

1912-002

Chancery Causes.
Dele of Wight County

Allen W. Edwards, gdn of Joel T. Edwards' children
Edwards vs
Petition of Allen W. Edwards, widow of Joel T. Edwards

vs Harry Thomas

Folder 1

other surnames: Gay,
Porter, Turner, Hearn

Statement of Distribution made by Commissioner B.W.Hearn, made
 Decr _____ 1904, pursuant to the decree of Decr Term 1904, entered
 in the suit of Edwards, Gdn Vs Edwards Infants et als

By amt in hands of Comr per former report 394.71

To paid writ tax omitted in former report *Ed. R. E. Bykku* 1.50

By bal in hands for distribution \$393.21

To paid Allen W. Edwards, present ^{Paid} *Allen W. Edwards.*

value of her life estate, age

42, in 1/3 of above amount Paid 92.63

" amt to balance 300.58
\$393.21 \$393.21

By amt for distribution among children 300.58 \$300.58

1 To paid Harry Thomas Edwards *Harry Thomas Edwards* 42.94

2 " paid Stella Warren Edwards *Stella Warren Edwards* 42.94

3 " paid Gdn Waverly Edwards ^{See} *Allen W. Edwards* Gdn 42.94

4 " paid Gdn Maggie ~~Ray~~ Edwards *Allen W. Edwards* Gdn 42.94

5 " paid Gdn Bertha May Edwards *Allen W. Edwards* Gdn 42.94

6 " paid Gdn Lillian Russell Edwards *Allen W. Edwards* Gdn 42.94

7 " paid Gdn Joel T. Edwards *Allen W. Edwards* Gdn 42.94

\$300.58 \$300.58

Edwards, Guardian.

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

Edwards, Infants et als.

The undersigned B.W.Hearn, Special Commissioner under the decree herein of Decr 6th 1904, respectfully reports to court, that in obdience to the said decree, having first paid out of the sum of \$394.71, shown by his former report herein to be in his hands as such Commissioner, the sum of \$1.50, writ tax in said suit, which was not included in his former report, he distributed the residue thereof among the parties entitled thereto as by said decree directed; the said Allen W. Edwards, guardian of the infant defendants, before receiving the shares of the said infants, having executed the bond, with sufficient security, as required by said decree.

A statement of the said distribution, with the receipts of the parties for said payments is hereto annexed, as a part of this report.

All of which is respectfully submitted.



Special Commissioner.

EDWARDS, Gdn.

vs. IN CHANCERY.

EDWARDS, INFANTS ET ALS.

Report of Distribution of Comr

B.W.Hearn

11.779

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

Edwards, Guardian.

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

Edwards Infants, et als.

The undersigned B.W.Hearn, Special Commissioner, under the decree herein of October 24th 1904, respectfully reports to court, that in obedience to the said decree, having first given the bond by said decree directed, on the 31st day of Oct 1904, he collected from B.P.Gay, the sum of Five Hundred Dollars, being the cash payment upon the timber in the bill and proceedings of this suit mentioned. That the said B.P.Gay, also executed and delivered to your Commissioner his two several bonds, bearing date Oct 24th 1904, with interest from the day of the entry of said decree, and being for the payment to your said Commissioner of the sum of Five Hundred Dollars each, and payable respectively in one and two years *and released the estate of Doc J. Edwards, from all sums & amounts due & owing the said B.* after date, That thereupon your Commissioner executed and delivered to the said B.P.Gay, a good and sufficient deed for the said timber retaining a vendors lien thereon as by said decree directed. *G. Gay by said estate.*

The said bonds are herewith returned.

That in obedience to the said decree your Commissioner paid the costs of the said suit, and the amount decreed to be paid to R. E. Boykin, for his services in this cause, as by said decree directed, together with a fee of Five Dollars for deed to the said B.P.Gay, and there remains in the hands of your Commissioner the sum of _____ as per,

Statement --A.

By amt from B.P.Gay

500.00

To commissions on \$300. at 5% Paid *B. W. Hearn per R. E. Boykin* 15.00

" commissions on \$1200. at 2% Paid *B. W. Hearn per R. E. Boykin* 24.00

" paid Clerks fees *paid R. E. Boykin*

" paid Sheriffs fees

R. A. Edwards per C. B. Smith Sept
R. E. BOYKIN,
ATTORNEY AND COUNSELOR AT LAW,
SMITHFIELD, VA.
5.79
1.50
\$45.29 \$500.00

By amt brought forward
To do

	457.29	500.00
To paid Commissioner Atkinson Receipt returned	5.00	
" paid R.E. Boykin, atty fee directed by decree <i>See Refs</i>	50.00	
" paid same fee for deed to B.P. Gay	5.00	
" amt to balance account	<u>394.71</u>	
	<u>\$500.00</u>	<u>\$500.00</u>

By balance in hands of Commissioner for distribution \$ 394.71

The receipts of the parties for the said payments are herewith returned. All of which is respectfully submitted.

R. E. Boykin
 Special Commissioner.

E D W A R D S , G D N.

V S. IN CHANCERY.

E D W A R D S Infants et als.

Report of Commissioner Hearn.

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

The deposition of W.F.Porter and others taken before me Geo.R. Atkinson, a Commissioner in Chancery for the Circuit Court for the County of Isle of Wight, at the Office of R.E.Boykin, in the town of Smithfield, on the ^{19th} day of ~~Oct~~ 1904, between the hours of Nine O'Clock A.M. and Nine O'Clock P.M. to be read as evidence in behalf of Allen W. Edwards Gdn of ~~Stella Warren Edwards~~ ^{Marble Lee Edwards}, and in her own right, ^{in said Court depending} ~~in an uncertain suit in Chancery wherein the said Allen E. Edwards~~ ds, as Gdn, of ~~Stella Warren Edwards~~ ^{Marble Lee} et als, and in her own right is plaintiff and the said Harry Thomas Edwards et als are defendants. Present. R.E.Boykin, attorney for Pltf, & R.S.Thomas Gdn of Inft Dfts

W.F.Porter, a witness of lawful age having been duly sworn deposes and says as follows.

Ques. 1. State your age, residence and occupation.

Ans. I am thirty seven years of age. Am a farmer, and reside at Isle of Wight Court House.

Ques. 2. Are you acquainted with the parties to the suit, and are you familiar with and have knowledge of the timber upon the lands in this suit mentioned upon which Joel T. Edwards resided at the time of his death, lying North of the road from Isle of Wight C.H. to Bethel Church.

Ans. I am acquainted with the parties to this suit.

I am familiar with the lands of Joel T. Edwards, and upon which he lived at the time of his death; have frequently been all over the land and have examined the timber on it. I live within about two miles of it.

Ques. 3. State what in your opinion is the fair value of the timber upon the said land, ten inches on the stump and upwards, fifteen inches from the ground, to be cut in ten years from the date of a decree to sell the same, with such rights and easements over the said land as are usual in the sale of timber, except over the arable land.

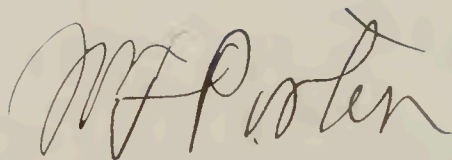
Ans. I think Fifteen Hundred Dollars is its fair value and full price. It is more than I would like to give for it now.

Ques. 4 . Mr B.P. Gay, has offered to buy the said timber at Fifteen Hundred Dollars, to release to the estate of Joel T. Edwards ^{from} a bill of one hundred dollars owing him by the said Joel T. Edwards, decd, for lumber, and to leave upon the said land all manure made by his team while operating on the said land; to be paid for as follows; to wit. Five Hundred Dollars cash, the balance in one and two years with interest from date. State whether or not in your opinion the interests of the parties entitled to the said timber would be promoted by the acceptance of the said bid and offer.

Ans. I think their interests would be promoted and, it would not, in my opinion bring that amount if sold at public auction.

I consider it a very good sale indeed. And believe the offer ought to be accepted.

And further this deponent saith not.



A. J. Turner, a witness of lawful age, having been first duly sworn deposes and says as follows.

Ques 1 . State your age, residence, occupation and whether you live near the land owned by Joel T. Edwards and upon which he resided at the time of his death.

Ans. I am fifty five years of age, am a farmer, live near Isle of Wight court House; my lands adjoin the lands of Joel T. Edwards deceased and I know it well.

Ques. 2. Are you familiar with the timber on the said land on the North side of the road leading from Isle of Wight C.H. to Bethel Church.

And. I have a pretty good knowledge of the timber, having lived next to the place all my life.

Ques 3.

State whether or not in your opinion the offer of B.P.Gay to pay fifteen hundred dollars for the said timber, on the North side of the said road, measuring ten inches on the stump, fifteen inches from the ground, with ten years in which to cut the same, together with the usual saw mill rights and privileges, to release the estate of the said Joel T. Edwards from the payment of a bill for lumber amounting to one hundred dollars, and to leave all the manure made by his team while operating on the said land, is a good offer and the fair price of the said timber.

Ans. I consider it a good offer and a most excellent sale on those terms.

Ques State whether or not you consider it would be for the benefit of the parties entitled to said timber, and especially the infant defendants, to sell the said timber to the said B.P.Gay, at the price and upon the terms aforesaid.

And. I think it would.

And further this deponent saith not.

A J Turner

B.W.Hearn, a witness of lawful age having been duly sworn deposes and says as follows.

Ques. 1. State your age, residence and former occupation, and what relation, if any, are you to the parties to this suit.

Ans. I am sixty two years of age. Live in the town of Smithfield, my former occupation, and until very recently was the saw mill business, engaged in buying ~~lumber~~ and converting it into lumber. I was engaged in the business some twenty seven years.

I am the father of Mrs Allen W. Edwards and the grandfather of the children of Joel T. Edwards.

Ques. 2 State whether or not you are familiar with the timber upon the lands of Joel T. Edwards, in this suit mentioned, lying on the North side of the road leading from Isle of Wight Court House to Bethel Church.

Ans. I am familiar with the timber, have been through it several times. Went through it at one time with the view of buying it.

Ques. 3 State what, in your opinion is the fair value of the said timber, upon the said land, ten inches on the stump and upwards, to be cut and removed in ten years from the date of a decree to sell the same, with such rights, privileges and easements over the said land, except arable land, as are usual in the sale of timber, to be paid for as follows; to wit, five hundred Dollars in cash upon the entry of a decree of sale, the balance upon a credit of one and two years in equal payments, with interest from the day of sale.

Ans. I think FIFTEEN HUNDRED Dollars is its full value. I consider that amount a most excellent price. It is more than I would give for it if I were still in the saw mill business.

Ques. 4 Mr B.P. Gay has offered to buy the said Timber, upon the terms aforesaid, and pay therefor Fifteen Hundred Dollars. In addition thereto release the estate of Joel T. Edwards from the payment of an account he has against said estate from one hundred dollars, or more, and to leave all manure upon the said land made by his team while operating thereon. State whether or not, in your opinion the interests of the parties to this suit, especially the infant defendants, would be promoted by such sale.

Ans. I certainly think it would be best for all parties that Mr Gay's offer be accepted. I do not think they will ever get such

a good offer again.

Ques. 5 State whether or not, in your opinion, if the said ~~land~~ timber was exposed to sale at public auction it would bring as much as the offer made by B.P. Gay.

Ans. I do not think it would sell for as much as his offer.

Ques. 6 State whether or not you ever heard Joel T. Edwards in his life time say whether or not the said timber had been sold by him to B.P. Gay, and if so on what terms.

Ans. I heard him say he had sold it to B.P. Gay for Fifteen Hundred Dollars, and Mr Gay was to give in the bill for lumber, and that he paid him one dollar to bind the bargain. He did not say when the money was to be paid or the time Mr Gay was to have to cut the timber.

And further this deponent saith not.

B W Hearn

State of Virginia.

Isle of Wight County, to wit.

I, Geo. R. Atkinson, a Commissioner in Chancery for the Circuit Court for the County aforesaid, in the State of Virginia, do certify that the foregoing depositions of W.F. Porter, A.J. Turner and B.W. Hearn, were duly taken, sworn to and subscribed before me, at the time and place and for the purposes in the caption mentioned.

Given under my hand this *19th* day of *Oct* 1904.

*Comes for
5.00*

Geo R Atkinson
Commissioner in Chancery.

EDWARDS GDN ET AL.

Vs. IN CHANCERY.

EDWARDS ET ALS.

Plaintiff's Depositions.

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

Stella Warren Edwards

To Harry Thomas Edwards, and R.S. Thomas, Guardian Ad Litem of ~~Stella~~
~~Warren Edwards~~, Waverly Lee Edwards, Maggie Pearl Edwards, Bertha
May Edwards, Lillian Russell Edwards and Joel Taylor Edwards.

You are hereby notified, that on the *19th* day of *oct* 1904
at the Office of R.E. Boykin, in the town of Smithfield, in the County
of Isle of Wight, and State of Virginia, between the hours of Nine O'
Clock A.M. and Nine O'Clock P.M., of that day, I shall proceed to
take the d^opositions of W.F. Porter and others, to be read as evidence
in my behalf in a certain suit in chancery depending in the Cir
cuit Court of the County of Isle of Wight, wherein I, in my own
right and as guardian of the infant orphans of Joel T. Edwards, dec-
eased, am plaintiff and you are defendants; and, if from any cause
the taking of the said depositions be not commenced, or if commen-
on that day
ced be not concluded, the taking thereof will be adjourned from time
to time, at the same place and between the same hours, until the
same shall be completed.

*Allen M. Edwards, in her
own right, and as Guardian
of the infant orphans of Joel T.
Edwards decd.*

We acknowledge legal service of this notice.

*and Stella Warren Edwards, Harry Thomas Edwards
by counsel.*

R. S. Thomas

Guardian Ad Litem of
~~Stella Warren Edwards~~, Waverly Lee Edwards,
Maggie Pearl Edwards, Bertha May Ed-
wards, Lillian Russell Edwards and
Joel T. Edwards.

Allen W. Edwards & Co., et al

Vs. In Chancery.

Notice to Take Depositions.

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To R.S.Thomas,Guardian ad Litem of Stella Warren Edwards,Waverly Lee Edwards,Maggie Pearl Edwards,Bertha May Edwards,Lillian Russell Edwards and Joel Taylor,and to Harry Thomas Edwards,an adult.

Take notice that on the 18th day of May 1904,between the hours of Nine O'Clock A.M.,and Nine O'Clock P.M.,of that day,at the Office of R.E.Boykin,in the town of Smithfield in the County of Isle of Wight,in the State of Virginia,I shall proceed to take the depositions of W.F.Porter,A.J.Turner,B.W.Hearn and others,to be read as evidence in my behalf in a certain suit in chancery depending in the Circuit Court of the County of Isle of Wight,wherein I, as guardian of the said infants,and in my own right am plaintiff and you are defendants. And if from any cause the taking of the said depositions be not commenced,or if commenced be not concluded on that day,the taking thereof will be adjourned from time to time at the same place,and between the same hours,until the same shall be completed.

May 14th 1904.

Allen H. Edwards

In her own right and as gdn ad litem of Stella Warren Edwards,Waverly Lee Edwards,Maggie Pearl Edwards,Bertha May Edwards,Lillian Russell Edwards and Joel Taylor Edwards.

By Counsel

Edwards Gdn et als.

Vs. In Chancery.

Edwards et als.

Notice to Take Depositions.

We acknowledge legal service of
this notice.

R. S. Thomas

Gdn at Litem of the infant de-
fendants Stella Warren Edwards,
Waverly Lee Edwards, Maggie Pearl
Edwards, Bertha May Edwards,
Lillian Russell Edwards, and
Joel Taylor Edwards.

Harry Thomas Esq.

wards,

By *R. E. Boykin*
his atty.

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

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-----x
Allen W. Edwards, in her own right, and)
as guardian of Stella ..Warren.....)
Edwards, and others,)
versus-)
Harry Thomas Edwards, and others.)
-----x

The answer of ~~Stella Warren~~ Edwards, Waverly ..Lee....
Edwards, Maggie Pearl..... Edwards, Bertha .May... Edwards,
Lillian .Russell... Edwards and Joel Taylor Edwards, infants,-
orphans of Joel T. Edwards, deceased, by R. S. Thomas their
guardian ad litem appointed to defend their interests in this
suit, and the answer of the said ~~as~~ infant defendants, *To the amended
supplemental bill filed by the said Allen W. Edwards in her own right and as
guardian of said Stella Warren and others.*
These defendants saving and reserving all right of excep-
tions to the many errors and imperfections in the said bill con-
tained, for answer thereto, or to so much thereof as they are
advised it is material or necessary for them to answer, answering
say----

That they are infants, under the age of twenty-one years
and commit their interest in the premises to the protection of
this honorable Court.

And having answered they pray to be hence dismissed with
their costs in this behalf most unreasonably expended.

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

R. S. Thomas
Guard ad litem of
Stella Warren Edwards
Waverly Lee Edwards.

Maggie Peare Edwards
Bertha May Edwards
Lillian Russel Edwards
Doe Taylor Edwards.
and
Stella Warren Edwards
Marvly Sue Edwards
Maggie Peare Edwards
Bertha May Edwards
Lillian Russel Edwards
Doe T. Edwards.
By
His guardian ad litem
R. S. Thomas

Isle of Wight County, to wit.

I, R. E. BOYKIN, a Commissioner in Chancery for the Circuit Court for the County aforesaid, in the State of Virginia, do certify that R. S. Thomas, whose name as Guardian Ad Litem, is signed to the foregoing answer personally appeared before me in my said county, and made oath that the statements therein contained are true.
Given under my hand this ^{Oct} 9th day of ~~April~~ 1904.

R. E. Boykin
Commissioner in Chancery.

EDWARDS GDN ET AL.

VS. IN CHANCERY.

EDWARDS ET ALS.

ANSWER OF INFANT DEFENDANTS.
AND OF

GUARDIAN AD LITEM.

Filed May 11th 1904

1903 1904

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

Allen W. Edwards, in her own right and as guardian of Waverly Lee Edwards, et als.

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

Harry Thomas Edwards et als.

The answer of Stella Warren Edwards ^{amended supplemental} ~~to the bill of~~ complaint in said court exhibited ~~against~~ by Allen W. Edwards, in ^{right} her own and as guardian of Waverly Lee Edwards and others, against her and others.

This defendant saving and reserving all right of exception to the many errors and imperfections in the said bill contained, for answer thereto or to so much thereof as she is advised it is material or necessary for her to answer, answering says:

That she admits to be true the general allegations in the amended supplemental bill contained, as to the death of the said Joel T. Edwards, the agreement of the said Joel T. Edwards, in his life time to sell the said timber to the said B.P. Gay as in said bill mentioned, the qualification of the said Allen W. Edwards as guardian of the infant children of the said Joel T. Edwards, and the bid and offer of the said B.P. Gay for the said timber, as in the said bill is alleged.

And further answering this defendant says, that she believes it would be for the best interest of herself, and as well the said infants, that the said timber should be sold upon the terms and conditions aforesaid, and the proceeds of sale distributed among the parties entitled thereto as their interests may entitle them.

Your petitioner further says, that it is her wish and desire to carry out in good faith the agreement made by her father in his life time, and that she believes the said bid and offer of the said B.P. Gay is the full value and a fair price for the said timber.

~~And having~~

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

And having answered this defendant prays hence to be dismissed with her costs in this behalf expended.

Stella Warren Edwards

Isle of Wight County, to wit:

I, R. E. Boykin, a Commissioner in Chancery for the Circuit Court for the County aforesaid, in the State of Virginia, do certify

Stella Warren Edwards, whose name is signed to the foregoing answer personally appeared before me in my said County, and made oath that the statements therein contained, so far as made of her own knowledge are true, and so far as made on knowledge or information derived from others she believes to be true.

Given under my hand this 19th day of Oct 1904.

R. E. Boykin
Commissioner in Chancery.

Greenville Timber Company
(Incorporated),

---TO---

R. E. BOYKIN, TRUSTEE.

DEED OF TRUST.

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

Allen W. Edwards, in her own right
and as Gdn of Edwards, infants.

Vs. In Chancery.

Edwards, Infants et als.

Answer of Stella Warren Edwards.

19 Oct 1904

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

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-----x
Allen W. Edwards, in her own right, and)
as gaurdian of Stella .Warren.....)
Edwards, and others,)
versus-)
Harry Thomas Edwards and others.)
-----x

The joint and several answers of ~~Stella Warren Edwards~~,
Waverly ...Lee..... Edwards, and Maggie Pearl.....Edwards,
infant orphans of Joel T. Edwards, deceased, over the age of four-
amended and supplementas
teen years, to the bill of complaint exhibited against them and
others in the Circuit Court of the County of Isle of Wight, by
Allen W. Edwards, in her own right and as guardian of ~~Stella~~
Waverly Lee
~~.Warren~~... Edwards, and others.

These defendants, saving and reserving to themselves all right
of exception to the many errors and imperfections in the said
bill contained, for answer thereto, or to so much thereof as they
are advised it is material or necessary for them to answer, answer-
ing say---

That they admit to be true the general allegations in the
said bill contained, and believe it would be to their interests
that the timber in the said bill mentioned be sold to the said
B.P.Gay, upon the terms and at the price in the said bill men-
tioned, and the proceeds of sale distributed among the parties
entitled thereto as their interest may entitle them; and-

Further answering, these defendants say that they are infants

(2)

under the age of twenty-one years, and commit their interests in the premises to the protection of this honorable Court.

And having fully answered they pray to be hence dismissed with their costs in this behalf most unreasonably expended.

x ~~Stella Warner Edwards~~

x Waverly Lee Edwards

x Maggie ^{Pearl} Edwards

Isle of Wight County, to wit.

I, R. E. BOYKIN, a Commissioner in Chancery for the Circuit Court for the County aforesaid, in the State of Virginia, do certify that ~~Stella Warner Edwards~~, Waverly Lee Edwards and Maggie Pearl Edwards, whose names are signed to the foregoing answer personally appeared before me in my said county, and made oath that the statements contained therein, so far as made of their own knowledge are true, and so far as made on knowledge or information derived from others, they believe to be true.

Given under my hand this 17th day of May 1904.

R. E. Boykin
Commissioner in Chancery.

EDWARDS GDN ET AL.
VERSUS. IN CHANCERY.
EDWARDS ET ALS.

ANSWER OF INFANT DEFENDANTS
OVER THE AGE OF FOURTEEN
YEARS.

17 Oct 1904

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

Allen W. Edwards, in her own right, and as guardian of Stella Warren Edwards, Waverly Lee Edwards, Maggie Pearl Edwards, Bertha May Edwards, Lillian Russell Edwards and Joel Taylor Edwards.

Versus-

Harry Thomas Edwards, Stella Warren Edwards, Waverly Lee Edwards, Maggie Pearl Edwards, Bertha May Edwards, Lillian Russell Edwards and Joel Taylor Edwards.

The joint and several answers of Stella Warren Edwards, Waverly Lee Edwards, Maggie Pearl Edwards, Bertha May Edwards, Lillian Russell Edwards and Joel Taylor Edwards, by R.S. Thomas their guardian ad litem appointed to defend their interests in this suit.

These defendants saving and reserving all right of exception to the many errors and imperfections in the said bill contained for answer thereto, or to so much thereof as they are advised it is material or necessary for them to answer, answering say; that they are infants under the age of twenty one years and commit their interests in the premises to the protection of this honorable court. And having answered they pray hence to be dismissed with their costs in this behalf most unreasonably expended.

R. S. Thomas

Gdn ad litem of Infant defendants.

Edwards Gdn, et al.

Vs. In Chancery..

Edwards Infants et al.

Infants Answer.

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

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Allen W. Edwards, in her own right, and)
as guardian of Stella .Warren.....)
Edwards, and others,)
versus-)
Harry Thomas Edwards and others.)
-----x

The answer of Harry Thomas Edwards to the bill of complaint in said court exhibited against him and others by Allen W. Edwards, in her own right and as guardian of Stella .Warren....Edwards, and others.

This defendant, saving and reserving to himself all right of exceptions to the many errors and imperfections in the said bill contained, for answer thereto, or to so much thereof as he is advised it is material for him to answer, answering says----

That he admits to be true the general allegations in the said bill contained as to the death of the said Joel T. Edwards, and the agreement of the said Joel T. Edwards, in his life-time, to sell the said timber on the said lands to the said B.P.Gay; the qualification of the said Allen W. Edwards as guardisn of the said infants and the bid and offer of the said B.P.Gay for the said timber as in the said bill alleged; and o-

Further answering, this defendant says, that he believes that it would be for the benefit of himself, and as well the infant heirs of the said Joel T. Edwards, deceased, for the said timber

to be sold upon the terms and conditions in the said bill mentioned and the proceeds of sale distributed and invested among the parties entitled to share therein as their interests may entitle them, as, in the opinion of this defendant, the amount offered and bid therefor by the said B.P. Gay is the full value and fair price of the said timber, and more than could probably be obtained at a public sale of the same, or than can probably be obtained hereafter.

Your petitioner further answering says, that it is his wish and desire to carry out in good faith the agreement made by his father, the said Joel T. Edwards, in his life time, with the said B.P. Gay.

And having answered this defendant prays hence to be dismissed with his costs in this behalf most unreasonably expended.

Harry Thomas Edwards

Isle of Wight County, to wit.

I, R.E. Boykin, a Commissioner in Chancery for the Circuit Court, for the County aforesaid in the State of Virginia, do certify that, Harry Thomas Edwards, whose name is signed to the foregoing answer, personally appeared before me in my said County, and made oath that, the statements contained in the said answer, so far as made of his own knowledge are true, and so far as made on knowledge or information derived from others he believes to be true.

Given under my hand this 17th day of May 1904.

R. E. Boykin
Commissioner in Chancery.

E D W A R D S G D N E T A L .

V E R S U S . I N C H A N C E R Y .

E D W A R D S E T A L S .

A N S W E R O F H A R R Y T H O M A S E D W A R D S .

May 17, 1904

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

Edwards, Gdn.

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

Edwards, Infants et als.

The petition of Allen W. Edwards, widow of Joel T. Edwards, decd.

Your petitioner would respectfully represent that she is the widow of Joel T. Edwards, decd, and as such widow she is entitled to an estate in dower in the proceeds of the sale of the timber in the bill and proceedings of this suit mentioned. That she is years old. Your petitioner would respectfully pray that her estate in dower be commuted and paid her in the proceeds of sale of the said timber. That the adult defendants consent thereto, and the interests of the infant defendants will not be prejudiced thereby.

And your petitioner will ever pray &c.

Allen W. Edwards
By course

And your petitioners all ever truly are,

interests of the infant defendants will not be prejudiced thereby.
The said father, after the said defendant's consent thereto, and the
fact in doing so according to my belief was in the interests of wife of
these of the said father would voluntarily have that her ex-
the said defendant of this wife mentioned. After this is
to be stated in doing so the interests of the wife of the father in
the said of 1861 A. D. the said, and as such widow she is entitled
to be satisfied. And respectfully represents that she is
The Petitioner Allen W. Edwards, widow of Joel A. Edwards, deceased.

Edwards Gdn.
Vs. In Chancery.
Edwards Infants et als.

Petition of Allen W. Edwards

Edwards, Infants et als.

as in the present case of the growth of wife of said
Edwards, etc.

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

---o---

To the-

Honorable R. R. Prentis,

Judge of said Court:

The Amended and Supplemental Bill of your complainant Allen W.-
Edwards, in her own right, and as guardian of Waverly Lee Edwards,
Maggie Pearl Edwards, Bertha May Edwards, Lillian Russell Edwards
and Joel Taylor Edwards, infant orphans of Joel T. Edwards,
deceased, sheweth unto the court that she, heretofore, exhibited
in this court her original bill of complaint against the said
infants, wherein it was alleged---

That the said Joel T. Edwards departed this life intestate,
at his residence in the county of Isle of Wight, in the month of
December, 1903, seized and possessed of a certain tract or parcel
of land, situate, lying and being in the county aforesaid, in
the State of Virginia, upon which he resided at the time of his
death, and bounded as follows: On the west by the land of A.J.-
Turner, on the north by the land of N.P.Young, deceased, on
the east by the land of P.M.Hatcher, and on the south by the road
leading from Isle of Wight Court House to Bethel Church, leaving
him surviving a widow, the said Allen W. Edwards, and seven child-
ren, to wit: Harry Thomas Edwards, age twenty-two; Stella Warren

Edwards, age twenty; Waverly Lee Edwards, age eighteen, Maggie Pearl Edwards, age sixteen, Bertha May Edwards, age ten, Lillian Russell Edwards, age eight, and Joel Taylor Edwards, age six years.

That on the first day of April, 1904, before the clerk of the circuit court of the county aforesaid, your complainant Allen W. Edwards, duly qualified as guardian of the said infant children of the said Joel T. Edwards, deceased. A certified copy of the order of qualification as guardian aforesaid, is herewith filed and prayed to be taken as a part of this bill, marked Exhibit A.

That prior to the death of the said Joel T. Edwards, to wit: sometime in the month of July, nineteen hundred and three, the said Joel T. Edwards verbally agreed to sell to one B.P. Gay, *on the North side of the road leading from Isle of Wight C. H. to Bethel Church* all of the timber (except oak), ~~in and upon the tract of land aforesaid,~~ measuring ten inches on the stump and upwards, fifteen inches from the ground, for and in consideration of the sum of fifteen hundred dollars (\$ 1500.00), and the further consideration that the said B.P. Gay would release the said Joel T. Edwards from the payment of a bill for lumber, amounting to the sum of one hundred dollars (\$ 100.00), purchased by the said Joel T. Edwards of and from the said B.P. Gay, and would pay to him the said sum of fifteen hundred dollars (\$ 1500.00), to be paid as follows, to wit: in one and two years after the date of the preparation of a contract and deed for the said timber, and further agreed to grant unto the said B.P. Gay the rights, privileges and easements hereinafter mentioned in the bid and offer of said B.P. Gay.

That the said B.P.Gay duly released the said Joel T. Edwards from the payment of the said sum of one hundred dollars (\$ 100.00) aforesaid, and, further, paid to him the sum of one dollar (\$1.00) to bind the said bargain.

That in consequence of the death of the said Joel T. Edwards the said agreement was not reduced to writing.

That the said B.P.Gay is ready and willing, and is desirous of carrying into effect the verbal agreement aforesaid, and is ready and willing, and offers to pay, the said sum of fifteen hundred dollars (\$ 1500.00) for the said timber upon the said land as aforesaid, to be paid as follows, to wit:

One-third cash upon the entry of a decree by this court accepting the said bid, and ratifying and confirming the sale to the said B.P.Gay of the said timber, and the residue in one and two years from the date of said decree, with interest from date, to be evidenced by the bonds of the said B.P.Gay, with security ~~is~~ demanded by the said court; together with the further right and privilege ~~an~~ that the said B.P.Gay shall have ten years from the date of said decree within which to cut, fell and remove the said timber from the said land; together with the right of ingress and egress thereto, for the purpose aforesaid; and with the further right to construct such buildings, roads, tram-roads and rail-roads as may be necessary or convenient on, over and across the said lands, except the arable lands, and to maintain and operate the same for the purpose of removing the timber aforesaid, or any other timber now owned or that may hereafter be owned, during the period aforesaid, by the said B.P.Gay, his associates, successors or assigns, and remove the same at pleasure.

The said B.P.Gay further offering and agreeing, in the event of the acceptance of his bid and offer aforesaid, that all manure made by all teams while cutting the said timber, removing the same, or otherwise operating the said land, shall be the property of the estate of the said Joel T. Edwards.

That the only estate owned by the said widow and heirs-at-law of the said Joel T. Edwards consists of the tract of land aforesaid and their interest in the personal estate of the said Joel T. Edwards, of the value of dollars.

That no partition has ever been had of the real estate aforesaid.

Your complainant, in her own right, and as guardian of the infant defendants aforesaid, is informed and so charges that the sale of the said timber, at the sum and price, and upon the terms aforesaid, would be largely to the interest of your complainant and the said infant defendants,--being the full value of the said timber.

That the rights of no person will be violated by the sale of the said timber, and a larger price can be obtained therefor, by virtue of said bid than at any time hereafter.

In tender consideration whereof, and for as much as your complainant is without remedy at law and can only be relieved by the aid of this honorable court of chancery ~~where~~ where matters of this kind are alone and properly cognizable and relievable, to the end that justice may be done in the premises, your complainant prays that the said Harry Thomas Edwards, Stella Warren

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

Edwards, Waverly Lee Edwards, Maggie Pearl Edwards, Bertha May Edwards, Lillian Russell Edwards and Joel Taylor Edwards (the last six infants under the age of twenty-one years), may be made parties defendants to this bill, by some suitable and discreet attorney at law, their guardian ad litem appointed to defend their interests in this suit; and that the said Harry Thomas Edwards, and the said infants who are over the age of fourteen years, and the said guardian ad litem, be required to answer this bill.

That the said sale of the said timber, upon the terms aforesaid, so made by the said Joel T. Edwards in his lifetime to the said B.P.Gay, and the said bid and offer of the said B.P.Gay made since the death of the said Joel T. Edwards, be accepted, ratified and confirmed, and that the said timber, together with the rights, privileges and easements aforesaid, be sold and conveyed to him by a Commissioner appointed by this court for such purpose, and the proceeds of sale be distributed among the parties entitled thereto as their interest may entitle them; and the shares of the said infants to be invested for their benefit under decree of this honorable court.

That all proper orders and decrees may be made and inquiries directed, and that such other, further and general relief may be granted in the premises as the nature of the case may require or to equity shall seem meet.

That the said bill duly matured and was set for hearing at the first June Rules, nineteen hundred and four.

That the said bill alleged that the said Allen W. Edwards had

duly qualified as guardian of the said infants, while in truth and in fact, on the first day of April, nineteen hundred and four, the said Allen W. Edwards appeared before the clerk of the circuit court aforesaid, and, with surety deemed sufficient by the said clerk, entered into a bond for the faithful performance of her duties as such guardian, and the said clerk, at her request, furnished the exhibit ~~wt~~ filed with this cause, marked exhibit "A", stating that she had duly qualified as such guardian.

That, by an act approved January second, 1904, clerks of the several circuit courts of this Commonwealth were empowered to appoint guardians and take bonds with sufficient security for the faithful performance of their duties.

That by an act approved March 15th, 1904, the said act hereinbefore mentioned, authorizing and empowering clerks of the circuit courts to appoint guardians was repealed.

That the Clerk of the circuit court of the county of Isle of Wight, in ignorance of the repeal of said act approved January 2, 1904, appointed the said Allen W. Edwards guardian as aforesaid.

Your complainant is informed and so charges, that her said appointment as guardian, and qualification as such, before the said Clerk, was void, and that at the time of the filing of the said bill, she was not, in truth and in fact, the legal guardian of the said infants.

That on the ^{October} 4th day of ~~June~~, 1904, your complainant, the said Allen W. Edwards, qualified in this court as guardian of Waverly Lee Edwards, Maggie Pearl Edwards, Bertha May Edwards,

Lillian Russell Edwards and Joel Taylor Edwards. *A certified copy of said order, with a certificate showing such qualifications herewith filed, marked ~~H~~ and prayed to be read as a part of this bill.*

That since the filing of the said original bill the said Stella Warren Edwards has arrived at the age of twenty-one years.

Your complainant here ^{and} now reiterates and repeats at length the allegations of the said original bill as to the verbal agreement of the said Joel T. Edwards, made in his lifetime with the said B. P. Gay, for the sale of the timber upon the land in the said original bill mentioned, and the purchase thereof; the partial payments by the said B.P.Gay to the said Joel T. Edwards and the willingness of the said B.P.Gay to carry into effect the verbal agreement aforesaid on the terms in the said original bill mentioned, and that the sale of the said timber upon the terms in said original bill mentioned would be largely for the benefit of all parties interested in the subject, and especially of the infants defendants.

To the end therefore that a sale may be had of the said timber upon the terms in the said original bill mentioned, your complainant, in her own right and as guardian of the said infant defendants, prays that the said Harry Thomas Edwards, ~~Waxxix~~ ~~xxxxx~~ Stella Warren Edwards, Waverly Lee Edwards, Maggie Pearl Edwards, Bertha May Edwards, Lillian Russell Edwards and Joel Taylor Edwards (the ~~last five~~ infants under the age of twenty-one years), may be made parties defendant to this bill; that the said infants, by some suitable and discreet attorney at law, their guardian ad litem appointed, be required to answer the same; that the said sale of the said timber, upon the terms

aforesaid, so made by the said Joel T. Edwards in his life-time to the said B.P.Gay, and the said bid and offer of the said B. P. Gay made since the death of the said Joel T. Edwards, be accepted, ratified and confirmed, and that the said timber, together with the rights, privileges and easements aforesaid, be sold and conveyed to him by a commissioner appointed by this court for such purpose, and the proceeds of sale be distributed among the parties entitled thereto as their interest may entitle them,--the shares of the said infants to be invested under the decree of this honorable court; that all proper orders and decrees may be made and inquiries directed, and that such other, further and general relief may be granted in the premises as the nature of the case may require and to equity shall seem meet.

And your complainant will ever pray, etc.

*Allen W. Edwards. in her own
right and as guardian of
Edwards Infants - by counsel.*

-----o-----
Isle of Wight County, to wit:

I, R.E. Boykin, a Commissioner in Chancery for the Circuit Court for the County aforesaid, in the State of Virginia, do certify that Allen W. Edwards, whose name is signed to the foregoing bill, personally appeared before me in my said County, and made oath that the statements contained in the said bill, so far as made of her own knowledge, are true, and so far as made on knowledge or information derived from others she believes to be true.
Given under my hand this 17th day of October 1904.

R. E. Boykin

Commissioner in Chancery.

In the-
Circuit Court of the
County of Isle of Wight:

Allen W. Edwards,
in her own right, and
as guardian of
Waverly Lee Edwards,
and others,

versus-

Edwards, Infant,
and others.

Oct 12, 1904

Amended and Supplemental
Bill.

To the Hon., R.R. Prentiss, Judge of the Circuit Court of the County of Isle of Wight.

Humbly complaining sheweth to the court your complainant, Allen W. Edwards, in her own right and as guardian of Stella Warren Edwards, Waverly Lee Edwards, Maggie Pearl Edwards, Bertha May Edwards, Lillian Russell Edwards and Joel Taylor Edwards, infant orphans of Joel T. Edwards, deceased.

// That the said Joel T. Edwards departed this life intestate, at his residence in the County of Isle of Wight, in the month of December 1903, seized and possessed of a certain tract or parcel of land, situate, lying and being in the County aforesaid, in the State of Virginia, upon which he resided at the time of his death, and bounded as follows: On the West by the land of A.J. Turner, on the North by the land of N.P. Young, deceased, on the East by the land of P.M. Hatcher, and on the South by the road leading from Isle of Wight Court House to Bethel Church, leaving him surviving a widow, the said Allen W. Edwards, and seven children, to wit; Harry Thomas Edwards, age twenty two; Stella Warren Edwards, age twenty; Waverly Lee Edwards, age eighteen, Maggie Pearl Edwards, age sixteen, Bertha May Edwards age ten, Lillian Russell Edwards, age eight, and Joel Taylor Edwards, age six years.

on the 12th day of April 1904. before the clerk of the Circuit
That ~~at the January term, 1904, of the County~~ Court of the County aforesaid, your complainant Allen W. Edwards duly qualified as guardian of the said infant children of the said Joel T. Edwards, deceased. A certified copy of the order of qualification as guardian aforesaid, is herewith filed and prayed to be taken as a part of this bill. Marked Exhibit A.

That, prior to the death of the said Joel T. Edwards, to

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

wit: sometime in the month of July, nineteen hundred and three, the said Joel T. Edwards verbally agreed to sell to one B. P. Gay, *on the North side of the road leading from Dale of Wright & N. to Bethel Church* all of the timber (except oak) ~~in and upon the tract of land~~ ~~aforsaid~~, measuring ten inches on the stump and upwards, fifteen inches from the ground, for and in consideration of the sum of fifteen hundred dollars (\$1500.), and the further consideration that the said B.P. Gay would release the said Joel T. Edwards from the payment of a bill for lumber, amounting to the sum of one hundred dollars (\$100.), purchased by the said Joel T. Edwards of and from the said B.P. Gay, and would pay to him the said sum of fifteen hundred dollars (\$1500.), to be paid as follows; to wit; in one and two years after the date of the preparation of a contract and deed for the said timber, and further agreed to grant unto the said B.P. Gay the rights, privileges and easements hereinafter mentioned in the bid and offer of said B.P. Gay.

That the said B.P. Gay duly released the said Joel T. Edwards from the payment of the said sum of one hundred dollars (\$100.) aforsaid, and, further, paid to him the sum of one dollar (\$1.) to bind the said bargain.

That in consequence of the death of the said Joel T. Edwards the said agreement was not reduced to writing.

That the said B.P. Gay is ready and willing, and is desirous of carrying into effect the verbal agreement aforsaid, and is ready and willing, and offers to pay, the said sum of fifteen hundred dollars (\$1500.) for the said timber upon the said land as aforsaid, to be paid as follows; to wit:

One-third cash upon the entry of a decree by this court

accepting the said bid, and ratifying and confirming the sale to the said B.P.Gay of the said timber, and the residue in one and two years from the date of said decree, with interest from date, to be evidenced by the bonds of the said B.P.Gay, with security ~~xxx~~ if demanded by the said court; together with the further right and privilege that the said B.P.Gay shall have ten years from the date of said decree within which to cut, ~~fell~~ and remove the said timber from the said land; together with the right of ingress and egress thereto, for the purposes aforesaid; and with the further right to construct such buildings, roads, tram-roads and railroads as may be necessary or convenient on, over and across the said lands, except the arable lands, and to maintain and operate the same for the purpose of removing the timber aforesaid, or any other timber now owned or that may hereafter be owned, during the period aforesaid, by the said B.P.Gay, his associates, successors or assigns, and remove same at pleasure.

The said B.P.Gay further offering and agreeing, ~~xxxx~~, in the event of ~~his~~ the acceptance of his bid and offer aforesaid, that all manure made by all teams while cutting the said timber, removing the same, or otherwise operating the said land, shall be the property of the estate of the said Joel T. Edwards.

That the only estate owned by the said widow and heirs at law of the said Joel T. Edwards consists of the tract of land aforesaid and their interest in the personal estate of the said Joel T. Edwards, of the value of Dollars.

That no partition has ever been had of the real estate aforesaid.

(4)

Your complainant, in her own right and as guardian of the infant defendants aforesaid, is informed and so charges that the sale of the said timber at the sum and price, and upon the terms aforesaid, would be largely to the interest of your complainant and the said infant defendants, being the full value of said timber.

That the rights of no person will be violated by the sale of the said timber, and a larger price can be obtained therefor, by virtue of said bid than at any time hereafter.

In tender consideration whereof and for as much as your complainant is without remedy at law and can only be relieved by the aid of this honorable court of chancery where matters of this kind are alone and properly cognizable and relievable, to the end that justice may be done in the premises, your complainant prays that the said Harry Thomas Edwards, Stella .Warren. Edwards, Waverly ...Lee..... Edwards, Maggie .Pearl. Edwards, Bertha ..May..... Edwards, Lillian .Russell.. Edwards, and Joel Taylor Edwards (the last six infants under the age of twenty-one years), may be made parties defendants to this bill, by some suitable and discreet attorney at law, their guardian ad litem appointed to defend their interests in this suit; and that the said Harry Thomas Edwards and the said infants who are over the age of fourteen years, and the said guardian ad litem, be required to answer this bill.

That the said sale of the said timber, upon the terms aforesaid, so made by the said Joel T. Edwards in his life time to the

(5)

said B.P.Gay, and the said bid and offer of the said B.P.Gay, made since the death of the said Joel T. Edwards, be accepted, ~~and~~ ratified and confirmed, and that the said timber, together with the rights, privileges and easements aforesaid, be sold and conveyed to him by a Commissioner appointed by this court for such purpose, and the proceeds of sale be distributed among the parties entitled thereto as their interest may entitle them; the shares of the said infants to be invested for their benefit under decree of this honorable Court.

That all proper orders and decrees may be made and inquiries directed, and that such other, further and general relief may be granted in the premises as the nature of the case may require or to equity shall seem meet. /s/

And your complainant will ever pray &c.

Boykin.p.q.

Isle of Wight County, to wit.

I, R.E. Boykin, a Commissioner in Chancery for the Circuit Court for the County aforesaid, in the State of Virginia, do certify that, Allen W. Edwards, personally appeared before me in my said County, and made oath that the statements contained in the foregoing bill, so far as made of her own knowledge are true; and so far as made on knowledge or information derived from others she believes to be true.

Given under my hand this 2d day of April 1904.

R. E. Boykin
Commissioner in Chancery.

EDWARDS GDN, ET AL.

VS.. IN CHANCERY.

EDWARDS ET ALS.

COMPLAINANTS BILL.

Filed May 11th 1904

*1st May rules 1904. Sum executed
Continued for bill*

*2d May rules 1904. Bill & exhibits
filed. de. nisi*

*1st June rules 1904 Bill taken for
confessed & case set for hearing*

No

SMITHFIELD, VA. *Nov 12,* 190*6*

THE MERCHANTS AND FARMERS BANK

OF SMITHFIELD, VA.

PAY TO THE ORDER OF *Allen W. Edwards* \$ *167 ⁷⁷/₁₀₀*

One Hundred and Sixty Seven and ⁷⁷/₁₀₀ DOLLARS

Committed down in price + del - 3rd Bond of B.P. Gay for timber amounting to \$530⁰⁰

B W Learn

Allen H. Edwards Jr.

No. _____

SMITHFIELD, VA.

Nov. 12,

1906

THE MERCHANTS AND FARMERS BANK

OF SMITHFIELD, VA.

PAY TO THE ORDER OF

Allen W. Edwards, Esq.,

\$239⁶⁹/₁₀₀

Two Hundred and Thirty-nine and ⁶⁹/₁₀₀

DOLLARS

Shoes of Nancy Lee, Maggie Pearl, Bertha May, Lillian Russell & Joel J. Edwards in 3rd book of B.P. Gay, for timber

B W Hearn

Allen H. Edwards

B. L. H.

No

SMITHFIELD, VA.

Nov. 12

1906

THE MERCHANTS AND FARMERS BANK

OF SMITHFIELD, VA.

PAY TO THE ORDER OF

Harry Thomas Edwards

\$ 47 ⁹³/₁₀₀

Forty-Seven and ⁹³/₁₀₀

DOLLARS

Have under decree of Dec. 6, 1904
in 3rd bond of B.P. Gay for timber \$530.00 less taxes &c

B W Hearse

Harry F. Edwards
Allen H. Edwards

No

SMITHFIELD, VA. Nov. 12

1906

THE MERCHANTS AND FARMERS BANK
OF SMITHFIELD, VA.

PAY TO THE ORDER OF B. W. Hearn

\$14 ⁰⁷/₁₀₀

Fourteen ⁰⁷/₁₀₀

DOLLARS

Taxes for 1905 paid in B. W. Hearn Conr Edwards Glen rz. Edwards

B W Hearn

B W Heller

No.

SMITHFIELD, VA. Nov. 12

1906

THE MERCHANTS AND FARMERS BANK
OF SMITHFIELD, VA.

PAY TO THE ORDER OF

Stella Warner Edwards

\$ *47* ^{*93*}/_{*100*}

Forty Seven and 93/100

DOLLARS

Shan reads check of Dec. 6, 1904

in 3rd hand of B.P. Gentry for timber \$536.00 less taxes &c.

B W Hearn

Sella Warren Edwards

Allen W. Edwards.

No

SMITHFIELD, VA.

Nov. 12,

1906

THE MERCHANTS AND FARMERS BANK

OF SMITHFIELD, VA.

PAY TO THE ORDER OF B. L. Roberts, County Treasurer

\$ 12 $\frac{61}{100}$

Twelve and 61/100

DOLLARS

Taxes for 1906 in B. W. Hearn Case in Edwards Gdn vs. Edwards

B W Hearn

PAY The Bank of Smithfield
Smithfield, Va., or order,
B. L. ROBERTS, Cashier



35

Smithfield, Va. Dec 14 1905 - No.

The Bank of Smithfield

Smithfield, Va.

Pay to the
order of

Allen H. Edwards, Esq.

\$305.78

Three Hundred and Five 78/100

Dollars

Shaves of Warren S. Maggie Pearl Bertha May Lillian Russell & Does J.
Edwards in 1st bond (\$560) and P. Gray for Treas.

B W Tucker

Emr Edwards Esq & Edwards Defts et al

Allen W. Edwards. Gen

35
1

Smithfield, Va. Dec 14th 1905- No.

The Bank of Smithfield

Smithfield, Va.

Pay to the
order of

Harvey Thomas Edwards

\$ 61¹⁵/₁₀₀

Sixty one & 51/100

THE BANK OF SMITHFIELD
PAID

Dollars

DEC 20 1905

Share in premium (\$560⁰⁰) 1st bond B.P. Gay for Timber

SMITHFIELD, VA.

B W Hester

Corn Edwards Hon r Edwards Trustees

Henry Thomas Edwards
Harvey
muddy
Pete
Adams

35

Smithfield, Va. Dec 14th 1905 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the order of Stella Warren Edwards \$61¹⁵-
Sixty one 18/100 Dollars

There is first bond principal (\$560) of B.P. Gay for Timber

B W Hearen
Cashier

Hella. Marie Edwards

135

Smithfield, Va., Decr 14th 1905- No.

The Bank of Smithfield

Smithfield, Va.

Pay to the
order of

Allen W. Edwards

\$131.92

— one Hundred and Thirty one 92/100 Dollars

Committed down in previous. First bond B.P. Gay for timber amt to \$5.60

B W Healer

Court Edwards & Co & Edwards Dufes et al

Allen H. Edwards,

1
Smithfield, Va.,

7/16

1904 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the
order of

Harry Thomas Edwards

\$42.94

Forty Two

94/100

Dollars

Share under decree Decr 6-1904

FEB 16 1905

B W Hearn

Corn in Edwards' Con v Edwards default cases

Harry Thomas ^{his} Edwards
mark

Witness S. C. Simonsen

35

CASH

Smithfield, Va., Dec 13th 1904 No.

The Bank of Smithfield
Smithfield, Va.

Pay to the order of Allen W. Edwards, Adm \$214⁷⁰/₁₀₀

Two Hundred and Fourteen ⁷⁰/₁₀₀ Dollars

Shares of 5 infant children of Joel T. Edwards ¹⁰⁰⁵ Dec 6 - 1904

B W Gheron

Admin Edwards Adm v Edwards Infants et als

Allen H. Edwards,
son.



Counter-Check.

35

Smithfield, Va.,

Dec 13th 1904

No.

The Bank of Smithfield

Smithfield, Va.

Pay to the
order of

Stella Warren Edwards

\$42⁹⁴

Forty Two

94/100 Dollars

Share under note Dec 6th - 1904

B. W. Henson

Comr in Edwards Gov & Edwards Debaule & Co

Stella Hamer Edwards

Oct 31st 1904. Recd of B.W.Hearn, Special Commissioner in the suit
Edwards Gdn Vs Edwards Infantset als, the sum of Fifty Five Dollars,
being fee of R.E.Boykin, directed to be paid by decree in said
cause and fee for deed to B.P.Gay.

R.E. Boykin

Oct 31st 1904. Recd of B.W.Hearn, Special Commissioner in Edwards
Gdn Vs Edwards Infant and others the sum of Five Dollars, being my
fee for taking depositions &c in the said suit.

Geo R. Wilkinson

35

Smithfield, Va., Oct 31 - 1904 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the
order of

Geo. R. Atkinson

\$5.00

Five

Dollars

for for deposit in Edwardson & Edwards Dufes et al.

OCT 31 1904

B W Hearn

Comr Edwardson & Edwards Dufes et al.

Chas. R. Anderson

35
Counter Check.

Smithfield, Va.

Oct 31- 1904 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the
order of

R. E. Boykin

\$55.00

Fifty Five

OCT 31

Dollars

For directed by decree in Edwards & Son v Edwards infd & the for and

B W Hearn

Corn Edwards & Son v Edwards infd & the for and

R. E. Boykin

35
Counter-Check.

CASH

Smithfield, Va. Mch 21st 1905 - No.

The Bank of Smithfield

Smithfield, Va.

Pay to the
order of Allen W. Edwards

\$39⁰⁸

Thirty nine & 08/100 Dollars

amt due B. W. H. Cour. Given to
Mrs Allen W. Edwards.

MAR 21 1905

B W H. Cour

Cour in Edwards Hon & Edwards Defts et al.

Alfred P. Edwards,

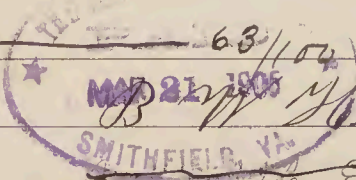
35

Smithfield, Va., Dec 13 1904 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the order of Allen W. Edwards \$92⁶³
Ninety Two Dollars



~~Allen W. Edwards~~

Comm Edwards Gen W Edwards Infants et als

Allen H. Edwards

35

Smithfield, Va., Dec 12 - 1904 No.

The Bank of Smithfield

Smithfield, Va.

Pay to the order of R. E. Boykin  \$7⁷¹/₁₀₀
Seven 71/100 Dollars

clerk for Sheriff so turn over to R.E.B

DEC 12 1904

B. W. Gibson

Comptroller Edwards & Edwards Depts. does

R. E. Boykin

The Bank of Smithfield,

SMITHFIELD, VA.

B. W. Hearn Com. in Edwards. Cdn
v.s. Edwards Infants. 1740

Smithfield, Va

Dr. Bank of Smithfield, in account with

B.W. Hearn Com.

in Edward's Edn
vs. Edward's Edn
E. Cr.

1424

DEPOSITS.

Oct 31 9a @ 50000

1904

Oct 31

CHECKS.

REB 55

99a 5

Dec 12 REB 771

Dec 16 REB 4294

Mar 21 aWE 3908

✓ aWE 21470

✓ aWE 9263

Apr 8 2WE 4294

1445

50000

1445

50000

Nov 11 10a

56000

Dec 20 REB 6115

21 REB 6115

1906 Jan 4 HWE 30578

✓ HWE 13192

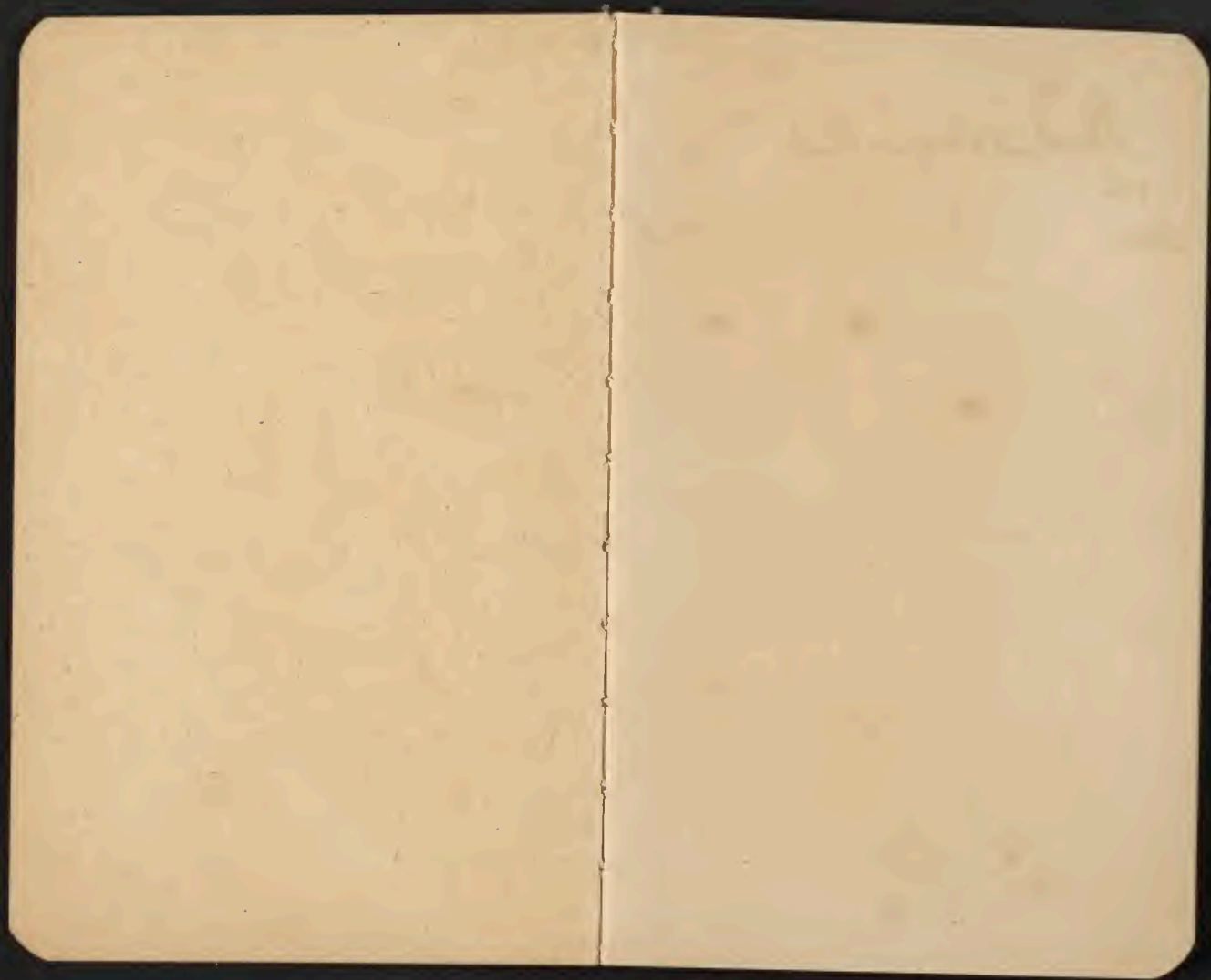
56000

56000

1877
1878

1879





Dr. Merchants & Farmers Bank In account with
1906

Mr.	3	Deposits	530 00
			530 00

Mr. B. W. Heam, Spl. Com.

Cr.

Mr.	12	check	17 07
	13	"	47 90
	13	"	167 77
	13	"	239 69
	19	"	47 93
	23	"	12 67
			530 00

**REMAINING
PAGES IN
VOLUME ARE
BLANK AND
HAVE NOT
BEEN
REFORMATTED**



To the Honorable R. E. Boykin, Judge of the Circuit Court of Isle
of Wight County, Virginia:

Allen W. Edwards, Gdn. Plaintiff.
Vs. in Chancery
Edwards Infants et als. Defendants.

The undersigned has the honor to report, that he did,
under and by virtue of the decrees heretofore entered in this
cause, collect from B. P. Gay a cash payment of Five Hundred Dol-
lars (\$500), and the two (2) bonds with interest thereon; and did
pay out the said money as by the said decrees directed, a state-
ment of which payments and vouchers therefor, I herewith file, and
pray to be read as a part of this report.

The undersigned in making distribution of the said money,
first deducted from the whole amount of purchase price of the tim-
ber in the bill and proceedings mentioned, Attorney's fee, Special
Commissioner's fee, and the taxed costs up to, and including a
final decree, and then ascertained the commuted dower interest of
Allen W. Edwards in the matter prescribed and directed by the stat-
ute in such cases made and provided; and then divided the balance
in equal shares among the heirs of Joel T. Edwards, deceased, pay-
ing to Allen W. Edwards, Gdn. the shares of the Infants, Waverly
Lee, Maggie Pearl, Bertha May, Lillian Russell and Joel Taylor
Edwards.

Nothing further remaining to be done in this cause, the
undersigned, asks that the said cause be stricken from the docket,
and he releived of all liability from his bond as Special Commis-
sioner.

Respectfully submitted,

Special Commissioner.

Allen W. Edwards, Gdn.

Vs. in Chancery

Edwards Infants et als.

Report of payments by

B. W. Hearn, Spec. Com.

To the honorable, B. D. White, Judge of the Circuit Court of Isle of Wight County, Virginia:

Allen W. Edwards, Gdn?.....Plaintiff,
vs.) In Chancery,
Edwards Infants, et als.....Defendants.

The undersigned has the honor to report, that he did, under and by virtue of the decrees heretofore entered in this cause, collect from E. P. Gay a cash payment of Five Hundred Dollars (\$500.), and the two (2) bonds with interest thereon; and did pay out the said money as by the said decrees directed, a statement of which payments and vouchers therefor, I herewith file, and pray to be read as a part of this report. *A previous report of payment of the cash payment of \$500 has been made & confirmed.*

The undersigned in making distribution of the said money, first deducted from the whole amount of purchase price of the timber in the bill and proceedings mentioned, Attorney's fee, Special Commissioner's fee, and the taxed costs up to, and including a final decree, and then ascertained the computed dower interest of Allen W. Edwards in the ~~matter~~ prescribed and directed by the statute in such cases made and provided; and then divided the balance in equal shares among the heirs of Joel T. Edwards, deceased, paying to Allen W. Edwards, Gdn. the shares of the Infants, Waverly Lee, Maggie Pearl, Bertha May, Lillian Russell and Joel Taylor Edwards.

Nothing further remaining to be done in this cause, the undersigned, asks that the said cause be stricken from the docket, and be relieved of all liability from his bond as Special Commissioner.

Respectfully submitted,

B. W. Keen
Special Commissioner,
D. G. Russell

B. W. Hearn, Special Commissioner,

In account with the suit of Allen W. Edwards, Gdn. vs.
Edward's Infants, et als.

1905.

Nov. 11th.	To amount received from first bond of B. P. Gay,.....	\$560.00	
Dec. 14th.	By paid Stella W. Edwards, distrib- utive share,.....		61.15
	By paid Harry T. Edwards, distribu- tive share,.....		61.15
	By paid Allen W. Edwards, Gdh. the distributive shares of Waverly Lee Edwards, Maggie Pearl Ed- wards, Bertha May Edwards, Lil- lian Russell Edwards and Joel T. Edwards,.....		305.78
	By paid Allen W. Edwards, commuted dower and principal and inter- est,.....		131.92
		<u>560.00</u>	<u>560.00</u>

B. W. Hearn, Special Commissioner,

In account with the suit of Allen W. Edwards, Gdn. vs.
Edward's Infants, et als.

1906.

Nov. 3rd.	To amount received on D. P. Gay's second bond,.....	\$530.00	
Nov. 12th.	By paid Stella W. Edwards, distrib- utive share, ...		47.93
	By paid B. W. Hearn for 1905 taxes,		14.07
	By paid Harry T. Edwards, distribu- tive share,.....		47.93
	By paid Allen W. Edwards, distribu- tive shares of Waverly Lee Ed- wards, Maggie Pearl Edwards, Bertha May Edwards, Lillian Rus- sell, and Joel T. Edwards,.....		239.69
	By paid Allen W. Edwards, commuted dower,.....		167.77
	By paid B. L. Roberts for 1906 taxes,		12.61
		\$530.00	\$530.00

Allen W. Edwards, Gdn.

Vs) In Chancery.

Edward's Infants, et als.

Report of payments by
B. W. Hearn, Spec. Comr.

1912
Dec. 2
Filed B.W.

E. H. WILLIAMS
ATTORNEY-AT-LAW
SMITHFIELD, VIRGINIA

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

---o---
~~IN VACATION.~~

Allen W. Edwards, in her own right and as)
guardian of Stella Warren Edwards, Waverly Lee)
Edwards, Maggie Pearle Edwards, Bertha May Edwards)
Lillian Russell Edwards and Joel Taylor Edwards,)

versus-

) IN
) Chancery.

Harry Thomas Edwards, Stella Warren Edwards,)
Waverly Lee Edwards, Maggie Pearle Edwards,)
Bertha May Edwards, Lillian Russell Edwards, and)
Joel Taylor Edwards.)

originae This cause came on this day to be heard on the complainant's
and amended. supplemental bill. The latter this day filed by leave of court
bill, the answers of Harry Thomas Edwards, ~~the answer of Stella~~
and
The adult defendants; The answer of the infant defendants
Warren Edwards, Waverly Lee Edwards, Maggie Pearle Edwards,
Bertha May Edwards, Lillian Russell Edwards, and Joel T. Edwards,
by R. S. Thomas, their Guardian ad litem, appointed to defend
their interests in this suit; the answer of ~~Stella Warren Edwards,~~
Waverly Lee Edwards and Maggie Pearle Edwards, infants over the
age of fourteen years, with general replication to said answers;
and upon the testimony of witnesses, and was argued by counsel)--

And it appearing to the Court, from the testimony in this ~~ca~~
cause, that the bid and offer of B. P. Gay ^{is} to purchase all of
the timber (except Oak timber) on the north of the County Road
leading from Isle of Wight Court House to Bethel Church, in and
upon that certain tract or parcel of land of which Joel T. Edwards
died seized and possessed, in the County of Isle of Wight and

State of Virginia, upon which he resided at the time of his death, bounded on the west by the lands of A. J. Turner, on the north by the lands of N. P. Young, deceased, on the east by the lands of P. M. Hatcher and on the south by the road leading from Isle of Wight Court House to Bethel Church,- measuring ten (10) inches on the stump and upwards, fifteen (15) inches from the ground, when cut.- The said timber to be cut ^{and removed} within ten years from the date of this decree,- together with the following rights, privileges and easements, to wit:

The right of ingress and egress in, on and over the said lands, for the purpose of cutting, felling, manufacturing and removing the same; the right to locate and erect all necessary saw-mills, and construct such buildings, railroads, and tram-roads as may be necessary and convenient, and remove the same at pleasure, on over and across the said lands (except arable lands) for the period aforesaid and to maintain and operate the same for the purpose of cutting and removing the timber aforesaid, or any other timber now owned, or which may be hereafter owned, during the said period by the said B. P. Gay, his associates, successors and assigns. And generally such rights, privileges and easements as are necessary for the successful conduct and operation of a saw-mill and lumber business, at the sum and price of fifteen hundred dollars (\$1500.00), to be paid as follows, to wit:

Five hundred dollars upon the entry of this decree and the appointment of a Commissioner to receive the same, and--

the residue in one and two years, in equal payments.-
With interest from date.

No timber to be cut, felled or removed until the entire purchase price is paid in full/

The said B. P. Gay, as a further consideration, offering and agreeing to release the estate of the said Joel T. Edwards from the payment of a bill for lumber amounting to the sum of one hundred dollars (\$ 100.00), due and owing by the estate of the said Joel T. Edwards, and covenanting and agreeing to leave upon the said premises all manure made by his teams while cutting and felling the said timber, removing the same and operating the said land.

And it further appearing to the court from the said testimony, that the said bid and offer of the said B. P. Gay to purchase the said timber at the sum and amount, and upon the terms aforesaid, is the full value and fair price of the said timber, and more than can probably be obtained therefor if the same were exposed to sale at public auction; and that it is for the interest of the parties to this suit that the said bid and offer should be accepted, the court doth accept and confirm the same/.

And the Court doth further adjudge, order and decree that R.E. Boykin and *B. W. Hearn* who are hereby appointed Special Commissioners for that purpose,--either of whom may act,--upon the receipt from the said B.P. Gay of the sum of five hundred dollars, and the execution by him of his two several bonds in the sum of five hundred dollars each, payable respectively in one and two years from the date of the entry of this decree, with

interest from that date; together with a release by the said B.P. Gay, of any sum and amount due and owing him by the estate of the said Joel ^f. Edwards, as aforesaid, and the execution of an agreement by the said B.P. Gay, ~~of an agreement~~ to leave upon the said lands all manure made by his team while operating on the said ^{land}, do execute and deliver to the said B.P. Gay, a good and sufficient deed for the said timber, together with the rights, privileges and easements aforesaid, reserving a vendors lien upon the said timber, or, in the discretion of the said Commissioners taking a deed of trust upon the said timber, rights, privileges and easements to secure the deferred payments aforesaid.

And the said Commissioners, or the one who shall act hereunder, shall proceed to collect at maturity, or before maturity, if payment be tendered the bonds to be given for the deferred payments, and out of the sum of Five Hundred Dollars to be paid in cash as aforesaid, the said Commissioners shall pay the unpaid costs of this suit, together with a fee of \$75—, to R.E. Boykin, attorney in ^{of which amount \$15. by his consent is to be contributed by B.P. Gay.} this cause for his services herein. *

And the said Commissioners, or the one who shall act hereunder, shall make report to court of his proceedings ^{at} this decree.

~~To The Clerk of The
Circuit Court of Isle
of Wright County.~~

⊕ But before the said Commissioners or the one acting shall have any authority under this decree they, or the one who shall act, shall execute a proper bond, in the penalty of \$2000. conditioned for the faithful discharge of the duties imposed by this or any future decree in this cause

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

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

(Allen W. Edwards,
(
(in her own right and as
(guardian of Stella Edwards
(and others

versus

Harry Thomas Edwards,
and others.

DECREE:

-0-

Enter Octo 24, 1904
Robert R. Plunkett
Chancery Order Book
6 Page 377

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

Allen W.

EDWARDS GDN.

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

EDWARDS INFANTS ET ALS.

This cause came on this day to be again heard on the papers formerly read and upon the report of Commissioner B.W.Hearn, and upon the petition of Allen W. Edwards this day filed by leave of court: On consideration whereof the court confirming said report to which no exceptions have been filed, and the court being of the opinion that it is proper to commute the estate in dower of the said Allen W. Edwards, in the proceeds of the sale of the said timber in the bill and proceedings of this suit mentioned, first deducting from the proceeds of such sale, the costs of this suit, doth adjudge order and decree ^{that} her said estate in dower ~~in such proceeds~~ be computed and paid her by the said B.W. Hearn, according to the statute in such cases made and provided, in the said sum of \$394⁷¹ shown by said report to be in the hands of the said Commissioner; and that, from time to time, as the said Commissioner shall collect the said bonds of the said B.P. Gay, he shall pay thereout to the said Allen W. Edwards the present value of her estate therein according to such statutes.

And the court doth further adjudge, order and decree that the ~~The residue of the sum of \$394⁷¹~~ said Commissioner, shall distribute [^] shown by his report aforesaid to be in his hands as such Commissioner, among the parties entitled thereto, as heirs at law of Joel T. Edwards, deceased, paying the shares of the infants to their guardian, taking the receipts of the parties, or their guardian, for such payments, and return the same to court, with a report of his proceedings under this decree.

But before any funds shall be paid to such guardian, she shall execute before the Clerk of this Court a proper bond in the penalty of \$1200. conditioned for the faithful application of the fund and for the management and preservation of any property or securities in which the same may be invested, and for the protection of the rights of all persons interested therein whether such rights be vested or contingent.

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

Edwards Gdn.

Vs. In Chancery.

Edwards Infants et als.

Rough Decree Deed 6th 1904.

To be Entered.

Robert H. Smith

Chancery Order Book, No. 6

Page, 391

CIRCUIT COURT OF ISLE OF WIGHT COUNTY, IN VACATION, ON THE
25TH. DAY OF JULY, 1907.

Stella W. Edwards and Harry T. Edwards, ...Plaintiffs.
vs) In Chancery.

Allen W. Edwards et als.

This cause in which it is suggested that since the last decree herein Waverly L. Edwards has arrived at the age of twenty one years, it is ordered that this suit be proceeded with against the said Waverly L. Edwards as an adult defendant, came on this day, pursuant to notice and by consent of the parties, to be heard in vacation on the papers formerly read, and on the report of Commissioner A. S. Johnson filed herein on the 8th. day of July, 1907, and to which no exception has been filed, and was argued by counsel.

On consideration whereof, the court doth adjudge, order and decree that the said report of Commissioner A. S. Johnson be, and the same is, hereby approved, ratified, and confirmed; and that E. H. Williams, who is hereby appointed special commissioner for the purpose, proceed to sell, free and clear of the dower of Allen W. Edwards, subject to the rights of tenants for the year 1907, the land in the bill and proceedings mentioned, by public auction, to the highest bidder, in front of the post-office in the town of Smithfield, after first advertising the time, place and terms of sale for two weeks in some newspaper circulated in the County of Isle of Wight and by hand bills posted in five or more public places in said County, and upon the following terms, to-wit: One third for cash, and the residue in two equal installments, to be evidenced by the bonds of the purchasers, payable in one and two years, respectively, with interest from date of sale until paid, with the privilege to the purchaser

or purchasers of paying the whole amount of the purchase price in cash; the title to be retained until the further order of this court.

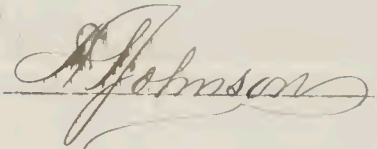
But before the said special commissioner shall do anything under this decree, he shall enter into a bond before the Clerk of this Court in the penalty of \$10,000. with surety by said Clerk deemed sufficient, payable according to law, and conditioned for the faithful performance of his duties under this and all subsequent decrees or orders entered in this cause.

In vacation.

R. E. Boykin,

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

A copy, Teste,

 Clerk.

July 25, 1907

Bx 48

Edwards, Guardian et al.

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

Edwards, Infants.

This cause came on this day to be again heard on the papers formerly read and on the report of Commissioner B.W.Hearn, this day filed 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 the said Commissioner do collect from B.P.Gay, his two several bonds for Five Hundred Dollars each returned with Commissioner Hearn's former report herein, at maturity, or before maturity if payment be tendered. And the said Commissioner shall make report to court of his proceedings under this decree.

Nov 11-1905: Recd of The clerk of The Circuit court of the county of Isle of Wight. The first bond of B. P. Gay. in above decree mentioned.

B W Hearn
Special commr

Oct 30-1905: Recd of The clerk of The Circuit court of the county of Isle of Wight The second bond of B.P. Gay in above decree mentioned.

B W Hearn
Special commr

EDWARDS, GDN, ET AL.

Versus. In Chancery.

EDWARDS, INFANTS.

Rough Decree, March 8th, 1905.

To be entered.

Robert H. Hedges
C. D. B. No. 6,
Page 418

Philip Chapman,

vs-

Emmett W. Little,
Executor of Edwin Little,
deceased, and others.

Decree.

IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT? VIRGINIA,
DECEMBER TERM, 1912.

Allen W. Edwards, Gdn.....Plaintiff
vs.) In Chancery.
Edward's Infants, et als.....Defendants.

This cause came on this day to be again heard on the papers formerly read, and upon the report of B. W. Hearn, Special Commissioner, filed this day by leave of Court, to which no exceptions have been taken, and was argued by counsel: *And it ap-*

~~On consideration whereof the Court confirming the said report, and it appearing that nothing further remains to be done herein, doth adjudge, order and decree that this cause be stricken from the docket.~~

Having from the statements hereto attached as a part of this decree that the said Special Commissioner has confirmed and disbursed the funds in this suit in accordance with the decree entered herein on the 6th day of December 1912, wherefor said disbursements being filed with said report. On consideration whereof the Court doth confirm the said report, and doth decree that said statements be recorded with this decree, and nothing further remaining to be done in this cause, it is ordered to be removed from the docket.

Allen F. Edwards, Gdn.

Vs.) In Chancery.

Edward's Infants, et als.

DECREE.

1912
Dec. 23
Entered this
B. W.

Cot. 7 Page 159

E. H. WILLIAMS
ATTORNEY-AT-LAW
SMITHFIELD, VIRGINIA

B. W. Hearn, Special Commissioner,

In account with the suit of Allen W. Edwards, Gdn. vs.
Edwards Infants et als.

1905

Nov. 11	To amount received from first bond of		
	B. P. Gay.	\$560.00	
Dec. 14	By " paid Stella W. Edwards distri-		
	butive share.		61.15
"	" " Harry T. Edwards distri-		
	butive share.		61.15
"	" " Allen W. Edwards, Gdn. the		
	distributive shares of		
	Waverly Lee, Maggie Pearl,		
	Bertha May, Lillian Russell		
	and Joel T. Edwards.		305.78
"	" " Allen W. Edwards commuted		
	dower and principal and interest.	131.92	
		<u>\$560.00</u>	<u>560.00</u>

B. W. Hearn, Special Commissioner,

In account with the suit of Allen W. Edwards, Gdn. vs.
Edwards Infants et als.

1906

Nov. 3 To amount received on B. P. Gay's sec-
ond bond.

\$530.00

Nov. 12 By " paid Stella W. Edwards dis-

tributive share.

47.93

" " " B. W. Hearn for 1905 taxes.

14.07

" " " Harry T. Edwards dis-
tributive share.

47.93

" " " Allen W. Edwards dis-
tributive shares of

Waverly Lee, Maggie Pearl,

Bertha May, Lillian Russell,

and Joel T. Edwards.

239.69

" " " Allen W. Edwards commuted
dower.

167.77

" " " B. L. Roberts for 1906 taxes.

12.61

\$530.00

530.00

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

I, W. F. Yarnum Clerk of the Circuit Court of the County of Isle of Wight, do hereby certify that on the 5th day of October 1904,

Allen W. Edwards duly qualified in my said court as guardian of Maudie Lee Edwards, Maggie Pearl Edwards, Bertha May Edwards, Lillian Russell Edwards, and Joel I. Edwards orphans of Joel I. Edwards deceased and gave bond as such according to law.

Given under my hand this 17th day of October 1904.

W. F. Yarnum, Clerk.

Exhibet
H.

VIRGINIA:

ISLE OF WIGHT COUNTY TO-WIT:

I, N.F. Young Clerk of the Circuit Court of the County of Isle
Of Wight, and State of Virginia, do ~~XXXXXX~~ hereby certify that on the
1st, day of April 1904, Allen W. Edwards duly qualified before me in my
said ~~XXXXXX~~ Office as guardian of Stella W. Edwards, Waverly L. Edwards,
Maggie P. Edwards, Bertha M. Edwards, Lillian R. Edwards and Joel T. Edwards
orphans of Joel T. Edwards deceased and, ~~gave~~ bond as such guardian,
according to law.

Given under my hand this 11th, day of May 1904.

N. F. Young Clerk.

Edwards & Co

vs. } certificate of qualification

Edwards & Co

Exhibit

A

T h i s a g r e e m e n t made and entered into this 2d day of April 1904, between Allen W. Edwards, in her own right and as Ad-
and as guardian of her infant children
ministrator of Joel T. Edwards decd, of the County of Isle of Wight
and State of Virginia of the first part, and B.P. Gay, of the County
and State aforesaid, of the second part.

Whereas the said Joel T. Edwards in his life time agreed to sell to the said B.P. Gay, all of the timber, except oak timber, TEN inches on the stump and upwards, FIFTEEN inches from the ground, on the tract of land hereinafter mentioned, upon which he resided at the time of his death, at the sum and price of FIFTEEN HUNDRED DOLLARS, to be paid as hereinafter mentioned, together with the rights privileges and easements hereinafter particularly mentioned. AND

WHEREAS, the said agreement was not reduced to writing, but the said party of the first part, desiring to carry out, in good faith, the agreement aforesaid of the said Joel T. Edwards, her husband, and believing that the sale of the said timber, at the sum and price aforesaid is for the best interest of herself and her infant children. And,

WHEREAS the said B.P. Gay is desirous of fulfilling and performing the said agreement in all things on his part agreed to be done and performed, and to purchase the said timber at the sum and price aforesaid.

N O W T H E R E F O R E, T H I S D E E D W I T N E S S E T H
that the said Allen A. W. Edwards, for and in consideration of the premises doth covenant to and with the said B.P. Gay, that she will, qualify, as Guardian of her infant children, and ~~as such guardian~~
~~will~~ institute a suit in chancery in the Circuit Court of the County of Isle of Wight, and pray the said court to sell to the said B. P. Gay all of the timber, except oak timber, in and upon the said

tract or parcel of land of which the said Joel T. Edwards died seized and possessed in the County of Isle of Wight in the State of Virginia, upon which he resided at the time of his death, bounded on the West by the land of A.J. Turner, on the North by the lands of N. P. Young, deceased, on the East by the lands of P.M. Hatcher, and on the South by the road leading from Isle of Wight Court House to Bethel Church, measuring TEN INCHES on the stump and upwards, FIFTEEN INCHES and releasing the said Joel T. Edwards from a bill for lumber of \$100 from the ground, at the sum and price of FIFTEEN HUNDRED DOLLARS, to be paid as follows, to wit: One Third in cash upon the entry of a decree of the said court confirming a sale to the said B.P. Gay, of the said timber upon the terms aforesaid, and the residue, in one and two years from the date of said decree, with interest from date, to be evidenced by the bonds of the said B.P. Gay. *The said B.P. Gay to release the estate of Joel T. Edwards from the payment of a bill for lumber amounting to one hundred dollars, and leave all matters upon the said premises.* That the said B.P. Gay, in the event the said court will so permit, shall have ten years from this date within which to cut, fell and and remove the said timber from the said land, but no timber to be cut felled or removed until all of the purchase price of the said land, with all interest thereon shall be paid, and ~~that~~ during the period aforesaid, the said B.P. Gay shall have full power and lawful authority to enter upon the said lands, with right of ingress and egress, with right to construct such buildings, roads, tram roads, and railroads as may be necessary or convenient on, over and across the said lands, except arable land, and to maintain and operate the same for the purpose of removing the timber aforesaid, or any other timber now owned or which may hereafter be owned by the said B.P. Gay, his associates successors or assigns.

The said B.P. Gay, for and in consideration of the premises, and desiring on his part to carry out, in good faith, the agreement

aforesaid, so made with with the said Joel T. Edwards, in his life time, hereby offers and covenants and agrees to purchase the said timber, rights, privileges and easements, and to pay for the same upon the terms and conditions, and at the times, hereinbefore particularly mentioned and described, and set forth, upon a confirmation of such offer by a decree, in due form of law, by the Circuit Court of the County of Isle of Wight. And the said B.P. Gay further covenants and agrees that all manure made by his team while cutting the said timber, manufacturing the same and operating on the said land shall be the property of the estate of the said Joel T. Edwards, *and that he will release the estate of the said Joel T. Edwards from the payment of the price for lumber aforesaid.*
 Witness the following signatures and seals

Teste
R. E. Boykin

Mrs. Allen H. Edwards (Seal)

B. P. Gay (Seal)

Allen W. Edwards, in her own right,
as Admr of Joel T. Edwards, and,
as Gdn of her infant Children.

With.

B.P. Gay.

Agreement.

4/2/1904

Know all Men by these Presents, That we B. W. Hearn and Allen W. Edwards,

are held and firmly bound unto the Commonwealth of Virginia in the sum of Two Thousand Dollars,

to the payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves, and each of us, our, and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our Homestead Exemptions as to this obligation, and any claim or right to discharge any liability to the Commonwealth arising under this bond, or by virtue of said office, post or trust with coupons detached from the bonds of this State. Sealed with our seals, and dated this 28th. day of October, one thousand nine hundred and four

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound

B. W. Hearn

shall faithfully perform the duties of his office or trust, as Commissioner of Sale of the timber in the bill mentioned under decree of the Circuit Court of the County of Isle of Wight pronounced on the 24th. day of October 19 04; in the suit therein depending under the name and style of Allen W. Edwards, in her own right and as guardian of Stella W. Edwards and others versus Harry Thomas Edwards et als.

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in
the presence of

B. W. Hearn

SEAL

Allen W. Edwards

SEAL

SEAL

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

This day Allen W. Edwards

suret y on the above bond, made oath before me, N. F. Young, Clerk

of the Circuit Court of the County of Isle of Wight

that her estate, after the payment of all her just debts, and those for which she

bound as security y for others and expect to have to pay she worth the sum of Two Thousand dollars.

Given under my hand, this 28th? day of October, 1904, 19

N. F. Young,

Clerk.

A Copy,

TESTE:

N. F. Young

C.C.

B. H. Starn apl. Comm

Edward J. Starn vs Edward J. Starn

to }

COMMISSIONER'S
BOND.

Commonwealth.

A. J. Starn

Allen W. Edwards, in her own right and as Gdn of Edward Infants.

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

Harry Thomas Edwards et als.

To Harry Thomas Edwards, Stella Warren Edwards, Waverly Lee Edwards, Maggie Pearl Edwards, Bertha May Edwards, Lillian Russell Edwards, and the last five infants by Joel Taylor Edwards, by R.S. Thomas their guardian ad litem.

TAKE NOTICE: That, on the day of June 1904, at the Office of the Hon. Robt. R. Prentis, Judge of the Circuit Court of the County of Isle of Wight, in the town of Suffolk, I shall apply to the judge of the said Court, in vacation, to accept the bid and offer of B. P. Gay, to purchase all of the timber, except oak timber, on the North of the County Road leading from Isle of Wight Court House, in and upon that certain tract or parcel of land of which Joel T. Edwards died seized and possessed, in the said county, upon which he resided at the time of his death, bounded on the West by the lands of A. J. Turner, on the North by the lands of N. P. Young, deceased, on the east by the lands of P. M. Hatcher, and on the south by the said road, measuring ten (10) inches on the stump and upwards when cut.. The said timber to be cut within ten years from the date of the decree confirming said bid and offer and decreeing a sale of the said timber, ~~at the sum and price of Fifteen Hundred Dollars, to be paid as follows; to wit; Five Hundred Dollars upon the entry of a decree confirming said sale of the said timber, and accepting said offer and bid, and the appointment of a commissioner to receive the same-, and the residue in one and two years, in equal payments, with interest from date.~~ together with the rights, privileges and easements in the bill and proceedings of this suit particularly mentioned; at the sum and price of Fifteen Hundred Dollars, to be paid as follows; to wit; Five Hundred Dollars upon the entry of a decree confirming said sale of the said timber, and accepting said offer and bid, and the appointment of a commissioner to receive the same-, and the residue in one and two years, in equal payments, with interest from date. No timber to be cut, felled or removed until the entire purchase price is paid in full.

That at the same time and place, we shall further apply to the Judge of the said Court, to appoint a Commissioner or Commissioners to collect from the said B.P. Gay, the said sum and amount; and upon the payment by the said B.P. Gay of the sum of Five Hundred Dollars and upon his executing and delivering a release of any sum and amount due and owing him by the estate of the said Joel P. Edwards, together with an agreement to leave upon the said land all manure made by his team while operating upon said land, to execute and deliver to the said B.P. Gay a good and sufficient deed for the said timber, reserving a vendors lien to secure the deferred payments, or and to pay to R.E. Boykin, a reasonable fee for his services herein; otherwise securing the same, together with such other matters and things in the premises as the said Judge may see fit to decree and direct.

*Allen W. Edwards, in her
own right - and as Guardian
of Edward Defauts.
By counsel.*

We acknowledge legal service of this notice. And we hereby agree that this cause be made a vacation cause, to be submitted to the Judge of the Circuit Court of the County of Isle of Wight, for such decision and decree therein in vacation as might be made in term.

*Harry Thomas Edwards
By counsel.*

Guardian Ad litem Of

Stella Warren Edwards, Waverly Lee Edwards, Maggie Pearl Edwards, Bertha May Edwards, Lillian Russell Edwards and Joel Taylor Edwards.

Allen W. Edwards Gdn et al

Vs. In Chancery.

Harry Thomas Edwards et als.

Notice of Application for Decree,
and Consent to Make Vacation
Cause.