1910-002 Chancery Causes. Medora W. Power, gdn of William Garland Jones v al. 74
Isle of Wight vs William Garland Jones, et al, by v c

other SURNames: [Cumberland Lumber Company], Stallings, Turner, Stringfield, Seward, Edwards, Cox, Goodrich, Cofer, Joyner,

2/

Bill in Chancery..

M. M. Power, guardian of Jones' infants,

vs.

Jones' Infants et als.

2nd November rules 1909
Process returned executed on all adult defendants. Bill filed. Decree nisi Amst of Mary C Jones filed. Edward Nelson appears. Ans of Edward Nelson filed

3rd November rules 1909
No further pleadings filed. Bill taken for confessed as to adult defendants not answering and case set down for hearing.

JAMES U. BURGESS.
ATTORNEY AT LAW.
POST OFFICE BUILDING
SUFFOLK, VA.

SUFFOLK HERALD CORPORATION PRINT, SUFFOLK, VA.

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

The separate answer of Mary Power Jones, widow of W. W. Jones, to a bill in equity exhibited against her and others in the Circuit Court of Isle of Wight County, Virginia, by M. W. Power, guardian of William Garland Jones, Lawrence Hyde Jones and William Wilson Jones, infants under the age of twenty-one years.

This respondent saving and reserving, etc. for answer to said bill says that she believes the statements therein made are true; that she does not object to the sale of the timber as prayed for in said bill; but that, on the other hand, joins with complainant in asking that the timber be sold in the manner set forth in said bill and that the proceeds be applied to the payment of the deeds of trust therein mentioned.

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

Mary Power Jones

Affidavit to foregoing answer waived.

James H Berry

Counsel for complainant.

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M. W. Power, Guardian, etc.

vs. Answer of Mary Power Jones.

Jones' Infants et als.

In the Clerk's Office of the
CIRCUIT COURT,
for the
COUNTY OF ISLE OF WIGHT
this 15 day of Nov 1909
Fil'd
Dist. C. Johnson
Cl'k

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

Jones' Guardian.....Complainant.

vs.

Jones' Infants et als.....Defendants.

Humply complaining, showeth unto your honor your complainant, M. W. Power, guardian of William Garland Jones, Lawrence Hyde Jones and William Wilson Jones, infant children of W. W. Jones and Mary Power Jones, his wife, that she was appointed and has qualified as guardian of the said infants in your Honor's Court on the 9th day of October, 1909, as will appear from certificate of the Clerk of said Court showing the same, herewith filed, marked exhinit "A" and prayed to be read as a part of this bill; that said infants are aged as follows: William Garland Jones three years, Lawrence Hyde Jones two years, and William Wilson Jones three months; that said infants are possessed of two tracts of land in fee simple, subject to the dower interest of their mother, in the following described real estate: those two certain farms located in Hardy Magisterial District of Isle of Wight County, Virginia, bounded and described as follows:

One containing one hundred and four acres, more or less, known as the "store-house tract", which is bounded by the lands of J. L. Gwaltney, Samuel Batten, Richard Hill and others.

The other consisting of about sixty acres, more or less, which is bounded by thelands of Robert W. Stallings, A. N. Scott, Henrietta Edwards, Frank Gwaltney and others.

The said real estate was derived by said infants from their father, W. W. Jones, who recently departed this life intestate leaving no other children or heirs at law than those named; that this is all the property, except some personal estate of but little value.

Your complainant thinks that the interest of her wards would be promoted by a sale of the standing timber on the said land and the application of the proceeds to the payment of two deeds of trust upon said property, one for $500.00 on the small tract, and one for $1800.00 on the large tract. The income from the estate of these infants will not be sufficient to keep up the interest on these debts and also maintain and educate said infants.

Your complainant has entered into negotiations with the Cumberland Lumber Company and has secured from them a proposition in writing to purchase all the timber or trees ten inches and upwards in diameter across the stump at the time of cutting twelve inches from the ground on the two tracts of land, except ten trees to be selected by your complainant and the timber on a small tract of land on the Southeast corner of the farm which is separated from the other timbered land and is adjacent to the land G. L. Jones and Alex Scott. The said Cumberland Lumber Company desires ten years in which to cut and remove the timber with rights-of-way across the land for the purpose of cutting and removing said timber or trees and the timber cut from any other tract of land and also for the purpose of constructing and operating a railway across said land. All rights and privileges granted in said deed to cease and determine at the expiration of said term of ten years. Said proposal in writing duly signed by the Cumberland Lumber Company is herewith filed, marked exhibit "B" and prayed to be read as a part of this bill.

Your complainant alleges that she believes the price offered to be a reasonable one and that the terms and conditions are similar to those granted by a large number

of the most prudent farmers in that vicinity. In fact a large percentage of the deeds conveying the timber in this vicinity gives as much as twenty years with no restrictions as to rights-of-way.

Your complainant believes that the rights of the person will be violated by such sale and investment. If said infants were dead the following persons would be their heirs: Mary Power Jones, (their mother), Margaret Elizabeth Jones, Martha Wilson Stallings, Laura Bervin Turner, Nancy Ward Turner, Percy Peterson Jones, Edith Virginia Stringfield, Isaac Warren Jones and Josephine Boykin Jones.

In tender consideration of the premises and forasmuch as your complainant is remediless therein, save in a Court of equity wherein such matters are cognizable and relievable, your complainant, therefore, prays that said William Garland Jones, Lawrence Hyde Jones and William Wilson Jones, infants under the age of twenty-one years, and Mary Power Jones, widow of W. W. Jones, deceased, Margaret Elizabeth Jones, Martha Wilson Stallings and R. W. Stallins, her husband, Laura Bervin Turner and F. K. Turner, her husband, Nancy Ward Turner and C. A. Turner, her husband, Percy Peterson Jones, Edith Virginia Stringfield and C. H. Stringfield, her husband, Isaac Warren Jones and Nella May Jones, his wife, and Josephine Boykin Jones may be made parties defendant to this bill and required to answer the same, the infants by their guardian ad litem to be assigned them and the adults in proper person, though not under oath, which is hereby waived; that a guardian as litem may be assigned the infants to defend their interests in this suit and who may also be required to answer the said bill under oath; that the said timber may be decreed to be sold and the proceeds invested as the Court shall direct; that all proper accounts may be

taken, inquiries directed and such other and further and general relief may be granted your complainant as to equity and good conscience may seem meet and proper.

And your complainant will ever pray, etc.

Mrs. M. W. Power

_____

Counsel.

STATE OF VIRGINIA,
To-wit:
Isle of Wight County.

I, C.P. Jones, a Notary Public in and for the County aforesaid, in the State of Virginia, do certify that M. W. Power, guardian of William Garland Jones, Lawrence Hyde Jones and William Wilson Jones, infants, the complainant in the above styled suit, this day came before me, in my County, and made oath that she believes the several statements in the foregoing bill to be true.

Given under my hand this 11 day of November, 1909.

C.P. Jones Notary Public

My Commission Expires Aug 16 - 1910

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Answer of Guardian
ad litem.

M. W. Power, guardian etc.

vs.

Jones' Infants.

In the CLERK'S OFFICE of the
CIRCUIT COURT,
OF THE
COUNTY OF ISLE OF WIGHT
this 16 day of Nov 1909
Filed
Del, Johnson
A Clk
"

JAMES U. BURGES.
ATTORNEY AT LAW,
POST OFFICE BUILDING
SUFFOLK, VA.

SUFFOLK HERALD CORPORATION PRINT, SUFFOLK, VA.

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

The answer of William Garland Jones, Lawrence Hyde Jones and William Wilson Jones, infants under the age of twenty-one years, by Robert W. Withers (a discreet and competent attorney-at-law), their guardian ad litem assigned to defend them in this suit, and the answer of the said Robert W. Withers, guardian ad litem of the said infant defendants, to a bill of complaint exhibited against the said infants and others by M. W. Power, guardian of William Garland Jones, Lawrence Hyde Jones and William Wilson Jones, infants under the age of twenty-one years, in the Circuit Court of Isle of Wight County, Virginia.

For answer to the said bill the said infant defendants by their said guardian ad litem answer and say that being of tender years they do not know what their true interests are in relation to the subject-matter of the said bill, nor do they know whether the statements therein contained are true or not. They confide the protection of their interests therein to the care of this Court. And the said guardian ad litem of the said infant defendants for answer to the said bill answers and says that he knows nothing as to the truth or falsity of the statements in the bill contained. He prays full protection for the infant defendants. And now, having fully answered, these defendants pray to be hence dismissed, with their costs, etc.

William Garland Jones
Lawrence Hyde Jones
William Wilson Jones
By Robt. W. Withers

Guardian ad litem of the said infants.

By Robt. W. Withers

Guardian ad litem for said infant defendants

(over)

STATE OF VIRGINIA,
Nansemond County To-wit:

Sworn to before me in my County aforesaid by Robert W. Withers, guardian ad litem as aforesaid, this the 10th day of November, 1909.

S M Lawrence

Notary Public.

My Notarial Commission expires Sept. 29. 1913.

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M. W. Power, Guardian etc.

vs) Chancery.

Jones' Infants et als.

Report of reference

In the Chancery Cause of the
CIRCUIT COURT,
OF THE
COUNTY OF ISLE OF WIGHT
this 24 day of January 1910
Returned Filed
Jst. A Johnson

The Commonwealth of Virginia,

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

WE COMMAND YOU that you summon William Garland Jones, Lawrence Hyde Jones, William Wilson Jones, infants under the age of twenty one years; Mary Power Jones, widow of W. W. Jones; Margaret Elizabeth Jones; Martha Wilson Stallings and Robert W. Stallings, her husband; Laura Bervin Turner and Fred K. Turner, her husband; Nancy Ward Turner and Clarence A. Turner, her husband; Percy Peterson Jones; Edith Virginia Stringfield and C. H. Stringfield, her husband; Isaac Warren Jones and Zella May Jones, his wife; and Josephine Boykin Jones,

to appear at the Clerk's office of the Circuit Court of the County of Isle of Wight at the rules to be held for the said Court, on the 3rd. Monday in November, 1909, to answer a bill in chancery, exhibited against them in our said court ~~xx~~ by M. W. Power, guardian of William Garland Jones, Lawrence Hyde Jones, and William Wilson Jones,

And have then there this writ. Witness A. S. Johnson, ~~NATHANIEL F. YOUNG~~, Clerk of our said court, at the court-house, the 30th. day of October, 1909, and in the ~~12~~ 134th. year of the Commonwealth.

A. S. Johnson

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Wm. W. Powers, Glen

vs. { SUBPOENA IN CHANCERY.

Jones' Infants et als

J. W. Burges p. q

To 2nd Number Rules,

Isle of Wight C. C. Court.

1909

B 33119

Returned Filed Novm 1909

Test, [illegible] Clk

Fee $ 7.50

Nov 13th 1909. Answer of Defts Jones Infants & the others
Process on Josephine Boyd Clk
Copy sent Penn, Lewis & Penn, Norfolk
Process on Jones, Emma, Lewis & Bessie C. Turner
Nov 15th 1909. Answer of Defts Jones Infants & the others
Process on Plaintiff's Counsel
Mailed copies as directed
Shipping & Co. Chg. 1 Pkg.
& Acct. May Jones & others
Receipt, Cert. &c.

Bill filed 4th Nov 1909 & Summons issued returnable on Monday Nov 15th 1909 at Rules to be held in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, for the defendants in the County of Isle of Wight & Cert. Copy & Summons with Copy of Bill delivered to Sheriff of Isle of Wight County, Virginia, for service

By R. Augustus Edwards p.q.

M. W. Power, Guardian etc.

vs) Chancery------Depositions.

Jones' infants et als.

The depositions of T. J. Seward, et als., taken before me, A. S. Johnson, a Commissioner in Chancery of the Circuit Court of the County of Isle of Wight, at my office at Isle of Wight Courthouse, in the said County, on Monday the 24th. day of January, 1910, to be read as evidence in the cause in chancery in the said court depending, in which the guardian of W. W. Jones' infants is the plaintiff, and the said infants and others are the defendants, in the execution of a decree entered in the said cause on the 6th. day of December, 1909.

T. J. Seward being duly sworn, deposes and says:

1 Q. Mr. Seward, please state your name, age, residence and occupation? A. T. J. Seward, Twenty eight years of age, live in Isle of Wight County, and I am a farmer.

2 Q. Mr. Seward, are you acquainted with the land of which W. W. Jones died siezed and possessed, known as the"Store-house" tract and the "Ellis" tract of land; and if yea, please state how long you have known of it and how well? A. I have known the land for about twelve years, and have been over it many times, but at no time with a view of taking particular notice of it for any special purpose.

3 Q. When Mr. Jones died he owed some debts which are liens upon this property, eighteen hundred dollars being a lien by deed of trust upon the storehouse tract and five hundred dollars being a lien by deed of trust on the "Ellis" tract; the Cum-

berland lumber company, since the death of Mr. W. W. Jones, has made an offer for the timber upon the tracts of land down to ten inches across the stump at the time of cutting, with the right to cut and remove the same within ten years, which offer is in writing and filed with the bill and proceedings of this suit and which I now read to you (Offer is read); please state whether or not, in your opinion, this is a fair price for the said timber, considering the time that is allowed for the cutting and removing the said timber, and the other rights asked for in said offer, and whether or not it will be to the interest of the defendant parties to this suit, and especially the infant defendants, to make sale of the said timber to the said company and apply the proceeds of the ~~exxx~~ said sale to the extinguishment of the said debts? A. think the price offered a good price and I also think that it would be to the interest of all the parties to accept the price offered and use it to pay off the debts mentioned so far as it will go.

4 Q. Do you know of any other estate the infants in the bill mentioned are entitled to than the land herein mentioned? A. The personal estate of W. W. Jones was sold just before Christmas, and they do not own any other real estate.

5 Q. What is a fair rental value of the said tracts of land land a year, and what is a fair cash price for said land? A. Both of the tracts of land are together and make up one farm and would rent for something like two hundred and fifty or three hundred dollars. I hardly know what would be a fair cash value for it but I think it would bring something like four thousand dollars. There is about one hundred and twenty five acres, or more, of the two tracts that are cleared and in cultivation.

6 Q. I read to you the names of the parties to the suit-please tell me wteher or not you know any other persons who should be made parties? Bud's children and all of his brothers and sisters and their wives and husbands are mentioned.

And further this deponent saith not.

T. J. Seward

John H. Edwards being duly sworn, deposes and says:

Q. Please state your name, age, residence and occupation? A. John H. Edwards, thirty one years old, live in Isle of Wight County and am a farmer and merchant.

Q. Mr. Edwards, are you acquainted with the land of which W. W. Jones died siezed and possessed, known as the store house tract and the Ellis tract of land, and if yea, please state how long you have known of it and how well? I have been knowing the place ever since I have known anything. I have been passing back and forth over the land all my life, but never have noticed it with a view of having to testify particularly about it.

Q. When Mr. Jones died he owed some debts which are liens upon this property, eighteen hundred dollars being a lien by a deed of trust upon the storehouse tract and five hundred dollars being a lien by deed of trust on the Ellis tract; the Cumberland Lumber Company, since the death of Mr. Jones, has made an offer for the timber upon the tracts of land down to ten inches across the stump at the time of cutting, with the right to cut and remove the same within ten years, which offer is in writing and filed with the bill and proceedings of this suit, which I now read to you (Offer is read); please state whether or not, in your opinion, this is a fair price for the said timber, considering the time that is allowed for the cutting and removing the said timber, and the other rights asked for in said offer, and whether or not it will be to the interest of the defendant parties to this suit, and especially the infant defendants, to make sale of said timber to the said company and apply the proceeds of sale to the extinguishment of the said debts, A. I think the price offered is a fair price. The best of the timber, I think, has been sold off the land,and and in the last three or four years, and there is only about thirty or forty acres in wood-land. I also think it would be to the interest of all parties concerned to make sale of the said timber for the price mentioned, considering the terms, etc.

and to use the proceeds of the sale to pay off the debts mentioned so far as it will go.

Q. Do you know of any other estate the infants in the bill mentioned are entitled to than the land herein mentioned? A. None that I know of, except their interest in the personal estate which was sold just before Christmas.

Q. What is a fair rental value of the said tracts of land a year, and what is a fair cash price for said land? A. I suppose something like three hundred dollars is a fair rent a year for the farm, and I think it would bring about four thousand dollars.

Q. I read to you the names of the parties to this suit; please tell me whether or not you know of any other persons who should be made parties? The names read are the names of the guardian, the widow, and the children of bud and all his brothers and sisters and their wives and husbands.

J. H. Edwards

Herbert L. Cox being duly sworn, deposes and says:

Q. Please state your name, age, residence and occupation? Herbert L. Cox, I am twenty seven years old, live in Isle of Wight County, and I am a farmer.

Q. Mr. Cox, you have been present at the taking of testimony in this suit and have heard the bill read and the offer of the Cumberland Lumber Compahy for the timber upon the land of which W. W. Jones, late of this county, died siezed and possessed, and I now hand you the questions asked Mr. T. J. Seward, and without writing down the several questions I ask you to read them and make answer to them in their order.

Answer to question No. 2. I have been knowing the land all my life but I have never been over it to look at with a view to the purchase or sale of the place or the timber on it.

Answer to question No. 3. I think the price offered upon the terms mentioned is a good price, and I believe it would be to the interest of all the parties to make sale of the timber and apply the proceeds as proposed.

Answer to question No. 4. I know of not other property owned by the heirs of Mr. Jones, except his personal estate, which has been sold.

Answer to question No. 5. I think the land would rent for about three hundred dollars a year, and I think that the land ought to bring about four thousand dollars.

Answer to question No. 6. The children of Bud and all his brothes and sisters and their wives and husbands are mentioned.

And further this deponent saith not.

H. L. Cox

Mr. R. W. Stallings being duly sworn deposes and says:

Q. Please state your name, age, residence and occupation. A. R. W. Stallings, I am forty years old, live in Isle of Wight County and am a farmer.

Q. Mr. Stallings, without asking you the several questions necessary to get the information required, I am handing you the questions asked Mr. T. J. Seward and beg you to answer each of them in the order in which they come, from number 2.

Answer to question No. 2. I have known the land twenty five years-I krow the land very well, about as well as if I had lived there.

Answer to question No. 3. I think that it would be to the interest of all the parties concerned to sell the timber for the price offerred and to apply the proceeds of sale to the payment of the debt which are liens upon the land. I think the price offerred is especially good. I walked over the timber some time before the offer mentioned here was made, I think, with a Mr. Holloway, who had some idea of making an offer for it, and he did not make an offer because there was not enough timber there to pay him to move his mill to cut it, so he said.

Answer to question No. 4. The land mentioned is all the real estate owned by the infants. There was some personal property belonging to Bud's estate which was sold before last Christmas. There is also, I understand, a small amount in the Bank of Smithfield, deposited to the credit of W. W. Jones as administrator of M. A. E. Jones, deceased, the mother of W. W. Jones and the grand-mother of the infants mentioned, of which, if my information is correct, the children would heir a small part.

Answer to question No. 5. I should think three hundred dollars would be good rent for the land mentioned. I think thirty five hundred or four thousand dollars would be a good cash price for the whole property.

Answer to quedtion No. 6. The parties whose names have been read to me from the bill are the children, widow and brothers and sisters of W. W. Jones, and the wives and husbands of the brothers and sisters, and the guardian of the children, Mrs. Power.

And further this deponent saith not.

R. N. Stalling

Taken before the undersigned, a Commissioner in Chancery of the Circuit Court of the County of Isle of Wight. January 24th 1910

A. Thurman
Comr in Chy

The interrogatories above propounded to the witnesses, T. J Seward, J N Edwards, H L Cox and R W Stallings, have been agreed upon by me

Robt. N. Withers
Guardian ad litem for William Garland Jones, Lawrence Hyde Jones and William Wilson Jones, infants defendants.

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

Power, Guardian

vs) Chancery--Petition of Russel C. Cofer.

Jones' Infants et als.

Your petitioner, Russel C. Cofer, is informed that an offer has been made by the Cumberland Lumber Company for the timber upon the land of which W. T. Jones, died siezed and possessed, and states that he is the owner of a bond for the sum of five hundred dollars dated April 3rd. 1908, and secured by a deed of trust upon the "Ellis" tract belonging to said estate. That he is willing that the timber upon the said land be sold, and the purchase money, so far as is necessary, be applied to the extinguishment of the debt held by him against the said estate, aforesaid. And your petitioner will ever pray, etc.

R. C. Cofer

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

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

Power, Guardian

vs) Chancery--Petition of V. W. Joyner.

Jones' Infants, et als.

Your petitioner, V. W. Joyner, states that he is the owner of a certain bond for the sum of eight hundred dollars, dated the 3rd. day of February, 1903, made by W. W. Jones and P. P. Jones, and secured by a deed of trust of that date covering property in the said county of Isle of Wight known as the"Storehouse" tract and the "Ellis" tract, owned by the makers of the said bond; that he is informed that the Cumberland Lumber Company has offered to purchase the timber upon the said two tracts of land for the sum of nine hundred dollars, and that it is intended that the said sum shall be applied to the payment of the deed of trust liens, so far as it will go; that he is willing that the said sale be made and that the lien of Russel C. Cofer, which is a subsequent lien to your petitioner, shall be paid first and the balance, so far as it will, applied to the payment of the bond held by him as aforesaid, and if the balance is insufficient to pay off in full the said bond, that he will accept same and make application thereof upon said bond as a credit and will become a party , if necessary, to the conveyance for said timber to said Cumberland Lumber Company, releasing his lien upon the said timber. And your petitioner will ever pray, etc.

V. W. Joyner

TO HONORABLE B. D. WHITE,

JUDGE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

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

Power, Guardian.
vs) Chancery-- Petition of Ida W. Goodrich.
Jones' infants, et als.

Your petitioner, Ida W. Goodrich, states that she is the assignee of Laura L. Jones. of a certain bond for the sum of one thousand dollars, dated the 3rd. day of February, 1903, made by W. W. Jones and P. P. Jones, and secured by a deed of trust of that date, covering the"Ellis"tract and the "Storehouse" tract of land, owned by the said W. W. and P. P. Jones; that she understands that the Cumberland Lumber Company has offered to purchase the timber on the said tracts of land from the heirs of W. W. Jones, deceased, who has bought the interest in the said land of the said P. P. Jones, for the sum of nine hundred dollars; and that if the timber is purchased and the said sum paid therefor, that it is intended that the same shall be applied toward the payment of the deed of trust liens upon the said land; that she also understands that V. W. Joyner is the owner of a bond of the said W. W. and P. P. Jones, secured by the same deed of trust that secures the said bond assigned to her by the said L. L. Jones, as aforesaid, for the sum of $800; and that she also understands that Russel C. Cofer is the owner of a bond for the sum of five hundred dollars, dated on the 3rd. day of April, 1908, and secured by a deed of trust covering the"Ellis"tract of land before mentioned.

Your petitioner does not desire that the bond she now holds against the estate of the said W. W. Jones be now paid, and, feeling that the land covered by the deed of trust securing the bond of which she is assignee, is ample security for the payment thereof, without the timber which is proposed to be sold as

aforesaid, is willing that the said timber shall be sold; the purchase money therefor be paid to the other creditors herein mentioned, and if there is any left after payment of the bonds held by them as aforesaid, she is wil ing to accept the s me and m:ke applic tion thereof as a credit upon the bond held by her as aforesaid., and is willing to become a party to the deed conveying the timber aforesaid to the said Cumberland Lumber Company, if necessary, releasing her lien upon the said timber. And your petitioner will ever pray etc.

Sarah W. Goodrich

TO HONORABLE BL. D. WHITE,

JUDGE OF THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

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

COMMISSIONER'S OFFICE,

ISLE OF WIGHT, VIRGINIA.

January 18th. 1910.

To M. W. Power, guardian of William Garland Jones, Lawrence Hyde Jones and William Wilson Jones: Mary Power Jones, widow of W. W. Jones, deceased: Margaret Elizabeth Jones: Martha Wilson Stallings and Robert W. Stallings, her husband: Laura Pervin Turner and Fred K. Turner, her husband: Nancy Ward Turner and Clarence A. Turner, her husband: Percy Peterson Jones: Edith Virginia Stringfield and C. H. Stringfield, her husband: Isaac Warren Jones and Zella May Jones, his wife: Josephine Boykin Jones: and R. W. Withers, guardian ad litem.

You are hereby notified that I shall, at my office at Isle of Wight, Virginia, on the 24th. day of January, 1910, at eleven o'clock A.M., proceed to execute the decree entered by the Circuit Court of the County of Isle of Wight on the 6th. day of December, 1909, in the cause in chancery therein depending, styled, generally, M. W. Power, guardian, vs. Mary Power Jones et als. of which the following is an extract:

"On consideration whereof, the Court doth adjudge, order and decree that this cause be referred to one of the Commissioners of this court who is directed to inquire into and report to court as follows:

1st. Of what estate, real and personal, the infant defendants are possessed or entitled to, and what are their respective shares therein.
2nd. The annual and fee simple value of the said estate.
3rd. Whether the interest of the said infant defendants will be promoted by a sale of the timber in the bill and proceedings mentioned, for the sum of nine hundred dollars, and the application of the proceeds of the said sale to the payment of the lien indebtedness existing upon the land in the bill mentioned.
4th. A statement of the lien indebtedness existing against said land with priorities
5th. Whether the rights of any person will be violated by such sale and application of the proceeds, and whether the lien creditors will consent thereto.
6th. Who would be the heirs at law or distributees of the said infant defendants if they were dead, and whether all such persons are properly before the court.

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 same to the court, along with any matter stated, deemed pertinent by himself, or required by any party to be so stated.

Given under my hand this 18th. day of January, 1910.

O. P. Thomas
Commissioner in Chancery.

Original

M. H. Power Gdn &c

vs. (Comrs Notice

Mary P. Jones et al

Executed this 20th
of January, 1910
by serving true copies
on each of the
parties named
herein except, Rhd
Coiche guardian
ad litem.

C. A. Edwards
Sheriff

Due $ 1.00

Filed and suggestion of death
written notice is hereby accepted Jany 22, 1910

Martin V. Smith
Franklin & Clair for Complainant

Fax Cum. Jones, Lawrence Hyde Jones
and Rosalie Coiche Jones defts-

M. W. Power, guardian of William Garland Jones, Lawrence Hyde Jones and William Wilson Jones, infants under the age of twenty-one years,.....Complainant.

vs.

Mary Power Jones, widow of W. W. Jones, Margaret Elizabeth Jones, Martha Wilson Stallings and Robert W. Stallings, her husband; Laura Bervin Turner and Fred K. Turner, her husband, Nancy Ward Turner and Clarence A. Turner, her husband, Percy Peterson Jones, Edith Virginia Stringfield and C. H. Stringfield, her husband, Isaac Warren Jones and Nella May Jones, his wife, and Josephine Boykin Jones, ...Defendants.

This cause, which has regularly matured at rules, came on this day to be heard upon the complainant's bill, verified by her affidavit thereto, and the exhibits filed therewith, which said bill is taken for confessed as to the defendants, Margaret Elizabeth Jones, Martha Wilson Stallings and Robert W. Stallings, her husband, Laura Bervin Turner and Fred K. Turner, her husband, Nancy Ward Turner and Clarence A. Turner, her husband, Percy Peterson Jones, Edith Virginia Stringfield and C. H. Stringfield, her husband, Isaac Warren Jones and Nella May Jones, his wife, and Josephine Boykin Jones, on whom process has been duly served, they still failing to appear and plead, answer or demur to the said bill; the separate answer of Mary Power Jones, widow of W. W. Jones, deceased, to said bill; the separate answer to the said bill of the infant respondents, William Garland Jones, Lawrence Hyde Jones and William Wilson Jones, by Robert W. Withers, their guardian ad litem; the separate answer, on oath in proper person, of Robert W. Withers, the said guardian ad litem of said infant defendants, to said bill; and the complainant's replication to said several answers; and was argued by counsel.

On consideration whereof, the Court doth adjudge, order and decree that this cause be referred to one of the Commissioners of this Court, who is directed to inquire into and report to Court

as follows:

(1)

Of what estate, real and personal, the infant defendants are possessed or entitled to and what are their respective shares and interests therein.

(2)

The annual and fee simple value of said estate.

(3)

Whether the interests of the said infant defendants will be promoted by a sale of the timber in the bill and proceedings mentioned for the sum of nine hundred dollars and the application of the proceeds of said sale to the payment of the lien indebtedness existing upon the land in the bill mentioned.

(4)

A statement of the lien indebtedness existing against said land with priorities.

(5)

Whether the rights of any person will be violated by such sale and application of the proceeds and whether the lien creditors will consent thereto.

(6)

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

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.

And this cause is continued.

----------ooo----------

A copy, Teste, _____ Clerk.

6

M. H. Power et ux.

vs

Pharmacy

Mary P. Jones et ux.

Copy of decree entered
December 6-1910

Jones' Guardian

15- Special Jones
Report.

Jones' mylants -

JAMES U. BURGES.
ATTORNEY AT LAW,
POST OFFICE BUILDING
SUFFOLK, VA.

SUFFOLK HERALD CORPORATION PRINT, SUFFOLK, VA.

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

M. W. Power, guardian of William Garland Jones, Lawrence Hyde Jones and William Wilson Jones, infants under the age of twenty-one years.....Complainant.

vs.

Mary Power Jones, widow of W. W. Jones, Margaret Elizabeth Jones, Martha Wilson Stallings and Robert W. Stallings, her husband, Laura Bervin Turner and Fred K. Turner, her husband, Nancy Ward Turner and Clarence A. Turner, her husband, Percy Peterson Jones, Edith Virginia Stringfield and C. H. Stringfield, her husband, Isaac Warren Jones and Zella May Jones, his wife, and Josephine Boykin Jones.....Defendants.

This cause, which has regularly matured at rules, came on this day to be heard upon the complainant's bill, verified by her affidavit thereto, and the exhibits filed therewith, which said bill is taken for confessed as to the defendants, Margaret Elizabeth Jones, Martha Wilson Stallings and Robert W. Stallings, her husband, Laura Bervin Turner and Fred K. Turner, her husband, Nancy Ward Turner and Clarence A. Turner, her husband, Percy Peterson Jones, Edith Virginia Stringfield and C. H. Stringfield, her husband, Isaac Warren Jones and Zella May Jones, his wife, and Josephine Boykin Jones, on whom process has been duly served, they still failing to appear and plead, answer or demur to the said bill; the separate answer of Mary Power Jones, widow of W. W. Jones, deceased, to said bill; the separate answer to said bill of the infant respondents, William Garland Jones, Lawrence Hyde Jones and William Wilson Jones, by Robert W. Withers, their guardian ad litem; the separate answer, on oath in proper person, of

Robert W. Withers, the said guardian ad litem of said infant defendants, to said bill; and the complainant's replication to said several answers; and was argued by counsel.

On consideration whereof, the Court doth adjudge, order and decree that this cause be referred to one of the Commissioners of this Court, who is directed to inquire into and report to Court as follows:

(1)

Of what estate, real and personal, the infant defendants are possessed or entitled to and what are their respective shares and interests therein.

(2)

The annual and fee simple value of said estate.

(3)

Whether the interests of the said infant defendants will be promoted by a sale of the timber in the bill and proceedings mentioned for the sum of nine hundred dollars and the application of the proceeds of said sale to the payment of the lien indebtedness existing upon the land in the bill mentioned.

(4)

A statement of the lien indebtedness existing against said land with priorities.

(5)

Whether the rights of any person will be violated by such sale and application of the proceeds and whether the lien creditors will consent thereto.

(6)

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

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.

And this cause is continued.

6

M. W. Power, guardian, etc.

vs. Decree.

Jones' Infant et als.

Enter Dec. 6, 1909.

P. D. C.

Entered in Chancery Order

Book No. 7, page 3.

Virginia: Circuit Court of the County of Isle of Wight.

M. W. Power, guardian etc.
vs) Appointment of guardian ad litem.
Jones infants, et als.

Clerk's Office of the Circuit Court of the County of Isle of Wight
November 15th. 1909. (2nd. November rules, 1909)

On motion of counsel for the complainant's, R. W. Withers, a discreet and competent attorney at law, is assigned guardian ad-litem of the defendants, William Garland Jones, Lawrence Hyde Jones and William Wilson Jones, the infants under the age of twenty one years, to defend their interests in this suit.

_____ Clerk.

3

M. W. Power, Gdn. etc.

vs) Chancery

Jones Infants et als.

Filed November 15th. 1909.

In the Clerk's Office of the
CIRCUIT COURT,
OF THE
COUNTY OF ISLE OF WIGHT
this 15 day of Nov 1909.
Filed
Teste. C. Johnson
Clerk

WOODWARD & ELAM,
INSURANCE

Suffolk, Va., May 2nd 1910

Received of J. M. Rieger, Shel. Ins.

Fire $5.00/100 Dollars

J. M. Rieger, Shel Cons. Panel, Eon vs. Jones - misc.

$5.00

Woodward & Elam,

Per

Paid in June 4 shares for $532.25

$500.00 On demand we promise to pay unto Russell C. Cofer, of the County of Isle of Wight and State of Virginia, the just and full sum of five hundred dollars in current money of the United States of America, for value received; bearing interest from date at the rate of six per centum per annum, payable annually; for which we hereby bind ourselves, our heirs, executord, administrators etc. firmly by these presents: And we hereby waive the benefit of our Homestead Exemption as to this debt or obligation.

In witness whereof we have hereunto set our hands and affixed our seals this 3rd. day of April, 1908.

William W. Jones (SEAL)

Mary P. Jones (SEAL)

Witness: C. P. Jones

Rec'd apl 3rd 1909 of Mrs M. N. Power Admix D. N. Jones
Deed Thirty Dollars for Interest to apl 3rd 1909 on within bond
" R. C. Cofer
for Andrew

I hereby authorize and empower Charles E Coleman
to as my agent- mark the Deed of Trust which secures the bond
released upon the margin of the deed book & page
in which the same is recorded, the same having
been paid in full.

Russell C. Cofer

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CLE[illegible]'S OFFICE
OF ISLE OF WIGHT COUNTY.
ISLE OF WIGHT, VA.
ALBERT S. JOHNSON, CLERK.

$239.39 May 3rd. 1910.

Received of James U. Burges, Special Commissioner in the suit of Jones' guardian vs. Jones et als, check for the sum of two hundred and thirty nine and 39/100 dollars, which has been applied as a credit upon the bond which I hold against the estate of W. W. Jones, deceased, mentioned in the bill and proceddings of the said suit, which has been paid to me under the direction of a decree entered in the said suit entered in the Circuit Court of the County of Isle of Wight on the 7th. day of February, 1910.

U. W. Joyner

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

Jones' Guardian.....Complainant.

Vs.

Jones' Infants et als.....Defendants.

TO THE HONORABLE CIRCUIT COURT OF ISLE OF WIGHT COUNTY.

The undersigned Commissioner of the above cause reports that, as directed by a decree entered herein on the _____day of February, 1910, he has collected from the Cumberland Lumber Company the sum of Nine Hundred Dollars ($900.00) and conveyed to it the timber in the bill and proceedings mentioned upon the terms and conditions set forth in said decree and distributed the proceeds arising from said sale as follows:

To amount received from sale.....$900.00

By cash paid Clerks fees and writ tax, per voucher.....$13.86

By cash paid A. S. Johnson, Commissioner in Chancery, per voucher.....15.00

By cash paid W. A. Edwards, Sheriff, for serving process, per voucher.....14.00

By cash paid J. U. Burges, Attorney, fee allowed by Court and taxed Attorney's fee, per voucher.....43.00

By cash paid J. U. Burges, Attorney, for drawing Commissioner's deed, per voucher.....10.00

By cash paid J. U. Burges, Commissioner, commissions on sale, per voucher.....27.00

By cash paid Woodward & Elam, for bond of Commissioner, per voucher..... 5.00

By cash paid R. C. Cofer in payment of debts secured by deed of trust mentioned in said decree, per voucher.....532.25

By cash paid V. W. Joyner, assignee of Ida W. Goodridge, assignee of Laura Lee Jones, in part payment of debt mentioned in said decree, per voucher.....239.89

$900.00 $900.00

The said bond which was payable to Laura Lee Jones, and is now held by V. W. Joyner, was produced before me by the said V. W. Joyner duly assigned to him. The payment above mentioned is duly credited on said bond.

Respectfully submitted.

James H. Dillard

Special Commissioner

$13.86

Received of James U. Burges, Special Commissioner, thirteen dollars and 86/100, in payment of Clerks fees and writ tax in the suit of Jones' Guardian vs. Jones' Infants et als.

E. Johnson
Clerk.

$14.00

Received of James U. Burges, Special Commissioner, fourteen dollars for serving process and notice of taking account as Special Commissioner.

H. C. Edwards
Sheriff.
By R. Cary Edwards
D. S.

$80.00 Suffolk, Va., June 4, 1910.

Received of James U. Burges, Special Commissioner, forty-three dollars in payment of fee allowed by the Court and taxed attorney's fee, and also the sum of ten dollats for drawing Special Commissioners deed as well as the sum of twenty-seven dollars, commissions on sale, making a total of eighty dollars.

James U. Burges

$15.00

Received of James U. Burges, Special Commissioner, fifteen dollars for makihg report as Commissioner in Chancery in the cause of Jones' Guardian vs. Jones' Infants et als.

E. Johnson
Commissioner in Chancery/

Ellis & J. H. Jones

Septa, Va.,
Oct. 16, 1911

Lying long and situated in the county of Isle of Wight, was Septa P.O. Containing approximately 5 6 acres, more or less, and bounded on the north, B. R. Edwards & R. H. Williford - James Moseley on east By Elec Road, on south by Benning Jones, on West by the Stone "homestead" or property

Edith Virginia Stringfield and
C. H. Stringfield, her Husband,
Smithfield, Va

Isaac Warren Jones and Zella
May Jones, his Wife.
near Dr. Ward
Moonlight Va

Josephine Boykin Jones and
Mrs Winston Seward and
Winston Seward, her Husband
Smithfield, Va.

Margaret Jones - Angle
Martha Jones - Mrs R V Stallings
Lena Jones - Fred H Turner
Hanna Jones - Clarence Turner
Ruth Jones - Angle
Edith Jones - C. H. Stringfield
Isaac Jones - Mrs Zella Jones
Josephine Jones - Winston Seward

Mary Powell Jones

Margaret Elizabeth Jones
Smithfield Va
Same at P. P. Jones.

Martha Wilson Stallings
Mrs R. W. Stallings.
Ponca, Va.

Laura Burnett Turner and
Fred [illegible]
Smithfield, Va

Nancy Ward Turner and
Clarence A. Turner husband,
Longview.

Percy P. Jones,
Smithfield, Va
P. V. W. Jones

Z. N. Jones, deceased.

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

M. W. POWER, GUARDIAN

VS) CHANCERY.

JONES' INFANTS ET ALS.

REPORT OF COMMISSIONER

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

Your commissioner begs leave to report that the papers in the above styled cause have been referred to him for the execution for the decree entered therein on the 5th. day of December, 1909, a copy of which is hereto attached and made a part of this report; that, in pursuance to the directions contained in said decree your commissioner, on the 18th. day of January, 1910, which has been served on all parties, and is attached hereto, gave notice to all the parties in said cause that he would, on the 24th. day of January, 1910, at his office, at Isle of Wight Courthouse, County of Isle of Wight and State of Virginia, at eleven o'clock A.M., proceed to execute the said decree; that your commissioner, on the said 24th. day of January, 1910, at his office at the hour aforesaid, proceeded to execute the said decree, and in the execution thereof took the evidence of T. J. Seward et als, which evidence is herewith filed and attached, as a part of this report, and after taking the said testimony, and having received the petitions of the creditors of T. W. Jones, deceased, secured by deeds of trust upon the land in the Bill and Proceedings of this suit mentioned, addressed to the Court, and which are filed herewith, being made a part of

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this report, the same being in response to one of the inquiries in said decree, begs leave to make report upon said decree as follows:

1st. That the infant defendants, William Garland Jones, Lawrence Hyde Jones, and William Wilson Jones, of the ages of three years, two years and three months, respectively, at the time of the qualification of their guardian, Medora W. Power, to-wit: on the 9th. day of October, 1909, are seized and possessed of the following described tracts of real estate, situate, lying and being in the County of Isle of Wight and State of Virginia, in Hardy Magisterial District of the said County, to-wit:

(a) A tract of land known as the "Storehouse" tract, once the property of J. M. Jones or M. A. E. Jones, containing, by estimation, 104 acres, more or less, and which adjoins the lands of the estate of John T. Gwaltney, deceased, now or late of Berwin Lee Jones, Samuel E. Batten et als.

(b) A tract of land known as the "Bolling Ellis" tract, containing, by estimation, 68 acres, more or less, adjoining the above describe tract, the lands now or late of Berwin Lee Jones, Almeda Ellis et als.

That they are possessed of no personal estate at this time, but it appears from the Fiduciary Records lodged in the Clerk's office of this Court that the estate of W. W. Jones, deceased, has been appraised at $632.00, and it appears in evidence that sale was made of the said personal estate just before Christmas, last; but the account of said sale has not yet been filed. Their respective shares in the said estate, both real and personal, are as follows: One third each in the real estate, subject, however, to the dower interest of Mary Power Jones, widow of the said W. W. Jones, deceased, and mother of the said infants: One third of two thirds of the personal estate of which the said W. W. Jones died siezed and possessed, whatever that may be. This is not certain, because your commissioner does not know what part

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of said personal estate, if any, will remain after settlement of the obligations, if any there be, of the said W. W. Jones, deceased.

2nd. From the evidence taken and filed herewith, it appears that the annual value of the real estate in the Bill and proceedings of this suit mentioned is not more than three hundred dollars, and the fee simple value not more than four thousand dollars. Your Commissioner will further state, that from the expression of the deponents, that he is of opinion that the said deponents placed the value of the tracts of land, both annual and fee simple, at its highest, in their opinion.

3rd. It appears that the interest of the said infants, and all others interested, will be promoted by a sale of the timber upon the land herein mentioned, for the sum and price offered by Cumberland Lumber Company, upon the terms stated in their contract and in the Bill, and the application of the purchase money, so far as it will go, toward the extinguishment of the debts which are liens by deed of trust upon the said land.

4th. Your Commissioner finds a deed of trust upon the "Storehouse" tract and the "Ellis" tract, of February 3rd. 1903, to secure to Laura Lee Jones the payment of the sum of one thousand dollars, evidenced by a bond of that date which said bond has lately been assigned to Ida W. Goodrich by the said L. L. Jones; and to secure to W. W. Joyner the payment of the sum of eight hundred dollars, evidenced by bond of same date: He also finds another deed of trust upon both of the above described tracts of land to secure the payment of five hundred dollars, evidenced by a bond of April 3rd. 1908, payable to R. C. Cofer

5th. Your Commissioner believes that the rights of no person will be violated by sale of the timber in the Bill mentioned,

All Available Text Successfully Captured

and application of the proceeds of such sale to the extinguishment of the debts herein mentioned, so far as possible.

Your Commissioner is advised, from the petitions hereinbefore mentioned, addressed to the Court, and filed herewith, that the lien creditors are willing to the sale of the timber, as proposed, and application of the proceeds of such sale to the payment of the liens, so far as it will go.

The heirs at law of the said infants, if all of them should die before attaining to their majority, and without issue, would be the brothers and sisters of the said W. W. Jones, deceased, and his widow, and they are all properly before the court.

Respectfully submitted,

Commissioner in Chancery.

Sheriff Fees sum $17.00
Commissioner 10.00

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8

Decree

M. N. Dodson, guardian.

vs.

Jones Infants.
et al.

1910
Feb. 7.
Enter this.
1 D L D.
Costs $ 10

JAMES U. BURGES,
ATTORNEY AT LAW,
POST OFFICE BUILDING
SUFFOLK, VA.

SUFFOLK HERALD CORPORATION PRINT, SUFFOLK, VA.

Power Guardian

vs.

Jones' Infants et als.

This cause came on this day to be finally heard on the papers formerly read and on the report of Special Commissioner, James U. Burges, this day filed by leave of court, to which report there is no exception, and was argued by counsel.

On consideration whereof, it appearing to the Court that the said Special Commissioner, James U. Burges, has collected the purchase price from the Cumberland Lumber Company and conveyed to it the timber in the bill and proceedings mentioned; has paid the costs of this suit, and has paid to the lien creditors the balance of the proceeds arising from said sale, as directed by a decree heretofore entered in this cause, the Court doth approve and confirm the said report of said sale, and there being nothing further to dispose of in this suit it is ordered that the same be stricken from the docket.

Acopy,

Teste, R. Johnson Clerk.

Power. Gdn

vs

Jones Infants et al

Filed June 6/1910

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY,

VIRGINIA.

M. W. Power, guardian etc.....Complainant.

vs.

Jones' Infants et als.....Defendants.

This cause came on this day to be again heard on the papers formerly read, on the report of Commissioner Albert Sydney Johnson dated the 24th day of January, 1910, and filed in the Clerk's office of this Court on the same day, to which report there is no exception taken, on the depositions of witnesses returned with said report, the petition of R. C. Cofer, V. M. Joyner and Ida W. Goodridge, and was argued by Counsel.

On consideration whereof, it being clearly shown from said report and the evidence returned therewith independently of any admissions in the answers that the interests of the infant defendants will be promoted by a sale of the timber hereinafter mentioned to the Cumberland Lumber Company, a corporation, at the price of nine hundred dollars upon the conditions hereinafter set forth, and the Court, being of the opinion that the rights of no person will be violated thereby, doth approve and confirm the said report, and doth adjudge, order and decree that James U. Burges, who is hereby appointed a special commissioner for the purpose, shall, upon the payment to him by the said Cumberland Lumber Company of the sum of nine hundred dollars in the report mentioned, convey to the said Cumberland Lumber Company by good and sufficient deed, with special warranty, all the timber and timber trees, except as hereinafter mentioned, ten inches and upwards in diameter across the stump at the time of cutting,

which is located on the two tracts of land formerly belonging to W. W. Jones, deceased, which are situated, lying and being in Hardy Magisterial District, of Isle of Wight County, Virginia, and bounded and described as follows:

A tract of land known as the "storehouse" tract, once the property of I. L. Jones or M. A. E. Jones, containing, by estimation, 104 acres, more or less, and which adjoins the lands of the estate of John T. Whitney, deceased, now or late of Mervin Lee Jones, Samuel R. Lutten ~~et als~~ and others.

A tract of land known as the "Dolling Ellis" tract, containing, by estimation, 68 acres, more or less, adjoining the above described tract, the lands now or late of Mervin Lee Jones, Almeda Ellis ~~et als~~ and others.

The Court doth direct that the said deed conveying said timber shall contain the following covenants and reservations: The said Cumberland Lumber Company, a corporation, shall have ten years from the date of said deed in which to cut and remove said timber, together with all necessary rights-of-way over and across said land for the purpose of cutting and removing said timber or timber trees, and the timber or trees cut from any other tract of land, and said Company shall also have the right to construct and operate railroads over said land. But all rights granted in said deed shall cease and determine at the expiration of said period of ten years from the date of said deed.

The said special commissioner is further directed to expressly reserve in said deed, for farm purposes, ten trees to be selected by M. W. Power, Guardian, or such person as she may appoint, and also all the trees on the Southeast corner of the small tract of land adjacent to the lands of B. L. Jones, A. B. Scott and Mrs. Henrietta Edwards.

And it ~~further~~ appearing to the Court that there are two deeds of trust on said lands, the first dated February 3rd, 1903, to secure to Laura Lee Jones the payment of the

sum of one thousand dollars evidenced by a bond of that date (which said bond has been assigned to Ida W. Goodridge by the said Laura Lee Jones) and also to secure to V. W. Joyner the payment of the sum of eight hundred dollars evidenced by a bond of the same date; and the second deed of trust to secure the payment of a debt amounting to five hundred dollars due R. C. Cofer evidenced by a bond dated April 3rd, 1908. And it further appearing to the Court, by petitions duly filed in this cause, that the said creditors secured by said deeds of trust desire said timber to be sold as hereinabove set forth and the purchase price applied first to the payment of the R. C. Cofer bond and the balance to be paid on the bond due V. W. Joyner, the Court doth adjudge, order and decree that said special commissioner, James U. Burges, do pay the costs of this suit, including a fee of $28.00 to James U. Burges, as counsel, ~~xxx~~ pay to R. C. Cofer the amount due him as evidenced by said bond secured by said deed of trust upon the receipt of said bond duly cancelled, and the balance of the proceeds of sale the said special commissioner is directed to pay to said V. W. Joyner when said bond shall be produced before him and the amount so paid credited thereon.

The said James U. Burges shall report his proceedings hereunder to Court returning therewith proper vouchers for all disbursements.

But the said James U. Burges, special commissioner, shall have no power to execute this decree until he shall enter into a bond with sufficient security in the Clerk's Office of this Court payable to the Commonwealth of Virginia in the penalty of $ 950.00 and conditioned upon the faithful discharge of his duties hereunder.

And this cause is continued.

D D Jones
to
W W Jones

Admitted to record this 6th
day of Nov. 1909
at one o'clock P M.
Recorded in D. B. No. 77
page 359

250

Sam 1 50
Fee 1 25
2 75

Virginia: Circuit Court of the County of Isle of Wight October 9th. 1909.

Upon the motion of Mary P. Jones, wife of W. W. Jones, deceased, the Court doth nominate and appoint Medora W. Power as and for the guardian of the infant children of the said W. W. Jones, deceased and the said Mary P. Jones, to-wit: William Garland Jones, aged three years; Lawrence Hyde Jones, aged two years; and William Wilson Jones, aged three months. And thereupon the said Medora W. Power duly qualified as such guardian by entering into and acknowledging a bond in the penalty of one hundred dollars, together with Virginia Safe Deposit and Trust Corporation, her surety, payable to the Commonwealth of Virginia, and conditioned as the law directs.

Ordered that the said bond be recorded, labelled and filed.

A copy,

Teste,

Clerk.

Exhibit A."

Exhibit "B"

Sedley, Virginia.

November 1st, 1909.

Mrs. M. W. Power, guardian of
William Garland Jones, Lawrence Hyde Jones
and William Wilson Jones, infant children of
W. W. Johes, deceased.
Septa, Virginia.

Dear Madam:

We offer to purchase all the timber or trees ten inches and upwards in diameter across the stump at the time of cutting which is situated on the two tracts of land belonging to W. W. Jones' estate and pay therefor nine hundred dollars ($900.00) cash when deed conveying a good title to the timber is delivered to us. The said two tracts of land are located in Hardy Magisterial District of Isle of Wight County, Virginia, one consisting of about one hundred and four (104) acres and adjacent to the lands of J. L. Gwaltney, Samuel Batten, and B. L. Jones, and the other contains about fifty-nine acres (59 acres) and adjoins the lands of B. L. Jones, A. N. Scott, Mrs. Henrietta Edwards and Frank Gwaltney. Said deed to contain the following covenants and reservations: We are to have ten years from the date of the deed in which to cut and remove the timber together with all necessary rights-of-way across said land for the purpose of cutting and removing said timber or trees and the timber or trees cut from any other tracts of land by us and also for the purpose of constructing and operating railroads. All rights, however, to cease and determine at the expiration of said period of ten years. You are to reserve ten trees to be selected by

you for farm purposes and also the trees on the South-east corner of the small tract of land adjacent to the land of B. L. Jones, A. N. Scott and Mrs. Henrietta Edwards.

Yours very truly,

Cumberland Lumber Co.
per Edward Rogers, Supt.

Exhibit B 2-a

W. W. Power, Guardian etc

vs

Chancery

Jones Infants

In the CLERK'S OFFICE of the
CIRCUIT COURT,
OF THE
COUNTY OF ISLE OF WIGHT
this 15 day of Nov 1909
Filed
Test. E. T. Johnson
Cl'k

This deed, made this 2nd. day of May, 1908, between Percy P. Jones, of the County of Isle of Wight and State of Virginia, of the first part; and William W. Jones, of the said County and State, of the other part.

WITNESSETH: That for and in consideration of the sum of fifteen hundred dollars cash in hand paid, the receipt of which is hereby acknowledged, the said party of the first part doth hereby grant, bargain, sell and convey unto the said party of the second part, in fee simple and with General Warranty, the following described real property, situate, lying and being in the County of Isle of Wight and State of Virginia:

1st. All the right, title and interest of the said party of the first part in and to that certain tract, piece or parcel of land, in said County and State known as the "Store House Tract" of which M. A. E. Jones died seized and possessed and being same land conveyed to the said Percy P. and W. W. Jones by deed from V. W. Joyner and wife, bearing date February 3rd. 1908 and duly of record in the Clerk's Office of said County in D.B. No. 68, page 109, reference to which is hereby had for a more particular description of the land herein mentioned.

2nd: That certain other tract, piece or parcel of land, adjoining the aforesaid tract of land, which was conveyed to the said Percy P. Jones by deed from the said William W. Jones, as executor of his mother, the said M. A. E. Jones, by his deed bearing date the 3rd. day of February 1903 and duly of record in the Clerk's Office aforesaid in D.B. No. 68, page 94, reference to which is hereby had for a more particular description of the said tract of land hereby conveyed.

The said party of the first part covenants that he is seized in fee of the said tracts of land; that he has the right to convey the said land to the said grantee; that he has done no act to encumber the title thereto; that the grantee shall have quiet and peaceable possession of the said tracts of land, free from all encumbrances; and that he, the said party of the first part, will execute such other and further assurances of the said tracts of land as may be requisite.

Witness the following signature and seal:

Percy P. Jones (SEAL)

State of Virginia,

County of Isle of Wight, to-wit:

I, A. S. Johnson, a Commissioner in Chancery of the Circuit Court of the County of Isle of Wight, in the State of Virginia, do hereby certify that P. P. Jones, whose name is signed to the writing hereto annexed, bearing date the 2nd. day of May, 1908, has acknowledged the same before me in my said County.

Given under my hand this 2nd. day of May, 1908.

A. S. Johnson
Commissioner in Chancery.

Virginia: Clerk's Office of the Circuit Court of the County of Isle of Wight November 6th. 1909 at one o'clock P.M. this deed was received and with thecertificate annexed, admitted to record.

Teste,

A. S. Johnson Clerk.

Copy, Ist. Bond / Co-K

KNOW ALL MEN BY THESE PRESENTS, That we, James U. Burges, principal, and The United States Fidelity and Guaranty Company, a corporation, surety, are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of NINE HUNDRED AND FIFTY DOLLARS, to the payment whereof well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents. And, as to this bond, we hereby severally waive the benefit of our Homestead Exemptions, 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 this bond is given, with coupons detached from the bonds of this State.

In testimony whereof the said James U. Burges, principal, hereto sets his hand and seal, and The United States Fidelity and Guaranty Company, a corporation, surety, by Wm. G. Elam, its said agent and attorney in fact, has caused its name to be signed hereto and its corporate seal to be hereunto affixed, by Wm. G. Elam, its said agent and attorney in fact, who has attested the said corporate seal, this 7th. day of February, 1910.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bound James U. Burges, appointed special commissioner of sale by a decree entered in the Circuit Court of the County of Isle of Wight on the 7th. day of February, 1910, in the suit in chancery inthe said court depending, styled generally, Power, Guardian vs. Jones Infants et als, shall faithfully perform and discharge the duties imposed upon him by said decree, or any future decree entered in said cause, according to law, then the above obligation to be void, or else to remain in full force and virtue.

James U. Burges,,,. (SEAL)

THE UNITED STATES FIDELITY AND GUARANTY COMPANY,

By Wm. G. Elam,
(SEAL) Its duly authorized agent and attorney in fact.

Attest. Wm. G. Elam

Virginia: Circuit Court of the County of Isle of Wight the 7th. day of February, 1910, this bond was executed, signed, sealed and acknowledged by James U. Burges, the prinsipal, in person, and The United States Fidelity and Guaranty Company, surety, by Wm. G. Elam, its duly authorized agent and attorney in fact.
Test; A. S. JOHNSON, Clerk.

J

Power - Gde etc

vs / Chanary

Jones Infants. et als /

Copy of Special Commissioners bond

Taken & filed February 7th 1910