1930-003
Nansemond Co (Suffolk) Chancery Causes: W.H Harrell et al vs Frank Harrell infant et al

Henderson, Johnson, Rountree, Stallings, Duke

OVERSIZE
Box 5
- 1 Plat (exhibit A) (Blueprint)

Know All Men by These Presents, That we, G. A. Harris and National Surety Company

are held and firmly ~~bound~~ unto the COMMONWEALTH OF VIRGINIA in the just and full sum of One Thousand 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 herein mentioned, with coupons detached from bonds of said State.

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

In Testimony Whereof, the said G. A. Harris has hereto set his hand and seal, and the said National Surety Co. has caused its corporate name to be hereto signed and its corporate seal to be hereto affixed, this 12 day of Nov. in the year of our Lord one thousand nine hundred and 25, and in the 150 year of the Commonwealth.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound G. A. Harris

G. A. Harris (Seal)
National Surety Co. (Seal)
W. D. Herbert (Seal)
attorney-in-fact (Seal)
(Seal)

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Nansemond, on the 12 day of Nov., 1925.

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

Teste:

..... Clerk

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

To }

The Commonwealth

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

W. H. HARRELL et als.....COMPLAINANTS

vs.

FRANK HARRELL et als.....DEFENDANTS.

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

The undersigned, who was appointed Special Commissioner in this cause on the 10th day of November, 1925, begs to report to the Court that, in pursuance of a decree entered in this cause on the 17th day of April, 1930, he has made the following disbursements as evidenced by receipts filed herewith, as follows, to-wit:

To amount on hand as Special Commissioner..... $3663.60

By amount paid Herald Printing Corporation for advertising property in 1925.....$ 16.00 ✓

By amount paid Ledger-Dispatch Corporation for advertising property in 1925..... 15.12 ✓

By amount paid Artcraft Press for advertising property in 1925..... 7.00 ✓

By amount paid Suffolk Insurance Corporation for premium on bond from 1925 to 1930..... 110.00 ✓

By amount paid L. P. Holland, Commissioner, for making report, inclusive of stenographer's fee..... 17.50 ✓

By amount paid J. P. Dalton, Treasurer for 1929 taxes..... 57.06 ✓

By Special Commissioner's commission..... 183.08

By amount paid G. A. Harris, attorney, for drawing Special Commissioner's deed..... 10.00 ✓

By amount paid J. F. Joyner, for estimating timber..... 11.25 ✓

By amount paid Virginian-Pilot Publishing Company for advertising sale of property..... 22.05 ✓

By amount paid for insurance By Special Commissioner..... 9.27 ✓

By amount paid Clerk of Court covering Court costs..... 26.50 ✓

By amount paid G. A. Harris, attorney, for conducting this suit.....$ 75.00

By amount paid Margaret E. Harrell, widow and sole devisee of W. H. Harrell, representing her one-seventh distributive share..... 443.40

By amount paid E. M. Harrell, representing his one-seventh distributive share..... 443.40

By amount paid C. C. Harrell, representing his one-seventh distributive share..... 443.40

By amount paid A. P. Harrell, representing his one-seventh distributive share..... 443.40

By amount paid Josephine Henderson, representing her one-seventh distributive share.....443.40

By amount paid H. E. Stallings, son of Etta B. Johnson, representing his one-twenty eighth distributive share..... 110.85

By amount paid Floyd Stallings, son of Etta B. Johnson, representing his one-twenty eighth distributive share..... 110.85

By amount paid Luther Stallings, son of Etta B. Johnson, representing his one-twenty eighth distributive share..... 110.85

By amount paid Arthur Johnson, son of Etta B. Johnson, representing his one-twenty eighth distributive share..... 110.85

By amount paid Mary E. Harrell, widow and devisee of A. L. Harrell (the will of A. L. Harrell providing that she was to take an equal share with her children),representing her one-fifty Sixth distributive share..... 55.42

By amount paid Annie C. Rountree, daughter of A. L. Harrell, representing her one-fifty sixth distributive share..... 55.42

By amount paid A. L. Harrell, Jr., son of A. L. Harrell, representing his one-fifty sixth distributive share..... 55.42

By amount paid Harry B. Harrell, son of A. L. Harrell, representing his one-fifty sixth distributive share..... 55.42

By amount paid Ernest J. Harrell, son of A. L. Harrell, representing his one-fifty sixth distributive share..... 55.42

By amount paid Roger Harrell, son of A. L. Harrell, representing his one-fifty sixth distributive share..... 55.42

By amount paid Clyde Harrell, son of A. L. Harrell, representing his one-fifty sixth distributive share.....$ 55.42 ✓

By amount paid Delilah Harrell, widow of Genie B. Harrell, who was the son of A. L. Harrell, representing dower in one-fifty sixth distributive share..... 12.03 ✓

By amount paid Frank Harrell, son of Genie B. Harrell, representing his one-fifth sixth distributive share, less dower of Delilah Harrell..... 43.40 ✓

$3663.60 $3663.60

Respectfully submitted this 21st day of October, 1930.

G A Harris

Special Commissioner

VIRGINIA: IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

W. H. HARRELL ET ALS

vs.

FRANK HARRELL ET ALS.

.....

REPORT

.....

Filed this 25 day of October, 1930.

J. L. M.

Judge.

*

443.40
443.40 1/7
443.40
443.40
443.40

110.85
110.85 1/28
110.85
110.85

55.42
55.42
55.42 1/56
55.42
55.42
55.42
55.42
55.42

3,103.76 *

12.03 dozen
43.40 Frank

55.43

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

W. H. HARRELL et als.....COMPLAINANTS

vs.

FRANK HARRELL et als.....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 10th day of November, 1925, which report bears date the 10th day of April, 1930, 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 G. A. Harris, Special Commissioner, has collected from A. P. Harrell, the purchaser of the property described in the bill in these proceedings, the sum of $3515.00, and has, by Special Warranty deed, bearing date the 20th day of January, 1930, made conveyance of the property aforesaid to the said A. P. Harrell, and has also collected from Arthur Powell, the tenant on the property, the sum of $148.60, covering rent due on said property, making a total of $3663.60 now in the hands of the said Special Commissioner for distribution.

It further appearing to the Court from the report aforesaid that the following amounts are due the respective parties, representing cost incurred in these proceedings, to-wit:

Herald Printing Corporation, for advertising property in 1925	$16.00
Artcraft Press, for advertising property in 1925	7.00
Ledger-Dispatch Corporation, for advertising property in 1925	15.12
Suffolk Insurance Corporation, for premium on bond from 1925 to 1930	110.00
L. P. Holland, Commissioner, for making report, inclusive of stenographer's fee	17.50

J. P. Dalton, Treasurer, for 1929 taxes.....$57.06

G. A. Harris, attorney, for drawing Special Commissioner's deed..... 10.00

G. A. Harris, Special Commissioner's commission.....183.08

J. F. Joyner, for estimating timber..... 11.25

Virginian-Pilot Publishing Company, for advertising sale of property..... 22.05

Insurance paid by Special Commissioner..... 9.27

Clerk of Court covering Court costs..... 26.50

TOTAL - - - $484.83

And it further appearing to the Court that, after the payment of the above amounts, the following named persons are entitled to the net proceeds from the property aforesaid, as follows, viz:

Margaret L. Harrell, widow and sole devisee of W. H. Harrell..... 1/7th

E. M. Harrell..... 1/7th

C. C. Harrell..... 1/7th

A. P. Harrell..... 1/7th

Josephine Henderson..... 1/7th

H. L. Stallings.....1/4th of 1/7th or 1/28th

Floyd Stallings.....1/4th of 1/7th or 1/28th

Luther Stallings.....1/4th of 1/7th or 1/28th

Arthur Johnson.....1/4th of 1/7th or 1/28th
(The last four being children of Etta B. Johnson)

Mary E. Harrell, widow and devisee of A. L. Harrell.....1/8th of 1/7th or 1/56th

Annie C. Rountree.....1/8th of 1/7th or 1/56th

A. L. Harrell, Jr.....1/8th of 1/7th or 1/56th

Harry B. Harrell.....1/8th of 1/7th or 1/56th

Ernest J. Harrell.....1/8th of 1/7th or 1/56th

Roger Harrell.....1/8th of 1/7th or 1/56th

Clyde Harrell.....1/8th of 1/7th or 1/56th
(The will of A. L. Harrell provided that Mary E. Harrell, the widow, was to take an equal share with his children)

Delilah Harrell, widow of Genie B. Harrell,
who was a son of A. L. Harrell.....dower in 1/8th of 1/7th or 1/56th

Frank Harrell, son of Genie B. Harrell.....1/8th of 1/7th or 1/56th, subject to dower.

On consideration whereof, it is adjudged, ordered and decreed that the said report be, and it is hereby approved and confirmed; and the said G. A. Harris, Special Commissioner, is hereby authorized and directed to pay to G. A. Harris, attorney, the sum of $75- , which is for his services as attorney for conducting this suit.

It appearing to the Court that Frank Harrell and Roger Harrell have become twenty-one yars of age and that Clyde Harrell, the other infant, is twenty years of age, and the amount the said Clyde Harrell is to receive as his distributive share in the hands of the said Commissioner is less than $500.00, the said Special Commissioner is authorized and directed to make distribution to the respective parties in accordance with the names and amounts hereinabove set out, after payment of all costs as herein set forth and to G. A. Harris, an attorney's fee of $75- .

And the said Commissioner shall report to Court.

VIRGINIA: IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

W. H. HARRELL et als

vs.

FRANK HARRELL et als.

.....

D E C R E E

.....

Entered this 18. day of April, 1930.

Jas. L. McLemore,
Judge.

Chancery Order Book
No. 6 Page 328

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

STATEMENT

HERALD PRINTING CORPORATION

ARTISTIC AND PRACTICAL PRINTING

SUFFOLK, VIRGINIA Jan 30-1926

ALL BILLS PAYABLE FIRST OF MONTH.

E. A. Harris

Dr Yours

To Statement Rendered

		Merchandise	
1925			
Nov	26	Ad 16 in E. R. Harrell	8.00
	27	" 16 " "	8.00
			16.00

Please receipt & return

RECD. PAYMENT 3/15-26
HERALD PRINTING CORP.
by E A Morgan

*

16.00
15.12
7.00
110.00
17.50
57.06
183.00
10.00
11.25
22.05
9.27
26.50
75.00
443.40
443.40
443.40
443.40
443.40
110.85
110.85
110.85
110.85
55.42
55.42
55.42
55.42
55.42
55.42
55.42
12.03
43.40

3,663.60 *

SALE OF VALUABLE FARM LAND IN CYPRESS MAGISTERIAL DISTRICT, NANSEMOND COUNTY, VIRGINIA, NEAR CYPRESS CHAPEL, VIRGINIA.

In pursuance of a decree entered by the Circuit Court of Nansemond County, Virginia, on the 10th day of November, 1925, in the chancery suit of W. H. Harrell et als vs. Frank Harrell et als, I shall, on

Saturday, December 5th

in front of the National Bank of Suffolk building, Suffolk, Virginia, offer for sale, at public auction, to the highest bidder, a tract of land consisting of one hundred and fifty-six (156) acres, more or less, situated one mile from Cypress Chapel, Nansemond county, Virginia, on the highway leading from Suffolk to the North Carolina state line, and being bounded on the west by the lands of C. C. Harrell, on the north by the lands now owned by Mr. Burke, known as the Abram Harrell tract, on the east by the lands of C. J. Riddick, or that which was his, and the lands of C. C. Riddick, and cornering the lands of W. T. Jones, or that which was his, and R. E. Brothers, and on the south by the lands of F. E. Parker and others. Being the land of which the late Edward R. Harrell died seized and possessed.

Terms: One-fourth (1-4) cash and the residue in three (3) equal instalments, payable, one, two and three years, respectively, the credit instalments to be evidenced by bonds or notes of the purchaser, and to be secured by first deed of trust.

G. A. HARRIS,
Special Commissioner

I, G. E. Bunting, clerk of the Circuit Court of Nansemond County, Virginia, do hereby certify that bond, with approved security, has been given by G. A. Harris, special commissioner, as required by aforementioned decree.

G. E. BUNTING, Clerk

Note: For further information concerning the above mentioned farm, please apply to Mr. C. C. Harrell, Cypress Chapel, Virginia, or Harris and Lipscomb, attorneys at law, Suffolk, Virginia.

no17,20,23,26,dec1

G. V. Harris

Suffolk
~~Norfolk~~, Va., NOV 30 1925

LEDGER-DISPATCH CORP.

To Advertising Nr. 17-20-23-26 - Inches @ 5 1/2" 5¢ Per Inch — 1 5 1 2

Dec. 4-

Dr.

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
																5 1/2				5 1/2				5 1/2				5 1/2			

Paid F. L. Britt 3/15/26

Telephone 33 P. O. Box 674

The Artcraft Press

R. CLYDE GURLEY, Prop.

"REAL GOOD PRINTING"

139 S. Main Street Suffolk, Virginia

[Dated] Dec. 22. 1925

Sold To G. A. Harris

Nov. 19. 250 Sale Bills $7.00

(W. H. Harrell Vs Frank Harrell)

Paid 3/15/26

The Artcraft Press

Return receipt to

Guy Reynolds

G.A.Harris
Special Comm Est. of
E.R.Harrell

SUFFOLK, VA.,

Suffolk Insurance & Finance Corp.

144 N. Main Street

Phone 323

Policy Date	Policy No.	Company	Term	Premium	Property Insured
11/23/25	3618699	Natl.Surety	1 yr	$ 30.00	Paid 5/10/26
11/23/26	"	"	"	20.00	Paid 8/4/27
11/23/27	"	"	"	20.00	
11/23/28	"	"	"	20.00	
11/23/29	"	"	"	20.00	
	Balance Due			60.00	

SUFFOLK INSURANCE CORP.
PAID
By 7/5/30

This Account is Payable On Or Before The 15th of

Extention of Credit beyond above date constitutes rebating and punishable by law, by a fine and revocation of Certificate of Registration

RECEIVED of G. A. HARRIS, SPECIAL COMMISSIONER, the sum of $17.50, SEVENTEEN AND FIFTY, covering Commissioners fee in the matter of the suit of W. H. Harrell vs. Frank Harrell, et als.

L. V. Holland

Commissioner in Chancery.

MAY 5TH, 1930.

M Edward R. Harrell, Est.

COMMONWEALTH OF VIRGINIA
STATE TAXES AND LOCAL LEVIES 1929

CYPRESS DISTRICT

Land.....Page 2 Line 31

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

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

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

No. 374

LOCAL RATES—REAL ESTATE AND TANGIBLE PROPERTY

County and District	
County Levy	$ .65
County School Levy	1.00
Interest and Sinking Fund (School)	.25
District Road Levy	.30
Total	$ 2.20

SUBJECTS OF TAXATION	VALUE	STATE RATE ON $100	STATE TAXES	LOCAL RATE ON $100	LOCAL LEVIES	TOTAL STATE TAXES AND LOCAL LEVIES
FOR STATE TAXATION ONLY:						
State Capitation Tax			$ 1 50	NONE	NONE	$ 1 50
Bonds, Notes, and Other Evidences of Debt	$	$ .50		NONE	NONE	
Money		.20		NONE	NONE	
Moneyed Capital in Competition with National Banks		1.00		NONE	NONE	
Capital Not Otherwise Taxed		.75		NONE	NONE	
Income: 1½% on first $3,000; 2½% on next $2,000; 3% on excess over $5,000				NONE	NONE	
FOR LOCAL TAXATION ONLY:						
Tangible Personal Property		NONE	NONE	$ 2.20		
Machinery and Tools		NONE	NONE	2.20		
Merchants' Capital (Schools)		NONE	NONE	1.25		
Real Estate 156 Acres	2470	NONE	NONE	2.20	54 34	54 34
Real Estate Acres		NONE	NONE	2.20		
Real Estate Acres		NONE	NONE	2.20		
Real Estate Acres		NONE	NONE	2.20		
TOTAL STATE TAXES			$	TOTAL LOCAL LEVIES	$ 54 34	$ 54 34

CREDITS

Date	Account	Amount
		$
JUN 11 1930		

5% Penalty December 6, 1929	2 72
Total Taxes, Levies and Penalty	$ 57 06
5% Penalty June 16, 1930	
Total Taxes, Levies and Penalties to June 16, 1930	$
6% Interest from June 16, 1930, to date of payment	
Total Taxes, Levies, Penalties and Interest	$

Received Payment:

Date.....

J. W. Ashman Dept. Treasurer

RECEIVED, this 5th day of May, 1930, of G. A. Harris, Special Commissioner in the suit of W. H. Harrell et als vs. Frank Harrell et als, the sum of $10.00, for drawing Special Commissioner's deed in the above mentioned suit.

G A Harris Atty

Tuesday, Sept. 24

Received of J. A. Harris Atty
the sum of $11.25 -
in full for Estimating
the Quantity on the E. R. Tyrrell
tract of land this 27th
day of September 1929.

J. F. Joyner

Days Past

266

98

Days to Come

1929 SEPTEMBER 1929

Sun.	Mon.	Tue.	Wed.	Thu.	Fri.	Sat.
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					

TUESDAY, SEPT. 24

Appointments

NOTICE OF SALE O.
SITUATED IN CYPR
TERIAL DISTRICT
MOND COUNT

Folio

192

From

TO

Norfolk, Va., DEC. 1 - 1929 192

M/ N. G. A. Harris, Spl Comm'r W. H. Harrell et als
City

To Virginian and Pilot Publishing Company, Dr.

ADVERTISING 11/4 - 7 in 5 ck 7 22 05

Please remit to
Virginian & Pilot Publishing Co.
P. O. Box 347 Suffolk, Va.

Received Payment, VIRGINIAN AND PILOT PUBLISHING CO.

Per

Duplicate

WEST & WITHERS

GENERAL INSURANCE

117 North Main Street

Phone 10

No. 8

Suffolk, Va., June 15 1929

RECEIVED OF G. A. Harris Attorney

For Estate of E. K. Harrell, Decd

Nine and 27/100 DOLLARS

$ 9.27

WEST & WITHERS

By Booker

STANDARD SALESBOOK CO., NORFOLK, VA. M

G. A. HARRIS
ATTORNEY AT LAW
309-11 NATIONAL BANK BUILDING

No. 4568

SUFFOLK, VA. May 5th 19 30

PAY TO THE ORDER OF Paul J. Powell, Clerk, $ 26.50

Twenty Six and 50/100 - - - - - - - - - - DOLLARS

FOR

NATIONAL BANK OF SUFFOLK
SUFFOLK, VA.

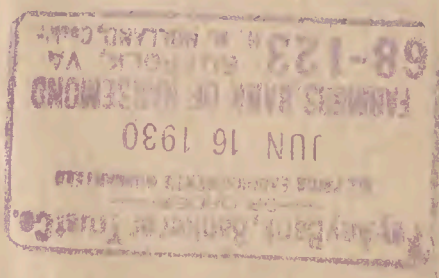
5
68-124

G M Harris
ATTORNEY

THE FALCONER COMPANY BALTIMORE

PAY TO THE ORDER OF
FARMERS BANK OF NANSEMOND
SUFFOLK, VA.
67
PAUL J. POWELL
PAUL J. POWELL, JR.

PAID
6-16-30
68-124



RECEIVED, this 5th day of May, 1930, of G. A. Harris, Special Commissioner, in the suit of W. H. Harrell et als vs. Frank Harrell et als, the sum of $75.00, representing attorney's fee for conducting the above mentioned suit.

G A Harris, atty

$443.40 RECEIVED of G. A. Harris, Special Commissioner in the suit of W. H. Harrell et als vs. Frank Harrell et als, the sum of $443.40, representing my 1/7th distributive share of the proceeds from the sale of the property owned by the late L. R. Harrell.

Given under my hand this 23 day of May, 1930.

Margaret E Harrell

$443.40 RECEIVED of G. A. Harris, Special Commissioner in the suit of W. H. Harrell at als vs. Frank Harrell et als, the sum of $443.40, representing my 1/7th distributive share of the proceeds from the sale of the property owned by the late L. R. Harrell.

Given under my hand this _____ day of April, 1930.

E M Harrell

$443.40 RECEIVED of G. A. Harris, Special Commissioner in the suit of W. H. Harrell et als vs. Frank Harrell et als, the sum of $443.40, representing my 1/7th distributive share of the proceeds from the sale of the property owned by the late E. R. Harrell.

Given under my hand this 23rd day of April, 1930.

L. C. Harrell

$443.40 RECEIVED of G. A. Harris, Special Commissioner in the suit of W. H. Harrell et als vs. Frank Harrell et als, the sum of $443.40, representing my 1/7th distributive share of the proceeds from the sale of the property owned by the late E. R. Harrell.

Given under my hand this day of 1930.

A P Harrell

By G A Harris
Attorney.

$443.40 RECEIVED this 24th day of May, 1930, of G. A. Harris, Special Commissioner in the suit of W. H. Harrell et als vs. Frank Harrell et als, the sum of $443.40, representing the one-seventh interest due Mrs. Josephine Henderson, deceased, in the proceeds from the sale of the property owned by the late E. R. Harrell.

Josie V. Bradshaw
Executrix of the will of Mrs. Josephine Henderson, deceased.

$110.85 RECEIVED of G. A. Harris, Special Commissioner in the suit of W. H. Harrell et als vs. Frank Harrell et als, the sum of $110.85, representing my 1/28th distributive share of the proceeds from the sale of the property owned by the late E. R. Harrell.

Given under my hand this 18th day of April, 1930.

H. E. Stallings

G. A. HARRIS
ATTORNEY AT LAW
309-11 NATIONAL BANK BUILDING

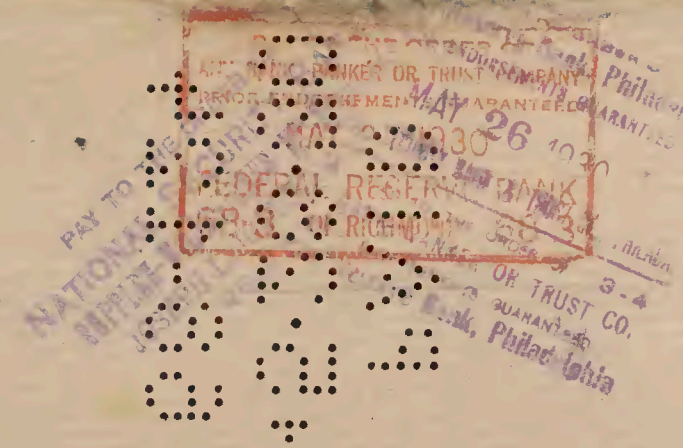
No. 4573

SUFFOLK, VA. May 5th 19 30

PAY TO THE ORDER OF Floyd Stallings $ 110.85

ONE HUNDRED TEN and 85/100 - - -

Floyd Blaine



483

G. A. HARRIS
ATTORNEY AT LAW
309-11 NATIONAL BANK BUILDING

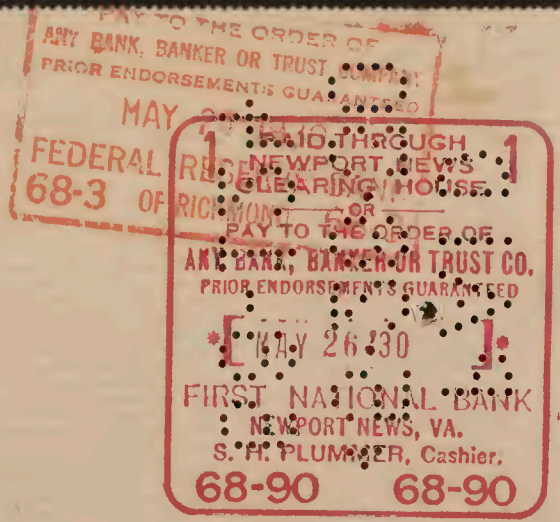
No. 4574

SUFFOLK, VA. May 5th, 19 30

PAY TO THE ORDER OF Luther Stallings $ 110.85

ONE HUNDRED TEN and 85/100 - - -

Esther Stallings



$110.85 RECEIVED of G. A. Harris, Special Commissioner in the suit of W. H. Harrell et als vs. Frank Harrell et als, the sum of $110.85, representing my 1/28th distributive share of the proceeds from the sale of the property owned by the late E. R. Harrell.

Given under my hand this 24TH day of April, 1930.

Arthur C. Johnson

$55.42 RECEIVED of C. A. Harris, Special Commissioner in the suit of W. H. Harrell et als vs. Frank Harrell et als, the sum of $55.42 representing my 1/56th distributive share of the proceeds from the sale of the property owned by the late E. R. Harrell.

Given under my hand this 22nd day of May, 1930.

Mary E. Harrell

G. A. HARRIS
ATTORNEY AT LAW
309-11 NATIONAL BANK BUILDING

No. 4577

SUFFOLK, VA. May 5th, 19 30

PAY TO THE ORDER OF Annie C. Rountree $ 55.42

FIFTY FIVE and 42/100 - - - - - - - - DOLLARS

FOR Distributive share in suit of W.H.Harrell vs. Frank Harrell

NATIONAL BANK OF SUFFOLK
SUFFOLK, VA.

5
68-124

THE FAULKNER COMPANY BALTIMORE

G A Harris
ATTORNEY

annie C. Courtree
Mrs. J. C. Courtree

68-125
E.S.P.30

PAY TO THE ORDER OF
ANY BANK, BANKER OR TRUST CO.
All Prior Endorsements Guaranteed
MAY 24 1930
AMERICAN BANK & TRUST CO.
68-125 SUFFOLK, VA.
C. E. JONES, Cashier

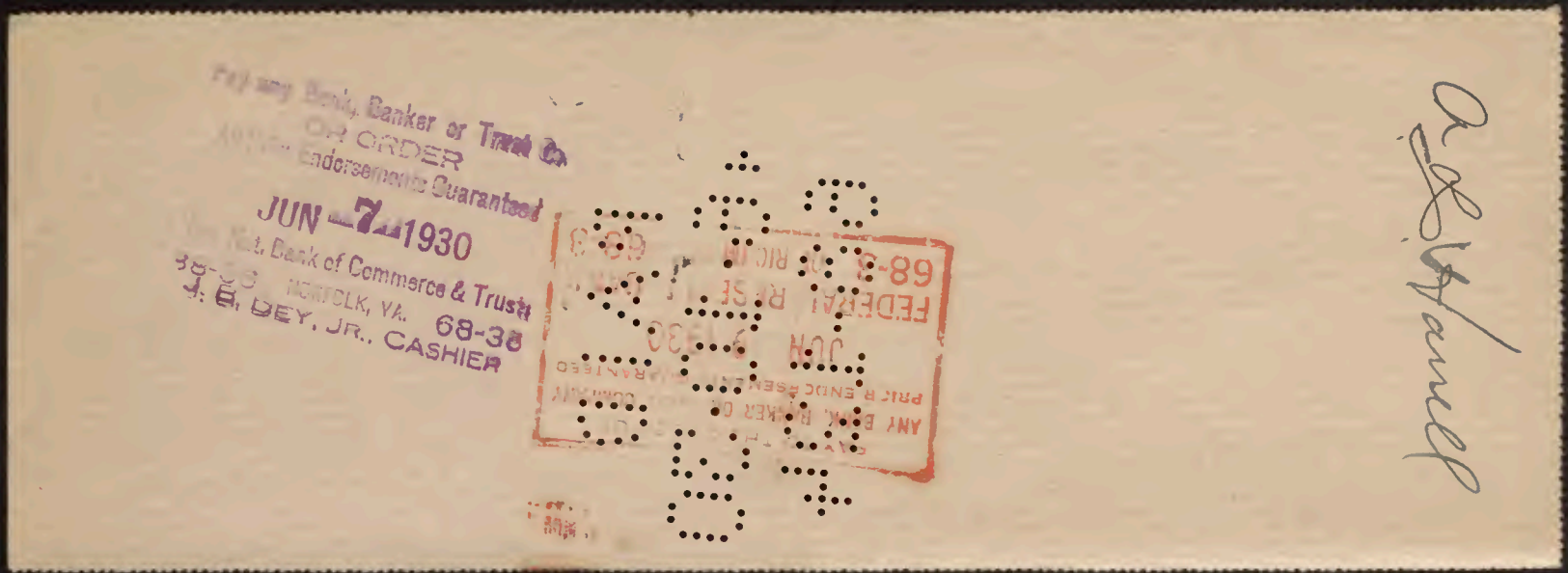
G. A. HARRIS
ATTORNEY AT LAW
309-11 NATIONAL BANK BUILDING

No. 4578

SUFFOLK, VA. May 5th, 1930

PAY TO THE ORDER OF A. L. Harrell, Jr. $ 55.42

FIFTY FIVE and 42/100 - - -


Pay any Bank, Banker or Trust Co.
OR ORDER
All Endorsements Guaranteed
JUN 7 1930
Nat. Bank of Commerce & Trust
NORFOLK, VA.
68-38
J. E. DEY, JR., CASHIER
FEDERAL RESERVE
JUN 9 1930
68-38

$55.42 RECEIVED of G. A. Harris, Special Commissioner in the suit of W. H. Harrell et als vs. Frank Harrell et als, the sum of $55.42, representing my 1/56th distributive share of the proceeds from the sale of the property owned by the late E. R. Harrell.

Given under my hand this day of April, 1930.

Frank R. Harrell

G. A. HARRIS
ATTORNEY AT LAW
309-11 NATIONAL BANK BUILDING

No. 4580

SUFFOLK, VA. May 5th. 19 32

PAY TO THE ORDER OF Ernest J. Harrell $ 55.42

FIFTY FIVE and 42/100 - - - - DOLLARS

FOR Distributive share in suit of W.H.Harrell vs. Frank Harrell

NATIONAL BANK OF SUFFOLK
SUFFOLK, VA.

5
68-124

G A Harris
ATTORNEY

THE FALCONER SERVICE BALTIMORE

Ernest J. Harrell

PAY TO THE ORDER OF
Bank of Tidewater, Inc.
PORTSMOUTH, VA.
Norman Lacking Corp.

PAY TO ANY BANK, BANKER OR TRUST COMPANY
ALL PRIOR ENDORSEMENTS GUARANTEED

FEDERAL RESERVE BANK
OF RICHMOND
6833
MAY 29 1930

PAY TO ANY BANK, BANKER OR TRUST COMPANY
(ALL PRIOR ENDORSEMENTS GUARANTEED)

MAY 29 1930

BANK OF TIDEWATER, INC.
PORTSMOUTH, VA.
68-67

R. G. LOWE, Cashier

68-67

Pay any Bank, Banker or Trust Co.
OR ORDER
All Prior Endorsements Guaranteed

MAY 28 1930

Nor. Nat. Bank of Commerce & Trust
NORFOLK, VA.
68-36

E. B. DEY, JR., CASHIER

$55.42 RECEIVED of G. A. Harris, Special Commissioner in the suit of W. H. Harrell et als vs. Frank Harrell et als, the sum of $55.42, representing my 1/56th distributive share of the proceeds from the sale of the property owned by the late E. R. Harrell.

Given under my hand this 14th day of May, 1930.

Roger Harrell

$55.42 RECEIVED of G. A. Harris, Special Commissioner in the suit of W. H. Harrell et als vs. Frank Harrell et als, the sum of $55.42, representing my 1/56th distributive share of the proceeds from the sale of the property owned by the late E. R. Harrell.

Given under my hand this 24th day of ~~April~~ May, 1930.

Clyde Harrell

$43.40 RECEIVED of G. A. Harris, Special Commissioner in the suit of W. H. Harrell et als vs. Frank Harrell et als, the sum of $43.40, representing my 1/36th distributive share (less dower of my mother, Delilah Harrell) of the proceeds from the sale of the property owned by the late L. R. Harrell.

Given under my hand this day of April, 1930.

Frank Harrell

RECEIVED of G. A. Harris, Special Commissioner in the suit of E. R. Harrell et als vs. Frank Harrell et als, the sum of Twelve Dollars and Three Cents ($12.03), representing dower in 1/56th distributive share of the proceeds from the sale of the property owned by the late E. R. Harrell.

Given under my hand this day of April, 1930.

Delilah Harrell

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

W. H. HARRELL et als.....COMPLAINANTS

vs.

FRANK HARRELL et als.....DEFENDANTS

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

The undersigned, who was appointed Special Commissioner in this cause on the 10th day of November, 1925, begs to report to the Court that, in pursuance of a decree entered in this cause on the 3rd day of January, 1930, he has collected from A. P. Harrell, the purchaser of the property described in these proceedings, the full purchase price of $3515.00, and by Special Warranty Deed bearing date the 20th day of January, 1930, made conveyance of the property aforesaid to the said A. P. Harrell, and also has collected from Arthur Powell, tenant, the sum of $148.60, $80.00 of which covers 1928 rent and $68.60 of which covers 1929 rent on said property, making a total of $3663.60 now in the hands of said Special Commissioner for distribution, and now begs to report to the Court that the following amounts are due the respective parties, which is the cost incurred in these proceedings, to-wit:

Herald Printing Corporation, for advertising property in 1925	$16.00
Artcraft Press, for advertising property in 1925	7.00
Ledger-Dispatch Corporation, for advertising property in 1925	15.12
Suffolk Insurance Corporation, for premium on bond from 1925 to 1930	110.00
L. P. Holland, Commissioner, for making report, inclusive of stenographer's fee	17.50
J. P. Dalton, Treasurer, for 1929 taxes	57.06
G. A. Harris, attorney, for drawing Special Commissioner's deed	10.00

G. A. Harris, Special Commissioner's commission.....$183.08

J. F. Joyner, for estimating timber..... 11.25

Virginian-Pilot Publishing Company, for advertising sale of property..... 22.05

Insurance paid by Special Commissioner..... 9.27

Clerk of Court covering Court costs..... 26.50

TOTAL - - - - - - - $484.83

Your Special Commissioner further begs to report that, after the payment of the above amounts, and an attorney's fee for conducting this suit, the balance in the hands of said Special Commissioner should be distributed as follows:

Margaret E. Harrell, widow and sole devisee of W. H. Harrell..... 1/7th

E. M. Harrell..... 1/7th

C. C. Harrell..... 1/7th

A. P. Harrell..... 1/7th

Josephine Henderson..... 1/7th

H. E. Stallings.....1/4th of 1/7 th or 1/28th

Floyd Stallings.....1/4th of 1/7th or 1/28th

Luther Stallings.....1/4th of 1/7th or 1/28th

Arthur Johnson.....1/4th of 1/7th or 1/28th
(The last four being children of Etta B. Johnson)

Mary E. Harrell, widow and devisee of A. L. Harrell.....1/8th of 1/7th or 1/56th

Annie C. Rountree.....1/8th of 1/7th or 1/56th

A. L. Harrell, Jr.....1/8th of 1/7th or 1/56th

Harry B. Harrell.....1/8th of 1/7th or 1/56th

Ernest J. Harrell.....1/8th of 1/7th or 1/56th

Roger Harrell.....1/8th of 1/7th or 1/56th

Clyde Harrell.....1/8th of 1/7th or 1/56th
(The will of A. L. Harrell provided that Mary E. Harrell, (his widow, was to take an equal share with his children)

Delilah Harrell, widow of Genie B. Harrell,
who was a son of A. L. Harrell,.....dower in 1/8th of 1/7th or 1/56th

Frank Harrell, son of Genie B. Harrell.....1/8th of 1/7th or 1/56th, subject to dower.

Respectfully submitted this 10th day of April, 1930.

G A Harris
Special Commissioner.

VIRGINIA: IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

W. H. HARRELL et als

vs.

FRANK HARRELL et als.

.....

REPORT

.....

Filed this 18th. day of April, 1930

J. L. M.

Judge.

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

W. H. HARRELL ET ALS.....COMPLAINANTS

vs.

FRANK HARRELL ET ALS.....DEFENDANTS.

THIS CAUSE came on again to be heard on the papers formerly read and upon the report of C. A. Harris, who was appointed Special Commissioner in this cause on the 10th day of November, 1925, said report bearing date the 21st day of December, 1929, to which report no exception has been taken; and was argued by counsel.

On consideration whereof, it appearing to the Court that the said C. A. Harris, Special Commissioner, offered for sale, at public auction, on the 19th day of December, 1929, strictly in pursuance of a decree entered in this cause on the 27th day of November, 1929, after having given notice of the time, place and terms of sale as required by said decree, the following real estate, to-wit:

All that certain tract, piece or parcel of land, situated in Cypress District, in Nansemond County and State of Virginia, about one mile North of Cypress Chapel, containing about 156 acres, as it now stands, more or less, the same being the tract of land on which the said Edward R. Harrell resided, and bounded and described as follows:

On the West by the lands of Charles C. Harrell, on the North by the land now owned by a Mr. Burke, formerly known as the Abram Harrell tract, on the East by the lands of C. J. Riddick, or the lands which formerly belonged to the estate of Jones L. Riddick, and the lands of C. C. Riddick, and cornering on the lands of W. T. Jones, deceased, and R. L. Brothers, and on the South by the lands of F. L. Parker, Moses Riddick and James Stephenson; said tract being composed of four different and separate tracts, which adjoin each other and now constitute the entire tract, and which were conveyed to the said Edward R. Harrell as follows:

A tract of eighty-eight acres conveyed to him by his father, Jethro Harrell, a tract conveyed to him by Amos Harrell, by a deed which was destroyed when the Clerk's Office of Nansemond County was destroyed; a tract

of sixty acres conveyed to him by Leonidas Harrell, and a tract of forty-three acres conveyed to him by Hertin Wells, all constituting a tract of about two hundred and thirty-one acres, from which there has been conveyed by the said Edward R. Harrell to Charles C. Harrell by deed of gift a tract containing seventy-five acres, more or less;

at which sale A. P. Harrell bid the sum of Thirty Five Hundred and Fifteen Dollars ($3515.00) for said property, which was the highest and best bid offered.

On consideration whereof, it is adjudged, ordered and decreed that the said report be, and it is hereby confirmed and approved; and the said G. A. Harris, Special Commissioner, is hereby authorized and directed to convey the aforesaid property to A. P. Harrell, or to such person as he may designate, upon the payment by the said A. P. Harrell, or by such person as the said A. P. Harrell may designate, the full purchase price of said property, or upon the payment of one-fourth cash and upon the execution of Three (3) bonds or notes of like amount, payable to the said Special Commissioner in this cause one, two and three years after date, respectively, to bear interest at the rate of six per centum per annum, payable annually, said bonds or notes to be secured by first deed of trust or mortgage upon the property herein described.

And the said Special Commissioner shall report to Court.

And this cause is continued.

VIRGINIA: IN THE CIRCUIT
COURT OF HANOVER COUNTY

C. H. MARRELL ET ALS

vs.

FRANK MARRELL ET ALS

.....

D E C R E E

.....

Entered this 30th day of January
1930.

Jas. L. McLemore
Judge.

Chancery Order Book
No. 6 Page 303

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

W. H. HARRELL ET ALS.....COMPLAINANTS

vs.

FRANK HARRELL ET ALS.....DEFENDANTS.

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

The undersigned, who was appointed Special Commissioner in this cause on the 10th day of November, 1925, begs to report to the Court that, in pursuance of a decree entered herein on the 27th day of November, 1929, he offered for sale, on the 19th day of December, 1929, at public auction, strictly in pursuance of the terms and conditions set forth in said decree, the following real estate, to-wit:

> All that certain tract, piece or parcel of land, situated in Cypress District, in Nansemond County, and State of Virginia, about one mile North of Cypress Chapel Church, containing about 156 acres, as it now stands, more or less, the same being the tract of land on which the said Edward R. Harrell resided, and bounded and described as follows:
>
> On the West by the lands of Charles C. Harrell, on the North by the land now owned by a Mr. Burke, formerly known as the Abram Harrell tract, on the East by the lands of C. J. Riddick, or the lands which formerly belonged to the estate of Jones E. Riddick, and the lands of C. C. Riddick, and cornering on the lands of W. T. Jones, deceased, and R. E. Brothers, and on the South by the lands of F. E. Parker, Moses Riddick and James Stephenson; said tract being composed of four different and separate tracts, which adjoin each other and now constitute the entire tract, and which were conveyed to the said Edward R. Harrell as follows:
>
> A tract of eighty-eight acres conveyed to him by his father, Jethro Harrell; a tract conveyed to him by Amos Harrell, by a deed which was destroyed when the Clerk's Office of Nansemond County was destroyed; a tract of sixty acres conveyed to him by Leonidas Harrell, and a tract of forty-three acres conveyed to him by Martin Walls, all constituting a tract of about two hundred and thirty-one acres, from which there has been conveyed by the said Edward R. Harrell to Charles C. Harrell by deed of gift a tract containing seventy-five acres, more or less.

That at said sale W. T. Harrell bid the sum of Thirty Five Hundred and Fifteen Dollars ($3515.00), which was the highest and best bid made for said property.

Your Special Commissioner recommends that the sale be confirmed to the said A. P. Harrell, or to such person as he may direct, upon the terms and conditions set forth in the above mentioned decree.

Respectfully submitted this 21st day of December, 1929.

T. N. Harris
Special Commissioner.

VIRGINIA:
IN THE CIRCUIT COURT OF MARSHALL COUNTY.

T. H. HARRELL ET ALS

vs.

TIRA. HARRELL ET ALS

.....

REPORT

.....

Filed this 3rd day of January 1930.

J. L. M.

Judge.

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

W. H. HARRELL et als.....COMPLAINANTS

vs.

FRANK HARRELL et als.....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 10th day of November, 1925, which report bears date the 27th day of November, 1929, to which report no exception has been taken, and was argued by counsel.

It appearing to the Court from the report of G. A. Harris, Special Commissioner, and the evidence produced, that since this suit was instituted W. H. Harrell, one of the complainants, has departed this life, leaving as his sole devisee and legatee, his wife, Margaret E. Harrell, and that also Etta B. Johnson, one of the complainants, has departed this life, leaving as her sole heirs and distributees, four sons, H. E. Stallings, Floyd Stallings, Luther J. Stallings and Arthur Johnson, all of whom should be made parties to this suit.

On motion of the said Margaret E. Harrell, H. E. Stallings, Floyd Stallings, Luther J. Stallings and Arthur Johnson, by their attorney, they are hereby made complainants to this suit.

It further appearing to the Court that it is the desire of some of the parties to this suit that the property described in these proceedings be re-advertised and offered for sale at public auction.

On consideration whereof, the Court doth adjudge, order and decree that the said G. A. Harris, who was appointed Special Commissioner in this cause on the 10th day of November, 1925, do proceed, after advertising the time, place and terms of sale for at least fifteen days, by publishing during the said period of fifteen days, the advertisement of said sale in at least four issues of some newspaper published

or having general circulation in Nansemond County, Virginia, to sell the real estate in these proceedings mentioned, to-wit:

> All that certain tract, piece or parcel of land, situated in Cypress District, in Nansemond County, and State of Virginia, about one mile North of Cypress Chapel Church, containing about 156 acres, as it now stands, more or less, the same being the tract of land on which the said Edward R. Harrell resided, and bounded and described as follows:
>
> On the West by the lands of Charles C. Harrell, on the North by the land now owned by a Mr. Burke, formerly known as the Abram Harrell tract, on the East by the lands of C. J. Riddick, or the lands which formerly belonged to the estate of Jones E. Riddick, and the lands of C. C. Riddick, and cornering on the lands of W. T. Jones, deceased, and R. E. Brothers, and on the South by the lands of F. E. Parker, Moses Riddick and James Stephenson; said tract being composed of four different and separate tracts, which adjoin each other and now constitute the entire tract, and which were conveyed to the said Edward R. Harrell as follows:
>
> A tract of eighty-eight acres conveyed to him by his father, Jethro Harrell; a tract conveyed to him by Amos Harrell, by a deed which was destroyed when the Clerk's Office of Nansemond County was destroyed; a tract of sixty acres conveyed to him by Leonidas Harrell, and a tract of forty-three acres conveyed to him by Mertin Walls, all constituting a tract of about two hundred and thirty-one acres, from which there has been conveyed by the said Edward R. Harrell to Charles C. Harrell by deed of gift a tract containing seventy-five acres, more or less;

upon the following terms; one-fourth cash, and the residue in three equal installments, payable one, two and three years, respectively, the credit installments to be evidenced by bonds or notes of the purchaser, to bear interest from date of the confirmation of the sale, and the payment of which is to be secured by deed of trust on the property, or, at the option of the purchaser, all in cash.

The Special Commissioner having heretofore executed a bond, with approved surety, in accordance with a decree entered on the 10th day of November, 1925, this bond being now in force and effect, and no further bond of said Commissioner shall be required.

And the said Commissioner shall report to Court.

And this cause is continued.

VIRGINIA: IN THE CIRCUIT COURT OF RANSDELL COUNTY.

W. H. RANDELL et als

vs.

WILL RANDELL et als.

.....

D E C R E E

.....

Entered this 2nd day of December, 1925.

J. M. Lemore

Judge.

Chancery Order Book
No. 6 Page 295

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

W. H. HARRELL et als.....COMPLAINANTS

vs.

FRANK HARRELL et als.....DEFENDANTS.

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

The undersigned, who was appointed Special Commissioner in this cause on the 10th day of November, 1925, begs to report to the Court that he has been requested by the surviving complainants to this suit to report to the Court that W. H. Harrell, one of the complainants in this suit, is now deceased, and has left as his sole devisee and legatee, his wife, Margaret E. Harrell, and that Etta B. Johnson, another of the complainants in this suit, is now deceased, and has left as her sole heirs and distributees, four sons, H. E. Stallings, Floyd Stallings, Luther J. Stallings and Arthur Johnson, all of whom should be made parties to this suit.

Your Special Commissioner has been further requested to report to the Court that several of the interested parties desire that the property described in these proceedings be re-advertised and offered at public auction at the earliest date possible. The Commissioner is of the opinion that there will be bidders for the property as he has had inquiries concerning same of recent date.

Respectfully submitted this 27th day of November, 1929.

G. A. Davis
Special Commissioner.

VIRGINIA: IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

W. H. HARRELL et als

vs.

FRANK HARRELL et als.

.....

REPORT

.....

Filed this 1st day of December, 1928.

J. L. M.

Judge.

VIRGINIA: IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

W. H. HARRELL ET ALS.....COMPLAINANTS)
)
vs.)IN CHANCERY
)
FRANK HARRELL ET ALS.....DEFENDANTS)

This cause came on again to be heard on the papers formerly read and upon the report of G. A. Harris, Special Commissioner, dated the 1st day of June, 1926, and this day filed, and the exhibits therewith filed, and was argued by counsel.

And it appearing to the Court from said report that the real estate described in the bill in these proceedings has been advertised strictly in pursuance of the decree entered in this cause on the 10th day of November, 1925, but that no bid had been received for said property; and it also appearing to the Court from said report that it is the desire of all parties interested to have said property re-advertised and again offered at public auction; it is therefore ordered, adjudged and decreed that G. A. Harris, Special Commissioner, be, and he is hereby, authorized and directed to re-advertise the said property not later than the 15th day of September, 1926, in accordance with the terms and conditions set forth in the decree entered in this cause on the 10th day of November, 1925.

And it further appearing to the Court from said Special Commissioner's report that the State Highway Commission of Virginia has made a survey over and across the property hereinabove referred to and determined to condemn the strip, piece or parcel of land for highway purposes, as follows, to-wit:

> "Beginning at a point on the center line of survey of Route 103, between Suffolk and the N. C. Line, shown on attached plan as Sta. 353-00, adjoining the lands of C. C. Harrell; thence S 22° 49" E 1580 ft. to the lands of A.L.Harrell, being Sta. 368-80.
> The land to be acquired being a strip or parcel 50 ft. in width, 25 ft. on either side of and

adjacent to said centerline hereinbefore described, as set forth on attached plan, being Sheet 15 of a set of plans for said Project 350A, and made a part hereof."

Said strip or parcel of land containing 1.82 acres the same more or less."

And it further appearing to the Court that, after the survey aforesaid was made and in pursuance of the statutes in such cases made and provided, the State Highway Commission deposited with the Clerk of the Circuit Court of Nansemond County, Virginia, the sum of $60.00, it being the amount that said State Highway Commission deemed to be a fair value for the land taken and the damage done to other property, and that the said State Highway Commission has taken possession of the land herein described and the same is now being used for state Highway purposes, and being a part of the State Highway system leading from Suffolk, Virginia, to the North Carolina State line; and it further appearing to the Court that the State Highway Commission has not perfected its title to said land by condemnation proceedings, as contemplated by it at the time the money was paid into Court, and to avoid the expense of condemnation proceedings, it is willing to pay an additional sum of $40.00, making a total of $100.00, for the strip or parcel of land, so taken, and it also appearing to the Court from the report of said Special Commissioner that, from an affidavit made by F. E. Parker, the sum of $100.00 is a fair and just compensation for the said strip or parcel of land.;

On consideration whereof, it is therefore ordered, adjudged and decreed that G. A. Harris, Special Commissioner, convey unto the Commonwealth of Virginia, by Special Warranty deed, the property hereinabove described, upon the payment to him of the sum of $100.00.

And the said Special Commissioner shall report to Court.

VIRGINIA: IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

W. H. HARRELL ET ALS

vs.

FRANK HARRELL ET ALS

.....

Enter June 9th 1926
Jas. L. Whitehurst

DECREE

We consent:
Wm. S. Holland guardian
ad litem for infant
defendants
Clyde Harrell, Rodger
Harrell, and Frank
Harrell - infants,
By their guardian ad
litem: W. S. Holland

G M Harris p/q
#6 Fs. 14

S. E. EVERETT
ATTORNEY AT LAW
SUFFOLK, VA.

May 31st, 1926.

Mr. G. A. Harris, Special Commissioner,
in re; W. H. Harrell et als vs. Frank Harrell et als
Suffolk, Va.

Dear Sir:-

I have the resolution of the Chairman of the State Highway Department in my possession, authorizing me to proceed to condemn the land of the State Highway between Suffolk and North Carolina running theough the estate of E. R. Harrell.

The highway is already completed and in use but before this was done, under the Statute, we made a deposit with the Clerk of $60.00, the amount we thought sufficient for damages for this amount of land. Since doing this and since the highway has been completed, the above suit has been instituted for division or sale of the land of E. R. Harrell, deceased.

To save expense and time I have suggested to the State Highway Department to add to the $60.00 already deposited, about the cost of condemning and have the Commissioner apply to the Court for a deed to the same, if agreeable to the heirs and the Court.

I am authorized to say that the State Highway Department has offered $100.00 and in addition to the $60.00 deposited with the Clerk, $40.00 will also be deposited and delivery of the deed to the Clerk he will pay $100.00 to Mr. G. A. Harris, Special Commissioner.

If you wish the letter of the Highway Department showing $100.00 will be paid, I can file the same with you but you have seen the same already.

Very truly yours,

SEE:R

"EXHIBIT B"

ROUTE 103, STATE HIGHWAY FROM SUFFOLK TO N. C. LINE

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

This is to certify that I live within one mile of the land of the E. R. Harrell estate and am familiar with the land of the said E. R. Harrell estate that the State Highway from Suffolk to the N. C. Line runds through, which said land is described in the plans as Route 103, between Suffolk and the N.C. Line, shown on the plat as Sta. 353-00, adjoining the land of C. C. Harrell; thence S 22° 49' E 1580 ft. to the lands of A. L. Harrell, being Sta 368-80, and I have been informed that the State Highway Commission has offered the sum of One Hundred ($100.00) Dollars for the piece of land that the said road takes and in my opinion this is a very reasonable price for the quantity of land that will be taken for the said highway. In addition to this I wish to say that this property has been greatly benefited by the said highway.

Witness my hand and seal this 29th day of May, 1926.

F. E. Parker (SEAL)

Subscribed and sworn to before me, Sue W. Riddick, a Notary Public for the City of Suffolk, Virginia, by F. E. Parker, this 29th day of May, 1926.

Sue W. Riddick
Notary Public.

"EXHIBIT C"

VIRGINIA: IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

W. H. HARRELL ET ALS.....COMPLAINANTS)
)
vs.) IN CHANCERY
)
FRANK HARRELL ET ALS.....DEFENDANTS)

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

Your Special Commissioner, who was appointed as said Special Commissioner on the 10th day of November , 1925, begs to report that, in pursuance of said decree, he offered for sale, after advertising the time, place and terms of sale for at least fifteen days, by publishing, during the said period of fifteen days, the advertisement of said sale in at least four issues of the Suffolk News, a newspaper having general circulation in Nansemond County, Virginia, upon the terms mentioned in said decree, all the real estate of which E. R. Harrell died seised and possessed, and which is more fully described in the decree hereinabove referred to.

Although the property was well advertised and a large number of persons attended the sale, there was no bid offered. It is now the desire of all parties interested in the property, which is the subject of this suit, that this suit be allowed to remain on the docket and that the property be re-advertised during the late summer or early fall of the present year.

Your Special Commissioner desires further to report to the Court that, before this suit was brought, the State Highway Commission of Virginia made a survey over and across the property hereinabove referred to and determined to condemn the following strip, piece or parcel of land for highway purposes:

> "Beginning at a point on the center line of survey of Route 103, between Suffolk and the N. C. Line, shown on attached plan as Sta. 353-00, adjoining the lands of C. C. Harrell; thence S 22° 49" E 1580 ft. to the lands of A. L. Harrell, being Sta. 368-80.

> The land to be acquired being a strip or parcel 50 ft. in width, 25 ft. on either side of and adjacent to said centerline hereinbefore described, as set forth on attached plan, being Sheet 15 of a set of plans for said Project 350A, and made a part hereof."
> Said strip or parcel of land containing 1.82 acres the same, more or less."

The map, showing the survey, is herewith filed, marked "Exhibit A", and made a part of this report.

Your Special Commissioner further reports that, after the survey was made, in pursuance of the statutes in such cases made and provided, the said State Highway Commission deposited with the Clerk of the Circuit Court of Nansemond County, Virginia, the sum of $60.00, this being the amount determined as a fair compensation for damages to said property by the said State Highway Commission: that since that time, the State Highway has been constructed and the land hereinabove described is now used as a part of the State Highway system from Suffolk to the North Carolina State ~~Highway~~ line; that the State Highway Commission has not perfected its title to said land by condemnation proceedings, as contemplated by it at the time the money was paid into Court, but that it has now offered, as will be seen from a letter, bearing date the 31st day of May, 1926, addressed to your Special Commissioner, and signed by S. E. Everett, local counsel for the State Highway Commission, the sum of $100.00 for the said land, rather than proceed with the condemnation suit; provided, of course, that title can be perfected to said land without necessitating a condemnation suit. The said letter is herewith filed and marked "Exhibit B".

Your Special Commissioner believes that the $100.00 offered for the land taken by the said State Highway Commission is a fair compensation and would respectfully recommend its acceptance. In addition to this being a fair compensation for the land taken, your Special Commissioner believes that the value of the property owned by the Estate of E. R. Harrell has been very greatly enhanced by the construction of the State Highway.

Your Special Commissioner is also filing with this report affidavit signed by Mr. F. E. Parker of Cypress Chapel, who owns the adjoining land to the E. R. Harrell land, in which affidavit Mr. Parker sets forth that he believes that $100.00 is a fair compensation for that part of the land which the State Highway Commission desires to acquire. The said affidavit, filed herewith, is marked "Exhibit C".

Your Special Commissioner might further state that the heirs of E. R. Harrell are willing to accept the offer of the State Highway Commission for the land herein described.

Respectfully submitted this 23rd day of June 1926.

G. A. Harris
Special Commissioner.

VIRGINIA: IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

W. H. HARRELL et als

vs.

FRANK HARRELL et als.

.....

1926. Order #1. Filed J.L.M.

REPORT

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

VIRGINIA: IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

W. H. HARRELL et als.....COMPLAINANTS.

vs.

FRANK HARRELL et als.....DEFENDANTS.

This day came W. H. Harrell, E. M. Harrell, C. C. Harrell, A. P. Harrell, Josephine Henderson, Etta B. Johnson, Mary E. Harrell, Annie C. Rountree, A. L. Harrell, Jr., Harry B. Harrell, Ernest J. Harrell and Delila Harrell, and by leave of Court filed their bill; and on their motion, William S. Holland, a discreet and competent attorney at law, is assigned as guardian ad litem of the infant defendants, Frank Harrell, Roger Harrell and Clyde Harrell, to defend their interests in this suit; and, thereupon, the said guardian ad litem filed the answers of the said infant defendant and his own answer to the bill of complaint, to which several answers, the complainants replied generally; and, thereupon, by consent of all parties, this cause is set for hearing and docketed, and by like consent came on this day to be heard on the bill of complaint, the several answers of the defendants to said bill, as above set out, and the general replication of the complainants to every one of said answers, and was argued by counsel.

On consideration whereof, the Court doth adjudge, order and decree that this cause be referred to one of the Commissioners of this Court, who is directed to inquire and report to the Court as follows:

(1) Of what real estate E. R. Harrell, deceased, died seized and possessed, together with the fee-simple and annual value of the same, and who are entitled to the same, and their respective shares therein.

(2) Whether the real estate in the bill mentioned can be conveniently divided in kind among the several parties entitled to share therein.

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

(4) And if the same cannot be conveniently divided in kind, and if no party will take the entire property and pay the others for their shares, whether the interests of those entitled to the said property, or its proceeds, will be promoted by a sale of the entire property, or by the allotment of part and sale of the residue.

(5) Whether or not there are any delinquent taxes or other liens against the said real estate or any part thereof.

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

And by consent of the parties to this suit, the guardian ad litem consenting for the infant defendants, it is adjudged, ordered and decreed that this suit be submitted to the Judge of this Court for such judgments, orders, decisions and decrees therein in vacation as might be made in term.

VIRGINIA: IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

W. H. HARRELL et als.

vs.

FRANK HARRELL et als.

.....

Enter Octo 20. 1925
Jas L. McGehee

DECREE OF REFERENCE.

No Consent to this decree.
Frank Harrell
Rodger Harrell
Clyde Harrell
By their guardian
ad litem W. S. Holland

W. S. Holland guardian
ad litem for all
infant defendts.
Hans Lupscomb

#3, fg. 375-77

W H Harrell
6307 - Jamestown Boulevard
Norfolk

This Deed, Made this 5th day of March, in the year one thousand nine hundred and eight, betweeen Edward R. Harrell of Nansemond County, Virginia, (widower), party of the first part, and Genie B. Harrell, of said county and State, party of the second part—

Witnesseth: That in consideration of the sum of Five ($5.00) Dollars, and natural love and affection and other considerations stated below ~~Dollars~~, the said Edward R. Harrell do grant unto the said Genie B. Harrell, with GENERAL WARRANTY, all

All that certain tract, piece or parcel of land situated in Cypesss District, in Nansemond County, and State of Virginia, about one mile North of Cypress Chapel Church, containing about one hundred and fifty-six (I56) acres, as it now stands, more or less, being the tract of land on which the said Edward R. Harrell now resides, and on which he has resided for many years, and bounded and described as follows: on the West by the lands of Charles C. Harrell; on the North by the land now owned by a Mr. Burke, formerly known as the Abram Harrell tract; on the East by the lands of C. J. Riddick, or the land which formerly belonged to the estate of James E. Riddick, deceased, and the lands of C. C. Riddick, and cornering on the lands of W. T. Jones, deceased, and R. E. Brothers; and on the South by the lands of F. E. Parker, Moses Riddick and James Stephenson; said tract being composed of four (4) different and separate tracts which adjoin each other and now constitute the entire tract and which were conveyed to the said Edward R. Harrell as follows: a tract of eighty-eight (88) acres conveyed to him by his father, Jethro Harrell; a tract of about forty (40) acres, conveyed to him by Amos Harrell by a deed which was destroyed when the clerk's office of Nansemond County was destroyed; a tract of sixty (60) acres conveyed to him by Leonidas Harrell; and a tract of forty-three (43) acres conveyed to him by Martin Walls, all constituting a tract of about two hundred and thirty-one (23I) acres, from which there has been conveyed by the said Edward R. Harrell to Charles C. Harrell by deed of gift, a tract containing seventy-five (75) acres, more or less.

The further considerations for this deed are as follows:

(over)

that the grantee, Genie B. Harrell, who is the grandson of the said Edward R. Harrell, shall take care of, support and sustain in comfort at his old homestead during the remainder of his life, the said Edward R. Harrell, who is to have a home at said place as long as he lives, and who is to be boarded and, in all respects, properly cared for and comforted as long as he lives; and upon the further consideration, that the said Genie B. Harrell shall take care of, provide for, board, and clothe his afflicted Aunt, Nettie Harrell, the daughter of the said Edward R. Harrell, as long as she shall live. And it is agreed and understood that she shall also have a home at the said old homestead at the expense of the said Genie B. Harrell as long as she lives, but the said Edward R. Harrell agrees to provide her with clothing and pay her doctor's bills as long as he, the said Edward R. Harrell, lives.

And the said Genie B. Harrell hereby accepts the conveyance of the land herein mentioned on the terms and conditions above set forth, and he hereby promises, contracts and agrees that he will, in all respects, fully comply with and carry out all his undertakings herein set forth in good faith and fully and fairly. And it is further agreed between the said parties to this deed that the land, herein conveyed, shall be charged with the proper execution of the covenants herein contained.

It is understood and agreed that there is now appurtenant to the land, herein conveyed, a certain right of way leading from this land across the lands of the said Charles C. Harrell to the county road; said right of way being a strip well defined and of the width of twenty (20) feet.

And it is further agreed between the parties to this deed that if the said Genie B. Harrell desires to sell any wood or timber from or off the said land during the lifetime of the said Edward R. Harrell, he may do so by paying to the said Edward R. Harrell one-half of the net proceeds of such wood or timber; and if after the death of the said Edward R. Harrell, the said Genie B. Harrell desires to sell wood or timber from the said land, for the support of the said afflicted Aunt, then he is hereby granted the right and privilege of doing so: if any wood or timber is sold from said land during the life time of the said E. R. Harrell it shall be sold only by the consent of both parties to this deed.

The said Edward R. Harrell covenants that he has the right to convey the said land to the grantee; that he has done no act to encumber the said land; that the grantee shall have quiet possession of the said land, free from all encumberances, and that he, the said party of the first part, will execute such further assurances of the said land as may be requisite.

Witness the following signatures and seals.

Witness:
R. H. Rawles.

Edward R. his x mark Harrell SEAL

SEAL

Genie B. Harrell SEAL

SEAL

STATE OF VIRGINIA,
County of Nansemond, To-wit:

I, L. D. Jacobs, a Notary Public for the county aforesaid, in the State of Virginia, do certify that Edward R. Harrell (widower) and Genie B. Harrell whose name s are signed to the writing hereunto annexed, bearing date the 5th day of March, 1908, has acknowledged the same before me in county aforesaid.

My term of office expires on the 23rd day of February, 1909.

Given under my hand this 5th day of March, 1908.

L. D. Jacobs, Notary Public.

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

~~COUNTY OF~~ Virginia: ~~, TO-WIT:~~

In the office of the Clerk of the Circuit Court for the County of Nansemond, the 6th day of March, 1908, this deed was presented, and, with the certificate annexed, admitted to record.

Teste:

R. R. Smith, Clerk.

By M. M. Watkins, D. C.

Fabb. Deed
Mar 11/2

172

Deed of Bargain and Sale

Edward R. Harrell

To

Genie B. Harrell

Admitted to Record this 6th *day of*

March, 1908.

Recorded D. B. 64 *Page* 476

1908 April 17th.

Examined and verified.

A. P. Gomez D. C., *Clerk.*

By ....., *D. C.*

$.....

Tax ..... $ 1.50

Fee ..... $ 1.25

Paid $ 2.75

VIRGINIA: IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

W. H. HARRELL ET ALS.....COMPLAINANTS.

vs.

FRANK HARRELL ET ALS.....DEFENDANTS

This cause came on again to be heard on the papers formerly read and upon the report of G. A. Harris, Special Commissioner, dated the 9th day of October, 1926, this day filed, and was argued by counsel.

It appearing to the Court from said Special Commissioner's report that he did, on the 2nd day of June, 1926, convey by Special Warranty Deed to the Commonwealth of Virginia, the following property, to-wit:

> Beginning at a point on the center line of the survey of Route 103, between Suffolk and the North Carolina line, shown on a plan or plat filed with the Commissioner's report, dated June 1, 1926, in the suit of W. H. Harrell et als vs. Frank Harrell et als pending in the Circuit Court of Nansemond County, Virginia, as Station 353-00, adjoining the lands of C.C.Harrell; thence South 22° 49' East 1580 feet to the lands of A. L. Harrell, or that which was his, being Station 368-80.
>
> The land to be acquired being a strip of parcel 56 feet in width, 25 feet on either side of and adjacent to a center line, as set forth in the plan or plat filed in the suit hereinabove referred to, said plan or plat being Sheet 15 of a set of plans for Project 350A, and made a part thereof.
>
> Said strip or parcel of land containing 1.82 acres the same, more or less,

and that before the deed conveying said property was delivered, he collected from the said Commonwealth of Virginia the sum of $100.00 which represented the full purchase price of said land.

It further appearing to the Court that all parties interested in the proceeds from the sale of said land desire that the said $100.00 be paid to ~~the said~~ W. H. Harrell, surviving executor of the estate of E. R. Harrell, deceased, to reimburse the said W. H. Harrell for certain sums of money expended by him in paying

taxes and for expenses incurred in advertising for sale the property of which E. R. Harrell died seised and possessed, and which is fully described in the bill in these proceedings.

It further appearing to the Court that all parties interested in these proceedings desire that this suit be allowed to remain on the docket until such time as they may designate and hereafter agree upon to offer for sale the real estate described in these proceedings.

On consideration whereof, the Court doth approve and confirm said report, and it is ordered, adjudged and decreed that the Special Commissioner aforesaid pay to W. H. Harrell, surviving executor of the estate of E. R. Harrell, deceased, the said sum of $100.00 to reimburse him for certain sums of money expended by him in paying taxes and for expenses incurred in advertising for sale the property of which the said E. R. Harrell died siesed and possessed, and which is fully described in the bill in these proceedings.

And it is further ordered that this suit remain on the docket until the further order of the Court.

VIRGINIA: IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

W. H. HARRELL ET ALS

VS.

FRANK HARRELL ET ALS.

.....

Enter Octo. 15. 1926.
Jas L. McGhee

DECREE

In Cause to this
date #6, Page 41
G A Holmes p. q.

Wm. S. Holland
Guardian ad litem for infant
defts.
Clyde, Harrell, Rodger
Harrell and Frank
Harrell by their Guardian
ad litem, W. S Holland

VIRGINIA: IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

W. H. HARRELL ET ALS.....COMPLAINANTS

vs.

FRANK HARRELL ET ALS.....DEFENDANTS.

TO THE HONORABLE JUDGE OF SAID COURT:

The undersigned, G. A. Harris, who was appointed Special Commissioner in this cause on the 1st day of June, 1926, begs to report as follows:

That in pursuance of a decree entered in this cause on the 1st day of June, 1926, he conveyed, by Special Warranty Deed, on June 2, 1926, to the Commonwealth of Virginia, the following property, to-wit:

> Beginning at a point on the center line of the survey of Route 103, between Suffolk and the North Carolina line, shown on a plan or plat filed with the Commissioner's report, dated June 1, 1926, in the suit of W. H. Harrell et als vs. Frank Harrell et als pending in the Circuit Court of Nansemond County, Virginia, as Station 353-00, adjoining the lands of C.C.Harrell; thence South 22° 49' East 1580 feet to the lands of A. L. Harrell, or that which was his, being Station 368-80.
>
> The land to be acquired being a strip or parcel 56 feet in width, 25 feet on either side of and adjacent to a center line, as set forth in the plan or plat filed in the suit hereinabove referred to, said plan or plat being Sheet 15 of a set of plans for Project 350A, and made a part thereof.
>
> Said strip or parcel of land containing 1.82 acres the same, more or less.

That upon the delivery of said deed the said Special Commissioner collected from the Commonwealth of Virginia the sum of $100.00, representing the full purchase price therefor.

That the said Special Commissioner has been requested by all the parties having an interest in the proceeds from said sale that the said sum of $100.00 in the hands of the Special Commissioner be paid to W. H. Harrell, surviving executor of the estate of E. R. Harrell, deceased, which sum is to reimburse the said W. H. Harrell

for certain sums of money expended by him in paying taxes and for expenses incurred in advertising for sale the property of which E. R. Harrell died seised and possessed, and which is fully described in the bill in these proceedings.

The Special Commissioner further reports to the Court that he has not re-advertised the property described in the bill in these proceedings as directed by decree entered in this cause on the 1st day of June, 1926, for the reason that he was requested by all interested parties to withhold advertising the property for sale until some later date to be hereafter designated and agreed upon. This request was made by the heirs for the reason that farming conditions have been very unsatisfactory and farm products were selling for unusual low prices.

The Special Commissioner would recommend that this case remain on the docket until such time as the interested parties may request that the property described in these proceedings be again advertised and offered for sale.

Respectfully submitted this 7th day of October, 1926.

E. L. Harris
Special Commissioner.

VIRGINIA: IN THE CIRCUIT
COURT OF NANSEMOND COUNTY.

W. H. HARRELL ET ALS.

vs.

FRANK HARRELL ET ALS.

.....

REPORT.

1926 Octs. 15. filed.
J.L.M

VIRGINIA: IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

W. H. HARRELL ET ALS.....COMPLAINANTS.

vs.

FRANK HARRELL ET ALS.....DEFENDANTS.

This cause came on this day to be again heard on the papers formerly read and upon the report of L. P. Holland, Commissioner, dated the 29th day of October, 1925, and this day filed, counsel for the complainants, as well as the Guardian ad Litem of the infant defendants, having consented, in writing, for this cause to be heard upon said Commissioner's report at once without waiting the ten days required by statute, to which report there is no exception, and was argued by counsel.

ON CONSIDERATION WHEREOF, it appearing to the Court from said report that the real estate mentioned in the bill, of which E. R. Harrell died seised and possessed, cannot be conveniently divided in kind among the several parties entitled to share therein, that none of the parties will take the entire property and pay therefor to the other parties such sums of money as their interest therein may entitle them to, and that the interest of all parties entitled to the said property will be promoted by a sale of the entire property, rather than an allotment of part and sale of the residue, the Court doth approve and confirm the said report.

On consideration whereof, the Court doth order and decree that G. A. Harris, who is hereby appointed Commissioner for the purpose, do proceed, after advertising the time, place and terms of sale for at least fifteen days, by publishing, during the said period of fifteen days, the advertisement of said sale in at least four issues of some newspaper published or having a

general circulation in Nansemond County, Virginia, to sell the real estate in the bill in these proceedings mentioned, to-wit:

> All that certain tract, piece or parcel of land, situated in Cypress District, In Nansemond County, and State of Virginia, about one mile North of Cypress Chapel Church, containing about 156 acres, as it now stands, more or less, the same being the tract of land on which the said Edward R. Harrell resided, and bounded and described as follows:
>
> On the West by the lands of Charles C. Harrell, on the North by the land now owned by a Mr. Burke, formerly known as the Abram Harrell tract, on the East by the lands of C. J. Riddick, or the lands which formerly belonged to the estate of Jones E. Riddick, and the lands of C. C. Riddick, and cornering on the lands of W. T. Jones, deceased, and R. E. Brothers, and on the South by the lands of F. E. Parker, Moses Riddick and James Stephenson; said tract being composed of four different and separate tracts, which adjoin each other and now constitute the entire tract, and which were conveyed to the said Edward R. Harrell as follows:
>
> A tract of eighty-eight acres conveyed to him by his father, Jethro Harrell; a tract conveyed to him by Amos Harrell, by a deed which was destroyed when the Clerk's Office of Nansemond County was destroyed; a tract of sixty acres conveyed to him by Leonidas Harrell, and a tract of forty-three acres conveyed to him by Mertin Walls, all constituting a tract of about two hundred and thirty-one acres, from which there has been conveyed by the said Edward R. Harrell to Charles C. Harrell by deed of gift a tract containing seventy-five acres, more or less;

upon the following terms: One-fourth cash, and the residue in three equal installments, payable one, two and three years, respectively, the credit installments to be evidenced by bonds or notes of the purchaser, to bear interest from date of the confirmation of the sale, and the payment of which is to be secured by deed of trust on the property, or, at the option of the purchaser, all in cash.

But the Commissioner, however, shall not have the 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 $10,000 , and conditioned upon the faithful discharge of his duties hereunder.

VIRGINIA: IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

W. H. HARRELL ET ALS.

VS.

FRANK HARRELL ET ALS.

.....

DECREE

No Consent to this decree

William S. Holland
guardian ad litem for
all infant defts.

Harris and Exercise p.q.

Entered Nov. 10. 1925

Jas. L. McLemore.

#5, pg. 570

IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND, VIRGINIA.

W. H. HARRELL et als,

vs. IN CHANCERY.

FRANK HARRELL et als.

COMMISSIONER'S OFFICE.

Suffolk, Virginia October 29th, 1925.

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

Pursuant to the decree of the Circuit Court of the County of Nansemond, pronounced on the 22nd day of October, 1925, in the suit in chancery pending in the said court between W.H.Harrell et als, Complainants, and Frank Harrell et als, Defendants, the undersigned, L.P.Holland, one of the Commissioners in Chancery of the said court, respectfully reports as follows:

That on the 29th day of October, 1925, your Commissioner gave notice that he would proceed on the 29th day of October, 1925, at two o'clock P.M., at his office in Suffolk, Virginia, to make the several inquiries required by the said decree to be made by one of the Commissioners in Chancery; that sufficient and legal service of said notice was accepted by all of the parties to the said suit, as will appear by endorsement on the notices herewith returned; that on the 29th day of October, 1925, at two o'clock, P.M., at his office, your Commissioner took the depositions of C.C.Harrell and David Duke touching said inquiries, W.S.Holland, Guardian ad litem of the infant defendants in the cause, being present at that time, which depositions are herewith returned; that from the testimony of the said witnesses and from information otherwise obtained your Commissioner reports as follows:

1st. That E.R.Harrell died intestate in the early part of the year 1923, leaving W.H.Harrell, E.M.Harrell, C.C. Harrell, A.P.Harrell, Josephine Henderson and Etta B.Johnson as his only surviving children, while Mary E.Harrell, Annie C. Rountree, A.L.Harrell, Jr., Harry E.Harrell, Ernest J.Harrell, Roger Harrell and Clyde Harrell are the widow and heirs at law of A.L.Harrell, another son of E.R.Harrell, and Delila Harrell and Frank Harrell are the widow and only child, respectively, of Genie B.Harrell, a son of A.L.Harrell. The share of each of the children of E.R.Harrell in his estate is one seventh; the share of Mary E.Harrell, and each of the children of A.L.Harrell, is one fifty-sixth of the estate, while her son, Frank Harrell, inherits one fifty-sixth of the estate subject to her said dower interest; that the fee simple value of the estate of E.R.Harrell is between $8,000.00 and $9,000.00 and the annual value between $200.00 and $225.00; that at the time of the death of the said E.R.Harrell he owned the following real estate:

All that certain tract, piece or parcel of land, situated in Cypress District, in Nansemond County, and State of Virginia, about one mile north of Cypress Chapel Church, containing about 156 acres, as it now stands, more or less, the same being

the tract of land on which the said Edward R. Harrell resided, and bounded and described as follows:

On the West by the lands of Charles C. Harrell, on the North by the land now owned by a Mr. Burke, formerly known as the Abram Harrell tract; on the East by the lands of C.J.Riddick, or the lands which formerly belonged to the estate of Jones E. Riddick, and the lands of C.C.Riddick, and cornering on the lands of W.T.Jones, deceased, and R.E.Brothers, and on the South by the lands of F.E.Parker, Moses Riddick and James Stephenson; said tract being composed of four different and separate tracts, which adjoin each other and now constitute the entire tract, and which were conveyed to the said Edward R. Harrell as follows:

A tract of eighty-eight acres conveyed to him by his father, Jethro Harrell; a tract conveyed to him by Amos Harrell, by a deed which was destroyed when the Clerk's Office of Nansemond County was destroyed; a tract of sixty acres conveyed to him by Leonidas Harrell, and a tract of forty-three acres conveyed to him by Mertin Walls, all constituting a tract of about two hundred and thirty-one acres, from which there has been conveyed by the said Edward R. Harrell to Charles C. Harrell by deed of gift a tract containing seventy-five acres, more or less.

2nd. That the real estate mentioned in the bill cannot be conveniently divided in kind among the several parties entitled thereto because the interest of some of the heirs would be so very small that it would be of practically no value to them.

3rd. That no party in interest will take the entire property and pay to the other parties the money to which their interest would entitle them.

4th. That the interest of all the parties will be promoted by the sale of the entire property. This is especially so of the interest of the infants, as the share of each of the infants would be so very small that it would not be readily salable.

5th. That there are no delinquent taxes or other liens against the said real estate, or any part thereof.

Respectfully submitted,

L. P. Holland

Commissioner in Chancery.

Fee of Commissioner $15.00

" " Stenographer $2.50

To

W. H. HARRELL et als.....COMPLAINANTS.

VS.

FRANK HARRELL et als .....DEFENDANTS.

You are hereby notified that on the 29th day of October, 1925, at 2:00 P.M., at my office in Suffolk, Virginia, (at which time and place you are requested to attend) I shall take, state and settle the following accounts, which are to be taken, stated and settled and reported to court in pursuance of a decree of the Circuit Court of Nansemond County, Virginia, rendered on the 22nd day of October, 1925, in a suit in chancery pending in said court to which you are parties plaintiff and defendant, to-wit:

1st. Of what real estate E.R.Harrell, deceased, died seized and possessed, together with the fee simple and annual value of the same, and who are entitled to the same, and their respective shares therein.

2nd. Whether the real estate in the bill mentioned can be conveniently divided in kind among the several parties entitled to share therein.

3rd. If the same cannot be conveniently divided in kind, whether any party will take the entire property and pay therefor to the other parties such sums of money as their interest may entitle them to.

4th. And if the same cannot be conveniently divided in kind, and if no party will take the entire property and pay the others for their shares, whether the interests of those entitled to the said property, or its proceeds, will be promoted by a sale of the entire property, or by the allotment of part and sale of the residue.

5th. Whether or not there are any delinquent taxes or other liens against the said real estate or any part thereof.

Given under my hand as Commissioner in Chancery of said court this 29th day of October, 1925.

L. T. Hallard

Commissioner in Chancery.

W.H.HARRELL et als -Complainant

and

FRANK HARRELL et als-Defendant

Full and sufficient service of this notice is hereby accepted.
W.H.Harrell, E.M.Harrell, C.C.Harrell, A.P.Harrell, Josephine Henderson, Etta B. Johnson, Mary E.Harrell, Annie C. Rountree, A.L.Harrell,Jr., Harry B.Harrell, Ernest J. Harrell and Delila Harrell.

By Harris & Lipscomb
Attorneys.

Frank Harrell, Clyde Harrell and Roger Harrell.

By William S Holland
Guardian ad litem.

C. C. Harrell, being first duly sworn, deposes as follows:

Q. Your name is C.C.Harrell, is it not?

A. Yes sir.

Q. Where do you live?

A. Near Cypress Chapel.

Q. Are you one of the children of Mr. E. R. Harrell?

A. Yes sir.

Q. In what year did he die?

A. In 1923.

Q. Is his widow living?

A. No sir.

Q. Please give the names of the other living children of Mr. E. R. Harrell.

A. W.H.Harrell, E.M.Harrell, Mrs. Etta B. Johnson, Mrs. Josephine Henderson and A.P.Harrell.

Q. Please give the names of the deceased children of Mr. E.R.Harrell.

A. A.L.Harrell and Nettie Harrell, who never married and is now dead.

Q. Is the widow of Mr. A.L.Harrell living?

A. Yes sir.

Q. Her name is Mary E. Harrell, is it not?

A. Yes.

Q. Please give the names of the children of Mr. A.L.Harrell.

A. Annie C. Rountree, A.L.Harrell, Jr., Harry B. Harrell, Ernest J. Harrell, Roger Harrell and Clyde Harrell.

Q. Who was Genie B. Harrell?

A. A.L.Harrell's son.

Q. Is he dead?

A. Yes.

Q. His widow's name is Delila Harrell?

A. Yes sir.

Q. Did Mr. A. L. Harrell have any other children?

A. No sir.

Q. Has Genie B. Harrell any children?

A. One.

Q. Please give the name of the child.

A. Frank Harrell.

Q. So far as you know, are these all of the parties interested in the land of which the late E.R.Harrell died siesed and possessed?

A. Yes sir.

Q. Are you familiar with the tract of land in Cypress Magisterial District, Nansemond County, on which the late E.R. Harrell lived and which contains about 156 acres?

A. Yes sir.

Q. Did Mr. E. R. Harrell own any further real estate at the time of his death?

A. I don't think so.

Q. What, in your opinion, is the fee simple value of the tract of land just referred to?

A. $9,000.00 is my estimate.

Q. What, in your opinion is its annual, or rental, value?

A. We rent it for $200.00 a year.

Q. Do you think the farm could be cut up and divided in such a way as to give each one of the parties a certain portion of it?

A. Not well.

Q. So far as you know, will any of the parties take the entire farm and pay the other parties for their interest therein?

A. No sir, not as I know of.

Q. Do you think that the entire farm should be sold, or that you should sell merely a part of it and divide the rest of it among the heirs?

A. It should be sold as a whole.

Q. How many acres of cleared land are there?

A. Fifty-five.

Q. The rest of the farm is timber, is it?

A. Yes sir, all timber.

Q. Please state which of the parties to this suit are under the age of twenty-one.

A. Roger Harrell, Clyde Harrell and Frank Harrell.

And further this deponent saith not.

C. C. Harrell

David Duke, being first duly sworn, deposes as follows:

Q. Your name is David Duke, is it not?

A. Yes sir.

Q. Where do you live?

A. I live in Nansemond County, right near this farm.

Q. How long have you been familiar with this farm?

A. All my life, as I have lived nearby ever since I could remember.

Q. What, in your opinion, is its fee simple value?

A. Well, considering its condition and the price it rents for, I would say something like $8,000.00.

Q. What, in your opinion, is its annual, or rental value?

A. Something like $200.00 or $225.00 a year.

Q. About how many acres of cleared land are there?

A. About forty or fifty acres.

Q. Do you think that this farm could be cut up and divided among the heirs satisfactorily?

A. I don't think so.

And further this deponent saith not.

Witness G A Amis

David his + Duke mark

W.H.Harrell et als-Complainants

vs.

Frank Harrell et als-Defendants

Report of

L.P.Holland, Commissioner in Chancery.

Filed November 10th 1925.

L.P.H.

E. E. & L. P. HOLLAND
SUFFOLK, VA.

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

W. H. HARRELL et als.....COMPLAINANTS

vs.

FRANK HARRELL et als.....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 10th day of November, 1925, said report bearing date the 21st day of October, 1930, and this day filed, to which report no exception has been taken, and was argued by counsel.

It appearing to the Court that said Commissioner, in pursuance of a decree heretofore entered in this cause on the 17th day of April, 1930, has made the following disbursements:

To amount on hand as Special Commissioner.....		$3663.60
By amount paid Herald Printing Corporation for advertising property in 1925.....	$ 16.00	
By amount paid Ledger-Dispatch Corporation for advertising property in 1925.....	15.12	
By amount paid Artcraft Press for advertising property in 1925.....	7.00	
By amount paid Suffolk Insurance Corporation for premium on bond from 1925 to 1930.....	110.00	
By amount paid L. P. Holland, Commissioner, for making report, inclusive of stenographer's fee.....	17.50	
By amount paid J. P. Dalton, Treasurer for 1929 taxes.....	57.06	
By Special Commissioner's commission.....	183.08	
By amount paid G. A. Harris, attorney, for drawing Special Commissioner's deed.....	10.00	
By amount paid J. F. Joyner, for estimating timber.....	11.25	
By amount paid Virginian-Pilot Publishing Company for advertising sale of property.....	22.05	
By amount paid for insurance by Special Commissioner.....	9.27	
By amount paid Clerk of Court covering Court costs.....	26.50	

By amount paid G. A. Harris, attorney, for conducting this suit.....$ 75.00

By amount paid Margaret E. Harrell, widow and sole devisee of W. H. Harrell, representing her one-seventh distributive share..... 443.40

By amount paid E. M. Harrell, representing his one-seventh distributive share..... 443.40

By amount paid C. C. Harrell, representing his one-seventh distributive share..... 443.40

By amount paid A. P. Harrell, representing his one-seventh distributive share..... 443.40

By amount paid Josephine Henderson, representing her one-seventh distributive share..... 443.40

By amount paid H. E. Stallings, son of Etta B. Johnson, representing his one-twenty eighth distributive share..... 110.85

By amount paid Floyd Stallings, son of Etta B. Johnson, representing his one-twenty eighth distributive share..... 110.85

By amount paid Luther Stallings, son of Etta B. Johnson, representing his one-twenty eighth distributive share..... 110.85

By amount paid Arthur Johnson, son of Etta B. Johnson, representing his one-twenty eighth distributive share..... 110.85

By amount paid Mary E. Harrell, widow and devisee of A. L. Harrell (the will of A. L. Harrell providing that she was to take an equal share with her children), representing her one-fifty sixth distributive share..... 55.42

By amount paid Annie C. Rountree, daughter of A. L. Harrell, representing her one-fifty sixth distributive share..... 55.42

By amount paid A. L. Harrell, Jr., son of A. L. Harrell, representing his one-fifty sixth distributive share..... 55.42

By amount paid Harry B. Harrell, son of A. L. Harrell, representing his one-fifty sixth distributive share..... 55.42

By amount paid Ernest J. Harrell, son of A. L. Harrell, representing his one-fifty sixth distributive share..... 55.42

By amount paid Roger Harrell, son of A. L. Harrell, representing his one-fifty sixth distributive share..... 55.42

By amount paid Clyde Harrell, son of A. L. Harrell, representing his one-fifty sixth distributive share.....$56.42

By amount paid Delilah Harrell, widow of Genie B. Harrell, who was the son of A. L. Harrell, representing dower in one-fifty sixth distributive share.....12.03

By amount paid Frank Harrell, son of Genie B. Harrell, representing his one-fifty sixth distributive share.....43.40

$3663.60 $3663.60

On consideration whereof, it is adjudged, ordered and decreed that said report be and it is hereby confirmed.

Nothing further appearing to be done in this cause, it is ordered that same be stricken from the docket.

VIRGINIA: IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

W. H. HARRELL ET ALS

vs.

FRANK HARRELL ET ALS

.....

D E C R E E

.....

Entered this 25th day of October, 1930.

J. L. McSmoot
Judge.

Chancery Order Book
No. 6 Page 356

VIRGINIA: IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

W. H. HARRELL et als.....COMPLAINANTS.

vs.

FRANK HARRELL et als.....DEFENDANTS.

The joint and separate answer of Frank Harrell, Roger Harrell and Clyde Harrell, infants under the age of twenty-one years, by William 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 William S. Holland, guardian ad litem of the said infant defendants, to a bill of complaint exhibited against the said infants by W. H. Harrell and others in the Circuit Court of Nansemond County, Virginia.

For answer to the said bill the said infant defendants by their said 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 the said bill, nor do they know whether the statements therein contained are true or not. They confide the protection of their interests therein to the care of the Court. And the said guardian ad litem of the said infant defendants 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 defendants.

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

Frank Harrell)
Roger Harrell) BY William S Holland
Clyde Harrell) Guardian ad Litem.

William S Holland
Guardian ad Litem of the said infants.

VIRGINIA: IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

W. H. Harrell et als
vs.
Frank Harrell et als.

.....

ANSWER OF

GUARDIAN AD LITEM.

1925. Octo 22. filed.
J. Lm.

VIRGINIA: IN THE CIRCUIT COURT OF NANSEMOND COUNTY.

E. M. HARRELL,
W. H. HARRELL, C. C. HARRELL, A. P. HARRELL,
JOSEPHINE HENDERSON, ETTA B. JOHNSON, MARY E.
HARRELL, ANNIE C. ROUNTREE, A.L.HARRELL, JR.,
HARRY B. HARRELL, ERNEST J. HARRELL AND
DELILA HARRELL.....COMPLAINANTS.

vs.

FRANK HARRELL, ROGER HARRELL AND CLYDE HARRELL,
INFANTS UNDER THE AGE OF TWENTY-ONE YEARS.....DEFENDANTS.

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

Humbly complaining show unto the Court, your complainants, E. M. Harrell, that W. H. Harrell, C. C. Harrell, A. P. Harrell, Josephine Henderson and Etta B. Johnson are the only surviving children of E. R. Harrell; that Mary E. Harrell is the widow of A. L. Harrell, a son of the said E. R. Harrell; that Annie C. Rountree, A. L. Harrell, Jr., Harry B. Harrell, Ernest J. Harrell, Roger Harrell and Clyde Harrell are the children of the said A. L. Harrell, deceased, and grandchildren of the said E. R. Harrell; that Delila Harrell is the widow of Genie B. Harrell, a son of the said A. L. Harrell; that Frank Harrell is the child of Genie B. Harrell, who was the son of the said A. L. Harrell, and great grand child of the said E. R. Harrell;

That the said E. R. Harrell died intestate, in the early part of the year 1923, seized and possessed of a certain tract of land, situated lying and being in Cypress Magisterial District, Nansemond County, Virginia, containing 156 acres, more or less, and being generally described as follows:

All that certain tract, piece or parcel of land situated in Cypress District, in Nansemond County, and State of Virginia, about one mile North of Cypress Chapel Church, containing about 156 acres, as it now stands, more or less, being the tract of land on which the said Edward R. Harrell resided, and bounded and described as follows;

On the West by the lands of Charles C. Harrell, on the North by the land now owned by a Mr. Burke, formerly known as the Abram Harrell tract; on the East by the lands of C. J. Riddick, or the lands which formerly belonged to the Estate of Jones E. Riddick, and the lands of C. C. Riddick, and cornering on the lands of W. T. Jones, deceased, and R. E. Brothers, and on the South by the lands of F. E. Parker, Moses Riddick and James Stephenson; said tract being composed of four (4) different and separate tracts which adjoin each other and now constitute the entire tract, and which were conveyed to the said Edward R. Harrell as follows:

A tract of eighty eight acres conveyed to him by his father, Jethro Harrell; a tract conveyed to him by Amos Harrell, by a deed which was destroyed when the Clerk's Office of Nansemond County was destroyed; a tract of sixty (60) acres conveyed to him by Leonidas Harrell, and a tract of Forty Three (43) acres conveyed to him by Mertin Walls, all constituting a tract of about two hundred and thirty one (231) acres from which there has been conveyed by the said Edward R. Harrell to Charles C. Harrell by deed of gift a tract containing seventy-five (75) acres, more or less. E. R. Harrell.

That the said W. H. Harrell, C. C. Harrell, A. P. Harrell, Josephine Henderson, Etta B. Johnson and A. L. Harrell were all of the children and heirs at law of the said E. R. Harrell at the time of his death;

That soon after the death of the said E. R. Harrell, A. L. Harrell, who inherited one-sixth of the estate of the said E. R. Harrell, died, leaving a will, which reads in part as follows:

> "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";

That soon after the death of the said A. L. Harrell, his son, Genie B. Harrell, died intestate, leaving as his only heirs at law one son, Frank Harrell, and his wife, Delila Harrell, who inherited the interest devised by the said A. L. Harrell to the said Genie B. Harrell, as shown in Item Fourteen of the will of the said A. L. Harrell.

Your complainants further show unto the Court that none of the heirs of the said E. R. Harrell have been so situated that they could take the property, hereinabove described, in their possession and farm it and care for it as it should be farmed and cared for; therefore, it became necessary to rent same to such persons as your complainants could find to cultivate and care for same;

That your complainants have agreed among themselves to make sale of the property, believing that the interest of all parties will be promoted since no one is willing to take the property, and pay the heirs their respective shares. However, in view of the fact that Frank Harrell, Clyde Harrell and Roger Harrell (the first being the son of the late Genie B. Harrell, who inherited his father's share in the will of the late A. L. Harrell, and the last two being the son of the late A. L. Harrell, who took their respective interests from the

will of their father, the late A. L. Harrell) are infants, they are incapable of executing a good and sufficient deed conveying their said interests in said property.

Your complainants further represent to the Court that not only their interests, but the interests of the infants as well, will be promoted by sale of the property, or a division of same should the Court find that the property is divisible in kind. This your complainants believe and represent to the Court for the following reasons:

1st. That none of those who are financially interested in the property are so situated that they can take possession of the property and farm it on a profitable basis;

2nd. That the buildings are becoming dilapidated and will soon need repairs;

3rd. That there are other improvements which should be made on the farm, otherwise, it will deteriorate and become of less value.

For as much as your complainants are remediless in the premises, save in a court of equity, etc., they pray that the said Frank Harrell, Roger Harrell and Clyde Harrell be made parties defendants to the bill and required to answer the same, the infants by a guardian ad litem, but answers under oath being hereby expressly waived; that a proper guardian ad litem be appointed to defend the infants' interests; that partition of the said land may be made and decreed in some manner prescribed by law, preferably by sale thereof and division of the proceeds therefrom amongst the owners, according to their interests; in case the Court shall decree a sale of said property in order to effect a partition thereof, the said offer of the purchaser be accepted; that all proper accounts and inquires may be directed and taken; and that your complainants may receive

all such other and further and general relief as to equity may seem meet, and the nature of their case may require.

And they will ever pray, etc.

W. H. Harrell
E. M. Harrell
C. C. Harrell
A. P. Harrell
Josephine Henderson
Etta B. Johnson
Mary E. Harrell
Annie C. Rountree
A. L. Harrell, Jr.
Harry B. Harrell
Ernest J. Harrell
Delila Harrell

Complainants.

Harris & Lipscomb
P. of

By Harris & Lipscomb
Counsel.

VIRGINIA: IN THE CIRCUIT COURT
OF NANSEMOND COUNTY.

W. H. HARRELL ET ALS.

vs.

FRANK HARRELL ET ALS.

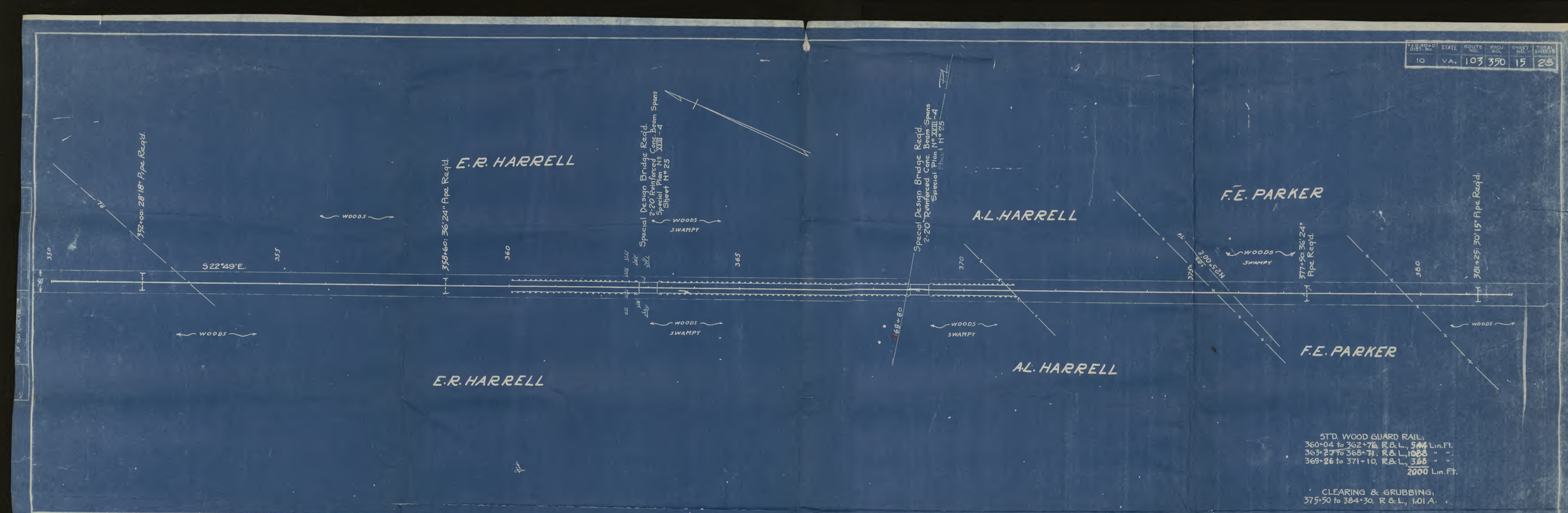
"...

BILL OF COMPLAINT.

1925 Octo. 22 filed
JSM

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

F.A. ROAD DIST. No.	STATE	ROUTE NO.	PROJ. NO.	SHEET NO.	TOTAL SHEETS
10	VA.	103	350	15	28

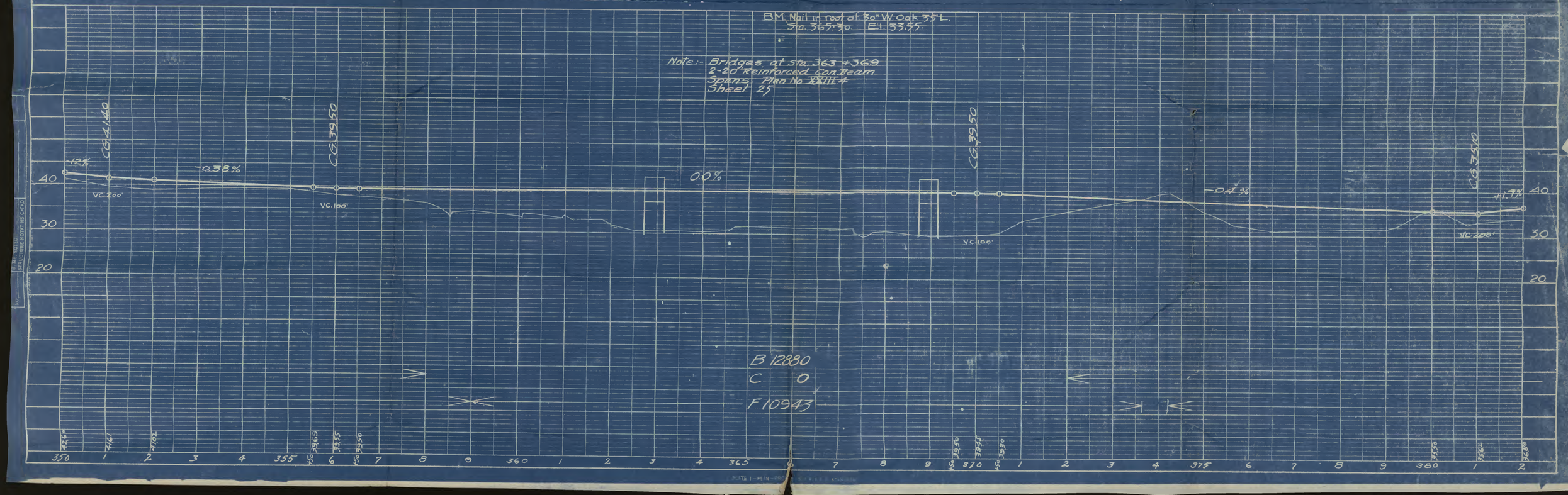


ST'D. WOOD GUARD RAIL:
360+04 to 362+76, R & L., 544 Lin. Ft.
363+27 to 368+71, R & L., 1088 " "
369+26 to 371+10, R & L., 368 " "
2000 Lin. Ft.

CLEARING & GRUBBING:
375+50 to 384+30, R & L., 1.01 A.

BM. Nail in root of 30" W. Oak 35' L.
Sta. 365+30 El. 33.55.

Note:- Bridges at Sta. 363+69
2-20' Reinforced Con. Beam
Spans. Plan No XIII-4
Sheet 25



B 12880
C O
F 10943

PLATE I—PLAN-PROFILE