1928-017
NansemondCo(Suffolk) Chancery Causes: Mary E. Harrell vs Roger Harrell & Clyde Harrell

Lawrence, Norfleet

$10.00 Received of G. A. Harris, Special Commissioner, the sum of $10.00, same to cover fee for drawing Commissioner's Deed in the suit of Mary E. Harrell vs. Roger Harrell and others.

Given under our hand this 18th day of February, 1926.

G A Harris

$280.88 Received of G. A. Harris, Special Commissioner, the sum of $280.88, representing our share of the sale of property in the suit of Mary E. Harrell, complainant, vs. Roger Harrell and Clyde Harrell, defendants.

Given under our hands this 18th day of February, 1926.

Mary E. Harrell
Roger Harrell
Clyde Harrell

$2.50 Received of G. A. Harris, Special Commissioner, the sum of Two Dollars and Fifty Cents, for taking depositions in the suit of Mary E. Harrell vs. Roger Harrell and Clyde Harrell.

Given under my hand this 18th day of February, 1926.

Minnie Lavinia

Received February 22d 1926

from G A Harris Special Commissioner

Fifteen and No/100 Dollars
($7.50 for S M Lawrence and $7.50 for R J Norfleet)

Appraising property in suit of

Mary E Harrell v Roger Harrell et al

$15.00

S M Lawrence
For Self and R J Norfleet.

Received February 13th 1926

from T. A. Harris Special Commissioner

Fifteen and No/100 Dollars

for Crying the Sale of the Mary E Harrell

property

$15.00

John J. S. Branch

Clerk

NOTICE OF SALE OF VALUABLE FARM LAND SITUATED IN CYPRESS CHAPEL, NANSEMOND COUNTY, VIRGINIA, AND BEING THE SAME LAND OF WHICH A. L. HARRELL DIED SEIZED AND POSSESSED.

In pursuance of the terms of a certain decree entered by the Circuit Court of Nansemond county, Virginia, in the chancery cause of Mary E. Harrell, complainant, vs. Roger Harrell, et als., I shall on

Saturday, October 10, 1925, At Ten o'Clock A. M.

in front of the high school at Cypress chapel, Nansemond county, Virginia, offer for sale, at public auction, to the highest bidder, three tracts of land, to-wit: 56 acres, more or less, 50 acres, more or less, and 47 acres, more or less, respectively. These tracts of land adjoin each other and now constitute what is known as the "Home Place" of the late A. L. Harrell, and adjoins the land of the Cypress Chapel High school and the Cypress Chapel Christian church. The tracts, when taken as a whole, contain 153 acres, more or less, and will be offered also as one tract.

Terms of Sale: One-fourth cash and the balance in three equal installments, payable 1, 2, and 3 years from date of sale, respectively; deferred payments to be secured by first deed of trust.

This property will be sold subject to the confirmation of the Court and the life tenant.

C. A. HARRIS,
Special Commissioner.

Memorandum: A plat of the above mentioned property can be seen upon application to Harris and Lipscomb, attorneys at law, Suffolk, Virginia.
se24,28-oc6,9

All Available Text Successfully Captured

G. W. Harris

Suffolk
Norfolk, Va., SEP 30 1925

GER-DISPATCH CORP.

24-28- 4½ Inches @ 4 ¢. Per Inch 10 12

6-9

4½ 4½

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total

Paid F. L. Britt 2/15/26

Saturday

New York, Sept. 28.—(A. P.)—The football season will be in full blast next Saturday when the "big three" of the east and the "big ten" swing into action. Record-breaking attendance in all sections of the country marked the opening of the season on the week-end. Increased interest is indicated for the coming Saturday with Yale, Harvard and

All Available Text Successfully Captured

Telephone 33 P. O. Box 674

The Artcraft Press

R. CLYDE GURLEY, Prop.

"REAL GOOD PRINTING"

139 S. Main Street Suffolk, Virginia

[Dated] Oct. 26. 1925

Sold To G. A. Harris

Sept. 30. 1000 Sale Bills. Sale of : $8.50
A. L. Harrell property

Paid 7-18-26
The Artcraft Press
Guy Reynolds

Suffolk, Va., _____ 192____

G. A. Harris, Atty.,

Suffolk, Virginia.

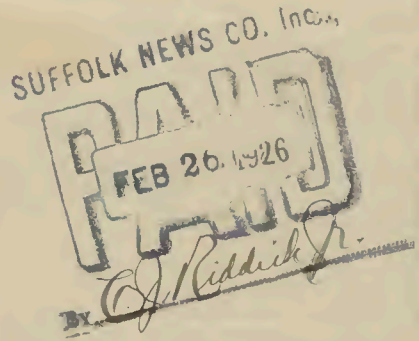
Suffolk News Company, Dr.

[Incorporated]

Publisher SUFFOLK DAILY NEWS

Only Daily Paper Published In This Field

For inserting advertisement
in suit of Mary E. Harrell
vs. Roger Harrell et al $24.00



Edenton, N. C., Apr 13, 1926

Mr. L. A. Harris

Suffolk, Va.

IN ACCOUNT WITH

The Albemarle Observer

PRINTING

adv. A. L. Harrell property $20.00

Paid
The Albemarle Observer
(Per. Mrs. Ward.)

W. W. KITCHEN, PRES. B. T. AUSTIN, VICE-PRES.

STATEMENT

HERALD PRINTING CORPORATION

ARTISTIC AND PRACTICAL PRINTING

SUFFOLK, VIRGINIA Jan 30 1926

Harris & Lipscomb

In Jan 26

ALL BILLS PAYABLE
FIRST OF MONTH

To Statement Rendered

1925		Merchandise	
Oct	25	ad 14 in. N. L. Herald	7 00
Oct	2	" 14 " "	7 00
	9	" 14 " "	7 00
			21 00

RECD. PAYMENT
HERALD PRINTING CORP.
By E. A. Morrison

Thank you

Know All Men by These Presents, That we, Mary E. Harrell and Rodgers Harrell

are held and firmly bound unto the COMMONWEALTH OF VIRGINIA in the just and full sum of Eleven Thousand and No/100 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 severely, 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 trusts therein mentioned, with coupons detached from bonds of said State.

Sealed with our seals, and dated this 11th day of February in the year of our Lord one thousand nine hundred and 28, and in the year of the Commonwealth.

In Testimony Whereof, the said has hereto set his hand and seal, and the said has caused its corporate name to be hereto signed and its corporate seal to be hereto affixed, by its duly authorized attorney in fact, this day of in the year of our Lord one thousand nine hundred and , and in the year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound Mary E. Harrell

who has this day ~~qualified before the Clerk of the Circuit Court of the County of Nansemond as such~~ received from investment for Clyde Harrell the sum of $3189.22, under a decree entered in this Cause on the 10th day of July 1928 in the suit of Mary E. Harrell v Rodgers and Clyde Harrell by the Circuit Court of the City of Suffolk shall faithfully discharge the duties of said office, post or trust, then the above obligation to be void, or else to remain in full force and virtue.

Mary E. Harrell (Seal)
Rodgers Harrell (Seal)
(Seal)
(Seal)
(Seal)

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Nansemond, on the 11th day of February, 1928.

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

Teste:

M. K. Godwin Deputy Clerk

C. R. Wallace & Co.
Printers
Suffolk, Va.

February 11, 1928.

$3187.23. RECEIVED of G.A.Harris, Special Commissioner, the sum of Three Thousand One Hundred and Eighty-seven Dollars and twenty-three cents, representing the distributive share of Clyde Harrell, of the proceeds from the sale of the A.L.Harrell property.

Mary E. Harrell

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

MARY E. HARRELL.....COMPLAINANT

vs.

ROGER HARRELL and CLYDE HARRELL.....DEFENDANTS

TO THE HONORABLE JAMES L. McLEMORE, JUDGE OF SAID COURT:

The undersigned, who was appointed Special Commissioner in this cause by decree entered on the 28th day of November, 1927, begs to report that, in pursuance of a decree entered by the Court on the 10th day of February, 1928, he has paid to Mary E. Harrell the sum of $3187.23 to be invested by her in bond or bonds secured by mortgage or deed of trust on real estate situated in the City of Suffolk, Virginia, but before the money aforesaid was paid to the said Mary E. Harrell she executed a bond in compliance with the decree entered in this cause on the 10th day of February, 1928.

Nothing further appearing to be done in this cause at this time, your Special Commissioner recommends that this suit be dismissed from the docket, subject to be re-instated upon the application of the said Mary E. Harrell for instructions from the Court as to the distribution of the funds now in her hands which are to be invested by her.

Respectfully submitted this 25th day of February, 1928.

G A Harris

Special Commissioner.

VIRGINIA:
IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

MARY E. HARRELL

vs.

ROGER HARRELL & CLYDE HARRELL.

.....

R E P O R T

.....

.....

Filed this 16. day of April, 1928.

J.L.M.

Judge.

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

MARY E. HARRELL.....COMPLAINANT

vs.

ROGER HARRELL and CLYDE HARRELL.....DEFENDANTS

This cause came on again to be heard on the papers formerly read and upon the report of G. A. Harris, who was appointed Special Commissioner in this cause on the 28th day of November, 1927, said report bearing date 22nd day of December, 1927, and this day filed, to which report no exception has been taken, and was argued by counsel.

And it appearing to the Court from said report that the said G. A. Harris, Special Commissioner has received and disbursed the following sums:

To amount received from Hersey V. Knight, representing full purchase price of property.....		$10,000.00
By amount paid G. E. Bunting, Clerk, representing Court costs.....	$20.50	
By amount paid Suffolk Insurance Corporation, representing premium on Commissioner's bond.....	16.50	
By Special Commissioner's commission.....	300 .00	
By amount paid R. J. Norfleet and S. M. Lawrence, appraisers, for appraising property.....	10.00	
By amount paid Guardian ad Litem.....	5.00	
By amount paid Minnie Lavine for taking depositions.....	2.50	
By amount paid J. P. Dalton for 1927 taxes.....	73.82	
By amount paid G. A. Harris for drawing Special Commissioner's deed.....	10.00	
By amount paid Mary E. Harrell, representing one-third of the proceeds from sale of property.....	3187.22	
	$3,625.54	$10,000.00

To amount brought forward		$10,000.00
By amount brought forward	$3625.54	
By amount paid Roger Harrell, representing one-third of the proceeds from sale of property.....	$3187.23	
By amount on hand to be invested....	3187.23	
	$10,000.00	$10,000.00

On consideration whereof, the said report is ratified, approved and confirmed.

It further appearing to the Court that the said G. A. Harris, Special Commissioner, has in hand the sum of $3187.23, being the amount due Clyde Harrell (representing one-third of the proceeds from the sale of the property), and that the said Clyde Harrell desires that same be turned over to his mother, Mary E. Harrell, and by her invested for his use and benefit in bonds or notes secured by first mortgage on real estate situated in the City of Suffolk, Virginia;

It is, therefore, adjudged, ordered and decreed that the said Special Commissioner be, and he is hereby, authorized and instructed to pay to the said Mary E. Harrell the sum of $3187.23; and that the said Mary E. Harrell is authorized and instructed to invest the aforesaid sum in bond or bonds, note or notes, secured by first mortgage on real estate situated in the City of Suffolk, Virginia, loaning not more than the assessed value thereof, and pay to the said Clyde Harrell, from time to time, the interest accruing on said securities.

But the said Mary E. Harrell shall have no authority hereunder until she has executed a bond in the penalty of $4000- , with surety to be approved by the Clerk of this Court, said bond to be conditioned upon the faithful performance of her duties under this decree.

And this cause is continued.

VIRGINIA: IN THE CIRCUIT
COURT OF NANSEMOND COUNTY.

MARY E. HARRELL

vs.

ROGER AND CLYDE HARRELL.

.....

D E C R E E

.....

Entered this 10 day of
February, 1928.

Fred L. McLemore
Judge.

Chancery Order Book
No. 6 Page 135

Received of G. A. Harris, the sum of $5.00, guardian ad litem's fee in the suit of Mary E. Harrell v. Roger Harrell et als, a Chancery suit now pending in the Circuit Court of Nansemond County, Virginia.

Dated January 20, 1928.

William S. Holland

INVOICE

To Mr. G. A Harris

Suffolk, Va.

Suffolk, Va. Date Dec. 1, 1927

SUFFOLK INSURANCE CORP.

INSURANCE OF ALL KINDS

144 N. Main St. Phone 323

Expiration	Our No.	Broker and No.	Company	Policy or Bond No.	Location	Amount	Rate	Premium
			Nat. Sur.			11,000		33.00
				Cost of Final Decree				18.50

ABSTRACT

New or Renewal	Kind of Cover	Description	Home Address
In Favor of	Title	Trustee-Mortgagee	Premium to be Paid by
Date of Delivery	To Whom Delivered	By Whom Delivered	Remarks

COPYRIGHTED 1923 BY AMERICAN SYSTEM CO. INC. ROANOKE, VA. PATENT PENDING

Exhibit "3-A" (Form—0)

RECEIVED this 20th day of January, 1928, of G. A. Harris, Special Commissioner, the sum of Ten Dollars ($10.00), representing fee for drawing Special Commissioner's deed in the suit of Mary E. Harrell vs. Roger Harrell and Clyde Harrell.

G A Harris

December, 20th, 1927.

$3187.23. RECEIVED of G.A.Harris, Special Commissioner, the sum of Three Thousand One Hundred and Eighty seven Dollars and twenty-three cents, representing my distributive share of the proceeds from the sale of the A.L.Harrell property.

Micky E. Harrell

December, 20th, 1927.

$3187.22. RECEIVED of G.A.Harris, Special Commissioner, the sum of Three Thousand One hundred and Eighty seven and Dollars and twenty-two cents, representing my distributive share of the proceeds of the sale of the A.L.Harrell, property.

Roger Harrell

RECEIVED this 20th day of January, 1928, of G. A. Harris, Special Commissioner, the sum of Ten Dollars ($10.00) representing our fee for appraising the property in the chancery suit of Mary E. Harrell vs. Roger Harrell et al.

S M Lawrence

R J Norfleet

RECEIVED this 20th day of January, 1928, of G. A. Harris, Special Commissioner, the sum of Two Dollars and Fifty Cents ($2.50), representing stenographer's fee for taking depositions in the chancery suit of Mary E. Harrell vs. Roger Harrell and Clyde Harrell.

Minnie Farris

M. W. L. Harrell, Est.

TAXES AND LEVIES, 1927

CYPRESS DISTRICT

Land.....Page 6 Line 18

Personal Property...Page.....Line.....

Income.....Page.....Line.....

To J. P. DALTON, Treasurer of NANSEMOND COUNTY, VIRGINIA, Dr.

No. 345

LOCAL RATES—REAL ESTATE AND TANGIBLE PROPERTY

County and District

County Levy	$ .65
County School Levy	.95
District Road Levy	.30
Total	$ 1.90

		Valuation	Rate of State Tax on $100	State Tax	Rate of Local Levies on $100	Local Levies	Total Tax and Levies
Real Estate	158 Acres	$ 3660 -	NONE	NO NE	$ 1 90	$ 69 54	$ 69 54
Real Estate	22 Acres	225 =	NONE	NO NE	1 90	4 28	4 28
Real Estate	Acres		NONE	NO NE	1 90		
Tangible Property			NONE	NO NE	1 90		
Class 1 (Bonds, Notes and other evidences of debt)	Value $		.50		NO NE	NO NE	
Class 2 (Capital)			.85		NO NE	NO NE	
Class 4 (Money)			.20		NO NE	NO NE	
Class 5 (Shares of Stock)	Value $		.50		NO NE	NO NE	
Class 6 (Bonds of Counties, Cities and Towns of this State)			.35		NO NE	NO NE	
Income	1½% on first $3,000; 2½% on next $2,000; 3% on balance				NO NE	NO NE	
Merchandise			NONE	NO NE			
Banks			NONE	NO NE			
State Poll (or Capitation) Tax				1 50	NO NE		
Total Taxes and Levies				$		$	$ 73 82

CREDITS

Date	Account	Amount
DEC 1 1927		$

Received payment: J. P. Dalton

Five Per Cent. Penalty.....

Total Taxes, Levies and Penalty..... $

Treasurer.

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

MARY E. HARRELL.....COMPLAINANT

vs.

ROGER HARRELL AND CLYDE HARRELL.....DEFENDANTS

The undersigned, who was appointed Special Commissioner in this cause on the 28th day of November, 1927, begs to report to the Court that, in pursuance of a decree entered by the Court on the 19th day of December, 1927, he has made the following disbursements:

To amount received from Hersey V. Knight, representing full purchase price of property.....		$10,000.00
By amount paid G. E. Bunting, Clerk, representing Court costs.....	$ 20.50	
By amount paid Suffolk Insurance Corporation, representing premium on Commissioner's bond.....	16.50	
By Special Commissioner's Commission.....	300.00	
By amount paid R. J. Norfleet and S. M. Lawrence, appraisers for appraising property.....	10.00	
By amount paid Guardian ad Litem.....	5.00	
By amount paid Minnie Lavine for taking depositions.....	2.50	
By amount paid J. P. Dalton for 1927 taxes.....	73.82	
By amount paid G. A. Harris for drawing Special Commissioner's deed.....	10.00	
By amount paid Mary E. Harrell, representing one-third of the proceeds from sale of property.....	3187.22	
By amount paid Roger Harrell, representing one-third of the proceeds from sale of property.....	3187.23	
By amount on hand to be invested.....	3187.23	
	$10,000.00	$10,000.00

I have been requested by Clyde Harrell to report to the Court that he desires to have paid to his mother, Mary E. Harrell, the amount due him from the proceeds of the property, as shown by this report, and by her invested in bonds or notes to be secured by first mortgage or deed of trust in City of Suffolk real estate.

Respectfully submitted this 22nd day of December,1927.

G. H. Harris
Special Commissioner.

VIRGINIA: IN THE CIRCUIT
COURT OF NANSEMOND COUNTY.

MARY E. HARRELL

vs.

ROGER HARRELL AND CLYDE HARRELL

.....

R E P O R T

.....

Filed this 10th. day of February, 1928. J.L.M.

Judge.

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

MARY E. HARRELL.....COMPLAINANT

vs.

ROGER HARRELL and CLYDE HARRELL.....DEFENDANTS.

This cause came on again to be heard on the papers formerly read and upon the report of G. A. Harris, who was appointed Special Commissioner in this cause on the 28th day of November, 1927, said report bearing date the 12th day of December, 1927, and this day filed, to which report no exception has been taken, and upon the petition of Clyde Harrell, by E. R. Custis his next friend, which was by leave of Court allowed to be filed, and upon the answers of Mary E. Harrell and Roger Harrell to the petition of the said Clyde Harrell, and was argued by counsel.

On consideration whereof, it appearing to the Court from the report of the said Special Commissioner that he has collected the full purchase price of $10,000.00 for the following real estate, to-wit:

> All that certain tract, piece or parcel of land, with the buildings and appurtenances thereunto belonging, situated lying and being in Cypress Magisterial District, Nansemond County, Virginia, containing 150.83 acres, more or less, and being bounded as follows:
>
> On the North by the State Highway leading from White Marsh County Road to the State Highway leading from Suffolk to Corapeake, North Carolina, the Cypress High School property, and the lands of F. E. Parker; on the East by the White Marsh Road; on the South by the lands of the heirs of Daniel Wilkins; on the West by the lands of F. E. Parker.
>
> Being a part of the land of which A. L. Harrell died seised and possessed, and which was devised to Mary E. Harrell for life, with remainder to Roger Harrell and Clyde Harrell.

And that the said Special Commissioner did, by Special Warranty deed, bearing date the 30th day of November, 1927, convey the aforesaid property to Hersey V. Knight.

And it further appearing to the Court from the report of the Special Commissioner aforesaid, the petition of Clyde Harrell, by E. R. Custis his next friend, and by the answers of Mary E. Harrell and Roger Harrell to said petition, that the said Mary E. Harrell, Roger Harrell and Clyde Harrell did, on the 9th day of December, 1927, enter into an agreement, said agreement being attached to and made a part of the petition of Clyde Harrell,whereby it was agreed that Mary E. Harrell would accept one-third of the proceeds from the property herein described, after the payment of all costs incident to this suit, in full satisfaction and discharge of all her right, title and interest in same, and that the said Roger Harrell and Clyde Harrell would accept the remaining two-thirds, one-third each, of the proceeds from the property herein described, after the payment of all costs incident to this suit, in full satisfaction and discharge of all their right, title and interest in same.

And it further appearing to the Court that the agreement aforesaid is fair and just and that the rights of no person will be violated thereby, it is adjudged, ordered and decreed that the said agreement be, and it is hereby, approved, ratified and confirmed; and it is further adjudged, ordered and decreed that G. A. Harris, Special Commissioner, after deducting the costs incident to this suit, pay to the said Mary E. Harrell, Roger Harrell and the guardian of Clyde Harrell one-third, each, of the money in his hands, representing the purchase price of the real estate described in these proceedings, which is to be received by them in full satisfaction of all their right, title and interest in and to the money aforesaid.

And the said Special Commissioner shall report to Court.

VIRGINIA:
IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

MARY E. HARRELL.

vs.

ROGER HARRELL & CLYDE HARRELL

.....

D E C R E E

1927. Dec 19. Enter.
J. L. McLemore.

Chancery Order Bk.
No. 6 Page 122

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

MARY E. HARRELL.....Complainant

vs.

ROGER HARRELL and CLYDE HARRELL.....Defendants

The undersigned, who was appointed Special Commissioner in this cause on the 28th day of November, 1927, begs to report to the Court that in pursuance of said decree, he did, on the 30th day of November, 1927, after having given bond in the penalty of $11,000.00 before the Clerk of the Court, with approved security, and after having collected the sum of $10,000.00, being the full purchase price, conveyed to Hersey V. Knight the following property, to-wit:

> All that certain tract, piece or parcel of land, with the buildings and appurtenances thereunto belonging, situated lying and being in Cypress Magisterial District, Nansemond County, Virginia, containing 150.83 acres, more or less, and being bounded as follows:
>
> On the North by the State Highway leading from White Marsh County Road to the State Highway leading from Suffolk to Corapeake, North Carolina, the Cypress High School property, and the lands of F. E. Parker; on the East by the White Marsh Road; on the South by the lands of the heirs of Daniel Wilkins; on the West by the lands of F. E. Parker.

Your Special Commissioner has been requested to report to the Court that it is the desire of Mary E. Harrell, Roger Harrell and Clyde Harrell, the last being an infant nineteen years of age, that the proceeds from the sale of the property herein described be divided equally among the said Mary E. Harrell, Roger Harrell and Clyde Harrell, rather than invested in other real estate or real estate securities, as they believe that their interest will be greatly promoted by so doing.

Dated this 12th day of December, 1927.

G. A. Harris

Special Commissioner.

VIRGINIA:
IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

MARY E. HARRELL

vs.

ROGER HARRELL & CLYDE HARRELL.

.....

REPORT

1927 Dec. 19. Filed.
J.L.M.

34 2

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

MARY E. HARRELL.....COMPLAINANT

VS.

ROGER HARRELL & CLYDE HARRELL.....DEFENDANTS.

This day came Mary E. Harrell, the complainant, and by leave of Court filed her amended bill, and by consent of all parties, the guardian ad litem consenting for the infant defendant, this cause is set for hearing; and by like consent came on this day to be heard on the said amended bill of the complainant, the answer of the adult defendant, and the answer of the infant defendand by William S. Holland, his guardian ad litem, heretofore appointed, and the said William S. Holland, guardian ad litem, the replication of the complainant to each of said answers, the depositions of witnesses taken pursuant to notice and in the presence of said guardian ad litem, and the exhibit filed therewith; and was argued by counsel.

On consideration whereof, it being clearly shown from the evidence produced, independently of any admissions in the answers, that the interest of all parties, complainant and defendants, will be promoted by a sale of the whole of the property described in the bill in these proceedings, and the rights of no person will be violated thereby.

And it further appearing to the Court that Hersey V. Knight has offered the sum of $10,000.00, cash, and that said offer is as much as can reasonably be expected to be obtained for said property.

On consideration whereof, and by consent of all parties, the guardian ad litem consenting for the infant, the Court doth accept and approve said offer; and it is, therefore, adjudged, ordered and decreed that G. A. Harris, who is hereby appointed Special Com-

missioner for the purpose, convey to the said Hersey V. Knight, upon the payment to the said G. A. Harris, Special Commissioner, the sum of $10,000.00, the following property, to-wit:

> All that certain tract, piece or parcel of land, with the buildings and appurtenances thereunto belonging, situated lying and being in Cypress Magisterial District, Nansemond County, Virginia, containing 150.83 acres, more or less, and being bounded as follows:
>
> On the North by the State Highway leading from White Marsh County Road to the State Highway leading from Suffolk to Corapeake, North Carolina, the Cypress High School property, and the lands of F. E. Parker; on the East by the White Marsh Road; on the South by the lands of the heirs of Daniel Wilkins; on the West by the lands of F. E. Parker.

Being a part of the land of which A. L. Harrell died seised and possessed, and which was devised to Mary E. Harrell for life, with remainder to Roger Harrell and Clyde Harrell.

But the said Commissioner shall have no power to execute this decree until he shall have entered into a bond, with sufficient security, in the Clerk's Office of this Court, payable to the Commonwealth of Virginia, in the penalty of $11.000 , conditioned upon the faithful discharge of his duties hereunder.

VIRGINIA:
IN THE CIRCUIT COURT OF
NANSEMOND COUNTY.

MARY E. HARRELL

vs.

ROGER HARRELL & CLYDE HARRELL.

.....

D E C R E E

We Consent to this decree

G A Harrell Jr

Wm. S. Holland guardian ad litem +
Clyde Harrell by his guardian ad litem Wm. S. Holland

Enter Nov. 28. 1927
J. L. McLemore

Chancery Order Book No. 6 Page 117

VIRGINIA: IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

MARY E. HARRELL.....Complainant

vs.

ROGER HARRELL AND CLYDE HARRELL.....Defendants

This cause came on again to be heard on the papers formerly read and upon the report of G. A. Harris, Special Commissioner, who was appointed Special Commissioner in this cause on the 19th day of September, 1925, which report was dated the 18th day of February, 1926, and filed this day, to which no exception has been taken, and was argued by counsel.

On consideration whereof, it appearing to the Court that G. A. Harris, Special Commissioner, has collected from Ernest Wilkins, V. B. Harrell and Barnes Wilkins, Trustees of Cypress Chapel Christian Church, the sum of $450.00, and that he has, by Special Warranty deed, bearing date the 8th day of February, 1926, conveyed to said trustees the following property, to-wit:

1st. Beginning at a point on the West side of the White Marsh Road, at the Southeast corner of the Cypress Chapel Christian Church lot, and extending in a Westerly course along the South side of said lot 135 feet, thence Southwardly along the property line of the Cypress Chapel Christian Church cemetery lot 157 feet to the property line of F. E. Parker; thence Eastwardly along the property line of the said F. E. Parker 147 feet to the West side of the White Marsh Road; thence Northwardly along the West side of the White Marsh Road 159 feet to the Cypress Chapel Christian Church lot, the point of beginning.

2nd. Beginning at a point on the West side of the White Marsh Road, at the Southeast corner of the lot owned by F. E. Parker, and extending in a Westerly course along the said lot owned by F. E. Parker 340 feet, more or less, to the property owned by Cypress School Board; thence Southwardly along the property owned by Cypress School Board 190 feet, more or less, to the South property line of said Cypress School Board; thence Southeastwardly in a straight line with the South property line of said Cypress School Board 340 feet, more or less, to the West side of the White Marsh Road; thence Northeastwardly along the West side of the White Marsh Road 190 feet, more or less, to the point of beginning.

Contained in the two pieces or parcels of land are something less than two acres;

It further appearing to the Court that the said Special Commissioner has received and disbursed the following amounts:

1926 Feb. 8	To amount of purchase price of property.....	$450.00	
Feb. 18	By amount paid Herald Printing Corp. for advertising property.....		$21.00
Feb. 18	By amount paid Albemarle Observer for advertising property.....		20.00
Feb. 18	By amount paid Artcraft Press for printing hand-bills.....		8.50
Feb. 18	By amount paid Ledger-Dispatch Corp. for advertising property.....		10.12
Feb. 18	By amount paid Jno.J.S. Branch for crying sale of property.....		15.00
Feb. 18	By amount paid S. M. Lawrence and R. J. Norfleet for appraising property.....		15.00
Feb. 18	By amount paid Clerk of Circuit Court of Nansemond County for Court costs.....		25.00
Feb. 18	By Special Commissioner's commission.....		18.00
Feb. 18	By amount paid Minnie Lavine for taking depositions.....		2.50
Feb. 18	By amount paid Harris and Lipscomb, attys. for drawing Commissioner's deed.....		10.00
Feb. 18	By amount paid Suffolk News for advertising sale of property.....		24.00
Feb. 18	By amount paid to Mary E. Harrell, Roger Harrell and Clyde Harrell....		280.88
		$450.00	$450.00;

The Court doth confirm and approve said report, and this cause is continued.

VIRGINIA: IN THE CIRCUIT
COURT OF NANSEMOND COUNTY.

MARY E. HARRELL

vs.

ROGER HARRELL et al.

.....

DECREE

Entd. March 31. 1927
J. L. McGuire

Bk. # 6 Pg. 74

VIRGINIA: IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

MARY E. HARRELL.....COMPLAINANT.

vs.

ROGER HARRELL AND CLYDE HARRELL.....DEFENDANTS.

TO THE HONORABLE JAMES L. MCLEMORE, JUDGE OF SAID COURT:

The undersigned, G. A. Harris, who was appointed Special Commissioner in this cause on the 19th day of September, 1925, begs to the report to the Court as follows:

That, in pursuance of a decree entered in this cause on the 11th day of January, 1926, he did, on the 8th day of February, 1926, convey by Special Warranty deed, after having collected the sum of Four Hundred and Fifty Dollars ($450.00), being the full purchase price, to Ernest Wilkins, V. B. Harrell and Barnes Wilkins, Trustees of Cypress Chapel Christian Church, the following property, to-wit:

1st. Beginning at a point on the West side of the White Marsh Road, at the Southeast corner of the Cypress Chapel Christian Church lot, and extending in a Westerly course along the South side of said lot 135 feet, thence Southwardly along the property line of the Cypress Chapel Christian Church cemetery lot 157 feet to the property line of F. E. Parker; thence Eastwardly along the property line of the said F. E. Parker 147 feet to the West side of the White Marsh Road; thence Northwardly along the West side of the White Marsh Road 159 feet to the Cypress Chapel Christian Church lot, the point of beginning.

2nd. Beginning at a point on the West side of the White Marsh Road, at the Southeast corner of the lot owned by F. E. Parker, and extending in a Westerly course along the said lot owned by F. E. Parker 340 feet, more or less, to the property owned by Cypress School Board; thence Southwardly along the property owned by Cypress School Board 190 feet, more or less, to the South property line of said Cypress School Board; thence Southeastwardly in a straight line with the South property line of said Cypress School Board 340 feet, more or less, to the West side of the White Marsh Road; thence Northeastwardly along the West side of the White Marsh Road 190 feet, more or less, to the point of beginning.

Contained in the two pieces or parcels of land are something less than two acres.

The following is a statement of the receipts and disbursements made by your Special Commissioner:

1926 Feb. 8	To amount of purchase price of property.....	$450.00	
Feb.18	By amount paid Herald Printing Corporation for adv. property...		$21.00
Feb.18	By amount paid Albemarle Observer for advertising property.....		20.00
Feb.18	By amount paid Artcraft Press for printing hand-bills.....		8.50
Feb.18	By amount paid Ledger-Dispatch Corp. for advertising property...		10.12
Feb.18	By amount paid Jno.J.S.Branch for crying sale of property.....		15.00
Feb.18	By amount paid S.M.Lawrence and R.J.Norfleet for appraising property.....		15.00
Feb.18	By amount paid Clerk of Circuit Court of Nansemond County for Court costs.....		25.00
Feb.18	By Special Commissioner's commission.....		18.00
Feb.18	By amount paid Minnie Lavine for taking depositions.....		2.50
Feb.18	By amount paid Harris and Lipscomb, attys. for drawing Commissioner's deed.....		10.00
Feb.18	By amount paid Suffolk News for advertising sale of property.....		24.00
Feb.18	By amount paid to Mary E. Harrell, Roger Harrell and Clyde Harrell...		280.88
		$450.00	$450.00

Respectfully submitted this 18th day of February, 1926.

G.A.Harris
Special Commissioner.

VIRGINIA: IN THE CIRCUIT
COURT OF NANSEMOND COUNTY.

MARY E. HARRELL

vs.

ROGER HARRELL e t al.

.....

REPORT

1927 March 31. Filed

VIRGINIA: IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

MARY E. HARRELL.....COMPLAINANT:		
vs.		
ROGER HARRELL and CLYDE HARRELL, infants under twenty one years of age.....DEFENDANTS:		D E C R E E

This cause came on this day to be again heard on the papers formerly read and on the report of G. A. Harris, Special Commissioner, dated the 16th day of November, 1925, and this day filed, to which report no exception has been taken, and was argued by counsel.

On consideration whereof, it appearing to the Court from the said report that G. A. Harris, Special Commissioner, advertised the property described in the bill in these proceedings in accordance with the terms of the decree entered in this cause on the 19th day of September, 1925, and that the highest and best offer received for said property was $13,300.00;

And it further appearing from said report that Mrs. Mary E. Harrell, the life tenant of said property, is unwilling to accept the said offer of $13,300.00, and, therefore, the said offer is declined;

And it further appearing to the Court from the said report of G. A. Harris, Special Commissioner, that the Trustees of Cypress Chapel Christian Church have offered the sum of $450.00 cash for two small pieces or parcels of land, being described as follows:

> 1st. Beginning at a point on the West side of the White Marsh Road, at the Southeast corner of the Cypress Chapel Christian Church lot, and extending in a Westerly course along the South side of said lot 135 feet, thence Southwardly along the property line of the Cypress Chapel

Christian Church cemetery lot 157 feet to the property line of F. E. Parker; thence Eastwardly along the property line of the said F. E. Parker 147 feet to the West side of the White Marsh Road; thence Northwardly along the West side of the White Marsh Road 159 feet to the Cypress Chapel Christian Church lot, the point of beginning.

2nd. Beginning at a point on the West side of the White Marsh Road, at the Southeast corner of the lot owned by F. E. Parker, and extending in a Westerly course along the said lot owned by F. E. Parker 340 feet, more or less, to the property owned by Cypress School Board; thence Southwardly along the property owned by Cypress School Board 190 feet, more or less, to the South property line of said Cypress School Board; thence Southeastwardly in a straight line with the South property line of said Cypress School Board 340 feet, more or less, to the West side of the White Marsh Road; thence Northeastwardly along the West side of the White Marsh Road 190 feet, more or less, to the point of beginning;

Contained in the two pieces or parcels of land are something less than two acres;

And it further appearing to the Court, from the report aforesaid and the exhibits filed therewith, that the said sum of $450.00 is a good offer for said property, and that Mrs. Mary E. Harrell, the life tenant of said property, is willing to sell to the said Trustees of Cypress Chapel Christian Church the aforesaid property for the said sum of $450.00;

It is, therefore, ordered, adjudged and decreed that G. A. Harris, Special Commissioner, convey unto Ernest Wilkins, V. B. Harrell and Barnes Wilkins, Trustees of Cypress Chapel Christian Church, by Special Warranty deed, the property hereinabove described, upon the payment to him of the said sum of $450.00.

And it further appearing to the Court that Roger Harrell, one of the defendants to this suit, has attained the age of twenty-one years since this suit was instituted, and that his brother, Clyde Harrell, the other defendant, is more than nineteen years of age;

It is, therefore, ordered, adjudged and decreed that the said G. A. Harris, Special Commissioner, pay, first, the Court costs incurred in these proceedings, and the remainder to

Mary E. Harrell, the life tenant of the property sold in these proceedings, and Roger Harrell and Clyde Harrell, the remaindermen, according to their respective interests therein.

And the said Special Commissioner shall report to Court.

VIRGINIA: IN THE CIRCUIT
COURT OF NANSEMOND COUNTY.

MARY E. HARRELL

vs.

ROGER HARRELL et al.

5-74.392

DECREE

The Court to this
decree
Harris and Lipscomb
Clyde Harrell,
an infant, by his
guardian ad litem
W. S Holland

Wm. S. Holland guardian
ad litem for infant
defendant, Clyde Harrell.

Entered Feb. 11. 1926
Jas. L. McLemore

R. J. & J. B. NORFLEET

Insurance and Real Estate

Rooms 108 and 109 American Bank and Trust Bldg.

SUFFOLK, VA.,

Feb. 6, 1926.

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

Dear Sir:

We, the undersigned, who appraised the real estate described in the proceedings of Mary E. Harrell vs. Rodger Harrell and Clyde Harrell, beg to advise that we are familiar with the two small pieces of land which the Trustees of Cypress Chapel Christian Church desire to purchase, and believe that the sum of $450.00, which we are advised that they have offered, is a fair and just offer, and , in fact, in our opinion, more than could possibly be realized from any other source. We are advised that the Trustees of Cypress Chapel Christian Church desire this property to be used by the congregation for cemetery purposes. It is adjacent to the property owned by the church and used for cemetery purposes; that is the reason, we believe, that they have made this liberal offer.

Yours very truly,

R. J. Norfleet

J. B. Lawrence

VIRGINIA: IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

MARY E. HARRELL.....COMPLAINANT:
:
vs. :
: R E P O R T
ROGER HARRELL and CLYDE HARRELL, :
infants under twenty one years :
of age.....DEFENDANTS:

TO THE HONORABLE JAMES L. MCLEMORE, JUDGE OF SAID COURT:

G. A. Harris, who was appointed Special Commissioner by decree entered in this cause on the 19th day of September, 1925, begs to report:

That, in pursuance of said decree, he did, on the 10th day of October, 1925, after having given notice of the time, place and terms of sale, offer for sale, at public auction, to the highest bidder, the land described in the bill in these proceedings, viz: Tract No. 1 containing 56 acres, Tract No. 2 containing 48 acres, and Tract No. 3 containing 46-41/100 acres;

That for Tract No. 1, L. A. Saunders bid the sum of $5800.00, for Tract No. 2, H. V. Knight bid the sum of $4500.00, and for Tract No. 3, Rev. Mr. Roberts bid the sum of $2500.00, making a total of $12,800.00; that the three tracts were then offered as a whole, and the bid of $13,300.00 was received from Frank Harrell;

That the aforesaid offers were then submitted to Mrs. Mary E. Harrell, the life tenant, after having given the said offers proper consideration, the said Mrs. Mary E. Harrell advised your Commissioner that the offers would not be acceptable to her.

Your Commissioner has, however, been asked to report to the Court that the Trustees of Cypress Chapel Christian Church have offered the sum of $450.00 for those two certain small pieces of land, situated on the West side of the White Marsh Road, and being generally described as follows:

1st. Beginning at a point on the West side of the White Marsh Road, at the Southeast corner of the Cypress Chapel Christian Church lot, and extending in a Westerly cour$e along the South side of said lot 135 feet, thence Southwardly along the property line of the Cypress Chapel Christian Church cemetery lot 157 feet to the property line of F. E. Parker; thence Eastwardly along the property line of the said F. E. Parker 147 feet to the West side of the White Marsh Road; thence Northwardly along the West side of the White Marsh Road 159 feet to the Cypress Chapel Christian Church lot, the point of beginning.

2nd. Beginning at a point on the West side of the White Marsh Road, at the Southeast corner of the lot owned by F. E. Parker, and extending in a Westerly course along the said lot owned by F. E. Parker 340 feet, more or less, to the property owned by Cypress School Board; thence Southwardly along the property owned by Cypress School Board 190 feet, more or less, to the South property line of said Cypress School Board; thence Southeastwardly in a straight line with the South property line of said Cypress School Board 340 feet, more or less, to the West side of the White Marsh Road; thence Northeastwardly, along the West side of the White Marsh Road 190 feet, more or less, to the point of beginning.

Contained in the two pieces or parcels of land are something less than two acres.

The said Trustees of Cypress Chapel Christian Church desire to use said property for cemetery purposes.

Your Commissioner believes, from the certificate of Messrs. R. J. Norfleet and S. M. Lawrence (two men experienced in real estate values and who testified in these proceedings as to the value of the tract of land), that the offer, made by the Trustees of Cypress Chapel Christian Church, of $450.00 for the above described pieces of land is fair and just, and, in fact, more than could possibly be realised from any other person or persons.

Your Commissioner has been requested to report to the Court that Roger Harrell, one of the defendants, has attained the age of twenty-one years since this suit was brought, and he requests that the offer of the said church trustees be accepted. It is also the desire of Mary E. Harrell, the life tenant, that the said offer of said trustees be accepted.

In view of the small amount that will be in the hands of the Special Commissioner, after paying the Court costs in

these proceedings, and in view of the further fact that all interested parties desire that their respective interests in the proceeds from the sale of the property to the Trustees of Cypress Chapel Christian Church be paid to them and that said sale be confirmed by the Court, your Special Commissioner would recommend that he be instructed to pay to Mary E. Harrell, the life tenant, Roger Harrell, who is more than twenty-one years of age, and Clyde Harrell, who is more than nineteen years of age (they being all the parties interested in these proceedings), their respective shares, to be used by them as they shall see fit.

Respectively submitted this 6th day of ~~February~~ November, 1925.

G. A. Harris
Special Commissioner.

VIRGINIA: IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

Mary E. Harrell

vs.

Roger Harrell et al.

.....

R E P O R T

1926. Jan. 11. filed
J.X.M

Suffolk, Va.,
Sept. 19, 1927.

To the Honorable Circuit Court of Nansemond County:

Dear Judge McLemore:

With reference to the sale of our property at Cypress Chapel, we beg to advise that, after giving the matter due consideration, we, the undersigned, representing all of the heirs of the late A. L. Harrell having an interest in said farm, have reached the conclusion that it would be to our interest to sell the said farm if we can get as much as $10,000.00 for same. It is impossible for us to operate or rent the farm at a profit. We have lost money by operating and leasing the farm each year since we have owned it and we believe that for that reason it would be to our advantage to dispose of it.

You are, therefore, requested to approve any offer that may be made for the said farm, provided same is as much as $10,000.00.

Yours very truly,

Roger L. Harrell
Clyde Harrell
Mary E. Harrell

Filed 11/28/27 J.L.M.

THIS AGREEMENT, Made and entered into this 9th day of December, 1927, between Roger Harrell and Clyde Harrell, of the City of Norfolk, Virginia, parties of the first part,and Mary E. Harrell, of Nansemond County, Virginia, party of the second part-

WHEREAS, by will bearing date the 24th day of May,1923, and probated in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, on the 6th day of June, 1923, in Will Book 8, page 108, A. L. Harrell devised to Mary E.Harrell for her single life, and remainder to Roger Harrell and Clyde Harrell, all that certain tract, piece or parcel of land situated lying and being in Cypress Magisterial District, Nansemond County, Virginia, known as the "A. L. Harrell Home Place"; and,

WHEREAS, suit has been instituted in the Circuit Court of Nansemond County, Virginia, in which Mary E. Harrell is named as complainant and Roger Harrell and Clyde Harrell are named as defendants, for the purpose of making sale of said farm; and,

WHEREAS, the sale of said property has been made and the property conveyed to H. V. Knight for the sum of $10,000.00, said purchase price being now held by G. A. Harris, Special Commissioner; and,

WHEREAS, the said Mary E. Harrell, Roger Harrell and Clyde Harrell have agreed that it will be to their mutual interest to make division of said funds rather than to invest same in other property or in interest bearing securities; and,

WHEREAS, the said Mary E. Harrell is willing to accept one-third of said money in full satisfaction and discharge of all her right, title and interest in same; and,

WHEREAS, the said Roger Harrell and Clyde Harrell are willing to accept the remaining two-thirds, one-third, each, of the said money in full satisfaction and discharge of all their right, title and interest in same.

NOW, THEREFORE, WITNESSETH: That for and in consideration of the premises, and the further consideration of One Dollar ($1.00), cash in hand paid, the receipt whereof is hereby acknowledged, the said Mary E. Harrell doth covenant and agree to accept the sum of $3333.33 in full discharge of all her right, title and interest in and to the property heretofore described and the proceeds therefrom, and the said Roger Harrell and Clyde Harrell do covenant and agree to accept the sum of $3333.33, each, in full discharge of all their right, title and interest in and to the property heretofore described and the proceeds therefrom.

It is further covenanted and agreed that all the parties aforesaid shall contribute one-third, each, to the costs of court and other costs incident to the suit hereinabove mentioned.

Clyde Harrell, being an infant under twenty-one years of age, viz: nineteen years, it is mutually understood and agreed that all the parties hereto shall appear before the Circuit Court of Nansemond County, Virginia, and request that this agreement be ratified and confirmed by the Court.

WITNESS the following signatures and seals:

Mary E. Harrell (SEAL)

Roger Harrell (SEAL)

Clyde Harrell (SEAL)

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

I, Minnie Lavine, a Notary Public for the City aforesaid, in the State of Virginia, do certify that Mary E. Harrell, Roger Harrell and Clyde Harrell, whose names are signed to the writing above, bearing date the 9th day of December, 1927, have acknowledged the same before me in my City aforesaid.

Given under my hand this 10th day of December, 1927.

My commission expires the 2nd day of October, 1930.

Minnie Lavine
Notary Public.

AGREEMENT

MARY E. HARRELL

with

ROGER HARRELL
&
CLYDE HARRELL.

1927 Dec. 19. filed.
J.M.

G. A. HARRIS
ATTORNEY AND COUNSELLOR AT LAW
SUFFOLK, VIRGINIA

In the name of God Amen, I A.L.Morrell of Nansemond County,State of Virginia, being of sound mind and memory,do hereby make, publish,and declare this my last will and testament in manner and form following: hereby revoking all wills by me at any time heretofore made.

First, I will and direct that my body be given a decent Christian burial.

Second, I will and direct that all my just debts and funeral expenses and charges for administration shall be paid out of my estate by my executors herein named.

Third, I loan to my beloved wife for her single life the farm on which I now reside and known as A.L.Morrell farm,situated at Cypress Chapel,Va., and after her marriage or death said farm shall be equally divided between my youngest boys, Roger and Clyde Morrell,said gift to them in fee simple forever. I also give, devise, and bequeath to my said wife during her single life the farm known as the Moses Riddick farm, and after her marriage or death to be equally divided between my two said youngest boys, Roger and Clyde Morrell, said conveyance to them in fee simple forever.

Fourth, I give, devise, and bequeath in fee simple forever to my beloved wife, Mary E.Morrell,one life insurance policy,valued at $1150,payable by the Northwestern Mutual Life Insurance Company.

Fifth, I give,devise and bequeath to two youngest sons, Roger and Clyde Morrell,$800 in Liberty bonds to be equally divided between them,in fee simple forever.

Sixth, I give,devise, and bequeath to my beloved wife, Mary E.Morrell, $1600 in cash. in fee simple forever. I also give to my said wife and said two youngest sons, Roger and Clyde Morrell,all chattel property,consisting of household and kitchen furniture,Dodge automobile,farming implements,all stock,grain, forage,and all crops,all pork and bacon, and desire that these remain on property and be converted to general use for support of said wife and two children,Roger and Clyde Morrell.

Seventh, I give,devise and bequeath to my son Genie B.Morrell,the farm on which he now resides lying on the east side of the County road,leading from Cypress Chapel to Sunbury,N.C. and that part of my estate lying between said county road and the road to Wilkin's Fork,known as part of the Bernice Wilkins land and the Edwin Sebey farm in fee simple forever.

Eighth, I give, devise and bequeath to my son, Ernest J.Morrell,that

part of my estate, known as a part of the Barnes Wilkins,land,lying on the west side of the county road leading from Cypress Chapel to Sudbury,N.C. and on the west side of the road leading to Wilkins' Fork in fee simple forever.

Ninth, I give,devise and bequeath to my son Ernest J.Harrell $1500 in cash,fee simple forever.

Tenth,I give,devise and bequeath to my son,Harry B.Harrell,the farm known as the John Rountree farm or Lily farm in fee simple forever.

Eleventh, I give,devise, and bequeath to Mrs. Annie C.Rountree, $3000 in cash,in fee simple forever.

Twelfth, I give,devise and bequeath to my son,A.L.Harrell,Jr., the tract of land known as the Quentin Baines land in fee simple forever.I also give, devise, and bequeath to said son $1000 in cash, I also give, devise and bequeath to said son one house and lot in Wholeyville,Va., known as Dick Duke property in fee simple forever.

Thirteenth, I give devise, and bequeath to my beloved wife and seven children the residue of my estate to be equally divided between them, in fee simple forever.

Fourteenth, I desire that any interest coming to me as an heir from my father Edward R.Harrell,deceased, shall be equally divided between my wife and seven children in fee simple forever.

I hereby nominate an appoint my beloved wife, Mary E.Harrell and V.B.Harrell executors of this my last will and testament. In witness whereof I hereunto set my hand and seal this the 24th day of May in year 1923.

A.L.Harrell, SEAL

SIGNED,sealed, published,acknowledged and declared by said A.L.Harrell as and for his last will and testament, in the presence of us who at his request and in his presence, and in the presence of each other have subscribed our names as witnesses hereto.

Witness

Susie L.Robey

Vivian B.Harrell

VIRGINIA:

In the Clerk's Office of the Circuit Court of Nansemond County, on Wednesday the 6th day of June,1923.

A paper writing dated the 24th day of May,1923, purporting to be the last will and testament of A.L.Morrell,late of this county,deceased,was this day produced before the Clerk of the Circuit Court of Nansemond County, and proved according to law by the oaths of Susie L.Bobey and Vivian B.Morrell, the two subscribing witnesses thereto and is ordered to be recorded as and for the true and last will and testament of the said A.L.Morrell,deceased.

And on motion of Mary E.Morrell, the Executrix and V.B.Morrell, the Executor named in the said last will and testament, and who made oath according to law and entered into and acknowledged a bond in the penalty of Seventeen Thousand ($17,000.00) Dollars, conditioned according to law, with the Fidelity and Deposit Company of Maryland, by J.E.West, its duly authorized attorney in fact as surety,certificate is granted them,the said Mary E.Morrell as Executrix and V.B.Morrell as Executor for obtaining a probate of said last will and testament in due form.

And it is ordered that said bond be recorded.

Teste: G.E.Bunting, Clerk.

By, Ruby W.Benton, D.C.

A true copy made this 6th day of June,1923.

See Will Book No.8,page 108.

Attest: ~~G.E.Bunting, Clerk.~~

~~By~~ Geo E Bunting Clerk ~~D.C.~~

Copy of the
Will of
A. F. Haskell

Exhibit "A"

VIRGINIA:
IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Mary E. Harrell.....Complainant

vs

Roger Harrell and Clyde Harrell,
infants under twenty-one years
of age.....Defendants

To the above-named defendants, and to William S. Holland, guardian ad litem of the infant defendants:

Take notice that I shall, on the 15th day of September, 1925, at the offices of Harris and Lipscomb, National Bank of Suffolk Building, Suffolk, Virginia, between the hours of 9:00 a. m., and 6:00 p. m., on that day, proceed to take the depositions of V. B. - Harrell and others, to be read in evidence in my behalf, in the above-styled suit depending in the said Circuit Court of Nansemond County, Virginia; and, if from any cause the taking of the said depositions be not commenced on that day, or, if commenced, be not concluded on that day, the taking of the same will be adjourned and continued from day to day, or from time to time, at the same place and between the same hours, until the same shall be completed.

Given under my hand this 11th day of September, 1925.

Mary E Harrell

By G H Harris
Her counsel.

Service of the above notice is hereby acknowledged.

Roger Harrell)
Clyde Harrell)

By William S. Holland
Guardian ad litem

William S. Holland
Guardian ad litem

The depositions of S. M. Lawrence and others, taken before me, Minnie Lavine, a Notary Public in and for the City of Suffolk and State of Virginia, pursuant to notice hereto annexed, in the office of Harris and Lipscomb, attorneys at law, National Bank of Suffolk Building, Suffolk, Virginia, on the 15th day of September, 1925, between the hours of 9:00 A. M., and 6:00 P. M., on that date, to be read as evidence in behalf of Mary E. Harrell, in a certain suit in equity depending in the Circuit Court of Nansemond County, Virginia, wherein Mary E. Harrell is complainant and Roger Harrell and other are defendants.

Present: Harris & Lipscomb, attorneys for the plaintiff.

William S. Holland, guardian ad litem for Roger and Clyde Harrell.

MR. S. M. LAWRENCE, being first duly sworn, deposes and says as follows:

(Examined by Mr. Harris)

Q. Mr. Lawrence, are you familiar with the property owned by the late A. L. Harrell at Cypress Chapel, Nansemond County, Va.?

A. Yes.

Q. Have you seen it recently?

A. Yes.

Q. State when?

A. Within the past week.

Q. Please state the physical condition of the buildings on the property, whether in good repair or not?

A. The buildings on the Old Home Place are in a dilapidated condition and would require a considerable amount of money to place them in good condition, probably $2000.00; the New Home Place is in, I should say, reasonably good condition. There are no buildings on the tract of land on the West side of the road.

Q. Mr. Lawrence, the life tenant, Mrs. Mary E. Harrell, has requested that the property be sold and the proceeds therefrom invested in other real estate or good securities, for the reason that her two sons, 16 and 20 years of age, respectively, have left the farm and do not expect to follow farming as their vocation, and Mrs. Harrell, their mother, will have to leave the farm for the reason that she will have no one to live with her and for the further reason that she is not capable of carrying on the farm. Assuming that this is true, do you believe that it will be to the best interest of all parties concerned to sell the property and invest the money in other real estate or good securities?

A. Yes.

Q. If sale is made of the farm, please state, in your judgment, whether or not it should be sold in one tract or should it be sub-divided in more than one tract?

A. I am of the opinion that it should be sub-divided in three tracts as shown on the plat exhibited and made by Hugh Dudley.

I would call the New Home Place Tract 1, which is shown on said plat, which contains 27.97 acres of clear land and 28.38 acres wood land. This tract has a good dwelling and fair outbuildings thereon, and is located adjoining a good high school and very convenient to a church and post office. I consider the fee simple value of this tract to be about $7500.

Tract No. 2, as shown by said plat, contains approximately 30 acres of clear land and approximately 19.5 acres of wood land. On this tract of land is located the old homestead, with a few outbuildings which, as stated before, is in a dilapidated condition. I consider this tract to be worth

$4000.00 to $4500.00. This Tract No. 2, as will be seen by the plat, has a good road frontage on the State Highway leading to North Caroling, and has also a good frontage on the old County Road. There is also a small tenant house on this property.

Tract No. 3 has 11.32 acres of clear land and 35.12 acres of wood land. There are no buildings on this tract, yet it has a good long frontage on the State Highway and the land lies well. I consider this tract to be worth from $2500.00 to $3000.00.

I think the land as divided should be offered for sale first by the tracts and afterwards as a whole, and I am of the opinion that all this land should be offered for sale prior to the first day of December, 1925, and on reasonably easy terms to make it bring the best price obtainable.

Q. How much do you think the farm should bring as a whole?

A. I think this property as a whole should bring between $14,000.00 and $15,000.00.

Q. Mr. Lawrence, do you think it would be advisable to sell any part of the land without selling the whole?

A. I think, under the circumstances, it would be better to sell all of the land.

Q. In other words, you don't think the interest of the parties would be promoted by a sub-division of the land unless they sold all of the land?

A. No, Unless when either tract brought considerably more than I estimated.

Q. Mr. Lawrence, have you any idea of the ~~rental~~ annual value of the property?

A. I should think, from the present condition of all this land, it would not exceed $400.00. There is not much timber on this land, and it appears that Tract No. 3 contains the most timber.

And further this deponent saith not.

S M Lawrence

MR. R. J. NORFLEET, being first duly sworn, deposes and says as follows:

(Examined by Mr. Harris).

Q. Mr. Norfleet, are you fairly familiar with the property owned by the late A. L. Harrell at Cypress Chapel, Nansemond County, Virginia?

A. I am.

Q. Have you seen the property recently?

A. I have within the last week.

Q. Were you present with Mr. S. M. Lawrence when he went over the farm?

A. I was.

Q. You heard Mr. Lawrence'stestimony as to the value of Tract No.1. What, in your opinion, is this tract worth?

A. Around $7500.00.

Q. What would you say as to Tract No. 2?

A, From $4000.00 to $4500.00.

Q. What would you say as to Tract No. 3?

A. From $2500.00 to $3000.00.

Q. Please state the condition of the buildings as you observed them on these tracts?

A. Tract No. 1's dwelling was in a very fair condition; Tract No. 2's, which is the Old Homestead, is in a very dilapidated condition, and no buildings on Tract No. 3.

Q. You heard what Mr. Lawrence said with reference to how the property should be offered for sale to bring the highest price. Do you agree with him that it should be sub-divided?

A. I do.

Q. Do you agree with him that it should be offered both as in tracts and as a whole?

A. I do.

Q. Do you believe, under the circumstances, that the interest of all parties will be promoted by sale of the property and

investment of the proceeds therefrom in other revenue producing real estate or good securities?

A. I certainly do.

Q. What would you consider the annual value of this property to be?

A. $350.00 to $400.00.

And further this deponent saith not.

R. J. Storfleth

MRS. MARY E. HARRELL, being first duly sworn, deposes and says as follows:

(Examined by Mr. Harris).

Q. Mrs. Harrell, you are the widow of the late A. L. Harrell and the complainant in this suit, are you not?

A. Yes, sir.

Q. Please state your reasons for requesting the sale of the property mentioned in the bill in these proceedings?

A. First reason is that the boys have left and I have no one to farm, and I can't see there is anything for me to keep up repairs and have renters. It goes down every year.

Q. What is the condition of the buildings now?

A. It is getting right bad. The Old Place is going down.

Q. This property was left to you and your two children by your husband, the late A. L. Harrell, by his will?

A. Yes, sir.

Q. What interest have you?

A. Life interest.

Q. You have not married since Mr. Harrell's death?

A. No, sir.

Q. Are Clyde and Roger Harrell your sons?

A. Yes, sir.

Q. The only children that you have?

A. Yes, sir.

Q. Who would be their heirs at law if they were dead?

A. I would as their mother.

Q. Neither of them are married nor have they children?

A. No, sir.

And further this deponent saith not.

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

I, Minnie Lavine, a Notary Public in and for the City aforesaid, in the State of Virginia, do hereby certify that the aforesaid depositions of S. M. Lawrence, R. J. Norfleet and Mary E. Harrell were duly taken, sworn to and subscribed before me, at the time and place and for the purpose in the caption hereto mentioned.

Given under my hand this 16th day of September, 1925.

My commission expires October 2, 1926.

Minnie Lavine
Notary Public.

VIRGINIA: IN THE CIRCUIT COURT OF
NANSEMOND COUNTY.

MARY E. HARRELL

vs.

ROGER HARRELL ET AL.

.....

D E P O S I T I O N S

Filed Sept. 19, 1925

G. E. Bunkley
Clerk

W. P. LIPSCOMB
ATTORNEY AT LAW
COMMONWEALTH'S ATTORNEY FOR THE CITY OF SUFFOLK
SUFFOLK, VIRGINIA

The depositions of S. M. Lawrence and R. J. Norfleet, taken before me, Minnie Lavine, a Notary Public, pursuant to notice hereto annexed, in the office of G. A. Harris, attorney-at-law, National Bank of Suffolk Building, Suffolk, Virginia, on the 18th day of October, 1927, at 9:30 o'clock A. M., to be read as evidence on behalf of Mary E. Harrell in a certain suit in equity depending in the Circuit Court of Nansemond County, Virginia, wherein Mary E. Harrell is complainant, and Roger Harrell and Clyde Harrell are defendants.

PRESENT: G. A. Harris, attorney for the complainant.

W. S. Holland, guardian ad litem for Clyde Harrell, the infant defendant.

Roger Harrell, having obtained his majority, was not represented.

VIRGINIA: IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

MARY E. HARRELL

vs.

ROGER HARRELL & CLYDE HARRELL.

TO ROGER HARRELL AND W. S. HOLLAND, GUARDIAN AD LITEM OF CLYDE HARRELL:

TAKE NOTICE that on the 18th day of October, 1927, at the office of G. A. Harris, attorney-at-law, National Bank of Suffolk Building, Suffolk, Virginia, between the hours of 9:00 o'clock A. M. and 3:00 o'clock P. M., on that day, I shall proceed to take the depositions of S. M. Lawrence and R. J. Norfleet, to be read as evidence in my behalf in a certain suit in equity depending in the Circuit Court of Nansemond County wherein I am complainant and you are defendants, and if for any cause the taking of depositions be not commenced, or if commenced be not concluded, on that day, the taking of same will be adjourned from day to day, at the same place and at the same hours until the same shall be completed.

Respectfully yours,
Mary E. Harrell
By G A Harris
By Counsel

G A Harris p.q.

Due, legal and sufficient service of the foregoing notice is hereby accepted.

Wm S Holland Guardian ad litem
for Clyde Harrell
Roger Harrell

MR. S. M. LAWRENCE, of legal age, being first duly sworn, deposes and says as follows:

(Examined by Mr. Harris)

Q. Mr. Lawrence, what business are you engaged in?

A. Real estate.

Q. Have you a general knowledge of real estate values in Cypress District?

A. Yes, a general knowledge.

Q. Have you seen the property known as the A. L. Harrell land at Cypress Chapel recently?

A. Yes; on yesterday, October 17, 1927.

Q. Please state the condition of the dwelling situated near the School House?

A. It is in fairly good condition but needs painting badly.

Q. Did you observe the condition of the out-buildings?

A. Yes; practically no out-buildings.

Q. What would you say with reference to the dwelling known as the "Old Homestead".

A. In very dilapidated condition and practically untenantable.

Q. What would you say with reference to the out-buildings?

A. They are practically valueless.

Q. What is the condition of the fences and ditches on the farm?

A. They are in bad condition - badly run down.

Q. What is the condition of the soil?

A. Poor condition.

Q. Did you observe any crop on any part of the land?

A. Yes.

Q. What was the condition of the crops; whether healthy growth or small?

A. Very poor.

Q. In your judgment, Mr. Lawrence, what would you say would be the cost of reconditioning the dwelling and out-buildings, opening the ditches and constructing the necessary fences - putting the farm as a whole in a good tenantable condition?

A. I should say at least $3,000.00.

Q. Mr. Lawrence, in your judgment, what is the property worth on to-day's market?

A. Around about $10,000.00 cash.

Q. All the parties interested in this property have an offer of $10,000.00; presuming that to be the true value, do you think it to the best interest of the parties to accept this offer and re-invest the proceeds in other property or make division of same?

A. Yes.

Q. Mr. Lawrence, you testified in the year 1925 as to the value of this property, did you not?

A. Yes.

Q. At that time witnesses appraised it at $14,000.00. Can you explain the depreciation?

A. The buildings and land since then have been allowed to run down; about one-half an acre of the land has been conveyed to Cypress Chapel Christian Church for $450.00; and the present state of the crops indicates that the land is not as valuable as I then thought it.

And further this deponent saith not.

J. M. Lawrence.

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of legal age,
MR. R. J. NORFLEET, being first duly sworn, deposes and says as follows:

(Examined by Mr. Harris)

Q. Mr. Norfleet, what business are you engaged in?

A. Real estate and insurance.

Q. Are you fairly familiar with land values in Cypress district?

A. I am.

Q. Have you seen recently the land owned by the late A. L. Harrell at Cypress?

A. I have on October 17, 1927.

Q. What is the condition of the dwelling near the School House?

A. It is in a fair condition but badly in need of paint.

Q. What is the condition of the out-buildings?

A. There are no out-buildings of any consequence, being only a small barn and smoke house of very little value.

Q. What is the condition of the dwelling on that part of the land known as the "Old Homestead"?

A. It is in a very dilapidated condition, untenantable and at present not occupied.

Q. What is the condition of the out-buildings?

A. In such condition of really no value or very little value.

Q. What is the condition of the fences?

A. Most of the fences are down and covered with bushes, briars and other shrubbery. Couldn't see much of the fences.

Q. What is the condition of the land?

A. Small portion looks to me in fair condition but most of it though is very poor; now covered with small weeds, briars and sassafras bushes.

Q. Have you any idea as to the cost of replacing the buildings, putting them in reasonably satisfactory condition, and opening the ditches and replacing the fences?

A. My estimation would be around $4000.00.

Q. The parties interested in this land have received an offer of $10,000.00 for the whole of the property. Is it in your judgment that the interest of all parties would be promoted by the sale and a division or re-investment of the proceeds therefrom?

A. Yes, very much to their advantage.

Q. You testified, Mr. Norfleet, in 1925, that the property should probably bring $14,000.00. Do you think that the value has depreciated since that time?

A. It has because the biggest part of it has not been in cultivation; nothing spent on the up-keep, and there is no demand much for country property.

Q. Do you think the farm as it stands to-day can be cultivated profitably, Mr. Norfleet?

A. I do not.

And further this deponent saith not.

R. J. Norfleet

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

I, Minnie Lavine, a Notary Public for the City aforesaid, in the State of Virginia, do certify that the aforesaid depositions of S. M. Lawrence and R. J. Norfleet were duly taken, sworn to and subscribed before me at the time and place and for the purpose in the caption hereto mentioned.

Given under my hand this 18th day of October,1927.

My commission expires the 2nd day of October,1930.

Minnie Lavine
Notary Public.

VIRGINIA: IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

MARY E. HARRELL

vs.

ROGER HARRELL et al.

.....

D E P O S I T I O N S

Filed 11/28/27.

G. A. HARRIS
ATTORNEY AND COUNSELLOR AT LAW
SUFFOLK, VIRGINIA

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

MARY E. HARRELL.....COMPLAINANT

vs.

ROGER HARRELL and CLYDE HARRELL.....DEFENDANTS

THIS CAUSE came on again to be heard on the papers formerly read, upon the report of G. A. Harris, who was appointed Special Commissioner in this cause on the 28th day of November, 1927, said report bearing date the 22nd day of December, 1927, and filed on the 10th day of February, 1928, and also upon the further report of G. A. Harris, which report bears date the 25th day of February, 1928, and this day filed, to which report no exception has been taken; and was argued by counsel.

On consideration whereof, it appearing to the Court that the said G. A. Harris, Special Commissioner, has paid to Mary E. Harrell the sum of $3187.23, representing the amount due Clyde Harrell from the proceeds of the sale of the land described in the bill in these proceedings, said money to be invested in bond or bonds for the use and benefit of the said Clyde Harrell and to be secured by first mortgage on real estate situated in the City of Suffolk, Virginia.

On consideration whereof, the said report is approved and confirmed, and it is ordered that this suit be stricken from the docket, subject to be re-instated upon the application of the said Mary E. Harrell for instructions as to the distribution of the funds now in her hands and to be held by her for the use and benefit of the said Clyde Harrell.

VIRGINIA:
IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

MARY E. HARRELL

vs.

ROGER HARRELL & CLYDE HARRELL.

.....

Final

DECREE

.....

Entered this 16. day of
April, 1928.

Jas. L. McGehee
Judge.

Chancery Order Book
No. 6 Page 154

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

MARY E. HARRELL.....COMPLAINANT

vs.

ROGER HARRELL and CLYDE HARRELL.....DEFENDANTS

THE ANSWERS OF MARY E. HARRELL AND ROGER HARRELL TO A PETITION FILED BY CLYDE HARRELL, BY E. R. CUSTIS HIS NEXT FRIEND, IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA, IN THE SUIT OF MARY E. HARRELL vs. ROGER HARRELL AND CLYDE HARRELL.

Mary E. Harrell and Roger Harrell, for answer to said petition, or so much thereof as they are advised it is material and proper they should answer, answer and say that the allegations made in the said petition are true; that they concur in the prayer of the petitioner and recommend that the agreement referred to in said petition be approved, ratified and confirmed.

And now having fully answered the said petition, these defendants pray to be hence dismissed with their reasonable costs in this behalf expended.

Mary E. Harrell

Roger Harrell
By Counsel

G. A. Hamp. D.

VIRGINIA:
IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

MARY E. HARRELL

vs.

ROGER HARRELL & CLYDE HARRELL

Answer of

Mary E. Harrell
and
Roger Harrell

1927 Dec 19. filed
J.L.M

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

Clyde Harrell, an infant nineteen years of age, by E. Roland Custis, his next friend, respectfully showeth unto the Court as follows:

That there is pending in the Circuit Court of Nansemond County, Virginia, a chancery suit, the general style being Mary E. Harrell, complainant, vs. Roger Harrell and Clyde Harrell, defendants; that this suit was brought for the purpose of disposing of certain real estate situated lying and being in Nansemond County, Virginia, of which A. L. Harrell died seised and possessed, and which was devised to the said Mary E. Harrell during her single life, with remainder to Roger Harrell and Clyde Harrell;

That the said Mary E. Harrell is the mother of this petitioner and that Roger Harrell is his brother.

That the said Clyde Harrell, by E. R. Custis, his next friend, further showeth unto the Court that Mary E. Harrell, Roger Harrell and Clyde Harrell have, by agreement dated the 9th day of December, 1927, agreed to divide equally among the said Mary E. Harrell, Roger Harrell and Clyde Harrell the proceeds from the sale of the property herein referred to rather than reinvest said money in other real estate or real estate securities.

Your petitioner believes that his interest in the money aforesaid will be very greatly promoted by a division of same, thereby permitting each of said parties to make such investment as they may see fit, and assigns the following reasons therefor:

His mother, the said Mary E. Harrell, upon the terms of the will of the said A. L. Harrell, was to receive all the income from said money during her single life; that she has

agreed, as will be shown by an agreement hereto attached and prayed to be read as a part of this petition, to accept in full discharge of all her right, title and interest in the aforesaid funds the sum of $3333.33, which is very much less than the value of her interest in the real estate; that it will be difficult for all of said parties to agree upon a satisfactory investment of the aforesaid funds in other property or interest bearing securities; that it will be very much more satisfactory for all parties concerned to have said funds divided whereby they may be able to make such investment as they may see fit and receive the profits therefrom as they may accrue.

Your petitioner prays that the herein mentioned agreement may be ratified and approved by the Court, and that the funds in the hands of G. A. Harris, Commissioner, may be divided according to the said agreement.

And your petitioner will ever pray, etc.

Clyde Harrell by
E. P. Austin his next friend.
Clyde Harrell

VIRGINIA:
IN THE CIRCUIT COURT OF
NANSEMOND COUNTY.

PETITION OF CLYDE HARRELL
BY E. R. CURTIS, HIS NEXT
FRIEND.

1927. Dec. 19. Filed.
J.M.

VIRGINIA: IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

MARY E. HARRELL.....COMPLAINANT

vs.

ROGER HARRELL & CLYDE HARRELL.....DEFENDANTS.

THE ANSWER OF CLYDE HARRELL, INFANT UNDER THE AGE OF TWENTY-ONE YEARS, BY WILLIAM S.HOLLAND (A DISCREET AND COMPETENT ATTORNEY AT LAW), HIS GUARDIAN AD LITEM ASSIGNED TO DEFEND HIM IN THIS SUIT, AND THE ANSWER OF THE SAID WILLIAM S. HOLLAND, GUARDIAN AD LITEM OF THE SAID INFANT DEFENDANT, TO A BILL OF COMPLAINT EXHIBITED AGAINST THE SAID CLYDE HARRELL AND ROGER HARRELL BY MARY E. HARRELL, IN THE CIR- CUIT COURT OF THE COUNTY OF NANSEMOND, VIRGINIA.

For answer to the said bill the said infant defendant by his said guardian ad litem answers and says that being of tender years he does not know what his true interest is in relation to the subject-matter of the said bill, nor does he know whether the statements therein contained are true or not. He is not advised as to the proper price the property described in the bill should bring; however, he believes that the price offered is fair and just and all that can reasonably be expected to be obtained. He confides the protection of his interest therein to the care of the Court. And the said guardian ad litem for answer to the said bill answers and says that he knows nothing as to the truth or falsity of the statements in the bill contained. He prays full protection for the infant defendant.

And now having fully answered, this defendant prays to be hence dismissed with his costs, etc.

Clyde Harrell

BY William S Holland
Guardian ad litem.

Wm S. Holland
Guardian ad Litem of
the said infant.

Sworn to before me in my City aforesaid by William S. Holland, guardian ad litem as aforesaid, this the 15th day of October, 1927.

Katherine Early.
Notary Public.

VIRGINIA: IN THE CIRCUIT
COURT OF NANSEMOND COUNTY.

MARY E. HARRELL

vs.

ROGER & CLYDE HARRELL.

ANSWER OF

GUARDIAN AD LITEM.

Filed 11/28/27.
J.H.M

VIRGINIA: IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

MARY E. HARRELL.....COMPLAINANT

vs.

ROGER HARRELL & CLYDE HARRELL.....DEFENDANTS.

THE SEPARATE ANSWER OF CLYDE HARRELL, AN INFANT UNDER THE AGE OF TWENTY-ONE YEARS, BUT OVER THE AGE OF FOURTEEN YEARS (BEING EIGHTEEN YEARS OF AGE), IN PROPER PERSON, TO A BILL OF COMPLAINT FILED AGAINST HIM AND ROGER HARRELL IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA, BY MARY E. HARRELL, LIVING TENANT OF THE PROPERTY DESCRIBED IN THESE PROCEEDINGS.

This respondent reserving to himself the benefit of all just exceptions to the said bill of complaint for answer thereto answers and says that he is eighteen years of age; that by reason of his tender years he knows but little of the allegations of the said bill, but so far as he does know, he believes the same to be true; he sees no reason why the prayer of the bill should not be granted, and accordingly concurs in the prayer of said bill, but he commits himself and his rights and interest to the protection of the Court, and prays that no decree will be entered that will tend to his prejudice.

And now having fully answered the said bill, this respondent prays to be hence dismissed with his reasonable costs in this behalf expended.

Clyde Harrell

Taken, subscribed and sworn to before me, ~~Minnie~~ G M Harris Lavine, a Notary Public for the ~~City of Suffolk~~ Nansemond County, in the State of Virginia, in the city aforesaid, this 17th day of October, 1927. My Commission expires Oct. 2-1930.

G M Harris
Notary Public.

VIRGINIA: IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

MARY E. HARRELL

vs.

ROBER HARRELL & CLYDE HARRELL.

.....

ANSWER OF

CLYDE HARRELL.

Filed 11/28/27.

J. L. M

VIRGINIA: IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

MARY E. HARRELL.....COMPLAINANT

vs.

ROGER HARRELL & CLYDE HARRELL.....DEFENDANTS.

THE SEPARATE ANSWER OF ROGER HARRELL TO A BILL IN EQUITY EXHIBITED AGAINST HIM AND CLYDE HARRELL IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA, BY MARY E. HARRELL, LIVING TENANT OF THE PROPERTY DESCRIBED IN THESE PROCEEDINGS.

The defendant, for answer to said bill, or so much thereof as he is advised that it is material and proper that he should answer, answers and says that the allegations made in said bill are true and correct and that he concurs in the prayer of the complainant and recommends that the Court make sale of the property described in said bill, and that the Court accept the price offered for it as stated in said bill.

This defendant further answers and says that it is true that he has now reached his majority.

And now having fully answered the said bill, this defendant prays to be hence dismissed with his reasonable costs in this behalf expended.

Roger Harrell

Taken, subscribed and sworn to before me, Minnie Lavine, a Notary Public for the City of Suffolk, in the State of Virginia, in the City aforesaid, this 15th day of October, 1927.

Minnie Lavine
Notary Public.

VIRGINIA: IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

MARY E. HARRELL

vs.

ROGER HARRELL & CLYDE HARRELL.

.....

ANSWER OF

ROGER HARRELL

Filed 1/28/27
J.L.M.

VIRGINIA

IN THE CIRCUIT COURT OF NANSEMOND COUNTY

Mary E. Harrell.....Complainant

vs

Roger Harrell and Clyde Harrell,
infants under twenty-one years
of age.....Defendants

The joint and separate answer of Roger Harrell and Clyde Harrell, infants under the age of twenty-one years, by W. S. Holland (a discreet and competent attorney-at-law), their guardian ad litem assigned to defend them in this suit, and the answer of the said W. S. Holland, guardian ad litem of said infant, to a bill of complaint exhibited against the said infants by Mary E. Harrell in the Circuit Court of Nansemond County, Virginia.

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

And the said guardian ad litem for the said infant defendants to the said bill, answers and says he knows nothing as to the truth or falsity of the statements in the bill contained. He prays full protection for the infant defendants.

And now having answered, these defendants pray to be hence dismissed with their costs, etc.

Roger Harrell)
Clyde Harrell) By

William S. Holland
Guardian ad litem

William S. Holland
Guardian ad litem of the infant defendants.

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

This day, William S.Holland, Guardian ad Litem of Roger Harrell and Clyde Harrell, and William S. Holland, Guardian ad Litem, personally appeared before me, Minnie Lavine, a Notary Public for the City and State aforesaid, and made oath that the statements made in the foregoing answer are true to the best of his knowledge and belief.

Given under my hand this 15th day of September, 1925.

My commission expires the 2nd day of October, 1926.

Minnie Lavine
Notary Public.

VIRGINIA: IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

MARY E. HARRELL

vs.

ROGER HARRELL ET AL.

.....

ANSWER OF

GUARDIAN AD LITEM.

Filed Sept. 19, 1925
G. C. Whitley, Clerk

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY

Mary E. Harrell.....Complainant

vs

Roger Harrell and Clyde Harrell,
infants under twenty-one years
of age.....Defendants

The joint and separate answer of Roger Harrell and Clyde Harrell, infants under the age of twenty-one years but more than fourteen years of age, in their own proper person, to a bill of complaint exhibited against the said infants by Mary E. Harrell in the Circuit Court of Nansemond County, Virginia.

For answer to the said bill, the said infant defendants answer and say that being of tender years they do not know what their true interests are in relation to the subject matter of the bill, nor do they know whether the statements are true or not, however, they believe them to be true. And so far as they relate to their desire to dispose of the property mentioned in said bill they are true. It is true they do not expect to make farming their life work and it is also true that they desire that the farm be sold and the proceeds therefrom be reinvested in other real estate or good interest-bearing securities.

And now having fully answered, the defendants pray to be hence dismissed with their costs, etc.

Roger Harrell

Clyde Harrell

STATE OF VIRGINIA,
City of Suffolk, to-wit:

This day, Roger Harrell and Clyde Harrell, personally appeared before me, Minnie Lavine, a Notary Public for the City and State aforesaid, and made oath that the statements made in the foregoing answer are true to the best of their knowledge and belief.

Given under my hand this 11th day of September, 1926.

My commission expires the 2nd day of October, 1926.

Minnie Lavine
Notary Public.

VIRGINIA: IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

MARY E. HARRELL

vs.

ROGER HARRELL ET AL.

.....

ANSWER OF

ROGER AND CLYDE HARRELL.

Filed Sept. 12, 1925

H. E. Lambert
Clerk

VIRGINIA: IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

MARY E. HARRELL.....COMPLAINANT

vs.

ROGER HARRELL AND CLYDE HARRELL.....DEFENDANTS.

TO THE HONORABLE JAMES L. McLEMORE, JUDGE:

Your complainant, Mary E. Harrell, respectfully represents unto the Court that she did, on the 19th day of September, 1925, file in the Circuit Court of Nansemond County, Virginia, a bill in chancery, as follows, to-wit:

"VIRGINIA:
IN THE CIRCUIT COURT OF NANSEMOND COUNTY,
Mary E. Harrell.....Complainant
vs.
Roger Harrell and Clyde Harrell,
infants under twenty-one years
of age.....Defendants

TO THE HONORABLE JAMES L.McLemore, JUDGE OF SAID COURT:

Your complainant, Mary E. Harrell, respectfully represents unto the Court that she is the widow of A. L. Harrell, deceased, and the mother of Roger Harrell and Clyde Harrell, infants fourteen and nineteen years of age, respectively; that her husband, A. L. Harrell, died testate on or about the first of May, 1923, and in the third term of his will, a copy of said will being attached hereto, marked"Exhibit "A", and prayed to be read as a part of this bill, devised to your complainant, during her single life, certain real estate situated in Cypress Magisterial District, known as the "Moses Riddick Farm", and after her marriage or death, to be equally divided between his two youngest sons, Roger and Clyde Harrell, in fee simple forever; that the said tract of land so devised now consists of 159.24 acres, more or less, and being the same land that was conveyed to the said A. L. Harrell by James E. Riddick and J. B. Riddick, Special Commissioners, by deed bearing date the 13th day of April, 1880, and recorded on the 9th day of May, 1881, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, in Deed Book No. 9, at page 311, and being described in said deed as follows, to-wit:

'A traot of land in said County containing one hundred and Sixty-three (163) acres, more or less, situated near Cypress Chapel in Cypress Magisterial District, in said County, and bounded by the mill and mill pond of William Thomas Riddick, the land of James R. Parker, the land of Daniel Wilkins, the Cypress Chapel County Road and by the County Road leading from Suffolk to Edenton.'

save and except the following pieces or parcels of land that were conveyed by the said A. L. Harrell and wife as follows, to-wit:

1st. A.L. Harrell and wife conveyed to W. H. Brinkley, Jethro B. Riddick and Joshua B. Harrell, Trustees for Cypress Chapel Church, by deed bearing date the 14th day of July, 1883, and recorded on the 14th day of July, 1883, in Deed Book 12,page 18, of the Clerk's Office of the Circuit Court of Nansemond County, Virginia, the following property, to-wit:

> 'One acre of land in the rear of said Church for a burying ground, bounded on the East, South and West by the land of said Alexander Harrell and North by the Church land, commencing at the corner of fence, running South, East and North, an acre square.'

2nd. Alex L. Harrell and wife conveyed to F. E. Parker, by deed bearing date the 24th day of April, 1886, and recorded on the 26th day of April, 1886, in Deed Book 16, page 472, of the Clerk's Office of the Circuit Court of Nansemond County, Virginia, the following property, to-wit:

> 'A certain piece of land located in said County and State, at Cypress Chapel, beginning at a cedar tree on the right side of County Road going South, and bounded Southerly by the land of said Alex L.Harrell, one hundred yards to a graveyard, thence Northerly one hundred feet to a post, and bounded on the West by the land of said Alex L. Harrell, thence running East one hundred yards to a post and bounded on the North by burying ground of Cypress Church and the lands of said Alex L. Harrell, thence Southerly one hundred feet to the cedar tree, bounded Easterly by the Edenton Road.'

3rd. Alexander L. Harrell and wife conveyed to School Board No. 1, Cypress Magisterial District, Nansemond County, Virginia,by Joshua B. Harrell, Edward D. Brinkley and James B. Philhower, Trustees of said School District, by deed bearing date the 11th day of September, 1888, and recorded on the 9th day of October, 1889, in Deed Book 23, page 95, of the Clerk's Office of the Circuit Court of Nansemond County, Virginia, the following property, to-wit:

> 'All that certain piece or parcel of land situated lying and being in Cypress Magisterial District, in the County of Nansemond, in the State of Virginia, near CypressChapel in said County,containing 1/4 of an acre, fronting 35 yards on the County Road, and bounded on the North by the County Road leading from said Cypress Chapel to Whaleyville in said County; on the East by the land owned by the Trustees of the Christian Church, located at Cypress Chapel; on the South and West by the land of the said Alexander L. Harrell; the land hereby conveyed being a part of the land purchased by the said Alexander L. Harrell from the Administrator of Jethro Riddick Estate.'

4th. A. L. Harrell and wife conveyed to Daniel Wilkins,Jr., by deed bearing date the 8th day of February, 1890, and recorded on the 15thth day of February, 1890, in Deed Book 23, page 403,

of the Clerk's Offioe of the Circuit Court of Nansemond County, Virginia, the following property, to-wit:

'That tract or parcel of land situated and being in Cypress Magisterial District, oontaining 3/4 of an aore, more or less, bounded as follows: On the East by the Edenton County Road (141) feet. Thence on the North running 48 feet to a pine. Thenoe 148 feet to an oak. Thence 144 feet to a point, striking the land of the said Daniel Wilkins, Jr., and bounded by the land of Mary Rawls. Thence back to the said County Road running Southeast 400 feet and bounded by the lands of the said Daniel Wilkins, Jr.'

5th. A. L. Harrell and wife conveyed to School Board of Cypress District No. 1, by deed bearing date the 17th day ofApril 1913, and recorded on the 19th day of April, 1913, in Deed Book 74, page 391, of the Clerk's Office of the Circuit Court of Nansemond County, Virginia, the following property, to-wit:

'Beginning on the County Road at a point which is the Northwestern corner of the School-house lot which adjoins Cypress Chapel Churoh, and running from said point of beginning S. 16-1/2 degrees W. 104 feet; thence S. 70-1/2 degrees E. 63 feet; thence S. 16-1/2 degrees W. 163 feet; thence N. 68 degrees W. 322 feet to an iron post; thence N. 16-3/4 degrees E. 252-1/2 feet to the County Road; thence along the said Road S. 70-1/2 degrees E. 257-1/3 feet to the point of beginning, containing by survey 1-76/100 acres.'

The said A. L. Harrell and wife, by two separate deeds, conveyed to Mary P. Rawles about four acres of said land, however, the said A. L. Harrell re-purchased the same from the said Mary P. Rawles and said land now constitutes a part of the 159.24 acres.

Your oomplainant showeth unto the Court that neither of her sons desires or is willing to remain with your complainant on the farm and cultivate same as they do not expect to make farming their life work. Your complainant is not able, financially or physically, to carry on farming on her own account, and in view of these facts, your complainant believes that the farm will necessarily depreciate and become of less value than it is at this time.

Your complainant further represents that the net rents and profits from the farm, under present conditions and the conditions having existed since the death of A. L. Harrell, have not been sufficient to pay taxes and general upkeep of the farm to say nothing of paying the life tenant any return for her interest in said property.

Your complainant further represents that the location of the property makes it desirable for farmers with children to educate as it is situated in close proximity to an accredited high school and also within a few hundred yards of the Cypress Chapel Christian Church. These advantages, as stated, make the property desirable for certain people, but the school advantages, etc., are worth but little to your oomplainant for the reason that she has no children to educate. Her son, Roger, who is one of the remaindermen, has completed the high school course, and her other son, Clyde, who is also the other remaindermen, has practically finished the high school oourse.

Your oomplainant believes and here charges that her interest and the interest of the infants will be greatly promoted by making

sale of the property for the reasons heretofore assigned. It is the desire of your complainant and her children, the said Roger Harrell and Clyde Harrell, who are the remaindermen under the will of their father, the said A. L. Harrell, that the property be sold and the proceeds therefrom be re-invested in other real estate or in some good interest-bearing securities.

In tender consideration whereof, and for as much as your complainant is remediless in the premises, save by the aid of a court of equity, where matters of this kind are alone and properly cognizable, your complainant prays that the said Roger Harrell and Clyde Harrell may be made parties defendant to this bill and required on their oath to answer the same; that a proper guardian ad litem be assigned to the infant defendants to defend their interest in this suit, who shall also answer this bill; that the said real estate be sold and the proceeds therefrom be re-invested as the Court may direct; that all proper counsel fees be allowed;and that all proper orders and decrees may be made and proper inquiries be directed, and that all such other, further and general relief may be afforded your complainant as the nature of her case may require, or to equity may seem meet.

And your complainant will ever pray, etc.

Mary E.Harrell."

Your complainant further showeth unto the Court that Roger Harrell, who was an infant at the time said suit was instituted , has now reached his majority.

Your complainant further showeth unto the Court that in pursuance of a decree entered in said suit on the 19th day of September, 1925, G. A. Harris, who was appointed Special Commissioner for the purpose, did, on the 10th day of October, 1925, at ten o'clock A. M., in front of the high school at Cypress Chapel, Nansemond County, Virginia, offer for sale, at public auction, to the highest bidder, the above described property.

That The highest and best bid offered for said property was $13,300.00; however, your complainant did not deem same sufficient and therefore rejected said offer, except so much of said offer as was made by the Trustees of Cypress Chapel Christian Church of $450.00 for the following described piece or parcel of land, which, in pursuance of a decree entered in this cause on the 11th day of January, 1926, G. A. Harris, Special Commissioner, conveyed to the Trustees of Cypress Chapel Christian Church, the following property, to-wit:

sale of the property for

"1st. Beginning at a point on the West side of the White Marsh Road, at the Southeast corner of the Cypress Chapel Christian Church lot, and extending in a Westerly course along the South side of said lot 135 feet, thence Southwardly along the property line of the Cypress Chapel Christian Church cemetery lot 157 feet to the property line of F. E. Parker; thence Eastwardly along the property line of the said F. E. Parker 147 feet to the West side of the White Marsh Road; thence Northwardly along the West side of the White Marsh Road 159 feet to the Cypress Chapel Christian Church lot, the point of beginning.

2nd. Beginning at a point on the West side of the White Marsh Road, at the Southeast corner of the lot owned by F.E.Parker, and extending in a Westerly course along the said lot owned by F. E. Parker 340 feet, more or less, to the property owned by Cypress School Board; thence Southwardly along the property owned by Cypress School Board 190 feet, more or less, to the South property line of said Cypress School Board 340 feet, more or less, to the West side of the White Marsh Road; thence Northeastwardly along the West side of the White Marsh Road 190 feet, more or less, to the point of beginning.

Contained in the two pieces or parcels of land are something less than two acres."

Your complainant further showeth unto the Court that she has attempted to cultivate the land for the years 1926 and 1927, and although she has been diligent in trying to cultivate same at a profit, she has lost money each year.

Your complainant further showeth unto the Court that both of her sons, Roger Harrell and Clyde Harrell, have abandoned the farm and have accepted positions with the State Highway Commission of Virginia, and do not expect to return to the farm.

Your complainant further showeth unto the Court that the buildings on the farm are fast becoming dilapidated; that the fences, ditches, etc., are in bad condition; and that the soil has become poor and sterile. Your complainant believes that it will take probably $2,500.00 to $3,000.00 to repair the buildings, open the ditches and shrub the land.

Your complainant further showeth unto the Court that in addition to the depreciation of the said land, there has been a general decline in value of farm land, due, no doubt, possibly to the low prices of farm commodities.

Your complainant further showeth unto the Court that she and her sons, the said Roger and Clyde Harrell, have been diligent in trying to secure a purchaser, or purchasers, for said land for more than a year, and have now succeeded in securing an offer of $10,000.00 from Hersey V. Knight, who is willing to pay cash for said property.

Your complainant believes and here charges that not only her interest but the interest of her sons, the said Roger and Clyde Harrell, will be greatly promoted by making sale of said property for the reasons heretofore assigned.

It is the desire of your complainant and her said children, Roger and Clyde Harrell, who are the remaindermen under the will of their father A. L. Harrell, that the property be sold and the proceeds therefrom be re-invested in other real estate or in some other interest-bearing securities.

In consideration whereof, and for as much as your complainant is remediless in the premises, save by the aid of a court of equity, where matters of this kind are alone and properly cognizable, your complainant prays that the real estate be sold and the proceeds therefrom be re-invested as the Court may direct; that all proper counsel fees may be allowed; that all proper orders and decrees may be made and proper inquiries be directed; and that all such other, further and general relief may be afforded your complainant as the nature of her case may require, or to equity may seem meet.

And your complainant will ever pray, etc.

Mary E. Harrell
Complainant.

G A Harris p.f.

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

I, Minnie Lavine, a Notary Public in and for the City and State aforesaid, do certify that Mary E. Harrell, the complainant in the above suit, this day personally came before me in my City aforesaid, and made oath that she believes the several statements made in the foregoing bill to be true.

Given under my hand this 15th day of October, 1927.

My commission expires the 2nd day of October, 1930.

Minnie Lavine
Notary Public.

VIRGINIA: IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

MARY E. HARRELL

vs.

ROGER HAREEL & CLYDE HARRELL.

.....

AMENDED

BILL OF COMPLAINT.

Filed 11/28/27.
J.L.m.

G. A. HARRIS
ATTORNEY AND COUNSELLOR AT LAW
SUFFOLK, VIRGINIA

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY

Mary E. Harrell.....Complainant

vs

Roger Harrell and Clyde Harrell,
infants under twenty-one years
of age.....Defendants

TO THE HONORABLE JAMES L. McLemore, JUDGE OF SAID COURT:

Your complainant, Mary E. Harrell, respectfully represents unto the Court that she is the widow of A. L. Harrell, deceased, and the mother of Roger Harrell and Clyde Harrell, infants fourteen and nineteen years of age, respectively; that her husband, A. L. Harrell, died testate on or about the first of May, 1923, and in the third item of his will, a copy of said will being attached hereto, marked Exhibit "A", and prayed to be read as a part of this bill, devised to your complainant, during her single life, certain real estate situated in Cypress Magisterial District, known as the "Moses Riddick Farm", and after her marriage or death, to be equally divided between his two youngest sons, Roger Harrell and Clyde Harrell, in fee simple forever; that the said tract of land so devised now consists of 159.24 acres, more or less, and being the same land that was conveyed to the said A. L. Harrell by James E. Riddick and J. B. Riddick, Special Commissioners, by deed bearing date the 13th day of April, 1880, and recorded on the 9th day of May, 1881, in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, in Deed Book No. 9, at page 311, and being described in said deed as follows, to-wit:

> "A tract of land in said County, containing one hundred and sixty-three (163) acres, more or less, situated near Cypress Chapel in Cypress Magisterial District, in said County, and bounded by the mill and mill pond of William Thomas Riddick, the land of James R. Parker, the land of Daniel Wilkins, the Cypress Chapel County Road and by the County Road leading from Suffolk to Edenton."

save and except the following pieces or parcels of land that were conveyed by the said A. L. Harrell and wife as follows, to-wit:

1st. A. L. Harrell and wife conveyed to W. H. Brinkley, Jethro B. Riddick and Joshua B. Harrell, Trustees for Cypress Chapel Church, by deed bearing date the 14th day of July, 1883, and recorded on the 14th day of July, 1883, in Deed Book 12, page 18, of the Clerk's Office of the Circuit Court of Nansemond County, Virginia, the following property, to-wit:

> "One acre of land in the rear of said Church for a burying ground, bounded on the East, South and West by the land of said Alexander Harrell and North by the Church land, commencing at the corner of fence, running South, East and North, an acre square."

2nd. Alex L. Harrell and wife conveyed to F. E. Parker, by deed bearing date the 24th day of April, 1886, and recorded on the 26th day of April, 1886, in Deed Book 16, page 472, of the Clerk's Office of the Circuit Court of Nansemond County, Virginia, the following property, to-wit:

> "A certain piece of land located in said County and State, at Cypress Chapel, beginning at a cedar tree on the right side of County Road going South, and bounded Southerly by the land of said Alex L. Harrell, one hundred yards to a graveyard, thence Northerly one hundred feet to a post, and bounded on the West by the land of said Alex L. Harrell, thence running East one hundred yards to a post and bounded on the North by burying ground of Cypress Church and the lands of said Alex L. Harrell, thence Southerly one hundred feet to the cedar tree, bounded Easterly by the Edenton Road."

3rd. Alexander L. Harrell and wife conveyed to School Board No. 1, Cypress Magisterial District, Nansemond County, Virginia, by Joshua B. Harrell, Edward D. Brinkley and James B. Philhower, Trustees of said School District, by deed bearing date the 11th day of September, 1888, and recorded on the 9th day of October, 1889, in Deed Book 23, page 95, of the Clerk's Office of the Circuit Court of Nansemond

County, Virginia, the following property, to-wit:

> "All that certain piece or parcel of land situated lying and being in Cypress Magisterial District, in the County of Nansemond, in the State of Virginia, near Cypress Chapel in said County, containing 1/4 of an acre, fronting 35 yards on the County Road, and bounded on the North by the County Road leading from said Cypress Chapel to Whaleyville in said County; on the East by the land owned by the Trustees of the Christian Church, located at Cypress Chapel; on the South and West by the land of the said Alexander L. Harrell; the land hereby conveyed being a part of the land purchased by the said Alexander L. Harrell from the Administrator of Jethro Riddick Estate."

4th. A. L. Harrell and wife conveyed to Daniel Wilkins, Jr., by deed bearing date the 8th day of February, 1890, and recorded on the 15th day of February, 1890, in Deed Book 23, page 403, of the Clerk's Office of the Circuit Court of Nansemond County, Virginia, the following property, to-wit:

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> "Beginning on the County Road at a point which is the Northwestern corner of the School-house lot which adjoins Cypress Chapel Church, and running from said point of beginning S. 16-1/2 degrees W. 104 feet; thence S. 70-1/2 degrees E. 63 feet; thence S. 16-1/2 degrees W. 163 feet; thence N. 68 degrees W. 322 feet to an iron post; thence N. 16-3/4 degrees E.252-1/2 feet to the County Road; thence along the said Road S. 70-1/2 degrees E. 257-1/3 feet to the point of beginning, containing by survey - 1-76/100 acres."

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Your complainant further represents that the net rents and profits from the farm , under present conditions and the conditions having existed since the death of A. L. Harrell, have not been sufficient to pay taxes and general upkeep of the farm to say nothing of paying the life tenant any return for her interest in said property.

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Your complainant believes and here charges that her interest and the interest of the infants will be greatly promoted

by making sale of the property for the reasons heretofore assigned. It is the desire of your complainant and her children, the said Roger Harrell and Clyde Harrell, who are the remaindermen under the will of their father, the said A. L. Harrell, that the property be sold and the proceeds therefrom be re-invested in other real estate or in some good interest-bearing securities.

In tender consideration whereof, and for as much as your complainant is remediless in the premises, save by the aid of a court of equity, where matters of this kind are alone and properly cognizable, your complainant prays that the said Roger Harrell and Clyde Harrell may be made parties defendant to this bill and required on their oath to answer the same; that a proper guardian ad litem be assigned to the infant defendants to defend their interest in this suit, who shall also answer this bill; that the said real estate be sold and the proceeds therefrom be re-invested as the Court may direct; that all proper counsel fees be allowed; and that all proper orders and decrees may be made and proper inquiries be directed, and that all such other, further and general relief may be afforded your complainant as the nature of her case may require, or to equity may seem meet.

And your complainant will ever pray, etc.

Mary E. Harrell

STATE OF VIRGINIA,
City of Suffolk, to-wit:

This day, Mary E. Harrell, personally appeared before me, Minnie Lavine, a Notary Public for the City and State aforesaid, and made oath that the statements made in the foregoing bill are true to the best of her knowledge and belief.

Given under my hand this 11th day of September, 1926.

My commission expires the 2nd day of October, 1926.

Minnie Lavine
Notary Public.

VIRGINIA: IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

MARY E. HARRELL
vs.
ROGER HARRELL & CLYDE HARRELL.

.....

BILL OF COMPLAINT.

Filed Sept. 19, 1925-
G. S. Bunting, Clerk

W. P. LIPSCOMB
ATTORNEY AT LAW
COMMONWEALTH'S ATTORNEY FOR THE CITY OF SUFFOLK
SUFFOLK, VIRGINIA