1932-019
Nansemond Co (Suffolk) Chancery Causes: W.H. Hale vs Admr of Mary Anna Hale et al

Howell, Copeland, Boone, Gordon, Jones, Parker,
Weaver, Norfleet, High, Brinkley, Williams,
Harrell, Pinner

LEGAL NOTICES

VIRGINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF NANSEMOND COUNTY, ON THE 10TH DAY OF FEBRUARY, 1932.

W. H. Hale ..... Complainant
vs. IN CHANCERY.
W. H. Hale, Administrator of Mary Anna Hale, decreased, William H. Howell, Lydia M. Howell, Alice J. Copeland, Ocelius Boone, William (Bud) Boone, Jim Boone, Octavia Gordon, Z. T. Howell, Ben Howell, Gus Jones, Rosa Parker, Laura Weaver, Harryman Weaver, Sally Weaver, Annie Norfleet, Mamie Weaver, Nancy Weaver, Ben Weaver, Preston Weaver, Alfred Weaver, Nora Weaver, Dora Weaver, and the unknown heirs at law of Mary Anna Hale, deceased ..... Defendants.

The object of the above styled suit is as follows: Mary Anna Hale died January 12, 1929, owning a half interest along with her husband, W. H. Hale, in a small tract of land in Sleepy Hole District, Nansemond County, Virginia, containing ten (10) acres, more or less, bounded by the land of John Reid, what is known as the Cross Swamp and the old County Road leading from Suffolk to Portsmouth.

The said W. H. Hale is asking that said tract of land be partioned or sold and that the funds derived from the sale of the interest of Mary Anna Hale be used to pay the debts of the said Mary Anna Hale and after paying the said W. H. Hale his courtesy right the remainder, if any, be distributed among the heirs of the said Mary Anna Hale and it appearing by affidavit filed according to law that William H. Howell, Lydia M. Howell, Alice J. Copeland, Ocelius Boone, William (Bud) Boone, Jim Boone, Octavia Gordon, Z. T. Howell, Ben Howell, Gus Jones, Rosa Parker, Laura Weaver, Harryman Weaver, Sally Weaver, Annie Norfleet, Mamie Weaver, Nancy Weaver, Ben Weaver, Preston Weaver, Alfred Weaver, Nora Weaver, Dora Weaver, are not residents of the State of Virginia and that there may be other parties interested whose names are unknown, it is ordered that they do appear within ten (10) days after due publication hereof and do what may be necessary to protect their interest in this suit. And it is further ordered that a copy hereof be published once a week for four successive weeks in the Suffolk News-Herald and that a copy be posted at the front door of the Courthouse of this County on or before the 15th day of February, 1932, that being the next succeeding Rule Day after this order was entered.

JOHN H. POWELL, Clerk.
S. E. Everett, p.q. feb.10-17-24;m3

A true copy, Teste:
JOHN H. POWELL, Clerk.
By EVELYN HARRIS, D. C.

EVERY AFTERNOON EXCEPT SUNDAY

ASSOCIATED PRESS SERVICE

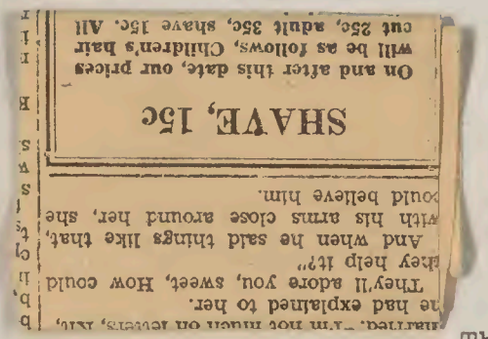
THE SUFFOLK NEWS-HERALD

PUBLISHED BY
THE SUFFOLK NEWS COMPANY, INCORPORATED

SUFFOLK, VA.

H. STUART LEWIS, PRESIDENT
H. P. GUERRANT, GENERAL MANAGER
C. J. RIDDICK, JR., BUSINESS MANAGER
W. C. JOHNSTON, EDITOR

May 18, 1932



SHAVE, 15c

On and after this date, our prices will be as follows, Children's hair cut 25c, adult 35c, shave 15c. All

And when he said things like that, with his arms close around her, she could believe him.

They'll adore you, sweet, How could he had explained to her.

they help it?"

This is to certify that the attached order of publication in the matter of W. H. Hale against W. H. Hale, administrator of Mary Anna Hale, deceased, William H. Howell, and others, was duly published in the Suffolk News Herald, once a week for four successive weeks, namely February 10th, 17th, 24th and March 2nd, 1932.

THE SUFFOLK NEWS COMPANY, INC.,

By C. J. Riddick Jr.

The Suffolk News-Herald is the best advertising medium for the trading territory comprising the City of Suffolk, Nansemond, Isle of Wight and Southampton Counties, Virginia, Gates and Hertford Counties in North Carolina. The Suffolk News-Herald is a consolidation of The Suffolk News, Established in 1923, and The Suffolk Herald, Established 1873, and is the only Newspaper Published in Suffolk, Virginia.

W. H. Hale.....Complainant

vs. AFFIDAVIT

W. H. Hale, Administrator of Mary Anna Hale, deceased, William H. Howell, Lydia M. Howell, Alice J. Copeland, Ocelius Boone, William (Bud) Boone, Jim Boone, Octavia Gordon, Z. T. Howell, Ben Howell, Gus Jones, Rosa Parker, Laura Weaver, Harryman Weaver, Sally Weaver, Annie Norfleet, Mamie Weaver, Nancy Weaver, Ben Weaver, Preston Weaver, Alfred Weaver, Nora Weaver, Dora Weaver, and the unknown heirs at law of Mary Anna Hale, deceased.....Defendants

STATE OF VIRGINIA,

City of Suffolk, to-wit:

This day W. H. Hale, the above named complainant, personally appeared before me, S. E. Everett, a Notary Public, in and for the State and City aforesaid, in my City, and made oath that William H. Howell, Lydia M. Howell, Alice J. Copeland, Ocelius Boone, William (Bud) Boone, Jim.Boone, Octavia Gordon, Z. T. Howell, Ben Howell, Gus Jones, Rosa Parker, Laura Weaver, Harryman Weaver, Sally Weaver, Annie Norfleet, Mamie Weaver, Nancy Weaver, Ben Weaver, Preston Weaver, Alfred Weaver, Nora Weaver and Dora Weaver, the above named defendants, are not residents of the State of Virginia, that there may be other parties in this suit whose names are unknown, and that the last known address of the following defendants were; William H. Howell, Box 20, Caldwell, Georgia; Jim Boone, 4025 Sansome Street, Philadelphia, Pa; Ben Howell, Hertford, N. C.; Gus Jones, Morris, Georgia; Laura Weaver, Harryman Weaver, Sally Weaver, Annie Norfleet, Mamie Weaver, Nancy Weaver, Ben Weaver, Preston Weaver, Alfred Weaver, Nora Weaver and Dora Weaver, Hertford, N. C.; and the address of the other defendants and the unknown heirs at law of Mary Anna Hale, deceased, are unknown.

Given under my hand this 10th day of February, 1932.

My commission expires the 24th day of July, 1933.

S. E. Everett

Notary Public

W. H. Hale.....Complainant

vs. AFFIDAVIT

W. H. Hale, Admr. etc. et als
Defendants

Filed the 10 day of February,
1932
John H. Russell Clerk

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Nansemond.

W. H. Hale ..... Pltff.
vs.
W. H. Hale, Admr. etc. ..... Df't
} In Chancery

I hereby certify that on the 10th day of Feb. 1932 I posted a copy of the order of publication entered herein, at the front door of the Courthouse of the County of Nansemond; that being on or before the next succeeding rule day after said order was entered, and I further certify that I have mailed a copy of same to the last known address of the defendant.

Given under my hand this 10th day of Feb. 1932

John H. Hamer, Clerk.

By ....., Deputy Clerk.

VIRGINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF NANSEMOND COUNTY, ON THE 10TH DAY OF FEBRUARY, 1932.

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A true copy: Test: [illegible] Clerk

S. E. Everett, p.q.

JOHN H. POWELL
CLERK OF CIRCUIT COURT OF
NANSEMOND COUNTY
SUFFOLK, VA.

SUFFOLK
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VA.

Ben Howell

Hertford,

N. C.

UNCLAIMED
DECEASED
MOVED LEFT
NO SUCH POST

HERTFORD
FEB 25
12 M
N.C.
1932

VIRGINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF NANSEMOND COUNTY, ON THE 10TH DAY OF FEBRUARY, 1932.

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A true Copy: John H. Powell, Clerk

S. E. Everett, p.q.

JOHN H. POWELL
CLERK OF CIRCUIT COURT OF
NANSEMOND COUNTY
SUFFOLK, VA.

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Mamie Weaver
Hertford,
N. C.

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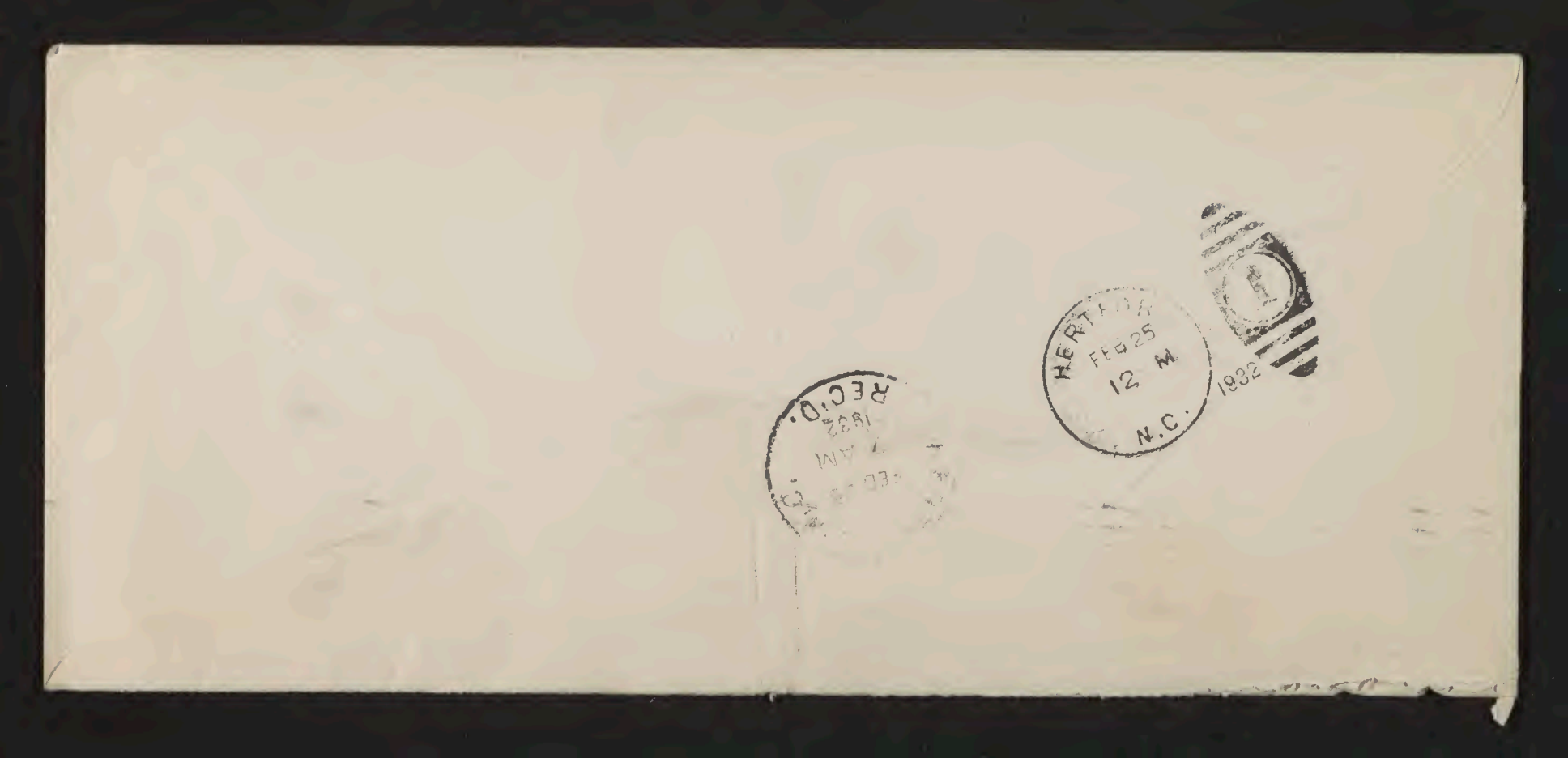
HERTFORD
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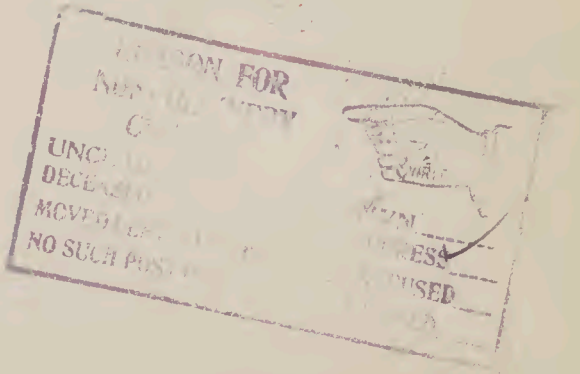
A true Copy. John H. Hanbee Clerk

S. E. Everett, p.q.

JOHN H. POWELL
CLERK OF CIRCUIT COURT OF
NANSEMOND COUNTY
SUFFOLK, VA.

Harryman Weaver
Hertford,
N. C.



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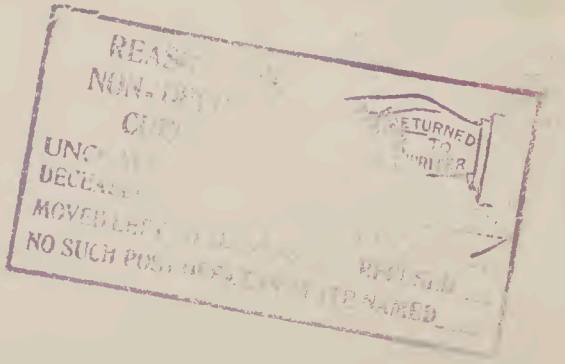
A true copy. John N. Leonard, Clerk

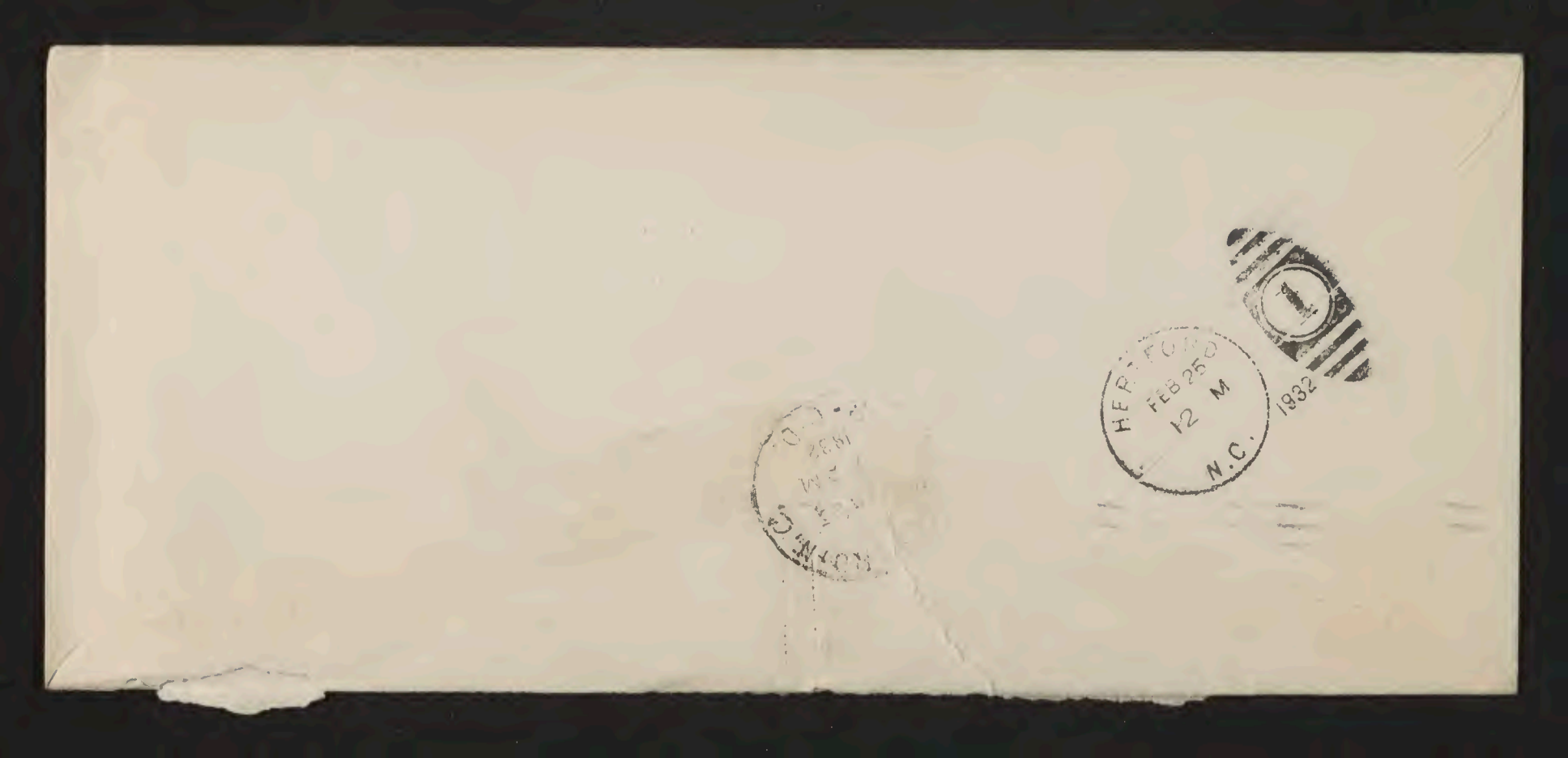
S. E. Everett, p.q.

JOHN H. POWELL
CLERK OF CIRCUIT COURT OF
NANSEMOND COUNTY
SUFFOLK, VA.

FEB 6 VA.

Laura Weaver
Hertford,
N. C.

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A true Copy. John H. Powell, Clerk

S. E. Everett, P.Q.

JOHN H. POWELL
CLERK OF CIRCUIT COURT OF
NANSEMOND COUNTY
SUFFOLK, VA.

RETURN TO WRITER
REASON FOR NON-DELIVERY CHECKED
Unclaimed ..... Unknown .....
Declined ..... For better address.....
Moved, Left no address..... Refused .....
No such post office in state named.....

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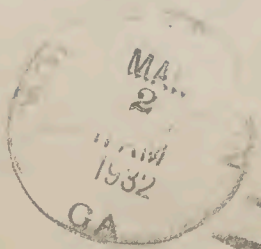
Gus Jones

Morris

Georgia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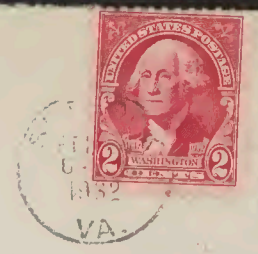
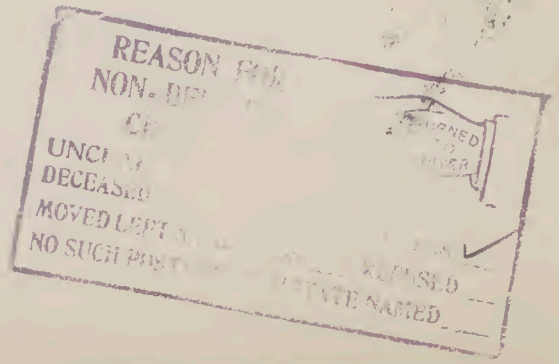


Nora Weaver
Hertford,
N. C.



N.C.

HERTFORD
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N.C.

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A Tree Copy: Test: J. H. Parker Clerk

S. E. Everett, p.q.

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SUFFOLK, VA.

Dora Weaver

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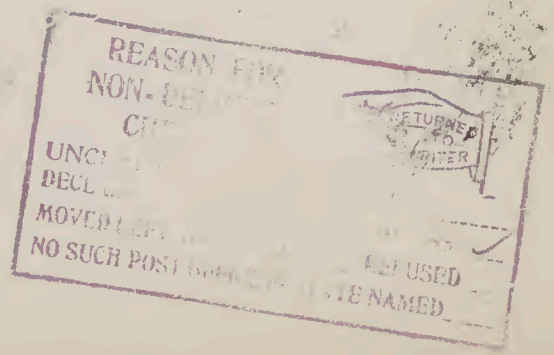

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W. H. Hale.....Complainant

vs. INCHANCERY

W. H. Hale, Administrator of Mary Anna Hale, deceased, William H. Howell, Lydia M. Howell, Alice J. Copeland, Ocelius Boone, William (Bud) Boone, Jim Boone, Octavia Gordon, Z. T. Howell, Ben Howell, Gus Jones, Rosa Parker, Laura Weaver, Harryman Weaver, Sally Weaver, Annie Norfleet, Mamie Weaver, Nancy Weaver, Ben Weaver, Preston Weaver, Alfred Weaver, Nora Weaver, Dora Weaver, and the unknown heirs at law of Mary Anna Hale, deceased.....Defendants

The object of the above styled suit is as follows: Mary Anna Hale died January 12, 1929, owning a half interest along with her husband, W. H. Hale, in a small tract of land in Sleepy Hole District, Nansemond County, Virginia, containing ten (10) acres, more or less, bounded by the land of John Reid, what is known as the Cross Swamp and the old County Road leading from Suffolk to Portsmouth.

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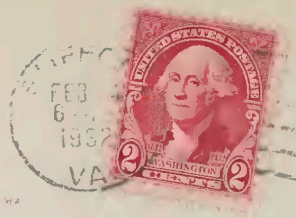
A True Copy. John H. Mann. Clerk

S. E. Everett, p.q.

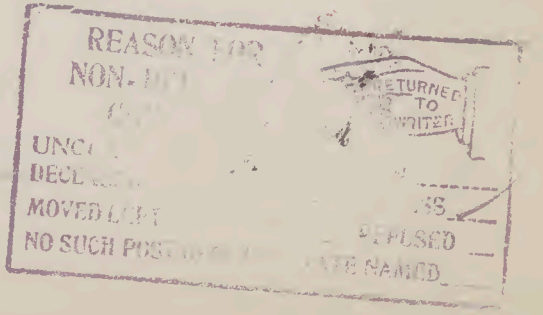
JOHN H. POWELL
CLERK OF CIRCUIT COURT OF
NANSEMOND COUNTY
SUFFOLK, VA.



~~Preston~~ Weaver

Hertford,

N. C.



HERTFORD
FEB 25
12 M
N.C.

VIRGINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF NANSEMOND COUNTY; ON THE 10TH DAY OF FEBRUARY, 1932.

W. H. Hale.....Complainant

vs. IN CHANCERY

W. H. Hale, Administrator of Mary Anna Hale, deceased, William H. Howell, Lydia M. Howell, Alice J. Copeland, Ocelius Boone, William (Bud) Boone, Jim Boone, Octavia Gordon. Z. T. Howell, Ben Howell, Gus Jones, Rosa Parker, Laura Weaver, Harryman Weaver, Sally Weaver, Annie Norfleet, Mamie Weaver, Nancy Weaver, Ben Weaver, Preston Weaver, Alfred Weaver, Nora Weaver, Dora Weaver, and the unknown heirs at law of Mary Anna Hale, deceased.....Defendants

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A true copy: John H. Powell, clerk

S. E. Everett, p.q.

JOHN H. POWELL
CLERK OF CIRCUIT COURT OF
NANSEMOND COUNTY
SUFFOLK, VA.

Mrs. W. H. Howell

William H. Howell

Box 20

Caldwell, Georgia

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ATLANTA

VIRGINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF NANSEMOND COUNTY, ON THE 10TH DAY OF FEBRUARY, 1932.

W. H. Hale.....Complainant

vs. INCHANCERY

W. H. Hale, Administrator of Mary Anna Hale, deceased, William H. Howell, Lydia M. Howell, Alice J. Copeland, Ocelius Boone, William (Bud) Boone, Jim Boone, Octavia Gordon, Z. T. Howell, Ben Howell, Gus Jones, Rosa Parker, Laura Weaver, Harryman Weaver, Sally Weaver, Annie Norfleet, Mamie Weaver, Nancy Weaver, Ben Weaver, Preston Weaver, Alfred Weaver, Nora Weaver, Dora Weaver, and the unknown heirs at law of Mary Anna Hale, deceased.....Defendants

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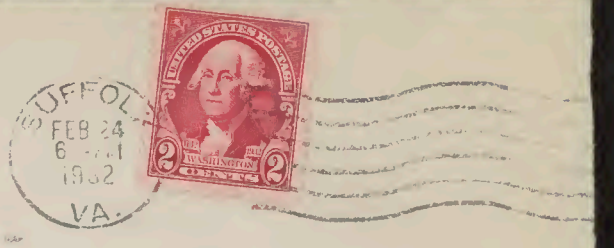
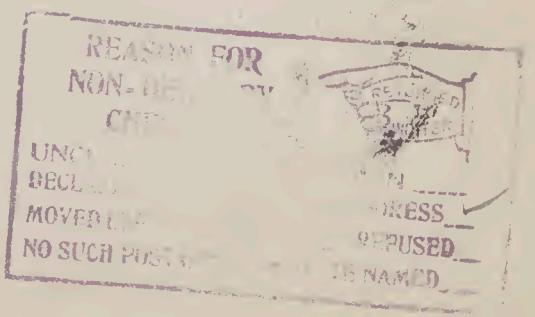
A True Copy. John A. Hanes Clerk

S. E. Everett, p.q.

JOHN H. POWELL
CLERK OF CIRCUIT COURT OF
NANSEMOND COUNTY
SUFFOLK, VA.



Sally Weaver
Hertford,
N. C.



HERTFORD
FEB 25
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1932

VIRGINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF NANSEMOND COUNTY, ON THE 10TH DAY OF FEBRUARY, 1932.

W. H. Hale.....Complainant

vs. IN CHANCERY

W. H. Hale, Administrator of Mary Anna Hale, deceased, William H. Howell, Lydia M. Howell, Alice J. Copeland, Ocelius Boone, William (Bud) Boone, Jim Boone, Octavia Gordon, Z. T. Howell, Ben Howell, Gus Jones, Rosa Parker, Laura Weaver, Harryman Weaver, Sally Weaver, Annie Norfleet, Mamie Weaver, Nancy Weaver, Ben Weaver, Preston Weaver, Alfred Weaver, Nora Weaver, Dora Weaver, and the unknown heirs at law of Mary Anna Hale, deceased.....Defendants

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A true Copy: John H. Hamlett Clerk

S. E. Everett, p.q.

JOHN H. POWELL
CLERK OF CIRCUIT COURT OF
NANSEMOND COUNTY
SUFFOLK, VA.

SUFFOLK
FEB 24
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~~Alfred Weaver~~

Hertford,

N. C.

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HERTFORD
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VIRGINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF NANSEMOND COUNTY, ON THE 10TH DAY OF FEBRUARY, 1932.

W. H. Hale.....Complainant

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A True Copy. John H. Powell-Clerk

S. E. Everett, p.q.

JOHN H. POWELL
CLERK OF CIRCUIT COURT OF
NANSEMOND COUNTY
SUFFOLK, VA.

Nancy Weaver
Hertford,
N. C.

HERTFORD N.C.
FEB 25
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1832

HERTFORD N.C.
FEB 25
7 AM
1832
REC'D.

VIRGINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF NANSEMOND COUNTY, ON THE 10TH DAY OF FEBRUARY, 1932.

W. H. Hale.....Complainant

vs. IN CHANCERY

W. H. Hale, Administrator of Mary Anna Hale, deceased, William H. Howell, Lydia M. Howell, Alice J. Copeland, Ocelius Boone, William (Bud) Boone, Jim Boone, Octavia Gordon, Z. T. Howell, Ben Howell, Gus Jones, Rosa Parker, Laura Weaver, Harryman Weaver, Sally Weaver, Annie Norfleet, Mamie Weaver, Nancy Weaver, Ben Weaver, Preston Weaver, Alfred Weaver, Nora Weaver, Dora Weaver, and the unknown heirs at law of Mary Anna Hale, deceased.....Defendants

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A true copy. John W. Powell - Clerk

S. E. Everett, p.q.

JOHN H. POWELL
CLERK OF CIRCUIT COURT OF
NANSEMOND COUNTY
SUFFOLK, VA.

SUFFOLK
FEB 24
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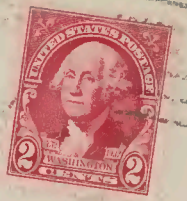

Ben Weaver
Hertford,
N. C.

REASON [illegible]
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HERTFORD
FEB 25
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N.C.
1932

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 300. Code 1919, Sec. 6061

The Commonwealth of Virginia,

To the Sheriff of the County of Nansemond, *Greeting:*

WE COMMAND YOU, That you summon W. H. Hale, Administrator of Mary Anna Hale, deceased, William H. Howell, Lydia M. Howell, Alice J. Copeland, Ocelius Boone, Willian (Bud) Boone, Jim Boone, Octavia Gordon, Z. T. Howell, Ben Howell, Gus Jones, Rosa Parker, Laura Weaver, Harryman Weaver, Sally Weaver, Annie Norfleet, Mamie Weaver, Nancy Weaver, Ben Weaver, Preston Weaver, Alfred Weaver, Nora Weaver, Dora Weaver, and the unknown heirs at law of Mary Anna Hale, deceased.

to appear at the Clerk's office of the Circuit Court of the County of Nansemond at the rules to be held for the said Court on the third Monday in March, 1932, to answer a bill in chancery, exhibited against them in our said Court by W. H. Hale

Please send me a copy of your Bill.

And have then there this writ. Witness John H. Powell, Clerk of our said Court, at the court-house, the 10th day of February, 1932, and in the 156th year of the Commonwealth.

John H. Powell, Clerk
By Evelyn Harris, D. C.

Copy for:

Form No. 300

Lydia M. Howell
2509 Barraud Ave.
Norfolk, Va.

vs. } SUBPOENA IN CHANCERY

.....

.....

....., *p.q.*

To Third Mon. March Rules,

Nansemond Circuit Court.

I hereby accept
service of the within
summon for Lydia
M. Howell only.
By L. Westwood
Her atty.
Feb 11th 1932

Un. St. Bonds

Summons & Motion & Bill & Exhibit etc

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 300. Code 1919, Sec. 6061

The Commonwealth of Virginia,

To the Sheriff of the County of Nansemond, *Greeting:*

WE COMMAND YOU, That you summon W. H. Hale, Administrator of Mary Anna Hale, deceased, William H. Howell, Lydia M. Howell, Alice J. Copeland, Ocelius Boone, Willian (Bud) Boone, Jim Boone, Octavia Gordon, Z. T. Howell, Ben Howell, Gus Jones, Rosa Parker, Laura Weaver, Harryman Weaver, Sally Weaver, Annie Norfleet, Mamie Weaver, Nancy Weaver, Ben Weaver, Preston Weaver, Alfred Weaver, Nora Weaver, Dora Weaver, and the unknown heirs at law of Mary Anna Hale, deceased.

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And have then there this writ. Witness John H. Powell, Clerk of our said Court, at the court-house, the 10th day of February, 1932, and in the 156th year of the Commonwealth.

John H. Powell, Clerk
By Evelyn Harris, D. C.

Original

~~Form No. 300~~

W. H. Hale

vs. } SUBPOENA IN CHANCERY

W. H. Hale, Admr,

et als.

....., *p.q.*

To Third Mon - March *Rules,*

Nansemond *Circuit Court.*

2.50 Pd

Executed on the 16th day of February 1932, within the County of Nansemond, State of Virginia, by delivering a true copy of the within summons ~~notice~~, in writing, to Alice J Copeland in person.

E B Rawles
Sheriff of Nansemond County

By J C Saylor
Deputy Sheriff of Nansemond County

Executed on the 16th day of February 1932, within the County of Nansemond, State of Virginia, by delivering a true copy of the within summons ~~notice~~, in writing, to Ocelius Boone in person.

E B Rawles
Sheriff of Nansemond County

By J C Saylor
Deputy Sheriff of Nansemond County

Executed on the 17th day of Feburary 1932, within the County of Nansemond, State of Virginia, by delivering a true copy of the within summons ~~notice~~, in writing, to Rosa Parker in person.

E B Rawles
Sheriff of Nansemond County

By J C Saylor
Deputy Sheriff of Nansemond County

Executed on the 17 day of Feburary 1932, within the County of Nansemond, State of Virginia, by delivering a true copy of the within summons ~~notice~~, in writing, to J. T. Howell in person.

E B Rawles
Sheriff of Nansemond County

By J C Saylor
Deputy Sheriff of Nansemond County

Executed on the 18th day of Feburary 1932, within the County of Nansemond, State of Virginia, by delivering a true copy of the within summons ~~notice~~, in writing, to William (Bud) Boone in person.

E B Rawles
Sheriff of Nansemond County

By J C Saylor
Deputy Sheriff of Nansemond County

Sheriff's fee
Paid J C T

S. E. EVERETT
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

February 9, 1932

Hon. John H. Powell, Clerk
Circuit Court of Nansemond County
Suffolk, Virginia

Dear Sir:

I am herewith enclosing a memorandum, order of publication, etc. in the case of W. H. Hale vs. W. H. Hale, Admr. et als.

You might issue summons and try some of these defendants at the following addresses: Alice J. Copeland, and Ocelius Boone near Lumris, Nansemond County, Virginia; William Boone near Magnolia; Z. T. Howell near Cleopus; Rosa Parker near Creek Bridge; Lydia M. Howell, Norfolk. Give me Lydia M. Howell and I will see if I can locate her.

Very truly yours,

S. E. Everett

SEE:H

TO THE HONORABLE JOHN H. POWELL, CLERK OF THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA:

W. H. Hale.....Complainant

vs. IN CHANCERY

W. H. Hale, Administrator of Mary Anna Hale, deceased, William H. Howell, Lydia M. Howell, Alice J. Copeland, Ocelius Boone, William (Bud) Boone, Jim Boone, Octavia Gordon, Z. T. Howell, Ben Howell, Gus Jones, Rosa Parker, Laura Weaver, Harryman Weaver, Sally Weaver, Annie Norfleet, Mamie Weaver, Nancy Weaver, Ben Weaver, Preston Weaver, Alfred Weaver, Nora Weaver and Dora Weaver, and the unknown heirs at law of Mary Anna Hale, deceased.....Defendants

Issue summons to (Second Rules) Third Monday in February, 1932.

p.q.

Filed Feb 10, 1932
John H. Howell Clerk

W. H. Hale.....Compäainant

vs. RECEIPT

W. H. Hale, etc. et als.....Defendants

Received of S. E. Everett, Special Commissioner, the sum of

Seven · Dollars, for Deed.

Date: June 27, 1932.

W. H. Hale.....Complainant

vs. RECEIPT

W. H. Hale, etc. et als.....Defendants

Received of S. E. Everett, Special Commissioner, the sum of

Fifteen Dollars, for Final Court Attorney

June 24, 1932 John K Hutton

Date:

W. H. Hale.....Compaaainant

vs. RECEIPT

W. H. Hale, etc. et als.....Defendants

Received of S. E. Everett, Special Commissioner, the sum of Eighteen Dollars, for Order Publication

Date: June 27, 1932.

Suffolk News Co
By Daniel C. Boone

S. E. Everett p. q.

Copy of Costs
Taxed in the Suit of:

W. H. Hale

vs.

W. H. Hale, Admr. et als

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA

Writ Tax	
Clerk	
Sheriff	
Attorney	
Commissioner	
Printer, for Order of Publication, etc.	
Deposit	$10.00

Required

Date of Judgment or Final Decree 193

Paid June 16 1932 John W. Powell, Clerk
By Evelyn Harris, D. Clerk

TO THE HONORABLE JAMES L. MCLEMORE JUDGE OF THE CIRCUIT -

CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA:

W. H. Hale.....Complainant.

vs. REPORT OF SPECIAL COMMISSIONER

W. H. Hale, Administrator of Mary Anna Hale, deceased, et als.....Defendants.

Your Special Commissioner, S. E. Everett, in the above styled case respectfully submits to your Honor the following report in accordance with a decree entered in this cause on the 16th day of June, 1932. Your Special Commissioner, S. E. Everett, executed a deed conveying the said land mentioned and described in the proceedings to the purchaser, Garland Pinner and received from the said Garland Pinner the sum of.....$50.00

Your Special Commissioner made the following disbursements and herewith files vouchers for same:

John H. Powell, Clerk of Circuit Court	$10.00	
Suffolk News Company, Inc., Order of Publication	18.00	
John K. Hutton, Commissioner in Chancery	15.00	
S. E. Everett, writing deed	7.00	
	$50.00	$50.00

Respectfully submitted,

S. E. Everett

Special Comm.

W. H. Hale.....Complainant

vs. REPORT

W. H. Hale, Admr. of Mary Anna Hale, deceased, et als.....
Defendants.

Filed the 27th day of June, 1932

J. L. M.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA:

W. H. Hale.....Complainant

vs. DECREE

W. H. Hale, Administrator of Mary Anna Hale, deceased, et als.....Defendant s

This cause came on again this day to be heard on the papers formerly read and on the report of John K. Hutton, Special Commissioner, filed on the 1st day of June, 1932, to which report there is no exception and was argued by counsel.

On consideration whereof, the court doth approve and confirm the said report,and it appearing from said report that the said real estate mentioned in the bill cannot be conveniently partitioned in kind among the parties entitled thereto, by reason of the fact that it is a small tract of land and no heir desires his or her share allotted and that the said interest of Mary Anna Hale is subject to the curtesy right of W. H. Hale and that the interest of all would be promoted by the sale of Mary Anna Hale's interest subject to the curtesy right of W. H. Hale, her husband, and it further appearing that W. H. Hale is sixty-six years old and that Garland Pinner has offered $50.00 for Mary Anna Hale's right subject to the curtesy right of the said W. H. Hale, and it appearing from said report and depositions therewith returned that said offer of $50.00 is a fair price for said property, the court doth adjudge, order and decree that S. E. Everett,who is appointed Special Commissioner for the purpose,convey with Special Warranty to the said Garland Pinner for the sum of $50.00 the one-half interest of Mary Anna Hale, deceased, subject to the curtesy right of W. H. Hale, her husband, in the following described property:

All that certain tract of land situated in Sleepy Hole District, Nansemond County, Virginia, containing ten (10) acres, more or less, described as follows: Commencing on the old county road at a stake and corner of the land of John Reid; thence running Northwest along the land of John Reid in a straight line by a white oak to a gum tree on or near the land of the A.C.L. Railroad; thence across said Rail-

road by a gum to a stake on the line of the Cross Swamp; thence Northeast 478 feet to a stake dividing the Hale tract from the High tract; thence East in a straight line to a stake on the said county road; thence down said county road towards Suffolk, to the point of the beginning.

It being the same land conveyed to W. H. Hale and Mary Anna Hale by Jacob High and Rosa High by deed duly executed on the 16th day of November, 1906, and recorded in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, on the 23rd day of April, 1908, in Deed Book 64, page 542.

And it is further ordered that the said S. E. Everett, Special Commissioner, pay the costs in these proceedings including a fee to the said S. E. Everett, Attorney who instituted these proceedings, then pay the remainder of the said $50.00 to Lakeview Hospital on a bill of $33.00 which was a debt against the said Mary Anna Hale, and the said Special Commissioner is directed to make a report to the Court of his transactions in this cause.

It is further adjudged, ordered and decreed that S. E. Everett, Special Commissioner, shall have no power to execute this decree until he shall enter into bond with sufficient security in the Clerk's Office of this Court, payable to the Commonwealth of Virginia, in the penalty of $/OO—, conditioned upon the faithful discharge of his duties under this decree, or any further decree that may be entered herein.

W. H. Hale.....Complainant

vs DECREE

W. H. Hale, Admr. etc. et als.
Defendants

Enter the 16 day of June, 1932

Jas. L. McClure

Entered in Chancery Order Book
NO. 6 page 503.

This deed, make this 16th day of November, 1906, between William H. Hale and Mary Anna Hale of Nansemond County, Virginia, parties of the first part, and Jacob High and Rosa High of said County and state, parties of the second part:

Witnesseth, that, whereas the said parties to this deed, are seised in fee simple of, and have equal shares as tenants in common in, a certain lot, piece, or parcel of land lying and being in the county of Nansemond, and described as follows: to-wit:

Situated on the south of what is known as Drivers in Nansemond County, Virginia, on the county road leading from Suffolk to Portsmouth by route of Drivers, and adjoining the lands of John Reid, the Poor Farm, The Lee Farm, and Cross Swamp. It being the same property conveyed to the said parties to this deed by deed dated January 6th, 1902, executed by George C. Reid and others, and recorded in the Clerk's Office of the Circuit Court of Nansemond County, in Deed Book 53, page 182. A plat of said property is herewith attached and made a part of said deed.

Now, therefore, to the end and intent that a perfect partition may be had and made by and between the said parties of the said lot, piece, or parcel of land, they, the said William H. Hale and Mary Anna Hale and Jacob High and Rosa High, by their own mutual consent and agreement, have and do hereby make partition of the same in manner following: The said William H. Hale and Mary Anna Hale shall have for their part and portion of the said land all that part thereof described as follows:

Commencing on the said county road at a stake and corner of the land of John Reid; thence running north-west along the land of John Reid in a straight line by a white oak to a gum tree on or near the land of the A. C. L. Railroad; thence across said Railroad by a gum to a chinqua-pin stake on the

line of the Cross Swamp; thence north-east 478 feet to a stake dividing the Hale tract from the High tract; thence east in a straight line to a stake on the said county road; thence down said county road towards Suffolk to the point of the beginning, and divided from the portion of the said Jacob High and Rosa High. And the said Jacob High and Rosa High shall have for their part and portion of the said lot, piece, or parcel of land, all that part thereof described as follows:

Commencing at a stake on the said county road at the corner of the Cross Swamp land, and running north-west along the Cross Swamp to a stake at the rear of said property; thence running south 385 feet to a stak e marking the dividing line between the said Hale and the said High; thence east along the line of the said Hale to a stake on the said county road; thence up the said county road towards Drivers to the point of the beginning, and dividdg from the portion of the said William H. Hale and Mary Anna Hale. And the said William H. Hale and Mary Anna Hale in consideration of the provisions contained in this deed, do grant unto the said Jacob High and Rosa High, with special warranty, the above described property, to-wit:

Commencing at a stake on the said county road at the corner of the Cross Swamp land, and running north-west along the Cross Swamp to a stake at the rear of said property; thence running south 385 feet to a stake marking the dividing line between the said Hale and the said High; thence east along the line of the said Hale to a stake on the said county road; thence up the said county road towards Drivers to the point of the beginning.

And the said Jacob High and Rosa High in consideration of the provisions contained in this deed, do grant unto the said William H. Hale and Mary Anna Hale, with special warranty, the above described property, to-wit:

Commencing on the said county road at a stake and corner of the land of John Reid; thence running north-west along the land of John Reid in a straight line by a white oak to a gum tree on or near the land of the A. C. L. Railroad; thence across said Railroad by a gum to a chinqua-pin stake on the line of the Cross Swamp; thence north-east 478 feet to a stake dividing the Hale tract from the High tract; thence east in a straight line to a stake on the said county road; thence down said county road towards Suffolk to the point of the beginning.

Witness the following signatures and seals;

Witness:
H. C. Ennett

William H. Hale (Seal)
his
Mary Anna Hale (Seal)
mark
Jacob High (Seal)
his
Rosa High (Seal)
mark

STATE OF VIRGINIA,
County of Nansemond to-wit:

I, H. C. Ennett, a Notary Public for the county aforesaid, in the State of Virginia, do certify that William H. Hale, Mary Anna Hale, Jacob High, and Rosa High whose names are signed to the writing hereunto annexed, bearing date the 16th day of November, 1906, have acknowledged the same before me in my county aforesaid. Given under my hand this 23rd day of April, 1908. My term of office expires July 21, 1911.

H. C. Ennett
Notary Public.

In the Office of the Clerk of the Circuit Court for the County of Nansemond the 23rd day of April 1908:

This Deed was presented with the plat annexed and with the Certificate annexed and admitted to record.

Teste: R R Smith Clerk
By A P Gomey D.C

Harland Primes
Aguilla "

$8000

$1300

U. S. Stamps
$2.75 Partition Deed.
Jacob Triplett + wife

Admitted to record
April 23rd 1908.

Recorded in D. B. 64
Page 542.
1908 Apl 25th Examined and Verified
A. P. Gomez J.C.

Tax 50
Fee 1.25
Plat 1.00
Paid $2.75

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

W. H. Hale.....Complainant

vs. DECREE

W. H. Hale, Administrator of Mary Anna Hale, deceased, William H. Howell, Lydia M. Howell, Alice J. Copeland, Ocelius Boone, William (Bud) Boone, Jim Boone, Octavia Gordon, Z. T. Howell, Ben Howell, Gus Jones, Rosa Parker, Laura Weaver, Harryman Weaver, Sally Weaver, Annie Norfleet, Mamie Weaver, Nancy Weaver, Ben Weaver, Preston Weaver, Alfred Weaver, Nora Weaver and Dora Weaver, and the unknown heirs at law of Mary Anna Hale, deceased.....Defendants

This cause in which the complainant appears to have proceeded in the mode prescribed by law against the non-resident defendants, William H. Howell, Lydia M. Howell, Alice J. Copeland, Ocelius Boone, William (Bud) Boone, Jim Boone, Octavia Gordon, Z. T. Howell, Ben Howell, Gus Jones, Rosa Parker, Laura Weaver, Harryman Weaver, Sally Weaver, Annie Norfleet, Mamie Weaver, Nancy Weaver, Ben Weaver, Preston Weaver, Alfred Weaver, Nora Weaver, and Dora Weaver, and as to the unknown heirs at law of Mary Anna Hale, deceased, and the bill taken for confessed ~~by~~ as to Lydia M. Howell, Alice J. Copeland, Ocelius Boone, Rosa Parker, Z. T. Howell, ~~and~~ William (Bud) Boone, and W. H. Hale, Administrator upon whom process was executed, ~~and on the answer of W. H. Hale, Administrator of Mary Anna Hale, deceased~~, to ~~said bill, to which answer the complainant replied generally~~ and was argued by counsel:

On consideration whereof, the court doth adjudge, order and decree that this cause be referred to one of the commissioners of this court, who is directed to make the following inquiries and take the following accounts and report thereon to the court; and he will also report to the court any other matter, specially stated, deemed pertinent by himself or required by any party to be stated:

1. An account of the personal estate of Mary Anna Hale, deceased, which came or should have come to the hands of W. H. Hale, her Administrator.

2. An account of the transactions of W. H. Hale, Administrator of Mary Anna Hale, deceased, from the date of his qualification as such to the latest date practicable.

3. An account of the debts and demands outstanding against the said Mary Anna Hale, or her estate, with the priorities among them, and the names of the persons to whom they are due.

4. Who are the persons entitled to the personal estate of Mary Anna Hale, deceased; what are their several shares or interests therein; and whether all such persons are properly before the court in this cause.

5. An account of the real estate of which Mary Anna Hale, died seized and possessed; where the same is situated; and what is its fee simple and annual value.

6. Who are the persons entitled to the said real estate; what are their respective shares or interests therein; and whether all such persons are properly before the court in this cause.

7. Whether the said real estate can be conveniently partitioned in kind among the persons entitled thereto in either of the modes prescribed by the statute.

8. If partition in kind as aforesaid cannot be conveniently made, whether anyone of said persons will take the whole of the said real estate and pay to the others such sums of money as their interest therein may entitle them to receive.

9. If partition in kind as aforesaid cannot be conveniently made, and none of said persons will take the whole subject and pay the others for their shares, whether the interest of the persons who are entitled to the said real estate will be promoted, by a sale of the whole thereof and a distribution of the proceeds among them; or by the allotment of a part and a sale of the residue.

10. If said real estate is partitioned please state the

value of the one-half fee simple interest in the property of Mary Anna Hale, subject to the courtesy right of her husband, W. H. Hale, and further report the age of the said W. H. Hale.

W. H. Hale.....Complainant

vs. DECREE

W. H. Hale, Admr. etc., et als..
Defendants

Enter the 19th day of May, 1932.

Jas. L. McLemore

Entered in Chancery Order Book
No. 6 page 496.

VIRGINIA, IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF NANSEMOD COUNTY, ON THE 10th DAY OF FEBRUARY, 1932

W. H. Hale.....Complainant

vs. IN CHANCERY

W. H. Hale, Administrator of Mary Anna Hale, deceased, William H. Howell, Lydia M. Howell, Alice J. Copeland, Ocelius Boone, Willian (Bud) Boone, Jim Boone, Octavia Gordon, Z.T.Howell, Ben Howell, Gus Jones, Rosa Parker, Laura Weaver, Harryman Weaver, Sally Weaver, Annie Norfleet, Mamie Weaver, Nancy Weaver, Ben Weaver, Preston Weaver, Alfred Weaver, Nora Weaver, Dora Weaver, and the unknown heirs at law of Mary Anna Hale, deceased.....Defendants

The object of the above styled suit is as follows: Mary Anna Hale died January 12, 1929, owning a half interest along with her husband, W. H. Hale, in a small tract of land in Sleepy Hole District, Nansemond County, Virginia, containing ten (10) acres, more or less, bounded by the land of John Reid, what is known as the Cross Swamp and the old County Road leading from Suffolk to Portsmouth.

The said W. H. Hale is asking that said tract of land be partitioned or sold and that the funds derived from the sale of the interest of Mary Anna Hale be used to pay the debts of the said Mary Anne Hale and after paying the said W. H. Hale his courtesy right the remainder, if any, be distributed among the heirs of the said Mary Anna Hale and it appearing by affidavit filed according to law that William H. Howell, Lydia M. Howell, Alice J. Copeland, Ocelius Boone, William (Bud) Boone, Jim Boone, Octavia Gordon, Z. T. Howell, Ben Howell, Gus Jones, Rosa Parker, Laura Weaver, Harryman Weaver, Sally Weaver, Annie Norfleet, Mamie Weaver, Nancy Weaver, Ben Weaver, Preston Weaver, Alfred Weaver, Nora Weaver, Dora Weaver, are not residents of the State of Virginia and that there may be other parties interested whose names are unknown,

it is ordered that they do appear within ten (10) days after due publication hereof and do what may be necessary to protect their interest in this suit. And it is further ordered that a copy hereof be published once a week for four successive weeks in the Suffolk News Herald and that a copy be posted at the front door of the Courthouse of this County on or before the 15th day of February, 1932, that being the next succeeding Rule Day after this order was entered.

John H. Powell, Clerk.

S. E. Everett, p. q.

W. H. Hale.....Complainant

vs. IN CHANCERY

W. H. Hale, Admr. etc. et als.
Defendants

Filed
Enter the 18th day of February,
1932.
John R. Howell - Clerk

Entered in Chancery Order Book,

No._____page_____.

VIRGINIA:

IN THE CIRCUIT COURT OF NANSEMOND COUNTY:

W. H. Hale.....Complainant

v. REPORT

W. H. Hale, Administrator of Mary Anna Hale, deceased, et als.....Defendants.

Commissioner's Office,
Suffolk, Virginia.

In pursuance of the decree of the Circuit Court of Nansemond County, pronounced on the 19th day of May, 1932, in the suit in chancery pending in said court between W. H. Hale, complainant, and W. H. Hale, Administrator of Mary Anna Hale, deceased, and others, defendants; the undersigned, John K. Hutton, one of the commissioners in chancery of said court, respectfully reports as follows:

That on the 20th day of May, 1932, your commissioner gave notice to the parties to the said suit, save and except the non-resident defendants, that on the 25th day of May, 1932, at the office of S. E. Everett, Esq., in the Brewer Building, Suffolk, Virginia, between the hours of 10:00 A. M. and 5:00 P. M., he would proceed to make the several inquiries required by the said decree to be made by one of the commissioners in chancery of said Court.

That due, legal and sufficient notice of the making of said inquiries was accepted by all the parties to the suit, except the non-residents by counsel, as will appear by the notice herewith returned.

That S. E. Everett, attorney for W. H. Hale, and others, was present at the making of said inquiries.

That on the 25th day of May, 1932, at the said office of S. E. Everett, your commissioner took the depositions of W. H. Brinkley, R. Moore Williams, D. L. Harrell, W. H. Hale, Octavia Goodwin and Garland Pinner, which depositions, with exhibits, are herewith returned.

That from the testimony of said witnesses and from in-

formation otherwise obtained, your commissioner reports as follows:

1. The evidence discloses that Mary Anna Hale left no personal estate.

2. There are no debts except as hereinafter mentioned, W. H. Hale having paid the funeral expenses amounting to $250.00 and having waived any claim against the estate for said amount.

3. The debts and demands against the estate of Mary Anna Hale consist of the sum of $33.00 due Lakeview Hospital for services rendered Mary Anna Hale in December, 1926, not in her last illness. The said Mary Anna Hale died January 12, 1929, and her administrator qualified on March 22, 1930.

There are delinquent taxes against said tract of land for 1930 amounting to $13.05 plus interest and penalties. The taxes for 1932 will amount to $8.70.

4. The heirs at law of Mary Anna Hale, are as follows:

W. H. Howell, brother; Lydia M. Howell, sister; Alice J. Copeland, Ocelius Boone, William (Bud) Boone and Jim Boone, the children of Sarah Boone, deceased, who was a sister of Mary Anna Hale; Octavia Gordon, Z. T. Howell, Ben Howell, Gus Jones and Rosa Parker, the children of Joe Anna Howell, deceased, who was a sister of Mary Anna Hale; Laura Weaver, Harryman Weaver, Sallie Weaver, Annie W. Norfleet, Mamie Weaver, Nancy Weaver, Ben Weaver, Preston Weaver, Alfred Weaver, Nora Weaver and Dora Weaver, the children of Eva Weaver, deceased, who was a daughter of the said Joe Anna Howell. A memorandum marked "Memo" showing more clearly the relationship of the parties is hereto attached.

The above mentioned parties together with W. H. Hale, Administrator of Mary Anna Hale, are properly before the Court, some by order of publication as non-residents and others by service of process.

5. The said Mary Anna Hale died seised and possessed of an undivided one-half interest in that certain tract of land in

Nansemond County, Virginia, fully described in the bill of complaint.

The fee simple value of said tract of land is from $250.00 to $300.00; its annual value is from $25.00 to $36.00.

6. The sixth inquiry is answered in the paragraph of this report numbered "4".

7. The said real estate cannot be conveniently divided in kind among the parties entitled thereto.

8. Garland Pinner, at the request of W. H. Hale, will take the one-half undivided interest of Mary Anna Hale in the aforesaid tract of land subject to his curtesy right and will pay therefore the sum of $50.00.

9. If none of the parties will take the whole of said property and pay the others for their shares (or will take the one-half undivided interest of Mary Anna Hale subject to the curtesy right of W. H. Hale), the interest of the persons who are entitled to the said real estate will be promoted by a sale of the whole thereof and a distribution of the proceeds among them.

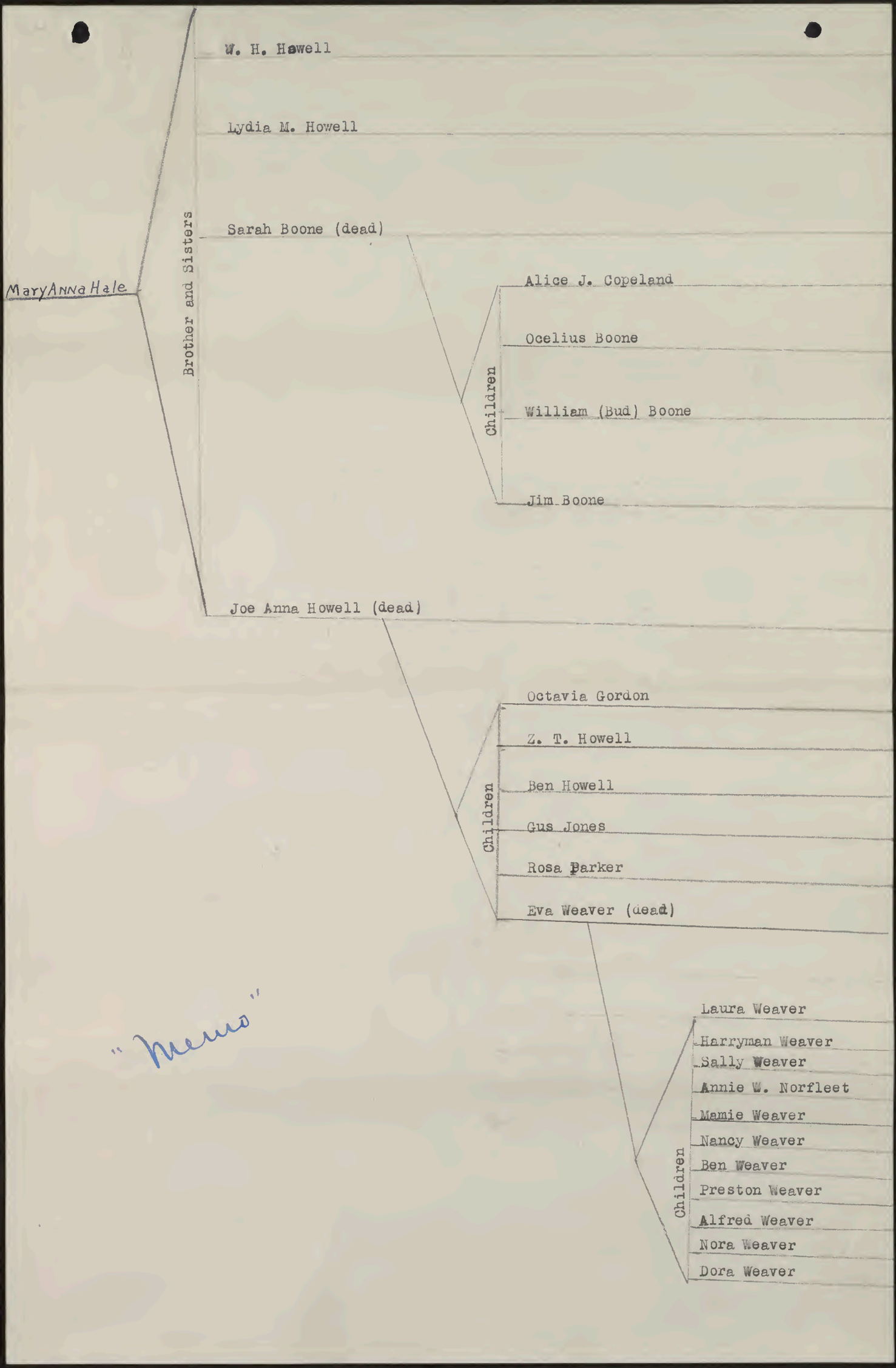
10. The age of W. H. Hale is sixty-six years. The fee simple value of the one-half undivided interest of Mary Anna Hale in said property, subject to the curtesy right of W. H. Hale, is approximately $50.00.

Respectfully submitted,

John K Hutton

Commissioner in Chancery for the
Circuit Court of Nansemond County.

June 1st, 1932


Mary Anna Hale
Brother and Sisters
W. H. Howell
Lydia M. Howell
Sarah Boone (dead)
Children
Alice J. Copeland
Ocelius Boone
William (Bud) Boone
Jim Boone
Joe Anna Howell (dead)
Children
Octavia Gordon
Z. T. Howell
Ben Howell
Gus Jones
Rosa Parker
Eva Weaver (dead)
Children
Laura Weaver
Harryman Weaver
Sally Weaver
Annie W. Norfleet
Mamie Weaver
Nancy Weaver
Ben Weaver
Preston Weaver
Alfred Weaver
Nora Weaver
Dora Weaver

TO:

W. H. Hale, W. W. Hale, Administrator of Mary Anna Hale, deceased, William H. Howell, Lydia M. Howell, Alice J. Copeland, Ocelius Boone, William (Bud) Boone, Jim Boone, Octavia Gordon, Z. T. Howell, Ben Howell, Gus Jones, Rosa Parker, Laura Weaver, Harryman Weaver, Sally Weaver, Annie Norfleet, Mamie Weaver, Nancy Weaver, Ben Weaver, Preston Weaver, Alfred Weaver, Nora Weaver, and Dora Weaver, and the unknown heirs at law of Mary Anna Hale, deceased:

You are hereby notified that on the 25th day of May, 1932, at the office of S. E. Everett, Esq., attorney at law, in the Brewer Building, Suffolk, Virginia, between the hours of 10:00 A. M. and 5;00 P. M., at which time and place you are required to attend, I shall take, state and settle the following accounts and make the following inquiries which are required to be made, taken, stated, settled and reported to court in pursuance of the decree of the Circuit Court of Nansemond County, rendered the 19th day of May, 1932, in the suit in chancery to which you are parties complainant and defendant, to-wit:

1. An account of the personal estate of Mary Anna Hale, deceased, which came or should have come to the hands of W. H. Hale, her Administrator.

2. An account of the transactions of W. H. Hale, Administrator of Mary Anna Hale, deceased, from the date of his qualification as such to the latest date practicable.

3. An account of the debts and demands outstanding against the said Mary Anna Hale, or her estate, with the priorities among them, and the names of the persons to whom they are due.

4. Who are the persons entitled to the personal estate of Mary Anna Hale, deceased; what are their several shares or interests therein; and whether all such persons are properly before the court in this cause.

5. An account of the real estate of which Mary Anna Hale died seised and possessed; where the same is situated; and what is its fee simple and annual value.

6. Who are the persons entitled to the said real estate;

what are their respective shares or interests therein; and whether all such persons are properly before the court in this cause.

7. Whether the said real estate can be conveniently partitioned in kind among the persons entitled thereto in either of the modes prescribed by the statute.

8. If partition in kind as aforesaid cannot be conveniently made, whether anyone of said persons will take the whole of the said real estate and pay to the others such sums of money as their interest therein may entitle them to receive.

9. If partition in kind as aforesaid cannot be conveniently made, and none of said persons will take the whole subject and pay the others for their shares, whether the interest of the persons who are entitled to the said real estate will be promoted, by a sale of the whole thereof and a distribution of the proceeds among them; or by the allotment of a part and a sale of the residue.

10. If said real estate is partitioned please state the value of the one-half fee simple interest in the property of Mary Anna Hale, subject to the courtesy right of her husband, W. H. Hale, and further report the age of the said W. H. Hale.

Given under my hand as Commissioner of Chancery of said Court the 20th day of May, 1932.

John K Kitts

Commissioner in Chancery.

Here, legal notice of
Service of the within notice
is hereby accepted this
20th day of May, 1932.

L. L. Howell
Atty Lydia McDowell

TO:

W. H. Hale, W. W. Hale, Administrator of Mary Anna Hale, deceased, William H. Howell, Lydia M. Howell, Alice J. Copeland, Ocelius Boone, William (Bud) Boone, Jim Boone, Octavia Gordon, Z. T. Howell, Ben Howell, Gus Jones, Rosa Parker, Laura Weaver, Harryman Weaver, Sally Weaver, Annie Norfleet, Mamie Weaver, Nancy Weaver, Ben Weaver, Preston Weaver, Alfred Weaver, Nora Weaver, and Dora Weaver, and the unknown heirs at law of Mary Anna Hale, deceased:

You are hereby notified that on the 25th day of May, 1932, at the office of S. E. Everett, Esq., attorney at law, in the Brewer Building, Suffolk, Virginia, between the hours of 10:00 A. M. and 5;00 P. M., at which time and place you are required to attend, I shall take, state and settle the following accounts and make the following inquiries which are required to be made, taken, stated, settled and reported to court in pursuance of the decree of the Circuit Court of Nansemond County, rendered the 19th day of May, 1932, in the suit in chancery to which you are parties complainant and defendant, to-wit:

1. An account of the personal estate of Mary Anna Hale, deceased, which came or should have come to the hands of W. H. Hale, her Administrator.

2. An account of the transactions of W. H. Hale, Administrator of Mary Anna Hale, deceased, from the date of his qualification as such to the latest date practicable.

3. An account of the debts and demands outstanding against the said Mary Anna Hale, or her estate, with the priorities among them, and the names of the persons to whom they are due.

4. Who are the persons entitled to the personal estate of Mary Anna Hale, deceased; what are their several shares or interests therein; and whether all such persons are properly before the court in this cause.

5. An account of the real estate of which Mary Anna Hale died seised and possessed; where the same is situated; and what is its fee simple and annual value.

6. Who are the persons entitled to the said real estate;

due, legal and sufficient service of the within notice is hereby accepted this May 20th, 1932

F. S. Howell

Rosa Parker.

Arcelaus Boone

by Wm X Reed Boone

mark

Wm Hale by Geo Pinckney

his

Geo Pinckney

what are their respective shares or interests therein; and whether all such persons are properly before the court in this cause.

7. Whether the said real estate can be conveniently partitioned in kind among the persons entitled thereto in either of the modes prescribed by the statute.

8. If partition in kind as aforesaid cannot be conveniently made, whether anyone of said persons will take the whole of the said real estate and pay to the others such sums of money as their interest therein may entitle them to receive.

9. If partition in kind as aforesaid cannot be conveniently made, and none of said persons will take the whole subject and pay the others for their shares, whether the interest of the persons who are entitled to the said real estate will be promoted, by a sale of the whole thereof and a distribution of the proceeds among them; or by the allotment of a part and a sale of the residue.

10. If said real estate is partitioned please state the value of the one-half fee simple interest in the property of Mary Anna Hale, subject to the courtesy right of her husband, W. H. Hale, and further report the age of the said W. H. Hale.

Given under my hand as Commissioner of Chancery of said Court the 20th day of May, 1932.

John K Hutton

Commissioner in Chancery.

Mr. W. H. Brinkley being duly sworn deposes as follows:

Q. Give your name, age, residence and occupation.

A. W. H. Brinkley, sixty-two years old, Driver, Virginia,

Q. Do you live near the W. H. Hale property in Driver?

A. Yes

Q. Are you familiar with it and have you recently made an examination of it.

A. I have

Q. This property was owned by Mary Anna Hale, the wife of W. H. Hale, and W. H. Hale, Mary Anna Hale is now dead and W. H. Hale owns his one-half and a life right in her one-half, and W. H. Hale is now sixty-six years of age. Please tell the Commissioner what you think the value of the property and what the remainder would be after the life right of W. H. Hale.

A. About $ 50.00, I should think.

Q. You say you do not mean his individual property please explain what you mean by that.

A. The piece of property between this and the road I understand belongs to W. H. Hale.

Q. You say being blocked off from the road as it is you consider $ 50 a good price for the property?

A. A very good price.

Q. What is the condition of the property?

A. It has grown up in bushes and the house is in very bad condition.

Q. What do you think it would sell for subject to the life right of W. H. Hale.

A. $50.00

Q. You mean the remainder would bring $50.00. In other words I mean this, W. H. Hale owns one-half of it and life right in the other one-half, what is the one-half worth after his death and what do you think it would bring?

A. Approximately $50.00

Q. Mr. Brinkley you think, as you say, $ 50.00 would be a fair price.

A. Yes

Q. Have you any doubts as to whether it would sell for this or not?

A. I really do doubt that it would bring that at Public Auction.

Q. It is handicapped on account of the foundation being cut off from the concrete?

A. Yes

Q. That was don e on account of changing the old road.

A. Yes

Q. Now what do you think would be the annual value of this place?

A. Why I suppose you might get $3.00 a month for it, $36.00 a year.

Q. Would that keep the place up.

A. Well, no.

Q. In other words if it is rented you think the house would go down and not only that but it would grow up in bushes?

A. Yes

Q. How much cleared land around the house?

A. It does not look like it is more than one acre or one and one-half acre, something like that.

Q. How much is it in all?

A. Around five acres.

And further this deponent sayeth not.

W N Brinkley

Mr. R. Moore Williams being duly sworn deposes as follows:

Q. Give your name, age, residence and occupation.

A. R. Moore Williams, forty-two years old, Superintendent of Nansemond County Schools, Residence, Driver, Virginia.

Q. Are you familiar with the W. H. Hale property which was owned by W. H. Hale and wife jointly?

A. Yes, I pass there every day, four times a day.

Q. You have looked at it recently?

A. Yes, I went over there to look at it yesterday.

Q. Mr. Williams, tell what you think about the values, etc.

A. I agree with Mr. Brinkley, I should think $300.00, that is what I thought yesterday, which would be a big price in my mind and I doubt very seriously if you could get that now at public auction, even in good times it is a fair price for the property.

Q. Give the condition of the house.

A. It is in very bad condition, I should say from the looks on the outside, I have not been inside, xhat the place is very much grown up, very neglected looking.

Q. What size house is it?

A. I do not remember but I think the house had an addition on the rear, it is a one room house with one door on the side and one room up stairs is the way it looks on the outside, there may be two rooms, very small.

Q. What do you think it would rent for?

A. I would hate to think I would get more than $25.00 a year.

Q. Would that keep up the property or would it go down at that?

A. No, it would not even repair the house, it would take six or eight years rent to put the house in shape.

Q. W. H. Hale now owns one-half and has a life right in one-half, which was his wife's, Mary Anna Hale, what would you think the Mary Anna Hale one-half would sell for subject to the life right

of W. H. Hale

A. Just looking at it and forgetting what you think you could get for it I should say $50.00.

Q. Can you say as to whether it can be conveniently partitioned among the persons entitled thereto.

A. I do not see how it could.

Q. Then do you think it would be to the interest of all parties to have the real estate sold and the proceeds applied to the debts?

A. I do

Q. Do you know whether any person interested would take the whole and pay for it?

A. No.

Q. But you do feel sure that there could not be any division that could be to the advantage of anybody.

A. I do not see how it could especially when W. H. Hale has a life right in the property.

Q. You could not very well divide this among the many heirs of Mary Anna Hale to any advantage?

A. Hardly have a shingle a piece.

And further this deponent sayeth not.

R. Moore Williams

Dr. D. L. Harrell being duly sworn deposes as follows:

Q. Give your name, age, residence and occupation.

A. Dr. D. L. Harrell, sixty years old, Suffolk, Virginia, Physician in connection with Lakeview Hospital.

Q. Did you ever treat Mary Hale or Mary Anna Hale at your hospital?

A. Yes

Q. Has the hospital bill and medical bill been paid?

A. No.

Q. What is the amount due?

A. $56.00 , I have taken the sheets out of the ledger and handed same to you for your figures. The original bill was more than this but she reduced it from time to time to $56.00.

Q. Was this in her last illness?

A. No, it was not in her last illness, the records will show it was in December 1926.

Q. I understand you to say that you did not know W. H. Hale, her husband, in connection with these charges?

A. No, she was responsible for her own bill and paid her own bill. The date of the charges on the ledger sheets represents the date the debts were contracted.

And further this deponent sayeth not.

D. L. Harrell

W. H. Hale being duly sworn deposes as follows:

Q. Give your name, age, residence and occupation.

A. W. H. Hale, sixty-six years old, Nansemond County, Oysterman.

Q. Are you the duly qualified administrator of Mary Anna Hale, your wife?

A. Yes, I qualified March 22nd, 1930.

Q. As administrator have you ever received any personal property or have any funds of any kind ever come into your hands.

A. No.

Q. What did your wife own at her death?

A. Nothing except her interest in the land.

Q. You owned a one-half interest in the same tract of land?

A. Yes

Q. Of course you are entitled to your rights as her husband in her land.

A. Yes

Q. What do you consider that piece of land owned jointly between you and your wife worth?

A. Well, in the locality it is not worth very much, probably $200.00, the whole entire thing.

Q. Are you willing to take her one-half interest?

A. Yes.

Q. At the rate of $200.00 deducting, of course, your courtesy right?

A. Yes.

Q. You have a life right in her share, you say now that you value the place at $200.00 and as long as you own one-half you would take the other one-half for $100.00 subject to your right. Would you give for that remainder, making you fee simple owner, $50.00

A. Yes, I will.

Q. I want to see if I have your idea clear, that you are willing

to pay $50.00 for your wife's interest subject to your life right, and is that all you are willing to pay?

A. Every nickel

Q. Have you paid all the funeral expenses amounting to $250.00 in full?

A. Yes

Q. You are waiving all rights to have that returned to you in the sale of this property?

A. Yes

Q. In other words you do not mean now to file that as a claim against the estate?

A. No

Q. Are there any debts against your wife or her estate that you have not paid?

A. No

Q. No claim has ever been presented to you as administrator?

A. No

Q. In other words no outstanding claim ag ainst your wife's estate.

A. None whatever. When I offered the $50.00 I mean I will pay that subject to any taxes or anything on the land because I am responsible for that anyway having a life right in it.

Q. Is there anything else that you wish to say in this matter?

A. Well, I will say this, I have offered $50.00 but I would have to borrow the $50.00 to pay it with and Garland Pinner would take it and pay it himself. I have got my rights as long as I live and do not want to get in debt. I want this remainder in my wife's property conveyed to Garland Pinner for $50.00 unless someone else makes a better offer. Garland Pinner is family connected and told me he would pay me and take the property.

And further this deponent sayeth not.

witness: [signature] his [signature] Hale mark

Octavia Gordon being duly sworn deposes as follows:

Qi Give your name, residence, age and occupation.

A. Octavia Gordon, Suffolk, Virginia, sixty-two years old, housekeeper.

Q. You know about this suit that was instituted to sell the Mary Anna Hale property.

A. Yes

Q. Do you know who gave me the names of all the heirs?

A. I did

Q. What relation were you to Mary Anna Hale?

A. Niece

Q. I am going to read the parties to this suit and you can tell the Commissioner who they are, how they are connected and whether xx they are all made parties.

William H. Howell-- brother

Lydia M. Howell-- half sister

Alice J. Copeland, Ocelius Boone, William (Bud) Boone and Jim Boone, nieces and nephews, sons and daughters of Sarah Boone, her sister, husband dead.

Octavia Gordon, Z. T. Howell, Ben Howell, Gus Jones, Rosa Parker, my mothers children, mother dead.

Laura Weaver, Harryman Weaver, Sally Weaver, Annie Norfleet, Mamie Weaver, Nancy Weaver,Ben Weaver, Preston Weaver, Alfred Weaver, Nora Weaver, and Dora Weaver. That was my sister's children, my sister, Eva, who is now dead.

Q. Are these all of the parties outside of W. H. Hale that could be interested in this affair.

A. That is all I know.

Q. As far as you know they are the only heirs?

A. Yes

Q. Are you familiar with the property?

A. I have seen the property and passed the road and seen it onee or twice, it is a xmall tract of land.

Q. Do you think it could be divided among all the parties entitled to their interest or is it better to sell and get what they can out of it.

A. I guess they would get about a penny out of it a piece.

And further this deponent sayeth not.

Octavia Gardner

Garland Pinner being duly sworn deposes as follows:

Q. Give your name, age,residence and occupation?

A. Garland Pinner, thirty years old, Nansemond County, working with the Government.

Q. W. H. Hale has stated that you are willing to take the Mary Anna Hale property subject to his life right for $50.00. You will please confirm this if you so desire.

A. Yes. I have agreed to help him out, we have been knowing each other a long time and very friendly and I am willing to take it at $50.00. Hale has it all except this and he said he did not have the money and wanted me to take it. If the court desires to have the property conveyed to me I will be ready at any time to close it by paying cash.

Q. Do you know of anybody that would give any more for it?

A. I do not. I do not think anybody is interested except W. H. Hale and myself. The Mary Anna Hale property is separated from the concrete road by a small strip of land about one acre wide owned by W. H. Hale. The Mary Anna Hale property is not desirable unless there was some way of bringing it out to the road. The property is in bad condition because it has been neglected since the death of Mary Anna Hale.

Q. The land mentioned in this suit belonged to Mary Anna Hale and W. H. Hale equally. W. H. Hale has a life right in Mary Anna Hale's interest, do you think it would be to the interest of those concerned to have this property divided. That is, could it be divided equally between W. H. Hale and the heirs of Mary Anna Hale?

A. I think it would make it worthless because W. H. Hale has his half interest in the buildings as well as Mary Anna Hale and would have his life right in it as I understand it. I do not see how it could be divided to any advantage.

Q. Then you think the only thing to do is to have it sold and use the

funds in payment of the debt.

A. That is the only way that you can realize anything.

And further this deponent sayeth not.

C. Garland Pinns

VIRGINIA:

IN THE CIRCUIT COURT OF THE COUNTY OF NANSEMOND:

W. H. Hale,
Complainant,

v. REPORT

W. H. Hale, Administrator of Mary Anna Hale, deceased, et als,
Defendants.

Filed this 1st day of June 1932.
John H. Powell clerk.

SAUNDERS & HUTTON
Attorneys at Law
Suffolk, Va.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA.

W. H. Hale.....Complainant

vs. DECREE

W. H. Hale, Administrator of Mary Anna Hale, deceased, et als.....Defendants

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

On consideration whereof, it appearing from said report that in accordance with a decree entered in this cause on the 16th day of June, 1932, ~~that~~ S. E. Everett, Special Commissioner, delivered the deed to the purchaser, Garland Pinner, for the said land mentioned and described in these proceedings and collected the purchase money, $50.00, and disbursed the funds and filed vouchers with the report of the said Special Commissioner, S. E. Everett, it is, Therefore adjudged, ordered and decreed that said report be confirmed and there remaining nothing further to be done in this cause it is ordered that same be stricken from docket.

W. H. Hale.....Complainant

vs. DECREE

W. H. Hale, Admr. of Mary Anna Hale, deceased, et als.....
Defendants

Enter the 27th day of June, 1932.

Jas. L. Wilmore

Entered in Chancery Order Book
No... 6 Page 505

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, VIRGINIA

W. H. Hale.....Complainant

vs. BILL

W. H. Hale, Administrator of Mary Anna Hale, deceased, William H. Howell, Lydia M. Howell, Alice J. Copeland, Ocelius Boone, William (Bud) Boone, Jim Boone, Octavia Gordon, Z. T. Howell, Ben Howell, Gus Jones, Rosa Parker, Laura Weaver, Harryman Weaver, Sally Weaver, Annie Norfleet, Mamie Weaver, Nancy Weaver, Ben Weaver, Preston Weaver, Alfred Weaver, Nora Weaver, Dora Weaver, and the unknown heirs at law of Mary Anna Hale, deceased.....Defendants

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

Complaining shows unto your Honor your Complainant, W. H. Hale, the following case:

That Mary Anna Hale, wife of your Complainant, W. H. Hale, died the 12th day of January, 1929, seized and possessed of a half interest in a tract of land owned by your complainant and the said Mary Anna Hale and described as follows:

All that certain tract of land situated in Sleepy Hole District, Nansemond County, Virginia, containing ten (10) acres, more or less, described as follows: Commencing on the old county road at a stake and corner of the land of John Reid; thence running northwest along the land of John Reid in a straight line by a white oak to a gum tree on or near the land of the A. C. L. Railroad; thence across said Railroad by a gum to a stake on the line of the Cross Swamp; thence northeast 478 feet to a stake dividing the Hale tract from the High tract; thence east in a straight line to a stake on the said county road; thence down said county road towards Suffolk, to the point of the beginning.

It being the same land conveyed to W. H. Hale and Mary Anna Hale by Jacob High and Rosa High by deed duly executed on the 16th day of November, 1906, and recorded in the Clerk's Office of the Circuit Court of Nansemond County, Virginia, on the 23rd day of April, 1908, in DeedBook 64, page 542.

That the said W. H. Hale, husband of the said Mary Anna Hale, deceased, qualified on the estate of Mary Anna Hale the 22nd day of March, 1930, in the Clerk's Office of the Circuit Court of Nansemond County, and that the said Mary Anna Hale's estate is charged with hospital and doctor's bills and funeral expenses amounting to $250.00 and other small debts that will be presented and proven in this suit at the proper time.

That it becomes necessary to procure a partition of said land in some method prescribed by law and that the said half interest of Mary Anna Hale be sold and the funds after paying the courtesy right of the said W. H. Hale be used in paying the debts of the said Mary Anna Hale and if any remains after the payment of the same be distributed among the heirs of the said Mary Anna Hale.

That W. H. Hale, Administrator, be required to render an account of his transaction in this suit and that the said Administrator be directed by the said Court in administering and distributing any personal estate that may come into his hands or be directed in any other matters that is necessary in connection with the presecution of this suit.

In consideration whereof, and forasmuch as your complainant is remediless save in a court of equity where such matters are alone cognizable, your complainant prays as follows:

FIRST: That W. H. Hale, Administrator of Mary Anna Hale, deceased, William H. Howell, Lydia M. Howell, Alice J. Copeland, Ocelius Boone, William (Bud) Boone, Jim Boone, Octavia Gordon, Z. T. Howell, Ben Howell, Gus Jones, Rosa Parker, Laura Weaver, Harryman Weaver, Sally Weaver, Annie Norfleet, Mamie Weaver, Nancy Weaver, Ben Weaver, Preston Weaver, Alfred Weaver, Nora Weaver, Dora Weaver, and the unknown heirs at law of Mary Anna Hale, deceased, may be made parties defendant to this bill, and may be required to answer the same, but not on oath, answers under oath being expressly waived.

SECOND: That the estate of the said Mary Anna Hale, both personal and real may be administered by the court in this cause and proper distribution and division thereof be made among the distirbutees and heirs at law of the said defendant.

THIRD: That W. H. Hale, Administrator of the said Mary Anna Hale, may be required to settle before this court in the usual manner his account as such administrator and in the administration of such estate

of such decedent may have the guidance and direction and protection of the court.

FOURTH: That the debts due by the said decedent or her estate may be ascertained and paid out of the estate of the said Mary Anna Hale and after the payment of the courtesy right of W. H. Hale and if any residue be paid as directed by the said court.

FIFTH: That your complainant states the real estate is, he believes, susceptible of partition, but if said real estate be not susceptible of partition in kind, that it may be sold and the proceeds thereof divided and the interest of Mary Anna Hale be used in the payment of the courtesy right of your complainant who is now sixty-five years of age, and the debts of the said Mary Anna Hale and the remainder distributed among the parties entitled thereto.

SIXTH: That such other further and general relief may be granted to your complainant as the nature of his case may require or to equity may seem meet. And that process may issue, etc.

And your complainant will ever pray, etc.

C. W. & W. Hale by
H. Brownell Sol'r

6 H. Brownell
p.q.

W. H. Hale.....Complainant.

vs. BILL

W. H. Hale, Admr. etc, et als.
.....Defendant(s).

Filed the 15 day of Feb., 1932.

John W. Powell - Clerk