

1882-05

Santhampton County Chancery

Beaman, Walter E. et al vs Beaman, Mary As
Hunt

"To sell land in"
settle Estate

Beaman, Walter E
Story, James M +
Story, Dattie M. his wife
formerly Beaman

Edwards, Luther
Trustee for
(Beaman, Mary A.
Beaman, Luther J.
^{minors} Beaman, George E.
Beaman, Mary Sue

To the Hon: Geo B Blow Judge of the Circuit
Court of Southampton County,

Humbly complaining sheweth unto
your Honor your complainants, Walter E
Beaman, ^{the} James C. Story & Pattisell, his wife former
ly Beaman, and respectfully represent as follows
that on 13th day of December in the year
1875 Jordan Edwards ^{wife} the father ^{mother} of Mary A
Beaman, recorded in the Clerk's Office of the County
Court of said County a Deed of Trust, a copy of which
said Deed of Trust is herewith filed as a part of this bill
marked "A". It will be seen by your Honor
that the said Deed of Trust granted & conveyed
certain real Estate to Luther R. Edwards to be held and
used by him as Trustee for the sole use & benefit
of the said Mary A Beaman & such children as she
might have by virtue of her marriage with
Joseph T Beaman. In the exercise of such
powers as Trustee, the said Luther R. Edwards
permitted the family of the said Mary A Bea-
man to use & occupy the Real Estate by the
said Deed of Trust conveyed, for their comfort.

Of this management of the said Real Estate, which
is not a large Tract of Land (being about
165 acres) with one dwelling House and
curtilage only thereon, your Com-
plainants do not complain, but sup-

leaving now surviving the following children, that
Pattie M. Story (formerly Beaman) wife of Jas. M.
Story, Walter C. Beaman, Luther J. Beaman, George E.
Beaman, Mary C. Beaman and John Beaman.

now it was the best course the Trustee
could have adopted to promote the comfort &
happiness of Mrs. Marijet Beaman &
her family. In the year 1880, the said
Mary A. Beaman departed this life[#]. Your
Orator Walter C. Beaman & your Oratrix Pattie
M. Story, the wife of Jas. M. Story ~~his sister~~,
have become of age - her husband Jas.
M. Story is also of age, but all of the other
children left by said Mary A. Beaman are
still minors. That since the death of Mary
A. Beaman, Joseph T. Beaman her husband
who resided with the family during her life
has left the Homestead, that Walter C. Beaman
& Pattie M. Story the only two adult children
have also left & the minor children are dis-
persed, so that now the family is disband-
ed, Luther J. Beaman one of the minors, a young man
of about 20 years, is engaged in merchandizing & the
other three minors, being too young to engage in
business, are provided for by relatives and
do not reside with their father.

Under all the circumstances your complai-
ants are of opinion that it would be more
advantageous to the interest of all the
parties interested in this Tract of land
that the same should be sold, inasmuch
as the income, in the form of rents, from

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said Tract of Land is very small, as a
necessary consequence of there being but
one Curtilage on the Tract, And all of the
said parties who are interested in the same
have not the means to improve said Real
Estate, by building thereon, that being all
of their property Real or Personal, In Tender
consideration of all which, your Complainants
being without remedy save in a Court of
Equity, as this honorable is humbly pray
that the said Luther R. Edwards, Trustee may
made a party defendant to this bill, required to answer its allegations
he is required to return an account of his actions
as Trustee aforesaid, that the said Luther
J. Beaman, & Geo. E. May, Sue vs John
Beaman by some suitable & proper person
as Guardian ad Litem, be also made parties
defendants & required to answer its allegations.

That your Honor will appoint suit-
able & discreet persons as Commissioners
who, whose duty it shall be to report
to your Honor, whether or not it will be
more advantageous that the said Tract of
Land should be divided in Kind or that the same
should be sold, and that your Honor
will grant such other, further, general
& special relief as to Equity may seem
meet or the nature of the case may
require, and as in duty bound your

Complainants will ever pray &c

May it please the Court, &c

Kindred f.c.

The joint and several answer of Luther
J. Beaman, Geo. E. Beaman, Mary Sue Beaman
and John Beaman, by W. W. Briggs their ^{joint} ~~joint~~
as Liters, to a bill exhibited against them
in the Circuit Court of Southampton County
by Walter E. Beaman & others -

These Respondents saving themselves
for answer to said bill, say that they
are infants, and being such know nothing
of the allegations in said bill - but
submit their rights to the protection
of your Honor, and having answered
pray hence to be dismissed -

W. W. Briggs for answer

THE COMMISSIONERS OF THE LAND OFFICE

TO THE COMMISSIONERS OF THE LAND OFFICE

THE COMMISSIONERS OF THE LAND OFFICE

Beaman
& { Sum. ch

Beaman &

1881 April 2nd

Executed by delivering
Guthrie R Edwards a
copy of this Summons on
the 2nd day of April

1881

W L Edwards Sheriff

of the County of ...
1881 April 2nd
Guthrie R Edwards
1881 April 2nd
Guthrie R Edwards
1881 April 2nd
Guthrie R Edwards

The Commonwealth of Virginia,

To the Sheriff of Southampton County - GREETING:

WE COMMAND YOU TO SUMMON

Luther R Edwards Trustee for Mary
A. Beaman dec'd. Luther T Beaman, George E. Beaman, Mary
Sue Beaman & John Beaman, the four last being minors

to appear at the Clerks Office of our Circuit Court of Southampton County
at the Rules to be holden for the said Court on the first Monday in April
1881 to answer a bill in chancery exhibited against them in our
said Court by Walter E Beaman & James M Story & Pattie
M Story (formerly Beaman) his wife

and have then there this writ.

Witness, LITTLETON R. EDWARDS, Clerk of our said Court at the Court
House, this 1st day of April 1881, in the 105th year
of the Commonwealth.

L R Edwards cl

(130)
Pleasant & other
No 3 Pilot Exhibits
Pleasant Frost & other

1881 April Rules

Kindred & Co

Beaman or Edwards

Beaman & Edwards

Le. Co. Vaughan

Samuel B. Retlow -

R. H. B. Cobb -

Junius W. Edwards

Mo Retlow Jr.

Confirm sales made under former decree
to Thomas Johnson, Sam^l Murdaugh, & Lewis Byrnes

100 108 114

Beaman γ

π } Stat. Rules

Beaman γ

W Southampton Circuit Court

Walter E Beaman, James M Story & Pattie M his wife formerly
Beaman Plaintiffs

against
Luther R Edwards, Luther T Beaman, Geo. E. Mary Sue and
John D Beaman Defendants

1881 April 1st. Summons issued

" " 10 Summons ret. executed on Deft. Edwards. Bill filed -
W W Briggs assigned Gov. ad litem to Deft. Luther T, Geo. E
Mary Sue & John Beaman - Answer of infants. Gen Rep
Decree nisi to Deft. Edwards

" May " Bill taken for confessed as to Deft. Edwards & Cause set
for hearing 17

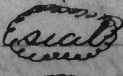
1882 Nov 1. Dismissed from the Docket subject to be reinstated

(130)
Braman & Others.
v } Exhibited with
Bill
Braman Trustee

(Exhibit - A)

Exhibit A

This Deed made this 21st day of December eighteen hundred and seventy between Jordan Edwards and Susan his wife of the County of Southampton State of Virginia of the first part, grantors, and Luther R. Edwards, trustee for Mary A. Beaman, the wife of Joseph P. Beaman, and the children now living, or that may hereafter be born, of the second part witnesseth, that the said Jordan Edwards and Susan his wife, in consideration of the sum of two thousand dollars, to them paid, do grant with general warranty unto Luther R. Edwards trustee as aforesaid the following real estate, to wit, a tract of land lying in the aforesaid County of Southampton, containing by estimation two hundred acres more or less, and bounded as follows, on the north by the land of Geo. W. Camp, on the east by the lands of said Geo. W. Camp and the farm formerly owned by Joshua Pettlor, and sold by him to Mrs. Jane Pettlor, on the South by the same Pettlor's tract, and the land of Thomas H. Cross, and on the west by the land of Luther R. Edwards, the said tract being the tract of land owned by said Jordan Edwards, and sold to said Luther R. Edwards, said land, conveyed in trust to be held by said Luther R. Edwards, for the sole and separate use and benefit of said Mary A. Beaman and children of herself and Joseph P. Beaman her husband, either now living or that may be hereafter born, free from the debts, contracts and control of the said husband and father Joseph P. Beaman & with power to the said Luther R. Edwards trustee as aforesaid to manage the land aforesaid so as to promote the comfort, convenience and advantage of said Mary A. Beaman and children, The said Jordan Edwards and Susan his wife do hereby convey together with said land, all rights, ways, and appurtenances thereto belonging, witness the following signatures and seals.

Jordan Edwards 
Susan Edwards 

State of Virginia
Southampton County 3 to wit:

J. P. Bryant a Justice of the
County and State aforesaid, do ^{hereby} certify that Jordan Edwards
whose name is signed to the writing above, bearing date the 21st day
of December 1870 this day personally appeared before me in
my County and acknowledge the same to be his act and deed,
Given under my hand this 27th day of January 1871.
J. P. Bryant J P

State of Virginia
Southampton County 3 to wit:

We Joseph J. Darden and
J. P. Bryant Justices for the aforesaid County and State
do hereby certify that that Susan Edwards the wife of
Jordan Edwards whose name are signed to the writing
above bearing date the 21st day of December 1870, this
day personally appeared before us in our County aforesaid,
and having been examined by us privily and apart from
her husband, and having the writing aforesaid fully
explained to her, she the said Susan Edwards declared
~~that~~ the same to be her act and deed, that she had willingly
executed the same, and that ~~she~~ she does not wish to retract it.
Given under our hands this 27th day of January 1871
J. J. Darden J P
J. P. Bryant J P

Southampton County, In the Clerks Office December
13th 1870. This Deed of Trust from Jordan Edwards Trustee to
Luther R Edwards (trustee), for the benefit of Mary A. Baman
and children, was this day received and together with the
certificate thereto annexed admitted to record.

Wm L R Edwards Clk
A copy
Wm L R Edwards Clk

Walter E. Beaman & others

vs 3

Luther R. Edwards, Trustee & others -

This Cause was this day heard on the Bill of the Complainants Taken for Confessed as to the Defendant Luther R. Edwards, Trustee; the Answer of the infant defendants, by their guardian ad litem with replication there to, and Exhibits filed with said Bill; and was argued by Counsel:

On Consideration whereof the Court doth as judge order and decree that the said L. R. Edwards render, before a Commissioner of this Court, an account of his transactions as Trustee in a Deed ~~recorded~~ from Jordan Edwards wife recorded in the Clerk's office of the County Court of Southampton County, on the 13th day of December 1875, for the benefit of Mary A. Beaman & children.

That John BeFlow jun^r, R. H. B. Cobb A. M. Brownley, John H. Rogart, C. C. Vaughan W. H. L. Goodman & Samuel B. BeFlow (any three of whom may act) be and they are hereby appointed Commissioners for the purpose - That they divide in kind ^{into six equal shares} if practicable, and in their opinion advantageous to the interest of all the parties interested, the tract of Land lying near Franklin in ~~the~~ said County, supposed to contain one hundred and sixty five acres more or less, & being the same which was granted by Jordan Edwards wife to said

* Having due regard to quantity and quality.

L. R. Edwards as Trustee for the benefit of Mary A. Beaman, wife of Joseph J. Beaman, & her children, which said Deed was recorded on December 13th 1875 in the Clerk's office of the County Court of said County. and ~~assign~~ ^{allot} ~~pr apign~~ one share to Walter E. Beaman; one share to Pattie M. Story (wife of James M. Story) one share to Luther J. Beaman; one share to Georg E. Beaman; one share to Mary Sue Beaman; and the other share to John Beaman, children of Mary A. Beaman deceased. And if said Commissioners find it impracticable to divide said real estate into six shares in kind they are directed to report to the Court ~~and~~ stating their reasons. And in any event they are ordered to report to Court.

Walter E. Beaman et al
vs

Beaman's Trustee et al

Decree

To be entered

Chancery 7th 81

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Beaman & al

vs

Beaman's Exors & al

Decree

To be entered

November 9th 82

Geo. T. Blows.

Beamau & al

vs

Beamau's Writter & al

This cause, on motion of its complain-
ants, is ordered to be dismissed from
the docket - Subject to be restored
on motion of any party interested therein.