1909-013 Chancery Causes. Eva W. Edwards, R. A. Edwards & al vs Ernest W. Parker, Pattie B. Parker & Isle of Wight County John R. Parker, by & c

OTHER SURNAMES: Street

To Mrs. Pattie B. Parker, widow of H. R. Parker, dec'd, Mr. R. S. Thomas, guardian ad litem for Jno. R. Parker infant and orphan of H. R. Parker, dec'd, Robert A. Edwards and Mrs. Eva W. Edwards.

Please take notice that I shall on the 28th day of July, 1904 at 5 o'clock P. M. apply to the Honorable Robert R. Prentis, Judge of the Circuit Court of Isle of Wight County, in vacation, at his office in the town of Suffolk, for a decree confirming the sales of the lands of H. R. Parker, dec'd, made by Robert A. Edwards, Special Commissioner, under a decree in the suit of Edwards, et. als. vs Parker, et. als., and also to authorize said Commissioner to pay cost and distribute the amount in his hands and for other purposes.

July 21, 1904.

Very respectfully,
H R Parker & others plaintiffs
by W. S. Holland their Atty.

We hereby accept due and sufficient legal service of the above notice.

Pattie B Parker
by J. W. Jordan

R. S. Thomas guardian ad litem
for John R. Parker

John R. Parker by R. S. Thomas guardian ad litem.

Eva W. Edwards

R. A. Edwards

COMMISSIONER'S OFFICE ISLE OF WIGHT COUNTY,

March 29th,1904.

To Nora W.Parker,Nannie W.Parker,Jessie B.Street and J.L.Street her husband,H.R.Parker and Fannie N.Parker plaintiff against Pattie B.Parker,Eva W.Edwards and R.A.Edwards her husband and John R.Parker the last an infant by some one his guardian ad litem appointed to defend his interest in this suit.

You are hereby notified that I have fixed upon the 20th, day of April 1904 if fair;if not,on the next fair day thereafter (Sundays excepted), to take and settle,at my office,the account of :

first: Whither the interest of the parties of this suit, and especially the infant defendant will be promoted by the sale of the ~~XXXX~~ saw mill and other timber upon the lands in the bill and proceedings of the suit mentioned,separate and apart from the sale of the said lands,in the ~~X~~ event that ~~XXX~~ partition of the same cannot conveniently be had in kind.

Second: Whither the said lands~~s~~ of the said H.R.Parker,in the bill and proceedings of this suit mentioned can be conveniently divided in kind among the parties entitled thereto ,after the assignment of dower to the said widow without loss or injury to the said parties; and if incapable of division in kind without loss or injury to the parties whether any party will take the said lands and pay the other parties such sumes of money as their interest may entitle,or whether the interest of the said parties will be promoted by a sale of the said lands or allotment of part and sale of the residue .

Third:The leins upon said lands if any,including delinquent taxes,which ~~XXX~~ account the said Commissioner shall take ,settle and report to Court with any matter specially stated deemed ~~XXX~~ pertinent by himself or required by any of the parties to be so stated.

required to be taken by a decree of the Circuit Court of the County of Isle Of Wight rendered on the 23rd, day of April 1900 in a suit in Chancery depending in said Court between Edwards et als against Parker et als at which time and place you are required to attend.

Given under my hand, as Commissioned in Chancery of the said court, the day and year first afore said.

N. J. Young
Commissioner.

Edwards etals

vs } Comr. Notice

Parker etals

Excepted by delivering a copy of this notice Mrs Pollie B. Parker. J. O Jordan Guardian of Jno. R Parker Harry R. Parker. James M. Johnson & Eva. C. Edwards. Apl. 16th/04

Ro. A Edwards

Deft.

Service of this notice is hereby accepted by all the plaintiffs W. S. Harcum then atty.

April 16th 1904

Ro A. Edwards

We waive acknowledgement of legal service of the within notice.

Apl. 16th/04.

COMMISSIONER'S OFFICE ISLE OF WIGHT COUNTY,

March 29th, 1904.

To Vera C.Parker, Vannie C.Parker, Jessie P.Street and J.L.Street her husband, W.E.Parker and Fannie K.Parker plaintiff against Pattie C.Parker Eva C.Edwards and E.A.Edwards her husband and John E.Parker the last an infant by some one his guardian ad litem appointed to defend his interest in this suit.

You are hereby notified that I have fixed upon the 30th, day of April 1904 if fair; if not, on the next fair day thereafter (Sunday excepted), to take and settle, at my office, the account of ;

First: Whether the interest of the said parties to this suit will be promoted by the sale of the saw-mill and other timber upon the lands in the bill and proceedings of the suit mentioned, separate and apart from the sale of the said lands, in the event that partition of the same cannot conveniently be had in kind.

Second: Whether the said lands of the said W.E.Parker, in the bill and proceedings of this suit mentioned can be conveniently divided in kind among the parties entitled thereto, after the assignment of the dower to the said widow without loss or injury to the said parties, and if incapable of division in kind without loss or injury to the parties; whether any party will take the said lands and pay the other parties such sums of money as their interest may entitle, or whether the interest of the said parties will be promoted by a sale of the said lands or allotment of part and sale of the residue.

Third: The liens upon said land if any, including delinquent taxes, which amount the said Commissioner shall take settle and report to court with any matter specially stated deemed pertinent by himself or required by any of the parties to be so stated, required to be taken by a decree of the Circuit Court of the County of Isle Of Wight rendered on the 23rd, day of April 1900, in a suit in Chancery depending in said Court between Edwards et als against Parker et als at which time and place you are required to

attend.

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

N. J. Hanna
Commissioner.

A Copy
Teste N. J. Hanna Comr

Edwards & others

vs

H.B. Porter's heirs and others

We hereby consent that the papers in this cause may be submitted to the Judge of the Circuit Court of Isle of Wight County in vacation, May 3rd 1904 for such decision and decree in vacation as might be made or entered in term.

The Plaintiffs by
Wm S. Holland their
attorney
Pattie B. Parker
J. W. Jordan Guardian
Eva W. Edwards
R. A. Edwards
R. S. Thomas Jr. Com
ad litem

Wm R. a. 2
Jno R. a. 2

E. W. T.
Pattie B. P.
Jno R. Porter

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 6.

This Deed, Made this 6th day of January, 1905, between Robert A. Edwards

Special Commissioner, as hereinafter set forth, party of the first part, and Mrs Eva W Edwards Edwards, of the County of Isle of Wight State of Virginia, party of the second part:

WHEREAS by a decree of the Circuit Court of the County of Isle of Wight entered on the 4th day of May 1904, in the chancery cause entitled Edwards et. als. vs Parker et. als., therein pending, it was, among other things, adjudged, ordered and decreed that said Robert A. Edwards, who was thereby appointed Special Commissioner, for the purpose, shall sell by public auction, after certain advertisement, and upon certain terms in the said decree fully set forth, certain real estate therein described; and

WHEREAS the said Robert A Edwards, Special Commissioner pursuant to the said decree, did on the 4th day of July, 1904, 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: all that certain tract of land situate in Newport Magisterial District, in the County of Isle of Wight and the State of Virginia, known as the HEATH PLACE, containing eight (8) acres, more or less, sale and conveyance in gross and not by the acre, and which lies on Brewer's Creek and adjoins the lands of Jim Newby and others. At said sale this real estate was sold as tract No. 6.

At which sale the said Eva W. Edwards made the last and highest bid therefor, and became the purchaser thereof at the price of fifty five dollars; and

WHEREAS the said sale was duly reported to the Court by said Special Commissioner, and

was by another decree, entered in the said cause on the 28th day of July, 1905, by the said Court, approved and confirmed; and

WHEREAS the said Eva W. Edwards hath paid the whole of the said purchase money, which payment was duly reported to the said Court; and whereupon by ~~another~~ the same decree, entered by the said Court in the said cause on the 28th day of July, 1905, the said Robert A Edwards was appointed Special Commissioner to execute and deliver to the said Eva W. Edwards a good and sufficient deed, with special warranty conveying the said real estate to the said Eva W. Edwards 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 Robert A. Edwards Special Commissioner as aforesaid, doth grant unto the said Eva W. Edwards with special warranty, the said real estate hereinbefore fully described.

Witness the following signature and seal :

SEAL

SEAL

SEAL

State of Virginia, of to wit:

I, for the aforesaid, in the State of Virginia, do certify that whose names signed to the writing hereto annexed, bearing date on the day of 190 , ha acknowledged the same before me in my aforesaid. Given under my hand this day of , 190 .

In the Court Clerk's office of the of the day of 190 :

This deed was this day presented to me in my said office, and, with the Certificate annexed, admitted to record at o'clock M.

Teste :

Clerk.

FORM No. 6.

R A Edwards

Special Commissioner

to } DEED OF BARGAIN AND SALE.

Mrs Eva W. Edwards

190

Presented in office and, with

certificate , admitted to record at

o'clock M.

Clerk.

Recorded—Deed Book

Page

Clerk's Fee, - - - - $

Tax, - - - - - -

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY, VIRGINIA IN VACATION THIS 28TH DAY OF JULY, 1904.

Edwards et. als.

vs

Parker et. als.

This cause came on this day to be heard on the papers, formerly read, on the report of sales by R. A. Edwards, Special Commissioner, filed this day by leave of Court, on reasonable notice to the defendants that the plaintiffs would apply for this decree, and was argued by counsel:

On consideration whereof the Court doth adjudge, order, and decree that the said repert of sales by said R. A. Edwards, Special Commissioner, be and the same is hereby ratified, approved and confirmed ; and that the sale of tract No. I known as PLAINFIELD to Mrs. Eva W. Edwards for Forty five hundred and fifty (4550) dollars, and the sale of tract No. 2 known as JESSIE PARKER PLACE to Mrs. Emma J. Knight, for two thousand and twenty five (2025) dollars, and the sale of tract No. 3 known as NEWMAN PLACE to B. P. Chapman for Sixteen hundred and fifty (I650) dollars , and the sale of tract No. 4 known as GREEN ISLAND to Wm. R. Latimore, for one thousand and sixty(I060, dollars, and the sale of tract No. 5 known as FISHING POINT FARM to Mrs. Eva W. Edwards for one thousand and eighty (I080) dollars, and the sale of tract No. 6 known as HEATH PLACE to Mrs. Eva W. Edwards for Fifty five (55) dollars, and the sale of tract No. 7 known as EAST POINT FARM to Elishia Kellum for Eight hundred and twenty five (825) dollars, be and they are, hereby confirmed.

And the Court doth further adjudge, order, and decree that out of the money in hand the said Robert A. Edwards do pay the unpaid costs including a fee of ~~($200.)~~ two hundred dollars, to Wm. S. Holland, Counsel in this cause, for his services , and pay out the rest in hand or which may come in hand under the provisions of this decree to the parties thereto entitled as follows :

The rest in hand,or which may come in hand under the provisions of this decree,after the payment of cost as aforesaid, to the parties thereto entitled, as follows: money in lieu of dower to the widow of H. R. Parker, deceased, to be ascertained in accordance with section 2281-2-3 Code of Virginia 1887, and the answer of said widow filed herein; and shall pay out the rest still in hand after said widow is paid to the seven children and heirs at law of the said H. R. Parker, dec'd, in the bill and proceedings mentioned or to their assigns, or order, paying the share of the infant defendant to its duly qualified guardian when this Court shall be satisfied that said guardian has given bond in the penalty and with a surety sufficient for the security of the same.

And the Court doth further adjudge, order and decree, that said R. A. Edwards, who is hereby appointed a Special Commissioner for that purpose, do make, execute and deliver to said Elisha Kellum a good and sufficient deed with Special Warranty for the tract of land in Accomac County bought and paid for by him as reported in the report of sales above mentioned; and when any other purchaser whose sale has been confirmed by this decree shall have paid in full all the purchase price with all accrued interest due by him, whether said payments have been anticipated or paid when due, then the said R. A. Edwards, who is hereby appointed a Special Commissioner for that purpose, shall make, execute and deliver to such purchaser, who has paid as aforesaid, a good and sufficient deed with Special Warranty for the land so purchased and paid for.

And the Court doth further adjudge, order and decree that the said Special Commissioner of Sales, R. A. Edwards, shall immediately proceed to take bonds containing a waiver of the Homestead Exemption from the said several purchasers,who do not pay all in cash, for the deferred payments on the lands so purchased by them; and that the said Eva W. Edwards, either pay in cash the cash payment for the land purchased by her or if she prefers may use her share in the

said land including what may be due to her ~~or~~ to her husband with his consent from her brothers and sisters. ~~then she shall pay interest at the rate of 6% per annum from the day of sale until the 1st day of January 1905 on one third of the purchase price of the land so purchased by her, and in taking bonds as above mentioned where the purchaser~~ and where purchaser is a married woman, her husband shall join with her in said bonds. And said R. A. Edwards, Special Commissioner as aforesaid, shall make report of all his doings under this decree to the next term of this Court.

The Court doth further adjudge, order and decree that if the said R. A. Edwards, Special Commissioner, who is also the Administrator of H. R. Parker, dec'd, shall know of any debt outstanding and unpaid against the said estate, and if the amount of the debt be ascertained or surely ascertainable he is hereby authorized to pay the same out of any money in hand belonging to the widow and heirs at law of the said H. R. Parker, dec'd, and in the event of any not ascertained claim against said estate then the said R. A. Edwards, Special Commissioner, is hereby authorized to turn over the papers in this cause to one of the Commissioners of this Court who shall immediately take, state and report to the next term of this Court an account of all the debts outstanding and unpaid against the estate of the said H. R. Parker, dec'd, with their priorities and dignities, and the said Commissioner shall further take, state and report to Court any matter deemed pertinent by himself or which any party in interest may require to be taken, stated and reported to Court.

Robert R. Willis

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

In the Clerk's Office of the Circuit Court of Isle of Wight County this 8th. day of Aug. 1904, this vacation order was received and entered of record.

 TESTE: N. F. Young **Clerk.**

EDWARDS, ET. ALS.

vs.

PARKER, ET. ALS.

Chancery Order
Book 2vo C - fol. 333

IN VACATION.

JULY 28TH, 1904.

To be entered

Robt R. Willis

Re enter and entered of record
August 8th 1904
Test N. J. Manning Clerk

EDWARDS ET ALS)
)
vs.)
)
PARKER 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 decree that the terms of the sale ordered by a decree entered in this cause on the 4th day of May, 1904, shall be on the terms, as follows: one-third cash, and the rest in one and two years from the 1st day of January, 1905, at which time possession is to be given, with interest from the 1st day of January, 1905 until paid with the right to the purchaser to pay all cash: The purchaser shall not be entitled to any rents which may accrue prior to the 1st day of January 1905.

EDWARDS ET ALS.

vs

PARKER ET ALS.

D E C R E E.

To be entered

June 7th 1904.

Robt R. Ellis

Entered in C.O. B
#6 page 352.

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY,

IN VACATION, THIS 4th DAY OF MAY 1904.

Parker et als.)
)
vs.)
)
Edwards et als.)

which by consent of parties is submitted to the Judge of this Court for such decision and decrees herein, in Vacation as might be made in term,

This cause came on this day to be again heard, by consent of all parties entered of record, on the papers formerly read, on the answer of Pattie B. Parker, widow of H. R. Parker, deceased, filed herein on the 19th day of April 1904 with general replication thereto, on the report of Commissioner N. F. Young filed herein on the 22nd day of April 1904, and was argued by counsel.

On consideration whereof the Court doth adjudge, order and decree that the said report of Commissioner N. F. Young, to which no exceptions have been filed, be, and the same is, hereby ratified, approved and confirmed; that Wm. S. Holland and Robert A. Edwards, who are hereby appointed Special Commissioners for that purpose, proceed to sell by public auction to the highest bidder at Isle of Wight Court House on some Court day or in the town of Smithfield, County of Isle of Wight and State of Virginia, and the tract of land in Accomac County in said County if deemed best by said Special Commissioners, the lands in the bill and proceedings mentioned, in eight several tracts or parcels as briefly described in said report of Commissioner N. F. Young. The said Special Commissioners, who are hereby authorized to act jointly or severally, are hereby empowered to offer for sale as aforesaid, the timber on each of the said several tracts or parcels of land, then offer, for sale as aforesaid, land without the timber, and lastly, offer for sale as aforesaid, the said several tracts of land including the timber thereon, ~~with the right on the part of~~ and make report to court

~~the said Special Commissioner or Commissioners acting, to accept the bid or the bids most advantageous to the interest of the said widow and heirs at law of the said Henry R. Parker, deceased, as recommended by the said N. F. Young, Special Commissioner in his said report~~; but the said Special Commissioner, or Special Commissioners acting, shall advertise the time, terms and place of said sale for at least thirty days by printed hand bills and by publication in some newspaper or newspapers published in Eastern Virginia, and before the said Special Commissioners shall do anything under this decree they, or the one acting, in case only one shall act, shall enter into a bond in the penalty of $12,000.— before the Clerk of this Court with surety by the said Clerk deemed sufficient and payable and conditioned according to law.

And the said Special Commissioner or Commissioners acting shall make report to Court.

Robert R. Willis

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

In the Clerks office of the Circuit Court of Isle of Wight County this 4th. day of May, 1904, This vacation decree was received and entered of record.

TESTE: N. F. Young Clerk.

8

Edwards et als.

vs.

Parker et als.

D E C R E E .

IN VACATION MAY 4th 1904.

To be entered

Robt R. Ellis

Edwards et als

Vs

Parker 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 and on the motion of Eva W. Edwards and R. A. Edwards her husband, the Court doth adjudge, order and decree, that they are allowed to withdraw from this suit as plaintiffs, and are hereby made defendants , and that in all further proceedings in this case they shall be treated and regarded as defendants in this cause, and they are hereby allowed to file their answer to the bill of complaint within thirty days from the rising of this Court, but this change from parties plaintiffs to parties defendants shall not affect the validity of anything heretofore done in this cause.

It appearing to the Court that one or more of the parties named in a decree entered in this cause on the 23d day of April 1900, are connected by blood or marriage with some of the parties to this suit., and on motion of the plaintiffs, the Court doth adjudge, order and decree that in the room and stead of W. D. Hodsden, Frank M. Powell, J. Walter Chapman, Charles Jordan and Mills R. Minton, the following persons are hereby appointed commissioners for the purpose of assigning dower to the widow of H. R. Parker deceased in the room and stead of those first above named:--

The Court doth further adjudge, order and decree that every part of the said decree entered in this cause on the 23d day of April, 1900, shall be in full force as if entered this day, except as herein specifically modified.

Edwards et als

Vs

Parker et als

-:-:-:

Nannie W.Parker
Eva W.Edwards,and R.A.Edwards her husband,Norah W.Parker,Jessie P.Street and J.L.Street,her husband,H.R.Parker and Fannie N.Parker.

Vs.In the Circuit Court of Isle of Wight County.

Earnest W.Parker,Pattie B.Parker,and John R.Parker,an infant by his guardian ad litem.

This cause came on this day to be heard on the bill taken for confessed as to the adult defendant Pattie B.Parker,upon whom process has been duly served,she still failing to appear, plead answer or demur,upon the disclaimer and answer of Earnest W.Parker,this day filed by leave of court,and upon the answer of duly assigned at rules, this day filed by leave of court the infant defendant by R.S.Thomas ,his guardian ad litem,with general replication thereto, and was argued by counsel; on consideration whereof the court doth adjudge,order and decree that W. J. Hodsden. Frank M. Powell. J. Walter Chapman. Chas S. Jordan and Miss R Minton, who are hereby appointed commissioners for the purpose,any three of whom may act,do go upon the land in the bill and proceedings of this suit mentioned,of which H.R.Parker died seised and possessed of an estate of inheritance during his marriage with Pattie B.Parker,and assign to the said Pattie B.Parker,widow of the said H.R.Parker,for life,by metes and bounds,having regard to quantity and quality,one equal third part of the said land,as and for her dower therein; and if in the performance of their duties under this decree it becomes necessary,in the opinion of the commissioners who shall act hereunder,they are authorized and directed to employ a competent sur-veyor to lay off the said land, or such part as may be necessary,and make a plat thereof. And the said commissioners shall make report to court of their proceedings under this decree.

And the court doth further adjudge,order and decree that a commissioner of this court ascertain and report to court. First . Whether the interests of the parties to this suit,and - especially the infant defendant, will be promoted by a sale of the saw-mill and other timber upon the lands in the bill and proceedings of this suit mentioned,separate and apart from the sale of the said lands,in the event that partition of the same can not conveniently be had in kind.

Second.Whether the said lands of the said H.R.Parker,in the bill and proceedings of this suit mentioned can be conveniently divided in kind among the parties entitled thereto,after the assigment of dower to the said widow,without loss or injury to the said parties;and if incapable of division in kind without loss or injury to the parties whether any party will take the said lands and pay to the other parties such sums of money as their interest may entitle them,or whether the interests of the parties will be promo -ted by a sale of the said lands,or allottment of part and sale of the residue. ~~And by consent of parties entered in open~~

Third.
The liens upon the said lands if any,including delinquent taxes.

which accounts the said commissioner shall take,settle and report to court,with any matter specially stated,deemed pertinent by himself or required by any of the parties to be so stated. And it appearing to the court from the disclaimer of Earnest W.Parker that he has no interest in the subject matter of this suit,it is ordered that he be dismissed as a party defendant,with his costs in this behalf expended.

And by consent of parties in term entered of record,it it ordered that this suit be submitted to the judge of this court in vacation for such decree therein as might be made in term.

Edwards et als.

Vs. In Chancery.

Parker et als.

Rough Decree, April 23 1900

To be entered.

Robert R. Lewis

Entered

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Costs 565.40

Dower 2180.33

Each child 1214.18

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12.50	Graphic
19.00	Ranger
35.00	V. & Rist
50	dues —

540.40
25.00 clerk

2185.43

..Several Very Good FARMS and TIMBER LANDS..

FOR SALE!

BY

PUBLIC AUCTION.

Pursuant to a decree of the Circuit Court of the County of Isle of Wight entered on the 4th day of May, 1904, in a suit in chancery entitled Edwards et als vs Parker et als, I shall offer for sale by public auction to the highest bidder at Isle of Wight Courthouse, beginning at 2 o'clock P. M., on

MONDAY, JULY 4th, 1904,

The following tracts or parcels of land and timber except tract No 7, which lies in Accomac County and which will be sold at Accomac Courthouse at 2 o'clock P. M., on SATURDAY, JULY 16th, 1904.

TRACT No. 1—Known as "PLAINFIELD," the home place of the late Mr. H. R. Parker, contains 241 acres, lying on the James river and bounded by the lands of W. R. Latimer and others, on it there is a dwelling and suitable out houses, a very good orchard consisting of all kinds of fruits grown in this section, also a good pasture for stock raising consisting partly of high land and partly marsh. The arable portion of this farm is sufficient for a four horse crop.

TRACT No. 2—Known as "JESSIE PARKER PLACE," near Bens Church on Brewer's Creek, contains one hundred and seventy (170) acres, adjoins the lands of G. H. Parker, J. C. Knight and others. The arable portion of this farm is sufficient for three horses. The buildings are in fairly good order.

TRACT No. 3—Known as "NEWMAN PLACE", and lies on a navigable creek, known as Norsworthy creek, contains three hundred (300) acres, adjoins Plainfield, the lands of W. B. Jordan's estate and others, and on this farm there are suitable buildings in fairly good order and a first class pasture for stock raising. Arable land for a good one horse crop

TRACT No. 4—Known as "GREEN ISLAND", on James river and contains one hundred and twenty-five (125) acres, bounded by the lands of W. R. Latimer, by Cooper's Creek and is in that part of the country known as Ragged Island. On this farm there is a good pasture for stock raising and sufficient arable land for a two horse crop.

TRACT No. 5—Known as "FISHING POINT FARM", lies on James river opposite to and in full view of the City of Newport News, contains one hundred and twenty-five (125) acres, adjoins Green Island and is bounded by Cooper's Creek, has a good pasture for stock raising, suitable buildings and enough arable land for a ..... horse crop.

TRACT No. 6—Known as "HEATH PLACE", lies on Brewer's Creek, contains eight (8) acres, adjoins the lands of Jim Newby and others. On this land there are no buildings.

TRACT No. 7—Known as "EAST POINT FARM," lies on Chesapeake Bay in the County of Accomac near Cashville Post Office and is bounded by Finney's Creek. Contains about fifty-seven (57) acres, adjoins the lands of A. Parkerand others. Arable land sufficient for one horse or more and suitable buildings in fairly good condition.

Excepting tract No. 7, all of these lands are situated in Newport Magisterial District in the eastern part of Isle of Wight County and tract No. 7 is in Accomac County on Chesapeake Bay, a postoffice. All these farms, except Nos. 2 and 6, front on navigable water and on each there is a landing or wharf from which the produce of the farm can be loaded on board of vessels bound for Norfolk, Baltimore, Newport News and other markets. Freighting is not only convenient but also much cheaper than railroad rates. Green vegetables can be put in market the same day they are gathered. Tracts Nos. 2 and 6, while not having a landing or wharf on them, still there are landings and wharfs within a few hundred yards. As above described most of this land lies immediately on salt water and is convenient for fishing and oystering. These luxuries can be had all the year around at a very low price. The riparian owners of the land on these waters have special privileges under the laws of Virginia in regard to planting oysters.

On each of these several tracts of land there is considerable pine, oak, poplar and other STANDING TIMBER suitable for saw-mills, piling, cord wood and other purposes. This timber can be manufactured on the land and conveniently and cheaply shipped to market or the logs can be put in market in Norfolk, Newport News and elsewhere at very little cost.

At said sale this property will be offered, first, the standing timber to ten inches on the stump when cut, stump to be not less than one foot from the general level of the land, purchaser to have ten years from date of sale to cut and carry away said timber, with the privilege of five additional years by paying the then owner of the land a sum of money equal to 6 per cent interest on the purchase price of the timber for each and every year after the expiration of said ten years, all rights to cease and determine absolutely at the end of fifteen years from the date of the sale, purchaser to have the right to open roads, ways, tramways, bogie-tracks and railroads suitable for handling said timber or any other timber which the owner thereof may own in that neighborhood both before and after it is manufactured; also the right to put down saw-mills, shelters, shanties and the like with the right to take up and carry away railroads, saw-mills, machinery &c., &c., within three months after cutting said timber, but without the consent of the owner of the said land no road, way, tram-way, or railroad shall be made, built or constructed upon the arable portion of the said land which may be in cultivation or which was cultivated during the preceding year except along the roads or ways now on or which may be on that portion of the said land where the way, bogie-track or railroad passes through a fence, gates or cattle guards shall be kept by the party handling the timber; and, second, said land without the timber will be offered for sale in tracts as hereinbefore mentioned. The acreage hereinbefore mentioned is taken from the record and is merely a description. It is believed that the acreage is much greater than stated and in selling land and timber the sales will be made in gross and not by the acre; and, third, the land and timber in the tracts as above mentioned will be sold, that is to say that the successful bidder will get land, timber and all. When the bidding is over the bid or bids most advantageous to the interest of the estate will be reported to Court for confirmation.

Terms of Sale-- One-third cash and the rest in one and two years from the 1st day of January, 1905, at which time possession is to be given, the lands being rented out this year, and on the deferred payments interest will be charged from the 1st day of January, 1905 until paid, with the right to the purchaser to pay all in cash. Any person desiring to see this land or to get more information concerning the same can see or correspond with the undersigned whose Post Office is Smithfield Virginia, or with Mr. Wm. S. Holland, attorney for the plaintiffs, whose Post Office is Windsor Station Virginia. Either of these parties will take pleasure in furnishing any information they can to any person interested.

In the Clerk's Office of the Circuit Court of the County of Isle of Wight.

Edwards et als.....Plaintiff
Against
Parker et als.....Defendant

I, N. F. YOUNG, Clerk of the said court, do certify that the bond required of the Special Commissioner by the decree rendered in said cause in vacation on the 4th day of May, 1904, has been duly given. Given under my hand as Clerk of the said court, this 17th day of May, 1904.

N. F. YOUNG, C. C.

ROBERT A. EDWARDS,

Special Commissioner.

Wm. S. Holland, p. q.

Edwards et.als. vs Parker et. als.

To the Hon. Robert R. Prentis Judge of the Circuit Court of Isle of County :

The undersigned, one of the special commissioners appointed by a decree entered in this cause, on the 4th. day of May I904 qualified as required by said decree, and acted as sale commissioner.of sale. He begs to report that he advertised the said land by printed hand-bills, a copy of which is herewith filed as a part of this report ; and also advertised by a briefer publication in the Virginian-Pilot, a newspaper published in the City of Norfolk Virginia. As advertised he sold the land in different parcels supposing some would sell better. He says some of the tracts were divided and some surveyed and he employed a competent surveyor for the purpose. He says said land was well and thouroughly advertised and was offered for sale at Isle of Wight Courthouse on the Fourth day of July I904, it being first Monday in July and is still called " Court day ". The board of Supervisors of the County held a regular session that day and a large crowd of people was present.

The timber was first offered, and then the land without the timber. In each and every instance the sum of the bids for the timber without the land and for the land without the timber was less than the bid for the timber and land as a whole, and for that reason the bids herein after reported are the bids for the timber and land together as a whole.

The last and highest bidders are as follows :

For tract No. I known as PLAINFIELD, Eva W. Edwards at the price and sum of Forty five hundred and fifty (4550) dollars ;

For tract No. 2 known as JESSIE PARKER PLACE Mrs. Emma J. Knight wife of J. C. Knight at the price and sum of Two thousand and twenty five (2025) dollars;

For tract No. 3 known as NEWMAN PLACE, B. P. Chapman at the price and sum of Sixteen hundred and fifty (I650) dollars;

For tract No. 4 known as GREEN ISLAND to Wm. R. Latimore at the price and sum of one thousand and sixty (I060) dollars;

For tract No. 5 known as FISHING POINT FARM to Eva W. Edwards at the price and sum of One thousand and eighty (1080) dollars;
For tract No. 6. known as HEATH PLACE to Eva W. Edwards at the price and sum of Fifty five (55) dollars;
For tract No. 7 known as EAST POINT FARM in Accomac County to Elishia Kellum at the price and sum of Eight hundred and twenty five (825) dollars.

The said several tracts of land which are fully described on said notice of sale herewith filed were knocked down to the last and highest bidders. The said Mr. Elishia Kellum has paid in cash for the property bid off by him, all other bidders except said Mrs. Eva W. Edwards have paid one third in cash and speak of anticipating the deferred payments. The said Mrs. Eva W. Edwards has not paid any cash but is one of the heirs at law of said H. R. Parker, deceased and some of her sisters and brothers owe her money to be paid out of their shares and in that way has more that enough in said property to pay her cash payment, and she wishes all her money including her own share to be applied that way.

Your Special Commissioner is of the opinion that the said land sold for a fair price and has heard of no upset bid, and recommends a confirmation of said sales.

Most Respectfully Submitted,

Robert A. Edwards Spc.
comm by W.S. Hall
his atto.

Edwards et. als.

vs

Porter et. als.

Report of Sales of Land

Filed July 28th 1904
by leave of Court.

COMMISSIONER'S OFFICE ISLE OF WIGHT COUNTY,

April 20th, 1904.

Pursuant to a decree of the Circuit Court of Isle Of Wight County rendered on the 27th, day of April 1904, in a suit in Chancery therein depending under the style of Edwards et als against Parker et als, the undersigned one of the Commissioners in Chancery of the said Court to whom the papers in said cause have been refered for the purpose of making stating and reporting the enquires required to be so made and stated by a former decree, to-wit: by a decree rendered on the 23rd, day of April 1900, as follows.

First: whether the interest of the parties to this suit and especially the infant defendant, will be promoted by a sale of the saw mill and other timber upon the lands in the bill and proceedings of this suit mentioned, separate and apart from the sale of the said lands, in the event partition of the same cannot conveniently be had in kind.

Second: whether the said lands of the said H.R.Parker, in the bill and proceedings of this suit mentioned, can conveniently be divided in kind among the parties entitled thereto, after the assignment of dower to the said widow, without loss or injury to the said parties, and if incapable of division in kind without loss or injury to the parties, whether any party will take the said lands, and pay to the other parties such sums as their interest may entitle them, or whether the interest of the said parties will be promoted by a sale of the said land of allotment of part and sale of the residue.

Third: the liens upon said land, if any, including delinquent taxes, which accounts the said Commissioner shall take, state and report to the Court, with any matter specially stated, deemed pertinent by himself or required by any of the parties to be so stated.

X Your Commissioner reports that on the 29th day of March 1904 he wrote notices against all the heirs requiring them to appear at this office on April 20th 1904 & attend the taking of said enquiries. Which notices were duly served & are herewith filed.

X Your Commissioner respectfully reports to the Court that it will be to the interest of all the parties to sell the lands of which the said H.R.Parker died seized and possessed and divide the proceeds of sale; as your Commissioner is of opinion that the said land cannot be conveniently divided in kind, and no party has

offered to take the land, and pay the other parties such sums as their respective shares would entitle them to.

Your Commissioner from his own personal knowledge of the lands in the bill mentioned, and from the opinion of others famil -iar with said lands, thinks it would be greatly to the interest of all parties in interest, that the said land be offered for sale by separate tracts, and in the following named; that is to say. -- First:--to offer for sale the timber on each tract. ---- Second:--Offer for sale the land without the timber, and lastly; offer for sale the tract including land and timber, with the right of the Commissioner to accept any bid or bids most advantageous to the interest of the said estate.----------

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The following is a brief of description of the several tracts or parcels of land in the bill and proceedings mentioned of wich H.R.Parker died seized and possessed, together with the annual and fee simple value thereof according to the testamony before me.

First:-- "PLAINFIELD", the home place of H.R.Parker cantains two hundred and forty-one acres, more or less, lying on James River and bounded by the lands of W.R.Latimer and others; has good dwelling and out-houses on it; the fee simple value thereof is $3300.00 and the annual value thereof is $250.00.

Second:--" JESSE PARKER PLACE" , located near Benn's Church on Brewer's Creek, containing one hundred and seventy (170) acres, more or less, and adjoins the lands of G.H.Parker, J.C.Knight and others. The fee simple value thereof is $2000.00 and the annual value thereof is $125.00.----

Third:-- " NEWMAN PLACE" located on a navigable creek known as "NORSWORTHEY CREEK" contains three hundred (300) acres and adjoins Plainfield, the lands of W.B.Jordan and others, the fee simple value thereof is $1000.00 and the annual value is $100.00

Fourth:--"GREENS ISLAND" located on James River and contains _____ acres, more or less, and bounded by the lands of W.R.Latimer and others and is bounded on one side by Cooper's Creek; this is a part of the land belonging to H.R. Parker in Ragged Island.

This Ragged Island land is divided into two farms for the reason that according to the testamony of R.A.Edwards, one of the defendants, it is suitable for two farms and would sell better; the feesimple value thereof is $500.00 and the annual value is $30.00.

Fifth:-- "FISHING POINT FARM" located on James River opposite to and in full view of the City of Newport News, contains _____ _____ acres, adjoins Greens Island and is also bounded by Cooper's Creek; the fee simple value thereof is $500.00 and the annual value is $36.00

Sixth:-- "HEATH OLACE" located near Brewers Creek and contains eight (8) acres, more or less, and adjoins the lands of Jim Newby and others; the fee simple value thereof is $50.00 and the annual value is $10.00.

Seventh:--"EAST POINT FARM" located on Chesapeake Bay and Finney's Creek in the County of Accomack near Cashville Post Office and contains fifty-seven (57) acres, more or less, and adjoins the lands of A.Parker and others; the fee simple value thereof is $700.00 and the annual value is $25.00

The above named tracts of land, except the last lie in the County of Isle Of Wight and in the State of Virginia and the last tract in the County of Accomack and in the said State. The annual and fee simple value has been given as a matter deemed pertinent both by the Commissioner and by some of the parties in interest.

Your Commissioner futher reports to the Court that the wid-ow of H.R.Parker deceased has filed an answer in this cause xx waiving her right to dower in kind in the land of which her husband died seized and possessed, and offers to accept money in lieu of dower in kind in accordance with the statute in such xxx case made and provided.

The title to the land to be sold, therefore, will be a fee simple title unencumbered in any way.

Your Commissioner beg leave to report that there are no liens on the said lands for delinquent taxes or otherwise.

Given under my hand the day and year first aforesaid.

W. D. Manning Commissioner.

Edwards et als

vs } Comr. Yamaga report

Parker et als

Filed April 22d 1904

The Commonwealth of Virginia,

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

WE COMMAND YOU that you summon C. J. Parker, Pattie B Parker and John R. Parker, the last and infant by some one his guardian ad litem appointed to defend his interest in this suit.

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 1st Monday in April 1900, to answer a bill in chancery, exhibited against them in our said court ~~for~~ by Eva W. Edwards and R. A. Edwards her husband Sarah W. Parker, Nannie W. Parker, Jessie P. Street, and J. L. Street her husband, N. R. Parker and Fannie N. Parker

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 28th day of March 1900, and in the 124 year of the Commonwealth.

N. F. Young Jr., Clerk

Edwards et als

vs. { SUBPOENA IN CHANCERY.

Parker et als

R. E. Parker p. q

To 1st April Rules,

Circuit Court.

1900

B 3119

Executed on the within named R. E. Parker, J. Parker, B. Parker, Esqrs. by the delivering to each of them a true copy hereof, this 29th day of March, 1900.

O. A. Edwards
Sheriff

Edwards et als.

Vs. In the Circuit Court of Isle of Wight County.

Parker et als.

The answer of John R. Parker, an infant under twenty one years of age, by R. S. Thomas his guardain ad litem appointed to defend his interests in this suit.

This defendant saving and reserving all right of exception to the many errors and imperfection in the said bill contained, for answer thereto, or to so much thereof as he is advised it is material or necessary for him to answer, answering says; that he is an infant under the age of twenty one years and commits his interests in the premises to the protection of this honorable court. And having answered prays hence to be dismissed with his costs in this behalf most unreasonably expended.

John R. Parker
by
R. S. Thomas
Gdn ad litem.

Filed 24 Sept. 1894.
Ans. in Chcy.
Edwards et als.

LAW OFFICE
OF
R. E. BOYKIN.

Edwards et als.

Vs. In Chcy.

Parker et als.

Infants Answer.

Edwards et als.)
)
vs.)
)
Parker et als.)

The answer of Pattie B. Parker to a bill of complaint exhibited in the Circuit Court of Isle of Wight County against herself and others by Nora W. Parker and others.

This respondent reserving to herself the right of all just exception to the many errors, inacuracies and uncertainties in the said bill contained, for answer thereto or to so much thereof that she is advised it is material to answer, answering and says.

This respondent admits that she is the widow of Henry R. Parker deceased, that her said husband died siezed and possessed of several tracts of land in the bill of complaint mentioned and says that she is entitled to a dower therein but in lieu of her dower in kind in the land, that is to say in lieu of one-third of the land for and during her natural life, having reference to quantity and value, of which her said husband died siezed and possessed, she is willing and hereby offers to accept a sum of money to be ascertained according to the statute in such cases made and provided.

This respondent hereby waives the assignment of dower by Commiswioners appointed for the purpose as ordered by this Court and as required by law.

This respondent says that that she was 51 years old on the 8th of Jan. 6 1904, which last named day was her last birthday. This sum of money this respondent understands will be her own property to use as she may be disposed.

And now having fully answered the said bill of complaint and denying all unlawful confederacy and combination she prays

to be hence dismissed with her cost in this behalf expended. And she will ever pray.

Pattie B. Parker

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

I, James B Davis, a Justice of the Peace in and for the County of Isle of Wight in the State of Virginia do certify that ~~Hattie~~ Pattie B. Parker whose name is signed to the foregoing answer in Chancery personally appeared before me in my said County and made solemn affirmation in due form of law that the statements contained in the said foregoing answer so far as made from her own knowledge are true, and so far as made upon knowledge derived from others she believes to be true.

Given under my hand this 18th day of April 1904.

James B Davis J. P.

Pattie B. Parker et al.

vs

Nora W. Parker et al.

Answer of Pattie B. Parker

Filed April 19th 1904

Edwards et als.

Versus. In the Circuit Court of Isle of Wight County.

Parker et als.

The answer and disclaimer of E.W.Parker,to the bill of complaint in said court exhibited by Edw. W.Edwards and others against him and others.

This defendant saving and reserving all right of exception to the many errors and imperfections in said bill contained,for answer thereto or to so much thereof as he is advised it is material or necessary for him to answer,answering and disclaiming says. That he admits to be true the general allegation in the said bill comtained that his father,the said H.R.Parker,in his life,time, made large advancements to him, with the understanding and under the agreement that he should not in any manner share in the estate,real and personal,of which the said H.R.Parker might die seised and possessed,which agreement and understanding this defendant desires to faithfully observe and keep upon his part. And this defendant says, that he does not know to his knowledge and belief that he has, nor does he claim or pretend to have any right,title or interest in or to the estate,real or personl,of which the said H. R.Parker died seised and possessed; and this defendant disclaims all right,title and interest to the said estate of the said H.R.Parker decd.,and every part thereof. And having answered and disclaimed this defendant prays hence to be dismissed with his costs in this behalf most unreasonably expended.

Ernest W Parker

LAW OFFICE
OF
R. E. BOYKIN.

Edwards et als.

Versus. In Chancery.

Parker et als.

The Answer and Disclaimer of

E.W.Parker.

To the Hon R.R.Prentis,Judge of the Circuit Court of Law and Chancery for the County of Isle of Wight,in Chancery sitting.

Humbly complaining sheweth to the court,your Complainants Eva W.Edwards and R.A.Edwards,her husband,Norah W.Parker,Nannie W.Parker,Jessie P.Street and J.L.Street,her husband,H.R. Parker,and Fannie N.Parker; that your complainants father H.R. Parker,departed this life intestate,at his residence in the county aforesaid on the 15th day of Feby1899,leaving him surviving a widow,Pattie B.Parker,and eight children,to wit,your complainants,E.W.Parker and John R.Parker,the last an infant, ashis sole distributees and heirs at law.

That the said H.R.Parker died seised and posessed of valuable real estate in the County of Isle of Wight,as follows,to wit;

First.A tract of land,in Smiths Neck,known as"Plainfield",containing by estimation acres,be the same more or less,adjoing the land known as Macclesfield,the lands of the late W. B.Jordan et als.

Second. A tract of land,known as the Prker place,adjoing the lands of A.Bunkley decd.,Geo.H.Parker,Rap Gilliam et als,containing by estimation acres be the same more or less.

Third. A tract of land known as the"Norsworthy"or "Newman" land,adjoing the lands known as"Green's Island" and "Plainfield",containing by estimation acres,be the same more or less..

Fourth. A tract of land known as"Greens Island",adjoining " Plainfield"and the lands of A.S.Johnson,containg by estimation acres,be the same more or less.

That the said Pattie B.Parker,the widow of the said H.R.Parker is entitled to dower in the said lands.

LAW OFFICE
OF
R. E. BOYKIN.

That the estate of the said H.R.Parker was committed to R.A. Edwards Sheriff of the County of Isle of Wight for administration,and that out of the personal estate which came to his hands the said administrator has paid off and discharged all of the debts of the said H.R.Parker or his estate.

That the said H.R.Parker,in his life time,made large advancements to his son,the said E.W.Parker,the amount of which more than equalled the interest of the said E.W.Parker,in the estate of the said H.R.Parker. That such advancements were made with the express understanding and agreement that such advancements should be had and taken in full of all of the interest of the said E.W.Parker,in the estate of the said H.R. Parker; and your complainants are informed and so charge that the said E.W.Parker,before he can legally participate in the distribution of the estate of the said H.R.Parker,decd,must come into hotchpot,and account for the advancements so made him by the said H.R.Parker,decd.,in his life time,as aforesaid; and your complainants are further informed that the said E.W.Parker,in recognition of the said agreement and understanding,and said advancements,makes no demand for any portion of the estate of the said H.R.Parker,decd.

Your complainants are informed and so charge,that the said lands of the said H.R.Parker,after assignment of dower to his said widow,the said Pattie B.Parker,are incapable of division among the parties entitled thereto,nor will any party take the entire real estate and pay to the others what their respective interests will entitle them,but that the interests of all parties will be promoted by a sale of the entire real estate after the assignment of dower to the said

widow of the said H.R.Parker decd.

That the said several tracts of land of which the said H.R.Parker died seised and possessed,as aforesaid,and each of them has,considerable saw-mill timber and cord wood upon it, and that it would be to the interest of all perties,including the infant defendant,to sell the said saw-mill timber and cord wood before making sale of the said lands,and distribute the proceeds of sale of the said saw-mill timber and cord wood among the parties entitled thereto.

In tender consideration whereof,and forasmuch as your complain-ants are without remedy at law,and can only be relieved by the aid of this Honorable Court of Chacery,where matters of this kind are alone and properly cognizable and relievable,to the end that justice may be had in the premises,your complain-ants pray that,the said E.W.Parker,Pattie B.Parker,and John R. Parker,the last an infant under twenty one year of age,by some suitable and discreet attorney at law,as his guardian ad litem be made parties defendants to this suit and be required to answer the same,and answer under oath being hereby expressly waived.

That dower be assigned the said Pattie B.Parker,widow of the said H.R.Parker,decd,as aforesaid,in the real estate of which the said H.R.Parker died seised and possessed.

That the timber and cord wood upon the said lands of the said H.R.Parker decd.,be sold and the proceeds of sale be distributed among the parties entitled thereto.

That a Commissioner of this court ascertain and report to court whether partition can be conveniently had of the real estate of which the said H.R.Parker died seised and possessed,after the assignment of dower to the widow of the said

LAW OFFICE
OF
R. E. BOYKIN.

H.R.Parker decd.,and if partition can not be conveniently had whether any party will take the entire subject and pay to the other parties such sums of monay as their interests will entitle them,or whether the interests of the parties will be promoted by a sale of the entire real estate aforesaid,after assignement of dower to the said widow,or allottment of part and the sale of the residue. That the said real estate,subject to and after assignmanet of dower to the said widow as aforesaid,be sold and the proceeds of sale be distributed among the parties entitled thereto.

That proper process may issue; that all proper orders and decrees may be made and enquiries directed,and that such other,further and general relief may be granted in the premises as the nature of the case may require or to equity shall seem meet. And your complainants will ever pray&c.

Boykin. p.q.

LAW OFFICE
OF
R. E. BOYKIN.

Edwards and others.

Vs. In Chancery.

Parker and others.

Complainants Bill.

Filed April 1st 1900

1st April rules 1900. Bill taken
pro. confesso as to all defts &
to proceed ex parte.

2d April rules 1900. Bill taken
for confesso as to all defts & cause set
for hearing ex parte. R. L. Thomas
Sol. for Complt. Guardian ad litem of infant defts.

April term 1900. Decree and decree
nisi for sale

April term 1903. E. H. R. Edwards with
drawn as Solr. for defts. Mary
Conner added to set aside decree

May 4th 1904 vacating decree & sell &c.

June term 1904 decree of sale . . .

R.E. Boykin. p.q.

April 2, 1900