonwealth.

~~A copy—Teste~~:

_____, ~~CLERK.~~

Teste:

R. R. Smith, CLERK.

By M. M. Harris D. C.

R H Rawles, p. q.

Oscar W. Crittenden alias
Oscar W. Hedden

vs. } In Chancery.

John Albin Crittenden alias
John Albin Hedden et als.

1911----

December ----Rules.

Third ----Monday.

Nansemond Circuit Court.

Process Book No. 3

Page 101

I hereby accept sufficient and legal service of the within summons, and hereby make and appoint R. H. Rawles or my attorney in fact and at law to fully represent me and all my interests in all future proceedings in this cause, and to accept service of all notices intended for me in this matter. Witness my hand and seal this 14th day of December 1911.

J. Albin Crittenden

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON John Albin Crittenden, alias John Albin Hedden, Victor Emmanuel Crittenden, alias Victor Emmanuel Hedden, Harry Emmett Crittenden, Emma L. Crittenden, J. E. Maye, R. H. Crittenden Trustee, and Mary A. Powell,

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, 1911, to answer a Bill in Chancery, exhibited against them in the said Court by Oscar W. Crittenden, alias Oscar W. Hedden

And have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this 11th day of December, 1911, xxx, 19____, in the 136th year of the Commonwealth.

~~A copy—Teste~~:

_____, ~~CLERK.~~

Teste:

R. R. Smith

By M M Watkins D.C.

_____, CLERK.

at City

R. H. Rawles, p. q.

Copy for

VS. } IN CHANCERY.

Harry Emmett Crittenden

19------

----------Rules.

----------Monday.

NANSEMOND CIRCUIT COURT.

Process Book No.--------

Page----------

hot Issued in County of Nansemond
By Clerk's Office
Harry Williams, D.C.

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON John Albin Crittenden, alias John Albin Hedden, Victor Emmanuel Crittenden, alias Victor Emmanuel Hedden, Harry Emmett Crittenden, Emma L. Crittenden, J. E. Mayo, R. H. Crittenden Trustee, and Mary A. Powell,

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, 1911, to answer a Bill in Chancery, exhibited against them in the said Court by Oscar W. Crittenden, alias Oscar W. Hedden

And have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this 11th day of December, 1911, xxx, 19____, in the 136th year of the Commonwealth.

~~A copy. Teste~~ :

_____, ~~CLERK.~~

Teste :

R. R. Smith

By M. M. Warren D.C.

_____, CLERK.

I have on this 15th day of Dec 1911 served and executed the within process by delivering a true copy thereof after many A. Pannell & T. E. Morgan. R N Crittenden and Victoria Evans & Crittenden and John Albin Crittenden & Henry Emmett Crittenden & Nat Saunders Crittenden defendants

H. H. Baker, Sheriff
By. Nandy Holland Williams

R. H. Rawles, p. q.

Oscar W. Crittenden alias
Oscar W. Hedden

vs. } In Chancery.

John Albin Crittenden alias
John Albin Hedden & others.

1911----

December---Rules.

---Third-------Monday.

NANSEMOND CIRCUIT COURT.

Process Book No. 3

Page 101

CHANCERY SUMMONS

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF NANSEMOND COUNTY—Greeting:

YOU ARE HEREBY COMMANDED TO SUMMON ~~John Albin Crittenden, alias~~ John Albin Hedden, Victor Emmanuel Crittenden, alias Victor Emmanuel Hedden, Harry Emmett Crittenden, Emma L. Crittenden, J. E. Mayo, R. H. Crittenden Trustee, and Mary A. Powell,

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, 1911, to answer ~~a~~ Bill in Chancery, exhibited against them in the said Court by ~~Oscar W. Crittenden, alias Oscar W. Hedden~~

And have then and there this summons.

Witness, R. R. SMITH, Clerk of our said Court, at his office, this 11th day of December, 1911, ~~xx~~ 19 ~~xx~~, in the 136th year of the Commonwealth.

~~A copy. Teste~~:

~~, CLERK.~~

Teste:

R. R. Smith, CLERK.

By M. M. Warren D.C.

Pamunkey

R. H. Rawles, p. q.

Copy for

vs. } In Chancery.

John Albin Crittenden Pltf
John Albin Hedden

19------

----------Rules.

----------Monday.

Nansemond Circuit Court.

Process Book No.--------

Page----------

Writ issued in
County of Nansemond.
H. H. Baker Sheriff
By Nancy Adams D.S.
1/14/11

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

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of Seven Hundred ~~_____~~ DOLLARS, to the payment whereof, well and truly to be made to the Commonwealth of Virginia, we bind ourselves, 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 R. H. Rawles has hereto set his hand and seal, and the said The United States Fidelity and Guaranty Company has caused its corporate name to be hereto signed, and its corporate seal to be hereto affixed, this 13th day of March in the year of our Lord, one thousand nine hundred and twelve, and in the 136th 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 11th day of March, 1912, in the chancery cause pending in said court between Oscar W. Crittenden &c., Complainant and John Albin Crittenden and others, Defendants, appointed Special Commissioner to sell the real estate in the bill and proceedings mentioned and described in said cause, shall faithfully discharge and perform his duties under said decree and all other decrees he may be required to execute in said cause, then the above obligation to be void, otherwise to remain in full force and effect.

The United States Fidelity & Guaranty Company Incorporated 1896

R. H. Rawles SEAL
The United States Fidelity SEAL
and Guaranty Company SEAL
by Richard L. Woodward SEAL
its attorney in fact SEAL

VIRGINIA:

In the Clerk's Office of the Circuit Court of Nansemond County, on the 13th day of March, 1912:

The above bond was executed and acknowledged before me by the obligors to the same (the securit~~y~~ approved ~~justifying~~), and ordered to be recorded.

Teste:

G. E. Bunting Clerk,
By A. L. Pretty, D.C.

Copy

R. H. Rawlen

To } Special Comm. Board.

The Commonwealth.

1912.

March 13.

In the Clerk's Office of the Circuit Court of Rockingham County, Virginia on the 18th day of December 1911.

Oscar W. Cullenden alias Holden

vs

John D. Cullenden alias Holden et al.

On motion of the plaintiff by attorney L. D. Wilson a competent and discreet attorney at law and it being made appear to the Court, it is hereby ordered that Lilian Pence infant defendant Harry E. Cullenden in the above cause and required to defend his interest in said cause.

Teste:

R. R. Smith, Clerk

By M. M. Watkins D.C.

Order appointing
Guardian ad litem

Nov. 30th, 1911.

R. H. Rawles, Esq.,

Suffolk, Va.

Dear Sir:

I wish to employ you as my attorney to bring a suit for me for the division and sale of the land which I inherited from my mother, Sophia Crittenden, situated near Crittenden, in Nansemond County, Virginia.

You will proceed at once to bring said suit on my behlaf.

Yours very truly,

Oscar V. Crittenden

Authority to Draw

NANSEMOND COUNTY, VIRGINIA. FEBRUARY, 1st, 1913.

In the matter of the Chancery cause of Oscar W. Crittenden vs. John Albin Crittenden, and others, now pending in the Circuit Court of Nansemond County, for the sale and division of certain real estate belonging to said parties, I hereby accept service and notice to appear before---Bradford Kilby--- a Commissioner in Chancery, for said court, at his office in Suffolk, Virginia, on the---24th---day of---February---1913, that being the day fixed by said Commissioner to take certain accounts in said cause under and by virtue of a decree therein rendered on the 6th day of January, 1913, and I hereby appoint R. H. Rawles, as my attorney-at-law and in fact to represent me and all my interest in said cause, on the day above mentioned and on each and all other occasions and to represent me fully until said cause shall have been finally disposed of, with authority to him to sign and accept all notices in said matter, and do for me all other things which I might or could do if I were personally present.

---J C Mayo---

NANSEMOND COUNTY, VIRGINIA. FEBRUARY, 1st, 1912.

In the matter of the Chancery cause of Oscar W. Crittenden vs. John Albin Crittenden, and others, now pending in the Circuit Court of Nansemond County, for the sale and division of certain real estate belonging to said parties, I hereby accept service and notice to appear before Bradford Kelly a Commissioner in Chancery, for said court, on his office in Suffolk, Virginia, on the 24th day of February 1912, that being the day fixed by said Commissioner to take certain accounts in said cause under and by virtue of a decree therein rendered on the 8th day of January, 1912, and I hereby appoint R. H. Rawles, as my attorney-at-law and in fact to represent me and all my interest in said cause, on the day above mentioned and on each and all other occasions and to represent me fully until said cause shall have been finally disposed of, with authority to him to sign and accept all notices in said matter, and do for me all other things which I might or could do if I were personally present.

Mrs. M. A. Powell

NANSEMOND COUNTY, VIRGINIA. FEBRUARY, 1st, 1918.

In the matter of the Chancery cause of Oscar T. Crittenden vs. John Albin Crittendon, and others, now pending in the Circuit Court of Nansemond County, for the sale and division of certain real estate belonging to said parties, I hereby accept service and notice to appear before---Bradford Kelly--- a Commissioner in Chancery, for said court, at his office in Suffolk, Virginia, on the---24th---day of---February---1918, that being the day fixed by said Commissioner to take certain accounts in said cause under and by virtue of a decree therein rendered on the 8th day of January, 1918, and I hereby appoint E. H. Rawles, as my attorney-at-law and in fact to represent me and all my interest in said cause, on the day above mentioned and on each and all other occasions and to represent me fully until said cause shall have been finally disposed of, with authority to him to sign and accept all notices in said matter, and do for me all other things which I might or could do if I were personally present.

R H Crittenden

NANSEMOND COUNTY, VIRGINIA. FEBRUARY, 1st, 1912.

In the matter of the Chancery cause of Oscar W. Crittenden vs. John Albin Crittenden, and others, now pending in the Circuit Court of Nansemond County, for the sale and division of certain real estate belonging to said parties, I hereby accept service and notice to appear before--Bradford Kelly--- a Commissioner in Chancery, for said court, at his office in Suffolk, Virginia, on the---24th---day of---February---1912, that being the day fixed by said Commissioner to take certain accounts in said cause under and by virtue of a decree therein rendered on the 8th day of January, 1912, and I hereby appoint R. H. Rawles, as my attorney-at-law and in fact to represent me and all my interest in said cause, on the day above mentioned and on each and all other occasions and to represent me fully until said cause shall have been finally disposed of, with authority to him to sign and accept all notices in said matter, and do for me all other things which I might or could do if I were personally present.

Mrs. Emma L. Crittenden

Jno Victor E. Crittenden

TO Oscar W. Crittenden,alias Oscar W. Hedden, Complainant.

and

John Albin Crittenden,alias John Albin Hedden,Victor Emanuel Crittenden,alias Victor Emanuel Hedden,Harry Emmett Crittenden, Emma L. Crittenden,J. E. Mayo,H. H. Crittenden,Trustee,and Mary A. Powell,and L. P. Holland,Guardian ad Litem of the infant defendant,Harry Emmett Crittenden. Defendants.

You are hereby notified that on the 24th. day of February 1912 at my office in Suffolk, Va.(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 the 8th. day of January 1912,in the suit in chancery pending in said court to which you are parties plaintiff and defendant, to-wit:

(1) An account of the real estate of which H. B. Crittenden and Sophia Crittenden died seised and possessed together with its annual and fee-simple values.

(2) The liens thereon,if any,together with their amounts,dignities and priorities,and whether the said real estate has ever been sold for delinquent taxes,or any taxes exist against the same.

(3) Whether the real estate is divisible in kind among the parties entitled to share therein,without a sacrifice of interest.

(4) Whether any of the parties in interest in said estate is willing to take the whole of the said estate and pay the others their respective shares in cash.

(5) If none of the said heirs will take the said estate and pay the other heirs for their respective interest,whether it is best to sell the whole of the said estate and divide the proceeds among the parties entitled thereto.

(6) Whether all the parties in interest are properly before the court and what interest the several parties possess.

(7) Any other matter deemed pertinent by any party in interest, or which said commissioner shall think proper to state,and the said commissioner is directed to report all his actions under this decree to this court,and this cause is continued.

Given under my hand as commissioner in chancery of said court the 17th. day of February 1912.

Bradford Selby

Commissioner in Chancery.

TO Oscar W. Crittenden,alias Oscar W. Hedden, Complainant.

and

John Albin Crittenden,alias John Albin Hedden,Victor Emanuel Crittenden,alias Victor Emanuel Hedden,Harry Emmett Crittenden, Emma L. Crittenden,J. W. Mayo,W. H. Crittenden,Trustee,and Mary A. Powell,and L. P. Holland,Guardian ad Litem of the infant defendant,Harry Emmett Crittenden. Defendants.

You are hereby notified that on the 24th. day of February 1912 at my office in Suffolk, Va.(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 the 8th. day of Janaury 1912,in the suit in chancery pending in said court to which you are parties plaintiff and defendant, to-wit:

(1) An account of the real estate of which H. B. Crittenden and Sophia Crittenden died seised and possessed together with its annual and fee-simple values.

(2) The liens thereon,if any,together with their amounts,dignities and priorities,and whether the said real estate has ever been sold for delinquent taxes,or any taxes exist against the same.

(3) Whether the real estate is divisible in kind among the parties entitled to share therein,without a sacrifice of interest.

(4) Whether any of the parties in interest in said estate is willing to take the whole of the said estate and pay the others their respective shares in cash.

(5) If none of the said heirs will take the said estate and pay the other heirs for their respective interest,whether it is best to sell the whole of the said estate and divide the proceeds among the parties entitled thereto.

(6) Whether all the parties in interest are properly before the court and what interest the several parties possess.

(7) Any other matter deemed pertinent by any party in interest, or which said commissioner shall think proper to state,and the said commissioner is directed to report all his actions under this decree to this court,and this cause is continued.

Given under my hand as commissioner in chancery of said court the 17th. day of February 1912.

Bradford Kilby

Commissioner in Chancery.

TO THE HONORABLE JAMES L. MCLEMORE,

JUDGE OF THE CIRCUIT COURT OF NANSEMOND COUNTY:

Your undersigned Special Commissioner, in the Chancery cause of Oscar W. Crittenden vs. John Albin Crittenden and others, now pending in said court, respectfully begs leave to report, that as stated in his former report, in this cause, filed on April, 10th, 1912, the purchaser Oscar W. Crittenden has paid the whole of the purchase money for the tract of land which he bought, to-wit: the sum of $300.00; and that J. E. Mayo, has also paid the whole of the purchase money for the one-half interest which he bought, in certain real estate, to-wit: the sum of $25.00, and that therefore your commissioner has collected the whole of the purchase money for the real estate sold in said cause. He further reports that he has made to the two said purchasers deeds for their respective tracts of land and delivered the same to them said deeds containing the covenants of title usual in cases of this kind. He further reports that he has paid all cost and expenses of this suit and sale, the taxes due on said property; as reported by Commissioner Bradford Kilby that he has paid to Mary A. Powell, the amount due her by bond, and secured by a deed of trust on said real estate and that he herewith files vouchers for all of said disbursements. He further reports that he did not pay the judgment of $14.43 standing in favor of C. Read & Company against H. B. Crittenden, as reported by Commissioner Bradford Kilby in his report filed February, 26th, 1912, for the reason that the entire interest in the said real estate of H. B. Crittenden, had been disposed of in the payment of prior liens, before this judgment was reached; the said H. B. Crittenden had sold his entire interest in the lot of land purchased ~~from J. E. Mayo~~ (C. Scarborough & J. E. Mayo) to one John F. Ohm, by deed recorded in D. B. 60 page 33 in the Clerk's Office of Nansemond County, and therefore H. B. Crittenden had no interest in that tract of land; the said H. B. Crittenden had also in his life time given a deed of trust on the remaining part of the land to secure to Mary A. Powell a certain debt mentioned in said deed of trust, and the interest in this said tract of land which was sold by your commissioner belonging to H. B. Crittenden was barely sufficient to pay off and discharge said deed of trust. The interest of Sophia Crittenden in said tract of land was in no way bound for this deed of trust

and therefore as above stated the entire interest of H. B. Crittenden in said real estate had already been disposed of before this judgment was docketed. The four parties in interest in this suit and who were the owners of the land sold, therefore took and received their portions of the proceeds of the sale of said real estate as heirs of their mother, Sophia Crittenden, and not in any manner from H. B. Crittenden. Your commissioner further reports that the interest of Harry Emmett Crittenden in the proceeds of said real estate is so small, being only the sum of $14.61, that your commissioner has paid said amount directly over to him, he being now over seventeen years of age, and a young man of discretion and ability, and who can use said fund judici~~al~~ously; and your commissioner respectfully asks that the court will confirm this payment to him directly. Your commissioner appends to this report and is a part of the same an itemized statement of his receipts and disbursements showing that he has collected and properly disposed of the whole of the funds from the sale of said real estate, all of which is respectfully submitted.

May 1, 1912.

R. H. Rawles
Special Commissioner

Statement.

Amount received from Oscar W. Crillenden for lot $ 305.00

Cash recd from J. E. Mayo for ½ interest in Lot 25.00

$ 330.00

Paid out.

Geo. E. Bunting Clerk Circuit Ct's & Sheriff's Fees		13.32
Bradford Kelly Commissioner		10.00
Suffolk Herald advertisements		2.00
J. W. Horn Crier at sale		5.00
Woodward & Edmonds premium on bond		5.00
C. R. Fulghum Treasurer taxes		4.24
R H Raiford attorney fees & polling		
Atty tax fee	15.00	
Commissioners or special Comm	15.00	
writing 2 deeds	10.00	
fee allowed by Court	25.00	65.00
Mary A. Powell bond & interest decreed by deed of Trust on said real estate		167.00
		271.56
Paid to heirs and parties entitled to share in the distribution		
Oscar W. Crillenden, Son.		14.61
Victor Emanuel Crillenden, Son		14.61
John Albin Crillenden, Son		14.61
Harry Emmett Crillenden, Son age 17 years, paid to him by order of Court.		14.61 $330.00

May. 1. 1912.

R H Raiford
Special Commissioner

Oscar W. Crillenden
vs
John A. Crillenden et al.

Report of Distribution

Filed May. 1. 1912

Oscar W. Crittenden

vs. In Chancery.

John Albin Crittenden,et als.

In the Circuit Court of Nansemond County:

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

The undersigned Special Commissioner, in the Chancery cause of Oscar W. Crittenden vs. John Albin Crittenden, and others, and now pending in the Circuit Court of Nansemond County, duly appointed as such by a decree entered in said cause, on the 11th day of March, 1912, respectfully begs leave to report that pursuant to said decree your Special Commissioner, after having duly advertised the sale as required by said decree, and after having given bond as required by said decree and having complied with all the terms and requirements of said decree proceeded to sell the real estate in the bill and proceedings mentioned before the Post Office in Suffolk, Virginia, on the 30th day of March, 1912, said sale being made on the terms required by said decree. At said sale the first parcel of land being known as the "Home place" ,and being a lot 66 fee t by 150 feet on which the dwelling house now stands was sold to Oscar W. Crittenden, for the price and sum of three hundred and five ($305.00) dollars, that being the highest bid therefor; and the other piece of land, being a vacant lot, 134 feet by 150 feet, was struck off to J. E. Mayo, for the sum of $25.00, only one-half interest in said last mentioned lot being sold, and the said J. E. Mayo being already the owner in fee simple of the other undivided one-half interest. Your commissioner thinks these sales are very fair ones and respectfully requests the court to confirm the same as everybody in interest appears to be satisfied with them. Your commissioner further says that the purchaser Oscar W. Crittenden, has at his own option paid the whole of the purchase money in cash for the real estate purchased by him, and desires a deed for same; and that the purchaser J. E. Mayo has expressed a desire to pay the whole of the purchase money in cash for the lot purchased by him, and get a deed for same. All of which is respectfully submitted.

April, 10th, 1912.

R. H. Ragsdale Special Commr.

Report of Sale.

Filed Apl. 10. 1912
J. E. Bunting Clerk
By A. L. Inkley, D.C.

AUCTION
SALE
OF REAL ESTATE

By virtue of a decree of the Circuit Court of Nansemond County, entered on the 11th day of March, 1912, in the Chancery cause of Oscar W. Crittenden vs. John Albian Crittenden, and others, I shall offer for sale, at public auction, before the Post Office in Suffolk, Virginia, at 12 o'clock M.

ON SATURDAY, MAR. 30, 1912

the following real estate to-wit:

FIRST:

All that certain tract or parcel of land, situated in or near the village of Crittenden, in Chuckatuck District, in Nansemond County, and State of Virginia, and bounded and described as follows: Said lot fronting sixty-six (66) feet more or less on a certain drive-way or avenue known as First Street and running back therefrom northwardly, one hundred and fifty (150) feet, more or less, and bounded on the North by the land of Oscar Forrest, formerly R. M. Melson; on the South by said First Street; on the East by the lot of J. E. Mayo; and on the West by the lot of J. N. Barcalow; and being a part of the land conveyed to H. H. Crittenden and Sophia Crittenden by Doctor L. L. Savage and wife by deed dated the 27th day of October, 1899, and recorded in D. B. 50, page 478 in the Clerk's Office of said court.

SECOND:

One undivided one-half interest in that certain other lot or parcel of land, situated in the village of Crittenden, County of Nansemond and State of Virginia, fronting on said drive-way or First Street one hundred and thirty-four (134) feet, more or less, and running back therefrom northwardly one hundred and fifty (150) feet, and bounded on the North by the land of R. M. Melson; on the South by said drive-way or First Street; on the West by the H. B. Crittenden lot; and on the East by the land of J. E. Mayo.

TERMS:—One-half cash, the balance in six months, with interest from date, but with the option to the purchaser to pay the whole of the purchase money in cash, if so desired.

For further information apply to

R. H. RAWLES,
SPECIAL COMMISSIONER

Suffolk, Va., March 12th, 1912.

AUCTION

SALE

OF REAL ESTATE

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Suffolk, Va., March 12th, 1912.

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R. H. RAWLES,

SPECIAL COMMISSIONER

Suffolk, Va., March 12th, 1912.

AUCTION

SALE

OF REAL ESTATE

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For further information apply to

R. H. RAWLES,

SPECIAL COMMISSIONER

Suffolk, Va., March 12th, 1912.

AUCTION
SALE
OF REAL ESTATE

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ON SATURDAY, MAR. 30, 1912

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TERMS:—One-half cash, the balance in six months, with interest from date, but with the option to the purchaser to pay the whole of the purchase money in cash, if so desired.

For further information apply to

R. H. RAWLES,
SPECIAL COMMISSIONER

Suffolk, Va., March 12th, 1912.

AUCTION
SALE
of Residence in Suffolk, Va.

By authority of a deed of trust executed to me as trustee, on the 4th day of June, 1902, and recorded in D. B. 65, page 581 in the Clerk's Office of Nansemond County, by Julia D. Riddick and others, to secure the payment of a certain debt therein mentioned, I shall at the request of the beneficiary, default having been made in the payment of the debt, proceed to sell, at public auction, to the highest bidder, at 12 o'clock M. before the Post Office in Suffolk, Virginia,

on Saturday, March 2nd, 1912

the following real estate to-wit:

All that certain tract or lot of land, with the buildings and improvements thereon, situated on the west side of Pinner street, in the Town of Suffolk, County of Nansemond, and State of Virginia, fronting on said street about fifty-two (52) feet, more or less, and running back therefrom, to the lot of Ernest L. Folk, and bounded as follows:

On the north by the lot of W. L. McLeod, or that which was his; on the south by the lot belonging to the estate of Willis S. Riddick or his heirs; on the east by said Pinner street; and on the west by the lot of E. L. Folk, and the lot of J. C. Causey.

TERMS OF SALE: Cash for enough to pay the cost and expenses of sale, and the debt secured by the deed of trust above mentioned, and the remainder on such terms as the parties making the deed may prescribe, at any time before sale, and in the event of their failure to give such direction, or to prescribe how the balance shall be paid, then on such terms as the Trustee shall see fit, and shall announce on the day of sale.

R. L. WOODWARD, Trustee

For particulars, call on R. H. Rawles, attorney, Suffolk, Va.

Talcum

The Magda Co $ 6000

The Home Co

Pillow Tex Simple 350 - $ 400.

Hem

May a Power dec. Such
action?

Ask divorce in Kind

no party will take any pay.

Book to see the whole

act failure party lapse in
Court.

In the Circuit Court of Pauerman County, in Vacation on the 18th. day of April 1912.

Oscar W. Crittenden,

vs. In Chancery.

John Albin Crittenden, et als.

By consent of all parties entered of record, it is ordered that the papers in this cause may be submitted to the Judge of this court in vacation, for such decrees or orders 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. McLemore

Decree.

In decree in Vacation.

Entr April 18. 1912.

Thos L. M. Simons

Entered in Chancery Order
Book No. 4 Page 571.

Recurred to this decree.

Oscar W. Cullenden Pltff
& R. H. Manly Atty.

John Albin Cullenden
Vicky E. Cullenden
Mary A. Powell
J. E. Mayo
R. H. Cullenden Trustee
Emma L. Cullenden by
R. H. Manly Counsel
H. P. Holland Guardian
ad litem for Henry
Emmett Cullenden.

Oscar W. Crittenden

vs. In Chancery.

John Albin Crittenden, et als.

In the Circuit Court of Nansemond County, in vacation, on the ----18th----day of April, 1912.

This cause came on this day to be again heard in vacation on the papers formerly read as well as on the report of R. H. Rawles, Special Commissioner, which said report was filed on the 10th day of April, 1912, and to which no exception has been filed and was argued by counsel.

On consideration whereof it appearing from said report that the said Said Special Commissioner R. H. Rawles, has sold the real estate in the bill and proceedings mentioned, for a fair and reasonable price, and that the purchaser Oscar W. Crittenden has by option paid the whole of this purchase money; and that the purchaser J. E. Mayo has expressed a desire to pay the whole of the purchase money for his tract of land, the court doth confirm the said sales and doth order, adjudge and decree that the said R. H. Rawles, Special Commissioner shall make to the said purchaser, Oscar W. Crittenden a deed for the tract of land known as the ""Home tract" purchased by him, with the covenants of title usual in cases of this kind; and that the said Special Commissioner shall likewise make to said J. E. Mayo, a deed for the vacant tract of land purchased by him, when and after the said J. E. Mayo has paid the purchase price therefor, said deed to contain the covenants of title usual in cases of this kind; and that out of the purchase money so paid and collected the said Special Commissioner shall pay all the cost and expenses of this suit and sale, and including a fee of $25.00----------to R. H. Rawles, for his services in this case;that he shall pay the taxes due on said real estate as reported by Bradford Kilby Commissioner; that he shall pay to Mary A. Powell the amount due her by her deed of trust on said real estate; and it further appearing that the whole and entire interest of the said H. B. Crittenden deceased, in said real estate had been exhausted by the payment of prior liens, leaving nothing due to him with which to pay the judgment in favor of C. Read & Company against H. B. Crittenden, as reported by Commissioner Bradford Kilby, the court doth

further order that the said Special Commissioner R. H. Rawles, ignore the said judgment and leave same unpaid; and after paying the disbursements named above, the said Special Commissioner shall pay over to the parties in interest, the remainder of said purchase money, according to their respective interest therein, taking proper vouchers for all of his said disbursements and the said Special Commissioner is hereby directed to report all his proceedings under this decree to this court, and this cause is continued.

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

James L. McLemore,

Decree Confirming Sale

Entered April 18. 1912.
James L. W. Moore.
Entered in Chancery Order
Book No. 4. Page 511.

We consent to this decree.
Oscar W. Cullenden
by R. H. Reader Atty.

John Albin Cullenden
Victor L. Cullenden.
Mary A. Powell
J. L. Mayo
R. H. Cullenden Trustee
Emma L. Cullenden
by R. H. Reader Counsel.
L. P. Holland Guardian
ad litem for Henry
Emmett Cullenden
infant.

Oscar W. Crittenden, et als.

vs. In Chancery.

John Albin Crittenden, et als.

This cause came on this day to be heard on the bill and exhibits filed, and on the answer of L. P. Holland, Guardian ad litem, of the infant defendant, duly appointed at rules, the answer of the infant Harry E. Crittenden, in his own proper person, and the adult defendants, who appear to have been proceeded against in the manner prescribed by law, failing to plead, answer or demurr the bill is 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 case, be submitted to one of the commissioners of this court, who shall proceed to take and state the following accounts:

(1) An account of the real estate of which H. B. Crittenden and Sophia Crittenden, died seized and possessed. together with its annual and fee simple values.

(2) The liens thereon, if any, together with their amounts dignities, and priorities, and whether the said real estate has ever been sold for delinquent taxes, or any taxes exist against the same.

(3) Whether the real estate is divisible in kind among the parties entitled to share therein, without a sacrifice of interest.

(4) Whether any of the parties interest in said estate is willing to take the whole of the said estate and pay to the others their respective shares in cash.

(5) If none of the said heirs will take the said estate and pay the other heirs for their respective interest, whether it is best to sell the whole of the said estate and divide the proceeds among the parties entitled thereto.

(6) Whether all the parties in interest are properly before the court. and what interest the several parties possess.

(7) Any other matter deemed pertinent by any party in interest, or which said commissioner shall think proper to state, and the said Commissioner is directed to report all his actions under this decree to this court, and this cause is continued.

ans

Decree Jan
Accounts.

Entered, Jany 8. 1912.
J. Mure Lyon Lemore.

Oscar W. Crittenden

vs. In Chancery

John Albin Crittenden, et als.

Whereas it appears from an inspection of the record and the papers in this cuase that a decree which had been duly signed by the Judge of this court, and which was ordered to be entered on the 8th day of January, 1912, referring the papers therein to a commissioner of this court for certain inquiries, has by inadvertence or ommission never been entered by the Clerk of this Court in the Chancery Order book, therefore the court doth order, adjudge and decree that the said decree of January 8th, 1912 shall now be entered by the Clerk of this court in his said Chancery Order book nunc pro tunc and to have the same effect as if it had been duly entered on the said 8th day of January, 1912. which said order is in the following words and figures:

Entered March 20, 1912

James L. McLemore.

Entered in Chancery
Order Book No. 4. Page 506.

Oscar W. Crittenden

v.

John Albion Crittenden et als.

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---26th-----day of February, 1912, 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 first having advertised the time, place and terms thereof, for fifteen days in such manner as he may deem best, proceed to sell the real estate mentioned and described in the bill and proceedings, of which H. B. Crittenden and Sophia Crittenden died seized and possessed, before the Post Office in Suffolk, Virginia, on some day to be named in said advertisement, and on the following terms, to-wit: For cash as to one-half of the purchase money, and the other half to be paid within six months, deferred payment to bear interest from date of sale, but with the option to the purchaser after the sale, to pay the whole of the purchase money in cash, if it be so desired; but and the title to said real estate shall be withheld until the further order of court

before thesaid Special Commissionershall act under this decree, he shall first enter into a bond in the penalty of $-700.00---- -with security deemed sufficient by the Clerk of this court, and conditioned for the faithful performance of his duties under this and all other decrees that may be rendered in this cause. And the said Special Commissioner is directed to report all his proceedings under this decree to this court, and this cause is continued.

Oscar H. Crittenden, &c
vs } Decree
John A. Crittenden, &c.

Enter March 11. 1912
John D. Moore
Entered in Chancery
Order Book No. 4. Page 505.

VIRGINIA,CITY OF SUFFOLK, to-wit:

I, R. H. Rawles, do solemnly swear that to the best of my knowledge, information and belief Harry Emmett Crittenden, one of the defendants in the suit of Oscar W. Crittenden vs. John Albin Crittenden and others, now pending in the Circuit Court of Nansemond County, for the sale of certain lands, is of sufficient age and discretion to use judiciously the fund which will be due to him as his part of the proceeds of the sale of said real estate, said amount being only $14.61 and said infant being now over the age of seventeen years, and a young man of considerable intelligence and ability.

Given under my hand this 1st, day of May, 1912.

R H Rawles

Sworn to before me, in my city aforesaid, by R. H. Rawles, on this 1st, day of May, 1912.

My term of office expires on the 4th day of March, 1915.

Mary S. Andrews.

N. P.

Affidavit.
as to discretion of
infant to Hendk
$14.61.

Virginia, Nansemond County, to-wit:

I, Mary A. Powell, being duly sworn do solemnly swear that I am the owner and holder of a certain bond for one hundred and twenty-five ($125.00) dollars, dated the 10th day of September, 1906, made by H. B. Crittenden and E. L. Crittenden, and secured by a deed of trust on real estate , of same date, which said deed is recorded in D. B. 63 page 175 in the Clerk's Office of Nansemond County, and I do further swear that the said bond has been mislaid, or lost or destroyed, and cannot be produced, and that when the same was so lost or destroyed I was then and am still the owner and holder of the same, and entitled to collect the same, and that the same has now been paid to me in full by R. H. Rawles, Special Commissioner, in the Chancery cause of Oscar W. Crittenden vs. John Albin Crittenden, and others, now pending in the Circuit Court of Nansemond County, he having sold the real estate on which I held a trust as aforesaid, by order of said court, and I hereby authorize said R. H. Rawles, as my attorney-at-law and in fact to mark the deed of trust securing same to me, duly released on the margin of the deed book in said office where the same is recorded.

Sign here ~~X~~
Witness
W. L. Mason

her
Mary A. Powell
mark

Subscribed and sworn to before me, in the county and state aforesaid, by Mary A. Powell, on this 16th day of April, 1912.
My term of office expires on the 9th day of November, 1914

J. B. Rives
Notary Public.

Dec. 10, 1911.

Mr. R. H. Rawles,
Suffolk, Va.

Dear Sir:

Your letter duly received. The address of every party is as follows:

Oscar William Crittenden,
Crittenden, Va.

John Albin Crittenden,
#505 Linden Ave,
Portsmouth, Va.

Victor Emmanuel Crittenden,
Crittenden, Va.

Harry Emmett Crittenden,
#112 Front St.,
Norfolk, Va. In care of Mrs. Inez Bailey.

Emma L. Crittenden,
Crittenden, Va.
J. E. Mayo.
Hobson, Va.
R. H. Crittenden,
Crittenden, Va.
Mary A. Powell,
Crittenden. Va.
Kindly let me know if Mr. Mayo can rent that piece of land out for farming. There is a man there who is beginning to tend it. Can I stop him from doing so? Mr. Mayo knows that he only owns a share of it.
Thanking you for past serv=

ices rendered

I remain yours truly
Mrs. Emma Crittenden

VA.

Mr. R. H. Rawles,

Attorney at Law

Suffolk,

Va.

This Deed, Made this 10 day of September in the year one thousand nine hundred and Six between A B Cittenden & Emma L Cittenden his wife of Cittenden Nansemond County State of Virginia of, parties of the first part, and Mrs Mary A Powell of said County & State R A Cittenden (Chosen Trustee) of, party of the second part—

Witnesseth: That said parties of the first part do grant unto the said party of the second part, with general warranty, the following property, to wit:

All That Certain tract or parcel of land in Cittenden Nansemond County State of Virginia And bounded as follows—
On the north by land of Oscar Powell
On the East by land of J Ohms
On the South by Avenue or Street
On the West by J R Bacalow's land
This is a portion of land bought by A B Cittenden from W L Savage and duly recorded in Clerks office of Nansemond County—
This lot is 64 feet wide and 150 feet deep—

In Trust, to secure to Mrs Mary A Powell & H B Crittenden (Trustee) of Crittenden Nansemond County Va the payment of the sum of One Hundred & Twenty five Dollars as further evidenced by bond herein of even date 6% interest

In the event that default shall be made in the payment of the said debt, principal or any instalment of interest, when due and payable, then the Trustee, on being required so to do by Mary A Powell her executors, administrators, or assigns, Trustee shall sell the property hereby conveyed.

And it is covenanted and agreed between the parties aforesaid, that in case of a sale the same shall be made after first advertising the time, place and terms thereof for 10 days in four or more places and upon the following terms, to wit: for cash as to so much of the proceeds as may be necessary to defray the expenses of executing this trust, including a trustee's commission of five per centum, the fees for drawing and recording this deed, if then unpaid, and to discharge the amount of money then payable upon the said debt; and if there be any residue of said purchase money the same shall be made payable at such time, and secured in such manner, as the said part is of the first part their executors, administrators or assigns shall prescribe and direct, or in case of their failure to give such direction, at such time and in such manner as the said Trustee shall think fit.

The said part is of the first part covenant to pay all taxes, assessments, dues and charges upon the said property hereby conveyed so long as they or their heirs or assigns shall hold the same; and further covenant and agree to keep the buildings on the property hereby conveyed insured for the full amount of $ 120-00 for the further protection of the said Mary A Powell or assigns; and in the event of their failure to do so, then the Trustee, or the beneficiary under this deed may, effect or renew such insurance from time to time, so long as the said debt, or any part thereof, remains unpaid; and the insurance premiums shall constitute a part of the lien created by this deed, to be paid out of the proceeds of the property, if sold, or to be recoverable by all the remedies in law or equity by which the debt aforesaid may be recoverable.

If no default shall be made in the payment of the said debt or insurance premiums, then, upon the request of the part us of the first part, a good and sufficient deed of release shall be executed to them at their own proper cost and charges.

Witness the following signature & and seal &

H. B. Crittenden. SEAL

E. L. Crittenden. SEAL

SEAL

SEAL

STATE OF VIRGINIA,
County of Nansemond } To wit:

I James P Rives, a Notary Public for the county aforesaid, in the State of Virginia, do certify that H B Crittenden & Emma L Crittenden his Wife whose name are signed to the writing hereunto annexed, bearing date the 10th day of September, 1906, has acknowledged the same before me in my county aforesaid.

Given under my hand this 10th day of September, 1906

James P Rives Notary Public

My term of office expires 7th day of November 1906

MEMO.—To be acknowledged before a Justice, Notary Public, or Commissioner in Chancery.

244 # 167

E4 "D"

Deed of Trust.

A B Cullenden Wife

To

R N Cullenden

Trustee for M A Powell

Admitted to Record this 1st day of

October, 1907

Recorded D. B. 63 Page 175

1907 Oct 11th Examined ~~and~~ verified. and

delivered

....., Clerk.

By L D Gomez, D. C.

$.....

Tax.....$ 50

Fee.....$ 1.25

Paid $ 1.75

PRINTED AND FOR SALE AT HERALD OFFICE, SUFFOLK, VA.

by Jim Reed

VIRGINIA:

In the Clerk's office of the ~~County~~ Circuit Court of the City of Norfolk

the 1st day of October 1907, this deed was presented, and, with the

certificate.....annexed, admitted to record.

Teste: R. B. Smith, Clerk,

By: L. D. Gomez, D. C.

THIS DEED, Made this 5 day of April, in the year one thousand nine hundred and seven, between John F. Ohm and Ellen Ohm, his wife, of Crittenden, Nansemond County, State of Virginia, parties of the first part, and J. E. Mayo, of said County & State, party of the second part-

WITNESSETH: That in consideration of the sum of Fifty ($50.00) Dollars, the said parties of the first part do grant unto the said J. E. Mayo, with GENERAL WARRANTY, all that certain tract or parcel of land situated in Crittenden, Nansemond County, State of Virginia, and bounded as follows: on the North 134 feet by land of Robt. M. Melson, on the West 150 feet by lands of H. B. Crittenden, on the South 134 feet by public street or driveway, and on the East 150 feet by lands of said J. E. Mayo. This is a lot the said John F. Ohms purchased from H. B. Crittenden and duly recorded in the Clerk's Office of Nansemond County.

The said John F. Ohm & Ellen Ohm, covenant that they have the right to convey the said land to the grantee; that they have done no act to encumber the said land; that the grantee shall have quiet possession of the said land, free from all encumbrances, and that they, the said parties of the first part, will execute such further assurances of the said land as may be requisite.

Witness the following signatures and seals.

John F. Ohm (SEAL)

Ellen Ohm (SEAL)

State of Virginia,

County of Nansemond, to wit:

I, James P. Rives, a Notary Public for the county aforesaid,

in the State of Virginia, do certify that John F. Ohm & Ellen Ohm, whose name_ are signed to the writing hereunto annexed, bearing date the 5th day of April, 1907, have acknowledged the same before me in my county aforesaid.

My term of office expires on the 30th day of November, 1910.

Given under my hand this 6th day of June, 1907.

Jas. P. Rives, Not. Pub.

County of Nansemond, to wit:

In the office of the Clerk of the Circuit Court for the County of Nansemond the 10th day of June, 1907, this deed was presented, and with the certificate annexed, admitted to record.

Teste:

R. R. Smith, Clerk,

By A. P. Gomer, D. C.

A Copy,

Teste:

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

John F. Ohm & wife.

to Deed of Bargain & Sale.

J. E. Mayo.

Recorded in D. B. 64. page 92

COPY.

THIS DEED, Made this 8th day of May, in the year one thousand nine hundred and five, between H. B. Crittenden and Emma L. Crittenden, his wife, of Crittenden, Nansemond County, Va., of the first part, and John F. Ohm, of Brooklyn, State of New York, of the second part-

WITNESSETH: That in consideration of the sum of Eighty-five Dollars, dollars, the said H. B. Crittenden and Emma L. Crittenden, his wife, of the first part doth grant unto the said John F. Ohm, of the second part, with GENERAL WARRANTY, all that certain piece parcel or lot of land lying and being in Barretts Neck, Chuckatuck Magisterial District, Nansemond County, State of Virginia, and bounded as follows: on the North by the land of R. M. Melson, on the east by the lands of J. E. Mayo, on the south by road and on the west by the land of H. B. Crittenden, said lot is one hundred and thirty four (134) feet by one hundred and fifty (150) feet.

The said H. B. Crittenden and Emma L. Crittenden, his wife, covenant that they have the right to convey the said land to the grantee; that they have done no act to encumber the said land; that the grantee shall have quiet possession of the said land, free from all encumbrances, and that they, the said parties of the first part, will execute such further assurances of the said land as may be requisite.

Witness the following signatures and seals.

Harry B. Crittenden (SEAL)

Emma L. Crittenden (SEAL)

State of Virginia,

County of Nansemond, to wit:

I, James P. Rives, a Notary Public for the county aforesaid, in the State of Virginia, do certify that Harry B. Crittenden & Emma L. Crittenden, his wife, whose names are signed to the writing hereto annexed, bearing date the 8th day of May, 1905, have acknowledged the same before me in my county aforesaid.

Given under my hand this 8th day of May, 1905.

James P. Rives, Not. Pub.

Commission expires Dec. 9th, 1906.

County of Nansemond, to wit:

In the office of the Clerk of the Circuit Court for the County of Nansemond the 13th day of October, 1905, this deed was presented, and, with the certificate annexed, admitted to record.

Teste: R. R. Smith, Clerk,

By S. M. Lawrence, D. C.

A Copy,

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

H. B. Crittenden & wife.

To Deed of Bargain & Sale.

John F. Ohm.

Recorded in D.B.60-Page 33.

COPY.

This Deed, *Made this* 27th *day of* October
in the year one thousand eight hundred and ninety-nine,
between Dr, L. S. Savage, and
Virginia G. ~~his~~ wife
of Birming, D.C. *of the first part, and*
H. B. Crittenden and
Sophia his wife *of the second part:*

Witnesseth, *That in consideration of the sum of* Seventy five
($75.00/100) *Dollars the said* Dr, L. S. Savage
and Virginia G, his wife
_____ *do grant, bargain, sell and convey unto the said*
H. B. Crittenden and Sophia his wife
_____ *with* General *warranty, all*
that piece are parcel of land designated
as lots numbered 6, 7, 8, and 9 of said Dr, L. S.
Savages subdivision, situated in Barretts
Neck, Hanamant County, and State of
Virginia. The said parcel of land meas-
ures two hundred (200) feet by one hundred
and fifty (150) feet, and bounded on the
North by the land of R. W. Nelson, on
the East by the land of said Dr, L. S.
Savage on the West by the lots of J.
H. Barcalow and on the South by
First Street.

The said Dr, L. S. Savage, and Virginia G.
his wife
convenant that ~~they~~ *have the right to convey the said land to the grantee ; that* ~~they~~ *have done no act to encumber the said land; that the grantee shall have quiet possession of the said land, free from all encumbrances, and that the said* Dr, L. S. Savage, and Virginia G. his
wife
parties of the first part will execute such further assurance of the said land as may be requisite.

Witness *the following signature and seal.*

Signed, sealed and delivered in the presence of—
Wm H. Millan

Dr, L. S. Savage (SEAL)
Virginia G, Savage (SEAL)
(SEAL)
(SEAL)

District of Columbia } *To wit:*

I, William H. Millan a Notary Public in and
for the said District do certify that Dr. L. S. Savage and
Virginia G. Savage his wife
whose name ~~s~~ *signed to the writing hereto annexed, bearing date on the* 27th *day of* October *A.D.* 1899, *have acknowledged the same before me in my* District *aforsaid.*
Given under my hand and Notarial seal, this 2nd
day of November *A.D.* 1899.

William H. Millan
Notary Public
D.C.

17. Ex "A"

STATE OF VIRGINIA.

DEED OF BARGAIN AND SALE.

FROM

D. L. S. Savage wife

TO

H B. Cottenden

Sophia, his wife

Clerk's office of the County Court of Nansemond County *This Deed, with annexed certificate, received for record in this office, on this* 14 *day of* Nov. 1901, ~~180~~ *, and recorded in* ~~*Liber*~~ D13 *No.* 50 ~~*Folio*~~ 478. ~~*of the Land Records of said County, and examined by*~~

1901. Dec. 2nd Examined. verified and delivered.

S M Lawrence D C Clerk.

PREPARED BY

JAMES E. CLEMENTS,

ATTORNEY AT LAW.

Printed by J. S. Tomlinson & Son, Washington, D. C.

Tax .50
Fee 1.25
Paid $1.75

Virginia: In the Clerk's Office of Nansemond County Court the 14th day of November, 1901. This Deed was presented and with the certificate annexed, admitted to record.

Teste: S M Lawrence D.C.
by R. R. Smith Clerk.

Oscar W. Crittenden

vs. In Chancery.

John Albin Crittenden, et als.

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 1st day of May, 1912, and to which no exception has been filed and was argued by counsel.

On consideration whereof it appearing to the court from said report that the said Special Commissioner, R. H. Rawles, has sold all the real estate which he was directed to sell by decree heretofore rendered in this cause, that he has collected the whole ofthe purchase money for all of said real estate; that he has made proper deeds to the purchasers for the same,that he has paid all the cost and expenses of this suit and sale, paid taxes on said real estate, and paid the lien of the deed of trust, on the same, in favor of Mary A. Powell as reported by Commissioner Bradford Kilby, and that he has paid off and distributed the remainder of the purchase money to the four heirs at law of (W. B. ~~Crittenden and~~) Sophia Crittenden, according to their respective interest in the same, and that he has filed proper vouchers showing all of said disbursements, the court doth confirm said report. The court doth further particularly confirm the payment of the sum of $14.61 to Harry Emmett Crittenden directly, it being the amount due to him from the proceeds of said real estate and being less than $100.00 and it appearing from affidavit filed that said infant is of sufficient age and discretion to use said fund judici~~all~~ously, he being now above the age of seventeen years, 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.

Entered May 13. 1912

James L. McShane

Entered in Chancery
Order Book No. 4. Page 514.

TO Oscar W. Crittenden, alias Oscar W. Hedden, Complainant.

and

John Albin Crittenden, alias John Albin Hedden, Victor Emanuel Crittenden, alias Victor Emanuel Hedden, Harry Emmett Crittenden, Emma L. Crittenden, J. E. Mayo, R. H. Crittenden, Trustee, and Mary A. Powell, and L. P. Holland, Guardian ad Litem of the infant defendant, Harry Emmett Crittenden. Defendants.

You are hereby notified that on the 24th. day of February 1912 at my office in Suffolk, Va. (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 the 8th. day of Janaury 1912, in the suit in chancery pending in said court to which you are parties plaintiff and defendant, to-wit:

(1) An account of the real estate of which H. B. Crittenden and Sophia Crittenden died seised and possessed together with its annual and fee-simple values.

(2) The liens thereon, if any, together with their amounts, dignities and priorities, and whether the said real estate has ever been sold for delinquent taxes, or any taxes exist against the same.

(3) Whether the real estate is divisible in kind among the parties entitled to share therein, without a sacrifice of interest.

(4) Whether any of the parties in interest in said estate is willing to take the whole of the said estate and pay the others their respective shares in cash.

(5) If none of the said heirs will take the said estate and pay the other heirs for their respective interest, whether it is best to sell the whole of the said estate and divide the proceeds among the parties entitled thereto.

(6) Whether all the parties in interest are properly before the court and what interest the several parties possess.

(7) Any other matter deemed pertinent by any party in interest, or which said commissioner shall think proper to state, and the said commissioner is directed to report all his actions under this decree to this court, and this cause is continued.

Given under my hand as commissioner in chancery of said court the 17th. day of February 1912.

Bradford Kelly

Commissioner in Chancery.

We accept due and legal service of the above notice

Oscar W. Crittenden

John Albin Crittenden

J. E. Mayo

Mary A. Powell

R. H. Crittenden Trustee

Emma L. Crittenden

Victor E. Crittenden

by R. H. Crawley atty at law and in fact.

L. P. Holland Guardian ad litem Harry Emmett Crittenden

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

Virginia:

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

Oscar W. Crittenden alias Oscar W. Hedden Complainant.

v. In Chancery.

John Albin Crittenden alias John Albin Hedden et als. Defendants.

Commissioner's Office,

Suffolk,Va. February 24,1912.

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 8th. day of January 1912 in the suit in chancery pending in said court between Oscar W. Crittenden alias Oscar W. Hedden,Complainant and John Albin Crittenden alias John Albin Hedden and others,Defendants,the undersigned Bradford Kilby,one of the Commissioners in Chancery of said Court respectfully reports as follows:

That on the 17th. day of February 1912,your commissioner gave notice to the parties to the said suit that he would proceed on the 24th. day of February 1912,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 the said notice was duly accepted by the parties to said suit,as will appear by the endorsations on the notice herewith returned.

That your commissioner took the depositions of C. R. Fulgham and Lepron Hubbard 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:

(I)

That Sophia Crittenden died seised and possessed of a one-half undivided fee-simple interest in the following real estate,to-wit:

"All that piece or parcel of land designated as lots numbered 6, 7,8,and 9 of said Dr.L.S. Savage's sub-division,situated in Barretts Neck,Nansemond County,Virginia. The said parcel of land measures 200 feet by I50 feet,and bounded on the North by the land of R. M. Melson;on the East by the land of said Dr. L. S. Savage; on the West by the lots of J. N. Barcalow and on the South by First Street,being the same land conveyed to H. B. Crittenden and Sophia,his wife,jointly by deed from said Dr. L. S. Savage and wife,dated 27th. day of October I899 and recorded in D.B. No.50,page 478 in Nansemond County Clerk's office,Virginia.

That H. B. Crittenden died seised and possessed of a one-half undivided fee-simple interest in a certain tract or parcel of land in Crittenden,Nansemond County,Virginia,bounded on the North by the land of Oscar Forrest;on the East by the land of John F. Ohm; on the South by First Avenue or Street and on the West by land of J. N. Barcalow, said lot being 64 feet wide and I50 feet deep and being a portion of the land sold to H. B. Crittenden and Sophia Crittenden,his wife, jointly,by said Dr. L. S. Savage by said deed dated Oct.27,I899 and recorded in D.B. No.50,page 478 in Nansemond County Clerk's office, Va. H. B. Crittenden's interest in this land is subject to a deed of trust dated Sept.I0,I906,to R. H. Crittenden,Trustee, to secure to Mary A. Powell the sum of $I25.,said deed of trust being recorded in D.B. 63,page I75 in Nansemond County Clerk's office,Va.

The fee-simple value of the lot 66 feet by I50 feet in size on which there is a dwelling is about $350. or $400. Its annual value about $5. per month or $60. The fee-simple value of the vacant lot I34 feet by I50 in size is about $50. or $60. dollars. It has no annual value.

(2)

The liens on the property and their priorities are as follows: A deed of trust dated Sept.I0,I906 and recorded in Deed-book 63, page I75,made by H. B. Crittenden and Emma L. Crittenden,his wife, to R. H. Crittenden,Trustee for Mary A. Powell to secure a bond for the sum of $I25. ,Admitted to record October Ist. I907.This lien is

on only the lot 66 feet by I50 in size and described above in paragraph (I) as the land of which H. B. Crittenden died seised and possessed. Deed is recordad in Nansemond County Clerk's office,Va.

Second: A judgment against H. B. Crittenden in favor of C. Read and Co. for the sum of $I4.43 with interest from November 22,I906 and $I. costs. Rendered Oct. II,I907 and Docketed Feb.25,I908, in Nansemond County Clerk's office,Va.

The said real estate mentioned in the bill in this cause has not been sold for delinquent taxes. There are no taxes due against the interest which J. E. Mayo may have in said real estate in the bill mentioned,but the estate of H. B. Crittenden owes $4.24 taxes for the year I9II.

(3)

The said real estate is not divisible in kind among the parties entitled to share therein,without a sacrifice of interest.

(4)

None of the parties in interest is willing to take the whole of the said estate and pay the others their respective shares in cash.

(5)

It is best to sell the whole of said estate and divide the proceeds among the parties entitled thereto.

(6)

All parties in interest are properly before the court. The interest of the several parties are as follows:

J.E. Mayo owns an one-half undivided interest in the lot I34 feet by I50 in size.

The other one-half fee-simple interest in said lot I34 feet by I50 feet in size belongsto the four childred of Sophia Crittenden, namely: Oscar W. Crittenden,John A. Crittenden,Victor E. Crittenden, and Harry E. Crittenden.

In the lot 66 by I50 feet in size,Harry E. Crittenden,only child of H. B. Crittenden owns an one-half undivided fee-simple interest, and the said Oscar W. Crittenden,John A. Crittenden,Victor E. Crittenden and Harry E. Crittenden,children of Sophia Crittenden own the

other one-half undivided fee-simple interest, having inherited the same from their said mother.

(7)

There is no other matter deemed pertinent by your commissioner or required to be stated by any party in interest.

Respectfully submitted this 24th. day of February 1912.

Bradford Kilby

Commissioner in Chancery.

Commissioner's fee:- $ 10.

C. R. Fulgham 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. C. R. Fulgham, age forty-one years, county treasurer, near Crittenden, in Nansemond County, Virginia, and I know some of the parties to the suit.

Q. Will you please state whether you have seen the land in the bill and proceedings, mentioned in this case, known as the H. B. Crittenden land, and whether or not you are fairly well acquainted with the same?

A. Yes I have seen it frequently, pass it quite often, and am fairly well acquainted with it.

Q. Will you please state what in your opinion is the fee simple value of that land?

A. The land books in my office, as treasurer, show that it is assessed at $300.00, and so far as I know, that is perhaps about its value, but it may be worth a little more, as land is usually assessed something below its actual market value.

Q. Can you tell us about its annual value?

A. I think so far as I can judge, it would be worth from four to six dollars per month.

Q. The deeds in this cause show that a part of that tract of land has been sold off, leaving only a house and lot, the lot being sixty-six feet front by one hundred and fifty deep with one residence building on it. The papers in the cause also show that it is subject to a dower right of the wife of H. B. Crittenden, and that it now belongs the four children of H. B. and Sophia Crittenden. Will you please state whether in your opinion it is susceptible of a division in kind among those heirs-at-law?

A. No, it is not, for obvious reasons.

Q. Then how in your opinion would be the best way to have a division of this property, among those entitled to the same.

A. Why, I should say there is only one way to do it, so far as I can see, and that would be to sell the property and divide the money.

And further this deponent saith not.

C. R. Fulgham

L. Hubbard, 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. L. Hubbard, seventy-four years old, Suffolk, Virginia, dealer in fish and oysters, and I know the parties to this suit.

Q. Will you please state whether you ever lived in the lower part of Chuckatuck District, and in ornear Crittenden?

A. Yes sir, I lived in the village of Crittenden about ten years, and the lot mentioned in the bill in this cause adjoins my lot.

Q. Then if I understand you, you were a so-called next door neighbor to this lot?

A. Yes sir.

Q. Such being the case, will you please tell us what in your opinion is about the value of the Crittenden lot proper, the original lot having been divided as the deeds will show herein, and the Crittenden lot proper, now measuring sixty-four feet front by one hundred and fifty feet deep, and having a small residence on it?

A. I understand it is assessed at $310.00, I think however the lot ought to be worth, with the building on it, somewhere in the neighborhood of $500.00.

Q. What in your opinion is about its annual value?

A. I think about five dollars per month.

Q. The bill in this cause shows that the property belongs to four different heirs, will you now tell us whether in your opinion, and from your knowledge of the property, it can be divided in kind among those heirs without a sacrifice?

A. No, it cannot be for obvious reasons, the lot is a small one, with only one residence, and of course it would be next to impossible to divide it into four parts.

Q. Then how would be the best way to reach a division of this land among the heirs?

A. The only way I know of, would be to sell the property and divide the money.

Q. The record here shows that one certain part of this lot as measuring one hundred and thirty-four feet front by one hundred and fifty feet deep has been sold and now belongs to J. E. Mayo, he owning a one-half interest in the same. Will you please state in your

opinion about what is the value of that lot?

A. I should think it would be worth about sixty or seventy dollars.

Q. What is its annual value?

A. It has no annual value as it is a vacant lot.

Q. Please state whether or not in your opinion that lot can be divided in kind among the parties entitled to the same?

A. No, it cannot, for the reasons stated as to the other lot, because it is not a very large lot, and to divide it as it would have to be divided would destroy the value of the small parts.

Q. Will you please state how in your opinion would be the best way to have a division of it?

A. To sell the lot and divide the money.

And further this deponent saith not.

Leforce Hubbard

Oscar W. Cuttenden
vs. } In Chancery
John Alden Cuttenden et als

Report of Bradford
Kelby, Comr. in Chancery
under decree of January
8. 1912

Filed Feb. 26. 1912,
G. E. Bunting,
Clerk

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 35.

In the Circuit Court for the County of Nansemond,

to wit:

THE ANSWER OF Harry Emmett Crittenden

infant under the age of twenty-one years, by L. P. Holland, guardian *ad litem*, assigned to defend him in this suit, to a bill of complaint exhibited against him and others in the Circuit Court for the County of Nansemond, by Oscar W. Crittenden and others.

The respondent, reserving to himself the benefit of all just exceptions to the said bill, for answer thereto, answering by said guardian *ad litem*, say that he is infant of tender years, and by reason of such disability is incapable of understanding, or of taking care of his rights and interests, he therefore commend the same to the protection of the court, and prays that no decree may be pronounced which will tend to his prejudice.

And having answered, the respondent pray to be hence dismissed with his reasonable costs, in this behalf expended; and he will ever pray, &c.

L. P. Holland Guardian *ad litem*.

p. d.

Va:

County of Nansemond } *ss.*

This day, L. P. Holland Guardian ad litem, whose name is signed to the foregoing answer, personally appeared before me, R. H. Rawles N. P. and made oath that the statements made therein, so far as they depend upon his own knowledge, are true, and so far as they depend upon knowledge derived from others he believes them to be true.

Given under my hand, this 26" day of January 1892.

My term of office expires Feb. 3. 1895.

R. H. Rawles N. P.

Form No. 35.

Cullenden

adv. { ANSWER OF INFANT DEFENDANT.

Cullenden

By Guardian ad litem

Oscar W: Crittenden,

vs. In Cahncery.

John Albin Crittenden and others.

The answer of Harry Emmett Crittenden to a bill in Chancery exhibited in the Circuit Court of Nansemond County, against him and others, by Oscar W. Crittenden, alias Oscar W. Hedden;

For answer to said bill or to so much thereof as this defendant is advised it is necessary that he should answer, this defendant answering saith; that he is an infant, under the age of twenty-one years, being at this time about the age of seventeen years; that he is informed and believes that he has a certain interest in the land in the bill and proceedings mentioned; that the facts stated in the said bill concerning said land are ture so far as he is informed or knows; that so far as he is capable of consenting, he is willing that the said land should be sold, and the proceeds divided among the parties entitled to receive the same; but that, he, being an infant, he is incapable of fully protecting his interest, and therefore he confides the same to the care of the court, and prays that no decree or order may be rendered against him, which will be to his prejudice; and having fully answered, he prays to be hence dismissed with his reasonable cost in this behalf expended.

Harry
X Mx Emmett Crittenden

Answer of
Harry E. Cullender
in fact, in Issue

1911 Dec 18 - Filed
M. M. Williams D.C.

TO THE HONRRABLE JAMES L. McLEMORE,

JUDGE OF THE CIRCUIT COURT OF NANSEMOND COUNTY:

Hunbly complaining showeth unto the court your orator, Oscar W. Crittenden alias Oscar W. Hedden, the following case:

Your orator in the first place desires to explain to the court why he has an "alias." Your orator says that his mother Sophia Crittenden, was a widow (his father having departed thislife) by the name of Sophia Hedden; that she formerly lived in the city of New York; that by her first husband, Hedden, she had three children, to-wit: Your orator, Oscar William, now twenty-seven years old, John Albin, now twenty-five years old, Victor Emmanuel, now twenty-four years old; that while living in the said city of New York, and while these children were of an extremely young and tender age, his mother Sophia, married H. B. Crittenden, and moved to Nansemond County, Virginia; that said children were so young and of such tender years that their step-father H. B. Crittenden, desired that they should take and assume his name, and they were accordingly given said name of "Crittenden," and have since that time been only known and called by said name of "Crittenden."

Your orator further says that after his mother, Sophia, was married to H. B. Crittenden, and moved to Nansemond County, Virginia, L. S. Savage and wife conveyed to H. B. Crittenden and Sophia Crittenden, jointly, the following real estate to-wit: That certain piece or parcel of land, designated as lots No. 6-7-8-9 of said Dr. L. S. Savage's sub-division, situated in Barrett's Neck, Nansemond County, Virginia; said parcel of land measuring two hundred (200) feet by one hundred and fifty (150) feet; and bounded on the north by the land of R. M. Melson; on the east by the land of Dr. L. S. Savage; on the west by the lots of J. N. Barcalow; and on the south by First Street as appears by the original deed herewith filed marked "Exhibit A." and prayed to be read as a part of this bill. Your orator therefore says that his mother Sophia Crittenden, was owner in fee simple of one undivided one-half interest in said tract of land.

Your orator further says, as aforesaid, that after the death of his father, his mother Sophia married H. B. Crittenden of said county, and by said marriage there was one child, to-wit. Harry Emmett Crittenden, now of the age of seventeen years.

Your orator further says that on June, 4th, 1904, his mother Sophia Crittenden, died intestate, leaving as her only heirs-at-law all the four children above mentioned. And that after her death the said H. B. Crittende again married, this time to Emma L. Crittenden.

Your orator further says that after the death of his mother, the said H. B. Crittenden and his then wife, Emma L. Crittenden, undertook to sell and convey to John F. Ohm by deed dated the 8th day of May, 1905, and recorded in D. B. No. 60 page 33 in the Clerks Office of Nansemond County Court, a certain part or portion of said land measuring one hundred and thirty-six (136) feet front, by one hundred and fifty (150) feet deep, as will more fully appear by a copy of said deed herewith filed and marked "Exhibit B." and prayed to be read as a part of this bill.

Your orator further says that on the 5th day of April, 190[illegible] the said John F. Ohm and wife attempted to sell and convey to J. E. Mayo, of this county, and state, one hundred and thirty-six (136) feet, part of said land, which the had purchased of H. B. Crittenden by a deed recorded in D. B. 64 page 92 in said Clerk's Office, as appears more fully by said deed herewith filed marked "ExhibitC." and prayed to be read as a part of this bill.

Your orator further says that inasmuch as the said H. B. Crittenden was only owner of a one-half interest in said land, then by his said deed to John F. Ohm he could only convey and did only convey a one-half interest in the same, and that the said John F. Ohm only owned and could only convey and did only convey a one-half interest in said tract of land to J. E. Mayo, and that the said J. E. Mayo now owns an undivided one-half interest in said tract of land measuring one hundred and thirty-six (136) feet front by one hundred and fifty (150) feet back; and that the other undivided one-half interest in said land belongs in fee simple to the children of

the said Sophia Crittenden or Hedden, to-wit: Your orator, Oscar W. Crittende, John A. Crittenden, Victor E. Crittenden and Harry E. Crittenden.

Your orator says that of the remaining part of said land to-wit: a tract sixty-four feet front by one hundred and fifty feet deep, one undivided one-half interest in the same at the death of his mother passed and descended to her children, to-wit: Oscar W., John A., Victor E. and Harry E. and the other undivided one-half interest to-wit: passed and descended to the only child of H. B. Crittenden, to-wit: Harry E. Crittenden.

Your orator further says that on the 10th day of September, 1906, the said H. B. Crittenden, and his then wife Emma L. Crittenden, conveyed the said tract of land by sixty-four (64) feet front by one hundred and fifty (150) feet deep to R. H. Crittenden, Trustee to secure to Mary A. Powell, the payment of the sum of one hundred and twenty-five (125.00)dollars, evidenced by a bond for said amount as appears by the original deed of trust herewith filed, marked "Exhibit D." and prayed to be read as a part of this bill. When said deed of trust was made the said H. B. Crittenden only had, and could only and did only convey therefore his undivided one-half interest in said tract of land of sixty-four (64) feet front by one hundred and fifty (150- feet deep, and that his said interest, only, is subject to said deed of trust.

Your orator further says that the said H. B. Crittenden died intestate on the 27th day of March, 1908, leaving his widow Emma L. Crittendenand, his said son Harry E. Crittenden as his only heirs-at-law.

Your orator further says that after the death of the said H. B. Crittenden, the said Emma L. Crittenden married your orator Oscar W. Crittenden.

Your orator says that he is advised and believes that the said tract of land is incapable of a division in kind among the parties entitled to receive the same; that if it is capable of a division

in kind, your orator desires that the same may be divided in kind and your orator's part allotted to him, but as it is a very small lot of land, if it be incapable of a division in kind, your orator prays that the same may be sold and the proceeds divided among the parties entitled to receive said proceeds; that all said parties in interest including lien-holders, may be properly convened before this court, and their interest in said land fully and fairly determined; that all the cost and expenses of this suit and sale may be paid.

In tender consideration whereof, and forasmuch as your orator is remediless in the premises, save by the aid of a court of equity where such matters are alone and properly cognizable, your orator prays that the said John Albin Crittenden, alias Hedden, Victor Emanuel Crittenden, alias Hedden and Harry Emmett Crittenden, Emma L. Crittenden, J. E. Mayo, R. H. Crittenden, Trustee and Mary A. Powell may be made parties defendant to this suit, and required to answer this bill, though an answer under oath is hereby waived; that a proper guardina ad litem may be appointed for the said Harry Emmett Crittende, an infant under the age of twenty-one years; that proper process may issue; that all proper accounts and depositions may be taken; and that the said land be divided in kind if it be practicable and without a sacrifice of interest; and if it be not practicable then that the said land may be sold and the proceeds thereof divided among the parties entitled to the same; that all the cost and expenses of this suit and sale may be paid out of said proceeds, and for all such other, further and general relief as this case may require or which to equity may seem meet, and your orator will ever pray, etc

Notice is hereby given that the court will be asked to allow a proper counsel fee to counsel employed to bring this suit.

Oscar W. Crittenden alias Hedden
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, whose term of office expires on the 3d day of February, 1915, do certify that Oscar W. Crittenden, alias Hedden whose name is signed to the foregoing bill, has this day personally appeared before me, in my county aforesaid, and made oath that the statements contained in said bill as coming of his own knowledge are true, and that all other statements therein contained as coming from knowledge or information derived from others he belives to be true.

Given under my hand this--18----day of December, 1911.

R H Rawles N.P.

Bill.

Brittendon vs Brittendon

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

SUFFOLK HERALD--PRINTERS, PUBLISHERS, STATIONERS

1911 Dec 18 – Filed
M. M. Mathews D. C.

R. H. Rawles p.q.

Oscar W. Cittenden &c
Vs } In Chancery.
John Albin Cittenden &c.

1912 May 13
Final Decree

1/11/11 Copies of 2 Deeds 150