1910-03 Southampton County Chancery Blythe, Keetan Vs. Blythe, Annie et als

To sell timber and
parcels land for emplacements

Griffin, Lizzie
Griffin, Jane
Griffin, Ella
Blythe, Daniel
Blythe, Effie
Jayna, Mary
Blythe, Lary
Blythe, Mallary
Blythe, Lonnie
Blythe, Charlie
Blythe, Hunter

Blythe, Keeton.

vs. BILL IN CHANCERY.

Blythe, et als.

1909 Sept 20th Filed
H Bolte Lemon Clk

We consent that this cause be submitted to the Court in vacation for such decision and decrees, judgments or orders, therein in vacation as might be made in term.

E. L. Beale
Counsel for Complainant.

Guardian ad Litem.

ERNEST L. BEALE
ATTORNEY AND COUNSELLOR AT LAW
FRANKLIN, VIRGINIA

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

Humbly complaining, your complainant, Keeton Blythe, showeth unto the Court the following case:

That Archer Blythe, husband of your said complainant, Keeton Blythe, departed this life on the ___ day of _____, 188___, leaving a last will and testament, which has been duly admitted to probate in the Clerk's Office of the Circuit Court of Southampton County, Virginia, and is there a matter of record in Will Book 21 page 611, a copy of which said will is herewith filed, marked "Exhibit A", and prayed to be read as a part of this bill; that from the said will it will be seen that the testator devised all his real property to your complainant , Keeton Blythe, so long as she remains his widow, and in case she should marry or at her death, then to be equally divided between his children.

Your complainant further showeth unto the Court that the said Archer Blythe prior to the marriage with your said complainant, Keeton Blythe, was married to _____, of which union there were three children born, to-wit: Eddie, who died before the testator, Archer Blythe, Ella and Willie. That Ella has since married one Tony Griffin, and since her marriage has died intestate leaving three children who are yet infants, to-wit: Lizzie, Jane and Ella; that Willie has since the death of the testator, Archer Blythe, married and died intestate leaving two infant children, to-wit: Daniel and Annie.

That the only children bornand now living, of the marriage between the testator, Archer Blythe and your complainant, Keeton Blythe, are: Effie, Mary, Tony, Maggie, Mallory, Lonnie, Charlie, and Hunter, all of whom are adults.

Your complainant further showeth unto the Court, that at the time of the death of the said decedent, Archer Blythe, he was seized and possessed in fee-simple of a certain tract of land lying situate in Franklin Magisterial District, Southampton County, Virginia,

N.B. 32 Page 91

containing 75 acres, more or less, adjoining the lands Of John Pretlow on the south, William Brantley on the east, and Thomas Drake and others on the north-east.

Your complainant is advised that she, as a life tenant, has the right to sell the timber on this tract of land, and use the proceeds for the improvement of this farm, in erecting buildings, clearing woodland, cutting ditches, etc., that the interests of all parties concerned will be greatly promoted by the sale of the timber on this land, and the proceeds used for the improvement of the land generally; and your complainant, the life tenant, alleges that it would be greatly to her interest to have the timber sold on her life estate, and the proceeds used for ~~kkx~~ improvements such as buildings, clearing woodland, cutting ditches, etc., and will also be of great interest to all parties concerned. And your complainant believes that the rights of no person will be violated by such sale and use of the proceeds, and it is for that purpose that this suit is brought, praying that this cause be submitted to the Court for such decisions and decrees, judgments and orders therein in vacation as might be made in term.

In tender consideration whereof, and in-as-much as your complainant is without remedy, save in a Court of equity where such matters are alone cognizable, she prays that the said Lizzie Griffin, Jane Griffin, Ella Griffin, Daniel Blythe and Annie Blythe, infants under the age of twenty-one years; and Effie Blythe, Mary Joyner, Tony Blythe, Mallory Blythe, Lonnie Blythe, Charlie Blythe and Hunter Blythe be made parties defendant to this bill, and required to answer same, though answer under oath is hereby expressly waived; that a proper Guardian ad Litem be appointed to defend the interests, of the said infants in this suit, who shall make said answer according to law; that the said timber may be sold and the proceeds used for improvements; that proper processes issue; that all necessary accounts be taken and stated; that all proper orders and decrees be made and entered; that all proper costs and counsel's fees may be made in this suit; inquiries directed, and that all

such other and further relief, both general and special, may be afforded your complainant, as the nature of her case may require, or to equity shall seem meet and proper.

And your complainant will ever pray, etc.

Witness Hunter Blythe Hector + Blythe
her
mark

E. L. Beale p. q.

FRANKLIN, VA. Oct 12th 1910

Mrs. Keaton Blythe

Bought of J. T. BUTLER,

DEALER IN

General Merchandise,

Hardware, Stoves, Carpenters' Tools, Cutlery,

FARMING IMPLEMENTS, &C.

TERMS: 30 Days.

Feb.	23	2 locks $\frac{+}{5-0}$ $\frac{1}{75}$ - (75) 2# nails 6	81	
				$0.81

apperbl[illegible]
Keaton Blythe

Pait due
Pd By Mrs E L Beal
Oct 27/10 J T Butler

E. L. BEALE,
ATTORNEY-AT-LAW,

Franklin, Va. NOV 16 1909 19 No. 186

VAUGHAN & COMPANY BANKERS

Pay to the order of C A Duell $5.00

Five 00/100 Dollars

For Auctioneer Blythe vs Blythe et als

E. L. Beale ATTORNEY.

Vaughan & Co., Bankers. PAID DEC 16 1909 Franklin, Va.

0 105

E. L. BEALE,
ATTORNEY-AT-LAW,

Franklin, Va. NOV 16 1909 19 No. 187

VAUGHAN & COMPANY BANKERS

Pay to the order of C J Edwards $10.00

Ten 00/100 Dollars

For taking account & Report Blythe vs Blythe et als

E. L Beale ATTORNEY.

Vaughan & Co., Bankers. PAID DEC 16 1909 Franklin, Va.

E. L. BEALE,
ATTORNEY-AT-LAW,

Franklin, Va. Nov 16th 1909 No. 192

VAUGHAN & COMPANY BANKERS

Pay to the order of Vaughan & Co., Bankers. $0.50

Fifty Cents Dollars

For Ltr. Notary for Blythe vs Blythe et als

E. L Beale ATTORNEY.

PAID DEC 1 1909

E. L. BEALE,
ATTORNEY-AT-LAW,

Franklin, Va. NOV 16 1909 19 No. 188

VAUGHAN & COMPANY BANKERS

Pay to the order of E. L. Beale $5.00

Five 00/100 Dollars

For Ord. Blythe vs. Blythe et als Empire State Surety Co.

E. L Beale ATTORNEY

Vaughan & Co., Bankers. PAID DEC 1909 Franklin, Va.

E. L. BEALE,
ATTORNEY-AT-LAW,

Franklin, Va. Nov 19th 1909 No. 198

VAUGHAN & COMPANY BANKERS

Pay to the order of News Publishing Co. $2.00

Two 00/100 Dollars

For printing Porter vs Blythe et als

E. L Beale ATTORNEY.

E. L. BEALE,
ATTORNEY-AT-LAW,

Franklin, Va. NOV 16 1909 19 No. 189

VAUGHAN & COMPANY BANKERS

Pay to the order of J. H. Rose $0.50

Fifty Cents Dollars

For Witness Blythe vs Blythe et als

E. L Beale ATTORNEY.

Franklin, Va.

E. L. BEALE,
ATTORNEY-AT-LAW,

Franklin, Va. DEC 14 1909 19 No. 209

VAUGHAN & COMPANY BANKERS

Pay to the order of H. B. McClanahan, Clerk $7.93

Seven 93/100 Dollars

For Costs in suit of Blythe vs. Blythe et als

E. L Beale ATTORNEY

E. L. BEALE,
ATTORNEY-AT-LAW,

Franklin, Va. NOV 16 1909 19 No. 190

VAUGHAN & COMPANY BANKERS

Pay to the order of E. L. Beale $60.00

Sixty 00/100 Dollars

For Blythe vs

E. L Beale ATTORNEY.

Vaughan & Co., Bankers. PAID DEC 1909 Franklin, Va.

DEC 7 - 1909

Franklin, Va., ... 190...

Mrs Heaton Blythe

Bought of J. T. BUTLER,

DEALER IN

GENERAL MERCHANDISE,

Hardware, Stoves, Carpenters' Tools, Cutlery,
Farming Implements, &c.

TERMS: Days.

1909

Dec	7	2	20 Rod Rolls 47 June	7.50	15.00

Approved

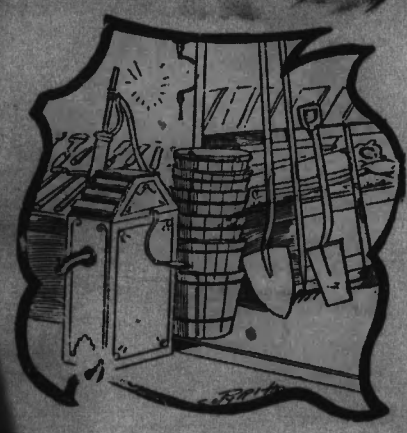
Mrs Heaton Blythe

P

Paid by E. L. Beale Special Commissioner
Dec 11-1909

J T Butler

12=1909 Thanks



DEC 7 - 1909

Franklin, Va., ... 190...

Mrs Heaton Blythe

Bought of J. T. BUTLER,

DEALER IN

GENERAL MERCHANDISE,

Hardware, Stoves, Carpenters' Tools, Cutlery,
Farming Implements, &c.

TERMS: Days.

2		40 Rod Rolls 47 in June	10.00	3 3.00

Approved

Mrs Heaton Blythe

Paid by E. L. Beale Special Commissioner
Dec 11 1909.

pd J T Butler

Thanks

1-C 2 - D.S

Dec 14, 1909.

Mrs. Keeton Blythe

To Hunter Blythe, Dr

25.18 ft. of lumber at
$4.00 per thousand = 10.03
2508 fet for hauling
$3.00 per thousand = 7.52
100 oak post
at 2 cents each = 2.00
2 gate post at
75 cents each = 1.50
21.05

Please pay this
amount to Hunter

Keaton Blythe

paid december 14 Hunter Blythe

Receipt of Mrs Blythe
Payment in full
for 300 Hand Brick
@ 75 makes $225
Feb 17 1910
Franklin Brick Co
per R

These brick were for the use of a building for which the timber was sold to pay for. Please pay same out of the funds in your hands as Special Commissioner,

Approved,

Mrs Keeton Blythe

0 10

ISAAC, VA., Feb 19, 1910.

Mrs. Keeton Blythe

Bought of R. H. JOYNER,

DEALER IN

General Merchandise.

COUNTRY PRODUCE TAKEN IN EXCHANGE.

Feb 15	1910	To nails	$2 76

APPROVED.
Mrs Keeton Blythe

Paid
Feb 19 - 1910
Thanks

Franklin, Va., 2/17 1910

Mrs. Keeton Blythe

BOUGHT OF PRETLOW & CO.,

FERTILIZERS, PEANUTS, FLOUR, FEED, LIME,
CEMENT, ETC.

TERMS:

1	Obe Lewis		1 10

PAID
FEB 19 1910
PRETLOW & CO.,
PER MTM

Approved
Mrs Keeton Blythe

Mr Lonnie Blythe To J. C. Keetwood Agt Acct Dr

To Two (2,000) Thousand 4/20 Cull shingles @ 85 = 3,70

Mrs Keeton Blythe will please approve the above Bill as per Mr C L Beals request. above Dat 2/19/10

J. C. Keetwood

To One (1000) Thousand 4/20 Cull Shingles Dat 2/23/10 1 85

5 85

Mrs Keeton Blythe

2/23/10

Rcd payment in full

2/23/10

J. C. Keetwood

Franklin, Va., February 26th., 1910.

Mrs. Keeton Blythe,

To Frank Joyner, Dr.

To Building Smoke House --- ---------- ---------- $7.00

Approved Keeton Blythe

Paid

FEB 26 1910

Frank Joyner

Franklin Va 3/10/10

Mrs Kelon Blythe Dr.

To J.C. Fleetwood

To 3.600 4"x20" #2 Wh. Shingles @4.85

$17.46

Rec'd in full

3/12/10 J.C. Fleetwood

Franklin Va 3/4 1910

Mr. Lonnie Blythe

Franklin Va

Dear Sir,

The (3.600) Three Thousand and six hundred 4"x20" #2 Heart Shingle are now on wharf for you

3.600 Shingles at 4.85 = $17.46

You can get them at your earliest convenience

I am Yours Truly

J.C. Fleetwood

Agt. A.S.N. Co.

Franklin Va 3/10 1910

Mrs Kelon Blythe Dr

To J.C. Fleetwood

To 3.600 4"x20" #2 Wh. Shingles $17.46

Mr Earnest Blythe

Dear Sir Please send check for Above account

J.C. Fleetwood

Mrs. Keeton Blythe

Mrs Keeton Blythe
and E. L. Beale

BOUGHT OF

Camp Manufacturing Co.

MANUFACTURERS

KILN DRIED NORTH CAROLINA PINE

Rough and Dressed

P. D. CAMP, PRESIDENT
J. L. CAMP, VICE PRES. & GEN. MANAGER
W. J. CAMP, SEC. & TREAS.

MILLS:
FRANKLIN, VA.
NORFOLK, VA.
ARRINGDALE, VA.
DEWITT, VA.

DAILY CAPACITY
SAW MILLS 350,000
PLANING MILLS 150,000

Shipped via
On Car
To
Destination
Order No.

Franklin Va. March 9. 1910

450 ft	13/16 # 4	Gemini Siding	18.00	8.10
400 "	13/16 # 4	Flooring	15.00	6.00
6 pcs 1 x 10 - 16' = 80 ft		Bd Bds.	19.00	1.52
220 ft	3/8 # 4	Ceiling	9.00	1.98
				17.60

Approved
Mrs Keeton Blythe

RECEIVED PAYMENT
Camp Manufacturing Co.
By

Franklin, Virginia, Mar. 13 - 1910

Mr. E. L. Beale - Fr. Mrs. Blyth -
Franklin
Va.

In Account With

Franklin Brick Company,

SHIPPING POINT, LEE'S MILL, VA.

Feb	28	To 750 Hand Cut Brick	1	88
Mar.	1	" 375 " "	2	72
"	13	" 100 " "		75
			35	35

Approved
Mrs Keeton Blythe

Paid
F B Co
3/14/10
Thanks

Franklin, Va., Mch 26, 1910

Mrs. Keeton Blythe

To W. N. Blythe Dr.

TERMS

1910					
Mch 26	To 10 Days Labor as carpenter on Cook Room			12	50
	Paid 4/26/1910 W. N. Blythe				
	Approved — Mrs. Keeton Blythe				

0119

Franklin Va April 2nd 1910

Mrs Keeton Blythe

To T. N. Blythe Dr.

TERMS

1910				
April 2	To 14 3/4 Days Labor as carpenter on cook room		$14	75
	Hauling lumber and Bricks		19	75
	Paid Apr 2, 1910		$34	50
	Witness Lydia Carney. Tony D. his X mark Blythe			
	Approved Mrs. Keeton Blythe			

Sometimes

5 loads of lumber 5'0 = 25'0

7 loads of bricks 7'5 = 52'5

3 of lumber 7'5 = 22'5

3 " 5'0 = 15'0

7 loads of shingles 7'5 = 52'5

40 loads of lumber 7'5 = 300

1975

Franklin Va

Mrs Keeton Blythe April 2 1910

Dr

| | | | | |

Mrs Keeton Blythe
(Order E L Beale) City

Bought of
Camp Manufacturing Co.
MANUFACTURERS OF
KILN-DRIED NORTH CAROLINA PINE
Rough and Dressed.

P. D. CAMP, PRESIDENT
J. J. CAMP, VICE PRES. & GEN'L MANAGER
R. J. CAMP, SEC. & TREAS.

MILLS:
FRANKLIN, VA.
ARRINGDALE, VA.
BUTTERWORTH, VA.

DAILY CAPACITY
SAW MILLS 350,000
PLANING MILLS 200,000

Shipped via
On Car
To
Destination
Order No. 1716

Franklin, Va. MAR 26 1910 190

3/19	To 500 ft 3/8 #4 Clg	@ 9.00	4 50	

RECEIVED PAYMENT
Camp Manufacturing Co.,
By .....

Approved Mrs Keeton Blythe

Franklin, Va., ... 191

Mrs Keeton Blythe

Bought of J. T. BUTLER,
—Dealer in—
GENERAL MERCHANDISE,
Hardware, - Carpenters' Tools, - Cutlery,
Farming Implements, &c.

TERMS: Days.

1910

Aug 11 20 # 5 Nails 3/c 90

Dr J T Butler

Aug 13/12

Approved

Mrs Keaton Blythe

1910

Mrs Keaton Blythe Dr

To J E Pratt.

March 19 To 10 Pcs 4×4 - 10 ft = 134
" 25 " 2×4 - 18 " = 300
" 4 " 1½×4 - 16 " = 32
" 8 " ¾×8 - 16 " = 86
" 9 " 1×8 - 16 " = 96
" 16 " 1×4 - 16 " = 86
" 1 " 6×8 - 10 " = 40
" 14 " 2×4 - 16 " = 150
" 7 " 2×10 - 14 " = 95
" 2 " 4×4 - 14 " = 37
" 3 " 1×10 - 14 " = 36

1092

" 538 ft Board 25 at $12.50 $13.10
4.03

$17.03

Approved.

Mrs. Keaton Blythe

Franklin Va Sept 1910

Mrs Keaton Blythe To
J. C. Thompson Dr

To 300 ft 1"×2" Cull Shiplap 5.50
Mr Blythe says Mr E. L. Bird
will have Contractor for Shingles
Ask at 6.50
Tom Collins Telephone at
J. C. Thompson's
To Mrs Blythe Main Street Dr
Bird

Approved
Mrs Keaton Blythe
Paid Sept 10

-----Report of E. L. Beale, Special Commissioner-----

---- Blythe ---VS--- Blythe, et als.---

Cash received for sale of timber-- ---------- $380.00

Disbursements.

Auctioneer	5.00		
Commissioner's report	10.00		
Bond	5.00		
Witnesses	1.00		
Fee	60.00		
Acknowledgment to deed	.50		
Printing	2.00		
J. T. Butler	15.00		
J. T. Butler	32.00		
Hunter Blythe	21.05		
Clerk Costs	7.93		
Bricks	2.25		
Pretlow & Co	1.10		
R. H. Joyner	2.76		
J.C.Fleetwood	5.55		
Frank Joyner	7.00		
J.C.Fleetwood	17.46		
Camp Mfg. Co,	17.60		
W. T. Pace	14.77		
Bricks	5.35		
W.N.Blythe	12.50		
T.D.Blythe	34.50		
R. C. Scott	5.47		
Frank Joyner	29.50		
Camp Mfg. Co.	4.50		
J. E. Scott	17.03		
J. C. Fleetwood	5.55		
J. T. Butler	770		
Lennie Blythe	10.00		
Hunter Blythe	10.00		
5 % Com. on $300.00	15.00		
2 % Comm. on $ 80.00	1.60		379.67
Total Disbursements	379.67	Balance in hand----------	.33

No. 57

Franklin, Va., SEP 24 1910 19

Received from E. L. Pate Special Commissioner

Ten + 00/100 Dollars

On account of Material + Labor furnished + done for Mrs. Keturah Blythe + Children Blythe vs. Blythe et als.

$10.00 Hunter Blythe

Blythe, Keeton,
vs.
Blythe, et als.

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

The undersigned, a Special Commissioner duly appointed and acting in the above styled suit, begs leave to report to Court:

That the reside of the money expended after paying costs and attorney's fee in the above styled suit has been for improvements upon the premises such as building, fencing and general improvements on the farm of the said Keeton Blythe, as is verified by the various vouchers for the said sums so expended, all bills having been approved by Mrs. Keeton Blythe in accordance with decree entered in this cause on the 24th day of November, 1909.

Your Commissioner would further report that there is nothing further to be done in the matter, and prays that decree be entered relieving him further in the premises.

Respectfully submitted,

E. L. Beale

Special Commissioner.

October 24th 1910.

Blythe

vs. } Stat of Cost.

Blythe Et als.

Blythe
&
Blythe et als
} Statement of Cost

1909

To Summ. 25¢ 8 Copies 12¢	1.42
Recpt 15. Atty 10 Doc 18	.46
Rules 1.00 Entering set 35 Fil Bill 15	1.50
Fil Ex 15 Fil Depositions 15	.30
Ans of Adults Defts 15. Answers of Gdn Ad litem Filed 15	.15
To 3 Decrees 36.	1.08
Typing Cost 20. Copy 20	40
Fil away papers.	.20
Clerk.	$5.71
Sheriff	$1.50
Future Cost:	70¢

ERNEST L. BEALE
ATTORNEY AND COUNSELLOR AT LAW
FRANKLIN, VIRGINIA

September 22nd., 1909.

Judge James L. McLemore,

Suffolk, Va.,

My dear Judge:-

I herewith enclose written consent of the adult defendants for the Blythe vs. Blythe et als suit to be a vacation cause, also the order, as requested by you when I was in Suffolk last Monday.

I am also having the answers of the Guardian ad Litem sworn to as required by statute.

Yours very truly,

E. L. Beale

Dear Ernest:

Have the guardian ad litem also sign the paper making the cause a vacation proceeding - Do this before having the decree entered.

Yours

Sep. 25/09.

J. L. McLemore

Blythe,

vs. Answer Adult Defendants.

Blythe, et als.

ERNEST L. BEALE
ATTORNEY AND COUNSELLOR AT LAW
FRANKLIN, VIRGINIA

Keeton Blythe, vs. Effie Blythe, Mary Joyner, Maggie Blythe, Mallory Blythe, Lonnie Blythe, Charlie Blythe, and Hunter Blythe; Lizzie Griffin, Jane Griffin, Ella Griffin, Daniel Blythe and Annie Blythe.	Tony Blythe, Answer of Adult Defendants.

IN THE CIRCUIT COURT OF SOUTHAMPTON COUNTY, VIRGINIA:

The joint and separate answer of Effie Blythe, Mary Joyner, Tony Blythe Maggie Blythe, Mallory Blythe, Lonnie Blythe, Charlie Blythe and Hunter Blythe to a bill in equity exhibited against them and others in the Circuit Court of the county of Southampton by Keeton Blythe.

These respondents saving and reserving, etc., for answer to the said bill say that they believe the statements therein made are true. These respondents do not object to the sale of the timber on the land as prayed for in the said bill; they concur in the prayer of the said bill,.....

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

Signed Effie Blythe

Signed Mary Joyner

Signed Tony Blythe

Signed Maggie Blythe

Signed Mallory Blythe

Signed Lonnie Blythe

Signed Charlie Blythe

Signed Hunter Blythe

Affidavit to the foregoing answer waived.

This Deed made the 3rd day of August 1874
between Robert Blyth and Rebecca E. Blyth
his wife, Jesse Blyth and Mary J. Blyth his
wife, Nancy Ann Scott, Caroline F. Joyner
Ellin J. Blyth, Mary E. Joyner and Viney
Blyth. of the first part, and Archer Blyth
of the second part. all of the County of
Southampton in consideration of the
sum of two hundred and fifty dollars
the said Robert Blyth and Rebecca E.
Blyth his wife, Jesse Blyth and Mary J.
Blyth his wife Nancy A. Scott, Caroline
F. Joyner, Ellin J. Blyth, Mary E Joyner
and Viney Blyth doth grant unto Archer
Blyth the following tract or parcel of
land containing seventy five acres
be the same more or less, lying in the
County of Southampton, and adjoining
the lands of John Britton on the south
William Brantly, on the east and

Thomas Drake on the North East side the home tract, and the said Robert Blyth and Rebecca his wife, Jesse Blyth and Mary J. his wife, Nancy A. Scott Caroline F. Joyner wife of ~~Stanly~~ Joyner. Ellen J Blyth, Mary E. Joyner wife Lemuel T. Joyner and Viney Blyth, doth Warrant generally the property above conveyed

Witness the following Signatures and Seals

Robert Blyth (seal)
Jesse his Blyth (seal)
Nancy A. Scott (seal)
Ellen J Blyth (seal)
Mary E Joyner (seal)
Viney Blyth (seal)
L. T. Scott (seal)
Rebecca E. Blyth (seal)
Mary J Blyth (seal)
L. T. Joyner

Virginia: Southampton County, to wit;

I James R Tyler, a Commissioner in Chancery for the County Court of Southampton, in the State of Virginia, do hereby Certify that Robert Blyth, Jesse Blyth, Ellen J. Blyth, Viney Blyth, Wm T. Scott & Lemuel T. Joyner, whose Names are Signed to the within writing bearing date on the 3rd day of August 1874, acknowledged the same to be their act, and deed, before me, in my County and State aforesaid.

Given under my hand this 9th day of September A. D. 1874.

James R Tyler
Com'r in Chancery

Virginia, Southampton County, to wit,

I, James R Tyler, a Commissioner in Chancery for the County Court of Southampton, in the State

Blyth & others
To
Deed
Blyth

1874 Sept. 9th
Rec'd & ct R.

Exam'd

Recorded 32.
Page 91

Tax & Tax paid
$2.25

of Virginia, do Certify that Nancy A. Scott, wife of Wm. T. Scott, Mary E. Joyner wife of Lemuel J. Joyner, Rebecca E. Blythe the wife of Robert Blythe Mary J. Blythe the wife of Jesse D. Blythe, whose Names are Signed to the within writing bearing date on the 3rd day of August 1874, personally appeared before me, in my County and State aforesaid, and being examined by me privily and apart from their said husbands, and having the writing aforesaid fully explained to them, they the said Nancy A. Scott, Mary E. Joyner, Rebecca E Blythe and Mary J. Blythe acknowledged the said writing

to be their act & deed & declared that they had willingly executed the same and does not wish to retract it. Given under my hand this 9th day of September A. D. 1874.

James R Tyler
Com'r in Chancery

Southampton County, to wit Clerk's Office September 9th 1874

This Deed of Bargain and Sale from Robert Blythe & wife & others to Archer Blythe was this day received and together with the certificates thereto annexed admitted to record.

Teste,

J. R. Edwards C.C.

Blythe, Keeton

(Consent of Adult Defend-
vs.(ants for this to be a
(vacation cause.

Blythe, et als.

1909 Sept. 25th filed

Virginia; In Vacation, in the Circuit Court for the County of Southampton:

Keeton Blythe vs. Effie Blythe, Mary Joyner, Tony Blythe, Maggie Blythe, Mallory Blythe, Lonnie Blythe, Charlie Blythe and Hunter Blythe; Lizzie Griffin, Ella Griffin, Jane Griffin, Daniel Blythe and Annie Blythe, the last five named being infants under the age of twenty-one years by E. Frank Story, their Guardian ad Litem.

We, the adult defendants, in the above styled suit consent that this cause be submitted to the Court in vacation for such decisions and decrees, judgments or orders, therein in vacation as might be made in term.

Effie Blythe
Malory Blythe
Lonnie Blythe
Tonnie Blythe
Maggie Blythe
Mary Joyner
Hunter Blythe
Charlie Blythe

Blythe Keeton,

Against: | Spa in Chancery

Blythe Infants, et als.

==========

1909- 2nd September Rules.

We hereby acknowledge due and legal service of the within Summons.

Effie Blythe

Mary Joyner

Toni Blythe

Mazzie Blythe

Mallory Blythe

Loyette Blythe

Charlie Blythe

Hunter Blythe

The Commonwealth of Virginia.

TO THE SHERIFF OF SOUTHAMPTON COUNTY—GREETING:

We command that you summon Effie Blythe, Mary Joyner, Maggie Tony Blythe Blythe, Malory Blythe, Lennie Blythe, Charlie Blythe, and Hunter Blythe, Lizzie Griffin, Jane Griffin, Ella Griffin, Daniel Blythe, Annie Blythe, the last five named being infants, under the age of twenty one years,

to appear at the Clerk's Office of our Circuit Court of Southampton County, at the Rules to be holden for the said Court on the 3rd Monday in September 1909 to answer a Bill in Chancery exhibited against them in our said Court by

Keeton Blythe

And this they shall in no wise omit under penalty of law. And have then there this writ.

Witness, ~~B. F.~~ H. B. McLEMORE, Clerk of our said Court, at the Courthouse this 18th day of September, 1909, in the 134 year of the Commonwealth.

Teste: H. B. McLemore C. C.

Received Franklin, Va., November 16th., 1909. 19

from E. L. Beale Special Commissioner

------ Fifty Cents ------ Dollars

for fee as services for witness in suit of Blythe vs. Blythe et als.

$ .50 T. U. Bose

Received Franklin Va, Nov 16th 1909

from E. L. Beale, Special Commissioner

Five 00/100 Dollars

for services as auctioneer for sale of timber, suit of Blythe vs. Blythe et als

$ 5.00 G. A. Bell

Auctioneer

Received Nov. 16 - 1909

from E. L. Beale, Special Comr.

Fifty Cents ~~Dollars~~

For taking acknowledgment in Blythe v. Blythe et als.

50 cts. Chas. J. Bowers

Received Franklin, Va. November 16th., 1909. 19

from E. L. Beale, Special Commissioner

---TEN & 00/100 ---------- Dollars

my fee in taking account in suit of Blythe vs. Blythe et als.

$ 10.00 Chas. J. Bowers

Commissioner in Chancery.

Franklin, Virginia. Nov. 18th 1909

M E. L. Beale Special Comr., "Blythe vs. Blythe et als"

BOUGHT OF **The News Publishing Company,**

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Oct. 27—100 large posters	$2.00

NEWS PUBLISHING CO.
PAID
NOV 19 1909
Franklin, Va.
Collector

Thanks

ALL ACCOUNTS PAYABLE MONTHLY. PLEASE RETURN THIS BILL WITH REMITTANCE TO BE RECEIPTED.

FRANKLIN, VIRGINIA. Nov 1st 1909

M E. L. Beale, Special Commissioner
Chancery Suit:- Blythe vs. Blythe et als-

To E. L. BEALE, Dr.,

..INSURANCE..

Surety Bonds.

DATE	POLICY NO.	COMPANY	PROPERTY	TERM	AMOUNT	PREMIUM
Oct 26		Empire State Surety Co.	Bond	1 yr	800	5 00
		Paid Nov 16th 1909- E. L. Beale				

Blythe, Keeton.

vs. { Report of Sp'cl. Commissioner

Blythe, et als.

1909 Nov. 12th filed
H.M.

ERNEST L. BEALE
ATTORNEY AND COUNSELLOR AT LAW
FRANKLIN, VIRGINIA

Blythe, Keeton
vs.
Blythe, et als.

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

The undersigned,a Special Commissioner duly appointed and acting in the above styled suit, begs leave to report to Court:

That in abedience to a decree entered in the said suit on the 19th day of October, 1909, he,on the 6th day of November, 1909, at Franklin, in Southampton County, Virginia, exposed to sale by public auction the pine timber ten inches in diameter across the stump and larger, fourteen inches from the ground, at the time of cutting, on the land formerly belonging to the late Archer Blythe, containing seventy five acres, more or less, set forth and described inmthe bill and proceedings in this cause; that at the sale so had, R. C. Scott became the purchaser thereof by bidding therefor the sum of Three Hundred and Eighty Dollars ($380.00), that being the highest bid made, and your Commissioner is of the opinion that this is a fair value for the timber, and respectfully recommends that the Court confirm the same.

Your Commissioner would further report concerning the said sale, that certain pine timbers standing in a certain swamp directly behind the residence of Mrs. Keeton Blythe extending from her back gate to the county road leading from her residence to Bethel Church, was expressly reserved and the said purchaser, R. C. Scott was fully aware of this reservation and bought the residue of the timbers at the said price of $380.00, and is ready to pay the entire amount in cash and take a deed for the property.

Respectfully submitted,

Nov 12th 1909.

E. L. Reed
Special Commissioner.

Commissioner's Sale

Of Valuable Pine Timbers

At Franklin, Southampton County, Va.

By virtue of a decree of the Circuit Court of Southampton County, Virginia, entered on the 19th day of October, 1909, in the chancery cause therein depending, generally styled Blythe vs. Blythe et. als., I shall as Special Commissioner appointed by the said decree, and in accordance with the terms and conditions thereof, offer for sale by public auction, on

Saturday, November 6th, 1909,

At About Three O'clock, P. M., in Front of Vaughan & Co's. Bank, at Franklin, Southampton County, Virginia, all the Pine Timber, to-wit:

All the pine timber ten inches in diameter across the stump and larger, fourteen inches from the ground at the time of cutting, on the land formerly belonging to the late Archer Blythe, to-wit: A certain tract or parcel of land lying situate in Franklin Magisterial District, Southampton County, Virginia, containing 75 acres more or less, adjoining the lands of John Pretlow on the south, William Brantley on the east, and Thomas Drake and others on the northeast.

It is estimated that there are 150,000 feet or more of pine timber on this tract of land, and the purchaser will be allowed five (5) years from the date of sale in which to cut and remove same, and if at the end of the said five years it has not been cut and removed, the purchaser or his assigns shall have an additional period of five years to cut and remove the timbers conveyed, provided they pay to the heirs of the late Archer Blythe interest at the rate of 6 per cent. per annum on the purchase price beginning at the expiration of the first period of five years above-mentioned.

This timber is located in Franklin Magisterial District, Southampton County, about half way between Franklin and Sedley, and is about two miles from the Southern Railway, at Isaac.

TERMS—Cash!

E. L. BEALE, Special Commissioner.

I, H. B. McLemore, Clerk of the Circuit Court of Southampton County, Virginia, do hereby certify that the bond required of the Special Commissioner in this suit, has been duly executed before me with approved security.

H. B. McLEMORE, Clerk.

October 26th, 1909.

In the name of God I Jesse Blythe make this my last will and testament

Item 1st I lend unto my wife my entire estate after paying my just debts so long as she remains my widow after that to be equally divided between my children

Item 2nd I leave my wife my sole executrix without security. As witness whereof I set my hand and seal

Jesse his mark Blythe

Witnesses Pettus Ferguson
James Dennis Griffin
Martha A Ferguson
Elizabeth A Griffin

Probated Sept 18-1865

DB32-89 Archer Blythe, James, Nancy Scott, Caroline Joyner, Ellen J
Aug 3-1874 Blythe Mary E Joyner & Nancy Blythe to Robt Blythe
$150.00 75 acres.-

32-281
35-472
43-414

Blythe,

vs. (Ans. of Gdn. ad Litem.

Blythe, et als.

ERNEST L. BEALE
ATTORNEY AND COUNSELLOR AT LAW
FRANKLIN, VIRGINIA

Blythe, Keeton.

vs.

Blythe, et als.

The answer of E. Frank Story, Guardian ad Litem to the infant defendants, Lizzie Griffin, Jane Griffin, Ella Griffin, Daniel Blythe and Annie Blythe infants under the age of twenty-one years to a bill of complaint filed against them and others ~~filed against them~~ in the Circuit Court of Southampton County, Virginia.

The Guardian ad Litem reserving to himself the benefit of all just exceptions to the said bill of complaint, for answer thereto answers and says:

That he knows nothing as to the truth or falsity of the statements contained in the said bill, but he prays that the Court will, in all respects, protect the interests of the infant defendants, in this cause.

And now having fully answered the complainant's said bill, these respondents pray to be hence dismissed with their reasonable costs by them in this behalf expended.

E. Frank Story.

Guardian ad Litem for Lizzie Griffin, Jane Griffin, Ella Griffin, Daniel Blythe and Annie Blythe.

State of Virginia,

County of Southampton, to-wit:

Sworn to before me in my County aforesaid by E. Frank Story, Guardian ad Litem as aforesaid, this the 26th day of September, 1909.

Ruth M. Owens

Notary Public

Blythe, Keeton.

vs. DECREE.

Blythe, et als.

--Enter this October, 14, 1909.---

James L. McIlmore

ENTERED - C.O.B.

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ERNEST L. BEALE
ATTORNEY AND COUNSELLOR AT LAW
FRANKLIN, VIRGINIA

Blythe, Keeton.

vs.

Effie Blythe, Mary Joyner, Tony Blythe, Maggie Blythe, Malory Blythe, Lonnie Blythe, Charlie Blythe, and Hunter Blythe; Lizzie Griffin, Jane Griffin, Ella Griffin, Daniel Blythe, and Annie Blythe, the last five named being infants under the age of twenty-one years by E. Frank Story, their guardian ad litem.

DECREE.

This day this cause came on to be futther heard on the papers formerly read, and upon the report of Commissioner Claude J. Edwards, filed on the 7th day of October, 1909, and on the depositions of witnesses returned with said report, to which report there is no exception, and was argued by counsel:

On consideration whereof, it being clearly shown from said report and the evidence therewith, independantly of any admissions in the answers, that the interests of all parties concerned, both plaintiff and defendants, infants and adults, will be promoted by a sale of the pine timber on the lands of the late Archer Blythe, viz: A certain tract or parcel of land lying situate in Franklin Magisterial District, Southampton County, Virginia, containing 75 acres more or less, adjoining the lands of John Pretlow on the south, William Brantley on the east, and Thomas Drake and others on the north-east; and the proceeds from such sale used for improvements in buildings or otherwise, and the Court being of opinion that the rights of no person will be violated thereby, the Court doth approve and confirm the said report, and doth adjudge, order, and decree that E. L. Beale be, and he is hereby appointed a Special Commissioner to sell, at public auction, for cash, after duly advertising same at some convenient and public place in Southampton County, Virginia, all the pine timber ten inches in diameter across the stump and larger, fourteen inches from the groung at the time of cutting, on the land in the bill and

proceedings mentioned, allowing ~~the~~ purchaser five years from the date of sale in which to cut and remove the timbers conveyed, and if at the end of said five years the purchaser, his assigns or successors have not cut and removed said timber conveyed, he or they shall have an additional period of five years to cut and remove the timbers conveyed, provided they pay the heirs of the late Archer Blythe interest at the rate of 6 % per annum on the purchase price beginning at the expiration of the first period of years above-mentioned.

But before the said E. L. Beale shall proceed to act under this decree, he shall execute a bond before the Clerk of this Court, in the penalty of $800, with security deemed sufficient by the said Clerk, conditioned to faithfully discharge his duty under this or any future decree entered in this cause.

And the Commissioner will report to Court.

Blythe, Keeton.

vs. (DECREE.

Blythe, et als.

-- Enter this November, 12, 1909.--

James L. McGhee,

ENTERED - C.O.B.

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ERNEST L. BEALE
ATTORNEY AND COUNSELLOR AT LAW
FRANKLIN, VIRGINIA

Virginia, In Vacation, In the Circuit Court for the County of Southampton, November 12, 1909.

Blythe, Keeton. vs. Effie Blythe, Mary Joyner, Tony Blythe, Maggie Blythe, Mallory Blythe, Lonnie Blythe, Charlie Blythe, and Hunter Blythe; Lizzie Griffin, Jane Griffin, Ella Griffin, Daniel Blythe and Annie Blythe, the last five named being infants under the age of twenty-one years by E. Frank Story, their Guardian ad Litem.	DECREE.

This day, this cause, which by consent of all parties given in writing and filed with the papers was in this cause, has been regularly submitted to the Judge of this Court for such decisions and decrees, in vacation as might be rendered in term, came on to be further heard on the papers formerly read, and upon the report of Special Commissioner, E. L. Beale, this day filed by leave of Court, reporting sale of the pine timber ten inches and over across the stump fourteen inches from the ground at the time of cutting, on the land formerly belonging to Archer Blythe, deceased, containing 75 acres more or less, set forth and described in the bill and proceedings in this cause, to R. C. Scott, for the sum of Three Hundred and Eighty ($380.00) Dollars, and also reporting, the reservation of all the pine timber standing in the swamp back of the residence of Mrs. Keeton Blythe, extending from her back gate to the county road leading from her residence to Bethel Church, 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 therefrom that the price obtained for the said pine timber, sold to R. C. Scott for Three Hundred and Eighty ($380.00) Dollars, is a fair and good one, the Court doth

approve and confirm the said sale, and declare the same firm and binding between the parties. And it further appearing that the said purchaser desires to pay the amount of his said purchase in cash, and take a deed for the property, the Court doth direct that the said Special Commissioner receive from the said R. C. Scott the sum of Three Hundred and Eighty Dollars, and when the same has been fully paid, that the said Special Commissioner, E. L. Beale, execute to him a deed, with special warranty of title, allowing the said purchaser a period of five years from the date of sale in which to cut and remove the timbers conveyed, and if at the end of said five years the purchaser, his assigns or successors have not cut and removed the timber conveyed, he or they shall have an additional period of five years to cut and remove the timbers conveyed, provided they pay the heirs of the late Archer Blythe interest at the rate of 6 % per annum on the purchase price of $380. beginning at the expiration of the first period of years above-mentioned, for the said property.

And the Commissioner will report to Court.

All which is hereby certified to the Clerk of this Court to be entered in the Chancery Order Book.

James L. McLemore,

Blythe, Keeton.

vs. FIRST DECREE.

Blythe, et als.

Enter this September 25th, 1909.

James L. McSwore

ENTERED C-C.O.B.

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ERNEST L. BEALE
ATTORNEY AND COUNSELLOR AT LAW
FRANKLIN, VIRGINIA

Virginia, In Vacation, in the Circuit Court for the County of Southampton, September 20th 1909.

Blythe, Keeton.

vs.

Effie Blythe, Mary Joyner, Tony Blythe, Maggie Blythe, Mallory Blythe, Lonnie Blythe, Charlie Blythe, and Hunter Blythe; Lizzie Griffin, Jane Griffin, Ella Griffin, Daniel Blythe and Annie Blythe, the last five named being infants under the age of twenty-one years by E. Frank Story, their Guardian ad Litem.

FIRST DECREE.

This day, this cause, which by consent of all parties given in writing and filed with the papers with this cause, has been regularly submitted to the Judge of this Court for such decisions and decrees, in vacation as might be rendered in term, came on to be heard upon the bill and exhibits filed; and E. Frank Story, a competant attorney at law duly assigned at Rules for the infant defendants, to defend their interests in this suit, at the same rules filed his answer as such; and Effie Blythe, Mary Joyner, Tony Blythe, Maggie Blythe, Mallory Blythe, Lonnie Blythe, Charlie Blythe and Hunter Blythe at the same Rules filed their answer in proper person, to which the plaintiff replied generally, and was argued by counsel:

On consideration whereof, the Court doth adjudge, order and decree that it be referred to one of the Commissioners of this Court to ascertain and report:

(1) Of what real estate the late Archer Blythe, died seized and possessed:

(2) The present value of all merchantable timber on said land:

(3) Whether there are any liens binding the said land for delinquent taxes, or otherwise:

(4) Whether the interests of Keeton Blythe and the said defendants, adults and infants, will be promoted by a sale of the timber

on the real estate in the bill mentioned, or any part thereof; and the proceeds of such sale used for improvements in buildings or otherwise:

(5) Whether or not all parties in interest are properly before the Court:

(6) Any other matter deemed pertinent by the Commissioner, or required to be stated by any party in interest.

(7) The interests of the several parties to the suit.

All which is hereby certified to the Clerk of this Court to be entered in the Chancery Order book.

Final Decree.

Blythe, Keeton,

VS.
Effie Blythe, Mary Joyner, Tony Blythe, Maggie Blythe, Mallory Blythe, Lonnie Blythe Charlie Blythe, and Hunter Blythe; Lizzie Griffin, Jane Griffin, Ella Griffin, Daniel Blythe, and Annie Blythe; the last five being infants under the age of twenty one years, by E. F. Story, their Guardian ad Litem.

We consent for this decree.

E. L. Beale
Counsel for Complainant.

Guardian ad Litem.

Enter Octo. 26, 1910.
James L. Williamson

ERNEST L. BEALE
ATTORNEY AND COUNSELLOR AT LAW
FRANKLIN, VIRGINIA

ENTERED - C.O.B. F - 128-

Blythe, Mrs. Keeton, VS. Effie Blythe, Mary Joyner, Tony Bl Tony Blythe, Maggie Blythe, Mallory Blythe, Lonnie Blythe, Charlie Blythe, and Hunter Blythe; Lizzie Griffin, Jane Griffin, Ella Griffin, Daniel Blythe, and Annie Blythe, the last five named being infants under the ag under the age of twenty-one years by E. Frank Story, their Guardian ad Litem.	D E C R E E

This day this cause came on to be further heard on the papers formerly read, and upon report of Special Commissioner, E. L. Beale, this day filed by leave of Court, reporting that the money, after paying costs and expenses in this cause, has been expended for improvements in and about the premises mentioned, in accordance with decree entered in this cause on the 24th day of November, 1909, to which report there is no exception, and was argued by counsel.

On consideration whereof, the Court doth approve and confirm the said report. It further appearing that there is nothing further to be done in the matter, it is ordered that this decree be entered in the Chancery Order Book, the report filed with the papers in this cause, and that this cause be removed from the docket of this Court.