

1987-012 Chancery Causes, Emily Morris, John vs Emily Morris + al

Isle of Wight County

other surnames: Gay,
Chandler, Beaton

W. S. HOLLAND,

ATTORNEY AT LAW AND NOTARY PUBLIC.

COURTS:

*Isle of Wight, Southampton, Nansemond,
and Adjoining Counties.*

Windsor Station, Isle of Wight Co., Va.,

30 Sept 1886

Mr. Jany

de Sir,

I send you by Sonie
the papers in Morris Guardian &c
Morris et. als. among which
is a list of interrogatories
which you'll please read and if
right sign your consent which
you know is necessary except
when done in the presence of
God and him - I want to examine
these Saw Mill Men —————

Also please send me the
subpoena in E. Loo. Edwards
portation suit - Will have
all my papers ready by to-mor-
row. I will return subpoena ^{by mail} ^{by mail} as ^{soon} as

the

Chas. Fawcett to Mr. Holland
as requested.

P.S. I saw those papers for your
examination needful to signing
interrogatories - Please return
them - I will take good
care of that subpoena and
return it -

Very truly
yours
Wm. H. Hall

Do not Monday regular goodby
term?

Brookline
n. 3 ~~Prof.~~
Prof. H.
S. 9 sent to
W. H. Hall. by
his representative

Wm. H. Hall

Whereas H. T. Morris in his life time bought and paid for a certain piece, parcel or tract of land of his brother E. L. Morris bounded and described as follows: lying and being in the County of Isle of Wight in the State of Virginia bounded by the lands of W. S. Mumford, R. H. Barrett, J. H. Sanders, said E. L. Morris and said H. T. Morris's heirs at law supposed to contain 220 acres more or less.

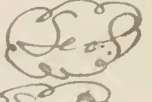
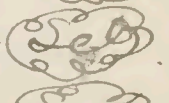
And whereas before a deed of conveyance was executed between the parties, to wit, in the ^{the said E. L. Morris left this country} year 1875, and and was heard of and on or about the year 1878, since which time nothing whatever has been heard of said E. L. Morris by any of his friends or relatives, or by any other person; and whereas said E. L. Morris was never married ^{and} if dead his only heirs at law would be his sister Sarah H. Beaton who was Morris, John H. Morris his brother and the children and heirs at law of said H. T. Morris the grantees herein after mentioned; And whereas said John H. Morris and Sarah H. Beaton the only surviving brother and sister of said E. L. Morris are satisfied of the truth of the foregoing declara-

tions and stole musts and being willing and desirous that the children of their said brother H. T. Morris should have the property which justly belongs to them, therefore this deed made this 7th day of September 1886 between said John H. Morris of the City of Petersburg and said Sarah F. Beaton of the County of Isle of Wight parties of the one part and James L. Morris, John C. Morris, Bessie E. Morris, Percy C. Morris and Mytie W. Morris Children and heirs at law of H. T. Morris deceased of the said County of Isle of Wight in the State of Virginia parties of the other part; Witnesseth that for and in consideration of the premises and of the natural love and affection which the parties of the first part bear to the parties of the second part, the said parties of the first part do grant bargain and sell all the right title and interest both in law and in equity now vested or which may hereafter vest, or to which they may in any manner be entitled, in and to all the real estate hereinbefore named and bounded unto the said parties

of the second part to them, and to their
heirs and assigns jointly forever:

And the said parties of the first
part hereby warrant (and covenant to
defend) the title of record to the said
parties of the second part and to their
heirs and assigns against the claims
of themselves and all other persons
claiming under them or either of them.

Witness the following signatures and
seals this 7th day of September 1886

John H. Corrie 
Sarah H. Beator 


John F. Morris et al
vs
Lo & Co of B. & S.
J. L. Morris et al

Exht. A. filed with
Kelleys. bill

Morris, Guardian
vs Σ
Morris, Infants

This cause come on
this day to be again heard on the
papers formerly read and on the
report of Emily E. Morris, guardian
and special commission this day
file to which no exceptions are
taken and was argued by counsel
on consideration whereof the Court
doth order, adjudge and
decree that said report be
confirmed, and it is further
ordered that said Emily E.
Morris guardian of her infant
children, the defendants in
the bill, be allowed to expend
the principal and interest of the
said four hundred & fifty dollars
in educating, and maintaining her
said children and that she settle
her accounts before the Court of
A. C. C. of this County on Monday
according to law: and it is ordered
that this cause be removed from
the docket.

Wm. G. C.

Ms

Monks Infants

Apr. 4th 1887

Decree —

To be entered

C Notice

Entered

No. 40

Morris guardian &c

vs

Morris et. al

This cause came on
this day to be heard on the com-
plainant's bill, answer of adult
defendants, answer of infants by
their guardian ad litem, and answer
of infants over 14 years old in
their own proper person and on
depositions of witnesses and exhibits
filed and was argued by counsel
on consideration whereof the
court doth order ~~and~~ ^{adjudge}
that ^{the} sale of timber in the bill
mentioned be ratified and
confirmed that said Emily Mor-
ris guardian of said infants as
in the bill mentioned ~~the~~ receive
the sum of four hundred and fifty
dollars from John M. Hay for
said timber and that said
Emily Morris is hereby authorized
and empowered to contract with
said Hay for cutting said timber
in writing giving to said ^{Hay} five years
in which to cut and convey
said timber - and that said Emily
Morris now up to come

Morris & Co

No

Morris & Co

Dec 1896
To account

Geo. H. Snow, D.

Entered
36

Morris guardian &c
vs
Morris infants et al.

The undersigned of over
Commissioner under a decree entered
at the Oct. Term 1886 in this
Cause begs leave to report that she
has made the contract with
Jno. M. Day and received the sum
of four hundred & fifty dollars from
him as required by said decree
and she respectfully asks that she,
as the guardian of ~~her~~ infant
Children be allowed to expend
the principal and interest of the pro-
ceeds of said sale of Timber in
educating, boarding and maintain-
ing her said infant Children and
that she make her account on monthly
before the Commissioner of accounts
of this County, All which is
respectfully submitted.

Emily E. Morris
Special Counsel

Monifs hand
no 3
Monifs infants

Report of Monifs
Spe. Court —

April 21. 1887
Filed.

April term 1887.
Confirmed by the Court.

The undersigned guardian ad litem of
James S. John C. Betty E., Percy C. and
Myrtle W. Morris in joint defendants
in Morris guardian & v. Morris et al.,
do hereby consent that the following
interrogatories may be used in the exam-
ination of witnesses in the above cause:

1. State your name, age and occupation &c.
2. What experience have you had in the pine
lumber business as carried on in East-
ern Virginia and North Carolina?
3. Have you examined the timber in the
bill and proceedings mentioned belong-
ing to the heirs of H. T. Morris
deceased, and if so what is a fair
price for the saw mill timber on
said land?
4. Would it be to the interest of the infant
children of said H. T. Morris to have
said timber sold and if so state
your reasons for the same.

Signed,

A. P. Young

guardian ad litem for
the infants named in
the above interrogatories

Moris Gordon &c
vs 3 In chancery
Morris et. al.

Interrogatories by
Guardian ad litem -



The depositions of B. C. Chandler taken and subscribed to before me this 2nd day of October 1886 to be read as evidence on behalf of the plaintiff in a certain Chancery suit pending in the circuit court of Isle of Wight County in which Emily Morris guardian &c is plaintiff and Emily Morris and others are defendants, taken at the office of W. S. Halland at Windsor in the presence of and by consent of said Emily Morris and on interrogatories agreed to by A. P. Haring guardian ad litem here with filed between the hours of 10 o'clock A.M. and 2 o'clock P.M.

Present Emily Morris plaintiff

" Emily Morris one of the dft's.

" W. S. Halland Counsel for parties

Interrogatory B. C. Chandler being duly sworn deposes & says:

No 1 — State your name, age, occupation and residence

Ans. B. C. Chandler, age 39 years, a lumberman, Isle of Wight County.

2 What experience have you had in the pine lumber business as carried on in Eastern Virginia and North Carolina?

Ans. - I have had 25 or 30 years experience in the lumber business - it has been my business all my life.

3 Have you examined the timber in the bill and proceedings mentioned belonging to the heirs of H. T. Morris dec'd.; and if so what is a fair price for the said Mill Timber on said land?

Ans. I have examined the timber by riding over the woods in every direction, and I think that from hundred and fifty dollars is a fair price for the timber, taking into consideration the quality of the timber, there is really no first class timber there - a great deal of it is very rough - a greater portion of said timber having been previously cut off.

4 Would it be to the interests of the infant children of said H. T. Morris to have said Timber sold; and if so, state your reasons for the same?

Ans. I think it would be to their interest

to have the timber sold; the money being properly applied would be very useful to educate the children, and when he cuts all the timber he now has and moves his mill to saw mill man would locate a mill for the Morris timber - it is not sufficient to justify such - and I think the land would sell for almost if not quite as much when the saw mill timber is cut as it would with the timber on it except when the present offer is open

5- Q Are you any relation to any of the parties to this suit?

Ans. I am not.

And further this defendant said next

B. C. Chandler

Virginia

County of Gloucester, to wit:

I, Benj. C. Roberts a Notary Public for the County of Gloucester in the State of Virginia do hereby certify that the foregoing deposition of B. C. Chandler was duly taken and returned

and subscribed before me at the place
and time mentioned therein and in
the caption thereof, notice being
served by all parties who were
present at the time and on
interrogatories filed by Plaintiff of
N.P. Jany guardian ad litem.

Given under my hand this 2nd
day of October 1886.

Benj. C. Roberts N.P.

Virginia

County of Isle of Wight, to wit:

I, W. S. Holland a
Notary Public in and for the County
and State aforesaid, do certify that
Benj. C. Roberts came before me
and made solemn affirmation in
due form of law that he has
has been engaged in the lumber
business for 13 years having owned
and operated one and sometimes two
saw mills, in Isle of Wight in adjoin-
ing counties - That he went with

one B. L. Chandler over the woods on
the H. T. Morris land at the request
of said parties - that I agree
with said B. L. Chandler as to
price namely \$450 and I substantially
agree with him as to whether it
would be to the interest of said in-
fant child to sell said timber -
and that he is no relation to
any of the parties to the suit -
that he has read the interrogatories
filed by counsel of N. P. Gentry q. a. d.
and that he has read the questions
and answers made by said B. L.
Chandler, that he agrees in sub-
stance with said Chandler in
all respects except as to expenses
in the timber business - that he
is a citizen, stating Public and
Justice of the peace of Isle of Wight
County in the State of Virginia -
him under my hand my law
this 2nd day of Oct. 1886

Jay. C. Roberts

W. S. Holland
State Public

1 enif gew de
147 2
Mokis et, ob,

~~Definitum~~

Dec. 16th 1886,
1888, connections
under soil filed.
= Test, J. S. Young

The Commonwealth of Virginia,

To the Sheriff of Isle of Wight County, Greeting:

WE COMMAND YOU TO SUMMON

^{E. & A.} Emily Morris, and
James S. John C. Bessey C. Percy, and
Myrtle W. Morris the last five named are
infants under the age of 21 years

to appear at the Clerk's Office of the Circuit Court of Isle of Wight county, at Rules to be holden for the
said Court, on the first Monday in ~~September~~ next, to answer ~~the Bill in~~

^{E. & A.} Chancery of Emily Morris, guardian
of James S. Morris, John C. Morris, Bessey C.
Morris, Percy Morris and Myrtle W.
Morris

of a plea of _____ for \$ _____ Damages \$ _____ And have then there this writ.

Witness, N. P. YOUNG, Clerk of our said Court, at the Courthouse, the 23rd day of August
1886, in the 11th year of the Commonwealth.

N. P. Young

Morris golden

3 pms. to
v. { ans. Bee
 { in Clay:

Morris Et al.

To Sept. Rls. 1886

✓ W. S. Halland

granted by ^{for}
delivering to the
within name

Mrs Emily Morris
A true copy of the
within documents

Aug 27th 1886

A. B. Edwards

for R. A. Edwards

W. S. Halland

in other papers

Ref
safe
pp

Morris guardian &c
vs { In chancery
Morris et als

The joint and several answer of James L. Morris, John C. Morris, Percy C. Morris, Myrtie W. Morris and Betsey E. Morris infants under the age of 21 years by A. P. Yancy their guardian ad litem assigned to defend them in this suit, and the answer of said A. P. Yancy guardian ad litem to the said infant defendants, James L., John C., Percy C., Myrtie W., and Betsey E. Morris to a bill in equity exhibited against the said infants and others in the Circuit Court of Maryland by Emily Morris guardian &c.

For answer to the said bill the said infant defendants by their guardian ad litem aforesaid, answers and says, that being of tender years they do not know what their true interests are in relation to the subject matter of the said bill nor do they know whether the statements there in contained are true or not. They consider the protection of their interest to the care of the court. And

The said guardian adduced to the said
infant defendants for answer to the
said bill, answers and says that he
knows nothing as to the truth or falsity
of the statements in the bill contained.
He prays full protection for the said
infant defendants. And now, having
fully answered, these defendants pray
them to be dismissed with their costs
&c.

James L. Morris, John L. Morris
Perry L. Morris, Betty E. Morris
and Myrtle W. Morris by
A. P. Young, their guardian
ad litem. And
A. P. Young guardian ad litem
of the said infants

Virginia

County of Giles, to wit.

I, W. S. Hall and a Notary Public
in and for the County of Giles aforesaid
do hereby certify that A. P. Young
guardian ad litem whose name is
signed to the foregoing answer per-
sonally came before me in my said
County and made oath that
the statements contained in said
answer are true to the best of his
knowledge and belief. Witness my
hand this 6th day of Sept 1886

W. S. Hall
Notary Public

Morris guardian of
Jas. J. Inchausti
Morris et. als

Answer of Infants by
their guardian as
Citizen and owner
of said guardian
and litem

"

Filed Sept. Res. 1886

"

Morris guardian &c
In chancery
Morris et al

The joint and separate answers were of John C Morris and Jones L. Morris infants under 21 years of age but more than 14 years old to a bill in chancery pending in the Circuit Court of the of Wiphi County exhibited by Emily Morris Guardian &c vs. Emily Morris et. al. defendants: These defendants for answer to said bill answer and say that while they are under the age of 21 years and may not be endowed with the discretion of ripen years, they still think that they are sufficiently well informed and endowed with reason to know that it is to their interest to have the timber in the bill and proceedings mentioned sold at the price therein stated, that the reasons stated by their guardian and said mother in her bill for the sale of said timber are fully and heartily concurred in by your said defendants - and they admit the other allegations in said bill mentioned - and now having fully answered they pray to be hence dismissed, and they will ever pray.

W. D. Hall and J. D. Roberts
witnesses

John C. Morris
Jas. L. Morris

James L. Morris

Virginia

County of Isle of Wight, to wit:

I, Benj. L. Roberts, a Notary Public
in and for said county and State ^{in form do. by}
do certify that James L. Morris, whose
name is signed to the foregoing and
concurrent in my said county
over, and made solemn affirmation in
due form of law that the statements
therein contained are true. Given under
my hand this 9th day of October 1886

Benj. L. Roberts, N. P.

Morris et al.
vs
for chancy
Morris et al.

Answer of James L.
and John L. Morris
infants under 21 and
over 14 years of age

To be answered

Morris guardian &c
vs & In chancery
Morris et. als

The answer of Emily Morris to a bill in chancery in the Circuit Court for the State of North Carolina in which Emily Morris guardian of James L. Morris, John L. Morris, Myrtie W. Morris, Betty E. Morris and Percy L. Morris is plaintiff and said Emily Morris and others are defendants:

The said defendant for answer to said bill answers and says that the statements in said bill contained are true and correct so far as made of her own knowledge and so far as made from the knowledge of others she believes to be correct and true and the said defendant says that no one's right rights will be injured by a sale of said lumber and that she believes a sale of the same will be to the advantage of her children for whom she feels the deepest concern. And having fully answered said defendant prays to be heard dismissed - and that will cost for &c

Emily A Morris

Virginia

County of Isle of Wight, to wit:

I, W. S. Halland a Notary
Public in and for the said County of Isle of
Wight - do certify that Emily Morris who
Name is signed to the foregoing Answer.
Given before me in my said County and
made oath that the statements therein
contained are true to the best of her knowledge
and belief. Given under my
hand this 17th day of 1886

W. S. Halland
Notary Public

Morris Guardian &c

vs { Jnr Chancery

Morris et al

Answer of Emily
Morris 1886

Received by
Emily Morris

To the Hon. Rev. Blaw Judge of the circuit Court for the County of Wight, Va.:

Your complainant, Emily Morris mother and guardian of James S.; John C.; Setty E.; Percy C.; and Mytie W. Morris humbly complaining sheweth to your honor:

That your complainant the widow of H. J. Morris dec'd is the duly qualified guardian of her said children as will more fully appear from a copy of the order of qualification here with filed as an exhibit marked "A" and prayed to be read as a part of this bill: and your complainant represents that her husband died in the year 1880 leaving herself as his widow and the above named children as his ^{only} heirs at law and leaving but very little personal property and such as she is absolutely compelled to use in living; and leaving some real estate lying and being in the said County of Wight adjacent the land of J. H. Saunders and others - that on said land there is some fine timber, which was about ten years ago cut over by certain saw-mill men - that one

John M. Gay now has a saw mill located
convenient to said timber and says that
he ^{will} pay a fair price for the
same - that your complainant has gotten
some of her friends who are experienced in
the lumber business to examine said
timber and say what is a fair value
of the same, and that they put the value
at \$450 which is \$50 more than said
Gay had offered, but that he ~~the~~
said Gay now says he is willing
to pay that amount provided he can
get it before he moves his saw mill

This timber includes all the saw mill timber
on the Jones tract of land and on the
~~Exum~~ Ely tract - last tract being the
same land conveyed to H. T. Morris, hers at Law.

And your complainant avers that it
will be to the interest of said infants,
her children, because the timber cannot be
sold after Gay's mill is moved all the
timber in the neighborhood being already
cut no one else would put a saw mill
near enough to reach said timber,
and because said land would sell for
as much or nearly as much after the
timber is cut as before - that her
children are very young and need very

very much the proceeds of said timber
to provide the necessaries of life and to
bear the expenses of a limited education
which your complainant so much
desires her children to have in her
life time - said Emily Morris would be the
her at ^{law} ^{to} ^{said} ^{children} ^{were} ^{they} ^{deed}
And whereas your complainant as
remedies soon in a court of equity
where matters of this sort are alone and
properly cognisable she prays that Emily
Morris, James S. Morris, John C. Morris
Betsey S. Morris, Percy C. Morris and
Myrtie W. Morris ^{the last four named are infants under the age of 21} may be made parties
defendant to this bill and required to
answer the same on oath; that said
Emily Morris guardian of said be
allowed to sell said lumber and
that she be authorized to enter into
contract with said John M. Hay or
some other person for sale of said lumber
that all such orders be made, enquiries
directed and accounts taken as the
nature of the case may require and that
all such other further and general
relief may be granted as to equity and
good conscience may seem meet and
your complainant will ever pray &c.
Emily A. Morris
guardian of said infant children over
them

Virginia

County of Isle of Wight, to wit:

I, W.S. Holland a Staty Public
in and for the County of Isle of Wight
in the State of Virginia do certify that
Emily Morris guardian &c. Whom
Name is signed to the foregoing bill
in Chancery come before me in
my said County - and made oath
that the statements therein con-
tained are true to the best of her
knowledge and belief - Given
under my hand this 1st day of
1886

W.S. Holland
Staty Public

Morris guardian &c
V.S. in Chancery -
Morris et als

Complainant's Bill
Sept. Rules 1886.
Bill Sept. filed. Sam.
exp. and de crees over
or. aditt def. N. K. Y.
exp. and de crees over. at letter
for the infants def.
their ans. Sam. &
gd. aditt. filed &
gd. Refiled.
"Octo. Vls. Bill taken
for conf. or to the
aditt. & act for
proceeding.
"Oct. term 1886
Bill of Emancipation
"Apr. 1887. filed as