1931-021
Nansemond Co (Suffolk) Chancery Causes: Cecil W. Russell et al vs Admr of Charles Russell et al

Horton, Savage, Milteer, Parker

TO THE CLERK OF THE CIRCUIT COURT OF NANSEMOND COUNTY:

Cecil W.Russell and Marion W.Russell.. . . . . Complainants

vs. in Chancery

Cecil W.Russell, Administrator of Charles W.Russell, Nannie Russell, widow of Charles W.Russell, Susie R. Horton, Leonard Horton, R.T.Savage, and Raleigh Russell and Nellie Russell, the last two being under the age of twenty one (21) years. . .. . Defendants

Issue summons to First (First Monday) Rules in March,1919

H.E. Fowlkes P.Q.

Cecil W.Russell and Marion W.Russell,. . . . . Complainants

vs.

Cecil W.Russell, Administrator, et als. . . . . .Defendants

On motion of the complainants, Cecil W.Russell, et al, W.S.Holland a discreet and competent Attorney at Law is assigned guardian ad litem to the infant defendants, Raleigh Russell and Nellie Russell, to defend their interests in their suit.

W. S. Holland

,,

Cecil W. Russell and Marion W. Russell.....Complainants

V.

Cecil W. Russell, Administrator etc, et als.....Defendants.

This is to certify that I, John H. Powell, Clerk of Circuit Court of Nansemond County have assigned an interest bearing certificate dated December 11th, 1930 on the American Bank and Trust Company for $250.00 in the above case, and have delivered the same to the said Nannie Russell.

John H Powell

Clerk of Circuit Court of Nansemond County

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

Cecil W. Russell and Marion W. Russell.....Complainants

vs. REPORT OF COMMISSIONERS

Cecil W. Russell, Admr. etc., et als.....Defendants

In accordance with a decree entered the 15th day of December, 1931, in this cause, your Special Commissioners, W. M. Crumpler and S. E. Everett, submit the following report:

In accordance with the decree John H. Powell, Clerk of the Circuit Court of Nansemond County, delivered to Nannie Russell, mother of Nellie Russell, infant, the interest bearing certificate, dated the 11th day of December, 1930, of the American Bank & Trust Company, for	$250.00
Herewith attached certificate of said John H. Powell, Clerk--evidence of delivery of said certificate--	$250.00

Respectfully submitted:

Special Commissioners.

Cecil W. Russell et al.....
Complainants.

vs. REPORT

Cecil W. Russell, Admr. etc. etals
Defendants.

Filed the 17 day of December,
1931.

J. L. M

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

Cecil W. Russell and Marion W. Russell.....Complainants

vs. DECREE

Cecil W. Russell, Admr. etc. et als.....Defendants

This cause came on again this day to be heard on the papers formerly read and on the report of W. M. Crumpler and S. E. Everett, Special Commissioners, which report is also signed by Nellie Russell, infant 18 years of age and Nannie Russell, her mother, this day filed, to which report there is no exception, and was argued by counsel.

On consideration whereof, it appearing to the Court from the said report that there is now in the American Bank & Trust Company, Suffolk, Virginia, to the credit of the Court in this cause, the sum of Two Hundred Fifty ($250.00) Dollars, with interest from the 12th day of December, 1930, which said sum belongs to Nellie Russell, an infant in this cause, and that the said Special Commissioners filed with their report on the 12th day of December, 1930, an interest bearing certificate of said Bank for the said sum of Two Hundred Fifty ($250.00) Dollars, and it further appearing from the records in this cause that the said Nellie Russell is now eighteen years of age, and it further appearing that the mother of the said Nellie Russell, infant, lost her house by fire, situated in Whaleyville, Virginia, and that she is now unable to assist the said Nellie Russell, infant , the Court doth adjudge, order and decree, by and with the consent and approval of the guardian ad litem that John H. Powell, Clerk of the Circuit Court of Nansemond County, Virginia, withdraw from this cause the interest bearing certificate dated the 12th day of December, 1930, of the American Bank & Trust Company, and assign same to the said Nannie Russell, mother of the said Nellie Russell, to be used by the said Nannie Russell for the maintenance and support and education of the said Nellie Russell, infant.

It is further adjudged, ordered and decreed that the said W. M. Crumpler and S. E. Everett, Special Commissioners, make a report to the Court of their transaction hereunder, filing a certificate of the said John H. Powell, Clerk of said Court, showing that the said interest bearing certificate of said Bank has been assigned or transfered to the said Nannie Russell.

Cecil W. Russell and Marion W. Russell.....Complainants

vs. DECREE

Cecil W. Russell, Admr. etc. et als.....Defendants

Enter the 15th day of December, 1931

James L. McLemore

Entered in Chancery Order Book No. 6 page 461.

I approve of the entering of the within decree-

Wm. S. Hollowell

Guardian ad litem.

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

Cecil W. Russell and Marion W. Russell.....Complainants

vs. REPORT OF COMMISSIONERS

Cecil W. Russell, Administrator etc. et als.....Defendants.

Your Special Commissioners, W. M. Crumpler and S. E. Everett, respectfully submit the following report:

That on the 12th day of December, 1930, your Commissioners made a report to your Honor showing that there was in the American Bank & Trust Company on that date, $250.00, and with the said report of said Commissioners an interest bearing certificate of said Bank for said $250.00 payable to the Court in this cause was filed, and that the said $250.00 belongs to said infant, Nellie Russell, in said cause.

Since the above mentioned report was filed the mother of the said Nellie Russell, infant, lost her house and home by fire and without insurance, and the said Nellie Russell desires to continue to go to school but none of her people are in a position to help her, therefore it becomes necessary to ask your Honor to have the said funds now deposited in the American Bank & Trust Company, amounting to $250.00 with interest, paid to the mother of the said Nellie Russell, infant, to be used for her maintenance, support and education.

Your Special Commissioners, W. M. Crumpler and S. E. Everett, ask that an order be entered directing said Commissioners to withdraw the certificate of said Bank and assign the same to Nannie Russell, mother of the said Nellie Russell, infant.

Nannie Russell and Nellie Russell, infant, join your Commissioners in this request by signing said report.

Special Commissioners

Nannie Russell

Nellie Russell

Cecil W. Russell and Marion W. Russell.....Complainants

vs. REPORT

Cecil W. Russell, Admr. etc. et als.....Defendants

Filed the 15 day of December, 1931

J.G.M.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

Cecil W. Russell and Marion W. Russell.....Complainants

vs. ORDER

Cecil W. Russell, Admr. etc. et als.....Defendants

This cause came on again this day to be heard on the papers formerly read and on the report of W. M. Crumpler and S. E. Everett, Special Commissioners, this day filed, to which report there is no exception, and was argued by counsel:

On consideration whereof, it appearing from the certificate of Nellie Russell, filed with the report of said Commissioners that the American Bank & Trust Company paid Nellie Russell, One Hundred Five and 24/100 ($105.24) Dollars, and that the said Commissioners have filed with their report the interest bearing certificate of said Bank for Two Hundred Fifty ($250.00) Dollars, payable to the Court in this cause, the Court doth adjudge, order, and decree that said report of said Special Commissioners be confirmed.

Cecil W. Russell and Marion W. Russell.....Complainants

vs. ORDER

Cecil W. Russell, Admr. etc. et als.....Defendants

Enter the 12 day of December, 1930.

J. L. McLemore

Entered in Chancery Order Book, No. 6, page 367.

Cecil W. Russell and Marion W. Russell vs Cecil W. Russell,Admr. et als

$105.24

Received of W. M. Crumpler and S. E. Everett, Special Commissioners in the above styled case, the sum of $105.24

For _____

_____

Date: Dec. 12, 1930.

Nellie Russell

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

Cecil W. Russell and Marion W. Russell.....Complainants

vs. REPORT OF COMMISSIONERS

Cecil W. Russell, Admr. etc. et als.....Defendants

In accordance with a decree entered the 11th day of December, 1930, in this cause, your Special Commissioners, W. M. Crumpler and S. E. Everett, submit the following report:

Original certificate of deposit		$350.00
Interest to this date		5.24
To the credit of the Court in this cause		$355.24
American Bank & Trust Company paid Nellie Russell, including interest of $5.24 (Voucher filed)	$105.24	
American Bank & Trust Company certificate payable to Court in this cause herewith filed	250.00	
	$355.24	$355.24

Respectfully submitted:

Special Commissioners.

Cecil W. Russell and Marion W.
Russell.....Complaiaants

vs. REPORT OF COMMISSIONERS

Cecil W. Russell, Admr. etc.
et als.....Defendants

Filed the 12. day of December,
1930.

J. A. M.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

Cecil W. Russell and Marion W. Russell.....Complainants

vs. DECREE

Cecil W. Russell, Admr. etc. et als.....Defendants

This cause came on again this day to be heard on the papers formerly read and on the report of W. M. Crumpler and S. E. Everett, Special Commissioners, this day filed, to which report there is no exception, and was argued by counsel.

On consideration whereof, it appearing to the Court from the said report that there is now in the American Bank & Trust Company, Suffolk, Virginia, to the credit of the Court in this cause, the sum of $350.00, which said sum belongs to Nellie Russell, an infant in this cause, and that the said Special Commissioners filed with their report on July 28, 1930, an interest bearing certificate of said Bank for the said $350.00, and it further appearing that the said Nellie Russell is seventeen years old and a Senior in the Whaleyville High School and it becomes necessary in order for her to continue and finish said High School in June to draw on the said funds for her maintenance and support.

The Court doth adjudge, order and decree that said W. M. Crumpler and S. E. Everett, Special Commissioners, withdraw from said cause the interest bearing certificate dated July 28, 1930, of the said American Bank & Trust Company and deliver the same to the said Bank and the said Bank is directed to issue a new interest bearing certificate for $250.00 payable to the Court in this cause and honor the check on said account of the said Special Commissioners, W. M. Crumpler and S. E. Everett, payable to Nellie Russell, infant, for $105.24, which is $100.00 on the

principle and the accumulated interest since issueing the certificate of $350.00 on the 28th day of July, 1930, and that the said Special Commissioners are required to make a report to this Court filing along with their report the said interest bearing certificate of said Bank for $250.00 and also a receipt of said Nellie Russell for $105.24.

Cecil W. Russell and Marion W. Russell .....Complainants

vs. DECREE

Cecil W. Russell, Admr. etc. et als.....Defendants

Enter the 11 day of December, 1930.

Jas. L. McDermore

Entered in Chancery Order Book No. 6 page 365

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

Cecil W. Russell and Marion W. Russell.....Complainants

vs. REPORT OF COMMISSIONERS

Cecil W. Russell, Administrator etc. et als.....Defendants.

Your Special Commissioners, W. M. Crumpler and S. E. Everett, respectfully submit the following report:

That on the 28th day of July, 1930, your Commissioners made a report to your Honor showing that there was in the American Bank & Trust Company on that date, $350.00, and with the said report of said Commissioners an interest bearing certificate of said Bank for said $350.00 payable to the Court in this cause was filed, and that the said $350.00 belongs to said infant, Nellie Russell, in said cause.

Since the above mentioned report was filed the said Nellie Russell, infant, has come in need of more funds to complete her High School course. As this is her Senior year it will take a considerable amount of money to carry her through to the completion of her course and it is her opinion that it will take all of $100.00 to do this.

She desires your Honor to enter an order directing the said Bank to pay to her, the said Nellie Russell, infant, $100.00 and the interest, leaving the balance in the Bank to the credit of the Court in this cause $250.00

Your Special Commissioners, W. M. Crumpler and S. E. Everett, ask that an order be entered directing said Commissioners to withdraw the certificate of $350.00 and deliver same to said Bank and have a new interest bearing certificate issued by said Bank

for $250.00 payable to the Court in this cause and that the said Bank honor a check of your said Commissioners for $105.24 which includes interest on said $350.00 from July 26, 1930, to December 11, 1930.

Respectfully submitted:

Special Commissioners.

Cecil W. Russell and Marion W. Russell.....Complainants

vs. REPORT O F COMMISSIONERS

Cecil W. Russell Admr. etc. et als.....Defendants

Filed the 11th day of December, 1930.

J. L. M.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

Cecil W. Russell and Marion W. Russell.....Complainants

vs. ORDER

Cecil W. Russell, Admr. etc. et als.....Defendants

This cause came on again this day to be heard on the papers formerly read and on the report of W. M. Crumpler and S. E. Everett, Special Commissioners, this day filed, to which report there is no exception, and was argued by counsel:

On consideration whereof, it appearing from the certificate of Nellie Russell, filed with the report of said Commissioners that the American Bank & Trust Company paid Nellie Russell, Fifty-nine ($59.11) Dollars and Eleven Cents, and that the said Commissioners have filed with their report the interest bearing certificate of said Bank for Three Hundred and Fifty ($350.00) Dollars, payable to the Court in this cause, the Court doth adjudge, order, and decree that said report of said Special Commissioners be confirmed.

Cecil W. Russell and Marion W.
Russell.....Complainants

vs. ORDER

Cecil W. Russell, Admr., etc.
et als.....Defendants.

Enter the 28 day of July, 1930

Jas. L. McLemore

Entered in Chancery Order Book
No. 6 page 339.

Cecil W. Russell and Marion W. Russell vs. Cecil W. Russell, Admr. et als

$59.11

Received of W. M. Crumpler and S. E. Everett, Special Commissioners, in the above styled case, the sum of $59.11

FOR _____

_____

Dillie Russell

TO THE HONORABLE JAMES L. MCLEMORE, JUDGE OF THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA:

Cecil W. Russell and Marion W. Russell.....Complainants

vs. REPORT OF COMMISSIONERS

Cecil W. Russell, Admr., etc. et als.....Defendants

In accordance with a decree entered the 26th day of July, 1930, in this cause, your Special Commissioners W. M. Crumpler and S. E. Everett, submit the following report: Original certificate of deposit $400 — Interest to this date 9.11

To the credit of the Court in this cause		$409.11
American Bank and Trust Company paid Nellie Russell, (including interest of $9.11 voucher filed	$ 59.11	
American Bank & Trust Company certificate payable to Court in this cause herewith filed.	350.00	
	$409.11	$409.11

Respectfully submitted:

W. M. Crumpler

S. E. Everett

Special Commissioners

Cecil W. Russell and Marion W.
Russell.....Complainants

vs. REPORT

Cecil W. Russell, Admr. etc.
et als.....Defendants.

Filed the 28th day of July, 1930.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

Cecil W. Russell and Marion W. Russell.....Complainants

vs. Decree

Cecil W. Russell, Admr. etc. et als.....Defendants

This cause came on again this day to be heard on the papers formerly read and on the report of W. M. Crumpler and S. E. Everett, Special Commissioners, this day filed, to which report there is no exception, and was argued by counsel.

On consideration whereof, it appearing to the Court from the said report that there is now in the American Bank & Trust Company, Suffolk, Virginia, to the credit of the Court in this cause, the sum of $400.00, which said sum belongs to Nellie Russell, an infant in this cause, and that the said Special Commissioners filed with their report on January 29, 1930, an interest bearing certificate of said Bank for the said $400.00, and it further appearing that the said Nellie Russell is now sixteen years old and was prevented on account of sickness from attending full time in school last session and desires to draw on said funds to attend summer school and prepare for the opening of the September session;

The Court doth adjudge, order and decree that said W. M. Crumpler and S. E. Everett, Special Commissioners, withdraw from said cause the interest bearing certificate dated January 29, 1930, of the said American Bank & Trust Company and deliver the same to the said Bank and the said Bank is directed to issue a new interest bearing certificate for $350.00 payable to the Court in this cause and honor the check on said account of the said Special Commissioners, W. M. Crumpler and S. E. Everett, payable to Nellie Russell, infant, for $59.11, which is $50.00 on the principle and the accumulated interest since issuing the

Certificate of $400.00 on the 29th day of January, 1930, and that the said Special Commissioners are required to make a report to this Court filing along with their report the said interest bearing certificate of said Bank for $350.00 and also a receipt of said Nellie Russell for $59.11.

Cecil W. Russell and Marion W. Russell.....Complainants

vs. DECREE

Cecil W. Russell, Admr. etc. et als.....Defendants

Enter the 26 day of July, 1930

Jas. L. McLemore

Entered in Chancery Order Book No. 6 page 337.

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

Cecil W. Russell and Marion W. Russell.....Complainants

vs. REPORT OF COMMISSIONERS

Cecil W. Russell, Administrator etc. et als.....Defendants

Your Special Commissioners, W. M. Crumpler and S. E. Everett, respectfully submit the following report:

That on the 29th day of January, 1930, your Commissioners made a report to your Honor showing that there was in the American Bank & Trust Company on that date, $400.00, and with the said report of said Commissioners an interest bearing certificate of said Bank for said $400.00 payable to the Court in this cause was filed, and that the said $400.00 belongs to said infant, Nellie Russell, in said cause.

Since this report was filed the said Nellie Russell, infant, who is now going in her sixteenth year of age, has had the misfortune of being unable because of sickness to attend school the full session, therefore did not finish some of her classes and now desires to attend the summer school to catch up and be prepared to start in high school at Whaleyville in September.

She desires your Honor to enter an order directing the Bank to pay to the said Nellie Russell, infant, $50.00 and the interest, leaving the balance in the Bank to the credit of the Court in this cause $350.00.

Your Special Commissioners, W. M. Crumpler and S. E. Everett, ask that an order be entered directing said Commissioners to withdraw the certificate of $400.00 and deliver same to said Bank and have a new interest bearing certificate issued by said Bank for $350.00 payable to the Court in this cause and that the

said Bank honor a check of your said Commissioners for $50.00 plus interest on said $400.00 from January 29, 1930, to date.

Respectfully submitted:

William McCamant.

S. E. Roberts

Special Commissioners

Cecil W. Russell and Marion W.
Russell.....Compaainants

vs. REPORT

Cecil W. Russell, Admr. etc.,
et als.....Defendants.

Filed the 26. day of July, 1930

J.H.M.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

Cecil W. Russell and Marion W. Russell..... Complainants

vs. ORDER

Cecil W. Russell, Admr. etc. et als.....Defendants

This cause came on again this day to be heard on the papers formerly read and on the report of W. M. Crumpler, and S. E. Everett, Special Commissioners, this day filed, to which report there is no exception, and was argued by counsel:

On consideration whereof, it appearing from the certificate of Nellie Russell, filed with the report of said Commissioners that the American Bank & Trust Company paid Nellie Russell, Fifty-nine ($59.23) Dollars and Twenty-three Cents, and that the said Commissioners have filed with their report the interest bearing certificate of said Bank for Four Hundred ($400.00) Dollars, payable to the Court in this cause, the Court doth adjudge, order, and decree that said report of said Special Commissioners be confirmed.

Cecil W. Russell and Marion
Russell...Complainants.

vs. ORDER

Cecil W. Russell Admr. etc.
et als....Defendants.

Enter the 29th. day of January,
1930.

James R. McElmore

Entered in Chancery Order Book
Number 6 ,page 309 .

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

Cecil W. Russell and Marion W. Russell.....Complainants

vs ORDER

Cecil W. Russell, Admr. etc et als.....Defendants

This cause came on again this day to be heard on the papers formerly read and on the report of W. M. Crumpler and S. E. Everett, Special Commissioners, this day filed, to which report there is no exception, and was argued by counsel.

On consideration whereof, it appearing to the Court from the said report that the said Special Commissioners executed an order entered in this cause on the 22nd. day of March, 1929, and that said Commissioners filed a receipt of Raleigh Russell showing that Four Hundred Fifty ($459.00) Dollars was paid to him by the American Bank & Trust Company, and there remained at that time in the said Bank Four Hundred Fifty ($450.00) Dollars to the credit of the Court in this cause, which Four Hundred Fifty ($450.00) Dollars, ~~which~~ is the share of Nellie Russell, and that the amount of interest accumulated and unused is Nine ($9.23) Dollars and Twenty-three Cents, leaving in said Bank on the 25th. day of January, 1930, Four Hundred, Fifty-nine ($459.23) Dollars and Twenty-three Cents, and, it appearing from said report of said Special Commissioners, W. M. Crumpler and S. E. Everett, that Nellie Russell is in need of funds to continue her education;

The Court doth, adjudge, order, and decree that the said report of Special Commissioners be confirmed and said American Bank & Trust Company of Suffolk, Virginia, is directed to pay to the said Nellie Russell, Fifty-nine ($59.23) Dollars and Twenty-three Cents of said funds, leaving Four Hundred ($400.00) Dollars to the credit of the Court in this cause, for which the

said Bank is directed to issue an interest bearing certificate payable to the Court in said cause and said Special Commissioners are required to file along with their report the said certificate of said Bank and receipt of said Nellie Russell for the Fifty-nine ($59.23) Dollars and Twenty-three Cents.

Cecil W. Russell et al.....
Complainants

vs. ORDER

Cecil Wl Russell, Admr. etc.
et als..Defendants

Entered the 28th day of January,
1930 J. L. McLemore

Entered in Chancery Order Book
Number 6 , page 308 .

Cecil W. Russell et al.....Complainants

vs.

Cecil W. Russell, Admr. etc. et als.....Defendants

This is to certify that The American Bank and Trust Company, of Suffolk, Virginia, paid me the sum of Fifty-nine ($59.23) Dollars and Twenty-three Cents, in the above case, in accordance with a decree entered in the Circuit Court of Nansemond County, Virginia, on the 28th. day of January, 1930.

Nellie Russell

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

Cecil W. Russell and Marion W. Russell.....Complainants

vs. REPORT OF COMMISSIONERS

Cecil W. Russell, Administrator etc. et als.....Defendants

In accordance with a decree entered the 28th. day of January, 1930, in this cause, your Special Commissioners W. M. Crumpler and S. E. Everett, submit the following report:

To the credit of the Court		$459.23
American Bank & Trust Company		
paid Nellie Russell (voucher filed)	$ 59.23	
American Bank & Trust Company		
certificate payable to Court		
in this cause herewith filed.	400.00	
	$459.23	$459.23

Respectfully submitted:

W. M. Crumpler,

S. E. Everett

Special Commissioners.

Cecil W. Russell and Marion
Russell....Complainants

vs. REPORT OF COMMISSIONERS

Cecil W. Russell Admr. etc.
et als.....Defendants.

Filed the 29th day of January,
1930. J.L.M.

Cecil W. Russell et al.....Complainants

vs.

Cecil W. Russell, Admr. etc. et als.....Defendants

This is to certify that The American Bank and Trust Company, of Suffolk, Virginia, paid me the sum of Four Hundred Fifty ($450.00) Dollars, in the above case, in accordance with a decree entered in the Circuit Court of Nansemond County, Virginia, on the 22nd day of March, 1929.

Raleigh Russell

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

Cecil W. Russell and Marion W. Russell.....Complainants
vs. REPORT OF COMMISSIONERS
Cecil W. Russell, Administrator etc. et als.....Defendants

Your Special Commissioners, W. M. Crumpler and S. E. Everett, respectfully submit the following report:

That on the 22nd. day of March, 1929, there was, in the American Bank and Trust Company of Suffolk, Virginia, the sum of Nine Hundred ($900.00) Dollars to the credit of the Court in this cause, which said sum belonged to the infants in this cause, Raleigh Russell and Nellie Russell, that Raleigh Russell became twenty-one years old on the 20th day of March, 1929, and an order was entered on this cause on the 22nd. day of March, 1929, directing said Bank to pay said Raleigh Russell Four Hundred and Fifty ($450.00) Dollars, his share of said funds and deposit the remainder of the said funds, Four Hundred and Fifty ($450.00) Dollars, which belongs to Nellie Russell, to the credit of the Court in this cause, issuing an interest bearing certificate for same payable to the Court.

Your Special Commissioners, W. M. Crumpler and S. E. Everett, filed with this report a certificate of Raleigh Russell showing that the American Bank & Trust Company paid said Raleigh Russell Four Hundred and Fifty ($450.00) Dollars, and your Commissioners also filed with this report the bank book of said bank stating full account from the beginning and which shows to the credit of the Court in this cause Four Hundred, Fifty-nine ($459.23) Dollars and Twenty-three Cents which includes interest to January 25, 1930, a part of interest on said Four Hundred Fifty ($450.00) Dollars has been drawn by the Mother of the infant, Nellie Russell, during the year 1929.

Nellie Russell is now going in her sixteen years of age and is in school and it becomes necessary that she use part of this money in order to continue her education and she asks that an order be entered directing the said Bank to pay her Fifty-nine ($59.23) Dollars and Twenty-three Cents, leaving in said Bank Four Hundred ($400.00) Dollars to the credit of the Court in this cause.

Special Commissioner.

Spec. Commissioner

Cecil W. Russell and Marion W.
Russell.....Complainants

vs. REPORT OF COMMISSIONERS

Cecil W. Russell Admr. etc.
et als.....Defendants

Filed the 28th day of
January, 1930

J. L. M.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

Cecil W. Russell and Marion W. Russell.....Complainants

vs. ORDER

Cecil W. Russell, Admr. etc. et als.....Defendants

This cause came on again this day to be heard on the papers formerly read and on the report of W. M. Crumpler and S. E. Everett, Special Commissioners, this day filed, to which report there is no exception, and was argued by counsel.

On consideration whereof, it appearing to the Court from the said report that there is now in the American Bank & Trust Company, Suffolk, Virginia, to the credit of the Court in this cause, the sum of $900.00, which said sum belongs equally to Raleigh Russell and Nellie Russell; and that the said Raleigh Russell was twenty-one years of age on the 20th day of March, 1929, and is entitled to his share of the said funds, which is $450.00; and that the said Raleigh Russell desires that the same be paid to him;

The Court doth ADJUDGE, ORDER and DECREE that the said American Bank & Trust Company pay to the said Raleigh Russell the sum of $450.00, his share of the said funds, and deposit the remainder of the said funds, $450.00, which belongs to Nellie Russell, to the credit of the Court in this cause, issuing an interest-bearing certificate for the same, payable to the Court in this cause; and that the said Special Commissioners are required to file, along with their report, the said interest-bearing certificate of said bank for $450.00 and also file, along with their report, a receipt of the said Raleigh Russell, showing that the said sum of $450.00 has been paid to the said Raleigh Russell by the said American Bank & Trust Company.

IN THE CIRCUIT COURT OF

NANSEMOND COUNTY, VIRGINIA.

Cecil W. Russell et al

vs. ORDER

Cecil W. Russell, Admr.etc.

Enter: 22 day of March,1929.

J. L. McLemore

Entered March 22, 1929,

Chancery Order Book

No. 6, page 237.

.50

This order

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

Cecil W. Russell and Marion W. Russell,.....Complainants

vs. REPORT OF COMMISSIONERS

Cecil W. Russell, Administrator etc. et als.....Defendants

Your Special Commissioners, W. M. Crumpler and S. E. Everett, respectfully submit the following report:

That on the 18th day of December, 1926, there was, in the American Bank & Trust Company, Suffolk, Virginia, the sum of $1,132.41, to the credit of the Court in this cause, which said sum belonged to the infants in this cause, Raleigh Russell and Nellie Russell; that on the 18th day of December, 1926, an order was entered by this Court directing the said American Bank & Trust Company to transfer the sum of $276.25 to Nannie Russell, mother of the said infants, Raleigh Russell and Nellie Russell, to be used for the maintenance, education and support of the said infants, and then issue a new interest-bearing certificate for $900.00, the remainder of the said funds to the credit of the Court in this cause, all of which was carried out as directed; that from the 18th day of December, 1926, the interest on the said $900.00 has been used by the mother of the said infants for their maintenance, education and support, and there is still in the said American Bank & Trust Company the sum of $900.00 to the credit of the Court in this cause, which said $900.00 belongs equally to Raleigh Russell and Nellie Russell.

That the said Raleigh Russell was twenty-one years of age on the 20th day of March, 1929, and now asks that his share of the $900.00, or $450.00, be paid to him by the said American

Bank & Trust Company, and that the remainder of the said sum be left in the said bank as heretofore.

That this report is being signed, along with your said Special Commissioners, by Raleigh Russell and Jesse Johnson, an uncle of the said Raleigh Russell, as evidence of the fact that the said Raleigh Russell was twenty-one years of age on the 20th day of March, 1929.

Your said Special Commissioners, W. M. Crumpler and S. E. Everett, ask that an order be entered, confirming this report and directing the American Bank & Trust Company to pay one-half of the said sum of $900.00 now in the said bank to the credit of the Court in this cause, or $450.00, to the said Raliegh Russell, issuing a new certificate of the said bank for the $450.00 then remaining to the credit of the Court in this cause, which said $450.00 is the property of Nellie Russell, and also directing your said Special Commissioners, to file a receipt from the said Raleigh Russell, showing that the said American Bank & Trust Company has paid the sum of $450.00 to the said Raleigh Russell.

Respectfully submitted:

W. M. Crumpler
S. E. Everett
Special Commissioners.

Raleigh Russell
Jesse Johnson

IN THE CIRCUIT COURT OF

NANSEMOND COUNTY, VIRGINIA.

Cecil W. Russell et al

vs. REPORT OF COMMISSIONERS

Cecil W. Russell, Admr.etc.

File March 27, 1929.

Filed March ____, 1929.

Chancery Order Book

No ____, page ____.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

Cecil W. Russell and Marion W. Russell.....Complainants

vs. ORDER

Cecil W. Russell, Administrator etc. et als.....Defendants

This cause came on again this day to be heard on the papers formerly read and on the report of W. M. Crumpler and S. E. Everett, Special Commissioners, this day filed, to which report there is no exception and was argued by counsel.

On consideration whereof, it appearing to the Court from the said report that this cause had been stricken from the docket, with leave to be reinstated, it is adjudged, ordered and decreed that the same be reinstated, and it further appearing from said report that there is now in The American Bank & Trust Company, Suffolk, Virginia, to the credit of the Court in this cause, the sum of $1,176.25, which said sum belongs to the said infants in this cause, viz: Raleigh Russell, aged 18, and Nellie Russell, aged 12, and that it is necessary to draw on the said funds for the maintenance, education and support of the said infants, the Court doth adjudge, order and decree that the said American Bank & Trust Company transfer the sum of $276.25 of the said funds to Nannie Russell, mother of the said Raleigh Russell and Nellie Russell, and then issue a new interest-bearing certificate for $900.00, the remainder of the said funds to the credit of the Court in this cause.

And it is further adjudged, ordered and decreed that the said W. M. Crumpler and S. E. Everett make report of their transactions under this decree, filing therewith the certificate of the American Bank & Trust Company, showing that the sum of $276.25 has been deposited to the credit of Nannie Russell and

also filing therewith the voucher of the said American Bank & Trust Company for the $900.00, the remainder of the said funds to the credit of the Court in this cause.

IN THE CIRCUIT COURT OF

NANSEMOND COUNTY, VIRGINIA

Cecil W. Russell et al

vs. ORDER

Cecil W. Russell, Admr.et als

Enter December 17., 1926.

Jas. L. W. Lemon

Entered December 19, 1926,

Chancery Order Book

No. 6, Page 54.

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

Cecil W. Russell and Marion W. Russell,.....Complainants

vs. REPORT OF COMMISSIONERS

Cecil W. Russell, Administrator etc. et als..Defendants

Your Special Commissioners, W. M. Crumpler and S. E. Everett, respectfully submit the following report:

Your said Commissioners filed a report in this cause on the 20th day of July, 1920, which said report shows there was deposited in The American Bank & Trust Company, Suffolk, Virginia, to the credit of the Court in this cause, the sum of $1,132.41, with interest from the date of deposit, and voucher of the said bank was filed along with the said report of the said Commissioners.

Your said Commissioners further state that this said amount belongs to Raleigh Russell, now eighteen(18) years of age, and Nellie Russell, now twelve(12) years of age, and an order confirming the said report was entered on the 20th day of July, 1920, directing the said American Bank & Trust Company to pay the interest from time to time, as the mother of the said infants desired the same, to Nannie Russell, mother of the said infants, Raleigh Russell and Nellie Russell, and the said bank, from time to time, has paid the said interest as directed;

That there was on the 11th day of December, 1926, to the credit of the Court in this cause, in the American Bank & Trust Company, Suffolk, Virginia, the sum of $1,176.25;

That the mother of the said infants, Nannie Russell, is paralysed and is partly taken care of by her relatives but

is trying to keep the said infants, Raleigh Russell and Nellie Russell at school and for this purpose says it now has become necessary to draw on this principal for the maintenance, education and support of the said infants, and the said Nannie Russell, mother of the said infants, has asked your said Commissioners, W. M. Crumpler and S. E. Everett, to make a report to the Court, asking the Court to allow her to draw so much of the said funds now to the credit of the Court in this cause at The American Bank & Trust Company as to leave in the said bank a balance of Nine Hundred ($900.00) Dollars.

Your Commissioners ask that an order be entered, confirming this report and directing the said American Bank & Trust Company to pay the said Nannie Russell, mother of the said infants, Raleigh Russell and Nellie Russell, the sum of$ 276.25 , leaving a balance of $900.00 in the American Bank & Trust Company, Suffolk, Virginia, at interest.

This cause was stricken from the docket on the 20th day of July, 1920, with leave on the part of any party interested to have said cause reinstated on the docket if the necessity therefor arose, therefore your said Commissioners, W. M. Crumpler and S. E. Everett now ask that this cause be reinstated on the docket and that such orders as may be necessary in this case be entered.

Respectfully submitted:

W. M. Crumpler.

S. E. Everett

Special Commissioners.

IN THE CIRCUIT COURT OF

NANSEMOND COUNTY, VIRGINIA

Cecil W. Russell et al

vs. REPORT OF COMMISSIONERS

Cecil W. Russell, Admr.et als

/

Filed the 17 day of

December, 1926.

Jas L. McLemore

Cecil W.Russell, et al. . . . . Complainants,

vs

Cecil W.Russell,Admr.et als. . . . . Defendants,

This cause came on this day to be heard on the papers formerly read and on the report of W.M.Crumpler and S.E.Everett, Special Commissioners, this day filed, to which report there is no exception, and was argued by Counsel.

On consideration whereof, it appearing to the Court from the said report of said Commissioners,with the vouchers filed therein, that the said Commissioners have made proper disbursements of the funds in this cause, in accordance with the decree formerly entered in this cause, and that the said Commissioners also filed voucher of the American Bank & Trust Company, showing that the said Commissioners placed to the credit of the Court in this cause, at interest, the shares belonging to Raleigh Russell and Nellie Russell, the infants in said cause, together amounting to Eleven Hundred and Thirty-two and 41/100 ($1132.41) Dollars, the Court doth adjudge, order and decree that the said report be confirmed, and that the said cause be removed from the docket , but with leave on the part of any party interested to have said cause reinstated on the docket when the necessity therefor arises.

It is further ordered that the said Bank be and is authorized to pay to the mother of said infants, (should she desire same) the interest accruing on said principal sum, accepting her check as sufficient voucher for said payment.

C.W.Russell, et al.

Vs. Final decree

C.W.Russell, Admr.et als.

Enter this 20 day of

July, 1920

J. L. McLemore

Entered in Chancery

Order Book, No 5

Page No. 278

MR. S. E. Everett & al. Spf. Court.

TO G. E. BUNTING, CLERK CIRCUIT COURT

OF NANSEMOND COUNTY

SUFFOLK, VA.,

to

Dec. 24, 1919

VS.

Revenue stamps on B & S deed to J. P. January et al. $1.00

Revenue stamps on B & S deed to S. S. Horton 2.50 $3.50

Paid Jan 15 1920 G. E. Bunting Clerk

Cecl W.Russell, et al. . . . . Complainants

vs

Cecil W.Russell, et als. . . . . Defendants

$25.85

Received of W.M.Crumpler and S.E.Everett, Special Commissioners in the above styled suit, Twenty five & 85/100 Dollars

For

C.B.Embry, Clk

$21.00

Cecil W.Russell, et al . . . . . Complainants

vs

Cecil W.Russell,Admr.,et als. . . . . .Defendants

$ 21.00

Received of W.M.Crumpler and S.E.Everett, Special Commissioners in the above styled suit, Twenty-one,and - - - - - -00/00 Dollars For Commissioners.

C.H.P. C.H. Parker

J.F.C. J. H. Carter

R.J. Ruerdy Johnson

S. E. Everett Atty. for the division of the lands of Humphrey Savage and Charlie Russell's 1919

To Bev. P. Baker Surv,

March 13th & 19th To Surveying, Calculating and running the division lines on the lands of Humphrey Savage & Charlie Russell's estates. $15.00.-

Cecil W. Russell, et al. . . . . Complainants
vs.
Cecil W. Russell, Admr. et als. . . . . Defendants
$15.00

Received of W.M.Crumpler, and S.E.Everett, Special Commissioners in the above styled suit, Fifteen Dollars, for surveyor.

Bev. P. Baker Surv

JUN 3 - 1920

B. P. Baker's acct.

" $ 15.00. –

No 2

Cecl W.Russell, et al. . . . . Complainants

vs

Admr
Cecil W.Russell, et als. . . . . Defendants

$ 8.00

Received of D.M.Crumpler and H.F.Averett, Special Commissioners in the above styled suit, Eight Dollars

For Advertising

REGALY PRINTING CORPORATION

By Monson Mgr.

Cecil W.Russell, et al . . . . . Complainants

vs

Cecil W.Russell,Admr.,et als. . . . . .Defendants

$ 20.00

Received of W.M.Crumpler and S.J.Everett, Special Commissio in the above styled suit, Twenty Dollar

For Bond

Jones & Jones

Per A.

Cecil.W.Russell, et al. . . . . Complainants.

vs

Cecil W.Russell, Admr. et als. . . . . Defendants

$25.00

Received of W.M.Crumpler and S.E.Everett, Special Commissioners in the above styled suit, the sum of Twenty Five Dollars, for services as Auctioneer.

E. E. Wagner Auctio...

by S. E. Everett his

atty -

Cecil W.Russell.et al.. . . . . Complainants

vs

Cecil W.Russell, Admr.,et als. , ... Defendants

$92.60

Received of W.M.Crumpler and S.E.Everett, Special Commissioners in the above styled suit, Ninety Two 60/100 Dollars. one half $46.30 to each of us, covering total fee of commissioners & $30.00 for drawing two deeds.

W.M.Crumpler.

and

W.E.Powell

Tefft Iowa.

7 — 8

Cecil W.Russell, et al. . . . . Complainants

vs

Cecil W Russell, Admr., et als. . . . . .Defendants

$150.00

Received of W.M.Crumpler and S.E.Everett, Special Commissioners in the above styled suit, One Hundred and Fifty Dollars, for fee.

Also Stamps on deeds — S E Everett

9–10.

Cecil W.Russell, et al. . . . . .Complainants

vs

Cecil W.Russell, Admr. et als. . . . . Defendants

$982.84

1,006.59
982.84
623.75

Received of W.M.Crumpler, and S.E.Everett, Special Commissioners in the above styled suit, the sum of Nine Hundred and Eighty two and 84/100 Dollars for commuted dower, and interest in personal property.

Nannie Russell

Cecil W.Russell, et al. . . . . Complainants.

vs

Cecil W.Russell,Admr., et als. . . . . Defendants

$566.19

Received of W.M.Crumpler and S.E.Everett, Special Commissioners in the above styled suit, the sum of Five Hundred and Sixty-six , and 19/100 Dollars, for share in the above suit.

581.24
566.19
15.05

Cecil W. Russell

Cecil W.Russell, et al. . . . . Complainants

vs

Cecil W.Russell, Admr., et als. . . . . .Defendants

$566.19

Received of W.M.Crumpler and S.E.Everett, Special Commissioners in the above styled suit, the sum of Five Hundred and Sixty-six and 19/100 Dollars, for share in the above suit.

Marion W. Russell

DEV-24
566.19
15.05

Received of W. H. Crumpler and S. E. Everett, Special Commissioners, the sum of $566.19 in settlement of my share in the chancery cause of Cecil W. Russell, et als, vs. Cecil W. Russell, Admrs. et als, pending in the Circuit Court of Nansemond County.

Susie M Horton

Original

American Bank & Trust Company,

Suffolk, Virginia, June 4, 1920

Cecil W.Russell, et al. . . . . .Complainants

vs

Cecil W.Russell, Admr., et als. . . . . .Defendants

W.M.Crumpler and S.E.Everett, Special Commissioners, have deposited to the credit of the Circuit Court of Nansemond County,in the above entitled cause, the sum of Eleven Hundred and Thirty-two and 41/100 ($1132.41) Dollars, the share of Raleigh Russell,and Nellie Russell, infants, in the above entitled suit, on interest from the 4th day of June, 1920, subject to the order of the Court.

$1132.41

Cashier of the American Bank & Trust Co.-

AMERICAN BANK & TRUST CO.

SUFFOLK, VIRGINIA

Wm M Crocker & S E Barrett Exrs &c vs Russell vs Russell

June 4 1920

THE FALCONER DUNCAN CO. BALTIMORE

	DOLLARS	CENTS	DOLLARS	CENTS
CURRENCY				
GOLD				
SILVER				
CHECKS			994	77
			994	77

PLEASE LIST EACH CHECK SEPARATELY.

AMERICAN BANK & TRUST CO.

SUFFOLK, VA.

191

Wm M. Crumpler & S. E. Everett Commissioners
for Persons & Russell Suffolk, Va

We Credit Your Account *Your Letter*

C. T. Barlow Ck. on Whaleyville	2350	
January 1 Bros. Ck. on For. Bk. of Norwood	830	
	$3180	

Items payable out of town, whether credited upon receipt or not are received and collected only at the risk of the depositor. We are not responsible for losses in mail and do not guarantee the banks to which we send such items, and in collecting them this bank acts only as your agent and the responsibility for such must remain with the depositor until the bank has received final actual payment of check sent us in return for same.

E. E. JONES, Cashier

Cecil W.Russell, and Marion W.Russell, ... Complainants

vs

Cecil W.Russell, Admr., et als.x. . . . . .Defendants

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

Your Commissioners, W.M.Crumpler and S.E.Everett, appointed by Your Honor in the above entitled cause on the 14th day of June,1919 to make sale of certain property mentioned in the bill and proceedings in the said cause, respectfully submit the following report:

Your Commissioners advertised the said property for sale on the 5th day of July,1919, and sold the "Horton Tract" to I.P.January and H.January for Eight Hundred and Thirty ($830.00) Dollars. The "Peter Whaley" tract was sold on the same date to Cecil W.Russell for Fifteen Hundred ($1500.00) Dollars, and afterwards an upset bid was put in by E.L.Deans, and resold on December 15th,1919, for Twenty three Hundred and Fifty ($2350.00) Dollars , to I.T.Horton.

Amount received from "Horton Tract"		$ 830.00
Amount received from "Peter Whaley" tract,		2350.00
Total amount received,		$3180.00
Disbursements and vouchers as follows:		
Clerk of Court,.	$25.85	
Commissioners,(C.H.Parker, John C. Carter,and Reverly Johnson)	21.00	
Surveyor..	15.00	
Advertisements ,$4.50 3.50	8.00	
Bond of Special Commissioners,	20.00	
Auctioneer,(three times).	25.00	
Commissions of Special Commissioners,. .	72.60	
Writing deeds (two)	20.00	
Stamps on deeds.	3.50	
Fee allowed by Court,.	150.00	
Total disbursed,		360.95
Balance in hands of Commissioners,		$2,819.05

Balance in hands of Commissioners, ...$2,819.05

Amount paid said Commissioners by Cecil W. Russell, Admr.of Chas.W.Russell, after he had paid all debts and claims against the estate, 994.77

Total balance in hands of Commissioners, $3,813.82

Commuted dower interest of Nannie Russell, $651.25

Paid to Nannie Russell, her interest in the personal property, one-third of $994.77 331.59

Total paid to Nannie Russell, widow, 982.84

Balance in hands of Commissioners, $2,830.98

Distributed the same as follows:

1/5 to Cecil W.Russell, $566.19

1/5 to Marion W.Russell, 566.19

1/5 to Susie M.Horton, 566.19

1/5 to Raleigh Russell,infant, 566.20

This amount in American Bank & Trust Co., to the credit of the Court, voucher herewith filed.

1/5 to Nellie Russell, infant, 566.21

This amount in American Bank & Trust Co., to the credit of the Court, voucher herewith filed.

Total amount disbursed, $2,830.98

There being nothing further to be done in this cause, Your Commissioners ask that the suit be dismissed, and they be relieved from further bond.

Respectfully submitted,

Special Commissioners,

Cecil W.Russell, et al

vs Final Report

Cecil W.Russell,Admr. et als.

Filed this 20 day of

July, 1920.

J. L. McLemore

Cecil W.Russell,and Marion W.Russell, ...Complainants

vs

Cecil W.Russell, Admr., et als., ... Defendants

Your Commissioners, W.M.Crumpler and S.E.Everett, appointed by Your Honor in the above entitled cause on the 14th day of June, 1919, to make sale of certain property mentioned in the bill and proceedings in the said cause, and directed by order of said Court dated November 15th, 1919, to readvertise and resell what is known as the "Peter Whaley" tract of land, after an upset bid of ten percent (10%) on the purchase price had been made by E.L.Deans, respectfully submit the following report:

Your Commissioners advertised said property for sale to be sold on the 15th day of December, 1919 at 12 o'clock M. in front of the National Bank of Suffolk, Suffolk, Virginia, proper notice of said sale having been given as required by said Court, and said property was put up at Public Auction at said day and hour and said property, known as the "Peter Whaley" tract, mentioned and described in said bill was struck off to I.T.Horton, for the sum of Twenty Three Hundred and Fifty ($2350.00) Dollars, the said I.T.Horton being the highest bidder at said sale. The said purchaser of the said "Peter Whaley" tract of land desires to pay the purchase price in full.

Your Commissioners ask that the sale to I.T.Horton be confirmed and that they be directed to execute deed conveying said property to the said purchaser.

Respectfully submitted,

W.M.Crumpler

S.E.Everett

Special Commissioners.

Cecil W.Russell,etc.

vs Report of Com'rs

Cecil W.Russell,Admr.et als.

Filed this 23rd day of

December, 1919

J.M.

Cecil W.Russell and Marion W.Russell, ... Complainants

vs

Cecil W.Russell, Admr., Et als., ...Defendants

This cause came on again this day to be heard on the papers formerly read and on the report of W.M.Crumpler and S.E.Everett, Special Commissioners, this day filed, to which report there is no exceptions, and was argued by Counsel.

On Consideration whereof, the Court doth approve and confirm the said sale made of what is known as the "Peter Whaley" tract of land to I.T.Horton

for the sum of Twenty three hundred and Fifty($2350.00) Dollars, and doth adjudge, order and decree that upon the payment by the said purchaser at the said sale reported by the said Special Commissioners of the said sum of Twenty Three Hundred and Fifty($2350.00)Dollars the said sum being the amount for which the said tract of land hereinafter described was struck off at said sale, the said Commissioners convey with SPECIAL WARRANTY to the said I.T.Horton ,

"That part of the"Peter Whaley Farm" North of the division line, house and barn on this parcel, beginning in a Branch at a small sweet gum, and running S. 68½ degrees, E.38 chains, 46 links, to a gum in Biscuit Bridge Swamp; thence down the Swamp, its various courses, to the corner of John Gladwell's land; thence along Gladwell's line and Bishop's line to the Railroad, and across the Railroad, same line N.64 degrees, W. to a small Branch near the Holy Spring, about 45½ chains, thence up the Branch S.19 degrees, W.10 chains to the beginning,and contains twenty-five (25) acres. The railroad and bounds is deducted from these calculations.

It is further ordered that the said Special Commissioners deposit the sum in one of the Banks in the City of Suffolk,Virginia to the credit of this suit less the cost of suit,taxes on said lands and commissions to the said Special Commissioners,and a fee of $150- to the attorney who conducted this suit.

And the said Special Commissioners are further ordered to disburse to the adults the money to which they are entitled in this cause,and that the shares of the infants are to remain in Bank until the said Commissioners are further directed by the Court.

Cecil W. Russell, etc.

vs. Confirming Com'rs Report.

Cecil W. Russell, Admr. et als.

Enter this 23. day of

December, 1919

Entered in Chancery

Order Book, No. 52

Page, No 241

Cecil W.Russell, et al., ... Complainants

vs

Cecil W.Russell,Admr.,et als.,. . . . . Defendants

This cause came on again this day to be heard on the papers formerly read and on the report of Special Commissioners, W.M.Crumpler and S.M.Everett filed on the first day of November,1919,to which report there is no exception, and was argued by Counsel.

On consideration whereof the Court doth approve and confirm the said sale made of what is known as the "Horton"tract of land to I.P and H.January for the sum of Eight Hundred and Thirty ($830.00) Dollars/and doth adjudge,order and decree that upon the payment by the said I.P. January and H.January,purchasers at the said sale reported by the said Commissioners,of the said sum of Eight Hundred and Thirty ($830.00) Dollars,the said sum being the amount for which the said tract of land hereinafter described was struck off at said sale, the said Commissioners convey with Special Warranty to the said I.P.January and H.January, the following described property:

All the lands on the west side of the division line beginning on the South side of the County Road at an iron post, a corner with the parcel of land assigned to Susie R.Horton for her life,and running S.47 degrees, West 46 chains, 75 links to an iron post on the Wiley Wiggins pecosin tract; thence along the line of said pecosin to the corner of the land of Willis Horton; thence along the Horton line to the lands given to Cecil W.Russell by the will of H.W.Savage; thence along the Branch to a corner on George Russell; thence along George Russell's line to the County Road and thence to the beginning, and containing sixty two and one-half (62½) acres, more or less.

And it further appearing to the Court by the report of the said Commissioners and the paper filed therewith by E.L.Deans that the said E.L.Deans has put in an upset bid of ten percent (10%) on the purchase price on the 'Peter Whaley' tract of land, which was struck off at Fifteen Hundred ($1500.00) Dollars to Cecil W.Russell,and that the said E.L.Deans paid the said Commissioners One Hundred and Fifty ($150.00) Dollars, which was ten percent (10%) of the purchase price and the said Commissioners deposited the same in the American Bank & Trust Company to the credit of the Court in this cause, the Court doth adjudge, order and decree that the said Special Commissioners,

W.W.Crumpler and S.T.Everett, after having readvertised the time, place and terms of sale for ten (10) days by posting notices in numerous public places in the City of Suffolk and County of Nansemond, proceed to sell at the corner of the National Bank of Suffolk, Suffolk, Virginia, the following tract of land:

That part of the "Peter Whaley Farm" North of the division line, house and barn on this parcel, beginning in a Branch at a small sweet gum,and running S. 68½ degrees, E. 38 chains, 46 links, to a gum in Biscuit Bridge Swamp; thence down the Swamp, its various courses,to the corner of John Gladwell's land; thence along Gladwell's line and Bishop's line to the Railroad, and across the Railroad, same line N.64 degrees, W. to a small branch near the Holy Spring, about 45½ chains, thence up the Branch S.19 degrees, W. 10 chains to the beginning, and contains twenty-five (25) acres. The railroad and bounds is deducted from these calculations.

The said Commissioners shall sell said land for one-half cash and the residue one year from the date of sale, with interest from the date of sale, title to the said property to be retained until the purchase price is paid in full, and conveyance directed by the Court, or, if the purchaser or purchasers should elect to do so,he, or they, may pay the whole of the purchase money in cash; and ~~that~~ the said Commissioners shall make a full report of their proceedings hereunder, taking a bond of the purchaser or purchasers for the credit installments, bearing interest from the date of sale, and returning said bond with ~~this~~ their report to the Court, and the bond previously executed by the said Commissioners shall be sufficient for their action under this decree.

The Court doth further adjudge, order and decree that the said Commissioners make report to this Court of their transactions under this decree.

C.W.Russell, et al

vs

C.W.Russell, Admr.et als.

Enter this 15 day of

November,1919

J. L. W. Lucore

Entered in Chancery

Order Book No. 5

Page No. 235

AMERICAN BANK & TRUST C

SUFFOLK, VIRGINIA

DEPOSITED BY

O. M. Brumfield & E. Howell
Commissioners
& Pinner.

9- 22- 1919

THE FALCONER COMPANY, BALTIMORE

	DOLLARS	CENTS	DOLLARS	CENTS
CURRENCY				
GOLD				
SILVER				
CHECKS				
	4	150		
			4	00
			1	50

PLEASE LIST EACH CHECK SEPARATELY.

To S. E. Everett and William M. Crumpler,
Special Commissioners in the Chancery Suit
of Russel & Russel.

This is to make you an offer of SIXTEEN HUNDRED FIFTY ($1650.00) DOLLARS for the twenty-five (25) acres of land bid off at the sale for the sum of FIFTEEN HUNDRED ($1500.00) DOLLARS. There is attached to this paper check for ONE HUNDRED FIFTY ($150.00) DOLLARS, which is ten per cent more than the bid of ~~Mr. Tom Savage~~ C. W. Russel and Marion W Russel. I ask that you report to the Court and ask him to confirm the same to me at the price of SIXTEEN HUNDRED FIFTY ($1650.00) DOLLARS.

I am informed that the land was originally bid off to ~~Mr. Savage~~ the Russels on the 5th day of July, 1919.

I was neither present at the sale nor a bidder.

E. L. Draper

Cecil W.Russell and Marion W.Russell, ... Complainants

vs.

Cecil W.Russell, Admr.,et als., ... Defendants

Your Commissioners, W.M.Crumpler and S.E.Everett,appointed by Your Honor in the above entitled cause on the 14th day of June,1919, to make sale of certain property mentioned in the bill and proceedings in said cause, respectfully submit the following report:

After executing the required bond, your Commissioners advertised the said property for sale, to be sold on the 5th day of July, 1919, at 12 o'clock M. in front of the National Bank of Suffolk,Suffolk,Virginia, proper notice of said sale having been given as required by said decree and the said property was put up at public auction on said day and hour, and said property known as the "Horton Tract" mentioned and described in said bill, was struck off to I.P.January and H.January, for the sum of Eight Hundred and Thirty($830.00) Dollars, the said I.P.January and H.January being the highest bidders at said sale.

The said purchasers of the said "Horton Tract" desire to pay the purchase price in full.

The said tract known as the "Peter Whaley Tract" was struck off to Cecil W.Russell for the sum of Fifteen Hundred ($1500.00) Dollars that being the highest bid at the sale. Before this sale was confirmed, on the 18th day of July, 1919, E.L.Deans put inan upset bid to Your Commissioners on the said Whaley Tract, giving his check for One Hundred and Fifty ($150.00) Dollars, which your Commissioners placed in the American Bank and Trust Company to the credit of the Court in this cause, and herewith file deposit slip.

The said purchasers desire to pay the whole of the purchase price in cash as soon as the deeds are ready to deliver.

Your Commissioners ask that the sale to I.P.January and H. January of the "Horton tract" be confirmed,and they be directed to execute deed; and further ask Your Honor to direct said Commissioners what action to take as to the "Peter Whaley Tract" that was struck

off to Cecil W. Russell at Fifteen Hundred ($1500.00) Dollars.

Respectfully submitted,

Virginia M. Lemmon

H. E. Rucker

Cecil Commissioners

C.W.Russell, etc

vs. Report of Com'rs

C.W.Russell,Admr.etals

Filed this 1st day of

November,1919

G. E. Brooks

Clerk

Cecil W.Russell, etc. . . . . .Complainants

vs

Cecil W.Russell, Administrator, et als, ...Defendants

This cause came on again this day to be heard on the papers formerly read and on the report of Reverly Johnson, J.F.Carter, and C.L.Parker, three of the Commissioners appointed by a decree entered herein on the 1st day of March, 1919 and filed on the 25th day of March, 1919, and which is in full as follows:

" To the Honorable Jas.L.McLemore, Judge of the Circuit Court of Nansemond County, Virginia.

The undersigned Commissioners appointed by a decree entered on the 1st day of March, 1919 in the above cause, on the 20th day of March, 1919, after being duly sworn, proceeded to execute the duties enjoined upon them by said decree, as follows:

FIRST: They divided the farm known as the Peter Whaley Farm into two equal parts, having regard for quality and quantity and assigned one part to Cecil W.Russell and Marion W.Russell, and one part to the widow and heirs of Charles W.Russell. The part assigned to Cecil W.Russell and Marion W.Russell is described as follows: Thirty-one (31) acres, with no house on it, beginning in a Branch at a small sweet Gum and running S. 68½ degrees; E. 38 chains,and 64 links, to and across the Railroad to a Gum in Biscuit Bridge Swamp; thence up the swamp to the corner of H.W.Savage' Estate; thence along said Savage line, now owned by Cecil W.Russell and Marion W.Russell, N.54 degrees ; W.about 45 chains, to and across the Railroad to a small Branch,and thence along the Branch N.19 degrees, E.to the point of beginning. The part assigned to the widow and heirs of Charles W.Russell is described as follows: All the remainder of the Peter Whaley Farm, all the land North of the division line, house and barn on this parcel, beginning in a Branch at a small sweet Gum and running S.68½ degrees, E.38 chains, 46 links, to a Gum in Biscuit Bridge Swamp; thence down the Swamp, its various courses,

to the corner of John Gladwell's land, thence along Gladwell's line and Bishop's line to the Railroad, and across the Railroad, same line N. 64 degrees,W. to a small Branch near the Holy Spring about 45½ chains, thence up the Branch S. 19 degrees, W.10 chains to the beginning, and contains twenty-five (25) acres. The Railroad and bounds is deducted from these calculations.

SECOND They divided the farm known as the Horton Farm into two equal parts, having regard for quality and quantity, and assigned one of said parts to Susie R.Horton, who has a life right in one half of said farm by the will of H.W.Savage, except ten (10) acres of woodland belonging to Marion W.Russell, and one part to the widow and heirs of Charles W.Russell. The part assigned to Susie R.Horton for her life time is described as follows: All the lands east of the division line, except the Ten (10) acres to Marion W.Russell, beginning at an iron stob on the Southern side of the County Road, and running S. 47 degrees, West 41 chains, 46 links to an iron post corner of the ten acres assigned to Marion W.Russell; thence along Marion W. Russell's line S.49½ degrees, E.to an iron post, a corner with Luther S.Savage; thence along the line of Luther S.Savage to the County Road; thence along the road 11 chains to the beginning and containing seventy one (71) acres, more or less. The part assigned to the widow and heirs of Charles W.Russell is described as follows: All the lands on the west side of the division line beginning on the South side of the County Road at an iron post, a corner with the parcel assigned to Susie R.Horton for her life, and running S.47 degrees, West 46 chains 75 links to an iron post on the Wiley Wiggins pecosin tract; thence along the line of said pecosin to the corner of the land of Willis Horton; thence along the Horton line to the lands given to Cecil W. Russell by the Will of H.W.Savage; thence along the Branch to a corner on George Russell; thence along George Russell's line to the County Road and thence to the beginning and contains sixty two and a half (62½) acres, more or less. There is a

house on this land.

Third: They laid off and set aside Ten (10) acres of woodland out of the one half of the Horton Farm alloted and assigned to Susie R.Horton for her life, for Marion W.Russell as provided for in the Will of H.W.Savage. Said tract of land is described as follows: Beginning at an iron stob, a corner with the piece assigned to Susie R.Horton for her life time,and running S. 49½ degrees, E. to an iron stob on line of Luther S.Savage; thence along this line 4 chains to a corner on the lands known as the Wiley Wiggins pecosin; thence along the said pecosin line to an iron stob on the aforesaid division line; thence along the division line N.47 degrees, E. 5 chains, 25 links to the beginning, and containing Ten (10) acres.

FOURTH: The part of the Peter Whaley Farm assigned to the heirs and widow of Charles W.Russell as above described, your commissioners have set aside as the widow's dower in all of the lands of Charles W.Russell, except the small tract containing five (5) acres, more or less, on the West side of the Atlantic Coast Line Railway, which said small tract your Commissioners have assigned to the heirs of Charles W.Russell.

FIFTH Your Commissioners find that it would not be to the interest of the heirs of Charles W.Russell to have the land assigned to the heirs of Charles W.Russell divided into five parts, and believe that it would be to the interest of all concerned to have the same sold. This is the 62½ acres as above described, and known as the Horton tract. Your Commissioners think a fair price for this 62½ acres would be Twenty ($20.00) Dollars per acre."

Since the filing of this report, the widow of Charles W.Russell, Nannie Russell, has filed a petition along with said report, praying that the entire lands of Charles W. Russell, her husband, be sold at public Auction, and her dower interest be commuted according to Section 2281 of the Code of Virginia.

There are no exceptions filed to this report, and was argued by counsel.

On Consideration whereof, it is adjudged, ordered and decreed that the said report be confirmed as to the partition of the lands known as the H.W.Savage Lands, and the Charles W.Russell lands. And it appearing from the petition of the widow of Charles W.Russell that the said Nannie Russell, widow of Charles W.Russell, ~~that the said Nannie Russell~~ desires the entire land of Charles W.Russell sold, and her dower interest commuted, the Court doth adjudge, order and decree that the said land be sold, and the dower interest be commuted, and that W.M.Crumpler and S.E.Everett, who are appointed Special Commissioners for the purpose, do, after having advertised the time, place and terms of sale for Fifteen days by posting notices in numerous public places in the City of Suffolk, and Nansemond County, Virginia, proceed to sell, at the corner of the National Bank of Suffolk, Suffolk, Virginia, the following tracts of land, situated in Nansemond County, Virginia:

(1) All the lands on the west side of the division line beginning on the South side of the County Road at an iron post, a corner with the parcel of land assigned to Susie R.Horton for her life, and running S.47 degrees, West 46 chains, 75 links to an iron post on the Wiley Wiggins pecosin tract; thence along the line of said pecosin to the corner of the land of Willis Horton; thence along the Horton line to the lands given to Cecil W.Russell by the will of H.W.Savage; thence along the Branch to a corner on George Russell; thence along George Russell's line to the County Road and thence to the beginning, and containing 62½ acres, more or less. There is a house on this land.

(2) All the remainder of the Peter Whaley Farm. all the land North of the division line, house and barn on this parcel, beginning in a Branch at a small sweet gum, and running S.68½ degrees, E.38 chains, 46 links, to a Gum in Biscuit Bridge Swamp; thence down the Swamp, its various courses, to the corner of John Gladwell's land, thence along Gladwell's line and Bishop's line to the Railroad, and across the Railroad, same line N.64 degrees, W. to a small Branch near the Holy Spring, about 45½ chains, thence up the Branch S.19 degrees, W.10 chains to the beginning, and contains twenty-five (25) acres. The railroad and bounds is deducted from these calculations.

That the said W.M.Crumpler and S.E.Everett, Special Commissioners, shall sell said land on the following terms, to-wit; One half cash, and the residue one year from the date of sale,

with interest from date of sale; title to said property to be retained until the purchase money is paid in full, and conveyance directed by the Court, or, if the purchaser or purchasers should elect to do so, he, or they, may pay the whole of the purchase money in cash; and that the said Commissioners make a full report to this Court of their proceedings hereunder, taking a bond of the purchaser, or purchasers, for the credit installments, bearing interest from the date of sale, and returning said bond with this report to the Court, but the said Commissioners shall not proceed to act under this decree until they shall enter into bond with security in the Clerk's Office of this Court, payable to the Commonwealth of Virginia, in the amount of $4000.- and conditioned upon the faithful discharge of their duties hereunder, or under any further decrees in this cause.

C.W.Russell, etc

vs. Confirming decree

C.W.Russell, Admr.et als

Enter this 22 day of

June 1919

J. L. McLemore

Entered in Chancery

Order Book, No 5

Page, No. 251

Cecil W.Russell and Marion W.Russell,. . . . . Complainants

vs

Cecil W.Russell, Administrator of Charles W Russell, Nannie Russell, widow of Charles W. Russell, Susie R.Horton, R.T.Savage and Raleigh Russell and Nellie Russell,the last two being infants under the age of twenty one (21) years,. . . . . .Defendants

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

The undersigned Commissioners appointed by a decree entered on the 1st day of March, 1919, in the above Cause, on the 20th day of March 1919, after being duly sworn, proceeded to execute the duties enjoined upon them by said decree, as follows:

FIRST: They divided the farm known as the Peter Whaley Farm into two equal parts, having regard for quality and quantity, and assigned one part to Cecil W.Russell and Marion W.Russell, and one part to the widow and heirs of Charles W.Russell. The part assigned to Cecil W.Russell and Marion W.Russell is described as follows: Thirty-one (31) acres, with no house on it,beginning in a Branch at a small sweet gum,and running S. 68½ degrees; E. 38 chains, and 64 links, to and across the Railroad to a gum in Biscuit Bridge Swamp; thence up the swamp to the corner of H.W.Savage' Estate; thence along said Savage line,now owned by Cecil W.Russell amd Marion W.Russell, N.54 degrees; W.about 45 chains, to and across the Railroad to a small Branch, and thence along the Branch N. 19 degrees E. to the point of beginning. The part assigned to the widow and the heirs of Charles W.Russell is described as follows: All the remainder of the Peter Whaley Farm, all the land North of the division line,house and barn on this parcel, beginning in a branch at a small sweet Gum and running S. 68½ degrees, E. 38 chains,46 links, to a Gum in Biscuit Bridge Swamp; thence down the Swamp,its various courses,

to the corner of John Gladwell's land, thence along Gladwell's line and Bishop's line to the Railroad,and across the Railroad, same line N. 64 W. to a small Branch near the Holy Spring,about 45½ chains, thence up the Branch S.19 W. 10 chains to the beginning, and contains twenty five (25) acres. The Railroad and bounds is deducted from these calculations.

SECOND: They divided the farm known as the Horton Farm into two equal parts,having regard for quality and quantity,and assigned one of said parts to Susie R.Horton,who has a life right in one half of said farm by the will of H.W.Savage,except ten (10) acres of woodland belonging to Marion W.Russell, and one part to the widow and heirs of Charles W.Russell. The part assigned to Susie R.Horton for her life time is described as follows: All the lands east of the division line, except the Ten (10) acres to Marion W.Russell, beginning at an iron stob on the Southern side of the County Road, and running S. 47 degrees, West 41 chains 46 links to an iron post corner of the ten acres assigned to Marion W.Russell; thence along Marion W. Russell's line S.49½ degrees, E. to an iron post, a corner with Luther S.Savage; thence along the line of Luther S.Savage to the County Road; thence along the road 11 chains to the beginning and containing seventy one (71) acres, more or less. The part assigned to the widow and heirs of Charles W.Russell is described as follows: All the lands on the west side of the division line beginning on the South side of the County Road at an iron post, a corner with the parcel assigned to Susie R.Horton for her life, and running S.47 degrees, West 46 chains 75 links to an iron post on the Wiley Wiggins pecosin tract; thence along the line of said pecosin to the corner of the land of Willis Horton; thence along the Horton line to the lands given to Cecil W. Russell by the will of H.W.Savage; thence along the Branch to a corner on George Russell; thence along George Russell's line to the County Road and thence to the beginning and contains

sixty two and a half (62½) acres, more or less. There is a house on this land.

THIRD: They laid off and set aside Ten (10) acres of woodland land out of the one half of the HortnnFarm allotted and assigned to Susie R.Horton for her life, for Marion W.Russell as provided for in the Will of H.W.Savage. Said tract of land is described as follows: Beginning at an iron stob, a corner with the piece assigned to Susie R.Horton for her life time,and running S. 49½ degrees, E.to an iron stob on line of Luther S.Savage; thence along this line 4 chains to a corner on the lands known as the Wiley Wiggins pecosin; thence along the said pecosin line to an iron stob on the aforesaid division line; thence along the division line N.47 degrees, E. 5 chains 25 links to the beginning and containing ten (10) acres.

FOURTH: The part of the Peter Whaley Farm assigned to the heirs and widow of Charles W.Russell as above described, your Commissioners have set aside as the widow's dower in all of the lands of Charles W.Russell.

Fifth: Your Commssioners find that it would not be to the interest of the heirs of Charles W.Russell to have the land assigned to the heirs of Charles W.Russell divided into five parts,and believe that it would be to the interest of all concerned to have the same sold. This is the 62½ acres as above described, and known as the Horton tract. Your Commissioners think a fair price for this 62½ acres would be $20.00 per acre

Your Commissioners employed B.P.Baker as surveyor to survey this property, and his fee for the same is Fifteen ($15.00)Dollars.

Respectfully submitted:

Geo. D. Thomas

J. F. Copeland

C. L. Parker

C.W.Russell, et al

vs. Report of Commissioners

C.W.Russell, et als

Filed

G.E.Brooks, Clk

Cecil W.Russell,and Marion W.Russell,. . . . . Complainants

vs.

Cecil W.Russell, Administrator of Charles W.
Russell, Nannie Russell, widow of Charles W.Russell
Susie R.Horton, R.T.Savage and Raleigh Russell and
Nellie Russell, the last two being infants under
the age of twenty-one (21) years,-. . . . . .Defendants

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

Since making up this report we have been over the matter again and your Commissioners have decided to deduct from the widow's dower all of the land on the West side of the Atlantic Coast Line Railway, which is around four or five acres. This part we have assigned to the heirs of Charles W.Russell.

Respectfully submitted

Reuben Johnson
E. L. Parker
J. F. Carter
Commissioners fee $22.50

Filed 25 March, 1919

G. D. Brooks,
Clerk

Cecil W.Russell and Marion W.Russell, ...Complainants

vs. Decree of Reference

Cecil W.Russell, Administrator of Charles W. Russell, Nannie Russell, widow of Charles W. Russell, Susie R.Horton, R.T.Savage and Raleigh Russell and Nellie Russell, the last two being infants under the age of twenty one (21) years. . . . . .Defendants

This day came Cecil W.Russell and Marion W.Russell, complainants, and by leave of court, filed their bill, and on motion, W.S.Holland, a discreet and competent attorney at law is assigned guardian ad litem to the infants, Raleigh Russell and Nellie Russell, to defend their interests in this suit; and thereupon the said guardian ad litem filed the answer of the said infant defendants, and his answer to the said bill of complainants; and the said adult defendants filed their answers, to which several answers the complainants replied generally, and thereupon by consent of all parties by Counsel, this case is docketed and set for hearing, and by like consent came on this day to be heard on the bill of complainants, the several answers of the defendants to said bill as above set out, and the general replication of the complainants to several answers, and was argued by counsel:

On consideration whereof, the Court doth adjudge order and decree that C.H.Parker, Jack Spivey, John L.Carter, Reverly Johnson, and James Vaughan, who are hereby appointed Commissioners for the purpose, any three or more of whom may act, having been first duly sworn, do proceed to lay off and divide the real estate of which R.T.Savage and Charles W.Russell died, jointly seized and possessed, in the bill mentioned as follows:

First: Divide the farm known as the Peter Whaley Farm into two equal parts, having regard to quality and quantity, and assign one part to Cecil W.Russell and Marion W.Russell, and one part to the widow and heirs of Charles W.Russell.

Second: Divide the farm known as the Horton Farm into two equal parts, having regard to quality and quantity, and assign one of said parts to Susie R.Horton, who has a life right in one half of said farm by the will of H.W.Savage, except ten (10) ~~xx~~ acres of woodland land belonging to Marion W.Russell, and assign one part to the widow and heirs of Charles W.Russell.

Third. Lay off and set aside Ten (10) acres of woodland land out of the one half of the Horton Farm allotted and assigned to Susie R.Horton, for Marion W.Russell.

Fourth: Assign and allot to Nannie Russell, widow of the said Charles W.Russell, by metes and bounds one equal third part in value of the said land assigned to the widow and heirs of Charles W.Russell as her dower therein, and if, for the proper performance of duties under this decree, it becomes necessary in the opinion of the said Commissioners, they are authorized and directed to employ a competent surveyor who shall lay off the said land or such part thereof as may be necessary,and make a plat thereof.

Fifth: After the assignment of dower, then divide the property assigned to the widow and heirs of Charles W.Russell into five parts, having regard for quality and quantity,and assign one of said five parts to each of the heirs of the said Charles W.Russell,deceased: namely, to Cecil W.Russell, one fifth part; to Susie R.Horton, one fifth part; to Marion W.Russell, one fifth part; to Raleigh Russell, one fifth part; to Nellie Russell, one fifth part.

But if the said Commissioners should find it impracticable to divide said land among the aforesaid parties, or should be of opinion that the interest of said parties would be more promoted by a sale of the same, in such case, they are required to report the facts upon which their opinion is based, to the Court, and also what, in their opinion, is the fee simple value of the whole of the real estate of which Charles W.Russell died seized

and possessed; in either case, they are required to report their proceedings under this order to the Court.

It is further adjudged, ordered and decreed that Cecil W. Russell, Administrator of Charles W.Russell, render an account of his transactions as Administrator of Charles W.Russell to the Court in these proceedings.

Cecil W.Russell, et al

Vs. Reference

Cecil W.Russell, Admr.

et als

Enter 1st day of March 1919

Jas. L. McLemore

We Consent

Jessie R. Horton by
Hundley & Cunningham, her Attys.
J. E. Farrell Atty for
all adults ex Dft
Jessie R Horton
William S. Holland
Guardian ad litem 2
Infants.

Entered in Chancery

Order Book No. 5

Page 191

Cecil W.Russell and Marion W.Russell. . . . . Complainants

vs

Cecil W.Russell, Administrator, et als. . . . . Defendants

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

Your petitioner states to Your Honor the following facts: She is the widow of Charles W.Russell, and has two children, one boy, named Raleigh, eleven years old, and one girl named Nellie Marie, five years old.

The Commissioners appointed by Your Honor assigned the dower,and your petitioner has no complaint to make of their action. At that time, your petitioner was of the belief that it would be best to have her dower assigned; but since that time she has talked with her friends and thought over the matter herself, and she does not see how she could work the land with no one to help her except her little children.

Therefore your petitioner believes it will be best to have the land sold and the dower interest commuted. Your petitioner thinks that the interest on the amount that she gets will be more than the rents from the farm, and at the same time renting the farm will cause it to decrease in value, and therefor the rents will be less from year to year.

Your petitioner asks Your Honor to have the entire land sold and her dower interest paid to her in money, commuted by the statute. Your petitioner is forty-five years of age.

And your petitioner will ever pray, etc.

Hannie Russell

C.W.Russell, etc

vs Petition

C.W.Russell, Admr. et als

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

Cecil W. Russell and Marion W. Russell.....Complainants

vs. ORDER

Cecil W. Russell, Admr. etc. et als.....Defendants

This cause came on again this day to be heard on the papers formerly read and on the report of W. M. Crumpler and S. E. Everett, Special Commissioners, this day filed, to which report there is no exception, and was argued by counsel:

On consideration whereof, it appearing from the certificate of John H. Powell, Clerk of the Circuit Court of Nansemond County, filed with the report of said Special Commissioners that the said interest bearing certificate dated December 11, 1930, of the American Bank & Trust Company, Suffolk, Virginia, for Two Hundred Fifty ($250.00) Dollars, payable to the Court in this cause, was delivered to Nannie Russell, mother of Nellie Russell, infant, by the said John H. Powell, Clerk, the Court doth adjudge, order and decree that the said report of said Special Commissioners be confirmed and there remaining nothing further to be done in this cause it is ordered that same be stricken from docket.

Cecil W. Russell et al.....
Complainants.

vs. DECREE

Cecil W. Russell,Admr.etc et als
Defendants.

Enter the 17. day of December, 1931.

Jas. L. McLemore

Entered in Chancery Order Book 6, page 462.

In the Circuit Court of Nansemond County:

Cecil W.Russell and Marion W.Russell . . . . . Complainants

vs. Answer

Cecil W.Russell, Administrator, et als . . . . . Defendants

The answer of R.T.Savage to a bill of complaints filed against him and others in the Circuit Court of Nansemond County by Cecil W.Russell and Marion W.Russell, complainants.

This respondent reserving to himself the benefit of all just exceptions to the said bill of complaint, for answer thereto, or to such thereof as he is advised that it is material that he should answer, answers and says:

Your respondent does not ever expect to realise anything under the will of H.W.Savage, but he has been advised that he is a necessary part to this suit, and files his answer, giving his consent to the division of said property as outlined in the bill.

And now, having fully answered the complainants' bill, this respondent prays hence to be dismissed with his reasonable costs in this behalf expended, and he will pray, etc.

R. T. Savage

Counsel.

Cecil W.Russell, et al

Vs. Answer of

R.T.Savage

Filed / Day of March

March ,1919

In the Circuit Court of Nansemond County:

Cecil W.Russell,and Marion W.Russell, ...Complainants

vs. Answer

Cecil W.Russell, Administrator,et als. . . . . Defendants

The answer of Susie R.Horton to a bill of complaints filed against her and others in the Circuit Court of Nansemond County, by Cecil W.Russell and Marion W.Russell, complainants.

This respondent, reserving to herself the benefit of all just exceptions to the said bill of complaint for answer thereto, or to such thereof as she is advised that it is material that she should answer, answers and says:

Your respondent says under the will of H.W.Savage, her grandfather, she is entitled to a life interest in one half of the "Horton Farm", less ten (10) acres that was given to Marion W.Russell by the will of H.W.Savage

Your respondent is entitled to one fifth of the estate of her father, Charles W.Russell, after the widow's dower is assigned.

Your respondent realiges that the property must be divided as it would not be practicable for it to stand as it is, and is ready to join the complainants in having the same done with as reasonable cost and as much dispatch as possible.

And now, having fully answered the complainants' bill,this respondent prays hence to be dismissed with her reasonable costs in this behalf expended, and she will pray, etc.

Susie Horton

Counsel

Cecil W.Russell,et al

Vs. Answer of

Susie R.Horton

Filed / day of

March , 1919

In the Circuit Court of Nansemond County:

Cecil W.Russell and Marion W.Russell, ...Complainants

vs. Answer

Cecil W.Russell, Administrator, et als. . . . . .Defendants

The answer of Cecil W.Russell, Administrator, to a bill of complaint filed against him and others in the Circuit Court of Nansemond County by Cecil W.Russell and Marion W.Russell,complainants.

This respondent, reserving to himself the benefit of all just exceptios to the said bill of complaint, for answer thereto, or to such thereof as he is advised that it is material that he should answer, answers and says:

Your respondent qualified in the Circuit Court of Nansemond County, Virginia, as Administrator of Charles W.Russell. Your said respondent as such Administrator took charge of the estate, and had it appraised immediately and then advertised it and sold the same. All debts of the estate have been paid, and your respondent herewith files with his answer a statement of his transaction as Administrator of Charles W.Russell.

And now, having fully answered the complainants' bill,this respondent prays hence to be dismissed with his reasonable costs in this behalf expended, and he will pray, etc

Cecil W.Russell

Administrator

H.E.Russell

Counsel.

Cecil W.Russell, et al

Vs Answer of

Cecil W.Russell, Admr.

Filed 1 day of March ,

1919 JLM

In the Circuit Court of Nansemond County:

Cecil W.Russell and Marion W.Russell,. . . . . Complainants

vs. Answer

Cecil W.Russell, Administrator, et als.. . . . . Defendants

The answer of Raleigh Russell and Nellie Russell, infants under the age of twonty one (21) years, by W.S.Holland,their guardian ad litem appointed to defend them in this suit, to a bill of complaint filed against them in the Circuit Court of Nansemond County by Cecil W.Russell and Marion W Russell, Complainants.

These respondents, reserving to themselves the benefit of all just exceptions to the said bill of complaints, for answer thereto, or to such thereof as they are advised that it is material they should answer, by their said guardian ad litem, answer and say:

That they are infants of tender years, and by reason of their infancy are incapable of understanding or of taking care of their rights and interests herein; and that they therefore commend themselves and their rights and interests to the protection of the court, and pray that no decree may be entered that will tend to their prejudice.

And now, having fully answered the Complainants' bill, these respondents pray hence to be dismissed with their reasonable costs by them in their behalf expended, and they will pray, etc.

William S. Holland

Guardian ad litem for Raleigh Russell
and Nellie Russell

- - - - - - - - - - - - - - - - -

Counsel

All Available Text Successfully Captured

Cecil W.Russell, et al

vs Answer of

W.S.Holland, Guardian.
ad litem

Filed / day of March,
1919

In the Circuit Court of Nansemond County:

Cecil W.Russell and Marion W.Russell . . . . . Complainants

vs Answer

Cecil W.Russell, Administrator, et als . . . . . Defendants

The answer of Nannie Russell, widow of Charles W.Russell,to a bill of complaint filed against her and others in the Circuit Court of Nansemond County by Cecil W.Russell and Marion W. Russell, Complainants.

This respondent reserving to herself the benefit of all just exceptions to the said bill of complaint, for answer thereto, or to such thereof as she is advised that it is material that she sould answer, answers and says:

Your respondent, widow of Charles W.Russell, states that her husband, Charles W.Russell, died, owning a half interest in the farms named in the bill as the"Peter Whaley Farm" and the "Horton Farm".

Your respondent is entitled to dower in the half interest of Charles W.Russell in each one of these farms, and your respondent asks that her dower be assigned in one farm, preferring the "Peter Whaley Farm" rather than to having a small tract assigned to her in each farm.

And now, having fully answered the complainants' bill,this respondent prays hence to be dismissed with her reasonable costs in this behalf expended, and she will pray, etc.

Nannie Russell

by S.E.Everett, her atty.

S.E.Everett

Counsel

Cecil W. Russell, et al

Vs Answer of

Nannie Russell

Filed 24 day of March ,

1919

Cecil W.Russell and Marion W.Russell.....Complainants

vs Bill

Cecil W.Russell, Administrator of Charles W.Russell,
Nannie Russell, widow of Chas.W Russell,
~~Marion W.Russell~~, Susie R.Horton, R.T.Savage
and Raleigh and Nellie Russell, the last
two being infants under the age of twenty-
one years(21). . . . . Defendants

To the Honorable Circuit Court of Nansemond County:

Your complainants, Cecil W.Russell and Marion W.Russell, respectfully represent:

(I) Charles W. Russell,deceased, and H.W.Savage, deceased, died, seized and possessed of the following real estate

1. All that certain tract of land situated in Nansemond County,Virginia, near Whaleyville, and bounded on the North by the land of John Gladwell,and W.D.Roberts; on the East by the lands of George T.Russell; on the South by the lands of Cecil W. Russell,and Marion W.Russell, formerly the land of H.W.Savage; and on the West by the estate of R.Frank Ellinor,now owned by Ed.Barnes; and known as the Peter Whaley Farm,and containing fifty four (54) acres, more or less, it being the same land conveyed by deed duly executed by A.D.Milteer and wife to C.W. Russell, et als, and recored in the Clerk's Office of the Circuit Court of Nansemond County, the 28th day of September, 1909, in D.B. 68, page 146

2. All that certain tract of land situated in Nansemond County, Virginia, near Whaleyville, and bounded on the North by the road separating this land from the land of George T.Russell; on the East by the land of Luther Savage, formerly the land of Mitchell Parker; on the South by the land formerly owned by J.E Vincent; and on th West by the land of CEcil W.Russell and Marion W. Russell, formerly the land of H.W.Savage, and also by the land of Willis Horton; and containing One Hundred and Thirty (130) acres more or less; it being the same land conveyed to

H.W.Savage and Chas.W.Russell by deed duly executed by Mitchell Parker and recored in the Clerks Office of the Circuit Court of Nansemond County, the 1st day of January, 1900, in D.B. 44, page 322.

II. H.W.Savage died, leaving a will. The second clause of that will is as follows:

" I loan to my wife Adminta Savage and Charles W.Russell jointly,all my estate, both real and personal, and at their death, I give and bequeath to Cecil W.Russell my house and buildings where I now live, and one half of my farm, also one half of my interest in the Peter Whaley Farm. Should he die without a bodily heir I give the same to Marion W.Russell. I give and bequeath to Marion W.Russell the other one half of my farm,and the other one half interest in the Peter Whaley farm and ten acres of land in the Horton pecosin for firewood, should he die without a bodily heir, I give the same to Cecil W.Russell. Should Cecil W.Russell and Marion W.Russell both die without bodily heirs, I then give the same to R.T.Savage,the son of my brother Willis W.Savage. I loan to my granddaughter, Susie M. Horton,the wife of Leonard Horton, my interest in the Horton place, my interest in the Piano,one feather bed and bedding complete and at her death I give the same to Cecil and Marion Russell, furthermore, at the death of Susie,Marion and Cecil (as before said) I give the above interest in land to R.T.Savage"

Both Adminta Savage and Chas.W.Russell are now dead. It appears from the Will that Cecil W.Russell has a one fourth interest in the Peter Whaley Farm,and Marion W.Russell has a one fourth interest in the Peter Whaley Farm; and also Marion W Russell has Ten (10) acres of land in the Horton pecosin, a part of the Horton farm, and Susie M.Horton has a life right in the one half interest of H.W.Savage in the Horton Farm; all subject to the contingent remainder of R.T.Savage.

III. Charles W.Russell died intestate on May 16,1918,seized and possessed of one half interest in the Peter Whaley farm,

and a one half interest in the Horton Farm,both as above described; and leaving Nannie Russell, his widow, and the following children,and sole heirs at law: Cecil W.Russell; Marion W.Russell, Susie R.Horton; Raleigh Russell and Nellie Russell.

IV. The said Raleigh Russell and Nellie Russell are infants under the age of twenty-one (21) years.

V. That the said real estate is, as they believe, susceptible of partition among the parties entitled thereto; but should the property not be divisible in kind, complainants believe, and here state, that the interests of those who are entitled to the said real estate, or its proceeds, will be promoted by a sale of the whole of the same, or by an allotment of part and the sale of the residue:

In consideration whereof, and forasmuch as your complainants are rememdiless in the premises save by the aid of a Court of Equity, they pray that the said Cecil W.Russell, administrator of Charles W.Russell, Nannie Russell, Marion W.Russell, Susie R.Horton, and Raleigh Russell and Nannie Russell may be made parties defendant to this bill, and required, but not on their oaths, to answer the same, the oaths being hereby waived,the said adults in their own proper persons,and the infants by guardian ad litem; that a proper guardian ad litem be appointed in this case for the said infants,who shall answer this bill; that proper process issue; that (1) the said estate of H.W. Savage be divided and set apart from the estate of Charles W. Russell; and (2) the dower of Nannie Russell,the widow of Charles W.Russell be set aside in the estate of Charles W.Russell; and then the said estate of Charles W.Russell be divided among the parties entitled thereto,subject to said widow's dower; or else if it cannot be so divided, that it may be sold and proceeds divided among the adult and infant parties,according to their said rights, the shares of the infants to be held as directed by statute for such cases made and provided;

that a proof of debts be taken and a settlement of the accounts of the Administrator had; that all proper orders and decress may be made, accounts taken and inquiries directed; and that your complainants may have all such further and general relief in the premises as the nature of their case may require, or to equity shall seem meet.

Cecil McRussell

Marion McRussell

Complainants

Counsel.

Cecil W.Russell, et als

vs. Bill

Cecil W.Russell,

Administrator, et als.