1903-003 Chancery Causes. Sallie C. James, gdn of Claudius (Claud) S. James' children vs Sallie C James et al
Dsh of Wight County

other SURNames. Holland, Baker, Cox, Seward

44

Everett Waddey Co., Stationers and Printers, Richmond, Va. { Form No. 17.

James' Guardian

against }

Sallie L. James et. als.

To 2nd July Rules, 1901.

Filed July 16th 1901
Teste L. B. Young cl.

2d July rules 1901. Bill filed
Summ. executed, defts answers filed
Saml. H. Edwards appt. g.a.l. ad litem

1st August rules 1901
Bill taken for confessed and
case set for hearing

Aug. 20th 1901 Interlm.
for costs

Oct. term 1901. To sell &c.

Oct. term 1902. Do to collect, make
deed and report sale

April Term 1903 Final.

In the Circuit Court of Isle of Wight County, Virginia:

To the Honorable, Robert R.Prentis, Judge of the Circuit Court of Isle of Wight county.

Humbly complaining, showeth unto your Honor, your complainant, Sallie C.James of the city of Norfolk, guardian of Lloyd S. James, Harry O,Neill James, Bercenia T.James, and Alice Leonora James infant children of Claudius L.James, sometimes called Claud James, that she was appointed guardian of the said infants in the Corporation Court of the said city of Norfolk on the I5th day of May 1899 and in the said court then and there qualified as such guardian for the said infants as will appear from a certificate of the clerk of the said court showing the same, herewith filed, marked "A" and prayed to be taken as a part of this bill. That the said infants are aged as follows: Lloyd S. James thirteen years old; Harry O,Neill James eleven years old; Bercenia T. James eight years old; and Alice Leonora James is four years old.

That the said infants own jointly with your complainant in fee-simple the following real estate, situated in Hardy Magisterial District of the county of Isle of Wight in the state of Virginia, a certain tract of land known as the " Home Place" or Home Tract" and is said to contain one hundred and fifty five acres, more or less, and bounded now or late by the lands of R.T.Goodson, N.P Jones, B.L.Cox, and others, it being the tract of land whereon Richard H. Baker lived many years prior to his death and is about two miles from Smithfiled, Virginia, as will appear by the original deed from Wm.S.Holland Special Commissioner to the said Sallie C. James wife of Claud James and her children bearing date on the 8th day of June 1899 and which has been duly recorded in the Clerk,s Office of the County Court of Isle of Wight county, which is herewith filed, marked "B" and is prayed to be taken as a part of this bill. Your complainant says that the infants above named are the children refrred to in the said deed as being the children of Sallie C. James wife of Claud James, ~~now deceased.~~

The said real estate was derived as shown by the said deed by the will of Mrs Sallie W. Baker wife and widow of R.H. Baker deceased, and that the said Mrs Sallie W. Baker was a relative of the your complainant, the motherof the said infants. That this property is all the property real or personal owned by the said infant children except _____

Your complainant thinks that the interest of her wards will be greatly promoted by a sale of the said real estate, and investment of the proceeds in other property or securities, as provided by the statute of Virginia; and she thinks the following facts are calculated to show the propriety of such sale and investment:

(I) The property is a long way from the said guardian and mother and the income derived therefrom is very small not so much by far as the interest on what the land would sell for, especially is this true when the trouble and expense of looking after the property is considered.

(2) The farm is becoming less valuable year by year.

(3) The said guardian has in view a good investment in the city of Norfolk where the income of the children will be greatly increas ed.

(4) The children need more income to provide for their education and other necessities.

And your complainant believes that the rights of no person will be violated by such sale and investment.

If the said infants were dead , the following persons would be their heirs or distributees, viz; their mother, the said Sallie C. James, widow of Claudius B.James, sometimes called Claud James, no

In tender consideration of the premises, and for as much as your complainant is remediless therein, save in this court of equity, wherein such matter are alone and properly cognizable and releivable, your complainant therefore prays that the said Sallie C. James, Lloyd S. James, Harry O,Neill James, Bercenia T. James, and Alice Leonora James

the last four being infants under the age of twenty one years, may be made parties defendants to this bill and required to answer the same, but an answer on oath is herby waived as the adult defendant, the infants to answer by their guardian ad litem; that a guardian ad litem may be assigned the said infants to defend their interests in this suit, and who may also be required to answer the said bill under oath; that the said land may be decreed to be sold and the proceeds of such sale invested as the court shall direct; that all proper allowances and counsel,s fees may be made in this suit; that all proper accounts may be taken and inquiries directed, and such other and further and general relief may be granted as to equity and good conscience may seem meet and proper, Let a subpoena go. And your complainant will ever pray etc.

Wm S. Holland p.q. S.C.J. S. C. James

State of Virginia,

City of Norfolk.

I Wm H. Sargeant Jr. a Notary Public in and for the city or Corporation of Norfolk in the said state of Virginia, do certify that Sallie C. James , the complainant in the above suit, this day personally came before me in my said city or Corporation, and made oath that she believes the several statements made in the foregoing bill to be true.

Given under my hand this 15th dau of July 1901 A.D.

W.H. Sargeant Jr. N.P,

James. Guardian

vs.

Sallie L. James

Answer of Adult defendant.

Filed July 16th 1901
Test A.D. Young cc.

3/3350
1116.67
2389.68
3506.35
3350
156.35
3
4.6905
10.00
14.69

3.12
13.12
2.00

IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT:

The answer of Sallie C. James to a bill in equity exhibited against her and others in the Circuit Court of the county of Isle Isle of Wight by Sallie C. James guardian of Lloyd S. James, Harry O,Neill James, Bercenia T. James and Alice Leonora James.

Tis respondent saving and reserving to herself the benefit of all just exception to the said bill, for answer to the said bill, says that she believes the statements therein contained made are true. This respondent does not object to the sale of the land as prayed for in the said bill: she concurs in the prayer of the said bill and further prays that being a joint tenant with the said infants that her interest may be sold and her part paid to her

And now having fully answered, she prays to be hence dismissed with her costs etc.

S. C. J. S. C. James

Affidavit to the foregoing answer waived.

Wm S. Holland Counsel for complainant.

Form No. 35.

Sallie B. Jones et al.

adv. { ANSWER OF INFANT DEFENDANT.

Jones, s Gdm et al.

Note omission in first answer

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 35.

In the Circuit Court for the County of Isle of Wight,

to wit:

THE ANSWER OF _____

_____

_____

_____

infant, under the age of twenty-one years, by Samuel H. Edwards, guardian *ad litem*, assigned to defend Them in this suit, to a bill of complaint exhibited against themselves and others in the Circuit Court for the County of Isle of Wight, by Sallie C. Jones Guardian &c ~~and others~~.

The respondent, , reserving to themselves the benefit of all just exceptions to the said bill, for answer thereto, answering by said guardian *ad litem*, say that they are infant of tender years, and by reason of such disability are incapable of understanding, or of taking care of their rights and interests, they therefore commend the same to the protection of the court, and prays that no decree may be pronounced which will tend to their prejudice.

And having answered, the respondent pray to be hence dismissed with their reasonable costs, in this behalf expended; and they will ever pray, &c.

Saml. H. Edwards Guardian *ad litem*.

Wm S. Hallett p. d.

County of Isle of Wight
State of Virginia } OF } ss.

This day, Saml. H. Edwards, whose name is signed to the foregoing answer, personally appeared before me, Wm S. Hallett, a Comr. In Chancy of the Cir. Ct. of Isle of Wight Co. Va and made oath that the statements made therein, so far as they depend upon his own knowledge, are true, and so far as they depend upon knowledge derived from others he believes them to be true.

Given under my hand, this 19th day of January 1901 ~~189~~

Wm S. Hallett

Comr. In Chy &c

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

The answer of Lloyd S James, Harry O,Neill James, Bercenia T, James and Alice Leonora James infants under the age of twenty one years by Samuel H. Edwards, (a discreet and competent attorney at law), their guardian ad litem assigned to defend them in this suit, and the answer of the said Samuel H. Edwards, guardian ad litem of the said infant defendants, to a bill of complaint exhibited against the said infants and others by Sallie C. James the guardian of the said infants in the Circuit Court of Isle of Wight county.

For answer to the said bill the said infant defendants by their said guardian ad litem answer and say, that being of tender years they do not know what their rights or true interests are in relation to the subject matter of the said bill, nor do they know whether the statements therein contained are true or not. They confide the protection of their interests therein to the care of the court. And the said guardian adlitem of 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 the full protection of the infant defendants. And now having fully answered, these defendants pray to be hence dismissed with their costs, etc.

Lloyd S. James
Harry O,Neill James
Bercenia T. James
Alice Leonora James

By Samuel H. Edwards
Guardian ad litem.

Samuel H. Edwards Guardian ad litem of said infants.

County of Isle of Wight, to-wit

State of Virginia;

County of Isle of Wight,

Sworn to before me in county aforesaid by Samuel H. Edwards guardian ad litem as aforesaid, this the th day of 190IA.D.

Commissioner In Chancery of the
Cir. Court of Isle of Wight county
in the state of Virginia.

James gdn: etals

vs. { SUBPOENA IN CHANCERY.

James Sallie C.

Wm. L. Dalland p. q

To 2d July Rules,

Circuit Court.

1901

B 3119

I hereby accept legal service of this summons and waive service thereof by an Officer.
July 13th 1901
S.J. S. Lefamer.

The Commonwealth of Virginia,

To the Sheriff of the County of Isle of Wight, Greeting:

WE COMMAND YOU that you summon Sallie C. James

to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court, on the 3d Monday in July 1907, to answer a bill in chancery, exhibited against her in our said court ~~for~~ by Sallie C. James, guardian of Lloyd L. James, Mary Opal James, Lucinia T. James & Alice Leonora James

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 12th day of July 1907, and in the 126 year of the Commonwealth.

N. F. Young c.c.

Jhesus Christus,

Nr

Jhesus Nr Hs.

Nothgroschen

The depositions of B J Long and W Lewis witnesses of lawful age taken before Geo R Atkinson a commissioner in chancery of the Circuit court of Isle of Wight county to be read on the motion of defendants to have bail of the said court moved on the 24th day of August 1905 in a suit in chancery therein pending between Sallie B Jones guardian of Lloyd S Jones infant under 21 years of age, plaintiff and the said Sallie B Jones Lloyd S Jones and others infants by R S Stevens their guardian ad litem defendants.

Questions by defendants to be asked of witnesses

1st What is your name age and occupation residence

2nd Are you acquainted with the tract of land situated in Isle of Wight County belonging to the defendants Lloyd S Jones and others and known as the R H Baker land and what in your opinion be is the fair and reasonable value of the said land, and about how many acres does it contain

3 Whether or not in your opinion it would be to the interests of the infants to sell the said land and invest the proceeds in real estate in the City of Norfolk and your reasons therefor.

B J Long having been duly sworn deposeth and saith

1st Question What is your name age and occupation residence?

Ans. My name is Benj J Long. I am living near Holy Neck, Isle of Wight county and am a farmer

2nd Question Are you acquainted with the tract of land situated in the county of Isle of Wight belonging to the defendants Lloyd S Jones and others and known as the R H Baker land and what is your opinion as to the fair and reasonable value of the said land?

Answer I am well acquainted with the said land. It adjoins my land from which it is divided by the county road and I think it has been for said land is worth

Think it ought to sell for $180.

3rd Question. State whether or not in your opinion it would be to the interest of the infants both the said land and wood the proceeds or not sold at the City of Norfolk and what are your reasons therefor?

Ans. I think it would be to the infants interest that the land should be sold and the proceeds invested in Real Estate in Norfolk because many persons in Norfolk and even not from their residence to that part of the City, I also propose to rent it out and build [illegible] houses on it, and I think it would be more valuable to them invested in houses and lots here as I own as it comes into their hands. It is not believed that any of my children will be married by the time they are of age.

B. L. Cox

W S Leonard being sworn deposeth and saith, What is your age, occupation and residence

Ans. My name is W S Leonard, am 46 years old, occupation Sheriff of Norfolk County and am a resident

Have you any interest with the land sold in the county of Norfolk and known as the P & B Sims land but any way in the title and will Mary L Jones and Alice and what is your opinion as to the fair pecuniary and annual value of the said land,

Ans. I am in the adjoining town and have been there for four years and I am well acquainted with the land. My opinion as the fair pecuniary value of the place is $250 and the annual value is $150 and I think the land will sell for $250.

State whether or not it would be to the interest of the infants in all the said land and wood the proceeds to be sold for the City of Norfolk and what are your reasons therefor.

Ans. I think it would be to the infants interest that the land should be sold and the proceeds invested in the City of Norfolk as the property there could be better looked after by the guardian than

there have not the land been increasing in value every year.

I do not believe the railroad Company have ever been assessed by

such sale and assessment

have further than stated above.

W. T. Seward

Sworn and subscribed before me this 16th day of October 1903.

Geo R Wilkinson Comm in Chy

Dames Gon

v / Re chey

Dames et als

Bill of Wm Doe Esmond

James Gow

v / In the Circuit Court of Isle of Wight.

James et als

As a Judicial sale of the Baker farm in these proceedings mentioned. I hereby agree to bid the sum of Thirty one Hundred Dollars.

W. Jos. Edwards

By R. E. Boykin his atty

James Saunderson Jr

James K Polk

Democrats Vote

Commissioners Office

Smithfield September 1th 1901

To Sallie C Jones guardian of Lloyd Jones, Henry Odell Jones, Berenice
Jones and Alice Lemon Jones. Plaintiff

and to

Sallie C Jones, Lloyd S Jones, Henry Odell Jones, Berenice S Jones,
and Alice Lemon Jones the last four being infants under the age of four
teen years by Samuel W Edwards their next friend Defendants,

You are hereby that I have fixed upon the 23rd day of September
1901 at my office aforesaid to take, state and report to court the following
inquiries and accounts to wit 1st The amount and true value of the
land in the bill and proceedings mentioned together with the shares of
each party in interest

2nd Whether there are any liens for taxes or otherwise on the said land.

3rd Whether it is to the interest of the infant defendants to sell their
interest in the said land

and 4th any matter deemed pertinent by the Commissioner or any
party in interest required to be taken by a decree of the Circuit court
of Isle of Wight county rendered on the 20th day of August 1901 in
a suit in chancery pending therein between you as parties plain
tiff and defendant: at which time and place you are required to
attend

Given under my hand as a commissioner in chancery of the said
court this day and year first aforesaid

Wm Watkins

-

We hereby accept legal service of this notice
and waive service fees &c.

Sept. 16th 1901

Sallie C. Jones Guar. &c
and in her own right &
Wm S. Holland her atty.

Samuel W. Edwards Guardian ad litem

1

PAY TO THE ORDER

NORFOLK NAT'L. BANK,

NORFOLK, VA.

THE BANK OF SMITH

A. S. BARRETT, Cash

Pay W. H. JONES Jr., Cash

THE NORFOLK NATIONAL B

NORFOLK, VA.

A. B. SCHWARZKOPF, Cash'r.

No. _____ SUFFOLK, VA. Dec. 11th 1901 189~~9~~

THE FARMERS BANK OF NANSEMOND

PAY TO THE ORDER OF Rec. R. Atkinson Comr.

Eleven & 25/100 Dollars

Fee charged and allowed in James Relm. vs. James et als.

$ 11 25/100

Wm S. Holland

PAID
DEC 26 1901
Farmers Bank of Nansemond

YOUNG & SELDEN, BALTO

Rec'd Payment
Pay W. H. JONES Jr. Cashier
THE NORFOLK NATIONAL B
NORFOLK, VA.
L. B. SCHWARZKOPF, Cash'r.
PAY TO THE ORDER
NORFOLK NAT'L. BANK,
NORFOLK, VA.
THE BANK OF SMITHFIELD
A. S. BARRETT, Cashier

No. _____ SUFFOLK, VA. Dec 19th 1901 189

THE FARMERS BANK OF NANSEMOND

PAY TO THE ORDER OF R. A. Edwards crier

Five & no/100 Dollars

For Selling R H. Boker place at Southfork

$5 XT/100 Wm S. Holland

YOUNG & SELDEN, BALTO.

PAID Dec 26 1901 Farmers Bank of Nansemond

Sallie C James

Geo F Moore Esq

PAY ANY BANK OR BANKER,
— OR ORDER. —
DEC 25 1901
The Citizens' Bank of Norfolk, Va.
BENJ. F. THORGAN, Cash.

17

No. _____ SUFFOLK, VA. Dec. 19th 1901 189

THE FARMERS BANK OF NANSEMOND

PAY TO THE ORDER OF Sallie C. James

Eight hundred & ninety Seven & 74/100 Dollars

Paid out as ash pymt on Boker place as per decree & under bond 14

James Guardian vs. Jones et als.

$ 897 74

Wm S. Holland

PAID DEC 30 1901 Farmers Bank of Nansemond

YOUNG & SELDEN, BALTO.

PAY TO THE ORDER OF
Petersburg Savings & Insurance Co.,
PETERSBURG, VA.,
BANK OF SMITHFIELD, VA.,
A. S. BARRETT, Cashier.

Pay The Bank of Smithfield,
Smithfield, Va., or order,
N. T. BOONE.

PAY TO THE ORDER OF
ANY BANK OR BANKER
DEC 30 1901
Petersburg Savings & Ins. Co.
PETERSBURG VA.,
GEO. J. SLAY, Cashier

No. 18
10

SUFFOLK, VA. Dec. 19th 1901 189

THE FARMERS BANK OF NANSEMOND

PAY TO THE ORDER OF A. F. Jaumey clk

Ten & 18/100 Dollars

Fees in full to date & recording two powers of attys. in James Guardian vs James et als.

$10 18/100

Wm S. Hallard

YOUNG & SELDEN, BALTO

PAID DEC 31 1901

Sallie C James
Gus for
S L James
H D James
B James
L James
Robt Morris's

W. S. HOLLAND,
ATTORNEY AT LAW.

No. 2695

Windsor, Va. January 13th 1903

THE FARMERS BANK OF NANSEMOND
SUFFOLK, VA.

PAY TO THE ORDER OF Sallie C. Jones Gdn. of S. L. Jones, H. O. Jones, B. Jones & A. L. Jones

Two thousand two hundred & fifty & no/100 DOLLARS

Paid pursuant to decree entered Dec 7- 1901 in Jones Guardian v. Jones et als, Bond having been given as herein said decree. This check will be my receipt

$2250 xx/100

Wm S. Holland

KENTUCKY LITHO CO LOUISVILLE

Pay CITIZENS BANK,
NORFOLK, VA. Or Order,
THE BANK OF SMITHFIELD,
A. S. BARRETT, Cashier.

W. S. HOLLAND,
ATTORNEY AT LAW.

No. 2707 **Windsor, Va.** January 22nd 1903

THE FARMERS BANK OF NANSEMOND
SUFFOLK, VA.

PAY TO THE ORDER OF N. F. Young Clk

Two & 25/100 DOLLARS

In full of fees &c. in Jones Gdn. v Jones et. als. ordered to and including a final decree as per oral statement made.
Wm S. Holland Atty

$2 25/100

RECEIVED JAN 30 1903 U.S. MARSHAL'S OFFICE

KENTUCKY PRINTING CO LOUISVILLE

Sallie E. James
L. S. H. & A. B. L. Gdn.
H. L. James.

W. S. HOLLAND,
ATTORNEY AT LAW.

No. 2706 **Windsor, Va.** January 22nd 1903

THE FARMERS BANK OF NANSEMOND
SUFFOLK, VA.

PAY TO THE ORDER OF Sallie C. James Guardian of L. S.; H. O.; B. T. & A. T. Jones

One hundred & twenty four & 56/100 **DOLLARS**

Balance in full of proceeds of sale of Bacon sold by me as Spc. Comr. to W. Joe Edwards under a decree pronounced in James Edwards &c. vs Jones et als. and this money is now under decrees in said cause in Circuit Court of Isle of Wight Co. Va.

$124.56/100

Wm S. Holland

KENTUCKY LITHO CO LOUISVILLE

Sallie L. Jones
Ydsz

PAY TO THE ORDER OF
[illegible] BANK,
[illegible] & CO.

W. S. HOLLAND,
ATTORNEY AT LAW.

No. 2708 Windsor, Va. Jan'y 22 1903

THE FARMERS BANK OF NANSEMOND
SUFFOLK, VA.

PAY TO THE ORDER OF Sallie C. Jones Exec'x

Fifteen & no/100 DOLLARS

Bal as per check to 2606 of this date

$15 xx/100

Wm S. Holland

JAN 23 1903

KENTUCKY PRINTING CO LOUISVILLE

James pltf

vs } Chty. Common Pleas

James et al's

Filed October 18th 1901

Commissioner,s Office, Smithfield, Va.

October I7th 190I.

The undersigned your commissioner of the Circuit Court of the county of Isle of Wight in the state of Virginia, to whom was referred the papers in the cause in chancery pending in the said Circuit Court styled " Sallie C.James , guardian of S.Lloyd James, Harry O,neil James, Bercenia T.James, and Alice Leonora James versus Sllie C. James. Lloyd S. James, Harry O,neil James, Bercenia T.James and Alice Leonora James, the last four being infants under the age of fourteen one years of age", begs to report that your commissioner pursuant to a decree in said cause rendered on the 20th day of August 190I which requires that your commissioner enquire, take, state and report to the next term of the said court as follows:

(I) "The annual and fee-simple value of the lands in the bill and proceedings mentioned, together with the share of each party in interest?

(2) Whether there are any liens for taxes or otherwise on the lands in the bill and proceedings mentioned?

(3) Whether it is to the interest of the infant defendants to sell their interest in the said land in the bill and proceedings mentioned?

(4) Any matter deemed pertinent by the commissioner or any party i in interest."

Your commmissioner begs to further report that on the 11th day of September I90I he issued noties to the parties requiring them to appear before him at his office for the purpose of making the said inquiries and accounts, but no one appearing on that day, the 23th day of September I90I, the day named in the said notice, this matter was continued from day to day and from time to time till the I6th day of October 190I when the said plaintiff and the guardian adli-tem appeared, the plaintiff by attorney and the guardian adlitem in person, and the evidece of witness was taken and their testimony is herwwith filed, and this cause was continued to the I7th day of Oct. 190I when he made an examination of the records in the office of the clerk

of the County and Circuit courts of the county of Isle of Wight, and from the said testimony, examination, and from the personal knowledge of your commissioner, the land being situate about two miles from Smithfield your commissioner responds to inquiry NO.I that

the nnual value of the land in the bill and proceedings mentioned is $150 and that the fee-simple value thereof is $1750 ; and that there are five equal shares in the said land as follows; Sallie C. James one fifth; S.Lloyd James one fifth; Harry O,neil James one fifth; Bercenia T.James one fifth and ~~XXXX~~ Alice Leonora James one fifth, it appearing from deed book NO. 64 of the said clerk,s Office of the County Court of said Isle of Wight county that Wm.S.Holland Special Commissioner conveyed the lands in the bill and proceedings mentioned to " Sallie C.James and her children".

Responding to inquiry NO.2 your commissioner says that after a careful examination of the records he finds no lien for taxws or otherwise.

Responding to inquiry NO. 3 your commissioner reports that from the information before him as aforesaid he of the opinion that it will be to the interest of the said infant defendants to sell their interest in the said land, and especially so as your commissioner is informed by the attorney for the plaintiff that she has an opportunity to invest in city property that will bring in a much better income, the said guardian and her said wards reside in the city of Norfolk, Virginia.

The plaintiff by her attorney has requested that your commissioner report to court whether it would be to the interest of the infants to sell said land at private sale at the price of three thousand dollars, and your commissioneV says he is informed by by Col. R.E.Boykin that he has a client who will pay appreciably more than three thousand dollars for the said land, and therefore does not recommend a private sale.

Given under my hand as Commissioner of the said Court the day and year above mentioned.

Time employed 1½ hours
Commissioners fee $11.25

Eug R Williams

James Reardin

vs

James et al

Report & distribution of

Wm S. Holland

Spc. Comr.

Statement - Paid by Wm S. Holland Shff. cons in suit of Jones Edm. vs James et als. by checks as follows:

To Sallie B. Jones Edm.	check	to	2270	$ 897.74
" Same	"	"	2695	2250.00
" Same	"	"	2706	124.56
" Same	"	"	2708	15.00
" N. F. Yancey	"	"	2707	2.00
" Same	"	"	2272	10.18
" Geo. A Atkins as Com	"	"	2273	11.25
" R. A. Edwards Com	"	"	2271	5.00
" W. S. Holland Com	Returned			76.00
	Same	on int.	"	3.12
"	Same	fee allowed by ct		100.00
"	"	Deputy clerk		10.00
"	Writ Tax	fee by W. S. H.		1.50
				3506.35

By Sale	3350.00	
Cost paid	156.35	
	$ 3506.35	$ 3506.35

James Guardian

vs

James et. als.

Report of distribution of all in hand by

Wm S. Hullihen Spencer

James Guardian

Vs

James et als

To the Honorable Robert R. Prentis, Judge of the Circuit Court of Isle of Wight County.

The undersigned, your Special Commissioner begs to report that he has collected all the purchase price from W. Joe Edwards amounting in all to thirty-five hundred and six (3506) dollars and thirty-five (35) cents and that he has paid out the same and herewith files his several checks as vouchers as per a statement hereto attached. Upon investigation your Commissioner finds that said Sallie C. James gave a guardian bond in your Honor's Court with surety abundantly ample in accordence with the several decrees in this cause and he has paid the money to her as such guardian.

Very respectfully,

Wm S. Holland Spe. Com'r.

Sallie C. James Guardian etc

vs

Sallie C.James et als.

D E C R E E

To be entred.

August 20, 1901

Robert R. Prentis

In the clerks office of Isle of Wight county, Virginia, on August 23d this decree was received and ordered of record.

Teste J. D. Young C.

I N T H E C I R C U I T C O U R T O F I S L E O F W I G H T C O U N T Y , IN VACATION, this 20th day of August 1901.

Sallie C.James, Guardian of Lloyd S James, Harry O,neil James, Bercenia T. James and Alice Leonora James.

vs

Sallie C. James, Lloyd S. James, Harry O,neil James, Bercenia T. James, and Alice Leonora James, the last four being infants under the age of fourteen years.

This cause, in which it appears that the guardian ad litem of the infant defendants has had reasonable notice of the complainant's intention to apply for this decree, came on this day to be heard on the bill of complaint and exhibits therewith filed, on the answer of the adult defendant with general replication thereto, and on the answer of the infant defendants by their guardian ad litem, Samuel H. Edwards, duly assigned at rules to defend them in this suit, and on the answer of the said guardian ad litem, with general replication thereto, and was argued by counsel:

On consideration whereof, the court doth adjudge, order and decree, that one of the commissioners of this court inquire, take, state and report to the next term of this court, as follows:

(1) The annual and fee-simple value of the lands in the bill and proceedings mentioned, together with the share of each party in interest?

(2) Whether there are any liens for taxes or otherwise on the lands in the bill and proceedings mentioned?

(3) Whether it is to the interest of the infant defendants to sell their interest in the bill and proceedings mentioned?

(4) Any matter deemed pertinent by the commissioner or any party in interest.

Robert D. Hudgins

To the Clerk of the Circuit Court of Isle of Wight County, Virginia

To the Clerk of the Circuit Court of Isle of Wight County.

oooooooooooOOOOOOOOoooooooooooo

In the Clerk's office of the Circuit Court of Isle of Wight County this 23rd. day of August, 1901, the foregoing vacation decree was received and entered of record.

Teste, N. F. Young, Clerk.

A Copy,

Teste, N. F. Young Clerk.

$#$#$#

James, Guardian

vs

James et als.

D E C R E E .

To be entered Oct. 28th 1901

Robt. R. Ellis

Order book 6, page 251..

James Guardian

vs

James et als.

This cause came on this day to be again heard on the papers formerly read, and on the report of Commissioner Geo. R.Atkinson filed herein on the 18th day of October 1901,to which no exception has been filed, and was argued by counsel:

On consideration whereof the court doth adjudge, order and decree that the said report of Commissioner Atkinson be, and the same is, hereby confirmed, and it appearing to the court from a statement in writing filed with the papers that W. Jos. Edwards will bid for the land in the bill mentioned ~~appreciably more than~~ three one hundred thousand dollars if the same is sold at public auction, the court doth further adjudge, order and decree, that Wm.S.Holland, who is hereby appointed a special commissioner for that purpose, proceed to sell the land in the bill and proceedings mentioned by public auction to the highest bidder on the premises, at Smithfield, or at Isle of Wight Courthouse, for cash, one third, and the rest in two equal instalments payable in one and two years after date of sale with interest at the rate of six per centum per annum from the day of sale, till paid, with privilege to the purchaser to pay all in cash if he so elects, after having advertized the time, place and terms of sale by printed hand bills for at least ten days prior to the day of sale, but before the said special commissioner shall proceed to execute this decree he shall enter into a bond in the penalty of $4000.- before the clerk of this court with surety by the said clerk deemed sufficient, payable accoring to law, and conditioned to faithfully perform his duties under this and all subsequent decrees herein.

Jones's Guardian

vs

Jones et als.

Decree

The clerk of the Cir. Court
of Isle of Wight County
will enter this
decree.
Entered Dec 7, 1901
Robt R. Dennis

Order Book 6, page 254.

In the Circuit Court of Isle of Wight County in vacation this 7th. day of December 1901.

James Guardian

Vs

James et als

This cause came on to be heard on the papers formerly read and on the report of the sale by Wm. S. Holland Special Commissioner, it appearing to the Court that all parties have had a reasonable notice of the intention of the complainant to apply for this decree in vacation, and was argued by counsel.

On consideration whereof, the Court doth adjudge, order and decree that the said report of Special Commissioner Wm. S. Holland, to which there is no exception, be, and the same is, hereby ratified, approved and confirmed; and that the sale of the land in the bill and proceedings mentioned to W. Joe Edwards at the price and sum of $3,350.00 be, and the same is hereby confirmed.

And the Court doth further adjudge, order and decree that Wm. S. Holland out of the money in hand, shall pay, first, the cost of this suit and sale, including a fee of $100.— to Wm. S. Holland, the attorney conducting this ~~case~~, and shall pay the residue in his hands and to come in his hands as follows: to Sallie C. James one-fifth, and the other four-fifths to be paid to Sallie C. James, guardian of S. Lloyd James, Harry O'Neil James, Bernema James and Alice Leonora James. ~~but before this money is paid to the said Sallie C. James, she shall give as security on her guardian bond~~ The purchaser may anticipate the payment of his bonds for the deferred payments.— James.

And the said Special Commissioner shall make report to Court.

Before any funds shall be paid to the said Sallie C. James she shall execute before the Clerk of this Court a proper bond in the penalty of $3500.— with good security to be approved by the Clerk of this Court conditioned for the faithful application of the fund, and for the management and preservation of any property or securities in which the same may be invested, and for the protection of the rights of all persons interested therein, whether such rights be vested or contingent. (over)

Sallie b. James
Guardian
vs.
James et als.

Decree
Oct. 27th 1902
To be entered

Robert K. Ellis

C.O.B. No. 6, page 271

James Guardian

vs.

James et als.

This cause came on this day to be again heard on the papers formerly read, and was argued by counsel:

On consideration whereof the court doth adjudge, order and de cree that when W.Joe Edwards, the purchaser of the lands in the bill and proceedings mentioned, shall have paid all the purchase price to Wm.S.Holland special commissioner with all accrued interest, then in that event the said Wm.S.Holland who is hereby appointed a special commissioner for that purpose, shall make, excecute and deliver to the said W.Joe Edwards, or to any one whom he shall in writing designate by joining with the said special commissioner in the deed, a good and sufficient deed with special warranty, conveying to him, the said W.Joe Edwards or the person whom he may designate as aforesaid, the said land purchased by him.

And the court doth further adjudge, order and ecree that the said special commissioner may pay the amount in his hands belonging to her to the sallie C.James guardian when she shall have executed a bond as provided in a decree in this cause entered on the 7th day of December 1901, and the said Wm.S.Holland commissioner of sale shall proceed to collect any instalment from the said purchaser when it becomes due and payable.

James Guardian

Vs

James et a ls.

D E C R E E .

To be entered.

April 27, 1903

Robt R. Stevens

C.O.B. 6, page 299

James Guardian

Vs

James et a ls.

This cause came on this day to be again heard upon the papers formerly real, and upon the report of disbursements of W.m. S. Holland Special Commissioner, and was argued by counsel.

On consideration whereof the Court doth adjudge, order and decree that the said report of Special Commissioner Wm. S. Holland this day filed by leave of Court, showing that he has collected all the purchase price from W. Joe Edwards amounting to thirty-five hundred and six (3506) dollars and thirty-five (35) cents including interest and has disbursed the same in accordence with the orders of this Court, the said Special Commissioner having filed with his said report his vouchers for the said disbursements, that the said report be, and the same is, hereby ratified, approved and confirmed.

And nothing further appearing to be done in this cause, it is ordered that the same be dismissed from the docket.

Wm L. Jackson spl. contr

To 1/2 B. & L.

Sallie C. James & children

Admitted to Record

June 19th 1899

Deed Book 64

Page 108.

Tax & Fee 4.05

Paid

T H I S D E E D, made this 8th day of June I899, between William S.Holland Special Commissioner, as hereinafter set forth, party of the first part; and " Sallie James (wife of Claud James) and her children", of the City of Norfolk State of Virginia, parties of the second part:

Whereas, by a decree of the Circuit court of the county of Isle of Wight entered on the 29th day of October I896, in the chencery cause entitled, R.H. Baker's admrx. c.t.a. et. als. vs. Pitt et. als., therein depending, it was, among other things, adjudged, ordered and decreed that William S.Holland, who was thereby appointed Special Commissioner for the purpose, should sell by public auction, after certain advertisements, and upon certain terms in the said decree fully set forth, certain real estate therein described; and,

Whereas, the said William S.Holland Special Commissioner, having first given bond as required by said decree, pursuant to the said decree, did, on the 7th day of December I896, after having duly advertised the same in accordance with the terms of the said decree, offer for sale, by public auction, the following described real estate, to-wit: a certain tract of land known as the "Home Tract", situate, lying and being about two miles from Smithfield in said Isle of Wight county in the State of Virginia, containing I55 acres, more or less, sale and conveyance in gross and not by the acre, and bounded now or late, by the lands of R.T.Goodson, N.P.Jones, B.L.Cox and others, being the tract of land on which said R.H.Baker resided many years next preceding his death. At which sale the said Sallie W.Baker made the last and highest bid therefor, and became the purchaser thereof, at the price of two thousand seven hundred and twenty five (2725.00) dollars; and the said Sallie W. Baker having died in the year I897 after said sale and before the same was confirmed, having prior to her death made and published her last will and testament which after her death was duly admitted to probat and may now be found of record in the clerks office of the County Court of said Isle of Wight county by which she, the said Sallie W.Baker, gave, devised and bequested practically all her property, including the real estate hereby conveyed, of which she had been in possession as purchaser, to said " Sallie James (wife of Claud James) and her children"; and

Whereas, the said sale was duly reported to the Court by the said Special Commissioner, and was by another decree, entered in the said cause on the 25th day of April I898, by the said Court, approved and confirmed, a

deed was ordered to be made to said " Sallie C. James (wife of Claud James) and her children"; and whereas, the said Sallie C. James hath paid the whole of the said purchase money, and by the last named decree, entered by the said Court in the said cause, the said William S. Holland was appointed Special Commissioner to execute and deliver to the said "Sallie C. James (wife of Claud James) and her children" a good and sufficient deed, with special warranty, conveying the said real estate to them in fee simple:

Now, Therefore, This Deed Witnesseth, That for and in consideration of the premises, and in obedience to the said last mentioned decree, the said William S. Holland Special Commissioner as aforesaid, doth grant unto the said " Sallie C. James (wife of Claud James) and her children", with special warranty, the real estate hereinbefore fully described.

Witness the following signature and seal :

Wm S. Holland, Special Comr (Seal)

State of Virginia, County of Isle of Wight, to-wit:

I, J. B. Wilson, a Justice of the Peace in and for the county aforesaid, in the State of Virginia, do certify that William S. Holland special commissioner whose name is signed to the writing hereto annexed, bearing date on the 8th day of June 1899, has acknowledged the same before me in my county aforesaid. Given under my hand this 8 th day of June 1899.

J. B. Wilson J.P.

In the Clerk's Office of the County Court for the County of Isle of Wight the 19th day of June 1899. This Deed was presented and with the Certificate annexed admitted to record.

Teste N. F. Young Clerk
by J. R. Latimer D.C.

To Sallie C. James Guardian for Lloy S. James, Harry O,Neill James, Bercenia T. James and Alice Leonora James infants and in her own right and Sam. H.Edwards guardian ad litem of the said infant defendants:

Please take notice that 26th day of August 1901 at Suffolk, Virginia, at the office of Judge Robert R. Prentis, I shall apply to the said Hon. Robt. R. Prentis, Judge of the Circuit Court of Isle of Wight county, in vacation for a decree for enquiries and accounts in the suit of Sallie C. James guardian for Lloyd S. James, Harry O,Neil James, Bercenia T. James and Alice Leonora James vs Sallie C. James and others, now pending in the Circuit Court of Isle of Wight county, Virginia.

S C J S C James Guardian etc

The undersigned hereby accept service of the above notice and waive service thereof by an officer. S C James

S C J.

Guardian etc.

Sam'l H Edwards

Guardian ad litem.

To Mrs. Sallie C. James, Samuel H. Edwards, guardianad liten and W. Joe Edwards, Purchaser:

Please take notice that on the 7th day of December, 1901, in Suffolk, Virginia, at the office of Hon. Robert R. Prentis, Judge of the Circuit Court of the County of Isle of Wight, I shall ask the said judge in vacation to enter a decree confirming the sale made by me in Smithfield on the 30th day of November, 1901, of the R. H. Baker Place. I shall also ask that the decree authorize me to pay to the parties the money in hand after the payment of the costs and a reasonable attorney's fee.

Respectfully,

To Mrs. Sallie C. Jones, Samuel H. Edwards, guardianad liten and W. Joe Edwards, Purchaser:

Please take notice that on the 7th day of December, 1901, in Suffolk, Virginia, at the office of Hon. Robert R. Prentis, Judge of the Circuit Court of the County of Isle of Wight, I shall ask the said Judge in vacation to enter a decree confirming the sale made by me in Smithfield on the 30th day of November, 1901, of the R. H. Baker Place. I shall also ask that the decree authorize me to pay to the parties the money in hand after the payment of the costs and a reasonable attorney's fee.

Respectfully,

Sallie C. Jones Guardian
by Wm S. Hall and her atto.

I hereby accept service hereof and waive service by an officer.

X Sallie C Jones X

Sign name on line between X X

To Mrs. Sallie C. James, Samuel H. Edwards, guardian ad liten, and W. Joe Edwards, purchaser:

Please take notice that on the 7th day of December, 1901, in Suffolk, Virginia, at the office of Hon. Robert R. Prentis, judge of the Circuit Court of the County of Isle of Wight, I shall ask the said judge in vacation to a enter a decree confirming the sale made by me in Smithfield on the 20th day of November, of the R. H. Baker Place. I shall also ask that the decree authorize me to pay to the parties the money in hand after the payment of the costs and a reasonable attorney's fee.

Respectfully,
Sallie C. James Guardian

I hereby accept this notice and waive service hereof by an officer.

W. Joe Edwards
by R. E. Boykin his atty.

To Mrs. Sallie C. James, Samuel H. Edwards, guardianad liten and W. Joe Edwards, Purchaser:

Please take notice that on the 7th day of December, 1901, in Suffolk, Virginia, at the office of Hon. Robert R. Prentis, judge of the Circuit Court of the County of Isle of Wight, I shall ask the said judge in vacation to enter a decree confirming the sale made by me in Smithfield on the 20th day of November, 1901, of the R. H. Baker Place. I shall also ask that the decree authorize me to pay to the parties the money in hand after the payment of the costs and a reasonable attorney's fee.

Respectfully,
Sallie C. James Edm. &c.

I hereby accept service of this notice Nov. 29th 1901 and waive service as an officer.

Samuel H. Edwards
Edm. ad. Litem.