

In produce deed
pursuant to agreement of
Og + Edwin White

Parsons, Martha

White, Edwin Is. est.

White, Sianna Cuthbert

White, Leonidas J

White, John Wilkins

White, Lelia Ada wife

White, Belle D.

White, Minerva

File in Box

labeled -

-1893- . . .

. O W Y .
—

~~38~~ ~~38~~
A. S. Parsons who Sues

33

vs.

33

Minerva White et al

Urquhart & Elliott
and
Shanks & Son p.p.

Circuit Court Southampton

¹¹²
A.S. Parsons who ones

vs

Minerva White et als.

Bill at Exhibit

Urquhart & Elliott p.p.

In the Circuit Court of Southampton County.

A. S. Parsons, who sues on behalf of
himself and of ~~Martha~~ ^{Martha} Frances Parsons his wife Plaintiffs
vs.

Minerva White, in her own right and
as Administratrix of Edwin F. White, dec'd,
Dianna Australia White, Leonidas J. White
John Wilkins White, Ledia Ada White,
Relle D. White and Minerva F. White,
the last four infants under the age
of twenty one years Defendants.

To the Honorable George Blaw, Judge of said Court:

Humblly complaining sheweth unto your
Honor, the above named plaintiffs, the fol-
lowing case:

1st The said Edwin F. White, late of said
County, died intestate on the 21st of Febru-
ary, A.D. 1881, and on the 15th day of August
A.D. 1881 Letters of Administration of his per-
sonal estate were granted by the County
Court of said County to his widow the said
defendant Minerva White, who thereupon
took into her possession the said personal
estate and proceeded to administer the
same. See Exhibit No 1.

2nd The said Edwin F. White, deceased, left surviving him a widow, the said defendant Minerva White, and seven children, to-wit: Martha Frances Parsons, wife of the plaintiff, and the said defendants Dianna Australia White, Leonidas J. White, John Wilkins White, Lelia Ada White, Belle D. White and Minerva F. White. The last four named are infants under the age of twenty one years.

3rd During the lifetime of the said decedent and in the year 1872, the said Edwin F. White agreed with the plaintiff who had then intermarried with the said decedent's daughter ~~Martha~~ Frances, that if the plaintiff and his said wife would agree to settle on the premises hereinafter described and make their home there, which was near and adjacent to the home of the said decedent so that he should have the comfort and society of his said daughter, that he, the said Edwin F. White, in his lifetime, would give to the said plaintiff a certain tract of land in said County which is bounded and described as follows, viz: On the north by the lands of D. B. W. Nicholson, on the east by the road separating this tract from the Home Tract of said Edwin F. White,

On the south by the lands of Sylvanus Hines
and on the west by the lands of James
x ~~Barrett~~ containing 215 acres, more or
less. The plaintiffs then and there agreed
to the same, and the said Edwin F. White
did accordingly, in his lifetime, to-wit in
the year 1872 aforesaid give to the plain-
tiff the tract of land above described, and
did then and there put the plaintiff in
possession of the same, and the plaintiff
has held, used and enjoyed the absolute
and entire possession and control of the
said property from that time up to the
present; always treating it, with the full
knowledge, approbation and consent of the
said decedent as the property of the plain-
tiff. The plaintiff has by his own means
and labor cleared up and improved
the said land, has brought it from a
waste and uncultivated condition to its
present condition and value, and has
by his own means and labor made
permanent and valuable improvements
by erecting buildings on the land suit-
able for its purposes. Frequently during the
lifetime of the said Edwin F. White, the said
decedent promised, offered and said in the
presence of many people that he had
given the said land to the plaintiff, that it

was the plaintiff's land, and that he the said Edwin T. White intended to make and would make and deliver a deed for the same to the plaintiff, and on one occasion when confined by sickness the said decedent, in his lifetime, declared his intention of making and delivering the said deed upon his recovery. The said Edwin T. White died suddenly while at work in a field, without a warning and without an opportunity to make any disposition during his last sickness of his estate either by deed or will. The plaintiff was induced by the promise and agreement of the said Edwin T. White aforesaid to lay out and expend all his means upon the said premises and to move on and make the same the home of himself and family, and the labor and profits of the many years' exertions since 1872 have all been expended on these premises - at the time the plaintiff received the said farm it was of little value ^(about \$400.00) and it is now worth about \$800.00.

The plaintiff believes and charges that a deed would have been made to him for the said premises if an occasion had offered, and that the defendants above named were all in full knowledge of the facts above stated, and the plaintiff

is advised that he is now entitled to a specific performance of the said agreement

1st. The said Edwin F. White left a personal estate of the value of about Five Hundred Dollars, and died seized of two other tracts of land in said County which are separated from the above described by the County Road, one of which has been for some years in the occupancy of the defendant Leonidas J. White, containing One hundred acres, bounded on the north by the Home Tract of said Edwin F. White, on the east by the land of Benjamin Travis, on the south by the land of said Benjamin Travis and on the west by the County Road; and the other is known as the Home Tract, containing about 350 acres, bounded on the north by the land belonging to Peter Holmes' Estate, on the east by the lands of William Lane and Joseph Nelson, on the south by the Leonidas J. White Tract and on the west by the County Road. The Leonidas J. White Tract is estimated to be worth about \$100.00 and the Home Tract about \$250.00

5th The plaintiffs are advised and believe and therefore charge that the said Edwin F. White, owed no debts and had no liabilities

of any kind at the time of his death, and that more than sufficient money came into the hands of his administratrix to pay his funeral expenses, and the above described property descended to his widow and above named children free of any incumbrance.

6th The plaintiffs are advised and believe that the said defendant Minerva White will release to the plaintiffs all her right of dower in the premises above described as the farm given to the plaintiffs by the said Edwin F. White in his lifetime.

In tender consideration whereof and forasmuch as the plaintiffs are without a remedy save in a Court of equity &c. It is the end therefore, that the said Minerva White in her own right and as the widow and the administratrix of the said Edwin F. White deceased, Dianna Australia White, Leonard J. White, John Wilkins White, Leila Ada White, Belle D. White and Minerva F. White the last four infants, under the age of twenty one years may be made parties defendant to this bill and required to answer the same; that a Guardian

ad litem may be appointed to defend the interests of the said defendants who are infants in this suit; that this honorable Court may by its judgment and decree ascertain and determine that the plaintiffs have a good equitable title to the premises given them by the said Edwin F. White in his lifetime, being the first above described, and may cause the legal title thereof to be given and conveyed to them under its direction; that ^{the plaintiffs} ~~the plaintiffs~~ ^{are willing in their court to give up all claim to} the estate of the said Edwin F. White, deceased, may be entirely settled under the direction of the Court in this cause between the parties entitled thereto; that an account may be taken of the outstanding debts or liabilities of the said Edwin F. White, if any, and that all other proper accounts may be taken; that the dower of the said Minerva F. White may be set aside and assigned to her under the direction of this Court; and that partition may be made according to law among the parties entitled thereto of the real estate of the said decedent; and that the plaintiffs may have such further and other and general relief in the premises as the nature of their case may require and to equity may seem just, May Summonses

County of Southampton, to-wit:

This day personally appeared before me
A. S. Cornwell a Justice of the Peace for the
County aforesaid, ~~A. S. Parsons~~ the above named
plaintiff, and made oath that the state-
ments in the foregoing bill which are made
from his own knowledge are true, and those
made from information derived from others
or from belief, he believes to be true.

Given under my hand this 29th day of
September A.D. 1881.

A. S. Cornwell J.P.

Commissioner's Office,

Jerusalem, Va., March 13th 1882.

To Minerva White in her own right and as administratrix of Edwin F. White, dec'd, Diana Australia White, Leonidas J. White, Jno. Leilkins White, Elia Ada White, Bell D. White and Minerva F. White, the last four infants under the age of twenty one years -

— Ads —

A. S. Parsons, who sues on behalf of himself and of Martha Francis Parsons, his wife —

You are hereby notified that I have fixed upon the 1st day of April next, if fair, if not, the next fair day thereafter (Sunday excepted) to take and settle, at my office, the following accounts, to wit: 1st An Account of the real & personal estate of which the late Edwin F. White died seized & possessed. 2^d An Account of the debts or liabilities of the said Edwin F. White at the time of his death. 3^d The Commissioner is directed to ascertain whether during the lifetime of the said Edwin F. White the said decedent made a gift to the plaintiffs of the tract of land described in the complainant's bill, and if so, what was the consideration of said gift, and whether, said plaintiffs were induced to make expenditures of money and valuable improvements on the said lands &c., 4th The Commissioner is also directed to ascertain the same facts in regard to the land claimed by the defendant, Leonidas J. White, under a gift from the said decedent. 5th And also to take such action.

required to be taken by a decree of Southampton Circuit Court, rendered at the November term, 1881, in a suit in Chancery, depending in said Court, in which you are parties, plaintiffs and defendants; at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery of the said Court, the day and year first aforesaid.

James R. Tyler
WM. H. PARKER, Commissioner.

To the Sheriff of Southampton County to execute.

* The hereby acknowledge service of the within notice
Manuela White

George A. White
Sondag White

George R. White - your addition

Parsons wife

vs

Whites Admors
tothers.

1882 Apr 19th

19th Apr filed on
for taking up L.C.

Parsons

v. { Sum. Chy.

Whites admy 8^o

1881 October Rules

U & E. p. 9

Executed by delivering
each of the within named
Defendants a copy of
this Summons on the 30th
day of September 1881.

A. H. Cobb Dy for
W. W. Gregg Shff

The Commonwealth of Virginia,

To the Sheriff of Southampton County - GREETING

WE COMMAND YOU TO SUMMON

*Mirva White in her own right &
as administratrix of Edwin F. White dec'd Diana Australia White
Leonidas J. White, John William White, Lydia Ann White, Belle
D. White & Mirva F. White the four last infants*

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 *October*
next to answer a bill in chancery exhibited against *them* in our
said Court by *A. S. Parsons who sues for himself & in behalf of Martha
Frances Parsons his wife*

and have then there this writ.

Witness, LITTLETON R. EDWARDS, Clerk of our said Court at the Court
House, this *30th* day of *August* 1881, in the *106th* year
of the Commonwealth.

L. R. Edwards cc

Parsons and wife

vs

White et al.

Answer of Lemmas J. White.

The separate answer of Lemidas J. White to the bill of Complaint exhibited against him and others in the Circuit Court of Southampton County by ~~the~~ Parsons suing on behalf of himself and of ~~Martha~~ Frances his wife.

This respondent saving and reserving to himself all and all manner of exceptions to the said bill for answer thereto says:

That he believes the many allegations in the said bill contained are true.

This respondent, desiring that this his answer may also be taken and considered as and for a Cross Bill in this Cause, further says, that the said Edwin T. White in his lifetime gave the tract of land in the Complainants bill described as the "Lemidas J. White Tract" containing about one hundred acres, bounded on the north by the other lands of said Edwin T. White, deceased; on the east by the land of Ben Travis; on the south by the lands of said Travis and on the west by the main road. to this respondent and put this respondent in possession

thereof; that this respondent had by and with
the Consent and at the instance of the said
Edwin J. White in his lifetime been for three
years in actual possession of the said land
treating and using it as his own and
has made valuable improvement to the
same by his labor and skill and at his
own Cost: and this respondent being
advised that he is entitled to the said
land prays that the same may be
assigned and conveyed to him under
the direction of this Honorable Court. ~~in
- in giving in his report the giving of all claims to the executor~~
And now having fully answered this
~~of the Estate of said Edwin J. White -~~
respondent prays to be hence dismissed
with his Costs etc.

- Leonidas J. White

Parsons & wife
w } Deere
White et als

May term 1886
To be Entered

Geo. B. B. B.

✓

Parsons & wife }
vs } Deese }
Wile et al }

This day this cause came on again to be heard on the papers formerly read and upon the report of Commissioner Calvin W. Scarborough Hon. J. Barker. B. F. Hellous of the petition and allotment to Martha F. Parsons wife of A. S. Parsons of one seventh of lands of Edwin F. White deed to be done pursuant to a decree entered in this cause at May Term 1884 and to which report no exceptions were filed and was argued by counsel. On consideration whereof the court doth adjudge, order, and decree that the said report be confirmed, and that as to all other matters this cause be continued

Parsons & wife
or
White & c

Answer of the
Infant Defendants.

Direct report
Dep. section

The answer of John Wilkins White, Lelia Ada White, Belle D. White and Minerva T. White, infants, by L.R. Edwards their Guardian ad litem, to a bill in equity exhibited against them and others, in the Circuit Court of the County of Southampton, by A. S. Parsons suing on behalf of himself and of Martha Frances his wife.

These respondents for answer to the said bill say that they are infants under the age of twenty one years and that their interests in the matters connected with this suit are submitted to the protection of this honorable Court, without this, that &c.

James R. Tyler,
Guardian ad litem

Parsons & Wolfe

to } Report

White & Co

Returned April 1st 1882

The undersigned commissioners, appointed at the
Nov. Term 1881, of the Circuit Court of Southampton
County, to lay off & allot to Minerva White, widow of
Edwin F. White, her dower in the lands of which
the said Edwin F. White died seized, by leave to re-
port that ~~they~~^{we} met upon said lands, on the 29th of
March 1882, & after having valued them, have allotted to
said Minerva White, as her dower, the following portion,
that is, to say, The homestead, with all the out houses, to-
gether with the piece of land thereto attached, bounded as
follows; beginning at a point where Dr C. W. Nicholson's line
crosses the Colham Road, Thence along said ^{road} a south course,
to a cherry-tree stump, near Branch's old well, thence south
east, to a persimmon, near the head of a lane, thence down the
fence to the rice-pond branch, thence down said branch to
the lightwood-swamp, thence up the said swamp to Dr C. W.
Nicholson's line, thence along his line to the point of
beginning - respectfully submitted by -

Sylvanus Hines
R. W. Branch
Calvin Scarborough

Edwin F. White died intestate Feby 21. '81
Leaving widow: Minerva and seven children
Martha Frances, wife of J.S. Parsons - Dianna
Australia White - Leonidas D. White -
John Welkins White (about 15) Ledia Ada
White (14) Belle D. White (11) Minerva
F. White (7)

Personal estate about \$500.

Parsons Tract: about 215 acres - bounded
on the South by Sylvanesthines, on the
N. by Dr. C.W. Nicholson - on the east by
road separating from
the land of Edwin F. White dec'd and on
the west by Dr. Barry

\$400 1
8 years
1872

Leonidas D. White Tract: About 100 acres - on
the west by Main Road - on the north
by land of the estate - on the east by
Ben Travis - and on the south by Ben
Travis ~~Travis~~.

\$400 2
3 years

House Tract: About 350 acres: on
the west by Main Road - On the
north by Peter Holmes estate - on
the east by Wm Lane and Joseph Kelms
+ on the South by Leonidas D. W's tract

\$2500 3

Land is near Wakefield about 5 miles

Parsons & wife

or

White et al

Answer of Minerva White.

The separate answer of Minerva White to the bill of complaint exhibited against her in her own right as widow of Edwin F. White deceased, and as Administratrix of the estate of said Edwin F. White deceased, and others in the Circuit Court of Southampton County by ~~at~~ S. Parsons suing on behalf of himself and of Martha Frances his wife

This respondent saving and reserving to herself all and all manner of exceptions to the said bill or to so much thereof as she is advised that it is necessary for her to answer answering says:

That this respondent believes that the several allegations of the said Complaints bill are true; that she is willing that the estate of said Edwin F. White shall be settled under the direction of this Court in this Cause; that her dower may be assigned her and the estate divided. And further answering this respondent says that if this Honorable Court shall be of opinion that the plaintiffs ~~are entitled~~

and the defendant Leonidas D. White are entitled to the lands respectively claimed by them as given to them by the said Edwin T. White in his lifetime, then this respondent is willing to release to them her right of dower therein in such manner as the Court directs, but this respondent is advised that if the said plaintiffs and the said defendant Leonidas D. White shall receive the said lands under the direction of this Court they ought to be required to release all interest in the residue of the estate of the said Edwin T. White to the other and remaining heirs

And now having fully answered this respondent prays to be hence dismissed with her Costs &c.

Margaret White

The separate answer of Dianna Australia White to the bill of Complaint exhibited against her and others in the Circuit Court of Southampton County by ~~A. S.~~ Parsons suing on behalf of himself and of Martha Frances his wife.

This respondent reserving to herself all and all manner of exceptions to the said bill, for answer thereto says:

That she believes the many allegations therein contained are true; and that she hereby expresses her willingness that the lands claimed by the said plaintiffs, and the defendant Leonidas D. White, shall be assigned and conveyed to them under the direction of this honorable Court, provided that the said plaintiffs and the said Leonidas D. White shall be required to release to the remaining heirs of the said Edwin T. White deceased, any and all claim to any interest in or claim to the rest and residue of said estate.

Parsons wife

40

White et als.

Answer of Diana White.

And now having fully answered this
book on about prayers to be done dismissed
with her. Oats &c.

Diana H. White

Southampton County Court August Term 1881

On the motion of Minerva White, who made oath according to law, & together with Newit Branch and A L Cornwell her Securitus, who justified an oath as to their Sufficiency, entered into and acknowledge a bond in the penalty of Eight hundred dollars, conditioned as the law directs, which bond is ordered to be recorded. Certificate is granted the said Minerva White for obtaining Letters of administration on the Estate of Edwin P White, decd.

A Copy

Not. L R Edwards C C

The Deposition of B. W. Brittle & also taken before Jas R. Tyler, a Commissioner in Chancery, for the Circuit Court of Southampton, on the 1st Day of April 1882, to be read ^{on behalf of A. G. Parson & wife & Leonidas J. White,} as Evidence, in the Chancery Suit of Parson & wife vs. White & also depending in our said Court.

Present J. W. Argueharts, Counsel, Attorney for the Plaintiff: B. W. Brittle being sworn on the Holy Evangelist of Almighty God, depone and swear as follows:

Q. How Old are you & what is your Occupation?
A. I am a farmer & thirty seven years of age.

Q Did you know Mr. Edwin D. White in his lifetime, A. Yes Sir I did.

Q Did you on any occasion propose to purchase a portion of his tract of Land, & if so, state what portion, who lived on the said tract, you propose to purchase, & what Conversation passed between you on the subject.

Ans: I proposed to purchase ^{a portion of the} the tract of Land on the ^{right} hand ^{line} of the Cobham Road going from Nicholson's Mill towards Mr. White's, Mr. A. G. Parson & his wife lived on the said tract of Land, at the time, Mr. White referred me to Mr. A. G. Parson, saying that he had given it to him & his wife.

And further this Deponent can't rec.

Benj. W. Brittle

Mr. Minerva White, being duly sworn, deposed & said as follows:

Q. What is your age?

A. I am 47 years & ago?

Q. Are you the widow of Mr. Edwin O. White?

A. I am?

Q. State whether you ever heard Mr. White, say anything in regard to giving Mr. A. J. Parson, & his wife, the tract of Land on which they live, & whether he considered, that he had given them the said tract, & if so, state when, & what was the conversation between you?

Ans. I have heard him say that he intended to give to his (Daughter) Martha T. Parson, the tract of Land, provided he lived long enough to make enough money to give his other children an equal share in his other property.

And further this Dependent exist not.

Minerva White

I Make the above statement in reference to my son Leonard J. White is above, in regard to the tract of Land on which

Minerva White

R. B. Travis being duly sworn deposed & said as follows;

Q. What is your age & occupation?

I am a Farmer & sixty one years of age.

Q. Have you ever heard Mr. Edwin F. White, say that he had given the tract of Land, on which Mr. A. J. Parsons & wife reside, to them? & if so, When, & what conversation passed between you?

Ans. I heard him say so several times, the last time, about three weeks before he died. I heard him say, he intended to give it to Mr. Parsons, but he had neglected it, but should have done so before then, as life was very uncertain, I understood from his conversation, that he considered he had already given them the property, but had neglected to make a deed to them for it.

I have heard him say time & again, that he considered he had given Mr. Parsons the Land, & blamed him, for not being more anxious to have a deed fixed up for it.

And further this deponent saith not.

R. B. Travis
 , ,

(14)

W. J. Parker, being duly sworn, deposes & says as follows:

Q. What is your age & occupation?

A. I am 21 1/2 years of age & a Clerk.

Q. Have you ever heard Mr. Edwin F. White say that he had given the tract of Land on which Mr. A. G. Parsons & wife reside, to them, & if so, state what conversation passed between you?

A. I have heard Mr. Edwin F. White say twice, that he intended to give the Land to Mr. Parsons & wife, the last time about a week before he died he was at Dr. Nicholson's store at Airfield, & said he had given the Land to Mr. A. G. Parsons & wife, & intended to make a deed to them for it, that Mr. Parsons had promised him to get Mr. Wm. St. Bee & Dr. Nicholson to come to his home & take the acknowledged agreement to the deed, but he Mr. Parsons had neglected to do so.

Q. Can you state this deponent said so?

Wm. J. Parker

(51)

Sylvanus Hines being sworn, deposed &
said as follows:

What is your age & occupation?

I am 50 years of age & a Farmer?

Q How can you ever heard Mr. Edwin F. White
say that he had given the tract of land
on which Mr. A. G. Benson & wife reside
to them, & if so, what conversation
passed between you?

A I heard him say in 1878, that he had given
the place to Mr. Benson & wife, & that he
valued it at ~~several~~ hundred dollars.

— And further this deponent said that
Sylvanus Hines

(11)

A. G. Parsons being duly sworn deposed
+ sworn to as follows:

What is your age + occupation?

I am 39 + a Farmer?

Have you ever heard Mr. Edwin F. White say
that he had given to his son ^{a portion of the} ~~the~~ Henry tract
of Land, + if so state when, + how much
of it?

He told me about the year 1877, that he had sold
his son the Henry tract of Land for \$705.00,
but afterwards said that instead of
selling him the tract he had given him
Four hundred dollars worth of it, consider-
ing that the amount he had already
given his Daughter Mr. A. G. Parsons
+ cut it off by a line fence.

And further this Depoant said that

A. G. Parsons

Sworn to and Subscribed before me as Commissioner afore-
said this 11th day of April 1882.

Commissioner's fee for taking
Depositions issuing Notice &c
\$10.00 charged to Plaintiffs

James R. Taylor,
Commissioner in Chancery.

Parsons & wife

or

Dieru

White itals

(Copy Dieru)
(No term 1881)

Southampton Circuit Court November Term 1881.

A S Parsons, who sues on behalf of himself and of
Martha Francis Parsons his wife: Plffs
against

Minerva White, in her own right and as
administratrix of Edwin P White, decd Dianna
Australia White. Leonidas J White, Jno
Wilkins White. Lelia Ada White, Belle Q
White, and Minerva P White, the last four
infants under the age of twenty one years. Defendants

On the motion of the defendants Minerva
White, Dianna Australia White, and Leonidas
J White, leave is given the said defendants Minerva
White, in her own right and as administratrix of
Edwin P White decd, and the defendants
Dianna Australia White and Leonidas J
White to file their separate answers in this cause
and the same is accordingly done and thereupon
the court doth appoint James R Pyle the
guardian ad litem of the infant defendants
Jno Wilkins White, Lelia Ada White, Belle
Q White and Minerva P White to defend their
interests in this cause, whereupon the said
guardian ad litem, by leave of the court, filed
the answers of the said infant defendants to the
plaintiffs bill, and the plaintiffs filed a general
replication to all of said answers.

Then this cause came on this day to be
heard to be heard on the said complainants
bill and the answer of all the defendants and
was argued by Counsel: on consideration

whereof the Court doth adjudge order and decree
that this cause be referred to James R. Tyler
one of the Commissioners in Chancery of this Court
who is directed to take the following accounts,
1st an account of the real and personal estate of
which the late Edwin P. White died seized &
possessed. 2nd An account of the debts or liabilities
of the said Edwin P. White at the time of his death.
3 The said Commissioner is also directed to ascer-
tain whether during the lifetime of the said Edwin
P. White the said decedent made a gift to the
plaintiffs of the tract of land first described in
the complainants bill. and if yea then what
was the consideration of the said gift and whether
or the said plaintiffs have been induced to
make expenditures of money and valuable
improvements on the said lands: and all
the other facts connected therewith.
4. The said Commissioner will also ascertain
the same facts in regard to the land claimed
by the defendants Leonidas J. White under a
gift from the said decedent.

And the Court doth further adjudge order
and decree that R. W. Branch Silvanus Hines
and Calvin H. Scarborough any two of whom
may act who are hereby appointed Special
Commissioners for that purpose do after being
first duly sworn meet upon the premises or
real estate of which the said Edwin P. White
died seized and lay off and allot to the said
defendant Minerva White her dower in the

said lands, and in allotting the same the
said Commissioners will make a separate
allotment as to the two tracts claimed by the
said plaintiffs and the defendant Leonidas
J White. And the further consideration of
this cause is adjourned.

A copy

Wm L R Edwards c.c.

Persons wife
or
White et al

Decree

To be entered
Geo Blod

And as improvements placed
on land & when value

2. Whether and for an end
exceeded in to, without
improvements exceeded in
value, the share of the
other children.

3. Debts due by decedent
to be paid by priority

4. Proving a part agreement
between Father & Son in
said contract

A. S. Parsons, who sues on behalf of himself
and of Martha Travel Parsons, his wife: Pltffs

vs
Elinora White, in her own right and as
Administratrix of Edwin T. White, dec'd.
Dianna Australia White, Leonidas D. White,
Dno. Wilkins White, Lelia Ada White,
Belle D. White and Elinora T. White, the
last four infants under the age of
twenty one years Defendants.

On the motion of the defendants
Elinora White, Dianna Australia
White, and Leonidas D. White, leave
is given the said defendants Elinora
White, in her own right and as
administratrix of Edwin T. White
deceased, and the defendants Dianna
Australia White and Leonidas D.
White to file their separate answers
in this cause and the same is
accordingly done ~~and the plea is~~
and thereupon the Court doth appoint
L. R. Edwards ^{James R. Edwards} the Guardian ad litem
of the infant defendants Dno. Wilkins
White, Lelia Ada White, Belle D. White
and Elinora T. White to defend their
interests in this cause, whereupon
the said Guardian ad litem by
leave of the Court, filed the answers

of the said infant defendants to the plaintiffs bill, and the plaintiffs filed a general replication to all of said answers.

Then this Cause came on this day to be heard on the said Complainants bill and the answers of all the defendants and was argued by Counsel: On Consideration whereof the Court doth adjudge order and decree that this Cause be referred to James R. Tyler — one of the Commissioners in Chancery of this Court, who is directed to take the following accounts:

1st An Account of the real and personal estate of which the late Edwin F. White died seized & possessed

2nd An account of the debts or liabilities of the said Edwin F. White at the time of his death.

3. The said Commissioner is also directed to ascertain whether during the lifetime of the said Edwin F. White the said decedent made a gift to the plaintiffs of the tract of land first described in the Complainants bill, and if yes then what was the Consideration of the said gift and whether

the said plaintiffs have been induced to make expenditures of money and valuable improvements on the said lands; and all the other facts connected therewith -

4. The said Commissioner will also ascertain the same facts in regard to the land claimed by the defendant Leonidas J. White under a gift from the said decedent.

And the Court doth further adjudge order and decree that R. W. Branch Silvanus Hines and Calvin H. Scarborough, any two of whom may act who are hereby appointed Special Commissioners for that purpose ^{after being first duly sworn} do meet upon the premises or real estate of which the said Edwin P. White died seized and lay off and allot to the said defendant Almira White her dower in the said lands, and in allotting the same the said Commissioners will make a separate allotment as to the two tracts claimed by the said plaintiffs and the defendant Leonidas J. White

And the further consideration of this cause is adjourned

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Parsons is wife
is by Deane
White is als

To be entered
May June 1884
Geo B. D.

✓

✓

✓

Parsons & wife

or 3

Decree

White & als

This day this cause came on again to be heard on the papers formerly made and was argued by counsel on consideration whereof the court doth adjudge order and decree that Calvin G. Scarborough, W. F. Barker, Sylvanus Himes and Benjamin Wellons who are hereby appointed special commissioners for that purpose and any three of whom may act shall after reasonable notice to all the parties interested proceed to allot to Martha F. Parsons wife of A. S. Parsons one seventh of the lands whereof Calvin F. White died seized and proposed inclusion of the above lands which has been allotted to the widow Minerva White having regard to quality and quantity employing if necessary a competent surveyor to assist them and report their proceedings to court in order to a further decree