1912-003 Chancery Causes: Joseph S. Andrews, gdn vs Joseph S. Andrews, Harris Glover Andrews
Dsh of Wright County + Henry Stuart Andrews, by v c
Petition of Diana M. Andrews
Folder 1

Plat in Oversize Box 3

other surnames: Sinclair
[Methodist Episcopal Church South, Smithfield, Virginia]
Wright, Holloway, Joyner
Cofer, Marye, Reynolds, West,
Powell, Delk, Guy, Edwards,
Boykin, Perkins

IN THE

CIRCUIT COURT FOR THE COUNTY OF ISEE OF WIGHT, VIRGINIA.

****

ANDREWS GUARDIAN

vs -

ANDREWS' INFANTS.

****

The PETITION OF DIANA M. ANDREWS.

Your Petitioner would respectfully represent that she is the wife of Joseph S. Andrews and the mother of the infant defendants, Harris Glover Andrews and Henry Stuart Andrews.

That she is the fee simple owner of a certain lot or parcel of land in the City of Newport News, in the State of Virginia, designated as Lot #51 in Block #29-C. on the map of C. M. Braxton, survey of a part of the City of Newport News, Virginia, filed in the Clerk's Office of the County Court of the County of Warwick, Oct. 30 1890,

That there is an outstanding deed of trust upon the said lot or parcel of land to secure the sum of Eight Hundred and Ten - Dollars, ($810.00) ; that the said lot is worth from three thousand to thirty-five hundred dollars, and your petitioner desires to borrow the sum in Commissioner Andrews' report mentioned to pay off the said deed of trust therewith, and execute a deed of trust on the said lot or parcel of land, with its appurtenances to secure the payment of the said sum, with interest thereon, payable annually.

And your petitioner will ever pray, etc.

Dianna M. Andrews
By Counsel

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Andrews, Gdn..

Vs.

Andrews, Infants et als.

Petition of Dinna M. Andrews

To the Honorable R.R.Prentis, Judge of the Circuit Court of Law and Chancery for the County of Isle of wight, in chancery sitting.

Humbly complaining sheweth to the Court, your complainant Jos. S.Andrews, Guardian of Harris Glover Andrews and Henry Stuart Andrews, infants under the age of fourteen years, to wit, of the age of twelve and ten respectfully.

That Martha F.Sinclair, departed this life at her residence in the Town of Smithfield, in the County of Isle of Wight, and State of Virginia sometime in the year 1900, having first made and published her last will and testament, which last will and testament was duly admitted to probate in the County court of the County of Isle of Wight.

A certified copy of the said last will, with a certificate of probate annexed, is herewith filed, marked A, and prayed to be read as a part of this bill.

That by her said last will and testament the said Martha F. Sinclair devised all of her estate, real and personal, to John Sinclair for life and at his death to the said Harris Glover Andrews and Henry Stuart Andrews, with remainder in the event that either of them should die under the age of twenty one years without children to the surviver of them, with remainder in the event both of them should die under the age of twenty one years of age without children to Jos.S.Andrews.

That the said Jos.S.Andrews, at the Sept term 1902 of the County court of the County of Isle of Wight duly qualified as the guardian of the said Harris Glover Andrews and Henry Stuart Andrews. A certified copy of said qualification is herewith filed, marked B, and prayed to be read as a part of this bill.

That the said John Sinclair, by his deed bearing date on the 4th day of Aug 1902, and duly recorded in the Clerk's Office

LAW OFFICE OF R. E. BOYKIN.

of the County Court of the County of Isle of Wight, conveyed all of his right, title and interest, being an estate for life, in and to the estate, real and personal, devised and bequeathed to him by said last will and testament, to the said Jos.S.Andrews. A certified copy of the said deed is herewith filed, marked C, and prayed to be read as a part of this bill.

That the said Martha F.Sinclair died, seized and possessed of a certain lot and parcel of land, situate, lying and being, on Mason and Hill Streets in the Town of Smithfield, with a valuable residence thereon, and considerable vacant land annexed thereto and adjoining the same.

That the said dwelling house is in much need of repair, and that the said vacant land annexed to and adjoining the said dwelling house yields no revinue, being without improvements thereon.

Your complainant in informed and so charges that property in the Town of Smithfield is selling at fair values and for the full price it is believed it will bring for many years; that the said vacant land could be advantageously divided in to lots, and your complainant is informed and so charges that it would be largely for the benefit of the said life tenant, to wit, the said Jos.S. Andrews, and especially the infants defendants, that the said land should be divided into lots, the same be sold and the proceeds of sale invested under the trusts of the will of the said Martha F. Sinclair, and if necessary, and considered by this Court to be for the best interest of the said infants defendants, a portion of the proceeds of sale be applied in the proper and necessary repair of said dwelling house.

That the Methodist Episcopal Church South, Smithfield Virginia has offered to purchase a small piece and parcel of the said

vacant land adjanent to the Church of said comgregation at the sum and price of Five Hundred and Fifty Dollars, the said Church paying the cost of this suit, or so much thereof as may be necessary to obtain a decree for the sale of the same to the said Church,including the cost of a good and sufficient deed for the same. A plat of the part or portion of the said land desired to be purchased by the said Church as aforesaid, is herewith filed,marked,D, and prayed to be read as a part of this bill.

Your complainant is informed and so charges that the said sale to the said Church would be largely for the benefit of the said infants,as the land is small in area,and the priceis the full value and more than could be otherwise obtained. that the said Infant defendants have no other estate than the property,real and personal, devised by the said last will and testament, which real estate consists of the house and lot in the Town of Smithfield hereinbefore particularly mentioned,and the personal property bequeathed by the said will,consisting of a few articles of furniture of no special value.

Your complainant is informed that Jos.S.Andrews, who is the life tenant of the said realestate,the father of the said infants,a and the husband of D.M.Andrews,the mother of the said infants,is willing that the said lot or parcel of land in the said plat and survey specifiaally mentioned,desired to be purchased by the said Church,be sold,at the sum and price of Five Hundred and Fifty Dollars, the said Church paying the cost of this suit as aforesaid, and the purchase price thereof,to wit the sum of Five Hundred and Fifty Dollars,be invested in a certain lot or parcel of land in the City of Newport News,known and designated as Lot No.,52,Block29,C,on a certain map and survey made by C. M. Brouton, Civil Engineer a copy of which was filed in the clerks office of the county court of the County of Warwick on the 15th day of October 1890.

LAW OFFICE OF R. E. BOYKIN.

and that the said Jos.S.Andrews is willing to waive and relinquish his estate for life in the sum of Five Hundred and Fifty Dollars a and will consent that the same shall be invested in the said lot or parcel of land, upon the trustsof the said will of the said Martha F.Sinclair, free and clear of a life estate to him therein. Your complainant is informed and so charges that the said lot in the City of Newport News is enhancing in value,can be sold now at Six Hundred Dollars,and that it would be for the benefit of the infant defendants that the said offer of the Methodist Episcopal Church South at Smithfield Virginia be accepted,and the purchase price,to wit,Five Hundred and Fifty Dollars,be invested in the said land.

That under the will of the said Martha F.Sinclair the said Jos S.Andrews would be entitled in fee simple to the said real estate devised by the last will and testament of the said Martha F.Sinclar and to which the said infants are entitled as aforesaid, in event that they should die under twenty one years and without Children.

In tender consideration whereof,and forasmuch as your complain -ant is without remedy at law and can only be relieved by the aide of this Honorable Court of Chancery, where matters of this kind are alone and properly cognizable and relieveable,to the end that justi -ce may be done in the premises,your complainant prays that the said Jos.S.Andrews in his own right,Harris Glover Andrews and Henry Stuart Andrews,the last two infants under the age of Fourteen years by some discreet attorney,their Guardian ad litem appointed to de-fend their interest in this suit,be made parties defendants to this bill,and be required to answer the same.

That the said vacant land be divided into lots,the same be sold,and the proceeds of sale invested by order of this Court upon the trusts of the will of the said Martha F.Sinclair.

That the offer of the Methodist Episcopal Church South,at

LAW OFFICE
OF
R. E. BOYKIN.

Smithfield,Virginia, to pay the sum of Five Hundred and Fifty Dollars and the cost of this suit including a deed for the said lot or parcel of land in the said plat and survey mentioned, be accepted, and that the proceeds thereof be invested in the said lot or parcel of land on Hampton avenue,or otherwise,as this Court may direct.

That proper process may issue,and all proper orders and decree be entered and enquires 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 &c.

Boykin p.q.

Joseph S. Andrews
Guardian of Harris Glover Andrews and
Henry Stuart Andrews.

City of Newport News,to wit:

I, E. S. BLANTON, A Notary Public, for the City aforesaid in the State of Virginia, do certify that Jos.S.Andrews, Guardian of Harris Glover Andrews and Henry Stuart Andrews, whose name is signed to the foregoing bill personally appeared before me in my said City and made oath that the statements contained in the bill, so far as made of his own knowledge are true and so far as made on the knowledge of information derived from others, he believes to be true.

Given under my hand this 31st day of March 1903.

E. S. Blanton
Notary Public.
My Commission Expires May 27, 1905

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Andrews, Guardian.

Vs. In Chancery.

Andrews, Infants.

Complainants Bill.

1st April Rules. 1903. Bill & exhibits filed. Summons on Jos S. Andrews. de mis as to him. R. S. Thomas appointed ad lit. ad lit. ad litem

2d April rules 1903. Bill taken for confessed. and cause set for hearing

April Term 1903 de to bill & invest

June term 1904 de for inquiry

Oct term 1904 de to enroll 18.

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

final decree Oct 7, 1912

Jos. S.Andrews Guardian of Harris Glover Andrews and Henry Stuart Andrews.

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

Harris Glover Andrews, Henry Stuart Andrews and Jos.S.Andrews.

The answer of Jos.S.Andrews to the bill of complaint in said Court exhibited against him 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 he isadvised it is material or necessary for him to answer, answering says. That he admitts to be true the general allegation in the said bill contained as to the devise and bequest by the said Martha F.Sinclair, of her said real and personal estate as in the said bill is alleged,and that the said John Sinclair has conveyed to this defendant his estate for life in the said estate real and personal devised by the said last will and testament.

And further answering this defendant says, that he is imformed and believes that it would be largely for the benefit of the infant defendants that the said vacant land in the complainants bill mentioned be sold,and that the proceeds of sale be invested by this Court upon the trusts of the will of the said Martha F.Sinclair, and in repair ofnthe said dwelling house. Your defendant is informed and believes it wou d be largely for the benefit of the said infantsthat the offer of the Methodist Episcopal Church South at Smithfield,Virginia, to pay Five Hundred and Fifty Dollars, and the cost of this suit for the said lot or parcel of land in the bill mentioned, be accepted, as in the opinion of this defendant, it is the full value and more than could otherwise be obtained and further answering this defendant believes that it would be largely for the benefit of the said infantsdefendants to invest the said sum of Five Hundrd

LAW OFFICE
OF
R. E. BOYKIN.

and Fifty Dollars the amount offered by the said Church in the purchase of the lot or parcel of land on Hampton avenue in the City of Newport News as in complainants bill mentioned, and in the event such investment is ordered by this Court this defendant is ready and willing and hereby offers to relinquish and release his life interest in the said sum of Five Hundred and Fifty Dollars, and in the said lot or parcel of land in which the same is recomend -ed to be invested.

And further answering this defendant prays hence to be dismissed with his cost in this behalf most unreasonably expended.

Jos. S. Andrews

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Andrews, Guardian.

Vs. In Chancery

Andrews, Infants.

Answer of Jos.S.Andrews.

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

The Commonwealth of Virginia,

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

WE COMMAND YOU that you summon Jos. S. Andrus, Davis Glover Andrus and Penny Stuart Andrus, the last Two infants under the age of twenty one years

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 First Monday in April 1903, to answer a bill in chancery, exhibited against them in our said court ~~for~~ by Jos. S. Andrus grandson of the said Davis Glover Andrus and Penny Stuart Andrus

And have then there this writ. Witness NATHANIEL F. YOUNG, Clerk of our said court, at the court-house, the 28th day of March 1903, and in the 127 year of the Commonwealth.

N. F. Young Clk.

/

Andrews. Gdn.

vs. { SUBPOENA IN CHANCERY.

Andrews et Als

R. E. Boykin p. q

To First April Rules,

Circuit Court.

1903

B 3119

I acknowledge to due service of this process.

W. S. Andrews

Andrews, Guardian.

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

Andrews, Infants.

The answer of Harris Glover Andrews and Henry Stuart Andrews, infants under the age of Fourteen years by R.S.Thomas their Guardian ad litem appointed to defend their interest in this suit to the bill of complaint in this Court exhibited by Jos.S.Andrews, Guardian of the said Harris Glover Andrews and Henry Stuart Andrews against them and another.

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 important or necessary for them to answer answering says. 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 cost in this behalf most unreasonably expended.

R. S. Thomas
Gdn ad litem of Harris Glover Andrews and Henry Stuart Andrews. and Harris Glover Andrews and Henry Stuart Andrews by R.S. Thomas their guardian ad litem

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 ~~is signed~~, as guardian ad litem of Harris Glover Andrews and Henry Stuart Andrews, 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 8th day of March 1903.

R. E. Boykin
Comm in Chy

LAW OFFICE
OF
R. E. BOYKIN.

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Andrews, Guardian

Vs. In Chancery

Andrews Infants

Infants answer.

To Joseph S.Andrews and R.S.Thomas guardian ad litem of Harris Glover Andrews and Henry Stuart Andrews.

Take notice. That on the 17th day of April 1903, between the hours of Nine Oclock A.M. and Nine Oclock P.M., at the office of R.E.Boykin, in the Town of Smithfield, in the County of Isle of Wight, and State of Virginia, I shallproceed to take the deposition of T.B.Wright 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 am plaintiff and you are defendants. And if from anycause the taking of the said depositions be not commenced on that day,or if commenced be not concluded,the taking of the same will be continued from day to day,or from time to time, until the same be concluded.

Joseph S. Andrews
Guardian of Harris Glover Andrews and
Henry Stuart Andrews.

By Counsel

LAW OFFICE
OF
R. E. BOYKIN.

We acknowledge legal
service of this notice.
Jos. S. Andrews
By counsel

R. S. Thomas
Next friend of Harris
Glover Andrews & Henry
Stuart Andrews.

The depositions of T.B.Wright and others----------
---------- taken before me, Geo R.Atkinson, a Commissioner in Chancery for the Circuit Court of the County of Isle of Wight, in the State of Virginia, pursuant to the notice hereto annexed, at the office of R.E.Boykin in the Town of Smithfield, in the County and State aforesaid, on the 17th day of April 1903 between the hours of Nine O'clock A.M. and Nine O'clock P.M., of that day, to be read as evidence in behalf of Joseph S.Andrews, Guardian of Harris Glover Andrews and Henry Stuart Andrews, in a certain suit in Chancery depending in the Circuit Court of the County aforesaid, wherein the said Joseph S.Andrews, as guardian aforesaid,is plaintiff,and Joseph S.Amdrews,Harris Glover Andrews and Henry Stuart Andrews, by R.S.Thomas their Guardian ad litem are defendants.

Present R.E.Boykin attorney for the Plaintiff.
R.S.Thomas Guardian ad litem of the Infant Defendants.

T.B.Wright, a witness of lawful age, having been first duly sworn deposes and says as follows.

Ques.L .State your name,residencecand occupation.

Ans. Age 53. Reside within a mile of the town of Smithfield. Am a farmer.

Ques.2. Are you familiar with the Sinclair property in the town of Smithfield,devised by the last will and testament of Martha F. Sinclair property. If so how long have you known it.

Ans. I am familiar with the said property. Have known it for over 30 years.

Ques.3. Examine the diagram and plat,now handed you filed as an Exhibit with the Plaitiffs bill,desired to be sold by the guardian of the said Andrews infants to the Methodist Episcopal Church at

LAW OFFICE OF R. E. BOYKIN.

Smithfield,
and state what,in your opinion, is the full value and a fair price therefor.

Ans.I should say that $500.00,would be a fair price and the full value of the said lot,and fully as much,and more, than any individual would pay for it. The Church however,wishing to have some space between it and any building to be erected,could,for that reason, afford to pay more than any other person,and such,I am informed,is their reason for desiring to purchase the same.

Question 4. State whether or not,in your opinion,the interests of the life tenant,and especially of the infant defendants,would be promoted by a sale of the said parcel of land,shown on the said plat and diagram,~~would be promoted by a sale of the same~~ and an investment of the proceeds of sale on the trusts of the will of the said Martha F.Sinclair,and your reasons therefor.

Ans. I do most emphatically. For the following reasons.

First. Hill street,is occupied and tenanted entirely by negroes,so the lot or the part thereof proposed to be sold to the church,in the rear thereof and fronting on Hill Street,could be only utilised for a negroe tenement,to do this would entirely,or largely destroy the value of the lots on the Sinclair property fronting on Mason street,and in this view the property fronting on Hill Street is of comparatively little value,the purchase of the property on Hill Street by the Church,as it will of course never destroy the value of its property by building a negro tenement thereon,is a real benefit to the Sinclair property. The 17 feet frontage on Mason Street would not be worth to an individual more than $250.00.

As I undesrand it the property is principally valuable to the Church to prevent parties building very close to it,and for the purposes of air and light.

Ques.5. What injury if any would result to any of the parties by the sale of the said lot,and investment of the proceeds.

Answer. None except what is more than covered by the proposed purchase price.

Ques 6. Taking into consideration the entire facts would you consider the sale of the said lot to the said Church and an investment of the proceeds of sale upon the trusts of the will of the said Martha F.Sinclair to be a wise and judicious investment.

Ans. I would.

Ques. Do you see any prospect of property on Mason Street,in the town of Smithfield improving in value in the near fututre.

Ans. I do not. I think it is as high,if not higher than it will be for a considerable number of years,if at all.

And further this deponent saith not.

Thos B. Wright

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

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

Ans. 37 years,occupation merchant,live in Smithfield.

Ques.2. Are you familiar with the Sinclair property in these proceedings mentioned.

Ans. I am familiar with it and have been for the past fifteen years

Ques.3. Examine the diagram and plat,now handed you,and state what in your opinion is the full value and a fair price for the land.embraced therein.

Ans. I own real estate in the town of Smithfield,and think I am acquainted with the values of real estate in the said town. If I desired to invest in the property I would not be willing to give more than $400.00 for it.and would consider some time before pay-

LAW OFFICE OF R. E. BOTTUM.

-ing that amount.

I am informed that the Church principally desires the property to prevent others from building up to its walls,and thus cut off light and air,which would be a great injury to the Church,and,to prevent this,the Church could afford to give more than any individual. But as an investment I would consider $400.00,the full value of the property proposed to be sold to the Church.

To the owners of that part of the lot proposed to be sold to the Church,which fronts on Hill Street,would only be valuable for a negroe tenement. The owners of the Sonclair property could not afford to build a negro tenement upon it,as it would largely depreciate the value of their Mason Street lots. The sale to the Church gets more than the full value of that part of the property and insures against the building of annegro tenement thereon.

Ques.4. Taking into consideration the location and extent of the said Sinclair property,and its surroundings,would you consider a sale of the lot in the said plat mentioned,and an investment of the proceeds of sale upon the trusts of the will of Martha F.Sinclair a wise and judicious investment,The price to be paid therefor being $550.00,and the proposed purchaser paying the costs of this suit.

Ans. I unquestionably would. I think the owners are getting at least $150.00,with the costs of this suit,more than any other person would pay.

Ques.5. Do you see any prospect of property on Mason Street improving in value in the near future.

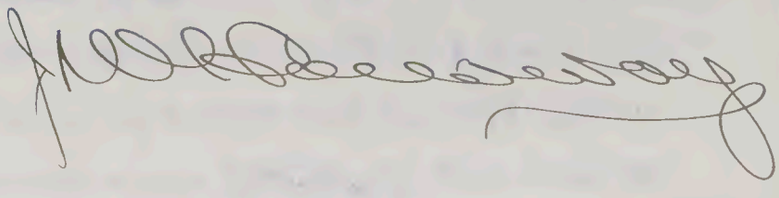
Ans. I do not. I think it will sell as high or higer now than at any time in the future,~~xxxxxxx~~,or near future.

Ques.6. Do you know of any loss which would be occasioned to the owners,especially the infant defendants,by such sale.

Ans. I do not except that which is more than fully covered by the purchase price,and I am convinced that all parties in interest will

greatly benefitted by selling at the proposed price.

And further this deponent sait not.



V.W.Joyner, 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 41 years of age, reside in the town of Smithfield, am a merchant, and a ham curer.

Ques.2. Are you familiar with the Sinclair property in these proceedings mentioned, and if so how long have you known the property.

Ans. I am fmiliar with the property and have know it well for 17 years.

Ques. Examine the diagram how handed you, and state what in you opinion is the full value and fair market price thfr the property proposed to be sold to the Mehodist Chuch., stating whther you own Real estate in Smithfield and are acquainted with the values of property in said town.

Ans. I own real estate in said town, and am acquainted with the values of such estate. In my opinion $375.is the full price and fair market value of the said property proposed to be sold to the Church. I would not pay that amount for it as an investment.

I am told that the Church wishes to xxxxxx prevent any one from building too near it, and cut off light and air. Taking this view of it, it is more valuable to the church than any one else, but, in any event, and for any purpose $550.00, which I understand the Church is to pay is far more than it is worth.

Ques 4.
State whether or not,in your opinion the interest of the parties entitled to the said lot ,so proposed to be sold as aforesaid,would be promoted by a sale of the same at the price of $550?and an investment of the proceeds of sale upon the trusts of the will of Martha F.Sinclair,espcially the infant defendants.
Ans. I think the interests of the infant defendants will be much promoted by a sale of the property at that price,It is much more than it is worth,and I am told the Church pays the costs of this suit,so the owners get $550. clear.
In addition it is of benefit to the parties entitled that the Church should own it,as there will be no improper and objectionable tenements built on it. The only use that the Hill Street front would do to the present,or other owners,would be to erect a negro tenement. To do so would injure the Mason Street lots on the Sinclair property. Being owned by the Church of course they would not and could not erect such tenement to the injury of the property they already own.
Ques 4. What injury if any would result to any of the owners of the Sinclair property by such sale.
Ans.None,except what is far more than made up to them by the price they get.
Ques.5. Taking into consideration the location,the extent of the Sinclair property,and its surroundings,would you consider a sale of the lot shown on the said plat,and the investment of the proceeds of sale as aforesaid,be a wise and judicous investment and sale.
Ans. It would be a most excellent sale,and I think the parties in interest would be much benefitted.
And further this deponent saith not. V. W. Joyner

LAW OFFICE
OF
R. E. BOYKIN.

John I.Cofer a witness of lawful age having Been duly sworn deposes and says as follows.

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

Ans. Age 33 years.A cashier in the Bank of Smithfield and live in the said Town.

Ques. 2. Are you familiar with the Sinclair property, in these proceedings mentioned. If so How long have you known it? Do you own property in the Town of Smithfield, and have you a general knowledge of the values of propert on the said Town?

Ans. I own real estate in Smithfield and have a general knowledge of the values of said property in the Town. I know the Sinclair property well and have known it all my life.

Ques.3. Examine the diagram and plat now handed you, and state what in your opinion is the full value and fair price of the land enbraced therein?

Ans. I should consider $400.00 to be its full price and market value. If I desired to make an investment I would not pay more than that amount, as at a greater price I do not see how the investment could be made to pay.

Ques.4. State whether or not, in your opinion, the interest of the parties entitled to this property,especially of the infant defendants,would be promoted by a sale of the property in said plat mentioned to the Methodist Episcopal Church at Smithfield, at the sum and price of $550.00 and in addition the Church paying the cost of this suit?

Ans. I do. I consider it much more than the property is really worth and more than any individual would pay for it. I am informed that the Church desires the property for the purpose of light and air and to prevent anyone from building too near to the Church and thus cutting off both light and air. To accomplish this the Church

can probably afford to pay the amount; as I have stated, I do not think any individual would purchase it and pay that sum and I believe it would be largely to the benefit to the parties owning th property to sell it at the price and figure named.

And further this deponent saith not.

John I. Cofer

State of Virginia.
Isle of Wight County,to wit.
Town of Smithfield.

I,Geo.R.Atkinson,a Commissioner in Chancery for the Circuits Court,for the County aforesaid,in the State of Virginia,do certify that the foregoing depositions of T.B.Wright,J.W.Holloway, V.W.Joyner and John I.Cofer,were duly taken,sworn to,and subscribed before me,at the time and place and for the purpose in the caption mentioned.

Given under my hand this 17th day of April 1903.

Geo R Atkinson
Commissioner in Chancery.

Commissioners Fee
$3.00

LAW OFFICE
OF
R. E. BOYKIN.

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Andrews Guardian.

Vs. In Chancery

Andrews Infants.

Plaintiffs depositions

Filed April 22d 1903

Teste R. E. Boykin CC.

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

To Joseph S.Andrews and R.S.Thomas guardian ad litem of Harris Glover Andrews and Henry Stuart Andrews.

Take notice. That on the 20th day of April 1903, between the hours of Nine Oclock A.M. and Nine Oclock P.M., at the office of H. G. Ivy, in the City of Newport News, in the State of Virginia, I shall proceed to take the depositions of T. [illegible] 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 am plaintiff and you are defendant. And if from any cause the taking of the said depositions be not commenc-ed on that day, or if commenced be not concluded, the taking of the same will be continued from day to day, or from time to time, until the same be concluded.

Jos. S. Andrews
Guardian of Harris Glover Andrews and Henry Stuart Andrews.

By counsel

LAW OFFICE
OF
R. E. BOYKIN.

We acknowledge legal
service of this notice.
Dor. S. Andrews
By Counsel

R. S. Thomas
Counsel for Heirs of Harris
Glenn Andrews and Henry
Stuart Andrews.

Andrews Guardian &c.

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

Andrews Infants et al.

Interrogatories agreed upon by and between the said plaintiff and R.S.Thomas, Guardian ad litem of the infant defendants Harris Glover Andrews and Henry Stuart Andrews, to be propounded to witnesses upon the taking of depositions, at the office of in the city of Newport News, on the 20th day of April 1903, to be read as evidence on behalf of the said plaintiff.

1. State your name, residence and occupation.

2. How long have you been engaged in such occupation in the City of Newport News?

3. State whether or not you have a general knowledge of the present value of real estate in the City of Newport News?

4. State wheter or not you know, or have ever seen lot No., 52 in Block 29 C on a certain map entitled, "Map of the City of Newport News" made by C.M.Braxton Civil Engineer, a copy of which was filed in the Clerk's Office of the County of Warwick on the 15th da day of October 1890, now owned by D.M.Andrews, if so what, in your opinion is the present cash value of the said lot?

5. State, if you know what is the general situation and condition o of the surrounding property, and what, in your opinion are the probabilities of the said lot increasing in value?

6. State whether or not, in your opinion, it would be judicious and proper to invest the sum of $550.00, to which infants are entitled in the purchase of the said lot.

Jos. S. Andrews Atty
By counsel
R. S. Thomas
Gdn ad litem of Harris Glover Andrews & Henry Stuart Andrews.

LAW OFFICE
OF
R. E. BOYKIN.

The depositions of John L. Marye, and others, taken before me, Henry C. Ivy, a Notary Public for the City of Newport News, in the State of Virginia, pursuant to the notice and interrogatories hereto annexed, at the office of said Henry C. Ivy, in the City and State aforesaid, on the twentieth day of April, 1903, between the hours of nine o'clock a.m. and nine o'clock p. m. of that day, to be read as evidence on behalf of Joseph S. Andrews, Guardian of Harris Glover Andrews and Henry Stuart Andrews, in a certain suit in chancery, depending in the Circuit Court of the County of Isle of Wight, Virginia, wherein the said Joseph S. Andrews, as guardian aforesaid, is plaintiff, and Joseph S. Andrews, Harris Glover Andrews and Henry Stuart Andrews, by R. S. Thomas, their Guardian ad Litem, are defendants.-

-----o------

P r e s e n t:-

R. E. BOYKIN,

Counsel for plaintiff.

R. W. REYNOLDS, a witness introduced by the plaintiff, being duly sworn, deposes and saith as follows:-

(Direct Examination)

1 Q- (By Mr. Boykin)- State your name, age, residence and occupation ?

A- R. W. Reynolds; age thirty years; residence Newport News, Virginia; Real Estate and Insurance Agent.

2 Q- How long have you been engaged in such occupation in the City of Newport News ?

A) Eight years.

3 Q- State whether or not you have a general knowledge of the present value of real estate in the City of Newport News ?

A- I have.

4 Q- State whether or not you know, or have ever seen, Lot Number Fifty-two (52), in Block twenty-nine (29) "C", on a certain map, entitled "Map of of the City of Newport News", made by C. M. Braxton, civil engineer, a copy of which was filed in the Clerk's office of the County of Warwick on the fifteenth day of October, 1890, now owned by D. M. Andrews, if so, what, in your opinion, is the present cash value of the said lot ?

A- I do. I know the lot in question. I think the cash value of this lot is from five hundred and fifty to six hundred dollars.

5 Q- State, if you know, what is the general situation and condition of the surrounding property, and what, in your opinion are the probabilities of the said lot increasing in value ?

A-There is very little property on this avenue, in this location, for sale, and the best class of dwellings are being erected in this locality, which, naturally, would improve the value of real estate, and this property bids fair to advance in value.

6 Q- State whether or not, in your opinion, it would be judicious and proper to invest the sum of five hundred and fifty dollars, to which infants are entitled, in the purchase of the said lot,- at the sum and price of five hundred and fifty dollars.

A-I do. I think it would be a very judicious investment.

And further this deponent saith not.

Leo Reynolds

JOHN L. MARYE, another witness introduced by the plaintiff, being duly sworn, deposes and saith, as follows:

(Direct examination)

1 Q- (By Mr. Boykin)- State your name, age, residence and occupation ?

A- John L. Marye; age, forty-three years; Newport News, Virginia; Civil Engineer and Real Estate Agent.

2 Q- How long have you been engaged in the real estate business in the City of Newport News ?

A- Twelve years.

3 Q- State whether or not you have a general knowledge of the present value of real estate in the city of Newport News ?

A- Yes, sir- I have.

4 Q- State whether or not you know, or have ever seen, Lot number fifty-two (52), in Block number twenty-nine (29) "C", on a certain map, entitled "Map of the City of Newport News", made by C. M. Braxton, Civil Engineer, a copy of which was filed in the Clerk's office of the County of Warwick, on the fifteenth day of October, 1890, now owned by D. M. -- Andrews, and if so, what, in your opinion, is the present cash value of the said lot ?

A-I know the property well, and would consider the present value of the lot to be at least five hundred and fifty dollars; property at present, being rather dull in the City of Newport News.

5 Q- State, if you know, what is the general situation and condition of the surrounding property, and what, in your opinion, are the probabilities of the said lot increasing in value ?

A-This lot is excellently located, in a fine section of the City. Immediately on this street on which this lot is situated, ~~xxxxx~~ are the homes of a number of citizens of the best class in our City. They have excellent street car facilities,- being immediately on the new street car line between Newport News and Hampton, and only a three minutes' walk from the old line between Newport News and Hampton and Old Point; and lots in this locality could not be had for less than five hundred dollars before the street car facilities were given this section. This lot is improved with shrubbery, and is in fine physical condition, making it of considerable more value than adjacent lots. It has several fine shade trees on it, and shade trees in front of it. There is a good class of residences erected on both sides of it. I consider this lot in question to be amongst the choicest lots for residence purposes in this section of the city.

6 Q- State whether or not, in your opinion, it would be judicious and proper to invest the sum of five hundred and fifty dollars, to which infants are entitled, in the purchase of the said lot?

A-Yes,- I unquestionably think it would.

And further this deponent saith not.-

J. L. Marye

C. D. WEST, another witness introduced by the plaintiff, being duly sworn, deposes and saith as follows:-

(Direct examination)-

1 Q- (By Mr. Boykin)-----State your name, age, residence and occupation ?

A- C. D. West; twenty-seven years old; Newport News, Virginia; I am in the Real Estate and Insurance business ?

2 Q- How long have you been engaged in the Real Estate business in the City of Newport News, Virginia ?

A- Six years the first day of June, next.

3 Q- State whether or not you have a general knowledge of the present value of real estate in the City of Newport News ?

A- Yes, sir, I have.

4 Q- State whether or not you know, or have ever seen, lot number fifty-two (52), in block number twenty-nine (29) "C", on a certain map, entitled "Map of the City of Newport News", made by C. M. Braxton, Civil Engineer, a copy of which was filed in the Clerk's office of the County of Warwick on the fifteenth day of October, eighteen hundred and ninety, now owned by D. M. Andrews; if so, what, in your opinion, is the present cash value of the said lot ?

A- Yes. I know the lot, and I should say it ought to be worth from seven hundred to seven hundred and fifty dollars.

5 Q- State, if you know, what is the general situation and condition of the surrounding property, and what, in your opinion, are the probabilities of the said lot increasing in value ?

A- The surrounding locations are very favorable,- the property enhancing in value. There is a nice class of houses throughout that section of the City, and an excellent class of people in the neighborhood. I consider that the lots in that section give as much promise of increasing in value as any in that part of the City (East End).

6 Q- State whether or not, in your opinion, it would be judicious and proper to invest the sum of five hundred and fifty dollars, to which infants are entitled, for the purchase of the said lot ?

A-I think it would be a good investment.

And further this deponent saith not.

C D West

-o-

W. W. REYNOLDS, another witness introduced by the plaintiff, being duly sworn, deposes and saith as follows:-

(Direct Examination)-

1 Q- (By Mr. Boykin)- State your name, age, residence and occupation ?

A- W. W. Reynolds; twenty-six years old; Newport News, Virginia; I am in the Real Estate and Insurance business.

2 Q- How long have you been engaged in the real estate business in the City of Newport News ?

A- About four (4) years.

3 Q- State whether or not you have a general knowledge of the present value of real estate in the city of Newport News ?

A- Yes,- I have.

4 Q- State whether or not you know, or have ever seen, Lot number fifty-two (52), in block number twenty-nine (29) "C", on a certain map, entitled "Map of the City of Newport News", made by C. M. Braxton, Civil Engineer,- a copy of which was filed in the Clerk's Office of the County of Warwick on the fifteenth day of October, eighteen hundred and ninety, now owned by D. M. Andrews; if so, what, in your opinion, is the present cash value of the said lot ?

A- I am well acquainted with lot number fifty-two (52), in block number twenty-nine (29) "C", situated next to Mr. Andrews' residence on Hampton Avenue, and I consider this lot to be worth between six and seven hundred dollars. Of course being next to the residence of Mr. Andrews would make the lot worth more to him than to any one buying it for an

investment.

5 Q- State, if you know, what is the general situation and condition of the surrounding property, and what,- in your opinion,- are the probabilities of the said lot increasing in value ?

A- This lot is situated in one of the best residential sections of Newport News, and I see no reason why it should not enhance in value.

6 Q- State whether or not, in your opinion, it would be judicious and proper to invest the sum of five hundred and fifty dollars, to which infants are entitled, in the purchase of the said lot ?

A- I can see no objection whatever to making such an investment. I think this lot at five hundred and fifty dollars would be a good investment.

And further this deponent saith not.-

---------- W. W. Reynolds ----------

-o-

State of Virginia,-)
) to wit:-
City of Newport News--)

I, Henry C. Ivy, a Notary Public for the City of Newport News, in the State of Virginia, do certify that the foregoing depositions of R. W. Reynolds, John L. Marye, C. D. West and W. W. Reynolds, were duly taken, sworn to and subscribed before me, at the place and time mentioned therein and in the caption thereto, pursuant to the annexed notice.

In witness whereof I have hereunto set my hand, this twentieth day of April, nineteen hundred and three.

Henry C. Ivy

Notary Public.

Notary's fee for these depositions---- $3.00.

7

In the Circuit Court of the
County of Isle of Wight, Va.-

-----o-----

Andrews, Guardian, &c.,
vs.-
Andrews, et al.

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DEPOSITIONS.

---------o----------

Filed April 22d 1903
Jesse R. D. Young Clk

ANDREWS, GUARDIAN.

VERSUS.

ANDREWS et als.

To R. S. Thomas, guardian ad litem of Harris Glover Andrews and Henry Stuart Andrews, and Jos. S. Andrews.

You are hereby notified, that on the 31st day of May 1906, at the Office of Julia W. Whitley, a Notary Public for the City of Newport News, in the 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 depositions of R.W.Reynolds and W. Lee Powell, to be read as evidence in regard to the investment of the amount in my hands as Commissioner of Sale in the suit of Andrews Guardian Vs. Andrews Infants et als, depanding in the Circuit Court of the County of Isle of Wight. And if from any cause the taking of the said depositions be not commenced on that day, or if commenced be not concluded the taking of the same will be adjourned from day to day until the same be completed.

Respectfully Yours.

Jos. S. Andrews, Gdn
Harris Glover Andrews &
Henry Stuart Andrews.

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

ANDREWS, GUARDIAN

Vs. In Chancery.

ANDREWS, INFANTS ET ALS.

Notice to take Deposition

We acknowledge legal notice of this notice.

Jos. S. Andrews

R. S. Thomas

Guardian ad litem of Harris Glove Andrews and Henry Stuart Andrews.

DEPOSITIONS of R. W. REYNOLDS and W. LEE POWELL taken before me, JULIA WHITLEY, a Notary Public for the City of Newport News, in the State of Virginia, at my office in said City, this 31st. day of May, 1906, between the hours of 9:00 o'clock A. M. and 9:00 o'clock P. M., on that day, to be read as evidence in support of the Petition of Diana M. Andrews, filed in the suit of ANDREWS, GURRDIAN vs. ANDREWS' INFANTS, depending in the Circuit Court of the County of Isle of Wight, in the State of Virginia.

- 0 -

PRESENT: R. E. BOYKIN, Counsel for all parties, both plaintiff and defendants.

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R. W. REYNOLDS, a witness of lawful age, being first duly sworn, deposes as follows:

1 Q. State your residence and occupation ?

A. Newport News, Va, - real estate and insurance.

2 Q. How long have you been engaged in the real estate business in the City of Newport News.

A. Ten years.

3 Q. Please state whether or not you are acquainted with Lot #51 in Block #29-C, on the map of C. M. Braxton, Survey of a part of the City of Newport News, Va., filed Oct. 30,1890.

A. I am.

4 Q. State what, in your opinion, is the fair value and market price of the said property ?

A. Thirty-four to thirty-five hundred dollars.

5 Q. Do you know of any reason why it is at all probable that the said property should materially depreciate in value ?

A. I do not. I would be more inclined to increase, as a good class of people and nice residences are in this locality.

6 Q. What building, if any, is upon the said lot ?

A. The lot is improved by a two and one-half story dwelling which would cost, approximately, three thousand dollars.

7 Q. State whether or not, in your opinion, said house and lot would be ample security for the loan of $1142.67

A. It would be.

AND FURTHER THIS DEPONENT SAITH NOT.

R W Reynolds

W. LEE POWELL, a witness of lawful age, being first duly sworn, deposes as follows:

1 Q. State your residence and occupation ?

A. Newport News, Va., - real estate and insurance business.

2 Q. How long have you been engaged in the real estate business in the City of Newport News ?

A. About eleven years.

3 Q. Please state if you are acquainted with the lot heretofore mentioned; if so, what improvements are upon it, if any, and in your opinion, what is its fair value and market price ?

A. I am. The lot is improved by a two and half story frame dwelling, worth, in my opinion, from three thousand to thirty-five hundred dollars.

4 Q. Is there any reason known to you why this property should depreciate in value ?

A No.

5 Q. Would you consider this property ample security for a loan of $1142.67, or thereabout, for a term of seven or eight years, with interest thereon, payable annually ?

A. I would.

AND FURTHER THIS DEPONENT SAITH NOT.

W. Lee Powell

State of Virginia
: SS:-
City of Newport News

I, JULIA WHITLEY, a Notary Public in and for the City aforesaid, in the State of Virginia, do certify that the foregoing depositions of R. W. REYNOLDS and W. LEE POWELL, were duly taken, sworn to and subscribed before me, in my City aforesaid, at the time and place and for the purpose in said caption mentioned.

Given under my hand this 31st day of May, 1906.

Julia Whitley
Notary Public.

16th

Depositions:—

R. H. Reynolds

H. Lee Powell.

Andrew Guardian

v.

Andrew Infants.

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

---o---

Andrews, Guardian,	)
versus	)
Andrews, infants, and others.	)

The undersigned, Joseph S. Andrews, Special Commissioner of Sale, respectfully reports to Court, that, in obedience to the decree entered in the said cause on the twenty-seventh day of May, nineteen hundred and three (1903), your Commissioner, having first executed the Bond by said decree directed, collected of and from the Methodist Episcopal Church, at Smithfield, Virginia, the sum of five hundred and fifty dollars ($ 550.00), in full of the purchase price of the lot or parcel of land in said decree specifically mentioned, and directed to be conveyed by your Commissioner, upon the receipt of the said sum and amount, to the said Church; and, that ~~in~~ upon the collection of the said sum and amount, in further obedience to said decree, your Commissioner executed and delivered to the said Church a good and sufficient deed in fee simple for the said lot or parcel of land.

Your Commissioner further reports, that in further obedience to said decree, he invested the said sum of five hundred and fifty dollars ($550.00) in the purchase of--

All of that certain piece or parcel of land, situate, lying and being in the City of Newport News, State of Virginia, known as Lot number fifty-two (52), in Block number twenty-nine (29) "C" on a certain map, entitled "Map of part of the City of Newport-News", made by C. M. Braxton, civil engineer, a copyoof which was

filed in the Clerk's Office of the County Court of Warwick,on the 15th day of October 1890; taking the deed therefor in the name of the said infants,Harris Glover Andrews and Henry Stuart Andrews.

The originalof the deed from Diana M.Andrews and Jos.S.Andrews, to the said Harris Glover Andrews and Henry Stuart Andrews,bearing date May 8th 1903,and duly recorded in the Clerk's Office of the Corporation Court of the City of Newport News,in Deed Book 24, page 462,is herewith filed as a part of this report.

All of which is respectfully submitted.

Joseph S Andrews
Special Commissioner.

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

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

Andrews, Guardian,
versus
Andrews, Infants,
and others.

Commissioner's Report.

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

Commissioners Office, Smithfield, Va, Sept 10-1904

The depositions of G.W.Delk, Geo.N.Guy and R.A.Edwards, taken before me, at the office of R.E.Boykin, in the Town of Smithfield, in the County of Isle of Wight, between the hours of 9 O'Clock AM. and 6 O'Clock P.M., on the 10th day of Sept 1904, in the execution of the decree of the Circuit Court of the said County, entered in the ~~July~~ June term 1904, in a suit in chancery in said court depending, wherein Jos.A.Andrews, Gdn of Harris Glover Andrews and Henry Stuart Andrews is plaintiff, and the said Harris Glover Andrews, Henry Stuart Andrews and the said Jos.A.Andrews are defendants, pursuant to the annexed notice.

Present. R.E.Boykin, attorney for plaintiff and R.S.Thomas, Gdn ad litem of infant defendants.

G.W.Delk, a witness of lawfull age, having been duly sworn, deposes and says as follows.

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

Ans..I am 34. years of age, a merchant and, live in the town of Smithfield.

Ques ". State whther or not your are acquainted with what is known as the Sinclair property, in the town of Smithfield, of which Mrs Martha Sinclair, died seized and possessed.

Ans. I am.

Ques. By the last will and testament of Mrs Martha Sinclair she devised the said property to her husband, John Sinclair, for life, and at his death to Harris Glover Andrews and Henry Stuart Andrews, infant children of Jos.S.Andrews, the father of the said infants, purchased the life estate of the said John Sinclair in the said property. Examine the plat or survey, marked A which I now hand you, examine the lots thereon, indicated as B and C, respectively, and state whether or not, in your opinion it would be for the best interest of all of the parties, and especially of the infant children aforesaid, that the said lots, so marked and deignated as aforesaid, be sold and the proceeds invested under the terms of the will of the said Martha Sinclair.

Ans. I think it would be best for all parties that the property be sold, and the proceeds of sale invested by the court.

The property in question, designated on the map I hold as B and C is vacant and unimproved land. No revenue whatever can be derived from it, as it is useful solely for building purposes.

As Mr Andrews has only a life interest in it he could hardly afford, with his means, to build upon it. I think the property would sell as well, indeed better, now than at any time in the future so far as it is possible to see ahead.

Were it my property I would sell it now, as property in Smithfield, in the heart of the town for residential purposes, as is the case with this property, is selling high.

Ques 4. What, in your opinion, is the fair market value of the said lots.

Ans. I think the lot on Mason Street is worth Seven Hundred

Dollars, about that neighborhood, and the lot on Hill Street about three hundred and fifty dollars.

And further this deponent saith not.

Geo. W. Delk

Geo.N.Guy, 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 35 years of age, am a merchant and farmer.

Ques.2. State whether or not you are acquainted with the Sinclair property, on Mason and Ceder Streets in the town of Smithfield of which Martha Sinclair died seized and possessed.

Ans. I am; have know it all my life.

Ques 3. Question three propounded to the witness G.W.Delk, here and now repeated, and witness requested to answer the same.

Ans. I am clearly of the opinion that it would be for the best interest of all of the parties that the said property, designated as B and C, on said map be sold, and the proceeds invested.

It is vacant property, brings in no revenue, and no returns can be derived from it unless houses are built upon it. It is hardly probable that a life tenant would build houses of any value, so it will probably not be productive during the life of Mr Andrews, and it will be a burden as the taxes have to be paid.

A further reason why I consider it should be sold is this. Property in Smithfield is selling well, and in my opinion as high as there is any reasonable ground to belive it will sell in the near future or in any time reasonably distant.

Ques 4. State what, in your opinion, is the fair market value of the said several lots.

Ans. I think the lot fronting on Mason Street is worth about Eight Hundred Dollars, and the lot on Ceder Street is worth about Four Hundred Dollars.

And further this deponent saith not.

Geo. N. Gray

R.A.Edwards, a witness of lawful age, being duly sworn deposes and says as follows.

Ques 1. State your residence and occupation.

Ans. I reside in the town of Smithfield; am Sheriff of the County of Isle of Wight and a farmer.

Ques 2. Are you ~~are~~ acquainted with the Sinclair property in said town.

Ans. I am. Live very near it, on same Street.

Ques 3. Question 3 propounded abpve to G.W.Delk, here and now repeated and propunded to witness.

Ans. I think it would be best to sell the property and invest is as the court may order. It is best for all parties in my opinion.

The property is vacant land, unimproved, no revenue to be had from it, and never will until houses are built upon it. Of course taxes have to be paid on it. Property is as high or higher in Smithfield than I think it will be again for a long time.

Ques 4. What in your opinion is the fair value of the said several lots numbered B and C/on said plat and survey.

Ans. I think the lot on Mason Street is worth Eight Hundred

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

Dollars and the other Four Hundred.

And further this deponent saith not.

R. A. Edwards

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 were duly taken and subscribed to before me at the time and place mentioned in the caption.

Given under my hand this 10th day of Sept 1904.

Geo. R. Atkinson

Commissioner in Chancery.

Fee $5.00

Commissioners Office?Smithfield,Va Sept 10th 1904.

The undersigned Geo.R.Atkinson,Commissioner in Chancery of the Circuit Court of the County of Isle of Wight,who was directed by the decree of the said court entefed on the 7th day of June 1904 in the suit of Andrews Gdn,Vs Andrews Infants et al"to inquire into and report to court,whether or not it would be to the interest of the parties to this suit,and especially of the infant defendants,t that the vacant and unimproved piece or parcel of land,being a part of the lot in the bill and proceedings of said suit mentioned, lying between the land near the Sinclair residence and the lot or parcel of land conveyed,by the order of this court,to the Methodist Episcopal Church,at Smithfield,Virginia,be sold and the proceeds of such sale invested under the order of this court,with any matters specially stated,deemed pertinent by the Commissioner,or required by any of the parties to be so stated,would respectfully report to court,that having first given due notice to all of the parties,he proceed to take said account,and returns herewith the evidence upon which this account is based.

Your commissioner is of opinion and so reports,that it would be to the benefit of all of the parties that the property in said decree mentioned and the proceeds of sale invested under the order of this court under the trusts of the willof Martha Sinclair. The property in question is vacant and unimproved land,no revenue can be derived therefrom unless buildings are erected thereon,and your commissioner is of the opinion that property in the town of Smithfield is selling at large figures,and as much or more than can be reasonably expected in the future.

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

Your Commissioner would further and specially report that in his opinion, based on the evidence herewith, that the said property should be sold in two parcels; selling as one piece or parcel the lot fronting on Mason Street, and as another lot or parcel, the lot fronting on Cedar Street .

AAll of which is respectfully submitted.

Wm R Wilkinson

Commissioner in Chancery.

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

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Andrews Gd.

Vs. In Chancery.

Andrews' Infants et al.

Commissioner Atkinson's

Report.

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

PLAT of
LAND in SMITHFIELD, VA.
sold by J. E. ANDREWS, Guardian
to the
M.E CHURCH.
~ March 26th. 1903 ~
Scale 20' = 1"
J.L. Marye
C.E.

POST
S. 32°-05' E.
63'
29.4'
S. 58° 40' W.
46'
N. 32° 05' W.
N. 58° 40' E.
94.8'
S. 58° 40' W.
66'
66'
17'
N. 32° 08' W.
46'
70'
15'
16'
14.5'
50'
A.
B
B
M. E. CHURCH.
CEDAR ST.
MASON ST.

Plat
A

Andrews Esqr
v
Andrews Defts
Rejd

August 31st 1905. Recd of Jos. S. Andrews Comr in the suit of Andrews Exr v Andrews Defts the sum of Three Dollars and Fifty cents ($3.50) being My fee as Comr. for taking depositions in said suit.

Wm R Williams

Andrews Bros
&
Andrews Ltd
Memo for file

4.238

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68.56 02
4.238

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2056 04
136120
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28048.276

An account of the transactions of D.S.M. Andrews, as special comr in Andrews Estate v Andrews Infants.

By amt of sales of lots to B.S. Chapman 1250.00

To Comrs on 3'001 @ 5%		15.00 ✓	
" Comrs on 950 @ 2%		19.00 ✓	
" pd clerks fees unpaid	A.S. Johnson	1.83 ✓	
" pd R.S. Boykin for Comrs by Comrs		50.00	
" " do Lunch & Refreshments		10.00	
" " for Survey		✓ 2.00	
" " Comr Atkinson		✓ 3.50	
" " Crier		✓ 3.00	
" " ADV		✓ 2.50	107.88
		107.50	1357.88

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REPORT OF SALE OF SPECIAL COMMISSIONER.

ANDREWS GUARDIAN

v.-

ANDREWS' INFANTS et als.

Sépia et Sterling
Cour 7 Notes in debate.
R. E. B.

Filed April 4" 1906

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

and he so advises.

All of which is respectfully submitted.

Jos. S. Andrews

Special Commissioner

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

lot to the said T. E. Amory, at the sum and price of $1000.00 when, in fact, it was intended to adjourn the sale of the said lot.

That in pursuance of a like policy, by-bids as aforesaid, were made upon the lot on Cedar Street and in like manner the said last mentioned lot was knocked out to the said T. E. Amory at the sum and price of $35.00.

That at said sale there was not any bona fide bid of the value of the said property, as shown by the depositions filed in this cause. That since such proceedings were had, your Commissioner has, from time to endeavored to secure a private bid or offer for the said several lots, but until recently he has been unable to obtain an offer amounting to the full value of said property. That one B. P. Chapman has recently offered to purchase both of said lots, - the one fronting on Main Street and the other on Cedar Street as aforesaid, and being connected each with the other, - at the sum and price of TWELVE HUNDRED AND FIFTY DOLLARS ($1250.00) in cash.

Your Commissioner is informed and so reports that the interest of all parties, and especially the interest of the infant defendants will be promoted by such sale and the investment of the proceeds, as no revenue is being derived by any one from the lots aforesaid. The small, old and delapidated house being practically uninhabitable and cannot be repaired. That, as will appear from the depositions filed in this cause as aforesaid, the bid or offer of the said B. P. Chapman is the full value and the fair market price of the said lots or parcels of land.

In the opinion of your Commissioner, the said offer and bid, for the reasons aforesaid, should be accepted

IN THE

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

****

ANDREWS GUARDIAN

v.-

ANDREWS' INFANTS, et als.

****

THE UNDERSIGNED, - JOS. S. ANDREWS,- Special Commissioner under the annexed decree herein of the October Term 1904 of said Court, respectfully reports to the Court:

That in pursuance of said decree, having first executed the bond and given the notice by said decree directed, he exposed to sale, at public auction, upon the premises, in the town of Smithfield, on the 21st. day of March, 1905, the two (2) certain lots or parcels of land in the bill and proceedings of this suit mentioned, designated upon the plat filed with the depositions in this cause, as "B" and "C", respectively; that at said sale, as the bidding was not spirited, in order to stimulate the same and obtain a fair value for the said property, as he is now informed probably erroneously, secured one T. E. Amory and others to make several by-bids upon the said property, instructing them what sums and amounts to run up said property.

That in pursuance therewith, the said T. E. Amory and others made several by-bids upon the lot fronting on Main Street and the crier, not having previously been instructed by your Commissioner, knocked out the Mason Street

Andrews - Gdn
vs
Andrews Infants.

Report of Investment

Jos. S. Andrews, Guardian.

Versus.

Harris Glover Andrews and Henry Stuart Andrews, et al.

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

The undersigned, Special Commissioner, under the decree of the Circuit Court of the County of Isle of Wight, entered on the 4th day of June 1906, in the suit of Jos. S. Andrews, Guardian, against Harris Glover Andrews, Henry Stuart Andrews, et al, in the said court depending; respectfully reports to court, that in obedience to the said decree having first paid the unpaid costs of the said suit to dismissal, he invested the residue of the sum of Eleven Hundred and Forty Two Dollars and Sixty Seven Cents, ($1142.67), shown by his report herein to be in his hands as such Commissioner, to wit, the sum of Eleven Hundred and Forty One Dollars and Eight Cents ($1141.08-), as by the said decree directed by loaning the same to Diana M. Andrews; taking from the said Diana M. Andrews a bond for the said sum so loaned as aforesaid, payable to the said Jos. S. Andrews, Guardian of the said Harris Glover Andrews and Henry Stuart Andrews, bearing date June 30th 1906, with interest from date, payable annually as by the said decree was directed, the principal of the said bond being payable six years after date, which bond is secured by a deed of trust on "that certain lot or parcel of land situate, lying and being in the City of Newport News, in the State of Virginia, known and designated as Lot No. 51 in Block No. 29, C, on the map of C. M. Braxton's survey of the City of Newport News", recorded October 30th 1890; as per statement.

By amount in hands of Commissioner		1142.67
To paid unpaid clerk's fees to dismissal	1.59	
" amount loaned Diana M. Andrews	1141.08	
	$1142.67	$1142.67

The receipt of the party for the said payment, together with the deed of trust securing the said loan is herewith returned as a part of this report. All of which is respectfully submitted.

Jos S. Andrews

Special Commissioner

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ANDREWS, GUARDIAN.

VERSUS. IN CHANCERY.

ANDREWS, INFANTS ET ALS.

COMMISSIONER ANDREWS' 2d REPORT
of SALE.

Dulle. 16. 1906. Rec'd of the clerk of the circuit court the certificate of deposit returned with this report.

J. L. Andrews
Comr Andrews Gdn
v
Andrews Infants et als.

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

That the said lot is of the value of $3500 upon which there is a deed of trust of $810.00

That the said Dianna M.Andrews desires to borrow the said sum of $1142.67,or so much as may remain after deucting the life estate aforesaid,pay off the existing deed of trust,and secure the amount desired to be borrowed as aforesaid by a deed of trust on the lot aforesaid; the interest thereon to be paid to guardian of the said infants annually.

Your commissioner is advised that the said investment and loan would be a safe and judicious one.

All of which is respectfully submitted.

Jos. S. Andrews
Special Commissioner.

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

By amt foward		1250.00
To do do	97.33	
" paid for deed to purchaser	10.00	
" amount to balance	1142.67	
	$1250.00	$1250.00

By balance in hands of Commissioner
deposited in bank of Smithfield. $1142.67

The receipts of the parties for the said payments are herewith returned.

Your Commissioner would further and specially report that by the will of Martha Sinclair,her husband John Sinclair,was entitled to an estate for life in the lots or parcels of land in this report mentioned. That the said John Sinclair,by his deed bearing date August 4th 1902,[redacted] conveyed to Jos. S. Andrews,being the same Jos. S. Andrews,who is the Commissioner aforesaid,the estate for life of the said John Sinclair,in the real estate of which the said Martha Sinclair died seized and possessed,including the lots and parcels of land aforesaid.

[redacted]

That the present value of the life estate of the said John Sinclair,in the said sum of $1142.67,is $290.45.

That it is the wish and desire of the said Jos. S. Andrews,that his estate for the life of the said John Sinclair in the said sum be computed as aforesaid and be paid him; or That the said sum be invested, and the annual interest during the life of the said John Sinclair be paid him.

That Dianna M. Andrews,the mother of the infants Harris Glover Andrews and Henry Stuart Andrews,who are entitled to the said sum of $1142.67,subject to the life estate aforesaid,is the fee simple owner of Lot 51 Block 29C,,on the Map of C.M.Braxton's Survey of a part of the City of Newport News,recorded Oct 30th 1890.

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

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

ANDREWS, GUARDIAN.

VERSUS.

ANDREWS, INFANTS ET ALS.

THE UNDERSIGNED,-JOS. S. ANDREWS, Special Commissioner under the decree herein of the March term 1906,respectfully reports to court. That in obedience to the said decree he collected of and from B. P. CHAPMAN,the sum of($1250.) TWELVE HUNDRED AND FIFTY DOLLARS,the purchase price of the two certain lots or parcels of land,in the bill and proceedings of this suit mentioned,designated upon the plat filed with the depositions in this cause,as"B" and "C", respectively,and upon the payment of the said sum,in further obedience to the said decree,executed and delivered unto the said B.P.Chapman,a good and sufficient deed,in fee simple,with Special Warranty,for the several lots or parcels of land aforesaid.

That your commissioner out of the proceeds of such collection paid the unpaid costs of suit and sale,including an attorneys fee allowed by court,to R.E.Boykin,attorney for his services in this cause,amounting in the whole to $107.33,leaving a balance in the hands of your commissioner of your commissioner of $1142.67; as per- Statement A.

By purchase price of lots		1250.00
To paid advertising sale and posting notices-	2.50	
" " Crier	3.00	
" " Comr Atkinson	3.50	
" paid for survey	2.50	
" " Clerk,unpaid costs	1.83	
" " commissions on $300. at 5% Pd Jos S. Andrews Comr	15.00	
" " Do at 2% on $950. Pd Jos S. Andrews Comr	19.00	
" " attorneys fee	50.00	
	$97.33	$1250.00

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

Willie Morris
&
E. M. Morrison

THE BANK OF SMITHFIELD,
PAID THROUGH
THE CLEARING HOUSE
DEC 20 1904
FIRST NATIONAL BANK
OF NEWPORT NEWS, VA.

Hampton, Va. Dec 17th 1904 No 529

NEWPORT NEWS, VA.

Schmelz Brothers, Bankers

PAY TO THE ORDER OF

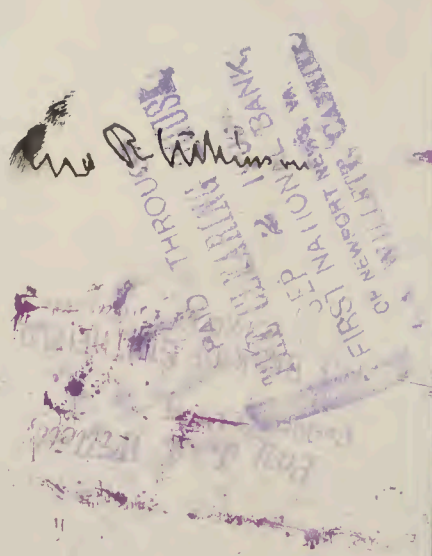
Willie Morrison $2.50

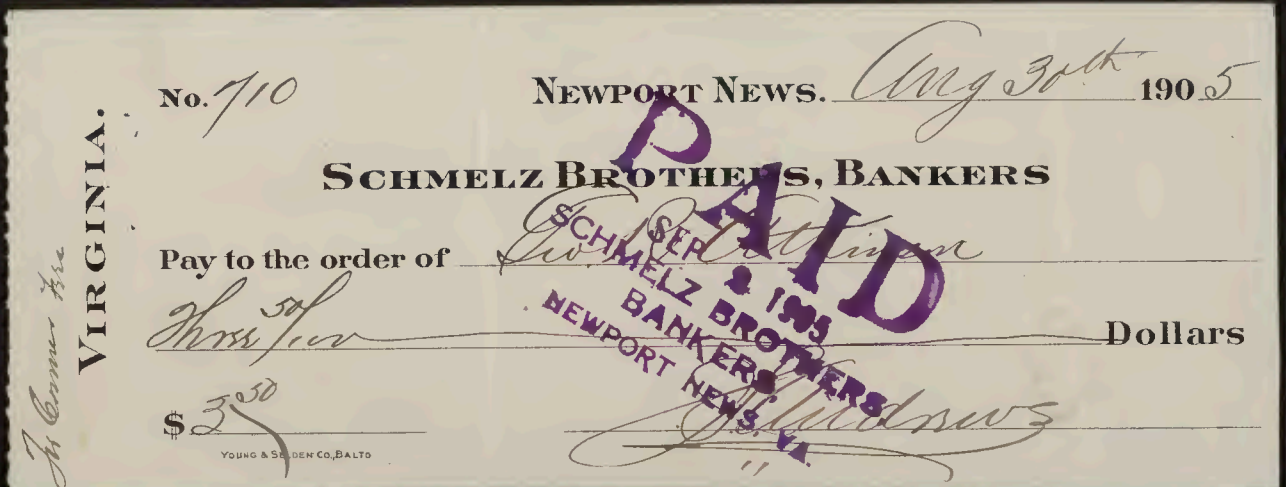
Two 50/100 Dollars

SAFE DEPOSIT BOXES
FOR RENT.

DEC 20 1904
SCHMELZ BROS. BANKERS
NEWPORT NEWS

Wm. Mann Co., Philadelphia


THROUGH THE
FIRST NATIONAL BANKS
IN THE UNITED STATES
FIRST NATIONAL BANK
OF NEWPORT NEWS
VIRGINIA



No. 710

NEWPORT NEWS. Aug 30th 1905

SCHMELZ BROTHERS, BANKERS

Pay to the order of [illegible]

[illegible] Dollars

$ 3.50

PAID
SEP 2 1905
SCHMELZ BROTHERS
BANKERS
NEWPORT NEWS, VA.

[illegible]

YOUNG & SELDEN CO., BALTO

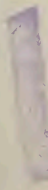
VIRGINIA.

PAY TO THE ORDER OF

FIRST NATIONAL BANK,

NEWPORT NEWS, VA

FRANKLIN PRINTING CO.



Victor Hotel Mfg Company

VIRGINIA.

No. 735

NEWPORT NEWS. Sep 5th 1905

SCHMELZ BROTHERS, BANKERS

SCHMELZ BROTHERS, Bankers
SEP 1905
NEWPORT NEWS, VA.

Pay to the order of Daily Press Printing Co

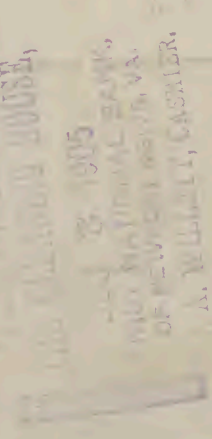
Two 00/100 Dollars

$ 2.00

YOUNG & SELDEN CO., BALTO

Rec'd Payment

PAY TO THE ORDER OF



VIRGINIA.

No. 785 NEWPORT NEWS. Nov 29th 1905

SCHMELZ BROTHERS, BANKERS

Pay to the order of A. C. Edwards

Three hundred Dollars

$ 300

PAID
SCHMELZ BROTHERS
BANKERS
NEWPORT NEWS, VA.

J. Hudnut

YOUNG & SELDEN CO. BALTO

April 14th 1906. Recd, of Jos.S.Andrews, Commissioner in Andrews Guardian Vs Infants et als, Sixty Dollars fee allowed to R.E. Boykin, in said suit and fee for deed to purchaser of lots.

R. E. Boykin

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

8

Andrews Guardian.

Vs. In Chancery.

Andrews Infants.

Rough Decree April 27th,1903.

To be entered

Robt R Prentis

C.O.B. 6, page 291

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

adjudge, order and decree that the said Jos S.Andrews shall invest the said sum of Five Hundred and Fifty Dollars ($550.00) in the purchase of that certain lot or parcel of land, in the City of Newport News, in the State aforesaid, of which D.M.Andrews is seized and possessed numbered lot No, 52 in block 29 6 on a certain map entitled "Map of a part of the City of Newport News" made by C.M.Braxtom, Civil Engineer, and recorded in the Clerk's Office of the County Court of the County of Warwick on the 15th day of October 1890, taking from the said D.M.Andrews, and husband a good and sufficient deed in fee simple conveying the said lot or parcel of land to the said Harris Glover Andrews and Henry Stuart Andrews, and record the same in the Clerk's Office of the Corporation Court of the City of Newport News. And the said Commissioner shall make report to Court of his proceedings under this decree. But the said Commissioner shall not execute this decree until he shall have entered in a bond before the Clerk of this Court in the penalty of Eight Hundred Dollars ($800.00) conditioned for the faithful performance of this or any future decree herein.

~~and in the event of the death of either under twenty one years, and without issue to the survivor, and in the event of the death of both under twenty one years old and without issue~~ to jointly. And vest in fee simple,

Jos. S. Andrews Guardian of Harris Glover Andrews and Henry Stuary Andrews.

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

Harris Glover Andrews, Henry Stuart Andrews and Jos S. Andrews in his own right.

This cause came on this day to be heard on the complainants bill, with exhibits filed, on the answer of the infant defendants by R.S. Thomas their guardian ad litem, duly assigned at rules to defend them in this suit the answer of Jos. S. Andrews, with general replicationto the said answers, and upon evidence of witnesses, and was argued by counsel. On consideration whereof it appearing to the Court that it is for the benefit of the infant defendants that the lot or parcel of land in these proceedings mentioned should be sold to the Methodist Episcopal Church South, at Smithfield, Virgin-ia, for the sum and price of Five Hundred and Fifty Dollars ($550.00), up to and including a deed to the purchaser the said Church paying the costs of this suit, and that the purchase price of the said lot or parcel of land be invested in the said lot or parcel of land, in the City of Newport News, in the bill and proceedings of this suit mentioned, a deed therefor to be taken in the name of Harris Glover Andrews and Henry Stuart Andrews, the Court doth adjudge, order and decree that Jos S. Andrews, who is hereby appointed a commissioner for that purpose, upon the payment to him by the Methodist Episcopal Church South at Smithfield, Virginia, of the sum of Five Hundred and Fifty Dollars ($550.00), execute and deliver to the Trustees of the said Church, and their successors, a good and sufficient deed in fee simple, with special warranty, for the lot or parcel of land, situate, lying and being in the Town of Smithfield, in the County of Isle of Wight and State of Virginia, according to the plat and diagram, marked exhibit filed with the complainants bill. And the Court doth further

//

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

Andrews, Guardian,

versus-

Andrews, infants, and
others.

Decree.

Entered June 7, 1904
Robert R. Ellis
Clerk
Entered in C.O. B.
6 p. 351

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

And by consent of parties, in term, entered of record, it is ordered that this cause be submitted to the Judge of this Court for such decision and decree therein, in vacation, as might be made in term.

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

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

Andrews, Guardian,	)
versus-	)
Andrews, infants, and others.	)

this cause came on this day to be again heard on the papers formerly read, and upon the report herein, of Commissioner Joseph S. Andrews, this day filed by leave of court, and was argued by counsel:

on consideration whereof, the court confirming the said report, to which no exceptions have been filed, doth adjudge, order and decree that a Commissioner of this Court do inquire into and report to the court whether or not it would be to the interests of the parties to this suit, and especially to the infant defendants, that the vacant and unimproved piece or parcel of land, being a part of the lot or parcel of land in the bill and proceedings of this suit mentioned, lying between the lane near the Sinclair residence and the lot or parcel of land conveyed, by the order of this court, to the Methodist Episcopal Church, at Smithfield, Virginia, be sold and the proceeds of such sale be invested under the order of this court,- with any matters specially stated, deemed pertinent by the said Commissioner, or required by any of the parties to be so stated.

Leave is given to withdraw the deed from Virginia M. Andrews and others to Harris Glover Andrews and Henry Stuart Andrews. —

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

1 Pf

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

Andrews,
Guardian,

vs.-

Andrews, Infant,
and others.

Decree.

Entered Oct. 24, 1904
Robert R. Prentis
Chancery Order
Book H 6 Page 315

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

filed with the depositions in this cause returned with Commissioner Atkinson's said report, and marked "Plat A"; the first of said lots fronting forty-~~five~~ (46) feet on Mason street and running back a distance of one hundred and forty-five (145) feet; the second of said lots fronting twenty-nine (29) feet and four (4) inches on Cedar street, and running back sixty-three (63) feet,--

Upon the following terms, to wit: one-third cash and the residue upon a credit of twelve (12) and eighteen (18) months, taking from the purchaser bond with waiver of the homestead exemption for the deferred payments of purchase money, and retaining title until the further order of this court.

The said Commissioner is directed, in making the sale of the said property, to sell the said lots severally and not as a whole. And the said Commissioner shall make report to the court of his proceedings under this decree. But the said Commissioner shall not execute this decree until he shall have entered into bond before the Clerk of this court in the penalty of eighteen hundred Dollars ($1800.00), conditioned according to law for the faithful performance of this or any future decree herein.

In the-

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

---o---

Andrews, Guardian, :

versus- :

Andrews, Infant, et als. :

This cause came on this day to be again heard upon the papers formerly read, and upon the report of Commissioner George R. Atkinson, with the testimony of witnesses returned with said report ~~this day filed by leave of court~~ filed September 10, 1904, to which no exceptions have been taken, and was argued by counsel.-

On consideration whereof, the court confirming the said report, to which no exceptions have been filed, doth adjudge, order and decree, that Joseph S. Andrews, who is hereby appointed a Special Commissioner for that purpose, do expose to sale, at public auction, upon the premises, in the town of Smithfield,- having first given at least twenty (20) days notice of the time and place of sale by hand-bills posted at ten or more public places in the town of Smithfield---

All of those several lots or parcels of land, vacant and unimproved, and being a part of the lot or parcel of land of which Martha Sinclair died seized and possessed, and devised by her last Will and Testament as in the bill and proceedings of this suit mentioned, marked respectively "B" and "C" on the plat

Decree of
March Term 1906
not in papers

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ANDREWS GUARDIAN

v.-

ANDREWS' INFANTS et als.

****

Rough Decree, ~~March~~ April 4, 1906.

to be entered,

Robert E. Boykin

C. C. B. No. 6 Page 462

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

kin for his services in this cause, do deposit the residue of the proceeds of sale of the said lots or parcels of land in the Bank of Smithfield, Smithfield, Virginia, taking a certificate of deposit therefor, and returning the same, together with receipts of the parties for said payment, to Court with a report of his proceedings hereunder.

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

****

ANDREWS GUARDIAN

v.-

ANDREWS' INFANT'S et als.

****

THIS CAUSE came on this day to be again heard on the papers formerly read and on the report of Commissioner Jos. S. Andrews, this day filed by leave of court, and to which no exceptions have been filed.

On consideration whereof the Court being of the opinion, from the evidence in this cause and the report of the said Commissioner, that the sum of TWELVE HUNDRED AND FIFTY DOLLARS($1250.00) is the full value and fair market price of the said lots or parcels of land in the proceedings of this suit and said report mentioned, doth accept and confirm the bid and offer of the said B. P. Chapman, to pay in cash the sum of Twelve Hundred and Fifty Dollars ($1250.00) for the same.

And the Court doth further adjudge, order and decree that,upon the payment by the said B. P. Chapman of the said sum of Twelve Hundred and Fifty Dollars ($1250.00) in cash, the said Jos. S. Andrews, who has been appointed Special Commissioner in this cause, execute and deliver to the said B. P.Chapman a good and sufficient deed in fee simple, with Special Warranty, for the lots or parcels of land marked, respectively, "B" and "C", by the metes and bounds as setforth in the plat filed with the depositions in this cause; and the said Commissioner, after paying the unpaid costs of this suit, including a fee of $50.— to R. E. Boy-

17

ANDREWS, GUARDIAN.

VERSUS.

ANDREWS, INFANTS, ET ALS.

DECREE June 4 1906.

TO Be Entered.

Robert E. Lewis

L. C. B. No 6. Page 472.

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

Andrews, Guardian
vs) Chancery
Andrews' Infants.

ROUGH DECREE

C.O.B.No.6.p. 479

To be entered,

R. E. Boykin

October 3rd. 1906.

I Consent to the
within decree,
E. H. Williams
Guardian ad litem
for the infant de-
fendants

cel of land aforesaid, which shall be drawn and recorded at the cost and expense of the said Diana M. Andrews. And the said Commissioner shall make report to the Court of his proceedings under this decree.

But the said guardian shall have no authority to collect the principal of the said bond until he shall first execute a bond, in the penalty of $2200. with good security 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.

****

ANDREWS GUARDIAN

v.-

ANDREWS' INFANTS et als.

****

THIS CAUSE came on this day to be again heard upon the papers formerly read, upon the report herein of Commissioner Joseph S. Andrews this day filed by leave of Court, upon the petition of Diana M. Andrews, together with the evidence of witnesses filed with said petition, 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 Joseph S. Andrews who has heretofore been appointed a Special Commissioner in this cause, do withdraw from the papers in this suit the certificate of deposit of the Cashier of the Bank of Smithfield, Smithfield, Virginia, returned with said Commissioner's report, collect the same, and after paying thereout the unpaid cost of this suit to the dismissal thereof, do invest and loan the same to Diana M. Andrews according to the prayer of her petition aforesaid, taking from the said Diana M. Andrews her bond for the amount in the hands of the said Commissioner, after the payment of the cost of suit as aforesaid, payable six (6) years after date with interest from date payable annually. The said interest during the lifetime of John Sinclair to be paid to the said Joseph S. Andrews and thereafter to Joseph S. Andrews as Guardian of the infant defendants aforesaid; the principal sum of said bond being payable to the said Guardian, together with a deed of trust on the lot or par-

Andrews- Guardian

vs

Andrews. Infants

Rough Decree

Decree

Enter- April 22nd 1907

R. E. Baskin

1912
Rb. 7.
Entered
12 DW.
Copy 1/4

Jos. S. Andrews,Guardian.

Versus.

Harris Glover Andrews and Henry Stuart Andrews et al.

In the Circuit Court of Isle of Wight County.

This cause came on this day to be again heard on the papers formerly read and on the report herein of Special Commissioner Jos. S. Andrews,this day filed by leave of court,to which report no exceptions have been field. On consideration whereof the court doth confirm the said report; leave being hereby granted the said Jos. S. Andrews,guardian of Harris Glover Andrews and Henry Stuart Andrews to withdraw the deed of trust from Diana M. Andrews and husband to R.E. Boykin,trustee,returned with the said report,upon his filing in the papers of this cause a certified copy of the same.
And nothing further remaining to be done herein it is ordered that this suit be removed from the docket.

a

Andrews Guardian

Vs. In Chancery

Andrews Infants.

Exhibit A.

In the name of God, Amen. I, Martha F. Sinclair, of the town of Smithfield, in the State of Virginia, being of sound and disposing mind and memory, do make and ordain this to be my last will and testament, in manner and form as follows:

Item first. I give, devise and bequeath all of my estate, real, personal and mixed, of every kind, nature and description whatsoever, with the exception of two watches hereinafter specifically bequeathed, to my husband, John Sinclair for life, with remainder at the death of the said John Sinclair to Harris Glover Andrews and Henry Stuart Andrews, children of Joseph S. Andrews, of the City of Newport News, in the State of Virginia in equal properties, share and share alike, and in the event of the death of either of the said children under twenty one years and without issue the share of the child so dying shall go to the survivor; but in the event of both of the said children should die under twenty one years and without issue then and in that event the said estate, real, personal and mixed, heretofore devised and bequeathed to the said John Sinclair for life, I devise and bequeath to the said Joseph S. Andrews, to him and his heirs forever.

Item Second. I give and bequeath to Harris Glover Andrews my watch, and to Henry Stuart Andrews my father's watch.

In testimony whereof, to this my last will and testament, I have hereunto set my hand this 14th. day of February 1899.

Martha F. Sinclair.

Signed, Published and declared by the testatrix, Martha F. Sinclair, as and for her last will and testament in the presence of us, who in her presence, at her request, and in the presence of one another, have hereto subscribed our names as witnesses.

R. E. Boykin

G. W. Guy,

In the County Court of Isle of Wight County September 1st. 1902. A paper writing, purporting to be the last will and testament of Martha F. Sinclair, deceased, was produced in court by Joseph S. Andrews, and proved by the oath of R. E Boykin and G. W. Guy, the subscribing witnesses thereto and ordered to be recorded as the true last will and testament of Martha F. Sinclair, deceased.

Teste, N. F. Young, C.C.

A Copy,

Teste N. F. Young C.C.

3/31/1903.

C

Andrews Guardian
Vs. In Chancery.
Andrews Infants

Exhibit C.

State of Virginia, to-wit:

I, A. S. Barrett, a Notary Public in and for the County aforesaid, in the State of Virginia, do hereby certify that John Sinclair, whose name is signed to the foregoing writing, bearing date on the 4th. day of August, 1902, has acknowledged the same before me in my county aforesaid.

Given under my hand this 4th. day of August, 1902.

A. S. Barrett, Notary Public.
Com. Expires 10/15/1903.

In the Clerk's Office of Isle of Wight County Court this 1st. day of September, 1902, this deed was received and with the certificate annexed, admitted to record at 2-30 o'clock P.M.

Teste, N. F. Young, Clerk.

By Albert S. Johnson, Deputy.

A Copy ,

Teste, N. F. Young C.C.

3/31st./1903.

THIS DEED, made this 4th. day of August in the year 1902, between John Sinclair, of the town of Smithfield, Isle of Wight county, Virginia, party of the first part, and J. S. Andrews, of the City of Newport News, State of Virginia, party of the second part:

WITNESSETH: That for and in consideration of the sum of five dollars in hand paid, at and before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, the said party of the first part doth grant and convey unto the said party of the second part, all his right, title, interest, property and estate in and to that certain real estate with improvements thereon, situate and being in the town of Smithfield, Isle of Wight County, Virginia, of which the late Martha F. Sinclair died siezed, being her late residence; and being all of the real estate of which the said John Sinclair is life tenant, devised by the will of the late Martha F. Sinclair to the said John Sinclair for life; And the said party of the first part doth further grant, bargain, sell, assign and deliver unto the said party of the second part, all his right, title, and interest, being a life interest, in and to the goods and chattels of every kind, nature and description whatsoever, which were bequeathed by the said Martha F. Sinclair to the said John Sinclair, which said property is now in the possession of the said party of the first part upon the premises aforesaid.

TO HAVE AND TO HOLD, unto the said party of the second part, his heirs and assigns until the termination of the interest of the life tenant as aforesaid.

Witnesseth the following signature and seal:

John Sinclair, (SEAL)

2

FORM NO. 312.

Certificate of Clerk of Qualification

OF

Joseph S. Andrus

as Guardian

of Nancy Glover Andrus & Henry Stewart Andrus his children

Exhibit A

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 312.

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

I, N. F. Young Clerk of the County Court of the County of Isle of Wight, do hereby certify that on the First day of September 1902, Joseph S. Andrews duly qualified in my said court as guardian of Davis Glover Andrews & Henry Stuart Andrews his children and gave bond as such according to law, in the penalty of $1.000.00

Given under my hand this 28th day of March 1903.

N. F. Young, Clerk.

Form 1767.
(Ed. Jan. 29-06—1,000,000.)

TREASURY DEPARTMENT.

Amt Asst - $1142.67
" pd A L Johnson
Clk fees in full
for dismissal of
Suit — 1.59
Amt D/Trust 1141.08

$1142.67 $1142.67

Amt to be invested as
pr order of Court $1142.67

Clerk

47.

Diana M. Andrews and husband

To) Trust deed

R. E. Boykin, trustee for
Jos. S. Andrews, Gnd. etc.

Recorded in Deed Book No. 30 Page 586
and examined.

D. G. Smith
.....Clerk

RECEIVED, AND WITH CERTIFICATE
ANNEXED, ADMITTED TO RECORD

JUL 16 1906

at 4 55 o'clock P. M.

D. G. Smith CLERK

By R. A. Edwards D.C.

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

Tax 1.20
Fee 1.50
$ 2.70

upon the request of the said Diana M. Andrews, a good and sufficient release shall be executed to her at her own proper costs and charges.

Witness the following signatures and seals:

Diana M. Andrews (SEAL)

Joseph S. Andrews (SEAL)

State of Virginia,

City of Newport News, to-wit:

I, W. R. Perkins, a Notary Public of the City aforesaid, in the State of Virginia, do certify that Diana M. Andrews and Jos. S. Andrews, whose names are signed to the foregoing writing, bearing date on the 30 day of June, 1906, have acknowledged the same before me in my City aforesaid.

Given under my hand this 30 day of June, 1906.

W. R. Perkins Notary Public.

My commission expires 2nd June 1909

VIRGINIA—City of Newport News, to-wit:

In the Clerk's Office of the Corporation Court for the City of Newport News, the 16th day of July 1906 this Deed-Track was presented, and with the Certificate annexed, admitted to record at 4:55 o'clock P. M.

Teste: D. G. Tunstall Clerk.

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

VIRGINIA—City of Newport News, to-wit:

In the Clerk's Office of the Corporation Court for the City of Newport News, the ..... day of ..... 190.....

this ..... was presented, and with the Certificate annexed,

admitted to record at ..... o'clock ..... M.

Teste:

..... Clerk.

the annual interest aforesaid, in which latter event the principal of the said bond shall be deemed and taken to have matured, become due and payable, although the period limited for such payment shall not have expired, sale may be made; and in case of a sale the same shall be made at the front door of the Courthouse of the Corporation Court of the City of Newport News, after giving at least fifteen days notice, by hand bills posted at five or more public places in the said City, and in the discretion of the said trustee, in so many issues of some news-paper published in the City of Newport News, as he shall think fit, upon the following terms, to-wit: For cash as to so much of the proceeds of sale as may be necessary to defray the costs of executing this trust, including a commission of five per cent. on the gross sales, and to discharge the amount of money, principal and interest, that may then be due upon or evidenced by the said bond; and if there be any residue, the same shall be made payable at such time and be secured in such manner as the said Diana M. Andrews shall prescribe and direct, or in case of her failure to give such direction, in such manner as the said trustee shall think fit.

The said Diana M. Andrews covenants to pay all taxes, dues and charges upon the said land so long as she or her assigns shall hold the same; and further covenants and agrees to keep the buildingson the property hereby conveyed insured for the full amount of $1141.08, for the further protection of the said Jos. S. Andrews, guardian as aforesaid, and in the event of her failure so to do, then the trustee, or the beneficiary under this deed, may effect or renew such insurance, from time to time, so long as the said debt, or any part thereof, remains unpaid; and the insurance premiums shall constitute a part of the lien created by this deed, to be paid out of the proceeds of the property, if sold, or to be recoverable by all the remedies in law or equity by which the debt aforesaid debt may be recoverable.

If no default shall be made in the payment of the above mentioned bond, annual interest or insurance premiums, then,

R. E. BOYKIN,
ATTORNEY AND COUNSELOR AT LAW,
NEWPORT NEWS, VA.

THIS DEED, made this 30 day of June, 1906, between Diana M. Andrews and Jos. S. Andrews, her husband, of the City of Newport News, in the State of Virginia, of the first part:----------
and, R. E. Boykin, of the County of Isle of Wight, in the State aforesaid, of the second part:----------
WITNESSETH: That the said Diana M. Andrews and Jos. S. Andrews, her husband, doth grant, with General Warranty, unto the said R. E. Boykin, the following lot, piece or parcel of land, to-wit: All of that certain lot, piece or parcel of land, situate, lying and being in the City of Newport News, in the State of Virginia, known and designated as Lot No. 51 in Block No. 29, - C, on the map of C. M. Braxton survey of the City of Newport News, recorded October 30th. 1890, and to which reference is hereby had, together with its appurtenances.

IN TRUST, to secure to Jos. S. Andrews, Guardian of Harris Glover Andrews and Henry Stuart Andrews, the payment of the sum of

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Eleven Hundred and Forty one 08/100 Dollars ($1141.08)

evidenced by the bond of the said Diana M. Andrews, of even date herewith, and being for the payment of the sum of Eleven Hundred and Forty One 08/100 Dollars

to the said Jos. S. Andrews, Guardian of Harris Glover Andrews and Henry Stuart Andrews, six years after date, with interest from date, payable annually; the said interest, during the lifetime of John Sinclair, being payable to Jos. S. Andrews, and thereafter, on the death of John Sinclair, to the said Jos. S. Andrews as guardian of the said Harris Glover Andrews and Henry Stuart Andrews.

And it is covenanted and agreed between the parties aforesaid, that in the event of default in the payment of the said bond at maturity, or in the event of default in the payments of

Andrews, Guardian

Versus.

ANDREWS INFANTS ET AI

Filed with Petition of

DIanna M.Andrews.

R. M. LETT
J. A. MASSIE

LETT & MASSIE
ATTORNEYS AT LAW
NEWPORT NEWS, VA.

June 1, 1906.

Col. R. E. Boykin,

Smithfield, Virginia.

Dear Sir:-

At the request of Mr. Joseph S. Andrews, we have examined the title to Lot 51, in Block 29-C, standing in the name of Mrs. D. M. Andrews. This lot isone of the Newport News Land Development Company's lots, title of that Company you doubtless are very familiar with , as it has been passed upon favorably a great number of times by us and nearly every lawyer in town. This lot was conveyed by it to Dr. Carter Perkins, in January 1892. Deed for which is recorded in Deed Book 8, page 120, in the Warwick County records.

Dr. Carter Perkins and wife in June 1895, conveyed this lot to Mrs. D. M. Andrews, the deed wasrecorded after the incorporation of the City in 1896, in Deed Book 8, page 204, in the records in the Clerk's Office of the corporation court of the City of Newport News. Mrs. Andrews and husband in February 1899, conveyed this lot to the security Trust Company, Trustee to secure a loan of $1000.00 which deed is recorded in Deed Book 10, page 319, again in March 1901 they conveyed the same lot together with lot 50 in Block 29 C- to the same trustee, to secure an additional loan of $500.00, since which time lot 50 hasbeen released from that deed of trust. Each of these loans was from the Mutual Home & Savings Association, of this City, And we are informed by it that the necessary amount to payoff these loans is $[illegible],

There are no judgments, forfeited forth coming bonds, or Mechanic Liens, docketed and indebtedness, which liens against this property. The taxes for 1905 amounts to $22.05 have not been paid.

Yours truly,

Lett & Massie

An Abstract of Title of,

Lot No 52,Block 29,C.&c,in the

City of Newport News,belonging

to Dianna M.Andrews.

I HEREBY CERTIFY that I have made an examination of the title to lot No. 52 in block No 29-C, on a certain map, entitled "Map of part of the City of Newport News, Va.", made by C. W. Braxton, Civil Engineer, dated October 15, 1890, the property of Diana M. Andrews, and I find upon examination of the indexes of the records of the Clerk's Office of the County Court of Warwick County, and the City of Newport News, the true state of the title to be as follows:

The said lot is a part of the Parker West Tract conveyed to the Newport News Land & Development Company with general warranty in 1890; the said Company conveyed the said lot to Carter Perkins by deed recorded March 7, 1892, in Deed Book No. 8, page 120, Warwick County records; that Carter Perkins and wife by deed recorded June 15, 1892, in Deed Book #9, page 18, granted and conveyed the said lot to Diana M. Andrews; That Diana M. Andrews and husband by their deed, recorded June ____, 1892, in deed book 9, page 125, granted and conveyed the said lot to J. A Willett and others Trustees, to secure to the United Banking and Building Company of Richmond a loan in the penal sum of $1600.00; That this deed was released Jan. 5, 1893, See Release Deed Book No. 1, page 59, Corporation Court of the City of Newport News. That Diana M. Andrews and husband by their deed dated August 25, 1898, recorded in Deed Book No. 7, page 481, Corporation Court Clerk's Office, granted to the Security Trust Company, Trustee, the above lot, in trust to secure $1000.00 to the Mutual Home and Savings Association. The said deed was releaseed by Deed of Release, dated Dec. 6, 1902, signed by the Security Trust Company, Trustee, and the beneficiary; recorded in Release deed book No. 3, page 463; and that the taxes for the year 1902 have been paid, and that there are no other liens of any kind binding the said property, and that the fee simple title to the said lot is in Diana M. Andrews.

Given under my hand this 21st day of April, 1903.

W. E. Barrett
Attorney-at-Law.

Office of Geo.R.Atkinson,Commissioner in Chancery,Smithfield,Va,
Sept 10th 1904.

To Jos.S.Andrews and R.S.Thomas,guardian ad litem of the infant defendants in the suit of Andrews,guardian Versus Andrews infants et al.

You are hereby notified that I have fixed upon the 10th day of September 1904,at Eleven O'Clock A.M.,in obedience to the decree of the Circuit Court of the County of Isle of Wight entered on the ~~10th day of Sept~~ 7th day of Sept 1904,to enquire into and report to court whether or not it would be to the interest of of the parties to this suit,and especially to the infant defendants,that the vacant and unimproved lot or parcel of land,in the bill and proceedings of said suit mentioned,lying be tween the lane,near the Sinclair residence,and the lot or parcel of land conveyed by the order of the said court to the Methodist Episcopal Church,at Smithfield,Virginia,be sold,and the proceeds of such sale be invested under the order of said court; with any matters specially stated deemed pertinent by the Commissioner,or required by any of the parties to be so stated.

Given under my hand as Commissioner in Chancery of the said Court/ the day and year first aforesaid.

Geo R Atkinson
Commissioner in Chancery

We acknowledge legal service of this notice.

Jos. S. Andrews
R. S. Thomas for ad litem of Harris Glover Andrews & Henry Stuart Andrews.

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