

1910-001 Chancery Causes: C.
Sale of Wright County C.

H. Hart, trustee vs Mary V. Davis, B. F. Davis & al
H. Hart, trustee vs Mary V. Davis, B. F. Davis & al

Folder 1

other surnames: Stott,
Holland, Lang, Chapman,
McClelland

C. H. Hart, Trustee

vs $\frac{2}{2}$ Bill of Complaint

Mary v. Davis et. al.

Filed Sep. 20th 1904

2^d Sept. rules 1904 Bill and
Whelan's filed same execution on B & Davis
and answer of M. V. Davis filed

at Oct rules 1904 Bill taken
for confessed. and case set for
hearing

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

C. H. Hart, Trustee

vs.

Mary V. Davis, B. F. Dews, Virgie F. Dews and H. Franklin Dews,
the last two are infants.

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

C. H. Hart trustee, your complainant, respectfully represents
to the court that on the 8th day of August 1888 Mary V. Davis, moth-
er of Meritena J. Dews, executed and delivered to your complainant,
the said C. H. Hart, trustee, a certain deed of trust in writing bear-
ing date on the day and year aforesaid, and duly recorded in the
clerks office of the County Court of Isle of Wight county in Deed-
book No. 54 and page 17, a copy of which is herewith filed as an ex-
hibit marked A and is prayed to be taken and read as a part of this
bill of complaint.

Your complainant avers that the said original deed after it
had been recorded, was misplaced, lost or destroyed after it was tak-
en from the said clerks office. It appears from the books in the
said clerks office, as shown by said copy, that there is an error in
the spelling of the christian name of the said Mary V. Davis. The
Notary who acknowledged the deed, named the grantor as "Mary V. Davis
It was the intention of the said Mary V. Davis to sign her name to
said deed correctly, and your complainant is informed that the said
Mary V. Davis is now willing to correct the signature to the said
deed, so as to make the said deed of trust absolutely effective just
as if no error had been made, if in the opinion of the court there
is any error which would effect its validity.

Your complainant avers that the said Meritena J. Dews departed
this life intestate in the year 1902 and left a husband, B. F. Dews,
and two children: namely, Virgie F. Dews who is now nearly twenty
yearsold, and H. Franklin Dews who is about fourteen years old.

The said husband and the said children by the said husband are still living. These children are in need of funds for the purpose of an education and otherwise. They have no income from any source except from the land in the said deed of trust mentioned and that is necessarily very limited indeed. The said land is under the control and management of the said father as tenant but he has been unable to produce an income sufficient to educate and provide for the said children.

Your complainant has been advised that there is some standing timber upon the said tract of land which could be sold without impairing the rent producing power thereof; and, in that way substantially aid in the education of the said children. Some of the friends and relatives, aspecially the grand-mother, the said Mary V. Davis, has advised the selling of the said ^{land and} timber and the institution of this suit for that purpose and for other purposes.

Your complainant has been informed that the debts mentioned in the said deed of trust to be paid by the said Meritena J. Dews have been paid, but as to this information he is not absolutely sure but here alleges the payment of the said debts upon the information aforesaid.

Your complainant says that he is advised that this honorable Court has jurisdiction to advise him concerning his rights and duties under the said trust deed and to determine all questions which may arise in regard to the proper execution and construction of the said deed of trust. Your complainant desires the aid of the court in regard to the validity of the said instrument and also in regard to its proper construction.

In tender consideration whereof, your complainant being without remedy save in this court, where matters of this sort are alone and properly cognizably, he prays that said Mary V. Davis, B. F. Dews, Virgie F. Dews and H. Franklin Dews, the last two named are infants under the age of twenty-one years, be made parties defendants to this bill of complaint and required to answer the same, but an answer on oath is hereby expressly waived as provided by the statute; that the execution of the deed of trust from Mary V. Davis to C. H.

Hart, trustee bearing date on the 8th day of August 1888 and duly recorded as aforesaid be amended and corrected as to the court it may seem proper in order to perfect the same; that the value of the standing timber on this tract of land be ascertained and be reported to court; or that some special commissioner shall ascertain the value thereof, and that the said timber may be exposed to sale on such terms and conditions as shall be most advantageous to the interests of the said infant defendants; that said land be rented out or sold if it should appear to the best interests of the said infant defendants; that such inquiries and accounts be taken, stated and reported to court which are necessary to determine what is the best for said infants, or which may be incidentally important in this suit. And your complainant prays for all such other, further and special relief as the nature of this case may require or as to equity and good conscience may seem meet; that your complainant C, H. Hart trustee as aforesaid be allowed to execute his said trust as set out in said deed under orders of this court; that all proper and reasonable attorney fees may be allowed and taxed as a part of the costs. And your complainant will ever pray etc.

C. H. Hart Trustee.

W. S. Hall and p.q.

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C.H. Hott, trustee et. al.

vs. $\frac{1}{2}$ $\frac{1}{2}$ $\frac{1}{2}$ In Chancery

B F Dewar et. al.

Bill of Complaint

Filed Aug 7th 1905

1st Aug Rules 1905

Sum directed out all adult
defts except Emma R Lang,
Docus miss as to defts and
when summons served.

P.E. Bayliss app't. gdn ad
litue. 1 Answer of Infants
defendants filed & returned
as to them

2nd August rules 1905

Ord publication as to Emma
R Lang. Copy of ord. issued
Rule taken in connection as to
all defendants except Emma
R Lang, all set for hearing
as to them.

1st Sept rules 1905

Continued on Order Publi-
cation

2nd Sept Rules 1905

Set for hearing

The Answer of Mary V. Davis to a bill of complaint exhibited against herself and others in the Circuit Court of Isle of Wight county, by C.H. Hart, trustee.

For answer to the said bill, or to so much thereof as this respondent is advised it is material or proper that she should answer, answering saith:

That she signed the trust deed to C.H. Hart trustee, a copy of which is filed with the said bill, and intended to execute the same so as to make the title to the property good and perfect in all respects, and is willing to do anything necessary in order to correct the said execution of the said instrument.

This respondent says that the debts mentioned in the said trust deed to be paid by the said Meritena J. Dews have all been paid and satisfied in full long ago.

This respondent knows that her said grand-children mentioned in the said bill are in need of money with which to bear the expenses of an education, and knows that it is needful that they have at this time of life the advantages of a good school. She also knows they are without means and have no way to secure the money to defray the expenses of an education except by ~~by~~ the sale of their timber ^{and} ~~or land or both, and they have no timber or land except that mentioned~~ in the said bill of complaint. She believes the timber can be sold privately for a good price at this time, and that the sale of the timber would not lessen the rental of the said land which is the only income those children have, and, for these reasons recommends a sale of the timber, and land separately

This respondent says that she admits the allegations of the said bill in relation to the names, ages, and circumstances of said infant children.

And now having fully answered, this respondent denies all unlawfully confederacy and combination, and prays to be hence dismissed with her reasonable costs in this behalf expended. And she will ever pray &c.

Mary V. Davis

Mary V. Davis et. als.

Ads.

G. H. Hart, trustee.

Answer of Mary V. Davis.

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

C. H. Hart, Trustee

vs

B. F. Dews, Mary V. Davis, F. C. Hart nee Davis, M. Lee Scott nee Davis, Sallie M. Holland nee Davis, Emma R. Lang nee Davis, Virgie F. Dews and H. Franklin Dews, the last two are infants under the age of twenty-one years.

TO THE HONORABLE ROBERT R. PRENTIS, JUDGE OF THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

C. H. Hart, trustee, your complainant respectfully represents to the court that on the 8th day of August, 1888, Mary V. Davis, mother of Meritena J. Dews, executed and delivered to your complainant, the said C. H. Hart, trustee a certain deed of trust in writing bearing date on the day and year aforesaid, and duly recorded in the clerks office of the County Court of Isle of Wight County in deed book No. 54 and page 17, a copy of which is herewith filed as an exhibit marked "A" and is prayed to be taken and read as a part of this Bill of Complaint.

Your complainant avers that the said original deed, after it had been recorded, was misplaced, lost, or destroyed after it was taken from the clerks office. *delivered to Mrs. M. J. Dews by me at her request* It appears from the books in the said clerks office, as shown by said copy, that there is an error in the spelling of the christian name of the said Mary V. Davis. The Notary who acknowledged the deed, named the grantor as "Mary V. Davis". It was the intention of the said Mary V. Davis to sign her name to said deed correctly, and your complainant is informed that the said Mary V. Davis is now willing to correct the signature to the said deed, so as to make the said deed of trust absolutely effective just as if no error had been made, if in the opinion of the court there is any error which would affect its validity.

Your complainant avers that the said Meritena J. Dews departed this life intestate in the year 1902 and left a husband, B. F. Dews, *one* and two children, namely: Virgie F. Dews, who is now nearly twenty years *one*

old, and H. Franklin Dews, who is about ^{fifteen}~~fourteen~~ years old. The said husband and said children by the said husband are still living. These children are in need of funds for the purpose of an education and otherwise. They have no income from any source except from the land in the said deed of trust mentioned and that is necessarily very limited indeed. The said land is under the control and management of the said father as tenant, but he has been unable to produce an income sufficient to educate and provide for the said children.

Your complainant says that he thinks the interest of the said infants, for whom he holds the said property in trust, will be promoted by a sale of the land and timber, especially for a sale of the timber standing thereon. He says that the said infants own no other property, real or personal except the property in said trust deed mentioned and described held in trust as aforesaid and the facts calculated to show the propriety of said sale are as follows:

(1) The said infants are growing up to be ~~man and woman~~ without an education and have no means at their disposal to be used for the purpose of an education.

(2) That the cutting of the said timber now will not effect the income to be derived from the said land.

This property came from the mother's side, or from the grandmother of the said children, and if said infants were dead, their only heirs ^{and the trustees} at law, would be the said ^{B. F. Dews their father} Mary V. Davis, their grandmother, said Mrs. F. C. Hart, who was Davis, the said Mrs. M. Lee Stott, who was Davis, the said Mrs. Sallie M. Holland, who was Davis, and the said Mrs. Emma R. Lang, who was Davis, their aunts, and next of kin.

Your complainant says that the rights of no one will be violated by the sale of said property, and the application of the proceeds of the said sale for the purpose of educating said infants.

In tender consideration whereof, your complainant being without remedy save in this court, where matters of this sort are alone and properly cognizable, he prays that Mary V. Davis, B. F. Dews, F. C. Hart, M. Lee Stott, Sallie M. Holland, Emma R. Lang, Virgie F. Dews, and H.

Franklin Dews be made parties defendant to this bill and required to answer the same, but an answer on oath is hereby expressly waived, that the said timber on the said tract of land may be sold and that ~~the~~ ~~land~~ ~~itself~~, the land itself be sold, that the proceeds of the sale thereof be applied to the maintainance and education of the said infants under orders of this court, that all such other and further and general relief may be afforded your complainant as to equity and good conscience may seem meet or the nature of this cause may require.

Notice is hereby given that the court will be ask to allow reasonable fees to counsel conducting this cause our of said trust farm. And your complainants will ever pray, etc.

W. J. Halliday

C. H. Hart, Trustee

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

Personally appeared before me _____, a Notary Public in and for the county of Isle of Wight in the state of Virginia, C. H. Hart whose name is signed to the foregoing bill of Complaint and made oath in due form of law that the statements contained in the foregoing Bill are true so far as made from his own knowledge, and he believes them to be true so far as made from knowledge derived from others.

Given under my hand this _____th day of ~~October~~, 1904.

N. P.

My term of office expires _____

In the Circuit Court for the County of Isle of Wight,
to-wit:

THE ANSWER OF Virgie L Dews and H. Franklin Dews

infant, under the age of twenty-one years, by Col. E. E. Halland
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 G. H. Hart Tinsley 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.

E. E. Halland

Guardian *ad litem*.

W. S. Hunt

p. d.

OF

SS.

This day, E. E. Halland, guardian *ad litem*, whose name is signed to
the foregoing answer, personally appeared before me, J. D. Lee a Notary Public
and made oath that the statements made therein, so far as they depend upon his own knowl-
edge, are true, and so far as they depend upon knowledge derived from others he believes them
to be true.

Given under my hand, this 21st day of October 1904

J. D. Lee
Notary Public

to H. Hert, Trustee

adv. }

ANSWER
OF
INFANT DEFENDANT.

B F Deans and others

C. H. Hart, Trustee.

Answer of Mary V. Davis.

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The answer of Mary V. Davis to a bill of complaint exhibited against herself and others in the Circuit Court of Isle of Wight County, by C. H. Hart, Trustee.

For answer to the said bill, or to so much thereof as this respondent is advised it is material or proper that she should answer, answering saith:

That she signed the trust deed to C. H. Hart, Trustee, a copy of which is filed with the said bill, and intended to execute the same so as to make the title to the property good and perfect in all respects, and is willing to do anything necessary in order to correct the said execution of the said instrument.

This respondent says that the debts mentioned in the said trust deed to be paid by the said Meritena J. Dews have all been paid and satisfied in full long ago.

This respondent knows that her said grand-children mentioned in the said bill are in need of money with which to bear the expenses of an education, and knows that it is needful that they have at this time of life the advantages of a good school. She also knows they are without means and have no way to secure the money to defray the expenses of an education except by the sale of their timber and land mentioned in said bill of complaint. She believes it would be well to sell the timber and land separately, and she believes that the land and timber sold separately or together will bring a big price at this time, and, for these reasons, recommends a sale of the said land and timber.

This respondent says that she admits the allegations of the said bill in relation to the names, ages, and circumstances of said infant children.

And now having fully answered, this respondent denies all unlawfully confederacy and combination, and prays to be hence dismissed with her reasonable costs in this behalf expended. And she will ever pray &c.

Mary V. Davis

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Form No. 35.

Mary v. Davis et al.

adv.

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ANSWER
OF
INFANT DEFENDANT.

C. H. Hest trustee

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

to wit:

THE ANSWER OF Virgin F. Dews and H. Franklin Dews

infants, under the age of twenty-one years, by R. E. Boykin
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 S. H. Hest trustee and others.

The respondents, 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 infants, 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.

R. E. Boykin Guardian *ad litem*.

of Virgin F. Dews & H. Franklin Dews
p. d. Virgin F. Dews & H. Franklin Dews by
R. E. Boykin, their Guardian *ad litem*.

OF

} ss.

This day, R. E. Boykin, whose name is signed to
the foregoing answer, personally appeared before me, Wm. Walland, a Notary Public in and
for the County of Isle of Wight in the State of Virginia,
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 24th day of August 1905 189.

Wm. Walland Notary
My term of office expires Nov 6th 1905

C. H. Hart trustee

vs. }

SUBPOENA
IN
CHANCERY.

Mary V. Davis et als

Mr. J. Holland p. 9

To Second September Rules,

to visit Court.

1904
B3119

Executed by delivering
a copy of this subpoena
to B. F. Davis. Sept. 17th

1904

Co. A. Edwards

Shiff

The Commonwealth of Virginia,

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

WE COMMAND YOU that you summon Mary V. Davis, B. F. Davis,
Virgie F. Davis and H. Franklin Davis, the last two being
infants under the age of 21 years

to appear at the Clerk's office of the Orphans' Court of the County of Isle of Wight
at the rules to be held for the said Court, on the Second Monday in September 1904
to answer a bill in chancery, exhibited against them in our said court ~~for~~
by G. H. Hark-hunter

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at
the court-house, the 16th day of September 1904, and in the 129
year of the Commonwealth.

N. F. Young clerk

The Commonwealth of Virginia,

To the Sheriff of the County of ~~Isle of Wight~~ ^{Surry}, Greeting:

WE COMMAND YOU that you summon B. J. Dews, Mary P. Davis,
F. C. Hart, ne Davis, M. Lu. Stott, ne Davis,
Sallie M. Holland, ne Davis, Emma A. Lang,
ne Davis, Virgie J. Dews, and N. Franklin
Dews; the last two are infants under the
age of twenty one years,

to appear at the Clerk's office of the Precinct Court of the County of Isle of Wight
at the rules to be held for the said Court, on the first Monday in August 1905,
to answer a bill in chancery, exhibited against them in our said court for
by C. H. Hart, Trustee

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at
the court-house, the 25th day of July 1905, and in the 130th
year of the Commonwealth.

N. Johnson
Johnson, Clerk

2

W. Hark. Trustee

vs.

}

SUBPOENA
IN
CHANCERY.

D. F. Lewis, et al.

Wm. Holland p. q

To *First August* Rules,
1905 *Grant* Court.

B3419

Executed the 29th day
of July 1905 by delivering
a true copy of the within Sub
poena in Chancery to B. F.
Lewis of my County.

B. D. Edwards
Sgt of Surry Co. Va

The Commonwealth of Virginia,

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

WE COMMAND YOU that you summon B. J. News, Mary V. Davis
J. O. Hart, nee Davis, M. Lee Stott, nee Davis, Sallie M
Holland, nee Davis, Emma R. Lang, nee Davis, Virgie
J. News and H. Franklin News, the last two are
infants under the age of twenty one years

to appear at the Clerk's office of the County Court of the County of Isle of Wight
at the rules to be held for the said Court, on the First Monday in August 1905,
to answer a bill in chancery, exhibited against them in our said court for
C. H. Hart, Trustee

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at
the court-house, the 25th day of July 1905, and in the 12th
year of the Commonwealth.

N. F. Young
Clk.

Excerpted by delivering to each of the within
named — Mary & Davis F.C. Hart
Wm Lee Scott & Sallie M. Holland — a true copy
of the within summary. Aug 3rd 1905 —

Re A. Edwards
The within named P.F. Deers. Emma R.
Loeff. Virgin & H F Deers not found in
my Co. Aug 4th 1905 — Re A. Edwards

Stph.

Wm Hart Trustee

SUBPOENA
IN
CHANCERY.

P.F. Deers et al

Wm Lee Holland

p. 9

To 1st August
1905 — Circuit
Rules,
Court.

B 3119

North, Trustees 9
vs Depositions
Dows, et al

In the Clerk's Office of the
Circuit Court
of the
County of Barr, Ohio

13th day of Oct. 1905

These Depositions
were filed

Test, C. Johnson, Clerk

9.14
10 00
50 surrog
50

Commissioner's Office,

Isle of Wight Va. Oct. 6th.
1905.

C. H. Hart, trustee

vs) Commissioner's notice to take depositions.

B. F. Dews, et als.

To B. F. Dews, Mary V. Davis, F. C. Hart nee Davis, M. Lee Stott nee Davis, Sallie M. Holland nee Davis, Emma R. Lang nee Davis, Virgie ~~ExxBxxxx~~ Dews and H. Franklin Dews, the last two infants under the age of twenty one years, and R. E. Boykin, guardian ad litem.

You are notified that I have fixed upon the ~~13~~¹⁴th. day of October, 1905, if fair, if not, the next fair day thereafter, (Sunday excepted) to take and settle, at my office:

- 1st. Of what estate, real and personal, the infant defendants are possessed or entitled, and what are their respective shares or interests therein, where such estate is situated, and what is the fee simple and annual value?
- 2nd. Whether the interests of the said infant defendants will be promoted by a sale of the real estate in the bill mentioned, or any part thereof, and an investment of the proceeds of sale in other property.
- 3rd. Whether the rights of any person will be violated by such sale and investment.
- 4th. Who would be the heirs at law or distributees of said infant defendants if they were dead, and whether all such persons are properly before the Court in this cause.
- 5th. What would be a fair compensation to be allowed the Counsel for the Complainant out of the proceeds of sale of the infants land for their services in instituting and conducting this suit. Required to be taken by a decree of the Circuit Court for the County of Isle of Wight rendered on the 3rd. day of October, 1905, in a suit in chancery depending in said Court styled generally as above, at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery for the Circuit Court for the County of Isle of Wight this 6th. day of October, 1905.

Compt. Lee ~~1500~~

Spilhusen
Commissioner in Chancery.

C. H. Hart, trustee
vs) Notice to take Dep'n's.
B. F. Dews, et als.

Executed Oct 10th 1900.
by delivering to Mr B.F. Dews
of my County a true copy of
the within Notice.

B.D. Edwards
Sheriff of Surry Co, Va

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Commissioner's Office,

Isle of Wight Va. Oct. 6th.
1905.

C. H. Hart, trustee

vs) Commissioner's notice to take depositions.

B. F. Dews, et als.

To B. F. Dews, Mary V. Davis, F. C. Hart nee Davis, M. Lee Stott nee Davis, Sallie M. Holland nee Davis, Emma R. Lang nee Davis, Virgie ~~RxxDxxxx~~ Dews and H. Franklin Dews, the last two infants under the age of twenty one years, and R. B. Boykin, guardian ad litem.

You are notified that I have fixed upon the ^{13th} ~~20th~~ day of October, 1905, if fair, if not, the next fair day thereafter, (Sunday excepted) to take and settle, at my office:

1st. Of what estate, real and personal, the infant defendants are possessed or entitled, and what are their respective shares or interests therein, where such estate is situated, and what is the fee simple and annual value?

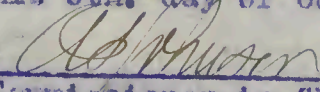
2nd. Whether the interests of the said infant defendants will be promoted by a sale of the real estate in the bill mentioned, or any part thereof, and an investment of the proceeds of sale in other property.

3rd. Whether the rights of any person will be violated by such sale and investment.

4th. Who would be the heirs at law or distributees of said infant defendants if they were dead, and whether all such persons are properly before the Court in this cause.

5th. What would be a fair compensation to be allowed the Counsel for the Complainant out of the proceeds of sale of the infants land for their services in instituting and conducting this suit. Required to be taken by a decree of the Circuit Court for the County of Isle of Wight rendered on the 3rd. day of October, 1905, in a suit in chancery depending in said Court styled generally as above, at which time and place you are required to attend.

Given under my hand as Commissioner in Chancery for the Circuit Court for the County of Isle of Wight this 6th. day of October, 1905.


Commissioner in Chancery.

Executed on the within Menced. Mary v Davis,
H. C. Hath M. Lee Stott. R. E. Payson Gust Arntson
and Sallie M. Halland.
Oct 12th 1905
R. A. Edwards Secy.

Wm. A. Edwards Esq.

1941

The depositions of B. F. Dews, M. V. Davis and others, taken on the 13th. day of October, 1905. before A. S. Johnson, a Commissioner in
C
Chancery for the Circuit Court of the County of Isle of Wight, at his office at Isle of Wight, Virginia, to be read as evidence in a suit depending in said Court under the general style of C. H. Harb, trustee, vs. B. F. Dews, et als, and referred to one of the Commissioners of this Court for certain inquiries and accounts, and report.

Present, Wm. S. Holland, Attorney for the Plaintiff.

Col. R. E. Boykin, Attorney for B. F. Dews.

Col. R. E. Boykin, guardian ad litem.

B. F. Dews being duly sworn, deposes and says:

(By Col. Boykin)

Q. Mr. Dews, please examine the bond which you handed me a few moments since and which I now hand to you, being the bond of Mary V. Davis, bearing date September 2nd. 1886, and being for the payment of the sum of three hundred and sixty four dollars and seventy four cents, to James T. Cox on demand, and say whether or not this bond has been paid and if so, by whom paid?

Ans. Yes sir, it has been paid, paid by me.

Qx (Bond above mentioned filed with this report)

Q. It is desired by the Attorney for B. F. Dews to refer to the Commissioner and if necessary, file herewith, a copy of the deed of trust securing the payment of the said bond.)

Q. It appears that this bond is secured by a deed of trust; for the benefit of J. T. Cox. Did you pay any part of the money to Mr. Cox or to any one for him?

Ans. Yes sir, I did, the bond will show the date of the payments and ~~and~~ all.

Q. To whom, if any one, was the bond thereafter assigned?

Ans. Assigned to Jas. P. Andrews.

Q. Then I understand, that a part of the sum evidenced by the said bond, was paid to Jas. T. Cox and after his assignment to Jas. P. Andrews, the balance was paid to Jas. P. Andrews. Do you know whether or not that deed

has ever been released?

Ans. Yesssir, I think it has.

Q. At the time of such payments was your wife living?

Ans. Yes sir.

Q. Please state, whether or not, you claim that you are entitled to the sum and amount evidenced by the said bond and the interest thereon, according to law?

Ans. I do.

Q. Will you state whether or not it was your purpose in making the payments of the amount evidenced by the said bond to make a gift of the amount to your said wife?

Ans. No sir.

Q. What was your purpose in making this payment.

Ans. To get the place cleared up.

Q. You are the father of the infant children, Virgie F. Dews and H. Franklin Dews, are you not?

Ans. I am. And I am the same B. F. Dews mentioned in a deed from Mary V. Davis to C. H. Hart, trustee, filed as an exhibit with the bill in this cause.

Ans. Mr. Dews, do you own any real estate of your own?

Ans. No sir.

Q. What is the value of your personal estate?

Ans. Rough estimate, four or five hundred dollars.

Q. Up to the date of the death of your wife did you reside upon this farm?

Ans. Yes sir.

Q. State whether or not you cultivated it.

Ans. Yes sir.

Q. Please state, whether or not, this land has been improved in any manner by you since the date of the deed, from Mrs. M. V. Davis to C. H. Hart, trustee, for your wife and children, bearing date Aug. 8th. 1888?

Ans. Yes sir.

Q. In what manner and to what extent has it been improved?

Ans. It will about double now per acre.

Q. State whether or not, any improvements have been of a permanent character by you since the date of the said deed, and if so, what kind of improvements you have made by building or otherwise?

Ans. The improvement on the house cost me about five hundred dollars, and new out buildings to the amount of about five hundred. I made those improvements myself.

Q. What is the condition of the fences as compared with the fences at the date of the deed?

Ans. I do not know that there is a great deal of differences in the fences.

Q. During the period from the date of the deed to your wife's death, who provided for your family, meaning your wife and children?

Ans. I myself.

Q. To what extent, if any, did they, or either of them, receive an education, expenses of which were paid by you?

Ans. The oldest one finished school about a year ago. I sent her to school ever since she was big enough and paid it myself.

Q. What school, other than free schools did she attend?

Ans. She went to the High School in Norfolk, then she went to the Business College.

Q. Did you pay her expenses while she was at the High School and at the Business College?

Ans. yes sir.

(Note---)

(Note--- the questions last aforesaid, and the answers thereto are not asked and their answers are not intended to be taken as asking, at present, if at all, or in this report that any allowance be made to the said B. F. Dews for the support and education of his said children)

(Cross examined by Mr. Holland)

Q. Is it a fact that the money with which you paid off the Cox bond herewith filed, was made from the farm in question during the time you occupied it, and after the 8th. of August, 1888?

Ans. Yes sir. it was.

Q. You have said that you owned something like four hundred dollars worth of personal property: is that the property which was claimed by your wife and listed by you, in her name, during your coverture with her?

Ans. Yes sir, it was claimed by her and was listed, during her life, in her name.

Q. During the lifetime of your wife, did you own any property or pay any taxes, except capitation tax?

Ans. No sir, it was all in her name.

Q. Then all you had to do with the money made on the farm was your labor and attention?

(Question excepted to because it involves questions of law and is not proper to be asked of this witness)

(Question withdrawn by Mr. Holland)

Q. The deed to C. H. Hart, trustee, explains the ownership of the land and I understand you to say that the horses, farming implements and all other property on the farm belonged to your wife, and that you made this money which was paid on the Cox Bond from this land by the help of this personal property, am I right or wrong?

Ans. Yes sir, you are right .

(Re direct examination by Col. Boykin)

~~Yam~~ Q. You have said that your wife owned the horses and other personal property. How many horses did she own or what stock immediately after this deed?

Ans. She owned two horses, some four or five head of cattle and some hogs.

Q. Where did she get it from?

Ans. It was right on the place when it was sold.

Q. If you will examine the deed from Mary V. Davis to C. H. Hart, trustee, you will find that it ~~conveys~~ does not convey any personal property, then from whom did your wife obtain the horses, cows and other stock you mention?

Ans. It was right there and all mine.

Q. Did any body ever pay you any money for this personal property?

~~Amex~~ (Question excepted to because the deed is the best evidence)

Q. (It is agreed that the following is substantially a correct statement concerning the sale or transfer of the real and personal property from B. F. Dews to M. V. Davis, and from M. V. Davis to a trustee for Mrs. B. F. Dews and children; and to Mrs. B. F. Dews as to the personalty: but this agreement of facts is made subject to any legal objection or interpretation which either side can raise thereto in case of any ~~dis~~ controversy: That B. F. Dews, by his deed bearing date October 13th. 1880, D.B. 45, page 447, conveyed to N. P. Young, trustee the tract of land, the subject of these proceedings, then owned by the said B. F. Dews, to secure to Jas. T. Cocks the payment of the sum of \$300, on demand, with interest until payment; That the said B. F. Dews, by his deed bearing date May 19th., 1881, D.B. 45, page 744, conveyed unto N. P. Young, trustee, the same tract of land, in trust to secure Henry Jones the payment of the sum of \$315.80

payable on demand, with interest from date. That by his deed bearing date Feb. 23rd. 1885, D.B. 48, page 434, the said B. F. Dews conveyed all of his personal property enumerating specifically certain articles, except such personal property of the said B. F. Dews as was exempt under the Poor Law. No horses, but four cows, yearlings and calves and 17 hogs were included in the articles conveyed in the said deed. That the said Henry Jones' trustee advertised the said land for sale under the deed of trust aforesaid; that the said trustee, informed Mrs. M. V. Davis, the mother of Mrs. B. F. Dews, of the fact, and advised her to take an assignment of the bond secured by the deed of trust aforesaid; that in accordance with such advice Mrs. M. V. Davis paid to Henry Jones the full amount secured by said deed and took an assignment of the said bond and the deed of trust securing the same to herself; that subsequently, to-wit: on the 11th day of Dec 1886, the said property was sold under the deed of trust thus assigned to Mrs. Davis and was purchased by her at sum of \$ 1885.00, and the said land was conveyed to her by N. P. Young, trustee; ~~that B. F. Dews~~ that Mrs. M. V. Davis conveyed the said land by deed bearing date on the 8th. day of Aug. 1888, and filed in the papers in this cause, conveyed the said land to C. H. Hart, trustee for Mrs. B. F. Dews, her daughter, and children. that the amount paid by Mrs. Davis as the purchase price of the said land was ~~xxxxixxxxxxx~~ paid ~~xxxxx~~ collected by her in part from the proceeds of the sale of timber on the said farm, amounting to the sum of \$____, and the balance from the farming operations upon the said farm conducted by the said B. F. Dews; that the object of the said B. F. Dews in conveying the said personal property to the said Mary V. Davis was to protect the same from immediate levy by some judgment creditors; that the said judgment creditors, principally of A. Bunkley and P. D. Gwaltney Jr & Co., were also paid from amounts made in the cultivation of the said farm by the said B. F. Dews; that some small executions may have been paid by Mrs. Davis which were never repaid to her and ~~which~~ of which she ~~paidxxxxx~~ took no account; that the prior deed of trust aforesaid, to the said Jas. T. Cocke was entirely paid off and discharged by the said B. F. Dews from the ~~xxxxxxx~~ products of the said farm under his management and cultivation; that the said B. F. Dews, from the proceeds of the cultivation of the said farm as aforesaid, paid the costs charged by the said N. P. Young as trustee under the said deed of trust to Henry Jones, as trustee for the sale of the land from the sources aforesaid; that after the conveyance of the personal property to Mrs. Davis, the personal property, including poor law property, remained upon the premises and was listed for taxation in the name of M. J. Dews, wife of B. F. Dews, and is still listed that way; that Mrs. M. V. Davis paid no sum or amount for the said personal property nor ever removed the same from the said land. That all the deeds referred to may be read by the Commissioner or the Court in the consideration of any question arising under this suit, as if regularly filed

Mr / Dews further said on cross examination that the children mentioned in the bill have no property at ~~all~~ all except the property in said deed to C. H. Hart trustee; that the younger child is in need of an education and has no means except as above; that the older child is a stenographer in Norfolk and gets \$25.00 per month which is not enough to take care of herself as she should be cared for; she will be of age about the end of the year and that the younger child is a girl and was 15 years old a few days ago in Sept. last

And further, the deponent, B. F. Dews, saith not.

B. F. Dews

Mrs. M. V. Davis being duly sworn, deposes and says:

(Examined by Mr. Holland)

Q. You are the M. V. Davis mentioned in the deed filed with the bill the mother of Mrs. M. J. Dews, and the grandmother of Virgie F. and H. F. Dews, the infants, are you not?

Ans. Yes sir, I am.

Q. Please state what estate, real and personal, the said infant children have?

Ans. They have nothing except the property mentioned in this deed to C. H. Hart, trustee, in litigation in this suit.

Q. State, whether or not, the interest of the infant defendants, will be promoted by a sale of the real estate mentioned in the bill, and if so, give your reasons?

Ans. I think their interest will be promoted by a sale of the land, for the following reasons: M

1st. The youngest child is in need of an education and the older in need of aid towards her support. The father has married a second time and lives in Surry County and the children are in Norfolk with Mrs. Frank Turner, who is no relation by blood or marriage, and they have to pay their expenses. The younger child is now going to school and I am borrowing money to pay her board and expenses.

2nd. Both children are girls and will probably never want to live on the farm, and the interest on the money would certainly be more than the rent of the farm, and they have no one to look out for the rent of the farm or to manage the farm.

2nd. If the farm is rented it will depreciate in value, and real estate is about as high now as it is reasonable to expect it will get, and I think this land would sell for a good price now.

Q. Will the rights of any person be violated by such a sale and investment?

Ans. I know of no reason why the right of anybody will be violated, and therefore answer by saying no.

And further this deponent saith not.

M. V. Davis

T J. Chapman being duly sworn deposes and says:

Q. Please state your name, age, residence and occupation, and how far you live from the land in question?

Ans. T. J. Chapman, fifty nine years old, Isle of Wight County, Commissioner of the Revenue for the County and Farmer, and live about five miles from the property in question.

Q. Are you well acquainted with this property and how long have you known it?

Ans: I am fairly well acquainted with it, and have known it twenty years, more or less.

Q. Has the infant defendants any estate, real or personal, and if so, what?

Ans. None that I know of except the property in this suit.

Q. What is the annual value of this farm, I mean a fair rental value by a ~~tax~~ tenant who would give bond for the rent.

Ans. I reckon a hundred and fifty dollars by a good tenant.

Q. What is the fee simple value of the same?

Ans. I think it would sell for two thousand dollars.

Q. Will the interest of the infants be promoted by a sale of this land, and if so, why?

Ans. I think it would, because the land will depreciate, and the children need the money.

Q. Will the rights of any person be violated by a sale of this land?

Ans. Not that I know of.

And further this deponent saith not.

T. J. Chapman

Mr. W. H. McClelland being duly sworn deposes and says:

Q. Are you well acquainted with the land in this suit mentioned, and how long have you known the land?

Ans. I am, thirty five years. I live about a mile and a half from the land.

Q. You have been present and heard the testimony of Mr. Chapman: Please state whether you agree or differ with him in his testimony, and if you differ, wherein and how?

Ans. I agree with all except the fee simple ~~fixing~~ value of the place is twenty five hundred dollars, and it will rent for two hundred dollars with good bond and security.

Q. In case these children should have any money left over, more than enough to educate and take care of them, what do you think is the best investment that could be made?

Ans. Loaned out secured by a deed of trust on real estate. I think it could be invested by a loan at six per centum per annum and well secured by real estate.

And further this deponent saith not:

W. M. Collier, Jr.

Mark Twain 9
vs Depositions
Dews, et al

IN THE CLERK'S OFFICE IN THE
CIRCUIT COURT
OF THE
COUNTY OF LEE, OF VIRGINIA

13th day of Oct. 1905

~~These~~ Depositions
~~were~~ filed

Jest. C. Johnson, Clerk

9.14
10 00
30
30

Virginia:

Isle of Wight County, to-wit:

A. S. Johnson, Clerk of the Circuit Court of Isle of Wight County, this day appeared in person before me, a Notary Public in and for the County and State aforesaid, and made oath that, on the 23rd day of August, 1905, he posted a copy of the foregoing order of Publication at the front door of the Court house of said County.

Given under my hand this 30th. day of September, 1905.

L. L. McLeod N.P.

My commission expires May 21st. 1908.

Virginia:

In the Clerk's Office of the Circuit Court for the County of Isle of Wight; the 21st. day of August, 1905.

C. H. Hart, trustee,.....Plaintiff

vs) In chancery

B. F. Dews; Mary V. Davis; F. C. Hart, nee Davis; Sallie M. Holland, nee Davis; Emma R. Lang, nee Davis; Virginia M. Dews and H. Franklin Dews, the last two infants under the age of twenty one years,..Defendants.

The object of this suit is to sell the timber and lands in the bill and proceedings mentioned and to construe and settle the trust in the said bill mentioned. And an affidavit having been made that the defendant, Emma R. Lang, is not a resident of the State of Virginia, it is ordered that she do appear here within fifteen days after due publication hereof, and do what may be necessary to protect her interests in this suit.

A Copy,

Teste



Clerk.

Wm. S. Holland, P.q.

Franklin, Va., Sept 25, 1905

Mr. Wm. S. Holland, p. g.
Windsor, Va

TO THE J. P. HOLLAND PUBLISHING COMPANY, Dr.

...Publishers of THE GRAPHIC...

PRINTERS, ENGRAVERS AND BINDERS.

BOOK WORK A SPECIALTY.

1905-

Aug 25 To Pub. Court, C. H. Horn,
Trustee, plaintiff, vs, in
Chancery, B. F. Deussen
also, defendants

\$6 00

THE J. P. HOLLAND PUBLISHING COMP'Y, INC.

PUBLISHERS OF
..THE GRAPHIC..

PRINTERS, ENGRAVERS

BOOK WORK A SPECIALTY.

VIRGINIA:

In the Clerk's Office of the Circuit Court for the County of Isle of Wight, the 21st day of August, 1905.

C. H. Hart, Trustee, ... Plaintiff,
vs. (In Chancery)

B. F. Dews, Mary V. Davis, F. C. Hart, nee Davis; Sallie M. Holland, nee Davis; Emma R. Lang, nee Davis; Virgie M. Dews and H. Franklin Dews, the last two infants under the age of twenty-one years, ... Defendants.

The object of this suit is to sell the timber and lands in the bill and proceedings mentioned and to construe and settle the trust in the said bill mentioned. And, an affidavit having been made that the defendant, Emma R. Lang, is not a resident of the State of Virginia, it is ordered that she do appear here within fifteen days after due publication hereof, and do what may be necessary to protect her interests in this suit.

A Copy--Teste:

A. S. JOHNSON,

Wm. S. Holland, p. q.

Clerk.

a25-4t

I hereby certify that the above court order was published for four consecutive weeks beginning Aug. 25th. 1905, ending Sept. 15th. 1905 in The Graphic, a newspaper published in the town of Franklin County of Southampton State of Virginia.

J. P. Holland Editor The Graphic.

50.00
6.75

Sept 24 1.00
20.00
20.00

For Col. Boykin —

MONEY ADVANCED BY MR. W. S. HOLLAND, BEGINNING SEPT. 30TH 1905.

Sept. 30th\$10.00

Oct. 18th\$15.00

Nov. 20th\$15.00
\$40.00 (For Franklin)

Oct. 24th\$30.00 (For Vergie)

9

C. H. Hart, trustee

vs) Commissioner's Report

B. F. Dews et als.

134

Oct. 1905

Report

filed

File C. S. Johnson. C.

in this cause, would be entitled to the said land in the said infants were dead, and the said B. F. Dews is properly before the Court.

At the request of the parties in this cause, your Commissioner has inquired whether there are liens on the land in the bill and proceedings mentioned, and, after examination of the records, a consideration of the evidence and the law applicable thereto, is of opinion that there are no liens on the said land.

Your Commissioner further reports that he believes the Counsel for the complainant is entitled to receive the sum of\$ _____ for his services in instituting and conducting this suit,

Respectfully submitted.

Johnson

Commissioner in Chancery.

Commissioner's fee\$ 1000

C. H. Hart, Trustee----- Complainant.

vs.) Commissioner's Report.

B. F. Dews, et als. ----- Defendant.

Commissioner's Office, Isle of Wight, Virginia.

October, 13th. 1905.

TO THE HONORABLE ROBERT R. PRENTIS? JUDGE OF THE CIRCUIT COURT FOR THE
COUNTY OF ISLE OF WIGHT.

In pursuance of a decree of your Honor's Court, entered in this
suit of which the above is the general style, on the 3rd. day of October,
1905, I gave notice to the parties that on the 13th. day of October, 1905,
at my office at Isle of Wight, Virginia, I should proceed to execute the
said decree. The said notice, with the service thereon, is herewith
filed.

I attended at the time and place specified in said notice, and in
the presence of Mr. Wm. S. Holland, counsel for the complainant, and Col.
R. E. Boykin, Counsel for the defendant, B. F. Dews, and Col. R. E. Boykin,
guardian ad litem for the infant defendants, I took the depositions of
B. F. Dews and others:.

The said depositions are herewith filed.

After consideration of the said depositions, together with the plead-
ings in the cause, I beg leave to report as follows:

1st. The infant defendants are possessed of the land in the bill and
proceedings mentioned, situated in the County of Isle of Wight and State
of Virginia, and of no other property. The fee simple value of the said
land is from \$2000 to \$2500, and the annual value thereof is \$150.

2nd. From the evidence adduced your Commissioner is of the opinion that
the interest of the infant defendants will be greatly promoted by a sale
of the land in the bill and proceedings mentioned, and the proceeds ac-
cruing from such sale applied to their maintenance and education, so far
as necessary, and the residue thereof, if any, invested by loan with real
security.

3rd. It is apparent that the rights of no person will be violated by a
sale of the said land and the proceeds applied as before recommended.

4th. B. F. Dews, the father of the said infants, and one of the defendants

12

C.H. Hart, Trustee

Against.

B. F. Dews et als.

Report of Sale of A.S. Johnson,
Special Commissioner.

*From the Clerk's Office of
the Circuit Court of Dale
County December
13th 1905 this report was
received and filed.*

Test, A. Johnson, Clerk

C.H.Hart,Trustee.

Against.

B.F.Dews et als.

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

The undersigned, A. S. Johnson, Special Commissioner under the annexed decree herein of December 4th 1905, respectfully reports to court, that in obedience to the said decree, having first executed the bond by the said decree directed, and W. S. Holland, the former Commissioner having first given the notice by the said decree required, he exposed to sale at public auction at Isle of Wight Court House, on the 4th day of December 1905, that being Circuit Court, the tract of land in the bill and proceedings of the said suit mentioned, situate, lying and being near Comet, in the County of Isle of Wight and State of Virginia, containing by estimation One Hundred and Fifty (150) acres, be the same more or less, but the said land having been advertised to be sold and in fact sold, in gross and not per acre, adjoining the lands now, or lately owned by Geo.W.Adams, A.R. and N.O.Gwaltney and others, upon the following terms to wit; one-third cash, and the balance in two equal installments, payable respectively in one and two years after date, with interest from date and title retained until the payment of the purchase price in full, with the option to the purchase to pay all of the purchase price in cash and take a deed for the said land. At which sale M. D. Moody, being the highest bidder, bid of the said land, and desires to pay the entire purchase price in cash, the amount at which the said land was bid of being Twenty Five Hundred and Thirty Five Dollars, which in the opinion of your said commissioner is the full value of the said land and a most excellent sale, and he would recommend the confirmation of the said sale, the acceptance of the entire purchase price in cash, and that a deed be directed to be executed to the said M.D.Moody. All of which is respectfully submitted.

R. E. BOYKIN,
ATTORNEY AND COUNSELOR AT LAW
SMITHFIELD, VA.
Special Commissioner.

Berryman, Va.,

190

Mr. Franklin Dew

Bought of **B. L. Berryman,**

—DEALER IN—

⇒ **GENERAL * MERCHANDISE.** ⇒

Highest Cash Price Paid for Country Produce.

To amt board 5 1/2 mos @ 10 per mo	55-00
" tuition 100 per mo 5 mos 85-00	85-00
" music 200 per mo 5 mos	15-00
" clothes sewing money etc	25-00
Total	95-00

16

HART, TRUSTEE,

VS) CHANCERY

B. F. DEWS, ET ALS.

Report of Commissioner.

Filed April ^{5th} 1906.

ALBERT S. JOHNSON,
ATTORNEY AT LAW,
SMITHFIELD, VA.

Berryman, Va., ... 190

Miss Virgie Duws

Bought of **B. L. Berryman,**

—DEALER IN—

⇒ **GENERAL * MERCHANDISE.** ⇨

Highest Cash Price Paid for Country Produce.

To	amt	cash	50 00
"	"	"	25 00
"	"	"	10 00
Total			\$85 00

Berryman, Va., ... 190

No.

Bought of **B. L. Berryman,**

—DEALER IN—

⇒ **GENERAL * MERCHANDISE.** ⇐

Highest Cash Price Paid for Country Produce.

A S Johnson Isle of Wight Co Va
Dear sir
I enclose you will find
accts I have paid for my children
last more than the place will
run for if you were to put it
up
Respy B. J. Dewos

fair rest. as to bargain
between my self and
mr myers. there is no need
of explanation, if Mrs
Davis is not satisfied with
taking my place and
making a sacrifice of it
she will have to fite it out.
she has deprived my children
of \$8.00 dollars by selling
the farm as she did. if it
had been properly managed
would have brought \$35.00
dollars. I have sold the
share of crop to pay children
expenses for last year respectfully
B. H. Davis

"B"

Jan 22 Berryman Va

Mr A S Janron

Isle of Wight Co Va

Dear Sir

your letter
dated Jan 18th received would
say ~~in~~ in regard to rent for
the year 1905. I had the place
cultivated on shares. and
I have spent more for the
children than I received
after paying expenses. I
have paid \$185 dollars for
them since Jan 1/1905 and
I would think \$150 dollars

C. H. HART, TRUSTEE,

VS) IN CHANCERY

B. F. DEWS, ET ALS.

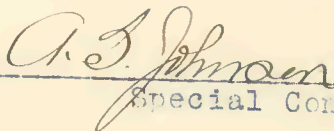
The undersigned Special Commissioner, under decree herein of March 5th. 1906, respectfully reports to Court, that in obedience to said decree, he has, out of the sum of \$2535.00 mentioned in said decree of March 5th. 1906, paid the unpaid costs of this suit, the sum of \$200 to Mr. Wm. S. Holland, attorney in this cause, and that after the payment of the unpaid costs and the attorney's fee as aforesaid and the taxes on the land in the Bill mentioned for the year 1905 and retaining the sum of \$25.35 to pay the taxes on the amount in the hands of your Commissioner on the 1st. day of February, 1906, he finds a balance of \$2148.56 in his hands for distribution among the heirs, Virgie F. Dews and H. Franklin Dews, the part and portion of each being the sum of \$1074.28; that he has deducted from the part and portion of the said Virgie F. Dews the sum of \$30 and has paid the same over to Mr. Wm. S. Holland, for advances made by him to her, as directed by the said decree, which leaves a balance due to her of \$1044.28, which has been paid to her; that the sum of \$1074.28 has been deposited in the Bank of Smithfield, Smithfield, Virginia, to the credit of this cause for the benefit of the infant, H. Franklin Dews, the certificate of deposit, signed by the cashier of the said Bank, together with a statement of the receipts and disbursements, is herewith filed marked "A".

Your Commissioner would respectfully report to the Court that, in obedience to the decree herein of January 10th. 1906, he made an attempt to collect the rent for the land in the Bill and proceedings of this suit mentioned, for the year 1905, which he has been unable to do. He has ascertained that Mr. B. F. Dews, one of the defendants in this cause, and the father of the heirs herein, contracted with Mr. A. W. Myers for the rental of the said tract of land for the said year 1905, Mr. Myers to pay the rent in a share of the crop,

which said share of the crop has been turned over to the said Mr. B. F. Dews, according to his acknowledgement to your Commissioner; that the said Mr. Dews refuses to pay your Commissioner the said rent in either the share of the said crop or in money, claiming that he has advanced more than the amount received for the said share of the crop, to the said Virgie F. and H. Franklin Dews, for the said year, a rough statement of his advances being herewith filed, marked B; that in order to collect the said rent further proceedings, at law, will have to be had, and your commissioner believes that he would not now be able to realize on an execution issued against either Mr. Dews or Mr. Myers.

It has been suggested to your Commissioner that a loan of about half the amount in the said Bank to the credit of the said cause, for the benefit of the infant defendant, H. Franklin Dews, to be secured by a deed of trust on real estate, would bring more income to the said infant than the interest paid by the bank would amount to, and he, therefore, recommends that such an investment be made under the direction and the approval of the Court.

All of which is respectfully submitted.



Special Commissioner.

C. H. HART, TRUSTEE.

VS) IN CHANCERY.

"A"

B. F. DEWS, ET ALS.

A STATEMENT OF THE RECEIPT FROM THE SALE OF THE LAND IN THE BILL AND PROCEEDINGS OF THE ABOVE ENTITLED SUIT MENTIONED, TOGETHER WITH A STATEMENT OF THE DISBURSEMENTS, MADE BY SPECIAL COMMISSIONER, A. S. JOHNSON, UNDER A DECREE, ENTERED IN THE SAID CAUSE, MARCH 5TH. 1906.

By amount of purchase price of land,.....		\$2535.00
To paid writ tax on suit,.....	1.50	✓
To paid Attorney's taxed fee,.....	15.00	✓
To paid Sheriff of Isle of Wight in this suit,.....	4.50	✓
To paid Sheriff of Isle of Wight for execu- ting process in former suit brought to sell the said land, but dismissed at rules,.... (two suits)	10.50	✓
To paid Sheriff of Surry, in this suit	1.00	✓
To paid Clerk's fee in former suits,.....	5.10	✓
To paid Clerk's fees in this suit,.....	10.24	✓
To paid Commissioner's fee,.....	10.00	✓
To paid printer for order of publication,.	6.00	✓
To paid for notices of sales,.....	1.00	✓
To paid crier at sale,.....	5.00	
To paid Attorney for drawing deed to pur- chaser,.....	10.00	✓
To commissions on \$2535.00,.....	59.70	✓
To paid Wm. S. Holland, Attorney in this cause, his fee allowed by court,.....	200.00	✓
To paid premium on bond of Special Com'r..	10.00	✓
To balance,.....	2185.46	
	\$2535.00	\$2535.00

By balance per contra,.....		\$2185.46
To paid taxes for 1905,.....	11.55	
To retained to pay taxes for 1906 on the amount received from sale of land (\$2535),	25.35	
To balance,.....	2148.56	

\$2185.46	\$2185.46
-----------	-----------

By amount of balance in the hands of the Special Commissioner to be divided between the

heirs, Virgie F. Dews and H. Franklin Dews	\$2148.56
--	-----------

Virgie F. Dews, ... 1/2	\$1074.28
-------------------------------	-----------

H. Franklin Dews, ... 1/2	1074.28
---------------------------------	---------

\$2148.56	\$2148.56
-----------	-----------

By amount of share of Virgie F. Dews,.....	\$1074.28
--	-----------

To amount paid Wm. S. Holland for advances made to her, as per decree entered in this cause on Mar. 5th. 1906,.....	30.00
--	-------

To balance,.....	\$1044.28
------------------	-----------

\$1074.28	\$1074.28
-----------	-----------

Amount of balance due to Virgie F. Dews and paid to her by check,.....	\$1044.28
---	-----------

Amount of balance due to H. Franklin Dews,
deposited in the Bank of Smithfield, Smith-
field, Virginis, as directed by the decree
herein of March 5th. 1906, for which the
certificate of deposit, signed by the cash-
ier of the said Bank is filed herewith,....

\$1074.28

HART, TRUSTEE

V---

DEWS ET ALIS

REPORT OF SPECIAL COMMISSIONER

Filed December 2nd 1907.

Isle of Wight C. H., Va. Nov. 15th. 1897

M. Hart, Trustee, vs. Dews et als.

TO A. S. JOHNSON, DR.

CLERK ISLE OF WIGHT COUNTY CIRCUIT COURT.

To Clerk's fees to date,.....

2 56

Paid.

A. S. Johnson. cc

Mr. *A. Johnson Comr Hart vs Dewst* Dr.

HARDY DISTRICT

No. *508*

1907.

To B. L. ROBERTS, Treasurer of Isle of Wight County, Virginia.

No.	STATE TAXES.				County Levy, 22½c. on \$100	General County Road Tax 2½c. on \$100	District Road Tax 7½c. on \$100	Poor Tax 7½c. on \$100	General County School Tax, 10c. on \$100.	District School Tax, 15c. on \$100	TOTAL TAX.
	State Tax Support Gov. 20c. on \$100. R. E. and P. P. Schedule B.	State Tax Support Gov. 25c. on \$100. P. P. Sched. C	State School Tax 10c. on \$100. R. E. & P. P. Sched. B. & C	State Tax for Pensions 5c. on \$100. R. E. & P. P. Schedule B.							
To.....acres, value \$											
To.....acres, value \$											
To.....acres, value \$											
To.....acres, value \$											
Personal property, sched. B. val. \$											
Personal Property, sched. C. val. \$ <i>800</i>		<i>200</i>	<i>80</i>		<i>180</i>	<i>20</i>	<i>60</i>	<i>60</i>	<i>80</i>	<i>120</i>	<i>800</i>
Value, - - - \$											
Income, 1 per cent											
Capitation <i>150</i>											<i>150</i>
Total											
5 per cent. penalty added Dec. 1, 1907											
Total											
Interest after June 15. from Dec. 15, 1907, 6 per cent.											

Received payment day of 190.....

Treasurer. Per

HARDY DISTRICT.

No. 529

Mr.

1906.

To B. L. ROBERTS, Treasurer of Isle of Wight County, Virginia.

STATE TAXES.

	State Tax Support Gov. 20c. on \$100 R. E. & P. P. Schedule B.	State Tax Sup. Gov. 25c. on \$100 PP Sched. C.	State School Tax 10c. on \$100 R. E. & P. P. Sched. B & C	State Tax for Pensions 5c. on \$100 R. E. & P. P. Schedule B	County Levy 30c. on \$100	General County Road Tax 5c. on \$100	District Road Tax 5c. on \$100	Poor Tax 7½c. on \$100	General County School Tax 15c. on \$100	District School Tax 10c.	TOTAL TAX
To.....acres, value \$.....											
To.....acres, value \$.....											
To.....acres, value \$.....											
To.....acres, value \$.....											
Personal property, sched. B. val. \$.....											
Personal property, sched. C. val. \$2535		6.84	2.54		7.60	1.26	1.27	1.90	3.80	2.53	
Value, - - - - - \$.....											
Income, 1 per cent.....											
Capitation.....1 50											
Total.....											1.50
5 per cent. penalty added Dec. 1, 1906.....											27.24
Total.....											
Interest after June 15, from Dec. 15, 1906, 6 %.....											

Received payment.....day of.....190.....

Treasurer.

Per.....

Received of E. S. Johnson, Special Commissioner in the Chan-
cery cause in the Circuit Court of Isle of Wight County pending,
styled, Hart. Trustee, &c. vs. Dews &c. the sum of seventy
and washing,
five dollars, it being the amount to pay for the board of H.

Franklin Dews from June 1st. 1907 to November 1st.....\$60.00

Clothing..... 15.00
\$75.00

Mary A. Davis
guardian of E. Franklin Dews.

October 31st. 1907.

A. S. Johnson, Commissioner in the suit of Hart &c. vs. Dews &c,

To Mrs. Mary V. Davis, ...Dr.

May 1st.	To board of H. Franklin Dews from March 1st.	
	1907 to June 1st. 1907, including washing.	\$40.00
	To paid for dress good and sewing,.....	8.00
	To paid second half session tuition in	
	music,.....	4.00
	To paid for stationery, books etc.....	3.00
	To cash advanced to infant.....	5.00
		\$60.00

I certify that the foregoing is a correct account.

x M. B. Davis x

Subscribed and sworn to before me, a Notary Public in and for the
County of Isle of Wight this the 10 day of May, 1907.

W. J. Hart N.P.

My term of office expires Feb. 28th 1908

I hereby acknowledged having received of A. S. Johnson, Commissioner,
check in payment of the above account.

x M. B. Davis x

A. S. Johnson, Commissioner in the suit of Hart, Trustee vs. Dews, et als. for the benefit of H. Franklin Dews, an infant.

To Mrs. Mary V. Davis, *Edn*.....Dr.
1906-7

To board from December 1st. to March 1st....	\$36.00
(including washing)	
Jan 1st. To paid dressmaker for sewing,.....	6.00
" To paid for dress goods,.....	3.88
" To paid tuition in music for 1st. half sess- ion,....1906-7.....	4.00
" To paid for books and small articles of station- ery,.....	3.50
" To cash advanced to H. Franklin Dews,.....	5.00
	<u>\$58.38</u>

I certify that the foregoing is a correct account,

M. V. Davis *Edn*

*Subscribed & Sworn to before me this 12th of
July 1907.*

*J. H. Hart, Notary Public
of Essex County Virginia
my term of office expires Feb 28/08.*

I hereby acknowledge having received of A. S. Johnson, Commissioner,
check for the above amount.

x *M. V. Davis* x

July 28th. 1906.

Miss H. Franklin Dews,.....

To Mrs. Mary V. Davis,.....Dr.

1906.

To paid for board for March, April, May, June and July,

1906.....@ \$15.00.....\$75.00 ✓

To amount paid for special classes not included in the

list at the High School and also for Music,..... 25.00 ✓

To paid for laundry from Dec. 1st. 1905,.. @\$2..... 16.00 ✓

To paid for wearing apparel, sundry expenses and medical

attention and drugs,.....66.00 x ✓
\$182.00

I certify that the above is a true statement of the expenditures made by me for my grand-daughter, H. Franklin Dews.

Mary V. Davis

Subscribed and sworn to before me, a Notary Public in and for the County of Isle of Wight this ^{31st}~~22nd~~ day of ^{July}~~April~~, 1906.

R. S. Hart Notary Public.
My commission expires Feb. 28th. 1908.

182.00
62.45
\$244.45

250.00
244.45
\$5.55

April 1st. 1906.

Miss H. Franklin Dews,

To Mrs. Mary V. Davis, ...Dr.

To amount paid for board for the months of December, 1905,
January and February, 1906, @ \$15.00..... \$45.00

To amount paid out for neces ary clothing for same period, 17.45
\$62.45

I certify that the above is a true statement of the expenditures
made by me for my grand-daughter, H. Franklin Dews.

Mary V. Davis.

Subscribed and sworn to before me, a Notary Public in and for the
County of Isle of Wight and State of Virginia, this 23rd. day of
April, 1906.

L. H. Hart Notary Public.
My commission expires Feb. 28th. 1908.

VIRGINIA: CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

C. H. HART, TRUSTEE,

V-- Chancery-- Report of Special Commissioner.

DEWS ET ALS.

TO THE HONORABLE R. E. BOYKIN, JUDGE OF THE CIRCUIT COURT
OF THE COUNTY OF ISLE OF WIGHT.

The undersigned, who was appointed a Special Commissioner in this cause by decree herein of March 5th. 1906, ~~and entered in~~, to deposit, in the Bank of Smithfield, Smithfield, Virginia, the amount found to be due the infant defendant, H. Franklin Dews, and take the certificate of deposit from the cashier of the said Bank therefor and file with the papers in this cause, begs leave to report:

That after the payment of the costs of said suit, as directed by the decree aforesaid, it was ascertained that the share ^{of the said infant} from the proceeds of sale of the land in the Bill mentioned amounted to the sum of \$1074.23, ^{which} was deposited in the said bank, as directed by the decree aforesaid.

That by decree herein of April 5th. 1906, the said Commissioner was further directed to make a loan to some one of five hundred dollars of the money deposited as aforesaid, taking the bond of the borrower for the said sum, payable on demand, bearing interest from date at the rate of six-per-centum per-annum, the said bond to be secured by a deed of trust upon real estate of the value of not less than one thousand dollars; that at the time the said decree was entered, being in the Spring-time, borrowers, for the amount named, were difficult to find; that about the latter part of the year, Mrs. Mary F. Jordan, who owns a farm near the courthouse in the County of Isle of Wight,

of some 186 acres, more or less, upon which she resides, made application for a loan of five hundred dollars, offering to secure the said loan by a deed of trust on the farm aforesaid; that after looking into the title of the said land, and the value thereof, and after conferring with Mrs. Mary V. Davis, the grandmother and guardian of the said infant defendant, the title and value of the said property being deemed sufficient by both the said commissioner and the said guardian, and the loan, in every respect, a desirable one, the said commissioner made the loan to the said Mary F. Jordan of five hundred dollars, and took as evidence therefor the bond of the said Mary F. Jordan and Charles L. Jordan, her husband, and also a deed of trust upon the land aforesaid, duly signed and executed by the said Mary F. Jordan and husband, which said bond and deed of trust are herewith filed; *at which time, in order to make said loan, your said commissioner, was withdrawn said certificate of deposit.* That at the time the five hundred dollars, loaned as above, was withdrawn from the said bank, an accounting was had with the said bank; and although other amounts had been withdrawn from the said bank and from the fund so deposited as aforesaid, as shown in the statement filed herewith, interest was allowed to the amount of \$27.35; but since that time no interest has been allowed by the said bank, the balance being deposited to the credit of the said cause, subject to immediate check, for the support and maintenance and education of said infant.

That there has been paid out of the said fund, to Mrs. Mary V. Davis, the grandmother and guardian of the said infant as aforesaid, for the support, maintenance and education of the said infant, from December 1st. 1905 to November 1st. 1907, the sum of \$437.83, as set forth in the statement of receipts and disbursements filed herewith, as well as the receipts of the said guardian for the said amounts;

and, after paying the taxes and other expenses incurred, as shown by the statement aforesaid, there is now a balance in the said bank of \$147.29.

That in reserving an amount to pay the taxes for the year 1906, the said commissioner reserved an amount sufficient to pay such taxes, based on the rate of taxation in force in the year 1905; but the rate was raised and the said commissioner had to pay the sum of \$1.89 as taxes for the year 1906 in excess of the amount of \$25.35 reserved to pay the taxes, of which he has charged one half to the said infant defendant, and has had to pay out of his own pocket one half of same, as one half of the fund taxed was paid to the defendant, Virgie F. Dews, before the taxes became due.

It has been suggested that the guardian of the infant, H. Franklin Dews, desires to obtain the funds now in the hands of the said commissioner, and administer the same, under the direction of the court, for the benefit of the said infant, and the said commissioner begs leave to report that it would be to the convenience of all that *such amount be paid to the said guardian upon the execution of the bond required by law.* That by decree entered in of January 10th. 1906, numbered 13, the said Special Commissioner was directed to collect rents for the land in the Bill and proceedings of this suit mentioned, if he could do so, for the year 1905; that in a report made and filed on the 5th. of April, 1906, the said Commissioner reported that he could not make collection for rents, at that time, without further proceedings at law, if by that course; and that he does not know whether or not same can be collected at this time, but asks for the direction of the Court, especially, as to his course of procedure, and if proceedings at law shall be had, against whom must he proceed.

Respectfully submitted,

A. S. Johnson, Special Commissioner

STATEMENT OF RECEIPTS AND DISBURSEMENTS MADE BY A. S. JOHN,-
SON, SEECIAL COMMISSIONER IN THE SUIT IN THE CIRCUIT COURT
OF ISLE OF WIGHT COUNTY PENDING, STYLED HART, TRUSTEE VS.
DEWS ET ALS., FOR THE BENEFIT OF H. FRANKLIN DEWS.

1907.

By share of proceeds of sale of property in
bill mentioned of H. Franklin Dews, deposit-
ed in The Bank of Smithfield, 1074.28
By interest on deposit to Jan. 1st.1907 27.35

1906

Apr. 1st. To amount paid to Mrs. Mary V. Davis, grand-
mother of the said infant and also her guard-
ian, for amount expended by the said Mary V.
Davis for the support, maintenance and educa-
tion of the said infant from Dec. 1st. 1905
to March 1st. 1906... 62.45 ✓
July 28th. To amount paid said Mrs. Davis for same pur-
pose to cover from March 1st. 1906 to Aug.
1st. 1906..... 182.00 ✓

1907

Jan. 12th. To amount paid Mrs. M. V. Davis for same
purpose, to cover from Dec. 1st. 1906 to
March 1st. 1907..... 58.38 ✓
May 10th. To amount paid said Mrs. Davis for same pur-
pose to cover from March 1st. 1907 to June
1st. 1907..... 60.00 ✓
Oct. 31st. To amount paid said Mrs. Davis, for same purpose
to cover from June 1st. 1907 to Nov. 1st.
1907..... 75.00 ✓
(Itemized statements, carrying the re-
ceipts of said Mrs. Davis hereto attach-
ed and made a part of this statement)

To amount of taxes in excess of amount reserved
for the year 1906 95
To expenses of Commissioner in going to Smith-
field and other small expense incurred..... 5.00
To paid Clerk's fees in suit to date..... 2 56
To amount of bond of Mary F. Jordan and hus-
band, of January 1st. 1907..... 500.00
To paid taxes for 1907..... 8.00
TO BALANCE DUE FUND IN BANK..... 147.29
\$1101.63 \$1101.63

VIRGINIA: CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

C. H. HART, TRUSTEE,

V-- Chancery--Report of Special Commissioner

DEWS ET ALS.

TO THE HONORABLE B. D. WHITE, JUDGE OF THE CIRCUIT COURT OF THE
COUNTY OF ISLE OF WIGHT.

The undersigned, who was appointed a Special Commissioner in this cause by a decree herein of March 5th. 1906, to deposit certain funds, mentioned in the said decree, in the Bank of Smithfield, to the credit of the infant defendant, H. Franklin Dews, and to check upon said fund for the support and education of the said infant for an amount not to exceed the sum of \$250 per annum, begs leave to report:

That by report of your commissioner filed herein on the 2nd. day of December, 1907, and confirmed by decree herein entered on the 17th. day of December, 1907, there was a cash balance in said bank to the credit of the said infant amounting to the sum of \$147.29. That in said report your commissioner stated that he had made a loan to Mrs. Mary F. Jordan, of the County of Isle of Wight, of the sum of five hundred dollars, as directed by a decree herein of April 5th. 1906, and had taken the bond of the said Mary F. Jordan and Charles L. Jordan, her husband, for the said sum of five hundred dollars, and that the said bond had been secured by a deed of trust upon the real estate, in the said county, of the said Mary F. Jordan, which said loan was approved and confirmed by the Court in its decree of the 17th. day of December, 1907, aforesaid.

That in the said report it was stated that the guardian of the said H. Franklin Dews, (Mrs. Mary V. Davis, a grandmother of the said infant) desired to obtain entire control of the said funds belonging to the said infant; and, by the said decree of of December

17th. 1907, your commissioner was directed to pay over to the said Mary V. Davis, guardian as aforesaid, when she executed the bond required by the statute in such cases made and provided, (the said fund being derived from the sale of real estate) the balance in the said bank, and also to withdraw from the papers in this cause the bond of the said Mary F. Jordan, and assign the same, without recourse, to the said Mary V. Davis, guardian, as aforesaid.

That since the said report was filed, and the entry of the decree confirming the same and making the directions aforesaid, the said Mary V. Davis, guardian as aforesaid, has departed this life, and before executing the bond aforesaid, consequently the said commissioner never paid over to the said guardian any part of the said sum deposited in the bank as aforesaid, nor did he assign the said bond herein mentioned to her, but the said fund is still on deposit in the said bank to the credit of your commissioner, and the said bond still remains in the papers of this suit payable to your commissioner. That on the first day of January, 1908, the said Mary F. Jordan paid to your commissioner the interest then due on the bond aforesaid, amounting to the sum of thirty dollars, making the funds now in said bank amount to the sum of \$177.29, but since the death of the said Mary V. Davis, and since the entry of the decree aforesaid on December 17th. 1908², your commissioner has paid to the said infant the sum of thirty dollars, to-wit: \$10 on July 16th. 1908, \$10 on Aug. 10th. 1908, and \$10 on Sept. 19th. 1908. leaving a balance due the said infant, outside of the bond herein mentioned, the sum of \$147.29. Your commissioner is informed and believes that out of the sum to the credit of the said infant he is entitled to compensation for his services the same as any guardian would be, he occupying that position, practically, and discharging the duties thereof, which would be 5% upon the gross receipts, viz, upon the sum of \$1074.28, or \$53.71.

Your commissioner has been approached, recently, by the said

N. Franklin News

who stated to your commissioner that she desired the fund to remain in the hands of the court, and your commissioner, to be applied to her needs under the direction of the court by your commissioner, or that the said commissioner qualify as her guardian; and your commissioner believes that it would be to the best interest of the said infant that the matter remain in the hands of the court for such direction to the said commissioner, from time to time, as the necessities of the case may require.

Your commissioner begs leave to report that the said infant is now nearly eighteen years of age and is a young woman of some talent and wit, and is very desirous of obtaining as much education as the funds in hand will allow her. She has recently gone back to the school she attended last year, viz: The Powhattan Institute, in Powhattan County in this State, and she informs your commissioner that she is quite certain that \$200 will pay her expenses for the school term just opened, and she has no doubt but that the sum of \$250 will do so, but it being to her interest to make it as little as possible, your commissioner believes that she will contract as little expense as is sufficient to meet the demand, and, in consequence of these facts your commissioner would recommend to the court that the said bond be collected or sold to some party who will take the same, and apply the proceeds to the support and education of the said infant as directed by the decree herein of March 5th. 1906.

All of which is respectfully submitted,

A. Johnson Commissioner

20

Hart, Justice

vs {

News & all

Filed Oct 9th 1908

Dist. Ct. Wm. J. Clark

The Bank of Smithfield,

SMITHFIELD, VA.

A S. Johnson Svl. Com.
Hartve us Darrs -
Isle of Wight. Va

Dr. Bank of Smithfield, in account with
1906

DEPOSITS.

Jan 15 To C 253.500

May 2

\$253.500

A. S. Johnson. Shl Com. Cr.
Hartve 15 Items

CHECKS.

1906

Mar 21

Apr 10

Apr 10

✓

✓

✓

✓

✓

13

✓

✓

✓

✓

✓

✓

✓

20

24

May 2

✓

R. E. B

Int 9c

asg clk

asg

✓

✓

✓

R. A. S

✓

W. A. S

✓

✓

✓

✓

✓

✓

B. R. R. 3

B. R. S. S. S.

V. I. A.

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3885

107428

1534

3085

2535

10

15

5

50

150

1

6

30

15

200

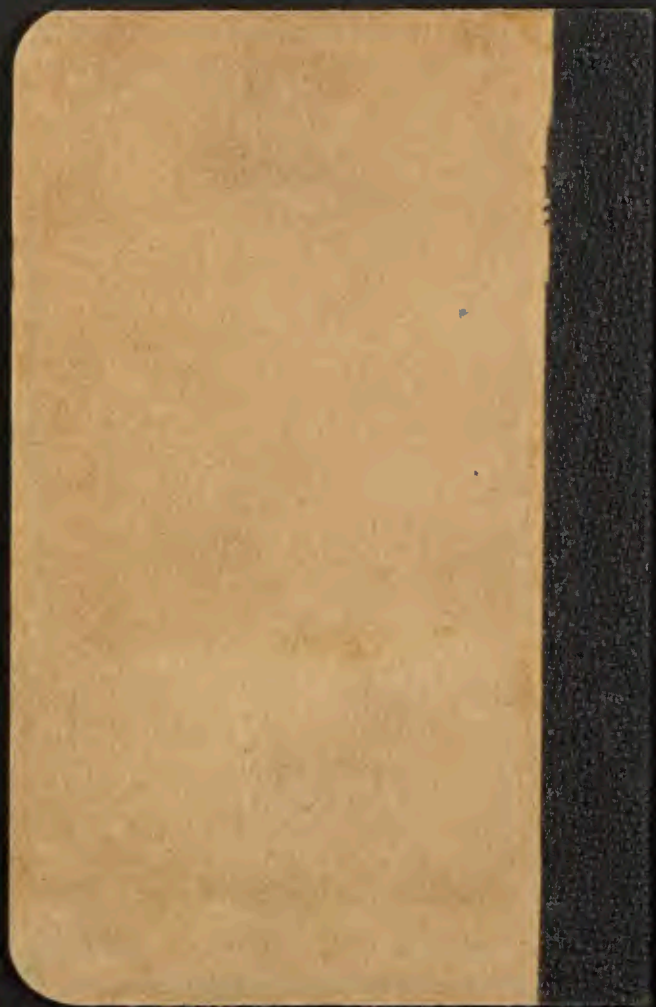
10

1155

50

104428

\$253.500



16380

The Bank of Smithfield,

SMITHFIELD, VA.

A S Johnson Shel Conn. Hurt & Dan

Isle of right Va

Dr. Bank of Smithfield

In account with

A.S. Johnson & Co. Inc. New York City

1907

Aug 12

DEPOSITS

357 18

\$ 357 18

1908

Dec 3

To Balance

36 83

1908

Dec 3

CHECKS

By check

320 35

Balance

36 83

\$ 357 18



THE BANK OF SMITHFIELD

SMITHFIELD, VA.

In account with

A. S. Johnson

Spec. acc.

Next to vs. News

THE FALCONER COMPANY, BALTIMORE.

THE BANK OF SMITHFIELD
SMITHFIELD, VA.

Dr.

In Account with

Duplicate
A. S. Johnson Spel. Com. Cr.
Hart. re. vs. Devo

1907

1907

DEPOSITS

CHECKS

Jan 12

357 18

Jan 29

58 38

May 10

60

Nov 2

75

1908

25

8

Oct 15

62 22

29

50

Nov 23

67 5

12/3 Balance

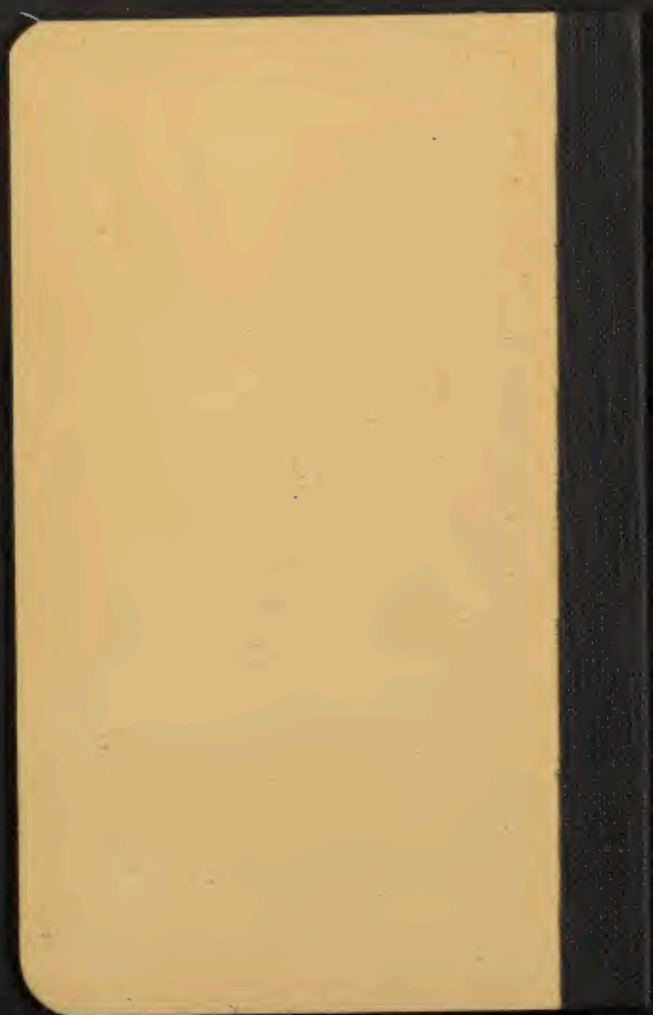
36 83

\$357 18

\$357 18

Balance forward

to New Book



49

Hart, &c.

vs.

Dews &c

Smithfield Va.

March 31st.

1906

No

The Bank of Smithfield
Smithfield, Va.

Pay to

A. S. Johnson, Special Commissioner,

or order \$1074.28

One thousand and seventy four and 28/100

Dollars

Share of H. Franklin Dews, to be deposited to the credit of this suit
for her benefit.

A. S. Johnson, Spl. Commr.

or All Glenn Glenn
Inscribed as such
H. Franklin Allen

49

Smithfield Va.

March 31st.

1906

No.

Hart &c.
vs)
Dews &c.

The Bank of Smithfield

Smithfield, Va.

Pay to

A. S. Johnson, Clerk,

or order \$ 15.34

----fifteen-----and 34/100-----

Dollars

Clerk's fees,

[Signature]



Hart &c.
vs)
Dews &c.

Smithfield Va. March 31st. 1906 No

The Bank of Smithfield
Smithfield, Va.

Pay to A. S. Johnson, or order \$ 30.85
-----thirty-----and 85/100----- Dollars

His share as Commissioner of Sale,

A. S. Johnson The Comr

For The Southern Railway Co.
and
A. B. JOHNSON

Hart &c.
vs)
Dews &c

Smithfield Va. March 31st. 1906 No.

The Bank of Smithfield
Smithfield, Va.

Pay to A. S. Johnson or order \$ 25.35
Dollars

Twenty five----and 35/100

Amount retained to pay taxes on \$2535 for 1906

Edmund H. Caus

Pay The Bank of Greenville, Va.
or Order
A. S. JOHNSON.

Hart &c.
vs
Dews.

Smithfield Va. March 31st. 1906 No.

The Bank of Smithfield
Smithfield, Va.

Pay to A. S. Johnson or order \$ 10.00
-----Ten-----00/00----- Dollars

Fee as Commissioner in chancery

A. S. Johnson, Esq. Cash



67
Harris
re
Dear

Smithfield Va. March 3rd 1906 No.

The Bank of Smithfield
Smithfield, Va.

Pay to R. A. Edwards. Sheriff or order \$ 15.00
Fifteen ——— 00/100 Dollars
Sherriff's fees

William S. Cress

PAY TO THE ORDER OF
ANY BANK OR BANKER,
The Merchants' & Farmers' Bank,
J. VAN DER BEEK, Cashier.

W. A. Edwards & Co.

46
Hark
70
deus

Smithfield Va. March 31 1906 No.

The Bank of Smithfield
Smithfield, Va.

Pay to A. A. Edwards or order \$ 5⁰⁰
Five Dollars

Crier at sale

Johnson, The Crier

PAY TO THE ORDER OF
ANY BANK OR PAYEE
The Merchants Bank
London

W. A. Brown

49
Hark
no
dew

Smithfield Va. March 31st 1906 No.

The Bank of Smithfield

Smithfield, Va.

Pay to B. W. Edwards Sheriff (Surry) or order \$ (50/100)
Fifty cents Dollars
Sheriff's fee

Johnson, J. C.

B. D. Edwards

Pay to Bank of Sussex & Surrey

Wakefield, Va. or Order

Watkins & Bohannon, Trustees
of N. C. Wright & Co.

W. H. SAWYER, Cashier,
WAKEFIELD, VA.

BANK OF SUSSEX & SURREY,

APR 20 1906

All Previous Endorsements Guaranteed.

ANY BANK OR BANKER
WILL CASH ON ORDER OF

PAY TO THE ORDER OF
ANY BANK OR BANKER
ALL PREVIOUS ENDORSEMENTS GUARANTEED

APR 21 1906

MERCHANTS NATIONAL BANK,
RICHMOND, VA.

THOS. L. BARNETT, CASHIER.

Hart &c
vs
Devs

Smithfield Va March 31 1906 No

The Bank of Smithfield

Smithfield, Va.

Pay to Wm J. Holland, Atty

APR 13 1906

or order \$ 150

Ow

50/100

Dollars

Amount of this tax paid on mp of Hart &c vs Devs

Attest J. M. C. C. C.

Wm S. Holland, Atty.

A. B. D. Holland

FOR BANKER,

ORDER,

FOR COLLECTION.

APR 11 1906

DEPT. OF TREASURY

WASHINGTON

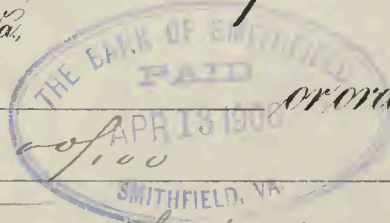
RECEIVED

Harkness
no
Lew

Smithfield Va, March 31 1906 No

The Bank of Smithfield
Smithfield, Va.

Pay to Wm Holland. Atty



or order \$100

Dollars

— One —

Do paid for notes of sale

Johnson J. C. Cur

SPEED LITHOGRAPHS CO. SEA CLIFF, N. Y.

All Available Text Successfully Captured

Wm. S. Holland, Atty.

A. B. P. Holland

W. H. JONES, JR.,
SUFFOLK, MASS.
RECEIVED

APR 11 1908

W. H. JONES, JR.,
SUFFOLK, MASS.
RECEIVED

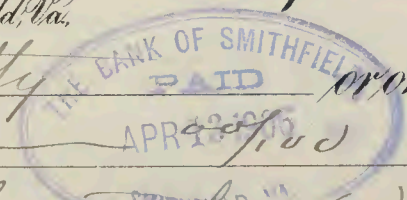
Nash
no
Deus

Smithfield Va. March 31 1906 No

The Bank of Smithfield

Smithfield, Va.

Pay to Wm S Holland Atty or order \$ 6⁰⁰
Six Dollars



Amount paid to printer for Ord Pubn

Johnson J M Cur

Wm S. Holland, Atty.

A. B. L. Holland

TO THE BANK OR BANKER,
OF THE CITY OF
NEW YORK.

APR. 11 1906

OF THE MANHATTAN

TRUST COMPANY

Warrant

vs
Debit

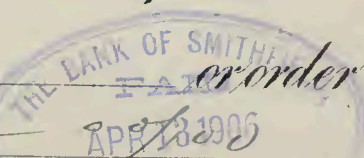
Smithfield Va. March 31 1906 No

The Bank of Smithfield

Smithfield, Va.

Pay to J. H. Hollans

Thirty



or order \$30.⁰⁰

Dollars

Advances made to Virgie E. Drew

A. Johnson, Treas. & Cash

SPEED LITHOGRAPH CO. SEA CLIFF, N. Y.

All Available Text Successfully Captured

Wm S. Holland, Atty.
A. B. D. Holland

WILLIAM S. HOLLAND, BANKER,
100 N. 1ST ST., ST. LOUIS, MO.
Capital and Surplus Guaranteed.

APR 11 1906

WILLIAM S. HOLLAND, BANKER

100 N. 1ST ST., ST. LOUIS, MO.

Capital and Surplus Guaranteed.

Hart &
no {
deu

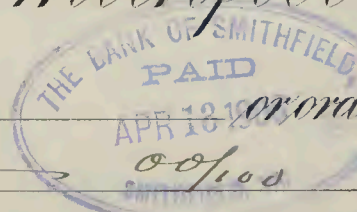
Smithfield Va. March 31st 1906 No.

The Bank of Smithfield

Smithfield, Va.

Pay to Yves Holland,

Fifteen



or order \$ 15.00

Dollars

Attorney's taxed fee in Hart & deus

Abraham J. C. C. C.

Wm S. Holland, ~~Atty.~~

A. B. P. Holland

ORDER OF BANKER.
TO THE ORDER,
Guaranteed.

APR 11 1906

BANK OF MANCHESTER

NEW FOLK, VA.

W. H. JONES, Jr. Cashier.

Harro
no
Acus
Smithfield Va. March 31 1906 No
The Bank of Smithfield
Smithfield, Va.
Pay to Wm Hollander or order \$ 200⁰⁰
Two hundred 00/100 Dollars
Attorney fee accrued by Court
Johnson J. C. Caud

SPEED LITHRPTS CO NEW CLIFF, N.Y.

All Available Text Successfully Captured

Mr S. Holland, Atty.

A. B. D. Holland

BANK OR BANKER,
FOR ORDER.

ALL CHECKS MUST BE CASHED.

APR 11 1206

CARRIERS, BANK OF AMERICA

49
Hart &
no
deus

Smithfield Va. March 31 1906 No

The Bank of Smithfield
Smithfield, Va.

Pay to Wm H. Halland Atty or order \$10.⁰⁰
Deus 00/100 Dollars

Amount paid for fence on land of J. H. C. C. C.
Johnson J. H. C. C.

SPEED LITHO & PLS CO SEA CLIFF, N. Y.

All Available Text Successfully Captured

Wm S. Holland, Atty.

A. B. P. Holland

Pay to ANY BANK OR BANKER
OR ORDER.
Cash Payment Guaranteed.

APR 11 1906

Hark *Smithfield Va. March 31 1906 No.*

no
Leus 49

The Bank of Smithfield
Smithfield, Va.

Pay to *B. L. Roberts, Treasurer* or order \$ *11⁵⁵/₁₀₀*
Eleven Dollars

Taxes on Land for year 1905

Johnson J. L. Carr

SPEED LITHOGRAPH CO. 354 CLIFF N.Y.

All Available Text Successfully Captured

For the Bank of South Carolina
Charleston, Va. or order,
1853, Dec 10, 1853

49
Nath
207
Deer

Smithfield Va. March 31st 1906 No.

The Bank of Smithfield

Smithfield, Va.

Pay to Spurs Holland, Atty

Fifty Cents

PAID (50/100)
or order \$

Dollars

Fee paid to Sheriff of Surry for ex. in process

Johnson vs. Carr

SPEED LITHO & PLS CO. NEW CLIFF, N. Y.

All Available Text Successfully Captured

Wm S. Holland. Atty.

A. B. L. Holland

W. D. BANKER,
OF NEW YORK,
HAS DEPOSITED.

APR 11 1906

THE BANK OF MARYLAND
Baltimore, Md.
W. D. BANKER, Cashier.

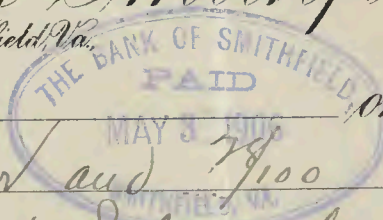
49
Hart & Co
Deus & Co

Smithfield Va. March 31 1906 No

The Bank of Smithfield

Smithfield, Va.

Pay to Virgie J. Deus



or order \$1044²⁸

One thousand ⁴⁴/₁₀₀ forty four and ²⁸/₁₀₀

Dollars

Your share from sale of M J Deus land

Ed Johnson. Treasr

Virgil F. Deane

49

Smithfield, Va.

March 20th.

190

No.

186

The Bank of Smithfield

Smithfield, Va.

Pay to the
order of

R. E. Boykin,

\$ 38 ⁸⁵/₁₀₀

thirty eight and 85/100-----

Dollars

1/2 commissions in sale of land in Hart &c. vs. Dews &c, and
fee for drawing deed to purchaser

THE PAID COMPANY, BALTIMORE

Johnston Spe Pen
Hart &c vs Dews &c

R. E. Boykin

Sept 27th 1905

Mr C H Hart Cash & Mrs Dr. W. S. Halcrow,

To R. A. EDWARDS, Sheriff of Isle of Wight County, Va.

To executing Order Notice Mr W. R. Davis F. C. Hart Mr Lee
Steel, Sallie Mr Halcrow Mr & Boykin Good relative
2.50

Received payment.

© A. Heath Carter

200

M C Hart trustee

Dr.

July 1905
W. S. Helleard.

To R. A. EDWARDS, Sheriff of Isle of Wight County, Va.

To executing writ in the v. Davis of C. Hart M Lee Stead
and Sallie M Helleard. 7.00

Received payment.

Ch. Hart Busch

200

Octo 29th 1904

M C Lark Master A Dr.

To R. A. EDWARDS, Sheriff of Isle of Wight County, Va.

To executing writ on R. F. Duos M. V. Davis & C. Hark M. Lee
State & Sallee M. Heccland. 2.50
Mar. 10 Duos on R. F. Duos M. V. Davis & C. Hark M. Lee State
and Sallee M. Heccland. 2.50
Received payment. 5.00

C N Hart turtle

500

Sept 16th 1904

M. C. Hark trustee

Dr.

To R. A. EDWARDS, Sheriff of Isle of Wight County, Va.

To executing writ on B. F. Rees. in your seat in Chy,
on 50

Received payment.

C. N. Heath Castle

. 50

THE BANK OF SMITHFIELD

SMITHFIELD, VA.

In account with

A. S. Johnson Spec. Com.,
Hart vs Dees.

THE FALCONER COMPANY, BALTIMORE.

THE BANK OF SMITHFIELD
SMITHFIELD, VA.

Dr.

In Account with

1908

		DEPOSITS	
Dec 3	1908	To Balance	36 83
Feb 12			30 00
Mar 17			20 00
May 10			51 00

\$596 83

1909

Sept 22	1909	To Balance	373 07
---------	------	------------	--------

\$373 07

1909

Dec 6	1909	To Balance	313 07
This balance transferred to new book			

A. S. Johnson Special Com Cr.
1908 Start vs. Debits

		CHECKS	
Dec 10	1908	W. J. D.	15
Jan 2		✓	5
Jan 18		✓	10
Mar 17		✓	55
May 21		✓	53 76
May 22		agg	35
Jun 29		W. J. D.	10
July 10		✓	15
Aug 13		✓	10
Sept 16		✓	15
		Balance	373 07

\$596 83

1909

Sept 28	1909	W. J. D.	15
Oct 4		✓	5
Oct 21		✓	20
Nov 13		✓	20
		Balance	313 07

\$373 07



THE BANK OF SMITHFIELD

SMITHFIELD, VIRGINIA

In Account With

A. S. Johnson Sped Com
Hart & Dews

LEVEY, IRD' PLS.

Always bring your Book with Deposits
See that the Entries agree with your Receipts
Please leave your Book once a month for
balancing.

The Bank of Smithfield

Dr.

1909

DEPOSITS

Dec 6 To Balance 31307

31307

1910

Jan 27 To Balance 27307

In Account With

A. S. Johnson Spec Cr.

CHECKS

Start US Sav

1909

Dec 8 \$25 ✓ 25

Jan 24 ✓ 15

Balance 27307

31307



49

Smithfield, Va. Jan'y 18 1900 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the
order of H. Franklin Dees \$15⁰⁰
Fifteen — or 15 — Dollars

Wash

On a/c

Dees

Thomas E. C. C. C.

H. Franklin Dew

J. M. Durand

Cashier

PAY TO THE ORDER OF

Virginia Bank & Trust Co.,
NORFOLK, VA.

The Seaboard Fire Insurance Co.,
TAEWELL, THOMPSON,
Insurance.

PAY TO THE ORDER OF

Any Bank, Banker or Trust Co.

Previous Endorsements Guaranteed,

Virginia Bank and Trust Co., Inc.

NORFOLK, VA.

MUGH G. WHITEHEAD,

CASHIER

BANK OF SMITHFIELD,
SMITHFIELD, VA.
NATIONAL BANK,
NORFOLK, VA.

49

Smithfield, Va. Dec 4 1909 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the order of H. Franklin Dewe

Twenty five 00/100

DEC 8 1909

Dollars

on acct

H. F. Dewe

John S. Cummings

Mr. Franklin Dens

Dr. J. H. [illegible]

Bank of Trust Co.
ORDER
6 1909
Bank of Commerce
New York, N.Y.
RECEIVED

49

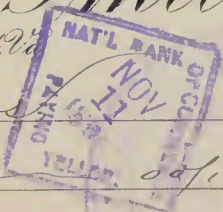
Smithfield, Va. November 10th 1909 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the
order of

H. Franklin Lewis



\$20.00

Twenty

Dollars

on a/c

Thomas D. L. Conner

Handwritten: H. F. Lewis

49

Smithfield, Va. Oct 16th 1909 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the
order of

H. Franklin Deuss

\$20.00

Twenty 21/100

Dollars

on a/c

Edmunds Spe Comr

Hart
us of
Deuss

H. Franklin Hens-

for the month

Pay any Bank, Banker or Trust Co.
OR ORDER
OCT 19 1909
The National Bank of Commerce
OF NORFOLK, VA.
H. M. KERR, Cashier.

489

Smithfield, Va. Sept 30th 1909 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the
order of

H. Franklin Dew

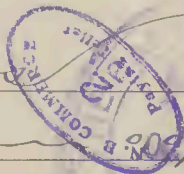
\$ 5⁰⁰

Five

Dollars

on a/c

Pherson Spe Enor



Account of
H. F. Dew

N. Franklin Dean

Pay any Bank, Banker or Trust Co.
BY ORDER

1909

National Bank of Commerce
NEW YORK, N. Y.

Cashier.

49 /

Smithfield, Va. Sept 2nd 1909 No.

The Bank of Smithfield

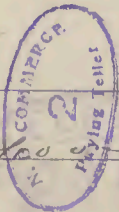
Smithfield, Va.

Pay to the order of H. Franklin Deews \$15⁰⁰

Fifteen 00/100 Dollars

on a/c

Thomas S. Jones



Hand
of
H. F. Deews

W. Franklin News



any Bank, Banker or Trust Co.
OR ORDER

SEP 25 1909

The National Bank of Commerce
OF NORFOLK, VA.

H. M. KERR, Cashier.

49

Smithfield, Va. Sept 17th 1909 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the
order of
H. Franklin Deews
Cashier

H. Franklin Deews

Fifteen
Dollars



\$15.⁰⁰
Dollars

Johnson Spe Cour

W. Franklin Dees

Dr
paying
Pay any Bank, Banker or Trust Co.

OR ORDER

2

SEP 14 1909

2

The National Bank of Commerce

OF NORFOLK, VA.

H. M. KERR, Cashier.

49/24
Harris
Dewey
Smithfield, Va. Aug 9th 1909 No.

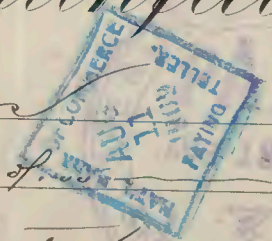
The Bank of Smithfield

Smithfield, Va.

Pay to the order of H. Franklin Dewey \$100.00
Ten ——— of ——— Dollars

On a/c Board of

Johnson Spe Jones



Pay any Bank, Banker or Trust Co.
OR ORDER

2

AUG 11 1909

2

The National Bank of Commerce
OF NORFOLK, VA.
H. M. KERR, Cashier.

J. F. Franklin

49
Hart
Dew
Pay to the
order of

Smithfield, Va. July 6

1909 No.

The Bank of Smithfield

Smithfield, Va.

H. Franklin Dew

Fifteen
on a/c



\$ 15.⁰⁰

Dollars

Johnson & Sps Corner

Pay any Bank, Banker or Trust 

~~—OR ORDER—~~

JUL 8 1909

The National Bank of Commerce

OF NORFOLK, VA.

H. M. KERR, Cashier

Livingston

J. Franklin Pease

⁴⁹ Hart *Smithfield, Va. June 24 1909 No.*

24

Deus

The Bank of Smithfield

Smithfield, Va.

Pay to the
order of

Franklin Deus

\$10.00

Ten 00/100

Dollars

on a/c

Phusen. Spe Genus

St. Francis River.

J. H. Manning

Pay any Bank, Banker or Trust Co.,
—OR ORDER—
JUN 26 1909
The National Bank of Commerce
OF NORFOLK, VA.
H. M. KERR, Cashier

49

Smithfield, Va. May 14th. 1909 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the
order of

A. S. Johnson,

\$ 35.00

-----THIRTY FIVE-----

Dollars

Amounts advanced to H. Franklin Dews from Ind. funds.

Wm a/c

[Signature]

Spl. Comr.

H. F. Dews

THE BUREAU OF
OF THE
A. S. JOHNSON

49

Smithfield, Va.

May 14th.

1909

No.

The Bank of Smithfield

Smithfield, Va.

Pay to the
order of
Hart &
Chancy
Dews

Powhattan Institute,

\$ 53.76

-----FIFTY THREE AND 76/100-----

Dollars

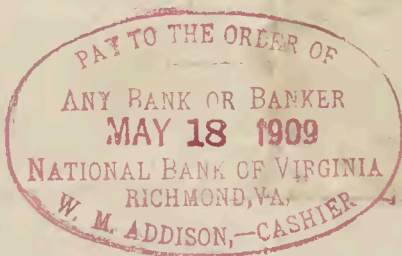
Tuition for H. Franklin Dews, etc.

[Signature]

Spl. Comr.

H. Franklin Davis

R. G. Postley



Pay any Bank, Banker or Trust Co.
—OR ORDER—
MAY 19 1909
The National Bank of Commerce
OF NORFOLK, VA.
W. M. KELL, Cashier

49

Smithfield, Va. March 11 1904 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the
order of

H. F. Franklin Dewo

\$ 55⁰⁰

Fifty five — 00/100

Dollars

To pay board & schooling to Deley 1-1909

Thomas S. Pl. Com.

Dr. 4/6
F. Estlin Porter



Pay any Bank, Banker or Trust Co.

—OR ORDER—

MAR 15 1909

The National Bank of Commerce

Washington, D. C.

and other Cities

W. H. F. ...

49.
Cash on hand
N. S. Chas. & Co.
Deus & Co.
Pay to the order of

Smithfield, Va. Jan'y 12 1909 No.

The Bank of Smithfield

Smithfield, Va.

H. Franklin Deus

\$ 10.⁰⁰

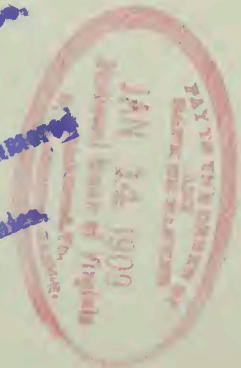
— Ten — 00/100 —

Dollars

on acc

Thomas
Spt Commissioner

Pay any Bank, Banker or Trust Co.
—OR ORDER—
JAN 15 1909
The National Bank of Commerce
OF NORFOLK, VA.
H. M. KERR, Cashier.



Franklin Dore
O. St. Paulin

X 9

Smithfield, Va December 3rd 1908 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the
order of

H Franklin Dewar

\$ 5⁰⁰

Five

00/100 —

Dollars

of

on a/c

Johnson

Dewar & Co

Special Commis

Franklin Daws,

149
Post
H.F. News

Smithfield, Va. December 10th 1908 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the
order of

H. Franklin News

\$ 15⁰⁰

Fifteen 00/100

Dollars

on a/c

Special Commissioner

Franklin Dumas
Mrs R. G. Porter



Pay any Bank, Banker or Trust Co.

—OR ORDER—

DEC 8 1908

The National Bank of Commerce

OF RICHMOND, VA.

W. M. KIRK, Cashier

49
Hartley
75% showing
Dewey

Smithfield Va November 20th 1908 No

The Bank of Smithfield

Smithfield Va.

Pay to B. L. Roberts, Treasurer or order \$6⁷⁵
Six ⁷⁵/₁₀₀ Dollars
Taxes for 1908

A. Johnson
Sgt. Enr

B. L. Roluils Jr

Pay The Bank of Smithfield, Va.
or Order,
A. S. JOHNSON,

49
Hart &
75
Deus &

Smithfield Va, November 18th 1907 No

The Bank of Smithfield

Smithfield, Va.,

Pay to B. L. Roberts, C. Treas or order \$ 5⁰⁰
Eight ⁰⁰/₁₀₀ Dollars

To pay taxes for 1907

A. B. Johnson, Cash. Comm

Must no be in

149

Smithfield, Va. October 27th 1908 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the
order of

H. Franklin News

\$ 50⁰⁰

Fifty

00/100

Dollars

To pay part of 1908-9 tuition

R. Johnson

Special Commissioner

N. Franklin News
R. L. Poston



Pay any Bank, Banker or Trust Co.
—OR ORDER—
OCT 27 1908
The National Bank of Commerce
111 N. KENT, CHICAGO, ILL.

49 Smithfield, Va. Oct 15 1908 No.

The Bank of Smithfield

Pay to the order of ^{Smithfield, Va.} A. I. Johnson \$62²²

— Sixty two — ²²/₁₀₀ — Dollars

Commission & clerks fees

Hath

rs

adewo

THE BALCHER COMPANY BALTIMORE

Johnson & Co

49

Hart H
us
Deus

Smithfield, Va. Oct 31st 1907 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the order of Mrs Mary V Davis \$75.⁰⁰

Twenty five

NOV 2 1907

Dollars

for board & clothing for H Traubman Deus

Johnson. Treasr

THE FALCONER COMPANY BALTIMORE

All Available Text Successfully Captured

Mary B. Duval
J. Waller Flat Jr

49

Smithfield Va.

May 6th.

1907 No

Hart &c.
vs) C. Ct. of W. Co.
Dews. &c.

The Bank of Smithfield
Smithfield, Va.

Pay to

Mrs. M. V. Davis,

or order \$ 60.00

-----S I X T Y -----00/00

Dollars

for education and maintenance of H. Franklin Dews from March 1st. to June 1st. 1907.

Johnson Commissioner

PRINTED BY THE BANK OF SMITHFIELD, VA.

Mr. V. Davis.
Mr. V. Hart

44 ~~54~~
Nash &c
vs
deus &c

Smithfield Va Jan'y 21 1907 No

The Bank of Smithfield
Smithfield, Va.

Pay to Mrs M^r Davis or order \$58³⁸
Fifty eig ht 38/100 Dollars

JAN 23 1907

SMITHFIELD, VA.

A/c H. Frousseni deus - Schooling &c

Johnson & Co

Mr. N. Davis.

Hast &c *Smithfield Va January 1st 1907 No*
75
Leeds &c *The Bank of Smithfield*
Smithfield, Va.
Pay to *Chas L Jordan* *or order \$ 500.⁰⁰*
Five hundred *00/100* *Dollars*
L & Co
Johnson Spl Cash

SPEED LITHO & PTE CO SEA CLIFF, N. Y.

C. L. Jordan

Pay The Cash of Settlement, N. &
W. Co.

A. S. JOHNSON

14
5

Smithfield Va.

July 28th.

1906 No

Hart &c

vs)

Dews &c

The Bank of Smithfield

Smithfield Va.

Pay to

Mrs. Mary V. Davis.

or order \$ 182.00

-----One hundred and eighty two-----00/100

Dollars

Being amount paid for expenses of H. Franklin Dews, as per statement filed with the papers in this cause.

Johnson
SPECIAL COMMISSIONER

Merry B. Davis.
Cape
Ch Hart

+

49

Kath
vs
Dewes

Smithfield Va April 22 1906 No

The Bank of Smithfield

Smithfield, Va.

Pay to Mrs W V Davis or order \$ 62⁴³/₁₀₀
Sixty two Dollars

Advances made for H. F. Vausein Dewes as per
statement filed

Johnson. J. L. Comr

Ms. A. Davis

DEBIT

OK.
Ch. 1073.00 J
Int

1406

5/3 memo

8/1

1/3/07

1/2 Ind & c (Sutch) 357.18

110763

Date

190

1074 28
27 35

11016.3

All Available Text Successfully Captured

72

North, Trustee etc

vs { Chauncy

Deeds et al.

Commissioner's Report

Filed February 7th 1910

Isle of Wight, Va., December 2nd 1909.

Mr. *H. H. Hunter & Co. v. Deeds et al.*

To A. S. JOHNSON, *Chancery*

Clerk of the Circuit Court of the County of Isle of Wight, Dr.

1909

Dec 2 To Clerk fees in suit to this
date

342

Paid
"
A. S. Johnson Clerk

DR. J. W. MANNING
DENTIST
BANK OF COMMERCE BUILDING
ROOM 1214
NORFOLK, VIRGINIA
OFFICE HOURS
9 TO 1
2 TO 5
PHONE
SO. BELL 3110

hope fortune will so favor me, that
I may at least, return half of
it - I do consider that you have
been extremely kind to me -

Thanking you again -
I am,

Yours very truly -

J. Frank Keene -

DR. J. W. MANNING
DENTIST
BANK OF COMMERCE BUILDING
ROOM 1214
NORFOLK, VIRGINIA
OFFICE HOURS
9 TO 1
2 TO 5
PHONE
SO. BELL 3110

Oct. 2. '09-

My dear Mr. Blue son,

I enclose letter to you as requested - It is correct according to my papers - You can hand it over to me any time - I shall deposit 2,75 in Nat. Bank. and use other - and by the time it goes out, I will be supporting my self - I think -

I would not dare attempt to express to you my high appreciation of your kindness to me. However, I

CLERK'S OFFICE
OF ISLE OF WIGHT COUNTY,
ISLE OF WIGHT, VA.
ALBERT S. JOHNSON, CLERK.

September 24th. 1909.

Miss H. Franklin Dews,
Norfolk, Va.

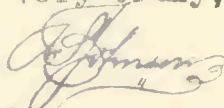
Dear Miss Franklin:

Have been from the office for a few days and that is the reason you have not heard from me.

I enclose, herewith, check for \$15.00, as requested.

I also make, herunder, a statement of your expenditures since your grandmother died which you can look over, and if you find it in accordance with your memory let me know. I want to make a report at the coming term of court. As soon as the balance in hand is reduced to \$300.00 I think the Court will allow me to hand the whole amount over to you. The balance now in bank to your credit is \$369.57.

Yours very truly,



Also state to me your exact age.

1908:

July 16th.	Cash (by check)	\$ 10.00 ✓
Aug. 10th.	Cash,	10.00 ✓
Sept. 19th.	Cash,	10.00 ✓
Oct.---	Cash to pay fare to school,	3.50 ✓
Oct.---	Cash, to pay tuition for latter part 1907-8	50.00 ✓
Dec. 1st.	Cash,	15.00 ✓
Dec. 31st.	Cash, to pay fare ~~here~~ to school,	5.00 ✓
1909:		
Jan. 12th.	Cash,	10.00 ✓
Mar. 11th.	Tuition 1st. half 1908-9	55.00 ✓
May 1st.	Cash	5.00 ✓
May 7th.	Cash,	10.00 ✓
May 14th.	Tuition last half 1908-9	53.76 ✓
June 24th.	Cash,	10.00 ✓
July 6th.	Cash,	15.00 ✓
Aug. 9th.	Cash	10.00 ✓
Sept. 11th.	Cash	15.00 ✓
Sept. 24th.	Cash,	15.00 ✓
	Taxes for 1908	6.75
	Postage,	50

VIRGINIA: CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

HART, TRUSTEE ETC.

VS) CHANCERY-- REPORT OF SPECIAL COMMISSIONER.

DEWS ET ALS.

TO HONORABLE B. D. WHITE, JUDGE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

The undersigned Special Commissioner, who was appointed and directed by a decree entered herein on the 5th. day of March, 1906, to deposit and manage the fund accruing to the infant, H. Franklin Dews begs leave to make the following report.

That he has made up a statement of his disbursements under the said decree and the subsequent decrees thereto entered herein, which, together with the statement made and filed herein on the 2nd. day of December, 1907, and confirmed by a decree herein entered on the 17th. day of December, 1907, shows the disbursement of the entire fund to February 1st. 1910, which said statement is herewith filed as a part of this report, together with the vouchers supporting said disbursements, which said report shows a balance due the said fund on the first day of February, 1910, of \$265.65.

Since the death of the guardian of the said H. Franklin Dews, and also her grandmother, Mrs. Mary V. Davis, the said infant has been, to a great extent, managing her own affairs, having attended school at the Powhattan Institute, in Virginia, during the session 1908-9, and since the end of said session has been living with her married sister in the City of Norfolk, having, shortly after taking up her residence with her said sister in the said city, found employment with one Dr. J. W. Manning, a dentist, for whom she is now working, and has reached such efficiency in her work, so she informs your commissioner, as to be self sustaining, or thereabouts.

Since the balance due the said infant is under the sum of three hundred dollars, your commissioner asks that he be directed to pay the unpaid costs of this suit, to final decree, and after payment of same to then pay the balance to the credit of the said fund to the said infant, who is now some twenty years of age, or better, and fully able, so your commissioner believes, or as much as she will be when she attains to her majority, to handle the said fund accruing to her, and take from her a receipt therefor and file the same with his report of his proceedings under such order of the court in case it is of opinion of the Court that the suggestions made in this report are proper, and shall enter an order directing the same to be done.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "J. Johnson", written over a horizontal line.

Special Commissioner.

Statement of disbursements made by A. S. Johnson, Special Commissioner, in the suit in Chancery, in the Circuit Court of the County of Isle of Wight of Hart, Trustee, etc. vs. Dews et als., from January 1st. 1908 to Feb. 1st. 1910.

1908

Jan. 1st.	By amount of balance as shown by report herein, filed Dec. 2nd. 1907,.....	147.29
"	By interest on bond of Mary F. Jordan, due Jan. 1st. 1908,.....	30.00
July 16th.	To cash by check,.....	10.00
Aug. 10th.	To cash by check,.....	10.00
Sept. 19th.	To cash by check,.....	10.00
Oct. ---	To cash to pay fare to school,.....	3.50
Oct. ----	To check to pay tuition for last half of session of 1907-8 at Powhattan Institute	50.00
Nov. 20th.	To paid taxes,.....	6.75
Dec. 1st.	To cash by check,.....	15.00
Dec. 31st.	To cash by check to pay fare to school,	5.00

1909.

Jan. 1st.	By interest on Mary F. Jordan bond for one year, due Jan. 1st. 1909,.....	30.00
Jan. 12th.	To cash by check,.....	10.00
Mar. 11th.	To cash by check to pay tuition 1st. half 1908-9,.....	55.00
May 1st.	To cash by check on individual acct,...	5.00
May 1st.	By amount of Mary F. Jordan bond, sold to R. E. Womble and interest from Jan. 1st. to May 1st. 1909,.....	510.00
May 7th.	To cash,.....	10.00
May 14th.	To check to pay tuition last half 1908-9	53.76
June 24th.	To cash by check,.....	10.00
July 6th.	To cash by check,.....	15.00
Aug. 9th.	To cash by check,.....	10.00
Sept. 11th.	To cash by check,.....	15.00
Sept. 24th.	To cash by check,.....	15.00
Sept. 30th.	To cash by check,.....	5.00
Oct. 16th.	To cash by check,.....	20.00
Nov. 10th.	To cash by check,.....	20.00
Dec. 4th.	To cash by check,.....	25.00

1910

Jan. 18th.	To cash by check,.....	15.00
Feb. 1st.	To five per cent. commissions on total receipts of \$1074.28, allowed the special commissioner for handling this fund, by decree entered herein Oct. 9th. 1908	53.71
	To postage,.....	50
	To paid clerk's fees to Dec. 2nd. 1909	3.42
	BALANCE,.....	265.65

\$717.29 \$717.29

1910

Feb. 1st.	Balance due H. Franklin Dews,.....	\$265.65
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VIRGINIA: CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

HART, TRUSTEE,

VS) CHANCERY. COMMISSIONER'S REPORT.

DEWS ET ALS.

TO HONORABLE B. D. WHITE, JUDGE OF THE CIRCUIT COURT OF THE
COUNTY OF ISLE OF WIGHT.

The undersigned, Special Commissioner in the above entitled
cause, begs leave to report that, in pursuance to a decree
entered herein on the 7th. day of February, 1910 that he
has made distribution of the balance as shown by report
filed on that date of the said decree and confirmed there-
in as follows:

To paid clerk's fees to dismissal,.....	\$ 4.75	
To reserved to pay taxes,.....	3.50	
To amount paid H. Franklin Dews as per receipt filed herewith,.....	257.40	
By amount in hand for distribution,.....		265.65
		265.65 265.65

Respectfully submitted,


Special Commissioner.

04

Hort. Trusts etc

vs { Chauncy

Deeds et al

Report of Special
Commissioner
— Final —

- Filed Feb'y 13/1910

—

Recorded in
6039-1-1

Isle of Wight, Va.,

February 7 1910

Mr. Foster & News, etc.

To A. S. JOHNSON,

Clerk of the Circuit Court of the County of Isle of Wight, Dr.

1910

To continue Decree 1909 to July 1910	18
" July Court report	15
" Decree	36
" Copy of decree	20
" July final report	15
" Final decree	36
" Recording acts in Fed record	250
" Day costs & copy 60 & July papers 25	85
	475

Received of A. S. Johnson, Special Commissioner, in the suit
of Hart & c. vs. Dews etc., pending in the Circuit Court of
the County of Isle of Wight, check for the sum of \$257.40, it
being the amount shown to be due me, in full, from said suit,
by report of the said Special Commissioner.

H. Franklin Dews

Mr. A. Sidney Johnson Shes Corn in Hart vs. News.
 1908. To B. L. ROBERTS, Treasurer of Isle of Wight County, Va.

No. 495

No.	STATE TAXES.				County Levy, 27½c. on \$100	General County School Tax, 15c. on \$100	Poor Tax 7½c. on \$100	General County Road Tax 2½c. on \$100	District Road Tax 10c. on \$100	District School Tax, 15c. on \$100	TOTAL TAX
	State Tax Support Gov. 20c. on \$100. R. E. and P. P. Schedule B.	State Tax Support Gov. 25c. on \$100. P. P. Sched C	State School Tax 10c. on \$100. R. E. & P. P. Sched. B. & C	State Tax for Pensions 5c. on \$100. R. E. & P. P. Schedule B							
To.....acres, value \$.....											
To.....acres, value \$.....											
To.....acres, value \$.....											
To.....acres, value \$.....											
Personal property, sched. B. val. \$.....											
Personal Property, sched. C. val. \$ <u>6.00</u>		<u>1.50</u>	<u>60</u>		<u>1.65</u>	<u>90</u>	<u>45</u>	<u>13</u>	<u>60</u>	<u>90</u>	
Value, - - - \$.....											
Income, 1 per cent.....											
Cash on hand..... <u>1.50</u>											
Total.....											<u>6.75</u>
5 per cent, penalty added Dec. 1, 1908.....											
Total.....											
Interest after June 15, from Dec. 15, 1908, 6 per cent.											

Received payment..... day of..... 190.....

Treasurer. Per.....

C.H.Hart Trustee #
vs #
B.F.Dews et als #
#####

This cause came on this day to be again heard on the papers formerly read and on the report of Commissioner A. S. Johnson filed herein on the 13th day of October 1905, and to which B. F. Dews has filed exceptions claiming a lien in his favor on the land in the bill and proceedings mentioned, and was argued by counsel.

On consideration whereof, the court being of opinion that B. F. Dews has no lien on the said land, doth adjudge, order and decree that the said exception to the said report be, and the same are hereby overruled; and that the said report of commissioner Johnson be, and the same is, hereby approved, ratified and confirmed.

And the court doth further adjudge, order and decree that Wm. S. Holland and R. E. Boykin who are hereby appointed Special Commissioners for that purpose, either of whom may act, proceed to sell the land in the bill and proceedings mentioned after first having advertised the time, terms and place of sale for at least twenty days by printed hand-bills, by public auction to the highest bidder for cash one-third, and the residue in one and two equal instalments, one and two years after date respectively, with interest from day of sale, title to be retained until the whole of the said purchase price is paid, but before either of the said Commissioners shall do anything under this or any subsequent decrees they shall enter into a bond before the Clerk of this court in the penalty of \$3000. with surety deemed sufficient by said Clerk, payable according to law and conditioned for the faithful performance of this and all subsequent decrees entered herein and the said Special Commissioners or Commissioner acting shall make report to court.

Doct for Cott.

the said Special Commissioners or Commissioner acting shall make to the Department of the said and all subsequent decrees entered herein and by said Clerk, vendible according to law and conditioned for the satisfaction of the Court in the exercise of the said with respect to and subsequent decrees that shall enter into a bond before the Clerk for either of the said Commissioners shall be satisfying under this or retained until the whole of the said purchase price is paid, but be after date of said sale, with interest from day of sale, title to be and the residue in one and two equal installments, one and two years hence-hills. by public auction to the highest bidder for cash one-third time, terms and place of sale for at least twenty days be notified the bill and proceedings mentioned after first having advertised the for that purpose, either of whom may act, proposed to sell the land in

and the cattle got injured, often and dozens of times. The cattle were approved, satisfied and continued.

Trustee et als.

C. H. Hart
 vs
 B. F. Dews
 To be entered
 October 24, 1901
 Robert

W. A. Davis et al.

C. H. Hart, trustee #
vs #
Mary V. Davis, B. F. Dews, Virgie F. #
Dews, and S. F. Dews, the last two #
being infants under the age of #
twenty-one years. #
#####

This cause came on this day to be heard on the bill of complaint, it appearing to the court that the process herein is returnable to "Second Monday" instead of "Second Rules" in September 1904, and is, therefore, void, and on motion of the plaintiff it is ordered that this suit be remanded to Rules with leave to the plaintiff to amend her bill if she be so advised.

C. H. Hart, trustee,
vs
Mary V. Davis et als,

#####

D E C R E E .

To be entered.

June 6, 1905.

Robert C. Davis

C. O. B. #6 P. 435

C. H. Hart, Trustee
v } In chancery

B. F. Dews et al

Rough Draft

~~Set~~

Decr 4th 1905.

To be entered.

Robert H. Hentley

C. O. B. No. 6. Page 455.

C. H. Hart. Trustee.

B. F. Sews et als

This cause came on this day to be again heard on the papers formerly read, and it appearing to the court by the decree herein of Oct 24th 1905, that W.S. Holland and R.E. Boykin, were appointed Special Commissioners of Sale, either of whom were allowed to act, to sell the land in the bill and proceedings of this suit mentioned. And it further appearing to the court that W.S. Holland, executed the bond by said decree directed, with security deemed sufficient by the Clerk of this Court, and after the execution of the said bond, has duly and legally advertised the said land for sale on the 4th day of December, at Isle of Wight Court House, upon the terms by the said decree directed; and it further appearing to the court that the said W.S. Holland, so appointed and qualified as Commissioner of Sale as aforesaid, in consequence of serious illness, will be unable to execute the said decree by selling the said land on the 4th day of December 1905, as advertised, he being unable to be present. And it further appearing to the court that the necessities of the said suit and the interest of the parties entitled to the said land will be largely promoted by the sale of the said land on the 4th day of December 1905, as advertised, the court doth adjudge order and decree that A. S. Johnson ~~against and~~ R. E. Boykin who are hereby appointed Special Commissioners of sale, in the place and stead of the said W. S. Holland, he being unable to act as such commissioner for the reasons heretofore alleged, ^{*either of whom may act,*} do execute the decree herein of Oct 24th 1905, in all things, as therein directed, so far as the same has not been heretofore executed by the said W.S. Holland, Special Commissioner as aforesaid; but the said Commissioners, or the one who shall act as such under this decree, shall not execute this decree until he, or they, shall have entered into a bond before the Clerk of this Court, in the penalty of Three Thousand ^{with sufficient security,} Dollars, conditioned for the faithful performance of this or any future decree hereunder. And the said Commissioners shall make report to court of their proceedings under this decree.

R. E. BOYKIN,
ATTORNEY AND COUNSELOR AT LAW,
SMITHFIELD, VA.

13

C. H. Hart, Trustee.

Vs.

B. F. Dews et als.

Vacation Decree Jany 10-1906.

*Enter
1/10/06 B. F. Dews et als*

*That Court
I do not think that
the notice is broad
enough to justify
decree distributing the
land. It can be done
at the next term.
R. E. B.*

LAW OFFICE OF
R. E. BOYKIN,
SMITHFIELD, VA.

Jany 10/06

*15 Jany 1906
vacation decree
entered of
record*

C . H . Hart, Trustee

Against.

B. F. Dews, et als.

In Vacation, ^{January} ~~December~~ 10th 1906

^{reasonable} This cause came on this day to be again heard, in vacation, upon notice to the defendants B. F. Dews and R. E. Boykin, guardian ad litem for the infant defendants Virgie F. Dews and H. Franklin Dews, of application for this decree in vacation, upon the papers formerly read and upon the report of sale herein of Commissioner A. S. Johnson, filed December 5th 1905, and was argued by counsel: On consideration whereof, the court confirming the said sale to which no exceptions have been filed, doth adjudge, order and decree that A. S. Johnson, who has heretofore been appointed a special commissioner in this cause, do collect and receive of and from M. D. Moody, the purchaser of the tract of land in the bill and proceedings of this suit mentioned, the sum of Twenty Five Hundred and Thirty Five Dollars, the purchase price thereof, as in said report of sale mentioned, and upon the receipt of the same the said commissioner shall execute and deliver to the said M. D. Moody, a good and sufficient deed in fee simple, with special warranty, for the tract of land aforesaid, conveying the same as sold, in gross and not per acre, in which deed the said commissioner shall acknowledge the receipt of the purchase money of the said land in full.

And it being suggested to the court that the said infants are entitled to the rents and profits of the said land for the year 1905, that the said rent is payable in a share of the crops produced during the said year on the said land, and that there is no hand to receive the same, the court doth adjudge order and decree that A. S. Johnson, who has been appointed special commissioner in this suit as aforesaid, do collect and receive the rents and shares of the crops to which the said infants are entitled under the contract of renting of the said land for the year 1905, and convert such shares of the

R. E. BOYKIN,
ATTORNEY AND COUNSELOR AT LAW,
SMITHFIELD, VA.

crops into cash. And the said commissioner shall make report to
court of his proceedings under this decree.

Robert R. Hunt

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

RECEIVED
CLERK OF THE CIRCUIT COURT
COUNTY OF ISLE OF WIGHT
this 15 day of January 1906
the within decree
was received and entered of
record
Test *Johnson* ck

15

C. H. HART, TRUSTEE

v.-

B. F. DEWS, et als.

D E C R E E

March 5, 1906,

to be entered.

Robert E. Dennis

~~He is not a party to this~~
~~deed.~~

~~R. E. Boykin~~
~~att. for Plebe &~~
~~defendants.~~

LAW OFFICE OF
R. E. BOYKIN,
SMITHFIELD, VA.

IN THE
CIRCUIT COURT FOR THE COUNTY OF ISLE OF WIGHT, VIRGINIA.

* * * * *

C. H. HART, TRUSTEE,

v.-

B. F. DEWS, et als.

* * * * *

THIS CAUSE came on this day to be again heard on the papers formerly read.

On consideration whereof the Court doth adjudge, order and decree that A. S. JOHNSON, who has heretofore been appointed Special Commissioner in this cause, do, out of the amount of TWENTY-FIVE HUNDRED AND THIRTY-FIVE DOLLARS (\$2535.00) shown by his report herein to be in his hands, as such Commissioner, after first paying thereout the unpaid costs of this suit, including the sum of \$200.- as Attorney's fee to W. S. Holland for his services herein, do pay one-half thereof to the said Virgie F. Dews, it appearing to the Court that she has arrived to the age of twenty-one (21) years,- first deducting therefrom the sum of \$300⁰⁰ advanced by the said W. S. Holland for the support and maintenance of the said Virgie F. Dews.

And the Court doth further adjudge, order and decree that the residue of the amount in the hands of such Commissioner, he shall deposit in the Bank of Smithfield, Smithfield, Virginia, to the credit of this cause, taking the receipt of the Cashier of said Bank for such deposit, and returning a certificate of the same, together with the receipts of the parties for any payment made hereunder, to

R. E. BOYKIN,
ATTORNEY AND COUNSELOR AT LAW,
SMITHFIELD, VA.

Court, with a report of his proceedings under this decree.

That it appearing to the Court that the infant, H. Franklin Dews, is without other means of support and education according to her station in life, the Court doth order that the said Commissioner do annually check upon the amount so deposited as aforesaid, in the said Bank, for a sum not to exceed \$250 annually, to be applied and expended by the said Commissioner, from time to time, as the needs of the said infant shall require in her support, maintenance and education.

C. H. Hart, Trustee,

Vs.

B.F.Dews, Mary V. Davis, F.C.Hart,
nee Davis, M.Lee Stott, nee Davis,
Sallie M.Holland, nee Davis, Emma
R.Lang, Nee Davis, Virgie F. Dews,
Franklin Dews, the last two being
infants under the age of twenty-
one years.

This cause came on this day to be heard on the bill of complaint, to which the adult defendants, Excepting Mary V. Davis and Emma R. Lang, have been duly summoned to answer, they still failing to appear, plead, answer or demur, the said bill of complaint is therefore taken as confessed as to them;

At appearing that the said Emma R. Lang is a non-resident of the State of Virginia, and has been proceeded against in the manner prescribed by law; on the answer of M. V. Davis, with general replication thereto; and on the answer of the infant defendants by R. E. Boykin, their guardian ad litem, duly assigned at rules, with general replication thereto; and was argued by counsel.

On consideration whereof, the Court being of opinion from the bill and admission of Mary V. Davis in her answer, that the signature to the deed from Mary V. Davis to C. H. Hart, bearing date on the 8th day of August, 1888, and of record in the Clerk's office of the Circuit Court of Isle of Wight County, a copy of which is filed with the bill as Exhibit "A", is a clerical error, and that the name ~~M~~emi V. Davis was intended, and should be Mary V. Davis, and that the said Mary V. Davis is bound thereby; The Court doth order, adjudge and decree, that the said Mary V. Davis, be, and she is, forever bound by the *said* signature, *and deed -*

And the Court doth further adjudge, order and decree that one of the commissioners of this Court, to whom the papers in this cause may be referred, shall take and report to Court, the following inquiries and accounts:

(1) Of what estate, real and personal, the infant defendants are possessed or entitled, and what are their respective shares or interests therein, where such estate is situated, and what is the fee-simple and annual value:

(2) Whether the interests of the said infant defendants will be promoted by a sale of the real estate in the bill mentioned, or any part thereof, and an investment of the proceeds of sale in other property:

(3) Whether the rights of any person will be violated by such sale and investment:

(4) Who would be the heirs at law or distributees of said infant defendants if they were dead, and whether all such persons are properly before the court in this cause:

(5) What will be a fair compensation to be allowed to the counsel for the complainant out of the proceeds of the sale of the infants' land for their services in instituting and conducting this suit.

Which said inquiries the said commissioner shall make, after first giving notice of the time and place thereof to all parties, or their counsel, and report the same to the court, along with any matter specially stated deemed pertinent by himself or required by any party to be so stated.

8
C. H. Hart, Trustee;

Vs.

B.F.Dews, Mary V.Davis, et als.

-----0-----
D E C R E E.

October 3rd, 1905.

-----0-----
To be entered.

Robert R. Prentiss

Chancery Order Book no. 6,

Page, 448.

C. H. Hart, trustee,

vs.) In chancery

B. F. Dews et als.

This day this cause came on to be again heard on the papers formerly read and on the report of A. S. Johnson, Special Commissioner, this day filed, to which no exceptions have been taken, and was argued by counsel. On consideration whereof, the Court doth ratify, approve and confirm said report, and doth adjudge, order and decree that the said Special Commissioner, so soon as conveniently may be, make a loan of five hundred dollars of the fund on deposit in the Bank of Smithfield to the credit of this cause, taking the bond of the borrower therefor, payable on demand and secured by a deed of trust upon real estate worth at least the sum of one thousand dollars, and make report to Court.

17
Hart, trustee

vs) Chancery

Dews et als.

Rough decree

Enter this

April 5th. 1906.

Robert R. Hawks

C. O. B. No 6

page 470

19

Hart, Trustee,
vs) Chancery
Dews, et als.

Decree

December 17th.1907

To be entered,

R. E. Boykin

CORB. No 6. f. 527

Hart, Trustee,
vs) In Chancery
Dews, et als.

This cause came on this day to be again heard on the papers formerly read, and upon the report of Commissioner A. S. Johnson, filed December 2nd. 1907, by leave of Court, and was argued by counsel:

On consideration whereof, the Court confirming said report, to which no exceptions have been filed, doth adjudge, order and decree that A. S. Johnson, who has heretofore been appointed Special Commissioner in this cause, do withdraw from The Bank of Smithfield, the sum of \$147.29, shown by the said report to be on deposit in said Bank, due to the said H. Franklin Dews, and after paying thereout any unpaid costs of this suit, do pay to Mary V. Davis, guardian of the said H. Franklin Dews, the residue of the said sum of \$147.29.

And the Court doth further adjudge, order and decree that the said Commissioner do withdraw from the papers in this cause the bond of Mary F. Jordan and C. L. Jordan, bearing date January 1st. 1907, payable on demand, and being for the payment of the sum of five hundred dollars unto A. S. Johnson, Special Commissioner in this cause, bearing interest from date, and deliver ~~xxxxxxx~~ and assign the same, without recourse to him, together with the deed of trust securing the said bond, to Mary V. Davis, guardian of H. Franklin Dews, as aforesaid; taking the receipt of the said Mary V. Davis, for such payments, and for the said bond, and return the same to Court, with report of his proceedings under this decree.

But the said Commissioner shall not pay the said sum *guardian as aforesaid* to the said Mary V. Davis, or deliver and assign to her, ~~as guardian as aforesaid~~, the bond and deed of trust aforesaid, until she shall have executed, in the Clerk's Office of this Court, ~~the~~ a bond, with sufficient security, in the penalty of fourteen hundred

R. E. BOYKIN,
ATTORNEY AND COUNSELOR AT LAW,
SMITHFIELD, VA.

dollars, conditioned for the faithful application of the said sum and the proceeds of the collection of the said bond, and for the managing and preservation of any property or security in which the same, or either of them, may be invested, and for the protection of the rights of all persons interested therein.

R. E. BOYKIN
ATTORNEY AND COUNSELOR AT LAW,
SMITHFIELD, VA.

Hart, Trustee
vs { Chauncy
Jewett & Co

Rough Decree

1908.

Oct. 9.

Enter this.

B. D. W.

VIRGINIA: CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

HART, TRUSTEE,

v---chancery

DEWS ET ALS.

This cause came on this day to be heard on the papers formerly read, and on the report of special commissioner, A. S. Johnson, this day filed, by leave of court, and to which no exceptions have been filed, and was argued by counsel: And it appearing to the Court that Mary V. Davis, formerly the guardian of the infant in these proceedings mentioned, H. Franklin Dews, never executed the bond mentioned in the decree herein of December 17th. 1907, and that neither the balance mentioned in said decree nor the bond therein mentioned, were turned over to the said guardian; and that the said Mary V. Davis has, since the entry of the said decree departed this life; and that the said infant, who is now nearly eighteen years of age has not nominated any guardian but desires that the funds belonging to her in the said suit be handled by the Court, through its commissioner, it is adjudged, ordered and decreed, hereby, that the said A. S. Johnson, Special Commissioner, do continue to pay out, for the support and education of the said infant, a sum not to exceed the sum of \$250 per annum, and in order that he may do so he is hereby directed to collect the bond of Mary F. Jordan of \$500, dated January 1st. 1907, payable on demand, and secured by a deed of trust, or to sell the same to some one who is willing to take it up at its face value, and apply the proceeds thereof in accordance ~~herewith~~ with this decree.

And it appearing to the Court that the said Special Commissioner has not been compensated for his services as such, save and except a small amount of expenses incurred by him and fully set forth in a report filed herein on the 2nd. day of December, 1907, and confirmed by the decree entered ~~on~~ ~~herewith~~ on the 17th. day of ~~September~~ ^{December}, 1907, do check upon the funds in his hands as such special commissioner for the sum of \$53.71, it being 5 ^{per cent} upon the gross receipts credited to the said infant.

73

Start etc

vs { Cherry
Sewer et al

Sewer

To be entered July
4th 1910

J. D. W.

6 OB 7 page 10

VIRGINIA; CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Hart, Trustee etc.

vs.

Dews et als.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of Special Commissioner A. S. Johnson, this day filed by leave of court, and to which there is no exception: And it appearing ^{from a statement} filed with the said report that there is now a balance remaining undischursed for the benefit of the infant H. Franklin Dews of \$265.65, and it also appearing to the Court that the said H. Franklin Dews is twenty years of age and is of sufficient discretion to use said fund judiciously: upon consideration whereof the Court doth adjudge order and decree that the said report of the said Special Commissioner be, and the same is, hereby ratified, approved and confirmed: and doth further adjudge, order and decree that the said Special Commissioner, after the payment of all the costs in this suit, including any taxes that may now be due or may become due, reserving a sufficient amount in the latter case, and including a fee to the clerk of this court for recording the account of disbursements for the benefit of the said infant, H. Franklin Dews, which the said Commissioner have made in this suit, which he is hereby directed to record, shall pay over to the said H. Franklin Dews the balance remaining in his hands after making the deductions herein ordered, and shall take her receipt therefor and file the same with the papers of this cause. And the said Special Commissioner shall make report.

26-

Hurt & C

75 f Pharmacy

Deus et aeo

Rough Deere

to be entered
July 15/1910

B. D. W.

C. O. B. m. 7

Page 15-

VIRGINIA: CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

Hart, Trustee, etc.

vs) Chancery.

Dews et als.

This cause came on this day to be again heard upon the papers formerly read, and upon the report of Special Commissioner, A. S. Johnson, this day filed by leave of court, and to which there is no exception: Upon consideration whereof, it appearing to the court that the said Special Commissioner has made disbursements of the entire amount which has come into his hands for the benefit of the infant defendant herein, H. Franklin Dews, and has paid all the costs in this suit, in pursuance to the orders and decrees of this Court, the Court doth confirm the said report.

And there appearing to be nothing further remaining to be done in this cause it is ordered to be stricken from the docket.

Mary V. Davis

To }

C. H. Hart trustee

Exhibit "A"

Benj. R. Dews. The above mentioned and described land is conveyed as aforesaid with the express understanding and provision as hereinbefore stated; that on the failure of the said M. J. Dews or some one for her, or her child or children by the said B. F. Dews, to pay off and settle in full the two debts hereinbefore mentioned then this deed to be null and void, and of no effect, and to enable the said Meritine J. Dews to pay off the said debts, I hereby fully authorize her, by and with the consent and approval of the said trustee, to sell all the saw mill timber on the said land to the best advantage, and the said trustee is hereby authorized and directed to collect the money for the timber, and apply the same in payment on the debt hereinbefore mentioned as far as it will go and take receipt therefor and have the said bonds credited with the same. The interlineation of the words "for her sole and separate use and benefit" and "to be held in the same manner" were made before this deed was signed and acknowledged.

Witness the following signature and seal, the day and year aforesaid.

Merrill V. Davis, (SEAL).

State of Virginia,

County of Isle of Wight, to-wit:

I, W S. Holland a notary public in and for the state and county aforesaid certify that Mary V. Davis whose name is signed to the foregoing writing bearing date August the 8th. 1888, this day personally appeared before me in said county and acknowledged the same to be her act.

Given under my hand this 9th. day of August A. D. 1889.

W. S. Holland, Notary Public.

In the Clerk's office of the County Court of Isle of Wight County, Oct. 17th. 1889, this deed was received and with the certificate annexed, admitted to record.

TESTE: N. P. Young, Clerk.

Pr. N. F. Young, Deputy.

A Copy, TESTE:

N. P. Young

Clerk.

This Deed, made this 8th. day of August A. D. 1888, between Mary V. Davis of the County of Southampton, state of Virginia, of the first part and C. H. Hart, as trustee and his successors, of the County of Isle of Wight and State aforesaid of the second part,

WITNESSETH: that for and in consideration of the payment by my daughter Meritina J. Dews, wife of B. F. Dews or some one for her, or her children by the said B. F. Dews of the bond due by me to Jas. T. Cox, dated on the 2nd. day of September 1886 for the sum of \$364.74 and secured by a deed of trust on the land hereinafter conveyed, to the said Jas. T. Cox, or his heirs or assigns; and the payment of the sum of the bond due by me to N.P. Young for the sum of \$56.00, dated on the 11th. day of Sept. 1886, with all the interest that may be due on the said bonds, and for and in consideration of the natural love and affection which I have for the said Meritina J. Dews, and her children by the said B. F. Dews, do grant, sell and convey with generale Warranty to the said C. H. Hart as trustee, for the benefit of the said Meritina J. Dews during her natural life for her sole and separate use and benefit free from the debts, liabilities, contracts and control of her said husband, or any future husband, and after her death to be held in trust by the said trustee or his successors for the benefit of the child or children of the said M. J. Dews by the said B. F. Dews. Should the said M. J. Dews during her life desire to sell the land hereinafter mentioned and described and reinvest the proceeds in another farm of equal value to be held in the same manner, she is hereby authorized to do so by and with the consent and approbation of the said trustee signified by his becoming a party to and signing and sealing and acknowledging the said deed provided he may think it to the interest of the said M. J. Dews and her child, or children to do so. All that certain tract or parcel of land in the County of Isle of Wight, and State aforesaid, containing 150 acres, more or less, adjoining the lands of Geo. W. Adams; A. R. & N. O. Gwaltney and others. It being the same land sold and conveyed to the party of the first part by deed from N. P. Young, trustee, duly recorded in the Clerk's Office of Isle of Wight County Court, in Deed Book No. _____ Page _____ and being the same land formerly belonging to

(1)

This deed made this 8th day of August ad.
1888 between Mary V. Davis county of
Southampton, State of Virginia, of the 1st
part, and C. H. Hart as trustee and his suc-
cessors of the county of Isle of Wight
and State of Virginia, of the second part,
Witnesseth, that for and in considera-
tion of the payment by my daughter Ber-
tina J. Davis wife of B. F. Davis or
some one for her, or her children by the
said B. F. Davis, of the bond due by me
to James T. Cox dated on the second day of
Sept. 1886 for the sum of \$864 $\frac{24}{100}$, and
secured by a deed of trust ~~hereafter~~ on the
land hereinafter conveyed, to the said Jos. T.
Cox, ~~or~~ or his heirs or assigns; and
the payment of the ^{same} of the bond
due by me to A. P. Yancy for the sum of \$56 $\frac{xx}{100}$
dated on the 11th day of Sept. 1886 with all
the interest that may be due on the
said bond, and for and in consideration
of the natural love and affection which
I have for the said Bertina J. Davis,
and her children by the said B. F. Davis, do
grant, sell and convey with general warranty,
to the said C. H. Hart as trustee for the
benefit of the said Bertina J. Davis
during her natural life for her sole and separate
use and benefit from ~~for~~ all the debts,
liabilities, contracts, and control of her said

her land or any future her land, and after her death,
to be held in trust by the said trustee for his
successors for the benefit of the child, or
children of the said M. J. Deeds by the said
B. F. Deeds, should the said M. J. Deeds during
her life desire to sell the land hereinafter
mentioned, and described and reinvest the proceeds
in another form of equal value to be held
in the same manner, she is hereby authorized
to do so by and with the consent and
approbation of the said trustee, recognizing
his becoming a party to and signing, sealing
and acknowledging the said deed provided he
may think it to the interest of the said
M. J. Deeds and her child or children to do
so, all that certain tract or parcel of land
in the County of Isle of Wight in the State
of Virginia, containing 150 acres, more or less,
and adjoining the lands of Rev. W. Adams
A. R. & A. D. Goetting and others. It being
the same land sold and conveyed to the party of
the first part by a deed from N. P. Young
trustee, duly recorded in the Clerk's
Office of Isle of Wight County, in deed
book 80 — page — and being the land
formerly belonging to Benj. F. Deeds.
The above mentioned and described land is
conveyed as aforesaid with the express under-

standing and provision as here in before
stated, that on the failure of the said M J
Deeds or some one for her, or her
child, or children by the said B. F. Deeds,
to pay off and settle in full the two
debts here in before mentioned then this
deed to be null and void, and of no
effect, and to enable the said Meritum J
Deeds to pay of the said debts I hereby
fully authorize her, by and with the
consent and approval of the said trustee, to
sell all the saw-mill timber on the said
land to the best advantage, and the said
trustee is hereby authorized and directed
to collect the money for the timber, and
apply the same in payment on the debt
herein before mentioned as far as it will
go, and take receipt therefor and have the
said bonds credited with the same. The
"intermediate of the bonds in question" for
her sole and separate use and benefit"
and "to be held in the same manner"
were made before this deed was signed
and acknowledged.

Witness following signatures and seal the
day and year above said

Wm R Davis -

acknowledged before A. S. Gould as Wm R.
Davis -

In the clerk's certificate no number is under

Recorded in D.B. Ad 54 pg 17

Moony v. Davis

To

to H. Hart, Trustee

copy of deed

On demand, I bind myself and
my heirs, Executors & administration
to pay unto James T. Cocks, his heirs
or assigns, the sum of Three Hundred
and Sixty Four dollars & Seventy four cents
for value received. And I waive the
benefit of homestead exemption as
to this debt.

Witness my hand and seal this 7th
day of Sept. 1886.

Marie F. Davis. 

M. V. Davis

To 3 Bond

Jas. P. Coates

1891 Mar 9th Recd
Two Hundred & Seventy
Six dollars & 75 Cts
within bond
276 75 J. P. Andrews

1891 Nov 7th Recd one hundred
dollars of the within bond

J. P. Andrews

2-19-87

Recd of B. F. Davis

40.00 on the within

J. J. Coates
for W. R. C.

5-26-88

Paid 20.00

J. J. Coates
for W. R. C.

I hereby assign this
bond over to James P.
Andrews without re-
course to me.

J. J. Coates

W. R. C.
R. S. Thomas

1890-	1	-	1
1888-	8	-	10
	1	-	18

344.81
 .083

103443
 275878

2862923
477153

33.40056

344.81

78.21 Prin + but Jan 1st 1890

431	.06
4 mo	.02
18 da	.003
<u>1890</u>	.083

Principle 664.74 Date Sept 2nd 1886

Int. to Sept 2nd 10.15
37489

Paid

110.00
334.89

25.50 Int-to May 3rd 85

360.39

20.00

Paid

340.39

3.97

344.36 amts. due Aug 6-1886
45 to Aug. 14

344.81

1891- 3 - 9
 1890- 1 - 1
 1 2 8

1x06 .06
 2x2 .07
 8x6 .0013
 .071 2/3

378.21
 .071 2/3

37821
 264747
 12540

6/2697831
 449638

31.47449 Int to mar 9th 1891
 378.21

409.68 Prin to Int to mar 9th 1891
 276.70 Payment

122.98 bal due
 .039 2/3

110682
 36894
 8198

1891- 11- 7
 1891- 3- 9
 7- 28

487820 Int to Nov 2th 1891
 122.98
 127.85 amt due Nov 7th 1891
 100.00 Payment
 27.85 bal due Nov 7th

7 = .035 2/3
 28 = .004 2/3
 .039 2/3



One Ream (960) Linen No. 60 Heads, this Size and Quality, **\$2.75**

Two Reams, - - - - - **5.00**

PUT UP IN PADS AT THREE CENTS EACH.

I, H. Franklin Dews, do hereby name, nominate and choose, and hereby recommend to the judge of the Circuit Court of Isle of Wight County Wm. S. Holland, for my guardian and respectfully ask that he may be allowed to qualify as such. I am one of the orphans of Meritena J. Dews deceased, and I am the ^{daughter} ~~son~~ of B. F. Dews who is now living.

Witness my hand and seal this 24th day of October, 1904.

H. H. Franklin Dews,



State of Virginia

County of Isle of Wight to-wit,

I, J. Walter Stott, ^{Justice of the Peace} ~~a Notary Public~~, in and for the county aforesaid in the state of Virginia, do certify that H. Franklin Dews, whose name is signed to the foregoing writing bearing date on the 24th day of October, 1904, acknowledged said writing before me in my said county.

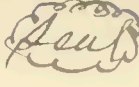
Given under my hand this 21st day of October, 1904.

J. Walter Stott J.P.

My term of office expires 1908

I, Virgie F. Dews, do hereby name, nominate and choose, and hereby recommend to the judge of the Circuit Court of Isle of Wight County Wm. S. Holland for my guardian and respectfully ask that he may be allowed to qualify as such. I am one of the orphans of Meritena J. Dews deceased, and I am the daughter of B. F. Dews who is now living.

Witness my hand and seal this 14th day of October, 1904.

Virgie F. Dews. 

State of Virginia

City of Norfolk
County of Isle of Wight to-wit,

I, Alt Ashburn, Jr., ~~a~~ Notary Public, in and for the city county aforesaid in the state of Virginia, do certify that Virgie F. Dews whose name is signed to the foregoing writing bearing date on the 14th day of October, 1904, acknowledged said writing before me in my said county. City

Given under my hand this 20th day of October, 1904.

Alt Ashburn Jr. N. P.

My term of office expires

State of Florida }
County of Columbia }

TO WHOM IT MAY CONCERN COMETH:

Know all men by these presents: That I, Emma R. Lang of the county of Columbia in the state of Florida, do make, constitute and appoint my mother M.V. Davis my true and lawful attorney in fact for me and in my room and stead to sign my name to all proper papers in the chancery suit of C.H. Hart trustee vs B.F. Davis and others pending in the Circuit Court of the county of Isle of Wight in the state of Virginia, and to accept service of any process to be served on the defendants to the said suit, and any notice of any kind in said suit so as to make the proceedings of the said suit as legal and as binding as if the said papers were all properly and legally served on me in person and I in the said county of Isle of Wight as a resident thereof. I hereby ratify all things done by my said attorney in fact as fully as if done by me in my own proper person.

Witness my hand and seal this 31st day of July 1905.

Emma R. Lang (Seal)

State of Florida,

County of Florida to wit:

I, E. C. Persons Notary Public a Justice of the Peace in and for the county and state last above written, do hereby certify that Mrs. Emma R. Lang came before me in my county aforesaid and acknowledged her signature to the writing above sometimes called a Power of Attorney bearing date on the 31st day of July 1905.

Given under my hand this 31st day of August 1905.

E. C. Persons Notary Public J.P.

my commission expires
Oct-13th 1906.

6
C. H. Hart Luster
vs

B. F. Lewis et. al.

Power of attorney by
Mrs Emma R. Lang

July 17th.1908.

Miss. Franklin Dews,
Norfolk, Va.

My dear Miss Franklin:

I enclose, herewith, my check for \$10 for your use, and will send you more when you need it. Just let me know.

I wanted to see you and talk to you about this matter anyway, but I have not had an opportunity to do so. I will now write you as fully as I can the status of the case and then you can do as you desire in the matter. When the land was sold your share from the sale of the same was \$1074.28. Interest has been added to that since that time amounting to \$57.35. Mrs. Davis received from me and has her receipts filed the amount of \$62.45 Apr. 1st. 1906: \$182.00 July 28th.1906: \$58.38 Jan. 12th. 1907: \$60.00 May 10th. 1907: \$75.00 Oct. 31st. 1907. Taxes and other expenses have amounted to something like \$15 or a little better. \$500 of this money is loaned to Mrs. Charles L. Jordan of property worth more than double the amount, a deed of trust taken to secure the payment, all of which has been sanctioned by the Court. This bond you can dispose of at any time for face value. You are drawing 6% interest on this all the time. I have not deducted the usual commissions due in such cases yet for my services as Special Commissioner and as such quasi guardian. I will be entitled to 5% on this amount received from the sale of the property. I told Mrs. Davis long time ago that I did not desire to have this commission if she would only execute the bond that the court required of her and take the money in hand and disburse it as provided by law. This she never did and now it is tied up in a very unsatisfactory shape. Some one ought to qualify as your guardian, execute the bond required and take over the funds and handle them for you. I would suggest that you get your sister or some one to your liking to do this for you. If some one will then, as they will have some of the work yet to do, I am perfectly willing to give you half of the commissions that belong to me. The whole would be something like \$50 and I am perfectly willing to give you benefit of one half of it. Two thirds of the work has been done, in fact, more than that.

There is another matter in connection with this transaction that I want to tell you about. The court authorized me, as Special Commissioner of sale, to collect the rent for the farm the last year that it was occupied by your father before sale, or rather occupied by Mr. Myers and rented to him by your father. Mr. Myers had paid the rent to your father and he refused to settle. I reported this matter to the court and no action was then taken on it. Mr. Myers is still liable for the rent, I believe, but there is no question that he paid the whole of it to your father. It would take a legal action to recover the rent and whether it would come from Myers or your father I am not able to say, but I presume before your father would let Mr. Myers pay it he would do so. Mr. Dews contended that he had done enough for you both to have that himself. After I qualified as special commissioner to disburse this fund for you then it was up to your guardian to recover this amount of rent, or rather your share of it, and the share of it accruing to your sister was a matter for her attention. A legal action would involve your father and I presume it is very undesirable to you to institute such. The cost in the matter would probably amount to a good portion of the rent. I merely mention this matter for your information.

If your sister, by your wish, will qualify as your guardian and you still desire to hold the bond of \$500 against Mr. Jordan and draw interest on it, then I will turn over to her the very small amount left in bank at one time and will send the bond to her for keeping or will keep it in my safe for your convenience and will collect the interest each year for you and make no charge whatever for it and be very glad to do it for you.

There is no special need for you to hurry in the matter except that if you can have a guardian qualify before the October term of court the authority of the court may then be given for the payment of all the funds into the hands of the guardian and an assignment of the bond to the guardian and the suit may then be stricken from the docket and stop accumulating fees of different natures and will be some little saving to you.

If you come to Smithfield any time soon I shall be very glad to come down at your convenience to talk to you. If you are going to stay in Norfolk for some time I can see you there and talk to you as I am coming down that way quite often.

If it is your desire for your sister to qualify as your guardian and she is willing to do so then she can do so before Judge White at any time. Just write me if she will do so and I will come down there and we will all meet at the Judges office and get familiar with the entire situation.

Yours very truly,

Norfolk, Va.,

Feb. 17th. 1910.

Mr. Sidney Johnson,

Isle of Wight C.H. Va.

My dear Mr. Johnson,

I received your letter sometime ago, and will acknowledge that it should have received an answer long ago.

I have deposited the check in this bank, and will not have to draw on it any more after this month, as I have accepted a new position at the first of the month, that pays a very good salary. I have no doubt but that I can hold it.

I certainly want to again thank you for your unlimited kindness, and assuring you of the fact that it is highly appreciated.

I have experienced absolutely no uneasiness about it, while it remained in your hands, and I must say, that the amount was a good many dollars more than I expected.

Sometime at your convenience, I would be glad to have the papers to look over.

With very best wishes, I am,

Yours very truly,

Franklin Daws -

C.H.Hart,Trustee.

Against.

B.F.Dews,et als.

To B.F.Dews,and R.E.Boykin,guardian ad litem of Virgie F.Dews and H. Franklin Dews,the last two infants under the ^{age}~~age~~ of twenty one years.

TAKE NOTICE--That on the 10th day of January 1906,I shall move the Honorable Robert R.Prentis,Judge of the Circuit Court of the County of Isle of Wight,in vacation,at his Office in the Town of Suffolkto enter a decree in the above entitled suit,in vacation, confirming the sale made by A.S.Johnson,Special Commissioner in the said suit,of the tract of land in the bill and proceedings of the said suit metioned,on the 4th day of December 1905,to M.D.Moody, at the sum and price of Twenty Five Hundred and Thirty Five Dollars, upon the payment to the said Special Commissioner of the purchase price of the said land in full,and upon the payment thereof to execute and deliver to the said M.D.Moody,a good and sufficient deed in fee simple,with special warranty,for the tract of land aforesaid.

At the same time and place I shall further move the Judge of the said court,in vacation,to authorise and empower the said A.S.Johnson Special Commissioner as aforesaid,to collect and receive of and from the tenant of the said land for the year 1905,the shares of crop reserved as rent for the said land for the year aforesaid,and convert the same into cash,and to do all and every act and thing in and about the said several premises above mentioned as may be necessary and needful.

December 28th 1905.,

C. H. Hart

Trustee.

Dec 5, 1905.

100

THE UNIVERSITY OF CHICAGO

and about the said several premises above mentioned as may be necessary for the said lease, and to do all and every act and thing in respect to and for the said land for the year aforesaid, and concerning the same for the said land for the year 1900, the shares of crop and special compensation as aforesaid, to collect and receive of and from the said county, in execution, to authorize and empower the said A. M. Johnson at the same time and place I shall further move the Judge of the said court, with special authority, for the tract of land aforesaid, in the same manner as the said J. L. Cook, a good and sufficient good receipt and delivery to the said J. L. Cook, a good and sufficient good

I acknowledge before
some of the notes

R. E. Boylins Gore
ad. litem of Virgin
J. Dewitt H. French-
lin Dew.

Executed Dec. 29 - 1906 -
 10 minutes to 4 o'clock - by
 delivering a true copy
 of this notice to
 B. F. Dewar one person in
 my county of Surry.
 Mr. B. D. Edwards Sheriff
 by J. R. Price Deputy
 I acknowledge before
 some of this notice.
 R. E. Boykin here
 as witness of Virgin
 F. Dewar H. Frank
 his Dewar.

[illegible]

Antia

U. Hart, 17.11.1966

\$3000.

KNOW ALL MEN BY THESE PRESENTS, That we, Wm. S. Holland principal, and The United States Fidelity and Guaranty Company, a corporation, by W. G. Elam, its duly authorized attorney Surety, are held and firmly bound unto the Commonwealth of Virginia, in the just and full sum of Three Thousand Dollars to the payment whereof, well and truly to be made, we bind ourselves, our heirs, administrators and successors, jointly and severally, firmly by these presents. And as to this bond, we hereby severally waive our Homestead Exemption, and any claim, right or privilege to discharge any liability arising thereunder to the Commonwealth, or by virtue of the office or trust for which said bond is given, with coupons detached from bonds of this State.

In Testimony whereof, The said Wm. S. Holland principal, hereto sets his hand and seal, and the said The United States Fidelity and Guaranty Company, a corporation surety by W. G. Elam its duly authorized agent and Attorney in fact, has caused its corporate name and seal to be hereunto affixed, the same to be attested by the signature of W. G. Elam its said attorney in fact, this, the 28th. day of October A. D. 1905.

The condition of the above obligation is such that whereas the above bound Wm. S. Holland, who was appointed a Special Commissioner, by a decree of the Circuit Court of the County of Isle of Wight entered on the 24th. day of October, 1905 in a Chancery suit in said Court depending styled generally C. H. Hart, Trustee vs. B. F. Dews, et als. to sell land.

Wm. S. Holland shall faithfully discharge the duties of his office or trust as Special Commissioner aforesaid, then the above obligation is void, else to remain in full force and virtue.

(SEAL)

TESTE: W. G. Elam,

Wm. S. Holland, (SEAL)

The United States Fidelity
and Guaranty Co., Inc.

By W. G. Elam, its duly authorized
agent and Attorney in fact.

Signed, sealed and acknowledged by the obligors in the Clerk's Office of
the Circuit Court for the County of Isle of Wight this 28th. day of
October, 1905.

TESTE: A. S. Johnson, Clerk.

TESTE:

A. S. Johnson Clerk.

Hart, trustee
vs) Copy of Comm's bond
Dews et al.